

T5579 JOHNSON

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5579
WATER RIGHT NO(S). 35-02585B/35-07593B

RECEIVED

FEB 17 2000

Department of Water Resources
Eastern Region

This is to certify that: **J WARD JOHNSON**
246 HARTERT DR
IDAHO FALLS ID 83404

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>
Right No. 35-02585B :			
STOCKWATER	01/01 to 12/31	0.86 CFS	222.4 AF
Priority: 01/04/1960			
Right No. 35-07593B :			
STOCKWATER	01/01 to 12/31	0.23 CFS	97.2 AF
Priority: 03/22/1976			
	TOTAL:	1.09 CFS	* 268.0 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 26, Township 02N, Range 36E
BONNEVILLE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

02N 36E 26

NENW

SENE

CONDITIONS OF APPROVAL AND REMARKS

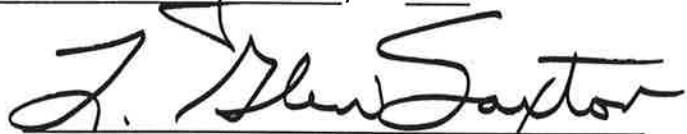
1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

TRANSFER NO. 5579
WATER RIGHT NO(S). 35-02585B/35-07593B

CONDITIONS OF APPROVAL AND REMARKS

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. Rights 35-02585B and 35-07593B when combined shall not exceed a total annual maximum diversion volume of 268.0 af.

Dated this 11th day of February, 2000.


Chief, Water Allocation Bureau

MEMORANDUM

TO: Rights 35-02585 & 35-07593
FROM: Pam Skaggs/State Office *28*
SUBJECT: Transfer 5579
DATE: February 11, 2000

Transfer 5579 changes the point of diversion, place and nature of use under a portion of Rights 35-02585 and 35-07593, splitting each right into Parts A and B. The transfer also removes 5 acres from BLM land to remove an objection in the SRBA.

The applicant is converting 67 acres of irrigated land to a feed lot for 15,000 beef cattle. The water previously used for irrigation on these acres will be changed to stockwater use for the cattle. The proposed change in nature of use will result in a reduction of consumptive use. No expansion of use will occur through this transfer.

Expedited drilling permit 35-99-E-0131-000 was issued on 11-24-99 for this transfer. Season of use was adjusted to year round stockwater use, and diversion volume identified according to current standards. Recommended conditions include measuring and annual reporting, combined right limits and standard transfer conditions.

Change in Nature of Use Evaluation

	Rate	Acres	Div. Vol.	C.U. Vol.
35-02585	3.62 cfs	234.0	(936.0 afa)	702.0 afa
Part A	2.76 cfs	178.4	(713.6 afa)	535.2 afa
Part B	0.86 cfs	Stock (55.6)	222.4 afa	3.9 afa
After	3.62 cfs	178.4	936.0 afa	539.1 afa
35-07593	0.97 cfs	258.0	(409.8 afa)	409.8 afa
Part A	0.74 cfs	196.8	(312.6 afa)	312.6 afa
Part B	0.23 cfs	Stock (61.2)	97.2 afa	1.1 afa
After	0.97 cfs	196.8	409.8 afa	313.7 afa
*****	Combined	Right	Limits	*****
35-02585 & 35-07593	4.59 cfs	282.0	1128.0 afa	846.0 afa
Part As	3.50cfs	215.0	860.0 afa	645.0 afa
Part Bs	1.09 cfs	Stock (67.0)	268.0 afa	5.0 afa
As & Bs Total	4.59 cfs	Stock & 215.0	1128.0 afa	650.0 afa

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5579

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant J. WARD JOHNSON Phone (208) 524-5801
Post Office address 246 HARPER DR. IDAHO FALLS ID 83404

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 APPLICANT WISHES TO CONVERT 67 ACRES OF IRRIGATION TO STOCKWATER USE FOR 15,000 HEAD FEED LOT. THIS TRANSFER WILL ALSO SERVE TO MOVE 5 ACRES IN THE NASW, 26-2N-36E OFF OF BLM-ADMINISTERED LAND AND ONTO PRIVATE.

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>35-02585(B)</u>	<u>1-4-1960</u>	<u>0.86 cfs</u>	<u>STOCKWATER</u>	<u>1-1</u> to <u>12-31</u>
<u>35-07593(B)</u>	<u>3-22-1976</u>	<u>0.23 cfs</u>	<u>STOCKWATER</u>	<u>1-1</u> to <u>12-31</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 1.09 cubic feet per second and/or 201 acre-feet per annum.

3. Source of water GROUND WATER tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NE	NW	26	2N	36E	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	
2N	36E	23																	
		26					S			S									

Total acres _____

PART 1

6. General Information:

a. Description of diversion system WELL, PUMP AND PIPELINES TO STOCKWATER FACILITIES
TO SERVE 15,000 HEAD FEED LOT

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

IT WILL BE DRIED UP.

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 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by: SRPA Recommendation
- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 35-02585 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:
- ☒ Tax Notice ☐ Warranty Deed ☐ Other _____
3. Source of water GROUNDWATER tributary to _____
4. Date or priority 1-4-1960
5. Water is used for the following purpose:
- amount 3.62 cfs for IRRIGATION purposes from 4-1 to 10-31
(cfs/ac-ft) _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____
6. Total amount of water under right 3.62 cubic feet per second and/or _____ acre-feet per annum.
7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NW	NE	26	2N	36E	BONNEVILLE	

8. 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	
2N	36E	25						8											8
		26	37	39	34	39	39			28	5				31	22			274

Total acres 282

9. Describe any other water rights used for the same purpose as described above 35-07593

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

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

1. amount 0.86 cfs for IRRIGATION purposes from 4-1 to 10-31
 (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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NW	NE	26	2N	36E	BONNEVILLE	

3. 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	
2N	36E	26					37			25	5								67

Total acres 67**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 2.76 cfs for IRRIGATION purposes from 4-1 to 12-31
 (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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NW	NE	26	2N	36E	BONNEVILLE	

3. 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	
2N	36E	25					8												8
		26	37	39	34	39	2		3						31	22			207

Total acres 215

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

SRBA Recommendation

a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____

dated _____ in _____ county of _____

b. License No. 35-07593 issued by the Idaho Department of Water Resources.

c. Claim No. _____ on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water GROUNDWATER tributary to _____

4. Date or priority 3-22-1976

5. Water is used for the following purpose:

amount 0.97 for IRRIGATION purposes from 4-1 to 10-31

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

6. Total amount of water under right 0.97 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NW	NE	26	2N	36E	BOONVILLE	

8. 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	
2N	36E	25						8											8
		26	37	39	34	39	39			28	5				31	22			274

Total acres 282

9. Describe any other water rights used for the same purpose as described above

35-02585

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

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

1. amount 0.23 cfs for IRRIGATION purposes from 4-1 to 12-31
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 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
	SE	NW	NE	26	2N	36E	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	
2N	36E	26					37			25	5								67

Total acres 67**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 0.74 cfs for IRRIGATION purposes from 4-1 to 10-31
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 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
	SE	NW	NE	26	2N	36E	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	
2N	36E	25					8												8
		26	37	39	34	39	2			3					31	22			207

Total acres 215

Change of Nature of Use

Irrigation to Stockwater Use

Proposed Stockwater Use:

Range Cattle: 15000 Head
Hogs: Head

Proposed Season of Use:

From: 01/01 To: 12/31

Total days per season: 365 days per year

Use Estimates: 2.00 hrs/day for 7 days/week

Volume Calculations:

AFA (Range cattle) = (Number of head) * 0.0134 = 201.00

AFA (Hogs) = (Number of head) * 0.00335 = 0.00

AFA required to supply system: 201.00 AFA

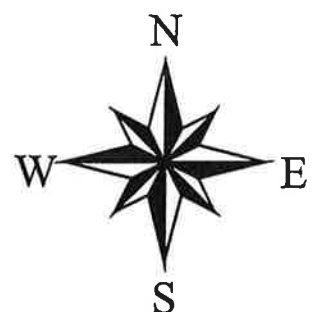
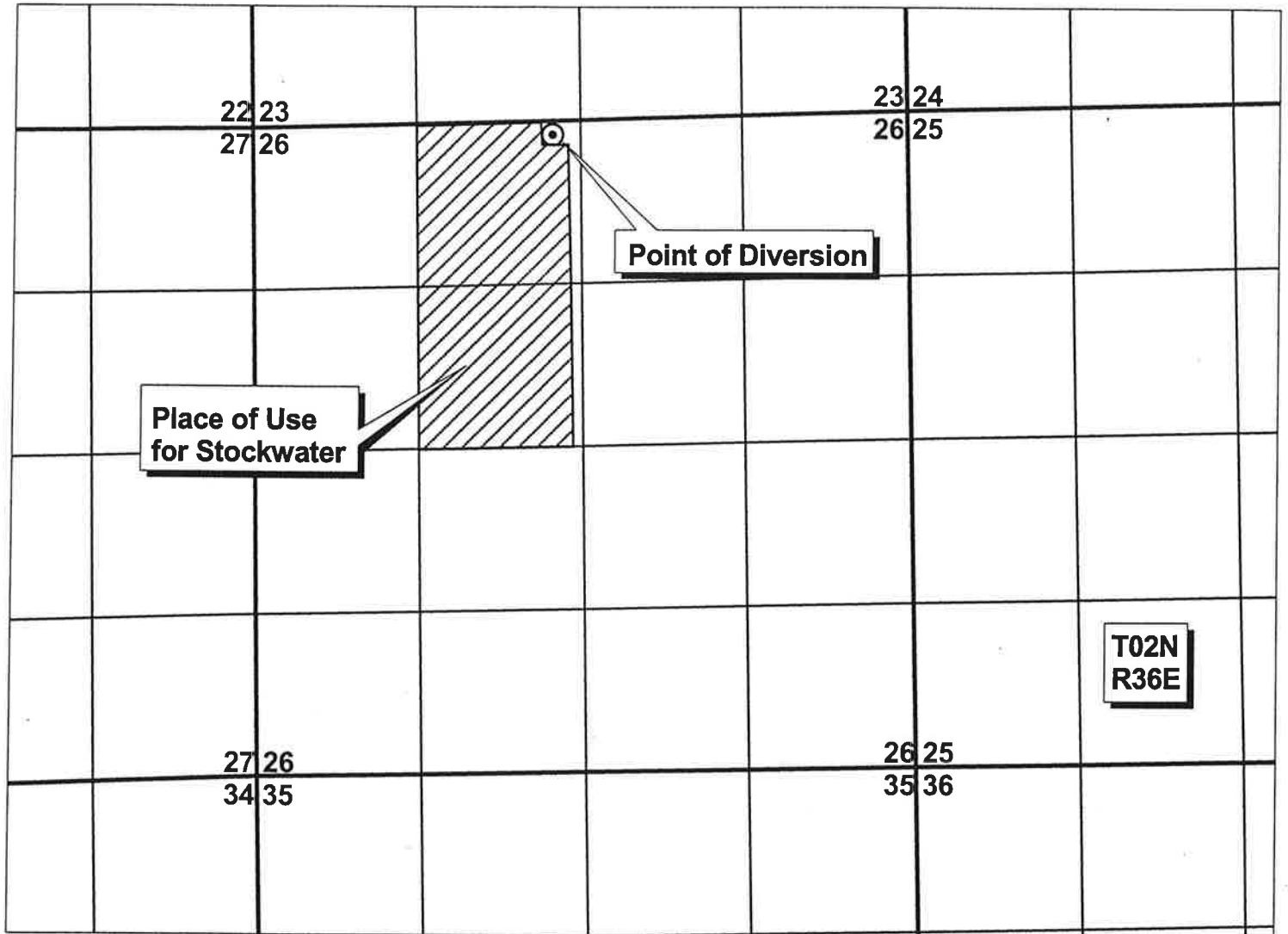
Consumptive volume per acre at former place of use: 3.00 AFA

Acres required to provide water to system: 67.0 Acres

Water Right Number(s): 35-02585
35-07593

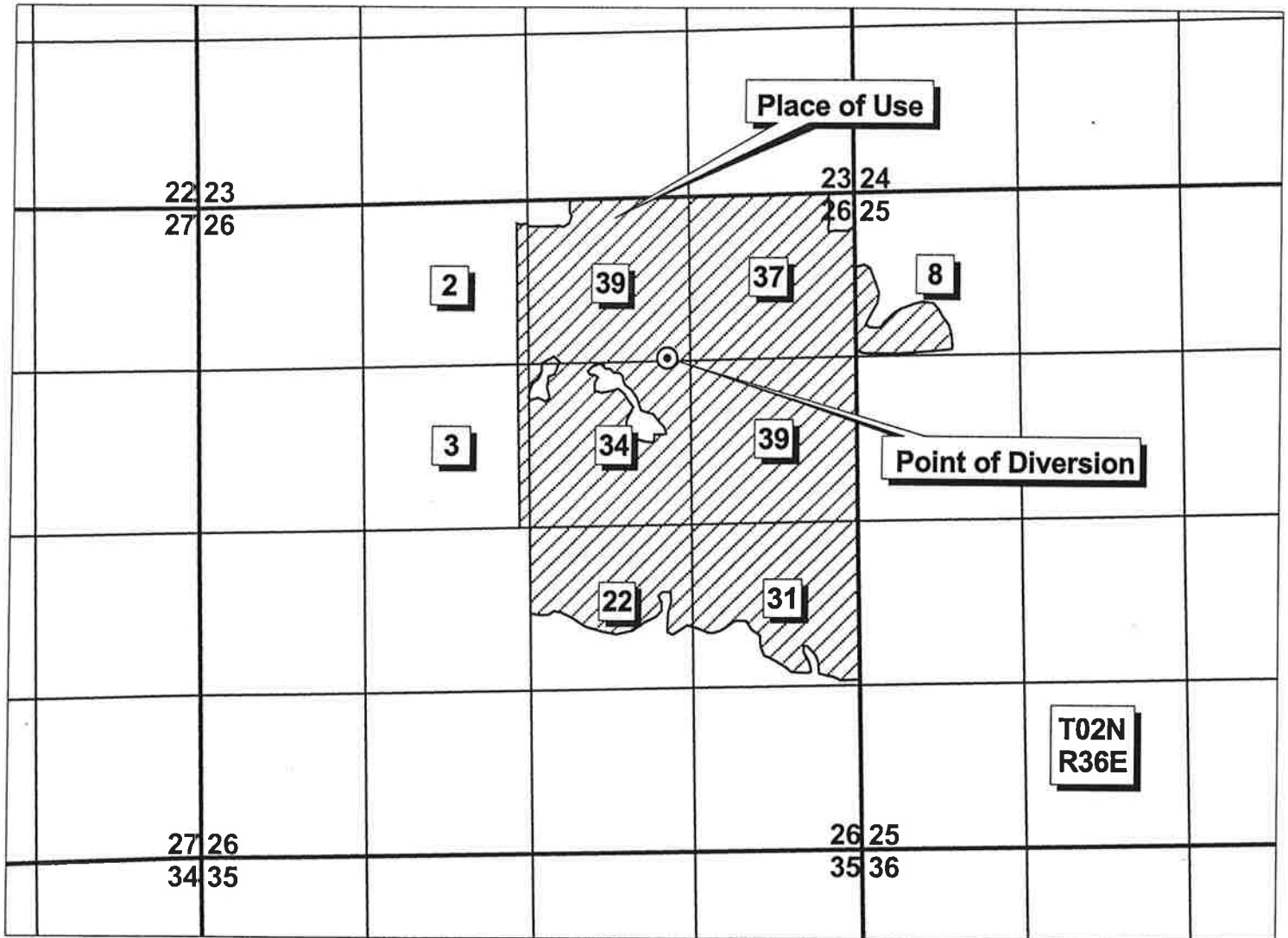
J. Ward Johnson -- Transfer 35-02585, 35-07593

Proposed Place of Use and Point of Diversion for Stockwater



J. Ward Johnson -- Transfer 35-02585, 35-07593

Remaining Place of Use After Proposed Transfer



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
	<u>Stockwater</u>	<u>*201 AFA</u>	<u>2hr/day for 365/yr.</u>	<u>1-1</u> to <u>12-31</u>
				to _____

* See Attachment

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

67 acres of 35-02585 and 35-07593 will be dried up to
provide water for this transfer

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 26th day of October, 19 99.



Wendy J. Murphy
 (Notary Public)

My commission expires

6/23/2000

FOR DEPARTMENT USE ONLY

Transfer contains 11 pages and _____ attachmentsReceived by JEM Date 10-26-99 Protest filed by _____Prelim. check by _____ Fee \$100.00 _____Receipted by JEM E025406 Date 10-26-99 _____Published in Post Register Copies of protest forwarded by _____Pub. dates Nov 4 & Nov 11, 1999 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____