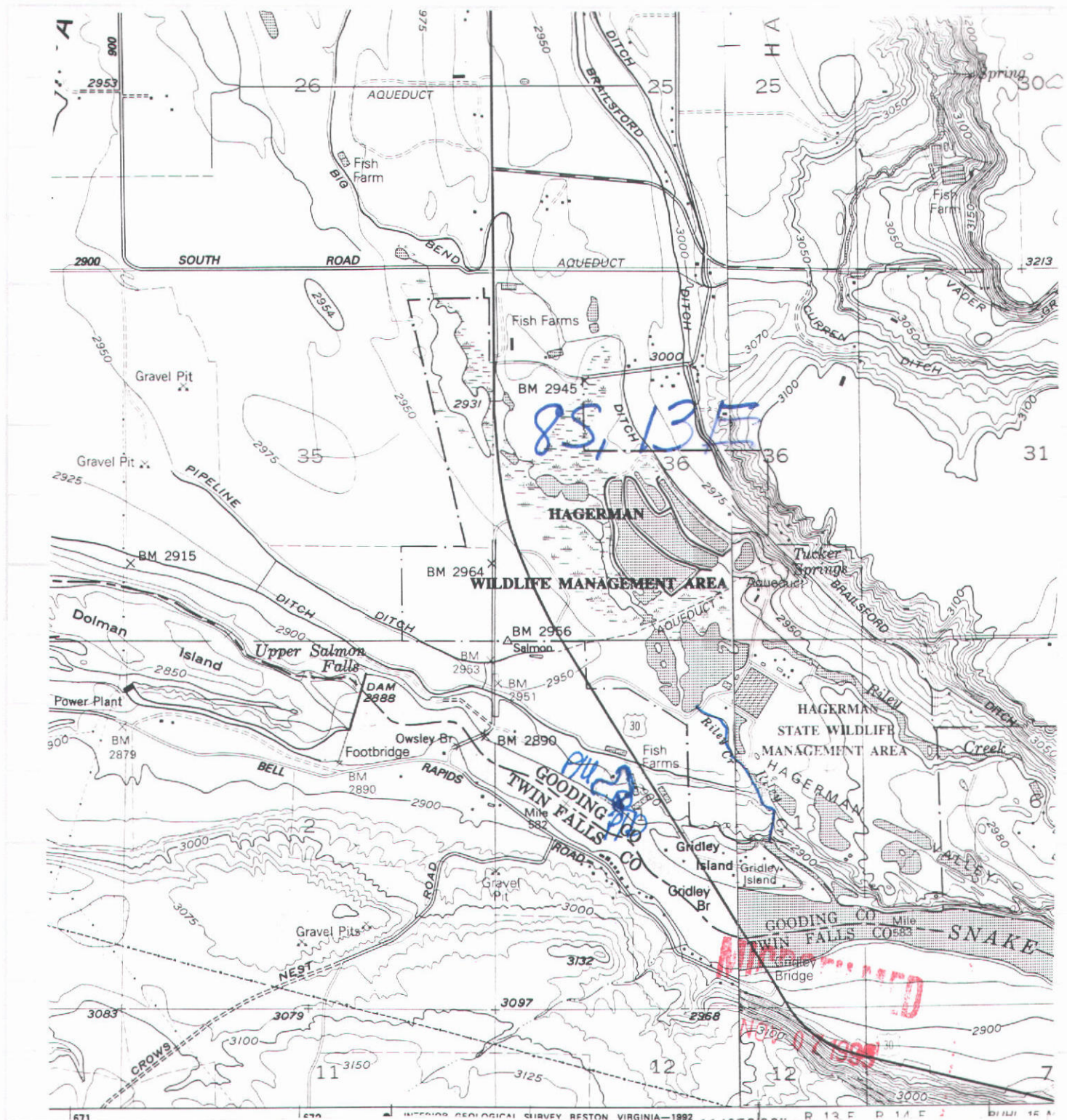


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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

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

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-00032

1997 DEC 29 PM 3:40

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME & ADDRESS: MARGARET LE MOYNE
JOHN R LE MOYNE
901A GRIDLEY ISLAND
HAGERMAN ID 83332

SOURCE: RILEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.12 CFS

USE OF THIS RIGHT WITH 36-07729 & 36-08097 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 40.12 CFS

PRIORITY DATE: 05/01/1883

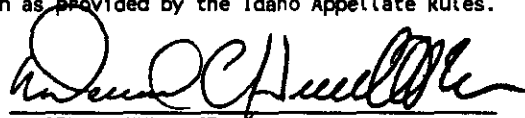
POINT OF DIVERSION: T08S R13E S01 LOT 6 (SESWNE) Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.12 CFS

PLACE OF USE: IRRIGATION Within GOODING County
T08S R13E S01 Lot 3 (SENW) 3
3 ACRES TOTAL

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

MICROFILMED
JAN 12 2004

This
Right has been
Decreed in the
SRBA.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4709
WATER RIGHT NO. 36-00032

This is to certify that: **JOHN R LE MOYNE**
MARGARET LE MOYNE
901A GRIDLEY ISLAND
HAGERMAN ID 83332

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.09 CFS	12.0 AF
<u>SOURCE</u>	<u>TRIBUTARY OF</u>		
SPRING	SNAKE RIVER		

Priority: 05/01/1883

LOCATION OF POINT(S) OF DIVERSION: Lot 3(SWSENW), Sec. 1, Township 08S, Range 13E
GOODING 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>
08S	13E	1	Lot 3(SENW)	3		3
Total number of acres irrigated:						3

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.0 afa per acre for the lands above.
2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

MICROFILMED

NOV 07 1995

TRANSFER NO. 4709
WATER RIGHT NO. 36-00032

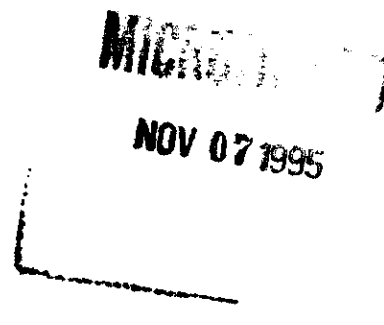
CONDITIONS OF APPROVAL AND REMARKS

4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. The portion of Right No. 36-00032 described as 0.03 cfs that was previously used for conveyance losses has been abandoned through approval of Transfer No. 4709.

Dated this 1st day of

November, 1995

J. M. Saylor
Chief, Water Alloc. Bureau



Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4709

RECEIVED
OCT 10 1995

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Department of Water Resources

Name of applicant John R & Margaret LeMoine Phone 837-4887

Post Office address 901A Dudley Island, Hagerman ID 83332

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 Exchange source
2. Describe the reason for the proposed changes The delivery system changed when we removed our fish ponds. We want to exchange the Riley Creek water for this right for water from an unnamed spring next to the place of use which will improve the efficiency of the system.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 36-00032 Priority 5-1-1883 Amount (cfs/ac-ft) .09 cfs Nature of Use Irrigation Period of Use 3-15 to 11-15
2. Total amount of water being transferred .09 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Unnamed Spring tributary to Snake River
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
3	SW	SE	NW	1	8S	13E	Gooding	

5. Lands irrigated or place of use: No Change

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8S	13E	1								3									3
										173									

RECORDED

NOV 07 1995

Total acres 3

PART 1

6. General Information:

a. Description of diversion system Perforated pipe to a small pond with a pump that discharges to a sprinkler system.

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

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

d. Remarks:

The right has historically been delivered through the Conyer ditch which is measured at the diversion in Riley Creek. The diversion will be reduced by .12 cfs. We are the only users on the ditch and no one else could be impacted by our proposed change.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19 _____

MISSOURI

NOV 07 1995

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Claim No. 36-00032

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/15 to 11/15	0.12 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
RILEY CREEK	SNAKE RIVER

Priority: 05/01/1883

LOCATION OF POINT(S) OF DIVERSION: Lot 6 (SESWNE), Sec. 1, Township 08S, Range 13E
GOODING 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>
08S	13E	1	Lot 3 (SENW)	3		3
Total number of acres irrigated:						3

CONDITIONS/REMARKS:

1. WATER IS DELIVERED THROUGH CONYERS DITCH.
2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 40.12 CFS, AND A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 9.0 AF.
3. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 36-07729 & 36-08097.
4. 0.03 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.

MICROFILMED

NOV 07 1995

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. 36-00032 Decreed to Buggs
in case of New-International Mtge vs. Idaho Power Co.
dated 3-22-1932 in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 36-00032 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 Riley Creek tributary to Sage River4. Date or priority 5-1-1883

5. Water is used for the following purpose:

amount 0.12 cfs for Irrigation purposes from 3-15 to 11-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.12 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
6	SE	SW	NE	1	8S	13E	Gooding	

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	
8S	13E	1								3									3
										1+3									

MICROFILMED
NOV 07 1995

Total acres 3

9. Describe any other water rights used for the same purpose as described above None — 36-08097
is diverted at same P/D and also delivered through the Conyer ditch.

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

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**



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

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

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
				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 19th day of June, 19 95.

John R. LeMayne
(Signature of Applicant)

Jeanie Robertson
(Notary Public)

My commission expires 9-23-2002

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 0 attachments

Received by MTS Date 6-19-95 Protest filed by None

Prelim. check by J. E. Stanton Fee \$100 (5018218)

Receipted by MTS Date 6-19-95

Published in Reading Co. Leader Copies of protest forwarded by

Pub. dates 9/13 + 9/20/95 Hearing held by Date

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

rec'd. by Adm

Copy of transfer sent to lien holder

MIRROFILMED

NOV 07 1995

RECEIVED

JUN 20 1995

Department of Water Resources
Southern Region

WARRANTY DEED

RECEIVED

SEP 11 1995

Department of Water Resources
Southern Region

FOR Value Received EDNA J. RADERMACHER, a widow,
Route 1, Box 149
Hagerman, Idaho 83332

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

MARGARET A. LeMOYNE
Route 1, Box 148

Hagerman, Idaho 83332, as her sole and separate property, and together with the rents, issues, and profits thereof.

Hereinafter called the Grantee, the following described premises situated in Gooding County, Idaho, to-wit:

TOWNSHIP 8 SOUTH, RANGE 13 EAST, BOISE MERIDIAN

Section 1: TRACT NO. 1 Lot 3 EXCEPT the North 660 feet thereof and EXCEPT the following described parcels, to-wit:

BEGINNING at the Section corner common to Sections 35, 36, Township 7 South, Range 13 East, Boise Meridian and Sections 1, 2 Township 8 South, Range 13 East, Boise Meridian;

Thence South 76°24'53" E, a distance of 2,721.45 feet to the TRUE POINT OF BEGINNING;

Thence South 89°33'06" W, a distance of 682.98 feet;

Thence South 55°53'01" E, a distance of 829.17 feet;

Thence North 0°25'34" W, a distance of 470.41 feet to the TRUE POINT OF BEGINNING.

This parcel contains 3.69 acres more or less.

TRACT NO. 2 That part of Lot 11 (Gridley Island) lying West of Highway 30 and EXCEPTING therefrom the following two (2) described parcels, to-wit:

Parcel No. 1: BEGINNING at a point that bears North 72 degrees 31' West, 2001.53 feet from an Auxiliary Meander Corner located on the Eastern tip of said Island;
Thence South 5 degrees 39' West, 225.0 feet;
Thence North 55 degrees 54' West, 159.45 feet;
Thence North 26 degrees 14' East, 174.53 feet;
Thence South 74 degrees 11' East, 80.0 feet to the POINT OF BEGINNING;

Containing 0.519 acres, more or less.

Parcel No. 2: BEGINNING at a point on the West boundary of U. S. Highway 30, Project No. F-2361 (12) that bears North 72 degrees 31' West, 1981.53 feet more or less from an Auxiliary Meander Corner located on the Eastern tip of said Island;
Thence North 72 degrees 31' West, 20.00 feet more or less to the Northeast corner of a parcel described in Deed dated July 25, 1967, recorded August 1, 1967, as microfilmed Instrument No. 22547;
Thence South 5 degrees 39' West, 225.00 feet more or less to the High Meander Line of the Snake River;
Thence Easterly along the High Meander Line of the Snake River to the West boundary of U. S. Highway No. 30, Project No. F-2361 (12);
Thence North 30 degrees 41' West, along the West boundary of U. S. Highway No. 30, Project No. F-2361 (12) to the POINT OF BEGINNING.

The Grantor herein reserves unto herself the full use, control, income and possession of the described premises for and during the natural life of Grantor.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors, heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee,

RECORDED

NOV 07 1995

that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will WARRANT and defend the same from all lawful claims whatsoever.

DATED THIS 8th day of April, 1988.

Edna J. Radermacher
Edna J. Radermacher

STATE OF IDAHO)
County of Gooding) ss.

On this 8th day of April, 1988, before me, the undersigned, a Notary Public in and for said State, personally appeared EDNA J. RADERMACHER, a widow, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

David D. Hulseberg
Notary Public for the State of Idaho;
Residing at Gooding, Idaho.
Commission Expires: 10/3/92

131328

55 2 John LeMayne
April 88 A 18th
6⁰⁰ Edna County

MICROFILMED

NOV 07 1995

THIS RIGHT HAS BEEN SUPERCEDED BY A ~~DECREE~~ *Director's Report*

CASE NAME *Director's Report for Basin 36*

~~DECREE DATE~~ _____

~~SEE DECREE FILE NO.~~ _____

See attached adj. profile report.

ALL ACTIONS TAKEN BEYOND THIS POINT HAVE BEEN BASED ON THE
DECREED VERSION OF THIS RIGHT. I MAY MODIFY THE DECREED RIGHT.

NOV 37

AJ5809NP
No. 36-00032

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/15/95
PAGE: 9

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARGARET LE MOYNE	05/01/1883	IRRIGATION	03-15 11-15	0.12 CFS	
C	JOHN R LE MOYNE					
TOTAL DIVERSION:					0.12 CFS	
CONSUMPTIVE USE:						9.00 AFA

Water Source: RILEY CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T08S R13E S01 Lot06(SESWNE)

GOODING 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
08S	13E	1	:																	:	3.0
																				TOTAL ACRES	3.0

POU County: GOODING

Other Rights: NONE

Remarks: WATER IS DELIVERED THROUGH CONYERS DITCH.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 40.12 CFS, AND A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 9.0 AF.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 36-07729 & 36-08097.
0.03 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT.

Dates: Exam Made Date: Verified Date: 09/04/1992

Misc: Water District Number: 36A Field Inspection Flag:
Presumption Flag:

RECORDED
NOV 07 1995

This
Right has been
Decreed in the
SRBA.

MICROFILMED
JAN 12 2008



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

NOVEMBER 2, 1995

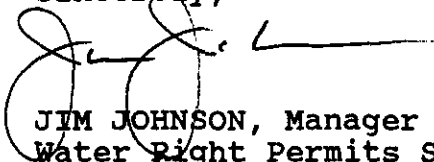
JOHN R LE MOYNE
MARGARET LE MOYNE
901A GRIDLEY ISLAND
HAGERMAN ID 83332

RE: Transfer of Water Right No. 36-00032

Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water right (Transfer No. 4709). Please be sure to thoroughly review the "Conditions/Remarks:" as listed on the transfer.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosure

MICROFILMED

NOV 07 1995

MEMORANDUM

TO: FILE NO. 36-00032

FROM: PAM SKAGGS/²STATE OFFICE

SUBJECT: TRANSFER NO. 4709

DATE: October 30, 1995

=====

Transfer No. 4709 was filed to change the point of diversion and source under Right No. 36-00032. The original and new source are both surface rights tributary to the Snake River and the points of diversion are in relatively close proximity located in adjacent quarter-quarters.

The right was historically diverted from Riley Creek and delivered through Conyers ditch with a portion of the right limited to use for conveyance losses. No other users divert water through this ditch. The new source is a spring adjacent to the place of use bordering the Snake River. The change in source will not impact any other users and will reduce the demand made at the Riley Creek diversion.

The portion of the right previously used for conveyance losses in delivery through the Conyers ditch will be abandoned through the approval of this transfer and the total diversion rate reduced to 0.03 cfs per acre or 0.09 cfs. Recommended conditions include irrigation overlap and standard transfer conditions.

NOV 07 1995

TRANSFER REVIEW SHEET
(04-95)

Transfer # 4709

Date Reviewed 10-30-95

Right(s) 36-00032 SRBA Basin 36 Director's Report

☒ Print Split Summary ☒ Run POU Comparison Report
No Change to P/U

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 Warranty Deed covers P/U Not Required P/D/source change

Transfer ☒ All of Right ☐ Portion of Right
Resulting Split(s) NONE

Check Transfer Against 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) NA Water District (12) Yes Pertinent Conditions (13) NO Expansion
Limit Diversion.

- ③ Standard season = 4-1 to 10-31 - Allow season recommended SRBA
④ Reduce rate to .03 cts/acre or .09 cts. That portion used for
conveyance loss (.03 cts) is abandoned
⑤ Standard VOL = 4.0 x 3 Acres = 12.0 cfs
⑥ Change Source from Riley Creek to Unnamed Spring
⑦ Change P/D to Spring

MD & Reporting - Not an exempt use, but < .20 cts or 5 Acres ITR - No Condition
All Conditions per recommendation/report no longer applicable.

Transfer Remarks Abandoned conveyance loss
Conditions R51, T07, T08, T09

Database/Processing Notes T file

Copy to an "X" prefix on WR database when approved. Comment to WR.
AS modify 36-07739 + 36-08097 on AJ (Rights no longer diverted with 36-00032)
WR Reports File Transfer Memo Complete

WR0749NP
No. T36-00032

IDaho DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/30/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN R LE MOYNE	05/01/1883	IRRIGATION	03-15 11-15	0.090 CFS	12.00 AFA
C	MARGARET LE MOYNE 901A GRIDLEY ISLAND HAGERMAN ID 83332 (208) 837-4887					
TOTAL DIVERSION:					0.090 CFS	12.00 AFA

Water Source: SPRING

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T08S R13E S01 Lot 03(SWSENW)

GOODING 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	
08S	13E 1								03-03									3.0
TOTAL ACRES																		3.0

Pou County: GOODING

Other Rights: NONE

Conditions of Approval:

- R51 - This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.0 afa per acre for the lands above.
- 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 Snake River Basin Adjudication.

Remarks: The portion of Right No. 36-00032 described as 0.03 cfs that was previously used for conveyance losses has been abandoned through approval of Transfer No. 4709.

Dates: App. Received: 06/19/1995 Priority Date: 05/01/1883
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 36A Field Exam Fee:

WR0749NP
No. T36-00032

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/30/95
PAGE: 2

Comments: Date: 05/05/1992 User-ID: MERRITT Subject: DIVERSION RATE ALLOWED
ALLOWED 0.03 CFS/ ACRE CONTINUOUS FLOW = 0.09 CFS
ALSO ALLOWED 0.03 CFS FOR SHARE OF CONVEYANCE LOSS.
TOTAL ALLOWED 0.12 CFS.
NOTE THAT THIS CONTINUOUS FLOW IS DELIVERED TO POND WHERE
WATER IS STORED AND CAN BE RE-DIVERTED AT RATE EST. TO BE
0.31 CFS INTO SPRINKLERS.

Date: 05/05/1992 User-ID: MERRITT Subject: COPIED FROM REMARKS
BOTH RIGHTS ARE NEEDED TO PROPERLY IRRIGATE THIS LAND.
AMOUNT CLAIMED RUNS 25 RAINBIRDS AT 60 PSI & 5/32" NOZZLES.

Date: 09/07/1995 User-ID: MBALDWIN Subject: TRANSFER NO. 4709
T# 4709 proposes to change point of diversion and source.
Right No. 36-00032 will be reduced by 0.03 cfs that was limited
to use for conveyance losses.

Audit: 09/07/95 MBALDWIN 10/11/95 SCURTIS 10/30/95 PSKAGGS

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION NUMBER INDEXDATE: 10/11/95
PAGE: 1WATER RIGHT
NUMBER

NAME

CFS

36-00032 LE MOYNE, MARGARET
LE MOYNE, JOHN R

0.12

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

DATE: 10/11/95
PAGE: 1

WATER RIGHT NUMBER	NAME	CFS
36-00032	BRIGGS , E. G. BRIGGS , EDNA C.	1.00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: J. F. Stanton

Date 9/11/95

1. Right number 36-00032 Applicant John L. Moyse

2. Type of right: ☒ Decree ☐ License ☒ Claim

3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Other _____

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).

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 N/A

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

Right number(s) N/A

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

If yes, what district? _____

FINAL PROCESSING REVIEW BY: AD

1. Watermaster recommendation requested on NA Received on _____

2. Is transfer published correctly? ☒ Yes ☐ No

3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* - Subject to SRDA

- Install new device & report use monthly

4. By AD

Date 10/6/95

AFFIDAVIT of PUBLICATION

State of Idaho }
County of Gooding } ss.

Department of Water Resources
Southern Region

Patty Nance, being first duly sworn, deposes and says that she is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the

13 day of September, 1995.

and the date of the last publication was on the 20 day of

September, 1995.

Patty Nance

Subscribed and sworn to before me this 20th day of

September, 1995.

(SEAL)

Norma Doe Voe
NOTARY PUBLIC

#10888/5875
GOODING COUNTY LEADER
Gooding, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2x

affidavit fee \$2.00

Lines tabular at _____ 6¢/Pica

588 - 5 Lines straight at 29.43 5¢/Pica

588 - 5 Subsequent lines at 23.54 4¢/Pica

TOTAL COST \$4.92

COPY OF NOTICE

(Paste Here)

Notice of Proposed Change
TITLE OF NOTICE of water right

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 36-00032, TRANSFER #4709

Notice is hereby given that JOHN R. &/OR MARGARET LE MOYNE, 901-A GRIDLEY ISLAND; HAGERMAN ID 83332 has applied to the Department of Water Resources to change the following described water right pursuant to Section 42-222 of IDAHO CODE.

The purpose of this application is to change point of diversion and source for the water right.

WATER RIGHT AS RECOMMENDED IN DIRECTOR'S REPORT FOR BASIN 36 IN SNAKE RIVER BASIN ADJUDICATION:

Water Right No. 36-00032

Basis: Decreed to E.G. & Edna C. Briggs in case of New International Mortgage Bank vs Idaho Power Co dated 3/22/1932.

Priority: 5/1/1883

Source: Riley Creek tributary to Snake River

Amount: 0.12 cfs

Use: irrigation (3/15-11/15)

Point of Diversion: Lot 6 (SE1/4SW1/4NE1/4), S1, T8S, R13E; Gooding County.

Place of Use: Three (3) acres within Lot 3 (SE1/4NW1/4), S1, T8S, R13E.

PROPOSED CHANGES:

Source: Unnamed Spring tributary to Snake River

Point of Div: Lot 3 (SW1/4SE1/4NW1/4), S1, T8S, R13E; Gooding County.

Total amount being transferred: 0.09 cfs

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before October 2, 1995. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in Gooding County Leader on 9/13 & 9/20/95.

NOV 07 1995

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RECORDED

NOV 07 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

September 7, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

MAGIC VALLEY PUBLISHING CO
ATTN Gooding County Leader
PO BOX 468
JEROME ID 83338

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

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.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

MICROFILMED

NOV 07 1995

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
NO. 36-00032, TRANSFER #4709

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Karl J. Dreher, Director

Published in Gooding County Leader on 9/13 & 9/20/95.

RECEIVED

07 1995



State of Idaho

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Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

September 7, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

JOHN R &/OR MARGARET LE MOYNE
901-A GRIDLEY ISLAND
HAGERMAN ID 83332

Re: Application for Transfer No. 4709, (36-00032)

Dear Mr. & Mrs. LeMoyne:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office has scheduled advertising the application in the Gooding County Leader for 9/13 and 9/20/95. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

Before we can forward your application to our state office for approval we must include in the file evidence of ownership of the land to which the water is appurtenant such as copies of deeds, tax records, etc. and a notarized statement from any lien holder on the property agreeing to the proposed change.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

RECORDED

NOV 07 1995

James E. Stanton
Sr. Water Resource Agent

JS:MB

MEMORANDUM

TO: TRANSFER APPLICATION FILE
JOHN & MARGARET LE MOYNE
36-00032

FROM: MEL SCHULTE *MS*

DATE: JUNE 19, 1995

THE APPLICATION PROPOSES TO CHANGE THE POINT OF DIVERSION AND CHANGE THE SOURCE FROM RILEY CREEK TO AN UNNAMED SPRING. THE ISSUE OF CHANGING SOURCES WAS DISCUSSED WITH ALLEN MERRITT WHO IS VERY FAMILIAR WITH THE APPLICANTS RIGHTS AND THE GENERAL AREA WHERE THE WATER IS USED. WE CONCLUDED THAT CHANGING SOURCES WOULD NOT IMPACT OR INJURE ANY OTHER USERS.

THERE IS A MEASURING DEVICE IN PLACE TO CONTROL THE REDUCED FLOW THAT WOULD BE REQUIRED INTO THE CONYER DITCH FROM RILEY CREEK IF THE APPLICATION IS APPROVED SO THE ISSUE OF ENLARGEMENT SHOULD NOT BE A PROBLEM.

WE CONCLUDED FROM OUR INITIAL REVIEW THERE IS NO REASON THE APPLICATION COULD NOT BE APPROVED.

MTS

NOV 07 1995

T # 4709