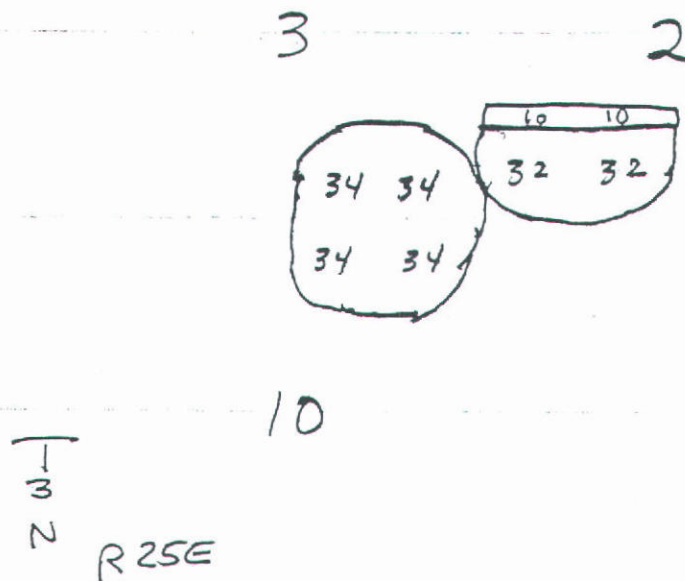


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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.



MICROFILMED
JUL 28 1999

7/92

34-00170

Ident. No. 34-00556 T# 4366

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TEMPORARY CHANGE APPLICATION
(To change point of diversion, place of use or purpose of use)

RECEIVED
MAY 23 1994

Department of Water Resources

Name of applicant PU Ranch Phone 527-3133Post Office address 4500 Imperial Ave San Diego, CA 92113**A. PURPOSE OF TRANSFER**

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change purpose of use ☒ Other

2. Describe the proposed change(s) and the reason(s) therefor Flows of the Big Lost River are inadequate to fill these right(s) this year. This application is to allow the right(s) to be filled by changing the pt. of div. and pumping the aquifer from an existing well owned by PU Ranch.

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

1. Right Number	Priority	Amount	Nature	Period of Use
<u>34-00170</u>	<u>05/01/1886</u>	<u>1.2 cfs</u>	<u>irrigation</u>	<u>05-01</u> to <u>10-15</u>
<u>34-00556</u>	<u>05/01/1886</u>	<u>2.8 cfs</u>	<u>irrigation</u>	<u>05-01</u> to <u>10-15</u>
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 4.0 cubic feet/second and/or _____ acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	NW	21	05N	26E	Butte	PU Ranch Well or (Moss Well)

5. Lands irrigated or Place(s) of Use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	25E	02									33	33	33	33					132
03N	25E	03															33	33	66
03N	25E	10	33	33															66

Total acres 264

JUL 21 1994

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

Claim No. 34-00170

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	05/01 to 10/15	1.20 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BIG LOST RIVER	SINKS

Priority: 05/01/1886

LOCATION OF POINT(S) OF DIVERSION: NWSESE , Sec. 4, Township 05N, Range 26E
BUTTE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	25E	2	NESW 33	NWSW 33	SWSW 33	
			SESW 33			132
		3	SWSE 33	SESE 33		66
		10	NENE 33	NWNE 33		66
Total number of acres irrigated:						264

CONDITIONS/REMARKS:

1. THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT TO IDAHO CODE 42-1416(1).
2. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO IDAHO CODE 42-1416A.
3. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO IDAHO CODE 42-1416A.
4. WATER IS DELIVERED THROUGH THE MOORE CANAL TO CROSSOVER DITCH TO TIMBERDOME CANAL.
5. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.90 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 660 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 264 ACRES IN A SINGLE IRRIGATION SEASON.
6. COMBINED RIGHT NOS.: 34-00556, 34-02332 AND 34-07079.

RECORDED**JUL 21 1994**

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

Claim No. 34-00556

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	05/01 to 10/15	2.80 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BIG LOST RIVER	SINKS

Priority: 05/01/1886

LOCATION OF POINT(S) OF DIVERSION: NWSESE , Sec. 4, Township 05N, Range 26E
BUTTE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	25E	2	NESW 33	NWSW 33	SWSW 33	
			SESW 33			132
		3	SWSE 33	SESE 33		66
		10	NENE 33	NWNE 33		66
Total number of acres irrigated:						264

CONDITIONS/REMARKS:

1. THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT TO IDAHO CODE 42-1416(1).
2. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO IDAHO CODE 42-1416A.
3. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO IDAHO CODE 42-1416A.
4. WATER IS DELIVERED THROUGH THE MOORE CANAL TO THE CROSSOVER DITCH TO THE TIMBERDOME CANAL.
5. USE OF THIS RIGHT WITH RIGHT NO. 34-00170 AND OTHER RIGHTS LISTED THEREIN IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.9 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 660 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 264 ACRES IN A SINGLE IRRIGATION SEASON.



JUL 21 1994

6. General Information:

a. Who owns the water right to be changed? PU Ranch

b. Describe the arrangement allowing use of the right -same owner-

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

-no change in place of use being sought-

These lands will receive a full supply of irrigation water and produce a crop.

d. Has the water right sought to be transferred been used this year? No If yes, explain. _____

e. Absent the changes, how would the right be used for the remainder of the year? The watermaster has projected that no supply of water would be available from the Big Lost River.

f. Describe other water rights used for the same purpose.

Irrigation of the 264 acres are accomplished by the combined use of the following

g. Remarks: rights: 34-00170, 34-00556, 34-02332, and 34-07079

I hereby assume all risk in accordance with House Bill No. 4 and 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.

PU Ranch by Tony Bailey
Tony Bailey (Signature of applicant) for PU Ranch

FOR DEPARTMENT USE ONLY

Received by _____ Date 5-23-94 Fee \$50

Receipted J. Wyett # 6036347 Recommend: approve deny

Watermaster recommendation Conversation Memo 5-24-94 - OK

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. 4366.

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

1. This approval expires November 1, 1994 and thereafter the right reverts to the use existing prior to the temporary change.

2. Subject to Conditions of Approval Nos. 3-8 (See attached Sheet)

Witness my hand this 15TH day of JUNE, 1994.

Norman C. Young
Norman C. Young, Administrator
JUL 21 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CONDITIONS OF APPROVAL

TEMPORARY TRANSFER NO. 4366
WATER RIGHT NO(S). 34-00170/34-00556

CONDITIONS/REMARKS:

3. Use of water under this water right will be regulated by the watermaster of State Water District No. 34.
4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. For water distribution purposes, Rules 45 and 50 of the Temporary Water Distribution Rules for Water District 34 shall apply to these water rights and these water rights shall be considered groundwater rights at all times May 1, 1886 priority water rights are not being filled from the Moore Diversion of the Big Lost River.
7. This approval is granted pursuant to 42-222A, Idaho Code, which requires the recipient of an approved temporary change assume all risk that the diversion and use of water pursuant to the temporary change may cause injury to other water rights, that the change constitutes an enlargement in use of the original right, that the use is not consistent with the conservation of water resources within the State of Idaho and that such use is not in the local public interest.
8. Use of combined Right Nos. 34-00170, 34-00556, 34-02332 and 34-07079 is limited to a total combined diversion rate of 6.90 cfs, a total combined annual diversion volume of 924.0 af, a total combined annual consumptive use volume of 660 af, and to the irrigation of a combined total of 264 acres in a single irrigation season.

RECEIVED

JUL 21 1994

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. 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 Bidgain, 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 Haber 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. Brake, 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

MADE IN U.S.A.

JUL 21 1994

Melissa McClellan

✓ 1912-July 12 ✓ 34 6559 1.6 c.f.s.

No. 356

B. W. McDaniel

(Successor in interest to Lottie King)

✓ 1894-May 31 ✓ 34 6555 1.4 c.f.s.

To be diverted from Antelope Creek through private ditches having their points of diversion in the Northwest quarter of Section 31, Township 5 North, Range 25 East, B. M., for the irrigation of the following described land, to-wit:

Northeast quarter of the Northwest quarter of Section 31, and the Southeast quarter of the Southwest quarter of Section 30, all in Township 5 North, Range 25 East, B. M.

To be diverted from Big Lost River through the West Side Ditch 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:

Southwest quarter of the Northeast quarter and the Northwest quarter of the Southeast quarter of Section 33, Township 5 North, Range 26 East, B. M., except therefrom the following described tract:

Commencing at the Southeast corner of said Northwest quarter of the Southeast quarter of Section 33; thence running North 20 rods; thence West 80 rods; thence South 20 rods; thence East 80 rods to beginning.

No. 357

Charles H. McFarland

✓ (a) 1886-May 1 ✓ 34 6556 2.8 c.f.s.

To be diverted from Big Lost River through the West Side ditch 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:

The Southwest quarter of Section 15, Township 4 North, Range 26 East, B. M., and

✓ (b) 1886-May 1 ✓ 34 6557 1.4 c.f.s.

To be diverted from Boyle Creek through the McFarland ditch having its point of diversion on the Southwest quarter of Section 15, Township 4 North, Range 26 East, B. M., for the irrigation of the land last above described.

No. 358

Lydia Toombs McGee,
formerly Lydia Toombs
and so named in
Plaintiff's amended
complaint herein.

1901-November 2 ✓ 34 6558 6.64 c.f.s.

To be diverted from Big Lost River through the Ferris Slough having its point of diversion in the Northwest quarter of Section 36, Township 4 North, Range 26 East, B. M., for the irrigation of the following described land, to-wit:

Beginning at the center of Section 36, Township 4 North, Range 26 East, B. M., running thence South 316.8 feet, thence East 275 feet, thence North 316.8 feet, thence West 275 feet to place of beginning, containing 2 acres more or less.

No. 359

JUL 21 1994

MEMORANDUM

To: Files 34-00170 and 34-00556
From: L. Glen Saxton, P.E. 
RE: STATUS OF PENDING APPLICATION FOR TRANSFER NO. 3676
Date: November 6, 1998

On this date, I reviewed water right files 34-00170 and 34-00556 to determine if further department action is appropriate in connection with application for transfer no. 3676. The Snake River Basin Adjudication recommendations of the water rights are still pending and have not yet been partially decreed. Hence, the department should continue to hold the application for transfer without action.

As a separate but related note, temporary transfer no. 4366 approved in connection with the two water rights on June 15, 1994, has expired and is of no further force nor effect.

MICROFILMED
JUL 28 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No 31676

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APR 23 1990

(208) 527-3133

Phone (619) 262-0861

Name of applicant
Department of Water Resources
Office address

Hillcreek Properties

4500 Imperial Ave, San Diego Ca 92113

c/o Tony Bailey Rt 1 Box 447, Arco Id 83213

PURPOSE OF TRANSFER

- ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Specify Actual P/D

Describe the reason for the proposed changes Reflect change in place of use done in 1984 thru Big Lost River Irrigation District and to specify actual P/D

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

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
34-0070	5/1/1886	1.2 cfs	Irrigation	5/1 to 10/15
34-00556	5/1/1886	2.8 cfs	Irrigation	5/1 to 10/15
				to
				to

Total amount of water being transferred 4.0 cubic feet per second and/or _____ acre-feet per annum.

Source of water Big Lost River tributary to Sinks

Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp	Rge.	County	Local name for diversion
		SE	SE	4	5N	26E	Butte	Moore Diversion

Lands irrigated or place of use:

Twp.	Rge	Sec.	NE 1/4					SE 1/4					Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
34-0070													
34-00556													
3N	25E	2											84
		3											68
		10	34	34									68

PENDING XFER # 3676

MICROFILMED

JUL 28 1999

Total acres 220

MICROFILMED

Witness my hand this _____ day of _____, 19 _____

This is to certify that I have examined Application for Transfer of Water Rights No. _____, subject to the following limitations and conditions:
And said application is hereby _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

d Remarks

This transfer reflects a change in place of use made in 1984 with the Big Lost River Irrigation District.

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

trust, mortgage or contract agreeing to the proposed changes

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

6 General Information

a Description of diversion system

Moore Diversion Canal, U.C. Canal
Timberlane canal to private ditches to pond pump mainline
to center pivot

PART 1

Transfer No _____

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

DESCRIPTION OF RIGHT AS RECORDED

Right evidenced by:

1. Decree No. 34-00170 Decreed to David F. Coon
in case of Utah Construction vs. John F. Abbott et al
dated 10/21/1925 in Eastern District Court county of Butte
2. License No. _____ issued by the Idaho Department of Water Resources.
3. Claim No. _____ on file with the Idaho Department of Water Resources
4. Transfer No. _____ which produced this right.

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 _____

Source of water Big Lost River tributary to SINKS

Date or priority 5/1/1886

Water is used for the following purpose:

amount 1.20 cfs 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)

Total amount of water under right 1.20 cubic feet per second and/or _____ acre-feet per annum.

Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	4	4N	26E	Butte	West Side Ditch Moore Canal

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	
4N	26E	22					40	8	2	10									60

MICROFILMED
MAY 28 1999

Total acres 60

Describe any other water rights used for the same purpose as described above 34-00556

Mackay Reservoir, groundwater 34-02512

- 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 _____

of

Transfer No

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

DESCRIPTION OF RIGHT AS RECORDED

Right evidenced by:

Decree No. 34-00556 Decreed to Charles H. McFarland

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

dated 10/21/1925 in Eastern District Court county of Butte

License No. _____ issued by the Idaho Department of Water Resources.

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

Transfer No. _____ which produced this right.

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 _____

Source of water Big Lost River tributary to Sinks

Date of priority 05/01/1886

Water is used for the following purpose:

amount 2.8 cfs for Irrigation purposes from 05/01 to 10/15

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

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

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

Total amount of water under right 2.8 cubic feet per second and/or _____ acre-feet per annum.

Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	4	5N	26E	Butte	Moore Diversion

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	
04N	26E	15									40	40	40	40					160

MICROFILMED
JUL 28 1999

Total acres 160

Describe any other water rights used for the same purpose as described above Storage, Mackay Dam
(total 6125 inches) and well (No. 34-02512)

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 _____
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
2. Point(s) of Diversion

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

3 Lands irrigated or place of use

Tw. P.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals	
			NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %		
																			</	

Total acres _____

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

1 amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
2. Point(s) of Diversion

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

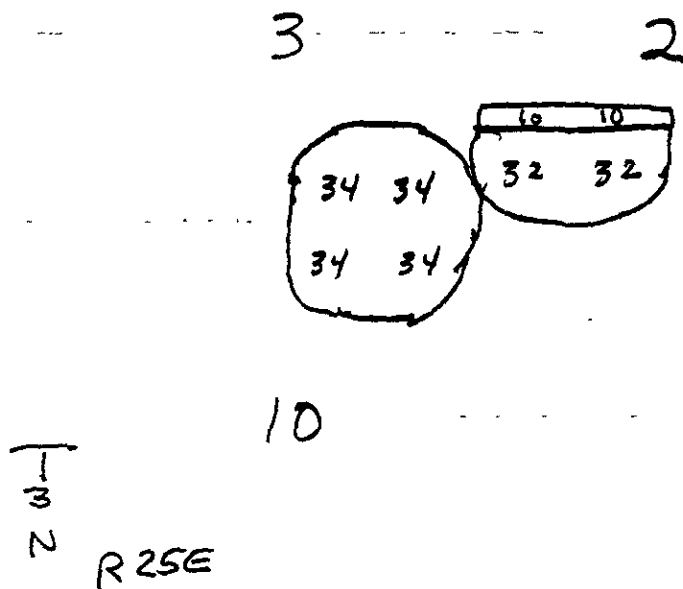
3 Lands irrigated or place of use

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

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.



MICROFILMED
 JUL 28 1999

PART 3

B. CHANGES IN NATURE OF USE

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

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.

**Shirley B. Bailey, Manager*
(Signature of Applicant)
day of *March*, 19 *90*

William Blank
(Notary Public)

My commission expires *11/5/93*

FOR DEPARTMENT USE ONLY

Transfer contains *Assisted & Low* pages and *2-16-1990* attachments
Received by *Assisted & Low* Date *3-23-90*
Prelim check by *Assisted & Low* Fee *50% #E012680*
Received by *Kes* Date *2-16-1990*
Published in *Atco Advertiser, Custer Publishing*
Pub. dates *April 19, 26 - 1990*
Watermaster recommendation requested on _____
Recommended for ☐ approval ☐ denial
Hearing held by _____ Date _____
Copies of protest forwarded by _____
_____ by _____
_____ rec'd _____
_____ Copy of transfer sent to lien holder _____

Ms. _____
JUL 7 0 1999

MEMORANDUM

TO: FILE 34-00556
FROM: PAM SKAGGS CS
RE: TRANSFER # 4366
DATE: 6-13-94

=====

Original Transfer Application, Form and correspondence regarding the above referenced Transfer is located within file # 34-00170.

RECEIVED

JUL 21 1994

WR0749NP
No. E34-00556

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/15/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	P U RANCH 4500 IMPERIAL AVE SAN DIEGO CA 92113 (208) 527-3133	05/01/1886	IRRIGATION	05-01 10-15	2.80 CFS	924.00 AFA
TOTAL DIVERSION:					2.80 CFS	924.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T05N R26E S21

NWNW

BUTTE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
03N	25E	2	:					:					:	33	33	33	33	:					:	132.0
03N	25E	3	:					:					:					:			33	33	:	66.0
03N	25E	10	:	33	33			:					:					:					:	66.0
TOTAL ACRES																							264.0	

Pou County: BUTTE

Other Rights: 34-0170, 34-2332, 34-7079

Other Water Rights with Same Point(s) of Diversion and Source:

34-02332 34-07077 34-07079 34-07120 E34-00170 T34-00170 T34-00556

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

34-02332 34-07079 34-07507 34-07535 E34-00170 T34-00170 T34-00556

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 34.
- T04 - Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

Remarks:

Approval of Transfer No. 4366 expires November 1, 1994 and thereafter the right reverts to the use existing prior to the temporary change.
For water distribution purposes, Rules 45 and 50 of the Temporary Water Distribution Rules for Water District 34 shall apply to these water rights and these water rights shall be considered groundwater rights at all times May 1, 1886 priority water rights are not being filled from the Moore Diversion of the Big Lost River.
This approval is granted pursuant to 42-222A, Idaho Code, which requires the recipient of an approved temporary change assume all risk that the diversion and use of water pursuant to the

WR0749NP
No. E34-00556

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/15/94
PAGE: 2

Remarks: temporary change may cause injury to other water rights, that the change constitutes an enlargement in use of the original right, that the use is not consistent with the conservation of water resources within the State of Idaho and that such use is not in the local public interest.
Use of combined Right Nos. 34-00170, 34-00556, 34-02332 and 34-07079 is limited to a total combined diversion rate of 6.90 cfs, a total combined annual diversion volume of 924.0 af, a total combined annual consumptive use volume of 660 af, and to the irrigation of a combined total of 264 acres in a single irrigation season.

Dates: App. Received: Priority Date: 05/01/1886
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 34 Field Exam Fee:

Comments: Date: 09/06/1991 User-ID: THOMPSON Subject: COPIED FROM REMARKS
ITEM 5: MOORE DIVERSION, THROUGH MOORE CANAL TO CROSSOVER DITCH,
TO OLD "U-C" OR BLAINE CANAL, THROUGH TIMBERDOME CANAL TO
REDIVERSION INTO PRIVATE DITCH TO PUMP FOR PIVOTS (REDIVERSION
IS IN THE SE1/4 NE1/4 SEC. 35 T4N R25E).
REMARKS: THE PLACE OF USE FOR THIS RIGHT WAS CHANGED SEVERAL
YEARS AGO TO THE LANDS DESCRIBED HEREIN AND A WATERWAYS TRANSPORT
AGREEMENT WITH BIG LOST RIVER IRRIGATION DISTRICT ENTERED INTO
FOR CONVEYANCE OF THE WATER THROUGH THE MOORE CANAL ON DECEMBER
6, 1983. THIS IS CLAIMED AS AN ACCOMPLISHED TRANSFER UNDER
IDAHO CODE 42-1416A.

Date: 05/14/1992 User-ID: COX Subject: CHANGE OF OWNERSHIP
CHANGED OWNERSHIP FROM HILLCREEK PROPERTIES TO P U RANCH

Date: 06/13/1994 User-ID: SKAGGS Subject: TRANSFER NO. 4366 (EMERGENCY TRANSFER)
A temporary transfer was requested to change the point of
diversion and source under Right Nos. 34-00170 and 34-00556. The
transfer changed the source from the Big Lost River to pumping
groundwater from the groundwater aquifer within a conjunctive
management area. The transfer will expire following the 1994

WR0749NP
No. E34-00556

IDaho DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/15/94
PAGE: 3

Comments: Date: 06/13/1994 User-ID: SKAGGS Subject: TRANSFER NO. 4366 (EMERGENCY TRANSFER)
irrigation season and the water rights will return to the
existing use as recorded before the transfer in the SRBA Basin 34
Director's Report.
The approved version of Transfer No. 4366 will be stored on the
WR database under an E prefix until the end of the 1994 season.

Audit: 06/15/94 SKAGGS

MEMORANDUM

TO: FILE NOS. 34-00170 & 34-00556

FROM: PAM SKAGGS/²⁸STATE OFFICE

SUBJECT: TEMPORARY TRANSFER NO. 4366

DATE: June 13, 1994

=====

Transfer No. 4366 was filed as a temporary change during the 1994 irrigation season due to the declared drought conditions. The transfer proposes to change the point of diversion from the Big Lost River to an existing well to use a groundwater source under Right Nos. 34-00170 and 34-00556 within a conjunctive management area.

The transfer is based on the SRBA Claim as recommended in the Basin 34 Director's Report and subject to the final decree of these rights. The transfer approval will expire 11-01-94 and the rights will return to the existing use as recorded in the Director's Report.

Recommended conditions include specific conditions recommended by Dave Shaw, conditions from the Basin 34 Director's Report, specific conditions relative to concerns in basin 34 and standard transfer conditions.

The approved transfer versions will be stored under an "E" prefix on the water rights database until the approval expires.

RECEIVED

JUL 21 1994

WR0749NP
No. T34-00556

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/15/94
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Tributary to:

Stage: DECREED

Point(s) of Diversion: T05N R26E S21

NWNW

BUTTE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
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Remarks: Approval of Transfer No. 4366 expires November 1, 1994 and thereafter the right reverts to the use existing prior to the temporary change.
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WR0749NP
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IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/15/94
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WR database under an E prefix until the end of the 1994 season.

Audit: 06/13/94 SKAGGS 06/13/94 SKAGGS 06/15/94 SKAGGS

MEMORANDUM

TO: File 34-00556
FROM: Sharla
DATE: July 31, 1992
RE: Trans. No. 3676

See file 34-00170 for all correspondence regarding the above referenced transfer.

RECEIVED

JUL 21 1994