

Transfer No. 73977

Receipt No. E033353

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

1. Applicant Information BHA INC
 2983 E 2000 N
 SUGAR CITY ID 83448
 (208)356-3533

NATHAN ASHCRAFT
 2983 E 2000 N
 SUGAR CITY ID 83448
 (208)356-3533

Will this transfer result in an ownership change? ☒ Yes ☐ No

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

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
22-2168	AJC/License	3.64	819.0	234.0	420.4	GROUND WATER
22-4052	AJC/Statutory Claim	0.97	280.0	80.0	420.4	GROUND WATER
22-13279	AJC/License	0.62	273.0	78.0	420.4	GROUND WATER
22-13281	AJC/License	0.76	133.0	38.0	420.4	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
22-2168	NO	NO	YES	NO	NO	NO
22-4052	NO	NO	YES	NO	NO	NO
22-13279	NO	NO	YES	NO	NO	NO
22-13281	NO	NO	YES	NO	NO	NO

Describe the reason for the proposed changes

Applicants seek the transfer of these rights in order to better reflect the acreage currently irrigated by their system. Applicants have altered their delivery system by adding pivots. In order to accommodate one of the pivots, a few acres were purchased from Son Rise Inc., and a few acres were sold to Son Rise Inc. in order to accommodate their pivot. The total acreage under the 2 systems remains unchanged. This transfer should be processed in conjunction with the transfer of right 22-2246. Although the rights sought to be transferred have 2 different owners, there is one system in place which delivers the water to the entire place of use. These rights appear in the Directors Report as within a permissible place of use.

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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
22-2168	3.64 cfs	234.0	420.4	819.0 af
22-4052	0.97 cfs	80.0	420.4	280.0 af
22-13279	0.62 cfs	78.0	420.4	273.0 af
22-13281	0.76 cfs	38.0	420.4	133.0 af
TOTAL	5.99 cfs		420.4	1,471.4 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.

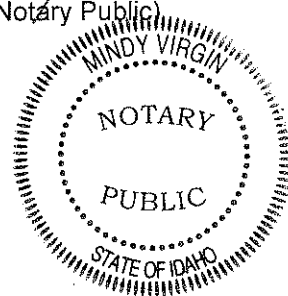
Vatha Arun
(Signature of Applicant)

Owner
(Title or Office)

Subscribed and sworn to before me this 12th day of SEPTEMBER, 20 07.

Mindy Virgin
(Notary Public)

My commission expires MY COMMISSION EXPIRES
September 20, 2012
BONDED THRU NOTARY PUBLIC UNDERWRITERS



16 pages of application
advertize in Rexburg Standard Journal

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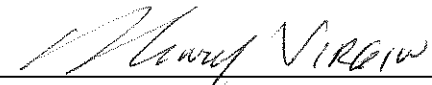
**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

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.

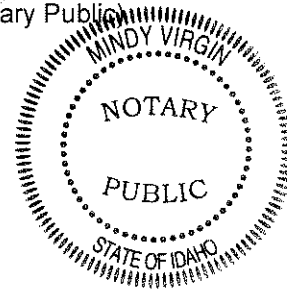

(Signature of Applicant)

B.H.A. Board of Directors
(Title or Office)

Subscribed and sworn to before me this 12th day of SEPTEMBER, 2007.


(Notary Public)

My commission expires September 20, 2012
MY COMMISSION EXPIRES
September 20, 2012
BONDED THRU NOTARY PUBLIC UNDERWRITERS



Transfer No. 73977
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**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 2**

Current Water Right No. 22-2168

Priority Date: April 07, 1958
 Origin: Adjudication Recommendation
 Basis: License
 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	3.64 CFS	819.0 AFA	
	Total Diversion	3.64 CFS	819.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWNWSW Sec. 16 Twp 06N Rge 41E MADISON County

GROUND WATER SENENE Sec. 21 Twp 06N Rge 41E MADISON 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	
06N 41E 16									36.0	38.0	39.0	38.0	39.0	39.0	39.0	37.0	305.0
06N 41E 17													19.0	11.0	8.4	39.0	77.4
06N 41E 21	38.0																38.0

Total Acres: 420.4

Conditions/Remarks:

1. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3. 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.
4. Right Nos. 22-2168, 22-4052, 22-13279, and 22-13281 are also diverted through point of diversion described above.

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5. The rights listed below are limited to the irrigation of a combined total of 420.4 acres in a single irrigation season. Combined Right Nos.: 22-2168, 22-4052, 22-13279, and 22-13281.
6. The rights listed below are limited to a total combined diversion rate of 5.99 cfs and to a total combined annual diversion volume of 1,471.4 AF. Combined Right Nos.: 22-2168, 22-4052, 22-13279, and 22-13281.
7. This right is limited to the irrigation of 234 acres within the place of use described above in a single irrigation season.

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

A small portion of the current place of use will continue to be irrigated from the transfer of 22-2246. The rest of the place of use will be unchanged.

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. 22-4052

Priority Date: September 01, 1961
 Origin: Adjudication Recommendation
 Basis: Statutory Claim
 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	0.97 CFS	280.0 AFA	
	Total Diversion	0.97 CFS	280.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWNWSW Sec. 16 Twp 06N Rge 41E MADISON County

GROUND WATER SENENE Sec. 21 Twp 06N Rge 41E MADISON 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	
06N 41E 16									36.0	38.0	39.0	38.0	39.0	39.0	39.0	37.0	305.0
06N 41E 17													19.0	11.0	8.4	39.0	77.4
06N 41E 21	38.0																38.0

Total Acres: 420.4

Conditions/Remarks:

1. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. 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. Right Nos. 22-2168, 22-4052, 22-13279, and 22-13281 are also diverted through point of diversion described above.
4. The rights listed below are limited to the irrigation of a combined total of 420.4 acres in a single irrigation season. Combined Right Nos.: 22-2168, 22-4052, 22-13279, and 22-13281.

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5. The rights listed below are limited to a total combined diversion rate of 5.99 cfs and to a total combined annual diversion volume of 1,471.4 AF. Combined Right Nos.: 22-2168, 22-4052, 22-13279, and 22-13281.
6. This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.

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

A small portion of the current place of use will continue to be irrigated from the transfer of 22-2246. The rest of the place of use will be unchanged.

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. 22-13279

Priority Date: August 12, 1965
 Origin: Adjudication Recommendation
 Basis: License
 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	11/01	0.62 CFS	273.0 AFA	
	Total Diversion		0.62 CFS	273.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWNWSW Sec. 16 Twp 06N Rge 41E MADISON County

GROUND WATER SENENE Sec. 21 Twp 06N Rge 41E MADISON 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	
06N	41E	16									36.0	38.0	39.0	38.0	39.0	39.0	39.0	37.0	305.0
06N	41E	17													19.0	11.0	8.4	39.0	77.4
06N	41E	21	38.0																38.0

Total Acres: 420.4

Conditions/Remarks:

1. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. 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. Right Nos. 22-2168, 22-4052, 22-13279, and 22-13281 are diverted through point of diversion described above.
4. The rights listed below are limited to the irrigation of a combined total of 420.4 acres in a single irrigation season. Combined Right Nos.: 22-2168, 22-4052, 22-13279, and 22-13281.

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5. The rights listed below are limited to a total combined diversion rate of 5.99 cfs and to a total combined annual diversion volume of 1,471.4 AF. Combined Right Nos.: 22-2168, 22-4052, 22-13279, and 22-13281.
6. This right is limited to the irrigation of 78 acres within the place of use described above in a single irrigation season.
7. This right is a split from former right 22-2256B.

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

A small portion of the current place of use will continue to be irrigated from the transfer of 22-2246. The rest of the place of use will be unchanged.

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. 22-13281

Priority Date: April 04, 1968
 Origin: Adjudication Recommendation
 Basis: License
 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	0.76 CFS	133.0 AFA	
	Total Diversion	0.76 CFS	133.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWNWSW Sec. 16 Twp 06N Rge 41E MADISON County

GROUND WATER SENENE Sec. 21 Twp 06N Rge 41E MADISON 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	
06N 41E 16									36.0	38.0	39.0	38.0	39.0	39.0	39.0	37.0	305.0
06N 41E 17													19.0	11.0	8.4	39.0	77.4
06N 41E 21	38.0																38.0

Total Acres: 420.4

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 includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
4. This right is a split from former right 22-7007.
5. Right Nos. 22-2168, 22-4052, 22-13279, and 22-13281 are also diverted through point of diversion described above.

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6. The rights listed below are limited to the irrigation of a combined total of 420.4 acres in a single irrigation season. Combined Right Nos.: 22-2168, 22-4052, 22-13279, and 22-13281.
7. The rights listed below are limited to a total combined diversion rate of 5.99 cfs and to a total combined annual diversion volume of 1,471.4 AF. Combined Right Nos.: 22-2168, 22-4052, 22-13279, and 22-13281.
8. This right is limited to the irrigation of 38 acres within the place of use described above in a single irrigation season.

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

A small portion of the current place of use will continue to be irrigated from the transfer of 22-2246. The rest of the place of use will be unchanged.

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. 22-2168

Priority Date: April 07, 1958

Origin: Adjudication
 Recommendation

Basis: License

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	3.64 CFS	819.0 AFA	
	Total Diversion	3.64 CFS	819.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWNWSW Sec. 16 Twp 06N Rge 41E MADISON County

GROUND WATER SENESE Sec. 21 Twp 06N Rge 41E MADISON County

Describe the proposed diversion system**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	
06N 41E 16									35.0	39.0	39.0	34.0	39.0	39.0	38.0	38.0	301.0
06N 41E 17													19.0	11.0	8.7	39.0	77.7
06N 41E 21	39.0	2.7															41.7

Total Acres: 420.4

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

Proposed Water Right No. 22-4052

Priority Date: September 01, 1961

Origin: Adjudication
 Recommendation

Basis: License

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	0.97 CFS	280.0 AFA	
	Total Diversion	0.97 CFS	280.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWNWSW Sec. 16 Twp 06N Rge 41E MADISON County

GROUND WATER SENESE Sec. 21 Twp 06N Rge 41E MADISON County

Describe the proposed diversion system

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	
06N	41E	16									35.0	39.0	39.0	34.0	39.0	39.0	38.0	38.0	301.0
06N	41E	17													19.0	11.0	8.7	39.0	77.7
06N	41E	21	39.0	2.7															41.7

Total Acres: 420.4

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 Receipt No. E033353

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

Proposed Water Right No. 22-13279

Priority Date: August 12, 1965
 Origin: Adjudication
 Recommendation
 Basis: License
 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 11/01	0.62 CFS	273.0 AFA	
	Total Diversion	0.62 CFS	273.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWNWSW Sec. 16 Twp 06N Rge 41E MADISON County

GROUND WATER SENESE Sec. 21 Twp 06N Rge 41E MADISON County

Describe the proposed diversion system

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	
06N	41E	16									35.0	39.0	39.0	34.0	39.0	39.0	38.0	38.0	301.0
06N	41E	17													19.0	11.0	8.7	39.0	77.7
06N	41E	21	39.0	2.7															41.7

Total Acres: 420.4

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

Proposed Water Right No. 22-13281

Priority Date: April 04, 1968

Origin: Adjudication
 Recommendation

Basis: License

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	0.76 CFS	133.0 AFA	
	Total Diversion	0.76 CFS	133.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWNWSW Sec. 16 Twp 06N Rge 41E MADISON County

GROUND WATER SENESE Sec. 21 Twp 06N Rge 41E MADISON County

Describe the proposed diversion system**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	
06N 41E 16									35.0	39.0	39.0	34.0	39.0	39.0	38.0	38.0	301.0
06N 41E 17													19.0	11.0	8.7	39.0	77.7
06N 41E 21	39.0	2.7															41.7

Total Acres: 420.4

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T6N R41E

17 16

20 21

22-02168 xfr pou.shp

Point of diversion.shp

Sections

QQ



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