

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/4/2020

Water Right 72-16633
WR Report AFTER Ownership Change Split

Owner Type **Name and Address**
Current Owner CHALLIS CREEK CATTLE CO LLC
 PO BOX 10
 CHALLIS, ID 83226-0010
 (208) 879-5515

Security Interest WELLS FARGO BANK NA
 ATTN PAUL NELSON
 877 W MAIN ST
 BUSINESS BANKING 3RD FL
 BOISE, ID 83702-5883
 (208) 519-3294

Priority Date: 5/1/1879

Basis: Decreed

Status: Active

Source
CHALLIS CREEK

Tributary
SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.010 CFS	
	<u>Total Diversion</u>		0.010 CFS	

Source and Point(s) of Diversion

CHALLIS CREEK	L10(SWNWNW)	Sec. 7, Twp 14N, Rge 19E, CUSTER County
CHALLIS CREEK	SWNWNE	Sec. 17, Twp 14N, Rge 19E, CUSTER County(R)

Place Of Use

IRRIGATION within CUSTER County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	19E	15						2.6											2.6
14N	19E	16	6.0	1.0			18.7	3.7											29.4

Right Acre Limit: 0.5

POU Total Acres: 32.0

Conditions of Approval:

1. X35 Rights 72-16633 and 72-16635 when combined shall not exceed the irrigation of 0.53 acres.
2. 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 of the lands above.
3. R05 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

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4. R43 approval, this water right is within State Water District No. 72C.
The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. 004 This right does not grant any right-of-way or easement across the land of another.
6. 029 Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
7. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. 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.
9. 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.
10. The diversion rate of this right is 0.0067 cfs.
11. Rights 72-16633, 72-16635, 72-16637 and 72-16639 when combined shall not exceed a total diversion rate of 0.58 cfs and the irrigation of 27.9 acres.

Comments:

1. cskinner 1/20/2006 POD
Updated shape
2. cskinner 1/20/2006 POU
Updated Shape
3. psdaggs 4/24/2006 Transferred Right
This is now an approved transfer, transfer number = 70680
4. Ownership Change 1/26/2011 Split Right
Split into 72-16633 (Challis Creek Cattle Co.), 72-16839 (Rose Trust), 72-16840 (Dimmer), 72-16841 (Yacomella/Hill and 72-16842 (Webster).
5. tfawcett 1/26/2011 POU
Updated Shape
6. Ownership Change 5/2/2011 Split Right
This right was split into 72-16633 (Challis Creek Cattle Co) 72-16860 (Babb), 72-16861 (Gassman) and 72-16862 (Simon).
7. tfawcett 5/2/2011 POU
Updated Shape
8. tfawcett 5/11/2011 POU
Updated PLS
9. tfawcett 11/14/2011 split right
This right was split into 72-16633 (Challis Creek Cattle Co) and 72-16879 (Rowles) pursuant to an ownership change.

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10. tfawcett 11/14/2011 POU
Updated Shape

11. ainouye 5/17/2018 Removal of Redundant Combined Use Limit
Condition

Over the years stacked water rights 72-16633, 72-16635, 72-16637, and 72-16639 have been split by multiple ownership changes. A condition was implemented on the parent rights that identified the summation of the rates and acres associated with the parent rights and the subsequent children rights and was not actually a limiting condition. This non-limiting condition was removed from the parent rights and all resulting split portions to eliminate the need to continually update it on all the parent and children rights on future ownership changes.

12. ainouye 5/17/2018 Partial Abandonment
Rate and acres reduced pursuant to O/C. New owner (Holland) abandoned the portion of this right that was appurtenant to their property.

13. ainouye 5/17/2018 POU
Updated Shape

14. wmills 2/4/2020 Split Right
Split into 72-16981.

15. wmills 2/4/2020 POU
Updated Shape

Dates and Other Information

Decreed Date: 11/17/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND/OR
Water District Number: 72A
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

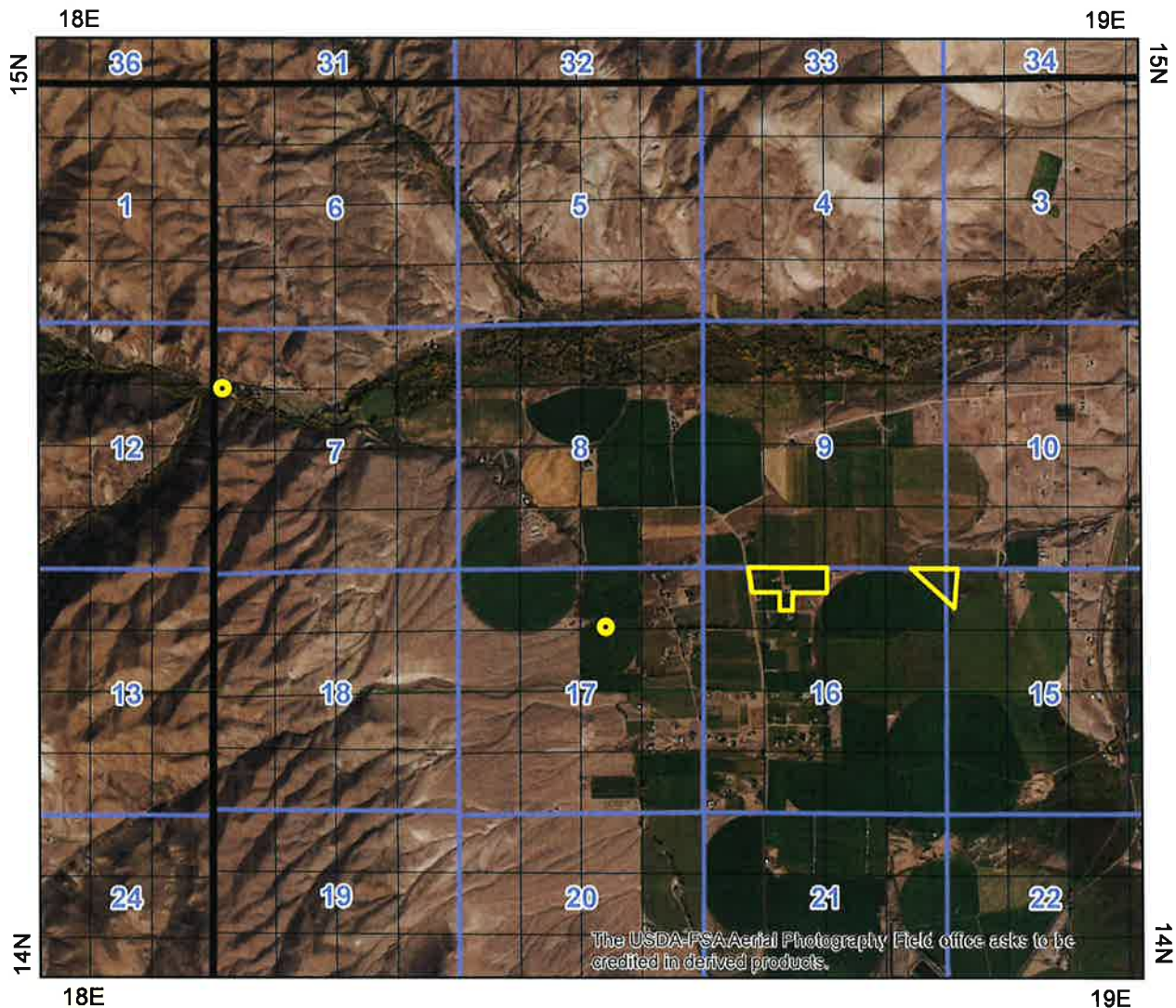
N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right AFTER Ownership Change Split
72-16633

This map depicts the IRRIGATION place of use boundary for this water right AFTER Ownership Change Split. Map is solely for illustrative purposes.



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

0 0.45 0.9 1.8 Miles



2/4/2020

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHALLIS CREEK CATTLE CO LLC PO BOX 10 CHALLIS, ID 83226-0010 (208) 879-5515

Status: Active

Tributary
SALMON RIVER

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
04/01	10/31	0.040 CFS
Total Diversion		0.040 CFS

CHALLIS CREEK	L10(SWNWNW)	Sec. 7, Twp 14N, Rge 19E, CUSTER County
CHALLIS CREEK	SWNWNE	Sec. 17, Twp 14N, Rge 19E, CUSTER County(R)

IRRIGATION within CUSTER County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
14N	19E	15						4.7	2.6										7.3
14N	19E	16	40.0	40.0	39.6	40.0	22.2	3.7		5.2					6.4	6.4			203.5

POU Total Acres: 210.8

1.	X35	Rights 72-16633 and 72-16635 when combined shall not exceed the irrigation of 3.53 acres.
2.	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 of the lands above.
3.	R05	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. 72C.
4.	R43	The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5.	004	This right does not grant any right-of-way or easement across the land of another.
6.	029	Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

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7. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. 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.
9. 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.
10. The diversion rate of this right is 0.0437 cfs.
11. Rights 72-16633, 72-16635, 72-16637 and 72-16639 when combined shall not exceed a total diversion rate of 3.78 cfs and the irrigation of 183.5 acres.

Comments:

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Updated shape
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Rate and acres reduced pursuant to O/C. New owner (Holland) abandoned the portion of this right that was appurtenant to their property.

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Updated Shape

Dates and Other Information

Decreed Date: 11/17/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: And/Or
Water District Number: 72A
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 3.5
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

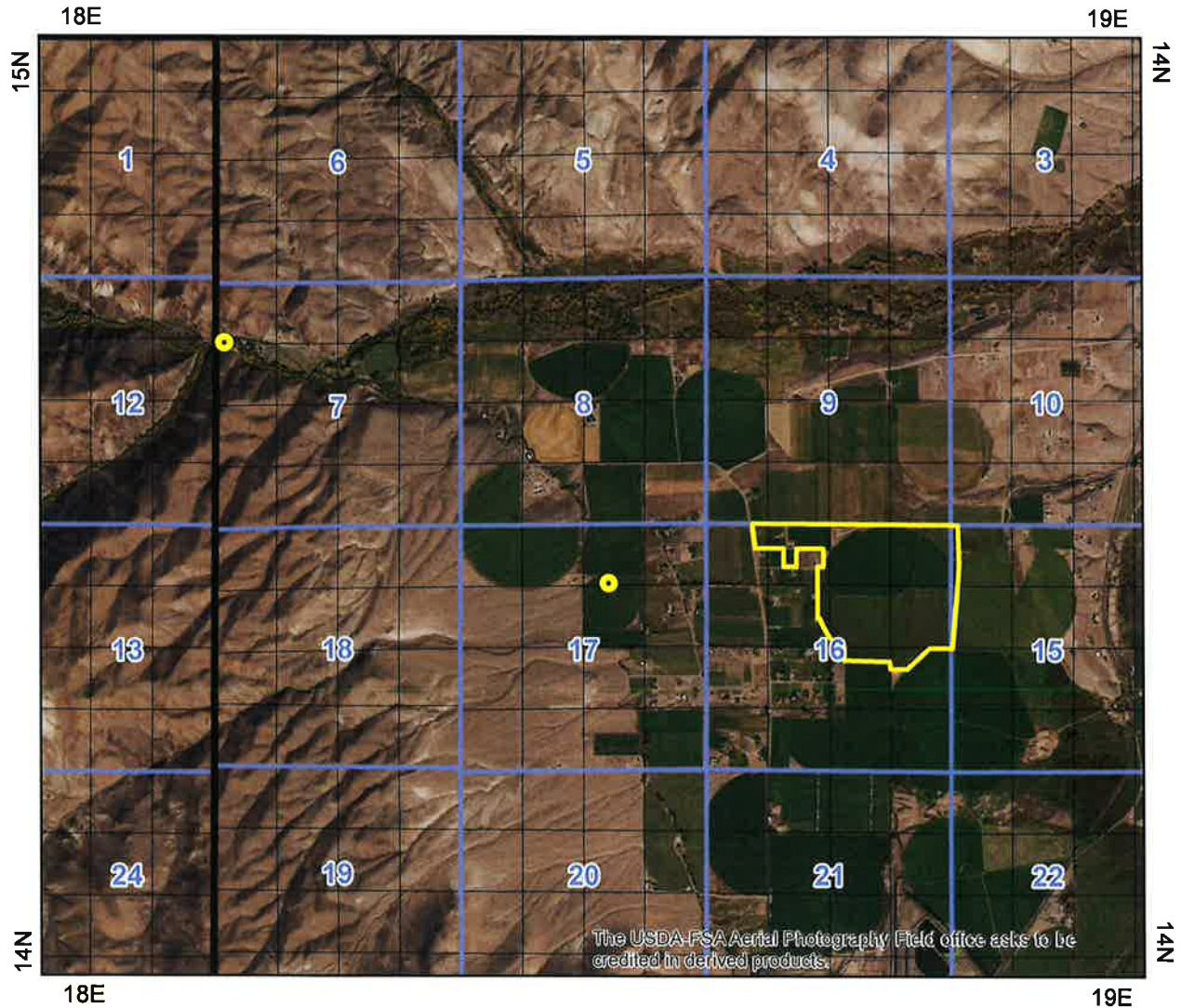
N/A

State of Idaho
Department of Water Resources

Water Right BEFORE Ownership Change Split

72-16633

This map depicts the IRRIGATION place of use boundary for this water right prior to an Ownership Change Split. Map is solely for illustrative purposes.



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

0 0.45 0.9 1.8 Miles

