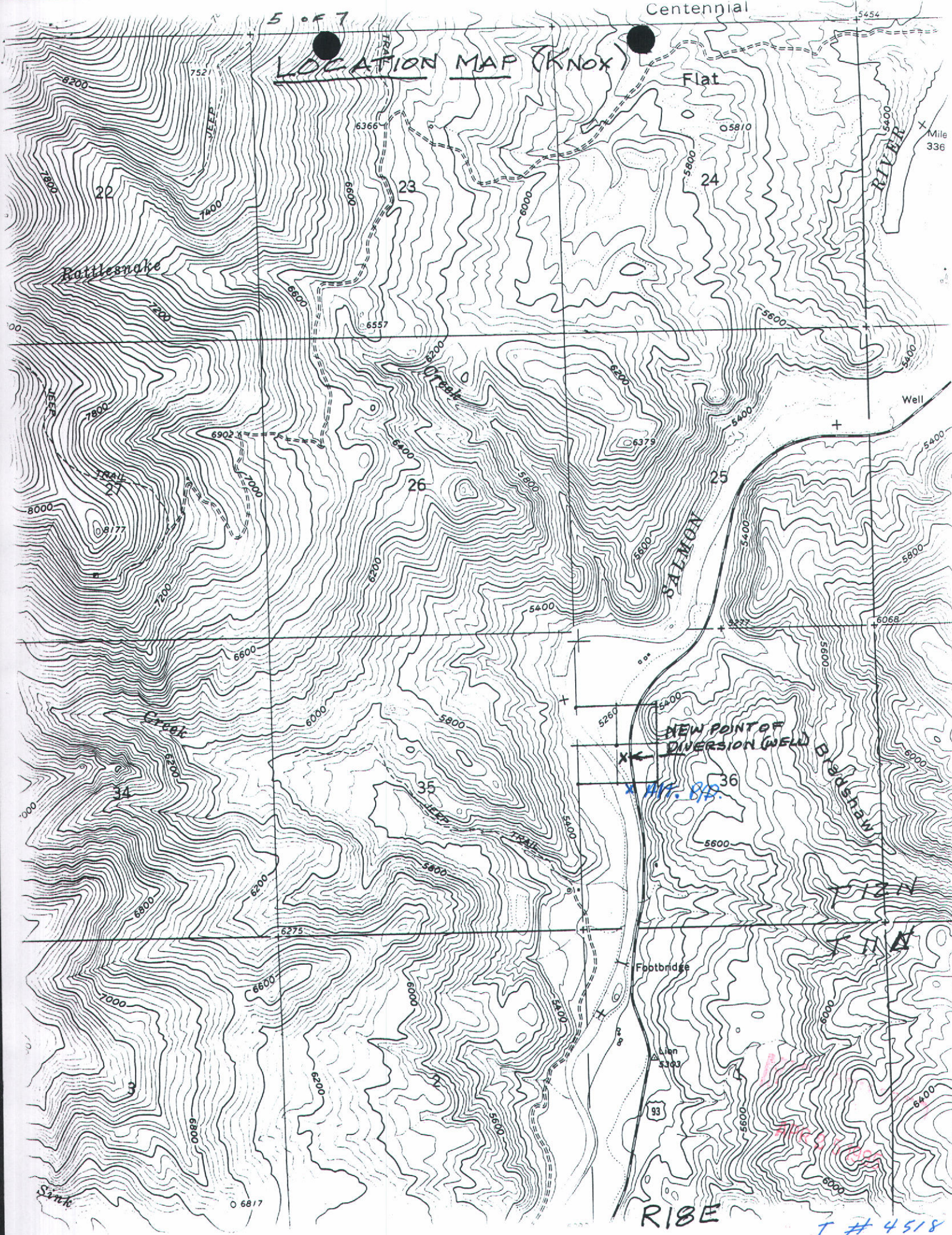


LOCATION MAP (KNOX)



1 Mile
336

NEW POINT OF
DIVERSION (WELL)

36

Footbridge

93

RIBE

T # 4518

R18E

T12N

T11N

35

36

LOT 3

PUMP

PUMP
2.1 ACRES

IN
DITCH

LOT 4

LOT 7

POD

LOT 3

3

2

1

As Recommended
6-24-93

54

CLAIM A72-04/69 UNIT _____
T. R. S. Q/Q
P/D 11N 18E 01 NENWNW LOT 3
PHOTO U 74
DT.&ID. 7-24-74

APR 25 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4518
WATER RIGHT NO. 72-04169

This is to certify that: **LAWANA G KNOX**
WILLIAM L KNOX
HC 67 BOX 2089
CHALLIS ID 83226

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.06 CFS	7.4 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.1 AF
TOTAL:		0.08 CFS	7.5 AF

Priority: 06/01/1964

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION: Lot 3(SWNW), Sec. 36, Township 12N, Range 18E
CUSTER County

SOURCE

SALMON RIVER

TRIBUTARY OF

SNAKE RIVER

LOCATION OF POINT(S) OF DIVERSION: Lot 4(NWSW), Sec. 36, Township 12N, 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>
12N	18E	36	Lot 3(SWNW)	2.1		2.1
Total number of acres irrigated:						2.1

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
3. Approval of this transfer in no way confirms the right(s) claimed.

TRANSFER NO. 4518
WATER RIGHT NO. 72-04169

CONDITIONS/REMARKS:

4. The Director maintains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion.
5. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
6. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
7. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
9. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
10. The total instantaneous diversion of water from all points of diversion under Transfer No. 4518 shall not exceed 0.08 cfs, nor total combined annual volume of 7.50 af.
11. Diversion of groundwater is limited to those times water is available for diversion under this right from the original source, Salmon River.
12. In case of pump and or well failure, a diversion from the Salmon River is authorized under this right. The rate of diversion from the Salmon River shall include the authorized rate of diversion allowed under the right plus a conveyance loss to be determined. Prior to the diversion of water from the Salmon River the right holder shall install fish screens as may be required.

Dated this 18th day of

April

, 1995



Chief, Water Alloc. Bureau

Page 1 of 7

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4518

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

JUL 05 1994

Department of Water Resources

Name of applicant WILLIAM AND LAWANA KNOX Phone 208-838-2284

Post Office address HCG7, Box 2089, CHALLIS, IDAHO 83226

A. PURPOSE OF TRANSFER

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

2. Describe the reason for the proposed changes DIVERSION HEADGATE ACCIDENTLY DESTROYED BY FIRE. DIVERSION FISH SCREEN NEEDS REPLACEMENT. TRANSFER OF POINT OF DIVERSION WILL ELIMINATE NEED FOR IDAHO DEPT OF FISH & GAME TO REPLACE EXISTING FISH SCREEN HEADGATE. THIS WILL BENEFIT THE ANADROMOUS FISHERIES PROGRAM AND SAVE PUBLIC FUNDS. SEE "REMARKS" PAGE 2

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>A72-04169</u>	<u>6-1-64</u>	<u>0.240 CFS</u>	<u>IRRIGATION</u>	<u>4-1</u> to <u>11-1</u>
		<u>0.020 CFS</u>	<u>STOCK WATER</u>	<u>1-1</u> to <u>12-31</u>
				to _____
				to _____

2. Total amount of water being transferred 0.260 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water WELL tributary to SALMON RIVER

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>3</u>		<u>SW</u>	<u>NW</u>	<u>36</u>	<u>12N</u>	<u>18E</u>	<u>CUSTER</u>	<u>WELL</u>
<u>4</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>36</u>	<u>12N</u>	<u>18E</u>	<u>CUSTER</u>	<u>ALTERNATE POINT OF DIVERSION (PUMP IN SALMON RIVER)</u>

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>12N</u>	<u>18E</u>	<u>36</u>							<u>2.1</u>										<u>2.1</u>
<u>12N</u>	<u>18E</u>	<u>36</u>							<u>S</u>										

Total acres 2.1

PART 1**6. General Information:**

a. Description of diversion system WELL WITH PUMP (FURNISHED AND INSTALLED BY IDAHO DEPT. OF FISH AND GAME)

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

NONE

d. Remarks: IDAHO DEPT. FISH & GAME REQUESTED HOLDERS TO TRANSFER WATER RIGHTS, WITH PRIORITY DATE INTACT, IN ORDER TO ELIMINATE THE EXISTING DIVERSION. THESE THREE TRANSFER REQUESTS APPLICATIONS (KNOX A72-04163, HUTCHENS A72-04048A, LEUZINGER A72-04048B) MUST BE EITHER ALL THREE APPROVED OR DENIED IN TOTAL. IF UNIFORM ACTION BY IDWR ON ALL THREE APPLICATIONS IS NOT POSSIBLE, ALL THREE APPLICATIONS SHOULD BE CONSIDERED NULL AND VOID.

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____.

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Water Right No. 72-04169

STAGE: STATUTORY CLAIM

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	0.24 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS
	Totals	0.26 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
SALMON RIVER	SNAKE RIVER

Priority: 06/01/1964

LOCATION OF POINT(S) OF DIVERSION: Lot 3(NWNW), Sec. 1, Township 11N, Range 18E
Lot 3(SWNW), Sec. 36, Township 12N, 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>
12N	18E	36	Lot 3(SWNW)	3		3
Total number of acres irrigated:						3

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

1. AC. IRR. = 2.1

APR 2 1966

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. A72-04169

SEE "R" record

STAGE: STATUTORY CLAIM

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	0.24 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS
	Totals	0.26 CFS

SOURCE

SALMON RIVER

TRIBUTARY OF

SNAKE RIVER

Priority: 06/01/1964

LOCATION OF POINT(S) OF DIVERSION: Lot 3(NWNW), Sec. 1, Township 11N, Range 18E
Rediversion Lot 3(SWNW), Sec. 36, Township 12N, Range 18E
CUSTER County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12N 18E 36 Lot 3(SWNW)	2.1			2.1
		Total number of acres irrigated:		2.1

PLACE OF USE: STOCKWATER

TWN RGE SEC
12N 18E 36 Lot 3(SWNW)

CONDITIONS/REMARKS:

1. AC. IRR. = 2.1
STOCKWATER USE IS MOSTLY INSTREAM USE.

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

PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED
1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A72-04169 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:
☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water SALMON RIVER tributary to SNAKE RIVER
4. Date or priority 6-1-64
5. Water is used for the following purpose:

amount 0.240 for IRRIGATION purposes from 4-1 to 11-1
(cfs/ac-ft)
amount 0.020 for STOCKWATER purposes from 1-1 to 12-31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right .26 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>3</u>		<u>NW</u>	<u>NW</u>	<u>1</u>	<u>11N</u>	<u>18E</u>	<u>CLUSTER</u>	<u>LEUZINGER DITCH</u>

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>12N</u>	<u>18E</u>	<u>36</u>							<u>2.1</u>										<u>2.1</u>
<u>12N</u>	<u>18E</u>	<u>36</u>							<u>5</u>										

Total acres 2.1
9. Describe any other water rights used for the same purpose as described above
A72-10053

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

5454

Flat

Rattlesnake

Well

NEW POINT OF
DIVERSION WELD

RISE

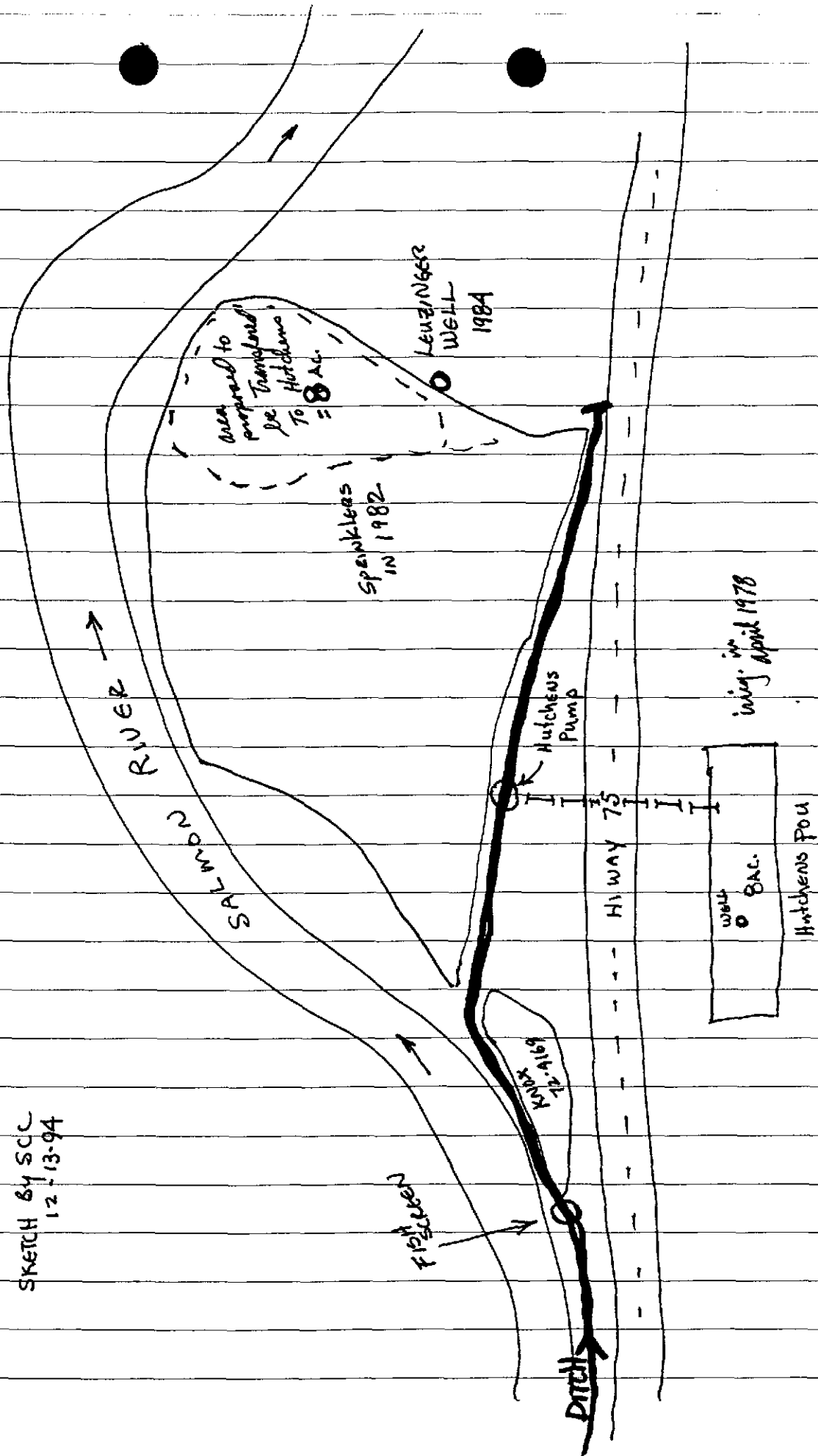
T # 4518

8157 #1

558-564-108

NORTH ↑

SKETCH BY SCC
12-13-94



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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

SEE ATTACHED U.S.G.S. MAP

PART 3**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:

NONE

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

William Knap Sawana Knox
(Signature of Applicant)

Subscribed and sworn to before me this 29th day of June, 1994.

DONNA L. GODFREY
NOTARY PUBLIC
STATE OF IDAHO

Donna L. Godfrey
(Notary Public)

My commission expires May 10, 1998**FOR DEPARTMENT USE ONLY**Transfer contains 7 pages and 2 attachmentsReceived by RT Date 7/5/94Protest filed by NonePrelim. check by _____ Fee 50⁰⁰ - C030730Receipted by RT Date 7-5-94Published in Challis Messenger

Copies of protest forwarded by _____

Pub. dates 12/29/94 & 1/5/95

Hearing held by _____ Date _____

Watermaster recommendation requested on N/ARecommended for ☒ approval ☐ denial

_____ rec'd. _____

by Adm

Copy of transfer sent to lien holder _____

NOTED

JUL 18 1994

Department of Water Resources
Southern Region Office

T # 4518

TAX NOTICE AND RECEIPT

TAXING DISTRICT

RATE

AMOUNT

RECEIPT

1993

KEEP TOP PORTION FOR YOUR RECORDS
PLEASE READ REVERSE SIDE
YOUR CANCELLED CHECK IS YOUR RECEIPT

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
L 13800	24-00	RP12N18S363610A	5362
I 28698			

TRACT 1339
42498 SEC 36 T12N R18E
HM- 13763

28725*

2.100 ACRES KNOX, WILLIAM L
TOT ACRES HC 67 BOX 2089
DELINQUENT YEAR CHALLIS, ID 83226

STATE
COUNTY .002739448
SCHOOL 181 .005829392
N. C. HOSP .000416414
COUNTY ROAD
NO. CUSTER FI .000234991

SOLID WASTE

78.72
167.52
11.98
6.76

65.00

FULL PAYMENT

TAX 329.98

FEES

INT

COST

TOT

1ST INSTALLMENT

TAX 164.99

FEES

INT

COST

TOT

2ND INSTALLMENT

TAX 164.99

FEES

INT

COST

TOT

TOTAL .009220245

329.98

PAID - 12 - 8 - 93

RECEIPT NOT VALID UNTIL CHECK CLEARS
THANK YOU

ROBERT N. SAVAGE
CUSTER COUNTY ASSESSOR
P. O. BOX 597
CHALLIS, ID 83226

IMPORTANT NOTICE - PLEASE READ

PARCEL NO. RP 12N18E363610 A

ADDRESS CORRECTION REQUESTED

TAX CODE 24-00

	CATEGORY DESCRIPTION	LOTS / ACRES	MARKET VALUE
12	RURAL RES TR	1.000 AC	10,500
13	RURAL COM TR	1.100 AC	3,300
32	RURAL IMP ON AG		1,172
34	BLOG RES TR		27,526
	LESS HOMEOWNER EXEMPTION		13,763
	2.100		28,735*

1993

TAXPAYERS

VALUATION

ASSESSMENT NOTICE

Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 23, 1993

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS
PREVIOUS NUMBER
TRACT 1339
SEC 36 T12N R18E

Mail To:
KNOX, WILLIAM L
HC 67 BOX 2089
CHALLIS, ID 83226

T # 4518

Please be advised that the enclosed petition is to be based upon the premise that the original priority dates will remain in place and that the petitions of all (3) three users of the present ditch are to be accepted or rejected in whole. Refer to the related petitions of Margaret Hutchens, William & Lawana Knox, Doyle & Judy Leuzinger.

JUL 05 1994

William Knox
&
Lawana Knox

6-29-94

T # 4518

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that William L. Knox &/or Lawana G. Knox
(Name of Claimant)
HC 67, Box 2089, Challis, Ida., 83226 Telephone No. 838-2284
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) June 1, 1964

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Salmon River tributary to Snake River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>0.24 cfs</u>	Use	<u>Irrigation</u>	Period of Use From <u>April 1</u>	To <u>Nov. 1</u>
Quantity	<u>0.02 cfs</u>	Use	<u>Stock Water</u>	Period of Use From <u>Jan. 1</u>	To <u>Dec. 31</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) 0.26 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
Lot 3 1 11N 18E B.M., County of Custer
Additional points of diversion: Re-diverted from river ditch by pump within Lot 3 Sec. 36, T.12N., R.18E., B.M.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
5 H.P. ditch pump delivering to 20 sprinkler heads.
Headgate in river deliver to open ditch. Pump in ditch (see Above).

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
<u>12N</u>	<u>18E</u>	<u>36</u>							<u>4.3</u>										<u>2.1</u>
									<u>2.1</u>										

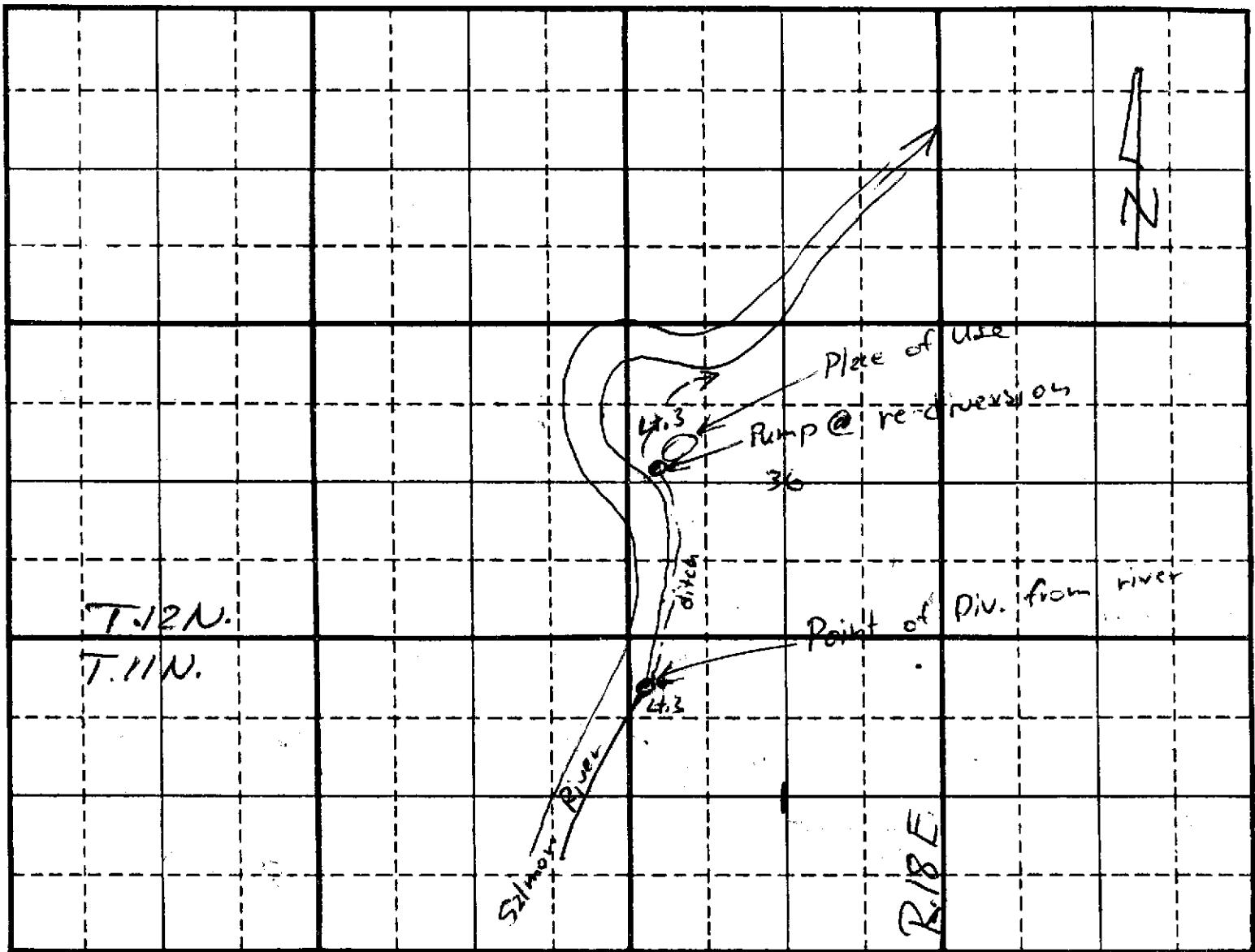
No. of acres 2.1

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered: 5 head of range cattle

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
 County of CUSTER) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 15th day of June, 19 83

Bill Knay
 (Claimant)
Ethel M. Beck
 Notary Public
 Residing at Challis, Id.

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by mary Date 6/17/83 Exception filed by: _____ Date _____
 Prelim. check by js Date 6-20-83 Forwarded to claimant by: _____
 \$30.00 fee received by mary Date 7/17/83 # 30326
 Published in Custer Publishing Co
 Dates 4/8 - 9/15/83 & 9/22/83

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

1. 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 SEPT. 15.....

1923 and ending with the issue dated SEPT. 22.....1923

Margaret Parks.....

Subscribed and sworn to before this 23rd day of Sept......

1923

Edna M. Redd.....

Notary Public, residing at Challis,

Idaho. My commission expires on

Life.....

RECEIVED

SEP 26 1923

Idaho State Recorder
Sawyer

TO WATER RIGHTS

Notice is hereby given that the following claim to water right(s) have been published by diversion and application to beneficial use:

72-4166

CHIVERS, THOMAS W.
&/or AILEEN E.
P.O. BOX 523, CHALLIS, ID
83226

Source: SPRINGS TRIB. TO SALMON RIVER CHIVERS SLOUGH trib. to SALMON RIVER

Priority Date: 04/01/1914

Diversion Pt: LOT 06 (NWSE) Sec 23 T 14N R 18E

Use: IRRIGATION (1.00 CFS) STOCKWATER (0.50 CFS)

In: LOT 08 (SESE) Sec 14 T 14N R 19E LOT 02 (NENE) NWNE LOT 03 (SWNE) Sec 23 T 14N R 19E FOR 30 ACRES

72-4167

CHIVERS, THOMAS W.
&/or AILEEN E.
P.O. BOX 523, CHALLIS, ID
83226

Source: SPRINGS trib. to PHILIPS SLOUGH WASTE WATER trib. to PHILIPS SLOUGH

Priority Date: 04/01/1914

Diversion Pt: SENE Sec 22 T 14N R 19E SWNW Sec 23 T 14N R 19E

Use: IRRIGATION (2.00 CFS) STOCKWATER (0.50 CFS)

In: SESW SWSE Sec 14 T 14N R 19E FOR 57 ACRES

72-4168

PASIEKA, BRUNO J. &/or EDNA M
P.O. BOX 51, ELLIS, ID
83235

Source: SALMON RIVER trib. to SNAKE RIVER

Priority Date: 08/01/1908

Diversion Pt: LOT 04 Sec 18 T 15N R 20E

Use: IRRIGATION (0.07 CFS)

In: LOT 04 (SENE) Sec 18 T 15N R 20E FOR 1 ACRES

72-4169

KNOX, WILLIAM L. &/or LAWANA G.
HC 6, BOX 2000, CHALLIS, ID
83226

Source: SALMON RIVER trib. to SNAKE RIVER

Priority Date: 06/01/1964

Diversion Pt: LOT 08 Sec 01 T 11N R 18E LOT 03 Sec 36 T 12N R 18E (REDIVERSION)

Use: IRRIGATION (0.24 CFS) STOCKWATER (0.02 CFS)

In: LOT 03 (SWNW) Sec 36 T 12N R 18E FOR 3 ACRES

72-4170

SANTEE, HELEN L.
P.O. BOX 2365, IDAHO FALLS, ID 83401

Source: SPRING trib. to SINKS

Priority Date: 08/29/1916

Diversion Pt: NENE Sec 13 T 15N R 19E

Use: IRRIGATION (0.04 CFS) STOCKWATER (0.04 CFS) DOMESTIC (0.04 CFS)

In: LOT 03 (SWNW) Sec 13 T 15N R 20E NENE Sec 13 T 15N R 19E FOR 2 ACRES

72-4171

SANTEE, HELEN L.
P.O. BOX 2365, IDAHO FALLS, ID 83401

Source: SPRING trib. to SINKS

Priority Date: 08/29/1916

Diversion Pt: NENE Sec 13 T 15N R 19E

Use: IRRIGATION (0.04 CFS) STOCKWATER (0.04 CFS)

In: LOT 03 (SWNW) Sec 13 T 15N R 20E NENE Sec 13 T 15N R 19E FOR 2 ACRES

T 15N R 20E SESW Sec 09 T 15N R 20E

Use: IRRIGATION (1.48 CFS) STOCKWATER (0.04 CFS)

In: LOT 06 (SESE) Sec 08 T 15N R 20E LOT 08 (SWSW) Sec 09 T 15N R 20E LOT 07 (SESW) Sec 09 T 15N R 20E FOR 74 ACRES

72-4174

STARK RANCH
KENNETH STARK, P.O.
BOX 249, CHALLIS, ID 83226

Source: DAUGHTERY SPRING trib. to GARDEN CREEK

Priority Date: 05/01/1876

Diversion Pt: NESW Sec 03 T 13N R 18E NWSE Sec 03 T 13N R 18E (REDIVERSION)

Use: IRRIGATION (0.50 CFS) STOCKWATER (0.02 CFS)

In: NWNE NENW NWNW Sec 02 T 13N R 18E FOR 24 ACRES

72-4175

RED MOUNTAIN MINING CO.

BOX 45, STANLEY, ID 83278

Source: UNNAMED STREAM trib. to YANKEE FORK, WEST FORK

Priority Date: 06/01/1932

Diversion Pt: NENW Sec 01 T 12N R 13E

Use: MINING (5.00 CFS) DOMESTIC (0.02 CFS)

In: NENW Sec 01 T 12N R 13E

72-4176

WOOLLEY, GERALDINE M.

C/O DAN WOOLLEY, HC 68 BOX 300, CLAYTON, ID 83227

Source: SALMON FORK, EAST FORK trib. to SALMON RIVER

Priority Date: 05/01/1865

Diversion Pt: NWNE Sec 35 T 11N R 18E NWNW Sec 01 T 10N R 18E

Use: IRRIGATION (1.30 CFS)

In: NWNE NENW NWNW SENW Sec 35 T 11N R 18E FOR 25 ACRES

72-4177

HUGHES, DELBERT M. &/or DONNA L.

HC 61 BOX 3054, CHALLIS, ID 83226

Source: MORGAN CREEK trib. to SALMON RIVER

Priority Date: 05/01/1878

Diversion Pt: SWNE Sec 23 T 15N R 19E

Use: IRRIGATION (4.00 CFS) STOCKWATER (1.20 CFS)

In: NWNE SWNE NENW SENW NESW Sec 24 T 15N R 19E FOR 81 ACRES

72-4178

WESTERGARD, GOLDEN C.

JOHNSON, J. LYNN

CHIVERS, GARTH T. HANSEN, CLIFF

C/O GOLDEN C. WESTERGARD, HC 63 BOX 1760, CHALLIS, ID 83226

Source: SALMON RIVER trib. to SNAKE RIVER

Priority Date: 04/01/1952

Diversion Pt: LOT 07 (SWSE) Sec 16 T 13N R 19E

Use: IRRIGATION (30.00 CFS)

In: NENE LOT 01 (NWNW) SWNE SENE LOT 02 (NENW) LOT 05 (SENE) LOT 06 (SESW) LOT 09 (SESW)

NESE NWSE SWSE SESE Sec 35 T 14N R 19E NENW NWNW SWNW SENW NESW NWSW SWSW SESW Sec 36 T 14N R 19E LOT 01 (NWNW) Sec 01 T 13N R 19E LOT 01 (NENE) LOT 02 (NWNW) SWNE SENE LOT 03 (NENW) LOT 05 (SWNW) SENW NESW NWSW SWSW SESW NESE NWSE Sec 02 T 13N R 19E LOT 06 (NESE) LOT 10 (SESE) Sec 03 T 13N R 19E LOT 01 (NENE) Sec 10 T 13N R 19E LOT 01 (NWNW) Sec 11 T 13N R 19E FOR 1267 ACRES

72-4172

SANTEE, HELEN L.
P.O. BOX 2365, IDAHO FALLS, ID 83401

Source: SALMON RIVER trib. to SNAKE RIVER

Priority Date: 04/01/1905

Diversion Pt: SWNW Sec 25 T 15N R 19E

Use: IRRIGATION (0.10 CFS)

In: NWSE Sec 13 T 15N R 19E FOR 3 ACRES

72-4173

SANTEE, JR., GEORGE E.
P.O. BOX 2365, IDAHO FALLS, ID 83401

Source: SHEP CREEK trib. to SALMON RIVER

Priority Date: 08/04/1926

72-4179

STRICKLER, TED &/or MYRA

BOX 191, CHALLIS, ID 83226

Source: CHALLIS CREEK trib. to SALMON RIVER

Priority Date: 05/15/1920

Diversion Pt: SWNW Sec 07 T 14N R 19E NWSE Sec 17 T 14N R 19E (REDIVERSION)

Use: IRRIGATION (3.00 CFS)

In: NWSW SWSW Sec 16 T 14N R 19E FOR 38 ACRES

72-4180

STRICKLER, TED &/or MYRA
BOX 191, CHALLIS, ID 83226
Source: CHALLIS CREEK trib. to SALMON RIVER
Priority Date: 05/01/1879
Diversion Pt: SWNW Sec 07 T 14N R 19E NWSE Sec 17 T 14N R 19E (REDIVERSION)
Use: IRRIGATION (0.7692 CFS)
In: SWSW NESW NWSW SESW Sec 16 T 14N R 19E FOR 35 ACRES

72-4181

YACOMELLA, MADGE E. &/or ANTHONY R. &/or BILL ROY &/or JEAN ANN &/or THOMAS LEE
P.O. BOX 61, CHALLIS, ID 83226
Source: CHIVER'S SPRING trib. to SINKS
Priority Date: 04/01/1910
Diversion Pt: SWSW Sec 28 T 14N R 19E
Use: IRRIGATION (0.03 CFS)
In: SWSW Sec 28 T 14N R 19E FOR 2 ACRES

72-4182

JOHNSON, PHILLIP A. &/or VALERIE L.
HC 67 BOX 725, CLAYTON, ID 83227
Source: GROUNDWATER
Priority Date: 01/01/1950
Diversion Pt: SWNE Sec 29 T 11N R 16E
Use: COMMERCIAL (0.03 CFS)
In: SWNE Sec 29 T 11N R 16E

72-4183

JOHNSON, PHILLIP A. &/or VALERIA L.
HC 67 BOX 725, CLAYTON, ID 83227
Source: SALMON RIVER trib. to SNAKE RIVER
Priority Date: 06/03/1944
Diversion Pt: NWSE Sec 29 T 11N R 16E
Use: IRRIGATION (0.23 CFS) STOCKWATER (0.01 CFS)
In: SWNE SENW NESW NWSE Sec 29 T 11N R 16E FOR 10 ACRES

72-4184

MORGAN CREEK CATTLE ASSOC.
C/O VERL JONES, HC 82 BOX 4020, CHALLIS, ID 83226
Source: VAN HORN CREEK trib. to MORGAN CREEK
Priority Date: 05/01/1950
Diversion Pt: NWSE Sec 31 T 17N R 19E
Use: IRRIGATION (1.00 CFS)
In: NWSESESE Sec 31 T 17N R 19E LOT 01 (NENE) LOT 02 (NWNE) SWNE Sec 06 T 16N R 19E FOR 20 ACRES

72-4183

JONES, VERL
HC 82 BOX 4020, CHALLIS, ID 83226
Source: MORGAN CREEK trib. to SALMON RIVER
Priority Date: 05/01/1916
Diversion Pt: SESW Sec 20 T 17N R 19E NWSW Sec 29 T 17N R 19E
Use: IRRIGATION (12.60 CFS)
In: SWSW Sec 29 T 17N R 19E SWSE SESE Sec 30 T 17N R 19E NENE NWNE SENE NESE Sec 31 T 17N R 19E NWNW SWNW Sec 32 T 17N R 19E FOR 135 ACRES

72-4185

JONES, VERL
HC 82 BOX 4020, CHALLIS, ID 83226
Source: MORGAN CREEK trib. to SALMON RIVER
Priority Date: 05/01/1945
Diversion Pt: NWNW Sec 32 T 17N R 19E
Use: IRRIGATION (1.00 CFS)
In: NWNW SWNW Sec 32 T 17N R 19E NESE Sec 31 T 17N R 19E FOR 15 ACRES.

CFS)

In: SENW SESW SWSW SESW Sec 29 T 17N R 19E NWNW Sec 32 T 17N R 19E FOR 36 ACRES

72-4189

JONES, VERL
HC 82 BOX 4020, CHALLIS, ID 83226
Source: SPRING trib. to MORGAN CREEK WASTE WATER trib. to MORGAN CREEK
Priority Date: 05/01/1952
Diversion Pt: NENWNWNE Sec 23 T 15N R 19E
Use: IRRIGATION (1.00 CFS)

In: NWNE Sec 23 T 15N R 19E FOR 7 ACRES

72-4190

TAPPAN, DAISY MAY
MAY, ID 83253
Source: SALMON RIVER trib. to SNAKE RIVER
Priority Date: 04/15/1886
Diversion Pt: LOT 02 (NWNW) Sec 35 T 15N R 19E LOT 01 (SENE) Sec 34 T 15N R 19E
Use: IRRIGATION (1.2880 CFS)

In: LOT 08 (SWSW) Sec 28 T 15N R 19E LOT 02 (NWNW) Sec 35 T 15N R 19E FOR 43 ACRES

72-4191

THORNOCK, NYLE J. &/or ANN
CHALLIS, ID 83226
Source: MORGAN CREEK trib. to SALMON RIVER
Priority Date: 05/01/1907
Diversion Pt: NESE Sec 23 T 15N R 19E
Use: IRRIGATION (2.00 CFS)

In: NWSW SWSW Sec 24 T 15N R 19E FOR 50 ACRES

72-4192

WESTERGARD, GOLDEN C.
LANE, JOSEPH M.
HC 63 BOX 1760, CHALLIS, ID 83226
Source: SALMON RIVER trib. to SNAKE RIVER
Priority Date: 05/21/1884
Diversion Pt: LOT 04 (NWSW) Sec 11 T 13N R 19E LOT 09 (SESW) Sec 35 T 14N R 19E
Use: IRRIGATION (30.00 CFS)

In: LOT 02 (NWNE) LOT 03 (NENW) LOT 03 (SWNW) SENW NESW NWSW SWSW SESW Sec 02 T 13N R 19E LOT 08 (NESE) LOT 10 (SESE) Sec 03 T 13N R 19E LOT 01 (NENE) Sec 10 T 13N R 19E LOT 01 (NWNW) Sec 11 T 13N R 19E LOT 06 (NESW) LOT 09 (SESW) NESE NWSE SWSE SESE Sec 35 T 14N R 19E NWSW Sec 36 T 14N R 19E FOR 446 ACRES

71-4038

MAC NICHOL, ROLAND S.
STAR RT., STANLEY, ID 83278
Source: SALMON RIVER trib. to SNAKE RIVER
Priority Date: 06/01/1927
Diversion Pt: NWNE Sec 05 T 09N R 14E
Use: IRRIGATION (1.34 CFS)
In: NWNW Sec 32 T 09N R 14E SWSW Sec 29 T 09N R 14E SESE Sec 30 T 09N R 14E FOR 67 ACRES

71-4039

PHARRIS, HAROLD G. &/or VIRGINIA
BOX 57, HAZELTON, ID 83335
Source: CLEVELAND CREEK trib. to SALMON RIVER
Priority Date: 05/16/1922
Diversion Pt: SWSW Sec 31 T 10N R 14E
Use: IRRIGATION (0.60 CFS)
In: SWSW Sec 31 T 10N R 14E FOR 17 ACRES

CFS)

In: Sec 09 T 16N R 13E
71-4042
SHORTY CLAIMS
BOX 45, STANLEY, ID 83278
Source: ELK CREEK trib. to VALLEY CREEK
Priority Date: 07/01/1934
Diversion Pt: SENE Sec 17 T 11N R 12E NENW Sec 16 T 11N R 12E
Use: INDUSTRIAL (6.00 CFS) MINING (6.00 CFS) POWER (6.00 CFS) DOMESTIC (0.02 CFS)
In: NENW NWNW SWNW SENW Sec 16 T 11N R 12E

71-4043

BOWRON, BERNARD R. &/or LUCILE W.
BOX 99, STANLEY, ID 83278
Source: CROOKED CREEK trib. to VALLEY CREEK
Priority Date: 05/01/1917
Diversion Pt: NENW Sec 01 T 10N R 12E
Use: IRRIGATION (30.00 CFS)
In: NESW SESW NWSE SWSE Sec 36 T 11N R 12E FOR 35 ACRES

71-4044

SMILEY CREEK WATER USERS ASSOC.
SAWTOOTH CITY, KETCHUM, ID 83340
Source: GROUNDWATER
Priority Date: 03/01/1963
Diversion Pt: NESE Sec 27 T 07N R 14E
Use: IRRIGATION (0.09 CFS) DOMESTIC (0.20 CFS)
In: SWNE SENE NESE NWSE Sec 27 T 07N R 14E FOR 4 ACRES

71-4045

ROTHBAUER, TED J. &/or JOYCE C.
40 CHIMILES TRAIL, GORDON VALLEY, SUISUN, CA 94585
Source: GROUNDWATER
Priority Date: 01/01/1929
Diversion Pt: NESW NWSW Sec 35 T 11N R 13E
Use: IRRIGATION (0.03 CFS) COMMERCIAL (0.02 CFS) DOMESTIC (0.02 CFS)
In: NESW NWSW Sec 35 T 11N R 13E FOR 2 ACRES

71-4046

STUART, III, THOMAS R.
2301 HILLWAY DRIVE, BOISE, ID 83702
Source: GROUNDWATER
Priority Date: 06/01/1960
Diversion Pt: SESE Sec 34 T 11N R 12E
Use: COMMERCIAL (0.40 CFS)
In: SESE Sec 34 T 11N R 13E

72-4187

JONES, VERL
HC 82 BOX 4020, CHALLIS, ID 83226
Source: MORGAN CREEK trib. to SALMON RIVER
Priority Date: 05/01/1950
Diversion Pt: NWSW Sec 14 T 15N R 19E
Use: IRRIGATION (2.00 CFS)
In: SWSW SESW Sec 14 T 15N R 19E NENW Sec 23 T 15N R 19E FOR 27 ACRES

72-4188

JONES, VERL
HC 82 BOX 4020, CHALLIS, ID 83226
Source: CORRAL CREEK trib. to MORGAN CREEK
Priority Date: 06/01/1942
Diversion Pt: SENW Sec 29 T 17N R 19E
Use: IRRIGATION (2.00

71-4047

MC GOWAN, MICHAEL E. &/or CONNIE
BOX 76, STANLEY, ID 83278
Source: GROUNDWATER
Priority Date: 05/01/1930
Diversion Pt: LOT 02 (NWNE) Sec 03 T 10N R 13E
Use: IRRIGATION (0.09 CFS) COMMERCIAL (0.02 CFS) DOMESTIC (0.04 CFS)
In: LOT 02 (NWNE) Sec 03 T 10N R 13E FOR 3 ACRES

71-4048

SESSIONS, J. DON
STAR RT., KETCHUM, ID 83340
Source: GROUNDWATER
Priority Date: 01/01/1980
Diversion Pt: NESW Sec 29 T 09N R 14E
Use: DOMESTIC (0.02 CFS)
In: NESW Sec 29 T 09N R 14E

71-4049

SESSIONS, J. DON
STAR RT., KETCHUM, ID 83340
Source: SPRING trib. to SALMON RIVER
Priority Date: 01/01/1954
Diversion Pt: NESW Sec 29 T 09N R 14E
Use: DOMESTIC (0.02 CFS)
In: NESW Sec 29 T 09N R 14E

71-4050

SESSIONS, J. DON
STAR RT., KETCHUM, ID 83340
Source: SALMON RIVER trib. to SNAKE RIVER
Priority Date: 05/15/1969
Diversion Pt: SWNE Sec 05 T 08N R 14E
Use: IRRIGATION (0.14 CFS)
In: NESW Sec 29 T 09N R 14E FOR 7 ACRES

71-4051

HANSEN, CLIFF
STANLEY, ID 83278
Source: CLEVELAND CREEK trib. to SALMON RIVER NEECE CREEK (GLOVER CR.) trib. to SALMON RIVER
Priority Date: 06/01/1930
Diversion Pt: NENE SWSE Sec 31 T 10N R 14E
Use: IRRIGATION (2.14 CFS)
In: NENW SWNW SENW NESW SESW Sec 06 T 09N R 14E FOR 107 ACRES

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.
A. KENNETH DUNN
Director
Published 9/15 & 9/22/83.

71-4040

BLICK, GEORGE L. &/or JOHN W. PHARRIS, HAROLD G.
CASTLEFORD, ID 83321
Source: BOUNDARY CREEK trib. to SALMON RIVER
Priority Date: 05/16/1922
Diversion Pt: SENW Sec 31 T 10N R 14E
Use: IRRIGATION (3.00 CFS)
In: SWNW SENW NESW NWSW Sec 31 T 10N R 14E FOR 38 ACRES

71-4041

CITY OF STANLEY
P.O. BOX 53, STANLEY, ID 83278
Source: GROUNDWATER
Priority Date: 01/01/1963
Diversion Pt: NENE Sec 09 T 10N R 13E
Use: MUNICIPAL (0.05



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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

APRIL 18, 1995

LAWANA G KNOX
WILLIAM L KNOX
HC 67 BOX 2089
CHALLIS ID 83226

Transfer of Water Right No. 72-04169

Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water right (Transfer No. 4518). Please be sure to thoroughly review the "Conditions/Remarks:" as listed on the transfer.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over a horizontal line.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosure

WR0749NP
No. T72-04169

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/17/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LAWANA G KNOX	06/01/1964	IRRIGATION	04-15 10-15	0.060 CFS	7.40 AFA
C	WILLIAM L KNOX		STOCKWATER	01-01 12-31	0.020 CFS	0.10 AFA
	HC 67 BOX 2089					
	CHALLIS ID 83226					
	(208) 838-2284			TOTAL DIVERSION:	0.080 CFS	7.50 AFA

Water Source: GROUNDWATER
SALMON RIVER

Tributary to: SNAKE RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion: T12N R18E S36 Lot 03(SWNW) Lot 04(NWSW) CUSTER County

Point of Diversion Name(s):

	Name	Rate	Number
T12N R18E S36 Lot 03 (SW NW)	WELL		
S36 Lot 04 (NW SW)	PUMP IN SALMON RIVER		

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: SUM	
12N	18E	36	:				:				:				:				: 2.1	
																			TOTAL ACRES	2.1

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Pou County: CUSTER

Other Rights: A72-10053

Other Water Rights with Same Point(s) of Diversion and Source:
72-04169 T72-04048A

Other Water Rights Listing Overlapping Place(s) of use:
72-04169 72-07398 L72-07398 T72-04048A T72-04048B

Conditions of Approval:

- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- R50 - This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.5 afa per acre for the lands above.
- T01 - Approval of this transfer in no way confirms the right(s) claimed.
- T02 - The Director maintains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the

Conditions of Approval:

- transferred point of diversion.
- T04 - Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- T17 - Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Remarks: The total instantaneous diversion of water from all points of diversion under Transfer No. 4518 shall not exceed 0.08 cfs, nor total combined annual volume of 7.50 af. Diversion of groundwater is limited to those times water is available for diversion under this right from the original source, Salmon River. In case of pump and or well failure, a diversion from the Salmon River is authorized under this right. The rate of diversion from the Salmon River shall include the authorized rate of diversion allowed under the right plus a conveyance loss to be determined. Prior to the diversion of water from the Salmon River the right holder shall install fish screens as may be required.

Dates: App. Received: 07/05/1994 Priority Date: 06/01/1964
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 12/19/1994 User-ID: MBALDWIN Subject: TRANSFER NO. 4518
T#4518 filed on 7/5/94 is one of 3 companion transfers filed to propose change of source from Salmon River to Groundwater in the Challis Area. Also see comment regarding T#4514 & T#4516, A72-04048 A & B.
This transfer changed the surface point of diversion, and added a groundwater point of diversion and source.

Audit: 12/19/94 MBALDWIN 03/24/95 PSKAGGS 03/24/95 PSKAGGS



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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 13, 1995

William L. Knox
HC 67 Box 2089
Challis, ID 83226

RE: Revision of Draft Transfer No. 4518

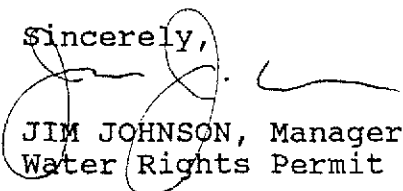
Dear Mr. Knox:

I have enclosed a revised draft of Transfer No. 4518 as we have discussed. You will note that the stockwater rate has been made additive, changing the total diversion under your right to 0.08 cfs.

Once again, in an effort to complete this and the two other related transfers as quickly as possible, I would ask you to respond directly to me at 327-7947 with any objections within 5 days of receipt of this letter. If I do not hear from you, I will assume the draft transfer is acceptable to you and proceed with approval.

Thank you for your cooperation in this matter.

Sincerely,


JIM JOHNSON, Manager
Water Rights Permit Section

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4518
WATER RIGHT NO. 72-04169

This is to certify that: LAWANA G KNOX
WILLIAM L KNOX
HC 67 BOX 2089
CHALLIS ID 83226

DRAFT

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.06 CFS	7.4 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.1 AF
TOTAL:		0.08 CFS	7.5 AF

Priority: 06/01/1964

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION: Lot 3(SWNW), Sec. 36, Township 12N, Range 18E
CUSTER County

SOURCE

SALMON RIVER

TRIBUTARY OF

SNAKE RIVER

LOCATION OF POINT(S) OF DIVERSION: Lot 4(NWSW), Sec. 36, Township 12N, 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>
12N	18E	36	Lot 3(SWNW)	2.1		2.1
Total number of acres irrigated:						2.1

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
3. Approval of this transfer in no way confirms the right(s) claimed.

DRAFT

TRANSFER NO. 4518
WATER RIGHT NO. 72-04169

CONDITIONS/REMARKS:

4. The Director maintains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion.
5. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
6. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
7. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
9. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
10. The total instantaneous diversion of water from all points of diversion under Transfer No. 4518 shall not exceed 0.08 cfs, nor total combined annual volume of 7.40 af. (7.5)
11. Diversion of groundwater is limited to those times water is available for diversion under this right from the original source, Salmon River.

Dated this _____ day of _____, 19____.

Chief, Water Alloc. Bureau



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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 5, 1995

William L. Knox
HC 67 Box 2089
Challis, ID 83226

RE: Revision of Draft Transfer No. 4518

Dear Mr. Knox:

I have enclosed a revised draft of Transfer No. 4518 as we discussed today. You will note that stockwater has been included on the approval.

Once again, in an effort to complete this and the two other related transfers as quickly as possible, I would ask you to respond directly to me at 327-7947 with any objections within 5 days of receipt of this letter. If I do not hear from you, I will assume the draft transfer is acceptable to you and proceed with approval.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over the typed name and title.

JIM JOHNSON, Manager
Water Rights Permit Section

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4518
WATER RIGHT NO. 72-04169

This is to certify that: LAWANA G KNOX
WILLIAM L KNOX
HC 67 BOX 2089
CHALLIS ID 83226

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.06 CFS	7.4 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.1 AF
TOTAL:		0.06 CFS	7.5 AF

Priority: 06/01/1964

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION: Lot 3 (SWNW), Sec. 36, Township 12N, Range 18E
CUSTER County

SOURCE

SALMON RIVER

TRIBUTARY OF

SNAKE RIVER

LOCATION OF POINT(S) OF DIVERSION: Lot 4 (NWSW), Sec. 36, Township 12N, 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>
12N	18E	36	Lot 3(SWNW)	2.1		2.1
Total number of acres irrigated:						2.1

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
3. Approval of this transfer in no way confirms the right(s) claimed.

TRANSFER NO. 4518
WATER RIGHT NO. 72-04169

CONDITIONS/REMARKS:

4. The Director maintains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion.
5. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
6. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
7. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
9. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
10. The total instantaneous diversion of water from all points of diversion under Transfer No. 4518 shall not exceed 0.06 cfs, nor total combined annual volume of 7.40 af.
11. Diversion of groundwater is limited to those times water is available for diversion under this right from the original source, Salmon River.

Dated this _____ day of _____, 19____.

Chief, Water Alloc. Bureau

0.08 cfs

WR0749NP
No. T72-04169

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/06/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LAWANA G KNOX	06/01/1964	IRRIGATION	04-15 10-15	0.060 CFS	7.40 AFA
C	WILLIAM L KNOX		STOCKWATER	01-01 12-31	0.020 CFS	0.10 AFA
	HC 67 BOX 2089					
	CHALLIS ID 83226					
	(208) 838-2284					
				TOTAL DIVERSION:	0.060 CFS	7.50 AFA

Water Source: GROUNDWATER
SALMON RIVER

Tributary to:
SNAKE RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion: T12N R18E S36 Lot 03(SWNW) Lot 04(NWSW) CUSTER County

Point of Diversion Name(s):

	Name	Rate	Number
T12N R18E S36 Lot 03 (SW NW)	WELL		
S36 Lot 04 (NW SW)	PUMP IN SALMON RIVER		

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE							
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: SUM
12N	18E	36	:				:				:				:				: 2.1
			:				:				:				:				: TOTAL ACRES 2.1

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Pou County: CUSTER

Other Rights: A72-10053

Other Water Rights with Same Point(s) of Diversion and Source:
72-04169 T72-04048A

Other Water Rights Listing Overlapping Place(s) of use:
72-04169 72-07398 L72-07398 T72-04048A T72-04048B

Conditions of Approval:

- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- R50 - This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.5 afa per acre for the lands above.
- T01 - Approval of this transfer in no way confirms the right(s) claimed.
- T02 - The Director maintains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the

Conditions of Approval:

- transferred point of diversion.
- T04 - Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- T17 - Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Remarks: The total instantaneous diversion of water from all points of diversion under Transfer No. 4518 shall not exceed 0.06 cfs, nor total combined annual volume of 7.40 af. Diversion of groundwater is limited to those times water is available for diversion under this right from the original source, Salmon River.

Dates: App. Received: 07/05/1994 Priority Date: 06/01/1964
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 12/19/1994 User-ID: MBALDWIN Subject: TRANSFER NO. 4518
T#4518 filed on 7/5/94 is one of 3 companion transfers filed to propose change of source from Salmon River to Groundwater in the Challis Area. Also see comment regarding T#4514 & T#4516, A72-04048 A & B.
This transfer changed the surface point of diversion, and added a groundwater point of diversion and source.

Audit: 12/19/94 MBALDWIN 03/24/95 PSKAGGS 03/24/95 PSKAGGS

MEMORANDUM

Date: April 5, 1995
From: Jim Johnson
To: Pam Skaggs
Subject: Conversation with Bill Knox

=====

I agreed to add the stockwater use on the transfer because he was very emphatic that it was important to him. He also asked that another draft transfer be sent to him after the stockwater was added. Please follow up. Prepare a brief transmittal letter with the new draft.



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

March 29, 1995

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Doyle & Judi Leuzinger
HC 67 Box 2085
Challis, Idaho 83226

Margaret Hutchens
HC 67 Box 2088
Challis Idaho 83226

Lawana & William Knox
HC 67 Box 2089
Challis, Idaho 83226

Re: Transfers of water right 72-04048A, 72-04048B, and 72-04169

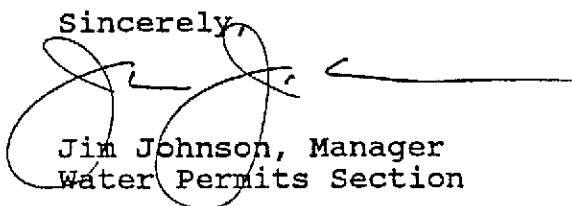
Dear Applicants;

The department has completed the review of the applications for transfers of water rights filed by the above identified parties. The department is aware of the your concerns on the transfers approvals, so I am sending to you copies of the transfers as drafted for the director's signature.

Please carefully review the drafted approvals and let me know by April 5, 1995 if you have any questions or concerns. If I don't hear from you the department will issue the transfers.

You can contact me at 208-327-7947 if you have questions.

Sincerely,



Jim Johnson, Manager
Water Permits Section

cc Bob Foster

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4514
WATER RIGHT NO. 72-04048A

This is to certify that: MARGARET HUTCHENS
HC 67 BOX 2088
CHALLIS ID 83226

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.16 CFS	28.0 AF

Priority: 04/01/1900

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION: Lot 3(SWNW), Sec. 36, Township 12N, Range 18E
CUSTER County

SOURCE

SALMON RIVER

TRIBUTARY OF

SNAKE RIVER

LOCATION OF POINT(S) OF DIVERSION: Lot 4(NWSW), Sec. 36, Township 12N, 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>
12N	18E	36	Lot 3(SWNW)	8		8

Total number of acres irrigated: 8

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
3. Approval of this transfer in no way confirms the right(s) claimed.
4. The Director maintains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion.
5. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

TRANSFER NO. 4514
WATER RIGHT NO. 72-04048A

CONDITIONS/REMARKS:

6. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
7. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
9. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
10. The total instantaneous diversion of water from all points of diversion under Transfer No. 4514 shall not exceed 0.16 cfs, nor total combined annual volume of 28.0 af.
11. Diversion of groundwater is limited to those times water is available for diversion under this right from the original source, Salmon River.

Dated this _____ day of _____, 19____.

DRAFT

Chief, Water Alloc. Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4516
WATER RIGHT NO. 72-04048B

This is to certify that: DOYLE LEUZINGER
JUDI LEUZINGER
HC 67 BOX 2085
CHALLIS ID 83226

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.58 CFS	101.5 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
GROUNDWATER	SALMON RIVER

Priority: 04/01/1900

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NWNW), Sec. 36, Township 12N, 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>
12N	18E	35	Lot 1(NENE) 2.5			2.5
		36	Lot 1(NENW) 0.5	Lot 2(NWNW) 19.0	Lot 3(SWNW) 7.0	26.5
Total number of acres irrigated:						29.0

CONDITIONS/REMARKS:

1. Approval of this transfer in no way confirms the right(s) claimed.
2. After specific notification by the department, the right holder shall install a suitable measuring device 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.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. The Director maintains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion.

TRANSFER NO. 4516
WATER RIGHT NO. 72-04048B

CONDITIONS/REMARKS:

5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. Diversion of groundwater is limited to those times water is available for diversion under this right from the original source, Salmon River.
8. Right No. 72-04048B when combined with Right No. 72-07398 or any other rights shall not exceed more than 0.02 cfs per acre nor more than 3.5 afa per acre for the lands described above.

Dated this _____ day of _____, 19____.

DRAFT

Chief, Water Alloc. Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4518
WATER RIGHT NO. 72-04169

This is to certify that: LAWANA G KNOX
WILLIAM L KNOX
HC 67 BOX 2089
CHALLIS ID 83226

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.06 CFS	7.4 AF

Priority: 06/01/1964

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION: Lot 3(SWNW), Sec. 36, Township 12N, Range 18E
CUSTER County

SOURCE
SALMON RIVER

TRIBUTARY OF
SNAKE RIVER

LOCATION OF POINT(S) OF DIVERSION: Lot 4(NWSW), Sec. 36, Township 12N, 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>
12N	18E	36	Lot 3(SWNW)	2.1		2.1
Total number of acres irrigated:						2.1

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
3. Approval of this transfer in no way confirms the right(s) claimed.
4. The Director maintains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion.

TRANSFER NO. 4518
WATER RIGHT NO. 72-04169

CONDITIONS/REMARKS:

5. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
6. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
7. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
9. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
10. The total instantaneous diversion of water from all points of diversion under Transfer No. 4518 shall not exceed 0.06 cfs, nor total combined annual volume of 7.40 af.
11. Diversion of groundwater is limited to those times water is available for diversion under this right from the original source, Salmon River.

Dated this _____ day of _____, 19____.

DRAFT

Chief, Water Alloc. Bureau

MEMORANDUM

TO: FILE NO. 72-04169

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER NO. 4518

DATE: April 5, 1995

=====

Transfer No. 4518 was filed to change the surface point of diversion and add a groundwater point of diversion and source to a portion of Right No. 72-04048. The transfer approval reflects field investigation confirmation of use and Snake River Basin Adjudication recommendations as changed by the transfer application and including incidental stockwater use.

This is one of three irrigation rights from the Salmon River delivered through what is known locally as the Leusinger ditch or S-34. The Department of Fish and Game is promoting the change to a groundwater source to reduce expenses involved with fish screens at the ditch diversion and to benefit chinook and sockeye salmon. Fish and Game will furnish and install the well and pump. All three transfers, Nos. 4514, 4516 and 4518, must be approved together, or failing approval, withdrawn together.

This transfer also retains a new point of diversion where water could be pumped directly from the river in the event some problems arise with the well. The change from a surface source and ditch system to a well on site, and direct pumping from the river, removes the need for conveyance loss water and the right has been reduced to 0.03 cfs/acre. The conveyance water will be considered relinquished through this transfer application.

Diversion of water will be limited to those times water is available under this right from the original source, the Salmon River. Other recommended conditions include drilling permit requirements, irrigation overlap, non-confirmation of claim, right-of-way, multiple points of diversion/measuring devices and standard transfer conditions.

TRANSFER REVIEW SHEET

(11-94)

Transfer # 4518

Date Reviewed 3-24-95

Right(s) 72-04/169

Review based on SRBA Exam & Recommendations on this statutory claim

Print Split Summary

AS + WR

B:Change P/D C:Add P/D D:Change P/U E:Change Nature of Use
F:Change Period of Use (G)Other H:Change P/D & Add P/D
I:Change P/D & P/U Change River P/D J:Add P/D & Change P/U
Add GW P/D & Source

Proof of Ownership

Transfer ☒ All of Right ☐ Portion of Right
Resulting Split(s) NONE - Reduced rate

Check Transfer Against Right

Season/Vol. B/3.5

- (1) ☒ Priority (2) ☐ Use (3) ☐ Season (4) ☐ Rate (5) ☐ Volume
(6) ☐ Source (7) ☐ P/D (8) ☐ P/U (9) ☒ Proof/Owner (10) ☒ Map
(11) NO Water District (12) Yes Pertinent Conditions (13) NO Expansion
AS + R Limit div

- (1) ~~Drop stockwater per recommendation - in stream use. Retain per JJ.~~
(2) ~~Reduce to standard season 4-15 to 10-15~~ .03 cfs / 1.0 cfs
(3) ~~Diversion from well + pump in River - Conveyance losses 1/4 2.1 x .03 = .063~~
Reduce rate to .06 cfs
(4) ~~2.1 x 3.5 = 7.4 cfs < .06 x 183 x 1.9835 = 21.8~~
(5) ~~Add GW source~~
(6) ~~Add GW P/D & Change Surface P/D~~
(7) ~~Reduce to IRR 2.1 Acres~~

Transfer Remarks .03 cfs relinquished / GW Div. limited to when water available
Conditions 0416, R30, T01, T04, T07, T08, T09 from River
R50

Database/Processing Notes I file ☒
Special Edit

KNOK.115;

WR0749NP
No. T72-04169

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/24/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LAWANA G KNOX	06/01/1964	IRRIGATION	04-15 10-15	0.060 CFS	7.40 AFA
C	WILLIAM L KNOX HC 67 BOX 2089 CHALLIS ID 83226 (208) 838-2284					
TOTAL DIVERSION:					0.060 CFS	7.40 AFA

Water Source: GROUNDWATER
SALMON RIVER

Tributary to:
SNAKE RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion: T12N R18E S36 Lot 03(SWNW) Lot 04(NWSW) CUSTER County

Point of Diversion Name(s):

	Name	Rate	Number
T12N R18E S36 Lot 03 (SW NW)	WELL		
S36 Lot 04 (NW SW)	PUMP IN SALMON RIVER		

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
12N	18E	36	:																	:	2.1
																				TOTAL ACRES	2.1

Pou County: CUSTER

Other Rights: A72-10053

Other Water Rights with Same Point(s) of Diversion and Source:
72-04169 T72-04048A

Other Water Rights Listing Overlapping Place(s) of use:
72-04169 72-07398 L72-07398 T72-04048A T72-04048B

Conditions of Approval:

- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- R50 - This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.5 afa per acre for the lands above.
- T01 - Approval of this transfer in no way confirms the right(s) claimed.
- T04 - Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 - Failure to comply with the conditions of this transfer is cause

Conditions of Approval:

- for the director to issue an order to show cause why the approval
- of the transfer should not be rescinded.
- T09 - Approval of this transfer does not preclude the opportunity for
- review of the validity of the water right(s) in the ongoing
- Snake River Basin Adjudication.
- T17 - Prior to diversion of water under this approval, the right holder
- shall provide a means of measurement acceptable to the Department
- from all authorized points of diversion which will allow
- determination of the total rate of diversion.

Remarks: The total instantaneous diversion of water from all points of diversion under Transfer No. 4518 shall not exceed 0.06 cfs, nor total combined annual volume of 7.40 af. Diversion of groundwater is limited to those times water is available for diversion under this right from the original source, Salmon River. The portion of Right No. 72-04169 described as 0.03 cfs water for conveyance losses has been relinquished through approval of Transfer No. 4518.

Dates: App. Received: 07/05/1994 Priority Date: 06/01/1964
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 12/19/1994 User-ID: MBALDWIN Subject: TRANSFER NO. 4518
T#4518 filed on 7/5/94 is one of 3 companion transfers filed to propose change of source from Salmon River to Groundwater in the Challis Area. Also see comment regarding T#4514 & T#4516, A72-04048 A & B.
This transfer changed the surface point of diversion, and added a groundwater point of diversion and source.

Audit: 12/19/94 MBALDWIN 03/24/95 PSKAGGS 03/24/95 PSKAGGS

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LAWANA G KNOX	06/01/1964	IRRIGATION	04-15 10-15	0.09 CFS	
C	WILLIAM L KNOX HC 67 BOX 2089 CHALLIS ID 83226 (208) 838-2284					
					TOTAL DIVERSION:	0.09 CFS
					CONSUMPTIVE USE:	5.00 AFA

Water Source: SALMON RIVER

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T11N R18E S01 Lot03(NENWNW)

CUSTER County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: SUM
12N	18E	36	:					:				:				: 2.1
															TOTAL ACRES	2.1

POU County: CUSTER

Other Rights: NONE

Remarks: 0.03 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT.

WATER IS DELIVERED THROUGH LEUZINGER DITCH.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 72-04048A, 72-04048B & 72-10511.

.06 cfs @ Field Headgate

Dates: Exam Made Date: 06/17/1993 Verified Date: 12/13/1994

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 06/24/1993 User-ID: CLELLAND Subject: COPIED FROM REMARKS
AC. IRR. = 2.1
STOCKWATER USE IS MOSTLY INSTREAM USE.

Date: 06/24/1993 User-ID: CLELLAND Subject: REDIVERSION
PUMP DIVERTS IN THE DITCH AT T12N, R18E, S36, SESWSW, LOT 3.

Audit: 12/13/94 SCLELLAN

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

DATE: 03/24/95
PAGE: 1

WATER RIGHT
NUMBER

NAME

CFS

72-04169

KNOX , WILLIAM L.
KNOX , LAWANA G.

0.26

WATER RIGHT NUMBER	NAME	CFS
A72-04169	KNOX , LAWANA G. KNOX , WILLIAM L.	0.26

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: MTS

1. Right number A72-04169 Applicant Wm + Lawana Knox

2. Type of right: ☐ Decree ☐ License ☒ Claim

3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use

☒ Other change source to groundwater
SEE ATTACHED MEMO FROM ALLEN MERRITT DATED 12-2-1994

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use

b. ☒ Description of original point of diversion.

c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

a. ☒ All of right.

b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

c. ☒ Check description of point(s) of diversion. (Requests an alternate P/D from the Salmon River).

d. ☒ Check description of place of use.

e. ☒ Check map (shows p.d. and p.u. after transfer).

f. ☒ Check for correct signature, notarization, and fee.

g. ☒ Check proof of ownership of right &/or land from which water is transferred.

h. ☒ Check for expansion in use of right. Comments No expansion

i. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) None

j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No

If yes, what district? _____

FINAL PROCESSING REVIEW BY: Adm

1. Watermaster recommendation requested on N/A Received on _____

2. Is transfer published correctly? ☒ Yes ☐ No

3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* See memo dated 2/3/95

RECEIVED

FEB 07 1994

4. By Adm Date 2/2/95 Department of Water Resources

FROM: Allen Merritt



DATE: February 3, 1995

TO: TRANSFER FILES: #4514 of 72-04048A in name of Hutchens
#4516 of 72-04048B in name of Leuzinger
#4518 of 72-04169 in name of Knox

SUBJECT: RECOMMENDATION

I recommend that all three transfers be approved as follows:

- All rights are subject to SRBA review.
- All new wells to be drilled require drilling permits.
- Approval does not grant right-of-way across land of another.
- Limit use to 0.02 cfs/acre (0.03cfs/acre for tracts under 5 acres) and 3.5 afa/acre

Transfer #4514 of 72-04048A:

Source: Groundwater (P/D SWNW(Lt3) Sec 36, T12N, R18E)
Salmon River (P/D NENWSW(Lt4) Sec 36, T12N, R18E)

Use: Irrigation from 4/15 to 10/15 at 0.16 cfs for 28.0 afa

Place of Use for Irrigation

Twp	Rge	Sec	Tract	Acres
12N	18	36	SWNW (Lt3)	8.0

Transfer #4516 of 72-04048B:

Source: Groundwater (P/D NWNW(Lt2) Sec 36, T12N, R18E)

Use: Irrigation from 4/15 to 10/15 at 0.58 cfs for 101.5 afa

Place of Use for Irrigation

Twp	Rge	Sec	Tract	Acres
12N	18E	36	NENE (Lt1)	2.5
			NENW (Lt1)	0.5
			NWNW (Lt2)	19.0
			SWNW (Lt3)	7.0
			Total	29.0

-Limit when combined with 72-07398

72-04048B
R-12-18-36
6-2-11-1995

Transfer #4518 of 72-04169:

Source: Groundwater (P/D SWNW(Lt3) Sec 36, T12N, R18E)
Salmon River (P/D NENWSW(Lt4) Sec 36, T12N, R18E)

Use: Irrigation from 4/15 to 10/15 at 0.06 cfs for 7.4 afa

Place of Use for Irrigation

<i>Twp</i>	<i>Rge</i>	<i>Sec</i>	<i>Tract</i>	<i>Acres</i>
12N	18	36	SWNW (Lt3)	2.1

MEMO TO FILE

FROM: MEL SCHULTE
SOUTHERN REGION

DATE: JANUARY 12, 1995

RE: T4518--KNOX TRANSFER APPLICATION

1. THE APPLICATION PROPOSES TO CHANGE THE P/D FROM THE SALMON RIVER TO A WELL.
2. APPROVAL OF THIS AND TWO COMPANION APPLICATIONS WOULD BENEFIT THE IDF&G ANADROMOUS FISH SCREENING PROGRAM BY ELIMINATING THE NEED TO REPAIR A DIVERSION STRUCTURE IN THE SALMON RIVER AND INSTALL A NEW FISH SCREEN.
3. THE APPLICATION IS BASED ON SRBA CLAIM A72-04169. DISCUSSIONS WITHIN THE DEPARTMENT CONCLUDED IT WAS ACCEPTABLE TO PROCESS THE APPLICATION AS PROPOSED. SEE ALLEN MERRITT'S MEMO DATED 12-12-1994 FOR DETAILS.
4. THE SRBA CLAIM REVIEW FOR A72-04169 RECOGNIZES .03 CFS OF CONVEYANCE LOSS IN THE DITCH FROM THE RIVER TO THE P/U. CONVEYANCE LOSS SHOULD NOT BE A FACTOR IN THE SYSTEM PROPOSED IN THIS TRANSFER.
5. THE RECOMMENDATION FOR THIS TRANSFER COMPLIES WITH THE SRBA RECOMMENDATION OF 2.1 ACRES AT A PER ACRE DIVERSION RATE OF .03 CFS/ACRE OR A TOTAL OF .06 CFS. THE STOCK WATER COMPONENT AND RATE OF .02 CFS PROPOSED IN THE APPLICATION IS ACCEPTABLE BUT THE TOTAL AMOUNT OF WATER APPROVED FOR THE TRANSFER IN PART 1, B.2 SHOULD BE LIMITED TO .06 CFS.
6. THE PERIOD OF USE FOR THE IRRIGATION COMPONENT IN PART 1, B.1 DOES NOT COMPLY WITH DEPARTMENT STANDARDS FOR THE AREA.
7. THE ALTERNATE P/D PROPOSED IN PART 1, B.4 SHOULD BE ALLOWED AS A SECOND P/D.
8. APPROVAL OR DENIAL OF THIS APPLICATION IS CONDITIONED IN THE APPLICATION ON APPROVAL OR DENIAL IN CONJUNCTION WITH T4514 AND T4516.

APR 2 5 1995

R18E

35

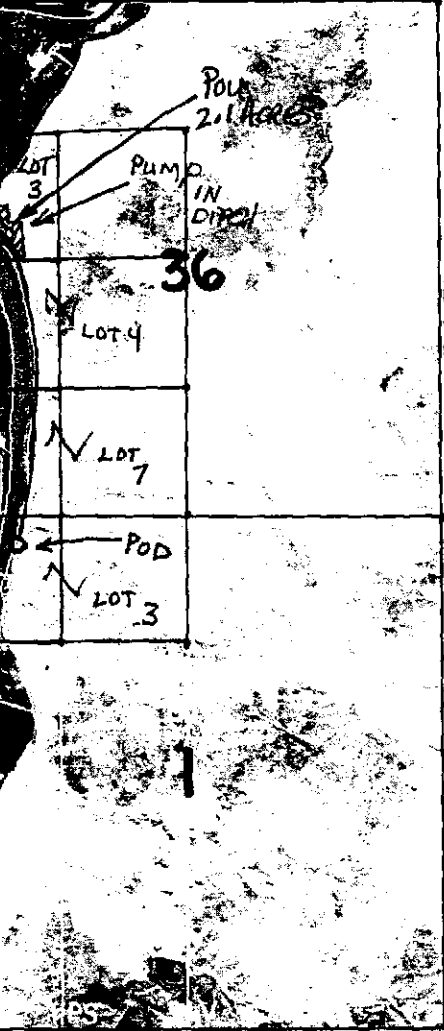
T12 N

T11 N

3

2

*As Recommended
6-24-73*



CLAIM A72-04169 UNIT _____
T. R. S. Q/Q
P/D 11N 18E 01 NENWNW LOT 3
PHOTO U74
DT.&ID. 7-24-74



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

Governor PHIL BATT

February 6, 1995

R. KEITH HIGGINSON

Director

ATTN CHUCK KELLER
IDAHO FISH & GAME
SALMON REGION
PO BOX 1336
SALMON ID 83467-1336

RE: Applications for Transfer:

Transfer No. 4514 (A72-04048A)-Hutchens, Margaret
Transfer No. 4516 (A72-04048B)-Leuzinger, Doyle/Judi
Transfer No. 4518 (A72-04169A)-Knox, William/Lawana

Dear Mr. Keller:

A review of the files indicate that you requested notification of the current status of the above referenced applications for transfer.

As of this date, the applications have been forwarded to our State Office for final action.

If you have further questions, I suggest that you contact Pam Skaggs in our Boise office at 327-7943.

Sincerely,

Mary A. Baldwin
Senior Secretary

APR 11 1995

APR 25 1995

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 Dec 29 1994 and ending with the issue dated Jan 5 1995.

Ruth E. Burchill

STATE OF IDAHO

COUNTY OF CUSTER

On this 5th day of Jan. in the year of 1995 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.

Ethel M. Beck

Notary Public for Idaho

Residing at Challis

My commission expires: 3-19-98

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. A72-04169

Notice is hereby given that WILLIAM & LAWANA KNOX, IIC 67 Box 2089, Challis, ID 83226 have applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of IDAHO CODE and further described as Transfer No. 4518.

The purpose of this application is to change the source from Salmon River to Groundwater.

WATER RIGHT AS RECORDED:

Water Right No. A72-04169

Basis: Beneficial Use

Date of Priority: 6/1/1964

Source: Salmon River tributary to Snake River

Use: irrigation (0.24 cfs) 4/1 to 11/1 stockwater (0.02 cfs) from 1/1 to 12/31 Point of Diversion: Lot 3 (NWNW), S1, T11N, R18E; Custer County.

Place of Use: 2.1 acres within SWNW, S36, T12N, R18E.

A claim has been filed in the Snake River Basin Adjudication.

WATER RIGHT NO. A72-04169 TO BE CHANGED by a point of diversion within Lot 3 (SWNW), S36, T12N, R18E (well) and NENWSW, S36, T12N, R18E (alternate point of diversion by pump in Salmon River) with no change in place of use.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before January 16, 1995. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson, Director

Pub: Dec. 29, 1994 & Jan. 5, 1995.

OK
1/6/95



STATEMENT

Custer Publishing, Inc.

Phone 879-4445

P.O. Box 405

Challis, Idaho 83226

*Dept. of Water
222 Shoshone St. East
Jurn Falls, Id 83301*

Job No.	Date	DESCRIPTION	Amount
	1-5-95	Notice of Proposed Change of Water Right <u>No. A72-04169</u> 12/29/94 & 1/5/95 45 lines	\$ 46.58 OK MB 1/6/95
RECEIVED JAN 06 1995 Department of Water Southern Region Office			

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.

PAID
JAN 26 1995

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT NO. A72-04169**

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R. Keith Higginson, Director

Published in the Challis Messenger on 12/29/94 & 1/5/95.

✓
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Basis: Beneficial Use

Date of Priority: 6/1/1964

Source: Salmon River tributary to
Snake River

Use: irrigation (0.24 cfs) 4/1 to 11/1
stockwater (0.02 cfs) from 1/1 to 12/31

Point of Diversion: Lot 3 (NWNW), S1,
T11N, R18E; Custer County.

Place of Use: 2.1 acres within SWNW,
S36, T12N, R18E.

A claim has been filed in the Snake
River Basin Adjudication.

WATER RIGHT NO. A72-04169 TO
BE CHANGED by a point of diversion
within Lot 3 (SWNW), S36, T12N,
R18E (well) and NENWSW, S36, T12N,
R18E (alternate point of diversion by
pump in Salmon River) with no change
in place of use.

Any protest against approval of the
proposed change of water right
application must be filed with the
Department of Water Resources,
Southern Region, 222 Shoshone Street
East, Twin Falls, ID 83301 together
with a protest fee of \$25.00 on or before
January 16, 1995. The protestant must
also send a copy of the protest to the
applicant.

R. Keith Higginson, Director

Pub: Dec. 29, 1994 & Jan. 5,
1995.

OK
12/30/94

RECEIVED
APR 25 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

December 20, 1994

R. KEITH HIGGINSON
Director

CUSTER PUBLISHING CO
PO BOX 405
CHALLIS ID 83226

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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
Sr. Secretary

Enclosure

APR 25 1995

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. A72-04169

Notice is hereby given that WILLIAM & LAWANA KNOX, HC 67 Box 2089, Challis, ID 83226 have applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of IDAHO CODE and further described as Transfer No. 4518.

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Water Right No. A72-04169

Basis: Beneficial Use

Date of Priority: 6/1/1964

Source: Salmon River tributary to Snake River

Use: irrigation (0.24 cfs) from 4/1 to 11/1
stockwater (0.02 cfs) from 1/1 to 12/31

Point of Diversion: Lot 3 (NWNW), S1, T11N, R18E; Custer County.

Place of Use: 2.1 acres within SWNW, S36, T12N, R18E.

A claim has been filed in the Snake River Basin Adjudication.

WATER RIGHT NO. A72-04169 TO BE CHANGED by a point of diversion within Lot 3 (SWNW), S36, T12N, R18E (well) and NENWSW, S36, T12N, R18E (alternate point of diversion by pump in Salmon River) with no change in place of use.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before January 16, 1995. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson, Director

Published in the Challis Messenger on 12/29/94 & 1/5/95.

APR 5 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

December 19, 1994

R. KEITH HIGGINSON
Director

WILLIAM & LAWANA KNOX
HC 67 BOX 2089
CHALLIS ID 83226

Re: Application for Transfer No. 4518 (A72-04169)

Dear Applicants:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office has scheduled advertising the application in the Challis Messenger for 12/29/94 and 1/5/95. The advertisement will be published for two weeks, and 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.

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.

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

Very truly yours,

Mel Schulte
Sr. Water Resource Agent

MS:MB

From: DWR60::AMERRITT 12-DEC-1994 14:08:11.43
To: MSCHULTE, DJONES, JSTANTON, MBALDWIN, DWR03::NYOUNG, DWR03::GSAXTON, DWR03::JJ
CC: AMERRITT
Subj: FYI

MEMORANDUM

From: Allen Merritt
To: Norm Young, Glen Saxton, Jim Johnson, Shelly Keen,
Mel Schulte, Jim Stanton, Doug Jones, Mary Baldwin,
Steve Clelland, Nick Spencer

RE: Status of Transfers proposing change of source from Salmon River to Groundwater in Challis area.

A72-04048A Hutchens
A72-04048B Leuzinger
A72-04169 Knox

At the recent Regional Manager's meeting in Boise the question was asked about the status of the three transfers that propose to change the source from Salmon River to Groundwater. These transfers were initiated by three private waterusers on the encouragement of F&G. If approved these transfers would allow F&G to discontinue a fish screen project with substantial savings to the F&G however as presented to our office it was an all or nothing deal. In other words if these three transfers are not approved in whole or in a manner that the old diversion still remains then F&G is not willing to participate in development of the well since they may not achieve the full benefits.

Our office has held these transfers to date for the following reasons:

As drafted the transfers are based on the SRBA claims which in turn are based on statutory claims. (It was the staff's understanding that the transfer form should not list SRBA claims as the base right.) Review of the claims in the SRBA initially recommended that one of the claims should be disallowed. The reason for disallowal was that it was determined that A72-04048A (Hutchens) was developed in 1978 without permit. On filing of these transfers and further discussions with Hutchens it was found that in 1988 Hutchens & Leuzinger went to court and Hutchens was awarded 20" of the original water right which is claimed in A72-04048B (Leuzinger) and earlier claimed under statutory claim 72-04048.

Our office asked Nick Spencer to look at the file and the court record. Nick indicates that it appears Hutchens has a portion of the original right and that in 1978 under an unrecorded transfer the 20" was developed on the Hutchen's property.

Based on Nicks review the disallowal should be redrafted to show some sort of valid right.

To get this thing moving and advertised I phoned Glen last friday and we discussed using the SRBA record in the transfer application and in the advertising. We decided that it was probably proper

APR 25 1995

T #4518

since we were dealing with only claimed rights anyway. (From the record it appears that the statutory claim and both SRBA claims overstate the actual use found during Steve's SRBA field review.)

I recommend that the advertising be prepared as soon as possible and that the Hutchens' transfer be advertised to give notice that the purpose is to change the source from Salmon River to Groundwater and also to formalize the record of A72-04048A which is based on an unrecorded transfer in 1978 and subsequent 1988 judgement in the Custer County court case #3048 between Hutchens vs Leuzinger where a portion of an old historical right was split and the Hutchens' portion developed as A72-04048A claims.

As for claim A72-04169 it does not appear to have the problems the other two seem to have.

If anyone sees a problem with proceeding to advertising as described above let me know.

Allen

12 5 1985

T # 4518



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 5, 1994

Mr. & Mrs. William Knox
HC 67, Box 2089
Challis, ID 83226

Dear Mr & Mrs Knox:

I'm writing in response to the Application for Transfer you filed in conjunction with the applications also filed by Margaret Hutchens and Doyle & Judi Leuzinger. My initial review of your application revealed a couple of minor changes necessary to make it acceptable for processing.

My first concern is the proposal for an alternate diversion site from the Salmon River if the well site is not approved. The department may be willing to approve the application as proposed with certain conditions. This decision will be made at a later date.

It is the department's policy to base transfer applications on water right records rather than Snake River Basin Adjudication records. Since your application is based on your adjudication claim, we will want to amend your application before we proceed with processing. We will assist you in the necessary amendments at a later date.

The three applications proposing to transfer surface water rights to wells are conditioned that all or none must be approved. Even though each application has its own unique issues to address, we will attempt to process them together. This will likely delay the processing of your application while we deal with some more serious concerns involving the other applications.

I have communicated with Chuck Keller, Idaho Fish & Game Dept. and he indicated he is available to assist in any way he can. If you have questions or need to discuss your application in detail please call me at 736-3033.

Cordially,

Mel Schulte
Sr. Water Rights Agent

APR 25 1995

T # 4518

TO: LOREN HOLMES
FROM: NORM *NCH MS*
RE: ATTACHED APPLICATIONS FOR TRANSFER
DATE: JULY 11, 1994

S. Region

These transfers are probably the first of a group of filings seeking to move diversions from the Salmon River or a tributary to ground water. IDWR has not committed to approving such transfers and can only do so if information indicates the ground water is directly associated with the river and the change otherwise complies with Section 42-222, Idaho Code.

The applications can be processed, including publication of legal notice. Dick Larsen is being asked to issue a press release to let the issues raised by the applications have statewide review.

I have not reviewed the applications for compliance with application requirements or technical adequacy.

c. Dick Larsen

Wm. Knox 72-4169
Doyle Leuzinger 72-4048B
Margaret Hutchens 72-4048A

10 12 13 14 15 16

JUL 18 1994

Department of Water Resources
Southern Region Office

72-4169
72-4048B
72-4048A

T # 4518



IDAHO FISH & GAME

SALMON REGION
P.O. Box 1336
Salmon, ID 83467-1336
(208) 756-2271

*Let
Norm check
this out then
send paperwork
to Southern.*

June 29, 1994

RECEIVED

JUL 05 1994

Department of Water Resources

Mr. Norman C. Young
Idaho Department of Water Resources
1301 N. Orchard Street
Boise, ID 83720

Dear Norm,

Enclosed for your review and approval are three separate completed requests for Application For Transfer Of A Water Right and a check for the required \$150.00 filing fees.

The Idaho Department of Fish and Game has been and continues to be the major proponent for completing these three transfers. At the present time, the three water rights being proposed for transfer are associated with pumping irrigation water from a Salmon River gravity diversion, S-34, the local name of which is the Leuzinger Ditch. The Salmon River water diverted into this ditch is presently screened for anadromous fish; however, the existing diversion control headgate and fish screening facility, designated S-34 in our inventory, are unserviceable and are in dire need of replacement. Estimated replacement cost is \$30,000.

In lieu of replacing the diversion control and fish screening structures, personnel from Dept. of Fish and Game (with Soil Conservation Service technical support) and the water users have agreed to pursue the transfer of user's water source to drilled wells, which the Dept. of Fish and Game would provide. This agreement would be predicated on the approved transfer, with priority date intact, of all three water user's water rights from the existing surface water diversion source to the well-water source. Please note the Hutchens and Knox requests have included in Part 1 an alternate point of diversion to the proposed new well. They have insisted on this provision for personal reasons and recognize the alternate would never be required as long as the proposed new well is utilized.

The completion of this water right transfer proposal will provide several significant advantages:

1. Estimated construction cost savings between the river diversion replacement and the water well systems is \$14,000.
2. Future operation, maintenance and replacement cost for the river diversion system is eliminated.

Cecil D. Andrus / Governor
Jerry M. Conley / Director



Working for wildlife - since 1938

APR 25 1995

T # 4518

3. Environmental, water quality, and fisheries resource impacts and damage will be eliminated by not replacing the Salmon River diversion.

As you know, the National Marine Fisheries Service has designated Snake River chinook and sockeye salmon as threatened and endangered species. Consequently, the program emphasis to protect and enhance these anadromous fish has greatly increased. Although the fish screening facilities which we operate and maintain are designed to prevent these fish from entering and becoming trapped in river diversion ditches, the diversions themselves do create adverse effects upon the fisheries habitat. In this case, we have the relatively rare opportunity to entirely eliminate the diversion from the Salmon River.

The transfer of the subject water rights to wells and elimination of the river diversion will be a very positive action toward the protection and enhancement of T&E listed chinook and sockeye salmon. If these proposed water rights transfers are acceptable to you, please forward the enclosed applications and the \$150.00 check for filing fee to the appropriate office for processing. Please send a receipt for the filing fees to our Salmon office.

Should you have any questions about this proposal, please contact John Henderson or Chuck Keller at 756-6022.

Sincerely,

GARY POWER

BY 
ACTING R.S.

Gary Power
Regional Supervisor

RECEIVED
MAY 15 1995

T # 4518

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

OCTOBER 14, 1983

WILLIAM L. KNOX
LAWANA G. KNOX
HC 6, BOX 2089
CHALLIS

ID 83226

RE: Claim No. 72-4169

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

ALLEN D. MERRITT
Senior Water Resource Analyst

Enclosure

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

72-4169-

KNOX, WILLIAM L. &/or LAWANA G.

HC 16, BOX 2089, CHALLIS, ID 83226

Source: SALMON RIVER trib. to SNAKE RIVER

Priority Date: 06/01/1964

Diversion Pt: LOT 03 Sec 01 T 11N R 18E LOT 03
Sec 36 T 12N R 18E (REDIVERSION)

Use: IRRIGATION (0.24 CFS)
STOCKWATER (0.02 CFS)

In: LOT 03 (SWNM) Sec 36 T 12N R 18E FDR 3 ACRES

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

A. KENNETH DUNN

Director

Published ~~2/0~~ 9/15/83. + 9/22/83

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

SEPTEMBER 1, 1983

Custer Publishing Company
P. O. Box 405
Challis, Idaho 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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 billings to this office before SEPTEMBER 26, 1983.

Yours truly,

Mary A. Newby
Secretary

Encl.

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State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JF Stanton

Right Number 72-4169 Applicant KNOX, William L. &/or Lawana G.

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed. None

By ADM Date 10/3/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By CW Date 11-1-83

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