

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 71093APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Bingham County Phone 782-3170
Post Office address 501 North Maple #209

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 Split from Former Right to 27-7113
the need for own well

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

1. Right Number 27-11978 Priority 09-19/1927 Amount (cfs/ac-ft) 2.980 CFS Nature of Use IRRIGATION Period of Use 04-01 to 11-01
to _____
to _____
to _____
2. Total amount of water being transferred 2.980 cubic feet per second and/or 52150 acre-feet per annum.
3. Source of water Ground water tributary to _____
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NW	SW	27	0.15	37E	Bingham	Hillman Pit
	SW	SW	NE	27	0.15	37E	Bingham	Farm Well

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	
01S	37E	27							39.0	40.0	40.0	30.0							149.0

Total acres 149.0

PART 1

6. General Information:

a. Description of diversion system Drip System, 8 To Tree's,

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:

no change place of use

d. Remarks:

Land is going to be used for gravel pit, Tree's have been planted around boundary for dust control, noise and for view of the public

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 _____

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Page 1

Transfer No. 71093
Receipt No. _____

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

Current Water Right No. 27-11978

Priority Date: 09/19/1977
Origin: Adjudication Recommendation
Basis: License
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	11/01	2.98 CFS	521.5 AFA	
	Total Diversion		2.98 CFS	521.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWSWNE 01S 37E 27 BINGHAM

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	
01S	37E	27							39.0	40.0	40.0	30.0							149.0

Total Acres: 149

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. 27-11977 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
3. THIS RIGHT IS A SPLIT FROM FORMER RIGHT 27-7113

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

Transfer No. 71093
Receipt No. _____

Current Water Right No. 27-11978

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?

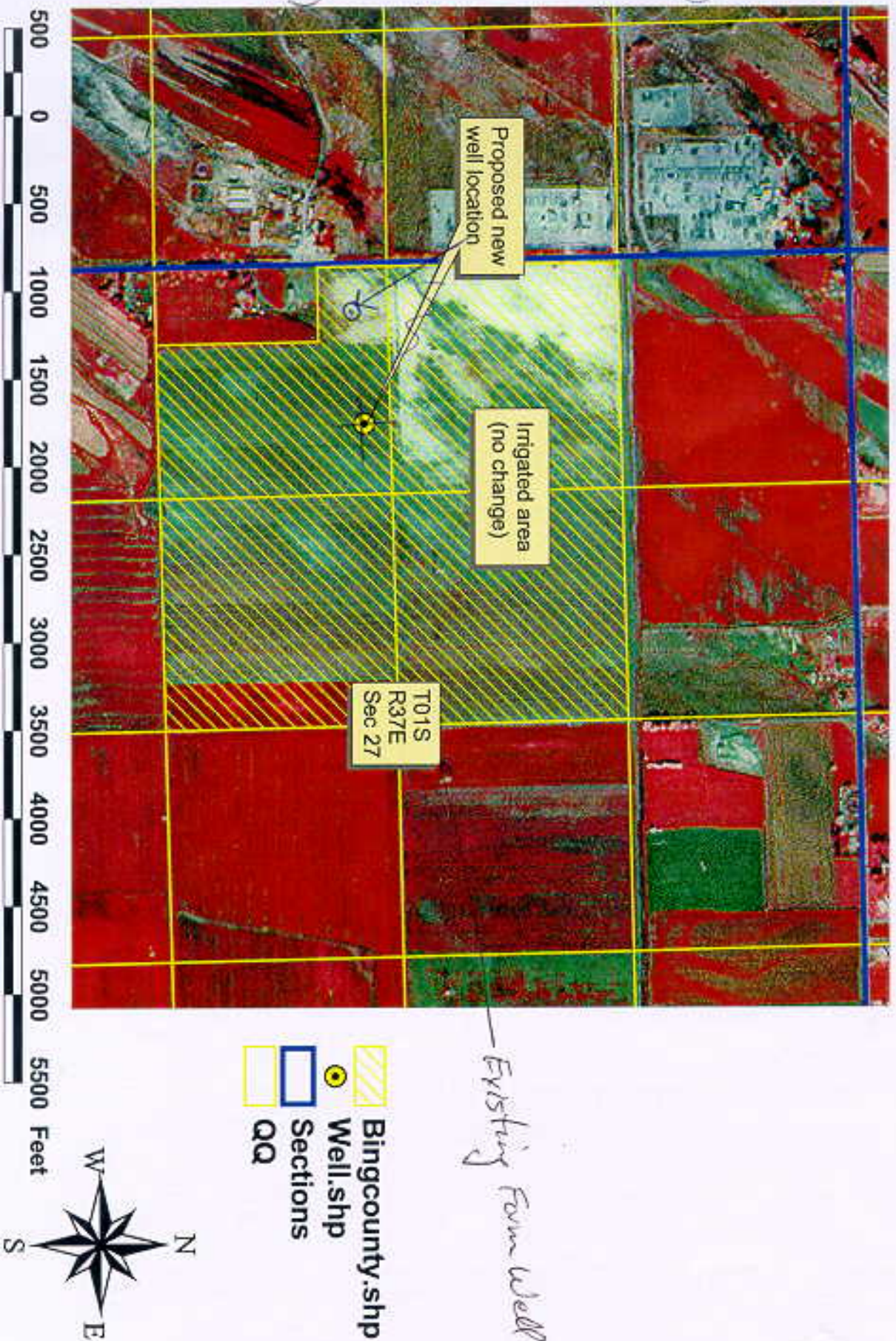
Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use? no

T71093

Bingham County 27-11978

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PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>no change</u>			to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

no change

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

no 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.

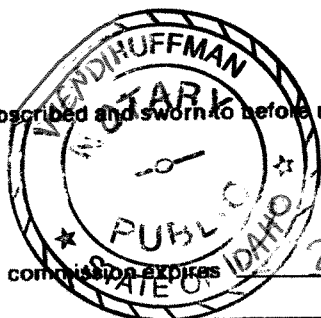
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 3rd day of March, 19 2004

Debrahuel Shipley
(Signature of Applicant)

Shirley Huffman
(Notary Public) Blackfoot, ID

My commission expires 2-3-09



FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by W. R. Warner Date 3-4-04

Protest filed by _____

Prelim. check by W. R. Warner Fee 330.00
E029586

Received by W. R. Warner Date 3-4-04

Published in Morning News

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 _____

505323

WARRANTY DEED

BLAINE D. HILLMAN and JANICE HILLMAN, husband and wife, as GRANTOR,
for good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto
BINGHAM COUNTY, as GRANTEE,
whose address is P. O. Box 607, Blackfoot, Id 83221, and Grantee's successors and assigns, all of the following described real property, to-wit:

Township 1 South, Range 37 E.B.M., Bingham County, Idaho
Section 27: S1/2NW1/4 and N1/2SW1/4.

EXCEPTING the County road along the West.

ALSO EXCEPTING THEREFROM: Beginning at a point of the East line of a County road that is N0°21'30"E along the section line 1318.85 feet to the SW corner of said NW1/4SW1/4 and S89°48'17"E 25.00 feet from the SW corner of said Section 27, and running thence S89°48'17"E 439.47 feet; thence N0°21'30"E 937.50 feet; thence N89°48'17"W 439.47 feet to the East line of said County Road; thence S0°21'30"W along said East line 937.50 feet to the point of beginning.

The South 66 feet of the N1/2NW1/4.

RESERVING UNTO THE GRANTOR, his successors and assigns the right of ingress and egress and utilities over, through and across the South 66 feet of the North Half of the Northwest Quarter.

SUBJECT TO the 2001 and subsequent years general taxes and assessments, all existing patent reservations, easements, right of ways, protective and restrictive covenants, zoning ordinances and applicable building codes, laws and regulations.

TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainder, rents, issues, and profits thereof.

Grantor, for himself and his successors and assigns, does hereby warrant and agree to forever defend the Grantee, and Grantee's successors and assigns, in the quiet and peaceful possession of said premises against the lawful claims of any and all persons.

In construing this Deed and where the context so requires, the singular includes the plural, and the masculine, the feminine and neuter.

Dated: October 16, 2001

Blaine D. Hillman
Blaine D. Hillman

Janice Hillman
Janice Hillman

STATE OF IDAHO)

COUNTY OF Bonneville) ss

On October 16, 2001, before me, the undersigned, personally appeared
Blaine D. Hillman and Janice Hillman

known or identified to me to be the person(s) whose name(s) is/are subscribed to
the within instrument, and acknowledged to me that he/she/they executed the same.

Lenore J. Katri
Notary Public for the State of Idaho
Commission Expiration Date: 1/28/2003

LENORE J. KATRI
NOTARY PUBLIC
STATE OF IDAHO

FIRST AMERICAN TITLE COMPANY

RECORDED & RECORDED
BLACKFOOT, IDAHO
2001 OCT 22 PM 4:27
RECORDED AT THE REQUEST OF

505323

Bonneville Land & Title Co.