

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 71371APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Camas County, Idaho Phone (208) 764-2242Post Office address P.O. Box 430, Fairfield, ID 83327-0430

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Split right
2. Describe the reason for the proposed changes To split off a portion of a groundwater irrigation right for use on a new subdivision lot. Transfer is for Lot 4, Magic Ranch Subdivision #1 as recorded in Camas County.

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 |
|---------------------|-------------------|--------------------|-------------------|---------------------------|
| <u>37-7395 (pt)</u> | <u>10/30/1974</u> | <u>0.025</u> | <u>Irrigation</u> | <u>5/1</u> to <u>10/1</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 0.025 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	SE	SE	NE	2	2S	17E	Camas	Future well and pump

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	
2S	17E	2				2.0													2.0

PART 1

6. General Information:

a. Description of diversion system Well and pump to serve a county facility and irrigation on
a newly-platted lot.

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 effect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land within lot is now irrigated and will continue to be 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 said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

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Transfer No. _____

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 evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 37-7395 issued by the Idaho Department of Water Resources.
- c. Claim No. 37-7395 on file with the Idaho Department of Water Resources.
- d. 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 Groundwater tributary to _____4. Date of priority 10/30/1974

5. Water is used for the following purpose:

Amount 9.94 cfs for Irrigation purposes from 5/1 to 10/1
(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 9.94 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
		SW	NW	1	2S	17E	Camas	North well
		SW	SE	11	2S	17E	Camas	South well

8. 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	
2S	17E	1							7			31	39						77
2S	17E	2				2							15	32	33	6	39	40	167
2S	17E	11	40	36	30	32	33			16					19	13	20	37	276
2S	17E	12			22		17	40	40	37	36	40	29	8		21			290

Total acres 810

9. Describe any other water rights used for the same purpose as described above 37-2211 AND 37-11989, BUT
NEITHER RIGHT IS OVERLAPPING WITH 37-7395 ON THE PLACE OF USE TO BE SPLIT OFF.

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 0.025 for Irrigation purposes from 5/1 to 10/1
 (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	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SW	NW	1	2S	17E	Camas	North well
		SW	SE	11	2S	17E	Camas	South well

3. 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	
2S	17E	2				2.0													2.0

Total acres 2.0

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. Amount 9.92 for Irrigation purposes from 5/1 to 10/1
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

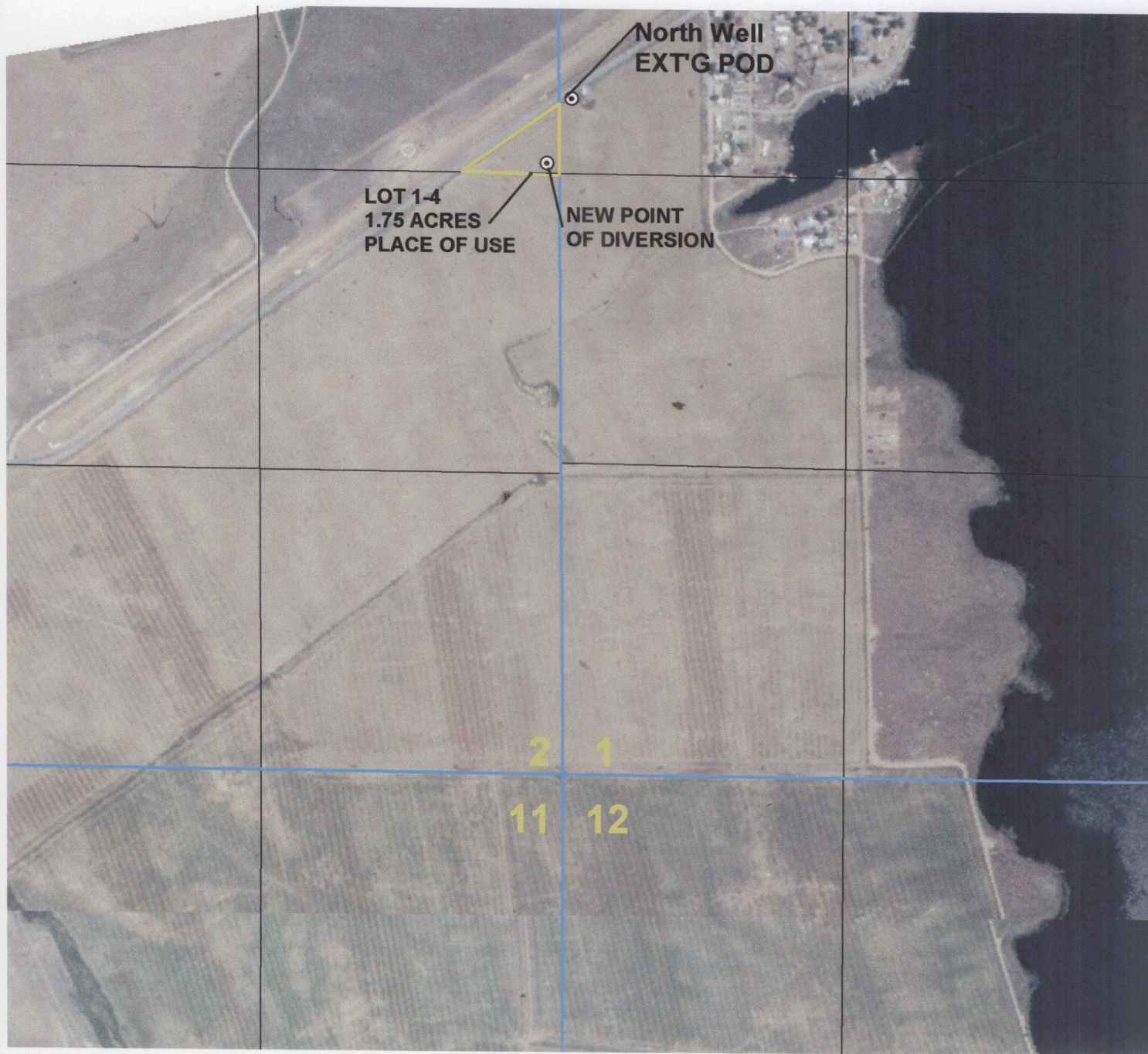
Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SW	NW	1	2S	17E	Camas	North well
		SW	SE	11	2S	17E	Camas	South well

3. 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	
2S	17E	1							7			31	39						77
2S	17E	2											15	32	33	6	39	40	165
2S	17E	11	40	36	30	32	33			16					19	13	20	37	276
2S	17E	12			22		17	40	40	37	36	40	29	8		21			290

Total acres 808

MAGIC RANCH TRANSFER



800 0 800 1600 2400 3200 Feet

CAMAS COUNTY
T.2S., R.17E. SEC 2 SENE
1999 Rectified FSA Aerial Photo

Brockway Engineering, PLLC
ALR June 30, 2004

Lot 1-4
Township.shp
Sections.shp
Quads



T. 2 S.
R. 17 E.

9°58'31" E 2637.53'

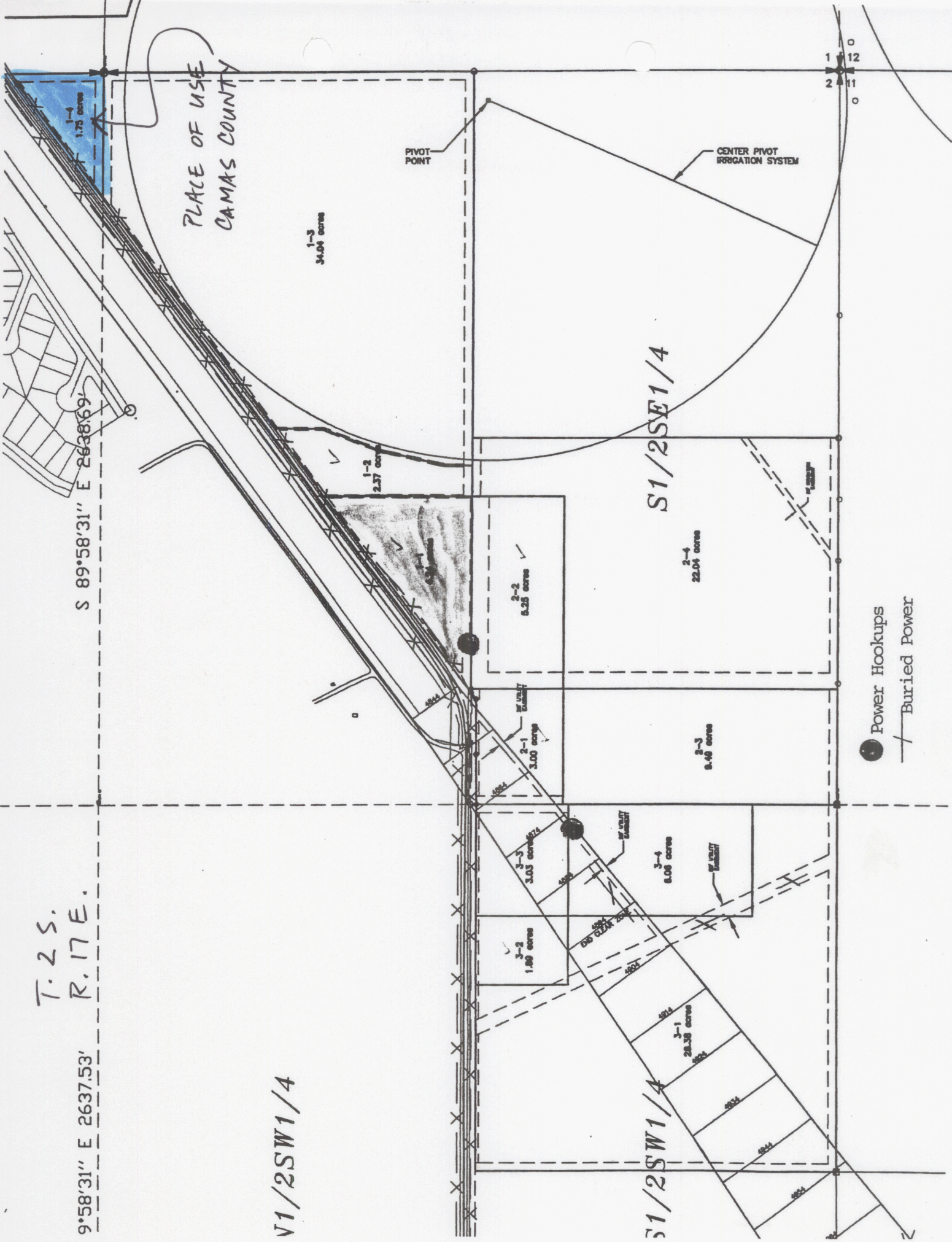
S 89°58'31" E 2638.69'

PLACE OF USE
CAMAS COUNTY

N1/2SW1/4

S1/2SW1/4

S1/2SE1/4



● Power Hookups
- Buried Power

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Transfer No. _____

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

1. New Nature of Use Amount Hours/days/year Period of Use
 (cfs/ac-ft) _____ to _____
 _____ to _____
2. Quantity and quality of return flows and location of discharge:
None
3. Describe the effects on other water uses resulting from the proposed change:
None

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.

Bill Davis, Cornes Co. Commissioner Chair
 (Signature of Applicant)

Subscribed and sworn to before me this 30 day of JUNE, 2004

[Signature]
 (Notary Public)

My commission expires COUNTY CLERK

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by JF Date 7-2-04 Protest filed by _____

Prelim. check by JF Fee 100⁰⁰ 5026883

Receipted by JF Date 7-2-04

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 _____

DEED OF CONTRIBUTION

Deed made this 8 day of SEPTEMBER 2003, by **LONNIE LEAVELL**, a married person contracting with his sole and separate property, of Box 54, Gooding, Idaho 83330 ("**GRANTOR**") and **CAMAS COUNTY**, a body politic and corporate of Fairfield, Idaho 83327 ("**GRANTEE**") in consideration of the benefit to the Grantee and the citizens of Camas County, the Grantor has granted and does hereby grant, convey and confirm unto the Grantee and its successors and assigns the following real estate situated in the County of Camas, State of Idaho, described as:

Lot 4 of Magic Ranch Subdivision No. 1 as the same is officially platted in the office of the County Recorder, County of Camas, State of Idaho, and as evidenced by Plat Instrument No. 76003, recorded April 1, 2003, records of Camas County Idaho.

SUBJECT TO: Accruing taxes, levies and assessments and easements of record and applicable zoning and land use regulations.

Excepting and reserving unto the Grantor any water rights that may be appurtenant to the property.

Together with all other tenements, hereditaments and appurtenances thereunto belonging or in any ways appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof and all estate, right, title and interest in and to said property as well in law as in equity of the Grantor.

To have and to hold all and singular the above-mentioned premises together with appurtenances to the Grantee and to the successors and assigns of the Grantee forever, subject, however, to the following restrictions:

- 1 1. The property will not be used for any refuse, refuse transfer facilities or
- 2 stations.
- 3 2. Any buildings on the property will be harmonious with the surrounding area.
- 4 3. The property shall be maintained free of weeds, debris and junk and will
- 5 be landscaped.
- 6
- 7 4. The property will primarily be used for public facilities such as a Fire
- 8 Station, EMS Station, Law Enforcement, school bus, road and bridge equipment and
- 9 similar County uses, except as previously restricted.

10 These restrictions shall be binding upon the Grantee, its successors and assigns,
11 for a period of twenty-five (25) years from the recording of this Deed in the office of the
12 Camas County Recorder and shall continue for periods of twenty-five (25) years each
13 unless prior to the expiration of any twenty-five (25) years increment, a judgment of the
14 District Court in and for Camas County and shall be determined through a Declaratory
15 Judgment action or other procedural rule that the property should no longer be subject
16 to the restrictions in the interests of the public and particularly the citizens of Camas
17 County, Idaho. Any procedure shall be upon notice as required by the applicable Rules
18 of Civil Procedure then enforce in the State of Idaho.

19 This Deed shall also be construed as a Third Party Beneficiary Contract with the
20 landowners of Magic Ranch Subdivision No. 1 and Magic Ranch Subdivision No. 2 of
21 Camas County.

1 IN WITNESS WHEREOF the Grantor has executed this Deed the day and year
 2 above written.

3 
 4 LONNIE LEAVELL

5
 6
 7
 8 076426

9 Recorded at the Request of

10 Clerk

11 9:10

AM

12 September 9th, 2003

Book 33 Page 612

Deeds

13 COUNTY RECORDER

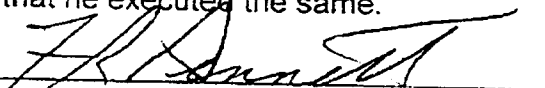
14 KERRY BLODGETT

15 \$ NIC

16 STATE OF IDAHO)

17 CAMAS) ss
 18 County of Cassia)

19 On this 8 day of SEPTEMBER, in the year 2003, before me, the
 20 undersigned, a Notary Public in and for said State, personally appeared LONNIE
 21 LEAVELL, known or identified to me to be the person whose name is subscribed to the
 22 within instrument, and acknowledged to me that he executed the same.

23 
 24 Notary Public for Idaho

25 Residing at FAIRFIELD

26 My Commission Expires: COUNTY CLERK

(Leavell\Deed.wpd)

DEED OF CONTRIBUTION - 3

BURLEY, IDAHO

QUITCLAIM DEED

For value received, Alonzo B. LeaVell, as grantor, hereby quitclaims unto Camas County, Idaho, the grantee, all of the grantor's right, title, and interest in and to the following described water right situated in Blaine County, Idaho:

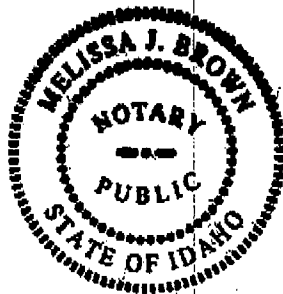
That portion of water right 37-7395, on record with the Idaho Department of Water Resources, comprised of 2.0 acres and 0.037 cfs and appurtenant to Lot 4, Magic Ranch Subdivision #1 as recorded with Camas County.

Grantor has caused this quitclaim deed to be executed this 2nd day of July, 2004.

By: Alonzo B. LeaVell
Alonzo B. LeaVell

State of Idaho)
County of Gooding) S.S.

On this 2 day of July, in the year of 2004, before me, a Notary Public, personally appeared Alonzo B. LeaVell, proved to me on The basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.



S
E
A
L

[Signature]
Notary Public
In and for said State and County
Gooding, Id
My Commission Expires on
2-17-10