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Identification No. 22 0326

Transfer No. *1829

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

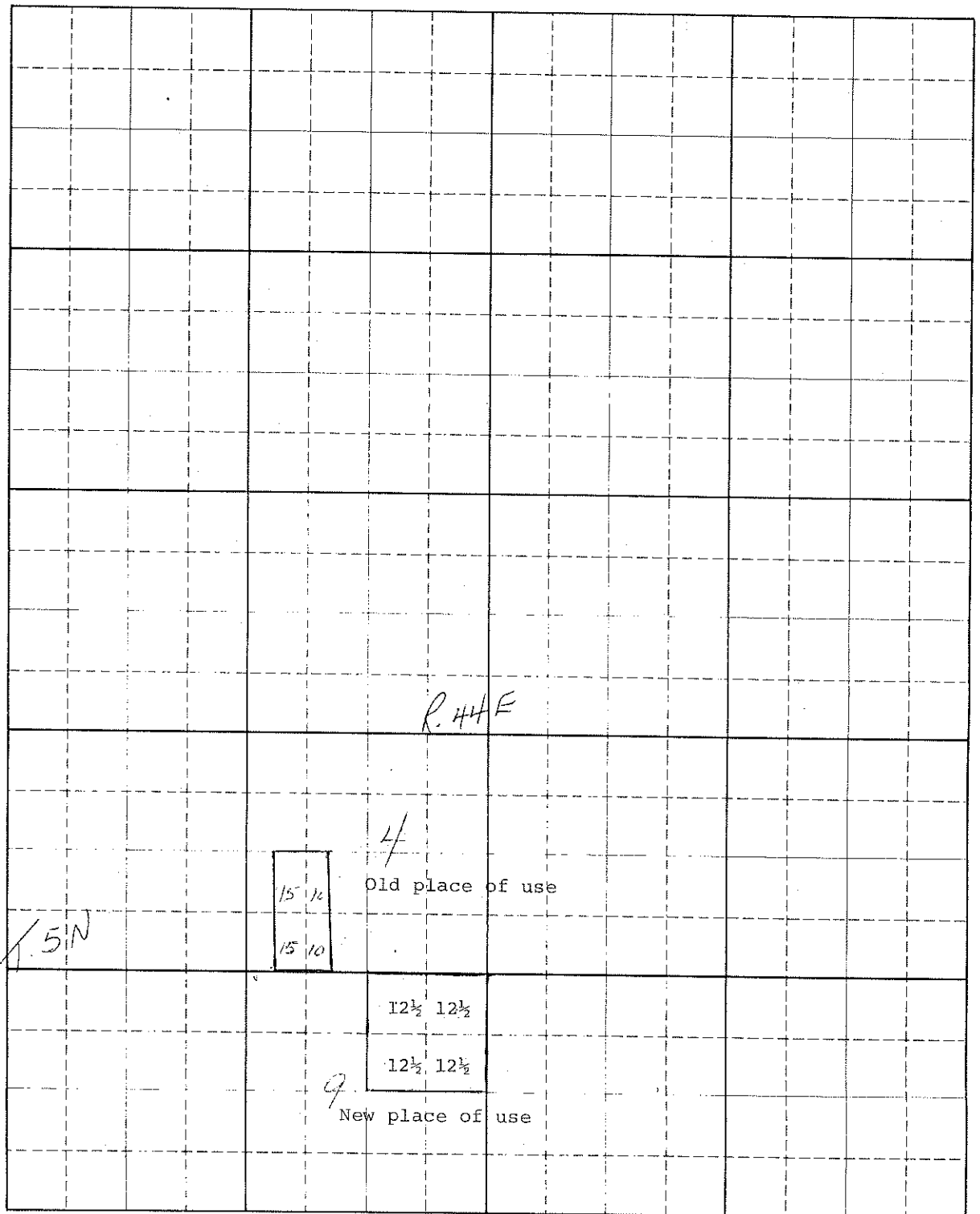
APPROVED

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

1. Name of Right Holder DONALD W. Jardine and Belle Jardine, husband and wife
Post office address Tetonia, Idaho 83452
 2. Right obtained by:
 - a. Decree to William Hill in Case of Rexburg Irrigation Company
(Name) tion Canal Company
vs. Teton Irriga-/, Dated 12-16-1910 in Sixth Judicial District
Court. County of Fremont (Name of Court)
 - b. License No. _____ issued by the State of Idaho, Department of Reclamation.
 3. Source of water Pack Saddle Creek tributary to Teton River
(Name of stream or source)
 4. Date of Priority April 5, 1889
 5. Amount of water a. 1.0 of 5.6 c.f.s. and/or
b. _____ acre feet/annum
 6. Water is used for irrigation from April 1 to November 1
(Month, Day) (Month, Day)
 7. Original location of point of diversion is _____ 1/4 _____ 1/4 of Section _____
Township _____, Range _____, B.M., in Teton County;
- Additional points of diversion, if any Water is presently diverted by Pack Saddle Water Corporation in the SW 1/4 of Section 8, Township 5 North, Range 44 East, Boise Meridian and conveyed to the land by an irrigation pipeline system; after the change in place of use, it will continue to be diverted by said corporation and conveyed to the new land.
8. Lands presently irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5 N	44 E	4	1. Lands to be affected by the transfer:																50
			2. Remainder of lands under this right:																
	5N	44E	9					40											40
	"	"	4	40							30	25	25	30			40		190

Total number of acres presently irrigated 280



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

7. Applicant was not the original holder of this right ex. how it was acquired: By warranty deed from Don Jardine and Belle Jardine, husband and wife, and Vernal Kay and Merle Kay, husband and wife, copy of which is attached, who in turn acquired it by a chain of conveyances from the original owner.

10. CHANGE IN POINT OF DIVERSION

- a. Quantity to be diverted at new point: 1 c.f.s. and/or _____ acre feet
- b. New point of diversion: 1/4 1/4, Section _____, Township _____, Range _____, B.M. _____
- c. Description of method of diversion and conveyance from new points of diversion: Continue to be diverted by Pack Saddle Water Corporation and will be conveyed by its irrigation pipeline system
- d. Is water to be conveyed to the lands previously irrigated? Yes X 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: Applicant has made an exchange with Vernal Kay by conveying to Vernal Kay his one-half interest, without water rights, in the land previously irrigated, and by transferring to Vernal Kay 50 inches of water in Pack Saddle Creek with priority right of June 1, 1895, previously decreed to Moroni Caldwell. Vernal Kay is making application to transfer that decreed water to the land previously irrigated by the water right in this application.
- f. Do you intend to make the transfer permanent? Yes
- g. Do you intend to abandon completely the old point of diversion? Vernal Kay will irrigate from the right transferred to him, the land previously irrigated by this right.
- 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 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	
5 No	44E	9	12 1/2	12 1/2	12 1/2	12 1/2													50
5 No	44E	9	12 1/2	12 1/2	12 1/2	12 1/2													50
The remainder of the right will be used as decreed.																			

Total number of acres to be irrigated 50

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:

No, I have conveyed the land previously irrigated by this right to Vernal Kay, and have transferred to him a later water right, under priority of June 1, 1895, and he will irrigate by that later water right.

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this

right: On this and other land described on the attached deed, applicant has an additional 65 inches, priority April 5, 1889, from William Hill; 110 inches, priority June 1, 1891, from Mary Ann Hill; and 110 inches, priority June 1, 1895, from Moroni Caldwell, all from Pack Saddle Creek in the Rexburg Irrigation Decree.

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.

Donald R. Gardine
Delle Gardine
(signature of applicant)

Subscribed and sworn to before me this 25th day of June, 1975
John S. Strickland
(notary public)

My commission expires 4/80

ACTION OF STATE RECLAMATION ENGINEER AND CERTIFICATE OF TRANSFER

This is to certify that I have examined Application for Transfer of Water Rights No. 1829/22-0326

and said application is hereby APPROVED

1. 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 maintained as part of the diverting works.

2. Denial of said application is for the following reasons:

Witness my hand this 18 day of August, 19 75

R. Keith Higginson
R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

FOR DEPARTMENT USE ONLY

Received by MB Date 6-27-75 Protest filed by: _____ Date _____
Prelim. check by LH Date 7-11-75 _____
Fee received by CW Date 7-11-75 Fee \$30.00 _____
Approved for publication by CW 8-01-75 # 4331 _____
Published in Idaho Valley News Dates July 24-31, 1975 _____
Hearing held _____
Watermaster Recommendation sent A.D. #01 Art Larson