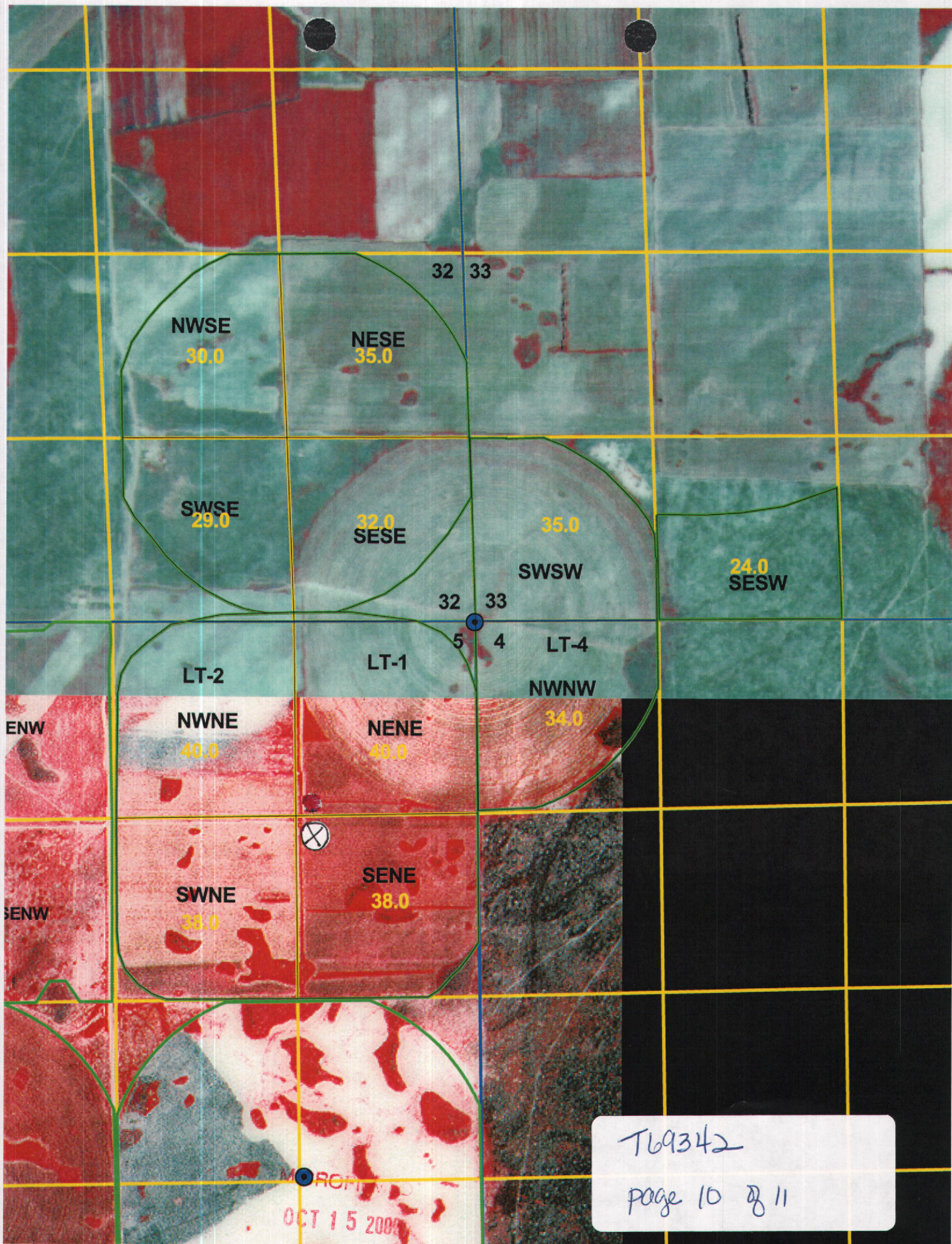




T69342

page 10 of 11

TRANSFER REVIEW SHEET

Trans # 69342

Date Reviewed 9/27/02

Right No(s) * 31-7176 31-11609 11611 4724
Split? Y N Y N Y N Y N

AREA OF CONCERN: No/Yes ESPA

PURPOSE OF TRANSFER FOR EACH RIGHT:

Change p/d
Add p/d

Change use period
Change nature of use

Change p/u

RightID's of From & To records correct? Y N (resolve with State Office personnel)

Check for Partial Decree issuance, etc. since time of application's entry

PROOF OF OWNERSHIP COMPLETE FOR OLD & NEW P/U Y

Lien Holder Release NA

GROUNDWATER:

DRILLING PERMIT

All wells - 046
DP upgrade req'd Y N (contact GW personnel)

WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

WMD
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or 01Q

SUPPLEMENTAL (irr = only use) - 065-104

SUPPLEMENTAL (irr + other uses) - 100-105

SURFACE WATER:

WD

≤ 0.20 cfs/others
> 0.20 cfs

- R05 (WD#) WM comments rec'd

- R02, 01P or No MD

- R43

WD, SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres
> 0.24 cfs/5 acres

- No MD

- 01M or 01Q

STANDARD SEASON

4/1 to 10/31 (use X61 if extended season)

STANDARD VOLUME

3.5 af/ac

CONSUMPTIVE USE VOLUME

 af/ac

decree w/ 4/1-10/31 Season

USES:

STORAGE - 18C-R02-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (all BLM/USFS)
MINING - 054-106
FISH PROP - 029(70'S only)-007-122-106
HEAT/COOL - R07 (injection well)
FIRE PROT. - 077
DAIRY - 082 (zoning if a concern)-106-WD8

USES:

POWER - 17H-17K (+uses)-025-106
MUNICIPAL
Restricted area - 022-075 RAFN - 007-109-X64
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
- 27A (Payette River)
> 1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop
T08 - comply or rescind
T17 - measure all p/d's (used with WB4)
T18 - Special T17 & R43 combined - multiple pds in WD

Protested - 020-X19
Water Quality - 106-R07

X27 - Number of acres/season in ppu
X35 - Combined totals of multiple rts

X36 083(11611)

X49 - measure p/d's (source chg'd to orig trib)
X51 - 2+ yrs to develop
X53 - Use ltd to orig. source availability
X54 - forfeited ac/rate (used rarely)
X55 - (transfer shrinks total water to less ac)
004 - no right-of-way
X58 - pending claim (statutory or AJ b/u claim)
X61 - extended irr season
X62 - replaces N11 and N13
X63 - replaces C12
WB4 - + p/ds, cfs & afa (used with T17)
WD8 - land application of waste water
01Q - used instead of 01M when there's another meas. Cond (i.e. T17 & 01m)

Apply one to chg'd and unchg'd rts:

T09 - on-going SRBA (no Dir Rpt or Recomm yet)
T19 - replaces C18 (if at Recommendation or Partial Decree stage)
T20 - use instead of T09 where not ongoing in SRBA

OTHER CONDITIONS/REMARKS

COMMENTS

Database files updated Y Approval form printed Y Shape files created Y

Special Mailing Instructions (cc's, etc)

Final database update after approval Y *Comment to WR No(s). NA

10/25c

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF TRANSFER)
NO. 69342 IN THE NAME OF)
HELEN F ASHCRAFT)
_____)

**PRELIMINARY ORDER
CORRECTING TRANSFER
APPROVAL**

FINDINGS OF FACT

1. On July 26, 2001, Helen F. Ashcraft (applicant) filed Application for Transfer No. 69342 (transfer) to change the point of diversion and place of use for water rights 31-7176, 31-11609, 31-11611 and 31-11724.
2. On October 2, 2002 the Department approved the transfer showing the following condition incorrectly identifying Right 31-11724 as 31-11727.

Rights 31-7176, 31-11609, 31-11611 and 31-11727 when combined shall not exceed a total diversion rate of 2.81 cfs, a total annual maximum diversion volume of 758.1 af at the field headgate, and the irrigation of 216.6 acres within the place of use described above in a single irrigation season.

3. The transfer approval also showed the following condition incorrectly identifying the combined number of acres to be irrigated in a single irrigation season under Rights 31-11609 and 31-11611 as **4.06** acres rather than **40.6** acres.

Rights 31-11609 and 31-11611 when combined shall not exceed a total combined diversion rate of 0.56 cfs and the irrigation of **4.06** acres in a single irrigation season.

CONCLUSIONS OF LAW

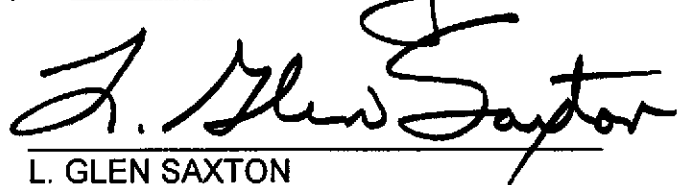
1. The transfer approval should accurately describe each established water right as changed by the transfer pursuant to Section 42-222, Idaho Code.

2. The transfer approval incorrectly describes the affected water right numbers and the combined acre limitation under two of the affected water rights.
4. The Department should correct the transfer approval to correctly identify the affected water rights and their proper combined limitations.

ORDER

IT IS THEREFORE HEREBY ORDERED that Transfer Approval No. 69342 is **CORRECTED** by changing the conditions to identify Right 31-11724 as affected by the transfer and to identify a combined irrigation limitation of 40.6 acres under rights 31-11609 and 31-11611.

Dated this 26th day of February, 2003.



L. GLEN SAXTON
Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69342

This is to certify that: HELEN F ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448
(208) 356-3533

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

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
31-7176	WR/Decreed	01/02/1976	1.78 cfs	465.5 af		133.0	GROUND WATER
31-11609	WR/Decreed	02/22/1951	0.56 cfs	98.7 af	28.2	40.6	GROUND WATER
31-11611	WR/Decreed	07/22/1983	0.21 cfs	43.4 af	12.4	40.6	GROUND WATER
31-11724	WR/Decreed	03/20/1956	0.47 cfs	150.5 af		43.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
31-7176	NO	NO	YES	NO	NO	NO
31-11609	NO	YES	YES	NO	NO	NO
31-11611	NO	YES	YES	NO	NO	NO
31-11724	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
31-7176	31-7176	1.78 cfs	465.5 af	133.0	217.0		N/A	N/A	N/A	N/A
31-11609	31-11609	0.56 cfs	98.7 af	28.2	217.0		N/A	N/A	N/A	N/A
31-11611	31-11611	0.21 cfs	43.4 af	12.4	217.0		N/A	N/A	N/A	N/A
31-11724	31-11724	0.47 cfs	150.5 af	43.0	217.0		N/A	N/A	N/A	N/A
TOTALS		2.81 cfs	758.1 af	216.6	217		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 2nd day of October, 2002

MICROFILMED

OCT 15 2002

[Signature]
Chief, Water Allocation Bureau

WATER RIGHT NO. 31-11724
As Modified by Transfer No. 69342

In accordance with the approval of Transfer No. 69342, Water Right No. 31-11724 is now described as follows.

Right Holder: HELEN F ASHCRAFT And
 BOYD B ASHCRAFT
 2983 E 2000 N
 SUGAR CITY ID 83448

Priority Date: March 20, 1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 11/01	0.47 CFS	150.5 AF
		0.47 CFS	150.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENENE Sec. 5 Twp 06N Rge 36E JEFFERSON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 36E 4							34.0										34.0
07N 36E 32							4						35.0	30.0	28.0	31.0	124.0
07N 36E 33												35.0	24.0				59.0

Total Acres: 217

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. This right is limited to the irrigation of 43 acres within the place of use described above in a single irrigation season.
5. Rights 31-7176, 31-11609, 31-11611 and 31-11727 when combined shall not exceed a total diversion rate of 2.81 cfs, a total annual maximum diversion volume of 758.1 af at the field headgate, and the irrigation of 216.6 acres within the place of use described above in a single irrigation season.

MICROFILMED

001 1 5 2000

WATER RIGHT NO. 31-11724
As Modified by Transfer No. 69342

CONDITIONS OF APPROVAL

6. Rights 31-11609, 31-11611 and 31-11724 are also diverted through the point of diversion described above.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Dated this _____ day of _____, 20____

2nd *October* *02*

[Signature]
Chief, Water Allocation Bureau

MICROFILMED

001 13 2012

WATER RIGHT NO. 31-7176
As Modified by Transfer No. 69342

In accordance with the approval of Transfer No. 69342, Water Right No. 31-7176 is now described as follows.

Right Holder: HELEN F ASHCRAFT And
 BOYD B ASHCRAFT
 2983 E 2000 N
 SUGAR CITY ID 83448

Priority Date: January 02, 1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	1.78 CFS	465.5 AF
			1.78 CFS	465.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENENE Sec. 5 Twp 06N Rge 36E JEFFERSON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 36E 4						34.0											34.0
07N 36E 32													35.0	30.0	28.0	31.0	124.0
07N 36E 33											35.0	24.0					59.0

Total Acres: 217

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. This right is limited to the irrigation of 133 acres within the place of use described above in a single irrigation season.
5. Rights 31-7176, 31-11609, 31-11611 and 31-11727 when combined shall not exceed a total diversion rate of 2.81 cfs, a total annual maximum diversion volume of 758.1 af at the field headgate, and the irrigation of 216.6 acres within the place of use described above in a single irrigation season.

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OCT 15 2005

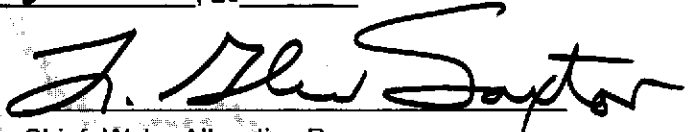
WATER RIGHT NO. 31-7176
As Modified by Transfer No. 69342

CONDITIONS OF APPROVAL

6. Rights 31-11609, 31-11611 and 31-11724 are also diverted through the point of diversion described above.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Dated this 2nd day of October, 2002


Chief, Water Allocation Bureau

MICROFILMED

OCT 13 2002

WATER RIGHT NO. 31-11609

As Modified by Transfer No. 69342

In accordance with the approval of Transfer No. 69342, Water Right No. 31-11609 is now described as follows.

Right Holder: HELEN F ASHCRAFT And
BOYD B ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

Priority Date: February 22, 1951

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 11/01	0.56 CFS	98.7 AF
		0.56 CFS	98.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENENE Sec. 5 Twp 06N Rge 36E JEFFERSON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 36E 4						34.0											34.0
07N 36E 32													35.0	30.0	28.0	31.0	124.0
07N 36E 33											35.0	24.0					59.0

Total Acres: 217

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. This right is limited to the irrigation of 28.2 acres within the place of use described above in a single irrigation season.
5. Rights 31-7176, 31-11609, 31-11611 and 31-11727 when combined shall not exceed a total diversion rate of 2.81 cfs, a total annual maximum diversion volume of 758.1 af at the field headgate, and the irrigation of 216.6 acres within the place of use described above in a single irrigation season.

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001 1 5 2412

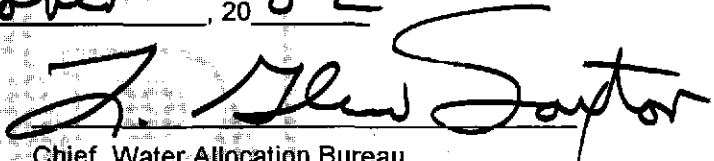
WATER RIGHT NO. 31-11609
As Modified by Transfer No. 69342

CONDITIONS OF APPROVAL

6. Rights 31-7176, 31-11611 and 31-11724 are also diverted through the point of diversion described above.
7. Rights 31-11609 and 31-11611 when combined shall not exceed a total combined diversion rate of 0.56 cfs and the irrigation of 4.06 acres in a single irrigation season.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
11. Right 31-11611 is an enlargement of Right 31-11609 pursuant to Section 42-1426, Idaho Code.

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

Dated this 2nd day of October, 2002


Chief, Water Allocation Bureau

MICROFILMED

OCT 15 2002

WATER RIGHT NO. 31-11611
As Modified by Transfer No. 69342

In accordance with the approval of Transfer No. 69342, Water Right No. 31-11611 is now described as follows.

Right Holder: HELEN F ASHCRAFT And
 BOYD B ASHCRAFT
 2983 E 2000 N
 SUGAR CITY ID 83448

Priority Date: July 22, 1983

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.21 CFS	
			0.21 CFS	43.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENENE Sec. 5 Twp 06N Rge 36E JEFFERSON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 36E 4						34.0											34.0
07N 36E 32						1.4							35.0	30.0	28.0	31.0	124.0
07N 36E 33											35.0	24.0					59.0

Total Acres: 217.

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. This right is limited to the irrigation of 12.4 acres within the place of use described above in a single irrigation season.
5. Rights 31-7176, 31-11609, 31-11611 and 31-11727 when combined shall not exceed a total diversion rate of 2.81 cfs, a total annual maximum diversion volume of 758.1 af at the field headgate, and the irrigation of 216.6 acres within the place of use described above in a single irrigation season.

MICROFILMED
 OCT 15 2012

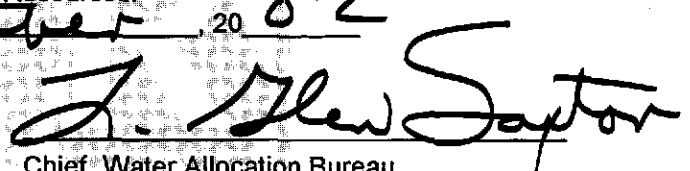
WATER RIGHT NO. 31-11611
As Modified by Transfer No. 69342

CONDITIONS OF APPROVAL

6. Rights 31-7176, 31-11609 and 31-11724 are also diverted through the point of diversion described above.
7. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
8. Rights 31-11609 and 31-11611 when combined shall not exceed a total combined diversion rate of 0.56 cfs and the irrigation of 4.06 acres in a single irrigation season.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
12. Right 31-11611 is an enlargement of Right 31-11609 pursuant to Section 42-1426, Idaho Code.

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

Dated this 2nd day of October, 2002


Chief, Water Allocation Bureau

MICROFILMED

OCT 13 2002

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant HELEN ASHCRAFT Phone 208-356-3533

Post Office address 2983 E. 2000 N. Sugar City, ID

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 _____

SEP 25 2001

Department of Water Resources

2. Describe the reason for the proposed changes. We are using 2 distinct & separate wells to irrigate our total acreage. This transfer reflects the actual acreage & well utilized since we have put on pivots.

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
24 31-2252 (split)	3-20-1956	0.47	irrigation	4-01 to 11-01
31-7176	1-02-1976	1.78		to
31-11669	2-22-1951	0.56		to
31-11611	7-22-1983	0.21		to

2. Total amount of water being transferred 2.81 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

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Total Acres 217

Limiting to 216.6 acres

69,342

Part 1. B. G. C.

Describe effect

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OCT 15 2002

PART 1

6. General Information:

a. Description of diversion system Wells + pump to pivots & sprinklers

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

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

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 20 _____

MICROFILMED
 For the Director
 OCT 15 2002

page 3 of 11

T69342

06/14/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-2353C

(Split Right)

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HELEN F ASHCRAFT 2983 E 2000 N SUGAR CITY, ID 83448 (208) 356-3533
Original Owner	F MC KAY SMITH HAMER, ID 83425
Original Owner	J BLAINE COOK
Original Owner	RICHARD B COOK RT 1 BOX 94 REXBURG, ID 83440
Original Owner	BOYD ASHCRAFT 2983 E 2000 N SUGAR CITY, ID 83448 (208)356-3533

Priority Date: 03/20/1956
Basis: License
Status: Active

Source
GROUND WATER

Tributary to

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	11/01	2.17 CFS	700 AFA	
Total Diversion			2.17 CFS	700 AFA	

Location of Point(s) of Diversion:

GROUND WATER NWSENE Sec. 05 Township 06N Range 36E JEFFERSON County

IRRIGATION Use:
Acre Limit: 200

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06N	36E	5	1	NENE	7	2	NWNE	41		SWNE	39		SENE	40
07N		32		NWSE	37		SWSE	36						

Total Acres: 200

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED

MICROFILMED

Water Right 31-2353C

OCT 15 2002

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount 0.47cfs for Irrigation purposes from 4-01 to 11-01
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	NE	SE	NE	5	6N	36E	Jefferson	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	36E	5	7																7
7N	36E	32															36		36

Total Acres 43

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

1. amount 1.70cfs for Irrigation purposes from 4-01 to 11-01
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	NW	SE	NE	5	6N	36E	Jefferson	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	36E	5		4 ^{1/2}	39	40													120
7N	36E	32														37			37

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OCT 15 2002

Total Acres 157

page 5 of 11

769342

06/14/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-7176

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HELEN F ASHCRAFT 2983 E 2000 N SUGAR CITY, ID 83448 (208) 356-3533
Original Owner	J BLAINE COOK
Original Owner	RICHARD B COOK REXBURG, ID 83440
Original Owner	BOYD ASHCRAFT 2983 E 2000 N SUGAR CITY, ID 83448 (208)356-3533

Priority Date: 01/02/1976
Basis: License
Status: Active

Source
GROUND WATER

Tributary to

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	11/01	1.78 CFS	465.5 AFA	
Total Diversion			1.78 CFS	465.5 AFA	

Location of Point(s) of Diversion:

GROUND WATER NENENE Lt 1 Sec. 05 Township 06N Range 36E JEFFERSON County

IRRIGATION Use:
Acre Limit: 133

86 acres
w/ 1/2

Place(s) of use:

Place of Use Legal Description: IRRIGATION

JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06N	36E	4	4	NWNW	34									
		5	1	NENE	34									
07N		32		SESE	28									
		33		SWSW	37									

Total Acres: 133

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

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OCT 15 2002

page 6 of 11

T69342

Dates:

Licensed Date: 04/17/1979
Claim Received Date: 03/29/1990
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court: 5/10/2001
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Other Information:

Receipt Number(s): E012594
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:NONE RECEIVED

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OCT 15 2002

page 7 of 11

769342

06/14/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-11609

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HELEN ASHCRAFT 2983 E 2000 N SUGAR, ID 83448 (208)356-3533
Original Owner	CENELL HAMER, ID 83425
Original Owner	RYAN ASHCRAFT 2347 E 2000 N HAMER, ID 83425 (208) 662 5447
Original Owner	RONALD TORGERSON HC 69 BOX 1080 HAMMER, ID 83425 (208)662-5438
Original Owner	KATHRYN H EGBERT
Original Owner	KIRK S EGBERT 1410 E 1300 N TERRETON, ID 83450 (208)663-4505

Priority Date: 02/22/1951
Basis: License
Status: Active

Source Tributary to
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	0.56 CFS	98.7 AFA	
Total Diversion			0.56 CFS	98.7 AFA	

Location of Point(s) of Diversion:

GROUND WATER NWNWSW Sec. 33 Township 07N Range 36E JEFFERSON County

IRRIGATION Use:
Acre Limit: 28.2

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	36E	32		NESE	38.6									
		33		NWSW	2									

Total Acres: 40.6

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OCT 15 2002

page 8 of 11

T69342

06/14/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-11611

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HELEN ASHCRAFT 2983 E 2000 N SUGAR, ID 83448 (208)356-3533
Original Owner	RYAN ASHCRAFT 2347 E 2000 N HAMER, ID 83425 (208) 662 5447
Original Owner	LINDA RAE TORGERSON
Original Owner	RONALD TORGERSON HC 69 BOX 1080 HAMMER, ID 83425
Original Owner	KATHRYN H EGBERT
Original Owner	KIRK S EGBERT 1410 E 1300 N TERRETON, ID 83450 (208)663-4505

Priority Date: 07/22/1983
Basis: Beneficial Use
Status: Active

Source Tributary to
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.21 CFS	43.4 AFA	
Total Diversion			0.21 CFS	43.4 AFA	

Location of Point(s) of Diversion:

GROUND WATER NWNWSW Sec. 33 Township 07N Range 36E JEFFERSON County

IRRIGATION Use:
Acre Limit: 12.4

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	36E	32		NESE	38.6									
		33		NWSW	2									

Total Acres: 40.6

Conditions of Approval:

1. C11 THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12,

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06/13/2002

1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

- | | | |
|----|---------------------------|---|
| 1. | Explanatory | THIS RIGHT IS FOR AN ENLARGEMENT OF 12.4 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT. |
| 2. | General | THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 31-11609 PURSUANT TO SECTION 42-1426, IDAHO CODE. |
| 3. | Quantity | USE OF THIS RIGHT WITH RIGHT NO. 31-11609 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.56 CFS. |
| 4. | Place of Use - Irrigation | USE OF THIS RIGHT WITH RIGHT NO. 31-11609 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 40.6 ACRES IN A SINGLE IRRIGATION SEASON. |

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NOV 13 2002

ENNE

NWNE

NWNE

NWNE

380

OCT 15 2300

T69342

page 10 of 11

PART 3

B. CHANGES IN NATURE OF USE

1.

<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
2. Quantity and quality of return flows and location of discharge:

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

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

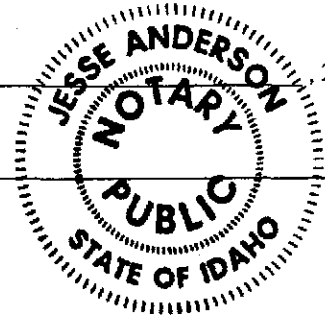
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Helen J. Ashcraft
 (Signature of Applicant)

Subscribed and sworn to before me this 20 day of July, 2001

Jesse Anderson
 (Notary Public)

My commission expires 03-15-07



FOR DEPARTMENT USE ONLY

Transfer contains 11 pages and 6 attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by KW Fee \$365.00

Receipted by Hut #E026961 Date _____

Published in Jefferson Star Copies of protest forwarded by _____

Pub. Dates Aug 22 & 29, 2001 Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☒ approval ☐ denial

_____ received _____ by RDL

Copy of transfer sent to lien holder _____

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OCT 15 2002

MAKE CHECK PAYABLE TO:

DEANN MADSEN
JEFFERSON COUNTY TREASURER
134 NORTH CLARK
RIGBY, IDAHO 83442

1ST HALF DUE
TAX 93.29

LATE
INT
COST
TOT

2ND HALF DUE
TAX 93.29

LATE
INT
COST
TOT

2000 TAX BILL/RECEIPT

BILL# 9239 CODE AREA 37-00

PARCEL NUMBER
RP07N36E336160A
14,897

TOT MV 14,897

FULL DUE 186.58

TAX
LATE
INT
COST
TOT

RECEIVED

ASHCRAFT BOYD B & HELEN F
2983 E 2000 N
SUGAR CITY ID 83448



SW4SW4; LESS TAX 3: SEC 33;
TWP 7 NORTH RGE 36 EBM

TOT ACS 35.300

TAXING DISTRICT

STATE .0000000000
COUNTY .003949800
SCH DIST 253 .007171599
ROAD/BRIDGE .0000000000
WT JEFF CEM .000097992
HAMER FIRE DI .000744827
LIBRARY DIST .000401606
W. JEFF AMB .000158888
AMOUNT DUE .012524712

AMOUNT

58.84
106.84

1.46
11.10
5.98
2.36
186.58

★ ★ ★ IMPORTANT ★ ★ ★
★ ★ ★ MONTHLY PAYMENTS ARE ACCEPTED ★ ★ ★
PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.
TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.
KEEP TOP PORTION FOR YOUR RECORDS.
PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

BRING THIS NOTICE FOR PROPER CREDIT
YOUR CHECK IS YOUR RECEIPT

MICROFILMED
OCT 15 2002

ATTACHMENT 1 OF 6
T 69342

MAKE CHECK PAYABLE TO:

DEANN MADSEN

JEFFERSON COUNTY TREASURER

134 NORTH CLARK

RIGBY, IDAHO 83442

1ST HALF DUE

TAX 87.94

LATE

INT

COST

TOT

2ND HALF DUE

TAX 87.94

LATE

INT

COST

TOT

BILL# 8698

CODE AREA 37-00

FULL DUE

TAX 175.88

LATE

INT

COST

TOT

TOT MV 14,044

TOT ACS 41.600

PARCEL NUMBER

RP06N36E043000A

L

14,044

ASHCRAFT BOYD B & HELEN F

2983 E 2000 N

SUGAR CITY

ID 83448

*part of wife's estate
South of 1st St. bought from family*

LOT 4; SEC 4

TWP 6 NORTH RGE 36 EBM

TAXING DISTRICT

STATE

COUNTY

SCH DIST 253

ROAD BRIDGE

WT JEFF CEM

HAMER FIRE DI

LIBRARY DIST

W. JEFF AMB

AMOUNT DUE

RATE

.000000000

.003949800

.007171599

.000000000

.000097992

.000744827

.000401606

.000158888

.012524712

AMOUNT

55.46

100.72

1.38

10.46

5.64

2.22

175.88

★ ★ ★ IMPORTANT ★ ★ ★
PLEASE READ BOTH FRONT AND BACK
★ ★ ★ MONTHLY PAYMENTS ARE ACCEPTED ★ ★ ★

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.
TO AVOID LATE CHARGES, PAYMENTS MUST BE
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KEEP TOP PORTION FOR YOUR RECORDS.
PERSONAL CHECKS ARE YOUR RECEIPT
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BRING THIS NOTICE FOR PROPER CREDIT
YOUR CHECK IS YOUR RECEIPT

RECEIVED
MAY 10 2002

69342 T
2 OF 6
ATTACHMENT

2000 TAX BILL/RECEIPT

MAKE CHECK PAYABLE TO:
DEANN MADSEN
JEFFERSON COUNTY TREASURER
134 NORTH CLARK
RIGBY, IDAHO 83442

BILL# 9240
CODE AREA 37-00

PARCEL NUMBER
RP07N36E33661QA
12,456

1ST HALF DUE
TAX 78.00
LATE
INT
COST
TOT

2ND HALF DUE
TAX 78.00
LATE
INT
COST
TOT

FULL DUE
TAX 156.00
LATE
INT
COST
TOT

TOT MV
12,456

TOT ACS
31.070

ASHCRAFT BOYD & HELEN M
2983 E 2000 N
SUGAR CITY ID 83448

*Rest of piece from Rigby
and cities not as simple as*

SE4SW4: LESS TAX 3: SEC 33;
TWP 7 NORTH RGE 36 EBM

TAXING DISTRICT
STATE .000000000
COUNTY .003949800
SCH DIST 253 .007171599
ROAD/BRIDGE .000000000
WT JEFF CEM .000097992
HAMER FIRE DI .000744827
LIBRARY DIST .000401606
W. JEFF AMB .000158888
AMOUNT DUE .012524712

AMOUNT
49.20
89.32
1.22
9.28
5.00
1.98
156.00

★ ★ ★ IMPORTANT ★ ★ ★
PLEASE READ BOTH FRONT AND BACK
★ ★ ★ MONTHLY PAYMENTS ARE ACCEPTED ★ ★ ★
PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.
TO AVOID LATE CHARGES, PAYMENTS MUST BE
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PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

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YOUR CHECK IS YOUR RECEIPT

001 1 2 2002
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T 69342
3 OF 6
ATTACHMENT

MAKE CHECK PAYABLE TO:

DEANN MADSEN

JEFFERSON COUNTY TREASURER

134 NORTH CLARK

RIGBY, IDAHO 83442

1ST HALF DUE

TAX
LATE
INT
COST
TOT

1,634.49

2ND

TAX
LATE
INT
COST
TOT

1,634.49

1,634.49

2000 TAX BILL/RECEIPT

9229

CODE AREA 37-00

L
I

PARCEL NUMBER

RP07N36E32Q750A

47,949

209,462

257,411

TOT MV

TAX
LATE
INT
COST
TOT

FULL DUE
3,268.98

TOT ACS 132.700

ASHCRAFT BOYD B & HELEN F

2983 E 2000 N

SUGAR CITY

ID 83448

TAX 1; W1/2SE1/4;

SE1/4SE1/4; SEC 32

TWP 7 NORTH RGE 36 EBM

1898

N 2250 E

83425

★ ★ ★ IMPORTANT ★ ★ ★
PLEASE READ BOTH FRONT AND BACK
★ ★ ★ MONTHLY PAYMENTS ARE ACCEPTED ★ ★ ★

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
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TO AVOID LATE CHARGES, PAYMENTS MUST BE
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PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

BRING THIS NOTICE FOR PROPER CREDIT
YOUR CHECK IS YOUR RECEIPT

TAXING DISTRICT
STATE .0000000000
COUNTY .003949800
SCH DIST 253 .007171599
ROAD/BRIDGE .000000000
WT JEFF CEM .000097992
HAMER FIRE DI .000744827
LIBRARY DIST .000401606
W. JEFF AMB .000158888
DISTRICT TOTAL .012524712
LAND FILL USE FEE
AMOUNT DUE

AMOUNT
1,016.72
1,846.04
25.22
191.72
103.38
40.90
3,223.98
45.00
3,268.98

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10 2002

ATTACHMENT 4 OF 6
T 69342

MAKE CHECK PAYABLE TO:

DEANN MADSEN
JEFFERSON COUNTY TREASURER
134 NORTH CLARK
RIGBY, IDAHO 83442

1ST HALF DUE
TAX 409.58
LATE
INT
COST
TOT

2ND HALF DUE
TAX 409.58
LATE
INT
COST
TOT

FULL DUE
TAX 819.16
LATE
INT
COST
TOT

TOT MV 65,407
TOT ACS 164,970

ASHCRAFT BOYD B & HELEN F
2983 E 2000 N
SUGAR CITY ID 83448

*Abuth pivot
(Cornerstone)*

LOT 1: LOT 2: S2NE4: SEC 5,
TWP 6 NORTH RGE 36 EBM

★ ★ ★ IMPORTANT ★ ★ ★
PLEASE READ BOTH FRONT AND BACK
★ ★ ★ MONTHLY PAYMENTS ARE ACCEPTED ★ ★ ★
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TO AVOID LATE CHARGES, PAYMENTS MUST BE
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KEEP TOP PORTION FOR YOUR RECORDS.
PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

BRING THIS NOTICE FOR PROPER CREDIT
YOUR CHECK IS YOUR RECEIPT

2000 TAX BILL/RECEIPT

BILL# 8699 CODE AREA 37-00 L

TOT MV 65,407

TOT ACS 164,970

TAXING DISTRICT
STATE .000000000
COUNTY .003949800
SCH DIST 253 .007171599
ROAD/BRIDGE .000000000
WT JEFF CEM .000097992
HAMER FIRE DI .000744827
LIBRARY DIST .000401606
W. JEFF AMB .000158888
AMOUNT DUE .012524712

AMOUNT
258.34
469.06
6.40
48.72
26.26
10.38
819.16

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10 2002

69342
5 OF 6
ATTACHMENT

MAKE CHECK PAYABLE TO:

DEANN MADSEN
JEFFERSON COUNTY TREASURER
134 NORTH CLARK
RIGBY, IDAHO 83442

1ST HALF DUE

TAX 107.28
LATE
INT
COST
TOT

2ND HALF DUE

TAX 107.28
LATE
INT
COST
TOT

2000 TAX BILL/RECEIPT

BILL# 9232 CODE AREA 37-00 L

PARCEL NUMBER
RP07N36E327210A
17,133

FULL DUE

TAX 214.56
LATE
INT
COST
TOT

TOT MV

17,133

TOT ACS

40.600

TAXING DISTRICT

TAXING DISTRICT	RATE	AMOUNT
STATE	.000000000	
COUNTY	.003949800	67.66
SCH DIST 253	.007171599	122.86
ROAD/BRIDGE	.000000000	
WT JEFF CEM	.000097992	1.68
HAMER FIRE DI	.000744827	12.76
LIBRARY DIST	.000401606	6.88
W. JEFF AMB	.000158888	2.72
AMOUNT DUE	.012524712	214.56

ASHCRAFT BOYD & HELEN M
2983 E 2000 N
SUGAR CITY ID 83448

TAX 2; SEC 32, & 33:
TWP 7 NORTH RGE 36 EBM

★ ★ ★ IMPORTANT ★ ★ ★
PLEASE READ BOTH FRONT AND BACK
★ ★ ★ MONTHLY PAYMENTS ARE ACCEPTED ★ ★ ★

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.
TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.
KEEP TOP PORTION FOR YOUR RECORDS.
PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

BRING THIS NOTICE FOR PROPER CREDIT
YOUR CHECK IS YOUR RECEIPT

OCT 15 2002

*pd in full in #638
just this sheet*

69342 T 4 OF 4 ATTACHMENT

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 31-07176

2002 MAR -8 PM 2:19

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: BOYD B ASHCRAFT SHELTER TRUST
1195 E 1100 N
SHELLEY, ID 83274

HELEN F ASHCRAFT
2983 E 2000 N
SUGAR CITY, ID 83448

SOURCE: GROUND WATER

QUANTITY: 1.78 CFS
465.50 AFY

PRIORITY DATE: 01/02/1976

POINT OF DIVERSION: T06N R36E S05 LOT 01 (NENENE) Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	1.78 CFS 465.50 AFY

PLACE OF USE: Irrigation Within Jefferson County

T06N R36E S04 LOT 04 (NNNW)	34.0
S05 LOT 01 (NENE)	34.0
T07N R36E S12 SESE	28.0
S13 SWSW	37.0
133.0 Acres Total	

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

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

RULE 54(b) CERTIFICATE

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

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

MICROFILMED

OCT 15 2002

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 31-07176 File Number: 00102

PAGE 1
Mar-08-2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 27, 2003

HELEN F ASHCRAFT
BOYD B ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

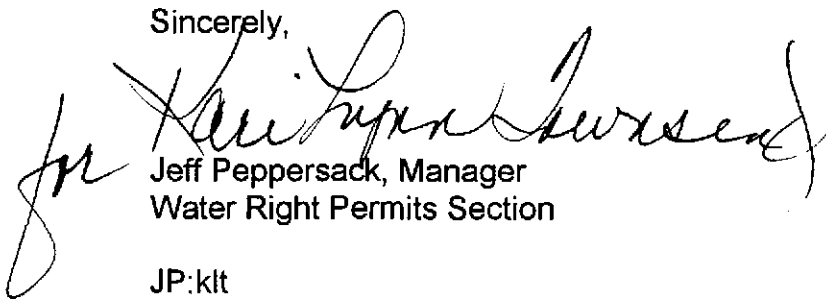
RE: Preliminary Order in the Matter of Application for Transfer 69342

Dear Interested Parties:

The accompanying order is a "preliminary order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the department unless a party petitions for reconsideration within fourteen (14) days after issuance as described in the enclosed information sheet.

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

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

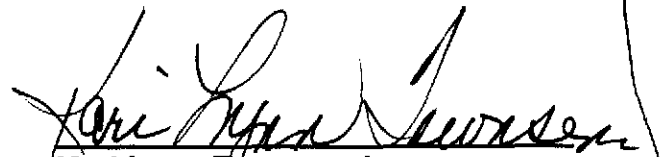
MAR 17 2003

CERTIFICATE OF SERVICE

I hereby certify that on **February 27, 2003**, I mailed a true and correct copy, certified, postage prepaid, of the foregoing **PRELIMINARY ORDER** to the person(s) listed below:

RE: Transfer 69342

**HELEN F ASHCRAFT
BOYD B ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448**



**Kari Lynn Townsend
Secretary**

MICROFILMED

MAR 17 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 3, 2002

HELEN F ASHCRAFT
BOYD B ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

RE: Transfer No.: 69342 - Water Rights 31-7176, 31-11609, 31-11611, 31-11724
Transfer Approval Notice

Dear Water Right Hold(s):

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

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

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

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

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

Sincerely,

Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt

Enclosure(s)

MICROFILMED
OCT 15 2002

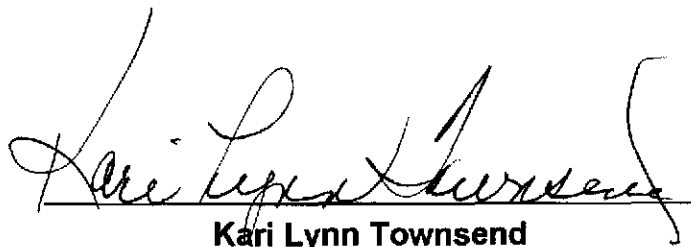
CERTIFICATE OF SERVICE

I hereby certify that on October 3, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 69342

WATER RIGHTS 31-11611, 31-11724, 31-7176, 31-11609

**HELEN F ASHCRAFT
BOYD B ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448**


Kari Lynn Townsend
Secretary

MICROFILMED
OCT 15 2002

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TO ACCOMPANY A
PRELIMINARY ORDER**

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TRANSFER REVIEW SHEET

Trans # 69342

Date Reviewed 9/27/02

Right No(s). * 31-7176 31-11609 11611 11724
Split? Y N Y N Y N Y N

AREA OF CONCERN: No/Yes ESPA

PURPOSE OF TRANSFER FOR EACH RIGHT:

Change p/d
Add p/d

Change use period
Change nature of use

Change p/u

RightID's of From & To records correct? Y N (resolve with State Office personnel)

Check for Partial Decree issuance, etc. since time of application's entry

PROOF OF OWNERSHIP COMPLETE FOR OLD & NEW P/U Y

Lien Holder Release NA

GROUNDWATER:

DRILLING PERMIT

All wells - 046
DP upgrade req'd Y N (contact GW personnel)

WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

WMD
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or 01Q

SUPPLEMENTAL (irr = only use) - 065-104

SUPPLEMENTAL (irr + other uses) - 100-105

SURFACE WATER:

WD - R05 (WD#) WM comments rec'd
≤ 0.20 cfs/others - R02, 01P or No MD
> 0.20 cfs - R43
WD, SPRINGS/SINK, INACTIVE WD & REST OF STATE
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or 01Q

STANDARD SEASON 4/1 to 10/31 (use X61 if extended season)

STANDARD VOLUME 3.5 af/ac

CONSUMPTIVE USE VOLUME af/ac

USES:

STORAGE - 18C-R02-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (all BLM/USFS)
MINING - 054-106
FISH PROP - 029(70'S only)-007-122-106
HEAT/COOL - R07 (injection well)
FIRE PROT. - 077
DAIRY - 082 (zoning if a concern)-106-WD8

USES:

POWER - 17H-17K (+uses)-025-106
MUNICIPAL
Restricted area - 022-075 RAFN - 007-109-X64
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
- 27A (Payette River)
> 1 in restricted area - 070-071-075 (no parks/common areas, etc)
Irr use listed separate - WB5

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop
T08 - comply or rescind
T17 - measure all p/d's (used with WB4)
T18 - Special T17 & R43 combined - multiple pds in WD

Protested - 020-X19
Water Quality - 106-R07

X27 - Number of acres/season in ppu
X35 - Combined totals of multiple rts

X36 083(11611)

X49 - measure p/d's (source chg'd to orig trib)
X51 - 2+ yrs to develop
X53 - Use ltd to orig. source availability
X54 - forfeited ac/rate (used rarely)
X55 - (transfer shrinks total water to less ac)
004 - no right-of-way
X58 - pending claim (statutory or AJ b/u claim)
X61 - extended irr season
X62 - replaces N11 and N13
X63 - replaces C12
WB4 - + p/ds, cfs & afa (used with T17)
WD8 - land application of waste water
01Q - used instead of 01M when there's another meas. Cond (i.e. T17 & 01m)

Apply one to chg'd and unchg'd rts:

T09 - on-going SRBA (no Dir Rpt or Recomm yet)
T19 - replaces C18 (if at Recommendation or Partial Decree stage)
T20 - use instead of T09 where not ongoing in SRBA

OTHER CONDITIONS/REMARKS

COMMENTS

Database files updated Y Approval form printed Y Shape files created Y

Special Mailing Instructions (cc's, etc)

Final database update after approval Y *Comment to WR No(s). NA

10/2/02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

7-20-d

T69342

INITIAL REVIEW BY: RCW

1. Right number 31-2353 (SLWR) 31-7176 / #609/116 11 Applicant Ashcraft

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

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

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. Map for remainder of right? ☒ Yes ☐ No SECOND OF TWO TRANSFERS
ONE OF

d. ☒ Check description of point(s) of diversion. P/D APPEARS TO BE ON SECTION CORNER OK RCW

OK RCW ☒ Check description of place of use

f. ☒ Check map (shows p.d. and p.u. after transfer). MAP P/D appears to be in section corner OK RCW

g. ☒ Check for correct signature, notarization, and fee. SEE ATTACHED SHEET OK RCW

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

i. ☒ Check for expansion in use of right. Comments NO EXPANSIONS

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

Right number(s) Second Transfer eliminates any overlap

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

If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____

2. Reviewed by Adjudication Staff? ☐ Yes ☐ No

3. Is transfer published correctly? ☒ Yes ☐ No

4. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* WATER MEASUREMENT REQUIREMENT

4. By RCW Date 9/21/01

*All uses within Watermaster District require special conditions

69342

The Jefferson Star
Rigby, Idaho

AFFIDAVIT OF PUBLICATION

State of Idaho)
County of Jefferson) ss

I, Terry Carr of The Jefferson Star,
published weekly at Rigby, Jefferson
County, Idaho, do solemnly swear that the

Notice of Proposed
Change of a Water Right
a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in
any supplement issue thereof for 2
consecutive issues, the first publication
having been made on 8-22-01
and the last publication having been made
on 8-29-01

Further, that said newspaper is one of gen-
eral circulation in said county; that it is a
legal newspaper, conforming to legal
specifications under the Idaho Statutes;
that it has at least two hundred bona fide
subscribers living within the county of
publication; and that it has been continu-
ously and uninterruptedly published in
said county during a period of seventy
eight consecutive weeks prior to the first
publication of the said notice.

Terry Carr

On this 29th day of Aug
in the year of 2001, before me, a Notary
Public, personally appeared

Terry Carr,

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 there-
in are true, and acknowledged to me that
she executed the same.

Crystal Foster

Notary Public of Idaho
Residing at 1032 N 1100 E, Shelley, ID

My commission expires March 8, 2005

RECEIVED

SEP 04 2001

Department of Water Resources
Eastern Region

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 69342

Helen Ashcraft, 2983 E 2000 N, Sugar City, ID 83448, has filed
Application No. 69342 for changes to the following water rights within JEF-
FERSON County:

Right No. 31-7176

Priority 1/2/76

Source GROUND WATER

Use IRRIGATION (133 acres)

1.78 CFS465.5 AFA

Total Amount

1.78 CFS465.5 AFA

Point(s) of Diversion L1 NENENE S5 T06N R36E

Place of Use

S32 T07N R36E

S33 T07N R36E

S4 T06N R36E

S5 T06N R36E

Right No. 31-11611

Priority 7/22/83

Source GROUND WATER

Use IRRIGATION (40.6 acres)

0.21 CFS43.4 AFA

Total Amount

0.21 CFS 43.4 AFA

Point(s) of Diversion NWNWSW S33 T07N R36E

Place of Use

S32 T07N R36E

S33 T07N R36E

Right No. 31-2353C

Priority 3/20/56

Source GROUND WATER

Use IRRIGATION (200 acres)

2.17 CFS700.0 AFA

Total Amount

2.17 CFS700.0 AFA

Point(s) of Diversion NWSSE S5 T06N R36E

Place of Use

S32 T07N R36E

S5 T06N R36E

Right No. 31-11609

Priority 2/22/51

Source GROUND WATER

Use IRRIGATION (40.6 acres)

0.56 CFS98.7 AFA

Total Amount

0.56 CFS 98.7 AFA

Point(s) of Diversion NWNWSW S33 T07N R36E

Place of Use

S32 T07N R36E

S33 T07N R36E

The purpose of the transfer is to change a portion of the above rights
as follows:

The applicant will irrigate 217 acres of these rights on SEC 4 T06N R36E
and SEC 32 and SEC 33 T07N R36E out of a well in the NENE SEC 5 T06N
R36E.

Protests may be submitted based on the criteria of Sec 42-222, Idaho
Code.

Any protest against the proposed change must be filed with the
Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A,
Idaho Falls ID 83402 together with a protest fee of \$25.00 for each appli-
cation on or before September 10, 2001. The protestant must also send a
copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Jefferson Star, Rigby, Idaho, Aug. 22 and 29, 2001.

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 15, 2001

HELEN ASHCRAFT
2983 E 2000 N
SUGAR ID 83448

RE: Application for Transfer No 69341 and 69342

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right transfer application. Please refer to the above referenced transfer number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Jefferson Star on August 22 and 29, 2001. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

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

Sincerely,


Harold W Jones
Water Right Supervisor

HWJ:sc

MICROFILMED

OCT 15 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

August 15, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Legal Notice Department
JEFFERSON COUNTY STAR
PO BOX 37
RIGBY ID 83442

RE: Transfer No. 69341 and 69342

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before September 10, 2001. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant



MICROFILMED

AUG 15 2002

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

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Use IRRIGATION (133 acres) 1.78 CFS 465.5 AFA

Total Amount 1.78 CFS 465.5 AFA

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Place of Use S32 T07N R36E
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S5 T06N R36E

Right No. 31-11611

Priority 7/22/83

Source GROUND WATER

Use IRRIGATION (40.6 acres) 0.21 CFS 43.4 AFA

Total Amount 0.21 CFS 43.4 AFA

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Total Amount 2.17 CFS 700.0 AFA

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Priority 2/22/51

Source GROUND WATER

Use IRRIGATION (40.6 acres) 0.56 CFS 98.7 AFA

Total Amount 0.56 CFS 98.7 AFA

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MICROFILMED

5 2002

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KARL J DREHER, Director

Published on August 22 and 29, 2001

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