

WD #01
RECEIVED

JUL 12 1977

Department of Water Resources
Eastern District Office

Transfer No. 2096
Application No. 21-0022

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

APPROVED

Name of applicant Ralph D. Miller Phone 624-7724

Post office address Box 92, Chester, ID 83421

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree to Joseph Bell (Name)
in case of Rexburg Irrigation Co. et al vs Teton Irrigation Canal Co. et al
dated 12-16-1910 in Sixth District county of Fremont
(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
Applicant purchased land with decreed water right
3. Source of water Fall River tributary to North Fork Snake River
4. Date of priority 9-26-1889
5. Water is used for the following purposes:
amount 5.20 for irrigation purposes from Apr. 1 to Nov. 1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)
6. Total amount of water under right: a. 5.20 cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 28
Township 8N Range 42E, 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	42E	20					40		40	40	40								160

Total number of acres to be irrigated 160

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, 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: _____

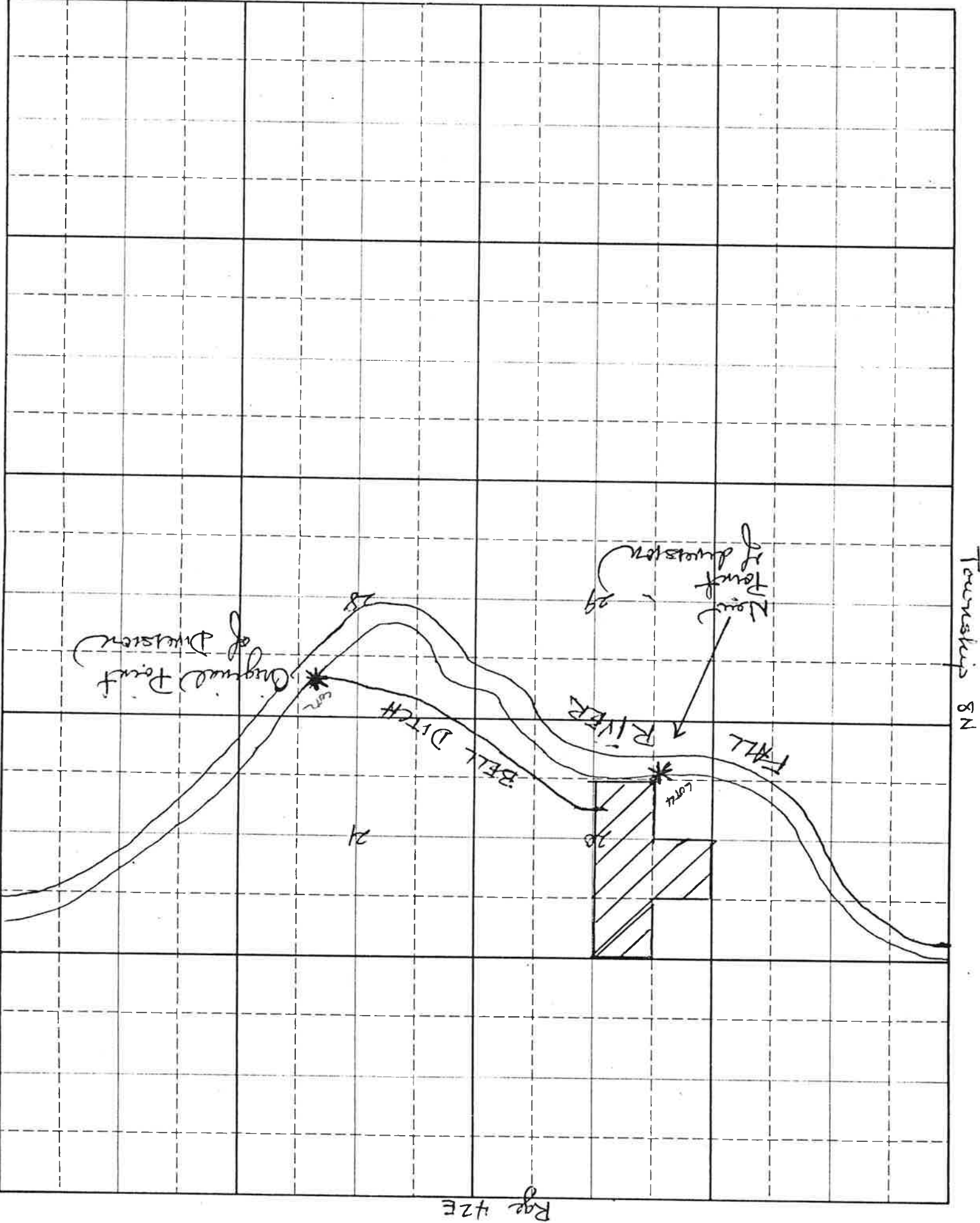
TWP	RANGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

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

1. Change in point of diversion
- a. Amount of water to be diverted 5.20 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion NW ¼ NE ¼, Section 28 Township 8N
Range 42E, B.M., Fremont County
Additional points SWSW, Sec. 20, T. 8N, R. 42E, B.M.
- c. Description of diverting works headgate, pump and sprinkler system
- d. Describe the reasons for applying for a change in the point(s) of diversion added one point of diversion
2. Change in place of use NO CHANGE
- a. Describe the lands or place of use to which the right will be transferred:

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

b. 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.

3. Remarks

I hereby assert that no one will be injured by such change and 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.

Ralph D. Miller
(Signature of applicant)

Subscribed and sworn to before me this 10 + 4 day of May, 19 77

Lester O. Huber
(Notary public)

My commission expires May 21, 1979

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 21-0022 Decreed, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons:

Witness my hand this 30 day of June, 19 77

A. Howard Shinn

FOR DEPARTMENT USE ONLY

Received by Mc Date 5-10-77

Protest filed by

Prelim. check by ARK Fee \$3.00

Receipted by Mc Date 5-10-77 #7231

Published in The Fremont County Chronicle Copies of protest forwarded by

Pub. dates May 19 + May 26, 1977 Hearing held by Date

Watermaster recommendation requested on 6-01-77 Recommended for approval denial

W.D. #01 rec'd. 6-13-77 by RDC SS

Art Larson