

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4165
WATER RIGHT NO. 73-07083

RECEIVED

JUN 21 1993

Department of Water Resources
Eastern District Office

This is to certify that: US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 837060000

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>
STOCKWATER	06/16 to 12/11	0.01 CFS	7.6 AF
WILDLIFE	01/01 to 12/31	0.01 CFS	0.1 AF
	Totals	0.02 CFS	7.7 AF

SOURCE

SPRING

TRIBUTARY OF

ELKHORN CREEK

Priority: 08/10/1983

LOCATION OF POINT(S) OF DIVERSION:

NENENE , Sec. 34, Township 11N, Range 24E
CUSTER County

PLACE OF USE: STOCKWATER

TWN RGE SEC

10N 24E	1	Lot 2 (NWNE)		
	2	NESE		
	12	NWNW	SESW	
	13	NWNE		
11N 24E	35	SENW	NWSE	SESE

PLACE OF USE:

WILDLIFE, same as STOCKWATER use

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 73.
2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

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CONDITIONS/REMARKS:

3. 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this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. 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 June, 1993

J. Blw Saylor
Chief, Water Alloc. Bureau

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

JAN 11 1993

PART 1

Department of Water Resources
Eastern District Office

Name of applicant Bureau of Land Management Phone 208 756-5400
Post Office address P.O. Box 430 Salmon, Idaho 83467

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 Additional Point of Use Added

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>73-7083</u> | <u>8/10/83</u> | <u>.01</u> | <u>Stockwater</u> | <u>6/16</u> to <u>12/11</u> |
| <u>73-7083</u> | <u>8/10/83</u> | <u>.01</u> | <u>Wildlife</u> | <u>1/1</u> to <u>12/31</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred .02 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water unnamed spring tributary to Elkhorn Creek
4. Point(s) of Diversion: no change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NE	NE	34	11N	24E	Custer	Elkhorn Pipeline

5. 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	
10	24	1		X															
		2													X				
		12					X						X						
		13		X															
11	24	35							X						X		X		

PART 1**6. General Information:**

- a. Description of diversion system Developed spring with pipeline for multiple watering troughs
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed, 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:
none
- d. Remarks:
Add 2 additional Point of Use.

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 _____.

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. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 73-7083 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 Public Land - BLM

3. Source of water unamed Spring tributary to Elkhorn Creek

4. Date or priority 8/10/83

5. Water is used for the following purpose:

amount .01 for Livestock purposes from 6/16 to 12/11
(cfs/ac-ft)
amount .01 for Wildlife purposes from 1/1 to 12/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right .02 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	34	11N	24E	Custer	Elkhorn Pipeline

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	
10	24	1		X															
		2													X				
		12						X						X					
		13		X															
11	24	35																X	

Total acres _____

9. Describe any other water rights used for the same purpose as described above 73-7078 and 73-7079

also service this watering complex

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 _____ 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
	NE	NE	NE	34	11N	24E	Custer	Elkhorn Pipeline

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	
11	24	35								X									

Total acres _____

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

1. amount 101 for Livestock purposes from 6/16 to 12/11
 (cfs/ac-ft) 101 for Wildlife purposes from 7/1 to 12/31
 (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

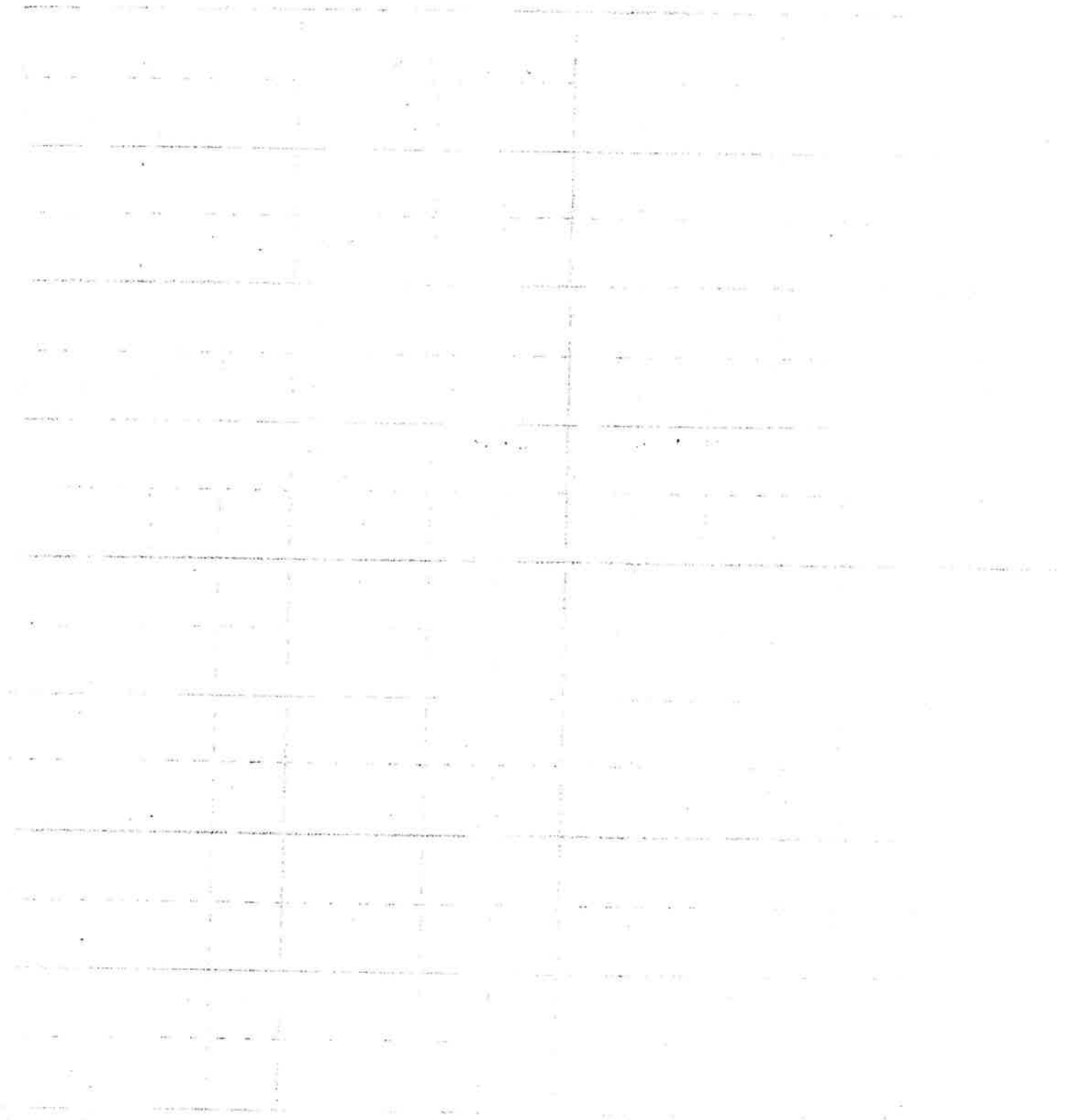
3. Lands irrigated or place of use:

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	
10	24	1		X															
		2													X				
		12						X					X						
		13		X															
11	24	35																X	

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.**



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
	N/A			_____ to _____
				_____ to _____

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

N/A

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

NONE

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.

Roy Jackson

(Signature of Applicant)

Subscribed and sworn to before me this 31st day of December, 19 92.

Angela M. Perry

(Notary Public)

My commission expires 5-1-95

FOR DEPARTMENT USE ONLYTransfer contains 1-11-93 pages and _____ attachmentsReceived by 1-11-93 HWT Date 1-11-93 Protest filed by _____Prelim. check by _____ Fee 30^{xx}Received by J. Yarbrough Date 12-15-92 # C026280Published in Custer Publishing Copies of protest forwarded by _____Pub. dates 2-18 & 25-93 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____