

RECEIVED
JAN 17 2006WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Transfer No. _____

Page _____ of _____
RECEIVED

MAR 14 2005

WATER RESOURCES
WESTERN REGIONAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

ORIGINAL

Name of applicant Joyce Pearson Phone 208 360 2971Post Office address 910 National Avenue, 1940 E. Appleton, Idaho 83403

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 _____

2. Describe the reason for the proposed changes replace missing or covered pipe delivery ditch.

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>A61-00371A</u>	<u>1872</u>	<u>.8</u>	<u>irrigation</u>	<u>Apr 1</u> to _____
<u>A61-00372</u>	<u>1892</u>	<u>1.6</u>	<u>irrigation</u>	<u>Apr 1</u> to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 2.14 cubic feet per second and/or 1242 acre-feet per annum.

3. Source of water Little Canyon Creek tributary to Snake River

4. Point(s) of Diversion:

Lot	%	%	%	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SW	SW	8	5S	10E	F/More	

5. Lands irrigated or place of use:

NO Change

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	
5S	10E	19																	105

Total acres _____

PART 1**6. General Information:**

- a. Description of diversion system Ditch in creek bed. Current diversion is accomplished by using rocks and plastic dams. Measuring device is in place. (wier)
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ 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 effect on the land now irrigated if the place of use is changed pursuant to this transfer:
There will be know effect on land that is being irrigated.
- d. Remarks:
Neighbor must be removed my diversion ditch. The same amount of water can easily be delivered to my property by using the slick ditch diversion. (see map)

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 _____

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. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A61-00371A, A61-00372 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 _____

3. Source of water Little Canyon Creek tributary to SNAKE RIVER

4. Date or priority 1872 & 1892

5. Water is used for the following purpose:

amount 2.14 CFS for irrigation purposes from Apr 1 to _____
 (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 2.14 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	SW	SW	8	5	10E	Elmore	Blackwell ditch (west side)

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	
5S	10E	19																	

Total acres 105

9. Describe any other water rights used for the same purpose as described above 41 acres in King Hill

Water District used on agricultural land - no surface.

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 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

See attached map 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.

PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
	<u>no change in use</u>	_____	_____	_____ to _____
	_____	_____	_____	_____ to _____

2. Quantity and quality of return flows and location of discharge:

Return flow will be the same

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

Water will be diverted into Stick Ditch and then
pipd to old ditch (see map) All neighbors have been
notified of our intent (Jerry Cowin & Paul Struel)

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 _____ day of _____, 2005

LINDA TORREZ
Notary Public
State of Idaho

(Signature of Applicant)

(Notary Public)

My commission expires _____

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by DB Date 3-14-05

Prelim. check by _____ Fee \$320- W032673

Recelpted by DB Date 3-14-05

Published in _____

Pub. dates _____

Watermaster recommendation requested on _____

_____ rec'd. _____

Copy of transfer sent to lien holder _____

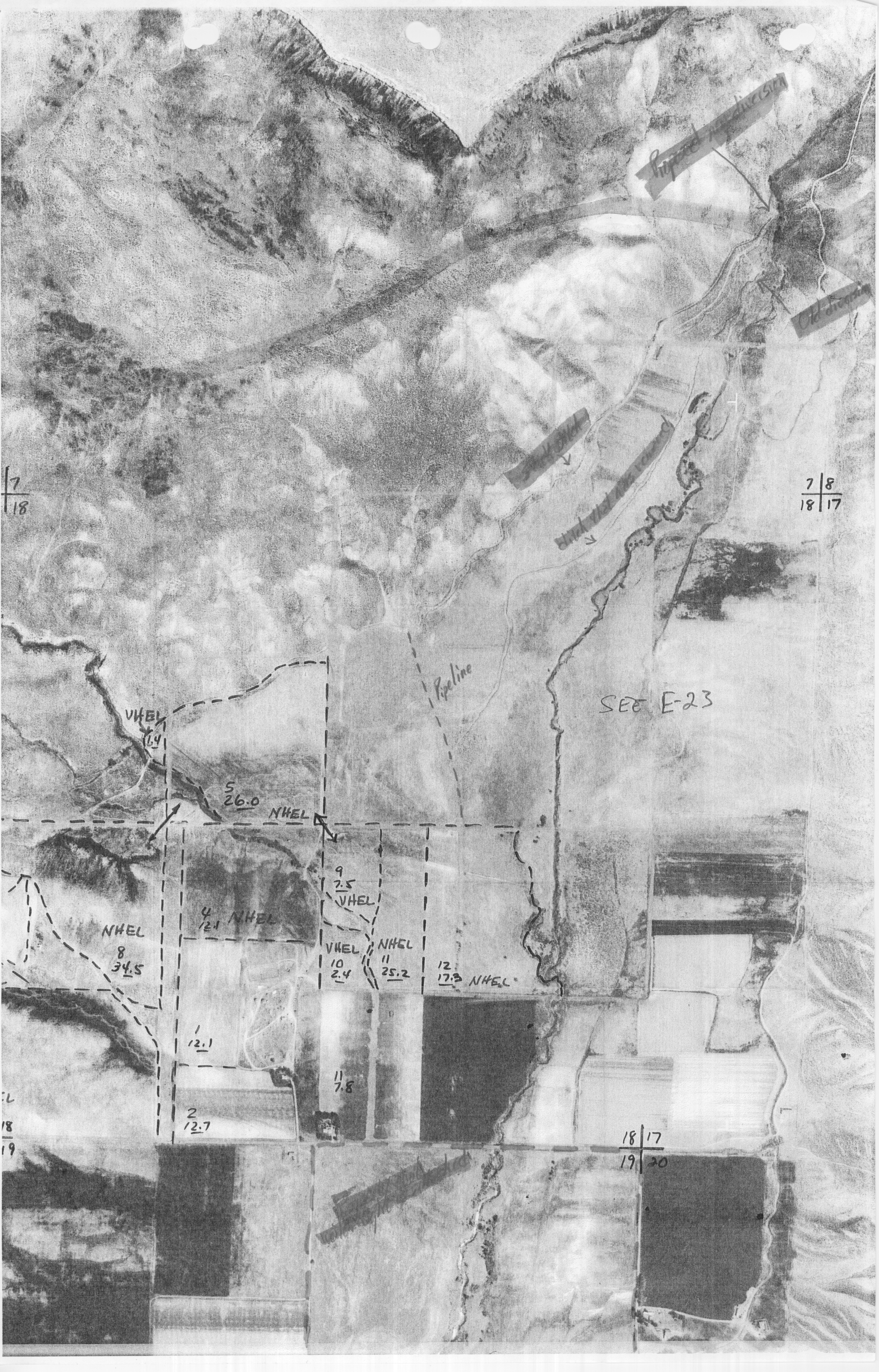
Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for ☐ approval ☐ denial

by _____



Proposed pipeline

Old stream

3.2 VHEL

4.1 VHEL

SEE E-23

VHEL
1.4

5
26.0

NHEL

9
7.5
VHEL

4
2.1
NH

NHEL
8
34.5

VHEL
10
2.4

NHEL
11
25.2

12
17.3
NH

1
12.1

11
7.8

2
12.7

18 | 17
19 | 20

7 | 18

7 | 8
18 | 17

18 | 19

TRUSTEE DEED

FOR VALUE RECEIVED in the amount of two hundred fifteen thousand dollars (\$215,000.00), RONALD D. SCHOEN, as duly appointed, qualified and acting Standing Chapter 12 Trustee in Bankruptcy Case No. 92-03178, in the United States Bankruptcy Court for the District of Idaho, wherein Samuel D. Blackwell appears as Debtor, Grantor therein, does hereby grant, bargain, sell and convey unto JOYCE W. PEARSON, the Grantee, all right, title and interest to the said Estate, in and to the following described real property, located in the County of Elmore, State of Idaho:

Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho.

Section 19: NE1/4

Water Rights: 41 acres of King Hill Water, Little Canyon Creek rights
#A61-00371A, A61-00372 (2.14 cfs).

All improvements and all pertinent water rights except the 20 inches of Little Canyon Creek water being retained by Seller for stock water. Personal property is excluded from the sale, which includes portable panels and portable propane heater.

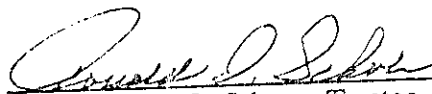
SUBJECT TO:

- 1) Power Line Easement dated November 8, 1949, granted by A. L. Kingsland and Bessie Kingsland, husband and wife, to Idaho Power Company, a corporation; recorded March 7, 1950 in Book 40 of Miscellaneous Records at page 333, records of Elmore County, Idaho.
- 2) Easement for pole line granted by County of Elmore to Mountain States Telephone and Telegraph Company, recorded July 6, 1938, in Book 38 of Miscellaneous Records at page 411, records of Elmore County, Idaho.
- 3) Right of Way Easement executed by R. E. Glenn to the Idaho Power Company, a corporation, recorded October 26, 1920, in book 36 of Miscellaneous Records at page 175, records of Elmore County, Idaho.

- 4) Road and Ditch Rights of Way appearing on the premises, but not of record.
- 5) Water and Ditch Rights as disclosed in Warranty Deed, recorded May 12, 1964, as Instrument No. 121277, records of Elmore County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the Grantee, their heirs and assigns forever. And Grantor does hereby covenant to and with the Grantee that the property is free from all encumbrances except as set forth hereinabove.

DATED This 25TH day of April, 1996.


Ronald D. Schoen, Trustee

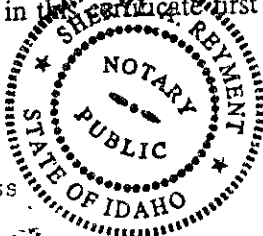
STATE OF IDAHO)

County of Elmore)

On this 25TH day of April, 1996, before me, the undersigned, a Notary Public in and for subject State, personally appeared RONALD D. SCHOEN, known to me to be the person whose name is subscribed to the foregoing Trustee Deed, and acknowledged to me that he executed the same as the Trustee of the Estate of SAMUEL D. BLACKWELL, and that he executed the same as the Grantor.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in the certificate first above written.

292975



ELMORE COUNTY, IDAHO ss
Request of

GUARANTY TITLE, INC.

Time 3:59 p.m.
Date April 25, 1996
Book _____ Page _____

DOLORES ROBISON

Recorder

By Marilyn E. Becker

Deputy

Fee \$6.00

TRUSTEE DEED


Notary Public for Idaho
Residing at MOUNTAIN HOME Idaho
My Commission Expires 12-27-99

QUITCLAIM DEED

FOR VALUE RECEIVED

Joyce W. Pearson, a single person

DO HEREBY CONVEY, RELEASE, REMISE AND FOREVER QUITCLAIM
UNTO Joyce Wunderlich Pearson, as Trustee under the Amended and Restated

Joyce Wunderlich Pearson 1972 Trust dated May 11, 1988
WHOSE ADDRESS IS: 142 South Hiawatha Hailey, Id 83333

THE FOLLOWING DESCRIBED PREMISES, TO-WIT:

Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho

Section 19: NE1/4

Water Rights: 41 acres of King Hill Water, Little Canyon Creek rights
#A61-00371A, A61-00372 (2.14 cfs)

TOGETHER WITH THEIR APPURTENANCES.

DATED: April 25, 1996

Joyce W. Pearson
Joyce W. Pearson

STATE OF IDAHO, COUNTY OF Elmore

On this 25th day of April 1996,
before me, a notary public in and for said
State personally appeared

Joyce W. Pearson, a single person

known to me to be the person(s) whose name(s) is
subscribed to this instrument and acknowledged to me
that she executed the same.
Sheryl A. Reymont
Sheryl A. Reymont
Residing at Mountain Home, Id 83647
Commission Expires 12-27-99

292976

ELMORE COUNTY, IDAHO SS
Request of

GUARANTY TITLE, INC.

Time 2:59 P M
Date April 25, 1996
Book _____ Page _____

DOLORES ROBISON

Recorder

By M. F. Backer
Deputy

Fee \$ 30.00