

Form No. 42-222
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Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 2444

Water Right No. T434 34-0049 B
T 2321 34-0065 C
34-0547 G
34-0049 C

APPLICATION FOR TRANSFER OF WATER RIGHT

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

Name of applicant Harry Crawford and Tom Shelton Phone 588-3326
Post office address Route #1, Darlington, ID 83231 588-2821

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
Transfer Nos. 434 (Name of court)
b. ~~License~~ No. 2321 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 rights have been divided and transferred since they were decreed to the original owners. See file on T. 2321 for proof of ownership.

3. Source of water Big Lost River tributary to sinks

4. Date of priority T2321 - 6/01/84, 8/01/87, 6/1/89 T434 - 6/01/89

5. Water is used for the following purposes:

T2321 amount 1.60 cfs for irrigation purposes from 4/1 to 11/1
T434A amount .80 cfs for irrigation purposes from 4/1 to 11/1
T434B amount 1.6 cfs for irrigation purposes from 4/1 to 11/1 *
(month/day - both dates inclusive)

6. Total amount of water under right: a. 2.4*
4.0 cubic feet per second
b. _____ &/or
acre feet per annum

7. Location of original point of diversion is Upper Burnett Ditch
NE 1/4 of NW 1/4 of Section 34
Township 7N Range 24E, B.M., in Custer County

Additional points of diversion, if any NW 1/4, Sec. 14, T. 7N, R. 24E, Beck Ditch

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	
6N	26E	28	40	40			40												120
6N	26E	28					40												40
6N	26E	28						40	40	40	40		40				40		240 *
		33		40	40		40			40	40			25		40	40		305 *
5N	26E	4	43	42															85 *
			Lots 1 & 2																

Total number of acres to be irrigated

9. Describe any other water rights used for the same purposes as described above

* Deleted as not pertinent to this transfer

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. 2.40 cubic feet per second
&/or
b. _____ acre feet per annum

T434A .80 cfs 6/1/1889
.40 cfs 6/1/1884
T2321 .40 cfs 6/1/1889
.80 cfs 8/1/1887

2. Point of diversion NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 34 Township 7N
Range 24E, B.M., Custer County Upper Burnett Ditch
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 $\frac{1}{4}$	
2321																			
	6N	26E	28	40	40		40												120
34A	6N	26E	28					40											40

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

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1. Change in point of diversion

- a. Amount of water to be diverted 2.40 c.f.s. &/or _____ acre feet
b. Point(s) of diversion NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 34 Township 7N
Range 24E, B.M., Custer County _____
Additional points _____

- c. Description of diverting works Headworks for Upper Burnett Ditch.

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

No actual change, the above legal descriptions more accurately describes
the point of diversion.

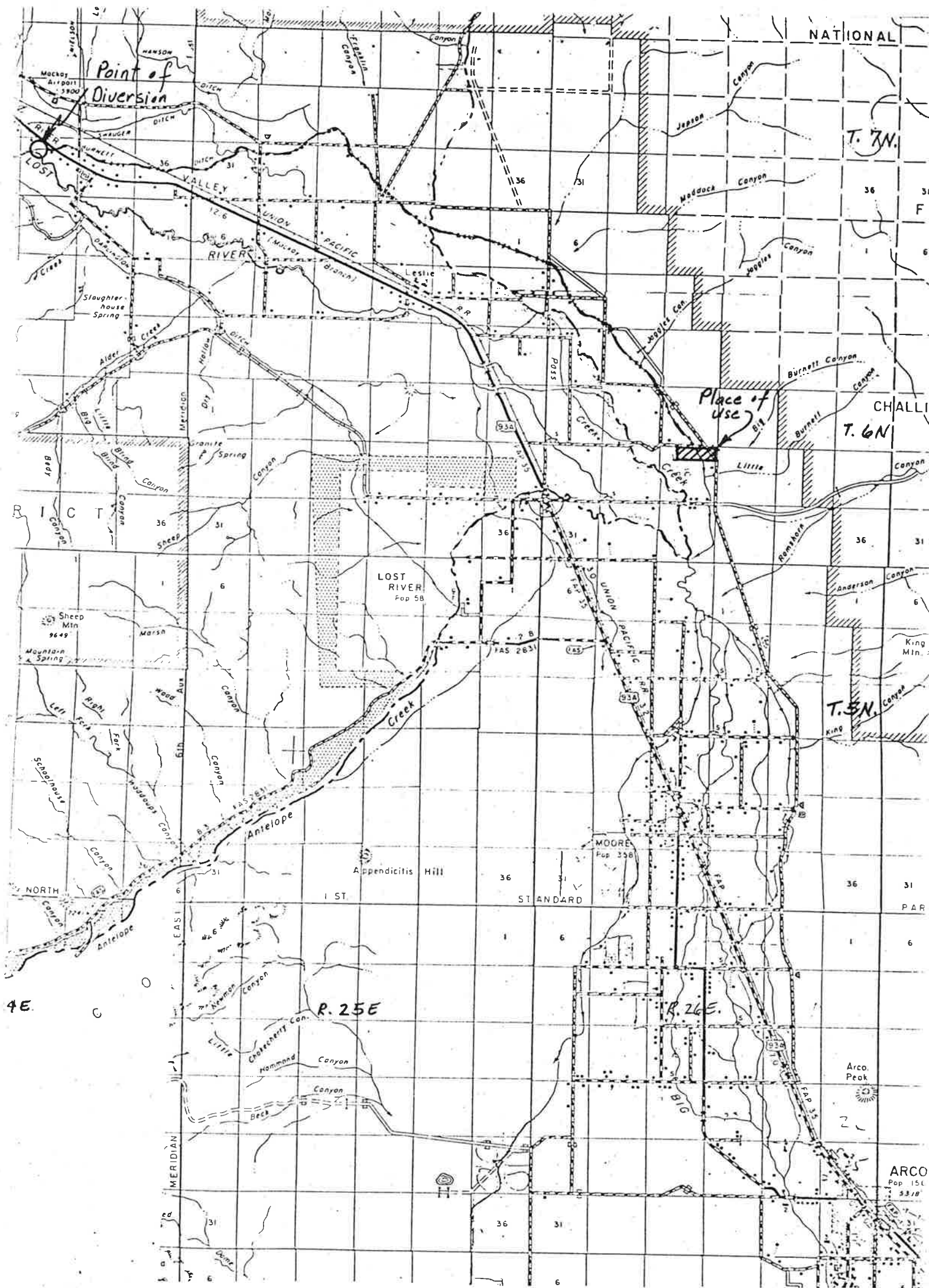
2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	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 $\frac{1}{4}$	
	6N	26E	28	40	40		40												120

Total number of acres to be irrigated 120

3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly land involved by section, township and range number.



4. Remarks Purpose of this application is to incorporate water under T434A with right T2321. If approved these rights will be treated a single inseparable right and any future transfers will involve the appropriate proportionate share of each right and physically dry up a proportionate acreage.

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.

Harvey C. Shetter
(Signature of applicant)

Subscribed and sworn to before me this 16 day of April, 19 80.

Jack L. Phillips
(Notary public)

My commission expires September

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 34-0049 C
34-0547G
and said application is hereby approved, subject to the following limitations and conditions: 34-0065 C
34-0049 B

(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 3rd day of October, 19 80.

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

FOR DEPARTMENT USE ONLY

Received by EMC Date 5/1/80 Protest filed by _____
Prelim. check by je Fee 35.00
Receipted by kw Date 5/20/80 # 14813
Published in Custer Publishing # 14814
Copies of protest forwarded by _____
Pub. dates 5/29 & 6/10/80 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for approval denial
6/2/80 rec'd. 6-5-80 by EMC