

No Color  
Documents  
In File

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

AMENDED TRANSFER OF WATER RIGHT

AMENDED

TRANSFER NO. 4103  
WATER RIGHT NO. 15-02124

This is to certify that: US DEPT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
3380 AMERICANA TERRACE  
BOISE ID 83706

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|-----------------------|----------------------|
| STOCKWATER            | 01/01 to 12/31       | 0.01 CFS              | 7.2 AF               |

SOURCE

TRIBUTARY OF

SPRING

BRUSH CANYON, RIGHT FORK

Priority: 10/22/1963

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 14, Township 16S, Range 35E  
ONEIDA County

PLACE OF USE: STOCKWATER

TWN RGE SEC

16S 35E 14

NENW

NWNW

CONDITIONS/REMARKS:

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 is for 536 range cattle.
3. Source known locally as North Brush Canyon Spring.

Dated this 25<sup>th</sup> day of

August, 1993

*J. Glen Taylor*  
Chief, Water Alloc. Bureau

APPROVED

AUG 30 1993

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**TRANSFER OF WATER RIGHT**

TRANSFER NO. 4103  
WATER RIGHT NO. 15-02124

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NWNW , Sec. 14, Township 16S, Range 35E  
ONEIDA County

PLACE OF USE: STOCKWATER

TWN RGE SEC

16S 35E 14

NENW

NWNW

CONDITIONS/REMARKS:

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. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
3. Stockwater use is for 536 range cattle.
4. Source known locally as North Brush Canyon Spring.

Dated this 20<sup>TH</sup> day of July, 1993.

for Jim Johnson  
Chief Water Alloc. Bureau

AUG 20 1993

Page 1 of 6STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESTransfer No. 4103**RECEIVED**  
**JUL 12 1993**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 1**

Department of Water Resources

Name of applicant U. S. Bureau of Land Management Phone (208) 678-5514Post Office address Route #3 Box 1; Burley, Idaho 83318**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 one Place of Use
2. Describe the reason for the proposed changes to more equally distribute livestock usage in this area.

**B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE**

1. Right Number 15-02124 Priority 10-22-63 Amount 0.01 (cfs/acre-ft) Nature of Use Stockwater Period of Use 01/01 to 12/31
2. Total amount of water being transferred 0.01 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.
3. Source of water North Brush Canyon Spring tributary to Brush Canyon
4. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion  |
|-----|-----|-----|-----|------|------|------|--------|---------------------------|
|     |     | NW  | NW  | 14   | 16S  | 35E  | Oneida | North Brush Canyon Spring |
|     |     |     |     |      |      |      |        |                           |
|     |     |     |     |      |      |      |        |                           |
|     |     |     |     |      |      |      |        |                           |

## 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 |        |
| 16S  | 35E  | 14   |        |        |        |        | S      | S      |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

**PART 1****6. General Information:**a. Description of diversion system headbox, plastic pipe, troughb. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? \_\_\_\_\_ Yes X 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. \_\_\_\_\_

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

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

AUG 30 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. 15-02124 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 Owned by Federal Gov't  
Brush Canyon

3. Source of water North Brush Canyon Spring tributary to 10-22-63

4. Date or priority \_\_\_\_\_

5. Water is used for the following purpose:

amount 0.01 CFS for livestock purposes from 01/01 to 12/31  
(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 0.01 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  | NW  | 14   | 16S  | 35E  | ONEIDA | North Brush Canyon Spring |
|     |     |     |     |      |      |      |        |                           |
|     |     |     |     |      |      |      |        |                           |

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 |        |
| 16S  | 35E  | 14   |        |        |        |        |        | S      |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

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 \_\_\_\_\_

RECORDED  
AUG 30 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.  spring  pipe  trough

R.35E.

T.  
16  
S.

**MICROFILMED**  
**AUG 30 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<br>(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.

Maurice B. Bagley, Associate District Manager  
(Signature of Applicant)

Subscribed and sworn to before me this 25<sup>th</sup> day of March, 1993.

Dorothy Bonner  
(Notary Public)

My commission expires March 1, 1998

#### FOR DEPARTMENT USE ONLY

Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments

Received by HWT Date 4-15-93 Protest filed by \_\_\_\_\_

Prelim. check by KCW Fee \$30.00 # E018468

Receipted by HWT Date 4-19-93

Published in Idaho Enterprise Copies of protest forwarded by \_\_\_\_\_

Pub. dates April 29; May 6 - 1993 Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Watermaster recommendation requested on \_\_\_\_\_ Recommended for ☒ approval ☐ denial

\_\_\_\_\_ rec'd. \_\_\_\_\_ by RDC

Copy of transfer sent to lien holder \_\_\_\_\_

**MICROFILMED**

**AUG 30 1993**

WR5809NP  
No. 15-02124

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 07/13/93  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                                                                     | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|--------------------------------------------------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | US DEPT OF INTERIOR<br>BUREAU OF LAND MANAGEMENT<br>IDAHO STATE OFFICE<br>3380 AMERICANA TERRACE<br>BOISE ID 83706 | 10/22/1963       | STOCKWATER | 01-01 12-31           | 0.01 CFS          |                     |
| TOTAL DIVERSION: |                                                                                                                    |                  |            |                       | 0.01 CFS          |                     |

Water Source: SPRING

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T16S R35E S14 NW NW

Place of use Legal Description for: STOCKWATER

|     |     |    |   | NE   |      |      |      | NW |      |      |      | SW   |   |      |      | SE   |      |   |      |      |      |      |   |
|-----|-----|----|---|------|------|------|------|----|------|------|------|------|---|------|------|------|------|---|------|------|------|------|---|
| T   | R   | S  | : | NENE | NWNE | SWNE | SENE | :  | NENW | NWNW | SWNW | SENW | : | NESW | NWSW | SWSW | SESW | : | NESE | NWSE | SWSE | SESE | : |
|     |     |    |   | Lt   | Ac   | Lt   | Ac   |    | Lt   | Ac   | Lt   | Ac   |   | Lt   | Ac   | Lt   | Ac   |   | Lt   | Ac   | Lt   | Ac   |   |
| 16S | 35E | 14 | : |      |      |      |      | :  |      | S    |      |      | : |      |      |      |      | : |      |      |      |      | : |

Pou County: ONEIDA

|        |                           |                    |                   |
|--------|---------------------------|--------------------|-------------------|
| Dates: | App. Received:            | Priority Date:     | 10/22/1963        |
|        | Proof Due Date:           | Proof Made Date:   |                   |
|        | Exam Made Date:           | Exam Sent to S.O.: |                   |
|        | Licensed Date:            | 08/11/1981         |                   |
| Misc:  | Water District Number:    | Field Exam Fee:    |                   |
| Audit: | 12/31/84 05/21/88 CONVERT | 04/03/89 NAMECHNG  | 01/26/92 POST-STD |
|        | 07/15/92 D-NO-CHG         |                    |                   |

UNRECORDED

AUG 30 1993



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

August 27, 1993

US DEPT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
3380 AMERICANA TERRACE  
BOISE ID 83706

RE: Transfer of Water Right No. 15-02124

Dear Water Right Holder(s):

Enclosed is a copy of your amended Transfer of the above referenced water right (Transfer No. 4103). Please be sure to thoroughly review the "CONDITIONS/REMARKS:" as listed on the transfer.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over the typed name and title.

JIM JOHNSON  
Water Rights Supervisor

jd:dc

Enclosure

RECEIVED  
AUG 30 1993



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

July 22, 1993

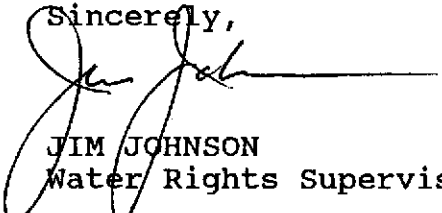
US DEPT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
3380 AMERICANA TERRACE  
BOISE ID 83706

RE: Transfer of Water Right No. 15-02124

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 4103). Please be sure to thoroughly review the "CONDITIONS/REMARKS:" as listed on the transfer.

Sincerely,

  
JIM JOHNSON  
Water Rights Supervisor

JJ:dc

Enclosure

AUG 30 1993

TRANSFER REVIEW SHEET

Transfer # 4103

Date Reviewed 7-15-93  
28

Right(s) 15-02124  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_ Change P/D \_\_\_\_ Add P/Ds ☒ <sup>Add</sup> Change P/U \_\_\_\_ Change Use

Proof of Ownership NA/Adding 1 P/U BLM  
\_\_\_\_\_  
\_\_\_\_\_

Transfer ☒ All of Right \_\_\_\_ Portion of Right (Part B \_\_\_\_)

Resulting Split(s) NONE  
\_\_\_\_\_  
\_\_\_\_\_

Check Transfer Against Right

- (1) ☒ Priority (2) ☒ Use (3) ☒ Season (4) ☒ Rate (5) ☒ Volume  
(6) ☒ Source (7) ☒ P/D (8) ☒ P/U (9) ☒ Proof/Owner (10) ☒ Map  
(11) NO Water District (12) NO Pertinent Conditions (13) NO Expansion

(5) No Vol on D-Permit  $.01 \times 365 \times 1.9835 = 7.2 \text{ cfs}$

(6) Per USGS - Source is Spring Tributary is Brush Canyon, Right Fork

(8) Add P/U in NENW  
\_\_\_\_\_  
\_\_\_\_\_

$\text{Max Vol} = 7.2 \text{ cfs} \times 325,850 \text{ gal} = 2,346,120 \text{ gal} / 365 \text{ days} = 6427.7 \text{ gal per day}$   
 $6427.7 \text{ gal per day} / 12 \text{ gal per day} = 535.6 \approx 536 \text{ cattle max supported}$   
by 7.2 cfs

\* T07 doesn't apply to additional P/U for Stockwater

Transfer Remarks STOCK/536 Cattle, Source KL North Brush Canyon Spring  
Conditions R37, T09

Database/Processing Notes Create "T" file  
\_\_\_\_\_

WRO749NP  
No. T15-02124

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT  
(REGIONAL)

DATE: 07/16/93  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                                                                     | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|--------------------------------------------------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | US DEPT OF INTERIOR<br>BUREAU OF LAND MANAGEMENT<br>IDAHO STATE OFFICE<br>3380 AMERICANA TERRACE<br>BOISE ID 83706 | 10/22/1963       | STOCKWATER | 01-01 12-31           | 0.01 CFS          | 7.2 AFA             |
| TOTAL DIVERSION: |                                                                                                                    |                  |            |                       | 0.01 CFS          | 7.2 AFA             |

Water Source: SPRING

Tributary to: BRUSH CANYON, RIGHT FORK

Stage: LICENSE

Point(s) of Diversion: T16S R35E S14 NW NW

Place of use Legal Description for: STOCKWATER

|     |     |    |   | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |   |
|-----|-----|----|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|---|
| T   | R   | S  | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | : |
| 16S | 35E | 14 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | : |
|     |     |    | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | : |

Pou County: ONEIDA

Conditions of Approval:

- 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.
- T09 - Approval of this transfer does not preclude the opportunity for  
- review of the validity of the water right(s) in the ongoing  
- Snake River Basin Adjudication.

Remarks: Stockwater use is for 536 range cattle.  
Source known locally as North Brush Canyon Spring.

Dates: App. Received: Priority Date: 10/22/1963  
Proof Due Date: Proof Made Date:  
Exam Made Date: Exam Sent to S.O.:  
Licensed Date: 08/11/1981

Misc: Water District Number: Field Exam Fee:

Comments: Date: 07/16/1993 User-ID: SKAGGS Subject: TRANSFER NO. 4103  
Transfer No. 4103 was filed to add a place of use to this right.

Audit: 07/16/93 SKAGGS

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRANSFER ANALYSIS SHEET

4-19-93  
4-23-93

INITIAL REVIEW BY: Kaw

1. Right number 15-02124 Applicant U.S. BLM  
T# 4103
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 P/u
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\* \_\_\_\_\_

4. BY RDC Date 7/8/93

POP  
May 17, 93

Nº 1542

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

County of Oneida

Kathy S Ray

(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

April 29

19 93

, and ending

May 6

19 93

with the issue of

Kathy S Ray

Subscribed and sworn to before me this 28<sup>th</sup> day

of May, 19 93

Swan J Wittman

Notary Public, Residing at Malad, Idaho

My Commission Expires 29, 19 94

## NOTICE OF PROPOSED CHANGE OF A WATER RIGHT TRANSFER NO. 4103

Notice is hereby given that the U.S. Bureau of Land Management has applied to the Department of Water Resources to add a place of use of the waters of a North Brush Canyon Spring tributary to Brush Canyon. The right sought to be changed is evidenced by a license and recorded as follows:

LICENSE NO. 15-02124

AMOUNT: .01 cfs

PRIORITY: 10/22/1963

POINT(S) OF DIVERSION: NWNW SEC 14 (North Brush Canyon Spring) T16S R35E, ONEIDA COUNTY

The water is used from January 1 to December 31 to irrigate for stockwater within the NWNW SEC 14 T16S R34E, B.M.

### TO BE CHANGED AS FOLLOWS:

The water will be used within the N1/2NW SEC 14 T16S R35E, B.M.

Any protests against the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID, 83402, on or before May 17, 1993.

R. Keith Higginson  
Director

No. 1542

T2 4/29 5/06/93

34

AUG 30 1993

27-Apr-1993

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

RE: Application for Transfer of a Water Right No. 15-02124

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 April 29 & May 6, 1993. 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*  
Harold W. Jones *rb*  
Water Right Supervisor

HWJ:rb

RECEIVED  
AUG 30 1993

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
EASTERN REGION  
IDAHO FALLS, ID  
ph. (208) 525-7161

FAX NO. (208) 525-7177

TRANSMITTAL COVER SHEET

OMNIFAX

TO: Idaho Enterprise FROM: Lita

DOCUMENT DESCRIPTION: Legal Notice

TOTAL NUMBER OF PAGES (Including this page): 2

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*Received*  
AUG 8 0

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R. Keith Higginson  
Director

Published in the Idaho Enterprise on April 29 & May 6, 1993.

RECORDED

AUG 30 1993