

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 73739
RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

JUN 10 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant Marie & Matthew Gardner Phone 435-674-6080

Post Office address 234 South 100 West, St George, UT 84770

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

2. Describe the reason for the proposed changes change from pivot. Lack of reliable pipe movers. Changing only the place of use to adjacent owned land under pivot sprinkler

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

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
43-2287 5/29/1942 .6cfs/120AAA Irrigation 3/15 to 11/15
43-10477 6/30/1985 .45cfs Irrigation 3/15 to 11/15
to
to

2. Total amount of water being transferred .6 cubic feet per second and/or 120 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
	NW	NW	SW	28	15S	27E	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	
15S	27E	28										30							30
15S	27E	28							30										30
15S	27E	29													30				30
15S	27E	29				30													30

Total Acres 120

PART 1

6. General Information:

a. Description of diversion system well / center pivot irrigation system
38 h.p. pump

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:
Abandoning water on these land revert to desert

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:

WITHDRAWN

Witness my hand this _____ day of _____, 20_____.

 For the Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

RECEIVED

JUN 04 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

- a. Decree No. 43-2287 Decreed to Matt & Marie Gardner
in case of SRBA vs. _____
dated 6/28/2002 in SRBA county of _____
- b. License No. _____ 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 or priority 5/29/1942

5. Water is used for the following purposes:

amount .6/120 for Irrigation purposes from 3/15 to 11/15
(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 .6 cubic feet per second and/or 120 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	NW	NW	SW	28	15S	27E	Cassia	

8. 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	
15S	27E	20																40	40
15S	27E	29	40																40
15S	27E	29				40													40

Total Acres 120

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

43-10477

PART 2

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

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion

3. 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	
155	27E	29				10													10
155	27E	20															40		40
155	27E	29	40																40

Total Acres 90**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion

3. 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	
155	27E	29				30													30

Total Acres 30

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

- a. Decree No. 43-10477 Decreed to Matt & Marie Gardiner
in case of SRBA vs. _____
dated 6/28/2002 in SRBA county of _____
- b. License No. _____ 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 ground water tributary to _____4. Date or priority 6/30/1985

5. Water is used for the following purposes:

amount .45 for Irrigation purposes from 3/15 to 11/15
(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 .45 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	NW	NW	SW	28	15S	27E	Cassia	

8. 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	
15S	27E	20																40	40
15S	27E	29	40																40
15S	27E	29				40													40

Total Acres 1209. Describe any other water rights used for the same purpose as described above 43-2287

PART 2

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

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	<u>NE</u>	<u>NE</u>	<u>SW</u>	<u>28</u>	<u>15S</u>	<u>27E</u>	<u>Cassia</u>	

WITHDRAWN

3. 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	
<u>15S</u>	<u>27E</u>	<u>29</u>				<u>10</u>													<u>10</u>
<u>15S</u>	<u>27E</u>	<u>20</u>																<u>40</u>	<u>40</u>
<u>15S</u>	<u>27E</u>	<u>29</u>	<u>40</u>																<u>40</u>

Total Acres 90**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	<u>NE</u>	<u>NE</u>	<u>SW</u>	<u>28</u>	<u>15S</u>	<u>27E</u>	<u>Cassia</u>	

3. 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	
<u>15S</u>	<u>27E</u>	<u>29</u>				<u>30</u>													<u>30</u>

Total Acres 30

Transfer No. _____
RECEIVED

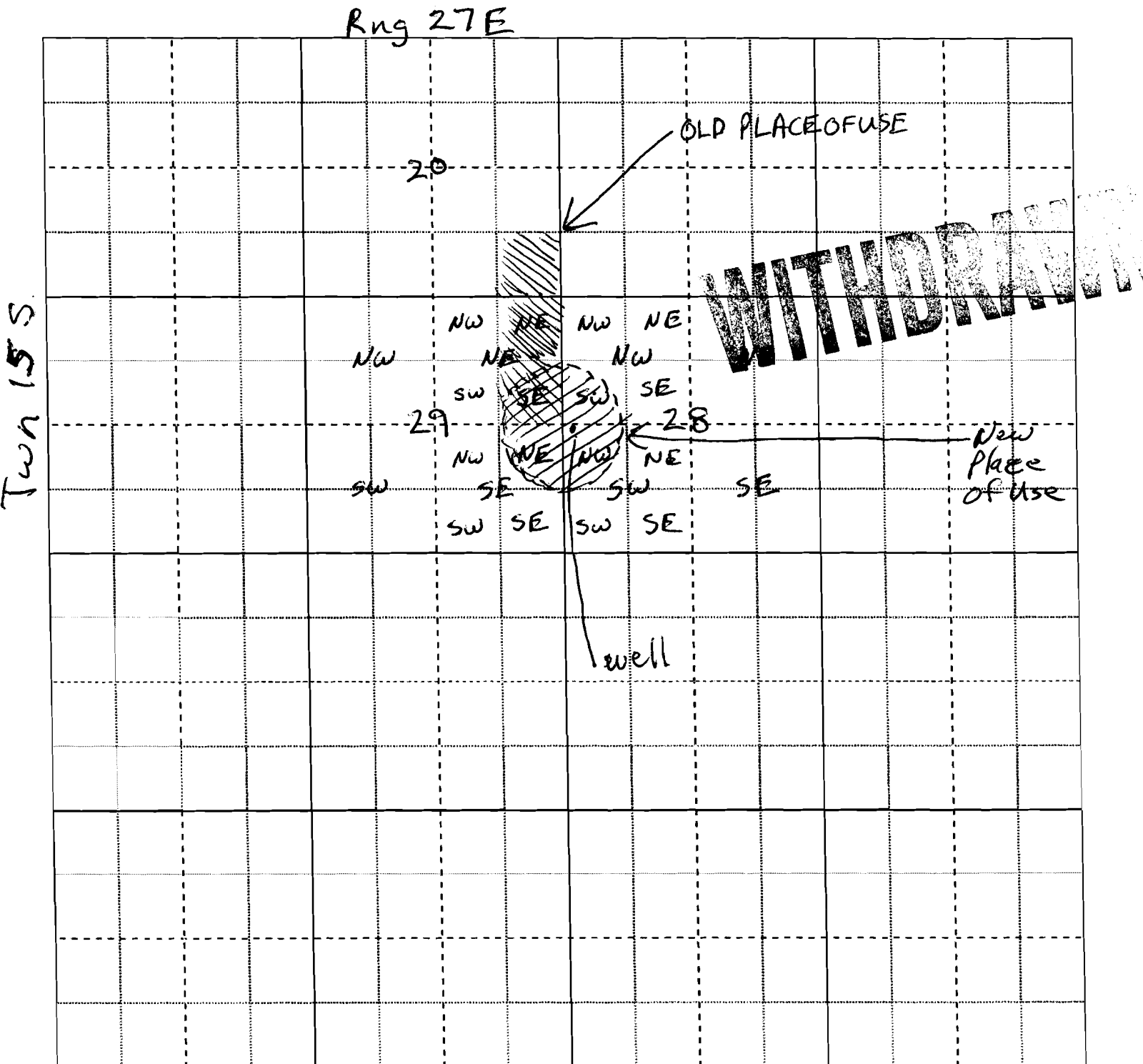
STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES

JUN 04 2007

**APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3**

DEPT. OF WATER RESOURCES
 SOUTHERN REGION

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.



Scale: 2 inches equal 1 mile. Draw plan in ink.

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 _____

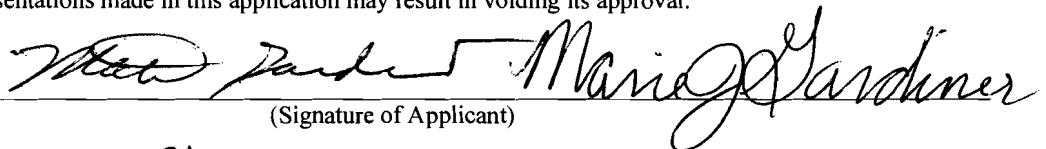
2. Quantity and quality of return flows and location of discharge: _____

3. Describe effects on other water uses resulting from the proposed change: _____
None

WITHDRAWN

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.

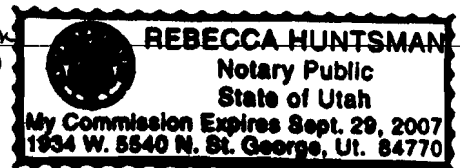
I understand that any willful misrepresentations made in this application may result in voiding its approval.


 (Signature of Applicant)

Subscribed and sworn to before me this 31st day of May, 20 07

Rebecca M. Huntsman
 (Notary Public)

My commission expires Sept. 29, 2007



FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 5 attachments

Received by [Signature] Date 6-4-07 Protest filed by _____

Prelim. Check by _____ Fee \$250. 5029512

Received by [Signature] Date 6-4-07

Published in _____

Pub. Dates _____

Watermaster recommendations requested on _____

_____ recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

WITHDRAWN

