

T5557 HERITAGE DEVELOPMENT

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

RECEIVED

MAR 10 2000

TRANSFER NO. 5557
WATER RIGHT NO. 29-08173

Department of Water Resources
Eastern Region

This is to certify that: **HERITAGE DEVELOPMENT**
C/O MIKE BIRD
609 W MAPLE
POCATELLO ID 83201

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>
DOMESTIC	01/01 to 12/31	0.27 CFS	21.0 AF

SOURCE

GROUNDWATER

Priority: 07/19/1996

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 31, Township 05S, Range 34E
BANNOCK County

PLACE OF USE: DOMESTIC

TWN RGE SEC

05S 34E 31

NENE

SENE

CONDITIONS OF APPROVAL AND REMARKS

1. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
2. 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.
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.

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WATER RIGHT NO. 29-08173

CONDITIONS OF APPROVAL AND REMARKS

5. Points of diversion are located within Lot 4, Blk. 1, Equestrian Estates.
6. Places of use are located within Lots 1-3 and 5-16, Blk. 1; Lots 1-8, Blk. 2; and Lots 1-16, Blk. 3; Equestrian Estates.
7. Domestic use is for 35 homes and does not include lawn, garden, landscape, or other types of irrigation.
8. Two points of diversion are located within SENE, S31, T05S, R34E.

Dated this 6th day of

March, 2000

J. Glen Saxon

Chief, Water Allocation Bureau

50 11/22/99

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5557

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Heritage Development
c/o Mike Bird 208 Phone 234-1820

Post Office address 609 W Maple, Pocatello Id 83201

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 Correct P/L Licensing error
2. Describe the reason for the proposed changes DEQ requires a second back up well for
Subdivision (Equestrian Estates)

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>29-08173</u> | <u>07/19/1996</u> | <u>0.27 cfs</u> | <u>Domestic</u> | <u>1/1</u> to <u>12/31</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 0.27 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
		SE	NE	31	5S	34E	Bannock	Well #1 & #2

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	
5S	34E	31	D			D													

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SEP 01 1999

Department of Water Resources
Eastern Region

Total acres _____

PART 1

6. General Information:

a. Description of diversion system Two wells to pressure tanks to single domestic homes (39 units)

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:

DEQ is requiring a second well as backup.

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. 29-08173

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.27 CFS	21.0 AF

SOURCE

GROUNDWATER

Priority: 07/19/1996

LOCATION OF POINT(S) OF DIVERSION:SENE , Sec. 31, Township 05S, Range 34E
BANNOCK CountyPLACE OF USE: DOMESTICTWN RGE SEC05S 31E 31

NENE

SENE

CONDITIONS/REMARKS:

1. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
2. Point of diversion is located within Lot 4, Blk. 1, Equestrian Estates.
3. Places of use are located within Lots 1-3 and 5-16, Blk. 1; Lots 1-8, Blk. 2; and Lots 1-16, Blk. 3; Equestrian Estates.
4. Domestic use is for 35 homes and does not include lawn, garden, landscape, or other types of irrigation.

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

N/A



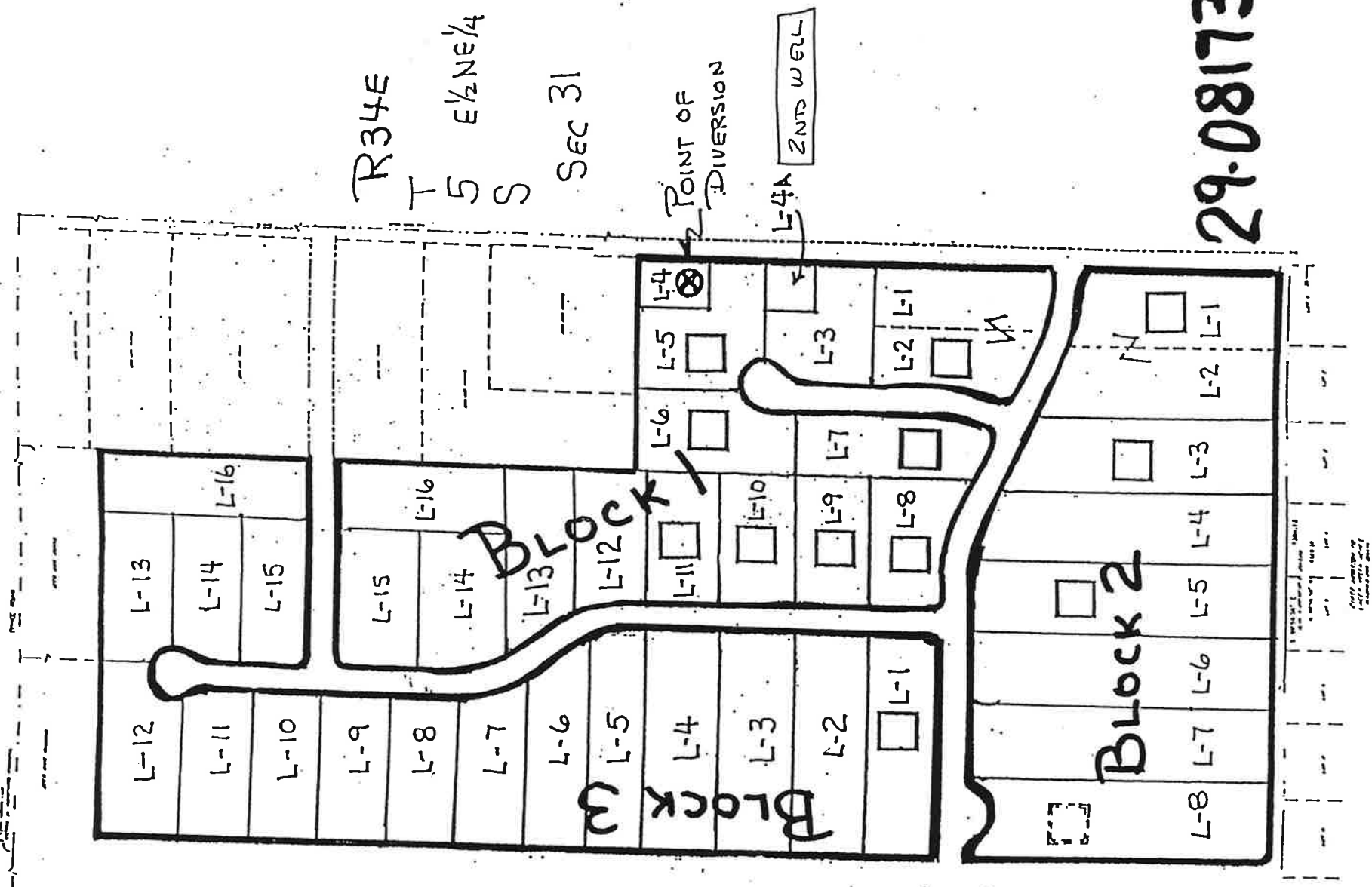
✓ Lots owned by one owner



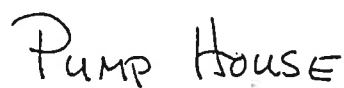
HOME AT TIME OF EXAM
8-2-1999



HOME UNDER CONSTRUCTION AT TIME OF EXAM
8-2-1999



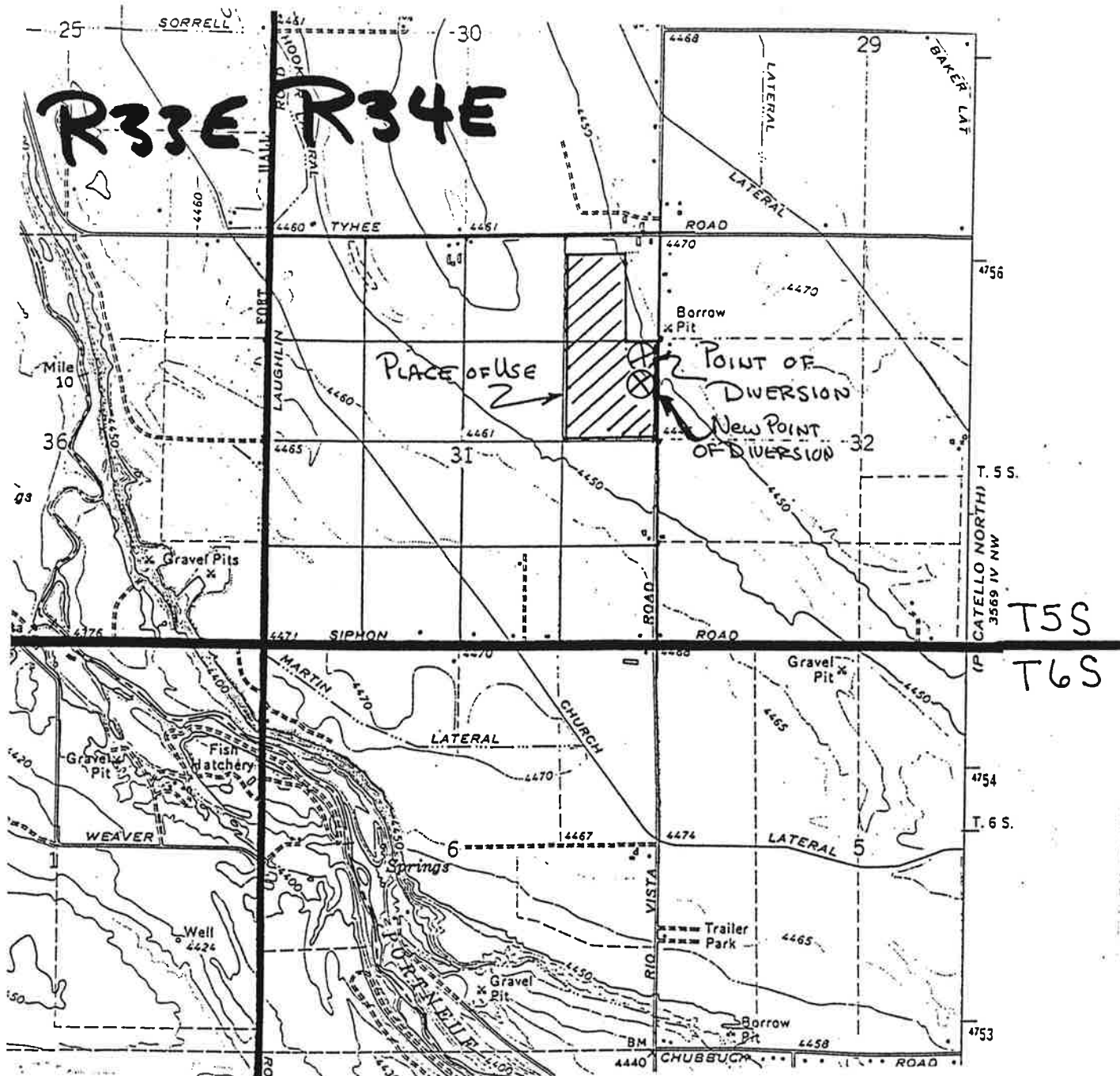
29-08173



29-08173

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.

[Signature]

(Signature of Applicant)

Subscribed and sworn to before me this 30 day of August, 1999.

[Signature]

(Notary Public)

My commission expires 11/18/02

FOR DEPARTMENT USE ONLY

Transfer contains 7 pages and _____ attachments

Received by HWT Date 9-1-99

Protest filed by _____

Prelim. check by _____ Fee #100.25

Receipted by HWT # E025266 Date 9-1-99

Published in Idaho State Journal

Copies of protest forwarded by _____

Pub. dates Sept 16 & 23, 1999

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☒ approval ☐ denial

_____ rec'd.

by ROL

Copy of transfer sent to lien holder _____