

TS168 BETHKE

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Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5168
WATER RIGHT NO(S). 35-08046/35-08050

RECEIVED

1998

Department of Water Resources
Eastern Region

This is to certify that: LARRY BETHKE
2745 S 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>
Right No. 35-08046 : IRRIGATION Priority: 06/11/1982	04/01 to 10/31	1.00 CFS	203.2 AF
Right No. 35-08050 : IRRIGATION Priority: 08/03/1982	04/01 to 10/31	0.81 CFS	161.6 AF
TOTAL:		1.81 CFS	364.8 AF

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION: NWNE , Sec. 14, Township 07S, Range 29E
POWER County

Right No. 35-08046 : <u>PLACE OF USE:</u> IRRIGATION				
<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S 29E 14	NENE 25.4	NWNE 25.4		50.8
Total number of acres irrigated:				40.4

Right No. 35-08050 : <u>PLACE OF USE:</u> IRRIGATION				
<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S 29E 14	NENW 20.2	NWNW 20.2		40.4
Total number of acres irrigated:				40.4

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. 5168
WATER RIGHT NO(S). 35-08046/35-08050

CONDITIONS OF APPROVAL AND REMARKS

3. 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.
4. 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.
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.

Dated this 3rd day of December, 1998.


Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 35-08046 & 35-08050

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5168

DATE: December 3, 1998

Transfer 5168 changes the point of diversion under Rights 35-08046 and 35-08050 to an existing well owned by the applicant. These two licensed rights share a common point of diversion and have separate places of use.

These rights were licensed in 1997 and are not subject to the SRBA. Recommended conditions include measuring & annual reporting, irrigation overlap, trust conditions and standard transfer conditions.

12-92 50 2-10-98 \$100 Fee

RECEIVED APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Department of Water Resources Eastern Region Name of applicant LARRY BETHKE mobile 220-2201 Phone (208) 226-2201 Post Office address 2745 S. Breeding Rd American Falls ID 83211

A. PURPOSE OF TRANSFER 1. [X] 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'm am changing the point of diversion to a well site that I own.

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 35-08050 8/03/1982 0.81cfs Irrigation 4-01 to 10-31 35-08046 6/11/1982 1.00cfs Irrigation 4-01 to 10-31 2. Total amount of water being transferred 1.81 cubic feet per second and/or 364.8 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
		NW	NE	14	7S	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	
7S	29E	14	25.4	25.4							35-08046								50.8
7S	29E	14					20.2	20.2			35-08050								40.4

PART 1

6. General Information:

a. Description of diversion system well to pivots

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N.A. 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:
N.A.

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 _____

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 35-08050

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	0.81 CFS	161.6 AF

SOURCE

GROUNDWATER

Priority: 08/03/1982

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 11, Township 07S, Range 29E
POWER County

<u>PLACE OF USE: IRRIGATION</u>			
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>
07S	29E	14	NENW 20.2
			NWNW 20.2
Total number of acres irrigated:			40.4

CONDITIONS/REMARKS:

1. 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.
2. 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.
3. 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.
4. Right 35-07153 is also diverted through the point(s) of diversion described above.

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 35-08046

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	1.00 CFS	203.2 AF

SOURCE

GROUNDWATER

Priority: 06/11/1982

LOCATION OF POINT(S) OF DIVERSION: SWSE , Sec. 11, Township 07S, Range 29E
POWER County

PLACE OF USE: IRRIGATION

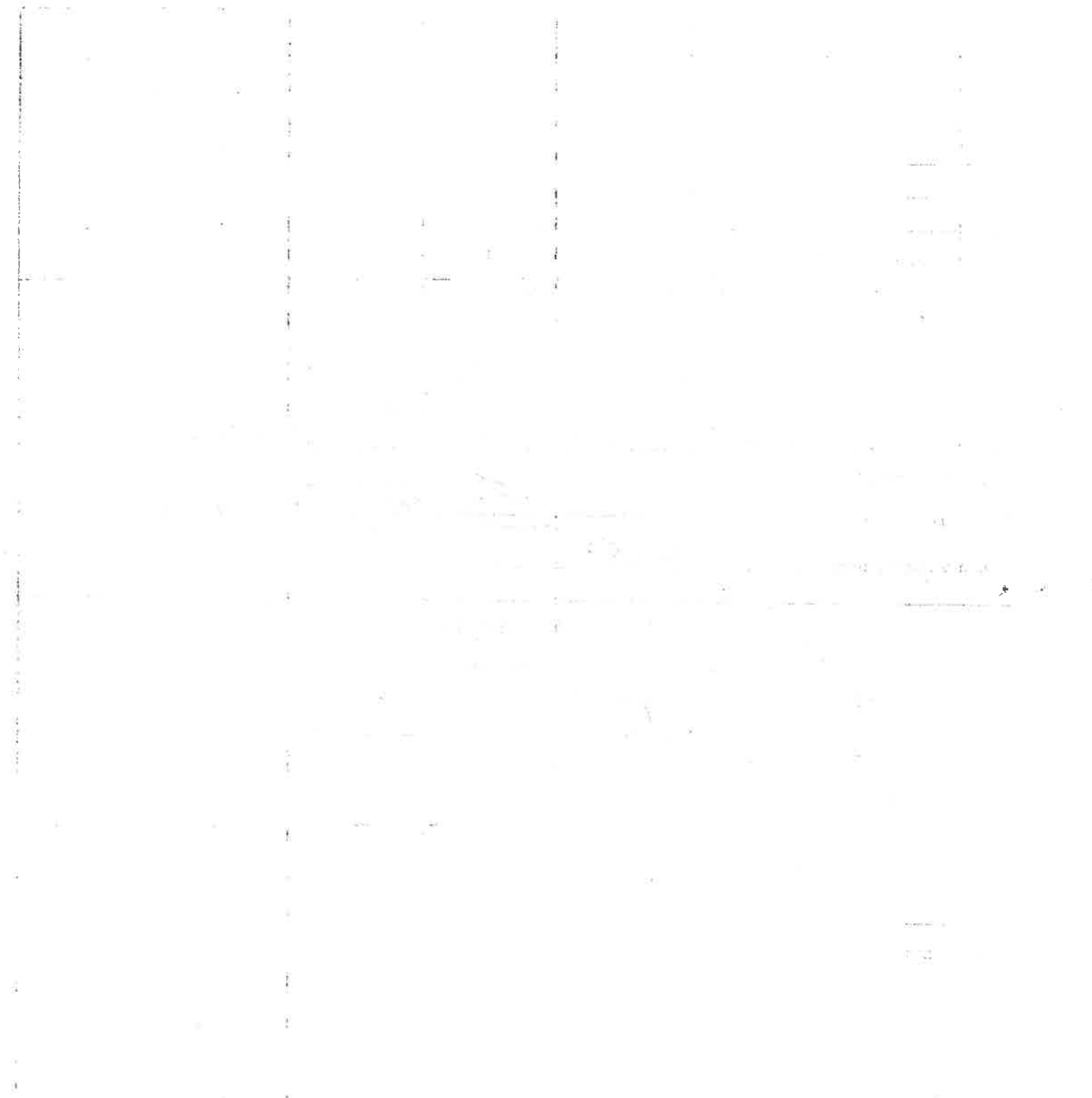
<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S 29E 14	NENE 25.4	NWNE 25.4		50.8
Total number of acres irrigated:				50.8

CONDITIONS/REMARKS:

1. 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.
2. 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.
3. 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.

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.



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.

[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 29th day of October, 19 97.

[Signature]
(Notary Public)

My commission expires 1-14-98

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and _____ attachments

Received by HWT Date 10-30-97 Protest filed by _____

Prelim. check by KCW Fee \$100.00

Receipted by HWT #E023740 Date 10-30-97

Published in Powder County Press Copies of protest forwarded by _____

Pub. dates Nov 20 & 27, 1997 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. by RDC

Copy of transfer sent to lien holder _____