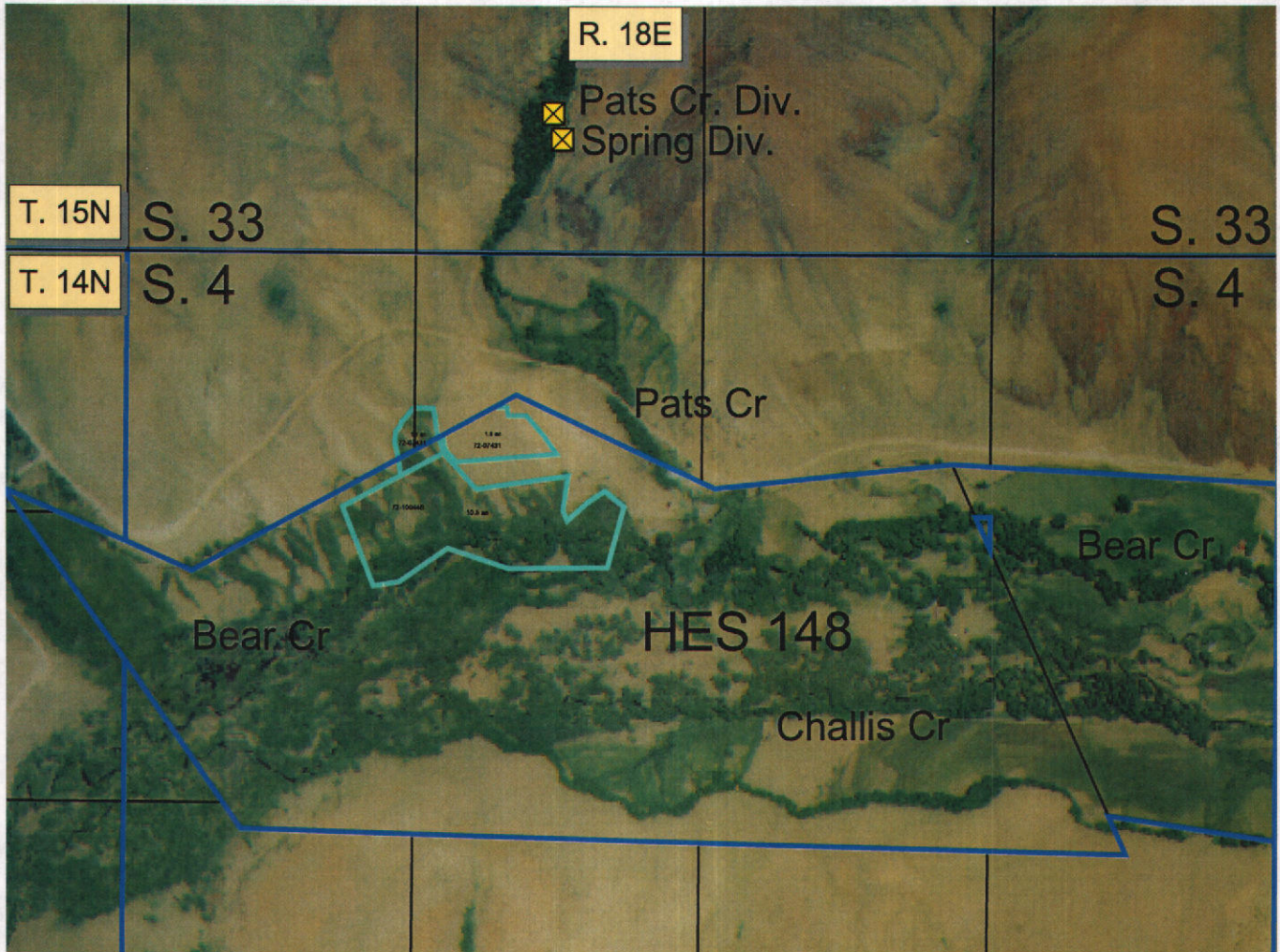


APP. FOR TRANSFER - RICHARD BURCHILL



Proposed PPU



Prepared By J E Stanton
3-24-00

MICROFILMED
JAN 15 2004

T # 5694

PROPOSED PPU - RICHARD BURCHILL

NW 1/4 SEC. 4 T. 14N R. 18E



Burchill Proposed PPU

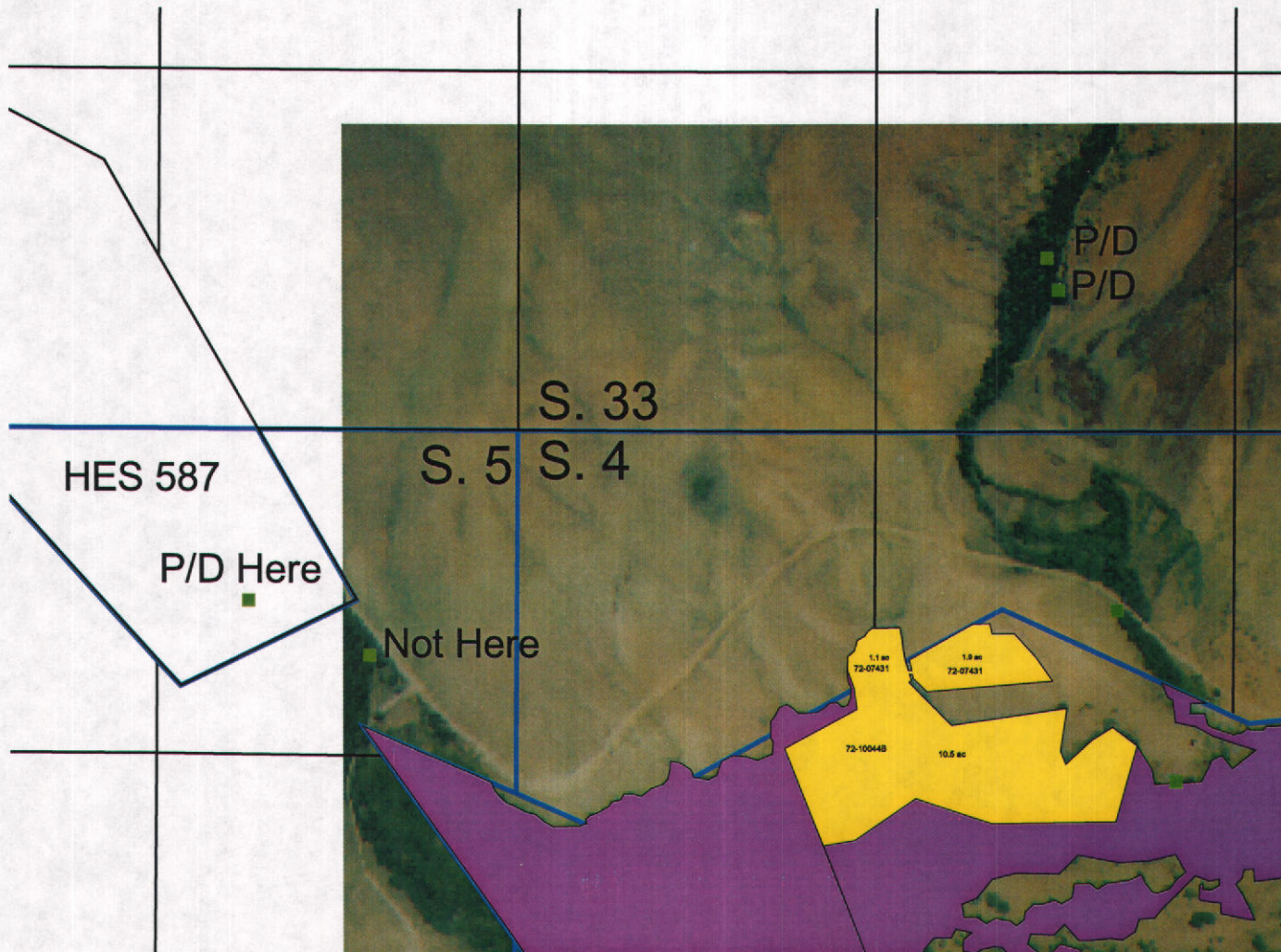
Prepared 3-10-2000
By J E Stanton

MICROFILMED
JAN 15 2004



T # 5694

APP FOR TRANSFER - RICHARD BURCHILL



Burchill PPU

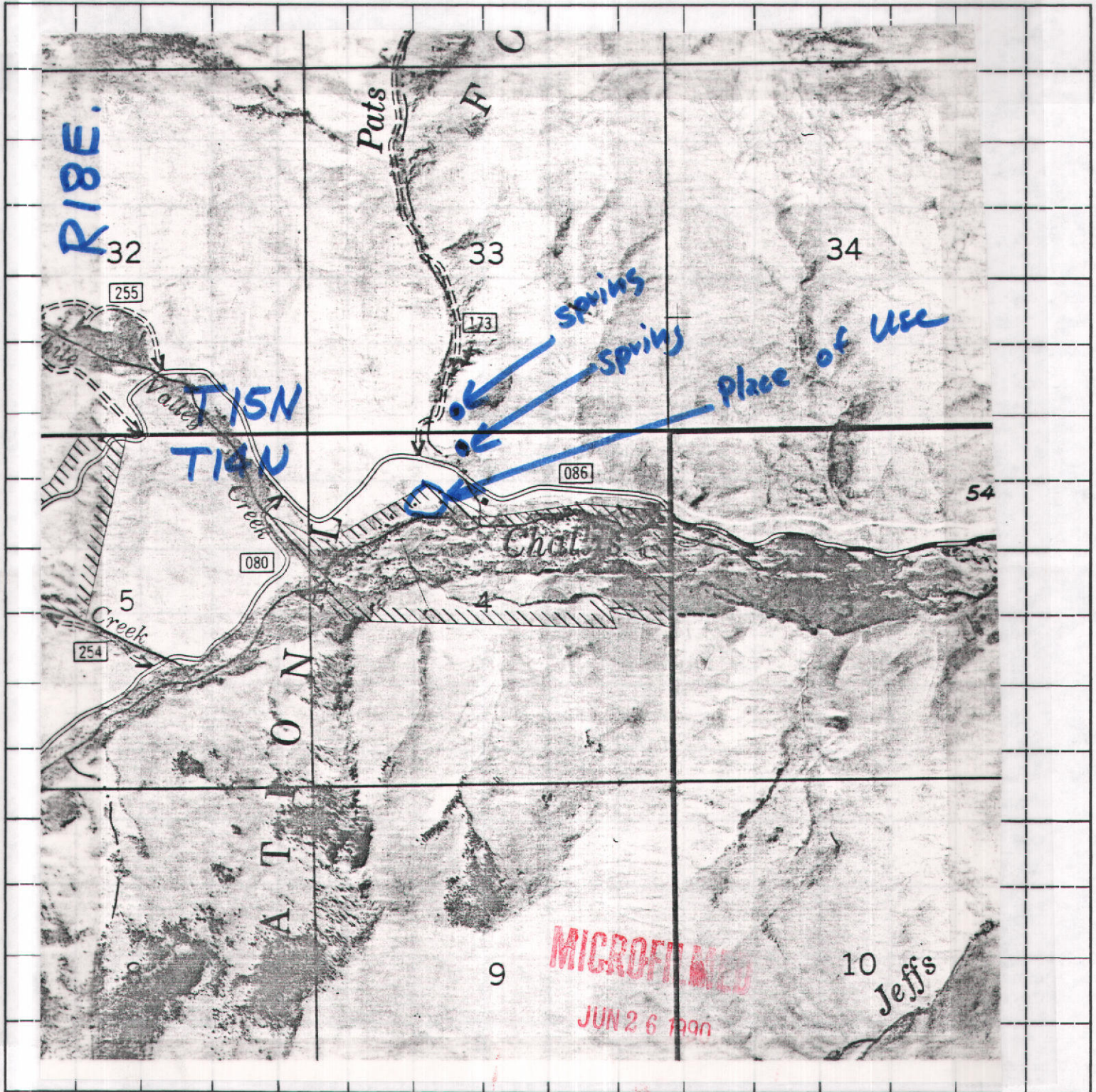
Prepared 3-24-00
By J E Stanton

MICROFILMED
JAN 15 2004



T# 5694

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



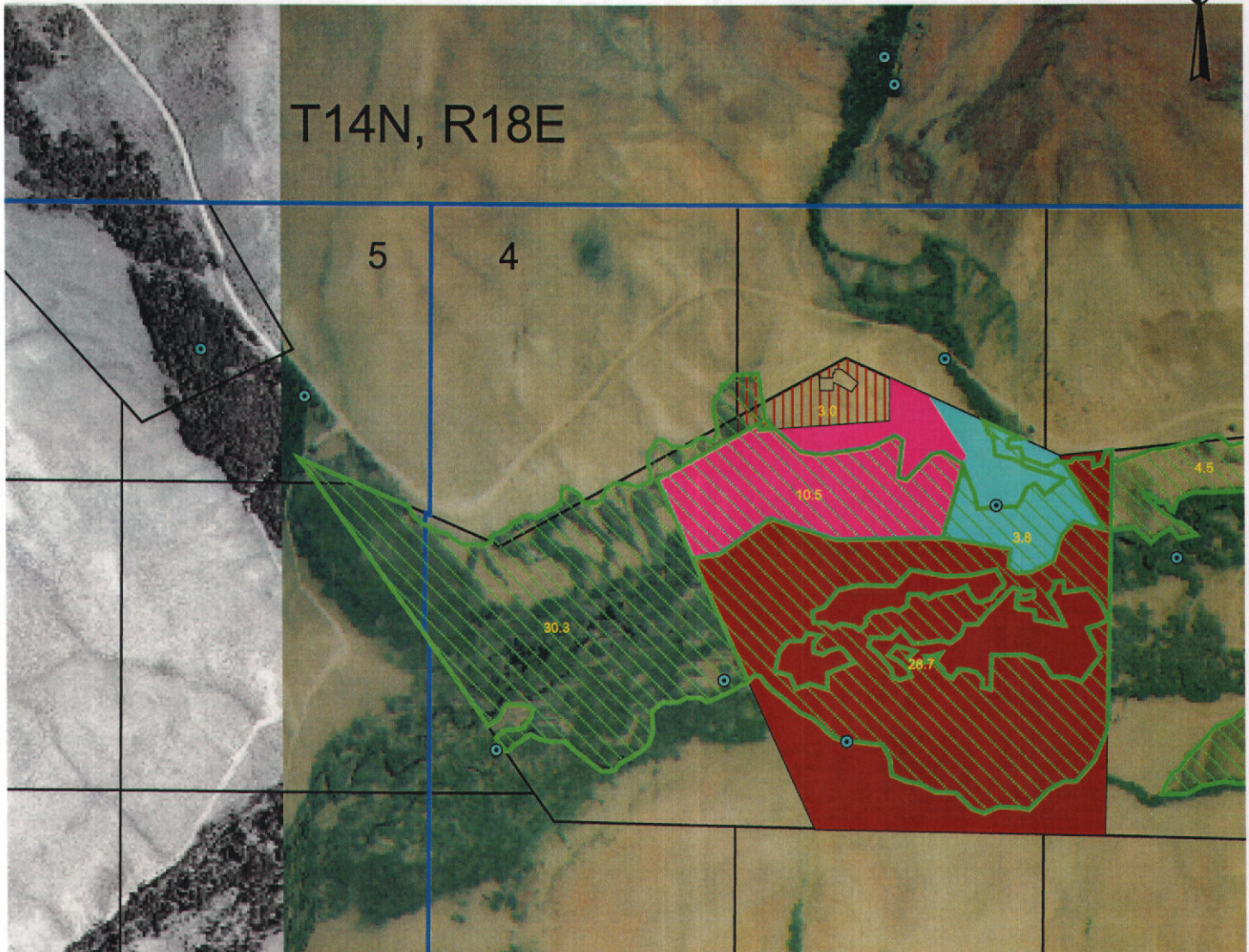
Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

R. Richard Burchill
(Applicant)

Burchill Transfer 5694

Split of Rankin Property

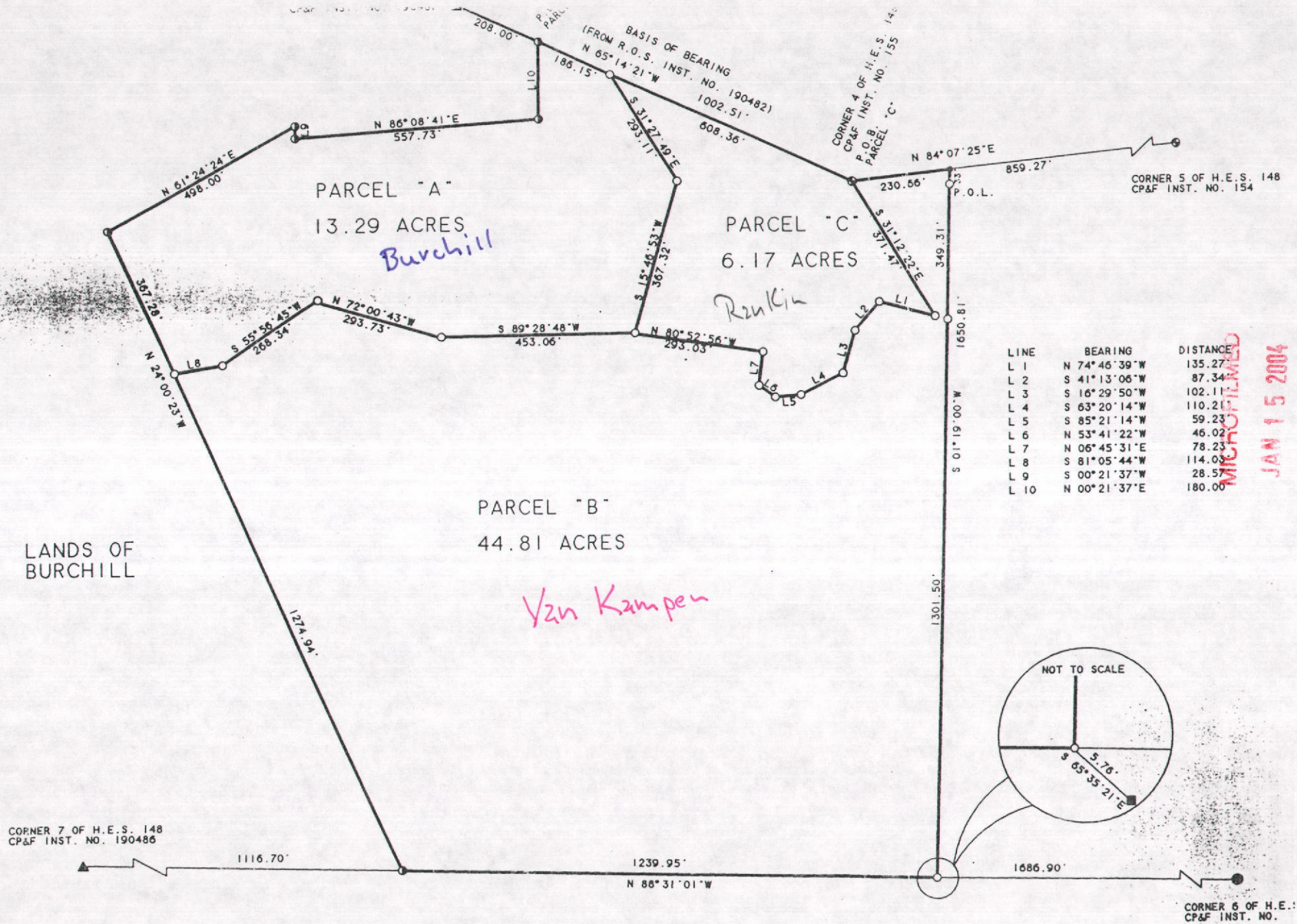


- B72-pod.shp
- ▨ B72-pou.shp
- ▨ Burchill.shp
- Parcela.shp
- Parcelb.shp
- Parcelc.shp
- T14n18e-sect.shp
- T14n18eqq.shp

MICROFILMED

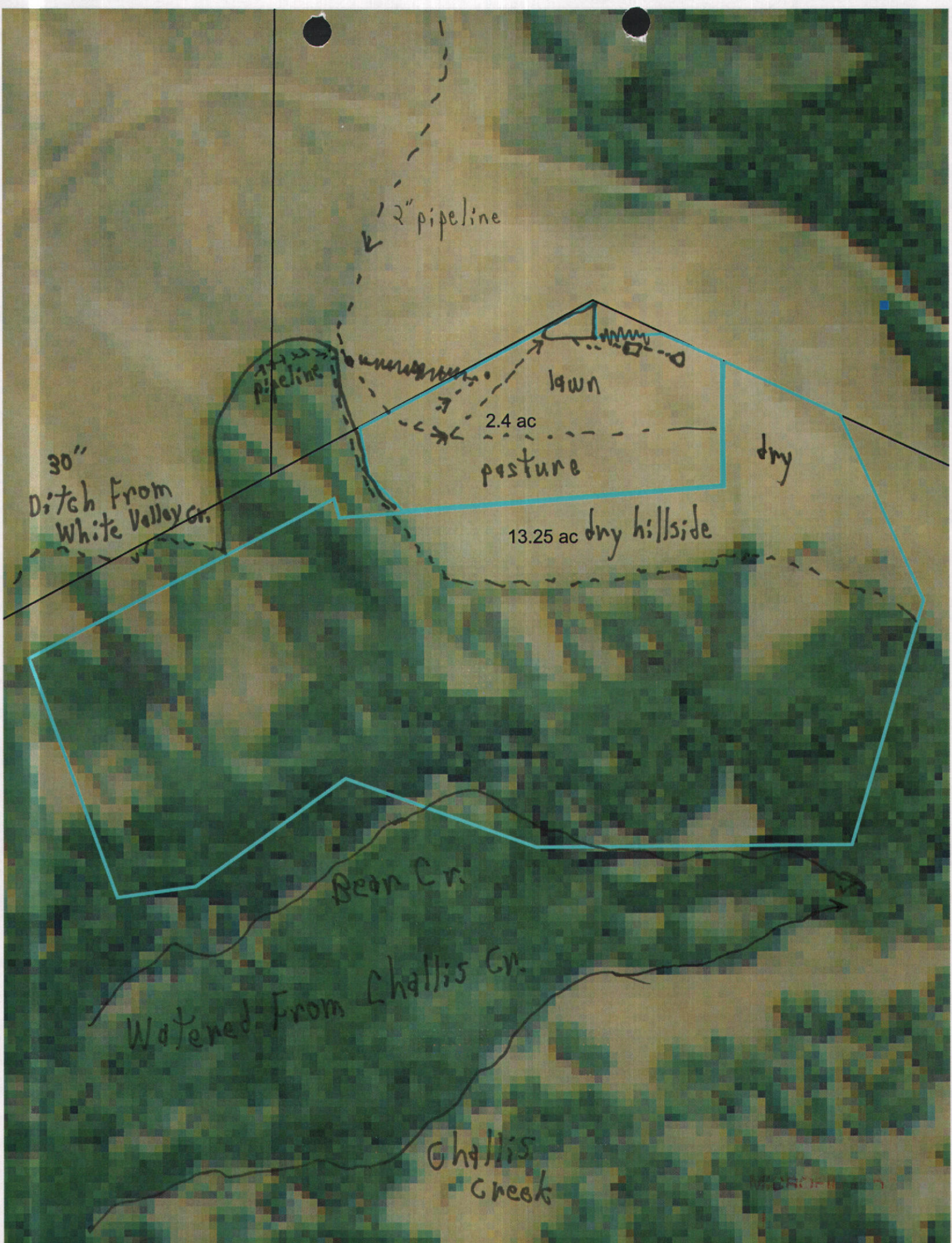
JAN 15 2004

By: ADM
4/7/01



MICROFILMED

JAN 15 2004



2" pipeline

Pipeline

30"
Ditch From
White Valley Cr.

lawn

2.4 ac

pasture

dry

13.25 ac dry hillside

Bean Cr.

Watered From Challis Cr.

Challis
Creek

T#5694

MICROFILMED
JAN 15 2004





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JAN 15 2004

T#5694



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JAN 15 2004

T#5694

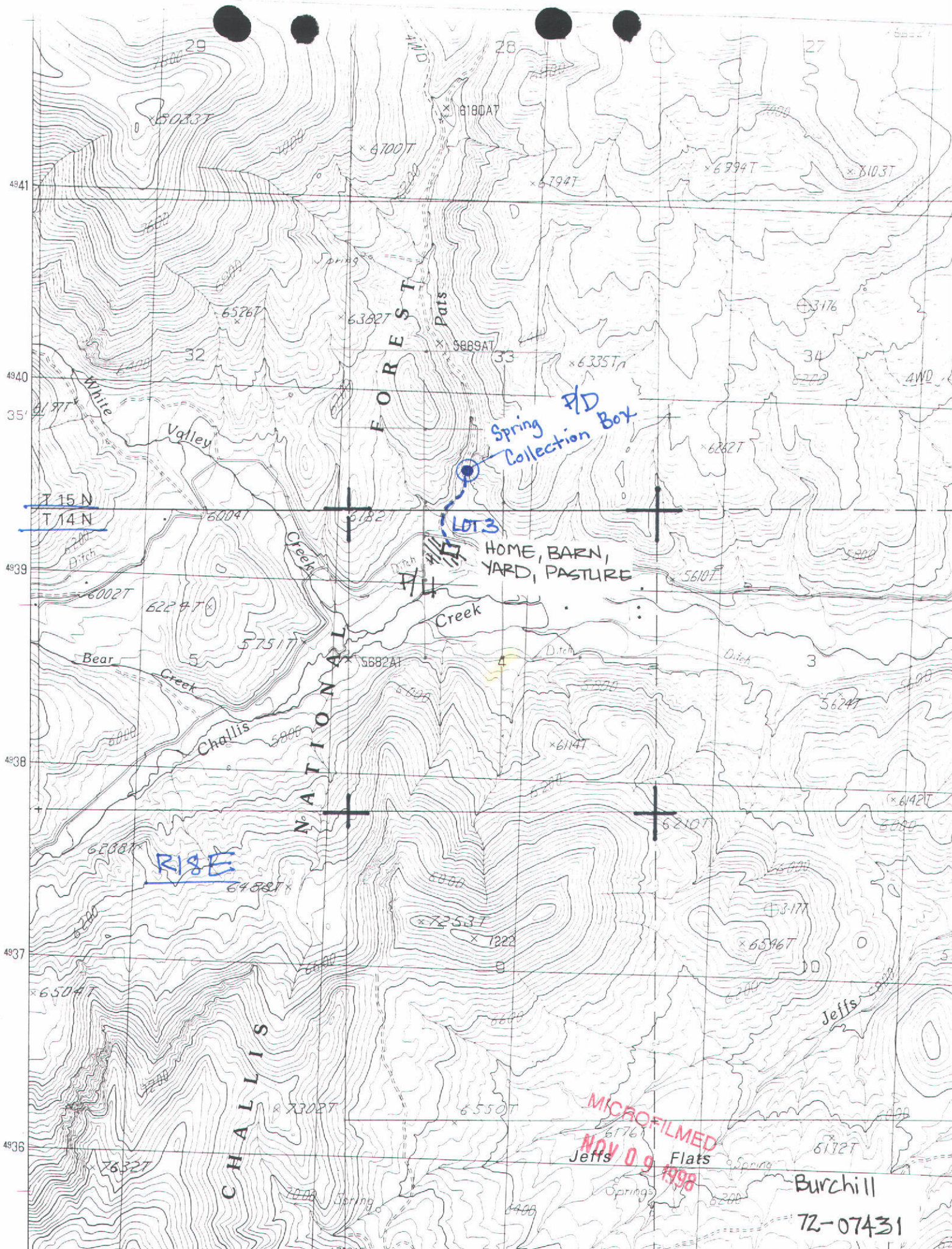












Spring #1 Collection Box

LOT 3

HOME, BARN, YARD, PASTURE

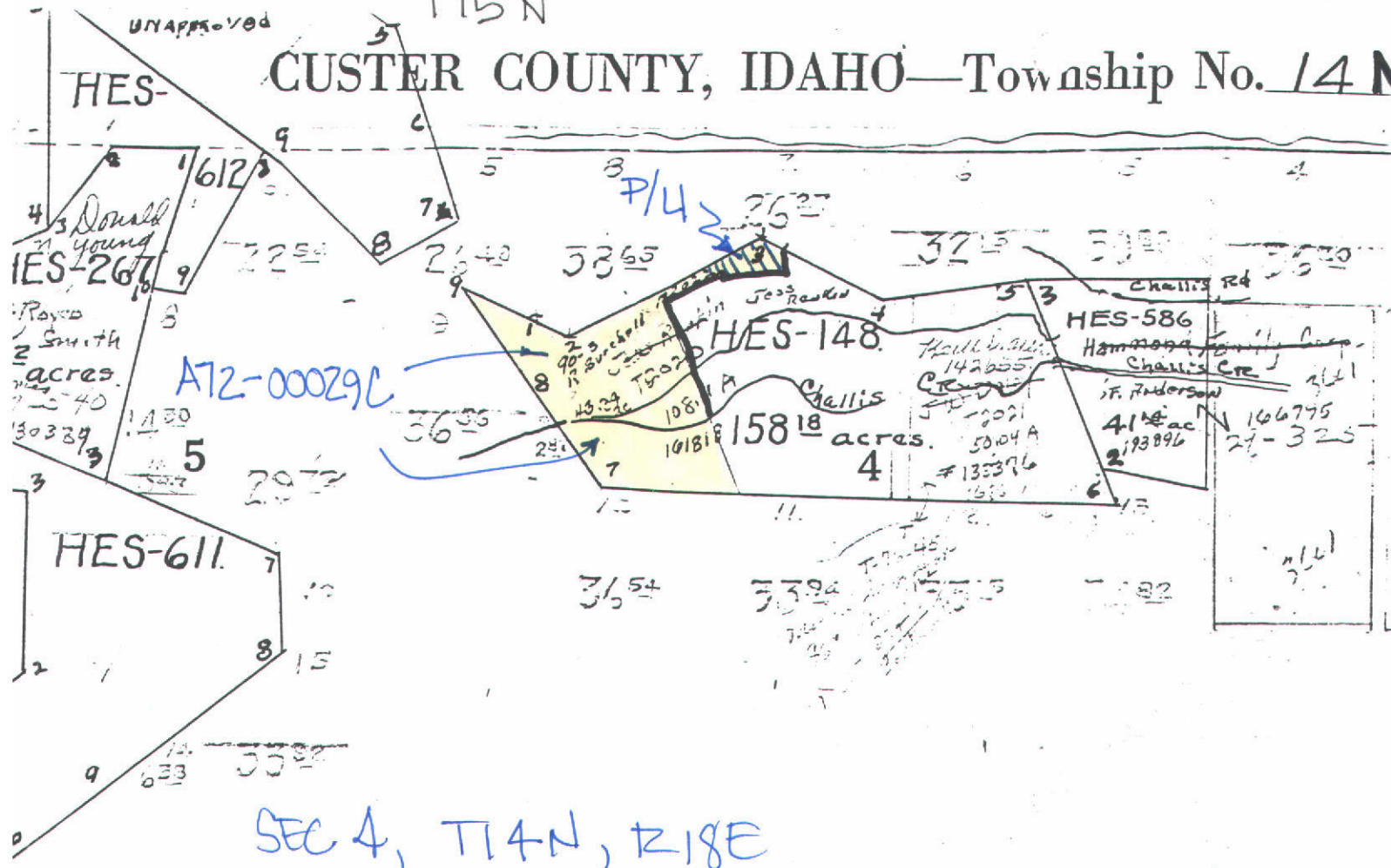
RISE

MICROFILMED
NOV 09 1998
Flats

Burchill

72-07431

T15N
CUSTER COUNTY, IDAHO—Township No. 14N



U8

9

MICROFILMED
NOV 09 1998

BURCHILL, RICHARD
72-07431



photo\$looking W'ly



two springs dump into collection box
outflow is the lower of the two pvc pipe,
the other is the overflow



stock in pasture
West of home.

MICROFILMED
NOV 09 1998

Burchill, Richard

72-07431

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 67114

This is to certify that: R RICHARD BURCHILL &/OR
RUTH E BURCHILL
PO BOX 291
CHALLIS ID 83226
(208)879-2731

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

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
72-7431	WR/License	11/30/1989	0.03 cfs	11.3 af		3.0	SPRINGS
72-10044B	AJC/Beneficial Use	10/10/1911	0.20 cfs			10.5	PATS CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
72-7431	NO	NO	YES	YES	NO	NO
72-10044B	NO	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
72-7431	72-7431	0.03 cfs	11.3 af	3.0	13.5	N/A	N/A	N/A	N/A	N/A
72-10044B	72-10044B	0.20 cfs	36.8 af	10.5	13.5	N/A	N/A	N/A	N/A	N/A
TOTALS		0.23 cfs	48.1 af	N/A	13.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 11th day of June, 2002

J. Allen Saylor
Chief, Water Allocation Bureau

MICROFILMED
JAN 15 2004

WATER RIGHT NO. 72-7431
As Modified by Transfer No. 67114

In accordance with the approval of Transfer No. 67114, Water Right No. 72-7431 is now described as follows.

Right Holder: R RICHARD BURCHILL AND
 RUTH E BURCHILL
 PO BOX 291
 CHALLIS ID 83226

Priority Date: 11/30/1989

Source: SPRINGS
 PATS CREEK
 WHITE VALLEY CREEK

Tributary: PATS CREEK
 BEAR CREEK
 BEAR CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/15	0.03 CFS	10.5 AF
STOCKWATER	01/01	12/31	0.02 CFS	0.2 AF
DOMESTIC	01/01	12/31	0.03 CFS	0.6 AF
			0.03 CFS	11.3 AF

LOCATION OF POINT(S) OF DIVERSION:

WHITE VALLEY CREEK NWNENE Sec. 5 Twp 14N Rge 18E CUSTER County

PATS CREEK SWSESW Sec. 33 Twp 15N Rge 18E CUSTER County

SPRINGS SESESW Sec. 33 Twp 15N Rge 18E CUSTER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
14N 18E 4	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	13.5
					.4	.3		12.8									
					L7	L8											

Total Acres: 13.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 3.0 acres within the place of use described above in a single irrigation season.
2. Rights 72-7431, 72-10044B and 72-29C when combined shall not exceed a total annual maximum diversion volume of 150.2 af at the field headgate for the irrigation of 42.9 total acres.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 72-C, Challis Creek.

MICROFILMED
JAN 15 2004

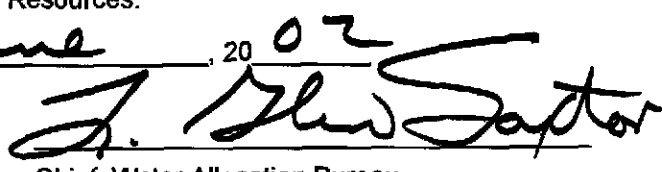
WATER RIGHT NO. 72-7431
As Modified by Transfer No. 67114

CONDITIONS OF APPROVAL

4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. The total instantaneous diversion of water from all points of diversion under Rights 72-7431 and 72-10044B shall not exceed 0.23 cfs, nor total combined annual volume of 48.1 af.
6. Diversion of water is limited to those times water is available for diversion under this right and priority from the original source, springs.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
9. Approval of Transfer 67114 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
10. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
11. Place of use is primarily located within Homestead Entry Survey No. 148.
12. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 June, 2002


Chief, Water Allocation Bureau

MICROFILMED

JAN 15 2004

WATER RIGHT NO. 72-10044B
As Modified by Transfer No. 67114

In accordance with the approval of Transfer No. 67114, Water Right No. 72-10044B is now described as follows.

Right Holder: R RICHARD BURCHILL AND
 RUTH E BURCHILL
 PO BOX 291
 CHALLIS ID 83226

Priority Date: 10/10/1911

Source: SPRINGS
 PATS CREEK
 WHITE VALLEY CREEK

Tributary: PATS CREEK
 BEAR CREEK
 BEAR CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.20 CFS	36.8 AF
			0.20 CFS	36.8 AF

LOCATION OF POINT(S) OF DIVERSION:

WHITE VALLEY CREEK NWNENE Sec. 5 Twp 14N Rge 18E CUSTER County

PATS CREEK SWSESW Sec. 33 Twp 15N Rge 18E CUSTER County

SPRINGS SESESW Sec. 33 Twp 15N Rge 18E CUSTER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N 18E 4					.4	3	12.8										13.5
					L 7	L 8											

Total Acres: 13.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 10.5 acres within the place of use described above in a single irrigation season.
2. Rights 72-7431, 72-10044B and 72-29C when combined shall not exceed a total annual maximum diversion volume of 150.2 af at the field headgate for the irrigation of 42.9 total acres.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 72-C, Challis Creek.

MICROFILMED

JAN 15 2004

WATER RIGHT NO. 72-10044B
As Modified by Transfer No. 67114

CONDITIONS OF APPROVAL

4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. The total instantaneous diversion of water from all points of diversion under Rights 72-7431 and 72-10044B shall not exceed 0.23 cfs, nor total combined annual volume of 48.1 af.
6. Diversion of water is limited to those times water is available for diversion under this right and priority from the original source, Pats Creek.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. Approval of Transfer 67114 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
9. Place of use is primarily located within Homestead Entry Survey No. 148.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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 June, 2002


Chief, Water Allocation Bureau

MICROFILMED
JAN 15 2004

67114
T#5694

Transfer No. 67114

age 1 of 9

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

AUG 28 1999

PART 1

Department of Water Resources

Department of Water Resources
Southern RegionName of applicant R. Richard Burchill &/or Ruth E. Burchill Phone 877-2731Post Office address PO Box 291, Challis, ID 83226

I. 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 Create PPU, split right
2. Describe the reason for the proposed changes We have purchased a portion of the present P/U, & want to put in a new P/D in order to co-mingle Pats Creek water with spring water in an existing pipeline. We already own 3 irrigated acres under an existing license

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

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>72-100448</u>	<u>10-10-1911</u>	<u>0.20 cfs</u>	<u>Irrigation</u>	<u>4-15</u> to <u>10-31</u>
<u>72-07431</u>	<u>11-30-1989</u>	<u>0.03 cfs</u>	<u>"</u>	<u>4-15</u> to <u>10-15</u>
		<u>0.03 cfs</u>	<u>Domestic</u>	<u>1-1</u> to <u>12-31</u>
		<u>0.02 cfs</u>	<u>Stockwater</u>	<u>"</u> to <u>"</u>

2. Total amount of water being transferred 0.28 cubic feet per second and/or _____ acre-feet per annum.3. Source of water Pats Creek tributary to Bear Creek4. Point(s) of Diversion: Spring Pats Creek
White Valley Creek Bear Creek

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SE	SW	23	15N	18E	Custer	Spring Diversion
	SW	SE	SW	"	"	"	"	Pats Creek Diversion
	NW	NE	NE	5	14N	"	"	White Valley Creek diversion HES 587

5. Lands irrigated or place of use: * HES 148 Permissible 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	4					0.2	0.3		12.8									13.5
							147	148		*									

MICROFILMED
JAN 15 2000

(5694/67114)

PART 1

6. General Information:

a. Description of diversion system Screened pipeline into Pats Creek, pipeline to headbox at spring. Common pipeline or separate pipelines from spring box to place of use. Headgate & ditch from White Valley Creek to fields below house.

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:

d. Remarks:

The spring water is a backup domestic supply to our culinary well. Challis Creek & Bear Creek are separate streams, not joining until downstream from where Pats Creek joins Bear Creek.

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 15 2004

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 72-07431

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.03 CFS	10.5 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.2 AF
DOMESTIC	01/01 to 12/31	0.03 CFS	0.6 AF
	Totals	0.03 CFS	11.3 AF

SOURCETRIBUTARY OF

SPRINGS

PATS CREEK

Priority: 11/30/1989

LOCATION OF POINT(S) OF DIVERSION:SESESW , Sec. 33, Township 15N, Range 18E
CUSTER CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14N	18E	4	Lot 3(NENW)	3		3
Total number of acres irrigated:						3

PLACE OF USE: STOCKWATER, same as IRRIGATION usePLACE OF USE: DOMESTIC, same as IRRIGATION useCONDITIONS/REMARKS:

1. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 72C.
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. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

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

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JAN 15 2004

Page 4 of 9

TRANS NO. T # 5694

Water Right No. 72-07431

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:

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 15 2004

PART 2

TRANS NO.

T#5694

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 72-10044

STAGE: BENEFICIAL USE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	1.70 CFS

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

Priority: 10/10/1911

LOCATION OF POINT(S) OF DIVERSION: Lot 7 (SENE NW), Sec. 4, Township 14N, Range 18E
 SWSWNW, Sec. 4, Township 14N, Range 18E
 SESWNW, Sec. 4, Township 14N, Range 18E
 SWSNW, Sec. 4, Township 14N, Range 18E
 CUSTER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14N	18E	4	NWNE 0.5	SWNE 6.2	NENW 3.3	
			NWNW 1	SWNW 3	SENE 28.5	
			NESW 0.5			43
Total number of acres irrigated:						43

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.
- USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION

MICROFILMED

JAN 15 2004

Page 6 of 9

TRANS NO. **T#5694**

Claim No. 72-10044

OF A COMBINED TOTAL OF 43 ACRES IN A SINGLE IRRIGATION SEASON.

3. COMBINED RIGHT NOS.: 72-00029B AND 72-10044.

4. PROPERTY IS ALSO KNOWN AS PART OF HOMESTEAD ENTRY NO. 148.

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? No 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 _____

MICROFILMED

JAN 15 2004

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 0.20 cfs for Irrig. purposes from 4-1 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
7	SE	NE	NW	4	14N	18E	Custer	

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	4					2.8	1.0	1.8	4.9									10.5

Total acres 10.5**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 1.50 cfs for Irrig. purposes from 4-1 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:

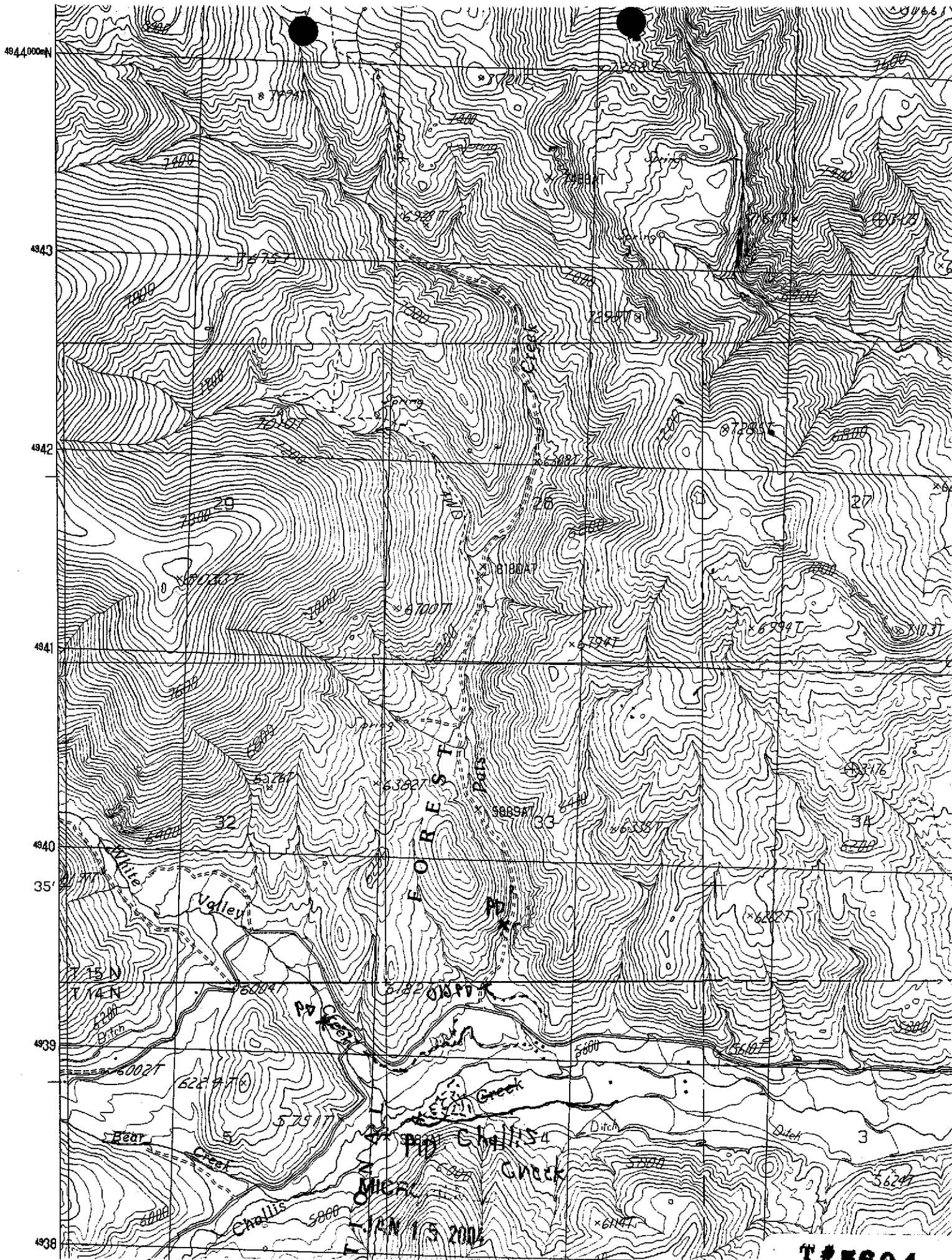
Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
7	SE	NE	NW	4	14N	18E	Custer	
	SE-SW	SW	NW	"	"	"	"	
	SW	SE	NW	"	"	"	"	

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	4		0.5	6.2		0.5		1.2	23.6	0.5								32.5

MICROFILMED
JAN 15 2006

32.5



PART 3

T # 5694

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				_____ 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.

R. Richard Burchill
(Signature of Applicant)

Subscribed and sworn to before me this 27th day of August, 19 99.

J. F. Stanton
(Notary Public)

My commission expires 10-25-2000

FOR DEPARTMENT USE ONLY

Transfer contains 9 pages and 5 attachments

Received by J. F. Stanton Date 8-24-99

Protest filed by None

Prelim. check by JP Fee \$100, 5022492

Receipted by JP Date 8-27-99

Published in Challis Messenger

Copies of protest forwarded by _____

Pub. dates 5/11 & 5/18/2000

Hearing held by _____ Date _____

Watermaster recommendation requested on 5/5/00

Recommended for ☒ approval ☐ denial

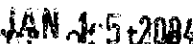
_____ rec'd. 5/17/00

by APR

Copy of transfer sent to lien holder _____

MICROFILMED

JAN 15 2004



This supplemental plat of Sections 4, 5, and 6, Township 14 North,
Range 18 East of the ~~McPherson~~ Meridian, Idaho, is made for the purpose of
separating the area of ~~5208~~ homestead entry surveys in said section,
in accordance with letter 712171 "P" of

CORNER 3 OF H.E.S. 148
CP&F INST. NO. 190487

P.O.B.
PARCEL "A"

BASIS OF BEARING
(FROM R.O.S. INST. NO. 190482)
N 65° 14' 21" W
1002.51'

CORNER 4 OF H.E.S. 148
CP&F INST. NO. 155
P.O.B.
PARCEL "C"

PARCEL "A"

13.29 ACRES

Beuchill (10" Pits CK High water only)

PARCEL "C"

6.17 ACRES

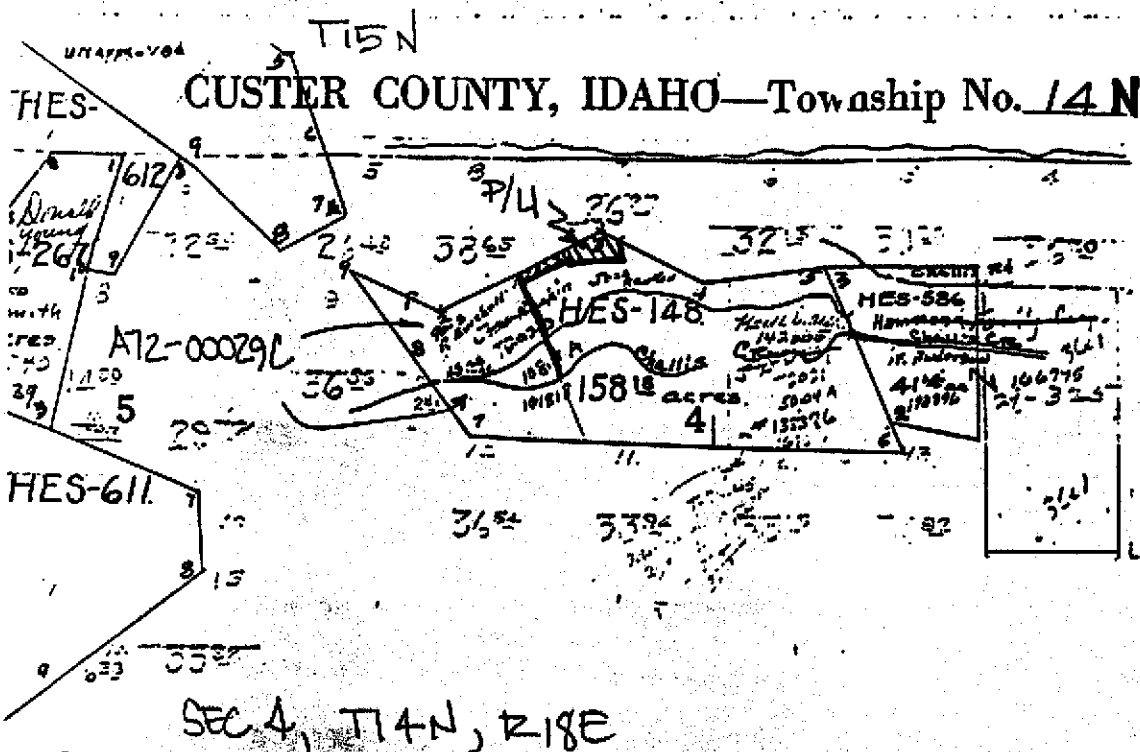
PARCEL "B"

44.81 ACRES

T# 5694

MICHIGAN
JAN 15 2004

ANDS OF



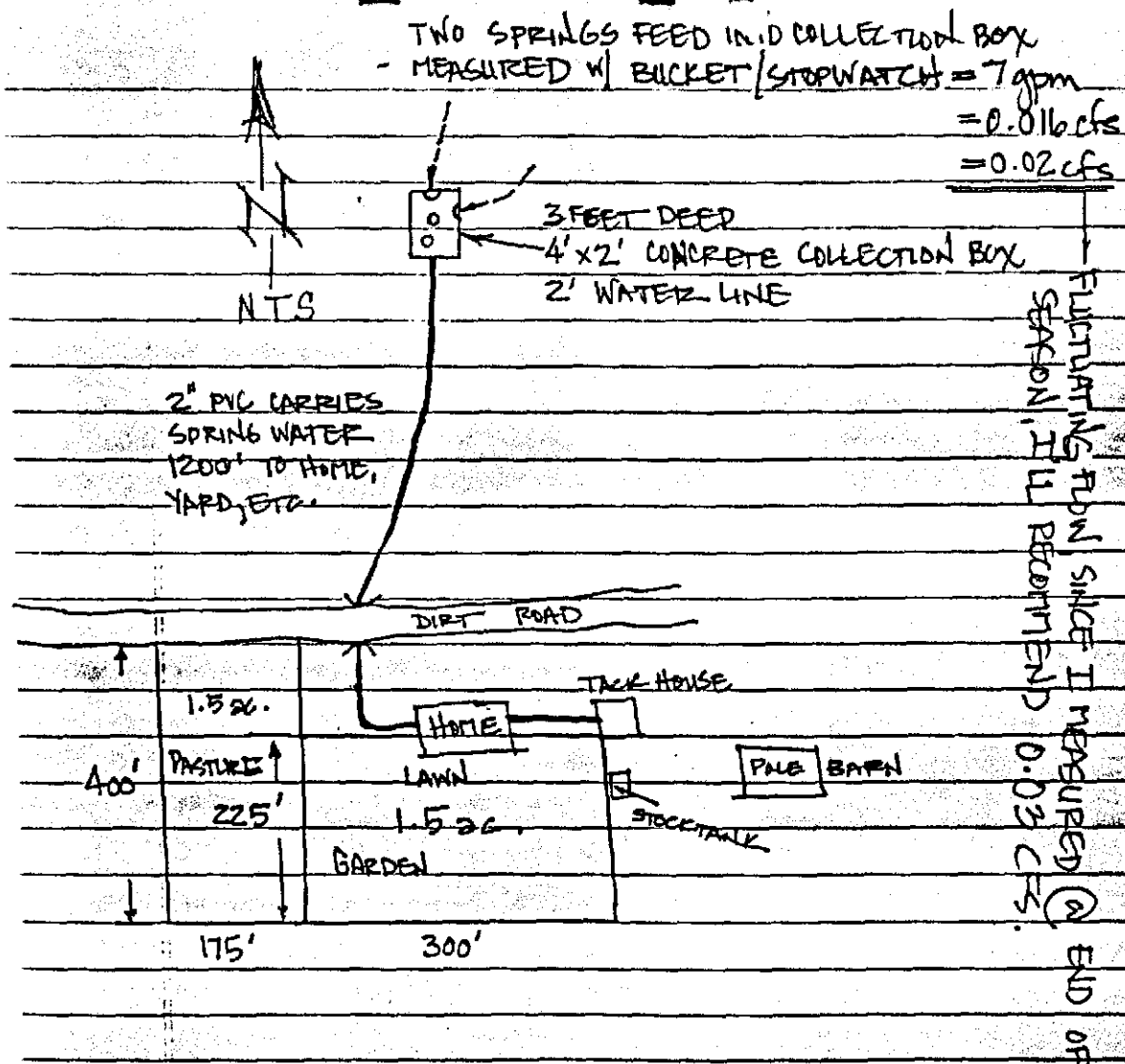
9

BURCHILL, RICHARD
72-07431

MICROFILMED
JAN 15 2004

BURCHILL, Richard
72-07431

two
out
the



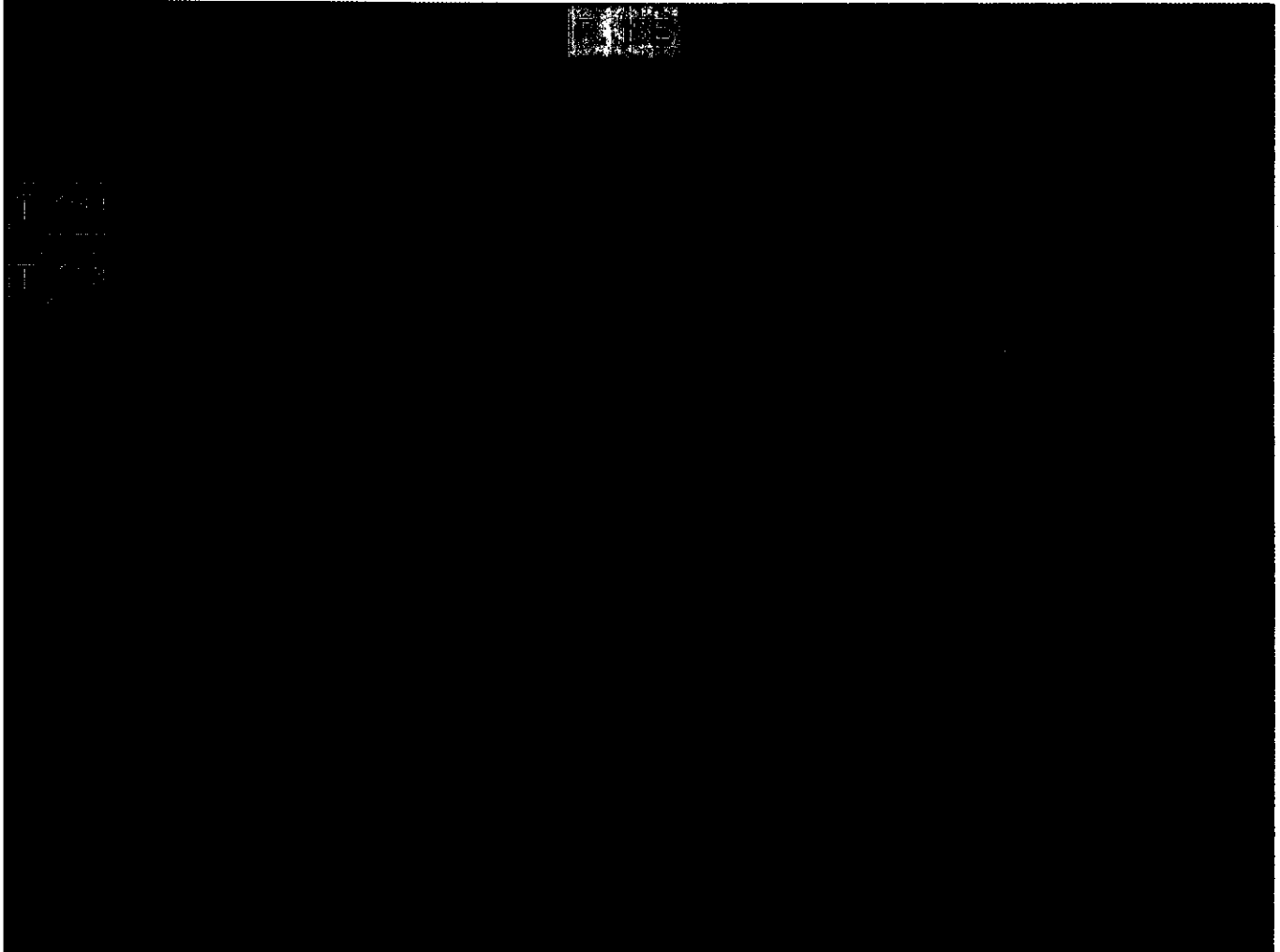
BURCHILL, E. RICHARD
21 JULY 1998

72-07431

MICROFILMED

4/29/15 2015

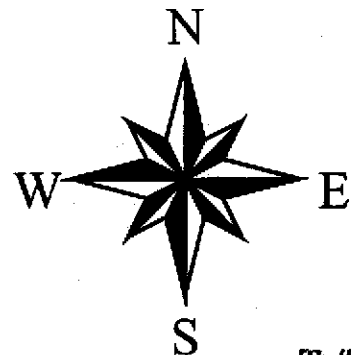
APP. FOR TRANSFER - RICHARD BURCHILL



Proposed PPU

Prepared By J E Stanton
3-24-00

MICROFILMED
JAN 15 2004



T# 5694

PROPOSED PPU - RICHARD BURCHILL

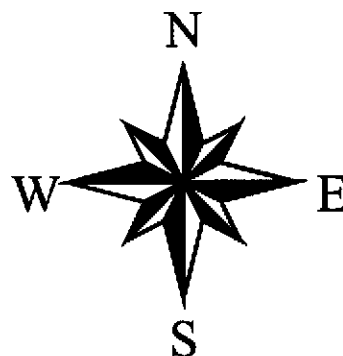
NW 1/4 SEC. 4 T. 14N R. 18E



Burchill Proposed PPU

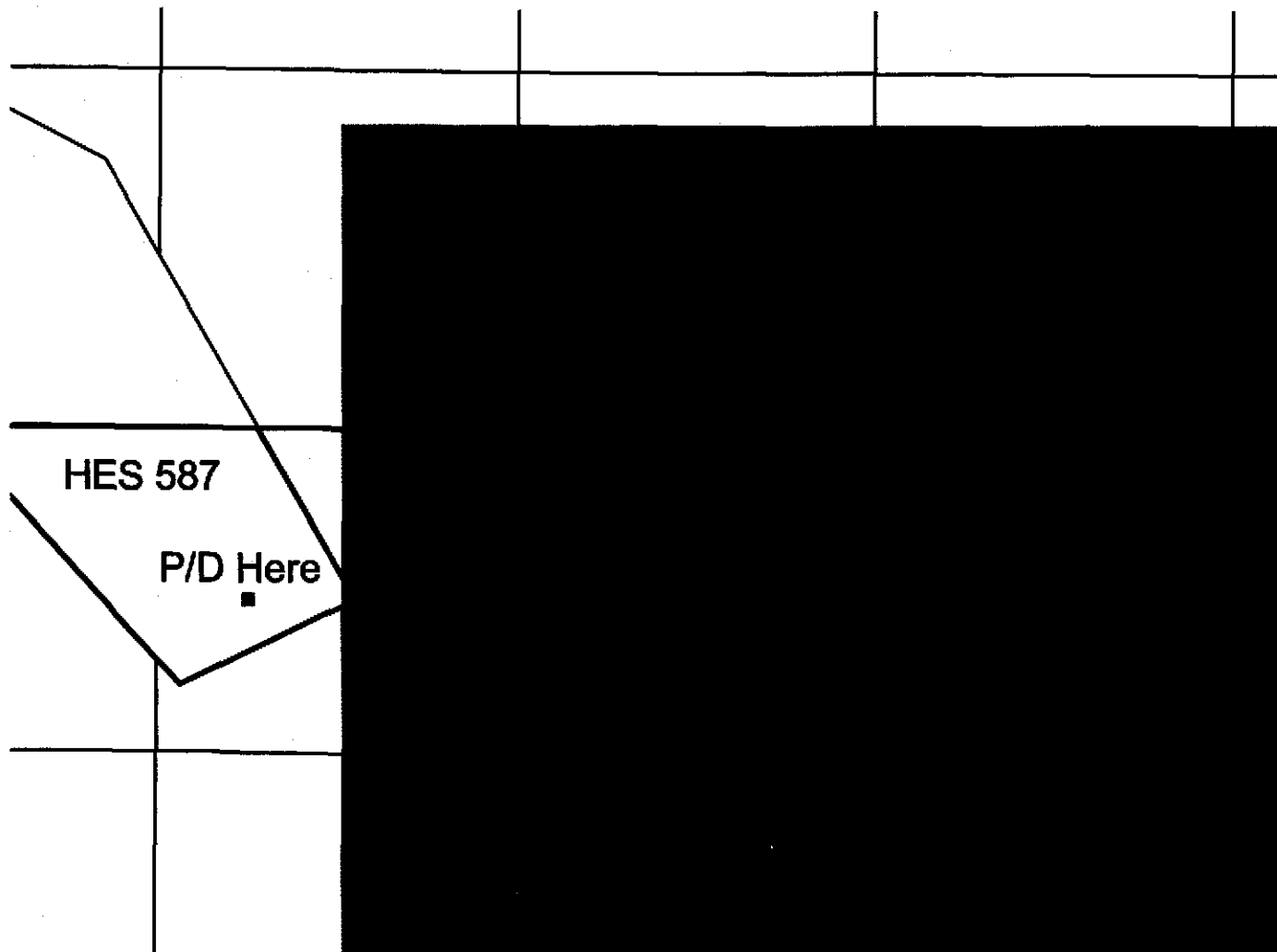
Prepared 3-10-2000
By J E Stanton

MICROFILMED
JAN 15 2004

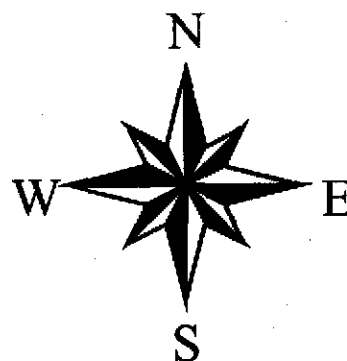


T#5694

APP FOR TRANSFER - RICHARD BURCHILL



Burchill PPU



Prepared 3-24-00
By J E Stanton

MICROFILMED
JAN 15 2004

T#5694

QUIT CLAIM DEED

For value received, Steven Rankin, does hereby convey, release, remise and forever quit claim the following described premises unto, **RICHARD AND RUTH E. BURCHILL**, whose address is PO Box 291, Challis, Idaho 83226:

A parcel of land located in H.E.S. 148, Section 4, T. 14 N., R. 18 E., Boise Meridian, Custer County, Idaho, more particularly described as follows:

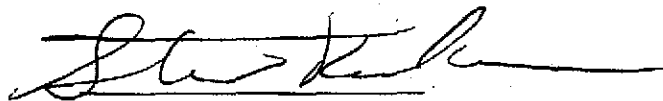
Commencing at Corner No. 3, H.E.S. 148, from which Corner No. 4 of said H.E.S. bears S 65°14'21" E a distance of 1002.51 ft., the Basis of Bearing of this description, run thence S 65°14'21" E along Line 3-4 of H.E.S. 148 a distance of 208.00 ft. to the POINT OF BEGINNING;

Thence continuing S 65°14'21" E a distance of 186.15 ft.;
 Thence S 31°27'49" E a distance of 293.11 ft.;
 Thence S 15°46'53" W a distance of 367.32 ft.;
 Thence S 89°28'48" W a distance of 453.06 ft.;
 Thence N 72°00'43" W a distance of 293.73 ft.;
 Thence S 55°56'45" W a distance of 268.34 ft.;
 Thence S 81°05'44" W a distance of 114.03 ft.;
 Thence N 24°00'23" W a distance of 367.28 ft.;
 Thence N 61°24'24" E a distance of 498.00 ft.;
 Thence S 00°21'37" W a distance of 28.57 ft.;
 Thence N 86°08'41" E a distance of 557.73 ft.;
 Thence N 00°21'37" E a distance of 180.00 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 13.29 ACRES.

Subject to all existing patent reservations, easements, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, together with all appurtenances and water rights consisting of 10 inches from Pat's Creek high water.

DATED: July 23-99



JESS RANKIN ESTATE

By Steven Rankin, Personal Representative

STATE OF IDAHO)

:ss

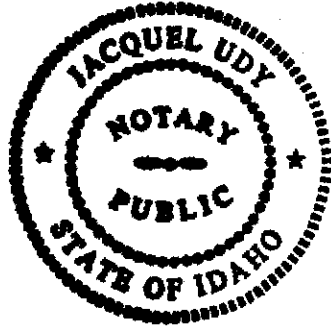
County of Custer)

On this 22 day of July, 1999, before me a notary public in and for said state, personally

MICROFILMED

JAN 15 2004

appeared Steven Rankin, Personal Representative of the Jess Rankin Estate, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that they executed the same.



Jacquell Udy
Notary Public for Idaho

Residing at: Challis

My Commission Expires: 6/7/05

WHEN RECORDED MAIL TO: Richard and Ruth Burchill
PO Box 291 Challis, Idaho 83226

MICROFILM

JAN 15 2004

218886

Custer County Reg. of

Michael D. Hanson

Time 11:45 A.M.

7/28 19 99

Ethel M Peck, Clerk

Janet L. Langis
Deputy

\$ 6.00

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 72-07431

Priority: November 30, 1989

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

11.3 AF

This is to certify, that R RICHARD BURCHILL
RUTH E BURCHILL

PO BOX 291

CHALLIS ID 83226

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 17, 1989; and has submitted Proof of Beneficial Use on June 14, 1993. An examination indicates that the works have a diversion capacity of 0.030 cfs of water from:

SPRINGS

tributary to PATS CREEK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.03 CFS	10.5 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.2 AF
DOMESTIC	01/01 to 12/31	0.03 CFS	0.6 AF
	Totals	0.03 CFS	11.3 AF

LOCATION OF POINT(S) OF DIVERSION:

SESESW , Sec. 33, Township 15N, Range 18E
CUSTER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14N	18E	4	Lot 3(NENW)	3		3

Total number of acres irrigated: 3

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 72C.
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.

MICROFILMED

NOV 09 1998

State of Idaho
Department of Water Resources

Water Right License

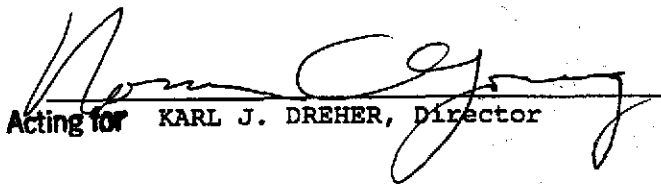
WATER RIGHT NO. 72-07431

CONDITIONS OF APPROVAL AND REMARKS

4. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license 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. Signed and sealed this 30th day of

OCTOBER, 1998


Acting for KARL J. DREHER, Director



MICROFILMED
NOV 09 1998

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 72-07431)
IN THE NAME OF RUTH E & R RICHARD BURCHILL) ORDER OF
REINSTATEMENT)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before June 1, 1993; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

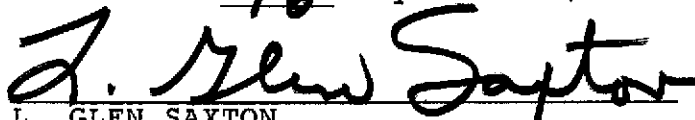
WHEREAS, the Department notified the permit holder that the permit had lapsed for failure to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on June 14, 1993;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 72-07431 be REINSTATED with an advance in priority to November 30, 1989.

Dated this 16TH day of June, 1993.


L. GLEN SAXTON
Chief, Water Allocation Bureau

RECEIVED

JUL 06 1993

RECEIVED

JUN 14 1993

Department of Water Resources

RECEIVED

JUN 01 1993

Department of Water Resources

OFFICE USE ONLY

Amt. of Fee \$ 50.00

Date 6-14-93

Receipt No. 0027842

Receipt by CA

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 14 1993

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 72-07431 Telephone No. (208) 879-2731
2. Name(s) of Permit Holder(s): RUTH E. + R. RICHARD BURCHILL
3. Mailing Address: Box 291 CHALLIS, ID. 83226
4. Source of Water: SPRING

If GROUNDWATER, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): GRAVITY

5. Extent of Use (as authorized by the permit):

Domestic 1 (No. of households) Stockwater 20 HEAD CATTLE & HORSES (No. and type of stock)

Irrigation 3 (No. of acres) Other GARDEN + YARD NA

6. Total rate and/or volume for which proof is submitted 0.10 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Lockable
Measuring device: Required? ☒ Yes _____ No Installed? _____ Yes _____ No

OR

Flow Measurement Port: Required? _____ Yes _____ No Installed? _____ Yes _____ No

8. Fee Enclosed: \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

RICHARD BURCHILL (208) 879-2731
Name Telephone No.

Box 291 CHALLIS, ID. 83226
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

MICROFILMED

06-01-1993

Date

R. Richard Burchill

Signature (and title, if on behalf of a company or organization)

JUL 06 1993

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 72-07431

Proposed Priority: November 17, 1989 Maximum Diversion Rate: 0.10 CFS
This is to certify, that R. RICHARD BURCHILL

RUTH E. BURCHILL
P.O. BOX 291
CHALLIS, ID 83226

has applied for a permit to appropriate water from:

SPRINGS

tributary of **PATS CREEK**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	01/01 to 12/31	0.10 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
Totals		0.10 CFS

LOCATION OF POINT(S) OF DIVERSION: SESESW Sec. 33, Township 15N, Range 18E
LOT 3(NENENW), Sec. 4, Township 14N, Range 18E
CUSTER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14N	18E	4	LOT 3(NENW)	3		3

Total number of acres irrigated: 3

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1993.
2. Subject to all prior water rights.
3. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
4. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
5. A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this permit.
6. Use of water under this permit is subject to control of the watermaster of State Water District No. 72C.

MICROFILMED

JUN 26 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 72-07431

CONDITIONS/REMARKS:

7. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
8. Stockwater use is for 20 cattle or horses.
9. Domestic use is for one home.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

3rd day of May, 1990.

for J. Glen Saxton
R. Keith Higginson, Director

MICROFILMED

JUN 26 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

R. Richard Burchill #102

1. Name of applicant Ruth E. Burchill Phone 879-2731

Post office address P.O. Box 291, Challis, Id. 83226

2. Source of water supply springs which is a tributary of Pats Creek

3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____

Sec. 33 Township 15N Range 18E B.M. Custer County; additional

points of diversion if any: NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 3) Sec 4 T.14N., R.18E., B.M.
↑ or (Lot 7)

4. Water will be used for the following purposes:

Amount 0.04 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs ~~or acre-feet per annum~~)

Amount 0.02 for Stockwater purposes from 1/1 to 12/31 (both dates inclusive)
(cfs ~~or acre-feet per annum~~)

Amount 0.10 for Irrigation purposes from _____ to _____ (both dates inclusive)
(cfs ~~or acre-feet per annum~~)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.10 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pipeline from springs to pump
then to house & corrals & sprinklers

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 90°F being sought? No

7. Time required for the completion of the works and application of ~~water~~ **beneficial use** is
5 years (minimum 1 year).

JUN 26 1990

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 20 Range cattle & horses
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1 household
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Lot 3 or Part of H.E.S. 148

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14N	18E	4					D												
14N	18E	4					3												3

Total number of acres to be irrigated 3

10. Describe any other water rights used for the same purposes as described above. None

11. a. Who owns the property at the point of diversion? U.S. Forest Service

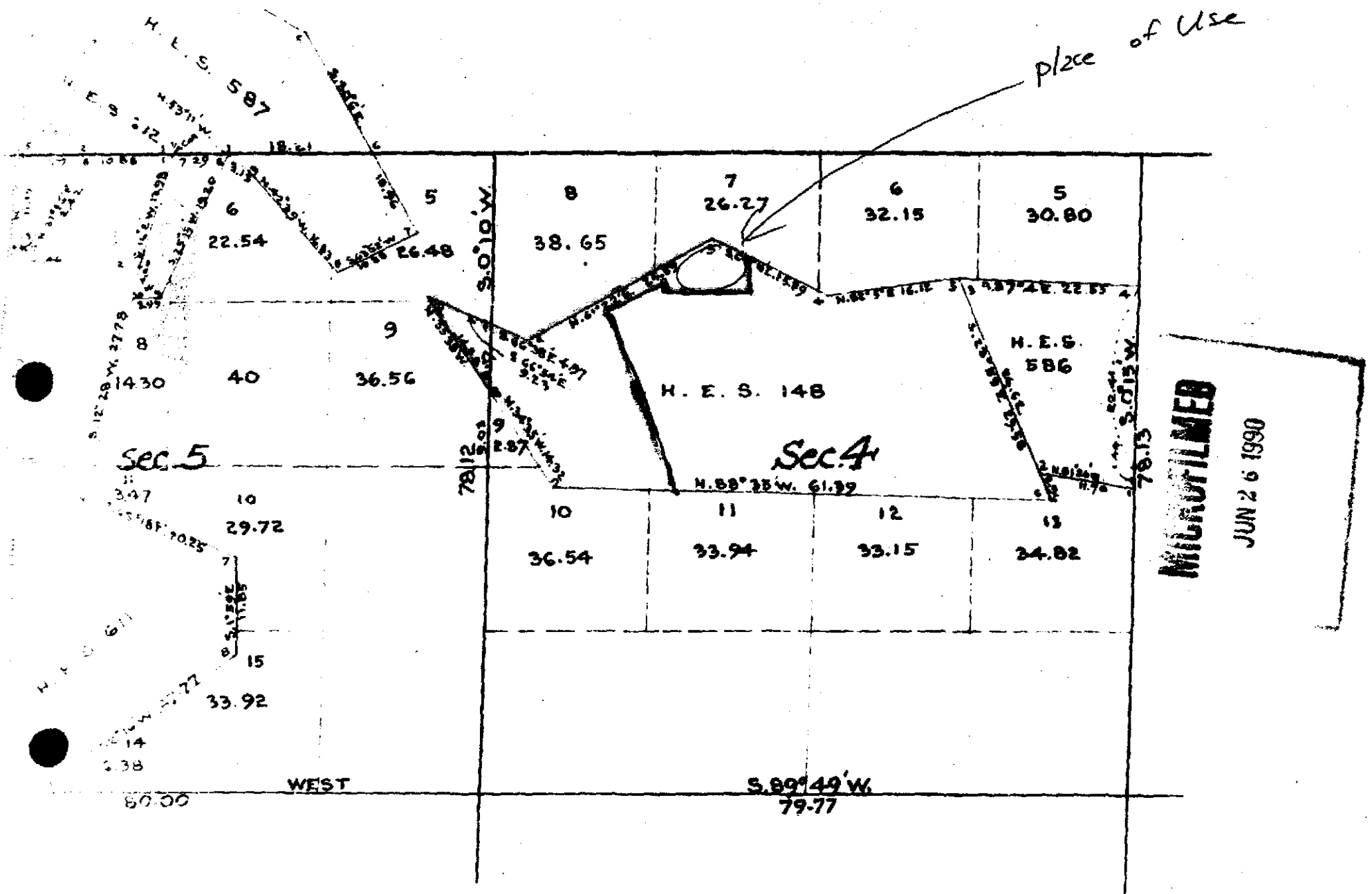
b. Who owns the land to be irrigated or place of use? Applicant.

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Easement from U.S.F.S. will be obtained.

12. Remarks: _____

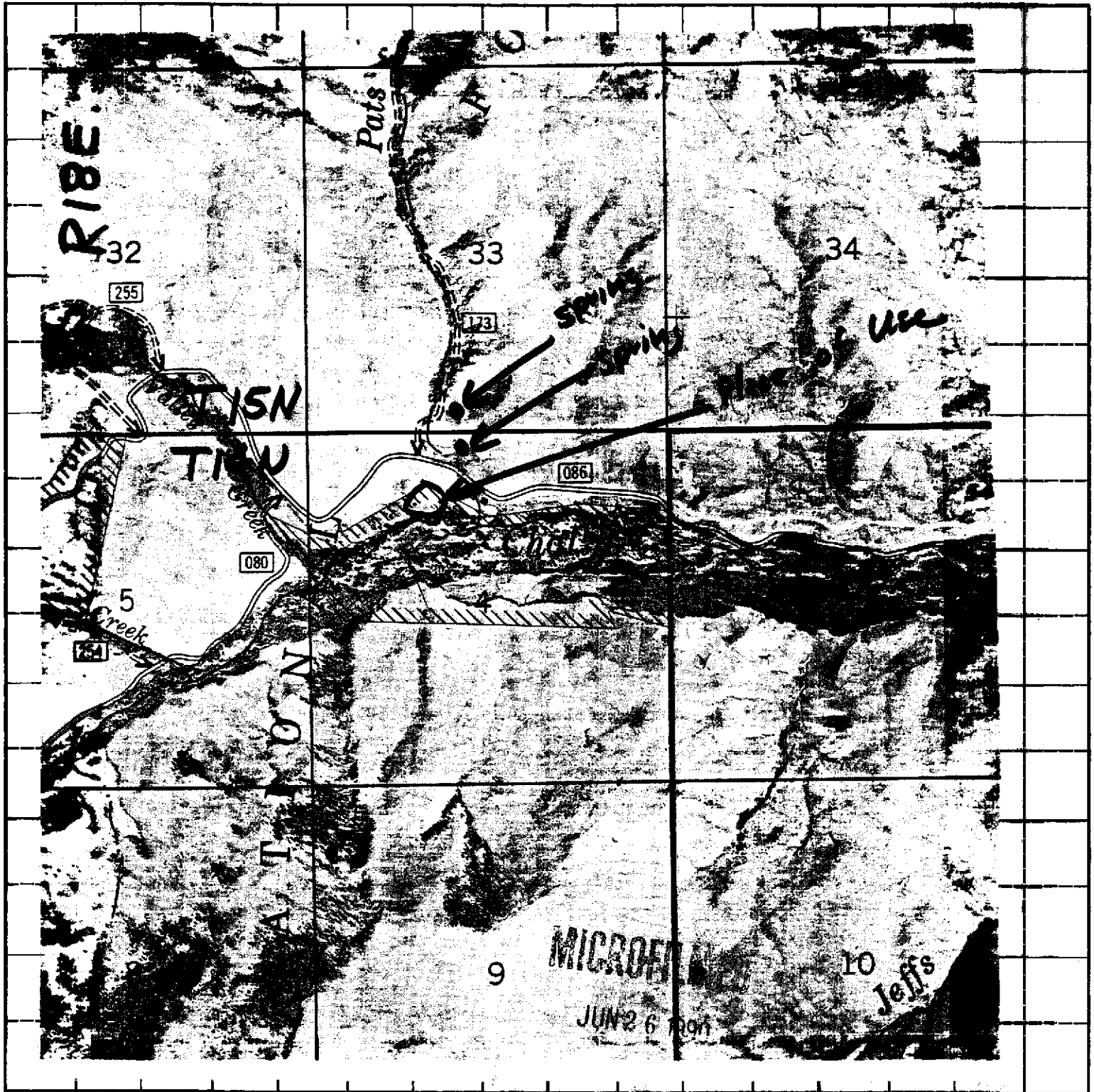
MICROFILMED

JUN 26 1990



This supplemental plat of Sections 4, 5, and 6, Township 14 North, Range 1st East of the Boise Meridian, Idaho, is made for the purpose of segregating the areas of the homestead entry surveys.

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

R. Richard Burchill
(Applicant)

Received by ADN Date 11/17/85 Time 11:00 Preliminary check by ADN
Fee \$ 30⁰⁰ Received by ADN # 5010495 Date 11/17/85
Publication prepared by M. Baldwin Date 12-8-89 Published in Challis Messenger
Publication approved T. Jasper Date 1-8-90

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

MICROFILMED

JUN 26 1990

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Margaret Parks, Publisher of 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 Dec 21 1989 and ending with the issue dated Dec 28 1989

Margaret Parks

STATE OF IDAHO

COUNTY OF CUSTER

On this 28th day of Dec. in the year of 1989, before me, a Notary Public,

personally appeared Margaret Parks, 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.

Ethel M. Parks

Notary Public for Idaho

Residing at Challis

My commission expires: 3-21-92

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

71-07127

REDFISH LAKE LODGE INC.
P.O. BOX 9
STANLEY, ID 83278
Source: GROUNDWATER
Diverson Pt: NESE Sec 34 T 10N R 13E

Use: COMMERCIAL (.050 CFS)
STOCKWATER (.020 CFS)
Total Diverson: (.070 CFS)
Date Filed: 11/28/1989
In: T10N R13E S34 NESE

71-07128

REDFISH LAKE LODGE INC.
P.O. BOX 9
STANLEY, ID 83278
Source: GROUNDWATER FISH-HOOK CREEK
Tributary: REDFISH LAKE

Diverson Pt: NWNE Sec 3 T 09N R 13E

Use: COMMERCIAL (.050 CFS)
IRRIGATION (.040 CFS)
Total Diverson: (.090 CFS)
Date Filed: 11/28/1989
In: T09N R13E S03 NWNE

5.0 ACRES TOTAL

72-07430

KESL, THOMAS J.
KESL, THELMA
HC 61 BOX 115
SALMON, ID 83467
Source: GROUNDWATER
Diverson Pt: LOT 6 (NWNESW)
Sec 21 T 13N R 19E

Use: DOMESTIC (.110 CFS)
Total Diverson: (.110 CFS)
Date Filed: 11/16/1989
In: T13N R19E S21 Lot 6 (NESW)

72-07431

BURCHILL, R. RICHARD
BURCHILL, RUTH E.
P.O. BOX 291
CHALLIS, ID 83226
Source: SPRINGS, Tributary: PATS CREEK

Diverson Pt: LOT 3 (NENESW)
Sec 4 T 14N R 18E

SESESW Sec 33 T 15N R 18E
Use: DOMESTIC (.040 CFS)
STOCKWATER (.020 CFS)
IRRIGATION (.100 CFS)
Total Diverson: (.100 CFS)
Date Filed: 11/17/1989

In: T14N R18E S04 Lot 3 (NENW)

3.0 ACRES TOTAL

72-07432

DIZES, ROBERT J.
P.O. BOX 117
CHALLIS, ID 83226
Source: GROUNDWATER
Diverson Pt: Lot 4 (SWNWNE)
Sec 28 T 13N R 19E

Use: IRRIGATION (.300 CFS)
DOMESTIC (.040 CFS)
Total Diverson: (.340)
Date Filed: 11/29/1989
In: T13N R19E S28 Lot 4 (NWNE) LOT 4 (SWNE) Lot 2 (NENW) Lot 3 (SENW)
15.0 ACRES TOTAL

72-07433

ENNIS, JAMES M.
ENNIS, THELMA E.
3504 S. RIO CAMINO
SALT LAKE CITY, UT 84119
Source: GROUNDWATER

Diverson Pt: LOT 5 (NWNESW)
Use: DOMESTIC (.090 CFS)

Total Diverson: (.090 CFS)
Date Filed: 11/30/1989
In: T11N R17E S28 Lot 5 (SENW) Lot 5 (NESW)

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before JANUARY 8, 1990.

R. KEITH HIGGINSON, Director
Pub: Dec. 21 & 28, 1989.

RECEIVED

DEC 29 1989

Department of Water Resources
Southern Region Office

OK
TG 1-8-90



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 12, 2002

R RICHARD BURCHILL
RUTH E BURCHILL
PO BOX 291
CHALLIS ID 83226

RE: Transfer No.: 67114 - Water Rights 72-7431, 72-10044B -
Transfer Approval Notice

Dear Water Right Holder(s):

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,

Camula S. Skaggs
for Jeff Peppersack, Manager
Water Rights Permits Section

JP:kit
Enclosure(s)

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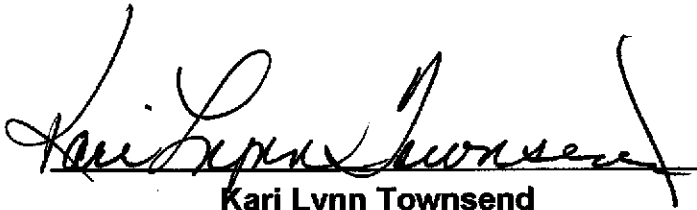
JAN 15 2004

CERTIFICATE OF SERVICE

I hereby certify that on June 12, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 67114 - WATER RIGHTS 72-7431 & 72-10044B

**R RICHARD BURCHILL
RUTH E BURCHILL
PO BOX 291
CHALLIS ID 83226**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", is written over a horizontal line.

**Kari Lynn Townsend
Secretary**

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JAN 15 2004



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 12, 2002

RICK PHILPS
WATERMASTER
HC 63 BOX 1630
CHALLIS ID 83226

RE: TRANSFER OF WATER RIGHTS 72-7431 & 72-110044B (Transfer 67114)

Dear Rick:

Enclosed is a copy of the recently approved Transfer of Water Right for the above referenced water rights (Transfer 67114) in the name of R. Richard Burchill and Ruth E. Burchill.

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

Sincerely,

for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

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**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.

TRANSFER REVIEW SHEET

(05-01)

TRANSFER # 5694/67114

DATE REVIEWED 6-4-2002 CS

SPLIT POD ADD POD ☒ POU ☒ PERIOD or NATURE of USE

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

W/72-7431	/	/	/	/
R/72-10044B	/	/	/	/
/	/	/	/	/
/	/	/	/	/

PART OF RIGHTS(S)		(Unchanged)	(Changed)
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/

Standard Season 4-1 to 10-31

Standard Volume 3.5/2.5

(1) ☒ Priority (2) ☒ Use (3) 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 Pertinent Conditions (13) NO Expansion
WM/Rcvd 5-17-2000

- (3) Licensed season under 72-7431 is 4-15 to 10-15 < current standard (W61)
- (5) Standard Vol - 72-10044B 3.5 x 10.5 = 36.8 af
- (6) Add Sources to each rt to include Pats Creek, Springs, & White Valley Creek
All ultimately trib. to Bear Creek to Challis Creek. Subject to availability
at original source & P/D. Correct tributaries per region review & F&E
- (7) Add P/Ds from all sources to each rt.
- (8) Create a 13.5 acre P/D

Per telecon with application on 6-5-02 he is pursuing right of way access to Pats
Creek from Forest Service (W57)

Conditions/Remarks W64, R43, W35 (72-7431/10044B + 29C) W57, W53
72-7431) W61 42.9 acres + 150.2 af per ADM W27 ca. rt.
T07, T08, & T19 on 72-10044B
P/U mostly within HES #148.

WRs for Update Comments Previous Transfer

Database Updated to Reflect Final Action 6-11-2002 CS

IDWR TRANSFER ANALYSIS SHEET

APPLICANT R. Richard Birchell TRANSFER NO. 5694 ⁶⁷¹¹⁴

1. Right number(s) 72-100448 et al

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: Create PPU

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: _____

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 requested

5694/67114

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) _____

k. ☒ Comment letters ☒ Yes ☐ No
If yes ☒ Water District # 72-C (5/8/00)
Lienholder, others, see #2 below for name and address

INITIAL ALLOCATION REVIEW BY J. E. Johnston DATE 3-24-00
SRBA SUPERVISOR REVIEW BY _____ DATE _____
PUBLICATION REVIEW BY _____ DATE _____

1. Legal Notice electronically sent to DWRO3::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: 4/12/01
4. By AP Date 4/12/01

FILE PROGRESS SUMMARY

APPLICANT:

FILE PROGRESS SUMMARY

: R. Richard Churchill WATER RIGHT NO. 72-100443
elat

WATER RIGHT NO.

72-100445

elat

INIT.	DATE	COMMENT
alb	11/3/99	Stuffed to Jim Straton
go	3-27-00	Shaper moved to basin master file. To Jerry for advertising
MB	4/5/00	Adv. sch CM 5/11 + 5/18/00 ; 5/30/00
MB	5/30/00	Pub. off. rec. (5/19/00)
MB	6/1/00	to ADM for signoff
ALB	4/12/01	To MB L turned to S.S.

RECEIVED

APR 18 2001

Department of Water Resources

MEMO

FROM: Allen Merritt *AM*

DATE: April 12, 2001

TO: Transfer File No. 67114 (5694)
In the Name of: Burchill
Water Right(s): 72-10044B
72-07431

TO: Change of Ownership
In the Name of: Rankin to Van Kampen
Water Right(s): 72-00029B
72-10044A Part

SUBJECT: Review

The original Rankin property has been recommended with two rights (72-00029B for 0.22 cfs and 72-10044 for 1.70 cfs) on 43 irrigated acres that are watered from a combination of water sources listed on these rights. In 1999 Rankin property has been split into 3 parcels as shown on the attached GIS map.

Parcel A (13.29 acres of which 10.5 acres are irrigated) has been sold to Burchill. In the deed it was sold with only 10 inches of water from Pats Creek being a portion of 72-10044. Burchill has filed transfer incorporating his portion (72-10044B) with license his license 72-07431 into a PPU of 13.5 acres covering Parcel A and other land he already owned.

Parcel B (44.81 acres of which 28.7 acres are irrigated) was first quit claimed to Martin Rankin with all of 72-00029B (0.22 cfs from White Valley Creek) and all appurtenances. Parcel B was then sold by Martin Rankin to Van Kampen's with all appurtenances. Van Kampen's have filed a Change of ownership for rights 72-00029B and 72-10044. No rights have been changed yet. There is a need to clarify exactly what water right went with the property.***

Parcel C (6.17 acres of which 3.8 acres are irrigated) remains with the original Rankin owners. (Steve and Jess noting that Jess has died and Steve is the Personal Representative for the Jess Rankin Estate)***

****Since the original Rankin property has been broken up and the water rights split up disproportionately, transfers for each parcel needs to be filed to correctly record the water rights and all the elements such as source, point of diversion, etc. which goes with each parcel. Burchill has filed his transfer to square things up on his property. Van Kampen needs to file a transfer and Rankin needs to file a transfer. In processing either a transfer by Van Kampen or by Rankin there needs to be a resolution as to what exactly was the intent of what water right(s) went with each property. Currently the department interprets that:*

Parcel B has all of 72-00029B or 0.22 cfs and 28.7/32.5 share of 72-10044A or 1.32 cfs.

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Parcel C has 3.8/32.5 share of 72-10044A or 0.18 cfs.

Review for the Burchill Transfer 5694

This transfer initially landed on my desk in June of 2000 after advertising. Initial review appeared to indicate that other transfers or actions in the SRBA might resolve some of the issues identified in Stanton's 11/17/99 memo but time has tolled and no additional transfers have been filed and no further action by the SRBA has taken place. The transfer was processed without protest.

I have created shapes in GIS on my machine which I recommend be associated with this transfer. The total PPU should be limited to the 3.0 acre plus the 10.5 acre shapes or 13.5 acres in total. Note that a portion of the 3.0 acre shape overlaps with irrigated land covered by 72-00029C also owned by Burchill.

Recommendation

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

- Water delivery under control of the watermaster of District 72-C.
- Measuring Device and Headgate be maintained at all points of diversion.
- Point of diversions and sources are to be described as listed on application to correct descriptions found in original right records.
- When right 72-00029C, 72-07431 and 72-10044B are combined no more than 42.9 acres be irrigated. $(30.0 + 13.5) \text{ minus } 0.6 \text{ acres overlap} = 42.9$

I recommend that letter be sent to Rankin and Van Kampen informing them of the need to file transfers and clarify split of water rights.

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Burchill Transfer 5694 Split of Rankin Property



- B72-pod.shp
-  B72-pou.shp
-  Burchill.shp
-  Parcela.shp
-  Parcelb.shp
-  Parcelc.shp
-  T14n18e-sect.shp
-  T14n18eqq.shp

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JAN 15 2004

By: ADM
4/7/01



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

April 12, 2001

Thomas &/or Leslie Van Kampen
PO Box 361
Challis, ID 83226

Steven Rankin
PO Box 1114
Challis, ID 83226

RE: Water rights

Dear Waterusers:

Our office is currently processing a transfer and an ownership change request as addressed in the attached memo. Please be advised that to straighten out the water right records for the parcels of land we understand you currently own, it is necessary for you to file an application for "transfer of water right" to correctly associate your rights to your separate parcel. We also request that you clarify or show that you agree how the water rights have been split up on the original Rankin property.

Please contact our office and discuss this matter with a water right agent at your earliest convenience. Please reference this letter and attached memo. Failure to file a timely transfer may jeopardize your water use. If you have questions please let us know.

Sincerely,

Allen Merritt, PE
Southern Region Manager

CC: Watermaster of 72-C
Bob Foster IDWR-Salmon

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JAN 15 2004

Robertson, Jean

From: Music, Vicky
Sent: Monday, March 05, 2001 10:53 AM
To: Robertson, Jean
Subject: RE: water rights change

I talked to Nick. We do need a transfer in addition to the ownership change so that the administrative requirements. Nick says it sounds like you are on top of it.

-----Original Message-----

From: Robertson, Jean
Sent: Tuesday, February 20, 2001 8:21 AM
To: Music, Vicky
Subject: FW: water rights change

Hi Vicky,

Could you remind Nick about this one...it's been hanging around for almost a year I bet. Anyway, I think I wrote to Nick about this ownership change and wondered whether a transfer would be needed or could we just fix it through the o/c process. He was supposed to get back with me...72-00029B and 72-10044.

(The following was originally sent 7/26/00):

Hi Nick,

I have a question that requires some guidance from you on a couple of rights on Challis Creek. They were both originally recommended on a 43 acre parcel. Then Rankin sold a 13 acre piece (10.5 irrigated) to his neighbor, Burchill, but the deed specified only 10 inches of highwater from the Pat's Creek diversion (72-10044, - one of three sources on this right) was to go with that piece. I split 72-10044 into parts A (1.5 cfs and 32.5 acres, with all three sources) and and B (0.2 cfs and 10.5 acres, Pat's Creek only). 72-00029B should also be split to reduce the PoU on that right, but I figured it needed a transfer by Rankin to do that. I asked him to do so by letter, but he never responded. We filed an NAP with the court and it's on our list of things to clear up and finish...

There were two brothers involved, (Steven & Martin Rankin, as Jess, the Dad, is deceased). Steven quitclaimed the larger parcel to Martin who sold to Van Kampen and Steven retained a small parcel for himself. In the quitclaim from Steven to Martin, it says "...with all appurtenances and water rights consisting of 11 inches from White Valley Creek". In the deed from Martin to Van Kampen, it just says "... with appurtenances".

I plan to change all of 72-00029B to Van Kampen, but I guess the PoU will still show the land sold to Burchill and Van Kampen can file a transfer to move the water onto his ground? I also think I should split 72-10044A and give a proportionate share to Van Kampen? What do you think?

Let me know when you are in the office and I'll FAX a map &/or deeds to help explain.

Thanks, Jeanie

-----Original Message-----

From: Thomas Van Kampen [mailto:tpbulkbag@yahoo.com]
Sent: Sunday, February 18, 2001 2:01 PM
To: jroberts@idwr.state.id.us
Subject: water rights change

This is Tom Van Kampen. Leslie and I are not in Challis at the moment but wanted to touch base with you to inquire the status of our request for changing the Rankin rights to our name.

Please let me know what we need to do to get this moving for this spring.

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JAN 15 2004

? should 29B
be split between
VanKampen & Rankin,
or
should VanKampen
get all of it?

72-10044A

$$1.5 \text{ cfs} \div 32.5 \text{ Ac.} = 0.046 \text{ cfs/Ac}$$

C	D
Rankin	VanKampen
4 Ac.	28.5 ac.
0.182 cfs	1.32 cfs

72-00029B

43 Ac. ; 22 cfs

↓

(no transfer?)

32.5 Ac. ; 22 cfs

D	E
Rankin	VanKampen
4 Ac.	28.5 Ac.
0.027 cfs	0.193 cfs

00029

A - Apline
B - Rankin
C - Broadhill

Rankin → E
VanKampen

before 9 AM, after 4 PM

VanKampen
parcel = 28.5 ac.
(orig)

Rankin
parcel = 4 Ac.
(orig)

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JAN 15 2004

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED
JUN - 7 2000
Department of Water Resources
Southern Region

1. Water Right Number(s) _____
Adjudication Claim Number(s) 72-00029B, 72-10044
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) _____

4. New Owner/Claimant(s) Thomas +/OR Leslie Van Kampen
Name connector (Check one): [] AND, [] OR, [X] AND/OR
New Mailing Address P.O. Box 3101
City, State and ZIP Code Challis, ID 83224
New Telephone Number (208) 879-5275
5. Date you acquired the property September 21, 1999
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Thomas Van Kampen Date 6-5-2000
Leslie Van Kampen Date 6-5-2000
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a copy of appearance completed by your attorney.

JAN 15 2004

WARRANTY DEED

For Value Received MARTIN RANKIN, the Grantor, does hereby grant, bargain, sell and convey unto THOMAS VAN KAMPEN AND LESLIE VAN KAMPEN, husband and wife, the Grantees, whose current address is 1751 E. Major Road, Custer, Michigan 49405, the following described premises, in Custer County, Idaho, to-wit:

A parcel of land located in H.E.S. 148, N½, Section 4, Township 14 North, Range 18 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Beginning at Corner number 4 of said H.E.S. 148 from which corner number 3 of H.E.S. 148 bears North 65°14'21" West, 1002.51 feet, the basis of bearing of this description, run thence North 84°07'25" East, along the Northerly boundary of said H.E.S. 148 a distance of 230.66 feet; thence South 01°19'00" West, a distance of 1650.81 feet to a point on the Southerly boundary of said H.E.S. 148; thence North 88°31'01" West along said boundary a distance of 1239.95 feet; thence North 24°00'23" West a distance of 1274.94 feet; thence North 81°05'44" East a distance of 114.03 feet; thence North 55°56'45" East a distance of 268.34 feet; thence South 72°00'43" East a distance of 293.73 feet; thence North 89°28'48" East a distance of 453.06 feet; thence South 80°52'56" East a distance of 293.03 feet; thence South 06°45'31" West a distance of 78.23 feet; thence South 53°41'22" East a distance of 46.02 feet; thence North 85°21'14" East a distance of 59.23 feet; thence North 63°20'14" East a distance of 110.21 feet; thence North 16°29'50" East a distance of 102.11 feet; thence North 41°13'06" East a distance of 87.34 feet; thence South 74°46'39" East a distance of 135.27 feet; thence North 31°12'22" West a distance of 371.47 feet to the POINT OF BEGINNING, as shown by the record of survey filed August 13, 1999, as instrument No. 219110, records of Custer County, Idaho.

TO HAVE AND TO HOLD the said premises, with his appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that he is free from all encumbrances excepting therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Custer County, Idaho and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: This 21st day of Sept, 1999.

Martin Rankin
MARTIN RANKIN

MICROFILMED

1999

STATE OF IDAHO)

: ss

County of: CUSTER

On this 21 day of
SEPT, 1999, before
me, a Notary Public, per-
sonally appeared MARTIN
RANKIN

known or identified to me to
be the person(s) whose name(s)
are subscribed to the within
instrument, and acknowledged to
me that he executed the same.

Patsy Kindt

Notary Public for Idaho

Residing at Challis

Commission Expires 3/12/2004

STATE OF IDAHO, COUNTY OF CUSTER

I hereby certify that this instrument was filed for
record at the request of Custer County Title
at 27 minutes past 4
o'clock P.M., this 21st day of Sept.
199 9, in my office, and duly recorded in Book
_____ of Deeds at page _____.

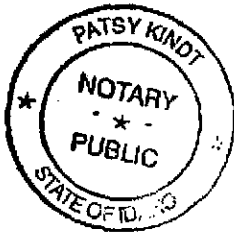
Ethel M. Perch

Ex-Officio Recorder

BY

Janet D. Dargatzis
Deputy

Fee: \$ 6.00
Mail to:



MICROFILMED

JAN 15 2004

CUSTER COUNTY TITLE, INC.
P.O. Box 370
8th & Main
Challis, ID 83226
208 879-4424

RECEIVED
JUN -7 2000
Department of Water Resources
Southern Region

2nd Request!

September 22, 1999

RE: 10199: Rankin - Van Kampen

The Idaho Department of Water Resources
Southern Region Office
1341 Fillmore Street
Twin Falls, ID 83301-3380

Dear Sirs,

Please find enclosed a copy of the Warranty Deed and a signed Notice of Change of Water Right Ownership.

Please send all further correspondence to current owners, Thomas & Leslie Van Kampen.

Please call if you have any questions.

Respectfully,

MP Bruno
Mindy Bruno
Secretary

enc.

Dear Sirs,

Please find enclosed an Original signed Notice of Change of water right ownership, Recorded Warranty Deed transferring the property to the Van Kampens, a plat map, Adjudication claim Profile Report, and a copy of the formal probate of Jrs Rankin. Please Accept this as our Second Request and forward all future information to Thomas + Leslie Van Kampen. Challis, ID. 83226

JAN 15 2004

Thanks!
Mindy Bruno

QUITCLAIM DEED

For value received, the Estate of Jess Rankin by and through the Personal Representative, Steven Rankin, Steven Rankin individually, does hereby convey, release, remise and forever quit claim the following described premises unto, MARTIN RANKIN, whose address is 1087 Halsey, Idaho Falls, ID 83401:

SEE EXHIBIT "A"

Subject to all existing patent reservations, easements, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, together with all appurtenances and water rights consisting of 11 inches from White Valley Creek.

This deed is being recorded to correct the legal descriptions in deed 218884 recorded 7-28-99, and 219201 and 219202 recorded 8-19-99

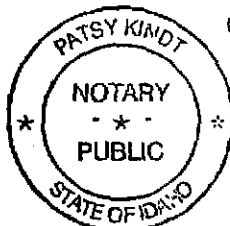
DATED: 9-21-99

Steven Rankin
JESS RANKIN ESTATE
By Steven Rankin, Personal Representative

STATE OF IDAHO)
 :SS
County of Custer)

On this 21 day of September, 1999, before me a notary public in and for said state, personally appeared Steven Rankin, Personal Representative of the Jess Rankin Estate, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that they executed the same.

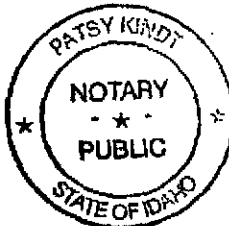
Steven Rankin
STEVEN RANKIN



Patsy Kindt
Notary Public for Idaho
Residing at: Challis
My Commission Expires: 3/12/2004

STATE OF IDAHO)
 :SS
County of Custer)

On this 21 day of September, 1999, before me a notary public in and for said state, personally appeared Steven Rankin, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that they executed the same.



Patsy Kindt
Notary Public for Idaho
Residing at: Challis
My Commission Expires: 3/12/2004

* 219551
Custer County Reg. of
Custer County
Title
Time 4:27 P.M.

9/21/99
Ethel M Peck, Clerk
Janet Mangis
Deputy

MICROFILMED
JAN 15 2004

WADE SURVEYING

P.O. Box 1175
Salmon, Idaho 83467

Phone (208) 756-3070

August 19, 1999

PARCEL "B"

A parcel of land located in H.E.S. 148, N 1/2, Section 4,
T. 14 N., R. 18 E., Boise Meridian, Custer County, Idaho more
particularly described as follows:

Beginning at Corner Number 4 of said H.E.S. 148 from which
Corner Number 3 of H.E.S. 148 bears N 65°14'21" W 1002.51 ft.,
the Basis Of Bearing of this description, run thence N 84°07'25" E
along the northerly boundary of said H.E.S. a distance of
230.66 ft.;

Thence S 01°19'00" W a distance of 1650.81 ft. to a point on
the southerly boundary of said H.E.S. 148;

Thence N 88°31'01" W along said boundary a distance of
1239.95 ft.;

Thence N 24°00'23" W a distance of 1274.94 ft.;

Thence N 81°05'44" E a distance of 114.03 ft.;

Thence N 55°56'45" E a distance of 268.34 ft.;

Thence S 72°00'43" E a distance of 293.73 ft.;

Thence N 89°28'48" E a distance of 453.06 ft.;

Thence S 80°52'56" E a distance of 293.03 ft.;

Thence S 06°45'31" W a distance of 78.23 ft.;

Thence S 53°41'22" E a distance of 46.02 ft.;

Thence N 85°21'14" E a distance of 59.23 ft.;

Thence N 63°20'14" E a distance of 110.21 ft.;

Thence N 16°29'50" E a distance of 102.11 ft.;

Thence N 41°13'06" E a distance of 87.34 ft.;

Thence S 74°46'39" E a distance of 135.27 ft.;

Thence N 31°12'22" W a distance of 371.47 ft. to the POINT OF
BEGINNING.

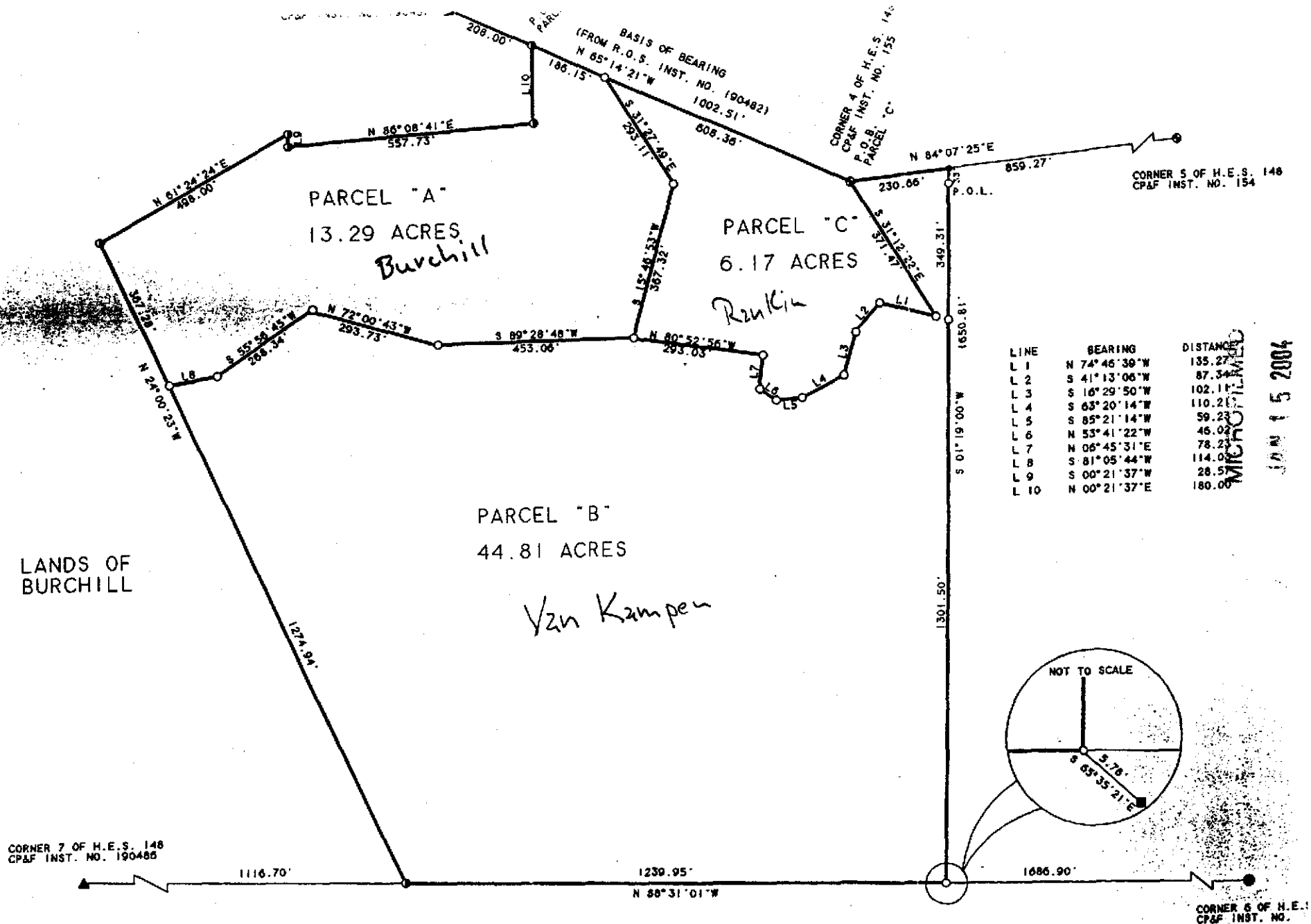
PARCEL CONTAINS 44.81 ACRES

AUG-19-1999 13:41

P.01

MICROFILMED

EXHIBIT 15 2004



100152004

JAMES R. BENNETTS
ATTORNEY AT LAW
P. O. BOX 36
CHALLIS, IDAHO 83226
TELEPHONE: (208) 879-4488

DISTRICT COURT
CUSTER COUNTY
IDAHO

OCT 18 11 03 AM '93

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CUSTER
MAGISTRATES DIVISION

In the Matter of the Estate of	)	
	)	Probate Case No. <i>SP-93-23</i>
JESS RANKIN,	)	
	)	FORMAL PROBATE OF WILL
	)	AND APPOINTMENT OF
Deceased.	)	PERSONAL REPRESENTATIVE
	)	

Upon consideration of the Petition for Formal Probate of the decedent's Will, dated March 4, 1993, and Formal Appointment of STEVEN S. RANKIN as Personal Representative of the decedent, filed with the Court by STEVEN S. RANKIN on the 28th day of September, 1993, the Court finds that:

1. The required notice has been given or waived.
2. The proceeding was commenced within the time period provided by law.
3. The decedent died on September 2, 1993, domiciled in Custer County, Idaho.
4. Venue is proper.
5. A testamentary instrument to which the Petition relates is the decedent's Last Will.
6. STEVEN S. RANKIN is entitled to appointment as the decedent's Personal Representative, to act without bond.

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JAN 15 2004

7. The heirs of the decedent are as follows:

NAME:

RELATIONSHIP:

JOHN RANKIN
MAX RANKIN
MARIO RANKIN
MARTIN RANKIN
STEVEN S. RANKIN
DICK CARTER
STELLA NICHOLS

Son
Son
Stepson
Stepson
Stepson
Nephew
Legatee

THEREFORE:

1. The Will of the decedent, dated March 4, 1993, is hereby formally probated.

2. a) STEVEN S. RANKIN is hereby formally appointed as the Personal Representative of the decedent, to act without bond.

b) Upon qualification and acceptance, Letters Testamentary shall be issued to the said Personal Representative.

DATED: October 18, 1993.



Magistrate

219549
Custer County Req. of
Custer County
Title
Time 4:27 P. M.
9/21 19 99
Ethel M Peck, Clerk
Janet Langis
6⁰⁰ Deputy

FORMAL PROBATE OF WILL AND
APPOINTMENT OF PERSONAL
REPRESENTATIVE - 2

STATE OF IDAHO
COUNTY OF CUSTER - 188
I hereby certify that the foregoing is a full,
true and correct copy of the original on file
in this office.
Date 9-20-99
Ann Bresson
Deputy Clerk

MICROFILMED
JAN 15 2004

DATE: 04/22/99
PAGE: 18

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

AJ5809NP
No. 72-000398

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JESS RANVIN PO BOX 1114 CHALLIS ID 83226 (208) 879-2335	05/01/1897	IRRIGATION	04-01 10-31	0.220 CFS	

TOTAL DIVERSION: 0.220 CFS

C STEVE RANVIN
P O BOX 1114
CHALLIS ID 83226
(208) 879-2335

Water Source: WHITE VALLEY CREEK

Tributary to: CHALLIS CREEK

Stage: DECREED

CUSTER COUNTY

Point(s) of Diversion: TIAN RISE 905 LOCOS (SENEBE)
Place of use Legal Description for: IRRIGATION
NE

NE	SE	SW	SH	SESS
NESE NWSE SENE	NESE NWSE SENE	NESE NWSE SENE	NESE NWSE SENE	NESE NWSE SENE
LE AC LE AC LE AC	LE AC LE AC LE AC	LE AC LE AC LE AC	LE AC LE AC LE AC	LE AC LE AC LE AC
14N 18E 4	14N 18E 4	14N 18E 4	14N 18E 4	14N 18E 4
5	5	5	5	5
06	06	06	06	06
01	01	01	01	01
03	03	03	03	03
28	28	28	28	28
5	5	5	5	5
TOTAL ACRES				43.0

POU County: CUSTER

Other Rights: 72-10044 - SUPPLEMENT WATER FROM BEAR & PATS CREEKS

Conditions of Approval:

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

Remarks: POU1 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 43 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-000298 AND 72-10044.

GEN PROPERTY IS ALSO KNOWN AS PART OF HOMESTEAD ENTRY NO. 148.

MICROFILMED
JAN 15 2004

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/13/99
PAGE: 223

PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
10/10/1911	IRRIGATION	04-01 10-31	1.700 CFS	
TOTAL DIVERSION:			1.700 CFS	

85"

Tributary to: CHALLIS CREEK
CHALLIS CREEK
SALMON RIVER

A0002585
(Rankin)

Stage: BENEFICIAL USE

TRAN R18B S04 Lot07 (SENEENW)

SWSWN

SESWNW

SWSNW CUSTER County

IRRIGATION

NW

(A0007594
BURCHILL/RANKIN CC)

SW

(A0002586 (Anderson/Gunn/Quinn/Rankin) CC)

SE

NE	SE	SW	SE	NE	SE	SW	SE	NE	SE	SW	SE	SUM
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt
03	01	03	28	03	01	03	28	03	01	03	28	43.0

TOTAL ACRES

43.0

Listed As Burchill's 3C
Division 6 - Rankin CC
Division 1 - Rankin CC

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

ATER RIGHT NO. SOURCE
NONE NONE

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

ATER RIGHT NO. SOURCE
NONE NONE

ER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
N THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
ELY.

R RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
D TOTAL OF 43 ACRES IN A SINGLE IRRIGATION SEASON.
MT NOS.: 72-000298 AND 72-10044.

IS ALSO KNOWN AS PART OF HOMESTEAD ENTRY NO. 148.

Verified Date:

Objection Filed Date:

Number: 72C

Field Inspection Flag:

Presumption Flag:

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JAN 15 2004

04/09/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 72-29A

Owner Type Name and Address
Current Owner PATRICIA AXLINE
Current Owner SCOTT AXLINE
 P O BOX 733
 CHALLIS, ID 83226
 (208)879-4225

Current Owner KEITH AXLINE
 PO BOX 733
 CHALLIS, ID 83226
 (208)879-4225

Priority Date: 05/01/1897
Basis: Decreed
Status: Active

Source Tributary to
BEAR CREEK CHALLIS CREEK
CHALLIS CREEK 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	0.44 CFS		
Total Diversion			0.44 CFS		

Location of Point(s) of Diversion:

Bear Ck → NESENW Sec. 04 Township 14N Range 18E CUSTER County
Challis Ck → SWSSENW Sec. 04 Township 14N Range 18E CUSTER County

IRRIGATION Use:
Acre Limit: 12.4

Place(s) of use:

Place of Use Legal Description: IRRIGATION CUSTER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
14N	18E	4		NWNE	2.8		SWNE	6.7		SENE	2.9			

Total Acres: 12.4

Conditions of Approval:

1. C16 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

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JAN 15 2004

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.

2. C02 RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:

1. General PROPERTY IS ALSO KNOWN AS PART OF HOMESTEAD ENTRY NO. 148.
2. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 72-00032D & 72-10168.
INCIDENTAL STOCKWATERING FOR 20 HEAD RANGE CATTLE

Comments:

Author	Date	Subject	Comment
WORSTELL	2/17/93	COPIED FROM REMARKS	DUE TO DIVISION OF PROPERTY UNDER ORIGINAL DECREE, THIS PORTION HAS BEEN SPLIT OFF OF ORIGINAL RIGHT. THE LAND IRRIGATED BY THIS WATER IS ONLY DIVERTED FROM BEAR CREEK AND CHALLIS CREEK. NO WATER DIVERTED FROM WHITE VALLEY CREEK IS USED ON THIS PLACE OF USE.
WORSTELL	7/19/93	OWNER CHANGE	THE NAMES OF PATRICIA AXLINE & SCOTT AXLINE WERE ADDED AS CLAIMANTS ON THIS CLAIM BY KEITH AXLINE AT HIS HOME ON 7/16/1993.
AJU10-DS	11/21/98	AJU10 CONDITION UPDATE	RVW CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates:

Licensed Date:
 Claim Received Date: 11/14/1989
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Other Information:

Receipt Number(s): M005203
 State or Federal: S
 Owner Name Connector: OR
 Water District Number: 72C
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:NONE RECEIVED
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

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JAN 15 2004

04/05/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 72-7431

Owner Type Name and Address
Current Owner R RICHARD BURCHILL
Current Owner RUTH E BURCHILL
 PO BOX 291
 CHALLIS, ID 83226
 (208)879-2731

Priority Date: 11/30/1989
Basis: License
Status: Active

Source Tributary to
SPRINGS PATS CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/15	10/15	0.03 CFS	10.5 AFA	
STOCKWATER	1/01	12/31	0.02 CFS	0.2 AFA	
DOMESTIC	1/01	12/31	0.03 CFS	0.6 AFA	
Total Diversion			0.03 CFS	11.3 AFA	

Location of Point(s) of Diversion:

SPRINGS

SESESW

Sec. 33

Township 15N

Range 18E

CUSTER County

Licensed Diversion Capacity: 0.03

IRRIGATION Use:

Acre Limit: 3

Place(s) of use:

Place of Use Legal Description: IRRIGATION

CUSTER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
14N	18E	4	3	NENW	3									

Place of Use Legal Description: STOCKWATER same as IRRIGATION

Place of Use Legal Description: DOMESTIC same as IRRIGATION

Total Acres: 3

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JAN 15 2004

Conditions of Approval:

1. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
2. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 72C.
3. R67 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.

Remarks:

1. General Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
VAULT	6/8/93	Lapse Notice Sent	Lapse Notice Sent
VAULT	6/15/93	Proof of Beneficial Use Rcvd	Proof of Beneficial Use Rcvd
SCURTIS	10/29/98	STOCKWATER USE	Stockwater use is for 8-10 horses.

Dates:

Licensed Date: 10/30/1998
Decreed Date:
Permit Proof Due Date: 6/1/93
Permit Proof Made Date: 6/14/93
Permit Approved Date: 5/1/90
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Application Received Date: 11/17/1989
Protest Deadline Date:
Number of Protests: 0

Other Information:

Receipt Number(s):
State or Federal:
Owner Name Connector:
Water District Number: 72C
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

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JAN 15 2004

04/05/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 72-29C

Owner Type
Current Owner
Current Owner

Name and Address
R RICHARD BURCHILL
RUTH E BURCHILL
PO BOX 291
CHALLIS, ID 83226
(208)879-2731

Priority Date: 05/01/1897
Basis: Decreed
Status: Active

Source
CHALLIS CREEK
WHITE VALLEY CREEK

Tributary to
SALMON RIVER
~~CHALLIS CREEK~~ *Beav Creek*

<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	0.76 CFS		
STOCKWATER	4/01	10/31	0.02 CFS		
Total Diversion			0.76 CFS		

Location of Point(s) of Diversion:

Challis Creek
White Valley, NW

SWSWNW	Sec. 04	Township 14N	Range 18E	CUSTER County	
SENE Lt 1	Sec. 05	Township 14N	Range 18E	CUSTER County	

IRRIGATION Use:
Acre Limit: 30

Place(s) of use:

Place of Use Legal Description: IRRIGATION

CUSTER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
14N	18E	4		NENW	0.6		NWNW	1.2		SWNW	25			
		5		NENE	0.2		SENE	3						

Place of Use Legal Description: STOCKWATER

CUSTER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
14N	18E	4		NENW			SWNW							
		5		NENE			SENE							

Total Acres: 30

Conditions of Approval:

MICROFILMED

Water Right 72-29C

JAN 15 2004

1. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. C16 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.
3. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

1. General PROPERTY IS ALSO KNOWN AS PART OF HOMESTEAD ENTRY NO. 148.
2. Explanatory S/ 20 CATTLE &/OR HORSES DRINK FROM STREAM & DITCH

Comments:

Author	Date	Subject	Comment
WORSTELL	2/18/93	COPIED FROM REMARKS	THE PLACE OF USE IS A PORTION OF H.E.S. 148. THE POINT OF DIVERSION IS WITHIN H.E.S. 587. NOTE THAT GOV'T LOT 3 WAS SPLIT BY H.E.S. 148 AND THAT PORTION NOT IS H.E.S. 148 IS CALLED GOV'T LOT 7.
WORSTELL	3/24/94	AMENDMENT	CLAIM AMENDED TO INCLUDE CHALLIS CREEK POINT OF DIVERSION THAT WAS OMITTED IN INITIAL FILING.
AJU10-DS	11/21/98	AJU10 CONDITION UPDATE	CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
JROBERTS	1/13/99	CONDITION CODES N05 AND N08	ADDED CONDITION CODES N05 AND N08 FOR STOCKWATER PORTION OF RIGHT
JROBERTS	7/29/99	CHANGED POD TO CHALLIS CREEK PER OBJECTION	OBJECTION STATED ONE POINT OF DIVERSION SHOULD BE CHALLIS CREEK, AS CLAIMED, NOT BEAR CREEK, AS RECOMMENDED. WATERMASTER CONFIRMED LOCATION AS CHALLIS CREEK. (READY FOR SF5). jr

Dates:

Licensed Date:
 Claim Received Date: 11/17/1989
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date: 5/26/99
 SF5 Filed: 9/14/99
 Special Master Recom Signed Date: 11/15/99

Other Information:

Receipt Number(s): S010495
 State or Federal: S
 Owner Name Connector: AND
 Water District Number: 72C
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:NONE RECEIVED

MICROFILMED

JAN 15 2004

Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

MICROFILMED
JAN 15 2004
MICROFILMED

04/05/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 72-10044B

Owner Type Name and Address
Current Owner R RICHARD BURCHILL
Current Owner RUTH E BURCHILL
 PO BOX 291
 CHALLIS, ID 83226
 (208)879-2731

Original Owner JESS RANKIN
Original Owner STEVE RANKIN
 PO BOX 1114
 CHALLIS, ID 83226
 (208)879-2335

Priority Date: 10/10/1911
Basis: Beneficial Use
Status: Active

Source
PATS CREEK

Tributary to
~~CHALLIS CREEK~~ *Ben Creek*

<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	0.2 CFS		
Total Diversion			0.2 CFS		

Location of Point(s) of Diversion: *SWNWNE*
PATS CREEK *SENENW* Sec. 04 Township 14N Range 18E CUSTER County
Pat's Ck.

IRRIGATION Use:
Acre Limit: 10.5

Place(s) of use:

Place of Use Legal Description: IRRIGATION CUSTER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
14N	18E	4		NENW	2.8		NWNW	1		SWNW	1.8		SENW	4.9

Total Acres: 10.5

Conditions of Approval:

1. C16 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

MICROFILMED

JAN 15 2004

Water Right 72-10044B

JAN 4 2004

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.

Remarks:

1. General PROPERTY IS ALSO KNOWN AS PART OF HOMESTEAD ENTRY NO. 148.

Comments:

Author	Date	Subject	Comment
WORSTELL	2/18/93	EVIDENCE OF PRIORITY	NO RESPONSE TO EVIDENCE OF PRIORITY LETTER REQUEST WHICH WAS SENT ON 3/2/1992. 2/18/1992 RVW. THE PRIORITY DATE OF 5/1/1897 IS FOR "HIGH WATER USE" ON CHALLIS CREEK SO THE CLAIMED PRIORITY DATE WILL BE RECOMMENDED. 1/5/94 RW COPIED FROM REMARKS THIS CLAIM IS FOR IRRIGATION OF 63.5 ACRES, A PORTION OF THE ORIGINAL 158 ACRE FARM. AS FAR AS KNOWN, THE WATER FROM THESE THREE CREEK HAS BEEN USED AS LONG AS THE WATER FROM WHITE VALLEY CREEK (72-00029) HAS IS ALSO USED ON THIS LAND. TWO POINTS OF DIVERSION IN SEC. 5; CHALLIS AND BEAR CREEKS RUN PARALLEL TO EACH OTHER AND WATER IS DIVERTED FROM EACH CREEK INDEPENDENTLY. EXACT RATE OF DIVERSION IS UNKNOWN; AMOUNT CLAIMED IS ACTUALLY BASED ON THE SAME AMOUNT OF WATER BEING DIVERTED FROM EACH OF THE CREEKS BEING EQUIVALENT TO THE AMOUNT DECREED FROM WHITE VALLEY CREEK.
WORSTELL	7/19/93	CHANGE OF OWNER	STEVE RANKIN'S NAME WAS ADDED AS ONE OF THE OWNERS OF THIS CLAIM ON 7/16/1993. RVW.
AJU10-DS	11/21/98	AJU10 CONDITION UPDATE	CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
JROBERTS	9/7/99	OWNERSHIP CHANGE/SPLIT RIGHT	DUE TO AN OWNERSHIP CHANGE OF A PORTION OF THE RIGHT FROM RANKIN TO BURCHILL, THE ORIGINAL RIGHT HAS BEEN SPLIT INTO PARTS A & B. (THERE IS A PENDING TRANSFER TO MOVE THE POINT OF DIVERSION TO MATCH RECENTLY LICENSED WR 72-07431.)

Dates:

Licensed Date:
Claim Received Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Other Information:

Receipt Number(s):
State or Federal: S
Owner Name Connector: AND
Water District Number: 72C
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:NONE RECEIVED
Swan Falls Trust or Nontrust:

MICROFILMED

JAN 15 2004

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Parent Right: 72-10044

AJ TRANSFER

MICROFILM

JAN 15 2004

04/05/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 72-29B

Owner Type
Current Owner Name and Address
STEVE RANKIN
P O BOX 1114
CHALLIS, ID 83226
(208)879-2335

Current Owner JESS RANKIN
PO BOX 1114
CHALLIS, ID 83226
(208)879-2335

Priority Date: 05/01/1897
Basis: Decreed
Status: Active

Source
WHITE VALLEY CREEK

Tributary to
~~CHALLIS CREEK~~ Bear Creek

<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	0.22 CFS		
Total Diversion			0.22 CFS		

Location of Point(s) of Diversion:

WHITE VALLEY CREEK ~~SENEE~~ Sec. 05 Township 14N Range 18E CUSTER County

IRRIGATION Use:
Acre Limit: 32.5

Place(s) of use:

Place of Use Legal Description: IRRIGATION

CUSTER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
14N	18E	4		NWNE	0.5		SWNE	6.2			
				NENW	0.5		SWNW	1.2		SENE	23.6
				NESW	0.5						

Total Acres: 32.5

Conditions of Approval:

1. C16 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

MICROFILMED

Water Right 72-29B

JAN 15 2004

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.

Remarks:

1. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 32.5
ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-00029B AND 72-10044A.
2. General PROPERTY IS ALSO KNOWN AS PART OF HOMESTEAD ENTRY NO. 148.

Comments:

Author	Date	Subject	Comment
WORSTELL	2/18/93	COPIED FROM REMARKS	THIS CLAIM IS FOR IRRIGATION OF 63.5 ACRES, A PORTION OF THE ORIGINAL 158 ACRE FARM.
WORSTELL	7/19/93	CHANGE OF OWNER	STEVE RANKIN WAS ADDED AS AN OWNER ON THIS CLAIM ON 7/16/93. RVW
WORSTELL	1/4/94	COPIED FROM REMARKS	THE OTHER PARTS OF HOMESTEAD ENTRY 148 ARE COVERED BY A72-00029A AND A72- 00029C.
AJU10-DS	11/21/98	AJU10 CONDITION UPDATE	CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
JROBERTS	9/7/99	PROBABLE TRANSFER NEEDED	PART OF OTHER RIGHT FOR THIS PROPERTY (72-10044) WAS SOLD AND RESULTED IN A SPLIT INTO A/32.5 AC. & B/10.5 AC. TRANSFER WILL BE NECESSARY TO REDUCE POU FOR THIS RIGHT TO SAME 32.5 AC.

Dates:

Licensed Date:
Claim Received Date: 11/14/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Other Information:

Receipt Number(s): M005205
State or Federal: S
Owner Name Connector: AND
Water District Number: 72C
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:NONE RECEIVED
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

MICROFILMED

JAN 15 2004

04/05/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 72-10044A

Owner Type Name and Address
Current Owner JESS RANKIN
Current Owner STEVE RANKIN
 PO BOX 1114
 CHALLIS, ID 83226
 (208)879-2335

Priority Date: 10/10/1911
Basis: Beneficial Use
Status: Active

Source Tributary to
BEAR CREEK CHALLIS CREEK
CHALLIS CREEK SALMON RIVER
PATS CREEK ~~CHALLIS CREEK~~ *Bear CK.*

<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	1.5 CFS		
Total Diversion			1.5 CFS		

Location of Point(s) of Diversion:

<i>Pats</i>	SE1/4NW Lt 7	Sec. 04	Township 14N	Range 18E	CUSTER County
<i>Challis</i>	SWSWNW	Sec. 04	Township 14N	Range 18E	CUSTER County
<i>CLutte</i>	SESWNW	Sec. 04	Township 14N	Range 18E	CUSTER County
<i>Challis</i>	SWSWNW	Sec. 04	Township 14N	Range 18E	CUSTER County
<i>Bear CK SE1/4NW Sec 4</i>					

IRRIGATION Use:
Acre Limit: 32.5

Place(s) of use:

Place of Use Legal Description: IRRIGATION CUSTER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
14N	18E	4		NWNE	0.5		SWNE	6.2						
				NENW	0.5		SWNW	1.2		SENE	23.6			
				NESW	0.5									

Total Acres: 32.5

Conditions of Approval:

- C16 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

MICROFILMED

JAN 15 2004

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.

Remarks:

1. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 32.5 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-00029B AND 72-10044A.
2. General PROPERTY IS ALSO KNOWN AS PART OF HOMESTEAD ENTRY NO. 148.

Comments:

Author	Date	Subject	Comment
WORSTELL	2/18/93	EVIDENCE OF PRIORITY	NO RESPONSE TO EVIDENCE OF PRIORITY LETTER REQUEST WHICH WAS SENT ON 3/2/1992. 2/18/1992 RVW. THE PRIORITY DATE OF 5/1/1897 IS FOR "HIGH WATER USE" ON CHALLIS CREEK SO THE CLAIMED PRIORITY DATE WILL BE RECOMMENDED. 1/5/94 RW COPIED FROM REMARKS THIS CLAIM IS FOR IRRIGATION OF 63.5 ACRES, A PORTION OF THE ORIGINAL 158 ACRE FARM. AS FAR AS KNOWN, THE WATER FROM THESE THREE CREEK HAS BEEN USED AS LONG AS THE WATER FROM WHITE VALLEY CREEK (72-00029) HAS IS ALSO USED ON THIS LAND. TWO POINTS OF DIVERSION IN SEC. 5; CHALLIS AND BEAR CREEKS RUN PARALLEL TO EACH OTHER AND WATER IS DIVERTED FROM EACH CREEK INDEPENDENTLY. EXACT RATE OF DIVERSION IS UNKNOWN; AMOUNT CLAIMED IS ACTUALLY BASED ON THE SAME AMOUNT OF WATER BEING DIVERTED FROM EACH OF THE CREEKS BEING EQUIVALENT TO THE AMOUNT DECREED FROM WHITE VALLEY CREEK.
WORSTELL	7/19/93	CHANGE OF OWNER	STEVE RANKIN'S NAME WAS ADDED AS ONE OF THE OWNERS OF THIS CLAIM ON 7/16/1993. RVW.
AJU10-DS	11/21/98	AJU10 CONDITION UPDATE	CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
JROBERTS	9/7/99	OWNERSHIP CHANGE/SPLIT RIGHT	DUE TO AN OWNERSHIP CHANGE OF A PORTION OF THE RIGHT FROM RANKIN TO BURCHILL, THE ORIGINAL RIGHT HAS BEEN SPLIT INTO PARTS A & B.

Dates:

Licensed Date:
 Claim Received Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Other Information:

Receipt Number(s):
 State or Federal: S
 Owner Name Connector: AND
 Water District Number: 72C
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:

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JAN 15 2004

PresumptionFlag:
Notice of Error Flag:NONE RECEIVED
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False
Parent Right: 72-10044 AJ TRANSFER

MICROFILMED

04/07/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 72-29A

Owner Type Name and Address
Current Owner PATRICIA AXLINE
Current Owner SCOTT AXLINE
 P O BOX 733
 CHALLIS, ID 83226
 (208)879-4225

Current Owner KEITH AXLINE
 PO BOX 733
 CHALLIS, ID 83226
 (208)879-4225

Priority Date: 05/01/1897
Basis: Decreed
Status: Active

Source Tributary to
BEAR CREEK CHALLIS CREEK
CHALLIS CREEK 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	0.44 CFS		
Total Diversion			0.44 CFS		

Location of Point(s) of Diversion:

NESENW	Sec. 04	Township 14N	Range 18E	CUSTER County
SWSENW	Sec. 04	Township 14N	Range 18E	CUSTER County

IRRIGATION Use:
Acre Limit: 12.4

Place(s) of use:

Place of Use Legal Description: IRRIGATION CUSTER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
14N	18E	4		NWNE	2.8		SWNE	6.7		SENE	2.9			

Total Acres: 12.4

Conditions of Approval:

1. C16 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

MICROFILMED

JAN 15 2004

Water Right 72-29A

1
4.5
7.8
12.3

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.

2. C02 RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:

1. General PROPERTY IS ALSO KNOWN AS PART OF HOMESTEAD ENTRY NO. 148.
2. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 72-00032D & 72-10168.
INCIDENTAL STOCK WATERING FOR 20 HEAD RANGE CATTLE

Comments:

Author	Date	Subject	Comment
WORSTELL	2/17/93	COPIED FROM REMARKS	DUE TO DIVISION OF PROPERTY UNDER ORIGINAL DECREE, THIS PORTION HAS BEEN SPLIT OFF OF ORIGINAL RIGHT. THE LAND IRRIGATED BY THIS WATER IS ONLY DIVERTED FROM BEAR CREEK AND CHALLIS CREEK. NO WATER DIVERTED FROM WHITE VALLEY CREEK IS USED ON THIS PLACE OF USE.
WORSTELL	7/19/93	OWNER CHANGE	THE NAMES OF PATRICIA AXLINE & SCOTT AXLINE WERE ADDED AS CLAIMANTS ON THIS CLAIM BY KEITH AXLINE AT HIS HOME ON 7/16/1993.
AJU10-DS	11/21/98	AJU10 CONDITION UPDATE	CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates:

Licensed Date:
 Claim Received Date: 11/14/1989
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Other Information:

Receipt Number(s): M005203
 State or Federal: S
 Owner Name Connector: OR
 Water District Number: 72C
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:NONE RECEIVED
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

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JAN 15 2004

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

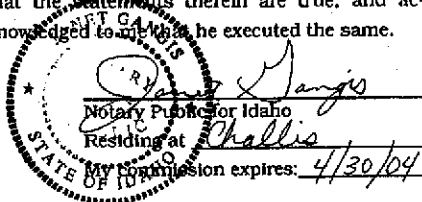
I, Ruth E. Burchill, representing the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue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



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. 72-00188A (0.79 cfs) is recorded with priority date of 05/01/1879 & 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 NW/NW, S09; all T14N, R19E.

Transfer No. 5710 by Lynn T. Stevenson, PO Box 367; CHALLIS ID 83328 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 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 NENWSW, (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, R21 E for the same year round uses within SWNE, S05, T11N, R21E and NESE, S32, 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 SWSESW 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 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

RECEIVED
MAY 19 2000

OK
MB
5/30/00

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JAN 15 2004

STATEMENT

**Custer Publishing, Inc.**

Phone 879-4445

P.O. Box 405

Challis, Idaho 83226

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

Job No.	Date	DESCRIPTION	Amount
	5-18-00	Notice of Proposed Change of Water Rights 5/11+18/00 126 lines 5 tab Transfer Nos. 5534, 5710, 5721, 5723, 5694	\$181.36 OK MB 5/30/00
		RECEIVED MAY 19 2000 Department of Water Resources 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.

MICROFILMED

JAN 15 2004

01-99

State of Idaho
Department of Water Resources

RECEIVED
MAY 17 2000
Department of Water Resources
Southern Region

RECOMMENDATION OF WATERMASTER

Application No: 5694

Applicant's Name: TR. RICHARD AND/OR RUTH E. BURCHILL

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: _____

- 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.

JAN 15 2004

WATER DISTRICT No. 72-C
CHALLIS CREEK
P. O. Box 910
CHALLIS, ID 83226-0910



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

MICROFILMED

JAN 15 2004

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 Bauchman, 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 05/01/1879 & 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, S09; all T14N, R19E.

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.

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, S32, 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.

<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.

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 SWSESW, 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 \$25.00 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

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

MICROFILMED

JAN 15 2004

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 unprotected 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

MICROFILMED
JAN 15 2004



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**

March 24, 2000

Richard Burchill
PO Box 291
Challis, ID
83226

RE: App. For Transfer #5694

Dear Mr. Rankin;

I have completed my review of your proposed transfer, and am passing it on to our secretary for advertising. A copy of the application is enclosed for your information. If there are questions or problems, let me know as soon as possible to that any needed changes can be made before advertising starts.

Regards,

James E. Stanton
Sr. Water Resource Agent

MICROFILMED

JAN 15 2004



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

T # 5694

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 23, 1999

Richard Burchill
PO Box 291
Challis, ID
83226

Dear Mr. Burchill;

I have reached several conclusions regarding your situation on Challis Creek and its tributaries. Your claim #72-00029C lists the diversion as being in the SE/NE/NE Sec. 5, but Jeannie and I both agree that it is probably in the SW/NE/NE Sec. 5. The recommendation says that White Valley Creek is tributary to Challis Creek, but it is tributary to Bear Creek as you stated.

Claim 72-10044B does not list White Valley Creek as a source of high water, but this is the only stream that could historically water the land you bought from Rankin. I found another ½ acre of irrigated land in the NE/NW Sec. 5, making this tract 3.3 acres instead of the 2.8 acres recommended. We have never heard from Mr. Rankin regarding our recommendations, so had no way of knowing that there was a problem.

Without trying to give you ANY legal advice, I suggest that you petition the SRBA Court (PO Box 2707, Twin Falls, ID, 83303) to amend our recommendations to change the data described above. A simple letter from you should suffice, and I have been told that the Court is usually sympathetic to claimants in these situations. This is different from an objection, which the Court would probably not allow at this late date, although both procedures apparently accomplish the same thing.

I think that adding White Valley Creek as a source of flood water is especially important here, as this will remove a potential problem with your transfer. These claims could be decreed at any time, so it is important that you act as quickly as possible. Once the decrees are issued, the only way to change the claims will be through the transfer process. Land that was left out of the decree cannot be added back in with a transfer, so the SRBA process is more flexible in some ways. Let me know what happens so that I can proceed with reviewing your transfer at the appropriate time.

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JAN 15 2004

MICROFILMED



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

Regards,

James E. Stanton
Sr. Water Resource Agent

JAN 15 2004

Robertson, Jean

From: Denniston, Sara
Sent: Monday, November 22, 1999 8:45 AM
To: Robertson, Jean
Subject: RE: 72-00029C (Burchill)

Well, a Special Master's recommendation has already been issued on this claim. We had our shot to correct it in the SF5 stage, and I'm not sure that there's anything we can do about it now. We no longer have any jurisdiction over this matter and as a non party I do not think we can file a motion to alter or amend the Special Master's recommendation. I'd say probably the only way to fix this is if the claimant wants to file a motion to alter or amend the recommendation. I suppose it's also possible for Mr. Rankin to file a motion for late objection, but I highly doubt that the court would grant a late objection after the Special Master's recommendation has been filed.

> -----Original Message-----

> **From:** Robertson, Jean
> **Sent:** Friday, November 19, 1999 5:36 PM
> **To:** Denniston, Sara
> **Subject:** 72-00029C (Burchill)

>

> This guy filed an Objection to one of the "sources" for this
> right, changing it from Bear Creek to Challis Creek. We did
> an SF5 and all for this in October.

>

> Is there anyway we can make some more changes now without
> another objection or is it too late? Because of a transfer,
> one of our agents was recently up there and we now realize
> that the other source, White Valley Creek, says "tributary to
> Challis Creek" but is really "tributary to Bear Creek".
> (Challis and Bear Creeks run parallel to each other in this
> area and are VERY close together.)

>

> He also feels that the 10 acre parcel for the Point of
> Diversion is wrong. I put SENENE and he feels and has pretty
> much convinced me that it is NWNENE.

>

> One more little problem, Burchill has purchased part of his
> neighbor's, Rankin 72-00029B, property and feels that the
> place of use should include an additional 3/4 of an acre or
> so. Rankin has never objected and now it belongs to
> Burchill. The agent also felt this area should be included.
> Anything we can do??

>

> Thanks, Jeanie

PO 2707 TP
SRBA Gurt

879-2731 Burchill

Van Campen

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JAN 15 2004

T # 5694

FAX

FROM



LAND TITLE & ESCROW, INC.

A Full Service Title Company
706 Main Street - P.O. Box 473
Gooding, ID 83330
Phone: (208) 934-8477
Fax: (208) 934-5890

TO: Dept of Nater FAX#: 734-3637FROM: Keri DATE: 11/22/99RE: Water SearchTotal Number of Pages, including cover sheet: 2

Please do a water search on
Erny K. & Barbara Blick &
the attached legal-

Thanks-

If you have any questions or problems
with this transmittal, please contact:

Keri

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JAN 15 2004

SCHEDULE A

Parcel 1:

TOWNSHIP 7 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN

Section 21: NW¼, N½SW¼

T # 5094

Parcel 2:

TOWNSHIP 7 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN

Section 21: S½NE¼

Parcel 3:

Easement for road for the benefit of Parcels 1 and 2, as created by Right of Way, dated November 7, 1969, and recorded November 10, 1969 as Instrument Number 30223, records of Gooding County, Idaho, over the East 50 feet of the NE¼NE¼ of Section 21, Township 7 South, Range 14, East Boise Meridian.

36-2000
7569
10234

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JAN 15 2004

Robertson, Jean

From: Robertson, Jean
Sent: Friday, November 19, 1999 5:36 PM
To: Denniston, Sara
Subject: 72-00029C (Burchill)

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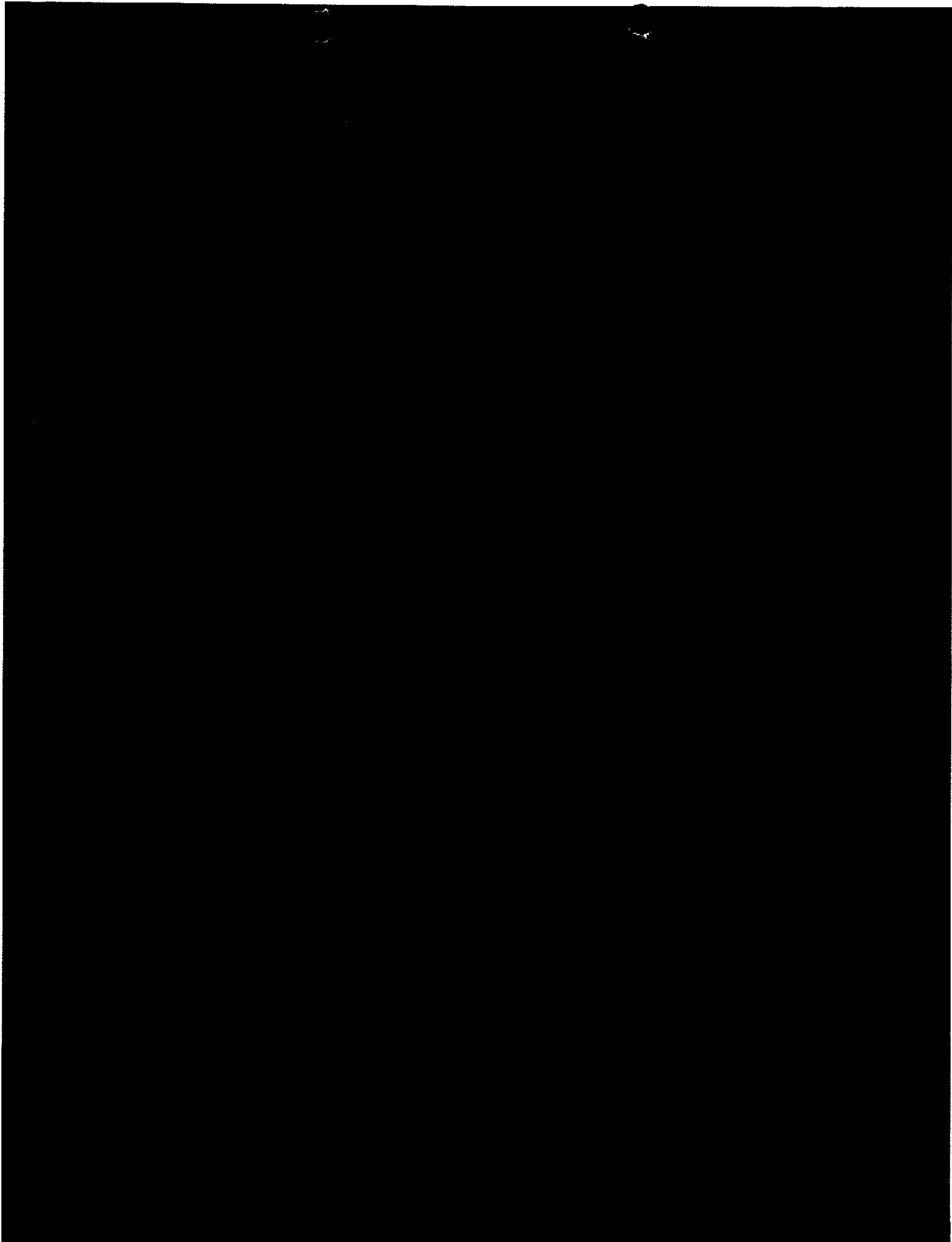
(Challis and Bear Creeks run parallel to each other in this area and are VERY close together.)

He also feels that the 10 acre parcel for the Point of Diversion is wrong. I put SENENE and he feels and has pretty much convinced me that it is NWNENE.

One more little problem, Burchill has purchased part of his neighbor's, Rankin 72-00029B, property and feels that the place of use should include an additional 3/4 of an acre or so. Rankin has never objected and now it belongs to Burchill. The agent also felt this area should be included. Anything we can do??

Thanks, Jeanie

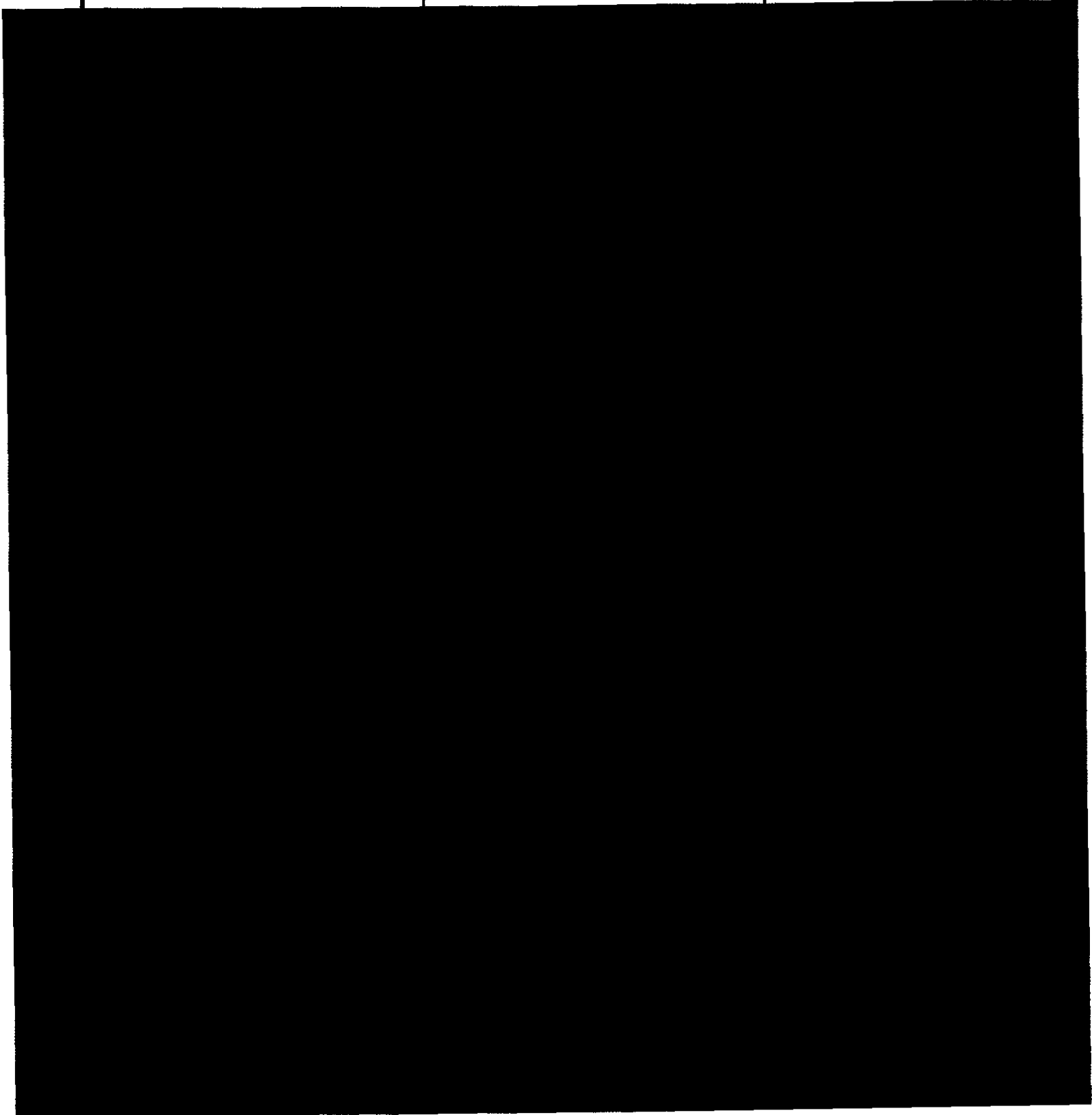
MICROFILMED
JAN 13 1984



T#5694

MICROFILMED

JAN 15 2004



MEMO

TO: File

DATE: 11/17/1999

FROM: J E STANTON

SUBJECT: Water Rights of Robert Burchill, Challis Creek Drainage

Last Friday I spent most of the day with Mr. Burchill reviewing his water rights in relation to a water transfer that he recently applied for. In order to properly evaluate the application, I needed to get a clear understanding of all the water used on his property and that of neighbor Steve Rankin (Burchill recently bought about 13 acres from Rankin). My analysis by water right is as follows:

1. 72-00029C (Burchill)

Is diverted from White Valley Creek in the NW/NE/NE Sec. 5 (in HES 587 per Bob Worstell), not in the SE/NE/NE S. 5 as recommended. Of the 38" under this right, between 19 & 30" have been diverted at this point according to Burchill. The other p/d for this right is on Challis Creek in Sec. 4 as recommended; from 8 to 19" have been diverted at this point. The diversion rates vary with irrigation needs of the 2 separate parcels irrigated from these 2 points, up to the 38" allowed. White Valley Creek is tributary to Bear Creek, not to Challis Creek as shown. No water is diverted from Bear Creek under this right, so that source is wrong.

2. 72-00029B (Rankin)

The p/d from White Valley Creek needs to be changed as for 0029C. This diversion serves the land sold by Rankin to Burchill (all north of Bear Cr.). This right has also been diverted from Challis Creek at 2 points in the SE/SW/NW Sec. 4 for use on about 24 of the 30 remaining recommended acres kept by Rankin. According to Burchill, this right (11") was moved around among the 3 diversions as needed until this year. Rankin kept all of this right on his remaining land, so must file a transfer to change the p/d & p/u. Again, White Valley Cr. Is trib to Bear Cr., not Challis Creek. The SRBA recommendation shows only White Valley Creek as a source for this right.

3. R72-10044A (Rankin)

The p/d on Pats Creek and the 2 on Challis Creek appear to be incorrect. The diversion from Pats Creek has been obliterated, along with the diversion ditch. The ditch from Bear Creek did not appear to be usable either (Burchill used to use these ditches to water the NE 6 acres or so of the recommended p/u when he lived there in the early 1990's, but new owners have basically trashed the place). There was a garden & a 6.2-acre pasture here in the past. Pats Creek is tributary to Bear Creek, not to Challis Creek as shown. The rest of the ground has been watered only from Challis Creek..

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JAN 15 2004

4. R72-10044B (Burchill)

The land bought by Burchill is north of Bear Creek and upstream from the Pats Creek and Bear Creek diversions. It is physically impossible to water it from the listed sources by gravity flow. It could only be watered from White Valley Creek, but this source is not listed on the claim. What happened is that Burchill agreed to give up the use of 72-00029B (11") on this ground in exchange for 10" of 10044, which is his estimate of the carrying capacity of a 4" pipeline from Pats Creek.

5. 72-07431

This right includes 1.1 acres west of the Burchill homesite that is already irrigated under 00029C. The permit was for 3 acres of irrigation, and that is what was licensed. But the pipeline from springs along Pats Creek dumps directly into the ditch from White Valley Creek. This ditch runs easterly along the bottom of the hill below the Burchill home clear to the end of his property, so this diversion actually irrigates about 11 more acres than what is licensed (and has since 1994). This source is used on the 12.1 acres from mid-July on as White Valley Creek dries up.

6. Conclusions

Until this year, R72-00029B was used on the 11 irrigated acres previously owned by Rankin but now owned by Burchill. But this right was withheld by Rankin for use on his remaining land watered from Challis Creek. A transfer by Rankin is required to reflect this change. The land under Bear Creek/Pats Creek (a little over 6 acres) may or may not have a valid water right; it may have been forfeited for non-use.

Claim R72-10044B was never used on the ground bought by Burchill from the claimed sources. It appears that this ground has always been watered from White Valley Creek. But with only 49" available under 00029B & C, and with Rankin withholding 11" of it, Burchill has probably lost the right to irrigate this parcel from this source. Based on my conversation with Burchill, I don't think that more than 49" have been diverted from White Valley Creek. Therefore, no flood water would have been used on this parcel from any source prior to 1994. This claim should be denied. If this claim is denied, and the Rankin transfer is approved (has not been filed yet), there will be no water right for the 11 acres.

Burchill has been irrigating this parcel illegally from springs tributary to Pats Creek since 1994. This use occurs from about mid-July on as White Valley Creek dries up or is cut off by the watermaster. With the moratoriums that are in place in this area, there is no way to legalize this diversion unless there is an existing water right that could be moved to Pats Creek (the transfer should include both sources). Unless such a transfer is approved, Burchill should be required to keep Pats Creek water out of the ditch from White Valley Creek; he can still irrigate the 1.1 acres west of his homesite via surface pipeline, which he does now.

Based on information previously discussed, I think that 72-00029C be split into 2 parts. Each part has a separate source, p/d, p/u and flow rate. This will help the watermaster deliver these rights, and be useful in the transfer process.

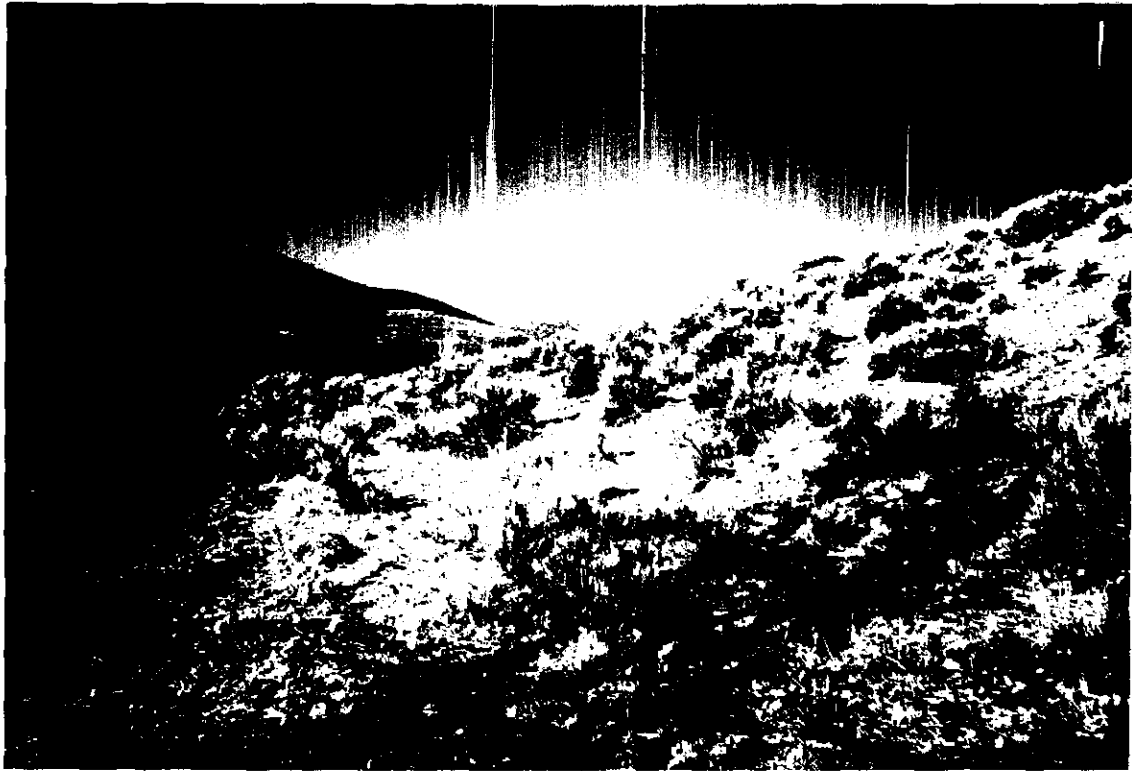
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JAN 15 2004



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JAN 15 2004

T#5694



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JAN 15 2004

T # 5694











T#5894

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

COPY

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED

AUG 2 - 1999

Department of Water Resources
Cameron Center

1. Water Right No(s).: A 72-10044
Adjudication Claim No(s).: _____
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant JESS AND-OR- STEVEN RANKIN
P.O. Box 1114, CHALLIS, ID. 83226
4. New Owner/Claimant(s) R. RICHARD AND RUTH E. BURCHILL
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address Box 291
City, State and ZIP Code CHALLIS, ID. 83226
New Telephone Number (208) 879-2731
5. Date you acquired the property July 29, 1999
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate 12 Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) R. Richard Burchill
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

MICROFILMED
JAN 15 2000

Questions On Churchill Transfer

1. What about existing spring diversion?

Appears to be downstream from proposed Pato Creek diversion.

Will spring run into Pato Creek when not used for domestic + stockwater?

Will separate pipeline carry spring water to home + stock trough? no

2. What about right on White Valley Cr.?

Can it be used without delivering water to your property?

Does Mr Rankin know that he needs to file a transfer to move the White Valley Cr right (72-00029B) off of your property?

3. Is some of the land you bought from Rankin not irrigated?

1/2 acre
comp time
there

Burchill - runs spring water at 2 outlets east of home.
the 43 acres recommended is not does not include
13 acres bought recently - 43 acres is west of 13 ac.
Burchill owns whole 43 ac for over 10 years (since 1988)
White Valley water has always irrigated both places
thru the same ditch
Burchill has 38" decreed from White Valley Cr.
comes out of White Valley in NE/NE S.5 (about 30").
White Valley Cr is west boundary of property. 43 acres
includes land from Challis Cr. on the south clear to the
county road on the north. about 8" of the 38" is taken
out of Challis Cr. at a point at the SW corner of the
property - is used on a separate portion of the land not
irrigated from White Valley Cr. (about 8 1/2 acres).

A72-0029C

proposes a replacement diversion on Pato Cr about 200'
above spring box. will run a 4" line either into
the spring box or run a separate line to 1/4. isn't sure
yet.

Pato Cr. water has never been used on any land owned by
Burchill. watered hillside between ditch & county road. was
never used on the 43 acres originally owned by Burchill, &
not on the 13 acres he bought. watered a few acres - use
prohibited last 3 years by USFS. was watered in 1991.

Pato Cr. was used to irrigate 6.2 ac Wrangle Pasture
east of Burchill property (as was Bear Cr.), but diversion
works have been obliterated by new owners. may or may not
be using in future. was also irrigated 1897 w/ Bear Cr. water

✓ Until this year, 11" of 1911 water was diverted from White
Valley Cr & 2 points on Challis Cr. (probably part of 0029). the
whole amount was used interchangeably on 3 different pieces of
land. Burchill did not get the right to use this water, so it will
now be used on the 2 pieces north & south of Challis Cr. Burchill
gave up use of 11" for 10" of 1911 water (probable capacity of 4" pipe

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JAN 15 2000

from Pato Cr. the 10" is not coming from any particular place; came from some diversions at 11" of 1899 water.

spring system was developed in Fall 1993. has irrigated land under White Valley Cr. ditch since 1993. is irrigated with White Valley water until it is cut off about mid-July. then spring is used.

MICROFILMED
JAN 13 2001



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

November 2, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

R RICHARD BURCHILL
RUTH E BURCHILL
PO BOX 291
CHALLIS ID 83226

RE: WATER RIGHT NO. 72-07431

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license 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 unless a party petitions for reconsideration or files an exception and/or brief 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 twenty-one (21) 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

MICROFILMED

NOV 09 1998

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department 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 Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department 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 Department 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.

MICROFILMED

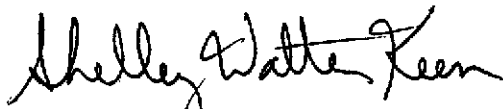
NOV 09 1998

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.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

If you have any questions, please call me at 208-327-7946.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:klt

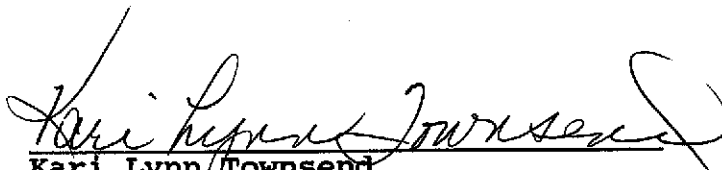
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 2nd day of November, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 72-07431

R RICHARD BURCHILL
RUTH E BURCHILL
PO BOX 291
CHALLIS ID 83226


Kari Lynn Townsend
Secretary

MICROFILMED
NOV 09 1998

MEMORANDUM

TO: File 72-07431

FROM: Sharla

DATE: October 29, 1998

RE: Recommendation Adjustment(s)

The adjustments to licensing recommendations for Permit 72-07431 are as follows:

H. RECOMMENDATIONS

Irrigation	4/15 – 10/15	0.03 cfs	10.5 afa
Stockwater	1/1 - 12/31	0.02 cfs	0.2 afa
Domestic	1/1 – 12/31	0.02 cfs	0.6 afa
	TOTALS	0.03 cfs	11.3 afa

The standard irrigation season for this area is 4/15 – 10/15; the standard volume/acre for this area is 3.5 afa. Domestic use is in-house only; the rate has been modified accordingly.

Exam Date: July 21, 1998
Examiner: Georgia Satterlee

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NOV 09 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 72-07431 DATE 10/29/98 REVIEWER: SHARLA

NAME OK Change/OK
 Address OK
 SOURCE OK Does change clarify orig. intended source? If no, Void permit
 POINT OF DIV OK _ Change (P39 /P47) _ Add (P45/P42) Feds - P40
 W32 (multiple in 1/4)
 W36 (overlap)
 W59 (subd. desc)

Overlaps: Right(s): _____
 File reviewed _____ Profile reports printed _____

PLACE OF USE OK _ Change (P41/P47) _ Add (P41/P42) Feds - P43
 W60 (subd. desc)
 W27 (ppu acre limit)

Overlaps: Right(s): _____
 File reviewed _____ Profile reports printed _____

PD & PU amend (P37) Feds - P48

RATE OF DIV
 Permitted Rate .10 cfs
 Fee limit .20 cfs \$5000
 Measured .02 cfs
 Theoretical _____ cfs
 Recommended Total Div Rate .03 cfs

WATER USES OK Change (P46)
Dom .03 cfs 3.5 af 3.5 Irrig - overlap (R58-R61, R62-R65, R66-R69)
Stock .02 cfs .2 af supp. gw (WB7/065/079)
Dom .03 cfs .6 af overlap spec. combined rts (W35)
 _____ cfs _____ af <1acre (W31)
 _____ cfs _____ af Domestic (W01/WB5/070/071/075)
 _____ cfs _____ af Power (W42 or W43/025/027/R22 or R23)
 TOTALS .03 cfs 4.3 af Fish (042) Fire (077) Wtr Quality (081/R07)
11.3

Flow rate .03 cfs X 184 days X 1.98 = 10.9 af

REMARKS _____

ADD'L CONDITIONS 101 Watermaster Control WD# 720
102 GW Measurement/Measuring Device

Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority _____ yes ✓ no

SRBA Claim NA

Adjust Memo Amend letters

1 yr season/val.
dom in house rate

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 72-07431

1. Owner: RICHARD BURCHILL Phone No. (208) 879-2731

Current Address: PO Box 291 CHALLIS, ID. 83226

2. Accompanied by: Same as above EXAM DATE: 21 July 98

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Springs tributary to Pat's Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: A72-00029C Surrounding acreage

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	SE	SW	33	15N	18E	CUSTER	FIELD VERIFICATION

2. Place(s) of Use:

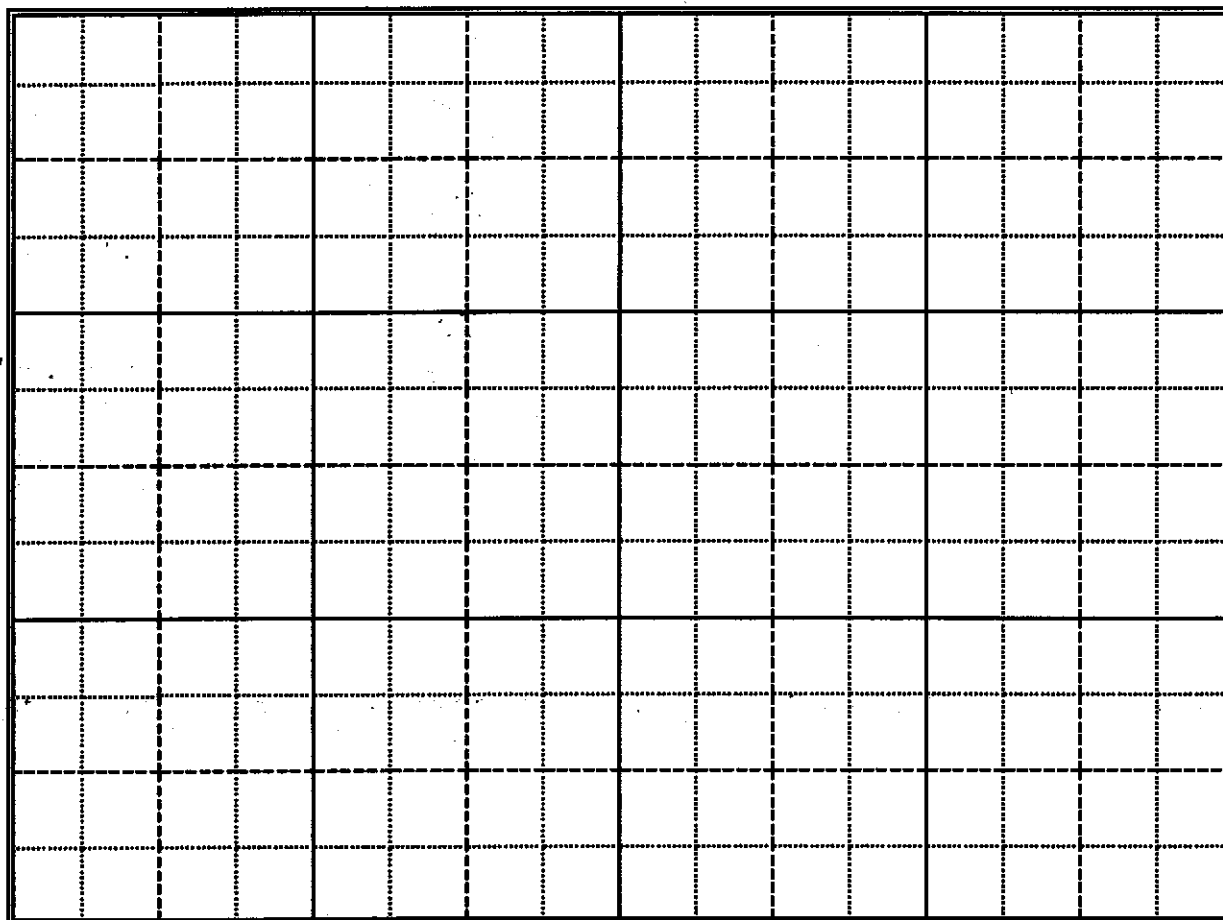
Indicate Method of Determination

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	18E	4					D/S												
							LOT 3												
"	"	4					3												3
							LOT 3												

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NOV 09 1998

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.D. as applicable.



Scale: 1" = _____

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	N/A				

*Code to correspond with No. on map and aerial photo

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D. FLOW MEASUREMENTS

NOV 09 1998

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
BUCKET/STDP WATCH						

2. Measurements:

Measured = 0.02 cfs flow fluctuates according to Birchill

Will recommend flow rate 0.03 cfs because of fluctuation.

E. NARRATIVE/REMARKS/COMMENTS

E. NARRATIVE/REMARKS/COMMENTS

FROM: Georgia Satterlee
DATE: 04 August 1998
RE: 72-07431

On 21 July 1998 at 1300 hrs., I met with Richard Burchill to conduct a field examination on the above permit. The water source are springs that are tributary to Pat's Creek. The uses are domestic, stockwater, and irrigation.

The spring water is collected in a 4'x2'x3' (deep) concrete collection box. There is a 2" pvc line that runs approximately 1200 feet in a north-south direction from the collection box to the place of use.

The rate was measured by bucket and stopwatch. Mr. Burchill says the flow fluctuates. The average rate measured on this day is 7-8 gallons per minute = 0.02 cubic feet per second. Because the flow fluctuates and I measured at the end of the season, I am going to give the applicant the benefit of doubt and recommend a rate of 0.03 cfs.

The spring covers the domestic use is for one home and one apartment (used seasonal/apartment above tack house), stockwater for 8-10 horses, and 3 acres of irrigation, which includes the lawn, garden, and pastures on the east and west side of the homestead.

According to US Forest Service Office/Challis on 23 July 1998, Mr. Burchill has an easement on record related to the point of diversion on Pat's Creek. Also, the collection box is covered with a lid that is locked.

See back of Beneficial Use Field Report for recommendations.

Have conditions of permit approval been met? ☒ yes ☐ no

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NOV 09 1998

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

BUCKET/STOPWATCH = 0.02 cfs ±
recommend 0.03 cfs (see "E")

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3(3) = 9.0$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (0.03)153(1.9835) = 9.1$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 9.0$$

2. Volume Calculations for Other Uses:

EXAM FEE LIMIT 0.20
PERMIT RATE 0.10
RECOMMEND 0.03

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
DOMESTIC	1/1	12/31	0.03	0.6
STOCKWATER	1/1	12/31	0.02	0.2
IRRIGATION	5/1	9/30	0.03	9.0
Totals:			0.03 cfs	9.8 af

SYSTEM CAPACITY

2. Recommended Amendments

____ Change P.D. as reflected above ____ Add P.D. as reflected above ☒ None
____ Change P.U. as reflected above ____ Add P.U. as reflected above ____ Other

I. AUTHENTICATION

Field Examiner's Name

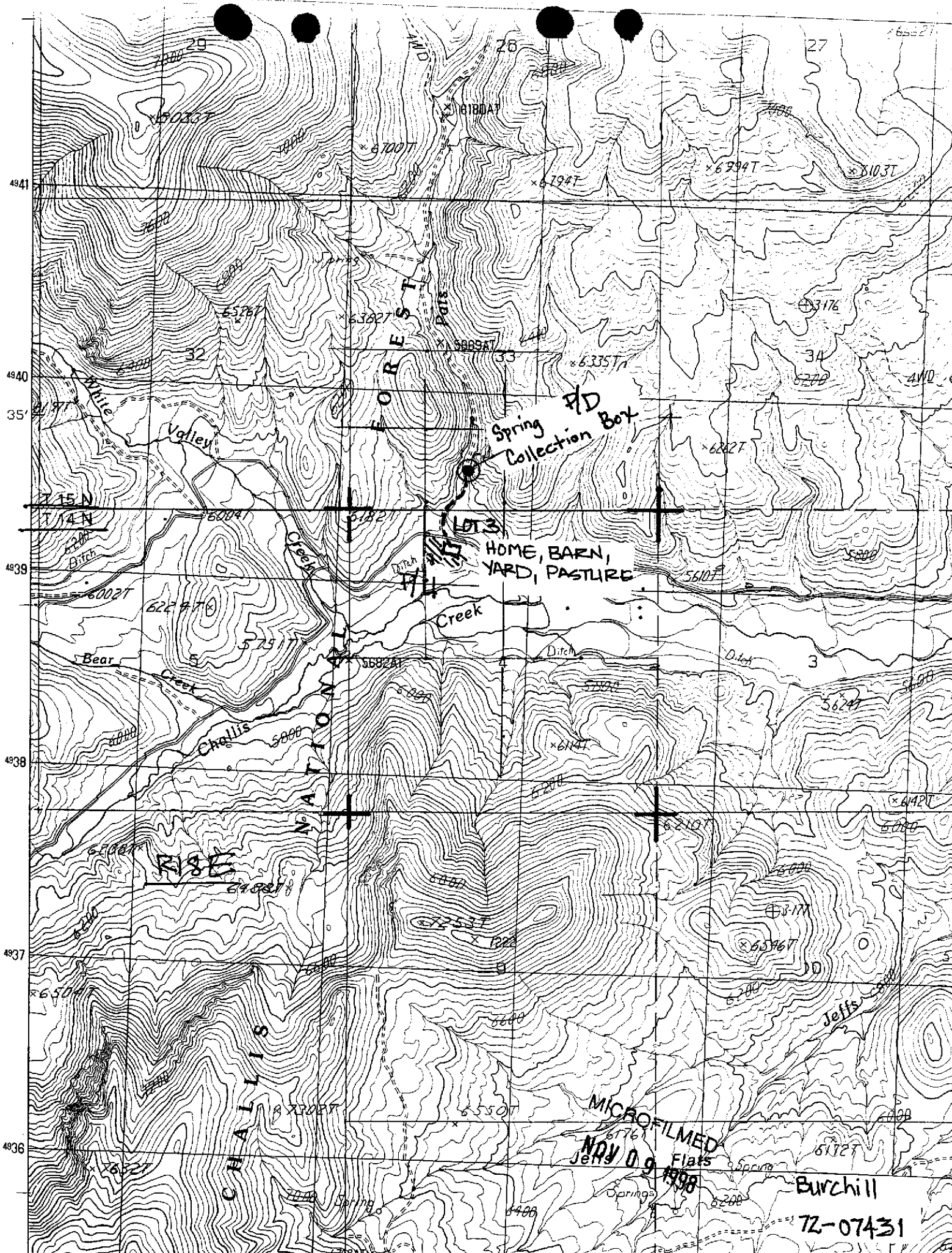
Date

Reviewer

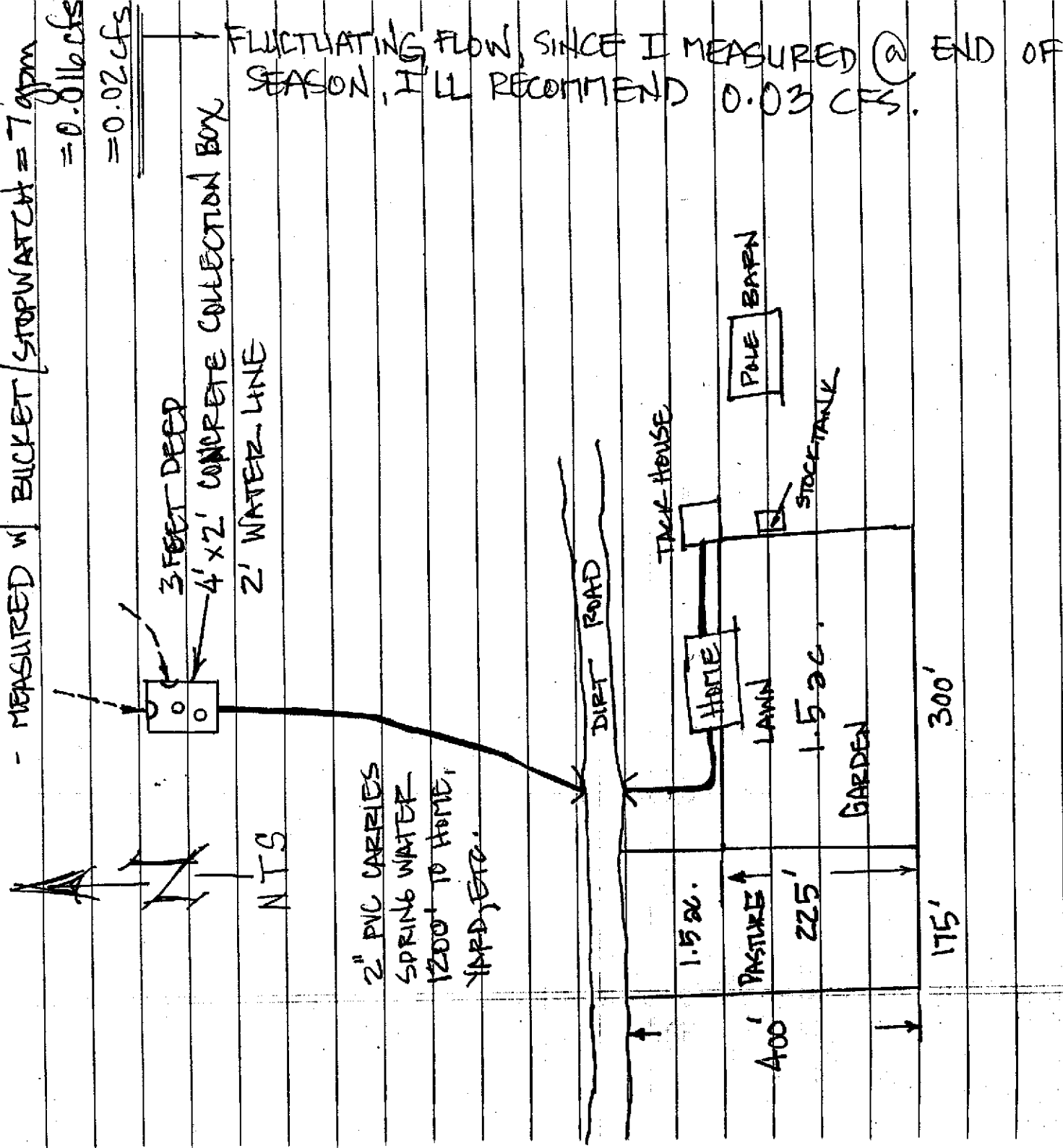
Date

MICROFILMED
SEAL

NOV 09 1998



TWO SPRINGS FEED INTO COLLECTION BOX
 - MEASURED w/ BUCKET / STOPWATCH = 7 gpm
 = 0.0116 cfs
 = 0.02 cfs



BURCHILL, R. RICHARD

21 JULY 1998

MICROFILMED
 NOV 09 1998

72-07431

T15N

SEC 4, T14N, R18E

9

BURCHILL, RICHARD
72-07431

home

garpen

yard

photoslooking W'ly

house

pole barn/tack barn

stock in pasture
West of home

small apartment is
upstairs in tack barn

overflow

INFLOW

out

INFLOW

two springs dump into collection box
outflow is the lower of the two pvc pipe,
the other is the overflow

MICROFILMED
JUN 09 1998

Burchill, Richard

72-07431

June 18, 1993

R. RICHARD BURCHILL
RUTH E. BURCHILL
P.O. BOX 291
CHALLIS ID 83226

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 72-07431

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

Enclosure

RECEIVED

JUL 06 1993

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 72-07431 Reviewed by Klg Date 6/2/93

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit? domestic - 1 Stock - 20
yes Address same as permit? virgate - 3
Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

☒ Surface water source
☐ Ground water source
NA Drilling permit required?
☐ Copy in the file? Drilling Permit No. _____
☐ Amount paid for permit _____ Correct?
☐ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
50¢ Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
yes Installed?
NA Waiver requested?

PRIORITY CALCULATION

Date proof received 6/14/93 165
Date proof due 6/1/93 - 152
No. of days late = 13
Priority Date 11/17/89 + 321
New Priority Date 11/30/89 334

DEFICIENCIES OR ACTION ITEMS

proof acceptable

needs an order

DATA ENTRY

New Address _____

Proof Made

6/14/93
6/18/93 Klg

June 8, 1993

R. RICHARD BURCHILL
RUTH E. BURCHILL
P.O. BOX 291
CHALLIS ID 83226

LAPSE NOTICE

RE: PERMIT NO. 72-07431

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated March 31, 1993. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 6/8/93
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

109
MAILED

JUL 06 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 2, 1993

Ruth E and R Richard Burchill
Box 291
Challis, ID 83226

Re: Permit No. 72-07431

Dear Permit Holder:

Returned is the proof of beneficial use and attached information you submitted in connection with the above referenced permit. Unfortunately, it is unacceptable as filed.

The Department has determined, from pertinent sections of the Idaho Code, that the permit holder must meet two requirements in order to be exempt from the license exam fee. They are:

1. The water right must use a groundwater (well) source.
2. The rate of diversion must be .04 cfs or 4.0 AF or less.

As you can see, you do not meet either requirement since you use a spring (surface) for your source, and divert 0.10 cfs. Therefore, a license examination fee of \$50 applies to your permit. I have enclosed a copy of the Instructions for the Proof of Beneficial Use for your convenience.

Since your permit lapsed on June 1, 1993, it is imperative that you return the original proof and fee as soon as possible. In the mean time, you will be receiving a lapse notice from the Department for failing to submit an acceptable proof of beneficial use on or before June 1, 1993. It is not necessary for you to return the attached information as the Department already possesses copies of the permit and has no need for the other information.

If you have any questions or if I can be of any further assistance, please feel to contact me.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

RECEIVED
JUL 06 1993

April 5, 1993

Dear Ms. Gustafson,

This letter is concerning Permit
72-07431.

We have Completed project this
Spring with 1560 feet of 2" pipe
Crossing Forest Service ground from spring
source to our property. (map enclosed)

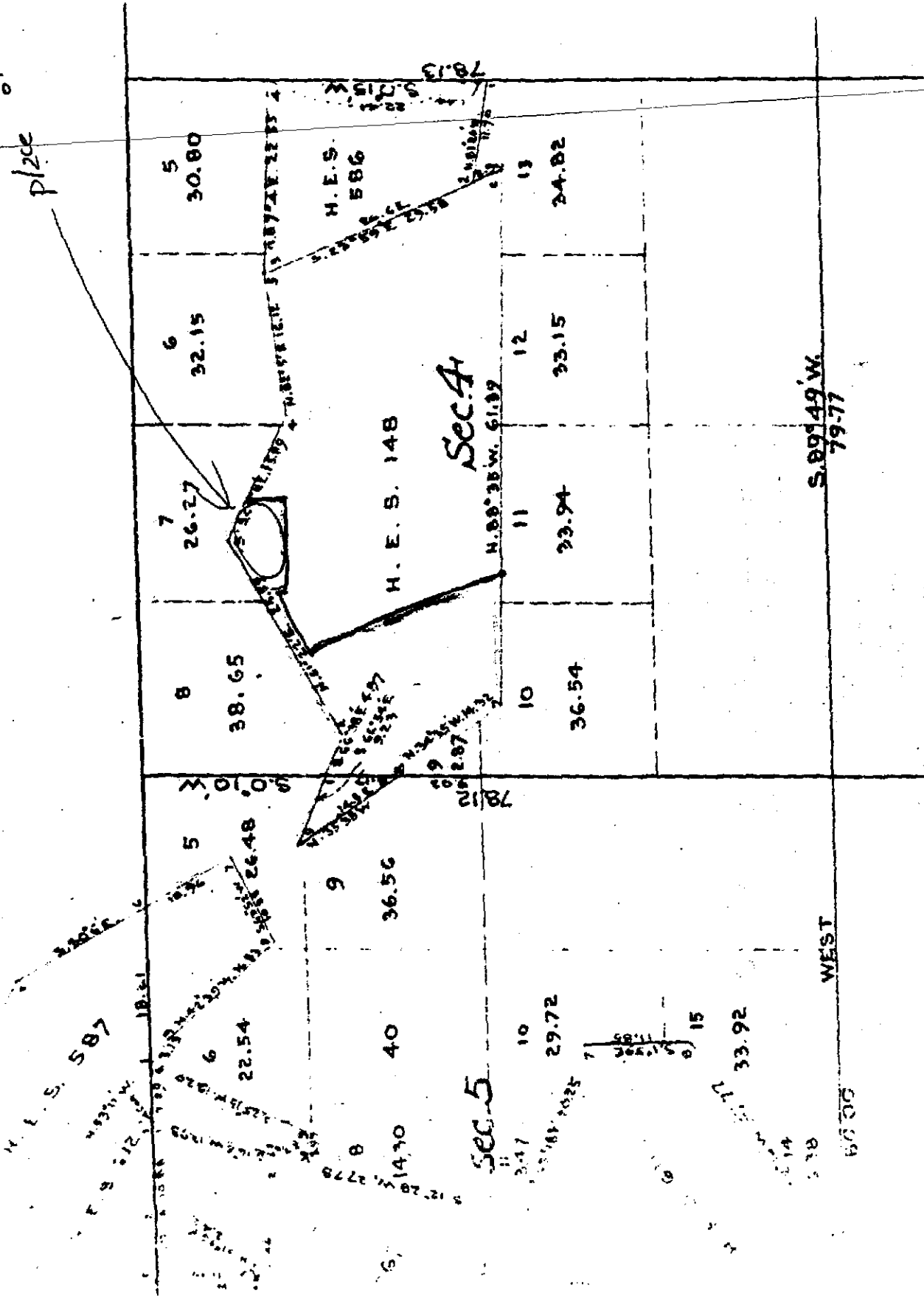
Initially 2 springs were involved
but Forest Service would allow only
one to be developed, due to one spring
being on alleged burial grounds. Spring
developed will be adequate for our
needs.

If additional information **RECEIVED**
please, contact us.

License examination fee schedule **JUL 06 1993**
Now no fee is required for single
family domestic use or stock water use.

Yours truly,
R. Richard Burckill

p/2ce



This supplemental plat of Sections 4, 5, and 6, Township 14 North, Range 10 East of the Boise Meridian, Idaho, is made for the purpose of incorporating the acre of the homestead entry contained in the

REPORTING

JUL 06 1993

March 31, 1993

R. RICHARD BURCHILL
RUTH E. BURCHILL
P.O. BOX 291
CHALLIS ID 83226

PROOF DUE NOTICE

RE: PERMIT NO. 72-07431

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

JUL 06 1993

CERTIFIED MAIL

NO. 140034

S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
May 3, 1990

R. RICHARD BURCHILL
RUTH E. BURCHILL
P.O. BOX 291
CHALLIS, ID 83226

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 72-07431

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

MICROFILMED

JUN 26 1990

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

JUN 26 1990

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Durckill, R. Richard

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY *[Signature]* DATE _____ APPLICATION NUMBER 72-07431

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes _____ No* In form to receipt

ADDITIONAL INFORMATION

- _____ Overlapping place of use (Describe source & relationship to present application on the back.)
_____ Overlapping point of diversion
☒ Yes _____ No Field check required
_____ Field check by _____
_____ Yes ☒ No Field report attached
_____ Yes ☒ No Critical groundwater area
_____ Yes ☒ No Groundwater management area
_____ Yes ☒ No Send dam safety information
_____ Yes ☒ No Send power requirement letter
_____ Yes ☒ No Send fish farm requirement letter
_____ Yes ☒ No Power residency affidavit
_____ Yes ☒ No Power efficiency form
☒ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
_____ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
☒ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested _____

RECEIVED
APR 17 1990

Department of Water Resources

PROCESSING Yes No In form for advertising
Yes No Statewide advertising
Yes No Fee amount, receipt date & No. recorded on application

SEND COPIES TO Idaho Dept. of Health & Welfare U.S. BLM
Idaho Dept. of Fish & Game X U.S. Forest Service
Idaho Dept. of Lands Water District
Adjudication Bureau Unit Other

FINAL REGIONAL PROCESSING REVIEW

Yes No Affidavit of publication received
Yes No Application published correctly. If not, record action taken.

Yes No Publication dates & paper, recorded on application
Yes No Protests received
Final date for protest 1/8/90
Yes No Protests, dates, resolution of protest, recorded on application
Yes No Recommendations attached
Yes No Measuring device required
Yes No Access port required
Yes No Will water be delivered by watermaster? If yes, what Dist. 72-C
Yes No Special conditions of approval or cover letter below.

26A, 04, 01J, 05(72-C, Challis Ct.)

See below for additional information

Date of priority recommended 11/17/89

By Karen O'Hanlon

Date 4/5/90

STATE OFFICE REVIEW

PO, P17

05(72C) 26 04 01H

See below for additional information

By Kew

Date 4-20-90

ADDITIONAL INFORMATION

Allow 3 yrs. for development



United States
Department of
Agriculture

Forest
Service

Intermountain
Region

324 25th Street
Ogden, UT 84401

Reply to: 2540

Date: **JAN 03 1990**
RECEIVED

JAN 8 1990

Department of Water Resources
Southern Region Office

Mr. Loren O. Holmes
Southern Region Supervisor
Idaho Department of Water Resources
2148 4th Avenue East
Twin Falls, ID 83301

Dear Mr. Holmes:

We are writing about Application for Permit No. 72-07431 filed by Richard and Ruth Burchill. The springs at the points of diversion are on National Forest land and are important water sources for wildlife during the winter. We have discussed the matter with the Applicants and they have agreed to provide wildlife water from October 1 to April 1 as evidenced by the enclosed letter. Since we have agreed to the terms with the Applicants, we do not object to your processing their Application so long as their agreement to provide wildlife water is included as part of their permit.

Sincerely,

J. S. Tixier

for J. S. TIXIER
Regional Forester

Enclosure

RECORDED

JUN 26 1990



07-Dec-1989

Challis National Forest
P.O. Box 404
CHALLIS ID 83226

Re: Application for Permit No. 72-07431

Gentlemen:

Please find enclosed a copy of the above referenced
Application for Permit for your information and files.

If you have any questions or if this office can be of further
assistance, please feel free to contact us.

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

Enclosure

MICROFILMED

JUN 26 1990

07-Dec-1989

R. Richard &/or Ruth Burchill
P.O. Box 291
CHALLIS ID 83226

Re: Application for Permit No. 72-07431

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office will be advertising the application in the The Challis Messenger on 12/21 & 12/28/89. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

MICROFILMED

JUN 26 1990



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301
(208)734-3578

DECEMBER 6, 1989

CUSTER PUBLISHING COMPANY
P.O. BOX 405
CHALLIS, ID 83226

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JANUARY 8, 1990.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED

JUN 26 1990

72-07431

BURCHILL, R. RICHARD
BURCHILL, RUTH E.
P.O. BOX 291
CHALLIS, ID 83226

Source: SPRINGS

Tributary: PATS CREEK

Diversion Pt: LOT 3 (NENESW) Sec 4 T 14N R 18E
SESESW Sec 33 T 15N R 18E

Use: DOMESTIC (.040 CFS)
STOCKWATER (.020 CFS)
IRRIGATION (.100 CFS)
Total Diversion: (.100 CFS)

Date Filed: 11/17/1989

In: T14N R18E S04 Lot 3 (NENW)

3.0 ACRES TOTAL

MICROFILMED

JUN 26 1990

The permit(s) will be subject to all prior water rights. Protests must be filled with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before JANUARY 8, 1990.

R. KEITH HIGGINSON, Director

Published 12/21/1989 & 12/28/1989

MICROFILMED

JUN 26 1990