

T5091 STEWART

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 5091
WATER RIGHT NO. 35-02312B

RECEIVED
DEC 08 1997
Department of Water Resources
Eastern Region

This is to certify that: **REID STEWART**
3100 W 1000 S
ABERDEEN ID 83210

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	1.62 CFS	328.0 AF

SOURCE

GROUNDWATER

Priority: 03/17/1953

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 30, Township 04S, Range 31E
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>
04S	30E	25	NESE 3	SESE 7		10
	31E	30	NESW 7	NWSW 7	SWSW 7	
			SESW 7	NWSE 7	SWSE 7	42
		31	NENW 30			30
Total number of acres irrigated:						82

CONDITIONS OF APPROVAL AND REMARKS

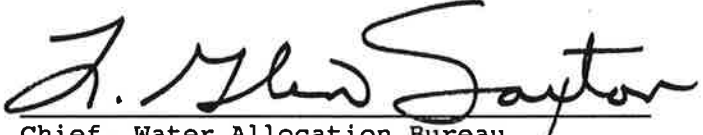
1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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WATER RIGHT NO. 35-02312B

CONDITIONS OF APPROVAL AND REMARKS

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.

Dated this 2nd day of December, 1997.


Chief, Water Allocation Bureau

MEMORANDUM

TO: FILE 35-02312

FROM: PAM SKAGGS^{CS}/STATE OFFICE

SUBJECT: TRANSFER 5091

DATE: November 25, 1997

ok *[signature]*

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Transfer 5091 changes the point of diversion ✓ and place of use ✓ under a portion of Right 35-02312, splitting the right into parts A and B. The applicant is replacing acres removed through previous transfers to corners of an existing system under Rights 35-02540 and 35-07920C and a 30 acre parcel.

Season of use and diversion volume were adjusted to current standards. Recommended conditions include measuring/reporting, irrigation overlap and standard transfer conditions.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

COPY

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Reid Stewart Phone 208-397-4572Post Office address 3100 W 1000 S, Aberdeen ID 83210

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 To fill in acres dried up by previous transfers.

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>35-02312B</u>	<u>3/17/1953</u>	<u>1.62</u>	<u>Irrigation</u>	<u>4-01</u> to <u>10-31</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 1.62 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
		NW	SW	30	4S	31E	Bingham	

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	
4S	30E	25													3			7	10
4S	31E	30									7	7	7	7		7	7		42
		31					30												30

Total acres 82

PART 1

6. General Information:

a. Description of diversion system Well and 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? Yes X 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:

Land is in 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 _____, 19 _____

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 35-02312

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	3.95 CFS

SOURCE

GROUNDWATER

Priority: 03/17/1953

LOCATION OF POINT(S) OF DIVERSION:SWSW , Sec. 31, Township 04S, Range 31E
BINGHAM CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04S	31E	31	NESW 35	NWSW 40	SWSW 35	
			SESW 35	NESE 2.5	NWSE 5	
			SWSE 35	SESE 5		192.5
		32	NWSW 5	SWSW 2.5		7.5
Total number of acres irrigated:						200

CONDITIONS/REMARKS:

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
Yes If yes, describe Land is in CRP

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 1.62 cfs for Irrigation purposes from 4-01 to 10-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	31	4S	31E	Bingham	

3. 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	
4S	31E	31									10	5	7	5	2.5	5	35	5	74.5
		32										5	2.5						7.5

Total acres 82

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 2.33 cfs for Irrigation purposes from 4-01 to 10-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	31	4S	31E	Bingham	

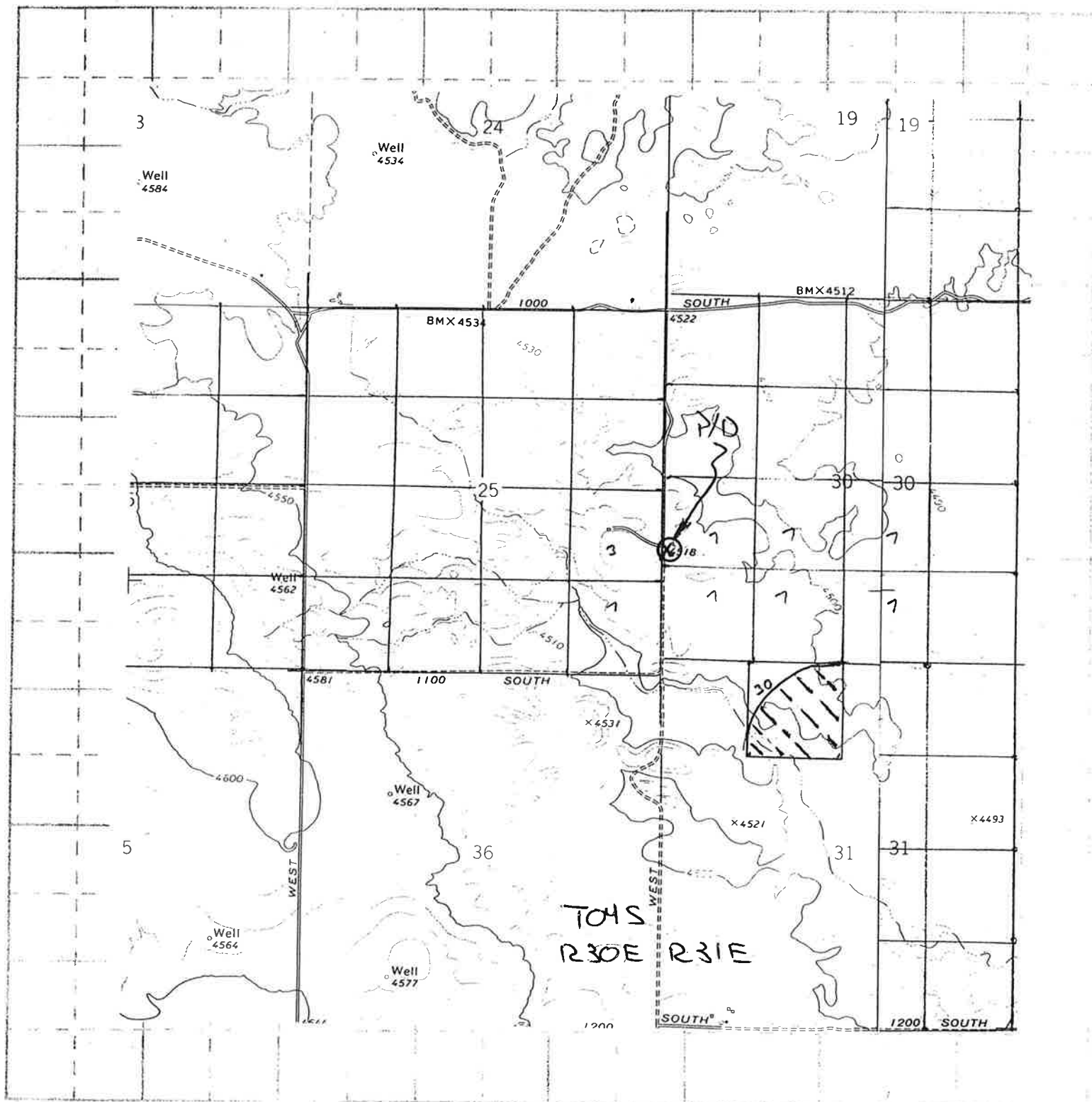
3. Lands irrigated or place of use:

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	
4S	31E	31									25	35	28	30					118

Total acres 118

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.



Reid S. Stewart

(Signature of Applicant)

Subscribed and sworn to before me this 23rd day of May, 1997.

Betty J. Thompson

BETTY J. THOMPSON, NOTARY PUBLIC

(Notary Public)

My commission expires RESIDING AT IDAHO FALLS, IDAHO

MY COMMISSION EXPIRES: 7-05-2000

FOR DEPARTMENT USE ONLYTransfer contains 6 pages and _____ attachmentsReceived by HWT Date 5-23-1997

Protest filed by _____

Prelim. check by _____ Fee 100.00Receipted by Hy #E023256 Date 5-23-1997Published in Morning News

Copies of protest forwarded by _____

Pub. dates June 12 & 19, 1997

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____