

c. Describe the la or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
8N	2E	32				1					31			33	18	10.5	32.5	32.5	158.5
8N	2E	33									4	14	33	9.5					60.5
7N	2E	4		8	11.5		37.5	24.5	1	6									88.5
7N	2E	5	27	28		12	15												82.0

Total number of acres to be irrigated 389.5

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

Map grid showing sections and handwritten annotations:

- Sections 32, 33, 4, 5, 8, 11.5, 12, 15, 27, 28 are marked.
- Handwritten notes: "Place of Use", "Acres Not shown on Map.", "See part Bc", "Range 23 East", "T. 8 North", "T. 7 North", "A", "B", "C", "D", "E", "F", "G", "H", "I", "J", "K", "L", "M", "N", "O", "P", "Q", "R", "S", "T", "U", "V", "W", "X", "Y", "Z", "AA", "AB", "AC", "AD", "AE", "AF", "AG", "AH", "AI", "AJ", "AK", "AL", "AM", "AN", "AO", "AP", "AQ", "AR", "AS", "AT", "AU", "AV", "AW", "AX", "AY", "AZ", "BA", "BB", "BC", "BD", "BE", "BF", "BG", "BH", "BI", "BJ", "BK", "BL", "BM", "BN", "BO", "BP", "BQ", "BR", "BS", "BT", "BU", "BV", "BW", "BX", "BY", "BZ", "CA", "CB", "CC", "CD", "CE", "CF", "CG", "CH", "CI", "CJ", "CK", "CL", "CM", "CN", "CO", "CP", "CQ", "CR", "CS", "CT", "CU", "CV", "CW", "CX", "CY", "CZ", "DA", "DB", "DC", "DD", "DE", "DF", "DG", "DH", "DI", "DJ", "DK", "DL", "DM", "DN", "DO", "DP", "DQ", "DR", "DS", "DT", "DU", "DV", "DW", "DX", "DY", "DZ", "EA", "EB", "EC", "ED", "EE", "EF", "EG", "EH", "EI", "EJ", "EK", "EL", "EM", "EN", "EO", "EP", "EQ", "ER", "ES", "ET", "EU", "EV", "EW", "EX", "EY", "EZ", "FA", "FB", "FC", "FD", "FE", "FF", "FG", "FH", "FI", "FJ", "FK", "FL", "FM", "FN", "FO", "FP", "FQ", "FR", "FS", "FT", "FU", "FV", "FW", "FX", "FY", "FZ", "GA", "GB", "GC", "GD", "GE", "GF", "GG", "GH", "GI", "GJ", "GK", "GL", "GM", "GN", "GO", "GP", "GQ", "GR", "GS", "GT", "GU", "GV", "GW", "GX", "GY", "GZ", "HA", "HB", "HC", "HD", "HE", "HF", "HG", "HH", "HI", "HJ", "HK", "HL", "HM", "HN", "HO", "HP", "HQ", "HR", "HS", "HT", "HU", "HV", "HW", "HX", "HY", "HZ", "IA", "IB", "IC", "ID", "IE", "IF", "IG", "IH", "II", "IJ", "IK", "IL", "IM", "IN", "IO", "IP", "IQ", "IR", "IS", "IT", "IU", "IV", "IW", "IX", "IY", "IZ", "JA", "JB", "JC", "JD", "JE", "JF", "JG", "JH", "JI", "JJ", "JK", "JL", "JM", "JN", "JO", "JP", "JQ", "JR", "JS", "JT", "JU", "JV", "JW", "JX", "JY", "JZ", "KA", "KB", "KC", "KD", "KE", "KF", "KG", "KH", "KI", "KJ", "KK", "KL", "KM", "KN", "KO", "KP", "KQ", "KR", "KS", "KT", "KU", "KV", "KW", "KX", "KY", "KZ", "LA", "LB", "LC", "LD", "LE", "LF", "LG", "LH", "LI", "LJ", "LK", "LL", "LM", "LN", "LO", "LP", "LQ", "LR", "LS", "LT", "LU", "LV", "LW", "LX", "LY", "LZ", "MA", "MB", "MC", "MD", "ME", "MF", "MG", "MH", "MI", "MJ", "MK", "ML", "MM", "MN", "MO", "MP", "MQ", "MR", "MS", "MT", "MU", "MV", "MW", "MX", "MY", "MZ", "NA", "NB", "NC", "ND", "NE", "NF", "NG", "NH", "NI", "NJ", "NK", "NL", "NM", "NN", "NO", "NP", "NQ", "NR", "NS", "NT", "NU", "NV", "NW", "NX", "NY", "NZ", "OA", "OB", "OC", "OD", "OE", "OF", "OG", "OH", "OI", "OJ", "OK", "OL", "OM", "ON", "OO", "OP", "OQ", "OR", "OS", "OT", "OU", "OV", "OW", "OX", "OY", "OZ", "PA", "PB", "PC", "PD", "PE", "PF", "PG", "PH", "PI", "PJ", "PK", "PL", "PM", "PN", "PO", "PP", "PQ", "PR", "PS", "PT", "PU", "PV", "PW", "PX", "PY", "PZ", "QA", "QB", "QC", "QD", "QE", "QF", "QG", "QH", "QI", "QJ", "QK", "QL", "QM", "QN", "QO", "QP", "QQ", "QR", "QS", "QT", "QU", "QV", "QW", "QX", "QY", "QZ", "RA", "RB", "RC", "RD", "RE", "RF", "RG", "RH", "RI", "RJ", "RK", "RL", "RM", "RN", "RO", "RP", "RQ", "RR", "RS", "RT", "RU", "RV", "RW", "RX", "RY", "RZ", "SA", "SB", "SC", "SD", "SE", "SF", "SG", "SH", "SI", "SJ", "SK", "SL", "SM", "SN", "SO", "SP", "SQ", "SR", "SS", "ST", "SU", "SV", "SW", "SX", "SY", "SZ", "TA", "TB", "TC", "TD", "TE", "TF", "TG", "TH", "TI", "TJ", "TK", "TL", "TM", "TN", "TO", "TP", "TQ", "TR", "TS", "TT", "TU", "TV", "TW", "TX", "TY", "TZ", "UA", "UB", "UC", "UD", "UE", "UF", "UG", "UH", "UI", "UJ", "UK", "UL", "UM", "UN", "UO", "UP", "UQ", "UR", "US", "UT", "UU", "UV", "UW", "UX", "UY", "UZ", "VA", "VB", "VC", "VD", "VE", "VF", "VG", "VH", "VI", "VJ", "VK", "VL", "VM", "VN", "VO", "VP", "VQ", "VR", "VS", "VT", "VU", "VV", "VW", "VX", "VY", "VZ", "WA", "WB", "WC", "WD", "WE", "WF", "WG", "WH", "WI", "WJ", "WK", "WL", "WM", "WN", "WO", "WP", "WQ", "WR", "WS", "WT", "WU", "WV", "WW", "WX", "WY", "WZ", "XA", "XB", "XC", "XD", "XE", "XF", "XG", "XH", "XI", "XJ", "XK", "XL", "XM", "XN", "XO", "XP", "XQ", "XR", "XS", "XT", "XU", "XV", "XW", "XX", "XY", "XZ", "YA", "YB", "YC", "YD", "YE", "YF", "YG", "YH", "YI", "YJ", "YK", "YL", "YM", "YN", "YO", "YP", "YQ", "YR", "YS", "YT", "YU", "YV", "YW", "YX", "YY", "YZ", "ZA", "ZB", "ZC", "ZD", "ZE", "ZF", "ZG", "ZH", "ZI", "ZJ", "ZK", "ZL", "ZM", "ZN", "ZO", "ZP", "ZQ", "ZR", "ZS", "ZT", "ZU", "ZV", "ZW", "ZX", "ZY", "ZZ".

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)	
TRANSFER NO. 3304 OF WATER RIGHTS)	
34-0812/0813/0815/0816/0817/0963)	ORDER
IN THE NAME OF MARVIN GODDARD)	
_____)	

This matter having come before the Idaho Department of Water Resources (department) as a result of the review of pending applications for transfer and review of Snake River Adjudication claims filed in the Big Lost River Drainage, the department finds, concludes and orders as follows:

FINDINGS OF FACT

1. On February 10, 1987, Marvin Goddard (applicant) filed Application for Transfer No. 3304 (application) with the department in connection with water rights 34-0812, 34-0813, 34-0815, 34-0816, 34-0817, and 34-0963.
2. On February 23, 1987, the application was protested by Bar Donna Zollinger.
3. A review of the Snake River Adjudication claim(s) filed in connection with the above captioned water right(s) shows that the points of diversion shown on the application do not agree with the point(s) of diversion claimed in the later in time document(s), the adjudication claim(s).
4. The adjudication claim(s) have been filed pursuant to Section 42-1416A, Idaho Code, as if the change(s) proposed on the pending application can be approved and decreed without the necessity of filing for a change as provided in Sections 42-108 and 42-222, Idaho Code.
5. On September 24, 1990, the department corresponded with the applicant to determine continued interest of the applicant and requested appropriate information from the applicant to justify separate consideration of the application from the more recently filed Snake River Adjudication claim(s).
6. The applicant has not responded to the department and has not shown any reason why the application should be considered separately from the adjudication claim(s).

CONCLUSIONS OF LAW

1. Section 42-1416A, Idaho Code, provides in part that:

(1) If any person entitled to the use of water has made a change in point of diversion, place of use, period of use or nature of use of all or a part of the water, including a

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change as part of an exchange as defined in section 42-105, Idaho Code, prior to the entry of an order commencing a general adjudication pursuant to section 42-1408, Idaho Code, and the person entitled to the use of water has not complied with the requirements of sections 42-108 and 42-222, Idaho Code, regarding such changes, the following shall apply:

(a) the water right may be claimed in the general adjudication as changed and an application for change of the water right is not required to be filed pursuant to section 42-222, Idaho Code, and

(b) the water right may be determined by the director in the director's report pursuant to section 42-1411, Idaho Code, and decreed by the district court pursuant to section 42-1412, Idaho Code, as changed, if the change meets the substantive criteria of section 42-222, Idaho Code, for approval of such changes, provided that the change may be approved subject to conditions necessary to satisfy the substantive criteria of section 42-222, Idaho Code, for approval of such changes.

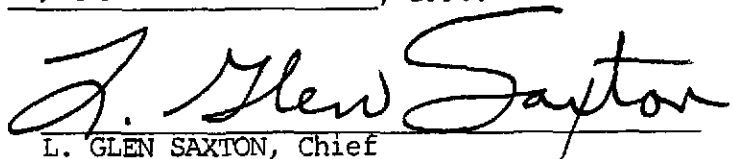
2. The department should set aside Application for Transfer No. 3304 and should consider the change(s) proposed in the application which have been claimed in the related adjudication claim(s) as being combined with and included in the review and recommendation of the adjudication claim(s) in the Director's report as required by Section 42-1411, Idaho Code.

ORDER

IT IS THEREFORE, HEREBY ORDERED that Application for Transfer No. 3304 in connection with water rights 34-0812, 34-0813, 34-0814, 34-0815, 34-0816, 34-0817 and 34-0963 is set aside and will not be separately considered by the department.

IT IS FURTHER, HEREBY ORDERED, that the change(s) proposed in the application for transfer which have been claimed on the related Snake River Adjudication claim(s) be included in and considered by the department in the Director's report required by Section 42-1411, Idaho Code.

Dated this 13th day of November, 1990.


L. GLEN SAXTON, Chief
Water Allocation Bureau

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Transfer No.

3304

Water Right No.

34-0816

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Department of Water Resources
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant Marvin Goddard Phone 588-2664

Post Office address Star Route, Mackay, Idaho 83251

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 34-0812 Decreed to W. L. Wattis (Name)
in case of Utah Construction Co. vs John E. Abbott, et al
dated in 10-21-1925 in District Court county of Eastern Division
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired Applicant acquired land by purchase

3. Source of water Big Lost River tributary to Sinks

4. Date of priority April 7, 1886

5. Water is used for the following purposes:

amount 3.2 cfs for Irrigation purposes from 5/1 to 10/15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 3.2 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is _____ % of _____ % of Section _____

Township _____ Range _____, B.M., in _____ County

Additional points of diversion, if any "Point of diversion is on the lands constituting the place of use."

8. Lands irrigated or place of use: Remaining after transfer no. 406.

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	
8N	23E	32				X					X			X	X	X	X	X	
		33									X	X	X	X					
7N	23E	5	X	X	X	X	X			X	X					X			
		4	X	X	X	X	X	X	X	X	X	X			X	X			

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purpose as described above. 34-0813/
0815/0816/0817.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No. If yes, describe in item D, REMARKS

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Form No. 222 8/84

Transfer No. _____

Department of Water Resources

Water Right No. _____

STATE OF IDAHO

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DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant Marvin Goddard Phone 588-2664

Post Office address Star Route, Mackay, Idaho 83251

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. 34-0813 Decreed to W. L. Wattis

(Name)

In case of Utah Construction Co. vs John F. Abbott, et. al.

dated in 10-21-1925 in District Court county of Eastern Division

(Name of court)

b. License No. _____ Issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired Applicant acquired land by purchase

3. Source of water Big Lost River tributary to Sinks

4. Date of priority March 30, 1896

5. Water is used for the following purposes:

amount 3.2 cfs for irrigation purposes from 5/1 to 10/15

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____ (month/day — both dates inclusive)

6. Total amount of water under right: a. 3.2 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is _____ % of _____ % of Section _____

Township _____ Range _____, B.M., in _____ County

Additional points of diversion, if any "Point of diversion is on the lands constituting the place of use."

8. Lands irrigated or place of use: Remaining after transfer no. 406

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8N	23E	32				X					X			X	X	X	X	X	
		33									X	X	X	X					
7N	23E	5	X	X	X	X	X			X	X					X			
		4	X	X	X	X	X	X	X	X	X	X		X	X	X			

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purpose as described above 34-0812/0815/0816/0817

10. To your knowledge has _____

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FEB 27 1987

Form No. 222 8/84

Department of Water Resources

Transfer No. _____

Water Right No. _____

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant Marvin Goddard Phone 588-2664

Post Office address Star Route, Mackay, Idaho 83251

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 34-0815 Decreed to W. L. Wattis
in case of Utah Construction Co. vs John F. Abbott, et. al.
dated in 10-21-1925 in District Court county of Eastern Division
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired Applicant acquired land
by purchase

3. Source of water Big Lost River tributary to Sinks

4. Date of priority April 20, 1887

5. Water is used for the following purposes:

- amount 3.3cfs for Irrigation purposes from 5/1 to 10/15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 3.3 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is _____ % of _____ % of Section _____
Township _____ Range _____, B.M., in _____ County
Additional points of diversion, if any "Point of Diversion is on the lands
constituting the place of use."

8. Lands irrigated or place of use: Remaining after transfer No. 406.

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8N	23E	32				X					X			X	X	X	X	X	
		33									X	X	X	X					
7N	23E	5	X	X	X	X	X			X	X					X			
		4	X	X	X	X	X	X	X	X	X	X		X	X				

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purpose as described in 1. 34-0-12-12

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Transfer No. _____

Dept. of Water Resources

Water Right No. _____

STATE OF IDAHO

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DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT**To Change the Point of Diversion and/or the Place of Use**Name of applicant Marvin Goddard Phone 588-2664Post Office address Star Route, Mackay, Idaho 83251**A. DESCRIPTION OF RIGHT AS RECORDED****1. Right evidenced by:**

- a. Decree No. 34-0815 Decreed to W. L. Wattis
 in case of Utah Construction Co. vs John F. Abbott, et. al.
 dated in 10-21-1925 in District Court county of Eastern Division
 (Name of court)
- b. License No. _____ Issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired Applicant acquired land by purchase

3. Source of water Big Lost River tributary to Sinks

4. Date of priority April 20, 1887

5. Water is used for the following purposes:

amount 3.3cfs for Irrigation purposes from 5/1 to 10/15
 amount _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (month/day — both dates inclusive)

6. Total amount of water under right: a. 3.3 cubic feet per second
 &/or
 b. _____ acre feet per annum

7. Location of original point of diversion is _____ % of _____ % of Section _____
 Township _____ Range _____, B.M., in _____ County
 Additional points of diversion, if any "Point of Diversion is on the lands constituting the place of use."

8. Lands irrigated or place of use: Remaining after transfer No. 406.

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8N	23E	32				X					X			X	X	X	X	X	
		33									X	X	X	X					
7N	23E	5	X	X	X	X	X			X	X					X			
		4	X	X	X	X	X	X	X	X	X	X		X	X				

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purpose as described above 34-0812/0813/0816/0817

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

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Transfer No. _____

D.

Resources

Water Right No. _____

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant _____ Phone _____

Post Office address _____

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 34-0816 Decreed to W. L. Wattis
 in case of Utah Construction Co. vs John F. Abbott, et. al.
 dated in 10-21-1925 in District Court county of Eastern Division
(Name of court)
- b. License No. _____ Issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired Applicant acquired land by purchase

3. Source of water Big Lost River tributary to Sinks

4. Date of priority July 31, 1901

5. Water is used for the following purposes:

amount 2.80 for irrigation purposes from 5/1 to 10/15
 amount _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 2.8 cubic feet per second
 &/or
 b. _____ acre feet per annum

7. Location of original point of diversion is _____ % of _____ % of Section _____
 Township _____ Range _____, B.M., in _____ County
 Additional points of diversion, if any "Points of diversion on the lands constituting the place of use."

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8N	23E	32				X					X			X	X	X	X	X	
		33									X	X	X	X					
7N	23E	5	X	X	X	X	X			X	X				X				
		4	X	X	X	X	X	X	X	X	X	X			X	X			

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purpose as described above 34-0812/0813/0815/0817

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? _____ If yes, describe in item D, REMARKS.

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Transfer No. _____

Water Right No. _____

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant _____ Phone _____

Post Office address _____

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by: That portion of 34-0817 remaining after transfer no. 406.

a. Decree No. 34-0817 Decreed to W. L. Wattis
In case of Utah Construction Co. vs John F. Abbott, et. al.
dated in 10-21-1925 in District Court county of Eastern Division
(Name of court)

b. License No. _____ Issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired Applicant acquired
land by purchase

3. Source of water Big Lost River tributary to Sinks

4. Date of priority March 1, 1902

5. Water is used for the following purposes:

amount 2.40 for irrigation purposes from 5/1 to 10/15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 2.40 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is _____ % of _____ % of Section _____
Township _____ Range _____, B.M., in _____ County
Additional points of diversion, if any "Points of diversion are on the lands
constituting the place of use."

8. Lands irrigated or place of use: Remaining after transfer No. 406.

TWP.	RANGE	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
8N	23E	32				X					X			X	X	X	X	X	
		33									X	X	X	X					
7N	23E	5	X	X	X	X	X			X	X					X			
		4	X	X	X	X	X	X	X	X	X	X			X	X			

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purpose as described above 34-0812/0813/
0815/0816

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? _____ If yes, describe in item D, REMARKS.

DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted 14.9 c.f.s. &/or _____ acre feet
- b. Description of diverting works Open gravity flow ditches transport water to place of use. All lands are flood irrigated.
- c. Describe the reasons for the proposed changes The application does not represent a change in the location of our diversions. The diversions are those we have historically used since purchasing the ranch. Our intent is to make the locations of our diversion points a matter of record.

2. Change in point of diversion

Big Lost River

Point of diversion SE $\frac{1}{4}$ SW $\frac{1}{4}$ $\frac{1}{4}$ NE $\frac{1}{4}$ $\frac{1}{4}$, Section 32 Township 8N
Range 23E, B.M., Custer County
Additional points NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, T. 8N, R. 23E Parsons Creek
SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, T. 8N R. 23E Haystack Creek
SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, T. 8N, R. 23E Haystack Creek

3. Change in place of use

- a. 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 change.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
There is no change in place of use being proposed by this application. The lands identified are those historically irrigated. Our intent is to make their description a matter of record.

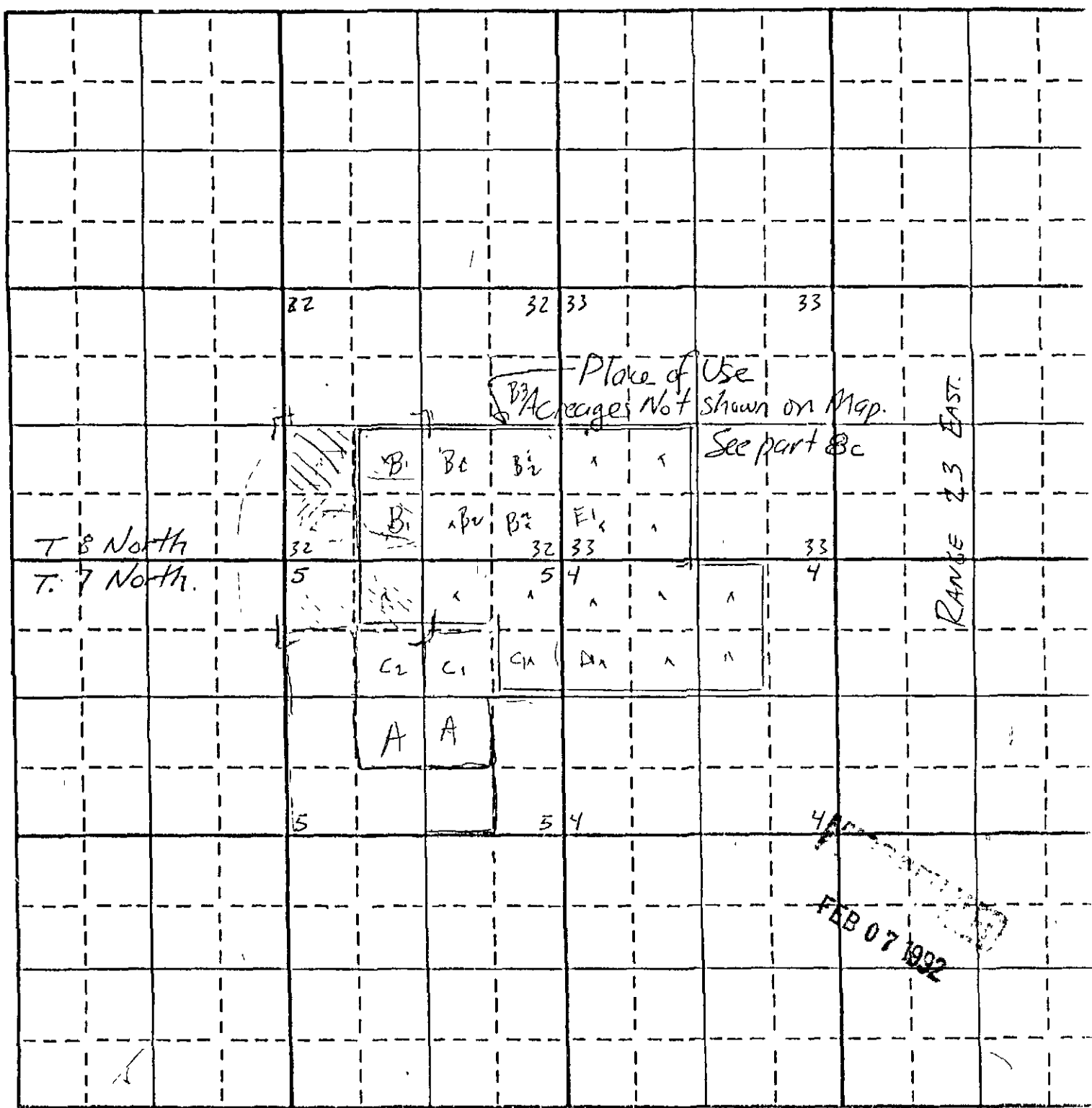
RECEIVED
FEB 07 1992

c. Describe the land or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8N	2E	32				1					31			33	18	10.5	32.5	32.5	158.5
8N	2E	33									4	14	33	9.5					60.5
7N	2E	4		8	11.5		37.5	24.5	1	6									88.5
7N	2E	5	27	28		12	15												82.0

Total number of acres to be irrigated 389.5

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



REMARKS

See attached sheet for remarks

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 willfull misrepresentations made in this application may result in voiding its approval.

Marvin Haddard
(Signature of Applicant)

Subscribed and sworn to before me this 11th day of February, 1987

Calvin Wray
(Notary Public)

My commission expires 5/29/1991

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____.

FOR DEPARTMENT USE ONLY

Received by <u>SM</u>	Date <u>2-10-1987</u>	Protest filed by _____
Prelim. check by _____	Fee <u>\$50⁰⁰</u>	_____
Received by <u>WJ</u>	Date <u>2-10-87</u> # <u>41032</u>	_____
Published in <u>CUSTER Pub Co.</u>	Copies of protest forwarded by _____	
Pub. dates <u>3-5 + 3-12-87</u>	Hearing held by _____	Date _____
Watermaster recommendation requested on _____	Recommended for _____	approval _____ denial _____
_____ rec'd. _____	by _____	

Robert N. Savage
Custer County Assessor
P.O. Box 597
Challis, Idaho 83226

THIS IS NOT A BILL

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
4 MEADOW	237.000 AC	41,060
5 DRY GRAZING	57.000 AC	1,596
19 WASTE	3.330 AC	

TAXPAYERS 1986
VALUATION ASSESSMENT NOTICE

Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 15, 1986
See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

TOTALS 297.330

43,656 MACKAY, ID 83261

Mail To:
SAR 13 RANCH LTD PARTNERSHIP
% GODDARD, MARVIN K
MACKAY, ID 83261

LOTS 3,4
TRACTS 700,713,1332
S2411W4
SEC 4 T7N R23E

PROPERTY ADDRESS

PARCEL NO. RP 07N23E00-0001 A TAX CODE 45-00

THIS IS NOT A BILL

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
* MEADOW	241.000 AC	41,753
5 DRY GRAZING	19.000 AC	532
19 WASTE	20.000 AC	

TAXPAYERS 1986
VALUATION ASSESSMENT NOTICE

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REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 15, 1986
See the reverse side for further references

KEEP THIS COPY FOR YOUR RECORDS

TOTALS 280.000

42,285 MACKAY, ID 83251

Mail To:

BAR 13 RANCH LTD PARTNERSHIP
% GODDARD, MARVIN K
MACKAY, ID 83251

E2SW4, SE4, SE4NE4
SEC 32 T8N R23E

PROPERTY ADDRESS

PARCEL NO. RP 03N23E321401 A TAX CODE 45-00

Robert N. Savage
Custer County Assessor
P.O. Box 597
Challis, Idaho 83226

THIS IS NOT A BILL

879-2225

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
4 MEADOW	72.000 AC	12,474
5 DRY GRAZING	65.000 AC	1,420
19 WASTE	18.740 AC	

TAXPAYERS 1986
VALUATION ASSESSMENT NOTICE

Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 15, 1986
See the reverse side for further references

KEEP THIS COPY FOR YOUR RECORDS

TOTALS 155.740

14,294 MACKAY, ID 83251

Mail To:

BAR 13 RANCH LTD PARTNERSHIP
% GODDARD, MARVIN K
MACKAY, ID 83251

SW4SW4
TRACT 472
SEC 33 T3N R23E

PROPERTY ADDRESS

PARCEL NO. RP 03N23E334401 A TAX CODE 40-00

THIS IS NOT A BILL

HOME-OWNED EYEND			
CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE	
1 IRRGTD AG	67.000 AC	15,823	
4 MEADOW	152.100 AC	26,351	
5 DRY GRAZING	36.000 AC	1,008	
10 RURAL HOMESITE	1.000 AC	2,400	
19 WASTE	2.000 AC		
31 RURAL RES BLDG		49,287	
31 RURAL RES BLDG		19,278	
31 RURAL RES BLDG		12,851	
32 RURAL IMP ON AG		9,071	
46 MOBILE HOME		6,205	
58 MACH & EQUIP		37,133	
TOTALS	258.100	179,412	

24,644

TAXPAYERS 1986
VALUATION ASSESSMENT NOTICE

Taxes are based on the valuation listed on this statement
IF THERE ARE ANY QUESTIONS REGARDING THIS STATEMENT NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 15, 1986
See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

Mail To:
BAR 13 RANCH LTD PARTNERSHIP
% GOODARD, MARVIN K
MACKAY, ID 83251

NEW NW 1/4
LOTS 1, 2, 3 - NEW
S2NE4, S34NW4
SEC 5, T7N R23E

PROPERTY ADDRESS

PARCEL NO. RP 07N23E050001 A TAX CODE 45-00

Robert N. Savage
Custer County Assessor
P.O. Box 597
Challis, Idaho 83226

THIS IS NOT A BILL

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE	
1 IRRGTD AG	54.000 AC	12,753	
5 DRY GRAZING	24.000 AC	572	
19 WASTE	2.000 AC		
TOTALS	80.000		

TAXPAYERS 1986
VALUATION ASSESSMENT NOTICE

Taxes are based on the valuation listed on this statement
IF THERE ARE ANY QUESTIONS REGARDING THIS STATEMENT NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 15, 1986
See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

Mail To:
BAR 13 RANCH LTD PARTNERSHIP
% GOODARD, MARVIN K
MACKAY, ID 83251

NW4SE4, NE4S4
SEC 5 T7N R23E

FEB 07 1987

PROPERTY ADDRESS

PARCEL NO. RP 07N23E054001 A TAX CODE 43-00

REMARKS:

Though the source of water for the rights listed on this transfer was decreed as the Big Lost River, historically two other streams which flow through the ranch have also been relied on to provide irrigation water. These streams known as Haystack Creek & Parsons Creek are both recognized as tributaries of the Big Lost River, though they actually flow into Mackay Reservoir. There are two diversions on Haystack Creek located in the SW1/4SW1/4, SE1/4SW1/4, Sec. 32, T. 8N, R. 23E. Water diverted at these locations irrigates land in the NE1/4NW1/4, NW1/4NW1/4, Sec. 5, T. 7N, R. 23E, north of Warm Springs Creek and the S1/2SE1/4SW1/4 and SW1/4SW1/4SE1/4, Sec. 32, T. 8N, R. 23E. Water diverted from Parsons Creek in the NW1/4SW1/4, Sec. 32, T. 8N, R. 23E, irrigates land in the NE1/4SW1/4, N1/2SE1/4SW1/4, NW1/4SW1/4SE1/4, Sec. 32, T. 8N, R. 23E. All of this property was included in the decreed place of use and to our knowledge has always been irrigated. But the irrigation water had to have been diverted from Parsons and Haystack Creeks since these creeks act as a natural barrier to conveying irrigation water from the Big Lost River on to the land described above.

The remaining lands reflected on the application have been irrigated with water strictly from the Big Lost River.

W. L. Wattis

(a) ✓ 1888-June 19 33.2 c.f.s. ✓
✓ 1881-June 30 13.5 c.f.s. ✓
T. 3304-1886-April 9 33.2 c.f.s. ✓
T. 3304-1896-March 30 33.2 c.f.s. ✓
✓ 1896-June 1 33.2 c.f.s. ✓
T. 3304-1887-April 20 53.3 c.f.s. ✓
✓ T. 3304-1901-July 31 2.8 c.f.s. ✓
Trans 3304-1902-March 11 3.2 c.f.s. ✓
Trans A.O. → ✓ 1880-June 30 33.2 c.f.s. ✓
✓ 1896-June 19 33.2 c.f.s. ✓
2.016 cfs - 6-30-80 }
1.071 " 6-30-81 }
2.016 " 6-1-88 } Trans No 406
2.016 " 6-1-96 } 37% Loss
2.016 " 6-1-96 }
0.505 " 3-1-02 }

Re transfer #382 to Big Lost River Dist. Lands

34 0863 ✓
(c) 1907-June 1 2.0 c.f.s. - Wattis

34 0820 ✓
(b) ✓ 1879-April 1 0.6 c.f.s. ✓
✓ 1904-December 22 1.6 c.f.s. ✓
34 0821 ✓
No. 504. (See Amendment) Page 230

Chas. E. Watson

(Successor in interest
to J.W. Nations)

✓ 1896-June 1 0.32 c.f.s. ✓
34 0822 ✓

No. 505.

To be diverted from Big Lost River through private ditches having their points of diversion on the land constituting the place of use of said water, for the irrigation of the following described land, to-wit:

Southeast quarter of the Northeast quarter Southeast quarter, West half of the Southwest quarter of Section 32; Southwest quarter of Section 33, Township 8 North, Range 23 East, B.M.; Northeast quarter, West half of the Northwest quarter, Northeast quarter of the Southwest quarter, Northwest quarter of the Southeast quarter of Section 5; North half, North half South half, Section 4; West half of the Northwest quarter, Southeast quarter of the Northwest quarter, North half of the Southwest quarter, North half of the Southeast quarter and Southeast quarter of the Southeast quarter of Section 3; South half of the Southwest quarter, Southwest quarter of the Southeast quarter of Section 2; North half of Section West half of the Northwest quarter; Southeast quarter of the Northwest quarter at the Northeast quarter of the Southwest quarter of Section 12, all in Township North, Range 23 East, B.M., and

To be diverted through Navarre Creek having its point of diversion in the Southwest quarter of Section 5, Township 7 North, Range 23 East, B.M., for the irrigation of the land last above described.

To be diverted from Big Lost River through the Moore Canal having its point of diversion in the Southeast quarter of Section 4, Township 5 North, Range 26 East, B. M., for the irrigation of the following described land, to-wit:

Beginning at a point 351.7 feet South 612.3 feet East from the Northwest corner of Section 28, Township 5 North, Range 26 East, B.M., thence East 43.0 rods; thence South 59.5 rods; thence West 43.02 rods; thence North 59.5 rod to place of beginning, containing 16 a more or less.

FEB 07 1992

IN EQUITY NO. 222

DECREE

IN THE UNITED STATES DISTRICT COURT, IN

AND FOR THE DISTRICT OF IDAHO, EASTERN

DIVISION

THE UTAH CONSTRUCTION COMPANY, a corporation, Plaintiff,

vs.

John F. Abbott, William Adams, A. P. Adair, Esther L. Adair (successor in interest of A. P. Adair, Eugene A. Ahern, Andreas Aikele (or A. Aiken), Calvin S. Allen, Frank A. Allen, Gladys Allen, L. C. Allen, Richard Roe Alson, George L. Ambrose, Charles B. Anderson, Francis G. Anderson (or Francis C. Anderson, F. Gus Anderson (or F. G. Anderson or Gus Anderson,) H. W. Anderson, Hyrum Anderson, James E. Anderson, Jas. Earl Anderson, J. L. Anderson, James P. Anderson, Josephine Anderson, J. Wesley Anderson, Jos. W. Anderson (or J. W. Anderson), N. A. Anderson, Niels R. Anderson, Peter C. Anderson (or P. C. Anderson), S. W. Anderson, W. W. Anderson, Louis Andreason (or Lewis Andreson), H. W. Angelo (or Wallace Angelo), Frank Anthony, Marie L. Anthony, Arco Townsite Company, an unincorporated Association; Eleazer Asay, Ernest W. Asay, Emma M. Ashton, Margaretta S. Askew, Anna Atha (or Annie Atha), Ivan J. Atwood, J. H. Augustine.

Mrs. Hannah Babcock (or Mrs. Albern Babcock, A. Rowley Babcock (or R. Babcock), William Babcock (now deceased), Jaacob F. Baird, Bank of Nyssa, an Oregon Banking corporation; John L. Bardsley, Josie Bardsley, Jerome K. Bartlett (or J. K. Bartlett), A. H. Bascom, E. W. Bascom, Pete Basick, Harlow Bassett (or H. Bassett), Clara M. Bate, J. M. Bate (or Joseph M. Bate), Ralph Bate, E. J. Bates, Leslie Bates, Erin Beal (or Aron Beal) or C. Beal, Eldon E. Beck; J. W. Beck and John Doe (or John Pingree) and Richard Roe (or F. S. Lack,) as statutory trustees of Beck Land/Livestock Company, a defunct Idaho Corporation; William Beck, Beck Land and Livestock Company, an Idaho corporation; A. W. Bell, Lee Bell, John C. Bell, J. L. Bell, George Bennett (or George Bennetts), James Bennetts, F. S. Bernard, John Bernard (successor in part to New World Life Insurance Company); Gus Bertsch, Agnes T. Best (or Agnes Best), Harold C. Best (or Harold Best), Alexander Beverland, Francis Beverland (successor in interest of James Beverland), George Beverland, Effie Beverland (or Mrs. George Beverland), James Beverland, as executor of the estate of Charles Beverland, deceased; James Beverland, Joana Beverland, Henry Bews (or Harry Bews), Peter Bidegain, Lota C. Billings, Elizabeth Bills, John L. Bills, Norman Bills, Ole Bills, Albert F. Bischoff (or A. F. Bischoff), Lewis A. Bitton (or John Doe Britton), Zina Bitton (or Zina Britton), B. Bjornson (or B. Bjornsen), Blackfoot City National Bank, an Idaho Banking corporation (successor in interest to Heber G. Johnson); Charles H. Black, Mary E. Black, Nils S. Bladh (successor in interest of Ole Bills), John L. Blosser (or John L. Blasser), Henry Blattner, Lulu E. Bliss, Phillip R. Bliss, Arthur L. Bodine, John J. Bodine, Oscar Bodine, William T. Bodine, Joseph A. Boillin, Rhoda Boling, Rachael Boons, Wm. A. Boons, David S. Boyack (or D. Boycock or David D. Boycock, Jr.), Sylvanus Boyack (or S. Boycock), Mary E. Boyd, Robert G. Boyd (successor in interest of Charles H. Rampton), I. W. Boyer, Elizabeth Bradshaw (now deceased), George Bradshaw, John Bradshaw, Pearl Bradshaw, William Bradshaw, William Bradshaw, as administrator of the estate of Elizabeth Bradshaw, deceased (substituted for Elizabeth Bradshaw deceased); Francis Braithwaite, R. F. Braithwaite (or Robert Braithwaite), William F. Braithwaite, H. C. Drake, William H. Brashear, H. T. Brengman, Charles Brown, Edna Brown, Edna E. Brown, as executrix of the estate of Martin W. Brown, deceased (substituted for



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 15, 1990

Melvin Goddard
Star Route
Mackay, ID 83251

Dear Mr. Goddard:

RE: Application for Transfer No. 3304 of Water Right Nos.
34-0812/0813/0815/0816/0817/0963

Enclosed is a copy of the Order which sets aside the above
referenced Application for Transfer.

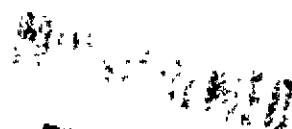
If you have any questions regarding this matter, please feel free to
contact this office.

Sincerely,


L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosure

c: IDWR - Eastern Region
Kent Foster
Ray Rigby


FEB 07 1992



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

September 24, 1990

Marvin Goddard
Star Route
Mackay, ID 83251

Dear Mr. Goddard:

Re: Application for Transfer No. 3304 of water rights
34-0812/0813/0815/0816/0817/0963

NOTICE OF PENDING ORDER TO REJECT
APPLICATION FOR TRANSFER

The department is reviewing the backlog of protested matters to determine which ones are appropriate for hearing or other action. In this review, I came across the above referenced application for transfer which you filed in February 1987. Since the application was protested by Bar Donna Zollinger, the department scheduled a hearing in the matter on October 29, 1987. The hearing was ultimately cancelled at the request of the attorneys involved and has not been rescheduled.

My review of the adjudication claims shows that the claims apparently were filed as if the points of diversion shown on the application for transfer are accomplished points of diversion, i.e. "an accomplished transfer". The discrepancy which I note, however, is that the application for transfer shows the points of diversion as follows:

NWNWSW Section 32, T8N, R23E, BM.
SESWSW Section 32, " " "
SWSESW Section 32, " " "

The adjudication claims show the points of diversion as follows:

SWSWNW Section 3, T8N, R22E, BM
SESWNE Section 32, T8N, R23E, BM
NWNWSW " " " " "

It appears the application for transfer at this point is moot, particularly since it does not agree with the later in time adjudication claims which you filed.

September 24, 1990

Please advise this office within thirty (30) days of any continued interest with respect to the application for transfer, since the department is trying to update its records to the extent possible. If you wish to pursue the application for transfer, provide appropriate justification. If the department does not receive a response, we will void the application and let the question of the points of diversion be pursued in the adjudication proceeding.

Please feel free to contact the department if you have questions.

Sincerely,

A handwritten signature in black ink, reading "L. Glen Saxton". The signature is written in a cursive, flowing style. The first letter "L" is large and loops around the first part of the name. The last name "Saxton" is written in a similar cursive style.

L. GLEN SAXTON, Chief
Water Allocation Bureau

IDWR - E. Region
Kent Foster
Ray Rigby

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

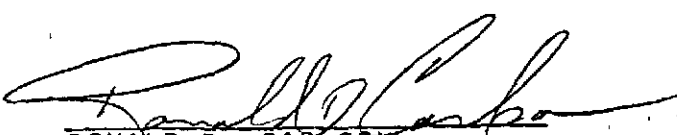
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR	)	
TRANSFERS NOS. 34-0963 AND 34-0812/	)	NOTICE OF HEARING
0813/0815/0816/0817 IN THE NAME OF	)	&/OR CONFERENCE
MARVIN GODDARD	)	

On January 14, 1987, Marvin Goddard filed with the Department of Water Resources application No. 34-0963 to transfer the public waters of the State of Idaho. On February 23, 1987, the Department received a protest from Bar Donna Zollinger. On February 10, 1987, an additional transfer No. 34-0812/0813/-0815/0816/0817 was filed by Marvin Goddard and on February 13, 1987, Bar Donna Zollinger protested said application.

The Department has set the matter of protest for hearing for 1:30 p.m., Thursday, October 29, 1987, in the Second Floor Conference Room, State Office Building, 150 Shoup, Idaho Falls, Idaho. The hearing will be held in accordance with provisions of Chapter 2, Title 42, of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Dated this 5th day of October, 1987.


RONALD D. CARLSON
Eastern Regional Manager

RECEIVED

FEB 07 1992

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATIONS FOR)
TRANSFERS NOS 34-0963 AND 34-0812/)
0813/0815/0816/0817 IN)
THE NAME OF MARVIN GODDARD)
_____)

NOTICE OF HEARING
&/OR CONFERENCE

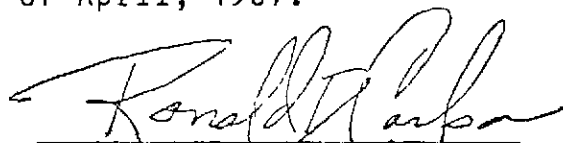
On January 14, 1987, Marvin Goddard' filed with the Department of Water Resources an application No. 34-0963 to transfer the public waters of the State of Idaho. On February 23, 1987, the Department received a protest against approval of said application from Bar Donna Zollinger. On February 10, 1987, an additional transfer No. 34-0812/0813/0815/0816/0817 was filed by Marvin Goddard and on February 13, 1987, Bar Donna Zollinger protested said application.

The Department has set the matter of protests for hearing for 2:00 p.m., Thursday, May 14, 1987, in the Second Floor Conference Room, State Office Building, 150 Shoup, Idaho Falls, Idaho. The hearing will be held in accordance with provisions of Chapter 2, Title 42, of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Dated this 20th day of April, 1987.

MINUTES
1987

FEB 23 1987


RONALD D. CARLSON
Eastern Regional Manager

March 5, 1987

RE: Application for Transfer No. 34-0812/etc

Mr. Marvin Goddard
Star Route
Mackay, ID 83251

34-0816

Dear Mr. Goddard:

Enclosed please find a copy of the protest filed against the above referenced application. You should be aware that the following are the items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this transfer conflict with the local public interest?

You will be notified at a later date as to the time and place set for conference and/or hearing. Legal counsel is not mandatory at an proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

Enclosure

cc: IDWR - State Office

FEB 07 1987

March 1987

RE: Application for Transfer No. 34-0812/etc MARVIN GODDARD

34-0816

Bar Donna Zollinger
Star Route
Mackay, ID 83251

Dear Ms. Zollinger:

This is to acknowledge receipt of the protest filed against the above referenced application for transfer. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this transfer conflict with the local public interest?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

cc: IDWR - State Office

FILED - 1987

Idaho Falls, Idaho
Feb. 13-1987

Water Resource Department of Interior:

I Bar Donna Zallinger protest the transfer of water rights referring to 34-0812 Reasons for Proposed point of diversion will cause a menace to present property owner. Can cause a hindrance to present irrigation and operation of hay ground of present land owner.

Bar Donna Zallinger
Star Route
Mackay, Idaho 83251

RECEIVED
FEB 13 1987

Department of Water Resources
Eastern District Office

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