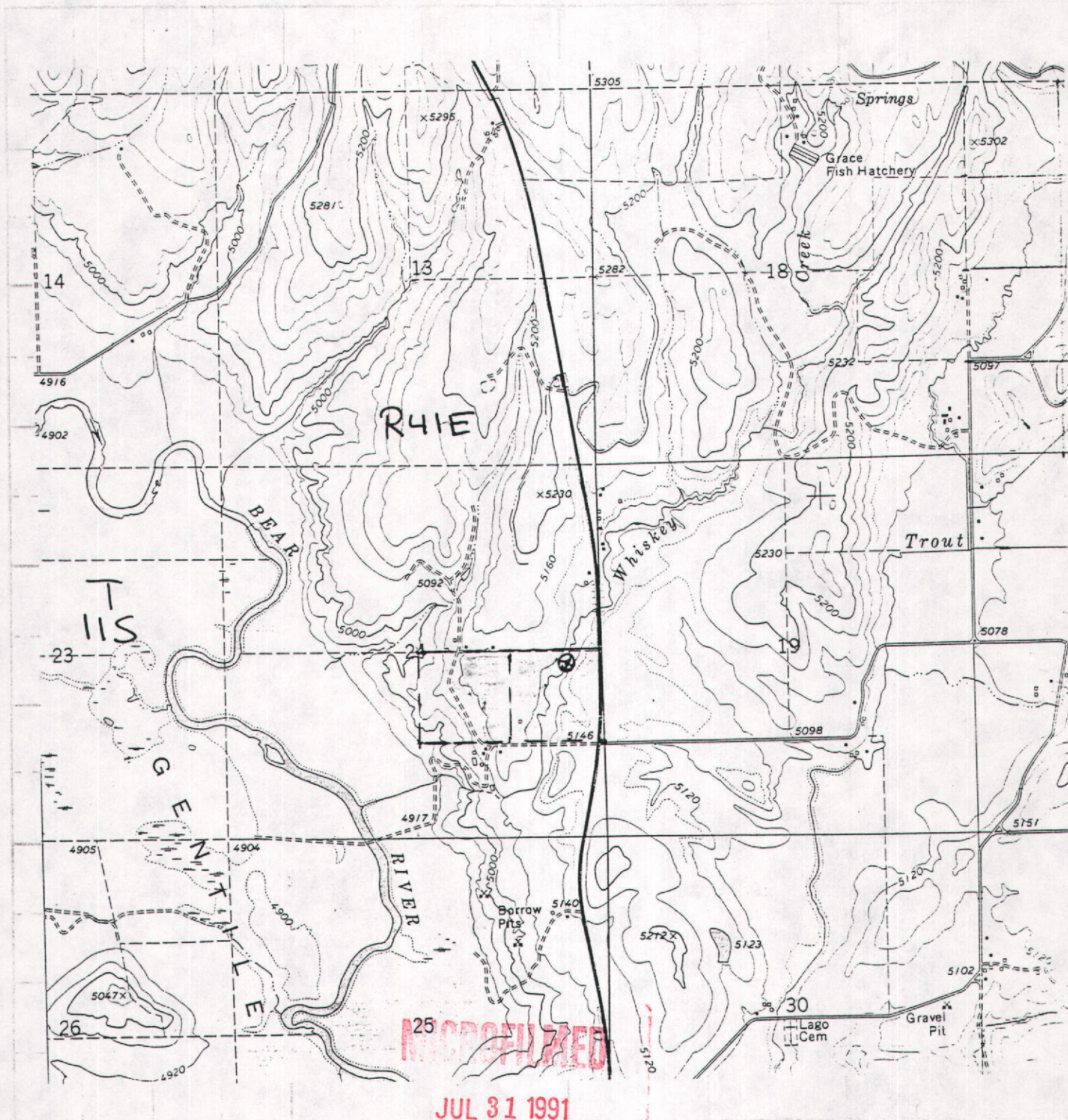


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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



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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3822APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Gene L. Rasmussen Phone 427-6636
Post Office address 2080 Superview, Grace, ID 83241

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 want to bring the P.D. closer to the place of use and eliminate ditch loss.

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>11-00640A</u> | <u>5-1-1881</u> | <u>0.40 0.38</u> | <u>Irrig.</u> | <u>4-20</u> to <u>9-30</u> |
| <u>11-00641</u> | <u>5-1-1905</u> | <u>0.50</u> | <u>Irrig.</u> | <u>4-20</u> to <u>9-30</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred ~~0.90~~ 0.88 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Whiskey Creek tributary to Bear River
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	24	11S	41E	Caribou	(Pump station)
						40E		

5. 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	
11S	41E	24													33	12			45
	40E																		

Total acres 45

PART 1

6. General Information:

a. Description of diversion system Pump in creek to sprinklers

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.

N.A.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

N.A.

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. 11-0640 & 11-0641

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

SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this 22nd day of July, 19 91

J. Blum Saylor

CHIEF, WATER ALLOCATION BUREAU

JUL 31 1991

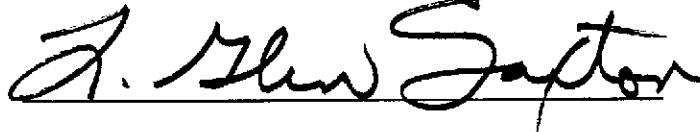
ATTACHMENT
CONDITIONS OF APPROVAL

Transfer of Water Right Nos. 11-0640A & 11-0641

Transfer No. 3822

1. Use of water from these water rights is subject to the control of the watermaster of Water District No. 13-S, Whiskey Creek.
2. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
3. The change authorized by this transfer shall be accomplished within (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. The maximum combined rate of diversion under Right No(s). 11-0640A & 11-0641 shall not exceed 0.88 cfs.

Dated this 22nd day of July, 1991.



L. GLEN SAXTON
Chief, Water Allocation Bureau

JUL 22 1991

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. 11-00641 Decreed to Lars Rasmussen
in case of Utah Power & Light vs. The Last Chance Canal Co.
dated 7-14-1920 in District Court 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 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 Whiskey Creek tributary to Bear River

4. Date or priority May 1, 1905

5. Water is used for the following purpose:

amount 0.50 cfs for _____ purposes from _____ to _____
(cfs/ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.50 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
		NW	NE	18	11S	41E	Caribou	Lars Rasmussen Ditch

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	
11S	40E	24													A	A			45

Total acres 45

9. Describe any other water rights used for the same purpose as described above 11-00640

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

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	

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

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	

Total acres _____

**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. 11-00640A Decreed to Lars Rasmussen
in case of Utah Power & Light vs. The Last Chance Canal Co.
dated 7-14-1920 in District Court 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. 1671 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 Whiskey Creek tributary to Bear River

4. Date or priority May 1, 1881

5. Water is used for the following purpose:

0.38
amount: ~~0.40~~ cfs for Irrigation purposes from 4-20 to 9-30
(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 ~~0.40~~ 0.38 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
		NW	NE	18	11S	41E	Caribou	Lars Rasmussen Ditch

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	
11S	40E	24													A	A			45

Total acres 45

9. Describe any other water rights used for the same purpose as described above 11-00641

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

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	

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

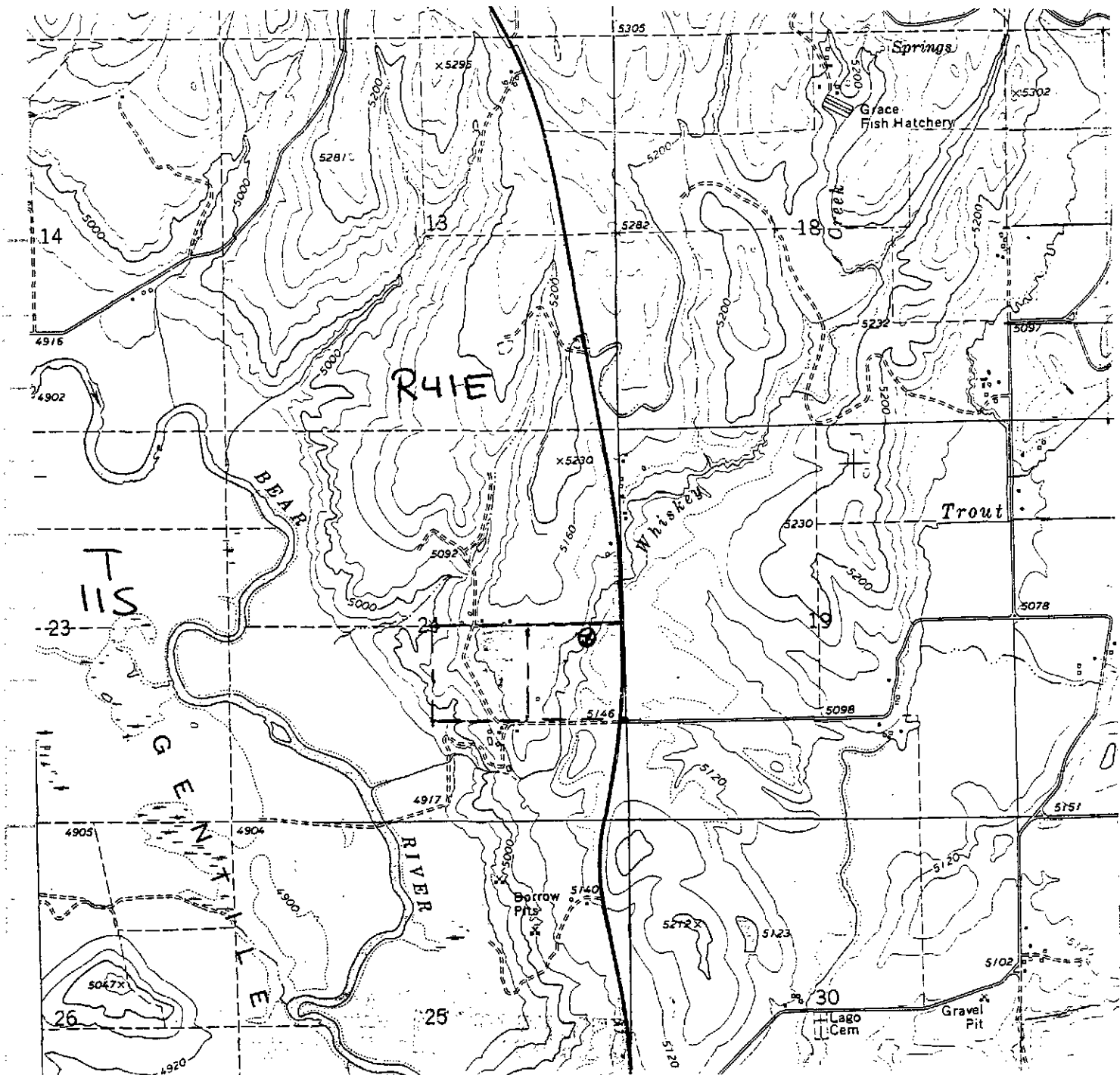
3. Lands irrigated or place of use:

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	

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



JUL 31 1991

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

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.

Gene Rasmussen

(Signature of Applicant)

Subscribed and sworn to before me this 22 day of Feb, 19 91.[Signature]

(Notary Public)

My commission expires Dec 17, 1996

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by OW Date 2-25-91 Protest filed by _____Prelim. check by AMD Fee \$50.00 #E01522Receipted by HWT Date 2-25-91Published in News-Examiner Copies of protest forwarded by _____Pub. dates 4-4-11-91 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial_____ rec'd. _____ by EDC

Copy of transfer sent to lien holder _____

JUL 31 1991

In Equity No. 203

**In the District Court of the United States
for the District of Idaho, Eastern Division**

UTAH POWER & LIGHT COMPANY, a Corporation, *Plaintiff*,

vs.

The Last Chance Canal Company, Limited; The Tanner Canal Company, Limited; The Central Canal Company, The North Extension Canal Company, Limited; West Branch Canal Company, Limited; The Turner Canal Company, Limited; The East Branch Canal Company, The Bench Canal, and Budge Land & Live Stock Company, Limited, corporations; W. H. Larkins, Jas. Ellsmore, Geo. Hogan, Lewis S. Pond and Alex Harris as Trustees of the Gentile Valley Irrigation Company, Limited, late a corporation; The Thatcher Irrigation Company, Limited, a corporation; Nathan D. Thatcher, J. A. Folkman, Milt Robbins and Geo. M. Smith, as Trustees of Thatcher Canal & Power Company, Limited, late a corporation; Nelson Ditch Company, a corporation; A. J. Nielson, B. R. Meek, Henry McCuen, C. S. Burton and Eli Fosgreen, as Trustees of Riverdale-Preston Irrigation Company, late a corporation; The Riverdale Irrigating Company, Nielson-Meek Company and West Cache Irrigation Company, corporations; E. P. Johnson, Albert Johnson, Hyrum Johnson, Geo. D. Anderson, Joseph T. Pond, Frank W. Harris, A. C. Bosen, Hyrum J. Smith, John E. Hill, Melvin Green, Robert L. Smith, Charles Westerburg, Peter Westerburg and David P. Evans.

Horace Howard, Henry Rhinehart, Harvey W. Higley, James Monroe (or Munro), Nellie Simmons, John Baird, William Monroe (or Munro), Orrin Monroe (or Munro), Charles Monroe (or Munro), Charles Foster, Hyrum Foster, Mary Baird, John Woodall (or J. D. Woodall), George Ellis, Skinner Irrigation Company, a corporation; Heber Crane, Fred Bartschi, Charles Bartschi, David Chugg, Phillip Chugg, Fred Stauffer, William Williams, Sr. (or William Morgan Williams), William Williams, Jr. (or William Mormon Williams), Oliver Williams, E. M. Lindsay, Georgetown Irrigation Company, a corporation, and Thomas Freeman.

1
JUL 31 1991

All the foregoing reservations of jurisdiction shall extend after the term at which this decree is entered, and during any subsequent term prior to January 1, 1924, at which time, or at such earlier time as the court may determine these matters, this decree shall be closed. In all other respects this decree shall be final.

The court further retains jurisdiction, however, at all times, and from time to time, to make all reasonable rules touching the manner of diverting, measuring and distributing the waters, and the devices to be installed and used for such purposes where it may be impracticable to fully comply with the terms of this decree, and to direct that the parties keep accurate and detailed records of the amounts of water diverted, and to require reports to be filed from time to time of the amount so diverted, and generally to make such orders as may be found reasonably necessary to give effect to the decree, and to appoint commissioners or water masters to make distribution in accordance with its terms, and to punish the parties hereto, their officers, agents and employes, and their grantees and successors in interest, for any violation of the provisions thereof.

Done in open court this 14th day of July, 1920.

FRANK S. DIETRICH,
Judge.

JUL 31 1991
117

	DATE OF PRIORITY	AMOUNT IN SECOND FEET	POINT OF DIVERSION AND PLACE OF USE
11 0638	323. <i>James Swensen:</i> 1877—May 1	1.2 c.f.s.	For the irrigation of 170 acres in Lot 3, the North half of Lot 4, the West half of the Southeast quarter of Section 18; the Northeast quarter of the Northwest quarter, and Lots 2 and 3 of Section 19, said Township and Range. Said water may also be diverted through the Mickelsen-Swensen Ditch, hereinbefore described, or by means of a ditch having its intake on the west side of Whisky Creek, opposite the point of said Mickelsen-Swensen ditch.
11 0638	1883—May 1	0.8 c.f.s.	
11 0638	1905—May 1	1.4 c.f.s.	
11 0638	324. <i>Mary Swensen:</i> 1905—May 1	1.2 c.f.s.	For the irrigation of 60 acres in the South half of Lot 4 of Section 18, and Lot 1 of Section 19, said Township and Range. Said water may also be diverted through the Mickelsen-Swensen Ditch, hereinbefore described.
11 0648	325. <i>Lars Rasmussen:</i> 1881—May 1	0.4 c.f.s.	For the irrigation of 45 acres in the North half of the Southeast quarter of Section 24, Township 11 South, Range 40 East.
11 0648	1905—May 1	0.5 c.f.s.	
11 0648	326. <i>Harold L. Bassett:</i> 1881—May 1	0.6 c.f.s.	For the irrigation of 62 acres in the East half of the Northeast quarter of Section 24, Township 11 South, Range 40 East.
11 0648	1905—May 1	0.64 c.f.s.	
<i>Mendenhall Ditch</i> , diverts on the East side of said Whiskey Creek, at a point North 37 degrees 20 minutes West 1815 feet from the Southeast corner of Sec' on 24, Township 11 South, Range 40 East, B.M. The following parties are entitled to divert through said ditch, with priority and in the amount hereinbelow set forth:			
11 0648	327. <i>Thomas Bennett:</i> 1877—May 1	0.4 c.f.s.	For the irrigation of 65 acres in the South half of the Southwest quarter of Section 30, Township 11 South, Range 41 East.
11 0648	1905—May 1	0.9 c.f.s.	
11 0648	328. <i>George C. Fowler:</i> 1877—May 1	0.8 c.f.s.	For the irrigation of 110 acres in the North half of the Southwest quarter, the Southwest quarter of the Southwest quarter of Section 30, Township 11 South, Range 41 East, B.M., and the South half of the North half of the South half of the Southeast quarter of Section 25, Township 11 South, Range 40 East.
11 0648	1905—May 1	0.9 c.f.s.	
11 0648	1905—June 1	0.5 c.f.s.	
11 0648	329. <i>J. W. Gibbs:</i> 1878—May 1	0.6 c.f.s.	For the irrigation of 75 acres in Lot 1, and the Southeast quarter of the Northwest quarter of Section 31, Township 11 South, Range 41 East.
11 0648	1905—May 1	0.9 c.f.s.	
11 0648	330. <i>Michael Mickelsen:</i> 1905—May 1	0.5 c.f.s.	For the irrigation of 50 acres in the South half of the Northeast quarter; Northwest

DATE OF
PRIORITY

331. *William*
1878—
1905—
1905—

332. *John*
1880—
1905—
1905—

Colli
minutes V
Range 40
said ditch

333. *Mel*
1876
1905
1905

334. *W*
(a

See
Mendenhall Ditch
dated 4-26-22

JUL 8 176387

MEMORANDUM

TO: File 11-0641
FROM: Brenda
DATE: July 22, 1991
RE: Transfer No. 3822

=====

See file 11-0640 for all correspondence regarding the above referenced transfer.

RECEIVED
JUL 31 1991

JUL 31 1991