

RECEIVED

JUL 05 2005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1WATER RESOURCES
WESTERN REGIONName of applicant Thomas J. and Mary J. Doherty Phone (208)495-0967Post Office address 11801 Good Day Road, Melba, ID 83641

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 Change Ownership

2. Describe reason for the proposed changes: To change point of diversion to new pump from which new owner of property can divert water for irrigation purposes; To change ownership into name of new owner.

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

1.	Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
	<u>02-7189</u>	<u>03/11/1975</u>	<u>.068 cfs</u>	<u>Irrigation</u>	<u>03/15</u> to <u>11/15</u>
					to
					to
					to

2. Total amount of water being transferred .068 cubic feet per second and /or 17.2 acre-feet per annum.

3. Source of water Snake River tributary to Columbia River

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp.	Rge.	County	Local name for diversion
<u>2</u>	<u>NW</u>	<u>NE</u>		<u>20</u>	<u>1S</u>	<u>2W</u>	<u>Owyhee</u>	<u>Private Diversion</u>

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	
<u>1S</u>	<u>2W</u>	<u>20</u>		<u>3.4</u>															<u>3.4</u>

Total Acres 3.4

Part 1

6. General information:

a. Description of diversion system Lift pump into pressurized irrigation system.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust mortgages or contracts? Yes NA 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:
NA

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 _____, 20_____.

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 Please See Attached Copy of License

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- a. License No. _____ issued by the Idaho Department of Water Resources.
- b. Claim No. _____ on file with the Idaho Department of Water Resources.
- c. Transfer No. _____ which produced this right.

2. Attach a 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 purpose:

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 ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse?
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 0.68 cfs/17.2 AFA for Irrigation purposes from 3/15 to 11/15
 (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
1	SE	NE		20	1S	2W	Owyhee	Frisbie Diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1S	2W	20		3.4															3.4

Total acres 3.4

C. DESCRIPTION OF UNCHANGED PROTION OF RIGHT (omit if there is no change) Balance of Right

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 ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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

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

B. CHANGES IN NATURE OF USE

1.	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
	_____	_____	_____	to _____
	_____	_____	_____	to _____

2. Quantity and quality of return flows 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.

Mary J. Doherty _____
 (Signature of Applicant)

Subscribed and sworn to before me this 16th day of June, 2005.

Heather K. Packer
 (Notary Public)

My commission expires 12/31/2008

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 3 attachments

Received by DB Date 7-5-05 Protest filed by _____

Prelim. Check by VLM Fee \$100-

Receipted by DB W033/40 Date 7-5-05

Published in _____ 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 _____

PC4160

REQUEST OF Pioneer
300

ED - RECORDED

236945

01 AUG 31 PM 4:49

PC40245

WARRANTY DEED BY C. Compton
DEPUTY

T.P.
mgc

FOR VALUE RECEIVED Edward D. Frisbie and Barbara J. Frisbie,
husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto Thomas J. Doherty and Mary J.
Doherty, husband and wife

the Grantees, whose address is 166517 Madison Rd., Nampa, ID, 83687

the following described premises, to-wit:

Lot 4 as shown on the plat of FERRY HEIGHTS SUBDIVISION, Owyhee
County, Idaho, recorded March 26, 2001 as Instrument No. 235410,
Owyhee County records.

TOGETHER with a 14.29% interest in Good Day Road as shown on the
plat of Ferry Heights Subdivision, Owyhee County, Idaho, recorded
March 26, 2001 as Instrument No. 235410, Owyhee County records.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns
forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said
premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2001 and
subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same
from all lawful claims whatsoever.

DATED: August 31, 2001

Edward D. Frisbie
Edward D. Frisbie

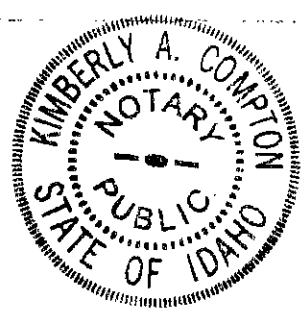
Barbara J. Frisbie
Barbara J. Frisbie

STATE OF IDAHO

COUNTY OF CANYON

On this 31st day of August in the year 2001, before me, a Notary Public,
personally appeared Edward D. Frisbie and Barbara J. Frisbie known or
identified to me to be the persons whose names are subscribed to the within
instrument, and acknowledged to me that they executed the same.

Kimberly A. Compton
Notary Public
Residing at Wilder
My commission expires 1-27-05



PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

610 SOUTH KIMBALL
CALDWELL, ID 83605

Attachment A

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 2-10320 V1

WATER RIGHT NUMBER: 2-10320 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ARLENE M TRIPLETT HC 79 BOX 27AB MELBA, ID 83641 (208)495-2288
Previous Owner	EDWARD D FRISBIE 15919 STATE HWY 78 MELBA, ID 83641 (208)495-2191
Previous Owner	BARBARA J FRISBIE 15919 STATE HWY 78 MELBA, ID 83641 (208)495-2191
Previous Owner	TRANS CONTINENTAL TRANSPORT INC PO BOX 7583 BOISE, ID 83707 (208)343-6400
Current Owner	THOMAS J DOHERTY 11801 GOOD DAY RD MELBA, ID 83641 (208)495-0967
Current Owner	MARY J DOHERTY 11801 GOOD DAY RD MELBA, ID 83641 (208)495-0967
Original Owner	KENNETH L TRIPLETT STAR RT BOX 27AD MELBA, ID 83641

Priority Date: 03/11/1975

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.070 CFS	17.00 AF
	<u>Total Diversion:</u>	0.070 CFS	17.00 AF

Location of Point(s) of Diversion

SNAKE RIVER	L1 (SE1/4SE1/4NE1/4)	Sec. 20, Twp 01S, Rge 02W, B.M.
OWYHEE County		

Place of UseIRRIGATION Within OWYHEE County

T01S R02W S20 Lot 2 NWNE 3.4

Total Acres: 3.4

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 2-10320 V1

Conditions of Approval:

1. 129 Place of use is within the area served by Reynolds Irrigation District.
2. P21 This right is a split from former right 2-7189B.
3. E53 Right Nos. 2-7189A, 2-10319, 2-10320, and 2-10321 are limited to a total combined annual diversion volume of 505 AF.
4. F06 The following rights are diverted through point of diversion described above: 2-7189A, 2-10319, 2-10320, 2-10321.
5. S39 The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 and after November 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.
6. C18 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.

Remarks:

Comments:

Water Supply Bank:

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that KENNETH L. &/or PATRICIA A. TRIPLETT

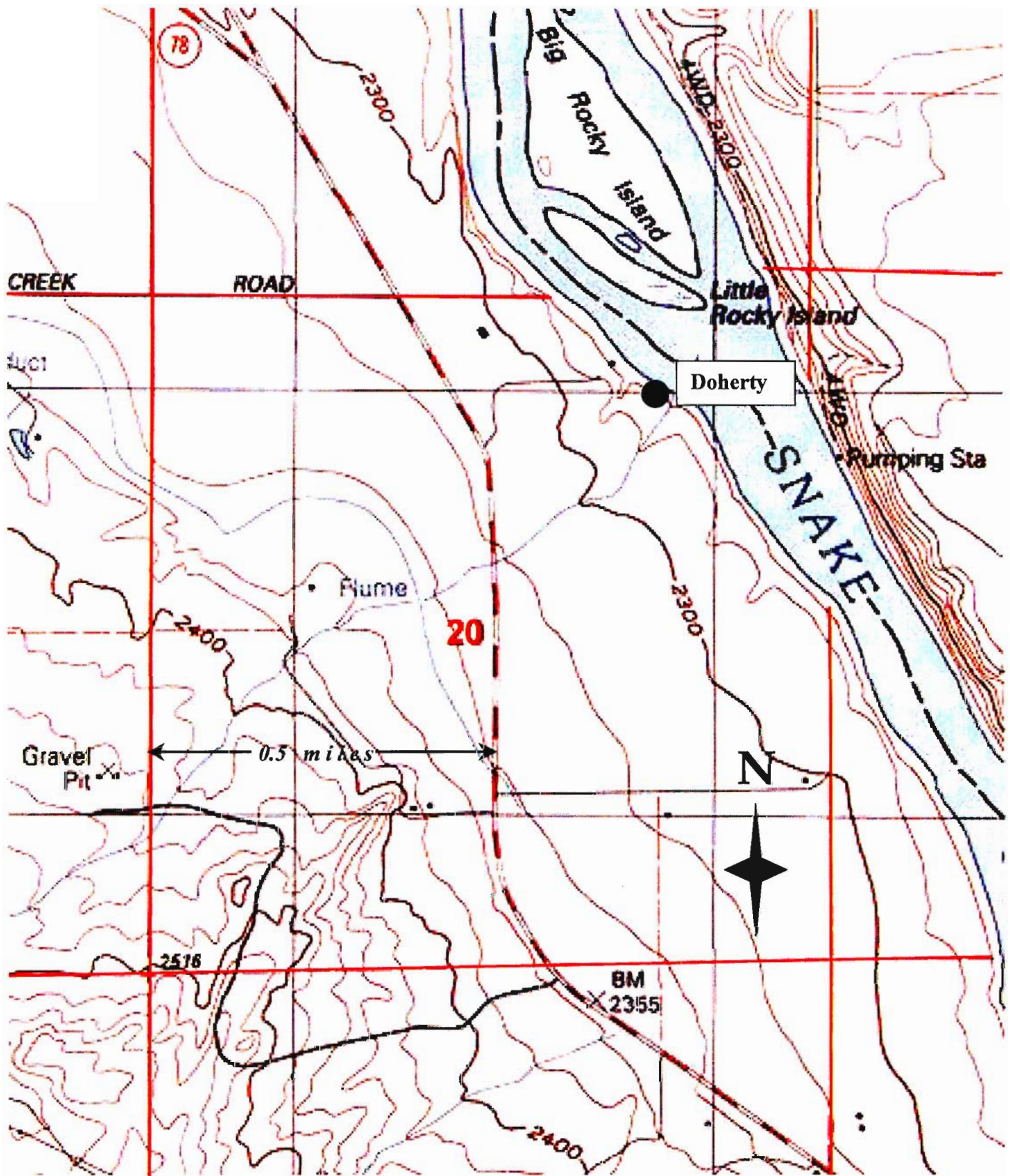
Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from March 15 to November 15	at 2.0 cfs and	505 acre feet
	from _____ to _____	cfs and	
	from _____ to _____	at _____ cfs and	

Description and location of place of use:

[illegible]

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 15th day of June, 1981.

Director

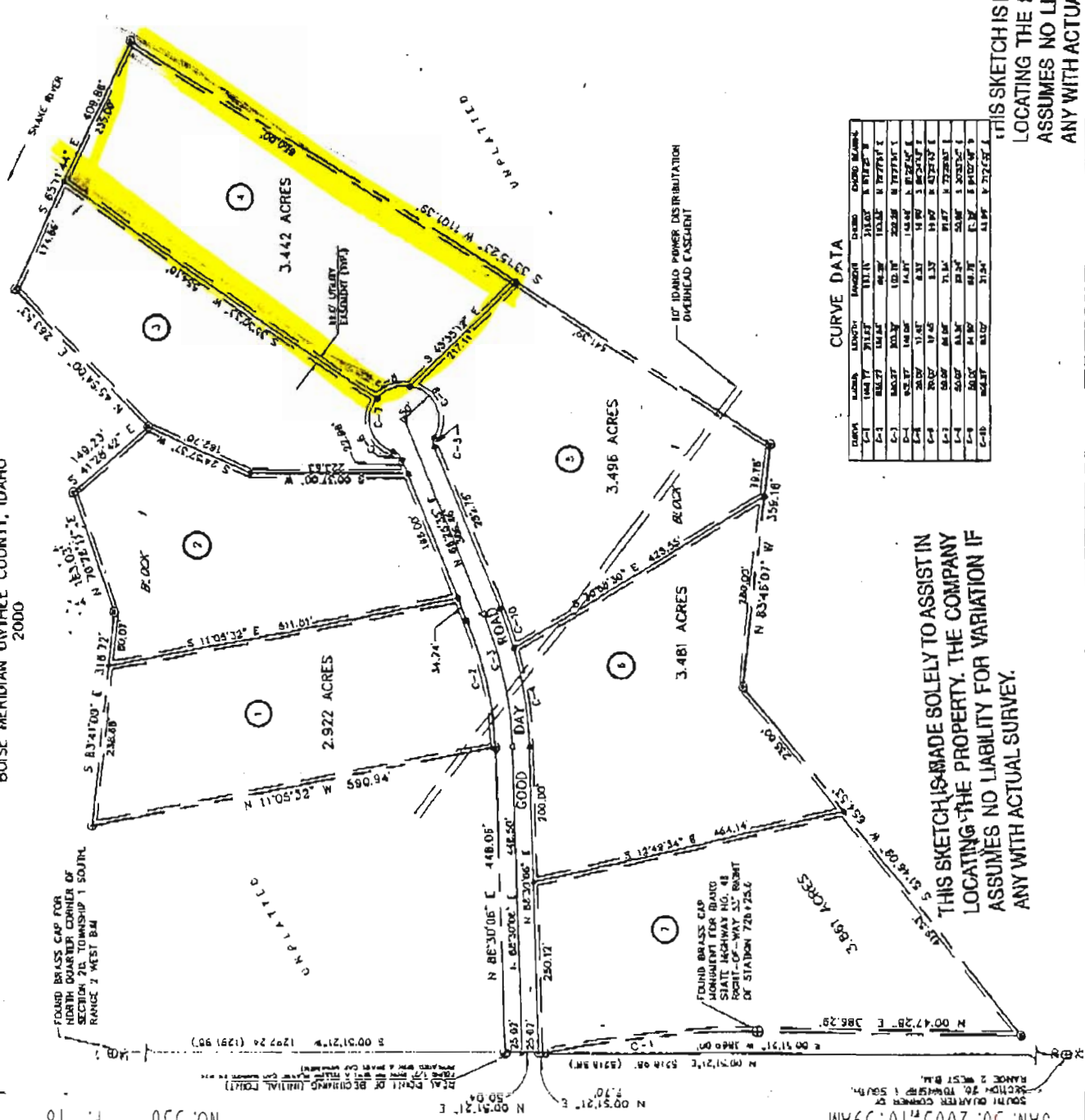


Doherty
Location Map
T1S, R2W, Section 20

Attachment C
(page 10 of 3)

PLATE OF

4. TRACT OF LAND LOCATED IN THE EAST $\frac{1}{2}$ OF SECTION 20, TOWNSHIP 1 SOUTH, RANGE 2 WEST OF THE BOISE MERIDIAN Owyhee County, Idaho



NOTES

RECEIVED BY THE DIRECTOR OF THE FBI ON 10/10/68

[illegible]

ALL INTERIOR ROOMS ARE FIFTY (50) FEET WIDE, TWENTY-FIVE (25) FEET
DEEP AND OF CEILINGLESS CONCRETE. COUNTY ASSUMES NO RESPONSIBILITY FOR
MAINTENANCE FOR THE PRIVATE ROOMS PLATTED HEREON. SUBJECT TO COUNTY
COUNTY SUPERVISOR ORDINANCE NO. COUNTY SERVICES WILL BE PROVIDED FOR
THE PRIVATE ROOMS PLATTED HEREON.

6) Part Quarantine is subject to Southeast District Health Department restrictions on file with the District County reference 107.

3) ALL AMOUNTS SHOWN HEREIN ARE FOR TAX PURPOSES ONLY.

THIS SKETCH IS MADE SOLELY TO ASSIST IN LOCATING THE PROPERTY. THE COMPANY ASSUMES NO LIABILITY FOR VARIATION IF ANY WITH ACTUAL SURVEY.

2000

Doherty
Aerial Photo
T18S, R2W, Section 20

Doherty

N ¼ corner of Section 20



Scale:
0.5 miles