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In File

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4042

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

OCT 08 1992

APPROVED

Name of applicant U. S. Bureau of Land Management Phone (208) 678-5514
Post Office address Rt. #3 Box 1; Burley, ID 83318 Department of Water Resources
Southern Region Office

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 Add 4 places of use.
2. Describe the reason for the proposed changes To achieve better cattle distribution
resulting in more balanced grass utilization.

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>17-2122</u>	<u>8-26-68</u>	<u>.02 cfs</u>	<u>Livestock</u>	<u>1-1</u> to <u>12-31</u>
		<u>.02 cfs</u>	<u>Wildlife</u>	<u>1-1</u> to <u>12-31</u>
		<u>.02 cfs</u>	<u>Stockmen</u>	

2. Total amount of water being transferred .02 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water ground water (Bowen Well) tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	9	15S	32E	Oneida	Bowen Well

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	
15S	32E	9	SW																
15S	32E	9															SW		
15S	32E	3			SW				SW										
14S	32E	34															SW		

Total acres _____

PART 1

6. General Information:

a. Description of diversion system Well (approximately 275' deep and 10" casing), submersible
1½ HP pump, 1¼" PVC pipe, and watering 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 XXX 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:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 17-02122

And said application is hereby APPROVED, subject to the following limitations and conditions:
SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this 31st day of December, 19 92.

J. Glen Saxton
CHIEF, WATER ALLOC. BUREAU

JAN 21 1993

CONDITIONS OF APPROVAL
Transfer of Water Rights
No. 17-02122

1. This right, when considered with all other rights common to the same grazing allotment, shall be limited to the quantity of water beneficially used by the number of stock within the allotment.
2. Stockwater use under this right is limited to a maximum of 110 range cattle.

Dated this 31st day of December, 1992.

J. Glen Saylor
Chief, Water Alloc. Bureau

JAN 21 1993

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. 17-2122 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 This is Federal Lands
3. Source of water ground water (Bowen Well) tributary to _____
4. Date or priority 8-26-68
5. Water is used for the following purpose:

amount _____	.02 cfs	for <u>livestock</u>	purposes from <u>1-1</u>	to <u>12-31</u>
(cfs/ac-ft)				
amount _____	.02 cfs	for <u>wildlife</u>	purposes from <u>1-1</u>	to <u>12-31</u>
(cfs/ac-ft)				
amount _____	.02 cfs	for <u>stockmen</u>	purposes from _____	to _____
(cfs/ac-ft)				
6. Total amount of water under right .02 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
		NE	NE	9	15S	32E	Oneida	Bowen 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	
15S	32E	9	SW																

JAN 21 1993

Total acres _____

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

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	

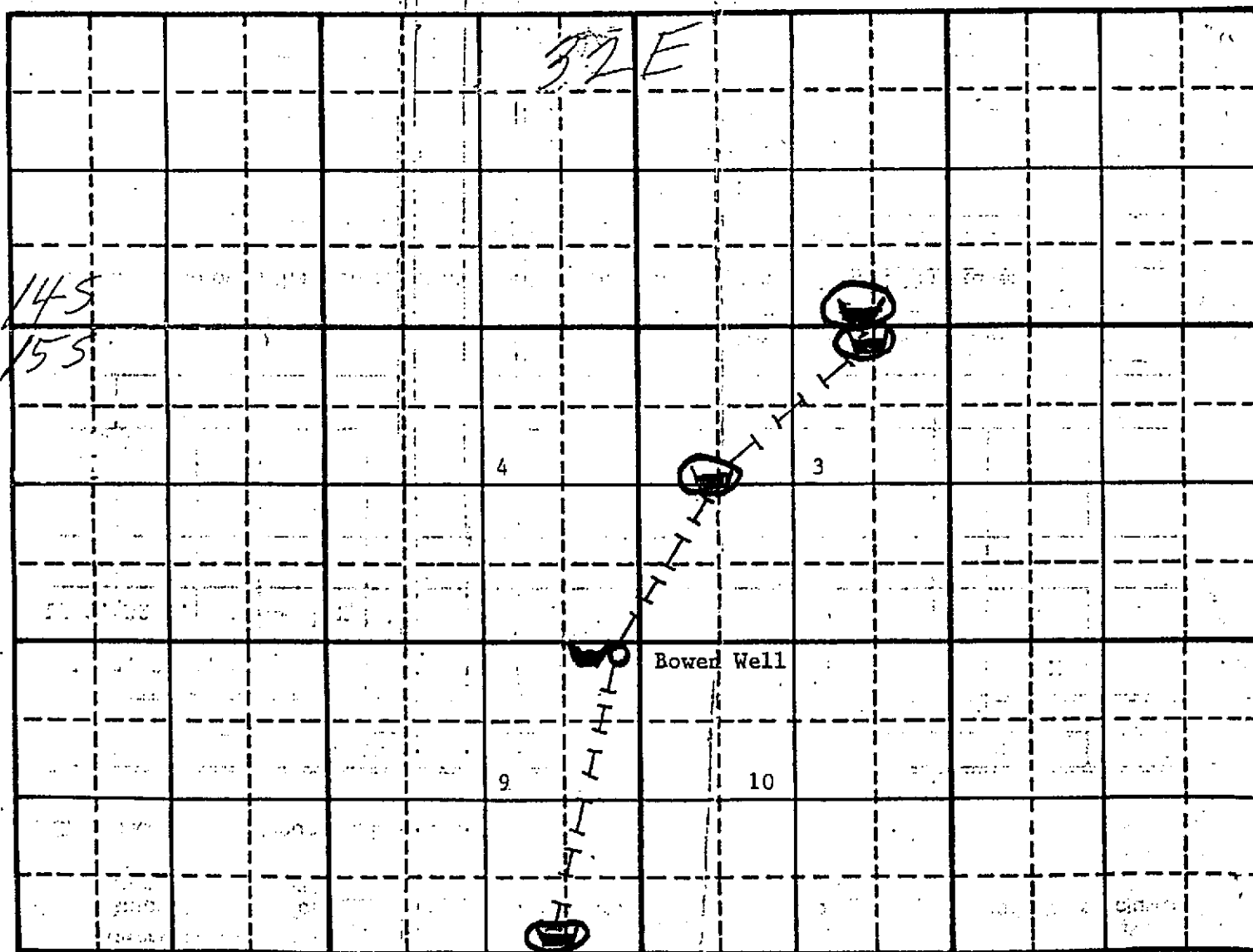
Total acres _____

JAN 21 1993

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.

The places of use being added are circled in red on the map below.



Scale: 2 inches equal 1 mile.

JAN 21 1993

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.

Subscribed and sworn to before me this 21st day of September, 19 92.

Maurice R. Bagley
(Signature of Applicant)

Dorothy Sommer
(Notary Public)

My commission expires 3-1-98

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by R.F. Date 10-8-92 Protest filed by _____Prelim. check by _____ Fee 30.00Receipted by HWS, #2017967 Date 10-9-92Published in ID Enterprise Copies of protest forwarded by _____Pub. dates 11-5-92 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

RECEIVED

JAN 21 1993

Nº 1496

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Oneida } ss.

Sandra Struhs

being duly sworn,
deposes and says: That she is the Secretary of THE IDAHO ENTERPRISE, a weekly newspaper published at Malad, in the County of Oneida and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Malad; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with November 5, 1992, and ending with the issue of November 12, 1992
Sandra Struhs

Fee \$ 47.12

Subscribed and sworn to before me this 10th day of December, 1992.

Susan J. Wittman
Notary Public, (Residing at Malad, Idaho)

My Commission Expires 29, 1994

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT NO. 17-02122

Notice is hereby given that the US Bureau of Land Management, Burley, ID, has applied to the Department of Water Resources to add 4 places of use of the waters of a groundwater source. The right sought to be changed is evidenced by a license and recorded as follows:

LICENSE NO. 17-0212
AMOUNT: .02 cfs FOR: Livestock
AMOUNT: .02 cfs FOR: Wildlife
PRIORITY: 8/26/1968
POINT(S) OF DIVERSION: NENE (Bowen Well) SEC 09 T15S R32E, ONEIDA COUNTY

The water is used from 01/01 to 12/31 within the NE SEC 9 T15S R32E, B.M.

TO BE CHANGED AS FOLLOWS:

The water will be diverted from the NENE (Bowen Well) SEC 9 T15S R32E, ONEIDA COUNTY and used within SEC 3 SEC 9 T15S; SEC 34 T14S R32E, B.M.

Any protests against the proposed change must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83402, on or before November 23, 1992.

R. Keith Higginson
Director

11 5-12 T2
No. 1496

P. O.

BY THE UNITED STATES DEPARTMENT OF THE INTERIOR

District No. _____

2:15 p.m.

Department of Reclamation

1. Name of Applicant U. S. Department of the Interior, Bureau of Land Management
2. Post Office Address P. O. Box 489, Burley, Idaho 83318
3. Quantity of water claimed .02 second foot 8-26-1968
(Not to exceed 0.1 second foot or 15 acre feet)
4. Source of water supply well, 260 feet deep
(Spring, well, unnamed stream, small lake, snow, or runoff)
5. Location of point of diversion 400 feet distant from the NE corner of Section 9,
Twp. 15S, Rge. 32E, B.M., and is in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 9, Twp. 15S, Rge. 32E, B.M.
in the County of Oneida 71
6. Location of point of use 500 feet distant from the NE corner of Section 9,
Twp. 15S, Rge. 32E, B.M., and in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Sec. 9, Twp. 15S, Rge. 32E
7. Water to be used for Livestock, wildlife, and stockmen 1/1-12/31
8. Estimated cost of works \$2,500
9. Kind of works Cased well
(Reservoir, dam, ditch, flume, pipe, etc.)
10. Size 10 inch casing
(Headgate, ditch, flume, pipe, etc.)
11. Time required to apply water to proposed use May 1, 1968 (Already in use)
12. If reservoir is used, fill in the following in addition to the above questions:
- (a) Height of dam _____ feet: Length at top _____ feet.
- (b) Material from which dam is constructed _____
(earth, concrete, timber, rock)
- (c) The outlet of the proposed reservoir is located _____ feet from the _____ corner of
Section _____, Twp. _____, Rge. _____, B.M.

REMARKS:

Bowen Well I2-R-795

Applicant,

Agent Bureau of Land Management

[illegible]

Approval of State Reclamation Engineer

The number of this permit is D 2265

Recorded in Book 5 Page D 2265 Approved September 17, 1968

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Work to begin on or before completed and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

Completion of Works and Beneficial Use of Water appropriated in accordance herewith, to be made on or before completed

Witness my hand this 17th day of September, 1968

Deputy, State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, Governor of the State of Idaho,

and Secretary of State of the State of Idaho, have caused this instrument

to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed,

this day of, 1968

Countersigned:

STATE OF IDAHO

By Secretary of State.

By Governor.

No. D. 2265	PERMIT
Date of first receipt at office of State Reclamation Engineer	August 26, 1968
Returned to applicant for correction	
Corrected application received	
Fees \$ 1.00	
STATE OF IDAHO LICENSE AND CERTIFICATE OF WATER RIGHT	
Water License No. D. 2265	
TO Bureau of Land Management	
Source of Supply Cased Well	
Amount .02 c.f.s.	Sec. Feet
Place of Use NE 1/4 NE 1/4 S 9, T 15-S, R 32-EEM	
Purpose Livestock, Wildlife & Stockmen	
Date of Priority August 26, 1968	
Recorded September 17, 1968	
In Book 5 of Licenses, Page 2265	

LICENSE AND CERTIFICATE OF WATER RIGHT

Water License No. D 2265 Priority August 26, 1968 Amount .02 c.f.s.

This is to certify that Bureau of Land Management of Box 489, Burley, Idaho 83318

made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of well under Use Permit No. D 2265, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume D 5 of Licenses, at page D 2265, on the 17th day of September, 1968

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described. as provided by the laws of Idaho.

WITNESS THE SEAL and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 17th day of September, 1968

Deputy

State Reclamation Engineer.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 4, 1992

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
RT 3 BOX 1
BURLEY ID 83318

RE: Transfer of Water Right No. 17-02122

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 4042). Be sure to note any conditions of approval as listed on the second page.

Sincerely,

Sharla Curtis

for JIM JOHNSON
Water Rights Supervisor

JJ:cz

Enclosure

RECEIVED

JAN 21 1993

MEMORANDUM

TO: File 17-02122

FROM: Sharla

DATE: December 23, 1992

RE: Transfer Review (No. 4042)

The above referenced transfer application proposes to add places of use under this right.

Advertising was completed correctly. The original D license did not indicate the number of stock, however, the maximum number which can be served with this rate of diversion is 110 range cattle. This limitation will be placed on the transfer in the form of a condition of approval to prevent an expansion in the right from the additional places of use. The transfer can be approved with the following conditions:

R37 This right, when considered with all other rights common to the same grazing allotment, shall be limited to the quantity of water beneficially used by the number of stock within the allotment.

Stockwater use under this right is limited to a maximum of 110 range cattle.

JAN 21 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

1073-92
10-14-92-HWT

INITIAL REVIEW BY: HWT

1. Right number 17-2122 Applicant U.S. Bureau of Land Management
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☒ Other Add place of use
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☐ Purpose ☐ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☒ Check for expansion in use of right. Comments _____
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) _____
 - j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* _____

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DEC 22 1992

Department of Water Resources

(D2265)

4. By RDC Date 12/15/92

DOP 11-23-92
JJ
SC

19-Oct-1992

US BLM
RT 3 BOX 1
BURLEY ID 83318

RE: Application for Transfer of a Water Right No. 17-02122

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your permit for a water right transfer. This office is currently in the process of advertising the application in the Idaho Enterprise on November 5 & 12, 1992. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

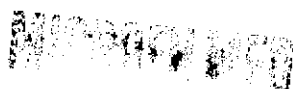
If the application is not protested, it will be forwarded to our State Office in about five weeks. State Office Personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a transfer is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,


Harold W. Jones ^{rb}
Water Right Supervisor

HWJ:rb



JAN 21 1993

19-Oct-1992

IDAHO ENTERPRISE
PO BOX 205
MALAD CITY ID 83252

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before November 23, 1992.

Yours truly,



Rita Bodell
Secretary/Office Coordinator

Encl.

RECEIVED

JAN 21 1993

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. 17-02122

Notice is hereby given that the US Bureau of Land Management, Burley, ID, has applied to the Department of Water Resources to add 4 places of use of the waters of a groundwater source. The right sought to be changed is evidenced by a license and recorded as follows:

LICENSE NO. 17-02122 AMOUNT: .02 cfs FOR: Livestock

AMOUNT: .02 cfs FOR: Wildlife

PRIORITY: 8/26/1968

POINT(S) OF DIVERSION: NENE (Bowen Well) SEC 09 T15S R32E,
ONEIDA COUNTY

The water is used from 01/01 to 12/31 within the NE SEC 9
T15S R32E, B.M.

TO BE CHANGED AS FOLLOWS:

The water will be diverted from the NENE (Bowen Well) SEC 9 T15S
R32E, ONEIDA COUNTY and used within SEC 3 SEC 9 T15S; SEC 34 T14S
R32E, B.M.

Any protests against the proposed change must be filed with
the Idaho Department of Water Resources, 150 Shoup Ave., Idaho
Falls, ID, 83402, on or before November 23, 1992.

R. Keith Higginson
Director

Published in the Idaho Enterprise on November 5 & 12, 1992.

JAN 21 1993