

T5058 WADA

4/29/02
AAR

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 5058
WATER RIGHT NO. 35-02178B *

RECEIVED

JUL 14

Department of Water Resources
Eastern Region

This is to certify that: **ALBERT T WADA**
CHRISTINE WADA
790 NE MAIN
BLACKFOOT ID 83221

A35-02178E -G
-H

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>
COMMERCIAL	10/01 to 07/31	0.24 CFS	76.8 AF

SOURCE

GROUNDWATER

Priority: 07/08/1950

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 22, Township 03S, Range 33E
BINGHAM County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

03S 33E 22

NENE
NESE

SWNE
NWSE

SENE
SWSE

CONDITIONS OF APPROVAL AND REMARKS

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. 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this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. 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.
4. After specific notification, the right holder shall install a suitable measuring device or shall enter into an agreement to determine the amount of water diverted from power records and shall annually report the information.

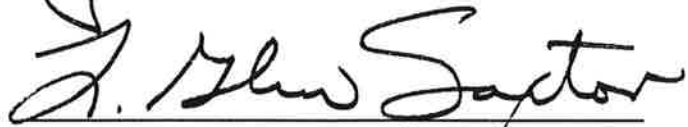
* TX RELATES TO ADJ. CLAIM 35-02178H RECOMMENDATION, V1

TRANSFER NO. 5058
WATER RIGHT NO. 35-02178B

CONDITIONS OF APPROVAL AND REMARKS

5. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
6. Commercial use is for a fresh pack potato plant and includes land application of resulting wastewater to comply with water quality requirements. All commercial uses of water when combined shall not exceed a 0.24 cfs and 76.8 afa.

Dated this 8th day of July, 1997.


Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5058

Mr. Petersen { 785-0670
680-1492

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 transferred water will be used in a new fresh pack potato warehouse for washing the potatoes. Water will also be used for sanitary and personal 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 |
| | <u>35-02178B</u> | <u>7/8/1950</u> | <u>0.24 cfs</u> | <u>Commercial</u> | | <u>10/01</u> to <u>7/31</u> |
| | <u> </u> | <u> </u> | <u> </u> | <u> </u> | | <u> </u> to <u> </u> |
| | <u> </u> | <u> </u> | <u> </u> | <u> </u> | | <u> </u> to <u> </u> |
| | <u> </u> | <u> </u> | <u> </u> | <u> </u> | | <u> </u> to <u> </u> |
| | <u> </u> | <u> </u> | <u> </u> | <u> </u> | | <u> </u> to <u> </u> |
| 2. | Total amount of water being transferred | <u>0.24</u> | cubic feet per second and/or | <u>76.8</u> | acre-feet per annum. | |
| 3. | Source of water | <u>Groundwater</u> tributary to <u> </u> | | | | |
| 4. | Point(s) of Diversion: | | | | | |

[illegible]

5. Lands irrigated or place of use:

[illegible]

PART 1

6. General Information:

a. Description of diversion system Well & pump to Fresh-Pak operation

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X 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:
The affected land will be taken out of production and will not be irrigated. Weed control will be maintained.

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 _____

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. _____ 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 _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purpose:

amount _____ for _____ purposes from _____ to _____
(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 _____ 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

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	

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

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 0.24 cfs for Irrigation purposes from Not Listed to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:
- *also SWNW & NWSE

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SE	15	1S	35E	Bingham	
		NE	SE	21				
	*	SE	NE	22				

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	
1S	35E	21				2.5											6.4	10.3	19.2

Total acres 19.2**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 15.90 cfs for Irrigation purposes from Not listed to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:
- * Also SWNW & NWSE

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SE	15	1S	35E	Bingham	
		NE	SE	21				
	*	SE	NE	22				

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	
1S	35E	14									40	40							80
		15									40	40	20	40	40	40	40	40	300
		21				17.5									40	25	31.6	29.7	143.8
		22	40	40	40	40	40	30	40	40	40	40	40	40	40	40	40	40	630
		23				40			40	40									120

Total acres 1273.8

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Water Right No. 35-02178

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	16.14 CFS
DOMESTIC	to	
	Totals	16.14 CFS

SOURCE

GROUNDWATER

Priority: 07/08/1950

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 15, Township 01S, Range 35E
 NESE , Sec. 21, Township 01S, Range 35E
 SENE , Sec. 22, Township 01S, Range 35E
 SWNW , Sec. 22, Township 01S, Range 35E
 NWSE , Sec. 22, Township 01S, Range 35E
 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>
01S	35E	14	NWSW 40	SWSW 40		80
		15	NESW 40	NWSW 40	SWSW 20	
			SESW 40	NESE 40	NWSE 40	
			SWSE 40	SESE 40		300
		21	SENE 20	NESE 40	NWSE 25	
			SWSE 38	SESE 40		163
		22	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 30	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			630
		23	NENW 40	SWNW 40	SENE 40	120
Total number of acres irrigated:						1293

PLACE OF USE: DOMESTIC, same as IRRIGATION useCONDITIONS/REMARKS:

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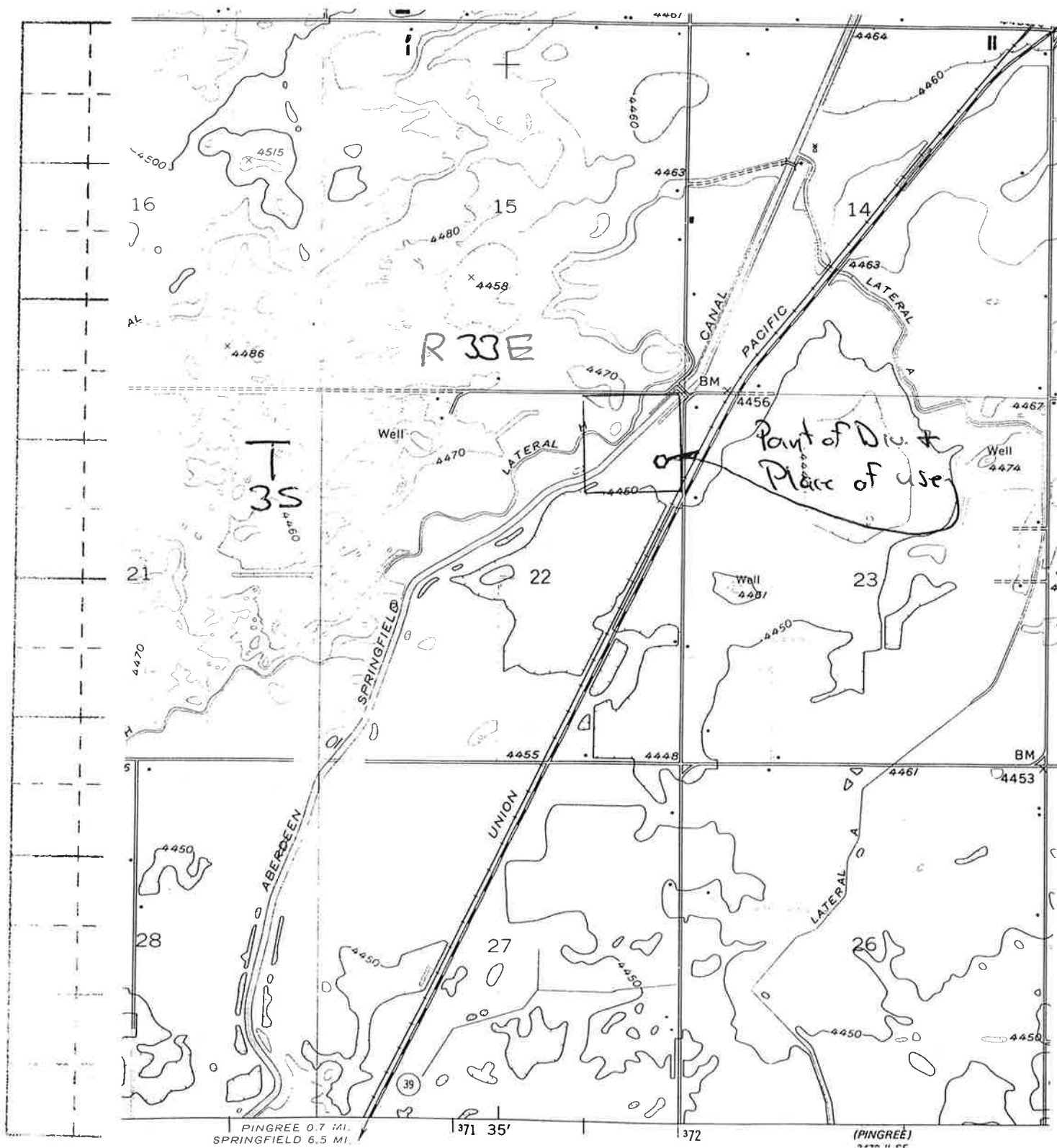
TRANS NO. 5058

Water Right No. 35-02178

CONDITIONS/REMARKS:

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
	Commercial	0.24cfs/66.6	16/210/year	10/01 to 7/31
				to

2. Quantity and quality of return flows and location of discharge:

Approximately 70 gals/min. Sediment w/min. solids into settling (evaporative) ponds approved and recommend by DEQ. And land application sprinkling.

3. Describe effects on other water uses resulting from the proposed change:

We will not be using the Aberdeen, Springfield water rights for the proposed change. No other effects noted. The 70gpm effluent from plant will go to a settling pond & then will be mixed with Aberdeen - Springfield canal water during irrigation season

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.

Christenes Wada
(Signature of Applicant)

Subscribed and sworn to before me this 25th day of March, 1997.

T Payne Van Orner
(Notary Public)

My commission expires Nov 1998

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and _____ attachments

Received by HWT Date 3-26-97 Protest filed by _____

Prelim. check by KCW Fee \$100.00 _____

Receipted by HWT #E023056 Date _____

Published in Morning News Copies of protest forwarded by _____

Pub. dates April 24 & May 1, 1997 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____