MEMORANDUM

TO: **Files for Lone Tree Ranch LLC BRBA Claims**

FROM: **James Cefalo**

DATE: **September 30, 2026**

RE: **Review and Recommendation of BRBA Claims**

Lone Tree Ranch LLC ("Lone Tree") filed forty-seven claims in the BRBA. Forty-six of the claims were for irrigation from Eightmile Creek and one claim (11-7553) was for stockwater from a spring. This memo summarizes the review of the irrigation claims and the basis for the elements described in the recommendations.

Water Right Pedigree

Lone Tree filed claims for split portions of thirteen water rights (11-327, 11-328, 11-329, 11-330, 11-331, 11-338, 11-339, 11-347, 11-350, 11-351, 11-352, 11-358, and 11-359). In addition, Lone Tree filed claims for water rights 11-7727 (a split portion of original right 11-324), 11-325, 11-326, 11-336, 11-337, 11-353, and 11-354.

The 1920 Dietrich Decree described dozens of water rights on Eightmile Creek. At the time of the decree, the parcels irrigated from Eightmile Creek were smaller tracts of land held by separate owners. Over time, the parcels have been consolidated into larger ranch properties, such as the ranch now owned by Lone Tree.

In 1983, five property owners (the heirs of Orren Munro) filed Application for Transfer 2409 with the Department, seeking to update the ownership records, points of diversion, and places of use for thirteen water rights on Eightmile Creek (11-327, 11-328, 11-329, 11-330, 11-331, 11-338, 11-339, 11-347, 11-350, 11-351, 11-352, 11-358, and 11-359). These thirteen rights were each split into six portions (A-F). Attached to this memo are summary pages from Transfer 2409 showing the amounts associated with the split portions (A-F) for each right.

In 2022, the Department determined that the "A" portions of the water rights were created in error. The "A" portions of the rights were listed in the name of various members of the Munro and Baird families (the original owners of the rights identified in the 1920 Dietrich Decree). The "A" portions of the water rights caused all the water rights to exceed the original authorized diversion rate described in the Dietrich Decree. In other words, the B through F portions add up to the diversion rate described in the Dietrich Decree (with some minor rounding anomalies). The "A" portions didn't make sense given the limits in the decree.

On August 17, 1992, Ken Munro, the watermaster for Water District 11A, sent a letter to the Department explaining that the "A" portions of the water rights were created in error. He explained that the owners listed on the "A" portions conveyed their interests in the water rights to Orren Munro long before the 1980 transfer. He asserted that the water rights should have all been divided between Orren Munro's heirs, with no water assigned to the "A" portions. It appears the "A" portions were created to represent Orren Munro's life estate in the property and the water rights. In other words, the "A" portions should have extinguished upon Orren Munro's death.

The Department responded to the letter from the Watermaster on August 21, 1992, noting that the "A" portions of the rights were still in the names of the original owners, but were appurtenant to the lands of the five heirs. This suggests that the A portions of the rights were duplicates of the rights split to each of the heirs. The water rights held by the Orren Munro heirs are reflected in the B through F portions of the rights. The B through F portions of the right add up to the original rates described in the Dietrich Decree (with some minor rounding anomalies). Further, Transfer 2409 proposed to update the point of diversion and place of use for 11.86 cfs. This rate represents the full rate authorized by the thirteen water rights. This full rate was identified in the B-F portions of the right and tied to the places of use for the five applicants. Therefore, there is no remaining portion of the water rights. Based on the compelling evidence in the water right records, the "A" portions of the rights were likely created in error. In 2022, I made the "A" portions of the thirteen water rights inactive.

Water Right Ownership

On January 13, 2012, Lone Tree filed an ownership change notice for the "B" portions of the thirteen rights described above. In addition, Lone Tree filed an ownership change notice for several other irrigation rights on Eightmile Creek (11-325, 11-326, 11-353, 11-354, 11-7727). Lone Tree is also pursuing claims for water rights 11-336 and 11-337, which are still in the name of James Munro. According to Bear Lake County parcel records, Lone Tree owns the authorized place of use for water rights 11-336 and 11-337.

On January 13, 2012, Lone Tree also filed an ownership change notice for a split portion of the "F" portions of the thirteen water rights described above. At the time, the Department created two new numbers for ownership splits: one number for the new split portion and a second number for the remaining portion. The thirteen rights were split as follows:

Original Right No.	Remaining Portion	Lone Tree Portion
11-327F	11-7742	11-7743
11-328F	11-7744	11-7745
11-329F	11-7746	11-7747
11-330F	11-7748	11-7749
11-331F	11-7750	11-7751
11-338F	11-7752	11-7753

11-339F	11-7754	11-7755
11-347F	11-7756	11-7757
11-350F	11-7758	11-7759
11-351F	11-7760	11-7761
11-352F	11-7762	11-7763
11-358F	11-7764	11-7765
11-359F	11-7766	11-7767

Based on the documents provided to the Idaho Secretary of State, Lone Tree is comprised of two members: Casey Quinn and Chuck Schvaneveldt. The land covered by the remaining portion of the thirteen split water rights (even numbers from 11-7742 to 11-7766) is not currently owned by Lone Tree. According to Chuck Schvaneveldt, the previous owner of the larger ranch subdivided and held on to two ten-acre parcels for future home sites. These two ten-acre parcels are the acres associated with the remaining portion rights (even numbers from 11-7742 to 11-7766). Eventually, the prior owner sold the ground to Lone Tree, but the owners of Lone Tree decided to hold those two ten-acre parcels in separate LLCs. One parcel is owned by C&C Homestead LLC (Chuck Schvaneveldt). The other is owned by Lacey Ritter LLC (Casey Quinn). No homes have been built on the properties, and the two ten-acre parcels are simply farmed as part of the larger contiguous ranch, without any fencelines dividing the properties.

On August 7, 2026, I spoke with Chuck Schvaneveldt about the ownership of the two ten-acre parcels. All the claims, including the claims for the remaining portion rights were filed in the name of Lone Tree. The two parcels are currently irrigated by a large center pivot. Lone Tree owns the center pivot is the entity conducting the irrigation. Chuck agreed that all the water rights should be held by Lone Tree. If the ten-acre parcels are ever developed as home sites, Lone Tree will determine what water rights should be left with those parcels, if any. Neither C&C Homestead LLC nor Lacey Ritter LLC have filed any BRBA claims. Because Lone Tree has demonstrated legal access to the two ten-acre parcels, the claims for all the rights can be recommended in the name of Lone Tree.

Points of Diversion

The forty-six claims filed by Lone Tree described one or more of three points of diversion. The primary point of diversion for the property is the Baird-Munro Ditch, which diverts water from Eightmile Creek in the SESE of Section 4, T10S, R42E. This diversion is used to flood irrigate large portions of Section 3 and fill the regulation pond. Lone Tree pumps water at the regulation pond to run the center pivot that irrigates portions of Sections 2 and 3.

The second point of diversion is in the NWSW of Section 35, T09S, R42E. This diversion used to be an open ditch but was replaced with a pipeline several years ago. The pipeline was constructed in conjunction with a fish friendly diversion on the creek. The fish friendly diversion is in serious disrepair and now acts as a fish passage barrier. Lone Tree conveys water

in a pipeline across the Eightmile Road. Water from the pipeline bubbles out into an open ditch and is used to irrigate the land between the road and Eightmile Creek.

The final diversion is located 1.5 miles upstream of the Lone Pine property. This ditch only serves the acres above the Baird-Munro Ditch in Section 3. The Lone Tree property is as the tail end of this upper ditch and benefits from the water making it to the end of the long ditch system.

The original claims filed by Lone Tree listed different points of diversion for different water rights. On September 2, 2026, Lone Tree filed amended claims listing all three points of diversion on all Lone Tree's water rights. By including all three points of diversion on all rights, Lone Tree will have the flexibility to deliver its senior rights to specific acres each year.

Acres Authorized by Water Rights

The irrigated acres for the "B" portions and "F" portions of the thirteen water rights was confirmed and limited through Transfer 2409, approved by the Department in 1992. The "B" portions were limited to 51 acres, and the "F" portions were limited to 103 acres.

The Dietrich Decree entry for water right 11-326 identified James Munro as the owner and states that the right (2.64 cfs) was delivered through the Baird-Munro Ditch and was used "[f]or the irrigation of 132 acres of land in the North half of the Southwest quarter; the Southeast quarter of the Northwest quarter and the West half of the Northeast quarter of Section 3, Township 10 South, Range 42E." The Baird-Munro Ditch delivers water to land on the east side of Eightmile Creek. Eightmile Creek cuts diagonally through the NWSW, SENW and (Lot 2) NWNE of Section 3. There are approximately 135 acres east of Eightmile Creek in the QQs identified in the decree.

The Dietrich Decree entry for water right 11-336 identified James Munro as the owner and states that the right (0.16 cfs) was delivered through the Simmons Ditch and was used "[f]or the irrigation of 8 acres in the Southwest quarter of the Northeast quarter, and the Northeast quarter of the Southwest quarter of Section 3, Township 10 South, Range 42E. Further, the Dietrich Decree entry for water right 11-337 also identified James Munro as the owner and states that the right (0.90 cfs) was delivered through the Simmons Ditch and was used to irrigate 45 acres in the same legal description as water right 11-336. The Simmons Ditch delivers water to the land on the east side of Eightmile Creek.

The acreage described in water right 11-326 is fully covered by 11-326, and water rights 11-336 and 11-337 cover the same area. Further, James Munro is identified as the owner of all three rights. There is compelling evidence that water rights 11-326, 11-336 and 11-337 cover the same acres and should carry a combined acre limit of 132 acres.

Water right 11-7727 is a split portion of original right 11-324. The Dietrich Decree entry for water right 11-324 identified Mary A. Baird as the owner and states that the right (0.90 cfs)

was delivered through the Baird-Munro Ditch and was used "[f]or the irrigation of 45 acres in the West half of the Southwest quarter of Section 35, and the Southeast quarter of the Southeast quarter of Section 34, Township 9 South, Range 42 East." The Baird-Munro Ditch delivers water to the land on the east side of Eightmile Creek. The creek cuts diagonally through the three QQs described as the place of use. There are approximately 45 irrigable acres on the east side of the creek in these QQs.

The Dietrich Decree entry for water right 11-325 identified Mary A. Baird as the owner and states that the right (0.80 cfs) was delivered through the Baird-Munro Ditch and was used "[f]or the irrigation of 40 acres in the West half of the Southwest quarter of Section 35, and the Southeast quarter of the Southeast quarter of Section 34, Township 9 South, Range 42 East."

In 2012, East Office LC, the owner of water rights 11-324 and 11-325 at the time, filed Application for Transfer 77914, proposing to move five acres of water right 11-324 to a new diversion and place of use. Within that application, East Office LC asserted that water rights 11-324 and 11-325 were overlapped over 40 acres and proposed to move the five acres that were not overlapping. East Office LC provided maps showing the overlap. Transfer 77914 was approved and water right 11-324 was split into 11-7727 (40 acres) and 11-7728 (5 acres). Based on the common ownership of the rights, the irrigable acres on the east of the Eightmile Creek, and the assertions of East Office LC, there is compelling evidence that water right 11-7727 and 11-325 cover the same 40 acres and should carry a combined acre limit of 40 acres.

The Dietrich Decree states that water rights 11-353 and 11-354 were diverted from Eightmile Creek in the SWSW of Section 16, T10S, R42E, through the Woodall-Foster-Munro Ditch. This point of diversion is located approximately 2.5 miles south of the Lone Tree property and delivers water to acres on the west side of Eightmile Creek. The Woodall-Foster-Munro diversion and ditch is visible in aerial imagery and is used to irrigate several parcels held by Eightmile Ranch LLC, the company that borders Lone Tree to the south. The ditch line becomes faint and almost indecipherable approximately one-half mile south of (upstream of) the Lone Tree property line. There is compelling evidence that water rights 11-353 and 11-354 covered the same 45 acres at their original location and should carry a combined acre limit of 45 acres.

According to the claims filed by Lone Tree, water rights 11-353 and 11-354 are now diverted through the Baird-Munro Ditch in the SESE of Section 4, T10S, R42E. The Baird-Munro Ditch only serves acres on the east side of Eightmile Creek. Therefore, water rights 11-353 and 11-354 were combined with the water rights used on the east side of the creek. This change in point of diversion and place of use was never reflected in an approved transfer, so the change will be recognized as an accomplished transfer.

Summary of Acres: Using aerial imagery, I reviewed the lands that are irrigated and cultivated by Lone Tree. There are approximately 345 acres currently irrigated and cultivated by Lone Tree. After accounting for the overlap between water rights 11-326, 11-336 and 11-337 and the overlap between water rights 11-325 and 11-7727, Lone Tree's water rights (not

including water rights 11-353 and 11-354) authorize the irrigation of 326 acres. The calculations are shown on the attached spreadsheet. If water rights 11-353 and 11-354 are now delivered through the Baird-Munro Ditch, water rights 11-353 and 11-354 could increase the total irrigated acres by up to 45 acres. This provides the flexibility to recognize the full 345 acres currently irrigated by Lone Tree. Therefore, all the Eightmile Creek irrigation rights claimed by Lone Tree will be limited to a combined acre limit of 345 acres.

Diversion Rate

The water rights claimed by Lone Tree, in combination, authorize a diversion rate of 10.19 cfs. The rates are summarized in the attached spreadsheet. Although most of the Eightmile Creek water rights set forth in the Dietrich Decree have an individual diversion rate of 0.02 cfs per acre, some of the water rights overlap on the same acres. The decree did not establish a combined rate limit for these overlapping rights. Further, when the Department approved Transfer 2409, it did not impose a strict limit of 0.02 cfs per acre. The evidence available in the Department's records suggest that Lone Tree, or its predecessors in interest, have diverted more than 0.02 cfs per acre for irrigation purposes. The Lone Tree delivery system is made up of several miles of open ditch. It is not surprising that the diversion from the stream is greater than 0.02 cfs per acre.

The delivery records for Water District 11A are, for the most part, not reliable. In recent years the records do not include the daily diversion rates for any of the water users. Instead, the annual watermaster report only lists an annual diversion volume for each water user. According to the 2024 delivery records, the water master delivered approximately 1,797 24-hour cfs from Eightmile Creek to East Office LC (the predecessor in interest to Lone Tree). Assuming an irrigation season of April 20 – September 30 (164 days), the average diversion rate by East Office LC would have been 10.95 cfs in 2024. Older records from Water District 11A include daily diversion rates, but the records are not reliable. For example, the 2018 Watermaster Report includes daily diversion rates for all water users. The daily diversion rates are the exact same throughout the entire irrigation season and appear to simply be the total rate authorized for each user. The 2024 Watermaster Report is simply a summation of the daily diversion rates from previous years. Therefore, the 2024 report is also unreliable.

I was able to find true daily diversion records for 1994, 1995 and 1996. In the water district record books for these years, at least three rows from the watermaster logbook are associated with the predecessors in interest to Lone Tree. Illa Bigelow owned the "B" portions of the rights at the time. Venice Munro, wife of Forriest Munro, owned the "F" portions of the rights at the time. Finally, Don Monroe was the listed owner of 11-324 and 11-325, which are appurtenant to Lone Tree parcels. There may be other rows associated with the Lone Tree property, but it is difficult to know for sure. The following is a table of the maximum diversion rates for each of the relevant rows.

Maximum Reported Daily Diversion Rate (cfs)			
Water User	**1994**	**1995**	**1996**
Don Monroe	7.0	3.0	7.0
Venice Munro	1.5	1.0	1.0
Illa Bigelow	1.5	1.5	1.7
Total	10.0	5.5	9.7

These daily diversion rates occurred after the approval of Transfer 2409 and after the accomplished transfer that moved water rights 11-353 and 11-354 into the Baird-Munro Ditch. Therefore, the daily delivery records from Water District 11A reflect the irrigation practices of the predecessors in interest to Lone Tree. It should also be noted that most of the additional rate (in excess of 0.02 cfs per acre) comes from Lone Tree's most junior water rights (those bearing a priority date of 5/15/1912). The Lone Tree water rights with a 1911 priority date or senior, after factoring out any overlapping acres, authorize the diversion of 5.71 cfs and the irrigation of 277.5 acres. This equates to a rate/acre ratio of 0.02 cfs/acre. The recommendations for the Lone Tree rights will preserve the full rate described on the face of the water rights without any diminution in rate and without any combined rate limit.

Consolidation of Claims

As described above, Lone Tree now has claimed several pieces of the same original rights. For example, Lone Tree filed claims for water rights 11-327B, 11-7742, and 11-7743. These are all derived from the same original right: 11-327. This is true for all thirteen of the rights included in Transfer 2409. To simplify the recommendations, I will recommend split portions derived from the same parent right as a single water right.

In addition to the consolidation back to the original rights, there was a consolidation of rights based on priority date. With a few limited exceptions, the Dietrich Decree described the water right on Eightmile Creek with a diversion rate of 0.02 cfs per acre. This means that water rights with identical priority dates, which authorize 0.02 cfs per acre, can also be consolidated into a single right. The attached table shows the consolidations.

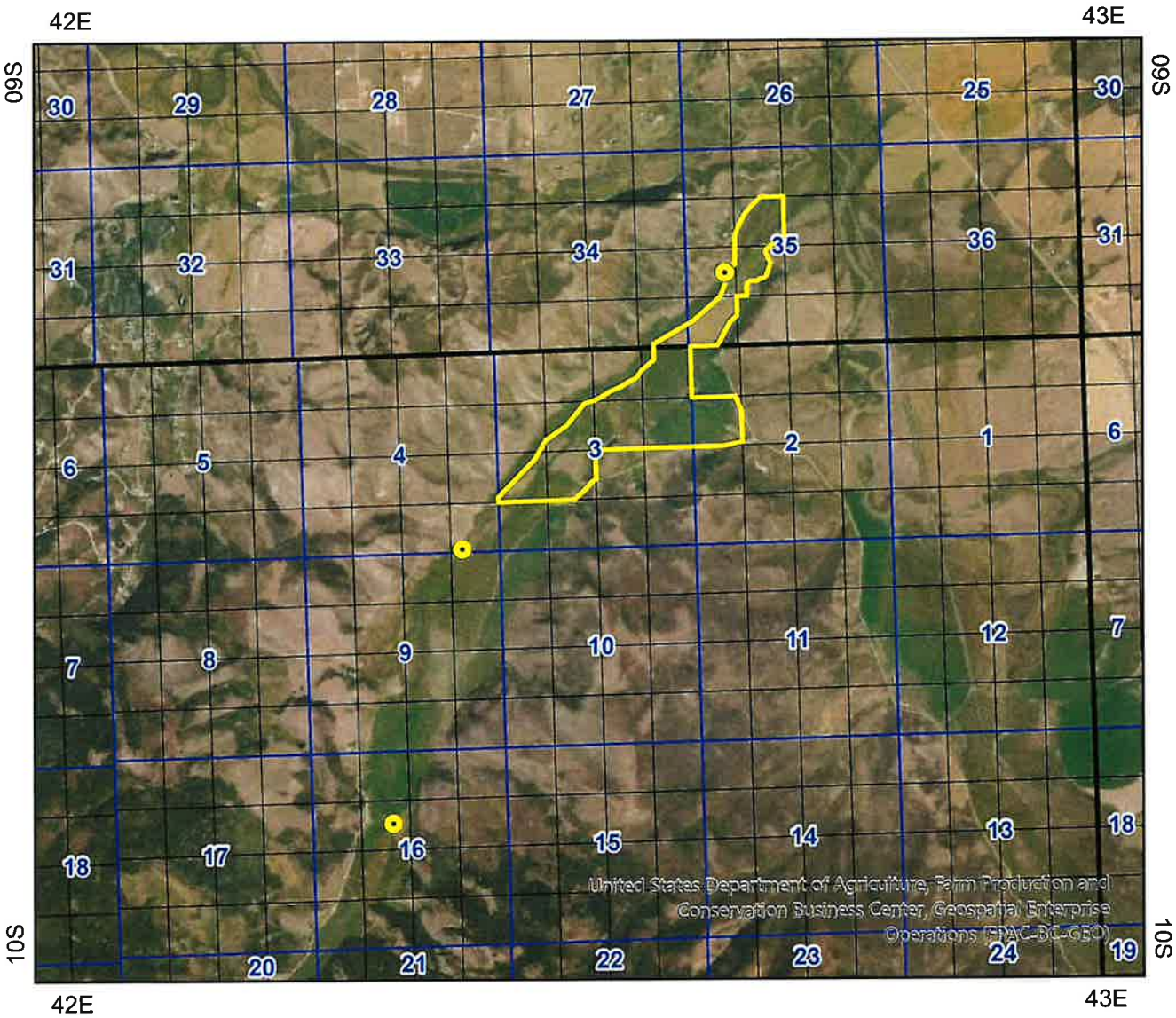
I consolidated the 46 irrigation claims filed by Lone Tree into 13 claims. I created new water right numbers for the consolidated claims to eliminate any confusion. The attached table shows the consolidated claims. Chuck Schvaneveldt signed amended claims reflecting the consolidations and the analysis described in this memo. All recommendations were prepared consistent with this memo.

State of Idaho
Department of Water Resources

Adjudication Recommendation

(IRRIGATION)

LONE TREE RANCH LLC



Point of Diversion
Place Of Use Boundary
State Outline
Townships
Sections
Quarter Quarters

IDAHO DEPARTMENT OF WATER RESOURCES

Imagery: 2023 Aerial Photography
Prepared By JCefalo

N

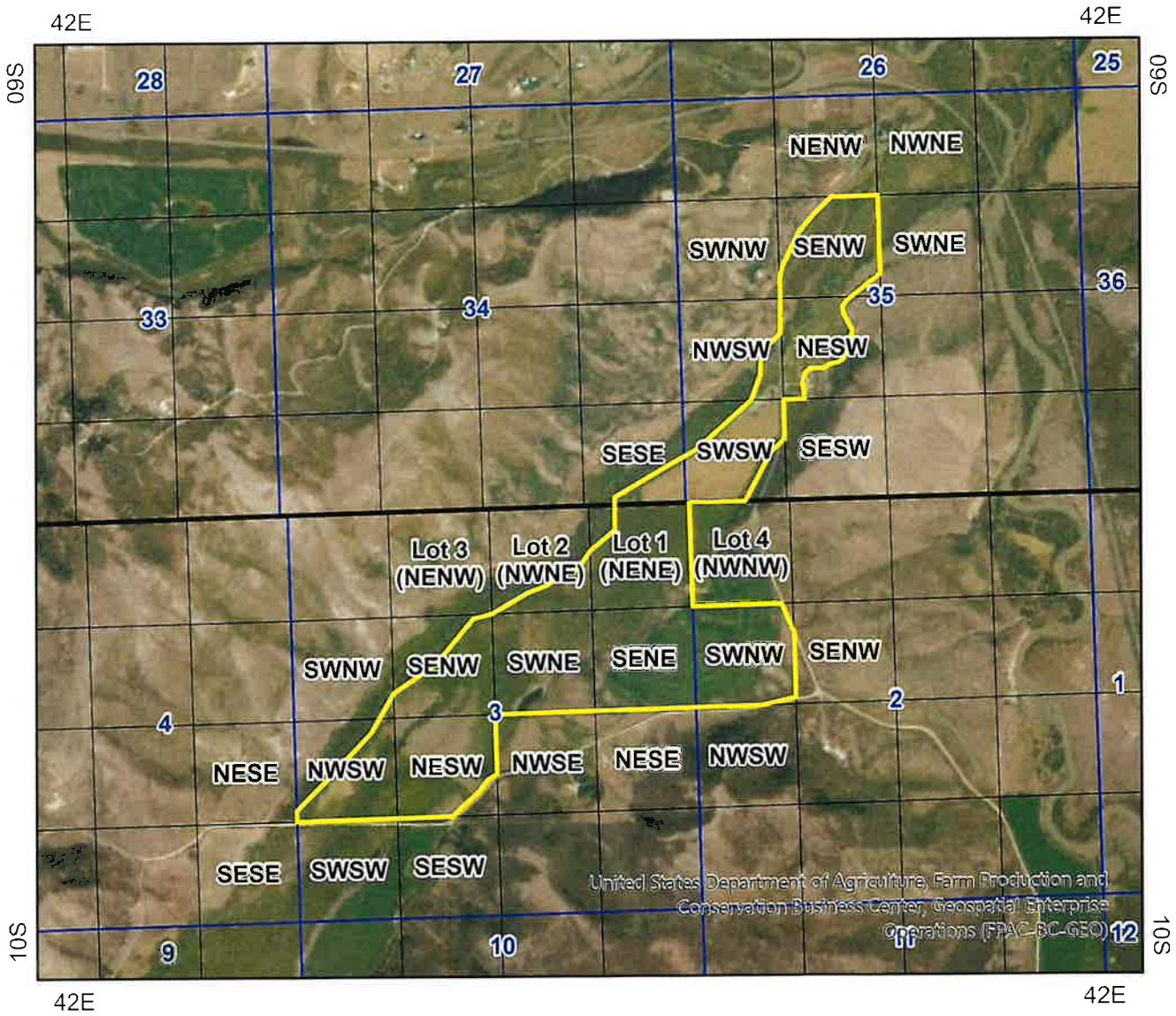
0 0.75 1.5 2.25 3 Miles

State of Idaho
Department of Water Resources

Adjudication Recommendation

(IRRIGATION)

LONE TREE RANCH LLC



Place Of Use Boundary
Sections
State Outline
Quarter Quarters
Townships

IDAHO DEPARTMENT OF WATER RESOURCES

Imagery: 2023 Aerial Photography
Prepared By JCefalo

N

0 0.35 0.7 1.05 1.4 Miles

Water Right Diversion Rate (cfs)

Right No	Original Right	A Portion	Illa Bigelow B Portion	D Munro C Portion	Otto Munro D Portion*	Mary Aina E Portion	F Munro F Portion **	A-F	B-F
11-327	0.60	0.05	0.05	0.17	0.19	0.08	0.11	0.65	0.60
11-328	0.60	0.05	0.05	0.17	0.19	0.08	0.11	0.65	0.60
11-329	0.50	0.04	0.04	0.14	0.16	0.07	0.09	0.54	0.50
11-330	1.10	0.10	0.10	0.31	0.35	0.15	0.20	1.21	1.11
11-331	1.00	0.09	0.09	0.28	0.32	0.14	0.18	1.10	1.01
11-338	1.10	0.10	0.10	0.31	0.35	0.15	0.20	1.21	1.11
11-339	1.10	0.10	0.10	0.31	0.35	0.15	0.20	1.21	1.11
11-347	0.80	0.07	0.07	0.22	0.25	0.11	0.14	0.86	0.79
11-350	0.20	0.02	0.02	0.06	0.06	0.03	0.04	0.23	0.21
11-351	1.80	0.16	0.16	0.50	0.57	0.25	0.32	1.96	1.80
11-352	1.00	0.09	0.09	0.28	0.32	0.14	0.18	1.10	1.01
11-358	1.06	0.09	0.09	0.29	0.33	0.15	0.19	1.14	1.05
11-359	1.00	0.09	0.09	0.28	0.32	0.14	0.18	1.10	1.01
Total	11.86	1.05	1.05	3.32	3.76	1.64	2.14	12.96	11.91

Water Right Acres						
Original Transfer App 2409	80	170	170	85	88	593.00
1986 Amended Transfer App 2409	51	159	181	79	103	573.00
Transfer Approval 2409	51	159	181	79	103	573.00

* D Portion has been split into Southview Family Trust (29 acres) and Norma Lee Munro Living Trust (152 acres)

** F Portion was split into F Munro (19.3 acres) and Lone Tree Ranch (83.7). Lone Tree is claiming both parts of the F portion splits.

Lone Tree Available Acres

B Portion	51
F Portion	103
11-326	132
11-336	
11-337	
11-7727	40
11-325	
11-353	45
11-354	
Total:	**371**
Actual Irrigated Acres:	**345**

Lone Tree Water Right Rate

B Portion	1.05
F Portion	2.14
11-326	2.64
11-336	0.16
11-337	0.9
11-7727	0.8
11-325	0.8
11-353	0.9
11-354	0.8
Total Diversion Rate:	**10.19**

Consolidation of Lone Tree Ranch LLC's BRBA Claims

Basin	Sequence	Suffix	Priority	Rate	Acres	New Right No.	Combined Rate	Combined Acres
11	326		5/1/1884	2.64	132	11-326	2.64	132
11	327	B	5/1/1884	0.05	2.5	11-10374	0.46	23.0
11	7742		5/1/1884	0.02	1			
11	7743		5/1/1884	0.09	4.5			
11	330	B	5/1/1884	0.1	5			
11	7748		5/1/1884	0.04	2			
11	7749		5/1/1884	0.16	8			
11	7727		5/1/1884	0.8	40	11-7727	0.80	40.0
11	358	B	5/1/1889	0.09	4.5	11-10375	0.28	14
11	7764		5/1/1889	0.04	2			
11	7765		5/1/1889	0.15	7.5			
11	338	B	5/1/1895	0.1	5	11-10376	0.3	15
11	7752		5/1/1895	0.04	2			
11	7753		5/1/1895	0.16	8			
11	336		5/1/1896	0.16	8	11-336	0.16	8
11	354		5/1/1900	0.8	40	11-354	0.8	40
11	347	B	5/1/1900	0.07	3.5	11-10377	0.21	10.5
11	7756		5/1/1900	0.03	1.5			
11	7757		5/1/1900	0.11	5.5			
11	350	B	5/1/1911	0.02	1	11-10378	0.06	3
11	7758		5/1/1911	0.01	0.5			
11	7759		5/1/1911	0.03	1.5			
11	328	B	5/15/1912	0.05	2.5	11-10379	1.88	94
11	7744		5/15/1912	0.02	1			
11	7745		5/15/1912	0.09	4.5			
11	329	B	5/15/1912	0.04	2			
11	7746		5/15/1912	0.02	1			
11	7747		5/15/1912	0.07	3.5			
11	331	B	5/15/1912	0.09	4.5			
11	7750		5/15/1912	0.03	1.5			
11	7751		5/15/1912	0.15	7.5			
11	339	B	5/15/1912	0.1	5			
11	7754		5/15/1912	0.04	2			
11	7755		5/15/1912	0.16	8			
11	351	B	5/15/1912	0.16	8			
11	7760		5/15/1912	0.06	3			
11	7761		5/15/1912	0.26	13			
11	352	B	5/15/1912	0.09	4.5			
11	7762		5/15/1912	0.03	1.5			
11	7763		5/15/1912	0.15	7.5			
11	359	B	5/15/1912	0.09	4.5			
11	7766		5/15/1912	0.03	1.5			
11	7767		5/15/1912	0.15	7.5			
11	337		5/15/1912	0.9	45	11-337	0.90	45
11	325		5/15/1912	0.8	40	11-325	0.80	40
11	353		5/15/1912	0.9	45	11-353	0.90	45

Form No. 222 10/80

RECEIVED
NOV 20 1986
Department of Water Resources
Eastern District Office

Transfer No. 2409

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED
AMENDED

AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant O. Otto Munro or Forrdest M. Munro or Ilia J. Bigelow Dorrian E. Munro or Mary E. Aina Phone 547-4631

Post Office address RFD, Soda Springs, Idaho 83276

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to W.C. Munro (Name)
in case of Utah Power & Light Co. vs The Last Chance Canal Co.
dated in July 14, 1920 in U.S. District Court (Name of court) county of Bear Lake

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Land and water rights were conveyed through Last Will and Testament of Orren Munro.

3. Source of water Eight Mile Creek tributary to Bear River

4. Date of priority (11-0358) 5/1/1889; (11-0359) 5/15/1912

5. Water is used for the following purposes:

11-0358 amount 1.06cfs for Irrigation purposes from 4-20 to 9-30

11-0359 amount 1.00cfs for Irrigation purposes from 4-20 to 9-30

amount _____ for _____ purposes from _____ to _____ (month/day — both dates inclusive)

6. Total amount of water under right: a. 2.06 cubic feet per second &/or
b. _____ acre feet per annum

7. Location of original point of diversion is NW ¼ of SW ¼ of Section 35
Township 9S Range 42E, B.M., in Caribou County
Additional points of diversion, if any Head works for Munro-Ellis ditch

8. Lands irrigated or place of use:

	TWP	RANGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
				NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11-0358	9S	42E	35		X	X					X	X								53
11-0359	9S	42E	35		X	X					X	X								50

Total number of acres to be irrigated 103

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

Name of applicant _____ Phone _____

Post Office address _____

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to John Baird, Charles H. Munro & Orren Munro & (Name) CHas. H. Munro

In case of Utah Power & Light Co. vs The Last Chance Canal Co.

dated in July 14, 1920 in U.S. Dist. Court (Name of court) county of Bear Lake

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Land and water rights were acquired through Last Will and Testament of Orren Munro.

3. Source of water Eight Mile Creek tributary to Bear River

4. Date of priority (11-0338) 5/1/1895; (11-0339) 5/15/1912; (11-0347) 5/1/1900; (11-0350) 5-1-1911; (11-0351) 5/15/1912; (11-0352) 5/15/1912

5. Water is used for the following purposes:

11-0338	amount	1.1 cfs	for	Irrigation	purposes from	4-20	to 9-30
11-0339	amount	1.1cfs	for	Irrigation	purposes from	4-20	to 9-30
11-0347	amount	0.8cfs	for	Irrigation	purposes from	4-20	to 9-30
11-0350	amount	0.2cfs	for	Irrigation	purposes from	4-20	to 9-30
11-0351	amount	1.8cfs	for	Irrigation	purposes from	4-20	to 9-30
11-0352	amount	1.0cfs	for	Irrigation	purposes from	4-20	to 9-30

(cfs, gpm, ac-ft/day — both dates inclusive)

6. Total amount of water under right: a. 6.0 cubic feet per second &/or b. _____ acre feet per annum

7. Location of original point of diversion is SE ¼ of NW ¼ of Section 16 Township 10S Range 42E, B.M., in Bear Lake County

~~Additional points of diversion, if any~~ Headworks for the Simmons Ditch

8. Lands irrigated or place of use:

	TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
				NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11-0338	10S	42E	2							X										
			3				X													55
11-0339	10S	42E	2							X										
			3				X													55
11-0347	10S	42E	2		X	X		X			X									40
11-0350	10S	42E	2														X			10
11-0351	10S	42E	2									X			X		X	X		90
11-0352	10S	42E	35												X	X	X	X		50
																			300	

Total number of acres to be irrigated

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? _____ If yes, describe in Item D, REMARKS.

Name of applicant _____

Post Office address _____

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to W.C. Munro, John Baird (Name)
in case of Utah Power & Light Co. vs The Last Chance Canal Co.
dated in July 14, 1920 In U.S. District Court (Name of court) county of Bear Lake

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Land and water rights were acquired through Last Will & Testament of Orron Munro.

3. Source of water Eight Mile Creek tributary to Bear River

4. Date of priority (11-0327) 5/1/1884; (11-0328) 5/15/1912; (11-0329) 5-15-191
(11-0330) 5-1-1884; (11-0331) 5-15-1912

5. Water is used for the following purposes:

11-0327 amount 0.6cfs for Irrigation purposes from 4-20 to 9-30
11-0328 amount 0.6cfs for Irrigation purposes from 4-20 to 9-30
11-0329 amount 0.5cfs for Irrigation purposes from 4-20 to 9-30
11-0330 1.1cfs " Irrigation 4-20 9-30
11-0331 1.0cfs Irrigation 4-20 9-30
(month/day — both dates inclusive)

6. Total amount of water under right: a. 3.8 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is SE ¼ of SE ¼ of Section 4
Township 10S Range 42E, B.M., in Bear Lake County
~~Additional points of diversion, if any~~ headworks for the Baird-Munro Ditch

8. Lands irrigated or place of use:

	TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
				NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11-0327	9S	42E	35			X					X	X								30
11-0328	9S	42E	35			X					X	X								30
11-0329	9S	42E	35			X														25
11-0330	10S	42E	2						X											
			3	X			X													55
11-0331	10S	42E	2						X											
			3	X			X													50

Total number of acres to be irrigated 190

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? _____ If yes, describe in Item D, REMARKS.

D. DESCRIPTION OF RIGHT OR PORTION THEREOF AFTER THE REQUESTED CHANGE

1. General Information

a. Amount of water to be diverted 11.86 c.f.s. &/or _____ acre feet

b. Description of diverting works Headworks for Simmons Ditch, Baird-Munro Ditch and Munro-Ellis Ditch

c. Describe the reasons for the proposed changes To make all the points of diversion appurtenant to all of the water rights.

2. Change in point of diversion

Point of diversion NW ¼ SW ¼, Section 35 Township 9S

Range 42E, B.M., Caribou County

Additional points SE¼NW¼, Sec. 16; SE¼SE¼, Sec. 4, T. 10S, R. 42E, B.M., Bear Lake County

3. Change in place of use

a. Are there leins, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No _____. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.

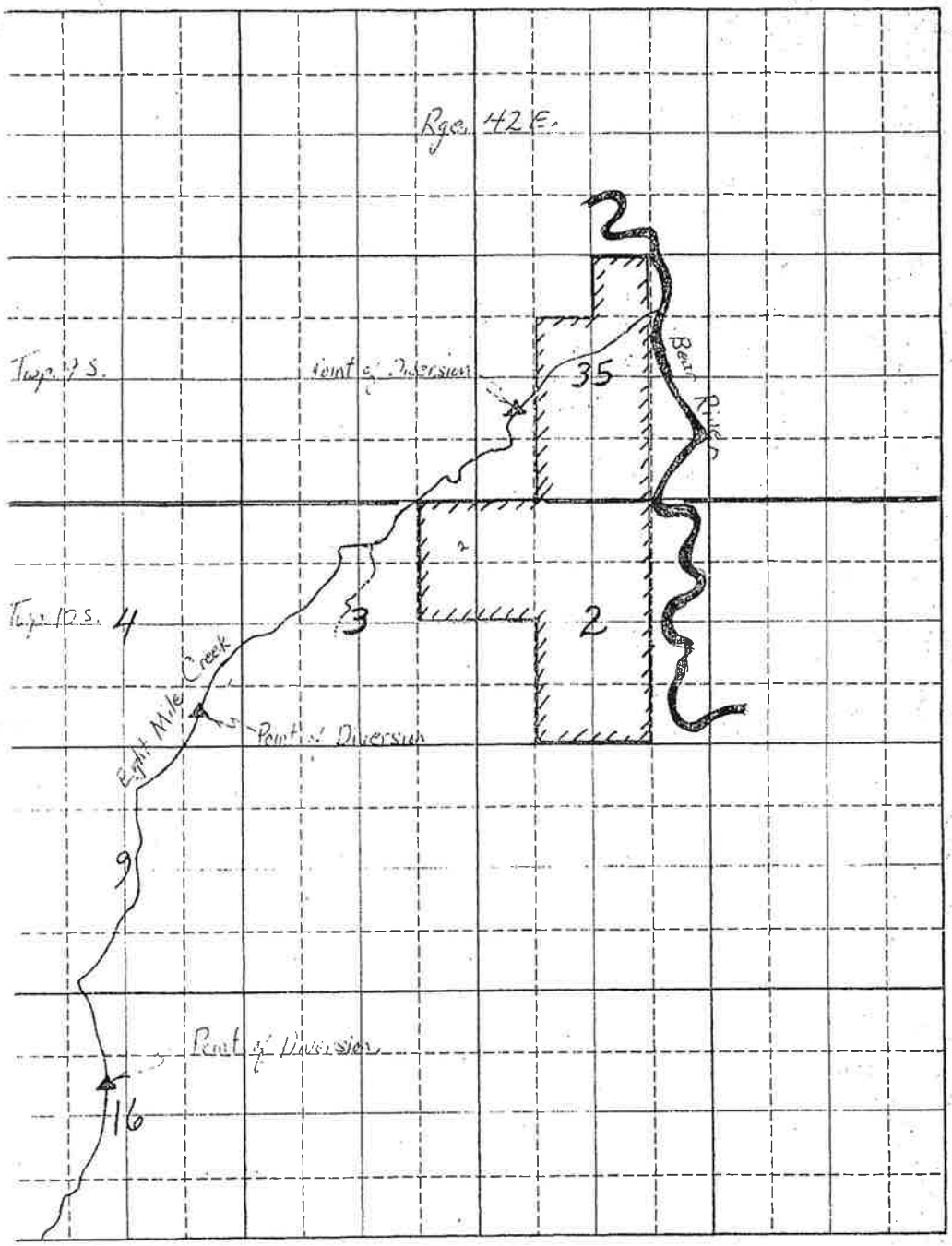
b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

c. Describe the lands or place of use to which the right will be transferred:

	TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
				NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
Dorrian	9S	42E	35		25	33									24		40	37		159
Illa	9S	42E	35								37	14								51
Otto	10S	42E	2		31	37		37	29		36	11								181
Mary	10S	42E	2												12		37	30		79
Forriest	10S	42E	2							38										
			3	32			33													103

Total number of acres to be irrigated 573

3. Draw a map indicating the new point(s) of diversion and/or the land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

D. REMARKS

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 willfull misrepresentations made in this application may result in voiding its approval.

(Signature of Applicant)

Subscribed and sworn to before me this 19 day of Nov., 19 86.

(Notary Public)

My commission expires 12-5-91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 11-00327/00328/00329/00330/00331/00338/00339/00347/00350/00351/00352/00358/00359

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

1. A MEASURING DEVICE OF A TYPE APPROVED BY THIS DEPARTMENT SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS. 2. USE OF WATER UNDER THESE RIGHTS WILL BE REGULATED BY THE WATERMASTER OF STATE WATER DISTRICT NO. 11, BEAR RIVER & TRIBUTARIES.

Witness my hand this 7th day of October, 19 92.

CHIEF, WATER ALLOC. BUREAU

FOR DEPARTMENT USE ONLY

Received by CW Date 11-21-86 Protest filed by

Prelim. check by BH Fee $50 (No Amended Fee Required)

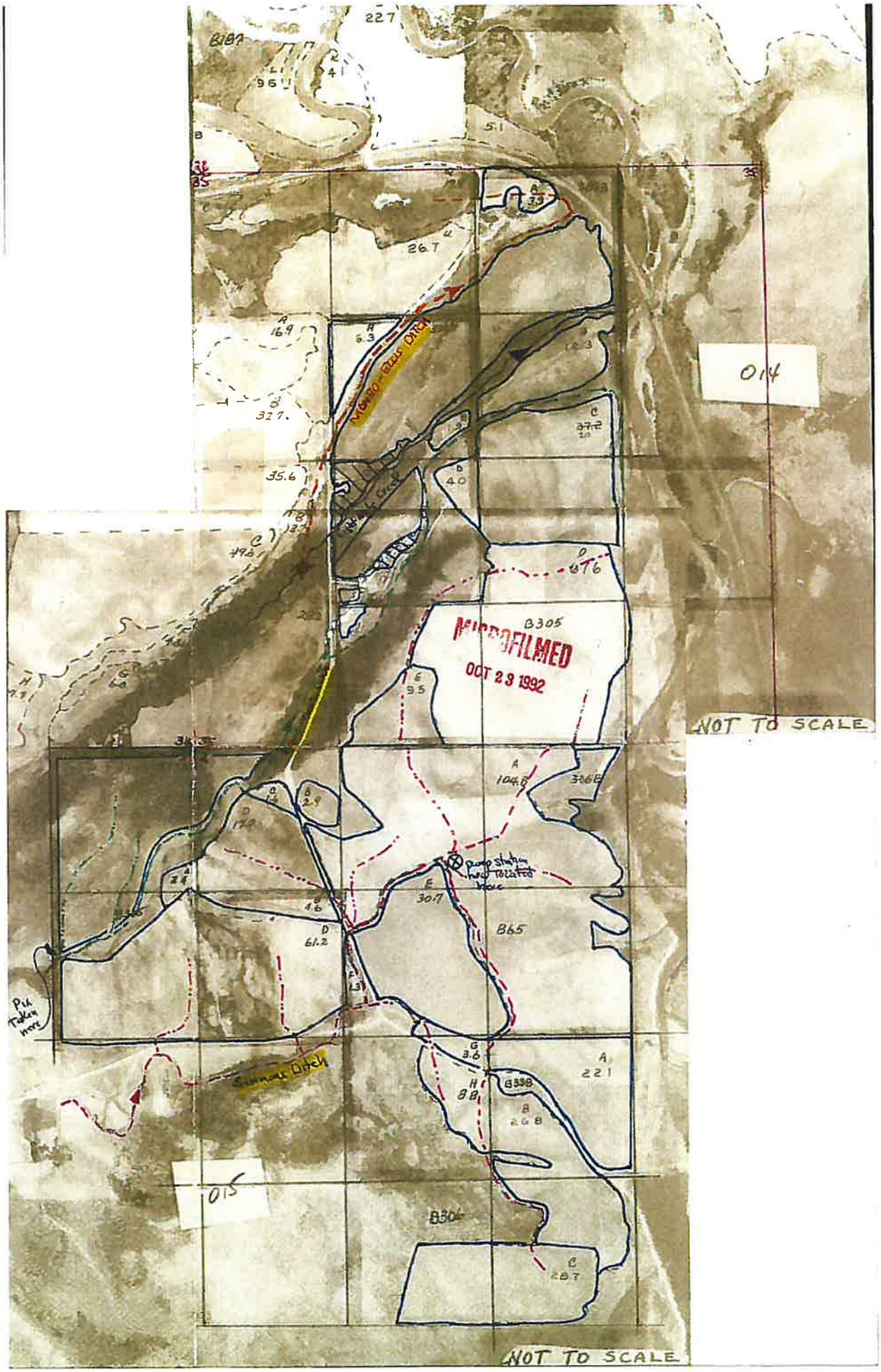
Receipted by KW Date 3/11/80 # 13847

Published in Caribou County Sun + News Examiner Copies of protest forwarded by

Pub. dates Jan 1 + Jan 8, 1987 Hearing held by Date

Watermaster recommendation requested on 1-16-87 Recommended for approval denial

WD #11 rec'd. 1-16-87 by


014
015
MICROFILMED
OCT 23 1992
NOT TO SCALE
NOT TO SCALE
Pump station now located here
Pick Taken more
Summit Ditch
Milton-Ellis Ditch

RECEIVED
AUG 17 1992
Department of Water Resources

368 So. Main
Soda Springs, Id, 83276
14 August 1992

State of Idaho
Dept of Water Resources
1301 North Orchard St.
Statehouse Mail
Boise, Id. 83720-9000

Jim Johnson:

Regarding Trans. #2409:

1) Water Right No. 00332 was ommitted from your list and should be in Dorothy Munro's name, but may still be under Dorrian.

2) The following rights should be updated and appropriately distributed to the current living owners (Otto, Forriest, Dorrian, Illa or Mary):

T11-00327A	James Munro, died 27 Sept. 1935
T11-00328A	W C Munro, Died 14 Oct. 1933
T11-00329A	W C Munro
T11-00330A	John C. Baird, died 19 May 1936
T11-00331A	John O. Baird, same person as above
T11-00338A	John Baird, same person as above
T11-00339A	John Baird
T11-00347A	Charles H. Munro, died 25 Jan. 1944
T11-00350A	Orren Munro, 14 May 1960
T11-00352A	Charles H. Munro
T11-00358A	W C Munro
T11-00359A	W C Munro

James and W C were brothers, Charles H. and Orren were sons of W C (for William Charles). Orren, my Grandfather, owned all the property during my lifetime to which the above water is ascribed. John Baird's mother, Mary A. Baird, originally filed on the Baird rights, her husband, also John Baird having passed away at the end of the 1800's. Upon Orren's death, the property was divided up among his children, Otto, Wilburn, Forriest, Harold (husband to Dorothy), Dorrian, Illa and Mary. Otto bought Wilburn out prior to Wilburn's death and Dorrian is buying Harold and Dorothy out, Harold now being deceased.

Sincerely, Ken Munro, Dist. 11-A Watermaster

WATER RIGHT NUMBER	NAME	CFS
11-00327	Split into 11-00327A-F by Trans. 2409.	
11-00327A	MUNRO , JAMES	0.05
11-00327B	BIGELOW , ILLA J	0.05
11-00327C	MUNRO , DORRIAN E	0.17
11-00327D	MUNRO , O OTTO	0.19
11-00327E	AINA , MARY E	0.08
11-00327F	MUNRO , FORRIEST M	0.11
		.65

RECEIVED
OCT 23 1992

WATER RIGHT NUMBER	NAME	CFS
11-00330	Split into 11-00330A-F by Trans. 2409.	
11-00330A	BAIRD , JOHN C	0.10
11-00330B	BIGELOW , ILLA J	0.10
11-00330C	MUNRO , DORRIAN E	0.31
11-00330D	MUNRO , O OTTO	0.35
11-00330E	AINA , MARY E	0.15
11-00330F	MUNRO , FORRIEST M	0.20

MICROFILMED
OCT 23 1992

IDAHO [redacted] PARTMENT OF WATER RESOURC[redacted]
WATER RIGHTS NUMBER INDEX

WATER RIGHT NUMBER	NAME	CFS
11-00358	Split into 11-00358A-F by Trans. 2409.	
11-00358A	MUNRO , W C	0.09
11-00358B	BIGELOW , ILLA J	0.09
11-00358C	MUNRO , DORRIAN E	0.29
11-00358D	MUNRO , O OTTO	0.33
11-00358E	AINA , MARY E	0.15
11-00358F	MUNRO , FORRIEST M	0.19

RECEIVED
OCT 23 1992

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

WATER RIGHT NUMBER	NAME	CFS
11-00338	Split into 11-00338A-F by Trans. 2409.	
11-00338A	BAIRD , JOHN	0.10
11-00338B	BIGELOW , ILLA J	0.10
11-00338C	MUNRO , DORRIAN E	0.31
11-00338D	MUNRO , O OTTO	0.35
11-00338E	AINA , MARY E	0.15
11-00338F	MUNRO , FORRIEST M	0.20

RECEIVED
OCT 23 1992

IDAHO [redacted]PARTMENT OF WATER RESOURC[redacted]
WATER RIGHTS NUMBER INDEX

WATER RIGHT NUMBER	NAME	CFS
11-00347	Split into 11-00347A-F by Trans. 2409.	
11-00347A	MUNRO , CHARLES H	0.07
11-00347B	BIGELOW , ILLA J	0.07
11-00347C	MUNRO , DORRIAN E	0.22
11-00347D	MUNRO , O OTTO	0.25
11-00347E	AINA , MARY E	0.11
11-00347F	MUNRO , FORRIEST M	0.14

[redacted]
OCT 23 1992

WATER RIGHT NUMBER	NAME	CFS
11-00350	Split into 11-00350A-F by Trans. 2409.	
11-00350A	MUNRO , ORREN	0.02
11-00350B	BIGELOW , ILLA J	0.02
11-00350C	MUNRO , DORRIAN E	0.06
11-00350D	MUNRO , O OTTO	0.06
11-00350E	AINA , MARY E	0.03
11-00350F	MUNRO , FORRIEST M	0.04

RECEIVED
OCT 23 1992

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

WATER RIGHT NUMBER	NAME	CFS
11-00328	Split into 11-00328A-F by Trans. 2409.	
11-00328A	MUNRO , W C	0.05
11-00328B	BIGELOW , ILLA J	0.05
11-00328C	MUNRO , DORRIAN E	0.17
11-00328D	MUNRO , O OTTO	0.19
11-00328E	AINA , MARY E	0.08
11-00328F	MUNRO , FORRIEST M	0.11

OCT 29 1992

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

WATER RIGHT NUMBER	NAME	CFS
11-00329	Split into 11-00329A-F by Trans. 2409.	
11-00329A	MUNRO , W C	0.04
11-00329B	BIGELOW , ILLA J	0.04
11-00329C	MUNRO , DORRIAN E	0.14
11-00329D	MUNRO , O OTTO	0.16
11-00329E	AINA , MARY E	0.07
11-00329F	MUNRO , FORRIEST M	0.09

MICROFILMED
OCT 23 1992

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

WATER RIGHT NUMBER	NAME	CFS
11-00331	Split into 11-00331A-F by Trans. 2409.	
11-00331A	BAIRD , JOHN O	0.09
11-00331B	BIGELOW , ILLA J	0.09
11-00331C	MUNRO , DORRIAN E	0.28
11-00331D	MUNRO , O OTTO	0.32
11-00331E	AINA , MARY E	0.14
11-00331F	MUNRO , FORRIEST	0.18

MICROFILMED
OCT 23 1992

WATER RIGHT NUMBER	NAME	CFS
11-00339	Split into 11-00339A-F by Trans. 2409.	
11-00339A	BAIRD , JOHN	0.10
11-00339B	BIGELOW , ILLA J	0.10
11-00339C	MUNRO , DORRIAN E	0.31
11-00339D	MUNRO , O OTTO	0.35
11-00339F	MUNRO , FORRIEST M	0.20

OCT 23 1992

WATER RIGHT NUMBER	NAME	CFS
11-00351	Split into 11-00351A-F by Trans. 2409.	
11-00351A	MUNRO , ORREN	0.16
11-00351B	BIGELOW , ILLA J	0.16
11-00351C	MUNRO , DORRIAN E	0.50
11-00351D	MUNRO , O OTTO	0.57
11-00351E	AINA , MARY E	0.25
11-00351F	MUNRO , FORRIEST M	0.32

RECEIVED
OCT 23 1992

WATER RIGHT NUMBER	NAME	CFS
11-00352	Split into 11-00352A-F by Trans. 2409.	
11-00352A	MUNRO , CHARLES H	0.09
11-00352B	BIGELOW , ILLA J	0.09
11-00352C	MUNRO , DORRIAN E	0.28
11-00352D	MUNRO , O OTTO	0.32
11-00352E	AINA , MARY E	0.14
11-00352F	MUNRO , FORRIEST M	0.18

OCT 23 1992

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

WATER RIGHT NUMBER	NAME	CFS
11-00359	Split into 11-00359A-F by Trans. 2409.	
11-00359A	MUNRO , W C	0.09
11-00359B	BIGELOW , ILLA J	0.09
11-00359C	MUNRO , DORRIAN E	0.28
11-00359D	MUNRO , O OTTO	0.32
11-00359E	AINA , MARY E	0.14
11-00359F	MUNRO , FORRIEST M	0.18

RECEIVED
OCT 23 1992