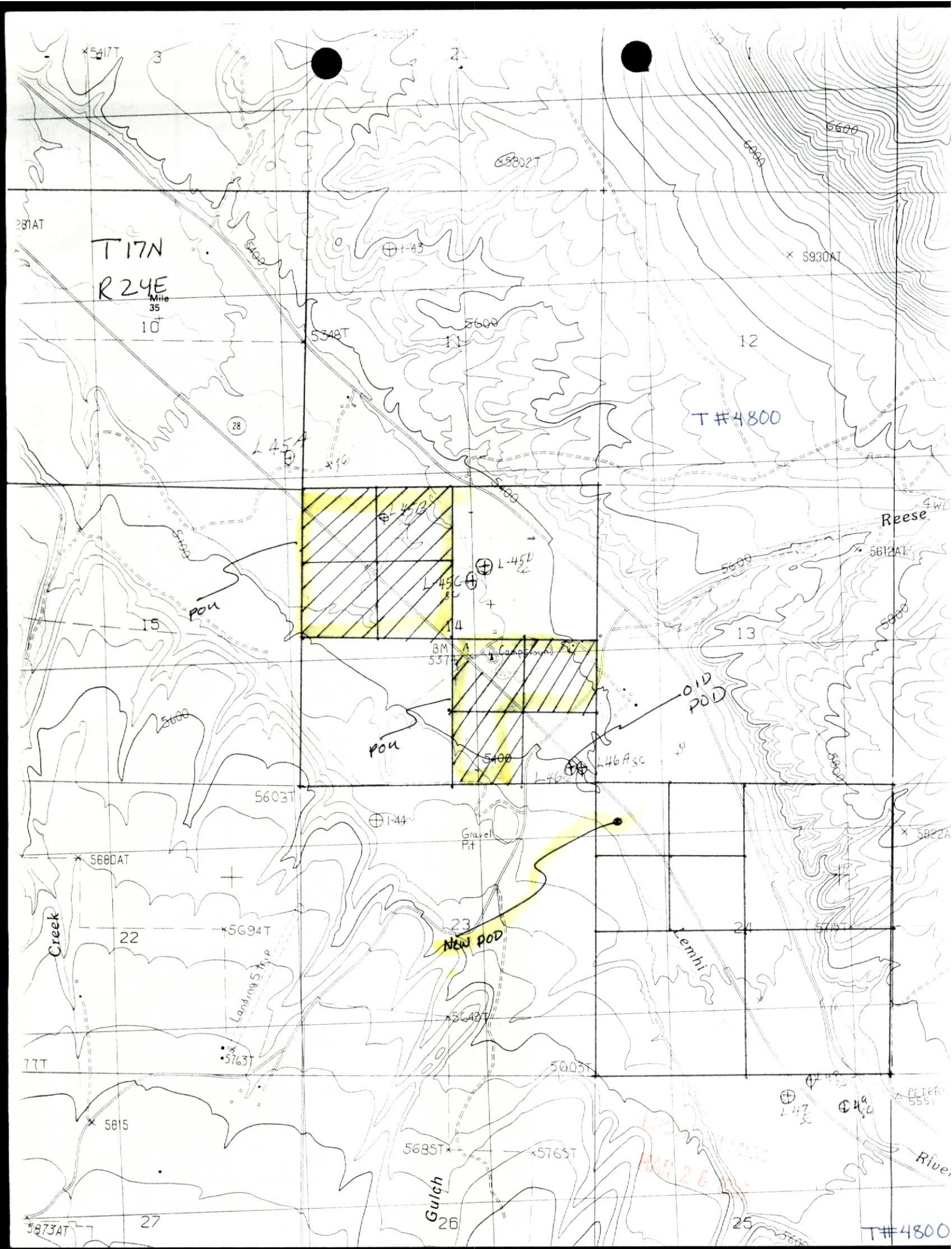




**NOTICE OF PROPOSED
CHANGE OF A WATER RIGHT
NO. 4800**

Notice is hereby given that McFarland Livestock Co., Inc., c/o Tex J. Kauer, P.O. Box 50, Lemhi, ID 83465, has applied to the Department of Water Resources to change point of diversion of the waters of the Lemhi River tributary to the Salmon River. The right sought to be changed is evidenced by a Decree and recorded as follows:

Decree No. 74-01556 Decreed to McFarland Livestock Co., c/o T.L. McFarland in case of State of Idaho vs McFarland Livestock Co., c/o T.L. McFarland dated June 17, 1971 in Idaho county of Lemhi Source: Lemhi River

Amount: 5.00cfs Priority: 03/21/1889

Point(s) of Diversion: SESE, Sec 14, T17N, R24E, L-46, B.M.

The water is used for irrigation of 166.4 acres from 3-15 to 11-15 within the NW¹/₄, NESW, N¹/₂E, SWSE, SEC 14, T17N, R24E, B.M.

TO BE CHANGED AS FOLLOWS:

The water will be diverted from the NWNW, Sec 24, T17N, R24E, L-46A.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID 83402, together with a protest fee of \$25 on or before May 20, 1996. The protestant must also send a copy of the protest tot the applicant.

KARL J. DREHER

Director

Published in Recorder Herald on May 2 & 9, 1996.

5-2-2tc

Affidavit of Publication

STATE OF IDAHO } ss.
County of Lemhi }

RICKY G. HODGES, being first duly sworn, deposes and says he is one of the publishers (printers) of The Recorder Herald, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein. That the DEPT OF WATER RESOURCES NO 4800

_____ a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for TWO (2) consecutive issues, commencing with the issue dated 5/2, 19 96 and ending with the issue dated 5/9, 19 96

STATE OF IDAHO } ss.
County of Lemhi }

On this 9th day of MAY in this year of 19 96 before me, A Notary Public, personally appeared RICKY G. HODGES, 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.

NOT RECORDED

Residing At Salmon, Idaho

MAR 26 1997

Shaila K. Hodge

Notary Public for Idaho

My Commission expires: 9-21-2001

Publication Fee \$ 49.68

Account No. 630

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4800
WATER RIGHT NO. 74-01556

This is to certify that: MC FARLAND LIVESTOCK CO INC
C/O TEX J KAUER
PO BOX 50
LEMHI ID 83465

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	* 5.00 CFS	582.4 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
LEMHI RIVER	SALMON RIVER

Priority: 03/21/1889

LOCATION OF POINT(S) OF DIVERSION: NWNW , Sec. 24, Township 17N, Range 24E
LEMHI 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>
17N	24E	14	NENW 7.8	NWNW 14.6	SWNW 34	
			SENW 36.8	NESW 31.5	NESE 5.5	
			NWSE 17.7	SWSE 18.5		166.4
						Total number of acres irrigated: 166.4

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 74.
2. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre for the lands above.
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.

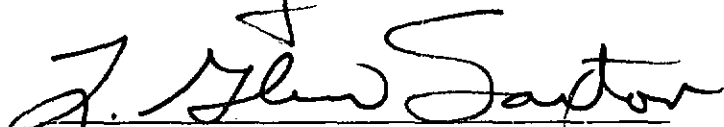
RECORDED
MAY 26 1937

TRANSFER NO. 4800
WATER RIGHT NO. 74-01556

CONDITIONS OF APPROVAL AND REMARKS

5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
6. 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.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- *8. 1.67 cfs of Right No. 74-01556 is a portion of the right which is used for conveyance losses.

Dated this 4th day of February, 1997.


Chief, Water Alloc. Bureau

MICROFILMED

MAR 26 1997

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4800

APPLICATION FOR TRANSFER OF WATER RIGHT

RECEIVED

AUG 09 1996

PART 1

Department of Water Resources

Name of applicant MC FARLAND Livestock Co. Inc. c/o Tex J. Kauer Phone (208) 768-2711Post Office address PO Box 50 Lemhi ID. 83465

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 elimination of one Lemhi River Diversion
by consolidation

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
74-01556 03-21-1889 5.0 cfs irrigation 3-15 to 11-15
04-01 to 11-01
2. Total amount of water being transferred 5.0 cfs cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Lemhi River tributary to Salmon River
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	24	17N	24E	Lemhi	L-46A

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	
17N	24E	14					7.8	14.6	34.0	36.8	31.5				5.5	17.7	18.5		166.4

Total acres 166.4

PART 1

6. General Information:

a. Description of diversion system Rock berm in River, headgate and ditches to place of use.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? NO Yes _____ 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:

elimination of an diversion and fish screen will
reduce fish passage obstacles and maintenance costs to
irrigators and fish & game

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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 _____

Witness my hand this _____ day of _____, 19__

MAY 26 1951
NOTARY PUBLIC

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. 74-01556 Decreed to McFarland Livestock Co. % T.L. McFarland
in case of STATE OF IDAHO vs. McFarland Livestock Co. % T.L. McFarland
dated June 17, 1971 in IDAHO 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 Lemhi River tributary to Salmon River

4. Date of priority 03-21-1889

5. Water is used for the following purpose:

amount 5.00 cfs for irrigation purposes from 5-15 to 11-15
(cfs/ac-ft) 04-01
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 5.00 cfs 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
		SE	SE	14	17N	24E	Lemhi	L-46

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	
17N	24E	14					7.8	14.6	34.0	36.8	31.5				5.5	17.7	18.5		166.4

Total acres 166.4

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. | | 2. Point(s) of Diversion: | |
|--------|-----|---------------------------|-------------|
| amount | for | purposes from | (cts/ac-ft) |
| amount | for | purposes from | (cts/ac-ft) |
| amount | for | purposes from | (cts/ac-ft) |
| amount | for | purposes from | (cts/ac-ft) |

2. Point(s) of Diversion:

[illegible]

3. Lands irrigated or place of use:

[illegible]

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

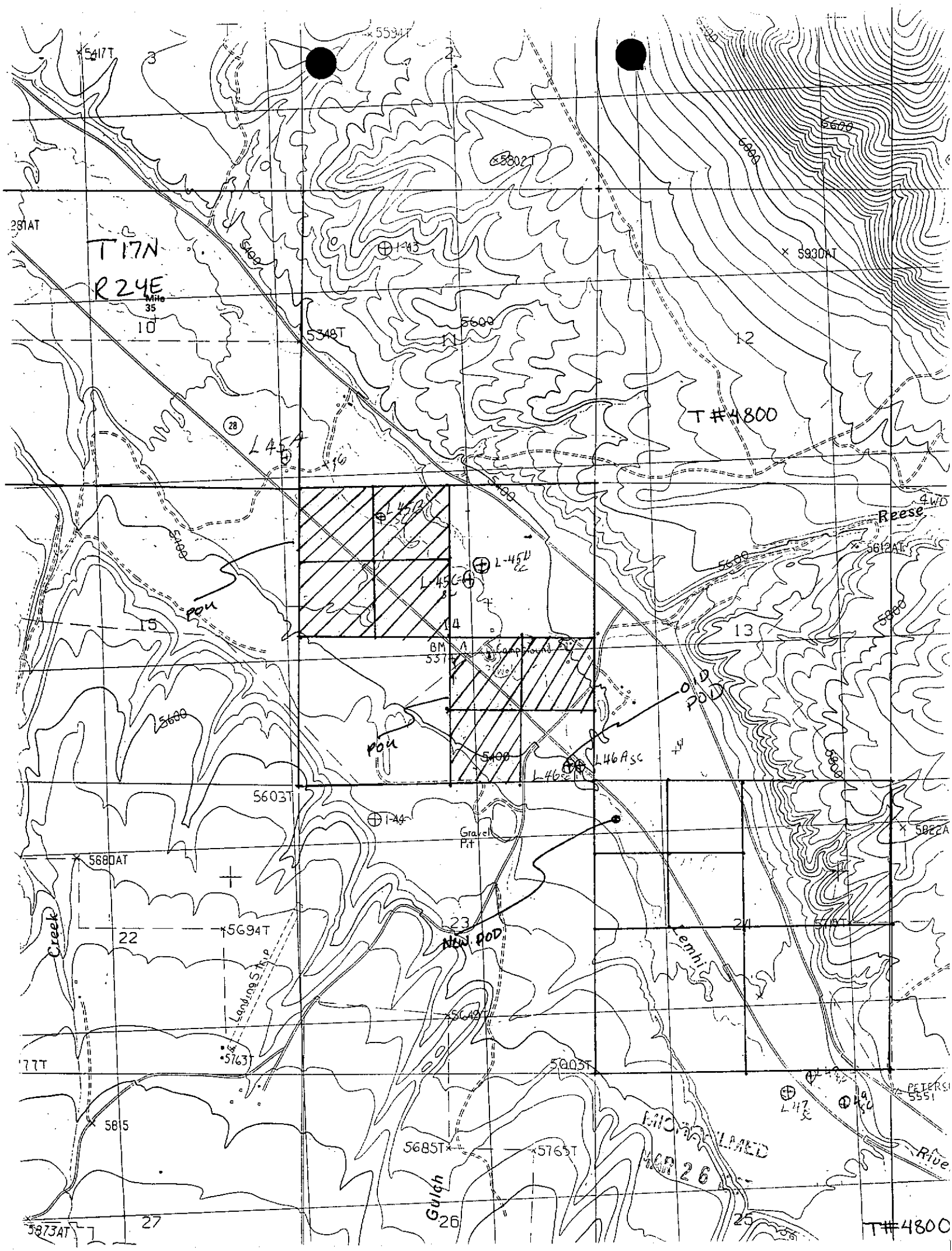
2. Point(s) of Diversion:

[illegible]

3. Lands irrigated or place of use:

[illegible]

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.

A large grid for drawing a map, with a circular stamp on the left and handwritten notes in the center and bottom right.

(See Attached Topo. Map)

MAY 26 1977

PART 3

B. CHANGES IN NATURE OF USE

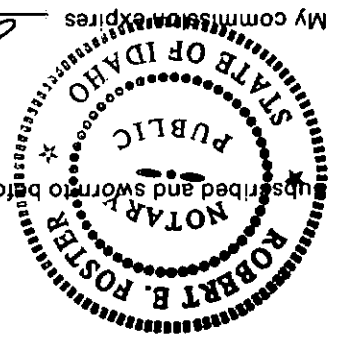
1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
---	-------------------	-----------------------	-----------------	---------------

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.



My commission expires 08-16-2001

(Notary Public)

Robert B. Foster
(Signature of Applicant)

day of March, 19 96

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by WM Date 3/29/96 Fee \$100.00

Prelim. check by WM Date 4-2-96

Received by WM Date 4-2-96

Published in Bozeman Standard

Pub. dates May 2 and 9, 1996

Watermaster recommendation requested on 5-1-96

Recommended for ☒ approval ☐ denial

by EDC rec'd. 5-9-96

Copy of transfer sent to lien holder _____

MAILED 2 6 1997

MAKE CHECK PAYABLE TO:
MARY ANN HEISER(208)756-2816
LEMHI COUNTY TAX COLLECTOR
206 COURTHOUSE DRIVE
SALMON, IDAHO 83467

TAX BILL/RECEIPT	CODE AREA	3-00
TAX YEAR 1995	BILL NO	7278

PARCEL NUMBER
RP17N24E141800A
165,138
385,291

1ST	TAX	1,618.97	2ND	TAX
HALF	PEN		HALF	PEN
	INT			INT
	COST			COST
	TOT			TOT

3-237.94	10T MV	550,429
	HM-	50,000

NET MV	500,429
WAC	14,599
TOT ACS	539,501

TOP

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2017.09.21

10

THE FUTURE OF THE FUTURE

Mary Ann Heior, L.

1,325,788

092649799

7-11-43
ALPHABETICALLY

003431404

1603 THIRDS

3,942.94

006798

15TH 700479

06-051

[illegible]

DISTRICT OF COLUMBIA

45.00

3500 W. FOX AVENUE

3,237.94

MC FARLAND LIVESTOCK CO INC
BOX 50
LEHET ID 83465

W2 W2E2 SE4NE4 NE4SE4
LESS 5.9 ACRES TO U S
14 17 24

★ ★ ★ IMPORTANT ★ ★ ★
PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
 APPLIED TO THE OLDEST DELINQUENT YEAR.
 TO AVOID LATE CHARGES, PAYMENTS MUST BE
 RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.
PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

AVOID LATE FEE & INTEREST---MAIL EARLY.
** \$25 WILL BE ADDED FOR CHECKS RETURNED BY BANK.

MICRO-LOGS

MAR 2 8

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ABSTRACT

TRIBUTARY TO: SALMON RIVER

SOURCE: LEMHI RIVER

INDICATES TOTAL

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE FROM	USE TO	MAX AMOUNT	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT

7.68 CFS F20N R23E

74-0790 SNOOK, QUINTON
SNOOK, FRED
RT. 1

ID 83467

REMARKS: DIV. L-20.
AC. IRR. = 255.9.

P/U: F20N R23E S24 NENW(20)
S14 SENE(18)
S13 NESW(02)

NWNW(13)
SENE(36)
NWSW(30)

NWSE(02)
SESW(16)

SESE(22)

* 255 ACRES*

74-0792 SNOOK, JOHN C.
SNOOK, FRED
SNOOK, QUINTON
RT. 1

ID 83467

REMARKS: DIV. L-22.
AC. IRR. = 298.1.

P/U: F20N R23E S24 NWSW(30)
S23 NENE(18)
S14 SENE(01)

SWSW(37)
NWE(40)
SWSW(19)

SWE(38)
SESW(21)

SENE(38)
NWSE(11)

NENW(32)
SWE(13)

NWNW(01)

* 299 ACRES*

74-0826 JOLLEY, ELDON
JOLLEY, EDNA Z.
P.O. BOX 712

ID 83467

REMARKS: DIV. L-7A.
P/U: F21N R22E S25 NWE(16)
S24 SWSW(13)
P/U: F21N R23E S30 NESW(01)

SENE(06)
SESW(11)
UT02 (SNNW)(04)

NENW(04)

1.70 CFS F21N R23E

NESW S30

DECREE

74-1556

MC FARLAND LIVESTOCK CO. INC.
C/O T. L. MC FARLAND
P.O. BOX 50
LEMHI

03-21-1889 IRRIGATION 03-15 11-15

5.00 CFS

SESE S14 F117N R24E

DECREE

NENW(08) NWNW(15)
SNNW(34) SENW(37)
NESW(32) NENE(06)
NWE(18) SWE(18)
S14 F117N R24E

REMARKS: AC. IRR. = 166.4.
DIV. L-4b.

* 168 ACRES*

74-1789A

MAHAFFEY LIVESTOCK INC.
C/O STEPHEN MAHAFFEY

06-08-1889 IRRIGATION 03-15 11-15

.34 CFS

NWNW S20 F119N R24E

DECREE

NENW(01) S17 F119N R24E

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LEMHI

CIVIL NO. 4948
PROPOSED FINDING OF
WATER RIGHTS

IN THE MATTER OF THE GENERAL)
DETERMINATION OF THE RIGHTS)
TO THE USE OF THE SURFACE WATERS)
AND TRIBUTARIES FROM WHATEVER)
SOURCE OF THE LEMHI RIVER)
DRAINAGE BASIN.)

The above-entitled cause was initiated under provisions of Section 42-1406, Idaho Code, by the submission of a petition from eight (8) water users in the Lemhi River Basin, requesting that the Department of Water Administration (changed to Department of Water Resources in 1974) obtain authority from the Court to prepare a proposed finding of water rights in the Lemhi River Basin. The petitioners specifically requested that the study reflect the present practice and use of water within the Lemhi River Basin.

Pursuant to Section 42-1407, Idaho Code, R. Keith Higginson, Director of the Department of Water Resources petitioned the Court on April 30, 1970, for an order of authorization for the commencement of an adjudication of water rights in the Lemhi River Drainage.

An order was signed on August 13, 1970, by District Judge Arnold T. Beebe, authorizing the Department to commence an investigation and determination of the various rights to the use of the water of the Lemhi River and its surface tributaries including ground water which may be either tributary to the Lemhi River or its surface tributaries within the Lemhi River Drainage Basin, such waters lying or being used within Lemhi County.

An order of joinder signed on June 17, 1971, made approximately 457 land owners and possible water users parties to the adjudication. An additional 351 water users were joined by an order signed November 1, 1971. Approximately 1,900 claims of water rights were submitted to the Department.

Based upon all existing court decrees adjudicating water rights within the Lemhi River Drainage Basin, the claims submitted, the files and records of the Department and the Court, the examination and studies of the Lemhi River Drainage Basin and the various ditches and other diversions of water therein and the lands irrigated or other uses of water, the Department of Water Resources, in July 1974, filed a proposed finding of water rights with the Court. Objections to the proposed finding were resolved either by stipulation or hearing before the Court. The Court then adopted the following findings of fact, conclusions of law and decree of water rights, in which the

RECEIVED

COPY

APR 1985

Department of Water Resources
Western Regional Office

Filed in District Court Lemhi County

Idaho, Jan 4 1982

at 10 minutes past 5 o'clock P.M.

By *Robert L. Bridgman* Clerk

By *Robert L. Bridgman* Deputy

File of Findings

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF LEMHI

IN THE MATTER OF THE GENERAL)
DETERMINATION OF THE RIGHT TO)
THE USE OF SURFACE WATERS AND)
TRIBUTARIES FROM WHATEVER)
SOURCE OF THE LEMHI RIVER)
DRAINAGE BASIN.)

CIVIL NO. 4948

PARTIAL DECREE PURSUANT
TO RULE 54(b), I.R.C.P.

The report of the Idaho Department of Water Resources ("Water Resources" herein) entitled PROPOSED FINDING OF WATER RIGHTS IN THE LEMHI RIVER BASIN was filed with this court on July 9, 1974. The report contains FINDINGS OF FACT, CONCLUSIONS OF LAW, and a LISTING OF WATER RIGHTS.

As a result of objections filed to the PROPOSED FINDINGS, changes were made to the Findings of Fact, Conclusions of Law, and the Listing of Water Rights. These amendments, additions, and deletions to the PROPOSED FINDINGS are set forth in two documents already on file with the court: (1) the "Special Master's Report on Specific Objections," filed April 7, 1982 and adopted by order on September 16, 1982; and (2) the "Stipulation Resolving General Objections" filed February 12, 1982. A third document, "Order Correcting Clerical Oversights in Proposed Finding of Water Rights," filed November 16, 1982, corrects typographical errors in the PROPOSED FINDINGS. Finally, permits listed in the PROPOSED FINDINGS which have become licensed on or before the date of this partial decree will be decreed in their licensed form.

This partial decree does not include any of the rights on Geertson Creek and its tributaries because they were already the subject of a partial decree which is on appeal to the Idaho Supreme Court. The rights of the United States Department of Agriculture, Forest Service, are also not included because they

MAILED 26 1982

JUL 30 1996

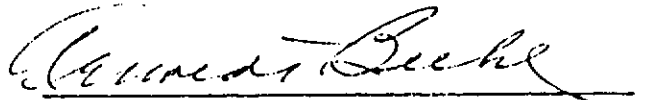
have yet to be resubmitted following the decision of U.S. v. New Mexico.

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the water rights of the Lemhi River Basin with the exceptions noted above are as described in the PROPOSED FINDING OF WATER RIGHTS IN THE LEMHI RIVER BASIN, as amended by:

1. Special Master's Report on Specific Objections;
2. Stipulation Resolving General Objections;
3. Order Correcting Clerical Oversights in Proposed Finding of Water Rights; and
4. Licenses issued on or before the date of this partial decree for permits listed in the PROPOSED FINDINGS;

all of which are incorporated herein by reference.

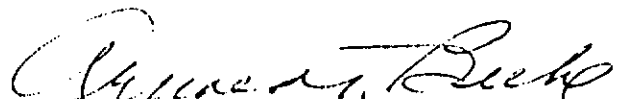
DATED this 30th day of December, 1982.


ARNOLD T. BEEBE
District Judge

Rule 54(b) Certificate

With respect to the issues determined by the above judgment it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final decree and that the court has and does hereby direct that the above partial decree shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED this 30th day of December, 1982.

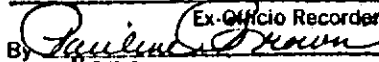

ARNOLD T. BEEBE
District Judge

STATE OF IDAHO } ss NO. 175352
COUNTY OF LEMHI }

This instrument was filed for record at the request of
Dept. of Water Resources
on 11:10 A.M. April 3, 1985
and duly filed and indexed in the file of
JUDGMENTS Records of Lemhi County,
Idaho.

Alberta Wiederrick

Ex-Officio Recorder


None JUL 3 0 1986

PARTIAL DECREE, Page 2

Return to: Josephine Beeman,
Deputy Attorney General
Dept. of Water Resources
Statehouse
Boise, Idaho 83720



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 5, 1997

McFARLAND LIVESTOCK CO. INC.
C/O TEX J. KAUSER
PO BOX 50
LEMHI ID 83465

RE: WATER RIGHT NO. 74-01556
TRANSFER NO. 4800

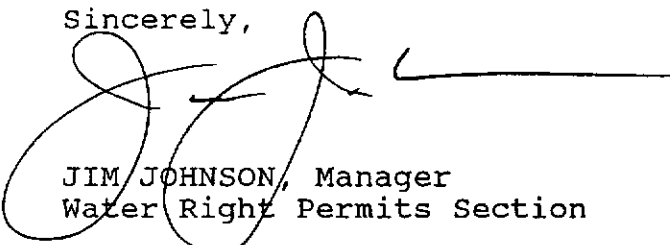
Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water right (Transfer No. 4800). Please be sure to thoroughly review the "Conditions/Remarks:" as listed on the transfer.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR to July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:ph

Enclosure

RECORDED

MAR 26 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 5, 1997

RICK SAGER, WATERMASTER
DISTRICT NO. 74
201 BROADWAY
SALMON ID 83467

RE: WATER RIGHT NO. 74-01556
TRANSFER NO. 4800

Dear Rick:

Enclosed is a copy of the recently approved Transfer of Water Right for the above referenced water right (Transfer No. 4800) in the name of McFarland Livestock Co. Inc. (c/o Tex J. Kauer). Also included is a copy of the reviewer's notes.

If you have any questions, please call me at (208) 327-7947.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', with a long horizontal line extending to the right.

JIM JOHNSON, Manager
Water Permits Section

JJ:ph

Enclosure

MICROFILMED

MAR 26 1997

MEMORANDUM

TO: FILE NO. 74-01556
FROM: PAM SKAGGS/STATE OFFICE
SUBJECT: TRANSFER NO. 4800
DATE: September 20, 1996

ok Jan

=====

Transfer No. 4800 was filed to change the point of diversion under Right No. 74-01556. The transfer is the third in a series of transfers filed to consolidate diversion through L-46A and eliminate the original point of diversion. ✓

Season of use and diversion volume were adjusted to current standards. Recommended conditions include watermaster control, measuring device/lockable controlling works, irrigation overlap, conveyance losses, right-of-way and standard transfer conditions.

$$166.4 \times .02 = .3.328$$

$$\begin{array}{r} 5.00 \\ - 3.32 \\ \hline 1.68 \text{ cfs} \approx 1.67 \end{array}$$

MEMORANDUM

MAR 26 1997

TRANSFER REVIEW SHEET
(04-96)

Transfer # 4800

Date Reviewed 9-20-96 Q8

Right(s) 74-01556 _____

WRQ11 Print Split Summary NA Run POU Comparison Report

(B): Change P/D **C**: Add P/D **D**: Change P/U **E**: Change Nature of Use
F: Change Period of Use **G**: Other **H**: Change P/D & Add P/D
I: Change P/D & P/U **J**: Add P/D & Change P/U

Proof of Ownership NA P/D change only
'95 tax notice covers P/U

Transfer ✓ All of Right _____ Portion of Right
Resulting Split(s) NONE

Check Transfer Against Recorded Right Season/Vol. B/3.5

(1) ✓ Priority (2) ✓ Use (3) _____ Season (4) ✓ Rate (5) _____ Volume

(6) ✓ Source (7) _____ P/D (8) _____ P/U (9) ✓ Proof/Owner (10) ✓ Map

(11) 74 Water District (12) NO Pertinent Conditions (13) NO Expansion

WM Comment Rev'd 5-6-96 OK

(3) Standard Season 4-15 to 10-15

(5) Standard Vol = 4 x 146.4 = 582.4 cfs VDR

(7) Change P/D to 146A

(8) Specific tenths across same Q/Qs

(4) .02 x 146.4 = 3.33 cfs 5 - 3.33 = 1.67 cfs conveyance

Claim same as WR

Transfer Remarks Conveyance/1.67 cfs Fish Screen NO

Conditions R04, R43, R20, T04, T07, T08, T09

R25 per LGS 11-3-96

Database/Processing Notes Standard ✓ Non-Standard _____

File

Edit approval * rate - conveyance condition.

WR Reports File McF. 115, 02-04-97
File Deleted 38

Transfer Memo Complete ✓
Database Updated 02-04-97 C28

Approval Cover Letter Standard ✓ Preliminary Order _____

WR0749NP
No. T74-01556

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/20/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MC FARLAND LIVESTOCK CO INC C/O TEX J KAUER PO BOX 50 LEMHI ID 83465 (208) 768-2711	03/21/1889	IRRIGATION	04/15 10/15	5.000 CFS	582.40 AFA
TOTAL DIVERSION:					5.000 CFS	582.40 AFA

Water Source: LEMHI RIVER

Tributary to: SALMON RIVER

Stage: DECREED

Point(s) of Diversion: T17N R24E S24 NWNW LEMHI County

Point of Diversion Name(s):

Name	Rate	Number
T17N R24E S24 NW NW		L-46A

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE					
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE		
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: SUM	
17N	24E	14	:					:				:				:	
			:		07	14	34	36	:		31	:		05	17	18	: 166.4
																TOTAL ACRES	166.4

Pou County: LEMHI

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

74-00916 74-01731 T74-00961 T74-01589

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

74-01554 74-01556 74-01562 74-01565

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 74.
- R43 - A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
- ~~R30~~
R25 - This right when combined with all other rights shall provide no more than ~~.02 cfs per acre~~ nor more than 3.5 afa per acre for the lands above.
- 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.
- T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- 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.

WR0749NP
No. T74-01556

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/20/96
PAGE: 2

Conditions of Approval:

- T09 - Approval of this transfer does not preclude the opportunity for
- review of the validity of the water right(s) in the ongoing
- Snake River Basin Adjudication.

Remarks: A portion of Right No. 74-01556, 1.67 cfs, is limited to use for conveyance losses in delivery of this right.
An adequate fish screen shall be maintained as part of the diverting works to comply with fish protection statutes as directed by the Department of Fish and Game. NO

Dates: App. Received: Priority Date: 03/21/1889
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 74 Field Exam Fee:

Comments: Date: 09/20/1996 User-ID: PSKAGGS Subject: TRANSFER NO. 4800
Transfer No. 4800 was filed to change the point of diversion under Right No. 74-01556.

Audit: 04/04/96 RBODELL 09/20/96 PSKAGGS

SD-0611-2 Basin: 74 Starting Water Right: 01556

S	O	S
E	W	Y
L	N	S
Water	Name	Use
Right No.	Last, First	Desc
74-01556	MC FARLAND LIVESTOCK	IRR
T74-01556		IRR
A74-01556	MC FARLAND LIVESTOCK	IRR

END OF DATA...ENTER MENU OPTION AND/OR PRESS ENTER TO CONTINUE

(Enter=Continue) (GOLD7=This Query) (GOLD8=Cancel) (Menu _____)
Natural 2.1/7V OVR LIB=PRODLIBS Last key was ENTR

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

4-2-96
4-3-96

T #4800

INITIAL REVIEW BY: HUT

1. Right number 74-01556 Applicant W. Ireland Seestock
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
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 _____
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) X/A
 - j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No
If yes, what district? WD 74 - Lush River

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on 5-1-96 Received on 5-9-96
2. Is transfer published correctly? ☐ Yes ☐ No NO P 5-20-1996
3. Protest received? ☐ Yes ☐ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* _____

RECEIVED

MAY 9 1996

Department of Water Resources

4. By BDC Date 7/31/96

Copy Tr 50 5-1-96

APPLICATION FOR TRANSFER OF

WATER RIGHT NO. T 4800

RECEIVED

MAY 11 9 1996

Department of Water Resources
Eastern Region

WATER DISTRICT 74

WATERMASTER RICK SABER

DATE: May 6, 1996

COMMENTS: HAS THIS WATER RIGHT(S) BEEN DELIVERED WITHIN
THE LAST FIVE YEARS?

Yes, it has delivered for the past 10 years.

☒ I do endorse approval of this change.

☐ I do not endorse approval of this change.

I recommend the following conditions of approval:

NONE

Rick Saber
Watermaster

RECORDED

MAY 26 1996

APPLICATION FOR TRANSFER OF

WATER RIGHT NO. A74-01556

RECEIVED

MAY 06 1996

Department of Water Resources
Eastern District Office

WATER DISTRICT 74

WATERMASTER RICK SAGER

DATE: May 3, 1996

COMMENTS: HAS THIS WATER RIGHT(S) BEEN DELIVERED WITHIN THE LAST FIVE YEARS?

Yes this has been delivered continuously for the last 5 years.

It is for a Z+B consolidation to save a new fee from.

☒ I do endorse approval of this change.

☐ I do not endorse approval of this change.

I recommend the following conditions of approval:

NONE

Rick Sager
Watermaster

RECORDED

MAR 26 1997

**NOTICE OF PROPOSED
CHANGE OF A WATER RIGHT
NO. 4800**

Notice is hereby given that McFarland Livestock Co., Inc., c/o Tex J. Kauer, P.O. Box 50, Lemhi, ID 83465, has applied to the Department of Water Resources to change point of diversion of the waters of the Lemhi River tributary to the Salmon River. The right sought to be changed is evidenced by a Decree and recorded as follows:

Decree No. 74-01556 Decreed to McFarland Livestock Co., c/o T.L. McFarland in case of State of Idaho vs McFarland Livestock Co., c/o T.L. McFarland dated June 17, 1971 in Idaho county of Lemhi Source: Lemhi River

Amount: 5.00cfs Priority: 03/21/1889

Point(s) of Diversion: SESE, Sec 14, T17N, R24E, L-46, B.M.

The water is used for irrigation of 166.4 acres from 3-15 to 11-15 within the NW¼, NESW, N¼E, SWSE, SEC 14, T17N, R24E, B.M.

TO BE CHANGED AS FOLLOWS:

The water will be diverted from the NWNW, Sec 24, T17N, R24E, L-46A.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID 83402, together with a protest fee of \$25 on or before May 20, 1996. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER

Director

Published in Recorder Herald on May 2 & 9, 1996.

5-2-2tc

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

RICKY G. HODGES, being first duly sworn, deposes and says he is one of the publishers (printers) of The Recorder Herald, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein. That the DEPT OF WATER RESOURCES NO 4800

, a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for TWO (2) consecutive issues, commencing with the issue dated 5/2, 19 96 and ending with the issue dated 5/9, 19 96

STATE OF IDAHO

County of Lemhi

ss.

On this 9th day of MAY in this year of 19 96 before me, A Notary Public, personally appeared RICKY G. HODGES 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.

NOT FILMED

Residing At Salmon, Idaho

MAR 26 1997

Notary Public for Idaho

My Commission expires: 9-21-2001

Publication Fee \$ 49.68

Account No. 630

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. 4800

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Source: Lemhi River

Amount: 5.00 cfs

Priority: 03/21/1889

Point(s) of Diversion: SESE, Sec 14, T17N, R24E, L-46, B.M.

The water is used for irrigation of 166.4 acres from 3-15 to 11-15 within the NW1/4, NESW, N1/2SE, SWSE, Sec 14, T17N, R24E, B.M.

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KARL J. DREHER
Director

Published in the Recorder Herald on May 2 & 9, 1996

MICROFILMED

MAR 26 1997

O.K.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION.

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 1, 1996

TEX J KAUER
MCFARLAND LIVESTOCK CO INC
PO BOX 50
LEMHI ID 83465

RE: Notice of Application for Transfer 4800

Dear Applicant:

The Department of Water Resources acknowledges receipt of your water right application. This office is currently in the process of advertising the application in the Recorder Herald on May 2 & 9, 1996. 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 the application is approved or denied. If the protest is not resolved voluntarily, 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. State Office Personnel will conduct a complete review prior to final processing of the applications and will notify you of the outcome of this review. When a permit is issued, 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 ^{rb}
Harold W. Jones
Water Right Supervisor

HWJ/rb

MICROFILMED

MAR 26 1997



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 1, 1996

RICK SAGER
WATER DISTRICT 74
201 BROADWAY
SALMON ID 83467

RE: Applications for Transfer No.'s 4800, 4801, 4809

Dear Mr. Sager:

Please find enclosed a copy of the above referenced applications. Please review the applications and submit any comments you may have to our Department as soon as possible.

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

Thank you for your cooperation in this matter.

Respectfully submitted,

Harold W. Jones
Harold W. Jones
Water Right Supervisor

HWJ/rb
enc.

MONOCLINED

MAR 26 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

April 24, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RECORDER HERALD
PO BOX 310
SALMON ID 83467

Dear Publisher:

Enclosed you will find a legal notice which we wish to have published on the date indicated in your newspaper. If you cannot publish the notice on the proposed date, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before May 20, 1996.

Yours truly,

Rita Bodell
Secretary

Enc.

RECEIVED

MAR 26 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 26, 1996

TEX J KAUER
MCFARLAND LIVESTOCK CO INC
PO BOX 50
LEMHI ID 83465

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

Sincerely,

Harold W. Jones
Harold W. Jones
Water Right Supervisor

HWJ/rb

FILED

MAR 26 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 26, 1996

RICK SAGER
WATER DISTRICT 74
201 BROADWAY
SALMON ID 83467

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Thank you for your cooperation in this matter.

Respectfully submitted,

Harold W. Jones
Harold W. Jones
Water Right Supervisor

HWJ/rb
enc.

ENCLOSURE

MAR 26 1997