

T5414 SMITH

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 5414
WATER RIGHT NO. 25-02115B

RECEIVED

MAY 12 1999

Department of Water Resources
Eastern Region

This is to certify that: **STANLEY P SMITH**
2331 S ARLINGTON RIDGE RD
ARLINGTON VA 22202

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	0.14 CFS	32.0 AF

SOURCE

GROUNDWATER

Priority: 12/10/1954

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 6, Township 03N, Range 41E
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	41E	6	SENW 2	NWSW 6		8
Total number of acres irrigated:						8

CONDITIONS OF APPROVAL AND 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 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate 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.

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CONDITIONS OF APPROVAL AND REMARKS

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.
6. 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 6th day of May, 1999.

J. Alvin Saxton
Chief, Water Allocation Bureau

MEMORANDUM

TO: File 25-02115

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5414

DATE: April 30, 1999

Transfer 5414 changes the point of diversion under a portion of Right 25-02115, splitting the right into Parts A and B. The applicant has purchased a portion of the right and wants to drill a separate well to irrigate his property.

Season of use and diversion volume was adjusted to current standards. Recommended conditions include drilling permit requirements, irrigation overlap, future measurement & annual reporting, and standard transfer conditions.

RECEIVED

MAR 01 1999

Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant

Stanley P Smith

Phone

703/739-1748

Post Office address

2331 South Arlington Ridge Road, Arlington VA 22202

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

split land ownership

2. Describe the reason for the proposed changes

Mr Smith bought a part of the POU and needs to drill his own well for irrigation.

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
- 25-02115 B 12-10-1954 0.137 IRR 4/01 to 10/31
- 0.14
- 0.14
2. Total amount of water being transferred 0.137 cubic feet per second and/or 3.2 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	06	3N	4E	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 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	
3N	4E	06								2		6							8.0

Total acres

8.0

PART 1

6. General Information:

a. Description of diversion system WELL/PUMP TO IRRIGATION

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:

NO LAND CHANGE

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. 5414

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 25-02115

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	4.00 CFS

SOURCE

GROUNDWATER

Priority: 12/10/1954

LOCATION OF POINT(S) OF DIVERSION:NESW , Sec. 6, Township 03N, Range 41E
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>
03N	41E	5	Lot 2 (NWSW)	14				14
		6	SWNE	35	SENE	24	SENE	22
			NESW	37	NWSW	22	NESE	40
			NWSE	40				220
					Total number of acres irrigated:			234

CONDITIONS/REMARKS:

(over)

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

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

1. amount 0.137 for IRR purposes from 4/01 to 10/31 B
 (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
		NW	SW	6	3N	4E	Bonneville	

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	
03N	4E	6								2		6							8

Total acres _____

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

1. amount 3.863 for IRR purposes from _____ to _____ A
 (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
		NE	SW	06	3N	4E	Bonneville	

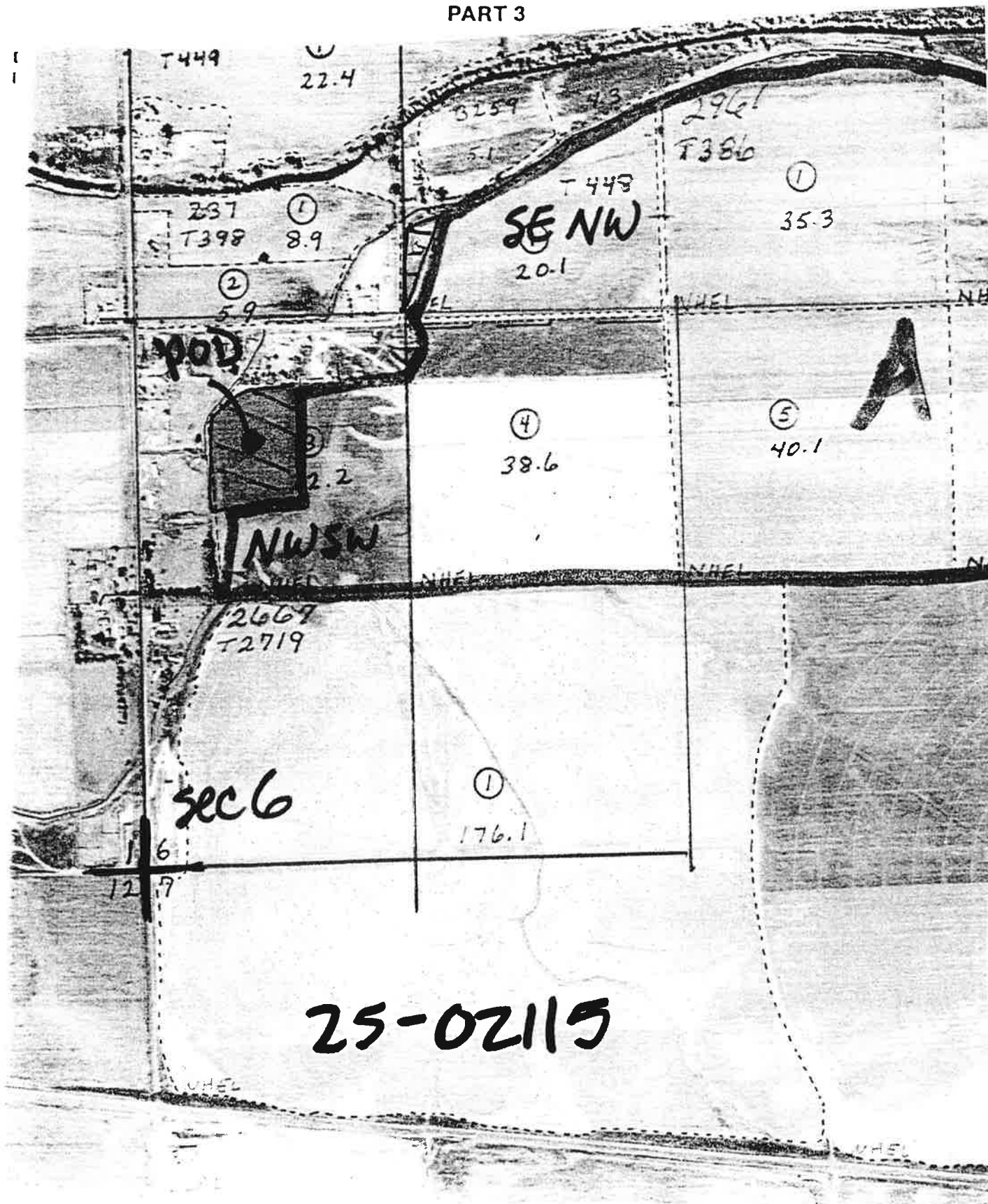
3. Lands irrigated or place of use:

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	
3N	4E	5										14							14
		6			35	24				20	37	16			40	40			212

Total acres 228

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
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PART 3

A. 1
1



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.

Stanley P. Smith
(Signature of Applicant)

Subscribed and sworn to before me this 24th day of February, 1999.

Maugh K. Sandell
(Notary Public)

My commission expires 30/Nov. 2002

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and _____ attachments

Received by HWT Date 3-2-1999 Protest filed by _____

Prelim. check by HWT Fee 100.00

Receipted by HWT # E024804 Date 3-2-1999

Published in Post Register Copies of protest forwarded by _____

Pub. dates March 18 & 25, 1999 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

