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MAR 04 2010

Form 2-222

12/99

FEE \$100.00

DEPARTMENT OF
WATER RESOURCES

Water Right No. 36-7547F

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

RECEIVED
MAR 08 2010
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Section 42-222, Idaho Code, provides that a water right shall be lost and forfeited and the water right revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

1. Name of water right holder Southfield Properties LLC
2. Mailing address 3308 S. 1600 E., Wendell, Idaho 83355
3. The right was obtained or is evidenced by:
 - a. Decree to in Case of
 - vs. , Dated in (Name of Court)
 - Court, County of . Fully describe decree
- b.
- d. SRBA No. 36-7547F
4. Source of water GROUNDWATER tributary to
(Name of stream or source)
5. Date of priority of right 5/13/1975
6. Description of Right:
amount 0.35 / 128 for IRR purposes from 3/15 to 11/15
(cfs/ac-ft)
amount for purposes from to
(cfs/ac-ft)
7. Point of Diversion NE 1/4 NE 1/4 of Sec. 09 Twp. 08S. Rge. 14E County GOODING
8. Lands irrigated or Place(s) of use:

8. Lands Irrigated or Placed in Use.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8S	14E	9	28.1	32.9	40	40													141

Total Acres 141

9. Give the last date when water was put to beneficial use AUG. 1, 2008

Length of extension of time requested _____ years, or until Sept. 1, 2015
(Date)

10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use Water Right has been submitted to the state water bank for lease.

The information contained in this application is true to the best of my knowledge.

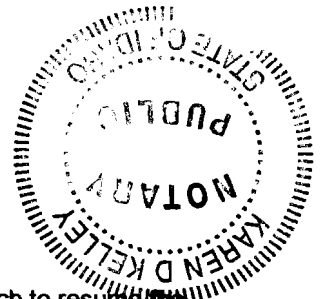
(Signature of Applicant)

Subscribed and sworn to before me this 3rd day of March, 2010.

(Notary Public)

Karen D. Kelley
My commission expires April 5, 2012

Residing at Coaling, ID



ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and

I hereby _____ said application subject to the following conditions or reasons:

Signed this _____ day of _____, 20____.

Chief, Water Allocation Bureau
FOR DEPARTMENT USE ONLY

Date Received 3-4-10 FEE Received by 587 Date 4-March-2010

Receipt # C090123

Preliminary T by 8 Publication prepared by _____ Pub. approved by _____
Date _____

Published in _____ Dates Published _____

Protests filed by _____

Copies of protests forwarded by _____ Hearing held by _____ Date _____

Recommended for - 9 APPROVAL / 9 DENIAL By _____

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/18/2010

WATER RIGHT NO. 36-7547F

Owner Type	Name and Address
Current Owner	SOUTHFIELD PROPERTIES LLC 3308 S 1600 E WENDELL, ID 83355 (208) 536-5414
Original Owner	KATHERINE L BRANCHFLOWER
Original Owner	MICHAEL G BRANCHFLOWER PO BOX 575 HAGERMAN, ID 83332-0575 (208)543-2322

Priority Date: 05/13/1975

Basis: Decreed

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	0.35 CFS	128 AFA
Total Diversion			0.35 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NENE	Sec. 09	Township 08S	Range 14E	GOODING County
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IRRIGATION Use:

Acre Limit: 32

Place(s) of use:

Place of Use Legal Description: IRRIGATION GOODING County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
08S	14E	9		NENE	28.1		NWNE	32.9		SWNE	40		SENE	40

Total Acres: 141

Conditions of Approval:

1.	P21	THIS RIGHT IS A SPLIT FROM FORMER RIGHT 36-7547C PER A #5523..
2.	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.
3.		Prior to diversion of water under this approval, the right holder shall install measuring devices acceptable to the Department and shall measure and annually report to the Department the amount (cfs and AF) of water diverted under this transfer. Reporting through a measuring district or a groundwater district will suffice although the Director may require more frequent measuring and reporting. Right 36-02297 is limited to the irrigation of 91.0 acres within the place of use described above in a single irrigation season. Right 36-07377F is limited to the irrigation of 15.5 acres within the place of use described above in a single irrigation season. Right 36-07547F is limited to the irrigation of 32.0 acres within the place of use described above in a single irrigation season. Rights 36-07377F and 36-07547F when combined shall not exceed a total diversion rate of 0.49 cfs, a total annual maximum diversion volume of 128.0 af at the field headgate, and the irrigation of 32.0 acres. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval unless extended for cause by the Director. The right holder shall use the full allotment of appurtenant shares of surface water provided by the North Side Canal Co. Ltd. in conjunction with groundwater diverted under Right 36-02297 and shall only divert groundwater under 36-02297 when water from the appurtenant surface water rights cannot be delivered to the right holder. If the surface water right(s) appurtenant to the place of use is sold, transferred or used on any other place of use, Right 36-02297 to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
4.	R64	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.
5.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

*Combined
limit of
0.49 cfs / 32 acres*

Dates:

Licensed Date:

Decreed Date: 04/26/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 130

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

[Close](#)