

T5064 DELMORE CANAL CO

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Eastern Region

Name of applicant DELMORE CANAL CO C/O RUSSELL ROE Phone (208) 698-3531

Post Office address 11066 S 25500th, STONE , ID 83252

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 CORRECT LAND LIST TO ACTUAL PLACE OF USE & MOVING WATER TO NEW LANDS TO BE IRRIGATED

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>17-02068</u>	<u>05/04/1967</u>	<u>15.45 cfs</u>	<u>Irrigation</u>	<u>4/1</u> to <u>11/1</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>

2. Total amount of water being transferred 15.45 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water GROUNDWATER tributary to _____

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use: SEE ATTACHED LAND LIST

[illegible]

PART 1

6. General Information:

- a. Description of diversion system THREE WELLS WITH OPEN DISCHARGE TO CANAL
- b. 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:
NONE ON LAND LIST CORRECTION, FOR CHANGES IN PLACE OF USE GROUND WILL NOT BE IRR.
- 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. 17-02068

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	15.45 CFS	6547.0 AF

SOURCE

GROUNDWATER

Priority: 05/04/1967.

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 33, Township 15S, Range 32E
 NESW , Sec. 33, Township 15S, Range 32E
 NENE , Sec. 34, Township 15S, Range 32E
 ONEIDA 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>
15S	32E	32	SESE 10			10
		34	NESW 39	NWSW 39	SWSW 39	
			SESW 39	NESE 30	NWSE 39	
			SWSE 39	SESE 31		295
16S	32E	3	NENE 33	Lot 3 (NENW) 34	Lot 4 (NWNW) 34	
			NESW 40	NWSW 40	SWSW 40	
			SESW 40			261
		4	Lot 3 (NENW) 36	Lot 4 (NWNW) 36	NESW 20	
			NWSW 20			112
		5	Lot 1 (NENE) 35	NESE 20		55
		8	SWSE 17	SESE 40		57
		9	SENE 40	SWSW 40		80
		10	NWNW 40	SWNW 39	NESW 40	
			NWSW 40	SWSW 40	SESW 40	239
		15	NENW 27	NWNW 35	SWNW 20	82
		16	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
		17	NENE 40	NWNE 30	SWNE 38	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40		308
		20	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 38	SENE 40		318
		21	NENE 40	NWNE 40	SWNE 40	
			SENE 30	NENW 40	NWNW 40	

Water Right No. 17-02068

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>
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			630
22			NWNW 40	SWNW 40	NWSW 40	
			SWSW 40			160
28			NWNE 40	NENW 38	NWNW 35	
			SENW 40			153
29			NENE 21			21
Total number of acres irrigated:						3421

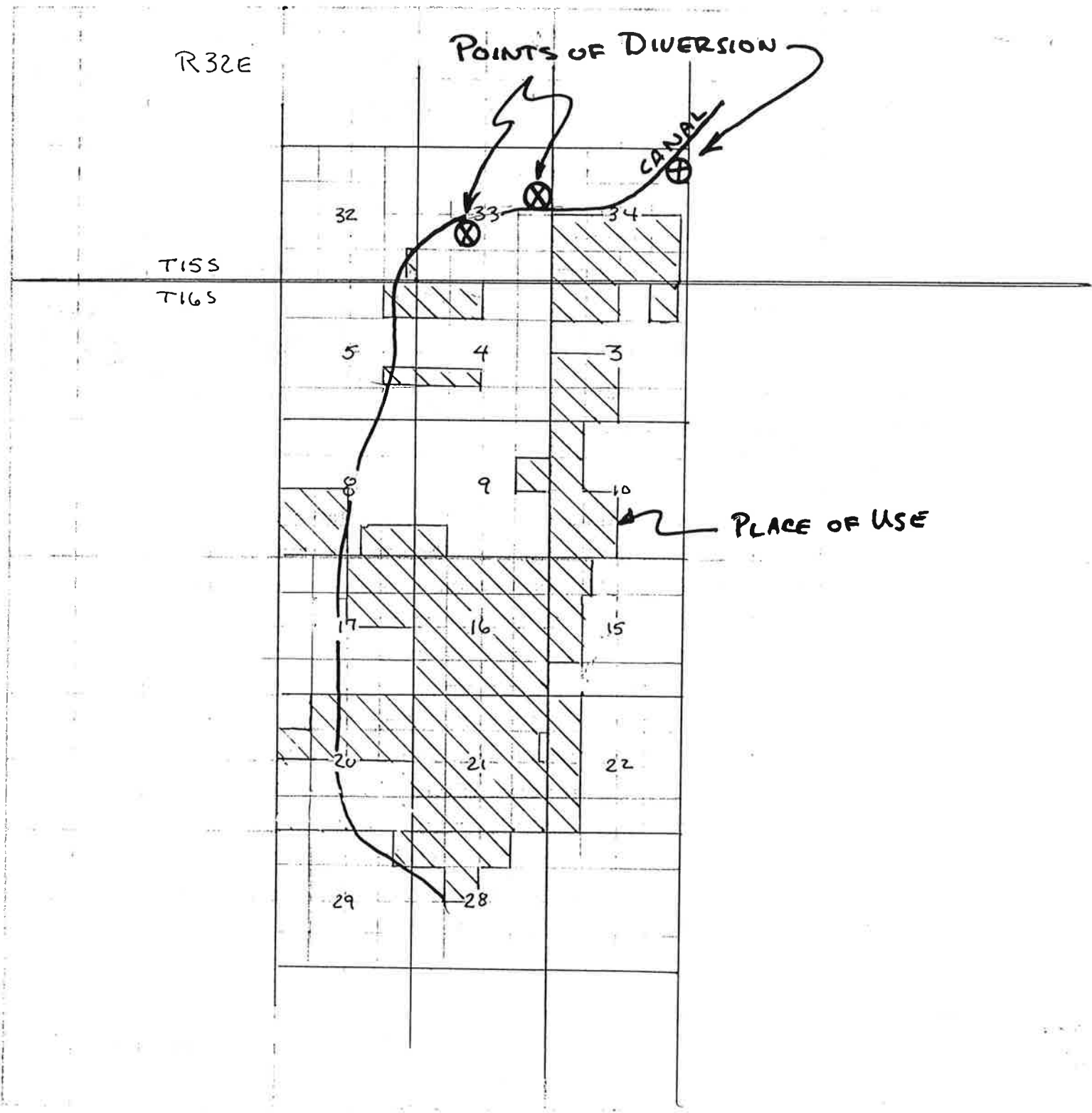
CONDITIONS/REMARKS:

Description and location of place of use:

Total number of acres irrigated 3421.0 ac

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: $\frac{1}{4}$ 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
				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:

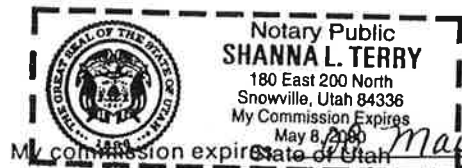
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 10th day of April, 19 97.

(Signature of Applicant)

President

My commission expires May 8, 2000

(Notary Public)

FOR DEPARTMENT USE ONLYTransfer contains 6 pages and 6 attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee 100 F023107 _____Receipted by _____ Date 4-15-1997 _____Published in Idaho Enterprise & Statewide Copies of protest forwarded by _____Pub. dates May 1 and 8, 1997 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

JUMU V_ View Usq_Dtl_Linq Mtr_rdg_his

CSS

04-04-1997

S04730

METERED USAGE HISTORY

09:51:51

Service ID 166874149 001 200 + 20 HP PUMP

Site Addr 2355 W BLACK PINE RD PUMP STONE ID 83252

Agrmt #

Usage Details

No	R	S	Cyc	Read Date/D	Src	KW	KWH	KWH	Usq	Invoice Amt
01			01	03-31-1997	31 S	0	2538		0	
03			01	02-28-1997	29 I	0	2538		0	
02			01	01-30-1997	31 S	0	2538		0	
01			01	12-30-1996	33 S	0	2538		0	
12			01	11-27-1996	29 S	0	2538		0	
11	C		01	10-29-1996	29 S	0	2538		0	15.63
10			01	09-30-1996	33 S	0	2538		0	23.57
09			01	08-28-1996	28 I	0	2538		0	27.35
08			01	07-31-1996	33 I	0	2538		0	32.23
07			01	06-28-1996	29 I	15	2538	2560		248.87
06			01	05-30-1996	29 I	26	2522	160		22.62
	0			05-01-1996	I	0	2521			
10			01	10-02-1995	31 I	0	2521		0	
Average						33		1360		

IAA005 View successful.

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RECEIVED

APR 14 1997

Department of Water Resources
Eastern Region

S04730

SF IT AGREEMENT INVOICE HISTOR

09:29:24

Agmt # 62335946 001 002 DELMORE CANAL CO
Svc Descr 200 HP PUMP
Site Addr 7510 S 24000 W STONE ID 83252

----- Agreement Information -----

Con Date 05-01-1996 Discon Date 10-29-1996
Rate Sched 07APSV010L.011 IDAHO IRRIGATION & PUMPING SERVICE, BPA

----- Invoice History -----

Seq	Rsn	Period	Inv Date	Invoice Amount	Type	Bill?	Crt'd By	LstUpdBy
10		11 1996	10-31-1996	15.63	REG	Y	S09716	JB02PR
9		10 1996	10-02-1996	23.57	REG	Y	S09716	JB02PR
8		08 1996	08-28-1996	3003.22	REG	Y	CNVRSN	CNVRSN
7		08 1996	07-31-1996	1318.55	REG	Y	CNVRSN	CNVRSN
6		08 1996	07-19-1996	3263.74	REG	Y	CNVRSN	CNVRSN
5		07 1996	06-28-1996	3571.02	REG	Y	CNVRSN	CNVRSN
4		06 1996	05-30-1996	2405.65	REG	Y	CNVRSN	CNVRSN
3		11 1995	11-01-1995	15.94	REG	Y	CNVRSN	CNVRSN
2		10 1995	10-02-1995	22.71	REG	Y	CNVRSN	CNVRSN

IAA005 View successful.

----- CSS ----- 04-04-1997
S04730 SF IT AGREEMENT INVOICE HISTORY 09:30:53

Agrmt # 62335946 001 003 DELMORE CANAL CO
Svc Descr 200 HP PUMP
Site Addr 7490 S 24000 W STONE ID 83252

----- Agreement Information -----
Con Date 05-01-1996 Discon Date 10-29-1996
Rate Sched 07APSV010L.011 IDAHO IRRIGATION & PUMPING SERVICE, BPA

----- Invoice History -----

Seq	Rsn	Period	Inv Date	Invoice Amount	Type	Bill?	Crt'd By	LstUpdBy
9		11 1996	10-31-1996	15.63	REG	Y	S09716	JB02PR
8		10 1996	10-02-1996	23.57	REG	Y	S09716	JB02PR
7		08 1996	08-28-1996	3116.22	REG	Y	CNVRN	CNVRN
6		08 1996	07-31-1996	4834.51	REG	Y	CNVRN	CNVRN
5		07 1996	06-28-1996	3728.39	REG	Y	CNVRN	CNVRN
4		06 1996	05-30-1996	2531.84	REG	Y	CNVRN	CNVRN
3		11 1995	11-01-1995	15.94	REG	Y	CNVRN	CNVRN
2		10 1995	10-02-1995	22.71	REG	Y	CNVRN	CNVRN

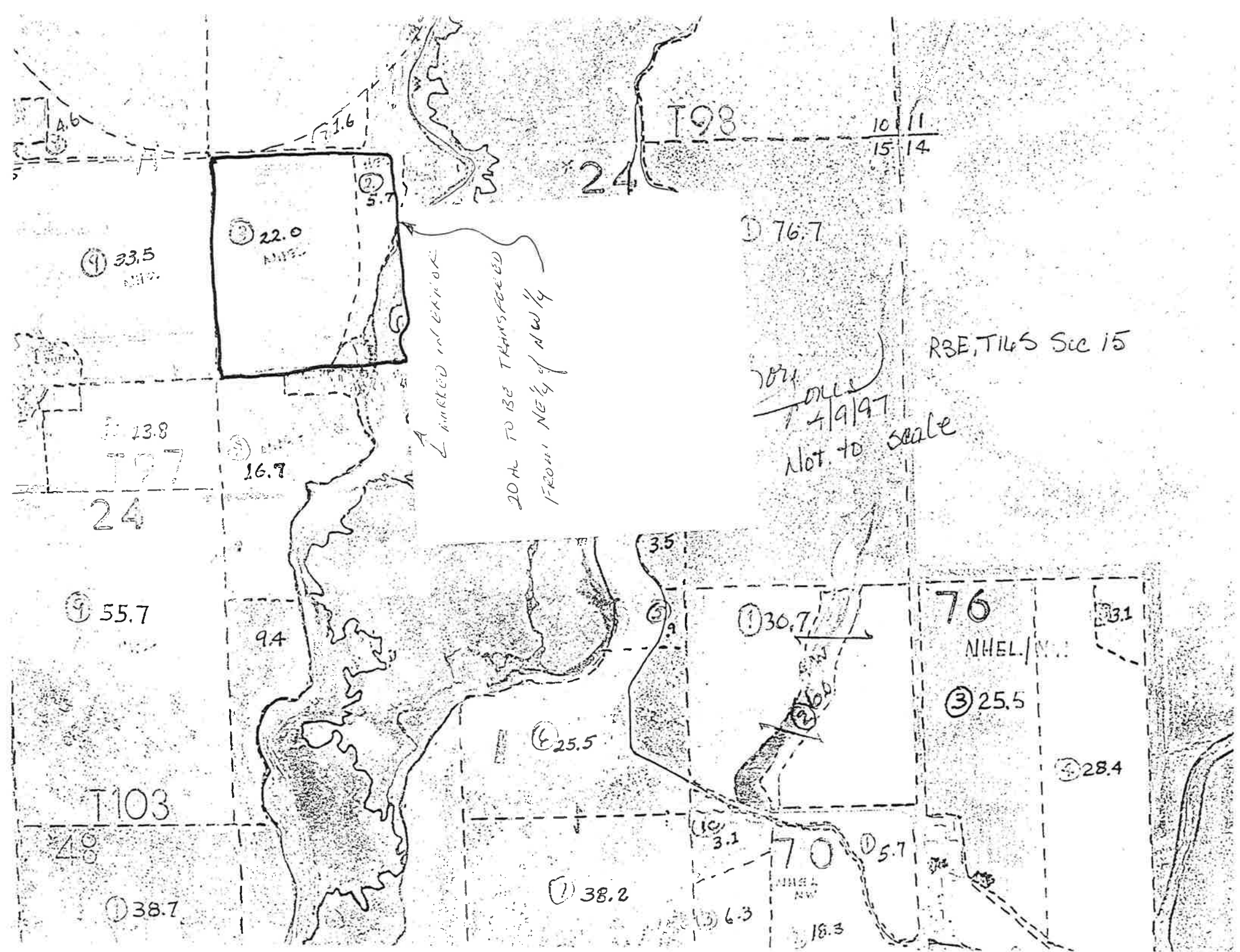
IAA005 View successful.

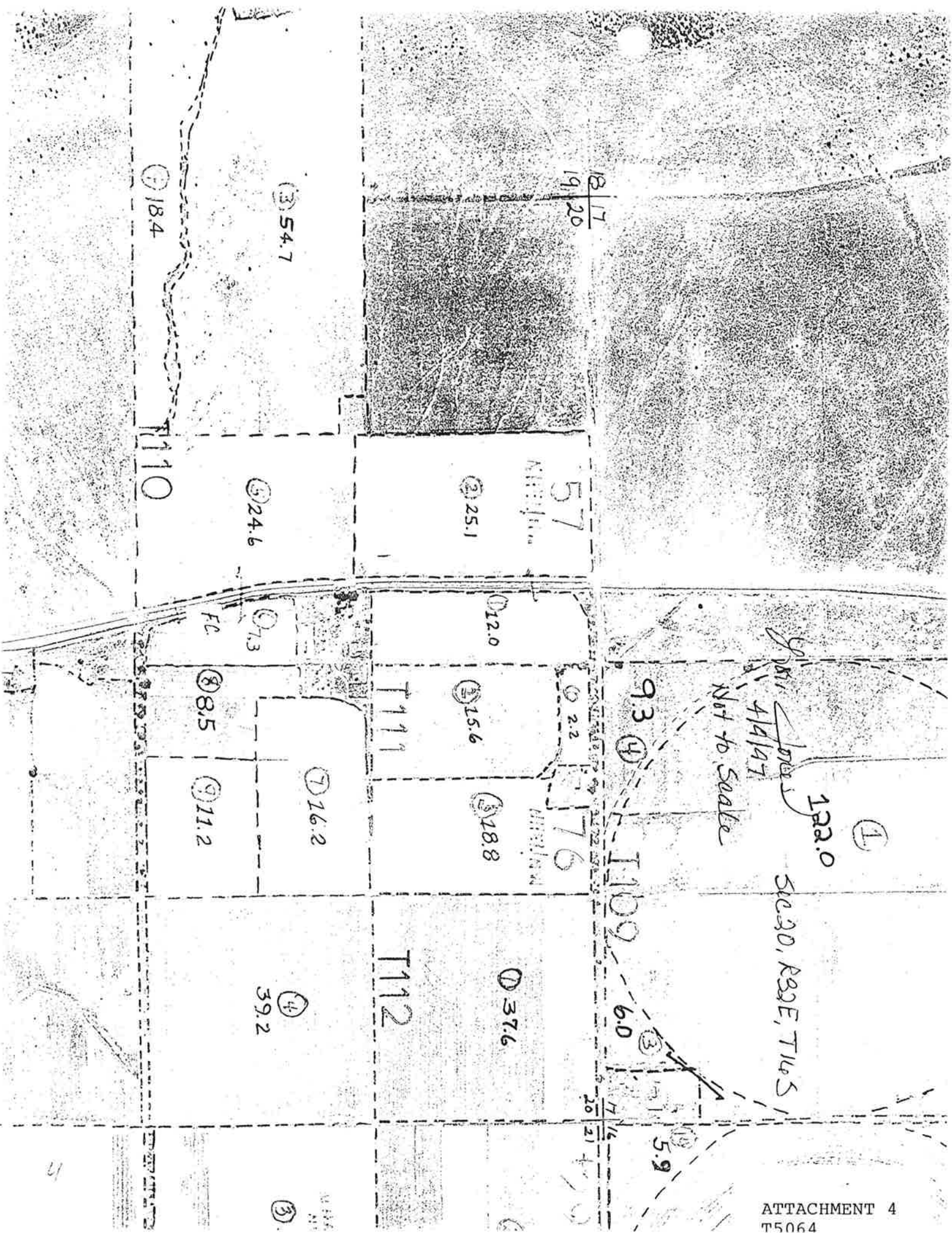


20 AC TO BE TRANSFERRED
FROM NE 1/4 of NW 1/4

you are
not to scale

RSE, T14S Sec 15





State of Idaho



Department of State.

LOUIS E. CLAPP

I, ~~ARNOLD W. WILLIAMS~~, Secretary of State of the State of Idaho and custodian of the Seal of said State, do hereby certify that the annexed is a full, true and complete transcript of Original Articles of Incorporation of DELMORE CANAL

COMPANY, LTD., received and filed in this office on the 14th day of October, 1911 at 10:00 o'clock A. M., and Amendment thereto, received and filed in this office on the 22nd day of July, 1963 at 8:00 o'clock A. M., as appears of record in this office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Idaho.

Done at Boise City, the Capital of Idaho, this

8th day of August A.D.,
19 66 .



Louis E. Clapp
Secretary of State.

THIS CERTIFICATE IS
ALL I HAVE BEEN ABLE TO
FIND RELATING TO THE
ARTICLES OF INCORPORATION
FOR THE DECATUR BANK CO.
THE SEC. OF STATE OFFICE
AT BOISE TELLS ME THEY
HAVE NOTHING ON FILE BUT
THE ARTICLES OF THE
ORIGINAL CO. - PART ~~OF~~
1 REIGNARD CO. - COPY INCLUDED.

RECEIVED

1914

"a" full
Provisions for Identification

ARTICLES OF INCORPORATION
OF THE
PRATT IRRIGATION COMPANY, LIMITED.

---oOo---

KNOW ALL MEN BY THESE PRESENTS:

That we, the undersigned, citizens of the United States, being desirous of forming a corporation for the purposes hereinafter mentioned, under and in pursuance of the provisions of the laws of the State of Idaho, do for said purposes associate ourselves together and enter into the following agreement and articles of incorporation:

I.

The name of this corporation and the corporate title under which it will transact its business is "Pratt Irrigation Company, Limited" and its corporate seal shall be so marked.

II.

This corporation shall continue and endure for a period of fifty years unless sooner dissolved or disincorporated according to law.

III.

The purposes and objects of this corporation are to deal in lands and waters in the State of Idaho, to buy, bond, lease, rent, or otherwise acquire lands, realty or personal property, and to sell, bond, lease, mortgage, convey in trust or hypothecate realty or personal property, and to sell, bond, lease, mortgage, convey in trust or hypothecate the same for themselves or others, and to act as agents, trustee, assignees, receiver, guardian, conservator, executor or administrator, in the care, custody, protection, sale, rental, lease, bonding or hypothecating of the same; to advance money for the purchase or improvement of lands, or for the rental or purchase of water rights, or use of water. In its corporate name to acquire legal or

(1)

equitable rights in land or water, or real or personal property, by location, purchase, judgment or decree of court, or otherwise, and generally to acquire rights in lands or improvements and personal property, in the ordinary course of business. To deal in personal property, and the buying and selling of the same. To acquire water rights and the use of water by location, purchase, rental, bond, lease mortgage, deed of trust, decree of court or otherwise, and as such property may be acquired in the ordinary course of business. To deal in water rights, water locations, the use of water, canals, water ways conduits, ditches, flumes, or other conveyances, and to buy, sell, lease bond, rent or otherwise acquire and dispose of the same, or interest in the same. To construct canals, ditches, waterways, and to sell or purchase stock in the same, or rent, lease, bond or otherwise dispose of the same. To establish, construct or purchase dams, reservoirs, pumping plants, power stations, and sell or rent water for the power for mechanical, agricultural, domestic, city, town, village or community or individual purposes, and generally to use the water or the rights acquired in ~~the~~ a commercial way, and to buy, sell and deal in the same in the ordinary course of business. To take title to lands, or other realty or personal property, as trustee, agent or in any fiduciary capacity or relation, for individuals, companies, associations or syndicates, and to improve or work the same. To bond, lease, sell, mortgage or incumber by trust deed or otherwise any realty or personal property that the company may become possessed of itself, or in acting in the capacity of agent, trustee, or in any other fiduciary relation. To conduct canals and waterways over the public or state or other lands, and to have the public lands segregated under the Carey Act, and to supply, sell, lease or rent water for the same and to rent water from its canal or waterway, or to sell stock or other interests in the same. And further, to do all things within

corporate power necessary to carry on its business as a land and irrigation company.

IV.

The principal place of the general business of this corporation shall be at Stone, Oneida County, Idaho, and branch places of business and other offices may be established elsewhere within the State of Idaho, and within the United States.

V.

The names of the incorporators and their respective places of residence, and the shares of stock subscribed and paid for by each, are as follows, to-wit:

NAME.	RESIDENCE.	NO. SHARES.	VALUE.
M. W. Pratt,	Salt Lake City, Utah,	<u>3,995</u>	<u>\$3,995.00</u>
Wm. Anderson,	Logan, Utah,	<u>3,995</u>	<u>\$3,995.00</u>
Abraham Smith,	Smithfield, Utah, —	<u>4,000</u>	<u>\$4,000.00</u>
Jacob Jorgensen,	King, Utah,	<u>3,995</u>	<u>\$3,995.00</u>
<u>Thos W. Roe</u>	<u>Stone, Idaho</u>	<u>20</u>	<u>\$20.00</u>

VI.

The capital stock of this corporation is One Hundred Thousand (\$100,000.00) Dollars, divided into One Hundred Thousand (100,000) shares, of the par value of One (\$1.00) each.

Sixteen Thousand (16,000) shares of the stock hereby subscribed for is fully paid, the balance of the stock subscribed, Eighty-four Thousand (84,000) shares, is divided among the stockholders as follows, to-wit:

M. W. Pratt -	<u>21,000</u>	shares,
Wm. Anderson -	<u>21,000</u>	shares,
Abraham Smith -	21,000	shares,
Jacob Jorgensen -	21,000	shares,
		shares.

IX.

✓ The term of office of the directors and other officers, (except the term of those herein appointed) shall be for one year and until their successors are elected and qualified.

Any officer of the corporation except directors, may be removed from office by a majority vote of the stockholders voting in favor of such removal.

A director or any other officer may be removed from office for cause by a vote of the majority of the outstanding capital stock at a meeting held ~~for~~ after previous notice of the time and place of such meeting, and of the intention to propose such removal, said meeting to be called and notice thereof to be given in the manner prescribed by law of the State of Idaho for special meetings of the stockholders for that purpose.

Notice need not be given of the holdings of general annual stockholder's meetings.

In case of vacancy in any office by reason of death, resignation or removal, the vacancy may be filled by the Board of Directors for the unexpired term.

Any officer may resign by filing his resignation with the Board of Directors, and upon the acceptance of the same by the Board of Directors said resignation shall become effective. In case the Board of Directors shall neglect to act upon the resignation within twenty days after its receipt by the President, the resignation shall become effective and the office shall be declared vacant.

X.

✓ The first annual meeting for the election of Directors and the transaction of all such other business as may properly come before the meeting, shall be held at the general office of the corporation at Stone, Oneida County, Idaho, on the second Tuesday in June, 1910, at

STATE OF UTAH,)
COUNTY OF CACHE,) ss.

On this 22nd. day of November, 1909, before me a Notary Public
in and for said County and State, personally appeared Abraham Smith,
Jacob Jorgensen, Wm. Anderson, and M. W. Pratt,

known to me to be the persons whose names are subscribed to the within
instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
official seal the day and year in this certificate first above written.

My commission expires George H. Smith
Oct 15 - 1911 Notary Public

STATE OF IDAHO,)
COUNTY OF Oneida) ss.

On this 21st day of December, 1909, before me, a
~~Notary Public~~ Clerk District Court in and for said County and State, personally appeared
Thos W. Roe

known to me to be the person whose name is subscribed to the within
instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
official seal the day and year in this certificate first above written.

John J. Evans
Clerk District Court



