

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 72636APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant G. David Dalling or Theresa Dalling Phone 208 662-5273Post Office address 1708 N 2250 E, Hamer, ID 83425

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 Correcting legal description of place of use & point of Diversion

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>31-11639</u>	<u>11/2/1930</u>	<u>0.04cfs</u>	<u>Stockwater</u>	<u>4/1</u> to <u>4/1</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 0.04 cubic feet per second and/or _____ acre-feet per annum.3. Source of water Camas Creek tributary to Mud Lake

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
<u>2</u>		<u>SW</u>	<u>NW</u>	<u>31</u>	<u>12N</u>	<u>39E</u>	<u>Clark</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	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>11N</u>	<u>38E</u>	<u>2</u>			<u>S</u>				<u>S</u>				<u>S</u>						

Total Acres _____

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PART 1

6. General Information:

a. Description of diversion system Headgate to Ditch to pump to stock troughs

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 effect

d. Remarks:

Correcting place of use and point of Diversion

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

Current Water Right No. 31-11639

Priority Date: 11/02/1930
Origin: Water Right
Basis: Decreed
Status: Active

Source: CAMAS CREEK

Tributary to: MUD LAKE

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
STOCKWATER	04/01	11/01	0.04 CFS		
Total Diversion			0.04 CFS		

Source and Point(s) of Diversion:

CAMAS CREEK L4 (NWNW) 11N 39E 6 CLARK

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N 38E 2							X					X					
12N 38E 35											X						

Conditions/Remarks:

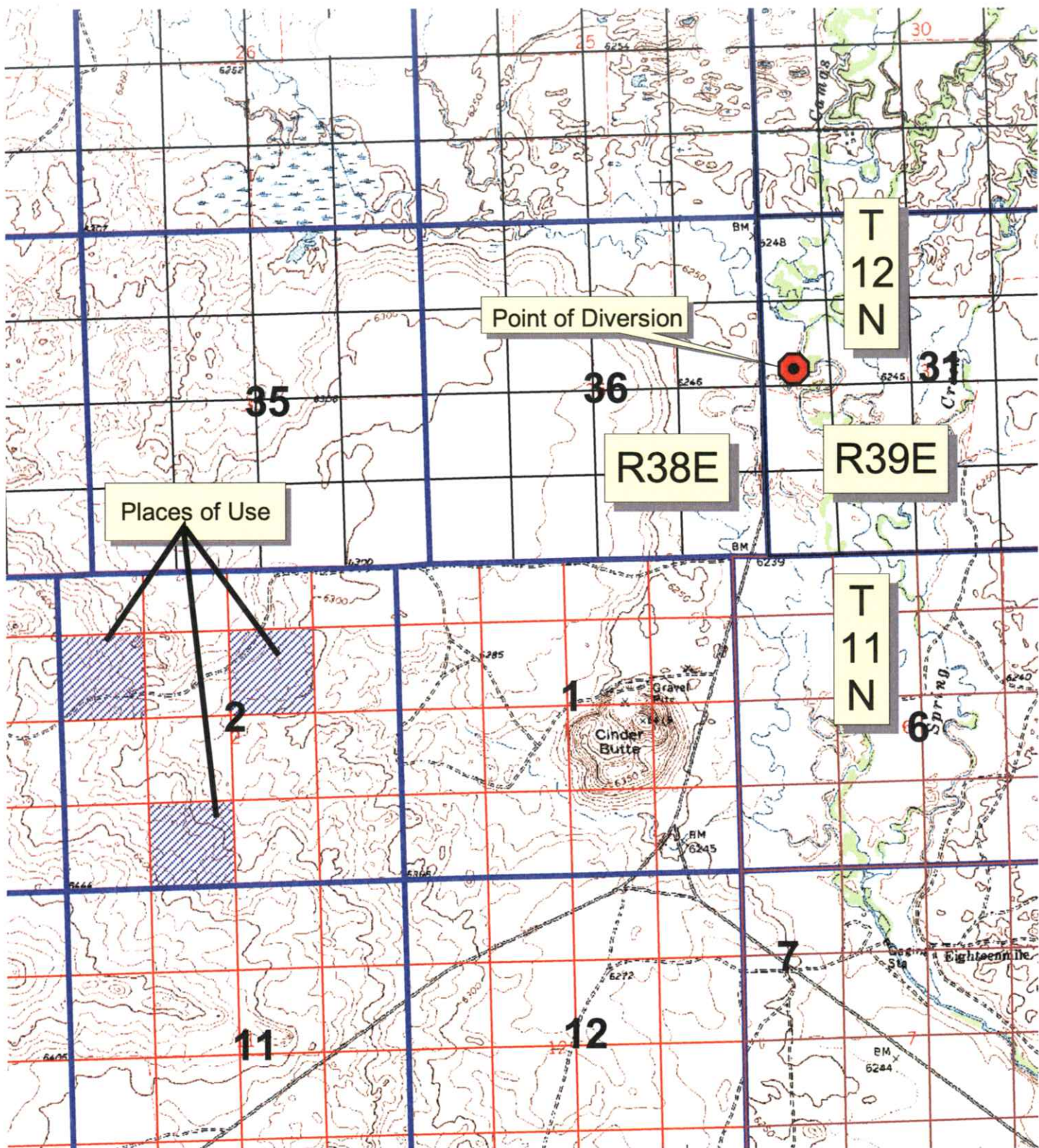
1. THE QUANTITY OF WATER DECREEED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR 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.

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? Yes

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?



-  T12n39e.shp
-  T11n39e.shp
-  Sections
-  GCDB12N38E GCDB
-  GCDB11N38E GCDB
-  31-11639_pou.shp



PART 3

B. CHANGES IN NATURE OF USE

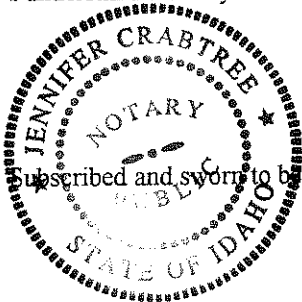
1.

New Nature of Use	Amount(cfs/af-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.



David Doherty
 (Signature of Applicant)

Subscribed and sworn to before me this 8 day of February, 2006

Jennifer Crabtree
 (Notary Public)

My commission expires 9/23/09

FOR DEPARTMENT USE ONLY

Transfer contains 5 pages and 2 attachments

Received by Kaw Date 2/8/2006 Protest filed by _____

Prelim. Check by Kaw Fee 100.00 E031633

Received by Kew Date 2/8/2006

Published in Post Register 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 _____

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RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
110 N. Clark Street
Rigby, ID 83442

Microfilm No. 050993
11 Day March 20 05
At 3:00 O'Clock P M
CONNIE S. OWEN
Clark Co. Recorder
Fee \$ 12-
Betty Nordstrom Deputy
Recorded at Request of
FATCO

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **103431-RI (kb)**

Date: **March 07, 2005**

For Value Received, **Centennial Ranch, L.L.C.**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **G. David Dalling and Theresa P. Dalling, husband and wife**, hereinafter called the Grantee, whose current address is **1708 N. 2250 E., Hamer, ID 83425**, the following described premises, situated in **Clark County, Idaho**, to-wit:

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

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ATTACHMENT 1 OF 2

SCHEDULE A

Real property in the County of Clark, State of Idaho, described as follows:

Tract 1:

Township 11 North, Range 38 E.B.M., Clark County, Idaho.

Section 2: Lots 1, 2, 3 and 4.

S1/2N1/2,

S1/2.

Tract 2:

Township 11 North, Range 38 E.B.M., Clark County, Idaho.

Section 3: Lots 1 and 2,

S1/2NE1/4,

SE1/4

Tract 3:

Township 11 North, Range 38 E.B.M., Clark County, Idaho.

Section 11: NW1/4,

NE1/4SW1/4 lying North and West of Kilgore Road.

Excepting Therefrom: Kilgore Road.

Tract 4:

Township 11 North, Range 38 E.B.M., Clark County, Idaho.

Section 11: NW1/4NE1/4,

The East 60 feet of the SW1/4NE1/4.

Tract 5:

Township 11 North, Range 39, E.B.M., Clark County, Idaho.

Section 6: Lot 4 lying North and West of Kilgore Road,

Excepting Therefrom: Kilgore Road.

Tract 6:

Township 11 North, Range 38, E.B.M., Clark County, Idaho.

Section 11: SW1/4NE1/4.

Excepting Therefrom: The East 60 feet of the SW1/4NE1/4.

Tract 7:

Township 11 North, Range 38, E.B.M., Clark County, Idaho.

Section 11: NE1/4NE1/4.

Together with and subject to an Easement for ingress and egress for roadway and utilities over and across to the following:
Beginning at the SE Corner of the SW1/4NE1/4 of Section 11, Township 11 North, Range 38, E.B.M., Clark County, Idaho, and running thence West along the 1/4 Section line 60 feet; thence North to the North line of the SW1/4NE1/4; thence continuing North 60 feet; thence East 30 feet to a point 30 feet West of the East line of the NW1/4NE1/4; thence North to the North line of the NW1/4NE1/4; thence East along the North line of said 1/4 Section 60 feet to the point 30 feet East of the West line of the NE1/4NE1/4; thence South to the South line of the NE1/4NE1/4; thence West 30 feet to the NE Corner of the SW1/4NE1/4; thence South along the East line of the SW1/4NE1/4 to the Point of Beginning.

(33304-441)

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ATTACHMENT 2 OF 2

Received Time Feb. 8. 4:40PM