

RECEIVED

Transfer No. 2759

NOV 15 1952

Water Right No.

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPROVED

MAY 16 1983

APPLICATION FOR TRANSFER OF WATER RIGHT

Department of Water Resources
Eastern District Office

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

Name of applicant Reed M. Nielsen Phone 588-2642

Post Office address Box 216, Mackay, Idaho 83251

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

34-0884; 0885; 0886

a. Decree No. Decreed to C.V. Hansen

(Name)

in case of Utah Construction vs Abbott et al

dated in Oct. 1, 1925 in U.S. Dist. Court county of Butte & Custer

(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 Right has not been used on original place of use, but rather the Nielson family has used it on their ground. Therefore a purchase agreement was reached.

3. Source of water Lower Cedar Creek tributary to sinks

4. Date of priority Jan. 1, 1915 (34-0886) Jan. 1, 1913 (34-0884)
Jan. 1, 1914 (34-0885)

5. Water is used for the following purposes:

34-0884 amount 3.2cfs for Irrigation purposes from Not specified to
34-0885 amount 1.6cfs for Irrigation purposes from to
34-0886 amount 1.6cfs for Irrigation purposes from (month/day — both dates inclusive) to

6. Total amount of water under right: a. 6.4 cubic feet per second &/or
b. acre feet per annum

7. Location of original point of diversion is NW 1/4 of SW 1/4 of Section 2
Township 7N Range 24E, B.M., in Custer County

Additional points of diversion, if any

8. Lands irrigated or place of use:

TWP.	RANGE	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	
7N	25E	28	*	*	*	*	*			*	*	*							*

*acreage not listed in decree

Total number of acres to be irrigated *

9. Describe any other water rights used for the same purpose as described above #34-2487
T2416/34-0044 & 0045 & 34-2016

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 _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ County
- Additional points _____

3. Place of use: _____

[illegible]

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 6.4 c.f.s. &/or _____ acre feet
- b. Description of diverting works Wood diversion dam thru headgate to 11 miles of ditches
- c. Describe the reasons for the proposed changes Applicant can make better use of water than current right holder. Right has changed hands via agreement attached

2. Change in point of diversion No Change

Point of diversion _____ ¼ _____ ¼, Section _____ Township _____

Range _____, B.M., _____ 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

None

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

[illegible]

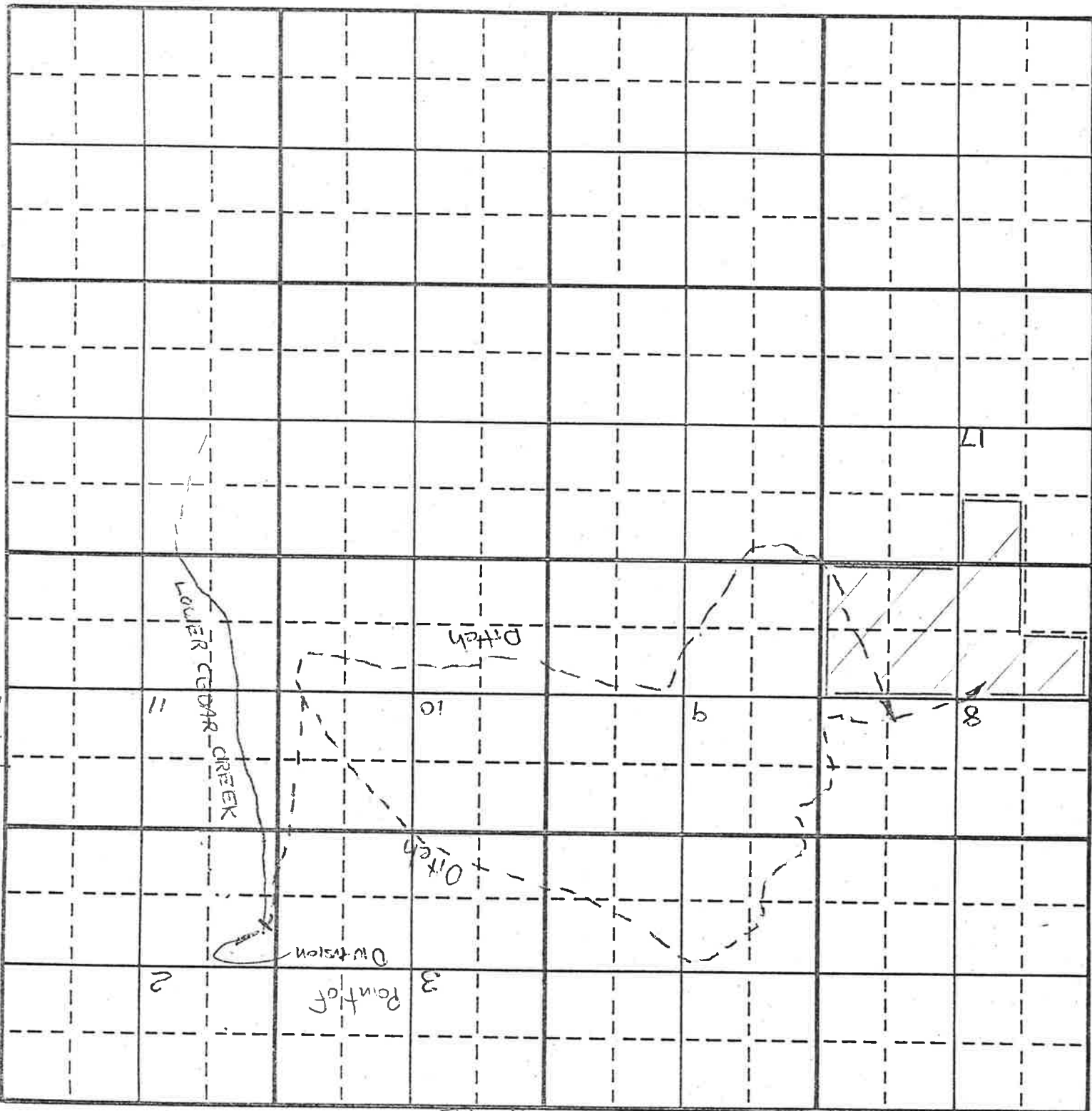
Total number of acres to be irrigated

320

4. Describe any other water rights used for the same purpose as described above. 34-0808 *see remarks
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.

*see remarks

land involved by section, township and range number.



D. REMARKS

Applicant feels attached Moritz formula chart for delivery water losses
establishes that 45-50% of water diverted at PD is lost via 5 miles of
ditches to the place of use. Soil is of an extremely pervious type.
The combination of this right and 34-0808 would deliver no more than
0.02cfs/acre at the place of use.

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.

Subscribed and sworn to before me this 14 day of October, 1982

[Signature]
(Signature of Applicant)

[Signature]
(Notary Public)

My commission expires Life Time

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 34-0884, 34-0885 and
34-0886
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 these rights is subject to control by the watermaster of State
Water District No. 34, Big Lost River.
3. Water diverted under this transfer shall not exceed 0.02 cfs per acre at the field
headgate when combined with all other rights appurtenant to the lands identified
herein.

Witness my hand this 10th day of May, 1983

[Signature]
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Assist. by HWJ CW 11-19-82
Received by SRC Date 11-10-82 Protest filed by _____
Prelim. check by HWJ Fee 50.00
Receipted by BP Date 11-22-82 #22591
Published in Custer County Publ Co. Copies of protest forwarded by _____
Pub. dates 12/9 & 12/16/82 Hearing held by _____ Date _____
Watermaster recommendation requested on 12-6-82 Recommended for approval denial
_____ rec'd. 1-11-83 by Ernest Carlson Jim Dyer