

FEB 25 2008

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Transfer No. 74599

Name of Applicant SQUAW Creek Pritch Co Phone 584-3472

Mailing address 7950 Sweet-Ola Hwy Sweet Ld 83600 Email _____

1. ☒ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use

2. Describe the reason for the proposed changes. The existing ditch is getting hard to maintain. Last summer was going to the beak gate every day to clean beaver debris off of the screen protecting the beak gate. At 79 years old I don't want to do this anymore. Superior

- | <u>1. Right Number</u> | <u>Priority</u> | <u>Amount (cfs/ac-ft)</u> | <u>Nature of Use</u> | <u>Period of Use</u> |
|------------------------|-----------------|---------------------------|----------------------|----------------------|
| 65 2379 | 5/8/1939 | 7.66 | irrigation 4/1 | to 11/1 |
| | | .09 | stockwater 1/1 | to 12/31 |
| 65 2043 | 10/2/1898 | 18.00 | irrigation 4/1 | to 11/1 |
| | | .09 | stockwater 1/1 | to 12/31 |

continued below:

2. Total amount of water being transferred 0.32 cubic feet per second and/or _____ acre-feet per annum. - See
3. Source of water Squaw Creek tributary to Payette River Remarks
4. Point(s) of Diversion: _____

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SE	SW	16	8N	1E	GEN	existing road cut + ditch
3		NE	NW	3	7N	1E	GEN	pump locations (2)

5. Lands irrigated or place of use:

[illegible]

B1 continued 65-3044 } 411/1949 3.28 ACS Wright Total Acres 411-11/1
12 ACS Stokerson 41-12/1

PART 1

6. General Information:

a. Description of diversion system pumps in Squaw Creek

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:

d. Remarks:
new pumps will be limited to 0.32 cfs (16")

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

SEE ATTACHED

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	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion

8. 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	

Total Acres _____

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

65-2379 65-3043 65-3044 all same same owner

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?

Yes 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:

[illegible]

3. Lands irrigated or place of use:

[illegible]

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:

[illegible]

3. Lands irrigated or place of use:

[illegible]

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 place of use for the rights described in part 1. Clearly depict the land by section, township and range number.

The grid is a 10x10 square grid. In the center of the grid, the words "SEE ATTACHED" are written in a large, handwritten, black cursive font. The grid is intended for drawing a map or attaching a USGS map, as indicated by the instructions above it.

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

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:

N/A
3. Describe effects on other water uses resulting from the proposed change:

/

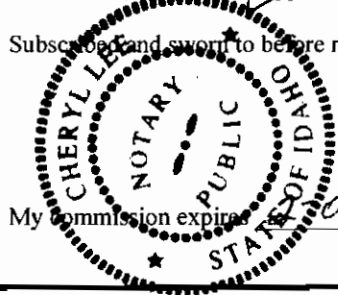
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

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

Mark D. John
 (Signature of Applicant)

Mark D. John Chairman
 Print Name (and title, if applicable)

Subscribed and sworn to before me this 22 day of FEB, 20 08.



Cheryl Lee
 (Notary Public)

My commission expires 01-09

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 3 attachments

Received by DB Date 2-25-08 Protest filed by _____

Prelim. Check by R Fee \$250-

Received by DB / W036171 Date 2-25-08

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 lien holder _____

SRBA PARTIAL DECREE 65-02379

Issued on 09-24-2004.

This is not an official copy.

Contact IDWR or the Court for a Certified Copy.

Choose Landscape Orientation when printing.

NAME AND ADDRESS:

SQUAW CREEK DITCH CO
C/O ALVIN MOSES
8975 SWEET OLA HIGHWAY
SWEET, ID 83670

**SOURCE:
QUANTITY:**

SQUAW CREEK TRIBUTARY: PAVETTE RIVER
7.75 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 28.94 CFS. FOR IRRIGATION.
COMBINED RIGHT NOS.: 65-3043 & 65-3044.

**PRIORITY DATE:
POINT OF DIVERSION:
PURPOSE AND
PERIOD OF USE:**

05/08/1934
T08N R01E S15 SESW Within Gem County

**PURPOSE OF USE
Irrigation
Stockwater
Stockwater
PLACE OF USE:**

PERIOD OF USE QUANTITY
04-01 TO 11-01 7.66 CFS
01-01 TO 12-31 0.09 CFS
Within Gem County

Same as Federal Reserved Use
THE PLACE OF USE IS WITHIN THE BOUNDARIES OF THE SQUAW CREEK
DITCH COMPANY.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 1327 ACRES IN A SINGLE
IRRIGATION SEASON WITHIN THE BOUNDARIES OF THE SQUAW CREEK DITCH
COMPANY. COMBINED RIGHT NOS.: 65-3043 & 65-3044.

The boundary encompassing the place of use for this water right
is described with a digital boundary as defined by I.C. Section
42-202B(2) (2003) and authorized pursuant to I.C. Section 42-1411
(2) (h) (2003). The data comprising the digital boundary are
incorporated herein by reference and are stored on a cd-rom disk

ATTACHMENT A
(6 pgs)

OTHER PROVISIONS NECESSARY

issued in duplicate originals on file with the SRBA District
FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Basin 65 General Provisions No. 3, the Separate Streams
General Provision, does not apply to appropriations of water
after October 18, 1977.

This water right shall be administered as being from a
separate source pursuant to Basin 65 General Provision No. 3.
If the holder of this right seeks to change the right pursuant
to Idaho Code Section 42-222 or successor statute, nothing in
this general provision shall preclude any other person or entity
from demonstrating that such change in use would cause injury to
its water right or from receiving any relief provided by law in
the event of injury.

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. I.C. SECTION 42-1412(6).

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SRBA PARTIAL DECREE 65-03043



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NAME AND ADDRESS: SQUAW CREEK DITCH CO

C/O ALVIN MOSES

8975 SWEET OLA HIGHWAY

SWEET, ID 83670

SQUAW CREEK TRIBUTARY: PAYETTE RIVER

SOURCE:
QUANTITY:

18.00 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 28.94 CFS. FOR IRRIGATION.
COMBINED RIGHT NOS.: 65-2379 & 65-3044.

10/02/1893

T08N R01E S15

SESW Within Gem County

PRIORITY DATE:
POINT OF DIVERSION:
PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

Irrigation

Stockwater

Stockwater

PERIOD OF USE

04-01 TO 11-01

01-01 TO 12-31

QUANTITY

18.00 CFS

0.09 CFS

Within Gem County

PLACE OF USE:

Same as Federal Reserved Use
THE PLACE OF USE IS WITHIN THE BOUNDARIES OF THE SQUAW CREEK
DITCH COMPANY.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 1327 ACRES IN A SINGLE
IRRIGATION SEASON WITHIN THE BOUNDARIES OF THE SQUAW CREEK DITCH
COMPANY. COMBINED RIGHT NOS.: 65-2379 & 65-3044.

The boundary encompassing the place of use for this water right
is described with a digital boundary as defined by I.C. Section
42-202B(2)(2003) and authorized pursuant to I.C. Section 42-1411
(2)(h)(2003). The data comprising the digital boundary are
incorporated herein by reference and are stored on a cd-rom disk

OTHER PROVISIONS NECESSARY

issued in duplicate originals on file with the SRBA District FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977.

This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code Section 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.

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. I.C. SECTION 42-1412(6).

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SRBA PARTIAL DECREE 65-03044

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NAME AND ADDRESS:

SQUAW CREEK DITCH CO

C/O ALVIN MOSES

8975 SWEET OLA HIGHWAY

SWEET, ID 83670

SQUAW CREEK TRIBUTARY: PAYETTE RIVER

SOURCE:

3.28 CFS

QUANTITY:

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A

TOTAL COMBINED DIVERSION RATE OF 28.94 CFS. FOR IRRIGATION

COMBINED RIGHT NOS.: 65-2379 & 65-3043.

04/01/1899

T08N R01E S15

SESW

Within Gem County

PRIORITY DATE:
POINT OF DIVERSION:
PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

Irrigation

Stockwater

Stockwater

PERIOD OF USE

04-01 TO 11-01

01-01 TO 12-31

QUANTITY

3.28 CFS

0.12 CFS

Within Gem County

PLACE OF USE:

Same as Federal Reserved Use

THE PLACE OF USE IS WITHIN THE BOUNDARIES OF THE SQUAW CREEK

DITCH COMPANY.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO

THE IRRIGATION OF A COMBINED TOTAL OF 1327 ACRES IN A SINGLE

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(2)(h)(2003). The data comprising the digital boundary are

incorporated herein by reference and are stored on a cd-rom disk

issued in duplicate originals on file with the SRBA District
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

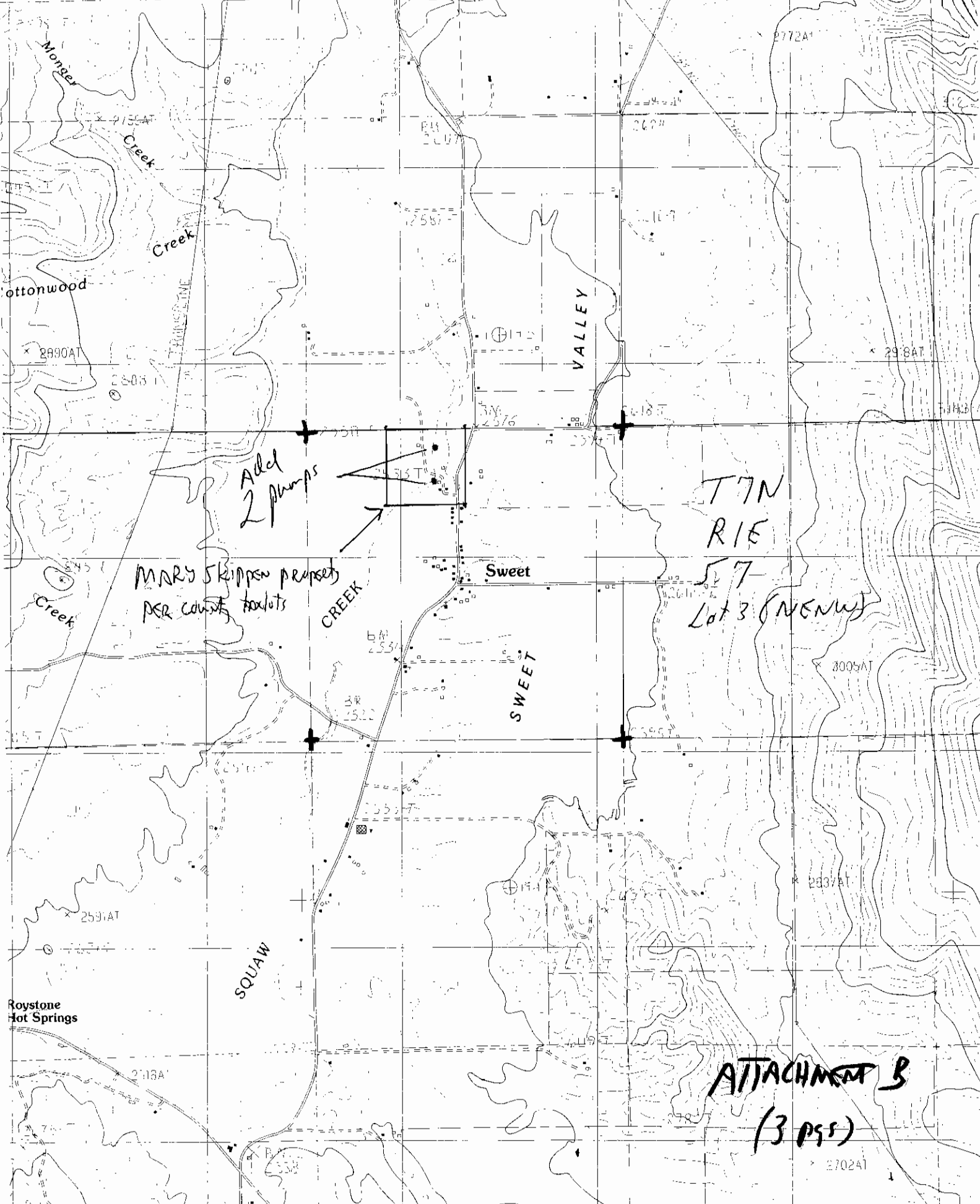
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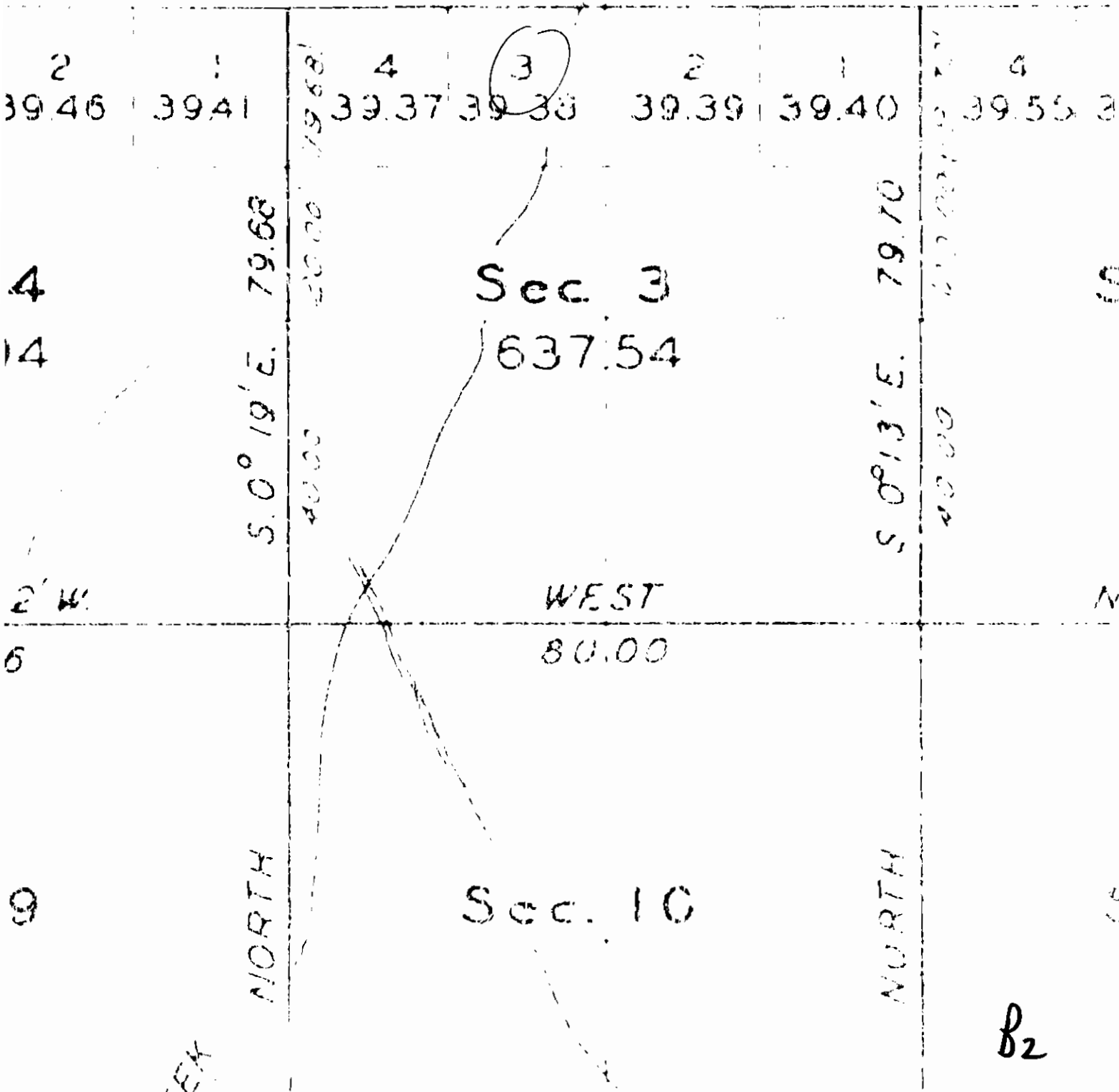
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S. 89° 55' E

90° 14' (at 3)
(NENW)
T 7N R 1E
S. 7





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