

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4796
WATER RIGHT NOS. 13-02242 & 13-04283

RECEIVED
JAN 17 1997

This is to certify that: **CLAUDE RICHINS**
KAYLE RICHINS
13659 S 1300 W
RIVERTON UT 84065

Deputy District Office

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.

RIGHT NO: 13-02242
Priority: 06/20/1961
SOURCE: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.63 CFS	119.0 AF
SUBTOTAL:		0.63 CFS	119.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 4, Township 14S, Range 38E
FRANKLIN County

RIGHT NO: 13-04283
Priority: 05/12/1885
SOURCE: ANDERSON SPRING
TRIBUTARY OF: SINKS

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	* 1.00 CFS	147.0 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.4 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF
SUBTOTAL:		1.06 CFS	148.0 AF
TOTAL:		1.69 CFS	** 186.5 AF

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 5, Township 14S, Range 38E
FRANKLIN 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>
14S	38E	4	SWNE 40	SWNW 36	SENE 40	
			NESW 10	NWSW 27		153
		5	SWNE 12	SENE 37		49
Total number of acres irrigated:						*** 202

PLACE OF USE: STOCKWATER & DOMESTIC same as IRRIGATION use

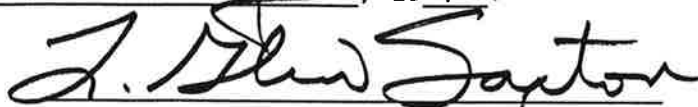
TRANSFER NO. 4796
WATER RIGHT NOS. 13-02242 & 13-04283

CONDITIONS OF APPROVAL AND REMARKS

1. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
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.
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this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.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. 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.
6. That portion of groundwater Right No. 13-02242 appurtenant to 23.0 acres located in the SWNW, S04, T14S, R38E and irrigated under a portion of surface water Right No. 13-04283 shall not be used if the surface right is sold, transferred, leased, or used on any other place of use.
7. The right holder shall use the full allotment of appurtenant surface water under Right No. 13-04283 in conjunction with the overlapping portion of groundwater Right No. 13-02242. No supplemental groundwater shall be diverted on these 23.0 acres until such time as the spring water is not available.
- ** 8. Right Nos. 13-02242 and 13-04283 in combination shall not exceed
*** a total annual diversion volume of 185.5 af for the irrigation of 53.0 acres.
9. Right No. 13-02242 when combined with Right No. 13-07116 shall not exceed a total combined diversion rate of 2.83 cfs.
- ** 10. Right Nos. 13-02242 and 13-04283 when combined with Right No.
*** 13-07116 shall not exceed a total combined annual diversion volume of 707.0 af, nor the total combined irrigation of 202.0 acres.
- *** 11. Right No. 13-02242 is limited to the irrigation of 34.0 acres in the place of use described above in a single irrigation season.
- *** 12. Right No. 13-04283 is limited to the irrigation of 42.0 acres in the place of use described above in a single irrigation season.
- * 13. A portion of Right No. 13-04283, 0.16 cfs, is limited to use for conveyance losses in delivery of this right.
14. Approval of this transfer does not confirm Statutory Claim No. 13-04283.

Dated this 14th day of

January, 1997


Chief, Water Alloc. Bureau

MEMORANDUM

TO: FILE NOS. 13-02242 & 13-04283

FROM: PAM SKAGGS/²⁸STATE OFFICE

SUBJECT: TRANSFER NO. 4796

DATE: July 17, 1996

=====

Transfer No. 4796 was filed to change the point of diversion and place of use under groundwater Right No. 13-02242 and surface water Right No. 13-04283. These rights are being used in combination with groundwater Right No. 13-07116 to irrigate a 202 acre permissible place of use. This transfer is to change these rights to reflect the way the water is currently being used and is the result of a private adjudication.

Season of use and diversion volume were adjusted to current standards. The rights as originally licensed and claimed reflect development of a portion of the groundwater for supplemental use on 23 acres where the rights overlap in the SWNW, S04, T14S, R38E. Conditions were included to describe the overlapping limits of these rights within the larger system.

Recommended conditions include combined limits, supplemental groundwater, measuring devices, future annual reporting, conveyance loss, permissible place of use limits, nonconfirmation of claim and standard transfer conditions.

S.O. 5-13-88

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4796
RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHTS
PART 1

Department of Water Resources

Name of applicant Kayle or Claude Richins Phone (801) 254-4588
Post Office address 13659 S. 1300 W., Riverton, Utah 84065

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 To have the record reflect the way the water is actually used.

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

- | 1. Right Number | Priority | Amount
(cfs/acre-ft) | Nature
of Use | Period of Use |
|-----------------|------------------|-------------------------|-------------------|-----------------------------|
| <u>13-04283</u> | <u>5-12-1885</u> | <u>1.00</u> | <u>Irrigation</u> | <u>4-15</u> to <u>10-15</u> |
| <u>13-04283</u> | <u>5-12-1885</u> | <u>0.04</u> | <u>Domestic</u> | <u>1-1</u> to <u>12-31</u> |
| <u>13-04283</u> | <u>5-12-1885</u> | <u>0.02</u> | <u>Stockwater</u> | <u>1-1</u> to <u>12-31</u> |
| <u>13-02242</u> | <u>6-20-1961</u> | <u>0.63</u> | <u>Irrigation</u> | <u>4-15</u> to <u>10-15</u> |
2. Total amount of water being transferred 1.06 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Anderson Spring (13-04283) tributary to sinks
Groundwater (13-02242)
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	5	14S	38E	Franklin	Anderson Spring
		SW	NW	4	14S	38E	Franklin	Well

5. 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	
14S	38E	4			40				36	40	10	27							153
									5										49
		5			12	37													
					S	D&S													

41.5 ac. within the 202 ac. place of use (13-04283)
34 ac. within the 202 ac. place of use (13-02242)

Total acres 202

Permissible P.O.U.

COPY

PART 1

6. General Information:

a. Description of diversion system Springbox, pipeline for domestic and stockwater use.
Overflow from springbox to pond. Pipeline from pond to mainline which
is also connected to the well.

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:
11.5 acres of original place of use of 13-04283 is now dry farmed.
The balance of the land is still irrigated under the new distribution
system.

d. Remarks:

See License 13-07116 for 2024cc p.e.u.

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)

RECEIVED
FEB 20 1996

A. DESCRIPTION OF RIGHT AS RECORDED

Department of Water Resources

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. 13-04283 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 Anderson Spring tributary to Sink
4. Date of priority 5-12-1885
5. Water is used for the following purpose:

amount <u>1.00</u> (cfs/acre-ft)	for <u>Irrigation</u>	purposes from <u>4-15</u> to <u>10-15</u>
amount <u>0.04</u> (cfs/acre-ft)	for <u>Domestic</u>	purposes from <u>1-1</u> to <u>12-31</u>
amount <u>0.02</u> (cfs/acre-ft)	for <u>Stockwater</u>	purposes from <u>1-1</u> to <u>12-31</u>
6. Total amount of water under right 1.06 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	SW	5	14S	38E	Franklin	

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	
14S	38E	4																	
		4																	
		5																	
		5																	

9. Describe any other water rights used for the same purpose as described above _____
 Total acres 42
13-02242 & 13-07116

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 _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____ purposes from _____ to _____
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

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	

Total acres _____

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

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____ purposes from _____ to _____
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

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	

Total acres _____

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. 13-02242 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 1716 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 6-20-1961

5. Water is used for the following purpose:

amount 0.63 for Irrigation purposes from 4-1 to 11-1
(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 0.63 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	NE	5	14 S	38 E	Franklin	

8. Lands irrigated or place of use: *Transfer No. 1716 proposed a new well in this 1/4 1/4. However, the new well was drilled in the same 1/4 1/4 as licensed.

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	
14S	38E	4							34										34

Total acres 34

9. Describe any other water rights used for the same purpose as described above 13-04283, 13-07116

2. 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 _____

3. 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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

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	

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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

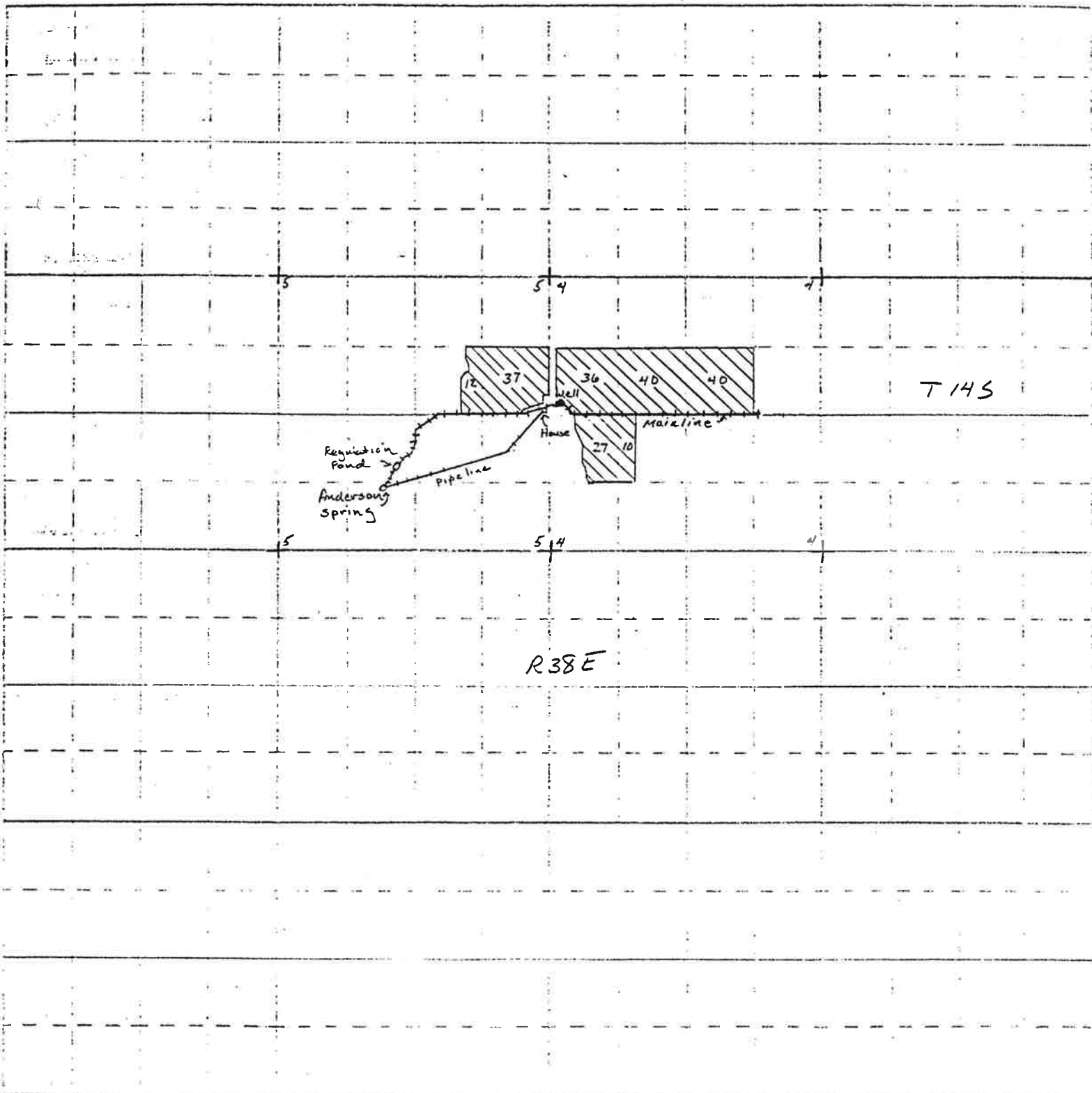
3. Lands irrigated or place of use:

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	

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.

(Signature of Applicant)

Subscribed and sworn to before me this _____ day of _____, 19 _____.

(Notary Public)

My commission expires _____

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____	Date _____	Protest filed by _____
Prelim. check by _____	Fee _____	_____
Receipted by _____	Date _____	_____
Published in _____		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 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AMENDED CLAIM TO A WATER RIGHT

Section 42-243, Idaho Code, authorizes the filing of a claim to a water right established by diversion and application of water to beneficial use for domestic uses as defined in Section 42-111, Idaho Code. The filing of this claim does not confirm the water right claimed.

Notice is hereby given that Kayle or Claude Richins

(Name of Claimant)

13659 S. 1300 W., Riverton, Utah

(Mailing Address)

84065

(Zip Code)

Telephone No: (801) 254-4588

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

1. Date of Priority: (When the water was first applied to beneficial use) May 12, 1885

A claim is not acceptable on a surface water source with a priority later than May 20, 1971.

2. Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Anderson Spring tributary to Sinks

3. Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)

(Domestic, Stock, Etc.)

(Both dates inclusive)
(Mo., Day) (Mo., Day)

Quantity <u>0.04</u>	Use <u>Domestic</u>	Period of Use From <u>1-1</u> to <u>12-31</u>
Quantity <u>0.02</u>	Use <u>Stockwater</u>	Period of Use From <u>1-1</u> to <u>12-31</u>
Quantity <u>1.00</u>	Use <u>Irrigation</u>	Period of Use From <u>4-15</u> to <u>10-15</u>

4. 1.06 TOTAL QUANTITY USED.
(cfs, af)

5. A) Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot
 Sec. 5 Township 14 S Range 38 E B.M. Franklin County; additional points of diversion
 If any:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Springbox, pipeline, ditches

6. A) Describe place of use within each 40-acre tract in the appropriate box using the following symbols in the appropriate tract. D - domestic, S - stockwater, X - other

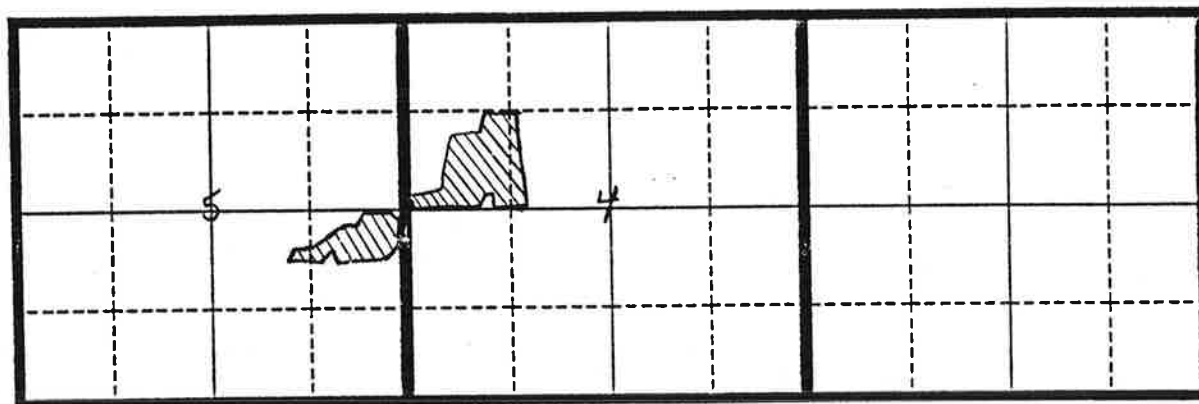
T	R	Sec	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SE	SW	
14 S	38 E	4							S										
		4							23	7									30
		5				D&S									S	S			
		5													11	5	5		12

COPY

B) Fully describe the use, being as specific as possible: Domestic, 1 home; Stockwater and irrigation of 41.5 acres.

NOTE: Include here the type and number of stock watered: _____

7. Remarks: _____



R 38E

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system. Attach an aerial photograph of the place of use if available.

State of Idaho)
) ss.
County of _____)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the forgoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Claimant's Signature (and title if claim is for an organization)

Sworn to before me this _____ day of _____, 19____.

Notary Public

Residing at: _____

My commission expires: _____

FOR DEPARTMENT USE ONLY

Received by _____ Date _____
Prelim. check by _____ Date _____
\$100.00 receipted by _____ Date _____
Receipt # _____

Published in _____

Exceptions filed by _____

Dates _____