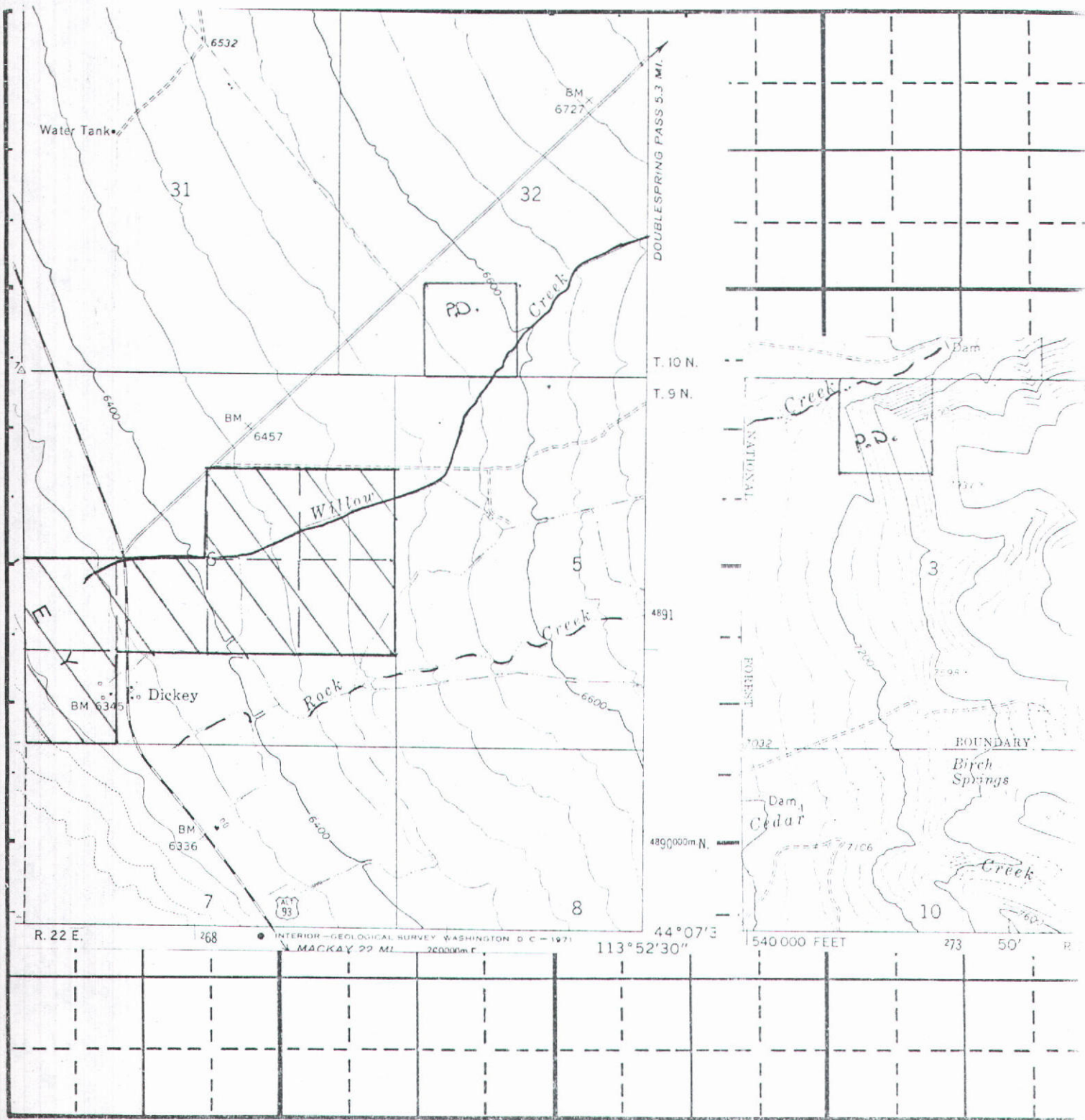


c. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9N	22E	6			40	40					40	40	40		40	40			280

Total number of acres to be irrigated 280

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.



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

MICROFILMED

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 DICKEY LIVESTOCK, INC. &/or GORDON FULTON Phone 588-2267
Post Office address Star Route, Mackay, ID 83251

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No 34-0057
34-0058 Decreed to E.W. Bascom (Name)
in case of Utah Construction Co. vs John F. Abbott, et al
10-21-1925
dated in 3-15-1923 in U.S. District Court, xxxxxx 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. Applicants will provide evidence of ownership of ground and disclaimers from other effected land owners.

3. Source of water Willow & Rock Creek tributary to Sinks

4. Date of priority (34-0057) 6-1-1887 (34-0058) 10-27-1910

5. Water is used for the following purposes:

34-0057 amount 2.40cfs for Irrigation purposes from 5-1 to 10-15
34-0058 amount 3.20cfs for Irrigation purposes from 5-1 to 10-15
amount _____ for _____ purposes from _____ to _____
(month/day -- both dates inclusive)

6. Total amount of water under right: a. 5.60 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is See Decree for Description $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____

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

Additional points of diversion, if any _____

8. Lands irrigated or 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 $\frac{1}{4}$	
9N	21E	1													X	X		X	
9N	22E	5						X	X										
		6			X	X					X	L-6 X	L-7 X			X			

Total number of acres to be irrigated 280

9. Describe any other water rights used for the same purpose as described above None

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

B. 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 _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B M., _____ County
Additional points _____
3. 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	

Total number of acres to be irrigated _____

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

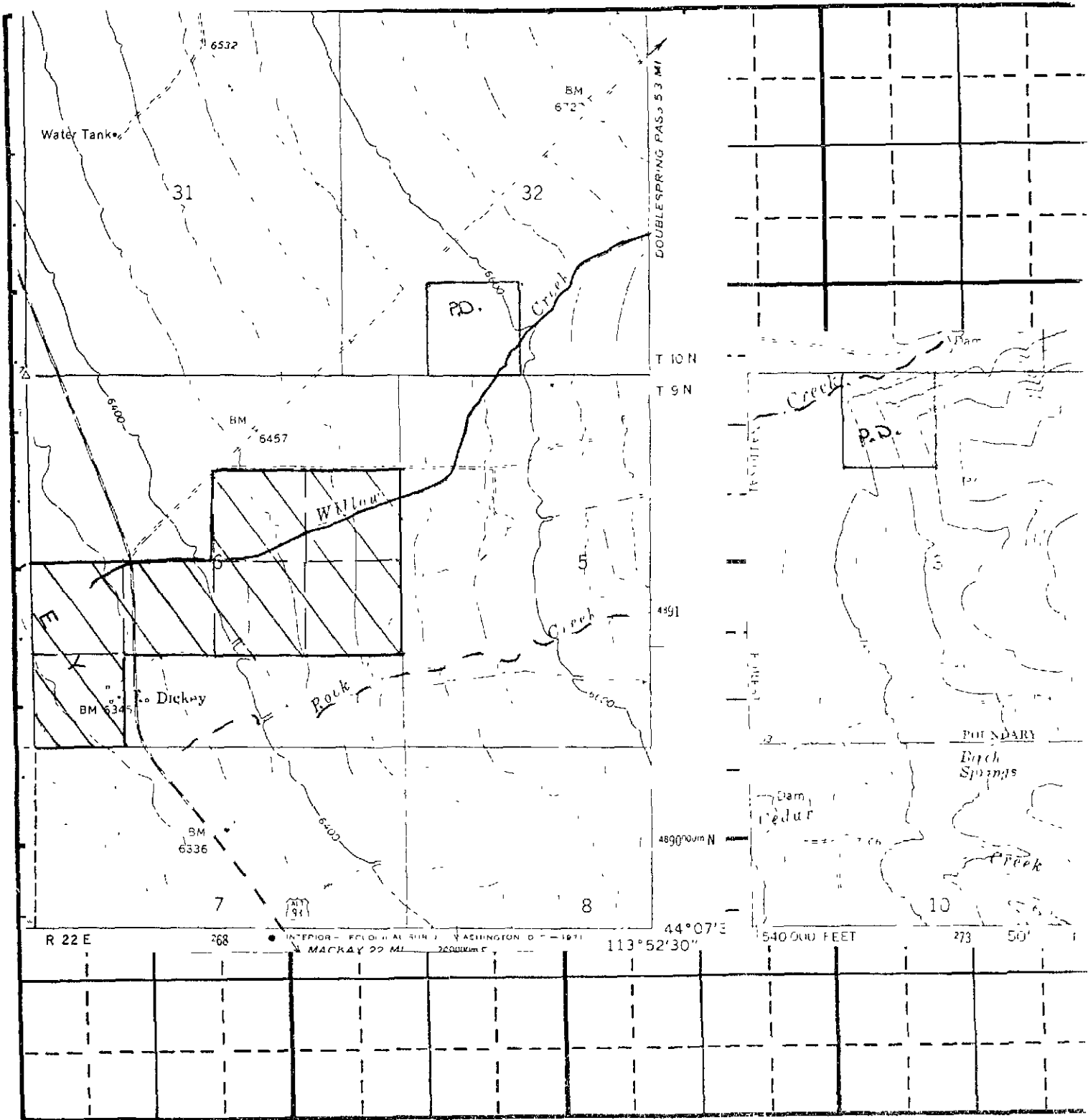
- 1 General Information 34-0057 2.40cfs
34-0058 3.20cfs
a. Amount of water to be diverted 5.60cfs c.f.s &/or _____ acre feet
b. Description of diverting works _____
c. Describe the reasons for the proposed changes This transfer is to clarify actual
place of use and point of diversion for the rights as used.
2. Change in point of diversion (Willow Creek)
Point of diversion SE ¼ SW ¼, Section 32 Township 10N
Range 22E, B M., Custer County
Additional points (Rock Creek) NE¼NW¼, Sect. 3, T. 9N, R. 22E
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 X 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
N. A. With the exception of the NESE Sect. 6 the land in the "NEW"
place of use has been the actual place of use.

c. Describe the lands, place of use to which the right will be transferred

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	
9N	22E	6			40	40					40	40	40		40	40			280

Total number of acres to be irrigated 280

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.



SCALE: 2 inches equal 1 mile Draw plan in ink

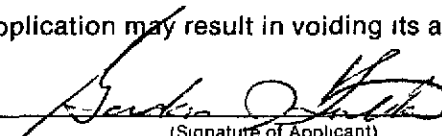
WILCOX

D REMARKS

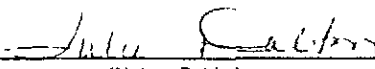
Applicant does not now own lands in the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Sect. 5. The water was incorrectly
decreed to this ground now owned by the BLM and Wylie Smith. Applicant will obtain
proper relinquishment forms from these owners. Also the NESE of Sect. 6 in the new
place of use is Desert Land Entry ground that is being released to me by the BLM.
The BLM feels this transfer will be adequate evidence of a water right.

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.


(Signature of Applicant)

Subscribed and sworn to before me this 9th day of August, 19 85.

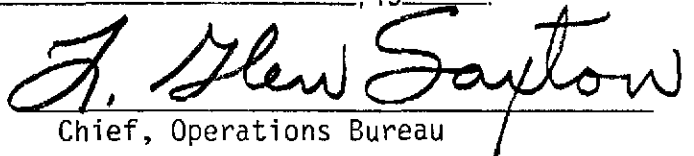

(Notary Public)

My commission expires 10/30/87

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No 34-0057/0058
and said application is hereby APPROVED, subject to the following limitations and conditions:
Use of water under these rights is subject to control by the watermaster
of Water District No. 34, Big Lost River.

Witness my hand this 8th day of April, 19 86


Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by CU Date 9-03-85 Protest filed by _____
Prelim. check by HWS Fee 50.00
Receipted by CU Date 9-18-85 #35422
Published in Right Star Courier Pub Co. Copies of protest forwarded by _____
Pub. dates 10/7/84 & 11/7/1985 - 11/23 + 12/5 1985 Hearing held by _____ Date _____
Watermaster recommendation requested on 10-24-85 Recommended for approval denial
WD #34 rec'd. 10-29-85 by KPC Jim

MICROFILMED

E. W. BASCOM

✓ 1887-June 1

2.4 c. **34.0057**

✓ 1910-October 27

3.2 c. **34.0058**

No. 28

WILLIAM BASCOM AND OTHERS
CONSEQUESTS

(1) 1887-June 1

To be diverted from Willow and Rock Creeks through a private ditch having its point of diversion at the point of diversion maintained on Willow Creek at the date of the Moe-Harger decree being at the junction of Willow and Rock Creeks and an additional amount sufficient to make up the amount herein decreed to be diverted from Rock Creek at the point where the weir in Rock Creek is now located, for the irrigation of 280 acres of land in the following legal subdivisions, to-wit:

Lot 6 and 7; the Northeast quarter of the Southwest quarter, Northwest quarter of the Southeast quarter and the South half of the Northeast quarter of Section 6 and the West half of the Northwest quarter of Section 5, all in Township 9 North, Range 22 East, B.M., also the Southeast quarter of the Southeast quarter and the North half of the Southeast quarter of Section 1, Township 9 North, Range 21 East, B. M.

No. 29

HARLOW BASSETT

(Named in Plaintiff's amended complaint as H. Bassett)

✓ 1885-May 12

0.8 c.f.s. **34.0059**

No. 30

CLARA M. BATE

✓ 1883-August 10

1.5 c. **34.0060**

1.5 Trans. No. 422

1883-August 10

1883-August 10

No. 31

J. M. BATE

(Or Joseph M. Bate)

✓ 1883-August 10

1.7 Trans. 428

.85 " 455

No. 32

No. 32

To be diverted from Big Lost River through the Island 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:

Northwest quarter of the Southeast quarter of Section 22, Township 5 North, Range 26 East, B. M.

To be diverted from Big Lost River through the Island 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:

East half of the Southwest quarter of Section 10, Township 4 North, Range 26 East, B. M., except 5 acres along the East side thereof.

To be diverted from Big Lost River through the Island 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:

West half of the Southeast quarter of Section 10, Township 4 North, Range 26 East, B. M. and five acres on the East side of the Southwest quarter of Section 10, Township 4 North, Range 26 East, B. M.

INTER-DEPARTMENT MEMO — 1

FROM Sharla

DATE 4/7/86

TO File 34-0058

SUBJECT Trans. 3224

See file 34-0057 for all correspondence regarding the above referenced transfer.

MICROFILMED

SIGNATURE