

T#5251

AMY, LEO

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 5251
WATER RIGHT NO. 33-02116

RECEIVED
SEP 21 1998
Department of Water Resources
Eastern Region

This is to certify that: **LEO AMY**
1398 HYWAY 22-33
HOWE ID 83244

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	04/15 to 10/15	3.33 CFS	756.0 AF

SOURCE

GROUNDWATER

Priority: 05/31/1963

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 3, Township 05N, Range 29E
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>
05N	29E	2	SENW 40	NESW 40	NWSW 16	
			SESW 40	NWSE 40	SWSE 40	216
Total number of acres irrigated:						216

CONDITIONS OF APPROVAL AND REMARKS

1. 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.
2. 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.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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CONDITIONS OF APPROVAL AND REMARKS

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.

Dated this 15th day of September, 1998.

J. Drew Saylor
Chief, Water Allocation Bureau

MEMORANDUM

TO: File 33-02116

FROM: Pam Skaggs^{PS}/State Office

SUBJECT: Transfer 5251

DATE: September 14, 1998

Transfer 5251 changes the place of use under Right 33-02116. The applicant plans to install a pivot system and wants to rearrange the irrigated acres to reflect the change in systems.

Season of use and diversion volume were adjusted to reflect current standards. Recommended conditions include future measuring & annual reporting, irrigation overlap and standard transfer conditions.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5251

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant Leo Amy Phone (208) 767-3418
 Post Office address 1398 Hyway 22-33, Howe, ID 83244

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 will be selling this ground and a pivot will be installed on the rearranged place of use.

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
33-02116	05/31/1963	3.33 cfs	irrigation	04/15 to 10/15
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 3.33 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water groundwater tributary to _____

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	03	05N	29E	Butte	

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	
05N	29E	02								40	40	16		40		40	40		216

Total acres 216

PART 1

6. General Information:

a. Description of diversion system well and pump to sprinkler

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

TRANS NO. 5251

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 33-02116

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	3.33 CFS

SOURCE

GROUNDWATER

Priority: 05/31/1963

LOCATION OF POINT(S) OF DIVERSION:NESE , Sec. 3, Township 05N, Range 29E
BUTTE 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>
05N	29E	2	NESW 16	NWSW 40	SWSW 40	
			SESW 40	NWSE 40	SWSE 40	216
Total number of acres irrigated:						216

CONDITIONS/REMARKS:

1. TRANS. 2018.

SCALE: 2 inches equal 1 mile. Draw plan in ink.

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.

Leo D. Amos

(Signature of Applicant)

Subscribed and sworn to before me this 13th day of April, 19 98.

Richard H. Hill

(Notary Public)

My commission expires 8-2-99

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by AR Date 4-13-98

Protest filed by _____

Prelim. check by Kaw 4-15-98 Fee \$100⁰⁰ E024039

Receipted by Alvin Ruby Date 4/13/1998

Published in Area Advertiser

Copies of protest forwarded by _____

Pub. dates April 23 & 30, 1998

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____