

RECEIVED

DEC 02 2009

Transfer No. 74880

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant Michael and/or Mary Young Phone 208-584-3747Post Office address 11600 Ola Rd, Sweet, ID 83670

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Split the rights and allow a permissible place of use for irrigation flexibility on applicants' portion.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>65-3045X (portion)</u>	<u>2/16/1889</u>	<u>0.16 cfs/</u>	<u>Irrigation</u>	<u>4/1</u> to <u>11/1</u>
		<u>0.015 cfs/0.7 ac-ft</u>	<u>Stockwater</u>	<u>1/1</u> to <u>12/31</u>
<u>65-11217 (portion)</u>	<u>6/23/1966</u>	<u>0.16 cfs/</u>	<u>Irrigation</u>	<u>4/1</u> to <u>11/1</u>
				to _____

2. Total amount of water being transferred * 0.32 cubic feet per second and/or 0.7 acre-feet per annum.

(*Rights are limited to .02 cfs/acre irrigation when combined. Filing fee was based on combined limit.)

3. Source of water Squaw Creek tributary to Payette River

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SE	NW	22	8N	1E	Gem	Existing diversion

5. 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	
8N	1E	22					8												8

Total Acres 8

PART 1

6. General Information:

a. Description of diversion system Portable pump, ditches

b. Are the lands from which you propose to transfer the water right 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. *See cover letter

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

N/A. Proposed irrigation will not exceed the diversion parameters subject to each water right. To eliminate expansion issues, Squaw Creek Ditch Co. has agreed to adjust their service area to encompass the 8 acre area proposed for irrigation.

d. Remarks:

Applicants purchased the decreed place of use jointly with Blake and Shari Probst as reflected on the current water right records. Applicants now wish to split the water rights to reflect separate ownership. Please see the attached Warranty Deeds and associated Quitclaim Deed that authorizes this action.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____.

For the Director

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED See Attached Partial Decree for Water Right 65-3045X

1. Right as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deeds ☐ Other _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purposes:

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

8. 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	

Total Acres _____

9. Describe any other water rights used for the same purpose as described above Squaw Creek Ditch Co.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No _____ If yes, describe _____

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.16 cfs for Irrigation purposes from 4/1 to 11/1
(cfs/ac-ft)
amount *0.015 cfs/0.7 ac-ft for Stockwater purposes from 1/1 to 12/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

[illegible]

- [illegible]

Total Acres 8

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

[illegible]

- [illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

D. DESCRIPTION OF RIGHT AS RECORDED See Attached Partial Decree for Water Right 65-11217

1. Right as evidenced by:

- e. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- f. License No. _____ issued by the Idaho Department of Water Resources.
- g. Claim No. _____ on file with the Idaho Department of Water Resources.
- h. Transfer No. _____ which produced this right.

2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership.
Label document as attachment A. Check appropriate box below:☐ Tax Notice☒ Warranty Deeds☐ Other _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purposes:

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

8. 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	

Total Acres _____

9. Describe any other water rights used for the same purpose as described above Squaw Creek Ditch Co.

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe

E. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.16 cfs for Irrigation purposes from 4/1 to 11/1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use: (Young Portion)

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	
8N	1E	22					7			1									8

Total Acres 8

F. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change) Remaining Right (Probst Portion)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. 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	

Total Acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

(See Attached Map)

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.

The grid is a large rectangle divided into a 10x10 grid of squares. Each square is further divided into a 3x3 grid of smaller squares by dashed lines. The handwritten text "ATTACHMENT C" is written in the center of the grid, spanning across several squares.

Scale: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

1.	<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	N/A			to _____
				to _____

Quantity and quality of return flows and location of discharge: N/A

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FEB 08 2010

2. Describe effects on other water uses resulting from the proposed change:

WATER RESOURCES
WESTERN REGION

N/A

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.


(Signature of Applicant)

Subscribed and sworn to before me this _____ day of _____, 20 _____

(Notary Public)

My commission expires _____

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by _____ Fee _____

Receipted by _____ Date _____

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

PART 3**B. CHANGES IN NATURE OF USE**

1.	<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	<u>N/A</u>			to _____
				to _____

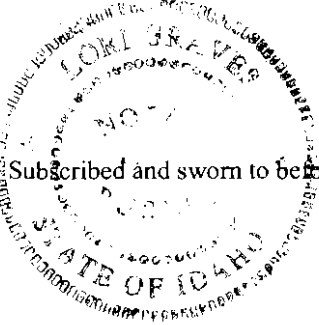
Quantity and quality of return flows and location of discharge: N/A

2. Describe effects on other water uses resulting from the proposed change:

N/A

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.



[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 5th day of November, 20 09

Lori Graves
(Notary Public)

My commission expires 5/6/2015

FOR DEPARTMENT USE ONLY

Transfer contains 89 pages and 7 attachments

Received by SB Date 12-2-09 Protest filed by _____

Prelim. Check by DA Fee \$100.00

Received by DB W036580 Date 6-6-08

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

INSTRUMENT NO. 240688
PAGES 1 OF 2

Sub 0061 15:8N-1E
NESW
Sub 0002 22:8N-1E
W 2 NW 2 30

WARRANTY DEED

Order No.: AT-405045815

FOR VALUE RECEIVED

Dale G Gansberger as Trustee for the Dale G Gansberger Living Trust, undivided 1/2 Interest, Donda A Gansberger, undivided 1/2 Interest,

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Michael Young and Mary H. Young, Husband and Wife and Blake Probst and Shari Probst, Husband and Wife,
whose current address is

9625 Ols Rd, Sweet, ID, 83670.

the grantee(s), the following described premises, in Gem County, Idaho, TO WIT:

Tract I

That portion of the SE 1/4 SW 1/4 lying East of the Sweet-Ols Highway in Section 15, Township 8 North, Range 1 East, Boise Meridian, Gem County, Idaho.

Tract II

That portion of the W 1/4 NW 1/4 and NE 1/4 NW 1/4 and W 1/4 SW 1/4 lying East of the Sweet-Ols Highway in Section 22, Township 8 North, Range 1 East, Boise Meridian, Gem County, Idaho and the SE 1/4 NW 1/4 and the NE 1/4 SW 1/4 in Section 22, Township 8 North, Range 1 East, Boise Meridian, Gem County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said grantee(s), that (s)he is/are the owner(s) in fee simple of said premises, that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: December 14, 2004

Dale G Gansberger as Trustee of the Dale G Gansberger Living Trust

By: Dale G Gansberger, Trustee

Dennis A Gansberger

State of Idaho

County of Gem

On this 16th day of December 2004 before me, a Notary Public in and for said state, personally appeared Dennis A Gansberger known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Palla R. Garringer
Notary Public for the State of Idaho
Residing at
Commission Expires: 11-25-2008

Instrument # 240688

EMMETT, GEM, IDAHO

2004-12-16

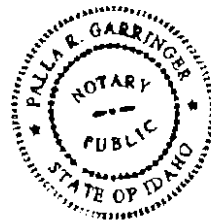
03:59:00 No. of Pages: 2

Recorded for: ALLIANCE TITLE & ESCROW

SUSAN K. HOWARD

Ex-Officio Recorder Deputy

WARRANTY DEED



WARRANTY DEED

INSTRU. NO. 240588
PAGES 2 OF 2

Order No.: AJ-405045115

FOR VALUE RECEIVED

Dale G Gansberger as Trustee for the Dale G Gansberger Living Trust, undivided 1/2 interest, Dennis A Gansberger, undivided 1/2 interest,

do hereby grant, bargain, sell and convey unto

Michael Young and Mary H. Young, Husband and Wife and Blake Probst and Sheri Probst, Husband and Wife,
whose current address is

9625 Old Rd., Sweet, ID, 83670.

the grantee(s), the following described premises, in Gern County, Idaho, TO WIT:

Tract I

That portion of the SE 1/4 SW 1/4 lying East of the Sweet-Old Highway in Section 13, Township 8 North, Range 1 East, Boise Meridian, Gern County, Idaho.

Tract II

That portion of the W 1/4 NW 1/4 and NE 1/4 NW 1/4 and W 1/4 SW 1/4 lying East of the Sweet-Old Highway in Section 13, Township 8 North, Range 1 East, Boise Meridian, Gern County, Idaho and the SE 1/4 NW 1/4 and the NE 1/4 SW 1/4 in Section 13, Township 8 North, Range 1 East, Boise Meridian, Gern County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he return the owner(s) in the simple of said premises, that they are free from all covenants Except Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and right of way, appurtenant or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: December 14, 2004

Dale G Gansberger as Trustee of the Dale G Gansberger Living Trust

By: Dale G Gansberger
Dale G Gansberger, Trustee

Dennis A Gansberger

State of Calif.

County of Alameda

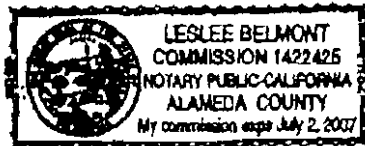
On this 14 day of Dec., in the year 2004, before me, a Notary Public in and for said state, personally appeared Dale G. Gansberger known to me to be the person whose name is subscribed to the foregoing instrument as trustee of the Dale G Gansberger Living Trust, and acknowledged to me that Dale G. Gansberger executed the same as Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Leslee Belmont
Notary Public for the State of

Residing at:

Commission Expires 7-2-07



Att: Lori Graves

QUITCLAIM DEED

Instrument # 245807

EMMETT, GEM, IDAHO

2005-09-15

03:40:27

No. of Pages: 3

Recorded for: MARY YOUNG

SUSAN K. HOWARD

Fee: 9.00

Ex-Officio Recorder Deputy

Index to: QUIT CLAIM DEED

Bastan Coopers

FOR VALUE RECEIVED,

Michael Young and Mary H. Young, husband and wife, and Blake Probst and Sheri Probst, husband and wife, do hereby convey, release, remise and forever quitclaim unto:

Michael Young and Mary H. Young, husband and wife, whose current address is 9625 Sweet-Ola Highway, Sweet, Idaho, 83670, the following described premises:

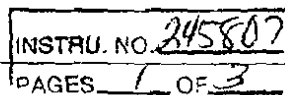
A tract of land shown as Parcels 6, 7, 8 and 9 on Record of Survey Instrument No. 273607, Records of Gem County, Idaho and being in a portion of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 15 and the North $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ and the South $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 22, all lying east of Sweet-Ola Highway in Township 8 North, Range 1 East, Boise Meridian, Gem County, Idaho described as:

Beginning at the $\frac{1}{4}$ corner common to Sections 15 and 22, Township 8 North, Range 1 East, Boise Meridian, marked by a 3" aluminum monument;
 Thence South $00^{\circ}20'18''$ West, 1374.85 feet, along the east line of the North $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ and the South $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of said Section 22, to a $\frac{3}{8}$ " rebar;
 Thence South $87^{\circ}04'31''$ West, 1527.53 feet to a point on the easterly right-of-way of Sweet-Ola Highway, marked by a $\frac{3}{8}$ " rebar;
 Thence along said easterly right-of-way the following courses and distances:
 North $05^{\circ}01'46''$ West, 483.31 feet to the beginning of a 567.00 foot radius curve to the right, marked by a $\frac{3}{8}$ " rebar;
 Northeasterly along the arc of said curve through a central angle of $49^{\circ}12'48''$, a distance of 487.02 feet to a $\frac{3}{8}$ " rebar;
 North $44^{\circ}11'02''$ East, 493.25 feet to a $\frac{3}{8}$ " rebar;
 Thence leaving said easterly right-of-way, South $53^{\circ}03'27''$ East, 360.00 feet to a $\frac{3}{8}$ " rebar;
 Thence North $65^{\circ}58'07''$ East, 134.80 feet to a point on the centerline of Squaw Creek;
 Thence along the centerline of said Squaw Creek the following courses and distances:
 North $22^{\circ}15'06''$ West, 69.27 feet; North $06^{\circ}34'54''$ West, 167.63 feet;
 North $60^{\circ}58'00''$ East, 78.10 feet; South $87^{\circ}58'26''$ East, 131.53 feet;
 North $41^{\circ}59'26''$ East, 192.94 feet; North $06^{\circ}05'10''$ West, 38.98 feet;
 North $77^{\circ}40'18''$ East, 93.65 feet to a point on the centerline of the Squaw Creek Irrigation Canal;
 Thence South $65^{\circ}43'46''$ East, 320.82 feet to the **Point of Beginning**.

Subject to a 50.00 foot wide easement for the Squaw Creek Irrigation Canal as shown on said survey Instrument No. 273607, Records of Gem County, Idaho.

Together with and subject to a 40.00 foot wide ingress, egress and utility easement crossing Parcels 7, 8, 9, 10, 11 and 12, a portion of which lies easterly of and adjacent to the 50.00 foot right-of-way for the Squaw Creek Irrigation Canal as shown on said survey.

And together with a 40.00 foot wide road easement crossing the northwest corner of Parcel 7, as shown on said survey.



AR 74880

The limits of all easements shall be extended or shortened at each beginning, end and all angle points, to make for a uniform width throughout.

Said tract of land containing therein, a calculated area of 43.460 acres, more or less, includes all water and ditch rights appurtenant to or used in connection therewith, and is subject to rights-of-way or easements of record or in use.

TO HAVE AND TO HOLD the said premises, unto the said grantees, their heirs and assigns forever.

Dated: 9/15/05

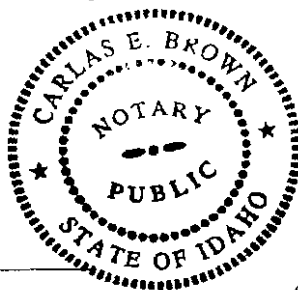
[Signature]
Michael Young

[Signature]
Mary H. Young

State of Idaho }
County of Gem } ss

On this 15th day of September, 2005, before me, a Notary Public in and for said state, personally appeared **Michael Young** and **Mary H. Young**, known or identified to me to be the persons whose names are subscribed to the within Instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



[Signature]
Notary Public for the State of Idaho

Residing at: Gem County

Commission Expires: March 11, 2008

Dated: 9/14/05

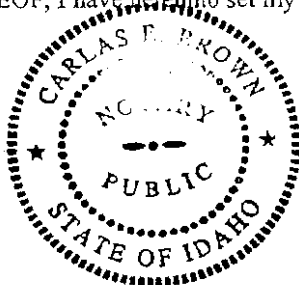
[Signature]
Blake Probst

[Signature]
Sherry Probst
Sherry Probst

State of Idaho }
County of Gem } ss

On this 14th day of September, 2005, before me, a Notary Public in and for said state, personally appeared **Blake Probst** and **Sherry Probst**, known or identified to me to be the persons whose names are subscribed to the within Instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



[Signature]
Notary Public for the State of Idaho

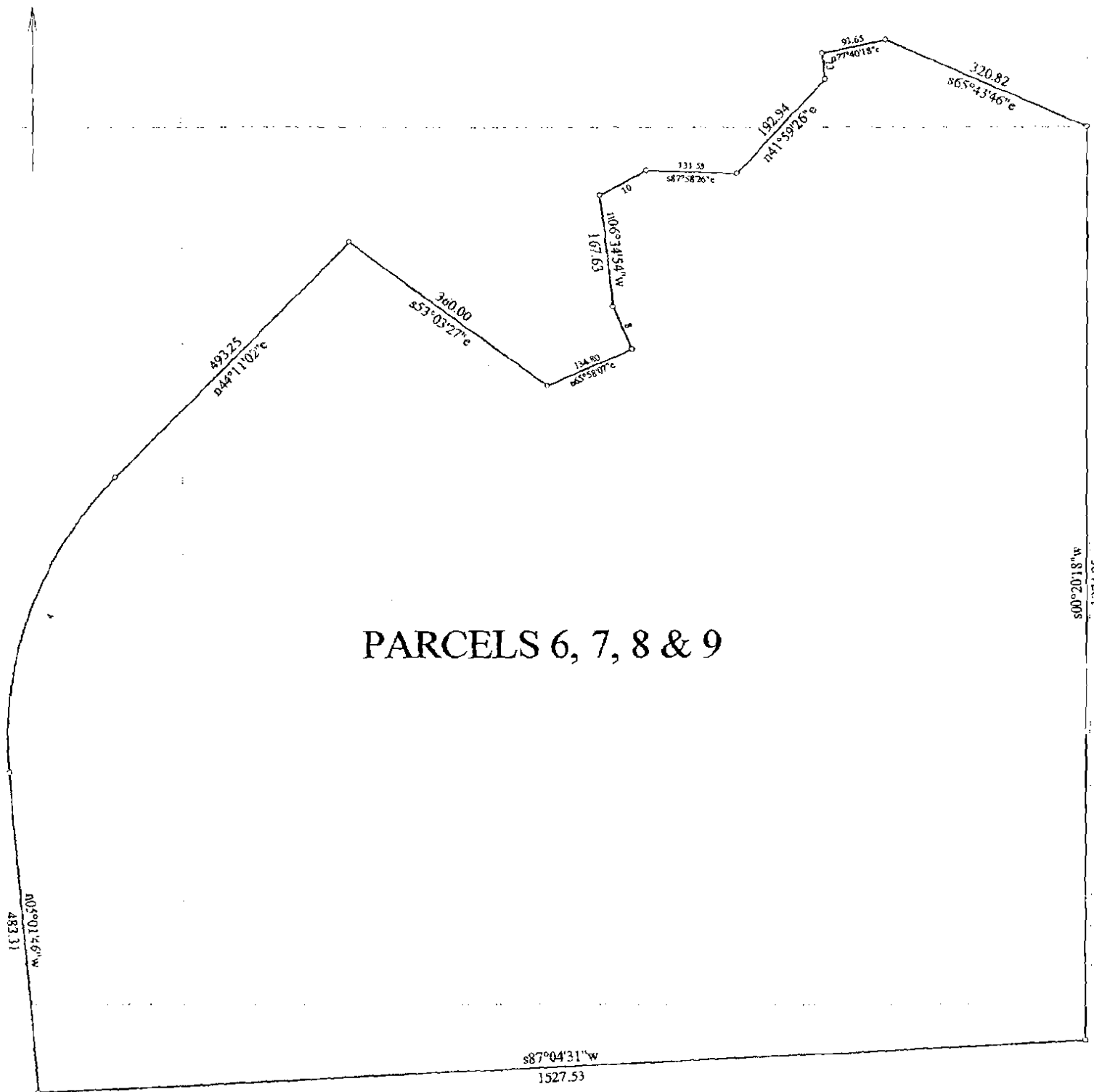
Residing at: GEM County

Commission Expires: March 11, 2008

INSTRU. NO. 245807

PAGES 2 OF 3

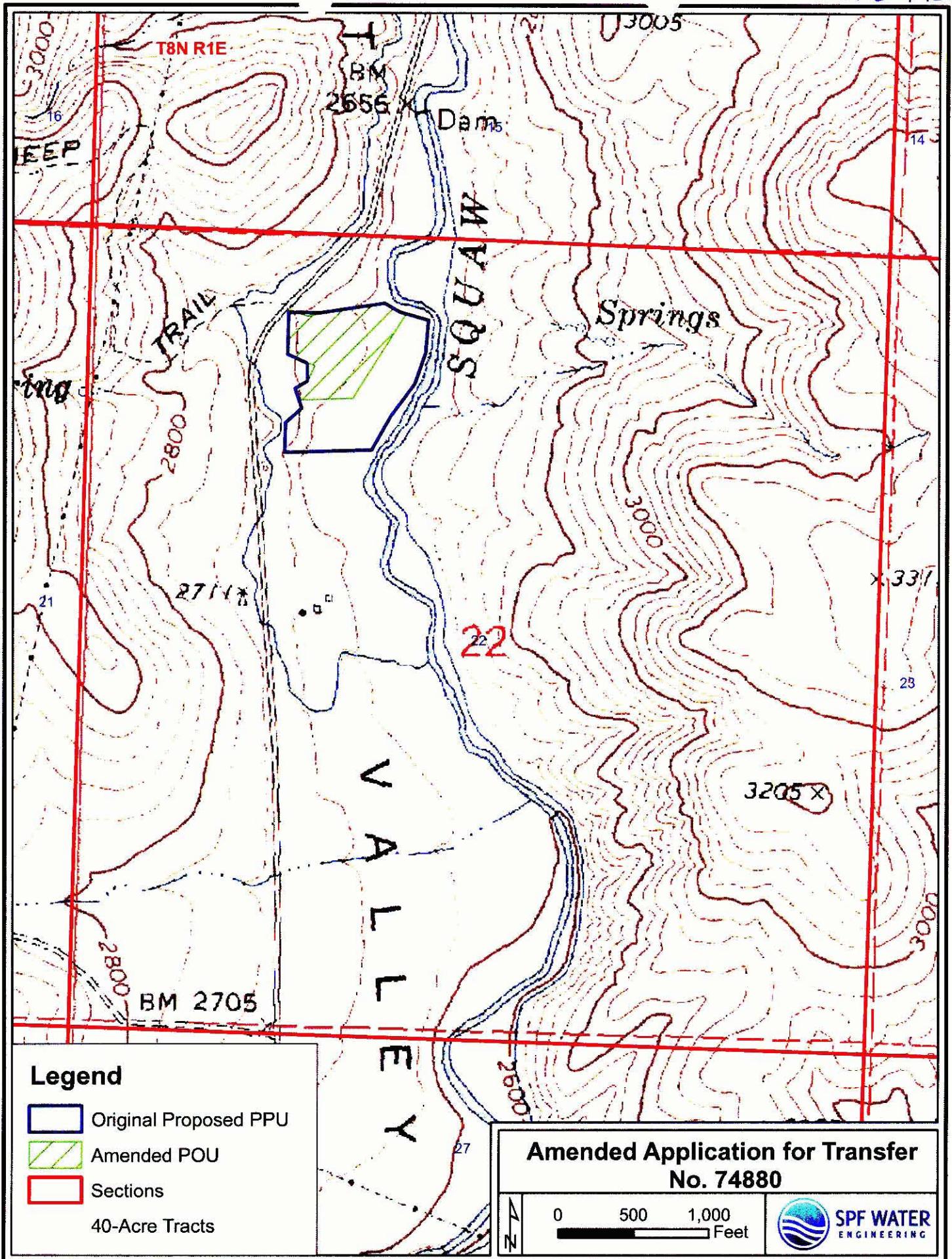
B2



Title: JRH Corrected Parcels 6,7,8 & 9	Date: 09-08-2005
Scale: 1 inch = 200 feet	File: JRH Corrected Parcels 6789.des

INSTRU. NO. 245807
 PAGES 3 OF 3

B3



ATTACHMENT AC

xR 74880

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

04/11/2008

WATER RIGHT NO 65-3045X

Owner Type	Name and Address
Current Owner	BLAKE PROBST
Current Owner	SHERI PROBST
Current Owner	MARY H YOUNG
Current Owner	MICHAEL YOUNG
	9625 OLA RD
	SWEET, ID 83670
	(208) 584-3747
Original Owner	HARRY GANSBERGER
	21929 DELORES ST
	CASTRO VALLEY, CA 94546
	(415) 581-9048
Original Owner	JOE DE MASTERS
	21929 DELORES ST
	SWEET, ID 83670
Original Owner	VIOLA M DE MASTERS
	HC 78 BOX 2568
	SWEET, ID 83670
	(208) 584-3332

Priority Date 02/16/1889

Basis Decreed

Status Active

Source	Tributary
SQUAW CREEK	PAYETTE RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	0.34 CFS	
STOCKWATER	1/01	12/31	0.03 CFS	1.4 AFA
Total Diversion			0.34 CFS	

Location of Point(s) of Diversion:

SQUAW CREEK|SE|NW|Sec. 22 Township 08N|Range 01E|GEM County

Place(s) of use:

Place of Use Legal Description IRRIGATION GEM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
08N	01E	22		NENW 7			SE NW 5							
				NESW 5										

Place of Use Legal Description STOCKWATER same as IRRIGATION

Total Acres 17

Conditions of Approval

1. NO5 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

2. USE OF THIS RIGHT WITH RIGHT NO 65-11217 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .02 CFS PER ACRE.

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 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.

4. STOCKWATER, 50 RANGE CATTLE.

5. C20 Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.

6. NO8 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Dates

Licensed Date

Decreed Date 02/06/2003

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

ATTACHMENT D

Split Analysis

Acreage Analysis

[illegible]

ATTACHMENT E (2 PGS)

XR 74880

E2

Water Right Number: 65-3045X
Diversion Rate: 0.34 CFS
Reviewer Name:
Date:

Split Tree

Young (8.0 ac & 0.16 cfs)
Probst (9.0 ac & 0.18 cfs)
Residual (0.0 ac & 0.00 cfs)
Bank (0.0 ac & 0.00 cfs)

65-3045X
(17.0 ac & 0.34 cfs)

Summary

Right No:	Diversion Rate	Irrigated Acres	CFS / Acre
65-3045X	0.34	17	0.020
Young	0.16	8	0.020
Probst	0.18	9	0.020
Residual	0.00	0	
Bank	0.00	0	

xR 74880

Date:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

04/11/2008

WATER RIGHT NO 65-11217

Owner Type	Name and Address
Current Owner	BLAKE PROBST
Current Owner	SHERI PROBST
Current Owner	MARY H YOUNG
Current Owner	MICHAEL YOUNG
	9625 OLA RD
	SWEET, ID 83670
	(208) 584-3747
Original Owner	HARRY GANSBERGER
	21929 DELORES ST
	CASTRO VALLEY, CA 94546
	(415)581-9048
Original Owner	JOE DE MASTERS
	21929 DELORES ST
	SWEET, ID 83670
Original Owner	VIOLA M DE MASTERS
	HC 78 BOX 2568
	SWEET, ID 83670
	(208)584-3332

Priority Date 06/23/1966

Basis Decreed

Status Active

Source	Tributary
SQUAW CREEK	PAYETTE RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	0.52 CFS	
Total Diversion			0.52 CFS	

Location of Point(s) of Diversion

SQUAW CREEK|SENW|Sec. 22|Township 08N|Range 01E|GEM County

Place(s) of use

Place of Use Legal Description IRRIGATION GEM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
08N	01E	22		NENW 7			SENW 8							
				NESW 11										

Total Acres 26

Conditions of Approval

1. C20 Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
2. USE OF THIS RIGHT WITH RIGHT NO. 65-03045X IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .02 CFS PER ACRE.
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 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:

Licensed Date

Decreed Date: 01/14/2003

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: 65A

Generic Max Rate per Acre:

ATTACHMENT F

5

Date:

Right No:	Diversion Rate	Irrigated Acres	CFS / Acre
65-11217	0.52	26	0.020
Young	0.16	8	0.020
Probst	0.36	18	0.020
Residual	0.00	0	
Bank	0.00	0	

(26.0 ac & 0.52 cfs)