

T5267

STEWART

35-7920 C (no SRBA claim).

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

RECEIVED

NOV 16 1998

Department of Water Resources
Eastern Region

TRANSFER NO. 5267
WATER RIGHT NO. 35-07920C

This is to certify that: **REID G STEWART**
3100 W 1000 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>
IRRIGATION	04/01 to 10/31	* 1.79 CFS	** 328.0 AF

SOURCE

GROUNDWATER

Priority: 09/29/1980

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 30, Township 04S, Range 31E
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>
04S	30E	25	NESE 19	SESE 25		44
	31E	30	NESW 23	NWSW 32	SWSW 31	
			SESW 30	NWSE 26	SWSE 33	175
Total number of acres irrigated:						*** 219

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.

TRANSFER NO. 5267
WATER RIGHT NO. 35-07920C

CONDITIONS OF APPROVAL AND REMARKS

- *** 5. Right 35-07920C is limited to the irrigation of 82.0 acres in the place of use described above in a single irrigation season.
- ** *** 6. Use of Right 35-07920C with Right 35-02540 is limited to a total combined annual diversion volume of 876.0 af and to the irrigation of a combined total of 219.0 acres in a single irrigation season.
- * 7. Use of Right 35-07920C shall not exceed a total combined rate of diversion of 5.75 cfs when combined with Rights 35-02540, 35-07920B and 35-08626.

Dated this 12th day of November, 1998.

J. Glen Saxton
Chief, Water Allocation Bureau

MEMORANDUM

TO: File 35-07920C

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5267

DATE: November 5, 1998

Transfer 5267 changes the place of use under Right 35-07920C. The applicant is removing 6 of the irrigated acres from BLM land to his own property on the existing system. BLM has provided a letter approving the transfer to the applicant's property.

Diversion volume was identified according to current standards. Recommended conditions include measuring and annual reporting, irrigation overlap, permissible place of use, combined right limits and standard transfer conditions.

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES

Transfer No. 5267

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant REID STEWART Phone 208-397-4572
 Post Office address 3100 W. 1000 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 I want to rearrange my
acreage & move 6 acres from the S¹/₂ NW¹/₄ Sect 30 to
the SE¹/₂ Sect 25 & SE¹/₂ Sect 30.

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

1. Right Number 35-07920C Priority 9-29-1980 Amount (cfs/ac-ft) 1.79 cfs Nature of Use Irrigation Period of Use 4-01 to 10-31
 _____ to _____
 _____ to _____
 _____ to _____
2. Total amount of water being transferred 1.79 cubic feet per second and/or _____ 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
		NW	SW	30	4S	31E	Bingham	

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	
4S	30E	25													19			25	44
4S	31E	30									23	32	31	30		26	33		175

* Limited to 82 acres (used in combination with 35-02540) Total acres * 219

PART 1

6. General Information:

a. Description of diversion system well & pump to sprinklers

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:

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. 35-07920C

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	1.79 CFS

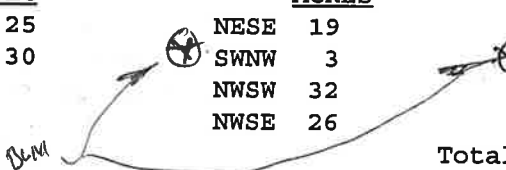
SOURCE

GROUNDWATER

Priority: 09/29/1980

LOCATION OF POINT(S) OF DIVERSION:NWSW , Sec. 30, Township 04S, Range 31E
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>
04S	30E	25	NESE	19	SESE	22			41
	31E	30	SWNW	3	SESW	3	NESW	23	
			NWSW	32	SWSW	31	SESW	27	
			NWSE	26	SWSE	33			178
									219

D.M. 

Total number of acres irrigated:

CONDITIONS/REMARKS:

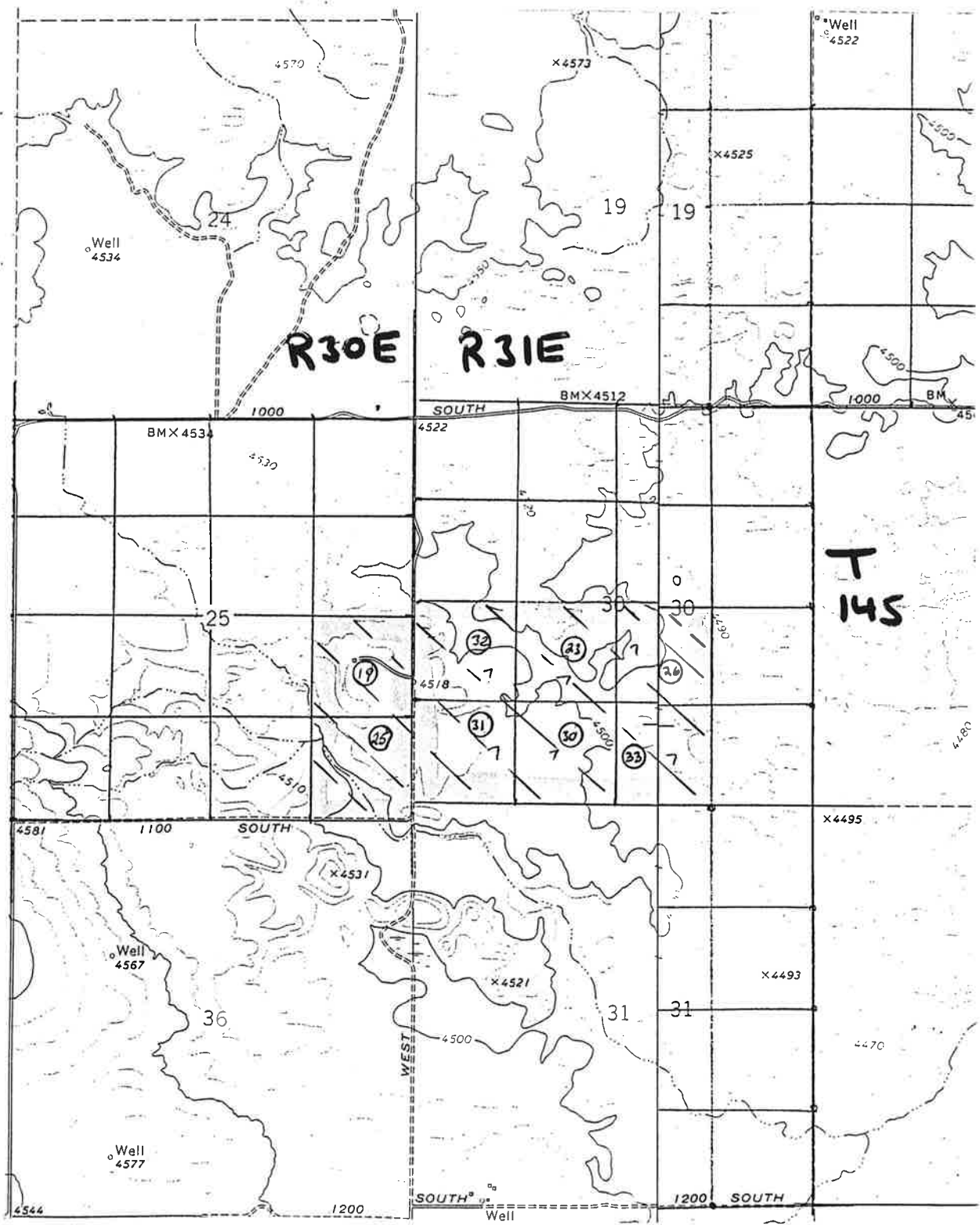
1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. 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.
5. Use of Right No. 35-07920C shall not exceed a total combined rate of diversion of 5.75 cfs when combined with Right Nos.
6. 35-02540, 35-07920B and 35-08626.
7. Use of this right with Right No. 35-02540 is limited to a total combined annual diversion volume of 876.0 af and to the irrigation of a combined total of 219.0 acres in a single irrigation season.

Water Right No. 35-07920C

8. Right No. 35-07920C is limited to the irrigation of 82.0 acres in the place of use described above in a single irrigation season.

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.



Reid S. Stevens

(Signature of Applicant)

Subscribed and sworn to before me this 15th day of May, 19 98.

Gregory J. Taylor

(Notary Public)

My commission expires

April 28, 1998

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by HWT Date 5-15-98

Protest filed by _____

Prelim. check by KW Fee \$100.00Receipted by HW #E024124 Date 5-15-98Published in Morning News

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 _____