

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4778
WATER RIGHT NO. 35-02882

RECEIVED

APR 24 1996

Department of Water Resources
Bureau Region

This is to certify that: STEVEN L JONES
PATSY L JONES
560 S 1600 W
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>
IRRIGATION	04/01 to 10/31	1.70 CFS	460.0 AF

SOURCE

GROUNDWATER

Priority: 03/28/1966

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 32, Township 03S, 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>
03S 33E 32	SWNE 36	SENE 37	NESW 25	
	NESE 2	NWSE 15		115
		Total number of acres irrigated:		115

CONDITIONS OF APPROVAL AND REMARKS

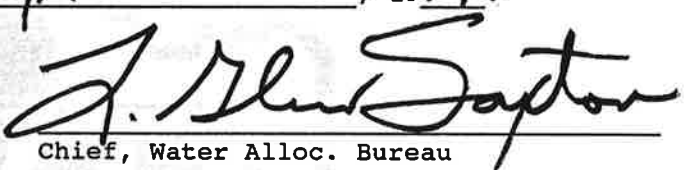
1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
2. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

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CONDITIONS OF APPROVAL AND REMARKS

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this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.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. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
7. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased, or used on any other place of use.

Dated this 17th day of April, 1996.


Chief, Water Alloc. Bureau

MEMORANDUM

RECEIVED

APR 24 1996

Department of Water Resources
Eastern Region

TO: FILE NO. 35-02882

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER NO. 4778

DATE: April 12, 1996

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Transfer No. 4778 was filed to change the place of use under Right No. 35-02882 to reflect a change in ownership and use. The applicant purchased 2 of 3 quarter-quarters of the original place of use and received a release of the entire water right from both the previous owners and the current owner of the 3rd QQ.

The applicant has reconfigured the acres on his property, all in Section 32, and reduced the total number of acres by 2 to 115 as claimed under A35-02882. This right was developed as a supplemental groundwater right at the original place of use and overlaps with the same rights at the new acres for no net change in use.

Diversion volume was adjusted to current standards. Recommended conditions include irrigation overlap, future measuring devices & annual reporting, supplemental groundwater and standard transfer conditions.

Page _____ of _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Transfer No. 4778

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant STEVEN L. OR PATSY L. JONES Phone (208) 684-3836
Post Office address 560 S 1600 W, 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 Purchased property and portion of water from SWNW Sec 33 T3S R33E.

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>35-02882</u> | <u>3/28/1966</u> | <u>1.7 cfs</u> | <u>IRRIGATION</u> | <u>4/1</u> to <u>10/31</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 1.70 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
		SE	NE	32	3S	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	
3S	33E	32			36	37					25				2	16			47.15

Total acres 47.15

PART 1

6. General Information:

a. Description of diversion system well, pump, mainline to laterals w/sprinklersb. 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:

Will not be irrigated

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. 35-02882 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ 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 03/28/1966

5. Water is used for the following purpose:

amount 1.70 cfs for IRRIGATION purposes from 4/1 to 10/31
(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 1.70 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	32	3S	33E	BINGHAM	

8. 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	
3S	33E	32			40	39													79
		33							38										38

Total acres 117

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 _____ 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 _____

WR5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

02/13/96 16:17:24

Page 1

Water Right Number - 35-02882

Prefix Translation: WATER RIGHT

Old (D) Number - 33593

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

*** C - CURRENT OWNER ***

SASSER

DELONE

1 -
2 -
3 -

City- PINGREE

State- ID Zip-

Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
03/28/1966 15 EASTERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.
03S 33E 32 SE NE (11) BINGHAM

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 1.700 410.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
1.700 410.00

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
03S 33E 32 SW NE 40.0 01 IRRIGATION (11) BINGHAM
03S 33E 32 SE NE 39.0 01 IRRIGATION (11) BINGHAM
03S 33E 33 SW NW 38.0 01 IRRIGATION (11) BINGHAM

Total Acres: 117.0

+ - - 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.

WR5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

02/13/96 16:17:24
Page 2

Water right number - 35-02882

Prefix Translation: WATER RIGHT

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +

00/00/0000

+ - - - - - Comments - - - - -

No Comments Found

+ - - Audit Fields - 08/05/85 05/21/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - -

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	-	08/05/1985	DLE/Carey Act	-	
Order Show Cause	-	00/00/0000	Receipt Number	-		Water District	-	
Licensed Date	-	08/07/1979	Appl Received	-	00/00/0000	Transfer/Amended	-	
Decree Date	-	00/00/0000	Name Connector	-		POU Ownership Flag	-	
Presumption Flag	-							

COPY ~ Warranty Deed ~

For Value Received

GALAN L. SASSER AND KAREN SUE SASSER, HUSBAND AND WIFE.

the grantor , do hereby grant, bargain, sell and convey unto
STEVEN L. JONES AND PATSY L. JONES, HUSBAND AND WIFE.

whose current address is

560 S. 1600 W., PINGREE, ID 83262

the grantee , the following described premises, in Bingham County Idaho, to wit:

TOWNSHIP 3 SOUTH, RANGE 33 EAST, BOISE MERIDIAN, BINGHAM COUNTY, IDAHO.
SECTION 32: S $\frac{1}{2}$ NE $\frac{1}{4}$

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee

I, John & Karen Jones are selling
 80 acres and all water appurtenant to
 the well indicated # 35-02882
 to John & Kathy Jones on

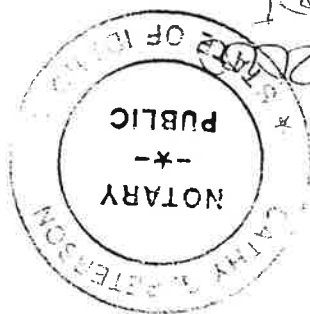
July-15-96

John Jones

Karen Jones

Subscribed this 13th day of Feb, 1996.

John & Kathy Jones
 Notary Public



Comm exp 03-02-2000
 Residing Blackfoot

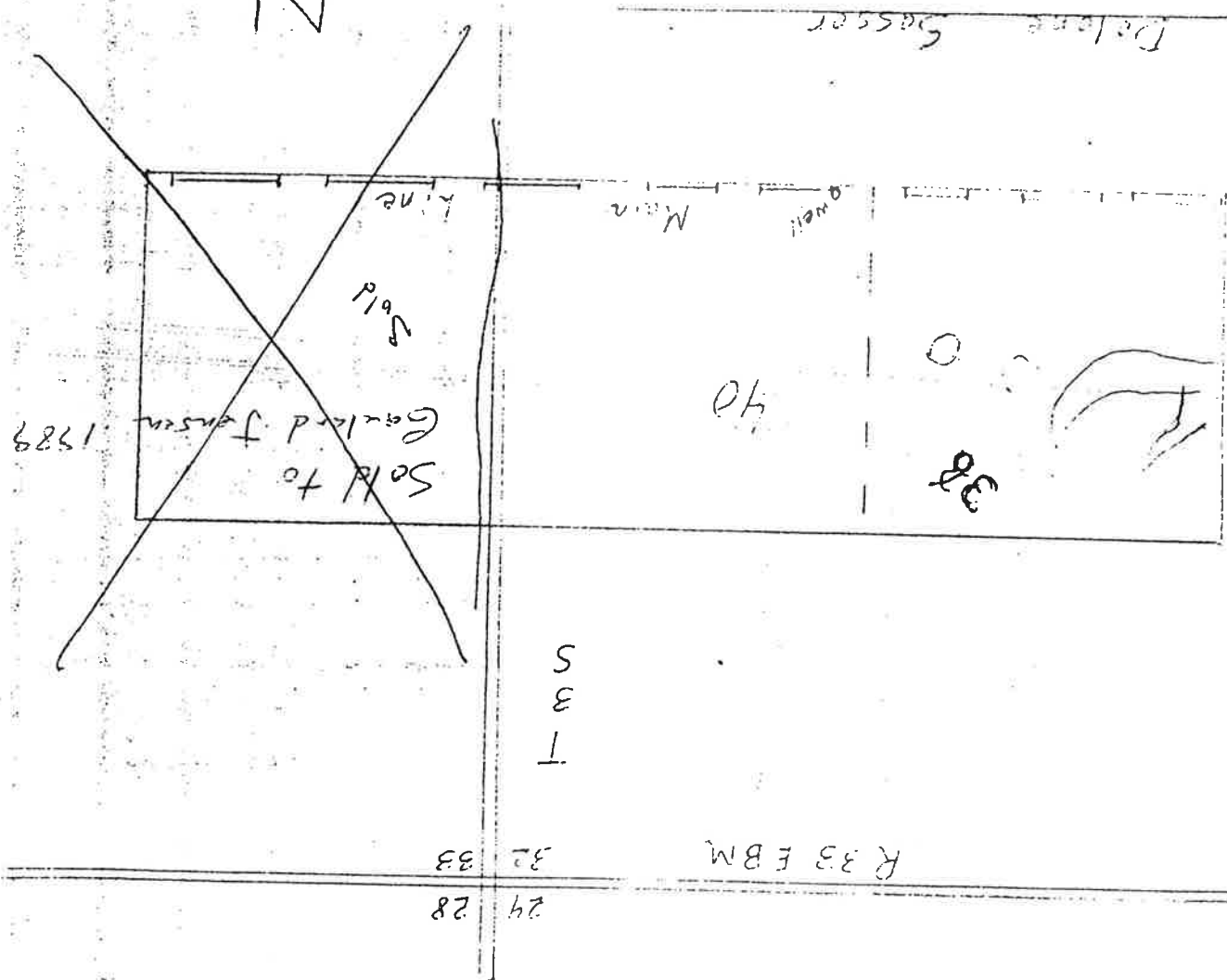
I Gaelard Jensen do not have clam to water wright to
WELL judication # 35-02882

Gaelard R Jensen
Hal L. Jensen

Dated this 9th day February 1996

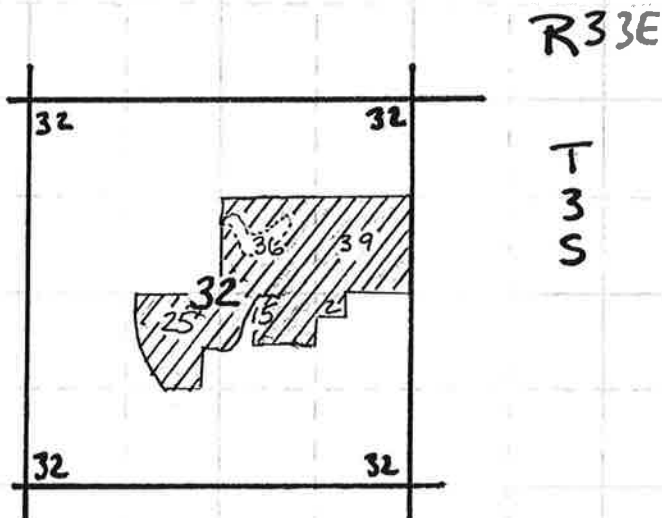
Cathryn N. King
Notary Public
my commission expires
04-21-1999

Delore Sasser
 Langley, Idaho
 8" = 3/4 m. E



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.



Steven L. Jones
(Signature of Applicant)

Subscribed and sworn to before me this 13th day of February, 19 96.

Wendy J. Murphy
(Notary Public)

My commission expires 6/23/2000

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Assisted By KC WilsonReceived by KC Wilson Date 2-13-1996

Protest filed by _____

Prelim. check by _____ Fee \$100.00 E021906Received by KCW Date _____Published in Morning News

Copies of protest forwarded by _____

Pub. dates March 7th 14, 96

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

_____ rec'd. _____

by _____

Copy of transfer sent to lien holder _____