

Birch Creek

32-0~~1~~

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR FREMONT COUNTY,

XX

J. R. Richards,	X
Plaintiff,	X
vs	X
Frank Reno, S. Kuharski, William	X
Goddard, W. A. Tyler, Samuel Goddard,	X
M. Kaufman, W. A. Scott, W. W. Johnson,	X
Thomas Miller, David Miller, Edward	X
Kaufman, and Henry Kaufman,	X
Defendants,	X

XX

JUDGMENT AND DECREE.

This cause came on regularly for trial under a stipulation of the respective parties and their attorneys heretofore signed and filed. Messrs. J. Ed Smith and W. E. Smith appeared as attorneys for Plaintiff, Messrs. Regvas and Terrell appeared as attorneys for H. Kaufman, Edward Kaufman, and Henry Kaufman, Messrs. Quarles and Averitt appeared as Attorneys for W. W. Johnson, S. Kuharski and W. A. Scott, Messrs Stewart & Dietrich appeared as Attorneys for W. A. Tyler, Thomas Miller and David Miller, Messrs S. C. Winters and R. V. Cozier appeared as attorneys for Frank Reno, and Mr. Thomas R. Hamer appeared as attorney for Samuel Goddard and William Goddard, and the parties were all present in person.

The Court proceeded to the hearing of the testimony and all the parties with their witnesses having duly testified, which said testimony was taken by the Court Stenographer and the documentary and record testimony having been duly admitted, and the Court having listened to the argument of the respective counsel, the cause was closed and finally submitted to the Court for its consideration and adjudication.

And the Court after due consideration in the premises renders its decision and files its Findings of Facts and Conclusions of Law and orders Judgment to be entered in accordance therewith.

NOW THEREFORE IT IS ORDERED ADJUDGED AND DECREED,

First.

That the defendant W. W. Johnson do have at all times a flow of 160 inches of water, measured under a four inch pressure of the wates of Birch Creek a stream situated in Fremont County, State of Idaho, and the

to the use thereof to date from July 29, 1907,

That defendant, Lillian Watts, have no decree to or for any of the waters of

said Birch Creek.

That defendant, Birch Creek Irrigation Company, have no decree to any waters

of said Birch Creek.

That C. B. Watts also have the use at all times of two and one-half (2 $\frac{1}{2}$)

cubic feet per second of time (one hundred and twenty-five miners' inches), the same being one-half of the decreed right of Ed. M. Henry and M. Kaufman, dating from May 10th, 1888; and one and three-fifths (1 $\frac{3}{5}$) cubic feet per second of time

(eighty miners' inches), the same being one-half of the decreed right of W. W.

Johnson, dating from May 10th, 1886; of the waters of Birch Creek; all of said waters to be used upon and become appurtenant to the following described lands, to-wit:

The West Half of the South-east Quarter, the North-east Quarter of the South-west Quarter and the South-east Quarter of the North-west Quarter of Section Twenty-three (23), in Township Ten (10) North of Range Thirty (30) East of Boise Meridian;

That Edward Kaufman have at all times the use of one half of one cubic foot ($\frac{1}{2}$) per second of time (twenty-five miners' inches) of the waters of the said Pass Creek, his right to the use of the same to date from the 1st day of May, 1901;

That Edward M. Kaufman also have the use at all times of two and one-half (2 $\frac{1}{2}$) cubic feet per second of time (one hundred and twenty-five miners' inches), the same being one-half of the decreed right of M. Kaufman, Edward M. Kaufman and

Henry D. Kaufman, and dating from May 10th, 1888: also one and three-fifths (1 $\frac{3}{5}$)

cubic feet per second of time (eighty miners' inches), the same being one half of

the decreed right of W. W. Johnson and dating from May 10th, 1886; said heretofore

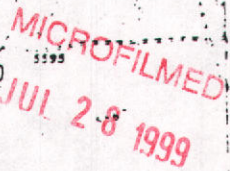
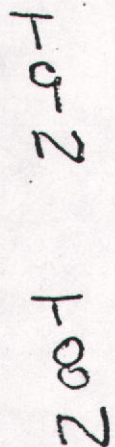
decreed water and all of it being taken from the main channel of Pass Creek and

all of said water to be used upon and become appurtenant to the following described lands.

The South Half of the South-west Quarter of Section Twenty-nine (29), the North Half of the North-west Quarter of Section Thirty-two (32), the North-west Quarter of the South-west Quarter of Section Twenty-nine (29), the North-east Quarter of the South-east Quarter of Section Thirty (30), in Township Ten (10) North of Range Thirty

(30) East of the Boise Meridian, in Clark County, State of Idaho, containing two hundred and forty acres.

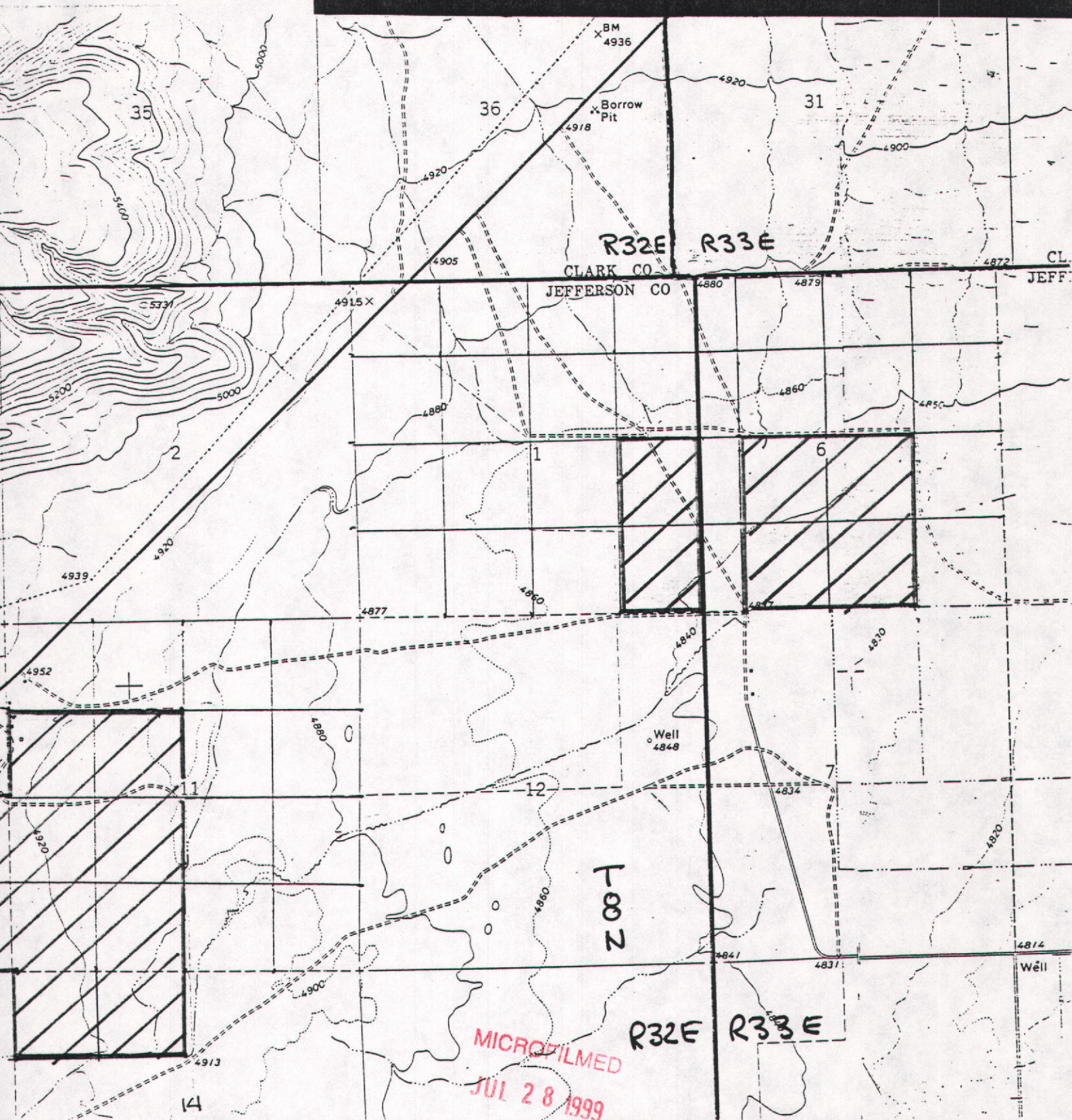
South-east Quarter of Section Thirty (30), and the North-west Quarter of the North-east



Map from ⁴⁵⁴⁰ 32-07128

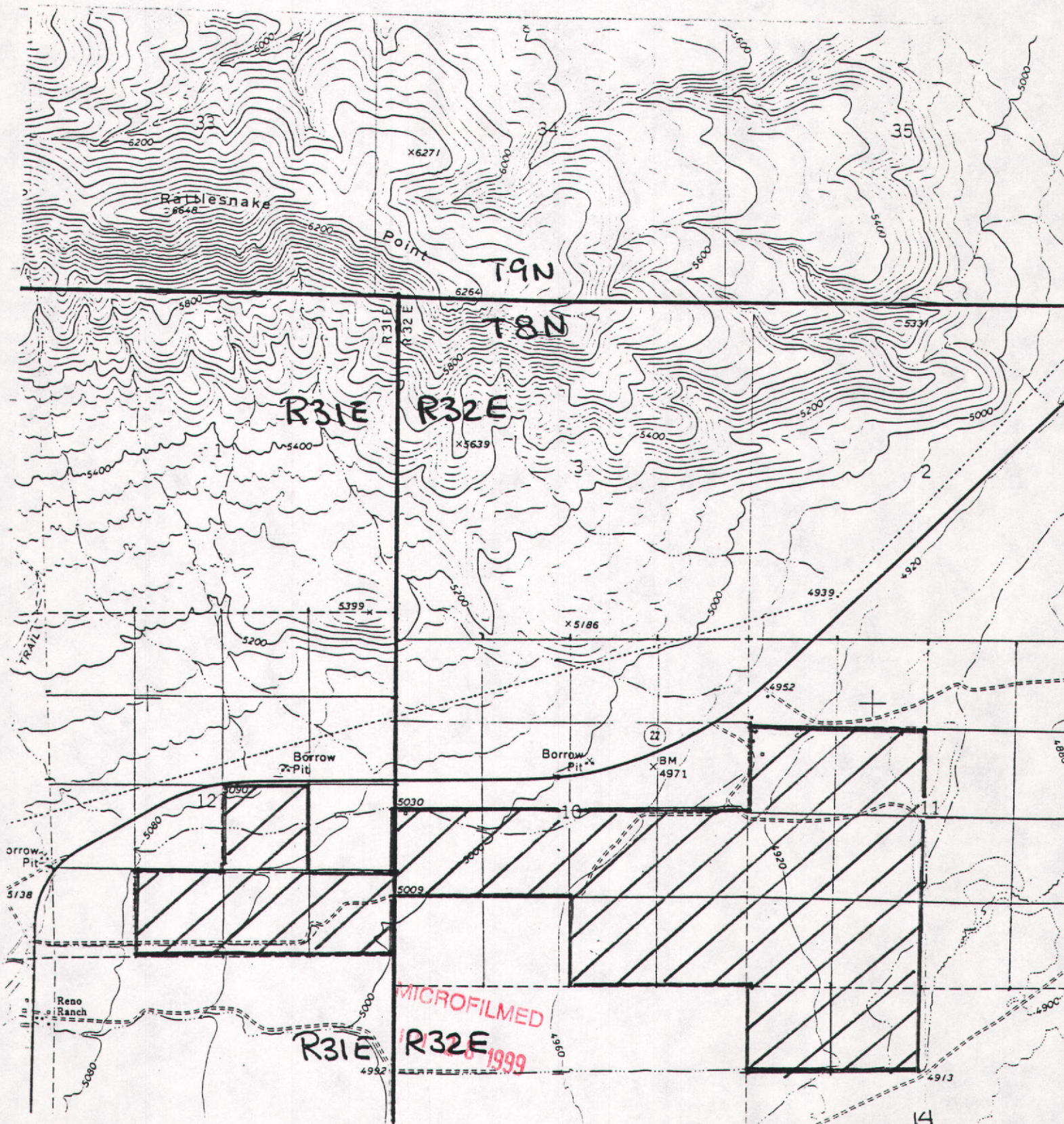
RIGHT

place of use for rights described



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.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5450

WATER RIGHT NO(S). 32-00058/32-00059/32-00060/32-00061C/32-00061D
32-00062/32-00063/32-00064/32-00065/32-00066/32-00068/32-00069
32-00070A/32-00070B/32-00073/32-00074/32-00075/32-00076/32-00077
32-00078/32-00079/32-00080/32-00083/32-00085/32-00086/32-00087
32-00089/32-00090A/32-00091/32-00092/32-00093/32-00101/32-00102
32-02043 & 32-02045

This is to certify that: **RENO DITCH COMPANY**
C/O KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

The requested changes have been reviewed in accordance with the provisions of Section 42-222, Idaho Code, and are hereby approved as hereafter set forth. The rights shall be used as herein described in accordance with the conditions of approval and applicable laws and rules.

	<u>PRIORITY</u>	<u>DIVERSION RATE</u>	<u>ACRES</u>	<u>ANNUAL VOLUME</u>
Right No. 32-00058 :	04/01/1910	1.00 CFS	67.0	234.5 AF
Right No. 32-00059 :	05/10/1884	6.40 CFS	320.0	1120.0 AF
Right No. 32-00060 :	05/10/1883	3.20 CFS	320.0	1120.0 AF
Right No. 32-00080 :	05/10/1886	3.20 CFS	320.0	1120.0 AF
Right No. 32-00061C :	05/10/1888	0.40 CFS	20.0	70.0 AF
Right No. 32-00068 :	05/10/1887	3.20 CFS	160.0	560.0 AF
Right No. 32-00069 :	05/10/1888	3.20 CFS	160.0	560.0 AF
Right No. 32-00073 :	05/15/1909	0.20 CFS	160.0	84.9 AF
Right No. 32-00077 :	05/15/1910	0.20 CFS	160.0	84.9 AF
Right No. 32-00078 :	05/15/1911	0.20 CFS	160.0	84.9 AF
Right No. 32-00079 :	05/15/1913	0.80 CFS	160.0	339.6 AF
Right No. 32-00085 :	05/10/1910	0.20 CFS	120.0	84.9 AF
Right No. 32-00086 :	05/01/1911	0.20 CFS	120.0	84.9 AF
Right No. 32-00087 :	05/01/1912	0.20 CFS	120.0	84.9 AF

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Right No. 32-00089	:	05/10/1888	2.50 CFS	160.0	560.0 AF
Right No. 32-00090A	:	05/10/1886	0.80 CFS	80.0	280.0 AF
Right No. 32-00091	:	05/01/1901	0.50 CFS	240.0	212.2 AF
Right No. 32-00092	:	05/10/1888	2.50 CFS	240.0	840.0 AF
Right No. 32-00093	:	05/10/1886	1.60 CFS	240.0	679.2 AF
Right No. 32-00102	:	05/10/1889	4.00 CFS	120.0	420.0 AF
Right No. 32-00061D	:	05/10/1888	2.80 CFS	140.0	490.0 AF
Right No. 32-00070A	:	08/19/1886	2.40 CFS	120.0	420.0 AF
Right No. 32-02043	:	09/19/1912	6.40 CFS	320.0	1120.0 AF
Right No. 32-00062	:	04/01/1904	3.20 CFS	160.0	560.0 AF
Right No. 32-00070B	:	09/19/1886	0.80 CFS	40.0	140.0 AF
Right No. 32-02045	:	11/16/1912	6.40 CFS	320.0	1120.0 AF
Right No. 32-00063	:	04/01/1904	3.20 CFS	159.2	557.2 AF
Right No. 32-00065	:	05/10/1884	3.20 CFS	160.0	560.0 AF
Right No. 32-00064	:	04/01/1907	3.20 CFS	160.0	560.0 AF
Right No. 32-00066	:	01/05/1910	6.40 CFS	320.0	1120.0 AF
Right No. 32-00074	:	10/01/1910	0.14 CFS	160.0	59.4 AF
Right No. 32-00075	:	05/15/1911	0.26 CFS	160.0	110.4 AF
Right No. 32-00076	:	05/15/1912	0.80 CFS	160.0	339.6 AF
Right No. 32-00083	:	05/15/1912	0.46 CFS	160.0	195.3 AF
Right No. 32-00101	:	06/04/1909	2.90 CFS	160.0	560.0 AF

TOTALS:	*	77.06 CFS	*	3427.0	*	11579.2 AF
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BENEFICIAL USE
IRRIGATION

PERIOD OF USE
04/01 to 11/01

SOURCE
BIRCH CREEK

TRIBUTARY OF
SINKS

JUL 28 1999

TRANSFER NO. 5450

LOCATION OF POINT(S) OF DIVERSION:SESW, Sec. 34, Township 09N, Range 30E
CLARK 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>
08N	31E	12	SESW 40	NESE 40	NWSE 40	
			SWSE 40	SESE 40		200
		13	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	NESE 40	NWSE 40	480
		14	NENE 40	SENE 40		80
32E	1	Lot 1 (NENE)	34	Lot 2 (NWNE)	34	
			SENE 40	Lot 3 (NENW)	34	
			SWNW 40		Lot 4 (NWNW)	20
			NWSW 40	SENW 40	NESW 40	
			NESE 40	SWSW 40	SESW 40	
			SESE 40	NWSE 40	SWSE 40	602
		2	Lot 1 (NENE)	2	SWNE 3	SENE 30
			NESW 3	SWSW 3	SESW 30	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			231
		10	SENE 15	NESW 40	Lot 3 (NWSW)	41
			Lot 4 (SWSW)	42	SESW 40	
			NWSE 40	SWSE 40	SESE 40	338
		11	NENE 40	NWNE 40	SENE 40	
			NENW 40	NWNW 20	SWNW 40	
			SENW 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40		420
		12	NWNE 40	NENW 40	NWNW 40	
			SWNW 40			160
		14	NENW 40	NWNW 40		80
		15	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	Lot 1 (NWNW)	42
			Lot 2 (SWNW)	42	SENW 40	
33E	5	Lot 3 (NENW)	34	Lot 4 (NWNW)	34	
			SENW 40	NWSW 40	SWNW 40	
					SWSW 40	228
		6	Lot 1 (NENE)	34	Lot 2 (NWNE)	34
			SENE 40	Lot 3 (NENW)	34	
			Lot 5 (SWNW)	20	SENW 40	Lot 4 (NWNW)
			Lot 6 (NWSW)	20		NESW 40
			NESE 40	Lot 7 (SWSW)	20	SESW 40
			SESE 40			SWSE 40
						539
		7	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	360
		8	NENW 40	NWNW 40	SWNW 40	
			SENW 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40		320

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TRANSFER NO. 5450

09N 31E 31	NESW 40	Lot 3 (NWSW) 40	Lot 4 (SWSW) 40	
	SESW 40	NESE 40	NWSE 40	
	SWSE 40	SESE 40		320
32	NENE 40	NWNE 40	SWNE 40	
	SENE 40	NENW 40	NWNW 40	
	SWNW 40	SENW 40	NESW 40	
	NWSW 40	SWSW 40	SESW 40	480
32E 36	NENE 40	NWNE 40	SWNE 40	
	SENE 40	NENW 40	NWNW 40	
	SWNW 40	SENW 40	NESW 40	
	NWSW 40	Lot 4 (SWSW) 35	Lot 3 (SESW) 41	
	NESE 40	NWSE 40	Lot 2 (SWSE) 40	
	Lot 1 (SESE) 40			636
				Permissible Place of Use Acres: * 5798

CONDITIONS OF APPROVAL

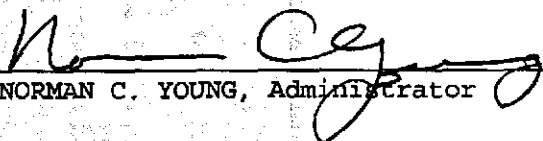
1. Use of water under this water right will be regulated by the watermaster of State Water District No. 32D.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 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.
7. Rights 32-00060 and 32-00080 when combined shall not exceed the total annual diversion volume of 1120.0 af and the irrigation of 320.0 acres.
8. Rights 32-00073, 32-00077, 32-00078 and 32-00079 when combined shall not exceed the total annual diversion volume of 560.0 af and the irrigation of 160.0 acres.
9. Rights 32-00085, 32-00086 and 32-00087 when combined shall not exceed the irrigation of 120.0 acres.
10. Rights 32-00089 and 32-00090A when combined shall not exceed the total annual diversion volume of 560.0 af and the irrigation of 160.0 acres.
11. Rights 32-00091, 32-00092 and 32-00093 when combined shall not exceed the total annual diversion volume of 840.0 af and the irrigation of 240.0 acres

JUL 28 1999

TRANSFER NO. 5450

12. Rights 32-00061C, 32-00068, 32-00069, 32-00073, 32-00077, 32-00078, 32-00079, 32-00085, 32-00086, 32-00087, 32-00089, 32-00090A, 32-00091, 32-00092, 32-00093 and 32-00102 when combined shall not exceed the total annual diversion volume of 3360.0 af and the irrigation of 960.0 acres.
13. Rights 32-00061D, 32-00070A and 32-02043 when combined shall not exceed the total annual diversion volume of 1120.0 af and the irrigation of 320.0 acres.
14. Rights 32-00062, 32-00070B and 32-02045 when combined shall not exceed the total annual diversion volume of 1120.0 af and the irrigation of 320.0 acres.
15. Rights 32-00063 and 32-00065 when combined shall not exceed the total annual diversion volume of 560.0 af and the irrigation of 160.0 acres.
16. Rights 32-00074, 32-00075, 32-00076 when combined shall not exceed the irrigation of 160.0 acres.
- * 17. All rights under Transfer 5450 when combined shall not exceed a total diversion rate of 77.06 cfs, a total annual maximum diversion volume of 11,579.2 af at the field headgates, and the irrigation of 3,427.0 acres in the place of use described above in a single irrigation season.
18. Approval of Transfer 5450 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Dated this 23RD day of July, 1999.


NORMAN C. YOUNG, Administrator

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JUL 28 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

APPROVED

To Change the Point of Diversion and/or the Place of Use

Name of applicant William T. Simmons Phone 663-4322

Post office address Terreton, Idaho 83450

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by: Jerome F. Reno
a. Decree to Wood Livestock Co., C. B. Watts & Edward M. Kaufman,
(Name)
in case of Agnes B. Reno, et al vs J. R. Richards, et al
dated Sept. 6, 1922 in Ninth Dist. Court county of Fremont
(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 Real Estate
Sale contract dated April 3, 1975 from G. Marshall Bare and H. Margery Bare
See attached copy of recorded notice.
3. Source of water Birch Creek tributary to _____ sinks _____
4. Date of priority 9-10-1882 - 32-0067; 5-10-1886 - 32-0090 & 32-0093; 5-10-1887 - 32-0068;
5-10-1888 - 32-0089, 32-0069, 32-0092 & 32-0061; 5-01-1901 - 32-0091
5. Water is used for the following purposes:
d amount 19.9 for Irrigation purposes from Apr. 1 to Nov. 1
ent amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)
6. Total amount of water under right: a. 19.9 cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 24
Township 10N Range 29E, B.M., in Clark County
Additional points of diversion, if any NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, T. 10N, R. 29E; SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 29, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T. 10N, R. 30E(not given in decree but have historically
8. Lands irrigated or place of use: been at the above locations.)

[illegible]

Total number of acres to be irrigated

LAND LIST ATTACHMENT

Description and location of place of use:

TWP.	RANGE	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	
10N	30E	19							L. 2 40				L. 3 40	L. 4 40	40				160
10N	30E	32							40	40						40	40		160
10N	30E	29										40	40	40					120
		30													40				40
		32					40	40											80
10N	30E	19														40			40
		30	40	40			40												120
10N	29E	11															40		40
		12											40						40
10N	29E	24				40									40	40	40		160

Total number of acres irrigated 960

CFS

3.20

1.60

2.50

1.60

2.50

0.50

3.20

.40

~~1.60~~

3.20

18.7

~~79.9~~

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____
3. Place of use:

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

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

1. Change in point of diversion 18.7
- a. Amount of water to be diverted -19.9- c.f.s. &/or _____ acre feet
- b. Point(s) of diversion NE ¼ NE ¼, Section 14 Township 10N
Range 29E, B.M., Clark County
Additional points NE¼SW¼, Sec. 11, NW¼NE¼, NE¼SE¼, SE¼NE¼, Sec. 24, T. 10N,
R. 29E; SW¼SW¼, Sec. 29, NW¼NW¼, Sec. 32, T. 10N, R. 30E, B.M.
- c. Description of diverting works 5800 ft. 8" buried mainline with concrete sumps, one 75 Hp. pump, one 100 hp. pump and 16, ½ mile 4" handlines
- d. Describe the reasons for applying for a change in the point(s) of diversion
Upper portion of ranch can be irrigated more efficiently with pumps and sprinklers system.

2. Change in place of use

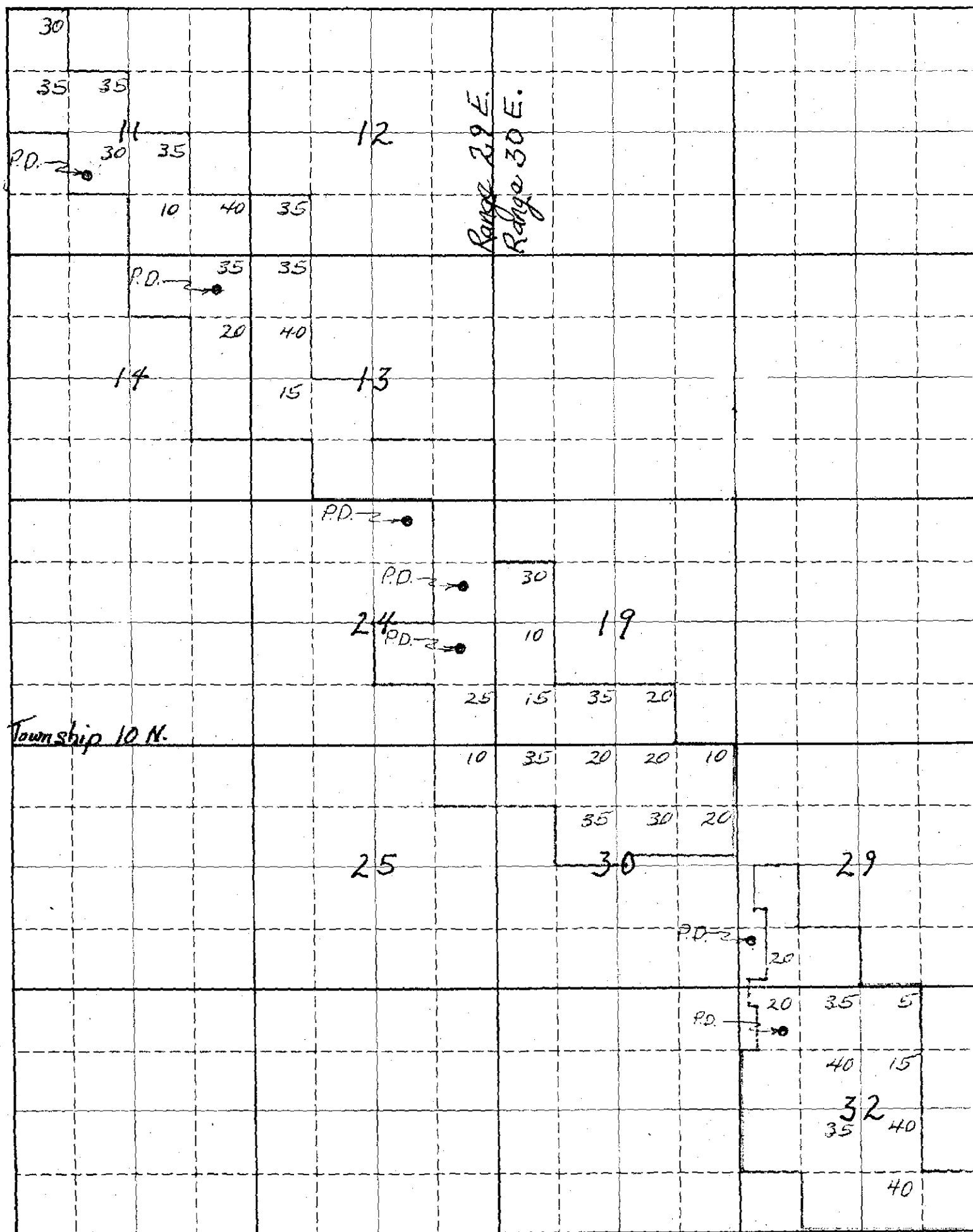
- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10N	29E	11						30	35	35	30		35			35	10	40	215
		12											35						35
		13						35	40			15							90
		14	35			20													55
		24															25		25
		25	10																10
10N	30E	19						30			10	15	35			20			110
		29										20							20
		30	10	20	30	20	20	35		35									170
		32		5	15		35	20*		40	35					40	40		230

* 0.10 cfs of the combination of 32-0091, 32-0092 & 32-0093 has been considered as being appurtenant to Blue Dome pr rty owned by Mrs. Cecil Carlso Said water will not be affected by this transfer

Total number of acres to be irrigated 960

- b. 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.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

3. Remarks _____

I hereby assert that no one will be injured by such change and 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.

Subscribed and sworn to before me this 29 day of September, 1977
Wm T. Simmons
(Signature of applicant)

My commission expires January 5, 1980
James H. Gerard
(Notary public)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 32-0061C, 32-0067, 32-0068, 32-0069, 32-0089, 32-0090, 32-0091, 32-0092 and 32-0093, and said application is hereby APPROVED.

1. Approval of said application is 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. 32D, Birch Creek.
3. The maximum rate of diversion under said right shall not exceed 18.6 cfs.

Witness my hand this 22nd day of February, 19 83

L. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by me Date 9-8-77

Prelim. check by LH Fee \$30.00

Receipted by me Date 9-8-77

Published in The Standard Journal

Pub. dates Sept. 22 & 29, 1977

Watermaster recommendation requested on 9-12-77

Bew Widdling rec'd.
#32-D

Protest filed by W.H. Enterprises,
Bew Widdling

Copies of protest forwarded by Cal

Hearing held by _____ Date _____

Recommended for approval denial

by W.C. Jim Orr

Birch Creek

32-0

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR FREMONT COUNTY,

XXXXXXXXXXXXXXXXXXXXXXXXXXXX
J. R. Richards, X
Plaintiff, X
vs X
Frank Reno, S. Kuharski, William X
Goddard, W. A. Tyler, Samuel Goddard, X
M. Kaufman, W. A. Scott, W. W. Johnson, X
Thomas Miller, David Miller, Edward X
Kaufman, and Henry Kaufman, X
Defendants, X
XXXXXXXXXXXXXXXXXXXXXXXXXXXX

JUDGMENT AND DECREE.

This cause came on regularly for trial under a stipulation of the respective parties and their attorneys heretofore signed and filed. Messrs J. Ed Smith and W. T. Smith appeared as attorneys for Plaintiff, Messrs Rogers and Torrell appeared as attorneys for H. Kaufman, Edward Kaufman and Henry Kaufman, Messrs Charles and Averitt appeared as Attorneys for W. W. Johnson, S. Kuharski and W. A. Scott, Messrs Stewart & Dietrich appeared as Attorneys for W. A. Tyler, Thomas Miller and David Miller, Messrs S. C. Winters and R. V. Conner appeared as attorneys for Frank Reno, and Mr. Thomas R. Bender appeared as attorney for Samuel Goddard and William Goddard, and the parties were all present in person.

The Court proceeded to the hearing of the testimony and all the parties with their witnesses having duly testified, which said testimony was taken by the Court Stenographer and the documentary and record testimony having been duly admitted, and the Court having listened to the argument of the respective counsel, the cause was closed and finally submitted to the Court for its consideration and adjudication.

And the Court after due consideration in the premises renders its decision and files its Findings of Facts and Conclusions of Law and orders Judgment to be entered in accordance therewith.

NOW THEREFORE IT IS ORDERED ADJUDGED AND DECREED,

First.

That the defendant W. W. Johnson do have at all times a flow of 160 inches of water, measured under a four inch pressure of the waters of Birch Creek a stream situated in Fremont County, State of Idaho, and the

to the use thereof to date from July 22, 1907,
That defendant, Lillian Watts, have no decree to or for any of the waters of
said Birch Creek.

That defendant, Birch Creek Irrigation Company, have no decree to any waters
of said Birch Creek.

That C. B. Watts also have the use at all times of two and one-half (2½)
cubic feet per second of time (one hundred and twenty-five miners' inches), the
same being one-half of the decreed right of Ed. M. Henry and M. Kaufman, dating
from May 10th, 1888; and one and three-fifths (1 3/5) cubic feet per second of time
(eighty miners' inches), the same being one-half of the decreed right of W. W.
Johnson, dating from May 10th, 1886; of the waters of Birch Creek; all of said
waters to be used upon and become appurtenant to the following described lands,
to-wit:

The West Half of the South-east Quarter, the North-east Quarter of the South-
west Quarter and the South-east Quarter of the North-west Quarter of Section Twenty-
three (23), in Township Ten (10) North of Range Thirty (30) East of Boise Meridian;

That Edward Kaufman have at all times the use of one half of one cubic foot
(½) per second of time (twenty-five miners' inches) of the waters of the said Pass
Creek, his right to the use of the same to date from the 1st day of May, 1901;

that Edward M. Kaufman also have the use at all times of two and one-half (2½)
cubic feet per second of time (one hundred and twenty-five miners' inches), the
same being one-half of the decreed right of M. Kaufman, Edward M. Kaufman and

Henry D. Kaufman, and dating from May 10th, 1888; also one and three-fifths (1 3/5)
cubic feet per second of time (eighty miners' inches), the same being one half of
the decreed right of W. W. Johnson and dating from May 10th, 1886; said heretofore
decreed water and all of it being taken from the main channel of Pass Creek and
all of said water to be used upon and become appurtenant to the following described
lands.

The South Half of the South-west Quarter of Section Twenty-nine (29), the North
Half of the North-west Quarter of Section Thirty-two (32), the North-west Quarter
of the South-west Quarter of Section Twenty-nine (29), the North-east Quarter of the
South-east Quarter of Section Thirty (30), in Township Ten (10) North of Range Thirty
(30) East of the Boise Meridian, in Clark County, State of Idaho, containing two
hundred and forty acres.

**PLEASE SEE WR 31-61 FOR
EXHIBITS AND RELATED
DOCUMENTS FOR BIRCH CREEK
PROTEST**

MEMORANDUM

TO: Files 32-00058/00059/00060/00061C/00061D/00062/00063/00064/00065/00066/
00068/00069/00070A/00070B/00073/00074/00075/00076/00077/00078/
00079/00080/00083/00085/00086/00087/00089/00090A/00091/00092/
00093/00101/00102/02043 & 02045.

FROM: Pam Skaggs^{OS}/State Office

SUBJECT: Transfer 5450

DATE: June 29, 1999

Transfer 5450 combines the above referenced rights from Birch Creek and creates a 5798-acre permissible place of use for the newly formed Reno Ditch Company. The rights will have a common diversion point and water will be distributed to shareholders within the service area. This transfer resolves previous disputes among the water users.

Region water right and adjudication staff reviewed these rights and provided initial recommendations. Review of the rights as originally decreed and licensed provided further detail to each right. The total combined use under these rights is limited to a diversion rate of 77.06 cfs, a total annual diversion volume of 11,579.2 af, and the irrigation of 3,427 total acres each season within in the permissible place of use.

Season of use was identified as 04-01 to 11-01 under these rights to be consistent with previous transfers. Recommended conditions include watermaster control, measuring device and lockable controlling works, irrigation overlap, permissible place of use limits, combined right limits, and standard transfer conditions.

MICROFILMED

10. 10. 1999

MEMORANDUM

TO: FILE 32-00092

FROM: PAM SKAGGS

RE: TRANSFER # 5450

DATE: 5-17-99

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 32-00058.

MICROFILMED

JUL 28 1999

MEMORANDUM

TO: FILE 32-00092

FROM: PAM SKAGGS ^{CA}

RE: TRANSFER # 3553

DATE: 7/16/93

Original Transfer Application, Form and correspondence regarding the above referenced Transfer is located within file # 32-000671C.

UNRECORDED

JUL 23 1993



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 10, 1992

RE: Transfers filed by Birch Creek Ranches and Mac and Betty Wagoner; Application for Amendment by Birch Creek Ranches - Nos. 32-00061, 32-00067, 32-00068, 32-00069, 32-00089, 32-00090, 32-00091, 32-00092, 32-00093, 32-00102

Dear Interested Party:

I spoke to George Peterson, who represents D & D Enterprises in the above disputed matters. Mr. Peterson stated that he had visited with Blair Grover, attorney for Newman, and Kent Foster, attorney for Sorenson. He stated that because of the uncertainty about the existing condition of Birch Creek because of the liner failure, some additional delay in the hearing would be helpful.

I told Mr. Peterson that I am willing to delay the hearing until there is some physical certainty about the delivery of water in Birch Creek. I do not intend to let these applications go unaddressed for years in the files of the Department, however.

I will defer setting the hearing for an additional six (6) months. On or about January 1, 1993, I will again call it up for review. If there is any change in the status prior to that time, I would appreciate being informed.

Sincerely,

A handwritten signature in cursive script that reads 'Gary Spackman'.

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

RECEIVED

JUL 14 1992

CERTIFICATE OF MAILING

I hereby certify that on the 13th day of July, 1992, I mailed a true and correct copy of the attached letter, to the following individuals:

Breck Barton
P.O. Box 100
Rexburg, ID 83440

Alva Harris
171 S. Emerson
Shelley, ID 83274

George Peterson
485 "E" Street
Idaho Falls, ID 83402

Kent Foster
P.O. Box 50130
Idaho Falls, ID 83405

Mac and Betty Wagoner
P.O. Box 296
Dubois, ID 83423

Don Shenton
Dubois, ID 83423

Blair Grover
P.O. Box 36
Rigby, ID 83442-0036

IDWR - Eastern Region


JENNIFER SEIFERT, Secretary
Department of Water Resources



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. KETHI HIGGINSON
DIRECTOR

June 25, 1992

<address>

RE: Transfers filed by Birch Creek Ranches and Mac and Betty & Wagoner; Application for Amendment by Birch Creek Ranches

Dear <sal>:

Parties to the above protested applications for transfer and amendment have been negotiating a possible settlement of the applications for transfer and application for amendment. I have not heard of any agreement. I recall seeing a letter, signed by Breck Barton, which set a deadline for completion of certain activity, although I cannot find it in my files.

This letter is an inquiry about the status of the negotiations, and the desires of the parties regarding a hearing. I do not want this matter to languish in the files of the Department forever without resolution.

I will set this matter for hearing at the end of thirty (30) days. If you are unavailable during certain time periods, I suggest you contact me prior to the end of the thirty days. If the protests are resolvable in some other way, I would appreciate being informed.

Respectfully,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

cc: Eastern Region

Journal of Interpersonal Violence 26(10)

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679,

CERTIFICATE OF MAILING

I hereby certify that on the 25th day of June, 1992, I mailed a true and correct copy of the attached letter, postage prepaid, to the following individuals:

Breck Barton
P.O. Box 100
Rexburg, ID 83440

Alva Harris
171 S. Emerson
Shelley, ID 83274

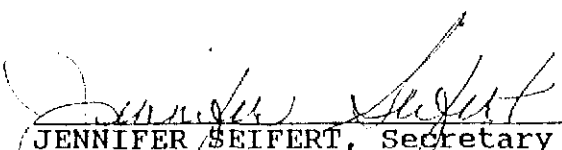
George Peterson
485 "E" Street
Idaho Falls, ID 83402

Kent Foster
Attorney at Law
P.O. Box 50130
Idaho Falls, ID 83405

Mac and Betty Wagoner
P.O. Box 296
Dubois, ID 83423

Don Shenton
Dubois, ID 83423

Blair Grover
P.O. Box 36
Rigby, ID 83442-0036


JENNIFER SEIFERT, Secretary
Department of Water Resources

ENCLOSURE

FILED



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

November 1, 1991

Breck Barton
P.O. Box 100
Rexburg, ID 83440

RE: Transfers filed by Birch Creek Ranches and Mac and Betty &
Wagoner; Application for Amendment by Birch Creek Ranches

Dear Mr. Barton:

The parties to the above matters have represented to me that they were productively negotiating a settlement. As a result, I have not sent a notice of hearing for the second week of November. I understand that the parties are still negotiating a settlement and that they will shortly know whether an agreement can be reached. I will defer setting the matter for hearing until December 1, 1991. If I have not received a stipulation for settlement, I will inquire about the use of the prior record, and set the matter for hearing.

I hope the negotiation is productive.

Sincerely,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js



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

November 1, 1991

Mac and Betty Wagoner
P.O. Box 296
Dubois, ID 83423

RE: Transfers filed by Birch Creek Ranches and Mac and Betty &
Wagoner; Application for Amendment by Birch Creek Ranches

Dear Mr. and Mrs. Wagoner:

The parties to the above matters have represented to me that they were productively negotiating a settlement. As a result, I have not sent a notice of hearing for the second week of November. I understand that the parties are still negotiating a settlement and that they will shortly know whether an agreement can be reached. I will defer setting the matter for hearing until December 1, 1991. If I have not received a stipulation for settlement, I will inquire about the use of the prior record, and set the matter for hearing.

I hope the negotiation is productive.

Sincerely,

A handwritten signature in cursive script that reads 'Gary Spackman'.

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

NOV 1 1991

11/1/91



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

November 1, 1991

Alva A. Harris
171 S. Emerson
Shelley, ID 83274

RE: Transfers filed by Birch Creek Ranches and Mac and Betty &
Wagoner; Application for Amendment by Birch Creek Ranches

Dear Ms. Harris:

The parties to the above matters have represented to me that they were productively negotiating a settlement. As a result, I have not sent a notice of hearing for the second week of November. I understand that the parties are still negotiating a settlement and that they will shortly know whether an agreement can be reached. I will defer setting the matter for hearing until December 1, 1991. If I have not received a stipulation for settlement, I will inquire about the use of the prior record, and set the matter for hearing.

I hope the negotiation is productive.

Sincerely,

A handwritten signature in cursive script, reading 'Gary Spackman'.

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

11/1/91
11/1/91



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

November 1, 1991

Don Shenton
Dubois, ID 83423

RE: Transfers filed by Birch Creek Ranches and Mac and Betty &
Wagoner; Application for Amendment by Birch Creek Ranches

Dear Mr. Shenton:

The parties to the above matters have represented to me that they were productively negotiating a settlement. As a result, I have not sent a notice of hearing for the second week of November. I understand that the parties are still negotiating a settlement and that they will shortly know whether an agreement can be reached. I will defer setting the matter for hearing until December 1, 1991. If I have not received a stipulation for settlement, I will inquire about the use of the prior record, and set the matter for hearing.

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Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js



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

November 1, 1991

George Petersen
485 "E" Street
Idaho Falls, ID 83402

RE: Transfers filed by Birch Creek Ranches and Mac and Betty &
Wagoner; Application for Amendment by Birch Creek Ranches

Dear Mr. Petersen:

The parties to the above matters have represented to me that they were productively negotiating a settlement. As a result, I have not sent a notice of hearing for the second week of November. I understand that the parties are still negotiating a settlement and that they will shortly know whether an agreement can be reached. I will defer setting the matter for hearing until December 1, 1991. If I have not received a stipulation for settlement, I will inquire about the use of the prior record, and set the matter for hearing.

I hope the negotiation is productive.

Sincerely,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 1, 1991

Blair Grover
P.O. Box 36
Rigby, ID 83442-0036

RE: Transfers filed by Birch Creek Ranches and Mac and Betty &
Wagoner; Application for Amendment by Birch Creek Ranches

Dear Mr. Grover:

The parties to the above matters have represented to me that they were productively negotiating a settlement. As a result, I have not sent a notice of hearing for the second week of November. I understand that the parties are still negotiating a settlement and that they will shortly know whether an agreement can be reached. I will defer setting the matter for hearing until December 1, 1991. If I have not received a stipulation for settlement, I will inquire about the use of the prior record, and set the matter for hearing.

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Sincerely,

A handwritten signature in cursive script that reads 'Gary Spackman'.

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 1, 1991

Kent Foster
Attorney at Law
P.O. Box 50130
Idaho Falls, ID 83405

RE: Transfers filed by Birch Creek Ranches and Mac and Betty &
Wagoner; Application for Amendment by Birch Creek Ranches

Dear Mr. Foster:

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Sincerely,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

NOV 1 1991

11/1/91



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

July 18, 1991

Kent Foster
Attorney at Law
P.O. Box 50130
Idaho Falls, ID 83405

RE: Transfers Filed by Birch Creek Ranches and Mac and Betty
Wagoner

Dear Mr. Foster:

I have checked the tapes recorded during the prior hearing for Birch Creek Ranches' application for transfer. The speed of the tapes is 1.2 revolutions per minute. The tapes cannot be recorded and played back in a normal cassette recorder.

The tapes and the exhibits are now at our Eastern Regional office in Idaho Falls. The tapes and exhibits will remain in our Eastern regional office until September 5, 1991, for your review.

The Department will transcribe the record for \$2.00 a page. Any requests for transcription should be received by August 1, 1991.

Pursuant to our conversations at the conference, I will expect a written agreement or disagreement to use the prior record created at the earlier hearing.

Sincerely,

A handwritten signature in cursive script that reads 'Gary Spackman'.

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

RECORDED

100-100000



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 18, 1991

Breck Barton
Attorney at Law
P.O. Box 100
Rexburg, ID 83440

RE: Transfers Filed by Birch Creek Ranches and Mac and Betty Wagoner

Dear Mr. Barton:

I have checked the tapes recorded during the prior hearing for Birch Creek Ranches' application for transfer. The speed of the tapes is 1.2 revolutions per minute. The tapes cannot be recorded and played back in a normal cassette recorder.

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Sincerely,

Gary Spackman

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

[illegible][illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

July 18, 1991

Blair Grover
Attorney at Law
P.O. Box 36
Rigby, ID 83442-0036

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Wagoner

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The tapes and the exhibits are now at our Eastern Regional office in Idaho Falls. The tapes and exhibits will remain in our Eastern regional office until September 5, 1991, for your review.

The Department will transcribe the record for \$2.00 a page. Any requests for transcription should be received by August 1, 1991.

Pursuant to our conversations at the conference, I will expect a written agreement or disagreement to use the prior record created at the earlier hearing.

Sincerely,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

July 18, 1991

George Petersen
Attorney at Law
485 "E" Street
Idaho Falls, ID 83402

RE: Transfers Filed by Birch Creek Ranches and Mac and Betty
Wagoner

Dear Mr. Petersen:

I have checked the tapes recorded during the prior hearing for Birch Creek Ranches' application for transfer. The speed of the tapes is 1.2 revolutions per minute. The tapes cannot be recorded and played back in a normal cassette recorder.

The tapes and the exhibits are now at our Eastern Regional office in Idaho Falls. The tapes and exhibits will remain in our Eastern regional office until September 5, 1991, for your review.

The Department will transcribe the record for \$2.00 a page. Any requests for transcription should be received by August 1, 1991.

Pursuant to our conversations at the conference, I will expect a written agreement or disagreement to use the prior record created at the earlier hearing.

Sincerely,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

RECORDED

JUL 19 1991

RECEIVED

MAY - 3 1991

Department of Water Resources
Eastern District Office

Janice M. Judy
3580 West Elswood
Idaho Falls, Idaho 83402

3 May 1991

Idaho Department Water Resources
150 Shoup Suite #15
Idaho Falls, Idaho 83402

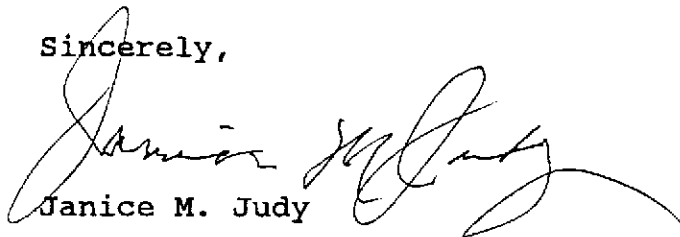
RE: Protest to Birch Creek Transfer of water right 32-0092

Dear Sirs:

I wish to protest the application for transfer for water right 32-0092. The basis of my protest is the fact that according to my warranty deed, the water master water district 32-D, and records of water district 32-D, I have 5 miners inches (0.10 cfs) of water right 32-0092(05/10/1888). It appears to me that the Birch Creek Ranches, Inc. transfer and the preceding transfer #2165 credits my water as coming from three separate water rights (32-0091, 32-0092, and 32-0093) when in fact all of my water comes from only one water right (32-0092) with a priority of May 10, 1888.

Please see the attached copy of my warranty deed.

Sincerely,


Janice M. Judy

ENCLOSURE
MAY 10 1991

RECEIVED

MAY - 3 1991

Department of Water Resources
Eastern District Office

9374

WARRANTY DEED

THIS INDENTURE, Made this 18th day of May 1932 in the year of our Lord one thousand nine hundred and Thirty-two BETWEEN Auto Bare and Nancy Jane Bare, his wife of Winsper, County of Clark, State of Idaho the parties of the first part, and Dale Bare of Winsper, County of Clark, State of Idaho the party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Five Hundred and no/100 (\$500.00) DOLLARS lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate situate in County of Clark and State of Idaho, to-wit:

Beginning at a point on the Section line between sections 31 and 32 which is 12 chains South of the Section corner common to sections 29, 30, 31 and 32. Twp. 10 N. R. 30, E.B.M. Thence south no degrees and 4 minutes East along said Section line for 6 chains; Thence East 9 Chains; Thence North one degree and 50 minutes west for 8 chains and 50 links; Thence North nine degrees and 40 minutes West for 3 chains and 48 links; Thence North seven degrees and 44 minutes East for 2 chains and 23 links; Thence North 55 degrees and 40 minutes West for 1 chain and 75 links; Thence South No degrees and four minutes East for 7 chains and 10 links; Thence West 5 chains; Thence South no degrees and 4 minutes East for 2 chains; Thence West for 2 chains: to place of beginning on said Section line and containing 7.63 Acres, more or less. All being in Twp. 10 North Range 30 E.B.M. Together with five inches of water of Birch Creek, dating May 10 1888. Said water being a part of the original decreed right and decreed to M. Kaufman, Edward Kaufman and Henry Kaufman.

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to said property, as well in law as in equity, of the said parties of the first part:

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns, forever, and the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons, whosoever, lawfully claiming or to claim the same shall and will Warrant and by these presents forever Defend.

32-0092

RECEIVED

MAY - 3 1991

Department of Water Resources
Eastern District Office

IN WITNESS WHEREOF, The said Parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Auto Bare (Seal)

Nancy Jane Bare (Seal)

STATE OF IDAHO, }
County of Clark } ss.

On this 18th day of May, 1932, before me, John W. Hays, a Notary Public in and for said State, Personally appeared Auto Bare and Nancy Jane Bare his wife, known to me to be the person whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

(S E A L)

John W. Hays
Notary Public. Residing at
Dubois, Idaho

My Commission expires May 15. 1934.

State of Idaho, }
County of Clark } ss.

I hereby certify that this instrument was filed for record at the request of Auto Bare at 3:10 o'clock P.M., this 26 day of May, 1932, in my office, and duly recorded in Book 3 of Deeds at page 667.

G. B. Allan, Ex-officio Recorder.

By G. B. Allan

Deputy.

Fees \$1.20

Book 3

MICROFILMED

APR 24 1991



State of Idaho
DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

May 30, 1991

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

RE: App. for Transfer No. 32-0092/ETC. BIRCH CREEK RANCHES

Janice M. Judy
3580 W. Elswood
Idaho Falls, ID 83402

Dear Ms. Judy:

This letter acknowledges receipt of the protest filed against the above referenced application for transfer. The following are the principle items considered by the Department at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfers?
2. Does the change constitute an enlargement in the use of the original rights?
3. Will the proposed use under these transfers conflict with the local public interest?

The protestant must be prepared to present proof of the allegations involving one or more of the items. You will be notified at a later date as to the time and place set for conference and/or hearing. We appreciate your support in this matter.

If we may be of further assistance, please contact us.

Respectfully submitted,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

cc: IDWR - State Office

RECEIVED
MAY 31 1991

FEB 12 1991

Page 1 of 22STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Birch Creek Ranches, Inc. Phone (208) 523-0620
Post Office address c/o Holden, Kidwell, Hahn & Crapo, P.O. Box 50130, Idaho Falls, ID 83405

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 Birch Creek Ranches and Mac and Betty Wagoner have resolved the dispute raised by Wagoners' protest in this proceeding and which was the subject of a separate action in Clark County District Court in Case No. 2-462. See attached copy of Memorandum of Agreement. (Attachment No. 1)

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 _____ to _____
_____ See Attachment No. 2 _____ to _____
_____ to _____
_____ to _____
2. Total amount of water being transferred 17.5 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Birch Creek tributary to Sinks
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	34	9N	30E	Clark	New Reno Diversion

5. 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	
8N	31E	12											40		40	40	40		160
	32E	10									40	40			40	40	40	40	240
		11							40	40	40	40	40	40					240
		14					40	40											80
		1												40				40	80
8N	33E	6									40			40		40	40		160

Total acres

960

PART 1

6. General Information:

- a. Description of diversion system An earthen dam with a buried PVC liner has been placed in Birch Creek at the point of diversion to divert water through the new lined power channel to the power plant and thence into the lower portion of the old Reno Ditch.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the ^effect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will no longer be irrigated.

d. Remarks:

.1 cfs of the combination of 32-0091, 32-0092, and 32-0093 is still appurtenant to the the Blue Dome property and is not sought by this application to be transferred. See Transfer No. 2165. If .1 cfs is deducted proportionately from these three rights, the remaining amounts owned by applicant are .48913 cfs, 2.44565 cfs, and 1.56522 cfs respectively.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19____.

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 32-0090 Decreed to C. B. Watts
in case of Agnes B. Reno, et al. vs. J. R. Richards, et al.
dated 09/06/1922 in 9th District Court county of Fremont
- 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. 2165 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Birch Creek tributary to Sinks

4. Date or priority 05/10/1886

5. Water is used for the following purpose:

amount 1.6 cfs for Irrigation purposes from 04/01 to 11/01
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.6 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion: See Attachment No. 3

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

8. Lands irrigated or place of use: See Attachment No. 4

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 _____

9. Describe any other water rights used for the same purpose as described above 32-0093, 32-0068, 32-0061C,
32-0069, 32-0089, 32-0092, and 32-0091.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount .8 cfs for Irrigation purposes from 04/01 to 11/01
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: See Attachment No. 3

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use: See Attachment No. 4

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change) But see accompanying amended application for transfer to transfer this portion to Mac and Betty Wagoner.

1. amount .8 cfs for Irrigation purposes from 04/01 to 11/01
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: See Attachment No. 3

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use: See Attachment No. 4

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 32-0093 Decreed to Edward M. Kaufman
in case of Agnes B. Reno, et al. vs. J. R. Richards, et al.
dated 09/06/1922 in 9th District Court county of Fremont
- 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. 2165 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Birch Creek tributary to Sinks

4. Date or priority 05/10/1886

5. Water is used for the following purpose:

amount 1.56522 cfs for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.56522 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion: See Attachment No. 3

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

8. Lands irrigated or place of use: See Attachment No. 4

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 _____

9. Describe any other water rights used for the same purpose as described above 32-0090, 32-0068, 32-0061C,
32-0069, 32-0089, 32-0092, and 32-0091.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

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

2. Point(s) of Diversion:

Lot	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 _____

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. 32-0068 Decreed to Wood Livestock Co.
in case of Agnes B. Reno, et al. vs. J. R. Richards, et al.
dated 09/06/1922 in 9th District Court county of Fremont
- 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. 2165 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Birch Creek tributary to Sinks

4. Date or priority 05/10/1887

5. Water is used for the following purpose:

amount 3.2 cfs for Irrigation purposes from 04/01 to 11/01
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 3.2 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion: See Attachment No. 3

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

8. Lands irrigated or place of use: See Attachment No. 4

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 _____

9. Describe any other water rights used for the same purpose as described above 32-0090, 32-0093, 32-0061C,

32-0069, 32-0089, 32-0092, and 32-0091.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

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

2. Point(s) of Diversion:

Lot	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 _____

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. 32-0061C Decreed to Jerome F. Reno
in case of Agnes B. Reno, et al. vs. J. R. Richards, et al.
dated 09/06/1922 in 9th District county of Fremont
- 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. 265 and 2165 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Birch Creek tributary to Sinks

4. Date or priority 05/10/1888

5. Water is used for the following purpose:

amount .4 cfs for Irrigation purposes from 04/01 to 11/01
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right .4 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion: See Attachment No. 3

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use: See Attachment No. 4

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 _____

9. Describe any other water rights used for the same purpose as described above 32-0090, 32-0093, 32-0068,
32-0069, 32-0089, 32-0092, and 32-0091.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

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

2. Point(s) of Diversion:

Lot	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 _____

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. 32-0069 Decreed to Wood Livestock Co.
in case of Agnes B. Reno, et al. vs. J. R. Richards, et al.
dated 09/06/1922 in 9th District Court county of Fremont
- 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. 2165 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Birch Creek tributary to Sinks

4. Date or priority 05/10/1888

5. Water is used for the following purpose:

amount 3.2 cfs for Irrigation purposes from 04/01 to 11/01
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 3.2 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion: See Attachment No. 3

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use: See Attachment No. 4

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 _____

9. Describe any other water rights used for the same purpose as described above 32-0090, 32-0093, 32-0068,

32-0061C, 320089, 32-0092, and 32-0091.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

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

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

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

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 32-0089 Decreed to C. B. Watts
in case of Agnes B. Reno, et al. vs. J. R. Richards, et al.
dated 09/06/1922 in 9th District Court county of Fremont
- 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. 2165 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Birch Creek tributary to Sinks

4. Date or priority 05/10/1888

5. Water is used for the following purpose:

amount 2.5 cfs for Irrigation purposes from 04/01 to 11/01
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.5 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion: See Attachment No. 3

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

8. Lands irrigated or place of use: See Attachment No. 4

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 _____

9. Describe any other water rights used for the same purpose as described above 32-0090, 32-0093, 32-0068,
32-0061C, 320069, 32-0092, and 32-0091.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

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

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

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

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 32-0092 Decreed to Edward M. Kaufman
in case of Agnes B. Reno, et al. vs. J. R. Richards, et al.
dated 09/06/1922 in 9th District Court county of Fremont
- 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. 2165 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Birch Creek tributary to Sinks

4. Date or priority 05/10/1888

5. Water is used for the following purpose:

amount 2.44565 cfs for Irrigation purposes from 04/01 to 11/01
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.44565 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion: See Attachment No. 3

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use: See Attachment No. 4

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 _____

9. Describe any other water rights used for the same purpose as described above 32-0090, 32-0093, 32-0068,
32-0061C, 32-0069, 32-0089, and 32-0091.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

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

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

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

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 32-0091 Decreed to Edward M. Kaufman
in case of Agnes B. Reno, et al. vs. J. R. Richards, et al.
dated 09/06/1922 in 9th District Court county of Fremont
- 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. 2165 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Birch Creek tributary to Sinks

4. Date or priority 05/01/1901

5. Water is used for the following purpose:

amount .48913 cfs for Irrigation purposes from 04/01 to 11/01
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right .48913 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion: See Attachment No. 3

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use: See Attachment No. 4

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 _____

9. Describe any other water rights used for the same purpose as described above 32-0090, 32-0093, 32-0068,
32-0061C, 32-0069, 32-0089, and 32-0092.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

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

2. Point(s) of Diversion:

Lot	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 _____

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. 32-0101 Decreed to Thomas J. Weimer
in case of Agnes B. Reno, et al. vs. J. R. Richards, et al.
dated 09/06/1922 in 9th District Court county of Fremont
- 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 See Attachments Nos. 5 & 6

3. Source of water Birch Creek tributary to Sinks

4. Date or priority 06/04/1909

5. Water is used for the following purpose:

amount 2.9 cfs for Irrigation purposes from 04/01 to 11/01
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.9 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SE	NE	3	10N	29E	Clark	

8. 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	
10N	29E	2											12						12
		3				5									19			28	52

Total acres 64.0

9. Describe any other water rights used for the same purpose as described above 32-0072

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

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

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

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

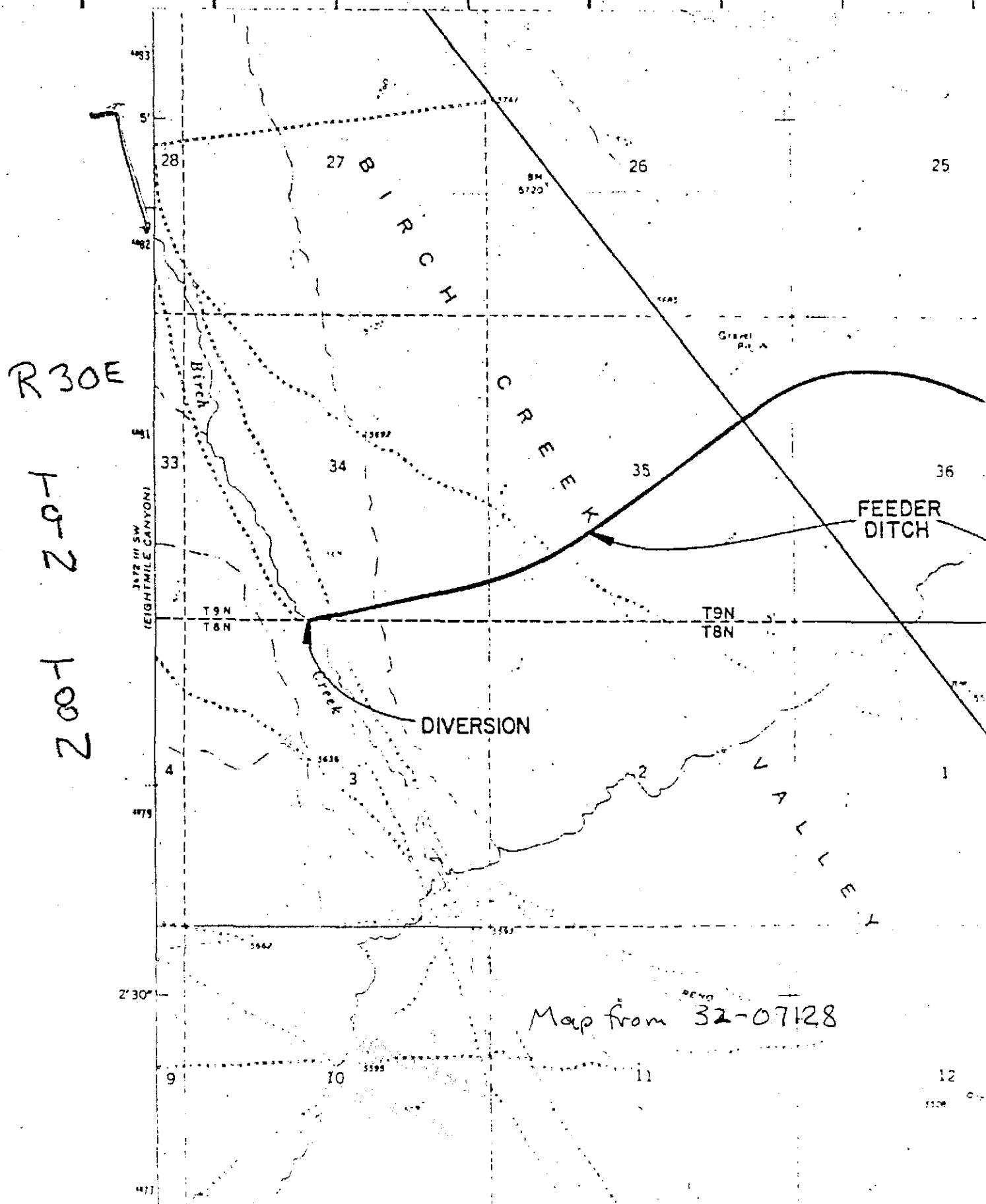
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____



place of use for rights described

MEMO TO FILE:

SEE FILE # 32-0061C FOR TRANSFERS FILED ON THE FOLLOWING WATER RIGHTS:

32-0068
32-0069
32-0089
32-0090
32-0091
32-0092
32-0093
32-0101

Trans. #3828

RECEIVED

FROM Sharla

DATE 10/11/89

TO Files 32-0067/0068/0069/0089/0090/0091/0092/0093

SUBJECT Trans. 3553

See file 32-0061 for all correspondence regarding the above referenced transfer.

SIGNATURE

RECEIVED

INTER-DEPARTMENT MEMO — 1

FROM Kay Walker

DATE 2/11/1983

TO Files 32-0067, 32-0068, 32-0069, 32-0089, 32-0090, 32-0091, 32-0092 and 32-0093

SUBJECT Transfer No. 2165

See Water Right File No. 32-0061 for all correspondence regarding the above referenced transfer.

SIGNATURE