

T3289 ALTON / HEBDON

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	Nipper, Thomas J.	2.5		29-0107
1036	Hebdon, Russell	2.5		29-0107
2402	Hebdon, Russell A. & Sarah S.	2.5		29-0107
3289	Hebdon, Russell A. & R. Alton	1.5		29-0107B
	Hebdon, Russell A. & * Sarah S.	1.0		29-0107A

*According to Remarks in Trans. 3289, 1.0 cfs is now owned by Jim Guthrie.

RECEIVED
MAR 30 1987
Department of Water Resources
Eastern District Office

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Transfer No. 3289

Water Right No. 29-0107

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

APPROVED

Name of applicant R. ALTON or RUSSELL HEBDON Phone 648-7832 (IDAHO)

Post Office address 154 South First East, Smithfield, UT 84335

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
Trans. 2402/29-0107 (Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired _____

3. Source of water Toponce Creek tributary to Portneuf River

4. Date of priority 6-17-1902 (noon)

5. Water is used for the following purposes:

amount 2.50cfs for Irrigation purposes from 4-15 to 9-15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 2.50 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 34
Township 6S Range 38E, B.M., in Caribou County

Additional points of diversion, if any SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, T. 6N R. 38E.

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 $\frac{1}{4}$	
6S	38E	26							X	X	X	X							
		27													X			X	
		34	X		X	X										X			

Total number of acres to be irrigated 170

9. Describe any other water rights used for the same purpose as described above 29-0085

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. 1.50 cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34 Township 6S
Range 38E, B.M., Caribou County
Additional points _____
3. 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 $\frac{1}{4}$	
6S	38E	26							X	X	X	X							102

Total number of acres to be irrigated 102

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted 1.50 c.f.s. &/or _____ acre feet
- b. Description of diverting works Headgate to ditch then pump to sprinkler lines.
- c. Describe the reasons for the proposed changes We have sold our ground in Sect. 34 and want to define those acres that we own that retain part of this right. Portion of right in Section 27 has been relinquished for our use.

2. Change in point of diversion

Point of diversion SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34 Township 6S
Range 38E, B.M., Caribou County
Additional points _____

3. Change in place of use

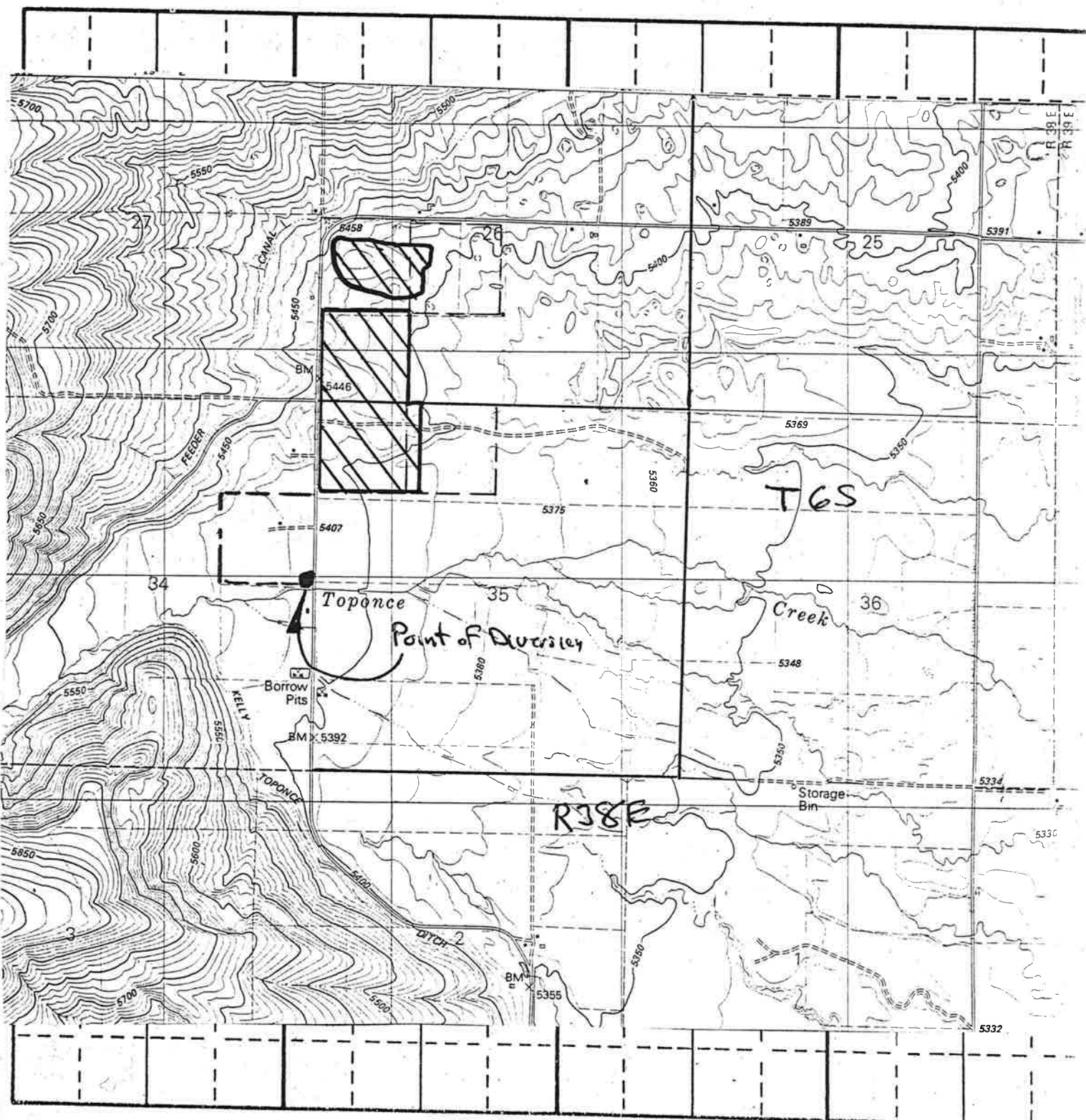
- a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
None - this transfer more clearly defines the actual use pattern developed over the last few years.

c. Describe the location or place of use to which the right will be transferred:

TWP.	RANGE	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	
6S	38E	26									5	17	39						61
		35					3	38											41

Total number of acres to be irrigated 102

4. Describe any other water rights used for the same purpose as described above. N/A
5. 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.



REMARKS

Ground in section 34 sold to Jim Guthrie with implied 1.00 cfs of this right for use on 68 acres in the NE1/4.

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 willfull misrepresentations made in this application may result in voiding its approval.

X Russell Helton
(Signature of Applicant)

Subscribed and sworn to before me this 10 day of November, 19 86

Suzanne L. Righy
(Notary Public)

My commission expires 3-12-89

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 29-0107B and said application is hereby APPROVED, subject to the following limitations and conditions:

1. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
2. Use of water under this right is subject to control by the watermaster of State Water District No. 29, Portneuf River.

Witness my hand this 24th day of March, 19 87

J. Glen Saxton
Chief, Operations Bureau

		FOR DEPARTMENT USE ONLY	
Received by	<u>MD</u> <u>OW</u>	Date	<u>2-18-86</u> <u>11-14-86</u>
Prelim. check by	<u>HWT</u> <u>#35563</u>	Fee	<u>50</u>
Receipted by	<u>MD</u>	Date	<u>2-18-86</u>
Published in	<u>CARIBON County Sun</u>		
Pub. dates	<u>12-4 + 12-11-1986</u>		
Watermaster recommendation requested on	<u>12/8/86</u>		
<u>W.D. #29</u>	rec'd.	<u>12-18-86</u>	
Protest filed by			
Copies of protest forwarded by			
Hearing held by		Date	
Recommended for		<u>approval</u> denial	
by		<u>RDC</u> <u>Jim G.S.</u>	