

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 63-9058
Date Received: 2/15/1990
Receipt No: W008951
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RONALD G SMITH Phone: (208) 722-6333
25357 WAMSTAD RD
PARMA ID USA 83660

2. Date of Priority: 10/18/1977

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
05N	05W	31	SW	NW	2	CANYON	
05N	06W	36	NW	SW		CANYON	
05N	05W	31	NW	SW	3	CANYON	

5. Description of diverting works:

WELL, PUMP & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	1.6	576

7. Total Quantity Appropriated is:
1.6 C.F.S. and/or 576 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
05N	05W	31	SW	NW	2	IRRIGATION	34
			NW	SW	3	IRRIGATION	36
			SW	SW	4	IRRIGATION	39
			SE	SW		IRRIGATION	19
Section Acres						128	
Total Acres						128	

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

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.

Approval of Transfer 5246 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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.

The total instantaneous diversion of water from all points of diversion under Right Nos. 63-9058, 63-9074, 63-9881 and 63-10555 shall not exceed 11.75 cfs, nor a total combined annual volume of 5160.2 af.

Right 63-09058 when combined with Right 63-09881 shall not exceed a total diversion rate of 1.60 cfs and a total annual maximum diversion volume of 777.5 af at the field headgate.

15. Basis of Claim: License

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5246
WATER RIGHT NO(S). 63-09058/63-09074/63-09881/63-10555

RECEIVED

AUG 06 1998

WATER RESOURCES
WESTERN REGION

This is to certify that: RONALD G SMITH
25357 WAMSTAD RD
PARMA ID 83660

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. 63-09058 : IRRIGATION Priority: 10/18/1977	03/15 to 11/15	1.60 CFS	576.0 AF
Right No. 63-09074 : <i>NO CLAIM (NONE REQ'D)</i> IRRIGATION Priority: 11/08/1977	03/15 to 11/15	8.00 CFS	3887.7 AF
Right No. 63-09881 : IRRIGATION Priority: 02/25/1982	03/15 to 11/15	0.90 CFS	202.5 AF
Right No. 63-10555 : <i>NO CLAIM (NONE REQ'D)</i> IRRIGATION Priority: 12/29/1987	03/15 to 11/15	2.20 CFS	495.0 AF
TOTAL:		* 11.75 CFS	* 5160.2 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION: Lot 2(SWNW), Sec. 31, Township 05N, Range 05W
Lot 3(NWSW), Sec. 31, Township 05N, Range 05W
NWSW , Sec. 36, Township 05N, Range 06W
CANYON County

TRANSFER NO. 5246
WATER RIGHT NO(S). 63-09058/63-09074/63-09881/63-10555

CONDITIONS OF APPROVAL AND REMARKS

- GEN
- *3. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
 4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
 5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval. *omit*
 6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer. *EXP*
 7. 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. *omit*
 8. 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. *RFP*
 - *9. The total instantaneous diversion of water from all points of diversion under Transfer 5246 shall not exceed 11.75 cfs, nor a total combined annual volume of 5160.2 af. *omit*
 - *10. Right 63-09058 when combined with Right 63-09881 shall not exceed a total diversion rate of 1.60 cfs and a total annual maximum diversion volume of 777.5 af at the field headgate. *omit*
 11. Right 63-09074 when combined with Rights 63-09058, 63-09881 and 63-10555 shall not exceed a total diversion rate of 11.75 cfs. *omit*
 12. 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. *EXP*
 13. Approval of Transfer 5246 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner. *EXP*

Dated this 3 day of

August, 1998.

J. Blumington
Chief, Water Allocation Bureau

TRANSFER NO. 5246
WATER RIGHT NO(S). 63-09058/63-09074/63-09881/63-10555

Right No. 63-09058 :

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N 05W 31	Lot 2 (SWNW) 34	Lot 3 (NWSW) 36	Lot 4 (SWSW) 39	
	SESW 19			128
Total number of acres irrigated:				128

Right No. 63-09074 :

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N 06W 1	NENW 26	NWNW 35	SWNW 17	78
2	Lot 1 (NENE) 40	Lot 2 (NWNE) 39	SWNE 40	
	SENE 40	Lot 3 (NENW) 2	Lot 5 (SWNW) 9	
	SESW 40	NESW 39	Lot 6 (NWSW) 10	
	Lot 7 (SWSW) 9	SESW 35	NESE 38	
	NWSE 40	SWSE 35		416
	NWNE 26			26
05N 06W 36	NENW 35	NWNW 35	SWNW 37	
	SESW 37	NESW 37	NWSW 36	
	SWSW 35	SESW 35	NESE 38	
	NWSE 38	SWSE 34	SESE 34	431
Total number of acres irrigated:				951

Right No. 63-09881 :

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N 05W 31	NESW 29	SESW 16		45
Total number of acres irrigated:				45

Right No. 63-10555 :

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N 05W 31	NENW 33	Lot 1 (NWNW) 33	Lot 2 (SWNW) 5	
	SESW 39			110
Total number of acres irrigated:				110

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

MEMORANDUM

TO: Files 63-09058, 63-09074, 63-09881 & 63-10555

FROM: Pam Skaggs^{CS}/State Office

SUBJECT: Transfer 5246

DATE: July 30, 1998

Transfer 5246 adds points of diversion under all the rights listed above and changes the place of use of 17.0 acres under Rights 63-09058 and 63-09881. A total of three (3) wells will serve this common distribution system and the shift of acres more accurately describes the current place of use under a new pivot. ✓

Rights 63-09058 and 63-09881 have been claimed in the SRBA, but no action has been taken place at this time. The other rights do not require a claim.

Recommended conditions include drilling permit conditions, supplemental groundwater, irrigation overlap, multiple points of diversion/measuring devices, future annual reporting, combined right limits, right-of-way and standard transfer conditions. ✓

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5246

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Ronald G. Smith Phone 208-722-6333
Post Office address 25357 Wamsted Rd. Parma OH 43660

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 Because of deteriorating well screen area in well casing, well need to be down sized in order to retain pumping efficiency

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 |
|---|-------------------|--|------------------------------|-----------------------------|
| <u>63-09058</u> | <u>10/18/1977</u> | <u>1.60/576.0</u> | <u>IRRIGATION</u> | <u>3-15</u> to <u>11-15</u> |
| <u>63-09074</u> | <u>11/08/1977</u> | <u>8.00</u> | <u>IRRIGATION</u> | <u>3-15</u> to <u>11-15</u> |
| <u>63-09881</u> | <u>02/25/1982</u> | <u>.90/202.5</u> | <u>IRRIGATION</u> | <u>3-15</u> to <u>11-15</u> |
| <u>63-10555</u> | <u>12/29/1987</u> | <u>2.20/495.0</u> | <u>IRRIGATION</u> | <u>3-15</u> to <u>11-15</u> |
| 2. Total amount of water being transferred | | <u>11.75</u> | cubic feet per second and/or | acre-feet per annum. |
| 3. Source of water | | <u>GROUND WATER</u> tributary to _____ | | |
| 4. Point(s) of Diversion: <u>FOR ALL RIGHTS</u> | | | | |

[illegible]

5. Lands irrigated or place of use: Change for 63-09881 + 63-09058

[illegible]

Total acres

173

PART 1

6 General Information:

a. Description of diversion system 3 wells - common distribution 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 _____ 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:

Dry ground

d. Remarks:

63-09058 was split in SRBA. Applicant has purchased both portions of right (already owned 63-09058B) and will provide documentation of ownership will also provide consent of lien holder.

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 _____

WR5809NP
No. 63-09058

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/12/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BOB HALL	10/18/1977	IRRIGATION	03/15 11/15	1.600 CFS	576.00 AFA
TOTAL DIVERSION:					1.600 CFS	576.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 1.600 CFS

Point(s) of Diversion: T05N R05W S31 Lot 03(NWSW)

CANYON County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE					
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM	
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: SUM	
05N	05W	31	:				:	34				:	36	40	18	:	128.0
TOTAL ACRES															128.0		

Pou County: CANYON

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

63-04595 63-09074 63-09881 63-10555

Conditions of Approval:

- R32 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.
- 016 - See remarks for additional conditions of approval.

Remarks: GEN THE MAX. COMBINED RATE OF DIV. UNDER THIS RT. & RT. 63-9881 SHALL NOT EXCEED 1.6 CFS.

Dates: App. Received: Priority Date: 10/18/1977
Proof Due Date: 01/01/1983 Proof Made Date: 01/01/1900
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 11/12/1985

Misc: Water District Number: Field Exam Fee:

Audit: 02/19/86 05/01/88 CONVERT

WR5809NP

No. 63-09074

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/11/98

PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FARM CREDIT SERVICES 3380 ELDER ST BOISE ID 83705	11/08/1977	IRRIGATION	03/15 11/15	8.000 CFS	
TOTAL DIVERSION:					8.000 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 11.750 CFS

Point(s) of Diversion: T05N R05W S31 Lot 02(SWNW) Lot 03(NWSW)

CANYON County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE													
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
04N	06W	1	:																						
04N	06W	2	:	01-40		02-39		40		40		03-02		05-09		40		39		06-10		07-09		35	
04N	06W	11	:			26														38		40		35	
05N	06W	36	:									35		35		37		37		36		35		35	
TOTAL ACRES																							951.0		

Pou County: CANYON

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
63-04595 63-09058 63-09881 63-10555Other Water Rights Listing Overlapping Place(s) of use:
02-02390 02-07207 02-07259 63-02279 63-11699 M63-11699

Remarks: GEN This right when combined with all other rights shall not exceed a combined annual diversion volume of 3903.5 af for the lands above.

This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.

The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right. Use of this right with the rights listed below is limited to a total combined diversion rate of 11.75 cfs. The combined rights include: 63-09058, 63-09881 and 63-10555.

Dates: App. Received: 11/08/1977 Priority Date: 11/08/1977
Proof Due Date: 01/01/1988 Proof Made Date: 12/02/1987
Exam Made Date: 09/12/1989 Exam Sent to S.O.: 10/01/1990
Licensed Date: 12/08/1994

Misc: Water District Number: Field Exam Fee: R (Received)

WR5809NP

No. 63-09881

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/11/98

PAGE: 4

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BOB HALL	02/25/1982	IRRIGATION	03/15 11/15	0.900 CFS	202.50 AFA
C	GERALDINE L. HALL					
	4307 S. OREGON					
	CALDWELL ID 83605					
TOTAL DIVERSION:					0.900 CFS	202.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T05N R05W S31 Lot 03(NWSW)

CANYON County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
05N	05W	31	:	:	:	:	:	:	:	:	:	:	:	:	:	45.0
															45.0	
															45.0	

Handwritten notes: 30, 1 to SESW S31, 15, TOTAL ACRES

Pou County: CANYON

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

63-04595 63-09058 63-09074 63-10555

Have TO SESW S31

Remarks: GEN THIS RT. WHEN COMBINED WITH ALL OTHER RTS. SHALL PROVIDE NO MORE THAN 0.02 CFS/AC NOR MORE THAN 4.5 AFA/AC FOR THE LANDS ABOVE.

Dates: App. Received: Priority Date: 02/25/1982
 Proof Due Date: 05/01/1983 Proof Made Date: 01/01/1900
 Exam Made Date: Exam Sent to S.O.:
 Licensed Date: 04/11/1983

Misc: Water District Number: Field Exam Fee:

Audit: 03/12/84 05/01/88 CONVERT 02/08/98 CLEARFLD

WR5809NP
No. 63-10555

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/11/98
PAGE: 5

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RONALD G SMITH	12/29/1987	IRRIGATION	03/15 11/15	2.200 CFS	495.00 AFA
C	MARGARET E SMITH					
	25357 WAMSTAD RD					
	PARMA ID 836600000					
	(208) 722-6333					
TOTAL DIVERSION:					2.200 CFS	495.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 11.750 CFS

Point(s) of Diversion: T05N R05W S31 Lot 02(SWNW) Lot 03(NWSW)

CANYON County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
05N	05W	31	:					:	33	01-33	02-05					110.0
TOTAL ACRES															110.0	

Pou County: CANYON

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

63-04595 63-09058 63-09074 63-09881

Claimed differently

Conditions of Approval:

- 004 - The issuance of this right does not grant any right-of-way
- or easement across the land of another.
- R32 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 4.5 afa per acre for
- irrigation of the lands above.

Remarks: GEN The right holder shall use the full allotment of his surface
water right, to the extent it is available, in conjunction with
groundwater diverted pursuant to this right.

Dates: App. Received: 12/02/1987 Priority Date: 12/29/1987 (Priority Date Advanced.)
Proof Due Date: 03/01/1989 Proof Made Date: 03/16/1989 (Proof Received Late.)
Exam Made Date: 09/12/1989 Exam Sent to S.O.: 10/02/1990
Licensed Date: 01/05/1993

Misc: Water District Number: Field Exam Fee: R (Received)

Audit: 02/19/88 05/01/88 CONVERT 07/29/88 CURTIS 05/01/89 CURTIS
12/29/89 GARRETT 11/02/92 SKAGGS 12/28/92 SKAGGS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5246

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

Please see
Attached profile
reports

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. _____ 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 _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purpose:

amount _____ for _____ 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 _____ 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

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	

9. Describe any other water rights used for the same purpose as described above Wilder Irrigation District
SNAKE RIVER RIGHTS (A)02-02390, (A)02-07259, (A)02-07207 (portion of POW).

Total acres _____

PART 2

Transfer No. _____

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) 63-09058C

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

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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.

63-09881
BEFORE Change

T5N
R5W
S31
KWW4

63-09058 ||| T.5N.

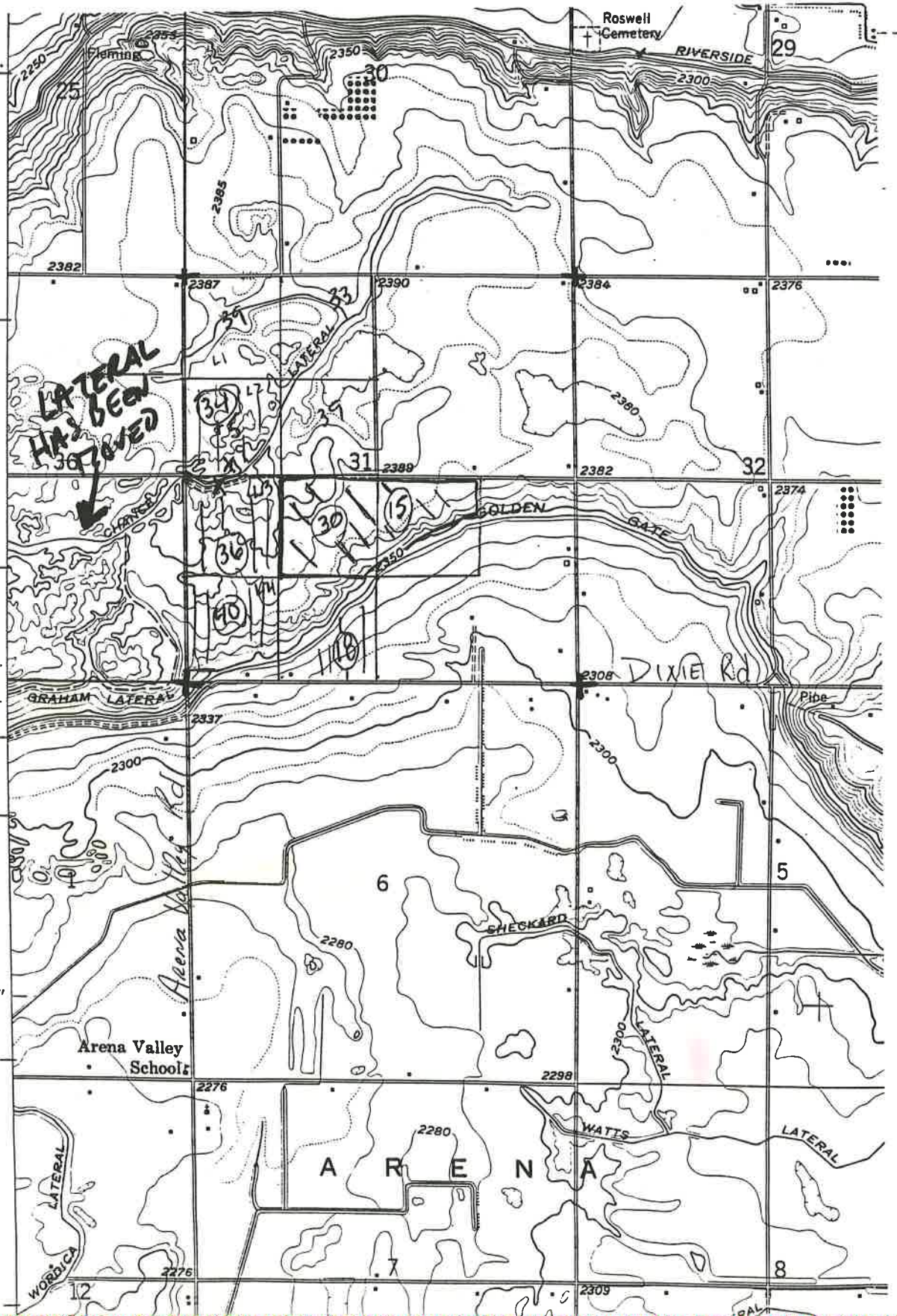
63-09881 ||| T.4N.

63-10555

Pivot w/ end
Guns

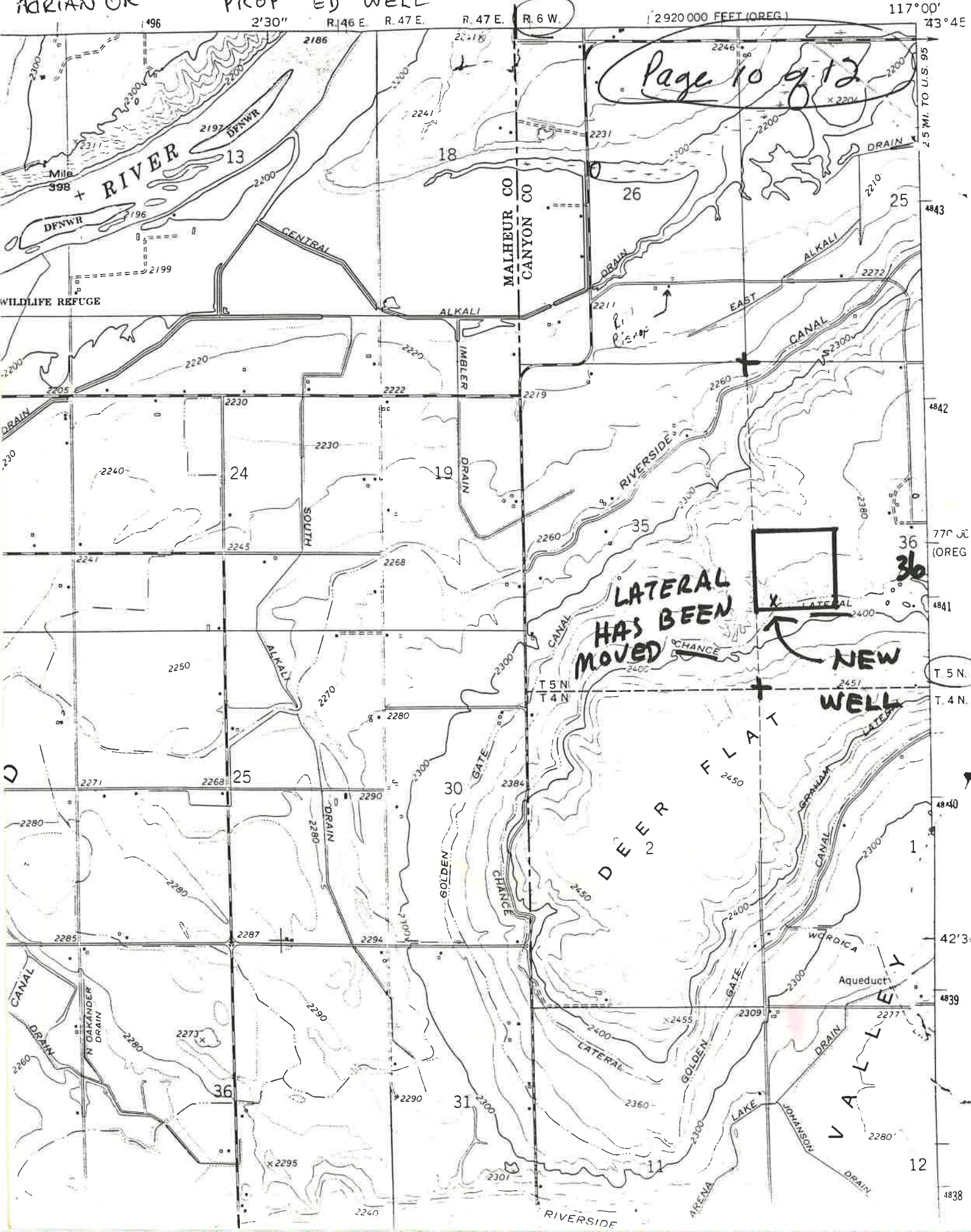
42'30"

1:24,000
X3 (1957)
Wilder



X2
ADRIAN OR T5N R5W S. 36 NWSW
PROP ED WELL

OREGON-IDAHO
7. MINUTE SERIES (TOPOGRAPHIC)



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.

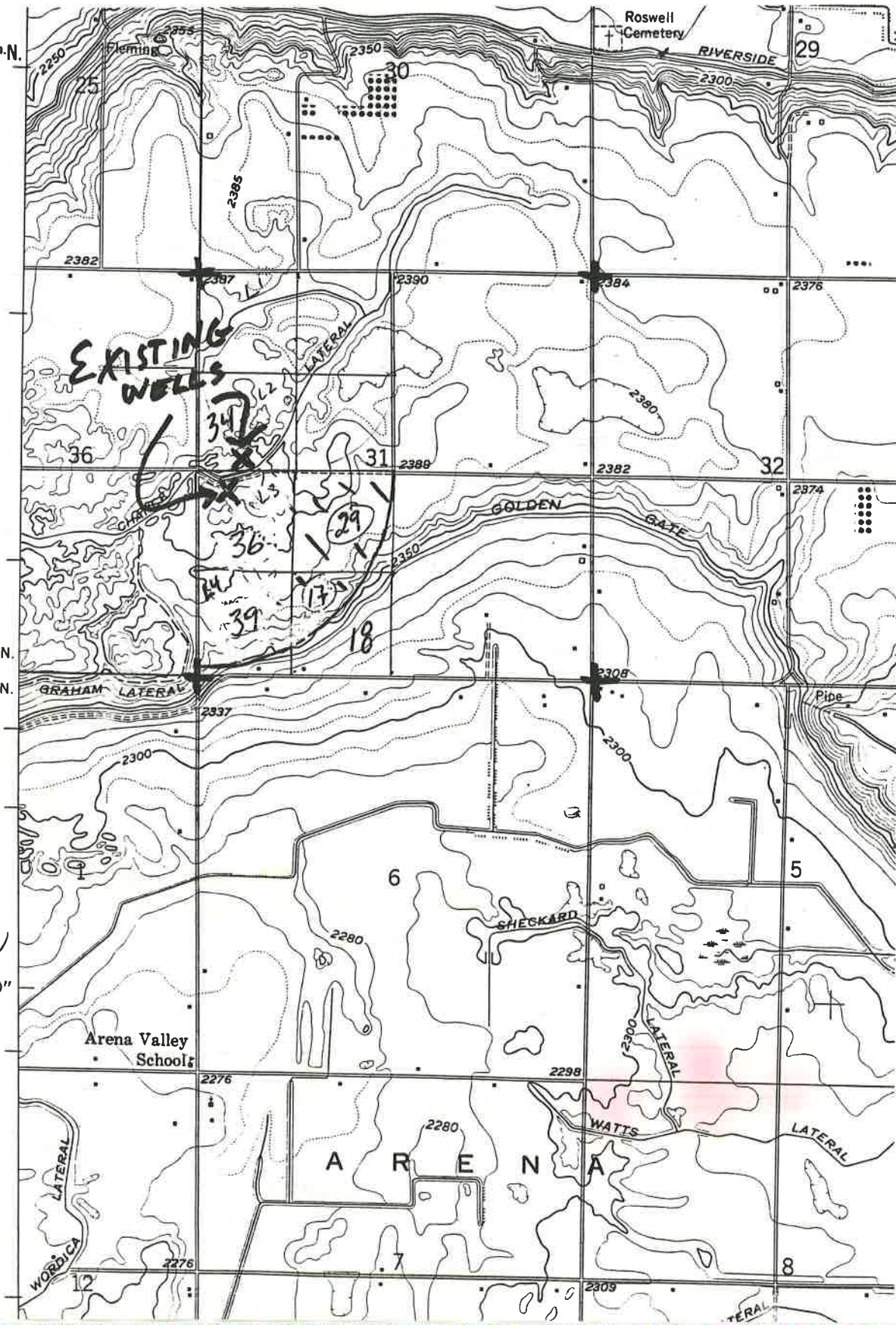
T5N
R5W
S31
~~N4W4~~
63-09058
63-09881

AFTER The
Change

New well
IN T5N R6W
S36 NW
WILL also
be added.

See attached
map of location
of New
well.

1:24,000
X3 (1957)
Wilder



PART 3

B. CHANGES IN NATURE OF USE

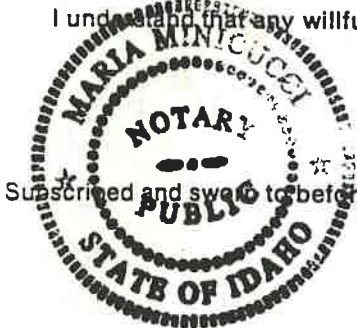
1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to _____
				to _____

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.



Subscribed and sworn to before me this 12th day of MARCH, 1998.

Ronald G. Smith
(Signature of Applicant)

Heather Henderson
(Notary Public)

My commission expires 06/25/1999

FOR DEPARTMENT USE ONLY

Transfer contains 12 pages and 1 attachments A1 + A2

Received by TTT Date 03/12/1998 Protest filed by _____

Prelim. check by TTT Fee \$100

Receipted by TTT Date 3/12/1998 W023520

Published in Press Tribune Copies of protest forwarded by _____

Pub. dates 4-16 + 23-98 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

CONVERSATION MEMORANDUM

DATE 03/26/1998FILE Appl. For TRANSFERNAME OF PARTY RON SMITHEMPLOYEE T. T. WILKINSON

RE: Mr. Smith submitted additional information for his transfer application today. Based on this information we corrected his application to show the movement of ~~acre~~ irrigated acres to the SESW S31 T5N R5W. The transfer also seeks to add a POD to all of Mr. Smith's GW rights. Mr. Smith brought a 1987 ASCS photo of his property (Attachment A1 of Transfer). Mr. Mike Anderson of the Canyon County FSA, using 1997 FSA photos, determined the acreage under the new pivot in the SW4 of S31. The center of the pivot is in the west $\frac{1}{4}$ corner of the section. Mr. Anderson found 116 acres for the pivot, with a loss of 16 acres in the NWSE + NESW, and 1 acre in the SWSW where the swinging pivot fails to reach land previously irrigated. He also found that the new field is 17 acres. The application was ~~not~~ corrected to show the following acres moved to the SESW:

15 acres from NWSE	63-09881
1 acre from NESW	63-09881
1 acre from SWSW	63-09058

63-09058 will show 19 total acres in the SESW, 18 south of the canal and 1 above the canal.

Also, a small parcel in the SWSW corner, which was shown as a portion of the right by the BLU exam, has since been sold + is not irrigated by the applicant. This parcel is

MEMORANDUM

Application for Transfer

63-09058, 63-09074, 63-09881, 63-10555

The applicant seeks to add a point of diversion to 63-09058 and 63-09881 to reflect the integration of the irrigation system and to add a new well to all four rights. The wells are supplemental to Wilder Irrigation District water. The 1987 NRCS map and 1994 scanned airphotos (map nos. H-0, G-0, G-1) confirm irrigation of the entire POU.

The applicant also seeks to change the places of use for portions of 63-09058 and 63-09881 to reflect the installation of a pivot in the SW4 S31 T5N R5W. The center of the pivot is in the NW corner of the SW4, and irrigates the lands in the SW4 on the north side of the canal.

The application retires 15 acres from the NWSE (63-09881), 1 acre from the NESW (63-09881), and 1 acres from SWSW (63-09058). The resulting 17 acres are moved to the SESW, north of the canal, on previously non-irrigated acres.

NRCS has determined, based on 1997 aerial photography, that the new pivot irrigates 116 acres (see application attachments A1 and A2). The 1987 NRCS (ASCS) shows 116.2 irrigated acres in the SW4 and NWSE. 121 acres of irrigation are licensed in these QQs. 1.7 acres (SWSW) of the 121 acres has been sold to another party, leaving 119 licensed acres for the applicant. The SRBA claim shows all 121 acres in the name of one owner (see ownership discussed below).

The 3 acre discrepancy (116 found, 119 licensed) is 2.5% of the licensed acres. The rights can be reduced in the approval for the transfer, or can be left for SRBA review. Should the rights be reduced, two acres should come out of the SWSW (63-09058), since two acres (1.7) have been sold to another owner. The other acre should come from the NESW (63-09881), where the NRCS map appears to show that the pivot misses more than 1 acre (1 acre is moved to the SESW by this transfer).

63-09881 (licensed at .02 cfs/ and 4.5 af/acre) could be reduced by 1 acre in the transfer. The other two acres coming from 63-09058 are licensed at .0125 cfs/acre - a reduction of 2 acres would result in a rate of .0126 cfs per acre. This rate of diversion is acceptable, but the volume should be reduced by 9.0 afa.

The application for transfer should be approved. If the approval reduces acres, conditions should include the changes in rate of diversion and diversion volume, including combined rate limitations on 63-09058 and 63-09074.

SRBA claims have been filed on 63-09058 and 63-09881. The other two rights are not subject to the SRBA. 63-09058 was split by ownership in the SRBA. 63-09881 was filed by the previous owner. The applicant is purchasing the lands described in A63-09058A and A63-09881 under contract, and will provide IDWR with a notarized statement providing permission of the lien holder to proceed with the application for transfer.

M. Minicucci 04/02/1998

RECEIVED

APR 13 1998

WATER RESOURCES
WESTERN REGION

Robert M. Hall and Geraldine L. Hall
mortgage holders of the real property
described below, hereby authorize the
transfer of a 15 acre water right from
the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ Sec. 31 T5N R5W BM,
a 1 acre water right in the SW $\frac{1}{4}$ of the
SW $\frac{1}{4}$ Sec. 31 T5N R5W BM and 1 acre water
right from the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ to
SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ Sec. 31 T5N R5W BM.
The water rights #63-09058 - 63-09881 -
63-10555 - 63-9074 are the source of
this water. The purpose of this transfer
is to move the water right to the
land actually being irrigated by
the center pivot sprinkler system.

Robert M. Hall
Geraldine L. Hall

April 9, 1998

STATE OF IDAHO
COUNTY OF CANYON

} ss.

On this 9th day of April, 1998, before me,
Norma M. Ruckstool, a notary public for said state, personally
appeared Robert M. Hall & Geraldine L. Hall, known to
me to be the persons whose names are subscribed to the within instrument
and acknowledged to me that they executed the same.

Water Right Number - A63-09058

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***

SPLIT RIGHT

1 -
2 -
3 -

City- XXXX

State- ID Zip- XXXXXXXX

Phone - 208-000-0000

*** O - ORIGINAL OWNER ***

HALL

ROBERT M.

1 - 4307 S. OREGON AVE.

2 -
3 -

City- CALDWELL

State- ID Zip- 83605

Phone - 208-459-6464

HALL

GERALDINE L.

1 - 4307 S. OREGON AVE.

2 -
3 -

City- CALDWELL

State- ID Zip- 83605

Phone - 208-459-6464

SMITH

RON

1 - 25357 WAMSTAD ROAD

2 -
3 -

City- PARMA

State- ID Zip- 83660

Phone - 208-722-6333

+ - - Priority Date - - +
10/18/1977+ - - Region - - - +
14 WESTERN

+ - - Stage - - - +

+ - - Status - - - +
Z - SEE REMARKS+ - - Source - - - - - +
GROUNDWATER
SPLIT RIGHT+ - - Tributary - - - - - +
SEE REMARKS

TwN	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name
05N	05W	31	NE NW SW	3	(27)	CANYON		

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15		1.600	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
1.600			448.0	

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
05N	05W	31	SW NW		34.0	01	IRRIGATION	(27) CANYON
05N	05W	31	NW SW		36.0	01	IRRIGATION	(27) CANYON
05N	05W	31	SW SW		40.0	01	IRRIGATION	(27) CANYON
05N	05W	31	SE SW		18.0	01	IRRIGATION	(27) CANYON

Total Acres: 128.0

Prefix Translation: ADJUDICATION CLAIM

+ - - Other Rights for Same Use - WILDER IRRIG.RTS.

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 02/15/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- X777777	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	- OR	Notice of Error Flag	-

Water right number - 63-09058 Adj. flag translation: Standard Water Right Number

+ - - - - Conditions of Approval - - - - - +
+ - - - - (Condition continued from previous page)
- lands above.
016 - See remarks for additional conditions of approval.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 02/19/86 05/01/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 01/01/1983	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 01/29/1978	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 01/01/1900	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 11/12/1985	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

MICROFILMED
Aug 24 1992

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: A63-09058
Date Received: 2/15/1990
Receipt No: N008951
Received By: BAS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RON SMITH
Address: 25357 WAMSTAD ROAD
PARMA, ID

208-722-6333

83660

2. Date of Priority: OCT 18, 1977

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	05W	31	NE	NW	SW	3	CANYON

5. Description of diverting works:
WELL, PUMP & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.600		

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

A.F.A.

8. Total consumptive use is 448.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	05W	31	SW	NW		IRR	34.0
			NW	SW		IRR	36.0
			SW	SW		IRR	40.0

A63-09058

Page 1

Date: 02/15/90

MICROFILMED
AUG 24 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	05W	31	SE	SW	IRR	18.0
Section Acres						128.0
Total Acres						128.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
WILDER IRRIG.RTS.

14. Remarks:
THE MAX. COMBINED RATE OF DIV. UNDER THIS RT. & RT. 63-9881
SHALL NOT EXCEED 1.6 CFS.

15. Basis of Claim: LICENSE

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: 3

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): Ronald V. Smith Date: 2-15-90
_____ Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 15 day
of February 19 90 Bruce A. Schulz
Notary Public

Seal

Residing at BRUCE A. SCHULD, NOTARY PUBLIC
RESIDING AT BOISE, IDAHO
My Commission MY COMMISSION EXPIRES APRIL 11, 1995

Water Right Number - 63-09058 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
HALL BOB 1 - 4307 S. OREGON
2 -
3 -
City- CALDWELL State- ID Zip- 83605
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +

10/18/1977 14 L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +

GROUNDWATER

+ - - - - Point of Diversion - - - - - +

TwN	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
05N	05W	31	NW SW	3	(27)	CANYON	

+ - - - - Water Use - - - - - +

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15	1.600	576.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +

1.600 576.00 1.600

+ - - - - Place of Use - - - - - +

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
05N	05W	31	SW NW		34.0	01	IRRIGATION	(27) CANYON
05N	05W	31	NW SW		36.0	01	IRRIGATION	(27) CANYON
05N	05W	31	SW SW		40.0	01	IRRIGATION	(27) CANYON
05N	05W	31	SE SW		18.0	01	IRRIGATION	(27) CANYON

Total Acres: 128.0

+ - - Diversion Means - WELL, PUMP & PIPELINE.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +

THE MAX. COMBINED RATE OF DIV. UNDER THIS RT. & RT. 63-9881
SHALL NOT EXCEED 1.6 CFS.

+ - - - - Conditions of Approval - - - - - +

R32 - This right when combined with all other rights shall provide no
more than .02 cfs per acre nor more than 4.5 afa per acre for the

MICROFILMED
AUG 24 1992

09/29/2006

**NOTICE OF ERROR
REPLY**

**RECEIVED
NOV 03 2006**

**WATER RESOURCES
WESTERN REGION**

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: October 31, 2006

Water right number: 63-9058

RONALD G SMITH
25357 WAMSTAD RD

PARMA ID 83660
Telephone Number: (208)722-6333

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:

place of use

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

please refer to inclosed letter & map

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

DATE: 10-31-06 SIGNATURE: Ronald G Smith

Please print your name: _____

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

Att. Steve Lister

RECEIVED

NOV 03 2005

WATER RESOURCES
WESTERN REGION

Dear Steve

I have been talking to Vicky Musie & was advised to contact you with my questions regarding correcting place of use. Enclosed is a copy of a map prepared by Vicky that I hope will explain.

I would be happy to meet with you or feel free to call me!

Thanks, Ken Smith

home - 208-722-6333

cell --- 880-5088

shop --- 482-7525

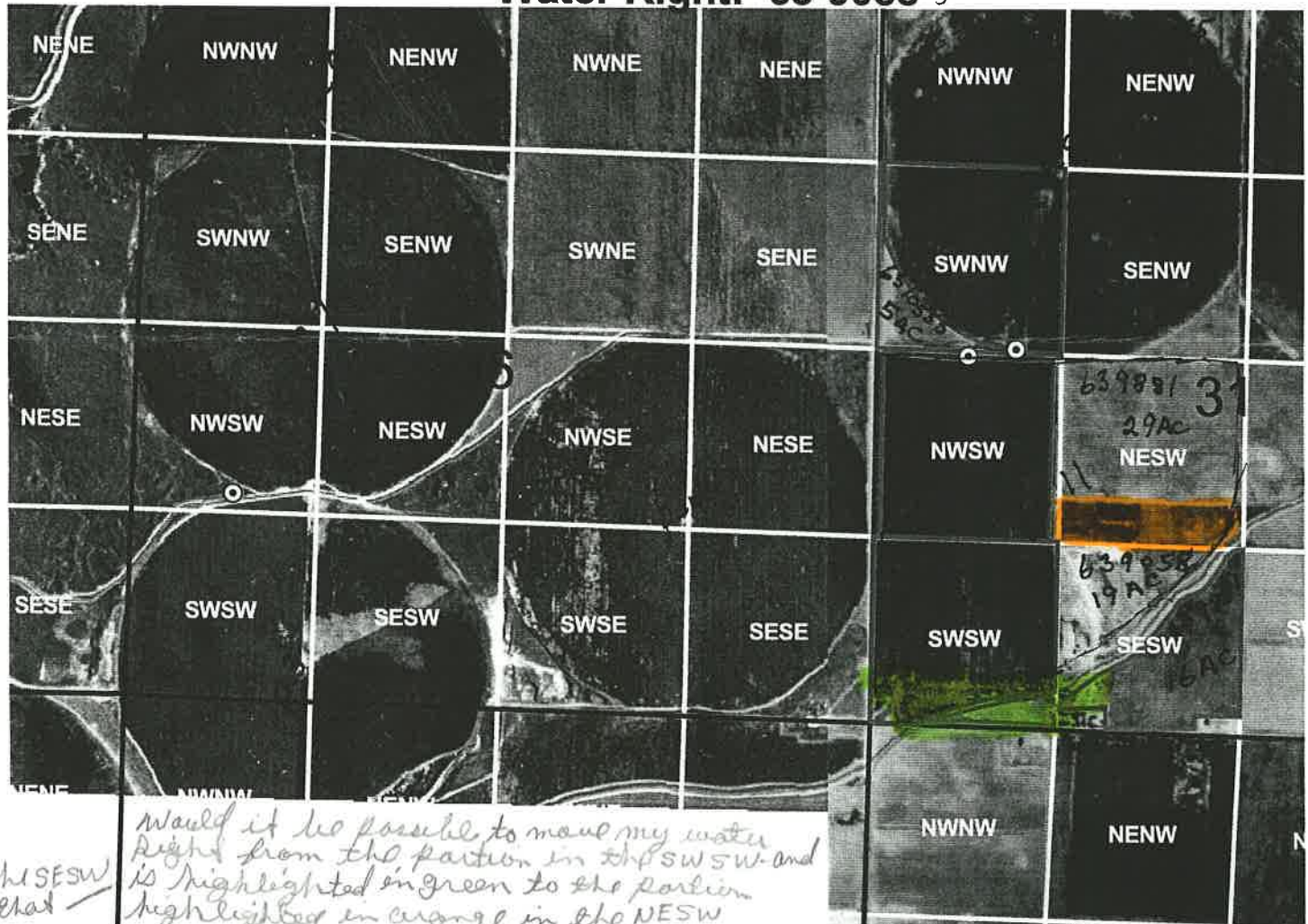


State of Idaho
Idaho Department of Water Resources
Western Region

T5N R5W SECTION 31

T5N R6W SECTION 36

Water Right: 63-9058 *ground water*



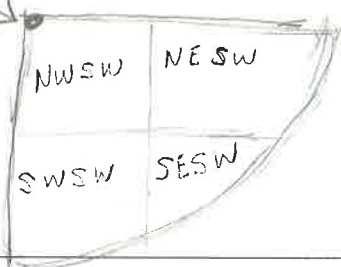
the SESW that
Would it be possible to move my water right from the portion in the SWSW and is highlighted in green to the portion highlighted in orange in the NESW
This field is now irrigated by a 1/4 revolution 1/2 mile long period and does not reach the area highlighted in green, but does cover the area highlighted in orange

1320 0 1320 2640 3960 Feet



Stew's Inter

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines



GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: August 2006

Receipt Details for ID C015171

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
3/1/1990 9:30:40 AM	3/1/1990	State	\$239.00	Check
Payer		HALL, MR OR MRS ROBERT M.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
491			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$239.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	9058	A	\$144.00	Claim
63	9881		\$95.00	Claim

Print Report

09/26/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-9058
NAME AND ADDRESS: RONALD G SMITH
25357 WAMSTAD RD
PARMA ID 83660

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.600 CFS
576.000 AFY

The total instantaneous diversion of water from all points of diversion under Right Nos. 63-9058, 63-9074, 63-9881 and 63-10555 shall not exceed 11.75 cfs, nor a total combined annual volume of 5160.2 af.

Right 63-09058 when combined with Right 63-09881 shall not exceed a total diversion rate of 1.60 cfs and a total annual maximum diversion volume of 777.5 af at the field headgate.

PRIORITY DATE: 10/18/1977

POINT OF DIVERSION:

T05N R05W S31 SWNW Lot 2 Within CANYON County
T05N R05W S31 NWSW Lot 3 Within CANYON County
T05N R06W S36 NWSW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.600 CFS 576.00 AFY
The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 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.		

PLACE OF USE: IRRIGATION Within CANYON County

T05N R05W S31 Lot 2 SWNW	34.00	T05N R05W S31 Lot 3 NWSW	36.00
T05N R05W S31 Lot 4 SWSW	39.00	T05N R05W S31 SESW	19.00

128 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

09/26/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.

Approval of Transfer 5246 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

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.

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.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Right Nos. 63-9074, 63-9881 and 63-10555 are also diverted through point of diversion described above.

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

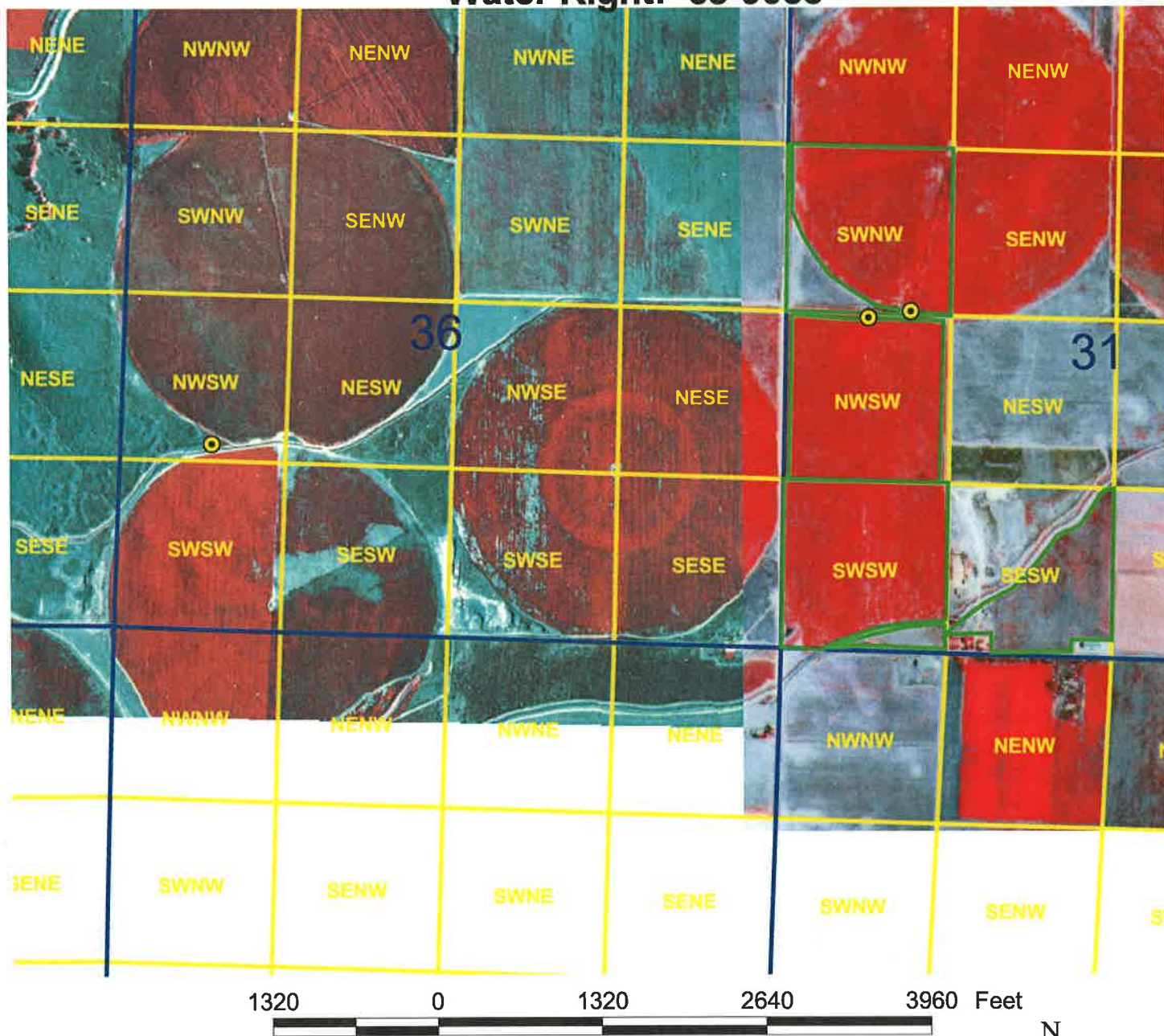
Use of this right is combined with water from Wilder Irrigation District.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.



State of Idaho
Idaho Department of Water Resources
Western Region

T5N R5W SECTION 31
T5N R6W SECTION 36
Water Right: 63-9058



TOTAL IRRIGATED ACRES = 128

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: August 2006

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9058 V1

WATER RIGHT NUMBER: 63-9058 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RONALD G SMITH 25357 WAMSTAD RD PARMA, ID 83660 (208)722-6333

Priority Date: 10/18/1977

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	03/15 to 11/15	1.600 CFS	576.00 AF
	<u>Total Diversion:</u>	1.600 CFS	576.00 AF

Location of Point(s) of Diversion

GROUND WATER	L2 (SW1/4NW1/4)	Sec. 31, Twp 05N, Rge 05W, B.M.
CANYON County		
GROUND WATER	NW1/4SW1/4	Sec. 36, Twp 05N, Rge 06W, B.M.
CANYON County		
GROUND WATER	L3 (NW1/4SW1/4)	Sec. 31, Twp 05N, Rge 05W, B.M.
CANYON County		

Place of UseIRRIGATION Within CANYON County

T05N R05W S31 Lot 2 SWNW	34.0	T05N R05W S31 Lot 3 NWSW	36.0
T05N R05W S31 Lot 4 SWSW	39.0	T05N R05W S31 SESW	19.0

Total Acres: 128

Conditions of Approval:

1. 079 This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
2. Approval of Transfer 5246 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
3. 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.
4. T17 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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9058 V1

5. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. F05 Right Nos. 63-9074, 63-9881 and 63-10555 are also diverted through point of diversion described above.
7. 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.
8. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
9. W59 Use of this right is combined with water from Wilder Irrigation District.
10. The total instantaneous diversion of water from all points of diversion under Right Nos. 63-9058, 63-9074, 63-9881 and 63-10555 shall not exceed 11.75 cfs, nor a total combined annual volume of 5160.2 af.

Right 63-09058 when combined with Right 63-09881 shall not exceed a total diversion rate of 1.60 cfs and a total annual maximum diversion volume of 777.5 af at the field headgate.
11. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. S39 The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 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.

Remarks:Comments:

1. vmusic 8/24/2006 RECOMMENDATION
Comment: RECOMMENDED PER TRANSFER 5246

2. vmusic 8/24/2006 ACRES
Comment: DID NOT REDUCE ACRES REFERENCED IN TRANSFER MEMO. WITHIN 5 PERCENT

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>
Contacts	8/24/2006 11:54:19 AM	vmusic			Active
Priority Date	8/24/2006 11:54:35 AM	vmusic			Active
POD	8/24/2006 11:54:54 AM	vmusic			Active
Source	8/24/2006 11:58:37 AM	vmusic			Active
POU	8/24/2006 11:59:13 AM	vmusic			Active
Use	8/24/2006 12:00:53 PM	vmusic			Active
Season	8/24/2006 12:01:18 PM	vmusic			Active
Quantity	8/24/2006 12:01:48 PM	vmusic			Active
Summary			08/24/2006	vmusic	Active

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-9058 V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	8/24/2006 11:58:18 AM	vmusic	Updated shape
POU	8/24/2006 12:00:22 PM	vmusic	Updated shape for Active POU
Contacts	8/24/2006 11:54:19 AM	vmusic	(No) 1. Do you want to schedule an appointment?
			Comment for 1: DESKTOP REVIEW
POD	8/24/2006 11:54:54 AM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (Yes) 10. Is a POD remark and/or condition required?
POD	8/24/2006 11:57:28 AM	vmusic	Updated shape
General	8/24/2006 11:54:35 AM	vmusic	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
Source	8/24/2006 11:58:37 AM	vmusic	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	8/24/2006 11:59:13 AM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	8/24/2006 12:00:53 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9058 V1

Season	8/24/2006 12:01:18 PM	vmusic	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
Quantity	8/24/2006 12:01:48 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 10 - SEE LICENSING EXAM
Summary	8/24/2006 12:11:19 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POD	8/24/2006 11:58:00 AM	vmusic	Updated shape

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-9058

WATER RIGHT NUMBER: 63-9058

Owner Type Name and Address
 Current Owner RONALD G SMITH
 25357 WAMSTAD RD

PARMA, ID 83660
 (208)722-6333

Priority Date: 10/18/1977

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To
 03/15 to 11/15

Diversion Rate

1.600 CFS

Annual Volume

576.00 AF

Total Diversion:

1.600 CFS

576.00 AF

Location of Point(s) of Diversion

GROUND WATER

L2 (SW1/4NW1/4)

Sec. 31, Twp 05N, Rge 05W, B.M.

CANYON County

GROUND WATER

NW1/4SW1/4

Sec. 36, Twp 05N, Rge 06W, B.M.

CANYON County

GROUND WATER

L3 (NW1/4SW1/4)

Sec. 31, Twp 05N, Rge 05W, B.M.

CANYON County

Place of UseIRRIGATION Within CANYON County

T05N R05W S31 Lot 2 SWNW 34.0

T05N R05W S31 Lot 3 NWSW 36.0

T05N R05W S31 Lot 4 SWSW 39.0

T05N R05W S31 SESW 19.0

Total Acres: 128

Conditions of Approval:

1. 079 This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
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. T17 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.
4. Approval of Transfer 5246 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

recommended per
 transfer 5246

you should remark
 for 311

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-9058

5. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.
6. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
7. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
8. ✓ The total instantaneous diversion of water from all points of diversion under Right Nos. 63-9058, 63-9074, 63-9881 and 63-10555 shall not exceed 11.75 cfs, nor a total combined annual volume of 5160.2 af.
Right 63-09058 when combined with Right 63-09881 shall not exceed a total diversion rate of 1.60 cfs and a total annual maximum diversion volume of 777.5 af at the field headgate.
9. 046 ✓ Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
10. T08 ✓ Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

T5246

Remarks:Comments:Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
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Water Supply Bank:

W5A ✓ Wilder Irr District water
 529 ✓ you shoulder remark for 3/1
 transfer conditions

F05 ✓ R# 63-9881, 9074, 10555 also
 diverted here

did not reduce acres - with 5010

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-9058

08/24/2006

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-9058	Claim	05N	05W	31	SW	NW	2	GROUND WATER	RONALD G SMITH
63-9881	Claim	05N	05W	31	SW	NW	2	GROUND WATER	RONALD G SMITH
63-9058	Claim	05N	05W	31	NW	SW	3	GROUND WATER	RONALD G SMITH
63-9881	Claim	05N	05W	31	NW	SW	3	GROUND WATER	RONALD G SMITH
63-9058A	Claim	05N	05W	31	NW	SW	3	GROUND WATER	ROBERT M HALL
63-9058B	Claim	05N	05W	31	NW	SW	3	GROUND WATER	RONALD G SMITH
63-27060	Claim	05N	05W	31	SW	SW	4	GROUND WATER	DEANI L BAROLI
63-4594	Claim	05N	05W	36	NW	NW	4	DIXIE SLOUGH BOISE RIVER	TERRY TIDWELL
63-27225	Claim	05N	05W	36	NW	NW	4	GROUND WATER	EDWIN L HUCKFELDT
63-28187	Claim	05N	05W	36	NW	NW	4	GROUND WATER	SANDRA ELSBERRY
63-27539	Claim	05N	05W	36	NW	NW	4	UNNAMED DRAIN BOISE RIVER	RICHARD HEATLEY
63-9058	Claim	05N	06W	36	NW	SW	4	GROUND WATER	RONALD G SMITH
63-9881	Claim	05N	06W	36	NW	SW	4	GROUND WATER	RONALD G SMITH
63-21000	Claim	05N	06W	36	NW	SW	4	GROUND WATER	RONALD G SMITH
63-9058	Water Right	05N	05W	31	SW	NW	2	GROUND WATER	RONALD G SMITH
63-9074	Water Right	05N	05W	31	SW	NW	2	GROUND WATER	RONALD G SMITH
63-9881	Water Right	05N	05W	31	SW	NW	2	GROUND WATER	RONALD G SMITH
63-10555	Water Right	05N	05W	31	SW	NW	2	GROUND WATER	RONALD G SMITH
63-4595	Water Right	05N	05W	31	NW	SW	2	UNNAMED DRAIN BOISE RIVER	EMMETT R MC CURRY
63-9058	Water Right	05N	05W	31	NW	SW	3	GROUND WATER	RONALD G SMITH
63-9074	Water Right	05N	05W	31	NW	SW	3	GROUND WATER	RONALD G SMITH
63-9881	Water Right	05N	05W	31	NW	SW	3	GROUND WATER	RONALD G SMITH
63-10555	Water Right	05N	05W	31	NW	SW	3	GROUND WATER	RONALD G SMITH
63-27060	Water Right	05N	05W	31	SW	SW	4	GROUND WATER	JEFFREY A BAROLI
63-27225	Water Right	05N	05W	36	NW	NW	4	GROUND WATER	EDWIN HUCKFELDT
63-28187	Water Right	05N	05W	36	NW	NW	4	GROUND WATER	SANDRA ELSBERRY
63-9058	Water Right	05N	06W	36	NW	SW	4	GROUND WATER	RONALD G SMITH

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-9058

08/24/2006

2

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-9074	Water Right	05N	06W	36	NW	SW	4	GROUND WATER	RONALD G SMITH
63-9881	Water Right	05N	06W	36	NW	SW	4	GROUND WATER	RONALD G SMITH
63-10555	Water Right	05N	06W	36	NW	SW	4	GROUND WATER	RONALD G SMITH
63-21000	Water Right	05N	06W	36	NW	SW	4	GROUND WATER	RONALD G SMITH

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-9058

08/24/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
9058	Claim	05N	05W	31	SW	NW	2	IRRIGATION	34/128	RONALD G SMITH
9058	Water Right	05N	05W	31	SW	NW	2	IRRIGATION	34/128	RONALD G SMITH
10555	Water Right	05N	05W	31	SW	NW	2	IRRIGATION	5/110	RONALD G SMITH
9058	Claim	05N	05W	31	NW	SW	3	IRRIGATION	36/128	RONALD G SMITH
9058	Water Right	05N	05W	31	NW	SW	3	IRRIGATION	36/128	RONALD G SMITH
9058	Claim	05N	05W	31	SW	SW	4	IRRIGATION	39/128	RONALD G SMITH
9058	Water Right	05N	05W	31	SW	SW	4	IRRIGATION	39/128	RONALD G SMITH
27060	Water Right	05N	05W	31	SW	SW	4	DOMESTIC		JEFFREY A BAROLI
4646	Claim	05N	05W	31	SE	SW		IRRIGATION	2/2	MICHELLE L REHN
9058	Claim	05N	05W	31	SE	SW		IRRIGATION	19/128	RONALD G SMITH
9881	Claim	05N	05W	31	SE	SW		IRRIGATION	16/45	RONALD G SMITH
9058	Water Right	05N	05W	31	SE	SW		IRRIGATION	19/128	RONALD G SMITH
9881	Water Right	05N	05W	31	SE	SW		IRRIGATION	16/45	RONALD G SMITH
4646	Water Right	05N	05W	31	SE	SW		STOCKWATER		ROBERT M HALL
4646	Claim	05N	05W	31	SE	SW		DOMESTIC		MICHELLE L REHN

TRANSFER NO. 5246
WATER RIGHT NO(S). 63-09058/63-09074/63-09881/63-10555

Right No. 63-09058 :

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>
05N	05W	31	Lot 2(SWNW)	34	Lot 3(NWSW)	36	Lot 4(SWSW)	39	
			SESW	19					128
Total number of acres irrigated:									128

Right No. 63-09074 :

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>
04N	06W	1	NENW	26	NWNW	35	SWNW	17	78
		2	Lot 1(NENE)	40	Lot 2(NWNE)	39	SWNE	40	
			SENE	40	Lot 3(NENW)	2	Lot 5(SWNW)	9	
			SESW	40	NESW	39	Lot 6(NWSW)	10	
			Lot 7(SWSW)	9	SESW	35	NESE	38	
			NWSE	40	SWSE	35			416
		11	NWNE	26					26
05N	06W	36	NENW	35	NWNW	35	SWNW	37	
			SESW	37	NESW	37	NWSW	36	
			SWSW	35	SESW	35	NESE	38	
			NWSE	38	SWSE	34	SESE	34	431
Total number of acres irrigated:									951

Right No. 63-09881 :

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
05N	05W	31	NESW	29	SESW	16	45
Total number of acres irrigated:							45

Right No. 63-10555 :

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
05N	05W	31	NENW	33	Lot 1(NWNW)	33	110
			SESW	39	Lot 2(SWNW)	5	110
Total number of acres irrigated:							110

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

MICROFILMED

AUG 06 1998

TRANSFER NO. 5246
WATER RIGHT NO(S). 63-09058/63-09074/63-09881/63-10555

CONDITIONS OF APPROVAL AND REMARKS

3. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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.
8. 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.
- * 9. The total instantaneous diversion of water from all points of diversion under Transfer 5246 shall not exceed 11.75 cfs, nor a total combined annual volume of 5160.2 af.
10. Right 63-09058 when combined with Right 63-09881 shall not exceed a total diversion rate of 1.60 cfs and a total annual maximum diversion volume of 777.5 af at the field headgate.
11. Right 63-09074 when combined with Rights 63-09058, 63-09881 and 63-10555 shall not exceed a total diversion rate of 11.75 cfs.
12. 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.
13. Approval of Transfer 5246 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Dated this 3rd day of

August, 1998.


Chief, Water Allocation Bureau

MICROFILMED

AUG 06 1998

MEMORANDUM

Application for Transfer

63-09058, 63-09074, 63-09881, 63-10555

The applicant seeks to add a point of diversion to 63-09058 and 63-09881 to reflect the integration of the irrigation system and to add a new well to all four rights. The wells are supplemental to Wilder Irrigation District water. The 1987 NRCS map and 1994 scanned airphotos (map nos. H-0, G-0, G-1) confirm irrigation of the entire POU.

The applicant also seeks to change the places of use for portions of 63-09058 and 63-09881 to reflect the installation of a pivot in the SW4 S31 T5N R5W. The center of the pivot is in the NW corner of the SW4, and irrigates the lands in the SW4 on the north side of the canal.

The application retires 15 acres from the NWSE (63-09881), 1 acre from the NESW (63-09881), and 1 acres from SWSW (63-09058). The resulting 17 acres are moved to the SESW, north of the canal, on previously non-irrigated acres.

NRCS has determined, based on 1997 aerial photography, that the new pivot irrigates 116 acres (see application attachments A1 and A2). The 1987 NRCS (ASCS) shows 116.2 irrigated acres in the SW4 and NWSE. 121 acres of irrigation are licensed in these QQs. 1.7 acres (SWSW) of the 121 acres has been sold to another party, leaving 119 licensed acres for the applicant. The SRBA claim shows all 121 acres in the name of one owner (see ownership discussed below).

The 3 acre discrepancy (116 found, 119 licensed) is 2.5% of the licensed acres. The rights can be reduced in the approval for the transfer, or can be left for SRBA review. Should the rights be reduced, two acres should come out of the SWSW (63-09058), since two acres (1.7) have been sold to another owner. The other acre should come from the NESW (63-09881), where the NRCS map appears to show that the pivot misses more than 1 acre (1 acre is moved to the SESW by this transfer).

63-09881 (licensed at .02 cfs/ and 4.5 af/acre) could be reduced by 1 acre in the transfer. The other two acres coming from 63-09058 are licensed at .0125 cfs/acre - a reduction of 2 acres would result in a rate of .0126 cfs per acre. This rate of diversion is acceptable, but the volume should be reduced by 9.0 afa.

The application for transfer should be approved. If the approval reduces acres, conditions should include the changes in rate of diversion and diversion volume, including combined rate limitations on 63-09058 and 63-09074.

SRBA claims have been filed on 63-09058 and 63-09881. The other two rights are not subject to the SRBA. 63-09058 was split by ownership in the SRBA. 63-09881 was filed by the previous owner. The applicant is purchasing the lands described in A63-09058A and A63-09881 under contract, and will provide IDWR with a notarized statement providing permission of the lien holder to proceed with the application for transfer.

 M. Minicucci 04/02/1998

MICROFILMED

AUG 06 1998

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.

63-09881
BEFORE Change

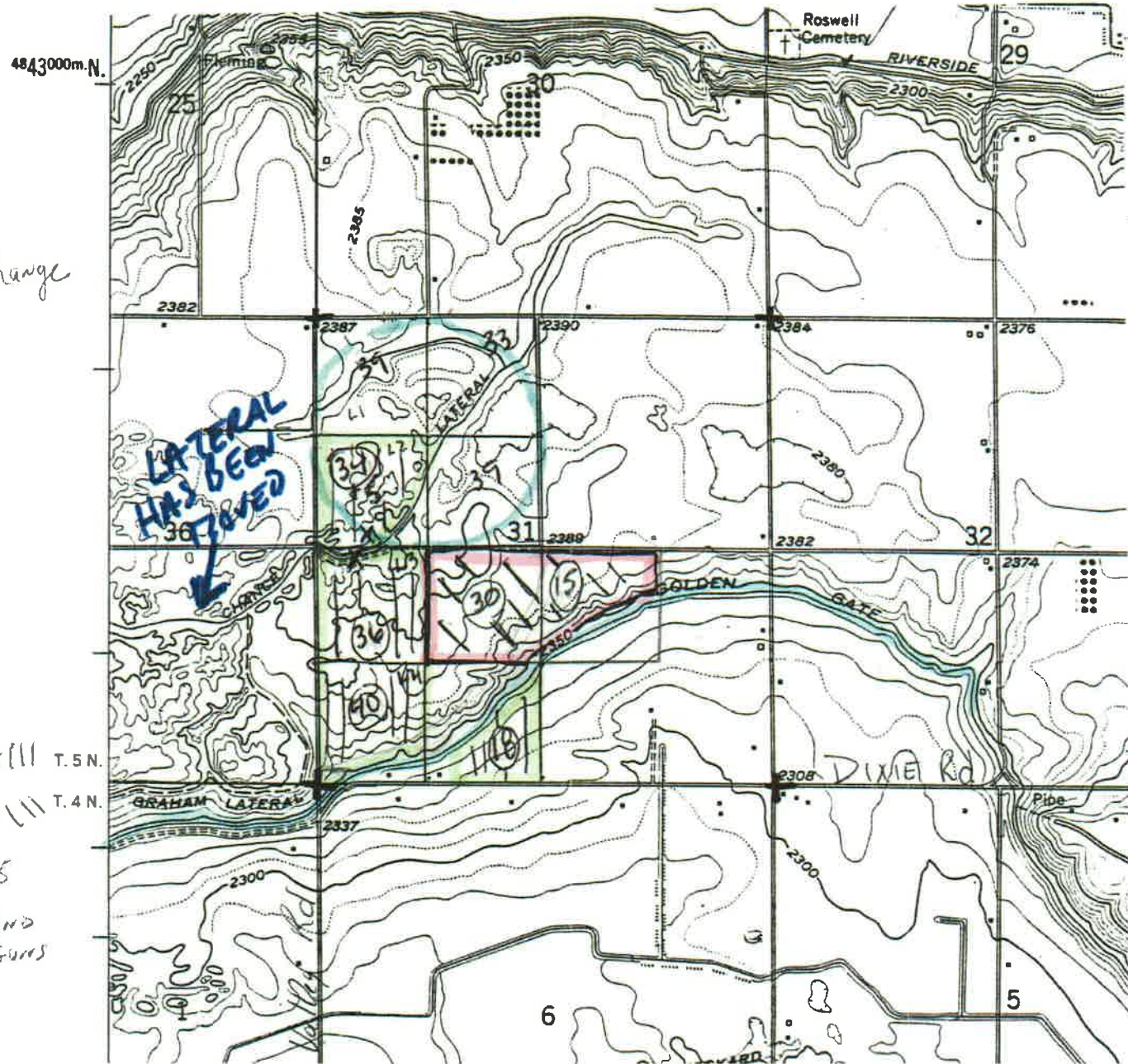
T5N
R5W
S31
~~XXXX~~

63-09058(11) T.5N.

63-09881(11) T.4N.

63-10555

Pivot w/ end
Guns



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.

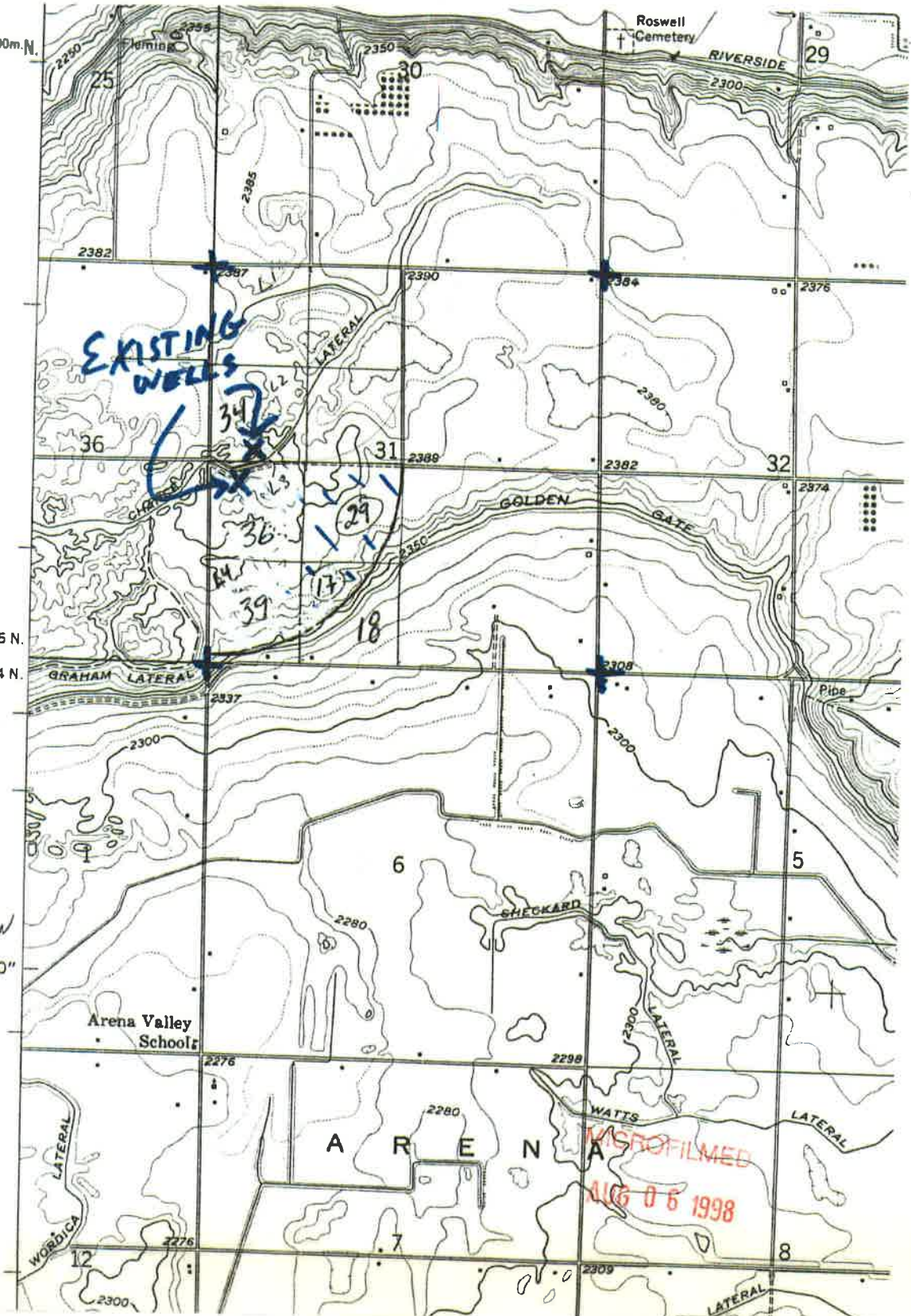
T5N
R5W
S31
XXXX
63-09058
63-09881

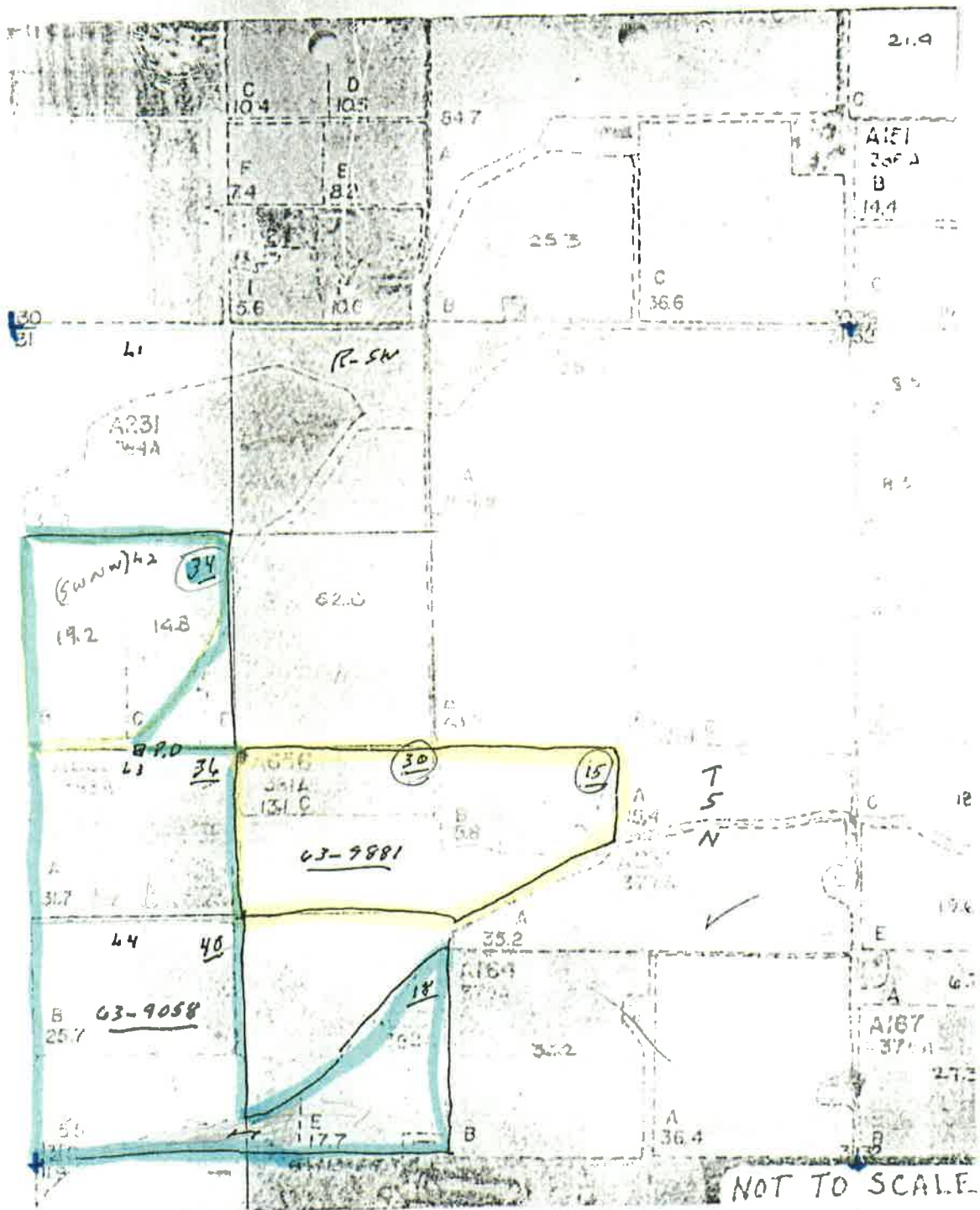
AFTER The
Change

New well
IN T5N R6W
S36 NW
WILL also
be added.

See attached
map of location
of New well.

1:24,000
X3 (1957)
Wilder





MICROFILMED
AUG 06 1998

**State of Idaho
Department of Water Resources**

WATER RIGHT LICENSE

License of Water Right No. 63-9058 Priority October 18, 1977 Amount 1.60 cfs

THIS IS TO CERTIFY, that Bob Hall
of Caldwell, Idaho, has complied with the terms and conditions of Permit
No. 63-9058 issued pursuant to Application for Permit dated October 18, 1977,
and has submitted proof to the Department of Water Resources on March 2, 1982,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.60 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>1.60</u> cfs and	<u>576.0</u> acre feet
_____	from _____ to _____	at _____ cfs and	_____
_____	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 1.60 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
576.0 acre feet per year, said waters to be diverted within the Gov. (NW $\frac{1}{2}$ SW $\frac{1}{2}$)
Section 31, Twp 5N, Rge 5W in the County of Canyon

Description and location of 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 $\frac{1}{4}$	
5N	5W	31							GL 2 34			GL 3 36	GL 4 40	18					128

Total number of acres irrigated 128

MICROFILMED