

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST
January 7, 2010

RECEIVED
JAN 07 2010
DEPARTMENT OF
WATER RESOURCES

1. Matter being protested

Application for Transfer #75102 (Water Right #s 37-00113F and 37-21299) for Christie A. Haugh

2. Name of protestant

United States Department of the Interior
Bureau of Land Management
National System of Public Lands
Idaho State Office
1387 South Vinnell Way
Boise, Idaho 83709

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

3. Protestant's Representative for service (if different than protestant)

Fredric W. Price (contact person)

4. Service mailing address

United States Department of the Interior
Bureau of Land Management
National System of Public Lands
Idaho State Office
1387 South Vinnell Way
Boise, Idaho 83709

5. Service telephone no.

(208) 373-3831

6. Basis of protest (including statement of facts and law upon which the protest is based).

Christie A. Haugh is not authorized to use the federal public land described in Application for Transfer #75102 within Places of Use (POUs) described as:

T01N, R18E, S2, SWSE described in Proposed Water Right #s 37-00113F and 37-21299

7. What would resolve your protest?

Amend the transfer to exclude federal public land from the place of use. Perhaps this is a typographical error and should be T01N, R18E, S2, **SWNE**?

I hereby, acknowledge that if I, or my designated representative, fail to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 7th day of January 2010.



Protestant

Gary A. Madenford

Protestant's Representative

Enclosures:

◆IDWR computer generated copy of Application for Transfer #75102 (Water Right #s 37-00113F and 37-21299) for Christie A. Haugh

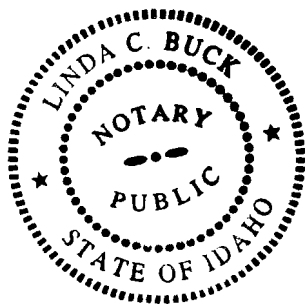
◆Copy of Form #222 (submitted by applicant: Christie A. Haugh) Transfer #75102 (Water Right #s 37-00113F and 37-21299)

◆Master Title Plats for: Township 01 North, Range 18 East, Section 02, SWSE

◆Maps prepared by BLM for illustrative purposes.

NOTARY:

Subscribed and sworn to before me on this 7th day of January 2010.



(Seal)

Linda C. Buck
Linda C. Buck

Notary Public in and for: State of Idaho

Residing at: Mountain Home, Idaho

My Commission expires: December 21, 2011

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JAN 07 2010

DEPARTMENT OF
WATER RESOURCES

FOR DEPARTMENT USE ONLY

Received by S. Ferrie Date: January 7, 2010 Time 8:30 AM / PM

\$25.00 fee Received by SR7 # 1089804 Date: January 7, 2010

CERTIFICATE OF SERVICE

I certify that on January 7, 2010, I served a true and correct copy of the "Protest for Application for Transfer #75102" with enclosures upon the following individuals by placing the documents in the United States mail in Boise, Idaho, postage paid, and addressed as follows:

Original to: Jeff Peppersack, Administrator
Idaho Department of Water Resources (IDWR)
Water Management Division, Idaho State Office
322 East Front Street
PO Box 83720
Boise, Idaho 83720-0098

Copies to: Allen Merritt, Water Resource Program Manager
Idaho Department of Water Resources (IDWR)
Southern Regional Office
1341 Fillmore Street
Twin Falls, ID 83301

Christie A. Haugh
95 Townsend Gulch Road
Bellevue, ID 83313

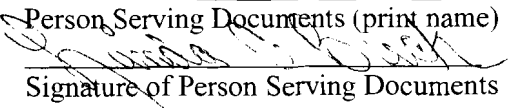
Lisa Claxton, Water Rights Assistant
Department of the Interior, Bureau of Land Management (DOI/BLM)
National System of Public Lands, Twin Falls District
Shoshone Field Office (ID230)
400 West "F" Street
Shoshone, ID 83352

Debra Kovar, Reality Specialist
Department of the Interior, Bureau of Land Management (DOI/BLM)
National System of Public Lands, Twin Falls District
Shoshone Field Office (ID230)
400 West "F" Street
Shoshone, ID 83352

Ruth Miller, Field Manager
Department of the Interior, Bureau of Land Management (DOI/BLM)
National System of Public Lands, Twin Falls District
Shoshone Field Office ((ID230)
400 West "F" Street
Shoshone, ID 83352

Linda C. Buck

Person Serving Documents (print name)


Signature of Person Serving Documents

January 7, 2010

Date

BLAINE COUNTY 013
TWIN FALLS DISTRICT SEC. 3

MT PLAT

[illegible]

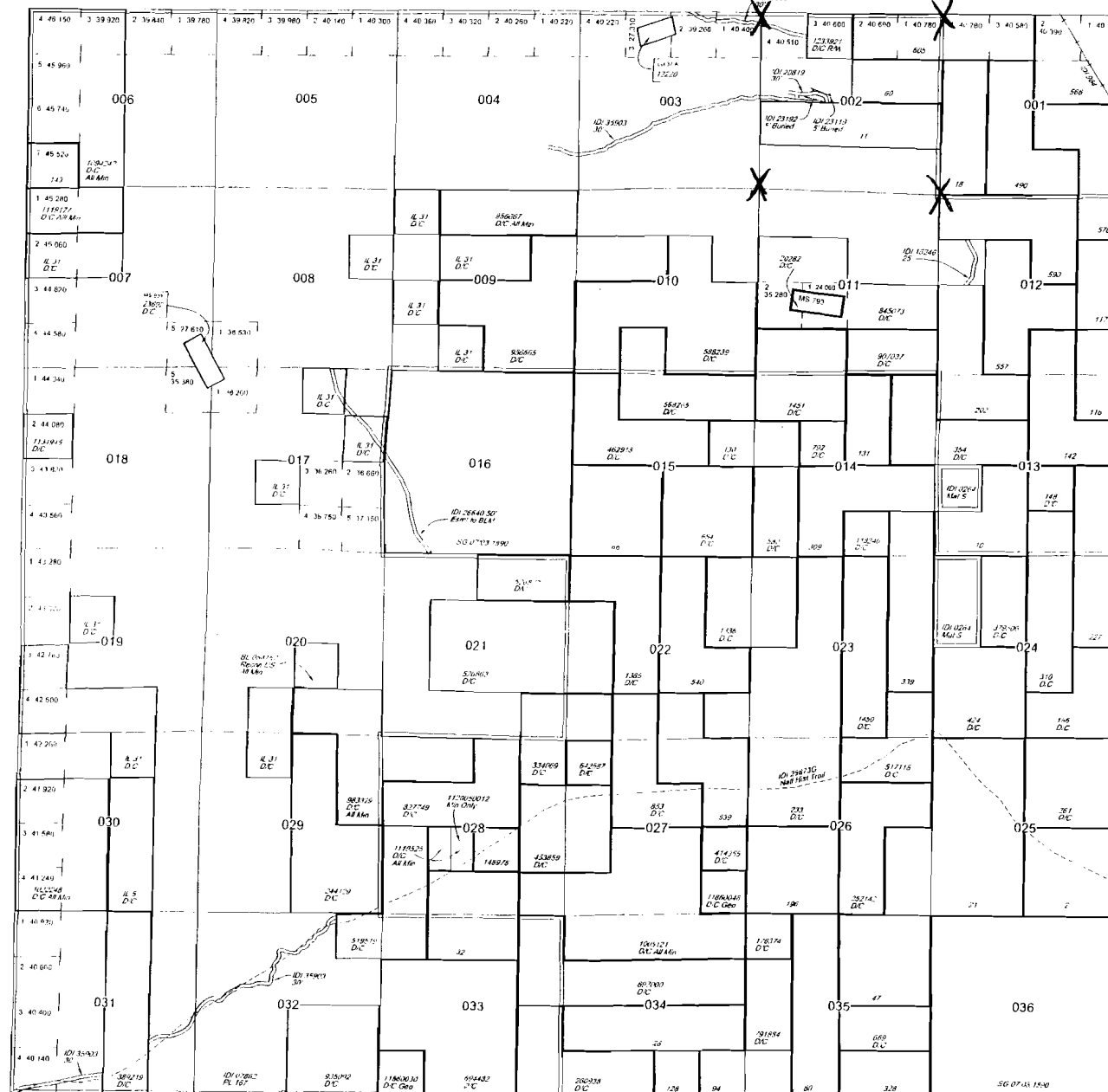
IDI 07862 Del PL 167 (Act of Cong 07/23/1955)
 completed 06/22/1960 All PD surface Mgmt by BLM
 excluding
 IDI 07862-D-1 Sec 6 SE McCoy
 IDI 07862-D-3 Sec 6 SE Benefactor

DOI 25873G Natl Hist Trail
Historical information only, does not denote
public access

IDI 34934 PX Apln (Min Only)
Sec 6 Lots 3,4,5,6 SENW, E2SW
Sec 7 Lot 1 NENW

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAND REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

FILE REF: D080010001806.mil/030000.dwg
 CONVERTED TIFF: 01/20/2005 BY: LFM
 LAST UPDATED: 04/16/2008 BY: JCB
 QA/QC #: QA/QC #2:
 POSTED TO PUBLIC RECORDS: April 18 2009 BY:
 PUBLIC LAND SURVEY SYSTEM (PLSS)
 BLM ACCESSION ACQUIRED: 04/26/2005
 OTHER: N/A
 PROJECTED COORDINATE SYSTEM: UTM ZONE 11N, NAD 1983
 NOTES:
 USE PLATS:



This plat should be used only as a graphic display of the Bureau of Land Management's (BLM) Record of Title and Township survey data. Records herein do not reflect title changes which may have been effected by latent movements of rivers or other bodies of water. Refer to cadastral surveys for official information.

The notation shown on withdrawals represent the last action taken, but may not be the effective date. See the historical index for the date of the original withdrawal order.

No warranty is made by the Bureau of Land Management for use of the data for purposes not intended by BLM.

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data.



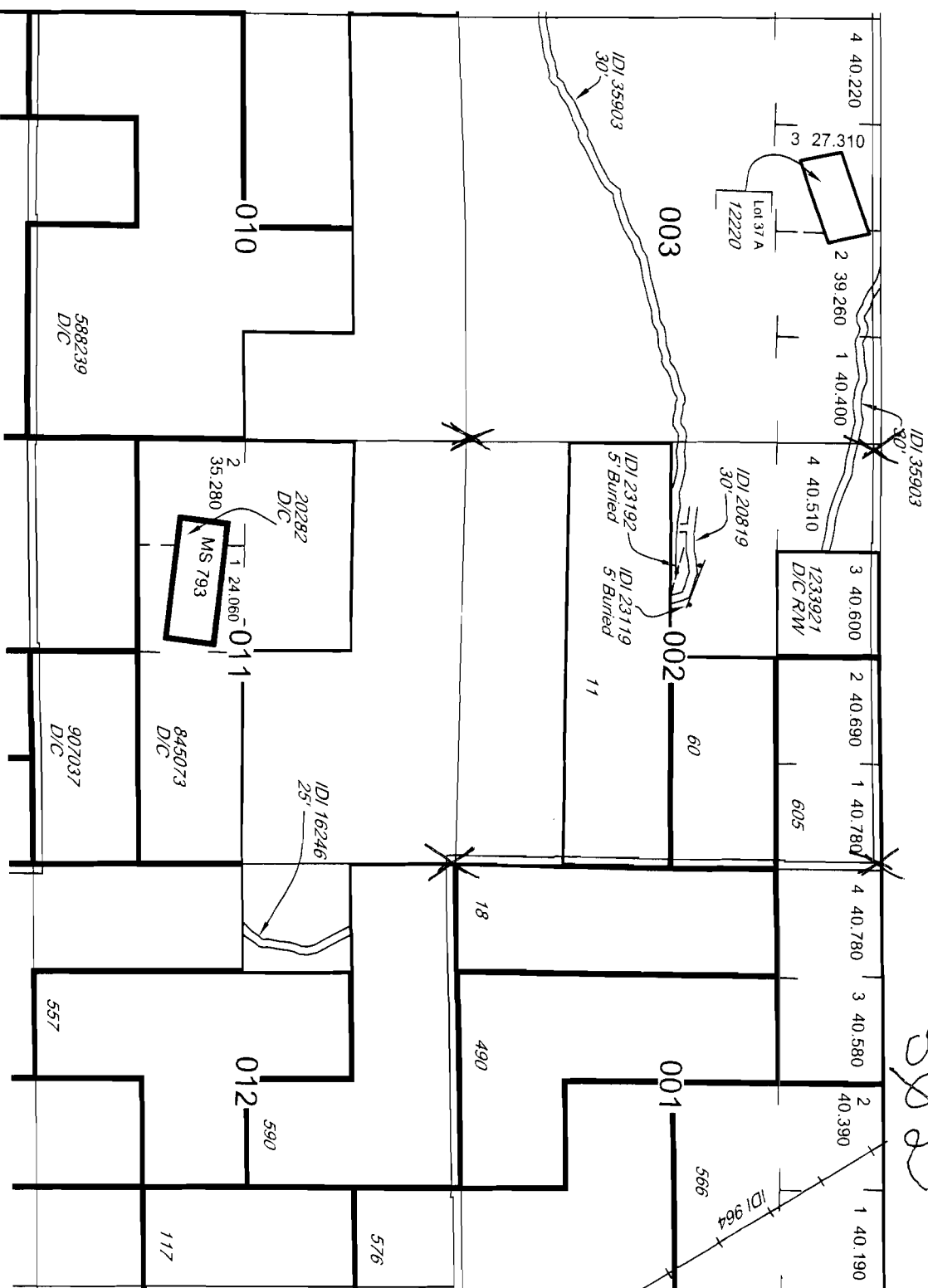
U.S. Bureau of Land Management - Idaho State Office
1367 S. Vinnell Way Boise, Idaho 83709
(208) 373-4000



1042

87E

2



T01N R18E

SWNE

02

SWSE
BLM
federal public land

37-00113F & 37-21299
Transfer #75102

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 75102

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant Christie A Haugh Phone (208) 788-4703
Post Office address 95 Townsend Gulch Rd Bellevue, Id. 83313

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Create PPU
2. Describe the reason for the proposed changes To create a 21.76 acre permissible place of use and to provide irrigation for area around home.

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>37-113F¹</u> | <u>07/10/1884</u> | <u>0.16/28.4</u> | <u>Irrigation</u> | <u>4/15</u> to <u>10/31</u> |
| <u>37-21299²</u> | <u>05/01/1905</u> | <u>0.075/</u> | <u>Irrigation</u> | <u>4/15</u> to <u>10/31</u> |
| | | | | to |
| | | | | to |
2. Total amount of water being transferred 0.235 cubic feet per second and/or 28.4 acre-feet per annum.
3. Source of water Ground Water¹ tributary to N/A
Source of water Townsend Gulch Creek² tributary to Big Wood River
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		NE	SE	2	01N	18E	Blaine	New Well and Pump ¹
	NE	NW	SE	2	1N	18E	Blaine	Diversion from Creek ²
	NW	NW	SE	2	1N	18E	Blaine	Diversion from Creek ²

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
01N	18E	2													0.52	20.71	0.52	0.01	21.76

Printed 8/11/08 15:50

Total acres 21.76

* 8.1 acres will be irrigated under water right 37-113F and 3.7 acres will be irrigated under water right 37-21299 in the proposed 21.76 acre PPU after transfer approval.

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

PART 1

6. General Information:

a. Description of diversion system New well, pump, and piping appurtanences will serve irrigation system.

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.

c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:
8.1 acres will no longer be irrigated at the current place of use.

d. Remarks:

¹ - Source of 37-133F is ground water.

² - Source of 37-21299 is Townsend Gulch Creek, tributary to the Big Wood River.

Because of the size of the proposed PPU, water rights 37-133F and 37-21299 should not have combined limits of any kind after this transfer application is approved. See easement (attached) granting permission for new well and piping appurtanences.

New place of use is described as Lots 2A and 3B (or 3D) Townsend Gulch Subdivision, according to the official plat thereof, recorded June 21, 2000 as instrument no 440369, records of Blaine County, Idaho.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-113F Decreed to Robert Head
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 37-113F 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 a 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 Deed☐ Other _____3. Source of water Ground Water tributary to _____4. Date of priority 07/10/1884

5. Water is used for the following purpose:

Amount 0.16 for Irrigation purposes from 4/15 to 10/31
(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 0.16 cubic feet per second and/or 28.4 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SE	NE	36	2N	18E	Blaine	Well and Pump

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	18E	36				8.1													8.1

Total acres 8.19. Describe any other water rights used for the same purpose as described above NONE.

Page _____ of _____

PART 2

Transfer No. _____

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 _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

- 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	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

- 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	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

RECEIVED
AUG 19 2008
DEPT. OF WATER RESOURCES
SOUTHERN REGION

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-21299 Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 37-21299 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 a 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 Deed ☐ Other _____

3. Source of water Townsend Gulch Crk. tributary to Big Wood River

4. Date of priority 05/01/1905

5. Water is used for the following purpose:

Amount 0.075/ for Irrigation purposes from 4/15 to 10/31
(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 0.075 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NE	NW	SE	2	1N	18E	Blaine	Well and Pump
	NW	NW	SE	2	1N	18E	Blaine	Well and Pump

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	18E	2													1.2	2.5			3.7

Total acres 3.7

9. Describe any other water rights used for the same purpose as described above NONE.

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 _____

B. 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 _____ 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	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

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	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____



Legend

- Proposed New PCD 37.1136
- Existing PCD 37.21229
- Approximate Proposed PPU
- Approximate Pipe Location
- Haugh Irrigation Field

HAUGH, CHRIS- TRANSFER APP.
 PROPOSED 21.76 AC. PPU
 T.01N R.18E SEC. 2
 2006 NAIP AERIAL PHOTOGRAPH

1" = 300'

BROCKWAY ENGINEERING PLLC

ZL - 8/11/08

F:\Project\Haugh\Map\Draw 9\Haugh Vets Rights Analysis ZL 8_11_08

Close

TRANSFER NO. 75102

CHRISTIE A HAUGH

95 TOWNSEND GULCH RD

BELLEVUE ID 83313, has filed Application No. 75102 for changes to the following water rights within

County: BLAINE

Applicant's Statement of Purpose: I own an existing surface right for irrigating some of my land, and have purchased a groundwater right to be moved to my land so additional ground can be irrigated. The proposed well will be located on the Christensen property just east of me, and we will share the well if his transfer is approved. Both water sources will be co-mingled and applied through sprinklers.

Purpose of Transfer	Water Right Number
Change Place of Use	37-113F
Change Point Of Diversion	37-113F
Change Place of Use	37-21299

Right No. 37-113F**Priority** Jul 10 1884 12:00AM**Source** GROUND WATER,**Use** IRRIGATION(8.1 acres) 0.16 CFS 28.4 AFA,**Total Amount** 0.16 CFS 28.4 AFA**Point(s) of Diversion**

Township	Range	Section	QQQ	QQ	Quarter	GovernmentLotNumber
02N	18E	36		SE	NE	

Place Of Use

Place of Use Legal Description: IRRIGATION BLAINE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02N	18E	36	4	SENE	8.1									

Total Acres: 8.1

Right No. 37-21299**Priority** May 1 1905 12:00AM**Source** TOWNSEND GULCH,**Use** IRRIGATION(3.7 acres) 0.075 CFS,**Total Amount** 0.075 CFS**Point(s) of Diversion**

Township	Range	Section	QQQ	QQ	Quarter	GovernmentLotNumber
01N	18E	2	NE	NW	SE	

Place Of Use

Place of Use Legal Description: IRRIGATION BLAINE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
01N	18E	2		NWSE	3.7									

Total Acres: 3.7

The purpose of the transfer is to change the above rights a follows:

Proposed Right No. 37-21299

Priority May 1 1905 12:00AM

Source TOWNSEND GULCH,

Use IRRIGATION(22 acres) (3.7 acre limit) 0.08 CFS,

Total Amount 0.08 CFS

Township	Range	Section	QQQ	QQ	Quarter	GovernmentLotNumber
01N	18E	2	NE	NW	SE	

Place Of Use

Place of Use Legal Description: IRRIGATION BLAINE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
01N	18E	2		NESE	0.5		NWSE	21		SWSE	0.5			

Total Acres: 22

Proposed Right No. 37-113F

Priority Jul 10 1884 12:00AM

Source GROUND WATER,

Use IRRIGATION(22 acres) (8.1 acre limit) 0.16 CFS 28.4 AFA,

Total Amount 0.16 CFS 28.4 AFA

Township	Range	Section	QQQ	QQ	Quarter	GovernmentLotNumber
01N	18E	2	NE	NE	SE	

Place Of Use

Place of Use Legal Description: IRRIGATION BLAINE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
01N	18E	2		NESE	0.5		NWSE	21		SWSE	0.5			

Total Acres: 22