

T5586 BETHIKE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 5586
WATER RIGHT NO. 35-07977A

Eastern
RECEIVED

MAR 06 2009

Department of Water Resources
Eastern Region

This is to certify that: **LARRY BETHKE**
2745 S BREDDING RD
AMERICAN FALLS ID 83211

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 11/01	2.70 CFS	684.0 AF

SOURCE

GROUNDWATER

Priority: 04/21/1981

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 29, Township 07S, Range 29E
POWER 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>
07S	29E	28	NWNW 34			34
		29	NENE 9	SENE 28	NESE 39	
			SWSE 23	SESE 38		137
Total number of acres irrigated:						171

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.

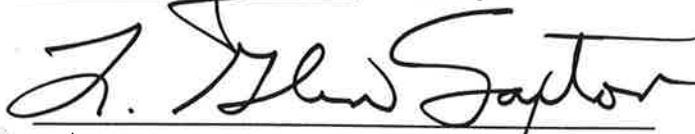


TRANSFER NO. 5586
WATER RIGHT NO. 35-07977A

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. All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

Dated this 29th day of February, 2000.


Chief, Water Allocation Bureau

MEMORANDUM

TO: Right 35-07977

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5586

DATE: February 28, 2000

Transfer 5586 changes the place of use under Right 35-07977A. The applicant is moving 23 acres from BLM land to other land that he owns. A letter was provided by BLM agreeing to the proposed change.

Recommended conditions include measuring & annual reporting, irrigation overlap and standard transfer conditions.

SD 12/16/99 #100 Tee

Page 1 of 5STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5586

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant LARRY BETHKE Phone (208) 226-2201
Post Office address 2745 S. BREIDING Rd American Falls, ID 83211

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 Re-arrange P.O.U.
2. Describe the reason for the proposed changes I'm moving 23 acres of BLM trespass water right to 23 acres I own. The land list below is still 171 acres but just rearranged.

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

1. Right Number 35-07977A Priority 4/21/1981 Amount (cfs/ac-ft) 2.70 cfs Nature of Use Irrigation Period of Use 4-01 to 11-01
2. Total amount of water being transferred 2.70 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
	SW	SE	SE	29	7S	29E	Power	

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	
7S	29E	28																	34
		29	9				28								39	23	38		137

Total acres 171

PART 1

6. General Information:

a. Description of diversion system Well + pump to sprinklerb. 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:

This is BCM Land + will not be irrigated or
farmed in the future.

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. 5586

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. X35-07977A /TR5369

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	2.70 CFS	684.0 AF

SOURCE

GROUNDWATER

Priority: 04/21/1981

LOCATION OF POINT(S) OF DIVERSION:SWSESE , Sec. 29, Township 07S, Range 29E
POWER 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>
07S	29E	28	NWNW 34	SWNE 12	SENE 28	34
		29	NENE 9	NWSE 11	SESE 38	137
			NESE 39			171

Total number of acres irrigated: 171

BLM trespass acres

CONDITIONS/REMARKS:

1. THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 35:

WATER RIGHT NO.	SOURCE
NONE	NONE

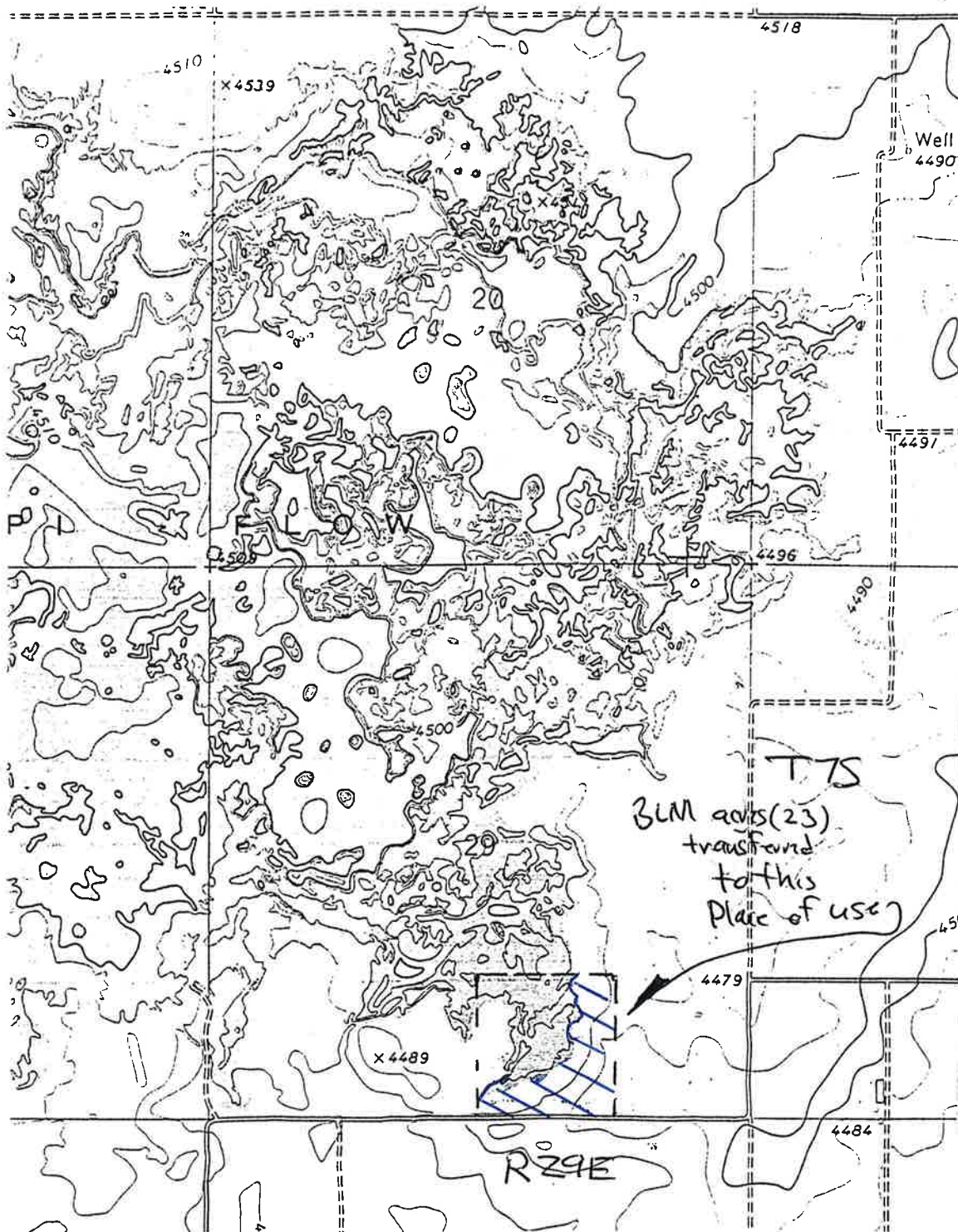
THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 35 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

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.

Subscribed and sworn to before me this 29th day of October, 19 99.

Larry Betts
(Signature of Applicant)

Joan R. Magnus
(Notary Public)

My commission expires

3/18/2002

FOR DEPARTMENT USE ONLY

Transfer contains 5 pages and _____ attachmentsReceived by HWS Date 11-2-99

Protest filed by _____

Prelim. check by _____ Fee 100.00Received by Alf #E025423 Date 11-2-99Published in Power County Press

Copies of protest forwarded by _____

Pub. dates 11-10-99 and 11-17-99

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

_____ rec'd. _____

by _____

Copy of transfer sent to lien holder _____