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MAY 22 1980

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 2231
Application No. 35 2899

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

APPROVED

Name of applicant J. E. Garner Estate Phone 356-6918
Post office address 64 North 4th East, Rexburg, Idaho 83440

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. 35-2899 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 ground water tributary to _____
4. Date of priority 2/20/53
5. Water is used for the following purposes:
amount 9.40 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. 9.40 cubic feet per second
&/or
N center line _____ acre feet per annum
7. Location of original point of diversion is N $\frac{1}{2}$ XX $\frac{1}{4}$ of NE $\frac{1}{4}$ $\frac{1}{4}$ of Section 22
Township 4N Range 36E, B.M., in Jefferson County
Additional points of diversion, if any North center N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 22, T. 4N
R. 36E
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 $\frac{1}{4}$	
**4N	36E	15			40	40					40	40	40	40	40	40	40	40	400
		22	40	40	40	40	40	40	40	40	40	40							400

** License indicates land is in T. 14N
THIS IS OBVIOUSLY A TYPOGRAPHICAL ERROR

Total number of acres to be irrigated 800

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

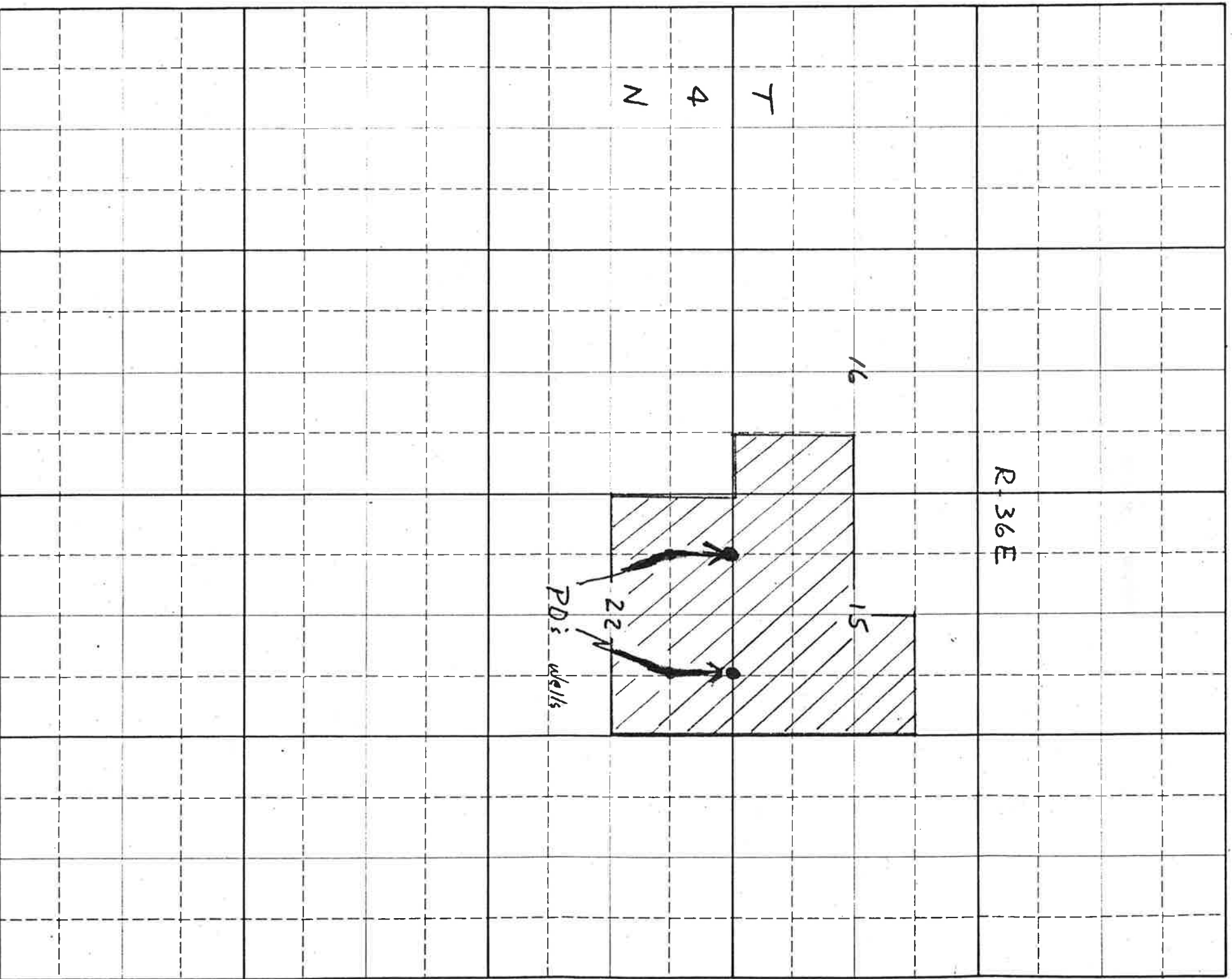
1. Change in point of diversion
a. Amount of water to be diverted _____ c.f.s. &/or _____ acre feet
b. Point(s) of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____
- c. Description of diverting works _____
- d. Describe the reasons 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	
4N	36E	15			40	40					40	40	40	40	40	40	40	40	400
		16													40			40	80
		22	40	40	40	40	40	40	40	40									320

- 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.

Bred Garner
Margaret Garner
Administrators (Signature of applicant)

Subscribed and sworn to before me this 23rd day of March, 19 78

Susan Garner
(Notary public)

My commission expires 10-11-81

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 35-2899, 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 19TH day of May, 19 80

Norman C. Young
NORMAN C. YOUNG
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Received by OW Date 3-27-78
Prelim. check by EMC Fee \$30.00
Receipted by OW Date 3-27-78
Published in Highway Star
Pub. dates Apr 13-1978
Watermaster recommendation requested on N.A.
rec'd.

Protest filed by _____
Copies of protest forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial
by EMC Jim