

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAR 18 2013
DEPT. 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 change

1. APPLICANT(S) Clare M or Karen Y Olson Phone 208-764-2588

2. MAILING ADDRESS PO Box 136 City Hill City

State ID Zip 83337 Email _____

- ☐ 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) 37-4325

- ☐ 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 4.0 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 #
02S	11E	5			SW	NE	Elmore	Camas Creek	New Diversion
02S	11E	5		SW	SW	NW	Elmore	Camas Creek	Existing Diversion

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 and existing pipe line

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

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

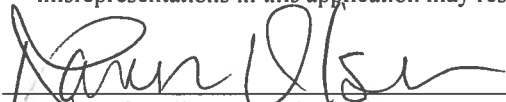
Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | 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 $\frac{1}{4}$ $\frac{1}{4}$ 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

KAREN OLSON
Print name and title if applicable

3/18/13
Date


Signature of applicant or authorized agent

Clare Olson
Print name and title if applicable

3-18-13
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 B. Walker

Date 3/18/13

Fee paid \$740.00 Date 3/18/13

Receipted by B. Walker

Receipt # 5033117

Preliminary review completed by

Date

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 37-4325

WATER RIGHT NUMBER: 37-4325

Owner Type: Name and Address
Current Owner KAREN Y OLSON
PO BOX 136
HILL CITY, ID 83337
(208) 764-2588

Current Owner CLARE M OLSON
PO BOX 136
HILL CITY, ID 83337
(208)764-2588

Priority Date: 12/14/1909

Basis: Decreed

Status: Active

Source: CAMAS CREEK Tributary: BIG WOOD RIVER

<u>Beneficial Use:</u>	<u>From / To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	06/01 to 09/01	4.000 CFS	
	<u>Total Diversion</u>	4.000 CFS	

Location of Point(s) of Diversion:

CAMAS CREEK SWSWNW Sec. 5, Twp 02S, Rge 11E B.M. ELMORE County

Place of Use:

IRRIGATION within ELMORE County

			NE				NW				SW				SE				Totals
Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	11E	5	9.2	17.0	32.0	38.0	42.0	30.0	13.0	34.0									215.2
			L1	L2			L3	L4											
Total Acres: 215.2																			

Conditions of Approval:

- 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.

Dates and Other Information:

Decreed Date: 12/23/2009
State or Federal: S
Owner Name Connector: AND/OR
Water District Number: 37
Civil Case Number: 39576
Judicial District: FIFTH
Mitigation Plan: False

TRANSFER 78485

Error: Subreport could not be shown.

Element Reviewed/Verified Dates:

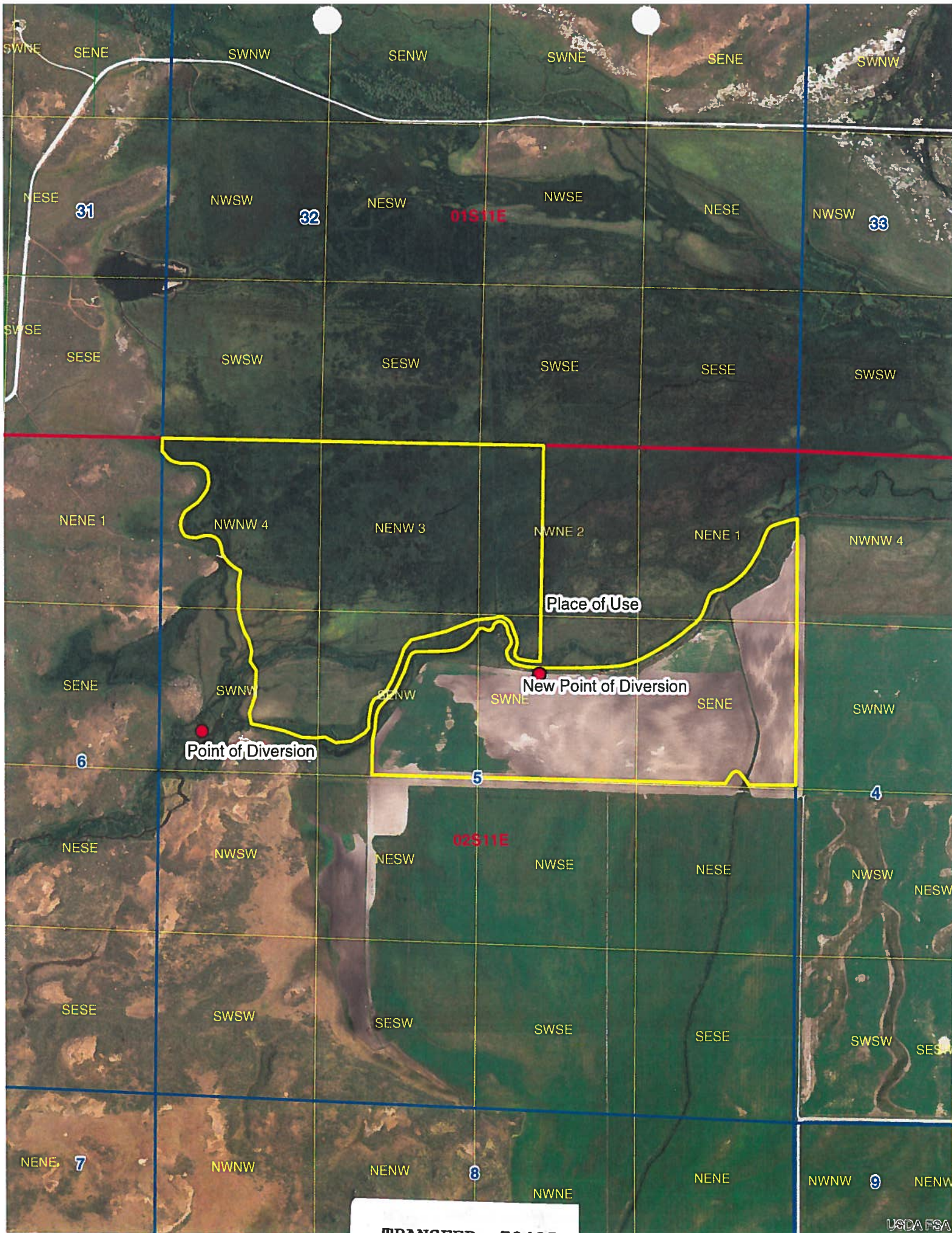
<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary	6/3/2009 11:23:45 AM	kchrste	6/3/2009 11:23:45 AM	kchrste	Closed

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log Text</u>
Summary	6/3/2009 11:23:44 AM	kchrste	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 4. Is any portion of the claim be recommended? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (Yes) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POD	6/3/2009 11:19:06 AM	kchrste	Updated Shape
POU	6/3/2009 11:20:59 AM	kchrste	Updated Shape
POU	6/3/2009 11:21:37 AM	kchrste	Updated PLS

SubCase: N/A

Water Supply Bank: N/A



TRANSFER 78485

USDA FSA



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

March 29, 2013

CLARE M OLSON
KAREN Y OLSON
PO BOX 136
HILL CITY, ID 83337

RE: Transfer No. 78485
Water Right No(s). 37-4325

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 **MOUNTAIN HOME NEWS on 4/3/2013 and 4/10/2013**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**April 22, 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,

Denise Maline
Administrative Assistant



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 29, 2013

KEVIN LAKEY
WATER DISTRICT #37
107 W 1ST
SHOSHONE, ID 83352

RE: Transfer No. 78432
Water Right No(s). 37-1222, 37-12396, 37-2142, 37-4138, 37-548, 37-549, 37-8670

RE: Transfer No. 78433
Water Right No(s). 37-22250, 37-22251, 37-4440

RE: Transfer No. 78485
Water Right No(s). 37-4325

Dear Mr. Lakey:

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)

Maline, Denise

From: Maline, Denise
Sent: Thursday, March 28, 2013 4:54 PM
To: Mountain Home News
Subject: LEGAL NOTICE
Attachments: Mountain Home News Cover Letter.docx; Mountain Home News Ad.docx

Attached please find (1) legal notice being submitted for publication on April 3rd & 10th, 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

March 28, 2013

LEGAL NOTICE DEPARTMENT
MOUNTAIN HOME NEWS
PO BOX 1330
MOUNTAIN HOME, ID 83647-1330

RE: Transfer No. 78485
Water Right No(s): 37-4325

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 22, 2013. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78485**

CLARE M and KAREN Y OLSON, PO BOX 136, HILL CITY, ID 83337; has filed Application No. 78485 for changes to the following water rights within ELMORE County(s): Right No(s). 37-4325. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes adding a new point of diversion to a surface water right from Camas Creek located approximately 19.4 miles west and 4.6 miles south of the City of Fairfield. The proposed new point of diversion is to facilitate better irrigation practices at the existing farm at the same location. The existing point of diversion and the new proposed point of diversion will be used to divert up to 4.0 cfs from Camas Creek to irrigate 215.2 acres on the existing farm.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and the proposed transfers, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. 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 April 22, 2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on April 3rd & 10th, 2013

MEMORANDUM

Date: March 26, 2013
To: Transfer 78485 File
From: Benny Walker
Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes adding a new point of diversion to a surface water right from Camas Creek located approximately 19.4 miles west and 4.6 miles south of the City of Fairfield. The proposed new point of diversion is to facilitate better irrigation practices at the existing farm at the same location. The existing point of diversion and the new proposed point of diversion will be used to divert up to 4.0 cfs from Camas Creek to irrigate 215.2 acres on the existing farm.

The points of diversions involved with the application are located within Water Districts 37 so water master comments will be sought.

- **Authority to File:**
Applicant is listed as the current owner on IDWR records.
- **Water Right Validity:**
Water right 37-4325 was decreed in the SRBA on 12/23/2009. Recent aerial photography indicates that the current place of use has been irrigated in recent years.
- **Injury to Other Water Rights:**
None anticipated.
- **In Enlargement of Use:**
None anticipated. No changes are proposed to the current place of use.
- **Local Public Interest:**
Application will be subject to public notice and protest.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on Economy of the Local Area:**
No issues anticipated
- **Effect of the Agricultural Base of the Local Area:**
None anticipated.

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.