

T1920 HALF CIRCLE CATTLE CO

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

Half Circle Cattle Company, Inc.

Name of applicant c/o Holden, Kidwell, Hahn & Crapo Phone 523-0620

Post Office address P. O. Box 129, Idaho Falls, Idaho 83402

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree No. 109 Decreed to Elizabeth Maria Adolphine Croker Reber (Name) in case of Sauve vs Abbott dated in Nov 1, 1930 in United States Dist. court District of Idaho (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 See attached copies of "Agreement" and deed.
3. Source of water Spring Creek tributary to Camas Creek
4. Date of priority "Beginning of Irrigation Season" 1903
5. Water is used for the following purposes:
- amount 3.2 cfs for Irrigation purposes from May 1 April 1 to Nov 1
- amount for purposes from to
- amount for purposes from to (month/day — both dates inclusive)
6. Total amount of water under right: a. 3.2 cubic feet per second &/or b. acre feet per annum "one and one-fourth miles Northeast of the land to be irrigated and hereafter described"
7. Location of original point of diversion is 1/4 of Township 12N Range 39E, B.M., in Clark 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	
12N	39E.	5													40	40	40	40	160

Total number of acres to be irrigated 160

9. Describe any other water rights used for the same purpose as described above
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. 1.6 cubic feet per second ($\frac{1}{2}$ of total amount of 3.2 cfs)
&/or
b. _____ acre feet per annum
2. Point of diversion Decree states: "one and one-fourth miles Northeast of the land to be irrigated, and hereinafter described: "
Range _____, B.M., _____ County
Additional points _____
3. 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 $\frac{1}{4}$	
12N	39E	5													40	40	40	40	160

Total number of acres to be irrigated 160
Applicants $\frac{1}{2}$ will be applied to $\frac{1}{2}$ this
amount of acreage or 80 acres

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

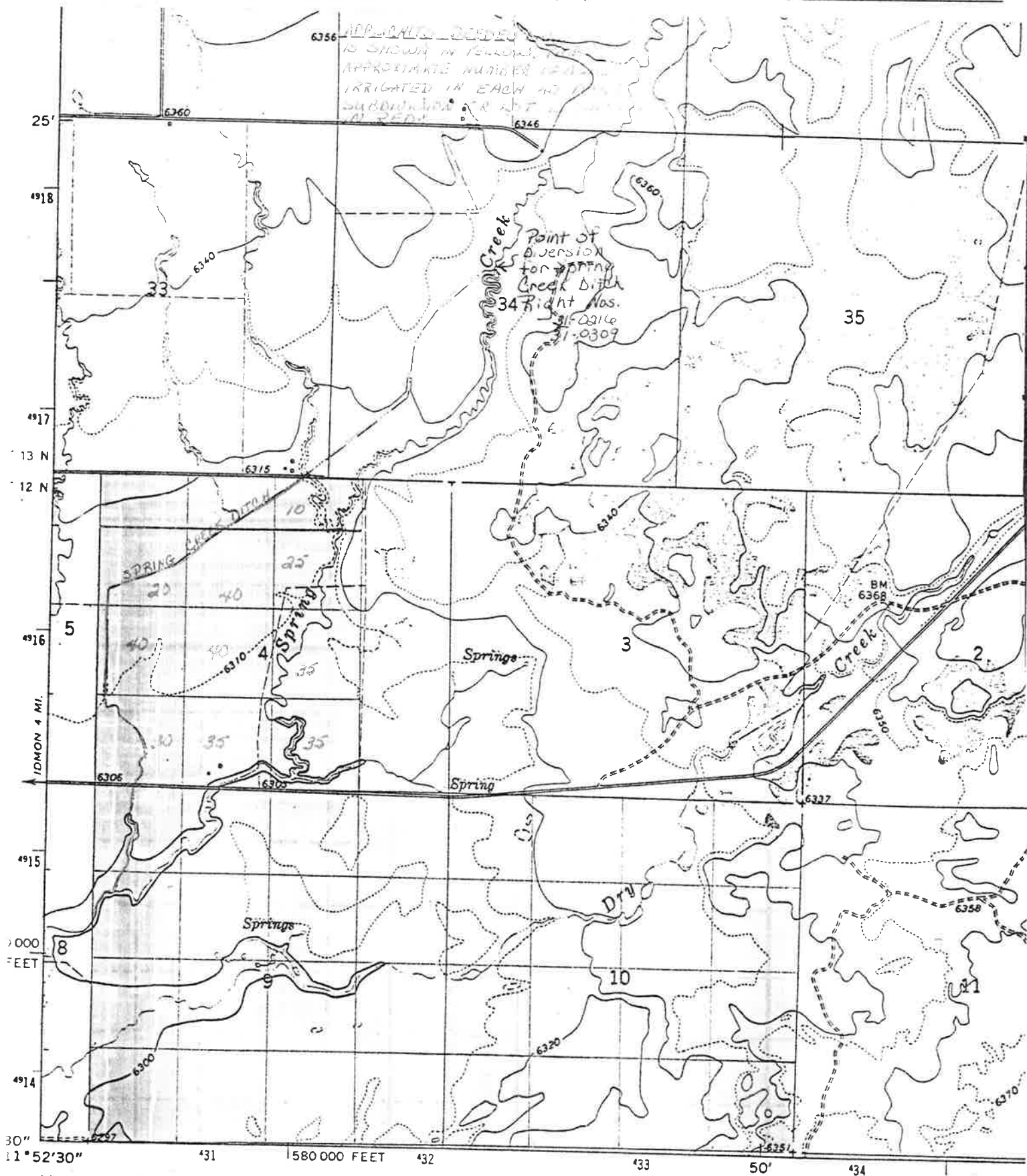
1. General Information
- a. Amount of water to be diverted 1.6 c.f.s. &/or _____ acre feet
- b. Description of diverting works Treated lumber headgate on Spring Creek;
ditch to place of use.
- c. Describe the reasons for the proposed changes One half of right No. 31-0216 has
been used on applicants land for many years. See "Agreement". It is
proposed to make record comply as nearly as possible with actual use.
2. Change in point of diversion
- Point of diversion SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 34 Township 13N
Range 39E, B.M., Clark 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 effect on the land now irrigated if the place of use is changed pursuant to this transfer
There will be no effect because if there ever was an actual transfer,
it occurred many years ago and irrigation practices are intended to
continue as at present.

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

[illegible]

Only an undivided 80 acres of this ~~total of 310 acres to be irrigated~~ total of 310 will be irrigated with this right.

4. Describe any other water rights used for the same purpose as described above. 31-0309



Mapped, edited, and published by the Geological Survey

Control by USGS and NOS/NOAA

Topography by photogrammetric methods from aerial



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.

HALF CIRCLE CATTLE COMPANY, INC.
By: M. J. Lawrence, Jr. Pres.
(Signature of Applicant)

Subscribed and sworn to before me this 27 day of JULY, 19 83.

[Signature]
(Notary Public)

My commission expires LIFE

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
and said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

FOR DEPARTMENT USE ONLY

Received by <u>EMC</u>	Date <u>7/29/83</u>	Protest filed by _____
Prelim. check by <u>HWT</u>	Fee <u>50.00</u>	_____
Receipted by <u>BP</u>	Date <u>8/1/83</u> # <u>29377</u>	_____
Published in <u>Standard Journal</u>	Copies of protest forwarded by _____	
Pub. dates <u>11/10 - 11/17/83</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on _____	Recommended for approval denial	
_____ rec'd. _____	by _____	

FROM Ernest Carlsen

DATE 1/5/84

TO File No. 31-0216

SUBJECT

This is a companion application to another application filed to transfer 31-0309. The lands actually irrigated should be determined through a field investigation.

Special attention should be given to those lands in the $W\frac{1}{2}SE\frac{1}{4}$ Sec. 4 on the other side of Spring Creek.



SIGNATURE

NOV 28 1983

IN THE MATTER OF)
APPLICATION FOR TRANSFER)
OF RIGHT 31-0216, HALF)
CIRCLE CATTLE COMPANY.)

Department of Water Resources
Eastern District Office

PROTEST

I am opposed to the application for transfer of right 31-0216 filed by Half Circle Cattle Company, on the grounds there is sufficient water already appurtenant to the designated place of use for adequate irrigation. Furthermore, the 80 inches being transferred has historically been used on the SE $\frac{1}{4}$, Section 5, T. 12N, R. 39E, which I own.

Signed the 28th day of November, 1983.


THOMAS A. VADNAIS
Hamer, Idaho 83425