

T3808 MCGARRY RANCHES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3808

JUN 3 1991

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APPROVED

Department of Water Resources

Eastern District Office
Name of applicantLOREN MCGARRY RANCHESPhone 662-5227

Post Office address

2393 E. 1900 N, Hamer, Id. 83425

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 REDUCE water loss in ditch from well within SESE Sec 28, T7N, R36E. Also easier to irrigate under system

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 |
|------------------|--------------------|-----------------------|-------------------|--------------------------|
| <u>31-00062K</u> | <u>31 Oct 1917</u> | <u>4.03</u> | <u>Irrigation</u> | <u>5/1</u> to <u>9/1</u> |
| <u>31-00063K</u> | <u>1 May 1928</u> | <u>1.67</u> | <u>Irrigation</u> | <u>5/1</u> to <u>9/1</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 5.70 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
		SW	SW	27	7N	36E	Jefferson	NEW WELL (NORTH)
		NW	SE	33	7N	36E	Jefferson	South Well

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	
7N	36E	27											35						35
		28															15		15
		33	31	16	18	40									38	18	15	40	216
		34											16						16
6N	36E	4	3																3

Total acres 285

PART 1

6. General Information:

a. Description of diversion system Two wells with mainline to laterals with sprinklersb. 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 Place of Use remains the same

d. Remarks:

Applicant plans to abandon his use (shower) in well in SE1/4 Sec 28, T7N, R36E and abandon ditch to reduce loss of water.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-00062K & 31-00063KAnd 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 Adjudication.

Witness my hand this

23rd

day of

May, 19 91A. Glen Saylor
Chief, Water Allocation Bureau



United States
Department of
Agriculture

Farmers
Home
Administration

1120 Lincoln Road
P.O. Box 1783
Idaho Falls, Idaho 83403

RECEIVED

JAN 24 1991

Department of Water Resources
Eastern District Office

• TO WHOM IT MAY CONCERN:

• January 22, 1991

• Farmers Home Administration agrees to the proposed changes as described in the "APPLICATION FOR TRANSFER OF WATER RIGHT" per part B-6-b

Signed: *C. Boyd Wiese*
County Supervisor

STATE OF IDAHO

County of Bonneville

On this 22nd day of January 1991, before me, the subscriber, a Notary Public, in and for the above county and State, appeared

C. Boyd Wiese, known to me to be County Supervisor, Farmers Home Administration United States Department of Agriculture, and the person who executed the foregoing instrument, and he acknowledged to me that he executed the same as the free act and deed of the United States of America, for the uses and purposes mentioned in it.

My commission expires on 10-13-93

Aneita J. Weeks
Aneita J. Weeks, Notary Public



Farmers Home Administration is an Equal Opportunity Lender.
Complaints of discrimination should be sent to:
Secretary of Agriculture, Washington, D.C. 20250

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: ~~* changed 50th to 6, DATA BASE does not include portion of right of surface~~
- a. Decree No. 31-00062K Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- 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. 2984 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 GROUNDWATER tributary to _____
4. Date or priority 31 Oct 1917
5. Water is used for the following purpose:
- amount 4.03 cfs for Irrigation purposes from 5/1 to 9/1
(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 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
		SE	SE	28	7N	36E	Jefferson	
		SE	SE	22	7N	36E	"	
		NW	SE	33	7N	36E	"	

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	
6N	36E	4	3																3
7N	36E	27											35						35
		28																15	15
		33	31	16	18	40									38	18	15	40	216
		34											16						16

Total acres 285

9. Describe any other water rights used for the same purpose as described above 31-7270, 31-00063K6

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 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. 31-00063K Decreed to _____
 in case of _____ vs. _____

dated _____ in _____ county of _____

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. 2984 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 Groundwater tributary to _____

4. Date or priority 1 May 1928

5. Water is used for the following purpose:

amount 1.67 cfs for Irrigation purposes from 5/1 to 9/1
 (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 1.67 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	28	7N	36E	Jefferson	
		SE	SE	22	7N	36E	"	
		NW	SE	33	7N	36E	"	

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	
6N	36E	4	3																3
7N	36E	27											35						35
		28																15	15
		33	31	16	18	40									38	18	15	40	216
		34											16						16

Total acres 285

9. Describe any other water rights used for the same purpose as described above 31-7270, 31-00062K6

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:

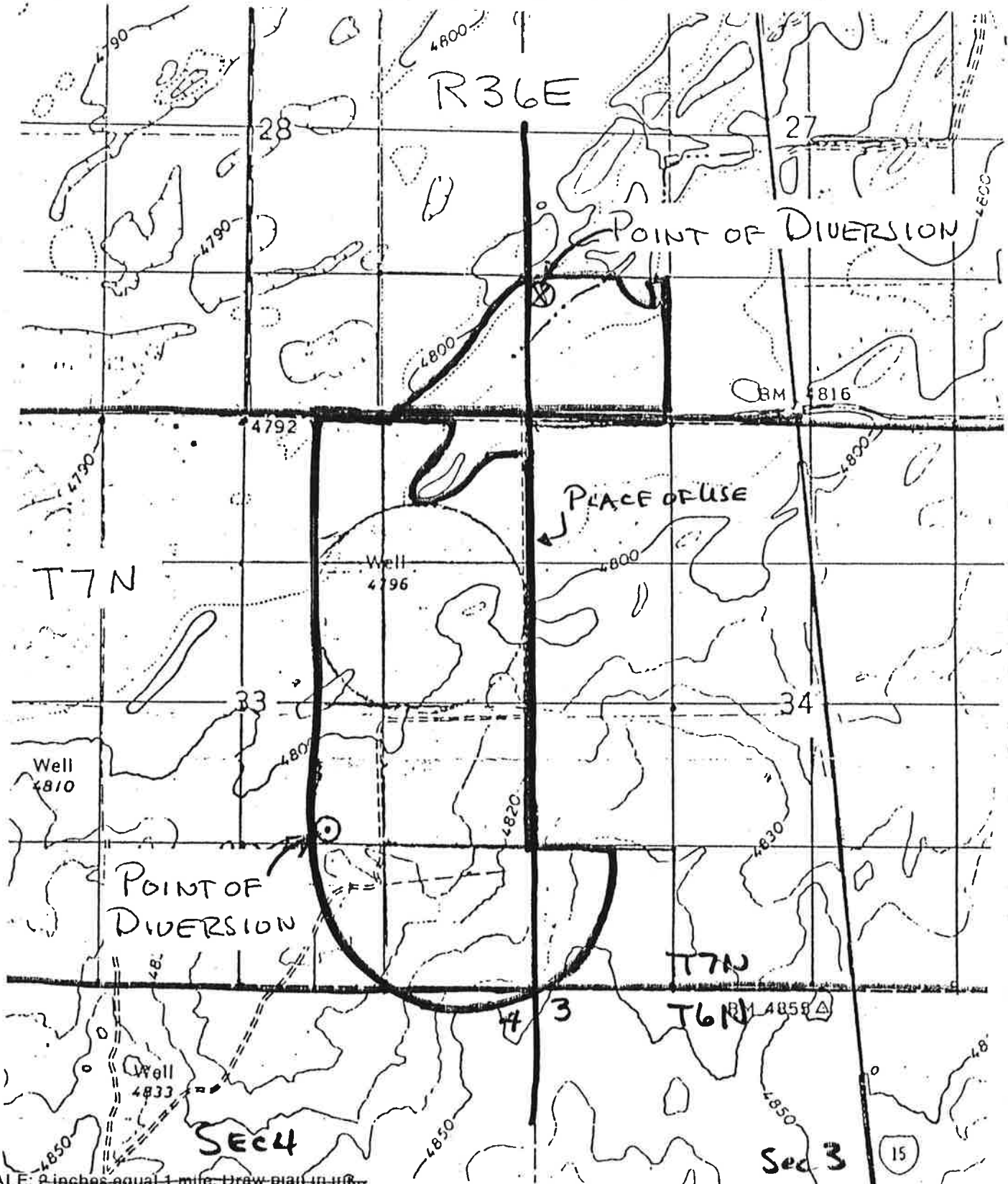
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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.



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

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.

Subscribed and sworn to before me this

18th

day of

January, 19 91

(Signature of Applicant)

Loren McVerry, Jr.

(Notary Public)

Dallen Wray

My commission expires

5/29/1991

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Assisted by

Received by

KCW

Date

18 Jan 1991

Protest filed by

Prelim. check by

Fee

50.00 #E015609

Received by

KCW

Date

18 Jan 1991

Published in

Jefferson Star

Copies of protest forwarded by

Pub. dates

2-21 & 28-91

Hearing held by

Date

Watermaster recommendation requested on

Recommended for



approval



denial

rec'd.

by

RDC

Copy of transfer sent to lien holder

Tjt 5-17-91

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF COMPLETED TRANSFER

RECEIVED

AUG 20 1993

Department of Water Resources
Eastern District Office

The Idaho Department of Water Resources will consider this form as a statement regarding completion of the authorized water right(s) transfer.

1. Water Right No(s). 31-00062K & 31-00063K

Transfer No. 3808

2. Name of Water Right Holder(s): Loren McGarry Ranches

Address: 2393 E. 1900 N., Hamer, Id 83425

3. Water right transfer authorized by Department is:
(check appropriate space or provide description)

Complete _____

Not Complete X

Partially complete (describe work completed): Applicants have plowed in the ditches and tried to run down a well driller and tried to complete the financial arrangements.

4. If the transfer has not yet been completed or is only partially complete, please provide a statement why the authorized change(s) have not been accomplished and the date which you expect the changes to be complete: The financial arrangements involved a land swap and requires extra time dealing with other individuals. Also Loren McGarry the president of Loren McGarry Ranches died which caused the Ranch to go into Probate which took extra time. Also had problems with obtaining a well driller. Expected date of completion 1 July 1994.

5. I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in Department action rescinding the approved water right(s) transfer.

Loren McGarry Manager
Signature
(& title if on behalf of a company or organization)

8/20/93
Date