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Documents
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P.D

- 4:- ^{Thus} John Wheeler and C.C. Willis are jointly entitled to the flow at all times
75 0019 of one hundred and eighty inches of the waters of Jesse Creek, measured under
ANS 1932 a four inch pressure, for the purpose of irrigating their ^{said} lands in the
1933 answer described, and that their right to the use of the same shall date
from the year 1868.
- 5:- That John Martin is entitled to the flow at all times of fifteen inches of
75 0020 the waters of Jesse Creek, measured under a four inch pressure, for the pur-
pose of irrigating his lands ~~described~~ in the answer described, his right to
the use thereof to date from the year 1888.
- 6:- That Sophronia Pollard is entitled to the flow at all times of five inches
75 0021 of the waters of said Jesse Creek, measured under a four inch pressure, to
2740 irrigate her said land in the answer described, the right to the use thereof
to date from the first day of May, 1883.
- 7:- That Sophronia Pollard is also entitled to the flow at all times of one,
75 0022 hundred inches of the waters of Jesse Creek, measured under a four inch
pressure, for the irrigation of her lands described in the answer, her right
to date from the first day of May, 1889.
- 8:- That Mrs. A.B. McCaleb is entitled at all times to the flow of seven inches of
75 0023 the waters of Jesse Creek, measured under a four inch pressure, to irrigate
her said lot in the answer described, her right to the use thereof to date
from the year 1869.
- 9:- That Ira Tingley is entitled to the flow at all times of five inches of the
75 0024 waters of Jesse Creek, measured under a four inch pressure, for the purpose
of irrigating his said lot, his right to the use thereof to date from the
year 1877.
- 10:- That F.M. Pollard is entitled at all times to the use of all the waters of
75 0025 Jesse Creek, for fluming purposes, so long as he continues the use of the same
as heretofore used by him.
- 11:- That George L. Shoup, Jas. McNab and M.M. McPherson are entitled to the flow at
75 0026 all times of twenty-five inches of the waters of Jesse Creek, measured under
a four inch pressure, to irrigate the lot of land described in their answer,
their right to the use of ^{the} same to date from the first day of May of the
year 1884.
- 12:- That each of the parties hereto, to whom a right to the use of the waters of
Jesse Creek is decreed, shall be perpetually and they are hereby perpetually

75-A

In the District Court of the Fifth Judicial District of Idaho in and
or Lemhi County.

E.T.Andrews and W.S.Andrews,)
Plffs.)
vs.)
John Martin, et. al., Defendants.)

This cause coming on to be heard this 26.day of
September A.D.1893,before the Court,a jury having been waived by the parties to
this action,and Messrs.Quarles & Redwine appearing as counsel for the plaintiffs,
Messrs.Hawley & Reeves for defendant F.M.Pollard,and Messrs.Hawley & Reeves and
J.B.Miller for defendant Sophronia A.Pollard,J.B.Miller,Esq.,for defendant John
Long,John McDonald Esq.,for defendant Dalmar Manfull and Mrs.A.B.McCaleb/Fred J.
Cowen,Esq., appearing for ~~defendants~~ defts. Wheeler & Willis and Ira Tingley,and
William Newton Esq.,for defendant John Martin,and Texas Angel and Thomas Elder
for defendants Shoup,McNab and ^{M.M.} McPherson,and the Court after hearing all the ~~ex~~
testimony in the cause,and the arguments of counsel for the respective parties,
and the Court having made and filed his findings of fact and conclusions of law
herein,Now therefore;

It is Ordered,Adjudged and Decreed,as follows:

- 0016
1:- That the plaintiffs E.T.Andrews and W.S.Andrews are entitled to the flow at
all times of one hundred inches of the waters of Jesse Creek for the purpose
of irrigating their lands described in the complaint,their right to the use
thereof,to date from the year 1867,said water to be measured under a four
inch pressure.
- 0017
2:- That Dalmar Manfull is entitled to the flow at all times of seventy-five
inches of the waters of Jesse Creek measured under a four inch pressure,
to be used upon his said lands,described in the answer,forthe purpose of
irrigating the same,his right to the use of the same to date from the year
1867.
- 5 0018
3:- That John Long is entitled to the flow at all times of fifteen inches of the
waters of Jesse Creek,measured under a four inch pressure,for the purpose
of irrigating his lands described in the answer,his right to the use thereof
to date from the year 1867.

MEMORANDUM

TO: FILE 75-00022

FROM: PAM SKAGGS

RE: TRANSFER # 4104

DATE: 5-20-93

Original Transfer Application, Form and correspondence regarding the above referenced Transfer is located within file # 75-00019.

Amended T# 4104 filed 5/2/94
Removed this night (75-00022) from
the transfer processing.

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PETITION TO)	
INTERVENE IN PROTESTED APPLICATION)	ORDER GRANTING
FOR TRANSFER NO.'S 75-00019D,)	PETITION TO
75-00021, & 75-00022 IN THE NAME)	INTERVENE
<u>OF IDAHO ARROWHEAD WATER DISTRICT</u>)	

On July 2, 1993, Jordan P. Smith, Attorney at Law, on behalf of his clients Isley Investment, Inc.; Billy B. Isley; and Oliver Ranch Joint Venture (petitioners) submitted to the Department of Water Resources (department) a Motion For Leave to Intervene in the Matter of Application for Transfer of Water Right by Idaho Arrowhead Water District.

Petitioners all have an interest in the water rights at issue. Petitioners have shown sufficient direct and substantial interest in the above referenced matter for the department to grant the petitioners leave to intervene into the matter.

No objection to the interventions have been received.

ORDER

IT IS THEREFORE HEREBY ORDERED that the petitioners of Isley Investment, Inc.; Billy B. Isley; and Oliver Ranch Joint Venture requesting Leave to Intervene in any conference and/or hearing scheduled by the department in connection with protested Application for Transfer of Water Rights No.'s 75-00019D, 75-00021, & 75-00022 is GRANTED.

Dated this 27th day of July, 1993.


RONALD D. CARLSON
Eastern Regional Manager

05-May-1993

IDAHO ARROWHEAD WATER DIST
PO BOX 542
SALMON ID 83467

RE: Applications for Transfer of Water Rights
75-00019D, 75-00021, ~~75-00022~~

Dear Applicant:

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

- 1) Are other water rights injured by the transfer?
- 2) Does the change constitute enlargement in the use of the original water right?
- 3) Is the change consistent with the conservation of water resources within the state of Idaho?
- 4) Does the change conflict with the local public interest?

The applicant must be prepared to present evidence and/or testimony addressing each of the three items should an additional hearing be necessary. You will be notified at a later date as to the time and place set for conference and/or hearing.

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

Respectfully submitted,


HAROLD W. JONES *rb*
Water Rights Supervisor

HWJ/rb

cc: IDWR - State Office

05-May-1993

CITY OF SALMON
200 MAIN ST
SALMON ID 83467

RE: Application for Transfer in the name of
Idaho Arrowhead Water Dist, 75-00019D, 75-00021, 75-00022

Dear Ms. Hauff:

This letter acknowledges receipt of the protest filed by you against the above referenced application for transfer. The following are the principle items considered by the Department at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute enlargement in the use of the original right?
3. Is the change consistent with the conservation of water resources within the state of Idaho?
4. Does the change conflict with the local public interest?

The protestant must be prepared to present proof of the allegations involving one or more of the items. You will be notified at a later date as to the time and place set for conference and/or hearing.

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

Respectfully submitted,


HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

cc: IDWR - State Office

CITY OF SALMON

200 MAIN STREET / SALMON, IDAHO 83467 / (208) 756-3214

RECEIVED

April 27, 1993

APR 28 1993

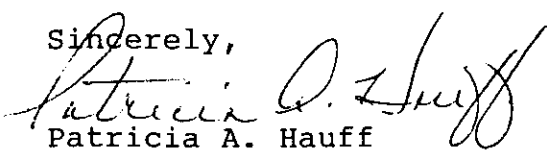
Department of Water Resources
Eastern District Office

R. Keith Higginson, Director
Idaho Department of Water Resources
900 N. Skyline Drive
Idaho Falls, ID. 83402

Dear Mr. Higginson:

The City of Salmon wishes to go on record in protest of the application for change of the point of diversion, nature and period of use for Decrees No. 75-00019D, 75-00021 and 75-00022 as submitted by Idaho Arrowhead Water District. The reason for this protest is to allow for further analyses of the exact location of the diversion, nature of use and period of use and their relationship to the City's domestic water system.

Sincerely,


Patricia A. Hauff
Mayor
City of Salmon

05-May-1993

ROBERT L BLACKADAR
801 FAIRMONT ST
SALMON ID 83467

RE: Application for Transfer in the name of
Idaho Arrowhead Water Dist, 75-00019D, 75-00021, 75-00022

Dear Mr. Blackadar:

This letter acknowledges receipt of the protest filed by you against the above referenced application for transfer. The following are the principle items considered by the Department at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute enlargement in the use of the original right?
3. Is the change consistent with the conservation of water resources within the state of Idaho?
4. Does the change conflict with the local public interest?

The protestant must be prepared to present proof of the allegations involving one or more of the items. You will be notified at a later date as to the time and place set for conference and/or hearing.

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

Respectfully submitted,


HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

cc: IDWR - State Office

4-30-93
801 Fairmont St.
Salmon, Id. 83467
756-4625

RECEIVED

MAY 03 1993

R. Kieth Higgingson, Director
Idaho Department of Water Resources
900 N. Skyline Dr.
Idaho Falls, Idaho 83402

Department of Water Resources
Eastern District Office

Re: NOTICE OF PROPOSED CHANGE OF A WATER
RIGHT NO. 75-00019D, 75-00021, and
75-00022; Published in The Recorder
Herald April 15 & 22, 1993.

Dear Mr. Higgingson:

I am the owner of a portion of water right 75-00019A and also the owner of a portion of water right 75-00113 and I would like to protest the application of Idaho Arrowhead Water District to change the point of diversion (POD), nature, and period of use of surface waters of Chipps Creek and Pollard Creek also known as "the waters of Jesse Creek" throughout the previous three decrees. I would also like to propose a public hearing prior to any decision so that anyone who objects can be heard like they were able to do in 1980 or 1981 when Dale Smedley filed a change in the point of diversion for water rite 75-00019D and Bob Fleenor conducted the hearing, I believe, on behalf of A. Kenneth Dunn, the Director at that time.

The previously mentioned change in the point of diversion was approved with certain contingencies. They were: a) a special condition requiring Mr. Smedley to install and maintain totalizing measuring devices and locable controlling works of a type acceptable to the Department, and b) Mr. Smedley was advised by a letter dated July 28, 1981 from L. Glen Saxton that the approved transfer "does not change the nature of use nor the period of use from the original water right."

The main reason for my protest is I believe that Idaho Arrowhead Water District has violated all of the contingencies spelled out in the approved transfer and therefore should have all their water rights on Water District 75-A revoked!

From previous conversations I have had with Ernest Carlson, who sat through the entire previously mentioned hearing, I pressed him why Mr. Smedley didn't have his measuring devices in place, and Ernest's response was that they essentially had not been invented to be installed in an open ditch. All the water users on Jesse Creek were required to have a measuring device with lockable controlling works by April 1, 1992 and Idaho Arrowhead Water District was unable to meet this deadline and was

granted an extension which was later recinded . Idaho Arrowhead Water District could not meet a deadline at least 10 years after the fact that they had been granted the point of diversion request which limited their water right to 12 acre feet in a year and they never measured any of it for at least 10 years and therefore it is my assumption that they obviously took far more than they were entitled to. The classic "fox in charge of the chicken coop" scenario.

I would like to have this previous point of diversion hearing that I have been referring to included with my protest by reference. I have a copy but I can't part with it. I would like to refer you to the brief filed by Mr. Sherm Furey Jr. for our family and the Idaho First National Bank who administered my fathers estate. Mr Furey refers to specific cases where water rights ~~were~~^{were} revoked for noncompliance and therefore I don't think it is out of the question to suggest it now. I recall a conversation with Mr. Furey and he said something to this affect: "If we only accomplished one thing in the hearing it was that Mr. Smedley could run the risk of losing his water right if he changed the nature of use of the water." Not only is Idaho Arrowhead Water District attempting to change the nature of use and the season of use of their water right legitimately, but they have already done so illegally. When I pressed Mr. Norm Young on this point, he explained the Department's position as that of amnesty on be half of the water user. Mr. Higginson, sir: I believe amnesty to be absurd in this application!

I have pressed others in the Department, Mr. Austiguy in particular, that this appears to be an obvious violation of the Clean Water Act where Idaho Arrowhead Water District is taking untreated surface water, known to have giardiasis, and delivering it to domestic households. Mr. Austiguy's comment was that he was not in water quality and therefore that matter was out of his jurisdiction. Mr. Higginson, I am married to a school teacher, and if she were to suspect child abuse and did not report it to the appropriate authority, she could be negligent in her responsibilities to the school district she represents. I can't see why the same principle doesn't hold in your department. Do I have to call the EPA? That is another reason for the hearing I am requesting.

During the hearing in 1980, Mr Smedley ^{assured}~~assured~~ everyone that he would not need to change the nature of use of the water because he had artesian wells to deliver water to his homesites. It is my understanding that these wells proved to be high (unacceptably high) in fluoride and therefore they have nowhere to turn for water except the creek, no matter what they promised previously. I don't think there is any doubt that is exactly what Idaho Arrowhead has done, and what makes it so objectionable to me is that it has all been done since prohibited in the 1981 ROD hearing. Not all, but most of the development of Smedley estates has been done after 1981.

Let us not overlook the last violation and that being the period of use. Idaho Arrowhead Water District delivers water to their patrons 24 hours a day, 7 days a week, 52 weeks a year except when interrupted by freeze-up or maintenance problems.

Our side did not appeal the results of the POD hearing in 1981 because we felt it was a decision we could live with. It is obvious Mr. Smedley and Idaho Arrowhead Water District did not live it and that is the main reason for my protest.

I may ~~believe~~ ^{believe} my ox has been gored for years, and I may disagree with this application and it's outcome. I don't mean to sound disagreeable too.

Respectfully submitted,

Robert L. Blackadar
Robert L. Blackadar

P.S. Please excuse any spelling or grammar, I need to get this in the mail to make the deadline. Thankyou BB

If I would have written this protest in longhand, you would have never been able to read it. BB

State of Idaho, Lemhi County ss:
On this 2nd day of April 1993, before me
a Notary Public in and for said State, personally appeared —
Robert L. Blackadar, who proved
to me to be the person(s) whose name(s) is subscribed
to the within instrument, and acknowledged to me that he
executed the same.

Christina M. Mearns
Notary Public
Residing at Salmon, Idaho
My Commission Expires: 4-23-97

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4104APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant IDAHO ARROWHEAD WATER DISTRICT Phone (208) 756-4868Post Office address PO BOX 542, SLAMON ID 83467

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 The water is currently being used as domestic water by homeowners of Smedley Estates Subdivisions 1 & 2. Subdivision #1 has 93 lots, Subdivision #2 has 85 lots. Total number of lots is 178.
72 dmd 157 dmd

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
T #2355				
<u>75-00019D</u>	<u>1/1/1868</u>	<u>.30cfs 12af</u>	<u>Domestic</u>	<u>1/1 to 12/31</u>
<u>75-00021</u>	<u>5/1/1883</u>	<u>.10cfs 42.17af</u>	<u>Domestic</u>	<u>1/1 to 12/31</u>
<u>75-00022</u>	<u>5/1/1889</u>	<u>2.00cfs 843.48af</u>	<u>Domestic</u>	<u>1/1 to 12/31</u>
				to _____

2. Total amount of water being transferred 2.40 cubic feet per second and/or 897.65 acre-feet per annum.

3. Source of water Chipps Creek tributary to Pollard Creek

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SW	NW	11	21N	21E	Lemhi	Chipps Creek

5. 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	
21N	21E	1									D	D			D	D			
		2													D		D	D	

178 PLOTTED LOTS

Total acres _____

PART 1**6. General Information:**

a. Description of diversion system See attached

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes 1 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:

See attached

d. Remarks:

See attached

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

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

Witness my hand this _____ day of _____, 19 _____.

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:

- a. Decree No. 75-00022 Decreed to Sophronia Pollard
in case of E. T. Andrews vs. John Martin et al
dated 9/30/1893 in 5th Dist Court county of Lemhi
- 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 Jesse Creek tributary to Salmon River

4. Date or priority 5/1/1889

5. Water is used for the following purpose:

amount 2.00 for irrigation purposes from 4/1 to 11/1
(cfs/a~~5R~~)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.00 cubic feet per second and/or 843.48 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	11	21N	21E	Lemhi	

8. 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	
21N	21E	11									X	X	X	X	X	X	X	X	

Total acres _____

9. Describe any other water rights used for the same purpose as described above 75-00021

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 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 75-00019D Decreed to John Wheeler & C. G. Willis
in case of E. T. Andrews & W. S. Andrews vs. John Martin et al
dated 9-30-1893 in 5th Dist Court county of Lemhi
- 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. 2355 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 Chipps Creek tributary to Pollard Creek

4. Date or priority 6/1/1868

5. Water is used for the following purpose:

amount .30cfs (12af) for irrigation purposes from 4/1 to 11/1
(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 .30 cubic feet per second and/or 12 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	2	21N	21E	Lemhi	

8. 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	
21N	21E	1										A							
		2													A				

Total acres 4

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 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:

- a. Decree No. 75-00021 Decreed to Sophonria Pollard
in case of E. T. Andrews vs. John Martin et al
dated 9/30/1893 in 5th Dist Court county of Lemhi
- 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 Pollard Creek tributary to Jesse Creek

4. Date or priority 5/1/1883

5. Water is used for the following purpose:

amount .10 for irrigation purposes from 4/1 to 11/1
(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 .10 cubic feet per second and/or 42.17 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	10	21N	21E	Lemhi	

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	
21N	21E	1										20							20
		2													20				20

Total acres 40
75-00022

9. Describe any other water rights used for the same purpose as described above _____

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.

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

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	Domestic (75-00019)	12 af	per annum	1/1 to 12/31
	Domestic (75-00021)	42.17 af	per annum	1/1 to 12/31
	Domestic (75-00022)	843.48 af	per annum	1/1 to 12/31

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

Overflow from the culinary system is discharged into Pollard Creek in the
SENE Sec 2 T21N R21E

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

None

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.

Robert M. Jensen
(Signature of Applicant)

Subscribed and sworn to before me this 2nd day of MARCH, 1993.

Ann C. Mulken
(Notary Public)

My commission expires June 23 1998

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by RB + Date 3-4-93 Protest filed by _____

Prelim. check by KCW Fee \$50.00 _____

Received by HWT Date 4-3-92 # E017111 _____

Published in Recorder Herald Copies of protest forwarded by _____

Pub. dates April 15 : 22-93 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____