

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
WATER RIGHT NO. 29-04239

Trans. #4043

This is to certify that: **GEORGE G. HALES**
497 HORROCKS DR.
BLACKFOOT ID 83221

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 - 12/31	0.02 CFS	0.1 AF
DOMESTIC	01/01 - 12/31	0.02 CFS	1.2 AF
	Total	0.02 CFS	1.3 AF

Priority: 11/01/1957

Source: SPRING tributary to: SINKS

LOCATION OF POINT(S) OF DIVERSION:

NENESE, Sec. 27, Township 06S, Range 35E, BANNOCK County

PLACE OF USE: STOCKWATER

TWN RGE SEC
06S 35E 27 NESE

PLACE OF USE: DOMESTIC same as STOCKWATER use

CONDITIONS/REMARKS:

1. Approval of this transfer in no way confirms the right(s) claimed.
2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. 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.
5. Stockwater use is for 10 range cattle or horses.
6. Domestic use is for 1 home.

Dated this 27th day of January, 19 93.

JAN 27 1993

Chief, Water Alloc. Bureau

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4043

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant GEORGE G. HALES Phone 785-2018
Post Office address 497 HORROCKS DRIVE, BLACKFOOT, IDAHO 83221

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☒ Change nature of use ☒ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes SKI RESORT IS CLOSING AND THE
PROPERTY IS BEING SUBDIVIDED INTO AN 9 HOME SUBDIVISION.

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

1. Right Number 829-04239 Priority 11/1/1957 Amount (cfs/ac-ft) 0.14 Nature of Use DOMESTIC Period of Use 1/1 to 12/31
0.03 STOCK 1/1 to 12/31

_____ to _____
_____ to _____
2. Total amount of water being transferred 0.17 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water SPRING tributary to SINKS
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NE	SE	27	6S	35E	BANNOCK	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	35E	27													D(9)				
															S				

Total acres _____

PART 1

6. General Information:

a. Description of diversion system 10' DIAMETER, CONCRETE BLOCK SPRING BOX - PIPES
TO 9 HOMES AND OUTSIDE HYDRANTS.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes NO 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:

NO IRRIGATION - SKI LODGE IS CLOSING

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

Witness my hand this _____ day of _____ 19 _____

RECEIVED

JAN 27 1993

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 29-04239 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water SPRING tributary to POCATELLO CREEK

4. Date or priority 11/1/1957

5. Water is used for the following purpose:

amount 0.04 for DOMESTIC purposes from 11/15 to 3/15
(cfs/ac-ft)
amount 0.13 for RECREATION purposes from 11/15 to 3/15
(cfs/ac-ft)
amount 0.02 for STOCKWATER purposes from 4/1 to 11/1
(cfs/ac-ft)

6. Total amount of water under right 0.17 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
			NE SE	27	6S	35E	BAUDOCK	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6S	35E	27																	

JAN 27 1963

Total acres _____

9. Describe any other water rights used for the same purpose as described above None

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

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

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

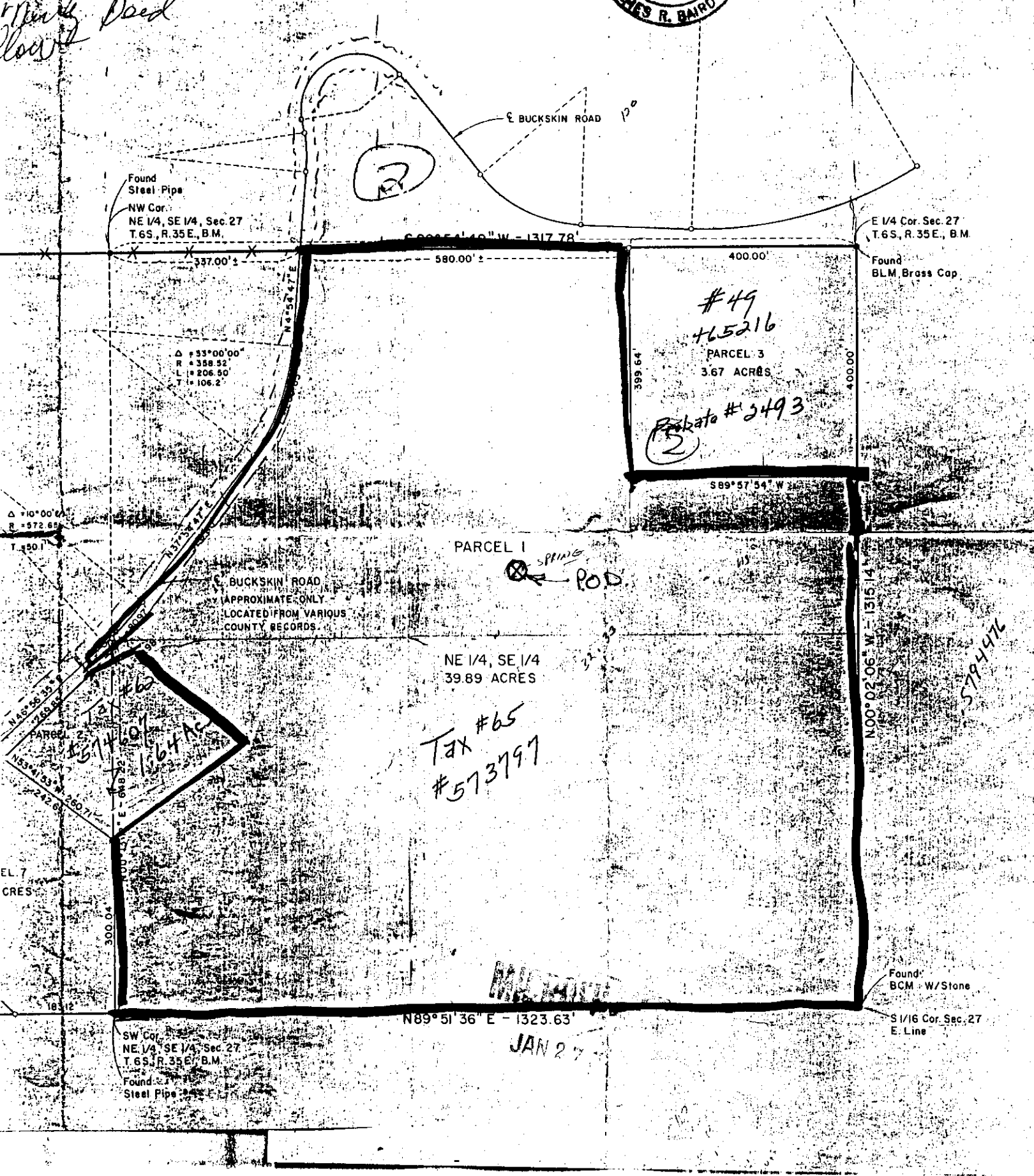
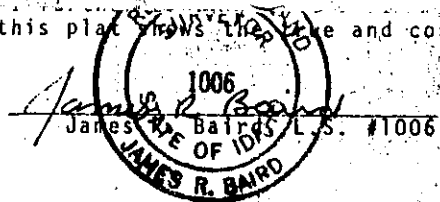
Total acres _____

JAN 27 1993

from taxson #65
minus L2

Fayson
Marty Deed
load

I, JAMES R. BAIRD
Surveyor
laws of the State of Iowa
made under my direction and this plat shows the true and correct
dimensions of said property.



Page _____ of _____

Transfer No. _____

PART 3

B. CHANGES IN NATURE OF USE

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

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

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

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.

George A. Mahala
(Signature of Applicant)

Subscribed and sworn to before me this 27 day of Feb, 19 92.

Stephanie Renon
(Notary Public)

My commission expires 5-20-92

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by HWT Date 3-11-92 Protest filed by _____

Prelim. check by KAW Fee \$50.00 #E017023

Receipted by HWT Date 3-11-92

Published in Idaho State Journal Copies of protest forwarded by _____

Pub. dates 4-16 & 23-92 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by RAC

Copy of transfer sent to lien holder _____

RECORDED

JAN 27 1993

CHANGE IN NATURE OF USE ANALYSIS

30 MARCH 1992

29-04239 - ORIGINAL CLAIM:

STOCKWATER 0.02 cfs 04/01-11/01 214 days
(10 horses & cattle)

VOLUME = 0.2 afa from chart

ASSUME: ORIGINAL CLAIMED STOCKWATER VOLUME =

TRANSFER VOLUME

DOMESTIC 0.04 CFS 11/15-03/15 121 days

VOLUME = 1.2 afa (121 days/365 days)
= 0.397 afa = 0.4 afa

RECREATION 0.13 cfs 11/15-3/15 121 days.

Assume 2 hr operation per day for 121 days

VOLUME = 0.13 cfs x 1.9835 x (2/24) (121 days) =
= 2.60 afa

THEREFORE: TOTAL VOLUME = 0.4 afa + 2.6 afa = 3.0 afa

@ 3.0 afa and 0.6 afa/households

Number of homes that could be serviced by system:

OF HOMES = 3.0 afa/0.6 afa = 5 homes.

THEREFORE: (1) LIMIT TOTAL NUMBER OF HOMES TO FIVE (5)
(2) NO IRRIGATION (LAWN WATERING). WATER IS FOR
INSIDE USE ONLY.



KEITH C. WILSON
SENIOR RESOURCE AGENT

RECEIVED
JAN 27 1993

WARRANTY DEED

810640

For Value Received in the amount of Five Thousand Dollars (\$5,000.00)

I, Beth H. Taysom,
the grantor, do hereby grant, bargain, sell, and convey unto
George and Helen Hales,

the grantees, whose current address is 497 Horrocks
Blackfoot, Idaho 83221

the following described premises, to-wit:

A 2.1 acre parcel of land situated in the southeast quarter, north-east quarter, Section 27, Township 6 South, Range 35 East, Boise Meridian, Bannock County, Idaho, being the westerly portion of the lands described as Parcel 3, at Instrument 699655, Records of Bannock County, Idaho, more particularly described as follows:

Commencing at a Bureau of Land Management Brass Cap Monument marking the East quarter corner, Section 27, Township 6 South, Range 35 East, Boise Meridian; thence

North 89°58'30" West along the latitudinal centerline of said Section 27 a distance of 677.96 feet to a 1/2 X 24-inch iron pin with a yellow plastic cap inscribed "LS 4430" set this survey, said point being the POINT OF BEGINNING; thence

North 1°09'00" West a distance of 168.18 feet to a point on the southerly right-of-way of Buckskin Road, said point marked with a 1/2 X 24-inch iron pin with a yellow plastic cap inscribed "LS 4430" set this survey; thence

Northwesterly, westerly and southerly along said right-of-way of Buckskin Road to an intersection with the latitudinal centerline of said Section 27, said point marked with a 1/2 X 24-inch iron pin with a yellow plastic cap inscribed "LS 4430" set this survey; thence

South 89°58'30" East along said latitudinal centerline a distance of 274.58 feet to the point of beginning, containing 2.1 acres, more or less.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, and their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all incumbrances except as hereinabove set forth and that she will warrant and defend the same from all lawful claims whatsoever.
Dated:

Beth H. Taysom
Beth H. Taysom

STATE OF IDAHO, COUNTY OF

On this 6th day of April, 1988,
before me, a notary public in and for said State, personally
appeared Beth H. Taysom

NOTARY SEAL

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that she executed the same.

Don S. Padua

Notary Public
Residing at Pocatello, Idaho
Comm. Expires July 19, 1993

NO. 810640
RECORDED AT REQUEST OF
BETH H. TAYSON
'88 APR -6 P3:29

SEEKING FOR 481...
LIBRARY W. SHAW...
\$3.00 DEPUTY th

JAN 27 1988

INSTRUMENT NO.

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

LORI A SEKOT

NOTICE is hereby given that George G. Hales, Blackfoot, ID, has applied to the Department of Water Resources to change the nature of use and period of use of the waters of a spring tributary to sinks. The right sought to be changed is evidenced by a claim and recorded as follows:
CLAIM NO. 29-04239
AMOUNT: 17 cfs
PRIORITY: 11/1/1957
POINT(S) OF DIVERSION: NESE SEC 27 T6S R35E, Bannock County
The water is used for domestic (.04 cfs) and recreation (.13 cfs) purposes from November 15 to March 15. It is also used for stockwater (.10 cfs) from April 1 to November 1. The water is used within the NESE SEC 27 T6S R35E, S.M.
TO BE CHANGED AS FOLLOWS:
The water will be used from January 1 to December 31 for domestic (.14 cfs) and stockwater (.10 cfs).
Any protests against the proposed change must be filed with the Idaho Department of Water Resources, 150 South Ave., Idaho Falls, ID 83402, on or before May 4, 1992.
By Keith Haggins
Director
April 19, 1992.
LH613

being first duly sworn on oath deposes and says: That _____ she was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

April 16 _____, 19⁹² _____, 19____
April 23 _____, 19⁹² _____, 19____
_____, 19____, _____, 19____
_____, 19____, _____, 19____
_____, 19____, _____, 19____

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Lori A. Sekot

STATE OF IDAHO

COUNTY OF Bannock

On this 23rd day of April in the year of 1992, before me,

a Notary Public, personally appeared LORI A SEKOT, 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.

Jeri L. Latham
Notary Public for Idaho

Residing at Pocatello

My commission expires July, 1997

RECEIVED

APR 24 1992

Department of Water Resources
Eastern District Office

MICROFILMED

JAN 27 1993

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

LORI A SEKOT

**NOTICE OF
PROPOSED CHANGE
OF A WATER RIGHT
NO. 29-04239**

Notice is hereby given that George G. Hales, Blackfoot, ID, has applied to the Department of Water Resources to change the nature of use and period of use of the waters of a spring tributary to sinks. The right sought to be changed is evidenced by a claim and recorded as follows:

CLAIM NO. 29-04239
AMOUNT: .17 cfs
PRIORITY: 11/1/1957
POINT(S) OF DIVER-
SION: NESE SEC 27
T6S R35E, Bannock
County

The water is used for domestic (.04 cfs) and recreation (.13 cfs) purposes from November 15 to March 15. It is also used for stockwater (.02 cfs) from April 1 to November 1. The water is used within the NESE SEC 27 T6S R35E, B.M.

**TO BE CHANGED AS
FOLLOWS:**

The water will be used from January 1 to December 31 for domestic (.14 cfs) and stockwater (.03 cfs)

Any protests against the proposed change must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID 83402, on or before May 4, 1992.

R. Keith Higginson
Director

April 16, 23, 1992.
LN613

being first duly sworn on oath deposes and says: That _____ she
was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

April 16 _____, 19⁹² _____, 19____
April 23 _____, 19⁹² _____, 19____
_____, 19____, _____, 19____
_____, 19____, _____, 19____
_____, 19____, _____, 19____

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Lori A. Sekot

STATE OF IDAHO

COUNTY OF Bannock

On this 23rd day of April in the year of 1992, before me,
a Notary Public, personally appeared LORI A SEKOT,
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.

Notary Public for Idaho

Residing at _____

My commission expires: _____

RECEIVED

APR 24 1992

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



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

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

Notice is hereby given that George G. Hales
(Name of Claimant)
497 Horrocks Drive, Blackfoot, Idaho 83221 Telephone No. 785-2018
(Mailing Address) (Zip Code)

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

(1) Date of priority: (When was the water first applied to a beneficial use) November 1, 1957

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

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

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

(cfs, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>0.04</u>	Use	<u>domestic</u>	Period of Use From <u>11/15</u>	To <u>3/15</u>
Quantity	<u>0.13</u>	Use	<u>recreation</u>	Period of Use From <u>11/15</u>	To <u>3/15</u>
Quantity	<u>0.02</u>	Use	<u>stockwater</u>	Period of Use From <u>4/1</u>	To <u>11/01</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
(4)	<u>0.17 cfs</u>	TOTAL QUANTITY USED.			
(cfs, af)					

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SE ¼, Sec. 27 Twp. 6S Rge. 35E B.M., County of Bannock
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
springbox collects water and diverts it into various water systems
for ski lodge and skating rink.

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	35E	27													X				

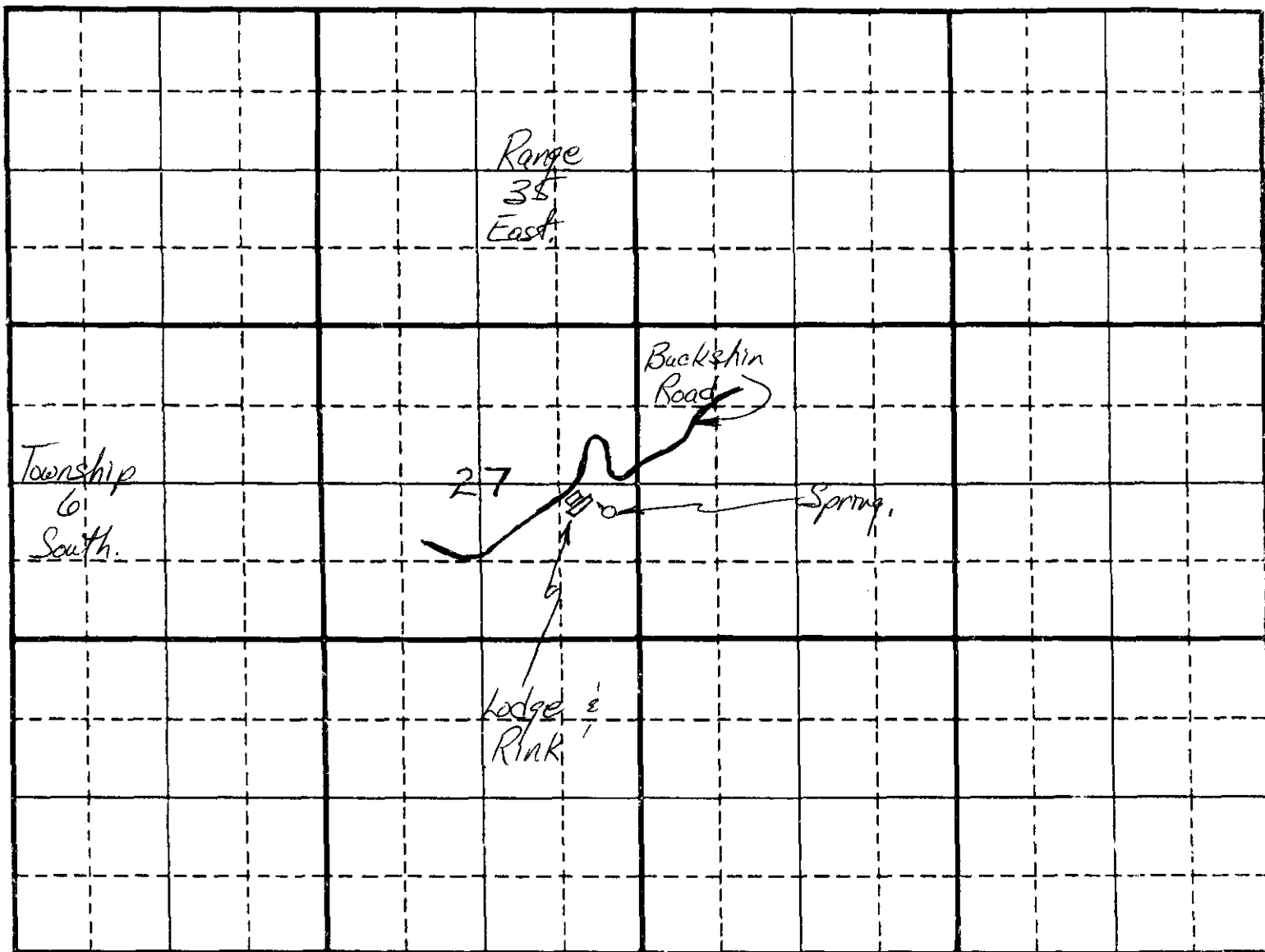
No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Domestic use in Caribou Ski Area Lodge, recreational use during water
for ice skating rink.

(7) Include here the type and number of stock watered: 10 head or horses and cattle
If you are claiming water as a member of an organization, list name of organization:

NOT FILMED

(8) Remarks Spring is tributary to Pocatello Creek only during heavy
runoff early in the year. The majority of time it sinks on the
applicant's property.



Scale: 2 inches equal 1 mile.

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

State of Idaho)
County of Bonneville) ss.

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

[Signature]
(Claimant)

Sworn to before me this 17th day of June, 1982.

[Signature]
Notary Public
Residing at Idaho Falls, ID

My commission expires 6/15/82

FOR DEPARTMENT USE ONLY

Received by EMC Date 6-17-82 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by sm Date 6/18/82
\$30.00 fee received by aw Date 6-17-82
Published in Idaho State Journal _____
Dates 7-19-82 7-8-1982

PROOF OF PUBLICATION

RECEIVED

STATE OF IDAHO
County of Bannock

SS.

JUL 12 1982

Department of Water Resources
Eastern District Office

Sheryl Gardiol

being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

July 1	1982	19
July 8	1982	19
	19	19
	19	19
	19	19
	19	19

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

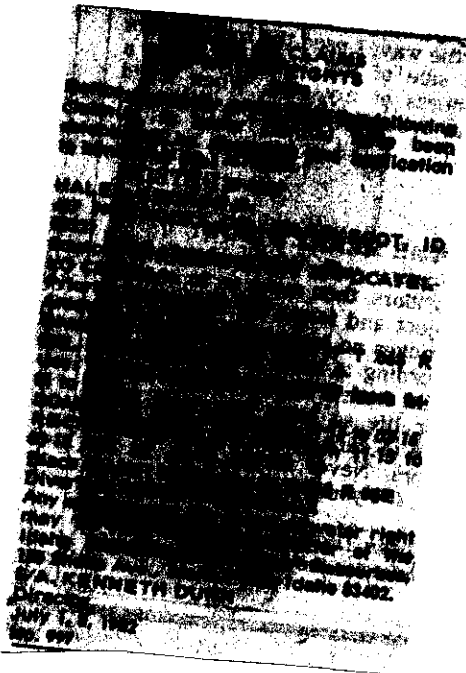
Sheryl Gardiol

Subscribed and sworn to before me this 9th

day of July, 19 82

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho



MICROFILMED

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

SS.

NOTICE OF CLAIMS TO WATER RIGHTS

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

29-4239

HALES, GEORGE G.
497 HORROCKS DR., BLACKFOOT, ID
83221

Source: SPRING tributary to POCATELLO CREEK

Priority Date: 11-01-1957

Amount: 0.17 CFS

Diversion Point: NESE Sec 27 T 06S R 35E, BANNOCK Co.

Use: STOCKWATER (0.02 CFS) from 04-01 to 11-01

DOMESTIC (0.04 CFS) from 11-15 to 03-15

RECREATION (0.13 CFS) from 11-15 to 03-15

Place of Use: NESE Sec 27 T 06S R 35E

Diversion Means: SPRINGBOX

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402.

S/A. KENNETH DUNN

Director
July 1, 8, 1982

No. 997

being first duly sworn on oath deposes and says: That _____ was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

_____	, 19__	_____	, 19__
_____	, 19__	_____	, 19__
_____	, 19__	_____	, 19__
_____	, 19__	_____	, 19__
_____	, 19__	_____	, 19__

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Shirley Stedman
Subscribed and sworn to before me this

day of _____, 19__

Shirley Stedman

Notary Public, State of Idaho

Residence: Pocatello, Idaho

29-4239

HALES, GEORGE G.

497 HORROCKS DR., BLACKFOOT, ID
83221

Source: SPRING tributary to POCA TEL-
LO CREEK

Priority Date: 11-01-1957

Amount: 0.17 CFS

Diversion Point: NESE Sec 27 T 06S R
35E, BANNOCK Co.

Use: STOCKWATER (0.02 CFS) from 04-
01 to 11-01

DOMESTIC (0.04 CFS) from 11-15 to 03-15

RECREATION (0.13 CFS) from 11-15 to
03-15

Place of Use: NESE Sec 27 T 06S R 35E

Diversion Means: SPRINGBOX

Any exception to any claim of water right
may be filed with the Director of the

Idaho Department of Water Resources,

150 Shoup Ave., Idaho Falls, Idaho 83402.

S/A. KENNETH DUNN

Director

July 1, 8, 1982

No. 997



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 27, 1993

GEORGE G HALES
497 HORROCKS DR
BLACKFOOT ID 83221

RE: Transfer of Water Right No. 29-04239

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 4043). Be sure to note any conditions of approval as listed on the second page.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:cz

Enclosure


JAN 27 1993

MEMORANDUM

TO: File 29-04239

FROM: Sharla

DATE: December 24, 1992

RE: Transfer Review (No. 4043)

The above referenced transfer application proposes to change the nature of use and period of use under this right.

This right was originally claimed for domestic, stockwater and recreation purposes. Between these uses, the only period not covered is November 2 thru 14 and March 16 thru 31. Keith's change in nature of use analysis confirms that no expansion will take place. Based upon Skip's field examination report and Ernie's subsequent memo, the transfer will be limited to stockwater use and domestic use for 1 home for a total of 0.02 cfs. The applicant has agreed to this limitation.

Advertising was completed correctly. The transfer can be approved with the following conditions:

- T07 The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- T01 Approval of this transfer in no way confirms the right claimed.

RECEIVED

JAN 27 1993

INTERDEPARTMENT MEMO

DATE: November 10, 1992

FROM: Ernest Carlsen *Enc*

RE: APPLICATION FOR TRANSFER
WATER RIGHT NO. 29-04329
GEORGE HALES

PURPOSE: The applicant wishes to change the nature of use for 0.13 cfs from recreation, with a period of use of November 15 to April 15, to year around domestic use in a nine home subdivision.

FINDINGS:

- > The recreational use was for the lodge and ice skating rink at Caribou Ski Resort that has closed down. The applicant purchased the ski lodge and converted it to a home. He wishes to subdivide the area around the lodge.
- > No information was on file with the department to substantiate the elements of the beneficial use identified by claim to a water right 29-04239.
- > On September 18, 1992, Harold Jones conducted a field examination of the proposed change. He determined the legal descriptions for the proposed POD and POU to be correct. However, the flow from the spring was too low to measure and Harold estimated it to be one gallon in five minutes. There is no data available to verify the historical spring flow.

CONCLUSIONS:

- > There is not sufficient water flowing from the source at this time to satisfy the intended purpose of furnishing water to nine homes.
- > The applicant has agreed to conditioning the transfer for year around domestic use in one home, and stockwater for a total of 0.02 cfs.

RECOMMENDATION/CONDITIONS:

- > This application for transfer should be approved limiting the rate of diversion to 0.02 cfs for year around domestic use for one home and stockwater.
- > Approval of this transfer does not preclude the opportunity for review of the validity of the water rights in the ongoing Snake River Basin Adjudication.

ADJUDICATION FOLLOWUP:

- > Amend SRBA notice once transfer is issued.

MAILED

JAN 27 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. Transf. on Claim
29-04239

1. Owner: George Hales Phone No. 785-2018

Current Address: 497 Howocks Drive, Blackfoot, ID

2. Accompanied by: NA EXAM DATE: 9-18-92

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Spring tributary to Sinks

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	NE	SE	27	6S	3SE	Blaine	

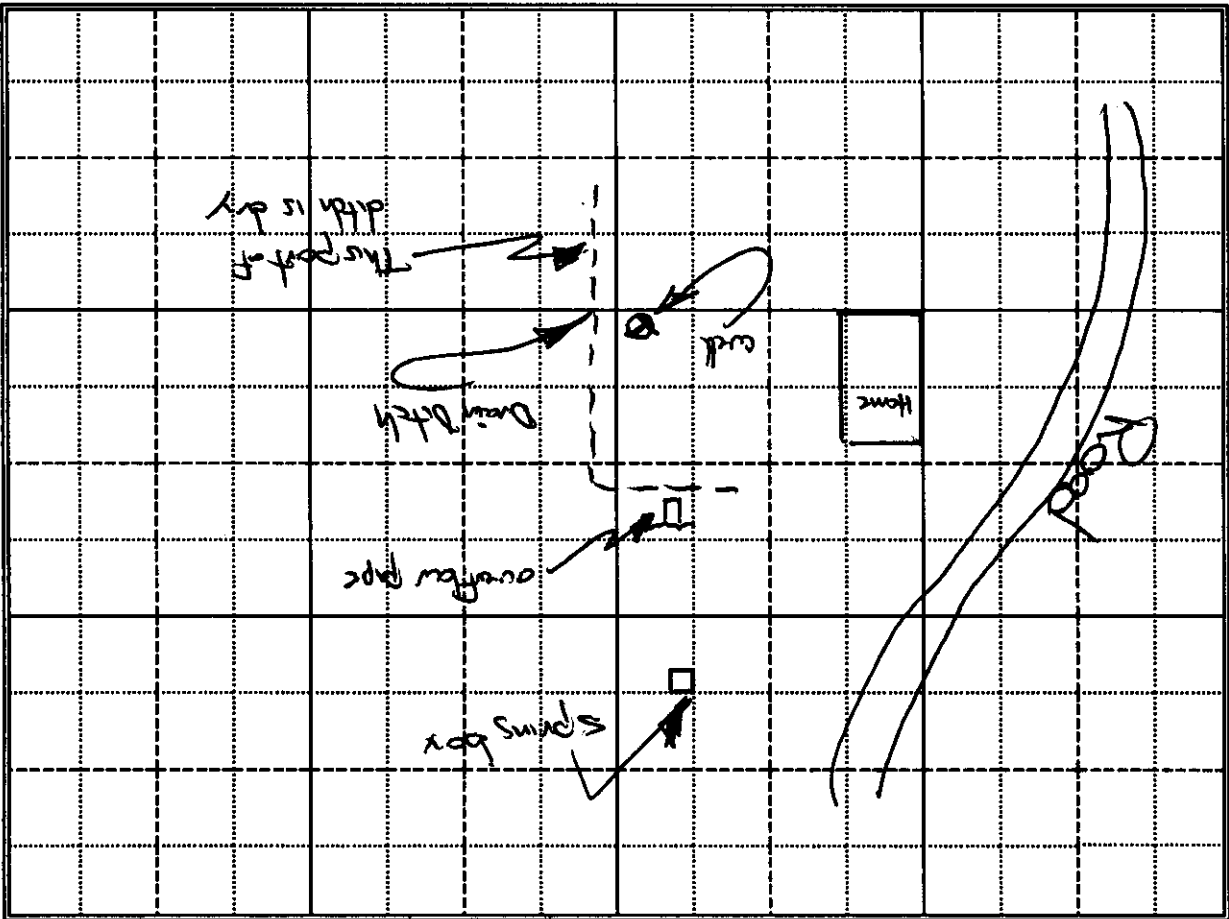
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6S	3SE	27													D.				
															S				

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 01-27-1993 BY 60322 UCBAW

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe l.d. as applicable.



Scale: 1" =

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
Aerial Photo Attached (required for irrigation of 10+ acres)
Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
NA						

2. Measurements:

JAN 27 1993

E. NARRATIVE/REMARKS/COMMENTS

Flow from the Springbox was so low as to be unmeasurable. I would estimate 1 gallon in 5 minutes. Spring collection box is on a uphill slope approx 100' from the old Caribou Ski Area clubhouse. This clubhouse has been refurbished as a private home & the skating rink removed. The home now has a new well that provides domestic water.

This spring could provide some yard & garden water in addition to stock water in a normal water year. I recommend that the change in nature of use be limited to domestic use for one home & stockwater not to exceed 0.02 d/s.

This recommendation was brought up to the applicant and he agreed as per tele-con on Sept 21, 1992.

[Signature]

Have conditions of permit approval been met? ☐ yes ☐ no



JAN 27 1993

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:
- $V_{I.R} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$
- $V_{D.R} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$
- $V = \text{Smaller of } V_{I.R} \text{ and } V_{D.R} =$
2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	1-1	12-31	0.02	0.6
Stock	1-1	12-31	0.02	0.2
Totals:			0.02	0.8

2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

I. AUTHENTICATION

Field Examiner's Name H.C. Jones Date 9-22-92

Reviewer _____ Date _____

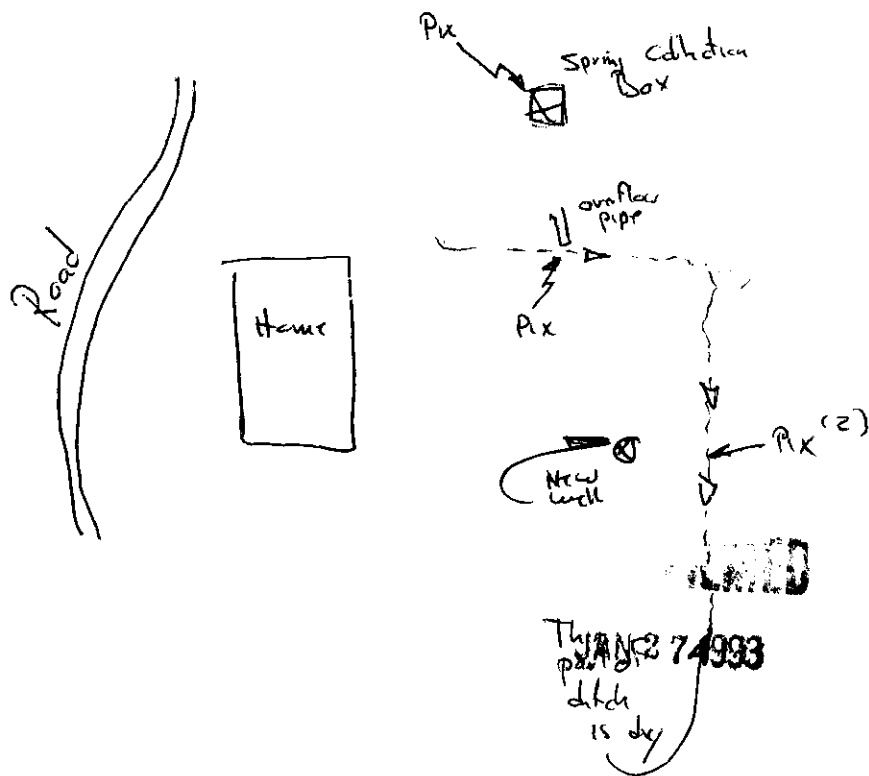
RECORDED
INDEXED
SEAL

JAN 27 1993

On-site field exam
Tr. 29-04239

9-18-92

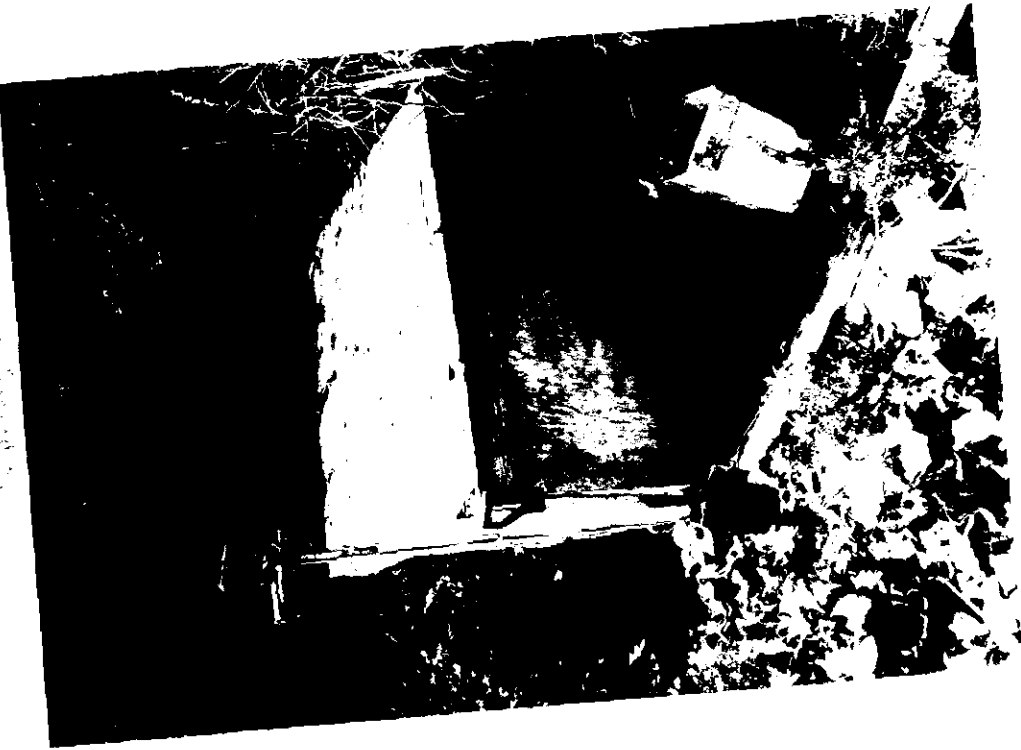
Flow from spring box so small as to be unmeasurable. I would guess 1 gallon in 5 minutes. Spring collection box on hillside approx 100' from old Ski-dub house (now reconstructed). This home now has a new well for its use. To allow someone to imply this spring system could support even our home is a disservice. Water in overflow ditch is not perceptibly moving (see pix).



10-20-68



10-20-68



Transf. apple on claim 24-04239

10-20-68



20-Apr-1992

DEQ IDHW
224 S ARTHUR
POCATELLO ID 83204

RE: Application NO. 29-04239 & 17-7140

Dear Sir:

We are enclosing a copy of the application(s) that may be of interest to your department. Please review the application(s) and submit any comments you may have to our Department as soon as possible. The last date of protest is 5-4-92, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,


HAROLD W. JONES
Water Rights Supervisor

HWJ/rb
enc.

RECEIVED

JAN 27 1993

10-Apr-1992

GEORGE G HALES
497 HORROCKS DR
BLACKFOOT ID 83221

RE: Application No. 29-04239

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Idaho State Journal on 4-16 & 23-92. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,



HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

RECEIVED

JAN 27 1993

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. 29-04239

Notice is hereby given that George G. Hales, Blackfoot, ID, has applied to the Department of Water Resources to change the nature of use and period of use of the waters of a spring tributary to sinks. The right sought to be changed is evidenced by a claim and recorded as follows:

CLAIM NO. 29-04239 AMOUNT: .17 cfs

PRIORITY: 11/1/1957

POINT(S) OF DIVERSION: NESE SEC 27 T6S R35E, Bannock County

The water is used for domestic (.04 cfs) and recreation (.13 cfs) purposes from November 15 to March 15. It is also used for stockwater (.02 cfs) from April 1 to November 1. The water is used within the NESE SEC 27 T6S R35E, B.M.

TO BE CHANGED AS FOLLOWS:

The water will be used from January 1 to December 31 for domestic (.14 cfs) and stockwater (.03 cfs)

Any protests against the proposed change must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83402, on or before May 4, 1992.

R. Keith Higginson
Director

Published in the Idaho State Journal on April 16 & 23, 1992.

RECORDED

JAN 27 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83402
(208) 525-7161

JULY 19, 1982

GEORGE G. HALES
497 HORROCKS DR.
BLACKFOOT

ID 83221

RE: Claim No. 29-4239

Dear Claimant:

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

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

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

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

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

RECEIVED
JUL 23 1982

Department of Water Resources

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Steve McCormick

Right Number 29 4239 Applicant George G. Holes

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

CHECK:

- ☒ Name and address.
 - ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
 - ☒ Source.
 - ☒ Quantity, use, period.
 - ☒ Point(s) of diversion.
 - ☒ Location of use.
 - ☒ Signature/notarization/fee.
Send to W.D. # _____
- July 19, 1982

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By RDC Date 7/20/82

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By kw Date 7/23/82

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83402
(208) 525-7161

JUNE 23, 1982

Idaho State Journal
P. O. Box 431
Pocatello, Idaho 83201

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JULY 19, 1982.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHTS

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

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402.

A. KENNETH DUNN

Director

Published 7/1 & 7/8/82.

MICROFILMED

29-4239

HALES, GEORGE G.

497 HORROCKS DR., BLACKFOOT, ID 83221

Source: SPRING tributary to POCA TELLO CREEK

Priority Date: 11/01/1957

Amount: 0.17 CFS

Diversion Point: NESE Sec 27 T 06S R 35E, BANNOCK Co.

Use: STOCKWATER	(0.02 CFS)	from 04/01 to 11/01
DOMESTIC	(0.04 CFS)	from 11/15 to 03/15
RECREATION	(0.13 CFS)	from 11/15 to 03/15

Place of Use: NESE Sec 27 T 06S R 35E

Diversion Means: SPRINGBOX

MICROFILMED