



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

January 15, 2009

John Sullivan and
Narda P. Davis
3211 N 18th E
Mountain Home, ID 83647

Re: Change of Ownership CORRECTION for Water Right No(s): 61-12122 and 61-12124

Dear Water Right Holder(s):

The Department previously processed a Change of Ownership application received April 5, 2007 for the above referenced water rights. Currently, the Department is processing Application(s) for Transfer of a Water Right(s) for other lots within the Bell Country Estates. Additional information regarding the water rights associated with the Bell Country Estates has been submitted and reviewed. The Department has determined the water right quantities and subsequent information you received regarding your water rights referenced above was in error. The Department's records have been corrected. I have enclosed a copy of your water rights for your reference. As a result of this correction, the combined irrigation authorized under these rights has increase from 2.5 acres to 3.6 acres within the 4.0 acre permissible place of use.

I apologize for the error and any inconvenience this may have caused. If you have any questions concerning the enclosed information, please feel free to contact this office.

Sincerely,

Angela M. Grimm
Water Resource Agent, Sr.

Enclosure(s): Water Right Report 61-12122
Water Right Report 61-12124

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 61-12122

WATER RIGHT NUMBER: 61-12122

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	DARROLD JOB
Previous Owner	MOUNTAIN HOME, ID 83647 DONNA L BELL 890 N 6TH E MOUNTAIN HOME, ID 83647 (208)587-4418
Previous Owner	DONNA L BELL TRUST RALPH ROBERT TOWLE TRUSTEE 2405 WYOMING BOISE, ID 83706 (208)343-5511
Current Owner	JOHN SULLIVAN 3211 N 18TH E MOUNTAIN HOME, ID 83647 (208)587-2016
Current Owner	NARDA P DAVIS 3211 N 18TH E MOUNTAIN HOME, ID 83647 (208)587-2016

Priority Date: 12/28/1959

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.040 CFS	7.90 AF
	<u>Total Diversion:</u>	0.040 CFS	7.90 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 13, Twp 03S, Rge 06E, B.M.
ELMORE 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	
03S	06E	13				2.0									2.0				4.0

Total Acres: 4

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 61-12122

Conditions of Approval:

1. X27 This right is limited to the irrigation of 2.2 acres within the place of use described above in a single irrigation season.
2. X35 Rights 61-12122 and 61-12124 when combined shall not exceed a total diversion rate of 0.05 cfs, a total annual maximum diversion volume of 7.9 af at the field headgate, and the irrigation of 3.6 acres.
3. Property also known as Lot 4 Bik 1 Bell Country Estates.
4. 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.
5. X63 All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
6. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10/26/2000.
7. X36 Rights 61-12121, 61-12123, and 61-12124 are also diverted through the point of diversion described above.

Remarks:Comments:

1. erushing 10/11/2007 Ownership Change

Comment: Ownership change submitted by Sullivan/Davis for WR 61-12064 split WR into 61-12121 (Bell) and 61-12122 (Sullivan/Davis).

2. segbert 1/7/2008 POU

Comment: Updated Shape

3. agrimm 1/14/2009 Ownership Change Correction

Comment: Quantities associated with this right revised/corrected based on additional review as described in 6/27/08 amended 1/6/09 Calculations of Donna Bell Trust Water Rights Splits Memo found in the file for transfer no. 73782, 73844, and 75349 involving P/D changes for other lots in this subdivision.

4. agrimm 1/15/2009 Amended Series of Rights

Comment: Transfer No. 73782, No. 73844, and No. 75349 propose changes to rights of lots within Bell Country Estates. All info on file for original parent rights 61-2127 and 61-4136, all preceding child rights, and additional information submitted during processing of the transfers previously mentioned was reviewed. 6/27/08 amended 1/6/09 Donna Bell Trust Water Rights Splits Memo, 1/7/09 Transfer No. 73782 and 73844 File Memo, and 1/15/09 Transfer No. 75349 Memo detail all info reviewed and summarize corrections and amendments to rights. 61-12122 and 61-12124 records corrected and updated records sent to the owners 1/15/09. Records 61-12121, 61-12123, 61-12163, and 61-12165 not corrected, because they are inactive parent records. 61-12164 and 61-12166 corrected through processing of Transfer No. 75349. 61-12175 and 61-12178, the remainder portion of the Donna Bell Trust rights, corrected through processing of Transfer No. 73782 and Transfer No. 73844. 61-12176 and 61-12179 corrected through processing of Transfer No. 73782. 61-12177 and 61-12180 corrected through processing of Transfer No. 73844. See memos scanned in respective files for additional information.

5. agrimm 1/15/2009 11:41:24 AM POD

Comment: Updated Shape

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 61-12122

Dates and Other Information:

Licensed Date:
Decreed Date: 10/26/2000
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: And/Or
Water District Number:
Generic Max Rate Per Acre: 0.02
Generic Max Volume Per Acre: 4
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>
0.05	7.9	3.6
Combined Water Rights: 61-12122 , 61-12124		

Water Supply Bank: