

MAR 04 2014

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 79179

DEPT. OF WATER RESOURCES
SOUTHERN REGIONMINIMUM 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 <http://www.idwr.idaho.gov/>.

Name of Applicant(s) CREG HANSEN; LETA HANSEN

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 #1-9.

- ☐ ☐ #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 transfer 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).
- ☐ ☐ #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 <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☐ ☐ #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.
- ☐ ☐ #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.)
- ☐ ☐ #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 Other. Please describe: _____

MAR 04 2014

DEPT. OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant CREG HANSEN Phone (208)823-4664
Mailing Address PO BOX 44, CAREY ID 83320 Email _____
Name of Applicant LETA HANSEN Phone (208)823-4664
Mailing Address PO BOX 44, CAREY ID 83320 Email _____

- ☐ 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 Representative

Name of Representative _____ Phone _____
Mailing Address _____ Email _____

☐ 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] _____ Creg Hansen _____ 3/4/14
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date
[Signature] _____ Leta Hansen _____ 3/4/14
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	37-7621E	No	No	Yes	No	No	No

Associated Right(s): 37-22684

Leta cell
731-4646
CL Hansen@Frontier.com

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

2. 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.2**

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

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
37-7621E	0.670 cfs	119.0 af	N/A	34.0		N/A	N/A	N/A	N/A

**COMBINED
TOTALS**

0.670 cfs	119.0 af	34.0	34.0	N/A	N/A	N/A	N/A
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2. Total amount of water proposed to be transferred or changed 0.67 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)

☒ As shown in Part 1.

☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

4. Place of Use:

☐ No changes to place of use are proposed. (Proceed to #5.)

☒ As shown in Part 1.

☐ See Attachment.

IDaho DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 37-7621E

Current Water Right Owner

KAREN W YOUNG
 PO BOX 241
 CAREY, ID 83320

AND

ROSS M YOUNG
 PO BOX 241
 CAREY, ID 83320

Priority Date: 6/7/1977

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/15	0.670 CFS	119.0 AFA	
Total Diversion			0.670 CFS	119.0 AFA	

Source and Point(s) of Diversion:
 GROUND WATER

NWSWSW

Sec. 22 Twp 01S Rge 21E BLAINE County

Describe the proposed diversion system
 WELL AND PUMP, EAST CANAL.

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	22					11.0	23.0											34.0

POU Total Acres: 34.0

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

Well and pump, no meter, in the NWSWSW Sec22, T1SR21E delivers to LWRID Main Canal, water for property diverted up canal 3/4 mile at LWRID headgate to pond and pump. Well already controlled by Carey Valley Ground Water District.

- b. Who owns the property at the point(s) of diversion

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Community (shared) well with 4 users.

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No, ☒ 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. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

Land will continue to be irrigated with underlying reservoir shares in LWRID.

- e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

Both reservoir shares in LWRID and private right 37-22684 irrigate destination POU.

- f. 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: Donald Green

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

Current Water Right No. 37-7621E

Current Water Right Owner

KAREN W YOUNG
 PO BOX 241
 CAREY, ID 83320

OR

ROSS M YOUNG
 PO BOX 241
 CAREY, ID 83320

Priority Date: 6/7/1977

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/15	0.670 CFS	119.0 AFA	
Total Diversion			0.670 CFS	119.0 AFA	

Source and Point(s) of Diversion:
 GROUND WATER

NWSWSW

Sec. 22 Twp 01S Rge 21E BLAINE County

Describe the proposed diversion system

WELL AND PUMP, EAST CANAL.

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	22												34.0					34.0

POU Total Acres: 34.0

Conditions/Remarks:

1. RIGHT NO. 37-7621 PARTS D, F, & G ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
2. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 15 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER AFTER [OCTOBER 15] UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
3. USE OF THIS RIGHT IS COMBINED WITH WATER FROM LITTLE WOOD RIVER IRRIGATION DIST.
4. 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.

☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.

☒ 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. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

☒ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**

1. 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.:

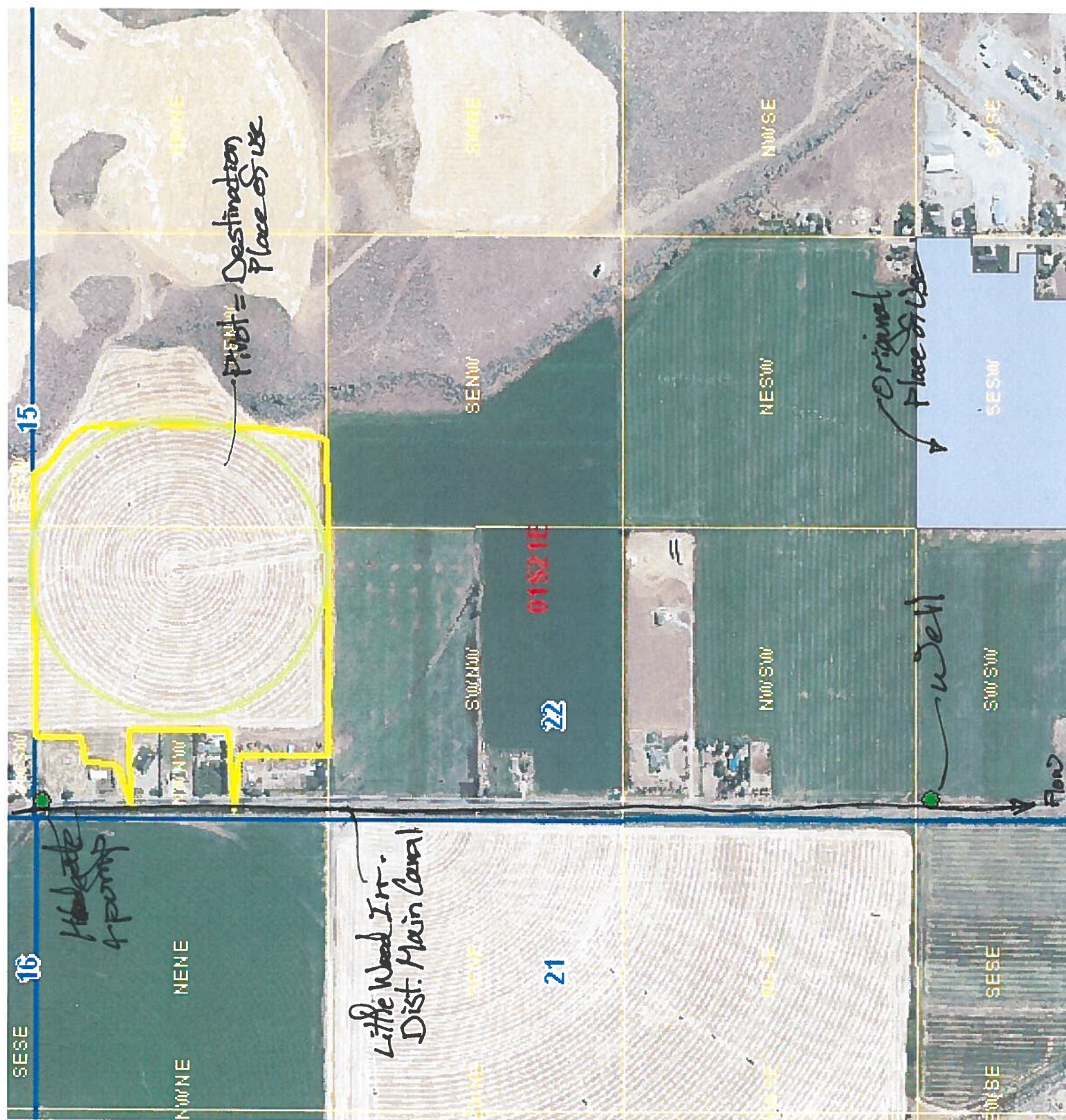
yes Ground water can be pumped and used any time during the irrigation season that the surface water is delivered.

Transfer Contains 7 pages and attachments.

Received By D.S Date 3/4/2014 Prelim. Check By _____ Date _____

Fee Paid \$525- Date 3.4.2014 Received By DJ Receipt # S033850

Add'l Fee Paid	Date	Received By	Receipt #
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Quit Claim Deed

December 6, 2013

For Water Right #37-7621E, which is a supplement water right

Priority Date 6/7/1977, location of point (s) of Diversion:

Ground Water, NWSWSW Sec. 22

Township 1S Range 21 E Blaine County, Carey Idaho.

Diversion Rate of 0.67 CFS, volume of 119 AFA.

Ross and Karen Young, mailing address: PO Box 241 Carey, Idaho 83320. Convey, and release all interest, rights, and title to this water right and pumping system.

To Creg and Leta Hansen, mailing address: PO Box 44 Carey, Idaho 83320. In the amount of thirty five hundred dollars and no cents. (\$3,500.00). Ross and Karen Young will pay all assessments due for 2013 to Carey Valley Ground Water District in the amount of four hundred forty eight dollars and seventy six cents (\$448.76).

Date: 12/6/13

Ross Young
Ross Young

Creg Hansen
Creg Hansen

Karen Young
Karen Young

Leta Hansen
Leta Hansen



COPY

I Robb Peck a Notary Public
Attest that these 4 people signed this day 6th of December 2013.

Signed: Robb K. Peck

Seal expires: 6/9/17

TRANSFER 79179

QUITCLAIM DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Fredrick W. Pyrah and Grant L. Pyrah hereby bargains, sells, remises, releases, conveys and forever quitclaims to Ross M. Young and Karen W. Young, whose address is Post Office Box 241, Carey, Idaho 83320 all of Fredrick W. Pyrah's and Grant L. Pyrah's right, title, and interest in the water rights in the State of Idaho, County of Blaine described as:

WATER RIGHT NO. 37-7621E, PRIORITY DATED: June 7, 1977

DATED this 24 of September, 2014. FREDRICK W. PYRAH/GRANT L. PYRAH

By: _____

Name: Fredrick W. Pyrah

By: _____

Name: Grant L. Pyrah

State of Alaska

County of Matanuska Borough

On this 24th day of September, in the year 2014, before me, a Notary Public in and for the said State, personally appeared Fredrick W Pyrah, known to me, or proven on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument, and acknowledged to me that they executed the same.



Carmon Beal

Notary Public for Alaska

Residing at Palmer AK 99645

My Commission Expires 2-14-18

State of Missouri

County of Greene

On this 30th day of September, in the year 2014, before me, a Notary Public in and for the said State, personally appeared Grant L Pyrah, known to me, or proven on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument, and acknowledged to me that they executed the same.



Shanna Long

Notary Public for Missouri

Residing at Willard, Mo 65781

My Commission Expires 09/03/2017

LITTLE WOOD RIVER IRRIGATION DISTRICT

Certificate of Water Rights

Carey, Idaho

Name: Ross and/or Karen Young

Address: PO Box 241 Carey, Idaho 83320

14.4 Acre feet of **Old Storage** for the use in the following described land in Blaine County, Idaho:

Fr SE 1/4, Sec 22, Twp 1S, Rge 21. Fr SESW TL 4067, 4069, 1014, 38853 Sec 22, 1S, Rge 21E.

95 Acre feet of **New Storage** for the use one the following described land in Blaine County,

Idaho: *same as above*

1.95 Miners inches of **Natural Flow Rights** from Little Wood River Right No. 37-0421, priority date April 15, 1893 for use of the following described land in Blaine County, Idaho:

.75 share

10.25 Miners inches of **Natural Flow Rights** from the Little Wood River Right No. 37-0422, priority date September 2, 1899 for the use on the following described land in Blaine County, Idaho:

8.54 Miners inches of **Natural Flow Rights** from Little Wood River Right No. 37-1132, priority date May 1, 1947 for use on the following described land in Blaine County, Idaho:

Dated this 15th day of February, 2001

LITTLE WOOD RIVER IRRIGATION DISTRICT

By Kathi Peck

Secretary

COPY



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 30, 2015

CINDY YENTER
WATER DISTRICT #130
650 ADDISON AVE W, STE 500
TWIN FALLS, ID 83301

Hand Delivered

RE: Transfer No. 79179
Water Right No(s): 37-7621E

RE: Transfer No. 79839
Water Right No(s): 36-2254A, 36-2284, 36-8401

Dear Ms. Yenter:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, 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's regional offices 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
Administrative Assistant



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 30, 2015

ROBERT SIMPSON
WATER DISTRICT #37-N
PO BOX 355
CAREY, ID 83320

LITTLE WOOD RIVER IRRIGATION DISTRICT
C/O ROBERT SIMPSON
PO BOX 355
CAREY, ID 83320

RE: Transfer No. 79179
Water Right No(s): 37-7621E

Dear Mr. Simpson:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter. If you desire to formally protest the approval of this application, on behalf of Little Wood River Irrigation District, you may do so by filing a written protest along with a \$25.00 filing fee within 10 days after final publication, being on or before **April 20, 2015**.

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's regional offices 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
Administrative Assistant

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 27, 2015

CREG HANSEN
LETA HANSEN
PO BOX 44
CAREY, ID 83320

RE: Transfer No. 79179
Water Right No(s). 37-7621E

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 **IDAHO MOUNTAIN EXPRESS on 4/1/2015 and 4/8/2015**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**April 20, 2015**).

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
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Friday, March 27, 2015 9:33 AM
To: Idaho Mountain Express
Subject: LEGAL NOTICE
Attachments: Idaho Mtn Express Cover Letter.docx; Idaho Mtn Express Ad.doc

Attached please find (1) legal notice being submitted for publication on April 1st & 8th, 2015. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 27, 2015

LEGAL NOTICE DEPARTMENT
IDAHO MOUNTAIN EXPRESS
PO BOX 1013
KETCHUM, ID 83340

RE: Transfer No. 79179
Water Right No(s): 37-7621E

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 April 20, 2015. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79179**

CREG HANSEN and LETA HANSEN, PO BOX 44, CAREY, ID 83320; has filed Application No. 79179 for changes to the following water rights within BLAINE County(s): Right No(s). 37-7621E; to see a full description of these rights and the proposed transfer, please see

www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: Transfer #79179 proposes to move the place of use for supplemental ground water right 37-7621E from near the junction of Little Wood Reservoir Rd and Hwy 93 to a location about 1 mile north. The water right is for 34 acres and 0.67 cfs and supplements Little Wood Irrigation District shares and a natural flow right and will be applied to land utilizing a small pivot. Water right will be diverted to replace water diverted up channel on the LWID East Canal system.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 Addison Ave W Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before April 20, 2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on April 1st & 8th, 2015

MEMORANDUM

Date: March 17, 2015
To: Transfer 79179
From: Doug Jones
Re: Legal Notice Remarks

Transfer #79179 proposes to move the place of use for supplemental ground water water right 37-7621E from near the junction of Little Wood Reservoir Rd and Hwy 93 to a location about 1 mile north. The water right is for 34 acres and 0.67 cfs and supplements Little Wood Irrigation District shares and a natural flow right and will be applied to land utilizing a small pivot. Water right will be diverted to replace water diverted upchannel on the LWID East Canal system.

MEMORANDUM

Date: February 23, 2015
To: Transfer 79179
From: Doug Jones
Re: Review & Evaluation of Sufficiency of Information

- **Authority to File:**

The applicant has provided appropriate conveyance documentation from the current owner of involved water rights to become the new owner.

- **Water Right Validity:**

This water right has been decreed in the SRBA. Review of aerial photos indicates that the lands involved with the transfer has not undergone a 5-year period of non-use since decree.

- **Injury to Other Water Rights:**

The transfer proposes to divert surface water from a canal updraft from the existing well and replace that flow with ground water injected into the same ditch. A condition is required limiting diversion from the canal to times water is being delivered into the ditch from the well to fill this water right. In addition, a limiting condition is required to tie operation of the pivot at the new place of use with diversion of well water.

- **Enlargement of Use:**

None anticipated, but the potential will be present to divert ground water when the pivot is not operated.

- **Local Public Interest:**

No hydrological impact anticipated.

- **Beneficial Use/Conservation of Water Resources:**

Proposed use is recognized as a beneficial use of water.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

11/25/14

ATT: Doug

RE: Transfer # 79179

waterweight # 37-7621E

Creg ? Leta Hansen

questions : Leta

208 731-4646

Certificate of Water Rights

Little Wood River Irrigation District

Carey, Idaho

Name: Creg and/or Leta Hansen Address: PO Box 44 Carey ID 83320

— Acre feet of **Old Storage** for the use on the following described land in Blaine County, Idaho:

300 Acre feet of **New Storage** for the use on the following described land in Blaine County, Idaho:

E $\frac{1}{2}$ NW Sec 15, 1S, 2E. NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 22. Lot 4 M $\frac{1}{4}$ M Sub.

116.92 Miners inches of **Natural Flow Rights** from Little Wood River No. 37-0421, priority date April 15, 1893 for the use on the following described land in Blaine County, Idaho:

(6.5. shares)

88.85 Miners inches of **Natural Flow Rights** from Little Wood River No. 37-0422, priority date September 2, 1899 for the use on the following described land in Blaine County, Idaho:

74.04 Miners inches of **Natural Flow Rights** from Little Wood River No. 37-1132, priority date May 1, 1947 for the use on the following described land in Blaine County, Idaho:

Dated this 27th day of March, 2012

Little Wood River Irrigation District

0307

By: Kathi Peck
Secretary





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

11-17-2014

Creg & Leta Hansen
PO BOX 44
CAREY ID 83320

RE: Transfer #79179

COPY

Dear Mr. and Mrs. Hansen,

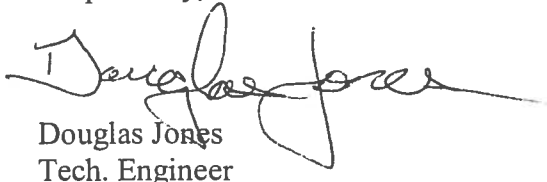
During review of the transfer prior to advertising it was noted that the pivot has a swing arm and that there are 5 more acres irrigated in the NENW Sec22 than had been historically (see enclosed map). It's possible that additional LWID shares have been moved onto the property to cover the additional lands. Please provide a statement from LWID, on their letterhead, as to the number of shares on **each** of the NENW and NWNW Sec22 and whether they represent LWID's earlier or later segregation of storage. This is important because your water right (37-22864), appurtenant to those two tracts, is junior to LWID shares and is used in combination with LWID shares. The approval of the transfer will include a condition requiring LWID shares be kept appurtenant and used before the supplemental ground water can be diverted in order to prevent enlargement of the ground water use.

You have an option to amend the transfer application to describe the same place of use as is found on water right 37-22864. As presently submitted the transfer only allows supplemental ground water to be diverted and used on your land when the pivot is on and not when the swing arm is operating; and certainly not on the additional 5 acres.

On separate matters, there is a domestic water right in the name of Taylor that appears to be for the house and stock in the NWNW of Sec22 (37-11336, printout enclosed). IDWR has the documentation to be able to change the ownership, but we need your written request to do so and the \$25 owner change fee. The last issue relates to recent pivots installed on the upland areas east of the subject property. Please provide information to IDWR with respect to what water rights are used on those areas and where they are diverted or rediverted. Presently there are no rights recorded for those places of use.

Please provide the requested information within 30 days. If you have any questions please call the office, particularly if you need to make an appointment to see me.

Respectfully,



Douglas Jones
Tech. Engineer

7/30/2014

Creg & Leta Hansen
PO BOX 44
CAREY, ID 83320

RE: Additional Information for T#79179

Dear Mr & Mrs Hansen,

The attached map shows the current place of use described in 37-7621E, with presently known owners of the land identified. The part of the right formerly appurtenant to Summit Creek Ranch has been Quit Claimed back to Young (owns a total of 22 acres). The parts apparently appurtenant to Pyrah's parcels (11.5 ac) and a bit on Reay's (0.5 ac) is not known to have been deeded back to Young. Our estimates of acres might be in error because of irregularities in our mapping data.

We can't process the transfer or make the ownership change without the Quit Claim or other documents that show Young has ownership of all the right.

One other change to the application that could be made if the documents are sent in is to modify the destination place of use to describe all the land covered by 37-22684 (44 ac). If the transfer is approved then the right would be limited to the 34 acres within the 44.

If you have any questions please call me.

Sincerely,

Douglas Jones, PE
Technical Engineer
Southern Region
(208)736-3033

