

4103

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

TRANSFER OF WATER RIGHT

AMENDED

TRANSFER NO. 4103
WATER RIGHT NO. 15-02124

RECEIVED

SEP 01 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 83706

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	01/01 to 12/31	0.01 CFS	7.2 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
SPRING	BRUSH CANYON, RIGHT FORK

Priority: 10/22/1963

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 14, Township 16S, Range 35E
ONEIDA County

PLACE OF USE: STOCKWATER

TWN RGE SEC

16S 35E 14	NENW	NWNW
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CONDITIONS/REMARKS:

1. This right, when considered with all other rights common to the same grazing allotment, shall be limited to the quantity of water beneficially used by the number of stock within the allotment.
2. Stockwater use is for 536 range cattle.
3. Source known locally as North Brush Canyon Spring.

Dated this 25th day of

August, 1993

J. Glen Saylor
Chief, Water Alloc. Bureau

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DEPARTMENT OF WATER RESOURCES
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NWNW , Sec. 14, Township 16S, Range 35E
ONEIDA County

PLACE OF USE: STOCKWATER

TWN RGE SEC

16S 35E 14 NENW NWNW

CONDITIONS/REMARKS:

1. This right, when considered with all other rights common to the same grazing allotment, shall be limited to the quantity of water beneficially used by the number of stock within the allotment.
2. 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.
3. Stockwater use is for 536 range cattle.
4. Source known locally as North Brush Canyon Spring.

Dated this 20TH day of July, 1993.

for Jim Johnson
Chief, Water Alloc. Bureau

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4103APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant U. S. Bureau of Land Management Phone (208) 678-5514
Post Office address Route #3 Box 1; Burley, Idaho 83318

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 Add one Place of Use
2. Describe the reason for the proposed changes to more equally distribute livestock usage in this area

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

1. Right Number Priority Amount
(cfs/acre-ft) Nature of Use Period of Use
- | Right Number | Priority | Amount
(cfs/acre-ft) | Nature of Use | Period of Use |
|-----------------|-----------------|-------------------------|-------------------|------------------------------|
| <u>15-02124</u> | <u>10-22-63</u> | <u>0.01</u> | <u>Stockwater</u> | <u>01/01</u> to <u>12/31</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 0.01 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water North Brush Canyon Spring tributary to Brush Canyon
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	14	16S	35E	Oneida	North Brush Canyon Spring

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	
16S	35E	14					S	S											

Total acres _____

PART 1

6. General Information:

a. Description of diversion system headbox, plastic pipe, troughb. 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 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 _____

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. 15-02124 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 Owned by Federal Gov't
Brush Canyon

3. Source of water North Brush Canyon Spring tributary to 10-22-63

4. Date or priority _____

5. Water is used for the following purpose:

amount 0.01 CFS for livestock purposes from 01/01 to 12/31
(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 0.01 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
		NW	NW	14	16S	35E	ONEIDA	North Brush Canyon Spring

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	
16S	35E	14					S												

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

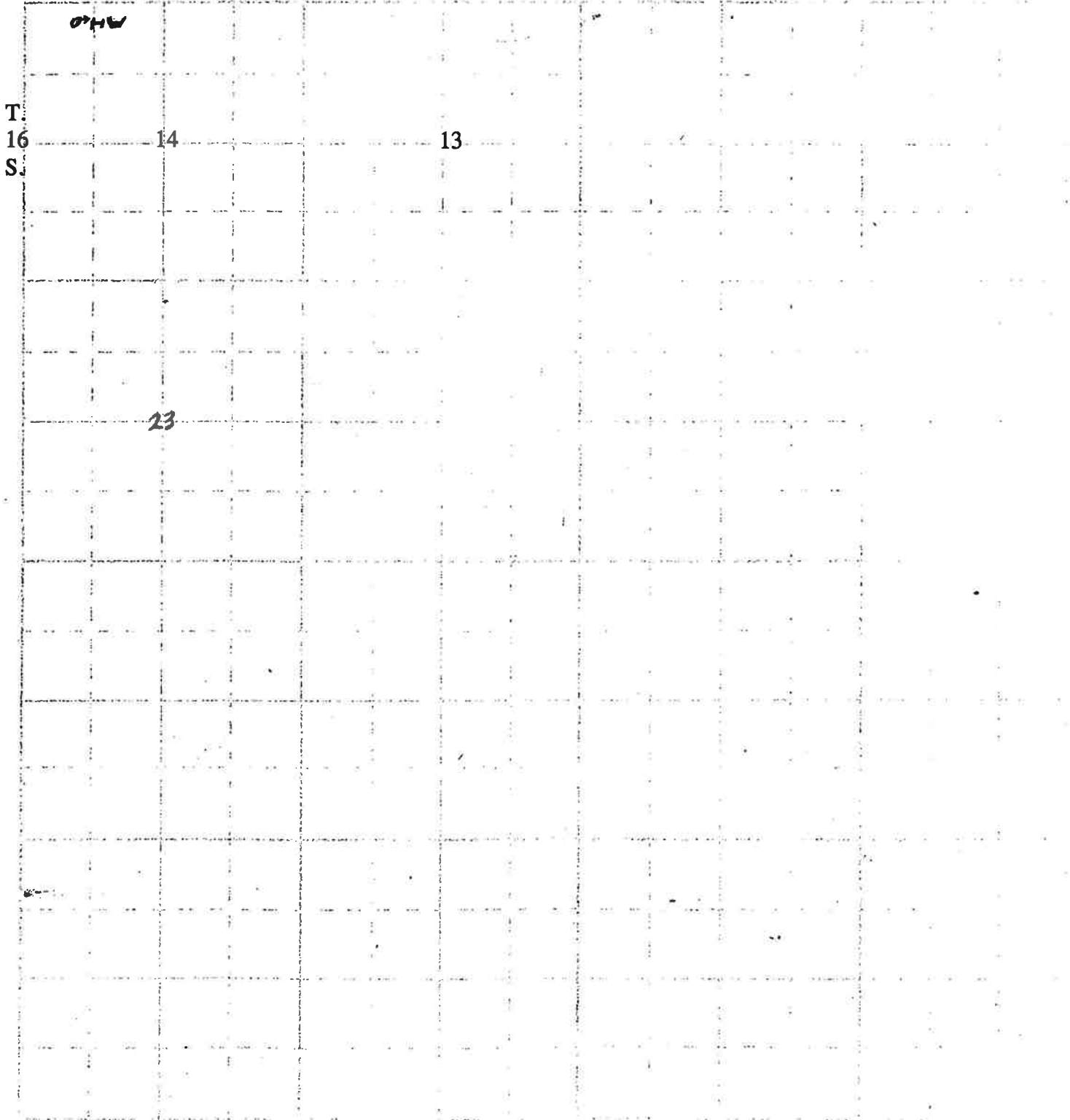
Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

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. ➔ spring H pipe W trough

R.35E.



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

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cts/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.

Maurice B. Bagley
25th

, Associate District Manager

(Signature of Applicant)

Subscribed and sworn to before me this

day of

March, 19 93.

Dorothy Bonner
(Notary Public)

My commission expires

March 1, 1998**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by HWT Date 4-15-93 Protest filed by _____Prelim. check by Kaw Fee \$30.00 # EO18468Receipted by HWT Date 4-19-93Published in Idaho Enterprise Copies of protest forwarded by _____Pub. dates April 29; May 6 - 1993 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____