

T5199 FRANSSEN

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5199

WATER RIGHT NO(S). 31-02258G/A31-10392A & 31-02258H/A31-10392B

RECEIVED
JUN 24 1998
Department of Water Resources
Eastern Region

This is to certify that: DOUGLAS FRANSEN
JANICE FRANSEN
PO BOX 8
MONTEVIEW ID 83435

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. 31-02258G :			
IRRIGATION	04/15 to 10/15	2.33 CFS	407.8 AF
Priority: 11/23/1935			
Right No. A31-10392A :			
IRRIGATION	04/15 to 10/15	* 0.22 CFS	42.4 AF
Priority: 04/01/1944			
	SUBTOTAL:	* 2.33 CFS	450.2 AF
Right No. 31-02258H :			
IRRIGATION	04/15 to 10/15	0.47 CFS	82.2 AF
Priority: 11/23/1935			
Right No. A31-10392B :			
IRRIGATION	04/15 to 10/15	** 0.04 CFS	8.4 AF
Priority: 04/01/1944			
	SUBTOTAL:	** 0.47 CFS	90.6 AF
	TOTAL:	2.80 CFS	540.8 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

Right No. 31-02258G & A31-10392A :
Right No. 31-02258H & A31-10392B :

NWNW , Sec. 1, Township 07N, Range 3
SEnw , Sec. 31, Township 08N, Range 3
JEFFERSON 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>	
Right No. 31-02258G & A31-10392A :							
07N 33E	1	NENW	32.1	NWNW	32.2	SWNW	32.2
		SEnw	32.1				
							128.6

Total number of acres irrigated: *** 128.6

TRANSFER NO. 5199
WATER RIGHT NO(S). 31-02258G/A31-10392A & 31-02258H/A31-10392B

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>
Right No. 31-02258H & A31-10392B :						
08N	33E	36	SWNE 6.4	SENE 12.5	NESE 4.0	25.9
			NWSE 3.0			25.9
Total number of acres irrigated:						**** 25.9

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
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. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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. Approval of Transfer 5199 does not confirm SRBA Claim No. A31-10392.
- * 8. Right A31-10392A when combined with Right 31-02258G shall not exceed a total diversion rate of 2.33 cfs.
- ** 9. Right A31-10392B when combined with Right 31-02258H shall not exceed a total diversion rate of 0.47 cfs.
- *** 10. Right 31-02258G is limited to the irrigation of 116.5 acres in the place of use described above in a single irrigation season.
- *** 11. Right A31-10392A is limited to the irrigation of 12.1 acres in the place of use described above in a single irrigation season.
- **** 12. Right 31-02258H is limited to the irrigation of 23.5 acres in the place of use described above in a single irrigation season.
- **** 11. Right A31-10392B is limited to the irrigation of 2.4 acres in the place of use described above in a single irrigation season.

Dated this 16th day ofJune, 1998


 Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 31-02258D & A31-10392

FROM: Pam Skaggs^{OS}/State Office

SUBJECT: Transfer 5199

DATE: June 3, 1998

Transfer 5199 changes the point of diversion and place of use under a portion of Rights 31-02258D (Parts G & H) and 31-10392 (Parts A & B), splitting each right.

These rights are tied together since the SRBA claim provides additional acres only to the system and the total diversion is limited to the licensed amount." The applicant has installed a pivot at the original place of use requiring adjustment to the licensed acres, and is moving the now dried-up corners to the new location. The approval identifies the portion of each right associated with the proposed split system.

Season of use and diversion volume were adjusted to current standards. Recommended conditions include drilling permit requirements, irrigation overlap, measuring & reporting, permissible place of use, combined right limits, non-confirmation of claim and standard transfer conditions.

COPY

Page _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5199

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Douglas or Janice Fransen Phone 801-657-2239 521-5252
 Post Office address PO Box 8, Montevideo ID 83435

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 I have installed a pivot and wish to transfer the acres in each of the corners to a new place of use.

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
B	<u>31-02258 G</u>	<u>11-23-1935</u>	<u>2.33</u>	<u>Irrigation</u>	<u>4/15</u> to <u>10/15</u>
A {	<u>A31-10392</u>	<u>4/1/1944</u>	<u>0.26</u>	<u>Irrigation</u>	<u>4/15</u> to <u>10/15</u>
	<u>31-02258 H</u>	<u>11/23/1935</u>	<u>0.21</u>	<u>Irrigation</u>	<u>4/15</u> to <u>10/15</u>
					to _____

2. Total amount of water being transferred 2.80 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
A		NW	SE	NW	31	7N	34E	Jefferson	
B			NW	NW	1	7N	33E		

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	8N	33E	36			6.6	12.6									4	3			25.9
B	7N	33E	1					32.1	32.2	32.2	32.1									128.6

Total acres 154.5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 31-02258D issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 11/23/1935

5. Water is used for the following purpose:

amount 2.80 cfs for Irrigation purposes from 4/01 to 11/01
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.80 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	1	7N	33E	Jefferson	

8. 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	
7N	33E	1					30	40	40	30									140

Total acres 140

9. Describe any other water rights used for the same purpose as described above A31-10392 on

Adjacent ground

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A31-10392 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 4/01/1944

5. Water is used for the following purpose:

amount 0.40 cfs for Irrigation purposes from 4/01 to 11/01
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.40 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	31	8N	34E	Jefferson	

8. 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	
7N	33E	1					10	10											20

Total acres 20

9. Describe any other water rights used for the same purpose as described above 31-02258D
on adjacent ground.

TRANSFER NO 5199

Right No.

31-02258D

split with 2.33 cfs and 128.6 acres remaining on the NW1/4 Section 1, T7N, R33E. This will be right 31-02258G.

Also, 11.4 acres and 0.21 cfs move to the new 25.9 acres POU in Sect 36, T8N R33E. This will be right 31-02558H.

31-10392

will move in its entirety from the NW1/4 Section 1, T7N, R31E to the new 25.9 acre POU in Section 36, T8N, R33E. This R-record amount is 14.5 acres and 0.26 cfs.

Total acres under both place of use remain 154.5 with 2.80 cfs as per adjudication recommendation.

TS199



