

T3279 DIXON

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Eastern District Office

APPLICATION FOR TRANSFER OF WATER RIGHT

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

APPROVED

Name of applicant Preston Dixon Phone 876-4252

Post Office address Box 2310, May Idaho 83253

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 73-0090 Decreed to Odell D. Bartlett
in case of Roscoe Hamilton, et al vs W. G. Swendsen, et al
dated in 02-17-1926 in 6th District Court county of 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

3. Source of water Pahsimeroi River tributary to Salmon River

4. Date of priority 4-18-1888

5. Water is used for the following purposes:

amount 2.5 for Irrigation purposes from to
amount for purposes from to
amount for purposes from to
(month/day — both dates inclusive)

6. Total amount of water under right: a. 2.5 cubic feet per second
&/or
b. acre feet per annum

7. Location of original point of diversion is 1/4 of 1/4 of Section
Township Range, B.M., in County

Additional points of diversion, if any Water for this right is transported through the
Reed & Bartlett Ditch. Legal description for heading not stated in decree.

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	
15N	21E	34									X			X		X	X		125

*See remarks

Total number of acres to be irrigated 125*

9. Describe any other water rights used for the same purpose as described above None

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. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
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 $\frac{1}{4}$	

Total number of acres to be irrigated _____

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

1. General Information

- a. Amount of water to be diverted 2.5 c.f.s. &/or _____ acre feet
- b. Description of diverting works Heading for the Reed & Bartlett Ditch
- c. Describe the reasons for the proposed changes To include 45 acres of land
acquired through a D.L.E. (I-15492) as part of the place of use
irrigated under this right.

2. Change in point of diversion NO CHANGE

Point of diversion ~~NE~~ SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1 Township 14N
Range 21E, B.M., Custer County
Additional points _____

3. Change in place of use

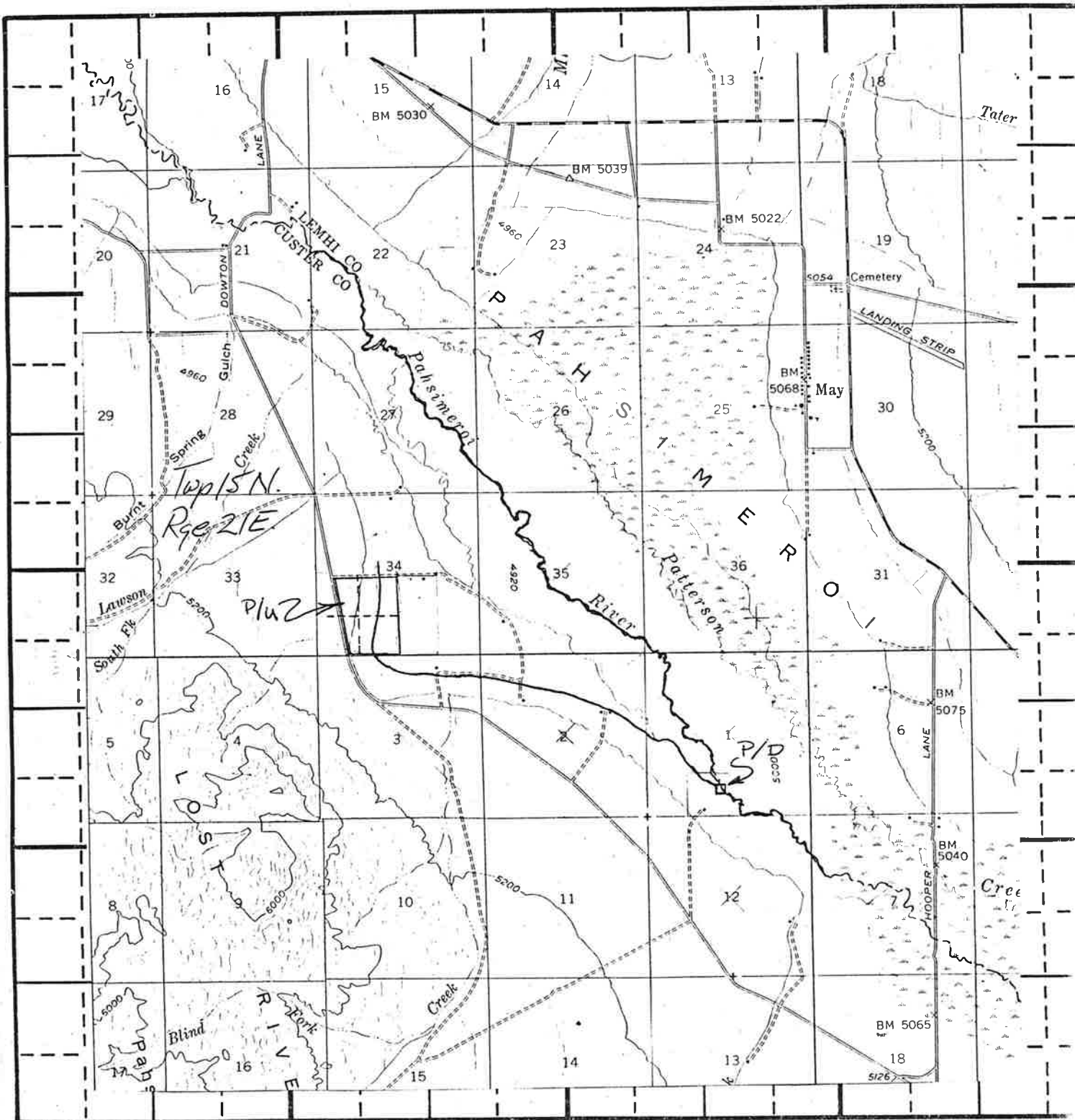
- a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? XX Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
Decreed water is being removed from 45 acres in the W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 34.
However, there is other water available for irrigation of this land. High
water from the Pahsimeroi River is normally available early in the growing
season. When flows in the river begin to recede, irrigation can continue
using waste water originating on the neighbor's property.

c. 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	
15N	21E	34									40	25	20	40					125

Total number of acres to be irrigated 125

4. Describe any other water rights used for the same purpose as described above. None
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.

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.

Subscribed and sworn to before me this 20th day of August, 19 86.

[Signature]
(Signature of Applicant)

[Signature]
(Notary Public)

My commission expires 5/29/1991

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 73-0090 and said application is hereby APPROVED, subject to the following limitations and conditions:

1. A measuring device and lockable controlling works of a type acceptable to the 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, 73, Pahsimeroi River.

Witness my hand this 12th day of November, 19 86.

[Signature]
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>ENC</u>	Date <u>8-20-86</u>	Protest filed by _____
Prelim. check by <u>KCW</u>	Fee <u>\$50.00</u> <u>#39840</u>	_____
Receipted by <u>WLS</u>	Date <u>8-20-86</u>	_____
Published in <u>CASTER Publishing Co.</u>		Copies of protest forwarded by _____
Pub. dates <u>9-18 + 9-23-86</u>		Hearing held by _____ Date _____
Watermaster recommendation requested on <u>9-18-86</u>		Recommended for <u>approval</u> denial
<u>WD #73</u> rec'd. <u>9-23-86</u>		by <u>RDC Jim B.S.</u>