

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Department of Water Resources
Eastern Region

MAY 0 2004

Transfer No. 71207

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant Will A. Rowe Phone 226-2052

Post Office address 2524 St. Hwy 39 Am. Falls ID 83211

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 Need New well hole. New location will
Not need new power service or new piping. It will save
about \$50,000

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	4/1	Period of Use
<u>35-2117</u>	<u>12-1-48</u>	<u>1.80</u>	<u>Irrigation</u>	<u>3-15</u>	to <u>10/31</u> <u>11-15</u>
_____	_____	_____	_____	_____	to _____
_____	_____	_____	_____	_____	to _____
_____	_____	_____	_____	_____	to _____

2. Total amount of water being transferred 1.80 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
	SW	NW	SW	<u>01</u>	<u>7S</u>	<u>30E</u>	<u>Power</u>	<u>?</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>7S</u>	<u>30E</u>	<u>01</u>									<u>38</u>	<u>18</u>		<u>32</u>		<u>40</u>	<u>40</u>		<u>168</u>

Total Acres 168

T71207

PART 1

6. General Information:

a. Description of diversion system Move Point of diversion this right is pumped into a concrete Box & Comingled With Aberdeen Springfield Canal Co. water. Then it is repumped for one center pivot & wheel lines

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.

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

NOT Changing Place of use

d. Remarks:

I only want to change point of Diversion

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

T71207

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 as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 35-2117 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 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 Ground Water tributary to _____

4. Date or priority 12-1-48

5. Water is used for the following purposes:

amount 1.8 for Irrigation purposes from 4/1 to 10/31
(cfs/ac-ft) 3-15
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.8 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
	NE	NW	SW	01	7S	30E	Power	?

8. Lands irrigated or place of use:

b. Lands irrigated or place of use.																				
Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
7S	30E	01										38	18		32		40	40		168

Total Acres 168

9. Describe any other water rights used for the same purpose as described above 200 Shares ABS Camel Co.
CERT # 5189

Page 4 of 6

Page 1

Transfer No. 71207
Receipt No. _____

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

Current Water Right No. 35-2117

Priority Date: 12/01/1948
Origin: Water Right
Basis: Decreed
Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	1.80 CFS	672.0 AFA	
Total Diversion			1.80 CFS	672.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NENWSW 07S 30E 1 POWER

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	
07S	30E	1																	
										38.0	18.0		32.0			40.0	40.0		168.0

Total Acres: 168

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. USE OF THIS RIGHT IS COMBINED WITH WATER FROM ABERDEEN SPRINGFIELD CANAL CO.

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

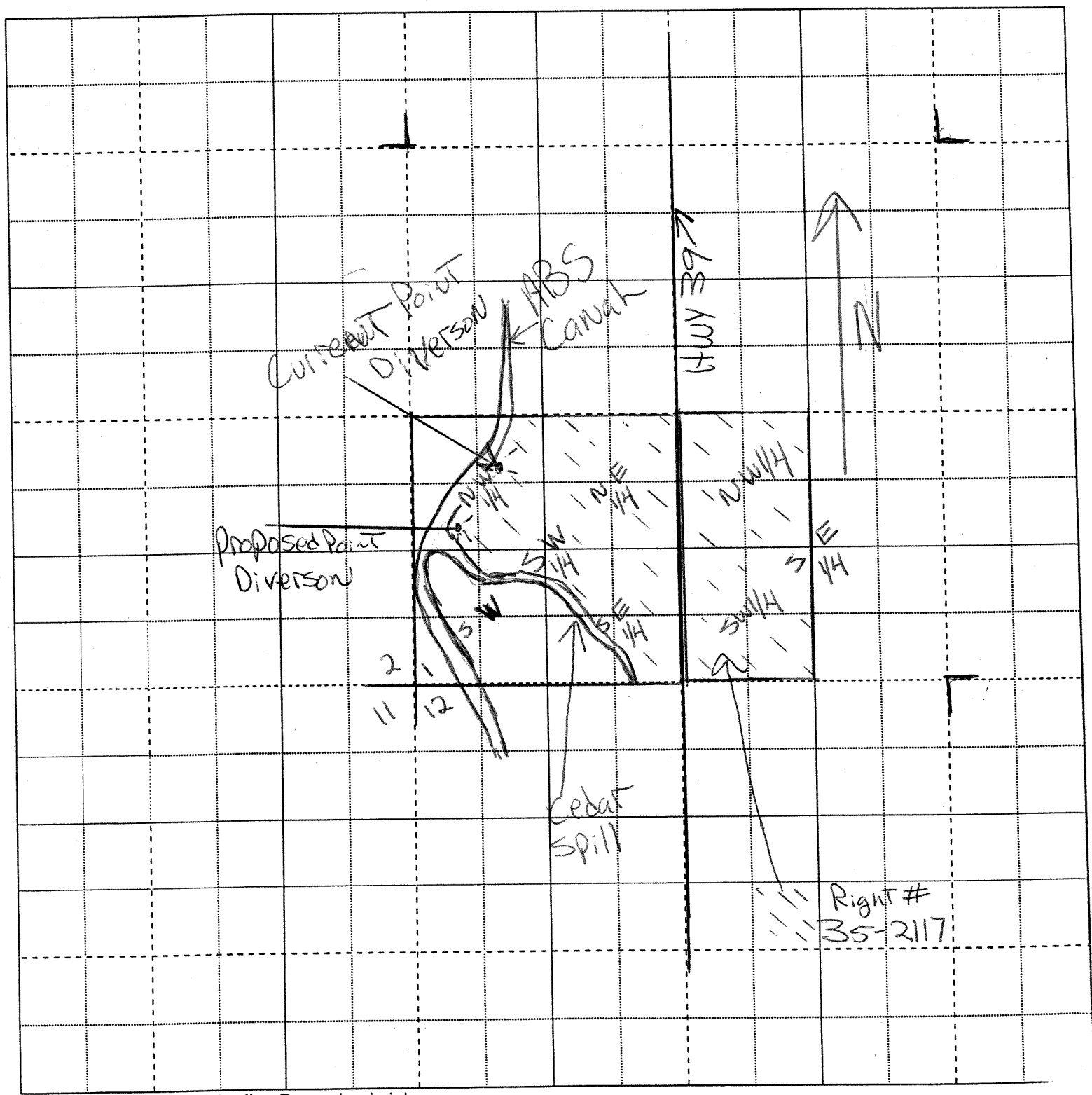
To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

T71207

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

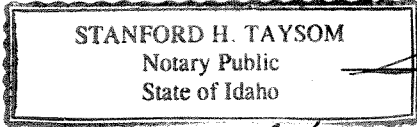
- 1.

<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
<u>NA</u>			to
			to
- 2. Quantity and quality of return flows and location of discharge:
NA
- 3. Describe effects on other water uses resulting from the proposed change:
POINT OF DIVERSION - NONE ANTICIPATED

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.

Will a Blue
(Signature of Applicant)

Subscribed and sworn to before me this 29th day of April, 20 04



Stanford H. Taysom
(Notary Public)

My commission expires 6/06/06

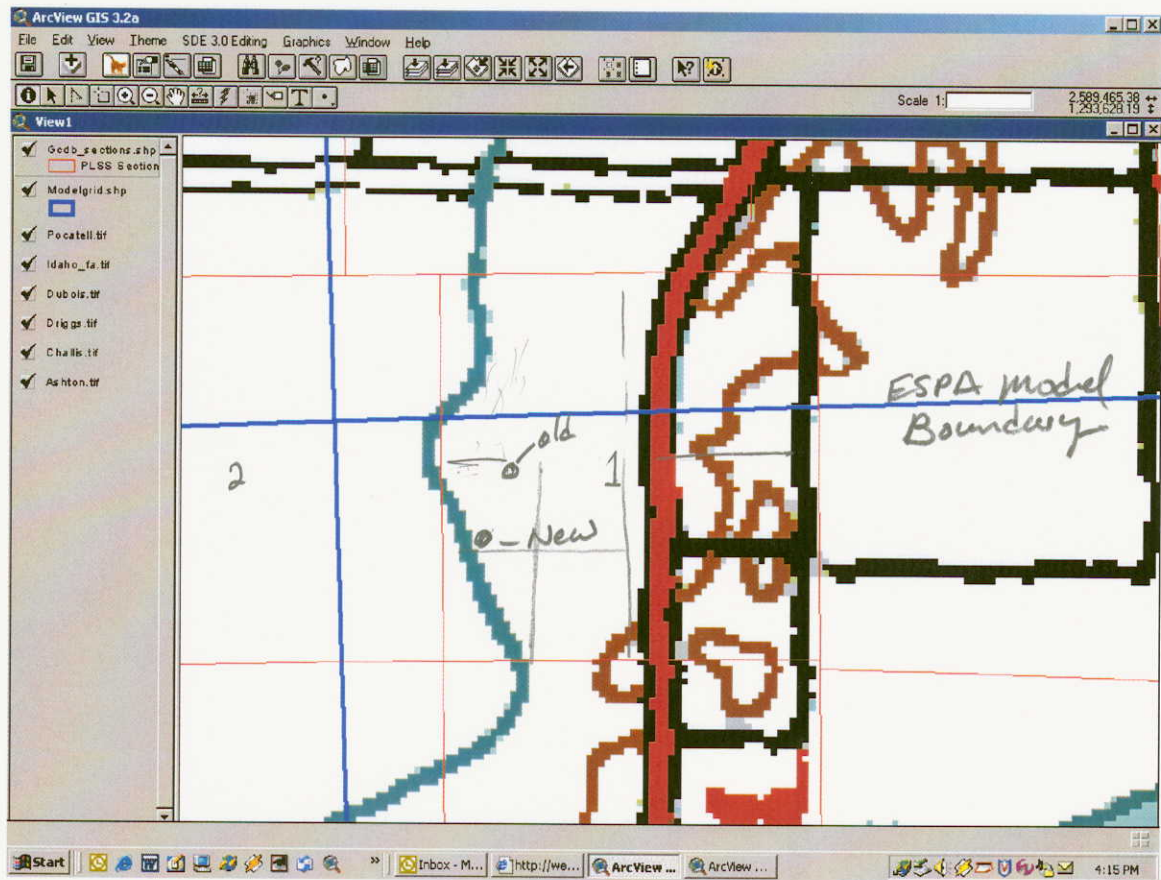
FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and attachments

Received by <u>DC</u>	Date <u>5/3/2004</u>	Protest filed by <u> </u>
Prelim. Check by <u> </u>	Fee <u>\$750</u>	<u>EO29785</u>
Received by <u>DC</u>	Date <u>5/3/2004</u>	<u> </u>
Published in <u>Power Co. Press</u>	Copies of protest forwarded by <u> </u>	
Pub. Dates <u> </u>	Hearing held by <u> </u> Date <u> </u>	
Watermaster recommendations requested on <u> </u>	Recommended for ☐ approval ☐ denial	
<u> </u> received <u> </u> by <u> </u>		

Copy of transfer sent to lien holder

T71207



April 30, 2004

Department of Water Resources
900 N. Skyline Dr. Suite A
Idaho Falls ID 83402-1718

Re: Will A. Rowe--Change of Point of Diversion

Dear Sir;

Will has indicated that he wishes to change the point of diversion for an old well located on his property to a new location. This change will be advantageous for Will and will be used to better water the crops on that field.

The change in the point of diversion does not affect the lien of Idaho AgCredit, FLCA, and therefore there are no objections for this move if approved by the Department of Water Resources.

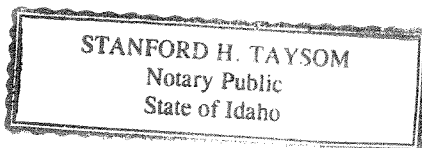
Please call me at 226-5251 should you have any questions or require additional information.

Sincerely,
Idaho AgCredit, FLCA


Bart Brown
Asst. VP

State of Idaho)
County of Power)

On this 30th day of April, in the year of 2004, before me Stanford H. Taysom, a notary public, personally appeared Bart Brown, known to me to be the Asst. VP, of the corporation that executed this document, or the person who executed the document on behalf of said corporation, and acknowledged to me that such corporation executed the same.



Notary Public Stanford H. Taysom
Residing at Rockland
My Commission Expires 6/06/06

B46885

SPECIAL WARRANTY DEED

For Value Received U.S. BANK NATIONAL ASSOCIATION as Custodian/Trustee

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

WILL A ROWE AND ANA I ROWE, husband and wife

whose address is: **2524 State Highway 39, American Falls, ID 83211**

Hereinafter called the Grantee, the following described premises situated in Power County, Idaho, to-wit

Township 7 South, Range 30 E.B.M., Power County, Idaho.

Section 1: NW 1/4 SW 1/4; E 1/2 SW 1/4; W 1/2 SE 1/4, EXCEPT: State Highway 39, ALSO EXCEPT: Beginning at the SE corner of the SW 1/4; thence N. 280 feet; thence W. 220 feet; thence S. 280 Feet; thence E. 220 feet to the Point of Beginning.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantees, their heirs and assigns forever. The Grantor warrants that said premises are free and clear of all encumbrances suffered or created by the Grantor, except such warranty does not apply to all taxes, assessments, and charges to be paid by the Grantee and any lien or encumbrance revived or placed on said premises by, through or under the Grantee, his heirs and assigns.

Dated: February 13, 2003

181608

U.S. Bank National Association s Custodian/Trustee

BY: Lend Lease Agri-Business, Inc.
its attorney in fact


By: Eric R Linge
Title: Vice President

INSTRUMENT #	181608
TIME	4:37 pm
REQ. OF	1st American
FEB 14 2003	
POWER COUNTY AM. FALLS	
CHRISTINE STEINBOLT	
BY	Danna Curry
DEPUTY	

Pl \$3.00

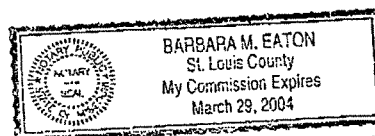
STATE OF Missouri

ss.

COUNTY OF St. Louis

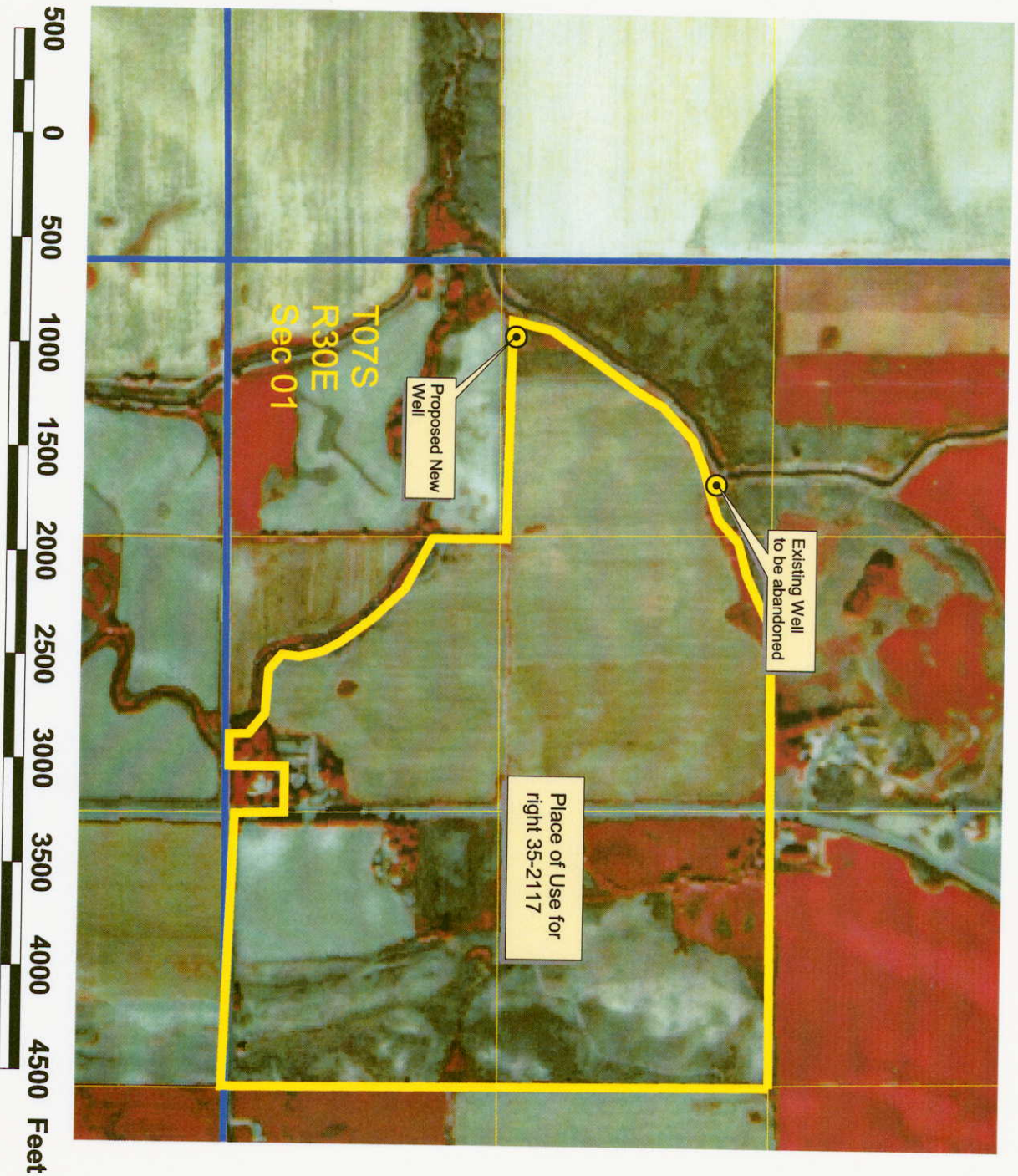
On this 13 day of February, 2003, before me the undersigned, personally appeared Eric R Linge, known or identified to me, to be the Vice President of Lend Lease Agri-Business, Inc. who executed the instrument on behalf of U.S. Bank National Association as Custodian/Trustee, and acknowledged that such U.S. Bank National Association as Custodian/Trustee executed the same.

Barbara M. Eaton
Notary Public of St. Louis, County, Missouri
Residing at: St. Louis County
Commission Expires: March 29, 2004



T 71207
ATTACHMENT 3 OF 5

35-2117, Rowe



- Well.shp
- 35-2117.shp
- Sections
- QQ

