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JUL 17 2008

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPARTMENT OF WATER RESOURCES
Transfer No. 74954APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant JAMES C. AMSTUTZ Phone 208-355-2649 JCP
 Mailing address 1649 N IRVINE Rd MIDVALE ID 83647 Email JAC@TILECARRIAGE.NET
RURAL NETWORK.NET

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 To move 12 acres of irrigation off
of Federal (BLM) ground onto private ground.

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

1. Right Number 67-7321 Priority 5/3/1977 Amount (cfs/ac-ft) 3.12 cfs Nature of Use Irr Period of Use 4/15 to 10/15
 _____ to _____
 _____ to _____
 _____ to _____
2. Total amount of water being transferred 3.12 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to N/A
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SE	NW	10	12N	1W	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	
12N	1W	10		20	18		34	36	40	40	17	1				30	21		257

Total Acres 257

PART 1

6. General Information:

a. Description of diversion system WELL WATER PUMPED VIA BURIED PIPELINE
TO WHEEL 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 X 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:

{ THE 12 ACRES OF BLM LAND IS NOT IRRIGATED NOR
HAS IT EVER BEEN 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:

DISREGARD. SEE REVIEW MEMO FOR EXPLANATION

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

For the Director

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

Receipt No. 087275

Current Water Right No. 67-7321

Priority Date: 05/03/1977

Origin: Adjudication Recommendation

Basis: License

Status: Active

Source: GROUND WATER**Tributary to:**

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/15	3.12 CFS		
	Total Diversion	3.12 CFS		

Source and Point(s) of Diversion:

GROUND WATER SENW 12N 01W 10 WASHINGTON

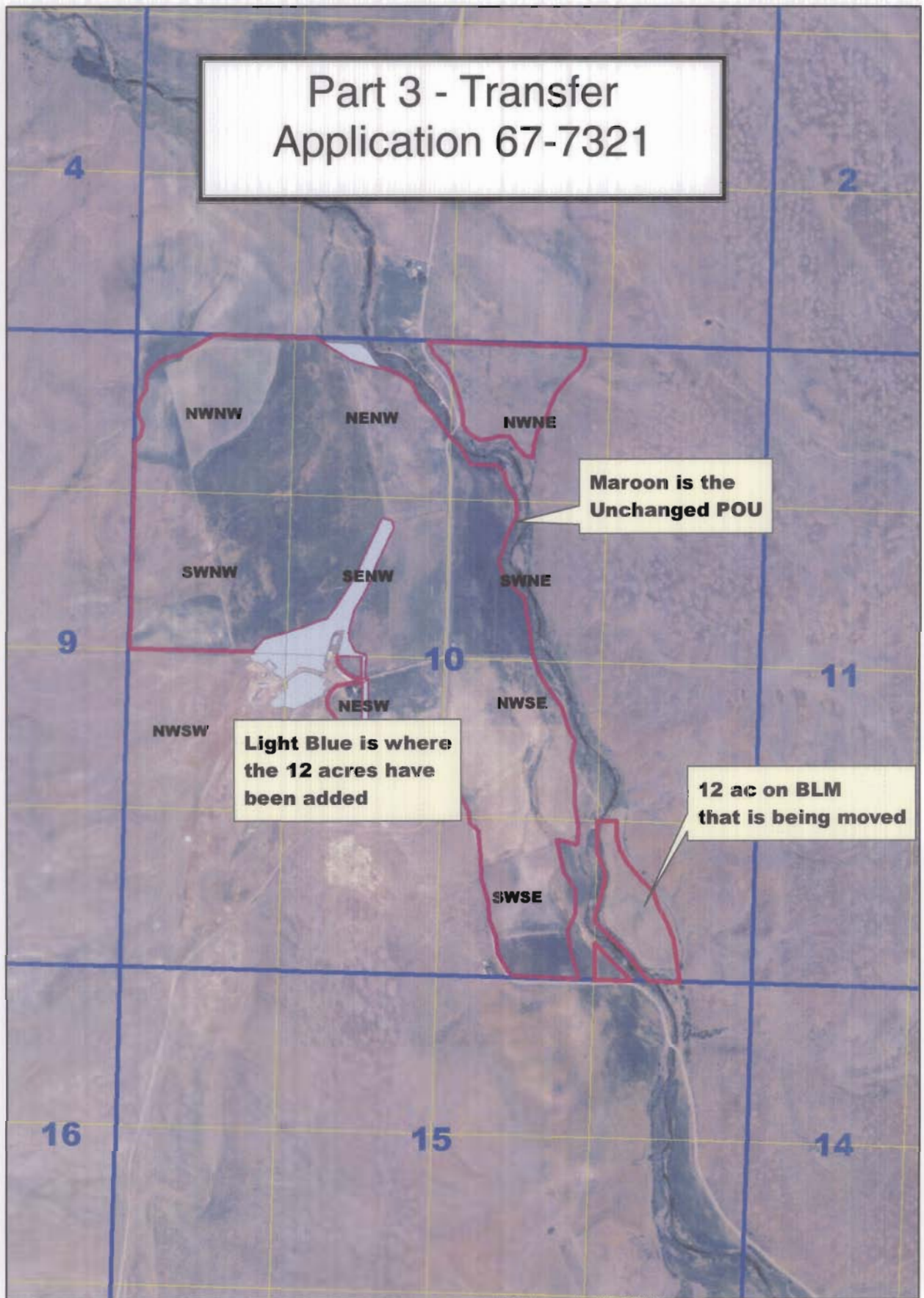
PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N 01W 10		20.0	18.0		32.0	36.0	39.0	35.0	14.0					30.0	21.0	12.0	257.0

Total Acres: 257

Conditions/Remarks:

1. Right Nos. 67-2378 and 67-7321 are limited to a total combined annual diversion volume of 1028.0 AF.
2. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 1 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. 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. Right Nos. 67-2378 and 67-7321 are limited to a total combined diversion rate of 3.12 cfs.



POU for 67-7321 After Requested Change.



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: _____

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.

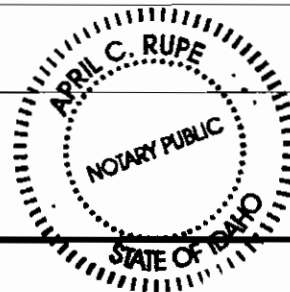
[Signature]
(Signature of Applicant)

JAMES C. AMSTUTZ
Print Name (and title, if applicable)

Subscribed and sworn to before me this 11th day of July, 20 08

April C. Rupe
(Notary Public)

My commission expires 4-26-2013



FOR DEPARTMENT USE ONLY

Transfer contains 7 pages and 9 attachments

Received by Ch Date 7/14/08 Protest filed by _____

Prelim. Check by Ch Fee \$370.00

Received by Ch COB7275 Date 7/14/08

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 licn holder _____