

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 22-13166 V1

WATER RIGHT NUMBER: 22-13166 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CEDRON IRRIGATION CORP C/O LARELL KUNZ 434 W 525 SOUTH VICTOR, ID 83455 (208)354-2554

Priority Date: 10/03/1966

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/15	0.220 CFS	56.00 AF
	<u>Total Diversion:</u>	0.220 CFS	56.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4NW1/4	Sec. 19, Twp 04N, Rge 45E, B.M.
TETON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	45E	18																	20.0
																			20.0

Total Acres: 20

Conditions of Approval:Remarks:

- General Approval of Transfer 69064 is not a confirmation of the validity of this water right and does not preclude the opportunity for review in the ongoing Snake River Basin Adjudication.
- General Rights 22-13166 and 22-13168 when combined shall not exceed a total diversion rate of 0.22 cfs and the irrigation of 20 acres.
- General This right is limited to the irrigation of 16 acres within the place of use described above in a single irrigation season.
- General The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

A2213166



IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 22-13166 V1

Comments:

1. PSKAGGS 10/17/2001 10:22:13 AM Transferred Right
Comment: This is now a approved transfer, transfer number = 69064

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre: 0.02
Generic Max Volume Per Acre: 3.5
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

WATER RIGHT NO. 22-13166
As Modified by Transfer No. 69066

In accordance with the approval of Transfer No. 69066, Water Right No. 22-13166 is now described as follows.

Right Holder: CEDRON IRRIGATION CORP
 C/O LARELL KUNZ
 434 W 525 SOUTH
 VICTOR ID 83455

Priority Date: 10/03/1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to 10/15	0.22 CFS	38.5 AF
		0.22 CFS	38.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNE	Sec. 11 Twp 04N	Rge 45E	TETON County
GROUND WATER	SWNE	Sec. 11 Twp 04N	Rge 45E	TETON County
GROUND WATER	SWNE	Sec. 11 Twp 04N	Rge 45E	TETON County
GROUND WATER	NWSE	Sec. 11 Twp 04N	Rge 45E	TETON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 45E 11			6.0												5.0		11.0

Total Acres: 11

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

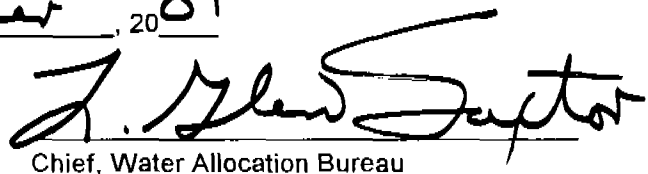
WATER RIGHT NO. 22-13166
As Modified by Transfer No. 69066

CONDITIONS OF APPROVAL

7. The total instantaneous diversion of water from all points of diversion under Rights 22-13166 and 22-13168 shall not exceed 0.22 cfs, nor total combined annual volume of 38.5 af.
8. Rights 22-13166 and 22-13168 when combined shall not exceed a total diversion rate of 0.22 cfs, a total annual maximum diversion volume of 38.5 af at the field headgate, and the irrigation of 11 acres.
9. This right is limited to the irrigation of 11 acres within the place of use described above in a single irrigation season.
10. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
11. The right holder shall cease irrigation of 9 acres previously authorized under rights 22-13166 and 22-13168, and consolidate use of water on the remaining 11 acres.
12. The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 30th day of October, 2001


Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69064

RECEIVED

NOV 01 2001

Department of Water Resources
Eastern Region

This is to certify that: CEDRON IRRIGATION CORP
C/O LARELL KUNZ
434 W 525 SOUTH
VICTOR ID 83455
(208)354-2554

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
22-2169	AJC/License	06/19/1958	1.54 cfs		77.0	418.0	GROUND WATER
22-2280D	AJC/License	10/03/1966	4.63 cfs		341.0	418.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

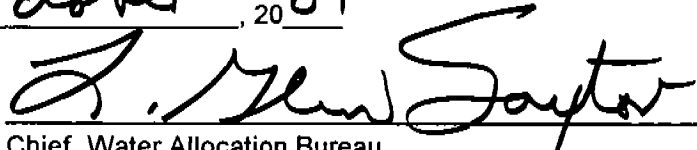
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
22-2169	YES	YES	YES	NO	NO	NO
22-2280D	YES	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
22-2169	22-13169	1.47 cfs	252.0 af	72.0	396.0	22-13168	0.07 cfs	14 af	4.0	20.0
22-2280D	22-13167	4.41 cfs	1134.0 af	324.0	396.0	22-13166	0.22 cfs	56 af	16.0	20.0
TOTALS		4.41 cfs	1386 af	396	396		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 17th day of October, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 22-13166
As Modified by Transfer No. 69064

In accordance with the approval of Transfer No. 69064, Water Right No. 22-13166 is now described as follows.

Right Holder: CEDRON IRRIGATION CORP
 C/O LARELL KUNZ
 434 W 525 SOUTH
 VICTOR ID 83455

Priority Date: 10/03/1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/15	0.22 CFS	56.0 AF
			0.22 CFS	56.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSENW Sec. 19 Twp 04N Rge 45E TETON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 45E 18												20.0					20.0

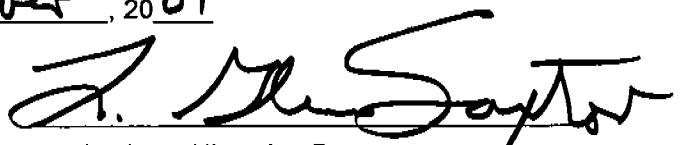
Total Acres: 20

CONDITIONS OF APPROVAL

1. Rights 22-13166 and 22-13168 when combined shall not exceed a total diversion rate of 0.22 cfs and the irrigation of 20 acres.
2. This right is limited to the irrigation of 16 acres within the place of use described above in a single irrigation season.
3. Approval of Transfer 69064 is not a confirmation of the validity of this water right and does not preclude the opportunity for review in the ongoing Snake River Basin Adjudication.
4. The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 17th day of October, 2001


 Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 69064

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of Applicant Cerbon Irrigation Corp. c/o LaRell Kunz Phone (208) 354-2554Post Office address 434 W 525 S Victor ID 83455

A. PURPOSE OF TRANSFER

- 1.
- ☐
- Change point of diversion
- ☐
- Add diversion point(s)
- ☒
- Change place of use

☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes
- Water is being moved off land sold without water & moved to land historically irrigated.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
A <u>22-2280 D</u>	<u>10/03/1966</u>	<u>4.41</u>	<u>Irrigation</u>	<u>4-15</u> to <u>10-15</u>
A <u>22-2169</u>	<u>6/19/1953</u>	<u>1.47</u>	<u>Irrigation</u>	<u>4-15</u> to <u>10-15</u>

2. Total amount of water being transferred
- *4.41
- cubic feet per second and/or _____ acre-feet per annum.

3. Source of water
- Groundwater
- tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	SW	SE	NW	19	4N	4SE	Teton	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	4SE	18							40		40	40			40	40	40		240
									#2			#3							
4N	4SE	19			40	40			40										156

* Non-additive cfs

Total Acres 396

PART 1

Transfer No. 129064

6. General Information:

a. Description of diversion system Well, pump pipeline & sprinkler 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 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:
Land was sold without water rights & has been subdivided.

d. Remarks:
Corporation officers are;
Monroe Dustin President
LaRell Konz Secretary.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

And the said application is hereby _____ subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____

For the Director

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T69064

04/06/2001

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

ADJUDICATION CLAIM NO. 22-2280D

Priority Date: 10/03/1966
Basis: License
Status: Active

Source
GROUND WATER

Tributary to

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/15	4.63 CFS	1003.5 AFA	
Total Diversion			4.63 CFS		

Location of Point(s) of Diversion:

GROUND WATER SWSSENW Sec. 19 Township 04N Range 45E TETON County

IRRIGATION Use:
Acre Limit: 341

Place(s) of use:

Place of Use Legal Description: IRRIGATION

TETON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	45E	18	2	SWNW	37									
				NESW	40	3	NWSW	39	4	SWSW	38			
				NESE	39		NWSE	40		SWSE	39			
		19		NWNE	38		SWNE	39						
				NENW	39		SENW	30						

Total Acres: 418

Remarks:

1. USE OF THIS RIGHT WITH RIGHT NO. 22-2169 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.63 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1463 AF. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 341 ACRES.

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

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	SE	SE	NW	19	4N	4SE	Teton.	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	4SE	18							37		40	39	18		39	40	39		252
									42			43	44						
		19		38	39		39			30									146

Total Acres 398

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

1. amount 0.22 for Irrigation purposes from 4-15 to 10-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	SW	SE	NW	19	4N	4SE	TETON.	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	4SE	18											20						20

Total Acres 20

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04/05/2001

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

ADJUDICATION CLAIM NO. 22-2169

Priority Date: 06/19/1958
Basis: License
Status: Active

Source Tributary to
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/15	1.54 CFS		
Total Diversion			1.54 CFS		

Location of Point(s) of Diversion:

GROUND WATER SWSNW Sec. 19 Township 04N Range 45E TETON County

IRRIGATION Use:
Acre Limit: 77

Place(s) of use:

Place of Use Legal Description: IRRIGATION TETON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	45E	18	2	SWNW	37									
				NESW	40	3	NWSW	39	4	SWSW	38			
				NESE	39		NWSE	40		SWSE	39			
		19		NWNE	38		SWNE	39						
				NENW	39		SENE	30						

Total Acres: 418

Remarks:

1. USE OF THIS RIGHT WITH RIGHT NO. 22-2280D IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.63 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1463 AF. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 77 ACRES.

Describe any other water rights used for the same purposes as described above. 22-2280D

No portion of this right has undergone 5 years of non-use.

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

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	SW	SE	NW	19	4N	45E	Teton	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	45E	18							37		40	39	18		39	40	39		252
									12			13	14						
		19		38	39		39			30									146

Total Acres 398

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

1. amount 0.07 cfs for Irrigation purposes from 4-15 to 10-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	SW	SE	NW	19	4N	45E	Teton	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	45E	18											20						20

Total Acres 20

T04N R45E

SWNW

18

NWSW

NESW

NWSE

NESE

SWSW

SWSE

SESE

NENW

NWNE

SENW

SWNE

19

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T69064

T04N R45E

SWNW

18

NWSW

NESW

NWSE

NESE

SWSW

SWSE

SESE

NENW

NWNE

SENW

SWNE

19

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PART 3

B. CHANGES IN NATURE OF USE

1.

New Nature of Use	Amount(cfs/af-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.

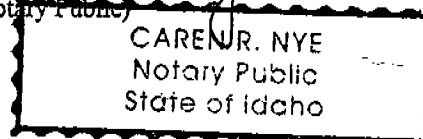
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Mona Lustig Pres
 (Signature of Applicant) Title

Subscribed and sworn to before me this 16 day of April, 20 01

John R. Nye
 (Notary Public)

My commission expires 03/20/06



FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 6 attachments

Received by Ernie Date 4-11-01 Protest filed by _____

Prelim. Check by Kaw 4/20/01 Fee \$410.00

Receipted by CV Date 4-11-01 ED210636

Published in Teton Valley Copies of protest forwarded by _____

Pub. Dates May 3 & 10, 2001 Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____