

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 75038APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant Austin + Marie Platt Phone 554-4245
 Mailing address 3330 W 3400 N Moore, Id 83255 Email _____

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 moving pond to be on own property
to combine with domestic well will be set up with
two meters.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
~~34-14016~~				to _____
~~34-14016~~				to _____
<u>34-14016</u>	<u>3/20/1961</u>	<u>0.1 cfs</u>	<u>Irrigation</u>	<u>4-1</u> to <u>10-31</u>
				to _____

2. Total amount of water being transferred 0.1 cubic feet per second and/or _____ 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	SW	SE	9	5N	26E	Butte	

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	
5N	26E	9															5.0		5.0

RECEIVED

AUG 25 2008

Total Acres 5.0

PART 1

6. General Information:

a. Description of diversion system well with 8" casing - 140' deep. 3 horsepower variable pump with two lines and separate meters - 1 for domestic water, 1 for irrigation with backflow preventer

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:

This was originally a 30 acre farmland that was split into smaller plots. This 5 acre piece will be used as horse pasture or possibly hay production as well as our residence.

d. Remarks:

W.R. 34-14014 & 34-14018 are associated with the five acres.

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

75 03 8

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 as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ 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 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 _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purposes:

amount _____ for _____ purposes from _____ to _____
(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 _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

9. Describe any other water rights used for the same purpose as described above _____

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-14016

WATER RIGHT NUMBER: 34-14016

<u>Owner Type</u>	<u>Name and Address</u>
Directors Report Owner	FRED W DUNDAS 1912 W UKIAH WAY UPLAND, CA 91786 (208)000-0000
Original Owner	DIANE BROWN 3424 N 3350 W MOORE, ID 83255 (208)554-2223
Original Owner	DUANE BROWN 3424 N 3350 W MOORE, ID 83255 (208)454-8231
Current Owner	MARK A WORLEY 5270 C SOUTHSIDE BLVD NAMPA, ID 83686
Current Owner	MICHELLE LEE WORLEY 5270 C SOUTHSIDE BLVD NAMPA, ID 83686

Priority Date: 03/20/1961

Basis: Decreed

Status: Active

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.100 CFS	17.50 AF
	<u>Total Diversion:</u>	0.100 CFS	17.50 AF

Location of Point(s) of Diversion

GROUND WATER
BUTTE County NW 1/4SW 1/4SE 1/4 Sec. 9, Twp 05N, Rge 26E, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
05N	26E	9	NE	NW	SW	SE	5.0
							5.0

Total Acres: 5

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-14016

1. Right 34-14014, 34-14016 and 34-14018 when combined shall not exceed a total diversion rate of 0.14 cfs, and the irrigation of 5 acres.
2. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
3. X35 Rights 34-14015, 34-14016, 34-2406H and 34-12367 when combined shall not exceed a total diversion rate of 2.30 cfs.

Remarks:Comments:

1. erushing 8/1/2008 Ownership Change

Comment: WR No. 34-13908 split into 34-14015 (Brown) and 34-14016 (Worley).

Water Supply Bank:

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?

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 _____ 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	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				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	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

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

1. New Nature of Use Amount(cfs/af-ft) Hours/days/year Period of Use
 _____ 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.

* Austin B. Platt Austin B. Platt Marie Platt MARIE PLATT
 (Signature of Applicant) Print Name (and title, if applicable)
 Subscribed and sworn to before me this 25th day of August, 20 08.
Ernest M. Carlson
 (Notary Public)
 My commission expires 8/25/2009

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments
 Received by _____ Date _____ Protest filed by _____
 Prelim. Check by _____ Fee 100
 Receipted by _____ Date 8/25/08 EO 34356
 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 _____

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific/P.O. Box 868
Blackfoot, ID 83221

NO. 0045821
RECORDED

JUL 11 2008

A.M. 3:14 P.M.

BUTTE COUNTY RECORDER

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 263947-B (Id)

Date: July 07, 2008

For Value Received, **Mark A. Worley and Michelle Lee Worley, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Austin B. Platt and Marie Platt, husband and wife**, hereinafter called the Grantee, whose current address is **PO Box 311, Arco, ID 83213**, the following described premises, situated in **Butte County, Idaho**, to-wit:

A PORTION OF THE SW $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 26 E.B.M., BUTTE COUNTY, IDAHO, DESCRIBED AS: COMMENCING AT THE S $\frac{1}{4}$ CORNER OF SAID SECTION 9, FROM WHICH THE SE CORNER OF SAID SECTION 9 BEARS S. 89°22'46" E. 2640.82 FEET; THENCE FROM THE S $\frac{1}{4}$ CORNER OF SAID SECTION 9, S. 89°22'46" E. ALONG THE SOUTH BOUNDARY OF THE SE $\frac{1}{4}$ OF SAID SECTION 9 A DISTANCE OF 667.26 FEET TO THE POINT OF BEGINNING; THENCE N. 00°08'20" E. PARALLEL WITH THE WEST BOUNDARY OF THE SE $\frac{1}{4}$ OF SAID SECTION 9 A DISTANCE OF 682.38 FEET; THENCE N. 89°39'04" E. A DISTANCE OF 332.46 FEET TO THE WEST BOUNDARY OF T #11-80; THENCE S. 00°37'21" W. ALONG THE WEST BOUNDARY OF T #11-80 A DISTANCE OF 687.98 FEET TO THE SOUTH BOUNDARY OF THE SE $\frac{1}{4}$ OF SAID SECTION 9; THENCE N. 89°22'46" W. ALONG THE SOUTH BOUNDARY OF THE SE $\frac{1}{4}$ OF SAID SECTION 9 A DISTANCE OF 326.65 FEET TO THE POINT OF BEGINNING.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 07/07/2008

Warranty Deed
- continued

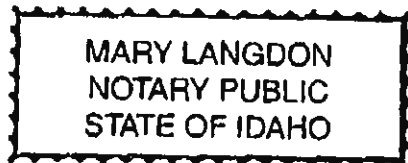
File No.: 263947-B (1d)

Mark A. Worley
Mark A. Worley

Michelle Lee Worley
Michelle Lee Worley

STATE OF Idaho)
COUNTY OF Carson)
SS.

On this 10th day of July, 2008, before me, a Notary Public in and for said State, personally appeared Mark A. Worley and Michelle Lee Worley, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

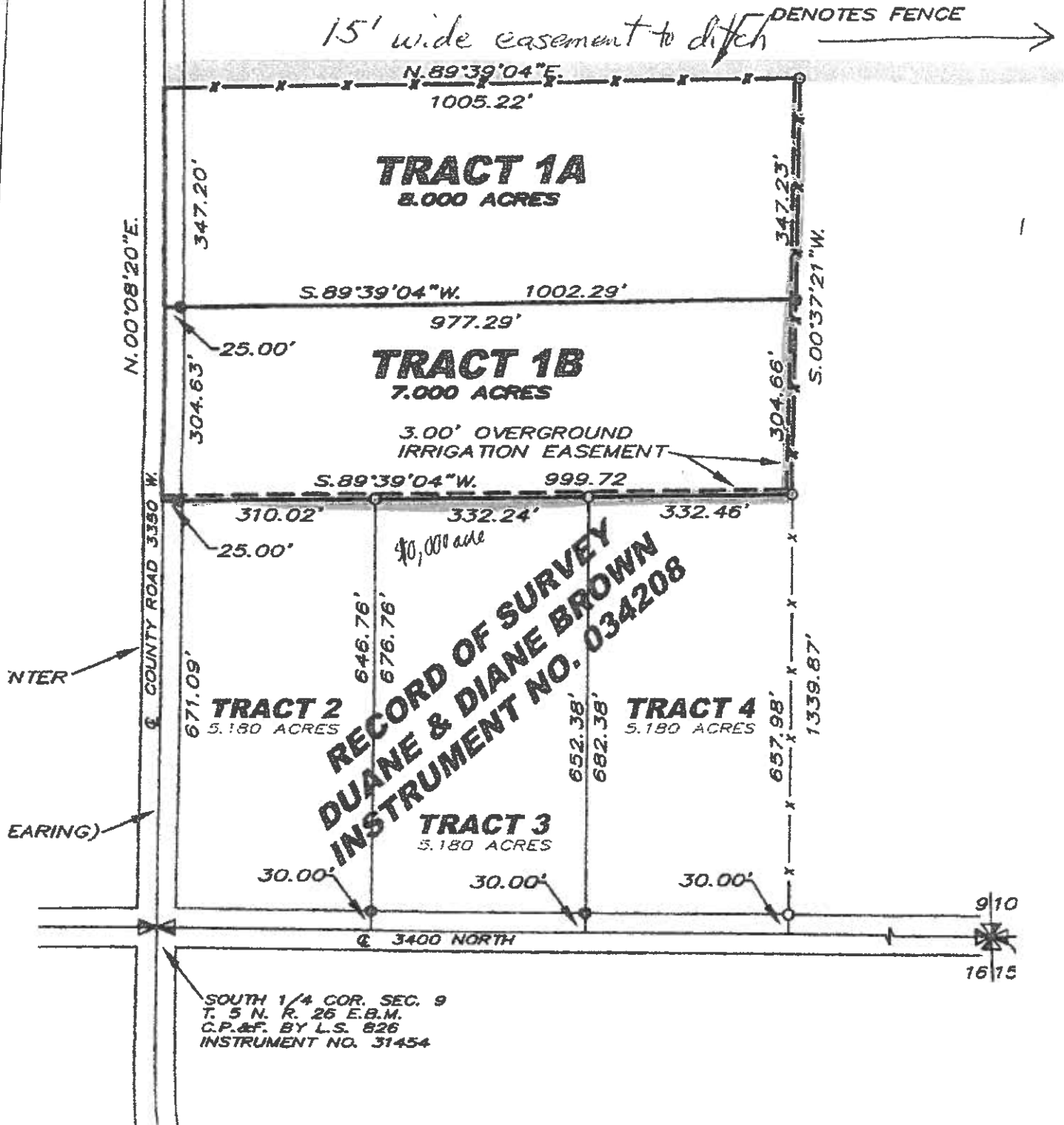


Mary Langdon
Notary Public for the State of Idaho
Residing at: Hamper, Idaho
My Commission Expires: 2-10-10

3 ft wide easement for irrigation pipe
15 ft wide easement to diversion point
on ditch.

15' wide easement to ditch

DENOTES FENCE



DRY
CORNERS
2001

Andrew Jack Dickerson
Vaneta Dickerson
T# 32364

Andrew + Elaine
Stau T# 33383

King Mt Ranch

Duane
Haney
SPR
IN 96

Duane +
Diane Braun
T# 31476

Patricia
Slayton
T# 1180

Dean + Gayle
Siddoway
T# 31778

King Mt Ranch

Michael Smith
T# 350

Doug

Clorinda
+ Ted McBurney
T# 24754

Teresa Terhaar
William Burch

T# 2476

Russell +
Dorothy Dyer

Bob + Mary
Mozes T# 31778

William S

ALVIN + FRANKIE
INDISTENT

Alvin
Fowers
T# 43577

Mark +
Michelle
Worley
T# 43282

RIVER

15

75038

CK 96