

Protested 3/16/2000

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5609
67029

APPLICATION FOR TRANSFER OF WATER RIGHT
PART I

Name of Applicant Cannon Shelley Property Limited Partnership, Everett T. Acor, Jr., and Kurt P. Acor Phone (208) 523-0620
Post Office address P.O. Box 50130, Idaho Falls, ID 83405

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 reconfigure water rights on land
2. Describe the reason for the proposed changes To divide water rights to conform to division of land as a result of sale of land by Acors to Cannon.

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>34-00256</u>	<u>06/01/1889</u>	<u>0.970</u>	<u>Irrigation</u>	<u>04-15</u> to <u>10-15</u>
	<u>34-00416</u>	<u>06/01/1896</u>	<u>1.000</u>	<u>Irrigation</u>	<u>04-15</u> to <u>10-15</u>
	<u>34-00618</u>	<u>09/01/1884</u>	<u>3.200</u>	<u>Irrigation</u>	<u>04-15</u> to <u>10-15</u>
	<u>34-02330B</u>	<u>06/01/1977</u>	<u>1.750</u>	<u>Irrigation</u>	<u>04-15</u> to <u>10-15</u>
	<u>34-02426E</u>	<u>04/06/1982</u>	<u>1.260</u>	<u>Irrigation</u>	<u>04-15</u> to <u>10-15</u>
	<u>34-07077</u>	<u>09/05/1974</u>	<u>8.000</u>	<u>Irrigation</u>	<u>04-15</u> to <u>10-15</u>
	<u>34-07080B</u>	<u>09/23/1974</u>	<u>5.330</u>	<u>Irrigation</u>	<u>04-15</u> to <u>10-15</u>
	<u>34-07092</u>	<u>01/14/1975</u>	<u>12.00</u>	<u>Irrigation</u>	<u>04-15</u> to <u>10-15</u>
	<u>34-07120</u>	<u>12/17/1975</u>	<u>2.000</u>	<u>Irrigation</u>	<u>04-15</u> to <u>10-15</u>
	<u>34-07121A</u>	<u>01/09/1976</u>	<u>0.460</u>	<u>Irrigation</u>	<u>04-15</u> to <u>10-15</u>
	<u>34-07121B</u>	<u>01/09/1976</u>	<u>3.740</u>	<u>Irrigation</u>	<u>04-15</u> to <u>10-15</u>
	<u>34-12376</u>	<u>06/01/1977</u>	<u>1.250</u>	<u>Irrigation</u>	<u>04-15</u> to <u>10-15</u>

2. Total amount of water being transferred 40.26 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Big Lost River - 34-00256, 34-00416 and 34-00618 tributary to sinks
Source of water Groundwater - all others tributary to sinks
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SE	SE	4	5N	26E	Butte	Moore Diversion for 34-00256, 34-00416 and 34-00618
	SE	NW	SE	29	5N	26E	Butte	Harold Babcock well for 34-02330B and 34-12376
	SW	SE	NE	32	5N	26E	Butte	North McAfee well for 34-02426B and 34-07121B
	SW	NE	SE	32	5N	26E	Butte	South McAfee well for 34-07080B and 34-07121A
3	NE	NE	NW	5	4N	26E	Butte	Niederer wells (2) for 34-07092
	NW	NW	NW	21	5N	26E	Butte	Burnett well for 34-07077 and 34-07120

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	25E	12	39	40	40	39	40	40	40	40	31	32	31	32	39	40	36	36	595
3N	26E	17	11	25			37	39	13	5									130
		18	35	39	36	25	38	26	37	40	17	10				2			305
4N	25E	35	40	40	40	40					20			20	40	40	40	40	360
		36	38	40	40	39	40	40	40	40	40	40	40	40	39	40	40	39	635

Total Acres 2025

6. General Information:

- a. Description of diversion system All water from Big Lost River and wells is transported to and introduced into the Timberdome Canal Company system and thence to the places of use.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes 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 effect on the land now irrigated if the place of use is changed pursuant to this transfer:
There will be no effect
- d. Remarks:
A copy of the Agreement for Division of Water Rights and Related Property Rights between Acors and Cannons is attached.

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 _____, 1994.

PART 2

TRANS NO. 5609A. DESCRIPTION OF RIGHT AS RECORDED: Sec Split

Claim No. R34-00256

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	05/01 to 10/15	1.47 CFS

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

Priority: 06/01/1889

LOCATION OF POINT(S) OF DIVERSION: NWSESE , Sec. 4, Township 05N, Range 26E
BUTTE 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>
05N	26E	28	SWSW 37	SESW 36		73
Total number of acres irrigated:						73

CONDITIONS/REMARKS:

1. THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE WATERMASTER FOR WATER DISTRICT 34.
2. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2307 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-12376, 34-02426C, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07179, 34-07077, 34-07120, 34-00618, 34-00692C, 34-02330B AND 34-00416.
3. USE OF THIS RIGHT WITH RIGHT NO. 34-00416 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 73 ACRES IN A SINGLE IRRIGATION SEASON.
4. WATER DELIVERED THROUGH THE MOORE DIVERSION, WESTSIDE CANAL

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? _____ If yes, describe: _____

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TRANS NO. 5609

Claim No. R34-00256

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 _____

10. 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 _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.97 cfs for Irrigation purposes from 5-01 to 10-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SE	SE	4	SN	26E	Butte	

3. 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	
SN	26E	28											7	36					43

Total acres 43**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** (omit if there is no change)

1. amount 0.50 cfs for Irrigation purposes from 5-01 to 10-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SE	SE	4	SN	26E	Butte	

3. 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	
SN	26E	28							30				30						30

Total acres 30

PART 2

TRANS NO. 5609A. DESCRIPTION OF RIGHT AS RECORDED: See Split

Claim No. R34-00416

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	05/01 to 10/15	1.60 CFS

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

Priority: 06/01/1896

LOCATION OF POINT(S) OF DIVERSION: NWSESE , Sec. 4, Township 05N, Range 26E
BUTTE 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>
05N	26E	28	SWSW 37	SESW 36		73
Total number of acres irrigated:						73

CONDITIONS/REMARKS:

1. THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE WATERMASTER FOR WATER DISTRICT 34.
2. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2307 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-12376, 34-02426C, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07179, 34-07077, 34-07120, 34-00618, 34-00692C, 34-02330B AND 34-02330B.
3. USE OF THIS RIGHT WITH RIGHT NO. 34-00256 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 73 ACRES IN A SINGLE IRRIGATION SEASON.
4. WATER DELIVERED THROUGH THE MOORE DIVERSION, WESTSIDE CANAL

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? _____ If yes, describe:

Claim No. R34-00416

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 _____

10. 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 _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 1.00 cfs for Irrigation purposes from 5-01 to 10-15
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SE	SE	4	5N	26E	Butte	

3. 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	
5N	26E	28											7	36					43

Total acres 43

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.60 cfs for Irrigation purposes from 5-01 to 10-15
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SE	SE	4	5N	26E	Butte	

3. 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	
5N	26E	28											30						30

Total acres 30

PART 2

TRANS NO. 5609

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. R34-00618

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	05/01 to 10/15	3.20 CFS

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

Priority: 09/01/1884

LOCATION OF POINT(S) OF DIVERSION: NESESE , Sec. 4, Township 05N, Range 26E
BUTTE 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>
04N	26E	4	Lot 1 (NENE) 35	Lot 2 (NWNE) 36	SWNE 36	
			SENE 32			139
				Total number of acres irrigated:		139

CONDITIONS/REMARKS:

1. THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE WATERMASTER FOR WATER DISTRICT 34.
2. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2307 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-12376, 34-02426C, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07179, 34-07077, 34-07120, 34-02330B, 34-00692C, 34-00256 AND 34-00416.
3. WATER DELIVERED THROUGH THE MOORE DIVERSION, WESTSIDE CANAL

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? _____ If yes, describe:

Claim No. R34-00618

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. 5609

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. R34-02330B

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	1.75 CFS

SOURCE

GROUNDWATER

Priority: 06/01/1977

LOCATION OF POINT(S) OF DIVERSION:SENWSE , Sec. 29, Township 05N, Range 26E
BUTTE CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N 25E 12	NENE 39	NWNE 40	SWNE 40	
	SENE 39	NENW 40	NWNW 40	
	SWNW 40	SENW 40	NESW 31	
	NWSW 32	SWSW 31	SESW 32	
	NESE 39	NWSE 40	SWSE 36	
	SESE 36			595
26E 17	NENE 11	NWNE 25	NENW 37	
	NWNW 39	SWNW 13	SENW 5	130
18	NENE 35	NWNE 39	SWNE 36	
	SENE 25	NENW 38	NWNW 26	
	SWNW 37	SENW 40	NESW 17	
	NWSW 10	NWSE 2		305
04N 25E 35	NENE 40	NWNE 40	SWNE 40	
	SENE 40	NESW 20	SESW 20	
	NESE 40	NWSE 40	SWSE 40	
	SESE 40			360
36	NENE 38	NWNE 40	SWNE 40	
	SENE 39	NENW 40	NWNW 40	
	SWNW 40	SENW 40	NESW 40	
	NWSW 40	SWSW 40	SESW 40	
	NESE 39	NWSE 40	SWSE 40	
	SESE 39			635

Total number of acres irrigated: 2025

CONDITIONS/REMARKS:

Claim No. **R34-02330B**CONDITIONS/REMARKS:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. PRIORITY DATE CHANGED TO PREVENT INJURY FROM CHANGE IN USE.
3. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 8087.5 AF IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 34-12376, 34-02426C, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07179, 34-07077, AND 34-07120.
4. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2307 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-12376, 34-02426C, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07179, 34-07077, 34-07120, 34-00618, 34-00692C, 34-00256 AND 34-00416.
5. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 122.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
5. WATER DELIVERED THROUGH THE MOORE AND TIMBERDOME CANALS.
6. RIGHT NOS. 34-02330A, 34-12376 AND 34-12377 ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

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? _____ 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. 5609A. DESCRIPTION OF RIGHT AS RECORDED: See Split

Claim No. R34-02426C

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	2.50 CFS

SOURCE

GROUNDWATER

Priority: 04/06/1982

LOCATION OF POINT(S) OF DIVERSION:NESWSW , Sec. 28, Township 05N, Range 26E
BUTTE CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N 25E 12	NENE 39	NWNE 40	SWNE 40	
	SENE 39	NENW 40	NWNW 40	
	SWNW 40	SENE 40	NESW 31	
	NWSW 32	SWSW 31	SESW 32	
	NESE 39	NWSE 40	SWSE 36	
	SESE 36			595
26E 17	NENE 11	NWNE 25	NENW 37	
	NWNW 39	SWNW 13	SENE 5	130
18	NENE 35	NWNE 39	SWNE 36	
	SENE 25	NENW 38	NWNW 26	
	SWNW 37	SENE 40	NESW 17	
	NWSW 10	NWSE 2		305
04N 25E 35	NENE 40	NWNE 40	SWNE 40	
	SENE 40	NESW 20	SESW 20	
	NESE 40	NWSE 40	SWSE 40	
	SESE 40			360
36	NENE 38	NWNE 40	SWNE 40	
	SENE 39	NENW 40	NWNW 40	
	SWNW 40	SENE 40	NESW 40	
	NWSW 40	SWSW 40	SESW 40	
	NESE 39	NWSE 40	SWSE 40	
	SESE 39			635
26E 9	NENW 35	NWNW 35		70
05N 26E 28	SWSW 37	SESW 36		73

Total number of acres irrigated: 2168

Claim No. R34-02426C

CONDITIONS/REMARKS:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. PRIORITY DATE CHANGED TO PREVENT INJURY FROM CHANGE IN USE.
3. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 8087.5 AF IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 34-12376, 34-02330B, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07179, 34-07077, AND 34-07120.
4. THIS RIGHT AND RIGHT NOS. 34-02426A AND 34-02426B ARE LIMITED TO A TOTAL COMBINED RATE OF DIVERSION OF 5.00 CFS.
5. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2307 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-12376, 34-02330B, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07179, 34-07077, 34-07120, 34-00618, 34-00692C, 34-00256 AND 34-00416.
6. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 139 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
6. RIGHT NOS. 34-02426A AND 34-02426B ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
7. WATER DELIVERED THROUGH WESTSIDE AND TIMBERDOME CANALS.

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? _____ 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 _____

10. 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 _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

"E" Portion

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 1.26 cfs for Irrigation purposes from 4-15 to 10-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SW	SW	28	5N	26E	Butte	

3. 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	
																			70

Total acres 70

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 1.24 cfs for Irrigation purposes from 4-15 to 10-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

"D" Portion

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SW	SW	28	5N	26E	Butte	

3. 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	
																			69

Total acres 69

PART 2

TRANS NO. 5609

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. R34-07077

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	8.00 CFS

SOURCE

GROUNDWATER

Priority: 09/05/1974

LOCATION OF POINT(S) OF DIVERSION:NWNWNW , Sec. 21, Township 05N, Range 26E
BUTTE CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	25E	12	NENE 39	NWNE 40	SWNE 40	
			SENE 39	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 31	
			NWSW 32	SWSW 31	SESW 32	
			NESE 39	NWSE 40	SWSE 36	
			SESE 36			595
	26E	17	NENE 11	NWNE 25	NENW 37	
			NWNW 39	SWNW 13	SENE 5	130
		18	NENE 35	NWNE 39	SWNE 36	
			SENE 25	NENW 38	NWNW 26	
			SWNW 37	SENE 40	NESW 17	
			NWSW 10	NWSE 2		305
04N	25E	35	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NESW 20	SESW 20	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			360
		36	NENE 38	NWNE 40	SWNE 40	
			SENE 39	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 39	NWSE 40	SWSE 40	
			SESE 39			635
Total number of acres irrigated:						2025

CONDITIONS/REMARKS:

Claim No. R34-07077

CONDITIONS/REMARKS:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 8087.5 AF IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 34-12376, 34-02426C, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07179, 34-02330B, AND 34-07120.
3. THIS RIGHT AND RIGHT NO. 34-07120 ARE LIMITED TO A TOTAL COMBINED RATE OF DIVERSION OF 9.26 CFS.
4. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2307 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-12376, 34-02426C, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07179, 34-02330B, 34-07120, 34-00618, 34-00692C, 34-00256 AND 34-00416.
5. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 200 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
5. RIGHT NO. 34-07120 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
6. WATER DELIVERED THROUGH THE TIMBER DOME CANAL.

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? _____ 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. 5609

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. R34-07080B

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	5.33 CFS

SOURCE

GROUNDWATER

Priority: 09/23/1974

LOCATION OF POINT(S) OF DIVERSION:SWNESE , Sec. 32, Township 05N, Range 26E
BUTTE CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N 25E 12	NENE 39	NWNE 40	SWNE 40	
	SENE 39	NENW 40	NWNW 40	
	SWNW 40	SENW 40	NESW 31	
	NWSW 32	SWSW 31	SESW 32	
	NESE 39	NWSE 40	SWSE 36	
	SESE 36			595
26E 17	NENE 11	NWNE 25	NENW 37	
	NWNW 39	SWNW 13	SENW 5	130
18	NENE 35	NWNE 39	SWNE 36	
	SENE 25	NENW 38	NWNW 26	
	SWNW 37	SENW 40	NESW 17	
	NWSW 10	NWSE 2		305
04N 25E 35	NENE 40	NWNE 40	SWNE 40	
	SENE 40	NESW 20	SESW 20	
	NESE 40	NWSE 40	SWSE 40	
	SESE 40			360
36	NENE 38	NWNE 40	SWNE 40	
	SENE 39	NENW 40	NWNW 40	
	SWNW 40	SENW 40	NESW 40	
	NWSW 40	SWSW 40	SESW 40	
	NESE 39	NWSE 40	SWSE 40	
	SESE 39			635

Total number of acres irrigated: 2025

CONDITIONS/REMARKS:

Claim No. R34-07080B

CONDITIONS/REMARKS:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 8087.5 AF IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 34-12376, 34-02426C, 34-02330B, 34-07121A, 34-07121B, 34-07092, 34-07179, 34-07077, AND 34-07120.
3. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2307 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-12376, 34-02426C, 34-02330B, 34-07121A, 34-07121B, 34-07092, 34-07179, 34-07077, 34-07120, 34-00618, 34-00692C, 34-00256 AND 34-00416.
4. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 286 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. RIGHT NO. 34-07121A IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
5. WATER DELIVERED THROUGH THE TIMBER DOME CANAL.

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? _____ 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. 5609

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. R34-07092

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/15 to 10/15	12.00 CFS

SOURCE

GROUNDWATER

Priority: 01/14/1975

LOCATION OF POINT(S) OF DIVERSION: Lot 3 (NENENW), Sec. 5, Township 04N, Range 26E
BUTTE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N 25E 36	NENE 38	NWNE 40	SWNE 40	
	SENE 39	NENW 40	NWNW 40	
	SWNW 40	SENW 40	NESW 40	
	NWSW 40	SWSW 40	SESW 40	
	NESE 39	NWSE 40	SWSE 40	
	SESE 39			635
		Total number of acres irrigated:		635

CONDITIONS/REMARKS:

1. A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS OF A TYPE ACCEPTABLE TO IDWR SHALL BE PERMANENTLY INSTALLED AND MAINTAINED AS A PART OF THE DIVERTING WORKS.
2. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 8087.5 AF IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 34-12376, 34-02426C, 34-07080B, 34-07121A, 34-07121B, 34-02330B, 34-07179, 34-07077, AND 34-07120.
3. TWO POINTS OF DIVERSION LOCATED IN T04N, R26E, S05, LOT 3, (NENENW).
4. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE

Claim No. R34-07092

A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

5. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2307 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-12376, 34-02426C, 34-07080B, 34-07121A, 34-07121B, 34-02330B, 34-07179, 34-07077, 34-07120, 34-00618, 34-00692C, 34-00256 AND 34-00416.
6. WATER DELIVERED THROUGH THE TIMBER DOME CANAL.

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? _____ 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. 5609

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. R34-07120

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	2.00 CFS

SOURCE

GROUNDWATER

Priority: 12/17/1975

LOCATION OF POINT(S) OF DIVERSION:NWNWNW , Sec. 21, Township 05N, Range 26E
BUTTE CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N 25E 12	NENE 39	NWNE 40	SWNE 40	
	SENE 39	NENW 40	NWNW 40	
	SWNW 40	SENE 40	NESW 31	
	NWSW 32	SWSW 31	SESW 32	
	NESE 39	NWSE 40	SWSE 36	
	SESE 36			595
26E 17	NENE 11	NWNE 25	NENW 37	
	NWNW 39	SWNW 13	SENE 5	130
18	NENE 35	NWNE 39	SWNE 36	
	SENE 25	NENW 38	NWNW 26	
	SWNW 37	SENE 40	NESW 17	
	NWSW 10	NWSE 2		305
04N 25E 35	NENE 40	NWNE 40	SWNE 40	
	SENE 40	NESW 20	SESW 20	
	NESE 40	NWSE 40	SWSE 40	
	SESE 40			360
36	NENE 38	NWNE 40	SWNE 40	
	SENE 39	NENW 40	NWNW 40	
	SWNW 40	SENE 40	NESW 40	
	NWSW 40	SWSW 40	SESW 40	
	NESE 39	NWSE 40	SWSE 40	
	SESE 39			635

Total number of acres irrigated: 2025

CONDITIONS/REMARKS:

Claim No. R34-07120

CONDITIONS/REMARKS:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 8087.5 AF IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 34-12376, 34-02426C, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07179, 34-07077, AND 34-02330B.
3. THIS RIGHT AND RIGHT NO. 34-07077 ARE LIMITED TO A TOTAL COMBINED RATE OF DIVERSION OF 9.26 CFS.
4. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2307 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-12376, 34-02426C, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07179, 34-07077, 34-02330B, 34-00618, 34-00692C, 34-00256 AND 34-00416.
5. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 180 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
5. RIGHT NO. 34-07077 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
6. WATER DELIVERED THROUGH THE TIMBER DOME CANAL.

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? _____ 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. 5609

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. R34-07121A

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/15 to 10/15	0.46 CFS

SOURCE

GROUNDWATER

Priority: 01/09/1976

LOCATION OF POINT(S) OF DIVERSION:SWNESE , Sec. 32, Township 05N, Range 26E
BUTTE CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N 25E 12	NENW 40	NWNW 40	SWNW 40	
	SENW 40	NESW 31	NWSW 32	
	SWSW 31	SESW 32		286
	Total number of acres irrigated:			286

CONDITIONS/REMARKS:

1. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A COMBINED ANNUAL DIVERSION VOLUME OF 8087.5 AF IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 34-12376, 34-02426C, 34-07080B, 34-02330B, 34-07121B, 34-07092, 34-07179, 34-07077, AND 34-07120.
2. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
3. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2307 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-12376, 34-02426C, 34-07080B, 34-02330B, 34-07121B, 34-07092, 34-07179, 34-07077, 34-07120, 34-00618, 34-00692C, 34-00256 AND 34-00416.
4. RIGHT NO. 34-07080B IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Claim No. R34-07121A

5. WATER DELIVERED THROUGH THE TIMBER DOME CANAL.

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? _____ 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. 5609

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. R34-07121B

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	3.74 CFS

SOURCE

GROUNDWATER

Priority: 01/09/1976

LOCATION OF POINT(S) OF DIVERSION:SWSENE , Sec. 32, Township 05N, Range 26E
BUTTE CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	25E	12	NENE 39	NWNE 40	SWNE 40	
			SENE 39	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 31	
			NWSW 32	SWSW 31	SESW 32	
			NESE 39	NWSE 40	SWSE 36	
			SESE 36			595
	26E	17	NENE 11	NWNE 25	NENW 37	
			NWNW 39	SWNW 13	SENE 5	130
		18	NENE 35	NWNE 39	SWNE 36	
			SENE 25	NENW 38	NWNW 26	
			SWNW 37	SENE 40	NESW 17	
			NWSW 10	NWSE 2		305
04N	25E	35	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NESW 20	SESW 20	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			360
		36	NENE 38	NWNE 40	SWNE 40	
			SENE 39	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 39	NWSE 40	SWSE 40	
			SESE 39			635

Total number of acres irrigated: 2025

CONDITIONS/REMARKS:

Claim No. R34-07121BCONDITIONS/REMARKS:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 8087.5 AF IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 34-12376, 34-02426C, 34-07080B, 34-07121A, 34-02330B, 34-07092, 34-07179, 34-07077, AND 34-07120.
3. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2307 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-12376, 34-02426C, 34-07080B, 34-07121A, 34-02330B, 34-07092, 34-07179, 34-07077, 34-07120, 34-00618, 34-00692C, 34-00256 AND 34-00416.
4. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 316 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. WATER DELIVERED THROUGH THE TIMBER DOME CANAL.

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? _____ 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. 5609

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. R34-12376

STAGE: BENEFICIAL USE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	1.25 CFS

SOURCE

GROUNDWATER

Priority: 06/01/1977

LOCATION OF POINT(S) OF DIVERSION:SENWSE , Sec. 29, Township 05N, Range 26E
BUTTE CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	25E	12	NENE 39	NWNE 40	SWNE 40	
			SENE 39	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 31	
			NWSW 32	SWSW 31	SESW 32	
			NESE 39	NWSE 40	SWSE 36	
			SESE 36			595
26E	17		NENE 11	NWNE 25	NENW 37	
			NWNW 39	SWNW 13	SENE 5	130
	18		NENE 35	NWNE 39	SWNE 36	
			SENE 25	NENW 38	NWNW 26	
			SWNW 37	SENE 40	NESW 17	
			NWSW 10	NWSE 2		305
04N	25E	35	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NESW 20	SESW 20	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			360
	36		NENE 38	NWNE 40	SWNE 40	
			SENE 39	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 39	NWSE 40	SWSE 40	
			SESE 39			635

Total number of acres irrigated: 2025

CONDITIONS/REMARKS:

Claim No. R34-12376

CONDITIONS/REMARKS:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. PRIORITY DATE CHANGED TO PREVENT INJURY FROM CHANGE IN USE.
3. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A COMBINED ANNUAL DIVERSION VOLUME OF 8087.5 AF IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 34-02330B, 34-02426C, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07179, 34-07077, AND 34-07120.
4. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2307 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-02330B, 34-02426C, 34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07179, 34-07077, 34-07120, 34-00618, 34-00692C, 34-00256 AND 34-00416.
5. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 87.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
5. RIGHT NOS. 34-02330A, 34-02330B AND 34-12377 ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
6. WATER DELIVERED THROUGH THE MOORE AND TIMBERDOME CANALS.

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? _____ 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 _____

3. Lands irrigated or place of use;

[illegible]

Total Acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3**

- A. Draw a map or attach a USGS map indication 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.

A grid map with a central label "SEE ATTACHED MAP". The grid is composed of 10 columns and 10 rows of squares. The central label is positioned in the middle of the grid, spanning 4 columns and 2 rows. The text "SEE ATTACHED MAP" is written in a bold, sans-serif font. The grid lines are solid black, and the background is white.

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

B. CHANGES IN NATURE OF USE

1. New Nature of Use Amount Hours/days/year Period of Use
(cfs/ac-ft) _____ to _____
2. Quantity and quality of return flows and location of discharge:
There are no return flows
3. Describe effects on other water uses resulting from the proposed change:
There will be no effects on other water uses from the proposed change

I hereby asset 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.

Alan McClannough
(Signature of Applicant)

Kurt P. Neor
(Signature of Applicant)

Ernest G. George Jr
(Signature of Applicant)

Subscribed and sworn to before me this 11th day of November, 1999.

[Signature]
Notary Public

My Commission Expires 11/20/2004

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by HWS Date 11-17-99 Protest filed by _____

Prelim. check by _____ Fee \$100~~80~~

Receipted by HWS #E025479 Date 11-17-99

Published in Dec 23 & 30, 1999 Copies of protest forwarded by _____

Pub. dates Lewiston Tribune, Arco Advertiser Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd _____ by _____

Copy of transfer sent to lien holder _____

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
CHARLES A. HOMER
GARY L. MEIKLE
DONALD L. HARRIS
DALE W. STORER
MARIE T. TYLER
ROBERT M. FOLLETT
FREDERICK J. HAHN, III
THEL W. CASPER
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U.S. BANK OF IDAHO BUILDING
330 SHOUP AVENUE, THIRD FLOOR
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
FACSIMILE (208) 523-9518
E-MAIL HKHC@HOLDENLEGAL.COM

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

May 26, 2000

RECEIVED

MAY 30 2000

Department of Water Resources
Eastern Region

Idaho Department of Water Resources
Attn: Harold Jones
900 North Skyline
Idaho Falls, Idaho 83402

Re: Applications for Transfer
Nos: 5609 and 5611

Dear Mr. Jones:

We have just discovered what we hope is a minor error in the above numbered applications for transfer. Last summer when we were involved in the negotiations between Acors and Cannons, we first became aware of a sale by Acors to Dexter Douglas back in 1994 in which a disproportionate amount of two surface water rights and one ground water right were conveyed to the Douglasses with some 30 acres of land of the Acors near Moore, Idaho. The ground water right was number 34-02426C and that right was properly dealt with in the applications for transfer by omitting the portion that had been deeded to the Douglasses in 1994.

For whatever reason, however, in our application, we did not make the appropriate adjustment for the two surface water rights which we understand to be 34-00256 and 34-00416. We are enclosing a copy of the Warranty Deed from the Acors to the Douglasses which was recorded in 1994. We believe the 30 miners inches decreed June 1, 1896, Decree No. 259, is a portion of right number 34-00416 and that the 25 miners inches referenced in the Deed with a priority of June 1, 1889 is a portion of right number 34-00256. When we listed right number 34-00256 which is to go to the 2,025 acres now owned by Cannons and Kurt Acor, we included the full amount from the recommended partial decree of 1.472 cfs. That amount should be reduced to .972 cfs. We also listed the total amount from the recommended partial decree for right number 34-00416 of 1.6 cfs which should be reduced to 1.0 cfs.

We apologize for the error and hope that the amounts can be corrected fairly easily. The application for transfer signed by Everett T. Acor references 282 acres. The

Done by transfer
on "A" record of
split
Juf
6-2-00

Idaho Department of Water Resources
Attn: Harold Jones
May 26, 2000
Page 2

Douglas property is actually 30 of that 282 acres and so hopefully this will not be a difficult matter to adjust.

Thank you for your kind attention to this matter.

Yours very truly,

A handwritten signature in black ink, appearing to read "Kent W. Foster", written in a cursive style.

Kent W. Foster

NO. 027863
FILED

APR 13 1994

A.M. 4:52 P
BUTTE COUNTY RECORDER
Christine
Box 121
PRCO, ID 83213

WARRANTY DEED

WARRANTY DEED made this 12th day of April, 1994, between Everett T. (Bud) Acor, Jr., and Ruth P. Acor, husband and wife, "Grantors," and Dexter R. Douglas and Bernadine R. Douglas, husband and wife, whose address is, Box 121, "Grantees,"

WITNESSETH:

That Grantors, for and in consideration of the sum of \$10.00 (Ten and no/100 Dollars) and other good and valuable considerations, the receipt whereof is hereby acknowledged, have granted, bargained, and sold, and do, by these presents, grant, bargain, sell, convey, and confirm unto Grantees and to their heirs and assigns forever, all the following described real estate located in the County of Butte, State of Idaho, to-wit:

Township 5 North, Range 26, E.B.M.

Section 28: A portion of the SW 1/4 SW 1/4 described as follows:

All land west of the centerline of the Westside Moore Canal, lying in said SW 1/4 SW 1/4, ~~containing approximately 30 acres.~~

TOGETHER WITH 30 miner's inches of water decreed June 1, 1896, through Decree No. 259, and 25 miner's inches of water decreed June 1, 1889, Decree No. 151, from the Big Lost River.

ALSO TOGETHER WITH 28.6 miner's inches of water currently diverted from a well adjacent to the property through license number 34-02426, issued by the Idaho Department of Water Resources, which transfer constitutes a transfer of a one-tenth interest in said water right. The rights and obligations respecting the withdrawal of water through said well shall be documented by a separate agreement among the parties.

TOGETHER WITH an undivided 40% ownership interest in a certain booster pump and motor, brand: Fairbanks Morse U.S. Motors and serial no(s). B-208-14 and 39 28962 which provide water to the subject property and by acceptance of this deed the Grantees agree to pay 40% of all costs of repair, replacement, operation, and maintenance of said equipment, including property taxes assessed against said equipment.

SUBJECT TO:

1. General taxes and assessments for the year 1994 and subsequent years.
2. All easements and rights-of-way of record or those appearing on the land.

Post-It Fax Note	7671	Date	8-31-99	# of pages	2
To	Scott Eskelson	From	Lyle Bayer		
Co./Dept	Chuck Homer	Co.			
Phone #		Phone #			

3. All zoning ordinances, codes, laws, and regulations, covenants, reservations, oil, gas, and other mineral reservations, if any.

BUT OTHERWISE TOGETHER WITH all tenements, hereditaments, mineral rights, and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, all and singular the above-described premises together with the appurtenances thereon unto the Grantees and to their heirs and assigns forever.

And Grantors and their heirs shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of Grantees, their heirs, and assigns against Grantors and their heirs and against all and every person or persons whomsoever lawfully claiming the same.

IN WITNESS WHEREOF, Grantors have hereunto set their hands on the day and year first above written.

Everett T. Acor, Jr.

Everett T. Acor, Jr.

Ruth P. Acor

Ruth P. Acor

STATE OF IDAHO)

County of *Butte*) ss.
~~Bonneville~~

On this 17 day of April, 1994, before me, *Kenneth J. Anderson*, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Everett T. Acor, Jr., and Ruth P. Acor, known to me to be the persons whose names are subscribed to the foregoing 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.



Kenneth J. Anderson

Notary Public for State of Idaho

Residing at: *7700*

My Commission Expires: *9-1-99*