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Department of Water Resources
STATE OF IDAHO
Eastern District Office

DEPARTMENT OF WATER RESOURCES

Transfer No. 2481

Water Right No. 34-0773
34-0774
34-0775

APPLICATION FOR TRANSFER OF WATER RIGHT

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

Name of applicant Terrence Donahue Phone 588-2298

Post office address Star Route, Mackay, ID 83251

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree to M. S. Vaught (34-0773/34-0774/34-0775) 484 A & B p.175
(Name)
in case of Utah Construction Co. VS John E. Abbott
United States Dist. Court
dated 3/15/1923 in District of Idaho county of Eastern Division
(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 The applicant has traded a portion of the land under the decreed rights to Stacy ranch but retained the water right appurtenant to the land traded.

3. Source of water Big Lost River tributary to sinks

4. Date of priority (7/31/1901) 34-0773 (5/1/1885) 34-0774 (5/15/1897) 34-0775

5. Water is used for the following purposes:

34-0773	amount 3.20	for irrigation	purposes from May 1	to October 15
34-0774	amount 2.80	for irrigation	purposes from May 1	to October 15
34-0775	amount 2.00	for irrigation	purposes from May 1	to October 15

(month/day - both dates inclusive)

6. Total amount of water under right: a. 8.0 cubic feet per second
&/or
b. acre feet per annum

7. Location of original point of diversion is * ¼ of SW ¼ of Section 13
Township 8N Range 22E, B.M., in Custer County
Additional points of diversion, if any NW¼, Sec. 12, T. 8N, R. 21E, B.M. County of Custer

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	
8N	22E	13											40						40
		24			40		40	40	40	40	40	40				40	40		360

Total number of acres to be irrigated 400

9. Describe any other water rights used for the same purposes as described above none

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	

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

1. Change in point of diversion NO CHANGE

a. Amount of water to be diverted 8.0 c.f.s. &/or _____ acre feet

b. Point(s) of diversion NE ¼ SW ¼, Section 13 Township 8N
Range 22E, B.M., Custer County _____
Additional points _____

c. Description of diverting works _____

d. Describe the reasons for applying for a change in the point(s) of diversion _____

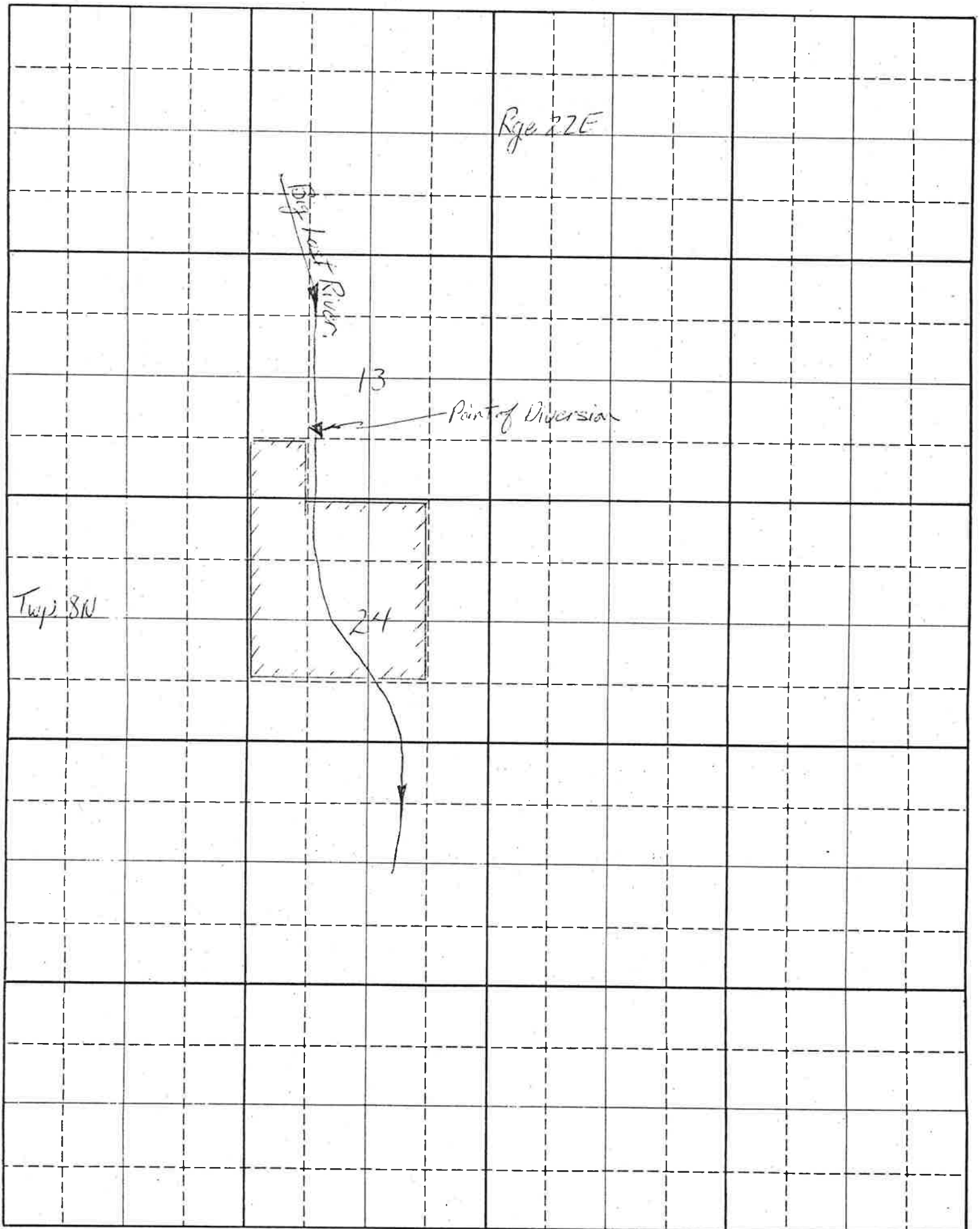
2. Change in place of use

a. Describe the lands or 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	
8N	22E	13											40						40
		24		40	40		40	40	40	40	40	40				40			360

Total number of acres to be irrigated 400

3. 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.

4. Remarks The applicant has traded 40 acres of land with the Stacy Ranch and
has retained the decreed water rights appurtenant to the land they have traded.
This transfer will change the place of use of water to be in conformance with
the trade. See attachment - (Stacy Ranch has relinquished their interest
in the water rights appurtenant to the land they received in the trade.)

I hereby assert that no one will be injured by such change and 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.

Terence Donahue
(Signature of applicant)

Subscribed and sworn to before me this 9 day of September, 1980.

Lita M. Lundy
(Notary public)

My commission expires 3/15/1981

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 34-0773/0774/0775 and said application is hereby approved, subject to the following limitations and conditions:

(1) A measuring device of a type approved by this 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. 34,
Big Lost River.

Witness my hand this 15th day of December, 1980.

Norman C. Young
NORMAN C. YOUNG
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Received by kw Date 3/27/80 Protest filed by _____
Prelim. check by ARK Fee \$35.00 _____
Receipted by kw Date 3/31/1980 #13892 _____
Published in Challis Messenger Copies of protest forwarded by _____
Custer Co. Publishing Co.
Pub. dates 4/10 & 4/17/1980 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for approval denial
4/8/80 rec'd. 4/21/80 by EMC DET