

(Internet)

Page 1 of 8STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 69381

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

FEB 22 2001

PART 1

Department of Water Resources
Southern RegionName of applicant Robert &/or Deanne Manning Phone 862-3884 home
Post Office address 2233 Birch Cr Rd, Oakley, ID 83346 431-3884 cell #

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 Right was used in Oakley before being sold to Ennis Matthews in 1990. I bought the Matthews holdings in 1997, lawn around our house has been watered with Birch Cr. water for a long time, but has no water appurtenant to it. We want to move this right legally to our lawn.

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
<u>45-77y</u>	<u>3-1-1875</u>	<u>0.02</u>	<u>Irrigation</u>	<u>3-15</u> to <u>11-15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 0.02 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Birch Creek tributary to Goose Creek

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SE	SE	24	14S	23E	Cassia	Headgate + concrete Ditch pipeline
		SW	NW			22E		
						25-01		

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	
14S	23E	14			0.5														0.5
	22E																		
	25-01																		

Total acres 0.5

PART 1

6. General Information:

a. Description of diversion system Existing headgate & buried pipeline. Tap on pipeline to lawn sprinklers.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ 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:
Land is irrigated with Oakley Canal Co. water, & will be after the transfer.

d. Remarks:

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 _____

Pg 3 of 8

T # 69381

02/22/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 45-77Y

Owner Type
Current Owner
Current Owner
Name and Address
ALETA STRINGHAM
LONNIE STRINGHAM
PO BOX 235
OAKLEY, ID 83346
(208)862-9202

Priority Date: 03/01/1875
Basis: Decreed
Status: Active

Source
BIRCH CREEK
Tributary to
GOOSE CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/01	11/15	0.02 CFS		
Total Diversion			0.02 CFS		

Location of Point(s) of Diversion:

BIRCH CREEK NWSNW Sec. 03 Township 14S Range 22E CASSIA County

IRRIGATION Use:
Acre Limit: 4.6

Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
14S	22E	4		NENE	4.6									

Total Acres: 4.6

Remarks:

1. General BIRCH CREEK WATER PURCHASED BY GEORGE POULTON FROM JOSEPH Y. HAIGHT. SEE ATTACHED QUITCLAIM DEED.

Dates:

Licensed Date:
Claim Received Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

Other Information:

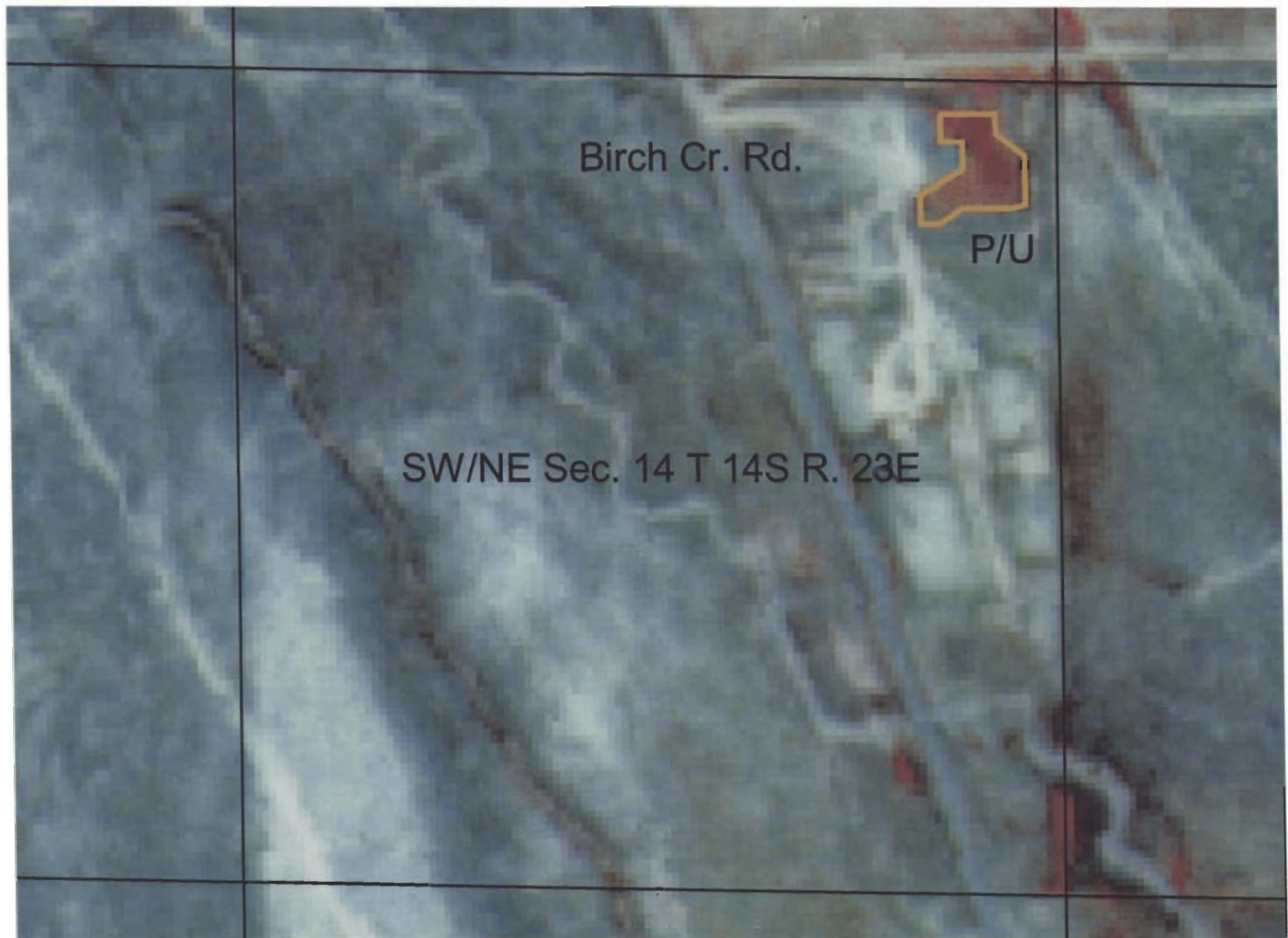
Receipt Number(s): S008298
State or Federal: S
Owner Name Connector: AND

Pg 4 of 8

T#69381

Water District Number: 45B
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

APP FOR TRANSFER - ROBERT MANNING

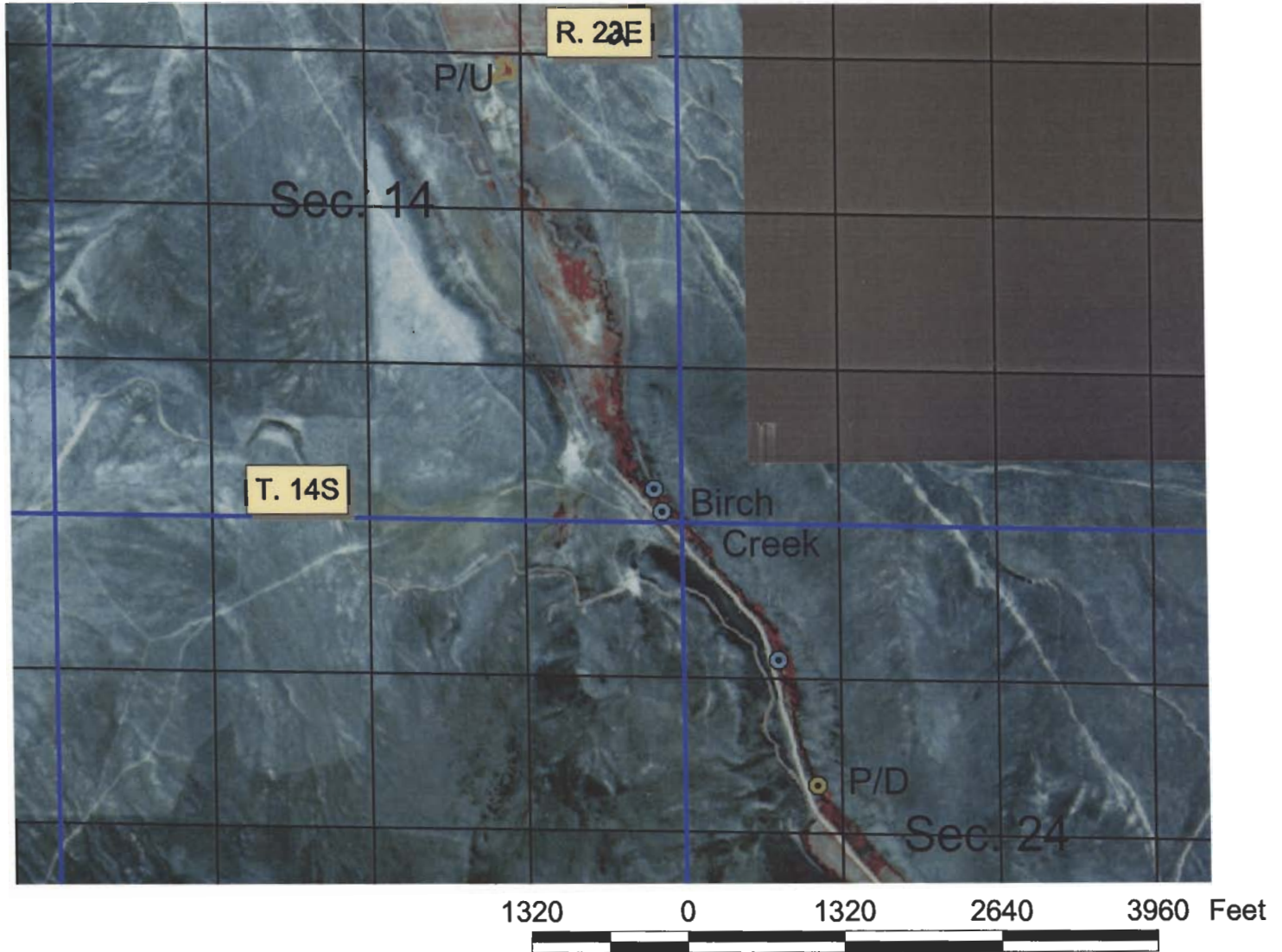


IDAHO DEPARTMENT OF WATER RESOURCES

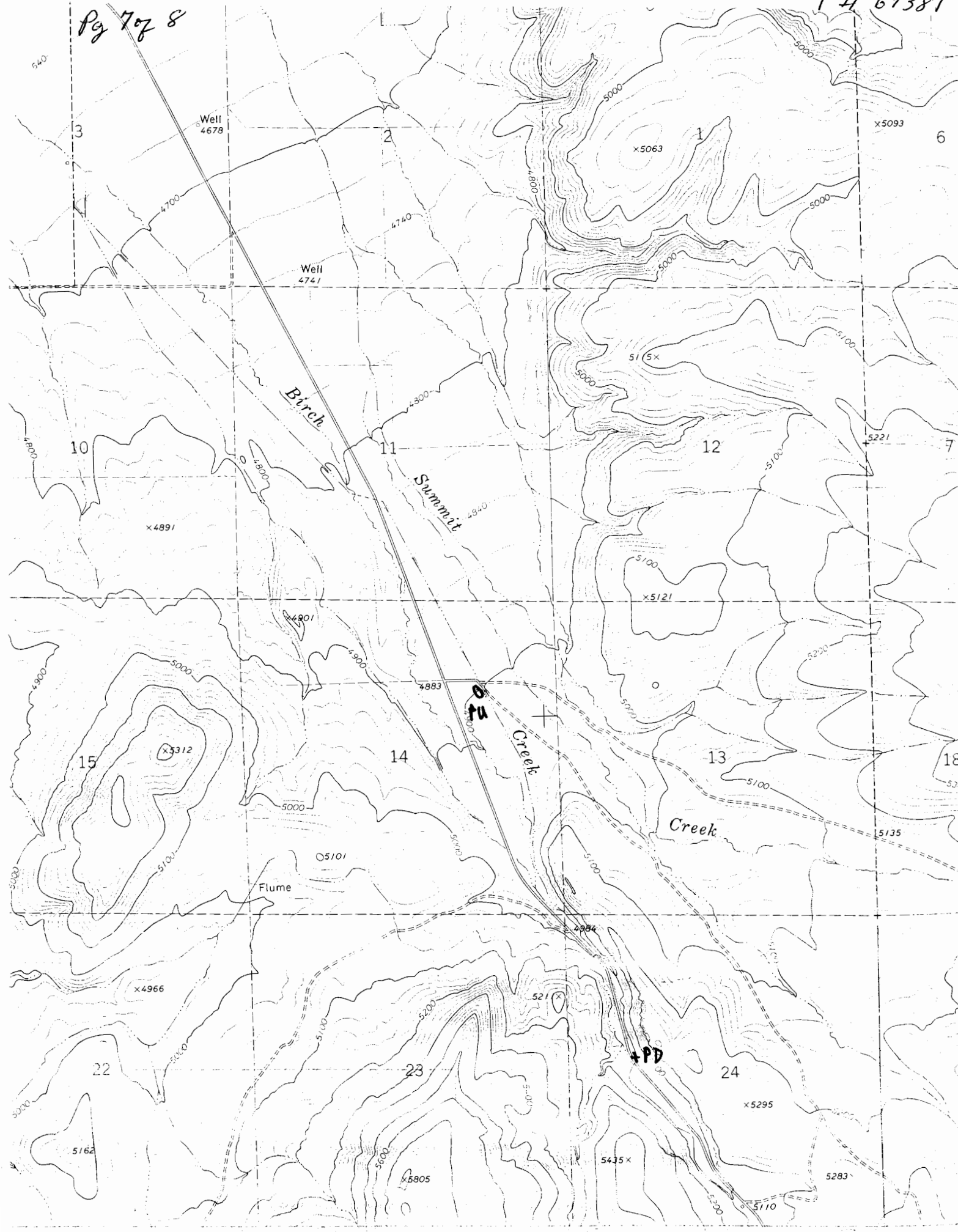
Pg 6 of 8

T #69381

APP FOR TRANSFER - ROBERT MANNING



Prepared By J E Stanton 2-23-01



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

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

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

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

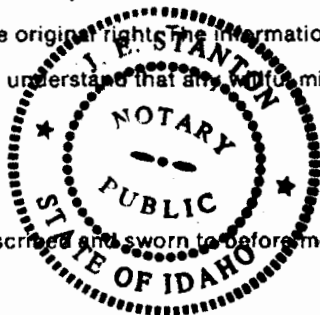
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this

23rd

day of

February19 2006Robert Manning

(Signature of Applicant)

J. E. Stanton

(Notary Public)

My commission expires

10-25-2006**FOR DEPARTMENT USE ONLY**Transfer contains 8 pages and 3 attachments

Received by

J. E. Stanton

Date

2-22-01

Protest filed by

Prelim. check by

J. E. Stanton

Fee

\$100, SO 23632

Receipted by

J. E. Stanton

Date

2-22-01

Published in

So. Idaho Press

Pub. dates

9/17 + 9/24/01

Copies of protest forwarded by

Hearing held by

Date

Watermaster recommendation requested on

9/14/01

Recommended for

☐

approval

☐

denial

rec'd.

10/1/01

by

Copy of transfer sent to lien holder

T# 69381

(Optional)

Recorded	☐	Platted	☐	Key Punched	☐	To Treasurer	☐
Microfilmed	☐	Deed Card	☐	Master File	☐		☐
Indexed	☐	Compared	☐	Abstracted	☐		

QUITCLAIM DEED

THIS INDENTURE, Made this nineteenth day of September

in the year of our Lord one thousand nine hundred and ninety between
Lonnie and Aleta Stringham, husband & wife,

of Oakley County of Cassia

State of Idaho, the parties of the first part, and Ennis Matthews

of Oakley, Idaho County of Cassia

State of Idaho, the part y of the second part,

whose current address is 1 mile North and 1/4 mile East, Oakley, Idaho

WITNESSETH That the said party _____ of the first part, for and in consideration of the sum of _____

ONE THOUSAND AND NO/100ths.....DOLLARS.

lawful money of the United States of America, to them in hand paid by the said part y of the second part, the receipt whereof is hereby acknowledged, do by these presents remise, release and forever QUITCLAIM, unto the said part y of the second part, and to his heirs and assigns all xxxxxxxxxxxxxxxxxx certain lot, piece, or parcel xxxxxxxxxxxxxxxxxx of land situate, lying and being in xxxxxxxxxxxxxxxxxx County of xxxxxxxxxxxxxxxxxx State of Idaho, bounded and particularly described as follows, to-wit:

described as follows, to-wit: The right to the use of the following described water: One inch of Birch Creek Water dated March 1st, 1875, said water being a portion of the waters decreed to Jacob Dayley by the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Cassia, on the 10th day of 1903, and deeded by Jacob Dayley to the Light Air Park Company on August 24th, 1909, said deed being of record in the office of the County recorder in Book 12 of deeds at page 309. Thence transferred by Quit Claim Deed to George R. Poulton by Joseph Y. Haight June 22nd, 1942. Thence to Lonnie & Aleta Stringham by Warranty Deed from Southern Idaho Realty, Inc. of Burley, Idaho on May 5th, 1975. Said deed is recorded at the Cassia County recorder's office on Film 131, dated December 31, 1979.

The use of this water is not restricted to any particular location or property, and may be transferred at the discretion of the owner.

Location of above described property.

House No.

Street

MAIL DEED TO:

MAIL TAX NOTICE TO:

Name_____

Address

City & State _____

TOGETHER With all an singular the tenements, hereditamen and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

RECORDED AT THE REQUEST OF

Lonnie Stringham Ennis Matthews
Aleta Stringham

1990 APR 22 3:50

218662

CASSIA COUNTY, IDAHO
FRANK B. KEARNS
RECORDER

STATE OF IDAHO
DEPUTY

County of Cassia ss.

On this 18th day of Sept. in the year 1990, before me

Lonnie Stringham & Aleta Stringham

in and for said State, personally appeared a Notary Public

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Robert W. Feldman
Notary Public for the State of Idaho.
Residing at , Idaho.

No. _____

QUITCLAIM DEED

Lonnie & Aleta Stringham

—TO—
Ennis Matthews

Dated September 19, 1990

STATE OF IDAHO, } ss.
County of Cassia }

I hereby certify that this instrument was filed for record at request of _____

at _____ minutes past _____
o'clock M., this _____ day
of _____, A.D. 19 _____

in my office, and duly recorded in Book _____
of _____ at page _____

By _____ Ex-Officio Recorder.
Fees, \$ _____ Deputy.
Mail to _____

SYMS-YORK COMPANY, BOISE