

Transfer No. 73569

Receipt No. 6033788

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

1. Applicant Information TERRELL N YANCEY
 1226 S 2700 W
 ABERDEEN ID 83210
 (208)397-5374

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
35-8160	WR/License	1.56	662.1		273.0	GROUND WATER
35-7355A	WR/License	2.17	552.0		138.0	GROUND WATER
35-7355B	WR/License	0.68		43.0	238.0	GROUND WATER
35-2333	WR/License	3.90		195.0	238.0	GROUND WATER
35-13553	WR/Beneficial Use	2.64	400.0		100.0	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
35-8160	NO	NO	YES	YES	NO	NO
35-7355A	NO	NO	YES	YES	NO	NO
35-7355B	NO	NO	YES	YES	NO	NO
35-2333	NO	NO	YES	YES	NO	NO
35-13553	NO	YES	YES	NO	NO	NO

Describe the reason for the proposed changes

combine two wells and five water rights into a large place of use. rearrange part of the acres

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
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35-8160	1.56 cfs	273.0	511.0	662.1 af
35-7355A	2.17 cfs	138.0	493.0	552.0 af
35-7355B	0.68 cfs	43.0	493.0	172.0 af
35-2333	3.90 cfs	195.0	493.0	780.0 af
35-13553	2.64 cfs	100.0	493.0	400.0 af
TOTAL	10.32 cfs	511.0	511.0	2,044.0 af

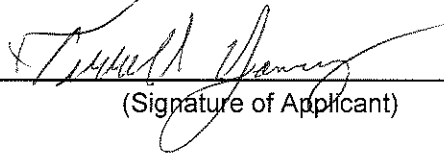
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

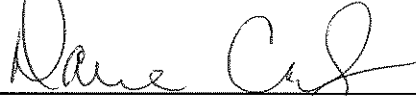
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.



(Signature of Applicant)

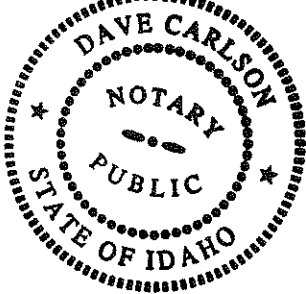
(Title or Office)

Subscribed and sworn to before me this 25 day of Feb, 2008.



(Notary Public)

My commission expires 2/26/2008



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

Current Water Right No. 35-8160

Priority Date: June 14, 1983

Origin: Water Right

Basis: License

Status: Active

Source: GROUND WATER

Beneficial Use	From To	Diversion Rate	Volume	Subuse Code
IRRIGATION	4/01 10/31	1.56 CFS	662.1 AFA	
Total Diversion		1.56 CFS	662.1 AFA	

Source and Point(s) of Diversion:

GROUND WATER NESE Sec. 4 Twp 05S Rge 31E 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	
05S 31E 4			40.0	39.0			39.0	40.0	40.0					35.0	40.0		273.0

Total Acres: 273

Conditions/Remarks:

1. This right uses the same well as Right 35-02333 and a portion of Right 35-07355 and when combined with those rights shall not exceed a diversion rate of 5.51 cfs nor provide more than 4.0 afa per acre for the lands above.

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

DRY

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

*No**73569*

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

Current Water Right No. 35-7355A

Priority Date: November 26, 1973

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	4/01 10/31	2.17 CFS	552.0 AFA	
	Total Diversion	2.17 CFS	552.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NWSWNE Sec. 4 Twp 05S Rge 31E 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	
05S 31E 4	21.0	37.0			40.0	40.0											138.0

Total Acres: 138

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. A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.
3. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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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

DRY

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 2**

Current Water Right No. 35-7355B

Priority Date: November 26, 1973

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	4/01 10/31	0.68 CFS		
	Total Diversion	0.68 CFS		

Source and Point(s) of Diversion:

GROUND WATER NWNENE Sec. 4 Twp 05S Rge 31E 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	
05S 31E 4			40.0	40.0			40.0	33.0	25.0					35.0	25.0		238.0

Total Acres: 238

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. USE OF THIS RIGHT WITH RIGHT NO. 35-02333 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 952 AF.
3. USE OF THIS RIGHT WITH RIGHT NO. 35-02333 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 238 ACRES IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 43 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

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5. RIGHT NO. 35-02333 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
6. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
7. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, 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

DRY

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 2**

Current Water Right No. 35-2333

Priority Date: May 28, 1953

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

Beneficial Use	From To	Diversion Rate	Volume	Subuse Code
IRRIGATION	4/01 10/31	3.90 CFS		
	Total Diversion	3.90 CFS		

Source and Point(s) of Diversion:

GROUND WATER NWNENE Sec. 4 Twp 05S Rge 31E 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	
05S 31E 4			40.0	40.0			40.0	33.0	25.0				35.0	25.0			238.0

Total Acres: 238

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. USE OF THIS RIGHT WITH RIGHT NO. 35-07355B IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 952 AF.
3. USE OF THIS RIGHT WITH RIGHT NO. 35-07355B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 238 ACRES IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 195 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. RIGHT NO. 35-07355B IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

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5. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, 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

it will be dry

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 2**

Current Water Right No. 35-13553

Priority Date: May 15, 1948

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>
STOCKWATER	04/01 10/31	0.01 CFS		
IRRIGATION	04/01 10/31	2.64 CFS	400.0 AFA	
Total Diversion		2.64 CFS	400.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NESWSW Sec. 4 Twp 05S Rge 31E 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	
05S 31E 4											37.0	31.0	32.0				100.0

Total Acres: 100

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. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
3. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
4. Stockwater use is for 50 head.

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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

DRY

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. 35-8160

Priority Date: June 14, 1983

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	1.56 CFS	662.1 AFA	
Total Diversion		1.56 CFS	662.1 AFA	

Source and Point(s) of Diversion:

GROUND WATER NWSWNE Sec. 4 Twp 05S Rge 31E BINGHAM County

GROUND WATER NWNESE Sec. 4 Twp 05S Rge 31E BINGHAM County

Describe the proposed diversion system

Point of Diversion # 1 WELL 160ft, 1in CASING, 75HP PUMP, pivots and sprinkles

Point of Diversion # 2 well/pump to pivots and sprinklers

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	
05S 31E 4	21.0	37.0	40.0	39.0	39.0	38.0	39.0	40.0	40.0	34.0	34.0	34.0	36.0	40.0			511.0

Total Acres: 511

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

Proposed Water Right No. 35-7355A

Priority Date: November 26, 1973

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	2.17 CFS	552.0 AFA	
	Total Diversion	2.17 CFS	552.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NWSWNE Sec. 4 Twp 05S Rge 31E BINGHAM County

GROUND WATER NWNESE Sec. 4 Twp 05S Rge 31E BINGHAM County

Describe the proposed diversion system

Point of Diversion # 1 WELL 160ft, 1in CASING, 75HP PUMP, pivots and sprinkles

Point of Diversion # 2 well/pump to pivots and sprinklers

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	
05S	31E	4	14.0	33.0	40.0	37.0	39.0	38.0	39.0	40.0	40.0	34.0	34.0	34.0	31.0	40.0		493.0	

Total Acres: 493

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

Proposed Water Right No. 35-7355B

Priority Date: November 26, 1973

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	0.68 CFS	172.0 AFA	
	Total Diversion	0.68 CFS	172.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NWSWNE Sec. 4 Twp 05S Rge 31E BINGHAM County

GROUND WATER NWNESE Sec. 4 Twp 05S Rge 31E BINGHAM County

Describe the proposed diversion system

Point of Diversion # 1 WELL 160ft, 1in CASING, 75HP PUMP, pivots and sprinkles

Point of Diversion # 2 well/pump to pivots and sprinklers

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	
05S	31E	4	14.0	33.0	40.0	37.0	39.0	38.0	39.0	40.0	40.0	34.0	34.0	34.0	31.0	40.0		493.0	

Total Acres: 493

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

Proposed Water Right No. 35-2333

Priority Date: May 28, 1953

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	3.90 CFS	780.0 AFA	
	Total Diversion	3.90 CFS	780.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NWSWNE Sec. 4 Twp 05S Rge 31E BINGHAM County

GROUND WATER NWNESE Sec. 4 Twp 05S Rge 31E BINGHAM County

Describe the proposed diversion system

Point of Diversion # 1 WELL 160ft, 1in CASING, 75HP PUMP, pivots and sprinkles

Point of Diversion # 2 well/pump to pivots and sprinklers

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	
05S	31E	4	14.0	33.0	40.0	37.0	39.0	38.0	39.0	40.0	40.0	34.0	34.0	34.0	31.0	40.0		493.0	

Total Acres: 493

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

Proposed Water Right No. 35-13553

Priority Date: May 15, 1948

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>
STOCKWATER	04/01 10/31	0.01 CFS		
IRRIGATION	04/01 10/31	2.64 CFS	400.0 AFA	
Total Diversion		2.64 CFS	400.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NWSWNE Sec. 4 Twp 05S Rge 31E BINGHAM County

GROUND WATER NWNESE Sec. 4 Twp 05S Rge 31E BINGHAM County

Describe the proposed diversion system

Point of Diversion # 1 WELL 160ft, 1in CASING, 75HP PUMP, pivots and sprinkles

Point of Diversion # 2 well/pump to pivots and sprinklers

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	
05S 31E 4	14.0	33.0	40.0	37.0	39.0	38.0	39.0	40.0	40.0	34.0	34.0	34.0	31.0	40.0			493.0

Total Acres: 493

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sec 4

sec 4

NEW PO4

NW

POD

NE

35-2333
35-7355A
35-7355B
35-13553

POD

SW

SE

sec

sec 4

55 31E

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New POH
35-8160

POD

POD

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