

1997: Transfer
those 40 AC.
back to DAVIS

NEW (re-established)
PIA

1996:
T4798 moved
40 AC. to S. 9
for BACKMAN

OLD PIA

HOT Springs
Rd

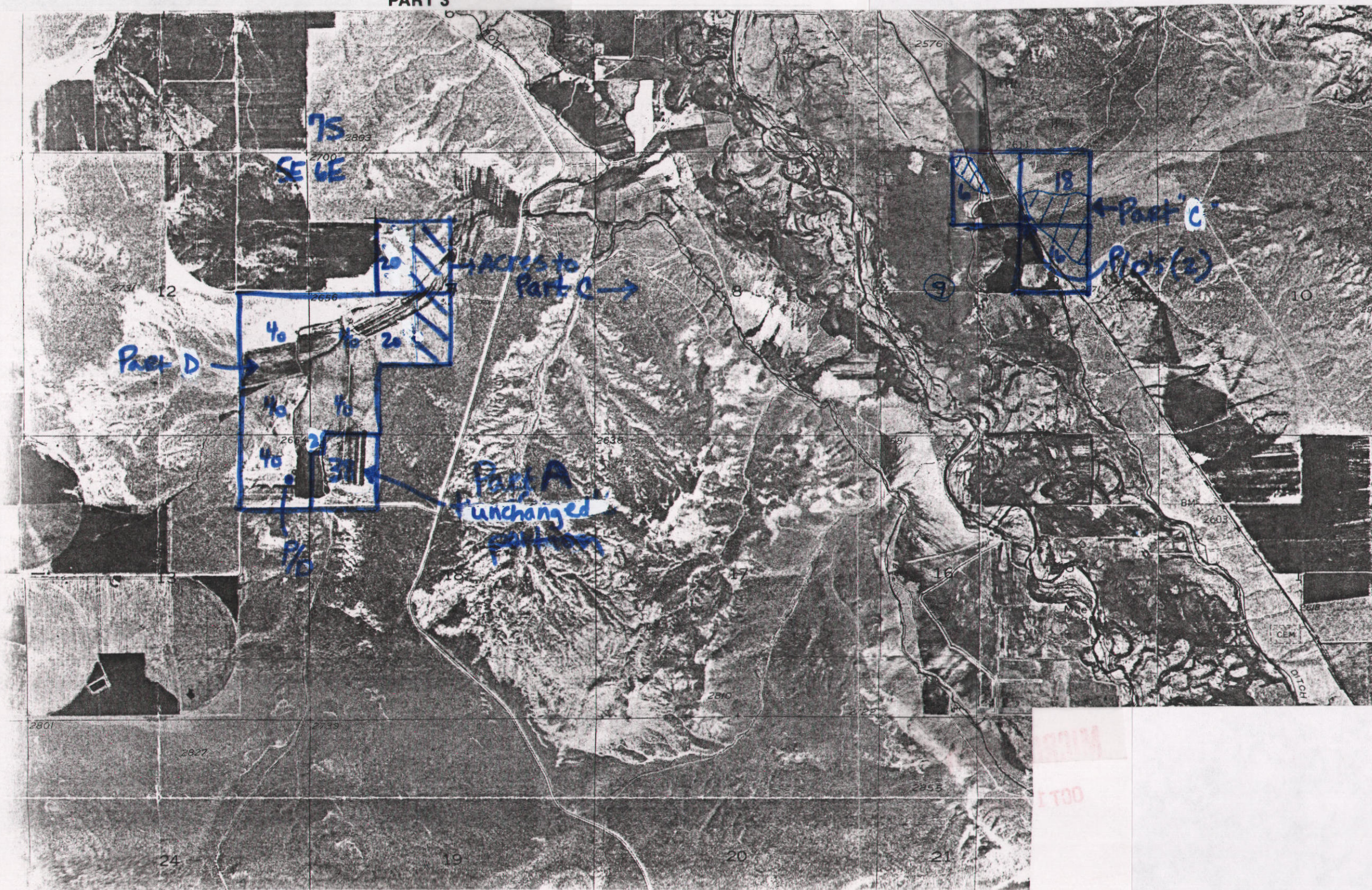
HOT CREEK
Rd. per
county map

R5E

R6E

NO gov't lots.
S. 12, 13 (R5E)
S. 9 (R6E)
-sl 5/29/97

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



Dept. of Water Res.
Western

THE OWYHEE AVALANCHE

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

RECEIVED

SEP 23 1990

STATE OF IDAHO)
)ss
COUNTY OF OWYHEE)

I, Joe E. Aman, being first duly sworn, depose and say:

Department of Water Resources
Western Regional Office

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of **The Owyhee Avalanche**, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said **The Owyhee Avalanche** has been printed and published continuously and uninterrupted in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in said

newspaper, in

two (2)

(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

July 3 & 11, 1990

MICROFILMED

NOV 26 1990

Signed

Joe E. Aman

Subscribed and sworn to before me this

24th

day of

Sept.

A.D., 19

90

Chris Bahem

Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires April 1996

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Notice is hereby given that Joyce Livestock Co. of Sinker Creek has applied to the Department of Water Resources for a change of Source, Point of Diversion, Place of Use, and Period of Use of groundwater and surface water. The rights sought to be changed are evidenced by Claims and License, and are recorded as follows:

57-40089B *✓st*

Amount: 6.4 cfs
Priority Season: 7/15/1919
1/15 to 5/15
Source of Diversion: Fossil Creek T4S R2W S27 NE1/4 NE1/4
Place of Use: T4S R2W S14 SE1/4, S23 NW1/4 NE1/4, E1/2 NW1/4, NE1/4 SW1/4

51-4006

Amount: 3.0 cfs
Priority Season: 3/1/1963
3/1 to 11/1
Source of Diversion: Groundwater T7S R6E S18 NW1/4 NW1/4
Place of Use: T7S R5E S12 E1/2 SE1/4 S13 NE1/4 NE1/4
T7S R6E S7 SE1/4 NW1/4, W1/2 SW1/4, NE1/4 SW1/4 S18 NW1/4 NW1/4

51-7052B

Amount: 2.0 cfs
Priority Season: 3/17/1970
Source of Diversion: Groundwater T7S R5E S13 NE1/4 NE1/4
Place of Use: T7S R5E S12 E1/2 SE1/4 S13 NE1/4 NE1/4
T7S R6E S7 SE1/4 NW1/4, W1/2 SW1/4, NE1/4 SW1/4 S18 NW1/4 NW1/4

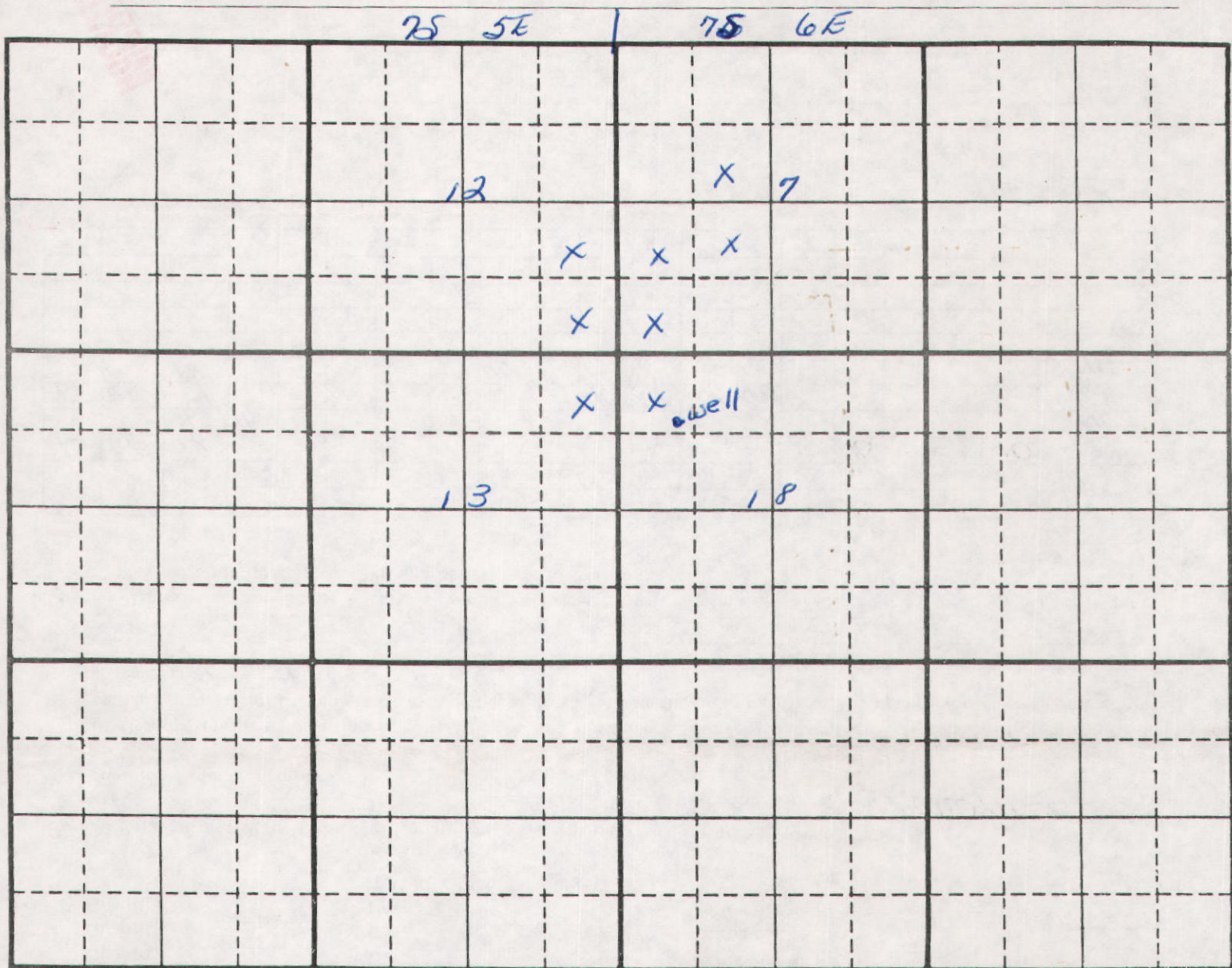
The water is used for irrigation purposes.

TO BE CHANGED AS FOLLOWS

All of the water is to be diverted from a new well located in NW1/4 SE1/4 S16 T3S R1W, B.M., Owyhee County, and will be used for irrigation of 320 acres located within T3S R1W S16 N1/2, N1/2 SW1/4; S17 NE1/4 SE1/4, B.M., with season from 4/1 to 11/1.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, 2735 Airport Way, Boise, Idaho 83705 on or before July 23, 1990.

(8) Remarks



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
County of Owyhee)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Le Roy Davis
(Claimant)

Sworn to before me this 1ST day of April, 19 83.

David Conkey
Notary Public
Residing at *Bremen, Idaho*

My commission expires 3/24/84

No check

FOR DEPARTMENT USE ONLY

Received by nm Date 4-5-83
 Prelim. check by ys Date 5-18-83
 \$30.00 fee received by Najee Date -
 Published in Quaker News
 Dates 4/28 & 5/5/83

Exception filed by: _____ Forwarded to _____ Date _____
claimant by: _____

PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, s.s.

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

That the annexed notice was published in said newspaper once a week and every week for 2nd consecutive weeks, the first publication being on the 27 day of April, 1983, and the last publication being on the 4 day of May, 1983;

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.

Mick Hodges
PUBLISHER

Subscribed and sworn to before me this 4 day of

May, 1983.

Kyle L. Hodges
NOTARY PUBLIC

My commission expires 3-86

(SEAL)

MICROFILMED

RECEIVED
MAY 6 1983

Department of Water Resources
Western Regional Office

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

AMENDED
51-4006 3P

DAVIS, LE ROY R.
P.O. BOX 121, BRUNEAU,
ID 83604
Source: GROUNDWATER
Priority Date: 03/01/1963
Diversion Pt: NWNW Sec 18 T
07S R 06E
Use: IRRIGATION (3.00 CFS)
In: NESE SESE Sec 12 T 07S
R 05E NENE Sec 13 T 07S R
05E SENW NESW NWSW
SWSW Sec 07 T 07S R 06E NW
NW Sec 18 T 07S R 06E FOR
320 ACRES

55-4103

BURGHARDT CO.
P.O. BOX 69, GRAND VIEW,
ID 83624
Source: HOUSE CREEK trib.
to NIP AND TUCK CREEK
NIP AND TUCK CREEK trib.
to DEEP CREEK
Priority Date: 03/15/1920
Diversion Pt: SWNE SENE
Sec 33 T 09S R 03W NESW Sec
34 T 09S R 03W
Use: IRRIGATION (4.60 CFS)
In: SWNW NESW NWSW
SESW SWSE Sec 34 T 09S R
03W NWNE SWNE NENW
Sec 03 T 10S R 03W FOR 230
ACRES

55-4104

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.,
IDAHO STATE OFFICE, 3380
AMERICANA TERRACE,
BOISE, ID 83706
Source: OWYHEE RIVER,
WEST FORK trib. to OWY-
EE RIVER
Priority Date: 10/31/1967
Diversion Pt: NENW Sec 30 T
11S R 04W NENE Sec 25 T 11S
R 05W
Use: STOCKWATER (0.03
CFS)
WILDLIFE (0.02 CFS)
RECREATION (0.02 CFS)
In: NENW Sec 30 T 11S R 04W
NENE Sec 25 T 11S R 05W

55-4105
BURGHARDT CO.
P.O. BOX 69, GRAND VIEW,
ID 83624

Source: ANNE VALLEY
CREEK trib. to HURRY
BACK CREEK
Priority Date: 01/01/1940
Diversion Pt: SESE Sec 23 T
09S R 03W
Use: IRRIGATION (4.60 CFS)
IRRIGATION STORAGE
(80.0 AF)
IRRIGATION FROM STOR-
AGE (80.0 AF)
In: NENE SENE NESE Sec 26
T 09S R 03W SWNW NWSW

(8) Remarks

75 SE

75 6E

Hand-drawn diagram on graph paper showing a 3x3 grid of points marked with 'x'. The grid is labeled with numbers 12, 13, 14, 15, 16, 17, 18, 19, and 20. The points are arranged in a 3x3 grid, with the top row containing points 12, 13, and 14; the middle row containing points 15, 16, and 17; and the bottom row containing points 18, 19, and 20. The points are labeled as follows: 12 (top-left), 13 (top-middle), 14 (top-right), 15 (middle-left), 16 (center), 17 (middle-right), 18 (bottom-left), 19 (bottom-middle), and 20 (bottom-right).

Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
County of Owyhee)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 5 day of

Le Roy B Davis
(Claimant)

Notary Public
Residing at Bruneau Idaho

My commission expires Oct. 28-1975

For Department Use Only

Received by Y Date 12-09-74 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by CSB Date 9 Dec 74 claimant by: _____
\$10.00 fee received by SW Date 12-9-74 #15353
Approved for publication by Ca. 12-12-74 Ok 12-31-74
Published in Quincy Nugget
Dates 1000-12-1-1974 1100-12-1-1974

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

s.s.

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 19 day of December, 1974, and the last publication being on the 26 day of December, 1974;

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.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 26 day of Dec, 1974...

Lona S. Hawes
NOTARY PUBLIC

My commission expires 9-10-76

(SEAL)

RECEIVED

DEC 30 1974

Department of Water Resources

DEC 31 1974

NOTICE OF CLAIM TO A WATER RIGHT

No. 51 - 4006

Notice is hereby given that LE ROY R. DAVIS Box 121, Bruneau, ID has filed a claim to a water right established by diversion and application to beneficial use of 3 cubic feet per second of water from a groundwater source with the point of diversion in the NW $\frac{1}{4}$ -NW $\frac{1}{4}$, Sec. 18, T. 7 S., R. 6 E., B. M. Owyhee County. The water is claimed to be used from April 15 to Oct. 15 for irrigation of 320 acres with a priority of 1963; the place of use is within the E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 12, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, T. 7 S., R. 5 E., B. M.; 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, T. 7 S., R. 6 E., B. M. Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720.

R. KEITH HIGGINSON,
Director.
Published in the Owyhee
Nugget, Marsing, ID on Dec. 19,
1974, and Dec. 26, 1974.

MICROFILMED

The Owyhee Avalanche

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss
COUNTY OF OWYHEE)

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said The Owyhee Avalanche has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

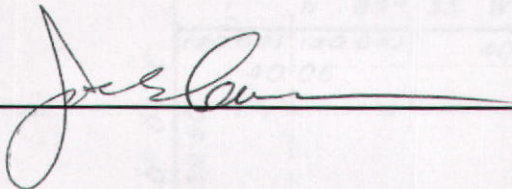
4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in

said newspaper, in Two (2)

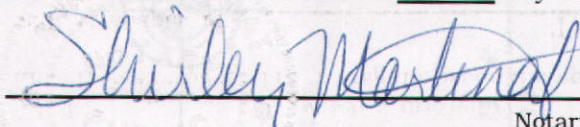
(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

June 18 and 25, 1997

Signed



Subscribed and sworn to me this 25th day of June A.D., 19 97



Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires April 22, 2002

NOTICE OF PROPOSED CHANGE OF WATER RIGHT, TRANSFER NO. 5096

Notice is given that SUSAN H. DAVIS of 3272 Gekeler #D201, Boise, ID 83706 has applied to the Department of Water Resources to change the Point of Diversion and Place of Use pursuant to I.C. § 42-222 for the following ground water irrigation rights in Owyhee County.

Statutory Claim #51-04006B, priority 3-1-1963, 2.64 cfs.

License #51-07052B, priority 3-17-1970, 2.36 cfs.

Both rights divert water from wells in NENE S13, T7S, R5E (1 Davis well) and NWNE S9, T7SR6E (2 Colyer/Bachman wells) to irrigate 282 combined acres in portions of S12 & 13, T7S R5E and S7, 9, & 18, T7S R6E. Total diversion for both rights is limited to 5.00 cfs. Davis had leased some of this water in previous Transfers #3760 & #4798 that defined the above rights.

PROPOSED CHANGE

Transfer leased water back to Davis from Bachman. Cease irrigation use under the 2 rights from 2 Colyer/Bachman wells and move water from 40 acres in S9 (near Hot Springs Rd.) to irrigate 40 acres in S7 (about 2 miles to the west), all within T7S R6E. Use Davis well listed above plus additional unrecorded Davis well in NENE S13 to irrigate 282 combined acres west of Hot Creek Rd. in S12 & 13, T7S R5E and S7 & 18, T7S R6E.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 on or before July 7, 1997. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
6/18&25/97

RECEIVED

JUN 27 1997

WATER RESOURCES
WESTERN REGION

MICROFILMED
APR 16 1998

The Owyhee Avalanche

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss
COUNTY OF OWYHEE)

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of **The Owyhee Avalanche**, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said **The Owyhee Avalanche** has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in

said newspaper, in Three (3)

(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

April 17 & 24, 1996

RECEIVED

MAY 02 1996

WATER RESOURCES
WESTERN REGION

Signed

Subscribed and sworn to me this 24th day of April A.D., 19 96

Clair Black

Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires August 18, 2001

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 51-04006B 51-
07052B TRANSFER NO.
4798

Notice is hereby given that Susan H. Davis, HC 85 Box 121, Bruneau, ID 83604, has applied to the Department of Water Resources to add two points of diversion and change the place of use to the following water rights pursuant to section 42-222 of Idaho Code.

WATER RIGHTS AS RECORDED

No. 51-04006B

Basis Statutory Claim

Date of Priority 03/01/1963

Source Ground Water

Amount 2.64 cfs

Use Irrigation

Point of Div NWSE, T03S

R01W, Sec 16

Place of Use NE, NW, N1/2

SW, Sec 16, NESE, Sec 17,

T03S R01W, 282 acres total

No. 51-07052B

Basis License

Date of Priority 03/17/1970

Source Ground Water

Amount 2.36 cfs

Use, Point of Div, and Place

of Use same as above

THE ABOVE WATER

RIGHTS TO BE CHANGED AS

FOLLOWS PURSUANT TO

TRANSFER NO. 4798

No. 51-4006B & 51-07052B

Point of Div

NWNE, Sec 9, T07S R06E
(2 pts)

NENE, Sec 13, T07S R05E

Place of Use SENW, NESW,

W1/2 SW, Sec 7, W1/2 NE,

NENW, Sec 9, NWNW, Sec 18,

T07S R06E, E1/2 SE, Sec 12,

NENE, Sec 13, T07S R05E,

282 acres total.

Any protest against approval of the proposed change of water rights application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705, together with a protest fee of \$25.00, on or before May 6, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher

Director

Publish April 17 and 24, 1996

OCT 10 1996

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

DATE: 03/20/98
PAGE: 1

WATER RIGHT NUMBER	NAME	CFS
51-04006	SPLIT INTO 51-04006A & B BY TRANS. 3760.	
51-04006A	DAVIS , LE ROY	0.36
51-04006B	DAVIS , SUSAN H	2.64

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

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

This is to certify that: **SUSAN H DAVIS**
3272 GEKELER #D201
BOISE ID 83706

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			
TOTAL:		* 5.00 CFS	* 1128.0 AF

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION: NENE , Sec. 13, Township 07S, Range 05E
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 40	NESW 40	Lot 3(NWSW) 40	
			Lot 4(SWSW) 40			160
		18	Lot 1(NWNW) 2			2
Total number of acres irrigated:						282

CONDITIONS OF APPROVAL AND REMARKS

1. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

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 20th day of

March, 1998


Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT RECEIVED
PART 1

Transfer No. 5096

RECEIVED

MAY 13 1997

JUL 22 1997

WATER RESOURCES
NORTHWESTERN DISTRICT

Name of Applicant SUSAN H DAVIS

Phone 338 5203
Department of Water Resources

Postal address 3272 GEKELER #D201

City BOISE

St ID

Zip 83706

A. PURPOSE OF THE 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 reason for the proposed changes: 40 acre lease of water right under X4798
has been terminated, applicant needs to return the right to its original
P/u. Also, to add a P/D which was never shown on existing
record (existing well)

B. DESCRIPTION OF RIGHT(S), OR PORTIONS THEREOF, AFTER THE REQUESTED CHANGE (or ☐ see Attachment _____)

1.	Right No.	Priority	Amount (cfs, ac-ft)	Nature of use	Period of Use
	<u>51-4006B</u>	<u>3-1-1963</u>	<u>2.64 cfs</u>	<u>IRR</u>	<u>4-1 to 10-31</u>
	<u>51-7052B</u> <u>7052</u>	<u>3-17-1970</u>	<u>2.36 cfs</u>	<u>IRR</u>	<u>4-1 to 10-31</u>
					to _____
					to _____

2. Total diversion rate/volume being transferred: 5.0 cfs and/or 1128 ac-ft per annum

3. Source of water: groundwater, tributary to: _____ (or ☐ see Attachment _____)

4. Points of diversion (or ☐ see Attachment _____):

Twp.	Rge.	Sec.	1/4	1/4	1/4	Lot	County	Local diversion name / Local landmark
<u>7S</u>	<u>5E</u>	<u>13</u>	<u>—</u>	<u>NE</u>	<u>NE</u>	<u>—</u>	<u>Bohyhee</u>	<u>original Davis P/D's</u> <u>(2 pts)</u>

5. Lands irrigated or place of use (or ☐ see Attachment _____):

Twp	Rge	Sec	NE				NW				SW				SE				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>7S</u>	<u>5E</u>	<u>12</u>													<u>40</u>			<u>40</u>	<u>80</u>
		<u>13</u>	<u>40</u>																<u>40</u>
	<u>6E</u>	<u>7</u>								<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>						<u>160</u>
		<u>18</u>						<u>2</u>											<u>2</u>
								<u>1.1</u>											

Total acres 282

☐ Permissible place of use, actual acreage irrigated not to exceed _____ acres per year.

PART 1, CONTINUED

Transfer No. _____

6. General information:

a. Description of new diversion system (or ☐ see Attachment _____): 2 wells, sprinkler
irrigation under pivots and handlineb. Remarks (or ☐ see Attachment _____): P/D in Section 9 to be dropped.
Lands in CRP through 1999

PLEASE READ THIS SECTION CAREFULLY

Is there a current lien, mortgage or deed of trust on the property? Yes ☒ No ☐
If yes, please complete Part 2, item 6.Has any portion of this right(s) undergone a period of 5 or more consecutive years of non-use? Yes ☒ No ☐
If yes, please attach an explanation of circumstances and label it as noted in Part 2, item 9(g).

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 right(s), and that the information contained in this application is true to the best of my knowledge. I understand that I am responsible for the accuracy and completeness of the application even though I may have been assisted in the preparation of the application.

I understand that any willful misrepresentation made in this application may result in voiding the transfer approval.

Susan H. Davis
(Signature and Title of Applicant)

Subscribed and sworn before me on this 13 day of May, 1997.

Roli Harris
(Signature of Notary Public)

(seal)

My commission expires: 12-8-2003

FOR DEPARTMENT USE ONLY

Transfer contains 4 pages and 5 attachmentsReceived by cyb Date 5-13-97 Fee 100-Received by cyb Date 5-13-97 # W022357

**APPLICATION FOR TRANSFER OF WATER RIGHT
ADDITIONAL DOCUMENTATION
PART 2**

ATTACHED (Required)

- / 1. Copy of each right as presently recorded with IDWR (printout of water right or other acceptable record must include Conditions/Remarks).

Complete the following items: prior consultation with IDWR staff is encouraged to simplify preparation (see "IDWR Information Sheet - Filing An Application For Transfer") as necessary for your transfer application. Label each supporting document as an attachment (A, B, etc.). Place a check mark by each item completed.

ATTACHED (enter "✓" or "N/A" for each item as advised by IDWR staff)

- N/A 2. Describe any other water rights used for the same purposes described in Part 2, item 1.
- N/A 3. Written description of present system and changes required to accommodate the proposed transfer.
4. Map(s) identifying township, range, section and 1/4-1/4 locations of pertinent items as follows:
- / a) *proposed* water system showing the point of diversion, place of use, and any water conveyances such as ditches or pipelines; show irrigated acres per 1/4-1/4 if proposed; and
- / b) *unchanged portion* of water system showing point of diversion, place of use and any water conveyances such as ditches or pipelines.
- N/A c) include a system diagram of the items in 3a and 3b if this is not clear on the map(s).
- / 5. Evidence of water right ownership for entire right or portion of right being transferred. If transferring a portion of right, provide the name and address of the owner (if not the applicant) of the unchanged portion of the right. *(for Bachman portion)*
- N/A 6. Notarized statement from holder of lien, mortgage, contract, deed of trust or any other encumbrance on the property agreeing to the transfer.
- N/A 7. Comments from county planning and zoning organization for county in which proposed water use will occur.
- N/A 8. Comparison between water right as recorded, Snake River Basin Adjudication (SRBA) claim as recorded or current water use practices if any differences exist between any of these three categories. Explain any differences and submit supporting evidence and/or affidavits to substantiate your explanation.

- continued on reverse side -

400 2 1 308

PART 2, CONTINUED

9. Verification of diversion and beneficial use of water within the previous five year period. Some or all of the following items might apply:

N/A

a) most recent agricultural program crop map or aerial photo showing irrigated land before the proposed change

b) pump power records

c) water master records and/or comments if use is within a water district

d) irrigation crop reports

e) reports from other government agencies and/or qualified consultants

f) affidavits from knowledgeable third parties familiar with the history of water use for the water right being transferred

g) describe any defenses to forfeiture - CRP, extension of time, etc CRP enrollment through 1999

h) other....list other verification documentation for the water right below:

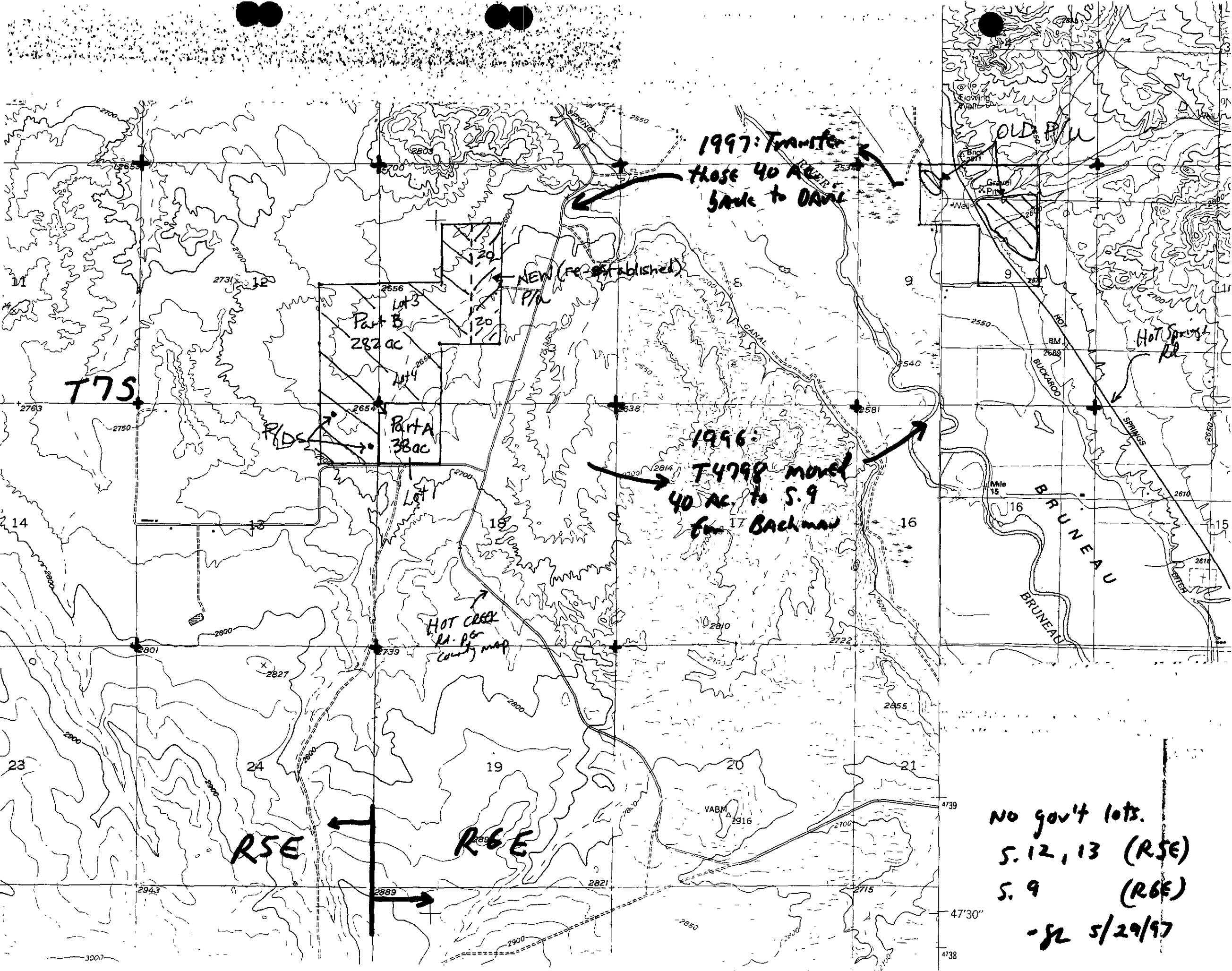
Water transfer agreement

termination of lease and release of rights

N/A 10. For a change in nature of use of part or all of the water right, complete and attach Part 3 of the transfer application.

/ 11. Identify any other documentation that clarifies the transfer application:

Transfer 4798 ~~file~~ Supporting documents - see file



1997: Transfer
those 40 AC.
back to DAVE

NEW (re-established)
PTA

1996:
T4798 moved
40 AC. to S. 9
from Backman

HOT CREEK
RA. PG.
County map

NO gov't lots.
S. 12, 13 (R5E)
S. 9 (R6E)
-SL 5/29/97

PARCEL NO: RP07S06E090600A

* T A X R E M I N D E R *

YEAR BILL# TAX
96 2ND 5732 345.69

TOTAL
345.69

BARBARA WRIGHT TAX COLLECTOR
OWYHEE COUNTY COURTHOUSE
MURPHY, ID 83650
208-495-1158 OR 337-4222

DATE PRINTED: 4/30/97
RP0183603 A

=====

TOTAL DUE:	345.69	VALID THROUGH:	6/20/97
------------	--------	----------------	---------

=====

BACHMAN FRANK & CINDY
PO BOX 186 COLYER RD
BRUNEAU ID 83604

W2NE, E2NW 9 7S 6E

Released portion
(OLD P/W)

Attached B

**TERMINATION OF AGREEMENT AND RELEASE
OF WATER RIGHT INTEREST**

According to the terms of an Agreement entered into on 6-17-96 between Frank and Cindy Bachman and Susan Davis, this statement shall serve as written termination of that agreement. There has not been a crop planted this season so no damage will be caused to Bachmans.

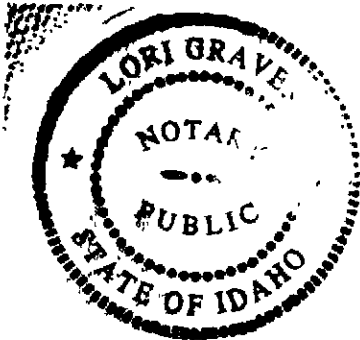
This statement shall also serve as a formal release back to Susan Davis of all right, title and interest in portions of water right nos. 51-04006 and 51-07052, in the amount of 40 acres and 0.71 cfs (35.5 inches), which were transferred to Bachman's property pursuant to Transfer 4798, approved August 30, 1996. The above portions of these rights are to be transferred back to property owned by Susan Davis.

Frank L. Bachman
Frank Bachman

Subscribed and sworn before me on this 15th day of May, 1997.

Lori Graver
Signature of Notary Public

My commission expires: 6/18/98



Attachment C

WATER TRANSFER AGREEMENT

This agreement is made and entered into this 1st day of May, 1996, by and between Susan H. Davis, HC 85 Box 121, Bruneau, Idaho, 83604, hereinafter referred to as ("Davis") and Frank and Cindy Bachman, PO Box 186, Bruneau, Idaho, 83604, hereinafter referred to as ("Bachman").

This Agreement shall remain in effect until terminated in writing by either party. The Agreement can not be terminated during the crop season. (April 1 to November 15). Termination can occur at the end of the irrigation season or anytime prior to the beginning of the irrigation season. The terms of this Agreement is as follows:

1. Davis agrees to transfer to Bachman under water right 51-4006 and 51-7052 a total of .71 cfs (35.5 inches) to irrigate 40 acres.

2. "Application for Transfer of Water Right" filed with the Department of Water Resources which describes the transfer, the place of use, and the original right is attached and is made a part of this Agreement.

3. For the consideration of the use of 35.5 inches of groundwater transferred to the Bachman property, Bachman agrees to

Attachment D
(2 pgs)

pay Davis \$500.00 per year, with payment due on or before April 1 of each year.

4. Bachman also agrees to file any documents required by the Idaho Department of Water Resources to effect a transfer back to Davis, upon completion or termination of this Agreement.

5. Bachman agrees to put the water to beneficial use and therefore not jeopardize any loss in the right transferred to Bachman due to forfeiture which could occur from the lack of use.

This Agreement shall be in effect only when final approval is granted by the Idaho Department of Water Resources. Should final approval occur after June 1, 1996, no use of the transferred water will occur due to lack of time to produce a crop, therefore the water would be put to use in 1997 and the first payment due at that time as outlined above. *

All parties agree they have reviewed this Agreement and understand the contents.

Susan Davis

Date

Frank L. Bachman
Frank Bachman

6-17-96
Date

Cindy Bachman
Cindy Bachman

6-17-96
Date

* Transfer 4798 was approved 8/30/96 so presume use did not occur - there should not present problem to have it back to Davis p/w.
-FL 5/28/97

02

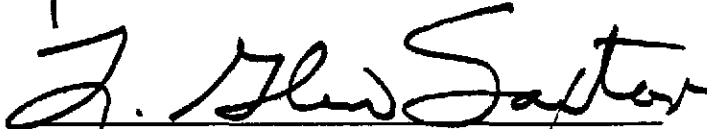
(3 pss)

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 30th day of August, 1996


Chief, Water Alloc. Bureau

E2

MEMORANDUM

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

FROM: PAM SKAGGS^{PS} 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.

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			
	TOTAL:	5.00 CFS	* 1128.0 AF

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	SESW 20	NESW 20	Lot 3(NWSW) 40	
			Lot 4(SWSW) 40			120
		9	NWNE 18	SWNE 16	NENW 6	40
		18	NWNW 2			2

Total number of acres irrigated:


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 30th day of August, 1996


Chief, Water Alloc. Bureau

10/1 01996

Page _____ of _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Transfer No 4798

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

MAY 1 1996

I acknowledge all changes:
* S.D. SUSAN DAVIS
Date 5/27/96

Name of applicant Susan H. Davis

Post Office address HC 85 Bx 121 Bruneau ID 83604

Department of Water Resources Phone 208-845-2438

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 See below

2 Describe the reason for the proposed changes Part B of rights had been leased to Joyce Livestock. Lease has expired and rights needs to be returned to original P/u. At same time, another leaseholder wishes to obtain 40 acres under the rights. "A" & "B" to be redefined to reflect both changes.

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
- | | | | | |
|------------------|-----------|------------|-----|-------------|
| 51-4006 <u>C</u> | 3/1/1963 | .375 | IRR | 3/1 to 11/1 |
| 51-4006 <u>D</u> | 3/1/1963 | 2.625 2.27 | | |
| 51-7052 <u>C</u> | 3/17/1970 | .335 | | |
| 51-7052 <u>D</u> | 3/17/1970 | 2.345 2.03 | | |
- 2 Total amount of water being transferred 5.0 cubic feet per second and/or _____ acre-feet per annum
3. Source of water ground water tributary to N/A
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp	Rge.	County	Local name for diversion
		NW	NE	9	7S	6E	Owyhee	Zpts - "Colyer wells" (Bachman)
		NE	NE	13	7S	SE	"	Original P/u (Davis)

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	
7S	6E	9		18	16		6												40
7S	5E	12													40			40	80
		13	40																40
7S	6E	7							20	20	40	40							120
		18					2				2.3	2.4	100		1996				2 (242)

Total acres 320 282

PART 1**6 General Information**

- a Description of diversion system Existing wells @ Davis & Bachman Farms
- b Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? 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 * existing lease contract has expired but not necessary to release of right fr. Joyce Livestock
- c Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer: Lands now under Part B are being irrigated under 57-7522. provisions of lease
Lands at Davis Farm (original P/W) are in CRP through 1999.
Lands at Bachman ranch are currently being irrigated fr. Bruneau R.
- d. Remarks: FB 4/86 83604 (845.2090)
Lessee of Part D = Frank & Cindy Bachman, Bruneau. This
right to be used to supplement Bruneau Buckaroo Ditch rights
and used in addition to 51-4048 & 51-4049 for a total of 110 ac
irrigation from ground water.

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 OCT 10 1996, 19____

WR0749NP
No. 51-040068

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/02/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOYCE LIVESTOCK CO SINKER CREEK MURPHY ID 83650	03/01/1963	IRRIGATION	03-01 11-01	2.640 CFS	
TOTAL DIVERSION:					2.640 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T03S R01W S16 NWSE OWYHEE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
			:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
03S	01W	16	:	35		35		10		10				:	40		40		40		30				:	280.0
03S	01W	17	:											:											:	40.0
																							TOTAL ACRES		:	320.0

Pou County: OWYHEE

282 total
acres

Other Water Rights with Same Point(s) of Diversion and Source:
51-070528 57-07522

Other Water Rights Listing Overlapping Place(s) of use:
51-070528 57-00172 57-00174A 57-00176 57-00181 57-02015 57-07522

.00936
~~00005~~ cfs/ac

Conditions of Approval:

- T01 - Approval of this transfer in no way confirms the right(s) claimed.
- T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

.37#
"C" 40 ac = .37#
280 ac = 2.27
"D" 242

Remarks: 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. 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. 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 of use.

OCT 10 1996

Dates: App. Received: Priority Date: 03/01/1963
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:

WR0749NP
No. 51-04006B

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/02/95
PAGE: 2

Misc: Water District Number: Field Exam Fee:

Comments: Date: 10/07/1991 User-ID: MILLER Subject: TRANSFER NO. 3760

Audit: 03/26/92 CURTIS

OCT 10 1996

Page _____ of _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Transfer No. _____

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. 51-4006B 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 release of right

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purpose

amount _____ 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 _____ 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

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	

Total acres _____

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 _____ 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	

OCT 10 1996

Total acres _____

WR0749NP
No. 51-070528

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/02/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOYCE LIVESTOCK CO	03/17/1970	IRRIGATION	03-01 11-01	2.360 CFS	
TOTAL DIVERSION:					2.360 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T03S R01W S16

NWSE

OWYHEE County

Place of use Legal Description for: IRRIGATION

NE												NW								SW								SE								SUM							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt		Ac	:					
03S	01W	16	:	35		35		10		10		:	40		40		40		30		:	10		30		:										:	280.0						
03S	01W	17	:									:									:					:										:	40.0						
																																				TOTAL ACRES				320.0			

Pou County: OWYHEE

Other Water Rights with Same Point(s) of Diversion and Source:
51-04006B 57-07522

Other Water Rights Listing Overlapping Place(s) of use:
51-04006B 57-00172 57-00174A 57-00176 57-00181 57-02015 57-07522

Conditions of Approval:

- T01 - Approval of this transfer in no way confirms the right(s) claimed.
- T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

Remarks: Trans. 3760.

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.

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.

When combined with all other rights, this transfer shall provide no more than 5.0 af/acre.

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 of use.

8368cfs
.007375/ac
.33
40ac = .295
280ac = 2.065
242 2.03

007107093

WR0749NP
No. 51-070528

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/02/95
PAGE: 2

=====
Dates: App. Received: Priority Date: 03/17/1970
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 06/21/1979

Misc: Water District Number: Field Exam Fee:

Comments: Date: 10/07/1991 User-ID: MILLER Subject: TRANSFER NO. 3760

Audit: 03/26/92 CURTIS

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 51-70528 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 _____

3 Source of water _____ tributary to _____

4 Date or priority _____

5. Water is used for the following purpose:

amount _____ 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 _____ 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

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	

Total acres _____

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 _____ 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	

OCT 10 1995

Total acres _____

AJ0749NP
No. A51-04006

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/04/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SUSAN H DAVIS	03/01/1963	IRRIGATION	03-15 11-15	3.00 CFS	
C	RICHARD M DAVIS					
	BOX 121					
	BRUNEAU ID 83604					
	(208) 845-2438					
				TOTAL DIVERSION:	3.00 CFS	
				CONSUMPTIVE USE:		1120.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T07S R06E S18

SWNWNW

OWYHEE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
07S	05E	12	:					:					:					:	40			40	:	80.0
07S	05E	13	:	40				:					:					:					:	40.0
07S	06E	7	:					:				40	:	40	40	40		:					:	160.0
07S	06E	18	:					:		40			:					:					:	40.0
																							TOTAL ACRES	320.0

PQU County: OWYHEE

Non-Irrigation Uses: NONE

Other Rights: A51-07052

Other Water Rights Listing Overlapping Place(s) of Use:
A51-07052

Remarks: GEN AC. DIV. RATE=150 IN.

Dates: Exam Made Date:

Verified Date:

01/21/1985

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

SKBA claims
have not been
updated from
earlier Transfer

AJ0749NP
No. A51-07052

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/04/96
PAGE: 1

```
=====
OWNER          PRIORITY    USE PERIOD    DIVERSION    DIVERSION
CODE          NAME & ADDRESS    DATE          WATER USE    FROM    TO    RATE    VOLUME
-----
C  SUSAN H DAVIS    03/17/1970    IRRIGATION    03-01  11-01    2.68 CFS
C  RICHARD M DAVIS
   BOX 121
   BRUNEAU ID 83604
   (208) 845-2438
                                     TOTAL DIVERSION: 2.68 CFS
                                     CONSUMPTIVE USE: 1120.00 AFA
=====
```

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T07S R05E S13

SENE

OWYHEE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07S	05E	12	:																	:	80.0
07S	05E	13	:	40																:	40.0
07S	06E	7	:							40				40		40				:	160.0
07S	06E	18	:							40										:	40.0
																				TOTAL ACRES	320.0

POU County: OWYHEE

Non-Irrigation Uses: NONE

Other Rights: A51-04006

Other Water Rights Listing Overlapping Place(s) of Use:
A51-04006

Conditions of Approval:

Dates: Exam Made Date:

Verified Date:

03/12/1985

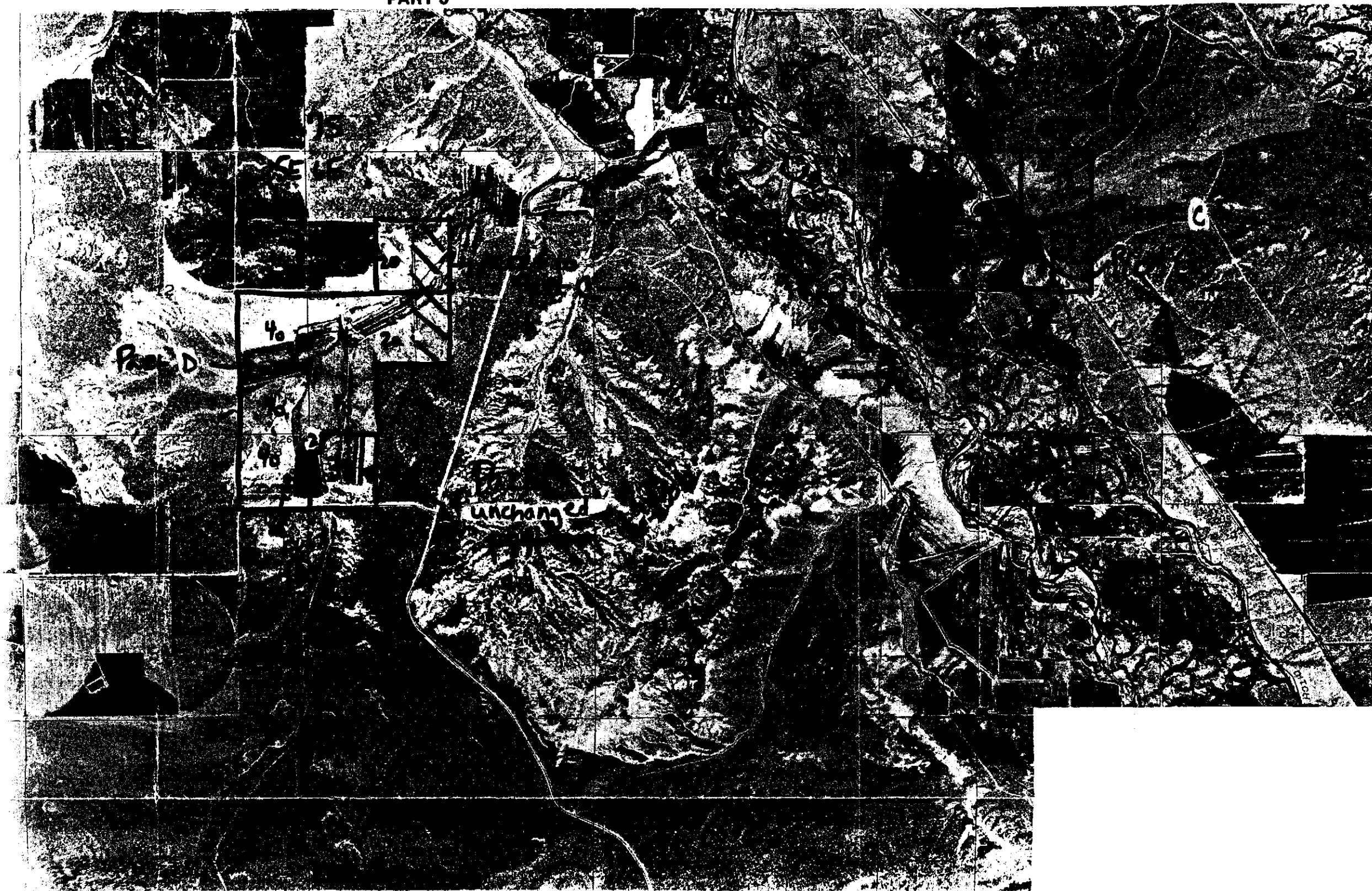
Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

11336

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



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

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

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

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

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

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

Subscribed and sworn to before me this 2nd day of August, 19 95.

(Signature of Applicant)

(Notary Public)

My commission expires 6/18/98**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by elf Date 8/2/95 Protest filed by _____Prelim check by _____ Fee 100 - W019000*Receipted by _____ Date 5/22/95Published in Quynhan Avalanche Copies of protest forwarded by _____Pub dates 4-017 + 24-1996 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

DET

9561 0 1 100
OCT 1 0 1995
COLUMBIA

YEAR BILL# TAX
94 2ND 5401 52.44

TOTAL
52.44

OWYHEE COUNTY COURTHOUSE
MURPHY, ID 83650
208-495-1158 OR 337-4222

DATE PRINTED: 5/01/95
RP0182604 A

TOTAL DUE: 52.44 VALID THROUGH: 6/20/95
RETURN ENVELOPE ENCLOSED FOR YOUR CONVENIENCE
PLEASE ENCLOSE STUB WITH PAYMENT

LOT 1 18 7S 6E

DAVIS SUSAN H
HC 85 BOX 121
BRUNEAU

ID 83604-9702

OCT 10 1996

PARCEL NO: RP07S05E128400A

* T A X _ R _ E _ M _ I _ N _ D _ E _ R *

YEAR BILL# TAX
94 2ND 5301 101.07

TOTAL
101.07

BARBARA WRIGHT TAX COLLECTOR
OWYHEE COUNTY COURTHOUSE
MURPHY, ID 83650
208-495-1158 OR 337-4222

DATE PRINTED: 5/01/95
RP0182605 A

TOTAL DUE: 101.07 VALID THROUGH: 6/20/95
RETURN ENVELOPE ENCLOSED FOR YOUR CONVENIENCE
PLEASE ENCLOSE STUB WITH PAYMENT

E2SE 12 7S 5E

DAVIS SUSAN H
HC 85 BOX 121
BRUNEAU

ID 83604-9702

PARCEL NO: RP07S05E130001A

* I_A_X__B_E_M_I_N_D_E_B *

BARBARA WRIGHT TAX COLLECTOR
OWYHEE COUNTY COURTHOUSE
MURPHY, ID 83650
208-495-1158 OR 337-4222

YEAR BILL# TAX
94 2ND 5302 37.46

TOTAL
37.46

DATE PRINTED: 5/01/95
RP0182602 A

TOTAL DUE: 37.46 VALID THROUGH: 6/20/95
RETURN ENVELOPE ENCLOSED FOR YOUR CONVENIENCE
PLEASE ENCLOSE STUB WITH PAYMENT

NENE 13 7S 5E

DAVIS SUSAN H
HC 85 BOX 121
BRUNEAU

ID 83604-9702

001100

PARCEL NO: RP07S06E074200A

* I_A_X__B_E_M_I_N_D_E_B *

BARBARA WRIGHT TAX COLLECTOR
OWYHEE COUNTY COURTHOUSE
MURPHY, ID 83650
208-495-1158 OR 337-4222

YEAR BILL# TAX
94 2ND 5382 677.22

TOTAL
677.22

DATE PRINTED: 5/01/95
RP0182606 A

TOTAL DUE: 677.22 VALID THROUGH: 6/20/95
RETURN ENVELOPE ENCLOSED FOR YOUR CONVENIENCE
PLEASE ENCLOSE STUB WITH PAYMENT

SENW,NESW,LOTS 3&4 7 7S 6E

DAVIS SUSAN H
HC 85 BOX 121
BRUNEAU

ID 83604-9702

LEASE OF WATER RIGHTS

LEASE, made this 30th day of May, 1990, between SUSAN H. DAVIS, a widow, hereinafter designated as the Owner, and JOYCE LIVESTOCK COMPANY, a Limited Partnership acting by and through Paul Nettleton, its general partner, hereinafter designated as the Lessee;

WITNESSETH: That for and in consideration of the covenants and agreements herein mentioned to be kept and performed by the Lessee, the Owner does hereby lease, let and demise to the Lessee the right to the use of five (5) ³⁷⁵⁰ cfs (250 inches) of water, which water is now and shall remain appurtenant to the following described real property — *No release reg'd from Joyce Livestock* which is owned by the Owner, located in the County of Owyhee, State of Idaho, and particularly described as follows:

The East Half of the Southeast Quarter of Section Twelve and the Northeast Quarter of the Northeast Quarter of Section Thirteen, Township Seven South, Range Five East, Boise Meridian;

The Southeast Quarter of the Northwest Quarter, the North Half of the Southwest Quarter, and the Southwest Quarter of the Southeast Quarter of Section Seven and the Northwest Quarter of the Northwest Quarter of Section Eighteen, Township ~~Seven~~ South, Range Six East, Boise Meridian;

TO HAVE AND TO HOLD said water right during the irrigation season of the year 1990 and 1991, which irrigation season commences on March 1st and ends on November 1st of each year, and this lease is subject to renewal for the year 1992 upon the terms hereinafter provided. *Note: Lease renewed for 1992 & also 1993 per Paul Nettleton.*

1. GOVERNMENT SET-ASIDE PROGRAM. It is understood that the Owner's land is now in a Government Set-Aside Program and that it is therefore unnecessary for the Owner to use said water on her own land, but anything in this

OCT 10 1996

lease to the contrary notwithstanding, IT IS HEREBY AGREED that said water right shall remain appurtenant to the Owner's land and that this lease is executed subject to all applicable rules and regulations of the Idaho Department of Water Resources and shall be subject to the approval of the Idaho Department of Water Resources.

2. RENT. The Lessee shall pay to the Owner as rent for the use of said water the sum of \$2,500.00 per year for the use of said water during the irrigation season from March 1st to November 1st of each year. Rent for the irrigation season of the year 1990 has been paid at the time of the execution of this lease. Rent for the irrigation season in 1991 shall be paid on or before March 1, 1991.

3. LESSEE'S LAND. It is understood that the Lessee is leasing the Owner's water right for use upon the following described lands owned by the Lessee, located in the County of Owyhee, State of Idaho, and described as follows:

Portions of the Northeast Quarter of the Northeast Quarter, the Northwest Quarter of the Northeast Quarter, the Southwest Quarter of the Northeast Quarter, the Southeast Quarter of the Northeast Quarter, the Northeast Quarter of the Northwest Quarter, the Northwest Quarter of the Northwest Quarter, the Southwest Quarter of the Northwest Quarter, the Southeast Quarter of the Northwest Quarter, the Northeast Quarter of the Southwest Quarter and the Northwest Quarter of the Southwest Quarter of Section Sixteen and the Northeast Quarter of the Southeast Quarter of Section Seventeen, all in Township Three South, Range One West, Boise Meridian, containing approximately 320 acres.

4. LESSEE'S USE OF SAID WATER. During the term of this lease the Lessee agrees to put all of said water to beneficial use and not to waste the same. The Lessee further agrees to comply with the rules and regulations

RECORDED

OCT 1 0 1990

of the Idaho Department of Water Resources pertaining to the use of said water for irrigation purposes.

5. NO ASSIGNMENT OR SUBLEASE. The Lessee shall not assign this lease or sublet any part of said water rights without first obtaining the written consent of the Owner.

6. REPRESENTATIONS OF PARTIES. Both the Owner and the Lessee hereby represent to the other that he or she has the legal power and right to enter into and perform this lease and is the owner or is empowered to represent the owner of the respective tracts of land above described as being affected by this lease and that neither is aware of any actions, suits or proceedings pending that would adversely affect the lands herein described or the right to the use of said water.

7. REMEDIES FOR DEFAULT. If default be made in the payment of the rent hereby reserved or any part thereof or in the performance of any of the other terms and conditions hereof on the part of the Lessee to be kept and performed, then the Owner shall first give the Lessee fifteen day's notice in writing specifying wherein the Lessee has failed to comply with the terms hereof and which said notice may be delivered to Paul Nettleton, as general partner of Joyce Livestock Company, Murphy, Idaho, personally, or may be sent to the said Lessee by registered or certified mail, addressed to the Lessee in care of the said Paul Nettleton, Murphy, Idaho. If sent by mail, said notice shall be deemed served upon the Lessee upon the date it is deposited in the United States mails with postage prepaid, certified or registered and addressed as above mentioned. If the Lessee fails to correct said default within said fifteen-day period, then the

RECORDED

OCT 10 1996

Owner may without further notice declare this lease terminated, in which event the Lessee's right to the use of the Owner's water shall immediately and without further notice terminate at once. In the event it becomes necessary for either of the parties hereto to place this lease in the hands of an attorney for enforcement of his rights hereunder after default of the other party, or to institute legal proceedings for enforcement of such rights, then the party not in default, or the prevailing party in case of suit, shall be entitled to recover reasonable attorney's fees in addition to any other damages allowed by law.

8. OPTION TO RENEW. The Lessee shall have and is hereby granted an option to renew this lease for another term of one year, which shall be the irrigation season for the year 1992, upon the same terms and conditions as are herein specified, option to renew accepted. In the event the Lessee desires to exercise this option renew, the Lessee shall notify the Owner in writing of such intention on or before March 1, 1992.

9. COVENANT. The Owner hereby covenants that the Lessee performing the terms and conditions hereof shall peacefully and quietly have, hold and enjoy the use of said water during each irrigation season covered by this lease.

IN WITNESS WHEREOF, the said parties have hereunto set their hands the day and year in this agreement first above written.

Susan H. Davis
Susan H. Davis

OWNER,

JOYCE LIVESTOCK COMPANY,
A Limited Partnership,

By Paul Nettleton
Paul Nettleton, General Partner,

LESSEE.

MICROFILMED

OCT 1 1996

STATE OF IDAHO,)
COUNTY OF Blaine) ss.

On this 31st day of May, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared SUSAN H. DAVIS, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she 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.

[Signature]
Notary Public for Idaho
Residing at Blaine, Idaho

STATE OF IDAHO,)
COUNTY OF Blaine) ss.

On this 31st day of May, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared PAUL NETTLETON, known to me to be the general partner of the partnership known as Joyce Livestock Company, and the partner who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

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

[Signature]
Notary Public for Idaho
Residing at Blaine, Idaho

MICROFILMED

1996

Page 1 of 10STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer 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

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source
<u>57-4008 B</u>	<u>7/15/1949</u>	<u>6.4 cfs</u>	<u>Irr</u>	<u>4/1</u> to <u>11/1</u>	<u>Ground water</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 water</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 water</u>

2. Total amount of water being transferred 6.4 cubic feet per second and/or _____ acre-feet per annum3. 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 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 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	
<u>3S</u>	<u>1W</u>	<u>16</u>	<u>35</u>	<u>38</u>	<u>20</u>	<u>10</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>30</u>	<u>10</u>	<u>30</u>			<u>4</u>				<u>280</u>
<u>3S</u>	<u>1W</u>	<u>17</u>													<u>40</u>				<u>40</u>

MICROFILMED

NOV 26 1990

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.

Witness my hand this

19th day of

November

, 19 90

J. Glen Saylor

Chief, Water Alloc. Bureau

MICROFILMED

NOV 26 1990

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. 157-04008 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) 0.04 for Dom purposes from 1/1 to 12/31
(cfs/ac-ft) 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									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) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (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	27	45	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	
45	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) _____ for _____ purposes from _____ to _____
 amount 0.12 cfs for Stockwater purposes from 1/1 to 12/31
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____

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	1/4	1/4	1/4	Sec.	Twp	Rge.	County	Local name for diversion
		NW	NW	18	7S	6E	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							40	40	40	40							160
		18					40												40

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NOV 26 1990

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 TRANSFERRED51-4006B

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

1. amount 2.67 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							40	40	40	40							160
		18					40												40

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NOV 26 1990

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 _____

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 282**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

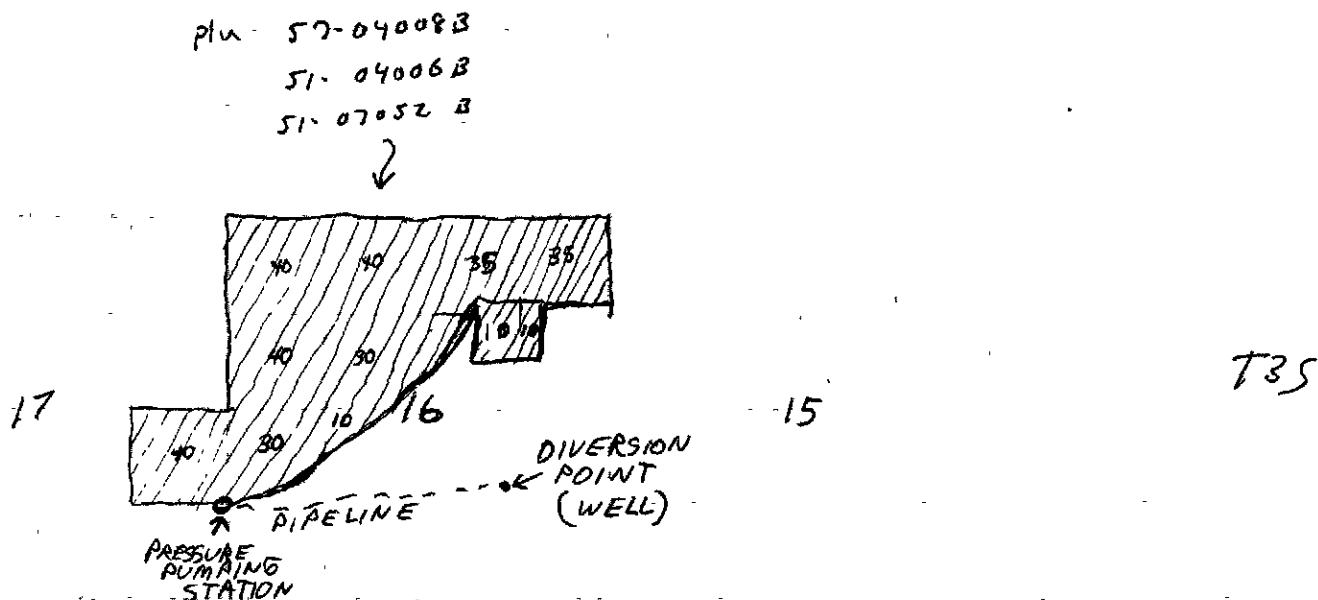
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NOV 26 1990

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.



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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 Hillebr, general partner
(Signature of Applicant)

Subscribed and sworn to before me this 19th day of APRIL, 19 90

Dan R. Tschiff
(Notary Public)

My commission expires 9/15/1994

FOR DEPARTMENT USE ONLY

Transfer contains 10 pages and Several attachments

Received by DRT Date 6/11/1990

Prelim. check by SL Fee \$502 W 012255

Receipted by DRT Date 6/11/1990

Published in Denver Post

Pub dates 7/4 + 7/11/1990

Watermaster recommendation requested on N/A

rec'd

Copy of transfer sent to lien holder

Protest filed by

Copies of protest forwarded by

Hearing held by Date

Recommended for ☒ approval ☐ denial

by DRT

MICROFILMED

MAY 8 1990

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.

RECORDED

NOV 26 1990

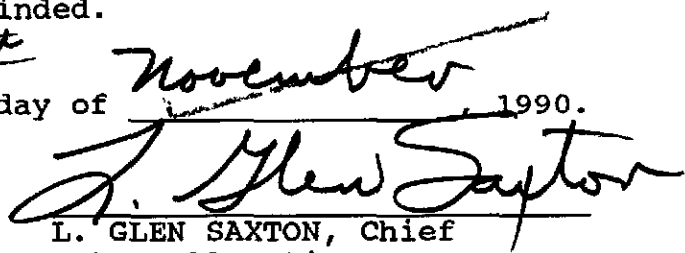
5. The transfer of right no.s 51-4006 and 57-7052 should be approved, but limited to the diversion of no more than 5.00 cfs for the irrigation of no more than 282 acres.

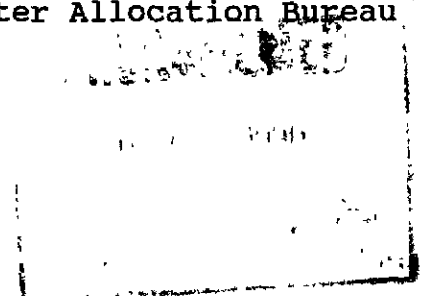
ORDER

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 13th day of November, 1990.


L. GLEN SAXTON, Chief
Water Allocation Bureau



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JUN 11 1990

Department of Water Resources
Western Regional Office

LEASE OF WATER RIGHTS

LEASE, made this 30th day of May, 1990, between SUSAN H. DAVIS, a widow, hereinafter designated as the Owner, and JOYCE LIVESTOCK COMPANY, a Limited Partnership acting by and through Paul Nettleton, its general partner, hereinafter designated as the Lessee;

WITNESSETH: That for and in consideration of the covenants and agreements herein mentioned to be kept and performed by the Lessee, the Owner does hereby lease, let and demise to the Lessee the right to the use of five (5) cfs (250 inches) of water, which water is now and shall remain appurtenant to the following described real property which is owned by the Owner, located in the County of Owyhee, State of Idaho, and particularly described as follows:

The East Half of the Southeast Quarter of Section Twelve and the Northeast Quarter of the Northeast Quarter of Section Thirteen, Township Seven South, Range Five East, Boise Meridian;

The Southeast Quarter of the Northwest Quarter, the North Half of the Southwest Quarter, and the Southwest Quarter of the Southeast Quarter of Section Seven and the Northwest Quarter of the Northwest Quarter of Section Eighteen, Township Seven South, Range Six East, Boise Meridian;

TO HAVE AND TO HOLD said water right during the irrigation season of the year 1990 and 1991, which irrigation season commences on March 1st and ends on November 1st of each year, and this lease is subject to renewal for the year 1992 upon the terms hereinafter provided.

1. GOVERNMENT SET-ASIDE PROGRAM. It is understood that the Owner's land is now in a Government Set-Aside Program and that it is therefore unnecessary for the Owner to use said water on her own land, but anything in this

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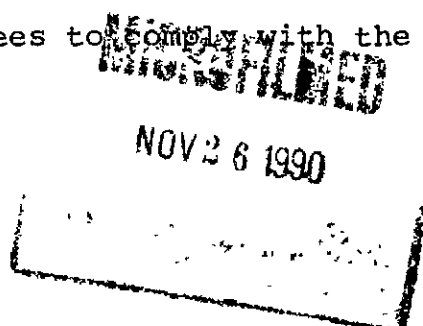
lease to the contrary notwithstanding, IT IS HEREBY AGREED that said water right shall remain appurtenant to the Owner's land and that this lease is executed subject to all applicable rules and regulations of the Idaho Department of Water Resources and shall be subject to the approval of the Idaho Department of Water Resources.

2. RENT. The Lessee shall pay to the Owner as rent for the use of said water the sum of [REDACTED] per year for the use of said water during the irrigation season from March 1st to November 1st of each year. Rent for the irrigation season of the year 1990 has been paid at the time of the execution of this lease. Rent for the irrigation season in 1991 shall be paid on or before March 1, 1991.

3. LESSEE'S LAND. It is understood that the Lessee is leasing the Owner's water right for use upon the following described lands owned by the Lessee, located in the County of Owyhee, State of Idaho, and described as follows:

Portions of the Northeast Quarter of the Northeast Quarter, the Northwest Quarter of the Northeast Quarter, the Southwest Quarter of the Northeast Quarter, the Southeast Quarter of the Northeast Quarter, the Northeast Quarter of the Northwest Quarter, the Northwest Quarter of the Northwest Quarter, the Southwest Quarter of the Northwest Quarter, the Southeast Quarter of the Northwest Quarter, the Northeast Quarter of the Southwest Quarter and the Northwest Quarter of the Southwest Quarter of Section Sixteen and the Northeast Quarter of the Southeast Quarter of Section Seventeen, all in Township Three South, Range One West, Boise Meridian, containing approximately 320 acres.

4. LESSEE'S USE OF SAID WATER. During the term of this lease the Lessee agrees to put all of said water to beneficial use and not to waste the same. The Lessee further agrees to comply with the rules and regulations



of the Idaho Department of Water Resources pertaining to the use of said water for irrigation purposes.

5. NO ASSIGNMENT OR SUBLEASE. The Lessee shall not assign this lease or sublet any part of said water rights without first obtaining the written consent of the Owner.

6. REPRESENTATIONS OF PARTIES. Both the Owner and the Lessee hereby represent to the other that he or she has the legal power and right to enter into and perform this lease and is the owner or is empowered to represent the owner of the respective tracts of land above described as being affected by this lease and that neither is aware of any actions, suits or proceedings pending that would adversely affect the lands herein described or the right to the use of said water.

7. REMEDIES FOR DEFAULT. If default be made in the payment of the rent hereby reserved or any part thereof or in the performance of any of the other terms and conditions hereof on the part of the Lessee to be kept and performed, then the Owner shall first give the Lessee fifteen day's notice in writing specifying wherein the Lessee has failed to comply with the terms hereof and which said notice may be delivered to Paul Nettleton, as general partner of Joyce Livestock Company, Murphy, Idaho, personally, or may be sent to the said Lessee by registered or certified mail, addressed to the Lessee in care of the said Paul Nettleton, Murphy, Idaho. If sent by mail, said notice shall be deemed served upon the Lessee upon the date it is deposited in the United States mails with postage prepaid, certified or registered and addressed as above mentioned. If the Lessee fails to correct said default within said fifteen-day period, then the

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NOV 26 1990

Owner may without further notice declare this lease terminated, in which event the Lessee's right to the use of the Owner's water shall immediately and without further notice terminate at once. In the event it becomes necessary for either of the parties hereto to place this lease in the hands of an attorney for enforcement of his rights hereunder after default of the other party, or to institute legal proceedings for enforcement of such rights, then the party not in default, or the prevailing party in case of suit, shall be entitled to recover reasonable attorney's fees in addition to any other damages allowed by law.

8. OPTION TO RENEW. The Lessee shall have and is hereby granted an option to renew this lease for another term of one year, which shall be the irrigation season for the year 1992, upon the same terms and conditions as are herein specified, option to renew accepted. In the event the Lessee desires to exercise this option renew, the Lessee shall notify the Owner in writing of such intention on or before March 1, 1992.

9. COVENANT. The Owner hereby covenants that the Lessee performing the terms and conditions hereof shall peacefully and quietly have, hold and enjoy the use of said water during each irrigation season covered by this lease.

IN WITNESS WHEREOF, the said parties have hereunto set their hands the day and year in this agreement first above written.

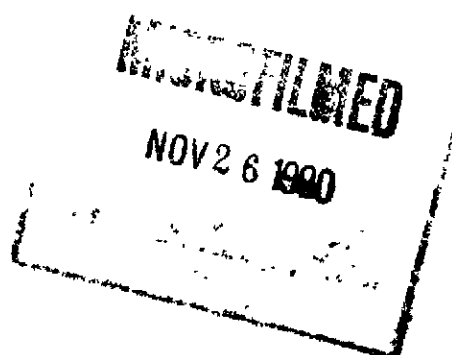
Susan H. Davis
Susan H. Davis

OWNER,

JOYCE LIVESTOCK COMPANY,
A Limited Partnership,

By Paul Nettleton
Paul Nettleton, General Partner,

LESSEE.



STATE OF IDAHO)
COUNTY OF Shoshone) ss.

On this 31st day of May, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared SUSAN H. DAVIS, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she 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.

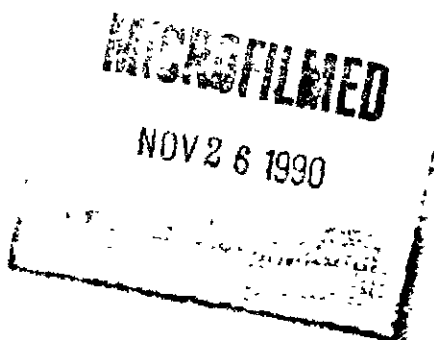
[Signature]
Notary Public for Idaho
Residing at 211 N. 1st St. Idaho

STATE OF IDAHO)
COUNTY OF Shoshone) ss.

On this 31st day of May, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared PAUL NETTLETON, known to me to be the general partner of the partnership known as Joyce Livestock Company, and the partner who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

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

[Signature]
Notary Public for Idaho
Residing at 211 N. 1st St. Idaho



Dept. of Water Res.
Western

THE OWYHEE AVALANCHE

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

RECEIVED

SEP 23 1990

STATE OF IDAHO)
COUNTY OF OWYHEE)

I, Joe E. Aman, being first duly sworn, depose and say:

Department of Water Resources
Hwy. 10, Boise, Idaho

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of **The Owyhee Avalanche**, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said **The Owyhee Avalanche** has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in said newspaper, in two (2)

(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

July 3 & 11, 1990

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NOV 26 1990

Signed

Joe E. Aman

Subscribed and sworn to before me this

24th

day of

Sept.

A.D., 1990

Chris Bahem

Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires April 1996

CHANGE OF WATER RIGHT

Notice is hereby given that Joyce Livestock Co. of Sinker Creek has applied to the Department of Water Resources for a change of Source, Point of Diversion, Place of Use, and Period of Use of groundwater and surface water. The rights sought to be changed are evidenced by Claims and License, and are recorded as follows:

57-40068

Amount: 6.4 cfs
Priority Season: 7/15/1919
1/15 to 5/15
Source of Diversion: Fossil Creek T4S R2W S27 NE1/4 NE1/4
Place of Use: T4S R2W S14 SE1/4, S23 NW1/4 NE1/4, E1/2 NW1/4, NE1/4 SW1/4

51-4006

Amount: 3.0 cfs
Priority Season: 3/1/1963
3/1 to 11/1
Source of Diversion: Groundwater T7S R6E S18 NW1/4 NW1/4
Place of Use: T7S R5E S12 E1/2 SE1/4 S13 NE1/4 NE1/4
T7S R6E S7 SE1/4 NW1/4, W1/2 SW1/4, NE1/4 SW1/4

Amount: 2.0 cfs
Priority Season: 3/17/1970
Source of Diversion: Groundwater T7S R5E S13 NE1/4 NE1/4
Place of Use: T7S R5E S12 E1/2 SE1/4 S13 NE1/4 NE1/4
T7S R6E S7 SE1/4 NW1/4, W1/2 SW1/4, NE1/4 SW1/4 S18 NW1/4 NW1/4

The water is used for irrigation purposes.

TO BE CHANGED AS FOLLOWS

All of the water is to be diverted from a new well located in NW1/4 SE1/4 S16 T3S R1W, B.M., Owyhee County, and will be used for irrigation of 320 acres located within T3S R1W S16 N1/2, N1/2 SW1/4; S17 NE1/4 SE1/4, B.M., with season from 4/1 to 11/1.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, 2735 Airport Way, Boise, Idaho 83705 on or before July 23, 1990.

(8) Remarks



75 6E

State of Idaho

County of _____

Le Roy Davis
(Claimant)

Red Conkey

My commission expires

Received by

Date _____

4-5-83

Exception filed by:

Forwarded to

Date _____

Premium check by

Date _____

5-18-83

claimant by

30 00 fee received by

Date _____

Published in

Quincey Nugget

Dates

4/28 @ 5/5/ 83

PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, s.s.

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

That the annexed notice was published in said newspaper once a week and every week for 2nd consecutive weeks, the first publication being on the 27 day of April, 1983, and the last publication being on the 4 day of May, 1983;

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.

Mick Hodges
PUBLISHER

Subscribed and sworn to before me this 4 day of

May, 1983

Ray L. Hodges
NOTARY PUBLIC

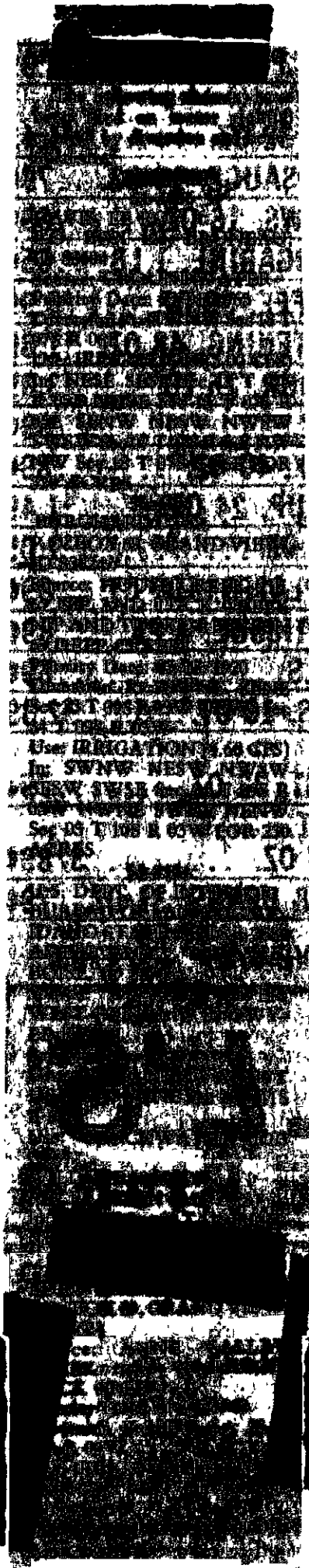
My commission expires

3-86

(SEAL)

MICROFILMED

Department of Water Resources
Western Regional Office



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that LeRoy R. Davis
(name of claimant)
of Bx 121 BrunEAU, Ida.
(mailing address), claims a right to the diversion and beneficial use of
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) 8" well
tributary to ,
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | | | | | | |
|--------|-------------------|-----|---------------------------|----------------|------|------------------------|----|---------------|
| Amount | <u>150"</u> | Use | <u>irrigation</u> | Period of Use | From | <u>15 Apr</u> | To | <u>15 Oct</u> |
| Amount | | Use | | Period of Use | From | | To | |
| Amount | | Use | | Period of Use: | From | | To | |
| | (cfs, gpm or a/f) | | (dom., irri., stock, etc) | | | (both dates inclusive) | | |
- (3) Total quantity of water claimed 3 cubic feet per second, or 150" acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) 1963

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NW 1/4 NW 1/4, Sec. 18 Twp. 7S Rge. 6E B.M. County of Owyhee
Additional points of diversion: _____

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. 40 HP pump (elec.)

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	55	12													40			40	80
		13	40																40
75	45	7								40	40	40	40						160
		18					40												40

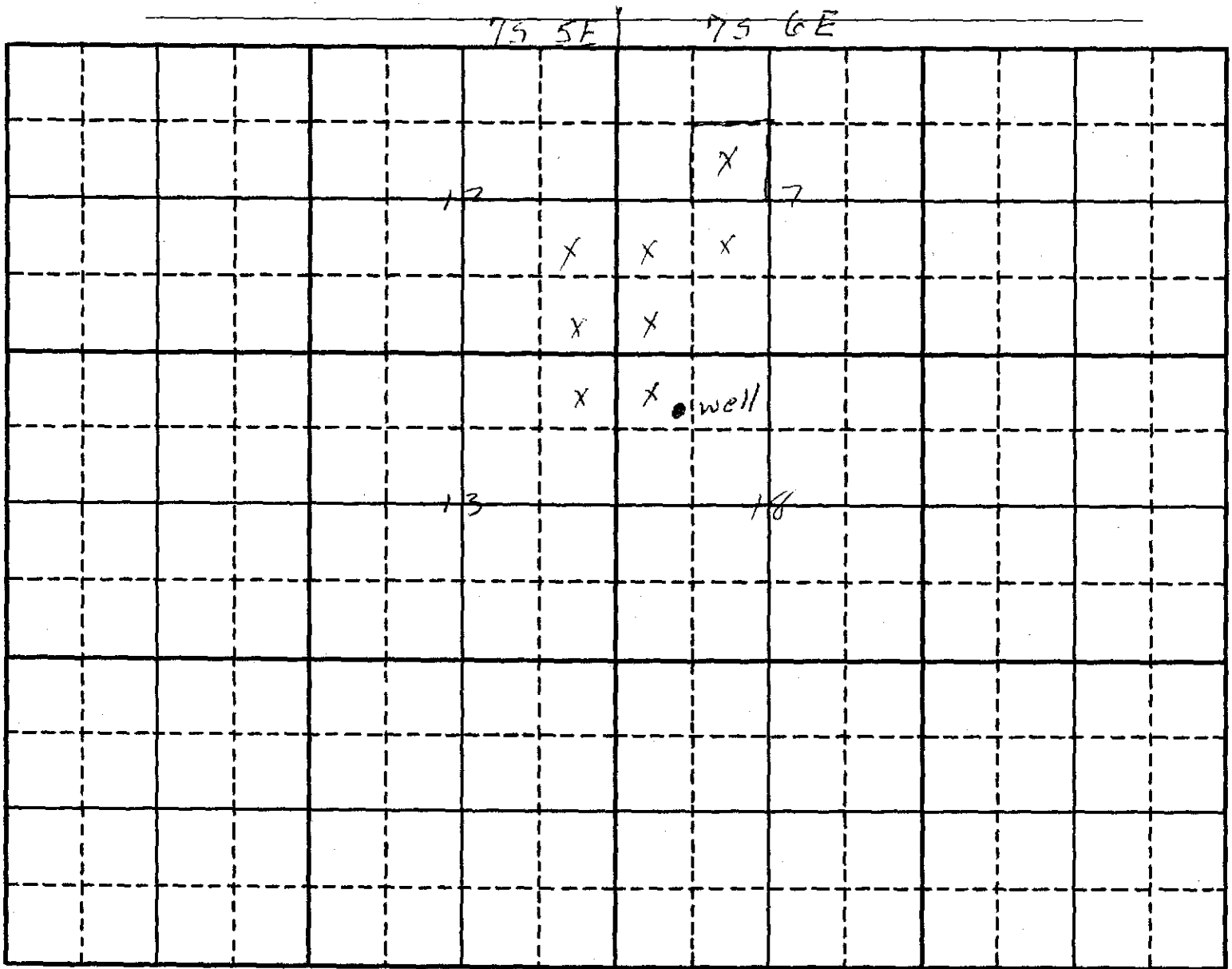
Total No. of acres 320

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____

- (7) If you are claiming water as a member of an organization, list name of organization _____

MICROFILMED

(8) Remarks Formerly Filed by Dillard Sawyer
51-2115



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Owyhee) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 5 day of

December 1974
Le Roy R. Davis
(Claimant)

Melvin Choultin
Notary Public
Residing at Burman, Idaho

My commission expires Oct. 28-1975

For Department Use Only

Received by <u>[Signature]</u>	Date <u>12-09-74</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>[Signature]</u>	Date <u>9 Dec 74</u>		claimant by:	
\$10.00 fee received by <u>SW</u>	Date <u>12-9-74</u>	#15353		
Approved for publication by <u>[Signature]</u>	Date <u>12-12-74</u>	<u>Dec 13-31-74</u>		
Published in <u>Owyhee Nugget</u>				
Dates <u>Dec. 17 & 24, 1974</u>				

5 Dec 1974

I, *Joe E. Black* am a witness, that the
water, described on claim to a Water Right by LeRoy
Davis, has been used from the well by pumping and
irrigation since 1963.

Joe E. Black
Box 49
Hammett, Idaho

MICROFILMED

5 Dec 74

I, C. H. Loo, am a witness, that the
water, described on claim to a Water Right by LeRoy
Davis, has been used from the well by pumping and
irrigation since 1963.

C. H. Loo
Rt. B. Box 177
Brunson.

RECORDED
INDEXED

DFG 137

County of Owyhee

S.S.

NOTICE TO A SHAREHOLDER

[illegible]

12-31-74
GAC
COW

Subscribed and sworn to before me this 26 day of Dec.

NOTARY PUBLIC

(SEAL)

REFINED

PART B



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

March 23, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

SUSAN H DAVIS
3272 GEKELER #D201
BOISE ID 83706

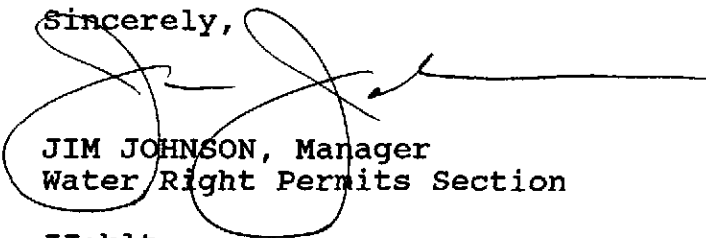
RE: Water Rights 51-04006B/51-07052B (Transfer 5096)

Dear Ms Davis:

Enclosed is a copy of your approved Amended Transfer of Water Right for the above referenced water rights (Transfer 5096). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer.

Also, please be advised that the accompanying **transfer approval** should be considered and treated as a **preliminary order** of the department issued pursuant to Section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosures

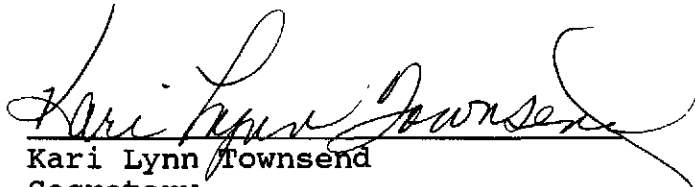
17125
17 1998

CERTIFICATE OF MAILING

I hereby certify that on the 23rd day of March, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

WATER RIGHTS 51-04006B/51-07052B (Transfer 5096)

SUSAN H DAVIS
3272 GEKELER #D201
BOISE ID 83706


Kari Lynn Townsend
Secretary

APR 16 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

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

FROM: PAM SKAGGS²⁸ 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.

NOTED
APR 16 1998

TRANSFER REVIEW SHEET

(06-97)

Transfer # 5051

Date Reviewed 03-17-98

Right(s) 51-04006B

51-07052B

WRD11 Print Split Summary ☒ Run POU Comparison Report

B:Change P/D C:Add P/D D:Change P/U E:Change Nature of Use

F:Change Period of Use G:Other

H:Change P/D & Add P/D

I:Change P/D & P/U

J:Add P/D & Change P/U

Proof of Ownership Release Agreement + tax notice.

Transfer ☒ All of Right ☐ Portion of Right

Resulting Split(s) NONE

Check Transfer Against Recorded Right

Season/Vol. 0/4.0

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

(6) ☒ Source (7) ☐ P/D (8) ☐ P/U (9) ☒ Proof/Owner (10) ☒ Map VDR < YIN each rt. Combined Limit

(11) NA Water District (12) Yes Pertinent Conditions (13) No Expansion

(7) Change P/Ds

(8) Change P/U

Existing Wells

Transfer Remarks W35 Combined Rts. 5.00 cfs/282 Acres (11280 ft) 280Ds NENE, Sec 13

Conditions 01M, R164, T07, T08, T09 W04, W58

T17

Database/Processing Notes

Standard ☒ Non-Standard ☐

T Files

Pccommon File T5096.txt 38

File Deleted 03-20-98

Transfer Memo Complete ☒

Database Updated 03-20-98 38

WR0749NP
No. T51-04006B

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/17/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SUSAN H DAVIS 3272 GEKELER #D201 BOISE ID 83706 (208) 338-5203	03/01/1963	IRRIGATION	04/01 10/31	2.640 CFS	1115.40 AFA
TOTAL DIVERSION:					2.640 CFS	1115.40 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T07S R05E S13

NENE

OWYHEE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
07S	05E	12	:					:					:					:						
07S	05E	13	:	40				:					:					:						
07S	06E	7	:					:				40	:	40	03-40	04-40		:						
07S	06E	18	:					:	01-02				:					:						
TOTAL ACRES																							282.0	

Pou County: OWYHEE

Conditions of Approval:

- 01M - After specific notification by the department, the right holder
- 028 - shall install a ~~suitable measuring device~~ or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
- R64 - This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- T17 - 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.

Remarks: GEN 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.
Rights 51-04006B and 51-07052B when combined shall not exceed a total annual diversion volume of 1128.0 af at the field headgate.

WR0749NP
No. T51-04006B

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/17/98
PAGE: 2

Remarks: Approval of Transfer 5096 does not confirm Claimed Right
51-04006B.
Two points of diversion are located within NENE, S13, T07S, R05E.

Dates: App. Received: Priority Date: 03/01/1963
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 10/07/1991 User-ID: MILLER Subject: TRANSFER NO. 3760

Date: 07/18/1996 User-ID: PSKAGGS Subject: TRANSFER NO. 4798
Transfer No. 4798 was filed to change & add points of diversion
and change the place of use under Right Nos. 51-04006B &
51-07052B.

Date: 03/17/1998 User-ID: PSKAGGS Subject: TRANSFER 5096
Transfer 5096 adds a point of diversion & changes the place of
use under Rights 51-04006B & 51-07052B.

Audit: 06/13/97 STAYLOR 06/18/97 PSKAGGS 03/17/98 PSKAGGS

WR0749NP
No. T51-07052B

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/17/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SUSAN H DAVIS 3272 GEKELER #D201 BOISE ID 83706 (208) 338-5203	03/17/1970	IRRIGATION	04/01 10/31	2.360 CFS	977.10 AFA
TOTAL DIVERSION:					2.360 CFS	977.10 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T07S R05E S13 NENE OWYHEE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE													
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SESW		NESE		NWSE		SWSE		SESE			
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
07S	05E	12	:															40					40	:	80.0
07S	05E	13	:	40																				:	40.0
07S	06E	7	:									40	:	40	03-40	04-40								:	160.0
07S	06E	18	:							01-02			:											:	2.0
TOTAL ACRES																								282.0	

Pou County: OWYHEE

Conditions of Approval:

- 044 - After specific notification by the department, the right holder
- 036 - shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
- R64 - This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- T17 - 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.

Remarks: GEN 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.
Rights 51-04006B and 51-07052B when combined shall not exceed a total annual diversion volume of 1128.0 af at the field headgate.

WR0749NP
No. T51-07052B

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/17/98
PAGE: 2

Remarks: Two points of diversion are located within NENE, S13, T07S, R05E.

Dates: App. Received: Priority Date: 03/17/1970
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 06/21/1979

Misc: Water District Number: Field Exam Fee:

Comments: Date: 10/07/1991 User-ID: MILLER Subject: TRANSFER NO. 3760

Date: 07/18/1996 User-ID: PSKAGGS Subject: TRANSFER NO. 4798
Transfer No. 4798 was filed to change & add points of diversion
and change the place of use under Right Nos. 51-04006B &
51-07052B.

Date: 03/17/1998 User-ID: PSKAGGS Subject: TRANSFER 5096
Transfer 5096 adds a point of diversion & changes the place of
use under Rights 51-04006B & 51-07052B.

Audit: 03/17/98 PSKAGGS 03/17/98 PSKAGGS

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SE				SUM		
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac					
T07S R06E S 9				18	16			6	Transferred Acres to															
A5100003	BRUNEAU RI			5	10			20	35	35	40	25	19		6			30	10	5	240			
5100004B	BRUNEAU RI				3						1										4			
5100005	BRUNEAU RI			31	5	10	29	20			40					25					160			
A5100005	BRUNEAU RI			5	10	20		20			40					25					120			
A5100009	BRUNEAU RI			Bruneau Buckaroo Ditch Co.												25					25			
A5100010	BRUNEAU RI													25							25			
A5100011	BRUNEAU RI													25							25			
5100018	BRUNEAU RI																40	40		80				
A5100018	BRUNEAU RI																40	40		80				
R5100018	BRUNEAU RI																39	6		45				
5100019	BRUNEAU RI																40	40		80				
A5100019	BRUNEAU RI																40	40		80				
R5100019	BRUNEAU RI																39	6		45				
5100020	BRUNEAU RI																40	40		80				
A5100020	BRUNEAU RI																40	40		80				
R5100020	BRUNEAU RI																39	6		45				
5100021	BRUNEAU RI											40		40	40		40			160				
A5100021	BRUNEAU RI											40		40	40		40			160				
R5100021	BRUNEAU RI											40	2	33			32			107				
5100022	BRUNEAU RI											40	40	40			40			160				
A5100022	BRUNEAU RI											40	40	40			40			160				
R5100022	BRUNEAU RI											40	2	33			32			107				
5100023	BRUNEAU RI											40	40	40			40			160				
A5100023	BRUNEAU RI											40	40	40			40			160				
R5100023	BRUNEAU RI											40	2	33			32			107				
5104006B	GROUNDWATE			18	16			6												40				
A5104006B	GROUNDWATE			18	16			6												40				
5104048	GROUNDWATE				8			20			20									48				
A5104048	GROUNDWATE				8			20			22									50				
5104049	GROUNDWATE				8			20			20									48				
A5104049	GROUNDWATE				8			20			22									50				
5107052B	GROUNDWATE			18	16			6												40				
A5107052B	GROUNDWATE			18	16			6												40				
5107119	GROUNDWATE	31				9														40				
A5107119	GROUNDWATE	40				40										40				120				
R5107119	GROUNDWATE	40				40										40				120				
5107346	BRUNEAU RI	31				9														40				
A5110047	SPRING													25						25				
R5110047	SPRING													25						25				
A5110255	BRUNEAU RI												25							25				
A5110256	BRUNEAU RI												25							25				
A5110257	BRUNEAU RI												25							25				
A5110262	BRUNEAU RI												25							25				

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '**' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE								NW								SW								SE								SUM
		NE		NW		SW		SE		NE		NW		SW		SE		NE		NW		SW		SE		NE		NW		SW		SE		
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac			
A5110271	BRUNEAU RI :	} B B D Co.		5		10		20	:	20		35		35		40	:	25		19				6	:	25		30		10		5	:	285
A5110350	BRUNEAU RI :			5		10			:	20						40	:								:									75
--86 MAP--	C73Q-AA 63 :			34		6		25	:	30		38		39		38	:	38		30		22		33	:	31		33		36		18	:	481

SD-0611-2 Basin: 51 Starting Water Right: 04006

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
---	51-04006			00/00/0000	/Z			WR
---	51-04006A	DAVIS, LE ROY	C	03/01/1963	S/	GROUNDWATER	IRR	WR
---	51-04006B	DAVIS, SUSAN H	C	03/01/1963	S/	GROUNDWATER	IRR	WR
---	T51-04006B	DAVIS, SUSAN H	C	03/01/1963	S/	GROUNDWATER	IRR	WR
---	A51-04006	SPLIT CLAIM	C	03/01/1963	/Z	GROUNDWATER SPLIT CLAIM	IRR	AJ
---	A51-04006A	DAVIS, SUSAN H	C	03/01/1963	S/	GROUNDWATER	IRR	AJ
---		DAVIS, RICHARD M	C					
---	A51-04006B	DAVIS, SUSAN H	C	03/01/1963	S/	GROUNDWATER	IRR	AJ

END OF DATA...ENTER MENU OPTION AND/OR PRESS ENTER TO CONTINUE

(Enter=Continue)

(GOLD7=This Query)

(GOLD8=Cancel)

(Menu _____)

SD-0611-2 Basin: 51 Starting Water Right: 07052

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
	51-07052			00/00/0000	/Z			WR
	51-07052A	DAVIS, LEROY R	C	03/17/1970	L/	GROUNDWATER	IRR	WR
	51-07052B	DAVIS, SUSAN H	C	03/17/1970	L/	GROUNDWATER	IRR	WR
	T51-07052B	DAVIS, SUSAN H	C	00/00/0000	L/Z			WR
	A51-07052	SPLIT CLAIM	C	03/17/1970	/Z	GROUNDWATER SPLIT CLAIM	IRR	AJ
	A51-07052A	DAVIS, SUSAN H	C	03/17/1970	L/	GROUNDWATER	IRR	AJ
		DAVIS, RICHARD M	C					
	A51-07052B	DAVIS, SUSAN H	C	03/17/1970	L/	GROUNDWATER	IRR	AJ

END OF DATA...ENTER MENU OPTION AND/OR PRESS ENTER TO CONTINUE

(Enter=Continue)

(GOLD7=This Query)

(GOLD8=Cancel)

(Menu _____)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

APPLICANT Susan H. Davis TRANSFER NO. 5096

INITIAL ALLOCATION REVIEW BY SL DATE 5/29/97
SRBA SUPERVISOR REVIEW BY JS DATE 6-16-97

1. Right number(s) 51-04006B 51-07052B

2. Type of right ☐ Decree ☒ License ☒ Statutory Claim
☐ SRBA Beneficial Use Claim

3. Purpose of transfer ☒ Change P/D ☐ Add P/D ☒ Change P/U
☐ Change N/U ☐ Change Source ☐ Split Right
☐ Other: _____

4. Check Existing Right: ☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

5. Check Proposed Right for amount of land &/or water transferred:

☒ Also see attached memo for more analysis information

- a. ☒ All of right
- b. ☐ Part of right (NOTE! Part B should be filled in only if part of right is owned by the applicant)
- c. ☒ Description of point(s) of diversion
- d. ☒ Description of place of use
- e. ☒ Map showing P/D & P/U after transfer
- f. ☒ Correct notarized signature and \$100 fee
- g. ☒ Proof of ownership of right &/or land from which water is transferred

h. ☒ Expansion in use of right - Comments: None apparent -
water for the 40 acres on Backman site (5.9) was
not used in 1996 so should not present problems
to move it back to Davis site (5.7).

- Attach B+C
Releases the
water

- i. ☒ Existing rights from same source, on land water is being transferred to; right number(s): _____

NONE

- j. ☒ SRBA claim(s) - Comments (NOTE! Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain) _____

NEW TRANSFER will
amend claims to match
new configuration

Claims ASI-04006B ; ASI-070528 now Ref/ct T. 4798 issued
in 1996.

- k. ☒

Comment letters

If yes

Yes ☒ No

Water District #

Other, see #2 below for name
and address

PUBLICATION REVIEW

1. Legal Notice electronically sent to DWR03::VAULT? ☒ Yes

2. COMMENT LETTERS

Watermaster recommendation requested on _____, Received on _____

Other comments letters: _____ See attached information

3. Transfer published correctly? ☒ Yes ☐ No
4. Affidavit of publication received? ☒ Yes ☐ No
5. Protests received? ☐ Yes ☒ No; Acknowledgement sent? ☐ Yes
6. Data entry of application completed? ☒ Yes

RECOMMENDED ACTION

1. ☒ Approve ☐ See attached memo

2. ☐ Deny due to _____

3. Conditions (special conditions in Water Districts) _____

Standard transfer conditions

4. By Gary S

Date 7/20/97

RECEIVED

JUL 22 1997

Department of Water Resources

FILE FORWARDING

1. Copies made for Region file (see attached supplemental page)? ☐ Yes
2. File forwarded to S.O.: by _____ date _____

Joe - there is already a white file
for our shelf for these 2 rights
since T-4798 was filed 1995?
Approved 1996.

So can just place any of stuff in
that extra file on shelf - See
51-04006B / 51-07052B inserted in
51-04006 file. - JZ

SUPPLEMENTAL STAFF ANALYSIS SHEET

TRANSFER NO. 5096 WORDPERFECT FILENAME DAVIS

COPY FOR WATER RIGHT AND ADJUDICATION FILES:

GOAL: Enough information to make filing understandable in Region file for allocation & adjudication uses. Indicate items to be copied below. Always include first four items where present.

<u>✓</u>	LEGAL NOTICE	
<u>✓</u>	TRANSFER ANALYSIS SHEET (FORM 222a)	copy:
<u>✓</u>	TRANSFER APPLICATION INCLUDING MAP	{ Appl = 4 pgs; plus Attch. A 1
<u>✓</u>	REVIEWER'S ANALYSIS MEMO IF PREPARED	= 5/29/97 memo
<u>N/A</u>	REVIEWER'S ADDITIONAL MAPS/DIAGRAMS	
<u>N/A</u>	REVIEWER'S ADDITIONAL COMPUTER REPORTS	
<u>N/A</u> ✓	OWNERSHIP VERIFICATION - <u>ALWAYS INCLUDE IF ANY QUESTIONS ABOUT OWNERSHIP ARE FOUND RE SRBA CLAIM (OWNERSHIP CHANGE, SPLITS, ODD SITUATIONS ETC.)</u>	} Attachments B+C
<u>N/A</u>	OTHER ITEMS - LIST THESE BELOW OR ON BACK AS NEEDED	

AVOID COPIES WHERE CAN -

excess profile reports; oversized documents; numerous application attachments unless are clarifying maps, explanations etc.; easements & other agreements unless are essential to understanding the application.

**COPIES TO BE MADE JUST BEFORE FORWARD FILE TO S.O.,
AND DISCARD THIS FORM BEFORE FORWARDING FILE**

The Owyhee Avalanche

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss
COUNTY OF OWYHEE)

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said The Owyhee Avalanche has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in

said newspaper, in Two (2)

(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s)

June 18 and 25, 1997

Signed Joe E. Aman

Subscribed and sworn to me this 25th day of June A.D., 19 97

Shirley Martin
Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires April 22, 2002

POSED CHANGE WATER RIGHT, TRANSFER NO. 5096

Notice is given that SUSAN H. DAVIS of 3272 Gekeler #D201, Boise, ID 83706 has applied to the Department of Water Resources to change the Point of Diversion and Place of Use pursuant to I.C. § 42-222 for the following ground water irrigation rights in Owyhee County.

Statutory Claim #51-04006B, priority 3-1-1963, 2.64 cfs.

License #51-07052B, priority 3-17-1970, 2.36 cfs.

Both rights divert water from wells in NENE S13, T7S, R5E (1 Davis well) and NWNE S9, T7SR6E (2 Colyer/Bachman wells) to irrigate 282 combined acres in portions of S12 & 13, T7S R5E and S7, 9, & 18, T7S R6E. Total diversion for both rights is limited to 5.00 cfs. Davis had leased some of this water in previous Transfers #3760 & #4798 that defined the above rights.

PROPOSED CHANGE

Transfer leased water back to Davis from Bachman. Cease irrigation use under the 2 rights from 2 Colyer/Bachman wells and move water from 40 acres in S9 (near Hot Springs Rd.) to irrigate 40 acres in S7 (about 2 miles to the west), all within T7S R6E. Use Davis well listed above plus additional unrecorded Davis well in NENE S13 to irrigate 282 combined acres west of Hot Creek Rd. in S12 & 13, T7S R5E and S7 & 18, T7S R6E.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 on or before July 7, 1997. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
6/18&25/97

RECEIVED

JUN 27 1997

WATER RESOURCES
WESTERN REGION

MEMORANDUM

TO: FILE

FROM: STEVE LESTER *SL*

DATE: MAY 29, 1997

RE: TRANSFER REVIEW FOR RIGHT NOS. 51-04006B & 51-07052B

This 1997 transfer application seeks to return 40 acres of leased water from Bachman land to Davis land that is enrolled in CRP. Davis previously leased some of the water in these rights per Transfers 3760 and 4798 ("T4798"). The latter transfer involved the Bachman lease.

It appears that the water was not used by Bachman. T4798 was approved in August, 1996. Page 2 of Attachment D indicates that the approval came too late to be of beneficial use. Bachman is returning the water to Davis on 40 additional acres in SENW and NESW S7, presumably within the Davis CRP land previously documented in the transfer files. No other rights are identified for the 40 acres to which Davis proposes to move this water.

Attachments B and C document Bachman's S9 ownership and release of the water back to Davis. Attachment D is a copy of the lease agreement from T4798.

Note that both Davis wells in NENE S13 already exist - one identified as P/D in T4798 and another previously unidentified well. The combined rights will remain limited to 5.00 cfs and 1128 afa for 282 acres.

Since Bachman did not use the 40 acres worth of water, it does not present an expansion problem to move it back to Davis land even if some/all of the Bachman acres are covered by other rights (possibly the case per POU Comparison Report).

RECOMMENDATIONS

The transfer looks approvable within the limits already specified in T4798. No expansion or injury is noted. Verification of use and other typical transfer issues either do not apply or have been addressed in previous transfers. Non-use of water on the Davis land can be excused by CRP enrollment, which is thought to be valid through 1999. Transfer approval will automatically amend the SRBA claims (currently mirror T4798 details) without apparent complications.

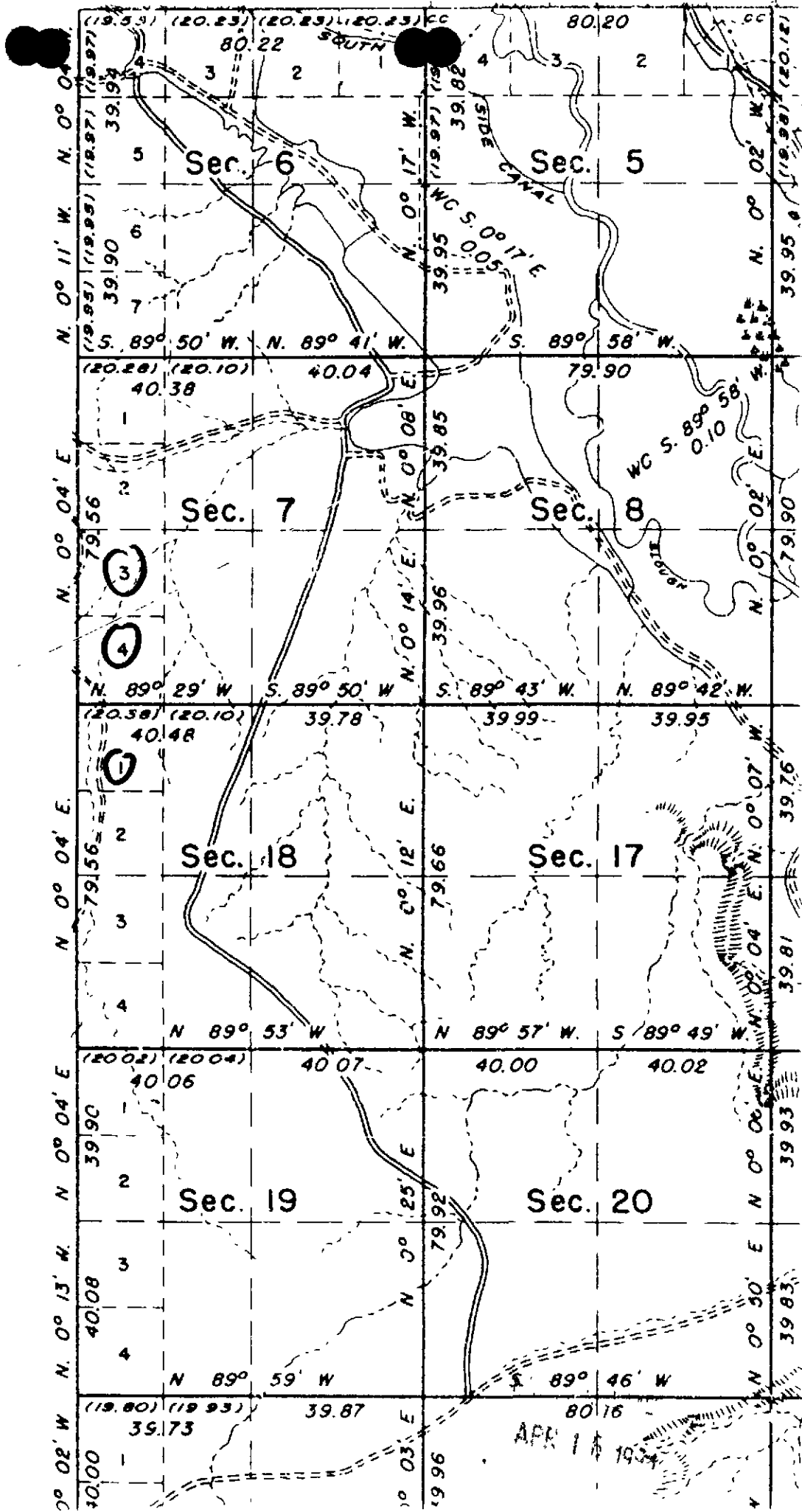
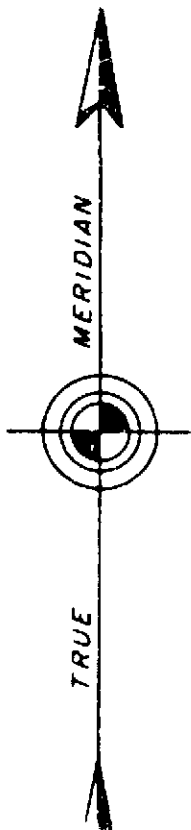
*6/20/97 update:
Should verification
of other (previously
undocumented) well
in NENE S13 be
done in transfer or
OK to leave to
SPBA since unknown
when will proceed
with irrigation in
SRBA?
SL*

APR 18 1997

(No lots 5.9)

T7S
R6E

1947 Survey



DEPARTMENT OF WATER ADMINISTRATION FIELD REPORT

061-21-7

Name of permit holder LeRoy E. Davis
Postoffice 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: _____

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 1/4 NE 1/4 Owyhee County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision 1/4 1/4 County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision 1/4 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 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						40											40

TOTAL ACREAGE

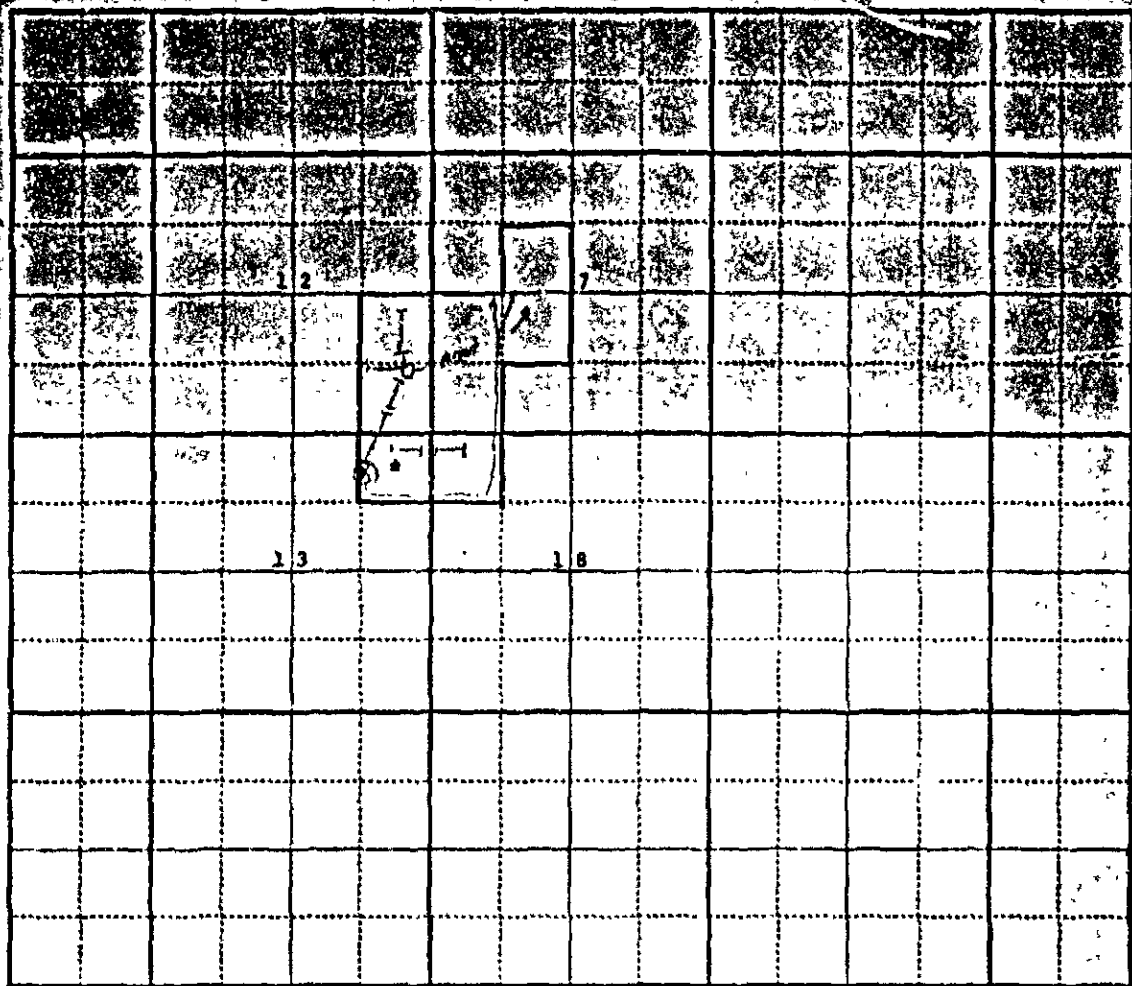


Diagram of System

DATE OF EXAM 6/26/75

ACREAGE

Found 320

Recommended 320

Irrigation Requirement _____ Ac Ft/Ac

USE

Irrigation Q = 30 c.f.s.

V = 1000 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 1200 gpm Method of measurement 4" Geometer Meter

Total Q recommended 300 c.f.s. Meter No. 23-10-213 Type 4" Condition Good

Total V recommended 1000 AF/Ann

Recommended Amendments:

P.D. 24

Place of Use _____

Other _____

None _____

MEASUREMENT CALCULATION.

4" Geometer Meter Serial # 23-10-213 pump at 1200 gpm water was checked

SYSTEM DESCRIPTION

U.S. Vertical Meter 120" E. 11.4 ft. B. 4-1/2" A. 2-1/2" B. 2-1/2" C. 2-1/2" D. 2-1/2" E. 2-1/2" F. 2-1/2" G. 2-1/2" H. 2-1/2" I. 2-1/2" J. 2-1/2" K. 2-1/2" L. 2-1/2" M. 2-1/2" N. 2-1/2" O. 2-1/2" P. 2-1/2" Q. 2-1/2" R. 2-1/2" S. 2-1/2" T. 2-1/2" U. 2-1/2" V. 2-1/2" W. 2-1/2" X. 2-1/2" Y. 2-1/2" Z. 2-1/2"

REMARKS:

Talk and verified with Mr. Davis

Examiner's Signature [Signature]

Date 6/26/75

Checked by _____

Date _____

Approved by _____

Date _____

-WR-

SD-0605-2	Township: 07S	Range: 05E	Section: 13	Tract: NENE	Lot:	
S	L R	STATE	O S	Max # Records	6	
E	O D Water	Name	W T	Priority	Total	
L Tract	T V Right No.	Last, First	N G	Date	Source	
					Diversion	
NENE	51-07052A	DAVIS, LEROY R	C L	03/17/1970	GROUNDWATER	0.32
NENE	51-04006B	DAVIS, SUSAN H	C S	03/01/1963	GROUNDWATER	2.64
		DAVIS, LE ROY	O			
NENE	51-07052B	DAVIS, LEROY R	O L	03/17/1970	GROUNDWATER	2.36
		DAVIS, SUSAN H	C			

Originally 8" well NENE S.18, pld changed to S.13 per prior transfers
 12" 400' well NENE S.13 per license sum 1975

-AJ-

SD-0605-2	Township: 07S	Range: 05E	Section: 13	Tract: NENE	Lot:	
S	L R	STATE	O S	Max # Records	7	
E	O D Water	Name	W T	Priority	Total	
L Tract	T V Right No.	Last, First	N G	Date	Source	
					Diversion	
NENE	A51-04006B	DAVIS, SUSAN H	C S	03/01/1963	GROUNDWATER	2.64
NENE	A51-07052B	DAVIS, SUSAN H	C L	03/17/1970	GROUNDWATER	2.36
SENE	A51-07052	DAVIS, SUSAN H	O	03/17/1970	GROUNDWATER	2.68
		DAVIS, RICHARD	O		SPLIT CLAIM	
		SPLIT CLAIM,	C			
SENE	A51-07052A	DAVIS, SUSAN H	C L	03/17/1970	GROUNDWATER	0.32
		DAVIS, RICHARD	C			

SRBA claims do not indicate 2 wells S.13 so assume
 claims are same well in NENE

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

Second well in NENE S.13 not reflected in
 these filings shown here.

-SC 5/29/97

P/O overlap
 NENE S.13

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE								NW								SW								SE								SUM													
		NE				NW				SW				SE				NE				NW				SW				SE																	
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac																		
5107052B	T07S R05E S12	GROUNDWATER																																													
	:									:									:									:	40								40	:	80								
5102209	GROUNDWATE	:	40	40	40	40	:												:									:									:									:	160
A5102209	GROUNDWATE	:	40	40	40	40	:												:									:									:									:	160
R5102209	GROUNDWATE	:	40	40	40	40	:												:									:									:									:	160
5104006B	GROUNDWATE	:									:									:									:	40								40	:	80							
A5104006B	GROUNDWATE	:									:									:									:	40								40	:	80							
A5107052B	GROUNDWATE	:									:									:									:	40								40	:	80							
--86 MAP--	C73Q-AA 62	:	31	41	37	35	:	08	02					07	:					01	:	29	01	04	37	:	233																				

5107052B	T07S R05E S13 GROUNDWATER																	
	:	40																: 40
5102211	GROUNDWATER :									40	40	34	34			34	34	: 216
A5102211	GROUNDWATER :									40	40	34	34			34	34	: 216
5102212	GROUNDWATER :						24	40	40									: 104
A5102212	GROUNDWATER :						24	40	40									: 104
5104006B	GROUNDWATER :	40																: 40
A5104006B	GROUNDWATER :	40																: 40
A5107052B	GROUNDWATER :	40																: 40
--86 MAP--	C73Q-AA 62 :	41	06	01		02	28	39	34	41	39	33	36			35	34	: 369

5107052B	T07S R06E S 7 GROUNDWATER																	
	:																	: 120
A5100009	BRUNEAU R1 :	15																: 15
A5100010	BRUNEAU R1 :	15																: 15
A5100011	BRUNEAU R1 :	15																: 15
5102209	GROUNDWATER :						40											: 40
A5102209	GROUNDWATER :						35											: 35
R5102209	GROUNDWATER :						02-38											: 38
5104006B	GROUNDWATER :								20		20	03-40	04-40					: 120
A5104006B	GROUNDWATER :								20		20	03-40	04-40					: 120
A5107052B	GROUNDWATER :								20		20	03-40	04-40					: 120
A5110255	BRUNEAU R1 :	15																: 15
A5110256	BRUNEAU R1 :	15																: 15
A5110257	BRUNEAU R1 :	15																: 15
A5110258	BRUNEAU R1 :		22	24														: 46
A5110262	BRUNEAU R1 :	15																: 15
--86 MAP--	C73Q-AA 62 :	25	33	07	01	06			19		34							: 125
NO QTRS	MAPPING	Lot02-28 Lot03-41 Lot04-34																

5107052B	T07S R06E S 9 GROUNDWATER																	
	:		18	16		06												: 40

moving 40 from 5.9 to add for this 40

here 40 being moved to 5.9

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM				
		NE		NW		SW		SE		NE		NW		SW		SE						
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac					
A5100003	BRUNEAU RI :			05	10			20	35	35	40	25	19			06		30	10	05 :	240	
5100004B	BRUNEAU RI :				03						01										:	4
5100005	BRUNEAU RI :	31		05	10	29		20			40						25				:	160
A5100005	BRUNEAU RI :			05	10	20		20			40						25				:	120
A5100009	BRUNEAU RI :													25							:	25
A5100010	BRUNEAU RI :													25							:	25
A5100011	BRUNEAU RI :													25							:	25
5100018	BRUNEAU RI :																	40	40	:	80	
A5100018	BRUNEAU RI :																	40	40	:	80	
R5100018	BRUNEAU RI :																	39	06	:	45	
5100019	BRUNEAU RI :																	40	40	:	80	
A5100019	BRUNEAU RI :																	40	40	:	80	
R5100019	BRUNEAU RI :																	39	06	:	45	
5100020	BRUNEAU RI :																	40	40	:	80	
A5100020	BRUNEAU RI :																	40	40	:	80	
R5100020	BRUNEAU RI :																	39	06	:	45	
5100021	BRUNEAU RI :											40		40	40			40		:	160	
A5100021	BRUNEAU RI :											40		40	40			40		:	160	
R5100021	BRUNEAU RI :											40		02	33			32		:	107	
5100022	BRUNEAU RI :											40		40	40			40		:	160	
A5100022	BRUNEAU RI :											40		40	40			40		:	160	
R5100022	BRUNEAU RI :											40		02	33			32		:	107	
5100023	BRUNEAU RI :											40		40	40			40		:	160	
A5100023	BRUNEAU RI :											40		40	40			40		:	160	
R5100023	BRUNEAU RI :											40		02	33			32		:	107	
5104006B	GROUNDWATE :		18		16			06												:	40	
A5104006B	GROUNDWATE :		18		16			06												:	40	
5104048	GROUNDWATE :				08			20			20									:	48	
A5104048	GROUNDWATE :				08			20			22									:	50	
5104049	GROUNDWATE :				08			20			20									:	48	
A5104049	GROUNDWATE :				08			20			22									:	50	
A5107052B	GROUNDWATE :		18		16			06												:	40	
5107119	GROUNDWATE :	31				09														:	40	
A5107119	GROUNDWATE :	40				40											40			:	120	
R5107119	GROUNDWATE :	40				40											40			:	120	
5107346	BRUNEAU RI :	31				09														:	40	
A5110047	SPRING :													25						:	25	
R5110047	SPRING :													25						:	25	
A5110255	BRUNEAU RI :													25						:	25	
A5110256	BRUNEAU RI :													25						:	25	
A5110257	BRUNEAU RI :													25						:	25	
A5110262	BRUNEAU RI :													25						:	25	
A5110271	BRUNEAU RI :			05	10	20		20	35	35	40	25	19			06	25	30	10	05 :	285	
A5110350	BRUNEAU RI :			05	10			20			40										:	75
--86 MAP--	C73Q-AA 63 :	34		06	25	30		30	38	39	38	38	30	22	33		31	33	36	18 :	481	

5107052B T07S R06E S18 GROUNDWATER

DATE
April 29, 1997

CUSTOMER
SUSAN DAVIS
3272 Gekeler
Boise Id 83706 338-5203

SUBJECT: TRANSFER REFERRAL
to Water appropriations

SC Steve,

Susan came in today and had questions these transfers that I couldn't answer for her. (I briefly talked to Cindy about this and advised me to refer this to your program) This is what Susan related to me.

- * She originally filed a transfer from her CRP lands to Joyce Livestock, then later filed a Transfer to get those lands back to her that was leased by Joyce Live stock.
- * In the process Frank Bachman wanted to get 40 of those acres transferred to him. Now he doesn't want the 40 acres of water.
- * So she brought a copy of the transfer in that she believed Cindy had done to Transfer all of the lands back to her, and to include the 40 acres going to Bachman in which he was going to lease.
- * She still wants the portion in the transfer that she was transferring back to her lands to happen, but now to include the 40 acres that originally were going to Frank Bachman to also go back to her lands since Frank doesn't want to lease the water anymore.
- * Please contact her ASAP.

Attachments:

Copy of her written transfer
Transfer File from our vault

Cindy Please follow up on this w.r.
program reference -
Thanks,
JD

(WATER RIGHT NUMBERS THAT BEGIN WITH AN "W" ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A "Q" HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE								NW								SW								SE								SUM
		NE		NW		SW		SE		NE		NW		SW		SE		NE		NW		SW		SE										
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac									
5104006A	GROUNDWATE :									38																	38							
A5104006A	GROUNDWATE :									38																	38							
5104006B	GROUNDWATE :									02																	2							
A5104006B	GROUNDWATE :									02																	2							
5107052A	GROUNDWATE :									38																	38							
A5107052A	GROUNDWATE :									38																	38							
A5107052B	GROUNDWATE :									02																	2							
--86 MAP--	C73Q-AA 62 :																																	
NO QTRS	MAPPING																																	

AJ5809NP
No. A51-040068

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/28/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SUSAN H DAVIS	03/01/1963	IRRIGATION	03-15 11-15	3.00 CFS	
TOTAL DIVERSION:					2.64 CFS	1115.40 AFA
CONSUMPTIVE USE:						987.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion:	T07S R05E S13 R06E S09	NENE NWNE	OWYHEE County OWYHEE County
------------------------	---------------------------	--------------	--------------------------------

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
				NENE	NWNE	SWNE	SENE	: NENW NWNW SWNW SENW				: NESW NWSW SWSW SESW				: NESE NWSE SWSE SESE				:
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
07S	05E	12	:															40	40	80.0
07S	05E	13	:	40																40.0
07S	06E	7	:							20				20	03-40	04-40				120.0
07S	06E	9	:			18	16			06										40.0
07S	06E	18	:							02										2.0
TOTAL ACRES																			282.0	

POU County: OWYHEE

Non-Irrigation Uses: NONE

Other Rights: A51-07052B

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A51-07052B

Other Water Rights Listing Overlapping Place(s) of Use:

A51-00003 A51-00004B A51-00005 A51-04006 A51-04006A A51-04048 A51-04049 A51-07052 A51-07052A A51-07052B
A51-10271 A51-10350 R51-00004B

Conditions of Approval:

- R31 - 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.
- T04 - 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.
- T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing

Both SRBA claims = T. 4798 configuration so SRBA
n/a to legal notice.

Conditions of Approval:

- Snake River Basin Adjudication.
- T17 - 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.

Remarks: GEN CLAIM AMENDED PER TRANSFER NO. 4798 APPROVED 8/30/96.
SEE ALSO ADDITIONAL CONDITIONS OF APPROAL AS LISTED ON THE COPY
OF APPROVED TRANSFER NO. 4798 IN FILE.
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.
APPROVAL OF THIS TRANSFER IN NO WAY CONFIRMS STATUTORY CLAIM NO.
51-04006B.
TWO POINTS OF DIVERSION ARE LOCATED WITHIN NWNE, S09, T07S, R06E.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	Presumption Flag:

AJ5809NP
No. A51-07052B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/28/97
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SUSAN H DAVIS	03/17/1970	IRRIGATION	03-01 11-01	2.68 CFS	
TOTAL DIVERSION:					2.36 CFS	977.10 AFA
CONSUMPTIVE USE:						987.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:	T07S R05E S13	NENE	OWYHEE County
	R06E S09	NWNE	OWYHEE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE																
				NENE	NWNE	SWNE	SENE					NENW	NWNW	SWNW	SENW					NESW	NWSW	SWSW	SESW					NESE	NWSE	SWSE	SESE	
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM		
07S	05E	12	:																													
07S	05E	13	:	40																										80.0		
07S	06E	7	:											20																40.0		
07S	06E	9	:			18		16				06																		120.0		
07S	06E	18	:																											40.0		
07S	06E	18	:											02																2.0		
																												TOTAL ACRES	282.0			

POU County: OWYHEE

Non-Irrigation Uses: NONE

Other Rights: A51-04006

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A51-04006B

Other Water Rights Listing Overlapping Place(s) of Use:

A51-00003 A51-00004B A51-00005 A51-04006 A51-04006A A51-04006B A51-04048 A51-04049 A51-07052 A51-07052A
A51-10271 A51-10350 R51-00004B

Conditions of Approval:

- R31 - 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.
- T04 - 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.
- T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing

Conditions of Approval:

- Snake River Basin Adjudication.
- T17 - 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.

Remarks: GEN CLAIM AMENDED PER TRANSFER NO. 4798 APPROVED 8/30/96.
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY
OF APPROVED TRANSFER NO. 4798 IN FILE.
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.
APPROVAL OF THIS TRANSFER IN NO WAY CONFIRMS STATUTORY CLAIM NO.
51-04006B.
TWO POINTS OF DIVERSION ARE LOCATED WITHIN NWNE, S09, T07S, R06E.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	Presumption Flag:



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 13, 1997

OWYHEE AVALANCHE
PO BOX 97
HOMEDALE ID 83628

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on June 18 and 25, 1997, in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before July 7, 1997

Yours truly,

Sue Taylor
Secretary, Office Coordinator

Enclosure

**NOTICE OF PROPOSED CHANGE OF WATER
RIGHT, TRANSFER NO. 5096**

Notice is given that SUSAN H. DAVIS of 3272 Gekeler #D201, Boise ID 83706 has applied to the Department of Water Resources to change the Point of Diversion and Place of Use pursuant to I.C. § 42-222 for the following ground water irrigation rights in Owyhee County:

Statutory Claim #51-04006B, priority 3-1-1963, 2.64 cfs.

License #51-07052B, priority 3-17-1970, 2.36 cfs.

Both rights divert water from wells in NENE S13, T7S R5E (1 Davis well) and NWNE S9, T7S R6E (2 Colyer/Bachman wells) to irrigate 282 combined acres in portions of S12 & 13, T7S R5E and S7, 9, & 18, T7S R6E. Total diversion for both rights is limited to 5.00 cfs. Davis had leased some of this water in previous Transfers #3760 & #4798 that defined the above rights.

PROPOSED CHANGE

Transfer leased water back to Davis from Bachman. Cease irrigation use under the 2 rights from 2 Colyer/Bachman wells and move water from 40 acres in S9 (near Hot Springs Rd.) to irrigate 40 acres in S7 (about 2 miles to the west), all within T7S R6E. Use Davis well listed above plus additional unrecorded Davis well in NENE S13 to irrigate 282 combined acres west of Hot Creek Rd. in S12 & 13, T7S R5E and S7 & 18, T7S R6E.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 on or before July 7, 1997. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Owyhee Avamlanche on June 18 and 25, 1997.



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

RECEIVED

OCT 1 0 1996

MEMORANDUM

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

FROM: PAM SKAGGS/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
OCT 10 1996

TRANSFER REVIEW SHEET
(04-96)

Transfer # 4798

Date Reviewed 07-18-96

Right(s) 51-07052B _____
51-04006B _____

WRD11 Print Split Summary _____ Run POU Comparison Report

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

Proof of Ownership Lease - temporary use - appurtenant to Davis Property
Tax notices - cover all except 76 GE 59 - New lessee

Transfer ☒ All of Right _____ Portion of Right
Resulting Split(s) NONE - Per discussion + decision between Region + S.O.
staff. Recommend all under Part B

Check Transfer Against Recorded Right Season/Vol. C/4.0

(1) ☒ Priority (2) ☒ Use (3) _____ Season (4) ☒ Rate (5) _____ Volume
(6) ☒ Source (7) _____ P/D (8) _____ P/U (9) ☒ Proof/Owner (10) ☒ Map
(11) NO Water District (12) Yes Pertinent Conditions (13) NO Expansion

(3) Recommend standard season 4-1 to 10-31
(5) Standard Vol $4 \times 282 = 1128 \text{ afa} < 2.64 \times 213 \times 1.9835 = 1115.4 \text{ afa}$
(8) Change P/U $2.36 \times " \times " = 997.1 \text{ afa}$

Existing wells - Rts developed as primary GW rt. - Leased to supplement
Systems

Transfer Remarks Modify 51-04006B 2 P/Ds NWNE 59 5.0 cfs
Conditions TO1, B31, TO4, TO7, TO8, TO9, T17 WB4 Combined Limits - 282 Acres + 1128 afa
Delete Claim Remark From 51-07052B

Database/Processing Notes Standard ☒ Non-Standard _____
T files both rts.

WR Reports File Davis, Hiss Transfer Memo Complete ☒
File Deleted 8-30-96 Database Updated 8-30-96

Approval Cover Letter Standard ☒ Preliminary Order _____

WR0749NP
No. T51-04006B

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/18/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SUSAN H DAVIS HC 85 BOX 121 BRUNEAU ID 83604 (208) 845-2438	03/01/1963	IRRIGATION	04/01 10/31	2.640 CFS	1115.40 AFA
TOTAL DIVERSION:					2.640 CFS	1115.40 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion:	T07S R05E S13 R06E S09	NENE NWNE	OWYHEE County OWYHEE County
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Point of Diversion Name(s):

	Name	Rate	Number
T07S R05E S13	NE NE DAVIS WELL		
R06E S09	NW NE COLYER WELLS (BACHMAN)		

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE				
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
07S	05E	12	:																					
07S	05E	13	:	40																			40	
07S	06E	7	:												20		20	03-40	04-40				120.0	
07S	06E	9	:		18	16				06													40.0	
07S	06E	18	:							02													2.0	
TOTAL ACRES																						282.0		

Pou County: OWYHEE

Other Water Rights with Same Point(s) of Diversion and Source:
51-07052A T51-07052B

Other Water Rights Listing Overlapping Place(s) of Use:
51-00004B 51-00005 51-04006A 51-04048 51-04049 51-07052A T51-07052B

Conditions of Approval:

- R31 - 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.
- T04 - 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.
- T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- T09 - Approval of this transfer does not preclude the opportunity for

Conditions of Approval:

- review of the validity of the water right(s) in the ongoing
- Snake River Basin Adjudication.
- T17 - 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.

Remarks:

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.

~~Approval of this transfer in no way confirms Statutory Claim No. 51-040068.~~

Two points of diversion are located within NWNE, S09, T07S, R06E.

Dates: App. Received: Priority Date: 03/01/1963
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 10/07/1991 User-ID: MILLER Subject: TRANSFER NO. 3760

Date: 07/18/1996 User-ID: PSKAGGS Subject: TRANSFER NO. 4798
Transfer No. 4798 was filed to change & add points of diversion and change the place of use under Right Nos. 51-040068 & 51-070528.

Audit: 03/27/96 CHODGES 07/18/96 PSKAGGS 07/18/96 PSKAGGS

WR0749NP
No. T51-07052B

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/18/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SUSAN H DAVIS HC 85 BOX 121 BRUNEAU ID 83604 (208) 845-2438	03/17/1970	IRRIGATION	04/01 10/31	2.360 CFS	977.10 AFA
TOTAL DIVERSION:					2.360 CFS	997.10 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:	T07S R05E S13 R06E S09	NENE NWNE	OWYHEE County OWYHEE County
------------------------	---------------------------	--------------	--------------------------------

Point of Diversion Name(s):

		Name	Rate	Number
T07S R05E S13	NE NE	DAVIS WELL		
R06E S09	NW NE	COLYER WELLS (BACHMAN)		

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
07S	05E	12	:													40			40	80.0
07S	05E	13	:	40																40.0
07S	06E	7	:								20	20	03-40	04-40						120.0
07S	06E	9	:		18	16		06												40.0
07S	06E	18	:						02											2.0
TOTAL ACRES																			282.0	

Pou County: OWYHEE

Other Water Rights with Same Point(s) of Diversion and Source:
51-07052A 51-04006B

Other Water Rights Listing Overlapping Place(s) of use:
51-00004B 51-00005 51-04006A 51-04048 51-04049 51-07052A 51-04006B

Conditions of Approval:

- R31 - 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.
- T04 - 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.
- T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- T09 - Approval of this transfer does not preclude the opportunity for

Conditions of Approval:

- review of the validity of the water right(s) in the ongoing
- Snake River Basin Adjudication.
- T17 - 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.

Remarks:

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. Approval of this transfer in no way confirms Statutory Claim No. 51-04006B.

Two points of diversion are located within NWNE, S09, T07S, R06E.

Dates: App. Received: Priority Date: 03/17/1970
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 06/21/1979

Misc: Water District Number: Field Exam Fee:

Comments: Date: 10/07/1991 User-ID: MILLER Subject: TRANSFER NO. 3760

Date: 07/18/1996 User-ID: PSKAGGS Subject: TRANSFER NO. 4798
Transfer No. 4798 was filed to change & add points of diversion and change the place of use under Right Nos. 51-04006B & 51-07052B.

Audit: 07/18/96 PSKAGGS 07/18/96 PSKAGGS 07/18/96 PSKAGGS

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '**' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac			
T03S R01W S 16																		
5104006B	GROUNDWATE :	35	35	10	10	40	40	40	30	10	30	Original P/U				280		
T5104006B	GROUNDWATE :	35	35	10	10	40	40	40	30	10	30					280		
5107052B	GROUNDWATE :	35	35	10	10	40	40	40	30	10	30	Original P/U				280		
T5107052B	GROUNDWATE :	35	35	10	10	40	40	40	30	10	30					280		
*5700001A	SINKER CRE :	35	38	1		40	40	40	28		25					247		
A5700001A	SINKER CRE :	35	35	15		40	40	40	30		30					265		
R5700001A	SINKER CRE :	35	38	1		40	40	40	28		25					247		
*5700002	SINKER CRE :	35	38	1		40	40	40	28		25					247		
A5700002	SINKER CRE :	35	38	1		40	40	40	28	25						247		
R5700002	SINKER CRE :	35	38	1		40	40	40	28		25					247		
5700172	SINKER CRE :					1	1	1	1	1	1	1	1				40	
*5700173	SINKER CRE :	35	38	1		40	40	40	28		25					247		
A5700173	SINKER CRE :	35	35	15		40	40	40	30		30					265		
R5700173	SINKER CRE :	35	38	1		40	40	40	28		25					247		
*5700174	SINKER CRE :	35	38	1		40	40	40	28		25					247		
A5700174	SINKER CRE :	35	35	15		40	40	40	30		30					265		
R5700174	SINKER CRE :	35	38	1		40	40	40	28		25					247		
5700174A	SINKER CRE :																	
5700176	SINKER CRE :					1	1	1	1	1	1	1	1				40	
*5700176	SINKER CRE :	35	38	1		40	40	40	28		25					247		
A5700176	SINKER CRE :	35	35	15		40	40	40	30		30					265		
R5700176	SINKER CRE :	35	38	1		40	40	40	28		25					247		
*5700180A	SINKER CRE :	35	38	1		40	40	40	28		25					247		
A5700180A	SINKER CRE :	35	35	15		40	40	40	30		30					265		
R5700180A	SINKER CRE :	35	38	1		40	40	40	28		25					247		
5700181	SINKER CRE :	1	1	1	1	1	1	1	1	1	1							
*5702293	GROUNDWATE :	35	38	1		40	40	40	28		25	Joyce-Livestock				247		
A5702293	GROUNDWATE :	35	35	15		40	40	40	30		30					265		
R5702293	GROUNDWATE :	35	38	1		40	40	40	28		25					247		
5707522	GROUNDWATE :	35	35	10	10	40	40	40	30	10	30	Not Claimed/Recommended SRBA (surface rd)				280		
*5710428	SINKER CRE :	35	38	1		40	40	40	28		25					247		
A5710428	SINKER CRE :	35	35	15		40	40	40	30		30					265		
R5710428	SINKER CRE :	35	38	1		40	40	40	28		25					247		
*5710488	GROUNDWATE :	35	38	1		40	40	40	28		25	Joyce-Livestock				247		
A5710488	GROUNDWATE :	35	35	15		40	40	40	30		30					265		
R5710488	GROUNDWATE :	35	38	1		40	40	40	28		25					247		
--86 MAP--	C73Q-2 7 :	36	38	3		39	42	39	21	1	29	1					249	

Original P/O
Original P/O

Joyce: Livestock

Not Claimed/Recommended SRA:
(Surface)

Joyce: Livestock

T03S R01W S 17

0202361	SNAKE RIVE :	38	39	40	39	39	38	39	40									312
A0202361A	SNAKE RIVE :	38	39	40	39	39	37	39	40									311

Multiple surface overlaps + 2 GW rights belonging to the lessee used at the original per. T#3760 temporary in nature - waiting for other GW rights to be mapped.

T#4798

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		NE		NW		SW		SE		NE		NW		SW		SE		
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
A0202361B	SNAKE RIVE :	40		40		40		40		40		39		38		39		549
0207001	SNAKE RIVE :	1		1		1		1		1		40		39		38		235
A0207001	SNAKE RIVE :	38		39		40		39		40		39		38		39		547
A0210020	SNAKE RIVE :	38		39		40		39		40		39		38		39		547
5104006B	GROUNDWATE :																40	40
T5104006B	GROUNDWATE :																40	40
5107052B	GROUNDWATE :																40	40
T5107052B	GROUNDWATE :																40	40
*5700001A	SINKER CRE :																40	40
A5700001A	SINKER CRE :																40	40
R5700001A	SINKER CRE :																40	40
*5700002	SINKER CRE :																40	40
A5700002	SINKER CRE :																40	40
R5700002	SINKER CRE :																40	40
5700172	SINKER CRE :																1	
*5700173	SINKER CRE :																40	40
A5700173	SINKER CRE :																40	40
R5700173	SINKER CRE :																40	40
*5700174	SINKER CRE :																40	40
A5700174	SINKER CRE :																40	40
R5700174	SINKER CRE :																40	40
5700176	SINKER CRE :																1	
*5700176	SINKER CRE :																40	40
A5700176	SINKER CRE :																40	40
R5700176	SINKER CRE :																40	40
*5700179	SINKER CRE :	40		40		40		40		40		40		40		40		555
A5700179	SINKER CRE :	40		40		40		40		40		40		40		40		555
*5700180A	SINKER CRE :																40	40
A5700180A	SINKER CRE :																40	40
R5700180A	SINKER CRE :																40	40
*5700180B	SINKER CRE :	40		40		40		40		40		40		40		40		555
A5700180B	SINKER CRE :	40		40		40		40		40		40		40		40		555
5700181	SINKER CRE :																	
*5700181	SINKER CRE :	40		40		40		40		40		40		40		40		555
A5700181	SINKER CRE :	40		40		40		40		40		40		40		40		477
R5700181	SINKER CRE :	40		40		40		40		40		40		40		40		555
5702015	SINKER CRE :	16		40		12		40		40		40		40		40		468
A5702015	SINKER CRE :	16		40		12		40		40		40		40		40		428
A5702191	SINKER CRE :			40		40		40		40		37		40		40		516
*5702293	GROUNDWATE :																40	40
A5702293	GROUNDWATE :																40	40
R5702293	GROUNDWATE :																40	40
5707152	SINKER CRE :	40		40		40		40		40		40		40		40		555
*5707152	SINKER CRE :	40		40		40		40		40		40		40		40		555
A5707152	SINKER CRE :	38		39		40		39		39		38		39		40		547

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '1' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
5707337	BATES CREE :			40	40			40	40	40	40			40	40			480
5707338	PICKETT CR :			40	40			40	40	40	40			40	40			480
5707385	SINKER CRE :			40	40			40	40	40	40			40	40			480
5707438	DIAMOND CR :	40	40	40	40			40	40	40	40			40	40			560
5707522	GROUNDWATE :																	40
*5710428	SINKER CRE :																	40
A5710428	SINKER CRE :																	40
R5710428	SINKER CRE :																	40
*5710488	GROUNDWATE :																	40
A5710488	GROUNDWATE :																	40
R5710488	GROUNDWATE :																	40
--86 MAP--	C73Q-Z 7 :	39	39	40	36			40	39	42	40			39	38	40	39	601

T07S R05E S 12

Proposed P/U under Transfer

(40)

(40)

5102209	GROUNDWATE :	40	40	40	40													160
A5102209	GROUNDWATE :	40	40	40	40													160
R5102209	GROUNDWATE :	40	40	40	40													160
A5104006	GROUNDWATE :																	40
A5107052	GROUNDWATE :																	40
--86 MAP--	C73Q-AA 62 :	31	41	37	35			8	2					1				233

T07S R05E S 13

(40)

5102211	GROUNDWATE :									40	40	34	34			34	34	216
A5102211	GROUNDWATE :									40	40	34	34			34	34	216
5102212	GROUNDWATE :							24	40	40								104
A5102212	GROUNDWATE :							24	40	40								104
A5104006	GROUNDWATE :	40																40
A5107052	GROUNDWATE :	40																40
--86 MAP--	C73Q-AA 62 :	41	6	1				2	28	39	34			41	39	33	36	369

T07S R06E S 7

(20)

(20)

(40)

(40)

A5100009	BRUNEAU RI :	15																15
A5100010	BRUNEAU RI :	15																15
A5100011	BRUNEAU RI :	15																15
5102209	GROUNDWATE :									40								40
A5102209	GROUNDWATE :									35								35
R5102209	GROUNDWATE :									02-38								38
A5104006	GROUNDWATE :											40	40	40	40			160
A5107052	GROUNDWATE :											40	40	40	40			160

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
A5110255	BRUNEAU RI :	15																15
A5110256	BRUNEAU RI :	15																15
A5110257	BRUNEAU RI :	15																15
A5110258	BRUNEAU RI :		22		24													46
A5110262	BRUNEAU RI :	15																15
PLSS DATA	LEGAL LOOK :	-38	-38	-38	-38	-38	01-38	02-38	-38	-38	03-38	04-38	-38	-38	-38	-38	-38	
--86 MAP--	C73Q-AA 62 :	25	33	7	1	6			19	34								125
NO QTRS	MAPPING	Lot02-28				Lot03-41				Lot04-34								

T07S R06E S 9

A5100003	BRUNEAU RI :		5		10		20	35	35	40	25	19		6		30	10	5	240
51000048	BRUNEAU RI :				3					1									4
5100005	BRUNEAU RI :	31	5		10	29	20			40					25				160
A5100005	BRUNEAU RI :		5		10	20	20			40					25				120
A5100009	BRUNEAU RI :												25						25
A5100010	BRUNEAU RI :												25						25
A5100011	BRUNEAU RI :												25						25
5100018	BRUNEAU RI :																40	40	80
A5100018	BRUNEAU RI :																40	40	80
5100019	BRUNEAU RI :																40	40	80
A5100019	BRUNEAU RI :																40	40	80
5100020	BRUNEAU RI :																40	40	80
A5100020	BRUNEAU RI :																40	40	80
5100021	BRUNEAU RI :										40		40	40		40			160
A5100021	BRUNEAU RI :										40		40	40		40			160
5100022	BRUNEAU RI :										40		40	40		40			160
A5100022	BRUNEAU RI :										40		40	40		40			160
5100023	BRUNEAU RI :										40		40	40		40			160
A5100023	BRUNEAU RI :										40		40	40		40			160
5104048	GROUNDWATE :			8			20			20									48
A5104048	GROUNDWATE :			8			20			20									48
5104049	GROUNDWATE :			8			20			20	Used w/ transferred rt.								48
A5104049	GROUNDWATE :			8			20			20									48
5107119	GROUNDWATE :	31			9														40
A5107119	GROUNDWATE :	40			40										40				120
R5107119	GROUNDWATE :	40			40										40				120
5107346	BRUNEAU RI :	31			9														40
A5110047	SPRING :												25						25
A5110255	BRUNEAU RI :												25						25
A5110256	BRUNEAU RI :												25						25
A5110257	BRUNEAU RI :												25						25
A5110262	BRUNEAU RI :												25						25
A5110271	BRUNEAU RI :	5	10		20		20	35	35	40	25	19		6	25	30	10	5	285

Possible surface overlap this section

(WATER RIGHT NUMBERS THAT BEGIN WITH AN "1" ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A "2" HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM			
		NE		NW		SW		SE		NE		NW		SW		SE					
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac				
A5110350	BRUNEAU RI :			5		10			20					40					75		
--86 MAP--	C73Q-AA 63 :	34		6		25		30	30	38	39		38	30	22	33	31	33	36	18	481
<hr/>																					
T07S R06E S 18		<div>②</div>																			
A5104006	GROUNDWATE :								40											40	
5104006A	GROUNDWATE :								38											38	
A5107052	GROUNDWATE :								40											40	
5107052A	GROUNDWATE :								38											38	
PLSS DATA	LEGAL LOOK :	40		40		40		40	01	40	02	40		40	03	40	04	40		40	
--86 MAP--	C73Q-AA 62 :																				
NO QTRS	MAPPING	Lot01-33																			

SD-0611-2 Basin: 51 Starting Water Right: 07052

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
	51-07052			00/00/0000	/Z			
	51-07052A	DAVIS, LEROY R	C	03/17/1970	L/	GROUNDWATER	IRR	WR
	51-07052B	JOYCE LIVESTOCK CO	C	03/17/1970	L/	GROUNDWATER	IRR	WR
	T51-07052B	DAVIS, SUSAN H	C	03/17/1970	L/	GROUNDWATER	IRR	WR
	A51-07052	DAVIS, SUSAN H DAVIS, RICHARD M	C C	03/17/1970	L/	GROUNDWATER	IRR	AJ

SD-0611-2 Basin: 51 Starting Water Right: 04006

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
	51-04006			00/00/0000	/Z			
	51-04006A	DAVIS, LE ROY	C	03/01/1963	S/	GROUNDWATER	IRR	WR
	51-04006B	JOYCE LIVESTOCK CO	C	03/01/1963	S/	GROUNDWATER	IRR	WR
	T51-04006B	JOYCE LIVESTOCK CO	C	03/01/1963	S/	GROUNDWATER	IRR	WR
	A51-04006	DAVIS, SUSAN H DAVIS, RICHARD M	C C	03/01/1963	S/	GROUNDWATER	IRR	AJ

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

APPLICANT Juan Davis

TRANSFER NO. 4798

INITIAL ALLOCATION REVIEW BY lg
SRBA SUPERVISOR REVIEW BY _____

DATE 4/4/96
DATE _____

1. Right number(s) 51-4006, 51-7052

2. Type of right _____ Decree ☒ License ☒ Statutory Claim
_____ SRBA Beneficial Use Claim

3. Purpose of transfer _____ Change P/D _____ Add P/D ☒ Change P/U
_____ Change N/U _____ Change Source _____ Split Right
_____ Other: _____

4. Check Existing Right: ☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

5. Check Proposed Right for amount of land &/or water transferred:

- ☒ Also see attached memo for more analysis information
- a. ☒ All of right
- b. ☒ Part of right (NOTE! Part B should be filled in only if part of right is owned by the applicant)
- c. ☒ Description of point(s) of diversion
- d. ☒ Description of place of use
- e. ☒ Map showing P/D & P/U after transfer
- f. ☒ Correct notarized signature and \$100 fee
- g. ☒ Proof of ownership of right &/or land from which water is transferred
- h. ☒ Expansion in use of right - Comments: _____

RECEIVED
MAY 1 1996
Department of Water Resources

- i. ☒ Existing rights from same source, on land water is being transferred to; right number(s): see 9 40 acres
have Braunean Buckaroo ditch H₂O
- j. ☒ SRBA claim(s) - Comments (NOTE: Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain) _____
- k. ☐ Use within a Water District? ☐ Yes ☒ No
 If Yes, District # _____
- l. ☐ Other comment letters? If yes, list name and address below in item #2 for publication review.

PUBLICATION REVIEW BY ST

1. Legal Notice electronically sent to DWR03::VAULT
- ☒
- Yes

2. COMMENT LETTERS

Watermaster recommendation requested on N/A, Received on _____Other comments letters - send to the following name(s) & address(es):

3. Transfer published correctly? ☒ Yes ☐ No
4. Affidavit of publication received? ☒ Yes ☐ No
5. Protests received? ☐ Yes ☒ No; Acknowledgement sent? ☐ Yes
6. Copies made for Region file (see attached supplemental page)? ☐ Yes

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny due to _____
3. Conditions (special conditions in Water Districts) _____
4. By Dmr Date 5/8/96

The Owyhee Avalanche

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) SS
COUNTY OF OWYHEE)

I, Joe E Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of **The Owyhee Avalanche**, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho

3 That the said **The Owyhee Avalanche** has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in

said newspaper, in Three (3)

(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

April 17 & 24, 1996

RECEIVED

MAY 02 1996

WATER RESOURCES
WESTERN REGION

Signed

Subscribed and sworn to me this 24th day of April A D., 19 96

Clair Black

Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires August 1, 2001

PROPOSED CHANGE OF WATER RIGHT

NO. 51-04006B 51-
07052B TRANSFER NO.
4798

Notice is hereby given that Susan H. Davis, HC 85 Box 121, Bruneau, ID 83604, has applied to the Department of Water Resources to add two points of diversion and change the place of use to the following water rights pursuant to section 42-222 of Idaho Code.

WATER RIGHTS AS RECORDED

No. 51-04006B

Basis Statutory Claim

Date of Priority 03/01/1963

Source Ground Water

Amount 2.64 cfs

Use Irrigation

Point of Div NWSE, T03S

R01W, Sec 16

Place of Use NE, NW, N1/2

SW, Sec 16, NESE, Sec 17,

T03S R01W, 282 acres total

No. 51-07052B

Basis License

Date of Priority 03/17/1970

Source Ground Water

Amount 2.36 cfs

Use, Point of Div, and Place

of Use same as above

THE ABOVE WATER

RIGHTS TO BE CHANGED AS

FOLLOWS PURSUANT TO

TRANSFER NO. 4798

No. 51-4006B & 51-07052B

NENE, Sec 13, T07S R05E

Place of Use SENW, NESW,

W1/2 SW, Sec 7, W1/2 NE,

NENW, Sec 9, NWNW, Sec 18,

T07S R06E, E1/2 SE, Sec 12,

NENE, Sec 13, T07S R05E,

282 acres total.

Any protest against approval of the proposed change of water rights application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705, together with a protest fee of \$25.00, on or before May 6, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher

Director

Published April 17 and 24, 1996

OCT 10 1996

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT NO. 51-04006B & 51-07052B
TRANSFER NO. 4798

Notice is hereby given that Susan H. Davis, HC 85 Box 121, Bruneau ID 83604, has applied to the Department of Water Resources to add two points of diversion and change the place of use to the following water rights pursuant to section 42-222 of Idaho Code.

WATER RIGHTS AS RECORDED

No.	51-04006B
Basis	Statutory Claim
Date of Priority	03/01/1963
Source	Ground Water
Amount	2.64 cfs
Use	Irrigation
Point of Div	NWSE, T03S R01W, Sec 16
Place of Use	NE, NW, N1/2 SW, Sec 16, NESE, Sec 17, T03S R01W, 282 acres total

No.	51-07052B
Basis	License
Date of Priority	03/17/1970
Source	Ground Water
Amount	2.36 cfs

Use, Point of Div, and Place of Use same as above

THE ABOVE WATER RIGHTS TO BE CHANGED AS FOLLOWS PURSUANT TO
TRANSFER NO. 4798

No.	51-04006B & 51-07052B
Point of Div	NWNE, Sec 9, T07S R06E (2 pts) NENE, Sec 13, T07S R05E
Place of Use	SENW, NESW, W1/2 SW, Sec 7, W1/2 NE, NENW, Sec 9, NWNW, Sec 18, T07S R06E, E1/2 SE, Sec 12, NENE, Sec 13, T07S R05E, 282 acres total.

Any protest against approval of the proposed change of water rights application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705, together with a protest fee of \$25.00, on or before May 6, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher
Director

Published in the Owyhee Avalanche on April 17 and 24, 1996.

OCT 10 1996

MEMORANDUM

March 12, 1996

TO: Pam Skaggs and Jim Johnson
THROUGH: Dave Tuthill
FROM: Cindy Hodges *cyh*
RE: Pending Transfer #4798 *DANIS*

The attached copy of application for transfer is not in line with the currently adopted practice of "one transfer per system". The transfer was proposed as shown because the applicant wished to accomplish two actions: first, to return to her land the portion of two rights which had been temporarily leased to Joyce Livestock in 1990, and to subsequently lease to a third party a 40 acre share of the same rights.

Rather than propose sequential transfers, which would likely cause confusion and would certainly create much duplication of effort in analysis, we have allowed this application to propose a simultaneous change in place of use. This is obviously advantageous for the applicant as well, and will produce the same result with less paperwork. Unlike some other applications for transfer which propose dual changes for two parties, the applicant is requesting both changes and will retain control of all portions of the rights. Therefore, there should be no question of our authority to make modifications to either split.

We are forwarding a courtesy copy of this application for your information in advance of advertising. Presently, the application has been returned to the applicant for final approval (see attached correspondence). If either of you have a more expeditious idea for processing this type of proposal, please let us know.

Note to reviewer: Pam & Jim reviewed and suggested we simplify even further by not splitting the right at all, and leaving part B intact w/ a changed P/A & P/D. So - might want to keep this in mind when advertising. Might make for a smaller ad to "lump" all info. ~~See~~ Also - SRBA claims never changed first time around because intent was temporary - doesn't seem necessary to talk about this in advertising.

MEMORANDUM

March 12, 1996

RECEIVED

MAR 14 1996

Department of Water Resources

TO: Pam Skaggs and Jim Johnson

THROUGH: Dave Tuthill *DT*

FROM: Cindy Hodges *CH*

RE: Pending Transfer

Proposed Transfer

The attached copy of application for transfer is not in line with the currently adopted practice of "one transfer per system". The transfer was proposed as shown because the applicant wished to accomplish two actions: first, to return to her land the portion of two rights which had been temporarily leased to Joyce Livestock in 1990, and to subsequently lease to a third party a 40 acre share of the same rights.

Rather than propose sequential transfers, which would likely cause confusion and would certainly create much duplication of effort in analysis, we have allowed this application to propose a simultaneous change in place of use. This is obviously advantageous for the applicant as well, and will produce the same result with less paperwork. Unlike some other applications for transfer which propose dual changes for two parties, the applicant is requesting both changes and will retain control of all portions of the rights. Therefore, there should be no question of our authority to make modifications to either split.

We are forwarding a courtesy copy of this application for your information in advance of advertising. Presently, the application has been returned to the applicant for final approval (see attached correspondence). If either of you have a more expeditious idea for processing this type of proposal, please let us know.

Format Approval all in one piece "Part B".

3 Pds - 2.82 Acres

per JJ & Telecon with Cindy H.

3-14-96

JS

CONVERSATION MEMORANDUM

TO: File 51-4006

FROM: Sharla

DATE: May 7, 1992

RE: Telecon Concerning Proof of Completed Transfer

On this date, I contacted Paul Nettleton of Joyce Livestock Co. to confirm the completion of the transfer approved last year. A response to my correspondence of 3/26 had not been received.

Mr. Nettleton informed me that he thought the completed proof form had been returned to me, however, they recently moved offices and it is possible the paperwork was lost in the shuffle. The **transfer has been completed** and groundwater is being used this year to irrigate the place of use.

RECEIVED
MAY 18 1992



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

March 26, 1992

Joyce Livestock Co.
Sinker Creek
Murphy, ID 83650

RE: Approved Transfer No. 3760/Water Right No(s). 51-04006B/07052B

Dear Water Right Holder(s):

On November 19, 1990, the Department approved an application for transfer of the above referenced water right(s). A copy of the transfer as approved has been enclosed for your reference. One of the conditions of approval of this transfer was that the authorized change(s) be accomplished within one year of the date of approval.

Please complete and return the enclosed form to confirm that the transfer has been accomplished. If the approved transfer has not been completed or is only partially complete, please provide an explanation why the changes have not been made and give an expected date for completion. The form must be returned to this office within 15 days of the date of this letter. If you wish to return the form by FAX, the number is (208)327-7866.

Please contact me if you have questions concerning this matter.

Sincerely,

SHARLA CURTIS
Water Resource Agent

Enclosure

MICROFILMED
MAY 18 1992

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 26 1990

MEMORANDUM

TO: FILE

FROM: TIM LUKE

DATE: October 12, 1990

RE: TRANSFER NO. 3760/RT. NO.S 51-4006, 51-7052 & 57-4008

=====

Dave Tuthill's memo of 7/22/90 adequately describes the intent of this transfer. I essentially agree with Dave's memo but I am hesitant to recommend that the department allow the proposed transfer of claim no. 57-4008 (i.e.; allowing the surface claim to be diverted from a groundwater source).

Although our database does not list other rights with Fossil Creek as a source, I raise the question that the transfer of 57-4008, even though it may be a temporary transfer, would be an expansion of the original claim since the non-diverted water would be available for downstream users on Sinker Creek. Furthermore, I question whether there is any precedent for approving a transfer from a surface water source to a groundwater source. I don't believe Section 42-222 provides authorization to change a source, particularly from surface water to groundwater.

I would recommend that the department allow the transfer of the two groundwater filings (51-4006 and 51-7052), and deny the transfer of claim no. 57-4008. This will allow the applicant to irrigate up to 282 acres from the new supplemental groundwater well. I believe that the applicant should have sufficient surface water rights to cover, for a full season, the 38 acres within the 320 acre land base that can not legally be irrigated with the two transferred groundwater rights. Before denying the transfer of 57-4008, we could perhaps contact the applicant and ask why the other appurtenant surface rights can not be used to cover the 38 acres for an entire season.

Finally, I question whether we should view this as a temporary transfer, as recommended by Dave, or treat it as a permanent transfer and require that another transfer be filed in order for the rights to revert back to their original place of use etc. As I understand it, the department has approved 'temporary transfers' in the past without changing water rights in the database to reflect the approved transfer. This causes some problems which need not be identified here, but lead me to recommend that transfer no. 3760 should be treated as a permanent transfer. On the other hand, this transfer if treated as permanent, will require splitting of several water rights as well as renumbering two of the split portions because the new place of use is in a different basin. In short, we have a messy

NOV 26 1990

transfer which, if considered permanent, will require considerable database changes now and when the second transfer is filed to revert the rights back to the place of origin.

In discussing this matter with both Jim and Gary, it has been recommended that we create a temporary file in the database which shows the rights as reflected by the approved transfer. Although certain data entry will be required at the time the transfer is first approved, including creation of split rights, the temporary database files will allow us to avoid renumbering rights and will result in far less database changes when a second transfer is filed and the rights revert back to the place of origin. Furthermore, we achieve the objective of having the database properly reflect all approved transfers.

At this time, I recommend that the department **partially approve** the application, subject to the conditions below. I further recommend that we treat this as a permanent transfer, and thus suggest the use of condition no. 5 below to replace the conditions recommend by Dave Tuthill (the water right lease agreement does not really specify an expiration date).

1. The department approves the transfer of water right no.s 51-4006 and 51-7052, and denies the transfer of right no. 57-4008.
2. Approval of this transfer in no way confirms the rights claimed.
3. 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.
4. When combined with all other rights, this transfer shall provide no more than 5.0 acre-feet per acre.
5. A transfer application shall be filed with the Department before the water right 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.
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.

Note: Database changes will be made after approval of transfer. Database must be programmed to accept new prefix code for temporary transfers.

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NOV 26 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: SL

- 1 Right number 57-04008 Applicant Joyce Livestock Co.
57-04006 57-07052
- 2 Type of right ☐ Decree ☒ License ☒ Claim
- 3 Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Other season & source

4. Check:

- a ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
- b ☒ Description of original point of diversion.
- c ☒ Description of original place of use

5 Amount of land &/or water transferred:

- a ☐ All of right
- b ☒ Part of right (NOTE: Part B should be filled in only if part of the right is owned by the applicant).
- c ☒ Check description of point(s) of diversion.
- d ☒ Check description of place of use.
- e ☒ Check map (shows p.d. and p.u. after transfer). map shows > 10 ac. in S. 16 SWNE but assume
land list on pg. 1 of transfer is correct
- f ☒ Check for correct signature, notarization, and fee.
- g ☐ Check proof of ownership of right &/or land from which water is transferred
- h ☐ Check for expansion in use of right. Comments _____

see attached -
" " -

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

Right number(s) None for groundwater

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

If yes, what district? 57-D Sink Creek Comment letter sent ☐ Yes ☐ No

- N/A since proposing
groundwater use

FINAL PROCESSING REVIEW BY DM

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

RECOMMENDED ACTION

- 1 ☒ Approve
- 2 ☐ Deny
- 3 Conditions: ① Lands from which water is removed by this transfer shall
not be irrigated from any source. ② This temporary transfer shall expire,
and the water shall return to their original places of use, when the lease of
- 4 By DM Date 9/27/90
Water Rights between Susan H. Davis and Joyce Livestock Company terminates.

* All uses within Watermaster Districts require special conditions

RECEIVED
OCT 01 1990
Department of Water Resources

57-04008 B
51-04006 B
51-07052 B

Transfer App. by
Joyce Livestock Co.

① Proof of Ownership

Davis
Hanna
57-04006
51-07052 }

Lease in Attachment A does not prove ownership of these lands.

57-04008 Joyce Livestock

No proof of ownership attached. Is lease sufficient?
Yes, in this case.

② Expenditure (also see ③)

57-04008 includes Irving. 11/15-5/15, which is only 4 months and 1/2 of the period probably sees little use.

Transfer passes 57-04008 B with Irving 4/1-11/1, which is 7 months & includes considerably more time, which Irvingation will cover, as per MICROSILMED will be covered.

given that all of the volume for 320 acres cannot be provided by other 2 rights, is this a problem?

NOV 26 1990

MICROSILMED

(over)

Onyx Co Assessor
495-2817
Verified ownership to be in the name of Davis.
Date 9/21/90

Note:

MEMORANDUM

TO: File for Application for Transfer in the Name of Joyce Livestock Co.

FROM: Dave Tuthill *Dut*

DATE: July 22, 1990

RE: Information Relative to the Filing of the Application

Mr. Paul Nettleton of Joyce Livestock Co. desired to drill a well to provide supplemental groundwater for surface irrigated ground, and discovered that the point of diversion was located hydraulically upstream from Swan Falls. Thus, his new appropriation must be viewed as trust water.

He filed an Application for Permit that will be reviewed as a request for trust water in a few years. Meanwhile, in order to begin to use the water this irrigation season, he sought other water rights to transfer to the site. He opted to transfer, on a temporary basis, a water right from Fossil Creek that has only received a small amount of water in drought years. When Mr. Nettleton visited the office to make the appropriate application for transfer, I advised him that the transfer of water from Fossil Creek would not be sufficient to enable the supplemental use of groundwater on the 320 acres of property as proposed.

As a result, Mr. Nettleton entered into a contract whereby he is leasing water on a temporary basis from Susan H. Davis, whose land is presently in the Conservation Reserve Program. As Mr. Nettleton plans to divert only as much as 5.0 cfs, this is the limit of the amount of water purchased from Mrs. Davis. As the Davis water rights totaled 5.68 cfs on 320 acres, the prorata number of acres that use 5.0 cfs is 282 acres. The Application for Transfer thus shows that a total of 5.0 cfs is desired to be transferred from 282 acres. The remainder of the water for the 320 acres is presumed to be provided by the Fossil Creek water right.

In this transaction, the amount of water that should be ascribed to the surface water right and the groundwater right is debatable. However, an important aspect of this transaction is that the transfer is specifically requested to be temporary. Because the amount of water obtained by Mr. Nettleton is at least very close to the needed amount, any field work to determine a refined computation of available flows appears to be unwarranted, and the proposal appears to be acceptable.

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NOV 25 1990

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Nos. 57-4008B, 51-4006 and 51-7052

Notice is hereby given that Joyce Livestock Co. of Sinker Creek has applied to the Department of Water Resources for a change of Source, Point of Diversion, Place of Use, and Period of Use of groundwater and surface water. The rights sought to be changed are evidenced by Claims and License, and are recorded as follows:

<u>Right</u>	<u>Amount</u>	<u>Priority Season</u>	<u>Source Diversion</u>	<u>Place of Use</u>
57-4008B	6.4 cfs	7/15/1919 1/15 to 5/15	Fossil Creek T4S R2W S27 NE1/4NE1/4	T4S R2W S14 SE1/4, S23 NW1/4NE1/4, E1/2NW1/4, NE1/4SW1/4
51-4006	^{2.64} 3.0 cfs	3/1/1963 3/1 to 11/1	Groundwater T7S R6E S18 NW1/4NW1/4	T7S R5E S12 E1/2SE1/4 S13 NE1/4NE1/4 T7S R6E S7 SE1/4NW1/4, W1/2SW1/4, NE1/4SW1/4 S18 NW1/4NW1/4
51-7052B	^{2.36} 2.0 cfs	3/17/1970	Groundwater T7S R5E S13 NE1/4NE1/4	Same as 51-4006

The water is used for irrigation purposes.

TO BE CHANGED AS FOLLOWS

All of the water is to be diverted from a new well located in NW1/4SE1/4 S16 T3S R1W, B.M., Owyhee County, and will be used for irrigation of 320 acres located within T3S R1W S16 N1/2, N1/2SW1/4; S17 NE1/4SE1/4, B.M., with season from 4/1 to 11/1.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, 2735 Airport Way, Boise, Idaho 83705 on or before July 23, 1990.

R. Keith Higginson
Director

Published in the Owyhee Avalanche on 7/4 and 7/11/1990.

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NOV 26 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region
2735 AIRPORT WAY

Boise, Idaho 83705
(208) 334-2190

JUNE 27, 1990

Owyhee Avalanche
P.O. Box 97
Homedale, ID 83628

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JULY 23, 1990.

Yours truly,

GAIL GARRETT
Secretary

Encl.

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NOV 26 1990

NW	SE	35.0	01	51-07022	LOOS	0	L	08/07/1968	GROUNDWATER
SW	SE	35.0	01	51-07022	ERWIN	0	L	08/07/1968	GROUNDWATER
SE	SE	40.0	01	51-02212	ADKINSON	0	L	03/29/1966	GROUNDWATER
NE	NE	40.0	01	51-02209	GLINESKI	0	L	03/25/1966	GROUNDWATER
NW	NE	40.0	01	51-02209	HISAW	0	L	03/25/1966	GROUNDWATER
SW	NE	40.0	01	51-02209	GLINESKI	0	L	03/25/1966	GROUNDWATER
SE	NE	40.0	01	51-02202	GLINESKI	0	L	03/25/1966	GROUNDWATER
NE	SE	40.0	01	51-04006	DAVIS	0	S	03/01/1963	GROUNDWATER
NE	SE	40.0	01	51-07052	DAVIS	0	L	03/17/1970	GROUNDWATER
SE	SE	40.0	01	51-04006	DAVIS	0	S	03/01/1963	GROUNDWATER
SE	SE	40.0	01	51-07052	DAVIS	0	L	03/17/1970	GROUNDWATER
NE	NE	40.0	01	51-04006	DAVIS	0	S	03/01/1963	GROUNDWATER
NE	NE	40.0	01	51-07052	DAVIS	0	L	03/17/1970	GROUNDWATER
NW	NW	34.0	01	51-02212	ADKINSON	0	L	03/29/1966	GROUNDWATER
SW	NW	40.0	01	51-02212	STEINER	0	L	03/29/1966	GROUNDWATER
SE	NW	40.0	01	51-02212	ADKINSON	0	L	03/29/1966	GROUNDWATER
NE	SW	40.0	01	51-02211	FOSTER	0	L	03/25/1966	GROUNDWATER
NW	SW	40.0	01	51-02211	STEINER	0	L	03/25/1966	GROUNDWATER
SW	SW	34.0	01	51-02211	FOSTER	0	L	03/25/1966	GROUNDWATER
SE	SW	34.0	01	51-02211	STEINER	0	L	03/25/1966	GROUNDWATER

E18

NOV 2 1990

NR4001NP
(00-21)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS MICROFICHE BY PLACE OF USE

DATE: 03/03/90
PAGE: 6716

TWP	RNG	SECT	TRACT	LOT	ACRES	WATER-USE-CODE	WATER RIGHT NO.	LAST NAME	0	STG	PRIORITY DATE	WATER SOURCE
07S	05E	13	NW SE	34.0	01		51-02211	FOSTER	0	L	03/25/1966	GROUNDWATER
			SW SE	34.0	01		51-02211	STEINER	0	L	03/25/1966	GROUNDWATER
			NE NE	40.0	01		51-02212	FOSTER	0	L	03/25/1966	GROUNDWATER
			NW NE	40.0	01		51-02212	STEINER	0	L	03/29/1966	GROUNDWATER
			SW NE	40.0	01		51-02212	ADKINSON	0	L	03/29/1966	GROUNDWATER
			SE NE	40.0	01		51-02212	STEINER	0	L	03/29/1966	GROUNDWATER
			NE SE	40.0	01		51-02211	ADKINSON	0	L	03/29/1966	GROUNDWATER
								FOSTER	0	L	03/25/1966	GROUNDWATER
								STEINER	0	L	03/25/1966	GROUNDWATER

WR4001NP
(00-21)IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS MICROFICHE BY PLACE OF USEDATE: 03/03/90
PAGE: 6721

TWP	RNG	SECT	TRACT	LOT	ACRES	WATER-USE-CODE	WATER RIGHT NO.	LAST NAME	Q	STG	PRIORITY DATE	WATER SOURCE
			T 4 N	R 4 E								
07S	06E	6	N4 N4		40.0	01,04,43	51-00052A	HAWES	C	D	04/01/1897	BRUNEAU RIVER
			N4 N4		40.0	01	51-00052B	HAWES	C	D	04/01/1897	BRUNEAU RIVER
			N4 N4		40.0	01,04,43	51-00053	HAWES	C	D	04/01/1905	BRUNEAU RIVER
			N4 N4		6.0	01	51-02149	TURNER	C	L	09/15/1959	GROUNDWATER
			SW N4		40.0	01	51-02210	GLINESKI HISAW	D	L	03/25/1966	GROUNDWATER
			SE N4		40.0	01,04,43	51-00050A	HAWES	C	D	04/01/1875	BRUNEAU RIVER
			SE N4		40.0	01,04,43	51-00050B	HAWES	C	D	04/01/1875	BRUNEAU RIVER
			SE N4		40.0	01,04,43	51-00051A	HAWES	C	D	04/01/1876	BRUNEAU RIVER
			SE N4		40.0	01	51-00051B	HAWES	C	D	04/01/1876	BRUNEAU RIVER
			SE N4		40.0	01,04,43	51-00052A	HAWES	C	D	04/01/1897	BRUNEAU RIVER
			SE N4		40.0	01	51-00052B	HAWES	C	D	04/01/1897	BRUNEAU RIVER
			SE N4		40.0	01,04,43	51-00053	HAWES	C	D	04/01/1905	BRUNEAU RIVER
			SE N4		1.0	01	51-02149	TURNER	C	L	09/15/1959	GROUNDWATER
			SW SW		2.0	01	51-02210	GLINESKI HISAW	D	L	03/25/1966	GROUNDWATER
			NE SE		4.0	01	51-07317	HOT SPRINGS DITCH	C	A	03/22/1989	BRUNEAU RIVER
			NE SE		40.0	01,04,43	51-00042	TURNER	C	D	04/01/1875	BRUNEAU RIVER
			NE SE		40.0	01,04,43	51-00043	TURNER	C	D	04/01/1876	BRUNEAU RIVER
			NE SE		40.0	01,04,43	51-00044	TURNER	C	D	04/01/1897	BRUNEAU RIVER
			NE SE		40.0	01,04,43	51-00045	TURNER	C	D	04/01/1905	BRUNEAU RIVER
			NE SE		13.0	01	51-07317	HOT SPRINGS DITCH	C	A	03/22/1989	BRUNEAU RIVER
7			SW N4		40.0	01	51-02209	GLINESKI HISAW	D	L	03/25/1966	GROUNDWATER
			SE N4		40.0	01	51-04006	DAVIS	C	S	03/01/1963	GROUNDWATER
			SE N4		40.0	01	51-07052	DAVIS	C	L	03/17/1970	GROUNDWATER
			NE SW		40.0	01	51-04006	DAVIS	C	S	03/01/1963	GROUNDWATER
			NE SW		40.0	01	51-07052	DAVIS	C	L	03/17/1970	GROUNDWATER
			N4 SW		40.0	01	51-04006	DAVIS	C	S	03/01/1963	GROUNDWATER
			N4 SW		40.0	01	51-07052	DAVIS	C	L	03/17/1970	GROUNDWATER
			SW SW		40.0	01	51-04006	DAVIS	C	S	03/01/1963	GROUNDWATER
			SW SW		40.0	01	51-07052	DAVIS	C	L	03/17/1970	GROUNDWATER
			NE SE		40.0	01	51-07152	DAVIS	C	A	08/25/1980	GROUNDWATER
			SE SE		40.0	01	51-07152	DAVIS	C	A	08/25/1980	GROUNDWATER
8			N4 NE		40.0	01,04,43	51-00040	NOBLE	C	D	04/01/1876	BRUNEAU RIVER
			N4 NE		40.0	01,04,43	51-00061	NOBLE	C	D	04/01/1897	BRUNEAU RIVER
			N4 NE		40.0	01,04,43	51-00062	ROBERT NOBLE EST.	C	D	04/01/1905	BRUNEAU RIVER
			SW NE		40.0	01,04,43	51-00050	NOBLE	C	D	04/01/1876	BRUNEAU RIVER
			SW NE		40.0	01,04,43	51-00061	NOBLE	C	D	04/01/1897	BRUNEAU RIVER
			SW NE		40.0	01,04,43	51-00062	ROBERT NOBLE EST.	C	D	04/01/1905	BRUNEAU RIVER
			SE NE		40.0	01,04,43	51-00060	NOBLE	C	D	04/01/1876	BRUNEAU RIVER
			SE NE		40.0	01,04,43	51-00061	NOBLE	C	D	04/01/1897	BRUNEAU RIVER
			SE NE		40.0	01,04,43	51-00062	ROBERT NOBLE EST.	C	D	04/01/1905	BRUNEAU RIVER
			NE N4		40.0	01,04,43	51-00060	NOBLE	C	D	04/01/1876	BRUNEAU RIVER
			NE N4		40.0	01,04,43	51-00061	NOBLE	C	D	04/01/1897	BRUNEAU RIVER
			NE N4		40.0	01,04,43	51-00062	ROBERT NOBLE EST.	C	D	04/01/1905	BRUNEAU RIVER
			N4 SW		40.0	01	51-07152	DAVIS	C	A	08/25/1980	GROUNDWATER
			SW SW		40.0	01	51-07152	DAVIS	C	A	08/25/1980	GROUNDWATER
9			NE NE		40.0	01	51-07119	BERRY	D	P	07/13/1977	GROUNDWATER
								PERKINS	C			
								PERKINS	C			
			SW NE		8.0	01,04,43	51-04048	COLYER CATTLE CO.	C	S	01/01/1912	GROUNDWATER
			SW NE		8.0	01,04,43	51-04049	COLYER CATTLE CO.	C	S	04/01/1926	GROUNDWATER

RECORDED

MAY 2 1990

HR4001NP
(00-21)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS MICROFICHE BY PLACE OF USE

DATE: 03/03/90
PAGE: 6728

TWP	RNG	SECT	TRACT	LOT	ACRES	WATER-USE-CODE	WATER RIGHT NO.	LAST NAME	Q	STG	PRIORITY DATE	WATER SOURCE
07S	06E	16	NW NE	40.0	01,04,43		51-00017	RATLIFF	C	D	04/01/1905	BRUNEAU RIVER
			SW NE	40.0	01,04,43		51-00012	PINKSTON MILLER	C	D	04/01/1883	BRUNEAU RIVER
			SW NE	40.0	01,04,43		51-00013	PINKSTON MILLER	C	D	04/01/1897	BRUNEAU RIVER
			SW NE	- .0	01,04,43		51-00014	BETTIS & CO. PINKSTON MILLER	C	D	04/01/1905	BRUNEAU RIVER
			SE NE	40.0	01,04,43		51-00012	PINKSTON MILLER	C	D	04/01/1883	BRUNEAU RIVER
			SE NE	40.0	01,04,43		51-00013	PINKSTON MILLER	C	D	04/01/1897	BRUNEAU RIVER
			SE NE	40	01,04,43		51-00014	BETTIS & CO. PINKSTON MILLER	C	D	04/01/1905	BRUNEAU RIVER
			NE NW	40.0	01,04,43		51-00015	RATLIFF	C	D	04/01/1882	BRUNEAU RIVER
			NE NW	40.0	01,04,43		51-00016	RATLIFF	C	D	04/01/1897	BRUNEAU RIVER
			NE NW	40.0	01,04,43		51-00017	RATLIFF	C	D	04/01/1905	BRUNEAU RIVER
			NW NW	28.0	01		51-02196	OWEN	C	L	11/09/1964	GROUNDWATER
			SW NW	32.0	01		51-02196	OWEN	C	L	11/09/1964	GROUNDWATER
			SE NW	40.0	01,04,43		51-00012	PINKSTON MILLER	C	D	04/01/1883	BRUNEAU RIVER
			SE NW	40.0	01,04,43		51-00013	PINKSTON MILLER	C	D	04/01/1897	BRUNEAU RIVER
			SE NW	40.0	01,04,43		51-00014	BETTIS & CO. PINKSTON MILLER	C	D	04/01/1905	BRUNEAU RIVER
			SE NW	10.0	01		51-02152	OWEN	C	L	01/05/1960	GROUNDWATER
			NE SW	40.0	01		51-02152	OWEN	C	L	01/05/1960	GROUNDWATER
			NW SW	15.0	01		51-02152	OWEN	C	L	01/05/1960	GROUNDWATER
			SW SW	8.0	01		51-02152	OWEN	C	L	01/05/1960	GROUNDWATER
			SW SW	7.0	01		51-02196	OWEN	C	L	11/09/1964	GROUNDWATER
			SE SW	38.0	01		51-02152	OWEN	C	L	01/05/1960	GROUNDWATER
			NE SE	40.0	01,04,43		51-00012	PINKSTON MILLER	C	D	04/01/1883	BRUNEAU RIVER
			NE SE	40.0	01,04,43		51-00013	PINKSTON MILLER	C	D	04/01/1897	BRUNEAU RIVER
			NE SE	40.0	01,04,43		51-00014	BETTIS & CO. PINKSTON MILLER	C	D	04/01/1905	BRUNEAU RIVER
			NW SE	24.0	01		51-02152	OWEN	C	L	01/05/1960	GROUNDWATER
			SW SE	39.0	01		51-02152	OWEN	C	L	01/05/1960	GROUNDWATER
			SE SE	8.0	01		51-02152	OWEN	C	L	01/05/1960	GROUNDWATER
18			NE NE	40.0	01		51-07152	DAVIS	C	A	08/25/1980	GROUNDWATER
			NW NE	40.0	01		51-07152	DAVIS	C	A	08/25/1980	GROUNDWATER
			SW NE	40.0	01		51-07152	DAVIS	C	A	08/25/1980	GROUNDWATER
			SE NE	40.0	01		51-07152	DAVIS	C	A	08/25/1980	GROUNDWATER
			NW NW	40.0	01		51-04006	DAVIS	C	S	03/01/1963	GROUNDWATER
			NW NW	40.0	01		51-07052	DAVIS	C	L	03/17/1970	GROUNDWATER
21			SW NE	19.0	01		51-02201	OCAMICA	C	L	04/27/1965	GROUNDWATER
			SE NE	21.0	01		51-02201	OCAMICA	C	L	04/27/1965	GROUNDWATER

RECEIVED
MAY 2 1990

Identification No. _____

AMENDED

Claim No. 57-4008

Map No. _____

**STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION**

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Joyce Livestock Company
post office address Murphy, Idaho
2. The point of diversion is in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 27 Township 4S
Range 2W B.M. located on Fossil Creek
(name of source)
tributary to Snake River in Owyhee County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

July 15, 1919 amount: 6.4 c.f.s. or 1600 acre feet
amount: _____ c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
Total claimed _____ c.f.s. or _____ acre feet.

- b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use Irrigation period of use from Jan. 15 to May 15 (both dates inclusive)
use Domestic period of use from Jan. 1 to Dec. 31 (both dates inclusive)
use Stockwater period of use from Jan. 1 to Dec. 31 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of cement
_____ ; length is 5 feet; height is 2 feet;
width at bottom is 1.5 feet; width at top is 1.5 feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities _____

b. Underground water diverting works: is well flowing or pumped flowing spring; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____

if so, give dates and explain.

ing date and dimensions if possible. no changes to completion of works

stream

Owyhee County

describe _____

Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:				
	NE 1/4	SE 1/4	SW 1/4	EW 1/4

[illegible]

Total number of acres to be irrigated 320

Explain any significant increase in area irrigated since first use, give dates and acreages if known.

NOV 26 1990

b. Do you get water through a ditch owned by several users? no If yes, give the name of the ditch
_____. The other users and their respective
interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered numbers vary
cattle and horses

7. Where water is used for domestic or municipal purposes give number of families served one irrigator when
name of town supplied working

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
The priority date claimed herein is based on that of Permits R-151 and 14154/
57-2119.

As the flow of both creek and springs varies from year to year and season to
season, no specific figures can be given. All available water is used at all
times possible and has been since the ranch was developed. No doubt, Mr.
Nettleton was under the impression that all necessary forms had been completed
and recorded.

State of Idaho

County of Ada ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the
foregoing claim to a water right, together with all attached information, and that the matters and facts therein are
true to the best of the affiants knowledge.

Sworn to before me this

6

day of

June

1922

Joyce Livestock Company
Claimant

Donald R. Eldon
Notary Public

Residing at

Boise Idaho

My commission expires

2-18-1927

For Department Use Only

Received by _____ Date _____

Prelim. check by _____ Date _____

Fee received by _____ Date _____ Fee \$ _____

Approved for publication by _____

Published in _____ Dates _____

Exception filed by:

NOV 26 1920

Forwarded to
claimant by:

Date _____

(8) Remarks FORMERLY FILED BY DILLARD SAWYER 51-2115

25 56

75 6E

State of Idaho

Оушке

Le Roy Davis
(Claimant)

David C. Conley
Notary Public

My commission expires _____

FORGOTTEN

NOV 26 1930

Exception filed by

Forwarded to _____ Date _____
claimant by: _____

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 81-7082 Priority March 17, 1970 Amount 2.68 cfs

THIS IS TO CERTIFY, that LEROY B. DAVIS
of Brimley, Idaho, has complied with the terms and conditions of Permit
No. 81-7082 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
Irrigation	from <u>March 1</u> to <u>Nov. 1</u>	<u>2.68</u> cfs and	<u>1,300 acre feet or</u>
	from _____	_____ cfs and	<u>6.0 ac per acre</u>
	from _____	_____ cfs and	_____

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 to be 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 water to be diverted within the NE 1/4 Sec. 12

Twp. 1 S. Rge. 5 E. S. 4 in the County of Cwyhee

Description and location of place of use:

Type	Range	Section	Acres																Total
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	
78	6E	12																40	80
		18	40															40	40
78	6E	7																	160
		18																40	40

Total number of acres irrigated 120

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 42-322, 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, in provided by the laws of Idaho.

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

Director

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: CLS

Right Number 51-4006 Applicant DAVIS

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☐ Name and address.
- ☐ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☐ Source.
- ☐ Quantity, use, period.
- ☐ Point(s) of diversion.
- ☐ Location of use.
- ☐ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. 5/9/83
- ☒ Claim published correctly. 4/28 & 5/5/83 no fee
- ☐ Exceptions processed. Outlines suggested

By CLS Date 5/19/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By RC Date 5/25/83

MICROFILMED
DATE 5/25/83
BY SP-10
C-100

RECEIVED
MAY 25 1983
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

MAY 18, 1983

LE ROY R. DAVIS
P.O. BOX 121
BRUNEAU

ID 83604

RE: Claim No. 51-4006

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

Enclosure

RECEIVED
MAY 18 1983

51-4006

DAVIS, LE ROY R.

P.O. BOX 121, BRUNEAU, ID 83604

Source: GROUNDWATER

Priority Date: 03/01/1963

Diversion Pt: NWNW Sec 18 T 07S R 06E

Use: IRRIGATION (3.00 CFS)

In: NESE SESE Sec 12 T 07S R 05E NENE Sec 13 T 07S R 05E SENW NESW NWSW SWSW
Sec 07 T 07S R 06E NWNW Sec 18 T 07S R 06E FOR 320 ACRES

MICROFILM

IDENT. NO. 51-4006

WATER RIGHT
DATA ENTRY LOG

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

RECEIVED

APR 4 1983

March 15, 1983

no check - b -

LeRoy R. Davis
Box 121
Bruneau, ID 83604

Re: Claim No. 51-4006

Dear Mr. Davis:

This office is currently reviewing claims to existing water rights that have been filed throughout the state. We note that the above-referenced claim filed in your name, copy enclosed, shows a date of first use of 1963. Please notice that on the claim there is a note which indicates that a claim is not acceptable on a groundwater source with a priority later than March 25, 1963.

Enclosed we are sending to you a new Claim to a Water Right. If the date of first use of the water was prior to March 25, 1963, please complete this claim and submit it as an amended claim to a water right. If, on the other hand, the date of first use was after March 25, 1963, then you will need to complete and submit the enclosed Application for Permit to develop a valid water right for your irrigation system.

If you have any questions about this matter, please contact our Western Regional office located at 450 W. State St., 3rd floor, Boise. The telephone number is 334-2190.

Sincerely,

David R. Tuthill

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

DRT:sc

Enclosures

cc: Western Region

APR 11 1983

Department of Water Resources
Western Regional Office

RECEIVED

Judy

Please process the attached
amended water right

Dave

(No fee req'd for amended ~~fees~~)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court

Notice is hereby given that LeRoy R. Davis
(name of claimant)
of Bx 121 Bruner, Ida.
(mailing address) 80604, claims a right to the diversion and beneficial use of
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water (name of stream, lake, spring, etc.. or ground water) 8" well
_____, tributary to _____
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | | |
|--------------------|--------------------------|---------------|------------------------|----------------|
| Amount <u>150"</u> | Use <u>irrigation</u> | Period of Use | From <u>1517</u> | To <u>1500</u> |
| Amount _____ | Use _____ | Period of Use | From _____ | To _____ |
| Amount _____ | Use _____ | Period of Use | From _____ | To _____ |
| (cfs, gpm or a/f) | (dom. irri, stock, etc.) | | (both dates inclusive) | |

(3) Total quantity of water claimed: 3 cubic feet per second, or 150" acre feet per annum, and/or _____ gallons per minute

(4) Priority claimed: (the date water was first applied to beneficial use) 1963

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source

(5) A) Point of diversion (give location of point where water is diverted from its source)
NW 1/4 NW 1/4 Sec. 18 Twp. 7.5 Rge 6E B. M. County of Cwyler
Additional points of diversion _____

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible 40 HP pump (elec.)

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location

T	R	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	5E	12													40			40	80
		13	40																40
75	6E	7								40	40	40	40						160
		18					40												40

Total No. of acres 320

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____

If you are claiming water as a member of an organization, list name of organization _____

RECORDED

MICROFILMED

(8) Remarks Formerly Filed by Dillard Sawyer
51-2115

[illegible]

Scale: 2 inches equal 1 mile

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system

State of Idaho)
) ss.
County of Owyhee)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 5 day of

Le Roy Davis
(Claimant)

Melvin Charlton
Notary Public
Residing at Brunswick, Idaho

My commission expires Oct. 28-1975

For Department Use Only

Received _____ Date 12-12-74 Exception filed by: _____ Forwarded to _____ Date _____
Preliminary check by CSB Date 9 Dec 74 claimant by: _____
\$10 _____ received by SLC Date 12-1-74 # 1585
Approved for publication by me 12-12-74 File 12 71-74
Published in _____
Dates 11/11/74 11/18/74

Roy Davis
Bruneau, Id.
83604

Dept of Water Resources
State Office

450 W State St.

Boise, Id.

83720



MICROFILMED

AMENDED
51-4006

DAVIS, LE ROY R.

P.O. BOX 121, BRUNEAU, ID 83604

Source: GROUNDWATER

Priority Date: 03/01/1963

Diversion Pt: NWNW Sec 18 T 07S R 06E

Use: IRRIGATION (3.00 CFS)

In: NESE SESE Sec 12 T 07S R 05E NENE Sec 13 T 07S R 05E SENW NESW NWSW SWSW
Sec 07 T 07S R 06E NWNW Sec 18 T 07S R 06E FOR 320 ACRES

MICROFILMED

WATER RIGHT
DATA ENTRY LOG

[illegible]

March 15, 1983

LeRoy R. Davis
Box 121
Bruneau, ID 83604

Re: Claim No. 51-4006

Dear Mr. Davis:

This office is currently reviewing claims to existing water rights that have been filed throughout the state. We note that the above-referenced claim filed in your name, copy enclosed, shows a date of first use of 1963. Please notice that on the claim there is a note which indicates that a claim is not acceptable on a groundwater source with a priority later than March 25, 1963.

Enclosed we are sending to you a new Claim to a Water Right. If the date of first use of the water was prior to March 25, 1963, please complete this claim and submit it as an amended claim to a water right. If, on the other hand, the date of first use was after March 25, 1963, then you will need to complete and submit the enclosed Application for Permit to develop a valid water right for your irrigation system.

If you have any questions about this matter, please contact our Western Regional office located at 450 W. State St., 3rd floor, Boise. The telephone number is 334-2190.

Sincerely,

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

DRT:cc

Enclosures

cc: Western Region

WATER RIGHT NUMBER 51-4006

WATER RIGHTS EDIT REPORT

12/11/79

PAGE 74

ACT
ION

N OWNER LAST NAME - DAVIS

FIRST NAME - LE ROY R.

N ADDRESS LINE 1 - P.O. BOX 121

CITY - BRUNEAU

STATE - ID ZIP CODE - 83604

N SOURCE - GROUNDWATER

N STAGE - STATRY CLM

PRIORITY - 06-01-1963 COUNTY - DWYHEE TOTAL DIV. RATE - 3.0000CFS

N DIVERSION POINT - NWNW 18 07S 06E

N FROM - 04-15 TO - 10-15 USE - IRRIGATION

USE DIV. RATE - 3.0000CFS

N USE - IRRIGATION

PLACE OF USE - TWN 07S RNG 05E SEC 12 TRACT NESE

AC 40 TRACT SESE AC 40

N USE - IRRIGATION

PLACE OF USE - TWN 07S RNG 05E SEC 13 TRACT NENE

AC 40

N USE - IRRIGATION

PLACE OF USE - TWN 07S RNG 06E SEC 07 TRACT SENW

AC 40 TRACT NESW AC 40

N USE - IRRIGATION

TRACT NWSW

AC 40 TRACT SWSW AC 40

N USE - IRRIGATION

PLACE OF USE - TWN 07S RNG 06E SEC 18 TRACT NWNW

AC 40

IDENT. NO. 51-4006

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 151-4006
Old No. New No.

Record

1. Original Owner: Len Roy R. Davis

Present Owner: _____

2. Address: P.O. Box 1213. City: Brunau State: 10 Zip: 836044. A. Source of Water: gw

B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): S

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 6-1-1963D. County: 73E. Total Diversion Rate: 3.

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>N1/4NW</u>	<u>18</u>	<u>7S</u>	<u>6E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from 4-15 to 10-15 for A purposes. Amount 3.
(cfs or AC-FT/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: A

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

Statehouse
Boise, Idaho 83720
(208) 384-2190

R. Keith Higginson
Director

January 6, 1975

Leroy R. Davis
Box 121
Bruneau, ID 83604

Re: Claim to a Water Right No. 51-4006

Dear Mr. Davis:

The Department of Water Resources has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of a claim does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we may be of further assistance, please feel free to call upon us.

Sincerely,

KENNETH H. FOIT, P.E.
Western District Engineer

KHF: **cia**

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse Annex 2
Boise Idaho 83707
(208) 384-2215
Western District Office



Water Right Administration
Water Resource Planning
Dam and Reservoir Safety
Water Well Control
Waste Disposal Wells
Stream Channel Protection

December 13, 1974

Owyhee Nugget
Marsing, ID 83639

Re: Application for Permit No. 02-7180 - Norman L. Meyers
02-7181 - Douglas Hadley
02-7182 - Roger G. Young
51-4006 - Le Roy R. Davis
57-7129 - James R. &/or Larry Munro

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. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department 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 claimant)

Sincerely,

Bill submitted

12-31-74

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NOTICE OF CLAIM TO A WATER RIGHT

No. 51-4006

Notice is hereby given that LE ROY R. DAVIS

Box 121, Bruneau, ID
has filed a claim to a water right established by diversion and application
to beneficial use of 3 cubic feet per second ~~XXXXXXX~~ acre feet of water
from a groundwater source
with the point of diversion in the NW 1/4, Sec. 18, T. 7 S, R. 6 E, B.M.
Owyhee County

The water is claimed to be used from April 15 to Oct. 15
for irrigation of 320 acres

with a priority of 1963;
the place of use is within the E 1/4, Sec. 12, NE 1/4, Sec. 13, T. 7 S, R. 5 E,
B.M.; SE 1/4, NE 1/4, SW 1/4, Sec. 7, NW 1/4, Sec. 18, T. 7 S, R. 6 E, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, Statehouse, Boise, Idaho, 83720.

R. KEITH HIGGINSON

Director

Published in the Owyhee Nugget, Marsing, ID
on Dec. 19, 1974 and Dec. 26, 1974

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STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
WESTERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2190

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

December 10, 1974

Le Roy R. Davis
Box 121
Bruneau, ID 83604

Dear Mr. Davis:

Enclosed is your Receipt No. 15353 in the amount of \$ 10.00 for
Claim to a Water Right No. 51-4006 which was received in this office
on December 9, 1974.

Sincerely,

CATHY L. ATKINSON
Stenographer

CLA:c

Enclosure

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