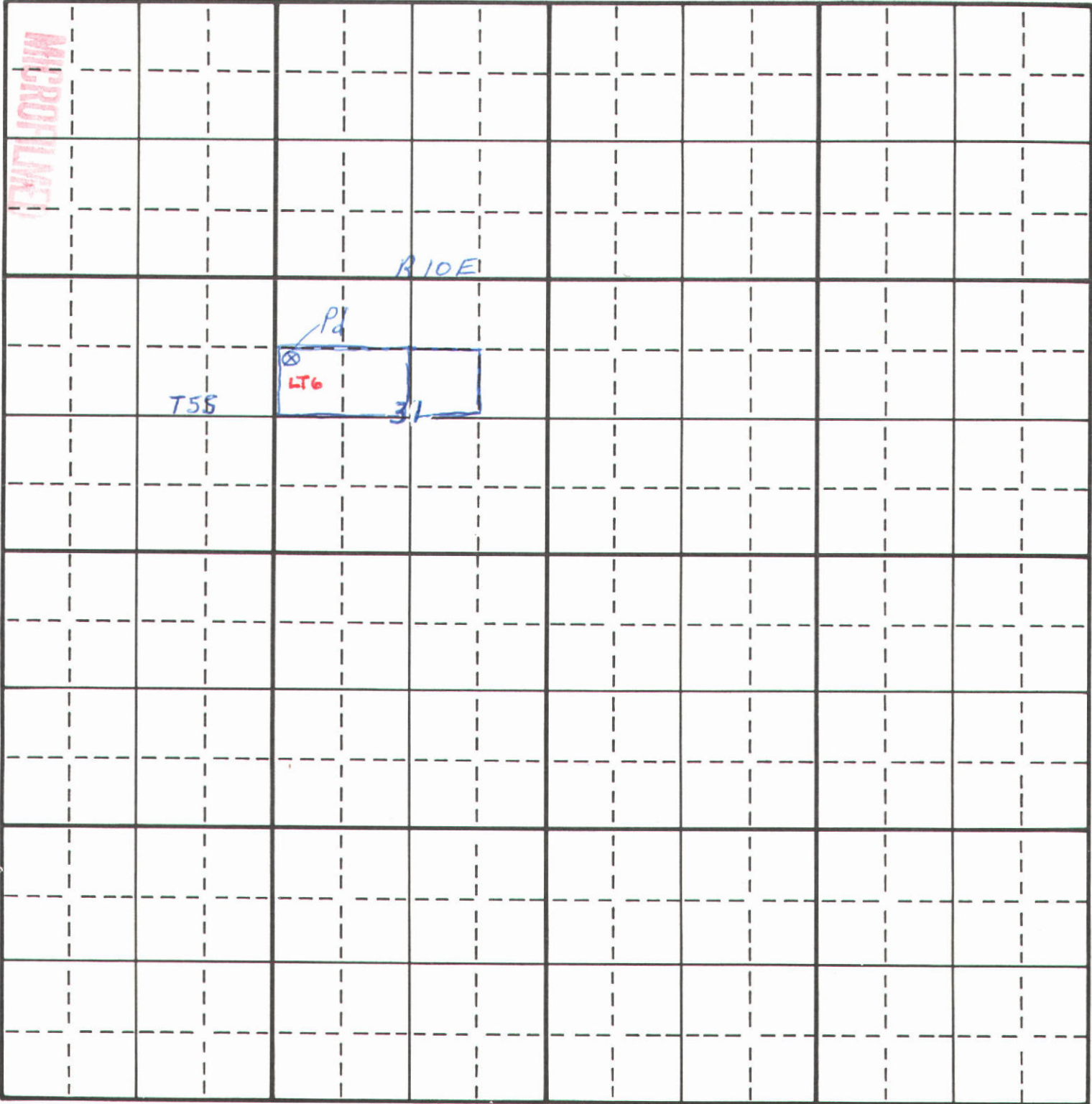


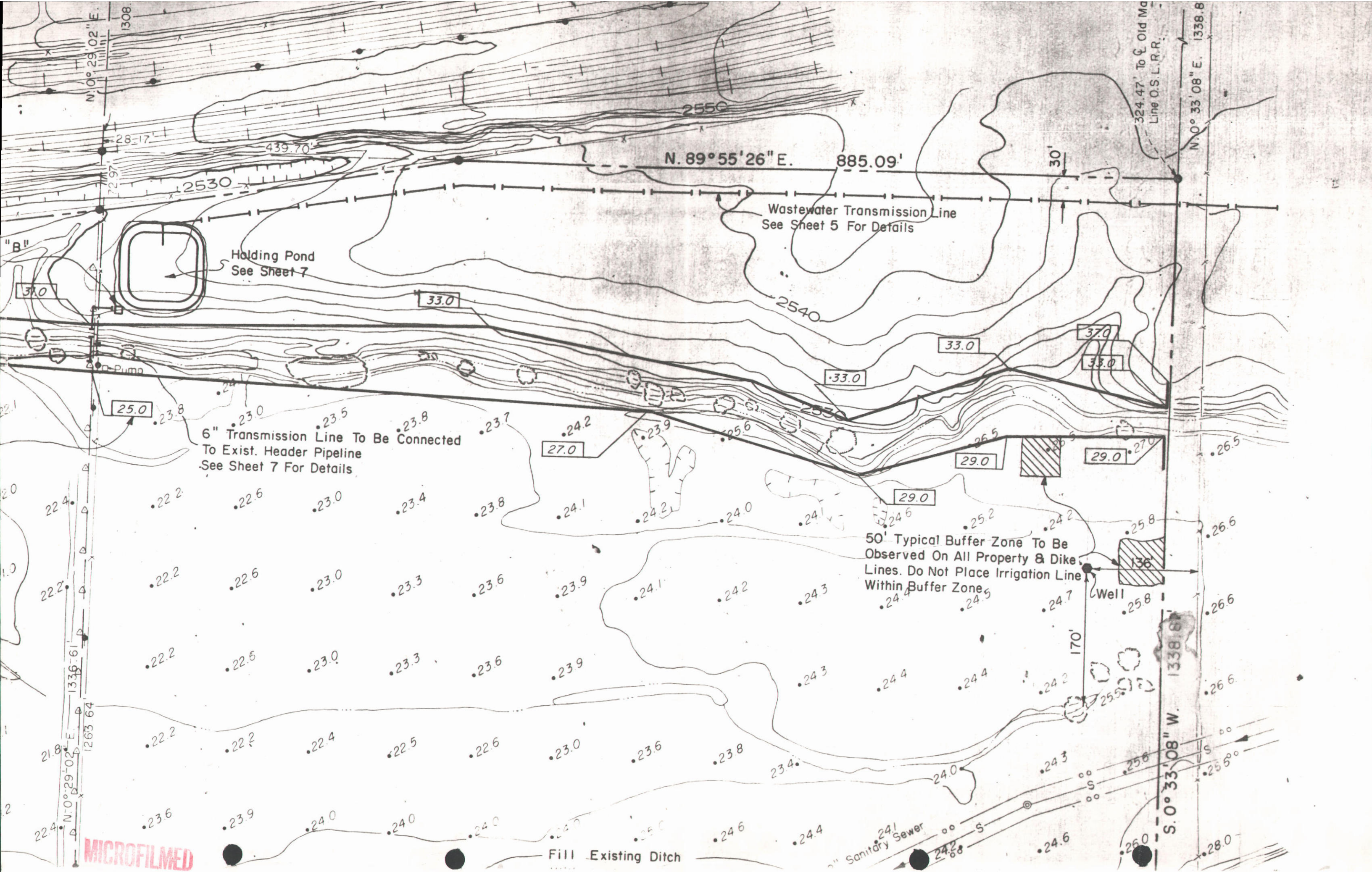
c. Describe the lands place of use to which the right will be transferred: No change

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. _____
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.





NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 61-0294 VSP

Notice is hereby given that Magic West, Inc. of P.O. Box 475, Rupert, ID has applied to the Department of Water Resources for a change of the point of diversion of the water of Little Canyon Creek. The right sought to be changed is evidenced by Decree No. 61-0294 and is recorded as follows:
Amount: 1.18 cfs Priority: 3/15/1886
Point(s) of Diversion: NWNW Sec 32 T5S R10E Elmore Co. The water is used for Irrigation purposes from 4/1 to 11/1 upon 83.23 acres within the S½NW¼ and SW¼NE¼ Sec 31 T5S R10E BM.

TO BE CHANGED AS FOLLOWS

Amount: 1.18 cfs
Point(s) of Diversion: Lot 6 (SWNW) Sec 31 T5S R10E. The water will be used for Irrigation purposes from 4/1 to 11/1 upon 83.23 acres within the S½NW¼ and SWNE Sec 31 T5S R10E.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Statehouse, Boise, ID 83720 on or before April 18, 1983.

Ken Dunn
Director

Published in the Mountain Home News on 3/31 and 4/7/83.

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Lloyd S. Waters do solemnly swear that I am the foreman, or publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of the proof of publication thereof, was published in said newspaper for

2 consecutive weeks, the first publication having been made on the 31 day of March, 1983, and the last publication having been made on the 7 day of April, 1983; every Thursday issue of the paper

during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Lloyd S. Waters

Subscribed and sworn to me this 7th

day of April, 1983

Deen W. Swenson
Notary Public

RECEIVED

APR 11 1983

Department of Water Resources
Western Regional Office

MICROFILMED

Transfer No. 2919
Water Right No. 61-0294

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant Magic West, Inc. Phone 436-3126
Post Office address P.O. Box 475 Rupert, Idaho 83350

A. DESCRIPTION OF RIGHT AS RECORDED

- 1 Right evidenced by:
- a. Decree No. 61-0294 Decreed to C.E. Corker (Name)
in case of Corker vs Anthony
dated in 3/22/1898 in 4th Judicial Dist. county of Elmore
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
3. Source of water Little Canyon Creek tributary to Snake River
4. Date of priority 3/15/1886
5. Water is used for the following purposes:
amount 1.18 for irrigation purposes from 4/1 to 11/1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)
6. Total amount of water under right: a. 1.18 cubic feet per second &/or
b. _____ acre feet per annum
- 7 Location of original point of diversion is NW ¼ of NW ¼ of Section 32
Township 5S Range 10E, B M., in Elmore County
Additional points of diversion, if any _____
8. Lands irrigated or place of use:

RECORDED

TWP	RANGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S	10E	31			X				L6 X	X									123.23* 83.23

Total number of acres to be irrigated 123.23* JJ
83.23 9-20-83

9 Describe any other water rights used for the same purpose as described above NONE

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (if the entire right is owned by the applicant, omit part B)	N/A

V/N

cubic feet per second
&/or
gallons per minute

acre feet per annum

1/4 _____ 1/4, Section

County _____

Additional points

Place of use:

[illegible]

Total number of acres to be irrigated

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

General Information

1.18 _____ c.f.s. &/or _____ acre feet

pump with pipeline into sprinkler system.

c. Describe the reasons for the proposed changes ~~more efficient use of water, no ditch~~ loss suffered.

loss suffered.

Change in point of diversion

Point of diversion Lot (SW NW) ¼ 6 ¼, Section 31 Township 55

Range _____, B.M., _____ Elmore _____ County

Additional points:

Change in place of use No change

a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No _____. If yes, provide

a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.

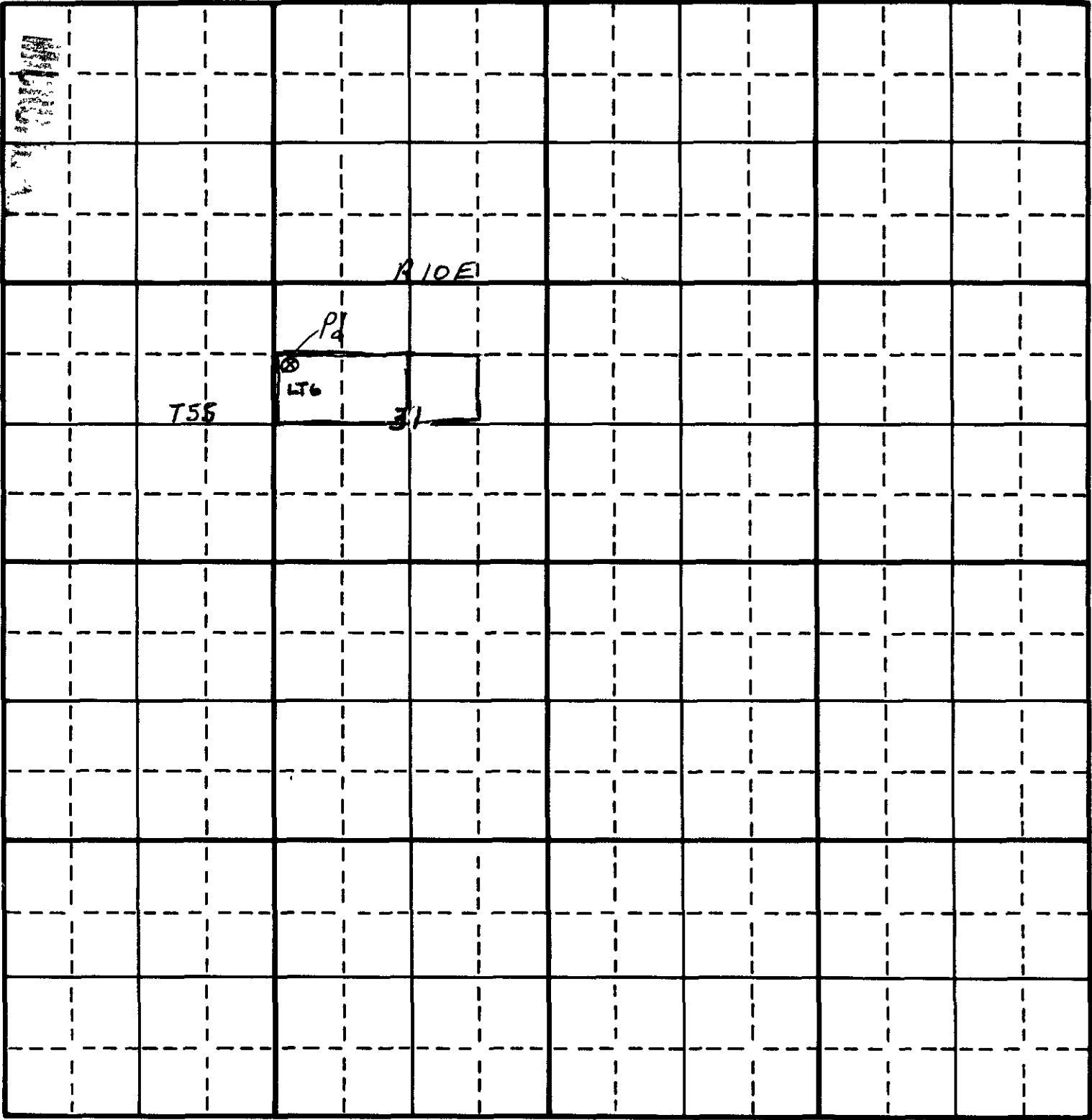
b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

c Describe the lands place of use to which the right will be transferred: No change

TWP	RANGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. _____
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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FEB 17 1984

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 willfull misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 1 day of March, 19 83

(Signature of Applicant)

(Notary Public)

My commission expires February 17, 1984

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 61-0294

APPROVED

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

1. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
2. Use of water under this right is subject to control by the watermaster of State Water District No. 61-D, Little Canyon Creek.

Witness my hand this 28 day of March

November

19 83

Chief, Operations Bureau

D. M. Saylor

FOR DEPARTMENT USE ONLY

Received by _____ Date 3-3-83

Prelim. check by 645 Fee 50.00 # 27825

Received by JP Date 3/4/83

Published in Water Master News

Pub dates 3/31 & 4/7/83

Watermaster recommendation requested on _____

_____ rec'd. _____

Protest filed by _____

Copies of protest forwarded by _____

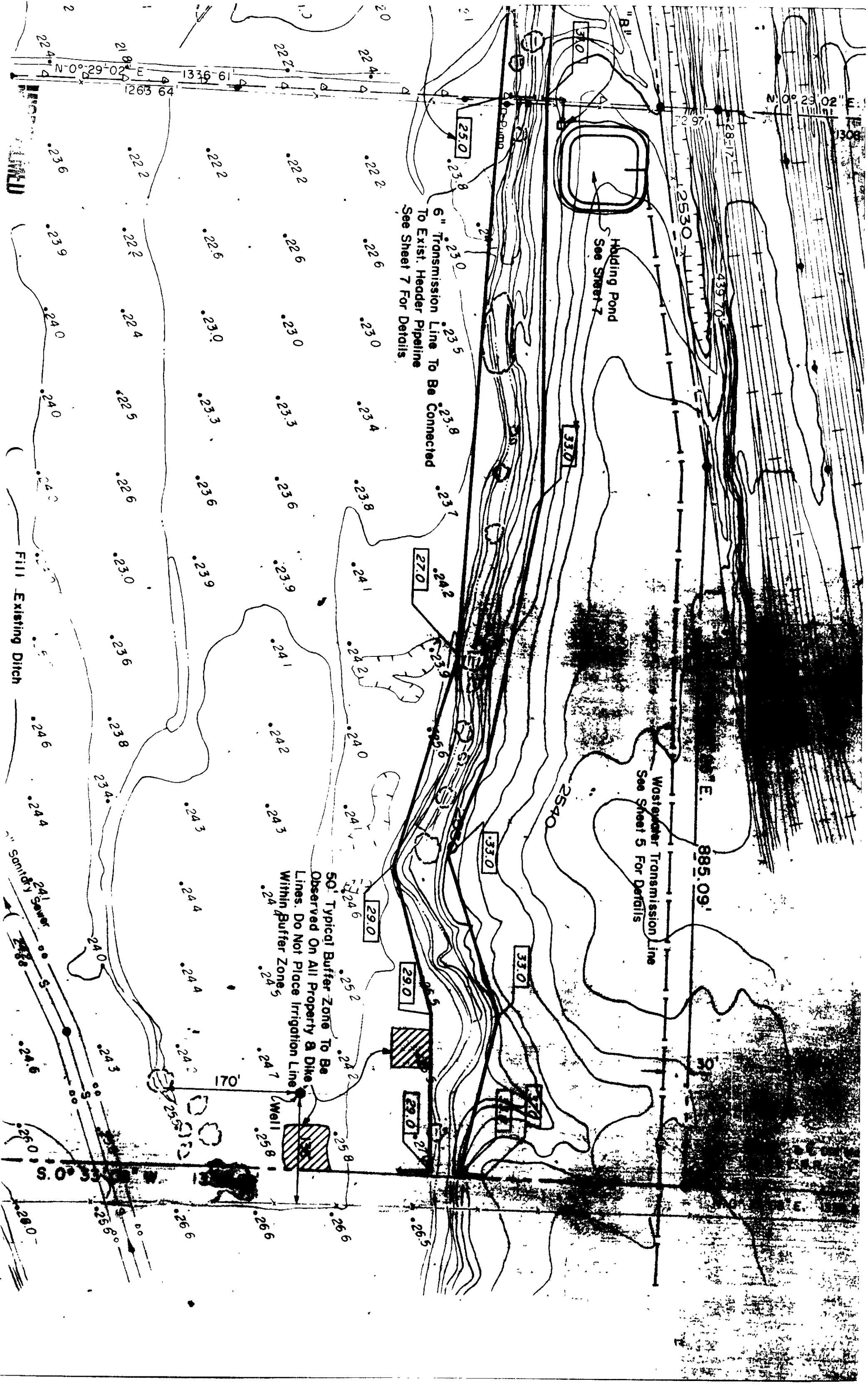
Hearing held by _____ Date _____

Recommended for _____

denial

approval

by 985 OK



N 0° 23' 02" E
1308

28-17
2530
439.70

Holding Pond
See Sheet 7

6" Transmission Line To Be Connected
To Exist. Header Pipeline
See Sheet 7 For Details

Wastewater Transmission Line
See Sheet 5 For Details

50' Typical Buffer Zone To Be
Observed On All Property & Dike
Lines. Do Not Place Irrigation Line
Within Buffer Zones

Fill Existing Ditch

Sanitary Sewer

Well

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Lloyd S. Waters, do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

2..... consecutive weeks, the first publica-
tion having been made on the 31.... day
of March....., 1983 and
the last publication having been made on the
.....7..... day of April.....
19..83..; every Thursday issue of the paper

during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Lloyd S. Waters

Subscribed and sworn to me this 7th....

day of April....., 19..83..

Allen W. Swenson
Notary Public

RECEIVED

APR 11 1983

Department of Water Resources
Western Regional Office

and examined and documentary evidence introduced by the respective parties, and the evidence being closed the cause was submitted to the Court for consideration and decision; and after due deliberation thereon the Court files its findings and decision in writing, and orders that Judgement be entered in accordance therewith.

Wherefor by reason of the law and the findings aforesaid, it is ordered, adjudged and decreed as follows:

1st. That all the agricultural lands mentioned in the pleadings in this action are arid in character and require water artificially applied to irrigate them to enable them to produce profitable crops,

2nd. That the quantity of water necessary to irrigate said agricultural lands is one inch and one inch only, per acre, except the tract of land known as the Corker Desert claim, which requires one and one fourth inch to the acre, measured under a four inch pressure, or its equivalent in cubic feet per second of time.

3rd. That the several tracts of land hereinafter mentioned was at the time of the several appropriations of water made for use thereon, owned and occupied by the several parties mentioned in connection therewith, or their grantors ~~and~~ or predecessors in interest, and that the said parties and their grantors and predecessors in interest appropriated therefore, ~~and~~ and at the respective dates hereinafter mentioned, the several quantities of water of said Little Canyon Creek, as hereinafter stated for use upon said agricultural lands and shall be and are entitled to the use of said waters upon said lands for the cultivation thereof and for irrigating the same and for domestic uses during each year as follows:

That C. E. Corker, Plaintiff, is entitled to and is hereby awarded for use upon the S. W. 1/4 of the N. E. 1/4 and the S. E. 1/4 of the N. W. 1/4 and Lot 6 in Section 31 Township 5 South Range 10 East Boise Meridian, containing 123.23/100 acres, and referred to as the "Corker Preemption".

59 inches of water from March 15th, 1886. 61 0294 T-2919

17 inches of water from November 18th, 1888. 61 0295

That C. E. Corker, Plaintiff, is entitled to and is hereby awarded for

November 29, 1983

RE: Transfer of Water Right No. 61-0294

Magic West, Inc.
Box 475
Rupert, ID 83350

Gentlemen:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 2919). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Superintendent Water Allocation Section

DRT:sc

Enclosure

11

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: CLS

1. Right number 61-0294 Applicant Magic West, Inc.

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

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

4. Check:

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

☒ Description of original point of diversion. - NOT STATED ON DECREE

☒ Description of original place of use. - Transfer shows 83.2 Decree shows 123.23 - Recommend correcting transfer - do not re-advertise
jui

5. Amount of land &/or water transferred:

☒ 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).

☒ Check description of point(s) of diversion.

☒ Check description of place of use.

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

☒ Check for correct signature, notarization, and fee.

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

☒ Check for expansion in use of right. Comments None

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

Right number(s) None

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

If yes, what district? 61-D Little Canyon Creek -

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on 4/19/83 Received on *

2. Is transfer published correctly? ☒ Yes ☐ No 56127825

3. Protest received? ☐ Yes ☒ No
new home news 3/31 E 4/1/83

RECOMMENDED ACTION * The district does not presently have a watermaster. we requested comments from the advisory board & got none. I suggest we approve this since the ~~paperwork~~ advisory board was notified & did not comment.

1. ☒ Approve

2. ☐ Deny

3. Conditions* Water master control (61-D) w/ lockable headgate & M.D.

OIE, OS(61-D Little Canyon Creek)

4. By ABS Date 6/13/83 JUL 5 1983

Jui 9-20-83 use conditions shown above in red.

* All uses within Watermaster Districts require special conditions.

make correction shown on item A 8.

Department of Water Resources

May 23, 1983

Richard Viner
Rt. 1, Box 420
Glenns Ferry, ID 83623

Dear Mr. Viner:

Enclosed is a copy of a Transfer recently filed by Magic West, Inc. to correct the legal description of thair point of diversion.

If I remember correctly, you indicated that the watermaster elected for water year 1983 would not be able to take the job. Therefore, we are soliciting comments regarding this transfer from you and the district's advisory board. We normally receive comments from the watermaster as to whether the transfer should be approved and if approved, any special conditions that should be placed on it.

We are in the final processing stage and your quick response would be appreciated. Please make any comments you feel are germane.

Sincerely,

LEE SISCO
Senior Water Resource Agent

LS:sc

Enclosure

HARRY W KNOX
IDAHO ST BANK
DRAWER A-E

GLENN'S Q3623
~~#####~~
FERRY

R-

said copy of transfer
4/2/23

April 5, 1983

Jim Kavajecz
Three Island State Park
P. O. Box 609
Glenns Ferry, ID 83623

Re: Application for Transfer of Water Right No. 61-0294

Dear Mr. Kavajecz:

By letter of April 19, 1983 I requested your recommendations to be considered in evaluating the application for transfer by Magic West, Inc. Idaho Code requires that your recommendation be considered before final action is taken on this transfer.

For your convenience I am enclosing another recommendation form for your use. Please complete and return your recommendation as soon as possible.

If you have any questions or need more information, please contact this office.

Yours truly,

DAVID B. SHAW
Western Regional Supervisor

DBS:jpp

Encl:

INTER-DEPARTMENT MEMO — 1

FROM Lee Sisco

TO Transfer File No. 61-0294

SUBJECT Proof of Ownership

DATE 4/19/83

Our watermaster records indicate that Magic West, Inc. is the owner of right 61-0294 and has been paying the Water District assessment for several years (copy provided). I personally have met with the owner and president of Magic West on the property in question to discuss this transfer.



SIGNATURE

(This report must be made in Triplicate and forwarded to the Department of Water Resources
Boise, Idaho, for Approval)

RECEIVED
APR 12 1982

WATERMASTER'S REPORT

Department of Water Resources
Western Regional Office

From April 1st 1981 to April 30th 1981

Water District No. 61 D

Name of Watermaster Ray Toombs

P. O. Address Box 345 Glenn Valley Id 83623

AFFIDAVIT OF WATERMASTER

STATE OF IDAHO

COUNTY OF Elmore

Ray Toombs being first duly sworn, deposes and says
that he is (Deputy) Watermaster on Little Canyon Creek in District 61 D, having been
lawfully appointed by the Director, Department of Water Resources
and that the volumes of water, as stated in this report, prorated by him to the several users, are correct,
that the sum of \$ 536 is justly due as stated.

Raymond A. Toombs

(Deputy) Watermaster District No. 61 D

Subscribed and sworn to before me, this 1 day of April, 1982

Marion D. Clark
Notary Public

(SEAL)

My Commission expires 3-26-85

Boise, Idaho, April 2, 1982

I HEREBY CERTIFY, That Raymond A. Toombs

was lawfully appointed by me (Deputy) Watermaster of District No. 61-D, and that his bill
for services rendered prorated to the several users, as herein sworn to, is, to the best of my knowledge
and belief, correct

A. KENNETH DUNN
Director, Department of Water Resources

By David B. Shaw
DAVID B. SHAW
Western Region Supervisor

RECEIVED

OWNER OR DITCH	WATER RIGHT IDENT NO	DESCRIPTION OF LAND			
		Subdivision	Sec	Twp	Rge.
Sam Blackwell	61-359				
Roy Blair	61-2107	No water over line			
CITY OF Grand Haven	61-296				
State park	61-296				
	61-2075				
Heiner Hester	61-297				
Magie West	61-294				
Dick Viner	61-7236				
	61-303				
	61-299				
	61-304				
	61-2080				
DON HEIK Ouderson	61-295				
Lee Trail	61-2107	No water over line			
Joel Allen	61-7011				
DICK Ouderson	61-7400				
Peter Batzel	61-303	Unit 1st Manual			
	61-308	" "			
	61-2224	" "			

[illegible]

April 19, 1983

Jim Kavajecz ^{< water w right >}
Three Island State Park
P. O. Box 609
Glenns Ferry, ID 83623

Re: Application for Transfer of Water Right No. 61-0294

Dear Mr. Kavajecz:

Enclosed is an application for transfer of a water right within your water district. Also enclosed is a form for your recommendation concerning this application for transfer.

Please review the transfer and return your recommendation within two weeks. This will allow the Department to consider your concerns in its evaluation of the transfer application.

If you have questions or need more information, feel free to contact this office.

Yours truly,

DAVID B. SHAW
Western Regional Supervisor

DBS:jp

Enclosures:

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 51-0294

Notice is hereby given that Magic West, Inc.
of P. O. Box 475, Rupert, ID has applied to the Department of Water
Resources for a change of the point of diversion
of the water of Little Canyon Creek.
The right sought to be changed is evidenced by Decree No.
61-0294 and is recorded as follows:
Amount: 1.18 cfs Priority: 3/15/1886
Point(s) of Diversion: NWNW Sec 32 T5S R10E Elmore Co.
The water is used for Irrigation purposes from 4/1 to
11/1 upon 83.23 acres within the S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 31 T5S R10E BM

TO BE CHANGED AS FOLLOWS

Amount: 1.18 cfs
Point(s) of Diversion: Lot 6 (SWNW) Sec 31 T5S R10E
The water will be used for Irrigation purposes from 4/1 to
11/1 upon 83.23 acres within the S $\frac{1}{2}$ NW $\frac{1}{4}$ and SWNE Sec 31 T5S R10E

Any protest against approval of the proposed change of water right
application must be filed with the Department of Water Resources,
Statehouse, Boise, ID 83720 on or before April 18, 1983.

Ken Dunn
Director

Published in the Mountain Home News
on 3/31 and 4/7/83

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 61-0294

Notice is hereby given that Magic West, Inc.
of P.O. Box 475, Rupert, Id has applied to the Department of Water
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of the water of Little Canyon Creek.
The right sought to be changed is evidenced by Decree No.
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Amount: 1.18 cfs Priority: 3/15/1886

Point(s) of Diversion: NW NW Sec 32 T5S R10E Elmore Co.

The water is used for Irrigation purposes From 4/1 to
11/1 upon 83.23 acres within the S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 31
T5S R10E BM

TO BE CHANGED AS FOLLOWS

Amount: 1.18

Point(s) of Diversion: ~~SW~~ Lot 6 (SWNW) Sec 31 T5S R10E

The water will be used for Irrigation purposes From 4/1 to
11/1 upon 83.23 acres within the S $\frac{1}{2}$ NW $\frac{1}{4}$
and SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 31 T5S R10E

Any protest against approval of the proposed change of water right
application must be filed with the Department of Water Resources,
Statehouse, Boise, ID 83720 on or before _____.

Ken Dunn
Director

Published in the _____
on _____ and _____

transfer
IDENT. NO. 61-0294

WATER RIGHT
DATA ENTRY LOG

[illegible]