

4350

MEMORANDUM

TO: FILE NOS. 31-04023, 31-04024 & 31-07290

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER NO. 4350

DATE: November 23, 1994

RECEIVED

JAN 19 1995

Department of Water Resources
Eastern District Office

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Transfer No. 4350 adds a point of diversion and changes the place of use under Right Nos. 31-04023, 31-04024 and 31-07290. The recorded point of diversion is also changed under Right No. 31-04023. All rights reflect two points of diversion that serve a single, combined place of use.

Since the transfer application describes a 135 acre combined place of use that will be served by both points of diversion, the transfer approval will describe these 135 acres as a permissible place of use. Each right will be limited to the number of acres confirmed as irrigated and available for transfer through a field exam by region staff, reducing the number of acres under Right No. 31-04023 and 31-07290. No expansion will occur through this transfer.

These rights are located within the Area of Common Groundwater Supply within the Eastern Snake River Plain Aquifer.

Recommended conditions include individual and combined right limits, multiple points of diversion/measuring devices, irrigation overlap, non-confirmation of claims and standard transfer conditions.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4350
WATER RIGHT NO(S). 31-04023/31-04024/31-07290

This is to certify that: LOYD L GASSER
2303 E 2800 N
HAMER ID 83425

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 31-04023 :			
Priority: 06/01/1943			
IRRIGATION	04/15 to 10/15	0.34 CFS	59.5 AF
STOCKWATER	01/01 to 12/31	0.12 CFS	6.7 AF
SUBTOTAL:		0.46 CFS	66.2 AF
Right No. 31-04024 :			
Priority: 03/20/1940			
IRRIGATION	04/15 to 10/15	1.70 CFS	297.5 AF
SUBTOTAL:		1.70 CFS	297.5 AF
Right No. 31-07290 :			
Priority: 02/15/1978			
IRRIGATION	04/15 to 10/15	0.18 CFS	45.5 AF
SUBTOTAL:		0.18 CFS	45.5 AF
TOTAL:		2.34 CFS	409.2 AF

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 4, Township 07N, Range 36E
SESE , Sec. 5, Township 07N, Range 36E
JEFFERSON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	36E	4	NESW 40	SESW 40	NWSE 20	135
			SWSE 35			
Total number of acres irrigated:						* 135

PLACE OF USE: STOCKWATER, same as IRRIGATION use

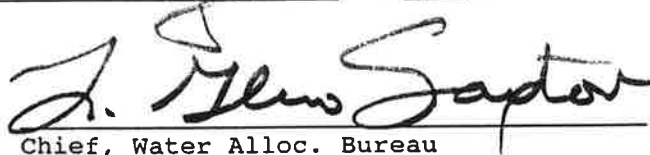
TRANSFER NO. 4350
WATER RIGHT NO(S). 31-04023/31-04024/31-07290

CONDITIONS/REMARKS:

1. Approval of this transfer in no way confirms the right(s) claimed.
2. 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.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. 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.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. The total instantaneous diversion of water from all points of diversion under Transfer No. 4350 shall not exceed 2.34 cfs, nor total combined annual volume of 409.2 af.
- * 8. Combined Right Nos. 31-04023, 31-04024 and 31-07290 are limited to a total combined irrigation of 115 acres in the place of use described above in a single irrigation season.
- * 9. Right No. 31-04023 is limited to the irrigation of 17 acres in the place of use described above in a single irrigation season.
- * 10. Right No. 31-04024 is limited to the irrigation of 85 acres in the place of use described above in a single irrigation season.
- * 11. Right No. 31-07290 is limited to the irrigation of 13 acres in the place of use described above in a single irrigation season.
12. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
13. Stockwater use is for 500 range cattle.

Dated this 12th day of

January, 1995


Chief, Water Alloc. Bureau

Page 1 of 14STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4350APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Loyd L. Gasser Phone 662-5429
Post Office address 2303 E. 2300 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 An existing well 1/4 mile to the west of my listed well is a more reliable source of water.

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>31-07290</u> | <u>Feb. 15, 1978</u> | <u>0.34 cfs</u> | <u>Irrigation</u> | <u>4-1</u> to <u>10-31</u> |
| <u>31-04023</u> | <u>June 1, 1943</u> | <u>0.50 cfs</u> | <u>Irrigation</u> | <u>4-1</u> to <u>10-31</u> |
| | | <u>0.12 cfs</u> | <u>Stock</u> | <u>1-1</u> to <u>12-31</u> |
| <u>31-04024</u> | <u>March 20, 1940</u> | <u>1.70 cfs</u> | <u>Irrigation</u> | <u>4-1</u> to <u>10-31</u> |
2. Total amount of water being transferred 2.66 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
	NE	SE	SE	5	7N	36E	Jefferson	"New" P.D.
		SE	SW	4	7N	36E	" "	Original 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	4					31-07290							25					25
7N	36E	4					31-04023										25		25
7N	36E	4					31-04024				40			15		20	10		85

* See Remarks

Total acres 135

PART 1**6. General Information:**a. Description of diversion system 2 wells + pumps to sprinkler systemsb. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? NA 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 - only adding a point of diversion

d. Remarks:

See on-site review for 31-04023 + 31-07290 for actual acreage in system.
HWJ**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. _____

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

Lloyd L. GasserWitness my hand this 15 day of April, 19 94.Wayne R. Ferguson - Residing in Homer, Ill.
Jefferson County
Commission Expires - 7-26-1998

PART 2

TRANS NO. 4350

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 31-04023

STAGE: STATUTORY CLAIM

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	0.50 CFS
STOCKWATER	01/01 to 12/31	0.12 CFS
	Totals	0.62 CFS

SOURCE

GROUNDWATER

Priority: 06/01/1943

LOCATION OF POINT(S) OF DIVERSION:SWSE , Sec. 4, Township 07N, Range 36E
JEFFERSON CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	36E	4	SWSE	25		25
Total number of acres irrigated:						25

PLACE OF USE: STOCKWATER, same as IRRIGATION useCONDITIONS/REMARKS:

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. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 31-04023 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 Ground water tributary to _____

4. Date or priority June 11, 1943

5. Water is used for the following purpose:

amount 0.50 cfs for Irrigation purposes from 4-1 to 11-1
(cfs/ac-ft)
amount 0.12 cfs for Stock purposes from 1-1 to 12-31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.62 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
		<u>SW</u>	<u>SE</u>	<u>4</u>	<u>7N</u>	<u>36E</u>	<u>Jefferson</u>	

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	
<u>7N</u>	<u>36E</u>	<u>4</u>															<u>25</u>		<u>25</u>

Total acres 25

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

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

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

3. Lands irrigated or place of use: JV SCH

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	

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

3. 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	

Total acres _____

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 31-04024

STAGE: STATUTORY CLAIM

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	1.70 CFS

SOURCE

GROUNDWATER

Priority: 03/20/1940

LOCATION OF POINT(S) OF DIVERSION:SESW , Sec. 4, Township 07N, Range 36E
JEFFERSON CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	36E	4	NESW 40	SESW 15	NWSE 20	85
			SWSE 10			85
Total number of acres irrigated:						85

CONDITIONS/REMARKS:

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. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 31-04024 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 Groundwater tributary to _____

4. Date or priority March 20, 1940

5. Water is used for the following purpose:

amount 1.70 cfs for Irrigation purposes from 4-1 to 11-01
(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 1.70 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	SW	4	7N	36E	Jefferson	

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	
7N	36E	4									40			15		20	10		85

Total acres 85

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

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

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

3. 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	

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

3. 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	

Total acres _____

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Water Right No. 31-07290

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	0.34 CFS	75.0 AF

SOURCE

GROUNDWATER

Priority: 02/15/1978

LOCATION OF POINT(S) OF DIVERSION:SESW , Sec. 4, Township 07N, Range 36E
JEFFERSON CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N 36E 4	SESW 25			25
Total number of acres irrigated:				25

CONDITIONS/REMARKS:

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. 31-07290 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 Groundwater tributary to _____

4. Date or priority Feb. 15, 1978

5. Water is used for the following purpose:

amount 0.34 cfs for Irrigation purposes from 4-1 to 11-01
(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 0.34 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	SW	4	7N	36E	Jefferson	

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	
7N	36E	4												25					25

Total acres 25

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

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

_____ 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 _____

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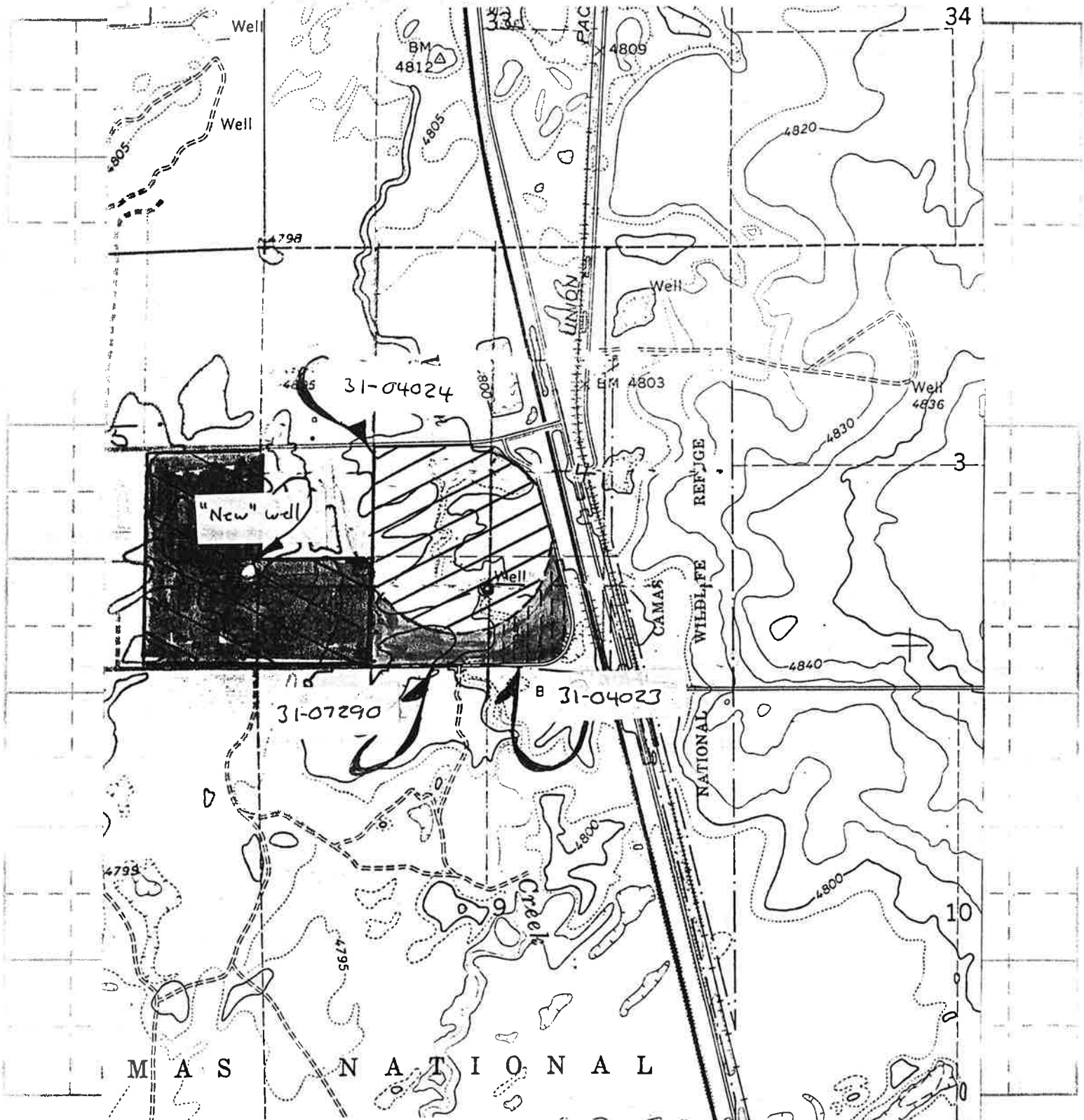
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- 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 15th day of apr., 19 94.

Lloyd L. Gasser
(Signature of Applicant)

[Signature]
(Notary Public)

My commission expires 22-AUG-1994

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by HWT 1 Date 4-15-94 Protest filed by _____Prelim. check by HWT/KW Fee 50.00 _____Receipted by HWT EOR 701 Date 4-15-94 _____Published in Jefferson Star Copies of protest forwarded by _____Pub. dates May 5 & 12 - 94 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial_____ rec'd. _____ by [Signature]

Copy of transfer sent to lien holder _____

S.O. 8-24-94

Approved

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4350APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Loyd L. Gasser Phone 662-5429
Post Office address 2303 E. 2300 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 An existing well 1/4 mile to the west of my listed well is a more reliable source of water.

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>31-07290</u>	<u>Feb. 15, 1978</u>	<u>0.34 cfs</u>	<u>Irrigation</u>	<u>4-1</u> to <u>10-31</u>
<u>31-04023</u>	<u>June 1, 1943</u>	<u>0.50 cfs</u>	<u>Irrigation</u>	<u>4-1</u> to <u>10-31</u>
		<u>0.12 cfs</u>	<u>Stock</u>	<u>1-1</u> to <u>12-31</u>
<u>31-04024</u>	<u>March 20, 1940</u>	<u>1.70 cfs</u>	<u>Irrigation</u>	<u>4-1</u> to <u>10-31</u>

2. Total amount of water being transferred 2.66 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
	NE	SE	SE	5	7N	36E	Jefferson	"New" P.D.
		SE	SW	4	7N	36E	" "	Original 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	4					31-07290						25						25
7N	36E	4					31-04023									25			25
7N	36E	4					31-04024				40			15		20	10		85

105

PART 1

6. General Information:

a. Description of diversion system 2 wells & pumps to Sprinkler systemsb. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? NA. 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 - only adding a point of diversion

d. Remarks:

See on-site review for 31-04023 + 31-07290 for actual acreage in system.
HWJ**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. _____

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

Lloyd L. GasserWitness my hand this 15 day of April, 1994.Mary E. Ferguson - Residing in Denver, CO
Jefferson County
Commission Expires 7-20-1998

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. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 31-04023 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 Groundwater tributary to _____

4. Date or priority June 1, 1943

5. Water is used for the following purpose:

amount 0.50 cfs for Irrigation purposes from 4-1 to 11-1
(cfs/ac-ft)
amount 0.12 cfs for Stock purposes from 1-1 to 12-31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.62 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
		SW	SE	4	7N	36E	Jefferson	

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	
7N	36E	4															25		25

Total acres 25

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

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 _____ 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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

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

3. 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	

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. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 31-04024 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 Groundwater tributary to _____

4. Date or priority March 20, 1940

5. Water is used for the following purpose:

amount 1.70 cfs for Irrigation purposes from 4-1 to 11-01
(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 1.70 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	SW	4	7N	36E	Jefferson	

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	
7N	36E	4									40			15		20	10		85

Total acres 85

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

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

_____ 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. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 31-07290 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 Groundwater tributary to _____

4. Date or priority Feb. 15, 1978

5. Water is used for the following purpose:

amount 0.34 cfs for Irrigation purposes from 4-1 to 11-01
(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 0.34 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	SW	4	7N	3E	Jefferson	

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	
7N	3E	4												25					25

Total acres 25

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

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

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

3. 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	

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:

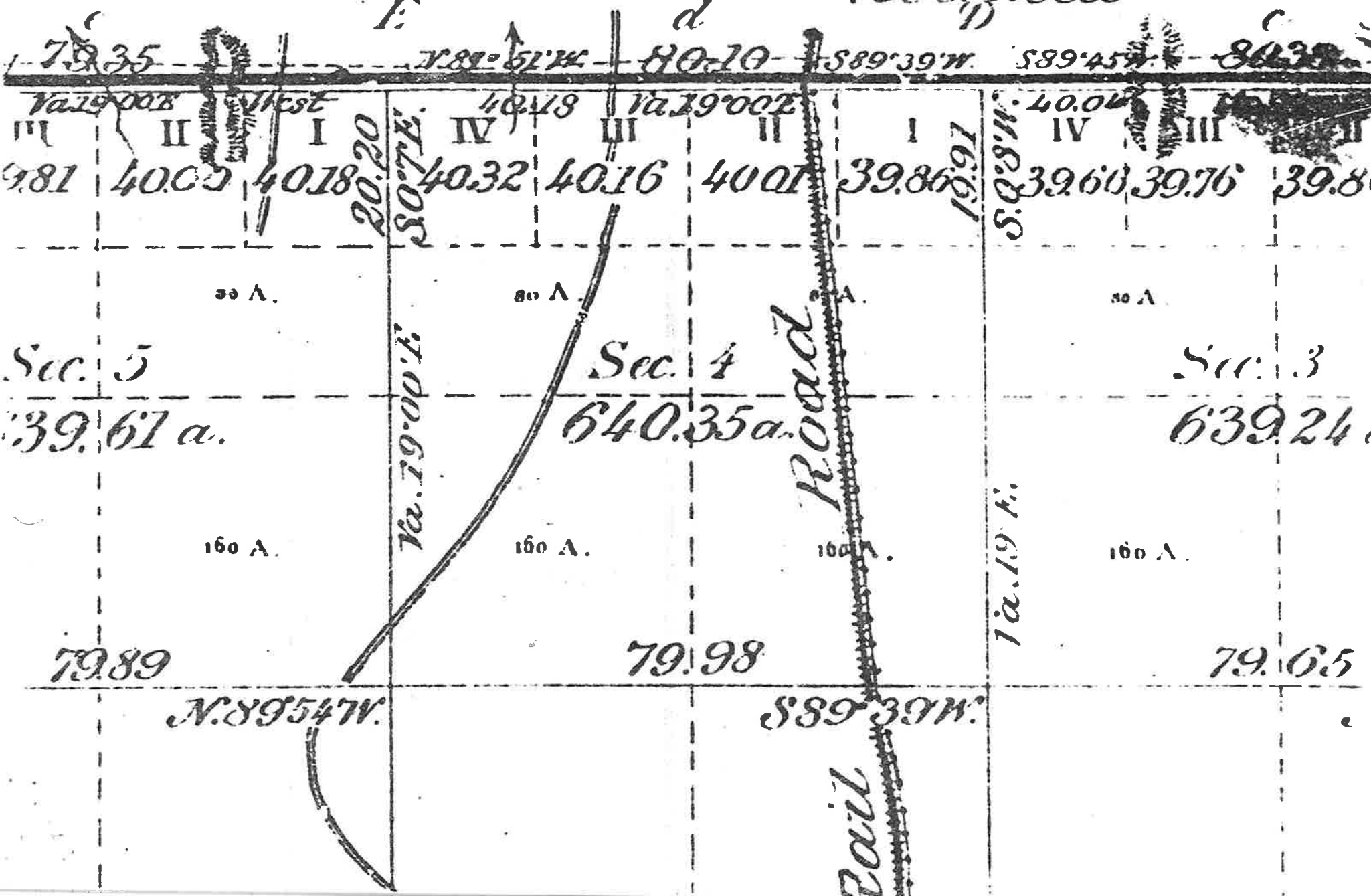
Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

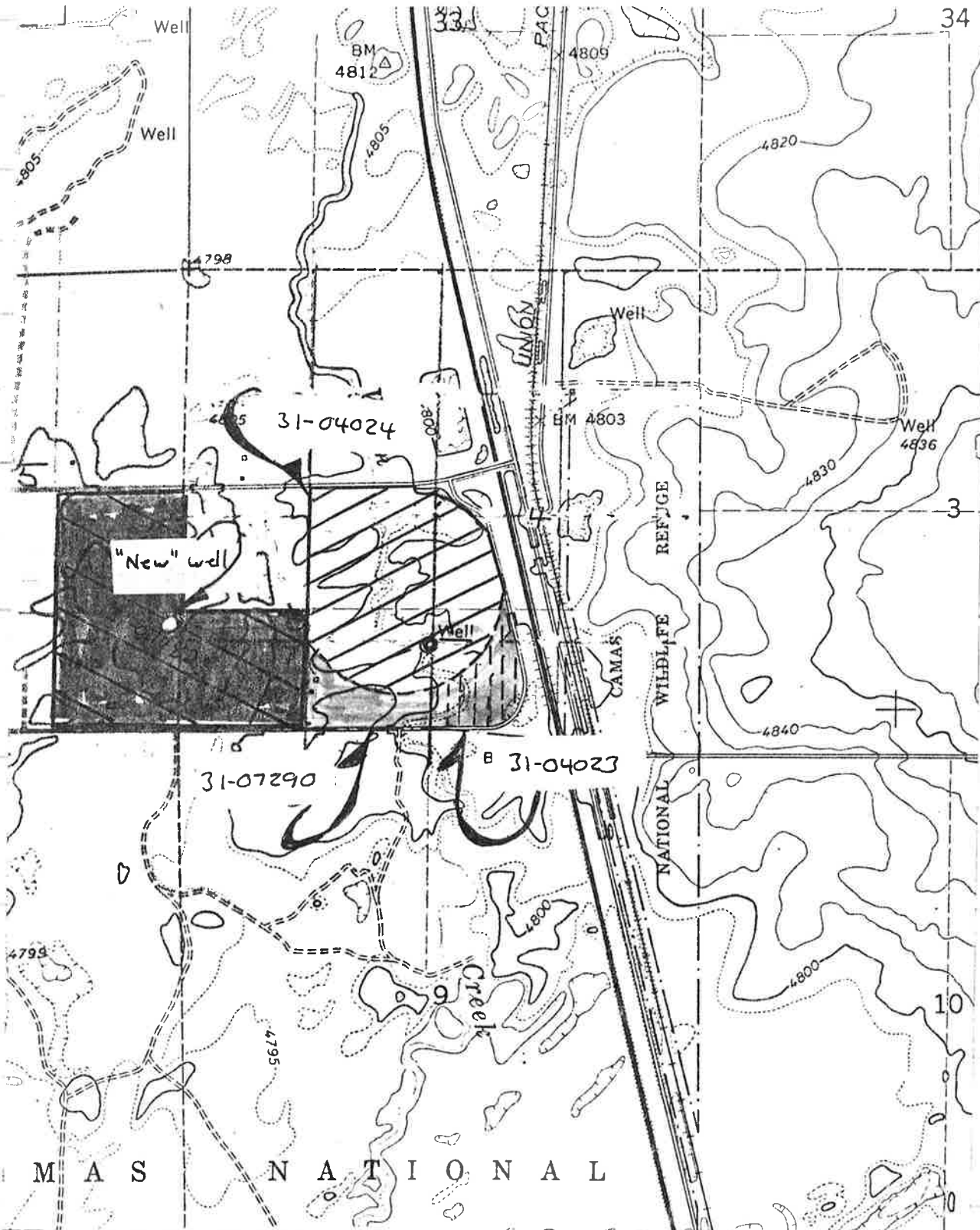
Total acres _____

Retraced



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.**



M A S N A T I O N A L

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.

Lloyd L. Gasser
(Signature of Applicant)

Subscribed and sworn to before me this _____

15th

day of

Apr.

, 19

94.

[Signature]
(Notary Public)

(Notary Public)

My commission expires

22-AUG-1994

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by HWT 1 Date 4-15-94

Protest filed by _____

Prelim. check by HWT/KW Fee 50.00Receipted by HWT #E0701 Date 4-15-94Published in Tefferson Star

Copies of protest forwarded by _____

Pub. dates May 5 & 12-94

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☒ approval ☐ denial

rec'd.

by [Signature]

Copy of transfer sent to lien holder _____

FROM: H. W. Jones

TO: Transfer files for A31-07290 and A31-04023

DATE: May 6, 1993

The onsite exam that Keith Wilson did on 22 April 1993 shows that only 17 acres could be considered irrigated in the SWSE of Sec. 4, Twp. 7N, Rge. 36E. This is being liberal as there was some high ground that was questionable in the 1/4 of 1/4. This contrasts the 25 acres originally claimed by A31-04023.

In the SESW only 13 acres was found under claim A31-07290. Should the protest be lifted on this transfer application the 13 acres should be our recommendation instead of the 25 acres listed on the transfer.

In the case of the field exam for 31-07290 the adjacent pivot was already in (see field exam drawing) and undoubtedly some land was either dropped from irrigation or was incorrectly assessed in the SESW of Sec. 4.

I would recommend that the adjudication recognize 17 acres irrigated under 31-04023. The cfs might be limited to 0.34 cfs which was the field exam (31-07290) amount for the well in the SESW of Sec. 4. This well was added as a point of diversion to A31-04023 in 1979 (claimants statement).

The above remarks were for 2 previous transfers, now withdrawn.
These remarks are provided to Bair remarks because we believe the acreage under the claim & license is now less than recorded. We would ask that you call us at Eastern to discuss this for possible clarification. Cfs would also be reduced to 2.22 cfs plus 0.125 for stockwater.

5. Lands irrigated or place of use:

Recommended Land List

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	4				31-07290								13					13
7N	36E	4				31-04023											17		17
7N	36E	4				31-04024					40			15		20	10		85

115 acres

0.18 cfs
0.34 cfs
1.78 cfs

53 3

41 3

T
R36E
N
a r h Co.

Point of Diversion

Place of Use

photo
1987

9

4

3

10

HEL
ND
10.6

HEL
ND
6.0

HEL
ND
5.67

38

6100LE
85ac

15.5

HEL
ND
49.3

26
24.5

PC

HEL
ND
13

HEL
ND
17

HEL
ND
17

