

T3061 SAYER

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Department of Water Resources
Eastern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Transfer No. 3061

Water Right No. 34-0778

AMENDED

APPLICATION FOR TRANSFER OF WATER RIGHT

AMENDED

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

Name of applicant Ramona &/or Eli Sayer Phone 588-2279Post Office address Route 1 Box 12, Mackay, ID 83251

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by: (484)

- a. Decree No. 34-0778 Decreed to M. S. Vaught
in case of Utah Construction vs John F. Abbott, Et al
dated in 10-21-1925 in U. S. District Court
Eastern Division 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 Applicant obtained water right by purchase of land. (Warranty Deed)3. Source of water Big Lost River tributary to Sinks4. Date of priority June 1, 1886

5. Water is used for the following purposes:

amount 1.6 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. 1.6 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is _____ 1/4 of NW 1/4 of Section 34
Township 7N Range 24E, B.M., in Custer County
Additional points of diversion, if any Upper Burnett Ditch

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	
6N	24E	1	X	X	X	X									X				
7N	24E	36													X		X	X	
7N	25E	31										X	X						

Total number of acres to be irrigated Not specified9. Describe any other water rights used for the same purpose as described above 34-0776 & 34-0777

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 _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. 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	

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 1.6 c.f.s. &/or _____ acre feet
- b. Description of diverting works _____

- c. Describe the reasons for the proposed changes Applicant wishes to have earlier water right on specified farm land.

2. Change in point of diversion

Point of diversion _____ 1/4 NW 1/4, Section 34 Township 7N
Range 24E, B.M., Custer County
Additional points _____

3. Change in place of use

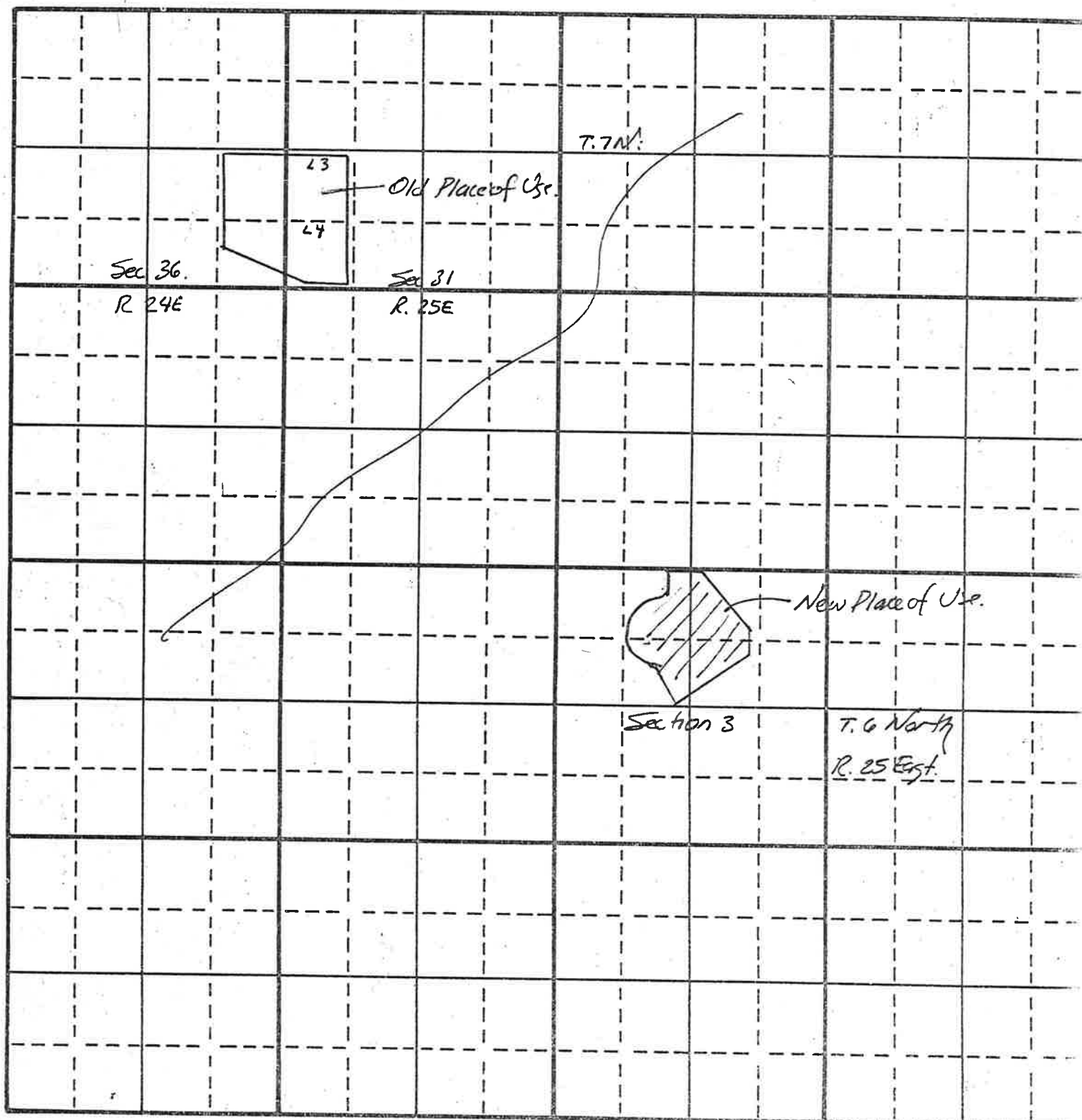
- a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
- b. Describe the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

c. Describe the land 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	
6N	25E	3		18	15		21			26									80

Total number of acres to be irrigated 80

- Describe any other water rights used for the same purpose as described above. 34-0076
- 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 26th day of October 19 84
Dale L. Sayer for James L. Sayer
(Signature of Applicant)
Ronald D. Carke
(Notary Public)

My commission expires 2/14/86

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 34-0778 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. 34, Big Lost River.

Witness my hand this 27th day of March, 19 85

L. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by _____	Date _____	Protest filed by _____
Prelim. check by <u>HWT</u>	Fee _____	_____
Receipted by <u>NA</u>	Date _____	_____
Published in <u>Custer Co. Pub. Co.</u>	Copies of protest forwarded by _____	
Pub. dates <u>11-8 & 15-84</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on <u>11-6-84</u>	Recommended for <u>approval</u> denial	
rec'd. <u>11-27-84</u>	by <u>EMC. DPT</u>	