

5

4

3

from
1.22
85

to
5.85

9

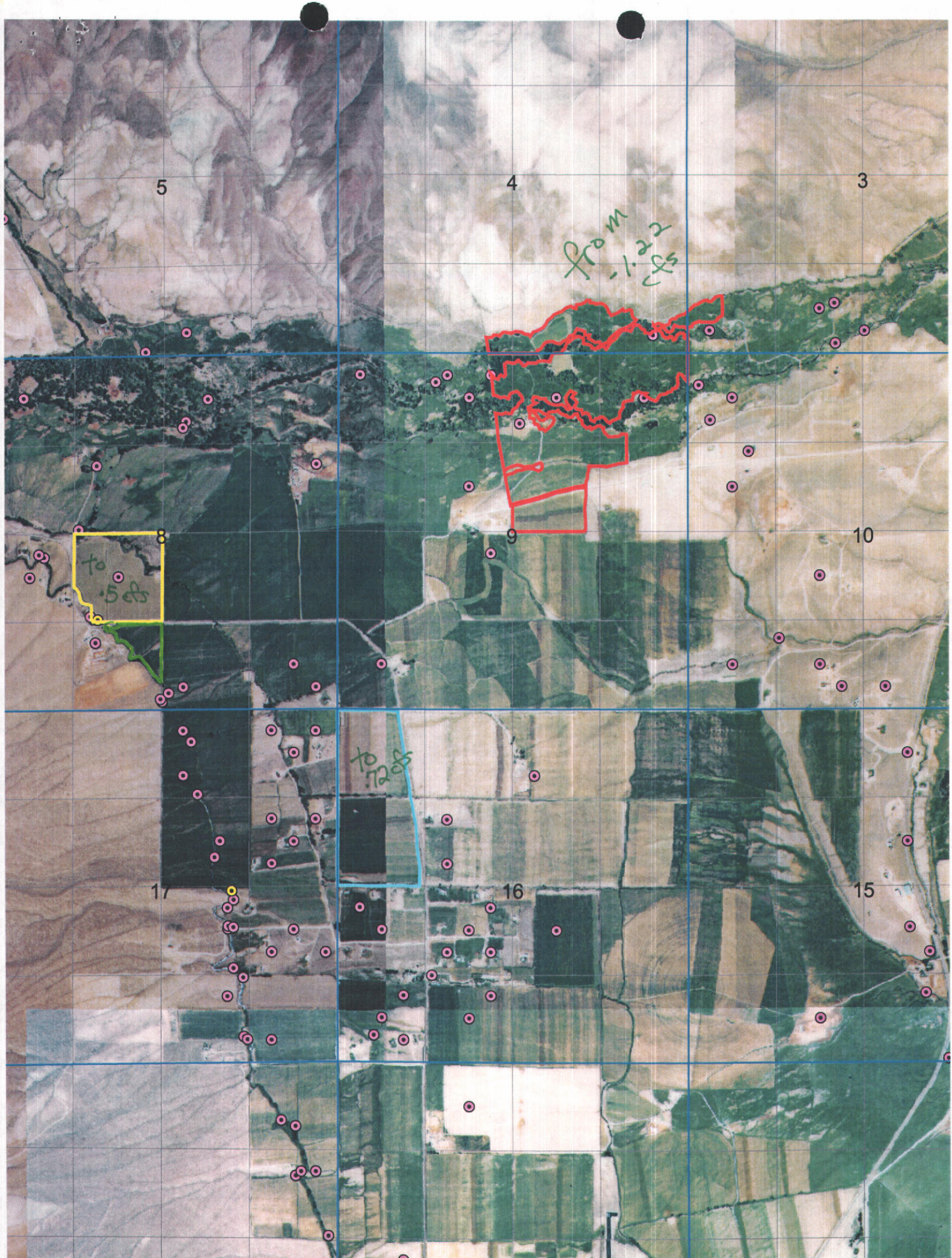
10

to
72.85

17

16

15



**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF A)
WATER RIGHT TC-72-05 IN THE NAME)
OF ANTHONY GAMMACHE)
_____)

**ORDER AUTHORIZING
TEMPORARY CHANGE**

WHEREAS, a drought emergency has been declared for Custer County to allow administrative actions to lessen the severe impacts of the drought conditions in the county; and

WHEREAS, section 42-222A, Idaho Code, provides that upon declaration of a drought emergency, the director of the Department of Water Resources ("Department") is authorized to allow temporary changes in the point of diversion, the place of use, and the purpose of use for valid existing water rights or temporary exchanges of water, as provided in section 42-240, Idaho Code, when the director determines that such changes can be accomplished in accordance with the provisions of section 42-222A, Idaho Code; and

WHEREAS, on August 2, 2005, Anthony Gammache ("applicant") submitted the attached Temporary Change Application ("application") to the Department; and

WHEREAS, the Department has reviewed the application and has determined the application can be approved with certain conditions; and

WHEREAS, The applicant assumes all risk and is the responsible party if diversion and use of water under the temporary change approval causes injury to other water rights or constitutes an enlargement in use of the original right;

ORDER

IT IS HEREBY ORDERED that the application is **APPROVED** subject to the following conditions:

1. Diversion and use of a portion (1.22 cfs for irrigation of 75.1 acres) of right no. 72-12D is authorized only at the points of diversion and places of use described on the application or as otherwise approved in this order. The 0.50 cfs portion intended to be used in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ S08, T14N, R19E is limited to irrigation of no more than 30.8 acres. The 0.72 cfs portion intended to be used in the W $\frac{1}{2}$ NW $\frac{1}{4}$ S16, T14N, R19E is limited to irrigation of no more than 44.3 acres.
2. Use of the remaining unchanged portion of right no. 72-12D shall be limited to 0.90 cfs for irrigation of no more than 55.5 acres within the

original place of use for the remainder of the irrigation season.

3. This temporary change approval does not authorize construction of a new point of diversion.
4. This temporary change approval may only be used to provide a replacement water supply to lands or other uses that normally have a full water supply, except for the drought condition. This temporary change approval may not be used to provide water for new development or to allow expansion of the use of water under existing water rights.
5. This temporary approval does not authorize the use of diversion works or a delivery system owned by or managed by a corporation or an irrigation district without the written consent of such corporation or irrigation district.
6. The applicant agrees to hold the director and the state of Idaho harmless from all liability on account of the diversion and use of water under this temporary change approval.
7. This temporary change approval does not grant any right-of-way or easement to use the diversion works or conveyance works of another person or entity.
8. To prevent injury to other water rights the watermaster of Water District 72-C is authorized to administer the temporary change approval.
9. When the changed portions of right 72-12D identified on the application and other rights associated with the proposed places of use (rights 72-12B, 72-25E, and 72-4164C for lands in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ S08, T14N, R19E and rights 72-4163 and 72-10138 for lands in the W $\frac{1}{2}$ NW $\frac{1}{4}$ S16, T14N, R19E) are available no more than 0.02 cfs per acre may be diverted at any one time at the field headgate.
10. This temporary change approval expires on October 31, 2005 unless rescinded or extended by the director. Thereafter, the water rights shall revert to the point of diversion, place of use and nature of use existing prior to the temporary change approval.

DATED this 2nd day of August, 2005.



Allen Merritt
Southern Region Manager

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
RECEIVED
AUG 02 2005
TEMPORARY CHANGE APPLICATION

Department of Water Resources
Southern Region

(To change point of diversion, place of use or purpose of use)

Name of Applicant Anthony Gammon Phone 208-879-5205
Post Office Address Box # 146 Challin Idaho 83226

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change purpose of use ☐ Other

2. Describe the proposed change(s) and the reason(s) thereof Change the use of limited water from pasture to hay fields for more productive use. With the change of water there is not enough to do both

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

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
72-00012D	1879	1.22 cfs	Irrigation	4/1 to 10/31
				to
				to
				to

2. Total amount of water being transferred 1.22 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Challin Creek tributary to Salmon River

4. Point(s) of Diversion:

Ident No.	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
2702		SW	NE	SW	8	14N	19E	Custer	High line Canal reference
2716		SE	SW	NE	17	14N	19E	Custer	High line Canal reference

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	19E	8									38								38
14N	19E	16						32											32
14N	19E	16						37											37

Total Acres 107

6. General Information:

- a. Who owns the water right to be changed? Anthony Gamache
- b. Describe the arrangement allowing use of the right none
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
The land will partly dry up.
- d. Has the water right sought to be transferred been used this year? yes If yes, explain. It has been used since 4/1. But is now getting short.
- e. Absent the changes, how would the right be used for the remainder of the year? flank irrigate pasture with what till is left.
- f. Describe other water rights used for the same purpose.
Some late water rights that have been cut off.
- g. Remarks: I would like to temp. divert 1.22 CFS of 72-00012 D to 2 locations, a 5 CAS to 2702 and a 72 CFS to 2716 on the high line Canal.

I hereby assume all risk in accordance with Section 42-222A, Idaho Code, and 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.

Anthony Gamache
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by R Date 8-2-05 Fee \$50.00

Receipted R # 5027874 Recommend: X approve deny

Watermaster recommendation okayed per telephone call 8/2/05

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. 7C-72-05

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

Subject to order dated 8/2/05 attached.

Witness my hand this 2nd day of August 2005

For the Director





State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

RECEIVED

AUG 05 2005

DEPARTMENT OF
WATER RESOURCES

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 2, 2005

ANTHONY GAMMACHE
BOX 146
CHALLIS ID 83226

Re: Temporary Change Application No. TC-72-05

Dear Mr. Gammache:

Your Temporary Change Application as referenced above has been **GRANTED**.

Please be advised that the enclosed ORDER AUTHORIZING TEMPORARY CHANGE contains special conditions of approval.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Allen D. Merritt, P.E.
Southern Region Manager

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 2, 2005

RICK PHILPS, WATERMASTER
WATER DISTRICT # 72-C
PO BOX 910
CHALLIS ID 83226

Re: Temporary Change Application No. TC-72-05 (Gammache)

Dear Mr. Philips:

The Temporary Change Application as referenced above has been **GRANTED**. Please find a copy of the ORDER AUTHORIZING TEMPORARY CHANGE enclosed.

The Department acknowledges receipt of your recommendation concerning Water Right No. 72-12D via telephone on this date. Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Allen D. Merritt, P.E.
Southern Region Manager

Enclosure(s)

Memorandum

To: 72-12D, -12B, -25E, -4164B, -4163, -10138

CC: files

From: Jeanie Robertson

Date: 8/2/2005

Re: Temporary Transfer of 1.22 cfs from 72-12D

Anthony Gammache filed a Temporary Transfer to move 1.22 cfs of right 72-12D to other lands he owns with points of re-diversion from Challis Creek. He intends to divert 0.5 cfs to 38 acres in the NESW of Section 8, T14N, R19E from pod 2702 (covered by 72-12B, -25E, and -4164B). He also intends to divert 0.72 cfs to 32 acres in the NWNW and 37 acres in the SWNW of Section 16, T14N, R19E from pod 2716 (covered by 72-4163 and -10138). Challis Creek Watermaster, Rick Philips, said he has no problem with this temporary transfer.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 72-12D

WATER RIGHT NUMBER: 72-12D

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WILLIAM T GAMMACHE PO BOX 146 CHALLIS, ID 83226 (208)879-2255
Current Owner	ANTHONY D GAMMACHE PO BOX 146 CHALLIS, ID 83226 (208)879-2255

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>Annual Volume</u>
IRRIGATION	4/01	10/31	2.120 CFS	
<u>Total Diversion:</u>			2.120 CFS	

Location of Point(s) of Diversion

CHALLIS CREEK	L10 (SW1/4NW1/4NW1/4)	Sec. 7,	Twp 14N,	Rge 19E, B.M.
CUSTER County				
CHALLIS CREEK	NW1/4NE1/4NW1/4	Sec. 9,	Twp 14N,	Rge 19E, B.M.
CUSTER County				
CHALLIS CREEK	SW1/4NE1/4SW1/4	Sec. 8,	Twp 14N,	Rge 19E, B.M.
CUSTER County	(Rediversion)			

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	19E	3											4.0						4.0
14N	19E	4											2.4				14.0	14.0	30.4
14N	19E	9	22.0	30.0	34.0	3.1	4.8			2.3									96.2

Total Acres: 130.6

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 72-12D

Conditions of Approval:

1. THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 72-C.
2. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 130.6 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00012D, 72-00025B, 72-04162, & 72-07272.
3. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. 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.
5. TWO POINTS OF RE-DIVERSION LOCATED IN T14N, R19E, S08, SWNESW.

Remarks:

Comments:

1. WORSTELL 11/3/1992 COPIED FROM REMARKS
Comment: NO MORE THAN 0.6 CFS SHALL BE DIVERTED INTO THE HIGHLINE CANAL. 2.12 CFS MAY BE DIV. IN NENW S9 WHEN 0.6 CFS IS NOT DIV. INTO THE HIGHLINE CANAL. AC. IRRIG. = 158.9. TRANS. 2242.
2. AJU10-DS 11/21/1998 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
3. JROBERTS 12/7/1998 CHANGED POU
Comment: CHANGED PLACE OF USE PER NOE CONVERSATION WITH CLAIMANT. jr
4. scurtis 3/13/2003 7:42:46 AM Water Right
Comment: This water right record was updated by decree record from old RightID 75948 to new RightID 193379

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 72-4163

WATER RIGHT NUMBER: 72-4163

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WILLIAM T GAMMACHE PO BOX 146 CHALLIS, ID 83226 (208)879-2255
Current Owner	ANTHONY D GAMMACHE PO BOX 146 CHALLIS, ID 83226 (208)879-2255

"to"
72 cfs

Priority Date: 10/10/1911

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>Annual Volume</u>
IRRIGATION	4/01 to 10/31	2.760 CFS	
	<u>Total Diversion:</u>	2.760 CFS	

Location of Point(s) of Diversion

CHALLIS CREEK	NE1/4NW1/4SE1/4	Sec. 17, Twp 14N, Rge 19E, B.M.
CUSTER County	(Rediversion)	
CHALLIS CREEK	L10 (SW1/4NW1/4NW1/4)	Sec. 7, Twp 14N, Rge 19E, B.M.
CUSTER 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	19E	16						30.0	36.0										66.0

Total Acres: 66

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. THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 72-C.
3. USE OF THIS RIGHT WITH RIGHT NO. 72-10138 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 66 ACRES IN A SINGLE IRRIGATION SEASON.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 72-4163

Remarks:

Comments:

1. WORSTELL 11/5/1992 COPIED FROM REMARKS

Comment: THIS CLAIM IS FOR HIGH WATER HISTORICALLY DIVERTED FROM CHALLIS CREEK.

2. AJU10-DS 11/21/1998 AJU10 CONDITION UPDATE

Comment: CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

3. JROBERTS 12/30/1998 CHANGED PRIORITY DATE

Comment: ALLOWED PRIORITY DATE OF ONE DAY JUNIOR TO DECREE.

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 72-10138

WATER RIGHT NUMBER: 72-10138

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ANTHONY D GAMMACHE PO BOX 146 CHALLIS, ID 83226 (208)879-2255
Current Owner	WILLIAM T GAMMACHE PO BOX 146 CHALLIS, ID 83226 (208)879-2255

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>Annual Volume</u>
IRRIGATION	4/01 to 10/31	1.380 CFS	
<u>Total Diversion:</u>		1.380 CFS	

Location of Point(s) of Diversion

CHALLIS CREEK	L10 (SW1/4NW1/4NW1/4)	Sec. 7, Twp 14N, Rge 19E, B.M.
CUSTER County		
CHALLIS CREEK	NE1/4NW1/4SE1/4	Sec. 17, Twp 14N, Rge 19E, B.M.
CUSTER County (Rediversion)		

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	19E	16						30.0	36.0										66.0

Total Acres: 66

Conditions of Approval:

1. THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 72-C.
2. 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.
3. USE OF THIS RIGHT WITH RIGHT NO. 72-04163 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 66 ACRES IN A SINGLE IRRIGATION SEASON.

Page 2

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 72-10138

Remarks:

Comments:

1. WORSTELL 11/4/1992 COPIED FROM REMARKS

Comment: THIS CLAIM IS A COMBINATION OF 72-00002B AND 72-00011D COMBINED UNDER TRANSFER 2449.

2. AJU10-DS 11/21/1998 AJU10 CONDITION UPDATE

Comment: CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 72-12B

WATER RIGHT NUMBER: 72-12B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ANTHONY D GAMMACHE PO BOX 146 CHALLIS, ID 83226 (208)879-2255
Current Owner	WILLIAM T GAMMACHE PO BOX 146 CHALLIS, ID 83226 (208)879-2255

"to"
5 CFS

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>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.400 CFS	150.50 AF
	<u>Total Diversion:</u>	0.400 CFS	150.50 AF

Location of Point(s) of Diversion

CHALLIS CREEK	NW1/4SE1/4SW1/4	Sec. 8,	Twp 14N,	Rge 19E, B.M.
CUSTER County	(Rediversion)			
CHALLIS CREEK	L10 (SW1/4NW1/4NW1/4)	Sec. 7,	Twp 14N,	Rge 19E, B.M.
CUSTER County				
CHALLIS CREEK	SW1/4NE1/4SW1/4	Sec. 8,	Twp 14N,	Rge 19E, B.M.
CUSTER County	(Rediversion)			

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	19E	8									38.0			5.0					43.0

Total Acres: 46

Conditions of Approval:

1. E60 USE OF RIGHT NOS. 72-00012B, 72-00025E AND 72-04164C IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.96 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 150.5 AF.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 72-12B

2. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 43 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00012B, 72-00025E, 72-04164C.
3. THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 72-C.
4. 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.

Remarks:

Comments:

1. WORSTELL 10/29/1992 COPIED FROM REMARKS

Comment: WATER IS CONVEYED THROUGH THE HIGHLINE CANAL.

2. AJU10-DS 11/21/1998 AJU10 CONDITION UPDATE

Comment: CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

3. scurtis 3/13/2003 7:42:24 AM Water Right

Comment: This water right record was updated by decree record from old RightID 548017 to new RightID 193378

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 72-25E

WATER RIGHT NUMBER: 72-25E

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WILLIAM T GAMMACHE PO BOX 146 CHALLIS, ID 83226 (208)879-2255
Current Owner	ANTHONY D GAMMACHE PO BOX 146 CHALLIS, ID 83226 (208)879-2255

Priority Date: 08/25/1910

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>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.560 CFS	150.50 AF
	<u>Total Diversion:</u>	0.560 CFS	150.50 AF

Location of Point(s) of Diversion

CHALLIS CREEK	NW1/4SE1/4SW1/4	Sec. 8, Twp 14N, Rge 19E, B.M.
CUSTER County	(Rediversion)	
CHALLIS CREEK	L10 (SW1/4NW1/4NW1/4)	Sec. 7, Twp 14N, Rge 19E, B.M.
CUSTER County		
CHALLIS CREEK	SW1/4NE1/4SW1/4	Sec. 8, Twp 14N, Rge 19E, B.M.
CUSTER County	(Rediversion)	

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	19E	8									38.0			5.0					43.0

Total Acres: 46

Conditions of Approval:

1. E60 USE OF RIGHT NOS. 72-00012B, 72-00025E, 72-04164C IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.96 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 150.50 AF.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 72-25E

2. 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.
3. THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 72-C.
4. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 43 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00012B, 72-00025E, 72-04164C.

Remarks:

Comments:

1. WORSTELL 2/20/1994 COPIED FROM REMARKS

Comment: A72-00025A WAS SPLIT DUE TO A CHANGE OF OWNERSHIP WITH MR. CAMMACHE RETAINING .448 CFS AND GARY CHAMBERLAIN AND/OR CAROL CHAMBERLAIN GETTING .112 CFS. COPY OF WARRANTY DEED AND A LETTER FROM MR. JIM BENNETT, ATTORNEY, CONFIRMS THE SPLIT. WARRANTY DEED LISTS 10 ACRES BUT ONLY 8 ACRES IN P/U IRRIGATABLE.

2. AJU10-DS 11/21/1998 AJU10 CONDITION UPDATE

Comment: CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 72-4164C

WATER RIGHT NUMBER: 72-4164C

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WILLIAM T GAMMACHE PO BOX 146 CHALLIS, ID 83226 (208)879-2255
Current Owner	ANTHONY D GAMMACHE PO BOX 146 CHALLIS, ID 83226 (208)879-2255

Priority Date: 10/10/1911

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>Annual Volume</u>
IRRIGATION	4/01 to	10/31	2.000 CFS	
	Total Diversion:		2.000 CFS	

Location of Point(s) of Diversion

CHALLIS CREEK	NW1/4SE1/4SW1/4	Sec. 8,	Twp 14N,	Rge 19E, B.M.
CUSTER County	(Rediversion)			
CHALLIS CREEK	SW1/4NE1/4SW1/4	Sec. 8,	Twp 14N,	Rge 19E, B.M.
CUSTER County	(Rediversion)			
CHALLIS CREEK	L10 (SW1/4NW1/4NW1/4)	Sec. 7,	Twp 14N,	Rge 19E, B.M.
CUSTER County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
14N	19E	8									38.0			5.0					43.0

Total Acres: 46

Conditions of Approval:

1. E60 USE OF RIGHT NOS. 72-00012B, 72-00025E AND 72-04164C IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.96 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 150.5 AF.
2. THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 72-C.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 72-4164C

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. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 43 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00012B, 72-00025E, 72-04164C.

Remarks:

Comments:

1. JROBERTS 11/18/1998 COPIED FROM REMARKS

Comment: SPLIT RIGHT A72-04164A & A72-04164B. A72-04164A -GAMMACHE, 1.6 CFS, 36 ACRES A72-04164B -CHAMBERLAIN, 0.4 CFS, 8 ACRES.

2. AJU10-DS 11/21/1998 AJU10 CONDITION UPDATE

Comment: CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

3. djones 2/21/2001 AMENDED RECOMMENDATION

Comment: PLACE OF USE IN SESW CHANGED FROM 8 ACRES TO 5 ACRES.

Water Supply Bank:

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 72-00012D

NAME AND ADDRESS: ANTHONY D GAMMACHE
WILLIAM T GAMMACHE
PO BOX 146
CHALLIS, ID 83226

SOURCE: CHALLIS CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 2.12 CFS
PRIORITY DATE: 05/01/1879
POINT OF DIVERSION: T14N R19E S07 LOT 10 (SWNNW) Within Custer County
S08 SWNESW (Rediversion)
S09 NNENW

TWO POINTS OF RE-DIVERSION LOCATED IN T14N, R19E, S08, SWNESW.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	2.12 CFS

PLACE OF USE:	Irrigation	Within Custer County
	T14N R19E S03	SWSW 4.0
	S04	SESW 2.4
		SESE 14.0
	S09	NENE 22.0
		SWNE 34.0
		NENW 4.8
		SENE 3.1
		SENE 2.3

130.6 Acres Total

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 130.6 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00012D, 72-000258, 72-04162, & 72-07272.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 72-C.

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. I.C. SECTION 42-1412(6).