

Transfer No. 74922

Receipt No.E034238

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

1. Applicant Information BARBARA ELLIS
904 W 200 N
BLACKFOOT ID 83221
(208)684-4268

Or

DELWYN V ELLIS
904 W 200 N
BLACKFOOT ID 83221
(208)684-4268

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

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

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
35-2263A	WR/License	0.50	100.0		25.0	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
35-2263A	NO	NO	YES	YES	NO	NO

Describe the reason for the proposed changes

Mr. Ellis would like to move a portion of this right to property also owned by him which lies directly across Highway 26 from the current POU. He would like to drill a new well to irrigate this new property. The new property is two acres and so he will dry up two acres of the current POU to prevent enlargement.

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

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

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
35-2263A	0.50 cfs		25.0	100.0 af
TOTAL	0.50 cfs	25.0	25.0	100.0 af

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DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

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.

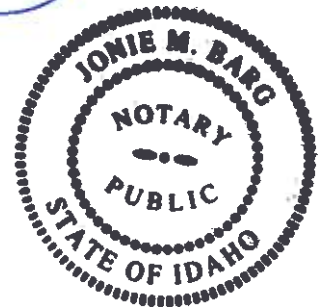
Debra V. Ellis
(Signature of Applicant)

(Title or Office)

Subscribed and sworn to before me this 15TH day of July, 2008.

Jonie M. Bargo
(Notary Public)

My commission expires July 24, 2013



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

Current Water Right No. 35-2263A

Priority Date: October 09, 1952
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	4/01 10/31	0.50 CFS	100.0 AFA	
	Total Diversion	0.50 CFS	100.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NWSWSE Sec. 15 Twp 02S Rge 34E BINGHAM 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	
02S	34E	15													12.0			13.0	25.0

Total Acres: 25

Conditions/Remarks:

1. 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.
2. RIGHT NO. 35-02263B IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

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Documentation of Ownership of the Current Place of Use
Warranty Deed

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

An equal number of acres will be dried up to account for the number off acres that will be put under irrigation across Highway 26 form the original place of use.

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

Proposed Water Right No. 35-2263A

Priority Date: October 09, 1952

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	0.50 CFS	100.0 AFA	
	Total Diversion	0.50 CFS	100.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NESE Sec. 15 Twp 02S Rge 34E BINGHAM County

GROUND WATER NWSWSE Sec. 15 Twp 02S Rge 34E BINGHAM County

Describe the proposed diversion system

Point of Diversion # 1 Pump to mainline for sprinklers.

Point of Diversion # 2 WELL, PUMP WITH MAINLINE TO SPRINKLERS.

PLACE OF USE: IRRIGATION

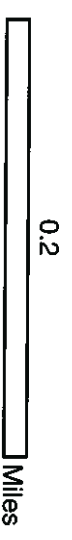
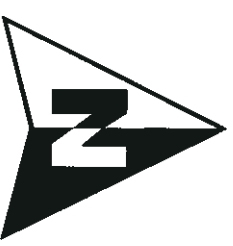
Twp Rge Sec	NE				NW				SW				SE				
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
02S 34E 15													13.0			12.0	25.0

Total Acres: 25

Ellis Transfer Right 35-2263A

Legend

- Existing_POD
- 35-2263A_POU_New
- New_POD
- 35-2263A_POU_Old



WARRANTY DEED

For Value Received

BRYCE C. ELLIS and KATHERINE ELLIS, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto

DELWYN V. ELLIS and BARBARA FAYE ELLIS, husband and wife,

whose current address is

the grantees, the following described premises, in Bingham County Idaho, to wit:

A part of the SE $\frac{1}{4}$ of Section 15, Township 2 South, Range 34, E.B.M., Bingham County, Idaho, described as:

Beginning at a point that is N 00°31'52" E 1056.43 feet along the East section line from the Southeast corner of Section 15, and running thence N 00°31'52" E 330 feet; thence N 43°33'01" W 1825.59 feet along the Southerly right of way of State Highway No. 26; thence South 2307.52 feet; thence N 62°27'23" E 1415.16 feet to the point of beginning...

Subject to taxes and assessments for the year 1982 and thereafter, to roads, easements and rights of way, to building and zoning ordinances and use regulations and restrictions and to liens and encumbrances suffered, assumed or occasioned by the grantees...

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee_s, their heirs and assigns forever. And the said Grantor_s do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: June 10, 1982

Bryce C. Ellis
BRYCE C. ELLIS

Katherine Ellis
KATHERINE ELLIS

STATE OF IDAHO, COUNTY OF

On this 11th day of June, 1982,
before me, a notary public in and for said State, personally
appeared

BRYCE C. ELLIS
and
KATHERINE ELLIS

known to me to be the person whose name are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

[Signature]
Notary Public

Residing at Blackfoot, Idaho
Comm. Expires Life 12-9-91