

T4923 BEHREND

4/26
ASN

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4923
WATER RIGHT NO. 35-07954B

This is to certify that: **PAUL BEHREND**
2706 W 1800 S
ABERDEEN ID 83210

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	5.10 CFS	2032.0 AF

SOURCE

GROUNDWATER

Priority: 02/24/1981

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 24, Township 05S, Range 29E
POWER 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>
05S	29E	24	NENE 30	SENE 35	NESE 4	69
	30E	19	NENE 10	NWNE 29	SWNE 40	
			SENE 35	NENW 11	Lot 1(NWNW) 42	
		Lot 2(SWNW)	49	SENE 37	NESW 40	
		Lot 3(NWSW)	27	Lot 4(SWSW) 8	SESW 32	
		NESE 22		NWSE 40	SWSE 17	439
Total number of acres irrigated:						508

CONDITIONS OF APPROVAL AND REMARKS

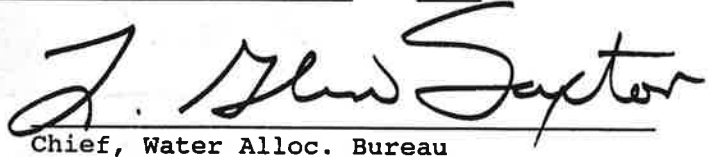
1. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
2. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
3. The Director retains jurisdiction of the right and may change, add, or remove any requirement as determined to be appropriate.

TRANSFER NO. 4923
WATER RIGHT NO. 35-07954B

CONDITIONS OF APPROVAL AND REMARKS

4. 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.
5. 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.
6. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
7. 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.
8. 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 19th day of December, 1996


Chief, Water Alloc. Bureau

MEMORANDUM

TO: FILE NO. 35-07954B
FROM: PAM SKAGGS²⁸/STATE OFFICE
SUBJECT: TRANSFER NO. 4923
DATE: December 18, 1996



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Transfer No. 4923 was filed to change the place of use under Right No. 35-07954B to reflect a change in irrigation system from linear to 3 pivots. The acres are rearranged from S19, T05S, R30E to include a portion of S24, T05S, R29E covering the 3 partially overlapping circles. The point of diversion remains the same.

The transfer application describes 508 acres instead of 508.6, reducing the maximum volume to 2032.0 afa. Trust water conditions continue to apply following the transfer approval.

Other recommended conditions include future measuring device and annual reporting, irrigation overlap and standard transfer condition.

*This Right NOT ENJOINED TO SRBA. 35-7954C, SPLIT TO E & F
BY Tx #5242 IS ENJOINED - BUT WAS NOT SO REQUIRED.*

\$100 Fee

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4923

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

SEP 17 1996

PART 1

Department of Water Resources
 Eastern Region

Name of applicant PAUL BEHREND Phone (208) 397-4047
 Post Office address 2706 W. 1800 S. Aberdeen, ID 83210

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 We are changing from linear irrigation lines to 3 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>35-07954B</u>	<u>2/24/1981</u>	<u>5.10 cfs</u>	<u>Irrig</u>	<u>4-01 to 10-31</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 5.10 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	24	5S	29E	Power	

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	
5S	29E	24	30			35									4				69
5S	30E	19	10	29	40	35	11	42	49	37	40	27	8	32	22	40	17		439
								L-1	L-2			L-3	L-4						

Total acres 508

PART 1

6. General Information:

a. Description of diversion system well + pump to 3 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. 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:

Dry Farm

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 _____

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Water Right No. 35-07954B

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	5.10 CFS	2034.1 AF

SOURCE

GROUNDWATER

Priority: 02/24/1981

LOCATION OF POINT(S) OF DIVERSION:SENE, Sec. 24, Township 05S, Range 29E
POWER CountyPLACE OF USE: IRRIGATION

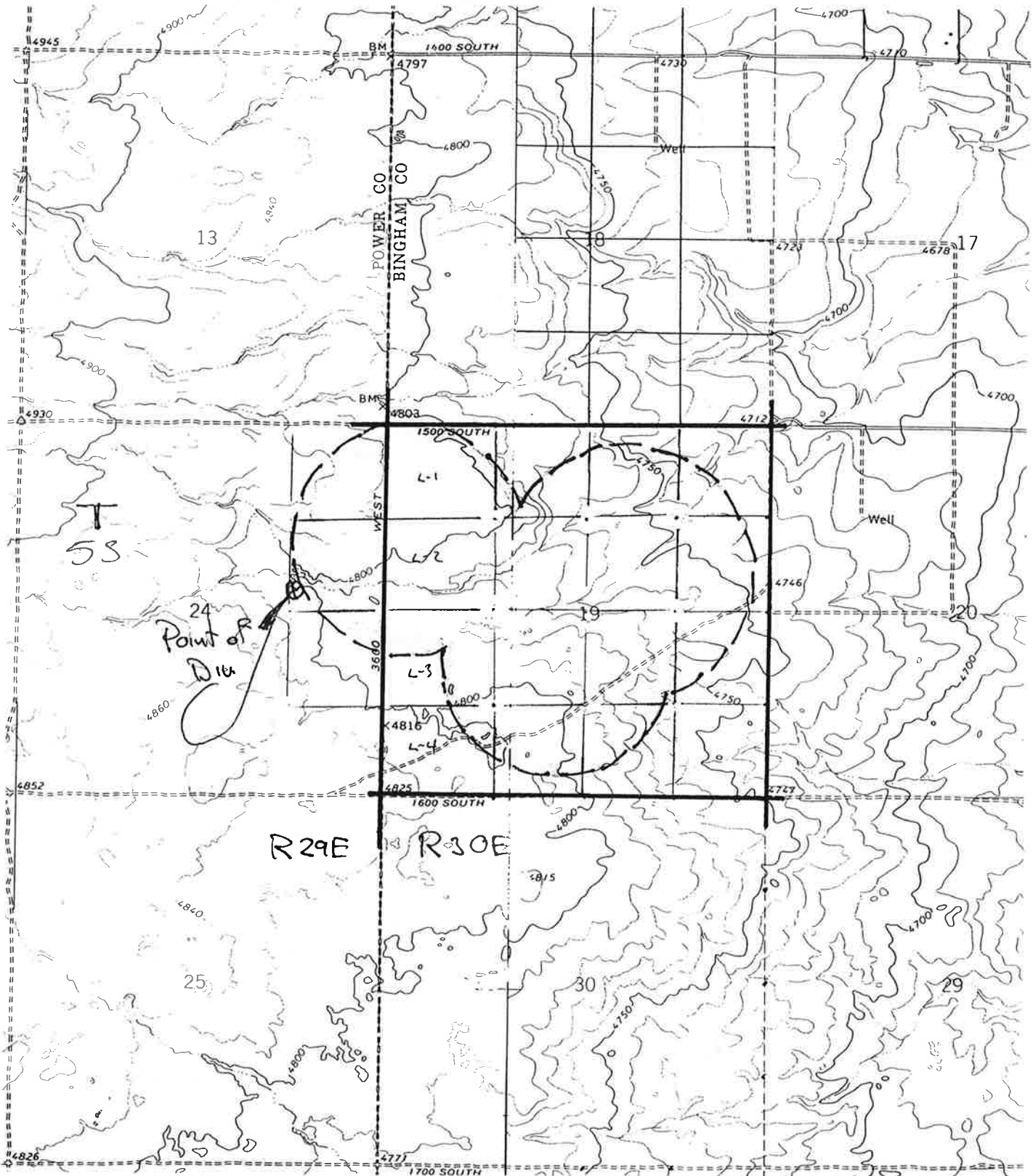
<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S 30E 19	NENE 40	NWNE 40	SWNE 40	
	SENE 40	NENW 40	Lot 1 (NWNW) 49.4	
	Lot 2 (SWNW) 49.5	SENE 40	NESW 40	
	Lot 3 (NWSW) 49.7	NESE 40	NWSE 40	508.6
		Total number of acres irrigated:		508.6

CONDITIONS/REMARKS:

1. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
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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.**



SCALE: 2 inches equal 1 mile. Draw plan in ink.