

T3281 FEDERAL LAND BANK OF SPOKANE

MAY 4 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Eastern District Office

APPLICATION FOR TRANSFER OF WATER RIGHT

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

Name of applicant FEDERAL LAND BANK OF SPOKANE Phone 208-785-0820
Post Office address c/o Farm Credit Services-Blackfoot, P.O. Box 10, Blackfoot ID 83221

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 34-0659 Decreed to Helen Richardson (Name)
in case of Utah Const vs John Abbot
dated in Oct 21, 1925 in District Court county of Butte/Custer
(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. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired Purchased at Sheriff's Sale under Decree of Foreclosure. We did not receive a copy of last years Tax Notice.

3. Source of water Antelope Creek tributary to Big Lost River

4. Date of priority 8-31-1912

5. Water is used for the following purposes:

amount 3.2 cfs for irrigation purposes from 5-1 to 10-15
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

7. Location of original point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 21
Township 5 N Range 25 E, B.M., in Butte County
Additional points of diversion, if any Note: Water is to be delivered through the Hanrahan Ditch

8. Lands irrigated or 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 $\frac{1}{4}$	
5N	25E	1									X	X	X	X					

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purpose as described above Claim filed 6-23-86 for a ground water right # 34-4136
added ESI/10/86

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

Applicant

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

*

1. General Information

- a. Amount of water to be diverted 3.2 c.f.s. &/or _____ acre feet
- b. Description of diverting works dirt diversion structure on the property
- c. Describe the reasons for the proposed changes We do not have any stock in the Hanrahan Ditch Co. and are unable to get the water delivered via that ditch.

2. Change in point of diversion

Point of diversion SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1 Township 5N
Range 25 E, B.M., Butte County
Additional points _____

3. Change in place of use

- a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

* Changed as per tele-con w/ BRENT UNDERDAHL 10/17/86 ESI

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

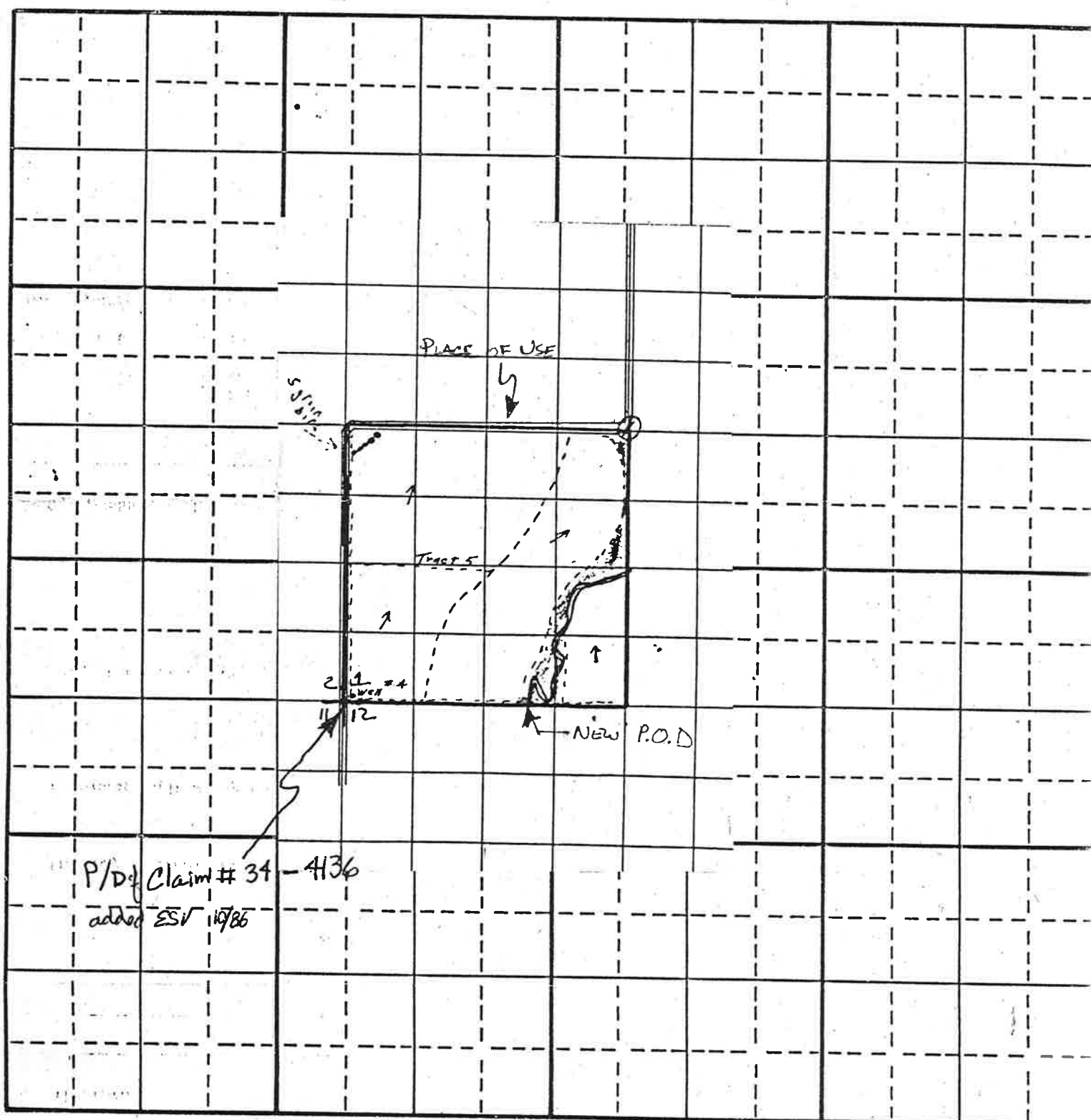
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5N	25E	1									40	40	40	40					160

Total number of acres to be irrigated 160

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

Claims filed 6-23-86 for a ground water right #34-4136 (GROUNDWATER)
added ESI 10/86

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.

TP. <u>5N</u>	RGE <u>25E</u>
<u>BUTTE</u> COUNTY	
<u>IDAHO</u> STATE	
SCALE: 1" = 1320'	
PLATTED BY <u>AGU</u>	VERIFIED BY
TITLE REPORT VERIFIED BY	DESCRIPTION

3. Remarks

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.

THE FEDERAL LAND BANK OF SPOKANE

By: Richard E. Spencer
(Signature of applicant)
Authorized Agent

Subscribed and sworn to before me this 15th day of October, 19 86

[Signature]
(Notary Public)

My commission expires 4-15-91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 34-0659
and said application is hereby APPROVED

Approval of said application is subject to the following limitations and conditions:

1. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
2. Use of water under this right is subject to control by the watermaster of State Water District No. 34, Big Lost River.
3. An agreement was reached between the applicant & the parties protesting the approval of this transfer, and will be enforced by the Department to the extent the Department has jurisdiction over the terms of the agreement.

Witness my hand this 17th day of April, 1987.

[Signature]
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

ALL PROTESTS WITHDRAWN

Received by PW Date 10-16-86

Prelim. check by ESV Fee 50.00

Receipted by MD Date 10-21-86

Published in Arco Advertiser

Pub. dates 11-6 + 11-13-86

Watermaster recommendation requested on 11-06-86

WD #34 rec'd. 11-12-86

Protest filed by Harold H. Bell, Preston K. Bell

Harold E. Smith, Dee Van Eiten, Ervin Beal

James Lords

Copies of protest forwarded by CW

Hearing held by _____ Date _____

Recommended for approval denial

by RBC Jim