

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 71318

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant James Rex Rigby Phone 208-657-2521
Post Office address 2391 N 600E Montevideo, Id 83435

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 WELL IS GOING DRY
NEED NEW WELL DEEPER WITH A LARGER CASE.
USE OLD NEW FOR STOCKWATER

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
31-2308	1952	3.66	IRR	4/1 to 10/31
				to
				to
				to
				to

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

3. Source of water GW tributary to _____

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total acres 307

732

PART 1

6. General Information:

a. Description of diversion system WELL/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? X 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 POU CHANGE

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

NONE

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

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

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 31-2308

WATER RIGHT NUMBER: 31-2308

<u>Owner Type</u>	<u>Name and Address</u>
Previous Owner	ALBERT J TOMLINSON 548 E 2300 N MONTEVIEW, ID 83435 (208)657-2214
Original Owner	JOHN J TOMLINSON MONTEVIEW, ID 83435
Previous Owner	EVELYN TOMLINSON 548 E 2300 N MONTEVIEW, ID 83435 (208)657-2214
Current Owner	JAMES REX RIGBY 2391 N 600 E MONTEVIEW, ID 83435 (208)657-2521
Current Owner	TERRI DAWN RIGBY 2391 N 600 E MONTEVIEW, ID 83435 (208)657-2521

Priority Date: 05/05/1952

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	3.660 CFS	1,074.50 AF
	<u>Total Diversion:</u>	3.660 CFS	1,074.50 AF

Location of Point(s) of Diversion

GROUND WATER NE1/4NE1/4NW1/4 Sec. 9, Twp 07N, Rge 33E, B.M.
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

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 31-2308

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.

Remarks:Comments:Dates and Other Information:

Licensed Date:
 Decreed Date: 2/22/2002
 Water Supply Bank Enrollment Accepted:
 Water Supply Bank Enrollment Removed:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: AND/OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number: 39576
 Judicial District: FIFTH
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			08/18/2000	CFRITSCH	Closed

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	8/18/2000 9:57:16 AM	CFRITSCH	1. (NO) The basis of the claim is not beneficial use. 3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture. 5. (YES) General remark was required. 6. (NO) Explanatory remark was not required. 7. (NO) Additional condition was not required. 8. (YES) Wanted to view the recommended right. 9. (NO) This is not a split right. 10. (NO) This is not a combined right. 11. (NO) Documents were not linked or attached to this file.

New
well

T71318
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CHANGES IN NATURE OF USE

New Nature of Use

Amount(cfs/af-ft)

Hours/days/year

Period of Use

to

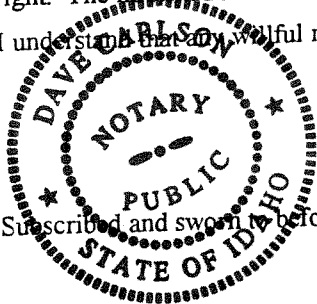
to

Quantity and quality of return flows and location of discharge:

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.



James R. Rieley
(Signature of Applicant)

Subscribed and sworn to before me this 17 day of June, 20 04.

Dave Carlson
(Notary Public)

My commission expires 2/26/2008

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by DC Fee 370 8029970

Received by DC Date 6/17/2004

Published in Jefferson Co. Star (Wed) 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 _____