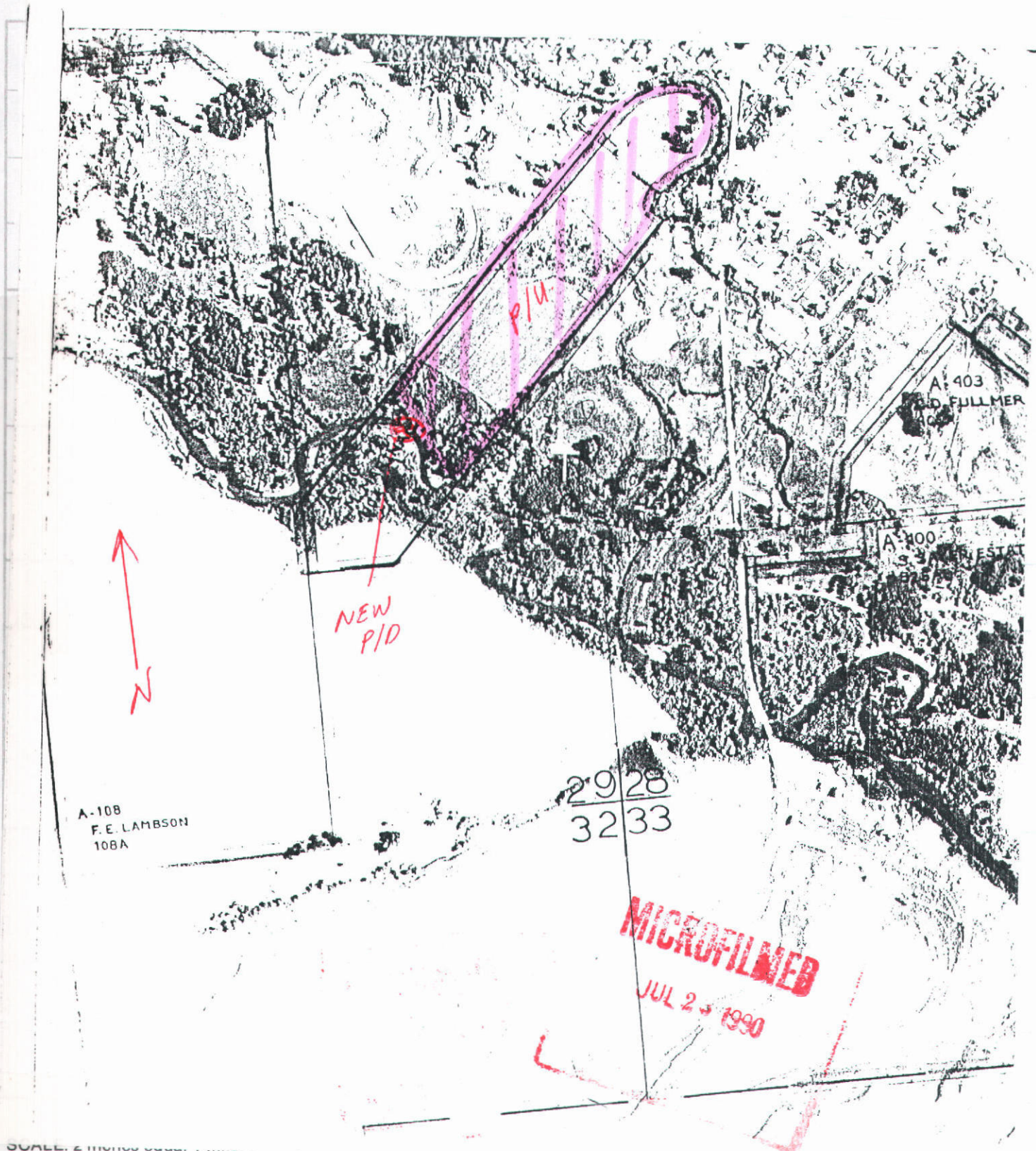


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- 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.



TOWNSHIP NO.

AVE

AVE

IDANHA

Joint School

Judge 6-1

CAPITOL

T-1757
Mike
Marinac
14714

T-33-3.3A

MARTIN MARINAC
34-388

T-31
MARTIN MARINAC
34-388

Bert W. Chaffin
T-869-265A
30-119
35-526

T-12
Beno Jaffrey
36-217
143108

T-421
Frank H. Trasher
36-575

T-201
Donnell Hall
16A
139729

T-372
DEED 28-150
Deed #126195

Don E. Palmer
130977

32
Mike Marinac
83
Traverse Count

N 42° 30' E 400

N 42° 30' E

AGE LIMITS LINE

N 35° 35' W 2891

S 71° 08' W 268'

N 67° 30' E

S 33° E 292

1/4 COR.

300

300

80

80

ELM

2

2

Page 1 of 8STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3657

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant SANDRA E. MARINAC AND/OR MIKE L. MARINAC Phone 588-2296
Post Office address P.O. Box 252, MACKAY ID 83251

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 _____
2. Describe the reason for the proposed changes EASIER ACCESS TO WATER

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>34-00826A</u>	<u>10/12/1884</u>	<u>0.16</u>	<u>IRRIGATION</u>	<u>8/1</u> to <u>10/15</u>
<u>34-00705</u>	<u>4/22/1884</u>	<u>0.063</u>	<u>IRRIGATION</u>	<u>8/1</u> to <u>10/15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 0.223 cubic feet per second and/or _____ acre-feet per annum

3. Source of water BIG LOST RIVER tributary to SINKS

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp	Rge.	County	Local name for diversion
	SW	NE	SE	29	7N	24E	CUSTER	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7N	24E	28						9.5			1								10.5
		29				2									8				10

Total acres

20.5

PART 1

6 General Information:

- a. Description of diversion system ~~20-111~~ PUMP FROM RIVER TO
SPRINKLER IRRIGATION
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
NONE
- d. Remarks:
WATER IS CURRENTLY DIVERTED BY SWANGER DITCH
FROM BIG LOST RIVER.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 34-0705/0826B

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

1. These rights when combined with all other rights shall provide no more than 3.0 afa per acre for the lands above. 2. Use of water under these rights is subject to control by the watermaster of State Water District No. 34, Big Lost River. 3. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

Witness my hand this 25th day of June, 19 90.

A. Glen Saxton
Chief, Water Alloc. Bureau

MICROFILMED

JUL 25 1990

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by: 34-00705
- a. Decree No. 452 Decreed to GEORGE H. STEWART
in case of UTAH CONSTRUCTION vs. JOHN F. ABBOTT ET AL
dated 10/21/1925 in CUSTER county of IDAHO
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources
- d. Transfer No. _____ which produced this right.
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A Check appropriate box below:
- ☒ Tax Notice ☐ Warranty Deed ☐ Other _____
3. Source of water BIG LOST RIVER tributary to SINKS
4. Date or priority 4/22/1884
5. Water is used for the following purpose:
- amount 0.063 for IRRIGATION purposes from 5/1 to 10/15
(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 0.063 cubic feet per second and/or _____ acre-feet per annum
7. Point(s) of Diversion 226

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		NW	SE	12	7N	25E	CUSTER	SHARP DITCH

8. Lands irrigated or place of use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
						WITHIN				TOWN				OF				MACRAE	
																		IDAHO	

Total acres _____

9. Describe any other water rights used for the same purpose as described above 34-00826A, 34-07089

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 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by 34-00826A
- a. Decree No. 507 Decreed to H.W. WEILER
 in case of UTAH CONSTRUCTION CO. vs. JOHN F. ABBOTT, ET AL.
 dated 10/21/1925 in CLUSTER county of IDAHO
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 345 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 BIG LOST RIVER tributary to SINKS
4. Date or priority 10/12/1884
5. Water is used for the following purpose:
- amount 0.16 for IRRIGATION purposes from 5/1 to 10/15
 (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 0.16 cubic feet per second and/or _____ acre-feet per annum
7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
								<u>MARGARET TAYLOR DITCH</u>

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
						<u>TOWN</u>				<u>OF</u>									

Total acres _____

9. Describe any other water rights used for the same purpose as described above 34-7089, 34-0705

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

NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

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.



PART 3

B. CHANGES IN NATURE OF USE

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

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

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

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

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

Mike Marinac
(Signature of Applicant)

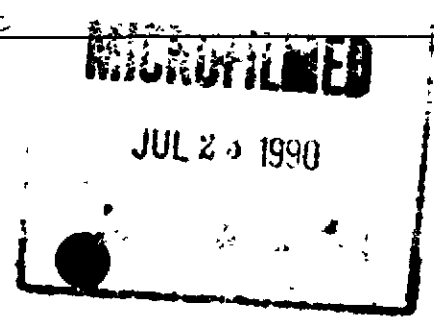
Subscribed and sworn to before me this 22nd day of November, 19 89.

Anthony J. Obrecht
(Notary Public)

My commission expires 9/12/1994

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 3 attachments
Received by TO Date 11/22/89 Protest filed by _____
Prelim. check by KW Fee 50.00 _____
Receipted by TO Date 11/22/89 _____
Published in Arco Advertiser & Custer Publishing Copies of protest forwarded by _____
Pub. dates 2-15-89-90 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial
_____ rec'd _____ by Roc
Copy of transfer sent to lien holder _____



CARITOL

IDANHA

AVE.

473

Joint School

504

1959

Mike Marinac

3.3.3A

Martin, MARINAC

34-388

1-31

- 31
MARIN MARINAC
34-35

34-388

Bert No. Chetty
T-869-265
30-11
25-

167 C
T-869-251
30-119
35-5

N 35° 35' W 289

370
K-10

T-372
DEED 28-150
PAUL F. 2015

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-28-2001 BY 60322 UCBAW

1/4 COR

N 42° 30' E 400

7.06.24A

THE LIMITS LINE

7/18/2007
130477

CONSOLIDATED TAX NOTICE AND RECEIPT

CUSTER COUNTY PROPERTY TAX

1988

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
33850	9-00	0C07N24E297201A	6197

OCCUPANCY

OCCUPANCY ROLL CUSTER COUNTY
GOLF COURSE
3 MONTHS OCCUPANCY

L 33850

MARINAC, MIKE L
PO BOX 252
MACKAY, ID 83251

DELINQUENT CERT

TAXING DISTRICT	RATE	AMOUNT	RECEIPT
STATE			FULL PAYMENT
COUNTY	.002379	80.54	TAX 410
SCHOOL #182	.005676	172.14	PEN
SO. CUSTER AVE	.000400	13.54	SUB TOT
LOST RIVER HOSP	.000892	30.20	INT
MACKAY LIBRARY	.000319	10.75	TOT
B.L.R. CEMETERY	.000262	8.88	1ST INSTALLMENT
LOST RIVER HWY	.001002	33.92	TAX 205
SO. CUSTER FIRE	.001182	40.02	PEN
			SUB TOT
			INT
			TOT
			2ND INSTALLMENT
			TAX 205
			PEN
			SUB TOT
			INT
			TOT
TOTAL		400.00	

RECEIPT NOT VALID UNTIL CHECK CLEARS
THANK YOU

CONSOLIDATED TAX NOTICE AND RECEIPT

CUSTER COUNTY PROPERTY TAX

1989

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
8826	2-00	RP000210000800A	2167

REAL PROPERTY

TRACT 31,35
MACKAY ACREAGE

L 8826

MARINAC, MIKE L
& MARINAC, SANDRA E
MACKAY, ID 83251

TOT ACRES

DELINQUENT CERT

TAXING DISTRICT	RATE	AMOUNT	RECEIPT
STATE			FULL PAYMENT
COUNTY	.002379	21.00	TAX 125.76
CITY OF MACKAY	.003314	29.26	PEN
SCHOOL #152	.005676	50.10	SUB TOT
SO. CUSTER AVE	.000400	3.54	INT
LOST RIVER HOSP	.000892	7.83	TOT
MACKAY LIBRARY	.000319	2.32	1ST INSTALLMENT
B.L.R. CEMETERY	.000262	2.32	TAX 62.00
LR HWY - MACKAY	.000501	4.42	PEN
LR HWY - LR HWY	.000501	4.42	SUB TOT
			INT
			TOT
			2ND INSTALLMENT
			TAX 62.00
			PEN
			SUB TOT
			INT
			TOT
TOTAL	.014243	125.76	

RECEIPT NOT VALID UNTIL CHECK CLEARS
THANK YOU

CONSOLIDATED TAX NOTICE AND RECEIPT
CUSTER COUNTY PROPERTY TAX

1988

REAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
23366	2-00	00000230043610A	2254

BLK & TRACT 770
RIVERSIDE ADDITION

L 5932
I 17434

2.370 MARINAC, MIKE L
TOT ACRES & MARINAC, SANDRA E

DELINQUENT CERT

MACKAY, ID 33251

TAXING DISTRICT	RATE	AMOUNT	RECEIPT
STATE			FULL PAYMENT
COUNTY	.002379	55.60	TAX 362.
CITY OF MACKAY	.003314	77.44	PEN
SCHOOL #132	.005676	132.64	SUB TOT
SO. CUSTER AMB	.000400	9.36	INT
LOST RIVER HOSP	.000892	20.34	TOT
MACKAY LIBRARY	.000318	7.44	1ST INSTALLMENT
B.L.R. CEMETERY	.000262	6.12	TAX 131.
LR HWY - MACKAY	.000501	11.72	PEN
LR HWY - LR HWY	.000501	11.72	SUB TOT
			INT
SOLID WASTE		30.00	TOT
			2ND INSTALLMENT
			TAX 181.
			PEN
			SUB TOT
			INT
			TOT
TOTAL	.014243	362.88	

MICROFILMED

JUL 23 1990

RECEIPT NOT VALID UNTIL CHECK CLEARS
THANK YOU

CONSOLIDATED TAX NOTICE AND RECEIPT
CUSTER COUNTY PROPERTY TAX

1988

REAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
41833	2-00	0000210000010A	2168

HM- 13936

TRACT 1767
MACKAY ACPEAGE

L 4007
I 37876

.230 MARINAC, MIKE L
TOT ACRES & MARINAC, SANDRA E

DELINQUENT CERT

MACKAY, ID 33251

TAXING DISTRICT	RATE	AMOUNT	RECEIPT
STATE			FULL PAYMENT
COUNTY	.002379	54.60	TAX 356.
CITY OF MACKAY	.003314	76.74	PEN
SCHOOL #132	.005676	130.24	SUB TOT
SO. CUSTER AMB	.000400	9.18	INT
LOST RIVER HOSP	.000392	20.48	TOT
MACKAY LIBRARY	.000318	7.30	1ST INSTALLMENT
B.L.R. CEMETERY	.000262	6.02	TAX 178.
LR HWY - MACKAY	.000501	11.50	PEN
LR HWY - LR HWY	.000501	11.50	SUB TOT
			INT
SOLID WASTE		30.00	TOT
			2ND INSTALLMENT
			TAX 178.
			PEN
			SUB TOT
			INT
			TOT
TOTAL	.014243	356.36	

RECEIPT NOT VALID UNTIL CHECK CLEARS
THANK YOU

T-31
050

Mike L.
Martin Merinac

Fraction of SW $\frac{1}{4}$ NW $\frac{1}{4}$ & NW $\frac{1}{4}$ SW $\frac{1}{4}$
Sec. 28, Twp. 7 N. R. 24 EBM
Mackay Acreage

22-638
26-388
26-467
34-3878
139329

4.07 Acres more or less

Beginning at a point 300 ft S 44°15' W. from the South corner of the intersection of Capitol Ave. & Idanha St., thence S 44° 15' W. 350 ft more or less to West line of Sec. 28; thence South on said West line 700 ft more or less to a point on the West side of NW $\frac{1}{4}$ SW $\frac{1}{4}$; thence N 44° 15' E to a point 300 ft from the South side of Idanha St., th N 46°30' W 450' to P.O.B.

485'

T-32
050

Mike L.
Martin Merinac
Prarie State Bank

Fraction of SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 29,
Twp. 7 N. R. 24 EBM Outside Village
Limits of Mackay

22-638
26-388
26-467
34-387
139329

20.70 Acres more or less

Beginning at a point on the West line between NE $\frac{1}{4}$ SE $\frac{1}{4}$ & NW $\frac{1}{4}$ SE $\frac{1}{4}$ 261 ft North of the SW corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$; thence N 44° 15' E 1860 ft more or less to the East side of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 29; thence South along the East line of Sec. 29, 708 ft more or less; thence S 44° 15' West to the South line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$; thence West 407 ft to the South West corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$; thence North 261 ft. to the point of beginning.

RECORDED

JUL 20 1990

T - 33
R 054

Mike L.
MARTIN MARINAC

3.11 ACRES 34-388

FR. SW $\frac{1}{4}$ NW $\frac{1}{4}$, SEC. 28, TWP. 7 N.R. 24 E.B.M.
(IN MACKAY ACREAGE)

DEED #127550
139329

COM. AT THE S. COR. OF THE INTERSECTION OF IDANHA ST. & CAPITOL AVE. IN THE CITY OF MACKAY, IDAHO, TH. SW 300.0' IN A DIRECT LINE WITH THE SE SIDE OF CAPITOL AVE., TH. SE AT RIGHT ANGLES 478.0', MORE OR LESS, TO THE CENTER OF THE SWAUGER SLOUGH, TH. NE 300.0', MORE OR LESS, ALONG THE CENTER LINE OF SAID SLOUGH, TO A PT IN THE SW LINE OF IDANHA ST., TH. NW ALONG SAID IDANHA ST. TO THE PT OF BEG.; EXCEPTING THEREFROM, THE FOLLOWING DESCRIBED TRACT: COM. AT THE S. COR. OF THE INTERSECTION OF CAPITOL AVE. & IDANHA ST. IN THE CITY OF MACKAY, IDAHO, TH. S. 44°15' W. 200.0' TO THE REAL PT OF BEG.; TH. CONTINUING S 44°15' W 100.0'

T - 1757 - MIKE L. MARINAC

Mackay Acres

0.23 ACRE

LED #127550

FR. SW $\frac{1}{4}$ NW $\frac{1}{4}$, SEC. 28, TWP. 7 N.R. 24 E.B.M.

COM. AT THE S. COR. OF THE INTERSECTION OF CAPITOL AVE. & IDANHA ST. IN THE CITY OF MACKAY, IDAHO, TH. S. 44°15' W. 200.0' TO THE REAL PT OF BEG.; TH. CONTINUING S. 44°15' W. 100.0', TH. S. 45°45' E. 100.0', TH. N. 44°15' E. 100.0', TH. N. 45°45' W. 100.0' TO THE PT OF BEG.

T-770

Mike Marinac

8-141

26-388

Block 4, Riverside Addition

26-467

Frac. Lot 5

139329

All Lot 5, Block 4, Riverside Addition to Mackay except: Beginning on the southern boundary line of the alley extending through Block No. 4 of the Riverside Addition to the town of Mackay at the junction of the alley with Capitol Ave., running thence easterly along said boundary line 140 feet; thence following the line of said alley 26' in a northerly direction; thence running easterly along said alley line a distance of ~~55~~ ⁴⁵ feet to a point immediately opposite the line between Lots Nos. 3 and 4 in said block; ^{thence} running southerly extending the same distance as same boundary line between Lots 3 and 4 to the middle of the channel of stream flowing around said land; thence following the middle of the channel of said stream to the northern boundary of Idanha St., thence westerly along the line of said street to the junction of Idanha St. and Capitol Ave; thence along the easterly line of Capitol Ave. a distance of 155 feet to the place of beginning.

T-318

Mike Rukavina

33-488

051

Sec. 29, T. 7 N. R. 24 E.

Frac. NE $\frac{1}{4}$ SE $\frac{1}{4}$

JUL 23 1990

5.73 acres approx.

Com. at a pt. 407 ft. E. of the SW cor. of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, th. N. 45° E. 1089 ft. th. in a S. dir. to a pt. 287' W. of the SE cor. of NE $\frac{1}{4}$ SE $\frac{1}{4}$, th. W. to beginning.

H. W. Weiler

(Named in Plaintiff's amended
complaint as John Doe Weiler)

1884-October 12 0.56 c.f.s.

34-00826 → A (0.16 cfs)
 ↓ 34°
 B (0.40 cfs)

To be diverted from Big Lost River through the Margaret Taylor Ditch having its point of diversion in the Southwest quarter of Section 20, Township 7 North, Range 24 East, B.M., for the irrigation of the following described land, to-wit:

Starting at the south corner of the intersection of Capital Avenue and Idanha Streets, and running thence south 44 degrees and 15 minutes west for a distance of 300 feet, which is the place of beginning, thence South 44 degrees and 15 Minutes west to the quarter line between the south-east quarter and the southwest quarter in Section 29, Township 7 North, Range 24, East, B.M., thence south 261 feet to quarter corner of Sections 29 and 32, Township 7 North, Range 24 East, B.M., thence East 407 feet, thence North 44 degrees and 15 minutes east to a point 300 feet southerly from the south side of Idanha street, thence west 44 degrees and 15 minutes west a distance of 485 feet to the place of beginning, containing 28.18 acres.

Also the following tract: Commencing at the Southeast corner of the intersection of Idanha Street and Capital Avenue and running thence 300 feet west of south in direct line with the Southeast side of Capital Avenue, and running thence at right angles in an easterly direction 478 feet to the center of a slough or creek known as the head of the Irish Ditch; thence at right angles at a northerly direction along the center of said creek 300 feet to the Southern line of Idanha Street; thence at right angles along the southern side of Idanha St. to point of beginning, said land being in Custer County, State of Idaho, adjoining the Riverside addition to Mackay, containing 4 acres, more or less.

RECORDED

JUL 25 1990

No. 507.

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT

12/08/89 16:42:08
Page 1

Water Right Number ~ 34-00826A

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
WEILER

H. W.

1 -

2 -

3 -

City-

Phone -

State-

Zip-

+ - - Priority Date - - +
10/12/1884

+ - - - Region - - - +
15

+ - - - Stage - - - +
D - DECREED

+ - - - Status - - - +

+ - - - - Source - - - - - +
BIG LOST RIVER

+ - - - - Tributary - - - - - +
SINKS

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 05/01 10/15 0.160

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.160

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
P/D MARGARET TAYLOR DITCH.
P/U TOWN OF MCKAY; SEE LEGAL DESCRIPTION.
TRANS. #345 SPLIT 34-0826 INTO 34-0826A & B.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +
UTAH CONSTRUCTION CO.

+ - - - - Decree Defendant - - - +
JOHN F. ABBOTT, ET AL.

+ - Decree Date - +
10/21/1925

+ - - Audit Fields ~ 05/16/86

05/22/88 CONVERT

Water right number - 34-00826A

Adj. flag translation: Standard Water Right Number

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 05/16/1986	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 34
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- P
Decree Date	- 10/21/1925				

JUL 23 1990
MICROFILMED

~~West of ...~~
~~half of Section 35 all in Township 8~~
~~North, Range 22 East, B. M., and,~~

~~(b) 1888-June 1 2.4 c.f.s.~~

~~1888-May 1 1.6 c.f.s.~~

~~No. 161.~~

~~To be diverted from Warm Springs Creek~~
~~through private ditches having their~~
~~points of diversion on the land con~~
~~stituting the place of use of said water,~~
~~for the irrigation of the land last~~
~~above described.~~

George H. Stewart

1884-April 22 0.063 c.f.s.

34-00705

To be diverted from Big Lost River through the Sharp ditch having its point of diversion in the Southeast quarter of Section 12, Township 7 North, Range 23 East, B.M., for the irrigation of the following described land, to-wit:

Commencing at the West corner of Idaho Street and Smelter Avenue in the town of Mackey, Custer County Idaho, and running thence South 11 degrees 20 minutes West for 266 feet which is the place of beginning, thence South 11 degrees and 20 minutes West 313 feet, thence South 71 degrees 8 minutes West 265 feet, thence North 59 degrees 24 minutes West 296 feet, thence North 45 degrees 42 minutes East 2779 feet, thence South 78 degrees 41 minutes East 272.2 feet to the place of beginning containing 3.15 acres more or less.

No. 452.

158

RECORDED

JUL 23 1890

Water Right Number - 34-00705

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name -

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
STEWART

GEORGE H.

1 -

2 -

3 -

City-

State-

Zip-

Phone -

+ - - Priority Date - - +
04/22/1884+ - - Region - - - +
15+ - - Stage - - - +
D - DECREED

+ - - Status - - - +

+ - - Source - - - +
BIG LOST RIVER+ - - Tributary - - - +
SINKS

Point of Diversion						Stream Index (Blank if no Index Code)	
Twn	Rng	Sec	Tract	Lot	RFlg	County	
07N	25E	12	NW SE			(37) CUSTER	

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		05/01	10/15	0.063	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.063

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
-----	-----	-----	-------	-----	-------	------	-------------	--------

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
P/D SHARP DITCH
P/U LEGAL DESCRIPTION WITHIN TOWN OF MACKAY, IDAHO+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.+ - - - - Decree Plaintiff - - - +
UTAH CONSTRUCTION+ - - - - Decree Defendant - - - +
JOHN F. ABBOTT, ET AL.+ - Decree Date - +
10/21/1925

+ - - Audit Fields - 03/12/85

05/22/88 CONVERT

Water right number - 34-00705

Adj. flag translation: Standard Water Right Number

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 03/12/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 34
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 10/21/1925				

JUL 23 1990

MICROFILMED

State of Idaho
Department of Water Resources

COPY
RECEIVED

NOV 10 1977

WATER RIGHT LICENSE

License of Water Right No. 34-7089 Priority January 3, 1975 Eastern District Office
Amount 0.19 cfs

THIS IS TO CERTIFY, that Mike L. & Sandra E. Marinac
of Mackay, Idaho, has complied with the terms and conditions of Permit
No. 34-7089 issued pursuant to Application for Permit dated January 3, 1975,
and has submitted proof to the Department of Water Resources on January 21, 1976,
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of 0.19 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>November 1</u>	at <u>0.19</u> cfs and	<u>61.5</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.19 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
61.5 acre feet per year, said waters to be diverted within the SE 1/4, Section 29, Twp. 7N,
Rge. 24E, B.M. in the County of Custer

Description and location of place of use:

Twp	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7N	24E	28							9.5			1							10.5
		29				2									8				10

Total number of acres irrigated 20.5

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

RECORDED

JUL 23 1990

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 9th day of
November, 19 77.

Stephen Allen
Director

AFFIDAVIT OF PUBLICATION

1. 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 Feb 15, 1990

and ending with the issue dated

Feb 22, 1990
Colleen Babcock

STATE OF IDAHO

COUNTY OF BUTTE

On this 26 day of February
in the year of 1990, 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. Cannon
Notary Public for Idaho

Residing at Arco, ID.

My commission expires 12-17-91

Department of Water Resources
District Office

**NOTICE OF PROPOSED CHANGE
OF A WATER RIGHT**

NO. 34-00826A & 34-00705

Notice is hereby given that Mike L. &/ or Sandra E. Marinac have applied to the Department of Water Resources to change a point of diversion of the waters of Big Lost River tributary to Sinks. The rights sought to be changed are evidenced by No. 34-00826A & 34-00705 and are recorded as follows:

Decree No. 452 (34-00705) Decreed to George H. Stewart in case of Utah Construction vs. John F. Abbott et al dated October 21, 1925 in Custer county.

AMOUNT: .063

PRIORITY: April 22, 1884

POINT OF DIVERSION: NWSE, SEC 12, T 7N, R 25 E, (SHARP DITCH) CUSTER COUNTY

The water is used to irrigate from May 1 to October 15 within the town of Mackay.

Decree No. 507 (34-00826A) Decreed to H. W. Weller in case of Utah Construction Co. vs. John F. Abbott, et al, dated October 21, 1925 in Custer county.

AMOUNT: .16

PRIORITY: October 12, 1884

POINT OF DIVERSION: MARGARET TAYLOR DITCH

The water is used within the town of Mackay.

TO BE CHANGED AS FOLLOWS:

The water will be diverted within the SWNESE, SEC 29, T 7N, R 24E, and used to irrigate 20.5 acres within the SWNW NWSW, SEC 28; SENE, NESE, SEC 29, T 7N, R24E, B.M.

Any protest against the above proposed change must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83402, on or before March 5, 1990.

R. Keith Higginson

Director

Published in the ARCO ADVERTISER on February 15 & 22, 1990.

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Margaret Parks, Publisher of
the Challis Messenger, a weekly newspaper published at Challis, Idaho, do solemnly swear
that the notice hereto attached and made a part
hereof, was published in the regular and entire
issue of the Challis Messenger for 2
consecutive weeks, commencing with the issue
dated Feb 15 1990 and ending with the
issue dated Feb 22 1990

STATE OF IDAHO

COUNTY OF CUSTER

On this 22nd day of Feb. in
the year of 1990, before me, a Notary Public,

personally appeared Margaret Parks
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.

Ethel M. Peck
Notary Public for Idaho

Residing at Challis

My commission expires: 3-21-92

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT

NO. 34-00826A & 34-00705

Notice is hereby given that Mike
L. &/or Sandra E. Marinac have
applied to the Department of Wa-
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00705 and are recorded as follows:

Decree No. 452 (34-00705) De-
creed to George H. Stewart in case
of Utah Construction vs. John F.
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1925 in Custer county.

AMOUNT: .063 PRIORITY: April
22, 1884

POINT OF DIVERSION: NWSE,
SEC 12, T 7N, R 25E, (SHARP
DITCH) CUSTER COUNTY

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Decree No. 507 (34-00826A) De-
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1925 in Custer county.

AMOUNT: .16 PRIORITY: Octo-
ber 12, 1884

POINT OF DIVERSION: MARGA-
RET TAYLOR DITCH

The water is used within the
town of Mackay.

TO BE CHANGED AS FOL-
LOWS:

The water will be diverted within
the SWNESE, SEC 29, T 7N, R
24E, and used to irrigate 20.5
acres within the SWNW, NWSW,
SEC 28; SENE, NESE, SEC 29, T
7N, R 24E, B.M.

Any protest against the above
proposed change must be filed
with the Idaho Department of Wa-
ter Resources, 150 Shoup Ave.,
Idaho Falls, ID 83402, on or be-
fore March 5

R. Keith Johnson, Director
Pub: Feb. 15 & 22, 1990.

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. Alleh, 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. Askeu, 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 Boone, Wm. A. Boone, 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

JUL 23 1990

P. A. Stacy and
Josie Stacy

✓ (a) 1885-June 1 1.99 0.6 c.f.s. ✓
✓ 1905-May 1 0.01 0.4 c.f.s. ✓
✓ 1916-July 1 0.01 4.4 c.f.s. ✓
✓ 1910-May 1 0.01 1.6 c.f.s. ✓

(b) ✓ 1890-June 1 2.4 c.f.s. ✓
✓ 1905-May 1 1.6 c.f.s. ✓

No. 451.

George H. Stewart

✓ 1884-April 22 ✓ 0.063 c.f.s.
34 0705

No. 452.

To be diverted from Big Lost River through the Davidson Ditch having its point of diversion in the Northwest quarter of Section 12, Township 8 North, Range 21 East, B. M., for the irrigation of the following described land, to-wit:

East half of the Southwest quarter, Southwest quarter of the Southwest quarter of Section 25; Northeast quarter of Northwest quarter, South half of the Northwest quarter, Northwest quarter of the Northwest quarter of Section 36 and the East half of Section 35, all in Township 8 North, Range 22 East, B. M., and,

To be diverted from Warm Springs Creek through private ditches having their points of diversion on the land constituting the place of use of said water, for the irrigation of the land last above described.

To be diverted from Big Lost River through the Sharp ditch having its point of diversion in the Southeast quarter of Section 12, Township 7 North, Range 23 East, B.M., for the irrigation of the following described land, to-wit:

Commencing at the West corner of Idaho Street and Smelter Avenue in the town of Mackey, Custer County Idaho, and running thence South 11 degrees 20 minutes West for 266 feet which is the place of beginning, thence South 11 degrees and 20 minutes West 313 feet, thence South 71 degrees 8 minutes West 265 feet, thence North 59 degrees 24 minutes West 296 feet, thence North 45 degrees 42 minutes East 2779 feet, thence South 78 degrees 41 minutes East 272.2 feet to the place of beginning containing 3.15 acres more or less.

Done in open Court this 21st day of
October, 1925.

(SIGNED) FRANK S. DIETRICH
United States District Judge.

Endorsed, Filed March 15, 1923
W. D. McReynolds, Clerk
By Theo. J. Turner, Deputy

UNITED STATES OF AMERICA, }
District of Idaho, } ss.

I, W. D. McREYNOLDS, Clerk of the United States District Court for the District of Idaho, do hereby certify that the foregoing copy of the Final Decree and Amendments in the case of Utah Construction Company vs. J. F. Abbott, et al, No. 222, Eastern Division, has been by me compared with the original, and that it is a correct transcript therefrom and of the whole of such originals as the same appear of record and on file at my office and in my custody.

In testimony whereof, I have set my hand and affixed the seal of said Court in said District this 23rd day of April, 1927.

W D McReynolds
Clerk.



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

June 25, 1990

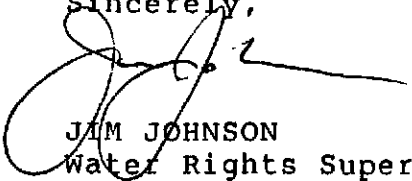
RE: Transfer of Water Right Nos. 34-0705/0826B

Mike L. &/or Sandra E. Marinac
Box 252
Mackay, ID 83251

Dear Mr. and Mrs. Marinac:

Enclosed is a copy of your approved Application for Transfer of the above referenced water rights (Transfer No. 3657). Be sure to note any conditions of approval as listed on the second page.

Sincerely,



JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

INDEXED

JUL 20 1990

MEMORANDUM

TO: FILE

FROM: TIM LUKE

DATE: June 6, 1990

RE: TRANSFER APPLICATION NO. 3657

=====

This application seeks to change the point of diversion only under two decreed rights. The change will result in moving the point of diversion from an irrigation ditch to a direct instream pump and sprinkler sytem diversion from the Big Lost River.

As per the aerial photo submitted with the application and review of the Department's 1960 orthophoto, the land described as the place of use appears to have been irrigated. There should not be any expansion as a result of this transfer.

Application may approved with following conditions:

<<R04>> Use of water under this license is subject to control by the watermaster of State Water District No. 34.

Right No.s 34-00826A & 34-00705 when combined with all other rights shall provide no more than 3.0 afa per acre for the lands above.

MicroFILMED

JUL 25 1990

CONSOLIDATED TAX NOTICE AND RECEIPT CUSTER COUNTY PROPERTY TAX

1980

REAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
12421	9-00	RP07N24C297201A	4229

NESE

TRACT 32
SEC 29 T7N R24E

L 5671
I 6750

WAC 1.000

19.700 MARINAC, MIKE L
TOT ACRES 6 MARINAC, SANDRA E

DELINQUENT CERT

MACKAY, ID 03251

TAXING DISTRICT	RATE	AMOUNT	RECEIPT
STATE			FULL PAYMENT
COUNTY	.002379	29.56	TAX 210.
SCHOOL #132	.005576	70.50	PEN
SO. CUSTER AMB	.000400	4.98	SUB TOT
LOST RIVER HOSP	.000592	11.08	INT
MACKAY LIBRARY	.000318	3.96	TOT
B.L.R. CEMETERY	.000262	3.26	1ST INSTALLMENT
LOST RIVER HWY	.001002	12.46	TAX 105.
SO. CUSTER FIRE	.001182	14.63	PEN
			SUB TOT
			INT
SOLID WASTE		50.00	TOT
			2ND INSTALLMENT
			TAX 105.
			PEN
			SUB TOT
			INT
			TOT
TOTAL	.012	210.43	

PAID

JUL 20 1990

RECEIPT NOT VALID UNTIL CHECK CLEARS
THANK YOU

CONSOLIDATED TAX NOTICE AND RECEIPT CUSTER COUNTY PROPERTY TAX

1980

REAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
1146	9-00	RP07N24C297220A	4231

NESE

TRACT 318
SEC 29 T7N R24E

L 1146

5.730 RUKAVINA, MIKE
TOT ACRES 6 WHITNEY, HAROLD

DELINQUENT CERT

MACKAY, ID 03251

TAXING DISTRICT	RATE	AMOUNT	RECEIPT
STATE			FULL PAYMENT
COUNTY	.002379	2.74	TAX 13.
SCHOOL #132	.005576	6.50	PEN
SO. CUSTER AMB	.000400	.46	SUB TOT
LOST RIVER HOSP	.000592	1.02	INT
MACKAY LIBRARY	.000318	.36	TOT
B.L.R. CEMETERY	.000262	.30	1ST INSTALLMENT
LOST RIVER HWY	.001002	1.15	TAX 6.9
SO. CUSTER FIRE	.001182	1.33	PEN
			SUB TOT
			INT
			TOT
			2ND INSTALLMENT
			TAX 6.9
			PEN
			SUB TOT
			INT
			TOT
TOTAL	.012111	13.90	

RECEIPT NOT VALID UNTIL CHECK CLEARS
THANK YOU

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY:

K. C. Wilson

1. Right number 34-00826A Applicant Mike L. i/for Sandra E. Marinac

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

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

☒ Other Specify Plu

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use

b. ☒ Description of original point of diversion. Computer entry indicates R25E Decree

c. ☒ Description of original place of use. indicates R23E.

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 NONE

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

Right number(s) 34-00826A + 00705 + Groundwater it. # 34-7089

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

If yes, what district? 34 Send copy to WD 34 - Doug Rosenkrantz 2-12-90
Send copy to Rita Lundy of Big Lost River Irrigation

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on 2-12-90 Received on 2-16-90

2. Is transfer published correctly? ☒ Yes ☐ No

3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* WATER MASTER CONTROL

4. By RDC Date 6/1/90 Department of Water Resources

copy
Roberta

APPLICATION FOR TRANSFER OF

WATER RIGHT NO. 34-00826A /
34-00705

RECEIVED

FEB 16 1990

WATER DISTRICT 34

Department of Water Resources
Eastern District Office

WATERMASTER Paul Rosenkrance

DATE: Feb. 14 1990

COMMENTS: _____

☒ I do endorse approval of this change.

☐ I do not endorse approval of this change.

I recommend the following conditions of approval:

MICROFILMED

JUL 23 1990

Paul Rosenkrance
Watermaster

12-Feb-1990

Rita Lundy
Big Lost River Irrigation
101 S. Main Ave.
Mackay, ID 83251

RE: Application for Transfer No. 34-00826A/34-00705

Dear Sir:

This office is currently in the process of publishing notice that the above application for permit was filed with the Department of Water Resources. Since the application may be of interest to you, a copy is enclosed for your examination. Comments concerning the application should be addressed to the applicant with a copy forwarded to this office. Protests objecting to granting a permit should be directed to this Department and received as soon as possible. Action will be taken by this office shortly, provided there are no protests lodged against the applications.

Respectfully submitted,

Harold W. Jones
Water Rights Supervisor

HWJ/rb
Enclosure

JUL 23 1990

12-Feb-1990

Doug Rosenkrance
Water District 34
Rt. 1, Box 24
Mackay, ID 83251

RE: Application for Transfer 34-00826a/34-00705

Dear Watermaster:

Please find enclosed a copy of the above referenced application. Please review the application and complete the form, returning them to this office as soon as possible.

Thank you for your cooperation in this matter.

Respectfully submitted,

Harold Jones
Water Rights Supervisor

HJ/rb
Enclosure

RECEIVED

JUL 20 1990

08-Feb-1990

MIKE L. &/OR SANDRA E. MARINAC
P.O. BOX 252
MACKAY, ID 83251

RE: Transfer Application No. 34-00826A, 34-00705

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your application. Please refer to the application numbers above in all further correspondence.

This office is currently in the process of advertising the application in the ARCO ADVERTISER & CUSTER PUBLISHING CO. The advertisement will be published for two consecutive 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 final action is taken. If the protest is not resolved by the involved parties this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. Department personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When final processing of the application is complete, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

Harold W. Jones
Water Rights Supervisor

HWJ/rb

JUN 13 1990

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT

NO. 34-00826A & 34-00705

Notice is hereby given that Mike L. &/or Sandra E. Marinac have applied to the Department of Water Resources to change a point of diversion of the waters of Big Lost River tributary to Sinks. The rights sought to be changed are evidenced by No.

34-00826A & 34-00705 and are recorded as follows:

Decree No. 452 (34-00705) Decreed to George H. Stewart in case of Utah Construction vs. John F. Abbott et al dated October 21, 1925 in Custer county.

AMOUNT: .063 PRIORITY: April 22, 1884

POINT OF DIVERSION: NWSE, SEC 12, T 7N, R 25E, (SHARP DITCH)
CUSTER COUNTY

The water is used to irrigate from May 1 to October 15 within the town of Mackay.

Decree No. 507 (34-00826A) Decreed to H. W. Weiler in case of Utah Construction Co. vs. John F. Abbott, et al, dated October 21, 1925 in Custer county.

AMOUNT: .16 PRIORITY: October 12, 1884

POINT OF DIVERSION: MARGARET TAYLOR DITCH

The water is used within the town of Mackay.

TO BE CHANGED AS FOLLOWS:

The water will be diverted within the SWNESE, SEC 29, T 7N, R 24E, and used to irrigate 20.5 acres within the SWNW, NWSW, SEC 28; SENE, NESE, SEC 29, T 7N, R 24E, B.M.

Any protest against the above proposed change must be filed with the Idaho Department of Water Resources, 150 Shoop Ave.

RECORDED

JUL 23 1990

Idaho Falls, ID, 83402, on or before March 5, 1990.

R. Keith Higginson

Director

Published in the ARCO ADVERTISER on February 15 & 22, 1990.

MILWAUKEE, WI

JUL 23 1990

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MICROFILMED

JUL 20 1990

Idaho Falls, ID, 83402, on or before March 5, 1990.

R. Keith Higginson

Director

Published in the CUSTER PUBLISHING CO. on February 15 & 22, 1990.

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R. Keith Higginson, Director
Pub: Feb. 15 & 22, 1990.

1990

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JUL 25 1990

Idaho Falls, ID, 83402, on or before March 5, 1990.

R. Keith Higginson

Director

Published in the Arco Advertiser on February 15 & 22, 1990.