

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Max Siddoway Phone 208-458-4275

Post Office address 2568 E 100 N Teton ID 83451

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 Clarify existing P.D., change priority date

2. Describe the reason for the proposed changes _____

I am defining the historic pd, the place of use for East Camas creek water
and I'm changing the priority date of 31-00055B from Aug 8, 1893 to
May 1, 1896 so I won't adverse my neighbors.

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>31-00053</u>	<u>5/1/1896</u>	<u>0.30 cfs</u>	<u>Irrigation</u>	<u>5/01</u> to <u>9/01</u>
<u>31-00055B</u>	<u>5/1/1896</u>	<u>1.00 cfs</u>	<u>Irrigation</u>	<u>5/01</u> to <u>9/01</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 1.30 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water East Camas Creek tributary to Camas Creek

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	32	13N	39E	Clark	

5. 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	
13N	39E	32									39					5	11		55

Total acres 55

PART 1**6. General Information:**

a. Description of diversion system One diversion ditch on East Camas Creek to flood
irrigation.

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:

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. _____

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

Witness my hand this _____ day of _____, 19 _____

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 31-00053

STAGE: DECREEED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	05/01 to 09/01	0.40 CFS
STOCKWATER	to	
DOMESTIC	to	
	Totals	0.40 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
CAMAS CREEK	MUD LAKE

Priority: 05/01/1896

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
13N 39E 32	NENW	SENW	NESW	
	NWSW	NESE	NWSE	
	SWSE	SESE		

PLACE OF USE: STOCKWATER, same as IRRIGATION usePLACE OF USE: DOMESTIC, same as IRRIGATION useCONDITIONS/REMARKS:

1. P/D ON OR NEAR P/U.

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 0.30 cfs for Irrigation purposes from 5/01 to 9/01
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion: Not listed

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 %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	
13N	39E	32									A					A	A		

Total acres _____

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

1. amount 0.10 cfs for Irrigation purposes from 5/01 to 9/01
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion: Not listed

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 %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	
13N	39E	32					A			A	A				A	A	A	A	

Total acres _____

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 31-00055

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	05/01 to 09/01	3.20 CFS
STOCKWATER	to	
DOMESTIC	to	
Totals		3.20 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
CAMAS CREEK	MUD LAKE

Priority: 08/08/1893

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
13N 39E 32	NENW	SENW	NESW	
	NWSW	NESE	NWSE	
	SWSE	SESE		

PLACE OF USE: STOCKWATER, same as IRRIGATION usePLACE OF USE: DOMESTIC, same as IRRIGATION useCONDITIONS/REMARKS:

1. P/D ON OR NEAR P/U.

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

No

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 1.00 cfs for Irrigation purposes from 5/01 to 9/01
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: Not listed

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 %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	
13N	39E	32									A					A	A		
											Part					Part			

Total acres _____

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

1. amount 2.20 cfs for Irrigation purposes from 5/01 to 9/01
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: Not listed

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

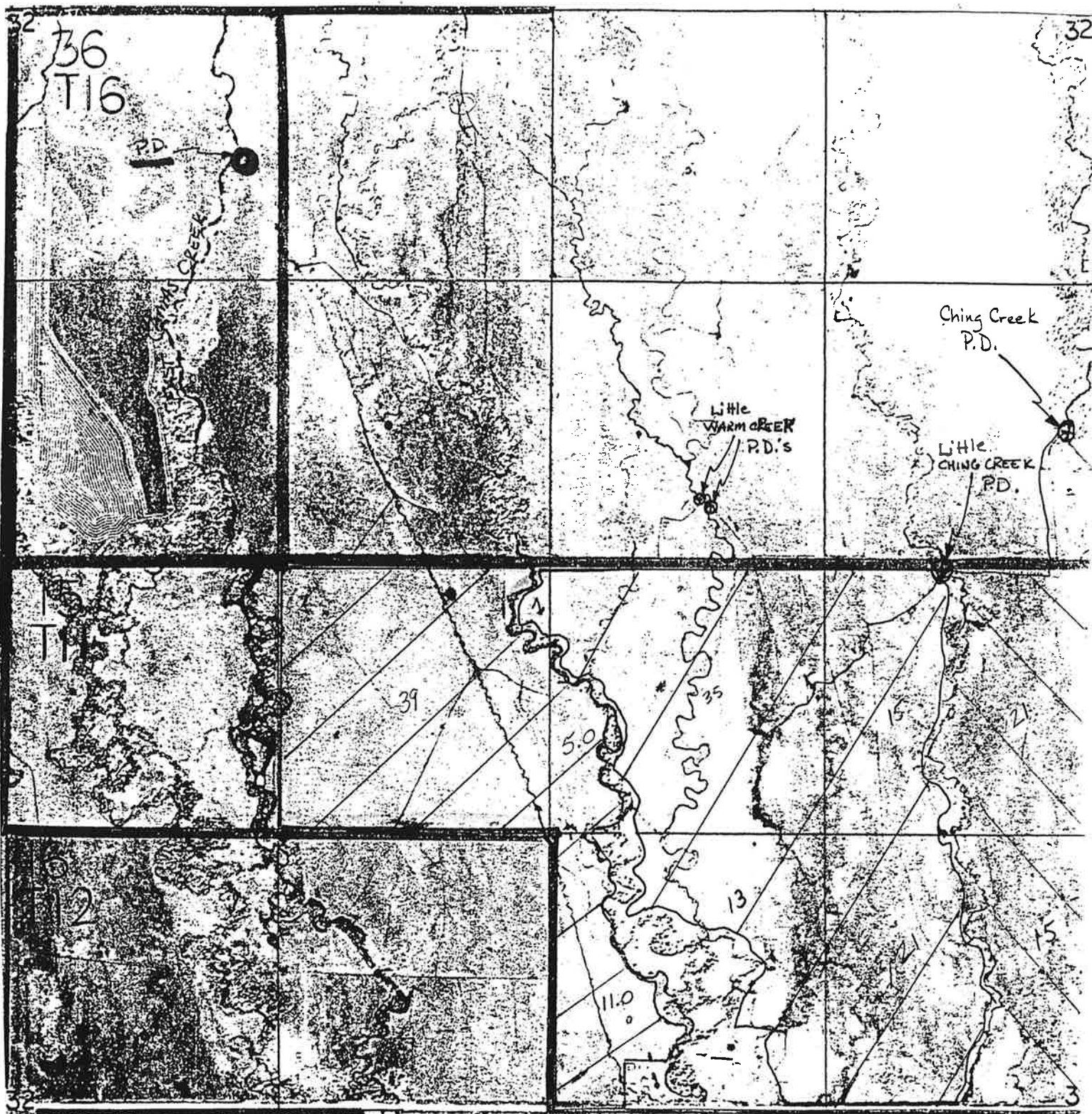
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	
13N	39E	32					A				A	A			A	A	A	A	
											Part					Part			

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.



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.

Subscribed and sworn to before me this 23rd day of July, 19 98.

(Signature of Applicant)

My commission expires

(Notary Public)

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee 50.00Received by RR # E019946 Date 6-21-94Published in Post Register Copies of protest forwarded by _____Pub. dates 7-7 & 14-1994 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial_____ rec'd. _____ by RDC

Copy of transfer sent to lien holder _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4372
WATER RIGHT NO(S). 31-00053B/31-00055B

RECEIVED

SEP 16 1999

Department of Water Resources
Eastern Region

This is to certify that: **MAX SIDDOWAY**
2568 E 100 N
TETON ID 83451

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 31-00053B : IRRIGATION	05/01 to 09/01	0.30 CFS	73.2 AF
Priority: 05/01/1896			
Right No. 31-00055B : IRRIGATION	05/01 to 09/01	1.00 CFS	165.0 AF
Priority: 05/01/1896			
TOTAL:		1.30 CFS	* 165.0 AF

SOURCE

EAST CAMAS CREEK

TRIBUTARY OF

CAMAS CREEK

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 32, Township 13N, Range 39E
CLARK County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
13N	39E	32	NESW 39	NWSE 5	SWSE 11	55
Total number of acres irrigated:						* 55

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 31.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. Use of water under Rights 31-00053B and 31-00055B is subject to an agreement dated 05-15-1996 and signed by the right holder to resolve protested matters.

TRANSFER NO. 4372
WATER RIGHT NO(S). 31-00053B/31-00055B

CONDITIONS OF APPROVAL AND REMARKS

4. The priority data of Right 31-00055B is advanced to 05-01-1896 as a condition of approval of Transfer 4372.
- * 5. Rights 31-00053B and 31-00055B when combined shall not exceed a total annual maximum diversion volume of 165.0 af at the field headgate and the irrigation of 55.0 acres.
6. This right when combined with all other rights shall provide no more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 10th day of September, 1999.


Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 31-00053 & 31-00055

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 4372

DATE: September 8, 1999

Transfer 4372 changes the source, point of diversion, and place of use to reflect the existing use under a portion of Rights 31-00053 and 31-00055, splitting each right into Parts A and B. The applicant wants to clarify the existing use of these rights through this transfer and companion Transfer 5308.

This transfer was protested and the applicant signed an agreement clarifying the use of these rights with other users from related sources. The agreement included advancing the priority of Right 31-00055B to 05-01-1896 and was made part of the approval conditions.

Recommended conditions include watermaster control, measuring device & lockable controlling works, subject to protest agreement, advanced priority combined right limits, irrigation overlap and standard transfer conditions.

RECEIVED
SEP 15 1999
Department of Water Resources
Eastern Region

WATER RIGHT TRANSFER #4372 AGREEMENT

The applicant agrees that the priority waters dated June 1, 1897 in the amount of 0.75 c.f.s. and 1.40 c.f.s. of the waters with priority of August 8, 1893, which are proposed to be used at the Little Ching Creek Diversion shall be delivered and demanded from Little Ching Creek sources only. We agree there will be no demands of junior water rights from upstream sources from East Camas Creek, Cottonwood Creek, Warm Creek or the main Ching Creek channel. We agree that the water demand from Little Ching Creek shall be from the present sources that presently supply this point of diversion, which may be caused from sinks waters from run off waters from any upstream stream and or irrigation return flows, which might also feed this Little Ching Creek source.

The applicant also agrees that if this Little Ching Creek transfers is approved in the amounts above, then the balance of water from the East Camas water right in the amount of 1.30 c.f.s. total diversion rate shall continue to be delivered under the Interim Delivery Order issued by the I.D.W.R. with a priority date of no better than May 1, 1896. The applicant agrees to amend his claims to reflect the same as above written, at the time the transfer has been approved by the I.D.W.R.

We agree that the letter dated November 23, 1994 from the I.D.W.R. and signed by Harold Jones be part of this agreement.

We also agree that the protests filed to the use of this East Camas Creek water use by Siddoway, prior to the Interim Order, will not in any way waive the right to protest and or challenge the results of this balance of water from East Camas Creek under right #31-0053, 31-0054, and 31-0055. We agree that these protestants are not required in any way to recognize the validity of this water right simply because they agree to the transfer of parts of decreed water right #31-0055 and #31-0054, to Little Ching Creek.

The applicants stipulate that this agreement be part of this water right and shall be binding in all ways to predecessors of interest to these water rights.


Max H. Siddoway

Subscribed and sworn to before me this 15 day of May 1996.


(notary public)

Residing at Alubais, ID.

My commission expires 9-30-97

