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STATE OF IDAHO

WATER RESOURCES DEPARTMENT OF WATER RESOURCES
WESTERN REGIONTransfer No. 75368Page 1 of 11APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant Randy E or Kathryn A. Noah Phone 208-257-3727
Post Office address 2874 Warfield Rd. Cambridge, ID 83610

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

More efficient use of water at
proposed point of diversion and different field.

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

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>67-14879</u>	<u>5/1/1880</u>	<u>.18 CFS</u>	<u>irrigation</u>	<u>3/15</u> to <u>10/31</u>
<u>67-14881</u>	<u>6/1/1884</u>	<u>.06 CFS</u>	<u>irrigation</u>	<u>3/15</u> to <u>10/31</u>
<u>67-14883</u>	<u>5/10/1918</u>	<u>.14 CFS</u>	<u>irrigation</u>	<u>3/15</u> to <u>10/31</u>

2. Total amount of water being transferred 38 CFS cubic feet per second and/or 76.1 acre-feet per annum.3. Source of water Pine Creek tributary to Weiser River

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NW	NW	10	14N	3W	Washington	

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	
<u>14N</u>	<u>3W</u>	<u>10</u>					<u>2.4</u>	<u>22.5</u>											<u>24.9</u>
							<u>1.5</u>	<u>17.5</u>											<u>19.0</u>

Total Acres 19.0

PART 1

6. General Information:

a. Description of diversion system Pump to hand lines

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 affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will not be irrigated.

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 the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20_____.

 For the Director

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Transfer No. _____

Receipt No. _____

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

Current Water Right No. 67-14879

Priority Date: 05/01/1880

Origin: Adjudication Recommendation

Basis: Decreed

Status: Active

Source: PINE CREEK

Tributary to: WEISER RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 10/31	0.18 CFS	57.2 AFA	
Total Diversion		0.18 CFS	57.2 AFA	

Source and Point(s) of Diversion:

PINE CREEK L3 (NENW) 14N 03W 5 WASHINGTON

PINE CREEK NWNW 14N 03W 10 WASHINGTON

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
14N 03W 3											4.0	15.0					19.0

Total Acres: 19

Conditions/Remarks:

1. The rights listed below are limited to the irrigation of a combined total of 19.0 acres in a single irrigation season. Combined Right Nos.: 67-14879, 67-14881, and 67-14883.
2. The rights listed below are limited to a total combined diversion rate of 0.38 cfs and to a total combined annual diversion volume of 76.1 AF. Combined Right Nos.: 67-14879, 67-14881, and 67-14883.
3. This right when combined with all other rights: 67-14879, 67-14881, and 67-14883, shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. 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.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 67, Weiser River.

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

Transfer No. _____

Receipt No. _____

Current Water Right No. 67-14879

6. This right is limited to the irrigation of 14.3 acres within the place of use described above in a single irrigation season.
7. 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.
8. This right is a split from former right 67-185A.

Documentation of Ownership of the Current Place of Use

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

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

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

NO - Kan

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Transfer No. _____

Receipt No. _____

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

Current Water Right No. 67-14881

Priority Date: 06/01/1884

Origin: Adjudication Recommendation

Basis: Decreed

Status: Active

Source: PINE CREEK

Tributary to: WEISER RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 10/31	0.06 CFS	18.9 AFA	
Total Diversion		0.06 CFS	18.9 AFA	

Source and Point(s) of Diversion:

PINE CREEK L3 (NENW) 14N 03W 5 WASHINGTON

PINE CREEK NWNW 14N 03W 10 WASHINGTON

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	
14N 03W 3											4.0	15.0					19.0

Total Acres: 19

Conditions/Remarks:

1. This right is a split from former right 67-186A.
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. The rights listed below are limited to the irrigation of a combined total of 19.0 acres in a single irrigation season. Combined Right Nos.: 67-14879, 67-14881, and 67-14883.
4. 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.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

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Transfer No. _____

Receipt No. _____

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

Current Water Right No. 67-14881

6. The rights listed below are limited to a total combined diversion rate of 0.38 cfs and to a total combined annual diversion volume of 76.1 AF. Combined Right Nos.: 67-14879, 67-14881, and 67-14883
7. This right is limited to the irrigation of 4.8 acres within the place of use described above in a single irrigation season.
8. Use of water under this water right will be regulated by the watermaster of State Water District No. 67, Weiser River.

Documentation of Ownership of the Current Place of Use

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

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

(0) /

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

NO *KAM*

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Transfer No. _____

Receipt No. _____

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

Current Water Right No. 67-14883

Priority Date: 05/10/1918

Origin: Adjudication Recommendation

Basis: Beneficial Use

Status: Active

Source: PINE CREEK

Tributary to: WEISER RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 10/31	0.14 CFS		
	Total Diversion	0.14 CFS		

Source and Point(s) of Diversion:

PINE CREEK L3 (NENW) 14N 03W 5 WASHINGTON

PINE CREEK NWNW 14N 03W 10 WASHINGTON

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	
14N	03W	3																	
												4.0	15.0						19.0

Total Acres: 19

Conditions/Remarks:

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
2. This right is a split from former right 67-4070 .
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 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.
4. The rights listed below are limited to a total combined diversion rate of 0.38 cfs and to a total combined annual diversion volume of 76.1 AF. Combined Right Nos.: 67-14879, 67-14881, and 67-14883.
5. 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.

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Transfer No. _____

Receipt No. _____

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

Current Water Right No. 67-14883

6. The rights listed below are limited to the irrigation of a combined total of 19.0 acres in a single irrigation season. Combined water rights: 67-14879, 67-14881, and 67-14883.
7. Use of water under this water right will be regulated by the watermaster of State Water District No. 67, Weiser River.
8. This right is limited to 0.14 cfs within the place of use described above in a single irrigation season.

Documentation of Ownership of the Current Place of Use

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

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

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

no
KAR

PART 2

10. 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 _____

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 _____ for _____ purposes from _____ to _____
 (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

3. 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	

Total Acres _____

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

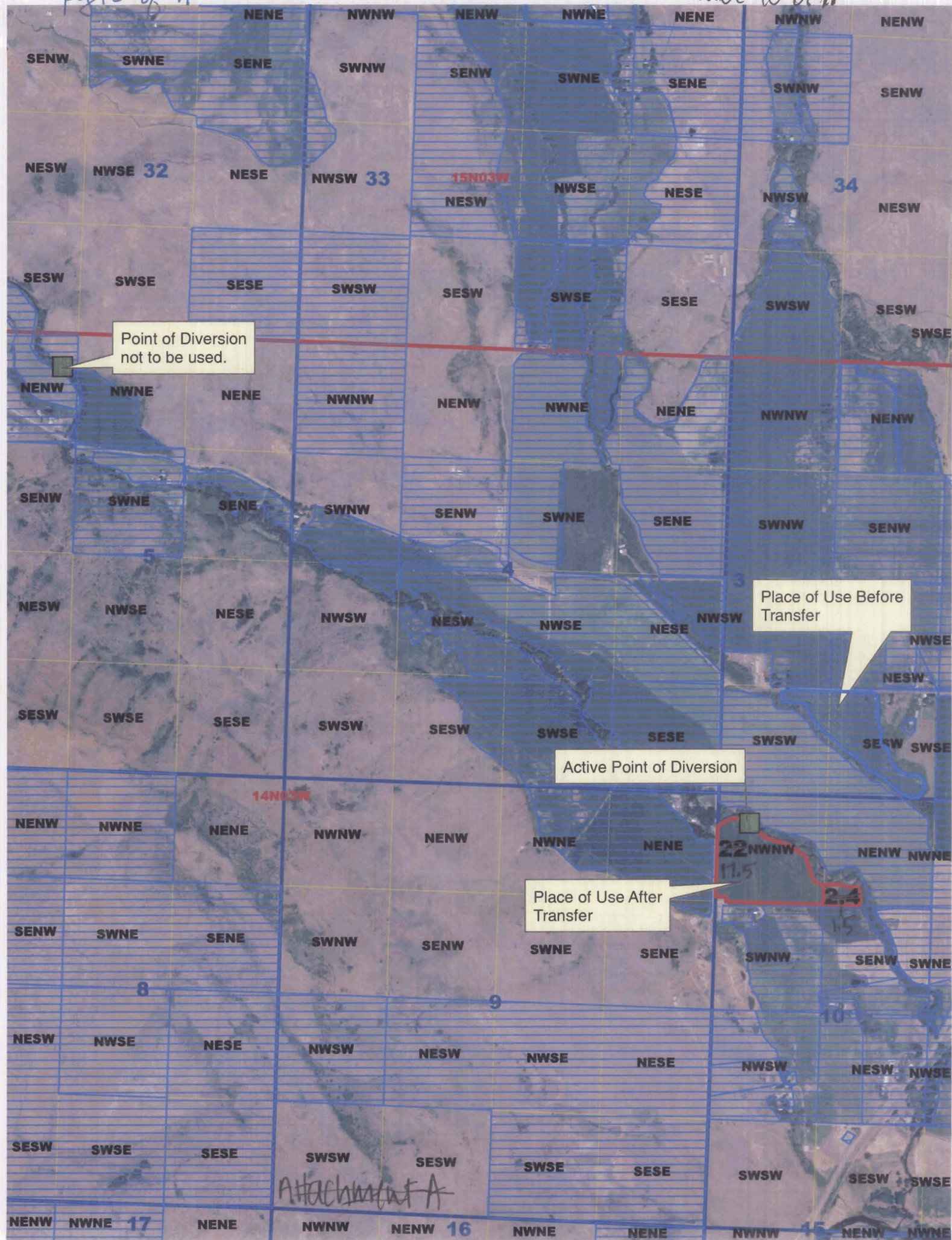
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion

3. 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	

Total Acres _____



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

- | 1. | <u>New Nature of Use</u> | <u>Amount(cfs/af-ft)</u> | <u>Hours/days/year</u> | <u>Period of Use</u> |
|----|--------------------------|--------------------------|------------------------|----------------------|
| | | | | 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:
No 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.

Katherine A. Noack
(Signature of Applicant)

Subscribed and sworn to before me this 9th day of January, 20 09.

Gregory L. Gunkle
(Notary Public)

My commission expires 12/13/13

FOR DEPARTMENT USE ONLY

Transfer contains 11 pages and 1 attachment(s)

Received by S.O. by DB Date 1-9-09 Protest filed by _____

Prelim. Check by VLM Fee \$250-

Received by JRT Date 1-9-09 CO87889

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

100-98-6361

DEED

FOR VALUE RECEIVED,
CAMBRIDGE TELEPHONE COMPANY, INC.
a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant,
Bargain, Sell and Convey unto
RANDY E. NOAH AND KATHRYN A. NOAH, husband and wife
grantee whose current address is
2874 WARFIELD ROAD, CAMBRIDGE, ID 83610
the following described real estate, to-wit:

IN WASHINGTON COUNTY, IDAHO:

IN TOWNSHIP 14 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN, WASHINGTON COUNTY,
IDAHO:

SECTION 10: All that portion of the ~~N1/4~~ NW1/4 lying Southwesterly of the
Center of Pine Creek.

Together with all water, water rights, ditches and ditch rights appurtenant
thereto and in anywise belonging.

Subject to all valid outstanding reservations, easements, rights-of-way,
restrictions, dedications, mineral leases, mineral reservations and
mineral conveyances of record.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee s
their heirs and assigns forever

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused
its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its
Secretary this 15th day of April, 1998

By Richard Wiggins
RICHARD WIGGINS VICE PRESIDENT.

ATTEST:

SECRETARY.

STATE OF IDAHO.

On this 15TH day of APRIL, 19 98,
before me, a Notary Public in and for said State, personally appeared RICHARD WIGGINS and

~~XXXXXX~~, known to me to
be the Vice President and Secretary of the corpora-
tion that executed this instrument or the persons who exe-
cuted the instrument on behalf of said corporation, and
acknowledged to me that such corporation 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.

[Signature]
Notary Public
Residing at WEISER
Comm. Expires 11-4-2003

STATE OF IDAHO, COUNTY OF WASHINGTON

I hereby certify that this instrument was filed for record at
the request of WEISER VALLEY TITLE

at 34 minutes past FOURTEEN o'clock P.M.,
this 15TH day of APRIL,
1998, in my office, and duly recorded in ~~BOOK~~
XX Deeds ~~XXXXXX~~ BY #172586

SHARON WIDNER
Ex-Officio Recorder

By [Signature]
Fees \$ 3.00
Mail to: WEISER VALLEY TITLE

File
Comp. Fee
File
Compare
Deputy
Sd. Ret.
Blk. Ret.
Up-date
Return
Copy

INSTRUMENT No.

Attachment