

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 72560

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant

Post Office address

Phone

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

We purpose to exchange all
of 34-727 B water for portion of Big Lost River
34-10237. No affect equal transfer of water

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
34-727 B	06-01-1983	0.02cfs	stock water	1/01 to 12/31
"	"	0.80cfs	irrigation	5/01 to 10/15
				to
				to

2. Total amount of water being transferred 0.80 cubic feet per second and/or _____ acre-feet per annum.3. Source of water Pass Creek tributary to Big Lost River

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	NE	23	07N	15E	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 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
06N	15E	2		40.5	35		39.5	34	35	39			39		40	40			342.0
				12			13												
06N	15E	11		40	38		39			37									154.0

Total acres 496

PART 1

6. General Information:

a. Description of diversion system Burnett Canal

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:

No affect because of exchange of water right
34-10237

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

Witness my hand this _____ day of _____, 19 _____

page 300 6

Page 1

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

Transfer No. 72560
Receipt No. _____

Current Water Right No. 34-727B

Priority Date: 06/01/1883
Origin: Water Right
Basis: Decreed
Status: Active

Source: PASS CREEK

Tributary to: BIG LOST RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	1/01	12/31	0.02 CFS		
IRRIGATION	5/01	10/15	0.80 CFS	120.0 AFA	
Total Diversion			0.80 CFS	120.0 AFA	

Source and Point(s) of Diversion:

PASS CREEK SWSWNE 07N 25E 23 BUTTE

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	
06N 26E 6											36.0	31.0			8.0		75.0
											L 7						
06N 26E 7			36.0		40.0	39.0											115.0
						L 1											

Total Acres: 190

Conditions/Remarks:

1. THE QUANTITY OF WATER DECREEED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED FOR STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED.
3. A TOTALIZING MEASURING DEVICE OF A TYPE APPROVED BY IDWR MUST BE INSTALLED AND PERMANENTLY MAINTAINED AS A PART OF THE DIVERTING WORKS UNDER THIS RIGHT. AS AN ALTERNATIVE, THE TOTAL VOLUME ASSUMED TO BE DIVERTED MAY BE ACCUMULATED FROM THE FIRST DAY PASS CREEK WATER IS DIVERTED, AND THE VOLUME WILL CONTINUOUSLY ACCUMULATE AT THE FLOW RATE OF 0.80 CFS UNTIL THE ENTIRE 120 AF HAS BEEN DIVERTED, AT WHICH TIME PASS CREEK WATER WILL NO LONGER BE DELIVERED.
4. THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

72560

page 4 of 6

Page 2

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

Transfer No. 72560
Receipt No. _____

Current Water Right No. 34-727B

5. USE OF THIS RIGHT WITH RIGHT NOS. 34-00484, 34-00488A, 34-00878B, 34-02403 AND 34-12036 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.91 CFS.
6. USE OF THIS RIGHT WITH RIGHT NOS. 34-00484, 34-00488A, 34-00878B, 34-02403 AND 34-12036 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 190 ACRES IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
7. STOCKWATER, 500 CATTLE AND HORSES

Documentation of Ownership of the Current Place of Use

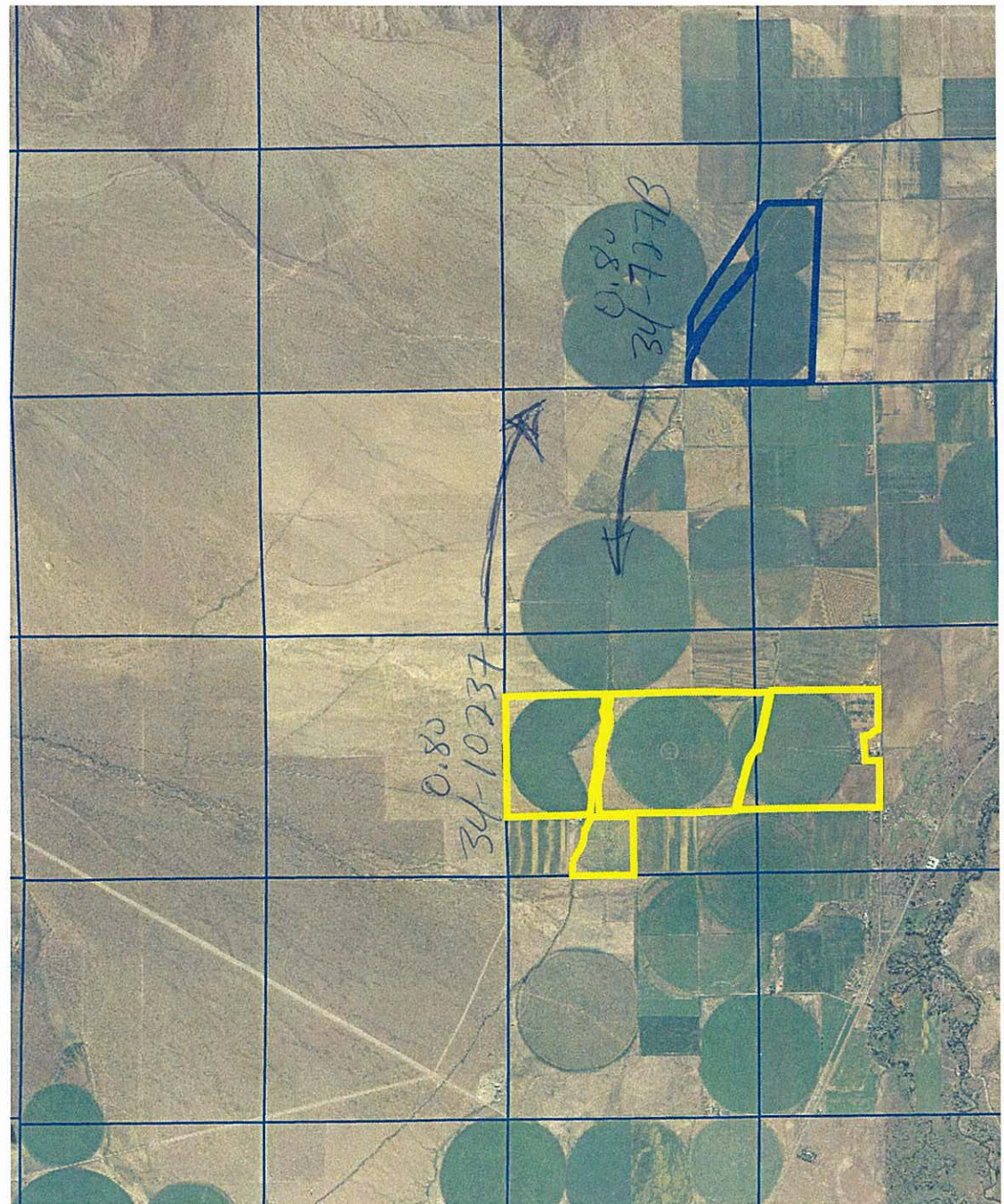
Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

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?

72560

Pehrson Transfer



- 34-727b.shp
- 34-10237.shp
- Sections



PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-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.

Subscribed and sworn to before me this 20th day of January, 19 2006

Wendy J. Murphy
(Notary Public)

My commission expires 6/23/06

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 6 attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee _____

Receipted by SC Date 1/23/06 ED31580

Published in Arco Advertiser Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

JAN-24-2006 15:51 FROM:

TO:5257177

P.2

MAKE CHECK PAYABLE TO:
BUTTE COUNTY TAX COLLECTOR
LORI BECK
TELEPHONE # (208) 527-3047
P.O. BOX 121, ARCO, ID 83213

2005 TAX BILL/RECEIPT

BILL# 2919
CODE AREA 6-0000

PARCEL NUMBER
RP06N25E020600A
L 78,080
I 15,850
TOT MV 93,930

1ST HALF DUE		2ND HALF DUE		FULL DUE	
TAX	569.19	TAX	569.19	TAX	1,138.38
LATE		LATE		LATE	
INT		INT		INT	
COST		COST		COST	
TOT		TOT		TOT	

WAC 6.900
TOT ACS 355.090

PEHRSON RANDY D
& PEHRSON PEGGY E
RT 1 BOX 32
DARLINGTON ID 83231

LOT 2 (NW4NE4)
LOT 3 (NE4NW4)
S2NW4; NE4SW4
SW4NE4; W2SE4
SE4SW4 T# 5-38
SEC 2

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK
*** MONTHLY PAYMENTS ARE ACCEPTED ***

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

COPY

RECEIPT NOT VALID UNTIL CHECK CLEARS
BANK

THANK YOU

Received Time Jan. 24. 3:00PM

TAXING DISTRICT	RATE	
STATE	.000000000	
COUNTY	.005374894	504.86
SCHOOL #182	.004570466	429.30
CEMETERY	.000151373	14.22
LIBRARY	.000564440	53.02
HOSP DIST	.001458371	136.98
AMOUNT DUE	.012119544	1,138.38

12560

page 1 of 5

CUSTER COUNTY TAX COLLECTOR
P.O. BOX 350
CHALLIS, IDAHO 83226

BILL# 42
CODE AREA 9-0000

PARCEL NUMBER
RP06N24E024803A
39,960

L

1ST HALF DUE		2ND HALF DUE		FULL DUE		TOT MV	
TAX	210.63	TAX	210.63	TAX	421.26		39,960
LATE		LATE		LATE			
INT		INT		INT			
COST		COST		COST			
TOT		TOT		TOT		TOT ACS	159,780

PEHRSON RANDY J
& PEHRSON PEGGY W
RT 1 BOX 32
DARLINGTON ID 83255

NW4SW4 S2SW4
PORTION OF NE4SW4
SEC 2 T6N R24E

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RECEIPT NOT VALID UNTIL CHECK CLEARS
THANK YOU

Received Time Jan. 24. 3:00PM

TAXING DISTRICT	RATE	
STATE	.000000000	
COUNTY	.001843038	73.64
SCHODL #182	.004570466	182.64
LOST RIVER HWY	.000722841	28.88
B.L.R. CEMETERY	.000159864	6.38
SD. CUSTER FIRE	.000863245	34.50
MACKAY LIBRARY	.000358078	14.30
L R HOSPITAL	.001458370	58.28
S C AMBULANCE	.000297317	11.88
MACKAY MOS ABAT	.000269217	10.76
AMOUNT DUE	.010542436	421.26

JAN-24-2006 15:52 FROM:

TO:5257177

PAID BY: CUSTER COUNTY TAX COLLECTOR

2005 TAX BILL/RECEIPT

P.4
PARCEL NUMBER
RP06N25E026610A
600

CUSTER COUNTY TAX COLLECTOR

BILL#

43

P.O. BOX 350

CODE AREA

9-0000

L

CHALLIS, IDAHO 83226

	1ST HALF DUE		2ND HALF DUE		FULL DUE
TAX	3.15	TAX	3.15	TAX	6.30
LATE		LATE		LATE	
INT		INT		INT	
COST		COST		COST	
TOT		TOT		TOT	

TOT MV 600

TOT ACS 1.200

PEHRSON RANDY D
& PEHRSON PEGGY E
RT 1 BOX 32
DARLINGTON ID 83255

TRACT 76
SEL 2 T6N R25E

*** IMPORTANT ***
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THANK YOU

Received Time Jan. 24. 3:00PM

TAXING DISTRICT	RATE	
STATE	.000000000	
COUNTY	.001843038	1.10
SCHOOL #182	.004570466	2.74
LOST RIVER HWY	.000722841	.42
B.L.R. CEMETERY	.000159864	.10
SD. CUSTER FIRE	.000863245	.52
MACKAY LIBRARY	.000358078	.20
L R HOSPITAL	.001458370	.83
S C AMBULANCE	.000297317	.18
MACKAY MOS ABAT	.000269217	.16
AMOUNT DUE	.010542436	6.30

72560

page 3 of 6

JAN-24-2006 15:52 FROM:

TO:5257177

P.5

MAKE CHECK PAYABLE TO:
BUTTE COUNTY TAX COLLECTOR
LORI BECK
TELEPHONE # (208) 527-3047
P.O. BOX 121, ARCO, ID 83213

2005 TAX BILL/RECEIPT

BILL# 2923
CODE AREA 6-0000

PARCEL NUMBER
RP06N25E110600A
L 3,060

1ST HALF DUE		2ND HALF DUE		FULL DUE		TOT MV	
TAX	18.53	TAX	18.53	TAX	37.06		3,060
LATE		LATE		LATE			
INT		INT		INT			
COST		COST		COST			
TOT		TOT		TOT		TOT ACS	13.600

PEHRSON RANDY D
& PEHRSON PEGGY E
RT 1 BOX 32
DARLINGTON ID 83231

FR NW4NE4 T# 409
FR NE4NW4 T# 312 SEC 11

*** IMPORTANT ***
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COPY

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BANK

THANK YOU

Received Time Jan. 24. 3:00PM

TAXING DISTRICT	RATE	
STATE	.000000000	
COUNTY	.005374894	16.44
SCHOOL #182	.004570466	13.98
CEMETERY	.000151373	.46
LIBRARY	.000564440	1.72
HOSP DIST	.001458371	4.46
AMOUNT DUE	.012119544	37.06

CUSTER COUNTY TAX COLLECTOR

BILL# 43

PARCEL NUMBER
RP06N24E111201A

.00 BOX 350

CODE AREA 9-0000

L

104,260

HALLIS, IDAHO 83226

	1ST HALF DUE	TAX	2ND HALF DUE	TAX	FULL DUE		
AX	549.56		549.56		1,099.12	TOT MV	104,260
ATE		LATE		LATE			
NT		INT		INT			
OST		COST		COST			
OT		TOT		TOT		TOT ACS	360.000

PEHRSON RANDY D
 & PEHRSON PEGGY W
 RT 1 BOX 32
 DARLINGTON ID 83255

NW4, N2SE4, SE4SE4, SW4SE4
 S2S2NE4
 SEC 11 T6N R24E

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 THANK YOU

Received Time Jan. 24. 3:00PM

TAXING DISTRICT	RATE	
STATE	.000000000	
COUNTY	.001843038	192.16
SCHOOL #182	.004570466	476.52
LOST RIVER HWY	.000722841	75.36
B.L.R. CEMETERY	.000159864	16.66
SO. CUSTER FIRE	.000863245	90.00
MACKAY LIBRARY	.000358078	37.32
L R HOSPITAL	.001458370	152.04
S C AMBULANCE	.000297317	31.00
MACKAY MOS ABAT	.000269217	28.06
AMOUNT DUE	.010542436	1,099.12

USTER COUNTY TAX COLLECTOR
 .O. BOX 350
 HALLIS, IDAHO 83226

BILL# 446
 CODE AREA 9-0000

RP06N25E110602A
 L 80,030
 I 168,810

	1ST HALF DUE	TAX	2ND HALF DUE	TAX	FULL DUE	TOT MV	
AX	1,058.10		1,058.10		2,116.20	HM-	50,000
ATE		LATE		LATE			
NT		INT		INT		NET MV	198,840
DST		CDST		CDST			
DT		TOT		TOT		TOT ACS	146,400

PEHRSON RANDY D
 & PEHRSON PEGGY E
 RT 1 BOX 32
 DARLINGTON ID 83255

TRACT 75
 SW4NE4, SE4NW4
 SEC 11 T6N R25E

3754 W 4050 N 83255

*** IMPORTANT ***
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 THANK YOU

Received Time Jan. 24. 3:00PM

TAXING DISTRICT	RATE	
STATE	.000000000	
COUNTY	.001843038	366.46
SCHOOL #182	.004570466	908.78
LOST RIVER HWY	.000722841	143.72
B.L.R. CEMETERY	.000159864	31.78
SO. CUSTER FIRE	.000863245	171.64
MACKAY LIBRARY	.000358778	71.20
L R HOSPITAL	.001458370	289.98
S C AMBULANCE	.000297317	59.12
MACKAY MOS ABAT	.000269217	53.52
DISTRICT TOTAL	.010542436	2,096.20
SOLID WASTE		20.00
AMOUNT DUE		2,116.20

SPECIAL WARRANTY DEED

GREEN, SERVICE,
GASSER & KERL
ATTORNEYS AT LAW
P.O. BOX 4883
POCATELLO, IDAHO
83205-4883
(208) 232-4471

The Grantor, Farm Credit Bank of Spokane, a corporation, for and in consideration of good and valuable consideration in hand paid, transfers and conveys to RANDY D. PEHRSON and PEGGY E. PEHRSON, husband and wife, The Grantee, the following described real estate, situated in the Counties of Butte and Custer, State of Idaho:

Township 6 North, Range 25 E.B.M., Custer County, Idaho

Section 2: That part of the $SE\frac{1}{2}SW\frac{1}{2}$ and of the $SW\frac{1}{2}NW\frac{1}{2}$ Southwest of Pass Creek

Section 11: $SW\frac{1}{2}NE\frac{1}{2}$, $SE\frac{1}{2}NW\frac{1}{2}$ and that part of the $NE\frac{1}{2}NW\frac{1}{2}$ and of the $NW\frac{1}{2}NE\frac{1}{2}$ Southeast of Pass Creek

EXCEPTING THEREFROM: That part conveyed in the Deed from William T. Tew, Jr., et ux, to Alice M. Sutter, recorded March 17, 1926, in Book 19, page 315, records of said County.

Township 6 North, Range 25 E.B.M., Butte County, Idaho

Section 2: Lots 2 and 3, $SW\frac{1}{2}NE\frac{1}{2}$, $S\frac{1}{2}NW\frac{1}{2}$, $W\frac{1}{2}SE\frac{1}{2}$, $E\frac{1}{2}SW\frac{1}{2}$, EXCEPTING that portion lying Custer County.

Section 11: $W\frac{1}{2}NE\frac{1}{2}$, $E\frac{1}{2}NW\frac{1}{2}$, EXCEPT that portion lying in Custer County

The Grantor warrants against encumbrances suffered or created by the Grantor, free and clear of encumbrances except all taxes, assessments, and charges to be paid by the Grantee and any lien or encumbrance

72500
~~72501~~

page 1 of 9

GREEN, SERVICE,
GASSER & KERL
ATTORNEYS AT LAW
P.O. BOX 4883
POCATELLO, IDAHO
83205-4883
(208) 232-4471

revived or placed on said premises by, through or under the Grantee and any other encumbrance or defect which the Grantee has assumed by reason of the terms and conditions of that certain Real Estate Contract dated December 19, 1988.

Grantor hereby expressly grants and conveys unto Grantee, their successors and assigns forever, all oil, gas, hydrocarbons, coal or other minerals of whatsoever nature lying in or under the above described lands and all royalty interests as to oil, gas, and other minerals produced and saved therefrom which have not been previously reserved and which may be or upon said lands above described or any part thereof.

DATED This 19 day of DECEMBER, 1988

FARM CREDIT BANK OF SPOKANE

By [Signature]
Title: CREDIT OFFICER

[Signature]

STATE OF Idaho)
County of Bingham)^{SS}

GREEN, SERVICE,
GASSER & KERL
ATTORNEYS AT LAW
P.O. BOX 4883
POCATELLO, IDAHO
83205-4883
(208) 232-4471

On this 19th day of December, 1988, before
me, the undersigned Notary Public in and for said county
and state, personally appeared Brent J. Underdall
known or identified to me to be the
Credit Officer of the corporation that
executed the foregoing instrument, and acknowledged to
me that he executed the same on behalf of said
corporation.

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)

Rebbie Poole
NOTARY PUBLIC for Idaho
Residing at: Blackfoot, ID
Commission Expires 3-7-92