

JUN 08 2010

Department of Water Resources
Eastern Region

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AMENDED

Transfer No. 70645

Receipt No. E028906

Receipt No. E035876

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

1. Applicant Information MOUNT OXFORD RANCH COMPANY
PO BOX 185
DOWNEY ID 83234
(208) 897-5940

Will this transfer result in an ownership change? _____ Yes ___X___ No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
29-2293	WR/License	3.00			197.0	MARSH CREEK

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
29-2293	NO	NO	NO	YES	NO	NO

Describe the reason for the proposed changes

Add diversion point upstream on Marsh Creek for water right 29-2293.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

B. Describe the effects on other water uses resulting from the proposed change

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
29-2293	3.00 cfs		197.0	689.5 af
TOTAL	3.00 cfs		197.0	689.5 af

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

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.

Jarin O. Hammer

(Signature of Applicant)

Attorney

(Title or Office)

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

Current Water Right No. 29-2293

Priority Date: November 04, 1950

Origin: Water Right

Basis: Decreed

Status: Active

Source: MARSH CREEK

Tributary: PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	3.00 CFS		
	Total Diversion	3.00 CFS		

Source and Point(s) of Diversion:

MARSH CREEK NWSW Sec. 3 Twp 12S Rge 37E BANNOCK County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	37E	3									40.0	40.0							80.0
12S	37E	4															37.0		37.0
12S	37E	10					40.0	40.0											80.0

Total Acres: 197

Conditions/Remarks:

1. 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.

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Documentation of Ownership of the Current Place of Use

No change in water right and land ownership. Mount Oxford Ranch Company f/n/a Downata Ranch and Recreation Company still owns water right no. 29-2293 and the underlying land for the place of use.

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

None

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

No Change

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

70645

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 29-2293

Priority Date: November 04, 1950

Origin: Water Right

Basis: Decreed

Status: Active

Source: MARSH CREEK

Tributary: PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	3.00 CFS	689.5 AFA	
	Total Diversion	3.00 CFS	689.5 AFA	

Source and Point(s) of Diversion:

MARSH CREEK NWSW Sec. 3 Twp 12S Rge 37E BANNOCK County

MARSH CREEK SWSE Sec. 3 Twp 12S Rge 37E BANNOCK County

Describe the proposed diversion system

Point of Diversion # 1 Pump to main line to irrigation system

Point of Diversion # 2 Headgate through ditch to irrigation pump.

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S 37E 3											40.0	40.0					80.0
12S 37E 4																37.0	37.0
12S 37E 10					40.0	40.0											80.0

Total Acres: 197

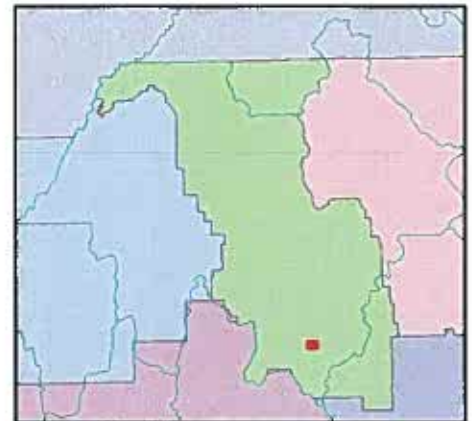


Idaho Department of Water Resources

Water Right
29-2293
(IRRIGATION)

Legend

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



Bannock County
IDWR Basin 29

R37E



Prepared by Blake Jordan
On April 30, 2010
2006 Aerial Photography

0 0.2 0.4 0.8 Miles

70645