

RECEIVED
MAY 22 1987Transfer No. 3337Water Right No. 17-2107Department of Water Resources 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

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

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)
- b. License No. D-1341/17-2107 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired _____

3. Source of water Groundwater tributary to _____
4. Date of priority May 9, 1960

5. Water is used for the following purposes: NOT SPECIFIED
amount .05 for Livestock 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. .05 cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 11
Township 15S Range 30E B.M., in Oneida County
Additional points of diversion, if any None

8. Lands irrigated or 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 $\frac{1}{4}$	
15S	30E	11											S						
		14						S											
		15	S																

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purpose as described above _____
17-7120
10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? _____ If yes, describe in item D, REMARKS.

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 _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ 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 $\frac{1}{4}$	

Total number of acres to be irrigated _____

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

1. General Information
 - a. Amount of water to be diverted .05 c.f.s. &/or _____ acre feet
 - b. Description of diverting works A new well 680' deep cased to the bottom, with static water level at 377'.
 - c. Describe the reasons for the proposed changes The old well in the SW corner of section 11 was 427' deep and could not supply our needs any longer, plus it was uneconomical and risky to deepen the old well.
2. Change in point of diversion

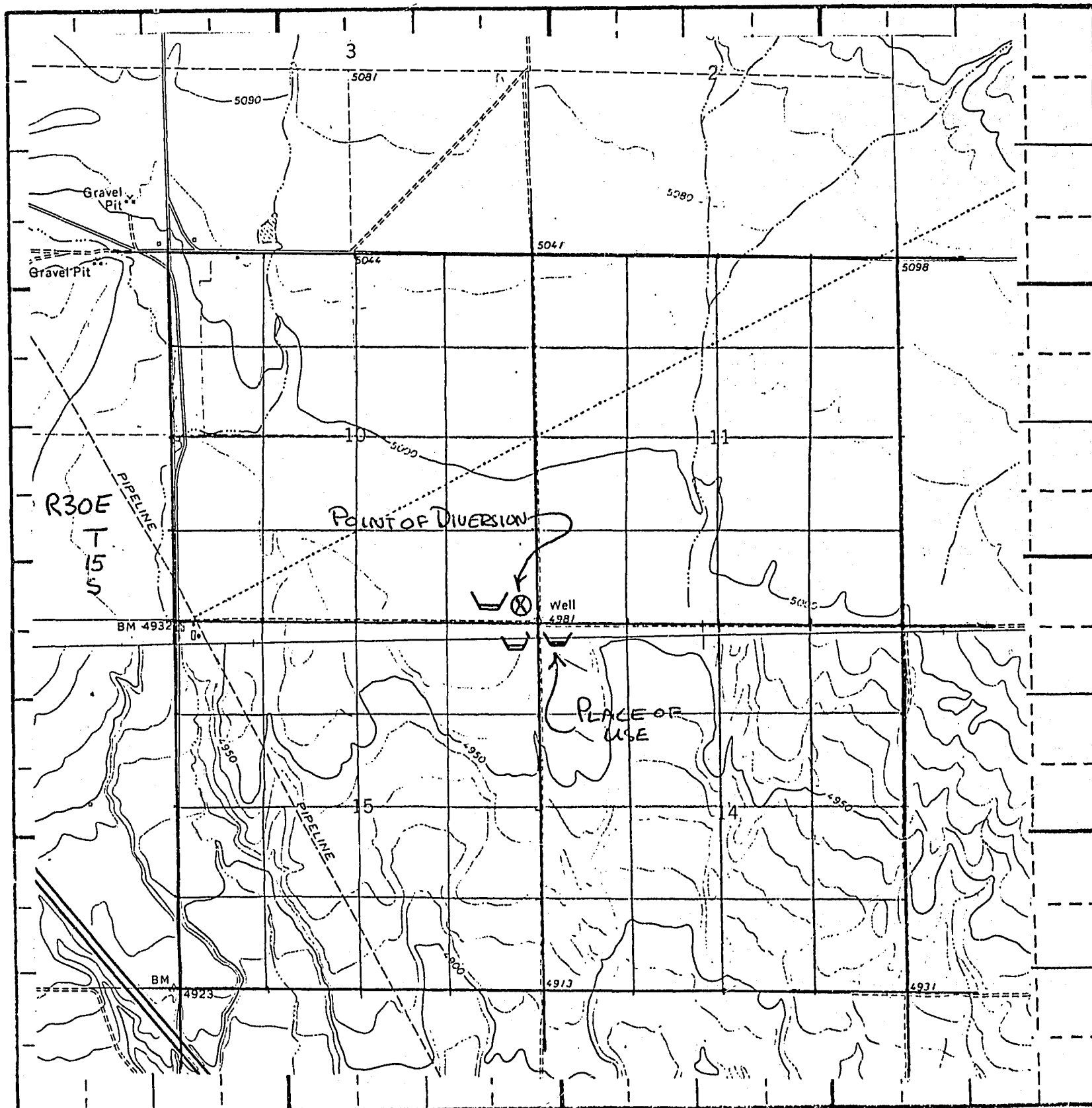
Point of diversion SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 10 Township 15S
Range 30E, B.M., Oneida County
Additional points _____
3. Change in place of use
 - a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
 - b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
None

c. Describe the land 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	
15S	30E	10																	S
		14						S											
		15	S																

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. _____
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

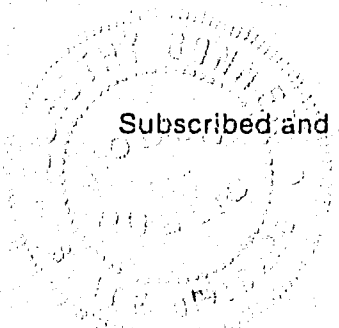


D. REMARKS

Permit No. 17-7120 was filed to document expanded water use on a pipeline added to the old well in 1983. This extra demand and other new wells in the aquifer overtaxed the old wells capabilities and created the need for a new more productive water source.

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 willfull misrepresentations made in this application may result in voiding its approval.



John R. Christensen
(Signature of Applicant)
April, 19 87
Dorothy Bonner
(Notary Public)

Subscribed and sworn to before me this 16th day of

My commission expires March 3, 1992

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 17-2107 and said application is hereby APPROVED, subject to the following limitations and conditions:
Water right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

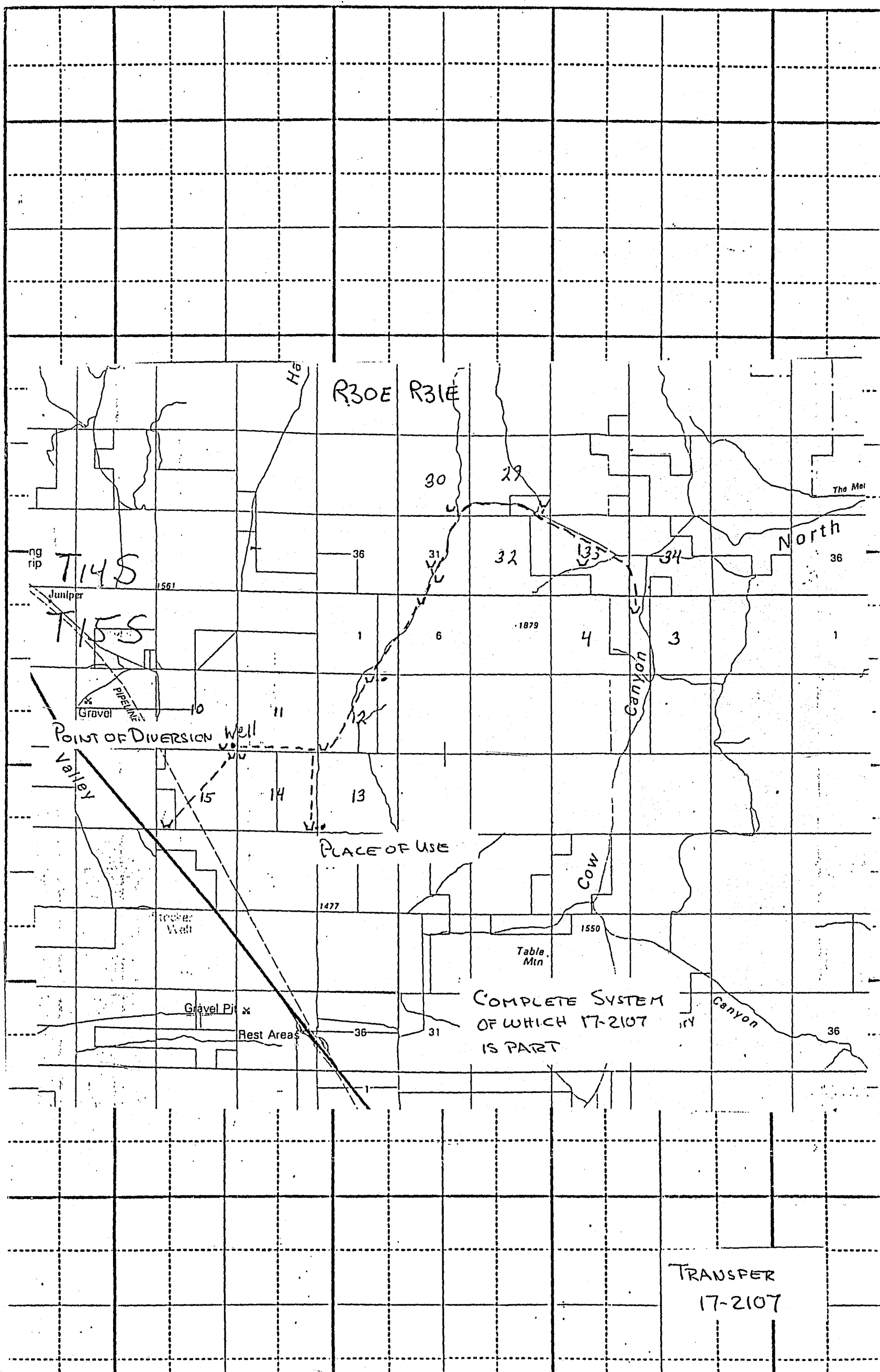
Witness my hand this 30th day of October, 19 87

J. Glen Saxton
Chief, Operations Bureau

Received by CW Date 6-10-87 FOR DEPARTMENT USE ONLY ID-910-BP7-0015
Prelim. check by JA Date 2-6-87
Received by KCW Date 1-27-87 Protest filed by _____
Fee H30⁰⁰
Received by RG: dg Date 7-8-87 # 42747
Published in ID Enterprise Copies of protest forwarded by _____
Pub. dates 7/2 + 7/16/87 dg Hearing held by _____ Date _____
Watermaster recommendation requested on NA Recommended for approval denial
rec'd. by FR Gary

NAME OF APPLICANT.....

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

Nº 933

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Oneida

ss.

AUG 11 1987

Department of Water Resources
Eastern District Office

Kristine D Jones being duly sworn,
deposes and says: That she is the publisher of THE
IDAHO ENTERPRISE, a weekly newspaper published at Malad,
in the County of Oneida and State of Idaho; that said paper has
been and is in general circulation in the county aforesaid, and in
the vicinity of Malad; 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

July 2, 1987, and ending
with the issue of July 9, 1987

Kristine D Jones
Fee \$ 35.49

Subscribed and sworn to before me this 7th day

of August, 1987

John H. Haggard
Notary Public, Residing at Malad, Idaho

My Commission Expires 5-8, 1991

Notice of proposed change of water right

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 17-2107

Notice is hereby given that the
U.S. Dept. of Interior, Bureau of Land
Management, has applied to the
Department of Water Resources for
a change in the point of diversion
and place of use of water from a
groundwater source. The right
sought to be changed is evidenced
by License No. D-134117-2107, and
is recorded as follows:

AMOUNT: .05 cfs PRIORITY: May
9, 1960
POINT OF DIVERSION: SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 11, T. 15S, R. 30E, B.M.,
Oneida County
The water is used for stock-
watering within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec.
11, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14, NE $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 15, T. 15S, R. 30E.
TO BE CHANGED AS
FOLLOWS
The water will be diverted within
the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10, T. 15S, R.

30E and used within the SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 10, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14,
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15, T. 15S, R. 30E.
Any protest against approval of
the above proposed change of
water right must be filed with the
Idaho Department of Water Resour-
ces, 150 Shoup Ave., Suite 15, Idaho
Falls, Idaho 83402 on or before July
20, 1987.
A. Kenneth Dunn
Director
Published July 2 & 9, 1987
No. 933

P. O.

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO
FOR FARMSTEAD, DOMESTIC, OR STOCK WATERING PURPOSES

Permit No. D 1341 17-2107

District No. _____

1. Name of Applicant U. S. Department of the Interior, Bureau of Land Management
2. Post Office Address P. O. Box 460, Burley, Idaho
3. Quantity of water claimed .05 second foot 5-9-1960
(Not to exceed 0.1 second foot or 15 acre feet)
4. Source of water supply Wight Well
(Spring, well, unnamed stream, small lake, snow, or runoff)
5. Location of point of diversion N. 41st E. 125 feet distant from the SW corner of Section 11,
Twp. 15 S, Rge. 30 E B.M., and is in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 11, Twp. 15 S, Rge. 30 E B.M.
in the County of Oneida 71
6. Location of point of use within radius of 400 ft. of well feet distant from the _____ corner of Section _____,
Twp. _____, Rge. _____, B.M., and in the _____ $\frac{1}{4}$ of the _____ $\frac{1}{4}$, Sec. _____, Twp. _____, Rge. _____.
7. Water to be used for Range livestock 1/1-12/31
8. Estimated cost of works \$7000.00 including cost to construct power line
9. Kind of works Drilled well to tap the subterranean water
(Reservoir, dam, ditch, flume, pipe, etc.)
10. Size 8 inch hole 427 feet deep. 427 feet of 8 inch steel casing, water at 397 ft
(Headgate, ditch, flume, pipe, etc.)
11. Time required to apply water to proposed use April 16, 1960
12. If reservoir is used, fill in the following in addition to the above questions: No reservoir
- (a) Height of dam _____ feet; Length at top _____ feet.
- (b) Material from which dam is constructed _____
(earth, concrete, timber, rock)
- (c) The outlet of the proposed reservoir is located _____ feet from the _____ corner of
Section _____, Twp. _____, Rge. _____, B.M.

REMARKS:

This well will be pumped by an electric submersible pump with automatic float controls supplying 3 sets of troughs in separate pastures within a radius of 400 feet of the well. A cement block shelter pit will be constructed to give adequate weather protection to the well equipment. The project is located in the Wight Reseeding on Federal land.

U. S. Department of the Interior
Bureau of Land Management

Agent Blackburn

[illegible]

3 Troughs # 1, 2, 3

Approval of State Reclamation Engineer

The number of this permit is D. 1341

Recorded in Book 3 Page D. 1341 Approved May 10, 1960

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Work to begin on or before Completed and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

Completion of Works and Beneficial Use of Water appropriated in accordance herewith, to be made on or before Completed

Witness my hand this 10th day of May, 1960

Geo. V. Learter
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE Governor of the State of Idaho,
and ARNOLD WILLIAMS Secretary of State of the State of Idaho, have caused this instrument

to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed,

this 10th day of May, 1960

Countersigned:

STATE OF IDAHO

By _____
Secretary of State.

By _____
Governor.

No. D. <u>1341</u>	PERMIT
Date of first receipt at office of State Reclamation Engineer <u>8:00 A.M. May 9, 1960</u>	
Returned to applicant for correction	
Corrected application received	
Fees \$ <u>1.00</u>	
STATE OF IDAHO LICENSE AND CERTIFICATE OF WATER RIGHT	
Water License No. D. <u>1341</u>	
TO <u>Bureau of Land Management</u> <u>U.S. Department of Interior</u> Source of Supply <u>Wight Well</u>	
Amount <u>.05</u>	Sec. Feet
Place of Use <u>SW 1/4 Sec. 11, T. 15 S., R. 30 E., B.M.</u>	
Purpose <u>Range Livestock</u>	
Date of Priority <u>May 9, 1960</u>	
Recorded <u>May 10, 1960</u>	
In Book <u>3</u>	of Licenses, Page <u>1341</u>

LICENSE AND CERTIFICATE OF WATER RIGHT

Water License No. D. 1341 Priority May 9, 1960 Amount .05 c.f.s.

This is to certify that Bureau of Land Management of Burley, Idaho
made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of
Wight Well under Use Permit No. D. 1341, and that said right to the use of said waters
has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of
Idaho and entered of record in Volume D. 3 of Licenses, at page D. 1341, on the 10th
day of May, 1960

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described,
as provided by the laws of Idaho.

WITNESS THE SEAL and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 10th
day of May, 1960

Geo. V. Learter
State Reclamation Engineer



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Idaho State Office

3380 Americana Terrace

Boise, Idaho 83706

7250 (931)

IN REPLY REFER TO:

RECEIVED

JAN 27 1987

January 23, 1987 Department of Water Resources

Water Allocation Division
Department of Water Resources
Statehouse
Boise, ID 83720

RECEIVED

FEB 6 1987

Department of Water Resources
Eastern District Office

Gentlemen:

Enclosed for processing is one (1) "Application for Transfer of Water Right" form, one (1) "Application for Amendment of a Permit" form, and one (1) "Request for Extension of Time" form. Billing is to be made through order number ID-910-BP7-0015.

Please return the approved application to the following address:

Steven A. Ellis
Bureau of Land Management
Idaho State Office
3380 Americana Terrace
Boise, Idaho 83706

Thank you for your cooperation.

Sincerely yours,

Steven A. Ellis
Soil Scientist/Hydrologist

3 Enclosures

1 Amendment Eastern
1 Transfer Eastern
1 Ext State office

February 24, 1987

Bureau of Land Management
Rt. 3 Box 1
Burley, Idaho 83318

Dear Sir:

Enclosed is a transfer application for 17-2107 that was received by our office, a copy of the application with corrections noted in red, and a retyped transfer application form. Please review the corrections, complete the new transfer application form by signing in front of a notary and return to this office as soon as possible.

Sincerely,

Keith C. Wilson
Sr. Resource Agent

KCW/md

Enclosure: trans. app. 17-2107

cc: Steven A. Ellis

May 22, 1987

Bureau of Land Management
Rt 3, Box 1
Burley, Idaho 83318

Dear Sirs:

On February 6, 1987, our office received a transfer for 17-2107 from your office. A review of the form revealed several errors. To facilitate making the corrections, a copy of the original was made, corrections noted in red, and a new transfer was typed. The original, the copy with changes in red, and the retyped transfer, were then returned to your office for review and signature on February 24, 1987. As of the date of this letter, our office has not received a response.

Your prompt attention to this matter will be appreciated.

Sincerely,

Keith C. Wilson
Sr. Resource Agent

KCW/dg
cc Steven A. Ellis

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 17-2107

Notice is hereby given that the U.S. Dept. of Interior, Bureau of Land Management, has applied to the Department of Water Resources for a change in the point of diversion and place of use of water from a groundwater source. The right sought to be changed is evidenced by License No. D-1341/17-2107, and is recorded as follows:

AMOUNT: .05 cfs PRIORITY: May 9, 1960

POINT OF DIVERSION: SW1/4SW1/4, Sec. 11, T. 15S, R.
30E, B.M., Oneida County

The water is used for stockwatering within the SW1/4SW1/4, Sec. 11, NW1/4NW1/4, Sec. 14, NE1/4NE1/4, Sec. 15, T. 15S, R. 30E.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the SE1/4SE1/4, Sec. 10, T. 15S, R. 30E and used within the SE1/4SE1/4, Sec. 10, NW1/4NW1/4 Sec. 14, NE1/4NE1/4, Sec. 15, T. 15S, R. 30E.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before July 20, 1987.

A. Kenneth Dunn

Director

Published July 2 & 16, 1987

9

TT paper 6-25

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

JUNE 24, 1987

The Idaho Enterprise
P. O. Box 205
Malad City, Idaho 83252

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, 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 JULY 28, 1987.

Yours truly,

TT paper
6-25

Michele Davis
Office Secretary

Encl.

June 25, 1987

Bureau of Land Management
Rt 3, Box 1
Burley, Idaho 83318

RE: Application for Transfer of Water Right No. 17-2107

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your application for transfer. The application has been assigned identification no. 17-2107. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in The Idaho Enterprise. 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.

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 application 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,

Ernest Carlsen
Assistant Regional Manager

EC/dg



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

June 26, 1987

The Idaho Enterprise
P.O. Box 205
Malad City, Idaho 83252

RE: Legal notices sent June 24, 1987, for publication

Legal Publication Specialist:

Please change the publication dates from July 2 & 16, 1987, to July 2 & 9, 1987. Also, please change the protest date in the notice from July 27, 1987, to July 20, 1987. (See enclosed copy with changes.)

Thank you.

Sincerely,

Deena Green
Office Secretary

June 27, 1987

The Idaho Enterprise
P.O. Box 205
Malad City, Idaho 83252

Re: Application No. 15-7102, Jones and 17-2107, BLM

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notices were to have been published in your paper on July 2, and July 9, 1987.

Your cooperation in this matter is greatly appreciated.

Sincerely,

Deena Green
Office Secretary

August 6, 1987

The Idaho Enterprise
P.O. Box 205
Malad City, Idaho 83252

Re: Application No. 15-7102, Jones and 17-2107, BLM - *2ND request*

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notices were to have been published in your paper on July 2, and July 9, 1987.

Your cooperation in this matter is greatly appreciated.

Sincerely,

Deena Green
Office Secretary



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

November 23, 1987

RE: Transfer of Water Right No. 17-2107

Bureau of Land Mgmt.
3380 Americana Terrace
Boise, ID 83706

Gentlemen:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3337). Be sure to note any conditions of approval as listed on the fourth page.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4006APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

APPROVED

Name of applicant U.S. Bureau of Land Management Phone (208) 678-5514Post Office address RR3, Box 1, Burley, Idaho 83318

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 Add places of use
2. Describe the reason for the proposed changes A pipeline is being constructed within a grazing allotment to provide additional sources of stockwater. Additional water will facilitate livestock distribution and more uniform grass utilization.

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

1. Right Number 17-02107(new#) Priority May 9, 1960 Amount .05 CFS Nature of Use stockwater Period of Use 03/01 to 11/30
D 1341(old#)
2. Total amount of water being transferred .05 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water groundwater (Wight Well) tributary to sinks
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	11	15S	30E	Oneida	Wight Well

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	30E	1															S		
15S	30E	11											S						
15S	30E	12			S								S					S	
15S	30E	14																	
15S	30E	15											S						
15S	31E	3						S											
15S	31E	6						S											
15S	31E	11						S											
15S	31E	29			S													S	
14S	31E	30											S				S		
14S	31E	31											S				S		
14S	31E	33									S								

Total acres _____

CONDITIONS OF APPROVAL
Transfer of Water Right No. 17-02107

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. 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.
3. 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.
4. Stockwater use under this right is limited to a maximum of 240 range cattle.

Dated this 5th day of October, 1992.

J. Glen Saxton
Chief, Water Alloc. Bureau

PART 1

6. General Information:

a. Description of diversion system well, electric submersible pump, pipe, troughs, 40,000 gal
storage tank

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:

N/A

d. Remarks:

Project known as Dry Lake Pipeline

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 17-02107

And said application is hereby APPROVED, subject to the following limitations and conditions:
SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this 5th day of October, 19 92.

J. Glen Saylor
CHIEF, WATER ALLOC. BUREAU

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. 17-02107 (new#)
D 1341 (old#) 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 This Is Public Land.

3. Source of water groundwater (Wight Well) tributary to sinks4. Date or priority May 9, 1960

5. Water is used for the following purpose:

amount .05 CFS for Range livestock purposes from -- to --
(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 .05 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
		SW	SW	11	15S	30E	Oneida	Wight Well

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	30E	11											S						

Total acres _____

9. Describe any other water rights used for the same purpose as described above 17-07120

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)

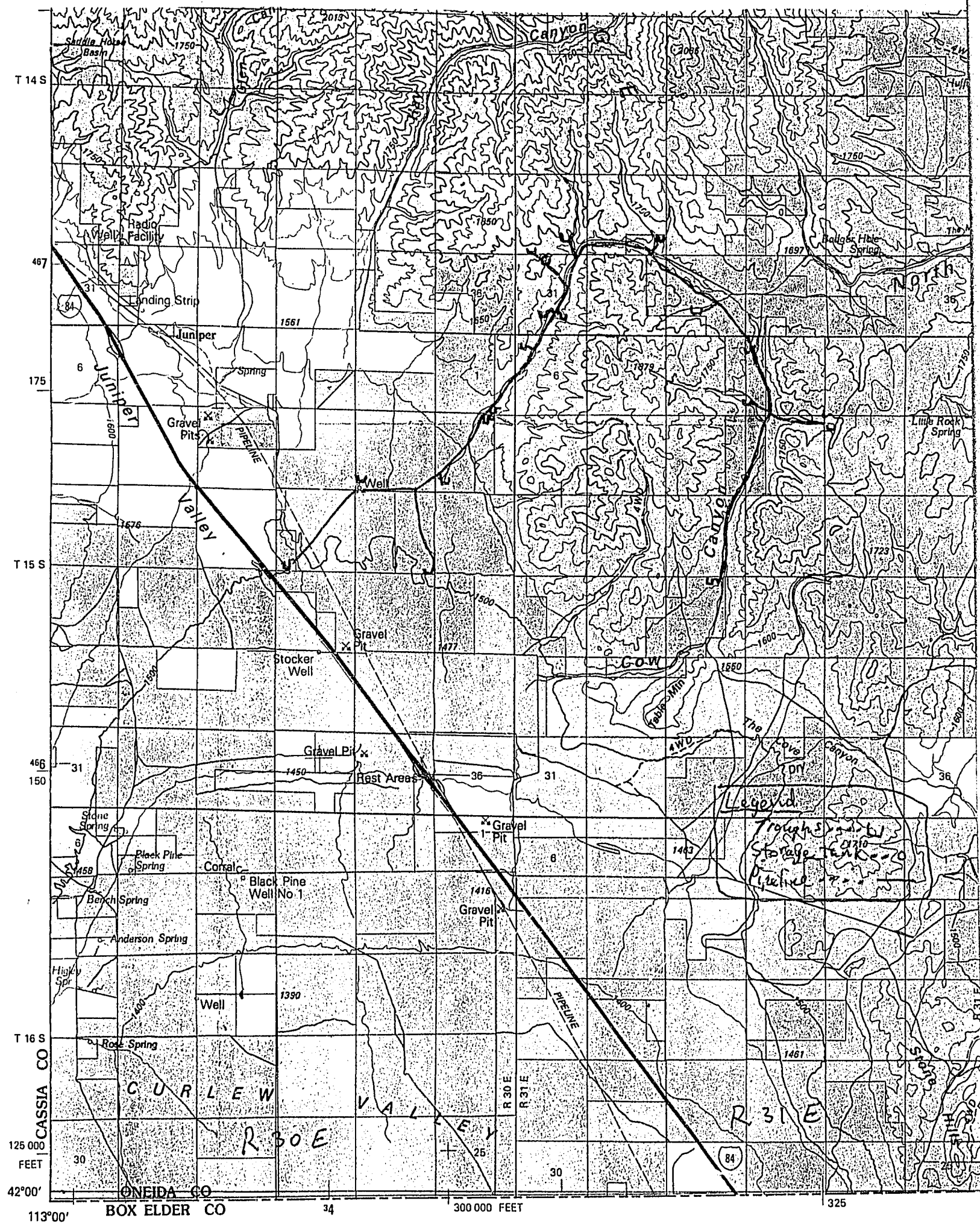
2. Point(s) of Diversion:

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.

REFER TO MAP

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

PART 3

B. CHANGES IN NATURE OF USE

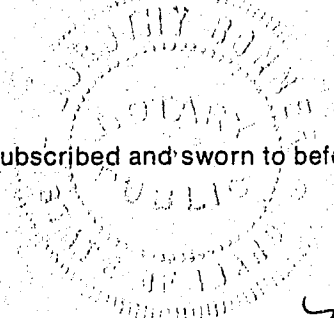
1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	_____	_____	_____	_____ to _____
	_____	_____	_____	_____ to _____

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.


Maurice B. Begley Associate District Manager
 (Signature of Applicant)
 Subscribed and sworn to before me this 26th day of February, 19 92
Dorothy Bonner
 (Notary Public)
 My commission expires March 1, 1998

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by OW Date 3-20-92 Protest filed by _____

Prelim. check by _____ Fee \$30⁰⁰ - E 017084 _____

Receipted by HUT Date 3-27-92 _____

Published in Idaho Enterprise Copies of protest forwarded by _____

Pub. dates 4-16 & 23-92 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

No 1432

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Oneida

ss.

Sandra Struks being duly sworn,
deposes and says: That she is the secretary of THE
IDAHO ENTERPRISE, a weekly newspaper published at Malad,
in the County of Oneida and State of Idaho; that said paper has
been and is in general circulation in the county aforesaid, and in
the vicinity of Malad; 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

April 16, 19 92, and ending
with the issue of April 23, 19 92

Sandra Struks

Fee \$ 50.63

Subscribed and sworn to before me this 8th day

of May, 19 92.

Susan J. Wottman
Notary Public, Residing at Malad, Idaho

My Commission Expires 2-9, 19 94

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT NO. 17-02107/D1341

Notice is hereby given that the
U.S. Bureau of Land management
has applied to the Department of
water Resources to add places of
use of the waters of a groundwater
source. The right sought to be
changed is evidenced by a license
and recorded as follows:

LICENSE NO. 17-02107/D1341
AMOUNT .05 cfs
PRIORITY: 5/9/1960
POINT(S) OF DIVERSION: SWSW
SEC 11 T15S R30E, (Wright Well)
Oneida County

The water is used for range cattle
within the SWSW SEC 11 T15S
R30E, B.M.

TO BE CHANGED AS FOLLOWS:

The water will be used from March 1
to November 30 within the SWSE
SEC 1 SWSW SEC 11 NWNE
SWSW SEC 12 SESE SEC 14
SWSW SEC 15 T15S R30E; NWNW
SWSW SEC 3 NWNW SEC 6
NWNW SEC 11 NWNE SEC 21
T15S R31E; SESE SEC 29 SESW
SWSE SEC 30 SESW SWSE SEC
31 NESW SEC 33 T14S R31E, B.M.

Any protests against the pro-
posed change must be filed with the
Idaho Department of Water Re-
sources, 150 Shoup Ave., Idaho
Falls, ID, 83402, on or before May 4,
1992.

R. Keith Higginson,
Director

No. 1432

4-16-23 T2

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. 17-02107/D1341

Notice is hereby given that the U.S. Bureau of Land Management has applied to the Department of Water Resources to add places of use of the waters of a groundwater source. The right sought to be changed is evidenced by a license and recorded as follows:

LICENSE NO. 17-02107/D1341 AMOUNT: .05 cfs

PRIORITY: 5/9/1960

POINT(S) OF DIVERSION: SWSW SEC 11 T15S R30E, (Wright Well)

Oneida County

The water is used for range cattle within the SWSW SEC 11
T15S R30E, B.M.

TO BE CHANGED AS FOLLOWS:

The water will be used from March 1 to November 30 within the
SWSE SEC 1 SWSW SEC 11 NWNE SWSW SEC 12 SESE SEC 14 SWSW
SEC 15 T15S R30E; NWNW SWSW SEC 3 NWNW SEC 6 NWNW SEC 11
NWNE SEC 21 T15S R31E; SESE SEC 29 SESW SWSE SEC 30 SESW
SWSE SEC 31 NESW SEC 33 T14S R31E, B.M.

Any protests against the proposed change must be filed with
the Idaho Department of Water Resources, 150 Shoup Ave., Idaho
Falls, ID, 83402, on or before May 4, 1992.

R. Keith Higginson
Director

Published in the Idaho Enterprise on April 16 & 23, 1992.

20-Apr-1992

US BLM
RR 3 BOX 1
BURLEY ID 83318

RE: Application No. 17-02107

Dear Water Right Applicant:

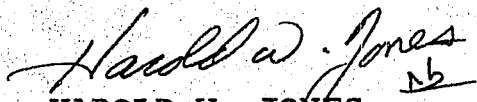
The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Idaho Enterprise on 4-16 & 23-92. The advertisement will be published for two consecutive weeks, and a period of ten days following the second 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 application 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
Water Rights Supervisor

HWJ/rb

ACTION REQUIRED

9-4-92

FROM: H.W. JONES - Eastern

TO: ~~Shed~~ Cattle File

As Ron & I reviewed this transfer applic., we saw the possibility of "expansion" in changing to so many new places of use. The original license has no stock number or limiting area so no comparison can be made. The existing herd size is 1900 head. It looks like the a.o.s. of flock is pumped into a storage tank & distributed to selected troughs to keep the cattle moving to different pastures. We have no firm objection however to approval of this transfer.

[Signature]

MEMORANDUM

TO: File 17-02107
FROM: Sharla
DATE: October 2, 1992
RE: Transfer Review (No. 4006)

The above referenced transfer proposes to add places of use under this right.

Advertising was completed correctly. The original license did not identify the number of stock; however, Skip's memo states that the current herd size is 1900 head. The rate of diversion under this right is not sufficient to supply this many head. The maximum number of head which can be supplied with this rate is 240. This limitation will be included in the transfer.

The transfer should be approved with the following conditions:

- T07 The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 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.
- R37 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.

Stockwater use under this right is limited to a maximum of 240 range cattle.



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

October 9, 1992

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
RR3, BOX 1
BURLEY ID 83318

RE: Transfer of Water Right No. 17-02107

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 4006). Be sure to note any conditions of approval as listed on the second page.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jim Johnson', with a long horizontal line extending to the right.

JIM JOHNSON
Water Rights Supervisor

JJ:ez

Enclosure



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

November 9, 1993

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
RR 3 BOX 1
BURLEY ID 83318

RE: Approved Transfer No. 4006/Water Right No. 17-02107

Dear Water Right Holder:

On October 5, 1992, the Department approved an application for transfer of the above referenced water right. A copy of the transfer as approved has been enclosed for your reference. One of the conditions of approval of this transfer was that the authorized change(s) be accomplished within one year of the date of approval.

Please complete and return the enclosed form to confirm that the transfer has been accomplished. If the approved transfer has not been completed or is only partially complete, please provide an explanation why the changes have not been made and give an expected date for completion. The form must be returned to this office within 14 days of the date of this letter. If you wish to return the form by FAX, the number is (208)327-7866.

Please contact me if you have questions concerning this matter.

Sincerely,

A handwritten signature in dark ink, appearing to be 'Jim Johnson'.

for JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
NOV 22 1993
Department of Water Resources

PROOF OF COMPLETED TRANSFER

The Idaho Department of Water Resources will consider this form as a statement regarding completion of the authorized water right(s) transfer.

1. Water Right No(s). 17-02107 (Wight Well)
Transfer No. 4006 (Dry Lakes Pipeline Extension #325543)
2. Name of Water Right Holder(s): Bureau of Land Management
Address: RR3, Box 1 Burley, Idaho 83318
3. Water right transfer authorized by Department is:
(check appropriate space or provide description)
Complete X Not Complete _____
Partially Complete (describe work completed) _____

4. If the transfer has not yet been completed or is only partially complete, please provide a statement why the authorized change(s) have not been accomplished and the date which you expect the change(s) to be complete: _____

5. I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in Department action rescinding the approved water right(s) transfer.
James Kummer Acting Area Manager (Deep Creek) 17 Nov 93
Signature Date
(& title if on behalf of a company or organization)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5212

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

FEB 23 1991

Department of Water Resources
Eastern RegionName of applicant U.S. Bureau of Land Management Phone (208) 766-4766
Post Office address 138 S. Main, Malad City, ID, 83252

RECEIVED

APR 29 1991

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 Add places of use.

Department of Water Resources

2. Describe the reason for the proposed changes A pipeline is being constructed within a grazing allotment to provide additional sources of stockwater. Additional water will facilitate livestock distribution and more uniform grass utilization.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
17-02107	May 9, 1960	.05 cfs	stockwater	3/1 to 11/30

2. Total amount of water being transferred .05 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water ground water (Wight Well) tributary to sinks

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	11	15 S	30 E	Oneida	Wight Well

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	
16 S	30 E	1															S		
16 S	30 E	11											S						
16 S	30 E	12		S									S						
16 S	30 E	14																S	
16 S	30 E	16											S						
16 S	30 E	24							S										
16 S	31 E	3						S					S						
16 S	31 E	6						S											
16 S	31 E	11						S											
16 S	31 E	21		S															
14 S	31 E	29																S	
14 S	31 E	30												S			S		
14 S	31 E	31												S			S		
14 S	31 E	33								S									
14 S	31 E	27																	
14 S	31 E	22																	

Total Acres _____

PART 1

Transfer No. 5212

6. General Information:

a. Description of diversion system Well, electric submersible pump, pipe, troughs, 40,000 gallon storage tank.

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 or 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:

Not applicable.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Applications 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

TRANS NO. 5212

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 17-02107

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.05 CFS	3.2 AF

SOURCE

GROUNDWATER

Priority: 05/09/1960

LOCATION OF POINT(S) OF DIVERSION:SWSW , Sec. 11, Township 15S, Range 30E
ONEIDA CountyPLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		
14S	31E	29	SESE	
		30	SESW	SWSE
		31	SESW	SWSE
		33	NESW	
15S	30E	1	SWSE	
		11	SWSW	
		12	NWNE	SWSW
		14	SESE	
		15	SWSW	
	31E	3	NWNW	SWSW
		6	NWNW	
		11	NWNW	
		21	NWNE	

CONDITIONS/REMARKS:

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.
4. Stockwater use under this right is limited to a maximum of 240 range cattle.

PART 3

B. CHANGES IN NATURE OF USE

1. New Nature of Use Amount Hours/days/year period of use
(cfs/ac-ft)

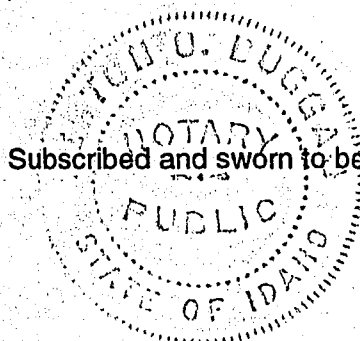
_____ to _____
_____ to _____

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.



Jeff A. Smith
(Signature of Applicant)

Subscribed and sworn to before me this 15 day of January, 19 99.

Walter O. Tuggan
(Notary Public)

My commission expires 11/1/99

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by HWT Date 2-24-98 Protest filed by _____

Prelim. check by _____ Fee \$100.00

Receipted by HWT #E023912 Date 2-24-98

Published in Idaho Enterprise Copies of protest forwarded by _____

Pub. dates March 5 & 12, 1998 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer to lien holder _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5212
WATER RIGHT NO. 17-02107

This is to certify that: US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
138 S MAIN
MALAD CITY ID 83252

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	03/01 to 11/30	0.05 CFS	3.2 AF

SOURCE

GROUNDWATER

Priority: 05/09/1960

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 11, Township 15S, Range 30E
ONEIDA County

PLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		
14S	31E	22	NWSW	
		27	NWSE	
		29	SESE	
		30	SESW	SWSE
		31	SESW	SWSE
		33	NESW	
15S	30E	1	SWSE	
		11	SWSW	
		12	NWNE	SWSW
		14	SESE	
		15	SWSW	
		24	SESW	
31E	3		NWNW	SWSW
	6		NWNW	
	11		NWNW	
	21		NWNE	

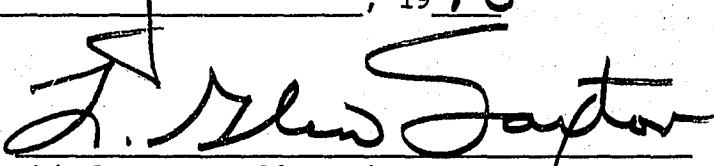
PAGE 2

TRANSFER NO. 5212
WATER RIGHT NO. 17-02107

CONDITIONS OF APPROVAL AND REMARKS

1. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Dated this 15th day of May, 1998


Chief, Water Allocation Bureau

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. T5212

Notice is hereby given that US Dept of Interior, Bureau of Land Management, 138 S Main, Malad City, ID 83252, has applied to the Department of Water Resources to change period of use and add a place of use of the waters of a groundwater source. The right sought to be change is evidenced by a license and recorded as follows:

License No.: 17-02107 Source: Groundwater
Amount: 0.05 cfs Priority: 05/09/1960
Point(s) of Diversion: SWSW SEC 11 T15S R30E, ONEIDA COUNTY

The water is used for stockwater from 01/01 to 12/31 within the SEC 29, 30, 31, 33 T14S R301, B.M. and SEC 1, 11, 12, 14, 15 T15S R30E, B.M. and SEC 3, 6, 11, 21 T15S R31E B.M.

TO BE CHANGED AS FOLLOWS:

The applicant intends to add water troughs to system in SENW SEC 24 T15S R30E and the NWSE SEC 27 and NWSW SEC 22 T14S R31E.

Any protests against approval of the proposed changed 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 March 23, 1998. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER
Director

Published in the Idaho Enterprise on March 5 and 12, 1998.



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

February 25, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

IDAHO ENTERPRISE
PO BOX 205
MALAD CITY ID 83252

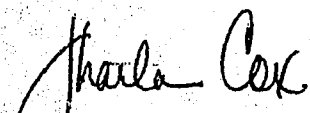
Dear Publisher:

Enclosed you will find a legal notice which we wish to have published on the dates indicated in your newspaper. If you cannot publish the notice on the proposed dates, 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 March 23, 1998.

Yours truly,


Sharla Cox
Secretary

Enc.

2413

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
COUNTY OF ONEIDA)

Kristine D. Smith, begin duly sworn, deposes and says:
That she is the publisher of *THE IDAHO ENTERPRISE*, a weekly newspaper published at Malad, in the County of Oneida and State of Idaho; that said newspaper has been and is in general circulation in the county aforesaid, and in the vicinity of Malad; 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 newspaper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said newspaper 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 the issue of 3-5, 1998, and ending with the issue of 3-12, 1998.

Kristine D. Smith

STATE OF IDAHO)
)
COUNTY OF ONEIDA)

On this 2 day of April in the year of 1998, before me, Susan J. Wittman, a Notary Public, personally appeared Kristine D. Smith, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Susan J. Wittman
Notary public for Idaho
Residing at Malad, Idaho
My commission expires: 2-9-2000

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT NO. T5212

Notice is hereby given that US Dept of Interior, Bureau of Land Management, 138 S Main, Malad City, ID 83252, has applied to the Department of Water Resources to change period of use and add a place of use of the waters of a groundwater source. The right sought to be change is evidenced by a license and recorded as follows:

License No.: 17-02107
Source: Groundwater
Amount: 0.05 cfs
Priority: 05/09/1960
Point(s) of Diversion: SWSW SEC 11 T15S R30E, ONEIDA COUNTY
The water is used for stockwater from 01/01 to 12/31 within the SEC 29, 30, 31, 33 T14S R301, B.M. and SEC 1, 11, 12, 14, 15 T15S R30E, B.M. and SEC 3, 6, 11, 21 T15S R31E B.M.

TO BE CHANGED AS FOLLOWS:

The applicant intends to add water troughs to system in SENW SEC 24 T15S R30E and the NWSE SEC 27 and NWSW SEC 22 T14S R31E.

Any protests against approval of the proposed changed 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 March 23, 1998. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER
Director

Published in the Idaho enterprise on March 5 and 12, 1998.

APR 6 1998

Department of Water Resources
Eastern Region

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KARL J. DREHER
Director
Published in the Idaho enterprise on March 5 and 12, 1998.

MEMORANDUM

TO: File 17-02107

FROM: Pam Skaggs/State Office *CS*

SUBJECT: Transfer 5212 *OK J*

DATE: May 14, 1998

Transfer 5212 changes the place and season of use under Right 17-02107.

The applicant, BLM, is adding 3 additional water trough sites to facilitate livestock distribution and more uniform grazing. A more specific season of use than the original year round season of use has been identified by the applicant more accurately reflecting actual stockwater use. ✓

Recommended conditions includes the right being limited to actual beneficial use with any overlapping stockwater rights and standard transfer conditions. ✓

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

May 18, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
138 S MAIN
MALAD CITY ID 83252

RE: Water Right 17-02107 (Transfer 5212)

Dear Water Rights Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water right (Transfer 5212). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a preliminary order of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to Preliminary Orders if you are in disagreement with the approved transfer.

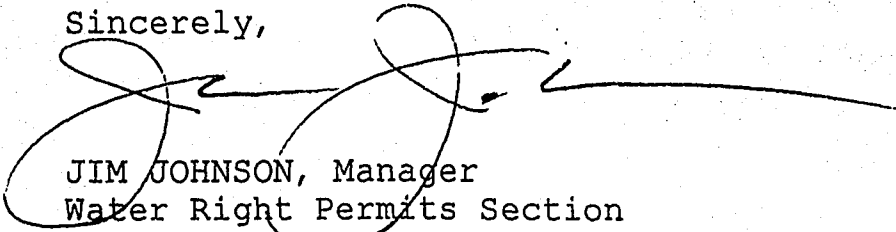
As of July 1, 1996, all water right owners are required to report any change in water right ownership and any change of mailing address to the department.

If you have acquired any other water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to record the ownership and/or address change with the department.

If you acquired other water rights or changed your mailing address AFTER July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes in a timely manner could result in a \$100 late filing fee. You can contact any office of the department for more information. If you have any questions concerning your water right listed above you can contact me at (208) 327-7947.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

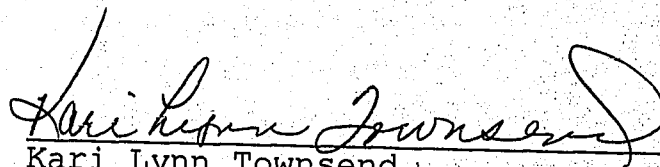
JJ:klt
Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 18th day of May, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

WATER RIGHT 17-02107 (Transfer 5212)

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
138 S MAIN
MALAD CITY ID 83252


Kari Lynn Townsend
Secretary