

Eastern 4810

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

RECEIVED

TRANSFER NO. 4810
WATER RIGHT NO(S). 35-02596/35-02730/35-07994 **JAN 13 1997**

Department of Water Resources
Eastern District Office

This is to certify that: **AFTON HEATH**
CLEM J HEATH
PO BOX 9
PINGREE ID 83262

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>
Right No. 35-02596 : IRRIGATION Priority: 03/13/1960	04/01 to 10/31	0.52 CFS	104.0 AF
Right No. 35-02730 : IRRIGATION Priority: 10/11/1963	04/01 to 10/31	2.60 CFS	737.6 AF
Right No. 35-07994 : IRRIGATION Priority: 08/03/1981	04/01 to 10/31	* 0.40 CFS	96.0 AF
TOTAL:		** 3.44 CFS	** 937.6 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 10, Township 04S, Range 33E
SESW , Sec. 10, Township 04S, Range 33E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04S 33E 10	NENW 35	SWNW 25.4	SESW 35	
	NESW 32	NWSW 37	SWSW 38	
	SESW 32			234.4
Total number of acres irrigated:				*** 234.4

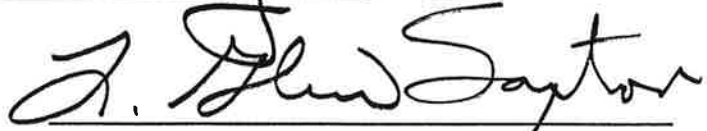
TRANSFER NO. 4810
WATER RIGHT NO(S). 35-02596/35-02730/35-07994

CONDITIONS OF APPROVAL AND REMARKS

1. 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.
2. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
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this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.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. 4810 shall not exceed 3.44 cfs, nor total combined annual volume of 937.6 af.
- * 8. Right No. 35-07994 and 35-02596 in combination shall not exceed a total diversion rate of 0.84 cfs.
- *** 9. Right No. 35-02596 is limited to the irrigation of 26.0 acres in the place of use described above in a single irrigation season.
- *** 10. Right No. 35-02730 is limited to the irrigation of 184.4 acres in the place of use described above in a single irrigation season.
- *** 11. Right No. 35-07994 is limited to the irrigation of 24.0 acres in the place of use described above in a single irrigation season.

Dated this 6th day of

January, 1997.



Chief, Water Alloc. Bureau

MEMORANDUM

TO: FILE NOS. 35-02596, 35-02730 & 35-07994

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER NO. 4810

DATE: December 26, 1996

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Transfer No. 4810 was filed to change the place of use under Right Nos. 35-02596, 35-02730 and 35-07994. The applicant is adding center pivots to facilitate irrigation and the acres under these rights are being rearranged to cover the new configuration. These three rights when combined irrigate 234.4 acres as described under the permissible place of use on the approval document.✓

Season of use and diversion volume were adjusted to current standards. Recommended conditions include irrigation overlap, future annual reporting, multiple points of diversion/measuring devices, combined right & permissible place of use limits, and standard transfer conditions. ✓

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Transfer No. 4810

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Clem J. OR Afton Heath Phone 684-4730/4208Post Office address Box 9, Pingree Id 83262

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 Center Pivots to facilitate irrigation* See Remarks on license 35-07994

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>35-02730</u> | <u>11 Oct 1963</u> | <u>2.00 cfs</u> | <u>IRRIGATION</u> | <u>4/1</u> to <u>11/1</u> |
| <u>35-07994</u> | <u>3 Aug 1981</u> | <u>0.40 *</u> | <u>IRRIGATION</u> | <u>4/1</u> to <u>11/1</u> |
| <u>35-02596</u> | <u>13 MAR 1960</u> | <u>0.52 *</u> | <u>IRRIGATION</u> | <u>4/1</u> to <u>11/1</u> |
| | | <u>3.44</u> | | to |
| 2. Total amount of water being transferred | | <u>3.52</u> | cubic feet per second and/or | acre-feet per annum. |
| 3. Source of water | <u>GROUNDWATER</u> | | tributary to | |
| 4. Point(s) of Diversion: | <u>NO CHANGE</u> | | | |

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	10	4S	33E	Bingham	
		SE	NW	10	4S	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	
35-02730																			
4S	33E	10					35		13.4	35	32	37		32					184.4
35-07994																			
4S	33E	10							12				12						24.0
35-02596																			
4S	33E	10											26						26.0

Total acres 234.4

PART 1

6. General Information:

a. Description of diversion system Two wells mainline to 1 1/2 pivots and laterals with sprinklers

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:

NONE - MOVING ACRES AROUND TO FACILITATE IRRIGATION

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 _____

WR5809NP
No. 35-07994

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/14/96
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	AFTON HEATH	08/03/1981	IRRIGATION	04/01 11/01	0.400 CFS	84.00 AFA
C	CLEM HEATH					
TOTAL DIVERSION:					0.400 CFS	84.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.840 CFS

Point(s) of Diversion: T04S R33E S10 SWNW SENW BINGHAM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
04S	33E	10	:				12	:			12	:				24.0
TOTAL ACRES															24.0	

Pou County: BINGHAM

Conditions of Approval:

- R30 - 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.
- 016 - See remarks for additional conditions of approval.
- T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 - 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.
- T09 - 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.

Remarks: The maximum combined rate of diversion under this right & Right 35-2596 shall not exceed 0.84 cfs.

Dates: App. Received: 08/03/1981 Priority Date: 08/03/1981
Proof Due Date: 09/01/1986 Proof Made Date: 07/08/1986
Exam Made Date: 08/07/1987 Exam Sent to S.O.:
Licensed Date: 01/06/1989

Misc: Water District Number: Field Exam Fee: R (Received)

Comments: Date: 01/09/1992 User-ID: LUKE Subject: Transfer No. 3873

10. TO YOUR KNOWLEDGE, HAS ANY PORTION OF THIS WATER RIGHT UNDERGONE A PERIOD OF FIVE OR MORE CONSECUTIVE YEARS OF NON-USE? NO!

WR5809NP
No. 35-02730

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/14/96
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CLEM J HEATH	10/11/1963	IRRIGATION	04/01 11/01	2.600 CFS	645.00 AFA
C	AFTON HEATH					
TOTAL DIVERSION:					2.600 CFS	645.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T04S R33E S10 SWNW SENW BINGHAM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE						
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE			
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
04S	33E	10	:															
			:			37				38	:	33	39		37	:		184.4
TOTAL ACRES																	184.4	

Pou County: BINGHAM

Conditions of Approval:

- T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 - 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.
- T09 - 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.

Remarks: Acres irrigated = 184.4.

Dates: App. Received: Priority Date: 10/11/1963
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 08/07/1979

Misc: Water District Number: Field Exam Fee:

Comments: Date: 01/09/1992 User-ID: LUKE Subject: Transfer No. 3873
Transfer No. 3873 changed a point of diversion under this right
and Right Nos. 35-2596 & 35-7994.

Audit: 05/20/85 05/21/88 CONVERT 01/09/92 LUKE 01/15/92 MILLER

10. TO YOUR KNOWLEDGE, HAS ANY PORTION OF THIS WATER RIGHT UNDERGONE A PERIOD OF FIVE OR MORE CONSECUTIVE YEARS OF NON-USE? NO!

WR5809NP
No. 35-02596

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/14/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	AFTON HEATH	03/13/1960	IRRIGATION	04/01 10/31	0.520 CFS	91.00 AFA
C	CLEM J HEATH					
TOTAL DIVERSION:					0.520 CFS	91.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T04S R33E S10 SWNW SENW BINGHAM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S		T	R	S		T	R	S		T	R	S		SUM
04S	33E	10	:	:	:	:	:	:	:	:	:	:	:	:	:	26.0
TOTAL ACRES															26.0	

Pou County: BINGHAM

Conditions of Approval:

- T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 - 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.
- T09 - 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.

Dates: App. Received: Priority Date: 03/13/1960
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 08/07/1979

Misc: Water District Number: Field Exam Fee:

Comments: Date: 01/09/1992 User-ID: LUKE Subject: Transfer No. 3873
Transfer No. 3873 changed a point of diversion under this right &
Right Nos. 35-2730 and 35-7994.

Audit: 05/06/85 05/21/88 CONVERT 01/09/92 LUKE 01/15/92 MILLER

10. TO YOUR KNOWLEDGE, HAS ANY PORTION OF THIS WATER RIGHT UNDERGONE A PERIOD OF FIVE OR MORE CONSECUTIVE YEARS OF NON-USE? NO!

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.

