

12/20/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-13997

NAME AND ADDRESS: CHARLES E HURST
21 AUSTIN RD
CARMEN ID 83462

JEANNE R HURST
21 AUSTIN RD
CARMEN ID 83462

SOURCE: CARMEN CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.008 CFS

PRIORITY DATE: 05/01/1882

POINT OF DIVERSION:

T22N R22E S9 NWSW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.008 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S08	NESW	0.30	T22N R22E S08	SESW	2.00
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2.3 ACRES TOTAL

Right Nos. 75-13997 and 75-14341 are limited to the irrigation of a combined total of 2.3 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

12/11/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-13997

NAME AND ADDRESS: CHARLES E HURST
21 AUSTIN RD
CARMEN ID 83462

JEANNE R HURST
21 AUSTIN RD
CARMEN ID 83462

SOURCE: CARMEN CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.003 CFS .008

PRIORITY DATE: 05/01/1882

POINT OF DIVERSION:

T22N R22E S9 NWSW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.003 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S08

NESW

0.30

T22N R22E S08

SESW

2.00

2.3 ACRES TOTAL

Right Nos. 75-13997 and 75-14341 are limited to the irrigation of a combined total of 2.3 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

11/16/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-13997

NAME AND ADDRESS: CHARLES E HURST
21 AUSTIN RD
CARMEN ID 83462

JEANNE R HURST
21 AUSTIN RD
CARMEN ID 83462

SOURCE: CARMEN CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.003 CFS

PRIORITY DATE: 05/01/1882

POINT OF DIVERSION:

T22N R22E S9 NWSW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.003 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S08 SESW 1.10

1.1 ACRES TOTAL

Right Nos. 75-13997 and 75-14341 are limited to the irrigation of a combined total of 1.1 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



Idaho Department of Water Resources

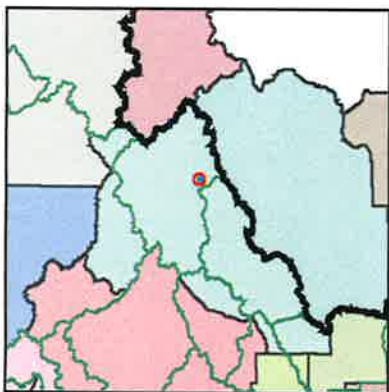
SRBA Recommendation:

75-13997

(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters

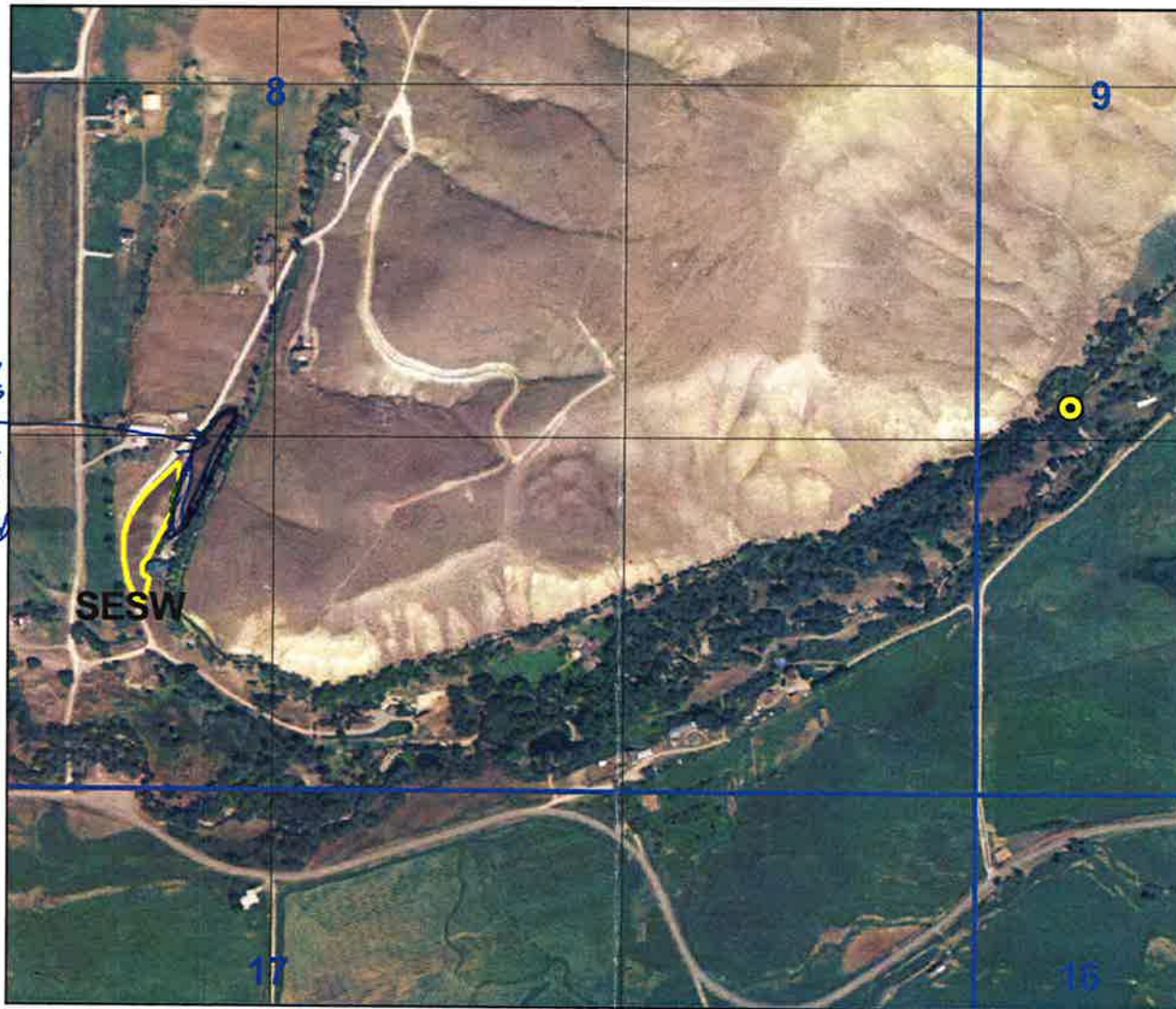


Lemhi County
IDWR Basin 75



Prepared by M. Ciscell
On Monday, November 20, 2006
2004 Aerial Photography

R22E



0 0.3 0.6 Miles

75-13997 & 75-14341

T22N R22E Section 8



Place of Use



Point of Diversion



75-13997 & 75-14341

T22N R22E Section 8



Place of Use



Point of Diversion





11/20/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 12/13/2006

Water right number: 75-13997

CHARLES E HURST
21 AUSTIN RD
CARMEN ID 83462
Telephone Number: (208)756-3666

JEANNE R HURST
21 AUSTIN RD
CARMEN ID 83462
Telephone Number: (208)756-3666

RECEIVED

DEC - 4 2006

IDWR/North

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Quantity
Place of use

2. Describe the changes you wish to make in the proposed recommendation:

Quantity = 3.0 A = .008 CFS

Place = TZZW RZZE S08 S2SW 3.0
3.0 Acres TOTAL

3. Give a brief explanation as to why you disagree with these portions:

All The Land below my ditch, to the access road,
is my water right. This equals about 3.0 A.
See map.

I AGREE with this proposed recommendation: no changes need to be made.

DATE:

11/25/06

SIGNATURE:

Chuck Hurst

Please print your name:

Chuck Hurst

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

SCANNED

DEC - 6 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s).

A75 13997

1. ☒ No Change NAME IS SAME

☐ NEW OWNER: _____

☒ No Change ADDRESS

☐ NEW ADDRESS: _____

2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted

☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____

(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE

☐ Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION

☐ Point of diversion is different than the claim and/or new P/D's:

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS

☐ Incomplete description, list below:

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☐ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks

Jack F. Ellis

6-8-05



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 8, 2001

STEVE & SHEILA NAFUS
201 VISTA OESTE
TUCSON AZ 85704

RE: CHANGE IN OWNERSHIP FOR 75-10062F

Dear Mr. & Mrs. Nafus:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

75-10062F:
75-13996, 0.37 cfs, 18.8 acres, Nafus
75-13997, 0.08 cfs, 3.2 acres, Hurst

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jennifer Crabtree".

Jennifer Crabtree
Technical Records Specialist

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

DELOG ~~ES~~ 4/26/01
 RECEIVED
 APR 26 2001
 Department of Water Resources
 Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
75-10062F		☒			

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Steve and Sheila Nafus
201 VISTA OESTE TUCSON, AZ 85704
4. New Owner/Claimant(s) Charles E +/or Jeanne R. Hurst
 Name Connector (Check one): [] and, [] or, ☒ and/or
- New Mailing Address * 21 Austin Rd
- City, State and ZIP Code CARMEN ID 83462
- New Telephone Number (208) 756-3666
5. Date you acquired the property 9-24-1993

6.

If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>75-16662F</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>.08 cfs</u>	
Stock		
Domestic		
Other		
Total	<u>.08 cfs</u>	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation		
Stock		
Domestic		
Other		
Total		

7.

Signature of New Owner(s) or Claimant(s):
(include title if applicable)



For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

For Value Received

STEPHEN J. NAFUS and SHEILA C. NAFUS, by Stephen J. Nafus, her attorney in fact,
husband and wife
the grantors, do hereby grant, bargain, sell and convey unto

CHARLES E. HURST and JEANNE R. HURST, husband and wife

whose current address is

#6 Carmen Creek Rd., Carmen ID 83462

the grantees, the following described premises, in Lemhi County Idaho, to wit:

Lot 6 in Antelope Hills Subdivision according to the Official Plat thereof
filed for record in Book 5 of Plats at Page No. 60 through 62, inclusive,
Records of Lemhi County, Idaho; amended Plat recorded May 22, 1984, as Instrument
No. 171904.

State of Idaho)
County of Lemhi) No. 220019
This instrument was filed for record at
the request of American Land Title
at 10:04 o'clock A m 9-24 1993
and duly filed and indexed in the
records of Lemhi County
Alberta Wiederrick
Ex-Officio Recorder
Terrill J. Norton Deputy
Fee: 3.00

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
and their heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantees, that they are the owners in fee simple of said premises; that they are free
from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: September 24, 1993

Stephen J. Nafus
Stephen J. Nafus

Sheila C. Nafus by Stephen J. Nafus
Sheila C. Nafus, by Stephen J. Nafus, her
attorney in fact

STATE OF IDAHO, COUNTY OF Lemhi
On this 24th day of September, 1993,
before me, a notary public in and for said State, personally
appeared

Stephen J. Nafus

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
have executed the same.

Laurie M. Santee
Laurie M. Santee
Notary Public
Residing at Salmon, Idaho
Comm. Expires 6/19/1995

STATE OF IDAHO, COUNTY OF LEMHI
On this 24th day of September 1993, before me
a Notary Public in and for said State,
personally appeared Stephen J. Nafus, known
to me to be the person whose name is subscribed
to the within instrument as the Attorney in
Fact of Sheila C. Nafus and acknowledged to me
that he subscribed the name of Sheila C. Nafus
thereto as principal, and his own name as
Attorney in Fact.

Laurie M. Santee
Laurie M. Santee
Residing at Salmon, Idaho
Comm. Expires 6/19/1995
Notary Public

MEMORANDUM

DATE: June 6, 2001
FROM: Ernie Carlsen
TO: Claim file
RE: Telecon with Charles Hurst

Contacted Mr. Hurst by telephone this a.m. He indicated the irrigated land on his lot is west of the ditch the extends through his property in a north south direction. Total irrigated acres is 3 to 4 acres. He also said not to include any irrigated land outside the SESW Section 8, twp 22N, rge 22E.

ArcView shows 3.23 irrigated acres within his lot. The change of ownership suggests his portion of the rights is 0.08 cfs, which is acceptable.

75-13997

TWP 22N RGE 22E SECTION 8

SESW



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 75-13997
Date Received: 6/8/01
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

CHARLES E HURST Phone: (208) 756-3666

21 AUSTIN RD
CARMEN ID USA 83462

JEANNE R HURST Phone: (208) 756-3666

21 AUSTIN RD
CARMEN ID USA 83462

2. Date of Priority: 05/01/1882

3. Source: CARMEN CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
22N	22E	9	SW NW SW	LEMHI	

5. Description of diverting works:

HEADGATE, DITCH TO FLOOD & SPRINKLE IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.08	

7. Total Quantity Appropriated is:
0.08 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:



Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
22N	22E	8	SE	SW	IRRIGATION	3.2
					Section Acres	3.2
					Total Acres	3.2

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

SPLIT FROM FORMER RIGHT 75-10062F

15. Basis of Claim: Decreed