



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 20, 2016

Moffatt Thomas
Po Box 829
Boise ID 83701

RE: Change in Ownership Water Right No. 35-2664, 35-4064, 35-13891, 35-13892 & 35-8605D

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

**** **Evidence of Ownership:** According to the legal description of the deed attached to this application the ownership change will require a division of the water right. Water right number 35-8605D was not listed but has the same place of use as 35-2664 and 35-4064. For your convenience I have attached a map showing the portions of the water rights in question as well as proof reports highlighting the split portions. If you believe the water right should not be split and have additional evidence of ownership covering the questioned portions of the place of use please submit the information. Or if a split is required please supply the additional filing fee.

**** **Filing Fee:** The filing fee for an ownership change resulting in a division of the water right is \$100.00 per water right. Therefore for this application the total filing fee would be \$500.00. The department has already received \$100.00 for this application therefore an additional \$400.00 would be required.

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,

Jonie Barg
Technical Records Specialist

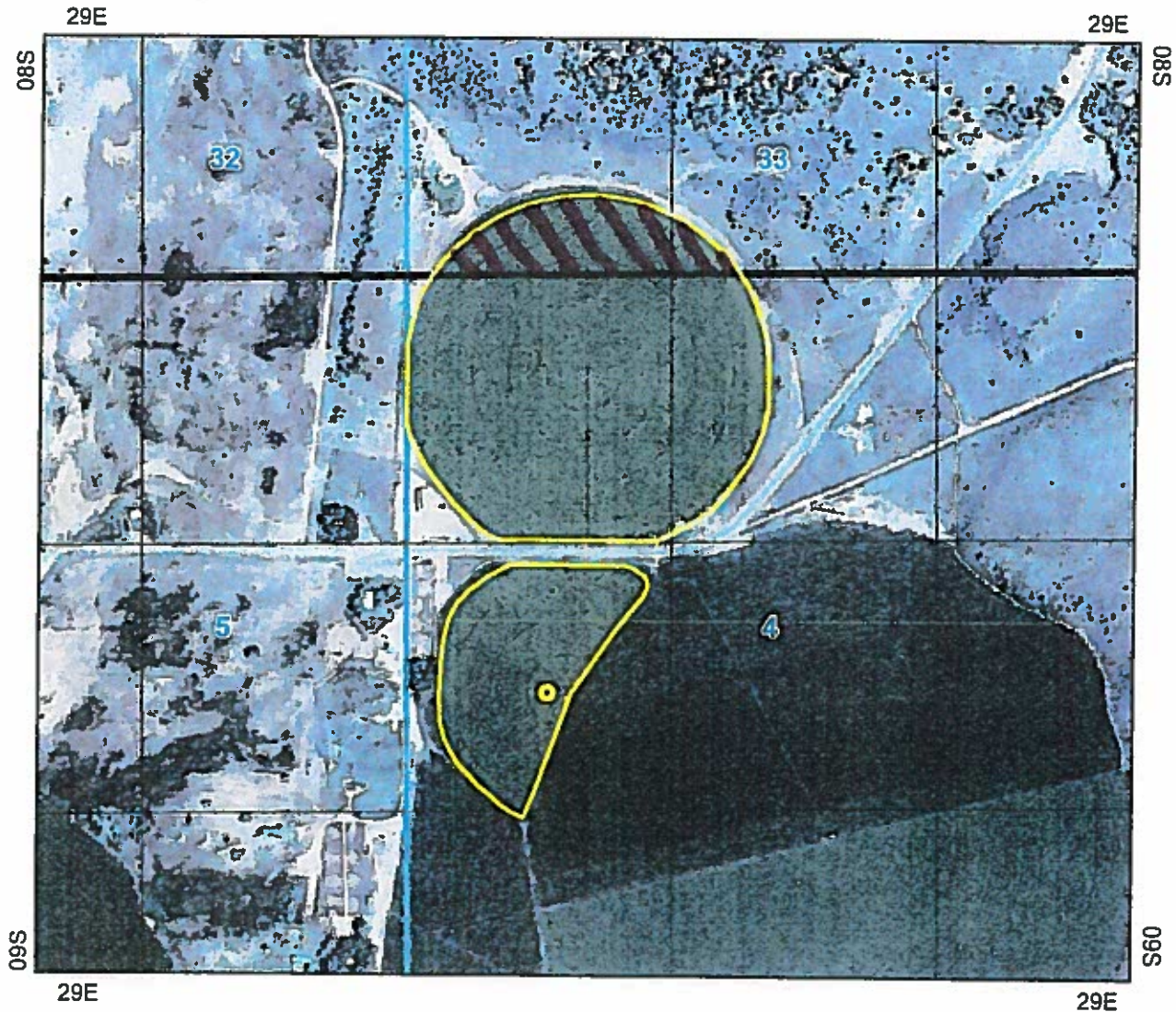
Enclosure(s)

State of Idaho
Department of Water Resources

Water Right
35-13891

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



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

0 0.1 0.2 0.4 Miles

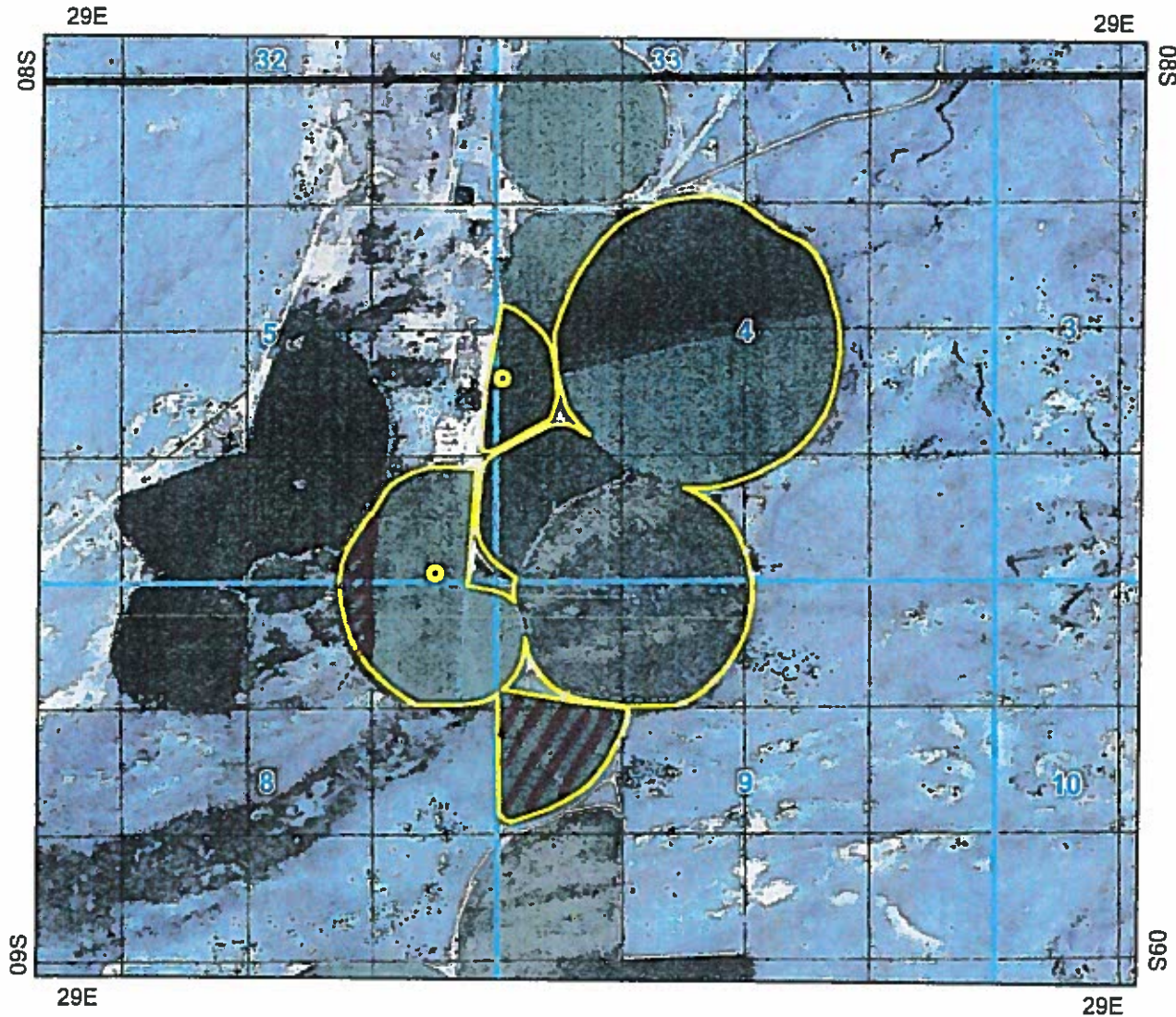


State of Idaho
Department of Water Resources

Water Right 35-4064

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



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

0 0.225 0.45 0.9 Miles



4/18/2016

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KAY HUNT PO BOX 187 AMERICAN FALLS, ID 83211 (208)226-2703

Status: Active

Tributary

POU Total Acres: 429.5

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/18/2016

- shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
 7. F06 The following rights are diverted through point(s) of diversion described above:
35-2664, 35-4064, 35-8605D and 35-13892.
 8. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
 9. 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.
 10. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
 11. 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.

4/18/2016

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KAY HUNT PO BOX 187 AMERICAN FALLS, ID 83211 (208)226-2703

Status: Active

Tributary

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- shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
 7. F06 The following rights are diverted through point(s) of diversion described above: 35-2664, 35-4064, 35-8605D and 35-13892.
 8. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
 9. 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.
 10. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
 11. 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.

4/18/2016

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LAKE CHANNEL RANCHES INC PO BOX 187 AMERICAN FALLS, ID 83211-0187 (208)548-2459

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Proof Report

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- diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. 214 Prior to the diversion and use of water under Transfer approval 75452, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
 6. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
 7. F06 The following rights are diverted through point(s) of diversion described above:
35-2664, 35-4064, 35-8605D and 35-13892.
 8. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
 9. 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.
 10. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

4/18/2016

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KAY HUNT PO BOX 187 AMERICAN FALLS, ID 83211 (208)226-2703

Status: Active

Tributary

302.0 AF

Sec. 4, Twp 09S, Rge 29E, POWER County

IRRIGATION within POWER County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
08S	29E	33											9.5	1.5					11.0
09S	29E	4					11.0	36.0	17.0										64.0
09S	29E	5	0.5																0.5

POU Total Acres: 75.5

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.

4/18/2016

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KAY HUNT PO BOX 187 AMERICAN FALLS, ID 83211 (208)226-2703

Status: Active

Tributary

GROUND WATER	NWNWSW	Sec. 4, Twp 09S, Rge 29E,	POWER County
GROUND WATER	SESESE	Sec. 5, Twp 09S, Rge 29E,	POWER County

[illegible]

POU Total Acres: 429.5

1.	X27	This right is limited to the irrigation of 14.5 acres within the place of use described above in a single irrigation season.
2.	X35	Rights 35-2264, 35-4064, 35-8605D and 35-13892 when combined shall not exceed a total diversion rate of 7.29 cfs, a total annual maximum diversion volume of 1718.0 af at the field headgate, and the irrigation of 429.5 acres.
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. 120.
4.	R02	A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5.	214	Prior to the diversion and use of water under Transfer approval 75452, the right holder

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/18/2016

- shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
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 8. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
 9. 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.
 10. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
 11. 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.

Comments: