

Transfer No. 70791

Name of Applicant John L. McCulloch Phone (708) 652-3334
Office address 3168 E 1300 N, Ashton, ID 83420

☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use

☐ Change nature of use ☐ Change period of use ☐ Other _____

Describe the reason for the proposed changes currently use two pumps. Will consolidate to save power costs.

DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. <u>Right Number</u>	<u>Priority</u>	<u>Amount (cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>
21-102.D	6/01/1890	1.0 cfs	Irrigation	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 1.0 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Henry's Fork tributary to Snake River

4. Point(s) of Diversion: Exact AOD NOT shown on water right. POB derived from maps

[illegible]

5. Lands irrigated or place of use:

[illegible]

SCANNED

SEP 12 2003

Total Acres 220

T 707911

General Information:

Description of diversion system pump from River, Mainline up hill into ditch
per pipe to sprinkler pump. Pump to 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 X 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:
Palisades water 290 shares.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 20 _____.

For the Director

SCANNED
SEP 12 2003

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 21-102D

WATER RIGHT NUMBER: 21-102D

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	J R SILKEY
	, ID
Current Owner	ERMA MC CULLOCH RT 1 BOX 85 ASHTON, ID 83420 (208)652-3334
Current Owner	JOHN L MC CULLOCH RT 1 BOX 85 ASHTON, ID 83420 (208)652-3334

Priority Date: 06/01/1890

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
HENRYS FORK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	1.000 CFS	
	<u>Total Diversion:</u>	1.000 CFS	

Location of Point(s) of Diversion

HENRYS FORK	NE1/4NW1/4	Sec. 33, Twp 09N, Rge 42E, B.M.
FREMONT County		

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	
09N	42E	32	22.0	38.0	40.0	20.0	40.0								20.0	40.0			220.0

Total Acres: 220

Conditions of Approval:

Remarks:

1. General TRANS. 973.

Comments:

SCANNED

SEP 12 2003

page 4 of 6

T70791

Page 2

09/02/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 21-102D

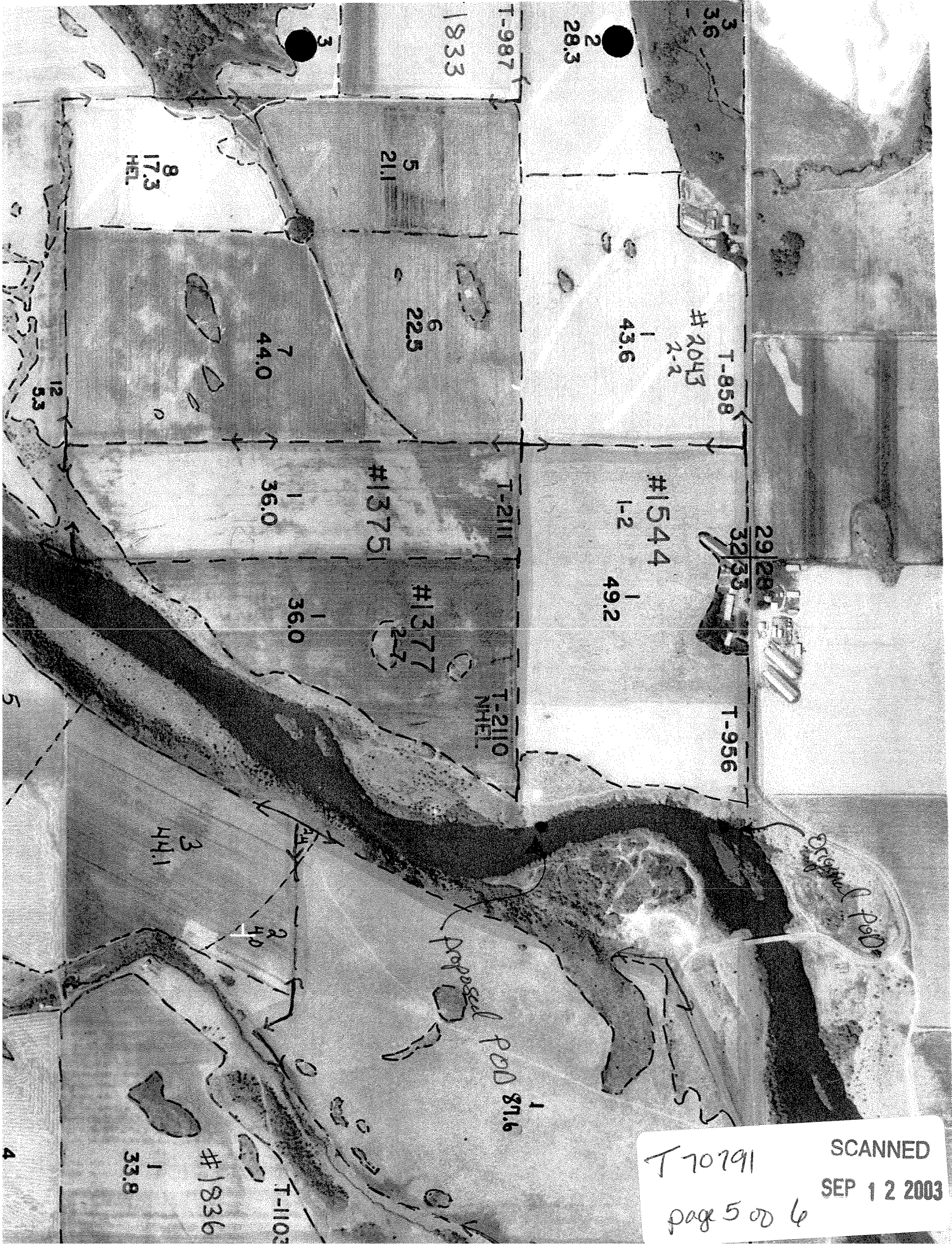
Dates and Other Information:

Claim Received Date: 10/18/1988
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

SCANNED

SEP 12 2003

T70791



T 70791

page 5 of 6

SCANNED
SEP 12 2003

PART 3

CHANGES IN NATURE OF USE

No changes.

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

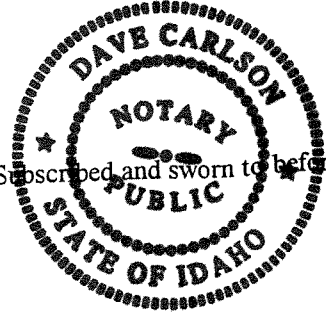
Quantity and quality of return flows and location of discharge:

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.



John L. McPherson
(Signature of Applicant)

Subscribed and sworn to before me this 2 day of Sept, 2003

Dave Carlson
(Notary Public)

My commission expires 2/26/2006

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 6 attachments

Received by DC Date 9/2/2003 Protest filed by _____

Prelim. Check by DC Fee \$250 E029146

Received by DC Date 9/2/2003

Published in Herald Chronicle (wed) Copies of protest forwarded by _____

Pub. Dates 12/31 & 1/7/04 Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

SCANNED
SEP 12 2003

T70791

INCORPORATED UNDER THE LAWS OF

THE STATE OF IDAHO

Shares 70

PALISADES WATER USERS, INCORPORATED

75,000 SHARES OF ASSESSABLE
COMMON STOCK OF NO PAR VALUE

THIS CERTIFIES THAT

JOHN OR ERMA LOU MCCULLOCH

Shares of No Par Value

is the owner of
each of the Capital Stock of

transferable only on the books of the Corporation by the holder
hereof or person or by Attorney upon surrender of this Certificate
properly endorsed

NOTICE: Pursuant to the Bylaws, this stock is 1. ASSESSABLE, and 2. its TRANSFER IS
RESTRICTED. A copy of the Bylaws will be provided upon request.

In Witness Whereof, the said Corporation has caused this Certificate to be
signed by its duly authorized officers and to be sealed with the Seal of the Corporation

day of FEBRUARY 19 92

27th

Paul C. [Signature]
SECRETARY

Clair J. Hoover
PRESIDENT

SHARES

NO PAR VALUE

EACH



SEP 12 2003

ATTACHMENT

T 70791
1 OF 6

INCORPORATED UNDER THE LAWS OF

THE STATE OF IDAHO

Shares 100

PALISADES WATER USERS, INCORPORATED

75,000 SHARES OF ASSESSABLE
COMMON STOCK OF NO PAR VALUE

THIS CERTIFIES THAT

John I. and/or Emma I. McCulloch

is the owner of
100 (one hundred) Shares of No Par Value each of the Capital Stock of

transferable only on the books of the Corporation by the holder
herein shown or by attorney upon surrender of this Certificate
properly endorsed

NOTICE: Pursuant to the Bylaws, this stock is 1. ASSESSABLE, and 2. its TRANSFER IS
RESTRICTED. A copy of the Bylaws will be provided upon request.

In Witness Whereof, the said Corporation has caused this Certificate to be
signed by its duly authorized officers and to be sealed with the Seal of the Corporation
this 5th day of April A.D. 1983

Secretary

PRESIDENT

NO PAR VALUE

EACH

SHARES

INCORPORATED UNDER THE LAWS OF

THE STATE OF IDAHO

Shares 120

PALISADES WATER USERS, INCORPORATED

75,000 SHARES OF ASSESSABLE
COMMON STOCK OF NO PAR VALUE

THIS CERTIFIES THAT

One Hundred Twenty (120)

JOHN L. MCCULLOCH or EMMA L. MCCULLOCH

is the owner of
Shares of No Par Value each of the Capital Stock of

transferable only on the books of the Corporation by the holder
hereof in person or by Attorney upon surrender of this Certificate
properly endorsed.

NOTICE: Pursuant to the Bylaws, this stock is 1. ASSESSABLE, and 2. Its TRANSFER IS
RESTRICTED. A copy of the Bylaws will be provided upon request.

In Witness Whereof, the said Corporation has caused this Certificate to be
signed by its duly authorized officers and it is sealed with the Seal of the Corporation

the 16th day of December A.D. 19

John L. McCulloch
PRESIDENT

Emma L. McCulloch
SECRETARY

EACH

NO PAR VALUE

SHARES

© GOES 50.

CLYDE F. INGRAM
FREMONT COUNTY ASSESSOR
ST. ANTHONY, ID 83445

RETURN POSTAGE GUARANTEED

THIS IS NOT A BILL

FIRST CLASS MAIL
U.S. POSTAGE
PAID 1 OZ.
PERMIT #22

1984

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
1 IRRGTD AG	200.000 AC	80,546
4 MEADOW	8.000 AC	560
10 RURAL HOMESITE	1.000 AC	4,370
19 WASTE	11.000 AC	
31 RURAL RES BLDG		29,911
32 RURAL IMP ON AG		24,572
58 MACH & EQUIP		13,690

**TAXPAYERS
VALUATION ASSESSMENT NOTICE**

Information on Protest of Assessment
and Claims for Tax Reduction and
Exemption on Reverse Side

IN CASE OF ERROR
Notify Assessor's Office Immediately

KEEP THIS COPY FOR YOUR RECORDS

Mail To:
MCCULLOCH, JOHN

TOTAL MARKET

153,649 ASHTON, ID 83420

W2E2NE4; W2 LOT 1;
W2NE4; NW4SE4; NE4NW4
LESS TAX 2
SEC 32 TWP 9 RGE 42

NE $\frac{1}{4}$ NW $\frac{1}{4}$
Sec 39 9 N 42 R
Dir, No 13046020

PROPERTY ADDRESS
PARCEL NO. RP 4858

TAX CODE 19-00

SCANNED

SEP 12 2003

ATTACHMENT T 70791
4 OF 6

Mac Reynolds agrees to give
John McCulloch an easement to
install an 8 in PVC pipe line
across his property from Snake
River to John's property line. The
pump and pipe line is to installed
nearby Mac's pump and run parallel to
his pipe line.

John L. McCulloch

Mac Reynolds

476446

5 Sept 02
10:21

3- SB

John McCulloch

3168 E. 1380 N.

Ashton Id. 83420

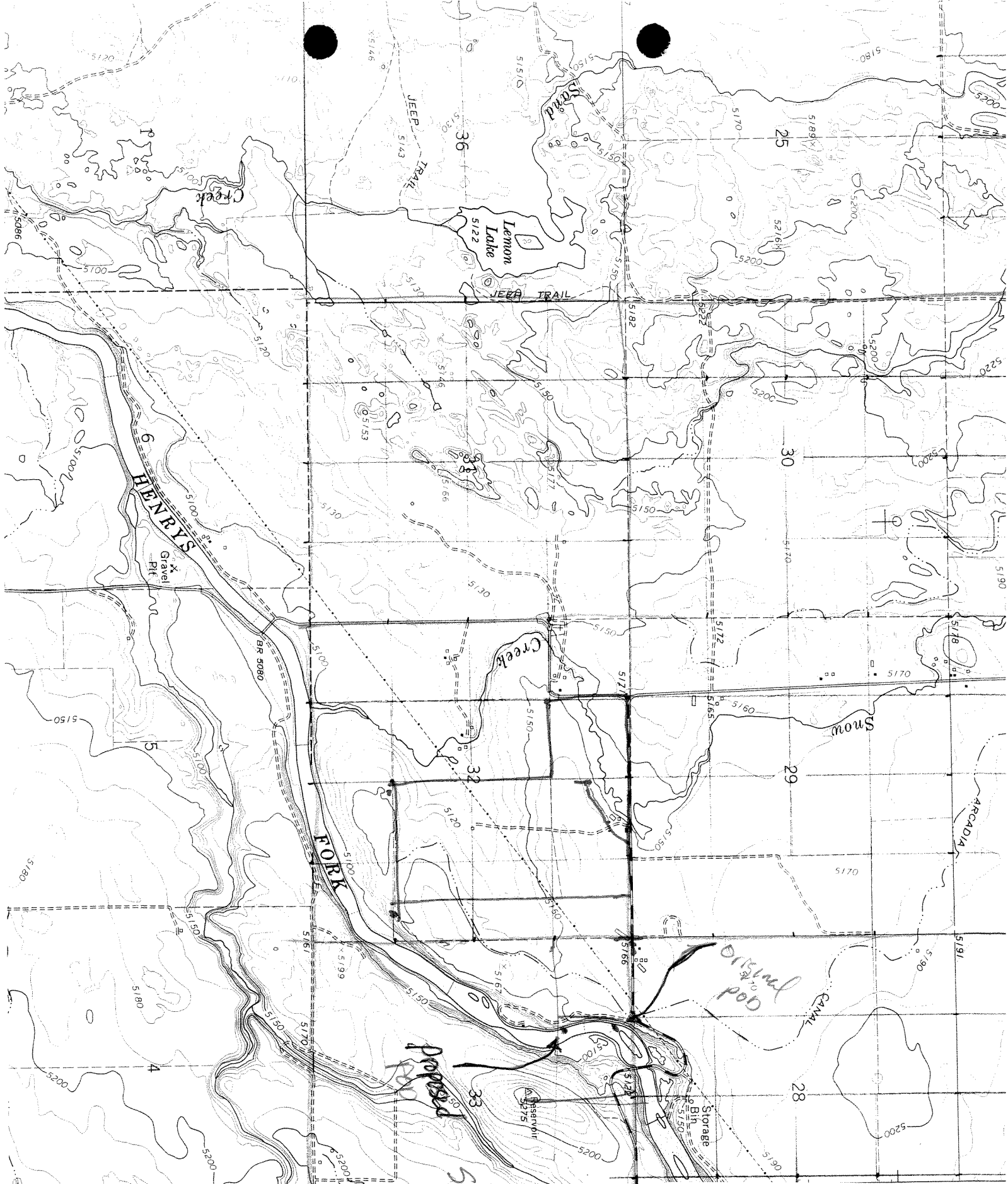
SCANNED

SEP 12 2002

THE DOCUMENT TO WHICH THIS CERTIFICATE IS
ATTACHED IS A FULL, TRUE AND CORRECT COPY OF
THE ORIGINAL ON FILE AND OF RECORD IN MY
OFFICE, SAME HAVING BEEN FILED
ATTEST
9-2-02 9-5-02
ARNE MACE CLERK OF THE DISTRICT COURT OF
THE SEVENTH JUDICIAL DISTRICT IN AND FOR
FREMONT COUNTY, IDAHO.

Claude H. Smith
DEPUTY

T 70791
ATTACHMENT 5 OF 6



21-0102-4973

RECEIVED
NOV 29 1961

APR 12 1962

WATER DISTRICT NO. 36
Eastern District

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of)

JOHN L. McCULLOCH
of
Ashton, Idaho)

ORDER GRANTING TRANSFER

NO. 973

For a Transfer of Water Right and
Change in Point of Diversion,
Water District No. 36,
County of Fremont, Idaho.)

WHEREAS, On the 23rd day of June, 1961, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of the application of John L. McCulloch of Ashton, Idaho, for a transfer of water right and change in point of diversion, came on regularly for hearing, pursuant to the published notice in due and statutory form; and,

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant with the application, shows that the water will be put to a higher and more efficient and beneficial use and no one will be injured thereby.

NOW, THEREFORE, IT IS ORDERED, That the said application be, and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 29th day of November, 1961.

RALPH W. THOMAS
Deputy State Reclamation Engineer

RECEIVED
NOV 29 1961

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

CERTIFICATE OF DECREED WATER RIGHT
TRANSFERRED RIGHT NO. 973

THIS IS TO CERTIFY, That John L. McCulloch of Ashton, Idaho, is the owner of and using a certain water right bearing date of June 1, 1890, for one cubic foot per second of the waters of Fall River, County of Fremont, State of Idaho, decreed to J. R. Silkis, by decree of Judge J. M. Stevens of the Sixth Judicial District of the State of Idaho, in and for the County of Fremont, in the case of

Rexburg Irrigation Company, et al,

vs.

Teton Irrigation Canal Company, et al,

said decree bearing date of December 16, 1910, and being appurtenant to the following described lands, to-wit:

SE $\frac{1}{4}$ except the South 13 rods thereof;
that portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ lying South
and East of Henry's Fork and that portion
of the SW $\frac{1}{4}$ lying South and East of Henry's
Fork, all in Section 12, Township 8 North,
Range 41 E. B. M.,

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 3 of Decrees, at Page 450;

That said John L. McCulloch has become the owner of said water right by mesne conveyance;

And that now upon the application of John L. McCulloch of Ashton, Idaho, for the transfer of one cubic foot per second of said water, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of one cubic foot per second of the waters of Fall River upon the above described lands is hereby abandoned, and the lands under such right, and to which the water right HEREBY CONFIRMED shall become appurtenant, by this Certificate for irrigation purposes, are described as follows, to-wit:

W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ of Lot 1; NW $\frac{1}{4}$ SE $\frac{1}{4}$,
NE $\frac{1}{4}$ NW $\frac{1}{4}$, of Section 32, Township 9
North, Range 42 E. B. M.,

That the said water is to be limited at any given time to an amount actually needed and beneficially used for such purpose, and shall not exceed the following amount, to-wit:

One cubic foot per second, bearing
date of priority of June 1, 1890;

That the water right hereby transferred has heretofore been conducted from Fall River to the first above described lands through the Silkis Ditch, with point of diversion in the SW $\frac{1}{4}$ of Section 18, Township 8 North, Range 42 E. B. M.,

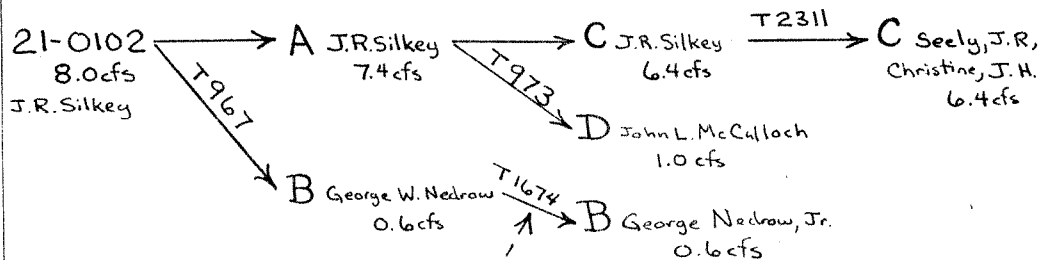
That the water right hereby transferred will hereafter be conducted to the last above described lands through a sprinkler system by portable pump with various points of diversion along Henry's Fork of the Snake River more accessible to the said lands;

That the right to the use of the waters aforesaid, hereby confirmed, is restricted to the lands last above described, as provided by the laws of the State of Idaho.

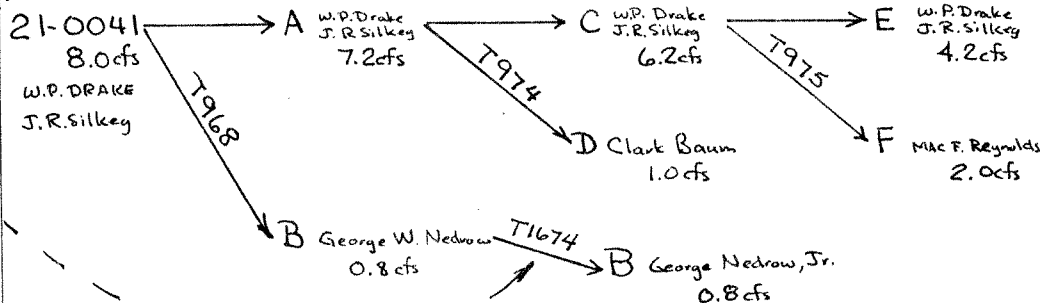
IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 29th day of November, 1961.

RALPH W. THOMAS
Deputy State Reclamation Engineer

MICROFILMED



SEE NOTE!



NOTE: T1674 is a combination of

21-0102 B $\frac{1}{2}$ 21-0041 B
0.6 cfs 0.8 cfs

$$0.6 \text{ cfs} + 0.8 \text{ cfs} = 1.4 \text{ cfs}$$