

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 22-7406 V1

WATER RIGHT NUMBER: 22-7406 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BRUCE J ARNOLD PO BOX 67 TETONIA, ID 83452 (208)456-2537

Priority Date: 06/24/1982

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
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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	3.270 CFS	1,193.40 AF
	<u>Total Diversion:</u>	3.270 CFS	1,193.40 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NW1/4	Sec. 5, Twp 06N, Rge 43E, B.M.
MADISON County		
GROUND WATER	SE1/4SE1/4	Sec. 29, Twp 07N, Rge 43E, B.M.
MADISON County		
GROUND WATER	SW1/4SW1/4	Sec. 5, Twp 06N, Rge 43E, B.M.
MADISON 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	
06N	43E	5	31.0	29.0	38.0	38.0	31.0	29.0	36.0	40.0	30.0	25.0	35.0	40.0					402.0
			L 1	L 2			L 3	L 4											
07N	43E	27					40.0	40.0	40.0	40.0									160.0
07N	43E	28	40.0	40.0	40.0	40.0	34.0	40.0	40.0	40.0	40.0	40.0	40.0	35.0					469.0
07N	43E	29	40.0	34.0	34.0	40.0									40.0	35.0	35.0	40.0	298.0

Total Acres: 1329

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 22-7406 V1

1. K06 This right is limited to the irrigation of 468 acres within the place of use described above in a single irrigation season.
2. S37 The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
3. E56 The rights listed below are limited to the irrigation of a combined total of 1329 acres in a single irrigation season. Combined Right Nos.: 22-7127, 22-7222, 22-7406.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:Comments:

1. dcarlson 4/27/2006 after transfer
 Comment: 4866

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: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		1329
Combined Water Rights: 22-7127 , 22-7406 , 22-7222		

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			04/27/2006	dcarlson	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	4/27/2006 8:52:23 AM	dcarlson	Updated shape
3D	4/27/2006 8:51:33 AM	dcarlson	Updated shape

04/27/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-7406

BRUCE J ARNOLD

PO BOX 67

TETONIA ID 83452

Telephone Number: (208)456-2537

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 10-16-06

SIGNATURE: Bruce J Arnold

Please print your name: BRUCE J ARNOLD

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

KAT
10/30



Idaho Department of Water Resources

Adjudication Claim:

22-7127

22-7222

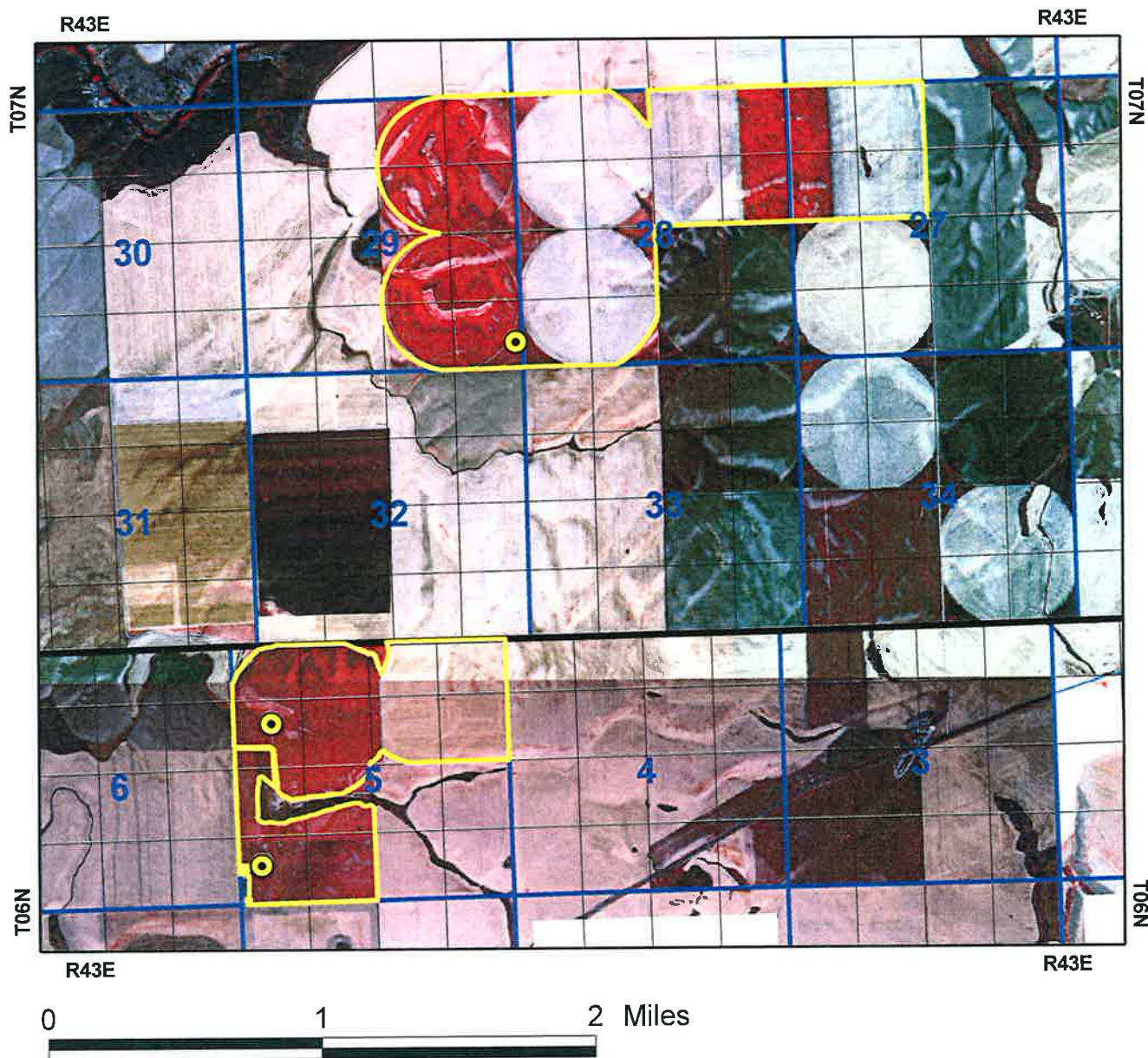
22-7406

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters

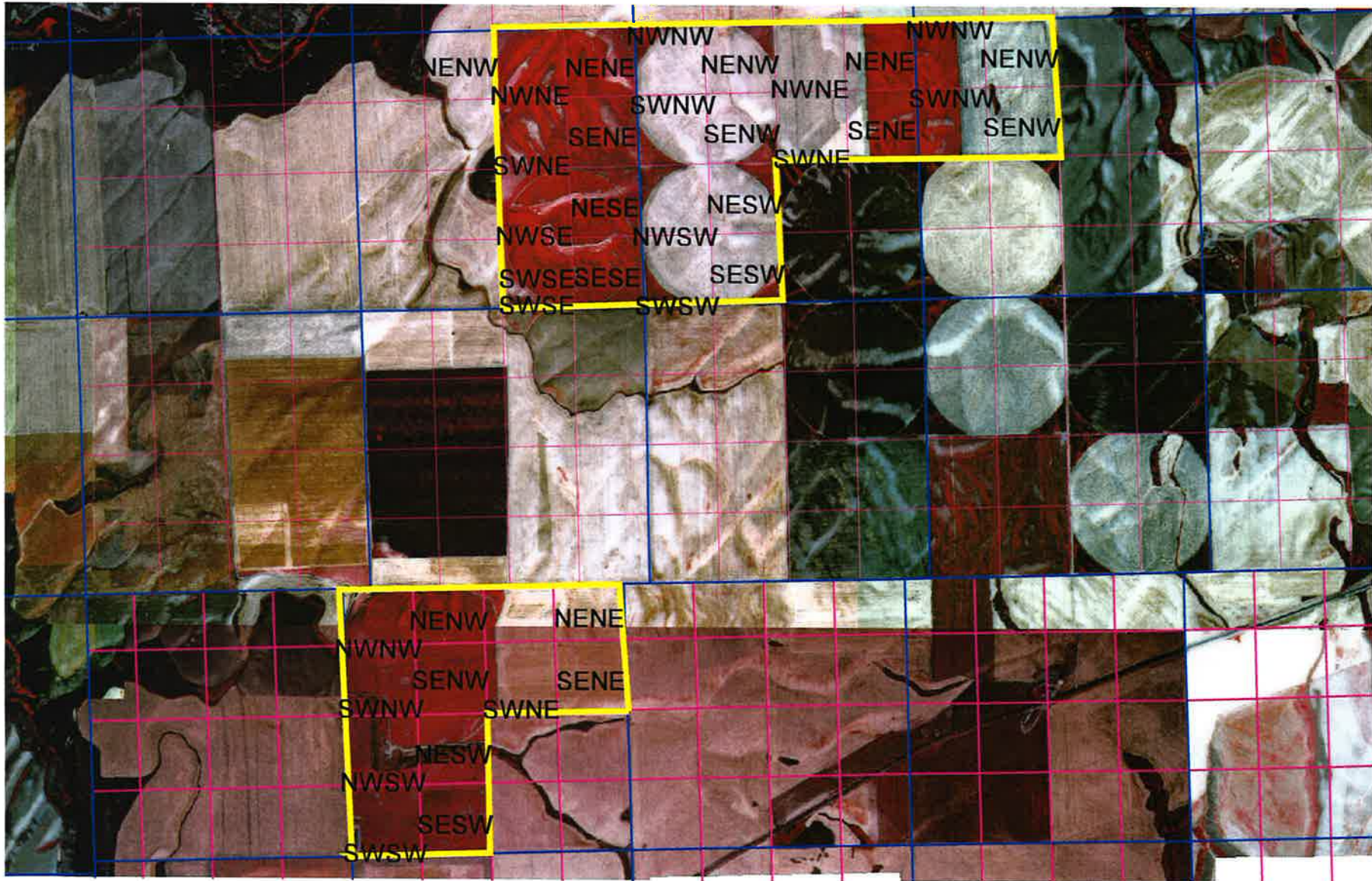


Teton, Madison Counties
IDWR Basin 22



Prepared by D. Carlson
On Thursday, April 27, 2006
1987/88 Aerial Photography

Township	Range	Section
06N	43E	5
07N	43E	27, 28, 29



Notes:



0.1 0.1 0.2 0.3 Miles

Water Right #: 2200628A

Examiner

Date:

SEPTEMBER 9, 1993

BRUCE J ARNOLD
PO BOX 67
TETONIA ID 83452

RE: TRANSFER

Dear Mr. Arnold:

Our office has received notice of your approved transfer #4127 of water right #22-07127, 22-07222 and 22-07406. The Snake River Basin Adjudication claims filed on this right have been amended pursuant to the approved transfer. Enclosed are copies of the amended claims for your records.

Please review the notices carefully and if you have any questions about any of the items, please contact our office. If you agree with the items on the notice, please place the copies with your records.

Sincerely,

Eric Verner
Sr. Water Agent

EV:sc

Enclosure

MICROFILMED
MICROFILMED
APR 11 1994

Adj - Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4866
WATER RIGHT NO(S). 22-07127/22-07222/22-07406

RECEIVED

AUG 28 1996

This is to certify that: **BRUCE J ARNOLD**
PO BOX 67
TETONIA ID 83452

Department of Water Resources
Eastern Region

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 22-07127 :			
IRRIGATION	04/15 to 10/15	2.81 CFS	1025.5 AF
Priority: 02/24/1975			
Right No. 22-07222 :			
IRRIGATION	04/15 to 10/15	3.21 CFS	1171.5 AF
Priority: 07/28/1977			
Right No. 22-07406 :			
IRRIGATION	04/15 to 10/15	3.27 CFS	1193.4 AF
Priority: 06/24/1982			
	TOTAL:	9.29 CFS	3390.4 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 5, Township 06N, Range 43E
SWSW , Sec. 5, Township 06N, Range 43E
SESE , Sec. 29, Township 07N, Range 43E
MADISON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
06N	43E	5	Lot 1(NENE)	31	Lot 2(NWNE)	29	SWNE	38	
			SENE	38	Lot 3(NENW)	31	Lot 4(NWNW)	29	
			SWNW	36	SENE	40	NESW	30	
			NWSW	25	SWSW	35	SESW	40	402
07N	43E	27	NENW	40	NWNW	40	SWNW	40	
			SENE	40					160
		28	NENE	40	NWNE	40	SWNE	40	
			SENE	40	NENW	34	NWNW	40	
			SWNW	40	SENE	40	NESW	40	
			NWSW	40	SWSW	40	SESW	35	469

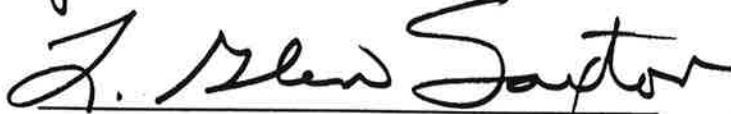
TRANSFER NO. 4866
WATER RIGHT NO(S). 22-07127/22-07222/22-07406

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
		29	NENE 40	NWNE 34	SWNE 34	
			SENE 40	NESE 40	NWSE 35	
			SWSE 35	SESE 40		298
Total number of acres irrigated:						* 1329

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. 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 for the lands above.
3. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. 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.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. 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.
8. The total instantaneous diversion of water from all points of diversion under Transfer No. 4866 shall not exceed 9.29 cfs, nor total combined annual volume of 3390.4 af.
- * 9. Right No. 22-07127 is limited to the irrigation of 402 acres in the place of use described above in a single irrigation season.
- * 10. Right No. 22-07222 is limited to the irrigation of 459 acres in the place of use described above in a single irrigation season.
- * 11. Right No. 22-07406 is limited to the irrigation of 468 acres in the place of use described above in a single irrigation season.

Dated this 22nd day ofAugust, 1996


Chief, Water Alloc. Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4127
WATER RIGHT NO(S). 22-07127/22-07222/22-07406

RECEIVED

AUG 02 1993

This is to certify that: **BRUCE J ARNOLD**
PO BOX 67
TETONIA ID 834520000

Department of Water Resources
Eastern District Office

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 22-07127 :			
IRRIGATION	04/15 to 10/15	2.81 CFS	1025.5 AF
Priority: 02/24/1975			
Right No. 22-07222 :			
IRRIGATION	04/15 to 10/15	3.21 CFS	1171.5 AF
Priority: 07/28/1977			
Right No. 22-07406 :			
IRRIGATION	04/15 to 10/15	3.27 CFS	1193.4 AF
Priority: 06/24/1982			

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 5, Township 06N, Range 43E
SESE , Sec. 29, Township 07N, Range 43E
MADISON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	43E	5	Lot 1(NENE) 31	Lot 2(NWNE) 29	SWNE 38	
			SENE 38	Lot 3(NENW) 31	Lot 4(NWNW) 29	
			SWNW 36	SENE 40	NESW 30	
			NWSW 25	SWSW 35	SESW 40	402
07N	43E	27	NENW 40	NWNW 40	SWNW 40	
			SENE 40			160
		28	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 34	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 35	469
		29	NENE 40	NWNE 34	SWNE 34	
			SENE 40	NESE 40	NWSE 35	

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APR 11 1994

TRANSFER NO. 4127
WATER RIGHT NO(S). 22-07127/22-07222/22-07406

PLACE OF USE: IRRIGATION

<u>TWN</u> <u>RGE</u> <u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N 43E 29	SWSE 35	SESE 40		298
Total number of acres irrigated:				1329

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Prior to the diversion of water under this right a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
3. 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.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. Right No. 22-07127 is limited to the irrigation of 402 acres in the place of use described above in a single irrigation season.
6. Right No. 22-07222 is limited to the irrigation of 459 acres in the place of use described above in a single irrigation season.
7. Right No. 22-07406 is limited to the irrigation of 468 acres in the place of use described above in a single irrigation season.
8. All rights when combined shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for the lands described above.

Dated this 27th day ofJuly, 1993


Chief, Water Alloc. Bureau

MICROFILMED

APR 11 1994

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. #4127APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Bruce J. Arnold Phone 456-2537
Post Office address P.O. Box 67, Teton, Id. 83452

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 Replace diminished capacity of original well and to maintain pressure during the latter part of the irrigation season. Increase efficiency of delivery system.

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
22-7127	2/24/1975	2.81 cfs	Irrigation	4/1 to 11/1
22-7222	7/28/1977	3.21 cfs	Irrigation	4/1 to 11/1
22-7406	6/24/1982	3.27 cfs	Irrigation	4/1 to 11/1

2. Total amount of water being transferred 9.29 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	NW	5	6N	43E	Madison	
		SE	SE	29	7N	43E	Madison	New Well

5. Lands irrigated or place of use: NO CHANGE

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
22-07127 6N 43E		5	41 31	42 29	38	38	43 31	44 29	36	40	30	25	35	40					402
22-07222																			
7N 43E		28					34	40	40	40	40	40	40	35					309
		29													40	35	35	40	150
22-07406															MICROFILMED				
7N 43E		27					40	40	40	40					NOV-06-1986-150				160
		28	40	40	40	40													160
		29	40	34	34	40													148

Total acres 1329

PART 1

6. General Information:

a. Description of diversion system Two wells mainline to center pivots and laterals with
sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

NONE - Better distribution of water. Change should ~~reduce~~ increase
the system efficiency.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19 _____

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. 22-07127 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 2/24/1975

5. Water is used for the following purpose:

amount 2.81 cfs for Irrigation purposes from 4/1 to 11/1
(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 2.81 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	NW	5	6N	43E	Madison	

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	
6N	43E	5	41 31	42 29	38	38	43 31	44 29	36	40	30	25	35	40					402

MICROFILMED
NOV 10 1975

Total acres 402

9. Describe any other water rights used for the same purpose as described above NONE

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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. 22-07222 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 7/28/1977

5. Water is used for the following purpose:

amount 3.21 cfs for Irrigation purposes from 4/1 to 11/1
(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 3.21 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	NW	5	6N	43E	Madison	

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	
7N	43E	28					34	40	40	40	40	40	40	35					309
		29													40	35	35	40	150

MICROFILMED

NOV 6 1986

Total acres 459

9. Describe any other water rights used for the same purpose as described above NONE

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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. 22-7406 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 6/24/1982

5. Water is used for the following purpose:

amount 3.27 for Irrigation purposes from 4/1 to 11/1
(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 3.27 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	NW	5	6N	43E	Madison	

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	
7N	43E	27					40	40	40	40									160
		28	40	40	40	40													160
		29	40	34	34	40													148

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Total acres 468

9. Describe any other water rights used for the same purpose as described above NONE

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

200' 2" 400'
100' 1" 200'

PLACE OF USE

MAINLINE

R43E

POINT OF DIVERSION

T7N
T6N

MAINLINE

Clementsville
Bou

-  22-7406
-  22-7127
-  22-7222

PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				_____ 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.

(Signature of Applicant)

Subscribed and sworn to before me this 28 day of October, 19 92

(Notary Public)

BETTY J. THOMPSON, NOTARY PUBLIC

My commission expires RESIDING AT IDAHO FALLS, IDAHO

MY COMMISSION EXPIRES: 6-30-94

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Assisted by KCW Date 10/28/1992 Protest filed by _____

Prelim. check by _____ Fee _____

Received by KCW Date 10/28/1992 #E018043

Published in Rexburg Standard Journal Copies of protest forwarded by _____

Pub. dates 11-12-92 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

INTERDEPARTMENT MEMO

DATE: 26 May 93
FROM: Ernest Carlsen
RE: Application for transfer
22-07127, 22-07222, 22-07406
Bruce Arnold

FINDINGS:

- The total irrigated acreage and system capacity was determined during a licensing field inspection conducted by Keith Wilson and Eric Verner in 1987. The POU for the three licenses are connected by a common mainline and operated as a single system.
- The rate per acre of 0.007 cfs/acre is below the minimum of 0.01 cfs/acre adopted by adjudications for evaluating whether or not there is an adequate water supply.
- Diverting water at a rate of 9.29 cfs for the irrigation season of 214 days produces 3943 af which is less the 4651 af allowable by the department standard of 3.5 af/acre.
- During a telecon with the applicant on 25 May, he indicated the diversion capacity of the system has declined by 25% to 30%. To compensate for this decline the applicant has used both the yearly government set-aside program to remove acreage for production plus the normal cropping pattern for the POU is 40% seed potatoes and 60% grains which puts most of the land on a 3 year rotation. Mr. Arnold indicated the practice was to irrigate grain first and the switch to the potatoes.
- Mr. Arnold admits the licensed rate of diversion of 9.29 cfs is marginal for irrigation of 1329 acres. To provide sufficient water he needs average rain fall and have the ability to pump the licensed rate of diversion.
- Mr. Arnold expects having to drill around 1100 feet with a pumping lift of 500 feet. He would eventually like to appropriate more water but while the moratorium is in place he stated the licensed rate of diversion would be adequate.
- On 25 May, spoke with Dave Steube, Conservation Technician, for SCS in Madison County. Mr. Steube stated, that because of the high elevation, annual precipitation of around 15", soil profile and type of crops raised in the area of the POU, the SCS uses an application rate of 6.5 gallons per acre for evaluating irrigation systems. Dividing the licensed rate of diversion by 6.5 indicates there is sufficient water for 641 acres. Mr. Steube stated this acreage can be doubled by using a grain potato rotation. Also for the location of the POU the SCS irrigation handbook lists a total net irrigation requirement of 14.8"/ac for potatoes (less for seed potatoes) and

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NOV 06 1990

12"/ac for grain. Figuring and irrigation requirement of 14.8"/ac for the entire 1329 acre totals 1639 af. Using Based on his experience with this type of farming practice and the cropping pattern used by Mr. Arnold, Mr. Steube felt the 9.29 cfs would be sufficient to irrigate 1329 acres in years of normal precipitation.

CONCLUSIONS:

- There is the potential that adding a second point of diversion will result in a combined rate of diversion in excess of 9.29 cfs.
- Based on the farming practice where the POU is located, the combined licensed rate of diversion and annual diversion volume are sufficient for irrigation of 1329 acres during years of normal precipitation.
- The application does not request a change in place of use.

RECOMMENDATION/CONDITIONS:

The transfer should be **granted** with the following conditions:

- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- Use of rights 22-07127, 22-07222 and 22-07406 is limited to a total combined rate of diversion of 9.29 cfs and a total combined annual diversion volume of 3943 af.
- A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
- Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

ADJUDICATION FOLLOWUP:

Should the transfer be approved the Notices will have to be changed to include the new POD. Also since the irrigation system covers the entire POU, Mr. Arnold should be consulted about listing a 1329 acre permissible place of use for each right.

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07406

Priority: June 24, 1982

Maximum Diversion Rate: 3.27 CFS
Maximum Diversion Volume:¹ 1388.0 AF

This is to certify, that BRUCE ARNOLD

P.O. BOX 67

TETONIA, ID 83452

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 24, 1982; and has submitted Proof of Beneficial Use on June 26, 1985. An examination indicates that the works have a diversion capacity of 3.270 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
-----------------------	----------------------	--------------------------	----------------------

IRRIGATION	04/01 to 11/01	3.27 CFS	1388.0 AF
------------	----------------	----------	-----------

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 5, Township 06N, Range 43E
MADISON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	43E	27	NENW 40	NWNW 40	SWNW 40	160
			SEnw 40			
		28	NENE 40	NWNE 40	SWNE 40	160
			SENE 40			
		29	NENE 40	NWNE 34	SWNE 34	148
			SENE 40			

Total number of acres irrigated: 468

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

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APR 17 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07406

CONDITIONS/REMARKS:

5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 6TH day of APRIL, 1990.

Acting for


R. Keith Higginson, Director

RECORDED

APR 17 1990

State of Idaho
Department of Water Resources

RECEIVED
MAR 14 1990

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07406

Department of Water Resources

Date of Priority: June 24, 1982

Maximum Diversion Rate: 3.27 CFS
Maximum Diversion Volume: 1388.0 AF

Comes now
P.O. BOX 53
FELT, ID 83424

BRUCE ARNOLD

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 22-07406, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	3.27 CFS	1388.0 AF

LOCATION OF POINT(S) OF DIVERSION: SWNW, Sec. 5, Township 06N, Range 43E
MADISON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	43E	27	NENW 40	NWNW 40	SWNW 40	160
		28	SESW 40	NWNE 40	SWNE 40	160
		29	SENE 40	NWNE 34	SWNE 34	148
			NENE 40			
			SENE 40			

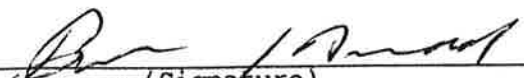
Total number of acres irrigated: 468

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APR 17 1990

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Felt, Idaho, this 12 day of MARCH, 19 90.


(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 22-07406

FOR DEPARTMENT USE ONLY

#C015607

Preliminary check by KW Fee = \$20.00 ✓ Received by C. Wong Date 3/15/90

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 22-07406 with the following;

CONDITIONS/REMARKS:

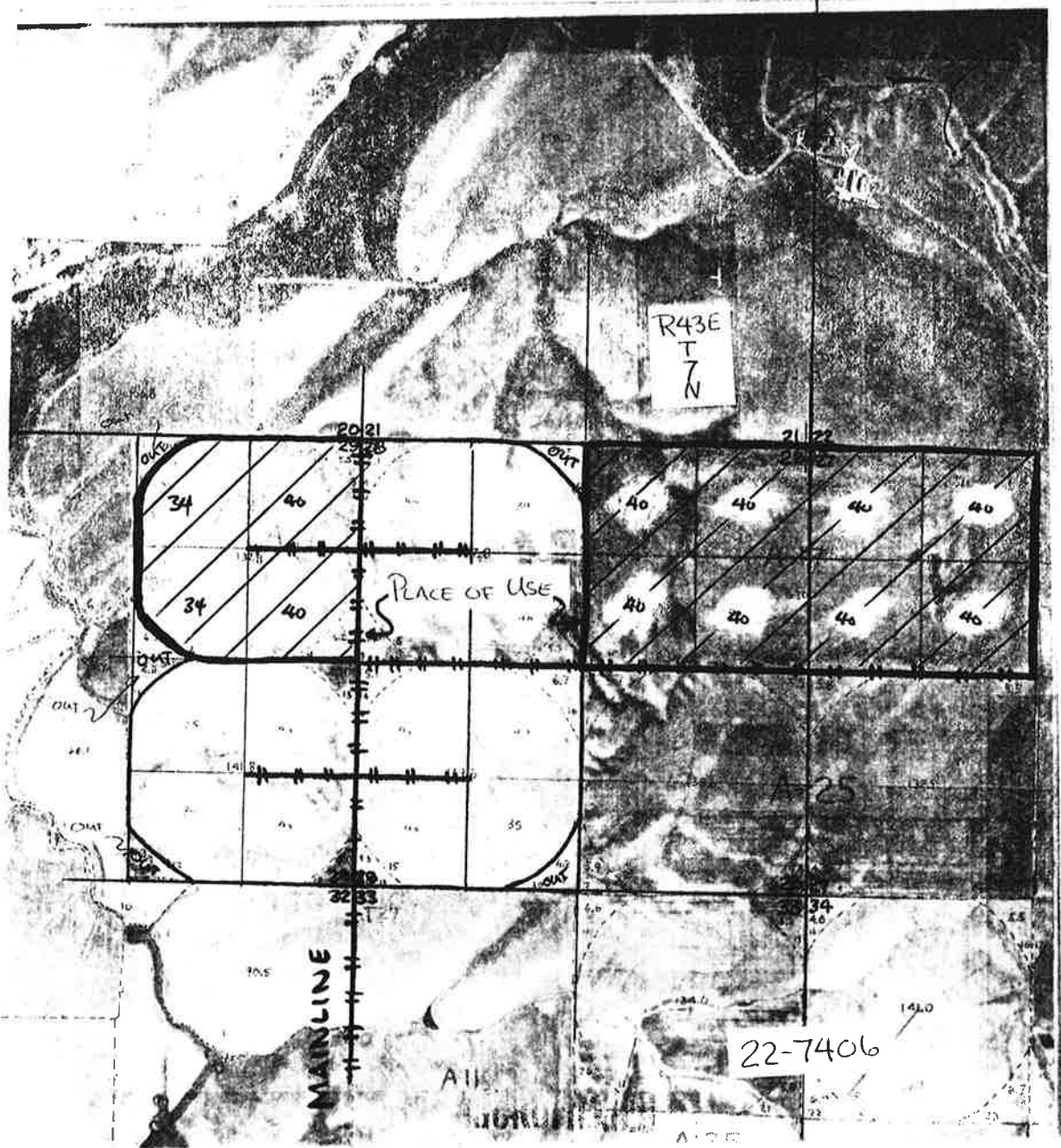
1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
- ✓ 5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Witness my hand this 6TH day of April, 1990

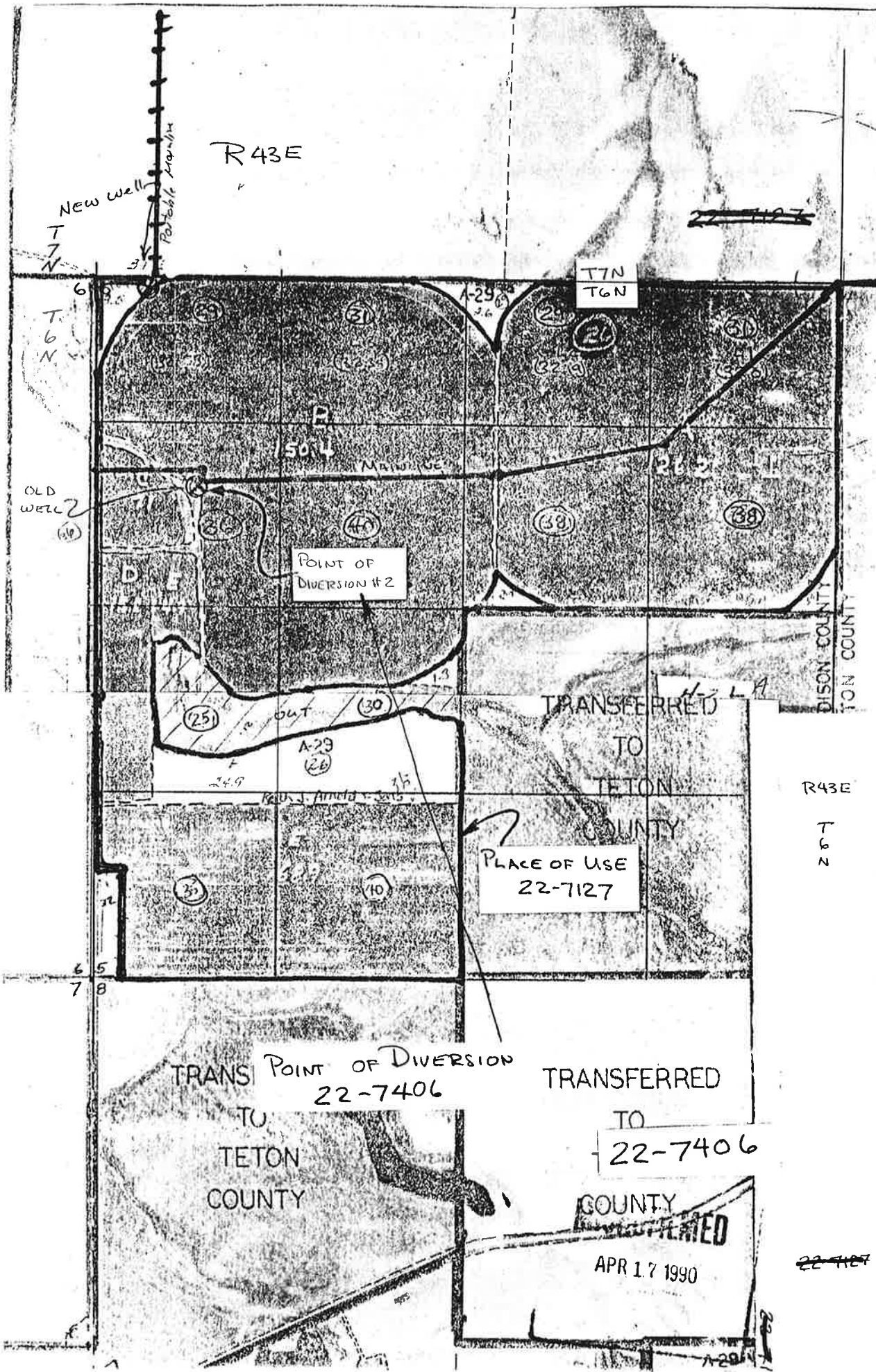
R. Keith Higginson
Acting for R. Keith Higginson, Director

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APR 17 1990



APR 17 1969



R43E

New Well

T7N

T6N

Old Well

POINT OF
DIVERSION #2

TRANSFERRED
TO
TETON
COUNTY

PLACE OF USE
22-7127

TRANS
TO
TETON
COUNTY

Point of Diversion
22-7406

TRANSFERRED
TO
22-7406

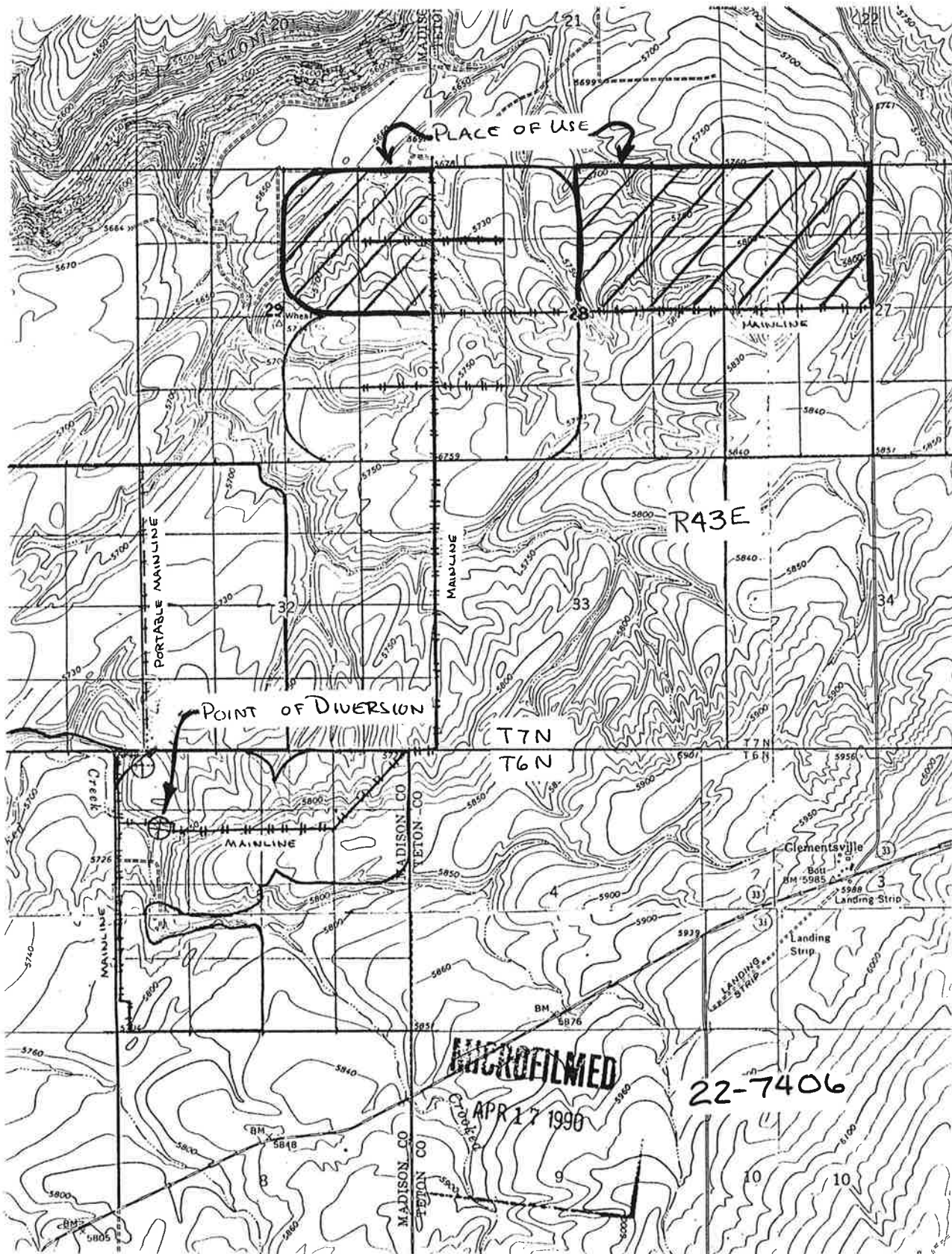
COUNTY

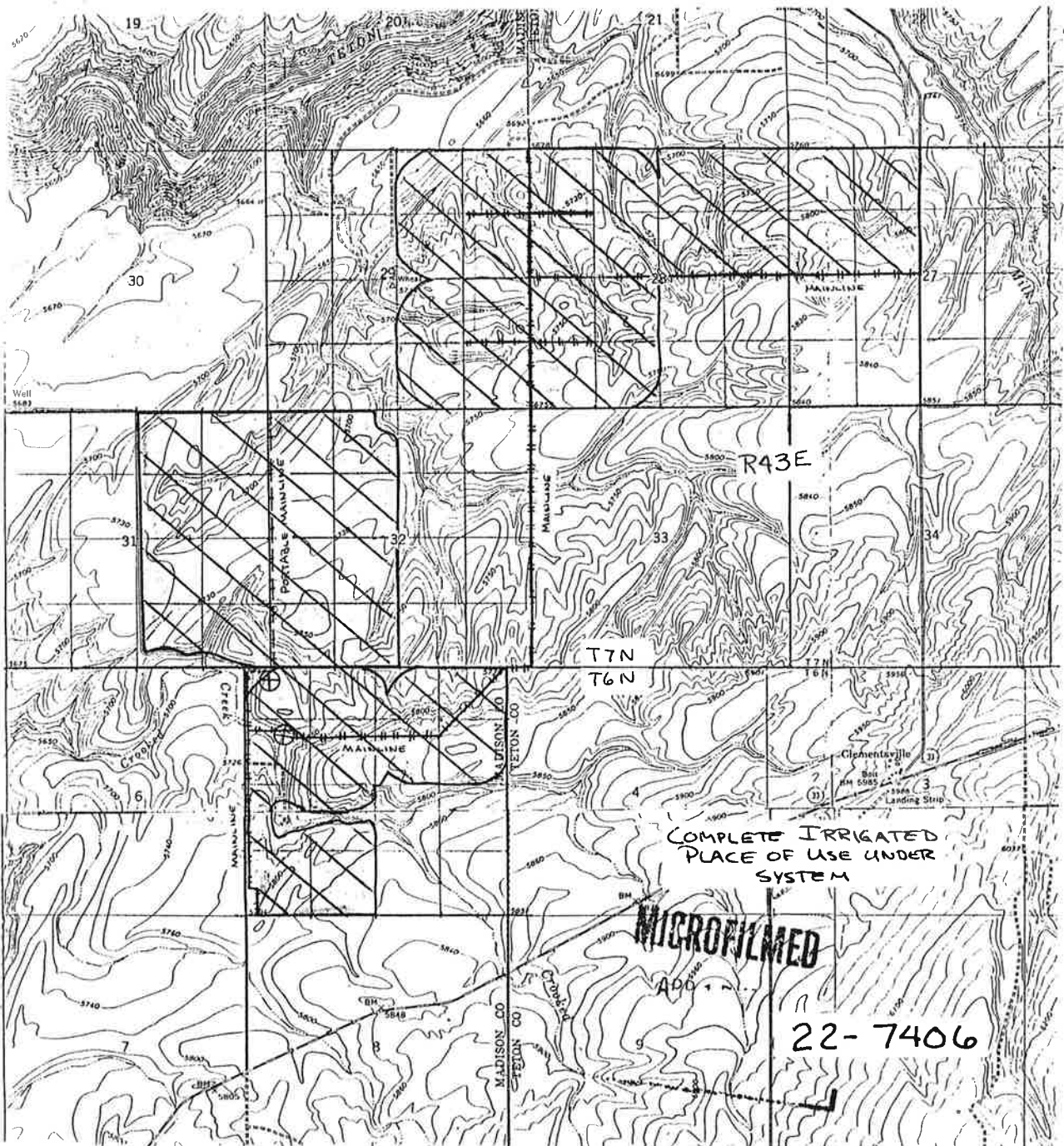
APR 17 1990

R43E

T6N

22-7127





IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A22-07406
Date Received: 8/18/1988
Receipt No: E001420
Received By: KCa

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BRUCE ARNOLD 208-456-2537
Address: P.O. BOX 67
TETONIA, ID 83452

2. Date of Priority: JUN 24, 1982

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	43E	5	SW	NW			MADISON

5. Description of diverting works:
WELL, PUMP AND MAINLINE W/SPRINKLER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.270		

7. Total Quantity Appropriated is:
3.270 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 936.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	43E	27	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0

A22-07406

Page 1

Date: 08/18/88

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OCT 29 1992

A2207406



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	43E	27	SE	NW		IRR	40.0
			Section Acres				160.0
		28	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			Section Acres				160.0
		29	NE	NE		IRR	40.0
			NW	NE		IRR	34.0
			SW	NE		IRR	34.0
			SE	NE		IRR	40.0
			Section Acres				148.0
			Total Acres				468.0

11. Place of use in counties: TETON, MADISON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
P/D UNDER THIS RIGHT IS ALSO UNDER 22-7127 & 22-7222

15. Basis of Claim: PERMIT

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Bruce J. Smith Date: 8-18-88

Date: _____

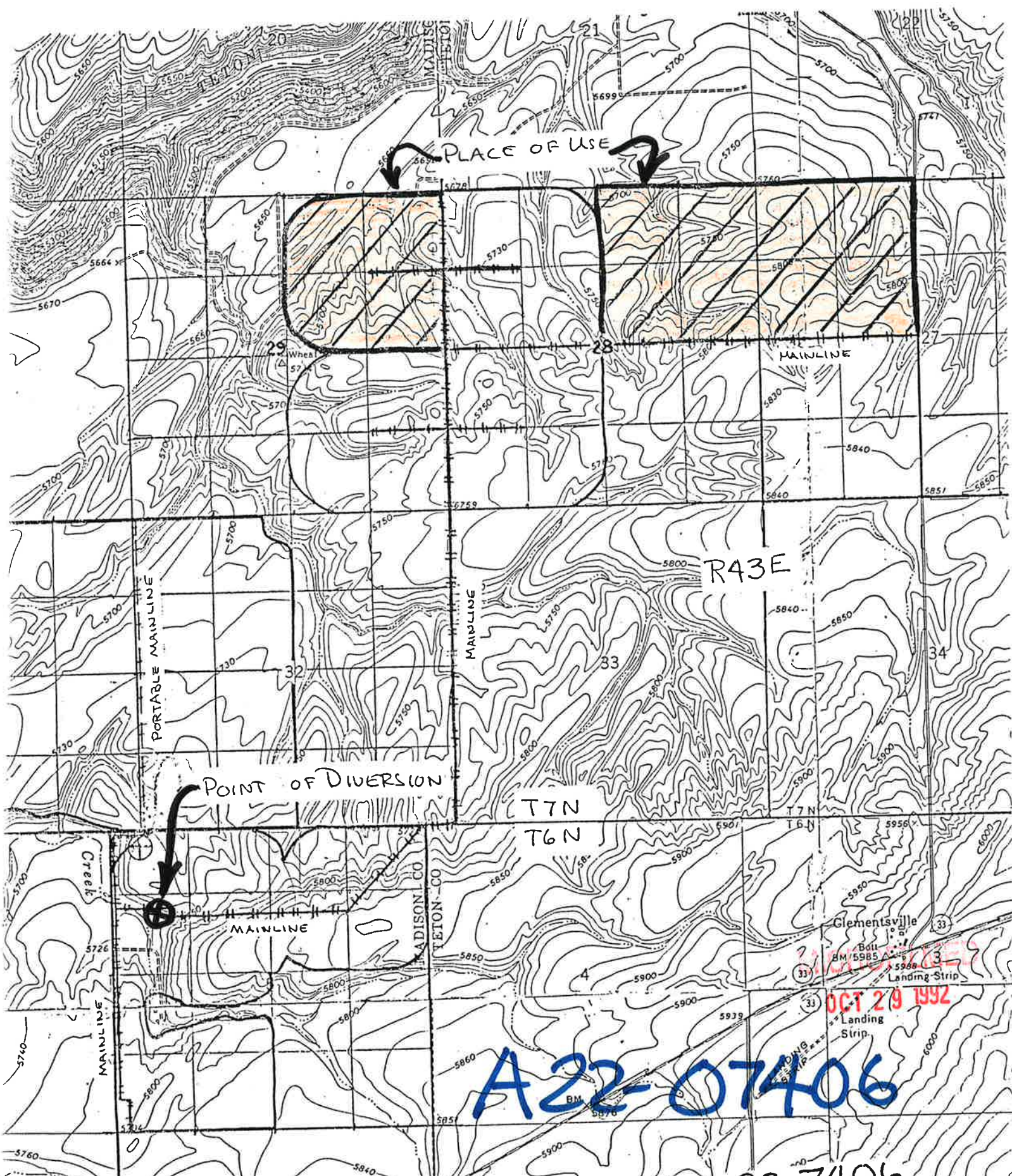
State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of August 19 88

Betty J. Thompson
Notary Public

Residing at Idaho Falls
My Commission Expires 6-94





PLACE OF USE

PORTABLE MAINLINE

POINT OF DIVERSION

R43E

T7N
T6N

MAINLINE

Clementsville

BM 5985

Landing Strip

OCT 29 1992

Landing Strip

A22-07406

7406

A₂

NOT TO SCALE

R43E
T
7
N

PLACE OF USE

A-25

22-7406

MAINLINE

A11

A22-07406

MICROFILMED

OCT 29 1992