

RECEIVED

AUG 21 2013

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT. OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for an entire water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right or to report an ownership change for a portion of a water right. See the *Application for Transfer Instructions* for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

☐ Change diversion point(s)☒ Add diversion point(s)☐ Ownership change1. APPLICANT(S) Robert G Griswold Phone (208) 481-19002. MAILING ADDRESS PO Box 4957 City KetchumState Idaho Zip 83340-4957 Email robertggriswold@gmail.com☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) required for water right ownership changes; see *fee schedule*.☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.3. LIST WATER RIGHT NUMBER(S) 72-00176L☒ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.4. TOTAL AMOUNT OF WATER transferred is 0.12 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)5. POINT OF DIVERSION – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
10N	18E	24			NW	NE	Custer	Road Creek	Existing POD
10N	18E	24			NE	NE	Custer	Road Creek	New POD

6. 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:

Pump intake in creek connected via flex hose to 10' of 8" dia. steel pipe with lockable gate valve, to 160' gasketed PVC pipe to steel Z pipe which drops into a V notch weir and then into open ditch

- b. Who owns the property at the point(s) of diversion? Existing POD - Robert Griswold (Lot 1, Block 1, East Fork Sub.)

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
New POD is on BLM land with right-of-way (grant number IDI 031528)

- c. 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(s), or

☐☒

currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe

7. MAP - ☒ Attach a map of the diversion, measurement, control and distribution system. Clearly label the map with township, range, section and 1/4 1/4 of section information. The *Map Tool*, available at <http://maps.idwr.idaho.gov/TransferApplicationLayouts/> provides a satisfactory template for creating the required map.

8. SIGNATURE - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Signature of applicant or authorized agent

Robert G Griswold

Print name and title if applicable

8 July 2013

Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. FEE - ☐ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The *Fee Schedule* is available at www.idwr.idaho.gov, *Water Right Transfers, Step 4* and in the *Application for Transfer Instructions*.

FOR DEPARTMENT USE ONLY

Transfer includes 3 pages of attachments.

Received by S.O.

Date 7/26/2013

Fee paid 200.- Date 7-26-13

Receipted by pphew

Receipt # C097533

Preliminary review completed by

Date

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

Current Water Right No.: 72-176L

Current Owner: ROBERT G GRISWOLD

Priority Date: 4/1/1879

Origin: Water Right

Status: Active

Basis: Decreed

Source

ROAD CREEK

Tributary

EAST FORK SALMON RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

0.12 CFS

0.12 CFS

Annual Volume

Location of Point(s) of Diversion

ROAD CREEK

CUSTER County

NE1/4NW1/4NE1/4

Sec. 24, Twp 10N, Rge 18E B.M.

Place of Use

IRRIGATION Within CUSTER County

T10N R18E S24

NWNE

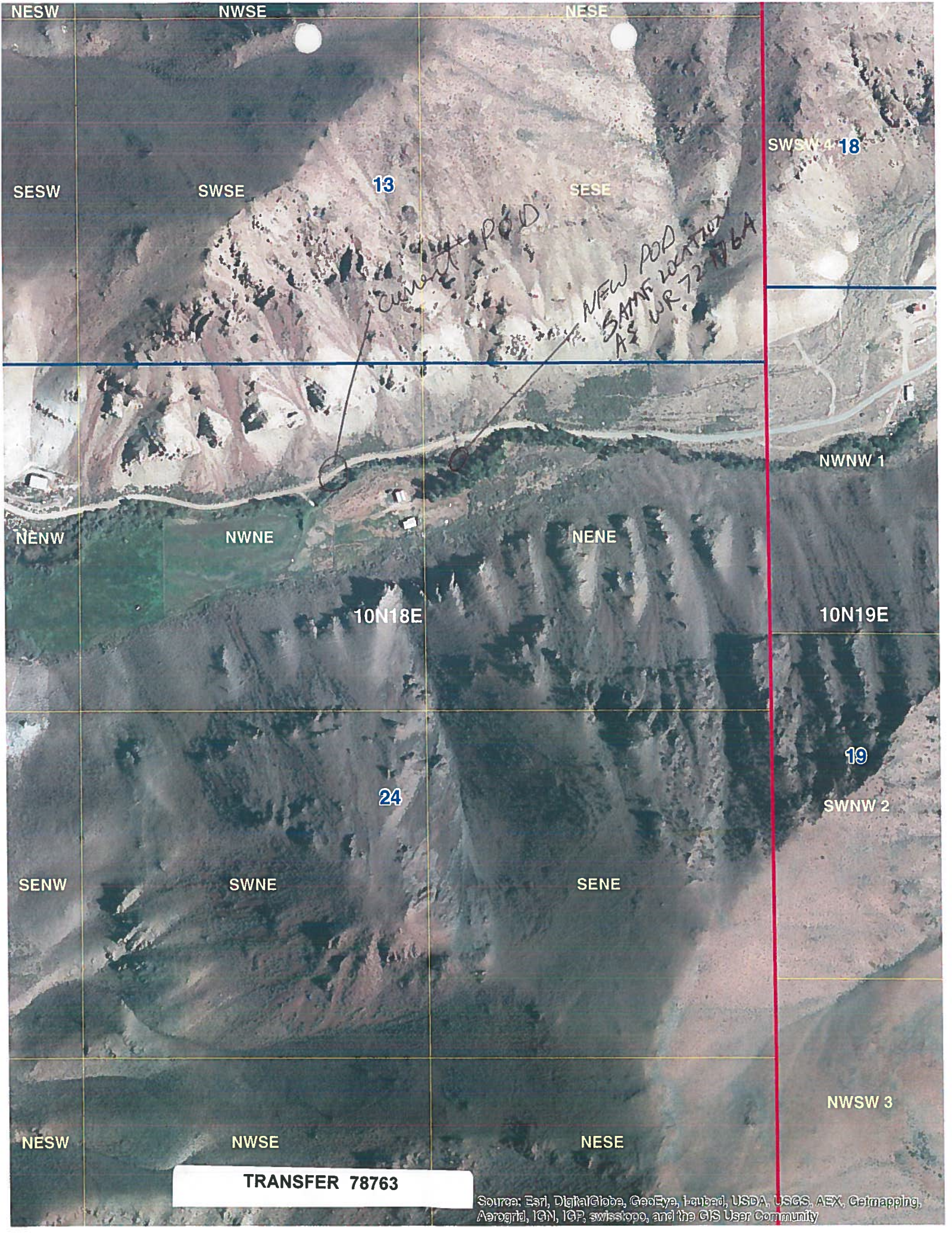
6.00

Total Acres: 6

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(8), IDAHO CODE.
2. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. PROPERTY ALSO KNOWN AS LOTS 2 & 3 BLOCK 1, EAST FK SUBDIVISION CUSTER COUNTY SOURCE ALSO KNOWN AS MARSH CREEK

Decreed Date: 2/11/2002



TRANSFER 78763

Sources: Esri, DigitalGlobe, GeoEye, Iquitos, USDA, USGS, AEX, Geomapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

NORTH

#2 ON MAP

COUNTY ROAD

ROAD CREEK

OLD DIVISION
#1 ON MAP

2" PIPE
w/ 2" DRAIN

V NOTCH WEIR

DITCH

160' 8" EXPOSED PVC
BURIED PIPE

10' PIPE
STEEL PIPE
w/ BATH WALK

UPPER FUND - INTAKE

8" FLEX TO BOX w/
CONCRETE WIRE OR PUMP
INTAKE TO EXCLUDE FISH

GRISWOLD PROPERTY
LOT 1, BLOCK 1
FIRST PARK SUBDIVISION

BLM LAND
WITH FISHING
RIGHT-OF-WAY

**BUREAU OF LAND MANAGEMENT
CASE RECORDATION
(LIVE) SERIAL REGISTER PAGE**

*ESTABLISHED
RIGHT OF WAY*

Run Date/Time: 12/12/11 09:39 AM

Page 1 of 1

01 10-21-1976;090STAT2776;43USC1761

Total Acres
0.090

Serial Number
IDI--- - 031528

Case Type 287001: ROW-WATER FACILITY

Commodity 971: NON-ENERGY FACILITIES

Case Disposition: AUTHORIZED Case File Juris: CHALLIS FIELD OFFICE

Serial Number: IDI--- - 031528

Name & Address

Int Rel %Interest

GRISWOLD ROBERT

PO BOX 4957

KETCHUM ID 833404957

HOLDER/BILLEE

100.000000000

Serial Number: IDI--- - 031528

Mer Twp Rng Sec SType Nr Suff Subdivision

District/Resource Area

County

Mgmt Agency

08 0100N 0180E 024 ALQ

NENE;

CHALLIS FIELD OFFICE

CUSTER

BUREAU OF LAND MGMT

Serial Number: IDI--- - 031528

Act Date

Code

Action

Action Remarks

Pending Office

10/10/1995

124

APLN RECD

11/02/1995

971

COST RECOV (PROC) RECD

\$125.00;

11/07/1995

065

COST RECOV (MON) RECD

\$50.00;

11/07/1995

840

CAT 1 COST RECOVERY-PROC

02/18/1997

111

RENTAL RECEIVED

\$10.00;5YRS

02/20/1997

307

ROW GRANTED-ISSUED

30 YEARS

02/20/1997

502

LENGTH IN FEET

200;

02/20/1997

504

WIDTH IN FEET (TOTAL)

20;

02/20/1997

505

DIAMETER OF PIPE (INCHES)

8 INCHES;

03/18/1997

600

RECORDS NOTED

02/06/2002

111

RENTAL RECEIVED

\$10.00;5YRS

12/26/2006

111

RENTAL RECEIVED

\$9.85;1

08/05/2010

041

COMPL EXAM/RPT COMPLETED

08/11/2010

950

COMPLIANCE APPROVED

01/01/2012

097

NEXT BILLING DATE

\$10.00;5YRS

08/05/2015

853

COMPL/REVIEW DUE DATE

02/20/2027

763

EXPIRES

02/21/2027

097

NEXT BILLING DATE

*paid 10/5/2012
98.89
Ctpr 1076
sent by mail*

Line Nr Remarks

Serial Number: IDI--- - 031528

0001 PIPELINE WATER RIGHT #A72-00176A

TRANSFER 78763

NO WARRANTY IS MADE BY BLM
FOR USE OF THE DATA FOR



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 13, 2013

ROBERT G GRISWOLD
PO BOX 4957
KETCHUM, ID 83340-4957

RE: Transfer No. 78763
Water Right No(s). 72-176L

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 **9/19/2013 and 9/26/2013**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**October 7, 2013**).

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,

A handwritten signature in cursive script that reads "Denise Maline". The signature is written in dark ink and is positioned above the printed name and title.

Denise Maline
Administrative Assistant



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 13, 2013

ADRIANNE HALL-MAYDOLE
WATER DISTRICT #72-D
HC68 BOX 327
CLAYTON, ID 83227

RE: Transfer No. 78763
Water Right No(s): 72-176L

Dear Ms. Hall-Maydole:

A copy of the above referenced application is enclosed. 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'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

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 13, 2013

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

RE: Application for Permit No. 71-10948

RE: Transfer No. 78763
Water Right No(s). 72-176L

Dear Fish & Game:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed for your reference. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days.

The Department can publish notice of the application as soon as the initial review is completed. Therefore, your prompt response to this request is appreciated. If your agency 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.

Please contact this office if you have any questions regarding the application, or you may visit our website at www.idwr.idaho.gov.

Sincerely,

Denise Maline
Administrative Assistant
Southern Region

Enclosure(s)

cc: Tom Bassista, IDFG Idaho Falls

Maline, Denise

From: Maline, Denise
Sent: Thursday, September 12, 2013 4:40 PM
To: Challis Messenger
Subject: LEGAL NOTICE
Attachments: Challis Messenger Cover Letter.docx; Challis Messenger Ad.docx

Attached please find (1) legal notice being submitted for publication on September 19th & 26th, 2013. Please 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, Southern Region
Idaho Dept of Water Resources
1341 Fillmore St, Ste 200
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov

September 12, 2013

LEGAL NOTICE DEPARTMENT
CHALLIS MESSENGER
PO BOX 405
CHALLIS, ID 83226

RE: Transfer No. 78763
Water Right No(s): 72-176L

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 October 7, 2013. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78763**

ROBERT G GRISWOLD, PO BOX 4957, KETCHUM, ID 83340-4957; has filed Application No. 78763 for changes to the following water rights within CUSTER County(s): Right No(s). 72-176L; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. The purpose of the transfer is to change a portion of the above rights as follows: This application seeks to add a point of diversion (POD) to water right 72-176L (irrigation, 0.12 cfs, 6.0 acres) which is currently diverted from Road Creek at a point approximately 6.0 mi. E and 4.9 mi. S of Clayton, Idaho. The new POD will be located approximately 450 feet upstream from current POD.

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, 1341 Fillmore St, Suite 200, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before October 7, 2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on September 19th & 26th, 2013

RECEIVED

19 August 2013

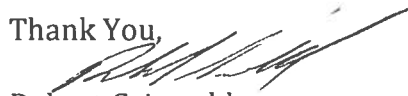
AUG 21 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Dear Jim,

Enclosed is the new corrected application for the change in water right – point of diversion with the changes that you suggested. Thank you for following up with me. I am also enclosing two other corrected applications (first page only) that you may have or may in the future receive. These are from my neighbors and I helped them put together the application thus making the same mistake in the legal descriptions. I hope this helps and please call me if I need to do anything else to get this completed.

Thank You,



Robert Griswold
PO Box 4957
204 Topaz Street
Ketchum, Idaho 83340
208-481-1900



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 13, 2013

Robert G. Griswold
PO Box 4957
Ketchum, ID 83340-4957

RE: Water Right Transfer Application

Dear Robert:

On July 31, 2013, I mailed a letter to you concerning your recent application for transfer of water right 72-00176L. With that letter, I also returned your application. There were several items on the application that needed to be addressed. I have enclosed a copy of that letter for your information.

As of today, I have not heard from you, or received the corrected application. If I do not receive the corrected application within 30 days from the date of this letter, I will initiate a return of your filing fee. Note that you may refile your application and filing fee at a later date if you desire.

If you have any questions, or need further clarification, feel free to give me a call. Our number is 208-736-3033.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Bitzenburg', is written over a horizontal line.

Jim Bitzenburg
Water Resource Agent

Enclosure



State of Idaho

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 31, 2013

Robert G. Griswold
PO Box 4957
Ketchum, ID 83340-4957

RE: Water Right Transfer Application

Dear Robert:

Our office recently received a water right transfer application that you submitted to the State office on July 26, 2013. The transfer application deals with water right 72-00176L and seeks to add a point of diversion. However, a recent review of the transfer application revealed issues and/or incomplete items that make the application unacceptable for processing. As a result, we are returning the transfer application.

On the application, you locate the new point of diversion (POD) in the NENENE of section 24, T10W, R18E. The POD only needs to be located down to the QQ, which, on your map, appears to place the new POD in the NENE. However, your map labels that QQ as the NENW.

With your application, I have enclosed an aerial photo with the current POD labeled and the POD for your other water right, 72-176A labeled. Is that location where the new POD for 72-176L will be? If so, that would be the NENE of section 24. I have also enclosed a blank photo with the PLSS labeled, so you can use it to locate the new POD and send it back to me.

Additionally, the township for both the existing and the new POD should be 10N instead of 10W, as you have listed. You may want to print off a new first page, fill it out correctly, and mail the new map and the rest of the application back to our office. If you have any questions, or need further clarification, feel free to give me a call. Our number is 208-736-3033. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Bitzenburg'.

Jim Bitzenburg
Water Resource Agent

Enclosures