

RECEIVED

STATE OF IDAHO
WATER RESOURCE BOARD

Water Supply Bank No. _____
(For Department Use Only)

MAR 30 2011 APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK

Department of Water Resources

Name of Seller/Lessor Christine Simon Phone 208 853 2144
Mailing address 6380 Plantation Ln Email hey mr pooch@yahoo.com

A. DESCRIPTION OF WATER RIGHT, OR PORTION THEREOF, OFFERED TO THE BANK

If the entire right is for sale or lease, show "ALL" below and skip the remainder of part A. Attach a copy of the water right report.

1. Water Right Number 72-16633 Amount (cfs/ac-ft) ALL Nature of Use IRRIGATION Period of Use 04/01 to 10/31
split by o/c
now 72-16862
MVB 6/22/2011
Total Amount: _____

2. Source of water CHALK CREEK
3. Point(s) of Diversion: _____ tributary to SALMON RIVER

Twp	Rge	Sec	Lot	1/4	1/4	1/4	County
14N	19E	7	10	SW	NW	NW	Custer
14N	19E	17		SW	NW	NE	Custer

4. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	19E	16					2.47												

If the right is for irrigation, _____

If the right is for irrigation, show total number of acres offered to the bank. Total Acres 2.47

B. OWNERSHIP

- Are you currently listed in IDWR's records as the owner of the water right being offered to the bank? Yes ☐ No ☐
If no, provide documentation of your authority to sign on behalf of the right holder OR attach a Notice of Change in Water Right Ownership form along with the required documentation and fee.
- Is the water right appurtenant to land subject to any liens, deeds of trust, mortgages, or contracts? Yes ☐ No ☒
If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes and list name of entity: _____

C. GENERAL INFORMATION

1. Please provide a description of the current diversion system.

Creek Diverted into Highline Canal & Rediverted To lateral Ditch east to property.

2. Describe any other water rights used for the same purpose or at the same place of use as described above.

72-16633, 72-16635, 72-16637, 72-16639

3. Will the present place of use continue to receive water from any source?

Yes ☐ No ☒

If yes, describe.

4. Has any portion of this water right undergone a period of five or more consecutive years of non-use?

Yes ☐ No ☒

If yes, describe and attach watermaster records or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture pursuant to Section 42-222(2), Idaho Code.

5. Is this water right involved in any other Department process such as an application for transfer or a mitigation plan? Yes ☐ No ☒

If yes, describe.

D. SALE/LEASE AGREEMENT

1. Is the water right, or portion thereof, described above offered to the Idaho Water Resource Board for sale ☐ or lease ☒.

If Lease, for a period from _____ to _____ (not to exceed 5 years).
(Month / Day / Year) (Month / Day / Year)

2. Show the minimum payment acceptable to the Seller/Lessor. The minimum payment may be shown as the "current rental rate" as established by the Idaho Water Resource Board. Include the method of determining the minimum payment if other than the current rental rate. current rental rate

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this right for sale or lease to the Idaho Water Resource Board.

The owner/lessor acknowledges the following:

1. Payment to the owner/lessor is contingent upon the sale or rental of the right from the bank.
2. While a right is in the bank, the owner/lessor of the right may not use the right even if the right is not rented from the bank.
3. A right accepted into the bank stays in the bank until the Board releases it or the lease term expires.
4. While a right is in the bank, forfeiture provisions are stayed.
5. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right.

Christine E. Simon
Signature of Applicant

Christine E. Simon
Printed Name and Title*
CHRISTINE E. SIMON

3.30.11
Date

Signature of Applicant

Printed Name and Title*

Date

*Please provide title of signatory if signing on behalf of a company or organization or with power of attorney

Mail to: Idaho Department of Water Resources, P.O. Box 83720, Boise, ID 83720-0098

[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

3/30/2011

WATER RIGHT NO. 72-16633

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHALLIS CREEK CATTLE CO LLC PO BOX 10 CHALLIS, ID 83226 (208)879-4242
Original Owner	HAMMOND FAMILY CORP
Original Owner	BESSIE I HAMMOND
Original Owner	WILLIAM L HAMMOND HC 63 BOX 1544 CHALLIS, ID 83226 (208)879-4459

Priority Date: 05/01/1879

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
CHALLIS CREEK	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.05 CFS	
Total Diversion			0.05 CFS	

Location of Point(s) of Diversion:

CHALLIS CREEK	SWNWNW Lt 10	Sec. 07	Township 14N	Range 19E	CUSTER County
CHALLIS CREEK	SWNWNE	Sec. 17	Township 14N	Range 19E	CUSTER County

IRRIGATION Use:

Acre Limit: 3.82

Place(s) of use:

Place of Use Legal Description: IRRIGATION CUSTER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
14N	19E	15		NWNW	4.7		SWNW	2.6						
		16		NENE	40		NWNE	40		SWNE	39.6		SENE	40
				NENW	33.5		NWNW	5.9		SENE	7.9			
				NESE	6.4		NWSE	6.4						

Total Acres: 227

Conditions of Approval:

1.	X35	Rights 72-16633 and 72-16635 when combined shall not exceed the irrigation of 3.82 acres.
2.	R63	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
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. 72C.
4.	R43	The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5.	004	This right does not grant any right-of-way or easement across the land of another.
6.	029	Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
7.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8.	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.
9.	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.
10.		The diversion rate of this right is .047 after the diversion rates of lots 11, 12, 15 and 16 were subtracted on 1/28/2011.
11.		Rights 72-16633, 72-16839, 72-16840, 72-16841, 72-16842, 72-16635, 72-16843, 72-16844, 72-16745, 72-16846, 72-16637, 72-16847, 72-16848, 72-16849, 72-16850, 72-16639, 72-16851, 72-16852, 72-16853 and 72-16854 when combined shall not exceed a total diversion rate of 4.38 cfs and the irrigation of 213 acres.

Dates:

Licensed Date:

Decreed Date: 11/17/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: And/Or

Water District Number: 72A

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 213

Combined Volume Limit:

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

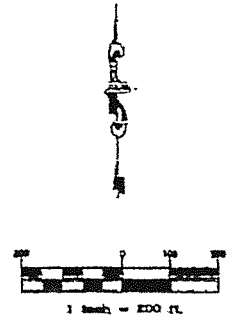
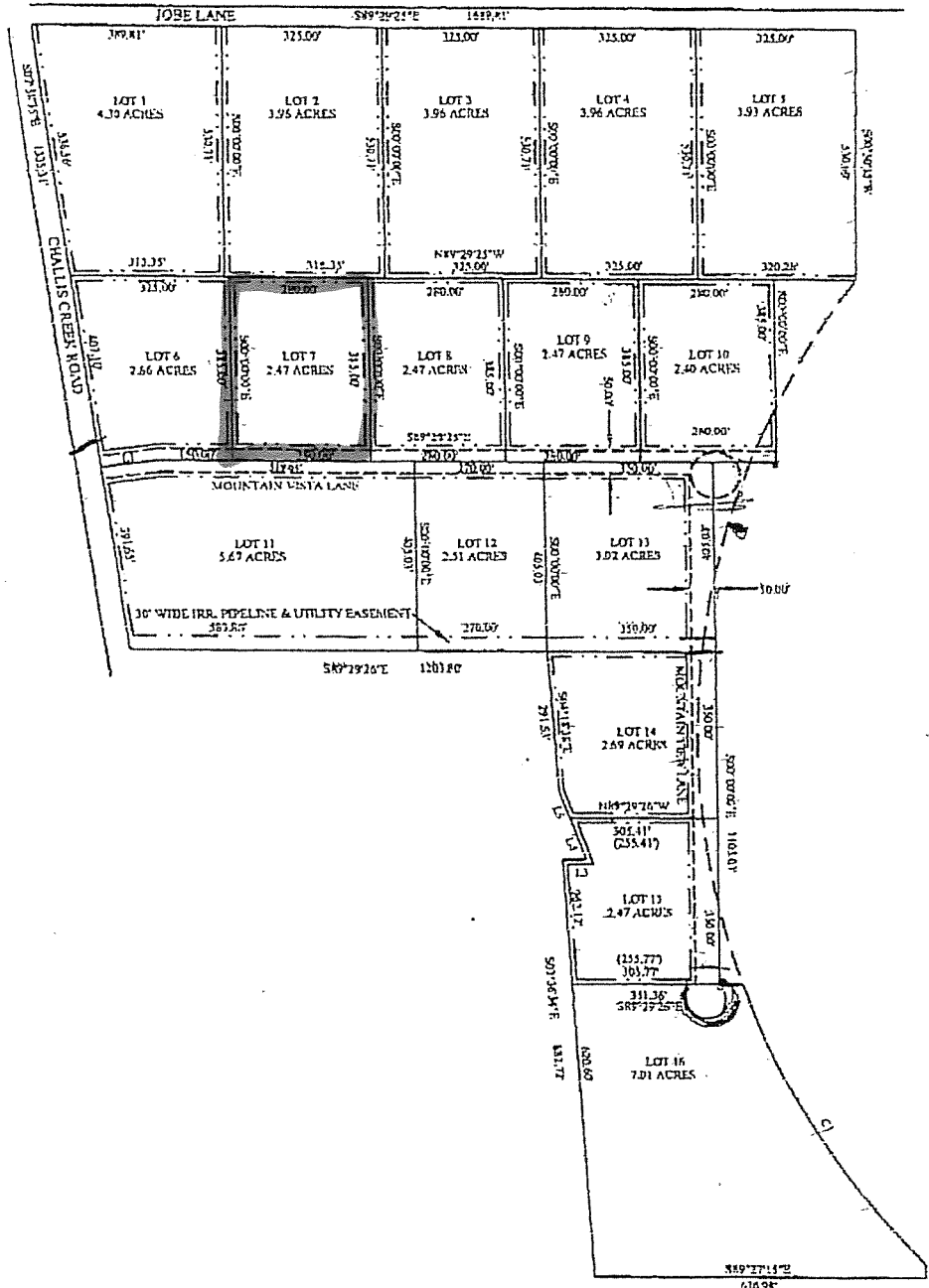
Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

MOUNTAIN VISTA RANCH SUBDIVISION PLAT
 LOCATED IN THE N1/2, SE1/4, SECTION 16, T. 14 N., R. 19 E.,
 BOISE MERIDIAN, CUSTER COUNTY, IDAHO
 SEE R.O.S. INST. NO. 222591



LEGEND

- ⊕ SECTION CORNER
- ⊙ CALCULATED POINT (NOT SET)
- 1/4\" x 1/4\" REBAR (LOT CORNERS) AND 1/4\" x 3/8\" REBAR (EXTERIOR CORNERS) WITH PLASTIC CAP/MARKED "WADE PLS 2002"
- ⊞ FOUND 1\" DRELL BIT
- ⊙ FOUND 1/2\" REBAR
- W.C. WITNESS CORNER
- P.O.L. POINT ON LINE
- P.O.B. POINT OF BEGINNING
- (292.62) DISTANCE TO P.O.L.
- X - EXISTING FENCE
- === 10' WIDE UTILITY EASEMENT

2002

COUNTY RECORDER'S
 CERTIFICATE

MONTH: _____ 200__

INST. NO.: _____

RECORDER: _____

BY: _____