

45-02808

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4017
WATER RIGHT NO. 45-02808

This is to certify that: **US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706**

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>
STOCKWATER	04/01 to 11/30	0.01 CFS	4.2 AF
<u>SOURCE</u>	<u>TRIBUTARY OF</u>		
SPRING	COLD CREEK		

Priority: 08/16/1963

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 22, Township 15S, Range 22E
CASSIA County

PLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		
14S	22E	31	SENE	SWSE
15S	22E	6	Lot 2(NWNE)	
		15	NESW	
		17	NENW	NESE
		22	NENE	NWNE

CONDITIONS/REMARKS:

1. This right, when considered with all other rights common to the same grazing allotment, shall be limited to the quantity of water beneficially used by the number of stock within the allotment.
2. 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.

MICROFILMED

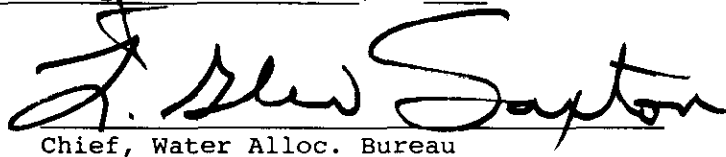
JUL 22 1993

TRANSFER NO. 4017
WATER RIGHT NO. 45-02808

CONDITIONS/REMARKS:

3. Stockwater use is for 533 range cattle.
4. Source is known locally as Southslide Spring.
5. Place of use is known locally as Cold Creek Pipeline.

Dated this 13th day of July, 1993.


Chief, Water Alloc. Bureau

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WATER RIGHTS DIVISION

JUL 22 1993

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Page 1 of 7

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Department of Water Resources

AUG 12 1992

Transfer No. 4017

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant Bureau of Land Management Phone (208) 678-5514
Post Office address Route 3, Box 1, Burley, Idaho 83318

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 add seven places of use
- Describe the reason for the proposed changes to more equally distribute the livestock in this area and correct original license.
add to - - - -

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

- | Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|----------------|----------------------|--------------------|------------------|------------------------------|
| <u>45-2808</u> | <u>Aug. 16, 1963</u> | <u>.01</u> | <u>livestock</u> | <u>04/01</u> to <u>11/30</u> |
| | | | | to |
| | | | | to |
| | | | | to |
- Total amount of water being transferred .01 cubic feet per second and/or _____ acre-feet per annum.
- Source of water Spring (South Slide Spring) tributary to Cold Creek
- Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	22	15S	22E	Cassia	Cold Creek Pipeline

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	
15S	22E	22	S																
15S	22E	22		S															
15S	22E	15									S								
15S	22E	17					S								S				
15S	22E	6		S															
14S	22E	31					S										S		

Total acres _____

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MAY 07 1993
Department of Water Resources

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JUL 22 1993

PART 1

6. General Information:

a. Description of diversion system metal culvert headbox; plastic pipe; watering troughs

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:

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 _____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 45-2808 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☒ Other Belongs to Federal Gov't

3. Source of water Spring (South Slide Spring) tributary to Cold Creek

4. Date or priority August 16, 1963

5. Water is used for the following purpose:

amount .01 cfs for livestock purposes from 04/01/ 1-1 to 12/31/ 12-31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right .01 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	22	15S	22E	Cassia	Cold Creek Pipeline

8. 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	
15S	22E	22	S																

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

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 _____ for _____ purposes from _____ to _____
 (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

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	

Total acres _____

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

1. amount _____ for _____ purposes from _____ to _____
 (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

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	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

V = new places of use

36 31

T14S
T15S

1

JUL 22 1993

R22E

SCALE: 2 inches equal 1 mile. Draw plan in ink.

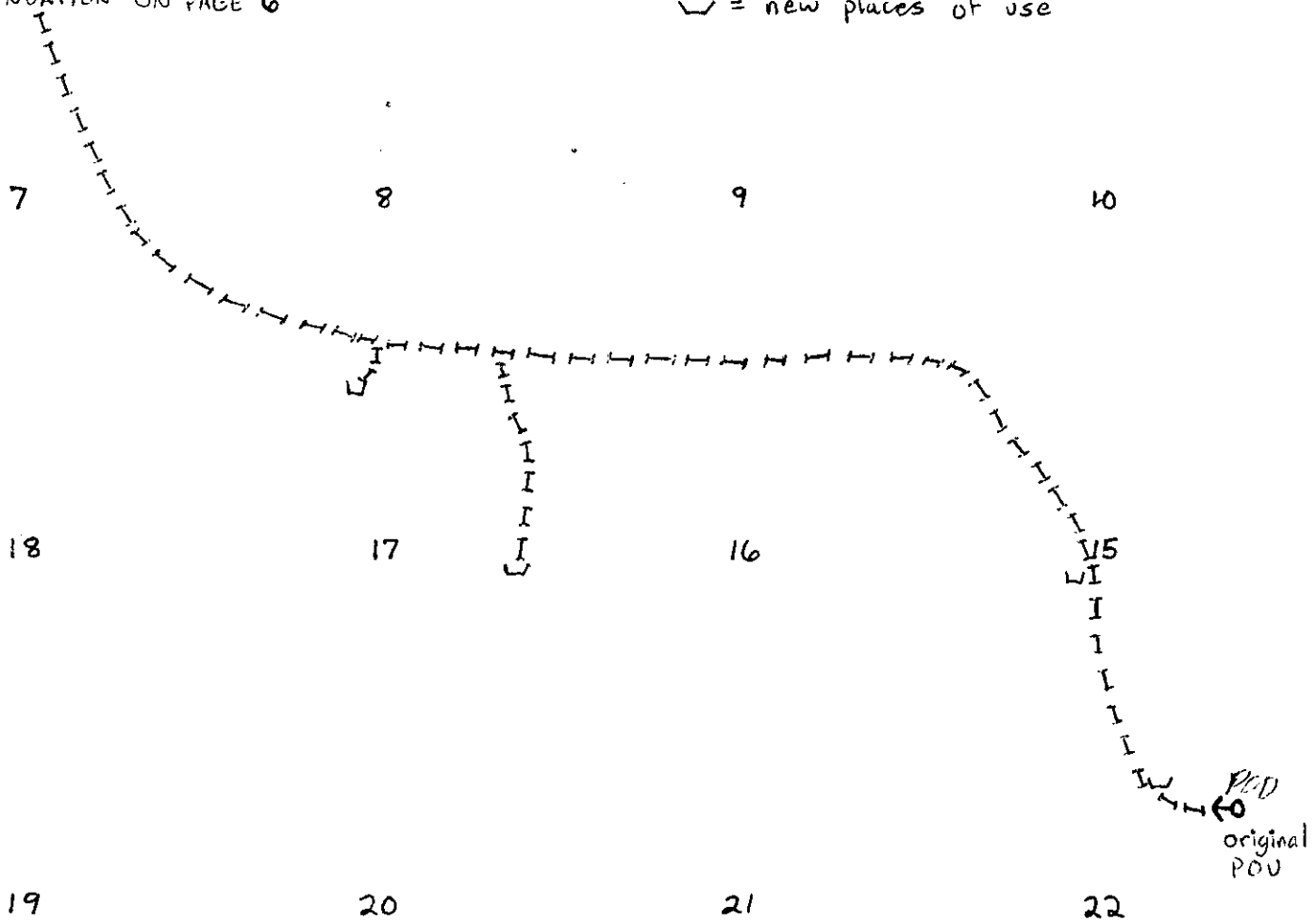
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

CONTINUATION ON PAGE 6

∟ = new places of use

T
15
S



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R 22 E

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 30th day of July, 19 92.

My commission expires March 1, 1998

FOR DEPARTMENT USE ONLY

Transfer contains 7 pages and 0 attachments

Received by df Date 8-12-92 10:40 am Protest filed by _____

Prelim. check by G. Stanton Fee \$30 5014837

Receipted by df Date 8/12/92

Published in So. Ill. Press Copies of protest forwarded by _____

Pub. dates 7/5 & 7/12/93 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

JUL 22 1993

WR-NUMBER: 45-00283 (cont'd)
WATER USE:

DIVERSION RATE:
TOTAL: 2.000

DIVERSION VOLUME:

PERIOD FROM: PERIOD TO:

PLACE OF USE LEGAL DESCRIPTION FOR: IRRIGATION

NE				NW				SW				SE							
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
12S	25E	5	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
				: 03-I				04-I				I				I			

PLACE OF USE LOCATION FOR DOMESTIC IS THE SAME LOCATION AS DESCRIBED FOR:

DECREE PLAINTIFF: R. L. WOOD, ET. AL.
DECREE DEFENDANT: WM. STOKES, ET. AL.

WR-NUMBER: 45-02808
CURRENT OWNER: US DEPT OF INTERIOR
COUNTY: CASSIA
SOURCE: SPRING
WATER USE: STOCKWATER

PRIORITY DATE:
08/16/1963

STAGE:
LICENSE

TRIBUTARY:

DIVERSION RATE:
0.010
TOTAL: 0.010

DIVERSION VOLUME:

PERIOD FROM: PERIOD TO:
01/01 12/31

POINT OF DIVERSION: Twp Rge Sec Tract Lot
15S 22E 22 NE NE

PLACE OF USE LEGAL DESCRIPTION FOR: STOCKWATER

NE				NW				SW				SE							
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
15S	22E	22	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
				: S															

REMARKS: SOURCE LOCALLY KNOWN AS SOUTH SLIDE SPRING



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

JULY 15, 1993

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706

RE: Transfer of Water Right No. 45-02808

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 4017). Please be sure to thoroughly review the "CONDITIONS/REMARKS:" as listed on the transfer.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over the typed name and title.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

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JUL 22 1993

P/U of stock
tanks overlaps
system proposed
under app 45-7695
From Pickett Spring
#2

45-7695 in A stage

93-060

NOTICE OF PROPOSED CHANGE OF
WATER RIGHTS

Notice is hereby given that USDI-BLM of Burley, ID has applied to the Department of Water Resources for changes to add seven (7) places of use and correct period of use from a surface water source and further classified as Transfer # 4017.

The right to be changed authorizes diversion of water from a spring (South Slide Spring tributary to Cold Creek) located in S22, T15S, R22E within Cassia County. The right is recorded in part as follows:

Number: 45-02808
Priority: 08-16-1963
Amount: .01 cfs
Use: stockwater

TO BE CHANGED, AS FOLLOWS

This water right (45-02808) will be diverted from a spring (South Slide Spring tributary to Cold Creek located in S22, T15S, R22E and will be used for stockwater within Sections 6, 15, 17, 22, T15S, R22E and also S31, T14S, R22E, Cassia County using a total diversion rate of .01 cfs.

Any protest against approval of the above proposal must be filed with the DEPARTMENT OF WATER RESOURCES, 222 SHOSHONE ST. E., TWIN FALLS ID 83301 on or before March 22, 1993.

R. Keith Higginson, Director

Published in the South Idaho Press on
March 5 and 12, 1993.

**SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION**

R E C E I V E D

County of Cassia)
STATE OF IDAHO) ss

MAR 18 1993

Department of Water Resources
Southern Region Office

Kary D. Miller, being first duly sworn, deposes and says that she is the General Manager of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of The South Idaho Press for four consecutive week(s), commencing with the issue dated MARCH 5 19 93, and ending with the issue dated MARCH 12, 19 93.

Kary D Miller

STATE OF IDAHO)
COUNTY OF Cassia)

On this 12th day of March in the year of 1993 before me, a Notary Public, personally appeared Kary Miller, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Nelly Solomon
Notary Public for Idaho
Residing at Burley, ID
My commission expires: May 23, 1997

Cost of Publication 44.28
Notary Fee .50
Total Cost 44.78

OK
WB
3/18/93

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JUL 22 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

18-Feb-1993

R. KEITH HIGGINSON
Director

SOUTH IDAHO PRESS
PO BOX 190
BURLEY ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

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JUL 22 1993

NOTICE OF PROPOSED CHANGE OF
WATER RIGHTS

Notice is hereby given that USDI-BLM of Burley, ID has applied to the Department of Water Resources for changes to add seven (7) places of use and correct period of use from a surface water source and further classified as Transfer # 4017.

The right to be changed authorizes diversion of water from a spring (South Slide Spring tributary to Cold Creek) located in S22, T15S, R22E within Cassia County. The right is recorded in part as follows:

Number: 45-02808
Priority: 08-16-1963
Amount: .01 cfs
Use: stockwater

TO BE CHANGED AS FOLLOWS

This water right (45-02808) will be diverted from a spring (South Slide Spring tributary to Cold Creek located in S22, T15S, R22E and will be used for stockwater within Sections 6, 15, 17, 22, T15S, R22E and also S31, T14S, R22E, Cassia County using a total diversion rate of .01 cfs.

Any protest against approval of the above proposal must be filed with the DEPARTMENT OF WATER RESOURCES, 222 SHOSHONE ST. E., TWIN FALLS ID 83301 on or before March 22, 1993.

R. Keith Higginson, Director

Published in South Idaho Press
on 3/5 & 3/12/93.

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JUL 22 1993

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that USDI-BLM of Burley, ID has applied to the Department of Water Resources for changes to add seven (7) places of use and correct period of use from a surface water source and further classified as **Transfer # 4017**.

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R. Keith Higginson, Director

Published in South Idaho Press on 3/5 & 3/12/93.

RECORDED

JUL 22 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

17-Feb-1993

R. KEITH HIGGINSON
Director

ATTN TOM DYER AREA MANAGER
USDI BUREAU OF LAND MANAGEMENT
RT 3 BOX 1
BURLEY ID 83318

Re: Application for Transfer No. 4017, 45-02808

Dear Mr. Dyer:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office will be advertising the application in the South Idaho Press on 3/5 and 3/12/93. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

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JUL 22 1993

JUL 22 1993