

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Galena I. Markham Phone 375-3704

Post office address 5424 Samson Ave., Boise, Id 83704

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by: See attachments

a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant

thru purchase

3. Source of water tributary to

4. Date of priority

5. Water is used for the following purposes:

amount _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (month/day – both dates inclusive)

6. Total amount of water under right: a. _____ cubic feet per second
b. _____ &/or
acre feet per annum

7. Location of original point of diversion is _____ % of Lot 3 % of Section 7
Township 12S Range 25E, B.M., in Cassia County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

[illegible]

- Total number of acres to be irrigated

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

REFILMED

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

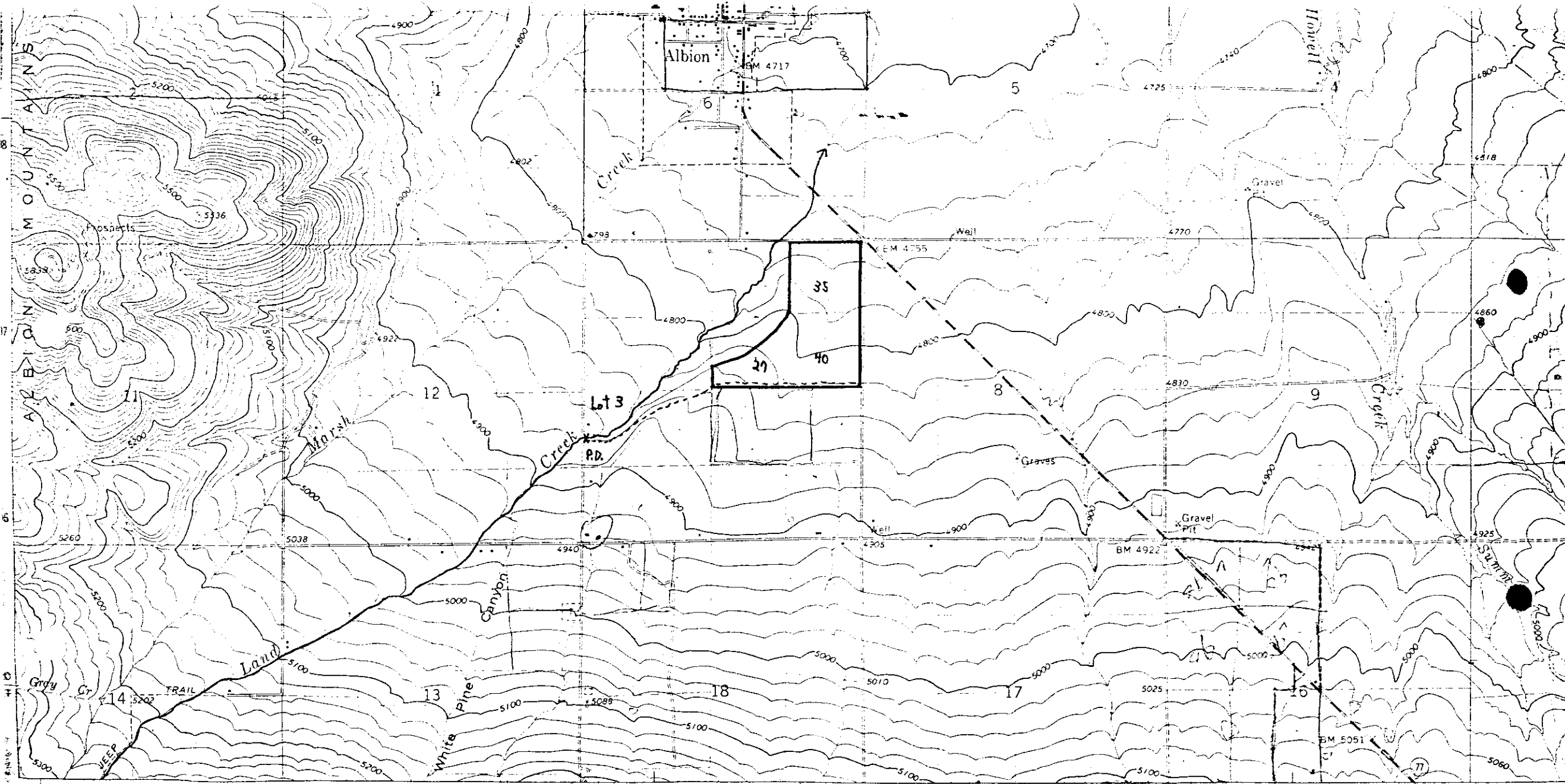
1. Change in point of diversion
- a. Amount of water to be diverted _____ c.f.s. &/or _____ acre feet
- b. Point(s) of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
- c. Description of diverting works _____
- d. Describe the reasons for applying for a change in the point(s) of diversion _____

2. Change in place of use

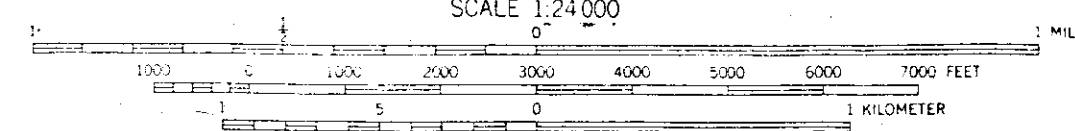
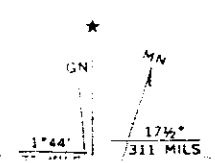
- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____



Mapped, edited, and published by the Geological Survey
 Control by USGS and USC&GS
 Topography by photogrammetric methods from aerial
 photographs taken 1967. Field checked 1968
 Polyconic projection - 1927 North American datum
 10,000-foot grid based on 1949 coordinate system



CONTOUR INTERVAL 20 FEET

Sec
har.

4. Remarks Part of the land to which these rights were decreed was sold without water
(see attached warranty deed). This transfer will make the applicant's
portion of these rights appurtenant to the remaining land owned by her.

I hereby assert that no one will be injured by such change and 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.

Galea I Markham
(Signature of applicant)

Subscribed and sworn to before me this 16TH day of DECEMBER, 1980.

Jack L. Peterson
(Notary public)

My commission expires 4-84

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 45-0242
45-0277 45-0287
45-0524 45-0239
and said application is hereby approved, subject to the following limitations and conditions:

(1) Use of water under these rights are subject to the control of the watermaster of State Water District # 45-F, Marsh Creek. (2) Water right 45-0242 when combined with Water Right 45-0239 shall provide no more than 2.04 cfs. (3) The rights identified herein when combined shall provide no more than .02 cfs per acre nor more than 40 acre feet per annum. (4) A measuring device and lockable controlling works of a type acceptable to the Department shall be maintained as part of the diverting works.

Witness my hand this 16TH day of April, 19 81.

Norman C. Young
NORMAN C. YOUNG
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Received by marpa Date 12/18/80
Prelim. check by [Signature] Fee 50.00 # 16748
Receipted by marpa Date 1/5/81
Published in South East Press
Pub. dates Feb 3 & Feb 10, 1981
Watermaster recommendation requested on 1/19/81
rec'd. 1/27/81

Protest filed by _____
Copies of protest forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial
by [Signature]

A. KENNETH DUNN
XXXXXXXXXXXX

April 21, 1981

Galena I. Markham
5424 Samson Ave.
Boise, Idaho 83704

Dear Mr. Markham,

RE: Transfer of Water Right No.'s 45-0239/0242/0277/0287/0524

Enclosed is a copy of your approved Application for Transfer of the above referenced water rights (Transfer No. 2511). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:mr
Enclosure

MICROFILMED

① Dist. No. Misc.

In the District Court of the South
Judicial District in and for the
County of Cassia, State of Idaho 45-G

R. L. Wood, et al
Plaintiffs

vs

Wm. Stokes, et al
Defendants,

Transfers Noted

This cause having been heretofore tried by the Court with-
out a jury and the Court having made its findings and conclusions
of law,

It is now ordered adjudged and decreed that the following
persons parties to this action are entitled to divert from March
Creek and its tributary streams situate in Cassia County, Idaho, the
amount of water hereinafter indicated, the amount of each party to
date from the time hereinafter stated and set apposite his or their
name, to-wit:

1 45 0258 Hardy Sears one hundred (100) inches from Land Creek tribu-
tary to Marsh Creek March 1st. 1875.

~~45 0259 Hardy Sears, Thirty inches from Rose Creek tributary to
Marsh Creek March 1st. 1875.~~

2 45 0260 M. A. Harroun Seventy inches (70) from Howell Creek Tribu-
tary to Marsh Creek, March 31st. 1876.

3 45 0261 Josiah Bridger Fifty inches (50) from Marsh Creek March
31st. 1882.

4 45 0262 John Bridger Sixty inches from Marsh Creek November 30, 1879.

✓ 45 0263 J. W. Lamoreaux Sixty inches from Marsh Creek April 16th
1881.

✓ 45 0264 J. W. Lamoreaux, Sixty (60) inches from Marsh Creek July 21st
1884.

✓ 45 0265 J. W. Lamoreaux Four hundred and eighty (480) inches from
Marsh Creek from January 1st. to July of each year when not in use by
prior appropriators.

6 45 0266 T. A. Starrh, Sixty inches from Land Creek Tributary to
Marsh Creek June 15, 1875. Transfer #85 30"

7 45 0267 S. R. Guin Fifty inches from Marsh Creek June 5th, 1875.

7 45 0268 S. R. Guin one hundred and thirty three and 1/3 inches from
Marsh Creek May 30, 1879.

Trans 176

Marsh Creek from the 31st. day of March, 1878.

19.

45 0282 Mary R. Norton one hundred (100) inches of the waters of Marsh Creek from the 30th day of April 1874. Trans #678

20.

45 0283 D. I. Stark one hundred (100) inches of the waters of Land Creek, a tributary of Marsh Creek, from the 1st. day of March 1875, and thirty (30) inches of the waters of Rose Creek, a tributary of Marsh Creek, from 1st. day of March 1875, and 30 inches of the waters of Marsh Creek from the 1st. day of April 1876.

21.

45 0284 William Stokes 134 inches of the waters of Howell Creek, a tributary of Marsh Creek, from the 1st. day of April 1875, and twenty (20) inches of the waters of Spring Creek (a tributary of Marsh creek, from the 31st. day of August 1874, and ninety five (95)

inches of the waters of Rose Creek, a tributary of Marsh Creek, from the 1st. day of April 1876, and 2 inches of water from Springs, tributary of Marsh Creek, from the 1st. day of April 1875.

22.

45 0285 William Stokes for the heirs of George Stokes, Fifteen inches of the waters of Howell Creek, a tributary of Marsh Creek, from the 1st. day of April 1878.

23.

45 0286 E. J. Stokes, Eighty (80) inches of the waters of Howell Creek tributary of Marsh Creek, from the 1st. day of September 1880.

24.

45 0287 Wm. Stokes, Potter claims, Seventy inches of the waters of Rose Creek, a tributary of Marsh Creek, from the 5th day of June 1875.

25.

45 0288 C. M. Gray one hundred and twenty five (125) inches of the waters of Land Creek a tributary of Marsh Creek, from the 3d. day of November 1875.

26

45 0289 B. Williams Forty inches of the waters of Land Creek, a tributary of Marsh Creek, from June 30th 1881.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant _____ Phone _____

Post office address _____

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to Wm. Stokes (Name)in case of R. L. Wood et al VS Wm. Stokes et aldated 3-21-1892 in Fourth District county of Cassia
(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water Rose Creek tributary to Marsh Creek4. Date of priority 6-5-1875

5. Water is used for the following purposes:

amount 1.40 cfs for irrigation purposes from Mar 15 to Nov 15*amount _____ for domestic purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

* Standard irrigation season (no use period decreed) month/day - both dates inclusive)

6. Total amount of water under right: a. 1.40 cubic feet per secondb. _____ &/or
acre feet per annum7. Location of original point of diversion is _____ 1/4 of Lot 3 1/4 of Section 7Township 12S Range 25E, B.M., in Cassia County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	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	
12S	25E	7			X								X			X	X		

Total number of acres to be irrigated _____

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

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. 0.35 cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ $\frac{1}{4}$ Lot 3 $\frac{1}{4}$, Section 7 Township 12S
Range 25E, B.M., Cassia County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
12S	25E	7			40														40

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion No Change
- a. Amount of water to be diverted _____ c.f.s. &/or _____ acre feet
- b. Point(s) of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
- c. Description of diverting works _____
- d. Describe the reasons for applying for a change in the point(s) of diversion _____

2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
12S	25E	7			27														27

Total number of acres to be irrigated 27