

T5371 BREDDING

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

RECEIVED

TRANSFER NO. 5371
WATER RIGHT NO(S). 35-02432B/35-07391B

AUG 19 1999

Department of Water Resources
Eastern Region

This is to certify that: **LARRY BREIDING**
12506 GASTON ST
OKLAHOMA CITY OK 73170

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. 35-02432B :			
IRRIGATION	04/01 to 10/31	1.72 CFS	532.0 AF
Priority: 08/17/1955			
Right No. 35-07391B :			
IRRIGATION	04/01 to 10/31	0.14 CFS	59.0 AF
Priority: 03/13/1974			
	TOTAL:	1.86 CFS	* 532.0 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 7, Township 07S, Range 30E
POWER 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>
07S	30E	7	NENE 33	NWNE 33.5	SWNE 33	
			SENE 33.5			

133
Total number of acres irrigated: *-133

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. 5371
WATER RIGHT NO(S). 35-02432B/35-07391B

CONDITIONS OF APPROVAL AND REMARKS

3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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. Rights 35-02432B and 35-07391B when combined shall not exceed a total annual diversion volume of 532.0 af at the field headgate, and the irrigation of 133.0 acres.
6. All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

Dated this 16th day of August, 1999.

J. Glen Saxton
Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 35-02432B & 35-07391B

FROM: Pam Skaggs^{CS}/State Office

SUBJECT: Transfer 5371

DATE: August 16, 1999

Transfer 5371 changes the point of diversion to reflect the actual location of the existing well. The applicant proposed the current point of diversion under previously approved Transfer 5203, however the well was actually drilled in the SENE, S07, T07S, R30E. No physical change will occur through this transfer.

The transfer approval is based on the right as recommended in the SRBA. Recommended conditions include measuring & annual reporting, irrigation overlap, combined right limits, Basin 35 sources administered conjunctively and standard transfer conditions.

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant LARRY BREIDING Phone (405) 691-3264
Post Office address 12506 Gaston St. Oklahoma City, OK 73170

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 Correct the point of diversion to reflect actual well location.

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>35-02432B</u> | <u>8/17/1955</u> | <u>1.72</u> | <u>Irrigation</u> | <u>4/01</u> to <u>10/31</u> |
| <u>35-07391B</u> | <u>3/13/1974</u> | <u>0.14</u> | <u>"</u> | <u>"</u> to <u>"</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 1.86 cubic feet per second and/or 532 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
		SE	NE	7	7S	30E	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	30E	7	33	33.5	33	33.5													133

Total acres 133

PART 1

6. General Information:

a. Description of diversion system well + pump to pivot

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

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 35-02432B

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	1.72 CFS	532.0 AF

SOURCE

GROUNDWATER

Priority: 08/17/1955

LOCATION OF POINT(S) OF DIVERSION:NENE, Sec. 7, Township 07S, Range 30E
POWER 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>
07S	30E	7	NENE 33	NWNE 33.5	SWNE 33	133
			SENE 33.5			133

Total number of acres irrigated: 133

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. 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.
3. 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.
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. Rights 35-02432B and 35-07391B when combined shall not exceed a total annual diversion volume of 532.0 af at the field headgate, and the irrigation of 133.0 acres.

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 35-07391B

STAGE: LICENSE

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IRRIGATION	04/01 to 10/31	0.14 CFS	59.0 AF

SOURCE

GROUNDWATER

Priority: 03/13/1974

LOCATION OF POINT(S) OF DIVERSION:NENE , Sec. 7, Township 07S, Range 30E
POWER CountyPLACE OF USE: IRRIGATION

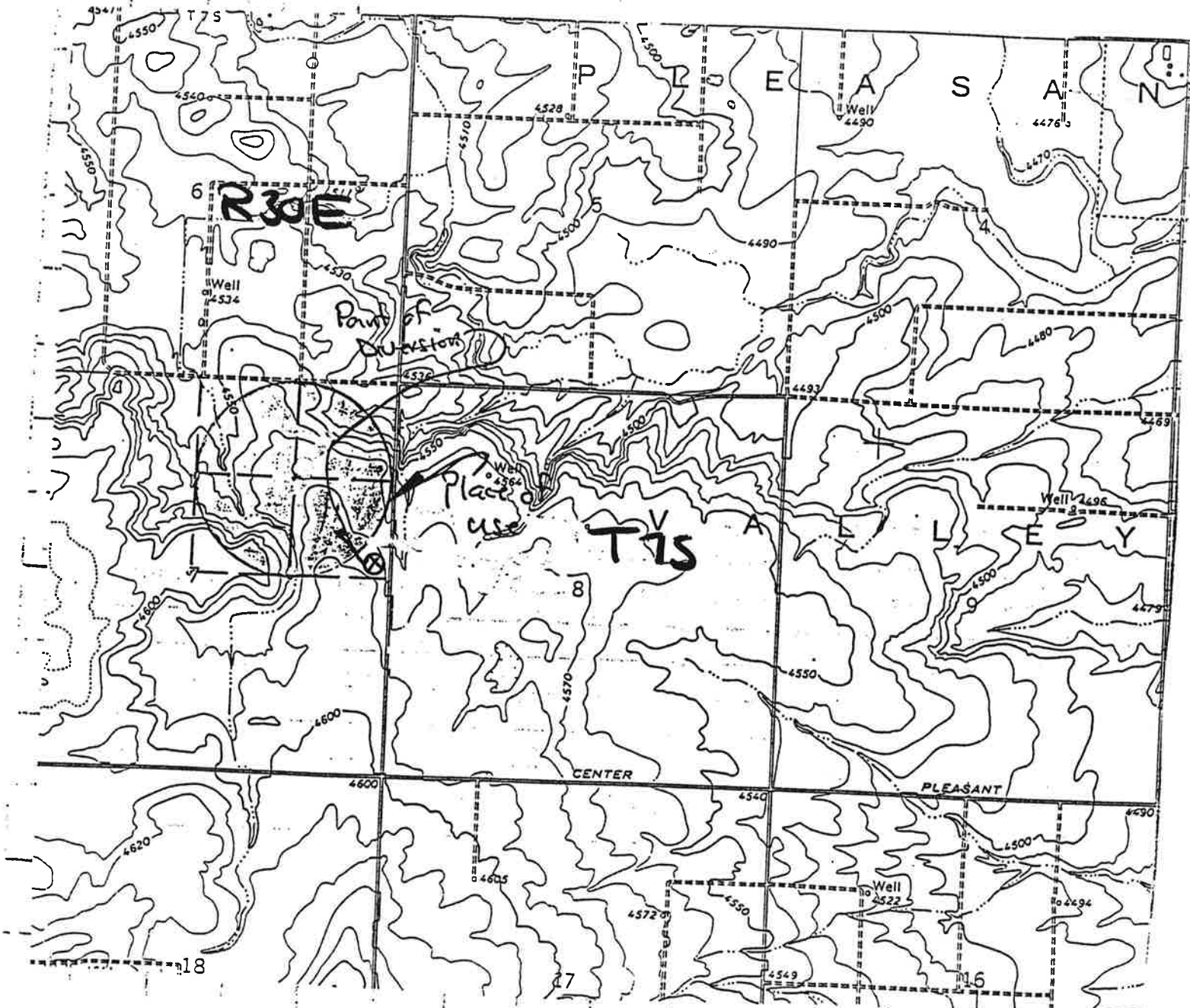
<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S 30E 7	NENE 33	NWNE 33.5	SWNE 33	
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APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- 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.



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.

Larry Bunting

(Signature of Applicant)

Subscribed and sworn to before me this 29 day of December, 19 98.

John M. Hughes

(Notary Public)

My commission expires 9-25-2001

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by JKH Date 1-4-99

Protest filed by _____

Prelim. check by _____ Fee \$100.00Receipted by JKH # EO24702 Date 1-4-99Published in Tower County Press

Copies of protest forwarded by _____

Pub. dates January 13 & 20, 1999.

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____