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Department of Water Resources
Eastern District Office

Transfer No. 2025
Application No. 29 2281

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 Virgil Jahnke Phone 226-2706
Post office address Route #1, Box 125, American Falls, Idaho 83211

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____ (Name of court)
 - b. License No. 29-2281 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 _____
Title Insurance Policy dated September 28, 1976 No. K422255, Lawyers Title Ins. Co.
Attached - PARCEL 2
3. Source of water Groundwater tributary to _____
4. Date of priority 6-26-52
5. Water is used for the following purposes:
amount 2.02 cfs for Irrigation purposes from April 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. 2.02 cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 8
Township 7 S Range 32 E, B.M., in _____ Power _____ County
Additional points of diversion, if any None

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 $\frac{1}{4}$	
7 S	32 E	8					40	40	40	25									145

Total number of acres to be irrigated 145

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

No Change
2.02

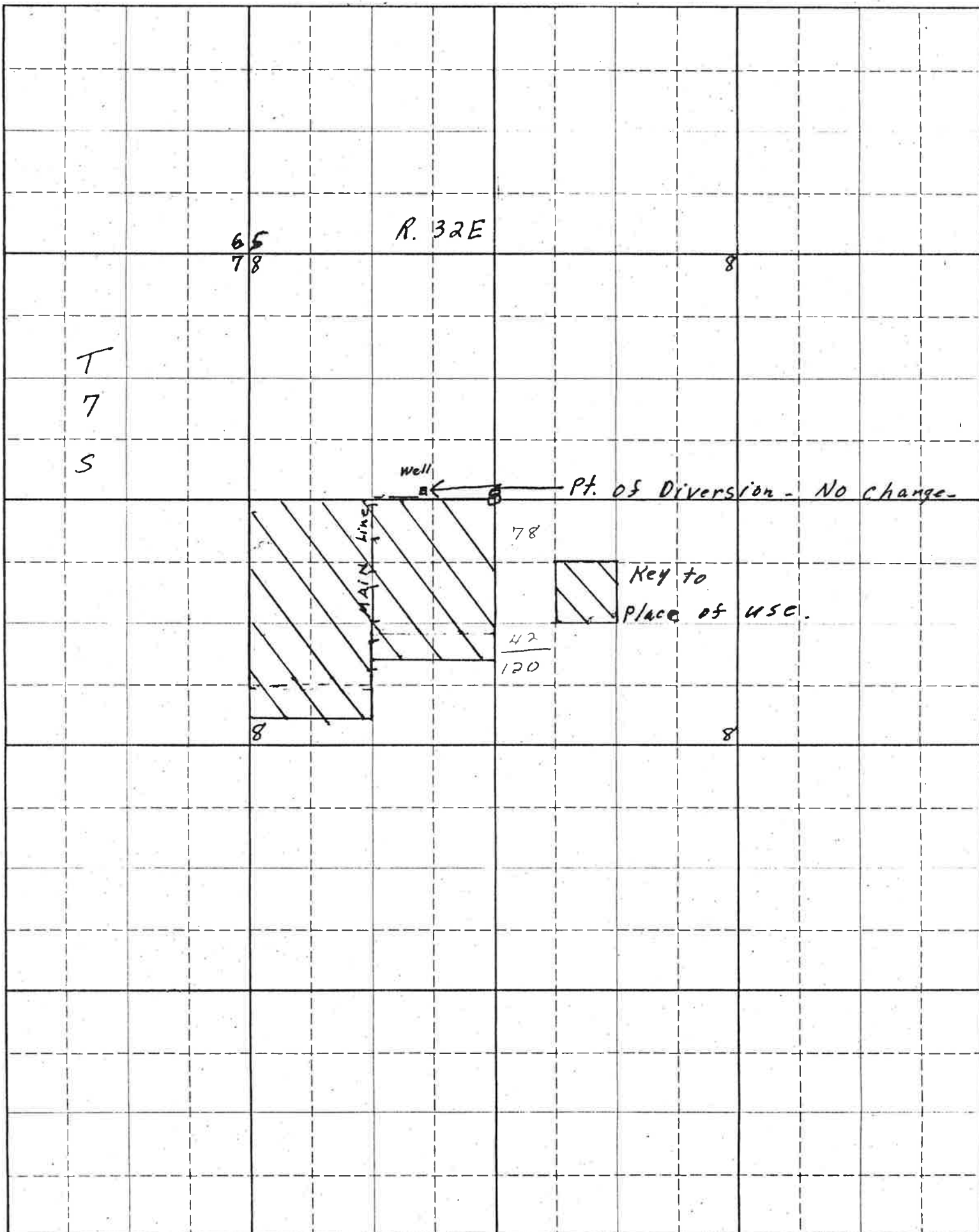
 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion SE ¼ NW ¼, Section 8 Township 7 S
Range 32 E, B.M., _____ Power _____ County _____
Additional points None
- c. Description of diverting works 100 H.P. Pump + motor + 2900' of 10" x 8" steel mainline.
- d. Describe the reasons for applying for a change in the point(s) of diversion

2. Change in place of use

- 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	
7 S	32 E	8									39	39	30	12					120

- 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: 4 inches equal 1 mile. Draw plan in ink.

3. Remarks This Application for Transfer of Water Right is to change the place of use from the NW $\frac{1}{4}$ to the land in the SW $\frac{1}{4}$ as shown on the plat and to conform with the existing sprinkler system.

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.

Singil Jalke
(Signature of applicant)

Subscribed and sworn to before me this 3rd day of November, 19 76

Steve Madame
(Notary public)

My commission expires Aug 6 - 1978

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 29-2281, and said application is hereby APPROVED.

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

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

Witness my hand this 14 day of September, 19 78

Stephen Clark
(Director)

FOR DEPARTMENT USE ONLY

Received by *me* Date 11-8-76
Prelim. check by RDC Fee \$30.00
Receipted by *ew* Date 11-26-76
Published in *Quiver County Press*
Pub. dates *Dec. 9 + 16, 1976*
Watermaster recommendation requested on *U.A.*
rec'd.

Protest filed by *Margaret Smith*
Copies of protest forwarded by *ew* 12-27-76
Hearing held by _____ Date _____
Recommended for approval denial
by RDC

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR
TRANSFER OF WATER RIGHT NO. 29-2281
IN THE NAME OF VIRGIL JAHNKE

MEMORANDUM DECISION
AND ORDER

On November 8, 1976, Virgil Jahnke applied to the Department of Water Resources for a change in the place of use of water right evidenced by License No. 29-2281. Notice of this application was advertised in the Power County Press on December 9 and December 16, 1976 and subsequently was protested by Margaret Smith of American Falls, Idaho.

A conference in the matter was held in Pocatello, Idaho on May 5, 1977. The applicant was not present but was represented by L. R. Schou, Attorney at Law. The protestant was present and represented herself.

At the conference, it was determined that the transfer did not involve a change in the point of diversion from that of the original license. The lands to be irrigated would be changed by this transfer from 145 acres in the NW $\frac{1}{4}$, Sec. 8, Twp. 7S, Rge. 32E B.M. to 120 acres within the SW $\frac{1}{4}$, Sec. 8, Twp. 7S, Rge. 32E B.M.

At the conference, the protestant produced no evidence to show that the granting of this transfer would result in either injury to other existing water rights or represented an enlargement in the use under the original right.

Based upon the lack of evidence to demonstrate probable injury from the transfer as requested, and the Director's understanding of the law, the Director of the Department of Water Resources hereby orders that Application for Transfer No. 29-2281 be APPROVED.

Dated this 17 day of September, 1978.



C. STEPHEN ALLRED

Director