

Place of use

435-02799A

T3N
R
3GE

Map J Points of Diversion

MICROFILMED

OCT 11 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69187

This is to certify that: WILLIAM J DEMOTT Or
MARY LOU DEMOTT
3021 WESTMORELAND CIR
IDAHO FALLS ID 83402
(208)522-1176

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. 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>Acres</u>	<u>Total</u>	<u>Source</u>
35-13296	AJC/License	04/12/1957	0.91 cfs	320.0 af	80.0	80.0	GROUND WATER

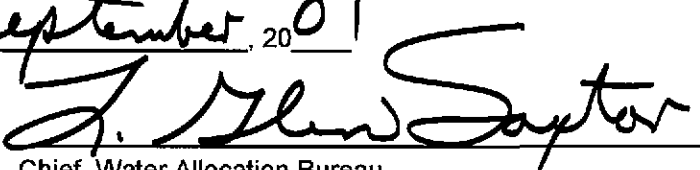
Purpose of Transfer (Changes Proposed)

<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>
35-13296	NO	YES	NO	NO	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>
35-13296	35-13296	0.91 cfs	320.0 af	80.0	80.0		N/A	N/A	N/A	N/A
TOTALS		0.91 cfs	320.0 af	80.0	80.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 28th day of September, 2001

 Chief, Water Allocation Bureau

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OCT 11 2001

Right Holder: WILLIAM J DEMOTT And
MARY LOU DEMOTT
3021 WESTMORELAND CIR
IDAHO FALLS ID 83402

Source: GROUND WATER

GROUND WATER NWSESW Sec. 33 Twp 03N Rge 36E BONNEVILLE
County

GROUND WATER SWSESE Sec. 32 Twp 03N Rge 36E BONNEVILLE
County

PLACE OF USE: IRRIGATION

[illegible]

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under Right 35-13296 shall not exceed 0.91 cfs, nor total combined annual volume of 320.0 af.
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. 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.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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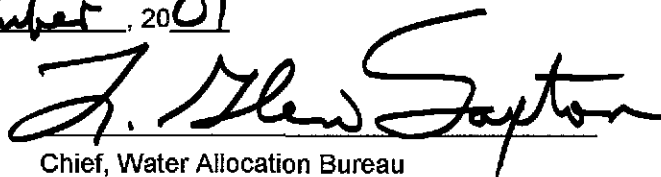
WATER RIGHT NO. 35-13296
As Modified by Transfer No. 69187

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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 28th day of September, 2001


Chief, Water Allocation Bureau

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OCT 11 2001

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 69187

JUL 18 2001

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Department of Water Resources

Name of applicant William or Mary Lou Demott Phone 522-1176
Post Office address 3021 Westmoreland Circle Idaho Falls, ID 83402

A. PURPOSE OF TRANSFER

RECEIVED

MAY 23 2001

**Department of Water Resources
Eastern Region**

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 We purchased this property and want
to use our own existing wells as points of diversion.

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

- | 1. <u>Right Number</u> | <u>Priority</u> | <u>Amount (cfs/ac-ft)</u> | <u>Nature of Use</u> | <u>Period of Use</u> |
|-----------------------------|-----------------------------|-----------------------------|-----------------------------|---|
| <u>35-13296</u> | <u>4-12-AS?</u> | <u>0.91 cfs</u> | <u>Irrigation</u> | <u>4-01 to 10-31</u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> to </u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> to </u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> to </u> |

2. Total amount of water being transferred 0.91 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion: _____

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total Acres

80

PART 1

Transfer No. 69187

6. General Information:

a. Description of diversion system 2 wells + sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
NA 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:
NA

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:

Witness my hand this _____ day of _____, 20 _____

For the Director

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OCT 11 2001

page 3 of 6

T 69187

01/31/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 35-13296

NAME AND ADDRESS: MARY LOU DEMOTT
WILLIAM J DEMOTT
3021 WESTMORELAND CIR
IDAHO FALLS, ID 83402

SOURCE: GROUND WATER

QUANTITY: 0.91 CFS
320 AFY

PRIORITY DATE: 04/12/1957

POINT OF DIVERSION:	T03N R36E S29	SENESW	Within BONNEVILLE County
	T03N R36E S30	SESWS	Within BONNEVILLE County
	T03N R36E S31	SENWNE	Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	0.91 CFS 320.00 AFY

PLACE OF USE:

IRRIGATION Within BONNEVILLE
County

T03N R36E S32	NENE	40	T03N R36E S32	NWNE	40
---------------	------	----	---------------	------	----

80 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

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OCT 11 2001

page 4 of 6

T 69187

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 35-02090A, 35-02661A, 35-02902, 35-
07607, 35-04198, 35-13295, 35-13296.

page 5 of 6

69187

35-13296

Place of use

TJN R 3GE

Points of Diversion.

2

A35-02502
A35-02799
A35-04014
A35-02799A

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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:
- _____
- _____
- _____

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.

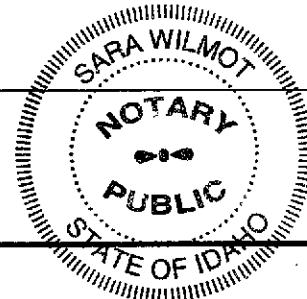
I understand that any willful misrepresentations made in this application may result in voiding its approval.

William J. DeMott
(Signature of Applicant)

Subscribed and sworn to before me this 23rd day of May, 2001

Sara Wilmot
(Notary Public)

My commission expires 7/30/05



FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by W Date 5-23-01 Protest filed by _____

Prelim. Check by Kew Fee \$250⁰⁰

Received by W Date 5-23-01 EO216739

Published in Post Register Copies of protest forwarded by _____

Pub. Dates June 24 & 28 2001 Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☒ approval ☐ denial

_____ received by RDC

Copy of transfer sent to lien holder _____

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OCT 11 2001

AKE CHECK PAYABLE TO:
ONNEVILLE COUNTY
ARK HANSEN TAX COLLECTOR
05 N CAPITAL AV
DAHC FALLS ID 83402

2000 TAX BILL/RECEIPT

PARCEL NUMBER
RP03N36E320049A
15,941

BILL# 43943 CODE AREA 9-00 L

	1ST HALF DUE	2ND HALF DUE	FULL DUE	TOT MV	
AX	116.08	TAX 116.08	TAX 232.16		15,941
ATE		LATE	LATE		
NT		INT	INT		
OST		COST	COST		
OT		TOT	TOT	TOT ACS	76.640

DEMOTT WILLIAM J &
DEMOTT MARY LOU
3021 WESTMORELAND CIR
IDAHO FALLS ID 83402

TAXING DISTRICT	RATE	AMOUNT
STATE	.000000000	
COUNTY	.004346074	69.28
GEN SCHOOL	.000000000	
# 91 SCHOCL	.008442673	134.58
FIRE # 1	.001491914	23.78
AMBULANCE	.000283949	4.32
AMOUNT DUE	.014564610	232.16

76.64 A N1/2 NE1/4,
SEC 32, T 3N, R 36 (WC)

DEC 20 2000

232.16

★ ★ ★ IMPORTANT ★ ★ ★
PLEASE READ BOTH FRONT AND BACK
★ ★ ★ MONTHLY PAYMENTS ARE ACCEPTED ★ ★ ★

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

ONNEVILLE COUNTY

MICROFILMED
OCT 11 2000

T 19187
ATTACHMENT 1 OF 1

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 35-13296

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARY LOU DEMOTT
Current Owner	WILLIAM J DEMOTT
	3021 WESTMORELAND CIR
	IDAHO FALLS, ID 83402
	(208)522-1176

Priority Date: 04/12/1957 Basis: License Status: Active

Source Tributary to
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	10/31	0.91 CFS	320 AFA	
Total Diversion			0.91 CFS	320 AFA	

Location of Point(s) of Diversion:

GROUND WATER	SENESEW	Sec. 29	Township 03N	Range 36E	BONNEVILLE County
GROUND WATER	SESWSE	Sec. 30	Township 03N	Range 36E	BONNEVILLE County
GROUND WATER	SEWNWE	Sec. 31	Township 03N	Range 36E	BONNEVILLE County

IRRIGATION Use: Acre Limit: 80

Place(s) of use: Place of Use Legal Description: IRRIGATION BONNEVILLE 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>
03N	36E	32		NENE	40		NWNE	40						

Total Acres: 80

Conditions of Approval:

1. C18 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. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:

1. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 35-02090A, 35-02661A, 35-02902, 35-07607, 35-04198, 35-13295, 35-13296.

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
csaxton	1/31/01	Split Right	Right 35-02500B split into 35-13295 and 13296 per C/O request. 35-02500B, 5.48 CFS, 1437 AC, Mickelsen: 35-13295, 4.57 CFS, 1357 AC, Mickelsen: 35-13296, 0.91 CFS, 80 AC, DeMott: csaxton 1/31/01

Dates:

Licensed Date:
Claim Received Date: 01/31/2001
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recorn Signed Date:

Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False
Parent Right: 35-2500B Ownership Change

Other Information:

Receipt Number(s):
State or Federal: S
Owner Name Connector: OR
Water District Number:

Water Right 35-13296

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OCT 11 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 1, 2001

WILLIAM J DEMOTT
MARY LOU DEMOTT
3021 WESTMORELAND CIR
IDAHO FALLS ID 83402

RE: Transfer No.: 69187 - Water Right 35-13296 - Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7940.

Sincerely,

Camela S. Skaggs
for Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt

Enclosure(s)

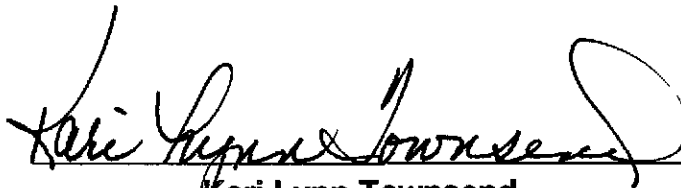
MICROFILMED
OCT 11 2001

CERTIFICATE OF MAILING

I hereby certify that on October 1, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 69187 - WATER RIGHT 35-13296

**WILLIAM J DEMOTT
MARY LOU DEMOTT
3021 WESTMORELAND CIR
IDAHO FALLS ID 83402**

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**MICROFILMED
OCT 11 2001**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

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OCT 11 2001

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

TRANSFER REVIEW SHEET

(05-01)

TRANSFER # 69187

DATE REVIEWED 9-27-01 08

SPLIT POD ✓ ADD POD POU PERIOD or NATURE of USE

ALL OF RIGHT(S) W=Water Right C=SRBA Claim R=SRBA Recommendation

<u>R/35-13296</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>
<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>
<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>
<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>

PART OF RIGHTS(S)

(Unchanged)

(Changed)

<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>

Standard Season 4-1 to 10-31

Standard Volume 4.0 / 3.0

(1) ✓ Priority (2) ✓ Use (3) ✓ Season/W61 (4) ✓ Rate (5) ✓ Volume

(6) ✓ Source (7) P/D (8) ✓ P/U (9) ✓ Proof/Owner (10) Map
SRBA/Bonnyville-Jefferson GW Dist. Change Ownership 1-31-01-split.

(11) NA Water District (12) yes Pertinent Conditions (13) No Expansion
WM/Rcvd w/conditions

⑦ Change to P/D's in Sec 32 & 33, 3N, 36E.

③ No Season on License 35-2500 - Allow Standard Season

35-13296 is a portion of R+ 35-2500 & claim 35-2500B.

Conditions/Remarks 046, 067, R64, T07, T08 WB4/T17, T19

WRs for Update Comments 35-2500 ✓

Database Updated to Reflect Final Action 9-28-2001 08

SRBA

SUBCASE SUMMARY REPORT 35-13296

[Return to SRBA Home Page](#)

SRBA
09-27-2001

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 35-13296 FILE#: 00286
CLAIMANT: DEMOTT, MARY LOU
STATUS: ADMIN PROCEED PENDNG
WATER SOURCE: GROUNDWATER,

**** PARTIES INVOLVED ****

MARY LOU DEMOTT	C PRO SE
WILLIAM J DEMOTT	C PRO SE

**** ROA ENTRIES ****

03-20-2001	NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING	03-20-2001
03-20-2001	NCAP - AMENDED DIRECTOR'S REPORT FILED SPLIT FROM 35-02500B	
06-25-2001	NOTICE OF ADMINISTRATIVE PROCEEDING TRANSFER	AZ 06-19-2002 0500
06-25-2001	NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING TRANSFER WITHDRAWN	06-25-2001
06-25-2001	NOTICE OF ADMINISTRATIVE PROCEEDING APPLICATION FOR NEW TRANSFER	AZ 06-19-2002 0500

[Return to SRBA Home Page](#)

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OCT 11 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

S-23-01

T69187

INITIAL REVIEW BY: RCW

RECEIVED

JUL 18 2001

Department of Water Resources

1. Right number 35-13296 Applicant DeMott

2. Type of right: ☐ Decree ☒ License ☐ Claim ☒ SRBA Recommendation

3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s)
☐ Change place of use ☐ Other _____

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use

b. ☒ Description of original point of diversion.

c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

a. ☐ All of right.

b. ☐ Part of right (NOTE: Part B should be filled in only if part of the right is owned by the applicant).

c. Map for remainder of right? ☐ Yes ☒ No Adj. has split right Not necessary

d. ☒ Check description of point(s) of diversion.

e. ☒ Check description of place of use

f. ☒ Check map (shows p.d. and p.u. after transfer).

g. ☒ Check for correct signature, notarization, and fee.

h. ☒ Check proof of ownership of right &/or land from which water is transferred.

i. ☒ Check for expansion in use of right. Comments NA

j. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) NONE

NOTE: Data search indicated overlapping rights but when
proofs were printed NO OVERLAP. ERROR ON

k. ☒ Is use within a Watermaster District? ☐ Yes ☒ No Data base

If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____

2. Reviewed by Adjudication Staff? ☐ Yes ☐ No

3. Is transfer published correctly? ☒ Yes ☐ No

4. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* Measurement requirement

4. By RCW Date 7/13/01

*All uses within Watermaster District require special conditions

Proof of Publication

The Post Register

RECEIVED

JUL 09 2001

Department of Water Resources
Eastern Region

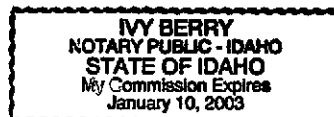
State of Idaho
County of Bonneville

I, Danae Jacobsen or Robert Park, first being duly sworn, depose and say: That I am the Production Supervisor or Asst. Prod. Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for 2 consecutive (days) weeks, first publication having been made on the 21ST day of JUNE, 2001, last publication having been made on the 28TH day of JUNE 2001 at the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Danae Jacobsen

Subscribed and sworn to before me, this 5TH day of JULY 2001



Ivy Berry
Notary Public

My commission expires January 10, 2003

MICROFILMED

OCT 11 2001

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
TRANSFER NO. 89187**

WILLIAM J DEMOTT, 3021 WEST-
MORELAND CIR IDAHO FALLS ID
83402 and MARY LOU DEMOTT,
3021 WESTMORELAND CIR IDAHO
FALLS ID 83402, has filed Applica-
tion No. 69187 for changes to the
following water rights within BON-
NEVILLE County:

Right No. 35-13296

Priority 4/12/57

Source GROUND WATER

Use IRRIGATION (80 acres)

0.91 CFS 320.0 AFA

Total Amount

0.91 CFS 320.0 AFA

Point(s) of Diversion

SENESE S29 T03N R36E

SESWSE S30 T03N R36E

SEWNWE S31 T03N R36E

Place of Use

S32 T03N R36E

The purpose of the transfer is to

change the above right as follows:

The applicant has purchased the
above 80 acres and wants to transfer
the points of diversion to wells that
he owns. These wells are in the
SESE Sec 32 and SESW Sec 33
T03N R36E.

Protests may be submitted based on
the criteria of Sec 42-222, Idaho
Code.

Any protest against the proposed
change must be filed with the
Department of Water Resources,
Eastern Region, 900 N Skyline Dr
Ste A, Idaho Falls ID 83402 together
with a protest fee of \$25.00 for each
application on or before July 09,
2001. The protestant must also send
a copy of the protest to the
applicant.

KARL J DREHER, Director

Published: July 21, 28, 2001

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OCT 11 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 13, 2001

WILLIAM J DEMOTT
3021 WESTMORELAND CIR
IDAHO FALLS ID 83402

RE: Application for Transfer No 69187
Water Right No(s) 35-13296

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right transfer application. Please refer to the above referenced transfer number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Post Register on June 21 and 28, 2001. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,


Harold W Jones
Water Right Supervisor

HWJ:sc

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OCT 11 2001



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

June 13, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Legal Notice Department
POST-REGISTER
PO BOX 1800
IDAHO FALLS ID 83402

RE: Legal Ad

Dear Cathy Von Borstel:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before July 9, 2001. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

*mailed
6/13/01
se*

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OCT 11 2001

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 69187

WILLIAM J DEMOTT, 3021 WESTMORELAND CIR IDAHO FALLS ID 83402 and MARY LOU DEMOTT, 3021 WESTMORELAND CIR IDAHO FALLS ID 83402, has filed Application No. 69187 for changes to the following water rights within BONNEVILLE County:

Right No. 35-13296

Priority 4/12/57

Source GROUND WATER

Use IRRIGATION (80 acres) 0.91 CFS 320.0 AFA

Total Amount 0.91 CFS 320.0 AFA

Point(s) of Diversion SENESW S29 T03N R36E

SESWSE S30 T03N R36E

SEWNNE S31 T03N R36E

Place of Use S32 T03N R36E

The purpose of the transfer is to change the above right as follows:

The applicant has purchased the above 80 acres and wants to transfer the points of diversion to wells that he owns. These wells are in the SESE Sec 32 and SESW Sec 33 T03N R36E.

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before July 09, 2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on June 21 and 28, 2001

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