

T5304 RUFF TIMES FARMS

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

RECEIVED

JAN 15 1999

Department of Water Resources
Eastern Region

TRANSFER NO. 5304

WATER RIGHT NO(S). 35-07883/35-07953B/35-08143/35-08747B

This is to certify that: **RUFF TIMES FARMS**
C/O DOUG RUFF
3005 W 2100 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>
Right No. 35-07883 :			
IRRIGATION	04/01 to 10/31	3.74 CFS	1004.0 AF
Priority: 01/31/1980			
Right No. 35-07953B :			
IRRIGATION	04/01 to 10/31	0.09 CFS	32.0 AF
Priority: 02/23/1981			
Right No. 35-08143 :			
IRRIGATION	04/01 to 10/31	0.32 CFS	64.0 AF
Priority: 05/18/1983			
Right No. 35-08747B :			
IRRIGATION	04/01 to 10/31	0.50 CFS	100.0 AF
Priority: 04/07/1989			
TOTAL:		4.65 CFS	1200.0 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 7, Township 06S, Range 30E
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>
06S	30E	7	NENE 38	NWNE 37	SWNE 37	
			SENE 38	NENW 38	NWNW 37	
			SWNW 37	SENW 38		300
						* 300

Total number of acres irrigated:

TRANSFER NO. 5304
WATER RIGHT NO(S). 35-07883/35-07953B/35-08143/35-08747B

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.
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.
- * 6. Right 35-07883 is limited to the irrigation of 251.0 acres in the place of use described above in a single irrigation season.
- * 7. Right 35-07953B is limited to the irrigation of 8.0 acres in the place of use described above in a single irrigation season.
- * 8. Right 35-08143 is limited to the irrigation of 16.0 acres in the place of use described above in a single irrigation season.
- * 9. Right 35-08747B is limited to the irrigation of 25.0 acres in the place of use described above in a single irrigation season.
10. Rights 35-08143 and 35-08747B are for the use of trust water and are subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
11. Diversion and use of water under Rights 35-08143 and 35-08747B is is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

255
Dated this 11 day of January, 1999.


Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 35-07883, 35-07953, 35-08143 & 35-08747

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5304

DATE: January 4, 1999

Transfer 5304 changes the point of diversion and place of use under all of Rights 35-07883 and 35-08143, and a portion of Rights 35-07953 and 35-08747 splitting each right into Parts A and B.

The applicant is reconfiguring these rights to reflect the use of center pivots, corner catchers and current point of diversion. The combined rights irrigate a 300 acre permissible place of use.

Season of use and diversion volume were adjusted to reflect current standards. Recommended conditions include permissible place of use, trust water (35-08143 & 35-08747B), measuring & annual reporting, irrigation overlap and standard transfer conditions.

RECEIVED

DEPARTMENT OF WATER RESOURCES

JUL 10 1998

APPLICATION FOR TRANSFER OF WATER RIGHT

Department of Water Resources
Eastern Region

SO. 9-15-1998 PART 1

COPY

Name of applicant RUFF TIMES FARMS % Doug Ruff Phone (208) 347-4660

Post Office address 3005 W 2100 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 accommodate irrigation using center pivots with corner catchers and to reflect actual point of diversion for water rights under the pivots.

COPY

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>35-07883</u>	<u>01/31/1980</u>	<u>3.74 cfs</u>	<u>IRRIGATION</u>	<u>4/1</u> to <u>10/31</u>
<u>35-07953(8)</u>	<u>02/23/1981</u>	<u>0.09 cfs</u>	<u>IRRIGATION</u>	<u>4/1</u> to <u>11/1</u>
<u>35-08143</u>	<u>05/18/1983</u>	<u>0.32 cfs</u>	<u>IRRIGATION</u>	<u>4/1</u> to <u>11/1</u>
<u>35-08747 B</u>	<u>04/07/1989</u>	<u>0.50 cfs</u>	<u>IRRIGATION</u>	<u>4/1</u> to <u>10/31</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 4.65 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
		<u>NE</u>	<u>NW</u>	<u>7</u>	<u>6S</u>	<u>30E</u>	<u>BINGHAM</u>	

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	
<u>6S</u>	<u>30E</u>	<u>7</u>	<u>38</u>	<u>37</u>	<u>37</u>	<u>38</u>	<u>38</u>	<u>37</u>	<u>37</u>	<u>38</u>									<u>300</u>

Total acres 300

PART 1

6. General Information:

a. Description of diversion system Well, pump mainline to two center pivots with
CORNER CATCHERS

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:

ACRES NO LONGER WILL BE IRRIGATED

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 _____

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 35-07883

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	3.74 CFS	1004.0 AF

SOURCE

GROUNDWATER

Priority: 01/31/1980

LOCATION OF POINT(S) OF DIVERSION:NENW , Sec. 7, Township 06S, Range 30E
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>
06S	30E	7	NENE 35	NWNE 39	SWNE 29	
			SENE 27	NENW 34	NWNW 32	
			SWNW 26	SENW 29		251
						Total number of acres irrigated: 251

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. 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 for irrigation of the lands above.
3. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
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.

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 _____ for _____ purposes from _____ 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:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

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	

Total acres _____

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

1. amount _____ for _____ purposes from _____ 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:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

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	

Total acres _____

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 35-07953

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	2.40 CFS	420.0 AF

SOURCE

GROUNDWATER

Priority: 02/23/1981

LOCATION OF POINT(S) OF DIVERSION:SESE , Sec. 7, Township 06S, Range 30E
BINGHAM CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06S 30E 7	SWNW 8	NESW 18	NWSW 38	120
	SWSW 37	SESW 19		120
		Total number of acres irrigated:		120

CONDITIONS/REMARKS:

1. THIS RT. WHEN COMBINED WITH RT 35-7505 SHALL NOT EXCEED 3.61 CFS.

Split

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 35-07953 (B)

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

1. amount 0.09 cfs for IRRIGATION purposes from 4/1 to 11/1
 (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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	7	6S	30E	BINGHAM	

3. 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	
6S	30E	7							8										8

Total acres 8

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change) 35-07953A

1. amount 2.31 for IRRIGATION purposes from 4/1 to 11/1
 (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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	7	6S	30E	BINGHAM	

3. 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	
6S	30E	7									18	38	37	19					112

Total acres 112

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 35-08143

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	0.32 CFS	64.0 AF

SOURCE

GROUNDWATER

Priority: 05/18/1983

LOCATION OF POINT(S) OF DIVERSION:SESE , Sec. 7, Township 06S, Range 30E
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>
06S	30E	7	SWNE 6	SENE 4	SENEW 6	16
Total number of acres irrigated:						16

CONDITIONS/REMARKS:

1. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
2. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
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. Rights 35-07505, 35-07759 and 35-07953 are also diverted through the point of diversion described above.

0.80 cfs

3.61 cfs

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 _____ for _____ purposes from _____ 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:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

Total acres _____

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

1. amount _____ for _____ purposes from _____ 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:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

Total acres _____

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 35-08747

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	1.24 CFS	248.0 AF

SOURCE

GROUNDWATER

Priority: 04/07/1989

LOCATION OF POINT(S) OF DIVERSION:SWNW , Sec. 15, Township 06S, Range 29E
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>
06S	29E	10	NWSW 32	SWSW 30		62
Total number of acres irrigated:						62

CONDITIONS/REMARKS:

1. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
2. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
3. 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 for irrigation of the lands above.
4. Right 35-07477B is also diverted through the point(s) of diversion described above..

Split

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 35-08747(B)

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

1. amount 0.50 cfs for IRRIGATION purposes from 4/1 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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	15	6S	29E	Power	

3. 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	
6S	29E	10										25							25

Total acres 25**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** (omit if there is no change) 35-08747 A

1. amount 0.74 cfs for IRRIGATION purposes from 4/1 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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	15	6S	29E	Power	

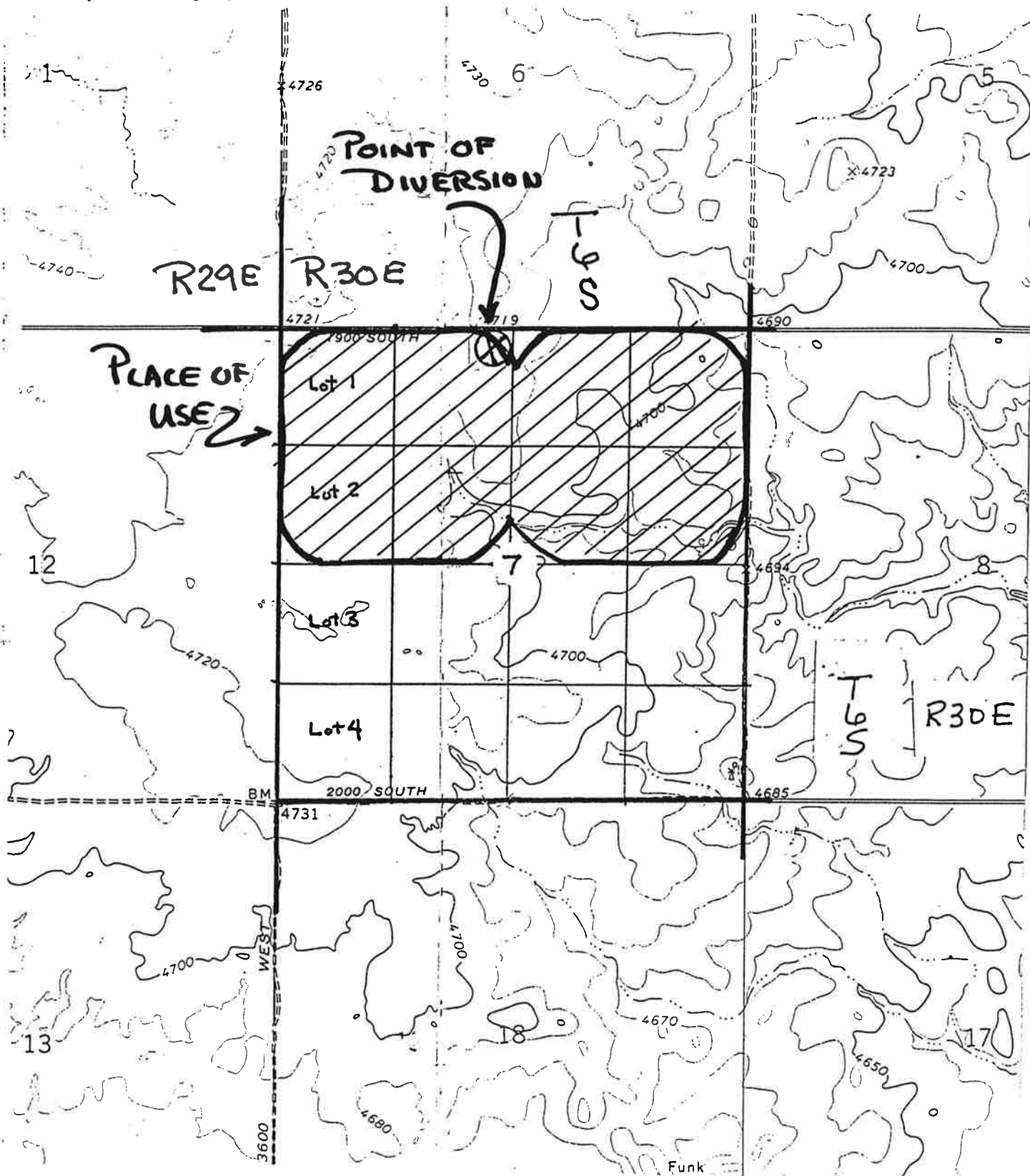
3. Lands irrigated or place of use:

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	
6S	29E	10										7	30						37

Total acres 37

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.



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.

RUFF TIMES FARMS BVA

(Signature of Applicant)

Subscribed and sworn to before me this 10th day of July, 1998.

(Notary Public)

My commission expires 2-12-2004

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee \$100.00Received by AUT #E024261 Date 7-10-98Published in Morning News Copies of protest forwarded by _____Pub. dates July 30, & Aug 6, 1998. Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____