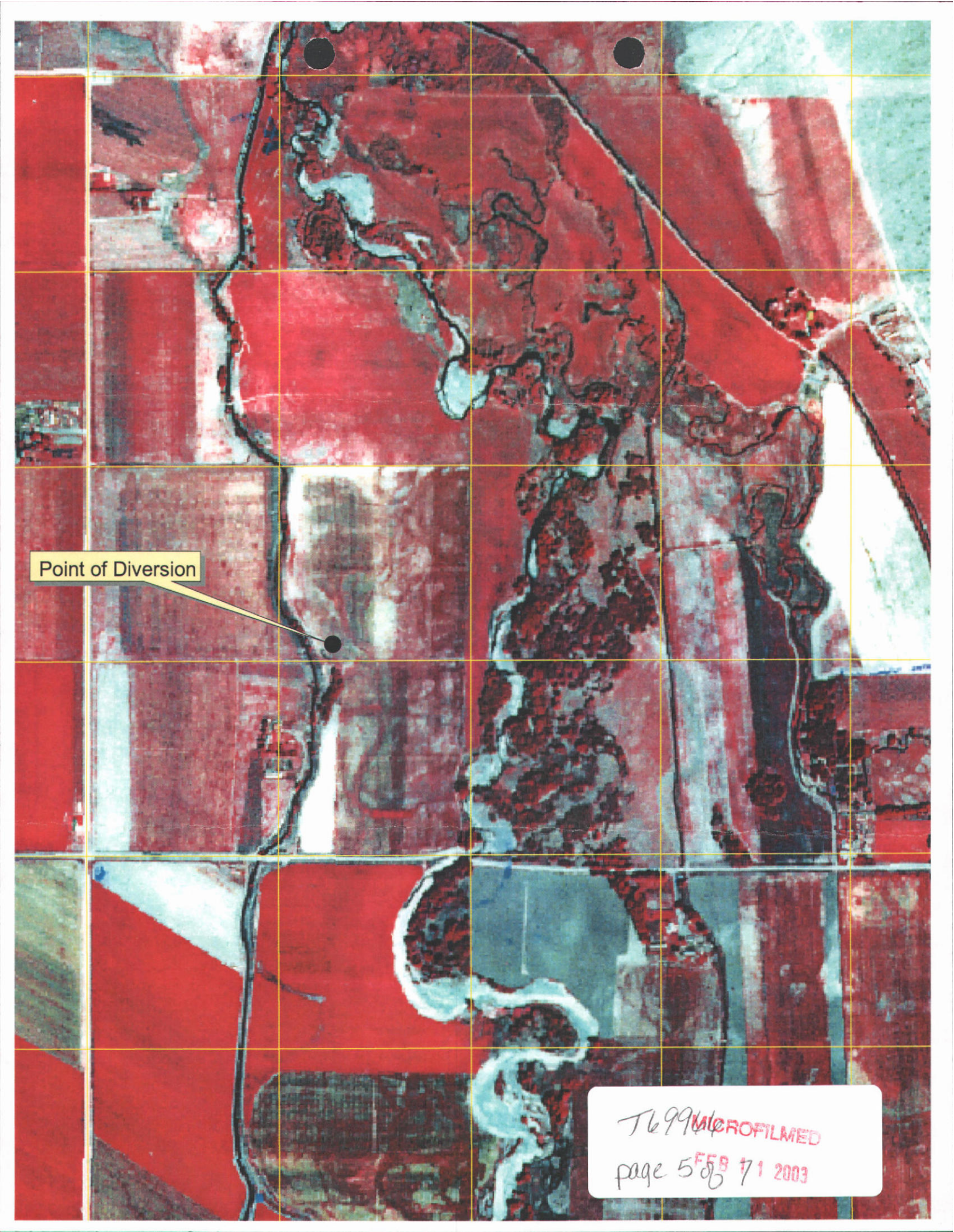




Point of Diversion

T6994 MICROFILMED
page 5 of 6 FEB 17 2003



FOR
RTG
M

IDAHO DEPARTMENT OF WATER RESOURCES
1301 North Orchard St.
P.O. Box 83720
Boise, ID 83720-0098
(208) 327-7900

TO
BOB MOZES
MARY MOZES
4011 E 49 S
IDAHO FALLS ID 83406

NOT DELIVERABLE
AS ADDRESSED -
UNABLE TO FORWARD

Transfer # 69966 - WR 34-2406

RECEIVED

JAN - 2 2003

Department of Water Resources

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FEB 11 2003

W2A



RECEIVED

DEC 13 2002

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
1301 North Orchard St.
P.O. Box 83720
Boise, ID 83720-0098
(208) 327-7900

TO

DEAN SIDDOWAY
GAYLE SIDDOWAY
3463 SCOUN RD
SUNNYSIDE WA 98944

SIDD463 989442010 1601 08 12/07/02
FORWARD TIME EXP RTN TO SEND
SIDDOWAY
3312 W 3400 N
MOORE ID 83255-8730

RETURN TO SENDER

Transfer 69966 - WR 34-2406 D, E, F, G, H
Mail resent to address on yellow
label w/ address change form.
Kari Lynne
12.13.02

MICROFILMED

FEB 11 2003



*Re transfer 69966
WR 34-2406D, E, G, F, H
34-12367*



IDAHO DEPARTMENT OF WATER RESOURCES
1301 North Orchard St.
P.O. Box 83720
Boise, ID 83720-0098
(208) 327-7900



- ☐ POSTAGE DUE _____
 - ☐ MOVED, LEFT NO ADDRESS
 - ☒ NOT DELIVERABLE AS ADDRESSED
 - UNABLE TO FORWARD
 - ☐ ATTEMPTED-NOT KNOWN
 - ☐ UNCLAIMED ☐ REFUSED
 - ☐ NO SUCH STREET/NUMBER
 - ☐ BOX INACTIVE
 - ☐ INSUFFICIENT ADDRESS
 - ☐ VACANT ☐ DECEASED
- Date _____ Route No. _____ Carr / initials _____



TO

LARRY F WHARTON
MARGARET HOCKING WHARTON
PO BOX 324
MACKAY ID 83251

RECEIVED
DEC - 9 2002

Department of Water Resources

MICROFILMED
FEB 11 2003

WA

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XFR 69966 - WR 34-2406 Etc

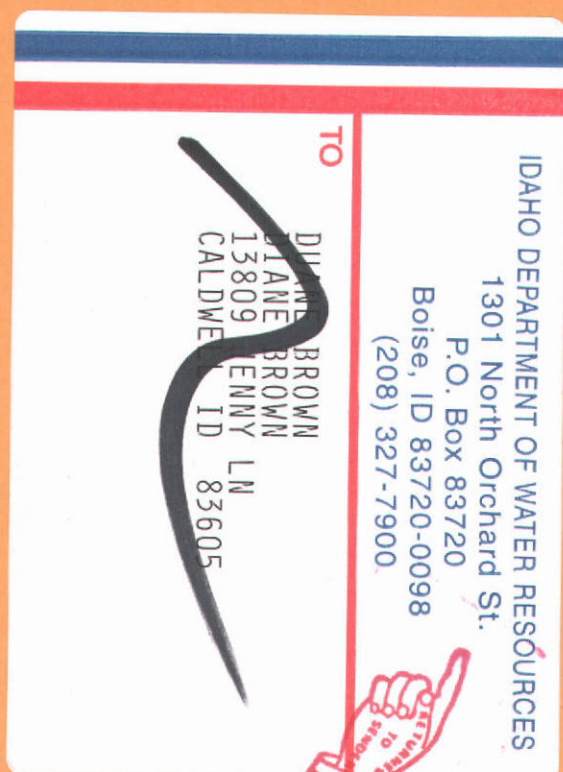


RECEIVED

DEC - 6 2002

Department of Water Resources

NAFA



UNDELIVERABLE
ADDRESS
RETURNING OWNER

MICROFILMED

FEB 11 2003

AFFIDAVIT OF PUBLICATION

I, Colleen Babcock
of the Arco Advertiser, a weekly newspaper of
general circulation, published weekly at Arco, Idaho,
since March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,

for 2 consecutive weeks, commencing with
the issue dated JUNE 27, 2002

and ending with the issue dated

July 4, 2002
Colleen Babcock

STATE OF IDAHO }

COUNTY OF BUTTE }

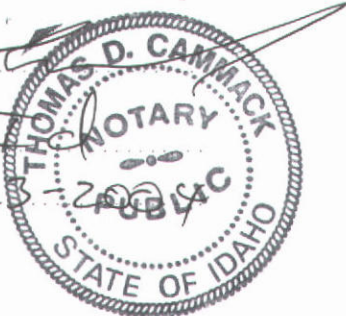
On this 4th day of July
in the year of 2002, before me, a Notary Public,

personally appeared

Colleen Babcock

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.

Thomas D. Cammack
Notary Public for Idaho
Residing at Arco, Idaho
My commission expires: 1-23-2004



NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
TRANSFER NO. 69966

ANDREW G. STAV or ELAINE STAV, 3306
W 3400 N, MOORE ID 83255 has filed
Application No. 69966 for changes to the
following water rights within BUTTE
County:

Right No. 34-2406E

Priority: 3/20/1961

Source: GROUND WATER

Use: IRRIGATION (36.5 acres) 0.82 CFS

Total Amount: 0.82 CFS

Point(s) of Diversion: SWSE S9 T05N R26E

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

The applicant is changing the point of
diversion to a well on his property in the
NESE SEC 9 T05N R26E, and consolidating
the 36.5 acres in the NESE Sec 9 T05N
R26E.

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 application
on or before July 15, 2002. The protestant
must also send a copy of the protest to the
applicant.

KARL J DREHER, Director

Published on June 27 and July 4, 2002.

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JUL 12 2002

Department of Water Resources
Eastern Region

MICROFILMED
FEB 11 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69966

This is to certify that: **ANDREW G STAV** Or
E ELAINE STAV
3306 W 3400 N
MOORE ID 83255
(208)554-3131

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

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
34-2406E	WR/Decreed	03/20/1961	0 821 cfs	N/A		36 5	GROUND WATER
34-2406D	WR/Decreed	03/20/1961	0 602 cfs	N/A		30 5	GROUND WATER
34-2406F	WR/Decreed	03/20/1961	0 332 cfs	N/A		14 0	GROUND WATER
34-2406G	WR/Decreed	03/20/1961	0 332 cfs	N/A		14 0	GROUND WATER
34-2406H	WR/Decreed	03/20/1961	0 773 cfs	N/A		37 0	GROUND WATER
34-12367	WR/Decreed	03/20/1961	1 34 cfs	234 5 af		67 0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>	<u>Associated Rights</u>
34-2406E	NO	YES	YES	NO	NO	NO	NO
34-2406D	NO	NO	NO	NO	NO	NO	YES
34-2406F	NO	NO	NO	NO	NO	NO	YES
34-2406G	NO	NO	NO	NO	NO	NO	YES
34-2406H	NO	NO	NO	NO	NO	NO	YES
34-12367	NO	NO	NO	NO	NO	NO	YES

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
34-2406E	34-2406E	0.73 cfs	127.8 af	N/A	36 5		N/A	N/A	N/A	N/A
34-2406D		N/A	N/A	N/A	N/A	34-2406D	0.60 cfs	N/A	N/A	30 5
34-2406F		N/A	N/A	N/A	N/A	34-2406F	0.33 cfs	N/A	N/A	14 0
34-2406G		N/A	N/A	N/A	N/A	34-2406G	0.33 cfs	N/A	N/A	14.0
34-2406H		N/A	N/A	N/A	N/A	34-2406H	0.77 cfs	N/A	N/A	37.0
34-12367		N/A	N/A	N/A	N/A	34-12367	1 34 cfs	234.5 af	N/A	67 0
TOTALS		0.73 cfs	127.8 af	N/A	36.5		2.98 cfs	N/A	N/A	N/A

MICHAEL L. LEE

JUL 1 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69966

Detailed Water Right Description(s) attached

Dated this 2nd day of December, 2002


Chief, Water Allocation Bureau

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FEB 11 2003

WATER RIGHT NO. 34-2406E
As Modified by Transfer No. 69966

In accordance with the approval of Transfer No. 69966, Water Right No 34-2406E is now described as follows

Right Holder: E ELAINE STAV And
 ANDREW G STAV
 3306 W 3400 N
 MOORE ID 83255

Priority Date: March 20, 1961

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	0.73 CFS	127.8 AF
			0.73 CFS	127.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESE Sec. 9 Twp 05N Rge 26E BUTTE 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	
05N	26E	9													36.5				36.5

Total Acres: 36.5

CONDITIONS OF APPROVAL

- 1 The portion of Right 34-2406E in excess of this transfer approval in the amount of 0.09 cfs shall be considered forfeited through approval of Transfer 69966.
- 2 Rights 34-386D, 34-387D and 34-2406E when combined shall not exceed a total diversion rate of 0.98 cfs, and the irrigation of 36.5 acres.
- 3 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 4 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34
- 5 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.

MICHAEL

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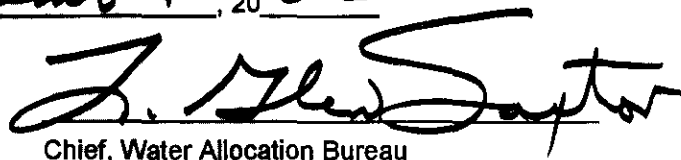
WATER RIGHT NO. 34-2406E
As Modified by Transfer No. 69966

CONDITIONS OF APPROVAL

6. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
7. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
8. This right when combined with all other rights shall provide no more than 3.5 cfs per acre at the field headgate for irrigation of the lands above.
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.

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 December, 2002


Chief, Water Allocation Bureau

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SEP 11 2003

WATER RIGHT NO. 34-2406D
As Modified by Transfer No. 69966

In accordance with the approval of Transfer No. 69966, Water Right No. 34-2406D is now described as follows.

Right Holder: DUANE BROWN Or
 DIANE BROWN
 13809 JENNY LN
 CALDWELL ID 83605

Priority Date: March 20, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	0.60 CFS	
		0.60 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWSE Sec 9 Twp 05N Rge 26E BUTTE 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	
05N 26E 9																	30.5
																	30.5

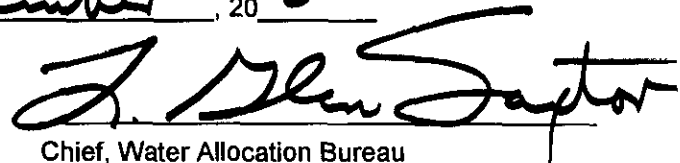
Total Acres: 30.5

CONDITIONS OF APPROVAL

1. Right 34-386C, 34-387C and 34-2406D when combined shall not exceed a total diversion rate of 0.82 cfs, and the irrigation of 30.5 acres.
2. Rights 34-2406D, 34-2406F, 34-2406G, 34-2406H and 34-12367 when combined shall not exceed a total diversion rate of 2.98 cfs.
3. 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 December, 2002


 Chief, Water Allocation Bureau

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2002 DEC 2 10:03

WATER RIGHT NO. 34-2406F
As Modified by Transfer No. 69966

In accordance with the approval of Transfer No. 69966, Water Right No. 34-2406F is now described as follows

Right Holder: DEAN SIDDOWAY And
 GAYLE SIDDOWAY
 3463 SCOON RD
 SUNNYSIDE WA 98944

Priority Date: March 20, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.33 CFS	
			0.33 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWSE Sec. 9 Twp 05N Rge 26E BUTTE 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	
05N 26E 9																14.0	14.0

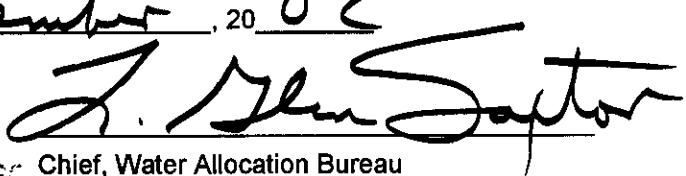
Total Acres: 14

CONDITIONS OF APPROVAL

1. Right 34-386E, 34-387E and 34-2406F when combined shall not exceed a total diversion rate of 0.38 cfs, and the irrigation of 14.0 acres.
2. Rights 34-2406D, 34-2406F, 34-2406G, 34-2406H and 34-12367 when combined shall not exceed a total diversion rate of 2.98 cfs.
3. 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 December, 2002


 MICAC Chief, Water Allocation Bureau

WATER RIGHT NO. 34-2406G
As Modified by Transfer No. 69966

In accordance with the approval of Transfer No 69966, Water Right No. 34-2406G is now described as follows.

Right Holder: BOB MOZES And
 MARY MOZES
 4011 E 49 S
 IDAHO FALLS ID 83406

Priority Date: March 20, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.33 CFS	
			0 33 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWSE Sec. 9 Twp 05N Rge 26E BUTTE 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	
05N 26E 9																14.0	14.0

Total Acres. 14

CONDITIONS OF APPROVAL

1. Right 34-386F, 34-387F and 34-2406G when combined shall not exceed a total diversion rate of 0.38 cfs, and the irrigation of 14.0 acres.
2. Rights 34-2406D, 34-2406F, 34-2406G, 34-2406H and 34-12367 when combined shall not exceed a total diversion rate of 2.98 cfs
3. 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 December, 2002



Chief, Water Allocation Bureau

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WATER RIGHT NO. 34-2406H
As Modified by Transfer No. 69966

In accordance with the approval of Transfer No. 69966, Water Right No. 34-2406H is now described as follows

Right Holder: JULIE LORD And
 GRANT LORD
 RT 1 BOX 4
 DARLINGTON ID 83255

Priority Date: March 20, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.77 CFS	
			0.77 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWSE Sec. 9 Twp 05N Rge 26E BUTTE 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		
05N	26E	9																	37.0	37.0

Total Acres 37

CONDITIONS OF APPROVAL

1. Right 34-386G, 34-387G and 34-2406H when combined shall not exceed a total diversion rate of 0.99 cfs, and the irrigation of 37.0 acres.
2. Rights 34-2406D, 34-2406F, 34-2406G, 34-2406H and 34-12367 when combined shall not exceed a total diversion rate of 2.98 cfs
3. 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 December, 2002

MICAC


 Chief, Water Allocation Bureau

2002

WATER RIGHT NO. 34-12367
As Modified by Transfer No. 69966

In accordance with the approval of Transfer No. 69966, Water Right No. 34-12367 is now described as follows.

Right Holder: MARGARET HOCKING WHARTON And
 LARRY F WHARTON
 PO BOX 324
 MACKAY ID 83251

Priority Date: March 20, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/1	10/31	1.34 CFS	234.5 AF
			1.34 CFS	234.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWNE Sec. 9 Twp 05N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
05N	26E	9	36.0	31.0			67.0

Total Acres. 67

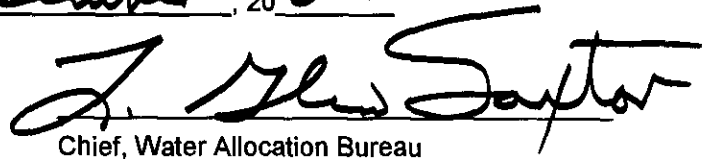
CONDITIONS OF APPROVAL

1. Right 34-800C and 34-12367 when combined shall not exceed a total diversion rate of 1.82 cfs, and the irrigation of 67.0 acres.
2. Rights 34-2406D, 34-2406F, 34-2406G, 34-2406H and 34-12367 when combined shall not exceed a total diversion rate of 2.98 cfs
3. 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 December, 2002

MICAC


 Chief, Water Allocation Bureau

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

RECEIVED
JUN 13 2002
Transfer No. 69966
Department of Water Resources
Eastern Region
54-3131

RECEIVED

JUL 31 2002

Department of Water Resources

Post Office address 3306 W. 3400 N. Moore, ID 83255

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 Well currently is too far removed
to provide water to our property.

1. <u>Right Number</u>	<u>Priority</u>	<u>Amount (cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>
<u>34-240612</u>	<u>3/20/1961</u>	<u>0.821 cfs</u>	<u>Irrigation</u>	<u>4/01</u> to <u>11/01</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 0.821 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]

MICROFILMED

2003

Total Acres 36.5

69966

PART 1

6 General Information:

a. Description of diversion system a new well is to be drilled and associated pump, valves & piping installed to connect to existing mainline

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
NA. 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:
N.A.

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 _____.

For the Director

MICROFILMED
 FEB 11 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 34-2406E V1

WATER RIGHT NUMBER: 34-2406E V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RANDAL G DAMIANA RT 1 BOX 113A MOORE, ID 83255
Directors Report Owner	F W DUNDAS 1912 IKIAH WAY UPLAND, CA 91786 (714)982-5504

Priority Date: 03/20/1961

Basis: Decreed

Status: Active

Source Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.821 CFS	
	<u>Total Diversion:</u>	0.821 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4	Sec. 9, Twp 05N, Rge 26E, B.M.
BUTTE 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	
05N	26E	9													35.0		1.5		36.5

Total Acres: 36.5

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.

Remarks:

- 1 General **CHANGED OWNERSHIP 8/25/95/JT; SF3 RET'D**
2. Place of Use USE OF THIS RIGHT WITH RIGHT NOS. 34-00386A AND 34-00387A IS LIMITED TO THE
- Irrigation IRRIGATION OF A COMBINED TOTAL OF 132 ACRES IN A SINGLE IRRIGATION SEASON

MICROFILMED
FEB 11 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 34-2406E V1

- 3 Quantity USE OF THIS RIGHT WITH RIGHT NOS. 34-00386A AND 34-00387A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.54 CFS
THIS RIGHT AND RIGHT NO. 34-12367 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.71 CFS.
- 4 Explanatory RIGHT NO. 34-12367 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS: R34-02406C; 2.258 CFS (101.5 AC) RANDAL DAMIANA R34-02406D; 0.602 CFS (30.5 AC) DUANE BROWN

Comments:

1. SSHERMAN 3/13/2000 SPLIT BY SALES
Comment: R34-02406C (R DAMIANA) TO R34-02406D (R DAMIANA).

Dates and Other Information:

Decreed Date
Enlargement Use Priority Date:
Enlargement Statute Priority Date
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre
Generic Max Volume Per Acre
Swan Falls Trust or Nontrust:
Swan Falls Dismissed.
DLE Act Number:
Carey Act Number:
Mitigation Plan False

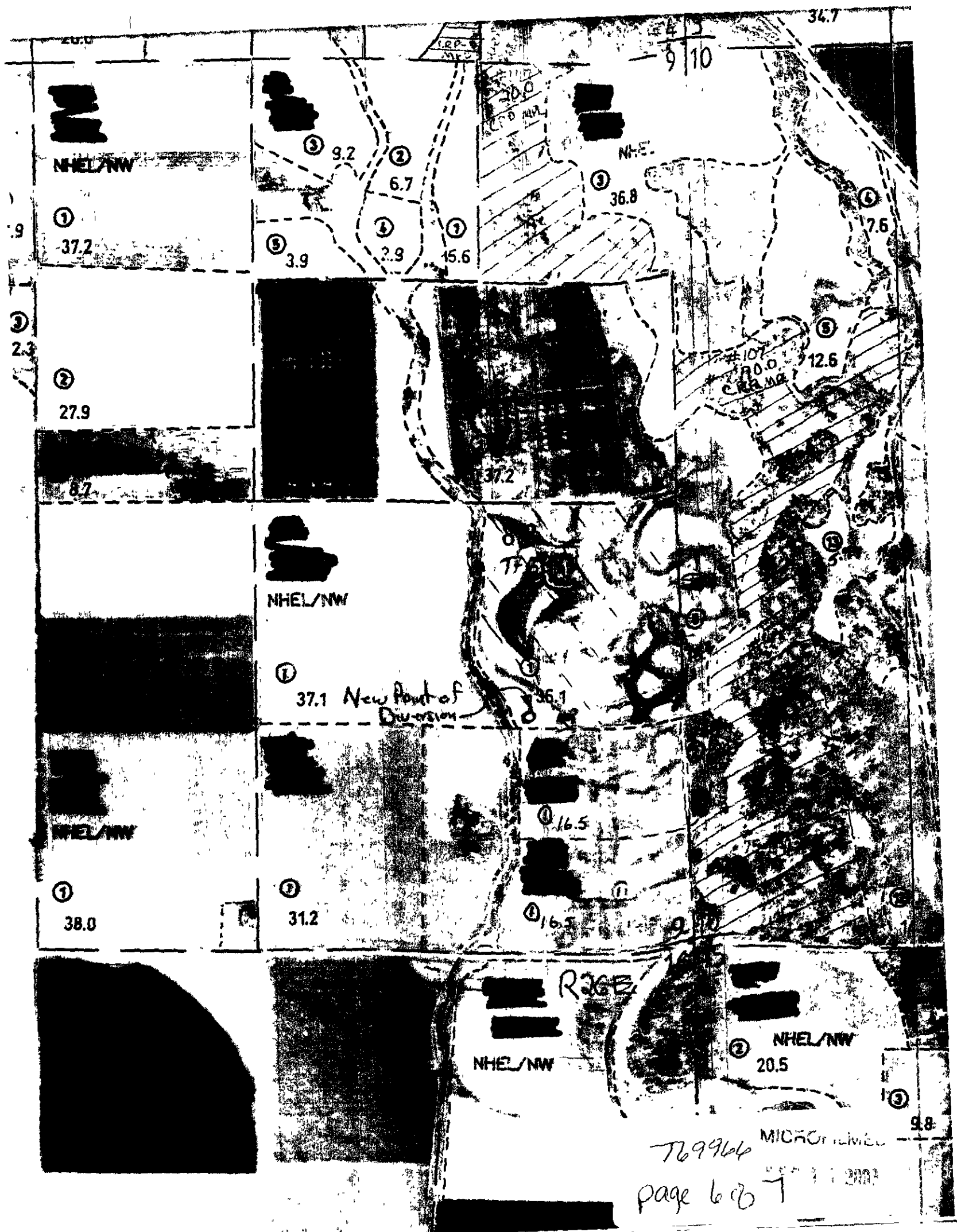
MICROFILMED

FEB 11 2003



Point of Diversion

T69 MICROFILMED
page 5 of 7: 2003



PART 3

CHANGES IN NATURE OF USE

1.

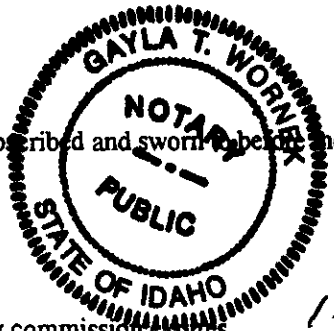
New Nature of Use	Amount(cfs/af-ft)	Hours/days/year	Period of Use
			to
			to

2. Quantity and quality of return flows and location of discharge:

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

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

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

 Subscribed and sworn to before me this 12 day of June, 2002.
Andrew G. St.
(Signature of Applicant)
Sarah Wornat
(Notary Public)
My commission expires 1-3-2008

FOR DEPARTMENT USE ONLY

Transfer contains 7 pages and 1 attachments

Received by HWJ Date 6-13-02 Protest filed by _____

Prelim. Check by _____ Fee 250.00

Receipted by HWJ # E027855 Date 6-13-02

Published in Arco Advertiser Copies of protest forwarded by _____

Pub. Dates June 27 & July 4, 2002 Hearing held by _____ Date _____

Watermaster recommendations requested on 6-18, 2002 Recommended for ☒ approval ☐ denial

_____ received 6/24/02 by RAC SC

Copy of transfer sent to lien holder _____

MICHAEL WILCOX
FEB 11 2003

ASSESSMENT NOTICE
& ESTIMATE OF TAX

THIS IS NOT A BILL.
DO NOT PAY.

PARCEL DESCRIPTION.

FR NE4SE4 T#33383
SEC 9

For any questions, please notify the Assessor's Office immediately

Assessor's Telephone Number: (208) 527-8288

PARCEL ADDRESS.

STAV ANDREW G
& STAV E ELAINE
2543 N 3300 W
ARCO

ID 83213

Appeals of your property value must be filed in
writing, on a form provided by the County, by:

JUNE 24, 2002

Tax Code Area 4-00

Parcel Number RP 05N26E098406 A

ASSESSED VALUE OF YOUR PROPERTY

CURRENT CATEGORY AND DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
1 IRRGTD AG	34.790 AC	14,348	13,568
10 RURAL HOMESITE	1.000 AC		4,000
19 WASTE	1.000 AC		
32 RURAL IMP ON AG		29,710	29,710
SUBTOTAL:	36.790	44,058	47,278
LESS HOMEOWNERS EXEMPTION:		44,058	47,278
NET TAXABLE PROPERTY VALUE:			

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

ESTIMATED PROPERTY TAXES

TAXING DISTRICTS	LAST YEAR'S TAXES	CURRENT YEAR'S ESTIMATED TAXES	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
COUNTY	227.30	243.90	527-3021	09/03/2002
SCHOOL #111	337.14	361.78	527-8235	06/19/2002
CEMETERY	8.58	9.20	527-8288	08/22/2002
FIRE	27.08	29.06	527-8287	NO RESPONSE
LIBRARY	25.90	27.80	527-8511	08/26/2002
HOSP DIST	67.74	72.68	527-8206	08/21/2002
SUBTOTAL:	693.74	744.42		
FEES:	75.00	75.00		
TOTAL PROPERTY TAXES & FEES:	768.74	819.42		

THIS IS NOT A BILL. DO NOT PAY.

See the back of this Notice for details

T 69966

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-2406E

WATER RIGHT NUMBER ~~34-2406E~~

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	RANDAL G DAMIANA RT 1 BOX 113A MOORE, ID 83255
Current Owner	ANDREW G STAV 3306 W 3400 N MOORE, ID 83255 (208) 554-3131
Current Owner	E ELAINE STAV 3306 W 3400 N MOORE, ID 83255 (208) 527-3131
Directors Report Owner	F W DUNDAS 1912 IKIAH WAY UPLAND, CA 91786 (714) 982-5504

Priority Date 03/20/1961

Basis Decreed

Status Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0 821 CFS	
	<u>Total Diversion</u>	0 821 CFS	

Location of Point(s) of Diversion

GROUND WATER NW1/4SW1/4SE1/4 Sec 9, Twp 05N, Rge 26E, B M
BUTTE County

Place of UseIRRIGATION Within BUTTE County

T05N R26E S09 NESE 35 0 T05N R26E S09 NWSE 1 5
Total Acres 36 5

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

Remarks

MICROFILMED

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-2406E

- 1 Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.98 CFS. COMBINED RIGHT NOS 34-386D, 34-387D AND 34-2406E
- USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.71 CFS. COMBINED RIGHT NOS 34-12367, 34-2406D, 34-2406E, 34-2406F, 34-2406G AND 34-2406H
- 2 Place of Use USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
 - Irrigation TOTAL OF 36.5 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS
 34-386D, 34-387D AND 34-2406E

Comments:

1. SSHERMAN 3/13/2000 **SPLIT BY SALES**

Comment: ~~R34-02406C~~ (R DAMIANA) TO R34-02406D (R DAMIANA).

Dates and Other Information

Decreed Date 7/10/2002

MICRONALMEL

RECEIVED

FEB 17 2004

Department of Water Resources

Feb. 12, 2004

State of Idaho
Dept. of Water Resources
P.O. Box 83710
Boise, ID 83720-0098

Atten: Pam Skaggs

Please update our records to show our address to be: 3306 W 3400 N. MOORE, ID 83255..
You have it listed with the above address.. but for Arco.

Thank you.
Andrew G. Stav
E. Elaine Stav

Andrew G. Stav
- *E. Elaine Stav*

6

MICROFILMED

MAR 10 2004

34-386D/387D/2406E/10226 ✓

Skaggs, Pam

From: Skaggs, Pam
Sent: Tuesday, February 10, 2004 4:04 PM
To: 'Elaine'
Subject: RE: Correction of Address

Elaine,

I will place your e-mail in the water right file for reference, but the correction cannot be made without a written request with a signature. Send us a short letter noting your new address and any water right numbers that should be updated. Sign the letter and print your name below for clarification. Then we will be able to address this matter for you.

Pam Skaggs
IDWR

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

From: Elaine [mailto:stav@atcnet.net]
Sent: Tuesday, February 10, 2004 3:29 PM
To: Skaggs, Pam
Subject: Re: Correction of Address

Hi Pam... not sure this is your area of concern.. but the only address I had on my computer for IDWR!

We received a mailing today from Karl J. Dreher re a meeting to be held in Mackay, ID on March 1 for Watermaster.

Please correct our address to be : Andrew Gary Stav 3306 W 3400 N MOORE, ID 83255

You still have us on record for Arco, ID. Thanks.

Elaine Stav

2/11/2004

MICROFILMED
MAR 10 2004
34-386D/387D/2406E/10226

Transcript # 69966 - WLR 34-2

IDAHO DEPARTMENT OF WATER RESOURCES
1301 North Orchard St
P O Box 83720
Boise, ID 83720-0098
(208) 327-7900

BOB MOZES
MARY MOZES
4011 E 49 S
IDAHO FALLS ID 83406

FOE
Rt
mf

WTA

RECEIVED

DEC 13 2002

Department of Water Resources

Transfer 69966 - WR 34-2406 D, E, F, G, H
Mail Report to address or yellow
label or return charge frank.
Kathryn
12.13.02

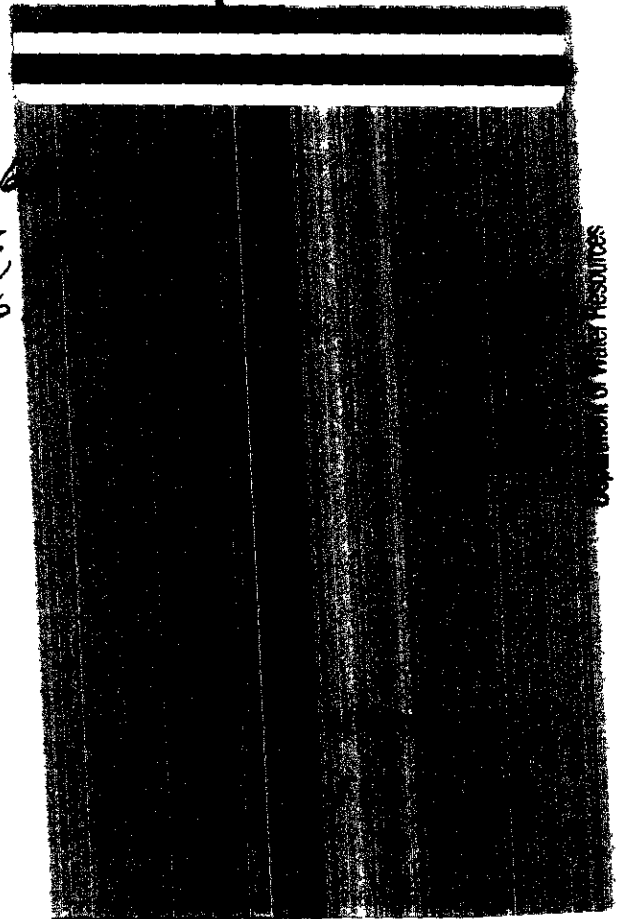
DEPARTMENT OF WATER RESOURCES
1301 North Orchard St
P.O. Box 83720
Boise ID 83720-0098
(208) 327-7900

DEAN SIDDOWNAY
GAYLE SIDDOWNAY
3463 SCODON RD
SUNNYSIDE WA 98924

SIDD463 989442010 1601 08 12/07/02
FORWARD TIME EXP RYM TO SEND
SIDDOWAY 3312 W 3400 N
MOORE ID 83255-8730

RETURN TO SENDER
|||||

Re Transfer 6996
WR 34-2406D, E, G, F,
34-1236



Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES

1301 North Orchard St.

P.O. Box 83720

Boise, ID 83720-0098

(208) 327-7900

TO

LARRY F WHARTON
MARGARET HOCKING WHARTON
PO BOX 324
MACKAY ID 83251



POSTAGE WILL BE PAID BY ADDRESSEE
NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES
POSTAL SERVICE



Date _____
Route No. _____
City Initials _____

4-1

XFR 69966 - WR 34-2406 Etc

RECEIVED

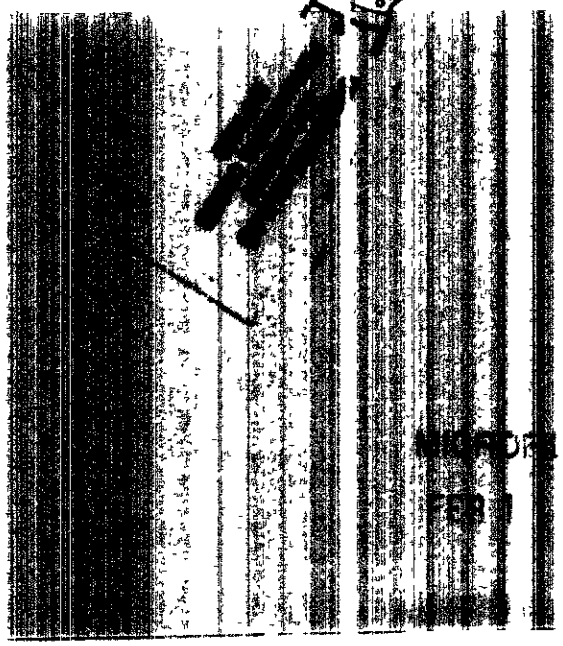
DEC - 6 2002

Department of Water Resources

UAA

DEPARTMENT OF WATER RESOURCES
1301 North Orchard St
PO Box 83720
Boise ID 83720-0098
(208) 327-7900

DIANE BROWN
13809
CALDWELL ID 83605





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

December 3, 2002

ANDREW G STAV
E ELAINE STAV
3306 W 3400 N
MOORE ID 83255

BOB MOZES
MARY MOZES
4011 E 49 S
IDAHO FALLS ID 83406

DEAN SIDDOWAY
GAYLE SIDDOWAY
3463 SCOON RD
SUNNYSIDE WA 98944

DUANE BROWN
DIANE BROWN
13809 JENNY LN
CALDWELL ID 83605

GRANT LORD
JULIE LORD
RT 1 BOX 4
DARLINGTON ID 83255

LARRY F WHARTON
MARGARET HOCKING WHARTON
PO BOX 324
MACKAY ID 83251

RE: Transfer No.: 69966 - Water Rights 34-2406D, 34-2406G, 34-2406E,
34-2406F, 34-2406H, 34-12367 - Transfer Approval Notice

Dear Water Right Holder(s):

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

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

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

MICROFILMED

FEB 11 2003

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,

Samuel S. Skaggs

for Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt

Enclosure(s)

MICROFILMED

FEB 11 2003

CERTIFICATE OF SERVICE

I hereby certify that on December 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. 69966

**WATER RIGHTS 34-2406D, 34-2406G, 34-2406E, 34-2406F, 34-2406H
34-12367**

**ANDREW G STAV
E ELAINE STAV
3306 W 3400 N
MOORE ID 83255**

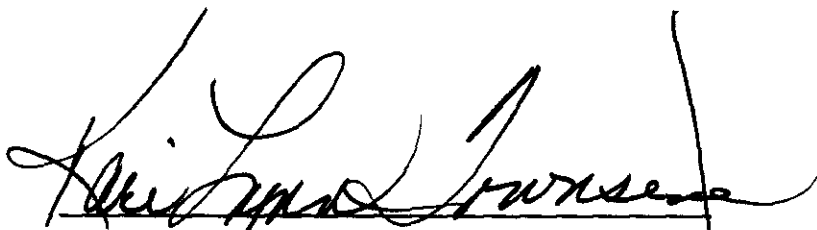
**DUANE BROWN
DIANE BROWN
13809 JENNY LN
CALDWELL ID 83605**

**DEAN SIDDOWAY
GAYLE SIDDOWAY
3463 SCOON RD
SUNNYSIDE WA 98944**

**BOB MOZES
MARY MOZES
4011 E 49 S
IDAHO FALLS ID 83406**

**GRANT LORD
JULIE LORD
RT 1 BOX 4
DARLINGTON ID 83255**

**LARRY F WHARTON
MARGARET HOCKING WHARTON
PO BOX 324
MACKAY ID 83251**


MICROFILMED **Kari Lynn Townsend**
Secretary

FEB 11 2003



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

December 3, 2002

DOUG ROSENKRANCE
WATERMASTER
PO BOX 53
MACKAY ID 83251

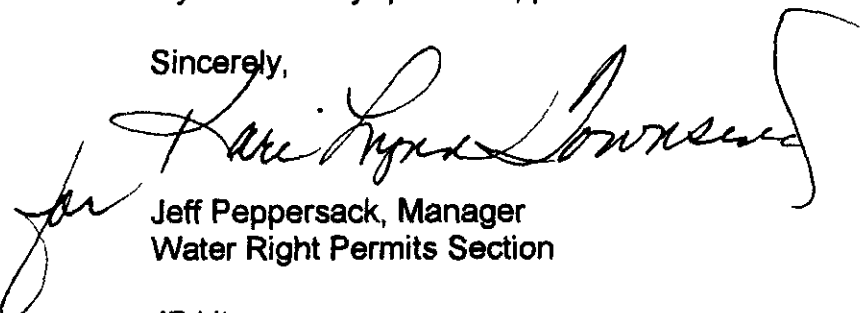
RE: TRANSFER OF WATER RIGHTS 34-2406D, E, F, G, H, 34-12367 -
(Transfer 69966)

Dear Doug:

Enclosed is a copy of the recently approved Transfer of Water Right for the above referenced water rights(Transfer 69966) in the names of Andrew G. & E. Elaine Stav, Duane & Diane Brown, Dean & Gayle Siddoway, Bob & Mary Mozes, Grant & Julie Lord, and Larry F. & Margaret Hocking Wharton.

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

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILM

FEB 11 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.

TRANSFER REVIEW SHEET

Trans # 69966

Date Reviewed 11-27-2002

Right No(s). * 34-2406E Add Associated Rts.

Split? Y N Y N Y N Y N Y N Y N

WASBA Decree

AREA OF CONCERN: No/Yes No

PURPOSE OF TRANSFER FOR EACH RIGHT:

Change p/d Change use period Change p/u
Add p/d Change nature of use

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 Y

Same as 2002 Decree

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

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 2.5 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) R59 Vol. only

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

X49 - measure p/d's (source chg'd to orig trib)

X51 - 2+ yrs to develop

X53 - Use-td to orig. source availability

X54 - forfeited ac/rate (used rarely)

X55 - (transfer shrinks total water to less ac)

X57 - 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 Rts. 34-12367, 34-2406 DEF + H associated conditions modified.

.73 cfs available to transfer under 34-2406G. Remaining Rts Limit = 3.37 cfs limited to 2.95 cfs.

COMMENTS X 35/W 34-386D/387D .98 cfs + 36.5 acres (.0268 cfs/acre)

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

12-3-2002 28

(See back for Associated Rt. Limits)

P/D Overlap

34-12367 1.34 B/D rt - same priority date

B { 2406D .40
C { E .82 — Moved to separate P/D + system T 69966
F .33
G .33
H .77

4.19 cts Limited to 3.71 cts

$\frac{3.71}{4.19} = 88\% \times .82 \text{ cts} = .73 \text{ cts}$ available to transfer under 34-2406E.

Remaining Rts. Limit = 3.37 cts Limited to 2.98 cts

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

6-13-02

T#69966

INITIAL REVIEW BY:

DC

Stav

NEEDS
OWNERSHIP
CHANGE

1. Right number 34-24062 Applicant _____

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.

RECEIVED

JUL 31 2002

Department of Water Resources

Don Shaff
OK-Adj

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

d. ☒ Check description of point(s) of diversion.

e. ☒ Check description of place of use

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

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

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

i. ☒ Check for expansion in use of right. Comments NONE

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

Right number(s) 34-386A, 387A Big Lost River

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

If yes, what district? 34 - Send Copy to Doug Rosenkrantz

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* _____

4. By RDC Date 7/26/02

*All uses within Watermaster District require special conditions

69966

AFFIDAVIT OF PUBLICATION

I, Colleen Babcock
of the Arco Advertiser, a weekly newspaper of
general circulation, published weekly at Arco, Idaho,
since March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,

for 2 consecutive weeks, commencing with
the issue dated JUNE 27, 2002
and ending with the issue dated

July 4, 2002
Colleen Babcock

STATE OF IDAHO

COUNTY OF BUTTE

On this 4th day of July
in the year of 2002, before me, a Notary Public,

personally appeared

Colleen Babcock

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

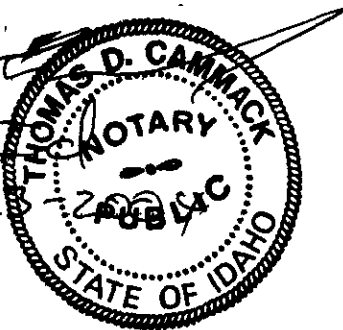
Thomas D. Cammack
Notary Public for Idaho

Residing at

Arco,

My commission expires

1-23-2003



RECEIVED

JUL 12 2002

Department of Water Resources
Eastern Region

MICROFILMED

FEB 11 2003

State of Idaho
Department of Water Resources
Transfer of Water Right(s)

RECEIVED
JUN 24 2002
Department of Water Resources
Eastern Region

RECOMMENDATION OF WATERMASTER

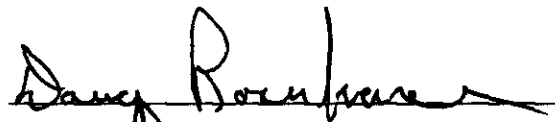
Transfer Application No: 69966 Water Right No(s): 34-2406E
Transfer Applicant's Name: ANDREW G STAV

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows:
- c) ☐ I oppose approval of this application for the following reasons:
- d) ☐ Additional Comment:

Dated this 20 day of June, 2002

Water District No: 34


Watermaster's Signature

MICROFILMED
FEB 11 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 18, 2002

DOUG ROSENKRANCE
WATER DISTRICT 34
PO Box 53
Mackay, ID 83251

RE: Application for Transfer 69966
Water Right Number(s) 34-2406E

Dear Watermaster:

Enclosed is a copy of the above referenced application. Please review the application, complete the enclosed recommendation form, and submit it to this office by July 15, 2002.

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

Sincerely,

Harold W Jones
Water Right Supervisor

Enclosure(s)

HWJ:sc

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FEB 11 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 19, 2002

ANDREW G STAV
ELAINE STAV
3306 W 3400 N
MOORE ID 83255

RE: Application for Transfer No 69966
Water Right No(s) 34-2406E

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 Arco Advertiser on June 27 and July 4, 2002. Submittal of protests to this application will be allowed for a period ending ten days (July 15, 2002) 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.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved.

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

Sincerely,

Harold W Jones
Water Right Supervisor

HWJ:sc

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FEB 11 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION
June 19, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Legal Notice Department
ARCO ADVERTISER
PO BOX C
ARCO ID 83213

RE: Transfer No. 69966 and 69968

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 July 15, 2002. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

*mailed
6/19/02
z*

MICROFILMED
FEB 11 2003

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 69966

ANDREW G STAV or ELAINE STAV, 3306 W 3400 N, MOORE ID 83255, has filed Application No. 69966 for changes to the following water rights within BUTTE County:

Right No. 34-2406E

Priority 3/20/1961

Source GROUND WATER

Use IRRIGATION (36.5 acres) 0.82 CFS

Total Amount 0.82 CFS

Point(s) of Diversion SWSE S9 T05N R26E

Place of Use S9 T05N R26E

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

The applicant is changing the point of diversion to a well on his property in the NESE SEC 9 T05N R26E, and consolidating the 36.5 acres in the NESE Sec 9 T05N R26E..

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 application on or before July 15, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on June 27 and July 4, 2002

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