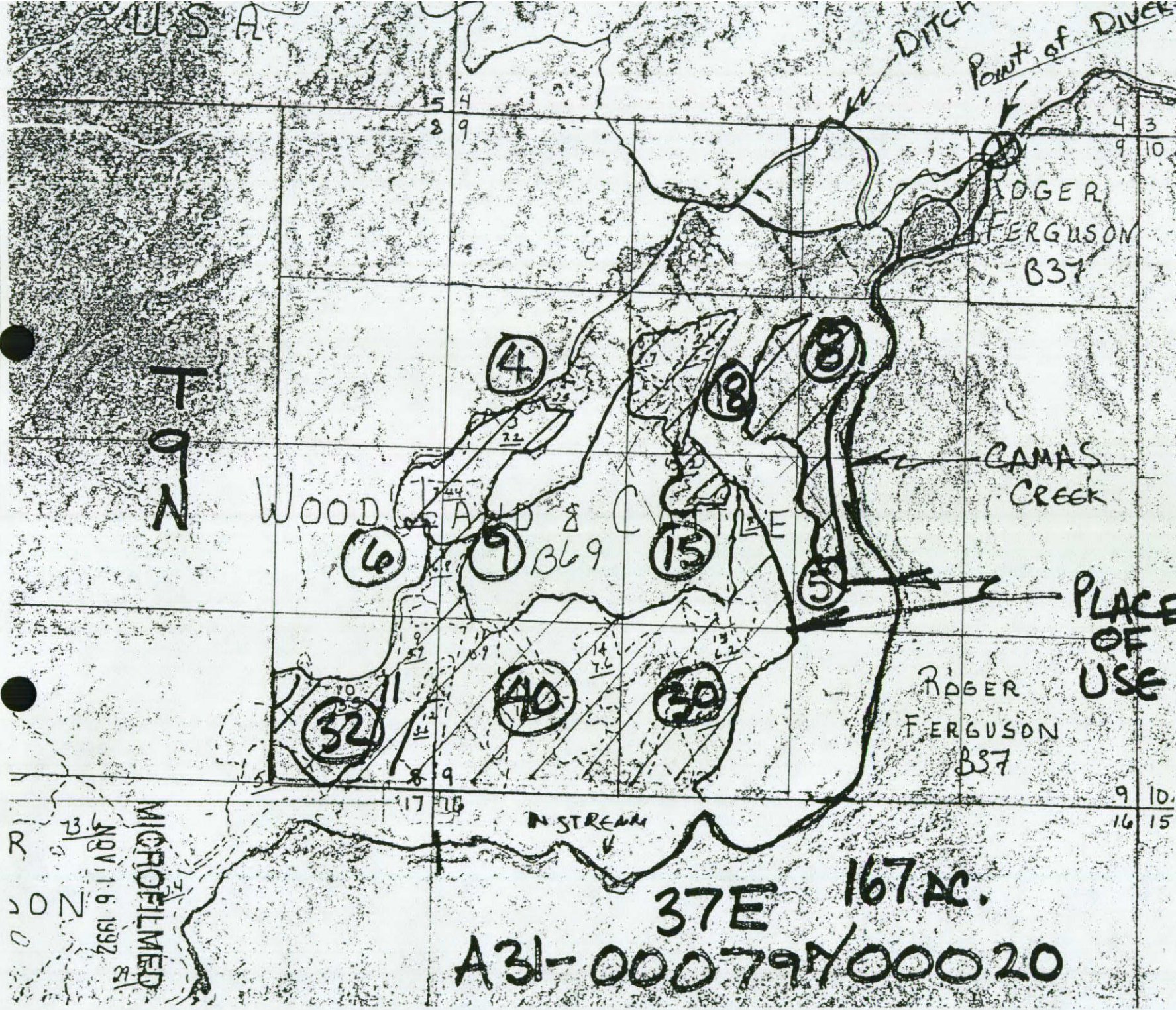




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MEMORANDUM

TO: FILE NO. 31-00079
FROM: PAM SKAGGS/STATE OFFICE
SUBJECT: TRANSFER NO. 4720
DATE: October 22, 1996

=====

Transfer No. 4720 was filed to change the point of diversion, place, nature and season of use under a portion of Right No. 31-00079, splitting the right into parts A and B. The applicant will remove 2 acres from irrigation to provide water to a stockwater system consisting of a pump, storage tank and a series of 3 troughs.

The transfer application originally included Right No. 31-00020 also, but was amended before final processing. Overlap review of the water rights as recorded show no overlap of the original place of use of the 2 acres being dried up. The change from irrigation to stockwater use reduces both the diversion and consumptive use volume.

Change in Nature of Use Evaluation

			Div. Vol.	C/U Vol.
Original Rt:	254 Acres	5.80 cfs	(889 afa)	(635 afa)
Unchanged				
Part A:	252 "	5.75 "	(882 ")	(630 ")
Stockwater				
Part B:	(2 ")	0.05 "	2 "	-----
Total:	254 Acres	5.80 cfs	884 afa	630 afa

The application identifies a modified season of use for 152 days and 360 range cattle. The diversion volume was calculated from this information.

360 cattle x 12 gpd x 152 days = 656,640 gal or 2.0 af

Recommended conditions include measuring device, watermaster control, right-of-way and standard transfer conditions.

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Page 1 of 8STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4720

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Don or Beverly Burtenshaw Phone 589-4493
(208) 663-4493
Post Office address HC 63 Box 2610, Terreton, ID 83450

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 Change nature of use
2. Describe the reason for the proposed changes The portion described will be used for
stockwater.

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
A31-00079 B	06/12/1909	0.04 0.03	stockwater	04/01 to 10/31
A31-00020 B	05/20/1912	0.04 0.03	stockwater	04/01 to 10/31
				to
				to

2. Total amount of water being transferred ~~0.08~~ 0.06 cubic feet per second and/or ~~7.5~~ 7.0 acre-feet per annum.3. Source of water Camas Creek tributary to Mud Lake

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	25	11N	38E	Clark	Dalling pump

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10N	39E	05	S																
11N	38E	36											S						
11N	39E	31															S		

AMENDED APPLICATION - R+ 31-00079 only.

PART 1

6. General Information:

a. Description of diversion system Pump in stream to stock troughb. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes no 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:

Dry pasture

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

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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. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A31-00020 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 _____

3. Source of water Camas Creek tributary to Mud Lake

4. Date or priority 05/20/1912

5. Water is used for the following purpose:

amount 2.40 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 2.40 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
		NE	NE	09	9N	37E	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	
09N	37E	08													6			32	38
		09			8				4	18	15	9	40	30		5			129

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Total acres 167

9. Describe any other water rights used for the same purpose as described above A31-00079A

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 0.03 (cfs/ac-ft) for irrigation purposes from 04/01 to 11/01
~~0.04~~cfs
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	009	9N	37E	Clark	

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	
09N	37E	09														2.0			2.0

2.0

Total acres _____

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

1. amount 2.36 cfs for irrigation purposes from 04/01 to 11/01
 (cfs/ac-ft)
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	09	9N	37E	Clark	

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	
09N	37E	8													6			32	38
		9			8				4	18	15	9	40	30		2.5			126.5
																3.0			127

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NOV 05 1996

Total acres _____

164.5

165

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. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A31-00079A 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 _____

3. Source of water Camas Creek tributary to Mud Lake

4. Date or priority 06/12/1909

5. Water is used for the following purpose:

amount 2.6 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 2.6 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
	NW	NE	NE	09	9N	37E	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	
9N	37E	8													6			32	38
		9			8				4	18	15	9	40	30		5			129

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Total acres 167

9. Describe any other water rights used for the same purpose as described above _____

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 0.03 ~~0.04~~ 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:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	09	9N	37E	Clark	

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	
09N	37E	09														2.5			2.5
																2.0			2.0

Total acres 2.5
2.0

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

1. amount 2.36 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:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	09	9N	37E	Clark	

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	
09N	37E	8													6			32	38
		9			8				4	18	15	9	40	30		2.5			126.5
																			127

Total acres 164.5

165

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Point of Ditch

ROGER
FERGUSON
B37

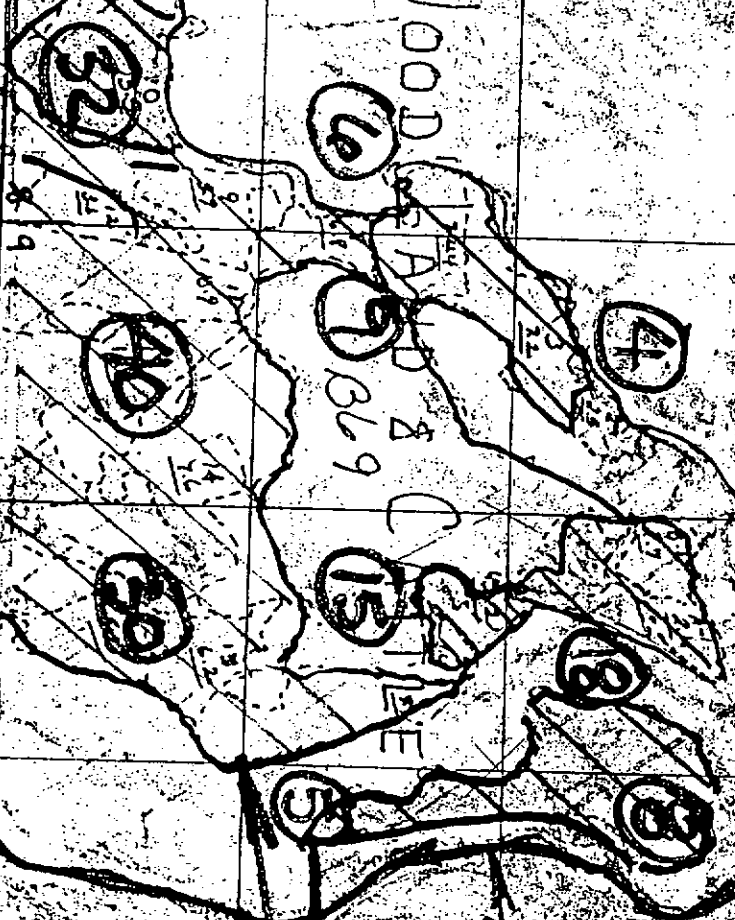
CAMAS
Creek

ROGER
FERGUSON
B37

Place
OF
USE

Stream

WOOD



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NOV 16 1992

A31-00079/00020
37E 167N

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NOV 05 1996

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.

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JUN 15 1996

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	Stockwater	0.06 cfs / 7 ac-ft	60 days / year Maximum	July Aug to Sept. 30

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.

Don M. Buntunhouse
(Signature of Applicant)

Subscribed and sworn to before me this 22 day of Sept, 1995.

Hazel R. Hope
(Notary Public)

My commission expires 6-18-97

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee \$100.00

Received by HWT #E021401 Date 8-14-1995

Published in Post Register Copies of protest forwarded by _____

Pub. dates October 5 & 12, 1995 Hearing held by _____ Date _____

Watermaster recommendation requested on 9-26-95 Recommended for ☐ approval ☐ denial

Water Dist. 31 rec'd. _____ by _____

Copy of transfer sent to lien holder _____

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