

No Color
Documents
In File

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70218

This is to certify that: STEVEN L KAUER And/Or
PATRICIA A KAUER
700 W 695 N
BLACKFOOT ID 83221
(208)604-2205

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
35-2071B	WR/Decreed	04/27/1947	0.1 cfs	N/A	11.0	13.0	GROUND WATER
35-2455B	WR/Decreed	03/20/1956	0.08 cfs	N/A	11.0	13.0	GROUND WATER
35-11409B	WR/Decreed	03/20/1959	0.03 cfs	N/A	2.0	13.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
35-2071B	YES	YES	YES	YES	NO	NO
35-2455B	YES	YES	YES	YES	NO	NO
35-11409B	YES	YES	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
35-2071B	35-13428	0.05 cfs	20 af	5.0	6.0	35-13427	0.05 cfs	21 af	6.0	7.0
35-2455B	35-13430	0.04 cfs	17 af	5.0	6.0	35-13429	0.04 cfs	17 af	6.0	7.0
35-11409B	35-13432	0.01 cfs	4 af	1.0	6.0	35-13431	0.02 cfs	4 af	1.0	7.0

COMBINED

TOTALS	0.08 cfs	24 af	6	6	N/A	N/A	N/A	N/A
---------------	-----------------	--------------	----------	----------	------------	------------	------------	------------

Detailed Water Right Description(s) attached

Dated this 4th day of February, 2003


Chief, Water Allocation Bureau

MICROFILMED

FEB 25 2003

WATER RIGHT NO. 35-13432
As Modified by Transfer No. 70218

In accordance with the approval of Transfer No. 70218, Water Right No. 35-13432 is now described as follows.

Right Holder: PATRICIA A KAUER And
 STEVEN L KAUER
 700 W 695 N
 BLACKFOOT ID 83221

Priority Date: March 20, 1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	0.01 CFS	4.0 AF
		0.01 CFS	4.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNE Sec. 36 Twp 01S Rge 34E BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
01S	34E	36	6.0				6.0

Total Acres: 6

CONDITIONS OF APPROVAL

1. Rights 35-13428, 35-13430, 35-13432 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 24 af at the field headgate, and the irrigation of 6 acres.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
3. 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.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

MICROFILMED
 FEB 25 2003

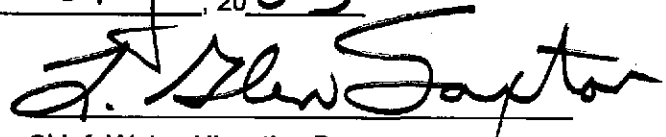
WATER RIGHT NO. 35-13432
As Modified by Transfer No. 70218

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
9. This right is limited to the irrigation of 1 acre within the place of use described above in a single irrigation season.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 4th day of February, 2003


Chief, Water Allocation Bureau

MICROFILMED

FEB 25 2003

WATER RIGHT NO. 35-13430

As Modified by Transfer No. 70218

In accordance with the approval of Transfer No. 70218, Water Right No. 35-13430 is now described as follows.

Right Holder: STEVEN L KAUER And
PATRICIA A KAUER
700 W 695 N
BLACKFOOT ID 83221

Priority Date: March 20, 1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.04 CFS	17.0 AF
			0.04 CFS	17.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNE Sec. 36 Twp 01S Rge 34E 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	
01S	34E	36			6.0														6.0

Total Acres: 6

CONDITIONS OF APPROVAL

1. Rights 35-13428, 35-13430, 35-13432 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 24 af at the field headgate, and the irrigation of 6 acres.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
3. 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.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

MICROFILMED

FEB 25 2003

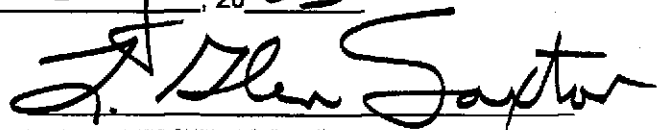
WATER RIGHT NO. 35-13430
As Modified by Transfer No. 70218

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
9. This right is limited to the irrigation of 5 acres within the place of use described above in a single irrigation season.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 4th day of February, 2003


Chief, Water Allocation Bureau

MICROFILMED
FEB 25 2003

WATER RIGHT NO. 35-13429
As Modified by Transfer No. 70218

In accordance with the approval of Transfer No. 70218, Water Right No. 35-13429 is now described as follows.

Right Holder: STEVEN L KAUER And
PATRICIA A KAUER
700 W 695 N
BLACKFOOT ID 83221

Priority Date: March 20, 1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.04 CFS	17.0 AF
			0.04 CFS	17.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSESW Sec. 36 Twp 01S Rge 34E 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	
01S	34E	36																	7.0

Total Acres: 7

CONDITIONS OF APPROVAL

1. Rights 35-13427, 35-13429, 35-13431 when combined shall not exceed a total diversion rate of 0.10 cfs, a total annual maximum diversion volume of 28 af at the field headgate, and the irrigation of 7 acres.
2. This right is limited to the irrigation of 6 acres within the place of use described above in a single irrigation season.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 4th day of February, 2003


Chief, Water Allocation Bureau

MICROFILMED
FEB 25 2003

WATER RIGHT NO. 35-13431
As Modified by Transfer No. 70218

In accordance with the approval of Transfer No. 70218, Water Right No. 35-13431 is now described as follows.

Right Holder: PATRICIA A KAUER And
STEVEN L KAUER
700 W 695 N
BLACKFOOT ID 83221

Priority Date: March 20, 1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	0.02 CFS	4.0 AF
		0.02 CFS	4.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSESW Sec. 36 Twp 01S Rge 34E 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	
01S 34E 36									2.8				4.2				7.0

Total Acres: 7

CONDITIONS OF APPROVAL

1. Rights 35-13427, 35-13429, 35-13431 when combined shall not exceed a total diversion rate of 0.10 cfs, a total annual maximum diversion volume of 28 af at the field headgate, and the irrigation of 7 acres.
2. This right is limited to the irrigation of 1 acre within the place of use described above in a single irrigation season.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 4th day of February, 2003

[Signature]

Chief, Water Allocation Bureau

MICROFILMED

FEB 25 2003

WATER RIGHT NO. 35-13428
As Modified by Transfer No. 70218

In accordance with the approval of Transfer No. 70218, Water Right No. 35-13428 is now described as follows.

Right Holder: PATRICIA A KAUER And
 STEVEN L KAUER
 700 W 695 N
 BLACKFOOT ID 83221

Priority Date: April 27, 1947

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	0.05 CFS	20.0 AF
		0.05 CFS	20.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNE Sec. 36 Twp 01S Rge 34E BINGHAM County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	Totals
01S 34E 36	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	6.0

Total Acres: 6

CONDITIONS OF APPROVAL

1. Rights 35-13428, 35-13430, 35-13432 when combined shall not exceed a total diversion rate of 0.08 cfs, a total annual maximum diversion volume of 24 af at the field headgate, and the irrigation of 6 acres.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
3. 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.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

MICROFILMED
 FEB 25 2003

WATER RIGHT NO. 35-13428
As Modified by Transfer No. 70218

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
9. This right is limited to the irrigation of 5 acres within the place of use described above in a single irrigation season.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 4th day of February, 2003


Chief, Water Allocation Bureau

MICROFILMED

FEB 25 2003

MICROFILMED

WATER RIGHT NO. 35-13427
As Modified by Transfer No. 70218

In accordance with the approval of Transfer No. 70218, Water Right No. 35-13427 is now described as follows.

Right Holder: STEVEN L KAUER And
 PATRICIA A KAUER
 700 W 695 N
 BLACKFOOT ID 83221

Priority Date: April 27, 1947

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	0.05 CFS	21.0 AF
		0.05 CFS	21.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSESW Sec. 36 Twp 01S Rge 34E 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	
01S	34E	36																	7.0
							2.8				4.2								

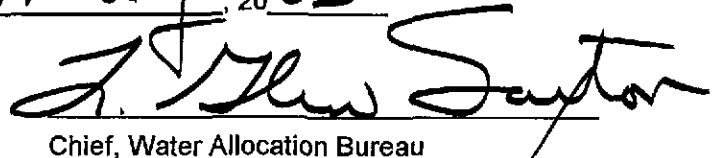
Total Acres: 7

CONDITIONS OF APPROVAL

1. Rights 35-13427, 35-13429, 35-13431 when combined shall not exceed a total diversion rate of 0.10 cfs, a total annual maximum diversion volume of 28 af at the field headgate, and the irrigation of 7 acres.
2. This right is limited to the irrigation of 6 acres within the place of use described above in a single irrigation season.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 4th day of February, 2003


 Chief, Water Allocation Bureau

FEB 25 2003

MEMORANDUM

TO: FILE 35-13428
FROM: VAULT
RE: TRANSFER # 70218
DATE: 2.5.03

=====

**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 35-2071B

MICROFILMED
FEB 25 2003