

T4575 CIRCLE B FARMS

4525

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4575
WATER RIGHT NO. 31-07040B

This is to certify that: **CIRCLE B FARMS LTD PARTNERSHIP**
C/O ROBERT BALL
PO BOX 69
LEWISVILLE ID 83425

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	0.20 CFS	35.0 AF

SOURCE

GROUNDWATER

Priority: 06/17/1985

LOCATION OF POINT(S) OF DIVERSION: SENE , Sec. 12, Township 07N, Range 36E
JEFFERSON 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>
07N	36E	12	SENE 5	NESE 5		10
Total number of acres irrigated:						10

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. 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.
3. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

RECEIVED

JUL 31 1995

Department of Water
Eastern District

TRANSFER NO. 4575
WATER RIGHT NO. 31-07040B

CONDITIONS/REMARKS:

4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. 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this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. 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.

Dated this 25th day of July, 1995


Chief, Water Alloc. Bureau



MEMORANDUM

TO: FILE NO. 31-07040

FROM: PAM SKAGGS/^{PS}STATE OFFICE

SUBJECT: TRANSFER NO. 4575

DATE: July 20, 1995

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Transfer No. 4575 was filed to change the point of diversion and place of use under a portion of Right No. 31-07040, splitting the right into parts A and B. The transfer proposes to move 10 acres of irrigation to a new location around two pivots and divert that portion of the right from the same well serving Right No. 31-02419 and the pivots.

The date of priority is incorrect on the application and was recommended as licensed. The season of use and diversion volume were adjusted to current standards.

Recommended conditions include irrigation overlap, future measuring device and reporting, right-of-way and standard transfer conditions.

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Circle B Farms, LTD Partnership Phone (208) 754-4651
Post Office address PO Box 69, Lewisville, ID 83425 c/o Robert Ball

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 The two 5 acre parcels are no longer irrigated because of a change in the irrigation system from handlines to a lateral move system. The water right is being moved to land now irrigated with lines but were originally dry corners of two pivots.

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>31-07040B</u> | <u>06/05/1985</u> | <u>0.20</u> | <u>irrigation</u> | <u>04/01</u> to <u>10/30</u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |

2. Total amount of water being transferred 0.20 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water groundwater tributary to _____
4. Point(s) of Diversion: _____

[illegible]

5. Lands irrigated or place of use:

[illegible]

PART 1

6. General Information:

- a. Description of diversion system 20" diameter well, 250 HP motor, Layne & Bowler pump, two 1/4 mile center pivots & hand lines.
- 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:
land is no longer irrigated and will remain dry.
- d. Remarks:
License 31-02419 is also diverted from the proposed point of diversion.

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

WR5809NP
No. 31-07040

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/15/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BALL BROTHERS	06/17/1985	IRRIGATION	04-01 10-31	6.10 CFS	915.00 AFA
TOTAL DIVERSION:					6.10 CFS	915.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 6.33 CFS

Point(s) of Diversion: T07N R36E S12 NWNW

JEFFERSON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
07N	36E	12	:			05				39	16	40	40		40	40	40	40			
																			05	305.0	
																			TOTAL ACRES	305.0	

Pou County: JEFFERSON

Other Water Rights with Same Point(s) of Diversion and Source:
31-04140

Other Water Rights Listing Overlapping Place(s) of use:
31-02419 31-04140

Conditions of Approval:

R29 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 3.0 afa per acre for the
- lands above.

Dates:	App. Received:	06/19/1970	Priority Date:	06/17/1985	(Priority Date Advanced.)
	Proof Due Date:		Proof Made Date:	06/05/1985	(Proof Received Late.)
	Exam Made Date:	06/06/1987	Exam Sent to S.O.:		
	Licensed Date:	01/05/1990			

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

Audit: 09/22/87 05/22/88 CONVERT 12/20/88 JOHNSON 12/05/89 CURTIS

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 .20 for irrigation purposes from 04/01 to 10/31
 (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
	SE	NW	NW	12	07N	36E	Jefferson	

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	
07N	36E	12		5													5		10

Total acres 10**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 5.90 for irrigation purposes from 04/01 to 10/31
 (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
	SE	NW	NW	12	07N	36E	Jefferson	

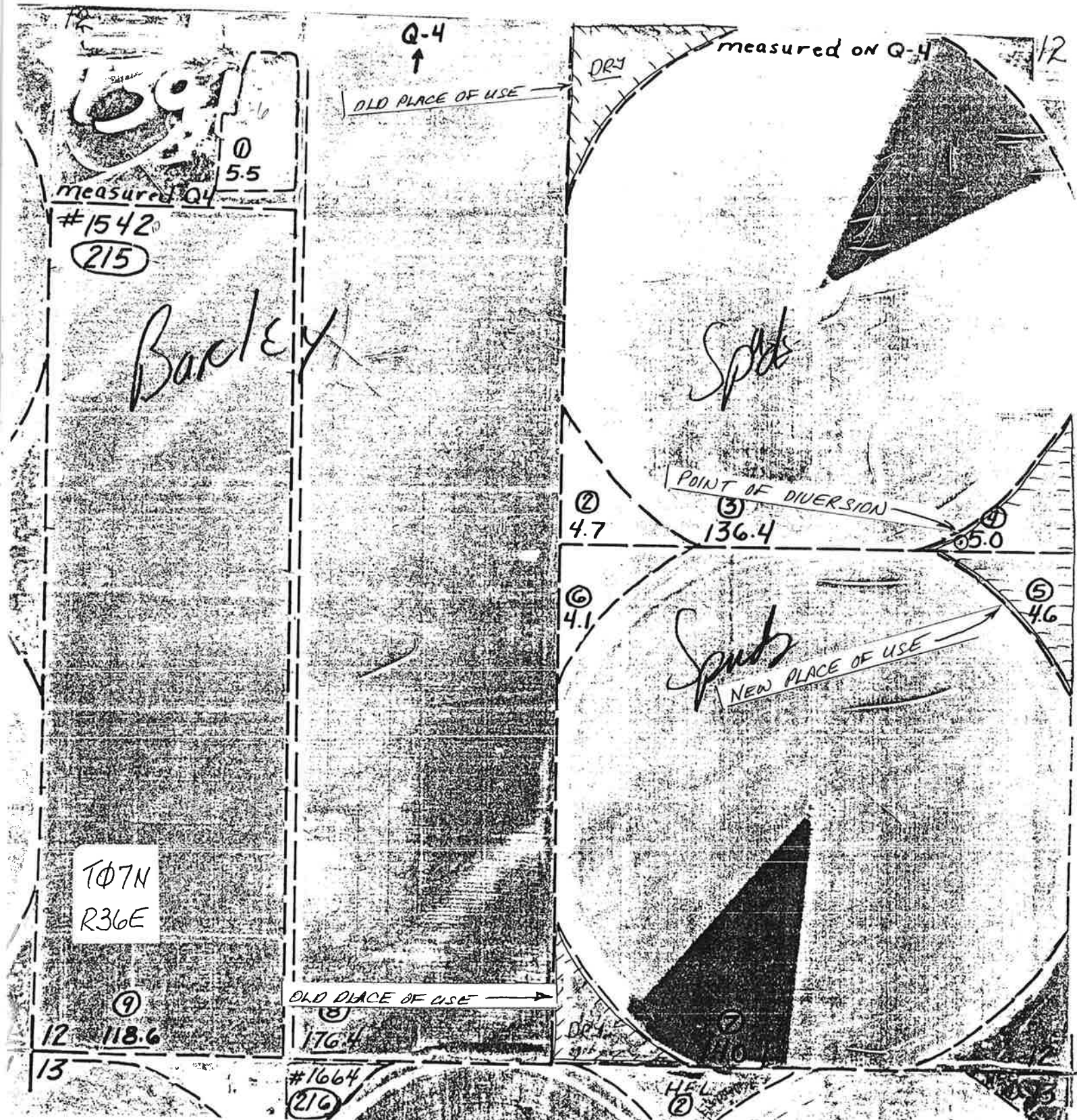
3. Lands irrigated or place of use:

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	
07N	36E	12					39	16	40	40	40	40	40	40					295

Total acres 295

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
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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.

X Robert M. Bell

(Signature of Applicant)

Subscribed and sworn to before me this 13 day of March, 19 95.

Mary K. Torgerson

(Notary Public)

My commission expires 11-20-98

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date 3-22-95 Protest filed by _____Prelim. check by AWJ Fee \$50.00 \$100.00Received by RB #E020802 Date 3-22-95Published in Jefferson Star Copies of protest forwarded by _____Pub. dates 4-6-95 13-95 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____