

T5130 BROKEN RIVER RANCH

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 5130
WATER RIGHT NO. 34-07010

RECEIVED

JUL 17 1968

Department of Water Resources
Eastern Region

This is to certify that: **BROKEN RIVER RANCH LTD**
C/O BUTCH SHIELD
5660 W 4920 N
MACKAY ID 83251

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>
IRRIGATION	05/01 to 10/15	* 1.60 CFS	* 276.8 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
GARDEN CREEK	SINKS

Priority: 08/28/1968

LOCATION OF POINT(S) OF DIVERSION: SWSE , Sec. 28, Township 08N, Range 22E
CUSTER 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>
08N	22E	27	NWSW 19.5	SWSW 1.0		20.5
		28	NESE 27.3			27.3
		34	NENW 18.3	NWNW 13.0		31.3
Total number of acres irrigated:						* 79.1

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 34.
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. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

TRANSFER NO. 5130
WATER RIGHT NO. 34-07010

CONDITIONS OF APPROVAL AND REMARKS

5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- * 6. Rights 34-07010, 34-00398 and 34-00399 when combined shall not exceed a total diversion rate of 4.34 cfs, a total annual maximum diversion volume of 599.2 af at the field headgate, the irrigation of 168.9 acres and stockwater use.
7. Approval of Transfer 5130 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Dated this 13th day of July, 1998.


Chief, Water Allocation Bureau

MEMORANDUM

TO: File 34-07010

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5130

DATE: July 10, 1998

Transfer 5130 changes the point of diversion and place of use under Right 34-07010. ✓

The applicant has received permission from BLM to change the point of diversion to a location on their property. The place of use change is to correct an error in the recommended place of use, shifting acres from one quarter-quarter to the adjacent quarter-quarter where they have historically been located. ✓

Recommended conditions include watermaster regulation, measuring device/control, irrigation overlap, combined right limits, right-of-way and standard transfer conditions. ✓

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5130

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant BROWN RIVER RANCH, LTD Phone (415) 442-1155 - CROWFO
 Post Office address % BUTCH SHIELD, 5660 W 4920 N, MACKEY ID 83251

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 CHANGE POINT OF DIVERSION TO LAND ADMIN-
 ISTERED BY BLM. CHANGE PLACE OF USE TO HISTORICAL PLACE AS RE-
 CORDED IN SRBA COURT NOTICE 34-07010. THIS TRANSFER ALSO
 SERVES TO CORRECT ERROR IN PLACE OF USE AS RECORDED IN SRBA.

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

1. Right Number 34-07010 Priority 08-28-1968 Amount (cfs/ac-ft) 1.60 CFS Nature of Use IRRIGATION Period of Use 5-1 to 10-15
2. Total amount of water being transferred 1.60 CFS cubic feet per second and/or _____ acre-feet per annum.
3. Source of water GARDEN CREEK tributary to SINKS
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SE	28	8N	22E	CUSTER	

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	
8N	22E	27									19.5	1							20.5
		28													27.3				27.3
		29					18.3	13											31.3

Total acres 79.1

PART 1

6. General Information:

a. Description of diversion system HEADWORKS TO DITCH SYSTEM TO PLACE OF USE FOR IRRIGATION.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X 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:

REFLECTS HISTORICAL USE AS RECOMMENDED IN SRBA REPORTS FOR 34-07010. NOTE THAT THIS TRANSFER CORRECTS AN ERROR IN PLACE OF USE. THE 27 ACRES RECOMMENDED^{ED} IN NWSE 28-8N-22E SHOULD HAVE BEEN IN THE NESE 28-08N-22E.

d. Remarks:

(Plu) PARTNERS ARE; Roy Crawford, Richard H. May, Donna Johnson & Jerry Cadogan. Alternate address is
165 Phillip Rd
Woodside CA 94062

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 _____

SRBA Recommendation

Water Right Number - 34-07010

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

BROKEN RIVER RANCH

1 - C/O ROBERT C HADLEY

2 - STAR ROUTE

3 -

City- MACKAY

State- ID Zip- 83251

Phone - 208-588-2880

*** O - ORIGINAL OWNER ***

BAKER

ORLIN D

1 - STAR RT

2 -

3 -

City- MACKAY

State- ID Zip- 83251

Phone - 208-000-0000

SAN FELIPE RANCH

1 - PO BOX 388

2 -

3 -

City- MACKAY

State- ID Zip- 83251

Phone - 208-588-2805

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
08/28/1968 15 EASTERN L - LICENSE

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GARDEN CREEK SINKS

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name
08N 22E 28 SW NE SE (37) CUSTER

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 05/01 10/15 1.600 276.80

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.600 276.80 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
08N 22E 27 NW SW 19.5 01 IRRIGATION (37) CUSTER
08N 22E 27 SW SW 1.0 01 IRRIGATION (37) CUSTER
08N 22E 28 NW SE 27.3 01 IRRIGATION (37) CUSTER
08N 22E 34 NE NW 18.3 01 IRRIGATION (37) CUSTER
08N 22E 34 NW NW 13.0 01 IRRIGATION (37) CUSTER

Total Acres: 79.1

+ - - Diversion Means - HEADGATE/DITCH

+ - - Non-Irrigation Use -

Water right number - 34-07010

Prefix Translation: WATER RIGHT

+ - - Other Rights for Same Use - 34-00399/00398.

+ - - - - - Remarks - - - - - +

GEN USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.34 CFS, A TOTAL COMBINED
ANNUAL CONSUMPTIVE USE VOLUME OF 422.2 AF, AND TO THE IRRIGATION
OF A COMBINED TOTAL OF 168.9 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00398 AND 34-00399.

+ - - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.
M01 - A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
MAINTAINED AS A PART OF THE DIVERTING WORKS.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - Audit Fields - 09/27/91 CARLSEN 01/08/92 SHAW 01/26/92 PR-PRODM 03/05/92 SCHULTZ 04/14/92 CARLSEN
04/15/92 CARLSEN 05/10/92 MCCARTHY 05/22/92 BAUMHOFF 07/01/92 CPSHAW 12/02/92 ADT-SHAW
03/29/95 POST-STD 01/05/96 DSMITH

+ - - Certified Numbers & Date Mailed - 255203 01/21/92

+ - - - - - Comments - - - - - +

Date: 09/27/1991 User Id: CARLSEN Subject: COPIED FROM REMARKS
OWNERSHIP CHANGE 9/18/90/EC

Date: 04/14/1992 User Id: CARLSEN Subject: NOTICE OF ERROR
CLAIMANT DECIDED THAT ORIGINAL RECOMMENDATION WAS CORRECT.
AND 34-00399.

REMARK HAD TO BE CHANGED TO COENSIDE WITH CHANGES TO 34-00398

Date: 05/10/1992 User Id: MCCARTHY Subject: CONDITION ADDED AND REMARKS CHANGED
PER LYNN K-H.

Date: 05/22/1992 User Id: BAUMHOFF Subject: DIV. VOL. DELETED FORM REMARKS
PERE LK-H.

Date: 01/05/1996 User Id: DSMITH Subject: NAME AND/OR ADDRESS CHANGE

THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT OWNER CHANGE.

*CONFORMED NAME/ADDRESS TO AVOID DUPLICATE MAILING LABELS.

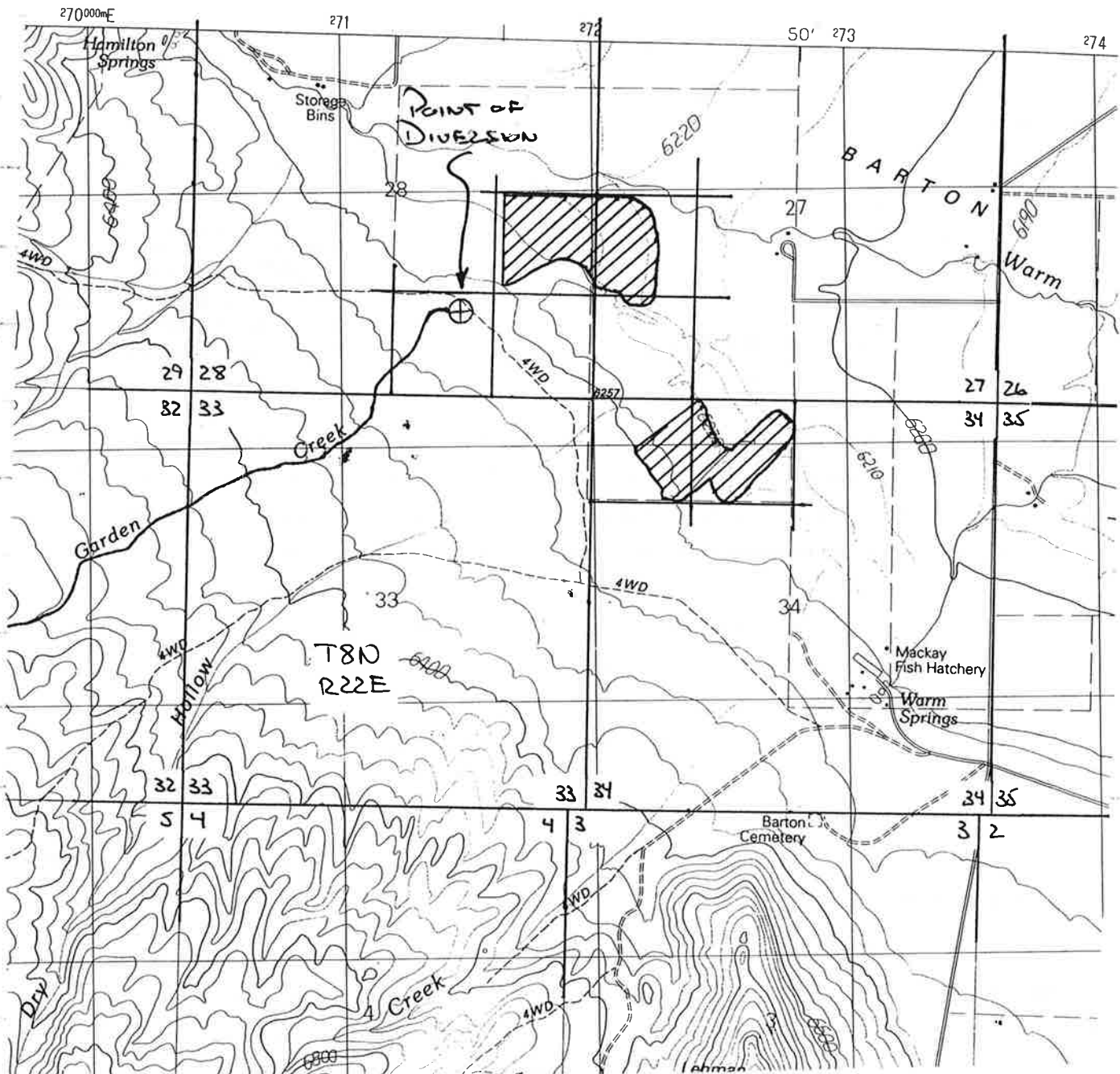
+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 06/18/1992	Field Inspection Made	- 09/26/1990	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 01/09/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- E011549	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	- C
		Name Connector	-	Notice of Error Flag	- C

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.

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



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