

Transfer No. 71229

Receipt No. 5026809

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

1. Applicant Information PHYLLIS BEDKE
PO BOX 83
OAKLEY ID 83346
(208)862-3613
And/Or

FRANK A BEDKE
PO BOX 83
OAKLEY ID 83346
(208)862-3613

RECEIVED
JUN 07 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
45-425A	AJC/Decreed	1.58		160.0	370.0	BIG COTTONWOOD CREEK
45-443B	AJC/Decreed	0.58		160.0	370.0	BIG COTTONWOOD CREEK
45-10594	AJC/Decreed	0.80		160.0	370.0	BIG COTTONWOOD 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
45-425A	NO	NO	YES	NO	NO	NO
45-443B	NO	NO	YES	NO	NO	NO
45-10594	NO	NO	NO	NO	NO	NO

Describe the reason for the proposed changes

To modify the recorded place of use to reflect the acres that are actually irrigated.

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

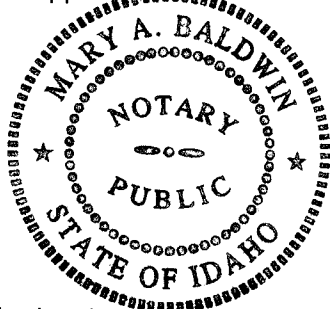
	Rate	Acre Limit	Total Acres	Volume
45-425A	1.58 cfs	160.0	370.0	
45-443B	0.58 cfs	160.0	370.0	
45-10594	0.80 cfs	160.0	370.0	
TOTAL	2.96 cfs	320.0	370.0	

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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.



Frank A. Bisher
(Signature of Applicant)

(Title or Office)

Subscribed and sworn to before me this 21ST day of May, 20 04

Mary A. Baldwin
(Notary Public)

My commission expires 10/16/04

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

Current Water Right No. 45-425A

Priority Date: April 12, 1892
 Origin: Adjudication Recommendation
 Basis: Decreed
 Status: Active

Source: BIG COTTONWOOD CREEK **Tributary:** DRY CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	1.58 CFS		
	Total Diversion	1.58 CFS		

Source and Point(s) of Diversion:

BIG COTTONWOOD CREEK SENESE Sec. 8 Twp 13S Rge 21E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
12S 22E 31	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	220.0
13S 22E 6					42.0	38.0	38.0	32.0	40.0				39.0	40.0	34.0	27.0	150.0
					L 3	L 4	L 5										

Total Acres: 370

Conditions/Remarks:

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 45K.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. The right holder shall accomplish the change authorized by transfer 66722 within one (1) year of the date of the approval date of December 1, 2003.

5. Approval of transfer 66722 does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
6. 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.
7. USE OF THIS RIGHT WITH RIGHT NO. 45-443B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 160 ACRES IN A SINGLE IRRIGATION SEASON.
8. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 320 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-425A, 45-443B, 45-10594.
9. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
10. USE OF THIS RIGHT IS COMBINED WITH WATER FROM OAKLEY CANAL CO.

Documentation of Ownership of the Current Place of Use *IDWR Records*

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

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer *Acres moved To other part of Farm*

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

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

Current Water Right No. 45-443B

Priority Date: August 31, 1882
 Origin: Adjudication Recommendation
 Basis: Decreed
 Status: Active

Source: BIG COTTONWOOD CREEK **Tributary:** DRY CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.58 CFS		
	Total Diversion	0.58 CFS		

Source and Point(s) of Diversion:

BIG COTTONWOOD CREEK SENESE Sec. 8 Twp 13S Rge 21E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
12S 22E 31	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	220.0
13S 22E 6					42.0	38.0	38.0	32.0	40.0				39.0	40.0	34.0	27.0	150.0
					L 3	L 4	L 5										

Total Acres: 370

Conditions/Remarks:

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 45K.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. The right holder shall accomplish the change authorized by transfer 66722 within one (1) year of the date of the approval date of December 1, 2003.

5. Approval of transfer 66722 does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
6. 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.
7. USE OF THIS RIGHT WITH RIGHT NO. 45-425A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 160 ACRES IN A SINGLE IRRIGATION SEASON.
8. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 320 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-425A, 45-443B, 45-10594.
9. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
10. USE OF THIS RIGHT IS COMBINED WITH WATER FROM OAKLEY CANAL CO.

Documentation of Ownership of the Current Place of Use *IDWR Records*

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

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer *Acers moved to other part of Farm*

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

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

Current Water Right No. 45-10594

Priority Date: April 12, 1892
 Origin: Adjudication Recommendation
 Basis: Decreed
 Status: Active

Source: BIG COTTONWOOD CREEK **Tributary:** DRY CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.80 CFS		
	Total Diversion	0.80 CFS		

Source and Point(s) of Diversion:

BIG COTTONWOOD CREEK SENESE Sec. 8 Twp 13S Rge 21E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
12S 22E 31	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	220.0
13S 22E 6					42.0	38.0	38.0	32.0	40.0				39.0	40.0	34.0	27.0	150.0
					L 3	L 4	L 5										

Total Acres: 370

Conditions/Remarks:

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 45K.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. The right holder shall accomplish the change authorized by transfer 66722 within one (1) year of the date of the approval date of December 1, 2003.

5. Approval of transfer 66722 does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
6. THIS RIGHT IS BASED UPON FORMER RIGHT 45-434.
7. 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.
8. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 320 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-425A, 45-443B, 45-10594.
9. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
10. USE OF THIS RIGHT IS COMBINED WITH WATER FROM OAKLEY CANAL CO.

Documentation of Ownership of the Current Place of Use *IDWR Records*

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

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer *Acers moved TO OTHER part OF Farm.*

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

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

Proposed Water Right No. 45-425A

Priority Date: April 12, 1892

Origin: Adjudication
 Recommendation

Basis: Decreed

Status: Active

Source: BIG COTTONWOOD CREEK **Tributary:** DRY CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	1.58 CFS		
	Total Diversion	1.58 CFS		

Source and Point(s) of Diversion:BIG COTTONWOOD SENESE Sec. 8 Twp 13S Rge 21E CASSIA County
CREEKDescribe the proposed diversion system**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		
12S 22E 31									40.0				40.0	30.0	40.0	40.0	30.0	220.0
13S 22E 6					41.0	39.0	32.0	38.0										150.0
					L 3	L 4	L 5											

Total Acres: 370

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

Proposed Water Right No. 45-443B

Priority Date: August 31, 1882

Origin: Adjudication
Recommendation

Basis: Decreed

Status: Active

Source: BIG COTTONWOOD CREEK **Tributary:** DRY CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.58 CFS		
	Total Diversion	0.58 CFS		

Source and Point(s) of Diversion:

BIG COTTONWOOD CREEK SENESE Sec. 8 Twp 13S Rge 21E CASSIA County

Describe the proposed diversion system**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					
12S	22E	31									40.0				40.0				30.0	40.0	40.0	30.0	220.0
13S	22E	6					41.0	39.0	32.0	38.0													150.0
							L 3	L 4	L 5														

Total Acres: 370

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

Proposed Water Right No. 45-10594

Priority Date: April 12, 1892
 Origin: Adjudication
 Recommendation
 Basis: Decreed
 Status: Active

Source: BIG COTTONWOOD CREEK **Tributary:** DRY CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.80 CFS		
	Total Diversion	0.80 CFS		

Source and Point(s) of Diversion:

BIG COTTONWOOD CREEK SENESE Sec. 8 Twp 13S Rge 21E CASSIA County

Describe the proposed diversion system

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		
12S 22E 31									40.0				40.0	30.0	40.0	40.0	30.0	220.0
13S 22E 6					41.0	39.0	32.0	38.0										150.0
					L 3	L 4	L 5											

Total Acres: 370

Transfer #71229
Frank &/or Phyllis Bedke

