

T3248 BERGESON / COOK

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

Name of applicant D. Cleon Bergeson and Edward C. Cook Phone 785-3097
785-3175Post Office address Rt. 4, Box 367 or 364, Blackfoot, Idaho

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in 35-7371 in _____ county of _____
(Name of court)
- b. License No. 35-7427 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 Groundwater tributary to _____

4. Date of priority 35-7371 1-18-1974
35-7427 6-21-1974

5. Water is used for the following purposes:

35-7371 amount 0.20cfs for irrigation purposes from 4-1 to 10-15
amount 0.02cfs for stock purposes from 1-1 to 12-31
35-7427 amount 0.22 for irrigation purposes from 4-1 to 11-1
(month/day — both dates inclusive)

6. Total amount of water under right: a. 0.25* cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 20

Township 2S Range 35E, B.M., in Bingham County

Additional points of diversion, if any These licenses share a common Point of Diversion.

8. Lands irrigated or place of use: *Subject to the condition that the maximum rate of diversion shall not exceed 0.25cfs when 35-7371 & 35-7427 used in conjunction.

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 $\frac{1}{4}$	
35-7371	2S	35E	20										10						10
													S						
35-7427	2S	35E	29					11											11

Total number of acres to be irrigated 21

9. Describe any other water rights used for the same purpose as described above Canal Shares.

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. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ 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 $\frac{1}{4}$	

Total number of acres to be irrigated _____

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

1. General Information 35-7371 - 0.20 cfs and 0.02 cfs stockwater
35-7427 - 0.22 cfs
- a. Amount of water to be diverted 0.25 cfs * c.f.s. &/or _____ acre feet
- b. Description of diverting works Two wells/pumps to sprinkler lines.
- c. Describe the reasons for the proposed changes to have an additional well in
case the original well fails and is unable to irrigate ground under
these two licenses.

2. Change in point of diversion
- Point of diversion NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 29 Township 2S
Range 35E, B.M., Bingham County
Additional points SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 20 T 2S R. 35E

3. Change in place of use No Change.
- a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes 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

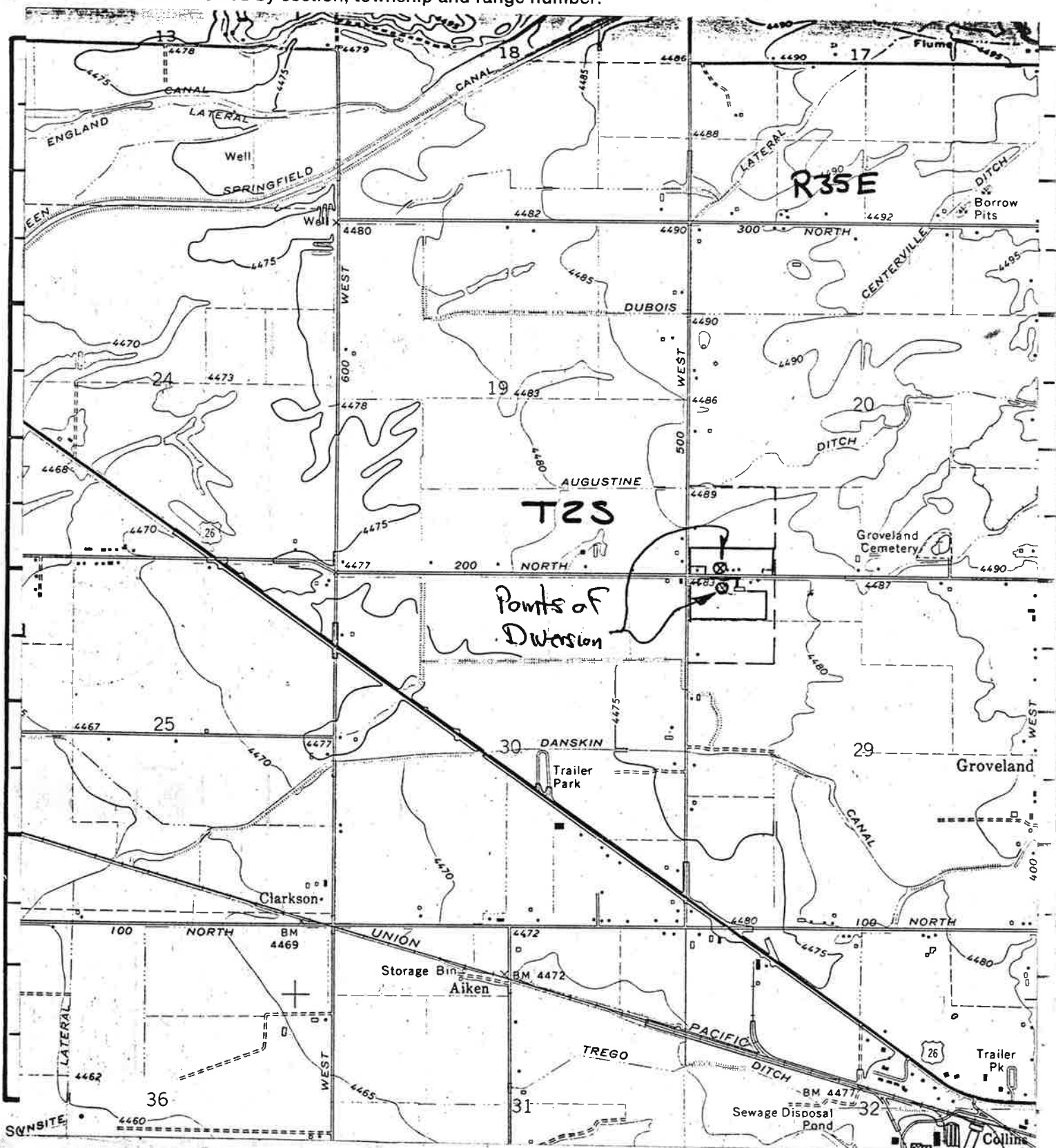
* When license 35-7371 used in conjunction with 35-7427 the maximum rate of diversion cannot exceed 0.25cfs.

c. Describe the land 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	
2S	35E	20											S 10						10
		29					11												11

Total number of acres to be irrigated ~~22~~ 21

4. Describe any other water rights used for the same purpose as described above. Canal shares in Riverside Ditch Co.
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.



D. REMARKS

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.

D. Glenn Bergeson
& Edward Clark
(Signature of Applicant)

Subscribed and sworn to before me this 13th day of March, 19 86.

Sharon R. Ruddle
(Notary Public)

My commission expires 7-17-88

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 35-7371/7427 and said application is hereby APPROVED, subject to the following limitations and conditions:
1. The maximum rate of diversion shall not exceed 0.25 cfs when Right Nos. 35-7271 & 35-7427 are combined.

Witness my hand this 11th day of July, 19 86.

A. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by HWT Date 3-13-86 Protest filed by _____
Prelim. check by SM Fee \$ 50 ~~#~~ 35574
Receipted by HWT Date 4/1/86
Published in The Blackfoot News Copies of protest forwarded by _____
Pub. dates 4/10 + 4/17/1986 Read 5/1 + 5/2/1986 Hearing held by _____ Date _____
Watermaster recommendation requested on N.A. Recommended for approval denial
_____ rec'd. _____ by RDC Jim B.S.