

T5566 SHIFFLETT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5566
WATER RIGHT NO(S). 32-02000A/32-02056A

RECEIVED

MAR 29 2000

Department of Water Resources
Eastern Region

This is to certify that: DUSTY SHIFFLETT
SUSAN SHIFFLETT
HC 61 BOX 1095
DUBOIS ID 83423

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>
Right No. 32-02000A : IRRIGATION Priority: 02/15/1904	04/01 to 10/31	0.77 CFS	131.3 AF
Right No. 32-02056A : IRRIGATION Priority: 11/11/1914	04/01 to 10/31	1.55 CFS	271.3 AF
TOTAL:		* 2.32 CFS	* 402.6 AF

SOURCE

MEDICINE LODGE CREEK

TRIBUTARY OF

SINKS

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 25, Township 11N, Range 34E
SWNESE , Sec. 25, Township 11N, Range 34E
CLARK 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>
11N	34E	25	SENE 24	NESE 38	NWSE 31	
			SWSE 34	SESE 11		138
		36	NENE 39	NWNE 30		69

Total number of acres irrigated: ** 207

CONDITIONS OF APPROVAL AND REMARKS

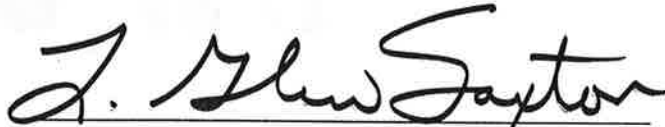
1. Use of water under this water right will be regulated by the watermaster of State Water District No. 32C.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

TRANSFER NO. 5566
WATER RIGHT NO(S). 32-02000A/32-02056A

CONDITIONS OF APPROVAL AND REMARKS

3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
- * 7. Rights 32-02000A and 32-02056A when combined shall not exceed a
** total diversion rate of 2.32 cfs from all points of diversion, a total annual maximum diversion volume of 402.6 af at the field headgate, and the irrigation of 115.0 acres.
- ** 8. Right 32-02000A is limited to the irrigation of 37.5 acres within the place of use described above in a single irrigation season.
- ** 9. Right 32-02056A is limited to the irrigation of 77.5 acres within the place of use described above in a single irrigation season.
10. Two points of diversion are located within NENW, S25, T11N, R34E.
11. Rights 32-00009A, 32-00010A, 32-00011A, 32-00012A and 32-00013A are also diverted through the points of diversion described above.

Dated this 27th day of March, 2000.


Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transferred to 5566 RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT SEP 30 1999

PART 1

Department of Water Resources
Eastern Region

Name of applicant DUSTY OR SUSAN SHIFFLETT Phone 208-374-5451
Post Office address HC 61 Box 1095 Dubois, ID 83423

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 We sold half our ground to Medicine Lodge Ranch with 5 water rights. We kept 2 rights to use on the remainder of the property.

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>R32-02000A</u>	<u>2/15/1904</u>	<u>0.77 cfs</u>	<u>Irrigated</u>	<u>4/01 to 10/31</u>
<u>R32-02056A</u>	<u>11/11/1914</u>	<u>1.55 cfs</u>	<u>" "</u>	<u>" "</u>

2. Total amount of water being transferred 2.32 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Medicine Lodge Creek tributary to Sinks

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	25	11N	34E	Clark	
		NE	NW	"	"	"		

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	
11N	34E	25																38 31 34 11	138
		36	39	30															69
11N	35E	31																	15 88

* Limited to 115 acres irrigated

Total acres 207 *

PART 1

6. General Information:

a. Description of diversion system Head gate at NENW 1/4 Sec 25 directs water into ditch on west side of property in Sec 25, Pump at NEE 1/4 sec 25 pumps directly out of Mealy Creek to Flowmeter on pipe then sprinkle.

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 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:
Rts 32-00009A, -00010A, -00011A, ^{00012A} -00013A stayed with the parcel sold to Medicine Lodge Ranch and these two rights stayed with the land we kept.

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:**

Claim No. R32-02000A

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	0.77 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
MEDICINE LODGE CREEK	SINKS

Priority: 02/15/1904

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 25, Township 11N, Range 34E
 SWNESE , Sec. 25, Township 11N, Range 34E
 CLARK 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>
11N	34E	25	SENE 9	NESE 38	NWSE 31	
			SWSE 34	SESE 38		150
		36	NENE 40	NWNE 30		70
35E	30	Lot 2 (SWNW)	38	SENE 38	NESW 39	
		Lot 3 (NWSW)	38	Lot 4 (SWSW) 38	SESW 30	221
		31 Lot 1 (NWNW)	35			35
				Total number of acres irrigated:		476

CONDITIONS/REMARKS:

- RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
- RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS.
- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.91 CFS. COMBINED RIGHT NOS.: 32-00009A, 32-00010A, 32-00011A, 32-00012A, 32-00013A, 32-02056A
- TWO POINTS OF DIVERSION LOCATED IN T11N, R34E, S25, NENW.
- USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 476 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00009A, 32-00010A, 32-00011A, 32-00012A, 32-00013A, 32-02056A

Claim No. R32-02000A

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 37.5 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

5. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 32-00009A, 32-00010A,
32-00011A, 32-00012A, 32-00013A, 32-02056A

WATER IS DELIVERED THROUGH MEDICINE LODGE 25NENW-W

WATER IS DELIVERED THROUGH MEDICINE LODGE 25NENW-E

PART 2

TRANS NO. 5366

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. R32-02056A

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	1.55 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
MEDICINE LODGE CREEK	SINKS

Priority: 11/11/1914

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 25, Township 11N, Range 34E
 SWNESE , Sec. 25, Township 11N, Range 34E
 CLARK 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>
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			SWSE 34	SESE 38		150
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		31 Lot 1 (NWNW)	35			35
Total number of acres irrigated:						476

CONDITIONS/REMARKS:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS.
4. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.91 CFS. COMBINED RIGHT NOS.: 32-00009A, 32-00010A, 32-00011A, 32-00012A, 32-00013A, 32-02000A
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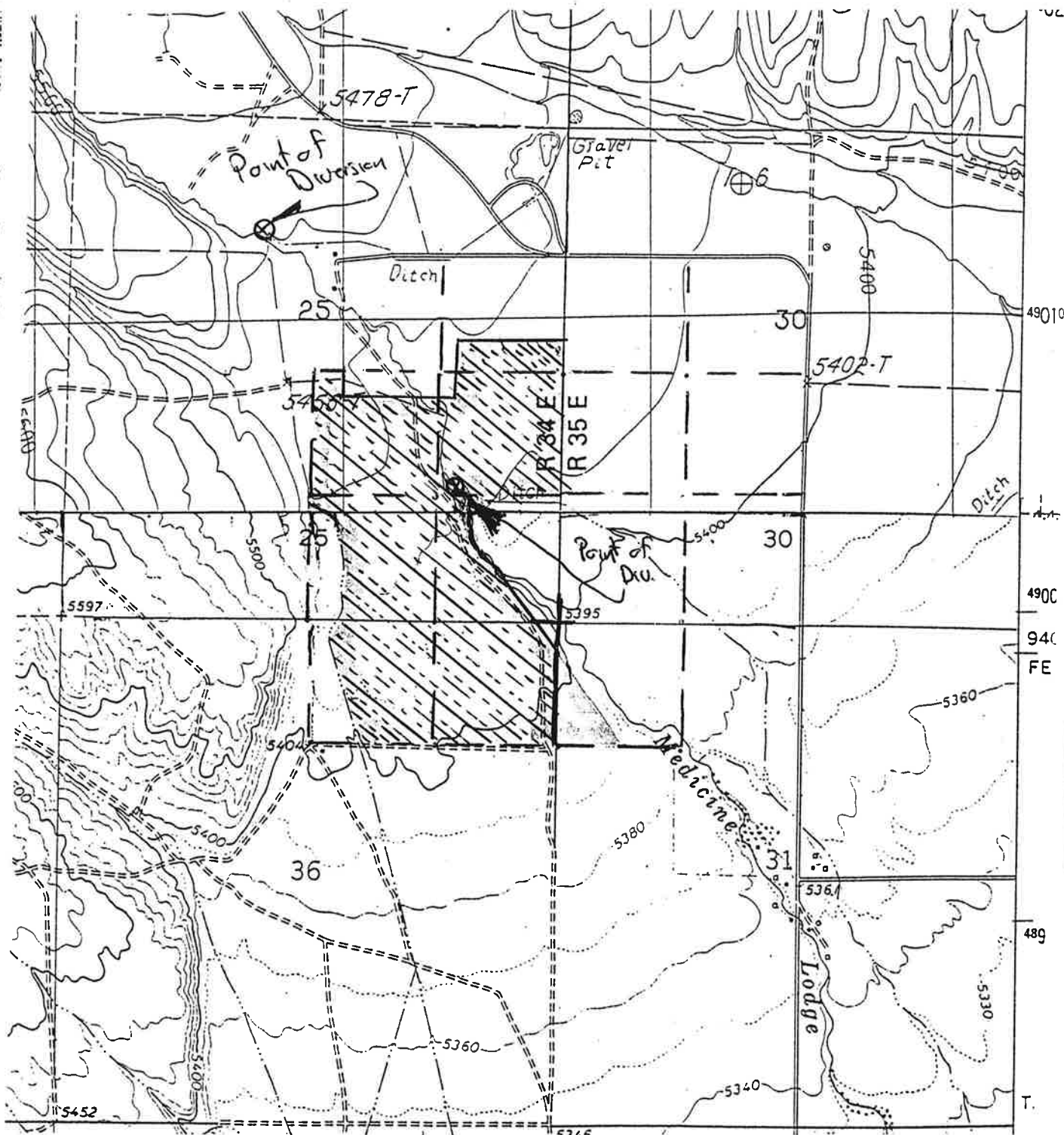
Claim No. R32-02056A

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 77.5 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

5. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 32-00009A, 32-00010A,
32-00011A, 32-00012A, 32-00013A, 32-02000A

WATER IS DELIVERED THROUGH MEDICINE LODGE 25NENW-W

WATER IS DELIVERED THROUGH MEDICINE LODGE 25NENW-E



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

27

day of

Sept, 19 99

(Signature of Applicant)

Joyce S. Kulhank
(Notary Public)

My commission expires

9/18/2001Clark County - Dubois ID

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and _____ attachmentsReceived by HWT Date _____Prelim. check by HWT Fee \$100Receipted by HWT # E025342 Date 9-30-99Published in Post RegisterPub. dates 10/26 & 10/28/99

Watermaster recommendation requested on _____

Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____