



WATER-RIGHT DOCKET

Hagerman Fossil Beds National Monument

Docket No: 2

GISLER DOMESTIC WELL

State Water Rights Documentation

08-02-2007: Letter to NPS from IDWR regarding Water Right #36-11068



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

August 02, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

CHARLES W PETTEE
US NATIONAL PARK SERVICE
1201 OAKRIDGE DR STE 250
FORT COLLINS CO 80525

RE: Water Right #36-11068

Dear Mr. Pettee,

As per our phone call on August 1, 2007, I have added the Fort Collins address to this water right. All future correspondence will be sent to both your office and the one in Hagerman.

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

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

Sincerely,

Carrie Hahn
Clerk

Enclosure

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08/02/2007

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-11068

WATER RIGHT NUMBER: 36-11068

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NATIONAL PARK SERVICE PO BOX 570 HAGERMAN, ID 83332 (208) 837-4793
Current Owner	US NATIONAL PARK SERVICE 1201 OAKRIDGE DR STE 250 FORT COLLINS, CO 80525 (970)225-3505

Priority Date: 07/01/1920

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4NE1/4	Sec. 28, Twp 07S, Rge 13E, B.M.
GOODING County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S	13E	28	X																

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. RP 07S13E280000.

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 36-11068

Remarks:

Comments:

1. DS1-PROD 10/14/1996 D&S 1 HOME UPDATE

Comment: USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME". CONDITION CODES N11 AND N13
ADDED IF NOT ALREADY PART OF RECORD. ANY GEN REMARK CHANGED TO AN EXP REMARK.

Dates and Other Information:

Licensed Date:
Decreed Date: 11/22/1996
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

July 26, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

CHARLES W PETTEE
US NATIONAL PARK SERVICE
1201 OAKRIDGE DR STE 250
FORT COLLINS CO 80525

RE: Water Right No. #36-11068

Dear Mr. Pettee,

The Department has received the *Notice of Change of Water Right Ownership* you recently submitted referenced above. This record is currently listed in the National Park Service's name with a Hagerman, Idaho address from an ownership change submitted in August of 2006. (Please find the enclosed copy of the water right and acknowledgement letter noting the owner). I have enclosed a *Change of Address Form* if you need to receive correspondence on this right to the Colorado office instead of the Hagerman office. If needed, please submit this form to the Department.

No fees are due. I am herein returning your check #361 for twenty-five dollars (\$25.00). Should you have any questions please call me at (208) 736-3033.

Sincerely,

Carrie Hahn
Clerk

Enc.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

[] Water Right Number(s): _____

[] Name(s): _____

[] Old Mailing Address: _____

[] New Mailing Address: _____

Telephone Number: () _____ - _____

[] Signature(s) of Owner(s) _____

(Include your title if on behalf of company or organization)

Date: _____

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07/26/2007

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-11068

WATER RIGHT NUMBER: 36-11068

<u>Owner Type</u>	<u>Name and Address</u>
Previous Owner	HARRY R GISLER 755 E 2800 S HAGERMAN, ID 83332 (208)837-4894
Current Owner	NATIONAL PARK SERVICE PO BOX 570 HAGERMAN, ID 83332 (208) 837-4793

Priority Date: 07/01/1920

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01	12/31	0.040 CFS	
	<u>Total Diversion:</u>		0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE 1/4 NE 1/4 NE 1/4	Sec. 28, Twp 07S, Rge 13E, B.M.
GOODING County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE	NW	SW	SE	Totals
07S	13E	28	X				

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. RP 07S13E280000.

Remarks:

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07/26/2007

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-11068

Comments:

1. DS1-PROD 10/14/1996 D&S 1 HOME UPDATE

Comment: USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME". CONDITION CODES N11 AND N13
ADDED IF NOT ALREADY PART OF RECORD. ANY GEN REMARK CHANGED TO AN EXP REMARK.

Dates and Other Information:

Licensed Date:

Decreed Date: 11/22/1996

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number: 39576

Judicial District: FIFTH

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

August 10, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

NATIONAL PARK SERVICE
PO BOX 570
HAGERMAN ID 83332

RE: Change of Ownership for Water Right No. 36-11068

Dear Water Right Holder(s):

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

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

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

Sincerely,

for Jeff Peppersack, Manager
Water Right Permits Section

JP:cp

Enclosure

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

1996 NOV 22 AM 9:23

Water Right 36-11068

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME & ADDRESS: HARRY R GISLER
RT 1
755 E 2800 S
HAGERMAN ID 83332

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 07/01/1920

POINT OF DIVERSION: T07S R13E S28

NENENE

Within GOODING County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE
DOMESTIC 1 HOME

PERIOD OF USE
01-01 12-31

QUANTITY
0.04 CFS

PLACE OF USE: DOMESTIC Within GOODING County
T07S R13E S28 NENE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

DATED: NOV 22 1996

Daniel C. Hurlbutt

DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

State of Idaho

County of Twin Falls ss.

I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.

ROBERT S. HOOT

CLERK OF THE DISTRICT COURT

DATED: NOV 22 1996

Daniel C. Hurlbutt

DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-11068

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NOV-5-1996



National Park Service

Columbia Cascades
Land Resources Program Center
168 South Jackson Street
Seattle, WA 98104-2853

Fax No. 206-447-4246

*****FAX Transmittal*****

To: Paul Christensen

Fax: 470-225-4965 Telephone: 3534

From: Wayne Hill Telephone: 206/220-4091

Subject: HAFO - Water Right

Date: 3/22/06 Total Pages w/cover: 5

Message: Deed you requested
East side of Snake R. at
Hagerman, note pg. 2 of Deed
water right clause

For further information call: CC Land Resources Program Center 206/220-4065

173625

After Recording, Return to:
U.S. Department of the Interior
National Park Service - CCLRPC
909 First Avenue - 5th Floor
Seattle, WA 98104-1060

STATE OF IDAHO COUNTY OF GOODING
Filed for record at the request of GOODING TITLE & ESCROW

016 min. past 12 o'clock P. m. this 5th
of January, 19 98 9:00
by Tenny Watson Deputy

STATUTORY WARRANTY DEED

The Grantor, Harry R. Gisler, a married man, as his separate property, for and in consideration of the sum of EIGHT HUNDRED SIXTY-EIGHT THOUSAND AND NO/100 DOLLARS (\$868,000.00), to him paid, receipt of which is hereby acknowledged, does hereby convey and warrant to the UNITED STATES OF AMERICA and its assigns, the following described property located in the County of Gooding, State of Idaho to wit:

All that certain tract of land situated in Section 28, Township 7 South, Range 13 East, Boise Meridian, Gooding County, State of Idaho, more particularly described as follows:

All of Government Lot 10 and Government Lot 11 as shown on the Dependent Resurvey and Subdivision Plat of Section 28, Township 7 South, Range 13 East of the Boise Meridian, State of Idaho, dated August 1, 1997, and filed in the official records of the Bureau of Land Management, Boise, Idaho, more particularly described as follows:

Commencing at the Northeast corner of said Section 28 thence;
South 0°04'00" West, a distance of 444.84 feet, to a point on the Easterly line of said Section 28, and said point being the Point of Beginning of the property herein described, thence, along the southerly and westerly sideline margins of an existing, unsurfaced private road for the following nine (9) courses,
North 75°01'00" West, a distance of 304.92 feet, thence;
North 69°23'00" West, a distance of 321.42 feet, thence;
North 79°13'00" West, a distance of 184.14 feet, thence;
North 65°11'00" West, a distance of 182.82 feet, thence;
North 84°05'00" West, a distance of 91.74 feet, thence;
South 78°42'00" West, a distance of 100.32 feet, thence;
North 85°03'00" West, a distance of 75.24 feet, thence;
North 04°38'00" West, a distance of 56.10 feet, thence;
North 09°46'00" East, a distance of 80.52 feet to a point on the Northerly line of said Section 28, thence;

Hagerman Fossil Beds National Monument
Tract No. 101-04

South 89°31'00" West, along said northerly line of Section 28, a distance of 601.59 feet, to a point thence;
South 13°35'00" West, a distance of 91.08 feet, thence;
South 06°30'00" East, a distance of 104.28 feet, thence;
South 05°02'00" East, a distance of 255.75 feet, thence;
South 75°43'00" West, a distance of 112.86 feet, thence;
South 81°17'00" West, a distance of 79.86 feet, thence;
South 11°19'00" West, a distance of 109.56 feet, thence;
South 55°22'00" West, a distance of 167.64 feet, thence;
South 32°33'00" West, a distance of 159.72 feet, thence;
South 29°21'00" West, a distance of 112.86 feet, thence;
South 01°29'00" West, a distance of 165.66 feet, thence;
South 18°20'00" East, a distance of 90.42 feet, thence;
South 08°19'00" West, a distance of 58.41 feet, thence;
South 10°49'00" West, a distance of 48.84 feet, thence;
South 47°30'00" East, a distance of 25.74 feet, thence;
South 05°14'00" West, a distance of 25.74 feet to a point, said point being located on the East and West center line of the Northeast Quarter (NE1/4) of said Section 28, thence;
North 89°37'00" East, along said East and West center line of the Northeast Quarter (NE1/4) of Section 28, a distance of 394.482, thence;
North 00°07'00" East, a distance of 19.998 feet, thence;
North 89°37'00" East, a distance of 1,856.778 feet to a point on the easterly line of said Section 28, thence;
North 00°04'00" East, along said easterly line of Section 28, a distance of 858.00 feet to the Point of Beginning and there ending.

The land hereinabove described contains 54.06 acres, more or less.

TOGETHER WITH THE Grantor's right, title and interest in and to water rights appurtenant to this property.

FURTHERMORE TOGETHER WITH a non-exclusive road easement for administrative purposes for ingress and egress over and across that road referenced in the above narrative description.

The land is conveyed subject to existing easements of record for public roads and highways, public utilities, railroads and pipelines.

Hagerman Fossil Beds National Monument
Tract No. 101-04

TO HAVE AND TO HOLD the above granted and described premises, together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in any way appertaining, unto said UNITED STATES OF AMERICA and its assigns forever.

The Grantor further remises, releases, and forever quitclaims to the UNITED STATES OF AMERICA, and its assigns, all right, title and interest which the Grantor may have in the banks, beds and waters of any streams bordering the said land conveyed and also all interest in any alleys, roads, streets, ways, strips, gores or railroad rights-of-way abutting or adjoining said land and in any means of ingress or egress appurtenant thereto.

The land is being acquired by the Department of Interior, National Park Service.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand this 29 day of Dec, 1997.

HARRY R. GISLER
HARRY R. GISLER

ACKNOWLEDGMENT

STATE OF Arizona }
COUNTY OF Maricopa } ss

I certify that I know or have satisfactory evidence that HARRY R. GISLER, is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in this instrument.

Given Under My Hand and Official Seal this 29 day of Dec, 1997.

Donna J. Bobier
Notary Public in and for the
State of Arizona
residing at SLON LAKES.

My Commission Expires:

Hagerman Fossil Beds National Monument
Tract 101-04



**SEC. 206. HAGERMAN FOSSIL BEDS NATIONAL MONUMENT
BOUNDARY ADJUSTMENT.**

Section 302 of the Arizona-Idaho Conservation Act of 1988
(102 Stat. 4576) is amended by adding the following new subsection
after subsection (c):

16 USC 431 note.

16 USC 431 note.

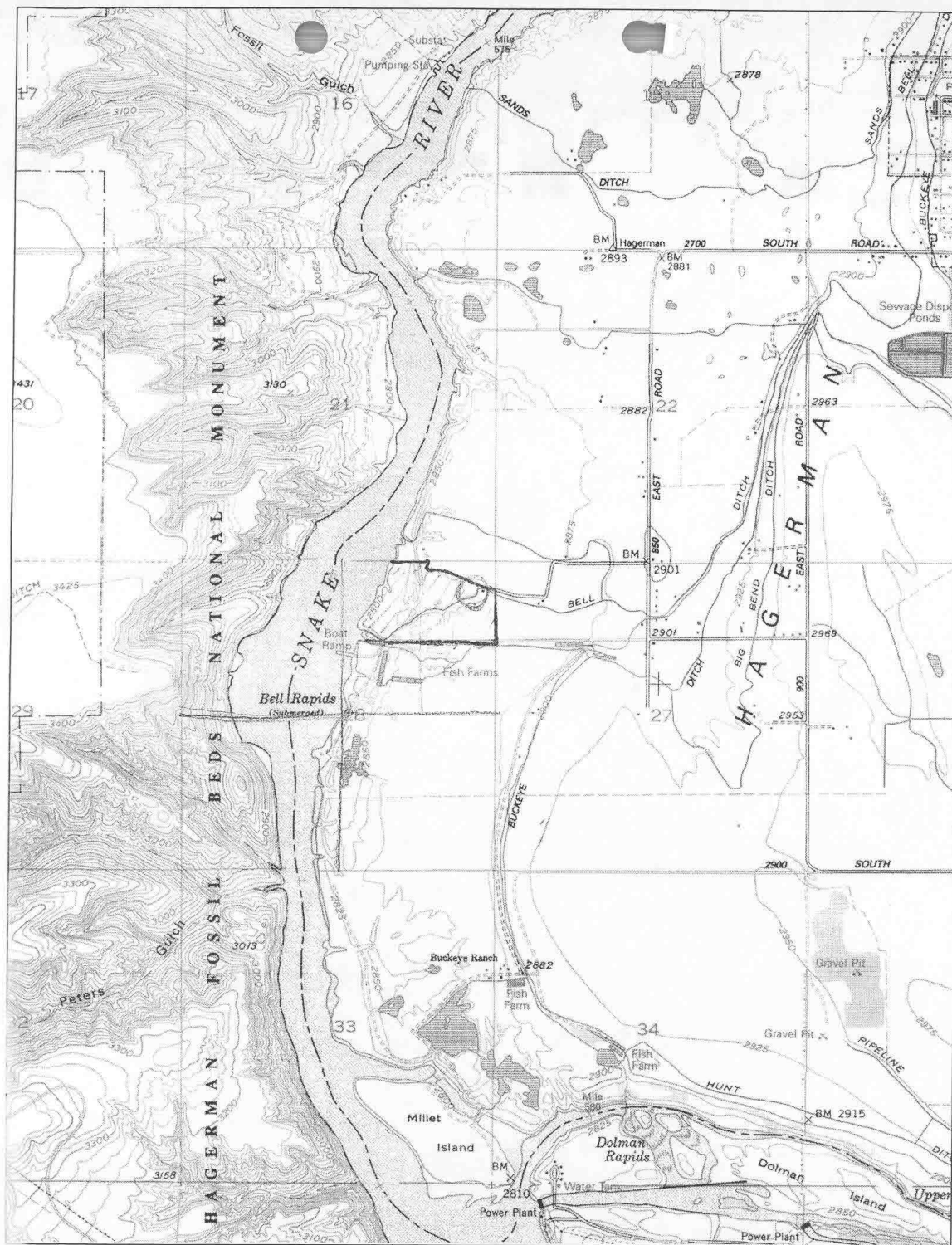
16 USC 407m-8.

16 USC 460s-14.

110 STAT. 4107 PUBLIC LAW 104-333—NOV. 12, 1996

“(d) To further the purposes of the monument, the Secretary
is also authorized to acquire from willing sellers only, by donation,
purchase with donated or appropriated funds, or exchange not
to exceed 65 acres outside the boundary depicted on the map
referred to in section 301 and develop and operate thereon research,
information, interpretive, and administrative facilities. Lands
acquired and facilities developed pursuant to this subsection shall
be administered by the Secretary as part of the monument. The
boundary of the monument shall be modified to include the lands
added under this subsection as a non-contiguous parcel.”.





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approximately 1300 to 1850 A.D., the climate of this region was believed to be wetter and cooler.

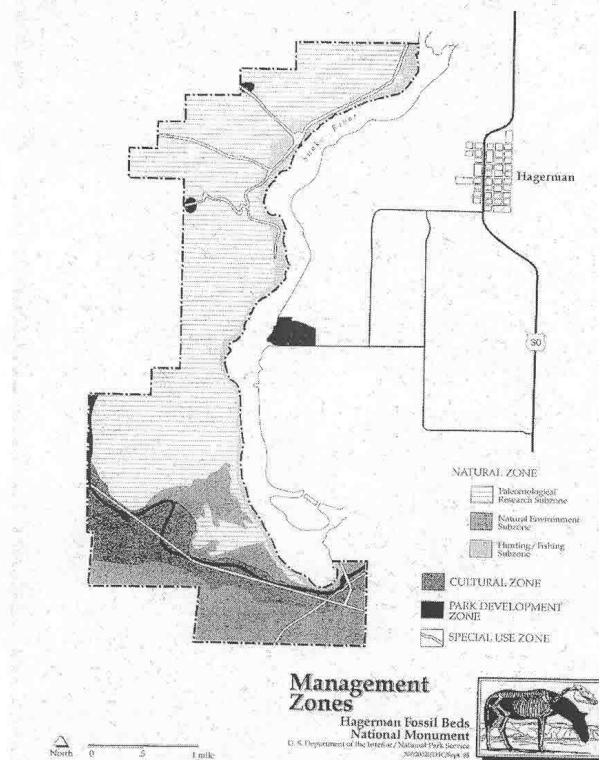


Figure 2. Management Zones.

Geographic Setting

As shown in Figure 1, the Monument is located along the west bank of the Snake River. A broad, flat agricultural area known as the Hagerman Valley lies east of the Snake River. Sand and gravel deposits and thin, poorly developed soils cover basalt flows in the valley. Geologic and geomorphic features within the valley were created or influenced by the Bonneville Flood, which produced scoured surfaces of basalt, known as scablands, and enormous sand and gravel bars (Maley, 1987).

Docket Information

Number of Documents in Docket 17

Documents Dated from 11/12/1996 to 8/2/2007

Docket Compiled: 4/12/2011