

T5202 BREEDING

69365

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5202
WATER RIGHT NO(S). 35-02432D/35-07391D

RECEIVED

AUG 19 1998

Department of Water Resources
Eastern Region

This is to certify that: RALPH BREDDING
2875 S VISITING 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>
Right No. 35-02432D :			
IRRIGATION	04/01 to 10/31	0.43 CFS	132.0 AF
Priority: 08/17/1955			
Right No. 35-07391D :			
IRRIGATION	04/01 to 10/31	0.04 CFS	17.0 AF
Priority: 03/13/1974			
	TOTAL:	0.47 CFS	* 132.0 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 25, Township 07S, 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>
07S	29E	36	SWNW 26	SENW 7		33
Total number of acres irrigated:						* 33

CONDITIONS OF APPROVAL AND REMARKS

1. 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.
2. 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. 5202
WATER RIGHT NO(S). 35-02432D/35-07391D

CONDITIONS OF APPROVAL AND REMARKS

3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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. Rights 35-02432D and 35-07391D when combined shall not exceed a total annual maximum diversion volume of 132.0 af at the field headgate, and the irrigation of 33.0 acres.

Dated this 13th day of August, 1998


Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 35-02432A & 35-07391A

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5202

DATE: August 13, 1998

The transfer changes the point of diversion and place of use under a portion of Rights 35-02432A and 35-07391A, splitting each right into Parts C and D.

The applicant is purchasing the water rights from land that has been in CRP to use on his own property. The sale and ownership change is contingent upon the approval of the transfer. Historical use was verified by SRBA staff and reflected on the transfer application limiting the combined rights before approved Transfer 5203 to 3.34 cfs, 952.0 afa and 238 total acres. The transfer approvals address the transferred acres. Transfer 5203 changes the place of use of 33.0 acres and associated rates and volumes.

The transfer application was proposed as the first split of these rights, but due to processing delays is actually the second transfer and split. The proposed existing point of diversion location was verified by region staff as SESW instead of the proposed SWSE requiring that the file be returned to the region office for advertisement of a notice of correction. The irrigated acres not covered by other rights was also specifically identified 33 instead of 45. The applicant requested that the transferred acres be reduced to provide for the remaining 33 acres.

Season of use and diversion volume have been adjusted to current standards. Recommended conditions include measuring & annual reporting requirements, irrigation overlap, combined right limits and standard transfer conditions.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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RECEIVED
MAY 15 2002

Department of Water Resources
Eastern Region

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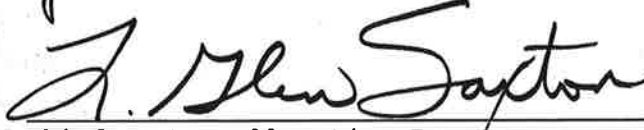
AUG 20 1998

TRANSFER NO. 5202
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Dated this 13th day of August, 1998


Chief, Water Allocation Bureau

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AUG 20 1998

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STATE OF IDAHO

Department of Water Resources Transfer No. 5202
Eastern Region

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DEPARTMENT OF WATER RESOURCES

AUG 12 1998

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVED

APR 16 1998

Department of Water Resources

Name of applicant RALPH BREIDINGDepartment of Water Resources
Phone (208) 226-2109Post Office address 2875 S. VISITING RD. American Falls, ID 83211

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 The original place of use is in CRP and I wish to transfer the available acres to my own farm

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>35-02432(B)</u> | <u>8/17/1955</u> | <u>0.58 cfs</u> | <u>Irrigation</u> | <u>4/01</u> to <u>10/31</u> |
| <u>35-07391(B)</u> | <u>3/13/1974</u> | <u>0.05 cfs</u> | <u>" "</u> | <u>" "</u> to <u>" "</u> |
| <u>35-02432(A)</u> | <u>8/17/1955</u> | <u>2.50 cfs</u> | | |
| <u>35-07391(A)</u> | <u>3/13/1974</u> | <u>0.21 cfs</u> | | |
2. Total amount of water being transferred 3.34 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
	*	SW	SE	25	7S	29E	Power	New Point of Diversion
		SW	NW	27	3S	32E	Bingham	

5. Lands irrigated or place of use: **Acres required to complete system per licenses 35-08636 & 35-08864B

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	
7S	29E	36							22.5	22.5									45
								**	26	7									33
3S	32E	27							7	12	40	40	27	38	29				193

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Original rights limited to 238 acres
 * Verified location actually SE SW, S 25, T 7 S, R 29 E per advertised Notice of Correction (7-15-98). Q 8 8-12-98

Total acres 238

PART 1

6. General Information:

a. Description of diversion system well + pump to sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? NO 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:
THERE WILL BE NO AFFECT ON THIS LAND, BECAUSE ALL PUMPING EQUIPMENT & SPRINKLERS WAS REMOVED YEARS AGO, AND LAND WAS ENROLLED IN ORIGINAL CRP

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 _____

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PART 2

TRANS NO.

5020

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 35-02432

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	3.08 CFS

SOURCE

GROUNDWATER

Priority: 08/17/1955

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 27, Township 03S, Range 32E
SENW , Sec. 27, Township 03S, Range 32E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03S 32E 27	NENW 40	NWNW 40	SWNW 40	
	SENW 40	NESW 40	NWSW 40	
	SWSW 6	SESW 6		252
		Total number of acres irrigated:		252

CONDITIONS/REMARKS:

1. P/D CENTER OF S1/2 NW1/4, S27, T3S, R32E.

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AUG 20 1998

PART 2

TRANS NO.

T5202

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 35-07391

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	0.26 CFS	110.0 AF

SOURCE

GROUNDWATER

Priority: 03/13/1974

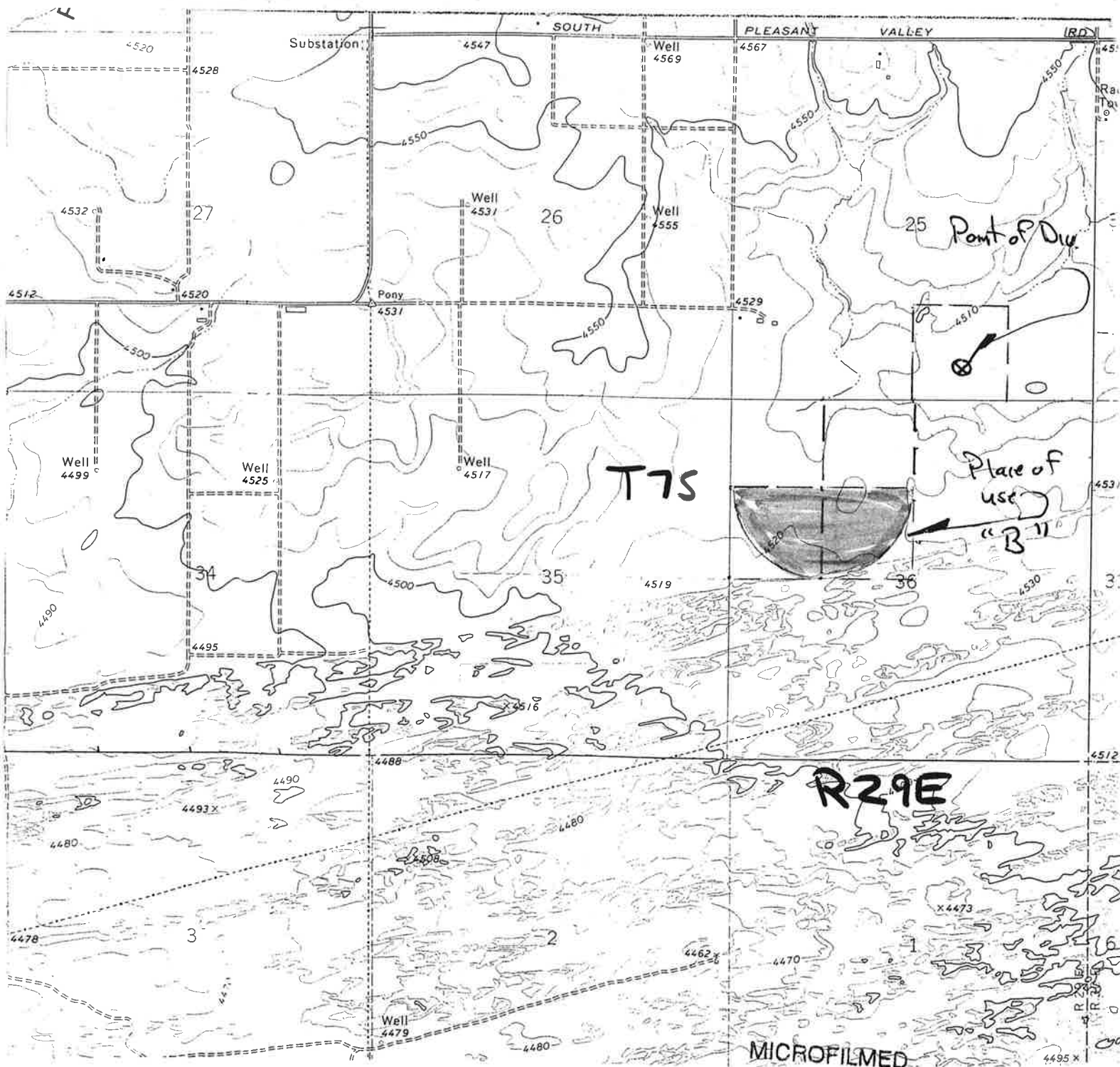
LOCATION OF POINT(S) OF DIVERSION:SENE , Sec. 27, Township 03S, Range 32E
BINGHAM CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03S 32E 27	NENW 40	NWNW 40	SWNW 40	
	SENE 40	NESW 40	NWSW 40	
	SWSW 40	SESE 40		320
		Total number of acres irrigated:		320

CONDITIONS/REMARKS:MICROFILMED
AUG 20 1998

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.



AUG 20 1998

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

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

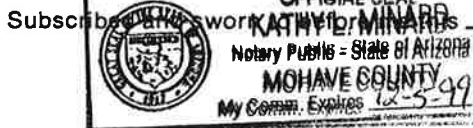
1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

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.



Kathy L. Minard
(Signature of Applicant)

(Signature of Applicant)

300

day of

February, 19 98

Kathy L. Minard
(Notary Public)

My commission expires

12/5/99**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and _____ attachmentsReceived by HWT Date 2-9-98

Protest filed by _____

Prelim. check by _____ Fee \$100.00Receipted by HWT #E023850 Date 2-9-98Published in Power County Press

Copies of protest forwarded by _____

Pub. dates Feb 19 & 26, 98

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☒ approval ☐ denial

rec'd. _____

by RDC

Copy of transfer sent to lien holder _____

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AUG 20 1998