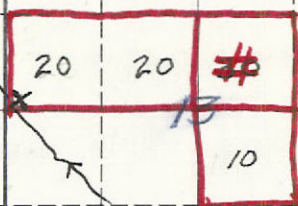


R 10 E

T
15
S

E. F. BRUNER RIVER



NEW LANDS
IRRIGATED

SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

RECEIVED

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

APPROVED

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

1. Name of Right Holder Wells Livestock, Inc.
- Post office address 512 North Broadway, Buhl, ID 83316
2. Right obtained by:
- a. Decree to Cynthia Conway in Case of Grandview Irrigation District
- Bruneau Buckaroo (Name)
- vs. Co-op Ditch Co., Dated Dec 8, 1925 in (Name of Court)
- Court. County of Owyhee
- b. License No. 51-0096 issued by the State of Idaho, Department of Reclamation.
- Big Flat Cr. (see decree)
3. Source of water E. F. Bruneau River tributary to Snake River (Three creeks)
- (Name of stream or source)
4. Date of Priority April 15, 1906
5. Amount of water a. 1.6 c.f.s. and/or
- b. acre feet/annum
6. Water is used for Irrigation from Mar. 15 to Nov. 15
- (Month, Day) (Month, Day)
7. Original location of point of diversion is NW 1/4 NW 1/4 of Section 24
- Township 15S, Range 10E, B.M., in Owyhee County;
- Additional points of diversion, if any

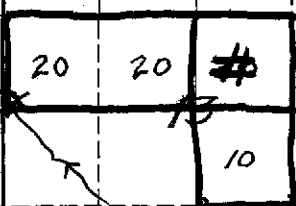
8. Lands presently irrigated or place of use:

TWP.	RANGE	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	10E	13							10		10		10						30
		14				20									10			20	50

R 10 E

T
15
S

E. BRUNER RIVER



NEW LANDS
IRRIGATED

SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

11-50-81

9. If applicant was not the original holder of this right explain how it was acquired: _____
When the land was purchased the right was apurtinant to the land.

10. CHANGE IN POINT OF DIVERSION

- a. Quantity to be diverted at new point: 1.30 c.f.s. and/or _____ acre feet
- b. New point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 13, Township 15S
_____, Range 10E, B.M.
- c. Description of method of diversion and conveyance from new points of diversion: _____
Pump, motor, and sprinkler system

- d. Is water to be conveyed to the lands previously irrigated? Yes XX No _____
If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion:
Closer to the new lands to be irrigated and we won't have as much conveyance
loss.

- f. Do you intend to make the transfer permanent? YES
- g. Do you intend to abandon completely the old point of diversion? No, will leave 15" or .3 cfs
at original diversion.
- h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

- a. Describe the new lands on which you wish to use your right.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
15S	10E	13							20	20						10			50

- b. Do you intend to make the transfer permanent? YES
- c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:
No. We will leave 15" or .30 cfs at the original land irrigated.
- d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: NONE
- e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Wells Investment Co
by Walter E Wells (pres)
 (signature of applicant)

Subscribed and sworn to before me this 24th day of July, 1973
Alta Hannon
 (notary public)

My commission expires Sept 2-1973

ACTION OF STATE RECLAMATION ENGINEER AND CERTIFICATE OF TRANSFER

This is to certify that I have examined Application for Transfer of Water Rights No. 51-0096,
 and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

2. Denial of said application is for the following reasons:

Witness my hand this 29th day of October, 1973

R. Keith Higgins
 Director ~~State Reclamation Engineer~~
 Department of Water Administration

FOR DEPARTMENT USE ONLY

Received by mt 2:50 Date 7-25-73

Prelim. check by DAH Date 7-25-73

Fee received by jmm Date 7-25-73 Fee \$ 30.00

Approved for publication by _____

Published in Orange County Dates 8-9 & 8-16-73

Hearing held _____

Watermaster Recommendation sent _____

Protest filed by: _____ Date _____

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item Initial Date

- (1) CEB 2 Aug Transfer Application No. 510096 Name Walls Livestock
- (2) CEB 2 Aug Check:
☐ Signature
☒ Point of Diversion
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for C/W and application of water to B/U
☒ Place of Use
☒ Map
☒ Fee
- (3) CEB 2 Aug Send copies to:
☐ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management
Water master Grandview Irr. Dist.
- (4) CEB 2 Aug ☐ Request Special Use Permit from U.S.F.S. N/A
☐ Request Easement from B.L.M.
- (5) CEB 2 Aug In form for advertising OK
- (6) R.W.H. 10-24-73 Affidavit of Publication received yes 8-30-73
- (7) R.W.H. 10-24-73 Final date for protests 8-27-73
Protests received: yes _____ no ☒
- (8) NA Date and Place of hearing _____
Decision reached at hearing _____
- (9) NA Located within Water District No. _____
- (10) NA Critical groundwater area: yes _____ no _____
- (11) NA Groundwater levels:
☐ Decline (comment) _____
☐ Stable (comment) _____
☐ Increasing (comment) _____
- (12) _____ Comments: _____
- (13) R.W.H. 10-24-73 Action recommended:
☒ Approve Priority Transfer
☐ Deny Reason for Reduction _____
See attached sheet for conditions of approval
- (14) R.W.H. 10-24-73 No conditions for approval
R.W.H. 10-24-73 District Western By Robert W. Hamilton
Date 10-24-73 Title Supervisor of Water Dist.

RECOMMENDED

CONDITIONS OF APPROVAL

☐ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.

☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

☐ Maximum rate of diversion shall not exceed _____ c.f.s.

☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.

☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.

☐ Use of water under this permit is subject to control by the watermaster of State Water District No. _____, _____ River.

☐ The proposed well shall not be drilled within _____ feet of another well.

☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.

☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.

☐ Other: _____

RECEIVED

AUG 30 1973

Department of Water Administration

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 9 day of Aug, 1973, and the last publication being on the 16 day of August, 1973;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 16 day of Aug, 1973.

Laura S. Hawes
NOTARY PUBLIC

My commission expires 9-10-76

(SEAL)

NOTARY PUBLIC

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 51 - 0096

Notice is hereby given that Wells Livestock, Inc. of 512 No. Broadway, Buhl, Id. has applied to the Department of Water Administration for a change of point of diversion & place of use of the waters of Big Flat Creek, trib. to Three Creeks. The right sought to be changed is evidenced by decree to Cynthia Conway in Case of Grandview Irrigation District vs. Bruneau Buckaroo Co - op Ditch Co., Dated Dec. 8, 1925, County of Owyhee and is recorded as follows.

Amount: 1.6 c.f.s. Priority: April 15, 1906 Point of Diversion: NW 1/4 NW 1/4, Sec. 24, T. 15 S., R. 10 E., B. M., Owyhee County. The water is used for irrigation purposes with SW 1/4 NW 1/4, NE 1/4 SW 1/4, SW 1/4 SW 1/4, Sec. 13, SE 1/4 NE 1/4, E 1/2 SE 1/4, Sec. 14, T. 15 S., R. 10 E., B. M.

TO BE CHANGED AS FOLLOWS

Amount: 1.30 c.f.s. Point of Diversion: SW 1/4 NW 1/4, Sec. 13, T. 15 S., R. 10 E., B. M. The water will be used for irrigation purposes with the S 1/2 NW 1/4, NW 1/4 SE 1/4, Sec. 13, T. 15 S., R. 10 E., B. M.

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration, Statehouse, Annex No. 2, Boise, Idaho, on or before August 27, 1973.

R. KEITH HIGGINSON, Director.

Published in the Owyhee Nugget, Marsing, Idaho, on August 9, 1973 and August 16, 1973.

OK'd
8-30-73

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse — Annex 2
Boise, Idaho 83720
(208) 384-2190

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

October 29, 1973

- Re: Transfer No. 51-0096

Wells Livestock, Inc.
512 North Broadway
Buhl, Idaho 83316

Gentlemen:

Enclosed is a copy of your approved Application for Transfer of Water Right No. 51-0096.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

Encl.

RECEIVED
OCT 31 1973
WATER ADMINISTRATION

C
O
P
Y
August 30, 1973

Mrs. Rodney Hawes
Owyhee Nugget
Marsing, Idaho 83639

Re: Notice of Proposed Change No. 51-0096 - Wells Livestock, Inc.

Dear Mrs. Hawes:

Thank you for your explanation of our delayed billing.

With the involved accounting procedures being used by the state departments, we feel it would be simpler to have you refund the \$19.50 paid by Wells Livestock for the advertising fees and bill us instead.

If we can be of further assistance in this matter, please feel free to contact this Department.

Sincerely,

DEANNA E. FELDT
Secretary

DEF:d

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
WESTERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2190

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

August 27, 1973

Owyhee Nugget
Marsing
Idaho 83639

Re: Notice of Proposed Change No. 51-0096 - Wells Livestock, Inc.

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced item. The legal notice was to have been published in your paper on August 9, 1973 and August 16, 1973

Your cooperation in this matter is greatly appreciated.

Sincerely,

Deanna E. Feldt
DEANNA E. FELDT
Secretary

DEF:d

8-29-73

I failed to note that costs of this publication were to be paid by you, rather than by Wells Livestock, Inc. I did bill them for the legal, and received payment last week. I sent an affidavit of publication to them, also. (the cost was \$19.50)

Should I return their money to them and bill you, or what procedure should be taken?

I apologize for my error.

Yours truly
Owyhee Nugget
Mrs. Rodney Hawes

encl: affidavit .

RECEIVED
AUG 30 1973
IDAHO DEPT. OF WATER ADMIN.

C August 27, 1973

Owyhee Nugget
Marsing
Idaho 83639

O Re: Notice of Proposed Change No. 51-0096 - Wells Livestock, Inc.

Gentlemen:

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Your cooperation in this matter is greatly appreciated.

Sincerely,

Y DEANNA E. FELDT
Secretary

DEF:d

RECEIVED
AUG 28 1973
FELDT

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

August 3, 1973

Owyhee Nugget
Marsing
Idaho 83639

Re: Notice of Proposed Change No. 51-0096 - Wells Livestock, Inc.

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Sincerely,

MICROFILMED

Bill not submitted

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 51-0096

C
O
P
Y
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TO BE CHANGED AS FOLLOWS

Amount: 1.30 c.f.s. Point of Diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, T. 15 S., R. 10 E., B.M. The water will be used for irrigation purposes with the S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 15 S., R. 10 E., B.M.

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration, Statehouse, Annex #2, Boise, Idaho, on or before August 27, 1973.

R. KEITH HIGGINSON

Director

Published in the Owyhee Nugget, Marsing, Idaho on August 9, 1973 and August 16, 1973.

RECEIVED

July 25, 1973

RE: Application for Transfer No. 51-0096

Wells Livestock, Inc.
512 North Broadway
Buhl, ID 83316

Gentlemen:

Enclosed you will find Receipt No. 10956 for your check in the amount of \$30.00 for the above referenced Application for Transfer of Water Right which was received in our office under the above date.

Your application will be sent to Boise, as it is involved with Basin No. 51, in the Western District. Further correspondence may be directed to the Department of Water Administration, Western District, Statehouse--Annex 2, Boise, Idaho 83720.

Very truly yours,

Bob Haynes
District Engineer
Southern District.

BH:jmm

MAILED