

**T5702 KENT SEARLE A PARTNERSHIP**

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5702  
WATER RIGHT NO(S) . 35-07000D/35-07368D

RECEIVED

MAY 22 2000

Department of Water Resources  
Eastern Region

This is to certify that: KENT SEARLE A PARTNERSHIP  
STANLEY SEARLE A PARTNERSHIP  
6267 S 55TH WEST  
IDAHO FALLS ID 83402

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. 35-07000D : |                      |                       |                      |
| IRRIGATION            | 04/01 to 10/31       | 5.82 CFS              | 1456.0 AF            |
| Priority: 07/28/1967  |                      |                       |                      |
| Right No. 35-07368D : |                      |                       |                      |
| IRRIGATION            | 04/01 to 10/31       | 1.46 CFS              | 619.7 AF             |
| Priority: 01/11/1974  |                      |                       |                      |
|                       | <b>SUBTOTAL:</b>     | <b>* 7.28 CFS</b>     | <b>1456.0 AF *</b>   |

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NENENW , Sec. 21, Township 01N, Range 36E  
NWNWNW , Sec. 21, Township 01N, Range 36E  
BINGHAM 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> |
|------------|------------|------------|--------------|----------------------------------|--------------|--------------|
| 01N        | 36E        | 16         | SWSW 19      | SESW 19                          | SWSE 19      | 57           |
|            |            | 17         | SESE 7       |                                  |              | 7            |
|            |            | 20         | NENE 38      | NWNE 15                          | SWNE 24      |              |
|            |            |            | SENE 24      | SENW 6                           |              | 107          |
|            |            | 21         | NENE 5       | NWNE 39                          | SWNE 19      |              |
|            |            |            | SENE 5       | NENW 40                          | NWNW 40      |              |
|            |            |            | SWNW 23      | SENW 22                          |              | 193          |
|            |            |            |              | Total number of acres irrigated: |              | 364 *        |

TRANSFER NO. 5702  
WATER RIGHT NO(S). 35-07000D/35-07368D

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 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.
4. 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.
- \* 5. The total instantaneous diversion of water from all points of diversion under Transfer 5702 shall not exceed 7.28 cfs, nor a total combined annual volume of 1456.0 af, nor the irrigation of 364 acres.

Dated this 18<sup>th</sup> day of May, 2000.

  
Chief, Water Allocation Bureau

Form 222  
1-87

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**

# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 1

Name of Applicant Kent Searle A Partnership and Stanley Searle A Partnership Phone (208) 523-8609  
Post Office address 6267 South 55th West, Idaho Falls, Idaho 83402

### 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 In filing Snake River Adjudication papers BLM land was included in places of use.

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

- | 1. | Right Number                                                                                                | Priority         | Amount<br>(cfs/ac-ft) | Nature<br>of Use  | Period of Use      |
|----|-------------------------------------------------------------------------------------------------------------|------------------|-----------------------|-------------------|--------------------|
|    | <u>35-7000D</u>                                                                                             | <u>7-28-1967</u> | <u>5.82</u>           | <u>Irrigation</u> | <u>4-1 to 11-1</u> |
|    | <u>35-7368D</u>                                                                                             | <u>1-11-1974</u> | <u>1.46</u>           | <u>Irrigation</u> | <u>4-1 to 11-1</u> |
| 2. | Total amount of water being transferred <u>7.28</u> cubic feet per second and/or _____ acre-feet per annum. |                  |                       |                   |                    |
| 3. | Source of water <u>groundwater</u> tributary to _____                                                       |                  |                       |                   |                    |
| 4. | Point(s) of Diversion: _____                                                                                |                  |                       |                   |                    |

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total Acres 364

6. General Information:

- a. Description of diversion system Wells and pumps, low pressure pivot irrigation

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? 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 effect on the land now irrigated if the place of use is changed pursuant to this transfer:  
The ground is to be returned to its natural state by order of BLM.

d. Remarks:  
3 acres trespass (BLM) in the NENW Sec 20 is being moved.

**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 \_\_\_\_\_, 2000.

## PART 2

TRANS NO. 5702

## A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 35-07368D

STAGE: LICENSE

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> |
|-----------------------|----------------------|-----------------------|
| IRRIGATION            | 04/01 to 10/31       | 1.46 CFS              |

SOURCE

GROUNDWATER

Priority: 01/11/1974

LOCATION OF POINT(S) OF DIVERSION:

NENENW , Sec. 21, Township 01N, Range 36E  
 NWNWNW , Sec. 21, Township 01N, Range 36E  
 BINGHAM County

PLACE OF USE:

## IRRIGATION

|     |     |    |   | NE   |      |      |      | NW |      |      |      | SW   |    |      |      | SE   |      |    |      |      |      |      |             |     |       |       |
|-----|-----|----|---|------|------|------|------|----|------|------|------|------|----|------|------|------|------|----|------|------|------|------|-------------|-----|-------|-------|
|     |     |    |   | NENE | NWNE | SWNE | SENE | :  | NENW | NWNW | SWNW | SENW | :  | NESW | NWSW | SWSW | SESW | :  | NESE | NWSE | SWSE | SESE | :           | SUM |       |       |
| T   | R   | S  | : | Lt   | Ac   | Lt   | Ac   | Lt | Ac   | Lt   | Ac   | Lt   | Ac | :    | Lt   | Ac   | Lt   | Ac | Lt   | Ac   | Lt   | Ac   | Lt          | Ac  | :     |       |
| 01N | 36E | 16 | : |      |      |      |      | :  |      |      |      |      |    | :    |      |      | 19   | 19 | :    |      |      | 19   |             | :   | 57.0  |       |
| 01N | 36E | 17 | : |      |      |      |      | :  |      |      |      |      |    | :    |      |      |      |    | :    |      |      |      | 07          | :   | 7.0   |       |
| 01N | 36E | 20 | : | 35   | 15   | 24   | 24   | :  | 03   |      |      | 06   | :  |      |      |      |      | :  |      |      |      |      |             | :   | 107.0 |       |
| 01N | 36E | 21 | : | 05   | 39   | 19   | 05   | :  | 40   | 40   | 23   | 22   | :  |      |      |      |      | :  |      |      |      |      |             | :   | 193.0 |       |
|     |     |    |   |      |      |      |      |    |      |      |      |      |    |      |      |      |      |    |      |      |      |      | TOTAL ACRES |     |       | 364.0 |

*BLM*

CONDITIONS/REMARKS:

1. USE OF THIS RIGHT WITH RIGHT NO. 35-07000D IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.28 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1456 AF.
2. USE OF THIS RIGHT WITH RIGHT NO. 35-07000D IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 364 ACRES IN A SINGLE IRRIGATION SEASON.
3. RIGHT NO. 35-07000D IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

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

Claim No. 35-07368D

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:

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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 \_\_\_\_\_

## PART 2

TRANS NO. 5702

## A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 35-07000D

STAGE: LICENSE

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> |
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SOURCE

GROUNDWATER

Priority: 07/28/1967

LOCATION OF POINT(S) OF DIVERSION:

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 NWNWNW , Sec. 21, Township 01N, Range 36E  
 BINGHAM County

PLACE OF USE:

## IRRIGATION

|     |     |    |   | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |             |       |
|-----|-----|----|---|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-------------|-------|
|     |     |    |   | NENE | NWNE | SWNE | SENE | NENW | NWNW | SWNW | SENW | NESW | NWSW | SWSW | SESW | NESE | NWSE | SWSE | SESE        |       |
| T   | R   | S  | : | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac          | SUM   |
| 01N | 36E | 16 | : |      |      |      |      |      |      |      |      |      |      | 19   | 19   |      |      | 19   |             | 57.0  |
| 01N | 36E | 17 | : |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      | 07          | 7.0   |
| 01N | 36E | 20 | : | 35   | 15   | 24   | 24   |      |      |      | 06   |      |      |      |      |      |      |      |             | 107.0 |
| 01N | 36E | 21 | : | 05   | 39   | 19   | 05   | 40   | 40   | 23   | 22   |      |      |      |      |      |      |      |             | 193.0 |
|     |     |    |   |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      | TOTAL ACRES | 364.0 |

CONDITIONS/REMARKS:

- USE OF THIS RIGHT WITH RIGHT NO. 35-07368D IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.28 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1456 AF.
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Describe any other water rights used for the same purpose as described above:

Claim No. 35-07000D

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:

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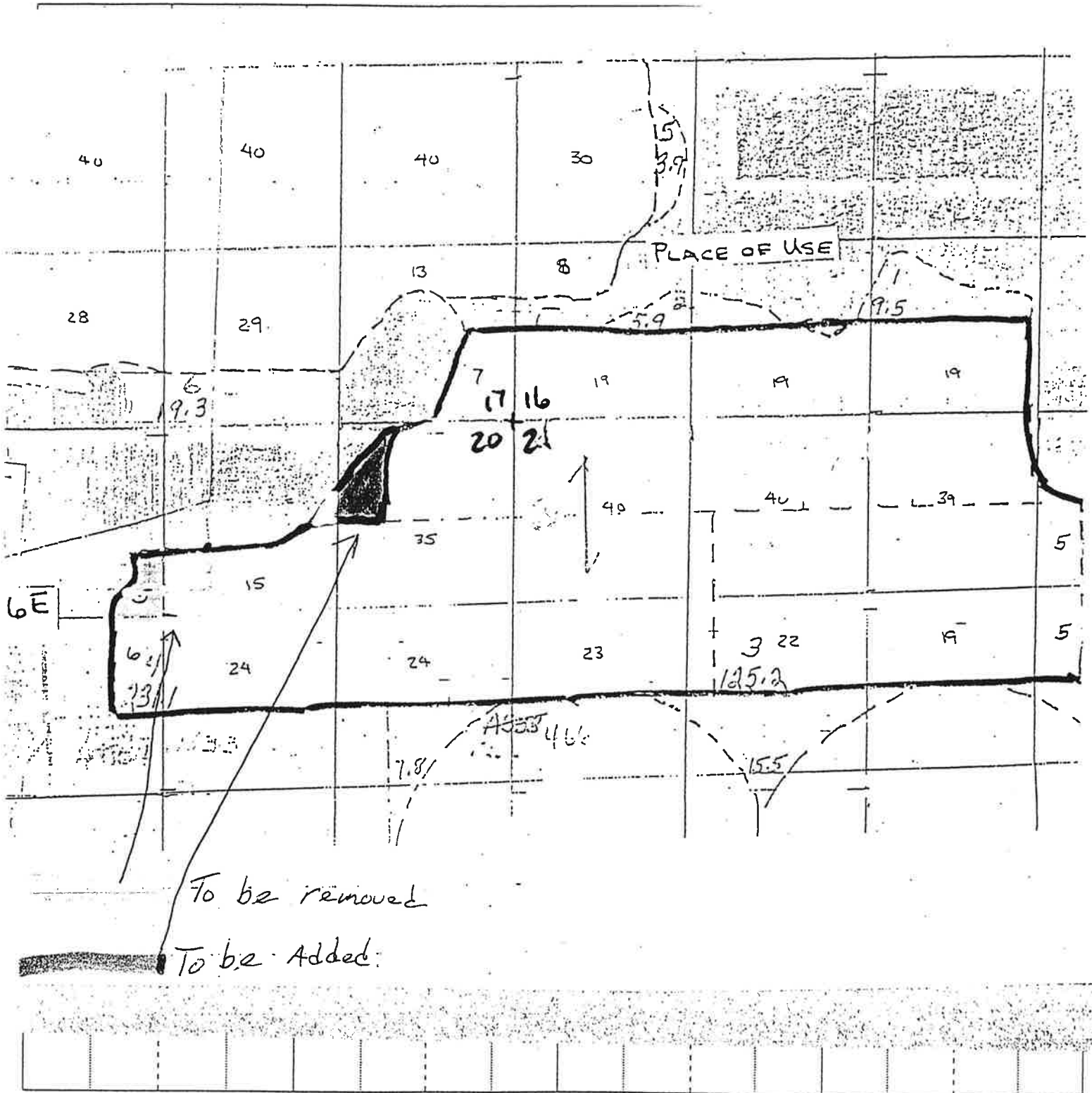
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Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice      ☐ Warranty Deed      ☐ Other \_\_\_\_\_

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 the rights described in part 1. Clearly depict the land by section, township and range number.



**B. CHANGES IN NATURE OF USE**

1. 

| <u>New Nature of Use</u> | <u>Amount</u><br>(cfs/ac-ft) | <u>Hours/days/year</u> | <u>Period of Use</u> |
|--------------------------|------------------------------|------------------------|----------------------|
| _____                    | _____                        | _____                  | _____ 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 asset 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 22 day of MARCH, 2000.

 \_\_\_\_\_  
(Signature of Applicant)

\_\_\_\_\_  
Notary Public

**FOR DEPARTMENT USE ONLY**

Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments

Received by BC Date 3-22-00 Protest filed by \_\_\_\_\_

Prelim. check by \_\_\_\_\_ Fee \$100

Receipted by BC #E025683 Date 3-22-00

Published in Morning News Copies of protest forwarded by \_\_\_\_\_

Pub. dates April 6 & 13, 2000 Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Watermaster recommendation requested on \_\_\_\_\_ Recommended for ☐ approval ☐ denial

\_\_\_\_\_ rec'd \_\_\_\_\_ by \_\_\_\_\_

Copy of transfer sent to lien holder \_\_\_\_\_