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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 66934

This is to certify that: CHALLIS IRRIGATION CO
PO BOX 71
CHALLIS ID 83226
(208)879-4417

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>
72-2076A	AJC/License	08/30/1935	22.14 cfs			N/A	SALMON RIVER
72-2076B	AJC/License	06/07/1943	2.84 cfs			N/A	SALMON RIVER
72-7051	AJC/License	03/29/1976	26.04 cfs			N/A	SALMON RIVER
72-7269	AJC/License	07/01/1984	1.20 cfs			N/A	SALMON RIVER
72-10324	AJC/Decreed	06/01/1957	52.52 cfs			N/A	SALMON RIVER
72-10325	AJC/Beneficial Use	04/01/1967	20.28 cfs			N/A	SALMON RIVER
72-11740	AJC/Beneficial Use	07/02/1984	0.81 cfs			N/A	SALMON RIVER

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>
72-2076A	NO	NO	YES	NO	NO	NO
72-2076B	NO	NO	YES	NO	NO	NO
72-7051	NO	NO	YES	NO	NO	NO
72-7269	NO	NO	YES	NO	NO	NO
72-10324	NO	NO	YES	NO	NO	NO
72-10325	NO	NO	YES	NO	NO	NO
72-11740	NO	NO	YES	NO	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>
72-2076A	72-2076A	22.14 cfs	3874.5 af	1,107.0	N/A		N/A	N/A	N/A	N/A
72-2076B	72-2076B	2.84 cfs	497 af	142.0	N/A		N/A	N/A	N/A	N/A
72-7051	72-7051	26.04 cfs	4557 af	1,302.0	N/A		N/A	N/A	N/A	N/A
72-7269	72-7269	1.2 cfs	290.5 af	83.0	N/A		N/A	N/A	N/A	N/A
72-10324	72-10324	52.52 cfs	4165 af	1,190.0	N/A		N/A	N/A	N/A	N/A
72-10325	72-10325	20.28 cfs	1183 af	338.0	N/A		N/A	N/A	N/A	N/A
72-11740	72-11740	0.81 cfs	141.8 af	40.5	N/A		N/A	N/A	N/A	N/A
TOTALS		125.02 cfs	10760.8 af	3074.5	3074.5		N/A	N/A	N/A	N/A

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SEP 25 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 66934

Detailed Water Right Description(s) attached

Dated this 11th day of June, 2001

A. Glen Saxon
Chief, Water Allocation Bureau

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WATER RIGHT NO. 72-2076A
As Modified by Transfer No. 66934

In accordance with the approval of Transfer No. 66934, Water Right No. 72-2076A is now described as follows.

Right Holder: CHALLIS IRRIGATION COMPANY
PO BOX 71
CHALLIS ID 83226

Priority Date: 08/30/1935

Source: SALMON RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	22.14 CFS	3,874.5 AF
			22.14 CFS	3,874.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SALMON RIVER Lot 5 NWSWNE Sec. 32 Twp 13N Rge 19E CUSTER County

CONDITIONS OF APPROVAL

1. Right 72-2076A is limited to the irrigation of 1,107.0 acres within the place of use described above in a single irrigation season.
2. Rights 72-2076A, 72-2076B, and 72-10324 when combined shall not exceed a total annual maximum diversion volume of 4,588.5 af at the field headgate, and the irrigation of 1,311.0 acres.
3. Rights 72-2076A, 72-2076B, 72-7051, 72-7269, 72-10324, 72-10325 and 72-11740 when combined shall not exceed a total diversion rate of 125.02 cfs, a total annual maximum diversion volume of 10,760.8 af at the field headgate, and the irrigation of 3,074.5 acres.
4. Place of use is described as the Challis Irrigation Company service area located within T13N, R19 and 20E, and T14N, R19E.
5. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
6. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
7. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. Approval of Transfer 66934 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. All water rights within Basin 72 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

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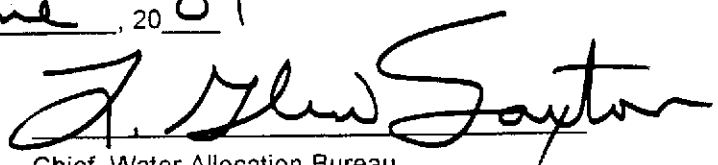
WATER RIGHT NO. 72-2076A
As Modified by Transfer No. 66934

CONDITIONS OF APPROVAL

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.

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, 2001


Chief, Water Allocation Bureau

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SEP 25 2001

WATER RIGHT NO. 72-2076B
As Modified by Transfer No. 66934

In accordance with the approval of Transfer No. 66934, Water Right No. 72-2076B is now described as follows.

Right Holder: CHALLIS IRRIGATION COMPANY
PO BOX 71
CHALLIS ID 83226

Priority Date: 06/07/1943

Source: SALMON RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	2.84 CFS	497.0 AF
			2.84 CFS	497.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SALMON RIVER Lot 5 NWSWNE Sec. 32 Twp 13N Rge 19E CUSTER County

CONDITIONS OF APPROVAL

1. Right 72-2076B is limited to the irrigation of 142.0 acres within the place of use described above in a single irrigation season.
2. Rights 72-2076A, 72-2076B, and 72-10324 when combined shall not exceed a total annual maximum diversion volume of 4,588.5 af at the field headgate, and the irrigation of 1,311.0 acres.
3. Rights 72-2076A, 72-2076B, 72-7051, 72-7269, 72-10324, 72-10325 and 72-11740 when combined shall not exceed a total diversion rate of 125.02 cfs, a total annual maximum diversion volume of 10,760.8 af at the field headgate, and the irrigation of 3,074.5 acres.
4. Place of use is described as the Challis Irrigation Company service area located within T13N, R19 and 20E, and T14N, R19E.
5. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
6. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
7. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. Approval of Transfer 66934 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. All water rights within Basin 72 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

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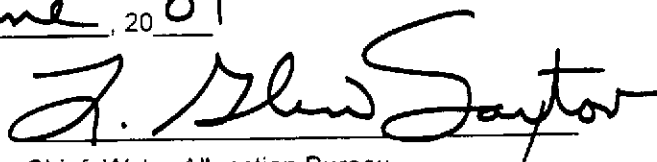
WATER RIGHT NO. 72-2076B
As Modified by Transfer No. 66934

CONDITIONS OF APPROVAL

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.

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, 2001


Chief, Water Allocation Bureau

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SEP 25 2001

WATER RIGHT NO. 72-7051
As Modified by Transfer No. 66934

In accordance with the approval of Transfer No. 66934, Water Right No. 72-7051 is now described as follows.

Right Holder: CHALLIS IRRIGATION COMPANY
PO BOX 71
CHALLIS ID 83226

Priority Date: 03/29/1976

Source: SALMON RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	26.04 CFS	4,557.0 AF
			26.04 CFS	4,557.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SALMON RIVER Lot 5 NWSWNE Sec. 32 Twp 13N Rge 19E CUSTER County

CONDITIONS OF APPROVAL

1. Right 72-7051 is limited to the irrigation of 1,302.0 acres within the place of use described above in a single irrigation season.
2. Rights 72-2076A, 72-2076B, 72-7051, 72-7269, 72-10324, 72-10325 and 72-11740 when combined shall not exceed a total diversion rate of 125.02 cfs, a total annual maximum diversion volume of 10,760.8 af at the field headgate, and the irrigation of 3,074.5 acres.
3. Place of use is described as the Challis Irrigation Company service area located within T13N, R19 and 20E, and T14N, R19E.
4. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
5. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
6. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. Approval of Transfer 66934 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
8. All water rights within Basin 72 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

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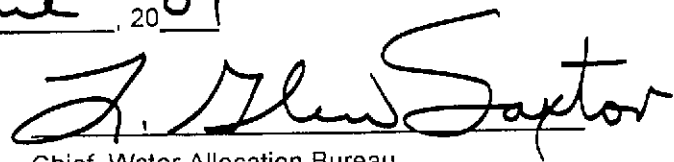
WATER RIGHT NO. 72-7051
As Modified by Transfer No. 66934

CONDITIONS OF APPROVAL

9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. 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, 2001


Chief, Water Allocation Bureau

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SEP 25 2001

WATER RIGHT NO. 72-7269
As Modified by Transfer No. 66934

In accordance with the approval of Transfer No. 66934, Water Right No. 72-7269 is now described as follows.

Right Holder: CHALLIS IRRIGATION COMPANY
PO BOX 71
CHALLIS ID 83226

Priority Date: 07/01/1984

Source: SALMON RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to 10/15		1.20 CFS	290.5 AF
			1.20 CFS	290.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SALMON RIVER Lot 5 NWSWNE Sec. 32 Twp 13N Rge 19E CUSTER County

CONDITIONS OF APPROVAL

1. Right 72-7269 is limited to the irrigation of 83.0 acres within the place of use described above in a single irrigation season.
2. Right 72-11740 is an enlargement of Right 72-7269 pursuant to Section 42-1426, Idaho Code.
3. Rights 72-7269 and 72-11740 when combined shall not exceed a total diversion rate of 1.20 cfs.
4. Rights 72-2076A, 72-2076B, 72-7051, 72-7269, 72-10324, 72-10325 and 72-11740 when combined shall not exceed a total diversion rate of 125.02 cfs, a total annual maximum diversion volume of 10,760.8 af at the field headgate, and the irrigation of 3,074.5 acres.
5. Place of use is described as the Challis Irrigation Company service area located within T13N, R19 and 20E, and T14N, R19E.
6. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
7. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
8. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
9. 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.

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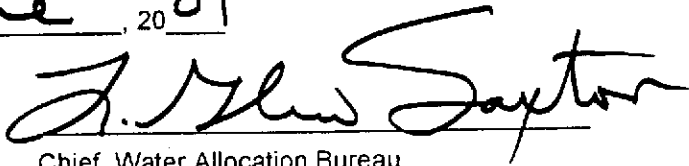
WATER RIGHT NO. 72-7269
As Modified by Transfer No. 66934

CONDITIONS OF APPROVAL

10. Approval of Transfer 66934 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
11. All water rights within Basin 72 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
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, 2001


Chief, Water Allocation Bureau

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SEP 25 2001

WATER RIGHT NO. 72-10324
As Modified by Transfer No. 66934

In accordance with the approval of Transfer No. 66934, Water Right No. 72-10324 is now described as follows.

Right Holder: CHALLIS IRRIGATION COMPANY
PO BOX 71
CHALLIS ID 83226

Priority Date: 06/01/1957

Source: SALMON RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	52.52 CFS	4,165.0 AF
			52.52 CFS	4,165.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SALMON RIVER Lot 5 NWSWNE Sec. 32 Twp 13N Rge 19E CUSTER County

CONDITIONS OF APPROVAL

1. Right 72-10324 is limited to the irrigation of 1,190.0 acres within the place of use described above in a single irrigation season.
2. Rights 72-2076A, 72-2076B, and 72-10324 when combined shall not exceed a total annual maximum diversion volume of 4,588.5 af at the field headgate, and the irrigation of 1,311.0 acres.
3. Rights 72-2076A, 72-2076B, 72-7051, 72-7269, 72-10324, 72-10325 and 72-11740 when combined shall not exceed a total diversion rate of 125.02 cfs, a total annual maximum diversion volume of 10,760.8 af at the field headgate, and the irrigation of 3,074.5 acres.
4. Place of use is described as the Challis Irrigation Company service area located within T13N, R19 and 20E, and T14N, R19E.
5. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
6. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
7. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. Approval of Transfer 66934 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. All water rights within Basin 72 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

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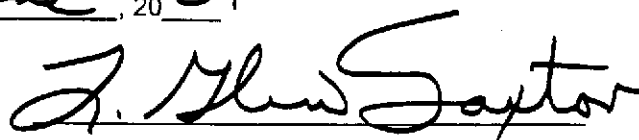
WATER RIGHT NO. 72-10324
As Modified by Transfer No. 66934

CONDITIONS OF APPROVAL

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.

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, 2001


Chief, Water Allocation Bureau

MICROFILMED

SEP 25 2001

WATER RIGHT NO. 72-10325
As Modified by Transfer No. 66934

In accordance with the approval of Transfer No. 66934, Water Right No. 72-10325 is now described as follows.

Right Holder: CHALLIS IRRIGATION COMPANY
PO BOX 71
CHALLIS ID 83226

Priority Date: 04/01/1967

Source: SALMON RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	10/31	20.28 CFS	1,183.0 AF
			20.28 CFS	1,183.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SALMON RIVER Lot 5 NWSWNE Sec. 32 Twp 13N Rge 19E CUSTER County

CONDITIONS OF APPROVAL

1. Right 72-10325 is limited to the irrigation of 338.0 acres within the place of use described above in a single irrigation season.
2. Rights 72-2076A, 72-2076B, 72-7051, 72-7269, 72-10324, 72-10325 and 72-11740 when combined shall not exceed a total diversion rate of 125.02 cfs, a total annual maximum diversion volume of 10,760.8 af at the field headgate, and the irrigation of 3,074.5 acres.
3. Place of use is described as the Challis Irrigation Company service area located within T13N, R19 and 20E, and T14N, R19E.
4. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
5. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
6. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. Approval of Transfer 66934 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
8. All water rights within Basin 72 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

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SEP 25 2001

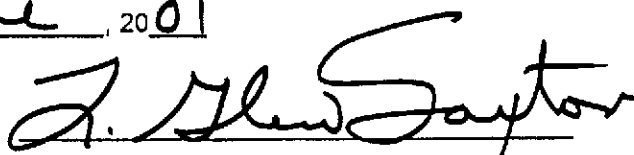
WATER RIGHT NO. 72-10325
As Modified by Transfer No. 66934

CONDITIONS OF APPROVAL

9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. 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, 2001


Chief, Water Allocation Bureau

MICROFILMED

SEP 25 2001

WATER RIGHT NO. 72-11740
As Modified by Transfer No. 66934

In accordance with the approval of Transfer No. 66934, Water Right No. 72-11740 is now described as follows.

Right Holder: CHALLIS IRRIGATION COMPANY
PO BOX 71
CHALLIS ID 83226

Priority Date: 07/02/1984

Source: SALMON RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.81 CFS	141.8 AF
			0.81 CFS	141.8 AF

LOCATION OF POINT(S) OF DIVERSION:

SALMON RIVER Lot 5 NWSWNE Sec. 32 Twp 13N Rge 19E CUSTER County

CONDITIONS OF APPROVAL

1. Right 72-11740 is limited to the irrigation of 40.5 acres within the place of use described above in a single irrigation season.
2. Right 72-11740 is an enlargement of Right 72-7269 pursuant to Section 42-1426, Idaho Code.
3. Rights 72-7269 and 72-11740 when combined shall not exceed a total diversion rate of 1.20 cfs.
4. Rights 72-2076A, 72-2076B, 72-7051, 72-7269, 72-10324, 72-10325 and 72-11740 when combined shall not exceed a total diversion rate of 125.02 cfs, a total annual maximum diversion volume of 10,760.8 af at the field headgate, and the irrigation of 3,074.5 acres.
5. Place of use is described as the Challis Irrigation Company service area located within T13N, R19 and 20E, and T14N, R19E.
6. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
7. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
8. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
9. Approval of Transfer 66934 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

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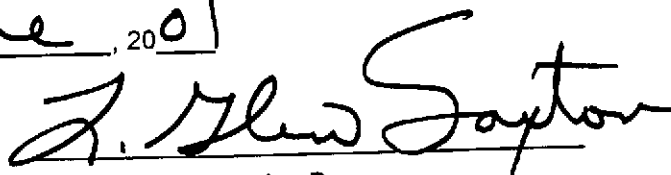
WATER RIGHT NO. 72-11740
As Modified by Transfer No. 66934

CONDITIONS OF APPROVAL

10. All water rights within Basin 72 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. 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, 2001


Chief, Water Allocation Bureau

MICROFILMED

SEP 4 5 2001

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

2002 OCT 24 PM 3 24

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 72-07269

NAME AND ADDRESS: CHALLIS IRRIGATION CO
PO BOX 71
CHALLIS, ID 83226

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 1.20 CFS

USE OF THIS RIGHT WITH RIGHT NO. 72-11740 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.2 CFS.
USE OF THIS RIGHT WITH RIGHT NO. 72-2076B, 72-7051, 72-2076A,
72-10324, 72-10325 AND 72-11740 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 125.02 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 10760.8 AF.

PRIORITY DATE: 07/01/1984

POINT OF DIVERSION: T13N R19E S32 LOT 5 (NWSWNE) Within Custer County

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	1.20 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS REMARK
IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY
OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE
A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

PLACE OF USE IS DESCRIBED AS THE CHALLIS IRRIGATION COMPANY
SERVICE AREA LOCATED WITHIN T13N, R19E AND R20E, AND T14N, R19E.
USE OF THIS RIGHT WITH RIGHT NO. 72-2076B, 72-7051, 72-2076A,
72-10324, 72-10325 AND 72-11740 IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 3074.5 ACRES IN A SINGLE IRRIGATION SEASON
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 83.0 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

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

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication



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

January 31, 2002

RECEIVED

FEB - 1 2002

Gary Chamberlain
HC 63 Box 1770
Challis, ID 83226

Department of Water Resources

Dear Mr. Chamberlain:

You recently called our office regarding the possible irrigation of land located in the North ½ of the Northwest ¼ of Section 06, Township 13 North, Range 20 East with Challis Irrigation Company water. As you recall, in March of 1999, the Challis Irrigation Company filed water right transfer #5514 to add this land to the Challis Irrigation Company service area. During the processing of this application, the Department changed computer systems, and transfer application #5514 was renumbered to transfer #66934.

This application was approved on June 11, 2001, essentially allowing a change of the boundary of the area where the Challis Irrigation Company could utilize their water rights for irrigation purposes. However, the original acre and diversion rate limitations of the water rights prior to the transfer are still limiting factors for the use of the water. Basically, the company could irrigate new ground, inside their new designated service area, as long as an increase in diversion from the river, or an increase in the actual number of irrigated acres did not occur. This could be accomplished by no longer irrigating ground that had been historically irrigated and included in the acre limits of the company's water rights.

I have included a copy of approved transfer #66934 (renumbered from transfer #5514) for your reference. It should be noted that the transfer approval document does not list the location of the lands that make up the Challis Irrigation Company's service area. Examining the transfer approval document reveals conditions of approval placed on the water rights involved with the transfer that state...

"Place of use is described as the Challis Irrigation Company service area located within T13N, R19E and 20E, and T14N, R19E".

MICROFILMED

MAR 27 2002

Page 2
Gary Chamberlain Letter
January 31, 2002

Please note that pursuant to §42-219, IDAHO CODE, water rights for an organization such as the Challis Irrigation Company, who delivers surface water to more than five water users in an area of less than 25,000 acres, can have a place of use description that provides a "general description" of the area within which the total number of irrigated acres are located. The Department considers the map that was included with transfer #66934 (renumbered from transfer #5514) as the "official" map of the Challis Irrigation Company's service area. I have included a scanned copy of this map from the Department's records in our State Office in Boise, for your reference. This map shows a boundary (in yellow) that includes the North ½ of the Northwest ¼ of Section 06, Township 13 North, Range 20 East, which is the land you were inquiring about. Therefore, this land can be irrigated with Challis Irrigation Company water, and be in compliance with the company's water rights, as long as the diversion rate and acre limitations outlined in the enclosed transfer approval document (#66934) are not exceeded.

If you have any questions, or need any further assistance, feel free to contact our office at your convenience.

Sincerely,



Corey Skinner, PE
Water Resource Engineer

Enclosures

cc: IDWR State Office

MICROFILMED

MAR 27 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 11, 2001

CHALLIS IRRIGATION CO
PO BOX 71
CHALLIS ID 83226

RE: Transfer No.: 66934 - Water Rights 72-2076A, 72-2076B, 72-7051, 72-7269
72-10324, 72-10325, 72-11740 - 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.

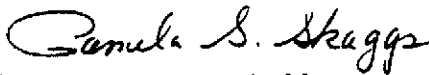
The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14)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

for 
for Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt
Enclosure(s)

MICROFILMED
SEP 25 2001

CERTIFICATE OF MAILING

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

**RE: TRANSFER NO. 66934 - WATER RIGHTS 72-2076A, 72-2076B, 72-7051, 72-7269
72-10324, 72-10325, 72-11740**

**CHALLIS IRRIGATION CO
PO BOX 71
CHALLIS ID 83226**


**Kari Lynn Townsend
Secretary**

**MICROFILMED
SEP 25 2001**

**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.

MEMORANDUM

TO: 72-7269

FROM: _____

DATE: _____

RE: The decree for this WR
did not reflect transfer 66934

NOTE: