



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

Page 1

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

SourceTributary

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				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
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

SourceTributary

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.

Remarks:

Page 2

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 FALLSIn 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., IDAHONAME & 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

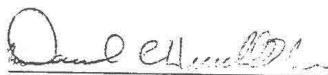
Within GOODING County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE
DOMESTIC 1 HOMEPERIOD OF USE
01-01 12-31QUANTITY
0.04 CFSPLACE OF USE: DOMESTIC
T07S R13E S28Within GOODING County
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
PRESIDING JUDGE
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

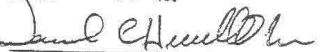
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment 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.BY ROBERT S. HOYT
CLERK OF THE DISTRICT COURTPARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-11068

DATED: NOV 22 1996

DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin AdjudicationPAGE 1
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: 470-225-9965 Telephone: 3534

From: Wayne Hill Telephone: 206/220-4091

Subject: HAF0 - 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

06 min. past 12 o'clock P.m. this 5th
 of January, 19 98 9:00
Temmy 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 SUN 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.”.

To: Fran Gruchy/HAFO/NPS@NPS, Jeff Hughes/FTCOLLINS/NPS@NPS,
Neil King/HAFO/NPS@NPS
cc: Wayne Hill/Seattle/NPS@NPS
Subject: Change in water right ownership for HAFO domestic well

Folks:

Attached is a copy of the application materials I sent to the Idaho Department of Water Resources to get our domestic water right properly recorded as belonging to the U.S. I will let you know when I get confirmation of the ownership. Thanks for everyone's help.



Change in water right ownership application HAFO 07-24-2006.pdf

Mike
Mike Wissenbach
Environmental Protection Specialist
National Park Service
P.O. Box 570
221 North State Street
Hagerman, Idaho 83332-0570
Phone: 208-837-4793 Ext. 5232
Fax: 208-837-4857
Email: mike_wissenbach@nps.gov

Form 42-248/42-1409(e) July, 2009

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
36-11068					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) HARRY R. GISLER
4. New Owner/Claimant(s) 755 E 2800 S HAGERMAN, ID 83332
 Name, Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address UNITED STATES OF AMERICA
- City, State and ZIP Code NATIONAL PARK SERVICE; P.O. BOX 570
HAGERMAN, ID 83332
- New Telephone Number 208-837-4793
5. Date you acquired the property 12/29/1997

Form 42-240/42-1409(6) July, 2000

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable) *Chief of Administration*

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____



United States Department of the Interior

NATIONAL PARK SERVICE
Hagerman Fossil Beds National Monument
Minidoka Internment National Monument
221 North State Street
P.O. Box 570
Hagerman, Idaho 83332-0570

REPLY REFER TO:

L5415

July 21, 2006

Jeanie Robertson
IDWR Southern Region
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

Subject: Water Right No. 36-11068, Change of Ownership

Dear Ms. Robertson:

While reviewing ownership documents recently, Hagerman Fossil Beds National Monument discovered that the domestic water right appurtenant to property acquired by the National Park Service in 1998 was still registered in the previous owner's name. To correct this oversight, we have completed the enclosed Notice of Change in Water Right Ownership. Also enclosed are copies of the deed with legal description of the property, partial decree for the water right, map showing the location of the property and well, and a check for \$25 to cover the filing fee.

We appreciate the Department's prompt attention to this change in ownership, as we will soon be constructing a new well to replace the existing well supplying this water. If you need any additional information, please contact me at 208-837-4793 ext. 5232.

Sincerely,

Michael J. Wissenbach

Environmental Protection Specialist

Enclosures (5)

cc: Fran Gruchy, Hagerman Fossil Beds National Monument
Wayne Hill, National Park Service, Seattle, WA
Jeffrey Hughes, National Park Service, Fort Collins, CO

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 1996 NOV 22 AM 9:23
I.R.C.P. 54(b) FOR
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

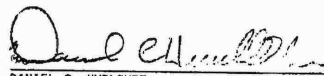
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE DOMESTIC 1 HOME	PERIOD OF USE 01-01 12-31	QUANTITY 0.04 CFS
-------------------------------	-----------------------------------	------------------------------	----------------------

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 1998



DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

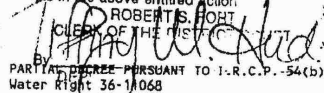
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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.

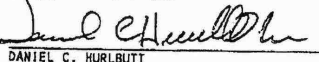
I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.

ROBERT S. FORT
CLERK OF THE DISTRICT COURT

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



DATED: NOV 22 1998


DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

PAGE 1
NOV-5-1996

Jun 05 06 09:15a

CCSO LANDS

206-220-4077

P. 1

173625

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of **GOODING TITLE & ESCROW**

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

016 min. past 12 o'clock P.m. this 5th
 of January 19 98 900
 Penny 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;

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

of pages = 3

To	From
Mike Wissenbach	Wayne Hill
Dept./Agency	Phone #
NPS-HAFO x5232	206/220-4091
Fax #	Fax #
208-837-4857	
NSN 7540-01-317-7308	5099 101
GENERAL SERVICES ADMINISTRATION	

Hagerman Fossil Beds National Monument
 Tract No. 101-04

Jun 05 06 09:15a

CCSO LANDS

206-220-4077

p. 2

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

Jun 05 06 09:15a

CCSO LANDS

206-220-4077

p. 3

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 SUN LAKES.

My Commission Expires:

Hagerman Fossil Beds National Monument
Tract 101-04





Neil King
06/12/2006 08:48 AM
MDT

To: Jeff Hughes/FTCOLLINS/NPS@NPS
cc: Chuck Pettee/FTCOLLINS/NPS@NPS, Dan
McGlothlin/FTCOLLINS/NPS@NPS, Mike
Wissenbach/MIIN/NPS@NPS, Wayne Hill/Seattle/NPS@NPS, Rick
Subject: Re: Surface water right acquired from Gisler - leasing water? []

Jeff -

No anxiety, just trying to clarify,

Thanx, Neil

Neil King
Superintendent
Hagerman Fossil Beds National Monument
Minidoka Internment National Monument
221 N State Street
P.O. Box 570
Hagerman, ID 83332
208 837-4793 FAX 837-4857
Jeff Hughes



Jeff Hughes
06/12/2006 08:03 AM
MDT

To: Neil King/HAFO/NPS@NPS
cc: Mike Wissenbach/MIIN/NPS@NPS, Chuck
Pettee/FTCOLLINS/NPS@NPS, Dan
McGlothlin/FTCOLLINS/NPS@NPS
Subject: Re: Surface water right acquired from Gisler - leasing water? []

Neil,

I did not mean to imply that the surface water irrigation right was not in the name of the US. While talking with Mike about the domestic right not being in our name, he mentioned the irrigation right. We did not discuss the ownership of the irrigation right. In writing the email to you about any sort of agreement you may have to lease the irrigation water right to provide GRKO as an example, I just mentioned the making sure the surface right is in our name since the domestic well had not been transferred. For the information you have provided me below and the subsequent email from Mike, it is obvious that the surface water right for irrigation is in our name.

Sorry to have caused you any anxiety.

Jeff

Jeffrey C. Hughes, Hydrologist
National Park Service, Water Resources Division
1201 Oakridge Dr. Suite 250
Fort Collins, CO 80525
(970) 225-3527 (direct)
(970) 225-9965 (fax)
jeff_hughes@nps.gov

Neil King



Neil King
06/09/2006 03:27 PM

To: Jeff Hughes/FTCOLLINS/NPS@NPS
cc: Dan McGlothlin/FTCOLLINS/NPS@NPS, Mike



Wissenbach/MIIN/NPS@NPS, Wayne Hill/Seattle/NPS@NPS, Rick
Wagner/Seattle/NPS@NPS
Subject: Re: Surface water right acquired from Gisler - leasing water? 

Jeff -

It was my understanding that the irrigation water rights for the Gisler property have been conveyed to NPS. If not then we absolutely need to do so. I am copying Wayne Hill and Rick Wagner, Seattle LANDS office to see if they have any knowledge of the status. It is shown as NPS ownership on the Bell Rapids Ditch legal instruments and Snake River Adjudication gibberish that we have received for the past several years. We also pay annual fees to the IDWR and the Bell Rapids Ditch Association, as well as M&O costs.

As for continuing use, all we have in place is a letter to the file to allow the original use to continue on our behalf, as we have no legal means to allow farming to occur within the NPS boundary, under NPS policies. In my inquiry to the ID Dept Water Resources, I was told that as long as *the use of the water was continued, and not abandoned*, then the right to the water was insured. The state of Idaho has no particular interest in what type of arrangement may exist between the owner (NPS) and the user (farmer). What they do care about is that the water right is applied under *best and highest use* practices for the intended purpose, in this case, agriculture.

I am not surprised that the domestic well was not conveyed, as my understanding in Idaho a domestic well does not *require* an ownership right. I thought I recall that you folks in Fort Collins were involved in conveying these water rights, so I am surprised by this on the irrigation water.

Let's see what Wayne or Rick has to say and then proceed accordingly.

Later, Neil

Neil King
Superintendent
Hagerman Fossil Beds National Monument
Minidoka Internment National Monument
221 N State Street
P.O. Box 570
Hagerman, ID 83332
208 837-4793 FAX 837-4857
Jeff Hughes



Jeff Hughes
06/09/2006 02:45 PM
MDT

To: Neil King/HAFO/NPS@NPS
cc: Dan McGlothlin/FTCOLLINS/NPS@NPS, Mike
Wissenbach/MIIN/NPS@NPS
Subject: Surface water right acquired from Gisler - leasing water?

Neil,

I was speaking to Mike Wissenbach about the need to file change of ownership forms for the well you are going to move for the Archeological collections complex. During our conversation he mentioned that HAFO also acquired a surface water right for irrigation. Do we need to file for a change in ownership for this right too?

Also, Mike said that you are currently leasing the use of this right and some property to someone (a relative of Gisler?). Grant-Kohrs Ranch is interested in doing something very similar and has asked us for assistance in formulating an agreement for leasing water and the land. Could you send us any documentation that we could show GRKO that would help them?

Thanks! Please contact me if you have any questions.

Jeff

Jeffrey C. Hughes, Hydrologist
National Park Service, Water Resources Division
1201 Oakridge Dr. Suite 250
Fort Collins, CO 80525
(970) 225-3527 (direct)
(970) 225-9965 (fax)
jeff_hughes@nps.gov

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Later, Neil

Neil King
Superintendent
Hagerman Fossil Beds National Monument
Minidoka Internment National Monument
221 N State Street
P.O. Box 570
Hagerman, ID 83332
208 837-4793 FAX 837-4857
Jeff Hughes



Jeff Hughes

06/09/2006 02:45 PM
MDT

To: Neil King/HAFO/NPS@NPS
cc: Dan McGlothlin/FTCOLLINS/NPS@NPS, Mike
Wissenbach/MIIN/NPS@NPS
Subject: Surface water right acquired from Gisler - leasing water?

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Thanks! Please contact me if you have any questions.

Jeff

Jeffrey C. Hughes, Hydrologist
National Park Service, Water Resources Division
1201 Oakridge Dr. Suite 250
Fort Collins, CO 80525
(970) 225-3527 (direct)
(970) 225-9965 (fax)
jeff_hughes@nps.gov



Jeff Hughes
06/09/2006 02:33 PM
MDT

To: Mike Wissenbach/MIIN/NPS@NPS
cc: Chuck Pettee/FTCOLLINS/NPS@NPS, Dan
McGlothlin/FTCOLLINS/NPS@NPS
Subject: Fw: Water right for HAFO drinking water well

Mike,

Good to talk to you today. Below is my contact information. Please send us a copy of what you submit to the State. Also, if you find more purchase information concerning this water right, we would appreciate a copy of that too.

I'll contact Superintendent Neil King to find out more about the leasing agreement you have for the Gisler surface water irrigation right.

Thanks! Jeff

Jeffrey C. Hughes, Hydrologist
National Park Service, Water Resources Division
1201 Oakridge Dr. Suite 250
Fort Collins, CO 80525
(970) 225-3527 (direct)
(970) 225-9965 (fax)
jeff_hughes@nps.gov

----- Forwarded by Jeff Hughes/FTCOLLINS/NPS on 06/09/2006 02:30 PM -----



Chuck Pettee
06/07/2006 09:16 AM
EDT

To: Jeff Hughes/FTCOLLINS/NPS@NPS
cc: Dan McGlothlin/FTCOLLINS/NPS@NPS
Subject: Fw: Water right for HAFO drinking water well

Jeff - can you respond to Mike and help him with the paperwork?

Chuck Pettee, Water Rights Branch Chief
National Park Service, Water Resources Division
voice - (970) 225-3505, fax - (970) 225-9965
email - chuck_pettee@nps.gov

----- Forwarded by Chuck Pettee/FTCOLLINS/NPS on 06/07/2006 07:14 AM -----



Mike Wissenbach
06/06/2006 06:19 PM
MDT

To: Wayne Hill/Seattle/NPS@NPS, Chuck Pettee/FTCOLLINS/NPS@NPS
cc: Neil King/HAFO/NPS@NPS, Fran Gruchy/HAFO/NPS@NPS
Subject: Re: Water right for HAFO drinking water well

Wayne and Chuck:

I have made an interesting discovery through my contacts with the Idaho Department of Water Resources (IDWR). I have been contacting the state to identify environmental and other requirements that Hagerman Fossil Beds will need to meet in developing a new well and water system for our fossil collections complex. (Wayne has helped me search for a record of a water right and referred me to you, Chuck. See the attached emails.)

I discovered that there is a decreed water right for the existing domestic well serving the complex. However, the water right, as recorded by the State of Idaho, is still in the previous owner's name (Harry W. Gisler). It was never transferred to the NPS! Domestic wells in Idaho do not require a water right, and few actually have them. But, as this water right dates from 1920, it could be very valuable should there be serious curtailment of ground water pumping. In fact, this has just been mentioned as a possibility in an Idaho court ruling last week. The good news is that it should be a relatively straightforward application to

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

06/06/2006

WATER RIGHT NO. 36-11068

Owner Type **Name and Address**
Current Owner HARRY R GISLER
755 E 2800 S
HAGERMAN, ID 83332
(208)837-4894

Priority Date: 07/01/1920
Basis: Decreed
Status: Active

Source **Tributary**
GROUND WATER

Beneficial Use **From** **To** **Diversion Rate** **Volume**
DOMESTIC 1/01 12/31 0.04 CFS
Total Diversion 0.04 CFS

Location of Point(s) of Diversion:

GROUND WATER NENENE Sec. 28 Township 07S Range 13E GOODING County

Place(s) of use:

Place of Use Legal Description: DOMESTIC GOODING County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07S	13E	28		NENE										

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.

Dates:

Licensed Date:

Decreed Date: 11/22/1996

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

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 *18 gpm*

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. FORT
CLERK OF THE DISTRICT COURT
BY *Robert S. Fort*
PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-11068

DATED: NOV 22 1996

Daniel C. Hurlbutt
DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

PAGE 1
NOV-5-1996

Form 42-248(42-1409(6)) July, 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) _____

4. New Owner/Claimant(s) _____
 Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address _____
- City, State and ZIP Code _____
- New Telephone Number () _____
5. Date you acquired the property _____

Form 42-248(42-1499-6) July, 2000

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

Form 42-248/42-1409(6) July, 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**INSTRUCTIONS FOR FILING
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

Effective July 1, 2000, the Idaho Legislature amended Section 42-248, Idaho Code to include a provision for fees to file a Notice of Change in Water Right Ownership. Please see details at Item 8, below, to determine if fees are required for your filing.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, **the seller should be able to provide you with the water right or adjudication claim number(s).** Please enter the number(s) at **Item 1**. Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. **Do not** obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s) at **Item 3**.
4. The name, mailing address, and telephone numbers of the new owner/claimant(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector "and", "or", or "and/or." If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign; however, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.

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6. You may have purchased only a portion of the water right(s) held by the seller. If this change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. For each water right requiring a split between owners, fill in the appropriate spaces in the box(es) at **Item 6**. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip Item 6 and go to Item 7.**
7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. If an “and” connector is used at Item 4, all parties must sign this form. If an “and/or” or “or” connector is used, all parties may sign; however, only one of the named parties is required to sign. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the filing fee is \$25 per water right, except for those water rights which will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided. When complete, you should retain a copy and return the original form to the IDWR office nearest you:

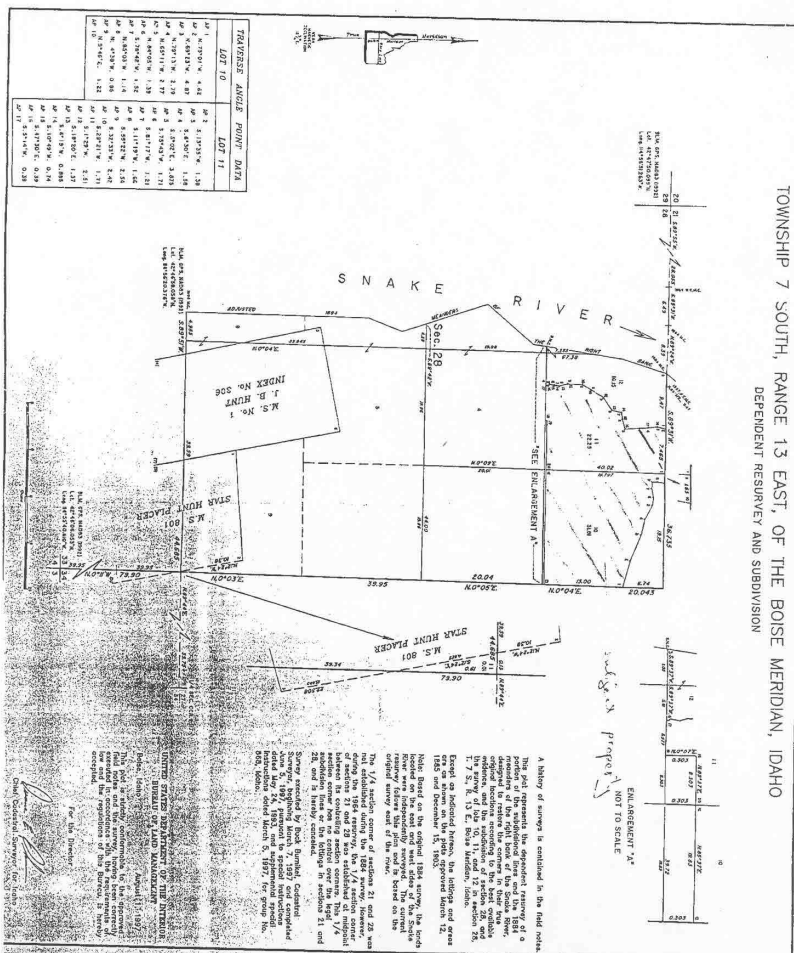
IDWR Northern Region
 1910 Northwest Blvd., Suite 210
 Coeur d'Alene, ID 83814-2615
 (208) 769-1450

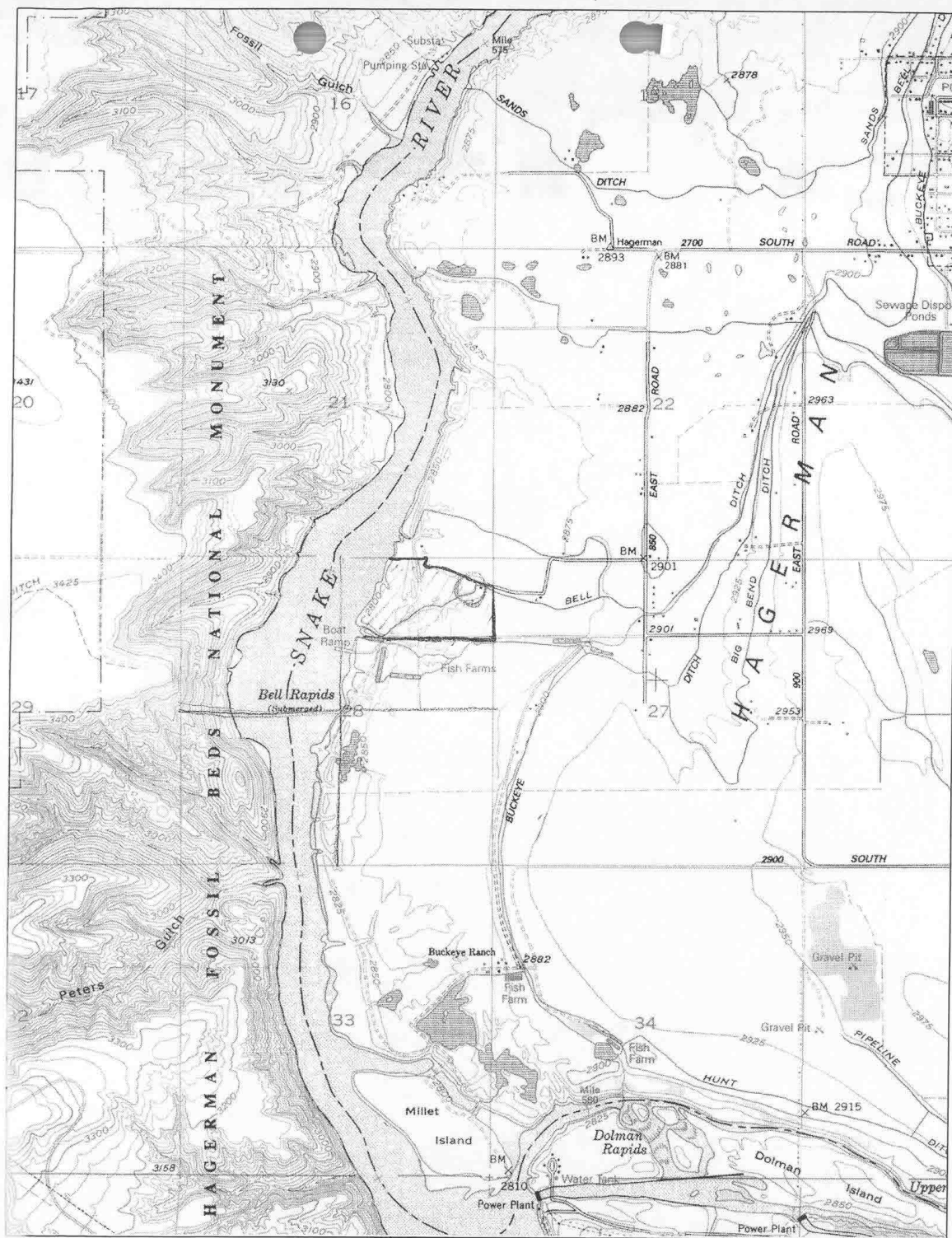
IDWR Eastern Region
 900 N. Skyline Dr., Suite A
 Idaho Falls, ID 83402-1718
 (208) 525-7161

IDWR Western Region
 2735 Airport Way
 Boise, ID 83705-5082
 (208) 334-2190

IDWR Southern Region
 1341 Fillmore St., Suite 200
 Twin Falls, ID 83301-3380
 (208) 736-3033

ORIGINAL





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

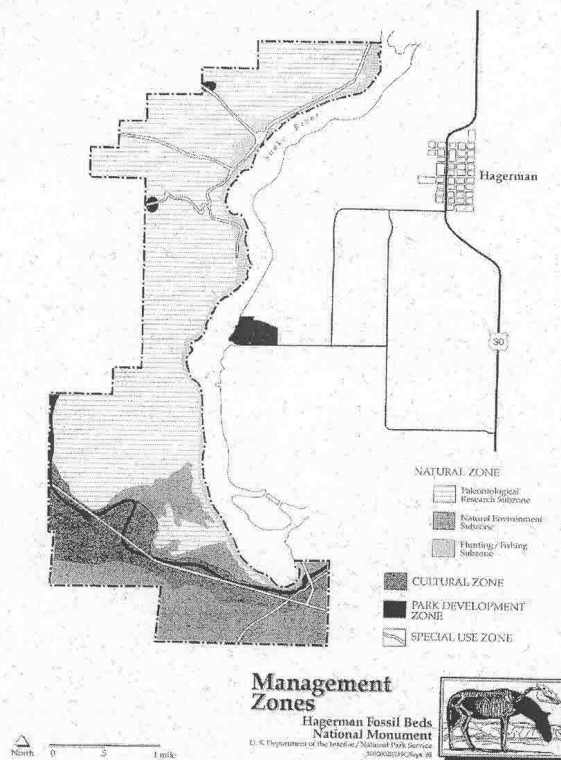


Figure 2. Management Zones.

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 40

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

Docket Compiled: 12/15/2017