

RECEIVED

Page 1 of 4STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESFEB 06 2008 Transfer No. 74642APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant V & R Farms LLC, Von Gibby Phone 208-654-2054Mailing address 715 S. 750 E., Declo, Idaho 83323 Email _____

A. 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 _____

RECEIVED
FEB 08 2008
DEPT. OF WATER RESOURCES
SOUTHERN REGION

2. Describe the reason for the proposed changes The SW 1/4 of 11S 24E 21 was sold. Some of water right 45-13962 is appertunant to that Quarter section. Remove 130.7 acres from section 21 from "place of use". Move 130.7 acres to 11S 24E section 22 and 27.

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

1. Right Number 45-13962 Priority 8/29/1991 Amount (cfs/ac-ft) 7.36/1469.9 Nature of Use Irrigation Period of Use April 1 to November 1

2. Total amount of water being transferred 7.36 cubic feet per second and/or 1469.9 acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SE	SE	20	11S	24E	Cassia	
		SE	SE	20	11S	24E	Cassia	

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	
11S	24E	21									39.2	11.7	39.6	40.2					130.7
11S	24E	22													15.6	41.6	34	2.7	93.9
11S	24E	27		1.3			38.3	40	33.7	32	12.7								158

Total Acres 367.4

PART 1

6. General Information:

a. Description of diversion system Both wells in section 20 pump into a 12 inch mainline. The mainline runs across the "J" canal and due east to sections 22 and 27. The mainline manifolds into 8 inch lines and runs to the pivots as shown on the map.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X 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:

The land was purchased by Stoker farms and will be irrigated with water from their water rights.

d. Remarks:

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 45-13962 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date of priority 8/29/91

5. Water is used for the following purposes:

amount 7.36/1469.9 for Irrigation purposes from April 1 to November 1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 7.36 cubic feet per second and/or 1469.9 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SE	SE	20	11S	24E	Cassia	
		SE	SE	20	11S	24E	Cassia	

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	24E	21									39.2	11.7	39.6	40.2					130.7
11S	24E	22													15.6	41.6	34	2.7	93.9
11S	24E	27		1.3			38.3	40	33.7	32	12.7								158

Total Acres 367.4

9. Describe any other water rights used for the same purpose as described above NA

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

(If the entire right is to be changed by the applicant, omit part B and C.)

- 2. Point(s) of Diversion:**

3. Lands irrigated or place of use:

Total Acres 130.7

2. Point(s) of Diversion:

3. Lands irrigated or place of use:[illegible]

Von Gibby Water Right Transfer Project



PART 3**B. 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:

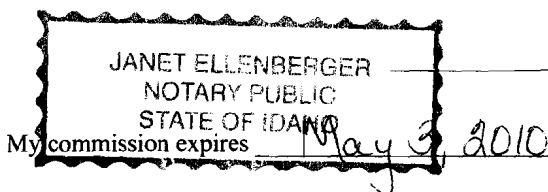
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

[Signature]
 (Signature of Applicant)

Von Gibby
 Print Name (and title, if applicable)

Subscribed and sworn to before me this 5 day of February, 20 08.



[Signature]
 (Notary Public)

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by _____ Fee 330.00

Received by KAW Date 02/06/08

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 _____