

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4734

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVED
FEB 2 1996Department of Water Resources
(208) 427-6392Name of applicant REED MCGREGOR Phone _____
Post Office address 13495 MAPLE GROVE RD THATCHER ID 83283

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 Clarify record
2. Describe the reason for the proposed changes WE WANT TO MOVE HIGHER ON THE CREEK TO FACILITATE GRAVITY FLOW SPRINKLERS

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

- | 1. Right Number | Priority | Amount (cfs/ae-ft) | Nature of Use | Period of Use |
|--|------------------|-----------------------|------------------------------|----------------------|
| <u>13-00851</u> | <u>4/01/1871</u> | <u>0.40</u> | <u>IRRIGATION</u> | <u>4-20 to 9-30</u> |
| <u>13-00852</u> | <u>4/01/1871</u> | <u>0.60</u> | <u>IRRIGATION</u> | <u>4-20 to 9-30</u> |
| <u>13-00822</u> | <u>4/01/1883</u> | <u>1.20</u> | <u>IRRIGATION</u> | <u>4-20 to 9-30</u> |
| <u>13-00823</u> | <u>4/01/1883</u> | <u>1.00</u> | <u>IRRIGATION</u> | <u>4-20 to 9-30</u> |
| | | <u>2.20</u> | | |
| 2. Total amount of water being transferred | | <u>3.20</u> | cubic feet per second and/or | acre-feet per annum. |
| 3. Source of water | | <u>WILLIAMS CREEK</u> | tributary to | <u>BEAR RIVER</u> |

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	28	2S	41E	FRANKLIN	FOREMAN - PERRY DITCH

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	
12S	41E	29										18							10
		30													20	20			40

Acres Adjusted per additional information submitted
by Applicant on 3-22-96.Total acres 50 91.3

Page _____ of _____

Transfer No. _____

PART 1

6. General Information:

a. Description of diversion system _____

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 HAS BEEN DONE FOR THE LAST 10 YEARS

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 _____

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 13-00823

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/20 to 09/30	1.00 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BRIDGE CREEK	BEAR RIVER
WILLIAMS CREEK	BEAR RIVER

Priority: 04/01/1883

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12S	40E	29	NESE BLM			
41		30	NESE ✓	NWSE ✓		

CONDITIONS/REMARKS:

1. P/D TWO AND ONE-HALF MILES BELOW HEAD OF CREEK.
2. SOURCE AKA BRIDGE OR WILLIAMS CREEK.
3. P/D GRAY & PERRY DITCH, DITCH NO. 4, INCOMPLETE LEGAL.
4. P/U INCOMPLETE AC. IRR. = 50.

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. 13-00823 Decreed to Henry Perry
 in case of UTAH POWER & LIGHT CO vs. THE LAST CHANCE CANAL CO
 dated 7-14-1920 in _____ county of _____
- b. License No. _____ 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 _____

3. Source of water Bridge Creek/William's Cr tributary to Bear River

4. Date or priority April 1, 1883

5. Water is used for the following purpose:

amount 1.0 cfs for IRRIGATION purposes from 4/20 to 9/30
 (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 1.0 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
								<u>Gray's Perry Ditch, Ditch #4</u>

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	
<u>12S</u>	<u>40E</u>	<u>29</u>													<u>A^{OK}</u>				
		<u>30</u>													<u>A^{OK}</u>	<u>A^{OK}</u>			

It appears the Range should be 41E

Total acres 50

9. Describe any other water rights used for the same purpose as described above 13-00822/00851/00852

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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

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	

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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

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	

Total acres _____

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 13-00822

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/20 to 09/30	1.20 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BRIDGE CREEK	BEAR RIVER
WILLIAMS CREEK	BEAR RIVER

Priority: 04/01/1883

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12S	40E	29	NWSW			
41		30	SWNE	NESE ✓	NWSE ✓	

CONDITIONS/REMARKS:

1. P/D GRAY AND PERRY DITCH, DITCH NO. 4, INCOMPLETE LEGAL.
2. P/D TWO AND ONE HALF MILE, BELOW HEAD OF CREEK.
3. P/U INCOMPLETE AC. IRR. = 60.
4. SOURCE AKA BRIDGE OR WILLIAMS CREEK.

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. 13-00822 Decreed to Ralph Perry
in case of UTAH POWER & LIGHT CO. vs. THE LAIT CHANCE CANAL CO
dated 7-14-1920 in _____ county of _____
- b. License No. _____ 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 _____

3. Source of water Bridge Creek/Williams Creek tributary to Bear River
4. Date or priority April 1, 1883

5. Water is used for the following purpose:

amount 1.2 cfs for IRRIGATION purposes from 4/20 to 9/30
(cfs/ac-ft) _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____ for _____ purposes from _____ to _____

6. Total amount of water under right 1.2 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
							Gray's	Perry Ditch, Ditch #4

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	
12S	40E	29									A ^{OK}								
		30			A ^{OK}										A ^{OK}	A ^{OK}			

*It appears the Range should be 41E

HwJ

Total acres 60

9. Describe any other water rights used for the same purpose as described above 13-00852, 00851, 00823

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

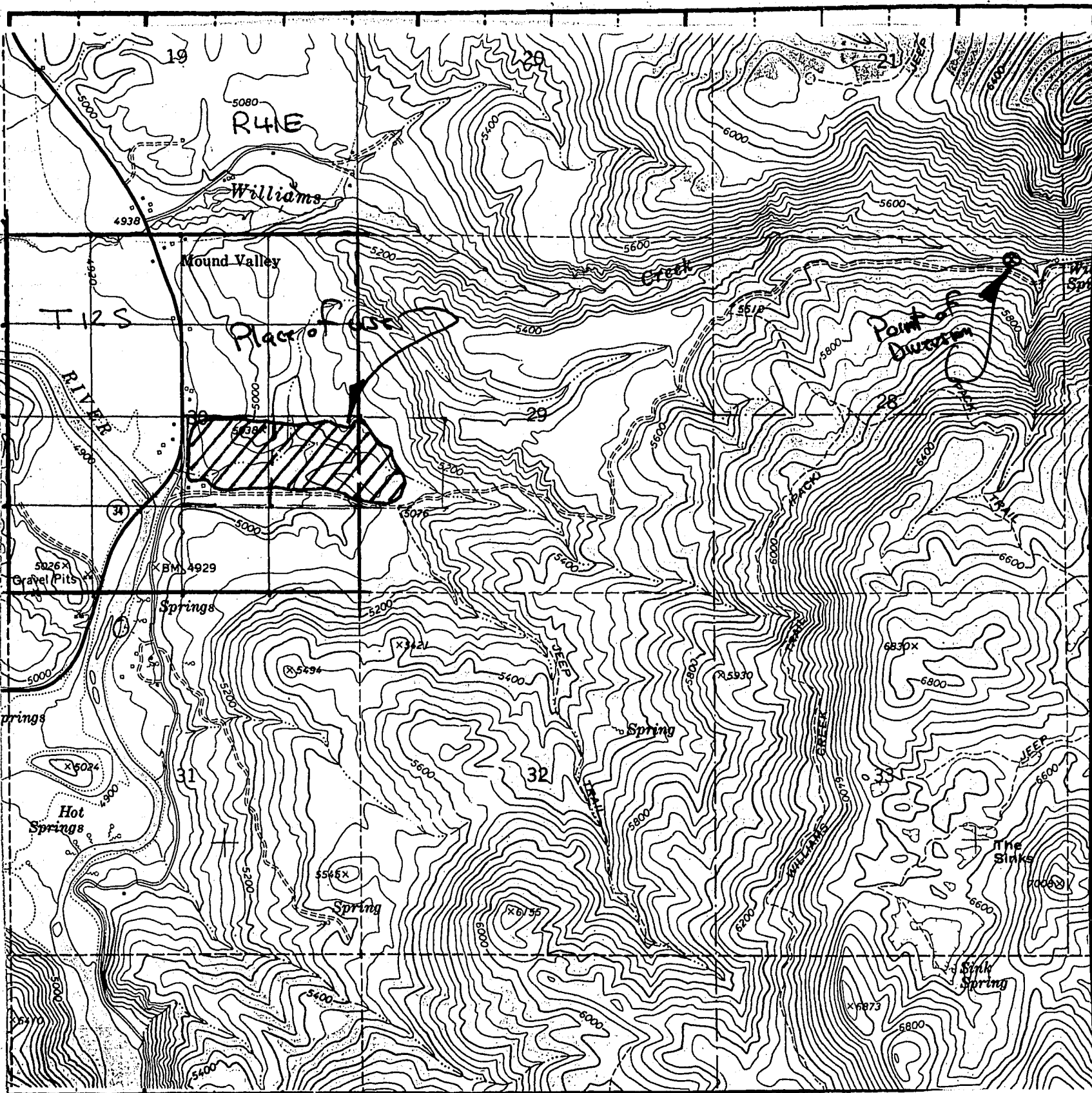
3. Lands irrigated or place of use:

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.



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

Page _____ of _____

Transfer No. _____

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 _____

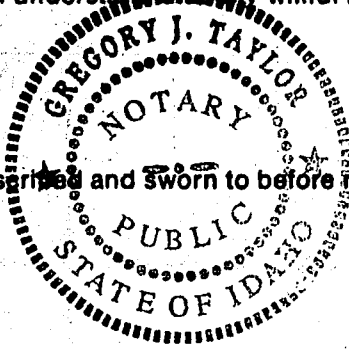
2. Quantity and quality of return flows and location of discharge:

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 6th day of October, 19 95.



Reed Mc Gregor
(Signature of Applicant)

Gregory J. Taylor
(Notary Public)

My commission expires 3/3/98

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by KCW Date 10-6-95 Protest filed by _____

Prelim. check by _____ Fee 100.00 #E021584

Receipted by KCW Date 10-6-95

Published in Denton Citizen Copies of protest forwarded by _____

Pub. dates 11-23-95 Hearing held by _____ Date _____

Watermaster recommendation requested on 11-20-95 Recommended for ☒ approval ☐ denial

Water Dist 11 rec'd. _____ by DC

Copy of transfer sent to lien holder _____

DISCLAIMER

I, JEFF S. STEELE, DISCLAIM ANY RIGHT, TITLE, OR INTEREST IN THOSE PORTIONS OF WATER RIGHTS 13-00851, -00852, -00822, -00823 WHICH MAY BE APPURTENANT TO ACREAGE I OWN IN SEC 2930 T12S R41E. I ALSO HAVE NO OBJECTION TO REED MCGREGOR FILING A TRANSFER TO CONCENTRATE THIS RIGHT ON HIS GROUND.

 10/26/95
SIGNATURE

BLM POCAHELLO AREA MANAGER

RECEIVED

DEC 14 1995

Department of Water Resources
Eastern District Office

DISCLAIMER

I, N. Ross Smith, DISCLAIM ANY RIGHT, TITLE, OR INTEREST IN THOSE PORTIONS OF WATER RIGHTS 13-00851, -00852, -00822, -00823 WHICH MAY BE APPURTENANT TO ACREAGE I OWN IN SEC 30 T12S R41E. I ALSO HAVE NO OBJECTION TO REED MCGREGOR FILING A TRANSFER TO CONCENTRATE THIS RIGHT ON HIS GROUND.


SIGNATURE

RECEIVED

DEC 14 1995

Department of Water Resources
Eastern District Office

The South Twenty-six rods of the Southwest quarter of the Northeast quarter and the North 36 rods of the Southeast quarter of section thirty and commencing at the Northwest corner of the southwest quarter of section twenty nine and running thence south thirty six rods, thence east Eighty rods, thence North thirty-six rods, thence west Eighty rods to place of beginning, all in township twelve south of range forty one east of the Boise meridian.

Reed McGregor ownership.

Reed
12-27-95

10/10/1995 14:29

2088522812

FRANKLIN COUNTY

PAGE 02

20
29

20
29

Westover Family
Trust
172503

N. Ross Smith
176898

N. Ross Smith
176898

45-261

45-261

29

Ross Smith
180039

D. Reed McGregor

198
44-387

U.S.
BLM

Weldon
McGregor
142246
22A

% Kathryn C. Wanless

29

Reed McGregor

44-360

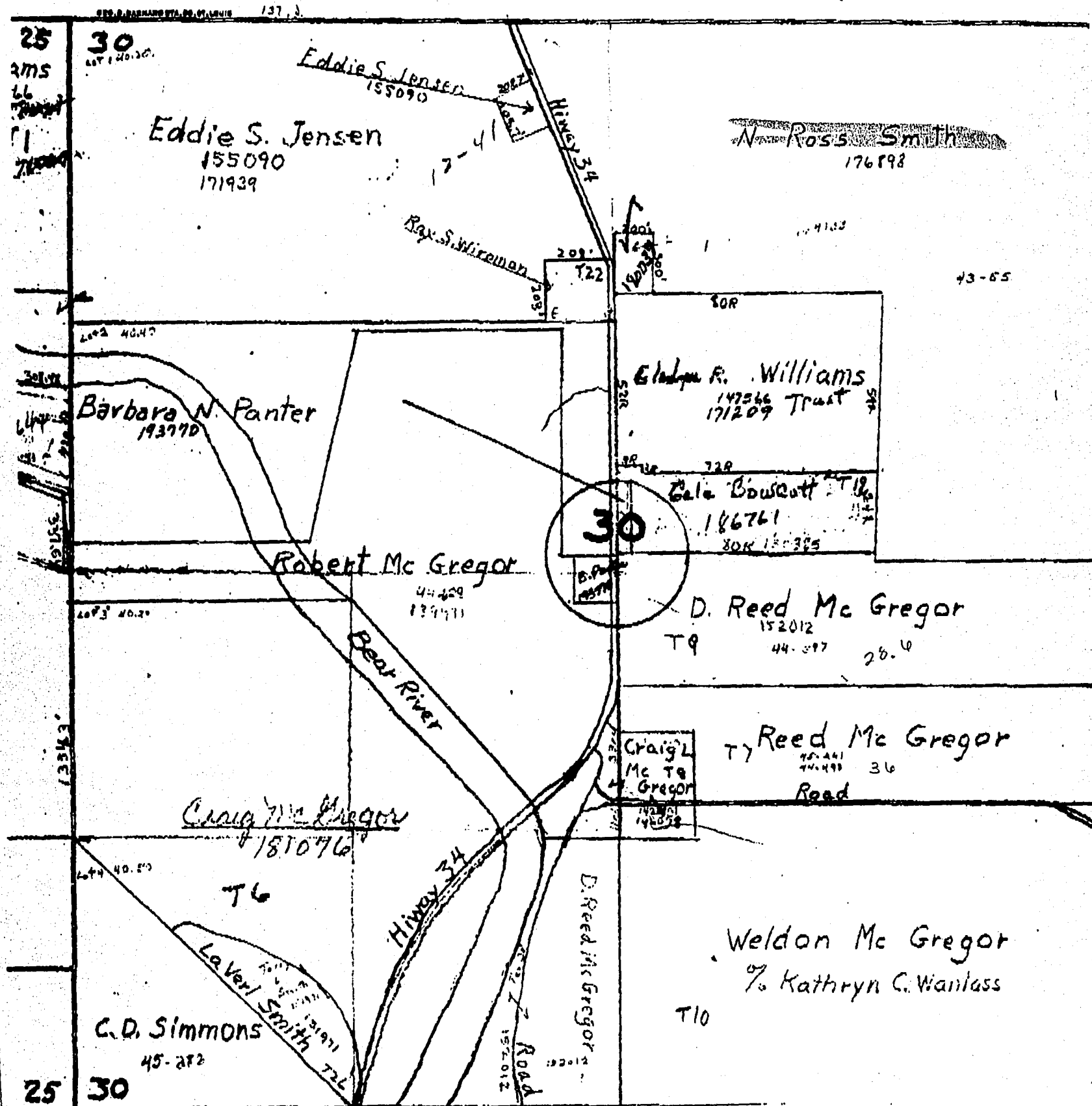
1601

29

County Assessors Map

Township No. 12-4

Range No. 40-



County Assessor's Map

MAKE CHECK PAYABLE TO
MAURINE E. AINSCOUGH
FRANKLIN COUNTY TREASURER
39 WEST ONEIDA
PRESTON, ID 83263

TAX YEAR 1994 CD AREA 14

PROPERTY TAX RECEIPT
COUNTY OF FRANKLIN
STATE OF IDAHO

PARCEL #:
STATE #:
REAL PROI
**VI

1ST TAX 44.23
HALF PEN
INT
COST
TOT

2ND TAX 44.23
HALF PEN
INT
COST
TOT

LAND
IMPRVMTS
PERS. PROP.
MOBILE HM
SUBTOTAL
-HM EXEMP
TOTAL

MCGREGOR, D. REED
13495 NO MAPLE GROVE
THATCHER, ID 83283

TAXING DISTRICT **RATE**
COUNTY .005206534
CLEVELAND CEMETERY .000171881
GRACE SCHOOL #148 .005726819
LIBRARY DISTRICT .000195601
COUNTY ROAD .000881646

TN 2
29-12-41

NW 56-40

TOTAL ACRES: 18.00

TAXES DELINQUENT FOR:

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

TOT TAX & SPECIALS .012182481
-CIRCUIT BREAKER EXEMPTION
SUBTOTAL
-PREPAID TAX AS OF 10/27/1994

NET TAX AND SPECIALS DUE

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

MCGREGOR, D. REED

272.00
YR: 1994
CD: 14

DELINQUENCIES:

PARCEL #

272.00

STATE #

FRANKLIN COUNTY
TREASURER
JUN 8 1995
PAID

2ND HALF TAX

44.23

PEN

INT

COST

TOT

DELINQUENT IF NOT PAID ON OR BEFORE

DATE PAID:

PAID BY:

CHECK#:

CASH

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

MCGREGOR, D. REED

DELINQUENCIES:

PARCEL #

272.00

STATE #
TREASURER'S
PAID

1ST HALF TAX

44.23

NOV 29 1994

FRANKLIN COUNTY

TREASURER

DELINQUENT IF NOT PAID ON OR BEFORE

DATE PAID:

PAID BY:

PEN

INT

COST

TOT

CHE

CASH

MAKE CHECK PAYABLE TO:
MAURINE E. AINSCOUGH
FRANKLIN COUNTY TREASURER
39 WEST ONEIDA
PRESTON, ID 83263

TAX YEAR 1994 COL AREA 14

PROPERTY TAX RECEIPT
COUNTY OF FRANKLIN
STATE OF IDAHO

PARCEL #:
STATE #:
REAL PROPE
**VAI

1ST TAX 6.58
HALF PEN
INT
COST
TOT

2ND TAX 6.58
HALF PEN
INT
COST
TOT

LAND
IMPRVMNTS
PERS. PROP.
MOBILE HM
SUBTOTAL
-HM EXEMP
TOTAL

MCGREGOR, REED
13495 NO MAPLE GROVE
THATCHER, ID 83283

TAXING DISTRICT **RATE** *:
COUNTY .005206534
CLEVELAND CEMETERY .000171881
GRACE SCHOOL #148 .005726819
LIBRARY DISTRICT .000195601
COUNTY ROAD .000881646

TN 6
29-12-41

TOTAL ACRES: 18.00

TAXES DELINQUENT FOR:

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TOT TAX & SPECIALS .012182481
-CIRCUIT BREAKER EXEMPTION
SUBTOTAL
-PREPAID TAX AS OF 10/27/1994

NET TAX AND SPECIALS DUE

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

MCGREGOR, REED

273.00
YR: 1994
CD: 14

DELINQUENCIES:

PARCEL #
273.00

STATE #

TREASURER'S
PAID
JUN 8 1995
FRANKLIN COUNTY
TREASURER

2ND HALF TAX
6.58

PEN
INT
COST
TOT

DELINQUENT IF NOT PAID ON OR BEFORE

DATE PAID:
PAID BY:

CHECK #:
CASH

JUNE 20, 1995

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PA
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANC

MCGREGOR, REED

DELINQUENCIES:

PARCEL #
273.00

STATE #

TREASURER'S
PAID

NOV 29 1994

FRANKLIN COUNTY

DELINQUENT IF NOT PAID ON OR BEFORE

DATE PAID:
PAID BY:

PEN
INT
COST
TOT

CHECK #:
CASH

1ST HALF TAX
6.58

MAKE CHECK PAYABLE TO
MAURINE E. AINSCOUGH
FRANKLIN COUNTY TREASURER
39 WEST ONEIDA
PRESTON, ID 83263

TAX YEAR 1994 C AREA 14

PROPERTY TAX RECEIPT
COUNTY OF FRANKLIN
STATE OF IDAHO

PARCEL #:
STATE #:
REAL PROI
**V/

LAND
IMPRVMNTS
PERS. PROP.
MOBILE HM
SUBTOTAL
-HM EXEMP
TOTAL

1ST TAX 92.92
HALF PEN
INT
COST
TOT

2ND TAX 92.92
HALF PEN
INT
COST
TOT

MCGREGOR, D. REED
13495 NO MAPLE GROVE
THATCHER, ID 83283

TAXING DISTRICT **RATE**
COUNTY .005206534
CLEVELAND CEMETERY .000171881
GRACE SCHOOL #148 .005726819
LIBRARY DISTRICT .000195601
COUNTY ROAD .000881646

NWSE
NESE

TN 7
30-12-41

TOTAL ACRES: 37.00

TAXES DELINQUENT FOR:

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
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TO AVOID LATE CHARGES, PAYMENTS MUST BE
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PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

TOT TAX & SPECIALS .012182481
-CIRCUIT BREAKER EXEMPTION
SUBTOTAL
-PREPAID TAX AS OF 10/27/1994

NET TAX AND SPECIALS DUE

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

MCGREGOR, D. REED

283.00
YR: 1994
CD: 14

DELINQUENCIES:

PARCEL #
283
STATE #

2ND HALF TAX

92.92

JUN 8 1995
FRANKLIN COUNTY
TREASURER

PEN
INT
COST
TOT

DELINQUENT IF NOT PAID ON OR BEFORE

DATE PAID:
PAID BY:

CHECK#:
CASH

JUNE 20, 1995

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

MCGREGOR, D. REED

PARCEL #
283.00

STATE #

1ST HALF TAX

92.92

TREASURER'S
PAID

NOV 29 1994

PEN
INT
COST
TOT

DELINQUENT IF NOT PAID ON OR BEFORE

DATE PAID:
PAID BY:

PEN
INT
COST
TOT
CHE
CAS

FRANKLIN COUNTY

MAKE CHECK PAYABLE TO:
MAURINE E. AINSCOUGH
FRANKLIN COUNTY TREASURER
39 WEST ONEIDA
PRESTON, ID 83263

TAX YEAR 1994 CD: AREA 14

PROPERTY TAX RECEIPT
COUNTY OF FRANKLIN
STATE OF IDAHO

PARCEL #:
STATE #:
REAL PROP
**VAI

LAND
IMPRVMTS
PERS. PROP.
MOBILE HM
SUBTOTAL
-HM EXEMP
TOTAL

1ST TAX 85.41
HALF PEN
INT
COST
TOT

2ND TAX 85.41
HALF PEN
INT
COST
TOT

MCGREGOR, DEE REED
13495 NO MAPLE GROVE
THATCHER, ID 83283

TAXING DISTRICT **RATE** *
COUNTY .005206534
CLEVELAND CEMETERY .000171881
GRACE SCHOOL #148 .005726819
LIBRARY DISTRICT .000195601
COUNTY ROAD .000881646

TN 9
30-12-41

TOTAL ACRES: 28.60

TAXES DELINQUENT FOR

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

TOT TAX & SPECIALS .012182481
-CIRCUIT BREAKER EXEMPTION
SUBTOTAL
-PREPAID TAX AS OF 10/27/1994

NET TAX AND SPECIALS DUE

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

MCGREGOR, DEE REED

281.01
YR: 1994
CD: 14

DELINQUENCIES:

PARCEL #
281.01

STATE

TREASURER'S
PAID
JUN 8 1995
FRANKLIN COUNTY
TREASURER

2ND HALF TAX

85.41

PEN
INT
COST
TOT

DELINQUENT IF NOT PAID ON OR BEFORE

DATE PAID:
PAID BY:

CHECK#:
CASH

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH P
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANC

MCGREGOR, DEE REED

DELINQUENCIES:

PARCEL #
281.01

STATE #

1ST HALF TAX

85.41

TREASURER'S
PAID

NOV 29 1994

FRANKLIN COUNTY

DELINQUENT IF NOT PAID ON OR BEFORE

DATE PAID:
PAID BY:

PEN
INT
COST
TOT

CHECK#:
CASH

MAKE CHECK PAYABLE TO:
MAURINE E. AINSCOUGH
FRANKLIN COUNTY TREASURER
39 WEST ONEIDA
PRESTON, ID 83263

TAX YEAR 1994 CODE REA 14

PROPERTY TAX RECEIPT
COUNTY OF FRANKLIN
STATE OF IDAHO

PARCEL #:
STATE #:
REAL PROPE
**VALL

LAND
IMPRVMNTS
PERS. PROP.
MOBILE HM
SUBTOTAL
-HM EXEMP
TOTAL

1ST TAX 112.81
HALF PEN
INT
COST
TOT

2ND TAX 112.81
HALF PEN
INT
COST
TOT

MCGREGOR, REED
13495 NO MAPLE GROVE
THATCHER, ID 83283

TAXING DISTRICT **RATE** **
COUNTY .005206534
CLEVELAND CEMETERY .000171881
GRACE SCHOOL #148 .005726819
LIBRARY DISTRICT .000195601
COUNTY ROAD .000881646

TN 1-3-4 SE4 SW4
S2 SE4
29-12-41

TOTAL ACRES: 142.00

TAXES DELINQUENT FOR:

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

TOT TAX & SPECIALS .012182481
-CIRCUIT BREAKER EXEMPTION
SUBTOTAL
-PREPAID TAX AS OF 10/27/1994

NET TAX AND SPECIALS DUE

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

MCGREGOR, REED

270.00
YR: 1994
CD: 14

DELINQUENCIES:

PARCEL #

STATE #

TREASURER'S
PAID
JUN 8 1995
FRANKLIN COUNTY
TREASURER

2ND HALF TAX

112.81

PEN
INT
COST
TOT

DELINQUENT IF NOT PAID ON OR BEFORE

DATE PAID:

PAID BY:

JUNE 20, 1995

CHECK#:

CASH

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYM
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

MCGREGOR, REED

DELINQUENCIES:

PARCEL #

STATE #

TREASURER'S
PAID

NOV 29 1994

DELINQUENT IF NOT PAID ON OR BEFORE

DATE PAID:

PAID BY:

PEN
INT
COST
TOT

PEN
INT
COST
TOT

FRANKLIN COUNTY DECEMBER 20, 1994

CHECK#

CASH

This is a duplicate of
made of the original because
of the poor quality of orig. from wear & tear.

11-2

~~numbered copy~~

~~Original can be found in this same file.~~

In the District Court of the United States for the
District of Idaho, Eastern Division.

UTAH POWER & LIGHT COMPANY,

Plaintiff

vs.

THE LAST CHANCE CANAL COMPANY,

Limited, et. al.

Defendants.

In Equity

No. 203.

FINAL DECREE

Before HON. F. S. DIETRICH,

District Judge.

Filed July 14, 1920.

W. D. McREYNOLDS,

Clerk.

By PEARL ZANGER,

Deputy.

DATE OF PRIORITY	AMOUNT IN SECOND FEET	POINT OF DIVERSION AND PLACE OF USE
~~11-0755~~ 402. Charles E. Harris: 1901-April 1 13-0820	0.4 c.f.s.	For the irrigation of 20 acres in the South- west quarter of Section 20, Township 12 South, Range 41 East.

Ditch No. 4, known as the Gray and Perry Ditch, diverting from said Bridge Creek at a point about two and one-half miles below the head of said stream. The following parties are entitled to divert through said Ditch No. 4, with priorities and in the amounts hereinbelow set forth:

~~11-0755~~ 403. A. B. Gray: 1883-April 1 13-0821	2.6 c.f.s.	For the irrigation of 130 acres in the Northeast quarter of the Northwest quar- ter, the North half of the Northeast quar- ter, and the Southeast quarter of the Northeast quarter of Section 30, and the Southwest quarter of the Northeast quar- ter of Section 29, Township 12 South, Range (41) East.
--	------------	--

~~11-0766~~ 404. Ralph Perry: 1883-April 1 13-0822	1.2 c.f.s.	For the irrigation of 60 acres in the South- west quarter of the Northeast quarter, and the North half of the North half of the Southeast quarter of Section 30, and the North half of the Northwest quarter of the Southwest quarter of Section 29, Town- ship 12 South, Range (40) East.
---	------------	--

~~11-0761~~ 405. Henry Perry: 1883-April 1 13-0823	1.0 c.f.s.	For the irrigation of 50 acres in the South half of the North half of the Southeast quarter of Section 30, and the South half of the Northeast quarter of the Southeast quarter of Section 29, Township 12 South, Range (40) East.
---	------------	---

Ditch No. 5, Lower Fork, known as the Ames and Panter Ditch, diverting from the North side of said Bridge Creek about two and one-half miles below the head of said creek. The following parties are entitled to divert through said Ditch No. 5, with priorities and in the amounts hereinbelow set forth:

~~11-0762~~ 406. Charles E. Harris: 1885-April 1 13-0824	0.4 c.f.s.	For the irrigation of 20 acres in the North- west quarter of Section 20, and in the West half of the Southwest quarter and the Northeast quarter of the Northeast quarter of Section 19, Township 12 South, Range 41 East.
---	------------	---

~~11-0763~~ 407. John T. Williams: 1885-April 1 13-0825	0.8 c.f.s.	For the irrigation of 40 acres of his land hereinabove described under Ditch No. 3.
--	------------	--

~~11-0764~~ 408. Joseph R. Ames: 1885-April 1 13-0826	1.0 c.f.s.	For the irrigation of 50 acres in the North half of the Northwest quarter of Section 19, Township 12 South, Range 41 East.
--	------------	--

All the foregoing reservations of jurisdiction shall extend after the term at which this decree is entered, and during any subsequent term prior to January 1, 1924, at which time, or at such earlier time as the court may determine these matters, this decree shall be closed. In all other respects this decree shall be final.

The court further retains jurisdiction, however, at all times, and from time to time, to make all reasonable rules touching the manner of diverting, measuring and distributing the waters, and the devices to be installed and used for such purposes where it may be impracticable to fully comply with the terms of this decree, and to direct that the parties keep accurate and detailed records of the amounts of water diverted, and to require reports to be filed from time to time of the amount so diverted, and generally to make such orders as may be found reasonably necessary to give effect to the decree, and to appoint commissioners or water masters to make distribution in accordance with its terms, and to punish the parties hereto, their officers, agents and employes, and their grantees and successors in interest, for any violation of the provisions thereof.

Done in open court this 14th day of July, 1920.

FRANK S. DIETRICH,
Judge.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4734
WATER RIGHT NO(S). 13-00822/13-00823

This is to certify that: REED MC GREGOR
13495 MAPLE GROVE RD
THATCHER ID 83283

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>
Right No. 13-00822 : IRRIGATION Priority: 04/01/1883	04/15 to 10/15	1.20 CFS	210.0 AF
Right No. 13-00823 : IRRIGATION Priority: 04/01/1883	04/15 to 10/15	1.00 CFS	175.0 AF
TOTAL:		* 2.20 CFS	319.6 AF

SOURCE

WILLIAMS CREEK

TRIBUTARY OF

BEAR RIVER

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 28, Township 12S, Range 41E
FRANKLIN County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12S	41E	29	NWSW 18			18
		30	NESE 36	NWSE 37.3		73.3
Total number of acres irrigated:						** 91.3

CONDITIONS OF APPROVAL AND REMARKS

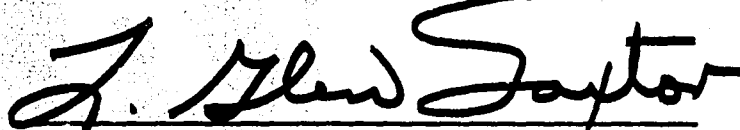
1. Use of water under this water right will be regulated by the watermaster of State Water District No. 11.
2. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

TRANSFER NO. 4734
WATER RIGHT NO(S). 13-00822/13-00823

CONDITIONS OF APPROVAL AND REMARKS

3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. Combined Right Nos. 13-00822 and 13-00823 shall not exceed a total combined diversion rate of 2.20 cfs, a total combined annual diversion volume of 319.6 af, nor the total combined irrigation of 91.3 acres.
- *8. A portion of combined Right Nos. 13-00822 and 13-00823, 0.37 cfs, is limited to use for conveyance losses in delivery of these rights.
- **9. Right No. 13-00822 is limited to the irrigation of 60.0 acres in the place of use described above in a single irrigation season.
- **10. Right No. 13-00823 is limited to the irrigation of 50.0 acres in the place of use described above in a single irrigation season.

Dated this 27th day of March, 1996.


Chief, Water Alloc. Bureau



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

November 15, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

PRESTON CITIZEN
PO BOX 472
PRESTON ID 83263

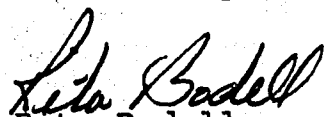
Dear Publisher:

Enclosed you will find a legal notice which we wish to have published on the date indicated in your newspaper. If you cannot publish the notice on the proposed date, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before December 11, 1995.

Yours truly,


Rita Bodell
Secretary

Enc.

October 18, 1995

REED MCGREGOR
13495 MAPLE GROVE RD
THATCHER ID 83283

Mr. McGregor:

Enclosed is an ownership map from Franklin County Assessor's office which shows the original place of use of the four rights you listed on your transfer application highlighted in yellow. You will need to get disclaimers, from each of the ten different owners shown, to proceed with the transfer.

Also another problem of excessive cfs has come up with this application. Fifty acres at one miners inch per acre (our standard maximum) is 1.00 cfs. This would be fulfilled by the 1871 rights. If including the 1883 rights, this would be excessive, especially for a pipeline and sprinkler system.

I would, in my evaluation, recommend to our Boise office to delete the 1883 rights. You can request the 1883 rights be removed before we process the transfer and avoid this part of the evaluation.

I think you should give me a call so we can discuss this further.

Sincerely,

Harold W. Jones
Water Resource Supervisor

HWJ:lk



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 20, 1995

REED MCGREGOR
13495 MAPLE GROVE RD
THATCHER ID 83283

RE: Notice of Application for Transfer No. 4734

Dear Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the applications in the Preston Citizen on November 23 & 30, 1995. The advertisement will be published for two consecutive 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.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State Office Personnel will conduct a complete review prior to final processing of the applications and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

Harold W. Jones rb
Harold W. Jones
Water Right Supervisor

HWJ/rb



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 20, 1995

PETE PETERSON
WATER DIST 11
2483 RIVERDALE
PRESTON ID 83263

RE: Application for Transfer No. 4734

Dear Mr. Peterson:

Please find enclosed a copy of the above referenced application. Please review the application and submit any comments you may have to our Department as soon as possible.

If we may be of further assistance, please feel free to contact us.

Thank you for your cooperation in this matter.

Respectfully submitted,

Harold W. Jones
Harold W. Jones *rb*
Water Right Supervisor

HWJ/rb
enc.

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. 4734

Notice is hereby given that Reed McGregor, 13495 Maple Grove Rd., Thatcher, ID 83283, has applied to the Department of Water Resources to change point of diversion and place of use of the waters of Williams Creek tributary to Bear River. The rights sought to be changed are evidenced by Decrees and recorded as follows:

Decree No. 13-00822 Decreed to Ralph Perry in case of Utah Power & Light Co. vs. The Last Chance Canal Co. dated 7/14/1920
Source: Bridge Creek / Williams Creek tributary to Bear River
Amount: 1.2 cfs Priority: 4/1/1883
Point(s) of Diversion: Local name for diversion Gray & Perry Ditch, Ditch #4

The water is used for irrigation of 60 acres from 04/20 to 09/30 within the NWSW, Sec 29, SWNE, N1/2SE, Sec 30, T12S, R40E, B.M. (It appears the Range should be 41E)

Decree No. 13-00823 Decreed to Henry Perry in case of Utah Power & Light Co. vs. The Last Chance Canal Co. dated 7/14/1920
Source: Bridge Creek / Williams Creek tributary to Bear River
Amount: 1.0 cfs Priority: 4/1/1885
Point(s) of Diversion: Local name for diversion Gray & Perry Ditch, Ditch #4

The water is used for irrigation of 50 acres from 4/20 to 9/30 within the NESE, Sec 29, N1/2SE, Sec 30, T12S, R40E, B.M. (It appears the Range should be 41E)

TO BE CHANGED AS FOLLOWS:

The water will be diverted from the NENE, Sec 28, T12S, R41E, Franklin County, Local name for diversion Foreman-Perry Ditch, and used to irrigate 50 acres from 4/20 to 9/30 within the NWSW, Sec 29, N1/2SE, Sec 30, T12S, R41E, B.M.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID, 83402, together with a protest fee of \$25 on or before December 11, 1995. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER
Director

Published in the Preston Citizen on November 23 & 30, 1995.

875

Ne 4175

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

J. WALTER ROSS

being duly sworn,

deposes and says:

That he is the CO-PUBLISHER of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said

newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

11/22, 1995, and ending
with the issue of 11/29, 1995

Fee \$ 71.69

Subscribed and sworn to before me this 29 day

of Notary Public

Notary Public, Residing at Preston, Idaho

My Commission Expires 2001

NOTICE OF PROPOSED CHANGE WATER RIGHT NO. 4734

Notice is hereby given that Reed McGregor, 13495 Maple Grove Rd., Thatcher, ID 83283, has applied to the Department of Water Resources to change point of diversion and place of use of the waters of Williams Creek tributary to Bear River. The rights sought to be changed are evidenced by Decrees and recorded as follows:

Decree No. 13-00822 Decreed to Ralph Perry in case of Utah Power & Light Co. vs. The Last Chance Canal Co. dated 7/14/1920

Source: Fridge Creek/Williams Creek tributary to Bear River

Amount: 1.2 cfs

Priority: 4/1/1883

Point(s) of Diversion: Local name for diversion Gray & Perry Ditch, Ditch #4

The water is used for irrigation of 60 acres from 04/20 to 09/30 within the NWSW, Sec 29, SWNE, N1/2SE, Sec 30, T12S, R40E, B.M. (It appears the Range should be 41E)

Decree No. 13-00823 Decreed to Henry Perry in case of Utah Power & Light Co. vs. The Last Chance Canal Co. dated 7/14/1920

Source: Bridge Creek/Williams Creek tributary to Bear River

Amount: 1.0 cfs

Priority: 4/1/1885

Point(s) of Diversion: Local name for diversion Gray & Perry Ditch, Ditch #4

The water is used for irrigation of 50 acres from 4/20 to 9/30 within the NESE, Sec 29, N1/2SE, Sec 30, T12S, R40E, B.M. (It appears the Range should be 41E)

TO BE CHANGED AS FOLLOWS:

The water will be diverted from the NENE, Sec 28, T12S, R41E, Franklin County, Local name for diversion Foreman-Perry Ditch, and used to irrigate 50 acres from 4/20 to 9/30 within the NWSW, Sec 29, N1/2SE, Sec 30, T12S, R41E, B.M.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID, 83402, together with a protest fee of \$25 on or before December 11, 1995. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER
Director

Legal No. 4175 — Publish Nov. 22, 29, 1995.

INTER-DEPARTMENT MEMO

TO: Tr. 4734 - Rcd McGuyer

SUBJECT: _____

FROM: H.C. Jones

DATE: 12-6-85

In a tel-con on 12-6-1985, Walter Martin Pate
Peterson stated he had no objection to this transfer.

☒ For your information

☐ Response required

H.C. Jones
signature

MEMORANDUM

TO: FILE NOS. 13-00822 & 13-00823

FROM: PAM SKAGGS/³⁹STATE OFFICE

SUBJECT: TRANSFER NO. 4734

DATE: March 4, 1996

=====

Transfer No. 4734 was filed to change and reduce the place of use, and change the point of diversion under Right Nos. 13-00822 and 13-00823 to reflect the current use of these rights.

Review of these rights as decreed reflects irrigation on separate adjacent land parcels, a specific number of irrigated acres on larger land bases, and an authorized rate of diversion of 1 inch per acre.

As Decreed:	13-00822	04-01-1883	60 Acres	1.20 cfs	(210.0 afa)
	13-00823	" "	50 "	1.00 "	(175.0 ")
			110 "	2.20 "	(385.0 ")

The transfer describes a reduction in the total irrigated acres from 110.0 to a maximum of 50.0 acres irrigated under both rights on a portion of the originally described lands. The rate of diversion was adjusted proportionately, effectively abandoning all of Right No. 13-00823 and the portion of Right No. 13-00822 that is in excess of 1.00 cfs, or 0.20 cfs.

Recommended:	13-00822	04-01-1883	50 Acres	1.00 cfs	175.0 afa
	13-00823	" "	0 "	0.00 "	0.0 "

Season of use and diversion volume were adjusted to current standards and the source clarified as solely Williams Creek. Recommended conditions include watermaster control, measuring device & lockable controlling works, irrigation overlap, right-of-way and standard transfer conditions.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4734
WATER RIGHT NO(S). 13-00822/13-00823

DRAFT

This is to certify that: REED MC GREGOR
13495 MAPLE GROVE RD
THATCHER ID 83283

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>
Right No. 13-00822 : IRRIGATION Priority: 04/01/1883	04/15 to 10/15	* 1.00 CFS	175.0 AF

SOURCE

WILLIAMS CREEK

TRIBUTARY OF

BEAR RIVER

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 28, Township 12S, Range 41E
FRANKLIN County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12S	41E	29	NWSW 10			10
		30	NESE 20	NWSE 20		40
Total number of acres irrigated:						50

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 11.
2. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

PAGE 2

TRANSFER NO. 4734
WATER RIGHT NO(S). 13-00822/13-00823

DRAFT

CONDITIONS OF APPROVAL AND REMARKS

3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- *7. The portion of Right No. 13-00822 described as 0.20 cfs and 10.0 acres, and all of Right No. 13-00823 described as 1.00 cfs and 50.0 acres have been abandoned through approval of Transfer No. 4734.

Dated this _____ day of _____, 19____.

DRAFT

Chief, Water Alloc. Bureau



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

March 4, 1996

PHILIP E. BATT
GOVERNOR

Reed McGregor
13495 Maple Grove Rd.
Thatcher, ID 83283

KARL J. DREHER
DIRECTOR

RE: Application for Transfer No. 4734/Right Nos. 13-00822/00823

Dear Mr. McGregor:

I have just completed review of the above referenced application for transfer. The final recommendations are different than those described on the application and I am writing to explain these modifications.

These two decreed water rights were originally decreed to two separate land parcels with a specific number of irrigated acres associated with each and a diversion rate of 0.02 cfs per acre or a total of 2.20 cfs for irrigation of 110.0 acres.

The transfer application describes the current use of these rights on 50.0 acres and as delivered through the new diversion point. The total authorized rate of diversion for 50.0 acres at the decreed rate of diversion is 1.00 cfs. This amount of water can be fully supplied under Right No. 13-00822 with a portion of the right no longer needed. Right No. 13-00823 is not required to provide the full allotment of water associated with 50.0 acres.

Your application notes that the proposed place of use and system have been in place for the last 10 years. Any right not put to beneficial use for a period of 5 years or more is subject to forfeiture and abandonment statutes. The transfer approval will confirm your current use and clear our record of the portions abandoned over the years.

I have enclosed a draft of the proposed approval recommendations for your review. I will withhold the transfer from processing for 10 days to allow you to respond with any questions or considerations. If I do not hear from you within that time, I will assume you agree with the recommendation and forward the transfer for approval.

If you require any further assistance, please contact me directly at 327-7943 and I will be happy to help you.

Sincerely,

Pamela Skaggs

PAMELA SKAGGS
Sr. Water Resource Agent

RECEIVED

MAR 13 1996

Department of Water Resources

March 7, 1996

Dear Ms. Pamela Skaggs,

We thank you for the work you are doing in our behalf concerning some water issues; however, we must have miscommunicated some ideas to you. Perhaps we don't understand the necessary legal language but whatever the case may be, we need to clarify some points. Our family has always maintained the highest respect for the privilege of using water. Our grandparents were early settlers in the area and the work they did building ditches and taking care of them has been extremely beneficial to us. In the 1960's, with the encouragement of the ASC-SCS groups, we were encouraged to change our irrigation practices. We followed their advice and went about installing sprinklers. In order to make their systems work using gravity, several people in our area, including us, rebuilt old ditches so a gravity head could be maintained. The old timers had several ditches which we have used only partially the last few years as it seemed more prudent to conserve a portion of the water by using it more efficiently in the sprinkler system. In the 1970's we approached the Idaho Falls office and worked on getting a "point of diversion" change. We left our information with a Mr. Kozlaski (I think it was) assuming he would help us. After not hearing from him for a long time, we learned he had left that employment and done nothing for us. We are not seeking any change in our water rights. We have not abandoned any water. All we are seeking is a simple change of point of diversion. The water is not being used on any property for which it was not decreed. We just need to be sure our original rights are protected and everything is in proper legal order. Thank you.

Sincerely,



Reed McGregor



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 14, 1996

Reed McGregor
13495 Maple Grove Rd.
Thatcher, ID 83283

RE: Transfer No. 4734
Water Right Nos. 13-00822 & 13-00823

Dear Mr. McGregor:

I received your letter of 03-07-96 today and appreciate your prompt response to my letter. You have provided more background and detail about the use of these water rights over the years, but no facts that would cause a change in the original recommendations of the draft approval. I would like to try and explain more about the transfer process and how the recommendations were reached.

When a transfer is proposed the right is investigated to confirm historical and current use of the water. Your application describes 50 irrigated acres.

Since the total number of acres irrigated has been reduced from 110, as decreed, to 50, the rate of diversion needs to be adjusted to show that less water is being diverted. The maximum rate of diversion that can be approved for irrigation of your 50 acres without further justification is 1.00 cfs or 450 gallons per minute. This adjustment should still allow you to irrigate the 50 acres as you have in the past.

I hope I have been better able to explain the recommendations that I previously sent to you in the draft approval. If you have further comment or information to submit that would influence the recommendation, please contact me within 10 days of your receipt of this letter. I will again withhold the transfer from further action to allow for your response.

If you require any further assistance, please contact me directly at 327-7943 and I will be happy to help you.

Sincerely,

PAMELA SKAGGS
Sr. Water Resource Agent

RECEIVED

MAR 22 1996

Department of Water Resources

March 19, 1996

Dear Ms. Skaggs,

Thank you for your information concerning our water diversion transfer question. I don't know why but I didn't pick up on an incorrect number mentioned in the information and I apologize for the oversight. The 50 acre number is simply not correct. I am enclosing copies of maps obtained from the SCS office as well as tax notices with legal descriptions of irrigated agricultural land belonging to the original decrees. You will find the total acreage to be much closer to 100 than to 50. I hope this is the kind of proof you need to help clarify the situation. Again, thank you for your help and please keep us informed of any other things we can do to help you.

Sincerely,

Reed McGregor

Reed McGregor

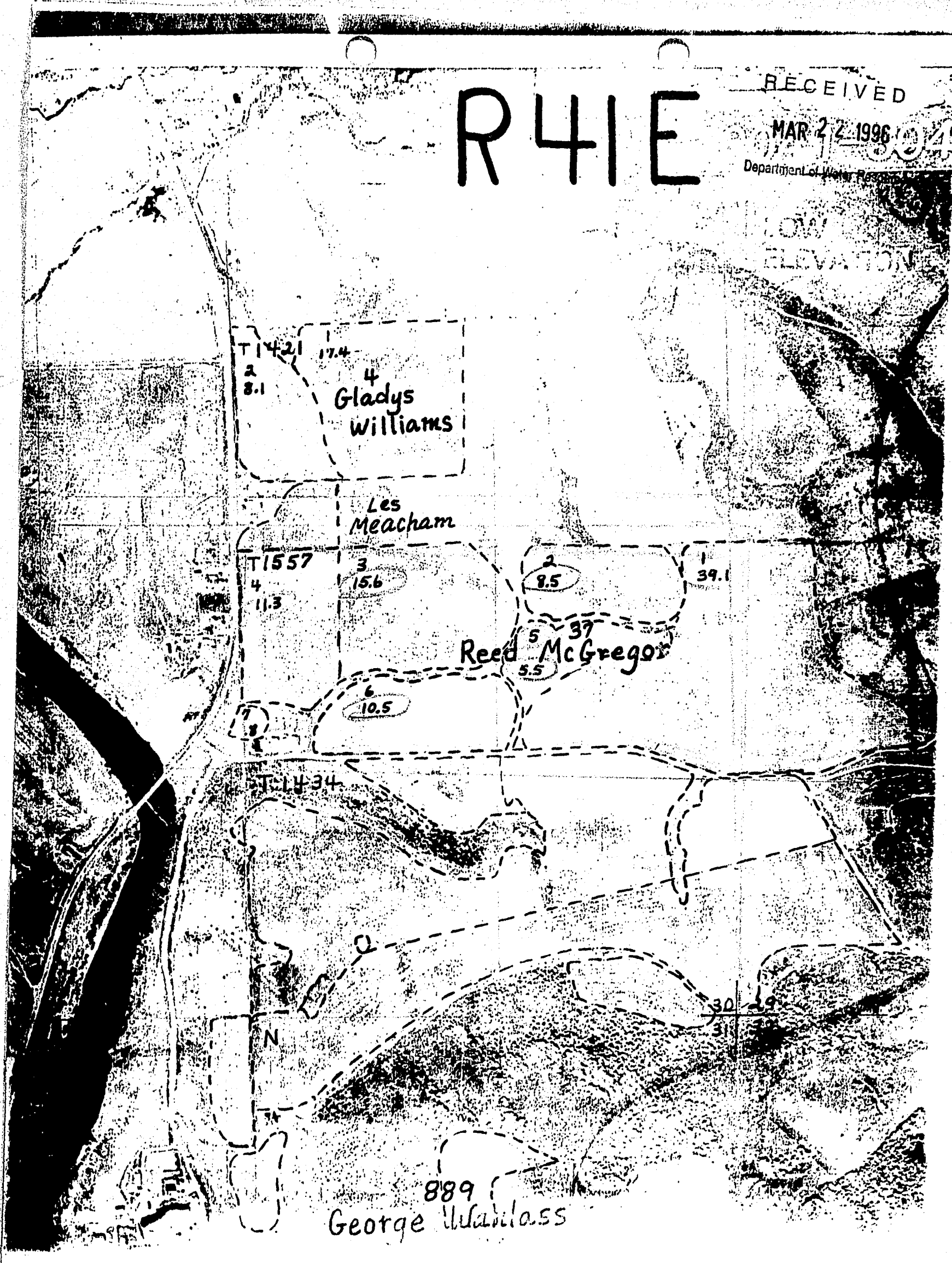
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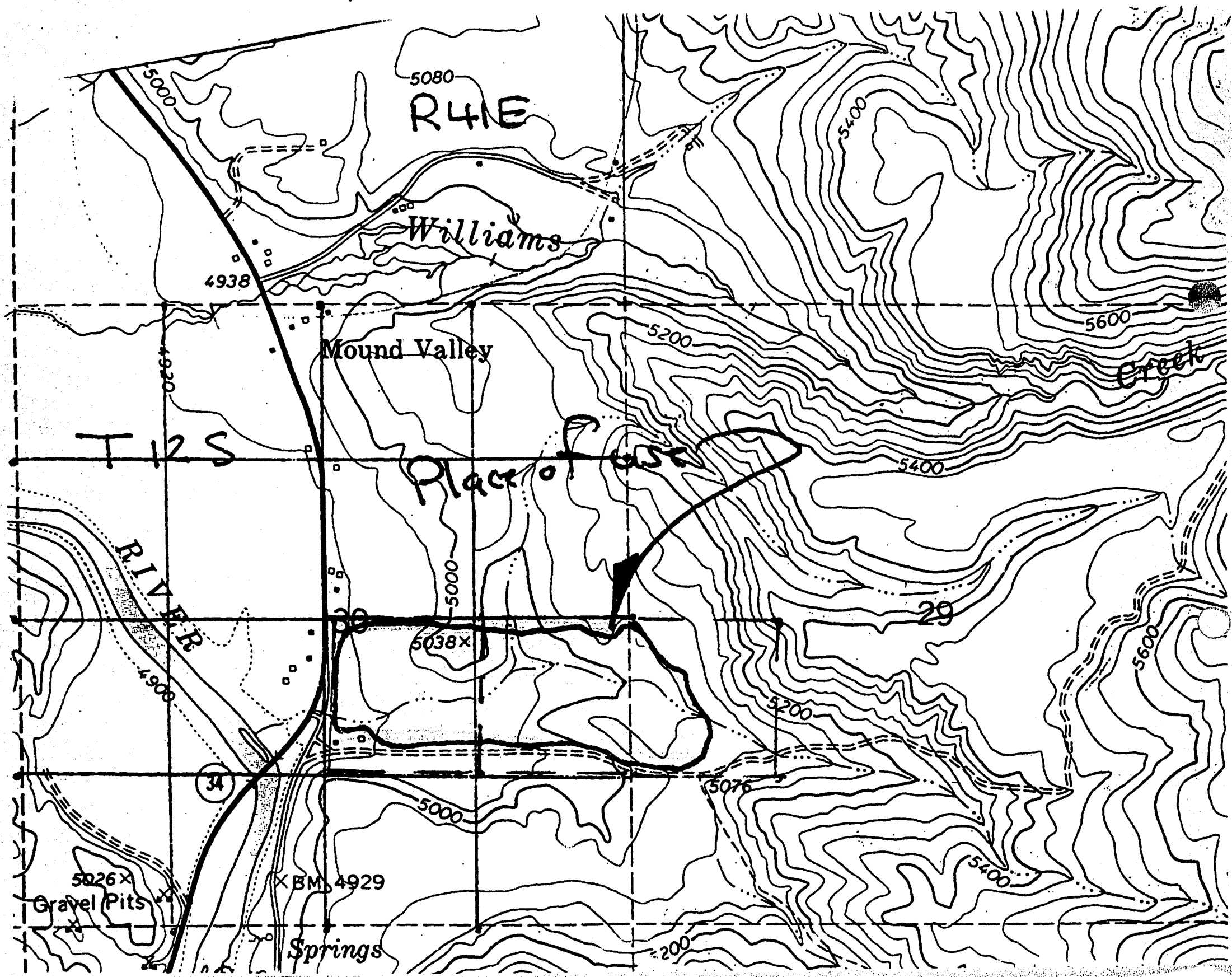
RECEIVED

MAR 22 1996

Department of Water Resources

LOW
ELEVATION





FRANKLIN COUNTY ASSESSOR
39 W. ONEIDA
PRESTON, ID 83263

IMPORTANT NOTICE-PLEASE READ

PARCEL NO. 283.00

ADDRESS CORRECTION REQUESTED

TAX CODE 14

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
01 IRRGTD AGRICUL.	9.00	5,265
01 IRRGTD AGRICUL.	27.00	9,990
19 WASTE	1.00	

TOTALS 37.00*

15,255* ASSESSMENT NOTICE

Taxes are based on the valuation listed on this statement.

IF THERE ARE ANY QUESTIONS REGARDING THIS STATEMENT NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUN 26, 1995

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

TAX ROLL: REAL

PROPERTY ADDRESS

PREVIOUS NUMBER

TN 7
30-12-41

Mail To:

MCGREGOR, D. REED
13495 NO MAPLE GROVE
THATCHER, ID 83283

FRANKLIN COUNTY ASSESSOR
39 W. ONEIDA
PRESTON, ID 83263

IMPORTANT NOTICE-PLEASE READ

PARCEL NO. 270.00

ADDRESS CORRECTION REQUESTED

TAX CODE 14

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
01 IRRGTD AGRICUL.	19.00	9,310
03 DRY AGRICUL.	21.00	3,150
05 DRY GRAZING	99.00	5,940
05 DRY GRAZING	3.00	120

TOTALS 142.00*

18,520* ASSESSMENT NOTICE

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JUN 26, 1995

See the reverse side for further references
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TAX ROLL: REAL

PROPERTY ADDRESS

PREVIOUS NUMBER

TN 1-3-4 SE4 SW4
S2 SE4
29-12-41

Mail To:

MCGREGOR, REED
13495 NO MAPLE GROVE
THATCHER, ID 83283

39 W. ONEIDA
PRESTON, ID 83263

ADDRESS CORRECTION REQUESTED

CATEGORY DESCRIPTION
01 IRRGTD AGRICUL.
01 IRRGTD AGRICUL.

PARCEL NO. 281.01

TAX CODE 14
LOTS/ACRES

MARKET VALUE

16.00	9,360
12.60	4,662

TOTALS 28.60* 14,022*

1995
TAXPAYER'S
VALUATION

ASSESSMENT NOTICE

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JUN 26, 1995

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TAX ROLL: REAL

PROPERTY ADDRESS
PREVIOUS NUMBER
TN 9
30-12-41

Mail To:
MCGREGOR, DEE REED
13495 NO MAPLE GROVE
THATCHER, ID 83283

FRANKLIN COUNTY ASSESSOR
39 W. ONEIDA
PRESTON, ID 83263

IMPORTANT NOTICE-PLEASE READ

ADDRESS CORRECTION REQUESTED

CATEGORY DESCRIPTION
01 IRRGTD AGRICUL.
05 DRY GRAZING

PARCEL NO. 272.00

TAX CODE 14
LOTS/ACRES

MARKET VALUE

12.00	7,020
6.00	240

TOTALS 18.00* 7,260*

1995
TAXPAYER'S
VALUATION

ASSESSMENT NOTICE

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JUN 26, 1995

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

TAX ROLL: REAL

PROPERTY ADDRESS
PREVIOUS NUMBER
TN 2
29-12-41

Mail To:
MCGREGOR, D. REED
13495 NO MAPLE GROVE
THATCHER, ID 83283

MEMORANDUM

TO: FILE NOS. 13-00822 & 13-00823

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: ADJUSTED TRANSFER RECOMMENDATIONS
TRANSFER NO. 4734

DATE: March 26, 1996

=====

The applicant has corresponded with the state office twice regarding the previously recommended draft transfer. Mr. McGregor stated that no abandonment of the rights should occur through approval of this transfer, rather that the application describes current practices and all the water is required.

Today I received information submitted by Mr. McGregor that identifies all the irrigated acres on the originally described parcel of land. He didn't know how the error in acres occurred, but confirmed the total irrigation of 91.3 acres. This is more closely related to the originally decreed 110 total acres under these rights. The transfer was correct in all except the number of acres within each QQ and will be forwarded for approval with the adjusted acres.

Season of use and diversion volume were adjusted to current standards. With 91.3 total irrigated acres, only a small portion of the combined rights is in excess of 0.02 cfs per acre, 0.37 cfs, that is designated for conveyance purposes only. Combined right limits are identified as 2.20 cfs, 319.6 afa and irrigation of 91.3 total acres.

91.3 acres x 0.02 cfs = 1.83 cfs
2.20 cfs - 1.83 cfs = 0.37 cfs

Other recommended conditions include watermaster control, measuring device/lockable controlling works, irrigation overlap, right-of-way, permissible place of use limits and standard transfer conditions.



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MARCH 28, 1996

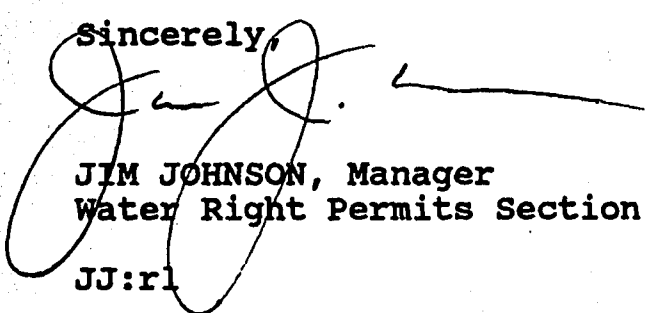
REED MC GREGOR
13495 MAPLE GROVE RD
THATCHER ID 83283

RE: Transfer of Water Right Nos. 13-00822 and 13-00823

Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water rights (Transfer No. 4734). Please be sure to thoroughly review the "Conditions/Remarks:" as listed on the transfer.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosure