



JUN 2 1980

Department of Water Resources
Eastern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Transfer No. 2380

Water Right No. (a) 34-0301
(b) 34-0302

APPLICATION FOR TRANSFER OF WATER RIGHT

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

APPROVED

Name of applicant Anthony E. Madsen Phone 527-3368

Post office address Rt. #1, Box 124, Arco, Idaho 83213

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree to William Hanna #184 (Page 76)
(Name)
in case of Utah Construction Co. vs Abbott and others
dated 3-13-1923 in Eastern Division county of *
(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
Applicant acquired a portion of the decreed water right through the purchase of real property

3. Source of water Big Lost River tributary to sinks

4. Date of priority (a) 5-01-1885 (b) 4-22-1889

5. Water is used for the following purposes:
amount (a) 3.00* for irrigation purposes from May 1 to Oct. 15
amount (b) 3.20 for " purposes from " to "
amount for purposes from to
(month/day - both dates inclusive)

6. Total amount of water under right: a. 6.20 cubic feet per second
&/or
b. acre feet per annum

7. Location of original point of diversion is 1/4 of SE 1/4 of Section 4
Township 5N Range 26E, B.M., in Butte County
Additional points of diversion, if any

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4N	26E	14					40	40	40	40									160
		15	40	40	40	40									40	40	40	40	320

Total number of acres to be irrigated 480

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

Original right was reduced to 3.00 cfs subsequent to Transfer No. 997

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

5/1/1885

1. Amount of water: a. 1.00 cubic feet per second
&/or
b. _____ acre feet per annum

2. Point of diversion _____ $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4 Township 5N
Range 26E, B.M., Butte County
Additional points Headworks for the East Side Canal

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 $\frac{1}{4}$	
4N	26E	15													40	40	40	40	160

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 _____ c.f.s. &/or _____ acre feet
- b. Point(s) of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
- c. Description of diverting works _____
- d. Describe the reasons for applying for a change in the point(s) of diversion _____

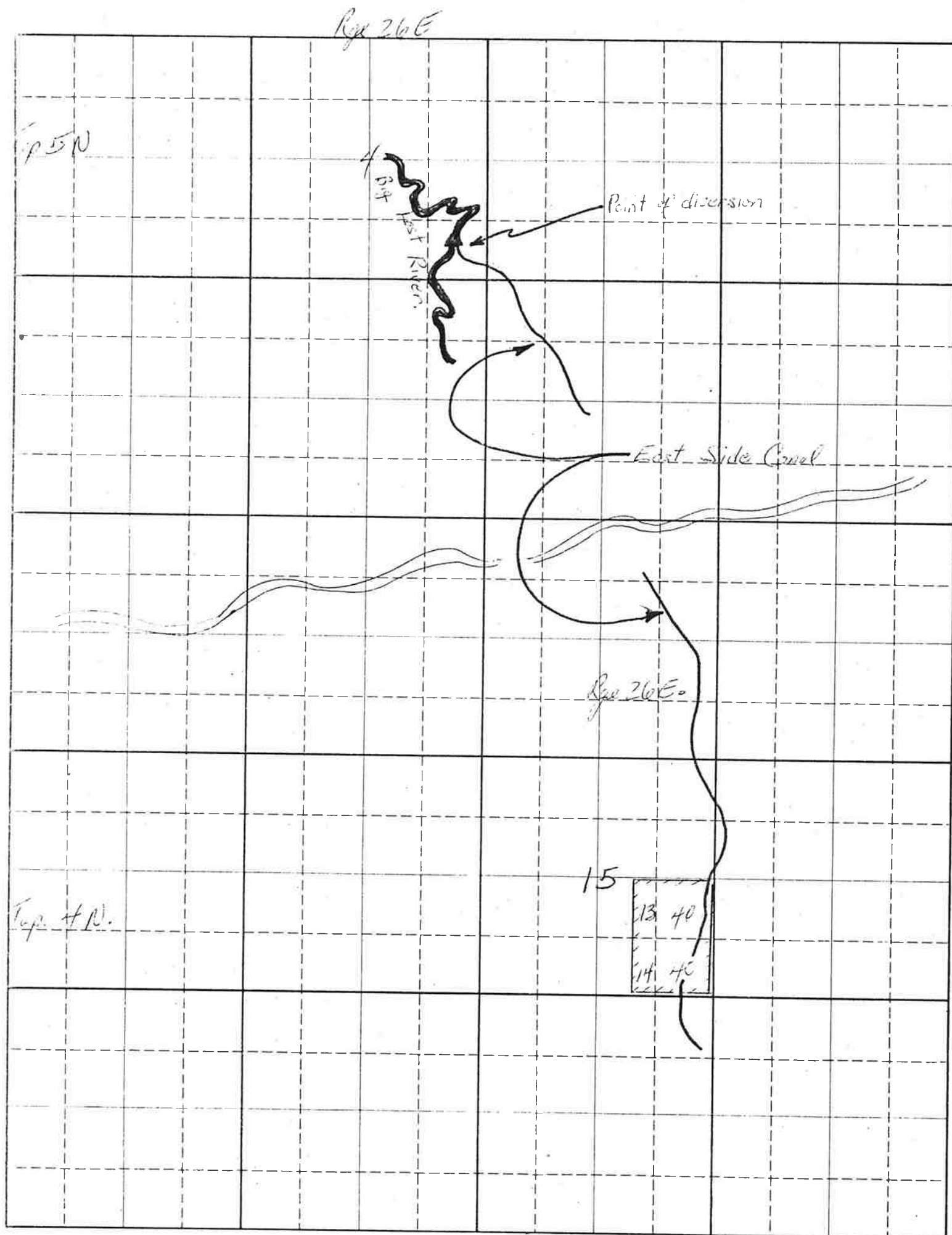
2. Change in place of use

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

TWP.	RANGE	SEC.	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 $\frac{1}{4}$	
4N	26E	15													40	13	14	40	107

Total number of acres to be irrigated 107

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 Applicant has sold 53 acres of land having a portion of
the decreed right appurtenant to it. It is the intent of
this transfer to physically dry up the 53 acres of land
that were sold and to transfer that amount of water to
lands still owned by the applicant.

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.

Anthony E. Madson
(Signature of applicant)

Subscribed and sworn to before me this 18 day of December, 19 79.

Kathleen A. Wacker
(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. 34-0301/34-0302 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 # 34, Big Lost River.

Witness my hand this 27th day of May, 19 80.

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

FOR DEPARTMENT USE ONLY

Received by GMC Date 12/15/79

Prelim. check by JC Fee

Received by CW Date 10/16/79 #13750

Published in The Arco Advertiser

Pub. dates 1/03 & 1/10/80

Watermaster recommendation requested on

2/19/80 rec'd. 3/24/80

Protest filed by

Copies of protest forwarded by

Hearing held by Date

Recommended for approval denial

by JC Jim

#34-0301
RECEIVED

OCT 23 1979

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 897

THIS IS TO CERTIFY, That Ray King, of Moore, Idaho, is the owner of and using a certain water right for One (1) cubic foot per second of the waters of Big Lost River, with priority of May 1, 1885, said water being decreed to William Hanna, by Judge E. S. Farrington, of the United States District Court in and for the District of Idaho, Eastern Division, in the case of

UTAH CONSTRUCTION COMPANY,

Plaintiff,

vs.

JOHN F. ABBOTT, et al.,

Defendants,

said decree bearing date of March 15, 1923, and being appurtenant to the following described lands, to-wit:

Southeast Quarter Section 15,
Township 4 North, Range 26 East, E. M.

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 5 of Decrees, beginning at page 104 thereof.

That said Ray King has become the owner of said water right through purchase.

And that now, upon the application of Ray King, of Moore, Idaho, for the transfer of One (1) cubic foot per second of the waters of Big Lost River, made before the State Reclamation Engineer of the State of Idaho, and the said application having been granted, the right to the use of One (1) cubic foot per second of the waters of Big Lost River upon the above described lands is hereby abandoned, and the lands to be irrigated under such right, and to which the water right HEREBY CONFIRMED shall become appurtenant, by this certificate, for irrigation and domestic purposes, are described as follows, to-wit:

W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 15;
E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 16;
Township 5 North, Range 26 East, E. M.

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount, to-wit:

One (1) cubic foot per second, with
priority of May 1, 1885.

That the water right hereby transferred has heretofore been conducted from Big Lost River to the first above described lands through the Island Ditch, with point of diversion in the SE $\frac{1}{4}$ Section 4, Township 5 North, Range 26 East, B. M.

That the water right hereby transferred will hereafter be conducted to the last above described lands through the same ditch, with point of diversion in the SE $\frac{1}{4}$ Section 4, Township 5 North, Range 26 East, B. M., through the Island and Moore Canals.

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 15th day of October, A. D., 1957.

Mark R. Kulp
MARK R. KULP

State Reclamation Engineer

(SEAL)

RECEIVED

OCT 23 1957

Department of Water Resources
Eastern District Office