

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 71890

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant PHILLIP D. & SANDRA K. SCOTT Phone 208-554-2706
Post Office address 3493 ANTELOPE RD. MOORE, IDAHO 83276

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 One of the three diversion point requires deepening however, it is not possible to do so. Therefore, it is necessary to add a point of diversion. In addition, ~~relocating~~ the new location will reduce the length of mainline by approx 2800' which will be more efficient in terms of H.P. & maint.

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 |
|-----------------|------------|--------------------|---------------|---------------|
| 34-2318 | 11/30/1954 | 4.50 cfs | Irrigation | 4/15 to 10/15 |
| 34-2414 | 05/01/1961 | 2.80 cfs | Irrigation | 4/01 to 10/31 |
| 34-2503 | 12/19/1967 | 3.60 cfs | Irrigation | 4/01 to 10/31 |
| 34-7027 | 06/29/1972 | 0.40 cfs | Irrigation | 4/01 to 10/01 |
| 34-12053 | 12/31/1976 | 1.42 cfs | Irrigation | 4/01 to 10/31 |
2. Total amount of water being transferred 10.72 cfs ~~10.72 cfs~~ 8.67 cfs ~~more than 10000 cfs.~~
3. Source of water Ground water tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NW	SW	8	05N	26E	Butte	
	SW	SE	SW	8	05N	26E	Butte	
	NE	SE		17	05N	26E	Butte	(New location)
	NE	NW		17	05N	26E	Butte	

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	
05N	26E	7													25			6	31.0
05N	26E	8						10	37		18	40	40	35					180.0
05N	26E	17		12	27		40	44	47	28	10			5	5	40	37	20	315.0
05N	26E	18	32.4			29.6													62.0

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MAR 29 2005

Total acres 588

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PART 1

6. General Information:

a. Description of diversion system Deep well pump and 8"-10" main line
to Pivot and wheel lines.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes NA 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:

NO changes in place of use

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 _____.

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Transfer No. 71890
Receipt No. _____

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

Current Water Right No. 34-2318

Priority Date: 11/30/1954
Origin: Water Right
Basis: Decreed
Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/15 10/15	4.50 CFS		
	Total Diversion	4.50 CFS		

Source and Point(s) of Diversion:

GROUND WATER	NENWSW	05N 26E	8	BUTTE
GROUND WATER	SWSESW	05N 26E	8	BUTTE
GROUND WATER	NESE	05N 26E	17	BUTTE

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	
05N 26E 7													25.0			6.0	31.0
05N 26E 8						10.0	37.0		18.0	40.0	40.0	35.0					180.0
05N 26E 17		12.0	27.0		40.0	44.0	47.0	28.0	10.0			5.0	5.0	40.0	37.0	20.0	315.0
05N 26E 18	32.4			29.6													62.0

Total Acres: 588

Conditions/Remarks:

- USE OF THIS RIGHT WITH RIGHT NOS. 34-02414, 34-02503, 34-07027 AND 34-12053 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.67 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2058 AF.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 13.71 CFS.
COMBINED RIGHT NOS.: 34-00164, 34-00165B, 34-02414, 34-02503, 34-07027, 34-10292 AND 34-12053.

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

PART 2

Current Water Right No. 34-2318

2. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
3. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 315 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 588 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00164, 34-00165B, 34-02414, 34-02503, 34-07027, 34-10292 AND 34-12053.
4. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 34-02414, 34-02503, 34-07027 AND 34-12053.
RIGHT NO. 34-12053 IS AN EXPANSION OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
5. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
7. 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.

Documentation of Ownership of the Current Place of Use Yes warranty Deed Quitclaim Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer will be better irrigated

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. 34-2414

Priority Date: 05/01/1961
Origin: Water Right
Basis: Decreed
Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01 10/31	2.80 CFS		
	Total Diversion	2.80 CFS		

Source and Point(s) of Diversion:

GROUND WATER	SWSWSE	05N 26E	8	BUTTE
GROUND WATER	NENWSW	05N 26E	8	BUTTE
GROUND WATER	NESE	05N 26E	17	BUTTE

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	
05N 26E 7													25.0			6.0	31.0
05N 26E 8						10.0	37.0		18.0	40.0	40.0	35.0					180.0
05N 26E 17			12.0	27.0	40.0	44.0	47.0	28.0	10.0			5.0	5.0	40.0	37.0	20.0	315.0
05N 26E 18	32.4			29.6													62.0

Total Acres: 588

Conditions/Remarks:

- USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 588 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00164, 34-00165B, 34-02318, 34-02503, 34-07027, 34-10292 AND 34-12053.
- THIS RIGHT IS LIMITED TO THE IRRIGATION OF 157 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

Current Water Right No. 34-2414

2. USE OF THIS RIGHT WITH RIGHT NOS. 34-02318, 34-02503, 34-07027 AND 34-12053 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.67 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2058.0 AF.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 13.71 CFS.
COMBINED RIGHT NOS.: 34-00164, 34-00165B, 34-02318, 34-02503, 34-07027, 34-10292 AND 34-12053.
3. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 34-02318, 34-02503, 34-07027 AND 34-12053.
RIGHT NO. 34-12053 IS AN EXPANSION OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
4. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. 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.

Documentation of Ownership of the Current Place of Use *Yes warranty & Quitclaim Deed*

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer *will be better irrigated*

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**

Transfer No. 71890
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Current Water Right No. 34-2503

Priority Date: 12/19/1967
Origin: Water Right
Basis: Decreed
Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01 10/31	3.60 CFS		
	Total Diversion	3.60 CFS		

Source and Point(s) of Diversion:

GROUND WATER	SWSESW	05N 26E	8	BUTTE
GROUND WATER	NENWSW	05N 26E	8	BUTTE
GROUND WATER	NESE	05N 26E	17	BUTTE

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	
05N 26E 7													25.0			6.0	31.0
05N 26E 8						10.0	37.0		18.0	40.0	40.0	35.0					180.0
05N 26E 17		12.0	27.0		40.0	44.0	47.0	28.0	10.0			5.0	5.0	40.0	37.0	20.0	315.0
05N 26E 18	32.4			29.6													62.0

Total Acres: 588

Conditions/Remarks:

1. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 180 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 588 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00164, 34-00165B, 34-02318, 34-02414, 34-07027, 34-10292 AND 34-12053.

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

Transfer No. 71890
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Current Water Right No. 34-2503

2. USE OF THIS RIGHT WITH RIGHT NO. 34-02318, 34-02414, 34-07027 AND 34-12053 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.67 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2058.0 AF.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 13.71 CFS.
COMBINED RIGHT NOS.: 34-00164, 34-00165B, 34-02318, 34-02414, 34-07027, 34-10292 AND 34-12053.
3. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 34-02318, 34-02414, 34-07027 AND 34-12053.
RIGHT NO. 34-12053 IS AN EXPANSION OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
4. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. 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.

Documentation of Ownership of the Current Place of Use Yes warranty & Quitclaim Deeds

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

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

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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Transfer No. 71890
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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 34-7027

Priority Date: 06/29/1972
Origin: Water Right
Basis: Decreed
Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01 11/01	0.40 CFS		
	Total Diversion	0.40 CFS		

Source and Point(s) of Diversion:

GROUND WATER	NENWSW	05N 26E	8	BUTTE
GROUND WATER	NESE	05N 26E	17	BUTTE
GROUND WATER	SWSESW	05N 26E	8	BUTTE

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	
05N 26E 7													25.0			6.0	31.0
05N 26E 8						10.0	37.0		18.0	40.0	40.0	35.0					180.0
05N 26E 17		12.0	27.0		40.0	44.0	47.0	28.0	10.0			5.0	5.0	40.0	37.0	20.0	315.0
05N 26E 18	32.4			29.6													62.0

Total Acres: 588

Conditions/Remarks:

- USE OF THIS RIGHT WITH RIGHT NOS. 34-02318, 34-02414, 34-02503 AND 34-12053 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.67 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2058.0 AF.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 13.71 CFS.
COMBINED RIGHT NOS.: 34-00164, 34-00165B, 34-02318, 34-02414, 34-02503, 34-10292 AND 34-12053.

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

Current Water Right No. 34-7027

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2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 37 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 588 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00164, 34-00165B, 34-02318, 34-02414, 34-02503, 34-10292 AND 34-12053.
3. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 34-02318, 34-02414, 34-02503 AND 34-12053.
RIGHT NO. 34-12053 IS AN EXPANSION OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
4. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- 719 6. 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.

Documentation of Ownership of the Current Place of Use Yes warranty; Quitclaim Deeds

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

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

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

Transfer No. 71890
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Current Water Right No. 34-12053

Priority Date: 12/31/1976
Origin: Water Right
Basis: Decreed
Status: Active

Source: GROUND WATER

Tributary to:

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	4/01	10/31	1.42 CFS		
	Total Diversion		1.42 CFS		

Source and Point(s) of Diversion:

GROUND WATER	NESE	05N 26E	17	BUTTE
GROUND WATER	SWSESW	05N 26E	8	BUTTE
GROUND WATER	NENWSW	05N 26E	8	BUTTE

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	
05N 26E 7													25.0			6.0	31.0
05N 26E 8						10.0	37.0		18.0	40.0	40.0	35.0					180.0
05N 26E 17		12.0	27.0		40.0	44.0	47.0	28.0	10.0			5.0	5.0	40.0	37.0	20.0	315.0
05N 26E 18	32.4			29.6													62.0

Total Acres: 588

Conditions/Remarks:

- THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 34-02318, 34-02414, 34-02503 AND 34-07027.
THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NOS. 34-02318, 34-02414, 34-02503 AND 34-07027 PURSUANT TO SECTION 42-1426, IDAHO CODE.
- USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 588 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00164, 34-00165B, 34-02318, 34-02414, 34-02503, 34-07027 AND 34-10292.

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

Transfer No. 71890
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Current Water Right No. 34-12053

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12053
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3. USE OF THIS RIGHT WITH RIGHT NOS. 34-02318, 34-02414, 34-02503 AND 34-07027 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.67 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2058.0 AF.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 13.71 CFS.
COMBINED RIGHT NOS.: 34-00164, 34-00165B, 34-02318, 34-02414, 34-02503, 34-07027 AND 34-10292.
 4. THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.
 5. 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.

Documentation of Ownership of the Current Place of Use *Yes warranty; Quitclaim Deeds*

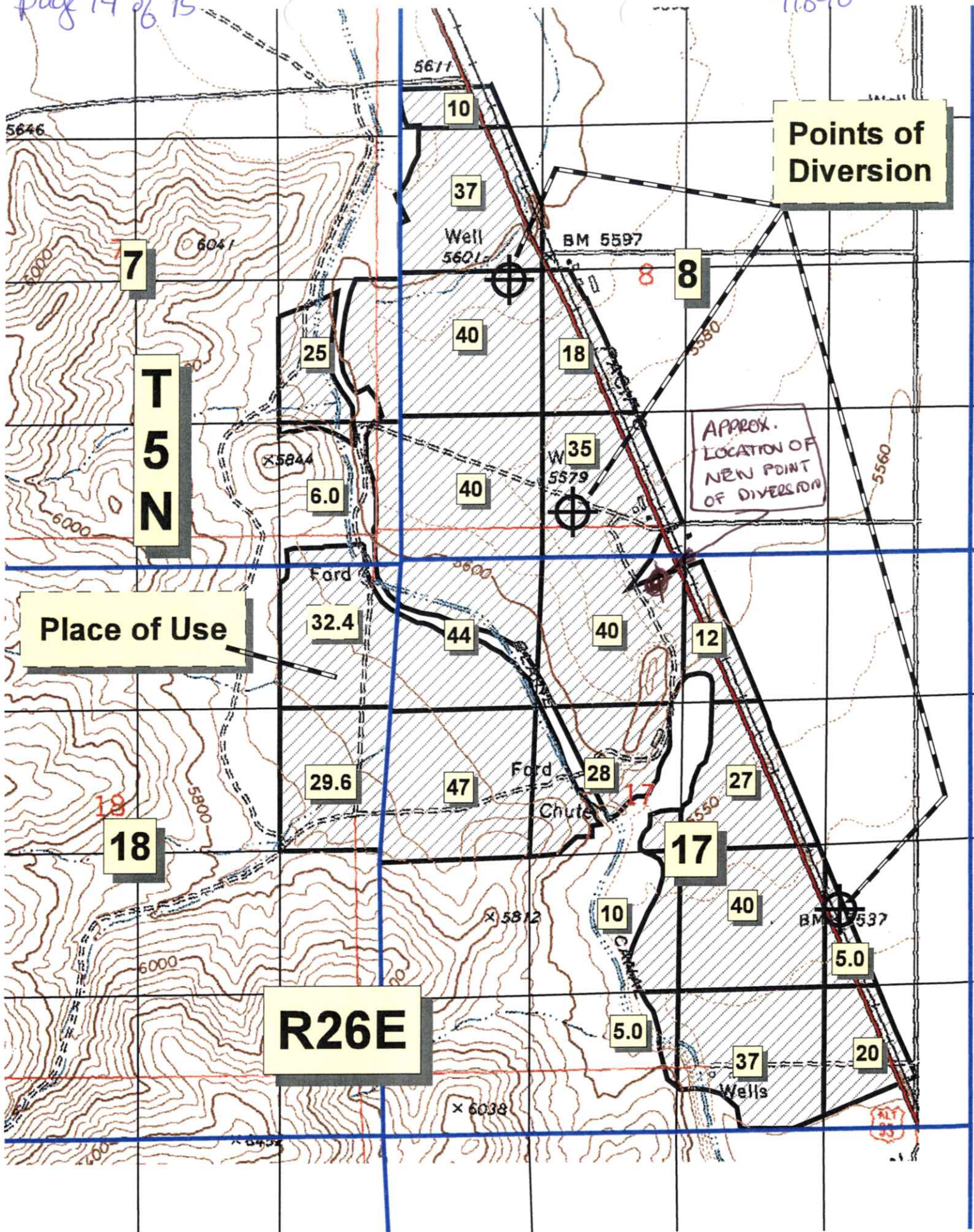
Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer *Better irrigation*

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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PART 3

B. CHANGES IN NATURE OF USE

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

2. Quantity and quality of return flows and location of discharge:
No change

3. Describe effects on other water uses resulting from the proposed change:
No 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.

[Signature]
 (Signature of Applicant)

Subscribed and sworn to before me this 31st day of JANUARY, 2005


 DEIDRE G. DRAPER
 Notary Public - Arizona
 Yuma County
 My Commission Expires
 April 11, 2005
 My commission expires 4/11/05

[Signature]
 (Notary Public)

FOR DEPARTMENT USE ONLY

Transfer contains 15 pages and 2 attachments

Received by KCW Date 3-29-05 Protest filed by _____

Prelim. check by KCW Fee \$570⁰⁰ E030727

Received by KCW Date 3-30-05

Published in ALCO Advertiser Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

36896-B-cu

Warranty Deed

NO. 021343

RECORDED

MAY 16 1997

AM 1:15 PM
BUTTE COUNTY RECORDER

For Value Received **RONALD H DEE and CHARLENE C DEE, husband and wife**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
PHILLIP D SCOTT and SANDRA K SCOTT, husband and wife
whose address is: 7244 PORTNEUF ROAD, POCATELLO, ID, 83204

Hereinafter called the Grantee, the following described premises situated in **Bingham County, Idaho**, to-wit:
Butte and Custer

TRACT A:

Township 5 North, Range 26 E.B.M., Butte County, Idaho

Section 18: Lots 1 and 2

Section 7: Lots 6 and 7

Section 8: SW $\frac{1}{4}$ NW $\frac{1}{4}$; those portions of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$ lying South of the Butte County Highway designated as Antelope Road and West of U.S. Highway 93A.

Section 17: NW $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; and that portion of the E $\frac{1}{2}$ lying West of U.S. Highway 93A,

*see attached
Quitclaim Deed* { **EXCEPTING THEREFROM:** a portion of Section 17 described as: Beginning at a point 2059.7 feet S. 6°20'32" W. from the N $\frac{1}{4}$ corner of Section 17, thence S. 23°34'34" E. 339.0 feet; thence S. 72°31' W. 249.5 feet; thence N. 26°07'25" W. 285.6 feet; thence N. 60°28' E. 262.2 feet to the point of beginning, **ALSO**

EXCEPTING THEREFROM: Commencing at a point S. 89°53' W. along the Section line 269.6 feet from the SE corner of said Section 17, said point being the intersect point of the Section line and the West right-of-way of Highway 93A, and running thence N. 22°47' W. along said right-of-way 556.00 feet; thence S. 67°13' W. 1315.30 feet; thence N. 89°53' E. along the Section line 1428.00 feet to the real point of beginning.

TRACT B:

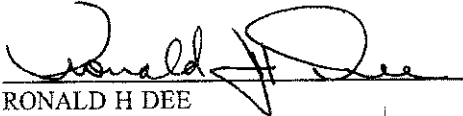
Township 6 North, Range 26 E.B.M., Custer County, Idaho

Section 29: NE $\frac{1}{4}$ SE $\frac{1}{4}$ **together with** a permanent easement of ingress and egress as disclosed by Instrument No. 211018.

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, including all water, water rights, ditch and ditch rights.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: MAY 14, 1997


RONALD H DEE

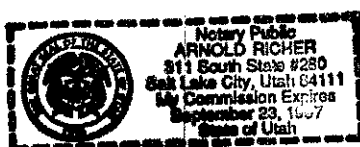

CHARLENE C DEE

STATE OF UTAH)

: SS.

COUNTY OF)

On this 15 day of MAY, 1997, before me the undersigned, a Notary Public in and for the said county and state, personally appeared RONALD H DEE AND CHARLENE C DEE, known or proved to me to be the persons who executed the foregoing instrument, and acknowledged to me that they executed the same.




Notary Public for UTAH
Residing at:
My Commission Expires:

T 71890
ATTACHMENT 1 OF 2

QUITCLAIM DEED

For Value Received

RONALD H DEE and CHARLENE C DEE

do hereby convey, release, remise and forever quit claim unto

PHILLIP D SCOTT and SANDRA K SCOTT, husband and wife

the following described premises, to-wit:

NO. 0037763

RECORDED

DEC 31 2001

10:07 AM PM
BUTTE COUNTY RECORDER

[Signature]

Township 5 North, Range 26 E.B.M., Butte County, Idaho

Section 17: That portion of Section 17 described as: Beginning at a point 2059.7 feet S. 6 20' 32" W. from the N1/4 corner of Section 17, thence S. 23 34'34" E. 339.0 feet; thence S. 72 31'W. 249.5 feet; thence N. 26 07'25" W. 285.6 feet; thence N. 60 28' E. 262.2 feet to the point of beginning.

together with their appurtenances.

Dated: March 25, 1998

[Signature: Ronald H. Dee]

[Signature: Charlene C. Dee]

STATE OF ~~Utah~~ ^{Utah}, COUNTY OF ~~Salt Lake~~ ^{Salt Lake}
On this _____ day of _____, 19____,
before me, a notary public in and for said State, personally
appeared Ronald H. Dee and
Charlene C. Dee

known to me to be the persons whose names
subscribed to the within instrument, and acknowledged to
me that they executed the same.

[Signature: Lori Bosch Landrum]

Residing at Salt Lake
Comm. Expires May 22, 2000



Notary Public
LORI BOSCH LANDRUM
1988 E 7000 S
S.L.C. UT 84121
COMMISSION EXPIRES
MAY 22, 2000
STATE OF UTAH

STATE OF IDAHO, COUNTY OF BUTTE
I hereby certify that this instrument was filed for record at
the request of SANDRA K. SCOTT

at 25 minutes past 11 o'clock P m.,
this 14th day of APRIL
19 98, in my office, and duly recorded in Book
of Deeds at page 32939

[Signature: Ex-Officio Recorder]
Ex-Officio Recorder
Deputy.

By _____
Notary Public
LORI BOSCH LANDRUM \$ 3.00 pd
1988 E 7000 S Mail to: 3403 North U. S. Highway 93, MOORE, IDAHO
S.L.C. UT 84121 83255
COMMISSION EXPIRES
MAY 22, 2000
STATE OF UTAH

INSTRUMENT No. 32939

ATTACHMENT T 71890 2 OF 2