

T4601 ARCHIBALD

4601

TRANSFER NO. 4601
WATER RIGHT NO(S). 33-02138/33-07040

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.

SOURCE

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 1, Township 06N, Range 28E
BUTTE County

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	28E	1	SWNW 35	SENW 20	NESW 40	
			NWSW 39	SESW 29	NWSE 33	
			SWSE 40	SESE 15		251
		12	NWNE 34	SWNE 32	SENE 38	
			NENW 32	SENW 32		168
			Total number of acres irrigated:			** 419

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.

TRANSFER NO. 4601
WATER RIGHT NO(S). 33-02138/33-07040

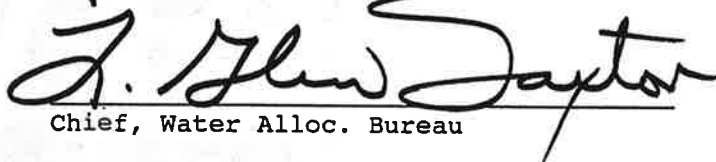
CONDITIONS/REMARKS:

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this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.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. 4601 shall not exceed 7.90 cfs, nor total combined annual volume of 1,466.5 af.
- ** 8. Right No. 33-02138 is limited to the irrigation of 156 acres in the place of use described above in a single irrigation season.
- ** 9. Right No. 33-07040 is limited to the irrigation of 263 acres in the place of use described above in a single irrigation season.
10. Two points of diversion are located within SWNW, S01, T06N, R28E.

Dated this 1st day of

August

, 1995


Chief, Water Alloc. Bureau

MEMORANDUM

TO: FILE NOS. 33-02138 & 33-07040

FROM: PAM SKAGGS/^{PS}STATE OFFICE

SUBJECT: TRANSFER NO. 4601

DATE: August 1, 1995

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Transfer No. 4601 was filed to change the place of use under Right Nos. 33-02138 and 33-07040 into a single combined system diverting water from two (2) interconnected wells. A new pivot has rearranged the irrigated acres under these rights into a slightly different configuration.

The season of use and diversion volume were adjusted to current standards. The combined use of these rights is limited to the capacity of the wells, 7.90 cfs. No expansion occurs through approval of this transfer.

Recommended conditions include combined limits, permissible place of use, multiple points of diversion/measuring devices, irrigation overlap, future reporting and standard transfer conditions.

Transfer No. 4601

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant DON ARCHIBALD Phone (208) 745-6666
Post Office address PO BOX 16 RIGBY ID 83442

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 A PORTION OF A NEW PIVOT COVERS NEW LANDS
AND MISSES SOME PREVIOUSLY IRRIGATED LANDS. IRRIGATION SYSTEM INVOLVES
TWO INTERCONNECTED WELLS THAT SERVE THE LAND LIST SHOWN.

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>33-02138</u> | <u>03-03-1959</u> | <u>3.12</u> | <u>IRRIGATION</u> | * (1)
<u>4-15</u> to <u>10-15</u> |
| <u>33-07040</u> | <u>10-16-1975</u> | <u>5.26</u> | <u>IRRIGATION</u> | <u>4-15</u> to <u>10-15</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 7.90 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 TWO WELLS (33-07040 AND 33-02138) COMBINE TO A
COMMON IRRIGATION SYSTEM OF WHEELINES AND PIVOTS.

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 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:

FARMING PRACTICES WILL DISCONTINUE ON PORTIONS TO ACCOMODATE NEW
ACREAGE COVETED BY THE NEW PIVOT.

d. Remarks:

NO OVERLAP BEFORE OR AFTER TRANSFER.

*(1) TIME OF USE AS PER MOST RECENT MEMO

*(2) CAPACITY LIMITED TO 7.90 cfs

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. 33-02138 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 03-03-1959

5. Water is used for the following purpose:

amount 3.12 for IRRIGATION purposes from 4-1 to 11-1 156
(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 3.12 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
	NW	SW	NW	1	6N	28E	BUTTE	

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	
6N	28E	1								19	40			39		20	38		156

Total acres 156

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

33-07040

10 10 13 2 5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4601

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. 33-07040 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 10-16-1975

5. Water is used for the following purpose:

amount 5.26 cfs 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 5.26 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
	NW	SW	NW	1	6N	28E	BUTTE	

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	
6N	28E	1							35	11		39						10	
		12		34	32	38	32			32									

Total acres 263

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

33-02138

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

_____ 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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

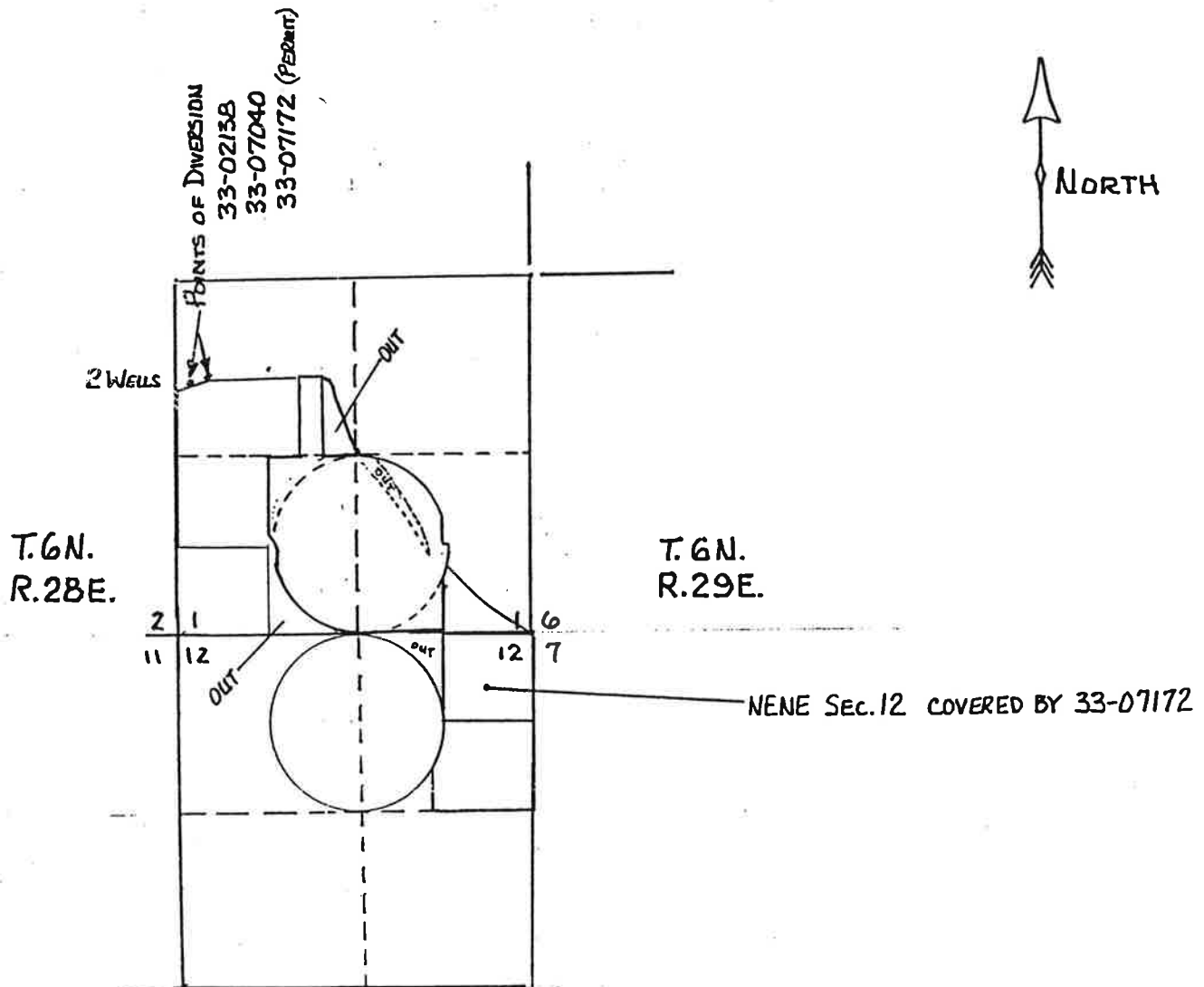
3. Lands irrigated or place of use:

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	

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.



Copy to FILE: A33-07172
02138

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				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.

Don Archibald
(Signature of Applicant)

Subscribed and sworn to before me this 27th day of March, 19 95.

Marie M. Olsen
(Notary Public)

My commission expires 8-10-99

FOR DEPARTMENT USE ONLY

Transfer contains 4 pages and 4 attachments

Received by SP Schubert Date 26 APR 95

Protest filed by _____

Prelim. check by _____ Fee \$100 E020952

Received by SP Schubert Date 26 APR 95

Published in Arco Advertiser

Copies of protest forwarded by _____

Pub. dates May 11 & 18 - 1995

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

_____ rec'd _____ by _____

Copy of transfer sent to lien holder _____