

RECEIVED**FEB 13 2019****DEPARTMENT OF
WATER RESOURCES****STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**Transfer No. **83014****MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER**

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) David Barton

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☐ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☒ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☒ ☐ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☒ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☐ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

RECEIVED
FEB 13 2019
DEPARTMENT OF
WATER RESOURCES

Name of Applicant(s) David D Barton Phone 208.865.2549

Mailing address PO Box 266, North Fork, ID 83466 Email dbarton@allcalifornia.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

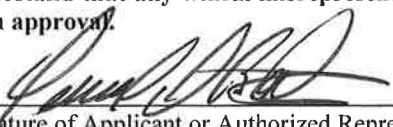
☐ No Representative

Name of Representative _____ Phone _____

Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.


Signature of Applicant or Authorized Representative

 **DAVID D. BARTON-OWNER** **2-11-2019**
Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

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 your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.
 Right was decreed to Bobby Jenkins with incorrect legal description and I am unable to change the right into my name. Mr. Jenkins is now deceased. The use has always been on my property at Lot 3, North Fork Acres.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	75-10031	0.06 cfs	Domestic/Stock	01/01 to 12/31	Spring/Big Silverlead Ck
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.06 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.06 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
		NW	NE	SW	16	24N	21E	Lemhi	Spring	corrected location

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
24N	21E	16									D/S	D/S							
Total Acres (for irrigation use)																			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued**

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Spring to a cistern. Water is distributed to home via a pump, to bunkhouse and corrals via a gravity line.

- b. Who owns the property at the point(s) of diversion? Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

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

If yes, ☒ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: Letter from USBank, holder of mortgage

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

None - there will be no change in historic point of diversion or place of use. This right was claimed by Mr.

Jenkins during the SRBA, in the correct legal description. The partial decree was issued with an incorrect POD and POU.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

None. Irrigation right 75-10032 diverts from a separate spring tributary to Big Silverlead Ck in the same QQ.

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

Page _____ of _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 75-10031

Current Owner: BOBBY G JENKINS
Priority Date: 5/22/1913
Origin: Water Right
Status: Active
Basis: Decreed

Source

SPRING

Tributary

BIG SILVERLEAD CREEK

Beneficial Use

From To

Diversion Rate

Annual Volume

STOCKWATER

1/01 to 12/31

0.02 CFS

DOMESTIC

1/01 to 12/31

0.04 CFS

Total Diversion

0.06 CFS

Location of Point(s) of Diversion

SPRING

SW1/4NW1/4

Sec. 16, Twp 24N, Rge 21E B.M.

LEMHI County

Place of Use

STOCKWATER Within LEMHI County

T24N R21E S16

SWNW

DOMESTIC Within LEMHI County

T24N R21E S16

SWNW

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. STOCKWATER, 10 HORSES PARCEL NO. 001410010030 PROPERTY ALSO KNOWN AS LOT 3, NORTH FORK ACRES
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Decreed Date: 9/15/2000

83014

83014

NENE

NWNW

NENW

DECREED POD/POU

SENE

SWNW

SENW

17

24N21E

93

16

North Fork Salmon River

Big Silverhead Creek

Off 93

POU

HISTORIC POD

NENE

NWSW

NESW

Salmon River Rd

SESE 10

83014

The USDA-FSA Aerial Photography Field office asks to be credited in derived products



January 29, 2019

501 Main St
Salmon, ID 83467
208.756.2259
208.756.2941 fax

usbank.com

To Whom it may concern,

In regards to:

David D Barton and Maureen A O'donnell-Barton
2071 HWY 93 N
NORTH FORK, ID 83466-0266
United States

We understand that there is a water rights correction being made to the above address and property owner. Please know that US Bank is in support of the water rights being corrected.

Please let us know if you have any questions.

Sony Galvan

A handwritten signature in blue ink, appearing to read "Sony Galvan".

Branch Manager
US Bank
Salmon Branch
501 Main St.
(208) 756-2259

83014

25 X

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A75-10031
Date Received: 1/22/1990
Receipt No: CO14141
Received By: 98

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BOBBY GENE JENKINS 208-865-2442
Address: P.O. BOX 1137
NORTH FORK, ID 83466

2. Date of Priority: MAY 22, 1913

3. Source: SPRING Trib. to: BIG SILVERLEAD

4. Point of Diversion:



Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
24N	21E	16	NW	NE	SW		LEMHI

5. Description of diverting works:
PERFORATED PIPE IN GRAVEL BED, 1000 GAL HOLDING TANK, PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME, S/10 HORSES

10. Place of Use:

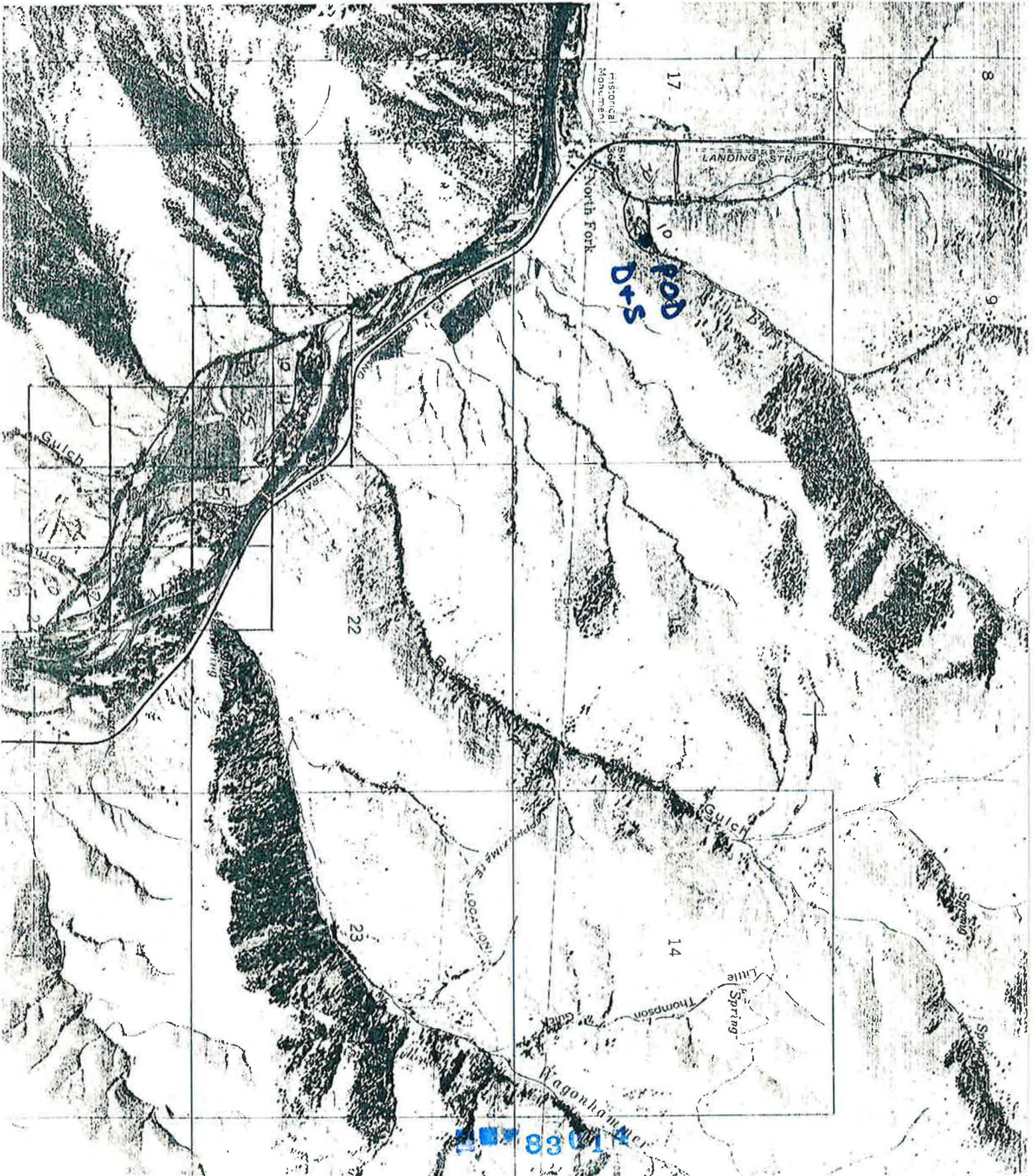
Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
24N	21E	16	NE	SW		DOMEST	
			NE	SW		STOCK	

A75-10031 Page 1 Date: 01/22/90

MICROFILMED
DEC 15 1992

MICROFILMED
DEC 15 1992

1 360-000
FEET



SEP-18-1998
0014

1

RIGHT NUMBER: 75-10031

NAME AND ADDRESS: BOBBY GENE JENKINS
PO BOX 1137
NORTH FORK ID 83466

SOURCE: SPRING TRIBUTARY: BIG SILVERLEAD

QUANTITY: 0.06 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 05/22/1913

POINT OF DIVERSION: T24N R21E S16 SNNW Within LEMHI County
NWNESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within LEMHI County
T24N R21E S16 SNNW NWSW

DOMESTIC Within LEMHI County
T24N R21E S16 SNNW NWSW

OTHER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

PARCEL NO. 001410010030

PROPERTY ALSO KNOWN AS LOT 3, NORTH FORK ACRES

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
STOCKWATER, 10 HORSES

✓ R B A
9/29/98

De R B A
11/27/98

83014

Hersley, Jean

From: Hersley, Jean
Sent: Friday, April 12, 2019 9:28 AM
To: Yenter, Cindy; Clark, Cynthia Bridge; Skoro, Emily; Cassel, Amy
Subject: Applications for Permit and Transfer

Applications for Permit 74-16208, 74-16213, 74-16215, 75-14923, 75-14924, 75-14925 & 75-14930 will be advertised on April 18 & 25 with the protest end date of May 6. Please let me know if you have any comment or concerns with the applications.

Application for Transfer 83014, water right 75-10031 is not being advertised. The physical location of the POU and POD are not changing, just the legal description. Please let me know if you have any comments or concerns with this transfer application.

All documents will be scanned by the end of the day.

Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942

Hersley, Jean

From: Hersley, Jean
Sent: Friday, April 12, 2019 9:12 AM
To: Jeff Richards
Subject: Comment Letter to IDFG - Salmon
Attachments: Comment Letter to IDFG - Salmon.docx

Please see attached letter. Let me know if you have any questions. Thank you.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

Website: idwr.idaho.gov • Email: idwrinfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

April 12, 2019

IDAHO DEPT FISH AND GAME
ATTN: JEFF RICHARDS
99 HWY 93 N
SALMON ID 83467

RE: Applications for Permit No. 74-16208, 74-16213, 74-16215, 75-14923, 75-14924,
75-14925, 75-14930
Application for Transfer No. 83014 Water right 75-10031

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right applications. You can find a copy of the applications at:

<http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

This office can publish notice of the applications as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the applications.

Sincerely,

Jean Hersley
Technical Records Specialist II



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

Website: idwr.idaho.gov • Email: idwrinfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

April 12, 2019

IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY
900 NORTH SKYLINE SUITE B
IDAHO FALLS ID 83402

RE: Applications for Permit No. 74-16208, 74-16213, 74-16215, 75-14923, 75-14924,
75-14925, 75-14930
Application for Transfer No. 83014 Water right 75-10031

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right applications. You can find copies of the applications at:

<http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the applications.

Sincerely,

A handwritten signature in cursive script that reads 'Jean Hersley'.

Jean Hersley
Technical Records Specialist II

MEMORANDUM

Date: February 21, 2019
To: Transfer 83014
From: Alex Dagleish
Re: Legal Notice Not Required

Legal Notice Not Required
2/21/2019

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.

MEMORANDUM

Date: February 20, 2019
To: Transfer 83014
From: Alex Dalgleish
Re: Review & Evaluation of Sufficiency of Information

Purpose: On February 13, 2019, the department received an application from David D Barton to change the POD and POU legal description for water right 75-10031. The right is for stockwater (.02 cfs) and domestic (.04 cfs) use. There will be no physical change in the location of the POD or POU.

POUs: The place of use legal description will change from the SWNW to NWSW and NESW in Township 24N Range 21E Section 16.

PODs: The point of diversion legal description will change from the SWNW to NWNESW in Township 24N Range 21E Section 16. Water source is a spring that feeds into Big Silverlead Creek.

Authority to File: Mr. Barton signed the application and is listed as the parcel owner from 2018 Lemhi tax lot information. Ownership change was completed at the time of processing the transfer application. Previous owner was Bobby G. Jenkins and new owner is David Barton. Mr. Jenkins is now deceased. Mr. Barton provided two warranty deeds with the transfer application. In the first deed, Bobby Jenkins granted Sharon Fisbeck Lot 3 of North Fork Acres subdivision and all appurtenances. Lot 3 in the subdivision is the POU & POD location. In the second deed, Sharon Fisbeck granted David Barton the same land and appurtenances. The mortgage holder, US Bank in Salmon, ID, submitted a letter supporting the correction to water right 75-10031 POU/POD legal description. There are no ownership concerns.

Water Right Validity: The POU and POD locations for water right 75-10031 are inconsistent with the decree. In a 1990 SRBA claim filed by Bobby Jenkins, the legal description was correctly represented in T24N R21E Section 16 NESW quarter-quarter. In 2000, the right was decreed to Bobby Jenkins with incorrect legal description in SWNW quarter-quarter, same Township, Range and Section. It is uncertain why this happened. Forfeiture is not an issue.

Injury to Other Water Rights: Water right 75-10031 diverts water from a spring through a perforated pipe in a gravel bed. This feeds into a 1000 gallon holding tank and pipeline. Water is distributed to the home via a pump and to a bunkhouse and corrals by a gravity line. Irrigation right 75-10032 has an overlapping POU and diverts .02 cfs from a separate spring in the same quarter-quarter. No injury is anticipated.

Enlargement of Use: There will not be an increase in acres. Enlargement of use is not expected.

Local Public interest: There are no apparent issues with local public interest. At the time of this transfer, there is no watermaster for this area. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, advertising is not required to address local public concerns.

Beneficial Use/Conservation of Water Resources: This transfer appears to be consistent with the conservation of water resources in Idaho.

Effect on Economy the Local Area: No adverse impacts are anticipated.

Effect on Agricultural Base of the Local Area: The transfer shows no negative impacts on the local agriculture.

RECEIVED

FEB 13 2019

DEPARTMENT OF
WATER RESOURCES

MEMORANDUM

February 11, 2019

TO: Barton Transfer Reviewing Agent

FROM: Cindy Yenter

RE: Historic use of 75-10031

This application for transfer appears to meet the criteria of 42-221.O.8 and qualify for a reduced processing fee of \$50 because there will be no physical change to either point of diversion or place of use. The historic use was properly represented in the NESW Sec 16 on the SRBA claim filed by Bobby Jenkins in 1990. However, during recommendation the legal descriptions were changed to SWNW Sec 16 and the decree issued to Jenkins reflect the incorrect legal description. It is not clear why this happened.

Irrigation right 75-10032, also decreed to Jenkins, was decreed correctly and has already been changed to Mr. Barton's name.