

T#5235

BREDING FARMS

5/8/02
Mae

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

RECEIVED

SEP 11 1998

Department of Water Resources
Eastern Region

TRANSFER NO. 5235
WATER RIGHT NO. 35-08900

This is to certify that: **BREDDING FARMS**
C/O DON BREDDING
2697 BREDDING RD
AMERICAN FALLS ID 83211

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	2.68 CFS	640.0 AF

SOURCE

GROUNDWATER

Priority: 04/26/1990

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 23, Township 07S, Range 29E
POWER County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S 29E 23	NENE 40	NWNE 40	NENW 40	
	NWNW 40			160
				Total number of acres irrigated: 160

CONDITIONS OF APPROVAL AND REMARKS

1. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
2. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

TRANSFER NO. 5235
WATER RIGHT NO. 35-08900

CONDITIONS OF APPROVAL AND REMARKS

5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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 8th day of September, 1998.

J. Blw Saylor
Chief, Water Allocation Bureau

MEMORANDUM

TO: File 35-08900

FROM: Pam Skaggs/^{CS}State Office

SUBJECT: Transfer 5235 

DATE: September 4, 1998

Transfer 5235 changes the point of diversion under Right 35-08900. The well was drilled under an expedited Drilling Permit #35-98-E-0041-000.

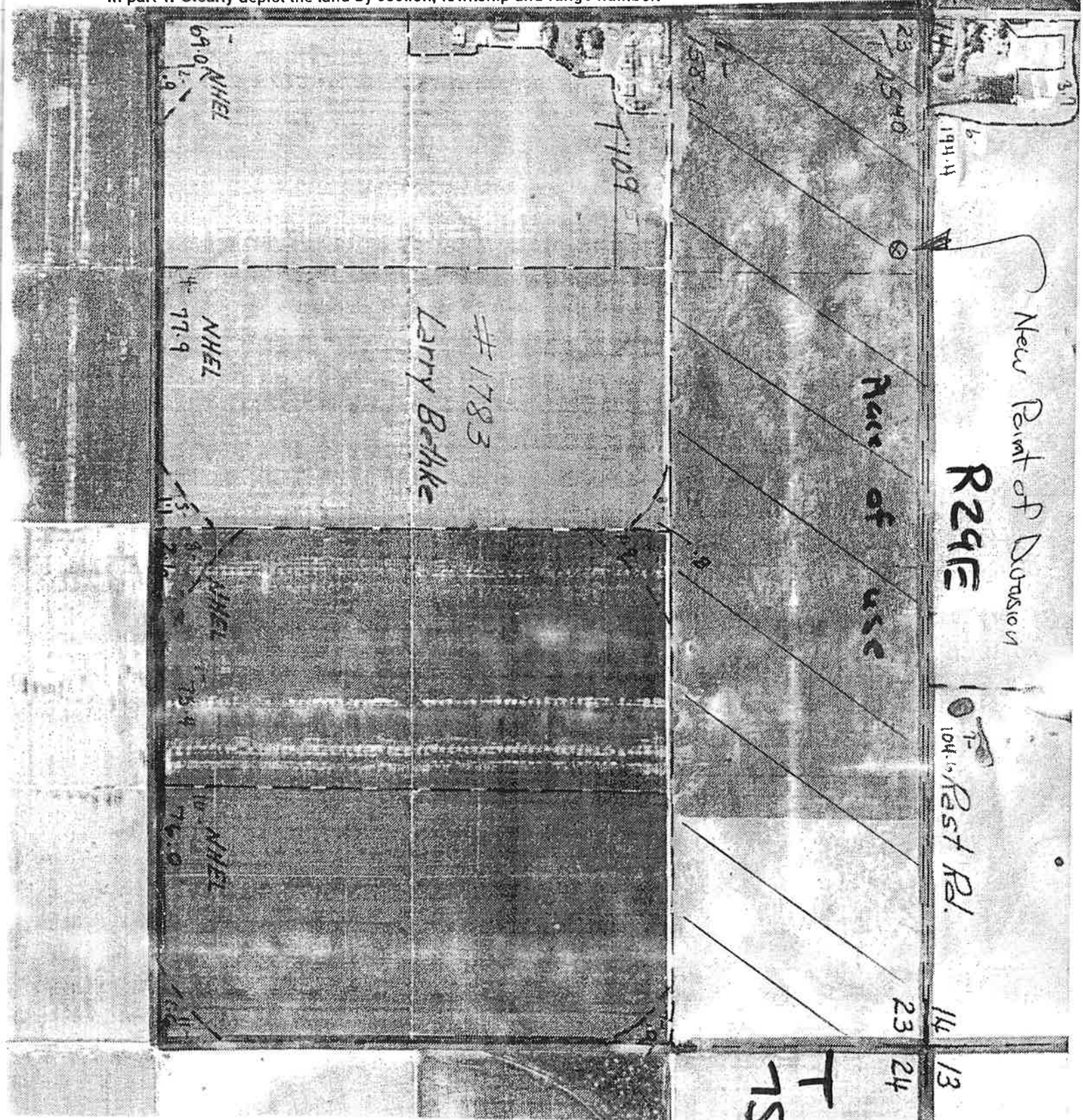
The transfer separates this right from the point of diversion overlap identified by the licensing condition limiting the total combined rate of diversion between Right 35-08900 and 35-02681. The transfer application proposes the rate under Right 35-08900 should be 2.68 cfs or a proportional split of the system rate.

Recommended conditions include non-trust, irrigation overlap, measuring and annual reporting, and standard transfer conditions.

5/8/02 Non-SRISA

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.



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.

Subscribed and sworn to before me this

16th

day of

March

, 19 98



Wendy J. Murphy
(Notary Public)

My commission expires

6/23/2000

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date 3-16-98

Protest filed by _____

Prelim. check by _____ Fee \$100^{XX}

Received by HWT #E023952 Date _____

Published in _____

Copies of protest forwarded by _____

Pub. dates _____

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

_____ rec'd. _____

by _____

Copy of transfer sent to lien holder _____