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Page 1 of 14STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESRECEIVED
JAN 18 2006RECEIVED
JAN 23 2006
Department of Water Resources
Southern Region
Transfer No. 72607APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant ROBIN WEGNER Phone 208 819-5820
Post Office address HC 63 BOX 1576 CHALLIS ID 83226

A. PURPOSE OF TRANSFER

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

SEE ENCLOSED "A"

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
72-00007A 5/01/1879 0.150 CFS IRRIGATION 4/01 to 10/31
72-16560 10/10/1911 1.000 CFS IRRIGATION 4/01 to 10/31
 _____ to _____
 _____ to _____
2. Total amount of water being transferred 1.150 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water BEAR CREEK tributary to CHALLIS CREEK
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SW	NW	3	14N	18E	CUSTER	WEGNER

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	
14N	18E	2							120										120

Total acres 12.0

PART 1

6. General Information:

- a. Description of diversion system EXISTING DIVERSION CONSISTS OF A DIVERSION WALL, HEADGATE AND DITCH SYSTEM. NEW DIVERSION WOULD CONSIST OF A DIVERSION WALL, FISH SCREEN, HEADGATE AND PIPE DELIVERY ON EXISTING RIGHT OF WAY.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X 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:
PLACE OF USE IS NOT CHANGED. THE RIGHT OF WAY TO DELIVER THE RIGHT WILL ESSENTIALLY REMAIN THE SAME. A FISH SCREEN WILL BE INSERTED AND WATER WILL BE PLACED INTO PIPE ON RIGHT OF WAY.
- d. Remarks:
INSERTION INTO PIPE IS MANDATED BY A WATER RIGHTS AGREEMENT FILED IN THE SRB ADDUDICATION.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19 _____

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JAN 23 2006 Transfer No. _____
Department of Water Resources
Southern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT RECEIVED

PART 2

(Attach one copy for each right)

JAN 18 2006

Department of Water Resources
Southern Region

A. DESCRIPTION OF RIGHT AS RECORDED

COPY ENCLOSED "B"

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 72-00007A on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a 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: COPY ENCLOSED "C"

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

3. Source of water BEAR CREEK tributary to CHALLIS CREEK

4. Date or priority 05/01/1879

5. Water is used for the following purpose:

amount .150 CFS 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 .150 CFS 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
	NE	SW	NW	3	14N	18E	CLUSTER	WEGNER GPS# 2588

8. 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	
14N	18E	2							12.0										12.0

Total acres 12.0

9. Describe any other water rights used for the same purpose as described above

72-116560

72-10032, 72-116559

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 0.150 CFS 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) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SW	NE	3	14N	18E	CUSTER	WEGNER GPS# 2588

3. 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	
14N	18E	2							12.0										12.0

Total acres 12.0

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

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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

Total acres _____

REC VED

JAN 23 2006

Transfer No. _____

STATE OF IDAHO
Department of Water Resources
Southern Region
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

RECEIVED

JAN 18 2006

Department of Water Resources
Southern Region

A. DESCRIPTION OF RIGHT AS RECORDED

COPY ENCLOSED "B"

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____

b. License No. _____ issued by the Idaho Department of Water Resources.

c. Claim No. 72-16560 on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

2. Attach a 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: COPY ENCLOSED "C"

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

3. Source of water BEAR CREEK tributary to CHALLIS CREEK

4. Date or priority 10/10/1911

5. Water is used for the following purpose:

amount 1.000 CFS 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 1.000 CFS 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
	NE	SW	NW	3	14N	18E	CUSTER	WEGNER GPS# 2588

8. 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	
14N	18E	2							12.0										12.0

Total acres 12.0

9. Describe any other water rights used for the same purpose as described above

72-00007A,

72-10032, 72-16559

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 IN ADJUDICATION

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 1.000 CFS 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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	N	E	S	W	3	4N	18E	CUSTER
								WEGNER GPS # 2588

3. 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	
14N	18E	2							12.0										12.0

Total acres 12.0

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

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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

Total acres _____

JAN 18 2006

Transfer No. _____

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

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JAN 23 2006

Department of Water Resources
Southern Region

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**

[illegible]

SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>NONE</u>			_____ to _____
				_____ to _____

2. Quantity and quality of return flows and location of discharge:

SINKS

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

NONE

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 J. Pileg
(Signature of Applicant)

Subscribed and sworn to before me this

20th

day of

Jan

, 19 2006

STATE OF IDAHO
NOTARY PUBLIC

Helen R. Howard
(Notary Public)

My commission expires

3/20/10

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by P. SKINNER

Date 1/23/2006

Protest filed by _____

Prelim. check by P. SKINNER

Fee \$290.00 S028323

Receipted by P. SKINNER

Date 1/23/2006

Published in _____

Copies of protest forwarded by _____

Pub. dates _____

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

rec'd. _____

by _____

Copy of transfer sent to lien holder _____

“ A “

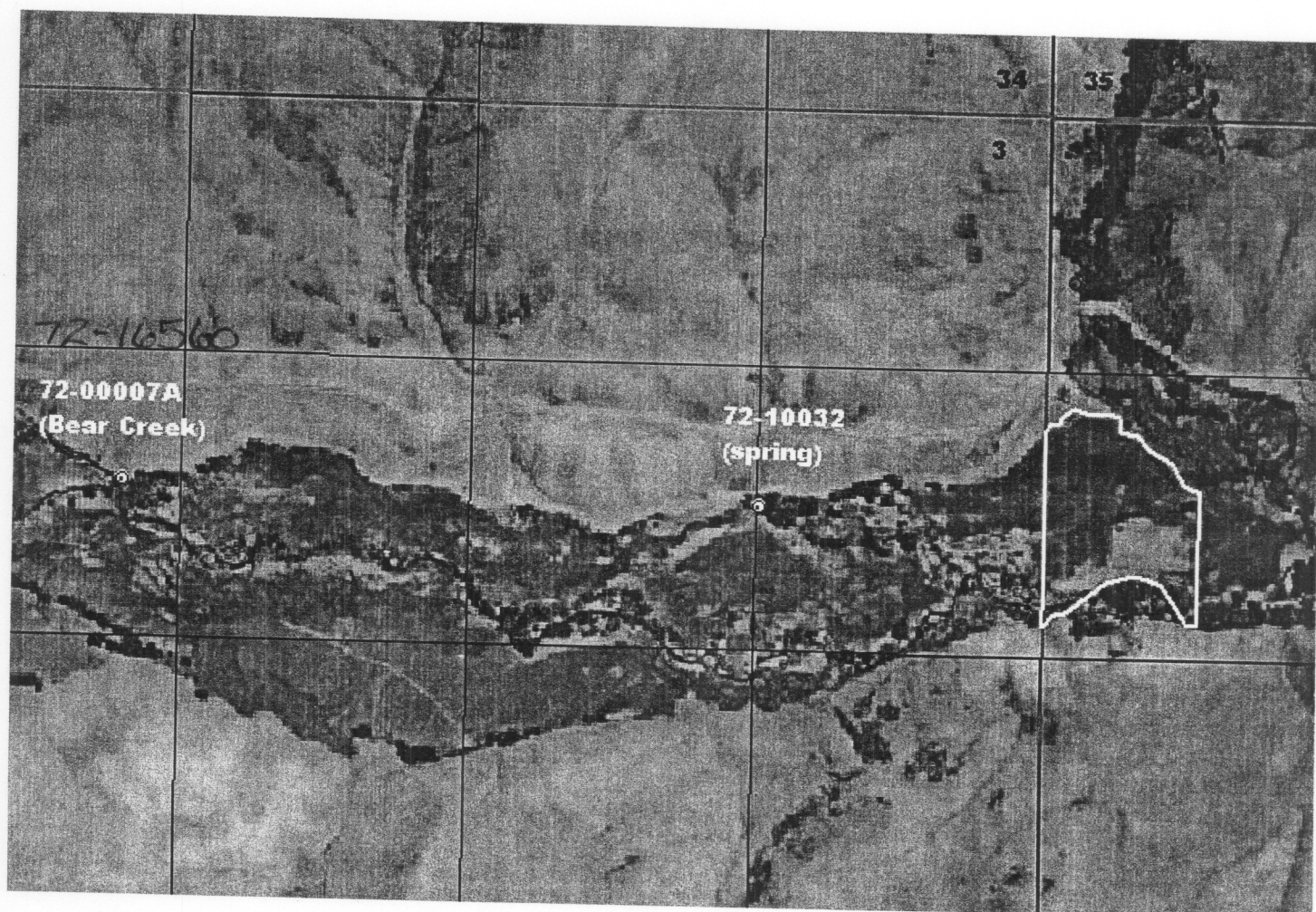
Pursuant to our Water Right Agreement which was filed in the Snake River Basin Adjudication concerning our Water Rights, we are attempting to place our water rights into pipe as stipulated.

The diversion would be located in or near the same quadrant at a point at /near the IDWR Approved Existing Diversion or at such point as determined by Idaho Department of Fish & Game and agreed by us which would allow the installation of a fish screen, place our Water Right(s) into a dedicated pipe and facilitate the delivery of our Adjudicated Water Rights.

Work would be coordinated with Idaho Department of Fish & Game.

IDAHO DEPARTMENT OF WATER RESOURCES

72-00007A & 72-10032



0 1320 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON OCT. 29 1998
TWP 14N, 18E, SEC. 2



RECOMMENDED PLACE OF USE

⊙ RECOMMENDED POINT OF DIVERSION

□ SECTION LINES

□ QUARTER QUARTER LINES

GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY JEANIE ROBERTSON

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 72-7A

WATER RIGHT NUMBER: 72-7A

Owner Type

Name and Address

Current Owner

ROBIN J WEGNER
HC 63 BOX 1576
CHALLIS, ID 83226
(208)879-5820

Directors Report Owner

AFTON M LEWIS
475 N 500 W
MALAD CITY, ID 83252
(208)766-9239

Directors Report Owner

THOMAS H LEWIS
475 N 500 W
MALAD CITY, ID 83252
(208)766-9239

Priority Date: 05/01/1879

Basis: Decreed

Status: Active

Source

BEAR CREEK

Tributary

CHALLIS CREEK

Beneficial Use

IRRIGATION

From To
4/01 to 10/31

Diversion Rate
0.150 CFS

Annual Volume

Total Diversion: 0.150 CFS

Location of Point(s) of Diversion

BEAR CREEK

CUSTER County

NE1/4SW1/4NW1/4

Sec. 3, Twp 14N, Rge 18E, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
14N	18E	2	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	12.0
Total Acres: 12																			12.0

Conditions of Approval:

1. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 12 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-00007A AND 72-10032.
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. THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE: 72-00007A 72-00007C, AND 72-10368.

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 72-16560

WATER RIGHT NUMBER: 72-16560

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBIN J WEGNER HC 63 BOX 1576 CHALLIS, ID 83226 (208)879-5820

Priority Date: 10/10/1911

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BEAR CREEK	CHALLIS CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	1.000 CFS	
	<u>Total Diversion:</u>	1.000 CFS	

Location of Point(s) of DiversionBEAR CREEK
CUSTER County

NE1/4SW1/4NW1/4

Sec. 3, Twp 14N, Rge 18E, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
14N	18E	2																	12.0

Total Acres: 12

Conditions of Approval:

1. E56 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 12 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-7A, 72-10032, 72-16559, & 72-16560.
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. F05 THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 72-00007A, 72-00007C, 72-10368, AND 72-16560.

13 OF 14
WEGNER

Witnesses herein have read and approved the following:

99-0004-C
"C"

Title File No.: 307990064C

WARRANTY DEED

FOR VALUE RECEIVED

Thomas H. Lewis and Afton M. Lewis, husband and wife,

GRANTOR(s), docs(do) hereby GRANT, BARGAIN, SELL and CONVEY unto: Robin J. Wegner, an unmarried woman

GRANTEES(s), whose current address is: HC 61 Box 1576, Challis, ID 83226
the following described real property in Custer County, State of Idaho,
more particularly described as follows, to wit:

T1E W 1/2 OF THE SW 1/4 NW 1/4 OF SECTION 2, TOWNSHIP 14 N., RANGE 18 E., BOISE
MERIDIAN CUSTER COUNTY, IDAHO.

0219846

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) docs(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: November 2, 1999

Thomas H. Lewis
Thomas H. Lewis

Afton M. Lewis
Afton M. Lewis

STATE OF Idaho, County of Custer, ss.

On this 2nd day of November in the year of 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Thomas H. Lewis and Afton M. Lewis

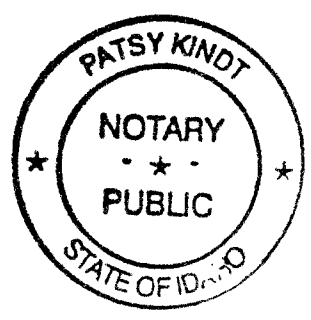
known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Signature: Patsy Kindt

Name: Challis Id.

Residing at:

My commission expires: 3/12/2004



Custer County Reg. of
William Little

Time 11:12 A.M.
11/9 1999

Ethel M Peck, Clerk

Janet J. Jangis
Deputy

Transnation Title & Escrow, Inc.

\$ 3.00

UPSTREAM
SAME QUADRANT

NEED
DIVERSION
POINT

ON DESIRED
DIVERSION
POINT

3

PLACE
OF
USE

