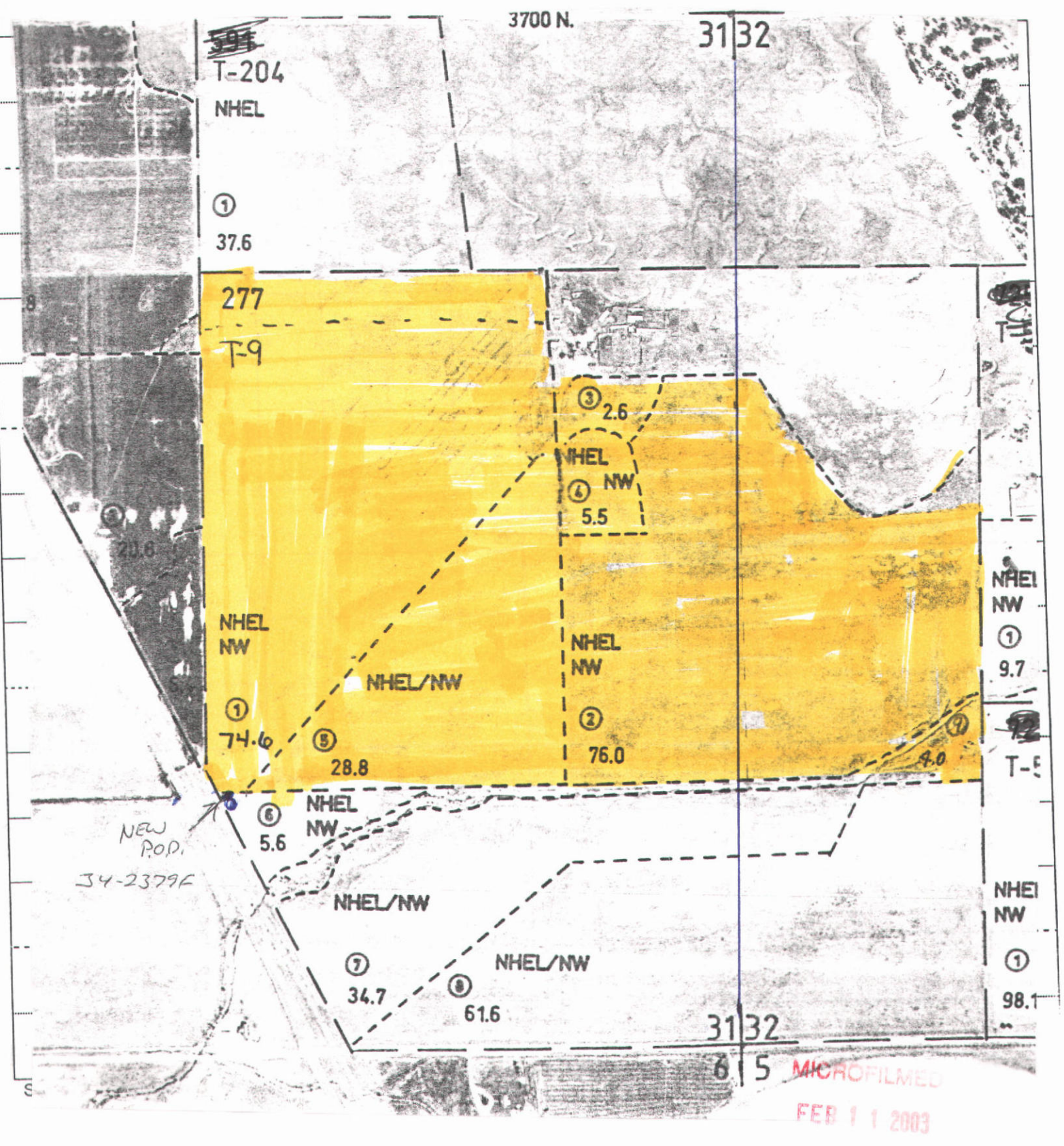
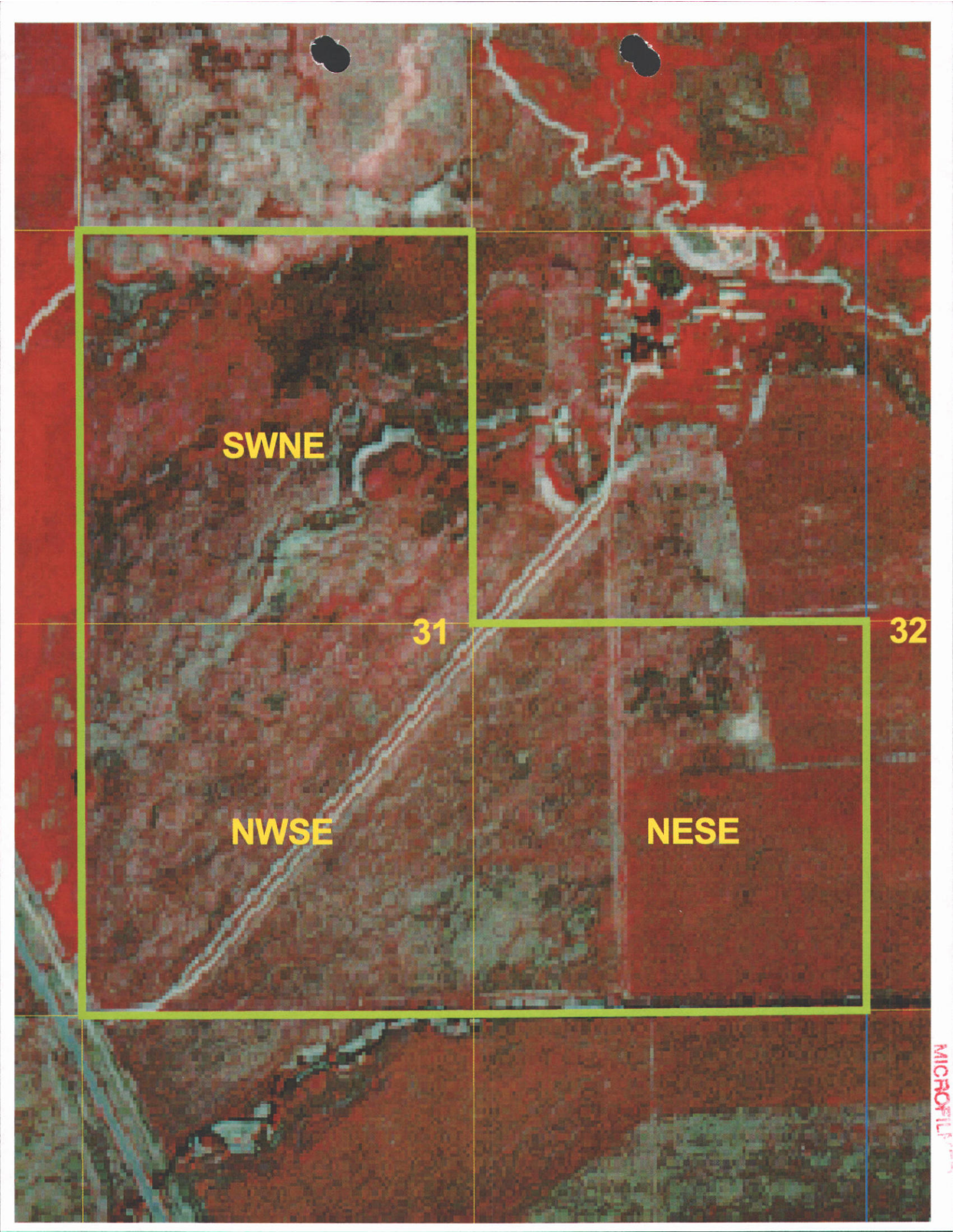


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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





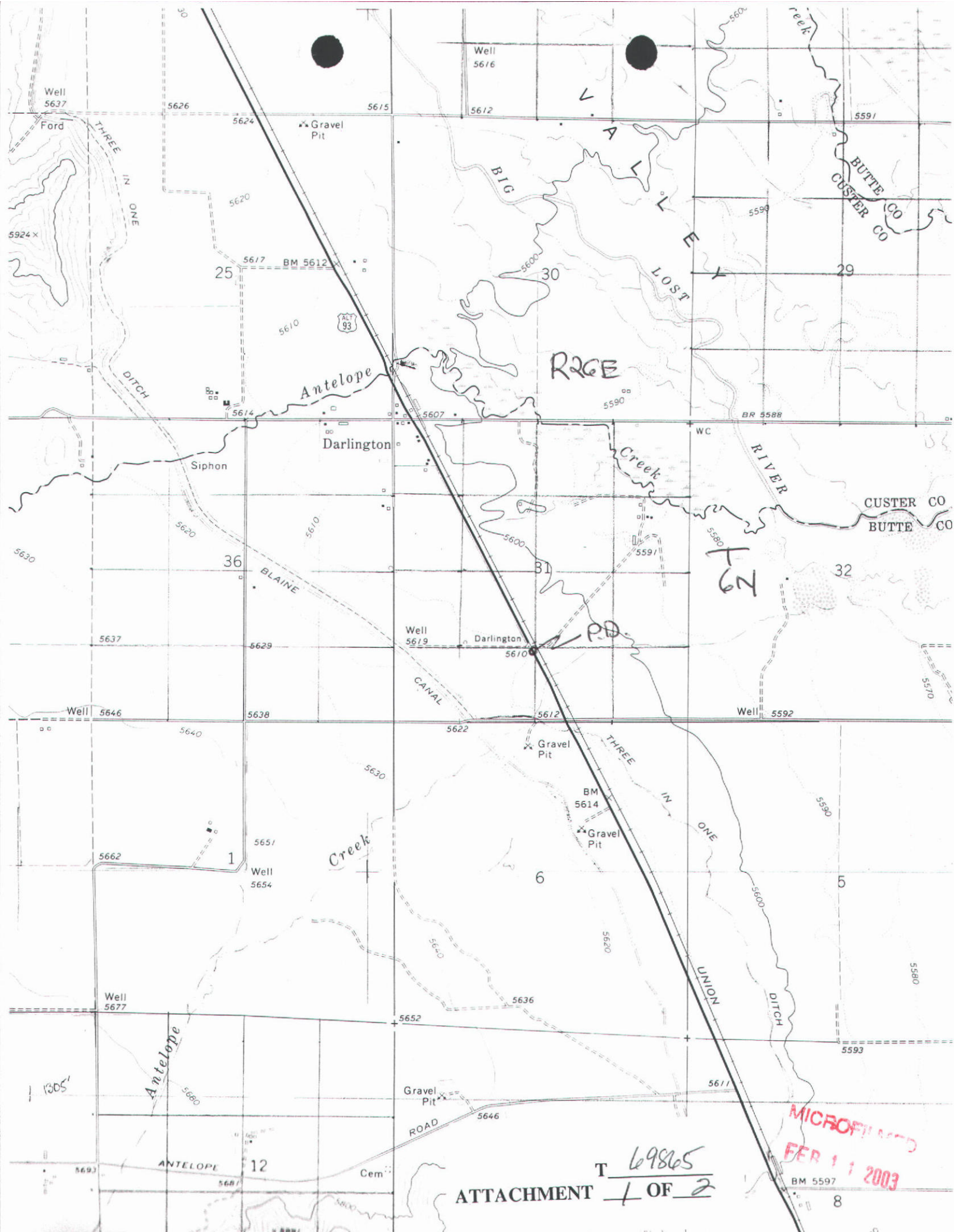
SWNE

31

32

NWSE

NESE



ATTACHMENT 1 OF 2

MICROFILMED
FEB 11 2003

AFFIDAVIT OF PUBLICATION

I, Colleen Babcock
of the Arco Advertiser, a weekly newspaper of
general circulation, published weekly at Arco, Idaho,
since March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,

for 2 consecutive weeks, commencing with
the issue dated May 9, 2002
and ending with the issue dated

May 16, 2002
Colleen Babcock

STATE OF IDAHO }

COUNTY OF BUTTE }

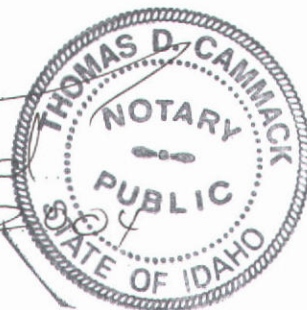
On this 16th day of May
in the year of 2002, before me, a Notary Public,
personally appeared

Colleen Babcock
known or identified to me to be the person whose
name subscribed to the within instrument, and being
by me first duly sworn, declared that the statements
therein are true, and acknowledged to me that he
executed the same.

Thomas D. Cammack
Notary Public for Idaho

Residing at Arco, Idaho

My commission expires: 1-23-2004



NOTICE OF PROPOSED
CHANGE OF WATER RIGHT

TRANSFER NO. 69865

CATHERINE M WATSON or LEE J WATSON,
4177 RD L, ORLAND CA 95963, has filed
Application No. 69865 for changes to the
following water rights within BUTTE
County:

Right No. 34-2379f

Priority: 8/8/1960

Source: GROUND WATER

Use: IRRIGATION (112 acres) 2.11 CFS
392.0 AFA

Total Amount: 2.11 CFS 392.0 AFA

Point(s) of Diversion: SWNWSW S31 T06N
R26E

Place of Use: S31 T06N R26E

The purpose of the transfer is to change
a portion of the above rights as follows:

The applicant intends to move his well
site to the SESW SEC 31 T06N R26E. This
site is closer to the place of use.

Protests may be submitted based on the
criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change
must be filed with the Department of Water
Resources, Eastern Region, 900 N Skyline
Dr Ste A, Idaho Falls ID 83402 together with
a protest fee of \$25.00 for each application
on or before May 28, 2002. The protestant
must also send a copy of the protest to the
applicant.

KARL J. DREHER, Director

Published on May 9 and 16, 2002.

MICROFILMED

FEB 11 2003

5/22/02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 69865

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant Catherine and Lee Watson Phone 530-865-7886

Post Office address 4177 RD L, Orland Ca. 95963 RECEIVED

A. PURPOSE OF TRANSFER

JUN 1 1967

Department of Water Resources

- 1 ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes to get well water near to the field we use it on

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

1. <u>Right Number</u>	<u>Priority</u>	<u>Amount (cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>
<u>34-02379 F</u>	<u>08/08/1960</u>	<u>2.11 CFS</u>	<u>Irrigation</u>	<u>Apr. 1</u> to <u>Nov. 1</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	to <u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	to <u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	to <u> </u>

2. Total amount of water being transferred 2.11 ^{CFS} cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Ground water tributary to _____

4. Point(s) of Diversion:

[illegible]

5 Lands irrigated or place of use:

[illegible]

MICROFILMED

2906

530. 518. 8021

Total Acres 112

PART 1

6 General Information

a Description of diversion system 75 HP Windmill pump in to
a 10" main line.

b Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
NA 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:
NA

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 20 _____.

MICROFILMED

For the Director _____
JUL 2 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 34-2379F V1

WATER RIGHT NUMBER 34-2379F V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JACK MC AFFEE
	, ID
Original Owner	PAUL STRICKLAN
	, ZZ
Original Owner	BOYD OVARD
	DARLINGTON, ID 83231
<u>Current Owner</u>	LEE J WATSON
	4177 RD L
	ORLAND, CA 95963
	(916)865-7886
<u>Current Owner</u>	CATHERINE M WATSON
	4177 RD L
	ORLAND, CA 95963
	(916)865-7886
Attorney	PATRICK D BROWN
	PARKER WARR & BROWN LLP
	812 SHOSHONE ST E
	BUHL, ID 83316
	(208)735-8812
Original Owner	LISA SCHWARTZ
	4330 S BANNOCK HWY
	POCATELLO, ID 83204
	(208)332-5623
Original Owner	J D SCHWARTZ
	4330 S BANNOCK HWY
	POCATELLO, ID 83204
	(208)332-5623
Original Owner	CLYDE MC AFFEE
	, ID

Priority Date. 08/08/1960

Basis Decreed

Status Active

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	2 110 CFS	392 00 AF
	<u>Total Diversion.</u>	2.110 CFS	392.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NW1/4SW1/4	Sec. 31, Twp 06N, Rge 26E, B M
BUTTE County		

MICROFILMED
APR 1 2003

page 4 of 6

T 69865

Page 2

04/15/2002

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 34-2379F V1

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
06N 26E 31	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	112.0
			36.0										38.0	38.0			

Total Acres 112

Conditions of Approval:

- 1 C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE SECTION 42-1412(6), IDAHO CODE.

Remarks:

- 1 Place of Use USE OF THIS RIGHT WITH RIGHT NOS. 34-00182 AND 34-00381A IS LIMITED TO THE - Irrigation IRRIGATION OF A COMBINED TOTAL OF 200 ACRES IN A SINGLE IRRIGATION SEASON
- 2 Quantity USE OF THIS RIGHT WITH RIGHT NOS 34-00182 AND 34-00381A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.20 CFS

Comments

- 1 CFRITSCH 1/22/1998 REVISION
Comment REVISED PER S M ORDER
- 2 SSHERMAN 4/8/1998 SUBSTITUTION OF COUNSEL
Comment SUBSTITUTION OF COUNSEL REC'D FROM PAT BROWN REPLACING HEPWORTH, LEZAMIZ & HOHNHORST
- 3 AJU10-DS 6/9/2000 AJU10 CONDITION UPDATE
Comment CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10

Dates and Other Information

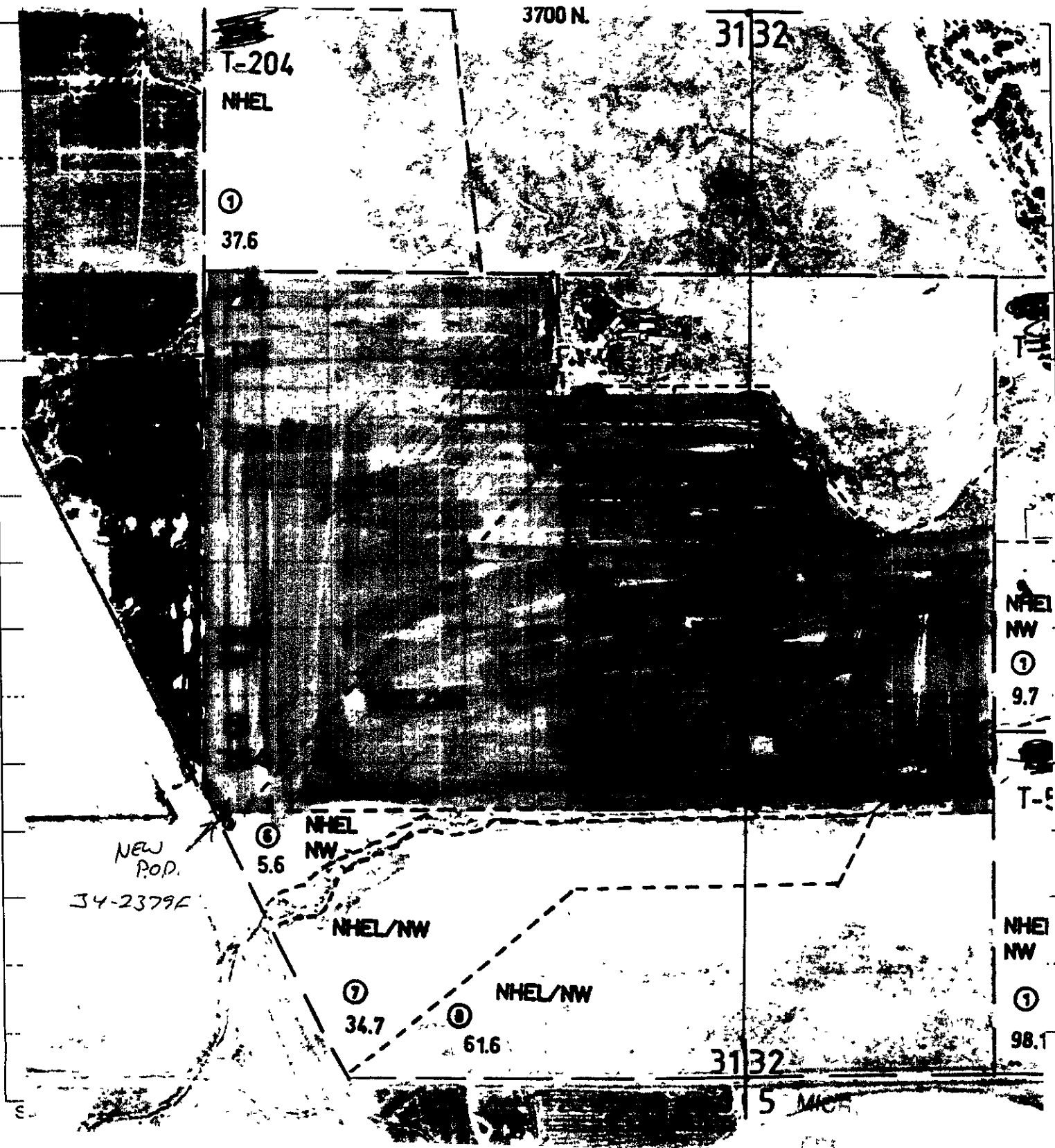
Decreed Date
Enlargement Use Priority Date
Enlargement Statute Priority Date
Defendant.
Plaintiff.
Civil Case Number
Judicial District
Notice of Error Flag NONE RECEIVED
State or Federal
Owner Name Connector. 0
Water District Number
Generic Max Rate Per Acre
Generic Max Volume Per Acre. 392
Swan Falls Trust or Nontrust False
Swan Falls Dismissed
DLE Act Number
Carey Act Number
Mitigation Plan AND

MICROFILMED
APR 15 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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



PART 3

CHANGES IN NATURE OF USE

1.

New Nature of Use	Amount(cfs/af-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
will not effect any other water users.

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

Lu Watson

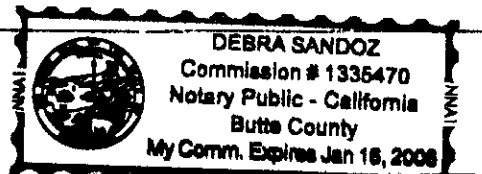
(Signature of Applicant)

Subscribed and sworn to before me this 5th day of MARCH, 2002.

Debra Sandoz

(Notary Public)

My commission expires 1-16-06



FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and _____ attachments

Received by HWT Date _____ Protest filed by _____

Prelim Check by _____ Fee 330.55

Received by HWT # E027641 Date 4-15-02

Published in Arco Advertiser Copies of protest forwarded by _____

Pub Dates May 2 & 9 2002 Hearing held by _____ Date _____

Watermaster recommendations requested on 4/30/02 Recommended for ☒ approval ☐ denial

_____ received 5/15/02 by se

Copy of transfer sent to lien holder _____

MICROFILM

APR 1 1 10 03

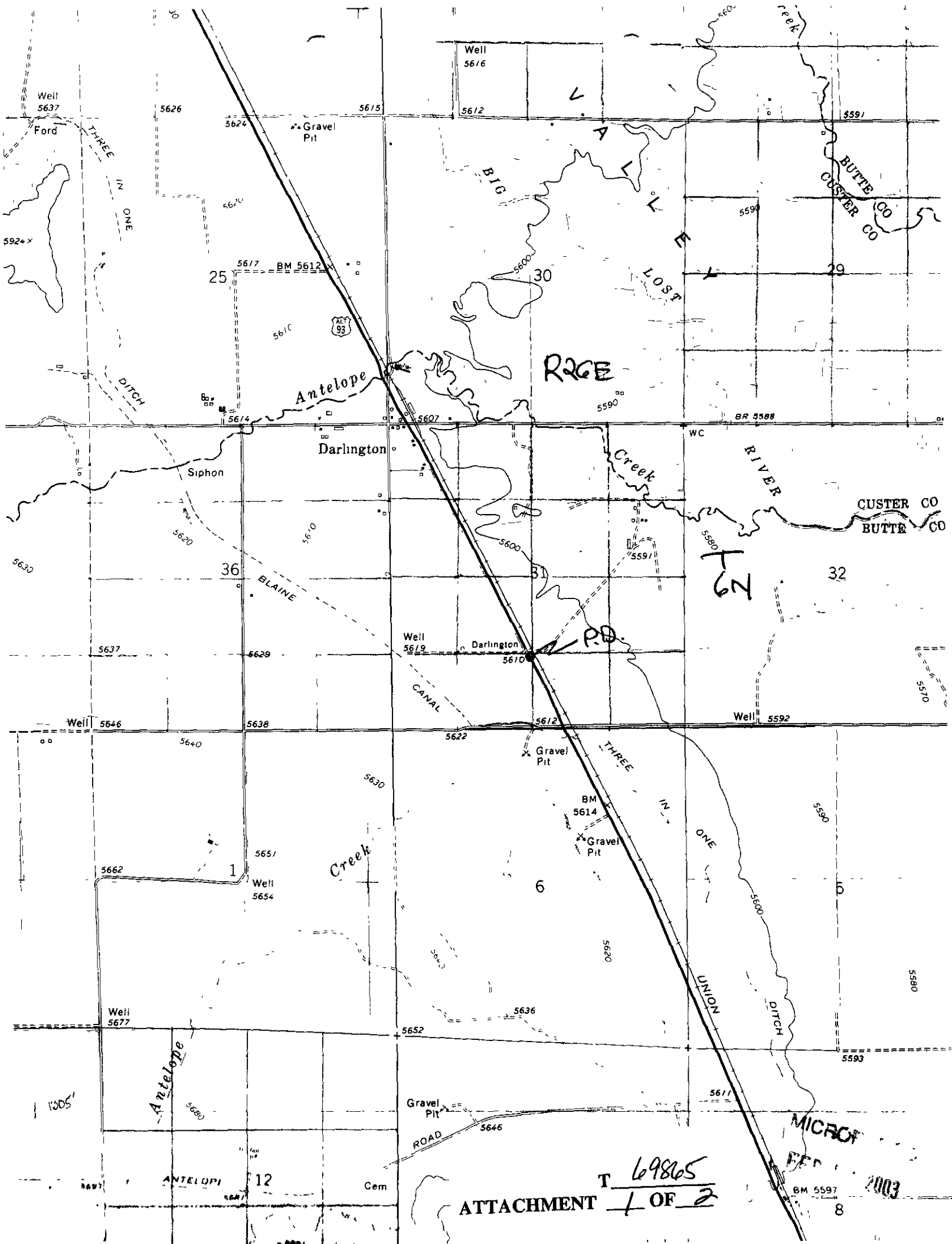
50. 11

31

32

NI SE

NI SE



ATTACHMENT T 69865
1 OF 2

MICRO
FEB 2003
8

04/15/2002 10:00 530566911 JOHN F OTTO CHIOU PAGE 01
 2001 TAX BILL/RECEIPT PARCEL NUMBER
 COUNTY TAX COLLECTION 800626311200
 BOX 121, A-CO, ID 43213 BILL# 3084 CODE AREA 7-00 L 86.84
 1 9.73

ST HALF DUE	2ND HALF DUE	FULL DUE	TOT MV	96.57
569.00	TAX 569.69	TAX 1,139.34		
	LATE	LATE		
	INT	INT		
	CUST	CUST		
	TOT	TOT		
			WAC 2.00	
			TOT ACS 224.80	

WATSON LEE J
 6 WATSON CATHERINE M
 4177 ROAD L
 ORLAND CA 95963

TAXING DISTRICT	RATE	AMOUNT
STATE	.000000000	
COUNTY	.005153026	498.2
SCHOOL #162	.003704146	357.7
CERETIN	.000194854	18.4
FIRE	.000614777	59.3
LIBRARY	.000588061	56.7
HCSP DIST	.001537521	148.4
AMOUNT DUE	.011790445	1,139.3

SH4NE4; Y25F4;
 SE4SE4; FF SE4NE4 T#340;
 FR SH4SE4 I#345
 SEC 31

*** IMPORTANT ***
 PLEASE READ BOTH FRONT AND BACK
 *** MONTHLY PAYMENTS ARE ACCEPTED ***

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
 APPLIED TO THE OLDEST DELINQUENT YEAR
 TO AVOID LATE CHARGES, PAYMENTS MUST BE
 RECEIVED OR POSTMARKED BY THE DUE DATE
 KEEP TOP PORTION FOR YOUR RECORDS
 PERSONAL CHECKS ARE YOUR RECEIPT
 SUBJECT TO BANK CLEARANCE

CEIPT NOT VALID UNTIL CHECK CLEARS BANK
 THANK YOU

OR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
 PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
 PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

LEE J	2001	WATSON, LEE J	2001
	3084		3084

2ND HALF

1ST HALF

FULL

AMOUNT DUE 569.69

AMOUNT DUE 569.69 1,139.34

COUNTY
 DE311200A
 J

LATE
 INT
 CUST
 TOT

JUNE 20, 2002
 CHECK #
 CASH

NOT PAID UP OR REFUSE
 PAID
 BY

MOTTE COUNTY
 MPC6426E311200A
 7-00

LATE
 INT
 CUST
 TOT

DECEMBER 20, 2001
 CHECK #
 CASH

DECEMBER 20, 2001
 CHECK #
 CASH

MICROFILMED
 APR 16 2002

ATTACHMENT T 69865
 2 OF 2

Important Information About Your Water Right

July 10, 2002

Lee J Watson
Catherine M Watson
4177 Rd L
Orlando, CA 95963

RECEIVED

JUL 12 2002

Department of Water Resources

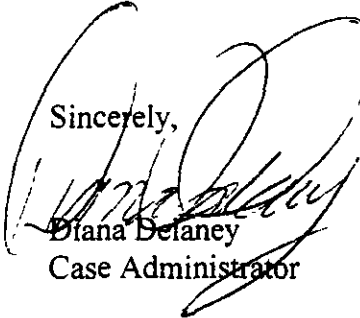
Dear Water Right Claimant(s):

Attached to this letter is a copy of an **Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc** (hereinafter "**Order**") for water right number 34-2379F. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The purpose of the **Order** is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the **Order**, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This **Order** also incorporates into the **Partial Decree** an express statement that the **Partial Decree** is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This **Order**, in combination with the **Partial Decree** that was issued for this water right on November 23, 1998, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the **Partial Decree** to show evidence of this water right. The original of this **Order** and the original of the **Partial Decree** for this water right are on file with SRBA Court. If you do not have a copy of the original **Partial Decree**, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the **Order** is entered **Nunc Pro Tunc**, meaning that the **Order** will be treated as if it were issued on the same date that the **Partial Decree** was originally issued.

Sincerely,


Diana Delaney
Case Administrator

MICROFILMED
JUL 11 2002

2002 JUL 10 PM 2:35

DISTRICT COURT-SRBA
TWIN FALLS, IDAHO
FILED

**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	)	Water Right 34-2379F
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A ***Partial Decree*** was entered for the above-captioned irrigation water right on November 23, 1998. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on June 24, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 1, IDWR Basin 3-4, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*.

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 04-01 to 11-01

IT IS FURTHER ORDERED that the ***Partial Decree*** for the above-captioned water right is hereby amended and decreed to contain the following:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

MICROFILMED

FEB 11 2003

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

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.

Dated July 10, 2002.



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

MICROFILMED
FEB 11 2003

Important Information About Your Water Right

July 10, 2002

Lee J Watson
Catherine M Watson
4177 Rd L
Orlando, CA 95963

RECEIVED

JUL 12 2002

Department of Water Resources

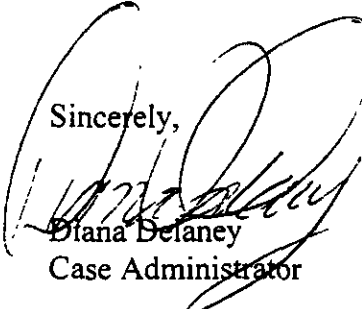
Dear Water Right Claimant(s):

Attached to this letter is a copy of an **Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc** (hereinafter "**Order**") for water right number 34-2379F. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The purpose of the **Order** is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the **Order**, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This **Order** also incorporates into the **Partial Decree** an express statement that the **Partial Decree** is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This **Order**, in combination with the **Partial Decree** that was issued for this water right on November 23, 1998, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the **Partial Decree** to show evidence of this water right. The original of this **Order** and the original of the **Partial Decree** for this water right are on file with SRBA Court. If you do not have a copy of the original **Partial Decree**, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the **Order** is entered **Nunc Pro Tunc**, meaning that the **Order** will be treated as if it were issued on the same date that the **Partial Decree** was originally issued.

Sincerely,


Diana Delaney
Case Administrator

MAILED
JUL 12 2003

RECEIVED

NOV 25 1998

Department of Water Resources
Adjudication Bureau

1998 NOV 20 PM 4: 42

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

) ORDER OF PARTIAL DECREE

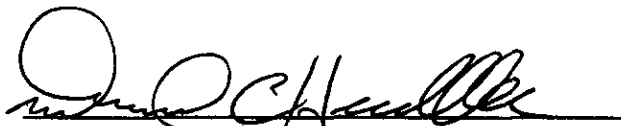
) For Water Right 34-02379F

On February 12, 1998, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 34-02379F is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED NOV 20 1998.



DANIEL C. HURLBUTT, JR.

Presiding Judge

Snake River Basin Adjudication

MICROFILMED

FEB 11 2003

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 34-02379F

1998 NOV 20 PM 4: 42

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: CATHERINE M WATSON
LEE J. WATSON
4177 RD L
ORLAND, CA 95963

SOURCE: GROUNDWATER

QUANTITY: 2.11 CFS
392.00 AFY

USE OF THIS RIGHT WITH RIGHT NOS. 34-00381A AND 34-00182 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.20 CFS.

PRIORITY DATE: 08/08/1960

POINT OF DIVERSION: T06N R26E S31 SWNSW Within Butte County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation		2.11 CFS 392.00 AFY

PLACE OF USE:	Irrigation	Within Butte County
	T06N R26E S31	SWNE 36.0 NWSE 38.0
	112.0 Acres Total	

USE OF THIS RIGHT WITH RIGHT NOS. 34-00182 AND 34-00381A IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 200 ACRES IN A
SINGLE IRRIGATION SEASON.

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
FEB 11 2003

1998 NOV 23 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 34-02379F

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 34-02379F was mailed
on November 23, 1998, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

LEE J. WATSON
Represented by:
PATRICK D. BROWN
812 SHOSHONE ST E
TWIN FALLS, ID 83301
Phone: 208-735-8812

STATE OF IDAHO
Represented by:
PETER J. AMPE
PO BOX 83720
BOISE, ID 83720-0010
Phone: 208-334-2400

CATHERINE M WATSON
4177 RD L
ORLAND, CA 95963
Phone: 916-865-7886

CERTIFICATE OF MAILING

MICROFILMED
DIANA DELANEY
Chief Deputy Clerk

PAGE 1
11/23/98

FEB 11 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 7, 2003

CATHERINE M WATSON
LEE J WATSON
4177 RD L
ORLAND CA 95963

RE: Transfer No . 69865 - Water Right 34-2379F - Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to 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 or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7940.

Sincerely,

MICROFILMED

FEB 11 2003

for Jeff Peppersack, Manager
Water Rights Permits Section

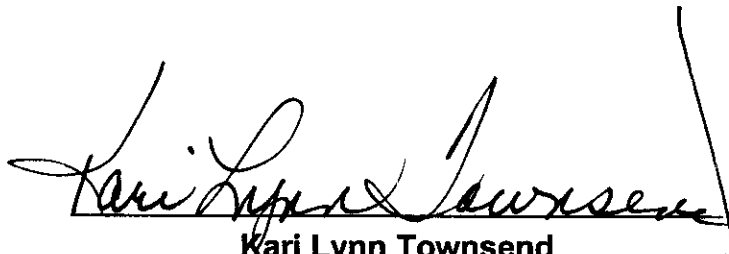
JP:klt
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on February 7, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 69865 - WATER RIGHT 34-2379F

**CATHERINE M WATSON
LEE J WATSON
4177 RD L
ORLAND CA 95963**


Kari Lynn Townsend
Secretary

**MICROFILMED
FEB 11 2003**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 this 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 fourteen (14) 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 this 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303)

FINAL ORDER

The Director 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 Director 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.

TRANSFER REVIEW SHEET

Trans # 69865

Date Reviewed 2/4/2003

Right No(s) * 34-2379F
Split? Y X N Y N Y N Y N Y N Y N

AREA OF CONCERN: No/Yes PC

PURPOSE OF TRANSFER FOR EACH RIGHT:

Change p/d Change use period Change p/u
Add p/d Change nature of use

RightID's of From & To records correct? X Y N (resolve with S.O.)

Check for Partial Decree issuance, etc. since time of application's entry

PROOF OF OWNERSHIP COMPLETE FOR OLD & NEW P/U yes Lien Holder Release PA

GROUNDWATER:

DRILLING PERMIT

All wells

DP upgrade req'd Y N (contact GW)

WMD

≤ 0.24 cfs/5 acres

> 0.24 cfs/5 acres

WMD

≤ 0.24 cfs/5 acres

> 0.24 cfs/5 acres

SUPPLEMENTAL

SUPPLEMENTAL

046

- North/East/West

- No MD

- 067

- No MD

- 01M or 01Q

- 065-104 (where irrigation is the only use)

- 100-105 (where there are other uses besides irrigation)

WITHIN ESPA

- 113-114-116 (mitigation)

- 115 (meas Device)

SURFACE WATER:

WD

≤ 0.20 cfs/others

> 0.20 cfs

WD, SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres

> 0.24 cfs/5 acres

STANDARD SEASON

STANDARD VOLUME

CONSUMPTIVE USE VOLUME

- R05 (WD# 34) WM comments rec'd X

- R02, 01P or No MD

- R43

- No MD

- 01M or 01Q

4/1

4/1

10/31

(use X61 if extended season)

3.5 af/ac

af/ac

USES:

POWER

MUNICIPAL

Restricted area

Irr, GW supp to SW

DOMESTIC

Surface water

>1 in restricted area

Irr use listed separate

- 17H-17K (+uses)-025-106

- 022-075 RAFN - 007-109-X64

- 102

- WB5 (Big Wood or Boise above Star Bridge)

- 27A (Payette River)

- 070-071-075 (no parks/common areas, etc)

- WB5

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop
T08 - comply or rescind
T17 - >1 pd, measure all (use w/ WB4)
T18 - Special T17 & R43 combined - multiple pds in WD

Protested - 020-X19

Water Quality - 106-R07

X27 - Number of acres/season in ppu

X35 - Combined totals of multiple rts

X49 - measure p/d's (source chg'd to orig trib)
X51 - 2+ yrs to develop
X53 - Use ltd to orig source availability
X54 - forfeited ac/rate (used rarely)
X55 - (transfer shrinks total water to less ac)
004 - no right-of-way
X58 - pending claim (statutory or AJ b/u claim)
X61 - extended irr season
X62 - replaces N11 and N13
X63 - replaces C12
WB4 - + p/ds, cfs & afa (used with T17)
WD8 - land application of waste water
01Q - used instead of 01M when there's another meas. Cond (i.e T17 & 01M)

Apply one to chg'd & unchg'd

rts that are subject to SRBA:

T09 - on-going SRBA (no Dir Rpt

or Recomm yet)

T19 - replaces C18

(if at Recommendation or Partial Decree stage)

T20 - use only on unchg'd rts not subject to SRBA

OTHER CONDITIONS/REMARKS

COMMENTS

Database files updated DC Approval form printed ✓ Shape files created DC

Special Mailing Instructions (cc's, etc)

Final database update after approval ✓ Comment to WR No(s). N/A

MEMORANDUM

Date: February 05, 2003
To: Transfer 69865
From: dcarlson
Re: transfer evaluation

This transfer proposes to drill a new well next to the POU. Old well will not be used.

Authority to File:

Applicant provided the tax notices and is the SRBA water right holder.

Water Right Validity:

All rights involved have been recently been decreed in the SRBA.

Forfeiture does not appear to be an issue.

Injury to Other Water Rights

No injury issues identified. POD changed. No protests

Enlargement of Use:

There is no evidence of enlargement of use.

Local Public Interest:

No issues identified

Beneficial Use / Conservation of Water Resources:

No issue identified.

Review of the application finds there is not clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application

The application was advertised. No protests

MICROFILMED

FEB 11 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: HWT

T 69865

RECEIVED

JUN 11 2002

Department of Water Resources

1. Right number 34-02379F Applicant Watson

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

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. Map for remainder of right? ☐ Yes ☐ No

d. ☒ Check description of point(s) of diversion. - check USGS Map - OK

e. ☒ Check description of place of use

f. ☒ Check map (shows p.d. and p.u. after transfer).

g. ☒ Check for correct signature, notarization, and fee.

h. ☒ Check proof of ownership of right &/or land from which water is transferred. Requested - OK

i. ☒ Check for expansion in use of right. Comments _____

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

Right number(s) NA

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

If yes, what district? WD 34 - Doug Reservoir

Send Copy

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____

2. Reviewed by Adjudication Staff? ☒ Yes ☐ No

3. Is transfer published correctly? ☒ Yes ☐ No

4. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* WATERMASTER Control

4. By RDC Date 6/5/02

*All uses within Watermaster District require special conditions

AFFIDAVIT OF PUBLICATION

I, Colleen Babcock

of the Arco Advertiser, a weekly newspaper of general circulation, published weekly at Arco, Idaho, since March, 1909, do solemnly swear that a copy of this notice, per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof,

for 2 consecutive weeks, commencing with

the issue dated May 9, 2002

and ending with the issue dated

May 16, 2002
Colleen Babcock

STATE OF IDAHO }

COUNTY OF BUTTE }

On this 16th day of May

in the year of 2002, before me, a Notary Public,

personally appeared

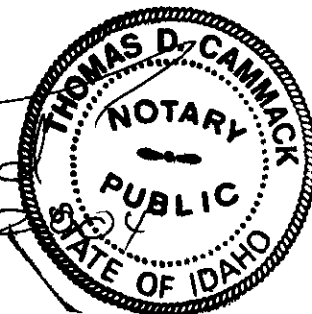
Colleen Babcock

known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same

Thomas D. Cammack
Notary Public for Idaho

Residing at Arco, Idaho

My commission expires 1-23-2004



**NOTICE OF PROPOSED
CHANGE OF INSTRUMENT**

CATHERINE E. WATSON, 4177 RD L, ARCO, IDAHO 83203, has filed Application No. 2002 for changes to the following water rights within BUTTE County:

Right No. 20-2875
Priority: 8/6/1900
Source: GROUND WATER
Use: IRRIGATION (12 acres) 2.11 CFS
2002-2004

Total Flow: 2.11 CFS 302.6 AFS
Point of Diversion: GRANTVIEW 201 TOWN

Right of Use: 201 TOWN ROSE

The purpose of the proposed change is to change the priority of the above right to 8/6/1900. The proposed change is to move the well to the 2002-2004 2.11 CFS. The above change is for the purpose of

Protest may be submitted based on the criteria of Sec. 42-322, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 200 N. 9th St., Dr. Ste. A, Idaho Falls, ID 83402, with a protest fee of \$25.00 for each application on or before May 25, 2002. The protest must also include a copy of the paper on the applicant.

KARL J. DREHER, Director

MICROFILMED

SEP 11 2003

5/22/02

State of Idaho
Department of Water Resources
Transfer of Water Right(s)

RECOMMENDATION OF WATERMASTER

Transfer Application No: 69865 Water Right No(s): 34-2379F
Transfer Applicant's Name: CATHERINE M WATSON LEE J WATSON

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows:
- c) ☐ I oppose approval of this application for the following reasons:
- d) ☐ Additional Comment:

Dated this 14 day of May, 2002

Water District No: 34


Watermaster's Signature

MICROFILMED

RECEIVED

MAY 15 2002

Department of Water Resources
Eastern Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 30, 2002

DOUG ROSENKRANCE
WATER DISTRICT 34
PO Box 53
Mackay, ID 83251

RE: Application for Transfer 69865
Water Right Number(s) 34-2379F

Dear Watermaster:

Enclosed is a copy of the above referenced application. Please review the application, complete the enclosed recommendation form, and submit it to this office by May 28, 2002.

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

Sincerely,

Harold W Jones
Water Right Supervisor

Enclosure(s)

HWJ:sc

MICROFILMED
JUN 11 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

May 01, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

CATHERINE M WATSON
LEE J WATSON
4177 RD L
ORLAND CA 95963

RE: Application for Transfer No 69865
Water Right No(s) 34-2379F

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right transfer application. Please refer to the above referenced transfer number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Arco Advertiser on May 9 and 16, 2002. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

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

Sincerely,


Harold W. Jones
Water Right Supervisor

HWJ:sc

MICROFILMED

FEB 11 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

May 01, 2002

KARL J. DREHER
Director

Legal Notice Department

ARCO ADVERTISER

PO BOX C

ARCO ID 83213

RE: Transfer No. 69864, 69865

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before May 28, 2002. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

*mailed
5/1/02
sc*

MICROFILMED

VED 1 1 2003

MICROFILMED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 69865

CATHERINE M WATSON or LEE J WATSON, 4177 RD L, ORLAND CA 95963, has filed Application No. 69865 for changes to the following water rights within BUTTE County.

Right No. 34-2379F

Priority 8/8/1960

Source GROUND WATER

Use IRRIGATION (112 acres) 2.11 CFS 392.0 AFA

Total Amount 2.11 CFS 392.0 AFA

Point(s) of Diversion SWNWSW S31 T06N R26E

Place of Use S31 T06N R26E

The purpose of the transfer is to change a portion of the above rights as follows:

The applicant intends to move his well site to the SESW SEC 31 T06N R26E. This site is closer to the place of use.

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before May 28, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on May 9 and 16, 2002.

FEB 11 2002