

T4995 ID IRRIGATION DIST

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4995
WATER RIGHT NO. 01-00312

RECEIVED
AUG 27 1997
Department of Water Resources
Eastern Region

This is to certify that: **IDAHO IRRIGATION DISTRICT**
496 E 14TH ST
IDAHO FALLS ID 83404

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>
IRRIGATION	04/01 to 10/31	130.00 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
SNAKE RIVER	COLUMBIA RIVER

Priority: 04/01/1939

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 3, Township 01N, Range 37E
SWNW , Sec. 36, Township 04N, Range 37E
BONNEVILLE County

PLACE OF USE: IRRIGATION

TWN RGE SEC

01N 37E	1, 2, 3, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 34, 35, 36
38E	3, 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32
02N 37E	25, 34, 35, 36
38E	5, 6, 7, 8, 17, 20, 21, 28, 29, 30, 31, 32, 33, 34
03N 37E	13, 24, 25, 36
38E	19, 30, 31
01S 37E	1, 2, 11, 12, 13, 14, 23, 24, 25, 26, 34, 35
38E	5, 6, 7, 18, 19
02S 37E	3, 4, 5, 7, 8, 9, 12, 13, 18, 19, 24

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
2. This right when combined with all other rights shall provide no more than 4.0 afa per acre for the lands above.
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.

TRANSFER NO. 4995
WATER RIGHT NO. 01-00312

CONDITIONS OF APPROVAL AND 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this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.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.
7. 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.
8. The total instantaneous diversion of water from all points of diversion under Transfer No. 4995 shall not exceed 130.0 cfs.
9. Storage will be delivered to the diversion located in the SESW, S03, T01N, R37E, any time the 1939 right is not filled.

Dated this 20th day of August, 1997.


Chief, Water Allocation Bureau

MEMORANDUM

TO: FILE NO. 01-00312

FROM: PAM SKAGGS/^{PS}STATE OFFICE

SUBJECT: TRANSFER NO. 4995

DATE: August 15, 1997

ok [Signature] 8/18/97

=====

Transfer No. 4995 adds a point of diversion under Right No. 01-00312.

The application identifies the specific land under the new point of diversion, but the approval reflects only the addition of the new point of diversion to the irrigation district's right. The place of use was not specifically identified beyond sections in the original decree and the SRBA claimed acres haven't been verified.

Season of use was adjusted to current standards. Recommended conditions include irrigation overlap, watermaster control, multiple points of diversion/measuring device, right-of-way, storage water and standard transfer conditions.

Transfer No. 4995

Name of applicant Idaho Irrigation District Phone 522-2356
Post Office address 496 E 14TH Street, Idaho Falls, ID 83404

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 Applicant wishes to add a point of diversion to our system which will irrigate 3 acres via a small river pump. The original delivery ditch has been filled in.

1.	Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
	"A" 01-00312	04/01/1939	129.04 ⁹⁴	Irrigation	04/01 to 10/31
	"B" 01-00312	04/01/1939	0.06	Irrigation	04/01 to 10/31
					to
					to

2. Total amount of water being transferred 130.00 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Snake River tributary to Columbia River

4. Point(s) of Diversion:

[illegible]

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	
"A"	Other Lands of Shareholders - SEE ATTACHMENTS ONE & TWO																			
"B"	01N	37E	03																	

PART 1

6. General Information:

- a. Description of diversion system New 5 HP pump in River for Melaleuca property.
The CFS diverted will be deducted from the Company's storage account.

- 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:

d. Remarks:

Melaleuca Inc. owned home and pasture purchased from Trimp family
1996. Expect to use 5 HP water pump and 3" lines 2-300 yds with "T"
connections on pasture. POC Melaleuca - Larry Cheek or Roger Prestwich
- X522-0700 X3010

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 _____.

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 01-00312

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	130.00 CFS
<u>SOURCE</u>		<u>TRIBUTARY OF</u>
SNAKE RIVER		COLUMBIA RIVER

Priority: 04/01/1939

LOCATION OF POINT(S) OF DIVERSION:SWNW , Sec. 36, Township 04N, Range 37E
BONNEVILLE CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N 37E 1				
2				
3				
10				
11				
12				
13				
14				
15				
16				
21				
22				
23				
24				
25				
26				
27				
28				
34				
35				
36				
38E 3				
4				
5				
6				
7				
8				
9				
16				
17				

Water Right No. 01-00312

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>
		18				
		19				
		20				
		21				
		28				
		29				
		30				
		31				
		32				
02N	37E	25				
		34				
		35				
		36				
	38E	5				
		6				
		7				
		8				
		17				
		20				
		21				
		28				
		29				
		30				
		31				
		32				
		33				
		34				
03N	37E	13				
		24				
		25				
		36				
	38E	19				
		30				
		31				
01S	37E	1				
		2				
		11				
		12				
		13				
		14				
		23				
		24				
		25				
		26				
		34				
		35				
	38E	5				
		6				
		7				
		18				
		19				

Water Right No. 01-00312

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>
02S	37E	3				
		4				
		5				
		7				
		8				
		9				
		12				
		13				
		18				
		19				
		24				

CONDITIONS/REMARKS:

1. P/D SOURCE WD01.
2. DECREE P/D NWSW S36 T3N R37E.

**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.**

SEE ATTACHED

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.

(William) Directors:

Bill Hampton, Chairman

Mike Mulberry

Barry L. Christensen

Subscribed and sworn to before me this

William R. Hampton

(Signature of Applicant)

14th

day of

November, 1996Donna J. Jager

(Notary Public)

My commission expires 5-5-01**FOR DEPARTMENT USE ONLY**Transfer contains 7 pages and 4 attachmentsReceived by WM Date 12/10/96

Protest filed by _____

Prelim. check by KW Fee \$400⁰⁰Receipted by HvJ #EG22808 Date 12-10-96Published in Post Register

Copies of protest forwarded by _____

Pub. dates January 30 & February 6, 1997

Hearing held by _____ Date _____

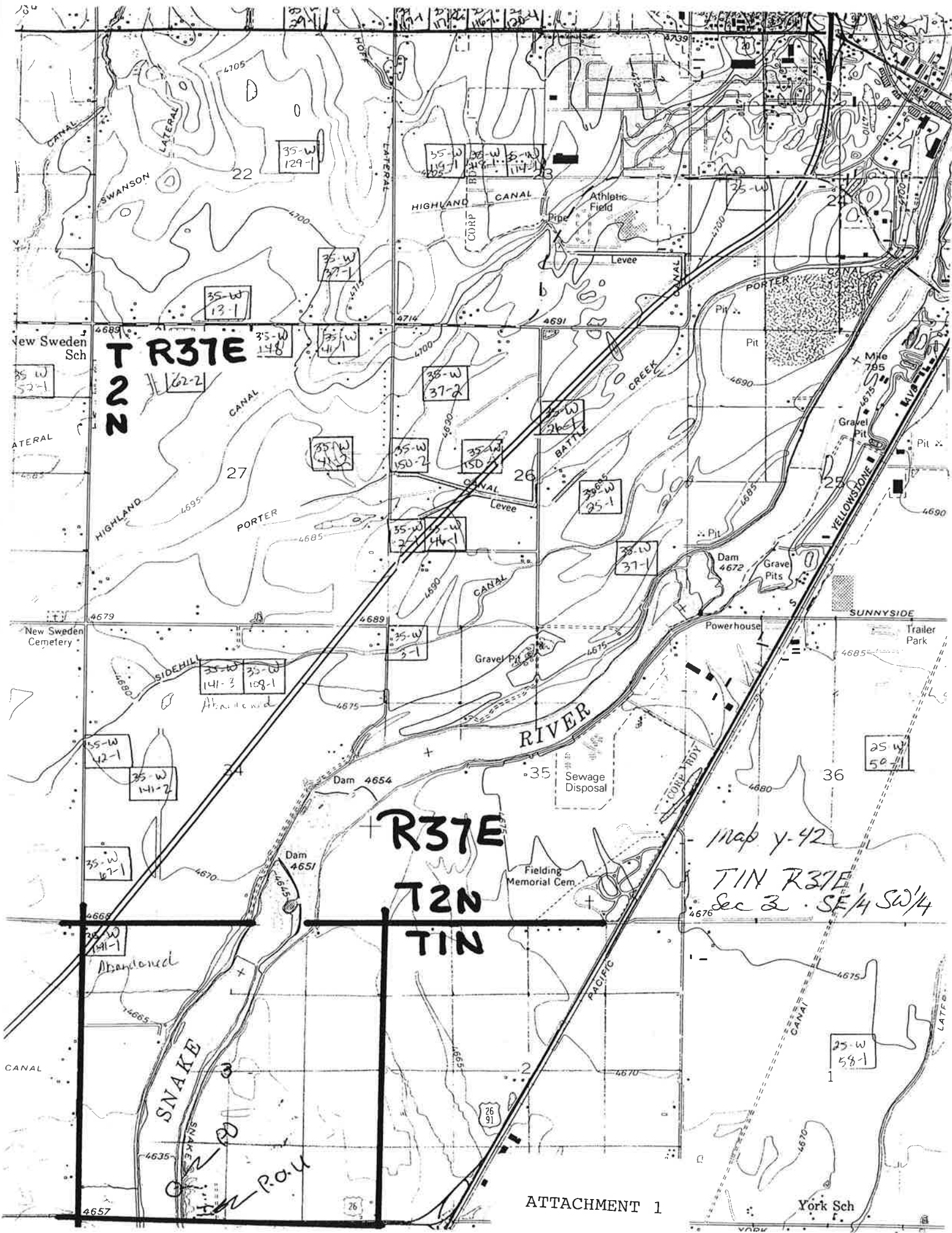
Watermaster recommendation requested on _____

Recommended for ☒ approval ☐ denial

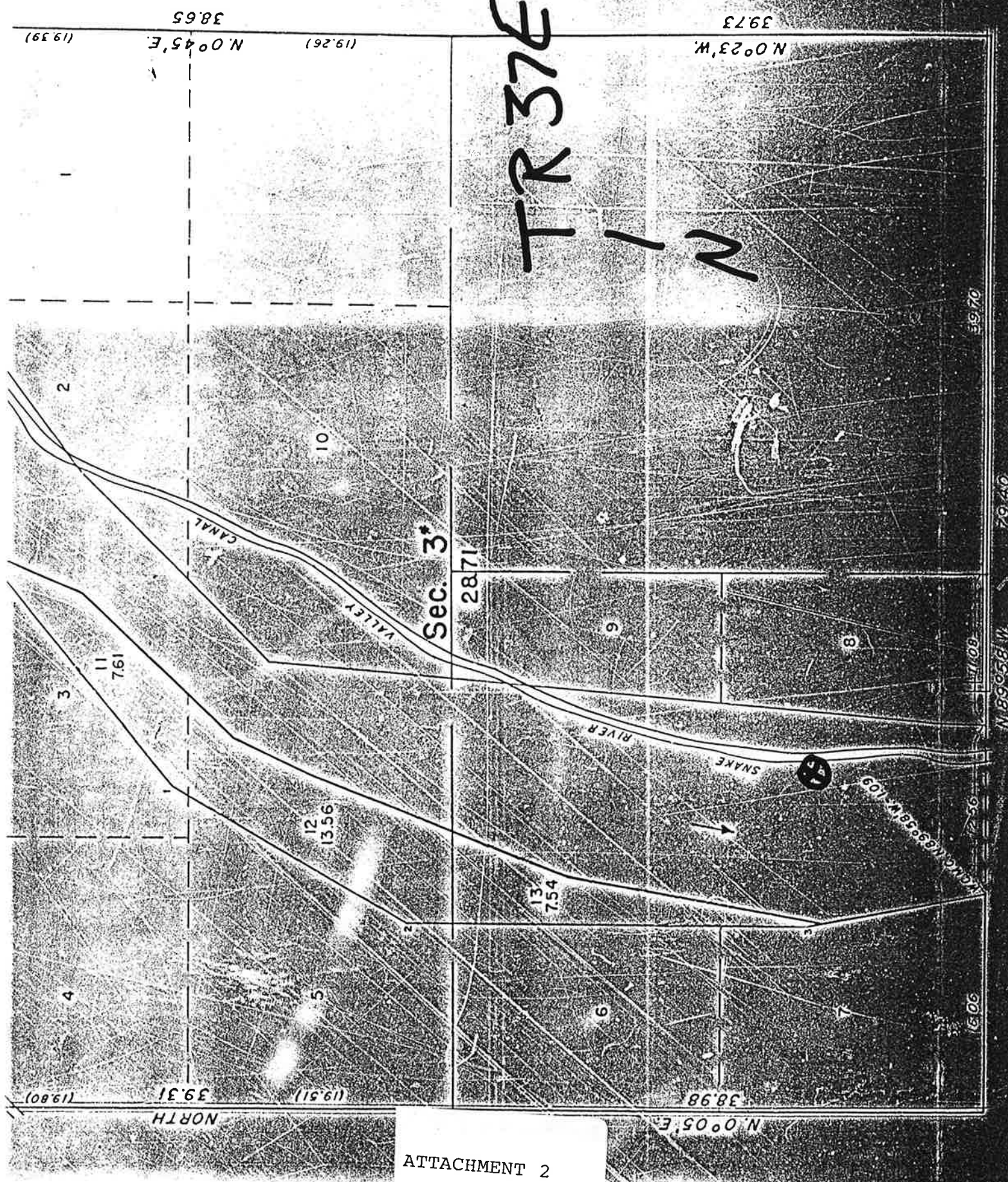
rec'd. _____

by ER

Copy of transfer sent to lien holder _____

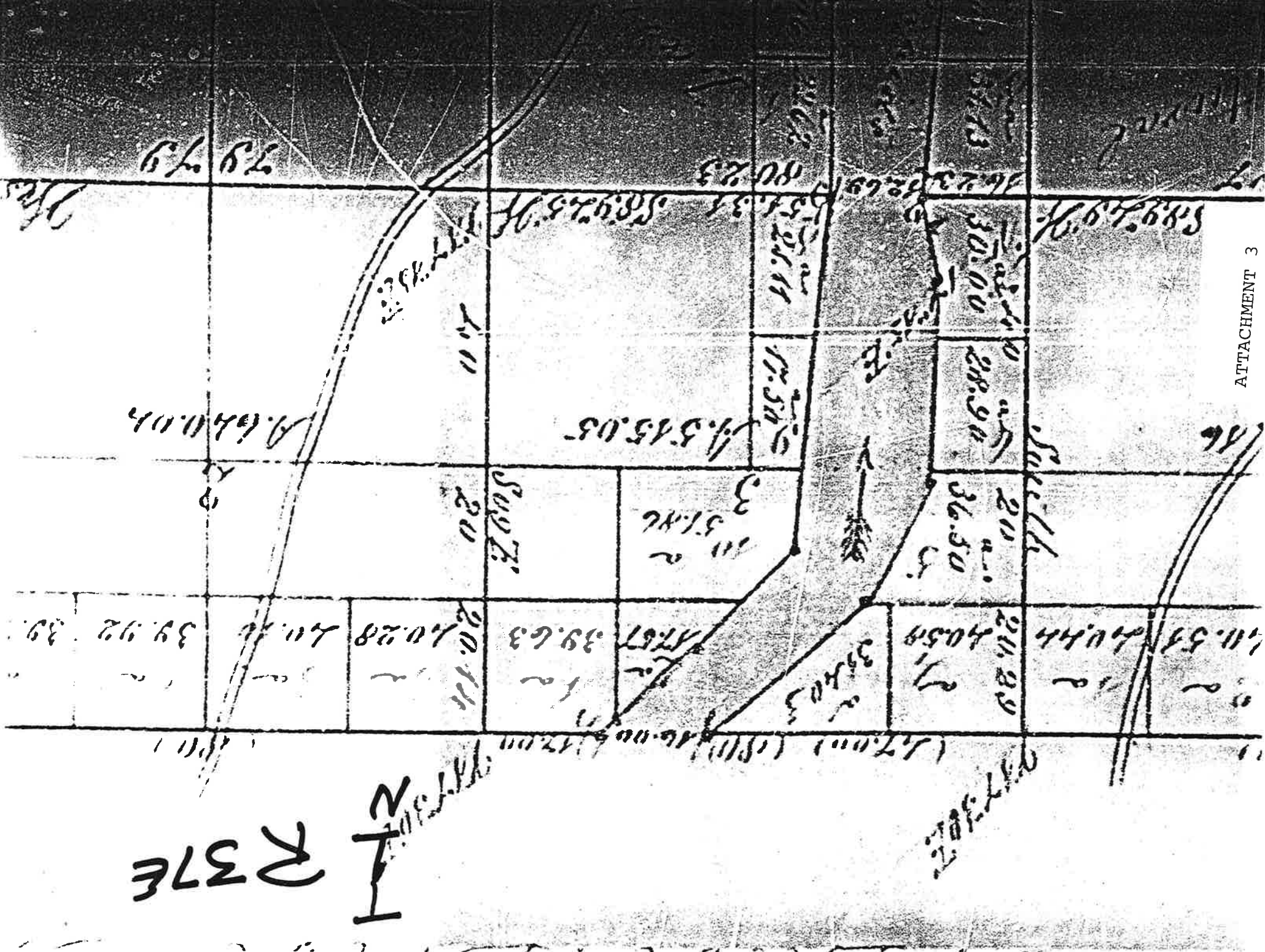


TR 37E
N 1



R 37E

I 2



SLT T-11928

920157

WARRANTY DEED

PATRICK ARTHUR TRIMP and KAREN K. TRIMP, husband and wife

GRANTOR

for good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto
HELENEVA, INC., an Idaho corporation

GRANTEE

and Grantee's successors and assigns, all of the following described real estate situated in the State of Idaho, to-wit:
 Beginning at a point that is N89°58'26"W 223.50 feet along the Section line and
 N01°30'20"W 62.20 feet from the South Quarter Corner of Section 3, Township 1 North,
 Range 37 East of the Boise Meridian, Bonneville County, Idaho; running thence N01°30'20"W
 606.51 feet; thence S64°12'47"W 319.18 feet; thence S07°10'37"E 470.70 feet; thence
 S89°53'27"E 244.27 feet to the point of beginning.

SUBJECT TO the 1996 and subsequent years general taxes and assessments, all existing
 patent reservations, easements, right of ways, protective and restrictive covenants of record,
 zoning ordinances and applicable building codes, laws and regulations.

5000 8 PM 4 54

BOONE COUNTY
 RECORDER

920157

TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereto
 belonging or in anywise appertaining, and any reversion, remainder, rent, issues, and profits thereof
 Grantor, for himself and his successors and assigns, does hereby warrant and agree to forever defend the Grantee, and Grantee's successors
 and assigns, in the quiet and peaceful possession of said premises against the lawful claims of any and all persons.
 In continuing this Deed and where the statute so requires, the singular includes the plural, and the masculine, the feminine and neuter.
 IN WITNESS WHEREOF, the Grantee hereunto set his hand and seal hereto on MAY 6, 1996

Patrick Arthur Trimp

Karen K. Trimp

STATE OF IDAHO

COUNTY OF Bonneville

On May 6, 1996

Present in and for said County personally appeared:

PATRICK ARTHUR TRIMP and KAREN K. TRIMP

known to me to be the person(s) whose name(s) are subscribed to the
 within instrument, and acknowledged to me that he/she/they executed the
 same.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal
 this 6th day and year first above written.

Notary Public for the State of Idaho
 Commission Expiration Date: 1-28-97

NOTARY PUBLIC
 LENORE J. KATHI
 STATE OF IDAHO

Notary at State Public Chamber
 My Commission Expires on 1-28-1997

Bonneville Land & Title Co.

RECORDING DATA

INSTRUMENT NO. 920157
 DATE 5-8-96
 INST. CODE 205
 FICHE NO. 11460 OR
 FEE 32
 STATE OF IDAHO
 COUNTY OF BONNEVILLE
 I hereby certify that the within
 instrument was recorded.
 Recorded by
 County
 By Ruth L. Way Deputy
 Request of



Travelers Insurance
One Tower Square
Hartford, CT 06183

RECEIVED

OCT 27 1997

Department of Water Resources
Eastern Region

October 9, 1997

State of Idaho
Department of Water Resources
Eastern Region
Attn: Harold Jones
900 North Skyline Suite A
Idaho Falls, ID 83402

Re: Loan 205925-0 Duffin
Water Rights

Dear Mr. Jones:

I have received the Application for Transfer of Water Right in connection with the above referenced loan. As I understand, it is Mr. Duffin's intent to consolidate the points of diversion due to the installation of a new well. Because this property is collateral for a loan to the Duffin's by The Travelers Insurance Company ("Travelers"), Idaho Department of Water Resources requires Travelers' approval for this change to occur. Travelers hereby consents to the combination of all points of diversion and the addition of a diversion point as specified in the attached application.

If you need further information or have questions, please feel free to contact the Account Manager, Lynn Longo at (860)277-0821.

THE TRAVELERS INSURANCE COMPANY


B. Charles Milner, Vice President

cc: James Nelson, Western Bank
VIA FAX (208)238-1397

