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STATE OF IDAHO

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Transfer No. 72769

DEPT. OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of Applicant Delbert M. Hughes and Donna Hughes Phone (208) 879-2365

Post Office address HC 61 Box 3054 Challis, Id. 83226

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

2. Describe the reason for the proposed changes The Consolidation of Louline Canal into the Highline Canal will eliminate the diversion works, headgate, and the need of a fish screen on the Louline Canal.

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
72-10272	5/01/1879	5.61	Irrigation	4/01 to 10/31
72-10276	10/10/1911	2.40	Irrigation	4/01 to 10/31
				to
				to

2. Total amount of water being transferred 8.01 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Challis Creek tributary to Salmon River

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
	SW	NW	NW	07	14N	19E	Custer	Highline Canal
	SW	SE	NE	07	14N	19E	Custer	Rediversion
	NW	NW	SW	08	14N	19E	Custer	Alternate Rediversion

5. Lands irrigated or place of use:

5. Lands irrigated or place of use:

[illegible]

Total Acres 158

PART 1

6. General Information:

- a. Description of diversion system Concrete structure with an Auto-mated, Pneumatic weir and dual Lockable, Controllable headgates.
- 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 affect on the land now irrigated if the place of use is changed pursuant to this transfer:
It will change irrigation system to make it more efficient.
- d. Remarks:
It is the same land - just taking water from a different point on ditch.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

 For the Director

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Transfer No. _____
Receipt No. _____

Current Water Right No. 72-10276

Priority Date: 10/10/1911
Origin: Water Right
Basis: Decreed
Status: Active

Source: CHALLIS CREEK

Tributary to: SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01 10/31	2.40 CFS		
Total Diversion		2.40 CFS		

Source and Point(s) of Diversion:

CHALLIS CREEK	SWSWNW	14N 19E	8	CUSTER
CHALLIS CREEK	SWSENW	14N 19E	8	CUSTER
CHALLIS CREEK	NESESW	14N 19E	7	CUSTER
CHALLIS CREEK	SESWNE	14N 19E	7	CUSTER

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	7	5.0			30.0												35.0	
14N	19E	8		1.0	23.0		11.0	14.0	34.0	40.0								123.0	

Total Acres: 158

Conditions/Remarks:

- USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 158 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-10272 AND 72-10276.
- THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 72-00009A, -00010, AND -00022A. RIGHT NO. 72-10276 IS ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.
- 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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

- a. Decree No. 72-10272 Decreed to Delbert Hughes
in case of _____ vs. _____
dated 12-01-2000 in _____ county of _____
- b. License No. _____ 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 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 Challis Creek tributary to Salmon River4. Date or priority 05-01-1879

5. Water is used for the following purposes:

amount 5.6 for Irrigation purposes from 4-01 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 5.61 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
	SE	SW	NE	07	14N	19E	Custer	Louline Canal
	NE	SE	SW	07	14N	19E	Custer	Louline Canal
	SW	SE	NW	08	14N	19E	Custer	Louline Canal
	SW	SE	NW	08	14N	19E	Custer	Louline Canal

8. 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	07	5			30													35
		08		1	23		11	14	34	40									123

Total Acres 1589. Describe any other water rights used for the same purpose as described above 72-10276

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.)

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	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

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

Total Acres _____

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)

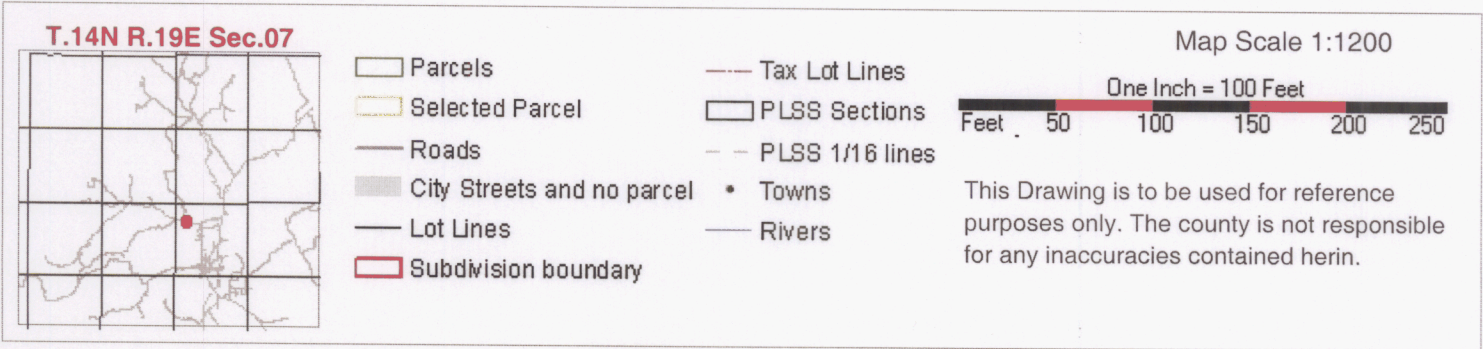
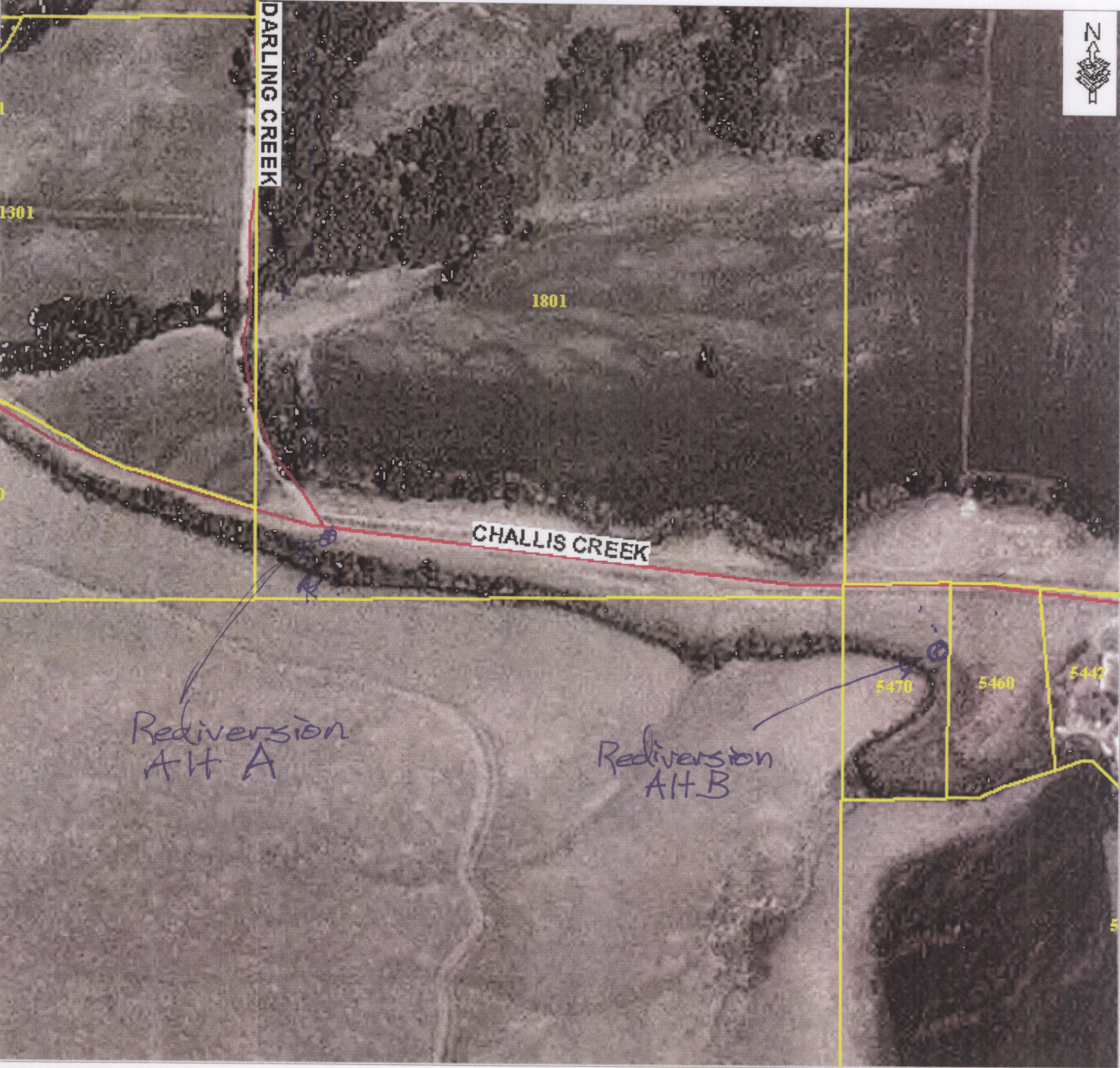
2. Point(s) of Diversion:

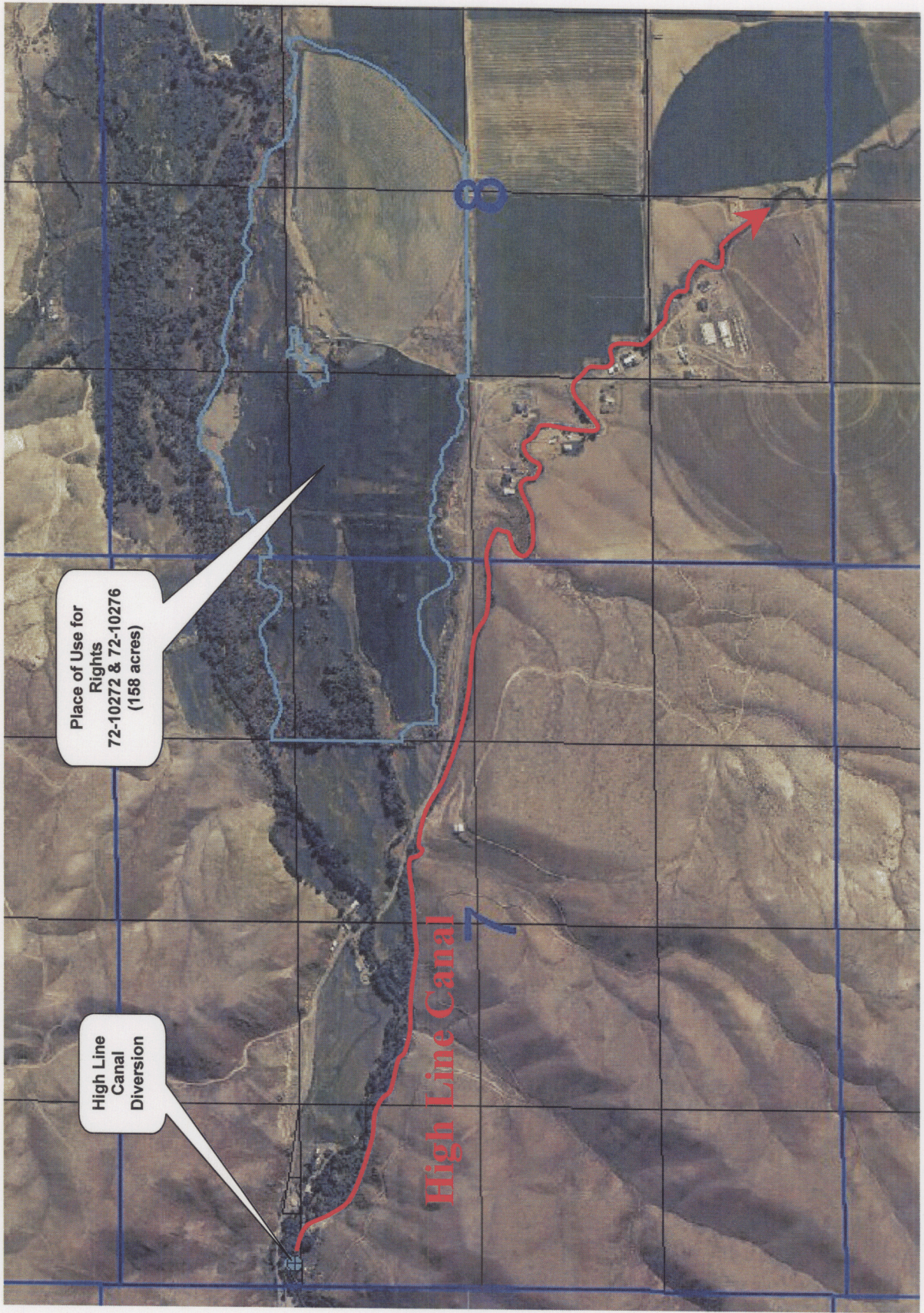
Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____





Place of Use for
Rights
72-10272 & 72-10276
(158 acres)

High Line
Canal
Diversion

High Line Canal 7

High Line Canal 8

PART 3**B. CHANGES IN NATURE OF USE**

1.

<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
2. Quantity and quality of return flows and location of discharge: _____

3. Describe effects on other water uses resulting from the proposed change:

I hereby 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.



Robert Hughes Donna Hughes
 (Signature of Applicant)
 Subscribed and sworn to before me this 10th day of April, 2006.
Lacinda Philips
 (Notary Public)

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments
 Received by C. SKINNER Date 4/11/2006 Protest filed by _____
 Prelim. Check by C. SKINNER Fee \$570.00 5029553
 Receipted by C. SKINNER Date 4/11/2006
 Published in _____ Copies of protest forwarded by _____
 Pub. Dates _____ Hearing held by _____ Date _____
 Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial
 _____ received _____ by _____
 Copy of transfer sent to lien holder _____



Northwest
FARM CREDIT SERVICES

105 SW Main
PO Box 10, Blackfoot, ID 83221-0010
Voice: 208.782.3800 Fax: 208.782.3805

March 14, 2006

Larry Weeks
Idaho Department of Fish and Game
Salmon, ID

RE: DELBERT HUGHES PROPERTY

Dear Sir:

Delbert Hughes has informed us that he wishes to change the point of diversion for his farm. Farm Credit Services is the current lien holder of this property. We have reviewed his request and concur with it. I have attached a copy of the legal description for your information. Please let me know if you have any questions. Thank you.

Sincerely,

W. Gordon Wankier
Branch Manager

STATE OF IDAHO)
)ss.
County of Bingham)

On this 14th day of March 2006, before me personally appeared W. Gordon Wankier, know to me to be an authorized agent of Northwest Farm Credit Services, ACA, that executed the within instrument, and acknowledged to me that such corporation executed the same as its free act and deed; and on oath stated that he was authorized to execute the said instrument.



Printed Name: Joyce W. Killpack
Notary Public for the State of Idaho
Residing at Shelley, ID
My commission expires 5/30/08

MAKE CHECK PAYABLE TO: 2005 TAX BILL/RECEIPT
CUSTER COUNTY TAX COLLECTOR
P.O. BOX 350
CHALLIS, IDAHO 83226

TAX	1ST HALF DUE	2ND HALF DUE	FULL DUE
LATE	263.01	263.01	526.02
INT			
COST			
TOT			

TOT MV 95,280
TOT ACS 187,200

NORTHWEST FARM CREDIT
SERVICES FLCA
& HUGHES DELBERT M
& HUGHES DONNA LENOR
HC 61 BOX 3054
CHALLIS ID 83226

TRACT 614
S2NW4,NW4NW4
SEC 8 T14N R19E

Attachment A

K

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK
*** MONTHLY PAYMENTS ARE ACCEPTED ***

1\

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

RECEIPT NOT VALID UNTIL CHECK CLEARS
THANK YOU

TAXING DISTRICT	RATE
STATE	.000000000
COUNTY	.001843038
SCHOOL #181	.002931549
COUNTY ROAD	.000000000
CHALLIS CEM	.000142089
NO. CUSTER FIRE	.000417540
N. C. HOSP	.000186581
AMOUNT DUE	.005520897

175.60
279.32
13.54
39.78
17.78
526.02

PAYMENT NUMBER
RP14N19E082402A
L 90,980
I 4,300
TOT MV 95,280
TOT ACS 187,200

MAKE CHECK PAYABLE TO:

2005 TAX BILL/RECEIPT

CUSTER COUNTY TAX COLLECTOR

BILL# 6354

P.O. BOX 350

CODE AREA 11-0000

CHALLIS, IDAHO 83226

TAX

1ST HALF DUE

41.28

LATE

2ND HALF DUE

41.28

INT

COST

TOT

TAX

LATE

INT

COST

TOT

FULL DUE

82.56

TOT MV

14,960

TOT ACS

55.160

PARCEL NUMBER

RP14N19E071801A

14,960

Attachment A

NORTHWEST FARM CREDIT
 SERVICES FLCA
 % HUGHES DELBERT M
 & HUGHES DONNA LENOR
 HC 61 BOX 3054
 CHALLIS ID 83226

TRACT 81-112
 SEC 7 T14N R19E

*** IMPORTANT ***
 PLEASE READ BOTH FRONT AND BACK
 *** MONTHLY PAYMENTS ARE ACCEPTED ***

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 THANK YOU

TAXING DISTRICT	RATE
STATE	.000000000
COUNTY	.001843038
SCHOOL #181	.002931549
COUNTY ROAD	.000000000
CHALLIS CFM	.000142089
NO. CUSTER FIRE	.000417540
N. C. HOSP	.000186681
AMOUNT DUE	.005520897

27.56
 43.86
 2.12
 6.24
 2.78
 82.56