

T1968 WHITTIER

JAN 13 1986

Department of Water Resources
Eastern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Transfer No. 1968

Water Right No. 73-0160A

AMENDED

APPLICATION FOR TRANSFER OF WATER RIGHT

AMENDED

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

Name of applicant JAMES C. WHITTIER Phone 876-4268

Post Office address May, ID 83253

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. 73-0160 Decreed to Elmer D. Reese
in case of Lorenzo Falls, et al vs Uriah Wells, et al (Amended)
dated in 12-28-1910 in 6th Judicial county of Custer

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 acquired through purchase of land.

3. Source of water Big Creek tributary to Pahsimeroi River

4. Date of priority 7-8-1885 NOTE: * Indicates information was not provided in the decree

5. Water is used for the following purposes:

amount 9.00 for Irrigation purposes from * to
amount for purposes from to
amount for purposes from to (month/day — both dates inclusive)

6. Total amount of water under right: a. 9.00 cubic feet per second &/or
b. acre feet per annum

7. Location of original point of diversion is * ¼ of ¼ of Section
Township Range, B.M., in County
Additional points of diversion, if any

8. Lands irrigated or 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	
13N	23E	36	X	X	X	X													*
13N	24E	31					X	L-1 X	L-2 X	X									*

Total number of acres to be irrigated *

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).

NOTE: * Indicates information was not provided in decree

1. Amount of water: a. 4.24 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:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13N	24E	31					X	L-1 X	L-2 X	X									*

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 4.24 c.f.s. &/or _____ acre feet
- b. Description of diverting works Headgate, weir with open ditch to gravity flow pipeline.
- c. Describe the reasons for the proposed changes I have changed the method of irrigation from flood to gravity sprinkler. The sprinkler system has been in use for several years.

2. Change in point of diversion

Point of diversion NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 20 Township 13N
Range 24E, B.M., Custer 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
There is no change in the place of use pursuant to this application.

R 23E

R 24E

T 13N

25

30

35

36

31

235'

21.5

L1

20.5

377'

1.2

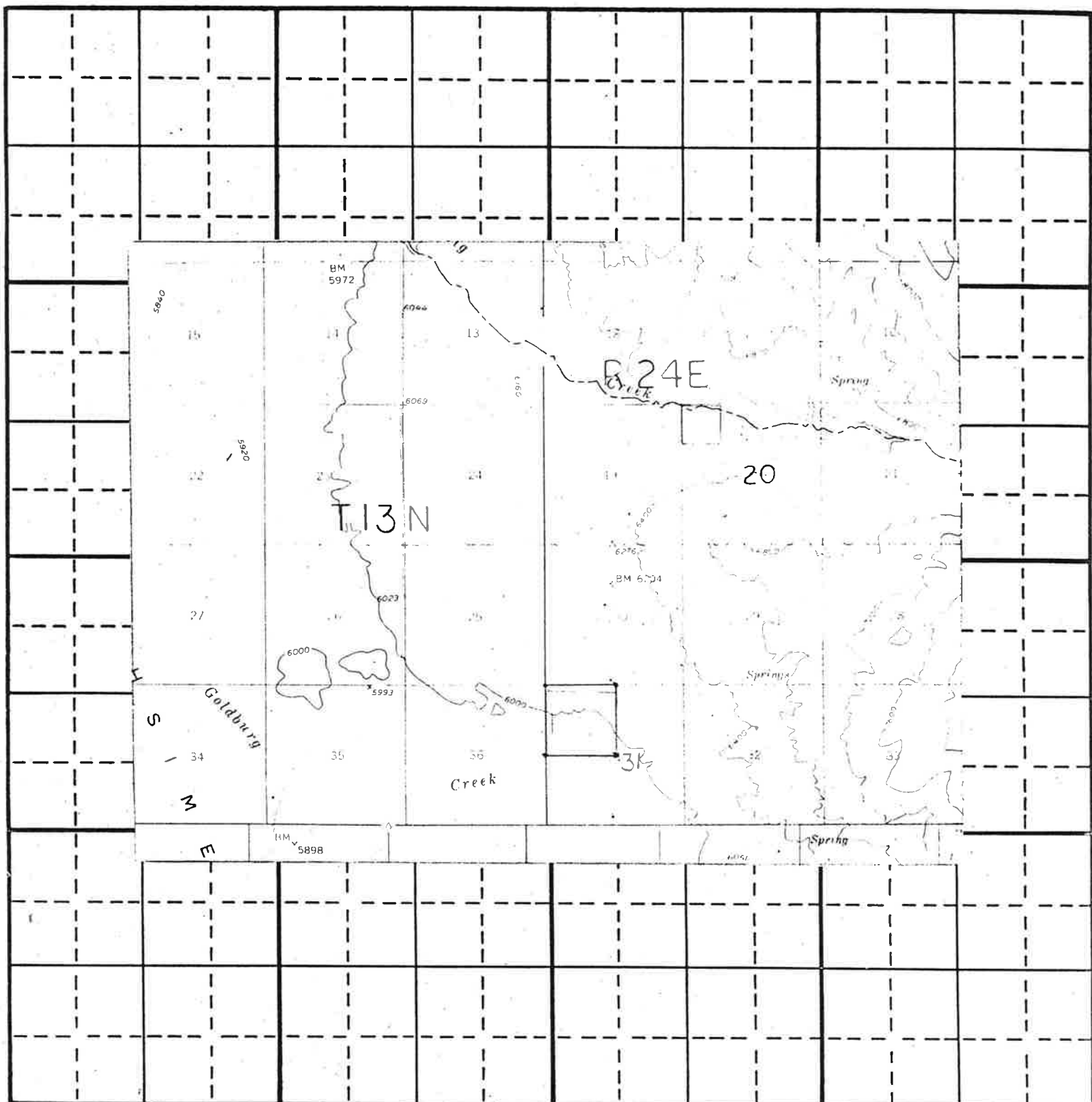
1.0

c. Describe the lands and 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	
13N	24E	31					30.5	31.5	40	40									142

Total number of acres to be irrigated 142

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

I am filing this application to record the location for the diversion point of a gravity flow sprinkler system I share with Leon Ziegler & Wayne Cunningham. The application also accurately describes the land I irrigate under this right.

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 9th day of October, 1984

James C. Whittier
(Signature of Applicant)

Robert 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. 73-0160A

APPROVED

and said application is hereby _____, 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. 73, Pahsimeroi River.

Witness my hand this 6th day of January, 1986

J. Glen Sayton
Chief, Operations Bureau,

FOR DEPARTMENT USE ONLY

Received by EMC Date 10/9/84 Protest filed by _____

Prelim. check by HUT Fee \$20.00

Receipted by JR Date 10-09-84 #34304

Published in Crater Co. Publ. Co. Copies of protest forwarded by _____

Pub. dates 4-11 & 4-18-85 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for approval denial

_____ rec'd. _____ by APC JIM