

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4116
WATER RIGHT NO. 35-02096B

RECEIVED

MAY 2 1993

Department of Water Resources
Eastern District Office

This is to certify that: MAX L LE FEVRE
KERI A LE FEVRE
1276 W HOFF RD
BLACKFOOT ID 83221

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>
IRRIGATION	04/01 to 10/31	0.20 CFS

SOURCE

GROUNDWATER

Priority: 05/13/1948

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 36, Township 02S, Range 33E
BINGHAM 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>
02S	33E	36	SWSW	10		10

Total number of acres irrigated: 10

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 4.0 afa per acre for the lands above.
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this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. 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.

TRANSFER NO. 4116
WATER RIGHT NO. 35-02096B

CONDITIONS/REMARKS:

Dated this 14th day of may, 1993.

J. Glen Saxton
Chief, Water Alloc. Bureau

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Transfer No. _____

Page _____ of _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant MAX L. OR KERI A. LEFEVRE Phone 684-4970
Post Office address 1276 W HOFF RD, BLACKFOOT, ID. 83221

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
- Describe the reason for the proposed changes APPLICANT HAS PURCHASED 10 ACRES OF THE LICENSED PLACE OF USE. THERE IS AN ABANDONED WELL ON THIS 10 ACRES THAT THE APPLICANT WANTS TO RE-OPEN AND USE ~~IT~~ TO DELIVER HIS PORTION OF THE LICENSE.

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

- | Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|------------------|---------------------|-----------------------|-------------------|----------------------------|
| <u>35-02096B</u> | <u>MAY 13, 1948</u> | <u>0.20 cfs</u> | <u>IRRIGATION</u> | <u>4/1</u> to <u>10/31</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
- Total amount of water being transferred 0.20 cubic feet per second and/or _____ acre-feet per annum.
- Source of water GROUNDFWATER tributary to _____
- Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	SW	36	2S	33E	BINGHAM	

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	
2S	33E	36											10						10

Total acres 10

PART 1

6. General Information:

- a. Description of diversion system WELL AND PUMP INTO THE MAINLINE
TO SPRINKLERS. APPLICANT WILL UTILIZE AN EXISTING 10"X100'
WELL.
- 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:

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 _____.

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. 35-02096 issued by the Idaho Department of Water Resources.
- c. Claim No. A35-02096 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 MAY 13, 1948

5. Water is used for the following purpose:

amount 2.84 for IRRIGATION purposes from _____ to _____
(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 2.84 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	NW	36	2S	33E	BIDGHAM	

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	
2S	33E	36							25		40	37	40						142

Total acres 142

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

NONE

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 0.20 for IRRIGATION 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
		SW	NW	36	2S	33E	Bingham	

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	
2S	33E	36											10						10

Total acres 10

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

1. amount 2.64 for IRRIGATION 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
		SW	NW	36	2S	33E	BING	

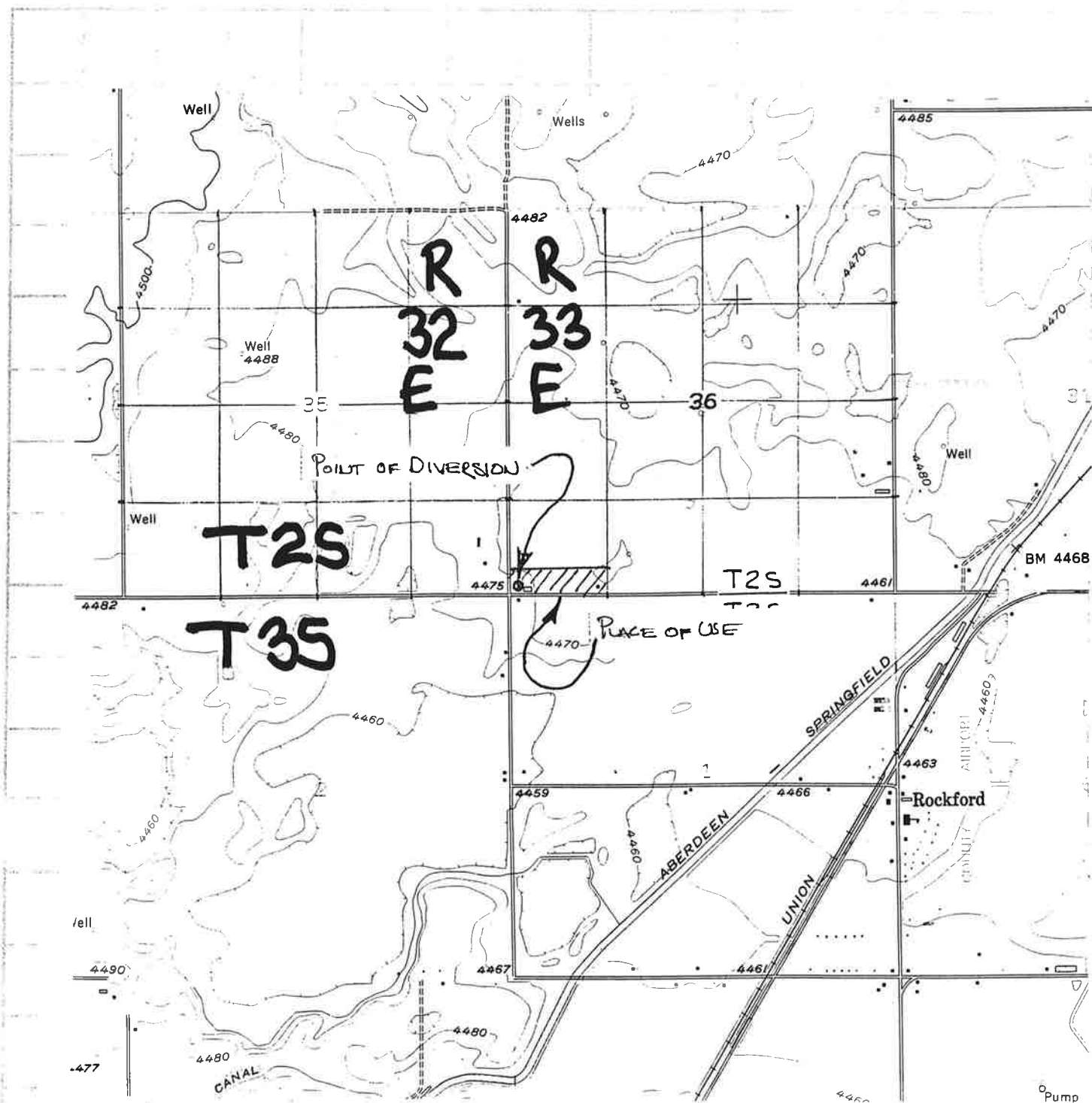
3. Lands irrigated or place of use:

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	
2S	33E	36							25		40	37	48						132

Total acres 132

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 (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
				_____ to _____
				_____ to _____

2. Quantity and quality of return flows and location of discharge:

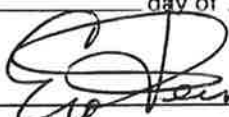
3. Describe effects on other water uses resulting from the proposed change:

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 6th day of October, 19 92

(Signature of Applicant)



(Notary Public)

My commission expires 22 AUGUST, 1994

821 10-7-92

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by ESJ Date 10-6-92 Protest filed by _____Prelim. check by _____ Fee \$50.00 E07957

Receipted by _____ Date _____

Published in Morning News Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

INTERDEPARTMENT MEMO

DATE: 14 April 1993
FROM: Ernest Carlsen
RE: Application for transfer 35-02096B
Max LeFevre

FINDINGS:

- See Memo by Eric Verner dated 2-09-93

CONCLUSIONS:

- See Memo by Eric Verner dated 2-09-93

RECOMMENDATION/CONDITIONS:

The transfer should be granted with the following conditions:

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

ADJUDICATION FOLLOWUP:

- Obtain a Change in Ownership for portion of claim A35-02096.
- Split claim A35-02096 into A and B.

MEMO

DATE: FEBRUARY 9, 1993

TO: TRANSFER FILE, A35-02096

FROM: ERIC VERNER *EV*

SUBJECT: ADJUDICATION REVIEW

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I have reviewed this proposed transfer and find that the proposed change does not conflict with earlier claims review for this right. The forty acre tract that contains the 10 acres the applicant is proposing the transfer on (SW1/4 SW1/4) has about 37 to 38 acres irrigated. There is a small homestead in the SW corner of the tract that the applicant now owns that contains approximately 1 acre of non-irrigated land due to buildings and driveway. The applicant purchased 11 acres of the SW1/4 SW1/4, and is claiming 10 acres are irrigated. This is consistent with my review of this right.

It appears to me that the transfer should be approved as is. I would suggest a follow up exam next summer to verify the existence of the new point of diversion. There are no other overlapping water rights.