

Transfer No. 72106
Receipt No. S027818

CORRECTED

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

1. Applicant Information ALBERT JAY COTTLE
1750 S 1900 E
MALTA ID 83342
(208)645-2567
And
JULENE COTTLE
1750 S 1900 E
MALTA ID 83342
(208)645-2567

RECEIVED
DEC 08 2005
Department of Water Resources
Southern Region

Will this transfer result in an ownership change? No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
43-88 ✓	WR/Decreed	0.06 ✓			2.4	CASSIA CREEK
43-4192 ✓	WR/Decreed	0.14	10.8		2.4	GROUND WATER

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
43-88	NO	YES	YES	NO	NO	NO
43-4192	YES	YES	YES	NO	NO	NO

Describe the reason for the proposed changes

The land where we live in Malta is for sale without irrigation rights, as the water is being moved to our farm a few miles southwest of Malta. The points of diversion will be the same ones that now serve the farm. The domestic well on the farm will provide any groundwater irrigation that occurs there, as there is no irrigation well on that property. No new land will be irrigated as a result of this transfer.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

B. Describe the effects on other water uses resulting from the proposed change

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
43-88	0.06 cfs	2.4	162.3	
43-13421	0.06 cfs	2.4	162.3	9.6 af
TOTAL	0.12 cfs	2.4	2.4	9.6 af

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

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.

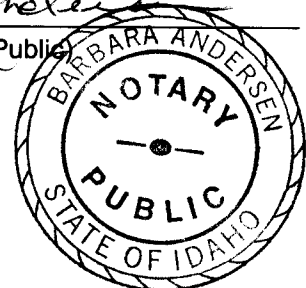
Albert Jay Little Jules Little
(Signature of Applicant)

APPLICANTS - OWNERS
(Title or Office)

Subscribed and sworn to before me this 7th day of December, 2005

Barbara Andersen
(Notary Public)

My commission expires 7-23-2011



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

Current Water Right No. 43-88

Priority Date: March 01, 1880
Origin: Water Right
Basis: Decreed
Status: Active

Source: CASSIA CREEK

Tributary: RAFT RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.06 CFS		
	Total Diversion	0.06 CFS		

Source and Point(s) of Diversion:

CASSIA CREEK NENENE Sec. 14 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	12							2.4										2.4

Total Acres: 2.4

Conditions/Remarks:

1. 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.
2. WATER IS DELIVERED THROUGH THE HARPER DITCH.
3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-88 AND 43-4192.

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?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Land is being sold without irrigation rights.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

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

Current Water Right No. 43-4192

Priority Date: October 01, 1947
Origin: Water Right
Basis: Decreed
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
DOMESTIC	01/01	12/31	0.08 CFS	1.2 AFA	
IRRIGATION	03/15	11/15 ✓	0.06 CFS ✓	9.6 AFA ✓	
Total Diversion			0.14 CFS	10.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER SESWNW Sec. 12 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW ✓				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	12							2.4 ✓										2.4 ✓

Total Acres: 3

Conditions/Remarks:

1. THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-88 AND 43-4192.
3. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. 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.

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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?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Land is being sold without irrigation rights.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 43-88

Priority Date: March 01, 1880

Origin: Water Right

Basis: Decreed

Status: Active

Source: CASSIA CREEK

Tributary: RAFT RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.06 CFS		
	Total Diversion	0.06 CFS		

Source and Point(s) of Diversion:

CASSIA CREEK SWSWSW Sec. 20 Twp 13S Rge 26E CASSIA County

CASSIA CREEK NENESE Sec. 21 Twp 13S Rge 26E CASSIA County

Describe the proposed diversion system

Point of Diversion # 1 Existing headgate and ditch to gravity irrigation

Point of Diversion # 2 Existing headgate to gravity irrigation

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	21				13.0					9.3		23.0	27.0	36.0	24.0	21.0	9.0	162.3

Total Acres: 162.3

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**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 43-13421

Priority Date: October 01, 1947

Origin:

Basis: Decreed

Status: Pending
 Transfer

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.06 CFS	9.6 AFA	
	Total Diversion	0.06 CFS	9.6 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWSESW Sec. 21 Twp 13S Rge 26E CASSIA County

Describe the proposed diversion system

Point of Diversion # 1 Existing domestic well, motor, pump

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	21				13.0					9.3		23.0	27.0	36.0	24.0	21.0	9.0	162.3

Total Acres: 162.3

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3B**

PORTRION OF RIGHT No. 43-4192 BEING TRANSFERRED

Priority Date: October 01, 1947

Origin:

Basis: Decreed

Status: Pending
Transfer

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.06 CFS	9.6 AFA	
	Total Diversion	0.06 CFS	9.6 AFA	

Source and Point(s) of Diversion:

GROUND WATER SESWNW Sec. 12 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	12																	2.4

Total Acres: 2.4



