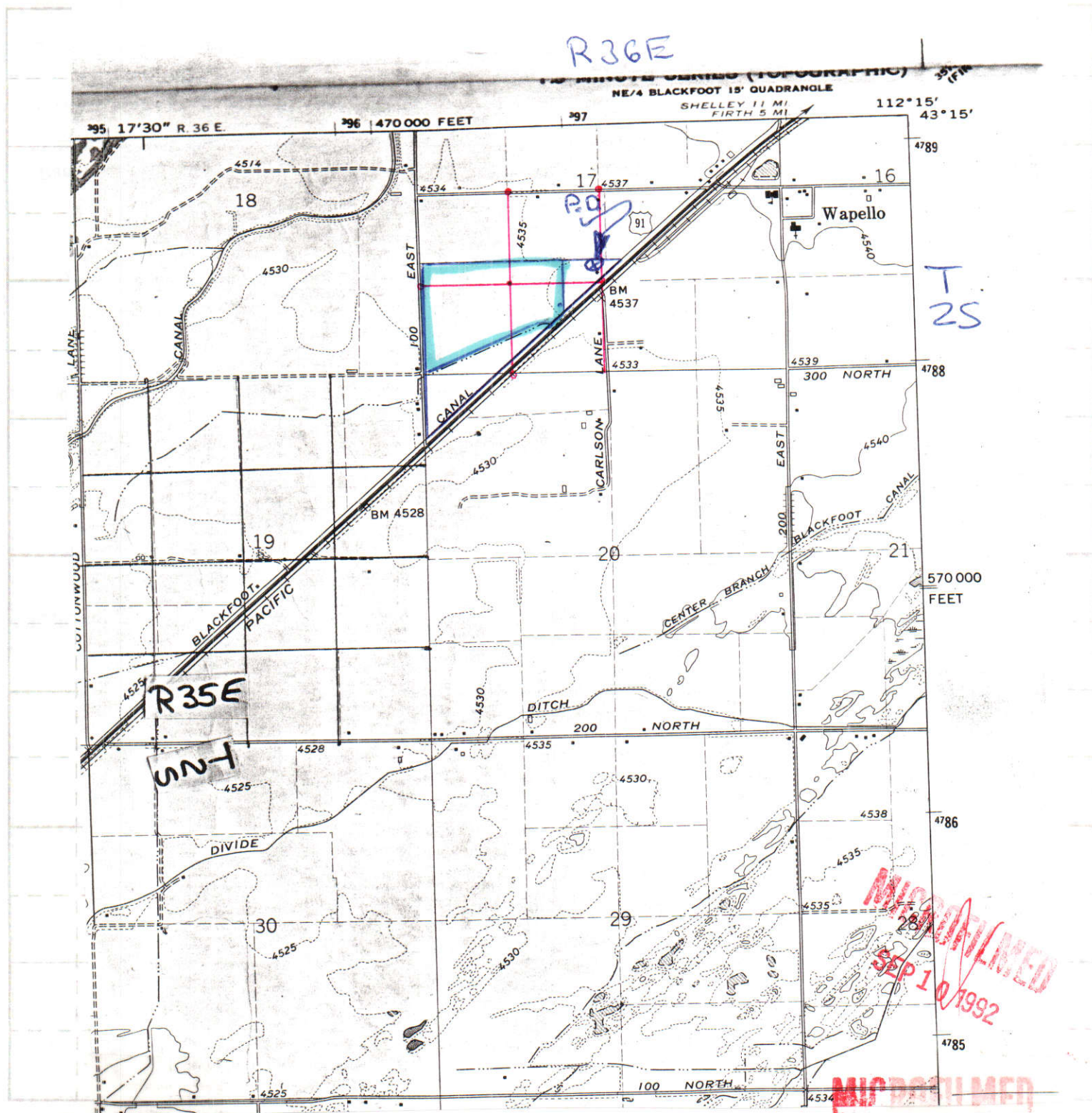


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for 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.

JAN 10 1994



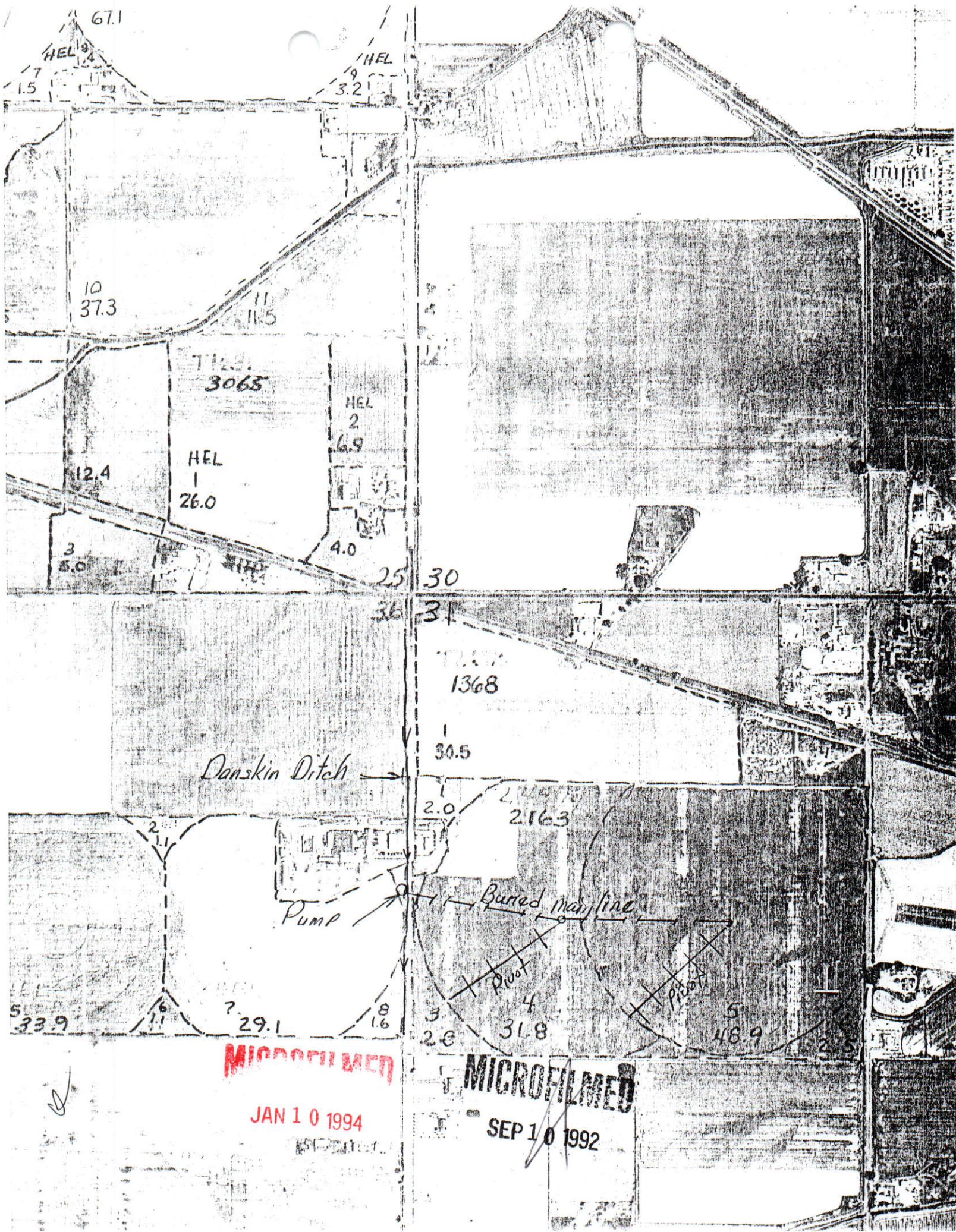
Map prepared based on
field investigation
done 8-4-92 by EMC.

MICROFILMED

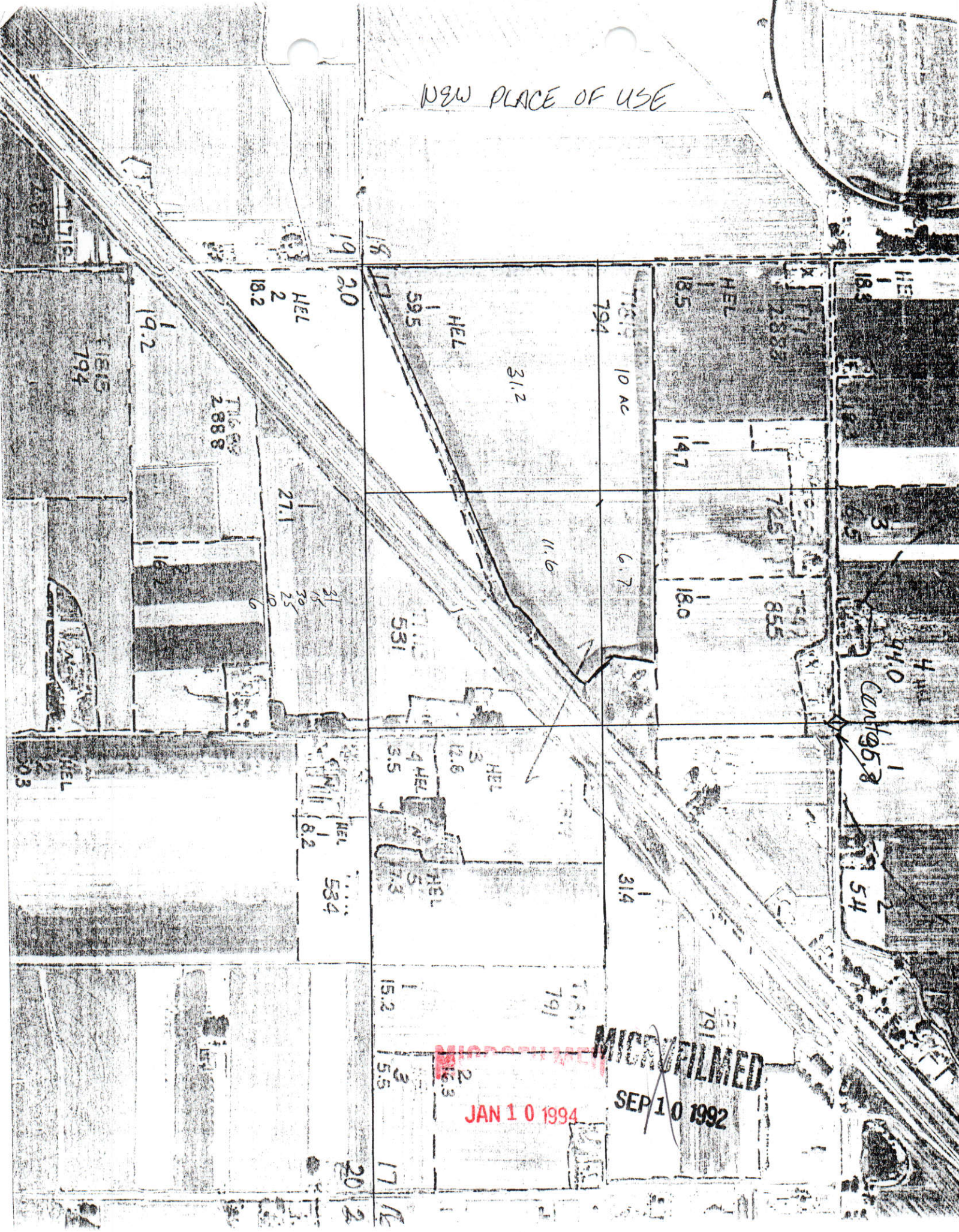
JAN 10 1994

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SEP 10 1992



NEW PLACE OF USE



JAN 10 1994

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SEP 10 1992

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3984APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1APPROVED
27-1-88Name of applicant Gary Trego Phone 785-3489Post Office address 53 N. 550 W. Blackfoot, ID 83221

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 I wish to change the portion of this right that Ron Ellis bought (55 acres), to Thain M. Evans. See disclaimer from Mr. Ellis attached.

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>35-07702A</u>	<u>5/2/77</u>	<u>1.12 cfs</u>	<u>Irrigation</u>	<u>4-1</u> to <u>11-1</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 1.12 cubic feet per second and/or _____ acre-feet per annum.3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	17	2S	36E	Bingham	

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	
2S	36E	17									4	10	31	10					55
			<i>These documents were removed from file no. 35-7702 because of a part A number change.</i>																

Total acres 55

PART 1

6. General Information:

- a. Description of diversion system Well and pump to 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 affect on the land now irrigated if the place of use is changed pursuant to this transfer:
None, this ground has ditch rights.
- d. Remarks:
See disclaimer from Ron Ellis that allows Applicant to transfer 55 acres of right 35-07702. The new place of use and point of diversion belongs to Thain Evans.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 27-07561

And said application is hereby APPROVED, subject to the following limitations and conditions:
See attached sheet for conditions of approval.

Witness my hand this

31st

day of

August, 19 92J. New Saylor
Chief, Water Alloc. Bureau**RECEIVED**

SEP 10 1992

JAN 10 1994

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 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. 3162/35-07702A 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 GROUNDWATER tributary to _____

4. Date or priority 05/02/1977

5. Water is used for the following purpose:

amount 1.12 cfs for Irrigation purposes from 04/01 to 11/01
(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 1.12 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	31	2S	35E	Bingham	

8. 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	
2S	35E	31							28	28									56

Total acres 56

9. Describe any other water rights used for the same purpose as described above

Shares in the Danskin and Trego ditch system.

JAN 30 1994

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 _____

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	

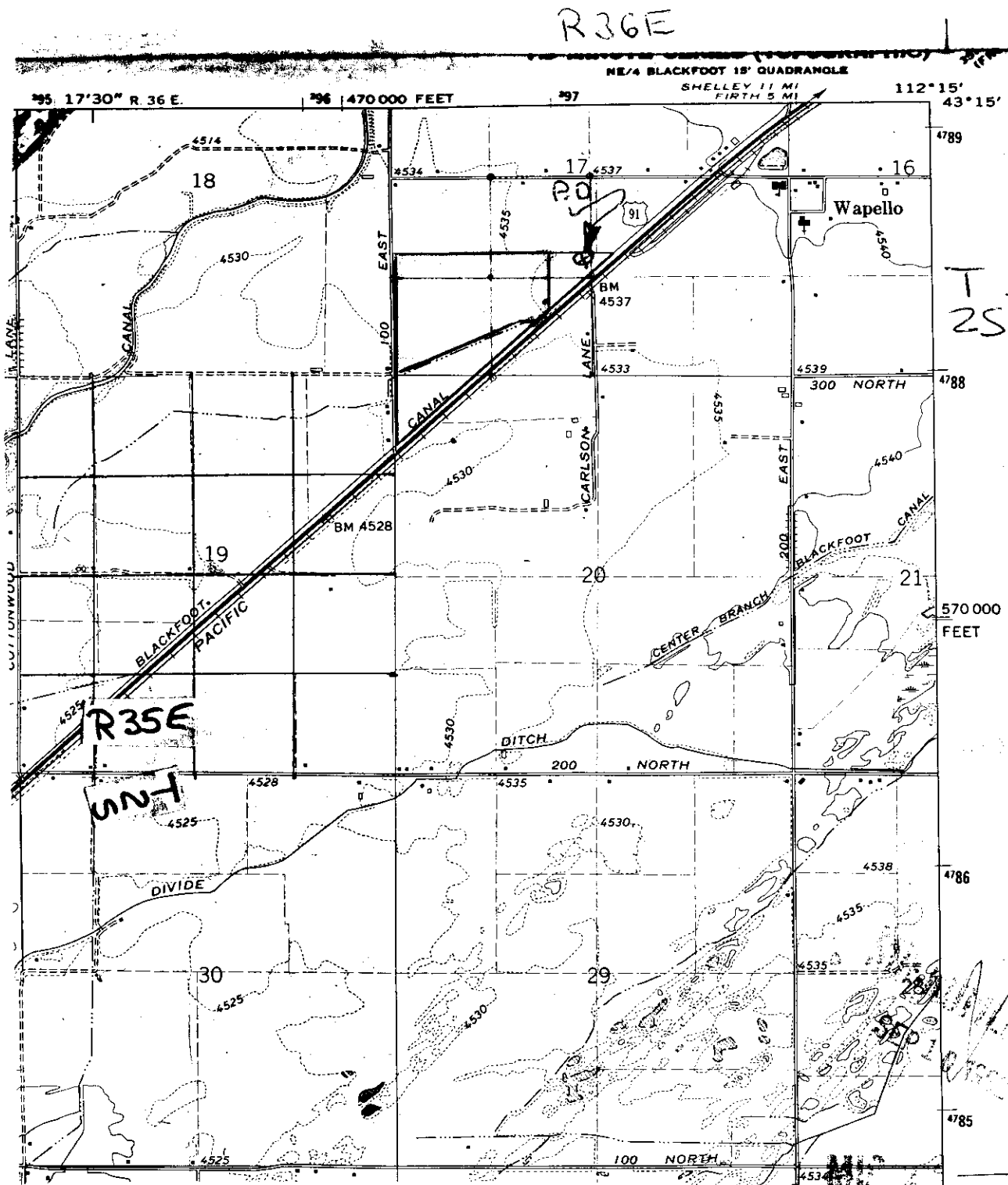
Total acres _____

SEP 10 1994

SEP 10 1992

**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 rights described in part 1. Clearly depict the land by section, township and range number.**



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

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				_____ to _____
				_____ to _____

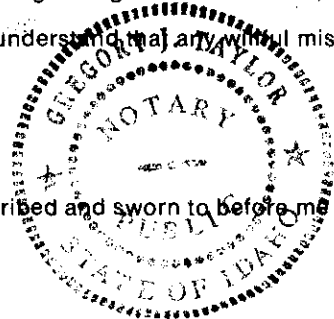
2. Quantity and quality of return flows and location of discharge:

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.

Subscribed and sworn to before me this 22nd day of June, 19 92.



(Signature of Applicant)

(Notary Public)

My commission expires 3/3/98**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by LWT Date 6-22-92 Protest filed by _____Prelim. check by _____ Fee \$50.00 *E017530Receipted by LWT Date 6-22-92Published in Morning News Copies of protest forwarded by _____Pub. dates 2-16 & 23-92 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial_____ rec'd. _____ by RPC

Copy of transfer sent to lien holder _____

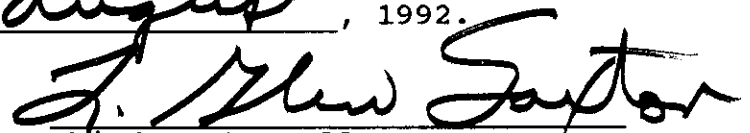
JAN 10 1994

SEP 10 1992

CONDITIONS OF APPROVAL
Transfer of Water Rights
No. 27-07561 (35-07702A)

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. If construction of the well under this right was not initiated prior to July 1, 1987, commencement of well construction or diversion of water under this right is prohibited unless a drilling permit is obtained from the Department.

Dated this 31st day of August, 1992.


Chief, Water Alloc. Bureau

RECEIVED

SEP 10 1992

RECEIVED

JAN 10 1994

Ron Ellis conveys ground water rights
only under water license number 35-7702 only
on 55 acres to Gary Trego in Bingham County
Section 31 T2 S, R 35 E. part of the SW $\frac{1}{4}$ of
the NW $\frac{1}{4}$, part of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$

Ron V. Ellis

*Subscribed to me this 20th day
of March 1989.*

Sandra L. Lowe

Notary of Public

Expires 8-93

14 S 6-35 W.

Blackfoot, Idaho

83221

RECORDED
SEP 10 1992

JAN 10 1994

Ron Ellis conveys ground water rights
only under water license number 35-7702 only
on 55 acres to Gary Trego in Bingham County
Section 31 T2 S, R 35 E. part of the SW $\frac{1}{4}$ of
the NW $\frac{1}{4}$, part of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$

Ron V. Ellis
There are no liens on this
Property. Ron V. Ellis
June 19, 1992

Sworn to me this 20th day
of March 1989.

Sandra L. Lowe

Notary of Public
Expires 8-93

14 S. 635 W.

Blackfoot, Idaho
83221

0334580
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SEP 10 1992

JAN 10 1992

TAX NOTICE AND RECEIPT

TAXING DISTRICT

RATE

AMOUNT

RECEIPT

1991

KEEP TOP PORTION FOR YOUR RECORDS
PLEASE READ REVERSE SIDE
YOUR CANCELLED CHECK IS YOUR RECEIPT

MARKET VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER
--------------	---------------	---------------	-------------

L 28820	9-00	RP0334500	A 4780
---------	------	-----------	--------

T2S R35E SEC 31

28820 T-4786

55.000 ELLIS, RONALD VEAR/LYNNE M
TOT ACRES 74 N 740 W
DELINQUENT YEAR BLACKFOOT ID 83221

STATE		
COUNTY	.006200	178.68
SCHOOL 52	.010882	313.62
R T CEM	.000217	6.26
SNAKE RIVER LIB	.000501	14.44
AMBULANCE DIST	.000326	9.40
BLKFT/SR FIRE	.000635	18.30

FULL PAYMENT

TAX 540.70

PEN.

INT.

COST

TOT.

1ST INSTALLMENT

TAX 270.35

PEN.

INT.

COST

TOT.

2ND INSTALLMENT

TAX 270.35

PEN.

INT.

COST

TOT.

TOTAL .018761 540.70

COPY

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH THE 2ND PAYMENT.
ELLIS, RONALD VEAR/LYNNE M
74 N 740 W

1991

4780

COPY

2ND INSTALLMENT

270.35

RP0334500
9-00

A

2nd

PEN.

INT.

COST

TOT.

Personal checks are subject to bank clearance.

MAKE PERSONAL CHECKS PAYABLE TO

AUDREY PORTER, TAX COLLECTOR

P.O. BOX 190

BLACKFOOT, ID 83221

208-785-8040

48

DELINQUENT IF NOT PAID ON OR BEFORE

JUNE 20, 1992

DATE PAID

CHECK #

PAID BY

CASH

JUN 10 1994

SEP 10 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
DEC 20 1993
Department of Water Resources

PROOF OF COMPLETED TRANSFER

The Idaho Department of Water Resources will consider this form as a statement regarding completion of the authorized water right(s) transfer.

1. Water Right No(s). 35-07702 A (27-7561)
Transfer No. 3984
2. Name of Water Right Holder(s): Gary Trigo
Address: 53 N. 550 W. Blackfoot, ID 83221
3. Water right transfer authorized by Department is:
(check appropriate space or provide description)
Complete X Not Complete _____
Partially Complete (describe work completed) _____

4. If the transfer has not yet been completed or is only partially complete, please provide a statement why the authorized change(s) have not been accomplished and the date which you expect the change(s) to be complete: _____

5. I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in Department action rescinding the approved water right(s) transfer.
Gary Trigo 12-16-93
Signature Date
(& title if on behalf of a company or organization)

This portion of right is in Thain Evans ownership JAN 10 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 16, 1993

GARY TREGO
53 N 550 W
BLACKFOOT ID 83221

RE: Approved Transfer No. 3984/Water Right No(s). 35-07702A
(27-07561).

Dear Water Right Holder:

On August 31, 1992, the Department approved an application for transfer of the above referenced water right. A copy of the transfer as approved has been enclosed for your reference. One of the conditions of approval of this transfer was that the authorized change(s) be accomplished within one year of the date of approval.

Please complete and return the enclosed form to confirm that the transfer has been accomplished. If the approved transfer has not been completed or is only partially complete, please provide an explanation why the changes have not been made and give an expected date for completion. The form must be returned to this office within 14 days of the date of this letter. If you wish to return the form by FAX, the number is (208)327-7866.

Please contact me if you have questions concerning this matter.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

RECEIVED
NOV 22 1993

JAN 10 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 1, 1992

GARY TREGO
53 N 550 W
BLACKFOOT ID 83221

RE: Transfer of Water Right No. 35-07702A (27-07561)

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3984). Be sure to note any conditions of approval as listed on the second page.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over the printed name and title.

JIM JOHNSON
Water Rights Supervisor

JJ:cz

Enclosure

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JAN 10 1994

RECEIVED
SEP 10 1992

MEMORANDUM

TO: File 27-07561 (35-07702A)

FROM: Sharla

DATE: August 25, 1992

RE: Transfer Review (No. 3984)

The above referenced transfer proposes to change the point of diversion and place of use under this right. The new p/d and p/u moves the right to basin 27 and has been renumbered accordingly.

Advertising was completed correctly. Proof of ownership is included in the form of tax notices. Ernie Carlsen, in his memo of 8/9, explains the chain of land purchases and the intent of the transfer. Mr. Trego sold 55 acres to Ron Ellis, who does not intend to use the well. Therefore, Mr. Trego is transferring the 1.12 cfs to Thain Evans for irrigation of 55 acres in the SW $\frac{1}{4}$, Sec. 17, T2S, R36E..

There is no indication that a drilling permit has been obtained, therefore, the standard condition requiring the drilling permit will be added.

The transfer can be approved with the following conditions:

- T07 The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- 043 If construction of the well under this right was not initiated prior to July 1, 1987, commencement of well construction or diversion of water under this right is prohibited unless a drilling permit is obtained from the Department.

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JAN 10 1994

AUGUST 9, 1992

FROM: ERNEST CARLSEN

RE: APPLICATION FOR TRANSFER
35-07702

PURPOSE:

Gary Trego proposes to transfer 1.12 cfs of 35-07702 off 56 acres in the S1/2NW, Section 31, Township 2S, Range 35E and make it appurtenant to 55 acres owned by Thain Evans in the SW1/4 Section 17, Township 2S, Range 36E.

FINDINGS:

(1) In 1985, Gary Trego obtained approved transfer 3162 splitting 35-07702 into two portions. The unchanged portion, designated as 35-07702A, left 1.12 cfs on 56 acres in the S1/2NW, Section 31 with the point of diversion in the SENE, Section 31. To get water from this well to the POU it was transported in the Trego Ditch.

(2) In 1989, Ron Ellis, who purchased the S1/2NW, Section 31 from Gary Trego, signed a statement conveying to Gary Trego that portion of 35-07702, appurtenant to 55 acres of Ellis' property.

(3) A field inspection conducted August 3, 1992, revealed Ron Ellis has converted from irrigation out of the Trego Ditch to center pivots pressurized by a pump on the Danskin Ditch. Mr. Ellis expressed that groundwater had not been used to irrigate the S1/2NW Section 31 since he purchased the property in about 1987 and he did not intend to retain any portion of 35-07702A.

(4) The new POU, owned by Thain Evans, is being sprinkled with surface water from the Blackfoot Canal. An ASCS aerial photo shows the new POU is 59.5 acres.

(5) Application moves the POU from Basin 35 to Basin 27. Both locations are in the non-trust water area and are separated by about 10 miles.

CONCLUSIONS:

35-07702-1000

JAN 10 1994

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SEP 10 1992

(1) The intent of the statement signed by Ron Ellis in 1989, was to convey all of water right 35-07702A to Gary Trego. This consists of 1.12 cfs for 56 acres.

(2) License 35-07702 was originally developed as a supplemental surface water right delivered through the Trego Ditch. Under the change proposed by this application it will remain a supplemental right to surface rights delivered thru the Blackfoot Canal.

(3) The change from Basin 35 to Basin 27 is not expected to adversely impact existing groundwater rights in Basin 27.

(4) The change will not result in an expansion of the 35-07702A.

RECOMMENDATION:

(1) Approve transfer of 35-07702A, for 1.12 cfs on 56 acres listed below.

Township 2S, Range 36E, Section 17	NESW	4.5 acres
	NWSW	10.
	SWSW	31
	SESW	10.5
Total		56.0 acres

(2) Assign Basin 27 number to changed portion.

CONDITIONS:

Approval of this transfer does not preclude the opportunity for review of the validity of the water right in the ongoing Snake River Basin Adjudication.

ADJUDICATION REVIEW

(1) A Notice of Claim has not been filed on 35-07702A.

(2) Gary Trego filed Notice of Claim A35-07702B for the diversion of 2.80 cfs on 196 acres. The place of use (POU) includes 56 acres in the S1/2NW, Section 31 owned by Ron Ellis.

(3) The POU owned by Gary Trego under 35-07702B appears to be less than 130 acres. The irrigation system consists of a center pivot with some risers for hand lines. The well added under Transfer 3162 is in the SWSWNE, Section 31.

(4) The POU on Gary Trego's Notice of Claim, A35-07702B,

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SEP 10 1992

should not include land in the S1/2NW, Section 31.

(5) Once the transfer has been issued a Notice of Claim needs to be filed on 35-07702A.

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SEP 10 1992

JAN 1 1993

7-10-92 - HWT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: HWT

1. Right number 35-07702^A Applicant Gary Trego
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☐ Purpose ☐ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☐ All of right.
 - b. ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☒ Check for expansion in use of right. Comments _____
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) _____
 - j. ☒ Is use within a Watermaster District? ☐ Yes ☐ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

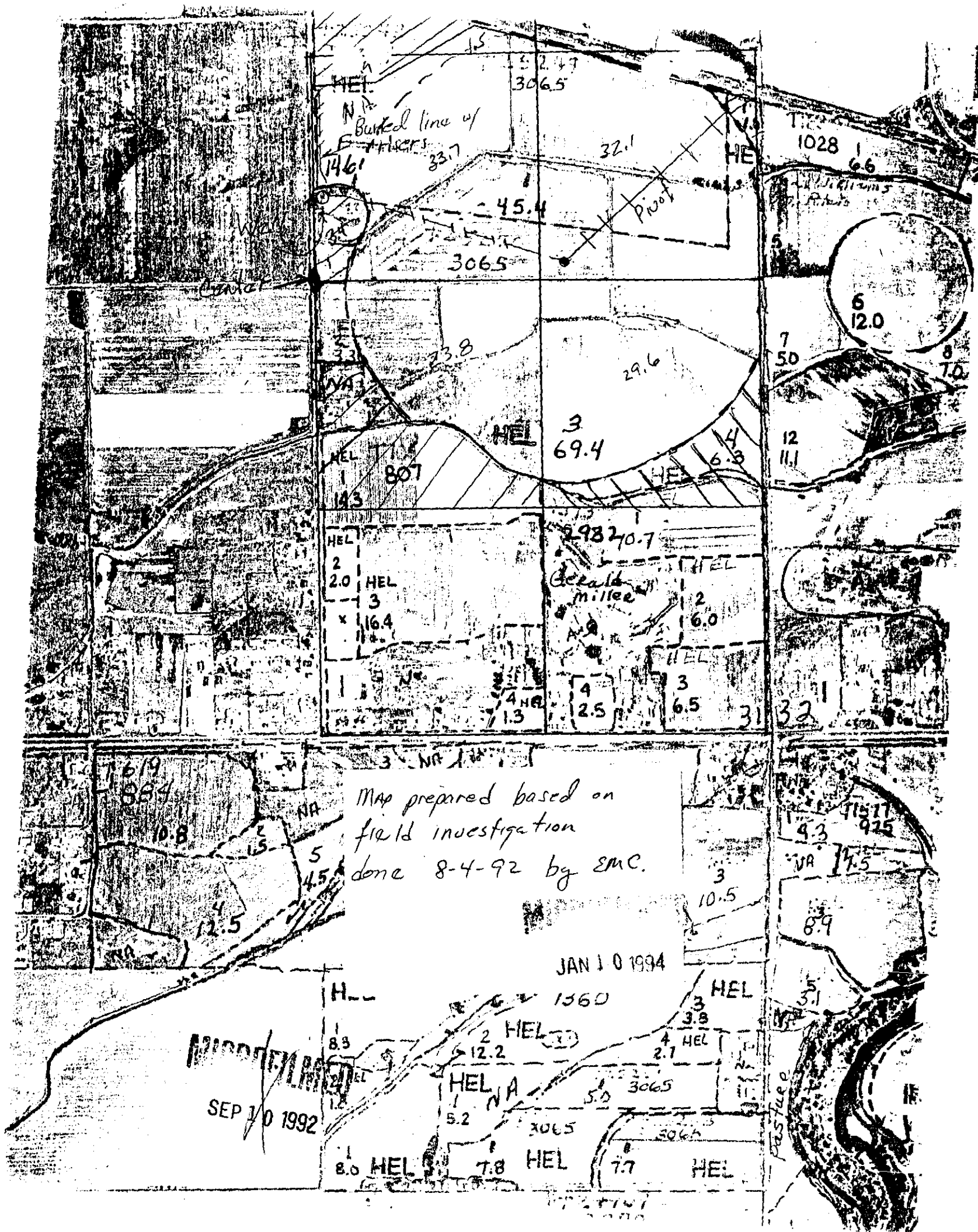
1. Watermaster recommendation requested on _____ Received on _____
2. Is transfer published correctly? ☐ Yes ☐ No
3. Protest received? ☐ Yes ☐ No

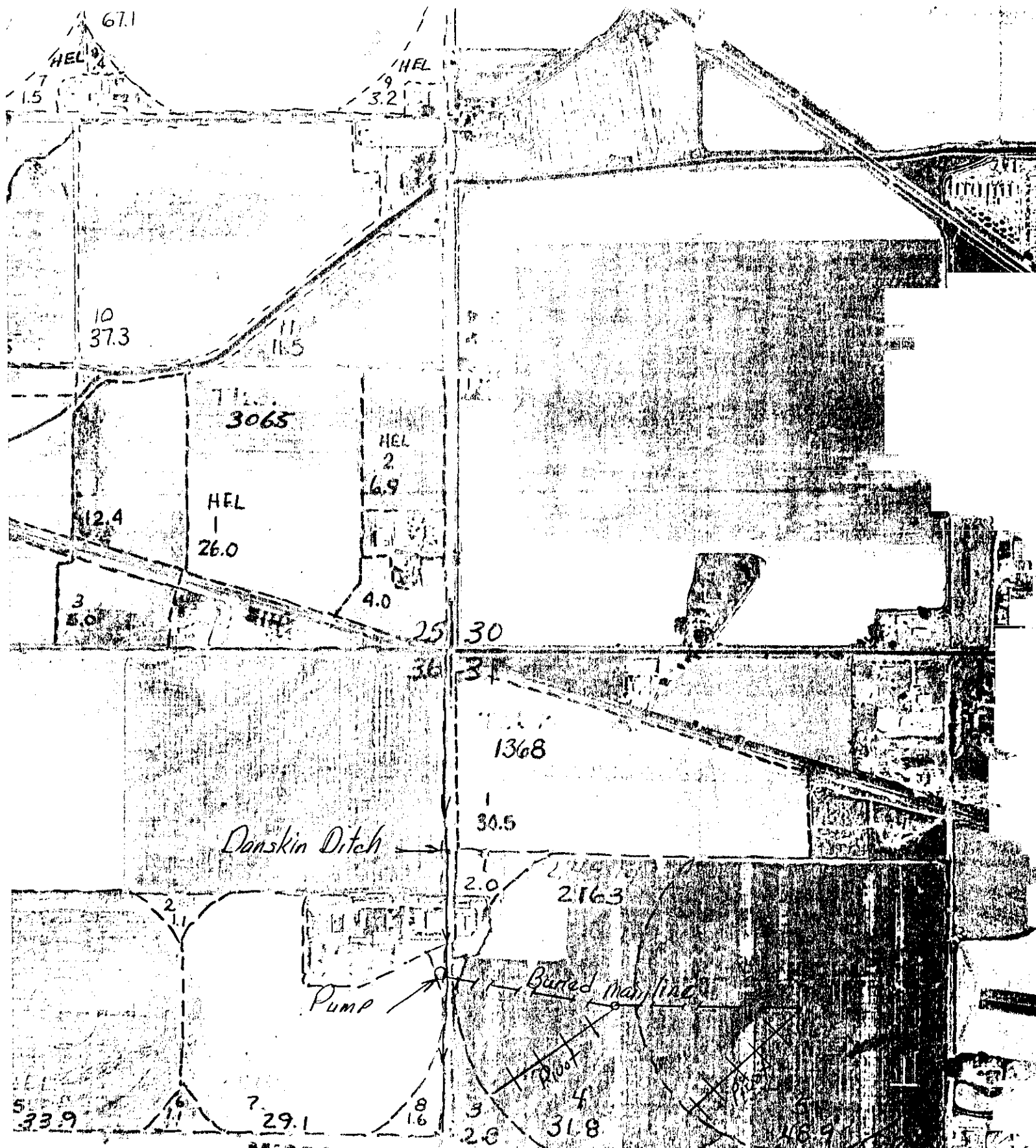
RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* SEE MEMO FROM ERNEST CARLSEN

4. By [Signature] Date 8/14/92

DOP 8-3-92





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JAN 10 1994

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SEP 10 1992

[illegible]

SEP 10 1992

JAN 10 1994

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. 35-07702B

Notice is hereby given that Gary Trego has applied to the Department of Water Resources to change point of diversion and place of use of the waters of a groundwater source. The right sought to be changed is evidenced by a license and recorded as follows:

LICENSE NO. 35-07702 AMOUNT: 3.92 cfs

PRIORITY: 5/2/77

POINT(S) OF DIVERSION: SENE SEC 31 T2S R35E, BINGHAM COUNTY

The water is used from 4/1 to 11/1 to irrigate 196 acres within the W1/2NE SENE S1/2NW N1/2SE SEC 31 T2S R35E, B.M.

TO BE CHANGED AS FOLLOWS:

Only 1.12 cfs will be diverted from the NESW SEC 17 T2S R36E, BINGHAM COUNTY and used to irrigate 55 acres within the SW SEC 17 T2S R36E, B.M.

Any protests against the proposed change must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83402, on or before AUGUST 3, 1992.

R. Keith Higginson
Director

Published in the Morning News on July 16 & 23, 1992.

35-07702B

JAN 10 1994

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SEP 10 1992