

(Internet)

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 71563

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Timothy and/or Stephanie Welebir Phone 208-888-3140
Post Office address 8475 Stewart Rd., Meridian, ID 83642

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 wish to use our well, to irrigate our property rather than the well located across the road on our neighbors property.

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

1. Right Number 63-31462 Priority 12-29-80 Amount (cfs/ac-ft) .48/108 Nature of Use IRR Period of Use 3-15 to 11-15

2. Total amount of water being transferred .48 cubic feet per second and/or 108 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
		SE	NW	9	2N	1E	Ada	existing private well

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	
2N	1E	9								24									24

Total acres 24

PART 1

6. General Information:

a. Description of diversion system well pump + sprinklers

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 effect on the land now irrigated if the place of use is changed pursuant to this transfer:

N/A

d. Remarks:

A portion of this right is in the water bank. 3 acres are currently being irrigated that surround our house.

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) *See attached*

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. _____ 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 Currently using
surface water rights to irrigate acres in water bank,

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31462 V1

WATER RIGHT NUMBER: 63-31462 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	PATRICIA A LEWIS 3700 E HUBBARD RD MERIDIAN, ID 83642 (208)888-2090
Original Owner	EDWARD W LEWIS 3700 E HUBBARD RD MERIDIAN, ID 83642 (208)888-2090
Current Owner	TIMOTHY WELEBIR 8475 STEWART RD MERIDIAN, ID 83642 (208)888-3140
Current Owner	STEPHANIE WELEBIR 8475 STEWART RD MERIDIAN, ID 83642 (208)888-3140

Priority Date: 12/29/1980

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.480 CFS	108.00 AF
	<u>Total Diversion:</u>	0.480 CFS	108.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 9,	Twp 02N,	Rge 01E, B.M.
ADA 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	
02N	01E	9																	24.0

Total Acres: 24

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.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-31462 V1

Remarks:

1. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

1. csaxton 6/1/2004 POD

Comment: Licensed POD was listed as SWNE of section 9. For some reason, through the split process of 63-09655 the POD was described incorrectly as the SENW of section 9. Recommend as licensed

2. csaxton 6/1/2004 Water Bank

Comment: Claimant put WR 63-03146 in the water bank to stay forfeiture.

3. csaxton 6/1/2004 Diversion Rate

Comment: This right was licensed for 0.01978 cfs per acre and 47 acres. SRBA review found less acreage than originally licensed. Diversion rate was recommend for 0.02 cfs per acre and there is still extra diversion rate not recommended after distribution of original licensed (63-07655) diversion rate.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector: OR

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

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 Placed portion in water bank for protection.

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 3

PART 3 *See attached map*

- 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.**

This image shows a full page of graph paper. It features a grid of squares defined by solid black lines. Each square is further divided into four smaller quadrants by dashed lines. The grid covers the entire area of the page, leaving small margins at the top and bottom. There are no markings or text on the grid itself.

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

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

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>N/A</u>			_____ to _____
				_____ to _____

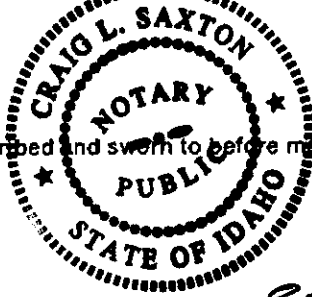
2. Quantity and quality of return flows and location of discharge:
N/A

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

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 26th day of May, 2004

 Stephanie A. Welebir
(Signature of Applicant)

Craig L. Saxton
(Notary Public)

My commission expires 8-14-07

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by CS Date 5-26-04 Protest filed by _____

Prelim. check by CS Fee \$250.00 W/31257

Receipted by CS Date 5-26-04

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

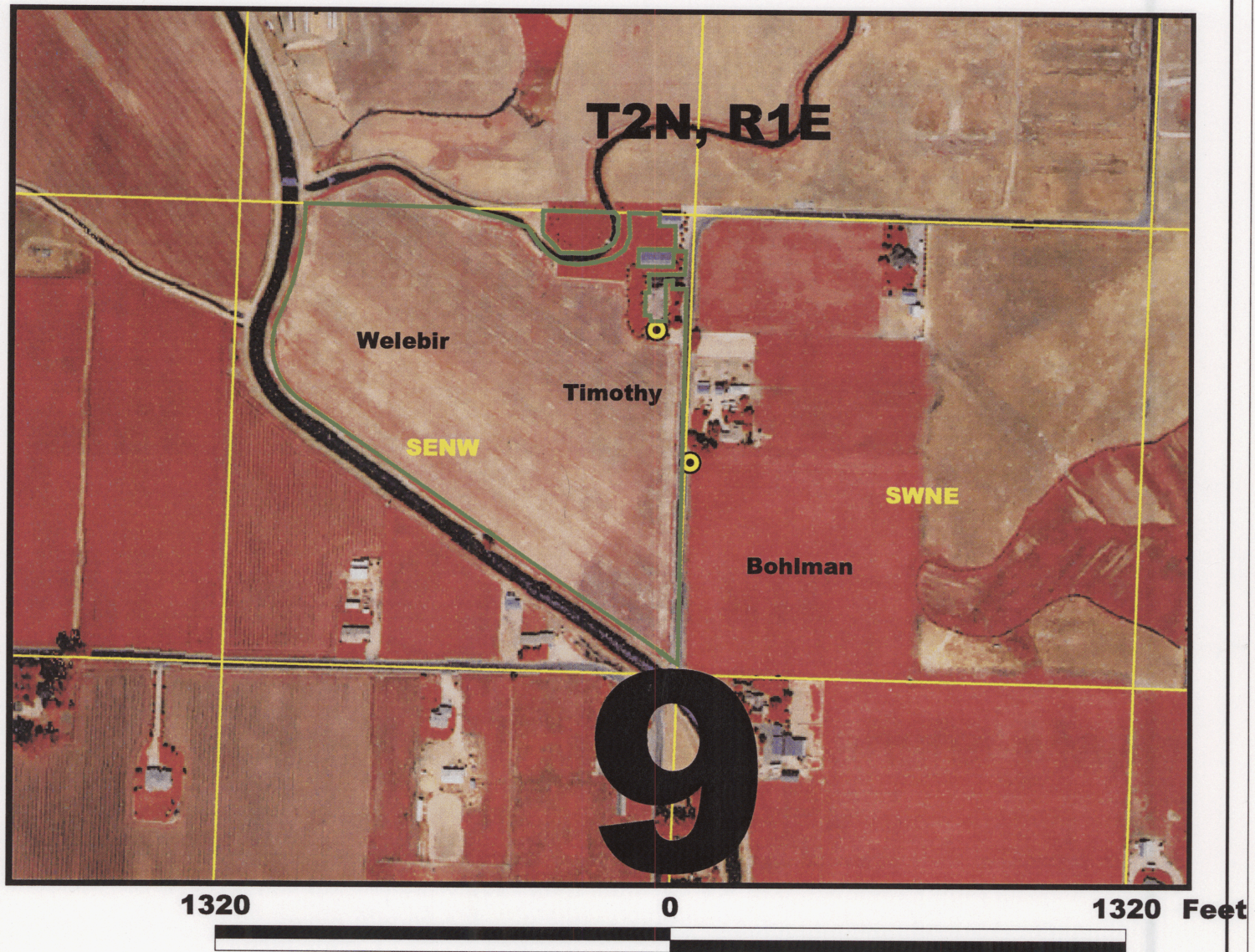
Copy of transfer sent to lien holder _____



Point of Diversion Transfer Map

2000 NAPP

63-31462



-  Point of Diversion
-  Claimed Place of Use
-  Ada County Tax Lot Data
-  Quarter Quarter Lines
-  Section Lines

Total Claimed Acres: 24.0



Prepared by: C. Saxton
Date: May 2004

ATTACHMENT A