

T5268 REYNOLDS

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 5268
WATER RIGHT NO. 34-00301E

RECEIVED
JUL 01 1999
Department of Water Resources
Eastern Region

This is to certify that: **RICHARD REYNOLDS**
RT 1 BOX 73
MOORE ID 83255

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	* 05/01 to 10/15	1.80 CFS	332.5 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BIG LOST RIVER	SINKS

Priority: 05/01/1885

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 4, Township 05N, Range 26E
BUTTE 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>
04N	26E	15	NENE 10	NWNE 35	SWNE 38	95
			SENE 12			95
Total number of acres irrigated:						95

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 34.
- * 2. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of April 20th and an ending date of October 31st at the discretion of the watermaster of Water District 34.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

TRANSFER NO. 5268
WATER RIGHT NO. 34-00301E

CONDITIONS OF APPROVAL AND REMARKS

5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Water is delivered through Eastside Canal.

Dated this 28th day of June, 1999.


Chief, Water Allocation Bureau

MEMORANDUM

TO: File 34-00301E

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5268

DATE: June 18, 1999

Transfer 5268 changes the point of diversion under Right 34-00301E. The applicant is changing his delivery system from the Moore Canal to the Eastside Canal. The watermaster of Water District 34 has endorsed approval of this change.

Recommended conditions include extended season limits, watermaster control, measuring device & lockable controlling works, irrigation overlap, and standard transfer conditions.

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant RICHARD REYNOLDS ⁽²⁰⁸⁾ Phone 527-3203
Post Office address RT 1 Box 73 Moore ID 83255

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
- Describe the reason for the proposed changes Moving from the Moore Canal to the Eastside Ditch which is approximately 100' Feet away

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

- | Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|------------------|------------------|--------------------|-------------------|-----------------------------|
| <u>34-00301E</u> | <u>5/01/1885</u> | <u>1.80 cfs</u> | <u>Irrigation</u> | <u>5-01</u> to <u>10-15</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
- Total amount of water being transferred 1.80 cubic feet per second and/or _____ acre-feet per annum.
- Source of water Big Lost River tributary to Sinks
- Point(s) of Diversion: _____

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	4	5N	26E	Butte	Eastside Canal

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	
<u>4N</u>	<u>26E</u>	<u>15</u>	<u>10</u>	<u>35</u>	<u>38</u>	<u>12</u>													<u>95</u>

Total acres 95

PART 1

6. General Information:

a. Description of diversion system Eastside ditch to lateral ditch and
pumping station to sprinklers

NA

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

NA

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

TRANS NO. 5268

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 34-00301E

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	05/01 to 10/15	1.80 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BIG LOST RIVER	SINKS

Priority: 05/01/1885

LOCATION OF POINT(S) OF DIVERSION: NWSESE , Sec. 4, Township 05N, Range 26E
BUTTE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N 26E 15	NENE 10	NWNE 35	SWNE 38	95
	SENE 12			95
		Total number of acres irrigated:		95

CONDITIONS/REMARKS:

1. WATER IS DELIVERED THROUGH MOORE CANAL.

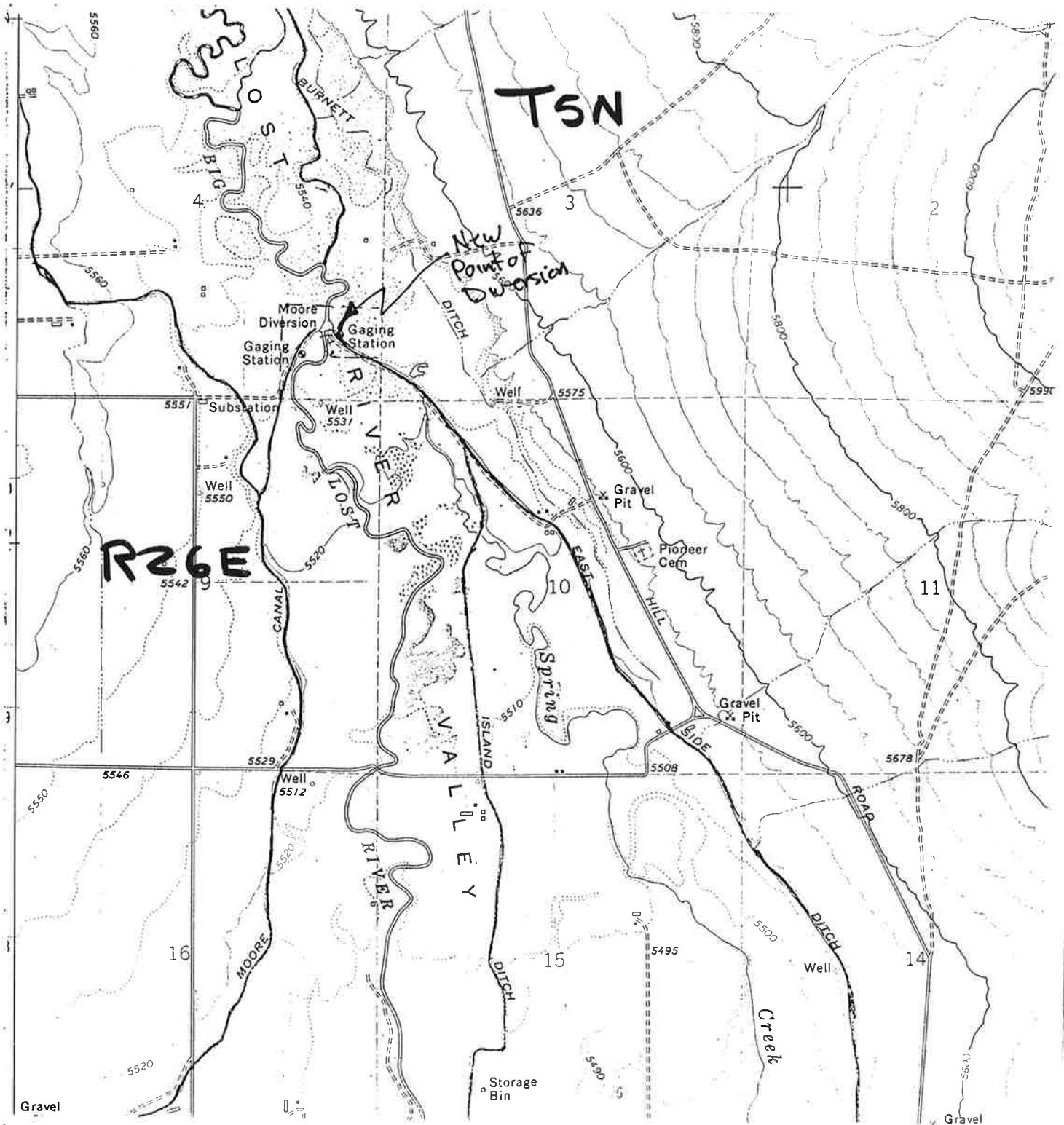
R26R



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4N

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

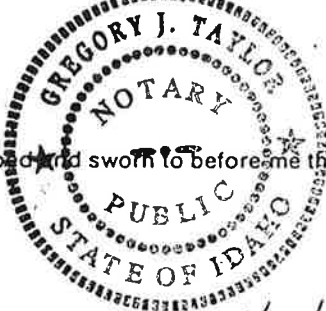
1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

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.



Subscribed and sworn to before me this

Richard D. Reynolds
 14th day of May, 19 98
 (Signature of Applicant)

Gregory J. Taylor
 (Notary Public)

My commission expires

4/28/2004

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by HWT Date 5-14-98

Protest filed by _____

Prelim. check by KCW Fee 100.00Received by HWT # E024119 Date 5-14-98Published in ARCO Advertiser

Copies of protest forwarded by _____

Pub. dates May 28 & June 4, 1998

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

_____ rec'd.

by _____

Copy of transfer sent to lien holder _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 34-00301E

1998 APR 14 PM 2:34

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: RICHARD REYNOLDS
RT 1 BOX 73
MOORE ID 83255

SOURCE: BIG LOST RIVER TRIBUTARY: SINKS

QUANTITY: 1.8 CFS

PRIORITY DATE: 05/01/1885

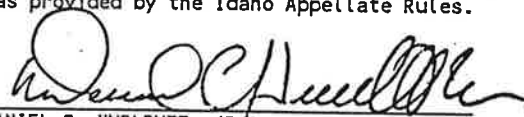
POINT OF DIVERSION: T05N R26E S04 NWESE Within BUTTE County

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	1.8 CFS

PLACE OF USE:	IRRIGATION	Within BUTTE County		
	T04N R26E S15	NENE 10	NWNE 35	SWNE 38
	95 ACRES TOTAL			SENE 12

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication