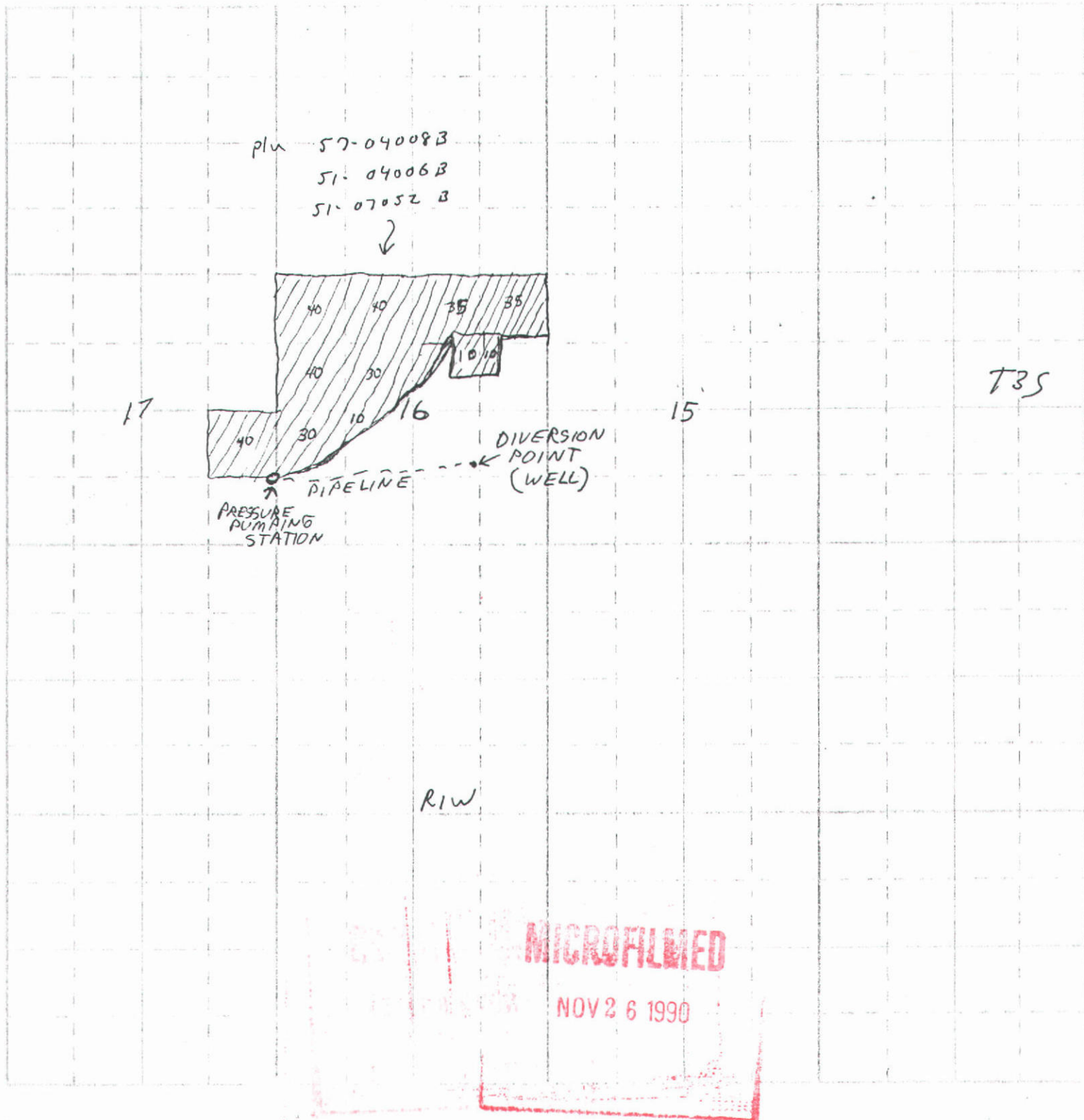


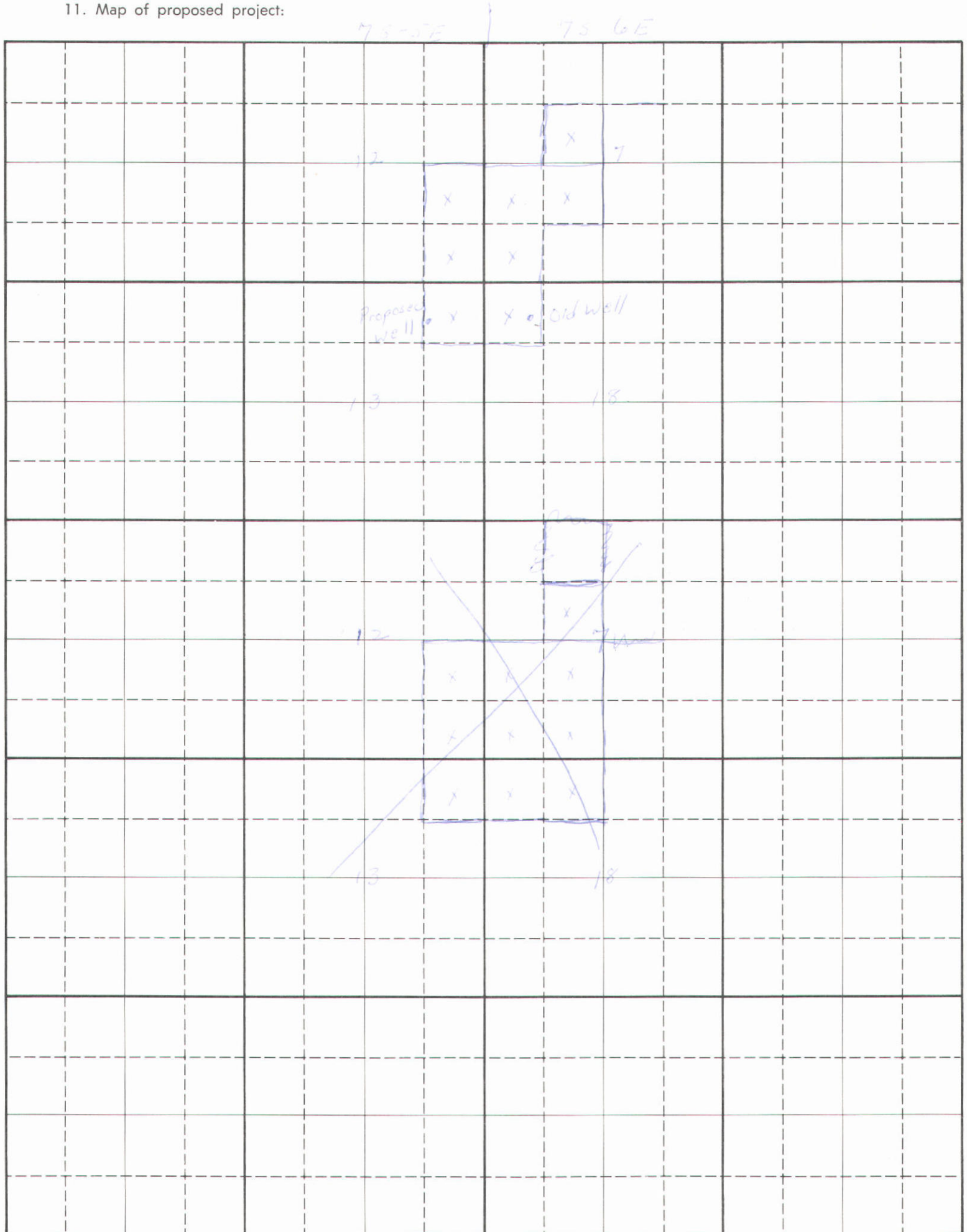
STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 3

- 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.



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

11. Map of proposed project:



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Ray R. Davis  
(Applicant)

51-7052



TWP 75 RANGE COUNTY Oryhee SCALE: 1" = 1 MILE

36 31 32 33 34 35 36 31

LE GEND

1 4 6 5 4 3 2 1 6

1 RELEASE

1 DOMESTIC

2 Death 8 9 10 11 12 7

2 D.T.W. GPM

2 D.O.

13 18 17 16 15 14 13 18

120 120 120 120 120 120 120 120

24 19 20 21 22 23 24 19

25 30 29 28 27 26 25 30

36 31 32 33 34 35 36 31

1 6 5 4 3 2 1 6

51-7052

T  
7  
S

1 2

7

1 3

1 8



Diagram of System



**NOTICE OF APPLICATION  
FOR PERMIT  
TO APPROPRIATE  
THE PUBLIC WATERS  
OF THE STATE OF IDAHO**

Notice is hereby given that LeRoy R. Davis, Box 121, Bruneau, Idaho, has on March 17, 1970 submitted Application No. 51-7052 to appropriate the public waters of a ground water source.

The application proposes a maximum diversion and appropriation of 3.0 cubic feet per second of water to be diverted by well, pump, and motor within the NE $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 13, Twp. 7 S., Rge. 5 E., B. M., Owyhee County and is to be used within the E $\frac{1}{2}$ SE $\frac{1}{4}$  Sec. 12; NE $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 13, Twp. 7 S., Rge. 5 E., B. M., and SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 7; NW $\frac{1}{4}$ NW $\frac{1}{4}$  Sec. 18, Twp. 7 S., Rge. 6 E., B. M., for the irrigation of 320 acres from March 1 to November 1.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Reclamation on or before April 20, 1970.

R. KEITH HIGGINSON,  
State Reclamation Engineer  
Published in the Owyhee Nug-  
get, Marsing, Idaho on April 2nd  
and April 9th, 1970.

**NOTICE OF APPLICATION  
FOR PERMIT  
TO APPROPRIATE  
THE PUBLIC WATERS  
OF THE STATE OF IDAHO**

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R. KEITH HIGGINSON,  
State Reclamation Engineer  
Published in the Owyhee Nug-  
get, Marsing, Idaho on April 2nd  
and April 9th, 1970.

KW.

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHTS NUMBER INDEX

DATE: 03/20/98  
PAGE: 1

WATER RIGHT NUMBER	NAME	CFS
51-07052	SPLIT INTO 51-07052A & B BY TRANS. 3760.	
51-07052A	DAVIS , LEROY R	0.32
51-07052B	DAVIS , SUSAN H	2.36

APR 16 1998

## TRANSFER OF WATER RIGHT

APR 16 1938

TRANSFER NO. 5096  
WATER RIGHT NO(S). 51-04006B/51-07052B

CONDITIONS OF APPROVAL AND REMARKS

3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. 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.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- \* 7. The total instantaneous diversion of water from all points of diversion under Transfer 5096 shall not exceed 5.00 cfs, nor a total combined annual volume of 1128.0 af.
- \* 8. Rights 51-04006B and 51-07052B when combined shall not exceed a total annual diversion volume of 1128.0 af at the field headgate.
9. Approval of Transfer 5096 does not confirm Claimed Right 51-04006B.
10. Two points of diversion are located within NENE, S13, T07S, R05E.

Dated this 20<sup>th</sup> day of March, 1998

  
Chief, Water Allocation Bureau

APR 16 1998



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**TRANSFER OF WATER RIGHT**

TRANSFER NO. 4798  
WATER RIGHT NO(S). 51-04006B/51-07052B

This is to certify that: **SUSAN H DAVIS**  
**HC 85 BOX 121**  
**BRUNEAU ID 83604**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 51-04006B :			
IRRIGATION	04/01 to 10/31	2.64 CFS	1115.4 AF
Priority: 03/01/1963			
Right No. 51-07052B :			
IRRIGATION	04/01 to 10/31	2.36 CFS	977.1 AF
Priority: 03/17/1970			
	<b>TOTAL:</b>	<b>5.00 CFS</b>	<b>* 1128.0 AF</b>

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 13, Township 07S, Range 05E  
NWNE , Sec. 9, Township 07S, Range 06E  
OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	05E	12	NESE 40	SESE 40		80
		13	NENE 40			40
06E	7		SENE 20	NESW 20	Lot 3(NWSW) 40	120
		Lot 4(SWSW)	40			40
	9		NWNE 18	SWNE 16	NENW 6	2
	18		NWNW 2			282
Total number of acres irrigated:						282


OCT 10 1996

TRANSFER NO. 4798  
WATER RIGHT NO(S). 51-04006B/51-07052B

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
2. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. 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.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- \* 7. The total instantaneous diversion of water from all points of diversion under Transfer No. 4798 shall not exceed 5.00 cfs, nor total combined annual volume of 1128.0 af for the irrigation of 282.0 total combined acres in a single irrigation season.
8. Approval of this transfer in no way confirms Statutory Claim No. 51-04006B.
9. Two points of diversion are located within NWNE, S09, T07S, R06E.

Dated this 30<sup>th</sup> day of August, 1996

  
Chief, Water Alloc. Bureau

RECEIVED

OCT 10 1996

Page 1 of 10

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. 3760

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1

APPROVED

Name of applicant JOYCE LIVESTOCK CO Phone 834-2237  
Post Office address SINKER CREEK MURPHY, IDAHO 83650

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 Source
2. Describe the reason for the proposed changes Move surface water right to this well to enable diversion prior to review of Application for Permit No. 57-07522 under Swan Falls Criteria.

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	Source
<u>57-4008 B</u>	<u>7/15/1999</u>	<u>6.4 cfs</u>	<u>Irr</u>	<u>4/1</u> to <u>11/1</u>	<u>Ground wa</u>
<u>51-4006 B</u>	<u>3/1/1963</u>	<u>2.64 cfs</u>	<u>Irr</u>	<u>4/1</u> to <u>11/1</u>	<u>Ground wa</u>
<u>51-7052 B</u>	<u>3/17/1970</u>	<u>2.36 cfs</u>	<u>Irr</u>	<u>4/1</u> to <u>11/1</u>	<u>Ground wa</u>

2. Total amount of water being transferred 6.4 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

3. Source of water Groundwater tributary to \_\_\_\_\_

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp.	Rge.	County	Local name for diversion
		<u>NW</u>	<u>SE</u>	<u>16</u>	<u>3S</u>	<u>1W</u>	<u>OWYHEE</u>	

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	
3S	1W	16	35	38	40	10	40	40	40	30	10	30			4				280
3S	1W	17													40				40

MICROFILMED  
NOV 1999

Total acres 320

## PART 1

## 6. General Information:

a Description of diversion system WELL - ELECTRIC MOTOR + PUMP - PIPE  
LINE TO PRESSURE PUMPING POND

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? \_\_\_\_\_ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes

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

57-4008B - LITTLE AFFECT - PASTURE LAND HAS GONE IDLE LAST  
4 YEARS DUE TO LOW WATER

51-4006 & 51-7052. Land is idle due to enrollment in CRP. Water right is moved to new  
location on a temporary basis, while new application for permit awaits trust water review.

d. Remarks:

Applicant requests that water rights revert to original locations, p/d, etc  
after 3 years.

## ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No 51-4006, 51-7052, & 57-4008  
And said application is hereby APPROVED in part and DENIED in part.

1. Application for transfer of Water Right No. 57-4008 is denied.
2. Application for transfer of Water Right Nos. 51-4006 and 51-7052 is approved subject  
to the conditions and limitations as stated in the attached Department of Water  
Resources ORDER dated November 13, 1990.

MICROFILMED

NOV 13 1990

Witness my hand this

19<sup>th</sup>

day of

November, 19 90A. Glen Saylor

Chief, Water Alloc. Bureau



**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 #57-04008 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** FOSSIL CREEK tributary to SNAKE RIVER

**4. Date or priority** July 15, 1919

**5. Water is used for the following purpose**

amount 6.4 cfs for Irr purposes from 1/15 to 5/15  
(cfs/ac-ft)  
amount 0.04 for Dom purposes from 1/1 to 12/31  
(cfs/ac-ft)  
amount 0.12 cfs for Stock purposes from 1/1 to 12/31  
(cfs/ac-ft)

**6 Total amount of water under right** 6.4 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

**7 Point(s) of Diversion:**

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	27	4S	2W	Owyhee	

**8. Lands irrigated or place of use.**

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4S	2W	14													40	40	40	40	160
		23		40			40			40	40								160

Total acres 320

**9. Describe any other water rights used for the same purpose as described above** None

# PART 2

Transfer No. 3760

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 #57-4008B

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

1. amount 6.4 for Irr purposes from 3/15 to 11/15  
(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	27	4S	2W	Owhee	

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	
4S	2W	14													40	40	40	40	160
		23		40			40			40	40								160

Total acres 320

## C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change) #57-4008A

1. amount 0.04 cfs for Domestic purposes from 1/1 to 12/31  
(cfs/ac-ft) \_\_\_\_\_  
amount 0.12 cfs for Stockwater purposes from 1/1 to 12/31  
(cfs/ac-ft) \_\_\_\_\_  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft) \_\_\_\_\_

2. Point(s) of Diversion:

No change

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. \_\_\_\_\_ Decreed to \_\_\_\_\_  
in case of \_\_\_\_\_ vs \_\_\_\_\_  
dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_
- b. License No. \_\_\_\_\_ issued by the Idaho Department of Water Resources.
- c. Claim No. 51-4006 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 Contract

3. Source of water Groundwater tributary to \_\_\_\_\_

4. Date or priority 3/1/1963

5. Water is used for the following purpose

amount 3.0 cfs for Irr purposes from 3/1 to 11/1  
(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 3.0 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	NN	18	7S	6E	Owyhee	

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	
7S	5E	12													40			40	80
		13	40																40
7S	6E	7																	160
		18						40											40

Total acres 320

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

51-4006B

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

1 amount 2.64 cfs for Irr purposes from 3/1 to 11/1  
 (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
		NW	NW	18	7S	6E	Owyhee	

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	
7S	5E	12													40			40	80
		13	40																40
7S	6E	7							40		40	40	40						160
		18					2												2

Total acres 282

## C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change) 51-4006A

1 amount 0.36 for Irr purposes from 3/1 to 11/1  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2 Point(s) of Diversion:

No change

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	
7S	6E	18						38											38

Total acres 38



**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 51-7052 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 Contract

**3. Source of water** Groundwater tributary to \_\_\_\_\_**4. Date or priority** 3/17/1970**5 Water is used for the following purpose**

amount 2.68 cfs for Irr purposes from 3/1 to 11/1  
 (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** \_\_\_\_\_ cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.**7 Point(s) of Diversion.**

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	13	7S	SE	Owyhee	

**8. Lands irrigated or place of use**

Twp.	Rge.	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	5E	12													40			40	80
		13	40																40
7S	6E	7																	160
		18					40												40

Total acres 320**9. Describe any other water rights used for the same purpose as described above**

## PART 2

Transfer No. 3760

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 \_\_\_\_\_

51-7052B

## 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 2.36 for Irr purposes from 3/1 to 11/1  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2 Point(s) of Diversion: No change

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	
75	SE	12													40			40	80
		13	40																40
75	6E	7								40	40	40	40						160
		18					2												2

51-7052ATotal acres 28.2

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

1. amount 0.32 for Irr purposes from 3/1 to 11/1  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2 Point(s) of Diversion: No change

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	
75	6E	18					38												38

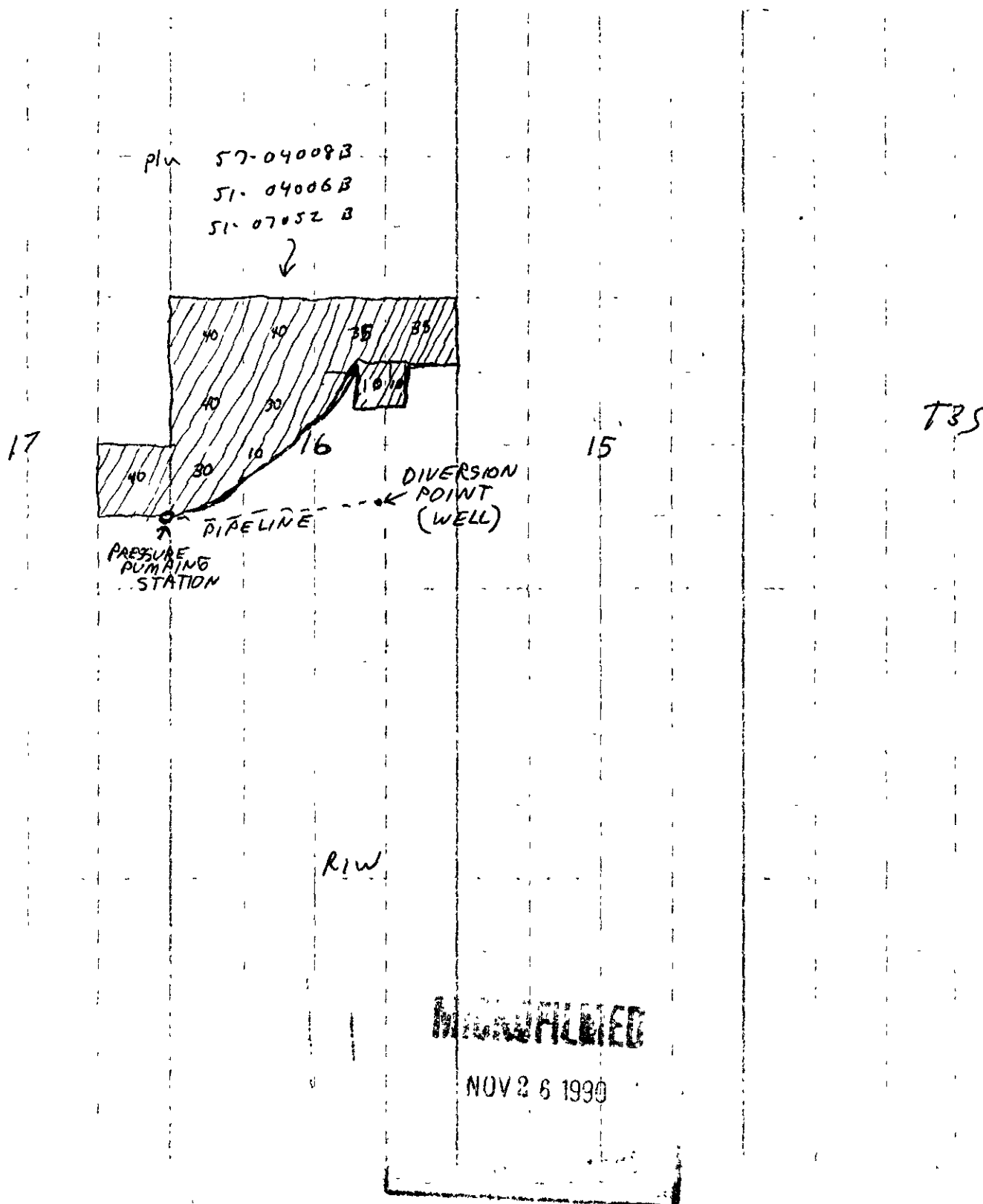
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Total acres 38

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.



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

**PART 3****B. CHANGES IN NATURE OF USE**

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

2. Quantity and quality of return flows and location of discharge:

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

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval

Joyce Livestock Co. by: Paul H. H. H., general partner  
(Signature of Applicant)

Subscribed and sworn to before me this 19<sup>th</sup> day of APRIL, 19 90.

D. R. T. T. T.  
(Notary Public)

My commission expires 7/15/1994

**FOR DEPARTMENT USE ONLY**

Transfer contains 10 pages and Several attachments

Received by Dur Date 6/11/1990 Protest filed by \_\_\_\_\_

Prelim. check by PL Fee \$50.00 W 012255

Receipted by Dur Date 6/11/1990

Published in San Jose Chronicle Copies of protest forwarded by \_\_\_\_\_

Pub. dates 7/4 & 7/11/1990 Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

\_\_\_\_\_ rec'd. \_\_\_\_\_ by \_\_\_\_\_

Copy of transfer sent to lien holder \_\_\_\_\_

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BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF APPLICATION )	
FOR TRANSFER NO. 3760 OF )	ORDER APPROVING TRANSFER
WATER RIGHT NO.s 51-4006, )	IN PART AND
51-7052, & 57-4008 IN THE )	DENYING TRANSFER IN PART
NAME OF JOYCE LIVESTOCK CO. )	
-----	

This matter having come before the Idaho Department of Water Resources (department) during the review of application for transfer no. 3760 filed pursuant to Section 42-222, Idaho Code, the Department finds, concludes and orders as follows:

FINDINGS OF FACT

1. On June 11, 1990 Joyce Livestock Co. (applicants) filed an application with the department to transfer 6.40 cfs of water under right no.s 51-4006, 51-7052 & 57-4008. The application proposed changing point of diversions, place of use and period of use for all three rights. The application further proposed changing the source of water under right no. 57-4008 from Fossil Creek to a groundwater source.

2. Groundwater rights no.s 51-4006 and 51-7052 which are presently owned by Susan H. Davis, are both appurtenant to the same 320 acres of land in Township 7S, Range 5E, and Township 7S, Range 6E.

3. Transfer no. 3760 proposes to move a total of 5.00 cfs and 282 acres under right no.s 51-4006 and 51-7052 to land owned by the applicants in Township 3S, Range 1W. The applicants propose to divert a total of 6.40 cfs of groundwater under these two

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NOV 26 1990

rights and right no. 57-4008 to irrigate a total of 320 acres at the new place of use.

#### CONCLUSIONS OF LAW

1. Section 42-222(1), Idaho Code provides direction and authority to the department in the review and approval of water right transfer applications. The statute states in part:

Any person, entitled to the use of water ... who shall desire to change the point of diversion, place of use, period of use or nature of use of all or part of the water under the right shall first make application to the department of water resources for approval of such change.

The director of the department of water resources shall examine all the evidence and available information and shall approve the change in whole, or in part, or upon conditions, provided no other water rights are injured thereby, the change does not constitute an enlargement in use of the original right, and the change is consistent with the conservation of water resources within the state of Idaho and is in the local public interest as defined in section 42-203A(5), Idaho Code.... In the event that the director of the department of water resources determines that a proposed change shall not be approved as provided in this section, he shall deny the same....

2. Section 42-222, Idaho Code does not provide authority for the director of the department to approve transfer applications which propose to transfer the source of water from surface water to groundwater.

3. Approval of the proposed source change of right no. 57-4008 may constitute an enlargement in the use of this right since water from Fossil Creek has not been a reliable source of water during some irrigation seasons. If water used under the right is diverted from a groundwater source, then the applicants will divert more water during the irrigation season.

4. The proposed transfer of water from Fossil Creek to a groundwater well under right no. 57-4008 should be denied.

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NOV 6 1990

5. The transfer of right no.s 51-4006 and 57-7052 should be approved, but limited to the diversion of no more than 5.00 cfs for the irrigation of no more than 282 acres.

ORDER

IT IS HEREBY ORDERED that Application for Transfer No. 3670 of Water Right No. 57-4008 is DENIED, and Application of Transfer No. 3670 of Water Right No.s 51-4006 and 51-7052 is approved subject to the following conditions:

1. The groundwater rights under this transfer are limited to the diversion of 5.0 cfs for irrigation of 282 acres of the 320 acres described above.

2. Within 30 days of the approval of this transfer, the applicants shall describe the location of the 282 acres which are to be irrigated from the new groundwater point of diversion. If the acres proposed for irrigation are not described, the Department will assign the place of use.

3. When combined with all other rights, this transfer shall provide no more than 5.0 acre-feet per acre.

4. A transfer application shall be filed with the Department before the water rights can revert back to the original place of use and point of diversion and a new water right approved before use can continue at the new point of diversion and place use.

5. Approval of this transfer in no way confirms the rights claimed.

6. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

7. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

Dated this 13<sup>th</sup> day of November, 1990.

*L. Glen Saxton*

L. GLEN SAXTON, Chief  
Water Allocation Bureau

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State of Idaho  
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 51-7052 Priority March 17, 1970 Amount 2.68 cfs

THIS IS TO CERTIFY, that LeROY R. DAVIS  
of Bruneau, Idaho, has complied with the terms and conditions of Permit  
No 51-7052 issued pursuant to Application for Permit dated March 17, 1970,  
and has submitted proof to the Department of Water Resources on December 9, 1974,  
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a  
capacity for the diversion of 2.68 cfs of water from a ground water source,  
tributary to \_\_\_\_\_, and that the permit holder has applied to a beneficial use and  
established a right to use water as follows.

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 1</u> to <u>Nov. 1</u>	at <u>2.68</u> cfs and	<u>1,300 acre feet or</u>
	from _____	_____ cfs and	<u>5.0 af per acre</u>
	from _____	_____ cfs and	_____
	(both dates inclusive)		

Subject, however, to the condition that no more than 2.68 cfs of water be diverted at any one time, and  
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose  
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed  
1,300 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Sec. 13,  
Twp. 7 S, Rge. 5 E, B.M. in the County of Owyhee

Description and location of place of use.

Twp	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7 S	5 E	12													40				80
		13	40																40
7 S	6 E	7							40	40	40	40							160
		18					40												40

Total number of acres irrigated 320

A measuring device of a type approved by the Department shall be permanently  
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho  
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use  
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 25 day of  
March, 19 76.

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NOV 26 1990

Director



LICENSE ISSUED FOR 268 SEC. FT.  
LICENSE PAGE NO. \_\_\_\_\_

Identification No. 51-7052  
Application No. \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
**APPLICATION FOR PERMIT**

To Appropriate the Public Waters of the State of Idaho  
(TYPE OR PRINT IN INK)

**APPROVED**

1. Name of applicant LeRoy R. Davis 845 5437  
post office address Box 121, Bruneau, Idaho 83604
- 2 Source of water supply Groundwater which is a tributary of \_\_\_\_\_
3. a Location of point of diversion is NE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 13 Township 7S  
Range 5E B.M. Owyhee County; additional points of diversion if any: \_\_\_\_\_
- b If water is not consumed, it will be discharged into Bruneau River at a point in \_\_\_\_\_  $\frac{1}{4}$   
of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ B.M. \_\_\_\_\_
- 4 Water will be used for the following purposes:  
Amount 3.0 for irrigation purpose from March 1 to Nov. 1 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)
5. Total quantity to be appropriated  
a. 3.0 cubic feet per second and/or  
b \_\_\_\_\_ acre feet per annum.
- 6 Proposed diverting works:  
a Description of ditches, flumes, pumps, headgates, etc. 300' well, 12" pump with  
50 hp motor
- b Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre feet, total reservoir  
capacity \_\_\_\_\_ acre feet, materials used in storage dam \_\_\_\_\_  
Period of year during which storage will occur \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Mo. Day) (Mo. Day)
- c Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ feet
- 7 a Time required for the completion of the works and application of the water to the proposed beneficial use  
is 5 years  
b Estimated construction cost is \$ 7,500.00
- 8 Description of proposed uses  
a If water is **not** for irrigation.  
(1) Give the place of use of water: \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_ B.M. \_\_\_\_\_  
(2) Amount of power to be generated \_\_\_\_\_ hp under \_\_\_\_\_ feet of head.  
(3) List number of each kind of livestock to be watered \_\_\_\_\_  
\_\_\_\_\_  
(4) Name of municipality to be served \_\_\_\_\_, or number of families to be  
supplied with domestic water \_\_\_\_\_  
(5) If water is to be used for other purposes describe \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

51-7052

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below

[illegible]

Total number of acres to be irrigated.

c. Describe any other water rights used for the same purposes. \_\_\_\_\_  
150 inches from old well on NE 1/4, Sec. 18.

9 a. Who owns the property at the point of diversion

b. Who owns the land to be irrigated or place of use

c If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

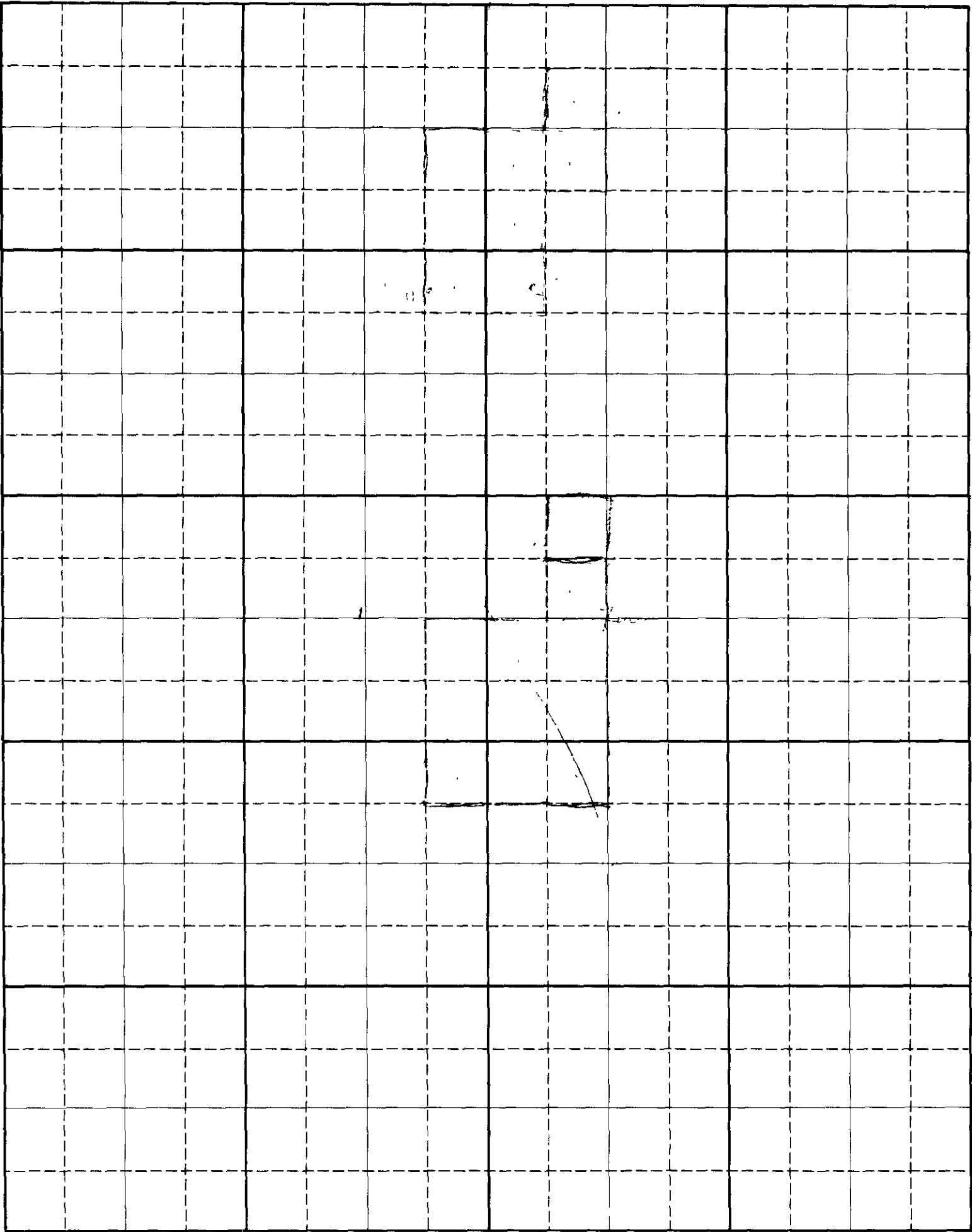
applicant to make this filing-

10. Remarks \_\_\_\_\_  
Water will be used on ranch and any run-off refilled and reused. If any

water is wasted, it will go into the Hotsprings Canal and hence to the

Bruneau River as is now the case with waste water.

11. Map of proposed project



Scale 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

\_\_\_\_\_  
(Applicant)

Received by 2 Date 3-17-70 Time 8:00 am  
Preliminary check by OK Fee \$ 30.00  
Received by 1 Date 3-18-70  
Publication prepared by de Date 3-25-70  
Published in Boysen Report  
Publication dates 4-2-9-70  
Publication approved de Date 4-9-70  
Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Protests filed by \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Copies of protests forwarded by \_\_\_\_\_  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for approval denial by amg

**APPROVED**

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No 51-7052, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 19 75.
- c. Other: The permit holder shall permanently install and maintain a measuring device of a type approved by the department as part of the diverting works. This permit is supplemental to all prior rights.

2. Denial of said application is for the following reasons \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Witness my hand this 27th day of April 19 70.

  
Deputy State Reclamation Engineer

DEPARTMENT OF RECLAMATION

STAFF ANALYSIS

Application No.	51-7052	Name	LeRoy R. Davis
Source	ground-water		
Point of Diversion	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 13, T. 7 S., R. 5 E., B.M., Owyhee County		
Quantity	3.0 c.f.s.	Use	Irrigation
Period	March 1 - Nov. 1		
Quantity		Use	
Period			
Quantity		Use	
Period			
Well Size		Diameter	
Proposed Depth			
Feet			
Use	320 acres		
Date Forwarded	3/23/70	Date Returned	4-3-70
Received by	Dell		

RECOMMENDATIONS: Water table declines have not been noted in this area (Bulletin #11 & #14)

PRIMARY AQUIFERS IN the area are the silicic volcanics and Bonbury Basalt (Bulletin #11)

Well development as noted from well logs is limited in the area; However, an existing irrigation well is located near the proposed diversion

Qty.	Use	Period	AF	AFA
ALLOWED Qty. 3.0 cfs	Use IRRIGATION	Period 3-15 to 11-1	AF 1600	AFA 5.0
MAX. Qty. 6.4 cfs	Use IRRIGATION	Period 3-15 to 11-15	AF 1600	AFA 5.0

ACTION: Approved X Denied \_\_\_\_\_

Conditions of approval or reason for denial: Recommend minimum well spacing of 1000 feet.

Investigation By Norman C. Young Title WRIT

Date April 3, 1970

TWP. 7.5 RANGE 31 COUNTY Owyhee SCALE: 1" = 1 MILE

# LEGEND

• APPLICANT'S WORK

• IRRIGATION

• Domestic

Death  
DTW  
GPM  
D.O.

400  
60290

650  
120  
50  
110

# PROOF OF PUBLICATION

STATE OF IDAHO }  
County of Owyhee } ss.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

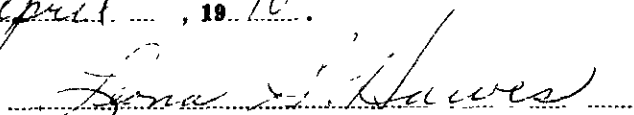
That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 2 day of April, 1970, and the last publication being on the 9 day of April, 1970;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

  
PUBLISHER.

Subscribed and sworn to before me this 9 day of

April, 1970.

  
NOTARY PUBLIC

My commission expires 4-10-72

(SEAL)



**MEMORANDUM**

**TO:** FILES 51-04006B & 51-07052B

**FROM:** PAM SKAGGS<sup>23</sup>/STATE OFFICE

**SUBJECT:** TRANSFER 5096

**DATE:** March 18, 1998



=====

Transfer 5096 changes the place of use and adds a point of diversion under Rights 51-04006B and 51-07052B.

The change reflects the return of 40 acres of leased water right to the original place of use and identification of a second existing well used on this system. Release agreement was provided from the land owner who temporarily leased the rights.

Recommended conditions include future annual reporting, multiple points of diversion/measuring devices, combined limits, non-confirmation of claim, irrigation overlap and standard transfer conditions.

MICROFILMED

APR 16 1998

MEMORANDUM

TO: FILE 51-07052  
FROM: PAM SKAGGS  
RE: TRANSFER # 5096  
DATE: 7-22-97

=====

Original Transfer Application, Form and correspondence regarding the above referenced Transfer is located within file # 51-04006.

NOT RECORDED  
APR 16 1998

Part B



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

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

August 30, 1996

SUSAN H DAVIS  
HC 85 BOX 121  
BRUNEAU ID 83604

RE: Transfer of Water Right Nos. 51-04006B/51-07052B

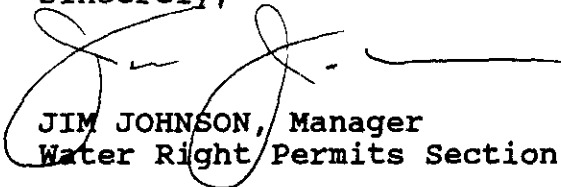
Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water rights (Transfer No. 4798). Please be sure to thoroughly review the "Conditions/Remarks:" as listed on the transfer.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR to July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,



JIM JOHNSON, Manager  
Water Right Permits Section

JJ:ph

Enclosure

MAILED  
OCT 1 0 1996

**MEMORANDUM**

**TO:** FILE NOS. 51-04006B & 51-07052B

**FROM:** PAM SKAGGS<sup>PS</sup>/STATE OFFICE

**SUBJECT:** TRANSFER NO. 4798

**DATE:** July 18, 1996

=====

Transfer No. 4798 was filed to change and add points of diversion, and change the place of use under Right Nos. 51-04006B and 51-07052B.

Previous Transfer No. 3760 moved these rights as leased for a temporary period of time. This transfer application reflects the expiration of that lease and the reorganization of the rights. Region staff discussed the proposal with state office staff resulting in this single application reflecting the entire rights as described under Part Bs.

Season of use and diversion volume were adjusted to current standards. Recommended conditions include irrigation overlap, right-of-way, multiple points of diversion/measuring devices, combined limits and standard transfer conditions.

RECEIVED  
JUL 19 1996

Part A

*Original*





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

November 20, 1990


RE: Transfer of Water Right Nos. 51-4006/7052  
57-4008

Joyce Livestock Co.  
Sinker Creek  
Murphy, ID 83650

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water rights (Trans. No. 3760). Be sure to note any conditions of approval as listed on the second page.

Sincerely,

  
JIM JOHNSON  
Water Rights Supervisor

JJ:blm

Enclosure

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NOV 28 1991

**MEMORANDUM**

**TO:** Files 51-7052 and 57-4008  
**FROM:** Brenda  
**RE:** Transfer No. 3760  
**DATE:** November 14, 1990

-----

See file no. 51-4006 for all correspondence regarding the above referenced transfer.

**MICROFILMED**

NOV 26 1990



**March 26, 1976**

**Re: Permit No. 51-7052**

**Mr. LeRoy R. Davis  
Box 121  
Bruneau, Idaho 83604**

**Dear Mr. Davis:**

**Enclosed herewith is a copy of the Water License issued on the above referenced permit.**

**Sincerely,**

**D. Darlene Reich  
Water Rights Supervisor**

**ddr  
Enc: Copy of license**

March 12, 1976

Mr. LeRoy R. Davis  
Box 121  
Bruneau, Idaho 83604

Dear Mr. Davis:

A representative of this Department has made an examination of the works covered by your Permit No. 51-7052 and has found the following:

Quantity of water diverted: 2.68 cfs      Source: ground water

Amount of water that can be recognized as beneficially used under Idaho law: 2.68 cfs

The maximum quantity diverted shall not exceed 1,300 acre feet, or 5.0 acre feet per acre, per year.

Point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 13, Twp. 7 S, Rge. 5 E, B.M.

Beneficial use: Irrigation of 320 acres within the E $\frac{1}{2}$ SE $\frac{1}{4}$ , Sec. 12; NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 13; Twp. 7 S, Rge. 5 E, B.M. and SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 7; NW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 18; Twp. 7 S, Rge. 6 E, B.M.

Priority established: March 17, 1970

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

BOBBY D. FLEENOR  
Chief, Water Rights

BDF:DR

DEPARTMENT OF WATER ADMINISTRATION  
FIELD REPORT

DEC 19 1974

1. Name of permit holder LeRoy R. Davis  
Post office address Box 121, Bruneau, ID Phone \_\_\_\_\_  
Person to contact \_\_\_\_\_ Phone \_\_\_\_\_

2. Source of water supply Groundwater ☒ Surface water ☐ \_\_\_\_\_  
(name spring, stream, etc.)  
Tributary to \_\_\_\_\_

3. Water will be used for the following purposes  
Amount 3.0 c.f.s for irrigation  
\_\_\_\_\_ AF/Annum (nature of use)  
Period of Use from Mar. 1 to Nov. 1  
(mo.-day) inclusive (mo.-day)  
Amount \_\_\_\_\_ c.f.s for \_\_\_\_\_  
\_\_\_\_\_ AF/Annum (nature of use)  
Period of Use from \_\_\_\_\_ to \_\_\_\_\_  
(mo.-day) inclusive (mo.-day)  
Amount \_\_\_\_\_ c.f.s for \_\_\_\_\_  
\_\_\_\_\_ AF/Annum (nature of use)  
Period of Use from \_\_\_\_\_ to \_\_\_\_\_  
(mo.-day) inclusive (mo.-day)  
Other uses \_\_\_\_\_

Permit No. 51-7052  
Examination for b/u

4. Total amount to be appropriated:  
Max Rate of Diversion 3.0 cubic feet per second and annual volume \_\_\_\_\_ AF/Annum

5. Location of Point(s) of Diversion.  
Township 7S N/S, Range 5E E/W, B.M., Section 13, Subdivision NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ , Owyhee County  
Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W, B.M., Section \_\_\_\_\_, Subdivision \_\_\_\_\_  $\frac{1}{4}$  \_\_\_\_\_  $\frac{1}{4}$ , \_\_\_\_\_ County  
Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W, B.M., Section \_\_\_\_\_, Subdivision \_\_\_\_\_  $\frac{1}{4}$  \_\_\_\_\_  $\frac{1}{4}$ , \_\_\_\_\_ County  
Other Points of Diversions \_\_\_\_\_

Description of diverting works 100 hp pump, 400' 12" casing part to pipeline, part in open discharge.

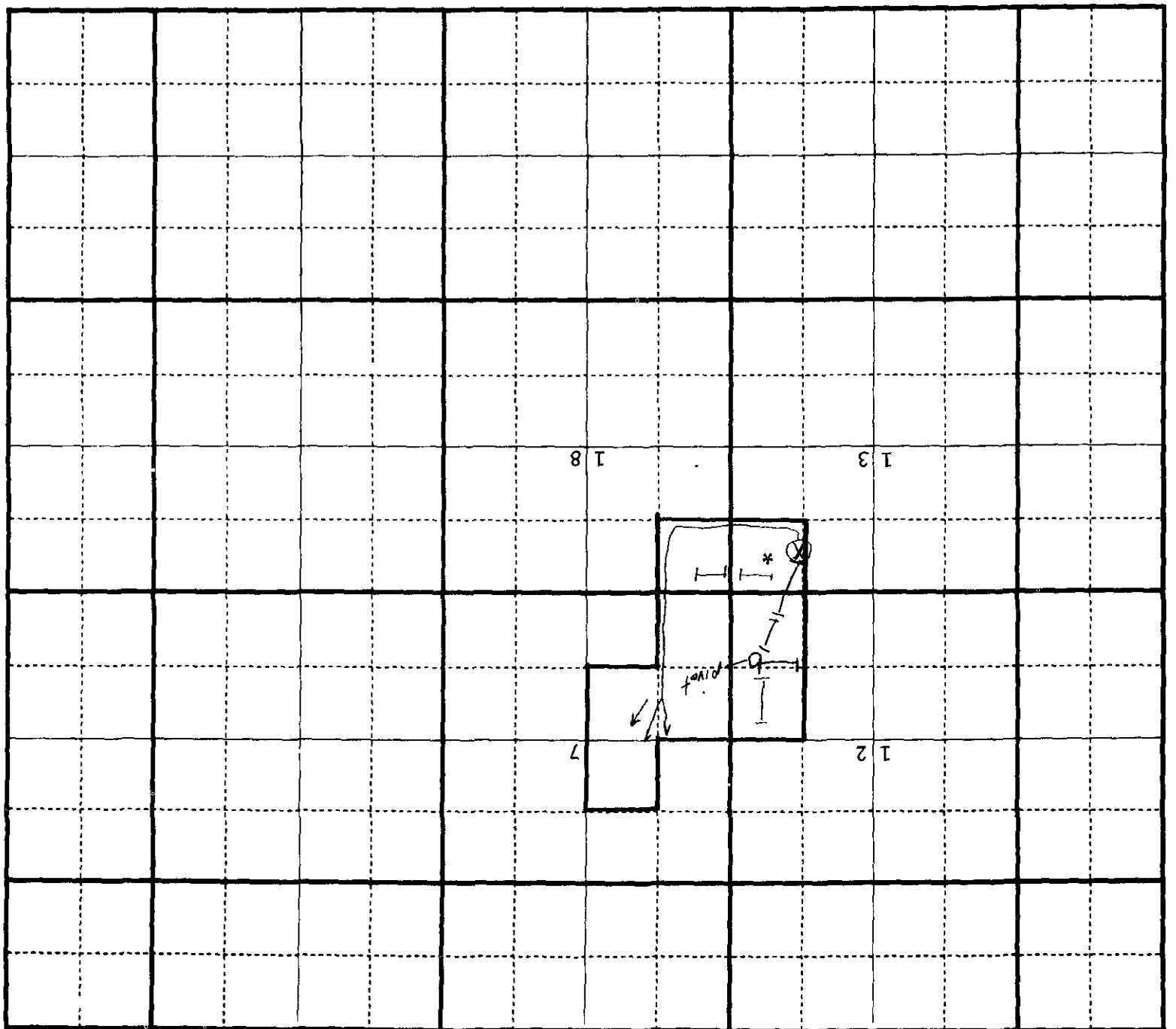
Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

TWP	RANGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7S	5E	12													40			40	80
		13	40																40
7S	6E	7								40	40	40	40						160
		18					40												40

TOTAL ACREAGE 320

Diagram of System





DATE OF EXAM 6/26/75

ACREAGE  
Found 320  
Recommended 320

Irrigation Requirement \_\_\_\_\_ Ac Ft/Ac

USE  
Irrigation Q = 3.0 c.f.s. V = 1600 acre ft/Ann AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_  
Domestic Q = \_\_\_\_\_ c.f.s. V = \_\_\_\_\_ AF/Ann from \_\_\_\_\_ to \_\_\_\_\_  
Livestock Q = \_\_\_\_\_ c.f.s. V = \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_

Is water co-mingled? yes \_\_\_\_\_ no ☒

Name source: \_\_\_\_\_  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County \_\_\_\_\_

Exchange? yes \_\_\_\_\_ no ☒

Name source exchanged with: \_\_\_\_\_  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County \_\_\_\_\_

Point of injection:  
twp \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County \_\_\_\_\_

Point of exchange:  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County \_\_\_\_\_

Total Q measured 4200 gpm/min Method of measurement McCrometer Meter

Total Q recommended 2.6 cfs Meter No 73-10-215 Type McCrometer Condition Good operational

Total V recommended 1600 acre ft/Ann.

Recommended Amendments.

P.D. OK  
Place of Use \_\_\_\_\_  
Other \_\_\_\_\_  
None \_\_\_\_\_

MEASUREMENT CALCULATION  
McCrometer Meter Serial # 73-10-215 pump at 1200 GPM meter was operational

SYSTEM DESCRIPTION:  
U.S. Vertical Motor 100HP ID# C2849-02-278 BA-01582, Byron-Jackson pump  
Serial # 376085, 12" well 14" discharge into closed or open discharge with  
McCrometer Meter Serial # 73-10-215

REMARKS  
Talk and verified with Mr. Davis

Examiner's Signature E. A. [Signature] Date 6/26/75

Checked by \_\_\_\_\_ Date \_\_\_\_\_

Approved by \_\_\_\_\_ Date \_\_\_\_\_

December 18, 1974

Re: Permit No. 51-7052

LeRoy R. Davis  
Box 121  
Bruneau, ID 83604

Dear Mr. Davis:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this examination will be made, however, our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions concerning the field exam, please contact our District Office in Boise.

Sincerely,

D. Darlene Reich  
Water Rights Supervisor

DDR:JG

RECEIVED

Identification No. \_\_\_\_\_

Permit No. \_\_\_\_\_

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED  
DEC 9 1974  
Department of Water Resources  
ck go

1. a) Name of Permit Holder Leroy R. Davis  
b) Post Office Address Bx 121 BrunEAU, Ida.
2. Permit Number 51-7052
3. Date of Priority that you are prepared to establish Apr. 1974
4. a) Source from which water was appropriated well - Ground water  
b) Location of the point of diversion: NE 1/4 NE 1/4, Section 13  
Township 7S, Range 5E Boise Meridian, Other points of diversion: \_\_\_\_\_
5. a) The amount of water and use to which the water has been applied:  
Amount 3 for irrigation purposes from Mar 1 to Nov 1 incl.  
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)  
b) Total amount appropriated 3.0 cfs and/or acre-feet per annum  
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Meter (water meter)
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:  
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:  
NO  
b) Describe the agreement or understanding by which you take water from the works:  
NO
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 100 HP pump - 400' 12" casing  
part to pipeline part in open discharge  
b) Describe the type and size of measuring device which you have installed at your point of diversion:  
Meter 6"  
c) Give well driller's name and address and the date the well was completed:  
Beard Brand Bros. Drilling Co  
Grandview, Ida.
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:  
NO

Exam typed 12/18/74 by JG

MICROFILMED

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: \_\_\_\_\_

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
75	5E	12													40			40	80
		13	40																40
75	6E	7							40	40	40	40							160
		18						40											40

Total number of acres irrigated 320

10. Remarks: \_\_\_\_\_

The above information is a true statement of the extent to which the above numbered permit has been developed.

12-5-74  
(Date)

Le Roy Davis  
(Signature)

State of Idaho )  
County of Owyhee ) ss.

On this 5<sup>th</sup> day of December, 19 74, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Melvin Charlton  
Notary Public residing at Bruneau  
Idaho

My commission expires Oct 8-1975

April 30, 1970

Re: Permit No. 51-7052

LeRoy R. Davis  
Box 121  
Bruneau, Idaho 83604

Dear Mr. Davis:

We enclose a copy of your approved application for permit 51-7052 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, ~~Assistant~~ Deputy  
State Reclamation Engineer

CSA:kh

Enclosures: Copy of permit  
Receipt No. 4327 for \$30  
2 informational letters

P.S. Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed on your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

51 - 7052

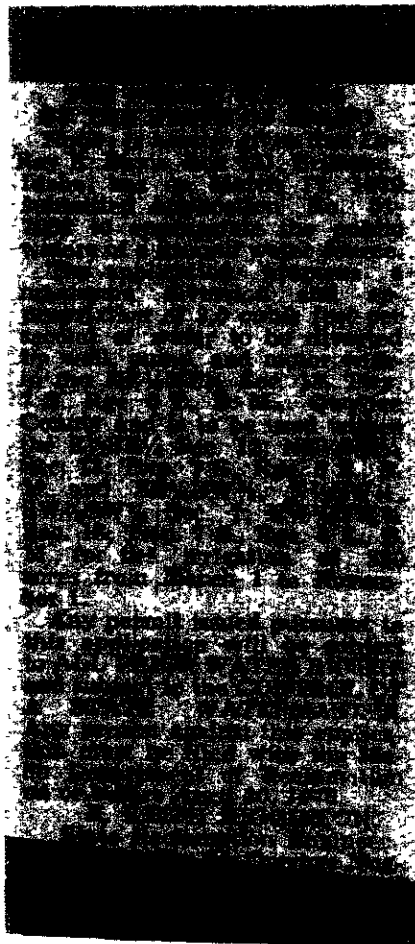
**NOTICE OF APPLICATION  
FOR PERMIT  
TO APPROPRIATE  
THE PUBLIC WATERS  
OF THE STATE OF IDAHO**

Notice is hereby given that LeRoy R. Davis, Box 121, Bruneau, Idaho, has on March 17, 1970 submitted Application No. 51-7052 to appropriate the public waters of a river water source.

The applicant proposes a maximum ~~x~~ and appropriation of ~~10~~ cubic feet per second of water to be diverted by well, pump, and motor within the NE $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 13, Twp. 7 S., Rge. 5 E., B. M., Owyhee County and is to be used within the E $\frac{1}{2}$ SE $\frac{1}{4}$  Sec. 12; NE $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 13, Twp. 7 S., Rge. 5 E., B. M., and SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 7; NW $\frac{1}{4}$ NW $\frac{1}{4}$  Sec. 18, Twp. 7 S., Rge. 6 E., B. M., for the irrigation of 320 acres from March 1 to November 1.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Reclamation on or before April 20, 1970.

R. KEITH HIGGINSON,  
State Reclamation Engineer  
Published in the Owyhee Nug-  
get, Marsing, Idaho on April 2nd  
and April 9th, 1970.



KH.

March 25, 1970

Re: Application for Permit No. 51-7052 - LeRoy R. Davis

Owyhee Nugget  
Marsing  
Idaho 83639

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

\_\_\_\_\_  
(Signature of the claimant)

Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DWM:DR  
Enc: Legal notice:

*Bill submitted*  
*4-9-70*  
*dr*

51-7052

NOTICE OF APPLICATION FOR PERMIT  
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that LeRoy R. Davis, Box 121, Bruneau, Idaho

has on March 17, 1970

submitted Application No. 51-7052 to appropriate the public waters of  
a ground water source

~~The proposed use is for irrigation from March 1 to November 1~~

The application proposes a maximum diversion and appropriation of 3.0  
cubic feet per second ~~zero feet~~ of water to be diverted by  
well, pump, and motor within the  
NE $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 13, Twp. 7 S., Rge. 5 E., B.M., Owyhee County

and is to be used within the E $\frac{1}{2}$ SE $\frac{1}{4}$  Sec. 12; NE $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 13, Twp. 7 S., Rge.  
5 E., B.M., and SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 7; NW $\frac{1}{4}$ NW $\frac{1}{4}$  Sec. 18, Twp. 7 S., Rge.  
6 E., B.M., for the irrigation of 320 acres from March 1 to November 1

Any permit issued pursuant to this application will be subject to ALL PRIOR  
WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest  
against this application must be filed with the Idaho Department of Reclamation on  
or before April 20, 1970.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Owyhee Nugget  
on April 2nd and April 9th, 1970

51-7052



March 12, 1970

C  
O  
P  
Y

Mr. LeRoy R. Davis  
Box 121  
Bruneau, Idaho 83604

Dear Mr. Davis:

Enclosed we are returning your application for permit submitted to this office. In reviewing your application, we find that the land list under item 8b does not correspond with the map under item 11. Please clarify this issue.

Inasmuch as we found it necessary to return your application, we have taken the liberty to type an application for you. Please make the necessary corrections on the typed copy, sign it and return it to the Department with the appropriate filing fee. The filing fee for 3.0 c.f.s. of water is \$30.00.

If you have any questions regarding the above, or if we may be of any assistance, please contact us.

Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DWM:DR  
Enc: Application w/check  
Typed application

51-7052

March 3, 1970

Mr. Roy Davis  
Box 121  
Bruneau, Idaho 83604

Dear Mr. Davis:

Pursuant to your request, we are enclosing an Application for Permit form along with a set of instructions for filing.

If we may be of any assistance, please advise.

Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DWM:DR

Enclosures

51 - 7057