

T5630 LITTLE LOST RIVER LAND & CATTLE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5630
WATER RIGHT NO(S). 33-00031R/33-00049B/33-10982/33-00048B
33-00050B/33-00083C

RECEIVED
MAY 01 2000
Department of Water Resources
Eastern Region

This is to certify that: LITTLE LOST RIVER LAND AND CATTLE
C/O DENNIS WEEKS
3776 N 1800 W
HOWE ID 83244

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. 33-00031R :			
IRRIGATION	04/01 to 11/01	**** 1.80 CFS	315.0 AF
Priority: 09/01/1879			
Right No. 33-00049B :			
IRRIGATION	04/01 to 11/01	0.55 CFS	96.3 AF
Priority: 05/15/1900			
Right No. 33-10982 :			
IRRIGATION	04/01 to 10/31	**** 1.80 CFS	658.0 AF
Priority: 04/01/1983			
Right No. 33-00048B :			
IRRIGATION	04/01 to 11/01	0.55 CFS	96.3 AF
Priority: 01/01/1885			
Right No. 33-00050B :			
IRRIGATION	04/01 to 11/01	*** 0.50 CFS	87.5 AF
Priority: 05/25/1891			
Right No. 33-00083C :			
IRRIGATION	04/01 to 11/01	0.34 CFS	59.5 AF
Priority: 06/01/1891			
TOTAL:		** 3.74 CFS	** 1312.5 AF

SOURCE

LITTLE LOST RIVER

TRIBUTARY OF

SINKS

TRANSFER NO. 5630
 WATER RIGHT NO(S). 33-00031R/33-00049B/33-10982/33-00048B
 33-00050B/33-00083C

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
<u>LOCATION OF POINT(S) OF DIVERSION:</u>		NESENE , Sec. 25, Township 06N, Range 28E BUTTE County	

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N 28E 25	SWNE 40	SENE 30	NENW 40	
	SENE 40	NESW 39	NESE 39	
	NWSE 40			268
29E 30	NENW 20	Lot 1(NWNW) 19	Lot 2(SWNW) 29	
	SENE 39			107
Total number of acres irrigated:				* 375

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 33.
4. 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.
5. 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.
- * 6. Right 33-00031R is limited to the irrigation of 90 acres within the place of use described above in a single irrigation season.
- * 7. Right 33-10982 is limited to the irrigation of 188 acres within place of use described above in a single irrigation season.
- **** 8. Rights 33-00031R and 33-10982 when combined shall not exceed a total diversion rate of 1.80 cfs.
9. Approval of Transfer 5630 does not confirm Claimed Right 33-10982.
10. Right 33-10982 is an enlargement of Right 33-00031R pursuant to Section 42-1426, Idaho Code.
11. Right 33-10982 is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

TRANSFER NO. 5630
WATER RIGHT NO(S). 33-00031R/33-00049B/33-10982/33-00048B
33-00050B/33-00083C

CONDITIONS OF APPROVAL AND REMARKS

- * 12. Right 33-00048B is limited to the irrigation of 27.5 acres within the place of use described above in a single irrigation season.
- * 13. Right 33-00049B is limited to the irrigation of 27.5 acres within the place of use described above in a single irrigation season.
- * 14. Right 33-00050B is limited to the irrigation of 25 acres within the place of use described above in a single irrigation season.
- *** 15. The portion of Right 33-00050B used for conveyance losses is 0.08 cfs.
- * 16. Right 33-00083C is limited to the irrigation of 17 acres within the place of use described above in a single irrigation season.
- ** 17. Rights 33-00031R, 33-00048B, 33-00049B, 33-00050B, 33-00083C and 33-10982 when combined shall not exceed a total diversion rate of 3.74 cfs, a total annual maximum diversion volume of 1312.5 af at the field headgate, and the irrigation of 375 acres.
- 18. 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 as may be ultimately determined by the court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Dated this 27th day of

April

, 2000

J. Glen Saxton
Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

5630

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant DENNIS WEEKS Phone 208-767-3535
Post Office address 3776 N 1800 W Howe, ID 83244

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 The watermaster requested the change to better facilitate measurement & delivery.

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
See Attached Sheet				
				to
				to
				to
				to

2. Total amount of water being transferred 3.74 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water LITTLE LOST RIVER tributary to SINKS

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SE	NE	25	6N	28E	Butte	

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	
6N	28E	25			40	30	40			40	39				39	40			268
6N	29E	30					20	19	29	39									107

Total acres 375

PART 1

6. General Information:

a. Description of diversion system

Pump To Main Line To
Sprinkler's

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

N.A.

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 _____

33-00031R	9/01/1879	1.80 CFS *	IRRIG.	4/01	11/01
33-10982	4/01/1983	1.80 CFS *	"	"	"
33-00048B	1/01/1885	0.55 CFS	"	"	"
33-00049B	5/15/1900	0.55 CFS	"	"	"
33-00050B	5/25/1891	0.50 CFS	"	"	"
33-00083C	06/01/1891	0.34 CFS	"	"	"
		3.74 CFS Total			

* see conditions/remarks

PART 2

TRANS NO. 5630

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. R33-00031R

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	1.80 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
LITTLE LOST RIVER	SINKS

Priority: 09/01/1879

LOCATION OF POINT(S) OF DIVERSION:NWSWNW , Sec. 31, Township 06N, Range 29E
BUTTE CountyPLACE OF USE:

IRRIGATION

				NE				NW				SW				SE										
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
06N	28E	25	:			40	30	:	40			40	:	39				:	39	40			:	268.0		
06N	29E	30	:					:	20	19	29	39	:					:					:	107.0		
																							TOTAL ACRES	375.0		

CONDITIONS/REMARKS:

- 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 AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE, SECTION 42-1412(6) IDAHO CODE.
- USE OF THIS RIGHT WITH RIGHT NO. 33-10982 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.80 CFS.
- THIS RIGHT IS LIMITED TO THE IRRIGATION OF 90 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 375 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00048B,

Claim No. R33-00031R

33-00049B, 33-00050B, 33-00083C, 33-10982.

5. THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. A33-00031B, A33-00031M.
6. RIGHT NO. 33-10982 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
7. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 33-00048B, 33-00049B, 33-00050B, 33-00083C, 33-10982.

Describe any other water rights used for the same purpose as described above:

See remarks

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:

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 _____

PART 2

TRANS NO. 5630

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. R33-10982

STAGE: BENEFICIAL USE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	1.80 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
LITTLE LOST RIVER	SINKS

Priority: 04/01/1983

LOCATION OF POINT(S) OF DIVERSION:NWSWNW , Sec. 31, Township 06N, Range 29E
BUTTE CountyPLACE OF USE:

IRRIGATION

				NE				NW				SW				SE															
				NENE	NWNE	SWNE	SENE	: NENW				NWNW	SWNW	SENW	: NESW				NWSW	SWSW	SESW	: NESE				NWSE	SWSE	SESE	:		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
06N	28E	25	:				40		30	:	40					40	:	39				:				39		40	:	268.0	
06N	29E	30	:							:	20	19	29	39	:					:									:	107.0	
																TOTAL ACRES								375.0							

CONDITIONS/REMARKS:

1. THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.
2. 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 AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE, SECTION 42-1412(6) IDAHO CODE.
3. USE OF THIS RIGHT WITH RIGHT NO. 33-00031R IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.80 CFS.
4. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO

PART 2

TRANS NO. 5630

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. R33-00048B

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	0.55 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
LITTLE LOST RIVER	SINKS

Priority: 01/01/1885

LOCATION OF POINT(S) OF DIVERSION: NWSWNW , Sec. 30, Township 06N, Range 29E
BUTTE County

PLACE OF USE:

IRRIGATION

				NE				NW				SW				SE										
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
06N	28E	25	:			40	30	:	40			40	:	39				:	39	40			:	268.0		
06N	29E	30	:					:	20	19	29	39	:					:					:	107.0		
																							TOTAL ACRES	375.0		

CONDITIONS/REMARKS:

- 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 AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE, SECTION 42-1412(6) IDAHO CODE.
- THIS RIGHT IS LIMITED TO THE IRRIGATION OF 27.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 375 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00031R, 33-00049B, 33-00050B, 33-00083C, 33-10982.
- THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF

Claim No. R33-00048B

DIVERSION DESCRIBED ABOVE: 33-00031R, 33-00049B,
33-00050B, 33-00083C, 33-10982.

Describe any other water rights used for the same purpose as described above:

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:

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 _____

PART 2

TRANS NO. 5630

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. R33-00049B

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	0.55 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
LITTLE LOST RIVER	SINKS

Priority: 05/15/1900

LOCATION OF POINT(S) OF DIVERSION: NWSWNW , Sec. 30, Township 06N, Range 29E
BUTTE County

PLACE OF USE:

IRRIGATION

				NE				NW				SW				SE																							
				NENE	NWNE	SWNE	SENE	:				NENW	NWNW	SWNW	SENW	:				NESW	NWSW	SWSW	SESW	:				NESE	NWSE	SWSE	SESE	:	SUM						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:		
06N	28E	25	:				40		30	:	40					40	:	39				:						39		40	:							:	268.0
06N	29E	30	:							:		20	19	29	39	:					:									:							:	107.0	
																												TOTAL ACRES	375.0										

CONDITIONS/REMARKS:

- 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 AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE, SECTION 42-1412(6) IDAHO CODE.
- THIS RIGHT IS LIMITED TO THE IRRIGATION OF 27.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 375 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00031R, 33-00048B, 33-00050B, 33-00083C, 33-10982.
- THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF

Claim No. R33-00049B

DIVERSION DESCRIBED ABOVE: 33-00031R, 33-00048B,
33-00050B, 33-00083C, 33-10982.

Describe any other water rights used for the same purpose as described above:

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:

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 _____

PART 2

TRANS NO.

5630

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. R33-00050B

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	0.50 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
LITTLE LOST RIVER	SINKS

Priority: 05/25/1891

LOCATION OF POINT(S) OF DIVERSION:NWSWNW , Sec. 30, Township 06N, Range 29E
BUTTE CountyPLACE OF USE:

IRRIGATION

				NE				NW				SW				SE								
				NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM		
06N	28E	25	:			40	30	:	40			40	:	39				:	39	40			:	268.0
06N	29E	30	:					:	20	19	29	39	:					:					:	107.0
																			TOTAL ACRES		375.0			

CONDITIONS/REMARKS:

- 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 AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE, SECTION 42-1412(6) IDAHO CODE.
- RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- THE QUANTITY OF WATER THAT MAY BE DIVERTED AT THE POINTS OF DIVERSION DESCRIBED BELOW IS 0.42 CFS. THIS REDUCTION IN QUANTITY IS DUE TO THE HISTORICAL PRACTICE OF ASSESSING A CONVEYANCE LOSS FOR THE DELIVERY OF THE RIGHT.
- THIS RIGHT IS LIMITED TO THE IRRIGATION OF 25.0 ACRES WITHIN

Claim No. R33-00050B

THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 375 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00031R, 33-00048B,
33-00049B, 33-00083C, 33-10982.

6. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 33-00031R, 33-00048B, 33-00049B,
33-00083C, 33-10982.

Describe any other water rights used for the same purpose as described above:

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:

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

PART 2

TRANS NO. 5630

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. R33-00083C

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	0.34 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
LITTLE LOST RIVER	SINKS

Priority: 06/01/1891

LOCATION OF POINT(S) OF DIVERSION: NWSWNW , Sec. 30, Township 06N, Range 29E
BUTTE County

PLACE OF USE:

IRRIGATION

				NE				NW				SW				SE							
				NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
06N	28E	25	:			40	30	:	40			40	:	39				:	39	40			: 268.0
06N	29E	30	:					:	20	19	29	39	:					:					: 107.0
																			TOTAL ACRES	375.0			

CONDITIONS/REMARKS:

- 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 AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE, SECTION 42-1412(6) IDAHO CODE.
- THIS RIGHT IS LIMITED TO THE IRRIGATION OF 17 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 375 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00031R, 33-00048B, 33-00049B, 33-00050B, 33-10982.
- THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF

Claim No. R33-00083C

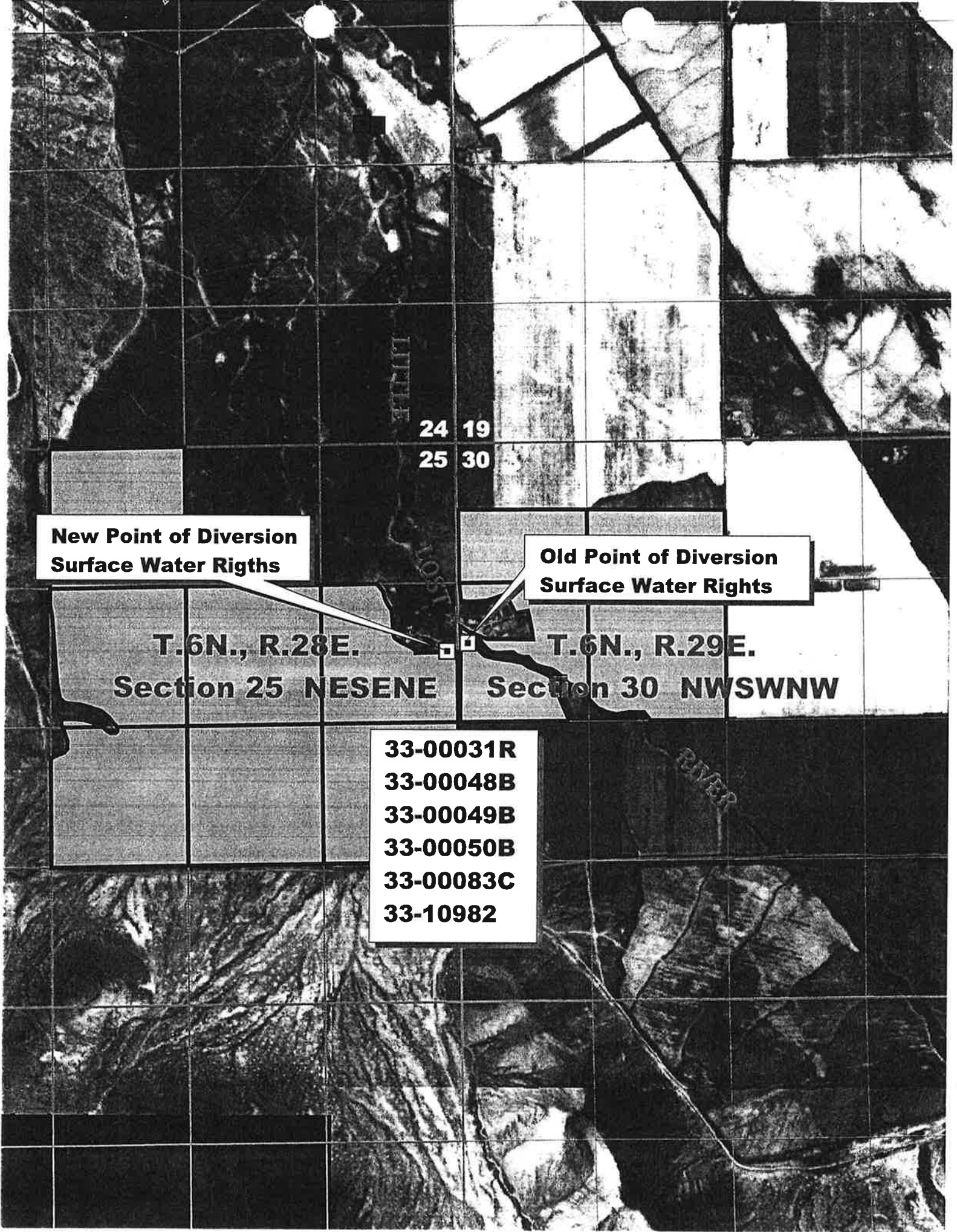
DIVERSION DESCRIBED ABOVE: 33-00031R, 33-00048B, 33-00049B,
33-00050B, 33-10982.

Describe any other water rights used for the same purpose as described above:

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:

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 _____



**New Point of Diversion
Surface Water Rights**

**Old Point of Diversion
Surface Water Rights**

**T.6N., R.28E.
Section 25 NESENE**

**T.6N., R.29E.
Section 30 NWSWNW**

- 33-00031R**
- 33-00048B**
- 33-00049B**
- 33-00050B**
- 33-00083C**
- 33-10982**

PART 3

B. CHANGES IN NATURE OF USE

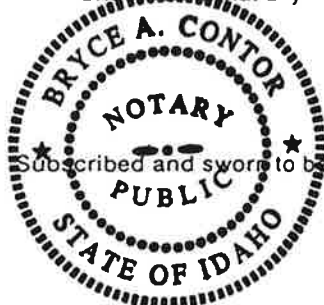
1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

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.



Little Lost River Land & Cattle
by Daniel M. Wark
 (Signature of Applicant)

Subscribed and sworn to before me this

4th

day of

January, 19 99

Bryce A. Contor
 (Notary Public)

My commission expires

10/14/05

FOR DEPARTMENT USE ONLY

Transfer contains 17 pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee \$100.00Receipted by #C047482 Date _____Published in Arco Advertiser Copies of protest forwarded by _____Pub. dates 1-20 & 1-27-2000 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

Ruberry, Allen

From: Dave Andreason [slashd@atcnet.net]
Sent: Monday, April 24, 2000 3:16 PM
To: Ruberry, Allen
Subject: Re: Transfer #5630

Transfer: 5630

As WaterMaster of Water district 33 , I am in agreement with this application without any concerns. This point of diversion was changed many years ago to benefit water measurement and delivery. Ruberry, Allen wrote: David S. Andreason

> This is the Weeks Transfer; correcting the legal of the POD. Skip needs a
> response to his 5 April letter detailing any concerns over the transfer you
> may have. Since the project is done there probably isn't much to
> say.....
> Later.....al

Crabtree, Jennifer

From: Carlsen, Ernie
Sent: Wednesday, February 07, 2001 10:10 AM
To: Adj Staff - Eastern; Jones, Doug; Shurte, Jan; Fritschle, Carter
Cc: Carlsen, Ernie; Shaff, Don
Subject: Data Entry of X and T records.

Good Morning All,

Our effort to catch up on the data entry of approved transfers produced several questions on how to proceed. When starting to work on an approved transfer one of the first steps should be to check the VAX for X records. When X records exist requests to have them moved onto the Enterprize system must go to Don. He will communicate with Dave Grindle on getting the data moved to the correct location.

This morning I started work on a change of ownership that splits water rights involved in two protested transfers. Allocations had generated T records to show the splits caused by the transfers. Pam Skaggs told me not to use the T records. But to split the rights on the Enterprize system and then place a copy of the pedigree and a water right report for the newly numbered children in the transfer file. Allocations will use this information to update the water right numbers once the transfer is approved. Through this process the water right numbers in AJ and WR will match.

Frequently the approved transfer has limiting remarks that do not fit our list of standard remarks and conditions but are important to the completion or administration of the transfer. These remarks need to be carried forward. I recommend you flag them as General. One approach for moving them into the ecvr is to copy them from the water right report into a word document and then copy from the word document into the ecvr. This will save having to retype the remark. Do not worry about it being in lower case. When the one year period for accomplishing transfer is still several month out you should include that remark but put in the date it needs to be complete based on one year after approval of the transfer. Be sure to replace previous versions of the general provisions remark with C18 (every active recommendation gets C18).
Ernie

T5730 = X35
4139A
X- B
35-13299
35-13300
approved
9/28/00.
(66097)
WR011 first -

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommended Right Report

WATER RIGHT NO. 35-4139

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GLADYS E PRESCOTT
Current Owner	RALPH D PRESCOTT
	1194 W 600 S
	PINGREE, ID 83262
	(208)684-4114

Priority Date: 04/01/1946
 Basis: Beneficial Use

Status: **Disallowed**

<u>Source</u>	<u>Tributary to</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
Total Diversion			0.5 CFS	100 AFA	

Location of Point(s) of Diversion:

GROUND WATER	NESWSW	Sec. 31	Township 03S	Range 34E	BINGHAM County
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Place(s) of use: No POUs found for this right

Remarks:

- Explanatory THIS RIGHT SPLIT BY TX #5730. RECOMMENDED AS 35-13299 (IRRIG) AND 35-13300 (COMM)

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
ARuberry	2/5/01	TRANSFER #5730	TX SPLIT THE RIGHT INTO 35-13299 (PART A, IRRIGATION), AND 35-13300 (PART B, COMMERCIAL).

Dates:

Licensed Date:
 Claim Received Date: 04/19/1989
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Review Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary	2/5/01 12:19:16 PM		2/5/01 12:19:16 PM	ARuberry	Complete
Use	2/5/01 12:19:33 PM	ARuberry			In Process

02/05/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 35-4139

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GLADYS E PRESCOTT
Current Owner	RALPH D PRESCOTT
	1194 W 600 S
	PINGREE, ID 83262
	(208)684-4114

Priority Date: 05/01/1927
Basis: Statutory Claim
Status: See Remarks

<u>Source</u>	<u>Tributary to</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
Total Diversion			0.6 CFS		

Location of Point(s) of Diversion:

GROUND WATER	NESWSW	Sec. 31	Township 03S	Range 34E	BINGHAM County
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Place(s) of use: No POUs found for this right

Remarks:

I. THIS WATER RIGHT WAS SPLIT BY TX #5730 AS FOLLOWS:
35-13299 (35-04139A) IRRIGATION PORTION
35-13300 (35-04139B) COMMERCIAL PORTION

Dates:

Licensed Date:
Claim Received Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

Other Information:

Receipt Number(s): M003202
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

35-4139 / A → 35-13299
0.20 cfs / 40 AF / 15 AC
IRRIG.
B → 35-13300
0.20 cfs / 30 AF
BOTTLE PLANT

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

02/05/2001

RIGHT NUMBER: 35-13300 RECOMMENDED PER TX #5730

NAME AND ADDRESS: GLADYS E PRESCOTT
RALPH D PRESCOTT
1194 W 600 S
PINGREE, ID 83262

SOURCE: GROUND WATER

QUANTITY: 0.2 CFS
30 AFY

PRIORITY DATE: 04/01/1946

POINT OF DIVERSION: T03S R34E S31 NESESW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	01-01 12-31	0.20 CFS 30.00 AFY

PLACE OF USE:

COMMERCIAL Within BINGHAM County
T03S R34E S31 SESW

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

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 AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PLACE OF USE AND PURPOSE OF USE: BOTTLING PLANT

02/05/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 35-13299 RECOMMENDED PER TX #5730

NAME AND ADDRESS: GLADYS E PRESCOTT
RALPH D PRESCOTT
1194 W 600 S
PINGREE, ID 83262

SOURCE: GROUND WATER

QUANTITY: 0.3 CFS
70 AFY

PRIORITY DATE: 04/01/1946

POINT OF DIVERSION: T03S R34E S31 NESWS Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	0.30 CFS 70.00 AFY

PLACE OF USE:

<u>IRRIGATION Within BINGHAM County</u>			
T03S R34E S31	NESW	2	T03S R34E S31
T03S R34E S31	LOT 6 NWSE	5	SESW 8

15 ACRES TOTAL

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

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 AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

USE OF THIS RIGHT IS COMBINED WITH WATER FROM PEOPLES CANAL
& IRRIGATION CO.