

MEMORANDUM

Date: August 11, 2003
To: Transfer 70607
From: kwilson
Re: Evaluation of Sufficiency of Information Submitted

This transfer proposes to add an existing well located in the NWSENE Sec 19, T08N, R34E, as a point of diversion to the flood irrigation system of the applicant to bring the diversion rate up to the decreed amount.

Authority to File:

Subject land and points of diversion are owned by Betty L. Adkins, who is the recorded water right owner. The file includes a deed for Betty L. Adkins.

Water Right Validity:

Validity of the rights involved: All rights involved have been recently decreed in the SRBA to the applicant. Forfeiture does not appear to be an issue.

Injury to Other water rights:

The point of diversion is an existing well approximately 0.3 miles from the place of use. The place of use and the points of diversion are all within the ESPA. The original points of diversion and the proposed point of diversion are all located within the same cell (Row 37, Column 46) in the Eastern Snake Plain Aquifer Ground Water Transfer Spreadsheet. There should be no injury to other water rights.

Enlargement of Use:

The only change proposed is an addition of an existing point of diversion to bring the flood irrigation system up to the decreed amount. There is no increase in the number of acres irrigated, and therefore should not be any enlargement of use.

Local Public Interest:

There appear to be no negative impacts anticipated.

Beneficial Use/Conservation of Water Resources:

No issues identified.

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

ge 1 of 11

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 70607

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant Betty L. Adkins Phone 208 657 2561

Post Office address 2798 N 1000E Montevideo, Idaho 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 The existing wells are not producing as much water as it did previously.

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

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>31-2334C</u>	<u>9-4-1954</u>	<u>.5</u>	<u>Irrigation</u>	<u>4-15</u>	to <u>10-15</u>
<u>31-2355</u>	<u>7-9-1956</u>	<u>.8</u>	<u>Irrigation</u>	<u>4-15</u>	to <u>10-15</u>
<u>31-2393</u>	<u>8-10-1961</u>	<u>.7</u>	<u>Irrigation</u>	<u>4-15</u>	to <u>10-15</u>

2. Total amount of water being transferred 200 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

4. Point(s) of Diversion:								
Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	NE	SE	NE	19	8N	34E	Jefferson County	Well being added
	SW	SW		17	8N	34E	Jefferson County	
	SE	SW	SE	17	8N	34E	Jefferson County	

5. Lands irrigated or place of use:

[illegible]

SCANNED

Total Acres 100

AUG 12 2003

PART 1

6. General Information:

a. Description of diversion system Well & pumps to existing flood irrigation system
consisting of ditches & portable dams

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:

N/A

d. Remarks:

This transfer is to add an existing well as an additional point of diversion to an
existing system. The well being added as an additional point of diversion is on
Mrs Adkins ranch.

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

SCANNED
AUG 12 2003

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

Current Water Right No. 31-2334C

Priority Date: 09/04/1954
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	4/15	10/15	0.50 CFS	213.0 AFA	
Total Diversion			0.50 CFS	213.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSW	08N	34E	17	JEFFERSON
GROUND WATER	SESWSE	08N	34E	17	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	17									29.0	18.0	18.0	35.0					100.0

Total Acres: 100

Conditions/Remarks:

- USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 100 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-02355, 31-02393
- THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 31-02355, 31-02393 FROM WELL IN SWSW. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 31-02355, 31-02393, 31-02256A, 31-02256B, 31-10231 FROM THE WELL IN SESWSE
- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.00 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 350 AF. COMBINED RIGHT NOS.: 31-02355, 31-02393
- THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE [APRIL 15] AND AFTER [OCTOBER 15] UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

SCANNED

AUG 12 2003

page 4 of 11

Page 2

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

Transfer No. 70607
Receipt No. _____

Current Water Right No. 31-2334C

5. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
7. 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? *NO*

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer *NO CHANGE*

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use? *NO*

70607

SCANNED

AUG 12 2003

page 5 of 11

Page 1

Transfer No. 70607
Receipt No. _____

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

Current Water Right No. 31-2355

Priority Date: 07/09/1956
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	0.80 CFS	340.0 AFA	
Total Diversion			0.80 CFS	340.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESWSE	08N 34E	17	JEFFERSON
GROUND WATER	SWSW	08N 34E	17	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 17										29.0	18.0	18.0	35.0					100.0

Total Acres: 100

Conditions/Remarks:

1. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 100 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-02334C, 31-02393
2. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 31-02334C, 31-02393 FROM WELL IN SWSW. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 31-02334C, 31-02393, 31-02256A, 31-02256B, 31-10231 FROM THE WELL IN SESWSE
3. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.00 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 350 AF. COMBINED RIGHT NOS.: 31-02334C, 31-02393
4. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

SCANNED

AUG 12 2003

Page 6 of 11

Page 2

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

Transfer No. 70607
Receipt No. _____

Current Water Right No. 31-2355

6. 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? *NO*

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer *NO CHANGE*

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use? *NO*

SCANNED

AUG 12 2003

T70607

Page 7 of 11

Page 1

Transfer No. 70607
Receipt No. _____

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

Current Water Right No. 31-2393

Priority Date: 08/10/1961
Origin: Water Right
Basis: Decreed
Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01 10/31	0.70 CFS	122.5 AFA	
	Total Diversion	0.70 CFS	122.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSW	08N 34E	17	JEFFERSON
GROUND WATER	SESWSE	08N 34E	17	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 17									29.0	18.0	18.0	35.0					100.0

Total Acres: 100

Conditions/Remarks:

1. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 100 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-02334C, 31-02355 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 35 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.00 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 350 AF. COMBINED RIGHT NOS.: 31-02334C, 31-02355
3. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 31-02334C, 31-02355 FROM WELL IN SWSW. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 31-02334C, 31-02355, 31-02256A, 31-02256B, 31-10231 FROM THE WELL IN SESWSE
4. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

SCANNED
AUG 12 2003

T70607

page 8 of 11

Page 2

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

Transfer No. 70607
Receipt No. _____

Current Water Right No. 31-2393

6. 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? *no*

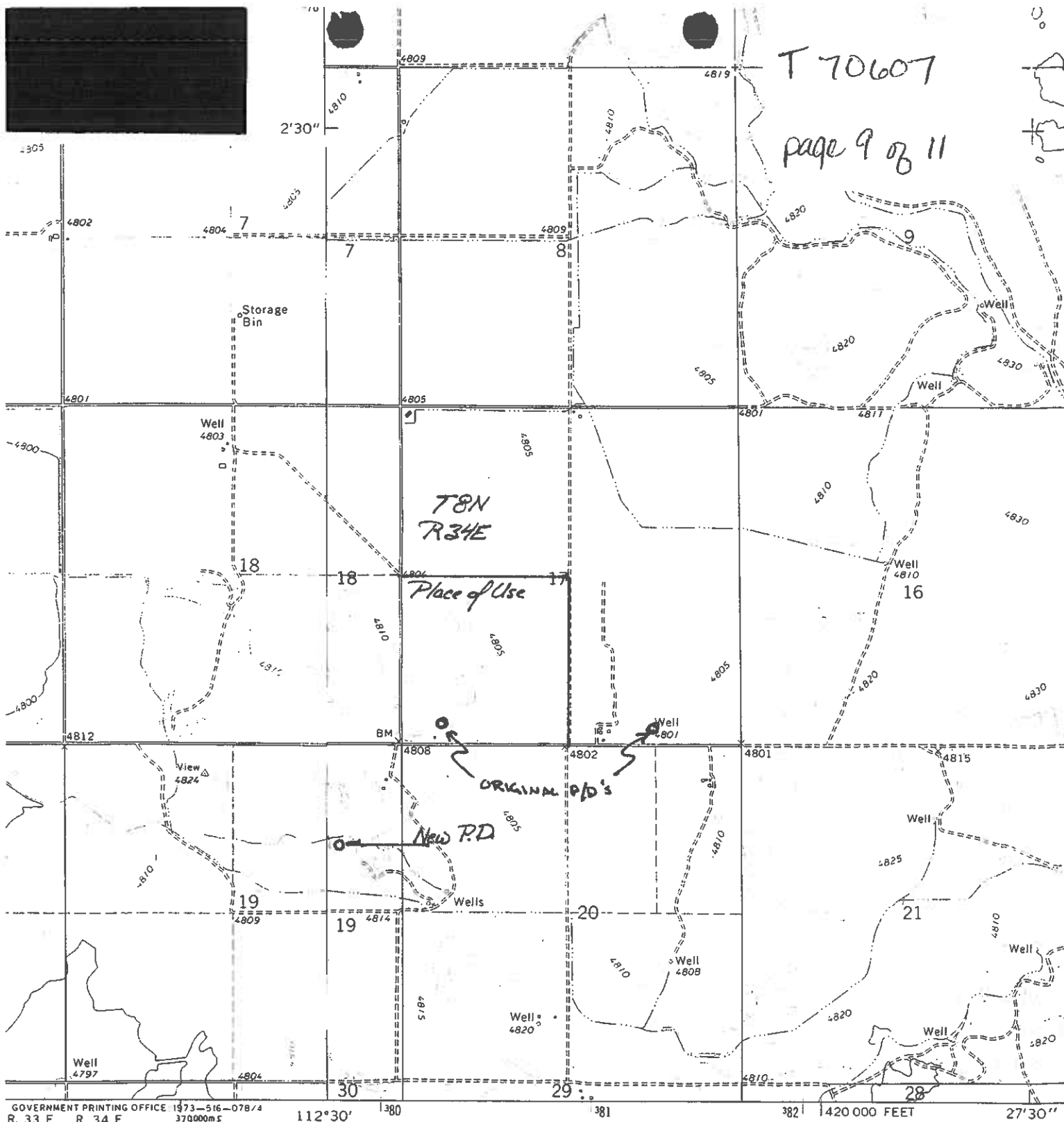
Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer *NO CHANGE*

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use? *no*

SCANNED

AUG 12 2003

T70607



GOVERNMENT PRINTING OFFICE: 1973-516-078/4
R. 33 E. R. 34 E. 379000m E.

112°30'

1380

1381

1382

1420 000 FEET

27°30''

ROAD CLASSIFICATION

Light-duty road, hard or improved surface

Unimproved road

Route U. S. Route State Route

Maped, edited, and published by the Geological Survey

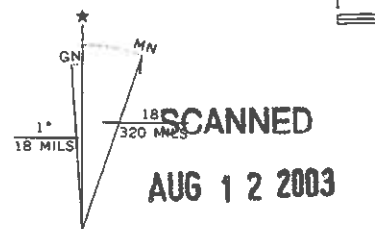
Control by USGS and USC&GS

Topography by photogrammetric methods from aerial photographs taken 1959 and planetable surveys 1964

Polyconic projection. 1927 North American datum 10,000-foot grid based on Idaho coordinate system, east zone

1000-meter Universal Transverse Mercator grid ticks, zone 12, shown in blue

Fine red lines



SCANNED

AUG 12 2003

UTM GRID AND 1964 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

JOY HOT SPRINGS SE, IDAHO

N4400-W11230/7 5

T70607



ORIGINAL
PD

NEW PD

T-70607
SCANNED
AUG 12 200
page 10 of 11

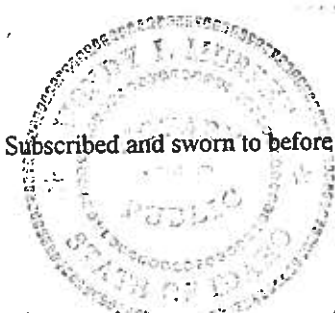
PART 3

I. CHANGES IN NATURE OF USE

1. NA NA NA NA to NA
 2. Quantity and quality of return flows and location of discharge:
NA
 3. Describe effects on other water uses resulting from the proposed change:
NA

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.



Betty L. O'Brien
 (Signature of Applicant)

Subscribed and sworn to before me this 28th day of May, 20 03.

Wendy G. Murphy
 (Notary Public)

My commission expires 6/23/06

E028814

FOR DEPARTMENT USE ONLY

Transfer contains 11 pages and 0 attachments
 Received by DMD Date 5/28/2003 Protest filed by _____
 Prelim. Check by _____ Fee 290⁰⁰ E028814
 Receipted by DN Date 5/28/2003
 Published in Jefferson Star Copies of protest forwarded by _____
 Pub. Dates Oct 15 & 22, 2003 Hearing held by _____ Date _____
 Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

SCANNED

AUG 12 2003

T-70607

Place of Use

Original Points of Diversion

**Adkins Transfer
#70607**

-  Sections
-  QQ
-  GCDB08N34E GCDB
-  Jefferson taxlots
-  POD-Water RightRight POD
-  POU-Water RightRight POU
-  Administrative BasinsAdminbas.shp

PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE, made this 15th day of April, 1961, between BETTY ADKINS and EVONNE ADKINS, the duly appointed and acting Co-Personal Representatives of the Estate of Park F. Bell, as Grantors, do hereby grant, bargain, sell and convey unto BETTY ADKINS, individually, whose address is P.O. Box 2060, Montevideo, Idaho 83435, as Grantee, all of the right, title and interest possessed by the Grantors as Co-Personal Representatives and by the Estate of Park F. Bell of the following described real estate situated in Jefferson County, State of Idaho, to-wit:

The Northwest Quarter of Section 17, Township 8 North, Range 34, East Boise Meridian, Jefferson County, Idaho.

TOGETHER with water right of 3.25 c.f.s. of Water Right No. A31-02334 and 1.27 c.f.s. from Water Right No. A31-10660 with the point of diversion for both rights in the Southeast Quarter of the Northwest Quarter of Section 16, Township 8 North, Range 34 East of the Boise Meridian, and the point of use being in 160 acres in the Northwest Quarter of Section 17, Township 8 North, Range 34 E.B.M., all of Water Right No. A31-10234.

The Southwest Quarter of Section 17, Township 8 North, Range 34, East Boise Meridian, Jefferson County, Idaho.

FURTHER, together with 1.37 c.f.s. from Water Right No. A31-02278 and 0.38 c.f.s. from Water Right No. A31-10660 with the point of diversion being in the Southwest Quarter of the Southwest Quarter of Section 17, Township 8 North, Range 34 E.B.M. and the point of use being 100 acres in the Southwest Quarter of Section 17, Township 8 North, Range 34 E.B.M. and all of Water Right Nos. A31-02393 and A31-10233.

The Southeast Quarter of Section 8, Township 8 North, Range 34, East Boise Meridian, Jefferson County, Idaho.

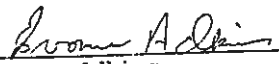
RECEIVED
ASSESSOR
FOR PLATTING
Duly 1961

FURTHER, together with 2.14 c.f.s. from Water Right No. A31-02278 and 2.38 c.f.s. from Water Right No. A31-10660 with the point of diversion being in the Northwest Quarter of the Southeast Quarter, the Southwest Quarter of the Southeast Quarter, and the Southeast Quarter of the Southeast Quarter of Section 9, Township 8 North, Range 34 E.B.M. and the point of use being 103 acres in the Southeast Quarter of Section 8, Township 8 North, Range 34 E.B.M.

TOGETHER with all other water, water rights, ditch and ditch rights, easements, improvements and appurtenances thereunto belonging and subject to such rights, easements, regulations, zoning as appear of record or by use upon the premises.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee, her heirs and assigns forever. Grantors do hereby covenant to and with the said Grantee, that she is the owner in fee simple of said premises; that they are free from all encumbrances, EXCEPT AS SET FORTH HEREINABOVE, and that she will warrant and defend the same from all lawful claims whatsoever.

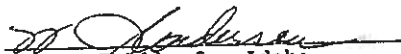

Betty Adkins,
Co-Personal Representative
of the Estate of Park F. Bell
P.O. Box 2060
Monteview, Idaho 83435


Evonne Adkins,
Co-Personal Representative
of the Estate of Park F. Bell
167 Poplar, Apt. 22
Blackfoot, Idaho 83221

STATE OF IDAHO)
)ss.
County of Bonneville)

On this ~~20th~~^{22nd} day of April, 1991, before me, the undersigned, a Notary Public for Idaho, personally appeared BETTY ADKINS and EVONNE ADKINS, known to me to be the Co-Personal Representatives of the Estate of Park F. Bell and the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same as said Co-Personal Representatives.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.


Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: 11-24-92



1240E/WJAD/kt



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

May 30, 2003

Betty L. Adkins
2798 N 1000 E
Montevue, ID 83435

RE: Application for Transfer for Rights 31-2334C, 34-2355, & 34-2393

Dear Applicant:

Proof of ownership was requested at the time you filed the application for transfer on the above number water rights. The best proof of ownership is a copy of the warranty deed for the ground to which the water rights are appurtenant. The proof of ownership must be received to complete the processing of the application for transfer.

Please provide the documentation of ownership to this office on or before June 13, 2002. Your corporation will be appreciated.

Thank you,

Keith C. Wilson
Senior Resource Agent



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 08, 2003

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

RE: Transfer No. 70607
Water Right No(s). 31-2334C 31-2355 31-2393

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 3, 2003. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

*mailed
10/8/03
se*

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 70607

BETTY L ADKINS, 2798 N 1000 E, MONTEVIEW ID 83435, has filed Application No. 70607 for changes to the following water rights within JEFFERSON County:

Right No. 31-2334C

Priority 9/4/1954

Source GROUND WATER

Use IRRIGATION (100 acres) 0.50 CFS 213.0 AFA

Total Amount 0.50 CFS 213.0 AFA

Point(s) of Diversion S17 T08N R34E
SESWSE S17 T08N R34E

Place of Use S17 T08N R34E

Right No. 31-2355

Priority 7/9/1956

Source GROUND WATER

Use IRRIGATION (100 acres) 0.80 CFS 340.0 AFA

Total Amount 0.80 CFS 340.0 AFA

Point(s) of Diversion S17 T08N R34E
SESWSE S17 T08N R34E

Place of Use S17 T08N R34E

Right No. 31-2393

Priority 8/10/1961

Source GROUND WATER

Use IRRIGATION (100 acres) 0.70 CFS 122.5 AFA

Total Amount 0.70 CFS 122.5 AFA

Point(s) of Diversion S17 T08N R34E
SESWSE S17 T08N R34E

Place of Use S17 T08N R34E

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

The applicant want to add an existing well located in the NWSENE Sec 19 T8N R34E, as a point of diversion to the flood irrigation system to bring the diversion rate up to the decreed amount.

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 03, 2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on October 15 and 22, 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 08, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

BETTY L ADKINS
2798 N 1000 E
MONTEVIEW ID 83435

RE: Application for Transfer No 70607
Water Right No(s) 31-2334C 31-2355 31-2393

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 15 and 22, 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 October 15
and the last publication having been made
on October 22

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 22 day of October
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, State of Idaho
Residing at 1032 N. 1000 E, Shelley, ID
My commission expires March 8, 2005

RECEIVED

OCT 24 2003

Department of Water Resources
Eastern Region

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 70607

BETTY L. ADKINS, 2798 N 1000 E, MONTEVIEW, ID 83435, has filed
Application No. 70607 for changes to the following water rights within JEF-
FERSON County:

Right No. 31-2334C
Priority 9/4/1954
Source GROUND WATER
Use IRRIGATION (100 acres) 0.50 CFS 213.0 AFA
Total Amount 0.50 CFS 213.0 AFA
Point(s) of Diversion S17 T08N R34E
SESWSE S17 T08N R34E
Place of Use S17 T08N R34E

Right No. 31-2365
Priority 7/9/1956
Source GROUND WATER
Use IRRIGATION (100 acres) 0.80 CFS 340.0 AFA
Total Amount 0.80 CFS 340.0 AFA
Point(s) of Diversion S17 T08N R34E
SESWSE S17 T08N R34E
Place of Use S17 T08N R34E

Right No. 31-2393
Priority 8/10/1961
Source GROUND WATER
Use IRRIGATION (100 acres) 0.70 CFS 122.5 AFA
Total Amount 0.70 CFS 122.5 AFA

Point(s) of Diversion S17 T08N R34E
SESWSE S17 T08N R34E
Place of Use S17 T08N R34E

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

The applicant wants to add an existing well located in the NWSENE Sec
19 T8N R34E, as a point of diversion to the flood irrigation system to bring
the diversion rate up to the decreed amount. 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 appli-
cation on or before November 03, 2003. The protestant must also send a
copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Jefferson Star, Rigby, Idaho, Oct. 15 and 22, 2003.