

Transfer No. 72154

Name of Applicant James Rex Rigby Phone 657-2621
Post Office address 2391 N 600E Montevideo, Id 83435

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 ADD A 2ND WELL. THE ORIGINAL WELL FROM THIS WATER RIGHT. T71318 well replacement will not produce enough CFS to fill this right.

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>31-2308</u>	<u>1952</u>	<u>3.66</u>	<u>IRP</u>	<u>4/1</u> to <u>10/31</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>

2. Total amount of water being transferred 3.66 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water GSW tributary to _____

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total Acres 307

PART 1

6. General Information:

- a. Description of diversion system 2 wells/pump to sprinkler
- 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. NO POW CHANGE
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
NO CHANGES
- 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

Page 2 of 3

WATER RIGHT NO. 31-2308
As Modified by Transfer No. 71318

In accordance with the approval of Transfer No. 71318, Water Right No. 31-2308 is now described as follows.

Right Holder: TERRI DAWN RIGBY And
JAMES REX RIGBY
2391 N 600 E
MONTEVIEW ID 83435

Priority Date: May 05, 1952

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	3.66 CFS	1,074.5 AF
			3.66 CFS	1,074.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENE Sec. 8 Twp 07N Rge 33E JEFFERSON
County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	33E	8	38.0	39.0	40.0	39.0													156.0
07N	33E	9					34.0	38.0	39.0	40.0									151.0

Total Acres: 307

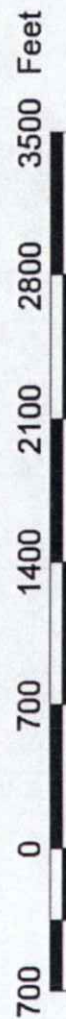
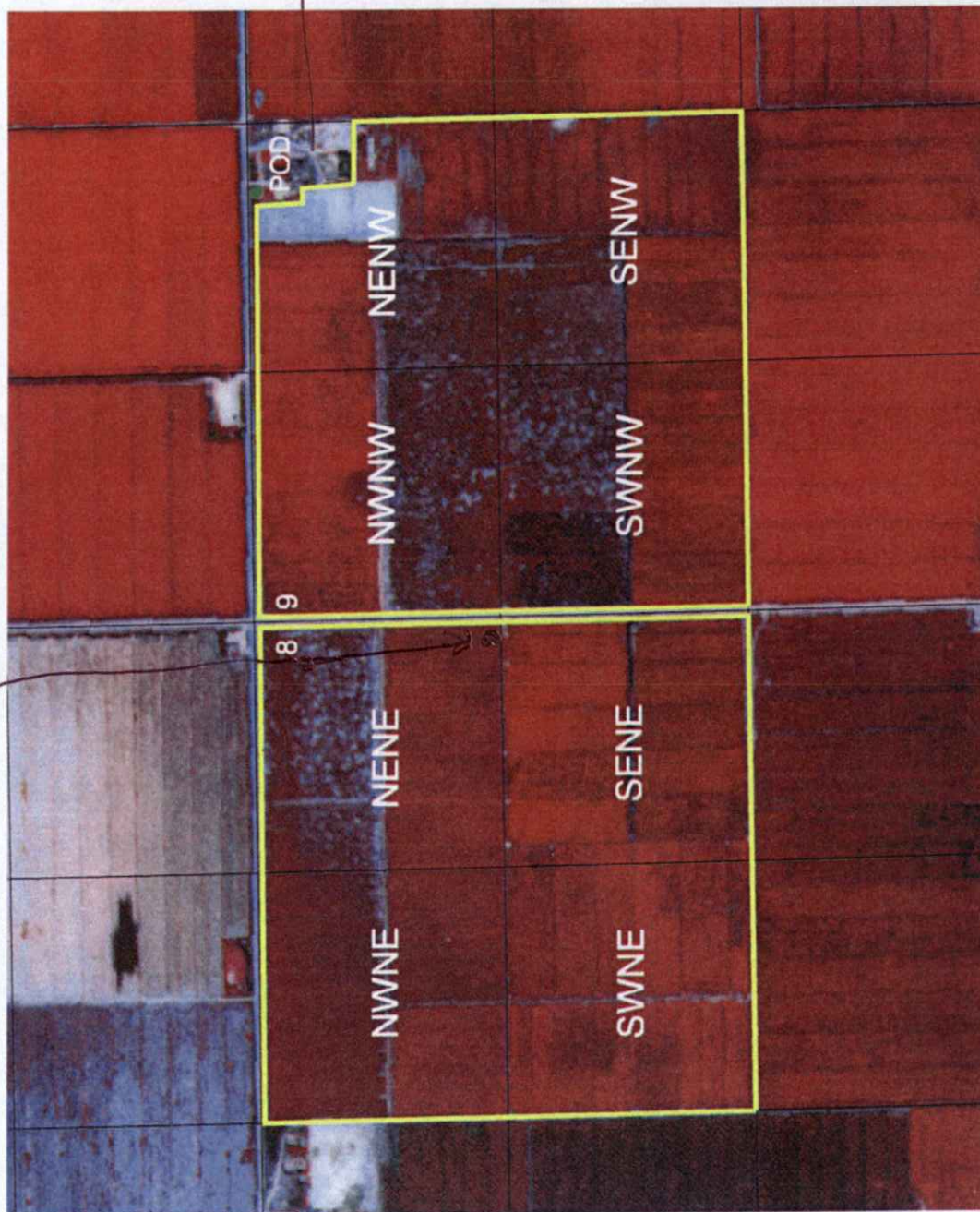
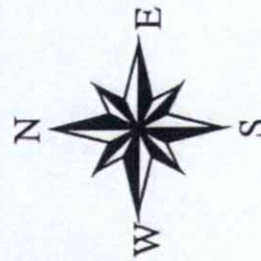
CONDITIONS OF APPROVAL

1. Prior to the diversion and use of water under Transfer approval 71318, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
2. The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

31-02308

T07N R33E
S08 and S09

Map prepared by: Carter Fritschle
Date prepared: 05-06-99
1987-1988 NAPP photography



PART 3

B. CHANGES IN NATURE OF USE

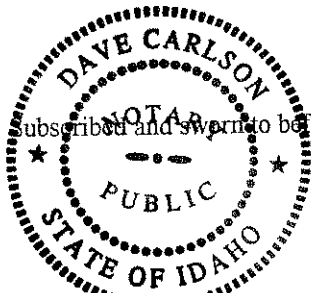
1.

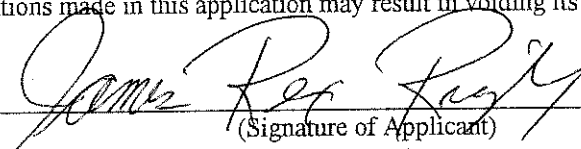
<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

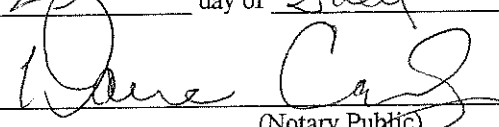
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

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





 (Signature of Applicant)

subscribed and sworn to before me this 25 day of July, 20 05.


 (Notary Public)

My commission expires 2/28/2008

FOR DEPARTMENT USE ONLY

Transfer contains 5 pages and 1 attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by De Fee \$290 ED 31090

Received by _____ Date _____

Published in Jefferson Star Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

J.R.R.
TDR

WARRANTY DEED

Order No.: 3060213230

ALLIANCE TITLE & ESCROW CORP.

FOR VALUE RECEIVED

319116

Albert J. Tomlinson and Evelyn Tomlinson, Husband and Wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

James Rex Rigby and Terri Dawn Rigby, Husband and Wife

whose current address is

2391 North 600 East Montevue, ID 83435

the grantee(s), the following described premises, in Jefferson County, Idaho, TO WIT:

Township 7 North, Range 33, East of the Boise Meridian, Jefferson County, Idaho.

Section 8: Northeast Quarter

Section 9: Northwest Quarter

Excepting Therefrom: Beginning at the Northeast Corner of the Northwest Quarter of Section 9; thence West 178 feet; thence South 68 feet; thence West 152 feet; thence North 10 feet; thence West 180 feet; thence South 242 feet; thence East 180 feet; thence South 33 feet; thence East 330 feet; thence North 333 feet to the point of beginning.

Together with an easement for mainline purposes over and across the above referred to exception.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 12/30/2002

Albert J. Tomlinson
Albert J. Tomlinson

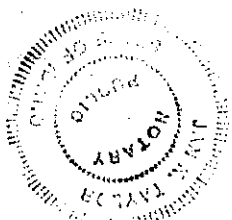
Evelyn Tomlinson
Evelyn Tomlinson

State of Idaho }
County of Jefferson } ss.

On this 31st day of December, 2002, before me, a Notary Public in and for said state, personally appeared Albert J. Tomlinson and Evelyn Tomlinson

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.



Q. R. Jark
Notary Public for the State of Idaho
Residing at: Rexbury, ID
Commission Expires: 1/31/2003

Instrument # 319116
RIGBY, JEFFERSON, IDAHO
2002-12-31 03:40:00 No. of Pages: 1
Recorded for: ALLIANCE TITLE & ESCROW
CONNIE M. KELLER Fee: 3.00
Ex-Officio Recorder Deputy
Instr to: WARRANTY DEED

RECEIVED BY
ASSESSOR

For PLATTING
Date: 1/3/03 Time: 3:45

MICROFILMED

T 72154
1 OF 1
ATTACHMENT