

T5129 WASIA FARMS

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

RECEIVED
OCT 16 1997

Department of Water Resources
Eastern Region

TRANSFER NO. 5129
WATER RIGHT NO. 27-07435

This is to certify that: **WASIA FARMS**
C/O DICK WASIA
54 N 50 E
BLACKFOOT ID 832210000

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	* 1.30 CFS	* 260.0 AF

SOURCE

GROUNDWATER

Priority: 07/10/1987

LOCATION OF POINT(S) OF DIVERSION: Lot 2(SWNW), Sec. 31, Township 02S, Range 36E
SENW , Sec. 31, Township 02S, Range 36E
BINGHAM 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>
02S	36E	31	Lot 2(SWNW) 28	SENW 37		65
Total number of acres irrigated:						65

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. 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.
3. 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.
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 at the field headgate for irrigation of the lands above.

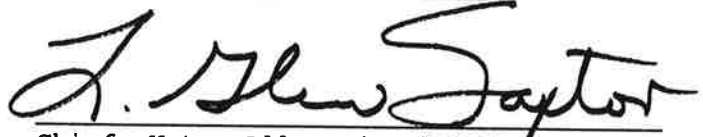
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CONDITIONS OF APPROVAL AND REMARKS

5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
6. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
7. 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.
8. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
9. 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.
10. 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.
11. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 12. The total instantaneous diversion of water from all points of diversion under Transfer No. 5129 shall not exceed 1.30 cfs, nor total combined annual volume of 260.0 af at the field headgate.

Dated this 10th day of

October, 1997


Chief, Water Allocation Bureau

MEMORANDUM

TO: FILE NO. 27-07435

FROM: PAM SKAGGS²⁸/STATE OFFICE

SUBJECT: TRANSFER NO. 5129

DATE: October 7, 1997

OK

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Transfer No. 5129 adds a second well under Right No. 27-07435. ✓ The original well is powered by natural gas and will remain on the system as a back-up well. ✓ The applicant found it more cost effective to add the second well near an electric power source than run a power line to the original well.

Recommended conditions include drilling permit requirements, non-trust conditions, irrigation overlap, supplemental groundwater, measure/annual report, multiple points of diversion and standard transfer conditions.