

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 72395APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1RECEIVED
SEP 28 2005Name of applicant Mart Produce Phone of Water Resources 436-0611
Post Office address 100 E. 70 N. Rupert, ID 83350
Department of Water Resources
Southern Region

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☒ Other Split right.
2. Describe the reason for the proposed changes To provide additional commercial water for existing potato packing plant.

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

1. Right Number 16384 Priority 2/23/1948 Amount (cfs/ac-ft) 0.19/40* Nature of Use Commercial Period of Use 1/1 to 12/31
2. Total amount of water being transferred 0.19 cubic feet per second and/or 40* acre-feet per annum.
3. Source of water Ground Water tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SE	NE	21	9S	24E	Minidoka	Existing Commercial Well

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	24E	21				C													C

PART 1

6. General Information:

- a. Description of diversion system Existing well & distribution piping.
- 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 effect on the land now irrigated if the place of use is changed pursuant to this transfer:
15.5 acres will be dried up at original place of use under right 36-16058.
- d. Remarks:
*Consumptive volume transferred based on Minidoka Dam Sheets (2.58 af/ac)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

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DEPARTMENT OF WATER RESOURCESTransfer No. 72395

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

RECEIVED

SEP 28 2005

Department of Water Resources
Southern Region

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 36-16058 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 69971 which produced this right.

2. Attach a 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 of priority 2/23/1948

5. Water is used for the following purpose:

Amount 3.82/1222 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 3.82 cubic feet per second and/or 1222 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	SE	NE	NE	19	7S	25E	Minidoka	Existing irrigation well

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	25E	19	40	33.5	38.5	40													152
		20					33.5	40	40	40									153.5

Total acres 305.59. Describe any other water rights used for the same purpose as described above none

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 0.19/62 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)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	SW	NE	NE	19	7S	25E	Minidoka	Existing irrigation well

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	25E	19	5.2																5.2
		20						5.2		5.1									10.3

Total acres 15.5

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. Amount 3.63/1160 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)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	SE	NE	NE	19	7S	25E	Minidoka	Existing irrigation well

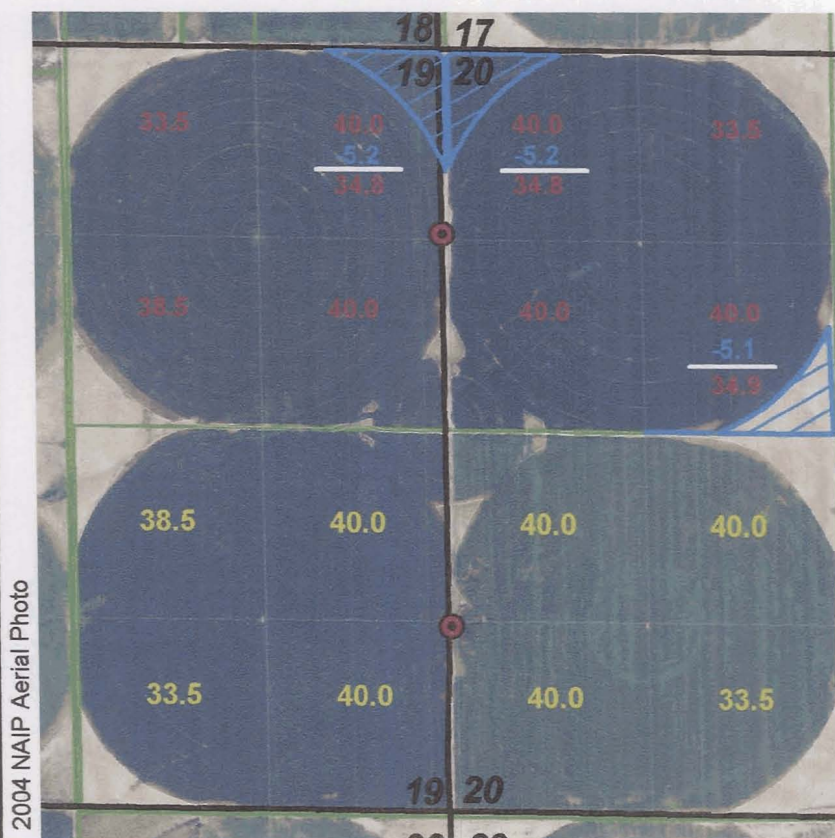
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	25E	19	34.8	33.5	38.5	40													146.8
		20					33.5	34.8	40	34.9									143.2

Total acres 290

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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



FROM Location
36-16058, 36-16060
(TWP. 7S, RNG. 25 E. Section 19, 20)

TO Location
36-8457, 36-8458, 36-12216
(TWP. 9S, RNG. 24 E. Sec. 21)



- Dry-Up Areas (Total 15.5 Ac.)
- FROM Wells
- TO Wells
- PLSS Township Boundaries
- PLSS Section Lines
- 40's

0.2 0 0.2 0.4 0.6 0.8 Miles

PART 3

SEP 28 2005

B. CHANGES IN NATURE OF USE

1. New Nature of Use Amount Hours/days/year Department of Water Resources
(cfs/ac-ft) Southern Region Period of Use
- Commercial 0.19/40* 1/1 to 12/31
to
2. Quantity and quality of return flows and location of discharge:
none
3. Describe the effects on other water uses resulting from the proposed change:
IDWR ESPA transfer spreadsheet analysis indicates total pumping at new place of use
must be reduced to maintain increased reach impacts below 5% - see attached transfer
mitigation plan & spreadsheet results.
*-Consumptive volume of 2.58 af/ac (Minidoka Dam - Sbeets) see attached FSA report.

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.

Mart Producers
by Paul H. [Signature] Owner
(Signature of Applicant)

Subscribed and sworn to before me this 14th day of August, 2005

KATHRYN WALL
★ NOTARY PUBLIC ★
STATE OF IDAHO

Kathryn Wall
(Notary Public)

My commission expires 3/19/08

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and attachments

Received by [Signature] Date 9/28/05

Protest filed by

Prelim. check by [Signature] Fee 100.00

Received by [Signature] Date 10/21/05

SO28098

Published in 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