

RECEIVED

JUN 24 1983

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED

Department of Water Resources
Eastern District Office

APPLICATION FOR TRANSFER OF WATER RIGHT

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

Name of applicant E. Keith Buttars Phone 747-3527

Post Office address Box 106, Weston, Idaho 83286

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)
- b. License No. 15097/13-2097 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 Applicant acquired right through purchase of real property.

3. Source of water Mickelson Creek tributary to Weston Creek

4. Date of priority 3/25/1921

5. Water is used for the following purposes:

amount 0.24 cfs for Irrigation purposes from *Not stated in License 4-1* to 11-1*
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 0.24 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15
Township 16S Range 38E, B.M., in Franklin County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
16S	38E	15																12	12

Total number of acres to be irrigated 12

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D. REMARKS

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. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

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 _____

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

1. General Information
- a. Amount of water to be diverted 0.24 c.f.s. &/or _____ acre feet
- b. Description of diverting works Collection pipe and drain to pond with pump, handlines with sprinklers
- c. Describe the reasons for the proposed changes Change in point of diversion for utilization of water on applicants property.

2. Change in point of diversion

Point of diversion NE ¼ SW ¼, Section 14 Township 16S
Range 38E, B.M., Franklin County
Additional points _____

3. Change in place of use

- a. Are there leins, 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

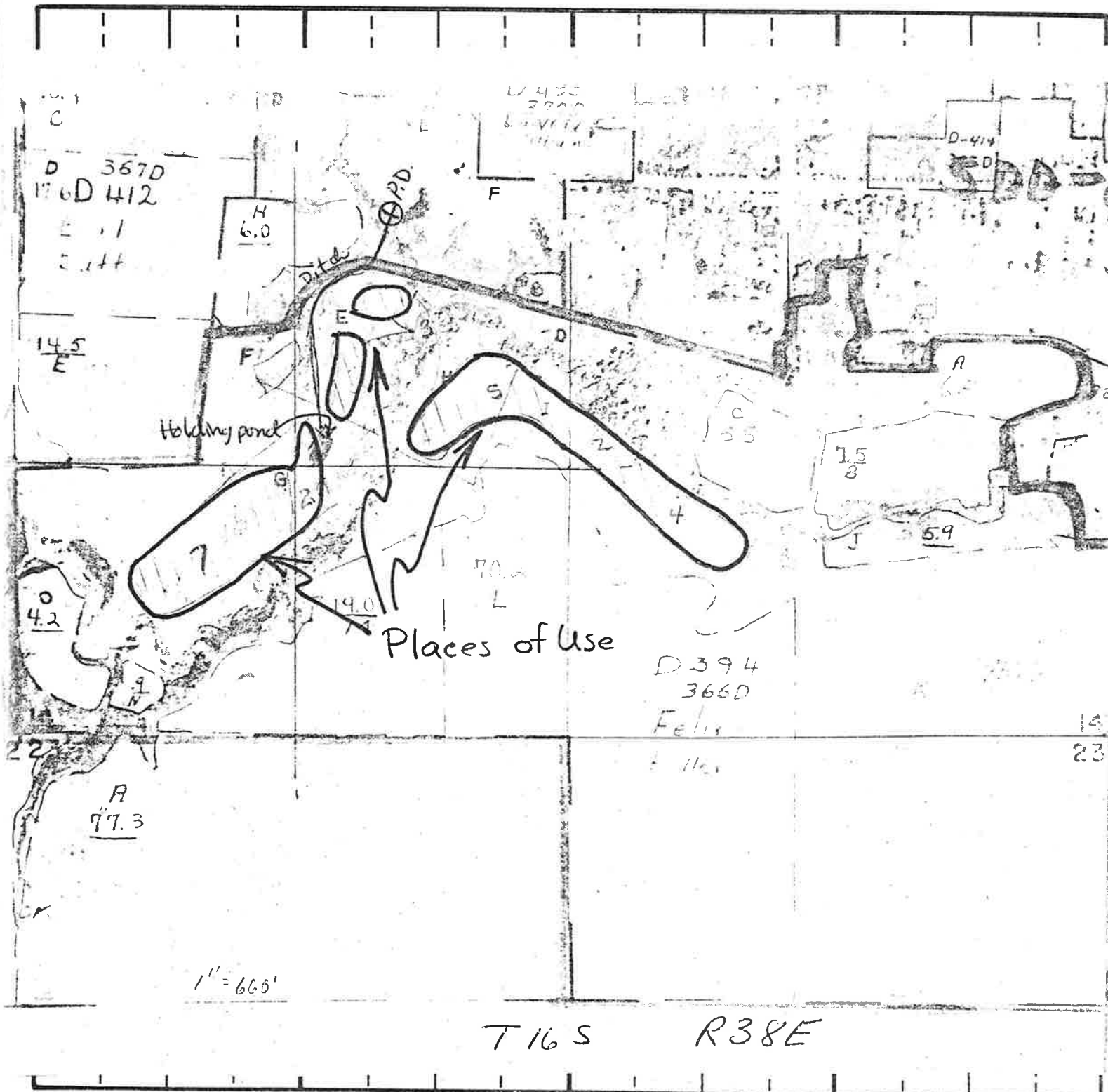
c. Describe the lands and place of use to which the right will be transferred:

*No MORE THAN 12 ACRES WILL BE IRRIGATED AT ANY ONE TIME

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
16S	38E	14									3		7	2					12*
		14									5					2	4		11*

Total number of acres to be irrigated 12*

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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

D. REMARKS

Change in point of diversion to unnamed spring known as
Therral Campbell Spring which is tributary to Weston Creek.

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.

E. H. R. Butcher
(Signature of Applicant)

Subscribed and sworn to before me this 12th day of March, 19 83

William Wray
(Notary Public)

My commission expires 6-15-85

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 13-2097

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

A measuring device and lockable controlling works of a type acceptable to the
Department shall be permanently installed and maintained as part of the diverting
works.

Use of water under this right is subject to control by the watermaster of State
Water District No. 11, Bear River.

Water diverted under this right, shall not exceed 0.02 cfs/acre, shall not exceed
more than 36.0 acre feet/annum nor be used to irrigate more than 12 acres/annum.

Witness my hand this 15th day of June, 19 83

L. Glen Saxton
L. GLEN SAXTON, Chief Operations Bureau

FOR DEPARTMENT USE ONLY

Assisted by Kew Date 3-14-83
Received by _____ Date _____ Protest filed by _____
Prelim. check by SM Fee 50.00
Receipted by 1313 Date 3/14/83 # 25493
Published in Preston Citizen
Pub. dates 3/31 & 4/7/83
Watermaster recommendation requested on 3-22-83
U.D. #11 rec'd. 4-18-83
Copies of protest forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial
by ELIC. Spivey