

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Transfer No. _____

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Name of applicant McFarland Livestock, Co. c/o Tex Kauer Phone 208-768-2711
Post Office address P.O. Box 50 Lemhi, ID 83465

COPY

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
 ☐ Add diversion point
 ☒ Change place of use
☐ Change nature of use
 ☐ Change period of use
 ☐ Other _____
- Describe the reason for the proposed changes Adjust the POU to reflect actual place of use of
right.

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>74-333</u>	<u>1/18/1919</u>	<u>3.2 cfs</u>	<u>Irrigation</u>	<u>3/15</u> to <u>11/15</u> to _____ to _____ to _____

- Total amount of water being transferred 3.2 cubic feet per second and/or _____ acre-feet per annum.
- Source of water Bull Creek tributary to Sinks
- Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SE	NE	24	15N	27E	<u>LEMMING</u>	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15N	27E	14							10.1	19.5	22.9	36.2	24.2	37.8			9.3		160

PART 1**6. General Information:**

- a. Description of diversion system Ditch diversion from Bull Creek. Ditch delivery to pipeline to pivot located in Section 14.

- 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 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
Water Right Transfer – WR #74-333

Supporting Narrative

The transfer proposes to adjust the acres under this right to reflect the actual irrigated land with this water. The system is comprised of a ditch delivery system to pressure pipeline servicing a pivot located in Section 14, Township 15N, Range 27 East. The source of the water under this right is Bull Creek which sinks and is not tributary to another watercourse. Under the current operation of this right, the McFarland Livestock is currently irrigating more acres than allowed under this right and also is irrigating land owned by the BLM outside of their property. Under the proposed transfer, the existing pivot will be retained and pivot stops will be put in place to prevent irrigation of the BLM land. The adjusted pivot rotation allows for 160 acres of irrigation under this pivot which is in compliance with this right.

The landowner is aware that Bull Creek does not provide a consistent supply of water and the water may not be available for this pivot throughout the irrigation season. When water is not available from Bull Creek, this pivot will not be activated with water from other sources. The connection of this pivot and delivery system to the Hawley Creek water system will be terminated and Hawley Creek water will not be applied to this pivot unless future transfers are made onto this ground.

The proposed transfer does not constitute an enlargement under this right and the acres decreed under this right will be utilized as shown in the transfer documents.

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. 74-333 Decreed to James Ellsworth
in case of Lemhi Decree vs. _____
dated _____ in _____ 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 Bull Creek tributary to Sinks

4. Date of priority 1/18/1919

5. Water is used for the following purpose:

Amount 3.2 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 3.2 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	NE	24	15N	27E	LEMHI	

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	14									40	40	40	40					160

Total acres 160

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	

Total acres _____

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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

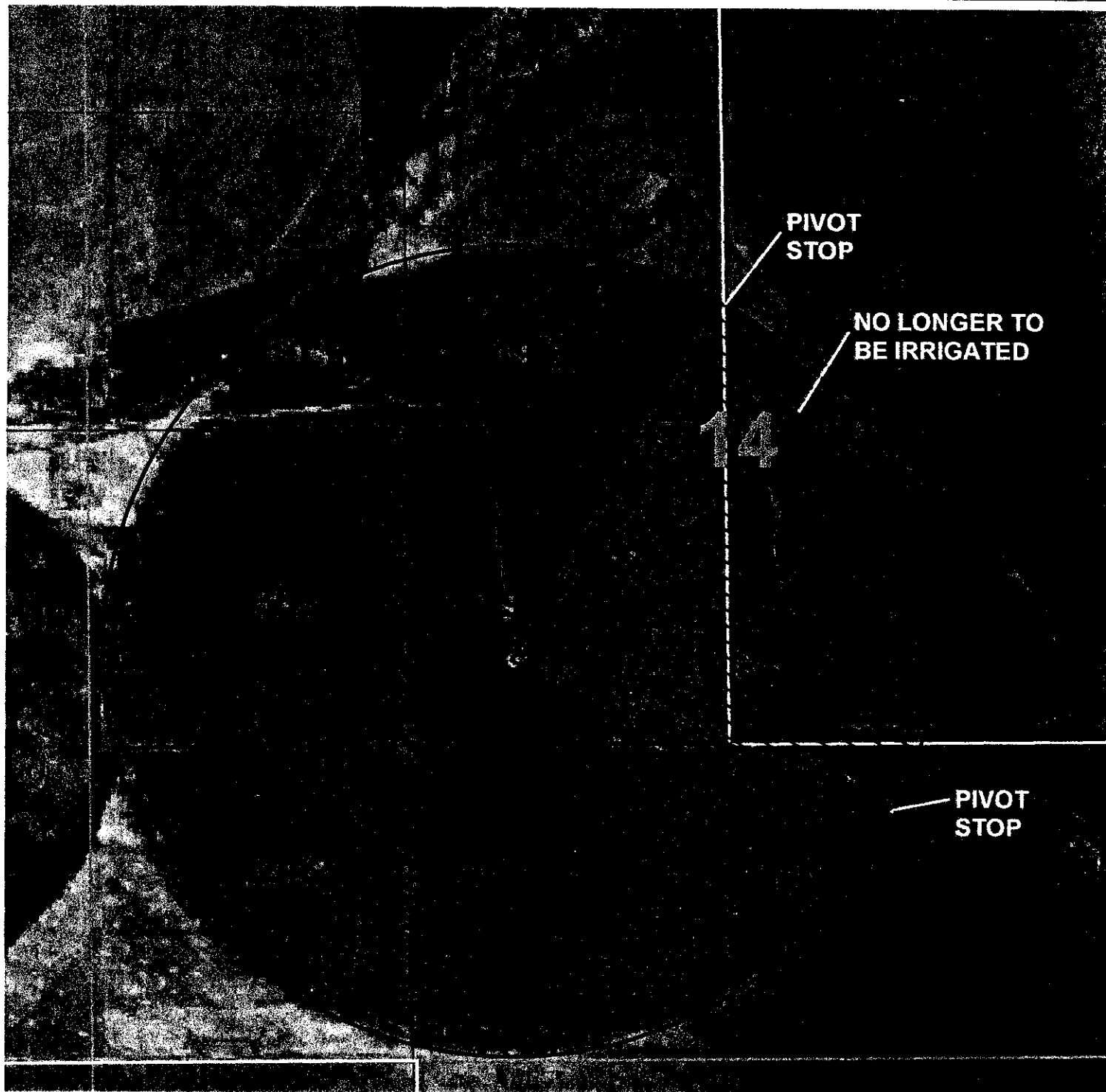
PART 3

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 MAP

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

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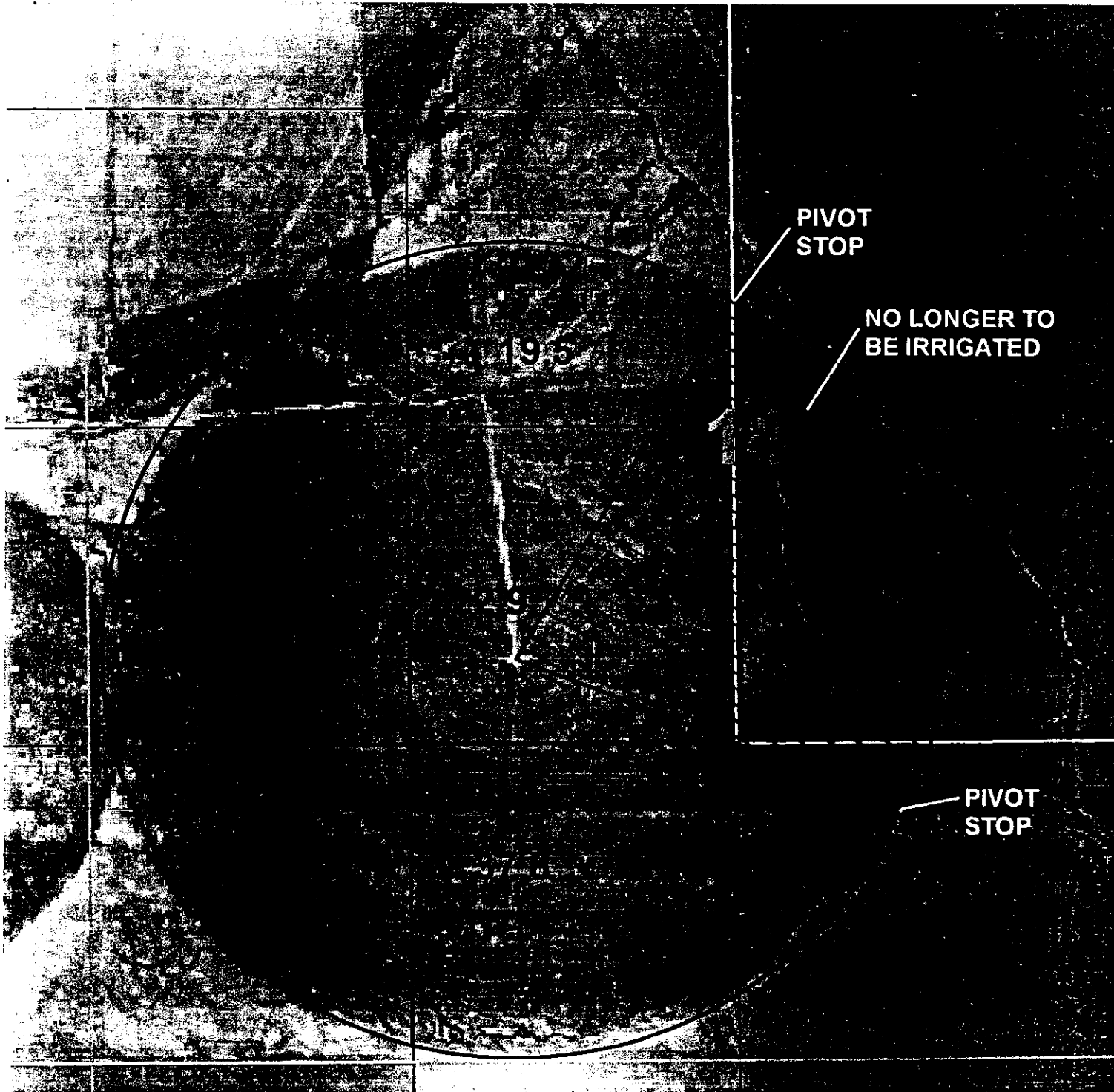
KAUER, TEX
BULL CREEK PLACE OF USE - WR # 74-333
FSA 1987 AERIAL PHOTO

- Property Boundary**
- ☐ Place of Use
 - ☐ Sections
 - ☐ 15N. 27E. QQ
 - ☒ No Longer to be Irrigated

BROCKWAY ENGINEERING, PLLC.
ALR NOV 13, 2003

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KAUER, TEX
BULL CREEK PLACE OF USE - WR # 74-333
FSA 1987 AERIAL PHOTO

- Property Boundary
- Place of Use
- Sections
- 15N. 27E. QQ
- No Longer to be Irrigated

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</u> (cfs/ac-ft)	<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.



Subscribed and sworn to before me this 12th day of November, 192003

M. Leland Limited Co. Inc. Rex J. Kauer
 (Signature of Applicant)

Heather M. Maxson
 (Notary Public)

My commission expires 2-24-09

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 _____

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MAKE CHECK PAYABLE TO:

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

1ST HALF DUE

TAX 26.88
LATE
INT
COST
TOT

DEC 17 2002

2ND HALF DUE

TAX 26.88
LATE
INT
COST
TOT

2002 TAX BILL/RECEIPT

BILL# 6593 CODE AREA 3-00 L

PARCEL NUMBER
RP15N27E146001A
8,169

TOT MV 8,169

FULL DUE 53.76

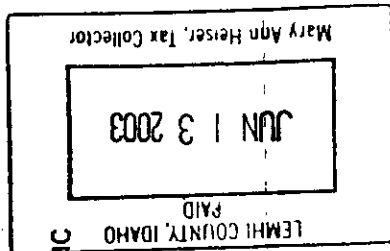
TAX
LATE
INT
COST
TOT

TOT ACS 40.000

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

MC FARLAND LIVESTOCK CO INC
BOX 50
LEMHI ID 83465

SW45W4
14 15 27



*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK
*** MONTHLY PAYMENTS ARE ACCEPTED ***

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT 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 CHECK PAYABLE TO:
 MARY ANN HEISER (208) 756-2816
 LEMHI COUNTY TAX COLLECTOR
 1206 COURTHOUSE DRIVE
 SALMON, IDAHO 83467

2002 TAX BILL/RECEIPT

BILL# 6592 CODE AREA 3-00

PARCEL NUMBER
 RP15N27E142401A
 L 79,267

TAX 260.88
 LATE
 INT
 COST
 TOT
 1ST HALF DUE
 TAX 260.88
 LATE
 INT
 COST
 TOT
 2ND HALF DUE
 TAX 260.88
 LATE
 INT
 COST
 TOT

FULL DUE 521.76

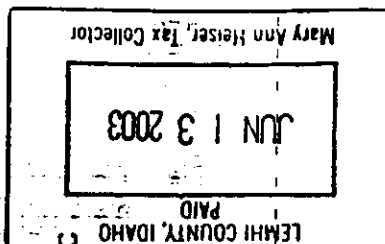
TOT MV 79,267

DEC 17 2002

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

TAXING DISTRICT
 STATE 000000000
 LEMHI COUNTY 002944084
 SCHOOL DIST 292 003322654
 LEMHI LIBRARY 000315740
 AMOUNT DUE 006982478

TOT ACS 360.000
 RATE
 AMOUNT
 233.36
 263.38
 25.02
 521.76



NW4 N2SW4 SE4SW4 S2SE4
 14 15 27

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★ ★ ★ IMPORTANT ★ ★ ★
 PLEASE READ BOTH FRONT AND BACK
 ★ ★ ★ MONTHLY PAYMENTS ARE ACCEPTED ★ ★ ★

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