

T3784 SMALL RANCHES

APR 01 1991

Page 1 of 8STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Eastern District Office
Transfer No. 3784

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Small Ranches, Partnership Phone 374-5439
Post Office address c/o Butch Small, Dubois, ID 83423

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes The applicants are installing a gravity sprinkler system and it is necessary to move the point of diversion upstream to gain the necessary head.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-----------------|----------------------|--------------------|-------------------|-------------------------------------|
| <u>32-00006</u> | <u>Apr. 15, 1883</u> | <u>3.20 cfs</u> | <u>Irrigation</u> | <u>April 1</u> to <u>November 1</u> |
| <u>32-00052</u> | <u>May 15, 1895</u> | <u>1.36 cfs</u> | <u>Irrigation</u> | <u>April 1</u> to <u>November 1</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 4.56 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Indian Creek tributary to Medicine Lodge
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	NW	13	11N	34E	Clark	

5. Lands irrigated or place of use:
- NO CHANGE

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
11N	34E	23				3									18			8	29
		24							15			39	39	25					118
		25	11	37			35	11											94

Total acres 241

CONDITIONS OF APPROVAL

Transfer of Water Right Nos. 32-0006/0052

1. Use of water under this water right is subject to control by the watermaster of State Water District No. 32-C, Medicine Lodge Creek and tributaries. The watermaster shall have control of the diversion to require and ensure that wildlife trough and tree seepage supply lines are operable.
2. A measuring device and lockable controlling works approved by this Department shall be maintained by the water right holder.
3. Wildlife troughs and supply lines and other supply lines for watering trees and/or maintaining riparian vegetation and habitat identified in Soil Conservation Service (SCS) design plans must be constructed and maintained under Water Right Nos. 32-0006 and 32-0052, except to the extent ongoing water savings are documented with the Idaho Department of Water Resources.
4. Before initiating the change authorized by this transfer, holders of Water Right Nos. 32-0006 and 32-0052 must submit specifications and a plan of operation and maintenance of the diversion and supply lines to the Department of Water Resources for approval. Right No. 32-0052 is subject to a 4% delivery loss as stipulated in approved transfer No. 1722 and, therefore, the maximum rate of diversion under Right No. 32-0052 shall not exceed 1.30 cfs.
5. The change authorized by this transfer shall be accomplished within (1) year of the date of this approval unless the time is extended by the Department through a written petition.
6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 27th day of March, 1991.

for David R. Tuttle Jr
Chief, Water Allocation Bureau

PART 1

6. General Information:

a. Description of diversion system The new system will include approximately 2 1/2 miles of buried mainline to supply hand laterals pressurized by gravity.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N.A. Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will be irrigated more efficiently through this change.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 32-0006 / 32-0052

And said application is hereby APPROVED, subject to the following limitations and conditions:

SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this 27th day of March, 19 91.

David R. Tutthill
for CHIEF, WATER ALLOCATION BUREAU

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 32-00006 Decreed to Dennis Small
in case of Thomas A. Robison vs. James Colson
dated June 13, 1901 in District Court county of Fremont
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☒ Other _____

3. Source of water Indian Creek tributary to Medicine Lodge Creek

4. Date or priority April 15, 1883

5. Water is used for the following purpose:

amount 3.20 cfs for Irrigation purposes from Apr. 1 to Nov. 1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 3.20 cubic feet per second and/or 602.5 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	SW	24	11N	34E	Clark	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
11N	34E	23				3									18			8	29
		24							15			39	39	25					118
		25	11	37			35	11											94

Total acres 241

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 non-use?
 _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 32-00052 Decreed to W.F. Robison
in case of Thomas A. Robison vs. James Colson
dated June 13, 1901 in District Court county of Fremont
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☒ Other _____

3. Source of water Indian Creek tributary to Medicine Lodge Creek

4. Date or priority April 15, 1883 1895

5. Water is used for the following purpose:

amount 1.36 cfs for Irrigation purposes from Apr. 1 to Nov. 1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.36 cubic feet per second and/or 602.5 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	SW	24	11N	34E	Clark	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
11N	34E	23				3									18			8	29
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Total acres 241

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10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

_____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**

A large grid of dashed lines for drawing a map, representing land sections, townships, and ranges. The grid is composed of 10 columns and 10 rows of squares, with each square further divided into smaller sections by dashed lines. This is a standard format for USGS maps used in water rights applications.

SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

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 willful misrepresentations made in this application may result in voiding its approval.

Fred Island Small
 (Signature of Applicant)

Subscribed and sworn to before me this 4th day of Oct, 19 90.

Ronald D. Carter
 (Notary Public)

My commission expires 2/14/91

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by RDC Date 10-4-90 Protest filed by _____

Prelim. check by _____ Fee \$50.00 #E015305

Receipted by CW Date 10-4-90

Published in Post-Register Copies of protest forwarded by _____

Pub. dates 11-15-22-90 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by RDC

Copy of transfer sent to lien holder _____

