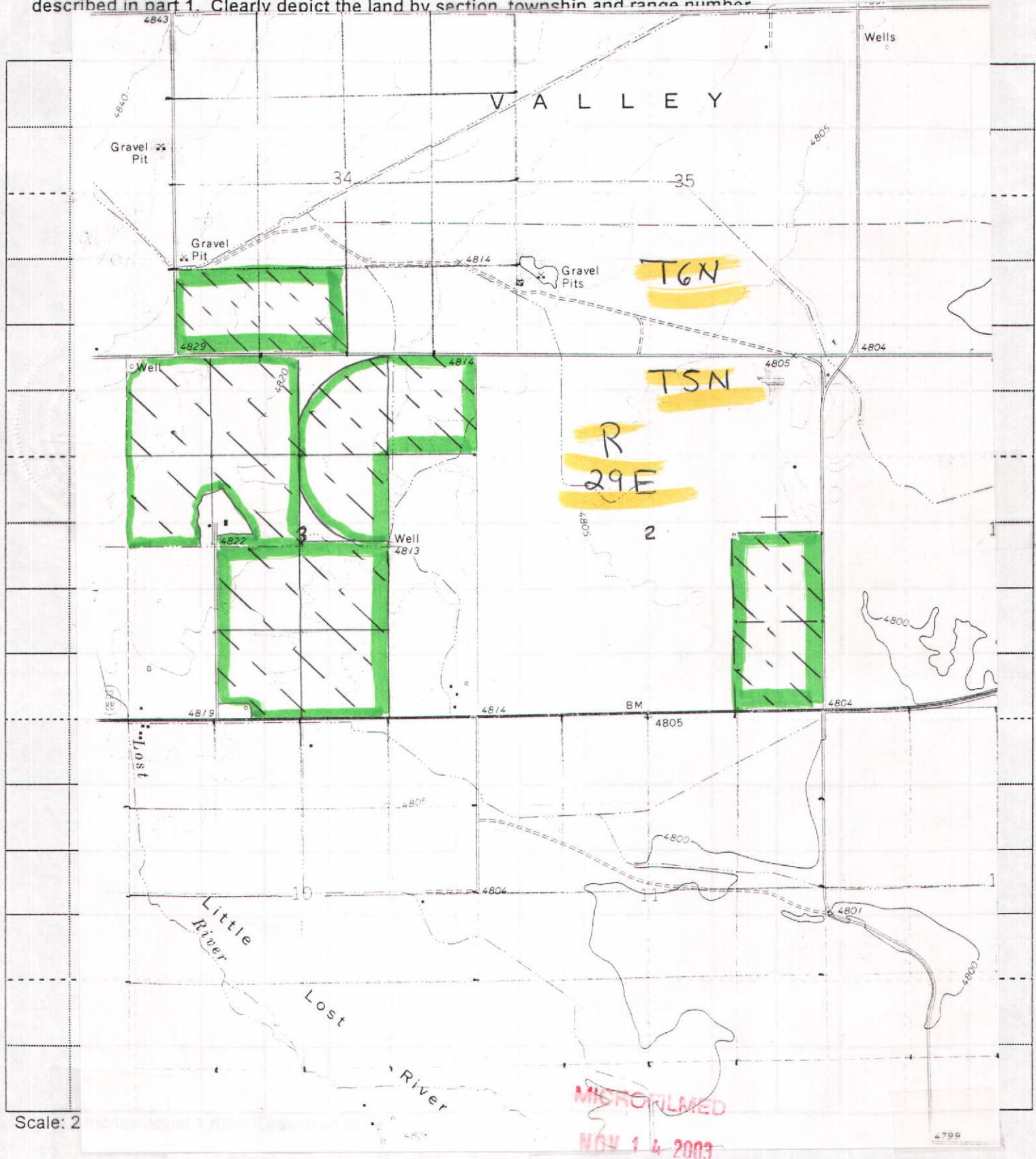


APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.



#490 Fee

Page 1 of 10STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 68830

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVED

MAR 01 2001

Name of Applicant ISHAM FARMS c/o Donald Isham (208) Phone 767-3108 Department of Water ResourcesPost Office address 1480 Hwy 22 Howe, ID 83244-8719

RECEIVED

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 _____

Department of Water Resources

2. Describe the reason for the proposed changes
- We are trading with Pancheri Inc for portions of their ground but we want to keep all of our water rights. They in turn will file a transfer to move their own rights onto the ground they got from us.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>33-00038</u>	<u>3/14/1891</u>	<u>0.80 cfs</u>	<u>Irrig.</u>	<u>4/01</u> to <u>11/01</u>
<u>33-10052</u>	<u>9/01/1879</u>	<u>5.92 cfs</u>	<u>"</u>	<u>"</u> to <u>"</u>
<u>33-10983</u>	<u>4/15/1961</u>	<u>2.91 cfs</u>	<u>"</u>	<u>"</u> to <u>"</u>

2. Total amount of water being transferred
- *6.72
- cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Little Lost River tributary to Sinks

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	NW	NE	SE	4	5N	29E	Butte	Amy-Isham Ditch
	SW	NW	NW	32	6N	29E	"	Hartman Diversion

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	29E	2													39			37	76
		3	43	33	33		44	44	36	33	39		31		40	39			415
			L-1				L-3	L-4											
6N	29E	34													40	40			80

MICROFILMED

MAR 14 2001

T68830

Total Acres 571

PART 1

6. General Information:

a. Description of diversion system Concrete headgates from Little Rock
river to privately owned ditches. We will be
using the same diversion system as previously used.

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

The land now irrigated will still be farmed
& irrigated in the future

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 the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____.

For the Director

MICROFILMED

NOV 14 2003

PART 2

TRANS NO. 68830

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 33-00038

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	0.80 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
LITTLE LOST RIVER	SINKS

Priority: 03/14/1891

LOCATION OF POINT(S) OF DIVERSION: NWNESE , Sec. 4, Township 05N, Range 29E
 SWNWNW , Sec. 32, Township 06N, Range 29E
 BUTTE County

PLACE OF USE:

IRRIGATION

				NE				NW				SW				SE				
				NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
05N	29E	2	:														34		37	71.0
05N	29E	3	:	01-43				03-44	04-44	36	33	39			31		40	39		349.0
05N	29E	12	:													40	36	35	40	151.0
																			TOTAL ACRES	571.0

CONDITIONS/REMARKS:

- RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
- RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- 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.
- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.72 CFS. COMBINED RIGHT NOS.: 33-10052 AND 33-10983.

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NOV 14 2003

Claim No. 33-00038

5. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 571 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-10052 AND 33-10983.
6. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
6. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 33-10052 AND 33-10983.
7. RIGHT NO. 33-10983 IS AN ENLARGEMENT OF THIS RIGHT AND RIGHT NO. 33-10052 PURSUANT TO SECTION 42-1426, IDAHO CODE.

Describe any other water rights used for the same purpose as described above:

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:

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 _____

MICROFILMED

NOV 14 2003

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 33-10052

STAGE: DECREE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	5.92 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
LITTLE LOST RIVER	SINKS

Priority: 09/01/1879

LOCATION OF POINT(S) OF DIVERSION: NWNESE , Sec. 4, Township 05N, Range 29E
 SWNWNW , Sec. 32, Township 06N, Range 29E
 BUTTE County

PLACE OF USE:

IRRIGATION

				NE				NW				SW				SE				
				NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
05N	29E	2	:														34		37	71.0
05N	29E	3	:	01-43				03-44	04-44	36	33	39			31		40	39		349.0
05N	29E	12	:													40	36	35	40	151.0
																			TOTAL ACRES	571.0

CONDITIONS/REMARKS:

- RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
- RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- 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.
- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.72 CFS. COMBINED RIGHT NOS.: 33-00038 AND 33-10983.

MICHAEL

NOV 14 2003

Claim No. 33-10052

5. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 571 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00038 AND 33-10983.
6. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 307 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
6. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 33-00038 AND 33-10983.
7. RIGHT NO. 33-10983 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
8. THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS.: 33-00036A, 33-00037, AND 33-00031K.

Describe any other water rights used for the same purpose as described above:

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:

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 _____

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NOV 14 2003

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 33-10983

STAGE: BENEFICIAL USE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	2.91 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
LITTLE LOST RIVER	SINKS

Priority: 04/15/1961

LOCATION OF POINT(S) OF DIVERSION:

NWNESE , Sec. 4, Township 05N, Range 29E
 SWNWNW , Sec. 32, Township 06N, Range 29E
 BUTTE County

PLACE OF USE:

IRRIGATION

				NE				NW				SW				SE				
				NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
05N	29E	2	:														34		37	71.0
05N	29E	3	:	01-43				03-44	04-44	36	33	39			31		40	39		349.0
05N	29E	12	:													40	36	35	40	151.0
																			TOTAL ACRES	571.0

CONDITIONS/REMARKS:

- 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.
- 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.
- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A

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NOV 14 2003

Claim No. 33-10983

TOTAL COMBINED DIVERSION RATE OF 6.72 CFS. COMBINED RIGHT NOS.:
33-00038, 33-10052.

4. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 571 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00038, 33-10052.
5. THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NOS. 33-00038 AND 33-10052 PURSUANT TO SECTION 42-1426, IDAHO CODE.
6. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 33-00038, 33-10052.
7. THIS RIGHT IS FOR AN ENLARGEMENT OF 222 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

Describe any other water rights used for the same purpose as described above:

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:

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 _____

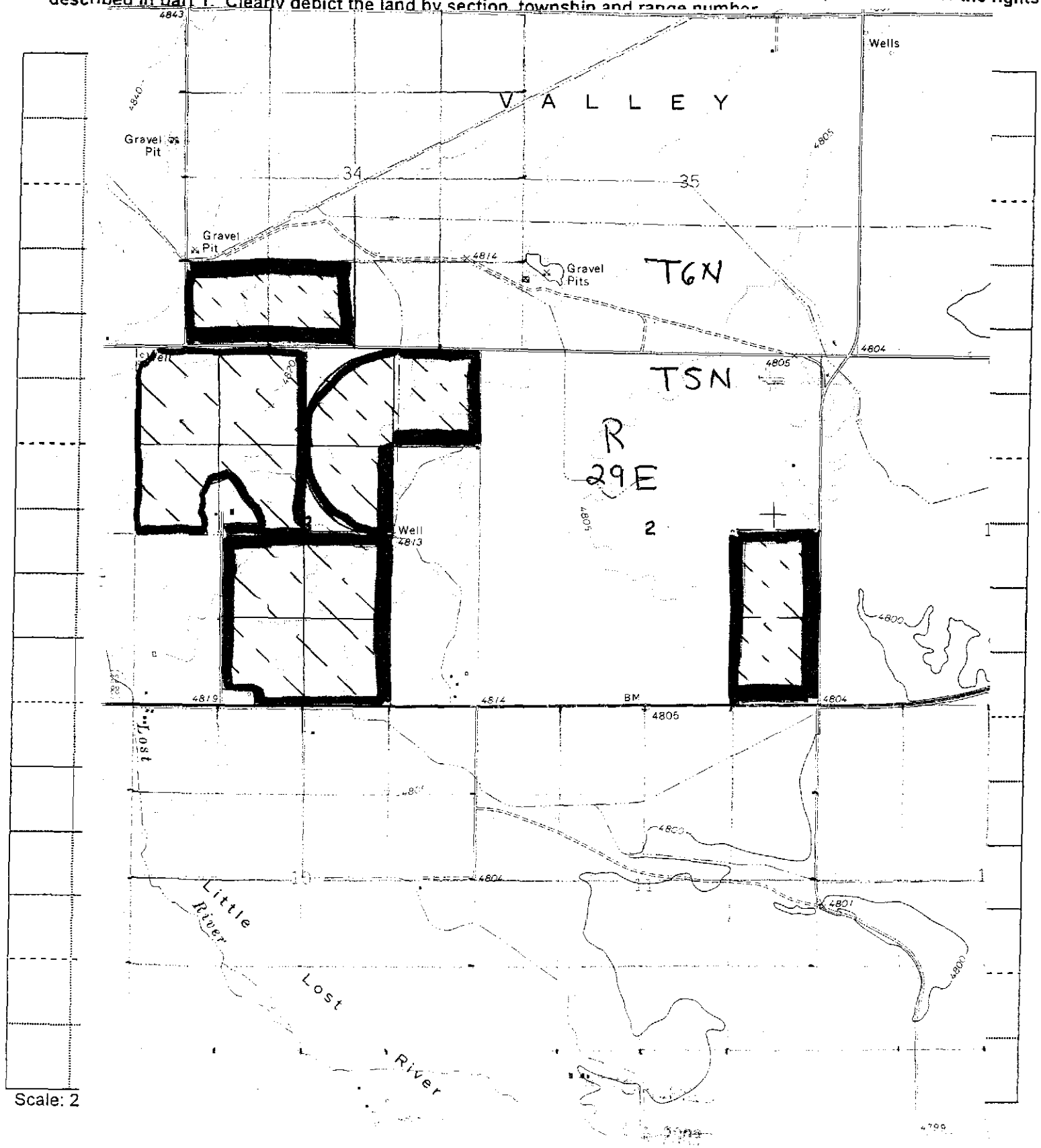
MICROFILMED

NOV 4 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
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 the 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(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
2. Quantity and quality of return flows and location of discharge:

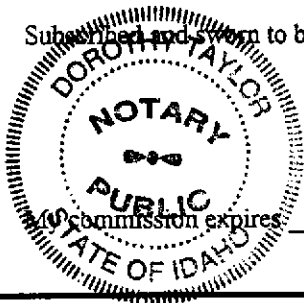
3. Describe effects on other water uses resulting from the proposed change:

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.

Sharon Elaine Arnold in Idaho
 (Signature of Applicant)

Subscribed and sworn to before me this 20th day of November, 2000



Dorothy Taylor
 (Notary Public)

07-10-06

FOR DEPARTMENT USE ONLY

Transfer contains 10 pages and 1 attachments

Received by Huf Date _____ Protest filed by _____

Prelim. Check by _____ Fee \$490.50

Receipted by Huf #E026340 Date 11-28-00

Published in ARCO Advertiser Copies of protest forwarded by _____

Pub. Dates 1/25 & 2/1/01 Hearing held by _____ Date _____

Watermaster recommendations requested on 1/17/2001 Recommended for ☒ approval ☐ denial

_____ received _____ by BSC

Copy of transfer sent to lien holder _____

MICROFILMED

NOV 14 2001

LAURIE GAMETT
BUTTE COUNTY ASSESSOR
PO BOX 157
ARCO ID 83213

ASSESSMENT NOTICE

PRESORTED
FIRST-CLASS MAIL
U S POSTAGE PAID
ARCO ID 83213
PERMIT NO 005

1999

ADDRESS SERVICE REQUESTED

Tax Code 10-00
LOTS/ACRES

MARKET VALUE

CATEGORY DESCRIPTION

1 IRRGTD AG
19 WASTE

158.800 AC
1.200 AC

61,932

Taxes are based on the
valuation listed on this statement

FOR ANY QUESTIONS
PLEASE NOTIFY THE
ASSESSOR'S OFFICE BEFORE

JUNE 25, 1999

TOTAL:

160.000

61,932

PARCEL #

RP 05N29E127200 A

SE4
SEC 12

PROPERTY ADDRESS

VALUE:

PRIOR YEAR

61,932

PRIOR YEAR

952.94

TAX:

CURRENT YEAR

61,932

ESTIMATED

952.94

DO NOT PAY ESTIMATE

Mail To:

ISHAM FARMS INCORPORATED

HC # 65 BOX 1036

HOWE

ID 83244

See back for details.

T 68830
ATTACHMENT 1 OF 1

YOUR RIGHT TO APPEAL YOUR PROPERTY VALUE

To appeal your property value, you must file a written form with the county board of equalization (BOE). The form requires you to identify yourself, your property, and the reason for your appeal. You can get the form from your county assessor, clerk or commissioners.

The form must be filed on or before the end of the county's business day on the 4th Monday of June. (For subsequent property rolls, the filing deadline is the 4th Monday of November. For the missed proper-

ty rolls, the filing deadline is the following year's January meeting date for the BOE.) See Idaho Code §§63-501A.

If you do not file by the above deadline, you will lose your right to appeal your property value for the current year.

Contact your county assessor to learn more about property tax exemptions or other tax benefit programs.

BOARD OF EQUALIZATION (BOE) DATES AND RESPONSIBILITIES

For equalizing the value of property, granting property tax exemptions, and hearing appeals of value, the board of county commissioners, meeting as the BOE, must meet at least once every month through the 4th Monday in June; and day to day through the 2nd Monday of July.

For subsequent property assessment rolls, the BOE will meet from the 4th Monday of November to the 1st Monday of December. For missed property, the BOE will hear appeals at its January meeting. See Idaho Code §§63-501 and 63-502.

MICROFILMED

CURRENT YEAR ESTIMATED TAX

The current year estimated tax shown on the front of this card is calculated using this year's property value multiplied by last year's levy rate. It does not include new voter-approved budget overrides or bonds, or changes in property use, parcel splits or other variables that might affect the value or tax.

The actual tax, for which you will be billed in November, will be different than the estimated tax

shown on this notice. Actual taxes will be based on the current year's taxable value multiplied by the current year's levy rate which will not be determined until September after the taxing districts' budgets are completed and final.

Remember to participate in setting district budgets, such as school, city and county budgets. These budgets determine how much tax you pay.

①
IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR BUTTE COUNTY.

33-B ✓
NUMBERED

THE BLAINE COUNTY INVESTMENT
COMPANY, a corporation,

Plaintiff,

ROBERT G. MAYS, et al.,

Defendants.

D E C R E E

This matter having been referred to Honorable L. E. Glennon by an order of this court, made and entered on the 4th day of May, 1923, to take the testimony herein and to try all of the issues in said action, both of fact and law, and to report findings and judgment thereon, as required by law, and the said Referee having heard and considered said cause and having submitted a full and complete report thereon setting forth his findings of fact and conclusions of law, and the court having duly considered said report and the objections filed thereto, and having heard the arguments of counsel for the respective parties in support of their objections to said report, and given due consideration thereto, and the court having heretofore made an order approving and adopting the report of the Referee, and the court having heretofore made and filed findings of fact and conclusions of law,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

I.

That all of the lands hereinafter described are arid in character and require artificial irrigation in order to produce profitable crops thereon.

II.

That the duty of water upon the several tracts of land herein described corresponds to the quantity of water awarded thereto, respectively, and the quantity of water herein awarded

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1.

MAY 28 1936
NOV 14 2003

Twenty-seven (27) East of the Boise Meridian, and the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$), the West half of the Southwest Quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$) of Section Thirty-four (34), Township Nine (9) North of Range Twenty-seven (27), East of the Boise Meridian.

XI.

ESTATE OF D. B. HAWLEY, Deceased:

From Little Lost River: 280 inches, September 1, 1879 46.66

Point of diversion:

33 0036

From Little Lost River:

B

to be used upon and appurtenant to:

The Southwest Quarter of the Northeast Quarter, the Northwest Quarter of the Southeast Quarter, the Northeast Quarter of the Southwest quarter of the Northeast Quarter and the Northwest Quarter of Section Three, Township Five North, Range Twenty-nine East of the Boise Meridian.

XII.

MARIAN HAWLEY:

From Little Lost River:

40 inches, Priority September 1, 1879; 33 0037
40 inches, Priority March 14, 1891. 33 0038

46.66
as from

B

Point of diversion:

From Little Lost River:

to be used and appurtenant to:

The Southeast Quarter of the Southwest Quarter, and the Southwest Quarter of the Southeast Quarter of Section Three, Township Five North, Range Twenty-nine East of the Boise Meridian.

XIII.

ROY HAWLEY and MAUDE HAWLEY, husband and wife:

From Little Lost River:

80 inches, September 1, 1879; 33 0039
80 inches, June 1, 1891; 33 0040

B

Williams Springs and Cedar Run:

155 inches, November 15, 1911. 33 0041

Points of diversion:

From Little Lost River:

From Williams Springs and Cedar Run:

MAY 28 1996

(the award from Williams Springs and Cedar Run being dependent upon said cross-complainants, and their successors in interest, delivering

6. In all other respects this decree shall be final.

Dated this 4th day of March, 1927.

Ralph W. Adair,
District Judge.

Filed March 5, 1927.

J. F. Tiedeman, Clerk,

By, Ora F. Martin, Deputy.

Recorded Book One of Orders & Decrees, page 425.

By order of the Court of the Sixth Judicial District of the State of Idaho,
in and for the County of Butte, at the March term - first judicial day,

The following changes were made in the Decree in the case
of THE BLAINE COUNTY INVESTMENT COMPANY, a corporation, Plaintiff,
vs. ROBERT G. MAYS, et al., Defendants:

On page 22 - LESLIE A SERMON:

The following addition was made:

"Homestead Entry No. 258 in Butte County, Idaho, particularly
described in Book 2 of Patents in the office of the Recorder of said
Butte County, at page 179."

On page 9 - EPHRAIM HANSEN and MARY HANSEN, husband and wife:

The date of the water decreed from Saw Mill Creek was changed
to read "50 inches, May 25 (instead of May 26) 1891.

MAY 28 1927
MICROFILMED

NOV 14 2000

STATE OF IDAHO, }

ss.

County of Butte. }

I HEREBY CERTIFY that the within is a full, true and correct copy of the

DECREE in the case of THE BLAINE COUNTY INVESTMENT COMPANY,
a corporation, Plaintiff vs ROBERT G. MAYS, et al, Defendants,
filed March 5, 1927, and recorded in Book One of Orders &
Decrees, page 425, Butte County Records,

MAY 28 1996

as appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at

Arco, Idaho, this 17th day of March 1927.

By

Ora F. Martin
Deputy.

J. F. Tiedeman
Clerk and Ex-Officio Recorder.

MICROFILMED

NOV 14 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 30, 2003

DAVE ANDREASON
WATERMASTER
PO BOX 31
HOWE ID 83244

RE: TRANSFER OF WATER RIGHTS 33-38, 33-10052, 33-10983
(Transfer 68830)

Dear Dave:

Enclosed is a copy of the recently approved Transfer of Water Right for the above referenced water rights (Transfer 68830) in the name of Isham Farms, c/o Donald Isham.

If you have any questions, please call me at 208-327-7940.

Sincerely,

for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED

NOV 14 2003

MEMORANDUM

Date: March 18, 2003
To: Transfer 68830
From: dcarlson
Re: transfer evaluation

This transfer proposes to change part of the POU to lands exchanged with Pancheri.

Authority to File:

Applicant is the SRBA water right holder for part of the POU.

Tax notices are for the old POU. Butte county assessors office confirmed that Isham Farms owns this property.

Water Right Validity:

All rights involved have been recently been decreed in the SRBA.
Forfeiture does not appear to be an issue.

Injury to Other Water Rights:

No injury issues identified. POU changed

Enlargement of Use:

There is no evidence of enlargement of use.

Local Public Interest:

No issues identified

Beneficial Use / Conservation of Water Resources:

No issue identified.

Review of the application finds there is not clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

The application was advertised. No protests.

MICROFILMED

MAR 18 2003

TRANSFER REVIEW SHEET

Trans # 68830Date Reviewed 2/7/2003Right No(s). * 33-38 10062 10983
Split? -Y X N -Y X N -Y X N -Y X N -Y X NAREA OF CONCERN: No/Yes NO

PURPOSE OF TRANSFER FOR EACH RIGHT:

Change p/d Change use period Change p/u
Add p/d Change nature of useRightID's of From & To records correct? X Y N (resolve with S.O.)

Check for Partial Decree issuance, etc. since time of application's entry

PROOF OF OWNERSHIP COMPLETE FOR OLD & NEW P/U _____ Lien Holder Release _____

GROUNDWATER:

DRILLING PERMIT

All wells - 046
DP upgrade req'd -Y N (contact GW)
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

WMD

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or 01Q

SUPPLEMENTAL

- 065-104 (where irrigation is the only use)

SUPPLEMENTAL

- 100-105 (where there are other uses besides irrigation)

WITHIN ESPA

- 113-114-116 (mitigation)
- 115 (meas. Device)

USES:

STORAGE - 18C-R02-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
Volume only - R58/R59/R60/R61
STOCKWATER - R37 (all BLM/USFS)
MINING - 054-106
FISH PROP - 029 (70's basins only)-007-122-106
HEAT/COOL - R07 (injection well)
FIRE PROT. - 077
DAIRY - 082 (zoning if a concern)-106-WD8

SURFACE WATER:

WD

≤ 0.20 cfs/others - R05 (WD# 33) WM comments rec'd yes
> 0.20 cfs - R02, 01P or No MD
- R43
WD, SPRINGS/SINK, INACTIVE WD & REST OF STATE
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or 01Q

STANDARD SEASON

STANDARD VOLUME

4/1 to 10/31 (use X61 if extended season)
3.5 af/ac

CONSUMPTIVE USE VOLUME

af/ac

USES:

POWER - 17H-17K (+uses)-025-106
MUNICIPAL
Restricted area - 022-075 RAFN - 007-109-X64
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
- 27A (Payette River)
>1 in restricted area - 070-071-075 (no parks/common areas, etc)
Irr use listed separate - WB5

MISC CONDITIONS/REMARKS:

T02 1 yr to develop
T08 comply or rescind
T17 - >1 pd, measure all (use w/ WB4)
T18 - Special T17 & R43 combined -
multiple pds in WD

Protested - 020-X19

Water Quality - 106-R07

X27 Number of acres/season in ppuX35 Combined totals of multiple rts

X49 - measure p/d's (source chg'd to orig trib)

X51 - 2+ yrs to develop

X53 - Use ltd to orig. source availability

X54 - forfeited ac/rate (used rarely)

X55 - (transfer shrinks total water to less ac)

004 - no right-of-way

X58 - pending claim (statutory or AJ b/u claim)

X61 - extended irr season

X62 - replaces N11 and N13

X63 - replaces C12

WB4 - + p/ds, cfs & afa (used with T17)

WD8 - land application of waste water

01Q - used instead of 01M when there's another meas. Cond (i.e. T17 & 01M)

Apply one to chg'd & unchg'd

rts that are subject to SRBA:

T09 - on-going SRBA (no Dir Rpt
or Recomm yet)T19 replaces C18
(if at Recommendation
or Partial Decree stage)T20 - use only on unchg'd rts
not subject to SRBAOTHER CONDITIONS/REMARKS 083

COMMENTS

Database files updated DC Approval form printed _____ Shape files created DC

Special Mailing Instructions (cc's, etc) _____

Final database update after approval _____ *Comment to WR No(s). _____

RECEIVED

MAR 01 2001

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

RECEIVED

MAR 2 2001

Department of Water Resources

INITIAL REVIEW BY: PRM

1. Right number 33-00038 etc Applicant Isaham Pavus

2. Type of right: ☒ Decree ☐ License ☐ Claim ☒ SRBA Recommendation

3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s)
☒ Change place of use ☐ Other _____

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use

b. ☒ Description of original point of diversion.

c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

a. ☒ All of right.

b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

c. Map for remainder of right? ☒ Yes ☐ No

d. ☒ Check description of point(s) of diversion.

e. ☒ Check description of place of use

f. ☒ Check map (shows p.d. and p.u. after transfer).

g. ☒ Check for correct signature, notarization, and fee.

h. ☒ Check proof of ownership of right &/or land from which water is transferred.

i. ☒ Check for expansion in use of right. Comments —

j. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) _____

k. ☒ Is use within a Watermaster District? ☒ Yes ☐ No

If yes, what district? 33 Send copy to David Anderson

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____

2. Reviewed by Adjudication Staff? ☐ Yes ☐ No

3. Is transfer published correctly? ☒ Yes ☐ No

4. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* _____

4. By RDC Date 2/20/01

Approval Updates Completed
10-29-2003 Q8

*All uses within Watermaster District require special conditions

TL68830

APPLICATION FOR TRANSFER OF
WATER RIGHT NO.

68830

RECEIVED

FEB 15 2001

Department of Water Resources
Eastern Region

WATER DISTRICT: 33

WATERMASTER: David Andreason

DATE: Feb 10, 2001

HAS THIS WATER RIGHT(S) BEEN DELIVERED WITHIN THE LAST FIVE YEARS?

YES ☒ NO ☐

COMMENTS:

☒ I do endorse approval of this change.

☐ I do not endorse approval of this change.

I recommend the following conditions of approval:

MICROFILMED

NOV 9 2003

David S. Andreason
Watermaster

AFFIDAVIT OF PUBLICATION

I, Colleen Babcock
of the Arco Advertiser, a weekly newspaper of
general circulation, published weekly at Arco, Idaho,
since March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,

for 2 consecutive weeks, commencing with
the issue dated JAN. 25, 2001

and ending with the issue dated

FEB. 1, 2001
Colleen Babcock

STATE OF IDAHO }

COUNTY OF BUTTE }

On this 1st day of February
in the year of 2001, before me, a Notary Public,

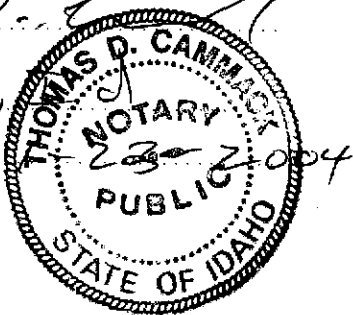
personally appeared

Colleen Babcock
known or identified to me to be the person whose
name subscribed to the within instrument, and being
by me first duly sworn, declared that the statements
therein are true, and acknowledged to me that he
executed the same.

Thomas D. Cammack
Notary Public for Idaho

Residing at Arco,

My commission expires:



**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT**

TRANSFER NO. 68830

ISHAM FARMS, c/o Donald Isham, 1480
Highway 22, Howe ID 83244-8719, has
filed Application No. 68830 to change the
place of use to the following water rights
within BUTTE County:

Right No. 33-38

Priority 3/14/1891

Amount 0.8 CFS

Right No. 33-10052

Priority 09/01/1879

Amount 5.92 CFS

Right No. 33-10983

Priority 04/15/1961

Amount 2.91 CFS

Source LITTLE LOST RIVER

Use (Acres) IRRIGATION (571)

Point(s) of Diversion NWNESE S4 T05N

R29E, SWNWNW S32 T06N R29E

Place of Use within SEC 2, 3 and 12 T05N
R29E

The purpose of the transfer is to change
a portion of the above rights as follows:

The applicant is changing the place of use
to the E½ SE¼ SEC 2 (76 acres), SEC 3
(415 acres) T05N R29E and S½ SW¼ SEC
34 (80 acres) T06N R29E.

Any protest against the proposed
change must be filed with the Department
of Water Resources, Eastern, 900 N Sky-
line Dr, Ste A, Idaho Falls ID 83402 to-
gether with a protest fee of \$25.00 on or
before February 12, 2001 to be consid-
ered by the Department in its decision to
grant or deny any part of the application.
The protestant must also send a copy of
the protest to the applicant.

KARL J. DREHER
Director

Published on January 25 and February
1, 2001.

RECEIVED

FEB 05 2001

Department of Water Resources
Eastern Region

MICROFILMED

SEP 6 2003



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 25, 2001

ISHAM FARMS
C/O DONALD ISHAM
1480 HIGHWAY 22
HOWE ID 83244-8719

RE: Application for Transfer #68830

Dear Applicant:

This office is currently in the process of advertising the application in the Arco Advertiser on January 25, 2001 and February 1, 2001. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ::sc

MICROFILMED

NOV 14 2003



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

January 17, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

David Andreason
WATERMASTER #33
PO BOX 31
Howe ID 83244

RE: Application for Transfer #68830

Dear David:

Please find enclosed a copy of the above referenced application. Please review the application and submit any comments you may have to our Department by February 12, 2001.

If you have any questions, please feel free to contact us. Thank you for your cooperation in this matter.

Respectfully submitted,

Harold W. Jones
Water Right Supervisor

HWJ:sc

enc.

MICRON 1200

507 1 4 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

January 17, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ARCO ADVERTISER

PO BOX C

ARCO ID 83213

RE: Transfer No 68830

Water Right No(s) 33-38 33-10052 33-10983

Dear Legal Notice Department:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before February 12, 2001. Your cooperation is appreciated.

Sincerely,

Sharla Cox
Administrative Assistant

*Mailed
1-17-01
50*

MICHO...

NOV 14 2001

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 68830

ISHAM FARMS, c/o Donald Isham, 1480 Highway 22, Howe ID 83244-8719, has filed Application No. 68830 to change the place of use to the following water rights within BUTTE County:

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Priority 3/14/1891
Amount 0.8 CFS

Right No 33-10052
Priority 09/01/1879
Amount 5.92 CFS

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Source LITTLE LOST RIVER
Use (Acres) IRRIGATION (571)
Point(s) of Diversion NWNESE S4 T05N R29E, SWNWNW S32 T06N R29E
Place of Use within SEC 2, 3 and 12 T05N R29E

The purpose of the transfer is to change a portion of the above rights as follows:
The applicant is changing the place of use to the E ½ SE ¼ SEC 2 (76 acres), SEC 3 (415 acres) T05N R29E and S ½ SW ¼ SEC 34 (80 acres) T06N R29E.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern, 900 N Skyline Dr, Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 on or before February 12, 2001 to be considered by the Department in its decision to grant or deny any part of the application. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER,
Director

Published on January 25 and February 1, 2001

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JAN 25 2001