



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 13, 2002

Joyce Orders
1744 S. Hwy 91
Inkom, ID 83245-1700

RECEIVED

FEB 19 2002

Department of Water Resources
Eastern Region

REF: Claim 29-4029

1. ?
→ 29-04042

Subject: Transfer 2346

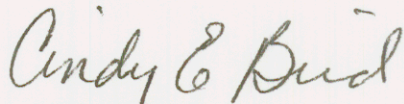
Dear Joyce,

I enjoyed meeting you today and wanted to follow up with our discussion on water right 29-4029. You explained that the water has been used in the NENE, SENE, NWSE and the SWSE of section 11, township 8 south, range 36E and has been for quite some time. As I explained to you, your Snake River Basin Adjudication claim wasn't filed with the correct place of use and will need to be corrected to reflect this information. You thought that a transfer had been filed on this claim before a portion of it was sold off and you stated that the water right didn't go with the sale of the property. The Director of Water Resources approved this transfer in May of 1975. This verifies what we had discussed about the change in place of use. I've included a copy of the transfer for your records. Question 8 describes the original irrigated acres and question 11 describes the irrigated acres after the transfer. Page 3 of the transfer graphically shows the highlighted irrigated acres after the approved transfer. You still might want to locate your warranty deed to see if the water was excluded in the sale of the property or to verify the sale was after the water had already been transferred off the land.

Allen Ruberry will be reviewing these claims so I'm also sending this information to him. He may already have this information but if he doesn't it will be helpful in his review of these claims. Allen will be out this field season sometime to take a look at the acres that you are irrigating under this water right. At that time if you have any additional information or question for Allen you can discuss it at that time.

If you have any further questions, please don't hesitate to call Allen Ruberry at 525-7161 or myself at 547-3993.

Sincerely,

A handwritten signature in cursive script that reads "Cindy E. Bird". The signature is written in dark ink and is positioned above the printed name.

Cindy E. Bird

Cc: Allen Ruberry-Eastern Region

Enclosure: Copy of transfer 2346

9. If applicant was not the original holder of this right explain how it was acquired: _____

10. CHANGE IN POINT OF DIVERSION NO CHANGE

a. Quantity to be diverted at new point: _____ c.f.s. and/or _____ acre feet

b. New point of diversion: _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____, Township _____
Range _____, B.M.

c. Description of method of diversion and conveyance from new points of diversion: _____

d. Is water to be conveyed to the lands previously irrigated? Yes _____ No _____

If not, the place of use should be changed below.

e. Describe the reasons for applying for a change in the point of diversion:

f. Do you intend to make the transfer permanent? _____

g. Do you intend to abandon completely the old point of diversion? _____

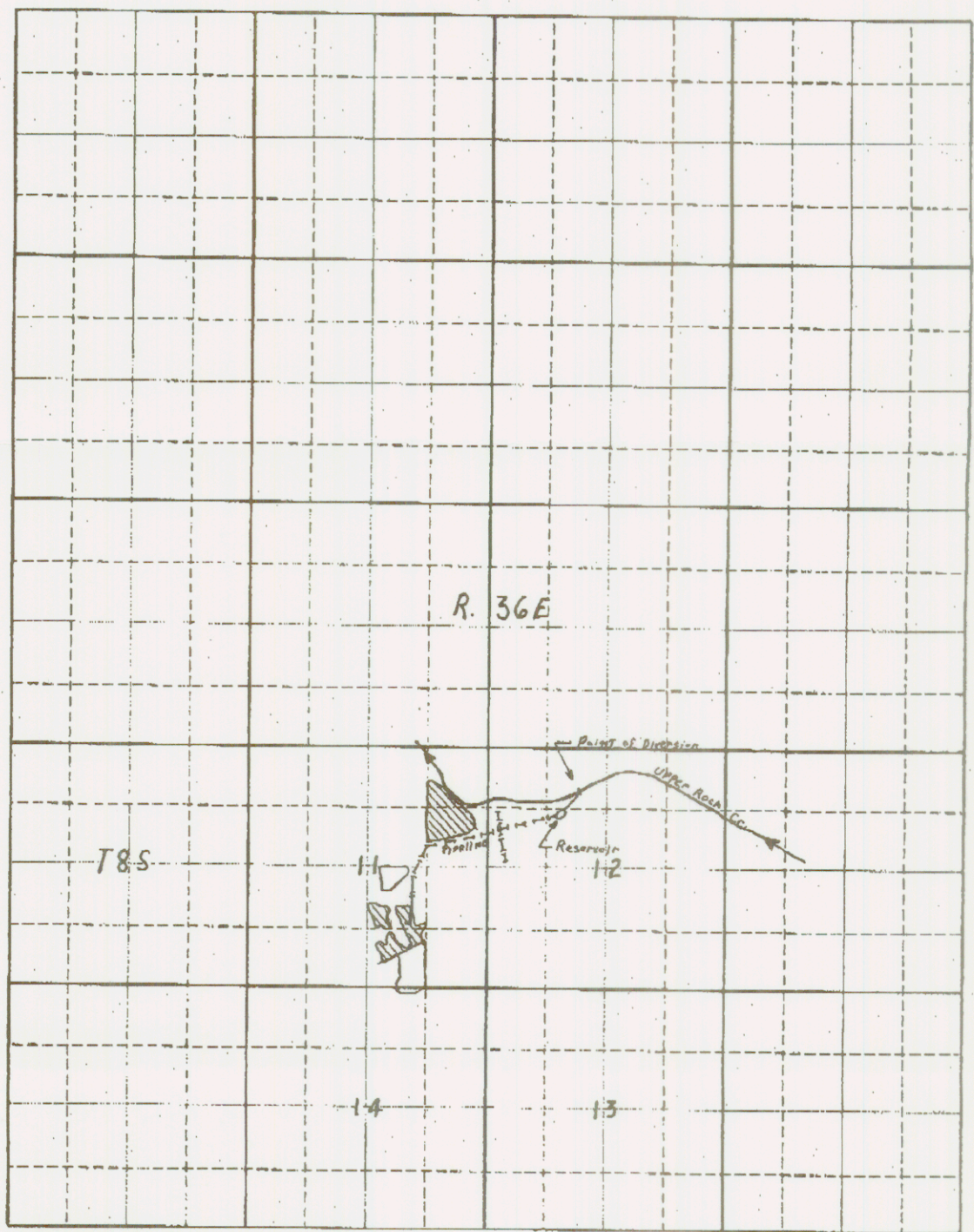
h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

a. Describe the new lands on which you wish to use your right.

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 $\frac{1}{4}$	
8S.	36E	11	5			13.7									7.6	5.5			31.8

Total number of acres to be irrigated 31.8



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

- b. Do you intend to make the transfer permanent? Yes
- c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:
This transfer will remove water from 18.7 acres of the land previously
irrigated and apply it to 18.7 acres within the SE 1/4, Sec. 11.
- d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right:
Decreed right from Upper Rock Creek.
- e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Paul J. Rupp
 (signature of applicant)

Subscribed and sworn to before me this 14th day of APRIL, 1975

Ronald D. Carter
 (notary public)

My commission expires 2/14/78

**ACTION OF STATE RECLAMATION ENGINEER
 AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 29-4042

and said application is hereby APPROVED

- Approval of said application is subject to the following limitations and conditions:
A measuring device of a type approved by this Department shall be permanently
installed and maintained as part of the diverting works.
- Denial of said application is for the following reasons: _____

Witness my hand this 28 day of May, 1975

[Signature]
 DIRECTOR

FOR DEPARTMENT USE ONLY

Received by <u>MB</u>	Date <u>4-14-75</u>	Protest filed by:	Date
Prelim. check by <u>RDC</u>	Date <u>4/14/75</u>		
Fee received by <u>MB</u>	Date <u>4-14-75</u> Fee <u>\$10.⁰⁰</u>		
	<u>#4198</u>		
Approved for publication by <u>W. - 5/19/75</u>			
Published in <u>State Engineer's Mag 1-2-1975</u>			
Hearing held			
Watermaster Recommendation sent <u>Massie Letter #29-4-29-75</u>			