

T3528 ROBERTSON

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES31-0214
Transfer No. 3528

APR 24 1989

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Department of Water Resources

Eastern District Office

Name of applicant Dyle Robertson Limited PartnershipPhone 356-6206Post Office address 6612 W. 6000 N., Rexburg, ID 83440

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes to transfer water on to land that has no water right.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|------------------|---------------|-----------------------|------------------|--------------------|
| 31-0214 <u>B</u> | April 1, 1889 | 2.50 | irrigation | April 1 to Sept. 1 |
| | | | | to |
| | | | | to |
| | | | | to |
2. Total amount of water being transferred 2.50 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water West Camas Creek tributary to Camas Creek

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	36	13N	38E	Clark	
		NE	NE	36	13N	38E	Clark	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
13N	38E	36	40			40													80
13N	39E	31							20	20									40
									1t#2										

PART 1**6. General Information:**

a. Description of diversion system Concrete Headgates with cast iron screw gates; open gravity
flow ditches.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will not be surface irrigated. Subwater will be relied on for irrigation of
wild hay being grown on property.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-0214B

And said application is hereby APPROVED, subject to the following limitations and conditions:

1. A lockable measuring device of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion. 2. The use of water on the lands to which the above referenced water right was appurtenant is hereby abandoned and failure to put the water to beneficial use within five (5) years of the date of the approval of this transfer on the new land identified under item B.5 shall constitute loss or forfeiture of the water right. 3. Use of water under this right is subject to control by the watermaster of State Water District No. 31, Mud Lake & tributaries.

Witness my hand this 11th day of April, 19 89

J. Glen Saxton
Chief, Water Alloc. Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 31-0214 Decreed to Annie Rassmussen
in case of Ernest Sauve vs. W.H. Abbott et. al.
dated November 1, 1930 in U.S. District Court county of Bannock
- b. License No. issued by the Idaho Department of Water Resources.
- c. Claim No. on file with the Idaho Department of Water Resources.
- d. Transfer No. which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other

3. Source of water West Camas Creek tributary to Camas Creek

4. Date or priority April 1, 1889

5. Water is used for the following purpose:

amount 5.00 cfs for irrigation purposes from April 1 to September 1
(cfs/ac-ft)
amount for purposes from to
(cfs/ac-ft)
amount for purposes from to
(cfs/ac-ft)

6. Total amount of water under right 5.00 cubic feet per second and/or acre-feet per annum.

7. Point(s) of Diversion: on or near land to be irrigated.

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
13N	39E	31					X	X	X	X	X	X	X	X					
								1t#1	1t#2			1t#3	1t#4						

Total acres

9. Describe any other water rights used for the same purpose as described above none

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 2.50 cfs for irrigation purposes from April 1 to September 1
 (cfs/ac-ft)
 amount for purposes from to
 (cfs/ac-ft)
 amount for purposes from to
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	36	13N	38E	Clark	
		NE	NE	36	13N	38E	Clark	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
13N	39E	31					40	40	20	20									120
								1t#1	1t#2										

Total acres **C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 2.50 for irrigation purposes from April 1 to September 1
 (cfs/ac-ft)
 amount for purposes from to
 (cfs/ac-ft)
 amount for purposes from to
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	36	13N	38E	Clark	
		NE	NE	36	13N	38E	Clark	

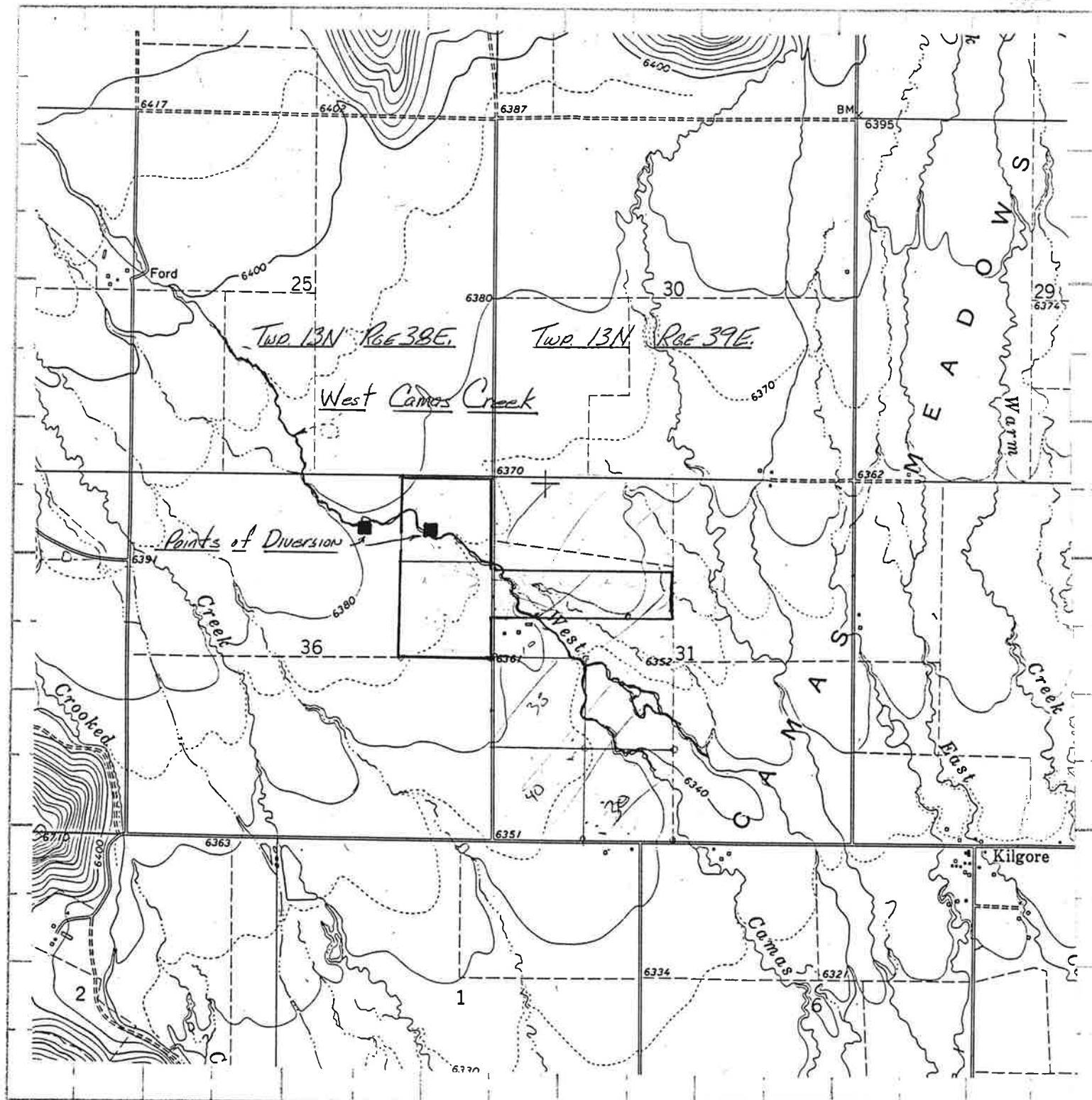
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
13N	39E	31							X	X	X	X	X	X					
									1t#2			1t#3	1t#4						

Total acres

STATE OF IDAHO
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PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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

PART 3**B. CHANGES IN NATURE OF USE**

1.	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
	_____	_____	_____	_____ to _____
	_____	_____	_____	_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that 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.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Dale Robertson
(Signature of Applicant)

Subscribed and sworn to before me this 19th day of May, 19 87.

Colleen Wray
(Notary Public)

My commission expires 5/29/1991

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by Emc Date 19 May '87 Protest filed by _____Prelim. check by HWT Fee \$50 #41201Receipted by dla Date 5-19-87Published in Post Register - dg Copies of protest forwarded by _____Pub. dates 8-20 + 8-27-87 Hearing held by _____ Date _____Watermaster recommendation requested on W.A. #31 Recommended for ☒ approval ☐ denial

8-18-87 rec'd. _____ by RDC Bay

Copy of transfer sent to lien holder _____