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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 70358

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Roger & Birgitta Sayer Phone 801-277-7205
Post Office address 4644 S Locust LN SLC, UT 84117

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 I have purchased 5 acres from Wendell Tew - need to drill a new well at the POU

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
34-13778	5/6/1954	0.15	IRR	4/1 to 10/31
34-13812(P)	1900	0.08	IRR	5/1 to 10/15
34-13816(P)	1894	0.02	IRR	5/1 to 10/15
34-13814(P)	1904	0.08	IRR	5/1 to 10/15

2. Total amount of water being transferred 0.20 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water GW tributary to _____

4. Point(s) of Diversion: BLR

[illegible]

5. Lands irrigated or place of use:

[illegible]

100-1124-13816-11AC 110358

Total acres 5

PART 1

6. General Information:

a. Description of diversion system WELL/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 - NEW well at Pool only

d. Remarks:
CFS for the GW is at 0.03/AC x 5AC

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____.

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01/05/2004

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-13778

WATER RIGHT NUMBER: 34-13778

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WENDELL HURST TEW 3939 HWY 93 LESLIE, ID 83255 (208)588-2524
Current Owner	MARJEAN ARMSTRONG TEW 3939 HWY 93 LESLIE, ID 83255 (208)588-2524

Priority Date: 05/06/1954

Basis: Decreed

Status: Active

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.310 CFS	18.00 AF
	<u>Total Diversion:</u>	0.310 CFS	18.00 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4	Sec. 8, Twp 06N, Rge 25E, B.M.
CUSTER 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	
06N	25E	9			5.0														5.0

Total Acres: 5

Conditions of Approval:

1. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
2. X35 Rights 34-13778, 34-13812, 34-13814 and 34-13816 when combined shall not exceed a total diversion rate of 3.04 cfs and the irrigation of 82 acres.

Remarks:

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01/05/2004

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 34-13778

Comments:

1. psdaggs 12/8/2003 8:24:02 AM Transferred Right
Comment: This is now an approved transfer, transfer number = 70249

Dates and Other Information:

Licensed Date:
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: Or
Water District Number:
Generic Max Rate Per Acre: 0.03
Generic Max Volume Per Acre: 3.5
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
3.04		82
Combined Water Rights: 34-13778 , 34-13812 , 34-13814 , 34-13816		

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-13812

WATER RIGHT NUMBER: 34-13812

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WENDELL HURST TEW 3939 HWY 93 LESLIE, ID 83255 (208)588-2524

Priority Date: 06/01/1900

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG LOST RIVER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	05/01 to 10/15	1.380 CFS	
	<u>Total Diversion:</u>	1.380 CFS	

Location of Point(s) of Diversion

BIG LOST RIVER	SW1/4NE1/4SE1/4	Sec. 6, Twp 06N, Rge 25E, B.M.
CUSTER 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	
06N	25E	9	20.0	28.0	5.0		12.0	6.0		11.0									82.0

Total Acres: 82

Conditions of Approval:

1. Water delivered through the Sutter Ditch.
2. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
4. S34 The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04/20 and an ending date of 10/31 at the discretion of the Director of the Idaho Department of Water Resources.
5. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6. X35 Rights 34-13778, 34-13812, 34-13814 and 34-13816 when combined shall not exceed a total diversion rate of 3.04 cfs and the irrigation of 82 acres.

Remarks:

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01/05/2004

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 34-13812

Comments:

1. pskaggs 12/8/2003 8:24:02 AM Transferred Right
Comment: This is now an approved transfer, transfer number = 70249

Dates and Other Information:

Licensed Date:
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number: 34
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
3.04		82
Combined Water Rights: 34-13778 , 34-13812 , 34-13814 , 34-13816		

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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. amount 0.08 for 5th 10R purposes from 5/1 to 10/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NE	SE	6	6N	25E	Custer	Sutter

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6N	25E	9		5															

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 1.30 for 10R purposes from 5/01 to 10/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NE	SE	6	6N	25E	Custer	Sutter

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6N	25E	9		15	28	5	12	6		11									77

Total acres 77

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01/05/2004

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 34-13814

WATER RIGHT NUMBER: 34-13814

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WENDELL HURST TEW 3939 HWY 93 LESLIE, ID 83255 (208)588-2524

Priority Date: 05/26/1904
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
BIG LOST RIVER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	05/01 to 10/15	1.290 CFS	
	<u>Total Diversion:</u>	1.290 CFS	

Location of Point(s) of Diversion

BIG LOST RIVER	SW1/4NE1/4SE1/4	Sec. 6, Twp 06N, Rge 25E, B.M.
CUSTER 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	
06N	25E	9	20.0	28.0	5.0	12.0	6.0	11.0											82.0

Total Acres: 82

Conditions of Approval:

1. Water delivered through the Sutter Ditch.
2. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3. S34 The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04/20 and an ending date of 10/31 at the discretion of the Director of the Idaho Department of Water Resources.
4. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
5. X35 Rights 34-13778, 34-13812, 34-13814 and 34-13816 when combined shall not exceed a total diversion rate of 3.04 cfs and the irrigation of 82 acres.

Remarks:

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01/05/2004

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 34-13814

Comments:

1. pskaggs 12/8/2003 8:24:02 AM Transferred Right
Comment: This is now an approved transfer, transfer number = 70249

Dates and Other Information:

Licensed Date:
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: Or
Water District Number: 34
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
3.04		82
Combined Water Rights: 34-13778 , 34-13812 , 34-13814 , 34-13816		

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10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

_____ 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. amount 0.08 for IRR purposes from 5/1 to 10/15
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NE	SE	6	6N	25E	Custer	Sutter

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6N	25E	9	5																

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 1.21 cfs for IRR purposes from 5/1 to 10/15
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NE	SE	6	6N	25E	Custer	Sutter

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6N	25E	9	15	28	5	12	6		11										77

Total acres 77

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 34-13816

WATER RIGHT NUMBER: 34-13816

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WENDELL HURST TEW 3939 HWY 93 LESLIE, ID 83255 (208)588-2524

Priority Date: 03/10/1894
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
BIG LOST RIVER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	05/01 to 10/15	0.370 CFS	
	<u>Total Diversion:</u>	0.370 CFS	

<u>Location of Point(s) of Diversion</u>	
BIG LOST RIVER	SW1/4NE1/4SE1/4 Sec. 6, Twp 06N, Rge 25E, B.M.
CUSTER 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	
06N	25E	9		20.0	28.0	5.0	12.0	6.0		11.0									82.0

Total Acres: 82

Conditions of Approval:

1. Water delivered through the Sutter Ditch.
2. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3. S34 The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04/20 and an ending date of 10/31 at the discretion of the Director of the Idaho Department of Water Resources.
4. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
5. X27 This right is limited to the irrigation of 18.5 acres within the place of use described above in a single irrigation season.
6. X35 Rights 34-13778, 34-13812, 34-13814 and 34-13816 when combined shall not exceed a total diversion rate of 3.04 cfs and the irrigation of 82 acres.

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01/05/2004

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-13816

Remarks:

Comments:

1. pskaggs 12/8/2003 8:24:02 AM Transferred Right
Comment: This is now an approved transfer, transfer number = 70249

Dates and Other Information:

Licensed Date:
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number: 34
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
3.04		82
Combined Water Rights: 34-13778 , 34-13812 , 34-13814 , 34-13816		

T70358

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. amount 0.02 for IRR purposes from 5/1 to 10/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NE	SE	6	6N	25E	Custer	

3. 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	
6N	25E	9		5															

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.350 for IRR purposes from 5/1 to 10/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NE	SE	6	6N	25E	Custer	

3. 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	
6N	25E	9		15	28	5	12	6		11									77

Total acres 77

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.

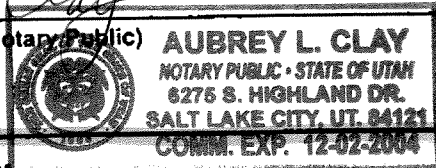
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Roger Sayer - [Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 2nd day of January, 192004.

Aubrey L. Clay
(Notary Public)

My commission expires 12-02-2004



FOR DEPARTMENT USE ONLY

Transfer contains 14 pages and 4 attachments

Received by _____ Date 1/21/2004

Protest filed by _____

Prelim. check by _____ Fee 100.00

Received by _____ Date 1/6/03 E028 109

Published in Challis Messenger

Copies of protest forwarded by _____

Pub. dates _____

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

_____ rec'd. _____

by _____

Copy of transfer sent to lien holder _____

Dec. 10, 2002

RECEIVED
DEC 11 2002
Department of Water Resources
Eastern Region

To whom this may concern: I, Wendell Tew of 3939 U S Highway 93 Leslie, Idaho, do hereby convey to Roger Sayer 5 inches of water # 342311 for the sum of \$1.00, receipt of same is hereby acknowledged.

Wendell Tew

Wendell Tew

ATTACHMENT T 70358
1 OF 4

TRACT DESCRIPTION

Tract 01-60

Parcel Number: RP 06N25E090620 A

Buyer: Sayer, Birgitta & Roger
Seller: Tew, Wendell & MarjeanInstrument Number: 222284
Date: 02-01-2001

Fraction of a section found in Sec. 9 of T6N R 25 E8M.
Commencing at the corner of sections 5, 4, 8, and 9 of T6N, R 25 and running
S 76° 45' W for a distance of one thousand three hundred and 4 point sixty eight
feet (1304.68) ft to a fence post on the south side of county road. Thence
easterly along the fence line nine hundred ninety eight point zero ft. (998.0)
thence north twenty four point five ft. (24.5) to the center line of the county
road. Thence east two thousand eighty point zero ft. (2080.0 ft) to the north
east corner of lot 12 of the Wendell Tew subdivision. Thence east along the
center line of said county road one thousand one hundred and fiftyone point
zero ft. (1151.0 ft.) to the point of beginning. Thence westerly along center
of county road 200 ft; thence south 1311.3 ft. thence east 200 ft. thence
north to the point of beginning, containing 6.02 acres more or less.

This parcel contains 6.02 Ac M/LT 10358
ATTACHMENT 2 OF 4

TRACT DESCRIPTION**Tract 02-24**

Parcel Number: RP 06N25E090630 A

Buyer: Sayer, Roger & Birgitta % Wendell Tew
Seller: Tew, WendellInstrument Number: 222658
Date: 5/1/2001

Fraction of section found in Section 9 of Township 6 North, Range 25 East, Boise Meridian
Beginning at NE Corner of lot No. 12 of the Wendell Tew Subdivision, thence East along center line
of said County road 1151.0 feet thence South 208.7 feet to point of beginning. Thence South
1103.23, thence East 200 feet, thence North 1103.23, thence West 200 feet to point of beginning.

RECEIVED
JAN 06 2003
Department of Water Resources
Eastern Region

WARRANTY DEED

0222284

For Value Received Wendell and Marjean Tew

the grantor S, do hereby grant, bargain, sell and convey unto Birgitta Sayer and Roger Sayer

the grantee, the following described premises, in Custer County Idaho, to-wit:

Fraction of a section found in Sec. 9 of T6N R 25 EBM.
Commencing at the corner of sections 5, 4, 8, and 9 of T6N, R 25 and running
S 76° 45' W for a distance of one thousand three hundred and 4 point sixty eight
feet {1304.68}ft to a fence post on the south side of county road. Thence
easterly along the fence line nine hundred ninety eight point zero ft. {998.0}
thence north twenty four point five ft. {24.5} to the center line of the county
road. Thence east two thousand eighty point zero ft. {2080.0ft} to the north e
east corner of lot 12 of the Wendell Tew subdivision. Thence east along the c
center line of said county road one thousand one hundred and fiftyone point
zero ft. {1151.0 ft.} to the point of beginning. Thence westerly along center
of county road 200 ft; thence south 1311.3 ft. thence east 200 ft. thence
north to the point of beginning, containing 6.02 acres more or less.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
and heirs and assigns forever. And the said Grantor do hereby covenant to and
with the said Grantees, that they do own the owner in fee simple of said premises; that they are free
from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

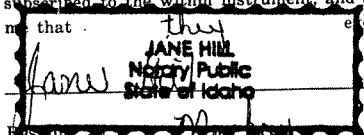
Dated: 1-30-01

Wendell Tew
Marjean Tew

STATE OF IDAHO, COUNTY OF Custer
On this 30th day of January, 2001,
before me, a notary public in and for said State, personally
appeared

Wendell Tew and
Marjean Tew

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



Notary Public
Idaho

STATE OF IDAHO, COUNTY OF Custer

I hereby certify that this instrument was filed for record at
the request of Wendell Tew

at 25, 11 minutes past o'clock A.m.,
this 30th day of February, 2001,
in my office, and duly recorded in Book
of Deeds at page -

Ethel M. Peck
Ex-Officio Recorder

By Janet Sangeris Deputy

Fees \$ 3.00
Mail to:

T 70358

ATTACHMENT 4 OF 4

INSTRUMENT No.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 10358

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant ROGER SAYER Phone 801-277-7205

Post Office address 4644 S. Locust Ln Salt Lake City, UT 84117

A. PURPOSE OF TRANSFER

- ☒ 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 I have purchased 5 acres of the water right for use on my property from my own well.

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>34-2311</u>	<u>5/06/1954</u>	<u>0.15 cfs</u>	<u>Irrigation</u>	<u>4/01</u> to <u>10/31</u>
<u>34-13812</u>	<u>1900</u>	<u>0.08 cfs</u>		<u>5/1</u> to <u>10/15</u>
<u>34-13816</u>	<u>1894</u>	<u>0.02 cfs (1.1 AC)</u>		<u>5/1</u> to <u>10/15</u>
<u>34-13814</u>	<u>1904</u>	<u>0.08 cfs</u>		<u>5/1</u> to <u>10/15</u>

- Total amount of water being transferred 0.10 cubic feet per second and/or _____ acre-feet per annum.
- Source of water Ground Water tributary to _____
- Point(s) of Diversion: BLR

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NW	NE	9	5N	2SE	Custer	New well

5. Lands irrigated or place of use:

Lands irrigated or place of use.																			
Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	2SE	9		5															5

Total Acres 5

PART 1

6. General Information:

a. Description of diversion system Transfer from one well to another well

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:

This ground will be dried up.

d. Remarks:

The cfs/acre will be reduced to 0.02 cfs/acre for 0.10 cfs
on my 5 acres. The total acres under rtr 34-361A-494B
+ 605D will be either reduced or rearranged by this transfer.

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

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 34-2311

WATER RIGHT NUMBER: 34-2311

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WENDELL TEW RT 1 BOX 1055 LESLIE, ID 83255 (208)588-2524
Current Owner	MARJEAN TEW RT 1 BOX 1055 LESLIE, ID 83255 (208)588-2524

Priority Date: 05/06/1954

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	0.930 CFS	88.00 AF
	<u>Total Diversion:</u>	0.930 CFS	88.00 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4	Sec. 8, Twp 06N, Rge 25E, B.M.
CUSTER 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	
06N	25E	9	1.0	5.0	11.0	1.0	3.0					4.0							25.0

Total Acres: 25

Conditions of Approval:

Remarks:

- Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NOS. 34-00361A, 34-00494B AND 34-00605D IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 102 ACRES IN A SINGLE IRRIGATION SEASON.
- Quantity USE OF THIS RIGHT WITH RIGHT NOS. 34-00361A, 34-00494B AND 34-00605D IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.78 CFS.

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 _____

3. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.18 for Irrigation purposes from 4/15 to 10/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NE	NE	8	6N	2SE	Custer	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	2SE	9		5															5

Total Acres 5

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.75 cfs for Irrigation purposes from 4/15 to 10/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

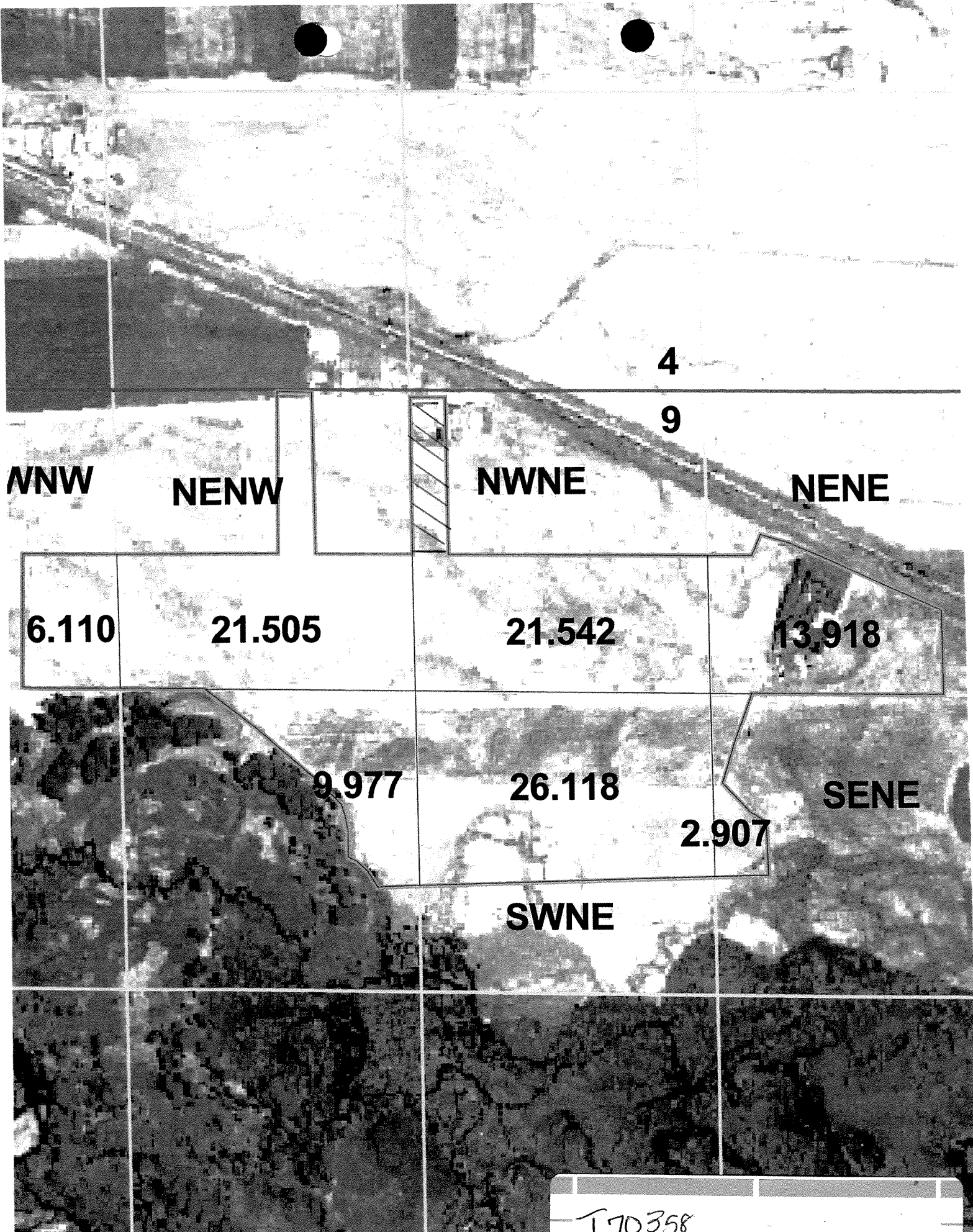
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NE	NE	8	6N	2SE	Custer	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	2SE	9	1		11	1	3			4									20

Total Acres 20



4

9

NNW

NENW

NWNE

NENE

6.110

21.505

21.542

13.918

9.977

26.118

2.907

SENE

SWNE

T70358

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PART 3

CHANGES IN NATURE OF USE

1.

<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ 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.

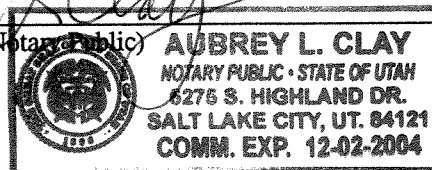
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Roger Sayer
(Signature of Applicant)

Subscribed and sworn to before me this 2nd day of December, 2002.

Aubrey L. Clay
(Notary Public)

My commission expires 12-02-2004



FOR DEPARTMENT USE ONLY

Transfer contains 7 pages and 4 attachments
Received by HWT Date 1-6-03 Protest filed by _____
Prelim. Check by _____ Fee 100.00
Receipted by HWT # E028409 Date 1-6-03
Published in Challis messenger Copies of protest forwarded by _____
Pub. Dates _____ Hearing held by _____ Date _____
Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial
_____ received _____ by _____

Copy of transfer sent to lien holder _____