



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

September 19, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

CHARLES L MATTHIESEN
PO BOX 2540
KETCHUM ID 83340

RE: Water Right 37-2473K

Dear Mr. Matthiesen:

IDWR is currently reviewing claims filed in the Snake River Basin Adjudication. During this review, IDWR noted a possible problem with Water Right 37-2473K, which authorizes the diversion of water from Dip Creek for use in and around some ponds in the Dip Creek Ranch Subdivision.

On Application for Transfer No. 4876, you indicated that the new place of use for the right would include the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 23, T5N, R17E, B.M. IDWR approved the transfer in accordance with your application. As you can see on the enclosed map, the place of use probably should have indicated the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 23, T5N, R17E, B.M., instead of the NE $\frac{1}{4}$ SW $\frac{1}{4}$.

To change the place of use for the water right, you must file another application for transfer. I have enclosed an application form for you to use.

If you have any questions, please call me at 208-287-4947, or email me at shelley.keen@idwr.idaho.gov.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

Enclosures

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4876

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

PER 07/01/96 TELECOM WITH APPLICANT

Name of applicant Charles L. ~~Matthiesen~~ MATTHIESEN Phone (208) 726-~~4424~~ 8087Post Office address c/o James P. Speck, HOGUE, SPECK & AANESTAD, P.A., P.O. Box 987 Ketchum, ID 83340

A. PURPOSE OF TRANSFER

1. X! Change point of diversion ! Add diversion point X! Change place of use
!X Change nature of use !X Change period of use ! Other Split the right and change from surface to

ground water

2. Describe the reason for the proposed changes. The applicant is developing the existing place of use into a subdivision and proposes to split the right, convert part of right from surface to ground water and use part of right for aesthetic purposes

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>3-02473 JK</u>	<u>June 24, 1948</u>	<u>.124 cfs</u>	<u>Irrigation</u>	<u>May 1 to October 1</u>
		<u>1.00 cfs</u>	<u>aesthetics, fire</u>	<u>Jan 1 to Dec 31</u>
			<u>and gw recharge</u>	<u>to</u>
		<u>25.11 ac-ft</u>	<u>storage</u>	<u>Jan 1 to Dec 31</u>

2. Total amount of water being transferred 1.00 cubic feet per second and/or 723 acre-feet per annum.

3. Source of water Dip Creek tributary to sinks

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	SW	SW	NW	24	5N	17E	Blaine	Dip Creek

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	
5N	17E	23																1.5J	4.6
		24																1.6J	1.6

Department of Water Resources Total acres 6.2



Idaho Department of Water Resources

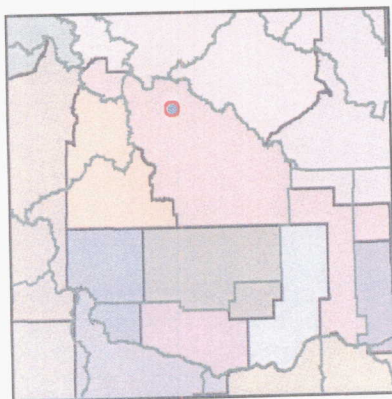
SRBA Recommendation:

37-2473K

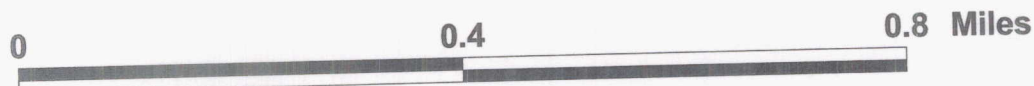
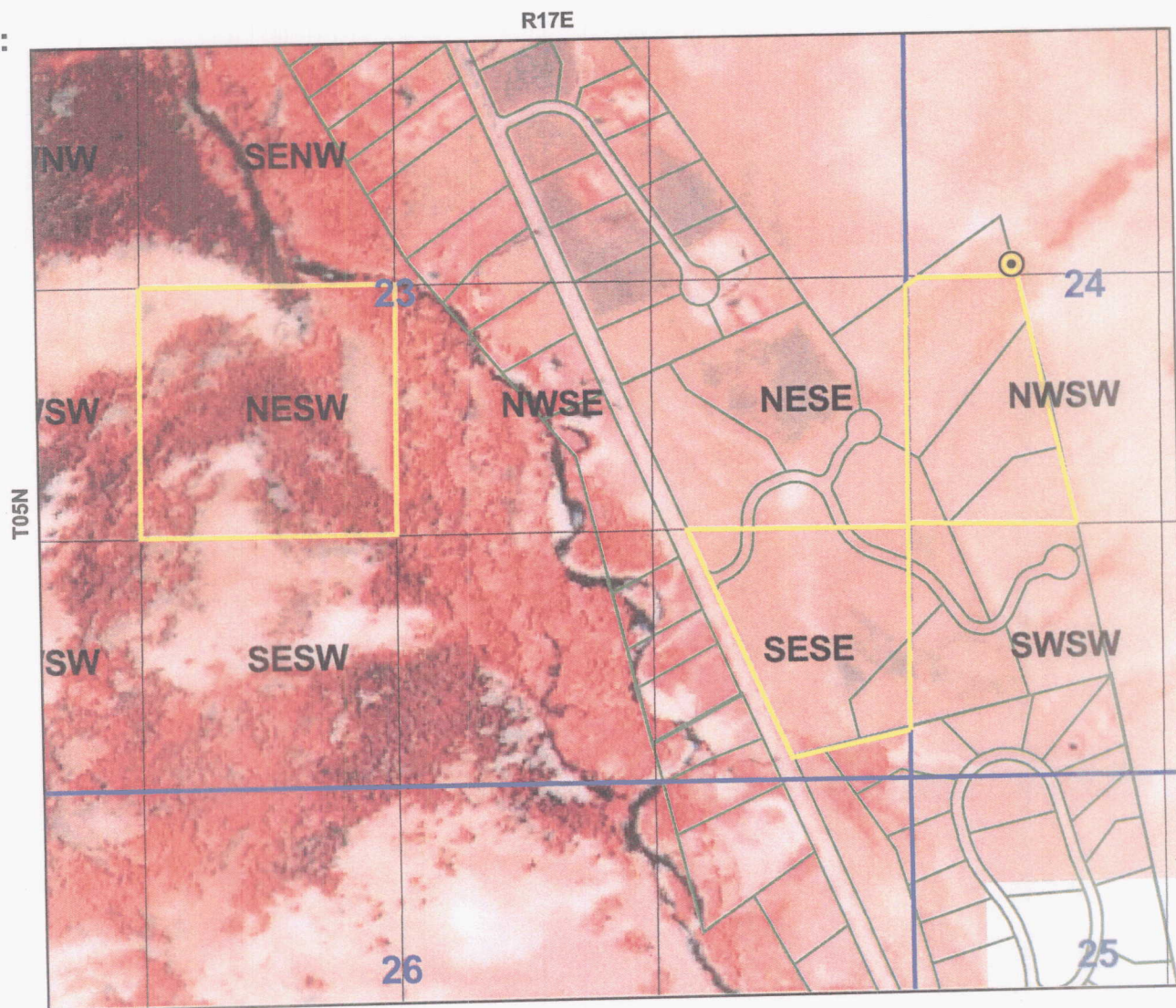
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Parcels



Blaine County
IDWR Basin 37



Prepared by S. Keen
On Tuesday, September 19, 2006
1987/88 Aerial Photography

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NOS. 4867/4868/4869/4870/4871/4872/4873/4874/4875 & 4876
WATER RIGHT NOS. 37-02473A/B/C/D/E/F/G/H/J & K
Priority: 06/24/1946

This is to certify that: **CHARLES L MATTHIESEN**
PO BOX 2540
KETCHUM ID 83340

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

TRANSFER NO. 4867
WATER RIGHT NO. 37-02473A

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.04 CFS	7.7 AF

SOURCE: GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 23, Township 05N, Range 17E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N 17E 23	NESE 2.2			2.2
Total number of acres irrigated:				2.2

TRANSFER NO. 4868
WATER RIGHT NO. 37-02473B

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.04 CFS	7.7 AF

SOURCE: GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 23, Township 05N, Range 17E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N 17E 23	NESE 2.2			2.2
Total number of acres irrigated:				2.2

MICROFILMED
JAN 9 1997

TRANSFER NOS. 4867/4868/4869/4870/4871/4872/4873/4874/4875 & 4876
WATER RIGHT NOS. 37-02473A/B/C/D/E/F/G/H/J & K

TRANSFER NO. 4869
WATER RIGHT NO. 37-02473C

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.04 CFS	7.7 AF

SOURCE: GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 24, Township 05N, Range 17E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N 17E 24	NWSW 2.2			2.2

Total number of acres irrigated: 2.2

TRANSFER NO. 4870
WATER RIGHT NO. 37-02473D

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.04 CFS	7.7 AF

SOURCE: GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 23, Township 05N, Range 17E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N 17E 23	NESE 1.1			1.1
24	NWSW 1.1			1.1

Total number of acres irrigated: 2.2

TRANSFER NO. 4871
WATER RIGHT NO. 37-02473E

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.04 CFS	7.7 AF

SOURCE: GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 23, Township 05N, Range 17E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N 17E 23	SESE 2.2			2.2

Total number of acres irrigated: 2.2

MICRO-FILMED
JAN 09 1987

**TRANSFER NOS. 4867/4868/4869/4870/4871/4872/4873/4874/4875 & 4876
WATER RIGHT NOS. 37-02473A/B/C/D/E/F/G/H/J & K**

**TRANSFER NO. 4872
WATER RIGHT NO. 37-02473F**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.04 CFS	7.7 AF

SOURCE: GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 24, Township 05N, Range 17E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N 17E 24	SWSW 2.2			2.2
Total number of acres irrigated:				2.2

**TRANSFER NO. 4873
WATER RIGHT NO. 37-02473G**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.04 CFS	7.7 AF

SOURCE: GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 24, Township 05N, Range 17E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N 17E 24	SWSW 2.2			2.2
Total number of acres irrigated:				2.2

**TRANSFER NO. 4874
WATER RIGHT NO. 37-02473H**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.04 CFS	7.7 AF

SOURCE: GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 24, Township 05N, Range 17E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N 17E 24	NWSW 2.2			2.2
Total number of acres irrigated:				2.2

WATER-LOAN
JAN 9 1997

TRANSFER NOS. 4867/4868/4869/4870/4871/4872/4873/4874/4875 & 4876
WATER RIGHT NOS. 37-02473A/B/C/D/E/F/G/H/J & K

TRANSFER NO. 4875
WATER RIGHT NO. 37-02473J

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.04 CFS	7.7 AF

SOURCE: GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 24, Township 05N, Range 17E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N 17E 24	NWSW 2.2			2.2
Total number of acres irrigated:				2.2

GROUNDWATER SUBTOTAL:	0.36 CFS	69.3 AF
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TRANSFER NO. 4876
WATER RIGHT NO. 37-02473K

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.12 CFS	21.7 AF
FIRE PROTECTION	01/01 to 12/31	0.38 CFS	
FIRE PROTECTION ST	01/01 to 12/31		25.1 AF
AESTHETIC	01/01 to 12/31	0.38 CFS	58.9 AF
AESTHETIC STORAGE	01/01 to 12/31		25.1 AF
DIVERSION TO STORA	01/01 to 12/31	0.50 CFS	
Totals		0.50 CFS	105.7 AF

SOURCE: DIP CREEK

TRIBUTARY OF: BIG WOOD RIVER

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 24, Township 05N, Range 17E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N 17E 23	NESW 3.1	SESE 1.5		4.6
24	NWSW 1.6			1.6
Total number of acres irrigated:				6.2

PLACE OF USE: FIRE PROTECTION & AESTHETIC, same as IRRIGATION use

SURFACE WATER SUBTOTAL:	0.50 CFS	105.7 AF
TRANSFER TOTAL:	0.86 CFS	175.0 AF

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**TRANSFER NOS. 4867/4868/4869/4870/4871/4872/4873/4874/4875 & 4876
WATER RIGHT NOS. 37-02473A/B/C/D/E/F/G/H/J & K**

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion under Right Nos. 37-02473A/B/C/D/E/F/G/H/J and K.
8. A measuring device of a type acceptable to the Department shall be installed and permanently maintained across Dip Creek at a point where the creek enters the right holder's property located within NESE, S23, T05N, R17E.
9. The total diversion rate from the wells shall not exceed flow of Dip Creek measured at the point identified above and is further limited to those times when water is available to fill Right Nos. 37-02473A/B/C/D/E/F/G/H/J and K.
10. Right Nos. 37-02473A/B/C/D/E/F/G/H/J and K when combined shall not exceed a total combined rate of diversion of 0.86 cfs, a total combined annual volume of 175.0 af, nor the total combined irrigation of 26 acres.
11. Right No. 37-02473A is diverted and used within Lot 1, Dip Creek Ranch Subdivision.
12. Right No. 37-02473B is diverted and used within Lot 2, Dip Creek Ranch Subdivision.
13. Right No. 37-02473C is diverted and used within Lot 3, Dip Creek Ranch Subdivision.
14. Right No. 37-02473D is diverted and used within Lot 4, Dip Creek Ranch Subdivision.
15. Right No. 37-02473E is diverted and used within Lot 5, Dip Creek Ranch Subdivision.
16. Right No. 37-02473F is diverted and used within Lot 6, Dip Creek Ranch Subdivision.
17. Right No. 37-02473G is diverted and used within Lot 7, Dip Creek Ranch Subdivision.
18. Right No. 37-02473H is diverted and used within Lot 8, Dip Creek Ranch Subdivision.

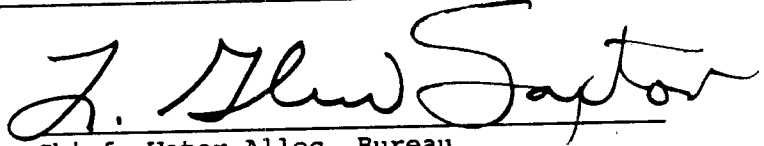
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TRANSFER NOS. 4867/4868/4869/4870/4871/4872/4873/4874/4875 & 4876
WATER RIGHT NOS. 37-02473A/B/C/D/E/F/G/H/J & K

CONDITIONS OF APPROVAL AND REMARKS

19. Right No. 37-02473J is diverted and used within Lot 9, Dip Creek Ranch Subdivision.
20. Right No. 37-02473K is diverted and used for ponds and the surrounding irrigation within Dip Creek Ranch Subdivision.

Dated this 31st day of December, 1996


Chief, Water Alloc. Bureau

RECORDED
INDEXED