

T5701 DUFFIN

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5701
WATER RIGHT NO. 35-07616B

RECEIVED

JUL 19 76

Department of Water Resources
Eastern Region

This is to certify that: **MARK DUFFIN**
2893 S SWALLOWTAIL LANE
BOISE ID 83706

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	0.19 CFS	39.2 AF

SOURCE

GROUND WATER

Priority: 06/07/1976

LOCATION OF POINT(S) OF DIVERSION:

SWSESE , Sec. 15, Township 09S, Range 28E
POWER County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S 28E 14	SWSW 9.8			9.8
Total number of acres irrigated:				9.8

CONDITIONS OF APPROVAL AND REMARKS

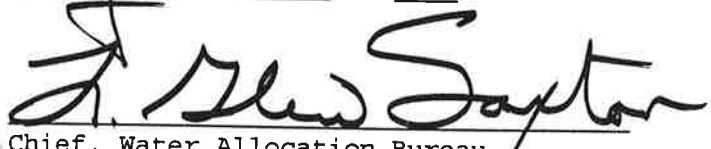
1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. This right when combined with 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.
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. All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

Dated this 12th day of July, 2000.


Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5701APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant MARK DUFFIN Phone (208) 385-0491Post Office address 2893 S SWALLOWTAIL LANE, BOISE ID 83706

A. PURPOSE OF TRANSFER

RECEIVED

MAR 13 2000

Department of Water Resources
Eastern Region

- 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 MOVE 9.8 ACRES OFF OF
-
- BLM LAND AND ONTO LAND THAT CAN NOW BE IRRIGATED.

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>35-07616B</u>	<u>6-7-1976</u>	<u>0.19 cfs</u>	<u>IRRIGATION</u>	<u>4-1</u> to <u>10-31</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred
- 0.19
- 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
	SW	SE	SE	15	9S	28E	POWER	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9S	28E	14											9.8						9.8

Total Acres 9.8

6. General Information:

a. Description of diversion system WELL WITH PUMP TO MAINLINES TO PIVOT SYSTEM AND
VARIOUS HANDLINES FOR IRRIGATION.

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

N/A 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:

LAND ADMINISTERED BY BLM WILL NO LONGER BE IRRIGATED.

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 the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____.

For the Director

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 as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 35-07616 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 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 RELEASE AGREEMENT FROM BLM3. Source of water GROUNDWATER tributary to _____4. Date or priority 6-7-1976

5. Water is used for the following purposes:

amount 1.76 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)

6. Total amount of water under right 1.76 cfs 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
	NE	SW	SW	14	9S	28E	POWER	

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

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

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.)

B

1. amount 6.19 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	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	NE	SW	SW	14	9S	28E	POWER	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9S	28E	14									5	4.8							9.8
											L-3	L-4							

Total Acres 9.8

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

1. amount 1.57 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:

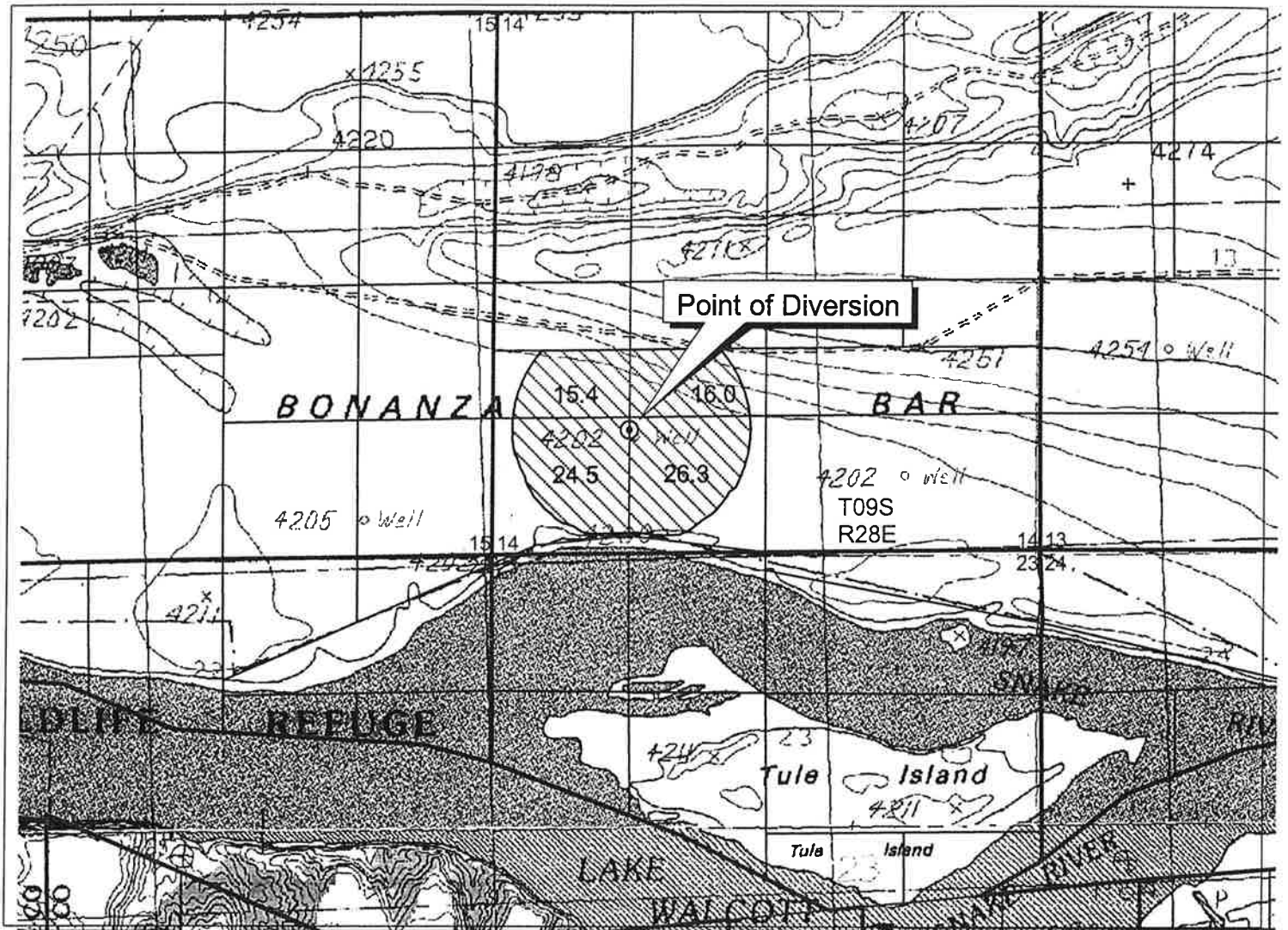
A

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	NE	SW	SW	14	9S	28E	POWER	

3. Lands irrigated or place of use:

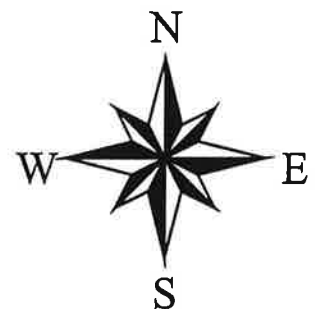
Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9S	28E	14									16	15.4	24.5	26.3					82.2

Total Acres 82.2



Sections 15, Township 09 South, Range 28 East

0.5 0 0.5 1 Miles



**Transfer 35-07616 -- Duffin
Remaining "A" Portion**

PART 3

B. CHANGES IN NATURE OF USE

1.

<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<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 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.



Mark Tupper

 (Signature of Applicant)

9th

day of

March

, 2000

Martha Longworth

 (Notary Public)

My commission expires 10-30-01

FOR DEPARTMENT USE ONLY

Transfer contains 7 pages and 2 attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by _____ Fee \$100

Received by HWS #E025590 Date 2-7-2000

Published in Power Co. Press Copies of protest forwarded by _____

Pub. Dates April 5 & 12, 2000 Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____