

Transfer No. 72106
Receipt No.S027818

**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

JUL 11 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	2.4	CASSIA CREEK

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

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.

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	

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
43-88	0.06 cfs	2.4	162.3	
TOTAL	0.06 cfs	3.0	3.0	

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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.

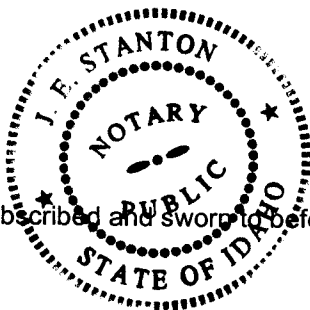
Albert J. Little
(Signature of Applicant)

Julene Little
(Title or Office)

Subscribed and sworn to before me this 11th day of July, 2005.

J. Stanton
(Notary Public)

My commission expires 10-25-06



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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</u> <u>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

Tw 13S	Rge 26E	Sec 12	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
									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 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				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
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