

Page 1 of 5STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 71796APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant A LADD CARTER Phone 681-3116
785-3116Post Office address 4385 900 W. P.O. Box 40, Pingree Id 83262-0040

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
- we installed a pivot, and
-
- have a 5 acre corner we would like to
-
- irrigate from an existing domestic well.

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>27-11903</u>	<u>11-14-1968</u>	<u>.10 cfs</u>	<u>Irrigation</u>	<u>4-1</u> to <u>11-1</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred
- .10
- cubic feet per second and/or _____ acre-feet per annum.

3. Source of water
- ground water
- tributary to _____

4. Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
<u>5</u>		<u>SE</u>	<u>NE</u>	<u>28</u>	<u>35</u>	<u>34E</u>	<u>Bingham</u>	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>03S</u>	<u>34E</u>	<u>28</u>				<u>5</u>													<u>5 acres</u>

Total Acres 5

71796

PART 1

6. General Information:

a. Description of diversion system 3 horse power Variable speed pump

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:

no change

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

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 27-11903

Priority Date: 11/14/1960
Origin: Adjudication Recommendation
Basis: License
Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	0.10 CFS	17.5 AFA	
	Total Diversion	0.10 CFS	17.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER NENENE 03S 34E 28 BINGHAM

PLACE OF USE: IRRIGATION

Tw Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S 34E 28				5.0													5.0

Total Acres: 5

Conditions/Remarks:

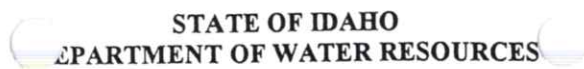
1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Right No. 27-2120B is also diverted through point of diversion described above.
3. This right is a split from former right 27-2120A.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

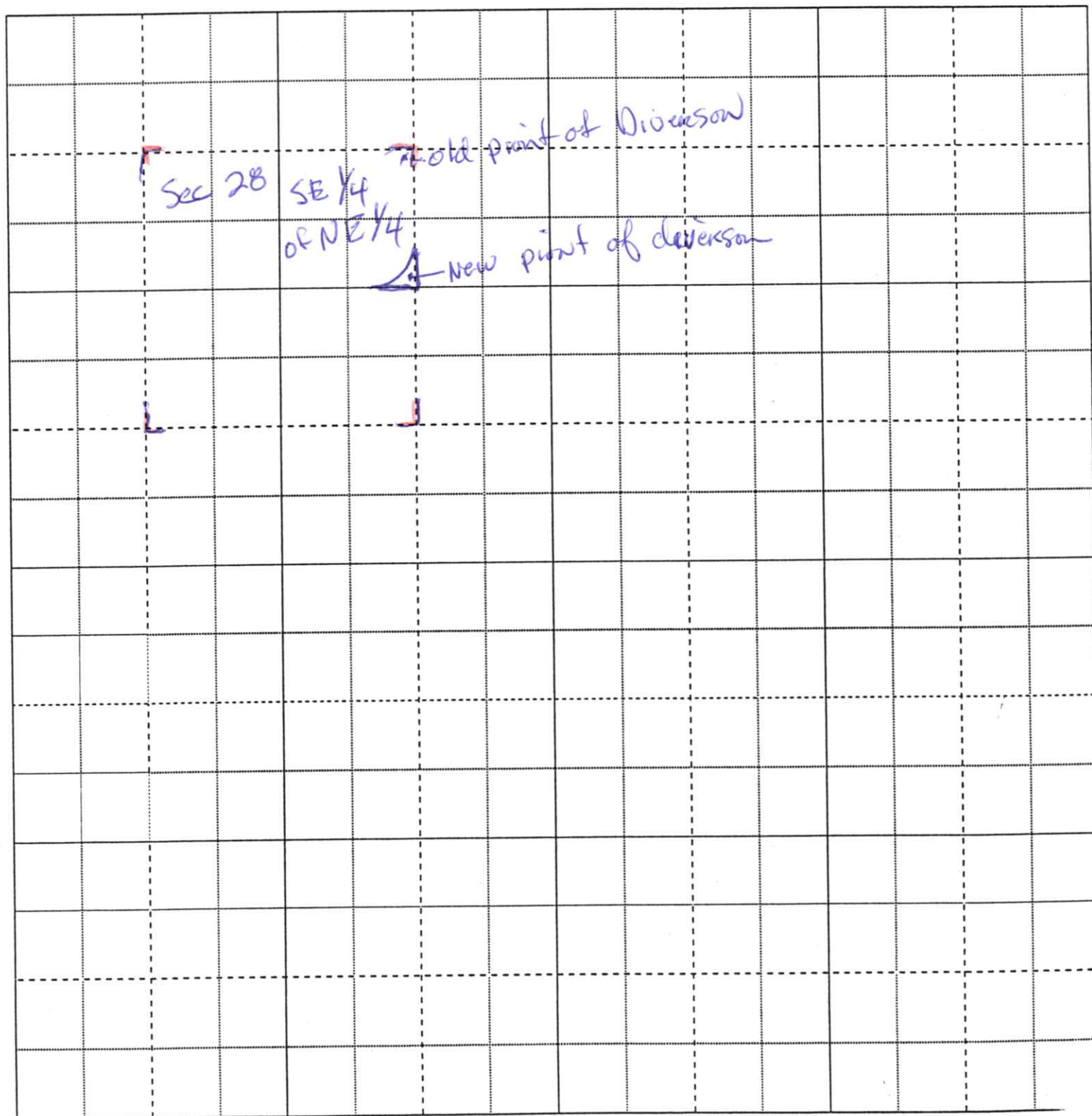
Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?



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 the 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.

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.

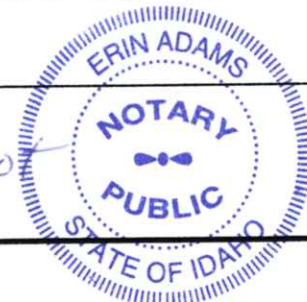
I understand that any willful misrepresentations made in this application may result in voiding its approval.

A Ladd Carter
(Signature of Applicant)

Subscribed and sworn to before me this 21st day of December, 20 04.

Erin Adams
(Notary Public)

My commission expires 03/06/2009 Residing at: Blackfoot



FOR DEPARTMENT USE ONLY

Transfer contains 5 pages and _____ attachments

Received by KCW Date _____ Protest filed by _____

Prelim. Check by KCW Fee 100.00 E030491

Received by KCW Date 12/23/04

Published in Morning News Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on 2/17/05 Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

LEGAL DESC

Part of Lot 5, Section 28, Township 3 South, Range 34 East, B.M., Bingham County, Idaho described as:

Beginning at a point that is S 00° 00' 00" E 1844.29 feet along the section line from the northeast corner of Section 28 and running thence along an existing fence line the following eleven (11) courses (1) S 23° 33' 02" W 49.56 feet; thence (2) S 32° 10' 59" W 101.20 feet; thence (3) S 32° 59' 56" W 146.07 feet; thence (4) S 37° 27' 48" W 170.85 feet; thence (5) S 43° 13' 33" W 155.78 feet; thence (6) S 50° 57' 33" W 213.89 feet; thence (7) S 51° 50' 09" W 118.20 feet; thence (8) S 49° 49' 28" W 119.07 feet; thence (9) S 0° 25' 00" E 23.86 feet; thence (10) S 89° 13' 33" E 452.82 feet; thence (11) N 40° 40' 58" E 399.97 feet along said fence line extended to the east line of Section 28; thence N 0° 00' 00" E 514.09 feet along the section line to the point of beginning.

Parcel contains 4.95 acres and is subject to a county road right-of-way along the east side of above described parcel.



First American Title Company
168 West Pacific
Blackfoot, ID 83221
Phone - (208) 785-0320 Fax - (208) 785-6276

RECEIVED

MAR - 8 2005

Department of Water Resources
Eastern Region

Wells Fargo Home Equity
MAC B6955-01B, 2324 Overland
Billings, MT 59102-6401

January 07, 2005
File No.: 103351-B (vb)

Attn: Payoff Processing

Re: Your loan No. **651-651-7058594-1998**
Property: **438 South 900 West, Blackfoot, ID 83221**

Parcel No.: [?]

Borrower: **A. Ladd Carter and Jane M. Carter, husband and wife**

PART OF LOT 5, SECTION 28, TOWNSHIP 3 SOUTH, RANGE 34 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT A POINT THAT IS S. 00°00'00" E. 1844.29 FEET ALONG THE SECTION LINE FROM THE NE CORNER OF SECTION 28 AND RUNNING THENCE ALONG AN EXISTING FENCE LINE THE FOLLOWING ELEVEN (11) COURSES (1) S. 23°33'02" W. 49.56 FEET; THENCE (2) S. 32°01'59" W. 101.20 FEET; THENCE (3) S. 32°59'56" W. 146.07 FEET; THENCE (4) S. 37°27'48" W. 170.85 FEET; THENCE (5) S. 43°13'33" W. 155.78 FEET; THENCE (6) S. 50°57'33" W. 213.89 FEET; THENCE (7) S. 51°50'09" W. 118.20 FEET; THENCE (8) S. 49°49'28" W. 119.07 FEET; THENCE (9) S. 0°25'00" E. 23.86 FEET; THENCE (10) S. 89°13'33" E. 452.82 FEET; THENCE (11) N. 40°40'58" E. 399.97 FEET ALONG SAID FENCE LINE EXTENDED TO THE EAST LINE OF SECTION 28; THENCE N. 00°00'00" E. 514.09 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING.

1. These funds are tendered in exchange for a release of the original Promissory Note and original Deed of Trust/Mortgage recorded 09/17/2004, as Instrument No. 545412 recorded in Bingham County, Idaho.
2. In the event this is an Equity Line/Revolving Loan, the customer's signature below is your demand to terminate and close this account. Your use of funds constitutes your agreement to terminate the customer's ability to make future advances against the account.
3. If this is a contract for deed, please forward the deeds out of escrow to **First American Title Company, 168 West Pacific, Blackfoot, ID 83221.**
4. If this payoff is short and the customer has an escrow account, their signature below is your authorization to apply those funds and pay the loan off in full. If this payoff is long, please refund the overage to the customer at the address listed below.
5. Please note that the customer's mailing address may have changed. Please use the information shown below to update your records.

We enclose the following for your records:

TH 71796

First American Title Company

File No.: 103351-B (vb)

Date: January 07, 2005

- Our check in the amount of ~~104,467.85~~ representing full payoff of the above referenced loan, negotiation of said check constitutes your agreement to issue a full Reconveyance of the Deed of Trust securing said loan
- Copy of Current Demand(s)

Please close this account and forward your cancelled Note, Original Trust Deed, and Request for Reconveyance to:

First American Title
PO Box 868, 168 W Pacific
Blackfoot, ID 83221
Re: 103351-B

Please return overpayment REFUND directly to the following:

A LADD CARTER
Name Box 40
Address Pingree, Id
City/State 83262

A. Ladd Carter
A. Ladd Carter

Jane M. Carter
Jane M. Carter

Should you have any questions or need assistance please call the undersigned.

Sincerely,

Viki Bauer, Escrow Officer

nr/vb

RECEIVED

MAR - 8 2005

Department of Water Resources
Eastern Region

Attachment #1

Tompson Box

5.5

28

34.5

NWNE
chappell

chappell
NENE

40.0

27-2020B

chappell
32.2

7.8

chappell
SENE
32.5

6.5
center
corner

A 903
904

←
Hompson
Brothers
493 S 1200 W
Pine

NWNE
deed 468157
Chappell

NE NE
Chappell

Chappell
SWNE

Chappell
SENE

Deed
478632

→ Ladd
Carter
some of 4+5

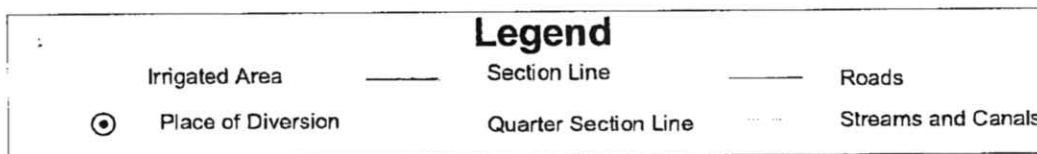
1. P. 165/8

A27-02120A

27-11903

Water Right Claim Number 27-02120B
Township, 3S34E

12/22/2000



SPATIAL
ANALYSIS