

4333

MEMORANDUM

TO: FILE 34-07040
FROM: PAM SKAGGS/^{CS}STATE OFFICE
SUBJECT: TRANSFER NO. 4333
DATE: June 1, 1994

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Transfer No. 4333 was filed to change the location of 6 acres and add a separate point of diversion. The transfer splits Right No. 34-07040 into parts A and B.

The water right listed on the transfer application is the right as recommended to the court in the SRBA Basin 34 Director's Report and will be subject to the terms of the court's final decree of this right.

A place of use overlap report also identified the Big Lost River Irrigation District delivering water to the S1/2SW, S04, T06N, R25E. An agent of the applicant contacted the BLR Irr. Dist. requesting information regarding canal share use on either the Coburn or Chaffin property. The BLR Irr. Dist. faxed a letter to this office stating that no water is available to this property through their District. No unstacking of groundwater and surface water rights occur through this transfer.

Recommended conditions included the general provisions of the Director's Report, conditions addressing specific concerns in Basin 34 and standard transfer conditions.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4333

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant DEAN COBURN
KEN CHAFFIN - KAYLEEN ANDERSON Phone 533-4329
Post Office address RT 1 BOX 1067 MURRAY IDAHO 83255

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 12 ACRES OF THE ORIGINAL 33 ACRES
HAS BEEN TRANSFERRED TO A NEW OWNER.

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>34-07040B</u>	<u>07/02/1973</u>	<u>.24 cfs</u>	<u>IRRIGATION</u>	<u>04-15</u> to <u>10-15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred .24 cubic feet per second and/or _____ acre-feet per annum.3. Source of water GROUND WATER tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	4	6N	25E	CUSTER	WELL (NEW, PROPOSED)
								ADDITIONAL

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	
6N	25E	4												12					12

Total acres 12

PART 1

6. General Information:

a. Description of diversion system WELL

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:

REQUEST TO TRANSFER 6 ACRES / 6" FROM PLACE OF USE
IN SW4 SW4 TO SE4 SW4 TO PROVIDE A TOTAL
OF 12 ACRES / 12" / .24 CFS FOR SE4 SW4

d. Remarks:

12 ACRES OF SE4 SW4 WAS SOLD. REQUEST TO HAVE 12" / .24 CFS
OF WATER TO GO TO 12 ACRES ALONG WITH A POINT OF
DIVERSION (PROPOSED WELL) IN THE SE4 SW4

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:

Witness my hand this _____ day of _____, 19 _____.

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. 34-07040 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 GROUND WATER tributary to _____

4. Date or priority 07/02/1973

5. Water is used for the following purpose:

amount 66.84 CFS for IRRIGATION purposes from 04-15 to 10-15
 (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 66 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
	NW	SW	NW	6N	6N	25E	CUSTER	WELL EASTING
	SW	SW	SW	4	6N	25E	CUSTER	WELL EASTING

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	25E	4											27	6					33

Total acres 33

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?

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 0.24 for IRRIGATION purposes from 04-15 to 10-15
 (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
		SE	SW	4	6N	25E	CUSTER	WELL (NEW PROPOSED)
								ADDITIONAL

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	
6N	25E	4											6	~~18~~					~~6 + 12 = 18~~ 6
6N	25E	4											6						6
																			~~6 + 12 = 18~~ 6

Total acres ~~6 + 12 = 18~~

12

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

1. amount 0.42 for IRRIGATION purposes from 04-15 to 10-15
 (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
	NW	SW	SW	4	6N	25E	CUSTER	WELL (EXISTING)
	SW	SW	SW	4	6N	25E	CUSTER	WELL (EXISTING)

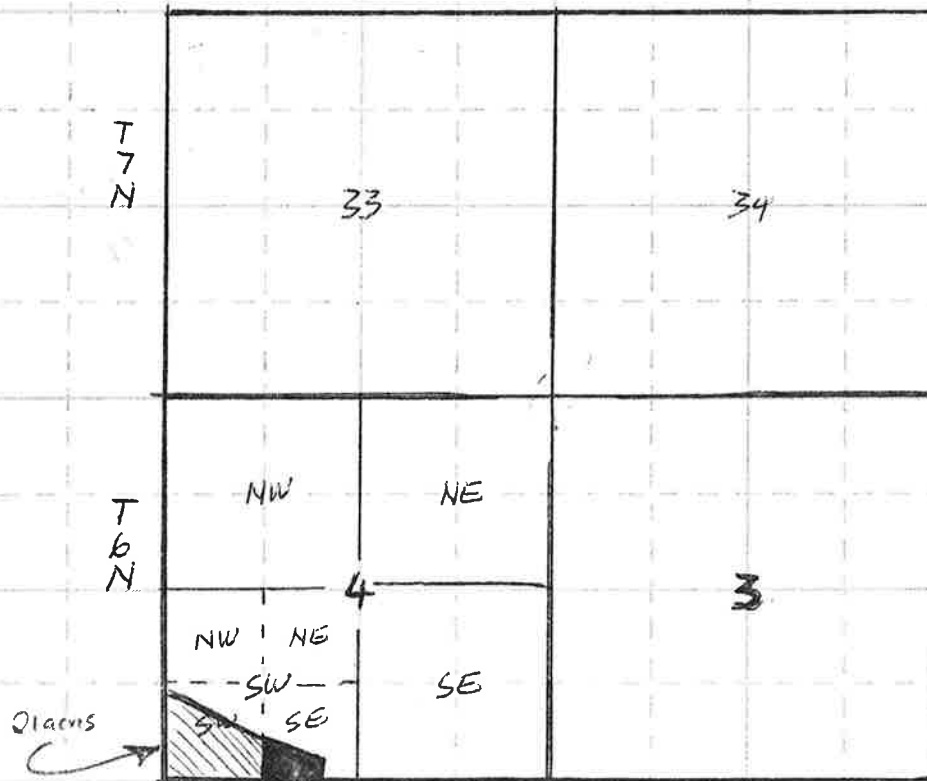
3. Lands irrigated or place of use:

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	
6N	25E	4											21						21

Total acres 21

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.



EXISTING PLACE
OF USE 21 ACRES

EXISTING POINT
OF DIVERSION

TRANSFER OF
6" FOR 6 ACRES

TO SE.SW

MAINTAIN POINT OF
DIVERSION FOR SW.SW

EXISTING PLACE OF USE 6 ACRES
NEW PLACE OF USE 6 ACRES } 12 ACRES TOTAL
NEW POINT OF DIVERSION (PARTIAL) 12 ACRES : 24 CFS

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.

Dean Colburn

(Signature of Applicant)

Subscribed and sworn to before me this 24th day of March, 19 94.

James H. H.

(Notary Public)

My commission expires 8-1-94**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by HT Date 3-24-94

Protest filed by _____

Prelim. check by _____ Fee \$50.00Receipted by HT E019607 Date 3-24-94Published in Custer Publishing Co.

Copies of protest forwarded by _____

Pub. dates 4-14 & 21-94

Hearing held by _____ Date _____

Watermaster recommendation requested on 4-13-94Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____