

T3836 TRIPLE L FARMS

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUL 31 1991

Transfer No. 3836APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

APPROVED

Name of applicant Triple L Farms dba BeRoy Wilcox Phone 356-6680
Post Office address 5555 South 5700 West Rexburg Idaho

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 Change Basin
2. Describe the reason for the proposed changes The company, Floyd Wilcox and sons, Inc., has split up. Mr BeRoy Wilcox bought the original place of use and water right for that place. He proposes to farm it.

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

1. Right Number 7634 Priority 17 Nov 1966 Amount (cfs/ac-ft) 4.03 Nature of Use Irrigation Period of Use 4/1 to 11/1
22-2848
35-02848
2. Total amount of water being transferred 4.03 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	15	1S	33E	Bingham	

5. 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	
1S	33E	15									40	35	7	35	40	40	40	40	277

Total acres 277

PART 1

6. General Information:

- a. Description of diversion system Well, pump and sprinkler system
- b. 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 changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
None, A new application, 22-07676, has been approved. The ground is also watered with Palisades rental water.
- d. Remarks:
See transfer 3469/35-2848.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 22-7634 (TO BE RENUMBERED)

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

1. THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF
THE DATE OF THIS APPROVAL.
2. FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO
ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.
3. APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY
OF THE WATER RIGHT(S) IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.

Witness my hand this 22nd day of July, 19 91.

J. Glen Saxton
CHIEF, WATER ALLOCATION 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. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 22-7634 (35-2848) issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3469 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 Grant Deed

3. Source of water Groundwater tributary to _____

4. Date or priority 17 Nov 1966

5. Water is used for the following purpose:

amount 4.03 for Irrigation purposes from 1 April to to 1 November
(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 4.03 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	<u>NE</u>	<u>SE</u>	<u>SE</u>	<u>9</u>	<u>4N</u>	<u>40E</u>	<u>Madison</u>	

8. 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	
<u>4N</u>	<u>40E</u>	<u>10</u>							<u>19</u>	<u>38</u>	<u>38</u>	<u>36</u>	<u>26</u>	<u>39</u>		<u>35</u>	<u>25</u>		<u>256</u>
		<u>15</u>					<u>14</u>	<u>7</u>											<u>21</u>

Total acres 277

9. Describe any other water rights used for the same purpose as described above 22-07676 Palisades Water

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 _____ for _____ purposes from _____ to _____
 (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

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	

Total acres _____

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

1. amount _____ for _____ purposes from _____ to _____
 (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

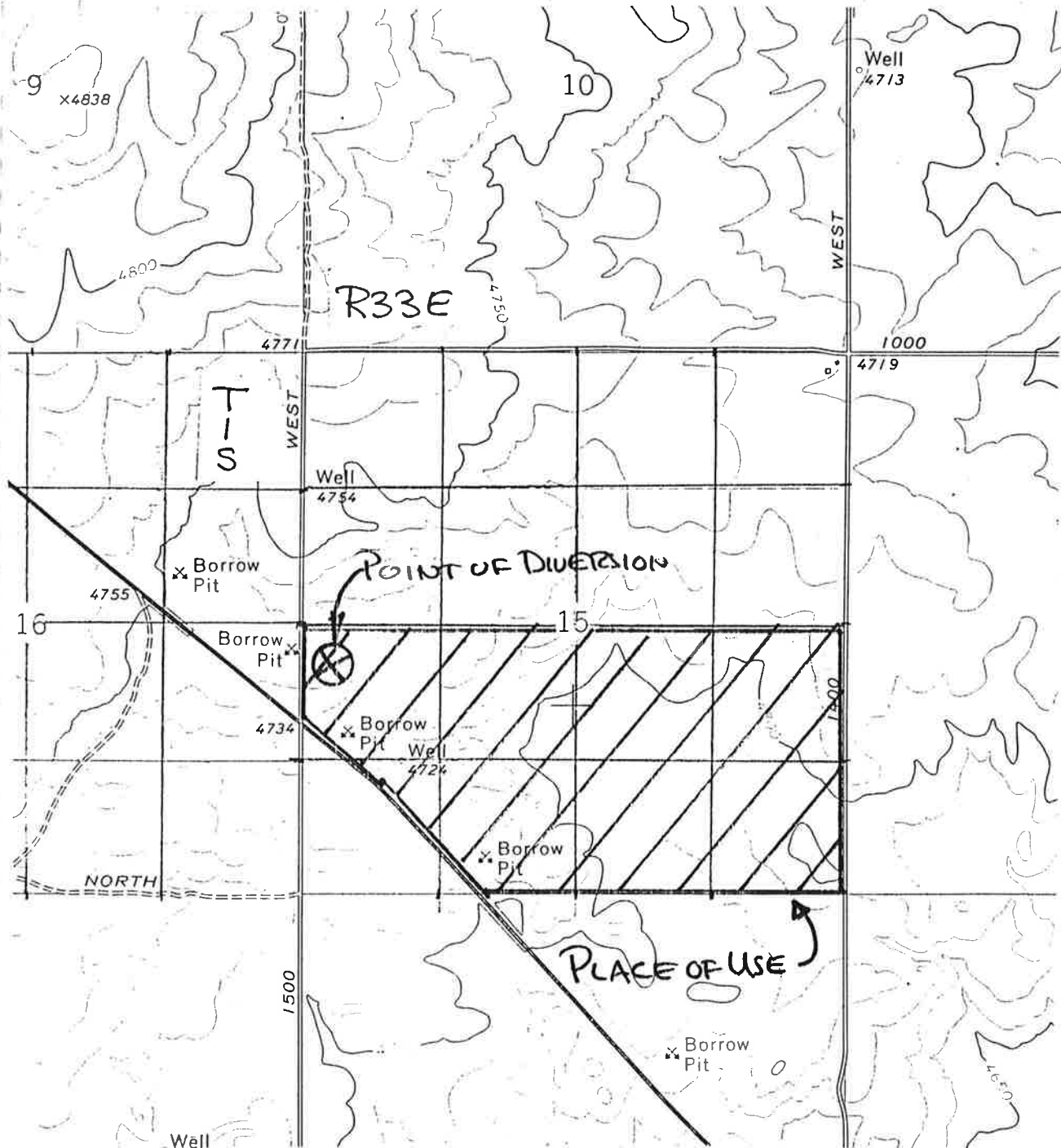
3. Lands irrigated or place of use:

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	

Total acres _____

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



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

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				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.

Triple J Farms Inc. by Gregory Wilcox
(Signature of Applicant)

Subscribed and sworn to before me this 29th day of March, 1991.

Betty J. Thompson
(Notary Public)

My commission expires 1994

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by BMB Date 29 March 1991 Protest filed by _____

Prelim. check by KCW Fee 50.00

Receipted by Jo Thompson EO 15881 Date 29 March 1991

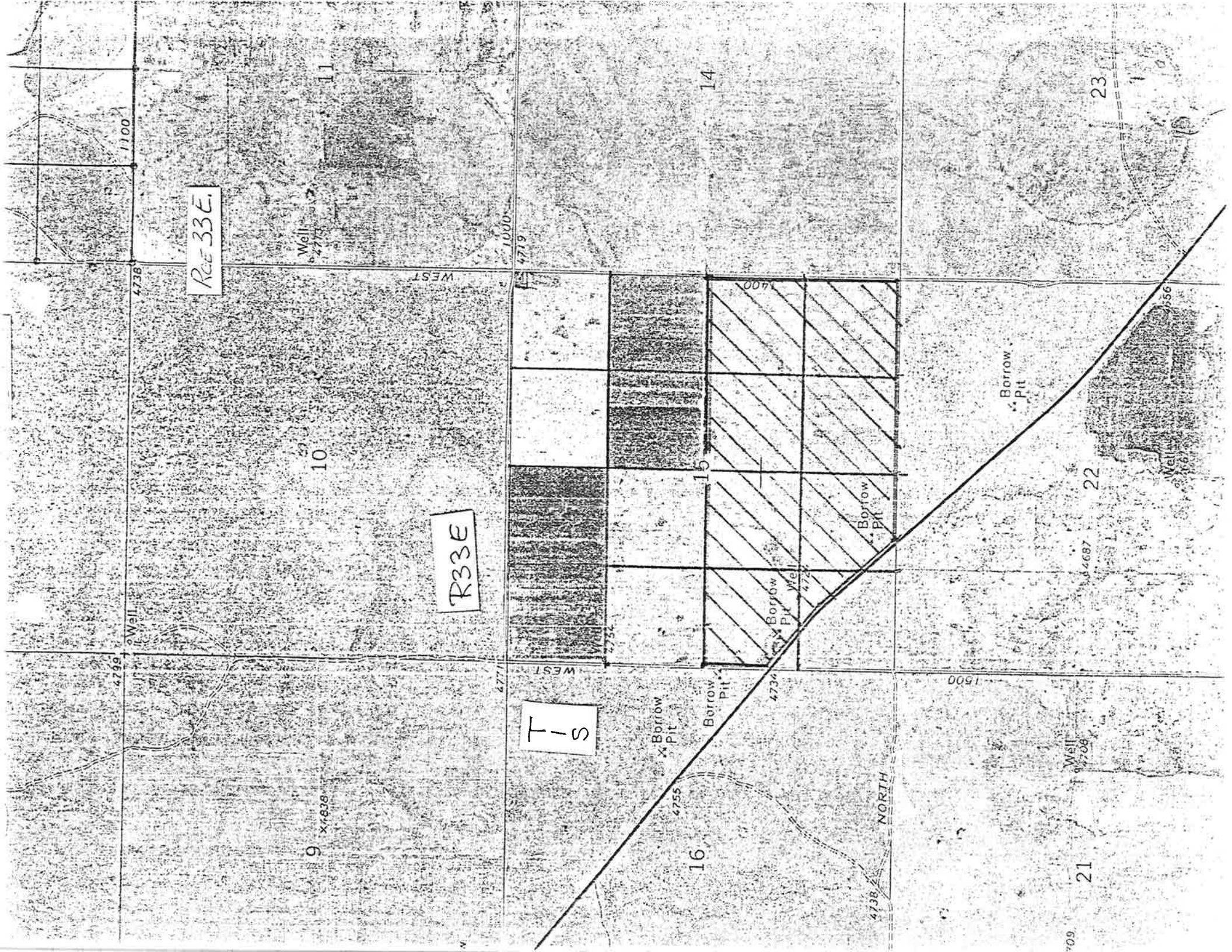
Published in Rexburg Standard Journal Copies of protest forwarded by _____

Pub. dates 5-16-23-91 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by RL

Copy of transfer sent to lien holder _____ 7-17-91



T1S R33E

7 35

40

40

GRANT DEED

FOR VALUE RECEIVED, TLR INCORPORATED, C/O Floyd Wilcox and Sons, Inc., 4891 South Highway, Rexburg, Idaho 83440, does hereby grant, bargain, sell, and convey unto TRIPLE L FARMS, INC., C/O LeRoy Wilcox, 5555 South 5700 West, Rexburg, Idaho 83440, the following described real property consisting of a water right appurtenant to farming ground in Madison County, Idaho, which water right is identified as follows:

4.03 cfs of water from a irrigation well with Water License issued by State of Idaho Department of Water Resources, License No. 22-7634.

The water right was originally appurtenant to property in Bingham County, Idaho which was owned by Floyd Wilcox and Sons, Inc. Floyd Wilcox and Sons, Inc. transferred the water right to TLR Incorporated and the point of diversion and place of use was changed to a farm in Madison County, Idaho. The purpose for this deed is to transfer the water right back to the farm in Bingham County, Idaho to which it was originally appurtenant; Triple L Farms, Inc. now owns that real property.

TOGETHER With any and all improvements and appurtenances thereto; rents, issues and profits thereof; and reversions and remainders.

DATED This 21st day of March, 1991.

TLR INCORPORATED

BY: Ronald Wilcox
Ronald Wilcox, President

ATTEST: Terry Wilcox
Terry Wilcox, Secretary

STATE OF IDAHO,
County of Madison..

)
ss.
)

On this 21st day of March, 1991, before me, the undersigned, a Notary Public in and for said State, personally appeared Ronald Wilcox and Terry Wilcox, known to me to be the President and Secretary, respectfully, of TLR Incorporated, the corporation that executed the foregoing instrument and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Kerry S. Wilcox
Notary Public for Idaho
Residing at Rexburg, Idaho
My Commission Expires: 7-10-91