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## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-15982

WATER RIGHT NUMBER: 36-15982

| <u>Owner Type</u> | <u>Name and Address</u>                                                |
|-------------------|------------------------------------------------------------------------|
| Current Owner     | KAY L HURST<br>2829 S 1050 E<br>HAGERMAN, ID 83332<br>(208)837-6638    |
| Current Owner     | RONALD E HURST<br>2829 S 1050 E<br>HAGERMAN, ID 83332<br>(208)837-6638 |

Priority Date: 02/01/1888

Basis: Decreed

Status: Active

| <u>Source</u>     | <u>Tributary</u>  |
|-------------------|-------------------|
| WEATHERBY SPRINGS | BILLINGSLEY CREEK |

| <u>Beneficial Use</u>   | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-------------------------|-----------------------|-----------------------|----------------------|
| IRRIGATION              | 03/15 to 11/15        | 0.030 CFS             | 3.60 AF              |
| DOMESTIC                | 01/01 to 12/31        | 0.020 CFS             | 0.60 AF              |
| <u>Total Diversion:</u> |                       | 0.050 CFS             | 4.20 AF              |

Location of Point(s) of Diversion

|                   |                 |                                 |
|-------------------|-----------------|---------------------------------|
| WEATHERBY SPRINGS | SE1/4NE1/4SW1/4 | Sec. 30, Twp 07S, Rge 14E, B.M. |
| GOODING 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 |        |
| 07S | 13E | 25  |    |    |    |    |    |    |    | .9 |    |    |    |    |    |    |    |    | .9     |

Total Acres: 0.9

DOMESTIC

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 07S | 13E | 25  |    |    |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |        |

Conditions of Approval:

MICROFILMED  
MAR 27 2002

## IDAHO DEPARTMENT OF WATER RESOURCES

## Water Right Report 36-15982

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.

Remarks:

1. General Domestic use is for one (1) home and does not include irrigation.
2. THE RIGHT HOLDER SHALL ACCOMPLISH THE CHANGE AUTHORIZED BY TRANSFER NO. 5303 BY MAY 26, 2000.
3. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS FEBRUARY 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 30, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 AND AFTER NOVEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

1. jpeppers 12/24/2001 Split by Owner  
Comment: Original right, 36-86G was split into 36-15982 and 36-15983 by ownership change filed November 5, 2001. The split amounts were based on proportional amounts. Owner sold 2 acres out of original 3.3 acres and 1 home out of 2. Original right included 2.3 acres. Irrigation rate sold is  $2/3.3 \times 0.07 = 0.04$  cfs and irrigation acres sold is  $2/3.3 \times 2.3 = 1.4$  acres. Rate sold for domestic is 0.02 cfs.
2. jpeppers 3/27/2002 Data Cleanup  
Comment: Amended Decree conditions and date from 36-86G were added to this record.

Dates and Other Information:

Licensed Date:  
Decreed Date: 11/27/2001  
Water Supply Bank Enrollment Accepted:  
Water Supply Bank Enrollment Removed:  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
State or Federal:  
Owner Name Connector: And  
Water District Number: 36A  
Generic Max Rate Per Acre: 0.03  
Generic Max Volume Per Acre: 4  
Decree Defendant:  
Decree Plaintiff:  
Civil Case Number:  
Judicial District:  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Carey Act Number:  
Mitigation Plan: False

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MAR 27 2002

## IDAHO DEPARTMENT OF WATER RESOURCES

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Basis: Decreed

Status: Active

| <u>Source</u>     | <u>Tributary</u>  |
|-------------------|-------------------|
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| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
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|                       | <u>Total Diversion:</u> | 0.050 CFS             | 4.20 AF              |

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|-------------------|-----------------|---------------------------------|
| WEATHERBY SPRINGS | SE1/4NE1/4SW1/4 | Sec. 30, Twp 07S, Rge 14E, B.M. |
| GOODING 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 |        |
| 07S | 13E | 25  |    |    |    |    |    |    |    | .9 |    |    |    |    |    |    |    |    | .9     |

Total Acres: 0.9

DOMESTIC

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 07S | 13E | 25  |    |    |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |        |

Conditions of Approval:

MICROFILMED

JAN 23 2002

## IDAHO DEPARTMENT OF WATER RESOURCES

## Water Right Report 36-15982

1. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
2. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. R68 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Remarks:

1. General Domestic use is for one (1) home and does not include irrigation.

Comments:

1. jpeppers 12/24/2001 Split by Owner

Comment: Original right, 36-86G was split into 36-15982 and 36-15983 by ownership change filed November 5, 2001. The split amounts were based on proportional amounts. Owner sold 2 acres out of original 3.3 acres and 1 home out of 2. Original right included 2.3 acres. Irrigation rate sold is  $2/3.3 \times 0.07 = 0.04$  cfs and irrigation acres sold is  $2/3.3 \times 2.3 = 1.4$  acres. Rate sold for domestic is 0.02 cfs.

Dates and Other Information:

Licensed Date:  
Decreed Date: 12/29/1997  
Water Supply Bank Enrollment Accepted:  
Water Supply Bank Enrollment Removed:  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
State or Federal:  
Owner Name Connector: And  
Water District Number: 36A  
Generic Max Rate Per Acre: 0.03  
Generic Max Volume Per Acre: 4  
Decree Defendant:  
Decree Plaintiff:  
Civil Case Number:  
Judicial District:  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Carey Act Number:  
Mitigation Plan: False

MICROFILMED  
JAN 9 3 2002

To: File 36-15982

Peppersack, Jeff

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**From:** Hancock, Vikie  
**Sent:** Monday, March 25, 2002 3:16 PM  
**To:** Peppersack, Jeff  
**Subject:** FW: 36-86G

Jeff,

I didn't hear anything to the contrary from Don, but didn't want to assume that he passed the information on to you either, as I noticed that the shoulder remarks had not been added to the 10K series rights.

Vikie

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

**From:** Hancock, Vikie  
**Sent:** Wednesday, March 06, 2002 3:02 PM  
**To:** Shaff, Don  
**Subject:** 36-86G

Don,

Here is one that split by ownership after the SRBA Supl Decree was issued on 11/27/2001.

J. Peppersack split water right 36-86G into 36-15982 and 36-15983 on 12-24-2001, changing the status of 36-86G to Parent. There are no AJ database records for the child rights.

The base water right 36-86G did not yet have the shoulder remarks which were included on AJ Rec V2, and thus the child rights also do not have them. AJ Rec V2 has an active status.

My proposal is to add the appropriate remarks and have Doug change the AJ Recommendation V2 for 36-86G to PARENT, and to not include this right on the list for moving to WR. Jeff Peppersack could then make the appropriate changes to the rights in the WR data base, including adding the decree date of 11/27/2001.

If you agree to this method, pls fwd on to Jeff. If you want me to do something different on this end, just let me know.

Vikie

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MAR 27 2002



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

December 26, 2001

KAY L HURST  
RONALD E HURST  
2829 S 1050 E  
HAGERMAN ID 83332

RE: Change of Ownership for Water Right 36-15982

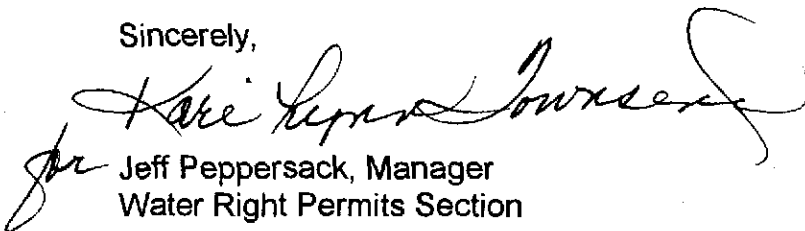
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,

  
Jeff Peppersack, Manager  
Water Right Permits Section

JP:klt

Enclosure

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JAN 03 2002