

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 37-7745D
Date Received: 9/28/1988
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CHRISTIE ANNE HAUGH Phone: (208)726-4421
C/O JAMES P SPECK
HOGUE SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

2. Date of Priority: 10/25/1978

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	18E	2	SW NE	BLAINE	

5. Description of diverting works:

WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
IRRIGATION	4/01 11/01	0.18	35

7. Total Quantity Appropriated is:

0.18 C.F.S. and/or 35 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	18E	2	SW	NE	IRRIGATION	10
Section Acres						10
Total Acres						10

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

PROPERTY IS ALSO KNOWN AS LOT 1, FOX HOLLOW SUBDIVISION.

The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The Director maintains jurisdiction of this transfer up to five (5) years after resumption of use of the water right for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion.

The change authorized by this transfer shall be accomplished on or before October 1, 1999.

Approval of this transfer does not preclude the opportunity for review of the validity or of the elements of the water right in the ongoing Snake River Basin Adjudication.

After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

CLAIM SPLIT FROM A37-07745 11/16/95 PURSUANT TO APPROVED TRANSFER 4708.

*****ADDRESS CHANGE INCOMPLETE 12/11/95 TF.

*****2/22/96 TF; CHANGED SPELLING OF NAME TO MAKE CONSISTANT WITH OTHER CLAIMS.

*****2/29/96 TF; ADDRESS CHANGE COMPLETE.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

15. Basis of Claim: License

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: A37-07745D
Date Received: 9/28/1988
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: MELISSA DE LISSER
Address: 94 TOWNSEND GULCH RD
BELLEVUE ID

208-788-2309

83313

AND/OR

Name: PETER DE LISSER
Address: 94 TOWNSEND GULCH RD
BELLEVUE ID

208-788-2309

83313

2. Date of Priority: OCT 25, 1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	18E	2	SW	NE			BLAINE

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.180		35.00

7. Total Quantity Appropriated is:
0.180 C.F.S. (and/or) 35.00 A.F.A.

8. Total consumptive use is 25.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	18E	2	SW	NE		IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	10.0
					Total Acres	10.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

CLAIM SPLIT FROM A37-07745 11/16/95 PURSUANT TO APPROVED TRANSFER 4708:

1. RIGHT HOLDER SHALL COMPLY WITH THE DRILLING PERMIT REQUIREMENTS OF SECTION 42-235, IDAHO CODE.

2. A TOTALIZING MEASURING DEVICE OF A TYPE APPROVED BY THIS DEPARTMENT SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

3. AFTER SPECIFIC NOTIFICATION BY THE DEPARTMENT, THE RIGHT HOLDER SHALL ANNUALLY REPORT THE AMOUNT OF WATER DIVERTED TO THE DEPARTMENT.

4. THE DIRECTOR MAINTAINS JURISDICTION OF THIS TRANSFER UP TO FIVE (5) YEARS AFTER RESUMPTION OF USE OF THE WATER RIGHT FOR THE PURPOSE OF DETERMINING POTENTIAL INJURY TO EXISTING RIGHTS, BOTH JUNIOR AND SENIOR, IN THE VICINITY OF THE TRANSFERRED POINT OF DIVERSION.

5. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 3.5 AFA PER ACRE FOR THE LANDS ABOVE.

6. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED ON OR BEFORE OCTOBER 1, 1999.

7. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.

8. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OR OF THE ELEMENTS OF THIS WATER RIGHT IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.

*****ADDRESS CHANGE INCOMPLETE 12/11/95 TF.

*****2/22/96 TF; CHANGED SPELLING OF NAME TO MAKE CONSISTANT WITH OTHER CLAIMS.

*****2/29/96 TF; ADDRESS CHANGE COMPLETE.

15. Basis of Claim: LICENSE



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

February 29, 1996

PETER AND MELISSA DE LISSER
94 TOWNSEND GULCH RD
BELLEVUE ID 83313

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim No. A37-07745D
Change of Address Notification

Dear Claimant(s):

Thank you for notifying us of your change in Address on the water right claim(s) referenced above. Our records have been updated accordingly.

If you have any questions, please feel free to contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

MICROFILMED
NOV 27 1996



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE ST E
TWIN FALLS ID 83301
(208) 736-3033

RECEIVED

FEB 2 1996

PHILIP E BATT
GOVERNOR

Department of Water Resources
Southern Region
KARL J DREHER
DIRECTOR

CHANGE IN ADDRESS OF THE NOTICE OF CLAIM
IN THE SNAKE RIVER BASIN ADJUDICATION

☐ Water Right Number(s):

A-37-07745D

☐ Old Mailing Address:

P.O. Box 1864

KETCHUM, IDAHO 83340

☐ New Mailing Address:

94 TOWNSEND GULCH RD.

BELLEVUE, IDAHO ~~83333~~ 83313

☐ New Telephone Number:

(208) 788-2309

☐ Signature of Claimant(s):

Peter de Zure

Melissa de Zure

Date:

2/25/96

FOR IDWR USE ONLY

Initial Review and Data Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data Entry

Date: 2-29-96 By: tj

MICROFILME

NOV 27 1996

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: A37-07745D

Date Received: 9/28/1988

Receipt No: X777777

Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name:	MELISSA DE LISSER	208-788-2309
Address:	PO BOX 1864	
	KETCHUM ID	83340
AND/OR		
Name:	PETER DE LISSER	208-788-2309
Address:	PO BOX 1864	
	KETCHUM ID	83340
AND/OR		
Name:	PETER DE LISSER	208-788-2309
Address:	94 TOWNSEND GULCH RD	
	BELLEVUE ID	83313
AND/OR		
Name:	MELISSA DE LISSER	208-788-2309
Address:	94 TOWNSEND GULCH RD	
	BELLEVUE ID	83313

2. Date of Priority: OCT 25, 1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	18E	2	SW	NE			BLAINE

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.180		35.00

7. Total Quantity Appropriated is:
0.180 C.F.S. (and/or) 35.00 A.F.A.

8. Total consumptive use is 25.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	18E	2	SW NE		IRR	10.0
Section Acres						10.0
Total Acres						10.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

CLAIM SPLIT FROM A37-07745 11/16/95 PURSUANT TO APPROVED TRANSFER 4708:

1. RIGHT HOLDER SHALL COMPLY WITH THE DRILLING PERMIT REQUIREMENTS OF SECTION 42-235, IDAHO CODE.

2. A TOTALIZING MEASURING DEVICE OF A TYPE APPROVED BY THIS DEPARTMENT SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

3. AFTER SPECIFIC NOTIFICATION BY THE DEPARTMENT, THE RIGHT HOLDER SHALL ANNUALLY REPORT THE AMOUNT OF WATER DIVERTED TO THE DEPARTMENT.

4. THE DIRECTOR MAINTAINS JURISDICTION OF THIS TRANSFER UP TO FIVE (5) YEARS AFTER RESUMPTION OF USE OF THE WATER RIGHT FOR THE PURPOSE OF DETERMINING POTENTIAL INJURY TO EXISTING RIGHTS, BOTH JUNIOR AND SENIOR, IN THE VICINITY OF THE TRANSFERRED POINT OF DIVERSION.

5. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 3.5 AFA PER ACRE FOR THE LANDS ABOVE.

6. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED ON OR BEFORE OCTOBER 1, 1999.

7. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.

8. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OR OF THE ELEMENTS OF THIS WATER RIGHT IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.

*****ADDRESS CHANGE INCOMPLETE 12/11/95 TF.

*****2/22/96 TF; CHANGED SPELLING OF NAME TO MAKE CONSISTANT

14. Remarks: Continued
WITH OTHER CLAIMS.

15. Basis of Claim: LICENSE



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033

Fax (208) 736-3037

February 23, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

PETER AND MELISSA DELISSER
94 TOWNSEND GULCH RD
BELLEVUE ID 83313

RE: SNAKE RIVER BASIN ADJUDICATION CLAIM A37-07745D

Dear Mr. and Mrs. DeLisser

While readying your claim for refiling, I noticed we had not yet received your signature(s) authorizing the address change you phoned in on December 11, 1995. The above claim will show both the P.O. Box 1864, Ketchum address as well as the 94 Townsend Gulch Rd, Bellevue address until we receive your signature on the enclosed address change form. Please take a moment of your time to complete and sign the form and return it to us at the above address. Thank you for your assistance in this matter.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf
Enclosures

MICROFILME
NOV 27 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

December 11, 1995

PETER DELISSER
94 TOWNSEND GULCH RD
BELLEVUE ID 83313

RE: Snake River Basin Adjudication (SRBA) Claim A37-07745D
Change of Address Notification

Dear Mr. Delisser:

Thank you for notifying me of your change in Address on the water right claim(s) referenced above. I am enclosing a copy of the claim with the address reading as you requested. However, in order to make the change "official," Idaho Code requires your signature authorizing the change. Enclosed please find a "Change in Address of the Notice of Claim in the Snake River Basin Adjudication." If you would take a few minutes to complete the form and return it to me in the enclosed self-addressed envelope, I will attach the form to your claim file thereby eliminating any questions that may arise in the future as to the validity of the change.

Thanks again for your help.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf
Enclosures

MICROFILMED
NOV 27 1996

12/11/95

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent TRISH FAWCETT

PETER DELISSER / CLAIM A37-07745D phoned to say he had received his copy of the above claim showing the results of Transfer 4708. He asked if I would change his address on this particular claim to his home address - 94 Townsend Gulch Rd, Bellevue, ID 83313.

MICROFILMED
NOV 27 1996

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: A37-07745D
Date Received: 9/28/1988
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: PETER DELISSER
Address: PO BOX 1864
KETCHUM ID 83340

208-788-2309

AND/OR

Name: MELISSA DELISSER
Address: PO BOX 1864
KETCHUM ID 83340

208-788-2309

2. Date of Priority: OCT 25, 1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	18E	2	SW		NE		BLAINE

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.180		35.00

7. Total Quantity Appropriated is:
0.180 C.F.S. (and/or) 35.00 A.F.A.

8. Total consumptive use is 25.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	2	SW	NE		IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	10.0
					Total Acres	10.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

CLAIM SPLIT FROM A37-07745 11/16/95 PURSUANT TO APPROVED TRANSFER 4708:

1. RIGHT HOLDER SHALL COMPLY WITH THE DRILLING PERMIT REQUIREMENTS OF SECTION 42-235, IDAHO CODE.
2. A TOTALIZING MEASURING DEVICE OF A TYPE APPROVED BY THIS DEPARTMENT SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.
3. AFTER SPECIFIC NOTIFICATION BY THE DEPARTMENT, THE RIGHT HOLDER SHALL ANNUALLY REPORT THE AMOUNT OF WATER DIVERTED TO THE DEPARTMENT.
4. THE DIRECTOR MAINTAINS JURISDICTION OF THIS TRANSFER UP TO FIVE (5) YEARS AFTER RESUMPTION OF USE OF THE WATER RIGHT FOR THE PURPOSE OF DETERMINING POTENTIAL INJURY TO EXISTING RIGHTS, BOTH JUNIOR AND SENIOR, IN THE VICINITY OF THE TRANSFERRED POINT OF DIVERSION.
5. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 3.5 AFA PER ACRE FOR THE LANDS ABOVE.
6. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED ON OR BEFORE OCTOBER 1, 1999.
7. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.
8. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OR OF THE ELEMENTS OF THIS WATER RIGHT IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.

15. Basis of Claim: LICENSE

COPY

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2009 SEP 22 PM 12 08

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

In Re SRBA

Case No. 39576

) Subcase No: 37-7745D (Split)
) 37-22381 and 37-22382
)
)

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **I.C. § 42-222 TRANSFER**

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☒ Change in Ownership

☒ Point of Diversion

☐ Period of Use

☒ Split of Water Right

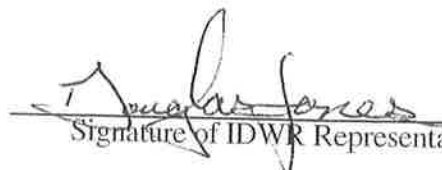
☒ Place of Use

☐ Nature of Use

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 9/21/09


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 9.22, 2009, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 W Fort St MSC 033
Boise ID 83724

Robert Christensen
PO Box 1177
Hailey ID 83333

Christie Haugh
95 Townsend Gulch Rd
Bellevue ID 83313



Signature of person or attorney mailing the form

08/18/2009

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
37-7745D	CHRISTIE A HAUGH 95 TOWNSEND GULCH RD BELLEVUE ID 83313	Disallowed	Recommended as 37-22381 and 37-22382.

08/18/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22381

NAME AND ADDRESS: CHRISTIE A HAUGH
95 TOWNSEND GULCH RD
BELLEVUE ID 83313

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.060 CFS
11.50 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation purposes.

PRIORITY DATE: 10/25/1978

POINT OF
DIVERSION:

T01N R18E S2 SWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

0.060 CFS

11.50 AFY

PLACE OF USE:

IRRIGATION in BLAINE County

T01N R18E S02 SWNE 3.30

3.3 ACRES TOTAL

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

Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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 - License

Place of use is also known as Lot 1, Fox Hollow Subdivision.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.

The Director maintains jurisdiction over this transfer up to five (5) years after resumption of use of the water right for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion.

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

08/18/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-22382

NAME AND ADDRESS: ROBERT L CHRISTENSEN
PO BOX 1177
HAILEY ID 83333

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.120 CFS
23.50 AFY

Rights 37-21300 and 37-22382 when combined shall not exceed the irrigation of 10.4 acres within the place of use described above.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation purposes.

PRIORITY DATE: 10/25/1978

POINT OF
DIVERSION:

T01N R18E S2 NENESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

0.120 CFS
23.50 AFY

PLACE OF USE:

IRRIGATION in BLAINE County

T01N R18E S02

NESE

10.30

T01N R18E S02

NWSE

0.10

10.4 ACRES TOTAL

This right is limited to the irrigation of 6.7 acres within the place of use described above in a single irrigation season.

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

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

The Director maintains jurisdiction over this transfer up to five (5) years after resumption of use of the water right for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

September 22, 2009

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

ROBERT CHRISTENSEN
PO BOX 1177
HAILEY ID 83333

RE: SRBA Claim(s) 37-7745D, 37-21300

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosures

cc: Christie Haugh

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 75103

This is to certify that: ROBERT L CHRISTENSEN
PO BOX 1177
HAILEY ID 83333
(208)788-6380

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-7745D	AJC/License	10/25/1978	0.18 cfs	35 af		10.0	GROUND WATER
37-21300	AJC/Decreed	05/01/1905	0.075 cfs	N/A		3.7	TOWNSEND GULCH

Purpose of Transfer (Changes Proposed)

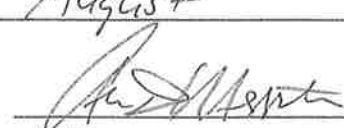
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-7745D	YES	NO	YES	YES	NO	NO
37-21300	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-7745D	37-22382	0.12 cfs	23.5 af	6.7	10.4	37-22381	0.06 cfs	11.5 af	N/A	3.3
37-21300	37-21300	0.075 cfs	N/A	3.7	10.4		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.2 cfs	N/A	10.4	10.4		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 17th day of August, 2009


For Chief, Water Allocation Bureau

WATER RIGHT NO. 37-22381
As Modified by Transfer No. 75103

In accordance with the approval of Transfer No. 75103, Water Right No. 37-22381 is now described as follows.

Right Holder: CHRISTIE A HAUGH
95 TOWNSEND GULCH RD
BELLEVUE ID 83313

Priority Date: October 25, 1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.06 CFS	11.5 AF
			0.06 CFS	11.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNE Sec. 2 Twp 01N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N 18E 2																	3.3

Total Acres: 3.3

WATER RIGHT NO. 37-22381
As Modified by Transfer No. 75103

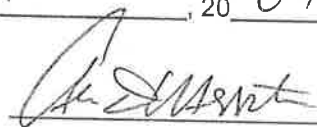
CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation purposes.
2. Place of use is also known as Lot 1, Fox Hollow Subdivision.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.
6. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. The Director maintains jurisdiction over this transfer up to five (5) years after resumption of use of the water right for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 17th day of August, 2009

FOR


Chief, Water Allocation Bureau

WATER RIGHT NO. 37-22382
As Modified by Transfer No. 75103

In accordance with the approval of Transfer No. 75103, Water Right No. 37-22382 is now described as follows.

Right Holder: ROBERT L CHRISTENSEN
PO BOX 1177
HAILEY ID 83333

Priority Date: October 25, 1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.12 CFS	23.5 AF
			0.12 CFS	23.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENESE Sec. 2 Twp 01N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N	18E	2													10.3	.1			10.4

Total Acres: 10.4

WATER RIGHT NO. 37-22382
As Modified by Transfer No. 75103

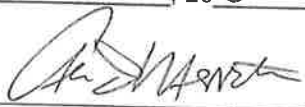
CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 6.7 acres within the place of use described above in a single irrigation season.
2. Rights 37-21300 and 37-22382 when combined shall not exceed the irrigation of 10.4 acres within the place of use described above.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation purposes.
4. The Director maintains jurisdiction over this transfer up to five (5) years after resumption of use of the water right for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 17th day of August, 2009

FDR


Chief, Water Allocation Bureau

WATER RIGHT NO. 37-21300
As Modified by Transfer No. 75103

In accordance with the approval of Transfer No. 75103, Water Right No. 37-21300 is now described as follows.

Right Holder: BOB CHRISTENSEN
PO BOX 1177
HAILEY ID 83333

Priority Date: May 01, 1905

Source: TOWNSEND GULCH

Tributary: BIG WOOD RIVER

BENEFICIAL USE

IRRIGATION

From

04/15 to 10/31

To

Diversion Rate

0.08 CFS

0.08 CFS

LOCATION OF POINT(S) OF DIVERSION:

TOWNSEND GULCH

NWNESE

Sec. 2 Twp 01N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
01N	18E	2	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
															10.3	.1			10.4

Total Acres: 10.4

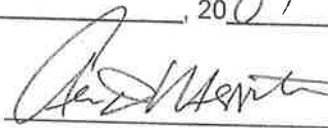
WATER RIGHT NO. 37-21300
As Modified by Transfer No. 75103

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 3.7 acres within the place of use described above in a single irrigation season.
2. Rights 37-21300 and 37-22382 when combined shall not exceed the irrigation of 10.4 acres within the place of use described above.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate when applied via pump and pressurized sprinklers to the lands above for irrigation purposes.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
5. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 17th day of August, 2009


FOR Chief, Water Allocation Bureau

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-22381 V1

WATER RIGHT NUMBER: 37-22381 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	PETER DE LISSER 94 TOWNSEND GULCH RD BELLEVUE, ID 83313 (208)788-2309
Current Owner	CHRISTIE A HAUGH 95 TOWNSEND GULCH RD BELLEVUE, ID 83313 (208)788-4703
Original Owner	MELISSA DE LISSER 94 TOWNSEND GULCH RD BELLEVUE, ID 83313 (208)788-2309

Priority Date: 10/25/1978

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	0.060 CFS	11.50 AF
	<u>Total Diversion:</u>	0.060 CFS	11.50 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 2, Twp 01N, Rge 18E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	18E	2			3.3														3.3

Total Acres: 3.3

Conditions of Approval:

1. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation purposes.
2. J01 Place of use is also known as Lot 1, Fox Hollow Subdivision.
3. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-22381 V1

4. R19 The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.
5. T02 The Director maintains jurisdiction over this transfer up to five (5) years after resumption of use of the water right for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion.
6. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
8. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
9. C18 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.

Remarks:Comments:

1. amerritt 8/17/2009 10:08:06 AM Transferred Right
Comment: This is now a approved transfer, transfer number = 75103

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: AND
Water District Number: 37
Generic Max Rate Per Acre: 0.02
Generic Max Volume Per Acre: 3.5
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Water Supply Bank:

Stanton, Jim

From: Skaggs, Pam
Sent: Thursday, January 29, 2009 4:59 PM
To: Stanton, Jim
Cc: Merritt, Allen
Subject: RE: History of Right 37-7745D

Jim,

Shelley & Jeff discussed possible avenues to address the problems you raised in our discussion. Rescinding the transfers since they were never completed doesn't seem a good idea since properties under different ownership. No forfeiture issues since still pending in SRBA.

Shelley suggests reviewing the proposed transfer based on the last actual location the right was used in relation to injury, enlargement & public interest issues. It appears from your historical review & my look at the files that would mean the licensed location. It could raise some questions today that weren't an issue when the first transfer was approved.

You may want to discuss with Allen & then we could discuss any questions next week in our meeting.

Pam

From: Stanton, Jim
Sent: Wednesday, January 28, 2009 4:54 PM
To: Skaggs, Pam
Cc: Stanton, Jim; Jones, Doug
Subject: History of Right 37-7745D

Folks – Any suggestion as to how I should proceed with T75103 based on this additional data? Is the T02 condition from the previous transfer sufficient to cover our concerns about moving from one sub-drainage to another?

09/26/2006

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

RIGHT NUMBER: 37-7745D

NAME AND ADDRESS: CHRISTIE A HAUGH
95 TOWNSEND GULCH RD
BELLEVUE ID 83313

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.180 CFS
35.000 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation purposes.

PRIORITY DATE: 10/25/1978

POINT OF DIVERSION: T01N R18E S2 SWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	0.180 CFS 35.00 AFY

PLACE OF USE: IRRIGATION Within BLAINE County

T01N R18E S02 SWNE 10.00
10 ACRES TOTAL

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 - License

The Director maintains jurisdiction over this transfer up to five (5) years after resumption of use of the water right for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.

Place of use is also known as Lot 1, Fox Hollow Subdivision.

The change authorized by this transfer shall be accomplished on or before August 1, 2000.



Idaho Department of Water Resources

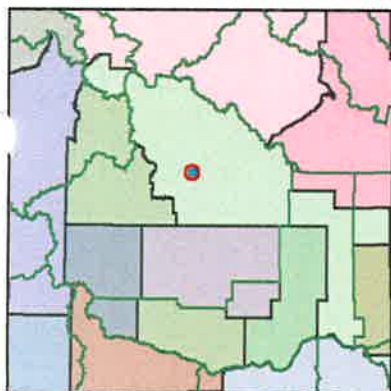
SRBA Recommendation:

37-7745D

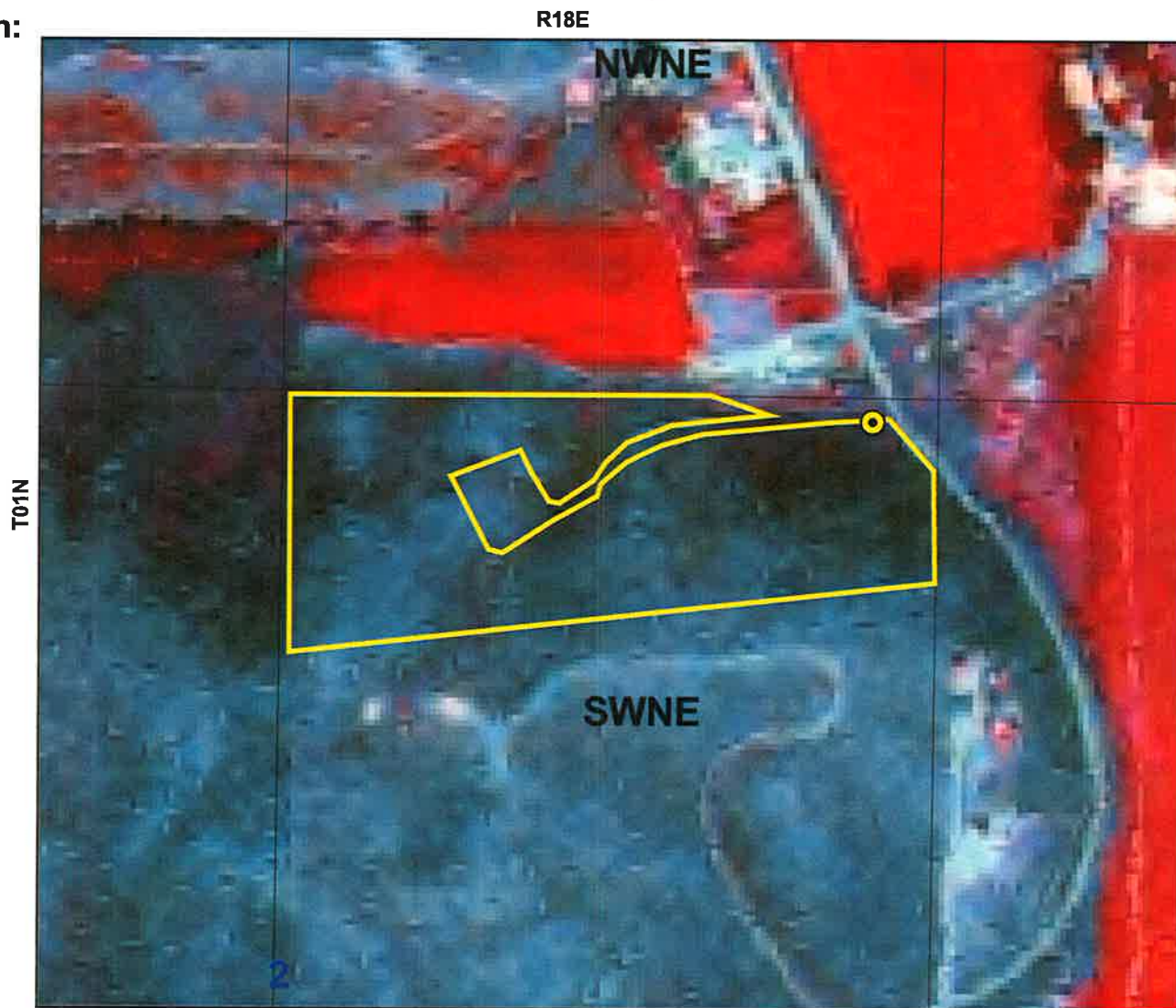
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



Prepared by E. NORQUES
On Tuesday, September 26, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources

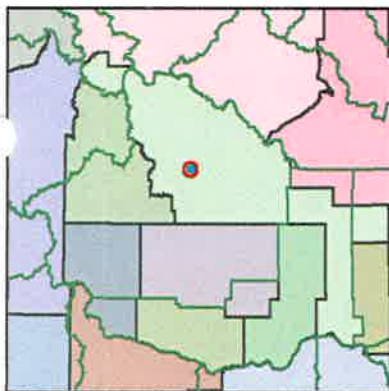
SRBA Recommendation:

37-7745D

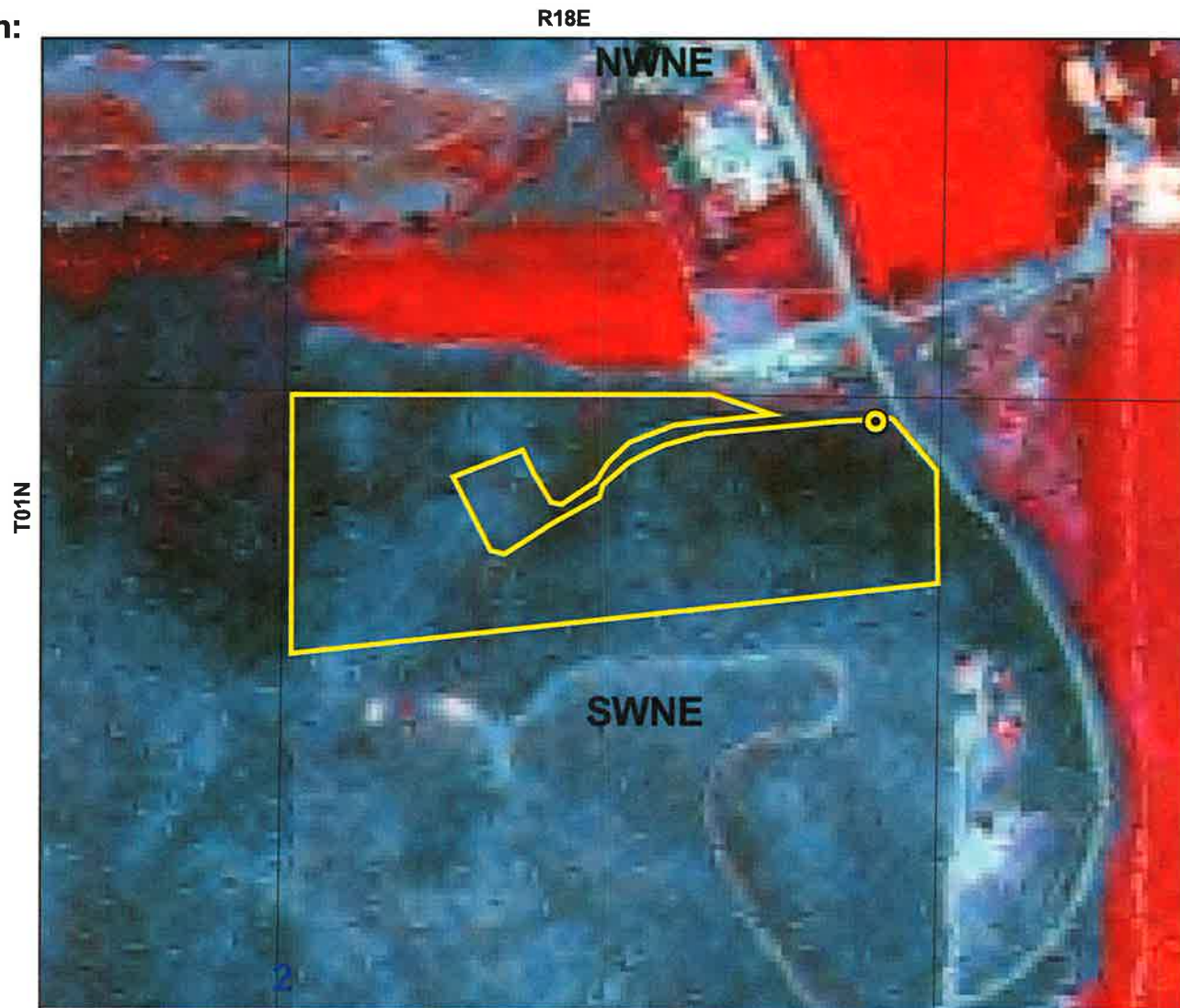
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles



Prepared by E. NORQUES
On Tuesday, September 26, 2006
1987/88 Aerial Photography

Southern AJ

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 5339
WATER RIGHT NO. 37-07745D

RECEIVED
AUG 30 1999
Department of Water Resources
Southern Region

This is to certify that: **CHRISTIE ANNE HAUGH**
C/O JAMES P SPECK
HOGUE SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	0.18 CFS	35.0 AF

SOURCE

GROUNDWATER

Priority: 10/25/1978

LOCATION OF POINT(S) OF DIVERSION: SWNE , Sec. 2, Township 01N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	18E	2	SWNE	10		10
Total number of acres irrigated:						10

CONDITIONS OF APPROVAL AND REMARKS

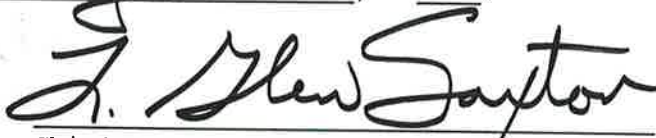
1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.
3. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

TRANSFER NO. 5339
WATER RIGHT NO. 37-07745D

CONDITIONS OF APPROVAL AND REMARKS

5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. The change authorized by this transfer shall be accomplished on or before October 1, 1999.
7. The Director maintains jurisdiction of this transfer up to five (5) years after resumption of use of the water right for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion.
8. Approval of this transfer does not preclude the opportunity for review of the validity or of the elements of the water right in the ongoing Snake River Basin Adjudication.

Dated this 13th day of July, 1999.


Chief, Water Allocation Bureau

MEMORANDUM

TO: File 37-07745D

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5339

DATE: July 13, 1999

Transfer 5339 changes the point of diversion and place of use under Right 37-07745D. The change is from one subdivision lot to another within the same quarter-quarter to reflect the sale of the water right.

Recommended conditions include existing conditions from previous approvals including a resumption of use date from an Extension of Time to Avoid Forfeiture and Transfer 4708, and drilling permit requirements at the new location.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033

Fax (208) 736-3037

December 5, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

PETER AND MELISSA DELISSER
PO BOX 1864
KETCHUM ID 83340

RE: Amendment of SRBA Claim A37-07745D

Dear Claimant:

Pursuant to the approval of Transfer No. 4708, the above referenced Notice(s) of Claim in the Snake River Basin Adjudication have been amended to conform with the transfer. Please find enclosed a printout of the way your claim records have been modified. Please check these modified records over carefully to verify they correctly reflect your intended change. If you have questions please feel free to contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

MICROFILME
NOV 27 1995

S-ADD

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

TRANSFER OF WATER RIGHT

AMENDED

TRANSFER NO. 4708
WATER RIGHT NO. 37-07745D

RECEIVED

OCT 31 1995

Department of Water Resources
Southern Region

This is to certify that: PETER DELISSER
MELISSA DELISSER
PO BOX 1864
KETCHUM ID 83340

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	0.18 CFS	35.0 AF

SOURCE

GROUNDWATER

Priority: 10/25/1978

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 2, Township 01N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	18E	2	SWNE	10		10
Total number of acres irrigated:						10

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. A totalizing measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
3. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.

MICROFILMED
NOV 27 1996

TRANSFER NO. 4708
WATER RIGHT NO. 37-07745D

CONDITIONS OF APPROVAL AND REMARKS

4. The Director maintains jurisdiction of this transfer up to five (5) years after resumption of use of the water right for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. The change authorized by this transfer shall be accomplished on or before October 1, 1999.
7. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
8. Approval of this transfer does not preclude the opportunity for review of the validity or of the elements of this water right in the ongoing Snake River Basin Adjudication.

Dated this 26th day of October, 1995.

J. Glen Saxton
Chief, Water Alloc. Bureau

MICROFILMED
NOV 27 1996

S-ADJ

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4708
WATER RIGHT NO. 37-07745D

RECEIVED

OCT 25 1995

Department of Water Resources
Southern Region

This is to certify that: PETER DELISSER
MELISSA DELISSER
PO BOX 1864
KETCHUM ID 83340

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.18 CFS	35.0 AF

SOURCE

GROUNDWATER

Priority: 10/25/1978

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 2, Township 01N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	18E	2	SWNE	10		10
Total number of acres irrigated:						10

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. A totalizing measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
3. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.

MICROFILMED
NOV 27 1996

TRANSFER NO. 4708
WATER RIGHT NO. 37-07745D

CONDITIONS OF APPROVAL AND REMARKS

4. The Director maintains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
7. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 19th day of October, 1995.


Chief, Water Alloc. Bureau

MICROFILMED
NOV 27 1995

Date Sent to S.C.

OCT 06 1995

FROM: Allen Merritt *Adm*

DATE: October 6, 1995

TO: Transfer Files: #4702, #4707 & #4708

SUBJECT: Review and Recommendation

All of the above transfers involve the splitting up of license 37-07745. Part 2,C was not completed for any of the transfer applications since in combination all of the land covered under the original license is being dried up or removed from production. Expansion does not appear to be an issue. Forfeiture does not appear to be an issue. Moving the groundwater further up the valley may be an issue but the groundwater does appear to be connected on a regional scale.

The original license was for 5.53 cfs, 900 afa, and 300 acres.

The transfers propose:

Part A	#4702	3.68 cfs, 600 afa, and 200 acres
Part B	#4707	0.74 cfs, 120 afa, and 40 acres
Part C	#4707	0.93 cfs, 150 afa, and 50 acres
Part D	#4708	<u>0.18 cfs, 30 afa, and 10 acres</u>
Total		5.53 cfs, 900 afa, and 300 acres

RECOMMENDATION

I recommend that all the transfers be approved subject to the the following conditions:

- The season of use be limited to the standard 4/15 to 10/15
- Any new well drilled requires drilling permit
- All wells must have a measuring device with totalizing meter.
- Annual use of each well is subject to be reported.
- Subject to SRBA review.

MICROFILMED
NOV 27 1996

37-07745 D, T #4708

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4708APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Peter or Melissa Delisser Phone 208-788-2309
Post Office address Box 1864 Ketchum, ID 83340

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Applicant is purchasing a portion of License
No. 37-07745 and desires to transfer such portion to a new POU

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ ~~acre~~ ft) | Nature
of Use | Period of Use |
|-------------------|-------------------|-------------------------------------|-------------------|---------------------------|
| <u>37-07745 D</u> | <u>10/25/1978</u> | <u>.18</u> | <u>Irrigation</u> | <u>4/1</u> to <u>11/1</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred .18 cubic feet per second and/or 30 acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SW	NE	2	1N	18E	Blaine	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1N	18E	2			10														10

MICROFILMED
NOV 27 1996Total acres 10

PART 1

6. General Information:

- a. Description of diversion system A new groundwater well will be drilled and equipped with
a pump
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
The current POU will be permanently dried up and no longer irrigated with this
right.
- d. Remarks:
This transfer, in conjunction with two other companion transfers, proposes a transfer
of the total amount of water available under this right. See companion transfers.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

MICROFILM
NOV 27 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 37-07745 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 10/25/1978

5. Water is used for the following purpose:

amount 5.53 for Irrigation purposes from 4/1 to 11/1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 5.53 cubic feet per second and/or 900 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	1	2S	17E	Blaine	Well

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1S	17E	35											34	30					64
2S	17E	2			23		Lt3 26	Lt4 34	22	38	35	37				21			236

MICROFILME
NOV 27 1998

Total acres 300

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount .18 for Irrigation purposes from 4/1 to 11/1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
							Blaine	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres 10**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** (omit if there is no change) See companion transfers

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

MICROFILMED
 NOV 27 1998

Total acres _____

SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Peter di Tizio

(Signature of Applicant)

Subscribed and sworn to before me this 18th day of July, 19 95.

J. H. Seal

(Notary Public)

My commission expires 1/29/97**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 4 attachmentsReceived by J. F. Stanton Date 7-18-95 Protest filed by _____Prelim. check by _____ Fee \$100⁰⁰ 50/8303Receipted by JH Date 7-18-95Published in Wood River Journal Copies of protest forwarded by _____Pub. dates 9/13 + 9/20/95 Hearing held by _____ Date _____Watermaster recommendation requested on N/A Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

RECEIVED
NOV 27 1995

JUL 19 1995

Department of Water Resources
Southern Region

MEMORANDUM

TO: Duininck Transfer File (37-07745)
FROM: Corey Skinner *CS*
DATE: August 9, 1995
SUBJECT: Field Verification of Right #37-07745

This morning Gary D. Slette called and inquired about the progress being made on the Baker, Delisser, & Duininck transfer of water right 37-07745. I told him that I had the initial office reviews done and that I planned on stopping by tomorrow on my trip through the Big Wood River Valley for a field verification of water right 37-07745. Mr. Slette stated that Jim Stanton had conducted a field verification last year, 1994, when an Application for Extension of Time to Avoid Forfeiture was filed. Mr. Slette dropped by and gave me a copy of the application and Jim's memorandum concerning the field verification of the water right. I asked Jim about his visit and we concluded that it was not necessary for me to conduct a field verification visit when he had conducted one last year. With Jim's field verification, I conclude that water right 37-07745 is valid. A copy of Jim's memorandum concerning his 1994 field verification is also included.

MICROFILMED
NOV 27 1996

INTER-DEPARTMENT MEMO

TO: Croft Ext. of Time to Avoid Forf.

SUBJECT: Field Review

FROM: Jim Stanton

DATE: _____

I have reviewed the license files on 37-7395 & 7745. File data clearly shows that the wells licensed in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 1 are two different diversions. The 7395 well is south of the West Magic Road, while the 7745 well is north of the road. The south well was measured at 7.58 cfs. Although these are 2 different wells, ~~the 2 licenses~~ 37-7745 was conditioned so as not to exceed 7.58 cfs for both rights combined from the P/D in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 1; this appears to be a gross error on our part. I will verify this by a site visit.

On 8-2-94 I visited this site. Photos were taken of the north well, the diesel motor, Lavne & Bowler pump, Randolph 250 hp right-angle drive, & mainline. I also observed the south well but did not take photos. Some land south of the airstrip is being irrigated, but land north of it is not. Aerial photo shows land being farmed in 1988; this is an old dry farm. so date of last irrigation was not known by Hailey ASCS.
() For your information

signature

() Response required

INTER-DEPARTMENT MEMO

TO: _____

SUBJECT: _____

FROM: _____

DATE: _____

I spoke to Ed Sandv, a relative of the applicant, who told me that this property was last irrigated in 1990 (the year Mr. Croft died). He said that the land was irrigated from the well every year up to that date. Due to problems with settling the estate and a lack of interest in the property, no farming has occurred since then.

I also spoke to Alton Heiser of H & A Land & Cattle in Shoshone, the last farmers of the property. Mr. Heiser confirmed that the well was last used in 1990, and that it has no connection to the well south of the West Magic Road. He also said that the well was used continuously to irrigate this property for a long time. ASCS photo shows 299 acres in farm Extension appears to be valid under Idaho Code; recommend approval.

MICROFILMED
NOV 27 1996

(X) For your information

signature