

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 86302

RECEIVED

APR 20 2022

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Ray A and/or Rebecca Varney

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a [Part 2A](#) report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer [Part 2B](#) for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. ([Fee schedule](#) is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☒ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☒ ☐ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <https://idwr.idaho.gov/water-rights/transfers/resources/>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System ([GIS](#)) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see [fee schedule](#).
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 20 2022

DEPT OF WATER RESOURCES
SOUTHERN REGIONRECEIVED
MAY 24 2022
DEPT OF WATER RESOURCES
SOUTHERN REGIONAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant(s) Ray A and/or Rebecca VarneyPhone 208.879.2170Mailing address 345 Rod and Gun Club Rd, Challis, ID 83226Email rayv@custertel.net

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☒ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☒ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No RepresentativeName of Representative HDR Inc.Phone 208.383.4140Mailing address 300 E Mallard Dr, Ste 350, Boise, ID 83706Email lori.graves@hdrinc.com☐ Send all correspondence for this application to the representative and not to the applicant.

OR

☒ Send original correspondence to the applicant and copies to the representative.☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

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 split right and change ownership

2. Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
 If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.

Challis Creek Cattle Co. (CCCC) purchased the current pou and have agreed to transfer 4 acres to applicants to be
rediverted from a proposed separate point. Attachment 2b includes applicants' ownership documentation
for the proposed pou. Attachment 3 includes authorization documents from current water right owner (CCCC).

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☐ All or ☒ Part	72-16628	0.09 cfs	Irrigation	4/1 to 10/31	Challis Creek/Salmon River
☐ ☒	Remaining:	0.73 cfs	Irrigation	4/1 to 10/31	Challis Creek/Salmon River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.82 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.09 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
N	10	SW	NW	NW	7	14N	19E	Custer	Challis Creek	Diversion point
Y		NE	SW	SE	17	14N	19E	Custer	Challis Creek	Rediversion point

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	19E	17													4				4
Total Acres (for irrigation use)																			4

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
Highline Canal, lateral ditch, pump
A measuring device and lockable controlling works will be accommodated upon the Department's request.

- b. Who owns the property at the point(s) of diversion? Diversion point - n/c; redirection point - Yacomella
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Consent from Highline Canal watermaster and lateral users

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
Acres proposed for transfer will no longer be irrigated with authorized natural flow water.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
Proposed pou: none
Existing pou: Masquito Flat Reservoir storage water (72-2149F)

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 72-16628

Current Owner: CHALLIS CREEK CATTLE CO LLC
Priority Date: 7/22/1910
Origin: Water Right
Status: Active
Basis: Decreed

Source

CHALLIS CREEK

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Diversion Rate

0.82 CFS

Annual Volume

Total Diversion

0.82 CFS

Location of Point(s) of Diversion

CHALLIS CREEK

NW1/4NW1/4NW1/4

Sec. 28,

Twp 14N,

Rge 19E B.M.

CUSTER County

(Rediversion)

CHALLIS CREEK

L10(SW1/4NW1/4NW1/4)

Sec. 7,

Twp 14N,

Rge 19E B.M.

CUSTER County

Place of Use

IRRIGATION Within CUSTER County

T14N R19E S21

SESW

37.00

Total Acres: 37

Conditions of Approval:

1. 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.
2. P21 THIS RIGHT IS A SPLIT FROM FORMER RIGHT 72-32F.
3. THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 72-C.

Decreed Date: 5/6/2003

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

Transfer contains _____ pages and _____ attachments.

Received by SG Date 4/20/22 Preliminary check by SG Date 4/20/22

Fee paid \$ 300.00 Date 4/20/22 Received by S039192 Receipt # S039192

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

Instrument # 261547

CHALLIS, CUSTER, IDAHO
 11-03-2021 11:04:32 No. of Pages: 1
 Recorded for: TRUSTEE SERVICES, INC.
 Lura H. Baker Fee: \$15.00
 Ex-Officio Recorder Deputy: KW

When Recorded Mail To:

Trustee Services, Inc.
 P.O. Box 2980
 Silverdale, WA 98383-2980

DEED OF RECONVEYANCE

MIN # 100223100008110329
 TSI # R167424G-B

MERS PHONE # 1-888-679-6377

The undersigned as trustee under that certain Deed of Trust described below:

Original Borrower:

RAY V VARNEY
 REBECCA VARNEY

Original Trustee:

CUSTER COUNTY TITLE

Original Beneficiary:

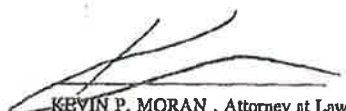
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS BENEFICIARY, AS
 NOMINEE FOR BANK OF IDAHO, ITS SUCCESSORS AND ASSIGNS

Dated : 06/27/2011
 Recorded : 06/30/2011
 Instrument # : 244282
 Book / Reel : N/A
 Page : N/A

Filed for record in CUSTER County, State of IDAHO

Having received from the beneficiary under said Deed of Trust a written request to reconvey,
 the undersigned does hereby grant, bargain, sell and reconvey without warranty to the
 person(s) entitled thereto all right, title and interest now held by the trustee in and to
 the property described in said Deed of Trust.

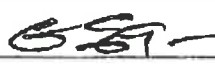
Dated: 11/01/2021


 KEVIN P. MORAN, Attorney at Law
 (Successor Trustee)

State of Washington
 County of Kitsap

On 11/01/2021, before me, the undersigned, a Notary Public in and for the State of Washington, duly
 commissioned and sworn, personally appeared Kevin P. Moran, Attorney at Law, know to me to be the
 Successor Trustee described in and who executed the within and foregoing instrument, and acknowledged
 that he/she signed the same as a free and voluntary act and deed, for the uses and purposes therein mentioned.

Witness my hand and official seal hereto affixed the day and year first above written.


 Notary Public in and for the State of Washington
 Residing at Silverdale

Notary Public
 State of Washington
 Gary W Enriquez
 My Commission Expires 10/27/2025
 License # 145060

TSI

Trustee Services Inc.

P.O. Box 2980, Silverdale, WA 98383-2980

Ray A Varney And Rebecca Varney
345 Rod & Gun Club Road
Challis, ID 83226

Re:

TSI No. : R167424G

Borrower: Ray A Varney And Rebecca Varney,
Property: 345 Rod & Gun Club Road
Challis, ID 83226

11378403

To Whom It May Concern:

Please find enclosed document(s) that our office received from and / or generated on behalf of the lender for the purpose of completing the release of the above referenced account.

The enclosed is being sent to you for your record keeping and no action is required by you.

Please be advised that if the enclosed document(s) were recorded electronically, as noted on the document(s), that it was created digitally and therefore the copy enclosed is the equivalent of the original.

Trustee Services, Inc.

LENDER

IDAHO HOUSING AND FINANCE ASSOCIATION
PO Box 7899
Boise, ID 83707

QUITCLAIM DEED

GRANTOR, Challis Creek Cattle Co., LLC, Stephen Bauchman of Challis, County of Custer , State of Idaho, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby REMISE, RELEASE and forever QUITCLAIM, unto /Ray A. and/or Rebecca VArney, whose current address is 345 Rod and Gun Club Rd, County of Custer, State of Idaho as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real property, situated in County of Custer, State of Idaho, to-wit:

4.0 Irrigated acres, .09cfs from water right 72-16628

In construing this deed and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, GRANTOR has hereunto set his name to this instrument this 12th day of April, 2022.

A handwritten signature in blue ink, reading "Stephen Bauchman", is written over a horizontal line.

STATE OF Idaho)

) ss.

County of Custer)

On this 13th day of April, 2022, before me the undersigned, a Notary Public in and for said State, personally appeared Stephen Bauchman, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official the day and year first above written.

(seal)

Notary Public for

State of Idaho

Residing at

Custer County

My Commission Expires:

4/30/2024

R01



Proposed Split After Transfer

Water Right Number: 72-16628

Diversion Rate: 0.82 CFS

Reviewer Name: _____ HDR | SPF

Date: **29-Mar-22**

Acreage Analysis

[illegible]

Water Right Number:	72-16628
Diversion Rate:	0.82 CFS
Reviewer Name:	HDR SPF
Date:	3/29/2022

Split Tree

CCCC

(33.0 ac & 0.73 cfs)

Varney

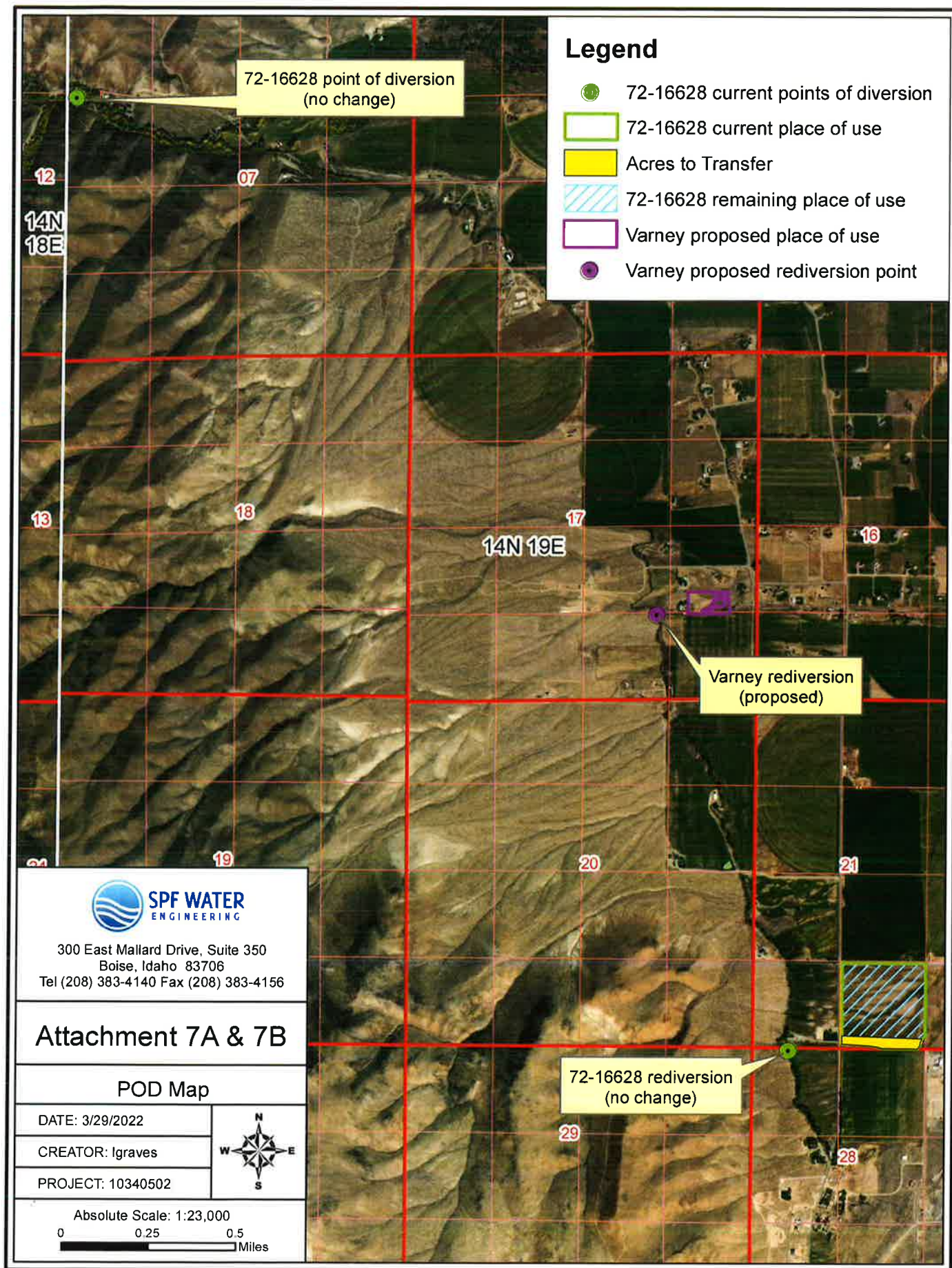
(4.0 ac & 0.09 cfs)

72-16628

(37.0 ac & 0.82 cfs)

Summary

[illegible]









10980 S. Jordan Gateway
P.O. Box 95850
South Jordan, Utah 84095
801.571.9200
800.824.9198
801.576.0600 Credit Fax
801.571.1641 Administrative Fax

May 16, 2022

Challis Creek Cattle Company, L.L.C.
PO Box 10
Challis, ID 83226

RE: The Bank of Commerce Loan Number: 6001503851

Dear Challis Creek Cattle Company, L.L.C.:

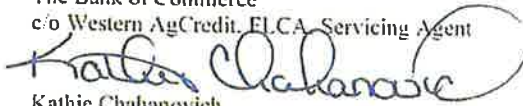
Your request for a partial release of collateral has been approved. Enclosed are the following documents:

1. Copy of the Partial Release letter sent to the State of Idaho, Dept. of Water Resources

We appreciate the opportunity to satisfy your loan servicing needs. Should you have any questions or concerns regarding this servicing action, please contact Garn A. Lovell at (208)317-8119.

Sincerely,

The Bank of Commerce
c/o Western AgCredit, ELCA Servicing Agent


Kathie Chahanovich
Loan Documentation Specialist



FARM CREDIT

Our Mission: To provide the most dependable source of credit and related services to agriculture and the rural community.



10980 S. Jordan Gateway
P.O. Box 95850
South Jordan, Utah 84095
801.571.9200
800.824.9198
801.576.0600 Credit Fax
801.571.1641 Administrative Fax

March 24, 2020

STATE OF IDAHO
Department of Water Resources
PO Box 83720
Boise, Idaho 83720

RE: NOTICE OF PARTIAL RELEASE for CHALLIS CREEK CATTLE COMPANY, L.L.C.

Dear State Engineer:

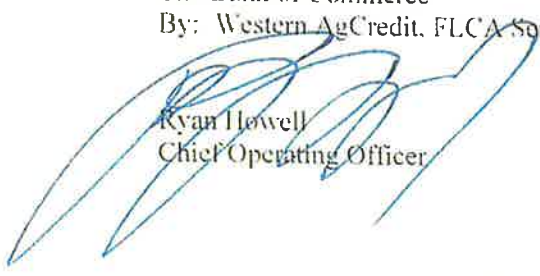
Please be advised that The Bank of Commerce no longer has a security interest in a portion of the water right described below:

0.09 cfs of Water Right/Permit No. 72-16628

Please file this notice with your records as evidence of such. Your assistance in this matter is appreciated.

Sincerely,

The Bank of Commerce
By: Western AgCredit, FLCA Servicing Agent


Ryan Howell
Chief Operating Officer



Our Mission: To provide the most dependable source of credit and related services to agriculture and the rural community.



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

June 30, 2022

RAY A VARNEY
REBECCA VARNEY
345 ROD AND GUN CLUB LOOP
CHALLIS, ID 83226-4728

RE: Transfer No. 86302
Water Right No(s). 72-16628

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **CHALLIS MESSENGER on 7/7/2022 and 7/14/2022**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **July 25, 2022**.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

c: Lori Graves @ HDR Inc
Bank of Commerce, South Jordan, Utah

Maline, Denise

From: Maline, Denise
Sent: Thursday, June 30, 2022 9:43 AM
To: Graybill, David
Subject: Comment Letter(s) for App. for Permit 71-11009 and App. for Transfer 86302
Attachments: Comment letter to WD170 for 71-11009 & 86302.docx; Application for Transfer 86302 (Varney).pdf; Application for Permit 71-11009 (City of Stanley).pdf

Hi David,

Attached are (2) applications that are currently being processed by the department. Please review the applications and provide any necessary comments within 21 days.

If you have any questions regarding these applications, please feel free to contact our office.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline, Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

June 30, 2022

WATER DISTRICT 170
DAVID GRAYBILL
102 S WARPAT
SALMON ID 83467

RE: Application for Permit No.: 71-11009 (City of Stanley)
RE: Application for Transfer No.: 86302 (Ray & Rebecca Varney)

Dear David:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)



IDAHO DEPARTMENT OF
WATER RESOURCES

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Governor Brad Little

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June 30, 2022

WATER DISTRICT 72A
DAVID PHILPS
PO BOX 910
CHALLIS ID 83226-0910

RE: Application for Transfer No. 86302 (Ray & Rebecca Varney)

Dear David:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, June 30, 2022 9:40 AM
To: Richards,Jeff
Subject: Comment letter for Application for Transfer 86302
Attachments: Comment letter to F&G for 86302.pdf; Application for Transfer 86302 (Varney).pdf

Good morning Jeff,

Attached is an application that is currently being processed by the department. Please review the application and provide any necessary comments within 21 days.

If you have any questions regarding this application, please feel free to contact *Water Resource Agent Bill Mills* at our office.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline, Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

June 30, 2022

IDAHO DEPT OF FISH & GAME
JEFF RICHARDS
99 HWY 93 N
SALMON ID 83467

RE: Transfer No. 86302 (Ray & Rebecca Varney)

Dear Mr. Richards:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. *You can find a complete copy of the application(s) at:* <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days of the date of this letter.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication (**on or before July 25, 2022**).

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)



THE JEFFERSON
STAR

THE CHALLIS
Messenger

ADVERTISING INVOICE

APG West Payment
Processing
PO Box 1570
Pocatello, ID 83204
Ph. (208) 542-6712

BILLING DATE:	ACCOUNT NO:
06/29/22	12622

Denise Maline
IDWR SOUTHERN REGION TWIN FALLS
650 ADDISON AVE W STE 500
TWIN FALLS, ID 83301

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
255174	TRANSFER NO. 86302	07/07/22	07/14/22	2	\$178.85

Proof of legal notice received from
Challis Messenger 6/29/2022 (2 pgs)

✓ DM 6-30-2022

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount
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Discount: \$0.00
Surcharge: \$0.00
Credits: \$0.00

Gross: \$178.85
Paid Amount: \$0.00

Amount Due: \$178.85

We Appreciate Your Business!

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

71-11009

CITY OF STANLEY

PO BOX 53

STANLEY, ID 83278-0053

Point of Diversion: SWNW S3 T10N R13E CUSTER County

Source GROUND WATER Tributary

Use: DOMESTIC 01/01 to 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 05-11-2022

Place Of Use: DOMESTIC

T10N R13E S3 SWNW, NWSW

Application proposes to divert 0.20 cfs ground water for domestic uses for employee housing. The proposed POD and POU are located approximately 0.6 miles north and 0.1 miles west of the Highway 75 & Highway 21 intersection in Stanley. This application proposes the diversion and use of water from ground water tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate of 0.20 cfs will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 86302**

RAY A VARNEY and REBECCA VARNEY, 345 ROD AND GUN CLUB LOOP, CHALLIS, ID 83226-4728 has filed Application No. 86302 for changes to the following water rights within CUSTER County(s): Right No(s). 72-16628. The purpose of the transfer is to change a portion of the above rights as follows:

Application proposes changing a point of diversion (POR) and place of use (POU) for a 0.09 cfs, 4 acre portion of a Challis Creek irrigation right. The current POR is located on the Highline Canal approximately 1 mile north and 0.4 miles west of the intersection of Main St and Hwy 93 in Challis. Current POU is located approximately 1.0 to 1.3 miles north and 0.0 to 0.2 miles west of the intersection of Main St. and Hwy 93 in Challis. Proposed POR is an existing diversion on the Highline Canal located approximately 1.2 miles north and 0.3 miles west of current POR. New POU is located approximately 1.2 to 1.3 miles north and 0.1 to 0.2 miles west of the current POR.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before July 25, 2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published July 7 and 14, 2022 (CM12622-255174)

✓ SM

Maline, Denise

From: Maline, Denise
Sent: Wednesday, June 29, 2022 4:25 PM
To: Challis Messenger
Subject: LEGAL NOTICE - Challis Messenger
Attachments: Challis Messenger cover letter.docx; Challis Messenger Ad.docx

Attached please find **(1)** legal notice being submitted for publication in the *Challis Messenger* on July 7th & 14th, 2022. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline, Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov



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Governor Brad Little

Director Gary Spackman

June 29, 2022

LEGAL NOTICE DEPARTMENT

CHALLIS MESSENGER

PO BOX 405

CHALLIS, ID 83226-0405

RE: Application for Permit No. 71-11009

RE: Transfer No. 86302

Water Right No(s). 72-16628

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before July 25, 2022. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline

Administrative Assistant

Enclosure(s)

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71-11009

CITY OF STANLEY

PO BOX 53

STANLEY, ID 83278-0053

Point of Diversion SWNW S3 T10N R13E CUSTER County Source GROUND WATER Tributary

Use: DOMESTIC 01/01 to 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 05-11-2022

Place Of Use: DOMESTIC

T10N R13E S3 SWNW, NWSW

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GARY SPACKMAN, Director
Published on July 7th & 14th, 2022

M E M O R A N D U M

Date: June 13, 2022
To: Transfer 86302 File
From: Bill Mills
Re: Transfer Proposal

Application proposes changing a point of diversion (POR) and place of use (POU) for a 0.09 cfs, 4 acre portion of a Challis Creek irrigation right. The current POR is located on the Highline Canal approximately 1 mile north and 0.4 miles west of the intersection of Main St and Hwy 93 in Challis. Current POU is located approximately 1.0 to 1.3 miles north and 0.0 to 0.2 miles west of the intersection of Main St. and Hwy 93 in Challis. Proposed POR is an existing diversion on the Highline Canal located approximately 1.2 miles north and 0.3 miles west of current POR. New POU is located approximately 1.2 to 1.3 miles north and 0.1 to 0.2 miles west of the current POR.

All PORs and POUs are also within Water District 72A and 170. Watermaster comments will be solicited.

M E M O R A N D U M

Date: June 13, 2022
To: Transfer 86302
From: Bill Mills
Re: Fee Evaluation

Filing fees charged for transfer application #86302 were based on the current transfer fee schedule and included \$200.00 for the 0.09 cfs being transferred in the application. An additional \$100.00 was paid for dividing the right and changing ownership of the new portion of the right through the transfer process (Receipt No. S039192; Total Fee \$300.00).



RECEIVED

APR 20 2022

DEPT OF WATER RESOURCES
SOUTHERN REGION

April 18, 2022

Corey Skinner
IDWR Southern Region Office
650 Addison Ave W Ste 500
Twin Falls, ID 83301-5858

Subject: Notice of Change in Water Right Ownership (72-16628, 72-2149F)
Transfer Application (72-16628)
Transfer Application (72-2149F)
Application for Permit (Challis Creek Cattle Co.)

Dear Corey,

Enclosed are the following:

CCCC Water Right Ownership Change Notice to update current ownership of 72-16628 & 72-2149F, currently in Sechrist's name, to Challis Creek Cattle Company LLC (CCCC). Check No. 2456 for \$50 is enclosed for the filing fee.

Varney Transfer Application proposing 4 acres of water right 72-16628 be transferred to Varney property. Applicant's deed is included as attachment 2B and a quitclaim deed from CCCC authorizing the 4-acre transfer is included as attachment 3. Check No. 2455 is enclosed for the \$300 filing fee which includes \$100 to split the water right.

CCCC Transfer Application proposing an expansion of the place of use and change in re-diversion point for storage water right 72-2149F. Check No. 2457 is enclosed for the \$500 filing fee.

CCCC Application for Permit proposing stockwater use from a spring on US Forest Service land. Documents supporting the applicant's authorization to file on USFS lands are included as attachments A1 through A5 and B1 through B4. Check No. 2454 is enclosed for the \$100 filing fee.

Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

HDR Engineering, Inc.

A handwritten signature in cursive script that reads "Lori Graves".

Lori Graves
Sr. Water Rights Specialist

Cc: Stephen Bauchman, CCCC

Enclosers: 1 Ownership Change Notice,
2 Transfer applications
1 permit application
4 Checks