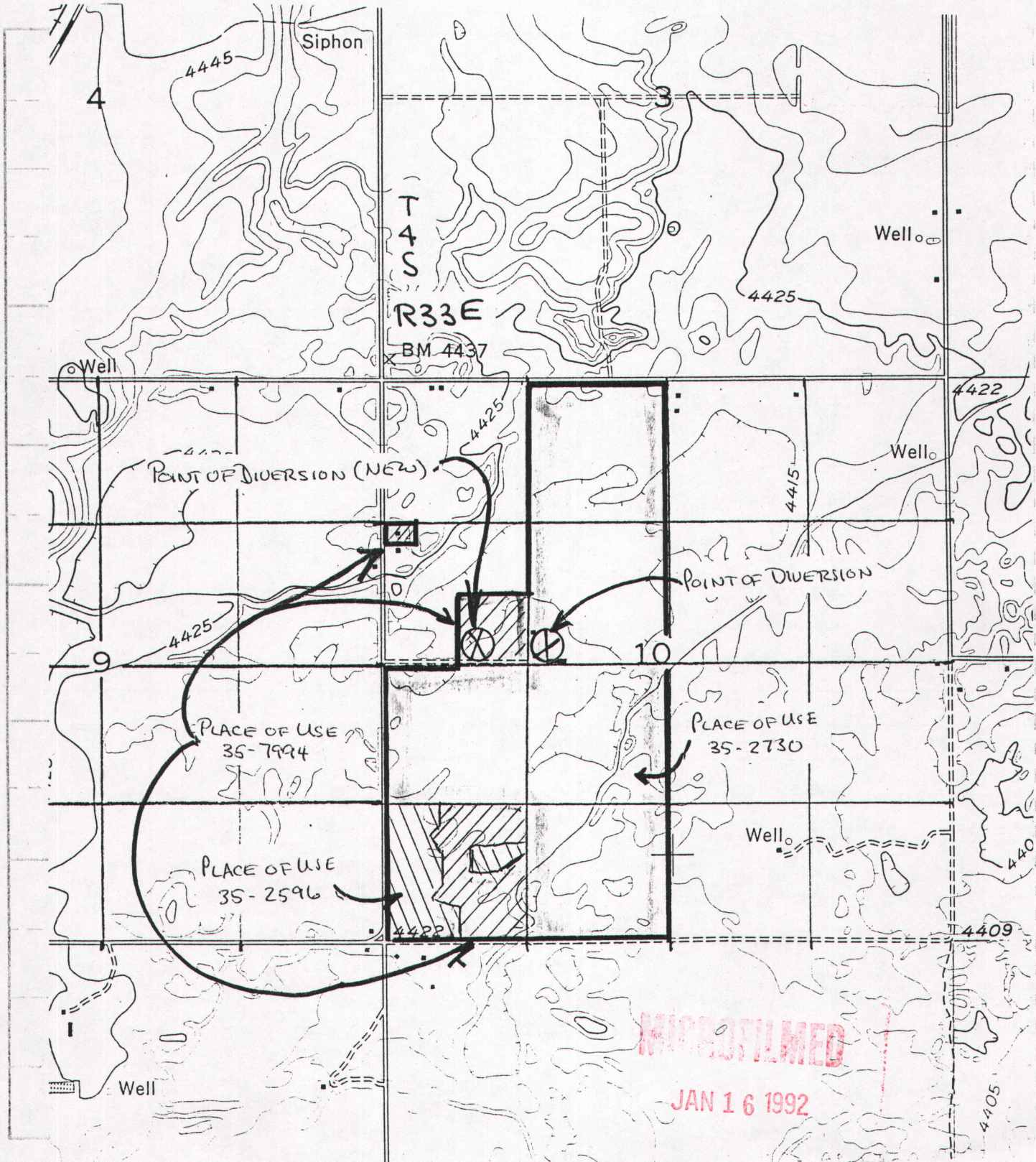


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

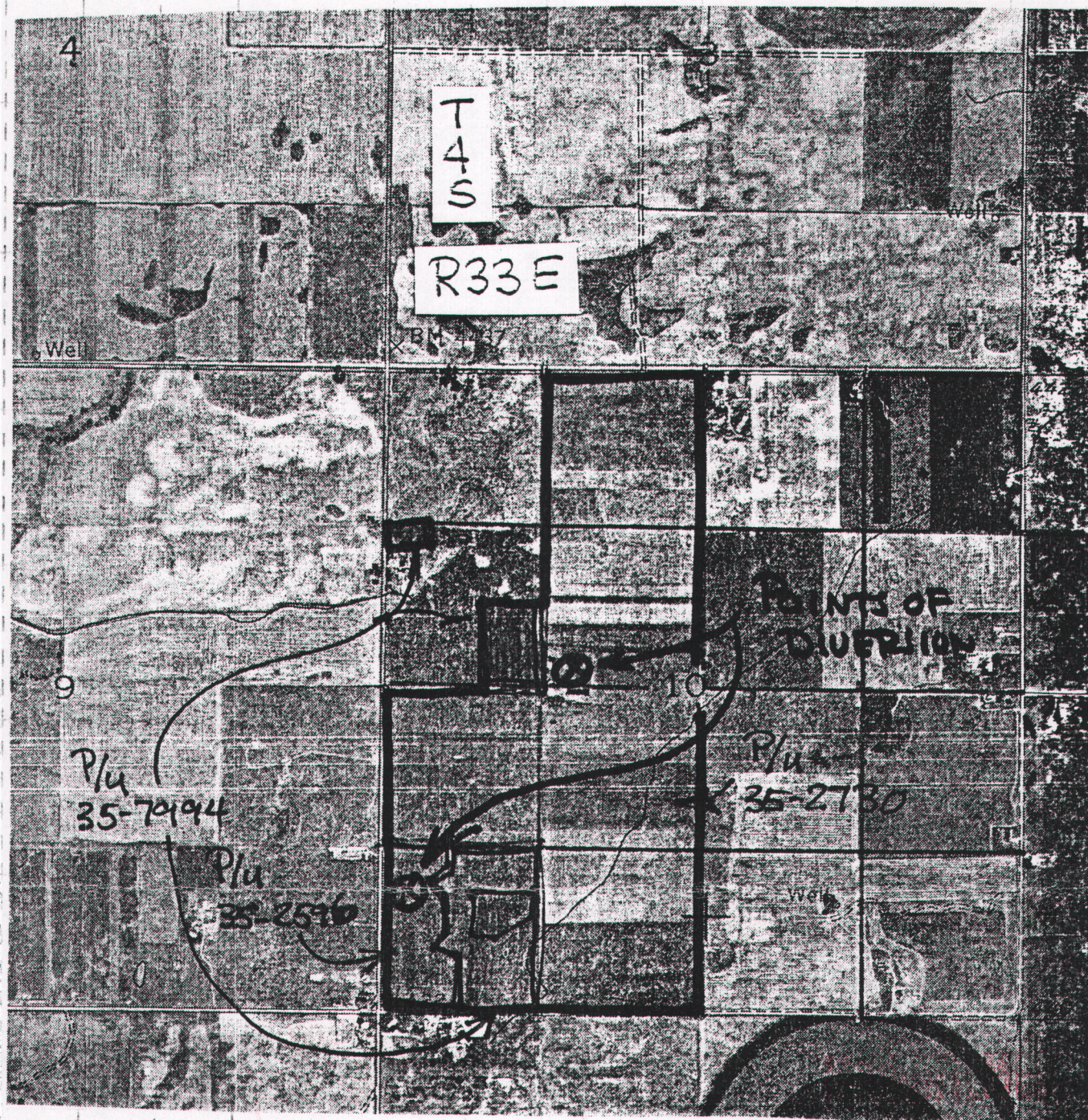
- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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

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.



AUG 14 1990

MEMORANDUM

TO: Files 35-02730 & 35-07994
FROM: Brenda L. Miller *BLM*
DATE: January 15, 1992
RE: Transfer No. 3873

See file 35-02596 for all correspondence regarding the above referenced transfer.

MICROFILMED

JAN 16 1992

R 33 E

on - live well - change pipe every 1000 ft

684-4233

6 lines 5/32	3R nozzle / Line	(See tomorrow morning) 10:30	
		37	
		8.28 10:38	
		39 33.4	
		37	
		Q measured 2.6 c.f.s	
		Q recommended 2.6 c.f.s	
		Volume 3.5 x 184.4 = 645.4 A.F / season	
		Acreage - Found 184.4 acres	
		recommended 184.4 acres	
		Subdv. 5	
		Amendments	
		☒ None	
		☐ P.D.I	
		☐ Place of use	
		☐	

35 2730

Permit No. G-31431 / 35-2730 **35**

Name of Applicant Clyde A. Neibaur, Pingree, Idaho 83262

Source of Water Sub.

a tributary of _____

Location of P.D. SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, T. 4 S, R. 33 E, B.M., Bingham Co.

Water is used for Irrigation

Quantity of water claimed: Permit 150 miner's inches Depositions 3.0 c.f.s.

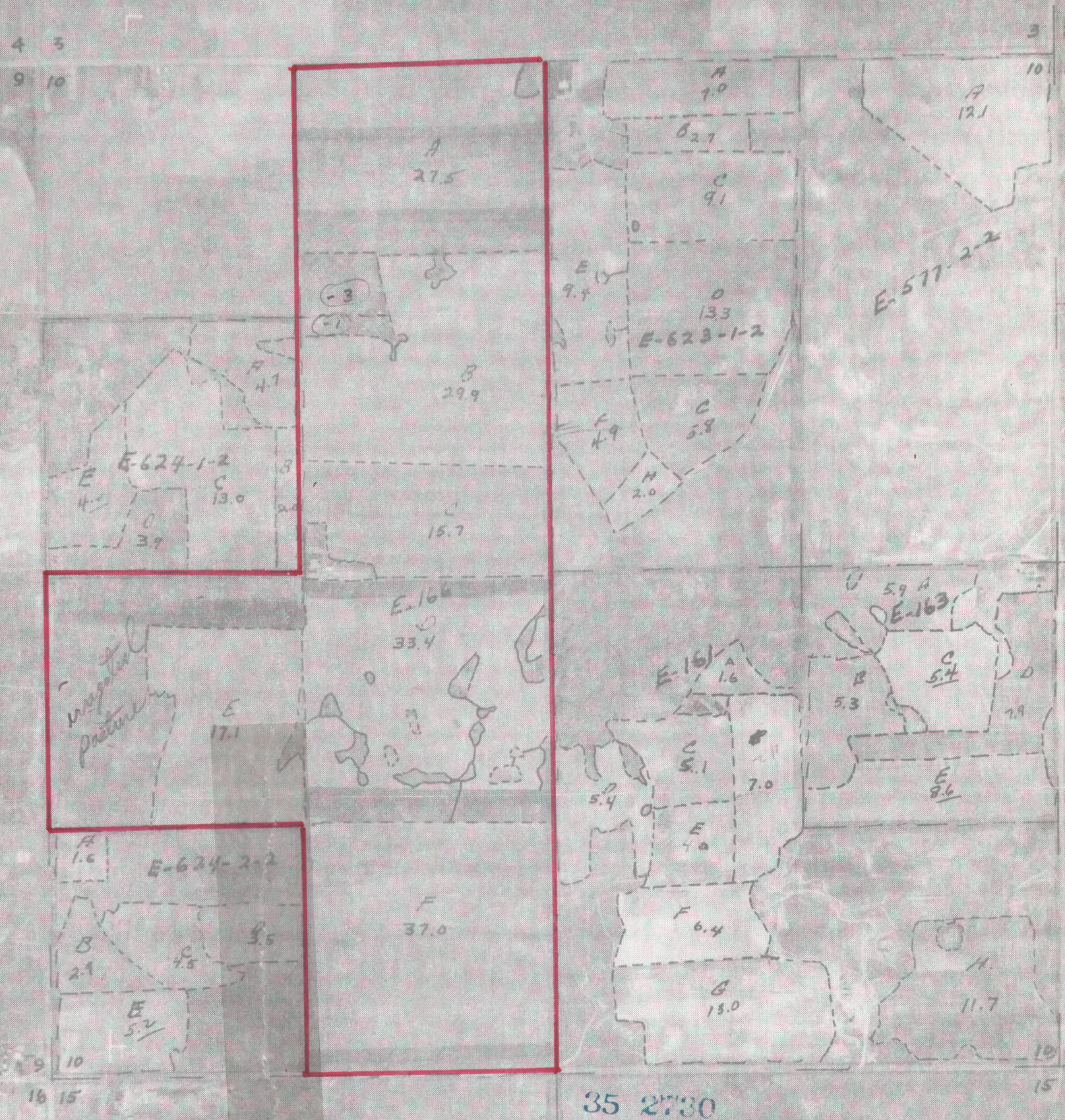
Type of measuring device installed or method of measurement and general description of diversion works 83' x 16", H = 23', 50 hp. motor, 6 $\frac{1}{4}$ mile of 4" laterals at 50#

Land to be irrigated or place of use:			Description
TWP.	RGE.	SEC.	
4S	33E	10	E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$
Filed - October 11, 1963			Total acreage <u>200</u>
Due - October 16, 1968			
Made - September 27, 1968			
Priority - October 11, 1963			

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and acreage covered by subdivision; also show land covered on the map.)

have appropriated 150 miner's inches from said well since 1958

APR - 1968



RECL. ENGR.	
DEPUTY	
WATER RIGHTS	
✓ APPROP	
DIST	
ADJ	
INVESTIGATION	
WELLS	
DAMS	
ACCOUNTING	
FILE	
RETURN TO	
DISCARD	

RECEIVED

NOV 18 1968

Department of Reclamation

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

} ss.

I, Drury R. Brown do solemnly

swear that I am the publisher of The Blackfoot News which is a daily newspaper of general circulation published each day except Saturday and Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: Friday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was, published in said

Friday issue of said newspaper 3 consecutive

weeks, the first publication having been made on

the 31 day of October, 1968,

and the last publication having been made on the

9th day of November, 1968; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

Drury R. Brown

Subscribed and sworn to before me this 9th

day of November, 1968.

Layne Dayton
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
June 1, 1969. Nov. 10, 1972

NOTICE OF APPROVED APPLICATION FOR WATER

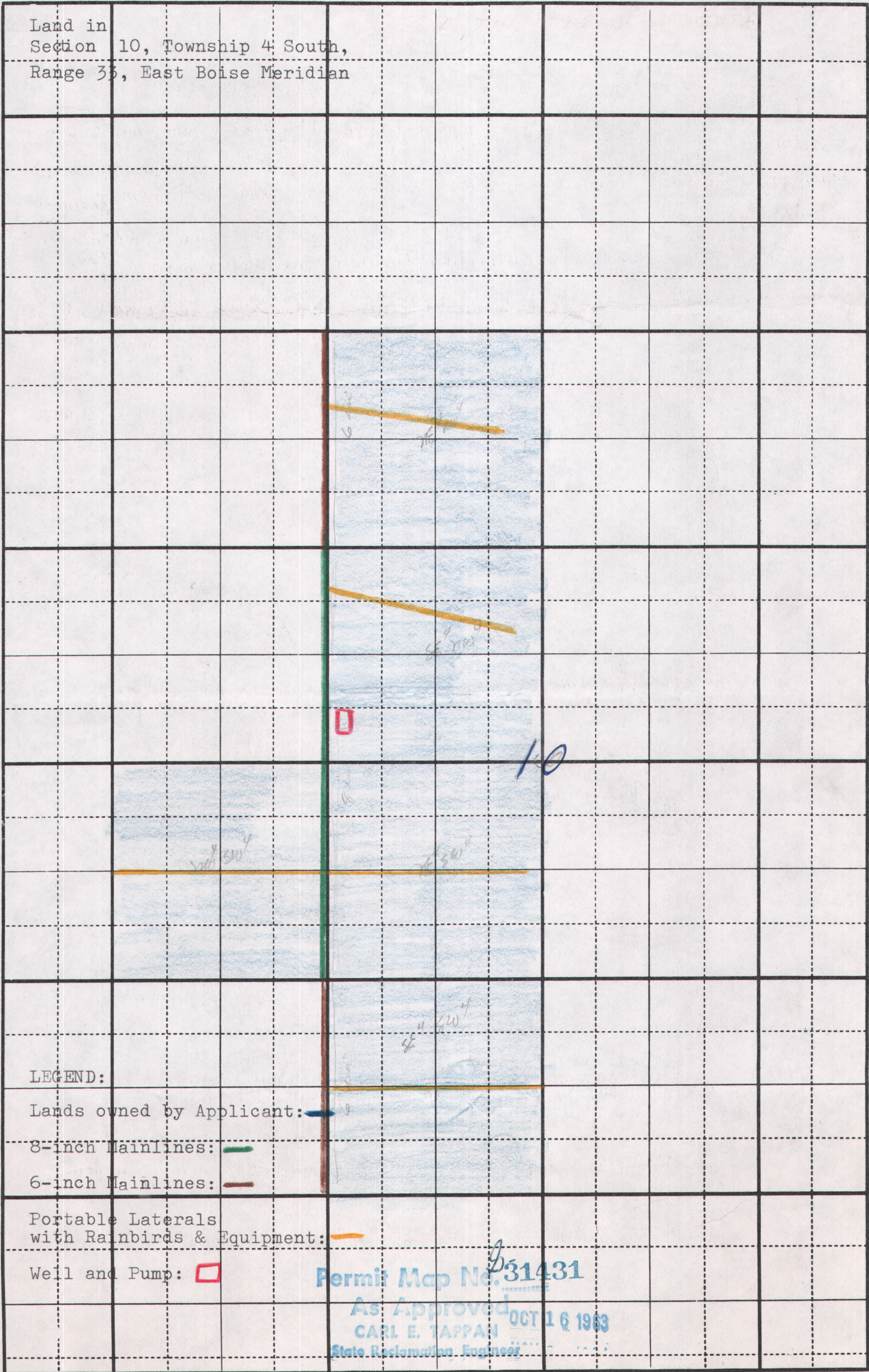
Notice is hereby given that Clyde A. Neibaur, Pingree, Idaho has received an approved permit No. G-31431 to divert 3.0 cubic feet per second of water from a subterranean source. The priority to be established under this permit is October 11, 1963. Water will be diverted by well, turbine pump, and sprinkler system within the SE 1/4 NW 1/4, Sec. 10, T. 4S., R. 33 E., B. M., Bingham County and is to be used for irrigation in the E 1/2 NW 1/4, N 1/2 SW 1/4, SE 1/4 SW 1/4, Sec. 10, T. 4 S., R. 33 E., B.M.

Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Publish: Oct. 31 and Nov. X.
(885) This was in the 9th

31431

Land in
Section 10, Township 4 South,
Range 33, East Boise Meridian



State of Idaho
Department of Water Administration
LICENSE OF WATER RIGHT

License of Water Right No. 31431/35-2730 Priority Oct. 11, 1963 Amount 2.60 cfs

THIS IS TO CERTIFY, that CLYDE A. NEIBAUR
of Pingree, Idaho, has complied with the terms and conditions of Permit
No. 31431/35-2730 issued pursuant to Application for Permit dated October 11, 1963,
and has submitted proof to the Department of Water Administration on September 30, 1968,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 2.60 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 2.60 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 2.60 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10, Twp. 4 S, Rge. 33 E, B. M.
in the county of Bingham; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 645 acre feet per year or _____
3.5 acre feet per acre.

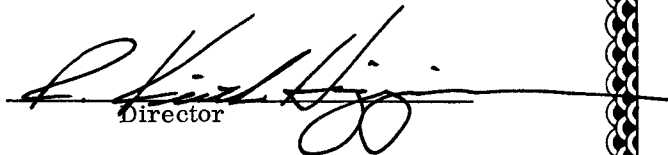
Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4S	33 E	10					37			38	33.4	39		37					184.4

Total number of acres irrigated 184.4

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 9th day of
July, 19 73.


Director

35 2730-73

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 39541
Permit No. G- 31431
District No.

35-2730

1. Name of Applicant: Clyde A. Neibaur
Postoffice address: Pingree County: Bingham State: Idaho
2. Quantity of water claimed: 150 miners' inches
(a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 10
Twp. 4 S , Rge. 33 E. , B.M., County of Bingham
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Well, turbine pump and sprinkling system
Actual
8. ~~Estimated~~ cost of works: \$15,000.00
9. (a) Is reservoir to be used? none
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5
years. Was completed in 1958
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Have appropriated 150
miners inches from said well since 1958.
(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supple-
mental to the existing water rights.
(b) 3.0 (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks: The well, mainlines and sprinkling equipment are all in existence and have been applying 150 miners' inches of subterranean water to the beneficial use and cultivation of all of the lands since 1958.

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

Applicant.

Agent.

Date of first receipt at Department of Reclamation: 8:30 A.M. October 11, 1963

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 31431

Recorded in Book 110 Page 31431 Approved October 16, 1963

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before _____ and to continue diligently and uninterruptedly to completion, unless

temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before **April 16, 1966**

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before October 16, 1968

s/ CARL E. TAPPAN
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, W. E. DREVLLOW, Acting, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to

and _____, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this _____^{16th} day of October, 1963.

STATE OF IDAHO

By s/ ARNOLD WILLIAMS

By s/ W. E. DREVLLOW,
Acting Governor

Secretary of State.

12.

Twp.	Range	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	
4 S	33 E	10		40	40	40	200

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4810
WATER RIGHT NO(S). 35-02596/35-02730/35-07994

This is to certify that: AFTON HEATH
CLEM J HEATH
PO BOX 9
PINGREE ID 83262

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 35-02596 : IRRIGATION Priority: 03/13/1960	04/01 to 10/31	0.52 CFS	104.0 AF
Right No. 35-02730 : IRRIGATION Priority: 10/11/1963	04/01 to 10/31	2.60 CFS	737.6 AF
Right No. 35-07994 : IRRIGATION Priority: 08/03/1981	04/01 to 10/31	* 0.40 CFS	96.0 AF
TOTAL:		** 3.44 CFS	** 937.6 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 10, Township 04S, Range 33E
SENW , Sec. 10, Township 04S, Range 33E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04S 33E 10	NENW 35	SWNW 25.4	SENW 35	
	NESW 32	NWSW 37	SWSW 38	
	SESW 32			234.4
Total number of acres irrigated:				*** 234.4

MICROFILMED

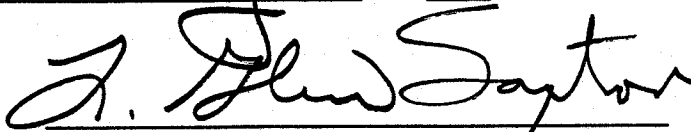
JAN 08 1987

TRANSFER NO. 4810
WATER RIGHT NO(S). 35-02596/35-02730/35-07994

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
2. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- ** 7. The total instantaneous diversion of water from all points of diversion under Transfer No. 4810 shall not exceed 3.44 cfs, nor total combined annual volume of 937.6 af.
- * 8. Right No. 35-07994 and 35-02596 in combination shall not exceed a total diversion rate of 0.84 cfs.
- *** 9. Right No. 35-02596 is limited to the irrigation of 26.0 acres in the place of use described above in a single irrigation season.
- *** 10. Right No. 35-02730 is limited to the irrigation of 184.4 acres in the place of use described above in a single irrigation season.
- *** 11. Right No. 35-07994 is limited to the irrigation of 24.0 acres in the place of use described above in a single irrigation season.

Dated this 6th day of January, 1997.


Chief, Water Alloc. Bureau

MICROFILMED

JAN 08 1997

APPROVED
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3873**APPLICATION FOR TRANSFER OF WATER RIGHT****PART 1**

Name of applicant Clem J. or Afton Heath Phone 684-4730/4208
Post Office address Box 9 Pingree Id 83262

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 Redrill well that is sucking air

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
<u>35-2596</u>	<u>Mar 13, 1960</u>	<u>0.52</u>	<u>Irrigation</u>	<u>4/1</u> to <u>11/1</u>
<u>35-2730</u>	<u>Oct 11, 1963</u>	<u>2.60</u>	<u>Irrigation</u>	<u>4/1</u> to <u>11/1</u>
<u>35-7994</u>	<u>Aug 3, 1981</u>	<u>0.40</u>	<u>Irrigation</u>	<u>4/1</u> to <u>11/1</u>

2. Total amount of water being transferred 3.52 cubic feet per second and/or _____ 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
		SW	NW	10	4S	33E	Bingham	(New well)
		SE	NW	10	4S	33E	Bingham	

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	
35	25	96																	
4S	33E	10											26						26
35	27	30																	
4S	33E	10					37			38	33.4	39		37					184.4
35	79	94																	
4S	33E	10						12				12							24.0

Total acres 234.4

PART 1

6. General Information:

- a. Description of diversion system Two wells mainline to laterals with sprinkler and center pivot.
- 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:
None - replacing well that sucks air.
- 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. 35-2596, 35-2730, & 35-7994
And said application is hereby APPROVED, subject to the following limitations and conditions:

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Witness my hand this 14th day of January, 19 92.

A. Glen Saylor
Chief, Water Allocation Bureau

RECORDED

JAN 16 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

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. 35-7994 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3706 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 Groundwater tributary to _____

4. Date or priority Aug 3, 1981

5. Water is used for the following purpose:

amount 0.40 cfs for Irrigation purposes from 4/1 to 11/1
(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 0.40 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
		SW	SW	10	4S	37E	Bingham	
		SE	NW	10	4S	37E	Bingham	

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	
4S	37E	10							12				12						24

Total acres 24

9. 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 _____ 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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

Total acres _____

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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

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. 35-2730 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3706 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 Groundwater tributary to _____

4. Date or priority Oct 11, 1963

5. Water is used for the following purpose:

amount 2.60 cfs for Irrigation purposes from 4/1 to 11/1
 (cfs/ac-ft) amount _____ purposes from _____ to _____
 (cfs/ac-ft) amount _____ purposes from _____ to _____
 (cfs/ac-ft) amount _____ purposes from _____ to _____

6. Total amount of water under right 2.60 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
		SE	NW	10	4S	33E	Bingham	
		SW	SW	10	4S	33E	Bingham	

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	
4S	33E	10					37			38	33.4	39		37					184.4

Total acres 184.4

9. 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 _____ 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 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	

Total acres _____

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 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	

Total acres _____

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

PART 2

(Attach one copy for each right)

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. 35-2596 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3706 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 Groundwater tributary to _____

4. Date or priority March 13, 1960

5. Water is used for the following purpose:

amount 0.52 cfs for Irrigation purposes from 4/1 to 10/31
(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 0.52 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
		SW	SW	10	4S	33E	Bingham	
		SE	NW	10	4S	33E	Bingham	

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	
4S	33E	10											26						26

Total acres 26

9. Describe any other water right used for the same purpose as described ve 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 _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount 2661.9 T NWT for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

Total acres _____

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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

Total acres _____

Transfer to



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

PART 3

B. CHANGES IN NATURE OF USE

New Nature of Use

Amount
(cfs/ac-ft)

Hours/days/year

Period of Use

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.

Subscribed and sworn to before me this _____

(Signature of Applicant)

day of

(Notary Public)

RESIDING AT IDAHO FALLS, IDAHO
My commission expires
MY COMMISSION EXPIRES: 6-30-74

FOR DEPARTMENT USE ONLY

Transfer contains

pages and

attachments

Received by

2

Date _____

$$1221 - 1 = 01$$

Protest filed by

Prelim. check by

West

Fee

50% ± E 016629

Received by

ku

Date _____

1551-2-01

Copies of protest forwarded by

Published in Morning News

Pub. dates Nov. 7, 14, 1931

Nov. 7, 14, 1991

Watermaster recommendation requested on

Recommended for

☒ approval ☐

denial

rec'd.

by JK

Copy of transfer sent to lien holder

JUN 16 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3706APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

APPROVED

Name of applicant Clem J. or Afton Heath Phone 684-4730/4208
Post Office address Box 9, Pingree Idaho 83262

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 Listing P/D's on lands owned so that water can be obtained for each of the rights from either or both wells

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 |
|-----------------|---------------------|--------------------|-------------------|---------------------------|
| <u>35-2596</u> | <u>MAR 13, 1960</u> | <u>0.52</u> | <u>Irrigation</u> | <u>4/1</u> to <u>11/1</u> |
| <u>35-2730</u> | <u>OCT 11, 1963</u> | <u>2.60</u> | <u>Irrigation</u> | <u>4/1</u> to <u>11/1</u> |
| <u>35-7994</u> | <u>AUG 3, 1981</u> | <u>0.40</u> | <u>Irrigation</u> | <u>4/1</u> to <u>11/1</u> |
2. Total amount of water being transferred 3.52 cubic feet per second and/or _____ 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
		SW	SW	10	4S	33E	Bingham	
		SE	NW	10	4S	33E	Bingham	

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	
35-2596																			
4S	33E	10											26						26
35-2730																			
4S	33E	10					37			38	33.4	39		37					184.4
35-7994																			
4S	33E	10							12				12						24.0

Total acres 234.4

PART 1

6. General Information:

a. Description of diversion system Two wells mainline to laterals with sprinklersb. 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:

NONE - just making it easier to divert groundwater on place of use.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCESThis is to certify that I have examined Application for Transfer of Water Rights No. 35-2596/2730/7994And said application is hereby APPROVED, subject to the following limitations and conditions:The combined annual volume of water under these rights shall not exceed 820.4 acre-feet per annum.**MICROFILMED**

AUG 14 1990

Witness my hand this

31st day ofJuly, 19 90J. M. Saylor
Chief, Water Alloc. Bureau

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

PART 2

(Attach one copy for each right)

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. 35-2596 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 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 Groundwater tributary to _____

4. Date or priority March 13, 1960

5. Water is used for the following purpose:

amount 0.52 cfs for Irrigation purposes from 4/1 to 10/31
(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 0.52 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	10	4S	33E	Bingham	

8. 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	
4S	33E	10											26						26

Total acres

26

9. 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 _____ 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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

Total acres _____

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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

Total acres _____

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

PART 2

(Attach one copy for each right)

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. 35-7994 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 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 Groundwater tributary to _____

4. Date or priority Aug 3, 1981

5. Water is used for the following purpose:

amount 0.40 cfs for Irrigation purposes from 4/1 to 11/1
(cfs/ac-ft) _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____

6. Total amount of water under right 0.40 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	10	4S	3E	Bingham	

8. 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	
4S	3E	10							12				12						24

Total acres 24

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

NONE

It yes, describe

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

2. Point(s) of Diversion:

3. Lands irrigated or place of use:

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

2. Point(s) of Diversion:

3. Lands irrigated or place of use:

[illegible]

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

PART 2

(Attach one copy for each right)

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. 35-2730 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 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 Groundwater tributary to _____

4. Date or priority Oct 11, 1963

5. Water is used for the following purpose:

amount 2.60 cfs for Irrigation purposes from 4/1 to 4/1
 (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 2.60 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	10	4S	37E	Bingham	

8. 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	
4S	37E	10					37			38	33.4	39		37					184.4

Total acres 184.4

9. 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 _____ 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 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	

Total acres _____

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

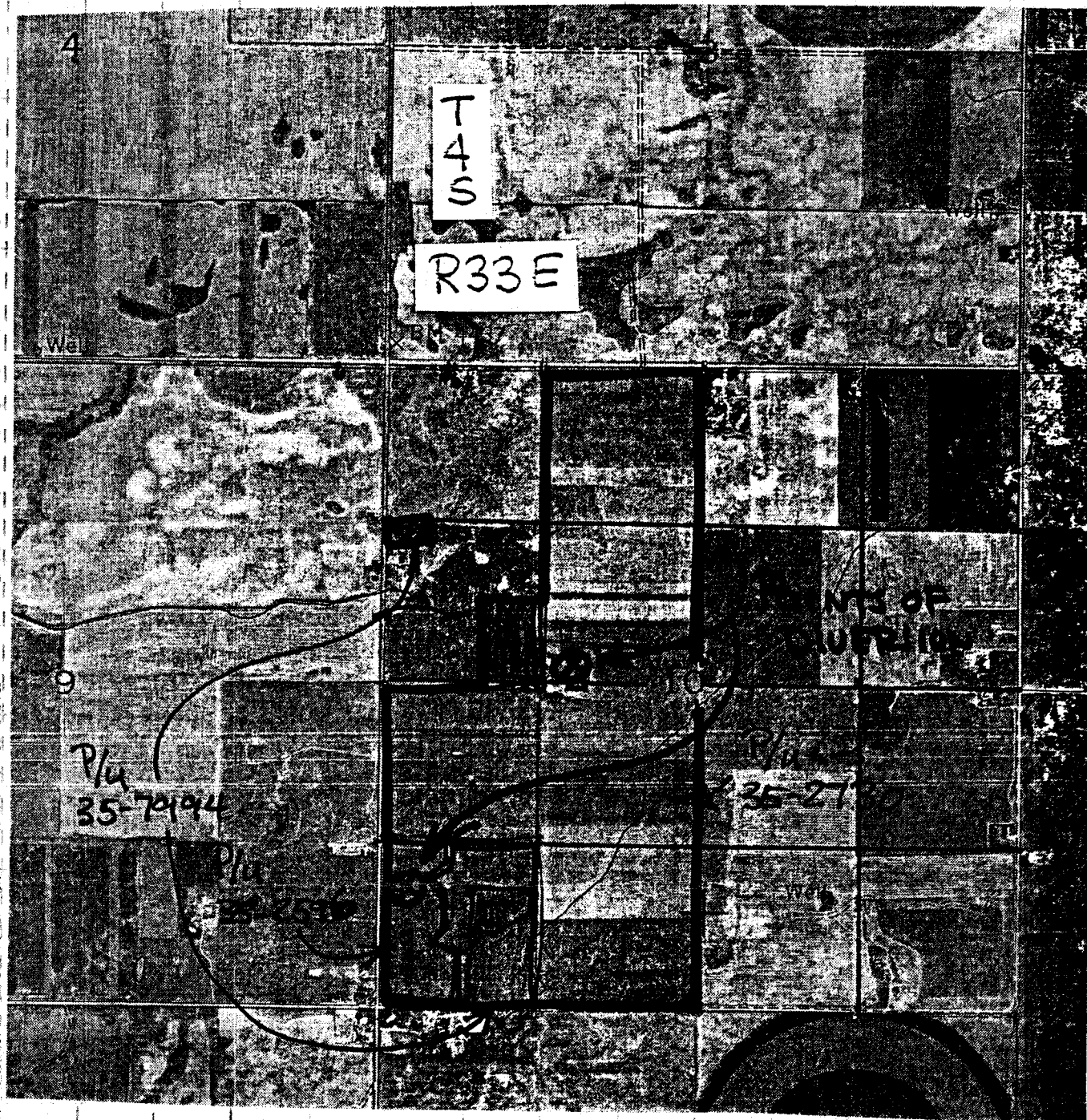
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 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	

Total acres _____

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.



AUG 14 1990

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				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.

Subscribed and sworn to before me this 18th day of April, 19 90.

Clem J. Heath
(Signature of Applicant)

Natalie Soodwin
(Notary Public)

My commission expires 2-20-96

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee \$50.00Receipted by Jo Date 4-23-90 Receipt NO. EO1348-3Published in Morning News Copies of protest forwarded by _____Pub. dates 6-7 & 14-90 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended by ☐ approval ☐ denial

_____ rec'd. _____

Copy of transfer sent to lien holder _____

MICROFILMED**AUG 14 1990**



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 7, 1997

AFTON HEATH
CLEM J HEATH
PO BOX 9
PINGREE ID 83262

RE: WATER RIGHT NOS. 35-02596/35-02730/35-07994
(Transfer No. 4810)

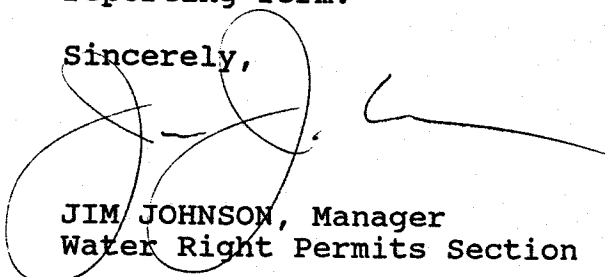
Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water rights (Transfer No. 4810). Please be sure to thoroughly review the "Conditions/Remarks:" as listed on the transfer.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR to July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify 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 to obtain the proper reporting form.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:ph

Enclosure

MICROFILMED

JAN 08 1997

MEMORANDUM

TO: FILE NOS. 35-02596, 35-02730 & 35-07994

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER NO. 4810

DATE: December 26, 1996

=====

Transfer No. 4810 was filed to change the place of use under Right Nos. 35-02596, 35-02730 and 35-07994. The applicant is adding center pivots to facilitate irrigation and the acres under these rights are being rearranged to cover the new configuration. These three rights when combined irrigate 234.4 acres as described under the permissible place of use on the approval document. ✓

Season of use and diversion volume were adjusted to current standards. Recommended conditions include irrigation overlap, future annual reporting, multiple points of diversion/measuring devices, combined right & permissible place of use limits, and standard transfer conditions. ✓

MICROFILMED

JAN 08 1997

RECEIVED

MAR 5 1993

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF COMPLETED TRANSFER

The Idaho Department of Water Resources will consider this form as a statement regarding completion of the authorized water right(s) transfer.

1. Water Right No(s). 35-02596 / 02730 / 07994
Transfer No. 3872

2. Name of Water Right Holder(s): Clara J. Heath / Alton Heath
Address: P.O. Box 9 - Burgees, Id 83262

3. Water right transfer authorized by Department is:
(check appropriate space or provide description)

Complete _____

Not Complete _____

X Partially Complete (describe work completed) New well
drilled, changed pumps

4. If the transfer has not yet been completed or is only partially complete, please provide a statement why the authorized change(s) have not been accomplished and the date which you expect the changes to be complete:

Had an accident (Broken hip + knee replacement)
in Sept. 1992 - Well complete by 6-1-93

5. I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in Department action rescinding the approved water right(s) transfer.

Signature

(& title if on behalf of a company or organization)

Date

Alton M. Heath 3-2-93
This letter was received 3-2-93. It got misfiled in
Post Office. (JH) JAN 28 1993

MEMORANDUM

TO: Files 35-02730 & 35-07994
FROM: Brenda L. Miller *BLM*
DATE: January 15, 1992
RE: Transfer No. 3873

=====

See file 35-02596 for all correspondence regarding the above referenced transfer.

MICROFILMED

JAN 16 1992

FROM Sharla

TO Files 35-2730/7994

SUBJECT Trans. 3706

DATE 7/31/90

See file 35-2596 for all correspondence regarding the above referenced transfer.

MICROFILMED

AUG 14 1990

SIGNATURE

July 10, 1973

Re: Permit No. 31431/35-2730

Mr. Clyde A. Neibaur
Pingree,
Idaho 83262

Dear Mr. Neibaur:

Enclosed please find a copy of the Water License issued on the above referenced
permitt.

Sincerely,

BOBBY D. FLEENOR
Assistnat Director

bjg

Enclosure

35 2730

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse — Annex 2

Boise, Idaho 83707

(208) 384-2215

June 22, 1973



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

Mr. Clyde A. Neibaur
Pingree,
Idaho 83262

Dear Mr. Neibaur:

A representative of this Department has made an examination of the works covered by your Permit No. 31431/35-2730 and has found the following:

Quantity of water diverted: 2.60 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 2.60 cfs

The maximum quantity diverted shall not exceed 645 acre feet per season.

Beneficial use: Irrigation of 184.4 acres within the E $\frac{1}{2}$ NW $\frac{1}{4}$ (75), N $\frac{1}{2}$ SW $\frac{1}{4}$ (72.4), SE $\frac{1}{4}$ SW $\frac{1}{4}$ (37), Sec. 10, Twp. 4S, Rge. 33E, B.M.

Point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, Twp. 4S, Rge. 33E, B.M.

The priority date established is: Oct. 11, 1963

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

35 2730

6 lines 5/32	3R nozzle / line (See tomorrow morning) 10:30	37	39	33.4	37	Q measured 2.6 c.f.s. Q recommended 2.6 c.f.s.	Volume 3.5 x 184.4 = 645.4 A.F. / season Acreage - Found 184.4 acres recommended 184.4 acres	Subdv. 5	Amendments ☒ None ☐ P.D.I. ☐ Place of use ☐
-----------------	---	----	----	------	----	---	---	----------	--

Source of supply well
a tributary of _____
Location of P.D.(s) SE NW Sec 10 45-38E

Water is used for irrigation
Quantity of water found _____

How was the measurement made? pressure gauge
Measurement calculations _____

1 line @ 32 nozzles = 224 nozzles
55 lbs pressure area = 5.22 gal/min/nozzle

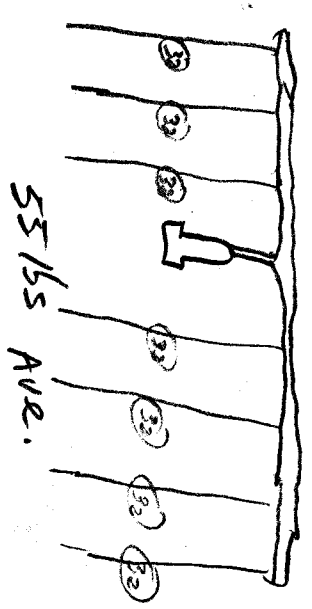
224 x 5.22 = 2.6 c.f.s
448.8

3/32" nozzles

Diversion works description and diagram

Fairbanks Morse Motor
50 H.P. Ser. PS1713

Fairbanks Morse Pump
Ser. PM296
8" discharge



Indicate area irrigated in each subdivision on the map.

Total acreage irrigated 184.4

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

Who represented the permit holder at the examination?
MR. WEIBACH

Recommended allowance for licensing 2.6 c.f.s.

Description of required amendments. Comments _____

Report checked? _____

Examination date 8/13/70

Signature [Signature]

00 Pingree Id 83262

APR - 1968



35 2730

Dear Sir,

You will find enclosed an ~~air~~ arial photo of
my farm which was requested from ~~your~~ office

1922 8 1879

Department of Reclamation

Clyde A. Neibaur

Pringle - Idaho

83262

925797 Cane.

923043

923044

923048

923045

35 2780

November 25, 1968

Re: Permit No. G-31431

Mr. Clyde A. Neibaur
Pingree,
Idaho

Dear Mr. Neibaur:

Please be advised that the Department of Reclamation is in receipt of the affidavit of publication for the above referenced permit.

As we stated in our previous letter, a field examination is required prior to the licensing of the permit. The department is not certain when the examination will be made, however, we will try to contact you prior to the visit of our examiner. If someone other than yourself should be contacted, please advise us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks
enclosure: none

31431

NOTICE OF APPROVED
APPLICATION FOR WATER

Notice is hereby given that Clyde A. Neltner, Pingree, Idaho has received an approved permit No. G-31431 to divert 3.0 cubic feet per second of water from a subterranean source. The priority to be established under this permit is October 11, 1963. Water will be diverted by well, turbine pump, and sprinkler system within the SE 1/4 NW 1/4, Sec. 10, T. 4S., R. 33 E., B. M., Bingham County and is to be used for irrigation in the E 1/2 NW 1/4, N 1/2 SW 1/4, SE 1/4 SW 1/4, Sec. 10, T. 4 S., R. 33 E., B.M.

Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Publish: Oct. 31 and Nov. 8.
(885) *This was in the 9th*

AFFIDAVIT of PUBLICATION

County of Bingham
State of Idaho

} ss.

I, Drury R. Brown do solemnly

swear that I am the publisher of The Blackfoot News which is a daily newspaper of general circulation published each day except Saturday and Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: Friday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was, published in said

Friday issue of said newspaper 3 consecutive weeks, the first publication having been made on the 31 day of October, 1968,

and the last publication having been made on the 9th day of November, 1968; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

Drury R. Brown
Subscribed and sworn to before me this 9th

day of November, 1968

Sage Dayton
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
June 1, 1969. *Nov 10, 1972*

31431

SEP 30 1968

Department of Reclamation

31431

RECEIVED

SEP 30 1968

Department of Reclamation

(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

State Reclamation Engineer:

You are hereby authorized to have the attached notice published at my expense in the Blackfoot News of Blackfoot, Idaho; published in the county in which the works are situated.

Clyde A. Neilson
(signature)

Priguer - Idaho 83262
(address)

Sept. 27, 1968
(date)

In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer when proof is for completion of works.

I hereby certify that the facts set forth in the attached notice are true.

Engineer

31431

October 17, 1968

Re: Permit No. G-31431

Blackfoot News
Blackfoot, Idaho 83221

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for our review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you can not publish the notice on the proposed dates, please contact the Department of Reclamation immediately.

The expense of the publication is to be paid by _____
Neibaur, Pingree, Idaho

to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg

Encl Legal Notice
cc: v Clyde A. Neibaur

NOTE: The permit holder is required to obtain an affidavit of publication from the above referenced newspaper and to submit it to the Department at once.

31431

Identification No. _____

Permit No. G-31431

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED

SEP 29 1933

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

1. a) Name of Permit Holder Clyde A. Neibaur
b) Post Office Address Pinque - Idaho 83262
2. Permit Number G-31431
3. Date of Priority that you are prepared to establish 1958
4. a) Source from which water was appropriated underground - deep well-sprinkler
b) Location of the point of diversion: S.E. $\frac{1}{4}$ NW $\frac{1}{4}$, Section 10,
Township 45, Range 33 Boise Meridian. Other points of
diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount 3.0 CFS for irrigation purposes from 4-20 to 10-30 incl.
(cfs and/or acre feet per annum) (Mo-Day) (Mo-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Mo-Day) (Mo-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Mo-Day) (Mo-Day)
b) Total amount appropriated 3 CFS cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made
and the qualifications of the person making the measurement: I am running
6 $\frac{1}{4}$ mile 4 inch laterals at 50 lb. pressure
6. If the means of diversion and conveyance are owned by someone other than the Permit
Holder:
a) Give the name or description of the canal, ditch or other works by which the water is
conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use,
(If from a subterranean source, give the pump size, motor size, size of well casing,
depth of well; if from surface water, give brief description of diversion structure and/or
canal or ditch) 50 H.P. 16" casing 83'
water stands 23' below ground surface

Bill Hindley

31431

b) Describe the type and size of measuring device which you have installed at your point of diversion:

c) Give well drillers name and address and date the well was completed
Bill Findley
Blackfoot - Idaho
June 1958

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SE 1/4				TOTAL
			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	
4	33	10													200
4	33	10													
4	33	10													
4	33	10													
4	33	10													

Total number of acres irrigated 200

10. Remarks: The irrigation well was drilled in 1958 and the system was installed, water was applied to 120a. That year, I purchased the farm that water and the spring of 1959 completed the development and used the water on 200a. The well was originally 53' deep. I had it drilled on 200a. The above information is a true statement of the extent to which the above numbered permit has been developed. Because of the above information I would request the priority date on the water change to June - 1958

(Date)
Sept. 27, 1968

(Signature)
Charles A. Threlkorn

State of Idaho
County of Blaine
ss.

On this 27 day of September 1968, personally appeared before me the signer (s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Charles A. Threlkorn
Notary Public residing at #5
Blackfoot, Idaho
My commission expires Feb-1972

31431

October 17, 1968

Re: Permit No. G-31431

Clyde A. Neibaur
Pingree, Idaho 83262

Dear Mr. Neibaur:

We acknowledge receipt of your affidavit submitted as proof of beneficial use on application for permit G-31431.

Before a license can be issued a field examination must be made by a representative from this department.

We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than you should be contacted by the examiner, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg

P. S. Please be advised that it is the procedure of the Department to use the first date of receipt as the priority date, thus we are unable to advance this date as you request.

3 14 31

RETURN RECEIPT

a. POST OFFICE RECORD SHOWS (Enter below the information shown on delivery record)

1. b. ADDRESSEE IS NOT AVAILABLE

c. ADDRESSEE DECLINES TO SIGN

SIGNATURE OF ADDRESSEE (Must always be filled in)

2.

Clyde Neilson

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

ADDRESS WHERE DELIVERED (Only if requested in item 4)

9-20-68

Official post office record of delivery is held for two years, and it may be examined by either the sender, addressee, or their duly authorized representatives.

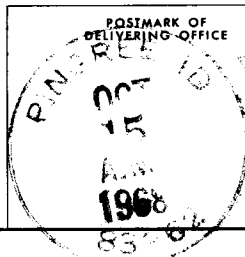
★ GPO : 1963 OF-705-959

31431

POST OFFICE DEPARTMENT

OFFICIAL BUSINESS

**PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300**



6. ARTICLE NO.

REGISTERED

No.

CERTIFIED

No. 20247

INSURED

No.

7. RETURN TO:

NAME OF SENDER

State of Idaho

STREET AND NO. OR P. O. BOX

Department of Reclamation

CITY STATE AND ZIP CODE

Boise, Idaho 83707

POD Form 3811-A

Sep. 1963

31431

September 16, 1968

Re: Permit No. G-31431

Clyde A. Neibaur
Pingree, Idaho 83262

Dear Mr. Neibaur:

One of the conditions of the approval of your permit G-31431 was that proof of application of the water to beneficial use be submitted to this office on or before October 16, 19 68.

Enclosed is an affidavit form which must be used to submit this proof. You may also request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, ICA.

Either the proof or a request for extension must be received by this department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

R. Keith Higginson

State Reclamation Engineer

Enclosure: Proof form

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-31431)

in the name of Clyde A. Neibaur)

Pingree, Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. **G-31431** was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.
 - b. The permittee will not be required to submit proof of completion of works as originally specified, but will be required to submit proof to the Department of Reclamation of the application of the water to beneficial use on or before October 16, 1968. The permit holder should be aware that failure to complete one-fifth (1/5) of the works within one-half (1/2) of the time originally set for Completion of Works may be grounds for cancellation at the instance of the Department.

Dated this 18th day of September, 19 68.

Jack A. Barnett, Deputy
State Reclamation Engineer

531431

September 13, 1968

Re: Permit No. G-31431

**Clyde A. Neibaur
Pingree, Idaho 83262**

Dear Mr. Neibaur:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with those rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department, stating that you have been issued a permit and are now submitting proof of beneficial use. Previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

**Donald W. McElowney
Appropriation Examiner**

**DWN:tg
Enc: Order
Proof Due Notice
Proof Package
Advertising package**

B 31431

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

PO Box 471
Blackfoot, Idaho

RECEIVED
DEC 8 1963

Department of Reclamation

December 2, 1963

Mr. Carl E. Tappan
State Reclamation Engineer
Capitol Building
Boise, Idaho

RE: Clyde A. Neibaur
12-06-
Application No. G. 39541
Permit No. G. 31431

Dear Sir:

This is to notify your Office that the Government filed a Mortgage, for the above named borrower covering the water rights under Permit No. G. 31431, November 21, 1963. Kindly make this Notation on your records.

Very truly yours,

L.D. Crawford
L.D. Crawford
County Supervisor

Noted
12/3/63

31431

OR

November 4, 1963

Re: Permit No. G-31431
Clyde A. Neibaur

Anderson & Beebe,
Attorneys at Law,
P. O. Box 752,
Blackfoot, Idaho

Attention: Arnold T. Beebe

Gentlemen:

We enclose Permit No. G-31431 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-8305 which was issued covering payment in the amount of \$5.50 for the filing fee of the above mentioned permit.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl. - Permit
Receipt

EPR:pak

cc: Clyde A. Neibaur
Pingree, Idaho

831431

Form No. 0

LEGEND:

8-inch Mainlines:

6-inch Mainlines: —

Portable Laterals with Rainbirds & Equipment:

Well and Pump: ☐

Permit No. ^D31431

As Approved
CARL E. TAYLOR
State Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

$\Delta 31431$

ANDERSON & BEEBE
ATTORNEYS-AT-LAW
P. O. BOX 752
BLACKFOOT, IDAHO
83221

October 10, 1963

Carl E. Tappan
State Reclamation Engineer
Room 107
Statehouse
Boise, Idaho

Dear Mr. Tappan:

We enclose herewith Application for Permit to
Appropriate Subterranean Waters of the State of
Idaho of Clyde E. Neibaur.

This Application is made because the Farmers
Home Administration requires a permit as a loan
requirement and Mr. Neibaur has been appropriating
150 inches of water and applying it to beneficial
use on this land since 1958. We also enclose our
firm check No. 4495 in the sum of \$5.50 for filing
fee.

Upon approval Mr. Neibaur intends to give
notice of proof of completion and application to
beneficial use and we will appreciate your sending
us the printed form of Notice and the letter to
accompany the Notice.

Very truly yours,

ANDERSON & BEEBE

Arnold T. Beebe
Arnold T. Beebe

ATB:vb
Encls.

531431

RECEIVED

OCT 23 1968

Legal

Department of Reclamation

NOTICE OF APPROVED
APPLICATION FOR WATER

Notice is hereby given that Clyde A. Neibaur, Pingree, Idaho has received an approved permit No. G-31431 to divert 3.0 cubic feet per second of water from a subterranean source. The priority to be established under this permit is October 11, 1963. Water will be diverted by well, turbine pump, and sprinkler system within the SE 1/4 NW 1/4, Sec. 10, T. 4S., R. 33 E., B. M., Bingham County and is to be used for irrigation in the E 1/2 NW 1/4, N 1/2 SW 1/4, SE 1/4 SW 1/4, Sec. 10, T. 4 S., R. 33 E., B.M.

Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON

State Reclamation Engineer

Publish: Oct. 31 and Nov. 7.

(885)

31431