

T5017 COBURN

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 5017
WATER RIGHT NO. 34-07054B

RECEIVED

JUL 17 1997

Department of Water Resources
Eastern Region

This is to certify that: **KATHY COBURN**
KELLY COBURN
3719 E 38 N
RIGBY ID 83442

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	0.14 CFS	32.9 AF

SOURCE

GROUNDWATER

Priority: 12/10/1973

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 8, Township 06N, Range 26E
BUTTE 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>
06N	26E	8	NWSW	9.4		9.4
Total number of acres irrigated:						9.4

CONDITIONS OF APPROVAL AND REMARKS

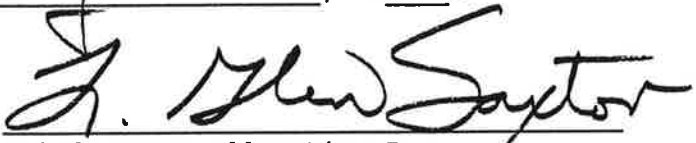
1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 34.
3. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. 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.

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CONDITIONS OF APPROVAL AND REMARKS

5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
6. 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this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. 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 10th day of July, 1997.


Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant Kelly Coburn or Kathy Coburn Phone (208) 745-0044
Post Office address 3719 E 38 N 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 add well to portion purchased
2. Describe the reason for the proposed changes I want to drill a well to serve the parcel of land I purchased.

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

1. Right Number 34-07054B Priority 12/10/1973 Amount (cfs/ac-ft) 0.14 cfs. Nature of Use Irrigation Period of Use 4-15 to 10-15.
2. Total amount of water being transferred 0.14 cfs. cubic feet per second and/or _____ acre-feet per annum.
3. Source of water groundwater. tributary to _____
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NW	SW	8	6N	26E	BUTTE	

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	
6N	26E	8										9.4							9.4

PART 1**6. General Information:**

a. Description of diversion system Well pump & sprinkler system.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X 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:

I am not proposing to change the place of use.

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)

AJ5807NP
 (00-117)

IDAHO DEPARTMENT OF WATER RESOURCES
 ADJ. LISTING OF WATER RIGHTS

DATE: 02/14/97
 PAGE: 1

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
34-07054	ELEANOR FULLMER ALBERT W FULLMER JR RT 1 DARLINGTON ID 83231	12/10/1973	IRRIGATION	Irrig Season	6.00 CFS	LICENSE

TOTAL DIVERSION RATE: 6.00 CFS
 TOTAL DIVERSION VOLUME: 1400.00 AFA
 CONSUMPTIVE USE: 1000.0 AFA

SOURCE: GROUNDWATER

TRIBUTARY:

POINT OF DIVERSION:

T06N R26E S08 SWSWSE

PLACE OF USE: IRRIGATION

T06N R26E S08	NESW 20.0	NWSW 20.0	SESW 40.0	NESE 20.0	NWSE 20.0
	SWSE 40.0	SESE 40.0			
S17	NENE 40.0	NWNE 40.0	SWNE 40.0	SENE 40.0	NENW 40.0
400.0 ACRES TOTAL					

DIVERSION MEANS: WELL, PUMPS, PIPELINES & SPRINKLERS.

OTHER RIGHTS: 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 0.14 cfs. for Irrigation purposes from 4-15 to 10-15.
 (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
	SW	SW	SE	8	6N	26E	BUTTE.	

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	
6N	26E	8									9.4								9.4

Total acres 9.4

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

1. amount 5.86 for Irrigation. purposes from 4-15 to 10-15.
 (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
	SW	SW	SE	8	6N	26E	BUTTE.	

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	
6N	26E	8									20	10.6		40	20	20	40	40	190.6
		17	40	40	40	40	40												200

Total acres 390.6

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.

A large grid of 10 columns and 10 rows, used for drawing a map or indicating land sections, township, and range numbers. The grid is composed of solid lines forming the outer boundary and dashed lines forming the internal section lines. Each cell in the grid is a square, representing a section of land.

SCALE: 2 inches equal 1 mile. Draw plan in

PART 3**B. CHANGES IN NATURE OF USE**

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

Kelly Coburn
(Signature of Applicant)
Subscribed and sworn to before me this 14 day of February, 19 97.

Ernest Carlson
(Notary Public)

My commission expires 6-14-2000

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 2 attachments

Received by EMC Date 14 Feb 97 Protest filed by _____

Prelim. check by _____ Fee 100⁰⁰

Receipted by EMC 14 FEB 97 Date E022955

Published in Arco Advertiser Copies of protest forwarded by _____

Pub. dates March 13 & 20, 1997 Hearing held by _____ Date _____

Watermaster recommendation requested on 2-27-1997 Recommended for ☒ approval ☐ denial

Water Dist 34

Doug Rosenkrance rec'd. 3-21-97 by BC

Copy of transfer sent to lien holder _____

T06N R26E

pasture 23

AIC 9

A/G 9

8	9
17	16

Warranty Deed

NO.

030741

RECORDED

OCT 17 1996

BUTTE COUNTY RECORDER

For Value Received,

ALBERT W. FULLMER, JR. and ELEANOR C. FULLMER, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

KELLY COBURN and KATHY COBURN, husband and wife

whose address is: 3719 E. 38 N., RIGBY, ID, 83442

Hereinafter called the Grantee, the following described premises situated in Butte County, Idaho, to-wit:

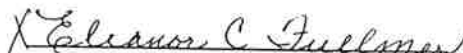
Township 6 North, Range 26 E.B.M., Butte County, Idaho

Section 8: That portion of the S. 882.75 feet of the N1/2S1/2 lying W. of the Burnett Canal right-of-way, EXCEPT the S. 40 feet for existing roadway.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: September 10, 1996


ALBERT W. FULLMER, JR.

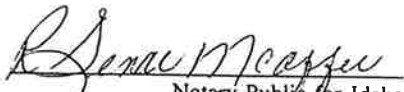

ELEANOR C. FULLMER

STATE OF IDAHO)

: ss.

COUNTY OF BUTTE)

On this 9th day of October, 1996, before me the undersigned, a Notary Public in and for the said county and state, personally appeared ALBERT W. FULLMER, JR. and ELEANOR C. FULLMER, known or proved to me to be the persons who executed the foregoing instrument, and acknowledged to me that they executed the same.


Notary Public for Idaho

Residing at: BoiseMy Commission Expires: 4/1/97

