

T3117 SAUER

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant SAUER ENTERPRISES Phone 522-5179Post Office address c/o Neal Sauer, Rt. #5, Box 160, Idaho Falls, ID 83402**A. DESCRIPTION OF RIGHT AS RECORDED****1. Right evidenced by:**

a. Decree No. _____ Decreed to _____ (Name)

in case of _____ vs _____

dated in _____ in _____ county of _____ (Name of court)

b. License No. 31-2415 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired The water right was acquired through the purchase of the licensed place of use.

3. Source of water groundwater tributary to _____4. Date of priority December 26, 1964**5. Water is used for the following purposes:**amount 2.55 cfs for Irrigation purposes from 4-1 to 11-1

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____ (month/day — both dates inclusive)

6. Total amount of water under right: a. 2.55 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 13
Township 7N Range 33E B.M., in Jefferson County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7N	33E	13	40	40	40	40					37	24	38	39	40	40	39	39	456

Total number of acres to be irrigated 4569. Describe any other water rights used for the same purpose as described above 31-2299

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted 2.55 c.f.s. &/or _____ acre feet
- b. Description of diverting works Wells in Sections 13 & 18 pump directly into mainline. The two wells in Sec. 15 discharge into open ditch.
- c. Describe the reasons for the proposed changes Previous irrigation system has been modified to allow the use of 4 wells. Two wells are connected directly to mainline, the other wells discharge into open ditches. Water in the ditches is pumped into the mainline and conveyed to center pivots.

2. Change in point of diversion

Point of diversion NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13 Township 7N
Range 33E, B.M., Jefferson County
Additional points NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5 (two wells), NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 7N, R. 34E.

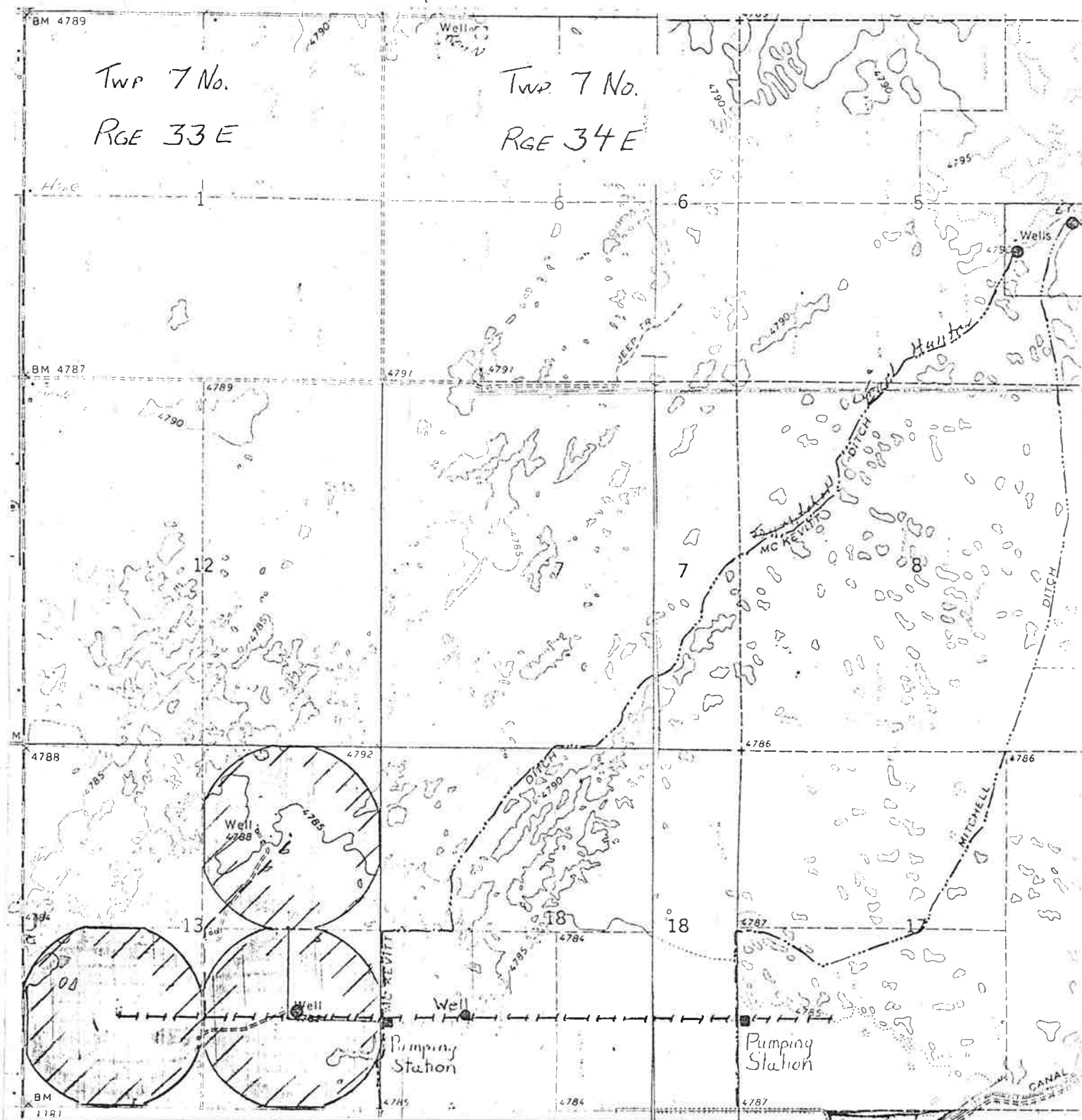
3. Change in place of use

- a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
Land from which water is being transferred will not be irrigated.

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	33E	13	38	38	38	38					38	38	38	38	38	38	38	38	456

Total number of acres to be irrigated 456

4. Describe any other water rights used for the same purpose as described above. 31-2299
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.
1: 24,000

D. REMARKS

Application changes the points of diversion & place of use. See Attachment A for explanation.

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 willfull misrepresentations made in this application may result in voiding its approval.

Sauer Enterprise
Neal Sauer
(Signature of Applicant)

Subscribed and sworn to before me this 22 day of January, 19 85

Cheryl Kemp
(Notary Public)

My commission expires March 20, 1988

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-2415 and said application is hereby APPROVED, subject to the following limitations and conditions:

1. This right when combined with Right 31-2299 shall not exceed irrigation of 456 acres.

Witness my hand this 2nd day of December, 19 85

A. M. Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by EMC Date 2-6-85

Prelim. check by En Fee 5000 #34400

Received by cy Date 2-6-85

Published in Jefferson Star

Pub. dates 2-21 & 2-28-85

Watermaster recommendation requested on

rec'd.

Protest filed by Joe Spertwell WITHDRAWN

Copies of protest forwarded by CW

Hearing held by Date

Recommended for approval denial

by RDC Jim