

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant McFarland Livestock Co., Inc. c/o Tex KauerPhone 208-768-2711Post Office address P.O. Box 50 Lemhi, ID 83465**A. PURPOSE OF TRANSFER**

1. ☐ Change point of diversion ☐ Add diversion point ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Modify place of use (POU) to reflect current irrigation system layout.

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 NOV 17 2003
 Department of Water Resources
COPY

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>See</u>	<u>Attached</u>	<u>List</u>		to _____
				to _____
				to _____
				to _____

2. Total amount of water being transferred 15.7 cfs cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Hawley Creek tributary to Eighteenmile Creek
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	SW	NE	2	15N	27E	<u>Latah</u>	<u>Hawley Creek</u>

5. Lands irrigated or place of use: Permissible Place of Use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15N	27E	2											22.5						22.5
15N	27E	3															3.3		3.3
15N	27E	10	4.0														18.3	37.4	59.7
15N	27E	11					5.7	33.0	36.9	10.3	2.6	35.4	29.4	1.1					154.4
15N	27E	14						37.6	18.4			1.7	0.9						58.6
15N	27E	15	40	35.2	17.1	35.6									36.2	33.0	26.2	29.2	252.5

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PART 1

6. General Information:

a. Description of diversion system Diversion ditch to pressure irrigation system including pivots, hand lines, and gravity irrigation areas.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
☐ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:
None

d. Remarks:

See attached narrative.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

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

Witness my hand this _____ day of _____, 19 _____.

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McFarland Livestock Company, Inc.
C/O Tex Kauer
P.O. Box 50
Lemhi, ID 83465

Part #1 – Section B Description of Rights after the requested change.

Right	Priority	Amount	Nature of Use	Period of Use
74-11	3/27/1911	1.6 cfs	Irrigation	3/15 to 11/15
74-12	10/16/1908	2.0 cfs	Irrigation	3/15 to 11/15
74-16	4/13/1911	6.4 cfs	Irrigation	3/15 to 11/15
74-29	4/1/1881	0.70 cfs	Irrigation	3/15 to 11/15
74-30	8/1/1883	5.0 cfs	Irrigation	3/15 to 11/15
A74-15049	3/15/1980	5.7cfs**	Irrigation	3/15 to 11/15
Total =		15.7 cfs	2,204 ac ft	

** 74-15049 when combined with 74-29 & 74-30 shall not exceed 5.7 cfs.

Notes on each water right after transfer:

- WR #74-11** – Limited to 78 acres within 551 acre permissible place of use when combined with water right 74-12.
- WR #74-12** – Limited to 78 acres within 551 acre permissible place of use when combined with water right 74-11.
- WR #74-16** – Limited to 324 acres within 551 acre permissible place of use.
- WR #74-29** – Limited to 119 acres within 551 acre permissible place of use when combined with water right #74-30.
- WR #74-30** – Limited to 119 acres within 551 acre permissible place of use when combined with water right #74-29.
- Claim #A74-15049** – Limited to 149 acres within 551 acre permissible place of use when combined with water right #74-29 & #74-30.

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McFarland Livestock Company
Water Right Transfer – WR #74-11,12,16,29,30, & 15049

Supporting Narrative

The transfer proposes to adjust the acres under this right to reflect the actual irrigated land with this water. McFarland Livestock operates a diversion in Section #2 of Township 15 North, Range 27 East from Hawley Creek. The diversion discharges into a ditch delivery system to the Upper Hawley Creek property. Irrigation on this property includes flood irrigation, and pivot / sprinkler irrigation from a pressure irrigation system. The irrigated area under these rights is 551 acres as allowed under the rights and as shown on the attached photo map.

The large pivot consists of a 12 tower pivot and currently irrigates the area shown on the photo exhibit. The photo is a 1987 photo which shows a larger area irrigated than that presently with the reconfigured pivot. McFarland Livestock intends to install a ¼ mile long “wiper” pivot on the northern portion of the property as shown. Areas not covered under the pivots and still under the rights will be flood irrigated.

Based on the water rights, McFarland Livestock is allowed to irrigate 551 acres utilizing the Hawley Creek water. The proposed transfer creates a permissible place of use (PPU) of the rights allowing the rights to be applied in the area shown on the photo exhibit. The water rights are individually limited as shown on the water right list to prevent any expansion of acres above that allowed under the water rights.

Under this proposed transfer, Hawley Creek water will not be applied to land covered under water from the Bull Creek delivery system.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 74-11 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☒ Tax notice ☐ Warranty Deed ☐ Other _____

3. Source of water Hawley Creek tributary to Eighteenmile Creek

4. Date of priority 3/27/1911

5. Water is used for the following purpose:

Amount 1.6 cfs for Irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.6 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NW	SW	NE	2	15N	27E	<u>Latah Co.</u>	<u>Hawley Creek</u>

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15N	27E	11											29						29
15N	27E	14						30	19										49

Total acres 78

9. Describe any other water rights used for the same purpose as described above 74-12 **SCANNED**

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

No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

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Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 74-12 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☒ Tax notice

☐ Warranty Deed

☐ Other _____

3. Source of water Hawley Creek tributary to Eighteen Mile Creek

4. Date of priority 10/16/1908

5. Water is used for the following purpose:

Amount 2.0 cfs for Irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SE	NW	2	15N	27E	LIFEONE	Hawley Creek

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15N	27E	11											29						29
15N	27E	14						30	19										49

Total acres 78

9. Describe any other water rights used for the same purpose as described above 74-11

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

No _____

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

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Total acres _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 74-16 Decreed to James Ellsworth
in case of Lemhi Decree vs. _____
dated 12/30/1982 in Lemhi county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☒ Tax notice ☐ Warranty Deed ☐ Other _____

3. Source of water Hawley Creek tributary to Eighteen Mile Creek

4. Date of priority 4/13/1911

5. Water is used for the following purpose:

Amount 6.4 cfs for Irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 6.4 cfs cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SE	NW	2	15N	27E	<u>LEMHI</u>	<u>Hawley Creek</u>

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15N	27E	10															5	5	10
15N	27E	15	40	34	40	40									40	40	40	40	314

Total acres 324

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

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

No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

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Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 74-29 Decreed to James Ellsworth
in case of Lemhi Decree vs. _____
dated 12/30/1982 in Lemhi county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☒ Tax notice ☐ Warranty Deed ☐ Other _____

3. Source of water Hawley Creek tributary to Eighteen Mile Creek

4. Date of priority 4/1/1881

5. Water is used for the following purpose:

Amount 0.7 cfs for Irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.7 cfs cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SE	NW	2	15N	27E	LEMHI	Hawley Creek

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15N	27E	2											10						10
15N	27E	10				3													3
15N	27E	11					5	18	38	7		38							106

Total acres 119

9. Describe any other water rights used for the same purpose as described above 74-30

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

No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

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Total acres _____

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 74-30 Decreed to James Ellsworth
 in case of Lemhi Decree vs. _____
 dated 12/30/1982 in Lemhi county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☒ Tax notice

☐ Warranty Deed

☐ Other _____

3. Source of water Hawley Creek tributary to Eighteen Mile Creek

4. Date of priority 8/1/1883

5. Water is used for the following purpose:

Amount 5.0 cfs for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 5.0 cfs cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SE	NW	2	15N	27E	<u>LEMHIE</u>	<u>Hawley Creek</u>

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15N	27E	2											10						10
15N	27E	10				3													3
15N	27E	11					5	18	38	7		38							106

Total acres 119

9. Describe any other water rights used for the same purpose as described above 74-29

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

No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

SCANNED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 74-15049 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☒ Tax notice ☐ Warranty Deed ☐ Other _____

3. Source of water Hawley Creek tributary to Eighteen Mile Creek

4. Date of priority 3/15/1980

5. Water is used for the following purpose:

Amount 5.7 cfs for Irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 5.7 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		NE	NE	2	15N	27E	<u>L. E. 27E</u>	Hawley Creek

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15N	27E	2											17						17
15N	27E	11					11	22	38	11	3	35	12						132

Total acres 149

9. Describe any other water rights used for the same purpose as described above 74-29 & 74-30

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

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

SCANNED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

A. Draw a map or attach a

USGS map indicating the new

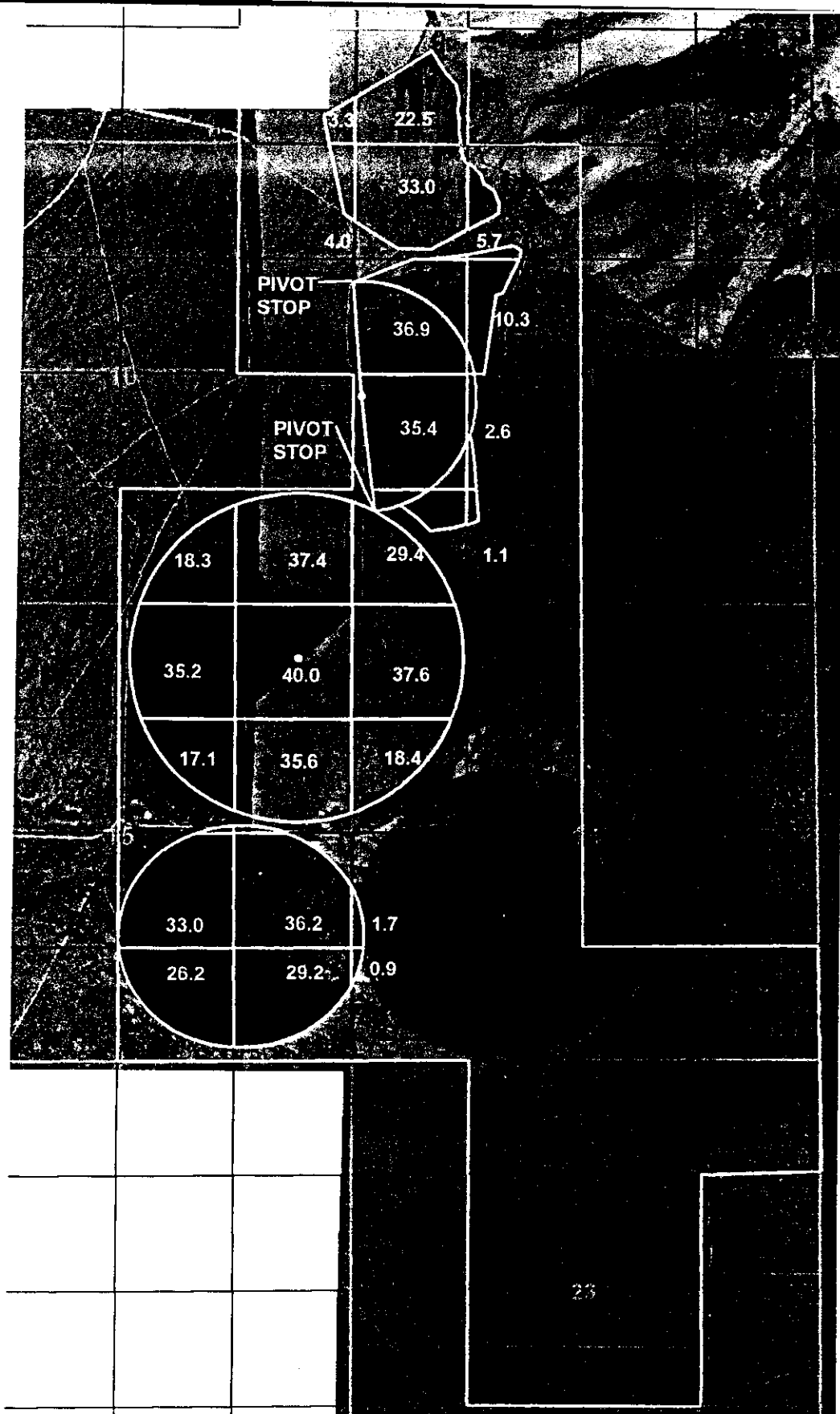
APPLICATION FOR TRANSFER OF WATER RIGHT**PART 3**

point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

SEE ATTACHED MAPS

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

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**KAUER, TEX
PLACE OF USE MAP
FSA 1987 Aerial Photo**

**TOTAL IRR. AC. = 551.0 AC.
(White) Irrigation.shp**

-  Sections
-  T. 15N. R. 27E.
-  Property Boundary

**BROCKWAY ENGINEERING, PLLC.
ALR NOV 13, 2003**



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PART 3**B. CHANGES IN NATURE OF USE**

1.

<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
2. Quantity and quality of return flows and location of discharge:

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

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



Thomas Lindbeck & Inc. by J. Lane
 (Signature of Applicant)
 Subscribed and sworn to before me this 12th day of November, 19 2003
Heather M. Maxson
 (Notary Public)

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee _____

Received by _____ Date _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ Approval ☐ Denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

SCANNED

STATE OF IDAHO
COUNTY OF LEMHI
TAX COLLECTOR
MARY ANN HEISER (208) 756-2816
LEMMI COUNTY TAX COLLECTOR
206 COURTHOUSE DRIVE
SALMON, IDAHO 83467

RP15N27E15000
115.8
115.8

BILL# 6594 CODE AREA 3-00 L

END HALF DUE 384.70
TAX 384.70
LATE
INT
COST
TOT

DEC 17 2002

MC FARLAND LIVESTOCK CO INC
P O BOX 50
LEMMI ID 83467

E2
15 15 27

LEMMI COUNTY, IDAHO
PAID
JUN 13 2003
Mary Ann Heiser, Tax Collector

TAXING DISTRICT
STATE 000000000
LEMMI COUNTY 002944084
SCHOOL DIST 292 003322654
LEMMI LIBRARY 000315740
AMOUNT DUE 006582478

TOT ACS 320.0

TOT MV 115.8

TOT TAX 769.40

TOT LATE
TOT INT
TOT COST
TOT TOT

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK
*** MONTHLY PAYMENTS ARE ACCEPTED ***
PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENCY YEAR.
TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.
KEEP TOP PORTION FOR YOUR RECORDS.
PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

AVOID LATE FEES & INTEREST--MAIL EARLY.
** \$25 WILL BE ADDED FOR CHECKS RETURNED BY BANK.

SCANNED

MAKE CHECKS PAYABLE TO:
 MARY ANN HEISER (208) 756-2816
 LEMHI COUNTY TAX COLLECTOR
 206 COURTHOUSE DRIVE
 SALMON, IDAHO 83467

2002 TAX BILL/RECEIPT
 BILL# 6592 CODE AREA 3-00 L
 PARCEL NUMBER
 RP15N27E14 S00
 75.2

1ST HALF DUE
 TAX 260.88
 LATE
 INT
 COST
 TOT

2ND HALF DUE
 TAX 260.88
 LATE
 INT
 COST
 TOT

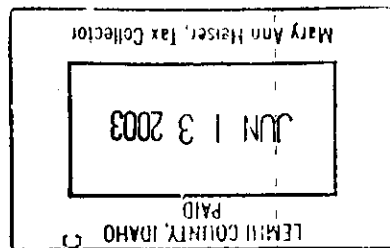
FULL DUE
 TAX 521.76
 LATE
 INT
 COST
 TOT

TOT ACS 360.0
 TOT MV

TAXING DISTRICT
 STATE 0000000000
 LEMHI COUNTY 002944084
 SCHOOL DIST 292 003322654
 LEMHI LIBRARY 000315740
 AMOUNT DUE 006582478

MC FARLAND LIVESTOCK CO INC
 P O BOX 50
 LEMHI
 ID 83465

NW/4 N2SW4 SE4SW4 S2SE4
 14 15 27



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SCANNED

PARCEL NUMBER
RP15N27E14R3S1

CODE IMA BILL/RECEIPT
BILL# 6593 CODE AREA 3-00 L

MC FARLAND LIVESTOCK CO INC
BOX 50
LEMHI
ID 83465

SW45W4
14 15 27

1ST HALF DUE
TAX 26.88
LATE
INT
COST
TOT

2ND HALF DUE
TAX 26.88
LATE
INT
COST
TOT

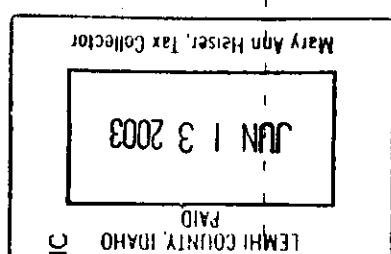
FULL DUE 53.76
TAX
LATE
INT
COST
TOT

TOT MV
TOT ACS 40.0

TAXING DISTRICT
STATE
LEMHI COUNTY
SCHOOL DIST 292
LEMHI LIBRARY
AMOUNT DUE

RATE
000000000
002944084
003322654
000315740
006582478

AMOUNT
24.
27.
2.
53.



★ ★ ★ IMPORTANT ★ ★ ★
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SCANNED

CANNED

7E108401A 23.205
 23.205
 80.000
 AMOUNT
 68.32
 77.10
 7.32
 152.74

2002 TAX BILL/RECEIPT
 BILL# 6591 CODE AREA 3-00
 2ND HALF DUE 10.58
 1ST HALF DUE 10.58
 TAX 10.58
 LATE 10.58
 INT
 COST
 TOT

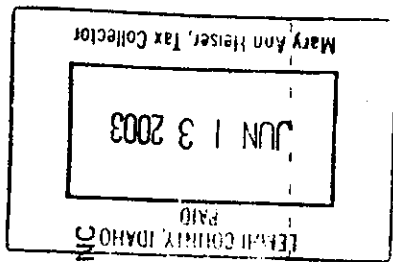
FULL DUE 21.16
 TAX 21.16
 LATE
 INT
 COST
 TOT

TOT MV 3.2
 TOT ACS 120.0
 TAXING DISTRICT
 STATE 0000000000
 LEMHI COUNTY 002944084
 SCHOOL DIST 292 003322654
 LEMHI LIBRARY 000315740
 AMOUNT DUE 006582478

MC FARLAND LIVESTOCK CO INC
 BOX 50
 LEMHI ID 83465

SE4NW4 E2SW4
 11 15 27

PARCEL NUMBER
 RP15N27E1142
 3.2



★ ★ ★ IMPORTANT ★ ★ ★
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SCANNED

FILE#:	
0848	
23.3	
23.3	
80.0	
AMG	
66.	
77.	
7.	
152.	

SECRET

MARY ANN HEISER(208)756-2816
 LEMHI COUNTY TAX COLLECTOR
 206 COURTHOUSE DRIVE
 SALMON, IDAHO 83467
 1ST HALF DUE
 TAX 76.37
 LATE DEC 17 2002

TAX	2ND HALF DUE
LATE	76.37
INT	
COST	
TOT	

TAX	FULL DUE
LATE	152.74
INT	
COST	
TOT	

BILL#	6589	CODE AREA	3-00	L
-------	------	-----------	------	---

TOT MV
TOT ACS

TOT ACS

TAXING DISTRICT
STATE
LEMMI COUNTY
SCHOOL DIST 292
LEMMI LIBRARY
AMOUNT DUE

RATE
000000000
002944084
003322654
000315740
006582478

MC FARLAND LIVESTOCK CO INC
BOX 50
LEMHI ID 83465

525E4 10 15 27

LEHIGH COUNTY, PENNSYLVANIA
PAID
JUN 13 2003

★ ★ ★ IMPORTANT ★ ★ ★
PLEASE READ BOTH FRONT AND BACK
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LIMITED POWER OF ATTORNEY

KNOWN ALL MEN BY THESE PRESENT:

I, Tex Kauer - McFarland Livestock Company, hereby nominate and appoint

Jeffrey S. Rau, P.E. - Brockway Engineering as my attorney-in-fact with full authority to act for and on my behalf to undertake any and all acts or matters pertaining to water right transfers before the Idaho Department of Water Resources for the following water right transactions:

Water Rights #74-11, 74-12, 74-29, 74-30, 74-16, & 74-15049,

Associated Water Right Transfers & Water Right Claims

associated with the rights and place of use of these rights.

in Lemhi County, Idaho. Additionally, I hereby ratify and confirm any and all such acts on matters as contemplated herein.

My agent is hereby authorized to sign, seal and deliver, as my act in deed, those said instruments of writing that may be necessary or proper to carry into execution and effect the applications, and transfers above-mentioned. Further, I hereby declare that each and every application, transfer, agreement, receipt, or payment which shall be by my said agent given, made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or concerning the said premises by virtue of these present. This Limited Power of Attorney will become void upon approval, denial or withdrawal of the above referenced applications.

Dated this 12 day of NOVEMBER 2003.

Tex Kauer

McFarland Livestock Co. Inc. Signature

Signature

State of Idaho)

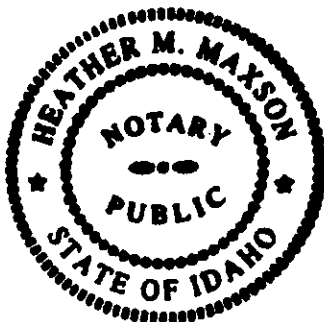
County of Twin Falls)

ss.

On this 12th Day of November, 2003, before me, a Notary Public in and for said County and State, personally appeared Tex Kauer, known or identified to me to be the individual whose name and subscription to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

S
E
A
L



Heather M. Maxson

Notary Public

In and for said State and County

2-24-09

My Commission Expires

SCANNED