

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVED
MAY 19 2008
Transfer No. 74138
IDWR/North
R RIGHT
RECEIVED
JUN 21 2008
IDWR/North
one 208.289.5157

Name of Applicant City of Kendrick Phone 208.289.5157 IDWR/Non

Post Office address PO Box 195 Kendrick ID 83537-0195

RECEIVED
JUL 26 2007
IDWR/North

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

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

<u>1. Right Number</u>	<u>Priority</u>	<u>Amount (cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>	
<u>86-4232</u>	<u>8-2-1960</u>	<u>0.27 cfs</u>	<u>Municipal</u>	<u>January 1</u>	<u>to December 31</u>
<u>86-4235</u>	<u>4-1-1952</u>	<u>0.08 cfs</u>	<u>Municipal</u>	<u>January 1</u>	<u>to December 31</u>
<u>86-7204</u>	<u>6-30-1983</u>	<u>0.08 cfs</u>	<u>Municipal</u>	<u>January 1</u>	<u>to December 31</u>
					<u>to</u>

4. Point(s) of Diversion: See attached

[illegible]

5. Lands irrigated or place of use: Within City Limits of Kendrick

[illegible]

Total Acres

For the Director

Page 1

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

Transfer No. 74138
Receipt No. _____

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Current Water Right No. 86-4232

Priority Date: 08/02/1960
Origin: Water Right
Basis: Decreed
Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
MUNICIPAL	01/01 12/31	0.27 CFS		
	Total Diversion	0.27 CFS		

Source and Point(s) of Diversion:

GROUND WATER SENWNW 38N 03W 25 LATAH

PLACE OF USE: MUNICIPAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
38N 02W 19							X L 2			X L 3	X L 4						
38N 02W 30						X L 1	X L 2										
38N 03W 24				X							X	X	X		X	X	
38N 03W 25	X	X	X	X	X	X	X	X		X							
38N 03W 26	X			X									X				

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.
2. Place of use is within the service area of the City of Kendrick municipal water supply system as provided for under Idaho Law.

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**IDAHO DEPARTMENT OF WATER RESOURCES
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PART 2**

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Current Water Right No. 86-4232

Documentation of Ownership of the Current Place of Use

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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?

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Current Water Right No. 86-4235

Priority Date: 04/01/1952

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
MUNICIPAL	01/01 12/31	0.08 CFS		
	Total Diversion	0.08 CFS		

Source and Point(s) of Diversion:

GROUND WATER NWNENE 38N 03W 25 LATAH

PLACE OF USE: MUNICIPAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
38N 02W 19							X L 2			X L 3	X L 4						
38N 02W 30						X L 1											
38N 03W 24			X	X								X	X	X	X	X	
38N 03W 25	X	X			X	X	X	X		X							
38N 03W 26	X			X									X				

Conditions/Remarks:

1. Place of use is within the service area of the City of Kendrick municipal water supply system as provided for under Idaho Law.
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.

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Current Water Right No. 86-4235

Documentation of Ownership of the Current Place of Use

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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?

**IDAHO DEPARTMENT OF WATER RESOURCES
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Current Water Right No. 86-7204

Priority Date: 06/30/1983

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
MUNICIPAL	1/01	12/31	0.08 CFS		
	Total Diversion		0.08 CFS		

Source and Point(s) of Diversion:

GROUND WATER L1 (NWNWNW) 38N 02W 30 LATAH

PLACE OF USE: MUNICIPAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
38N 02W 19							X			X	X						
38N 02W 30						X	L 2			L 3	L 4						
38N 03W 24			X	X		L 1						X	X	X	X	X	
38N 03W 25	X	X			X	X	X	X		X							
38N 03W 26	X			X									X				

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.
2. Place of use is within the service area of the City of Kendrick municipal water supply system as provided for under Idaho Law.

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

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Current Water Right No. 86-7204

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?

NO

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

NONE

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

NO

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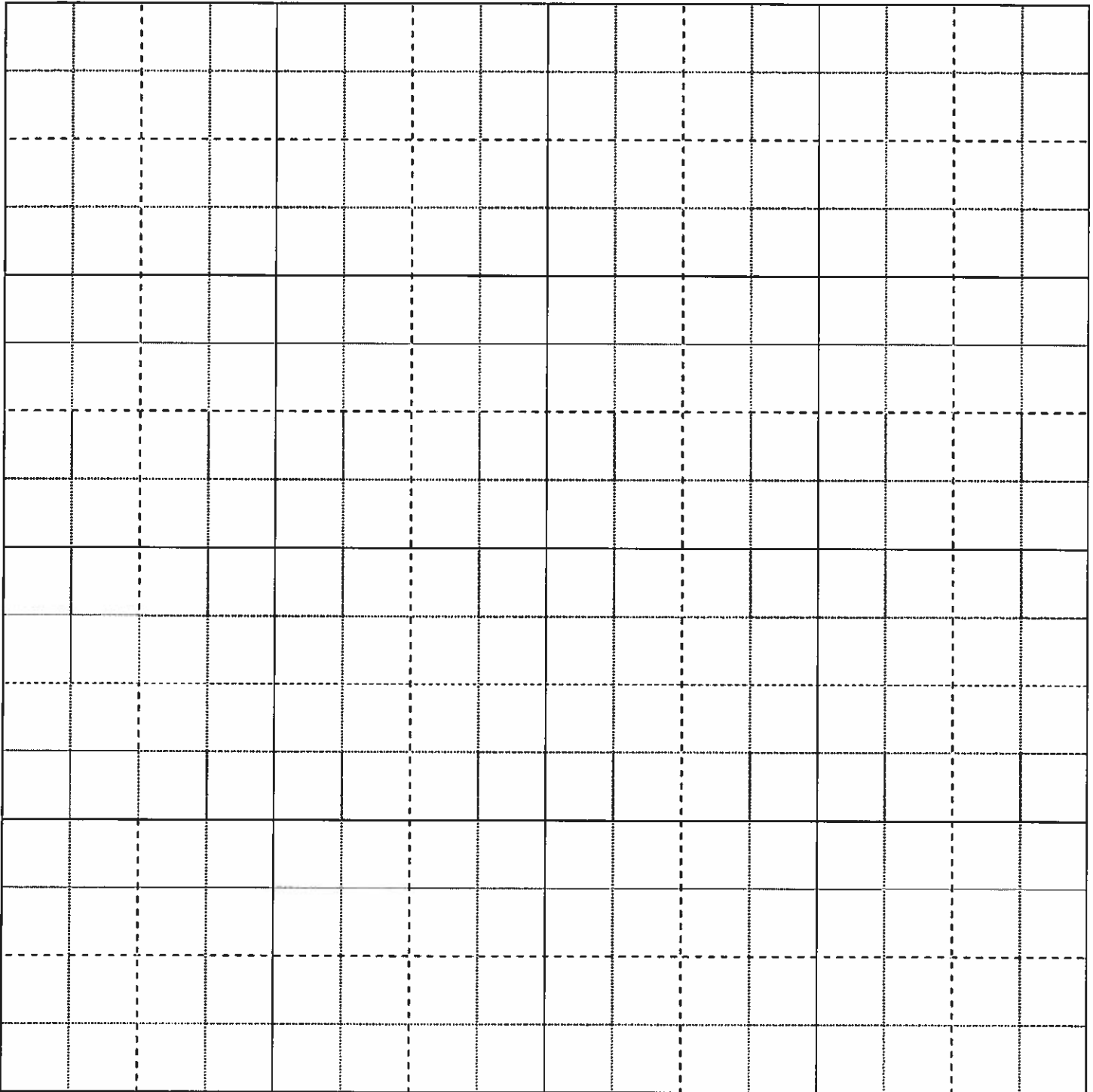
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.

Reference attached map



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

PART 3

B. CHANGES IN NATURE OF USE

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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:

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.

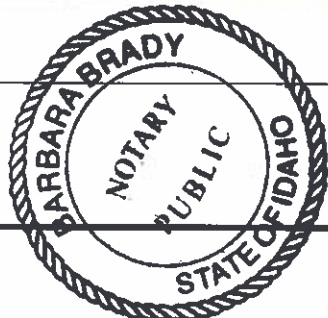
I understand that any willful misrepresentations made in this application may result in voiding its approval.

[Signature]
 (Signature of Applicant)

Subscribed and sworn to before me this 25th day of July, 2007.

Barbara Brady
 (Notary Public)

My commission expires 2/18/2011



FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by [Signature] Date 6/21/07 Protest filed by _____

Prelim. Check by _____ Fee \$250.00

Received by [Signature] Date 6/21/07 # N018472

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 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY:

1. Right number 86-1833, 86-1835 Applicant City of Kendrick
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Other

4. Check:

- a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
- b. ☒ Description of original point of diversion.
- c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

- a. ☒ All of right.

- b. ☐ Part of right (*NOTE! Part B should be filled in only if part of the right is owned by the applicant*).
- c. ☒ Check description of point(s) of diversion.
- d. ☒ Check description of place of use.
- e. ☒ Check map (shows p.d. and p.u. after transfer).
- f. ☒ Check for correct signature, notarization, and fee.
- g. ☒ Check proof of ownership of right &/or land from which water is transferred.
- h. ☒ Check for expansion in use of right. Comments No expansion

- i. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s)

- j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No

If yes, what district?

FINAL PROCESSING REVIEW BY:

1. Watermaster recommendation requested on Received on
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions*

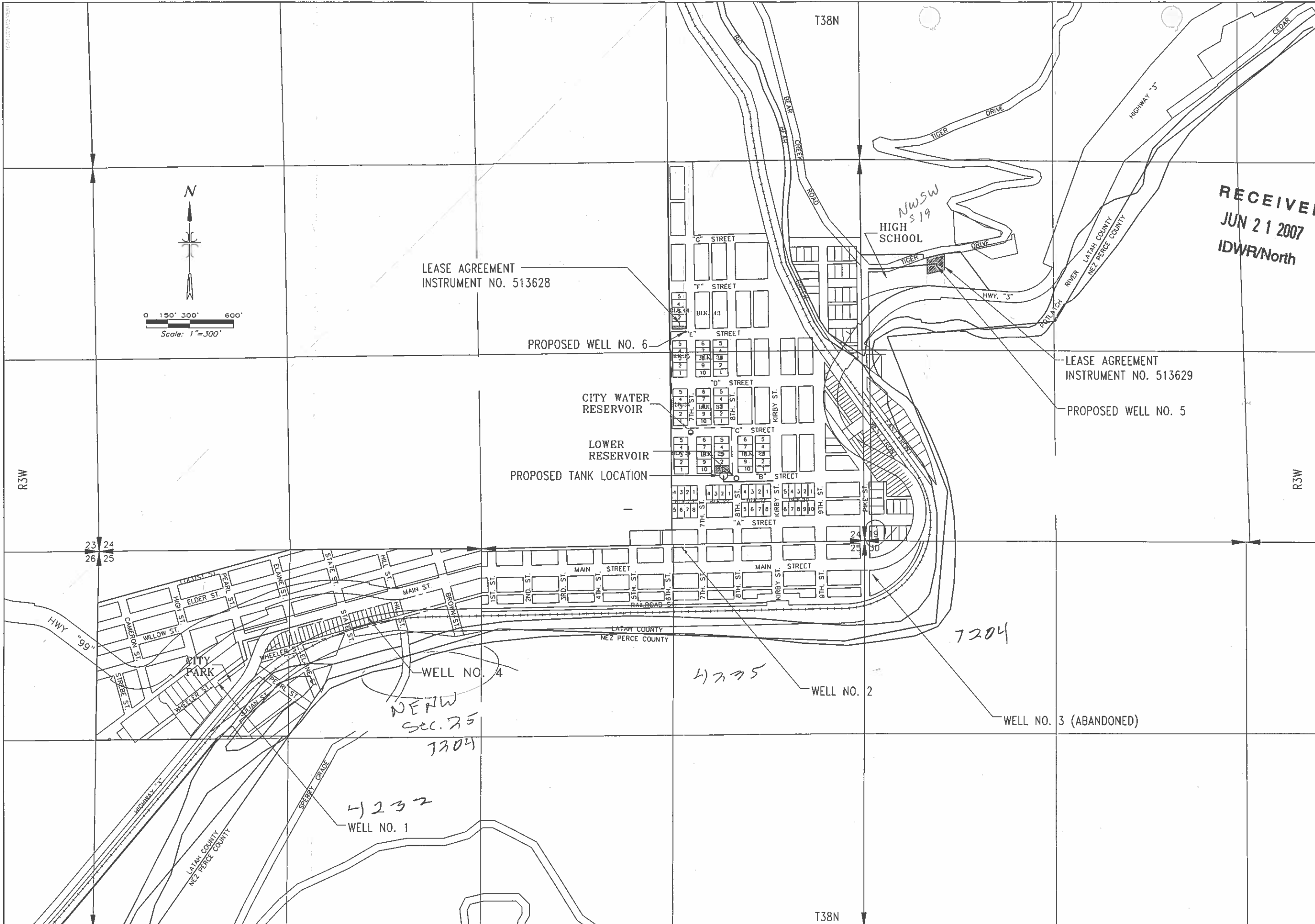
4. By Keith J. Anderson Date 4/9/09

* All uses within Watermaster Districts require special conditions.

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Map



Engineers • Surveyors • Planners

JUB ENGINEERS, Inc.
 1630 23rd Ave., Suite 1101-A
 Lewiston, Idaho 83501
 Phone: 208.746.9010
 Fax: 208.746.9926
 www.jub.com

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NO.	REVISION	DESCRIPTION	BY	DATE

City of Kendrick

WELL DIVERSION POINTS

CAD FILE: 21-06-007-WR-X1W
 PROJ #: 21-06-007
 DRAWING NO.: B001
 DRAWN BY: CJC
 DESIGN BY: AKU
 CHECKED BY: CRB

ONE INCH
 AT FULL SIZE, IF NOT ONE INCH, SCALE ACCORDINGLY

SCALE OF SHEET
 HOR SCALE: AS SHOWN
 VER SCALE: NONE

LAST UPDATED: 6/13/07

SHEET
 1
 OF 1

City of Kendrick
Application for Transfer of Water Right
Attachment to Part 1

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Paragraph B.4: Point(s) of Diversion:

4292
4595
78021

Lot	¼	¼	¼	Sec	Tw	Rge	County	Local name for diversion
4292	SE	NW	NW	25	38N	3W	Latah	Well No. 1
4595	NW	NE	NE	25	38N	3W	Latah	Well No. 2
78021		NE	NW	25	38N	3W	Latah	Well No. 4
	SW	NW	SW	19	38N	3W	Latah	Well No. 5
	SW	NE	SE	24	38N	3W	Latah	Well No. 6

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Well No. 1 Deed

212971

D E E D

THIS INDENTURE, made on this 14th day of April, 1961, by and between HERBERT P. McDOWELL, the duly appointed, qualified and acting Administrator of the Estates of Emmett E. McDowell and Theresa E. McDowell, Deceased, the party of the first part, and the VILLAGE OF KENDRICK, a municipal corporation of Latah County, Idaho, party of the second part,

WITNESSETH,

WHEREAS, pursuant to legal notices given thereof, the said party of the first part at the time and place and in the manner specified in said notices did offer for sale and sell, subject to confirmation by the Probate Court of the County of Latah, State of Idaho, to the party of the second part the real estate herein-after particularly described for the sum of \$300.00, said party of the second part being the highest and best bidder, and that being the highest and best sum bid; and

WHEREAS, the said Probate Court upon the due and legal return of the proceedings made by said party of the first part on the 28th day of March, 1961, and after due notice of hearing on said return given, did on the 10th day of April, 1961, make an order decreeing said sale to be valid and confirming said sale and directing a conveyance to be executed to said party of the second part, a certified copy of which order of confirmation was recorded in the office of the County Recorder of the County of Latah, Idaho, within which the said land sold is situate on the 11th day of April, 1961, which said order of confirmation is now on file and of record in said Latah County, Idaho, the same being recorded in Book 17 of Orders Affecting Real Estate,

JUN 21 2007
IDWR/North

JUN 21 2007

at page 417, which said record thereof in said Recorder's Office is hereby referred to for greater certainty.

NOW, THEREFORE, the said Herbert P. McDowell, as Administrator of the Estates of Emmett E. McDowell and Theresa E. McDowell, deceased, as aforesaid, party of the first part, pursuant to the order aforesaid of said Probate Court, for and in consideration of the sum of Three Hundred Dollars (\$300.00) to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto said party of the second part, its successors and assigns, all the right, title, interest and estate of said Emmett E. McDowell and Theresa E. McDowell, deceased, and each of said decedents, at the time of their death and the death of each of them, and also all the right, title and interest that the said estate, by operation of law or otherwise, may have acquired other than or in addition to that of said intestates at the time of their death and the death of each of them, in and to all that said tract of land lying and being in Kendrick, County of Latah, State of Idaho, particularly described as follows, to-wit:



Lots Two (2), Three (3) and Four (4) and that part of Lot One (1) lying Northwest of State Highway No. 42 (as the same was located on April 14, 1960) all in Block 112, of Oaks Addition to the Town of Kendrick, Idaho, according to the recorded plat thereof; SUBJECT to right-of-way easements granted to the State of Idaho, by instruments recorded in Book 117 of Deeds at Pages 218 and 220 in the office of the County Recorder of Latah County, Idaho.

Together with all the tenements, hereditaments, and

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JUN 21 2007

Herbert P. McDowell
HERBERT P. McDOWELL, Administrator
of the Estates of Emmett H. McDowell
and Theresa H. McDowell, Deceased.

Frank Jackson
Notary Public in and for the State of
Idaho, residing at Lewiston, therein.



1, Admin.,
heresa E.

INDEXED

rick

Received 1961
DST
August 1

eds

July 1962

hard

RECEIVED
JUN 21 2007
IDWR/North

Well No. 2 Quitclaim Deed

QUITCLAIM DEED

THIS INDENTURE, Made this 10th., day of November, Thirty-three, in the year of our Lord one thousand nine hundred and

CLYDE DAUGHERTY and
EDNA O. DAUGHERTY County of Latah

of Kendrick, Idaho, the party of the first part, and

TRUSTEES OF THE VILLAGE OF KENDRICK County of Latah

of Kendrick, Idaho, the party of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sum of ONE DOLLAR AND OTHER VALUABLE CONSIDERATIONS DOLLARS, lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do hereby presents, release, release and forever QUITCLAIM, unto the said party of the second part, and to ITS SUCCESSORS of land, situate, lying and being in certain lot, piece or parcel of land, situate, lying and being in State of Idaho, bounded and particularly described as follows, to-wit:

ALL OF LOT FIVE(5) TOW FOURTEEN (14) ORIGINAL TOWN OF KENDRICK, LATAH COUNTY STATE OF IDAHO. AS PLATTED AND ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF ABOVE COUNTY.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the above described premises together with the appurtenances, unto the part 1st of the second part, and to ITS heirs and assigns forever.

IN WITNESS WHEREOF, The said party of the first part has hereunto set his hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

[Signature] [Seal]
[Signature] [Seal]
[Signature] [Seal]

STATE OF IDAHO, ss.
County of Latah
On this 10th., day of November, in the year 1933, before me a Notary Public in and for said State, personally appeared

CLYDE DAUGHERTY and EDNA O. DAUGHERTY
known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.

Notary Public, Residing at Kendrick, Idaho.

QUITCLAIM DEED

1933

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JUN 21 2007
IDWR/Adm

Well No. 3 Quitclaim Deed

MICROFILM
SYSTEMS

3M

Well No. 3
Well No. 3

WE

SYSTEMS
MICROFILM

308470

QUITCLAIM DEED

THIS INDENTURE, made this 11th day of August, 1980, by and between KERNAN TRAVIS and LOIS TRAVIS, husband and wife, parties of the first part, hereinafter called the Grantors, and CITY OF KENDRICK, a municipal corporation in the County of Latah, State of Idaho, party of the second part, hereinafter called the Grantee,

W I T N E S S E T H:

That the said grantors, for and in consideration of the sum of One Dollar (\$1.00) in lawful money of the United States of America and other valuable considerations to them in hand paid by the said grantee, the receipt of which is hereby acknowledged, have remised, released and forever quitclaimed and by these presents do remise, release and forever quitclaim unto the grantee and to its successors and assigns forever, all of the following described real property situate in the County of Latah, State of Idaho, to wit:

A tract of land located in Block "C", Addison's Addition to Kendrick, Idaho, as shown by the recorded plat thereof, and Section 30, Township 38 North, Range 2 W.S.M., more particularly described as follows:

Beginning at the Southeast corner of said Block "C"; thence North along the East line of Block "C" 75 feet, more or less; thence Southwesterly along a line parallel with and 40.0 feet from the centerline of State Highway No. 3 a distance of 106.0 feet, more or less, to a point where the Southerly right-of-way of said Highway No. 3 intersects the South line of Block "C"; thence East along the South line of Block "C" 75.0 feet, more or less, to the point of beginning.

Quitclaim Deed

-1-

MICROFILM
SYSTEMS

3M

WE

SYSTEMS
MICROFILM

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JUN 21 2007
IDWR/North

UE

MICROFILM
SYSTEMSMICROFILM
SYSTEMS

300

308470

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and all of the rents, issues and profits thereof.

TO HAVE AND TO HOLD all and singular the above described premises, together with the appurtenances, unto the said grantees and to its successors and assigns forever.

IN WITNESS WHEREOF, the grantors have hereunto set their hands and seals the day and year in this deed first above written.

Herman Travis
Herman Travis

Lois Travis
Lois Travis

STATE OF IDAHO
County of Idaho

ss.

On this 14th day of August, 1980, before me, the undersigned, a Notary Public in and for said State, personally appeared HERMAN TRAVIS and LOIS TRAVIS, husband and wife, known to me to be the persons whose names are subscribed to the within 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.

(SEAL)

Notary Public in and for the State of Idaho, residing at
therein.

IDAHO COUNTY FILE CO

308470
No. 308470
At the Request of
LATAM COUNTY FILE CO.
Extra & Honor
Aug. 14, 1980
JOAN RAUER
Notary Public in and for the State of Idaho

Quintain Deed

-2-

UE

MICROFILM
SYSTEMSMICROFILM
SYSTEMS

300