

Page _____ of _____

STATE OF IDAHO

Transfer No. 75469

RECEIVED AMENDED DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

JUL 22 2010

PART 1

DEPT. OF WATER RESOURCES

Name SOUTHERN REGION Thomas T. and/or Elizabeth C. Tierney Phone 714-832-9700Post Office address 2802 Dow Avenue Tustin, CA 92660

RECEIVED

JUL 08 2010

DEPT. OF WATER RESOURCES
SOUTHERN REGION

A. PURPOSE OF TRANSFER

1. No ☒ Change point of diversion ☐ Add diversion point ☐ Change place of use
CB ☒ Change nature of use ☒ Change period of use ☐ Other _____

92780 per 7/21/2010 LETTER

2. Describe the reason for the proposed changes Applicant seeks to change the use of portion of ground water irrigation right to aesthetic (new use) for new permit, see concurrent permit.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 71-7169 Priority 09/17/1992 Amount (cfs/ac-ft) 0.01/2.2 Nature of Use Aesthetic Period of Use 05/01 to 10/31
2. Total amount of water being transferred 0.01 cubic feet per second and/or 2.2 acre-feet per annum.
3. Source of water Ground Water tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	SE	NW	SW	10	07N	14E	CUSTER	WELL AND PUMP

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	
07N	14E	10										J							

PART 1

6. General Information:

a. Description of diversion system Existing well will be used for aesthetic purposes.

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. 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:

0.72 acres will no longer be irrigated after this transfer is approved.

d. Remarks:

Transfer seeks to provide mitigation for new aesthetic use outlined in concurrent permit application. See permit application and additional information narrative.

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 _____, 20____.

Page _____ of _____

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 71-7169 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. 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. Source of water Ground Water tributary to N/A.4. Date of priority 9/17/1992

5. Water is used for the following purpose:

Amount 1.0/192.0 for Irrigation purposes from 5/01 to 10/31
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 1.0 cubic feet per second and/or 192.0 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	SE	NW	SW	10	07N	14E	CUSTER	WELL AND PUMP

8. 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	
07N	14E	10							35.0			29.0							64.0

Total acres 64.09. Describe any other water rights used for the same purpose as described above NONE.

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 0.01/2.2 for Irrigation purposes from 5/01 to 10/31
 (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
	SE	NW	SW	10	07N	14E	CUSTER	WELL AND PUMP

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	
07N	14E	10										0.72							0.72

Total acres 0.72

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

1. Amount 0.99/189.8 for Irrigation purposes from 5/01 to 10/31
 (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
	SE	NW	SW	10	07N	14E	CUSTER	WELL AND PUMP

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	
07N	14E	10							35.0			29.0							64.0

Irrigation will be reduce by 0.72 acres in the place of use described above after transfer approval. Total acres 64.0



THOMAS T. AND ELIZABETH C. TIERNEY
APPLICATIONS 71-10923 AND 75469
T.07N R.14E SEC.10
NAIP 2004 AERIAL PHOTOGRAPH

Legend

- Proposed POD and Point of Return for Permit
- Busterback Ranch Irrigation Well
- Proposed Pond Location = 0.5 Acres
- Pond Delivery Ditch
- Proposed Pipelines
- WR 71-7169 Licence POU



1 inch equals 400.0 feet

BROCKWAY ENGINEERING, PLLC.
 ZL - 7/20/10

PART 3**B. CHANGES IN NATURE OF USE**

- | <u>New Nature of Use</u> | <u>Amount</u>
(cfs/ac-ft) | <u>Hours/days/year</u> | <u>Period of Use</u> |
|--------------------------|------------------------------|------------------------|-----------------------------|
| <u>Aesthetic</u> | <u>0.01/2.2</u> | <u>As Needed</u> | <u>5/01</u> to <u>10/31</u> |
| | | | to _____ |
- Quantity and quality of return flows and location of discharge:
N/A.
- Describe the effects on other water uses resulting from the proposed change:
This portion of this right is to provide mitigation for new aesthetic permit.

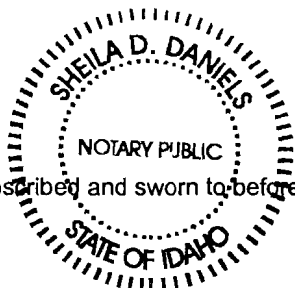
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

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

Ch. L. Blum *Power of Attorney*
(Signature of Applicant)

(Signature of Applicant)

Subscribed and sworn to before me this 7th day of July, 2010.



Sheila D. Daniels
(Notary Public)

My commission expires Aug 16, 2013

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by J. SKINNER Date 7/22/2010 Protest filed by _____

Prelim. check by J. SKINNER Fee \$100.00 2013.34

Receipted by JS Date 3/31/2011

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ Approval ☐ Denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____