

Transfer No. 2656

Water Right No. _____

RECEIVED

AUG 23 1982

Department of Water Resources
Eastern District Office

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 Holly Water Users Assn. Phone _____

Post Office address c/o LaMoyne Barney, Hamer, Idaho 83425

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to Holly Water Users
(Name)
in case of Holly Water Users Assn. vs Mark R. Kulp
dated in 12/13/1946 in 9th Judicial Dist. county of Jefferson
(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. 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 _____
(1) 31-0371 (2) 31-0331
4. Date of priority 9/10/1928 1/25/1930

5. Water is used for the following purposes:

31-0371 amount 23cfs for Irrigation purposes from 4/1 to 11/1
31-0331 amount 24cfs for Irrigation purposes from 4/1 to 11/1
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 47 cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 25
Township 7N Range 35E, B.M., in Jefferson 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 $\frac{1}{4}$	
7N	35E	36									X	X	X	X					
6N	35E	1					X	X	X	X	X	X	X	X					
6N	35E	2									X			X					
6N	35E	3													X		X	X	
6N	35E		All of Sections 10, 11, 14, 15, 22, 23																

Total number of acres to be irrigated 4,000

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 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:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

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 _____ 47 _____ c.f.s. &/or _____ acre feet

b. Description of diverting works Well & pumps to canal of Holly Water Users Assn.

c. Describe the reasons for the proposed changes Applicant wishes to spread the wells out to obtain more adequate flow of water. Due to a drop in the groundwater level the applicant cannot divert the full amount as specified in the decree.
2. Change in point of diversion

Point of diversion SW _____ ¼ SW _____ ¼, Section 25 Township 7N

Range 35E _____, B.M., Jefferson County

Additional points NW¼NW¼, Sec. 36, T. 7N. R. 35E
3. Change in place of use

a. Are there leins, 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

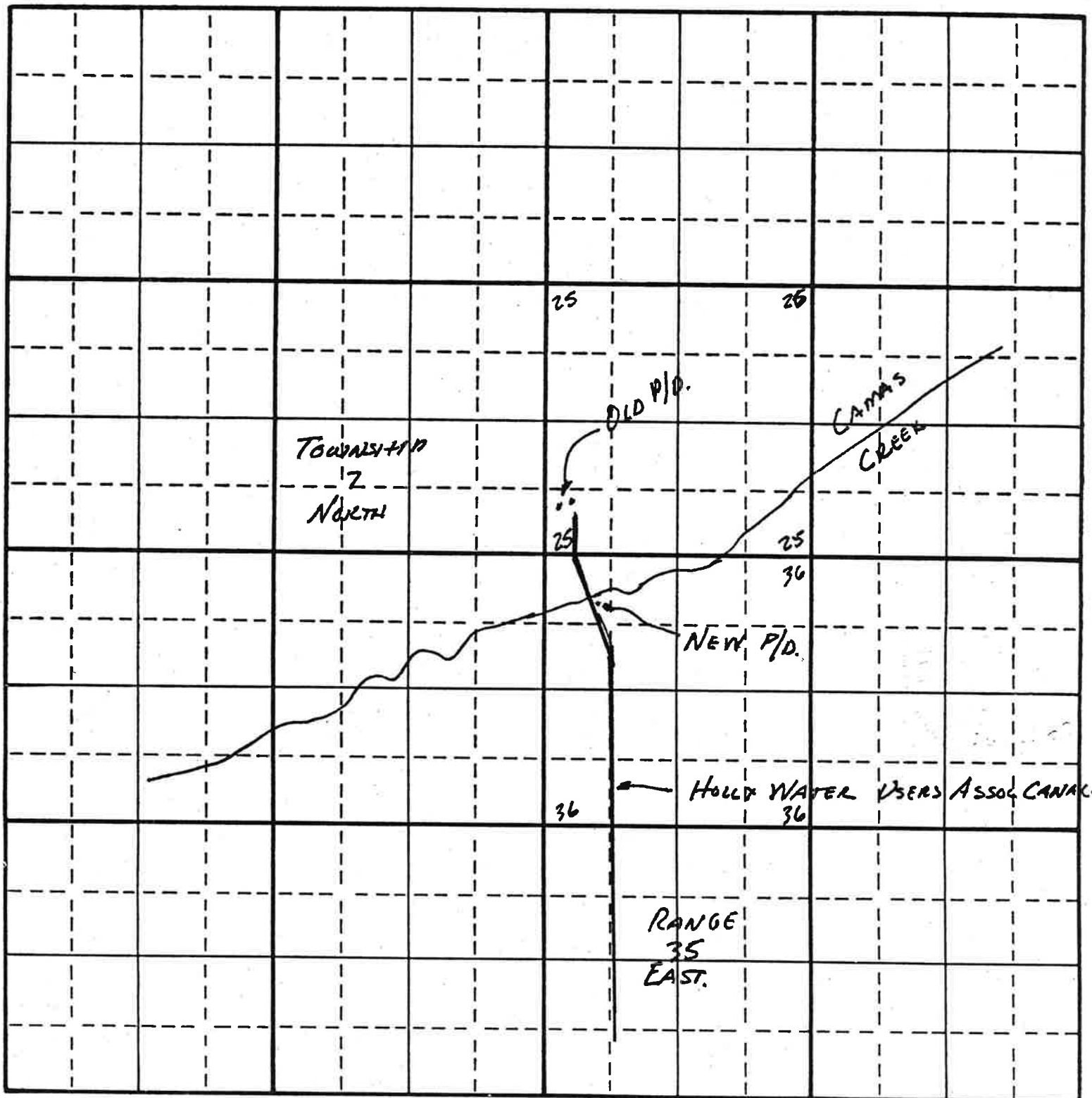
c. Describe the land and place of use to which the right will be transferred:

NO CHANGE

TWP.	RANGE	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 number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. Decreed rights from Camas Creek (Suave vs. Abbott)
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

The intent of this application for transfer is to
add a point of diversion to the Holly Water Users Assn. existing
groundwater rights.

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.

Holly water Users
Secretary (Signature of Applicant)

Subscribed and sworn to before me this 2nd day of March, 19 82.

Gloria Aldrich
(Notary Public)

My commission expires Oct 10, 1985

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-0331 & 31-0371
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 approval is subject to the control of the watermaster
of State Water District No. 31, Mud Lake and tributaries, said groundwater
rights being decreed in the case of Holly Waterusers Assn. vs. Mark R. Kulp.
3. The special minimum construction standards for artesian water shall be followed
if artesian water is encountered.

Witness my hand this 16th day of August, 19 82.

J. Glen Saxton
Chief, Operations Bureau

Assisted by J.M.

FOR DEPARTMENT USE ONLY

Received by CW Date 3-03-82 Protest filed by
Prelim. check by HWS Fee 50⁰⁰
Receipted by CW Date 3-4-82 #20126
Published in (Holly Water Users Assn.)
Pub. dates 7/1/82 184 25-82
Watermaster recommendation requested on 3-12-82
WD 31 rec'd. 3-25-82
Copies of protest forwarded by
Hearing held by Date
Recommended for approval denial
by J.M.