

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 68546

This is to certify that: MARY CALINS SLAUGHTER

4200 N BALLANTYNE LN
EAGLE ID 83616-2452
(208) 938-5900

RONALD WILLIAM SLAUGHTER
4200 N BALLANTYNE LN
EAGLE ID 83616-2452
(208) 938-5900

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. The right holder shall accomplish the authorized change within one (1) year of the date of this approval. Failure of the right holder to comply with the conditions of approval for each water right affected by this transfer is cause for the Director to rescind approval of all or part of the transfer.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
63-20029	AJC/License	06/16/1959	1.08 cfs		40.0	40.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

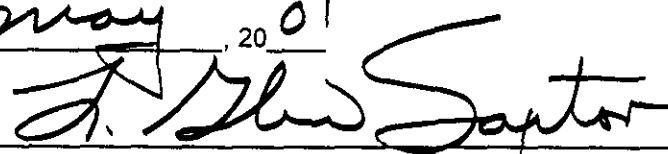
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
63-20029	YES	YES	NO	NO	NO	NO

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
63-20029	63-31224	0.11 cfs	40.8 af		9.0	63-31223	0.33 cfs	136 af		30.0
TOTALS							N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 22nd day of May, 2001


Chief, Water Allocation Bureau

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WATER RIGHT NO. 63-31223
As Modified by Transfer No. 68546

In accordance with the approval of Transfer No. 68546, Water Right No. 63-31223 is now described as follows.

Right Holder: TOM RICHARDS
4230 BALLANTYNE ROAD
EAGLE ID 83616

And

GREG TAYLOR
4230 BALLANTYNE ROAD
EAGLE ID 83616

And

JOHN L THORNTON
4230 BALLANTYNE ROAD
EAGLE ID 83616

And

IVAN FLEMING
4230 BALLANTYNE ROAD
EAGLE ID 83616

And

DAN BLACKWOOD
4230 BALLANTYNE ROAD
EAGLE ID 83616

Priority Date: 06/16/1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 11/15	0.33 CFS	135.0 AF
STOCKWATER	01/01	to 12/31	0.03 CFS	1.0 AF
			0.33 CFS	136.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNENE Sec. 31 Twp 05N Rge 01E ADA County

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PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
05N 01E 31	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	30.0

Total Acres: 30

PLACE OF USE: STOCKWATER

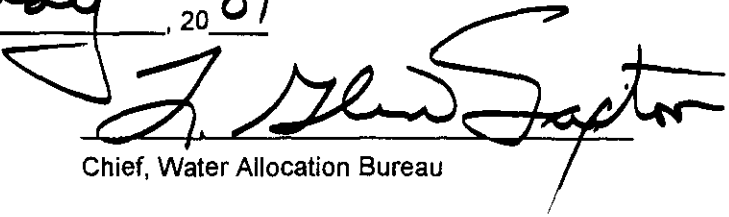
Twp Rge Sec	NE				NW				SW				SE				Totals
05N 01E 31	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	X

CONDITIONS OF APPROVAL

1. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
2. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
4. Approval of Transfer 68546 does not confirm the SRBA Claimed Right 63-20029.

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 22nd day of May, 2001


Chief, Water Allocation Bureau

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JUN 01 2001

WATER RIGHT NO. 63-31224
As Modified by Transfer No. 68546

In accordance with the approval of Transfer No. 68546, Water Right No. 63-31224 is now described as follows.

Right Holder: MARY CALINS SLAUGHTER
 4200 N BALLANTYNE LN
 EAGLE ID 83616-2452
 And/Or

RONALD WILLIAM SLAUGHTER
 4200 N BALLANTYNE LN
 EAGLE ID 83616-2452

Priority Date: 06/16/1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	to 11/15	0.11 CFS	40.5 AF
STOCKWATER	01/01	to 12/31	0.01 CFS	0.3 AF
			0.11 CFS	40.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENENE Sec. 31 Twp 05N Rge 01E ADA 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	01E	31	9.0																9.0

Total Acres: 9

PLACE OF USE: STOCKWATER

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	01E	31	X																

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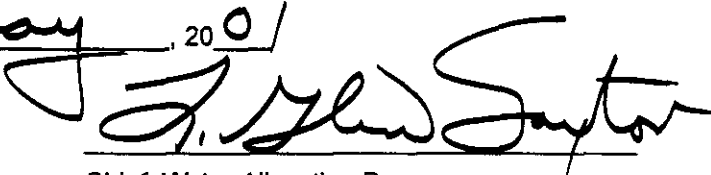
WATER RIGHT NO. 63-31224
As Modified by Transfer No. 68546

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
3. The right holder shall accomplish the change authorized by this transfer within one 1 year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
7. Place of use is also known as Parcel # 1675.
8. Approval of Transfer 68546 does not confirm the SRBA Claimed Right 63-20029.

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 22nd day of May, 2001


Chief, Water Allocation Bureau

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JUN 01 2001

MEMORANDUM

TO: FILE 63-31224

FROM: VAULT

RE: TRANSFER # 68546

DATE: _____

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**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 63-031598

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JUN 01 2001



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

June 7, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JOHN L THORNTON
4230 BALLANTYNE LN
EAGLE ID 83616

RE: Transfer No.: 68546 – Water Rights 63-20029, 63-31223, 63-31224

Dear Mr. Thornton:

During our meeting yesterday, we reviewed your concerns regarding the transfer referenced above. As we discussed, you submitted a Petition for Reconsideration to request more time to review the flow rate authorized by the transfer approval, and to obtain additional information regarding the history of the pumping system associated with your water right.

In considering your Petition, I later realized that since you did not file the actual application for transfer, this was not the proper procedure for initiating your request. According to the rules of procedure for the Department, only a person who is a party to the case (the applicant in this case) can submit a Petition for Reconsideration. However, as noted in the Transfer Approval Notice dated May 23, 2001, any person aggrieved by the decision has the right to request a hearing pursuant to section 42-1701A(3), Idaho Code.

In order to fulfill your request, we will give you 30 days to review the findings of the transfer approval and to notify us as to how you would like to proceed. In the event that you would like to pursue further review with the department, we can consider your petition a request for a hearing. If you do not respond or submit additional information within 30 days of the service date of this letter, the May 23, 2001, preliminary order issuing the transfer will be automatically reinstated and shall again be in full force and effect.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Peppersack', is written over a horizontal line.

Jeff Peppersack, Manager
Water Right Permits Section

JP: cjb

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RECEIVED

JUN 6 2001

June 6, 2001 DEPARTMENT OF WATER RESOURCES

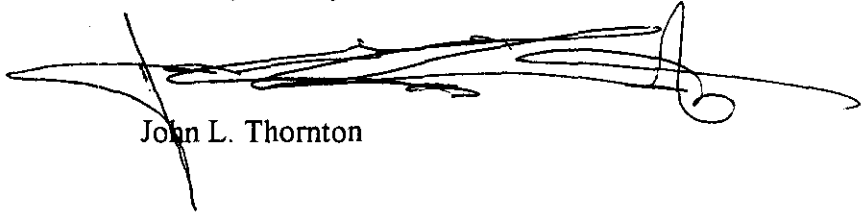
Idaho Dept. of Water Resources
Attn: Jeff Peppersack
1301 N. Orchard St.
Boise, ID 83706

Re: Petition for Reconsideration for Transfer Approval No. 68546 (old no. 5863)

Dear Mr. Peppersack:

Please consider this letter a petition for reconsideration for the transfer approval referenced above. The transfer approval authorized 0.44 cfs which is reduced from the rate based on a combination of the water rights involved in the transfer. We will need additional time to investigate this issue further.

Thank you for your consideration,



John L. Thornton

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JUN 11 2001

No Color
Documents
In File
