

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4297
WATER RIGHT NO. 31-07602

4297
RECEIVED
MAY 4 1994

Department of Water Resources
Eastern District Office

This is to certify that: **BALL FARMS LIMITED PARTNERSHIP**
CIRCLE B FARMS
C/O CARL BALL
2612 E 2300 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>
IRRIGATION	04/15 to 10/15	2.51 CFS	476.0 AF

SOURCE

GROUNDWATER

Priority: 12/12/1975

LOCATION OF POINT(S) OF DIVERSION: Lot 3(NENW), Sec. 4, Township 07N, Range 36E
NESE, Sec. 32, Township 08N, 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	NWNE 1	SWNE 1	Lot 3(NENW) 31	49
			SENE 16			20
08N	36E	32	SENE 13	SESE 7		67
		33	SWSW 36	SESW 31		136
Total number of acres irrigated:						136

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. 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.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

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CONDITIONS/REMARKS:

4. 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this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. 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.
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. 4297 shall not exceed 2.51 cfs.

Dated this 21st day of April, 1994.


Chief, Water Alloc. Bureau

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4297

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

BALL FARMS LIMITED PARTNERSHIP

Name of applicant CIRCLE B FARMS Phone 662-5286

Post Office address C/O CARL BALL 2612 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 The new place of use has better soil and fewer rocks than the old place of use.

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

1. Right Number 31-07602 Priority 12/12/1975 Amount (cfs/ac-ft) 2.51 cfs Nature of Use Irrigation Period of Use 4/15 to 10/15
 to
 to
 to
2. Total amount of water being transferred 2.51 cubic feet per second and/or 476.0 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	32	8N	36E	JEFFERSON.	
3		NE	NW	4	7N	36	JEFFERSON.	

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		1	1		173 31			16									49
8N	36E	33											36	31					67
		32					13										7		20

Total acres 136

PART 1**6. General Information:**

a. Description of diversion system Wells, center pivot & handlines.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X 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:

Transfer #4179, approved January 94 moved right on to land in Sec 14. The property has not been irrigated and if this transfer is approved it will remain unirrigated pasture.

d. Remarks:

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:

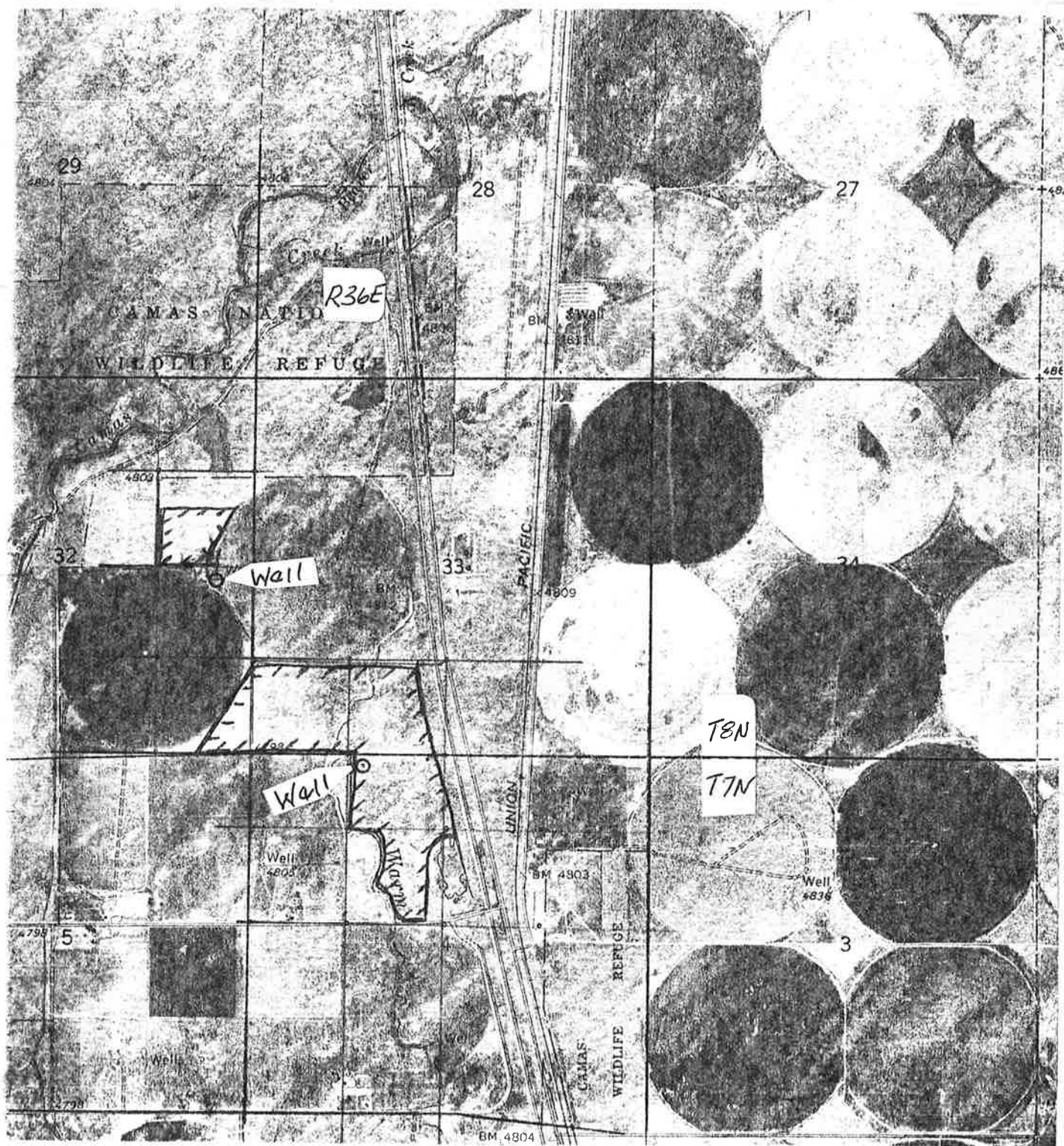
Witness my hand this day of , 19 .

(Attach one copy for each right)

9. Describe any other water rights used for the same purpose as described above NONE.

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

+ Carl M. Ball

(Signature of Applicant)

Subscribed and sworn to before me this 11 day of Feb, 19 94.Ernest Carlson

(Notary Public)

My commission expires 6-14-1994**FOR DEPARTMENT USE ONLY**Transfer contains pages and attachmentsReceived by EMC Date 11 Feb 94Protest filed by Prelim. check by HWT Fee \$50^{XX}Receipted by EMC Date 11 FEB 94#E019494Published in Jefferson StarCopies of protest forwarded by Pub. dates 2-17; 24-94Hearing held by Date Watermaster recommendation requested on Recommended for ☒ approval ☐ denial rec'd. by BPCCopy of transfer sent to lien holder