

T1813 BURKMAN

Identification No. 35 2668

Transfer No. 35-2668 1813

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED
APPROVED
APR 1 1974

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

1. Name of Right Holder James W. Burkman
Post office address Route 1 - Box 36, Blackfoot, Idaho 83221

2. Right obtained by:
a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court. County of _____
G-29839/

b. License No. 35-2668 issued by the State of Idaho, Department of Reclamation.

3. Source of water ground water tributary to _____
(Name of stream or source)

4. Date of Priority August 21, 1961

5. Amount of water a. 2.0 c.f.s. and/or
b. _____ acre feet/annum

6. Water is used for Irrigation from April 1 to October 31
(Month, Day) (Month, Day)

7. Original location of point of diversion is NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3,
Township 2 S, Range 35 E, B.M., in Bingham County;

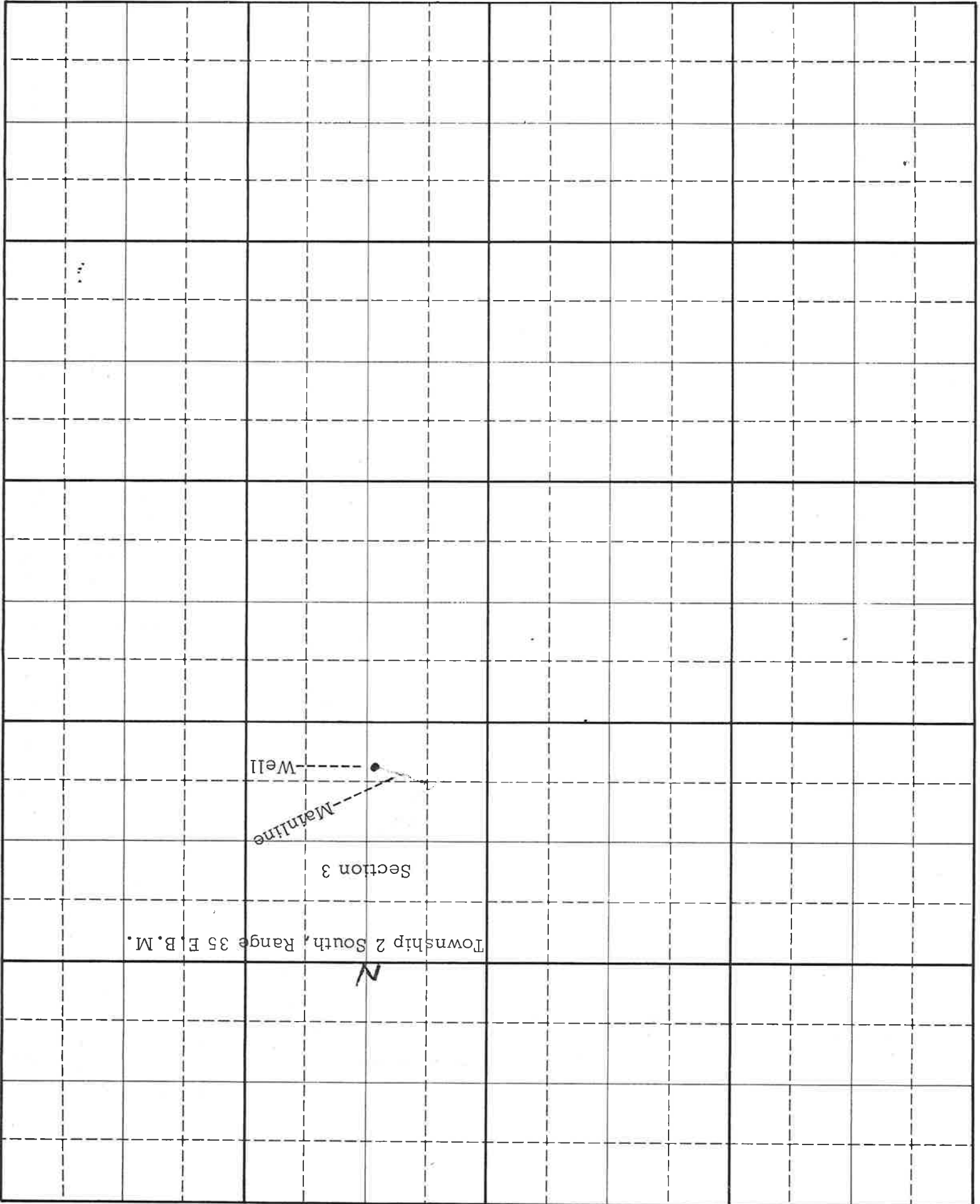
Additional points of diversion, if any _____

8. Lands presently 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 $\frac{1}{4}$	
2 S	35 E	3									19	39	35						93
		9	11																11

Total number of acres presently irrigated 104

SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.



9. If applicant was not the original holder of this right explain how it was acquired: By purchase
from Wilma.Malm, surviving widow and distributee of the estate of Earl Malm,
deceased

10. CHANGE IN POINT OF DIVERSION

ALLOW: 1.86 cfs

- a. Quantity to be diverted at new point: 2.0 c.f.s. and/or _____ acre feet
- b. New point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, Township 2 S
_____, Range 35 E, B.M.
- c. Description of method of diversion and conveyance from new points of diversion: _____
By well, and pumps and irrigation sprinkler system
- d. Is water to be conveyed to the lands previously irrigated? Yes X No _____
If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion:
Water can be pumped from the new point of diversion more economically
than by operating two wells.
- f. Do you intend to make the transfer permanent? Yes
- g. Do you intend to abandon completely the old point of diversion? Yes
- h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

~~XXXXXXXX~~

- a. Describe the new lands on which you wish to use your right.

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 $\frac{1}{4}$	
<u>2 S.</u>	<u>35 E</u>	<u>3</u>									<u>19</u>	<u>39</u>	<u>35</u>						<u>93</u>

Total number of acres to be irrigated 93

- b. Do you intend to make the transfer permanent? Yes
- c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:
No, we are abandoning only lands in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, Township 2 South,
Range 35 E.B.M.
- d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: None
- e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

James W. Burkman
(signature of applicant)

Subscribed and sworn to before me this 23rd day of October, 19 73

William Leachman
(notary public)

My commission expires January 31, 1974.

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 35-2668,
and said application is hereby APPROVED.

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

- (1) The maximum rate of diversion shall not exceed 1.86 cfs for the irrigation of
93 acres.
- (2) A measuring device of a type approved by this Department shall be permanently
installed and maintained as part of the diverting works.

Witness my hand this 27 day of March, 19 74.

R. Keith Higginson
R. KEITH HIGGINSON, Director
Idaho Department of Water Administration

FOR DEPARTMENT USE ONLY

Received by <u>MB</u>	Date <u>10-25-73</u>	Protest filed by:	Date
Prelim. check by <u>NCY</u>	Date <u>10/30/73</u>		
Fee received by <u>MB</u>	Date <u>10/24/73</u>	Fee <u>\$30.00</u>	<u>Receipt # 12606</u>
Approved for publication by <u>CW</u>	Date <u>11/28/73</u>		
Published in <u>Blackfoot Press</u>	Dates <u>11/15 + 11/22/73</u>		
Hearing held			
Watermaster Recommendation sent			

WATER LICENSE

Water License No. 35-2668 G-29839 Priority August 21, 1961 Amount 2.0 c.f.s.
(late proof)

THIS IS TO CERTIFY, that EARL MALM

of Blackfoot, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 19, 1961; that Permit G-29839 was issued pursuant to said application; that the proposed works were completed on or about 1961 with a storage/or carrying capacity of 2.0 c.f.s., said works consisting of well, gas engine, pump, concrete diversion works and earth ditches and that on August 23, 1966 proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 364 acre feet per season, with a maximum rate of diversion of 2.0 cubic feet per second of the waters of ground water source, tributary of _____, for the purpose of irrigation from April 1 to October 31; and for _____ from _____ to _____; and for _____ from _____ to _____; and that the use of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is located in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, T. 2 S, R. 35 E, B.M., and other additional points _____, in the County of Bingham; and that the amount of water to which such right is entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed 364 acre feet per year.

* Description and location of 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 $\frac{1}{4}$	
<u>2 S</u>	<u>35 E</u>	<u>3</u>									<u>19</u>	<u>39</u>	<u>35</u>						<u>93</u>
		<u>9</u>	<u>11</u>																<u>11</u>

Total number of acres irrigated 104

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

23rd day of January, 19 69.

R. Keith Higgins
State Reclamation Engineer

29839