

Transfer No. 2814Water Right No. 74-2326

STATE OF IDAHO
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 Merrill Beyeler Phone 768-2391
Post Office address Box 62, Leadore, ID 83464

DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 74-2326 Decreed to Maxwell F. Beyeler
(Name)
in case of State of Idaho vs Mary A. Adams, et al
dated in _____ in _____ county of Lemhi
(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 _____
Applicant acquired right through purchase of land

3. Source of water Hawley Creek tributary to Lemhi River

4. Date of priority 4-11-1960

5. Water is used for the following purposes:

amount 1.36 cfs for irrigation purposes from 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. 1.36 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 31
Township 16N Range 27E, B.M., in Lemhi 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 $\frac{1}{4}$	
<u>16N</u>	<u>26E</u>	<u>27</u>									<u>26.7</u>								<u>26.7</u>

Total number of acres to be irrigated 26.7

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 1.36 c.f.s. &/or _____ acre feet
- b. Description of diverting works pump to sprinkler system
- c. Describe the reasons for the proposed changes Applicant wishes to minimize loss by taking the water out of the ditch from Hawley Creek
2. Change in point of diversion SOURCE: YEARIAN SPRINGS TRIB TO: SINKS
- Point of diversion SW ¼ NW ¼, Section 35 Township 16N
Range 26E, B.M., Lemhi County
Additional points _____
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
No change

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

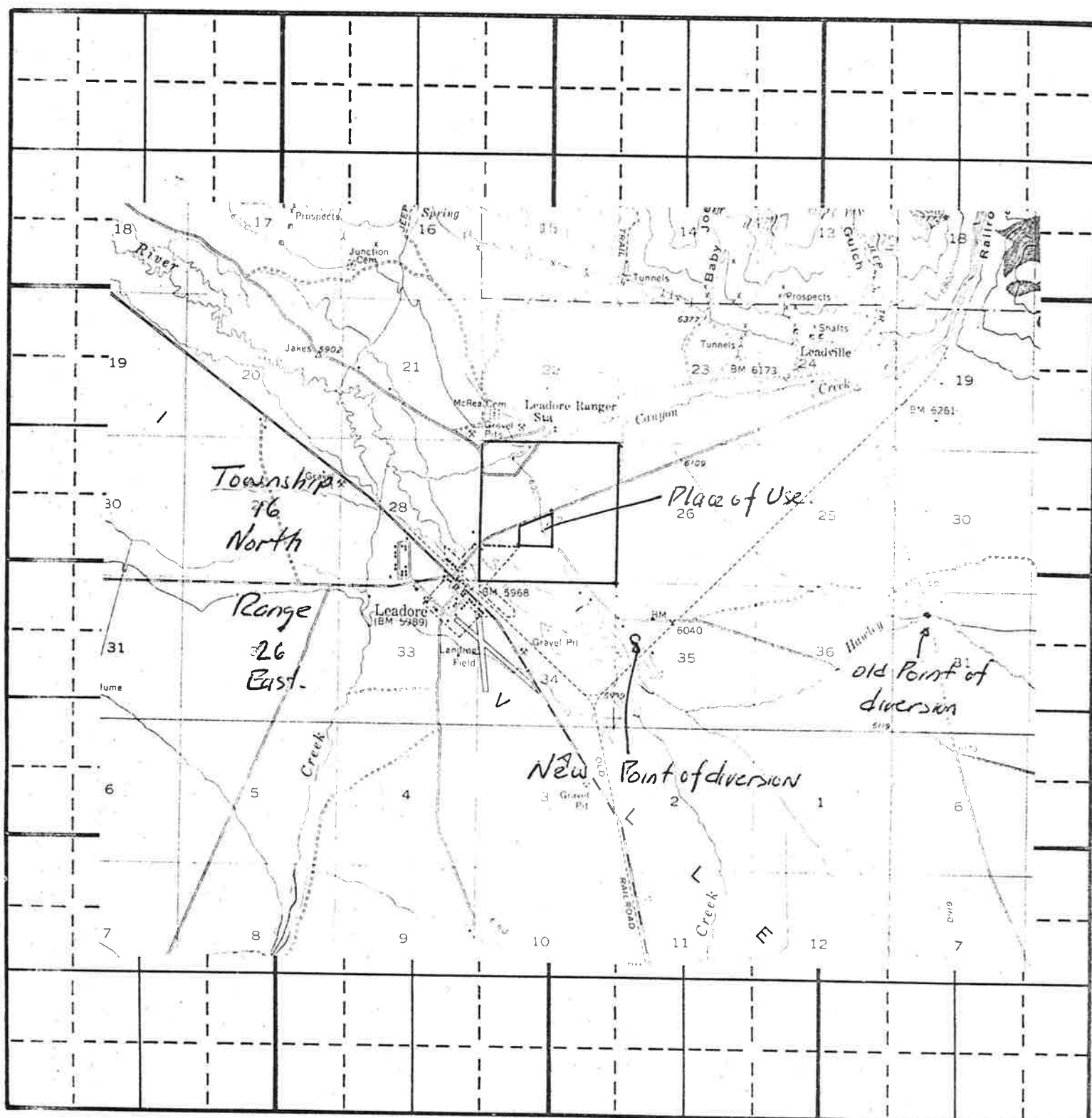
TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
16N	26E	27									26.7								26.7

Total number of acres to be irrigated 26.7

None

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

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

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.

Monnell Bayler
(Signature of Applicant)

Subscribed and sworn to before me this 16th day of March, 19 83.

Dallen Gray
(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. 74-2326 and said application is hereby APPROVED, subject to the following limitations and conditions:

1. 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.
2. Use of water under this right is subject to control by the watermaster of State Water District No. 74-W, Texas, Hawley, Timber, Junction, Bull, Jake, Canyon & Eighteen Mile Creeks.
3. Water diverted under this transfer shall not exceed 0.54 cubic feet per second.

Witness my hand this 14th day of December, 19 83.

A. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>RM</u>	Date <u>3-16-83</u>	Protest filed by _____
Prelim. check by <u>KW</u>	Fee <u>\$50.00</u>	_____
Receipted by <u>QW</u>	Date <u>3-16-83</u> # <u>2506</u>	_____
Published in <u>Recorder Herald</u>	Copies of protest forwarded by _____	
Pub. dates <u>4/14 & 4/21/83</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on <u>4-11-83</u>	Recommended for <u>approval</u> denial	
_____ rec'd. <u>4-23-83</u>	by <u>MMC DRT</u>	