

T5315 MARTIN

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 5315
WATER RIGHT NO. 35-07455

RECEIVED

DEC 07 1998

Department of Water Resources
Eastern Region

This is to certify that: **ROBERT L MARTIN**
JOANNE MARTIN
C/O HOLDEN KIDWELL HAHN
PO BOX 50130
IDAHO FALLS ID 83405

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	2.60 CFS	1040.0 AF

SOURCE

GROUNDWATER

Priority: 06/27/1983

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 5, Township 03N, Range 36E
BONNEVILLE 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>
03N	36E	4	SWSW 39	SESW 39		78
		5	NESW 39	NWSW 39	SWSW 39	
			SESW 39	NESE 39	NWSE 39	
			SWSE 39	SESE 38		311
Total number of acres irrigated:						* 389

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. 5315
WATER RIGHT NO. 35-07455

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. Right 35-07455 is limited to the irrigation of 260.0 acres within the place of use described above in a single irrigation season.
6. Right 35-07455 when combined with Right 35-02761 shall not exceed a total annual maximum diversion volume of 1556.0 af at the field headgate and the irrigation of 389.0 acres.
7. In the near future IDWR will recommend a general provision for this sub-basin regarding the interconnection of water resources within the Snake River Basin. An opportunity will be provided at that time to file an objection with the District Court to that provision. This water right will be subject to such general provisions as the District Court determines necessary for the definition of the rights or for the efficient administration of water rights.

Dated this 27th day of November, 1998


Chief, Water Allocation Bureau

MEMORANDUM

TO: File 35-07455

FROM: Pam Skaggs^{PS}/State Office

SUBJECT: Transfer 5315

DATE: November 24, 1998 ^{OK}

Transfer 5315 changes the point of diversion and place of use under Right 35-07455. The applicant is moving this right to be used in conjunction with Right 35-02761 on a separate parcel of land. The combined rights will provide water for 389.0 acres of irrigation.

Diversion volume was adjusted to the maximum irrigation requirement of 4.0 af/acre. Recommended conditions include measuring & annual reporting, irrigation overlap, permissible place of use limit, combined right limits, future general provisions of the court, and standard transfer conditions.

SO. 11/13/98

4 acres BUA

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5315

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant Robert L. Martin or Joanne Martin Phone (208) 523-0620
Post Office address Holden, Kidwell, Hahn & Crapo, P.O. Box 50130, Idaho Falls, ID 83405

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 provide for complete irrigation of one farm.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 35-07455 Priority June 23, 1983 Amount (cfs/ac-ft) 2.6 cfs Nature of Use Irrigation Period of Use 4/1 to 10/31
2. Total amount of water being transferred 2.6 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water ground water tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SE	SW	05	3N	36 E	Bonneville	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	36 E	04											39	39					78
		05									39	39	39	39	39	39	39	39	311

Total Acres *389

*However, the right is limited to the irrigation of 260 acres within the place of use in a single irrigation season.

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 35-07455

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	2.60 CFS	1103.6 AF

SOURCE

GROUNDWATER

Priority: 06/27/1983

LOCATION OF POINT(S) OF DIVERSION:SWSWNE , Sec. 7, Township 02N, Range 34E
BONNEVILLE 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>
02N	34E	7	NENE 27	NWNE 20	SWNE 18	
			SENE 39	NENW 34	NWNW 24	
			SWNW 25	SENE 34	NESW 34	
			NWSW 29	SWSW 29	SESW 40	
			NESE 30	NWSE 26	SWSE 37	
			SESE 36			482
		8	NWNW 2	SWNW 11	NWSW 2	BLM
			SWSW 2			17

Total number of acres irrigated: 499

CONDITIONS/REMARKS:

1. IN THE NEAR FUTURE IDWR WILL RECOMMEND A GENERAL PROVISION FOR THIS SUB-BASIN REGARDING THE INTERCONNECTION OF WATER RESOURCES WITHIN THE SNAKE RIVER BASIN. AN OPPORTUNITY WILL BE PROVIDED AT THAT TIME TO FILE AN OBJECTION WITH THE DISTRICT COURT TO THAT PROVISION. THIS WATER RIGHT WILL BE SUBJECT TO TO SUCH GENERAL PROVISIONS AS THE DISTRICT COURT DETERMINES NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF WATER RIGHTS.
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 260 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

- [illegible]

3. Lands irrigated or place of use:

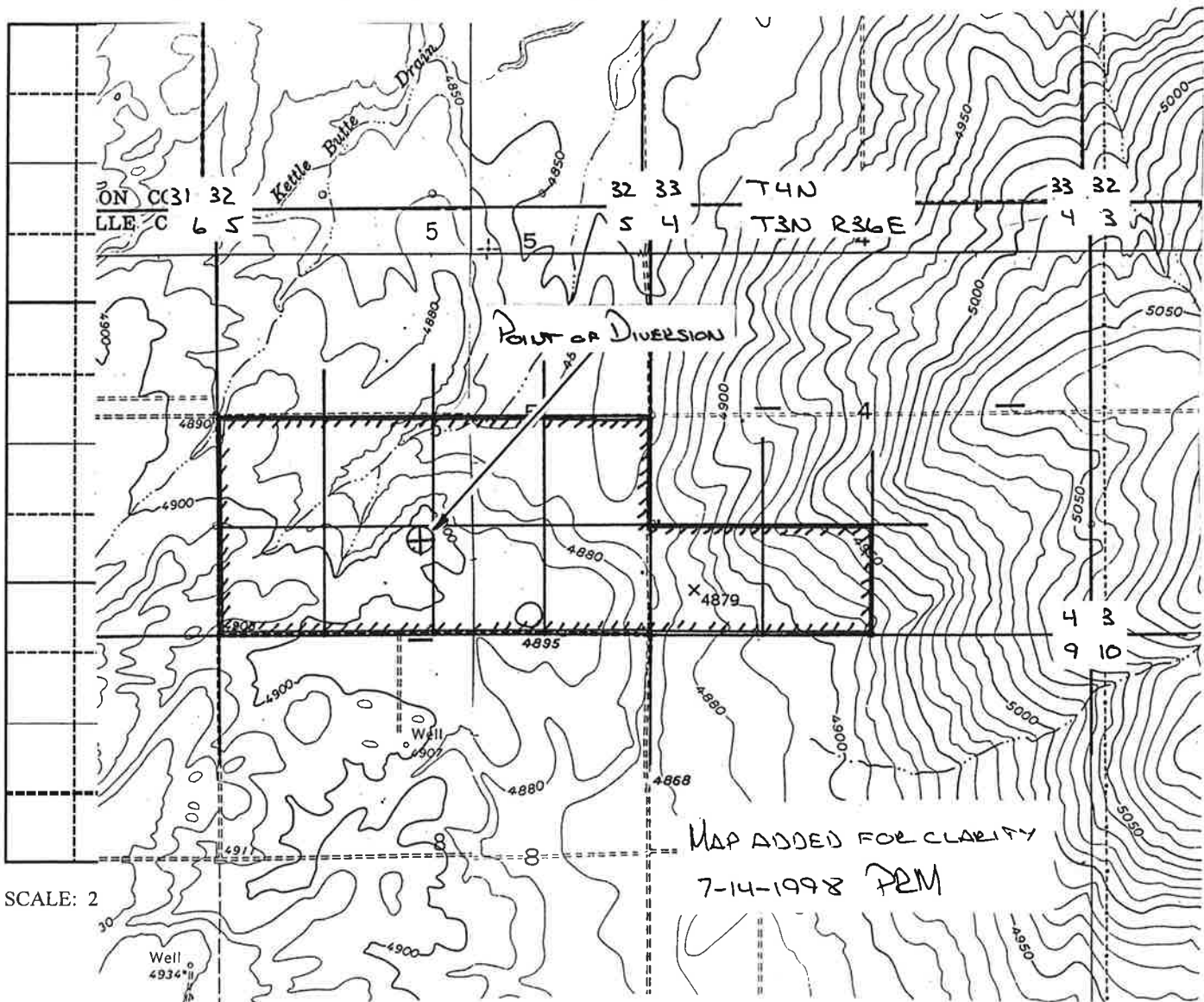
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indication 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.



B. CHANGES IN NATURE OF USE

1. New Nature of Use Amount Hours/days/year Period of Use
 (cfs/ac-ft)

_____ to _____
 _____ to _____

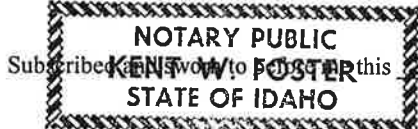
2. Quantity and quality of return flows and location of discharge:

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

I hereby asset 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.

John Martin
 (Signature of Applicant)
Robert L. Martin
 (Signature of Applicant)



Subscribed and sworn to before me this 29th day of June, 1998.

Residing at Idaho Falls, Idaho
 My Commission Expires Nov. 20, 1998

My Commission Expires 11/20/98

Paul M. Hutto
 Notary Public

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by Huf Date 7-2-98 Protest filed by _____

Prelim. check by _____ Fee \$100^{xx}

Receipted by Huf #E024243 Date 7-2-98

Published in Post Register Copies of protest forwarded by _____

Pub. dates Aug 27 & Sept 3, 98 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd _____ by _____

Copy of transfer sent to lien holder _____