

Transfer No. 70679
Receipt No. S025352

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

1. Applicant Information RIVER GROVE INC
C/O PETER L STURDIVANT
PO BOX 606
HAILEY ID 83333-0606
(208)788-9845

And

PETER L STURDIVANT
PO BOX 968
HAILEY ID 83333-0968
(208)788-9845

And

JANE STURDIVANT
PO BOX 968
HAILEY ID 83333
(208)788-9845

AMENDED

RECEIVED
OCT 29 2004
Department of Water Resources
Southern Region

Will this transfer result in an ownership change? ☒ Yes ☐ No

2. Current Water Right

Part 2 Attached for Each Right

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
36-106	WR/Decreed	2.00			10.0	BILLINGSLEY CREEK
36-37A	WR/Decreed	0.61			8.0	BILLINGSLEY CREEK
36-37B	WR/Decreed	0.69			8.0	BILLINGSLEY CREEK

3. Purpose of Transfer (Change Proposed)

Part 3A Attached for Each Proposed Right

Part 3B Attached for Each Split Right

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-106	YES	NO	YES	YES	NO	NO
36-37A	NO	NO	YES	YES	NO	NO
36-37B	NO	NO	YES	YES	NO	NO

Describe the reason for the proposed changes

To describe the permissable place of use that is presently irrigated on this property.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

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

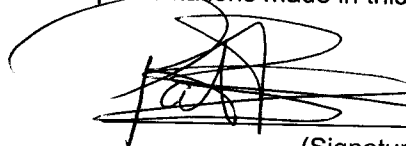
5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
36-16180	0.58 cfs	3.3	19.3	
36-37A	0.61 cfs	8.0	19.3	
36-37B	0.69 cfs	8.0	19.3	
TOTAL	1.88 cfs	19.3	19.3	

Transfer No. 70679
Receipt No. S025352

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

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.

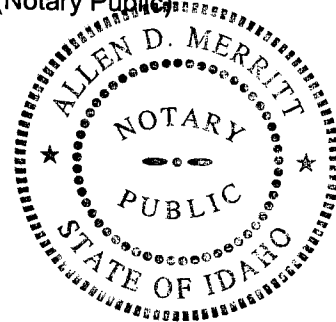

(Signature of Applicant)

(Title or Office)

Subscribed and sworn to before me this 29th day of October, 2004.


(Notary Public)

My commission expires 6/30/2004



Transfer No. 70679
 Receipt No. S025352

**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 2**

Current Water Right No. 36-106

Priority Date: April 01, 1880

Origin: Water Right

Basis: Decreed

Status: Active

Source: BILLINGSLEY CREEK

Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
AESTHETIC	01/01	12/31	2.00 CFS		
STOCKWATER	01/01	12/31	0.04 CFS		
IRRIGATION	02/15	11/30	2.00 CFS		
Total Diversion			2.00 CFS		

Source and Point(s) of Diversion:

BILLINGSLEY CREEK SESENW Sec. 11 Twp 07S Rge 13E GOODING County

PLACE OF USE: AESTHETIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	13E	11																	
													X						

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	13E	11																	
													X						

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	13E	11																	
													10.0						10.0

Total Acres: 10

Conditions/Remarks:

1. 0.24 CFS OF THE UNSUBORDINATED IRRIGATION PORTION OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN THE DELIVERY OF THIS RIGHT.
2. THE SUBORDINATED PORTIONS OF THIS WATER RIGHT SHALL NOT BE ASSERTED, DELIVERED, HONORED, USED, ENFORCED, EFFECTIVE OR OTHERWISE RECOGNIZED AS VALID IF IT WOULD CAUSE OR REQUIRE, EITHER DIRECTLY OR INDIRECTLY, CURTAILMENT OF, INJURY TO, OR MITIGATION FROM ANY WATER RIGHTS WITH PRIORITY DATES EARLIER THAN DECEMBER 31, 1999. THE SUBORDINATIONS SHALL RUN WITH AND BE PERPETUAL SERVITUDES UPON THIS WATER RIGHT AND THE ASSOCIATED LANDS, INCLUDING ANY NEW LANDS TO WHICH ALL OR ANY PORTIONS OF THIS WATER RIGHT IS TRANSFERRED.
3. THE PORTION OF THIS RIGHT IN EXCESS OF 0.50 CFS FOR IRRIGATION IS SUBORDINATED TO ALL WATER RIGHTS WITH PRIORITY DATES EARLIER THAN DECEMBER 31, 1999.
4. THE PORTION OF THIS RIGHT FOR AESTHETIC USE IS SUBORDINATED TO ALL WATER RIGHTS WITH PRIORITY DATES EARLIER THAN DECEMBER 31, 1999.
5. THE AESTHETIC USE UNDER THIS RIGHT IS SUBORDINATED TO ALL WATER RIGHTS WITH PRIORITY DATES EARLIER THAN DECEMBER 31, 1999.
6. THE IRRIGATION USE UNDER THIS RIGHT IN EXCESS OF .050 CFS IS SUBORDINATED TO ALL WATER RIGHTS WITH PRIORITY DATES EARLIER THAN DECEMBER 31, 1999.
7. THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
8. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
9. WATER IS DIVERED THROUGH THE BARLOGI DITCH.
STOCKWATER, 50 RANGE CATTLE

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

Transfer No. 70679
Receipt No. S025352

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 36-37A

Priority Date: April 01, 1880
Origin: Water Right
Basis: Decreed
Status: Active

Source: BILLINGSLEY CREEK **Tributary:** SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	2/15 11/30	0.61 CFS		
	Total Diversion	0.61 CFS		

Source and Point(s) of Diversion:

BILLINGSLEY CREEK NWSWNE Sec. 11 Twp 07S Rge 13E GOODING County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	13E	11					8.0												8.0
							L 2												

Total Acres: 8

Conditions/Remarks:

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

Page 7

Documentation of Ownership of the Current Place of Use
Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

The overall irrigation place of use will change somewhat due to the conversion from gravity to sprinkler irrigation.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

Transfer No. 70679
 Receipt No. S025352

**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 2**

Current Water Right No. 36-37B

Priority Date: April 01, 1880
 Origin: Water Right
 Basis: Decreed
 Status: Active

Source: BILLINGSLEY CREEK **Tributary:** SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	2/15 11/30	0.69 CFS		
	Total Diversion	0.69 CFS		

Source and Point(s) of Diversion:

BILLINGSLEY CREEK NWSENW Sec. 11 Twp 07S Rge 13E GOODING County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 13E 11							1.5	6.5									8.0
							L 3										

Total Acres: 8

Conditions/Remarks:

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

Page 9

Documentation of Ownership of the Current Place of Use
Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Place of use will change slightly due to installation of sprinkler system to replace gravity irrigation.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

Transfer No. 70679
 Receipt No.S025352

**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 36-16180

Priority Date: April 01, 1880

Origin:

Basis: Decead

Status: Pending
 Transfer

Source: BILLINGSLEY CREEK

Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	02/15 11/30	0.58 CFS		
	Total Diversion	0.58 CFS		

Source and Point(s) of Diversion:

BILLINGSLEY CREEK	NWSWNE	Sec. 11 Twp 07S	Rge 13E	GOODING County
BILLINGSLEY CREEK	NWSENW	Sec. 11 Twp 07S	Rge 13E	GOODING County
BILLINGSLEY CREEK	NWSENW	Sec. 11 Twp 07S	Rge 13E	GOODING County
BILLINGSLEY CREEK	NWSENW	Sec. 11 Twp 07S	Rge 13E	GOODING County

Describe the proposed diversion system

Point of Diversion # 1 Idaho Power Co. ditch to gravity-fed mainline, sprinklers
 Point of Diversion # 2 Headgate to pipeline running north from creek (east diversion in tract)
 Point of Diversion # 3 Headgate to pond & pump, pipeline running south (west diversion in tract)
 Point of Diversion # 4 Headgate & ditch thru fish ponds to small field (middle diversion in tract)

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 13E 11					5.7	.4	5.3	5.0									19.3
					L 2	L 2	L 3										

Total Acres: 19.3

Transfer No. 70679
 Receipt No.S025352

**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 36-37A

Priority Date: April 01, 1880

Origin: Water Right

Basis: Decreed

Status: Pending
 Transfer

Source: BILLINGSLEY CREEK

Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	02/15 11/30	0.61 CFS		
	Total Diversion	0.61 CFS		

Source and Point(s) of Diversion:

BILLINGSLEY CREEK	NWSWNE	Sec. 11 Twp 07S Rge 13E GOODING County
BILLINGSLEY CREEK	NWSENW	Sec. 11 Twp 07S Rge 13E GOODING County
BILLINGSLEY CREEK	NWSENW	Sec. 11 Twp 07S Rge 13E GOODING County
BILLINGSLEY CREEK	NWSENW	Sec. 11 Twp 07S Rge 13E GOODING County

Describe the proposed diversion system

Point of Diversion # 1 Idaho Power Co. ditch to gravity-fed mainline, sprinklers
 Point of Diversion # 2 Headgate to pipeline running north from creek (east diversion in tract)
 Point of Diversion # 3 Headgate to pond & pump, pipeline running south (west diversion in tract)
 Point of Diversion # 4 Headgate & ditch thru fish ponds to small field (middle diversion in tract)

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	13E	11					5.7	.4	5.3	5.0					2.9				19.3
							L2	L2	L3										

Total Acres: 19.3

Transfer No. 70679
 Receipt No. S025352

**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 36-37B

Priority Date: April 01, 1880
 Origin: Water Right
 Basis: Decreed
 Status: Pending
 Transfer

Source: BILLINGSLEY CREEK

Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	02/15 11/30	0.69 CFS		
	Total Diversion	0.69 CFS		

Source and Point(s) of Diversion:

BILLINGSLEY CREEK	NWSWNE	Sec. 11 Twp 07S	Rge 13E	GOODING County
BILLINGSLEY CREEK	NWSENW	Sec. 11 Twp 07S	Rge 13E	GOODING County
BILLINGSLEY CREEK	NWSENW	Sec. 11 Twp 07S	Rge 13E	GOODING County
BILLINGSLEY CREEK	NWSENW	Sec. 11 Twp 07S	Rge 13E	GOODING County

Describe the proposed diversion system

Point of Diversion # 1 Idaho Power Co. ditch to gravity-fed mainline, sprinklers
 Point of Diversion # 2 Headgate to pipeline running north from creek (east diversion in tract)
 Point of Diversion # 3 Headgate to pond & pump, pipeline running south (west diversion in tract)
 Point of Diversion # 4 Headgate & ditch thru fish ponds to small field (middle diversion in tract)

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	13E	11					5.7	.4	5.3	5.0		2.9							19.3
							L 2	L 2	L 3										

Total Acres: 19.3

Transfer No. 70679
Receipt No. S025352

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3B**

PORTION OF RIGHT No. 36-106 BEING TRANSFERRED

Priority Date: April 01, 1880

Origin:

Basis: Decreed

Status: Pending
Transfer

Source: BILLINGSLEY CREEK

Tributary: SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	02/15 11/30	0.58 CFS		
	Total Diversion	0.58 CFS		

Source and Point(s) of Diversion:

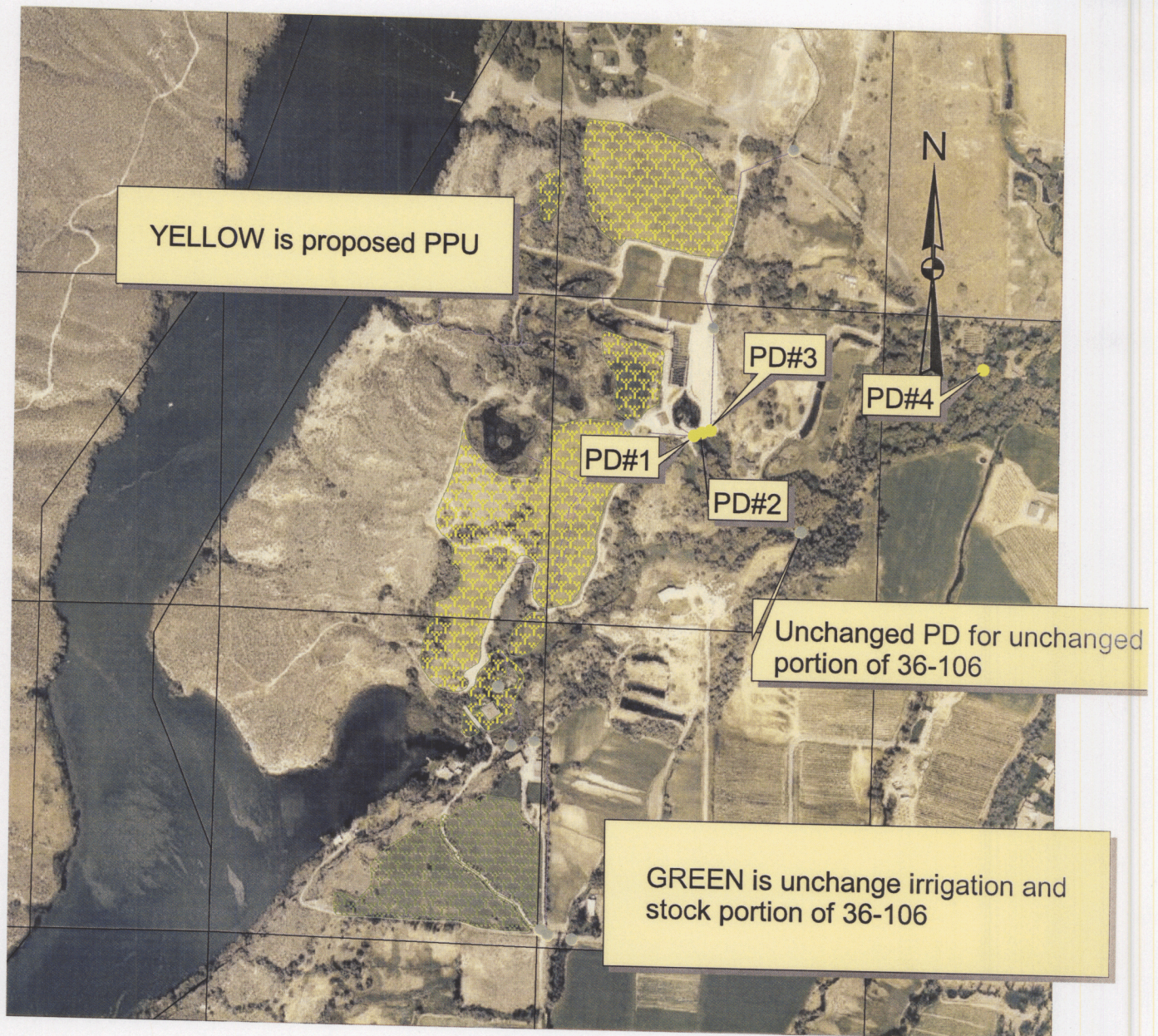
BILLINGSLEY CREEK SESENW Sec. 11 Twp 07S Rge 13E GOODING County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
07S	13E	11																	3.3
																			3.3

Total Acres: 3.3

T70679



Section 11, T07S, R13E

1320 0 1320 Feet

- N coor water system features.shp
- 07S13E GCDB
- Adm post irrig.shp
- N coord pipeline & ditches.shp