

M E M O R A N D U M

Date: October 23, 2003
To: Transfer 70867
From: rwarner
Re: analysis memo

Transfer 70867 was file to add a new point of diversion in order to place the well in closer proximity to the sprinkler system

Authority to file: Applicant has entered a private contract of sale. As such the current owner has supplied a signed letter authorizing the additional point of diversion.

Water Right Validity: The right is a recently decreed right in the SRBA. Forfeiture does not appear to be an issue.

Injury to Other Water Rights: Diversions occur in the same general area before and after the transfer. Water to be used for original use (irrigation) in same general area as decreed. Checked ESPA model. New POD resides within same grid cell as original POD. No effects.

Enlargement of Use: No increase is proposed.

Local Public Interest: No negative impacts are anticipated.

Beneficial Use/Conservation of Water Resources: Sprinklers are used for irrigation.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 70867

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant Kamleh Roundy Phone 208-657-2313
Post Office address 2527 N. 66SE Montevideo ID, 83435

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 To put well closer to place of use.

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

1. Right Number 31-4090 Priority 04/14/49 Amount (cfs/ac-ft) 3.2 Nature of Use Irrigation Period of Use 4/1 to 10/31
to _____
to _____
to _____
2. Total amount of water being transferred 3.2 cubic feet per second and/or 875 acre-feet per annum.
3. Source of water Ground water tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	NE	SE	SW	20	8N	34E	Jefferson Co.	
	SE	SE	SE	19	8N	34E	Jefferson Co.	

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	
8N	34E	19													30	30	30	30	120
8N	34E	20									35	35	32	28					130

Total Acres 250

T70867

PART 1

General Information:

a. Description of diversion system Well to mainline to pivot

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:
Not changed

d. Remarks:
Add new point of diversion.

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

T70X67

page 3 of 6

Page 1

Transfer No. 70867
Receipt No. _____

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 31-4090

Priority Date: 04/14/1949
Origin: Water Right
Basis: Decreed
Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	10/31	3.20 CFS	875.0 AFA	
Total Diversion			3.20 CFS	875.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NESESW 08N 34E 20 JEFFERSON

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N 34E 19													30.0	30.0	30.0	30.0	120.0
08N 34E 20									35.0	35.0	32.0	28.0					130.0

Total Acres: 250

Conditions/Remarks:

1. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

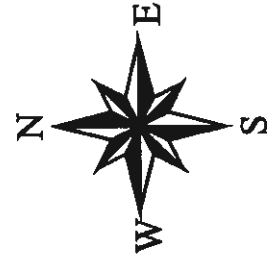
To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

see part 1
#6 b.c.d.

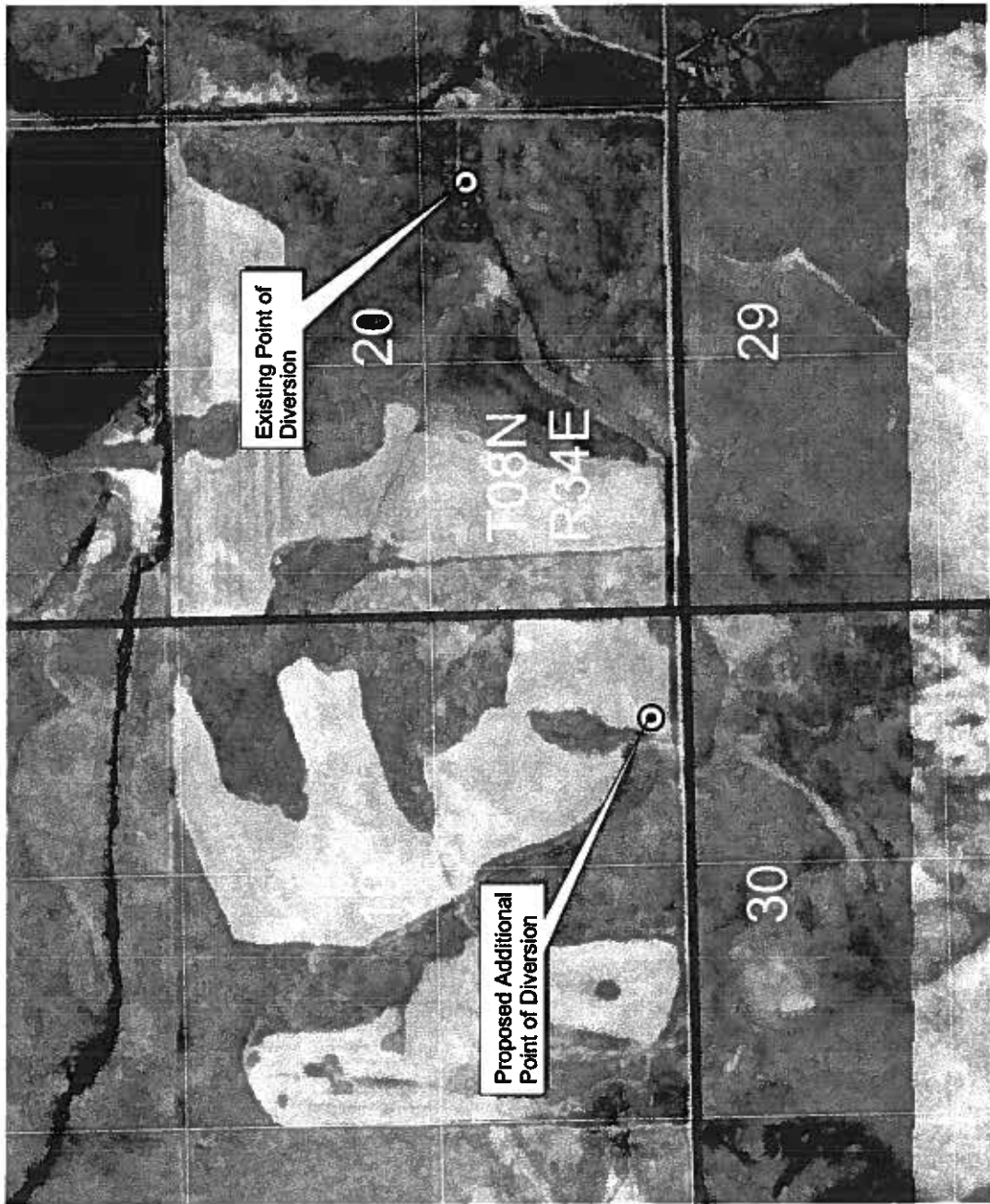
70867

Hawker/Roundy

T70867



- Well.shp
- Administrative BasinsAdminbas.shp
- Sections
- qq



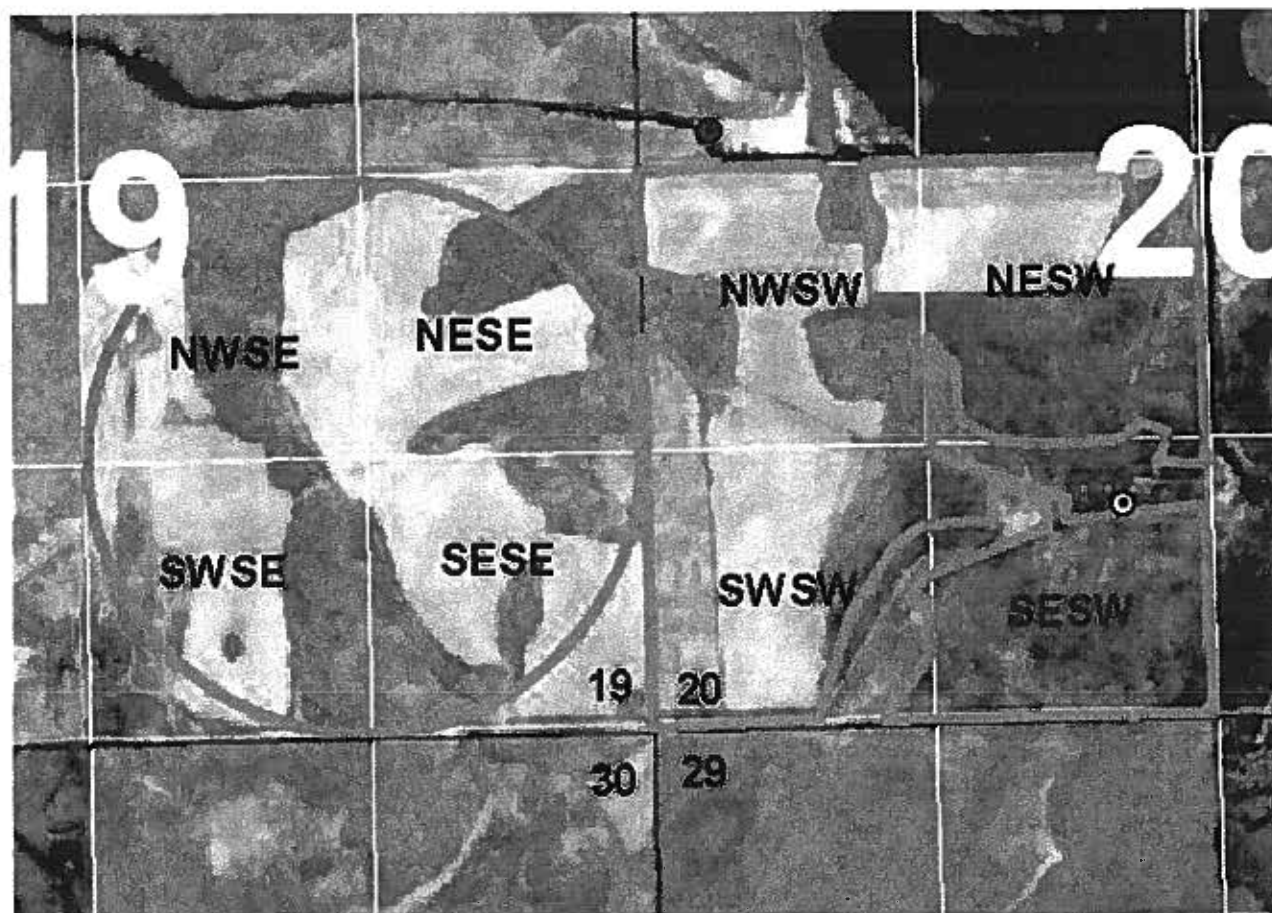
T70867

IDAHO DEPARTMENT OF WATER RESOURCES

31-04090

Hanker / Roundy.

T08N, R34E, SEC. 19, 20



1320 0 1320 Feet



ACRES IRRIGATED- 250



PLACE OF USE *



POINT OF DIVERSION

GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
PREPARED BY DAVE CARLSON

T70867

* Note: place of use to remain the same.

PART 3

1. CHANGES IN NATURE OF USE

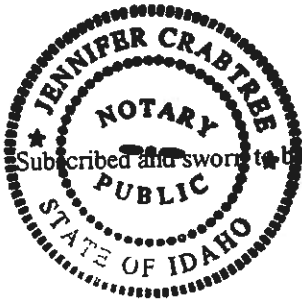
1.

<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.



Kamleh Roudy
 (Signature of Applicant)

Subscribed and sworn to before me this 16th day of October, 20 03.

Jennifer Crabtree
 (Notary Public)

My commission expires 9/23/09

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and _____ attachments

Received by KSL Date 10/16/03 Protest filed by _____

Prelim. Check by _____ Fee _____

Received by SL Date 10/29/03

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

10-16-2003

I _____ Milburn Hawker authorize
Kamlah Roundy to transact and negotiate business with
the Idaho Department of Water Resources pertaining to
the water rights and moving the point of diversion on
this farm that Kamlah is purchasing from me . the legal
description is S.E. quarter of section 19 township 8 north
range 34 east and S.W. quarter of section 20 township 8
North range 34 East.

Signed Milburn Hawker Jr. Date 10-16-03

MAKE CHECK PAYABLE TO:
MARGARET E. TREASURE
JEFFERSON COUNTY TREASURER
COURTHOUSE
RIGBY, IDAHO 83442

1998 TAX BILL/RECEIPT
BILL# 9111 CODE AREA 30-00 L

PARCEL NUMBER
RP08N34E204800A
15,600

TAX	98.15	1ST HALF DUE	TAX	98.15	2ND HALF DUE	TAX	196.30	FULL DUE	TOT MV	15,600
LATE			LATE			LATE				
INT			INT			INT				
COST			COST			COST				
TOT			TOT			TOT				

HAWKER MILBURN & LOIS 1052 E 2600 N P O BOX 2050 MONTEVIEW ID 83435	TAXING DISTRICT STATE COUNTY SCH DIST 253 ROAD/BRIDGE WT JEFF CEM W JEFF FIRE D LIBRARY DIST W. JEFF AMB AMOUNT DUE	RATE .000000000 .003554523 .007210503 .000702320 .000093221 .000483459 .000389845 .000151467 .012585338	AMOUNT 55.44 112.48 10.96 1.44 7.54 6.08 2.36 196.30
--	--	--	--

SW1/4; SEC 20,
TWP 8 NORTH RGE 34 EBM

★ ★ ★ IMPORTANT ★ ★ ★
PLEASE READ BOTH FRONT AND BACK

A PORTION OF PAYMENTS ARE REFUNDABLE
PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR
TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE
KEEP TOP PORTION FOR YOUR RECORDS
PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

THIS NOTICE FOR PROPER CREDIT
:CHECK IS YOUR RECEIPT

MAKE CHECK PAYABLE TO: 1998 TAX BILL/RECEIPT PARCEL NUMBER
MARGARET E. TREASURE RP08N34E197200A
JEFFERSON COUNTY TREASURER BILL# 9109 CODE AREA 30-00 L 12,522
COURTHOUSE

RIGBY, IDAHO 83442

TAX	1ST HALF DUE	78.77	2ND HALF DUE	78.77	FULL DUE	157.54	TOT MV	12,522
LATE	TAX							
INT	LATE							
COST	INT							
TOT	COST							
	TOT							

HAWKER MILBURN
1052 E 2600 N
P O BOX 2050
MONTEVIEW ID 83435

SEL/4: SEC 19,
TWP 8 NORTH RGE 34 EBM

TAXING DISTRICT	RATE	AMOUNT
STATE	.000000000	
COUNTY	.003554523	44.50
SCH DIST 253	.007210503	90.28
ROAD/BRIDGE	.000702320	8.78
WT JEFF CEM	.000093221	1.16
W JEFF FIRE D	.000483459	6.04
LIBRARY DIST	.000389845	4.88
W. JEFF AMB	.000151467	1.90
AMOUNT DUE	.012585338	157.54

★ ★ ★ IMPORTANT ★ ★ ★
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NG THIS NOTICE FOR PROPER CREDIT
R CHECK IS YOUR RECEIPT



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 23, 2003

Legal Notice Department
JEFFERSON COUNTY STAR
PO BOX 37
RIGBY ID 83442

RE: Transfer No. 70867
Water Right No(s). 31-4090

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before November 17, 2003. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

*Mailed
10/23/03
sc*

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 70867

KAMLAH ROUNDY, 2527 NORTH 665 EAST, MONTEVIEW ID 83435, has filed Application No. 70867 for changes to the following water rights within JEFFERSON County:

Right No. 31-4090

Priority 4/14/1949

Source GROUND WATER

Use IRRIGATION (250 acres) 3.20 CFS 875.0 AFA

Total Amount 3.20 CFS 875.0 AFA

Point(s) of Diversion NESESW S20 T08N R34E

Place of Use S19 T08N R34E
S20 T08N R34E

The purpose of the transfer is to change a portion of the above rights as follows:

The applicant wants to add a new point of diversion to be in closer proximity to his place of use. The new point of diversion would be in the SESESE Sec 19 T8N R34E.

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before November 17, 2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on October 29 and November 5, 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION
October 23, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

KAMLAH ROUNDY
2527 NORTH 665 EAST
MONTEVIEW ID 83435

RE: Application for Transfer No 70867
Water Right No(s) 31-4090

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right transfer application. Please refer to the above referenced transfer number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Jefferson Star on October 29 and November 5, 2003. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

W Roger Warner
Water Right Supervisor

WRW:sc

The Jefferson Star
Rigby, Idaho

AFFIDAVIT OF PUBLICATION

State of Idaho)
) ss
County of Jefferson)

I, Terry Carr of The Jefferson Star,
published weekly at Rigby, Jefferson
County, Idaho, do solemnly swear that the

Notice of Proposed Change of Water

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in
any supplement issue thereof for 2
consecutive issues, the first publication
having been made on Oct. 29
and the last publication having been made
on Nov. 5

Further, that said newspaper is one of gen-
eral circulation in said county; that it is a
legal newspaper, conforming to legal
specifications under the Idaho Statutes;
that it has at least two hundred bona fide
subscribers living within the county of
publication; and that it has been continu-
ously and uninterruptedly published in
said county during a period of seventy
eight consecutive weeks prior to the first
publication of the said notice.

Terry Carr

On this 5 day of NOV.
in the year of 2003, before me, a Notary
Public, personally appeared

Terry Carr,

known or identified to me to be the person
whose name subscribed to the within
instrument, and being by me first duly
sworn, declared that the statements there-
in are true, and acknowledged to me that
she executed the same.

Cristal Foster
Notary Public of Idaho
Residing at 1030 N. 100 E, Shelley, ID
My commission expires March 8, 2005

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Application No. 70867 for changes to the following water rights within JEF-
FERSON County:

Right No.	31-4090
Priority	4/14/1949
Source	GROUND WATER
Use	IRRIGATION (250 acres)
Total Amount	3.20 CFS 875.0 AFA
Point(s) of Diversion	NESESW S20 T08N R34E
Place of Use	S19 T08N R34E S20 T08N R34E

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KARL J DREHER, Director

Published in the Jefferson Star, Rigby, Idaho, Oct. 29 and Nov. 5, 2003.

RECEIVED

Department of Water Resources
Eastern Region

RECEIVED

NOV 06 2003

Department of Water Resources
Eastern Region