

Transfer No. T 2764

Water Right No. 01-0310E

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**APPROVED****APPLICATION FOR TRANSFER OF WATER RIGHT**

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

Name of applicant Kenneth L. or Alberta M. Martin Phone 524-2429
Post Office address 15609 Bear Island Drive, Idaho Falls, ID 83402**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

a. Decree No. 01-0310E Decreed to Rebecca Holdenin case of Aberdeen Springfield Canal Co., Henry Eagledated in 3-12-1969 in Seventh District county of Fremont

b. License No. _____ 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. Applicant purchased lot to which part of right is appurtenant. This lot was not included in Transfer #23433. Source of water SNAKE RIVER SOUTH FORK tributary to Columbia4. Date of priority 4-1-1939

5. Water is used for the following purposes:

amount 0.66 cfs for Irrigation purposes from _____ (under watermaster control)

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____ (month/day -- both dates inclusive)

6. Total amount of water under right: a. 0.66 cubic feet per secondb. _____ &/or
acre feet per annum7. Location of original point of diversion is _____ of NW 1/4 of Section 35Township 4N Range 37E B.M. in Jefferson CountyAdditional points of diversion, if any NE 1/4, Sec. 36, T. 4N, R. 37E. Historically the old point of diversion (Bear Island Pump Station) was in the SW 1/4, Sec. 36, T. 4N, R. 37E.

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SE 1/4				SW 1/4				TOTALS
			NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	
3N	37E	2		L7 x															
4N	37E	35	L6 x		L6 x	L6 x								L7 x	L7 x	L8 x	L8 x		
		36					1.4 x	1.4 x			1.4 x								

*Acreage left after T2678

Total number of acres to be irrigated *18.12

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

10. To your knowledge, has any portion of this water right under gone a period of five or more consecutive years of nonuse? _____ If yes, describe in item D. REMARKS.

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. 0.07 cubic feet per second
b. _____ &/or _____
acre feet per annum
2. Point of diversion _____ N.E. Section 36 Township 4N
Range 37E B.M. Jefferson County _____
Additional points NW 1/4 Sec. 35, T. 4N, R. 37E
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 0.07 c.f.s. &/or _____ acre feet
- b. Description of diverting works pump in river at edge of lot
- c. Describe the reasons for the proposed changes. Old point of diversion cannot deliver water to lot site. Transfer #2343 by Bear Island Estates Div. #1 did not include this lot.

2. Change in point of diversion

Point of diversion NW % NW % Section 36 Township 4N
Range 37E, B.M., Jefferson County
Additional points _____

- | 3. Change in place of use | No Change |
|---------------------------|-----------|
| | |

- 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 _____. 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 _____

This transfer is to define water right and point of diversion on applicants lot. Several transfers have been made on right #01-0310. See T2187, T2343, T2678 and accompanying chart for clarification.

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.

Kenneth L. Martin
(Signature of Applicant)

Subscribed and sworn to before me this 20th day of December, 19 82

Ronald D. Clark
(Notary Public)

My commission expires 2/14/84

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 01-0310 H and said application is hereby APPROVED, subject to the following limitations and conditions:
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, Snake River.

Witness my hand this

15th day of

June

19 83

J. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Assist. by WJT
Received by WJT Date 12-20-82 Protest filed by _____
Prelim by WJT Fee 30.00
Receipt by WJT Date 12-20-82 # 23212
Published in Rigby Star
Pub dates 12/30/82 : 1/6/83
Watermaster recommendation requested on _____
rec'd 12-23-82
Copies of protest forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial
by Jim

