

T3720 FOSTER

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3720

APPLICATION FOR TRANSFER OF WATER RIGHT

MAY - 7 1990

PART 1

NOV 19 1990

APPROVED

Department of Water Resources

Department of Water Resources

Name of applicant Vernal J. Foster

Eastern District Office

Phone (208) 483-2072Post Office address P.O. Box 116, Swan Valley, Idaho 83449

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 The current point of diversion is on Sorensen Creek above where Crandall Springs flows into the Creek. I want to move this diversion below where the Springs flows into the Creek so that I can use the increased water pressure for a gravity flow irrigation pipe system, for maximum utilization. The pipe will also protect the purity of the water for domestic use.

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>22-00689</u>	<u>Dec. 17, 1910</u>	<u>.23 cfs</u>	<u>irrigation</u>	<u>4/15</u> to <u>10/15</u>
<u>22-00529B</u>	<u>June 1, 1989</u>	<u>.74 cfs</u>	<u>irrigation</u>	<u>4/15</u> to <u>10/15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred .90 ^{DMD} .97 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Sorensen Creek/Crandall Springs tributary to Darby Creek
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	20	4N	46E	Teton	
		SW	SW	17	04N	46E	Teton	

5. 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	
4N	46E	19	25 36.5	8.5															^{DMD} 45-33.5
4N	46E	19	11.5																11.5

Total acres 45 ^{DMD}

PART 1

6. General Information:

a. Description of diversion system Pipe for gravity flow irrigation system.

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

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

No change in place of use.

d. Remarks:

See attached Schedule A.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 22-00689/00529B

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

See attached sheet for conditions of approval.

Witness my hand this

13th

day of

November

, 1990

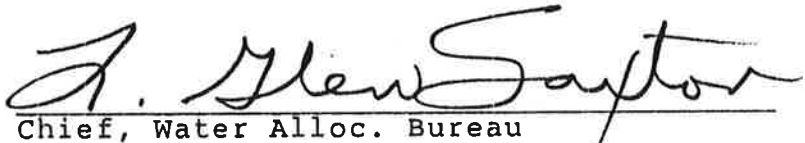
J. Glen Sayton
Chief, Water Alloc. Bureau

ATTACHMENT TO CONDITIONS OF APPROVAL

Transfer of Water Right Nos. 22-0529 and 22-0689

1. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
2. Use of water under this right is subject to control by the watermaster of State Water District No. 01.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. 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.

Dated this 13th day of November, 1990.


Chief, Water Alloc. Bureau

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. 22-00529B Decreed to Vernal J. Foster
in case of Silverstein vs. Carlson & Foster
dated June 5, 1989 in 7th Judicial District county of Teton
- 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 Sorensen Creek/Crandall Springs tributary to Darby Creek

4. Date or priority June 1, 1899

5. Water is used for the following purpose:

amount .74 cfs for irrigation purposes from 4/15 to 10/15
(cfs/ac-ft)
amount .03 cfs for stockwater purposes from 1/1 to 12/31
(cfs/ac-ft)
amount .04 cfs for domestic purposes from 1/1 to 12/31
(cfs/ac-ft)

6. Total amount of water under right .74 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	17	4N	46E	Teton	
		NE	NW	20	4N	46E	Teton	

8. 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	
4N	46E	19	DS 25	S 8.5															33.5

Total acres 33.5 DmD

9. Describe any other water rights used for the same purpose as described above Right to irrigate additional

11.5 acres in NE 1/4 NE 1/4 Section 19 - See attached judgment.

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. 22-00689 Decreed to Vernal J. Foster
in case of Silverstein vs. Carlson & Foster
dated June 5, 1989 in 7th Judicial District county of Teton
- 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 Sorensen Creek/Crandall Springs tributary to Darby Creek

4. Date or priority December 17, 1910

5. Water is used for the following purpose:

amount .23 for irrigation purposes from 4/15 to 10/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right .23 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	8	NE	NW	20	4N	46E	Teton	

8. 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	
4N	46E	19	11.5																11.5

Total acres 11.5

9. Describe any other water rights used for the same purpose as described above See attached judgment.

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)

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 _____

TETON COUNTY TAX COLLECTOR

1988

BONNIE C. HATCH
DRIGGS, ID 83422

REAL PROPERTY

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
53488	4-00	RP04N46E190010A	3486

M- 7560

N2NE4

45928* SEC 19 T4N R46E

25174

23650

4664

80.000 FOSTER, VERNAL

0.1 ACRES RT 1 BOX 3165

DELINQUENT CERT. DRIGGS, ID 83422

STATE
COUNTY

SCHOOL DIST 1
CEM VICTOR-CEDE
LIBRARY

.003143
.004318
.000098
.000148

144.36
198.32
4.50
6.80

TAX
PEN.
SUB TOT
INT.
TOT.
1ST IN
TAX
PEN.
SUB TOT
INT.
TOT.
2ND IN
TAX
PEN.
SUB TOT
INT.
TOT.

WATER DISTRICT

15.00

LANDFILL USE FEE

15.00

TOTAL .007707 383.98

PLEASE READ THE BACK OF THIS NOTICE
YOUR RETURNED CHECK IS YOUR RECEIPT

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1988 RP04N46E190010A
FOSTER, VERNAL
RT 1 BOX 3165 3486

SPECIAL CODE	TAX	CODE	AREA	TAX	2ND INSTALLMENT
92	7.50		176.99		191.99
93	7.50				
				PEN.	
				SUB TOT.	
				INT.	
				TOT.	

2nd
1T

PERSONAL CHECKS SUBJECT TO BANK CLEARANCE
MAKE CHECKS PAYABLE TO

TETON COUNTY TAX COLLECTOR
BONNIE C. HATCH
PO BOX 177 DRIGGS, ID 83422
PHONE: 208-354-2254

DELINQUENT IF NOT PAID ON OR BEFORE JUNE 20, 1989

DATE PAID
PAID BY CHECK #
CASH

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1988 RP04N46E190010A
FOSTER, VERNAL
RT 1 BOX 3165

SPECIAL CODE	TAX	CODE	AREA	TAX	TOTAL TAX
92	15.00		353.98		383.98
93	15.00				
				PEN.	
				SUB TOT.	
				INT.	
				TOT.	

SPECIAL CODE	TAX	CODE	AREA	TAX	1ST INSTALLMENT
92	7.50		176.99		191.99
93	7.50				
				PEN.	
				SUB TOT.	
				INT.	
				TOT.	

DELINQUENT IF NOT PAID ON OR BEFORE

DATE PAID
PAID BY *Bud*
12-7-88

DECEMBER 20,
CHECK #*1946*
CASH *BH*

SCHEDULE A

APPLICATION FOR TRANSFER OF WATER RIGHT
(Vernal J. Foster)

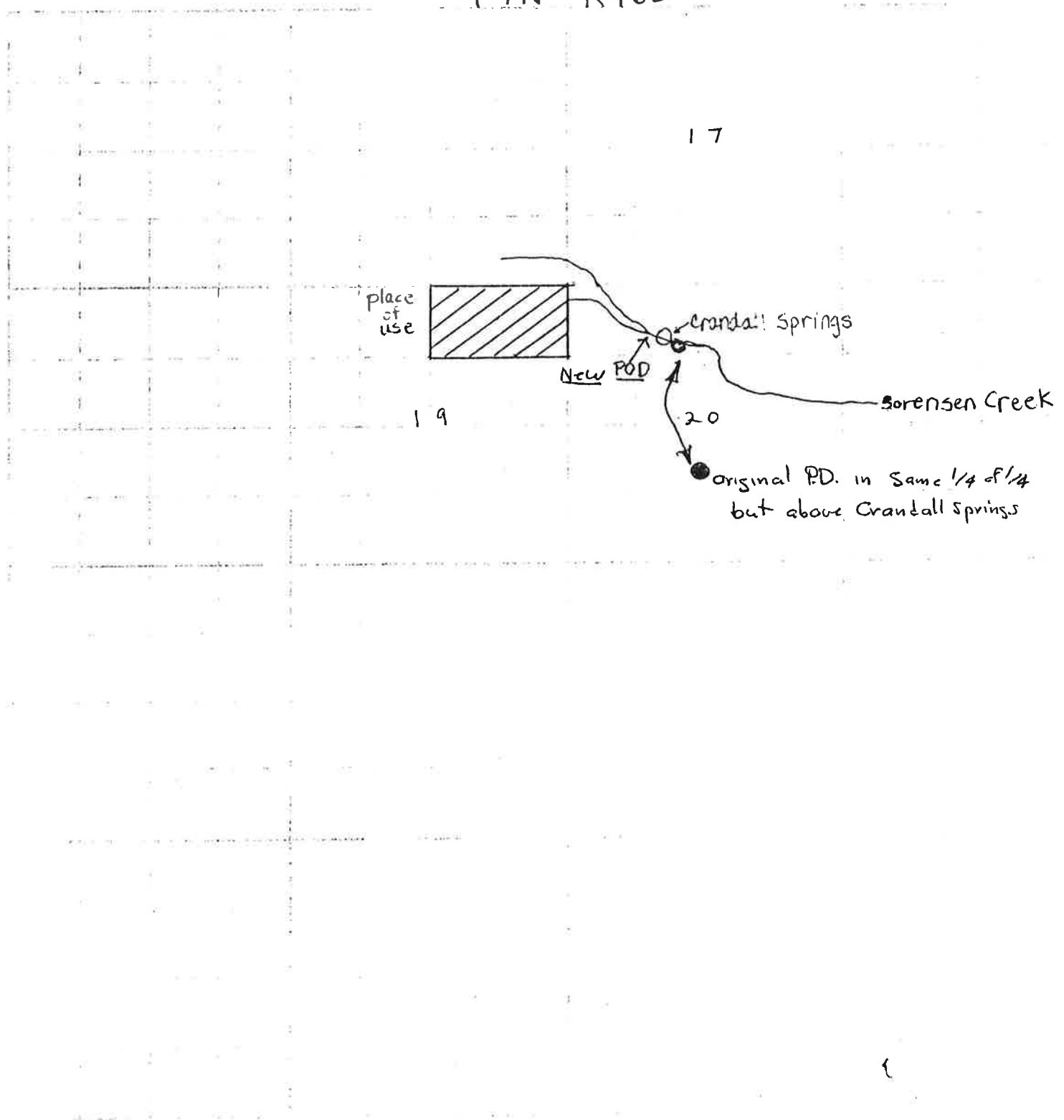
Page 2 of Part 1:

6. d. Remarks: I do not want to change a second point of diversion. I use, further downstream, Sorensen Creek. This second diversion provides domestic and stockwater; and irrigation water when the Creek flows at high water levels; or when I am not using all my irrigation water at the new point of diversion. My water right with the 1899 priority covers both this second point of diversion and the one I wish to change.

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.

T4N R46E



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 7th day of May, 1990.

Vernon J. Fourn
(Signature of Applicant)

Edward W. Pike
(Notary Public)

My commission expires 3/15/92

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by Kaw Date 7 May 1990 Protest filed by _____Prelim. check by DMS Fee 50.00Receipted by KCW Date 7 May 1990 EO14214Published in Teton Valley News Copies of protest forwarded by _____Pub. dates June 21 & 28 - 1990 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial_____ rec'd. _____ by BDC

Copy of transfer sent to lien holder _____