

RECEIVED

JUL 16 1979

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

Department of Water Resources
Eastern District Office

APPROVED

Name of applicant Roland G. Allen Phone 897-5737

Post office address Downey, Idaho 83234

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. 29-2396 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 N/A

3. Source of water Marsh Creek tributary to Portneuf River

4. Date of priority Sept. 3, 1958

5. Water is used for the following purposes:

amount 1.20 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. 1.20 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 3
Township 12S Range 37E, B.M., in Bannock 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 $\frac{1}{4}$	
12S	37E	3															20		20
		10		40															40

Total number of acres to be irrigated 60

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	

DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

a. Amount of water to be diverted 1.20 c.f.s. &/or _____ acre feet

b. Point(s) of diversion NE ¼ NE ¼, Section 10 Township 12S
Range 37E, B.M., Bannock County _____
Additional points _____

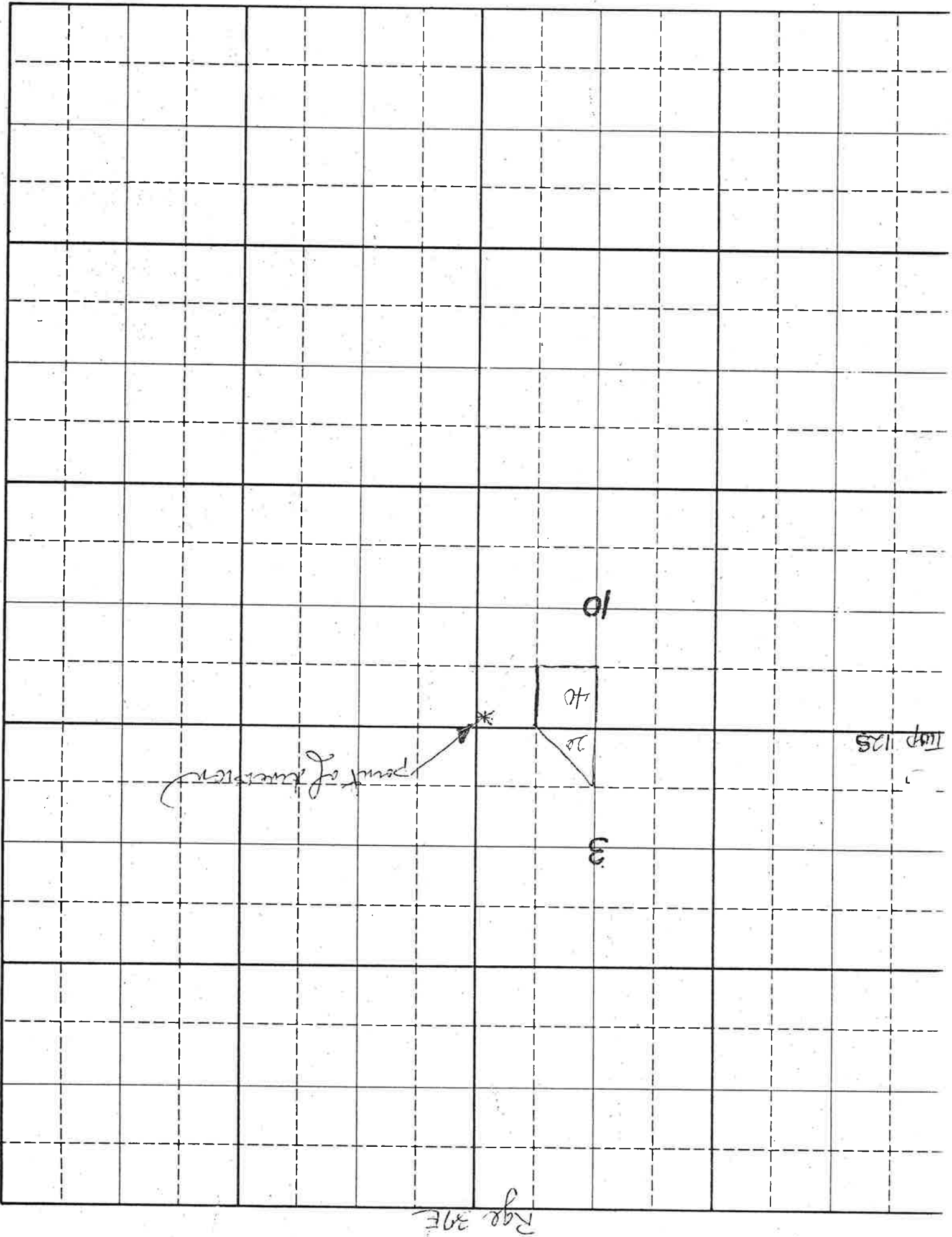
c. Description of diverting works pump /motor, diversion box, and sprinkler delivery system.

d. Describe the reasons for applying for a change in the point(s) of diversion This transfer of point of diversion if approved will decrease conveyance distance by approximately a mile and increase the systems efficiency by reducing the cost of operation.
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	

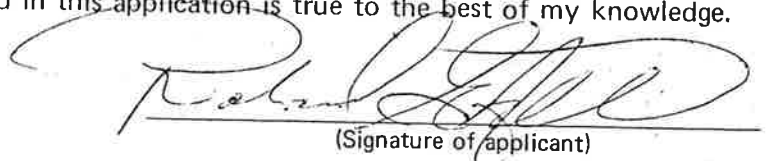
b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



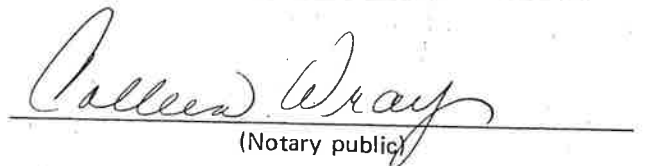
SCALE: 2 inches equal 1 mile. Draw plan in ink.

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.


(Signature of applicant)

Subscribed and sworn to before me this 19th day of March, 19 79.


(Notary public)

My commission expires 6/15/81

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 29-2396 and said application is hereby APPROVED, subject to the following limitations and conditions:

(1) Use of water under this Right is subject to control by the watermaster of State Water District No. 29-H, Marsh Creek. (2) A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

Witness my hand this 2 day of June July, 19 79.


DAVID B. SHAW
Acting Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Received by dh Date 3-19-79

Prelim. check by ARK Fee \$35.00 #12964

Receipted by dh Date 3-19-79

Published in Idaho State Journal

Pub. dates March 29 & April 5, 1979

Watermaster recommendation requested on _____

_____ rec'd. _____

Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial

by SS

RECEIVED

DEC 18 1975

State of Idaho

Department of Water Resources

Department of Water Resources
Eastern District Office

WATER RIGHT LICENSE

License of Water Right No. 27496/29-2396 Priority Sept. 3, 1958 Amount 1.20 cfs

THIS IS TO CERTIFY, that ROLAND G. ALLEN
of Downey, Idaho, has complied with the terms and conditions of Permit
No. 27496/29-2396 issued pursuant to Application for Permit dated July 24, 1958,
and has submitted proof to the Department of Water Resources on September 15, 1959 (late proof),
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.26 cfs of water from Marsh Creek,
tributary to the Portneuf River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u> from <u>April 1</u> to <u>Nov. 1</u> at <u>1.20</u> cfs and			<u>210 acre feet or</u>
			<u>3.5 af per acre</u>

(both dates inclusive)

Subject, however, to the condition that no more than 1.20 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
210 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 3,
Twp. 12 S, Rge. 37 E, B.M. in the County of Bannock

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 $\frac{1}{4}$	
12 S	37 E	3															20		20
		10		40															40

Total number of acres irrigated 60

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 15 day of
December, 19 75.

Director

- 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, the 80 acres dropped from this right will be irrigated under a new
permit, the application for which is on file.
- d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: Application for Permit
- 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.

Walker C. Robinson Pres
(signature of applicant)

Subscribed and sworn to before me this 11th day of SEPTEMBER, 1974

Ronald P. Carlson
(notary public)

My commission expires 2/14/78

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

This is to certify that I have examined Application for Transfer of Water Rights No. 31-2365,
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 16 day of December, 1974

R. Karl Hagen
State Reclamation Engineer

FOR DEPARTMENT USE ONLY

Received by MB Date 9-11-74

Protest filed by: _____ Date _____

Prelim. check by Log Date 9/11/74

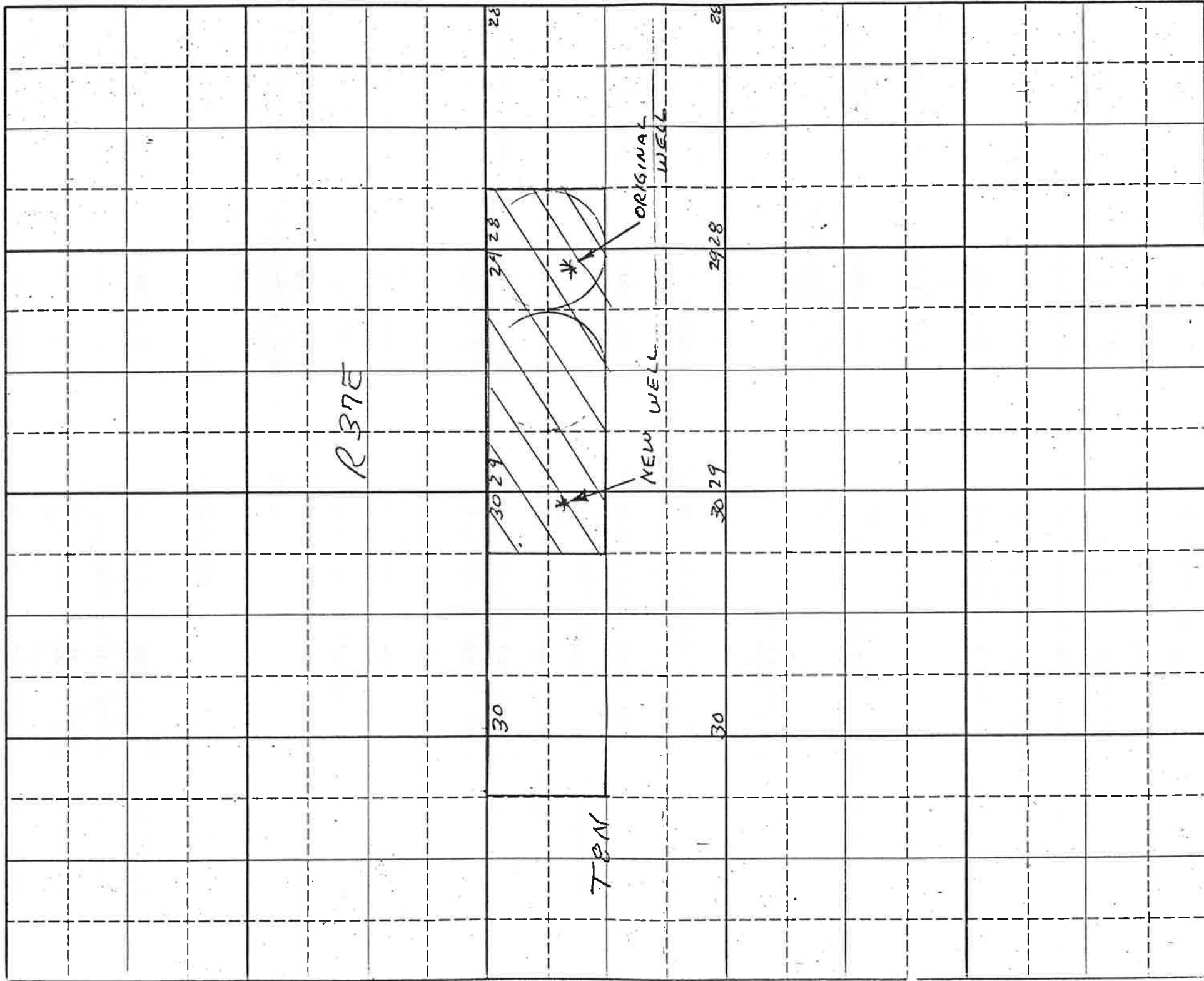
Fee received by MB Date 9-11-74 Fee \$ 30.⁰⁰
#13051

Approved for publication by _____

Published in Ironwood City Chronicle Date 10-24-74 to 31-74

Hearing held _____

Watermaster Recommendation sent _____



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: _____

10. CHANGE IN POINT OF DIVERSION

- a. Quantity to be diverted at new point: 6.74 c.f.s. and/or _____ acre feet
- b. New point of diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 29, Township 8N
37E, Range 37E, B.M. and NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 8N, R. 37E, B.M.
- c. Description of method of diversion and conveyance from new points of diversion: _____
Wells, pumps, mainline, three circular 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. (in part)
- e. Describe the reasons for applying for a change in the point of diversion: _____
Change in sprinkler irrigation systems.
- f. Do you intend to make the transfer permanent? Yes
- g. Do you intend to abandon completely the old point of diversion? No, only adding a new well,
original well will continue to be used.
- h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

- 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 $\frac{1}{4}$	
8N	37E	28						40	40										80
"	"	29	40	40	40	40	40	40	40	40									320
"	"	30	40			40													80

Total number of acres to be irrigated 480

Identification No. 31-2365
Transfer No. 2301

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPROVED

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

1. Name of Right Holder BEL-WAN RANCHES, INC. c/o Wallace Robinson
Post office address Newdale, Idaho
2. Right obtained by:
a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court. County of _____
- b. License No. 31-2365 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: April 18, 1958
5. Amount of water a. 6.74 c.f.s. and/or
b. _____ acre feet/annum
6. Water is used for Irrigation from April 1 to Nov. 1
(Month, Day) (Month, Day)
7. Original location of point of diversion is SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29,
Township 8N, Range 37E, B.M., in Fremont 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 $\frac{1}{4}$	
8N	37E	28					40	40	40	40									160
"	"	29	40	40	40	40	40	40	40	40									320

JUN 23 1986

Total number of acres presently irrigated 480

Department of Water Resources
Eastern District Office

MICROFILMED