

Transfer No. 76897

Receipt No. 5031677

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

1. Applicant Information SHARLENE M SMITH
1046 E 2900 S
HAGERMAN ID 83332
(208)837-4790
And/Or

RONNIE D SMITH
1046 E 2900 S
HAGERMAN ID 83332
(208)837-4790

RECEIVED
NOV 08 2010
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Will this transfer result in an ownership change? _____ Yes XX No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
36-16837	WR/Decreed	0.48	136.8		35.7	GROUND WATER

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-16837	NO	YES	NO	NO	NO	NO

Describe the reason for the proposed changes

Previous transfer 72175 split a right (36-7156) and changed the point of diversion for this portion to a well intended to be drilled in the SWNW of Section 20, T07S, R14E. The well was never drilled and the extension of time granted for transfer 72175 is running out soon so the applicant wishes to change the point of diversion for this right to an existing well in the SWNWNE of Section 20. (This well is associated with permit 36-8333 but that permit identifies the well in the SWNE of Section 20.)

4. FOR CHANGES IN NATURE OF USE ONLY**A. Describe the expected quantity of the return flows and location of discharge after the proposed change**

N/A

B. Describe the effects on other water uses resulting from the proposed change

N/A

Transfer No. 76897

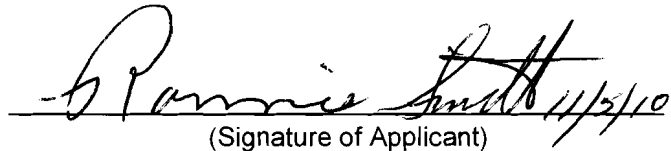
Receipt No. _____

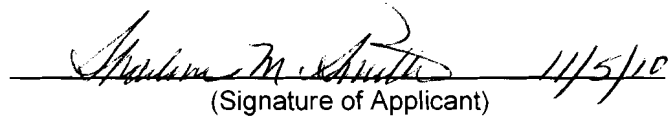
STATE OF IDAHO
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APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
36-16837	0.48 cfs		35.7	136.8 af
TOTAL	0.48 cfs	35.7	35.7	136.8 af

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.


(Signature of Applicant)


(Signature of Applicant)

Transfer No. 76897

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

Current Water Right No. 36-16837

Priority Date: February 08, 1971

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	0.48 CFS	136.8 AFA	
	Total Diversion	0.48 CFS	136.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWNW Sec. 20 Twp 07S Rge 14E GOODING County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S	14E	20							27.7	8.0									35.7

Total Acres: 35.7

Conditions/Remarks:

1. 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.
2. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 01-02-1998.
3. Prior to the diversion and use of water under Transfer approval 72175, the right holder shall install and maintain acceptable measuring devices, including data loggers, at the authorized point of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

Transfer No. 76897

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 36-16837

Priority Date: February 08, 1971

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	0.48 CFS	136.8 AFA	
	Total Diversion	0.48 CFS	136.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWNWNE Sec. 20 Twp 07S Rge 14E GOODING County

Describe the proposed diversion system**PLACE OF USE:** IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
07S	14E	20							27.7	8.0									35.7

Total Acres: 35.7

4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
7. 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.
8. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
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. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, 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?

YES

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

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new point of diversion

old point of diversion, well never drilled

19

20

place of use

21

30

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