

RECEIVED

JUN 14 2007

Transfer No. 73574Form 1-222
12-92Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

1. **Name of Applicant** Kamlah &/or Janey Roundy* **Phone** (208)657-2313
 *(RE: Change in Ownership form Submitted to IDWR April 2007) [(208) 339-4541 Cell]

Mailing Address 2527 N 665 E, Montevue, ID 83435

C/O Keith C. Wilson Rocky Mountain Environmental Associates, Inc.
482 Constitution, Ste 303
Idaho Falls, ID 98402
(208) 524-2353 (208) 524-1795 Fax

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: Rearrange acres to reflect the actual place of use. Transfer is in response to cease and desist order issued by Water District 110 dated 04/08/2007

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

1. Right Number Priority Amount Nature of Use Period of Use

31-4090	04/14/1949	3.20 cfs	IRRIGATION	04/01 to 10/31
---------	------------	----------	------------	----------------

2. Total amount of water being transferred 3.20 cubic feet per second and/or
 acre-feet per annum.

3. Source of water GROUNDWATER tributary to

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local Name for Diversion
	SE	SE	SE	19	08N	34E	JEFFERSON	
	NE	SE	SW	20	08N	34E	JEFFERSON	

2. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
08N	34E	19													32	32	26	32	122
		20									32	31	32	33					128

Total Acres 250

73574

PART 1

8. General Information:

- a. Description of diversion system Two wells to two center pivots.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes ☐ 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: Will not be irrigated
- d. Remarks: Applicant will cease irrigation of the corners (SENE & SESE Sec 19; NESW, NWSW, SWSW Sec 20) not covered by the center pivots. The lava rock outcroppings (no beneficial use) in the fields covered by the center pivots are indicated on the enclosed aerial.
NOTE: The Water District 110 aerial indicates lands in the S½NE¼ Sec 19, T08N, R34E. The applicant does not irrigate those lands and does not receive any beneficial use.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Right No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 20__

For the Director

PART 2

WATER RIGHT NO. 31-4090

Owner Type Name and Address

Current Owner MILBURN JR HAWKER
 1052 E 2600 N
 MONTEVIEW, ID 83435
 (208)657-2578

Priority Date: 04/14/1949

Basis: Decreed

Status: Active

Source Tributary

GROUND WATER

Beneficial Use From To Diversion Rate Volume

IRRIGATION 04/01 10/31 3.2 CFS 875 AFA

Total Diversion 3.2 CFS

Location of Point(s) of Diversion:

GROUND WATER SESESE Sec. 19 Township 08N Range 34E JEFFERSON County

GROUND WATER NESESW Sec. 20 Township 08N Range 34E JEFFERSON County

Place(s) of use: IRRIGATION JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
08N	34E	19		NESE	30		NWSE	30		SWSE	30		SESE	30
		20		NESW	35		NWSW	35		SWSW	32		SESW	28

Total Acres: 250

Conditions of Approval:

1. WB4 The total instantaneous diversion of water from all points of diversion under Right 31-4090 shall not exceed 3.20 cfs, nor total combined annual volume of 875 af.
2. 067 The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
Prior to the diversion and use of water under Transfer approval 70867, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized
3. 131 point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
4. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Dates:

Decreed Date: 02/22/2002

State or Federal: S

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

73574

PART 2 (Cont.)

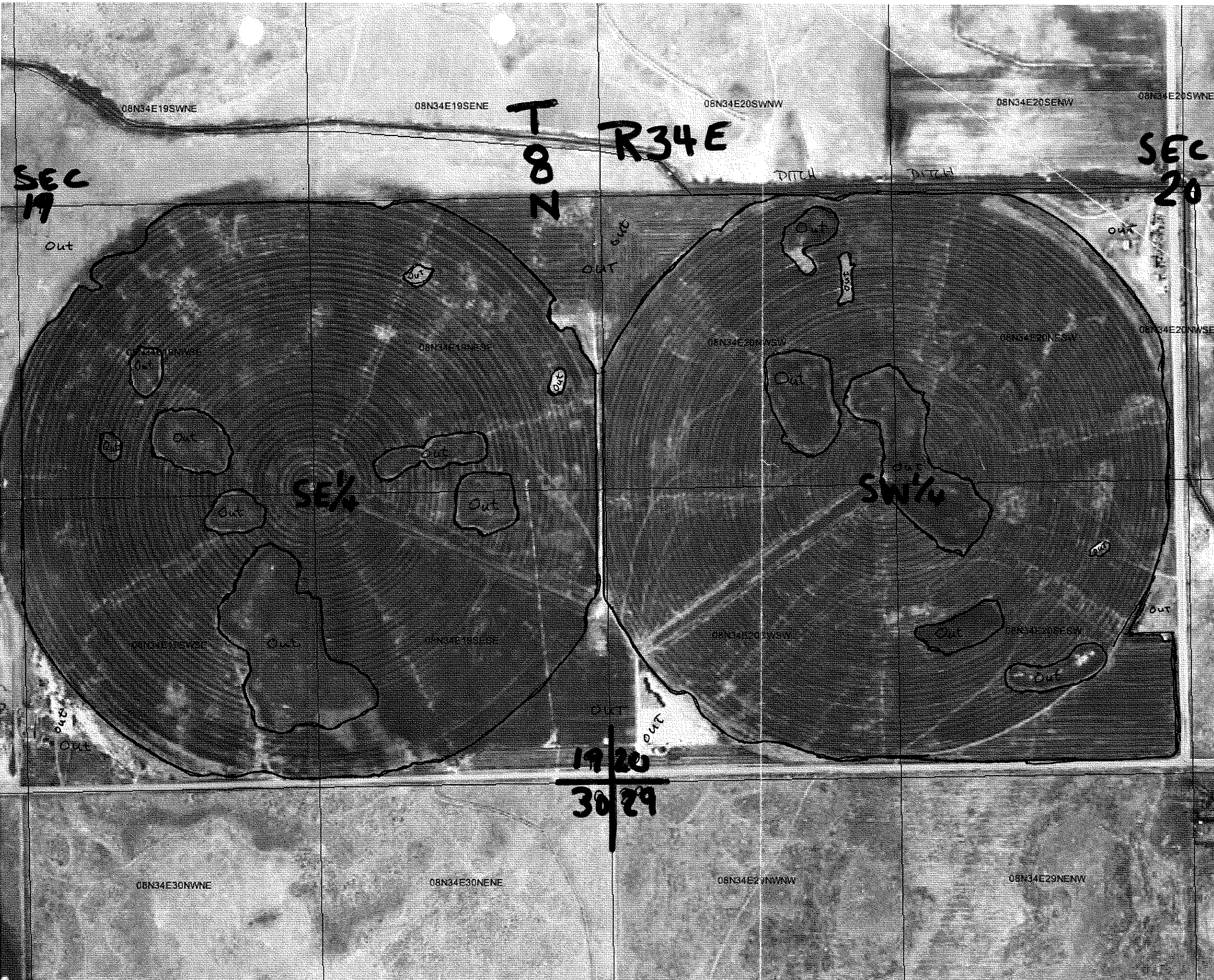
Current water right: 31-4090

Documentation of Ownership of the Current Place of Use: Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts of other encumbrances? ____ Yes ☒ ____ No. If yes provide a notarized statement from the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

Describe the affect on the current place of use for this water right is the place of use is changed pursuant to this transfer. Will not be irrigated

To your knowledge, has any portion of the water right undergone a period of five (5) or more consecutive years of non-use? NO.



Kamleh Roundy
Kamleh
Roundy
31-4090

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

1. **Name of Applicant** Kamlah &/or Janey Roundy* **Phone** (208)657-2313
Mailing Address 2527 N 665 E, Montevieu, ID 83435 (208) 339-4541 Cell

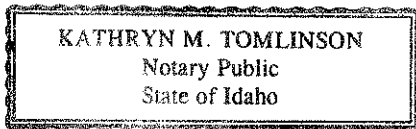
2. Right Number	Priority	Amount	Nature of Use	Period of Use
31-4090	04/14/1949	3.20 cfs	IRRIGATION	04/01 to 10/31

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 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.

Janey Roundy
(Signature of Applicant)

Subscribed and sworn to before me this 29th day of May, 2007.



Kathryn M Tomlinson
Notary Public

My Commission expires: 9-04-09

PART 3

B. CHANGES IN NATURE OF USE

N/A

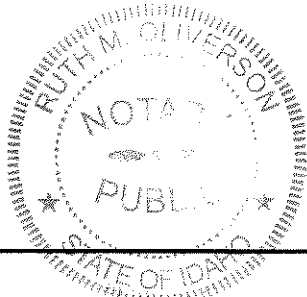
1. New Nature of Use Amount cfs Hours/days/year Period of use to
2. Quantity and quality of return flows and location of discharge:
3. Describe effects on other water uses resulting from the proposed change:

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 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.

Kamlah Rorundy
(Signature of Applicant)

Subscribed and sworn to before me this 2nd day of May, 2007



Ruth M. Oliverison
Notary Public

My Commission expires: 11/30/10

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments
Received by WJTM Date 5/10/2007 Protest filed by _____
Prelim check by _____ Fee _____
Receipted by WJTM Date 5/10/2007 EO32873
Published in Jefferson Star Copies of protest forwarded by _____
Pub. Dates _____ Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial
_____ rec'd _____ By _____
Copy of transfer sent to lien holder _____

WAR NTY DEED

For Value Received

Milburn Hawker Jr. Lois E. Hawker
the grantor , do hereby grant, bargain, sell, and convey unto

Kamrah A Bundy Janey A Bundy
the grantee , whose current address is

25 27 N 66 5 E Montevideo, Ida. 8345

the following described premises, to-wit:

*SE 1/4 of sec 19 Township 8 N
Range 34 E Jefferson County, ID.*

335300

Microfilm No. 11-12-04
At 2:32 O'Clock P M
CHRISTINE BOULTER
Jefferson Co. Recorder 3 Deputy
Fee \$ 3.00
Recorded at Request of *Kamrah Bundy*

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said grantee , heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee , that he the owner in fee simple of said premises; that said premises are free from all encumbrances except as hereinabove set forth that he will warrant and defend the same from all lawful claims whatsoever.

Dated: *11/12/2004*

Milburn Hawker Jr. Lois E. Hawker

STATE OF IDAHO, COUNTY OF *Jefferson*

On this *12th* day of *December*, 19 *2004*, before me, a notary public in and for said State, personally appeared

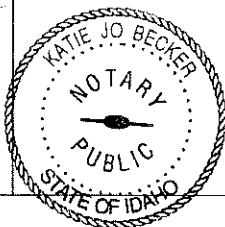
*MILBURN HAWKER JR. &
LOIS E. HAWKER*

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

Katie Jo Becker

Notary Public
Idaho

Residing at *KAYLOR, ID*
Comm. Expires *11-08-05*



RECEIVED BY
ASSESSOR
For PLATTING
Date *11/12/04* Time *2:32*

INSTRUMENT No.

ATTACHMENT *T 73574* 1 OF 1