

4132

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4132
WATER RIGHT NO. 34-02389

RECEIVED

AUG 13 1993

Department of Water Resources
Eastern District Office

This is to certify that: NED R WALKER
REVA WALKER
PO BOX 32
ARCO ID 83213

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	2.28 CFS	399.0 AF

SOURCE

GROUNDWATER

Priority: 10/06/1960

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 14, Township 04N, Range 26E
SESW , Sec. 14, Township 04N, Range 26E
SWSE , Sec. 14, Township 04N, Range 26E
BUTTE 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>
04N	26E	14	NESW 4	NWSW 38	SWSW 38	
			SESW 28	SWSE 6		114
				Total number of acres irrigated:		114

CONDITIONS/REMARKS:

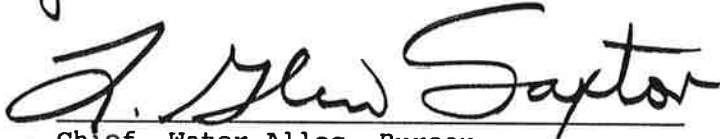
1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 34.
3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

TRANSFER NO. 4132
WATER RIGHT NO. 34-02389

CONDITIONS/REMARKS:

4. The change approved by this transfer is subject to the terms of the court's final decree of this right in the ongoing Snake River Basin Adjudication.
5. Use of this right with Right Nos. 34-00789 and 34-04087 is limited to a total combined diversion of 3.22 cfs, a total combined annual consumptive use volume of 285 af, and to the irrigation of a combined total of 114 acres in a single irrigation season.
6. The right holder shall use the full allotment of his surface water right, to the extent it is available, in conjunction with groundwater diverted pursuant to this right.

Dated this 6th day of August, 1993


Chief, Water Alloc. Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____



APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

SEP 10 1992

Department of Water Resources

Eastern District Office

Ned R. or Reva Walker

Phone 527-3229

Post Office address

P.O. Box 32 Arco, ID 83213

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 adding a diversion point to show the new use of a Farmer domestic well.

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
34-02389	Oct. 6, 1960	2.28 cfs	Irrigation	4-15 to 10-15
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 2.28 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	NW	SW	14	4N	26E	Butte	
	SE	SE	SW					
		SW	SE					"New" 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	
4N	26E	14									4	38	38	28			6		114

Total acres 114

PART 1

6. General Information:

a. Description of diversion system 3 wells (one with 20hp and two modified domestic/stock wells with 5hp pumps) to sprinklers

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

NA.

d. Remarks:

The adjudication field examiner found the 3rd well in use and recommended the transfer applic. to add this modified stock well as a point of diversion. Licensed acres left reduced as per this same exam.

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. _____ issued by the Idaho Department of Water Resources.

c. Claim No. A34-02389 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 Oct. 6, 1960

5. Water is used for the following purpose:

amount 2.28 cfs for Irrigation purposes from 4-15 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 2.28 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
	NE	NW	SW	14	4N	26E	Butte	
	SE	SE	SW	"	"	"		

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	
4N	26E	14									4	38	38	28			6		114

Total acres 114

9. Describe any other water rights used for the same purpose as described above 34-00789 234-04087

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

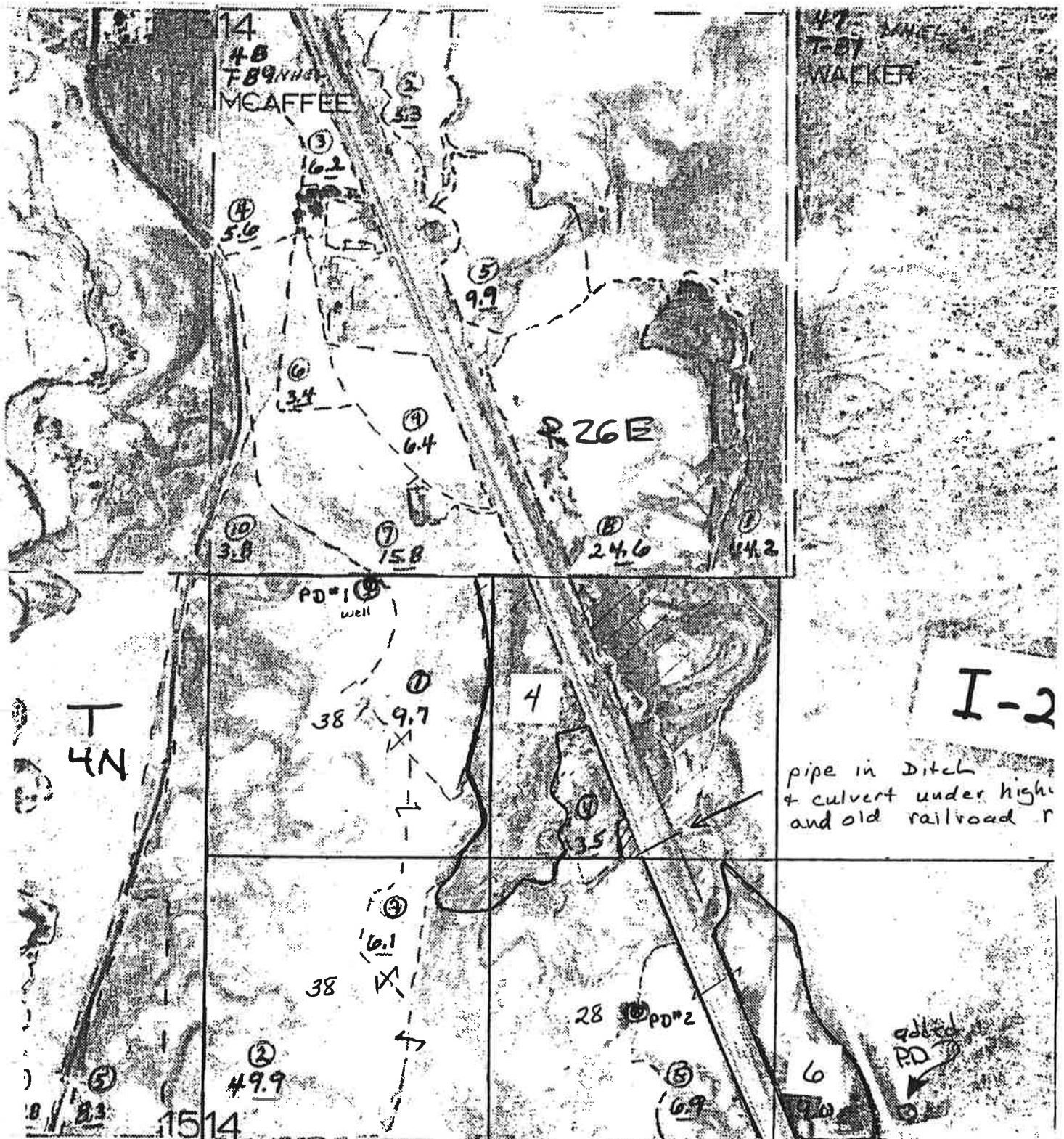
3. Lands irrigated or place of use:

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 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.



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.

Subscribed and sworn to before me this _____

day of _____

, 19 92

(Signature of Applicant)

(Notary Public)

My commission expires 3-6-1993**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by DMD Date 9-10-92

Protest filed by _____

Prelim. check by _____ Fee 50⁰⁰Receipted by DMD E017846 Date 9-10-92Published in Area Advertiser

Copies of protest forwarded by _____

Pub. dates September 24 & October 1

Hearing held by _____ Date _____

Watermaster recommendation requested on 9-25-92Recommended for ☒ approval ☐ denial_____ rec'd. 9-29-92by RPC

Copy of transfer sent to lien holder _____

Transf 3572

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT09/03/92 14:29:28
Page 1

Water Right Number - 34-02389

Prefix Translation: WATER RIGHT

Old (D) Number - 29072

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
WALKER

NED R.

1 - P.O. BOX 32

2 -

3 -

City- ARCO
Phone -

State- ID Zip- 83213

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
10/06/1960 15 EASTERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

04N 26E 14 NW SW (23) BUTTE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

2.540

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
2.540+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

04N	26E	14	NE SW	17.0	01	IRRIGATION	(23) BUTTE
04N	26E	14	NW SW	40.0	01	IRRIGATION	(23) BUTTE
04N	26E	14	SW SW	40.0	01	IRRIGATION	(23) BUTTE
04N	26E	14	SE SW	30.0	01	IRRIGATION	(23) BUTTE

Total Acres: 127.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: MAY-27-1992
PAGE: A-1131

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: GROUNDWATER						
34-02509	ANITA A MC AFFEE 3912 HARBORPOINT DR MERIDIAN ID 83642	10/05/1960	IRRIGATION	04-15 10-15	4.68 CFS	LICENSE
	POINT OF DIVERSION: T04N R26E S23	SESWSE				
	PLACE OF USE: IRRIGATION					
	T03N R27E S04 Lot 3 (NENW)36.0	Lot 4 (NWNW)37.0				
	S05 Lot 1 (NENE)37.0	Lot 2 (NWNW)30.0				
	295.0 ACRES TOTAL					
	REMARKS: USE OF THIS RIGHT WITH RIGHT NOS. 34-00043 & 34-07112 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.78 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 737.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 295 ACRES IN A SINGLE IRRIGATION SEASON					
	USE OF THIS RIGHT WITH RIGHT NO. 34-07112 IS LIMITED TO A COMBINED TOTAL ANNUAL DIVERSION VOLUME OF 1032.5 AF.					
* 34-02389	NED R WALKER REVA W WALKER PO BOX 32 ARCO ID 83213	10/06/1960	IRRIGATION	04-15 10-15	2.28 CFS 399.0 AFY	LICENSE
	POINT OF DIVERSION: T04N R26E S14	NENWSW SESESW				
	PLACE OF USE: IRRIGATION					
	T04N R26E S14	NESW 4.0 SWSE 6.0	NWSW 38.0	SWSW 38.0	SESW 28.0	
	114.0 ACRES TOTAL					
	REMARKS: USE OF THIS RIGHT WITH RIGHT NOS. 34-00789 AND 34-04087 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.22 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 285 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 114 ACRES IN A SINGLE IRRIGATION SEASON.					

*As per adjudication recommendation

Prefix Translation: WATER RIGHT

+ - Decree Date - +
00/00/0000

+ - - Audit Fields - 02/26/85 05/22/88 CONVERT

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 02/26/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 04/19/1979	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Presumption Flag	-		

INTER-DEPARTMENT MEMO

TO: Skip & File.

34-02389
SUBJECT: App. to transfer

FROM: Ernest Carlson.

DATE: 10 June 1993

- Since this right has already been reviewed in the SRBP the condition about being subject to this review should not be included in the approval conditions. I don't think the application can be approved until Judge Harbut adopts a procedure to reflect this type of change in the Director's Report. But it probably should be sent to S/O anyway.

() For your information

() Response required

Ernest Carlson.
signature

