



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

June 2, 2014

GARY SPACKMAN

Director

GARY & COLLEEN HANSEN
DOUGLAS & ANNETTE HANSEN
230 E 700 N
RUPERT ID 83350

Re: Change in Water Right Ownership for Water Rights 36-7607 and 36-12323

Ladies and Gentlemen:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that you did not acquire all the property to which water right 36-7607 is appurtenant.

I plotted the legal description from your deed (see attachment 1) and compared it to the water right report (attachment 2) and a map with the place of use outlined (attachment 3) and found the exceptions outlined in red on attachment 1 and their appurtenant water rights were not conveyed to you.

Although I see on the map you submitted that these exceptions are either dry or covered by MID water, the water right shows these parcels are covered by water right 36-7607 and the parties who own the exceptions therefore have an interest in the water right. Because of the exceptions, I cannot change the water right to you without additional documentation. There are two options:

1. A quitclaim deed from the Ted Leno estate that conveys the entire water right to you.
2. Quitclaim deeds to you from the owners of the parcels that were excepted on your warranty deed.

Without the additional documentation, the water right will require splitting with only the portion appurtenant the parcels you own being changed into your names. Please submit the additional documentation by July 1, 2014, or I will proceed with a split of the water right.

Water right 36-12323 was changed into your names as requested and a water right report is enclosed for your records. Please feel free to contact me with any questions you may have.

Sincerely,

Trish Fawcett
Technical Records Specialist

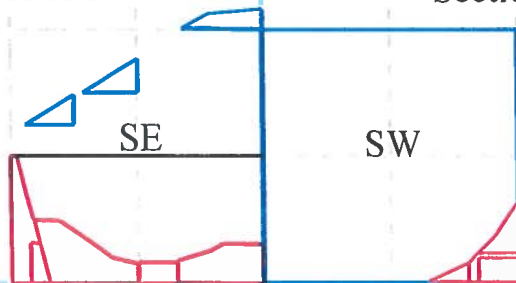
Enclosures

Attachment 1

Township 8 South, Range 25 East

Section 33

Section 34



5/21/2014

Scale: 1 inch= 2000 feet

File: Hansen.ndp

+Tract 1: 80.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=7920 ft.
--Tract 2: 7.1667 Acres (312181 Sq. Feet), Closure: s40.3449w 0.01 ft. (1/318399), Perimeter=2447 ft.
--Tract 3: 5.7249 Acres (249375 Sq. Feet), Closure: n31.4257w 0.01 ft. (1/423510), Perimeter=3041 ft.
--Tract 4: 1.4384 Acres (62656 Sq. Feet), Closure: n79.3553e 0.01 ft. (1/214420), Perimeter=1155 ft.
--Tract 5: 10.0968 Acres, Closure: n00.0000e 0.00 ft. (1/657580), Perimeter=3009 ft.
--Tract 6: 1.9927 Acres (86800 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=1234 ft.
Tract 7: 1.7836 Acres (77693 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/392082), Perimeter=1403 ft.
Tract 8: 2.2462 Acres (97844 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/361062), Perimeter=1574 ft.
Tract 9: 2.8922 Acres (125982 Sq. Feet), Closure: n56.2802w 0.01 ft. (1/255270), Perimeter=1942 ft.
Tract 10: 160.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=10560 ft.
--Tract 11: 2.5000 Acres (108900 Sq. Feet), Closure: s24.1443e 0.01 ft. (1/159602), Perimeter=1360 ft.
--Tract 12: 0.9911 Acres (43174 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/322316), Perimeter=1585 ft.
--Tract 13: 2.4890 Acres (108419 Sq. Feet), Closure: n12.3534e 0.01 ft. (1/208204), Perimeter=1665 ft.
--Tract 14: 0.9568 Acres (41679 Sq. Feet), Closure: n88.0830e 0.01 ft. (1/172180), Perimeter=1075 ft.
Net Area= 46.6436 Acres, (2031797) Sq. Feet.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/2/2014

Attachment 2

Water Right 36-7607

Owner Type **Name and Address**
Current Owner ESTATE OF TED LENO
 C/O THEODORE LENO JR -PERSONAL REPRESENTATIVE
 616 ATWATER RD
 LAKE OSWEGO, OR 97034
 (503) 675-5352

Priority Date: 2/20/1976

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	4.500 CFS	960.0 AF
	<u>Total Diversion</u>		4.500 CFS	960.0 AF

Source and Point(s) of Diversion

GROUND WATER	NESESE	Sec. 33, Twp 08S, Rge 25E,	MINIDOKA County
GROUND WATER	NWSWSW	Sec. 34, Twp 08S, Rge 25E,	MINIDOKA County

Place Of Use

IRRIGATION within MINIDOKA 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	
08S	25E	33				2.0									34.0	19.0	39.0	37.0	131.0
08S	25E	34									40.0	40.0	39.0	39.0					158.0

Right Acre Limit: 240.0

POU Total Acres: 289.0

Conditions of Approval:

1. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 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.
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 240 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. 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

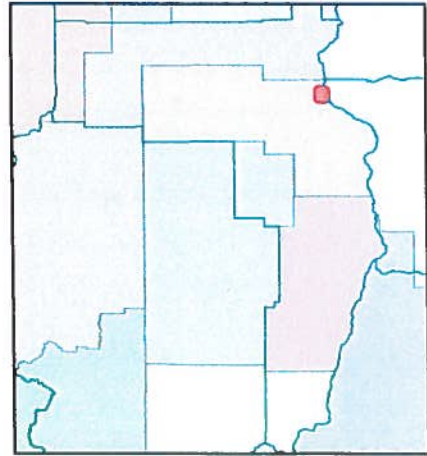


Idaho Department of Water Resources

Attachment 3

Water Right
36-7607
(IRRIGATION)

-  Place of Use
-  State Outline
-  Townships
-  PLS Sections
-  Quarter Quarters



Minidoka County
IDWR Basin 36

Prepared by Fawcett, Trish

2009 Aerial Photography

