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Transfer No. 2974
Water Right No. 13-0027

STATE OF IDAHO
Department of Water Resources
Eastern District Office

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

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

Name of applicant City of Preston, Idaho Phone 852-1817
Post Office address City Hall Preston, ID. 83263

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 13-0027 Decreed to City of Preston, Idaho
(Name)
in case of Henry T. McEwain vs Franklin Sugar Co.
dated in July 9, 1924 in 5th Judicial Dist. county of Franklin
(Name of court)
- b. License No. issued by the Idaho Department of Water Resources
- c. Claim No. on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant

3. Source of water Ranger Springs tributary to Cub River

4. Date of priority 1879

5. Water is used for the following purposes:

amount 1 cfs for municipal purposes from January 1 to December 31
amount for purposes from to
amount for purposes from (month/day — both dates inclusive)

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

7. Location of original point of diversion is SE 1/4 of SE 1/4 of Section 4
Township 15 S Range 41 East, B.M., in Franklin County

Additional points of diversion, if any Also located in SW 1/4 SW 1/4, Section 3
T15 S., R 41 E., B.M., also known as Ranger Springs

8. Lands irrigated or place of use: * Place of useis within city limits of Preston,
Idaho and with contractees of City.

TWP.	RANGE	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
*																			

Total number of acres to be irrigated

9. Describe any other water rights used for the same purpose as described above 13-0028
13-0026

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. one cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion SE ¼ SE ¼, Section 4 Township 15 S.
Range 41 East, B.M., Franklin County
Additional points SW 1/4 SW 1/4, Section 3, Township 15 South, Range
41 East, B.M. Also known as Ranger Spring
3. Place of use: * Place of use is within the city limits of Preston,
Idaho and with contractees of the city.

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
*																			

Total number of acres to be irrigated _____

G. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information
- a. Amount of water to be diverted one c.f.s. &/or _____ acre feet
- b. Description of diverting works headgate and city pipeline at Bergquist Springs
- c. Describe the reasons for the proposed changes Changes in point of diversion from Ranger Springs to Bergquist Springs (tributary to Cub River) to facilitate delivery of water to City of Preston for culinary and municipal use.
2. Change in point of diversion
- Point of diversion NE ¼ NE ¼, Section 10 Township 15 S
Range 41 E., B.M., Franklin County
Additional points NW 1/4 NW 1/4, Sec. 11, T.15 S., Range 41 East, Franklin County
3. Change in place of use
- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
None

* To be used within City Limits of Preston, Idaho and with Contractees of City

Total number of acres to be irrigated _____

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- Topographic map showing contour lines, roads, and various landmarks. Key features include Rocky Bench Spring, Thomas Spring, Grave Pit, Willow Flat Campground, and Bergquist Spring. The map is labeled with "R41E" and "T15S". The grid shows coordinates 40' 45" and 44' 46" along the bottom, and 42° 42' 30" along the right side. The map is titled "INTERIOR-GEOLOGICAL SURVEY, WASHINGTON, D. C. - 1973".

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

D. REMARKS

1. Water has been diverted pursuant to this right from Bergquist Springs for approximately 50 years through Preston City Water lines.
2. (A.7.) Ranger Springs located in SE 1/4 SE 1/4, Sec. 4, T. 15S., R. 41 E., B.M. and SW 1/4 SW 1/4, Sec. 3., T. 15S., R. 41E., B.M. Franklin County, Idaho.

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

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

Reed Burchley
(Signature of Applicant)

Subscribed and sworn to before me this 22 day of November, 19 83

Nanette Cohen
(Notary Public)

My commission expires lifetime

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 13-0027

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

1. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

2. Use of water under this water right is subject to control by the watemaster of State Water District No. 13-A, Cub River.

Witness my hand this 12th day of September, 19 91

J. Glen Taylor
Chief, Water Allocation Bureau

FOR DEPARTMENT USE ONLY

Received by CW Date 9-19-83 Protest filed by Cub River Association
Prelim. check by Kew Fee #3083 50.00 Preston Whitman, Dir.
Receipted by BP Date 9-19-83 #29680
Published in Preston Citizen Copies of protest forwarded by 0 u
Pub. dates 12/15 + 12/22/83 Hearing held by _____ Date _____
Watermaster recommendation requested on 12-12-83 Recommended for approval denial
WD 13-A rec'd. 1-23-84 by RBC