

AMENDED

RECEIVED

Exchange No. 75585

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAR 15 2006

WATER RESOURCES
WESTERN REGION

APPLICATION FOR EXCHANGE OF WATER

Under the provisions of Section 42-240, *Idaho Code*, any person holding a surface water right may apply to exchange such water for the use of water from the same source or a different surface water source. Surface water right holders may also apply to exchange for the use of water authorized for diversion under one or more other valid water rights from the same source or a different surface water source.

1. INFORMATION ABOUT THE APPLICANT

Applicant Douglas B. Hobbs and Jean S. Hobbs
6095 N. Silver Blm wy (Mailing Address) Meridian 83602 (Zip Code) Telephone No: 208/887-0686

Applicant's Water Right(s) to be exchanged 67-238 and 67-240 dt
Attach a photocopy of the License, Permit, Transfer, Decree, or Claim evidencing the right(s) or attach a printout obtained from IDWR.

2. INFORMATION ABOUT THE CO-APPLICANT

Complete this portion if the applicant proposes to exchange for water diverted under a water right held by another party. The co-applicant is the holder of the right to be exchanged for the applicant's right. If more space is needed, please attach another sheet containing information about each co-applicant.

Co-applicant Jean S. Hobbs
same as above (Mailing Address) (Name of Co-applicant) Telephone No: _____
(Zip Code)

Co-applicant's Water Right(s) to be exchanged same
Attach a photocopy of the License, Permit, Transfer, Decree, or Claim evidencing the right(s) or attach a printout obtained from IDWR.

3. EXCHANGE AGREEMENT -- Attach a copy of the written agreement between the applicant and the co-applicant(s).

4. EXCHANGE INFORMATION -- Complete Part A or Part B to explain how the proposed exchange will operate.

Part A -- For an exchange involving two or more water right holders.

The applicant proposes to divert _____ cfs and/or _____ acre feet per year of water authorized to be diverted under the co-applicant's water right(s) listed above at _____ 1/4 of _____ 1/4, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.

Additional points of diversion, if any: _____
In exchange for authorization to divert water as described above, _____ cfs and/or _____ acre feet per year of water authorized for diversion under the applicant's water right(s) listed above will be (complete 1 or 2 below):

1. made available to the co-applicant for diversion at _____ 1/4 of _____ 1/4, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.
Additional points of diversion, if any: _____

OR

2. released from storage by the co-applicant into _____ at _____ 1/4 of _____ 1/4, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.

Part B -- For an exchange involving only the applicant's water right(s).

2.24 DJ - 4/23/09

The applicant proposes to divert ~~20~~ cfs and/or _____ acre feet per year of water at NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____ Sec. 10 Township 14N Range 3W B.M., Wash. County. Additional points of diversion, if any: ~~NE NE Sec 10 + 14N 14W~~
In exchange for authorization to divert water as described above, 20.2401 acre and/or _____ acre feet per year of water authorized for diversion under the applicant's water right(s) listed above will be (complete 1 or 2 below):

1. diverted from Webster River at SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____ Sec. 10 Township 14N Range 3W B.M., Wash. County and injected into _____ at _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.

OR

2. released from storage by the applicant into _____ at _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.

Additional Explanation - Attach additional sheets if necessary.

Ditch was removed and want to divert directly from Webster river. Spring runs into Webster river 900 feet downstream.

If this exchange is not intended to be a permanent arrangement, please describe the circumstances under which the proposed exchange will terminate. _____

5. **MAPS** -- Attach two maps, one showing the water right(s) as it is (they are) now used, and another showing how the water right(s) will be used under the proposed exchange. Each map should be on an 8 $\frac{1}{2}$ "x11" sheet and should clearly identify the locations of the point(s) of diversion, injection, and re-diversion of water and the place(s) of use by 40-acre subdivisions, section, township and range of the public land survey. Photocopies of USGS 7 $\frac{1}{2}$ -minute topographic quadrangles are preferred as base maps.

SIGNATURE

Applicant hereby asserts that no one will be injured by such exchange of water and acknowledges that the applicant and/or the co-applicant will be responsible for all actions taken pursuant to this exchange. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Donald E. Holba
Applicant's Signature (and title if application is for an organization)

3/14/06
Date

FOR DEPARTMENT USE ONLY

This exchange application contains 7 pages, including attachments.

Received by sk Date 3-15-06 Fee 100⁰⁰

Received by sk Date 3-15-06 Receipt No. W033948

Preliminary review by SK

Published in _____

Publication dates _____

Protests filed by _____

Copies of protests forwarded by _____

Watermaster recommendation requested on _____

Watermaster recommendation received on _____

Hearing held by _____ Date _____

Recommended for Approval _____ Denial _____ By _____

4/27/09 \$150.00 C088555



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-238

WATER RIGHT NUMBER: 67-238

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	GARY D KOSKIE PO BOX 106 CAMBRIDGE, ID 83610 (208)257-3507
Original Owner	BETTY J KOSKIE PO BOX 106 CAMBRIDGE, ID 83610 (208)257-3507
Original Owner	JAMES C TUTTLE , ID
Current Owner	DONALD E HOBBS 6095 N SILVER ELM WAY MERIDIAN, ID 83646 (208) 887-9646
Current Owner	JEAN S HOBBS 6095 N SILVER ELM WAY MERIDIAN, ID 83646 (208) 887-9646

Priority Date: 08/11/1906

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
CAMP CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 10/31	0.200 CFS	
	<u>Total Diversion:</u>	0.200 CFS	

Location of Point(s) of Diversion

CAMP CREEK	NE1/4NE1/4NW1/4	Sec. 10, Twp 14N, Rge 03W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	03W	10	3.0			13.0													16.0

Total Acres: 16

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-238

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(6), Idaho Code.
2. F05 Right No. 67-240 is also diverted through point of diversion described above.
3. E55 Right Nos. 67-238 and 67-240 are limited to the irrigation of a combined total of 16 acres in a single irrigation season.
4. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Remarks:

Comments:

1. awamtje 6/4/2004 POU
Comment: Decree lists part of SENE; claim lists NENE & SENE
2. awamtje 6/4/2004 Water Use
Comment: Decree does not list water use
3. awamtje 6/4/2004 Period of Use
Comment: Decree does not list period of use
4. csaxton 2/24/2006 Amended Claim
Comment: Claim amended by the original owner so it is all on Don Hobbs land so when Don files a change of ownership, the entire claim will be put in his name.
5. csaxton 2/24/2006 Overlap
Comment: No overlap other than storage water. 67-2053H was claimed for storage but will be disallowed and recommended in the name of the company.

Dates and Other Information:

Licensed Date:
Decreed Date: 10/20/2008
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: AND/OR
Water District Number: 67
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		16

Combined Water Rights: 67-238 , 67-240

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-240

WATER RIGHT NUMBER: 67-240

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	G W ROWLEY
	, ID
Original Owner	HOWARD A LAKEY PO BOX 231 CAMBRIDGE, ID 83610 (208)257-3439
Current Owner	DONALD E HOBBS 6095 N SILVER ELM WAY MERIDIAN, ID 83646 (208) 887-9646
Current Owner	JEAN S HOBBS 6095 N SILVER ELM WAY MERIDIAN, ID 83646 (208) 887-9646

Priority Date: 08/11/1906

Basis: Decreed

Status: Active

Source

CAMP CREEK

WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 10/31	0.038 CFS	
	<u>Total Diversion:</u>	0.038 CFS	

Location of Point(s) of Diversion

CAMP CREEK	NE1/4NE1/4NW1/4	Sec. 10, Twp 14N, Rge 03W, B.M
WASHINGTON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	03W	10	3.0				13.0											16.0	

Total Acres: 16

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(6), Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-240

2. F05 Right No. 67-238 is also diverted through point of diversion described above.
3. E55 Right Nos. 67-238 and 67-240 are limited to the irrigation of a combined total of 16 acres in a single irrigation season.
4. K06 This right is limited to the irrigation of 3 acres within the place of use described above in a single irrigation season.
5. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Remarks:Comments:

1. Igraves 11/21/2006 History

Comment: The original claim acres are now owned by Donald Hobbs, who filed a change in ownership 11/21/2006. Decree 67-240 describes eight acres irrigation in the NENE south of the railroad tracks, where Donald irrigates three acres. Donald also owns and irrigates 13 adjoining acres in the SENE. Donald amended claim 67-240 to the decreed flow rate appurtenant to his three acres in the NENE and listed a 16 acre ppu. As of the date of this recommendation, no other claims have been filed on the remaining decreed acres, therefore a claim number split was not made.

2. Igraves 11/21/2006 Overlap

Comment: Right 67-238 covers the same p/u from the same source and p/d for .20 cfs. Both rights, when combined are limited to total irrigation of 16 acres. Combined flow rate equates to .238 cfs, which is less than one inch/acre.

3. Igraves 11/21/2006 P/D

Comment: P/d was clarified to S10 rather than S12.

4. Igraves 11/21/2006 Source

Comment: The source listed in the decree is Spring Creek, which is tributary to Camp Creek, which is then tributary to the Weiser River per the topo map. The p/d is located on Camp Creek. Source was clarified to Camp Creek.

Dates and Other Information:

Licensed Date:

Decreed Date: 10/20/2008

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector: OR

Water District Number: 67

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number: 39576

Judicial District: FIFTH

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		16

Combined Water Rights: 67-238 , 67-240

Water Supply Bank: