

T5670 TOEVS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 26 2000

Department of Water Resources
Eastern Region

TRANSFER OF WATER RIGHT

TRANSFER NO. 5670

WATER RIGHT NO(S) . 35-07857B/35-07920B/35-08606/35-08626

This is to certify that: **RITCHEY TOEVS**
2841 W 1800 S
ABERDEEN ID 83210

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. 35-07857B :			
IRRIGATION	04/01 to 10/31	1.28 CFS	256.0 AF
Priority: 05/09/1979			
Right No. 35-07920B :			
IRRIGATION	04/01 to 10/31	0.69 CFS *	188.0 AF
Priority: 09/29/1980			
Right No. 35-08606 :			
IRRIGATION	04/01 to 10/31	6.07 CFS	1214.0 AF
Priority: 07/01/1985			
Right No. 35-08626 :			
IRRIGATION	04/01 to 10/31	1.88 CFS *	516.0 AF
Priority: 02/13/1986			
	TOTAL:	9.92 CFS	2174.0 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 9, Township 06S, Range 29E
POWER County

PLACE OF USE: IRRIGATION

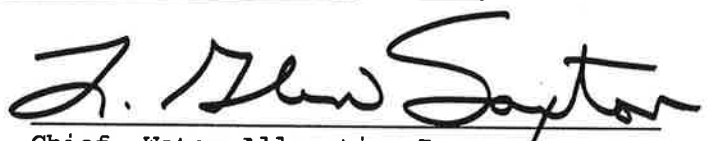
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06S	29E	8	NENE 38	NWNE 39	SWNE 40	
			SENE 39	NENW 39	SENW 39	
			NESE 39	NWSE 38	SWSE 37.5	
			SESE 38			386.5
		9	NESW 39	NWSW 40	SWSW 39	
			SESW 39			157
						Total number of acres irrigated: 543.5 **

TRANSFER NO. 5670
WATER RIGHT NO(S). 35-07857B/35-07920B/35-08606/35-08626

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.
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. Right Nos. 35-07920B and 35-08626 shall not exceed a total combined diversion rate of 5.75 cfs when combined with Right Nos. 35-02540 and 35-07920C.
- ** 7. Right No. 35-07857B is limited to the irrigation of 64.0 acres in the place of use described above in a single irrigation season.
- ** 8. Right No. 35-07920B is limited to the irrigation of 47.0 acres in the place of use described above in a single irrigation season.
- ** 9. Right No. 35-08626 is limited to the irrigation of 129.0 acres in the place of use described above in a single irrigation season.
10. Rights 35-08606 and 35-08626 are for the use of trust water and are subject to review 20 years after the issuance of the permits to determine availability of water and to re-evaluate the public interest.

Dated this 21st day of June, 2000.


Chief, Water Allocation Bureau

80 5/5/00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5670APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant Ritchey Toevs Phone (208) 397-4189Post Office address 2841 W 1800 S, Aberdeen ID 83210

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 Purchased 35-08606 To Transfer to my property
and establish a permissible place of Use

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>35-08606</u>	<u>07/01/1985</u>	<u>6.07 cfs</u>	<u>IRRIGATION</u>	<u>04/01</u> to <u>10/31</u>
<u>35-07857B</u>	<u>05/09/1977</u>	<u>1.28 cfs</u>	<u>"</u>	<u>"</u> to <u>"</u>
<u>35-07920B</u>	<u>09/29/1980</u>	<u>0.69 cfs</u>	<u>"</u>	<u>"</u> to <u>"</u>
<u>35-08626</u>	<u>02/13/1986</u>	<u>1.80 cfs</u>	<u>"</u>	<u>"</u> to <u>"</u>

2. Total amount of water being transferred 9.92 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	SW	9	6S	29E	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	
6S	29E	8	38	39	40 ^{1/2}	39	39			39					39	38	37.5	38	386.5
		9									39	40	39	39					157.0

Total Acres 543.5 ac

6. General Information:

a. Description of diversion system well pump mainline to, Two linear systems

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:

Land will be dry farmed

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

Water Right No. 35-08606

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:

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. 5670

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 35-07857B

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	1.28 CFS	256.0 AF

SOURCE

GROUNDWATER

Priority: 05/09/1979

LOCATION OF POINT(S) OF DIVERSION:SESW , Sec. 9, Township 06S, Range 29E
POWER CountyPLACE 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	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
06S	29E	9	:											:	08	04	35	35	:	40	40	39	39	:							:	240.0
																												TOTAL ACRES	240.0			

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. Prior to diversion of water under this approval, the right holder shall install a suitable measuring device or shall enter into an agreement to determine the amount of water diverted from power records and shall annually report the information.
6. Right No. 35-07857B is limited to the irrigation of 64.0 acres in

Water Right No. 35-07857B

the place of use described above in a single irrigation season.
Right Nos. 35-07920B and 35-08626 shall not exceed a total
combined diversion rate of 5.75 cfs when combined with Right Nos.
35-02540 and 35-07920C.

7. Right No. 35-07920B is limited to the irrigation of 47.0 acres in
the place of use described above in a single irrigation season.
Right No. 35-08626 is limited to the irrigation of 129.0 acres in
the place of use described above in a single irrigation season.

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

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:

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. 5670

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 35-07920B

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.69 CFS	188.0 AF

SOURCE

GROUNDWATER

Priority: 09/29/1980

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 9, Township 06S, Range 29E
POWER County

PLACE OF USE:

IRRIGATION

			<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				
			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
06S	29E	9																	
							08	04	35	35	40	40	39	39					240.0
																		TOTAL ACRES	240.0

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
2. 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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5. Prior to diversion of water under this approval, the right holder shall install a suitable measuring device or shall enter into an agreement to determine the amount of water diverted from power records and shall annually report the information.
6. Right Nos. 35-07920B and 35-08626 shall not exceed a total

Water Right No. 35-07920B

combined diversion rate of 5.75 cfs when combined with Right Nos. 35-02540 and 35-07920C.

7. Right No. 35-07920B is limited to the irrigation of 47.0 acres in the place of use described above in a single irrigation season.

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

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:

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. 5670

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 35-08626

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	1.88 CFS	516.0 AF

SOURCE

GROUNDWATER

Priority: 02/13/1986

LOCATION OF POINT(S) OF DIVERSION:SESW , Sec. 9, Township 06S, Range 29E
POWER CountyPLACE 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	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
06S	29E	9	:									:	08	04	35	35	:	40	40	39	39	:									:							:	240.0
																																TOTAL ACRES	240.0						

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
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6. Right Nos. 35-07920B and 35-08626 shall not exceed a total

Water Right No. 35-08626

combined diversion rate of 5.75 cfs when combined with Right Nos. 35-02540 and 35-07920C.

7. Right No. 35-08626 is limited to the irrigation of 129.0 acres in the place of use described above in a single irrigation season.

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

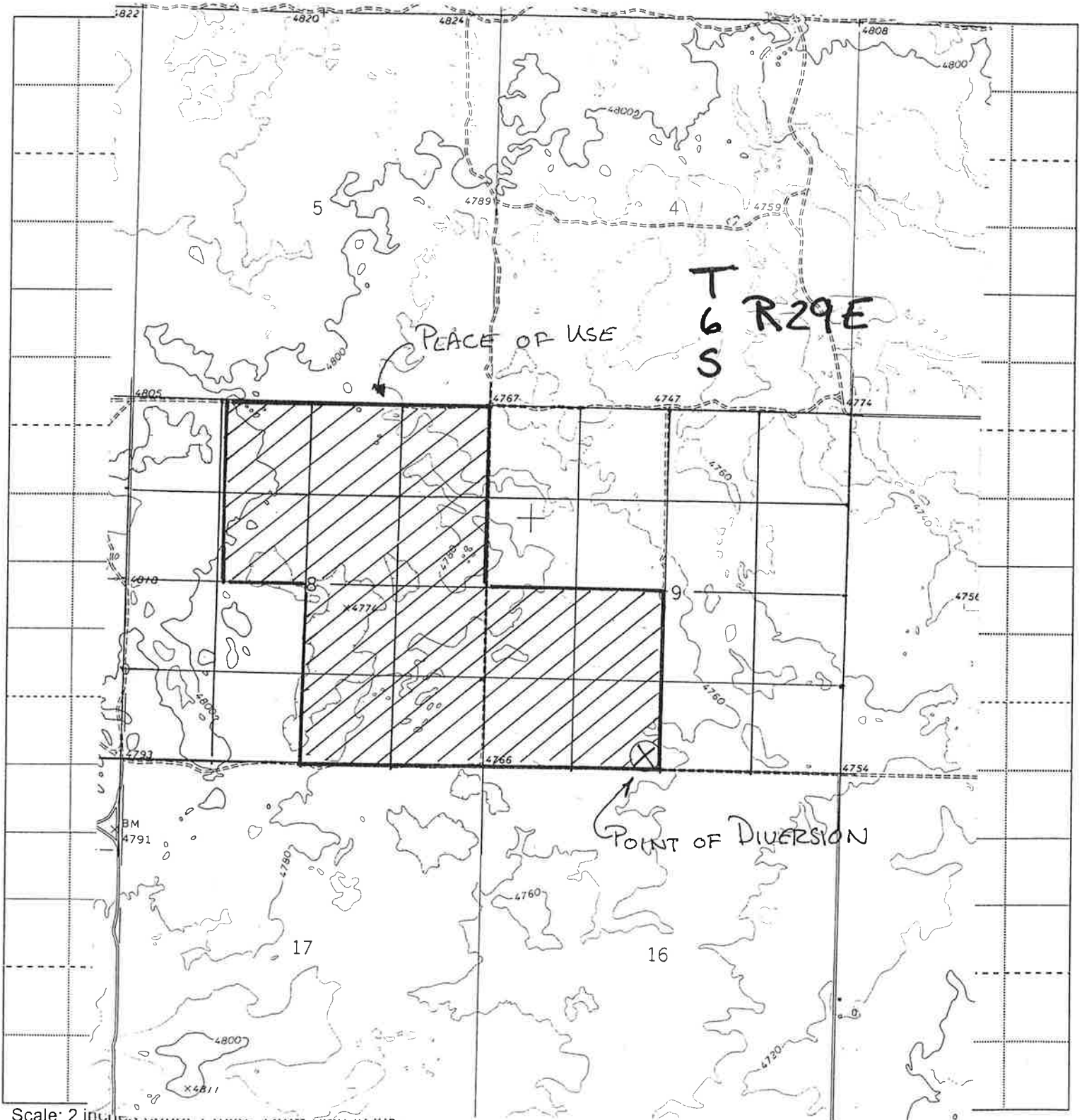
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Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION 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.



Scale: 2 inches equal 1 mile. Draw plain north.

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.

William L. Litchey Jones
 (Signature of Applicant)

Subscribed and sworn to before me this 25th day of February, 2000.

Wendy J. Murphy
 (Notary Public)

My commission expires 6/23/2000



FOR DEPARTMENT USE ONLY

Transfer contains 12 pages and 7 attachments

Received by KW Date 2-25-2000 Protest filed by _____

Prelim. Check by _____ Fee \$100.00 E025624

Receipted by KCW Date 2-25-2000

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

Pub. Dates 3-8 A 3-15-2000 Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____