

R 0 4 2005

(Internet)

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Transfer No. 71926

Page _____ of _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant F. WARREN CARNEFIX AND MARGARET C. Phone (208) 452-4204
 Post Office address CARNEFIX FAMILY TRUST, PO Box 332, Fruitland, ID 83619

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 Correct Place of Use
2. Describe the reason for the proposed changes _____
Place of Use for WR 65-7880 and 65-4547 was incorrectly described in
S.R.B.A. decrees.

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 |
|-----------------|------------|-----------------------|------------------|---------------|
| 65-7880 | 05/09/1977 | 0.98 cfs/220.5 | AFA Irrigation | 3/15 to 11/15 |
| 65-4547 | 05/01/1967 | 0.96 cfs | Irrigation | 3/15 to 11/15 |
| | | | | to |
| | | | | to |
2. Total amount of water being transferred 0.98 cfs cubic feet per second and/or _____ acre-feet per annum.
3. Source of water 65-7880: Groundwater tributary to N/A
65-4547: Wastewater Snake River
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	NW	27	8N	5W	Payette	Well
	SW	NE	NW	27	8N	5W	Payette	Wastewater

5. 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	
8N	5W	27					39	10											49

Total acres 49

PART 1**6. General Information:**

a. Description of diversion system Waste water and Well diverted through pipeline and ditches.

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

d. Remarks:

Place of Use for WR 65-7880 and 65-4547 was incorrectly shown and assigned to adjoining property, and did not reflect Fruitland Nursery property.
(Parcel map attached)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

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

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: (Water Right Report 65-7880 and 65-4547 attached)
 - a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
 - b. License No. _____ 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 _____ tributary to _____
4. Date or priority _____
5. Water is used for the following purpose:

amount _____ for _____ purposes from _____ to _____
 (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 _____ 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

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	

Total acres _____

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

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 no change 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 _____

Close

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommended Right Report

11/16/2004

WATER RIGHT NO. 65-7880

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	W P CARNEFIX PO BOX 345 FRUITLAND, ID 83619 (208)452-4228
Current Owner	WARREN F CARNEFIX RT 1 BOX 332 FRUITLAND, ID 83619 (208)452-4204

Priority Date: 05/09/1977

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	0.98 CFS	220.5 AFA
Total Diversion			0.98 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SENENW	Sec. 27	Township 08N	Range 05W	PAYETTE County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION PAYETTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
08N	05W	27		NENW	32	1	NWNW	17						

Total Acres: 49

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.
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Remarks:

1.	Place of Use - Irrigation	USE OF THIS RIGHT WITH RIGHT NO. 65-4547 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 49.0 ACRES IN A SINGLE IRRIGATION SEASON.
2.	Quantity	THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-4547 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE WHEN MEASURED AT THE FIELD HEADGATE.

Dates:

Other Information:
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

11/16/2004

WATER RIGHT NO. 65-4547

Owner Type	Name and Address
Current Owner	W P CARNEFIX PO BOX 345 FRUITLAND, ID 83619 (208)452-4228
Current Owner	WARREN F CARNEFIX RT 1 BOX 332 FRUITLAND, ID 83619 (208)452-4204

Priority Date: 05/01/1967
Basis: Decreed
Status: Active

Source	Tributary
WASTE WATER	SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/15	11/15	0.96 CFS	
Total Diversion			0.96 CFS	

Location of Point(s) of Diversion:

WASTE WATER	SWNENW	Sec. 27	Township 08N	Range 05W	PAYETTE County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION PAYETTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
08N	05W	27		NENW	32	1	NWNW	16						

Total Acres: 48

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.
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Remarks:

1.	Place of Use - Irrigation	USE OF THIS RIGHT WITH RIGHT NO. 65-7880 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 49.0 ACRES IN A SINGLE IRRIGATION SEASON.
2.	Quantity	THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-7880 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE WHEN MEASURED AT THE FIELD HEADGATE.

Dates:

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number: 65

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

[Close](#)

NWNW
LT1

10 AC

39 AC

NENW

Well P.O.D.

T08N R05W S27

WASTE WATER P.O.D.

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:

None

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 3rd day of March, 192005.

Warren Campbell + Kathryn A. Campbell Parks
 Trustee (Signature of Applicant) Trustee

Glenn M. Lee
 (Notary Public)

My commission expires 12-12-05

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by DB Date 3-4-05 Protest filed by _____

Prelim. check by _____ Fee \$250 - W032655

Received by DB Date 3-4-05

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

