

Water District
#01
RECEIVED
MAY 24 1978

Transfer No. 2157
Application No. 21-0107/21-0084/
21-0085

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Eastern District Office

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

APPROVED

Name of applicant Keith F. Nyborg Phone 652-3584
Post office address Rt. #2, Ashton, Idaho 83420

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree to T. C. Smith 21-0107; S. O. Peterson 21-0084, 21-0085
in case of Rexburg Irrigation Co., et al vs Teton Irrigation Canal Co. et al
dated 12-16-1910 in 6th Dist. county of Fremont
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
Purchased deed attached

3. Source of water Conant Creek tributary to Falls River - Snake River

4. Date of priority 21-0107 - 6-01-93; 21-0084 - 6-01-93; 21-0085 - 6-01-99

5. Water is used for the following purposes:

21-0107 amount 2.00 for Irrigation purposes from Apr. 1 to Nov. 1
21-0084 amount 2.40 for " purposes from " to "
21-0085 amount 0.80 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 SW ¼ of NE ¼ of Section 28
Township 8N Range 44E, B.M., in Fremont County
Additional points of diversion, if any SW¼NW¼, Sec. 28, T. 8N, R. 44E

8. Lands irrigated or 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	
21-0107																			
8N	44E	28					40	40	40	40									160
21-0084 & 21-0085																			
8N	44E	20												40			40		80
		29	40	40		40													120

Total number of acres to be irrigated 360

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 29 Township 8N
Range 44E, B.M., Fremont County
Additional points _____
- c. Description of diverting works 200 Hp. motor and 10" Johnson pump sprinkler system
- d. Describe the reasons for applying for a change in the point(s) of diversion _____

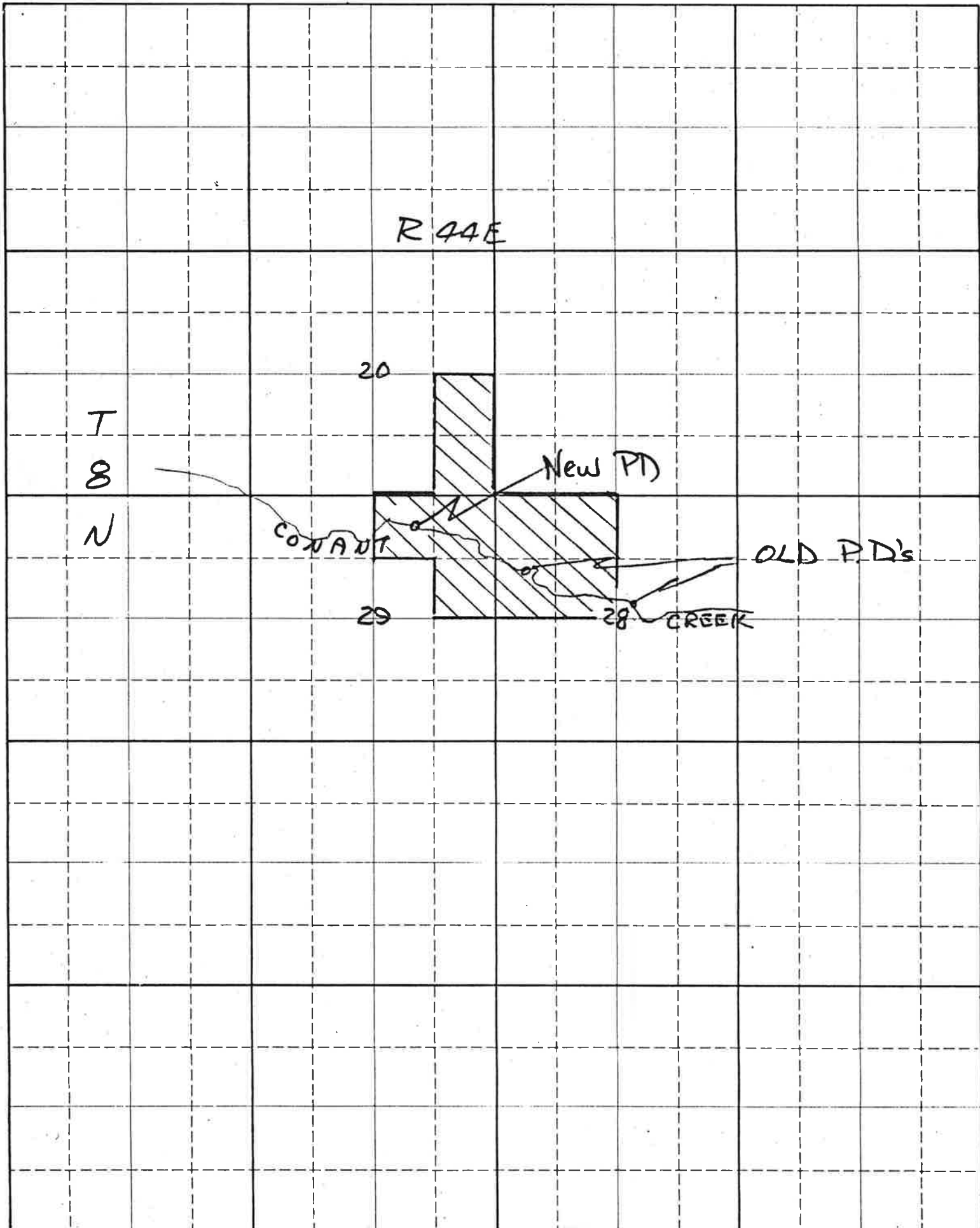
2. Change in place of use NO CHANGE

- 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	

Total number of acres to be irrigated _____

- 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.

Keith F. Nyberg
(Signature of applicant)

Subscribed and sworn to before me this 22nd day of August, 19 77

William Wray
(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. 21-0107/21-0084/21-0085 and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:
 1. A totalizing measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.
 2. Use of this water is subject to the control by the watermaster of State Water District No. 01, Snake River and Tributaries.

Witness my hand this 17TH day of May, 19 78

Norman C. Young
Administrator

FOR DEPARTMENT USE ONLY

Received by CW Date 8-22-77

Protest filed by _____

Prelim. check by JW Fee 30.00

Receipted by CW Date 8-22-77 # 8355

Copies of protest forwarded by _____

Published in Ashton Herald

Hearing held by _____ Date _____

Pub. dates Sept 1 + 8-1977

Recommended for approval denial

Watermaster recommendation requested on 8-24-77

by Ernest Carlson J.S.

W.D. #01 rec'd. 9-20-77