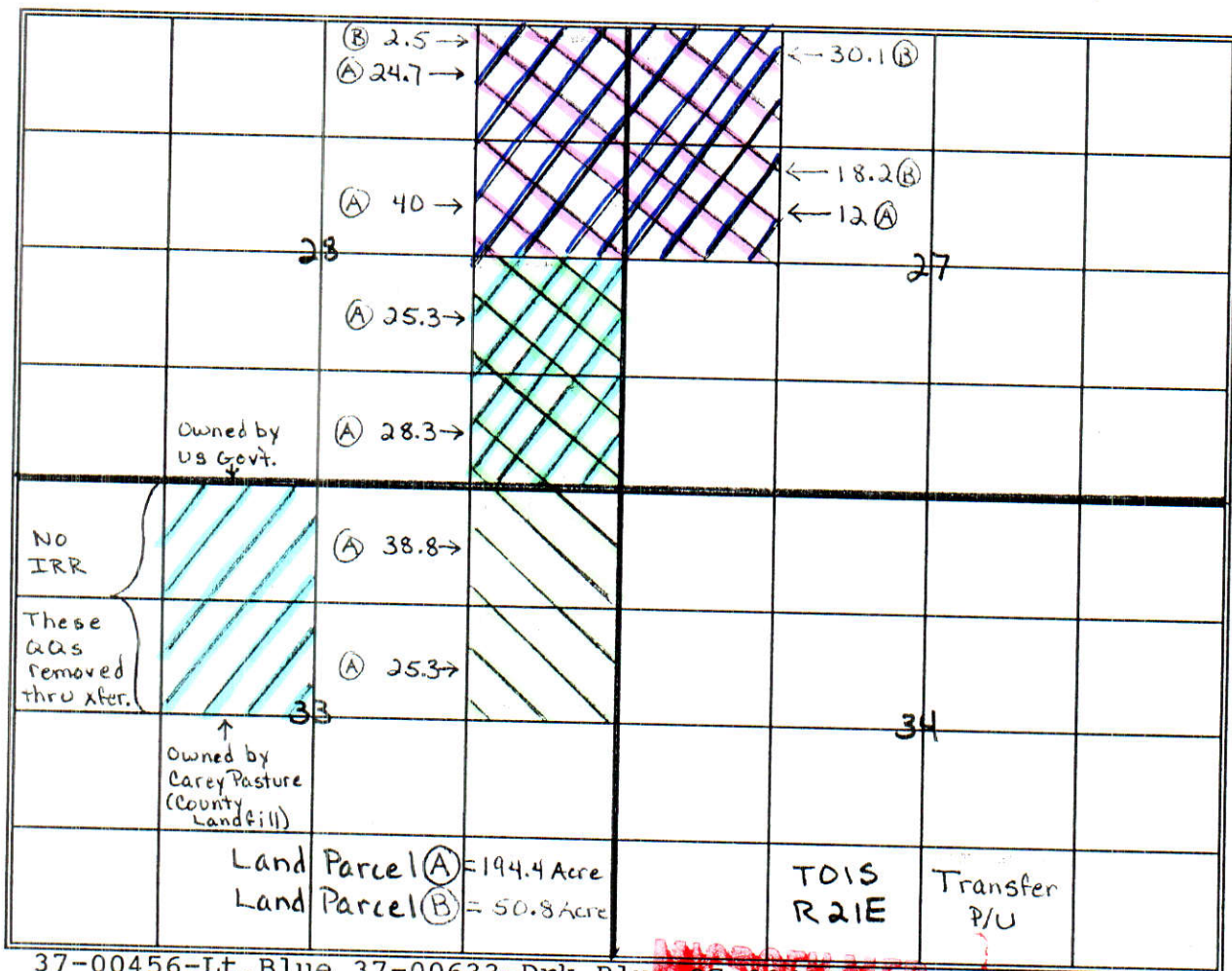


Water Rights Summary/Comparison

WR No. Priority	Rate	Acres (Decree/Xfer)	Land Parcel A	Land Parcel B
37-00633 05-01-1881	0.70 cfs	160 - 50.8		0.70 cfs
37-00634 (SPLIT) 04-01-1882	1.60 cfs	160-(A) 194.4 (B) 50.8	(A) 1.22 cfs	(B) 0.38 cfs
37-00456 04-01-1882	2.00 cfs	160 80-194.4	2.00 cfs	
37-01134 05-01-1910	2.40 cfs	160 - 194.4	2.40 cfs	
TOTALS	6.70 cfs	400 - 245.2 (QQ P/U-Parcel A & B)	5.62 cfs	1.08 cfs

Parcel A = 5.62 cfs for 194.4 Acres = 0.028 cfs/acre
Parcel B = 1.08 cfs for 50.8 Acres = 0.021 cfs/acre



JUN 13 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4258
WATER RIGHT NO(S). 37-00456/37-00633/37-00634A
37-00634B/37-01134

This is to certify that: **BLAINE C TINGEY**
BARBARA B TINGEY
PO BOX 4
CAREY ID 83320

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>
Right No. 37-00456 :			
IRRIGATION	04/15 to 10/15	2.00 CFS	680.4 AF
Priority: 04/01/1882			
Right No. 37-00634A :			
IRRIGATION	04/15 to 10/15	1.22 CFS	445.2 AF
Priority: 04/01/1882			
Right No. 37-01134 :			
IRRIGATION	04/15 to 10/15	2.40 CFS	680.4 AF
Priority: 05/01/1910			
	TOTAL:	5.62 CFS	680.4 AF
Right No. 37-00633 :			
IRRIGATION	04/15 to 10/15	0.70 CFS	177.8 AF
Priority: 05/01/1881			
Right No. 37-00634B :			
IRRIGATION	04/15 to 10/15	0.38 CFS	138.6 AF
Priority: 04/01/1882			
	TOTAL:	1.08 CFS	177.8 AF

SOURCE
LITTLE WOOD RIVER

TRIBUTARY OF
MALAD RIVER

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 30, Township 01N, Range 21E
BLAINE County

Right Nos. 37-00456/37-00634A/37-01134 :

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>
01S	21E	27	SWNW 12.0			12.0
		28	NENE 24.7	SENE 40.0	NESE 25.3	
			SESE 28.3			118.3
		33	NENE 38.8	SENE 25.3		64.1
				Total number of acres irrigated:		194.4

NOTED

JUN 13 1994

TRANSFER NO. 4258
 WATER RIGHT NO(S). 37-00456/37-00633/37-00634A
 37-00634B/37-01134

Right Nos. 37-00633/37-00634B :

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>
01S	21E	27	NWNW 30.1	SWNW 18.2		48.3
		28	NENE 2.5			2.5
Total number of acres irrigated:						50.8

CONDITIONS/REMARKS:

1. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 37N.
3. 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.
4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. 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. The total combined annual volume of water under Right Nos. 37-00634A, 37-00456 and 37-01134 shall not exceed 680.4 af.
9. The total combined annual volume of water under Right Nos. 37-00633 and 37-00634B shall not exceed 177.8 af.
10. Combined Right Nos. 37-00634A, 37-00456 and 37-01134 are limited to irrigation of 194.4 total acres as identified above in a single irrigation season.
11. Combined Right Nos. 37-00633 and 37-00634B are limited to irrigation of 50.8 total acres as identified above in a single irrigation season.

Dated this 4th day of

May, 1994.

J. Shw Saxon
 Chief, Water Alloc. Bureau

RECEIVED

JUN 13 1994

and the right to the use of the said water with priority date of July 1st, 1910

37 1134 also the right to the use of 120 inches of the flood waters of Little Wood River, with priority date of the 1st day of May, 1910. subject to the findings of fact, conclusions of law, and decree in the case of S. C. Frost et. al. -v- Alturas Water Co. et. al. for the irrigation of the East Half of the Southeast quarter of Section twenty-eight, the East half of the Northeast quarter of Section thirty three, township one South, Range twenty-one East of Boise Meridian. in Blaine County Idaho (E $\frac{1}{2}$ SE $\frac{1}{4}$; Sec. 28; E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 27. Tp. 1 S. R. 21 E. B. M.)

37 1135 That the plaintiff Alex Albrethsen have the right to the use of 300 inches of the Flood Waters of Little Wood River with priority of May 1st 1910 for the irrigation of the following described lands.

The Northeast quarter and the Northeast quarter of the Southeast quarter of Section eight, The Southeast quarter of the Southeast quarter of Section five; the South half of the Southwest quarter of Section four. Township one South Range twenty-one East of Boise Meridian. in Blaine County Idaho (NE $\frac{1}{4}$ Sec. 8; NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8E $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 5. The S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 4. Tp. 1 S. R. 21 E. B. M.)

Subject ot the Findings of Fact, conclusions of Law and Decree in the Case of S. C. Frost et. al. -v- Alturas Water Co. et. al.

37 1136 That the plaintiff William Albrethsen have the right to the use of 300 inches of the flood waters of Little Wood River with priority of May 1st, 1910, for the irrigation of the following described land.

The West half of the Northwest quarter and the Southwest quarter of Section nine. Township one South Range twenty-one East of Boise Meridian. in Blaine County Idaho (W $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ Sec. 9 Tp. 1 S. R. 21 E. B. M.)

Subject to the findings of fact, conclusions of law and decree in the case of S. C. Frost et. al. -v- The Alturas Water Co. et. al.

JUN 13 1994

MEMORANDUM

TO: FILE 37-001134

FROM: PAM SKAGGS ^{OK}

RE: TRANSFER # 4258

DATE: 12-10-93

=====

Original Transfer Application, Form and correspondence regarding the above referenced Transfer is located within file # 37-00456.

MAILED

JUN 13 1994

MEMORANDUM

TO: File Nos. 37-00456/00633/00634 & 01134

FROM: PAM SKAGGS/^{SP}STATE OFFICE

SUBJECT: TRANSFER NO. 4258

DATE: April 25, 1994

=====

Transfer No. 4258 was filed to change and split the place of use under the water rights listed below. The rights are all decreed surface water rights from the Little Wood River to a partially overlapping place of use that was generally described in the decree. (See the attached orthophoto quad map and diagram that reflects the decreed place of use.)

The farm is being split and the irrigated portion west of the West Canal (Part A) will be sold. In order for the split systems to be feasible, the rights have been rearranged reserving all of the 1881 right (37-00633) and a less than proportionate share of the overlapping 1882 right (37-00634) for Part B, 50.8 acres located between the East and West Canal.

Part A will retain a larger than proportionate share of 37-00634 and all of the remaining overlapping and separate portions of the rights. The decree identifies the E1/2 NW under Right No. 37-00456 which is not included under the transfer place of use. The Blaine County Assessor's office identifies the US Government and Carey Pasture (County has contract of sale for county landfill at this site) as the current owners and the orthophoto map confirms no irrigation in these QQs. These QQs have been removed from Right No. 37-00456 thru this transfer.

The remaining portion of the place of use, as identified under the transfer, has been identified by the assessor's office to be owned by Tingey.

The transfer includes the full rate of diversion for these rights with a total of 245.2 specified irrigated acres reducing the acres possible under the vague QQ description of the decree (10 QQ x 40 possible acres = 400 maximum acres).

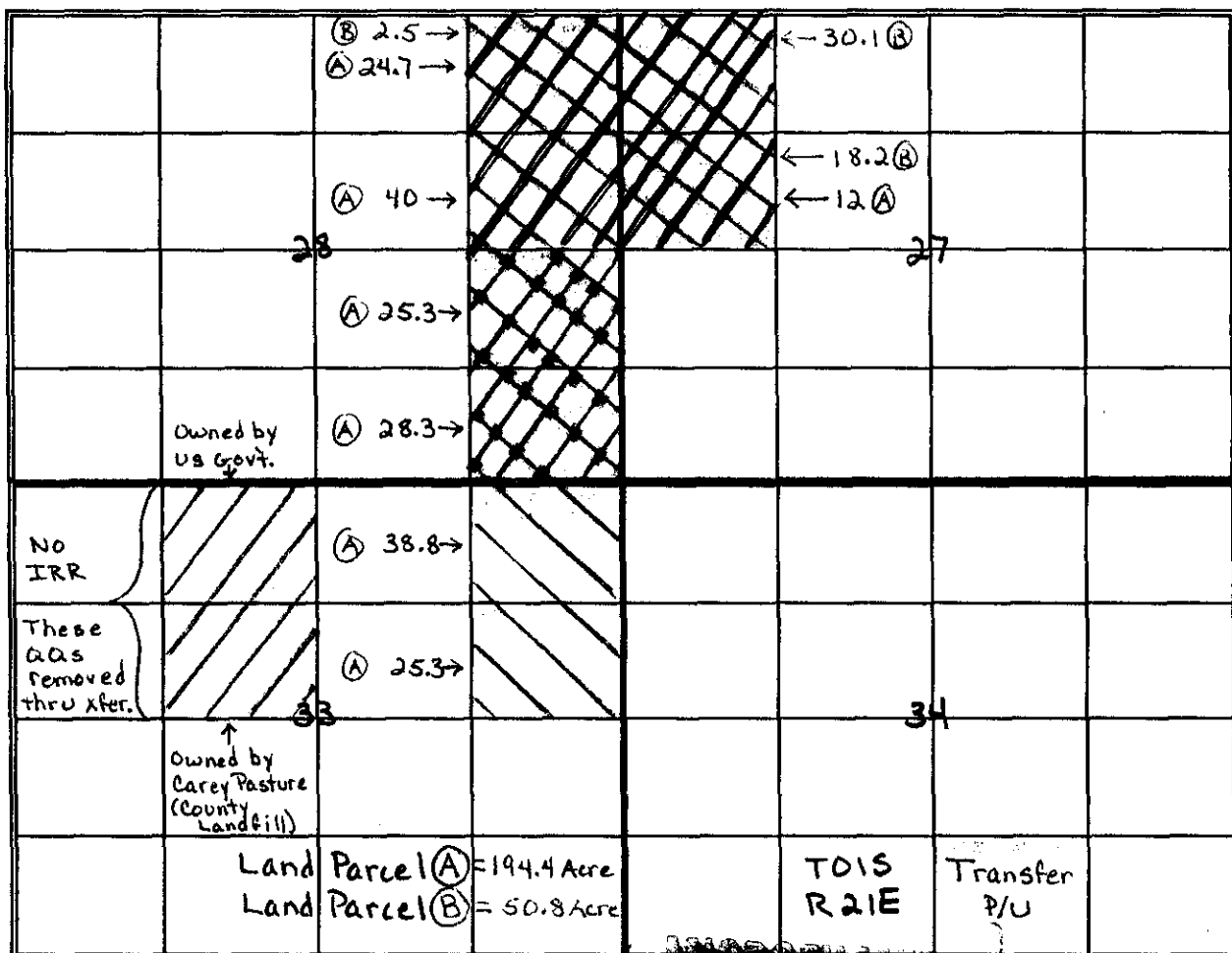
Review of other overlapping rights identify rights claimed in the SRBA for the Little Wood Canal Co. and Little Wood River Irrigation District. A water right from Fish Creek appears to be fully overlapping, however the same SRBA claimed right does not overlap the transfer place of use at all, and we can assume it has not been historically used on the decreed place of use.

JUN 13 1994

Water Rights Summary/Comparison

<u>WR No.</u> <u>Priority</u>	<u>Rate</u>	<u>Acres</u> (Decree/Xfer)	<u>Land</u> <u>Parcel A</u>	<u>Land</u> <u>Parcel B</u>
37-00633 05-01-1881	0.70 cfs	160 - 50.8		0.70 cfs
37-00634 (SPLIT) 04-01-1882	1.60 cfs	160-(A) 194.4 (B) 50.8	(A) 1.22 cfs	(B) 0.38 cfs
37-00456 04-01-1882	2.00 cfs	160 80-194.4	2.00 cfs	
37-01134 05-01-1910	2.40 cfs	160 - 194.4	2.40 cfs	
TOTALS	6.70 cfs	400 - 245.2	5.62 cfs	1.08 cfs
(QQ P/U-Parcel A & B)				

Parcel A = 5.62 cfs for 194.4 Acres = 0.028 cfs/acre
Parcel B = 1.08 cfs for 50.8 Acres = 0.021 cfs/acre



37-00456-Lt. Blue 37-00633-Drk. Blue 37-00634-Lt. Blue 37-01134-Green

JUN 13 1994

WR0749NP
No. 37-01134

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/27/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BLAINE C TINGEY	05/01/1910	IRRIGATION	04-15 10-15	2.40 CFS	680.40 AFA
C	BARBARA B TINGEY PO BOX 4 CAREY ID 83320 (208) 823-4559			TOTAL DIVERSION:	2.40 CFS	680.40 AFA

Water Source: LITTLE WOOD RIVER

Tributary to: MALAD RIVER

Stage: DECREED

Point(s) of Diversion:

T01N R21E S30

SWSE

BLAINE County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE				
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
01S	21E	27	:											12	:								12.0	
01S	21E	28	:	24														25				28	118.3	
01S	21E	33	:	38																			64.1	
TOTAL ACRES																					194.4			

Pou County: BLAINE

Other Rights: 37-1133

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

37-00018	37-00304	37-00421	37-00422	37-00542A	37-00542B	37-00670A	37-00670B	37-00670C	37-01132
37-02497	37-02498	37-02501	37-02503	37-02508	37-04430	T37-00456	T37-00634A		

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

37-00456	37-00633	37-00634	37-01133	37-01134	T37-00456	T37-00633	T37-00634A	T37-00634B
----------	----------	----------	----------	----------	-----------	-----------	------------	------------

Conditions of Approval:

- R01 - A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 37N.
- R30 - 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.
- 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.

LAND PARCEL (A)

WR0749NP
No. T37-01134

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/27/94
PAGE: 2

Remarks: The total combined annual volume of water under Right Nos. 37-00634A, 37-00456 and 37-01134 shall not exceed 680.4 af. Combined Right Nos. 37-00634A, 37-00456 and 37-01134 are limited to irrigation of 194.4 total acres as identified above in a single irrigation season.

Dates: App. Received: 09/14/1993 Priority Date: 05/01/1910
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 37N Field Exam fee:

Comments: Date: 12/02/1993 User-ID: BALDWIN Subject: TRANSFER NO. 4258
T# 4258 filed on 9/14/93 proposes to change place of use, split Water Right No. 37-00634 into parts A & B, and create permissible place of use.
T# 4258 is based upon an unrecorded transfer.
Rights in this transfer are 37-00456, 37-01134, 37-00634A & B, 37-00633.

Date: 04/27/1994 User-ID: SKAGGS Subject: CONVEYANCE SYSTEM DESCRIPTION
Point of Diversion: SWSE, S30, T01N, R21E (Head of East & West Canals).
Diverted from West Canal in SESWSE, S21, T01S, R21E & SWSESW, S27, " , " .

Audit: 12/08/93 BALDWIN 04/27/94 SKAGGS

WR5809NP
No. 37-01134

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/10/93
PAGE: 4

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	O. J. MC CARTER	05/01/1910	IRRIGATION	00-00 00-00	2.40 CFS	
TOTAL DIVERSION:					2.40 CFS	

Water Source: LITTLE WOOD RIVER

Tributary to: MALAD RIVER

Stage: DECREED

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
01S	21E	28	:																	:	
01S	21E	33	:	I																:	

Pou County: BLAINE

Other Rights: 37-1133

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

37-00456 37-01133 T37-00456 T37-00634A T37-01134

Dates:	App. Received:	Priority Date:	05/01/1910
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 37N Field Exam fee:

Audit: 03/07/86 05/28/88 CONVERT