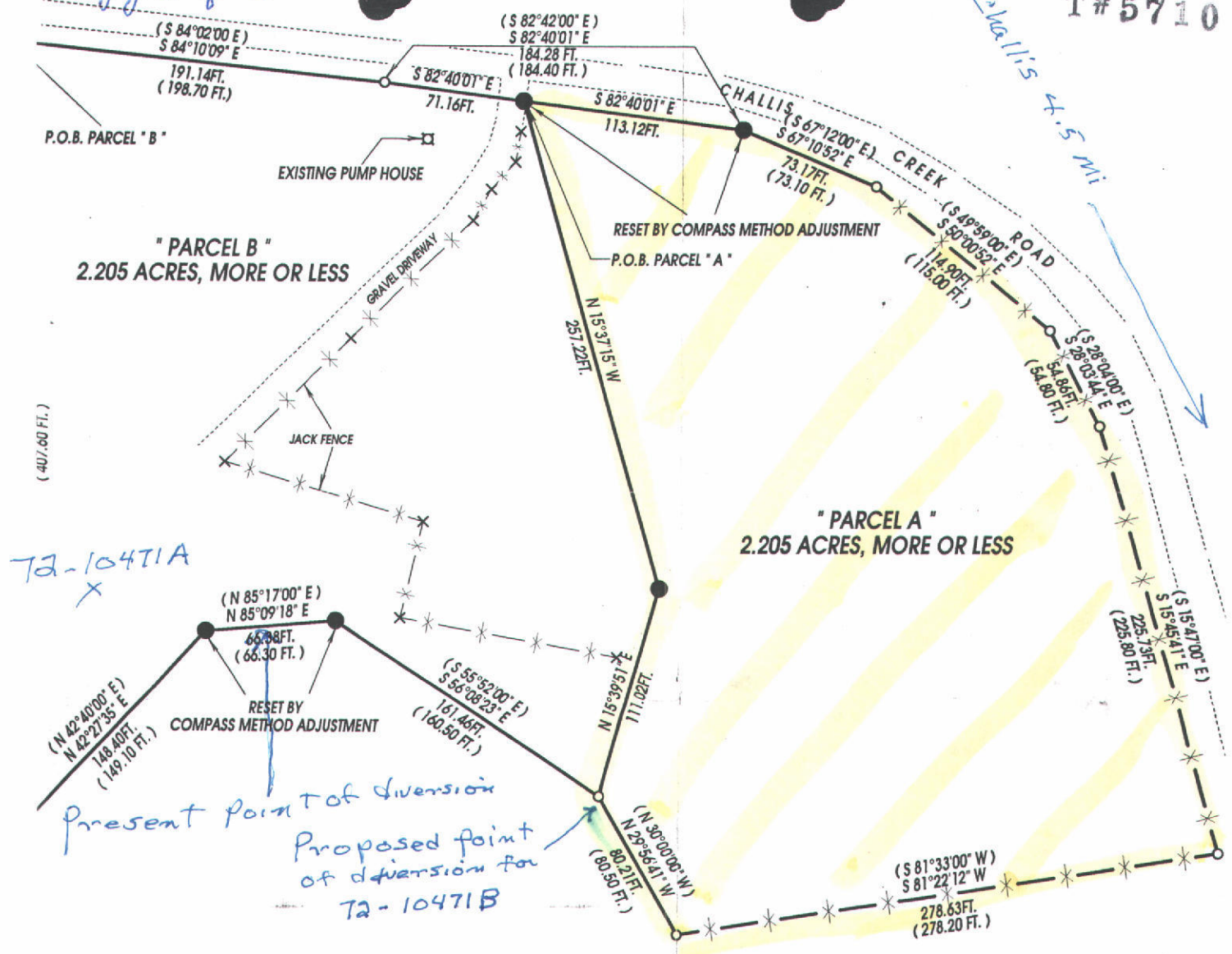


Pg 5 of 6

T# 5710

Challis 4.5 mi



L.M. Brass Cap Mon.
 x 30" Rebar with Plastic Cap
 4" Galvanized Iron Pipe

MICROFILMED
 JAN 24 2002

CONNOLLY SURVEY	
A PART OF THE NW 1/4, SW 1/4, SECTION 8, T. 14 N., R. 19 E., B.M., Custer County, State of Id	
DRAWN BY: LUCAS RUDOLPH	SEPT. 1998
SCALE: 1" = 60 FT.	FILE: CONNOLLY.PCS
ERICKSON SURVEYING SERVICES	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 66077

This is to certify that: LYNN T STEVENSON
PO BOX 367
CHALLIS ID 83226
(208)879-2225

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
72-10471B	WR/Decreed	07/22/1910	0.06 cfs		2.0	2.0	CHALLIS CREEK

Purpose of Transfer (Changes Proposed)

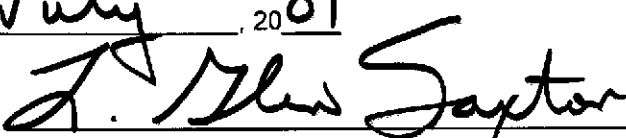
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
72-10471B	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
72-10471B	72-10471B	0.06 cfs	7.0 af	2.0	2.0		N/A	N/A	N/A	N/A
TOTALS		0.06 cfs	7.0 af	2.0	2.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 11th day of July, 2001


Chief, Water Allocation Bureau

MICROFILMED

JAN 24 2002

WATER RIGHT NO. 72-10471B
As Modified by Transfer No. 66077

In accordance with the approval of Transfer No. 66077, Water Right No. 72-10471B is now described as follows.

Right Holder: LYNN T STEVENSON
 PO BOX 367
 CHALLIS ID 83226

Priority Date: 07/22/1910

Source: CHALLIS CREEK

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.06 CFS	7.0 AF
			0.06 CFS	7.0 AF

LOCATION OF POINT(S) OF DIVERSION:

CHALLIS CREEK NENWSW Sec. 8 Twp 14N Rge 19E CUSTER County
 (Rediversion)

CHALLIS CREEK Lot 10 SWNWNW Sec. 7 Twp 14N Rge 19E CUSTER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	Totals
14N 19E 8	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	2.0

Total Acres: 2.0

CONDITIONS OF APPROVAL

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 72-C, Challis Creek.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

MICROFILMED
JAN 24 2002

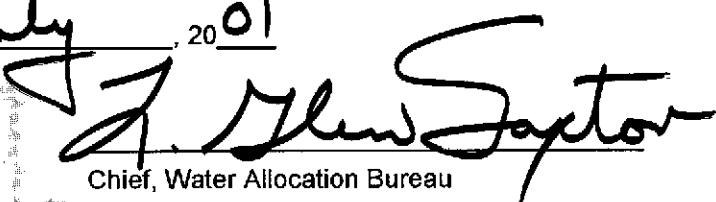
WATER RIGHT NO. 72-10471B
As Modified by Transfer No. 66077

CONDITIONS OF APPROVAL

5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of July, 2001


Chief, Water Allocation Bureau

MICROFILMED
JAN 24 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5710
66077
RECEIVED
APR 3 2000
Department of Water Resources
Bozeman Reg.

RECEIVED APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

JUN 8 - 2000

Department of Water Resources
Name of applicant Lynn T. Stevenson Phone 208-879-2225
Post Office address P.O. 367 - Challis, Idaho 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 Split water right 72-10471
2. Describe the reason for the proposed changes Move Point of Diversion 190'

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>72-10471B</u>	<u>7-22-1910</u>	<u>.06 cfs</u>	<u>Irrigation</u>	<u>1 April to 1 Nov.</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred .06 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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>8</u>	<u>14N</u>	<u>19E</u>	<u>Custer</u>	<u>Highline (ditch) Canal</u>

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	
<u>14N</u>	<u>19E</u>	<u>8</u>									<u>2</u>								<u>2</u>

MICROFILMED
JAN 24 2002

(5710/66077)

Total acres 2

PART 1

6. General Information:

- a. Description of diversion system Have None at present - will install a legal measuring device
- 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:
More efficient application of water - Present diversion is seriously deficient in compliance as to water measurement. The present diversion is on a neighbors land - 190' from my proposed point of diversion - see map.
- d. Remarks:
Have tried to buy the adjoining property (where the point of diversion is located) this would be 72-10471 A - impossible to buy and a losing proposition to try to cooperate & share with this neighbor - hence this request for a change of point of diversion

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____.

MICROFILMED

JAN 24 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

RECEIVED
APR 03 2000
Department of Water Resources
Bozeman, Montana

A. DESCRIPTION OF RIGHT AS RECORDED

Case No. 39576 - 27 Oct. 1999

1. Right evidenced by:

a. Decree No. _____ Decreed to LYNN T. STEVENSON

in case of _____ vs. _____

dated _____ in _____ county of _____

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

c. Claim No. 72-10471B 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:
☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Challis Creek tributary to Salmon River

4. Date or priority 7-22-1910

5. Water is used for the following purpose:

amount 0.06 cfs for Irrigation purposes from April 1 to 10/31 ^{JE}

(cfs/ac-ft) _____ for _____ purposes from _____ to _____

(cfs/ac-ft) _____ for _____ purposes from _____ to _____

(cfs/ac-ft) _____ for _____ purposes from _____ to _____

(cfs/ac-ft) _____ for _____ purposes from _____ to _____

6. Total amount of water under right 0.06 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	NW	SW	<u>8</u>	<u>14N</u>	<u>19E</u>	<u>Cluster</u>	<u>Highline Canal</u>

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	
<u>14N</u>	<u>19E</u>	<u>8</u>										<u>2</u>							<u>2</u>

MICROFILMED

JAN 24 2002

Total acres 2

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

Total acres _____

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 72-10471B

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	0.06 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
CHALLIS CREEK	SALMON RIVER

Priority: 07/22/1910

LOCATION OF POINT(S) OF DIVERSION: Lot 10 (SWNWNW), Sec. 7, Township 14N, Range 19E
 Rediversion NENWSW, Sec. 8, Township 14N, Range 19E
 CUSTER County

PLACE OF USE:

IRRIGATION

NE				NW				SW				SE				
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
14N	19E	8	:	:	:	:	:	:	:	:	:	:	:	:	:	2.0
															TOTAL ACRES	2.0

CONDITIONS/REMARKS:

- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 72:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

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

MICROFILMED

JAN 24 2002

Page ____ of ____

TRANS NO.

T#5710

Water Right No. 72-10471B

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

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? ____ If yes, describe:

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:

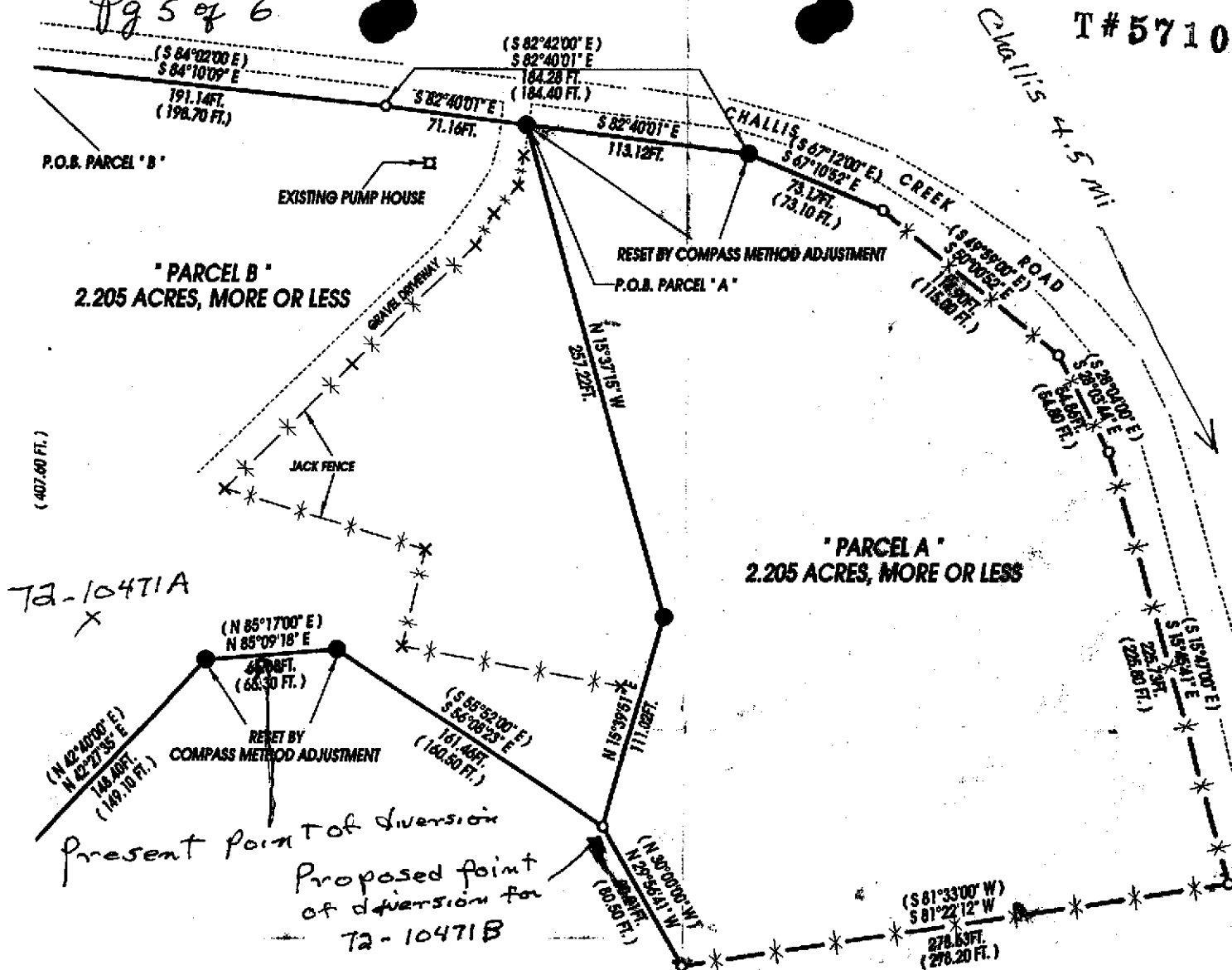
☐ Tax Notice ☐ Warranty Deed ☐ Other _____

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JAN 24 2002

pg 5 of 6

T#5710



L.M. Brass Cap Mon.
 x 30" Rebar with Plastic Cap
 4" Galvanized Iron Pipe

MICROFILMED
 JAN 24 2002

CONNOLLY SURVEY	
A PART OF THE NW 1/4, SW 1/4, SECTION 8, T. 14 N., R. 19 E., B.M., Custer County, State of Ia	
DRAWN BY: LUCAS RUDOLPH	SEPT. 1998
SCALE: 1" = 60 FT.	FILE: CONNOLLY.PCS
ERICKSON SURVEYING SERVICES	

PART 3

B. CHANGES IN NATURE OF USE

1 New Nature of Use None Amount 2.06 cfs Hours/days/year Period of Use
 (cfs/ac-ft) 1 April to 1 Nov
to

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

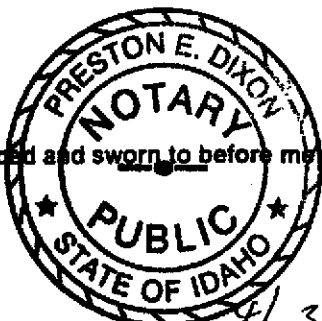
None

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.



Subscribed and sworn to before me this

31st day of March, 2000

(Signature of Applicant)

Preston E. Dixon
 (Notary Public)

My commission expires

4/30/2005

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 2 attachments

Received by P. SKINNER Date 4/3/2000

Protest filed by None

Prelim. check by John Freitag Fee \$100.00 5022942

Receipted by P. SKINNER Date 4/3/2000

Published in Challis Messenger

Copies of protest forwarded by _____

Pub. dates 5/11 & 5/18/00

Hearing held by _____ Date _____

Watermaster recommendation requested on 5/5/00

Recommended for ☒ approval ☐ denial

_____ rec'd. 5/17/00

by AD

Copy of transfer sent to lien holder _____

MICROFILMED

JAN 24 2002

TAX MASTER INQUIRY - CUSTER COUNTY PROPERTY TAX COUNTY

PMPKEY: RP 14N19E086604 A **YEAR** 1999

BILL# 6380

TXPKEY: RP14N19E086604A

BILLED TO: STEVENSON, LYNN T

NAME STEVENSON, LYNN T
 & STEVENSON, DORA

CODE AREA 1100
BANK FLB

ACCOUNT TYPE
OWNER PUP

ADDRESS PO BOX 367

CHALLIS **ID** 83226

LEGAL TRACT 1060
 SEC 8 T14N R19E

MARKET VALUE	64,940
HARDSHIP	
HOMEOWNER	
NET MARKET	64,940
TAX AMOUNT	415.32
LESS: CIRCUIT	
PLUS: SPECIALS	
NET TAX BILLED	415.32
TAX PAYMENTS	207.66
TAX CANCELLED	
SPEC CANCELLED	
REMAINING TAX DUE	207.66

NEXT PARCEL# RP _____ **A** **OR** **NEXT BILL#** RP _____ **1999**

F3=EXIT F14=OTHER TAXES F2=PRT SCREEN F5=PAYMNT ACTIVITY F6=TRANS ACTIVITY
F24=MORE

MICROFILMED

JAN 24 2002

T#5710

Tax Transaction Details

Parcel Key RP 14N19E086604 A **Tax Year** 1998
Bill Number 6304 **Code Area** 11-00

	Date	Batch#	Tran#	Tax	Late Chg	Interest	Cost	Total
H	12101998	1215	5	196.67				196.67
H	6151999	624	12	196.67				196.67

Bottom

F3=Exit F6=Display/Hide Remarks and Payor Info

MICROFILMED

JAN 24 2002

T#5710

RECEIVED

FEB 14 2000

Department of Water Resources

200 FEB 10 PM 12:39

FILED
TWIN FALLS, IDAHO
SRBA

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

) ORDER OF PARTIAL DECREE

Case No. 39576

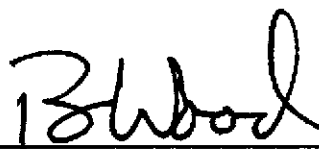
) For Water Right 72-10471B
)
)
)

On November 17, 1999, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 72-10471B is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED FEB 10 2000



BARRY WOOD

Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

MICROFILMED

JAN 24 2002

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 72-10471B

200 FEB 10 PM 12:39

FILED
TWIN FALLS, IDAHO

NAME AND ADDRESS: LYNN T STEVENSON
PO BOX 367
CHALLIS, ID 83226

SOURCE: CHALLIS CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.06 CFS

PRIORITY DATE: 07/22/1910

POINT OF DIVERSION: T14N R19E S07 LOT 10 (SWNW) Within Custer County
S08 NENSW (Rediversion)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.06 CFS

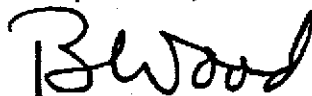
PLACE OF USE: Irrigation Within Custer County
T14N R19E S08 NWSW 2.0
2.0 Acres Total

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

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).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

2000 FEB 10 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 72-10471B

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 72-10471B was mailed
on February 10, 2000, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

LYNN T STEVENSON
PO BOX 367
CHALLIS, ID 83226
Phone: 208-879-2225

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

MICROFILMED
JAN 24 2002

PAGE 1
02/10/00



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 11, 2001

LYNN T STEVENSON
PO BOX 367
CHALLIS ID 83226

RE: Transfer No.: 66077 - Water Right 72-10471B - Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

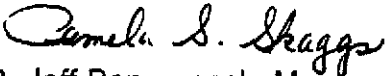
The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7940.

Sincerely,

for 
Jeff Peppersack, Manager
Water Rights Permits Section

MICROFILMED

JAN 24 2002

JP:klt

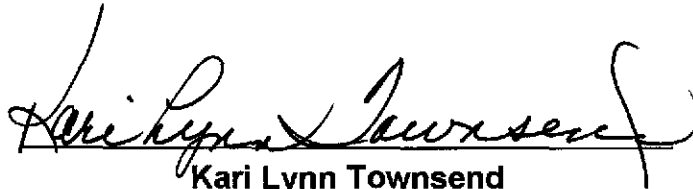
Enclosure(s)

CERTIFICATE OF MAILING

I hereby certify that on July 12, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 66077 - WATER RIGHT 72-10471B

**LYNN T STEVENSON
PO BOX 367
CHALLIS ID 83226**


Kari Lynn Townsend
Secretary

**MICROFILMED
JAN 24 2002**



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 12, 2001

JACK CHALLIS
WATERMASTER
PO BOX 910
CHALLIS ID 83226

RE: TRANSFER OF WATER RIGHT 72-10471B (Transfer 66077)

Dear Jack:

Enclosed is a copy of the recently approved Transfer of Water Right for the
above referenced water right (Transfer 66077) in the name of Lynn T. Stevenson.

If you have any questions regarding this matter, please call me at 208-327-7940.

Sincerely,

JP Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED

JAN 24 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED
JAN 24 2002

TRANSFER REVIEW SHEET

(05-01)

TRANSFER # 5710/666077

DATE REVIEWED 6-18-01 CS

SPLIT POD ☒ ADD POD POU PERIOD or NATURE of USE

ALL OF RIGHT(S) W=Water Right C=SRBA Claim R=SRBA Recommendation

<u>W/ 72-16471B</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>
<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>
<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>
<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>

PART OF RIGHTS(S)

(Unchanged)

(Changed)

<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
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Standard Season 4-1 to 10-31

Standard Volume 3.5/2.5

(1) ☒ Priority (2) ☒ Use (3) ☒ ^{Maintain Standard} Season/W61 (4) ☒ Rate (5) Volume

(6) ☒ Source (7) P/D (8) ☒ P/U (9) ☒ Proof/Owner (10) ☒ Map

(11) 72-C Water District (12) Yes ^{C18} Pertinent Conditions (13) No Expansion
WM/Rcvd 5-17-00 WM Conference w/ Norm + Jeff 11-21-00 (Sec Memo in file.)

(5) Standard Vol. 2 x 3.5 = 7.0 cfs

(7) Change Rediversion from Highline Canal - 190' to applicant's property - Same QDA

Rediversions from High Line Canal controlled by WM & are transferred.

Conditions/Remarks R04, R43, T19, R67, T07, T08

WRs for Update Comments NA ☒

Database Updated to Reflect Final Action CS 7-11-01



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 19, 2001

JACK CHALLIS, WATERMASTER
WATER DISTRICT 72-C
PO BOX 910
CHALLIS ID 83226-0910

RE: Application for Transfer 5710/66077 in the name of Lynn T. Stevenson

Dear Mr. Challis:

The above referenced Application for Transfer is currently being reviewed for final action. The letters regarding your concerns and a memo detailing your meeting with Jeff Peppersack and Norm Young here at the State Office are part of the file. It appears that you were going to contact the applicant after the meeting and try to resolve your concerns. We have no further information regarding the outcome of that meeting. Please let me know what was the result of your discussion with the applicant.

I will withhold this application from further processing for 15 days to allow for your response and then proceed with the approval. If you have comments that should be considered in the final evaluation, please respond to this letter in a timely manner.

If you require additional information regarding this matter, please call me directly at (208) 327-7943, e-mail me at pskaggs@idwr.state.id.us or contact me by mail, and I will be happy to assist you.

Sincerely,

Pamela S. Skaggs
Sr. Water Rights Agent

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SRBA SUBCASE SUMMARY REPORT 72-10471B

[Return to SRBA Home Page](#)SRBA
06-18-2001

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 72-10471B FILE#: 00290
CLAIMANT: STEVENSON, LYNN T
STATUS: PD ISSUED
WATER SOURCE: CHALLIS CREEK, SALMON RIVER
ISSUES: QUANTITY OF WATER USED

**** PARTIES INVOLVED ****

LYNN T STEVENSON C PRO SE
LYNN T STEVENSON O PRO SE

**** ROA ENTRIES ****

04-26-1999	NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING	04-26-1999
04-26-1999	NCAP - AMENDED DIRECTOR'S REPORT FILED SUB'T OF PARTY; SPLIT RIGHT INTO A & B	
05-21-1999	OBJ 01 F/B STEVENSON, LYNN T	RB 10-04-1999 0001
09-03-1999	STANDARD FORM 5 FILED	09-03-1999
10-21-1999	NOTICE SETTING INITIAL HEARING	1V 11-30-1999 1100
10-27-1999	ORDER VACATING EVENT ON 11301999 AT 1100	
11-17-1999	REPORT & RECOMMENDATION OF MASTER	CB 12-28-1999
11-17-1999	NOTICE OF ISSUANCE - MASTERS R&R	
11-17-1999	CERTIFICATE OF MAILING - MASTER R&R	
02-10-2000	ORDER OF PARTIAL DECREE	
02-10-2000	CERTIFICATE OF MAILING - PARTIAL DECREE	
02-10-2000	PARTIAL DECREE FILED	02-10-2000

[Return to SRBA Home Page](#)

11/21/00
Pam - see memo for status
of this application

JP

Jeff

6-18-01

shall proceed & no contact
since November. see 11/21/2000
memo

JP

follow up contact

6/19/01

send letter to
watermaster as follows
to meeting. If no
resolution of concerns
with applicant, IDWR
will proceed with
approval.

JP

MEMORANDUM

Date: November 21, 2000

To: Transfer File No. 5710
Water Right No. 72-10471B

From: Jeff Peppersack

Re: Meeting with Jack Challis Regarding Transfer

**C
C
R** **CHALLIS
CREEK
RANCH**

RandRforHorses.com

J. R. "Jack" Challis

Challis Creek Road
P. O. Box 1220
Challis, Idaho 83226

(208) 879-4617 Phone
(208) 879-5238 FAX
Outside Idaho Toll Free:
1-866-CCR4RnR (227-4767)

E-Mail: CCR4RnR@custertel.net

Norm Young and I met with Jack Challis (watermaster for WD 72-C) regarding his concerns with this transfer application. Mr. Challis opposed approval of the transfer in his capacity as watermaster. The purpose of the meeting was to gain input from Mr. Challis regarding his concerns and the concerns of the water district.

In summary, Mr. Challis indicated that the reason for the resolution adopted by the district was to limit additional diversions in order to limit costs to the water district. As irrigated land is subdivided, new landowners desire their own diversions from the Highline Canal and other sources within the district. Additional diversions require more work by the watermaster to regulate and keep records. Many of the new diversions are minimal in size and only provide \$20 (may be \$50 in the future) per year to the district for operating expenses. Mr. Challis believes that the additional costs to the district will not be covered by the fees. Another concern is that additional diversions constructed along the Highline canal will jeopardize the integrity of the canal due to poor construction efforts.

Norm outlined his thoughts as follows:

measurement may be more difficult but would not be impossible

proper construction could prevent concerns regarding the integrity of the canal

additional diversion would not require excessive additional costs for measurement since the watermaster would be out there anyway for other diversions, additional costs for record keeping are unknown.

the resolution passed by the district cannot be binding on IDWR, but the reasons for the resolution can be considered as a local public interest concern

moving the point of diversion would likely be found to be in the local public interest

Norm proposed that the concerns might be alleviated by using the existing diversion pipeline and installing a measuring device prior to a tee in the line that would distribute

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water to both places of use. The watermaster would only be required to measure at one point, and the right holders would have access to the water through separate lines. Jack Challis indicated that the proposal would work for him. He said he would speak with Mr. Stevenson regarding the proposal.

Norm indicated that if we ultimately approve the transfer, we would condition the approval to ensure that the concerns of the water district are met regarding the proper construction of diversion works and appropriate regulation by the watermaster.

This application should be held for 30 days to allow the watermaster time to contact the applicant. Follow-up with the watermaster and the applicant should be conducted after the 30 days to determine further action.

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Fax

Date: 9 Nov. 2000

To: Jeff Peppersack

Fax #:

From: ~~Pat Dixon~~ C.T. Stevenson

Salmon River Realty

P. O. Box 367

Challis, Id. 83226

Ph. 1-800-743-9522 or

879-2225

Fax No. : 208-879-5287

Number of pages including cover sheet : 3 -

Memo:

as per telephone conversation this p.m.

regards

C.T. Stevenson

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JAN 24 2002

**WATER DISTRICT 72-C
CHALLIS CREEK
P. O. BOX 910
CHALLIS, IDAHO 83226-0910**

October 11, 2000

Lynn T. Stevenson
P. O. Box 367
Challis, ID 83226-0367

Dear Lynn:

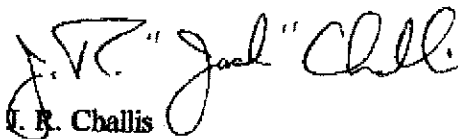
Following our telephone conversation yesterday I received your FAX copy of the SRBA Special Master's Report and Recommendation on your Water Right 72-10471B. There appears to be a misunderstanding between us regarding to what I was referring.

There is no question regarding your subject water right as submitted or recommended by the Special Master. My question pertained to your Application For Transfer of Water Right No. 5710 pertaining to your subject right. Since our telephone conversation I have been able to determine this application is, in fact, still pending.

Be that as it may, whether you two (2) are jointly diverting six (6) inches of water from one (1) point or three (3) inches of water from each of two (2) points the problem remains the same. How do you do this and meet both IDWR and District diversion control and measurement requirements **at a reasonable cost?**

Frankly, I do not know the answer, especially in the latter scenario. It might well be worth your while to seek assistance from IDWR and/or a water hydrologist (locally such as Jack Hammond). Once this is done the watermaster can then review your intentions regarding meeting both IDWR and District restrictions and criteria.

Sincerely,
Water District 72-C
Challis Creek


J. R. Challis
Watermaster

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RECEIVED

OCT 25 2000

Department of Water Resources

WATER DISTRICT 72-C
CHALLIS CREEK
P. O. BOX 910
CHALLIS, IDAHO 83226-0910

October 23, 2000

Jeff Peppersack, Manager
Water Right Permits Section
Idaho Department of Water Resources
P. O. Box 83720
Boise, ID 83720-0098

Reference: Water Right Transfer No. 5710

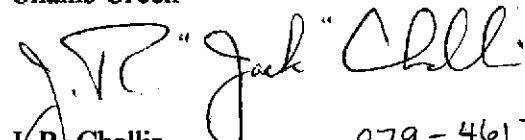
Dear Jeff:

72-10471B

With regard to your letter of October 18, 2000, relevant to the subject matter, I have to be in Boise November 20th through November 23rd on some other business. I would like to meet with you during that trip to discuss this matter. If you would let me know what day(s) would best fit your schedule I will try to arrange mine accordingly.

Thanks in advance for your timely reply.

Sincerely,
Water District 72-C
Challis Creek


J. R. Challis
Watermaster

879-4617

Meeting scheduled for 11/21/2000 @ 9:30
J

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JAN 24 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

October 18, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JACK CHALLIS, WATERMASTER
WATER DISTRICT 72-C
PO BOX 910
CHALLIS ID 83226-0910

RE: Water Right Transfer No. 5710

Dear Mr. Challis:

This letter is a follow-up to our phone conversation of October 10, 2000 regarding the status of the above referenced transfer application. You asked to be informed of any decision by the Department prior to any action regarding this application.

Since no protests to this application were filed, the Department will consider your recommendation as other evidence as provided under Section 42-222, Idaho Code. The issue raised in your recommendation can be considered as a local public interest issue as defined in Section 42-203A(5).

As pointed out in your recommendation, Water District 72-C passed a resolution prohibiting additional diversions to the District system without prior approval of the District. In order for the Department to fully consider this issue, we will need additional information regarding the resolution. Please provide information describing and supporting the reasons for the resolution. We will hold any action regarding this application for 14 days to allow you time to respond.

In addition, the Department is available to meet with you and the applicant to discuss the application and to attempt to resolve the issue to everyone's satisfaction. If you feel it would be helpful, please contact me to set up a meeting at your convenience.

If you have any questions, please call me at 208-327-7940.

Sincerely,

Jeff Peppersack, Manager
Water Right Permits Section

Cc: Lynn Stevenson

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JAN 24 2002

MEMORANDUM

Date: October 10, 2000

To: Transfer File No. 5710
WR No. 72-10471B

From: Jeff Peppersack *JP*

Re: Call From Jack Challis – Watermaster of WD 72-C, Regarding Status Of Transfer
Application 879-4617

Jack Challis called regarding this transfer application. He wanted an update on the status of the application. I told him the application has been recommended for approval by the regional office and is currently pending at the State Office. Mr. Challis objected to the regional recommendation on the basis that the application was opposed by himself as watermaster due to the resolution adopted by the water district prohibiting additional diversions without district approval. I told him I would seek further review prior to our decision regarding approval/denial. Mr. Challis asked to be informed of any decisions regarding this application before we issue the transfer.

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IDWR TRANSFER ANALYSIS SHEET

APPLICANT

Lepore, Stevenson

TRANSFER NO.

5710

1. Right number(s)

72-10471B

66077

2. Type of right

☒ Decree ☐ License ☐ Statutory Claim
☐ SRBA Beneficial Use Claim

3. Purpose of transfer

☒ Change P/D ☐ Add P/D ☐ Change P/U
☐ Change N/U ☐ Change Source ☐ Split Right
☐ Other: _____

4. Check Existing
Right:

☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

Comments: Standard Form 5 has been signed for
this right, which matches R 72-10471B.
Only possible overlaps are 72-02143 (No AT claims filed),
72-07473 (stock) and 72-07502 (domest.)

5. Check Proposed Right for amount of land &/or water transferred:

☐ Also see attached memo for more analysis information

- a. ☒ All of right
- b. ☐ Part of right (NOTE! Part B should be filled in only if part of right is owned by the applicant)
- c. ☒ Description of point(s) of diversion
- d. ☒ Description of place of use
- e. ☒ Map showing P/D & P/U after transfer
- f. ☒ Correct notarized signature and \$100 fee
- g. ☒ Proof of ownership of right &/or land from which water is transferred
- h. ☒ Expansion in use of right - Comments: None apparent

5710/66077

i. ☒ Existing rights from same source, on land water is being transferred to; right number(s): _____

j. ☒ SRBA claim(s) - Comments (NOTE! Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain) Standard form 5 has been signed for this right, which matches R72-10471B

k. ☒ Comment letters ☒ Yes ☐ No
If yes ☒ Water District # 72-C 5/5/00 Watermaster, Jack Chellis
Lienholder, others, see #2 below for name and address

INITIAL ALLOCATION REVIEW BY John Freitag DATE 04/05/00
SRBA SUPERVISOR REVIEW BY _____ DATE _____
PUBLICATION REVIEW BY _____ DATE _____

1. Legal Notice electronically sent to DWR03::VAULT ☒ Yes 5/8/00

2. COMMENT LETTERS Copy of Pg 1 to AJ ☒ Yes 5/8/00

Watermaster recommendation requested on _____, Received on _____

Other comments letters - send to the following name(s) & address(es): _____

3. Transfer published correctly? ☒ Yes ☐ No

4. Affidavit of publication received? ☒ Yes ☐ No

5. Protests received? ☐ Yes ☒ No; Acknowledgement sent? ☐ Yes

6. Copies made for Region file (see attached supplemental page)? ☐ Yes

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny due to _____

3. Conditions (special conditions in Water Districts) _____

Also see attached memo for recommendation dated: 6/6/00

4. By AD Date 6/6/00

RECEIVED

JUN 8 - 2000

MEMO

Department of Water Resources

FROM: Allen Merritt *AM*
TO: Transfer File No. 5710
In the name of: Lynn Stevenson

DATE: June 6, 2000

Water Right(s): T72-10471B

SUBJECT: Review and Recommendation

This transfer proposes to establish a new PD on the Highline Canal which diverts water from Challis Creek. The re-diversions along the Highline Canal are considered diversions from the creek and have been recommended by the SRBA and is where the watermaster delivers the water. This transfer relocates the re-diversion 190' downstream and creates a new re-diversion point. The old re-diversion point will remain associated with the neighbor's water rights. Actually the old point of re-diversion is located on the neighbor's land and is part of the reason for needing a new diversion.

The transfer was processed without protest. The watermaster provided comment against approval of the addition of a new point of re-diversion (Comments in file). I do not see that this view point expressed by the watermaster should prevent approval of this transfer since it appears all of the criteria to be considered are met. The watermaster's comments could be considered in reviewing the public interest criteria. In reviewing the application it appears there is conflict between the applicant and his neighbor over the sharing of the current re-diversion. With the addition of the applicant's own re-diversion this conflict could be lessened. In my mind the potential lessening of the conflict outweighs the concerns of the watermaster. *I do not agree with the opinion of the watermaster that the neighbor would have the "right" to tap Mr. Stevenson's new diversion. These easement issues are best left to the lawyers.*

The basin 72 GIS project has been modified to include this "T" record and the new re-diversion point has been added to the basin GIS project.

Recommendation

I recommend that this transfer be approved subject to the following conditions:

- Measuring device and control works.
- Under control of the watermaster of the Challis Creek water district 72-C.
- Other conditions consistent with SRBA recommendation.

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JAN 24 2002

T# 5710

WATER RIGHT NO.

72-10471-2

INIT.	DATE	COMMENT
ava	4/3/2000	Stuffed to Carney
CS	4/5/00	To John
DF	4/5/00	To MB for advertising
MB	5/2/00	Adv. sch CM 5/11 & 5/18/00; 5/30/00
MB	5/30/00	Pub. aff. rec. (5/19/00)
MB	6/1/00	to ADM for signoff
AA	6/6/00	to AD to Dennis L. S.O.

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JAN 24 2002

01-99

State of Idaho
Department of Water Resources

RECEIVED
MAY 17 2000
Department of Water Resources
Southern Region

RECOMMENDATION OF WATERMASTER

Application No: 5710

Applicant's Name: LYNN T. STEVENSON

Watermaster's Recommendation:

- a) ☐ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as

follows: _____

- c) ☒ I oppose approval of this application for the following reasons:

PLEASE SEE ATTACHED

- d) Additional Comment: _____

Dated this 16TH day of MAY, 2000

Water District No: 72-C
CHALLIS CREEK

J. R. Challis
Watermaster's Signature J. R. CHALLIS

Use reverse side of page if you need more space.

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JAN 24 2002

WATER DISTRICT NO. 72-C
CHALLIS CREEK
P. O. BOX 910
CHALLIS, ID 83226-0910

**WATER DISTRICT 72-C
CHALLIS CREEK
P. O. BOX 910
CHALLIS, IDAHO 83226-0910**

May 16, 2000

Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

Reference: Application For Transfer of Water Right No. 5710

To Whom It May Concern:

Attached please note the **Resolution Regarding Installation Of Additional Diversions** adopted by unanimous vote of the District water right owners at the March 1, 1999, Annual Meeting. As a result of this mandate I would be required to oppose this diversion change on behalf of the District as it is totally unnecessary.

Without this mandate I would still oppose this transfer as I too feel it to be totally unnecessary and, perhaps more importantly, would serve no real purpose. The extremely short distance of the move would result only to relocate the diversion to the Stevenson property rather than the neighbor's property. Since this would appear to be the sole reason for this application, what is actually accomplished since this too would require continued joint use with the neighbor?

Mr. Stevenson presently has the right to go onto the neighbor's property (property presently, and for some time now, vacant), repair or replace the pump and/or piping system bringing same within IDWR diversion specification compliance, and, as a result, realizing only the additional minimal cost of the pipe to service his property. Were he to do this at the proposed location on his own property the neighbor would still have the right to "tap" the system to serve that property. Last, but definitely not least, the integrity of the Highline Canal would not be compromised, a condition that could exist were this application approved and the diversion relocated.

Sincerely,
Water District 72-C
Challis Creek

J. R. Challis
Watermaster

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JAN 24 2002

**WATER DISTRICT 72-C
CHALLIS CREEK**

**RESOLUTION REGARDING INSTALLATION OF
ADDITIONAL DIVERSIONS**

No diversion(s) shall be added to the District system without the prior written approval of the District resulting from a majority vote at their annual meeting or a majority vote of the Advisory Board at a meeting for or including that purpose and subject to compliance with applicable IDWR Requirements.

RESOLUTION ADOPTED BY UNANIMOUS VOTE
IN WATER DISTRICT 72-C ANNUAL MEETING
ON MONDAY, MARCH 1, 1999.

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JAN 24 2002

May 5, 2000

JACK CHALLIS WATERMASTER
WATER DISTRICT # 72-C
PO BOX 910
CHALLIS ID 83226-1220

Re: Applications for Transfer of Water Right Nos. 5694, 5710, 5534

Dear Mr. Challis:

Enclosed are copies of 3 Application for Transfer within your District, and Watermaster's Recommendation Form(s).

Section 42-222 of the IDAHO CODE requires that the watermaster must be advised of proposed changes in water rights in the water district and must notify the Department of his recommendation on the application.

Please complete the enclosed recommendation form(s) and return to this office.

Regional review of an unprotested application can be completed as soon as the final protest period is past; therefore, your prompt response to this request is appreciated.

If you have any questions about an application, please contact this office or the applicants.

Very truly yours,

Mary A. Baldwin
Administrative Assistant

Enclosures

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JAN 24 2002

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

1. Ruth E. Burchill, representing the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated May 11 2000 and ending with the issue dated May 18 2000.

Ruth E. Burchill

STATE OF IDAHO

COUNTY OF CUSTER

On this 18th day of May in the year of 2000 before me, a Notary Public, personally appeared Ruth E. Burchill known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

James J. Angis
Notary Public for Idaho
Residing at Challis
My Commission expires: 4/30/04

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS
Notice is hereby given that five (5) applications have been filed with the Department of Water Resources for changes to water rights in Custer County as described below:

AMENDED Transfer No. 5534 by Stephen &/or Lyndella Baughman, 3730 Pama Lane, Las Vegas NV 89120 involves two rights diverting from Darling Creek tributary to Challis Creek within SESW, S05 for irrigation of a 76 acre permissible place of use; Right No. 72-00189A (0.79 cfs) is recorded with priority date of 05/01/1979 & Right No. 72-10246A (1.03 cfs) is recorded with priority date of 04/15/1912. The purpose of this transfer is to correctly record diversion points within SWSE, S05 and NWNW, S08; all T14N, R19E.

Transfer No. 5710 by Lynn T. Stevenson, PO Box 367; CHALLIS ID 83326 involves Right No. 72-104718 (0.06 cfs) recorded with priority date of 07/22/1910 from Challis Creek tributary to Salmon River within Lot 10 (NWNW), S07 and rediverted within NWSW, S08 for irrigation of 2.0 acres within NWSW, S08. The applicant requests to re-locate point of diversion to site within NENSW, (190' down the canal from original rediversion point) S08; all T14N, R19E.

The USDI-Bureau of Land Management, Route 2, Box 610; SALMON ID 83467 has filed two (2) Applications for Transfer as follows:

Transfer No. 5721 involves Right No. 72-07240 (0.02 cfs) recorded with priority date of 10/03/1982 from Spring tributary to Gooseberry Creek within SENE, S04 for stockwater (0.02 cfs) and wildlife (0.02 cfs) uses within SWNE S09; all T11N, R21E. The applicant requests to divert a combined total of 0.02 cfs directly from Gooseberry Creek tributary to Warm Spring Creek via headbox within NWSWNW, S03, T11N, R21E for the same year round uses within SWNE, S05, T11N, R21E and NESE, S32N, T12N, R21E.

Transfer No. 5723 involves Right No. 72-07245 (0.10 afa) recorded with priority date of 10/03/1982 from Unnamed Stream tributary to Bradshaw Gulch within SWNE, S17 for uses as listed below within NESW, S16; all T11N, R19E.

USE	AMT (afa)
Stockwater Storage	0.10
Stockwater from Storage	0.10
Wildlife Storage	0.10
Wildlife from Storage	0.10

The applicant requests to correctly record the year round diversion & use within SWSWNE of a combined total of 0.10 afa for the same uses listed above; all S17, T11N, R19E.

Transfer No. 5694 by R. Richard &/or Ruth E. Burchill, PO Box 291, Challis ID 83226 involves two rights: Right No. 72-07431 (0.03 cfs) recorded with priority date of 11/30/1989 from Springs tributary to Pats Creek within SESW, S33, T15N, R18E and used for stockwater (0.02 cfs), domestic (0.03 cfs) and irrigation (0.03 cfs) of 3 acres within Lot 3 (NENW), S04, T14N, R18E. Right No. 72-10044 (1.70 cfs) recorded with priority date of 10/10/1911 from Pats Creek tributary to Challis Creek, Bear Creek tributary to Challis Creek, Challis Creek tributary to Salmon River with 4 diversion points within Lot 7, (NENW) and SWNW, S04, T14N, R18E for irrigation of 43 acres within S04, T14N, R18E. The applicants propose to divert a combined total of 0.23 cfs from a Spring tributary to Pats Creek within SESESW and Pats Creek tributary to Bear Creek within SWSWNE both S33, T15N, R18E. Diversions also include White Valley Creek tributary to Bear Creek within NWNENE, S05, T14N, R18E. Combined irrigation uses (0.23 cfs) cover 13.5 acres within NW, S04, T14N, R18E with domestic use (0.03 cfs) and stockwater use (0.02 cfs) at the same location.

Any protest against the proposed changes must be filed with

the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls ID 83301 together with a protest fee of \$25 on or before May 30, 2000 to be considered by the Department in its decision to grant or deny any part of the proposed change. (Each transfer requires a separate protest.) The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Pub: May 11 & 18, 2000.

Department of Water Resources

MAY 19 2000

RECEIVED

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MB
5/30/00

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JAN 24 2002

STATEMENT

**Custer Publishing, Inc.**

Phone 879-4445

P.O. Box 405

Challis, Idaho 83226

Dept. of Water
1341 Fillmore St., Suite 200
Idaho Falls, Id 83301-3380

Job No.	Date	DESCRIPTION	Amount
	5-18-00	Notice of Proposed Change of Water Rghts 5/11+18/00 126 lines 5 tab Transfer NOS. 5534 5710, 5721, 5723, 5794	\$181.36 OK MB 5/30/00
		RECEIVED MAY 19 2000 Department of Water Resource Southern Region	

A finance charge of 1½ percent (annual percentage rate of 18%) with a minimum charge of 50¢ will be charged to all accounts not paid within 30 days of billing.

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JAN 24 2002

OFFICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that five (5) applications have been filed with the Department of Water Resources for changes to water rights in Custer County as described below:

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Transfer No. 5710 by Lynn T. Stevenson, PO Box 367; CHALLIS ID 83326 involves Right No. 72-10471B (0.06 cfs) recorded with priority date of 07/22/1910 from Challis Creek tributary to Salmon River within Lot 10 (NWNW), S07 and re-diverted within NWSW, S08 for irrigation of 2.0 acres within NWSW, S08. The applicant requests to re-locate point of re-diversion to site within NENWSW, (190' down the canal from original re-diversion point) S08; all T14N, R19E.

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<u>Use</u>	<u>Amt (afa)</u>
Stockwater storage	0.10
Stockwater from Storage	0.10
Wildlife Storage	0.10
Wildlife from Storage	0.10

The applicant requests to correctly record the year round diversion & use within SWSWNE of a combined total of 0.10 afa for the same uses listed above; all S17, T11N, R19E.

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Karl J. Dreher, Director

Published in the Challis Messenger on 05/11 & 05/18/00.

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JAN 24 2002



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

May 8, 2000

ATTN LEGALS
CUSTER PUBLISHING
PO BOX 405
CHALLIS ID 83226

Ladies and Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper.

We have inserted the required publication dates. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Administrative Assistant

Enclosure

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JAN 24 2002

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

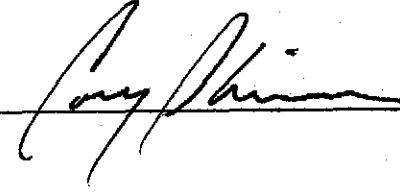
Receipt No: **S022942**

Date: **4/ 3/2000**
Time: **13:36:00**

Received
From: **STEVENSON LIVESTOCK**

Type of Payment	Program Acct	Amount
TRANSFER APPLICATION (72-10471B)	64106	229 21 1155
		100.00
CHECK	15365	
		Total \$ 100.00

Region: **SOUTHERN**

Signature: 

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JAN 24 2002