

T3010 QUALITY FARMS

RECEIVED

JUL 24 1985

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Eastern District Office

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant Quality Farms, Inc. Phone 356-7220
Post Office address Rt. #3, Box 433-8, Rexburg, ID 83440

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. Decreed to (Name)
in case of vs
dated in in county of
T 3010/31-7268 (Name of court)
b. License No. issued by the Idaho Department of Water Resources
c. Claim No. on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired

3. Source of water groundwater tributary to
4. Date of priority 9-07-1977 This right when combined with 31-7303 shall not provide more than 3.44 cfs.
5. Water is used for the following purposes:
amount 2.20 cfs for Irrig. purposes from 4-1 to 11-1
amount for purposes from to
amount for purposes from to (month/day — both dates inclusive)

6. Total amount of water under right: a. 2.20 cubic feet per second &/or
b. acre feet per annum

7. Location of original point of diversion is NW ¼ of NE ¼ of Section 30
Township 8N Range 37E, B.M., in Fremont County
Additional points of diversion, if any

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8N	37E	30	30	20	30	30			23	14		40							77 110 *
8N	36E	25				3								20			10		33 *

Total number of acres to be irrigated 110

9. Describe any other water rights used for the same purpose as described above 31-7303

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in Item D, REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use: _____

[illegible]

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information
- a. Amount of water to be diverted 2.20 c.f.s. &/or _____ acre feet
- b. Description of diverting works well, pump and sprinkler system
- c. Describe the reasons for the proposed changes T 3010, approved Dec. 1984
resulted in a portion of this becoming appurtenant to the
E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 30, T. 8N. R.37E. I have never owned that property
and am filing this application to make the recorded right
consistent with actual practice. (T.3010 VOIDED BY ORDER DATED
5-29-85)
2. Change in point of diversion
- Point of diversion NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 30 Township 8N
Range 37E, B.M., Fremont County
- Additional points _____
3. Change in place of use
- a. 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 change.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
This transfer correctly describes the actual land being
irrigated.

c. Describe the language or place of use to which the right will be transferred:

[illegible]

Total number of acres to be irrigated 110

4. Describe any other water rights used for the same purpose as described above. 31-7303
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

Page 37E.

Tw. BN.

P.D.

30

D. REMARKS

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 willfull misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 4th day of April, 1985

Quality Form Inc. by Golden Chapter
(Signature of Applicant)
Calvin Gray
(Notary Public)

My commission expires 6-15-85

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-7268
and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 22nd day of July, 1985

J. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>Cal</u>	Date <u>4-09-85</u>	Protest filed by _____
Prelim. check by <u>HWT</u>	Fee <u>\$50.00</u>	_____
Receipted by <u>Cal</u>	Date <u>4-9-85 #33251</u>	_____
Published in <u>Triumphant Co. Chron.</u>	Copies of protest forwarded by _____	
Pub. dates <u>4-25 & 5-2-85</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on _____	Recommended for <u>approval</u> denial	
_____ rec'd. _____	by <u>R.D. Jim</u>	



DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

3010

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

RECEIVED

JAN 8 1985

Department of Water Resources
Eastern District Office

December 31, 1984

VOIDED BY ORDER

RE: Transfer of Water Right No. 31-7268 #3010

Quality Farms Inc.
Rt. 3, Box 433-8
Rexburg, ID 83440

Gentlemen:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3010). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:sc

Enclosure

VOIDED BY
ORDER

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Transfer No.

3010

Water Right No.

31-7268

NOTE: New Trans also has

T# 3010 approved

22 July 85

Name of applicant Quality Farms Inc. Phone 356-7220Post Office address Rt. 3, Box 433-8 Rexburg, ID 83440

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)

b. License No. 31-7268 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water Groundwater tributary to _____

4. Date of priority 9-7-1977 7-7-1977 JJ *This right when combined with
31-7303 shall not provide more
than 3.44 cfs

5. Water is used for the following purposes:

amount *2.20 for Irrigation purposes from 4-1 to 11-1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 2.20 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30
Township 8N Range 37E, B.M., in Fremont County

Additional points of diversion, if any _____

8. Lands irrigated or 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 $\frac{1}{4}$	
8N	37E	30							23	14		40							77
	36E	25				3									20			10	33

Total number of acres to be irrigated 110

9. Describe any other water rights used for the same purpose as described above 31-7303 from
same point of diversion

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years
of nonuse? No If yes, describe in Item D. REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
- ✓ Point of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ County
- Additional points _____

3. Place of use:

VOIDED

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 $\frac{1}{4}$	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted 2.20 c.f.s. &/or _____ acre feet
- b. Description of diverting works Well with pump and sprinkler system
- c. Describe the reasons for the proposed changes Applicant wishes to move water to new development and better land.

2. Change in point of diversion

Point of diversion NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 30 Township 8N
Range 37E, B.M., Fremont County

Additional points _____

3. Change in place of use

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
The land now irrigated by License #31-7268 will no longer be irrigated from the point of diversion specified under the license.

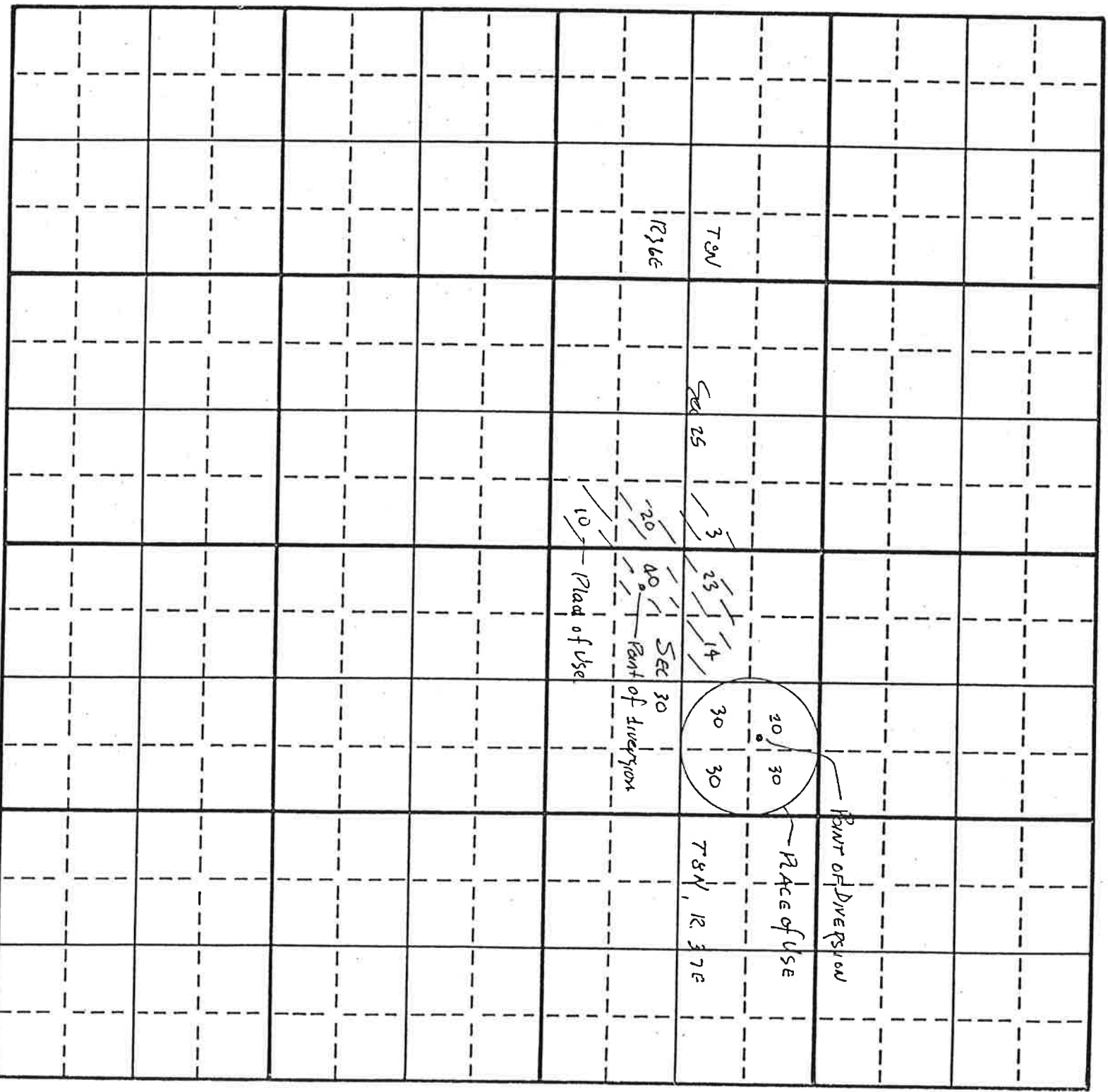
place of use to which the right will be transferred

[illegible]

VOIDED

Total number of acres to be irrigated 110

4. Describe any other water rights used for the same purpose as described above. _____
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number. _____



SCALE: 2 inches equal 1 mile. Draw plan in ink.

D. REMARKS

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 willfull misrepresentations made in this application may result in voiding its approval.

Gordon C. Luford, President Quality Farms Assoc.
(Signature of Applicant)

Subscribed and sworn to before me this 19th day of March, 19 84.

Calvin Wray
(Notary Public)

My commission expires 6-15-85

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-7268
and said application is hereby APPROVED, subject to the following limitations and conditions:
Diversion of water under this transfer shall not exceed 3.44 cfs when combined

with Right No. 31-7303.

Voided see New Trans # 3310

Approved 22 July 1985

Witness my hand this 20th day of December, 19 84.

L. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by BP Date 3-14-84 Protest filed by _____

Prelim. check by km Fee 30.00 _____

Received by BP Date 3-14-84 #33472 _____

Published in Fremont Chronicle Copies of protest forwarded by _____

Pub. dates 3/29 : 4/5/84 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for approval denial

_____ rec'd. _____ by EMC John DZT

RECEIVED

JUN 5 1985

Department of Water Resources
Eastern District Office

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 3010 ON WATER RIGHT)
NO. 31-7268 IN THE NAME OF)
QUALITY FARMS, INC.)

ORDER

WHEREAS, on March 14, 1984, the Idaho Department of Water Resources (Department) received Application for Transfer No. 3010 to change the place of use and point of diversion for licensed Water Right No. 31-7268; and,

WHEREAS, on December 20, 1984, said Application for Transfer was approved by the Department; and,

WHEREAS, on April 9, 1985, the Department received an Application for Transfer of Water Right No. 31-7268 to correct an error made on the location of the place of use description shown on Transfer No. 3010; and,

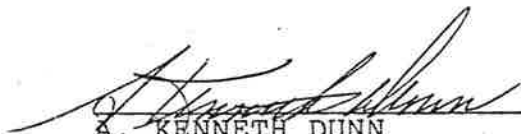
WHEREAS, the new Application for Transfer is intended to supercede Transfer No. 3010; and,

WHEREAS, information provided in Transfer No. 3010 is not correct and the approval should be voided; and,

WHEREAS, the application for transfer form provides the basis for voiding an approval;

IT IS THEREFORE, HEREBY ORDERED that Transfer No. 3010
filed in connection with Water Right No. 31-7268 be Voided and be
of no further force or effect.

Dated this 29th day of May, 1985.


A. KENNETH DUNN
Director

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