

MEMORANDUM

Date: May 22, 2003
To: Transfer 70561
From: dcarlson
Re: transfer evaluation

This transfer 70560 and transfer 70561 proposes to rearrange the POU for each existing well so they are linear rather than the L-shaped as they are listed now. Each decreed well will irrigate the same number of acres.

Authority to File:

Owners are the owner of record on the partial decree issued in 2002. Darline Newman was removed as an owner, when a quitclaim deed was provided for this ownership change or name change.

Water Right Validity:

These water rights were recently decreed in the SRBA-2002
Forfeiture is not an issue

Injury to Other Water Rights:

ESPA area, no change in the point of diversion. POU changed only. Transfer will be advertised to determine any protests

Enlargement of Use:

There is no evidence of enlargement of use.

Local Public Interest:

No issues identified.

Beneficial Use / Conservation of Water Resources:

No issue identified.

Review of the application finds there is not clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

1 of 7

STATE OF IDAHO
DEPT. OF WATER RESOURCES

Transfer No. 10561

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

410

Applicant O'Sullivan Farms Limited Partnership c/o Dennis O'Sullivan

Phone 657-2223

Address 499E 2300N Montevideo Id 83435

POSE OF TRANSFER

☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use

☐ Change nature of use ☐ Change period of use ☐ Other

Describe the reason for the proposed changes RE Arrange Acres or QQ's of the
POU. POU app

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

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
31-11692	3/13/1952	3.00	IRR	4/01 to 10/31
31-11696	5/22/1953	1.83	IRR	4/01 to 10/31
31-11699	4/1/1980	0.25	IRR	to

Total amount of water being transferred 4.83 cubic feet per second and/or acre-feet per annum

Source of water (GW) tributary to

Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
4	SW	NN	W	5	7N	3E	Jefferson	

lands irrigated or place of use:

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	
33E	5	39	39	40	40	39	35	40	40									312
		21	22			1-3	1-4											

Total Acres 312

10561

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PART 1

Transfer No. 70561

General Information:

Description of diversion system WELL/PUMP TO PIVOTS AND SPRINKLERS

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. NO CHANGE IN IRRIGATION FROM SERVICES

Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

NONE irrigated with another well

Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

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

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

For the Director

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04/10/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 31-11692

WATER RIGHT NUMBER: 31-11692

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	WILFORD NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Original Owner	ALFRED ANDERSON 2398 E 400 E MONTEVIEW, ID 83435 (208)657-2213
Current Owner	O SULLIVAN FARMS LIMITED PARTNERSHIP DENNIS O SULLIVAN AND SHERRY K O SULLIVAN 499 E 2300 N MONTEVIEW, ID 83435

Priority Date: 03/13/1952

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	3.000 CFS	560.00 AF
	<u>Total Diversion:</u>	3.000 CFS	560.00 AF

Location of Point(s) of Diversion

GROUND WATER L4 (SW1/4NW1/4NW1/4) Sec. 5, Twp 07N, Rge 33E, B.M.
JEFFERSON County

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	
07N	33E	5	39.0	40.0			39.0	35.0	40.0	40.0	40.0	40.0	39.0						312.0
			L 2				L 3	L 4											

Total Acres: 312

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

T70561

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 31-11692

3. C18 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.

Remarks:

1. Place of Use RIGHT NOS. 31-11692, 31-11696 AND 31-11699 ARE LIMITED TO THE IRRIGATION OF A
- Irrigation COMBINED TOTAL OF 312 ACRES IN A SINGLE IRRIGATION SEASON.
2. Quantity RIGHT NOS. 31-11692, 31-11696 AND 31-11699 ARE LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.83 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 1092 AF.
3. Explanatory RIGHT NO. 31-11699 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION
42-1426, IDAHO CODE.
4. Place of Use THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE
- Irrigation DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

Dates and Other Information:

Licensed Date:
Decreed Date: 2/22/2002
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

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04/10/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 31-11696

WATER RIGHT NUMBER: 31-11696

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	WILFORD NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	O SULLIVAN FARMS LIMITED PARTNERSHIP DENNIS O SULLIVAN AND SHERRY K O SULLIVAN 499 E 2300 N MONTEVIEW, ID 83435

Priority Date: 05/22/1953

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	1.830 CFS	476.00 AF
	<u>Total Diversion:</u>	1.830 CFS	476.00 AF

Location of Point(s) of Diversion

GROUND WATER L4 (SW1/4NW1/4NW1/4) Sec. 5, Twp 07N, Rge 33E, B.M.
JEFFERSON County

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	
07N	33E	5		39.0	40.0		39.0	35.0	40.0	40.0		40.0	39.0						312.0
				L 2				L 3	L 4										

Total Acres: 312

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. C18 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.

Remarks:

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04/10/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 31-11696

1. Place of Use - Irrigation RIGHT NOS. 31-11692, 31-11696 AND 31-11699 ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 312 ACRES IN A SINGLE IRRIGATION SEASON.
2. Quantity RIGHT NOS. 31-11692, 31-11696 AND 31-11699 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.83 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1092 AF.
3. Explanatory RIGHT NO. 31-11699 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
4. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 136 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

Dates and Other Information:

Licensed Date:
Decreed Date: 2/22/2002
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

T70561

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 31-11699

WATER RIGHT NUMBER: 31-11699

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	WILFORD NOLAN VICTOR 1528 ADDISON AVE E TWIN FALLS, ID 83301 (208)733-5217
Current Owner	O SULLIVAN FARMS LIMITED PARTNERSHIP DENNIS O SULLIVAN AND SHERRY K O SULLIVAN 499 E 2300 N MONTEVIEW, ID 83435

Priority Date: 04/01/1980

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.250 CFS	56.00 AF
	<u>Total Diversion:</u>	0.250 CFS	56.00 AF

Location of Point(s) of Diversion

GROUND WATER	L4 (SW1/4NW1/4NW1/4)	Sec. 5,	Twp 07N,	Rge 33E, B.M.
JEFFERSON County				

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	
07N	33E	5		39.0	40.0		39.0	35.0	40.0	40.0		40.0	39.0						312.0
				L 2				L 3	L 4										

Total Acres: 312

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. C11 THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 31-11699

4. C18 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.

Remarks:

1. Place of Use - Irrigation RIGHT NOS. 31-11692, 31-11696 AND 31-11699 ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 312 ACRES IN A SINGLE IRRIGATION SEASON.
2. Quantity RIGHT NOS. 31-11692, 31-11696 AND 31-11699 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.83 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1092 AF.
3. General THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NOS. 31-11692 AND 31-11696 PURSUANT TO SECTION 42-1426, IDAHO CODE.
4. Explanatory THIS RIGHT IS FOR AN ENLARGEMENT OF 16 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

Comments:

Dates and Other Information:

Licensed Date:
 Decreed Date: 2/22/2002
 Water Supply Bank Enrollment Accepted:
 Water Supply Bank Enrollment Removed:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number: 39576
 Judicial District: FIFTH
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

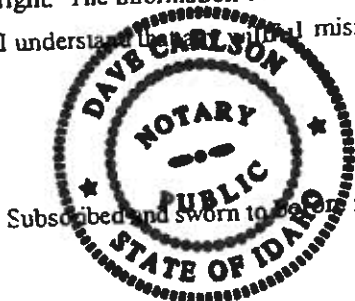
New Nature of Use	Amount(cfs/af-ft)	Hours/days/year	Period of Use
			to
			to

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 intentional misrepresentations made in this application may result in voiding its approval.



Dennis O'Sullivan
(Signature of Applicant)

Subscribed and sworn to before me this 23 day of April, 2003

Dave Carlson
(Notary Public)

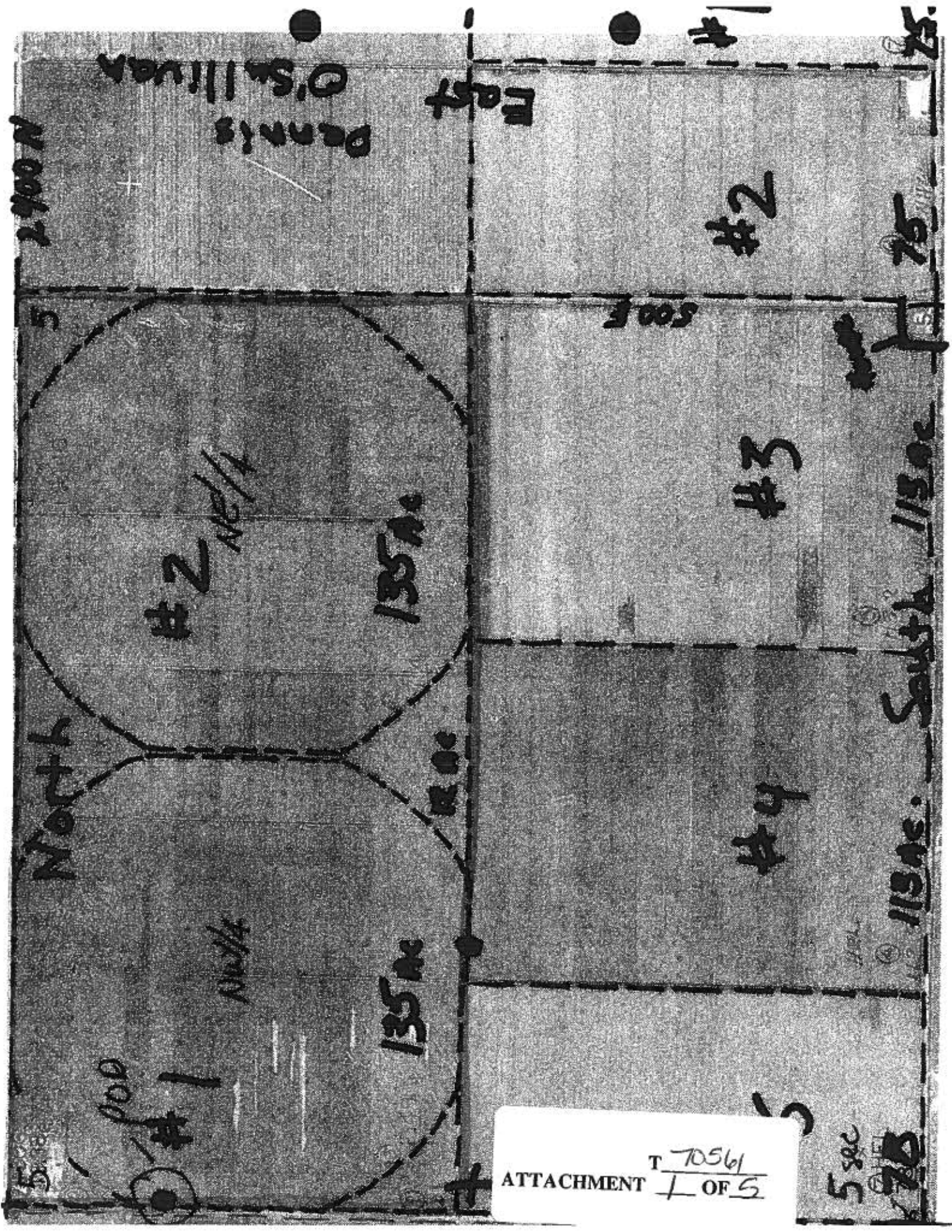
My commission expires 7/26/2008

FOR DEPARTMENT USE ONLY

Transfer contains 9 pages and 5 attachments
Received by DC Date 4/23/2007 Protest filed by _____
Prelim. Check by _____ Fee \$410 E028697
Received by DC Date 4/23/2003
Published in Jefferson Star 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 _____



ATTACHMENT T 70561
1 OF 5

W 38

1980

31

T 7N
R 33E

Well

A31-02472

3

Strip

35

40

40

39

Botrow

+

4790

4792

18

Before

4790

ATTACHMENT T 70561
2 OF 5



Idaho Secretary of State Viewing Business Entity

[[New Search](#)] [[Back to Summary](#)]

[[Get a certificate of existence for O'SULLIVAN FARMS LIMITED PARTNERSHIP](#)]

O'SULLIVAN FARMS LIMITED PARTNERSHIP

RR 1 BOX 82-A
SALMON, ID 83467

Type of Business: LIMITED PARTNERSHIP

Status: CURRENT 18 Dec 1997

State of Origin: IDAHO

Date of 18 Dec 1997

Origination/Authorization:

Current Registered Agent: SHERY KAY O'SULLIVAN
499 EAST 2300 NORTH
MONTEVIEW, ID 83435

File Number: L3602

Date of Last Annual Report: N/A

Amendments:

Amendment 0 filed 18 Dec 1997 CERTIFICATE OF LP

[View Document Online](#)
[Download \(TIFF format\)](#)

Amendment 1 filed 09 Feb 2001 OTHER - CHANGE RA/RO AND
DELETE PARTNER

[View Document Online](#)
[Download \(TIFF format\)](#)

[Idaho Secretary of State's Main Page](#)

[State of Idaho Home Page](#)

Comments, questions or suggestions can be emailed to: sosinfo@idsos.state.id.us

T 70961
ATTACHMENT 3 OF 5

~~WARRANTY DEED~~

FOR VALUE RECEIVED, Alfred Anderson and Sadie Anderson, husband and wife, of 2398 North 400 East, Montevieu, Idaho 83435, hereinafter called "Grantors", do hereby grant, bargain, sell, warrant and convey unto O'Sullivan Farms Limited Partnership, c/o Dennis O'Sullivan and Shery K. O'Sullivan, of 499 East 2300 North, Montevieu, Idaho 83435, hereinafter called "Grantee", the following described real property in Jefferson County, Idaho, to-wit:

Lots 2, 3 and 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 5, Twp. 7 N., Rge. 33 E., Boise Mer., saving and excepting therefrom the following described property:

Commencing at the Northwest corner of NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 5, Twp. 7 N., Rge. 33 E., Boise Mer., and running thence South 190 feet; thence East 240 feet; thence North 190 feet; thence West 240 feet, to the point of beginning, subject to county road along the North and West boundaries thereof, but together with residence home with domestic well, domestic water right #A31-10342, and other improvements and appurtenances, but with no irrigation water rights reserved with the residence.

Together with the irrigation well, with appurtenances, on the premises, and irrigation water rights appurtenant thereto, which are defined and clarified as follows:

On the records of the Idaho Department of Water Resources, water rights currently appurtenant to the land conveyed are represented by #A31-02472, for 6.00 cfs for irrigation, with priority date of March 13, 1952.

Grantors were formerly co-owners of the above property and water rights, and property in Sec. 7 and water rights. On the records of the Idaho Department of Water Resources, water rights currently appurtenant to the other co-owned land in Sec. 7, are represented by #A31-02474 (which is a reassigned number and includes water rights under former number #A34-02305), for 3.660 cfs for irrigation, with priority date of May 11, 1953.

Grantors and their former co-owners have agreed in an exchange of Grant Deeds which partition and divide the co-owned property, to jointly apply to the Idaho Department of Water Resources to divide equally, both as to amount of water that can be diverted and the priority date of the water rights, water rights #A31-12472 and #A31-12474. Thus the water rights conveyed herein are subject to the duty to divide the two water rights. The water appurtenant and to be appurtenant to the property conveyed herein (4.83 cfs) shall be diverted by the irrigation well on the property conveyed herein.

Subject to easements of record or in existence for public roads and utilities.

Together with any and all other improvements and appurtenances thereto, rents, issues and profits thereof, and reversions and remainders.

Grantors covenant and warrant that fee simple title to the property is conveyed to Grantee by this Deed free from all encumbrances except [1] as noted above, [2] any placed thereon by Grantee, [3] standard printed exceptions in the title policy insuring the title conveyed, and [4] accruing 1999 property taxes.

DATED This 6th day of April, 1999.

Alfred Anderson
Alfred Anderson

Sadie Anderson
Sadie Anderson

Acknowledgment

STATE OF IDAHO,)

ss.

County of Madison)

On this 6th day of April, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared **Alfred Anderson and Sadie Anderson**, husband and wife, known to me to be the persons whose names are subscribed to the within Grant Deed, and acknowledged to me that they executed the same.



Gordon B. Thatcher

Notary Public for Idaho
Residing at Rexburg, Idaho
My Commission Expires: 01-03-2003



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 18, 2003

O SULLIVAN FARMS LTD PARTNERSHIP
DENNIS O SULLIVAN AND SHERRY K O SULLIVAN
499 E 2300 N
MONTEVIEW ID 83435

RE: Application for Transfer No 70560 and 70561

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 June 25 and July 2, 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,

Harold W Jones
Water Right Supervisor

HWJ:sc



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

June 18, 2003

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

RE: Transfer No. 70560 and 70561

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 July 14, 2003. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

*Mailed
6/18/03
sc*

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 70560

O SULLIVAN FARMS LTD PARTNERSHIP, DENNIS O SULLIVAN AND SHERRY K O SULLIVAN, 499 E 2300 N MONTEVIEW ID 83435, has filed applications for changes to the following water rights within JEFFERSON County:

TRANSFER NO 70560

Right No. 31-7182A

Priority 1/22/1976

Source GROUND WATER

Use IRRIGATION (468 acres) 6.78 CFS 1,638.0 AFA

Total Amount 6.78 CFS 1,638.0 AFA

Point(s) of Diversion NWNESW S5 T07N R33E

Place of Use S4 T07N R33E
S5 T07N R33E

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

The applicant is changing the place of use within Sec 4 and 5 T7N R33E, along with transfer 70561 so this well irrigates a continuous 468 acres.

TRANSFER NO. 70561

Right No. 31-11696

Priority 5/22/1953

Source GROUND WATER

Use IRRIGATION (312 acres) 1.83 CFS 476.0 AFA

Total Amount 1.83 CFS 476.0 AFA

Point(s) of Diversion L4 (SWNWNW) S5 T07N R33E

Place of Use S5 T07N R33E

Right No. 31-11692

Priority 3/13/1952

Source GROUND WATER

Use IRRIGATION (312 acres) 3.00 CFS 560.0 AFA

Total Amount 3.00 CFS 560.0 AFA

Point(s) of Diversion L4 (SWNWNW) S5 T07N R33E

Place of Use S5 T07N R33E

Right No. 31-11699

Priority 4/1/1980

Source GROUND WATER

Use IRRIGATION (312 acres) 0.25 CFS 56.0 AFA

Total Amount 0.25 CFS 56.0 AFA

Point(s) of Diversion L4 (SWNWNW) S5 T07N R33E

Place of Use S5 T07N R33E

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

The applicant is changing the place of use within Sec 5 T7N R33E, along with Transfer 70560, so this well irrigates a continuous 312 acres.

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 July 14, 2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on June 25 and July 2, 2003

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 right

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 June 25, 2003
and the last publication having been made
on July 2, 2003

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 2 day of July
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 1032 N. 10th St, Shelley, ID
My commission expires March 8, 2005

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 70560

O SULLIVAN FARMS LTD PARTNERSHIP, DENNIS O SULLIVAN AND SHER-
RY K O SULLIVAN, 499 E 2300 N MONTEVIEW ID 83435, has filed applica-
tions for changes to the following water rights within JEFFERSON County:
TRANSFER NO. 70560

Right No. 31-71822

Priority 1/22/1978

Source GROUND WATER

Use IRRIGATION (468 acres) 8.78 CFS 1,638.0 AFA

Total Amount 8.78 CFS 1,638.0 AFA

Point(s) of Diversion NWNESW-SS-107N-R33E

Place of Use S4-107N-R33E

The purpose of the transfer is to change a portion of the above rights
as follows:
The applicant is changing the place of use within Sec 4 and 5-107N-R33E,
along with transfer 70561 so this well irrigates a continuous 468 acres.
TRANSFER NO. 70561

Right No. 31-11882

Priority 5/22/1953

Source GROUND WATER

Use IRRIGATION (312 acres) 1.83 CFS 476.0 AFA

Total Amount 1.83 CFS 476.0 AFA

Point(s) of Diversion L4 (SWNWNW)-SS-107N-R33E

Place of Use SS-107N-R33E

The purpose of the transfer is to change a portion of the above rights
as follows:
The applicant is changing the place of use within Sec 17N-R33E along
with transfer 70562 so this well irrigates a continuous 312 acres.
TRANSFER NO. 70562

Right No. 31-11882

Priority 4/1/1980

Source GROUND WATER

Use IRRIGATION (312 acres) 0.25 CFS 56.0 AFA

Total Amount 0.25 CFS 56.0 AFA

Point(s) of Diversion L4 (SWNWNW)-SS-107N-R33E

Place of Use SS-107N-R33E

The purpose of the transfer is to change a portion of the above rights
as follows:
The applicant is changing the place of use within Sec 17N-R33E along
with transfer 70563 so this well irrigates a continuous 312 acres.
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, 600 N. State St.,
Idaho Falls, ID 83402 together with a protest fee of \$25.00 for each appli-
cation on or before July 14, 2003. The protestant must also send a copy
of the protest to the applicant.

KARL J DREHER, Director

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Received
7/7/03
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Original is in
file transfer
70560