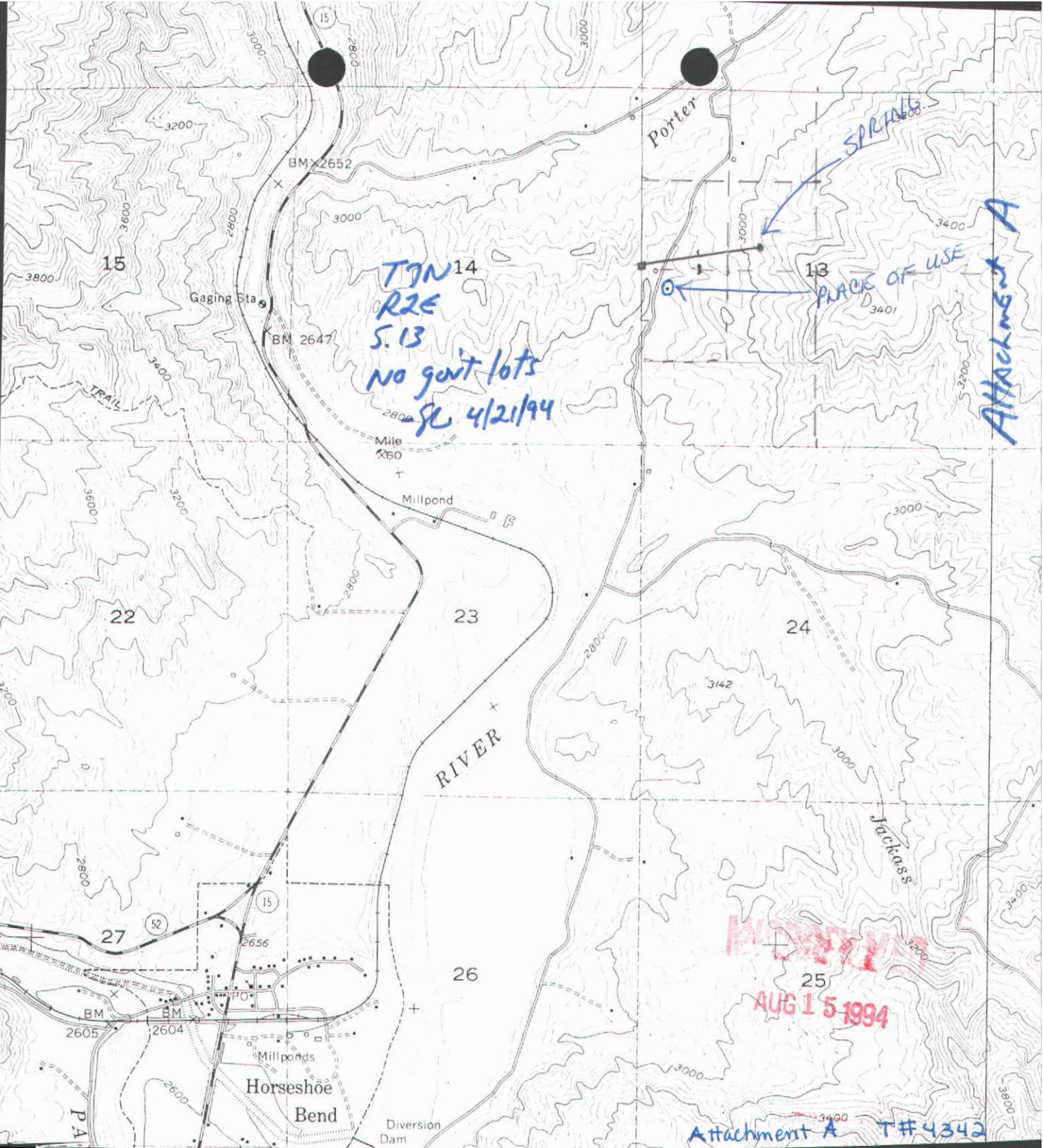




TIN 14
R2E
S. 13
No govt lots
SE 4/21/94

PLACE OF USE

SPRING

Attachment A

MIDWEST
AUG 15 1994

Attachment A T#4342

The Idaho World

P O Box 99
Garden Valley, ID 83622
208 462-3487

RECEIVED

JUN 14 1994

WATER RESOURCES
WESTERN REGION

State of Idaho >
>
County of Boise >

Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with May 4, 1994 and ending with the issue of May 11, 1994.

Deanna Stevenson

State of Idaho >
>
County of Boise >

On this 11 day of June in the year 1994, before me, a notary public, personally appeared Deanna Stevenson 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.

Robert K. Housley
Notary Public for Idaho

Residing at Garden Valley, Idaho

My commission expires 6/10/98

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 65-08935 *st*

Notice is hereby given that Dennis M. Pomerleau of Horseshoe Bend, ID has applied to the Department of Water Resources for a Change in Point of Diversion of the following described water right(s) to be changed pursuant to Section 42-222 of Idaho Code:

WATER RIGHT AS RECORDED:

BASIS Decree

DATE OF PRIORITY 3-14-1913

SOURCE Spring tributary to Payette River

AMOUNT .12 cfs

USE Irrigation from 4-1 to 11-1 (.10 cfs)
Domestic from 1-1 to 12-31 (.02 cfs)

POINT OF DIV NESW S13 T07N R02E, Boise County

PLACE OF USE NWSW S13 T07N R02E (5 acres and 1 home total)

TO BE CHANGED AS FOLLOWS:

The same spring will continue to be used but the legal location is clarified by this application. The spring is actually in SWSNW S13 T07N R02E. No physical change will occur.

Any protest against approval of the proposed water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before May 23, 1994.

R. Keith Higginson, Director

Published in The Idaho World May 4 and 11, 1994.

MISSOURI

AUG 15 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4342
WATER RIGHT NO. 65-08935

This is to certify that: DENNIS M POMERLEAU
RT 1 BOX 59
HORSESHOE BEND ID 83629

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.10 CFS	22.5 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	1.2 AF
	Totals	0.12 CFS	23.7 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
SPRING	PAYETTE RIVER

Priority: 03/14/1913

LOCATION OF POINT(S) OF DIVERSION: SWSNW , Sec. 13, Township 07N, Range 02E
BOISE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	02E	13	NWSW	5		5
Total number of acres irrigated:						5

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

RECORDED

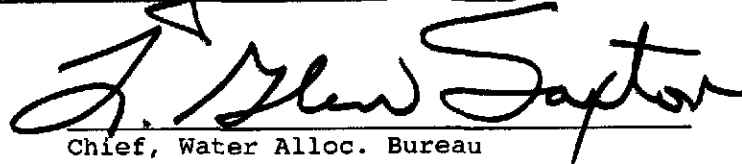
APR 15 1994

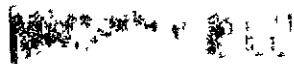
TRANSFER NO. 4342
WATER RIGHT NO. 65-08935

CONDITIONS/REMARKS:

4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. Domestic use is for 1 home.

Dated this 7th day of July, 1994.


Chief, Water Alloc. Bureau


AUG 15 1994

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4342

APPLICATION FOR TRANSFER OF WATER RIGHT

RECEIVED
JUL 15 1994

PART 1

Name of applicant DENNIS M POMERLEAU Phone 793-2531
 Post Office address Rt 1 Box 59 HORSESHOE BEND, ID 83629

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 POINT OF DIVERSION HAS NOT CHANGED, HOWEVER, A SURVEY WAS DONE AND THE SPRING WAS FOUND TO BE IN A DIFFERENT 1/4 1/4 THAN WAS LISTED ON THE DECREASED WATER RIGHT. THIS TRANSFER IS BEING FILED TO CORRECT THE RECORDED 1/4 1/4.

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>65-08935</u>	<u>3-14-1913</u>	<u>.02 CFS</u>	<u>DOMESTIC</u>	<u>1-1</u> to <u>12-31</u>
			<u>.10 CFS</u>	<u>IRRIGATION</u>	<u>4-1</u> to <u>11-1</u>
					to _____
					to _____

2. Total amount of water being transferred .12 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water SPRING tributary to PALETTE RIVER
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SE	NW	13	1N	2E	BOISE	

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	

Total acres _____

PART 1

6. General Information

a Description of diversion system DUG OUT, GRAVEL LINED & SEAL, PIPED TO HOME & PLACE OF USE 1820'

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:

NONE

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 _____

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 65-08935

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	0.10 CFS	1.2 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	1.2 AF
Totals		0.12 CFS	1.2 AF

SOURCETRIBUTARY OF

SPRING

PAYETTE RIVER

Priority: 03/14/1913

LOCATION OF POINT(S) OF DIVERSION:NESW , Sec. 13, Township 07N, Range 02E
BOISE CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	02E	13	NWSW	5		5
Total number of acres irrigated:						5

PLACE OF USE: DOMESTIC, same as IRRIGATION useCONDITIONS/REMARKS:RECORDED
JUN 15 1994

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. 125-08935 Decreed to CALVIN C DRAKE

in case of _____ vs _____

dated _____ in _____ county of _____

b. License No. _____ issued by the Idaho Department of Water Resources.

c. Claim No. _____ 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 N/A

3 Source of water SPRING tributary to PAYETTE RIVER

4 Date or priority 3-14-1913

5. Water is used for the following purpose

amount .02 CFS for DOMESTIC purposes from 1-1 to 12-31

(cfs/ac-ft) amount .10 CFS for IRRIGATION purposes from 1-1 to 11-1

(cfs/ac-ft) amount _____ for _____ purposes from _____ to _____

(cfs/ac-ft) amount _____ for _____ purposes from _____ to _____

6. Total amount of water under right .12 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
			NE SW	13	7N 2E		BOISE	

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	
7N 2E		13										0.5							5

Total acres 5

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 non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

N/A

(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	¼	¼	¼	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

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

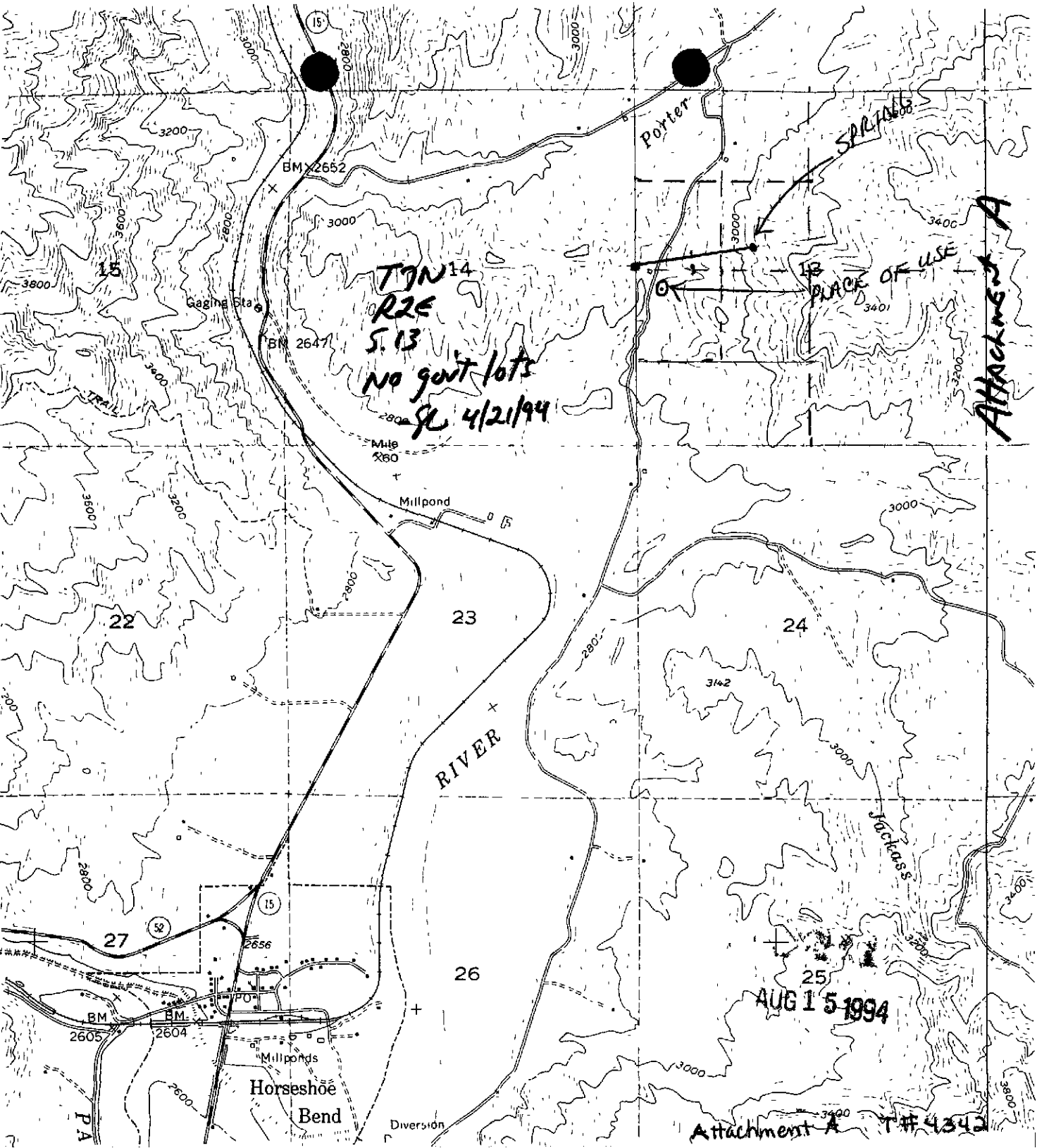
Lot	¼	¼	¼	Sec.	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

AUG 15 1994



NOTE - Pencil Line
from spring should
go to house on
East side of Road,
the circled pl.

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 rights described in part 1. Clearly depict the land by section, township and range number.

SEE ATTACHED MAPS

[Faint, illegible stamp]

AUG 15 1994

PART 3**B. CHANGES IN NATURE OF USE** X/A

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				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

Dennis M. Lomerton
(Signature of Applicant)

Subscribed and sworn to before me this 8th day of April, 19 94.

Jan Thurtell
(Notary Public)

My commission expires 9-14-94**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 3 attachmentsReceived by [Signature] Date 4-8-94

Protest filed by _____

Prelim check by [Signature] Fee \$30Receipted by [Signature] Date 4-8-94Published in Bozeman World

Copies of protest forwarded by _____

Pub dates May 9, 11, 1994

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

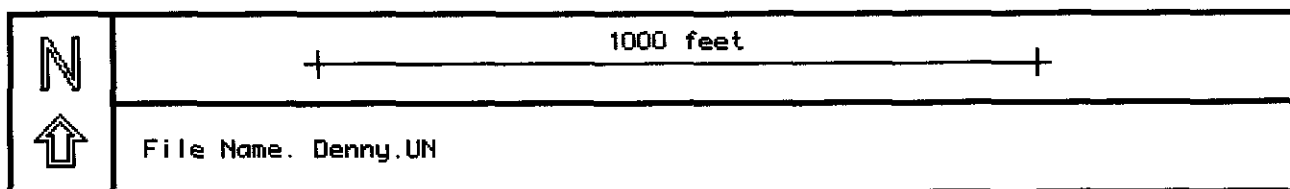
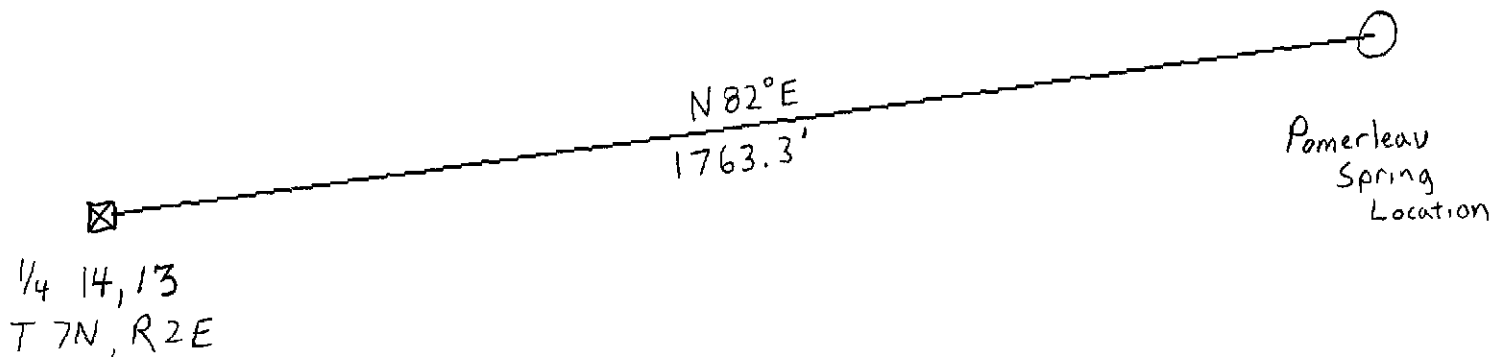
Recommended for ☒ approval ☐ denial

_____ rec'd. _____

by [Signature]

Copy of transfer sent to lien holder _____

AUG 15 1994



RECEIVED

AUG 15 1994

Attachment B

T #4342

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME																																																																																							
C	DENNIS M. POMERLEAU RT. 1, BOX 59 HORSESHOE BEND ID 83629 (208) 793-2531	03/14/1913	IRRIGATION DOMESTIC	04-01 11-01 01-01 12-31	0.10 CFS 0.02 CFS																																																																																								
TOTAL DIVERSION:					0.12 CFS																																																																																								
Water Source: SPRING		Tributary to: PAYETTE RIVER			Stage: DECREED																																																																																								
Point(s) of Diversion:		T07N R02E S13 NWNESE		BOISE County																																																																																									
Place of use Legal Description for: IRRIGATION																																																																																													
<table border="0"><thead><tr><th colspan="4"></th><th colspan="4">NE</th><th colspan="4">NW</th><th colspan="4">SW</th><th colspan="4">SE</th><th></th></tr><tr><th>T</th><th>R</th><th>S</th><th>:</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>:</th><th>SUM</th></tr></thead><tbody><tr><td>07N</td><td>02E</td><td>13</td><td>:</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>05</td><td></td><td></td><td></td><td></td><td>:</td><td>5.0</td></tr><tr><td colspan="20"></td><td>TOTAL ACRES</td><td>5.0</td></tr></tbody></table>											NE				NW				SW				SE					T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	07N	02E	13	:												05					:	5.0																					TOTAL ACRES	5.0
				NE				NW				SW				SE																																																																													
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM																																																																								
07N	02E	13	:												05					:	5.0																																																																								
																				TOTAL ACRES	5.0																																																																								

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

POU County: BOISE

Non-Irrigation Uses: D/ ONE HOUSE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion and Source:
A65-08935A

Other Water Rights Listing Overlapping Place(s) of use:
A65-08935A A65-19624

SRBA
claim
Same as
WR

Remarks: IRRIGATION IS ONLY WITH THE OVER FLOW FROM SPRING.

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Expanded
claim of
#1 Right on
Porter Ck.

4AR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 409

INDICATES TOTAL

SOURCE: SPRING

TRIBUTARY TO: PAYETTE RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-10964	WOLFGAM, ALFRED C. & WOLFGAM, MARGARET I. BOX 100, HORSESHOE BEND, IDAHO 83629	7/ 1/1903	STOCKWATER	1/ 1 12/31	2.70 AFA .05 CFS	NWNE S11 T 7N R 2E	NWNE S11 T 7N R 2E	BENEFICIAL USE
65-0124	COOPER, NORA YERGENSON 1204 N. 13, BUISE, IDAHO 83702	5/17/1909	DOMESTIC	1/ 1 12/31	1.20 AFA .02 CFS	SENE S27 T 8N R 1E	SENE S27 T 8N R 1E	BENEFICIAL USE
65-3554	JAVES, DON & JAVES, RUTH P. O. BOX 33, BANKS, IDAHO 83602	6/ 1/1910	DOMESTIC	1/ 1 12/31	1.20 AFA .02 CFS	LOT 1 S32 T 9N R 3E	LOT 1 S32 T 9N R 3E	BENEFICIAL USE
65-10616	HAWKINS, O. W. & HAWKINS, BERTHA M. ROUTE 1, BOX 56, HORSESHOE BEND, IDAHO 83629	7/ 1/1911	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SWNW S25 T 7N R 2E	SAME AS OTHER USE	BENEFICIAL USE
			IRRIGATION	4/ 1 11/ 1	--- AFA .10 CFS		NWNW(5) S25 T 7N R 2E *5*	
			STOCKWATER	1/ 1 12/31	.70 AFA .02 CFS *---*AFA *.14*CFS		SAME AS OTHER USE	
65-8935	DRAKE, CALVIN C. ROUTE 1, HORSESHOE BEND, IDAHO 83629	3/14/1913	DOMESTIC	1/ 1 12/31	1.20 AFA .02 CFS	NESW S13 T 7N R 2E	SAME AS OTHER USE	BENEFICIAL USE
			IRRIGATION	4/ 1 11/ 1	--- AFA .10 CFS *---*AFA *.12*CFS		NWSW(5) S13 T 7N R 2E *5*	
65-0115	RADANDT, LEC & RADANDT, BESSIE BOX 391, EMMETT, IDAHO 83617	4/ 1/1915	IRRIGATION	3/15 11/15	--- AFA .06 CFS	NESW S 3 T 7N R 1W	NWNW(7) S10 T 7N R 1W *7*	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	.70 AFA .02 CFS *---*AFA *.06*CFS		SAME AS OTHER USE	
65-1998	RADANDT, LEC & RADANDT, BESSIE BOX 391, EMMETT, IDAHO 83617	4/ 1/1915	DOMESTIC	1/ 1 12/31	1.20 AFA .02 CFS	NWNW S10 T 7N R 1W	NWNW S10 T 7N R 1W	BENEFICIAL USE
65-2212	HALL, CLYDE M. & HALL, MILDRED F. BANKS, IDAHO 83602	9/22/1917	DOMESTIC	1/ 1 12/31	2.40 AFA .08 CFS	LOT 1 S32 T 9N R 3E	LOT 1 S32 T 9N R 3E	LICENSE
65-0965	HEIM, GREGORY L. & HEIM, KATHLEEN F. 4369 FROZEN DUG ROAD, EMMETT, IDAHO 83617	1/ 1/1918	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SWNW S 2 T 6N R 1W	SWNW S 2 T 6N R 1W	BENEFICIAL USE



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 11, 1994

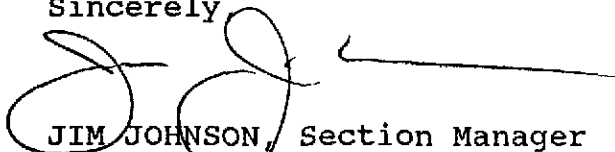
DENNIS M POMERLEAU
RT 1 BOX 59
HORSESHOE BEND ID 83629

RE: Transfer of Water Right No. 65-08935

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 4342). Please be sure to thoroughly review the "CONDITIONS/REMARKS:" as listed on the transfer.

Sincerely



JIM JOHNSON, Section Manager
Water Right Permits Section

JJ:dc

Enclosure

7 15 1994

MEMORANDUM

TO: FILE NO. 65-08935

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER NO. 4342

DATE: July 6, 1994

=====

Transfer No. 4342 was filed to correct the legal description of the point of diversion under Right No. 65-08935, no actual change occurs. A recent survey found that the spring was located in a different QQ than identified under the right as decreed.

The right was defined according to current standards adjusting the season and volume since the full volume was available under the decree parameters. The point of diversion was also identified to the 10 acre tract instead of QQ.

Recommended conditions include watermaster control, irrigation overlap and standard transfer conditions.

RECEIVED

AUG 15 1994

TRANSFER REVIEW SHEET

Transfer # 4342

Date Reviewed 7-6-94 28

Right(s) 65-08935

B:Change P/D **C**:Add P/D **D**:Change P/U **E**:Change Nature of Use
F:Change Period of Use **G**:Other **H**:Change P/D & Add P/D
I:Change P/D & P/U **J**:Add P/D & Change P/U

Proof of Ownership NA

Transfer ✓ All of Right _____ Portion of Right (Part B _____)

Resulting Split(s) NONE

Check Transfer Against Right

D/4.5

(1) ☒ Priority (2) ☒ Use (3) ☐ Season (4) ☒ Rate (5) ☐ Volume

(6) ☒ Source (7) ☐ P/D (8) ☒ P/U (9) ☒ Proof/Owner (10) ☒ Map

(11) 65 Water District (12) NO Pertinent Conditions (13) NO Expansion

⑤ + ③ Decreased 4-1 to 11-01 $2.5 \text{ ata/acre} \times 5 = 12.5 \text{ ata}$
 $1.0 \text{ cfs} \times 214 \text{ Days} \times 1.9835 = 42.4 \text{ at} \geq 22.5$
 Allow Standard 3-15 to 11-15 $4.5 \text{ ata/acre} \times 5 = 22.5 \text{ ata} + 1.2 = 23.7 \text{ ata}$
 ⑥ Change P/D

Transfer Remarks DDM - 1 Home

Conditions R32, R04, ^{existing change/104} T07, T08, T09

Database/Processing Notes I file

Database updated 7-8-94 CS

WR0749NP
No. T65-08935

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/06/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DENNIS M POMERLEAU RT 1 BOX 59 HORSESHOE BEND ID 83629 (208) 793-2531	03/14/1913	IRRIGATION DOMESTIC	03-15 11-15 01-01 12-31	0.10 CFS 0.02 CFS	22.50 AFA 1.20 AFA
TOTAL DIVERSION:					0.12 CFS	23.70 AFA

Water Source: SPRING

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion:

T07N R02E S13

SWSNW

BOISE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07N	02E	13	:									:							:	5.0
TOTAL ACRES																				5.0

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: BOISE

Other Water Rights Listing Overlapping Place(s) of use:
65-08935

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
- R32 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
- T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks: Domestic use is for 1 home.

Dates:	App. Received:	Priority Date:	03/14/1913
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

WR0749NP
No. T65-08935

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/06/94
PAGE: 2

Comments: Date: 04/21/1994 User-ID: LESTER Subject: TRANSFER NO. 4342
Transfer clarifies existing point of diversion recently
determined to be in a tract other than shown in decree. No
physical change will occur.

Audit: 04/21/94 LESTER 07/06/94 SKAGGS

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: JKAPPLICANT Dennis M. Pomerleau

1. Right number 65-08935
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☒ Change of point of diversion ☐ Add diversion point(s) ☐ Change of place of use
☐ Change nature of use ☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use ☒ SRBA claim
 - 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. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use. N/A P/D change only
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred. N/A P/D change only
 - h. ☒ Check for expansion in use of right. Comments NONE APPARENT
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) N/A P/D change only
 - j. ☒ SRBA claim. Comments A 65-08935 agrees with decreed right.
 - k. ☒ Is use within Water District? ☒ Yes ☐ No
If yes, what district? 65 Comment letter sent ☐ Yes ☒ No COMMENT LETTER N/A for a spring
 - l. ☒ Legal notice electronically transmitted to DWR03::Vault? per S.T. H

FINAL PROCESSING REVIEW BY: DWR

1. Watermaster recommendation requested on N/A Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☐ Approve
2. ☐ Deny
3. Conditions* _____
4. By DWR Date 6/29/94

The Idaho World

P O Box 99
Garden Valley, ID 83622
208 462-3487

RECEIVED

JUN 14 1994

WATER RESOURCES
WESTERN REGION

State of Idaho >
>
County of Boise >

Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with May 4, 1994 and ending with the issue of May 11, 1994.

Deanna Stevenson

State of Idaho >
>
County of Boise >

On this 11 day of June in the year 1994, before me, a notary public, personally appeared Deanna Stevenson 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.

[Signature]
Notary Public for Idaho

Residing at Garden Valley, Idaho

My commission expires 6/10/98

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 65-08935

Notice is hereby given that Dennis M. Pomerleau of Horseshoe Bend, ID has applied to the Department of Water Resources for a Change in Point of Diversion of the following described water right(s) to be changed pursuant to Section 42-222 of Idaho Code:

WATER RIGHT AS RECORDED:

BASIS Decree

DATE OF PRIORITY 3-14-1913

SOURCE Spring tributary to Payette River

AMOUNT 12 cfs

USE Irrigation from 4-1 to 11-1 (.10 cfs)
Domestic from 1-1 to 12-31 (.02 cfs)

POINT OF DIV NESW 1/3 T07N R02E, Boise County

PLACE OF USE NWSW 1/3 T07N R02E (5 acres and 1 home total)

TO BE CHANGED AS FOLLOWS:

The same spring will continue to be used but the legal location is clarified by this application. The spring is actually in SWSEW 1/3 T07N R02E. No physical change will occur.

Any protest against approval of the proposed water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before May 23, 1994

R Keith Higginson, Director

Published in The Idaho World May 4 and 11, 1994.

AUG 15 1994

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WATER RIGHT AS RECORDED:

BASIS	Decree
DATE OF PRIORITY	3-14-1913
SOURCE	Spring tributary to Payette River
AMOUNT	.12 cfs
USE	Irrigation from 4-1 to 11-1 (.10 cfs) Domestic from 1-1 to 12-31 (.02 cfs)
POINT OF DIV	NESW S13 T07N R02E, Boise County
PLACE OF USE	NWSW S13 T07N R02E (5 acres and 1 home total)

TO BE CHANGED AS FOLLOWS:

The same spring will continue to be used but the legal location is clarified by this application. The spring is actually in SWSNW S13 T07N R02E. No physical change will occur.

Any protest against approval of the proposed water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before May 23, 1994.

R. Keith Higginson
Director

Published in the Idaho World on May 4 and 11, 1994.

AUG 15 1994

WR5809NP
No. 65-08935

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/21/94
PAGE: 8

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CALVIN C. DRAKE	03/14/1913	IRRIGATION DOMESTIC	04-01 11-01 01-01 12-31	0.10 CFS 0.02 CFS	1.20 AFA 1.20 AFA
TOTAL DIVERSION:					0.12 CFS	1.20 AFA

Water Source: SPRING

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion: T07N R02E S13

NESW

BOISE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE													
T		R		S		: Lt Ac		Lt Ac		Lt Ac		Lt Ac		: Lt Ac		Lt Ac		Lt Ac		: Lt Ac		Lt Ac		: Lt Ac		Lt Ac		: SUM	
07N 02E 13 :																													
TOTAL ACRES 5.0																													

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: BOISE

Dates:	App. Received:	Priority Date:	03/14/1913
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT