

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70081

This is to certify that: SUSAN WISHNEY

PO BOX 837
BOISE ID 83701-0837
(208)336-5955

Or

DAVID WISHNEY
PO BOX 837
BOISE ID 83701-0837
(208)336-5955

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
35-7639	WR/Decreed	09/03/1976	0.25 cfs	28.8 af			GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
35-7639	NO	YES	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
35-7639	35-7639	0.25 cfs	28.8 af	N/A	N/A		N/A	N/A	N/A	N/A
TOTALS		0.25 cfs	28.8 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this

11th

day of

December, 20 02

J. Glen Saxton

Chief, Water Allocation Bureau

RECEIVED
DEC 16 2002
Department of Water Resources
Eastern Region

WATER RIGHT NO. 35-7639
As Modified by Transfer No. 70081

In accordance with the approval of Transfer No. 70081, Water Right No. 35-7639 is now described as follows.

Right Holder: SUSAN WISHNEY And
 PETER WISHNEY
 DAVID WISHNEY
 PO BOX 837
 BOISE ID 83701-0837

Priority Date: September 03, 1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	to 12/31	0.25 CFS	28.8 AF
			0.25 CFS	28.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNE Sec. 32 Twp 02S Rge 35E BINGHAM County

GROUND WATER NWNE Sec. 32 Twp 02S Rge 35E BINGHAM County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S 35E 32		X	X														

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 35-7639 shall not exceed 0.25 cfs, nor total combined annual volume of 28.8 af.
2. Prior to the diversion and use of water under Transfer approval 70081, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
3. Right 35-9067 is also diverted through the point(s) of diversion described above.
4. The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
5. All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. Domestic use is for 25 homes within Idle Wheel Mobile Estates, Parcel Number RP0344500.

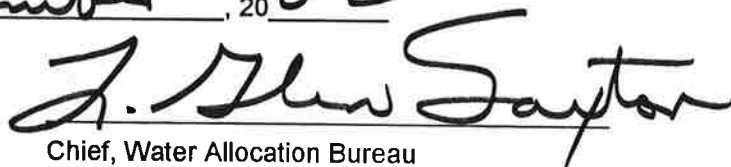
WATER RIGHT NO. 35-7639
As Modified by Transfer No. 70081

CONDITIONS OF APPROVAL

8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of December, 2002


Chief, Water Allocation Bureau

650 trees

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 70081.

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of Applicant DAVID WISHNEY, ^{OR} SUSAN WISHNEY Phone 208-336-5955
Post Office address PO BOX 837 Boise, Id 83707

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 Original POU/POD recorded in error.
should be NWNE as POD AND NWNE & SWNE as POU
Second well added via 35-9067 (Permit)

1. <u>Right Number</u>	<u>Priority</u>	<u>Amount (cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>
<u>35-7639</u>	<u>9/3/1976</u>	<u>0.25 cfs</u>	<u>domestic</u>	<u>01/01</u> to <u>12/31</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	to <u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	to <u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	to <u> </u>

2. Total amount of water being transferred 0.25 cfs cubic feet per second and/or 28.8 acre-feet per annum.

3. Source of water GW tributary to _____

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total Acres _____

PART 1

5. General Information:

a. Description of diversion system two wells to trailer Park
Idle wheels Mobile Home Park

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:

NONE - Recording error

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

250
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Part 2

T720081

Page 1

07/09/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 35-7639

WATER RIGHT NUMBER: 35-7639

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SUSAN WISHNEY PO BOX 837 BOISE, ID 83701 (208)336-5955
Current Owner	DAVID WISHNEY PO BOX 837 BOISE, ID 83701 (208)336-5955
Original Owner	IDLE WHEEL MOBILE EST PO BOX 808 BLACKFOOT, ID 83221
Current Owner	PETER E WISHNEY TRUST PO BOX 837 BOISE, ID 83701 (208)336-5955
Trustee	PETER E WISHNEY BOISE, ID 83701

Priority Date: 09/03/1976

Basis: Decreed

Status: Active

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.250 CFS	28.80 AF
	<u>Total Diversion:</u>	0.250 CFS	28.80 AF

Location of Point(s) of Diversion

GROUND WATER NE1/4NW1/4 Sec. 32, Twp 02S, Rge 35E, B.M.
BINGHAM County

Place of Use

DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S 35E 32					X												

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 35-7639

1. C12 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.
2. M02 LOCKABLE CONTROLLING WORKS OF A TYPE ACCEPTABLE TO IDWR SHALL BE PERMANENTLY INSTALLED AND MAINTAINED AS PART OF THE DIVERTING WORKS.
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

1. Explanatory PROPERTY AKA IDLE WHEEL MOBILE ESTATES PARCEL NO. RP0344500

Comments:Dates and Other Information:

Licensed Date:
Decreed Date: 1/19/1999
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Formal Action Date:
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

PART 3

Transfer No. 10061

CHANGES IN NATURE OF USE

New Nature of UseAmount(cfs/af-ft)Hours/days/yearPeriod of Use

to

to

Quantity and quality of return flows and location of discharge:

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.

David E. Wisk

(Signature of Applicant)

Subscribed and sworn to before me this

19th

day of

July, 20 02

My commission expires

9-19-07

Stephanie Porter

(Notary Public)

FOR DEPARTMENT USE ONLY

Transfer contains 5 pages and 4 attachmentsReceived by WMDate 8/1/02

Protest filed by

Prelim. Check by

Fee \$250.00Received by HWT # E028019Date 8-1-02Published in Morning News

Copies of protest forwarded by

Pub. Dates Aug 15 & 22, 2002

Hearing held by Date

Watermaster recommendations requested on

Recommended for ☒ approval ☐ denial

received

by APC

Copy of transfer sent to lien holder