G-29897

APPLICATION FOR PERMIT
To Appropriate the Subterranean Waters of The State of Idaho

FHA

Application No. G- 37852
Permit No. G- 29897
District No.

1. Name of Applicant: Hyrum J. Ward

   Postoffice address: Clifton County: Franklin State: Idaho

2. Quantity of water claimed: 675 gals per minute (1.5 cfs)

   (a) Rate of withdrawal in cubic feet per second or Idaho
   Miners' inches or gallons per minute

   (b) Annual withdrawal in acre feet per annum

3. Source of water supply: subterranean

4. Location of point of diversion or well is in the SW ¼ of the NW ¼ of Section 4

   Twp. 14 S , Rge. 38 E , B.M., County of Franklin

5. Water is to be used for: irrigation

6. If for municipal, industrial or recreational purposes, give:

   (a) Point of use of water is in the ¼ of the ¼ of Section , Twp.
   Rge. , B. M.

   (b) Waste water or sewage effluent is to be returned to
   at a point in the ¼ of the ¼ of Section , Twp. , Rge. , B. M.

7. Kind of works: Fourteen inch steel casing

8. Estimated cost of works: $ 3200

9. (a) Is reservoir to be used? yes

   (b) Capacity of reservoir: 2 acre feet

10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.

11. If applicant is a corporation, give:

   I. (a) Date and place of incorporation:

   (b) Amount of capital stock: $ (c) Amount paid in: $

   (d) Names and addresses of directors:

   II. The financial resources of the applicant are (a) Cash on hand: $

   (b) Treasury stock: (c) Bonds to be issued:

   (d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 14½ hrs. of farm & 10 hrs Meadow shares in Oxford Irrig. Co.

   (a) 675 ~~(cubic feet per second~~ inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

   (b) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

s/ Hyrum J. Ward *Applicant.*

By *Agent.*

Date of first receipt at Department of Reclamation: 8:00 A.M. June 20, 1961

Returned to applicant for correction: June 26, 1961

Corrected application received: July 7, 1961

Approval of State Reclamation Engineer

The number of this permit is G— 29897

Recorded in Book 105 Page 29897 Approved July 11, 1961

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of $ to be filed on or before

Work to begin on or before and to continue deligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before January 11, 1964

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before July 11, 1966

Witness my hand this 11th day of July, 1961

s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 11th day of July, 19 61

Countersigned:

(SEAL)

By s/ ARNOLD WILLIAMS
Secretary of State.

STATE OF IDAHO

By s/ ROBERT E. SMYLIE
Governor

12.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14 S	38 E	4		X				X		X									120

RECEIVED
JUL 7 1961
Department of Reclamation

Clifton Idaho.
July 5, 1961

Mr. Geo. N. Carter
Bureau of Reclamation
Boise Idaho.

Dear Sir:
Townships 14 is
the corect one.

Yours Truly
Hyrum L. Ward

29877

NAME OF APPLICANT Hyrum J. Ward

Form No. 0

Well

T14SR38E

Permit Map No. 29897
As Approved JUL 11 1961
GEO. N. CARTER

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

27877

Clifton Idaho.
June 17, 1961

RECEIVED
JUN 20 1961
Department of Reclamation

Mr. Geo. N. Carter
Bureau of Reclamation
Boise, Idaho.

Dear Sir:

Enclosed please find an application for a well. I hope everything is filled in correctly and since it is part of the emergency plan I hope you will cooperate and act as quickly as possible so the well driller we have engaged can soon get started

Sincerely Yours
Hyrum J. Ward

29897

June 20, 1961

Application No. 0-37852

Mr. Myrum J. Ward
Clifton, Idaho

Dear Mr. Ward:

Returned herewith is your application for permit with attached receipt no. 6083 for $5.25 filing fee.

You show Townships 13 and 14 South. The 13 has been crossed out however as we are not sure of the location of your land. Kindly check the description and return the application with the correct township shown.

You may drill the well at any time convenint to you.

Very truly yours,

GEORGE N. CARTER
State Reclamation Engineer

By:

Ralph W. Thomas, Deputy
State Reclamation Engineer

RWT/mo
encls

27897

July 20, 1961

Re: Permit No. G-29897

Mr. Hyrum J. Ward,
Clifton, Idaho.

Dear Mr. Ward:

We enclose Permit No. G-29897 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Departmental Receipt No. G-6083, which was issued covering payment in the amount of $5.25 for the filing fee of the above mentioned permit, was mailed to you with our letter of June 20, 1961.

You will note, under Question 10, that we have changed the required time for completion of works and complete application of the water to the proposed use to five years. However, you may make the required proofs at any time you are prepared to do so within that time.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

27877

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

RECEIVED
OCT 30 1961
Department of Reclamation

Preston, Idaho
October 27, 1961

Department of Reclamation
State House
Boise, Idaho

Gentlemen:

We have taken a Real Estate Mortgage on the Property of Hyrum J. Ward of Clifton, Idaho, in connection with a Soil and Water loan under permit No. G 29897. Mr. Ward has agreed that he will not assign or amend the permit without the consent of the Farmers Home Administration.

Very truly yours,

W. C. Maughan

W. C. Maughan
County Supervisor

10-30-61 Noted

29897

Form No. 11
(2M 12-64

RECEIVED
APR 21 1966
9:00 A.M.
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 18, 1966

(P. O.) Clifton, Idaho

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Preston Citizen of Preston, Idaho Published in the county in which the works are situated.

Hyrum J. Hard

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer)

I hereby certify that the facts set forth in the attached notice are true.

Engineer

29897

No. 36 - 4M
1/65

RECEIVED
APR 21 1966
9:00 A.M.
Department of Reclamation

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that ~~at 10:00 A.M.~~, on the 31st day of May 1966, at Preston, County of Franklin, State of Idaho before Ted B. Larsen, Notary Public, at (address) 10 West Oneida, Preston, Idaho, proof will be submitted of the completion of works for the diversion of ~~.75~~ 1.50 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29897, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Hyrum J. Ward Clifton, Idaho

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is ~~.75~~ 1.50 cubic feet per second.

3. The use to which said water has been applied is irrigation, purposes and the amount applied to beneficial use is ~~.75~~ 1.50 cubic feet per second.

4. The point of diversion of said water is SW¼NW¼ Sec 4 Twp 14 SR 38 EBM

5. The place where said water is used is 40 acres SW¼NW¼ Sec 4 Twp 14 SR 38 EBM

6. The date of pricrity which said user is prepared to establish is ~~July 11, 1961~~ June 30, 1961.

State Reclamation Engineer

29897

Re: Permit No. G-29897 April 21, 1966

Hyrum J. Ward
Clifton, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to May 31, 1966. The expense of the publication is to be paid by Hyrum J. Ward of Clifton, Idaho to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

29897

April 21, 1966

Re: Permit No. G-29897

Hyrum J. Ward
Clifton, Idaho

Dear Mr. Ward:

This acknowledges the Notice of Proof of Completion of Works and Application of water to Beneficial Use under Permit No. G-29897. The proofs are to be made at ~~Preston, Idaho~~ o'clock, on the 31st day of May, 1966, before ~~Ted D. Watson, Preston, Idaho~~ Notary Public.

As of this date, we have mailed the Notice to the Preston Citizen, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

~~MELVIN P. HALE~~
Chief Clerk
K. Maxwell Dosch
Office Manager

Encl.
EPR:pmk
cc: Notary

29897

THE PRESTON Citizen

Phone 852-0155 Published Thursdays

PRESTON, IDAHO

RECEIVED
APR 26 1966
Department of Reclamation

Gentlemen:

Attached herewith is a copy of the legal notice that is currently running in The Citizen. According to our records the notice is scheduled to run until May 26 If there are any errors in the copy, would you please notify us immediately by marking this copy and returning it to the office, so that corrections can be made before the notice runs again. For your information the charge for running the notice will be _____. This is not a proof of publication.

Sincerely Yours,

The Preston Citizen

Permit # G-29897

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 31st day of May 1966, at Preston, County of Franklin, State of Idaho, before Ted B. Larsen, Notary Public, at 10 West Oneida, Preston, Idaho, proof will be submitted of the completion of works for the diversion of .80 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29897, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Hyrum J. Ward. Clifton, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is .80 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes and the amount applied to beneficial use is .80 cubic feet per second.

4. The point of diversion of said water is SW¼NW¼ Sec. 4 Twp 14 SR 38 EBM.

5. The place where said water is used is 40 acres SW¼NW¼ Sec 4 Twp 14 SR 38 EBM.

6. The date of priority which said user is prepared to establish is June 20, 1961.

CARL E. TAPPAN
State Reclamation Engineer

Legal No. 1054—Pub. May 5, May 12, May 19, May 26, 1966.

29897

May 11, 1966

RE: Permit No. G-29897
Hyrum J. Ward

Preston Citizen
Preston, Idaho

Gentlemen:

On April 21, 1966 we sent you a legal notice of the above numbered permit to be published for four successive weekly issues of your paper prior to May 31, 1966. To date we have not received a tear sheet for proofing.

Kindly send us a tear sheet promptly. If there are errors in the publication it may be necessary to re-publish at your expense.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:mr

29897

THE PRESTON Citizen

Phone 852-0155 Published Thursdays

PRESTON, IDAHO

RECEIVED
MAY 13 1966
Department of Reclamation

Gentlemen:

Attached herewith is a copy of the legal notice that is currently running in The Citizen. According to our records the notice is scheduled to run until May 26 - If there are any errors in the copy, would you please notify us immediately by marking this copy and returning it to the office, so that corrections can be made before the notice runs again. For your information the charge for running the notice will be _____. This is not a proof of publication.

Sincerely Yours,

The Preston Citizen

Permit 29897
Hyrum J. Ward

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 31st day of May 1966, at Preston, County of Franklin, State of Idaho, before Ted E. Larsen, Notary Public, at 13 West Oneida, Preston, Idaho, proof will be submitted of the completion of works for the diversion of .80 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29897, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Hyrum J. Ward, Clifton, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is .80 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes and the amount applied to beneficial use is .80 cubic feet per second.

4. The point of diversion of said water is SW¼NW¼ Sec. 4 Twp 14 SR 38 EBM.

5. The place where said water is used is 40 acres SW¼NW¼ Sec 4 Twp 14 SR 38 EBM.

6. The date of priority which said user is prepared to establish is June 20, 1961.

CARL E. TAPPAN
State Reclamation Engineer

Legal No. 1054—Pub. May 5, May 12, May 19, May 26, 1966.

29897

June 13, 1966

G-29877

Preston Citizen
Preston, Idaho

Gentlemen:

On May 11, 1966 we wrote you stating that we had not received the tear sheets of the legal notices of Permits No. G-29859, G-29888, and G-29897.

In checking through the file folders of a number of permits today we found these tear sheets in another folder. They had evidently been misfiled before being given to the employee who has the responsibility of checking all legal notices.

We regret this error on the part of our office. Please accept our sincere apology.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:mr

29897

June 22, 1966

Re: Permit No. G-29897

Mr. Hyrum J. Ward,
Clifton, Idaho.

Dear Mr. Ward:

Returned herewith your depositions of holder and witnesses and affidavit of publication on the above referenced permit.

It is noted you advertised to appear before Notary Public Ted S. Larsen on the 31st day of May, 1966. However, the depositions are dated June 20, 1966. Therefore, we require you to submit an affidavit from Mr. Larsen stating why you did not appear on the advertised date, also that his office was open and that no protest was offered nor received.

Please comply returning all papers promptly.

Very truly yours,

DONALD W. McELDOWNEY
State Water Rights Clerk

Encl. - Deposition of Holder
Deposition of witnesses
Affidavit of Publication

DWMc:pmk

29897

RECEIVED
JUL 14 1966
Department of Reclamation

STATE OF IDAHO
COUNTY OF FRANKLIN--SS

I, the undersigned, a notary public in and for the state of Idaho, do hereby declare that my office was open May 31, 1966 and that no protests were offered nor received in connection with Permit No. G-29897 - Hyrum J. Ward.

I do also hereby declare that the said Hyrum J. Ward, holder of Permit No. G-29897, did appear before me June 20, 1966 with two witnesses. His reason for not appearing at the proper date was stated as being confused over the two dates. Not checking back, he held for the June 20th date.

Ted B Larsen

Subscribed and sworn to before me this 8th day of July, 1966.

Notary Public
Preston, Idaho

29877

Form 16. - 2M
5-5-65

RECEIVED
JUN 14 1966
Department of Reclamation

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

RECEIVED
JUN 21 1966
...Department of Reclamation

Permit No. G-29897

* * * * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

~~and Completion of Works~~

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address: Hyrum J. Ward Clifton, Idaho Farming

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf:

Ques. 3. State number, approval date of permit, and date of priority: G-29897 July 11, 1961 June 20, 1961

Ques. 4. State source of water supply: Subterranean
Give location of point of diversion, showing subdivision, section, township and range
SW¼NW¼ Sec 4 Twp 14 SR 38 EBM

Ques. 5. Describe your works of diversion: Well and pump ; state amount of water they are capable of conveying from point of diversion to place of use: .80 cfs ; Give name of canal or ditch or other works by which water is conducted to such place of use: private ditch on my land ; if a well, state depth of well 287 feet ; depth and size of casing 287 feet 14 " ; depth to water Eight feet ; if pump is used, state discharge of pump: .80 cfs ; tell how it was measured or determined Orfus Test by Johnson Pumping Co. if sprinkler irrigation, give number and size of nozzles and operating pressure:

Ques. 6. State for what purpose water is used: Irrigation
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:
40 acres SW¼NW¼ Sec 4 Twp 14 SR 38 EBM

29897

State nature of all improvements which have been made as a direct result of said use:

Added water to 40 new acres

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: George Kagel, Bill Flloyd Rupert, Idaho

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: May 1, 1962 - Time used since first use:

Every irrigation season since then.

Ques. 10. Describe all other water rights appurtenant to same place of use:

24⅛ hours Oxford Creek.

(sign) Hyrum J. Ward

* * * * * * * * * * *

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Preston, County of Franklin State of Idaho, on this 20th day of June, A. D. 1966.

Red B. Lanston

My commission expires: May 12, 1970

27897

Form 17A - 4M
5-6-65

RECEIVED
JUN 14 1966
Department of Reclamation

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29897

* * * * * * *

RECEIVED
JUN 21 1966
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Willard Gailey 41 Clifton, Idaho Farming

Ques. 2 Are you acquainted with Hyrum J. Ward, the holder of Permit No. G-29897? How long have you known him and where does he reside?

Yes 20 years Clifton, Idaho

Ques. 3. Have you read or heard said Permit No. G-29897 read, and are you familiar with its provisions and conditions: Yes x No.

Ques. 4. State source of water supply: Subterranean

Give location of place of diversion, showing subdivision, section, township and range

SW¼NW¼ Sec 4 Twp 14 SR 38 EBM

Describe works for conveying water to place of use: ditch

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: .80 cfs How much water have you seen being so conveyed? .80 cfs

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

40 acres SW¼NW¼ Sec 4 Twp 14 SR 38 EBM.

29897

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

2.5 acre feet

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? no

Ques. 10. When did you first see this water used? May 1, 1962

Other times you have seen such use: Every Irrigation season since.

(Signed): Willard Bailey

* * * * * * * * *

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Preston, County of Franklin, State of Idaho, on this 20th day of June, A. D. 19 66

Ted B Larsen

Notary Public for the State of Idaho

Residing Preston, Idaho

My commission expires May 12, 1966

27897

Form 17A - 4M
5-6-65

RECEIVED
JUL 14 1966
Department of Reclamation

RECEIVED
JUN 21 1966
Department of Reclamation

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-29897

* * * * * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Howard Henderson 57 Clifton, Idaho Farming

Ques. 2 Are you acquainted with Hyrum J. Ward, the holder of Permit No. G-29897? How long have you known him and where does he reside?

Yes 20 years Clifton, Idaho

Ques. 3. Have you read or heard said Permit No. G-29897 read, and are you familiar with its provisions and conditions: Yes X No. _____

Ques. 4. State source of water supply: Subterranean

Give location of place of diversion, showing subdivision, section, township and range

SW¼NW¼ Sec 4 Twp 14 SR 38 EBM

Describe works for conveying water to place of use: Ditch

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: .80 cfs How much water have you seen being so conveyed? .80 cfs

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

40 acres SW¼NW¼ Sec 4 Twp 14 SR 38 EBM

29897

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

2.5 acre feet

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? no

Ques. 10. When did you first see this water used? May 1, 1962

Other times you have seen such use: Every irrigation season since.

(Signed): Howard Henderson

* * * * * * * * *

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Preston, County of Franklin, State of Idaho, on this 20th day of June, A. D. 1966

Ted B. Larsen

Notary Public for the State of Idaho

Residing Preston

My commission expires May 12, 1970

29897

RECEIVED
JUL 14 1966
Department of Reclamation

No 1054

AFFIDAVIT OF PUBLICATION

RECEIVED
JUN 21 1966
Department of Reclamation

STATE OF IDAHO,
ss.
County of Franklin

Wayne D. Bell
being duly sworn,

deposes and says:

That he is the Co-publisher of

THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for

four consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with May 5, 1966, and ending with the issue of May 26, 1966

Wayne D. Bell

Fees, $ 24.08

Subscribed and sworn to before me this 27 day of May 1966.

Beverly W. Mortensen
Notary Public, Residing at Preston, Idaho

My Commission Expires Dec, 1968.

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 31st day of May 1966, at Preston, County of Franklin, State of Idaho, before Ted B. Larsen, Notary Public, at 10 West Oneida, Preston, Idaho, proof will be submitted of the completion of works for the diversion of .80 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-29897, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Hyrum J. Ward, Clifton, Idaho.
2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is .80 cubic feet per second.
3. The use to which said water has been applied is irrigation purposes and the amount applied to beneficial use is .80 cubic feet per second.
4. The point of diversion of said water is SW¼NW¼ Sec. 4 Twp 14 SR 38 EBM.
5. The place where said water is used is 40 acres SW¼NW¼ Sec 4 Twp 14 SR 38 EBM.
6. The date of priority which said user is prepared to establish is June 20, 1961.

CARL E. TAPPAN
State Reclamation Engineer

Legal No. 1054—Pub. May 5, May 12, May 19, May 26, 1966.

29897

July 14, 1966

Re: Permit No. G-29897

Hyrum Ward
Clifton, Idaho

Dear Mr. Ward:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Preston Citizen all submitted in proof of completion of works and beneficial use on Permit No. G-29897.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try to contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

R. KEITH HIGGINSON, Deputy
State Reclamation Engineer

RKH:ew

P. S. We are returning your receipt statement for cost of adverbising for your files

29897

Form 23
2M-4-65

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

REPORT OF EXAMINER

PERMIT NO. G-29897/13-2242

REPORT ON PROOF OF Completion of Works & Beneficial Use

Hyrum J. Ward
Clifton, Idaho

13 2242

LJ-200
1-63

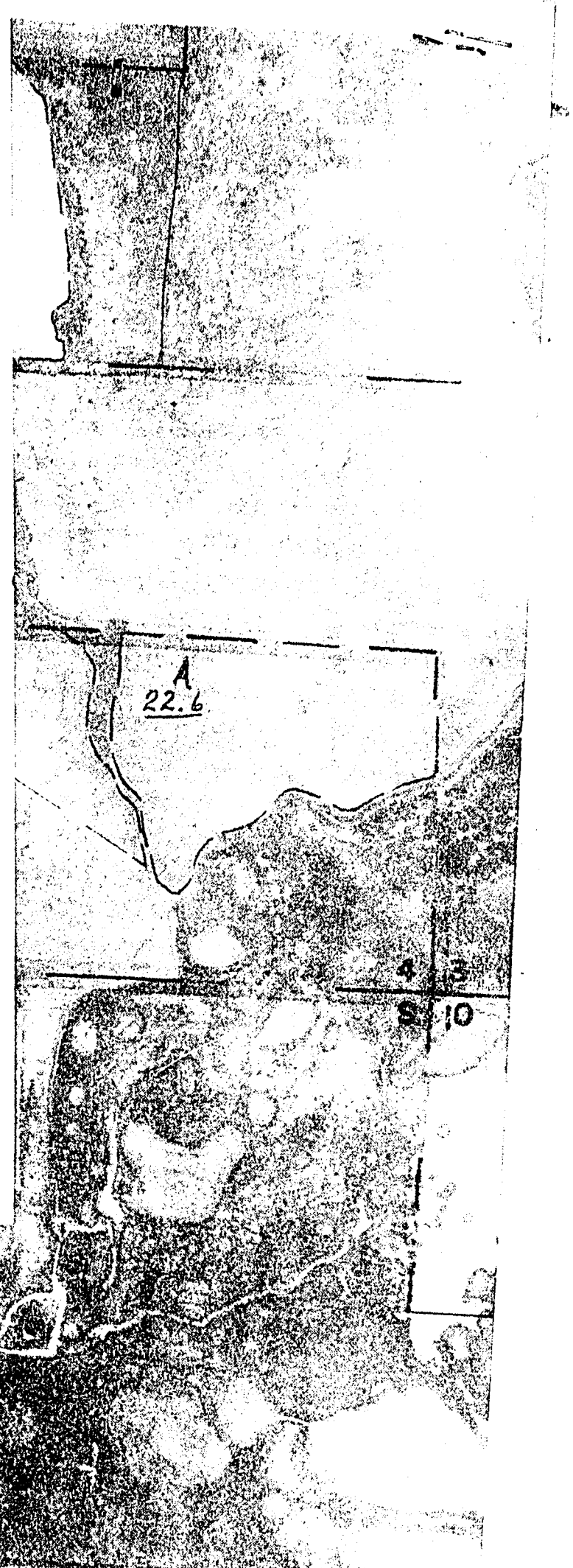
STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Date _____, 19__ **DISCHARGE MEASUREMENT NOTES**

River at _____

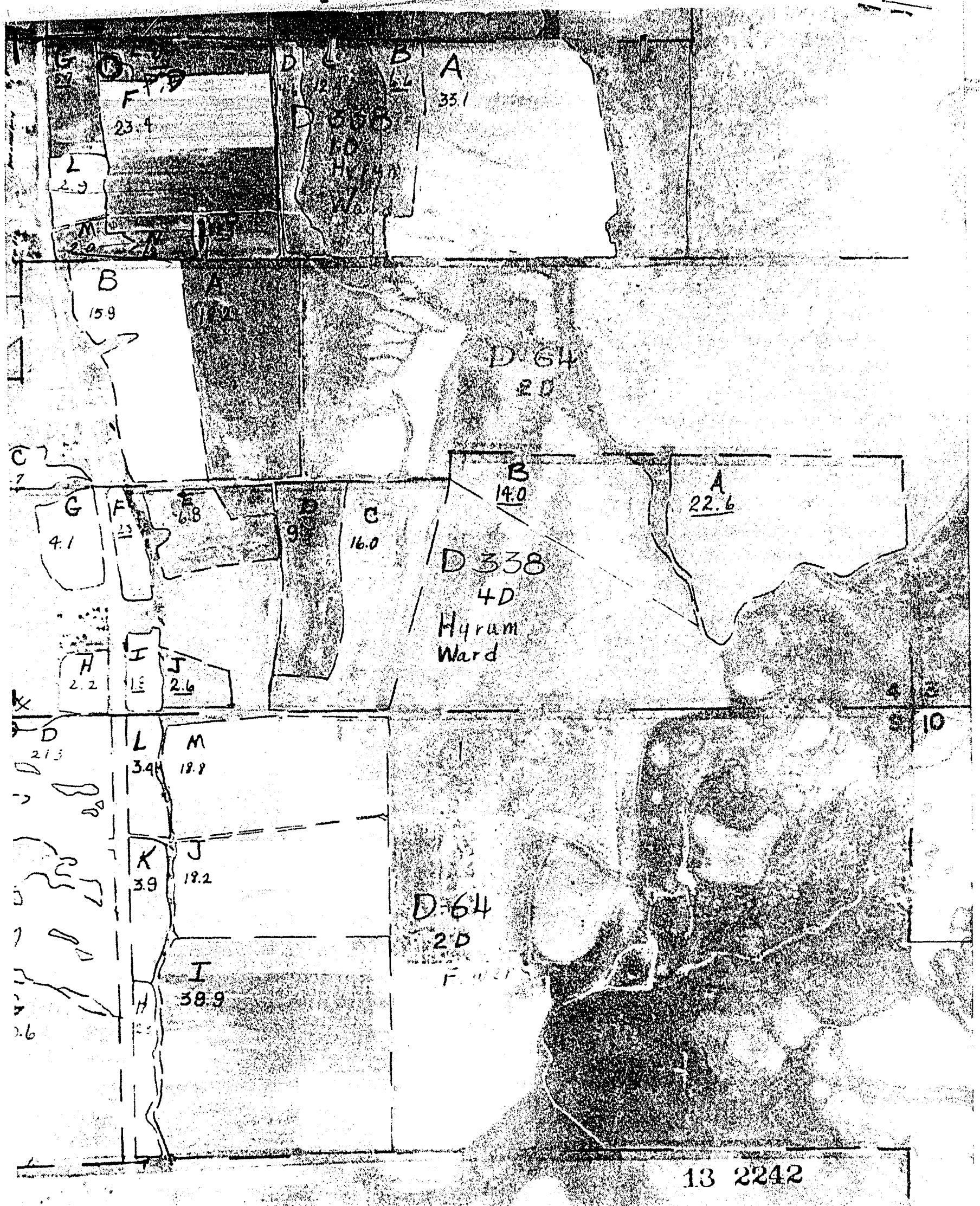
Angle coefficient	Dist. from initial point	Width	Depth	Observation depth	Revolutions	Time in seconds	VELOCITY: At point	VELOCITY: Mean in vertical	Adjusted for hor. angle or ----	Area	Discharge
	1.50	1.25	—								
	1.75	1.25	.30		20	54	.300			.075	.030
	3.00	.275	.35		25	41	.565			.096	.054
	3.50	.300	.50		30	45	.713			.150	.107
	4.00	.350	.60		40	40	.524			.210	.110
	4.50	.350	.62		30	50	.620			.217	.135
	5.00	.300	.57		29	51	.776			.150	.119
	5.50	.350	.52		30	50	.620			.122	.076
	6.00	.250	—								.131

No. _____ of _____ Sheets. Comp. by 2242 Chk. by _____

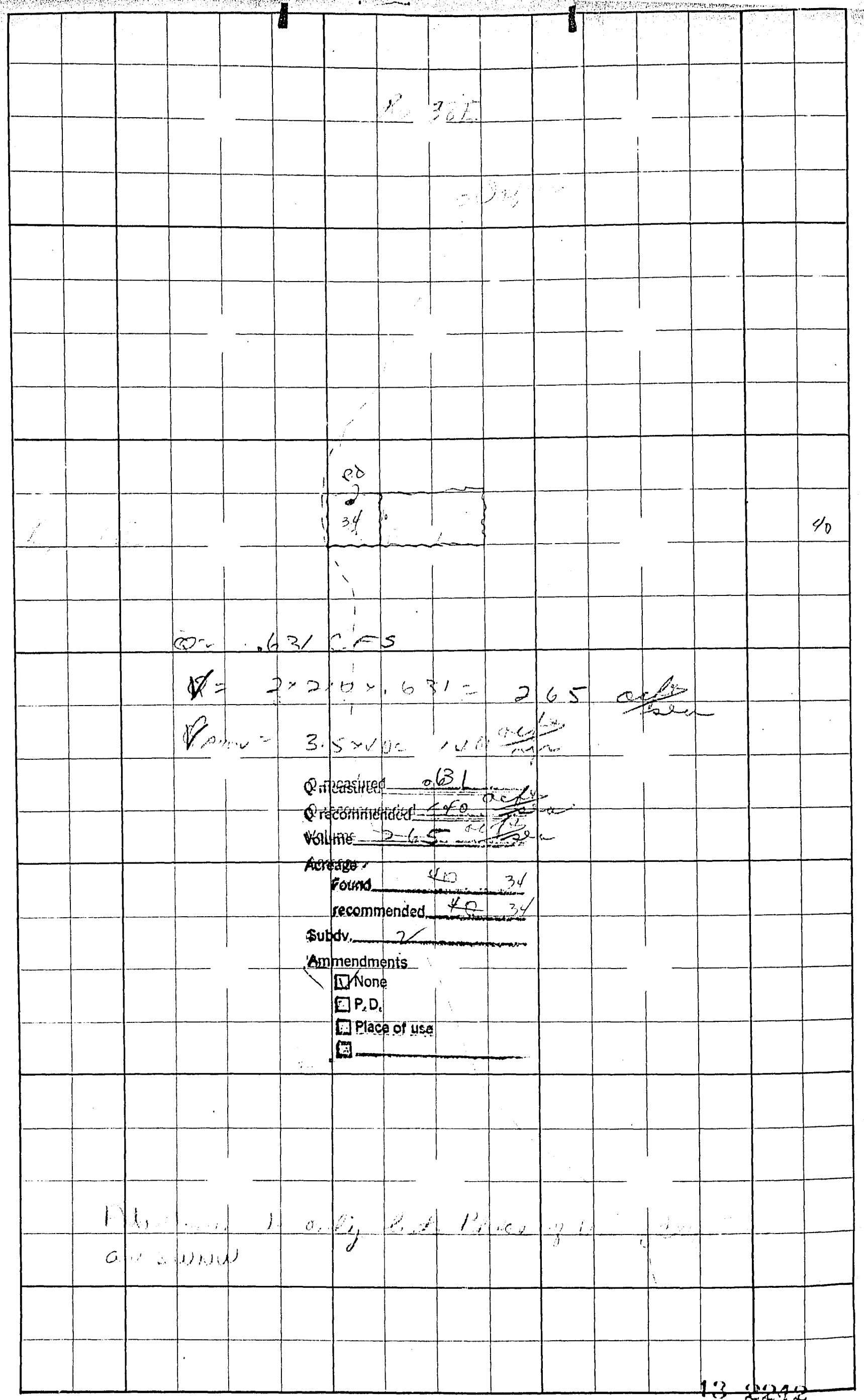


Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

13 2242



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

Form 23
2M-4-65

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF EXAMINER

Permit No. G-29897 /13-2242

This proof is for Completion of Works & Beneficial Use In Water District No.

1. Name of applicant Hyrum J. Ward

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the SW¼NW¼ of Section 4
T. 14 S R. 38 E County of Franklin

4. Describe works as they exist, giving dimensions and capacities of same: G.E. motor
Sub-mo. OWS 702252 bowl - Simplex pump
200 GPM @ 1220 RPM & 135 Ft. Sub-mo. 500206

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
SW¼NE¼, S½NW¼, Sec. 4, T. 14 S., R. 38 E., B. M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Coal Kind was awarded
Permit in irrigation title with pump
station

This examination was made on the 8 day of July, 19 70

(Signed) Wilson G. Jones
Examiner.

13 2242

Hyrum J. Ward
Clifton, Idaho

Permit No. G 29897/13-2242

Examination for Completion of Works and Beneficial Use

County Franklin

Sec. 4 T. 14S R. 38E

Quantity: 1.5 cfs

Source:

P.D.:

Use:

Extension:

Protest:

Completion of Works:

Other Rights:

Filed: June 29, 1961

Due: July 1, 1966

Made: June 29, 1966

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

13 2242

January 24, 1972

Mr. Hyrum J. Ward
Clifton,
Idaho 83228

Dear Mr. Ward:

A representative of this department has made an examination of the works covered by your Permit No. 29897/13-2242 and has found the following:

Quantity of water diverted: 0.63 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.63 cfs

The maximum quantity of water diverted shall not exceed 119 acre feet per season.

Beneficial Use: Irrigation of 34 acres within the SW¼NW¼, Sec. 4, Twp. 14 S, Rge. 38 E, B.M.

Point of diversion: Same as above.

The priority date established is : June 20, 1961

A fee totaling $ 7.00 must be received within 30 days from the date of this letter in order that we can issue you a Water License as set forth in this letter.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

13 2242

March 10, 1972

Re: Permit No. 29897/13-2242

Mr. Hyrum J. Ward
Clifton,
Idaho 83228

Dear Mr. Ward:

Enclosed herewith is your Water License issued on the above referenced permit.

Also enclosed is departmental receipt No. 8115 in the amount of $7.00 covering the licensing fee.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: License
Receipt #8115

bc: Eastern District Office

13 2242

State of Idaho

Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 29897/13-2242 Priority June 20, 1961 Amount 0.63 cfs

THIS IS TO CERTIFY, that Hyrum J. Ward

of Clifton, Idaho, has complied with the terms and conditions of Permit No. 29897/13-2242 issued pursuant to Application for Permit dated June 20, 1961, and has submitted proof to the Department of Water Administration on June 20, 1966, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity of 0.63 cfs, and that the water has in fact been applied to a beneficial use; a right to the use of water from a ground water source tributary of _____, is hereby confirmed in the following amounts:

Amount 0.63 cfs for irrigation from April 1 to Nov. 1 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 0.63 cfs of water be diverted at any one time, said waters to be diverted within the SW¼NW¼ Sec. 4, Twp. 14 S, Rge. 38 E, B.M. in the county of Franklin; and that the amount of water so diverted and to which such right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can actually be beneficially used and shall not exceed 119 acre feet per year or 3.5 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14S	38E	4							34										34

Total number of acres irrigated 34

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 9 day of March, 19 72.

Director

Identification No. 13 2242

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF ~~RECLAMATION~~ WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVED

1. Name of Right Holder Earl H. and Anna Mae Ward

   Post office address Dayton, Idaho

2. Right obtained by:

   a. Decree to _____ (Name) in Case of _____

   vs. _____, Dated _____ in _____ (Name of Court)

   Court. County of _____.

   G29897/13-2242

   b. License No. _____ issued by the State of Idaho, Department of Reclamation.

3. Source of water Underground (Name of stream or source) tributary to _____

4. Date of Priority 6/20/61

5. Amount of water a. 0.63 c.f.s. and/or

   b. _____ acre feet/annum

6. Water is used for Irrigation from April 1 (Month, Day) to November 1 (Month, Day)

7. Original location of point of diversion is SW ¼ NW ¼ of Section 4,

   Township 14S, Range 38E, B.M., in Franklin County;

   Additional points of diversion, if any _____

8. Lands presently irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14S	38E	4							34										34

Total number of acres presently irrigated 34

9. If applicant was not the original holder of this right explain how it was acquired: Purchase on contract notice attached.

10. CHANGE IN POINT OF DIVERSION

a. Quantity to be diverted at new point: 0.63 c.f.s. and/or _____ acre feet

b. New point of diversion: SW ¼ NE ¼, Section 5, Township 14S 38E, Range _____, B.M.

c. Description of method of diversion and conveyance from new points of diversion: Drilling New Well

d. Is water to be conveyed to the lands previously irrigated? Yes X No _____.

If not, the place of use should be changed below.

e. Describe the reasons for applying for a change in the point of diversion: To incorporate into application for new well of sufficient size to irrigate all irrigatable land.

f. Do you intend to make the transfer permanent? It will depend on production of new well.

g. Do you intend to abandon completely the old point of diversion? Yes, if the new well is successful.

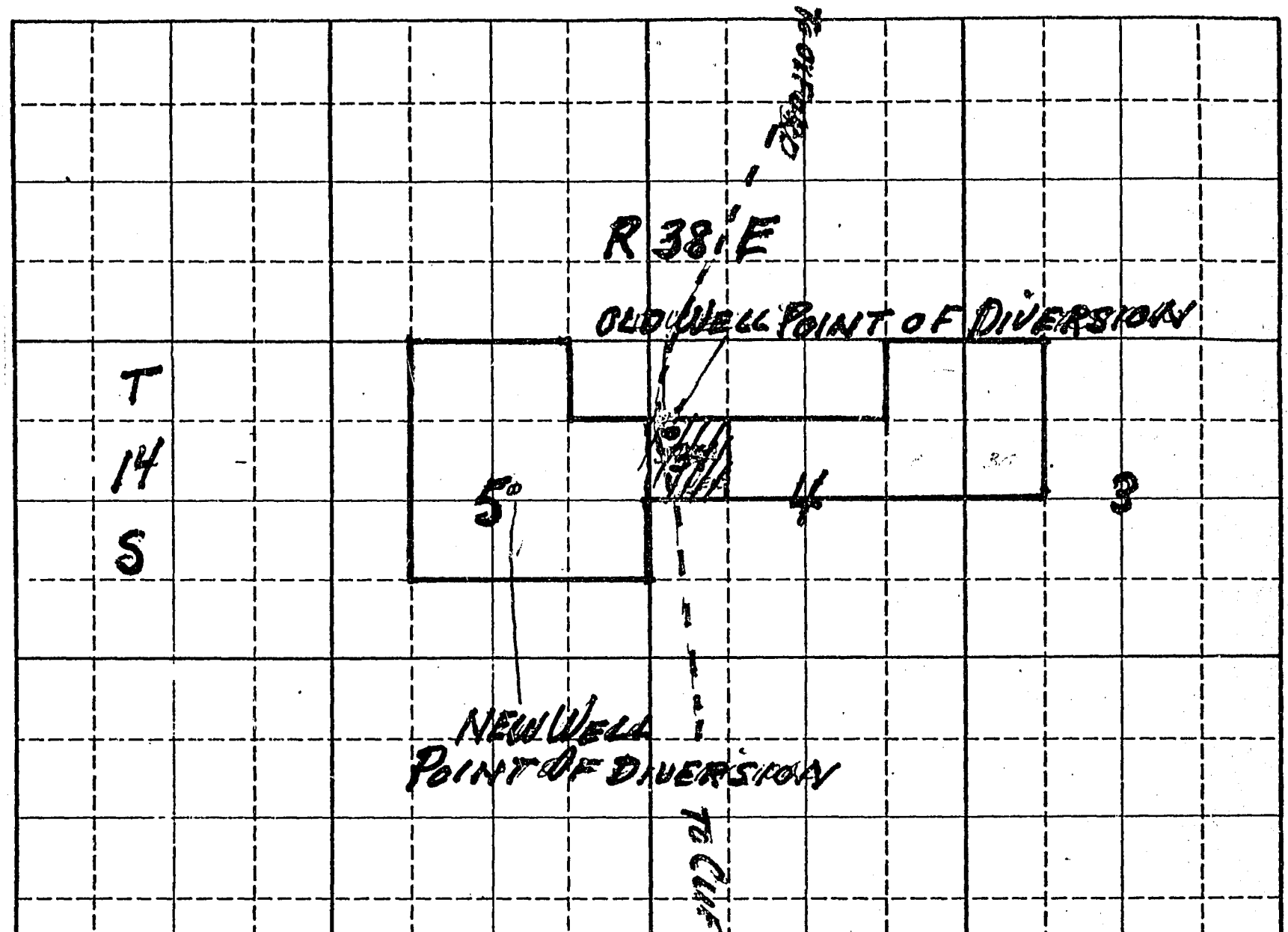
h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE NO CHANGE

a. Describe the new lands on which you wish to use your right.

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14S	38E	4							34										34

Total number of acres to be irrigated 34



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

b. Do you intend to make the transfer permanent?_____

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

_____

_____

_____

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right:_____

_____

_____

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Andrew R. La Hunt
(signature of applicant)

Subscribed and sworn to before me this 30th day of May, 19 75

Eugene L. Waters
(notary public)

My commission expires 3/5/76.

ACTION OF STATE RECLAMATION ENGINEER AND CERTIFICATE OF TRANSFER

This is to certify that I have examined Application for Transfer of Water Rights No. 13-2242, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

   A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons:_____

_____

Witness my hand this 11 day of October, 19 75.

L. Kirk Kuiper
State Reclamation Engineer

FOR DEPARTMENT USE ONLY

Received by MB Date 6-2-75

Prelim. check by [illegible] Date 6/2/75

Fee received by MB Date 6-2-75 Fee $30.00 # 4271

Approved for publication by CW 7-08-75

Published in Rifle Citizen Dates June 12 & 19, 1975

Hearing held_____

Watermaster Recommendation sent N.A.

Protest filed by:	Date
Andrew Hunt	6-27-75

№ 2965

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
County of Franklin) ss.

Wayne D. Bell

being duly sworn,

deposes and says:

That he is the Co-publisher of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

June 12, 19 75, and ending

with the issue of June 19, 19 75.

Wayne D Bell

16.28
Fees, $ ~~9.68~~

Subscribed and sworn to before me this 7 day

of July, 19 75.

Delma D. Geddes

Notary Public, Residing at Preston, Idaho

My Commission Expires March, 19 78.

RECEIVED
JUL 8 1975
Department of Water Resources
Eastern District Office

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 13-2242

NB

Notice is hereby given that Earl H. and Anna Mae Ward, Dayton, Idaho, have applied to the Department of Water Resources for a change in the point of diversion of a ground-water source. The right sought to be changed is evidenced by License No. G29897 / 13-2242 and is recorded as follows:

AMOUNT: 0.63 cfs
PRIORITY: June 20, 1961
POINT OF DIVERSION: SW¼NW¼, Sec. 4, T. 14S, R. 38E, B.M., Franklin County;

The water is used to irrigate 34 acres within the SW¼NW¼, Sec. 4, T. 14S, R. 38E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the SW¼NE¼, Sec. 5, T. 14S, R. 38E, B.M., Franklin County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before June 30, 1975.

R. KEITH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho, on June 12 and June 19, 1975.
Legal No. 2965 — Pub. June 12, 19, 1975.

TRANSFER ANALYSIS SHEET

ANALYSIS BY Lyra Johnson

NO. 13-2242

1. Fee 30.00

2. Name and Signature ✓

3. Source ✓

4. Right Being Transferred

   a. Decree _____

      License ✓

      Use _____

   b. Location - Original P. D. ✓

   c. " - Original P. U. ✓

   d. " - New P. D. ✓

   e. " - New P. U. _____

5. Ownership of Original Right Earl H & Anna Mae Ward

   Comment Frank L. Hart has purchased land from Earl H and Anne Mae Ward under Contract. Copy attached.

6. Expansion of Right? NO

   Comment _____

7. Watermaster's Comments Not under Watermaster Supervision

8. Comments _____

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 13-2242

Notice is hereby given that Earl H. and Anna Mae Ward, Dayton, Idaho, have applied to the Department of Water Resources for a change in the point of diversion of a ground-water source. The right sought to be changed is evidenced by License No. G29897/13-2242 and is recorded as follows:

AMOUNT: 0.63 cfs PRIORITY: June 20, 1961

POINT OF DIVERSION: SW¼NW¼, Sec. 4, T. 14S, R. 38E, B.M., Franklin County;

The water is used to irrigate 34 acres within the SW¼NW¼, Sec. 4, T. 14S, R. 38E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the SW¼NE¼, Sec. 5, T. 14S, R. 38E, B.M., Franklin County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before June 30, 1975.

R. KEITH HIGGINSON

Director

Published in the Preston Citizen, Preston, Idaho, on June 12 and June 19, 1975

cw-h
cw-f
cw-d.

June 3, 1975

C

RE: Application for Permit No. 13-7116
Application for Transfer No. 13-2242

O

Mr. Frank L. Hart
P.O. Box 1326
Freeport Center
Clearfield, Utah 84016

Dear Mr. Hart:

P

Attached herewith is departmental receipt No. 4271 in the amount of $125.00 for the above referenced applications.

Very truly yours,

Y

RONALD D. CARLSON
District Engineer

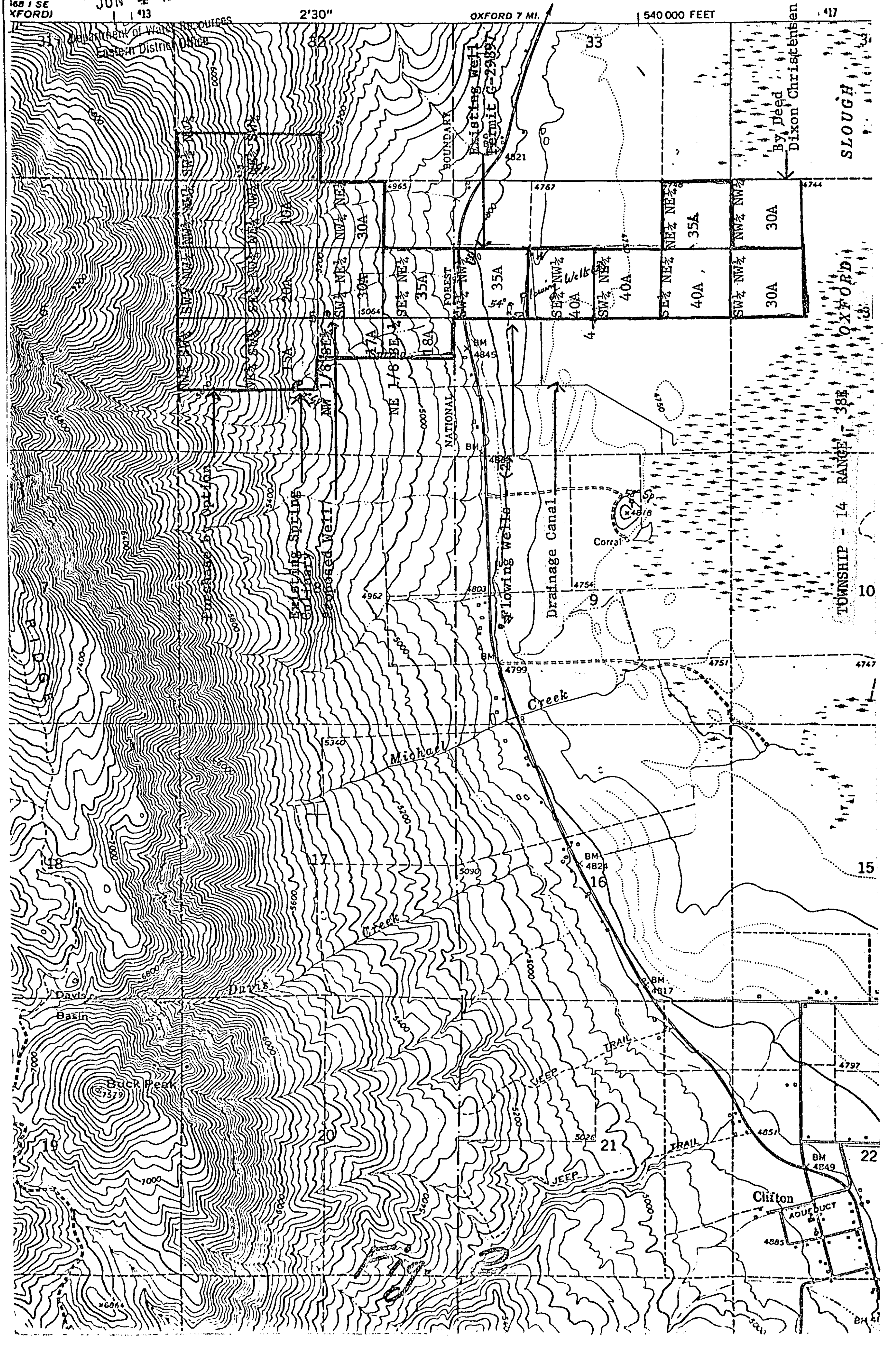
RDC:MB

Attachment

*11. Enclosure

RECEIVED
JUN 4 1975
Department of Water Resources
Eastern District Office

CLIFTON QUADRANGLE
IDAHO
7.5 MINUTE SERIES (TOPOGRAP



RECORDED ✓
INDEXED OO

RECEIVED
JUN 4 1975
Department of Water Resources
Eastern District Office

137266

Recorded at the request of
Stas Co.
a.m. MAY 20 1975 2:15 p.m.
MICHAEL D. KUNZ, RECORDER
By Lola G. Johnson Deputy
FRANKLIN COUNTY, IDAHO

NOTIFICATION OF CONTRACT

BE IT KNOWN TO ALL MEN BY THESE PRESENTS, that on the 16th day of May, 1975, EARL H. WARD and his wife, ANNA MAE M. WARD, of Franklin County, as "SELLER", and FRANK L. HART of 122 North Oakwood, Layton, Utah 84041 of _____ County, as "BUYER", entered into a contract for the purchase of the property as described below:

Township 13 South, Range 38 East of the Boise Meridian

Section 32: S1/2SW1/4

Township 14 South, Range 38 East of the Boise Meridian

Section 3: SW1/4NW1/4
Section 4: S1/2NW1/4, Lot 1 and the S1/2NE1/4
Section 5: Lots 2, 3 and 4, S1/2NW1/4, S1/2NE1/4, NE1/4SW1/4, N1/2N1/2SE1/4

"SELLERS"
Earl H. Ward
Anna Mae Ward

"BUYERS"
Frank L. Hart

STATE OF IDAHO

County of Franklin

On the 19th day of May, 1975, personally appeared before me, a Notary Public in and for the State of Idaho, EARL H. WARD and his wife, ANNA MAE M. WARD; and FRANK L. HART, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the above day and year in this certificate written.

J. D. WILLIAMS NOTARY PUBLIC STATE OF IDAHO

Notary Public
Residing at Preston, Idaho
My Commission Expires 8/8/76

NOTICE OF PURCHASE UNDER

REAL ESTATE SALE CONTRACT

****

TO WHOM IT MAY CONCERN:

NOTICE is hereby given that FRANK L. HART is purchasing from EARL H. WARD and ANNA MAE WARD, husband and wife, under a contract now escrowed at the First Bank & Trust of Idaho, the following described real property located at Franklin County, Idaho, to-wit:

PARCEL A:

Township 13 South, Range 38 East of the BOISE MERIDIAN, Section 32: S½SW¼.

Township 14 South, Range 38 East of the Boise MERIDIAN, Section 3: SW¼NW¼.
Section 4: S½NW¼, LOT ONE (1), and the S½NE¼.
Section 5: LOTS TWO (2), THREE (3) and FOUR (4), S½NW¼, S½NE¼, NE¼SW¼, N½N½SE¼.

PARCEL B:

Township 14 South, Range 38 East of the BOISE MERIDIAN, Section 5: NW¼SW¼.

DATED this 22nd day of May, 1975.

FRANK L. HART

STATE OF UTAH)
ss.
COUNTY OF WEBER)

On the 22nd day of May, 1975, personally appeared before me FRANK L. HART, the signer of the foregoing instrument, who acknowledged to me that he executed the same.

NOTARY PUBLIC
Residing At: Ogden, Utah

My Commission Expires: 3 / 5 / 76

FROM THE DESK OF

Frank L. Hart
P.O. Box 1326
Freeport Center
Clearfield, Utah 84016

RECEIVED
JUN 4 1975
Department of Water Resources
Eastern District Office

June 2, 1975

State of Idaho
Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Attention: Mr. Loy H. Johnson
Water Resources Supervisor

Dear Mr. Johnson:

Enclosed, please find a copy of Notification of Contract and a Map of the proposed project that is an attachment to the Permit for Water.

These papers were accidently left out of the enclosures for our letter of May 30, 1975. Please include them with our Application for Permit of Water.

Thank-you.

Very truly yours,

Frank L. Hart

EEH/lrt

Enclosures

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 13-2242

Notice is hereby given that Earl H. and Anna Mae Ward, Dayton, Idaho, have applied to the Department of Water Resources for a change in the point of diversion of a ground-water source. The right sought to be changed is evidenced by License No. G29897 / 13-2242 and is recorded as follows:

AMOUNT: 0.63 cfs
PRIORITY: June 20, 1961
POINT OF DIVERSION: SW¼NW¼, Sec. 4, T. 14S, R. 38E, B.M., Franklin County;

The water is used to irrigate 34 acres within the SW¼NW¼, Sec. 4, T. 14S, R. 38E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the SW¼NE¼, Sec. 5, T. 14S, R. 38E, B.M., Franklin County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401, on or before June 30, 1975.

R. KEITH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho, on June 12 and June 19, 1975.

Legal No. 2965 — Pub. June 12, 19, 1975.

June 4, 1975

RE: Application for Transfer No. 13-2242 WARD
Claim to a Water Right No. 13-4027 RICHES
Claim to a Water Right No. 13-4028 BAKER
Application for Permit No. 13-7116 HART

The Preston Citizen
Box 472
Preston, ID 83263

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RONALD D. CARLSON
District Engineer

RDC:MB

Enc: Legal Notice (4)

Bill submitted _____ by _____

no bill

RECEIVED
JUN 27 1975
Department of Water Resources
Eastern District Office

June 27, 1975

Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Gentlemen:

I, Andrew Hunt, of 495 E. Parkview Circle, Smithfield, Utah, protest the granting of Permit No. 13-7116 filed by Frank L. Hart, and Transfer No. 13-2242 filed by Earl H. and Anna Mae Ward, on the following grounds:

That the pumping of ground water from wells located as mentioned in the above application will reduce the quantity of water available from a spring which supplies culinary water to my ranch. The spring is about one-half mile from the planned well location.

The wells may also reduce the water available from Dudley Springs, located in the NE¼, Sec. 9, T. 14S, R. 38E, which supplies irrigation water to may ranch.

Andrew Hunt
ANDREW HUNT

June 27, 1975

RE: Application for Transfer of Water Right No. 13-2242

COPY

Mr. Andrew Hunt
495 E. Parkview Circle
Smithfield, Utah 84335

Dear Mr. Hunt:

This is to acknowledge receipt of the protest to issuance of the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?

2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
District Engineer

RDC:MB

cc: IDWR - Boise

June 27, 1975

RE: Application for Transfer of Water Right No. 13-2242

COPY

Mr. Frank L. Hart
P.O. Box 1326
Freeport Center
Clearfield, Utah 84016

Dear Mr. Hart:

Enclosed please find a copy of the protest filed by Andrew Hunt against the above referenced application. You should be aware that the following are the items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?

2. Does the change constitute an enlargement in the use of the original right?

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. Legal counsel is not mandatory at any proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of any assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
District Engineer

RDC:MB

Enclosure
cc: IDWR - Boise
Earl H. & Anna Mae Ward

June 30, 1975

RE: Application for Transfer No. 13-2242 Ward
Claim to a Water Right No. 13-4027 Riches
Claim to a Water Right No. 13-4028 Baker
Application for Permit No. 13-7116 Hart

The Preston Citizen
Box 472
Preston, ID 83263

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notices were to have been published in your paper on June 12 and June 19, 1975.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
District Engineer

RDC:ME

Called 7-7-75

August 21, 1975

COPY

Franklin County Courthouse
Clerk of the District Court
Preston, Idaho 83263

Dear Sir:

This is to confirm the use of the Courtroom for conferences and/or hearings to be held by this office on Friday, September 19, 1975, at 8:00 a.m.

Thank you for your cooperation in this matter.

Very truly yours,

RONALD D. CARLSON
District Engineer

RDC:MB

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
1515 LINCOLN ROAD
IDAHO FALLS, IDAHO 83401

NAME AND ADDRESS OF SENDER

Indicate type of mail:
☐ REGISTERED ☐ REGISTERED C.O.D.
☑ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

IDAHO FALLS, IDAHO AUG 29 1975 U.S.

	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	POSTAGE	FEE	R. R. FEE	REST. DEL. FEE	ACTUAL VALUE	SURCHARGE	REMARKS*
1	755	Frank L Hunt, P.O. Box 326, Freeport Center, Clearfield, Utah	10	30	15				13-7116 T 15-2242
2	756	Andrew Hunt, 495 E. Parkview Circle, Smithfield	10	30	15				"
3	757	Delora Henderson, 5 Mile Irrig. Co. Clayton	10	30	15				13-7109
4	758	Mrs Jay Cox, Rt #3 Box 266, Preston	10	30	15				"
5	759	Jw H. Bate. 5545 S. 1225 E, Ogden Utt.	10	30	15				"
6	760	Eaton Bingham, Preston	10	30	15	3.20			"
7					1$				
8									
9									
10									
11									
12									
13		Sent be certified mail by							
14									
15		CE + LB							
16									
17									
18									
19									
20									

TOTAL NO. OF PIECES LISTED BY SENDER 6 | TOTAL NO. OF PIECES REC'D AT P. O. 6 | POSTMASTER, PER (Name of receiving employee)

*Show under "Remarks" class postage paid if other than first or if international

POD Form 3877, Nov. 1968

APPLICATION FOR REGISTRATION OR CERTIFICATION

(Surcharges are not required on international registered mail)

c48—16—8792-15 U.S. GOVERNMENT PRINTING OFFICE

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

In the Matter of Protest Against Approval of Application for Transfer of Water Right No. G2987/13-2242 in the name of EARL H. AND ANNA MAE WARD	NOTICE OF CONFERENCE AND/OR HEARING

On June 2, 1975, Earl H. and Anna Mae Ward filed with the Department of Water Resources an application to transfer the waters of a groundwater source. On June 27, 1975, the Department received a protest against approval of said application from Andrew Hunt.

The Department has set the matter of protest for conference and/or hearing for Friday, September 19, 1975, at 8:00 a.m., in the Courtroom of the Franklin County Courthouse, Preston, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part therof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestants may allow the Department without prejudice to dismiss the protests or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 29th day of August, 1975.

Ronald D Carlson

RONALD D. CARLSON

District Engineer

Hon. withdrawn by Ford & Jones Hand

T 13-22+12 13-7116

PS Form 3811, Jan. 1975

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
- ☒ Show to whom and date delivered ..... 15¢
- ☐ Show to whom, date, & address of delivery ... 35¢
- ☐ RESTRICTED DELIVERY.
Show to whom and date delivered ..... 65¢
- ☐ RESTRICTED DELIVERY.
Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

Mr. Andrew Hunt

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	756	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent

Mrs A. Hunt

4. DATE OF DELIVERY 9-5-25 POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

☆ GPO: 1975—O-568-047

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.
- Complete items 1, 2, and 3 on reverse side.
- Moisten gummed ends and attach to back of article.

RETURN TO

Department of Water Resources
Eastern District Office

LIVERMORE, CA
SEP 5
1975

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

SEP 9 1975

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
1515 LINCOLN ROAD
IDAHO FALLS, IDAHO 83401

G2987/13-2242 - Earl H. and Anna Mae Ward

Courtroom, Franklin County Courthouse, Preston, Idaho

September 19, 1975 - 8:00 a.m.

ROSTER OF ATTENDANCE

Name	Address	Representing
Mark R. Hunt	1162 Oakwood Kaysville Utah	Self
Ward W. Moon	Clifton Idaho	Andrew & Hunt
Robert C. Hunt	1391 S 100 E Tremonton Utah	Andrew & Hunt
Ben Johnson Attorney	233 N. Main Preston, Idaho	" " "

IN THE MATTER OF
PROTESTS AGAINST
THE APPROVAL OF
APPLICATION FOR PERMIT
NO. 13-7116 & APPLICATON
FOR TRANSFER 13-2292
IN THE NAME OF FRANK
L. HART

WITHDRAWAL OF
PROTEST

WE ARE CONCERNED ABOUT ANY DEVELOPMENT THAT MIGHT REDUCE THE FLOW FROM OUR SPRINGS. HOWEVER IN VIEW OF THE FACT THAT THERE IS NO EVIDENCE THAT THE APPLICANT'S DEVELOPMENT WILL BE DETRAMENTAL TO OUR WATER RIGHT(S) AND WITH THE UNDERSTANDING THAT THIS APPROPRIATION IS JUNIOR IN TIME AND SUBJECT TO OUR PRIOR RIGHTS WE AGREE TO WITHDRAW OUR PROTEST.

SIGNED AT PRESTON, IDAHO SEPT 19, 1975

Andrew G. Lentz by Robt A. Hess

I Ben Johnson, Attny

RECEIVED

OCT

INTER-DEPARTMENT MEMO — 1

FROM Ron Carlson

DATE October 2, 1975

TO Bob Fleenor

Department of Water Resources

SUBJECT Application for Transfer No. 13-2242

The protest filed against the approval of this transfer was withdrawn at the conference. Since the request is simply for a change in the point of diversion, there appears to be no other reasons why this application for transfer should not be approved.

I recommend the standard measuring device requirement be imposed as a condition of approval.

SIGNATURE

October 14, 1975

Re: Application for Transfer No. 13-2242 (#1716)

Earl H. & Anna Mae Ward
DAyton,
Idaho 83232

Dear Mr. & Mrs. Ward:

Enclosed is a copy of your approved Application for Transfer No. 13-2242. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your transfer. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:rb

Enc.

COPY



Form 1-223
12-92

Page 1 of 8

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4796

RECEIVED
MAY 16 1996
Department of Water Resources

RECEIVED
MAR 07 1996
Department of Water Resources
Eastern District Office

RECEIVED
MAR 01 1996
Department of Water Resources

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Kayle or Claude Richins Phone (801) 254-4588

Post Office address 13659 S. 1300 W., Riverton, Utah 84065

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 To have the record reflect the way the water is actually used.

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		
13-04283	5-12-1885	1.00	Irrigation	4-15	to	10-15
13-04283	5-12-1885	0.04	Domestic	1-1	to	12-31
13-04283	5-12-1885	0.02	Stockwater	1-1	to	12-31
13-02242	6-20-1961	0.63	Irrigation	4-15	to	10-15

2. Total amount of water being transferred 1.06 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Anderson Spring (13-04283) Groundwater (13-02242) tributary to sinks
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	5	145	38E	Franklin	Anderson Spring
		SW	NW	4	145	38E	Franklin	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	
14S	38E	4			40				36	40	10	27							153
									BS										49
		5			12	37													
					S	D&S													

41.5 ac. within the 202 ac. place of use (13-04283)
34 ac. within the 202 ac. place of use (13-02242)

Total acres 202
Permissable place of use

Transfer No. 4796

PART 1

6. General Information:

a. Description of diversion system Springbox, pipeline for domestic and stockwater use. Overflow from springbox to pond. Pipeline from pond to mainline which is also connected to the well.

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:

11.5 acres of original place of use of 13-04283 is now dry farmed. The balance of the land is still irrigated under the new distribution system.

d. Remarks:

See License 13-07116 for 202 acre p.o.u.

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____.

_____

Page _____ of _____

TRANS NO. 4796

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 13-04283

STAGE: STATUTORY CLAIM

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	
IRRIGATION	04/15 to 10/15	1.00 CFS	147
STOCKWATER	01/01 to 12/31	0.02 CFS	.4
DOMESTIC	01/01 to 12/31	0.04 CFS	.6
	Totals	1.06 CFS	148 cfs

SOURCE	TRIBUTARY OF
ANDERSON SPRING	SINKS

Priority: 05/12/1885

LOCATION OF POINT(S) OF DIVERSION: NESW , Sec. 5, Township 14S, Range 38E
FRANKLIN County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES	ACRES	TOTAL
14S	38E	4	SWNW	(23)	SENW	7		30
		5	NESE	11.5	NWSE	0.5		12
					Total number of acres irrigated:			42

PLACE OF USE: STOCKWATER

TWN	RGE	SEC				
14S	38E	4	SWNW			
		5	SENE	NESE	NWSE	

PLACE OF USE: DOMESTIC

TWN	RGE	SEC	
14S	38E	5	SENE

CONDITIONS/REMARKS:

Transfer No. 4796

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

RECEIVED
MAR 07 1996
Department of Water Resources
Eastern District Office

PART 2

(Attach one copy for each right)

RECEIVED
MAR 0 1 1996
Department of Water Resources

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. 13-04283 (AMENDED) 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 Anderson Spring tributary to Sink

4. Date of priority 5-12-1885

5. Water is used for the following purpose:

   amount 1.00 (cfs/~~ac-ft~~) for Irrigation purposes from 4-15 to 10-15

   amount 0.04 (cfs/~~ac-ft~~) for Domestic purposes from 1-1 to 12-31

   amount 0.02 (cfs/~~ac-ft~~) for Stockwater purposes from 1-1 to 12-31

6. Total amount of water under right 1.06 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
		NE	SW	5	14S	38E	Franklin	

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	
14S	38E	4							S										
		4							23	7									30
		5				D&S									S	S			
		5													11.5	.5			12

Total acres 42

9. Describe any other water rights used for the same purpose as described above 13-02242 and 13-07116

PART 2

Transfer No. 4796

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 _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

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 _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

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 _____

RECEIVED

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 13-02242

STAGE: LICENSE

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	04/01 to 11/01	0.63 CFS	119.0 AF

SOURCE

GROUNDWATER

Priority: 06/20/1961

LOCATION OF POINT(S) OF DIVERSION: SWNE , Sec. 5, Township 14S, Range 38E FRANKLIN County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
14S	38E	4	SWNW	34			34
					Total number of acres irrigated:		34

CONDITIONS/REMARKS:

1. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
2. TRANS. 1716.

Transfer No. 4296

MAR 07 1996

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

RECEIVED
MAR 01 1996
Department of Water Resources

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. 13-02242 issued by the Idaho Department of Water Resources.

   c. Claim No. _____ on file with the Idaho Department of Water Resources.

   d. Transfer No. 1716 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 6-20-1961

5. Water is used for the following purpose:

   amount 0.63 (cfs/ac-ft) for Irrigation purposes from 4-1 to 11-1

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

6. Total amount of water under right 0.63 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
*			SW	NE	5	14 S	38E	Franklin	

8. Lands irrigated or place of use: *Transfer No. 1716 proposed a new well in this 1/4 1/4. However, the new well was drilled in the same 1/4 1/4 as licensed.

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	
14S	38E	4							34										34

Total acres 34

9. Describe any other water rights used for the same purpose as described above 13-04283, 13-07116

PART 2

Transfer No. 4796

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 _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

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 _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

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 _____

Transfer No. T-0096

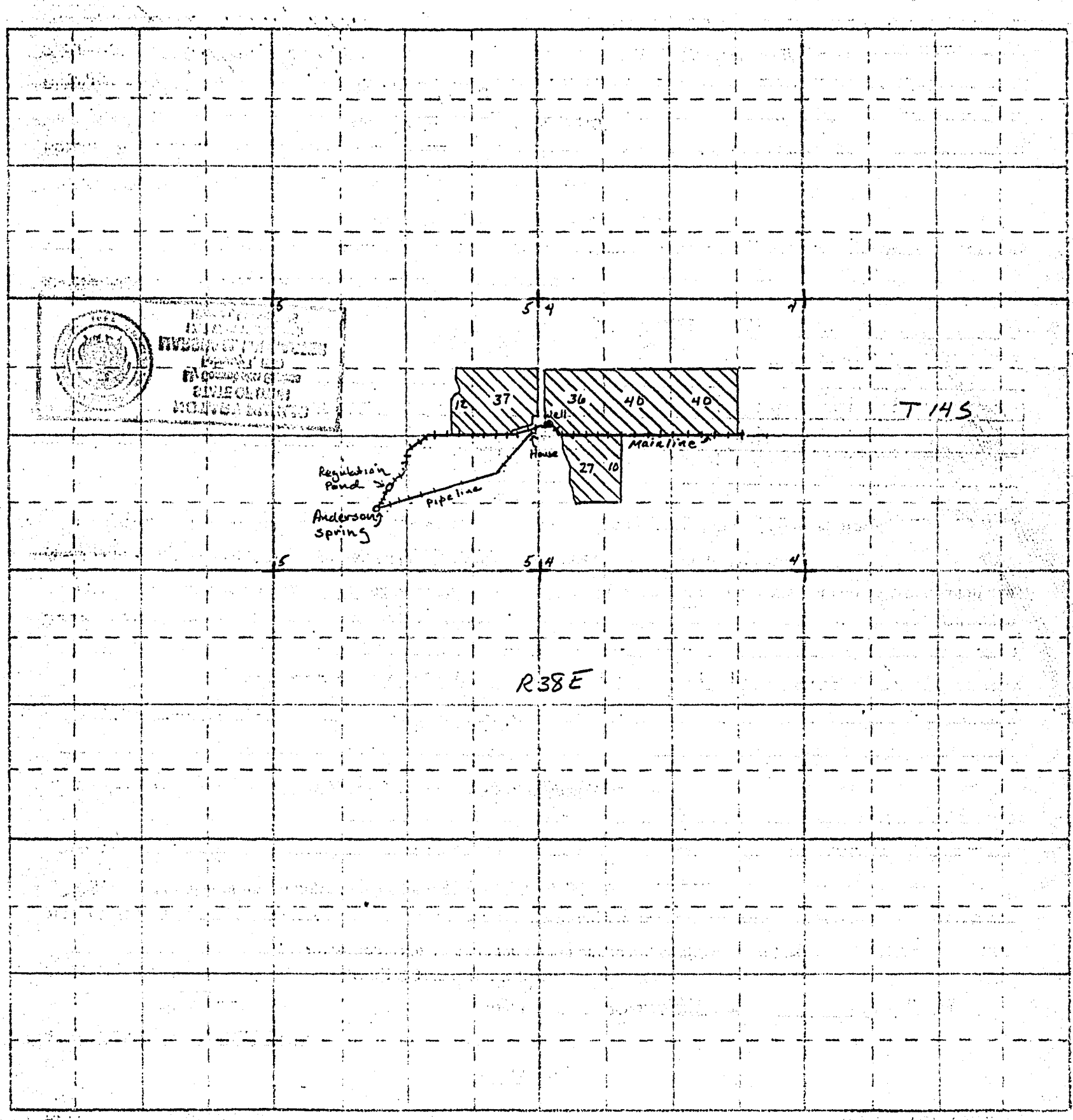
RECEIVED
MAR 0 1 1996
Department of Water Resources

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.

Page 8 of 8 Transfer No. 4796

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.

(Signature of Applicant)

Subscribed and sworn before me this 23 day of February, 19 96.

NOTARY PUBLIC
STATE OF UTAH
My Commission Expires
February 1, 1998
MARSHA M. LANCASTER
1717 West 12000 South
Riverton, Utah 84065

(Notary Public)

My commission expires 2-1-98

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by JRO Date 3-7-96 Protest filed by _____

Prelim. check by _____ Fee 100.00 C034955 _____

Receipted by JW Date 3-1-96 _____

Published in Preston Citizen Copies of protest forwarded by _____

Pub. dates April 4 & 11, 1996 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

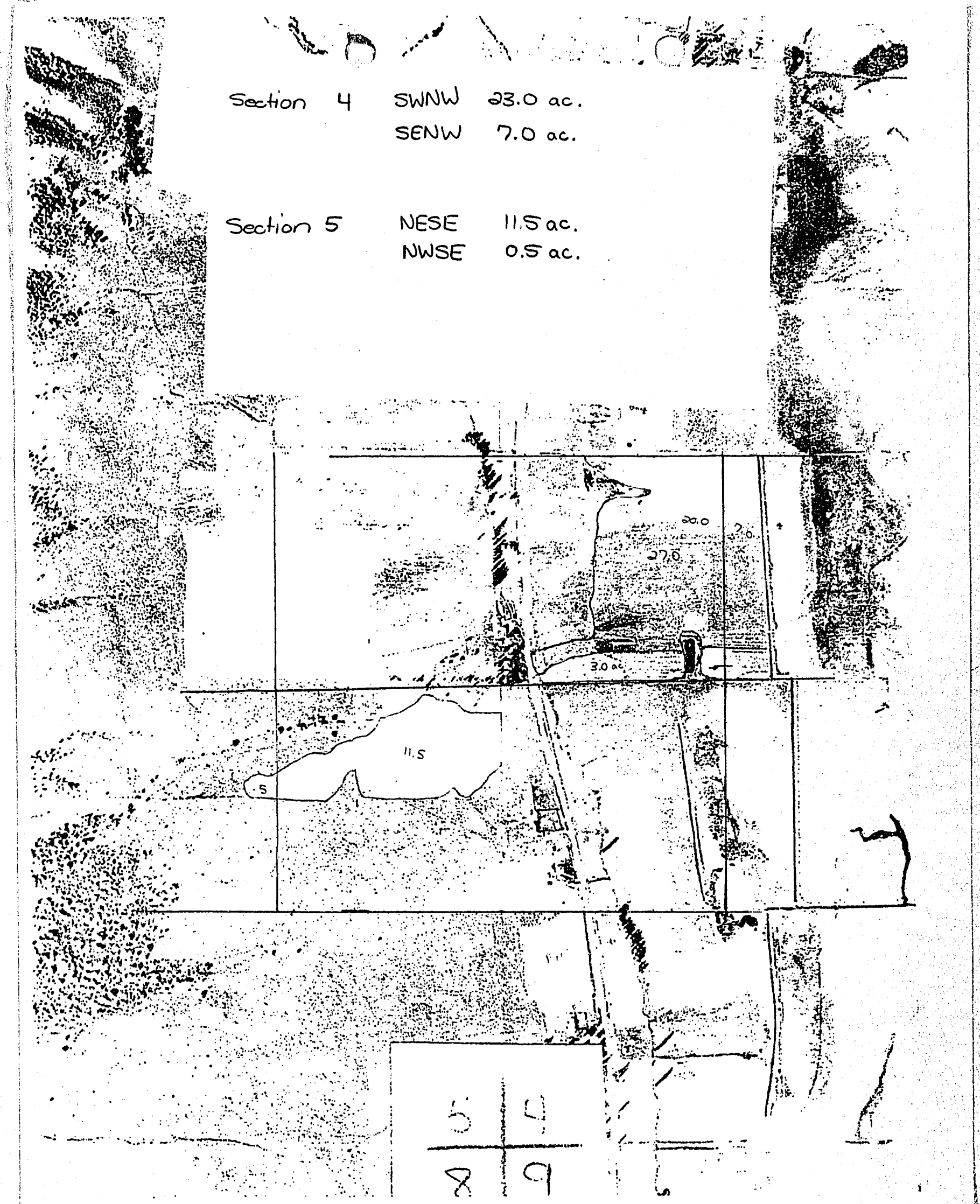
_____ rec'd. _____ by ROC

Copy of transfer sent to lien holder _____

RECEIVED
MAR 0 1 1996
Department of Water Resources

Section 4 SWNW 23.0 ac.
SENW 7.0 ac.

Section 5 NESE 11.5 ac.
NWSE 0.5 ac.



Scale 1" = 660'

9-29-56

LOUIS F. RACINE, JR.
WILLIAM D. OLSON
W. MARCUS W. NYE
GARY L. COOPER
RANDALL C. BUDGE
JOHN A. BAILEY, JR.
JOHN R. GOODELL*
JOHN B. INGELSTROM
DANIEL C. GREEN
REED W. LARSEN
BRENT O. ROCHE
KIRK B. HADLEY
FRED J. LEWIS
MITCHELL W. BROWN
ERIC S. HUNN
DAVID E. ALEXANDER**
JAMES P. PRICE***

*ALSO MEMBER IL & WY BARS
**ALSO MEMBER MO BAR
***ALSO MEMBER CO BAR

LAW OFFICES OF
RACINE, OLSON, NYE, COOPER & BUDGE
CHARTERED
CENTER PLAZA-CORNER FIRST & CENTER
POST OFFICE BOX 1391
POCATELLO, IDAHO 83204-1391

TELEPHONE
AREA CODE 208
232-6101
—
FAX
208-232-6109

April 10, 1996

Harold Jones, Director
Idaho Department of Water Resources
Eastern Division
900 N. Skyline Drive
Idaho Falls, Idaho 83402

RECEIVED
APR 11 1996
Department of Water Resources
Eastern Region

Re: Peterson v. Richins

Dear Harold:

Per your request, I have obtained from the Richins and enclose copies of a Quitclaim Deed and 1994 and 1995 tax notices to verify ownership of their property together with maps depicting the same.

If you have any questions or need additional information, please call. Thank you for your assistance.

Sincerely,

RANDALL C. BUDGE

RCB:rr

Enclosures

cc: Claude Richins
Kayle Richins
Rob Richins

190213

Instrument No.

QUIT CLAIM DEED

THIS INDENTURE WITNESSETH: That for value received EARL H. WARD ETUX.

the, Grantor

hereby Remise, Release and forever Quit claim unto

CLAUDE L. RICHINS AND KAYLE AND YVONNE RICHINS Grantee the following

described premises, in FRANKLIN County, Idaho, to wit:

TOWNSHIP 13 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN
SECTION 2 : S1/2 SW1/4.

TOWNSHIP 14 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN
SECTION 3: SW1/4 NW1/4 AND LOT THREE (3)
SECTION 4: S1/2 NW1/4, LOT ONE (1), AND THE S1/2 NE1/4.
SECTION 5: LOTS TWO (2), THREE (3), AND FOUR (4), S1/2 NW1/4, S1/2 NE1/4, NE1/4 SW1/4, N1/2 N1/2 SE1/4.

TOGETHER WITH ALL WATER AND WATER RIGHTS, DITCHES AND DITCH RIGHTS USED THEREON OR APPURTENANT THERETO, INCLUDING BUT NOT LIMITED TO 14-1/2 SHARES (FARM) AND 10 SHARES (MEADOW) OF THE STOCK OF THE OXFORD IRRIGATION COMPANY AND ALSO INCLUDING BUT NOT LIMITED TO RIGHTS TO GROUND WATERS PRODUCED FROM A WELL OR WELLS LOCATED AND TO BE LOCATED ON THE SUBJECT PROPERTY, ESPECIALLY SUCH WATER UNDER APPLICATION NO. G-37852, PERMIT NO. G29897, BY THE IDAHO STATE RECLAMATION ENGINEER ON JULY 11, 1961. ALSO INCLUDING ALL IRRIGATION AND WELL EQUIPMENT OF EVERY KIND NOW OWNED BY THE SELLER AND USED IN THE IRRIGATION OF THE SUBJECT PROPERTY, ESPECIALLY BUT NOT LIMITED TO, SUCH EQUIPMENT WHICH HAS AND WILL BE ACQUIRED TO BE ATTACHED TO THE IRRIGATION WELL AND USED UNDER AUTHORITY OF STATE PERMIT NO. G-29897.
ALSO, INCLUDING 50% RIGHT TO SPRING CURRENTLY BEING USED FOR CULINARY PURPOSES IN SECTION 5 OF SAID TOWNSHIP. ALSO, ALL RIGHTS UNDER PERMIT NO. 13-7116 FOR 7.88 SECOND FEET OF WATER.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee heirs and assigns forever.

Dated: 2-2-94

Earl H. Ward (SEAL) _____ (SEAL)

_____ (SEAL) _____ (SEAL)

STATE OF IDAHO, COUNTY OF Bonneville
On this 2 day of February, 1994, before me, a notary public in and for said State, personally appeared Earl H. Ward

known to me to be the person whose name subscribed to the within instrument, and acknowledged to me that executed the same

Notary Public
Residing at , Idaho

STATE OF IDAHO, COUNTY OF Bonneville
I hereby certify that this instrument was filed for record at the request of Earl H. Ward

at 55 minutes past 11 o'clock A m., this 2 day of February 1994, in my office, and duly recorded in Book of Deeds at page

Ex-Officio Recorder

By Deputy

Fees $

MAKE CHECK PAYABLE TO:
LAURINE E. AINSCOUGH
FRANKLIN COUNTY TREASURER
39 WEST ONEIDA
PRESTON, ID 83263

TAX YEAR 1995 CODE AREA 20

PROPERTY TAX RECEIPT
COUNTY OF FRANKLIN
STATE OF IDAHO

PARCEL #: 748.00
STATE #:

1ST HALF	TAX	4.97	2ND HALF	TAX	4.97
	PEN			PEN	
	INT			INT	
	COST			COST	
	TOT			TOT	

REAL PROPERTY
VALUATION

LAND	760
IMPRVMNTS	
PERS.PROP.	
MOBILE HM	
SUBTOTAL	760
-HM EXEMP	
TOTAL	760

RICHINS, CLAUDE L.--ETAL
13650 SOUTH 1300 WEST
RIVERTON, UTAH 84065

TAXING DISTRICT	**RATE**	**AMOUNT**
COUNTY	.004593744	3.49
CLIFTON CEMETERY	.000269326	.20
WESTSIDE SCHOOL #202	.007048684	5.36
LIBRARY DISTRICT	.000187883	.14
COUNTY ROAD	.000980388	.75
SUBTOTAL	.013080025	9.94

LOT 3
3-14-38
INST # 190213
INST # 187655

TOTAL ACRES: 40.00

TOT TAX & SPECIALS	.013080025	9.94
-CIRCUIT BREAKER EXEMPTION		.00
SUBTOTAL		9.94
-PREPAID TAX AS OF 10/19/1995		.00
NET TAX AND SPECIALS DUE		9.94

TAXES DELINQUENT FOR:

★ ★ ★ IMPORTANT ★ ★ ★

PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT SUBJECT TO BANK CLEARANCE.

MAKE CHECK PAYABLE TO:
AURINE E. AINSCOUGH
FRANKLIN COUNTY TREASURER
9 WEST ONEIDA
RESTON, ID 83263

TAX YEAR 1995 CODE AREA 20

PROPERTY TAX RECEIPT
COUNTY OF FRANKLIN
STATE OF IDAHO

PARCEL #: 761.00
STATE #:

1ST HALF	TAX	21.19	2ND HALF	TAX	21.19
	PEN			PEN	
	INT			INT	
	COST			COST	
	TOT			TOT	

REAL PROPERTY
VALUATION

LAND	3,240
IMPRVMNTS	
PERS.PROP.	
MOBILE HM	
SUBTOTAL	3,240
-HM EXEMP	
TOTAL	3,240

RICHINS, CLAUDE L.--ETAL
13650 SOUTH 1300 WEST
RIVERTON, UTAH 84065

TAXING DISTRICT	**RATE**	**AMOUNT**
COUNTY	.004593744	14.88
CLIFTON CEMETERY	.000269326	.87
WESTSIDE SCHOOL #202	.007048684	22.84
LIBRARY DISTRICT	.000187883	.61
COUNTY ROAD	.000980388	3.18
SUBTOTAL	.013000025	42.38

LOTS 3-4 SW4 NW4
5-14-38
INST # 190213
INST # 187655

TOTAL ACRES: 120.00

TAXES DELINQUENT FOR:

TOT TAX & SPECIALS	.013000025	42.38
-CIRCUIT BREAKER EXEMPTION		.00
SUBTOTAL		42.38
-PREPAID TAX AS OF 10/19/1995		.00
NET TAX AND SPECIALS DUE		42.38

★ ★ ★ IMPORTANT ★ ★ ★
PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT SUBJECT TO BANK CLEARANCE.

MAKE CHECK PAYABLE TO:
LAURINE E. AINSCOUGH
FRANKLIN COUNTY TREASURER
39 WEST ONEIDA
PRESTON, ID 83263

TAX YEAR 1995 CODE AREA 20

PROPERTY TAX RECEIPT
COUNTY OF FRANKLIN
STATE OF IDAHO

PARCEL #: 760.00
STATE #:

1ST HALF	TAX	283.13	2ND HALF	TAX	283.13
	PEN			PEN	
	INT			INT	
	COST			COST	
	TOT			TOT	

REAL PROPERTY
VALUATION

LAND	24,393
IMPRVMNTS	21,742
PERS.PROP.	
MOBILE HM	
SUBTOTAL	46,135
-HM EXEMP	10,871
TOTAL	35,264

RICHINS, CLAUDE L.--ETAL
13650 SOUTH 1300 WEST
RIVERTON, UTAH 84065

TAXING DISTRICT	**RATE**	**AMOUNT**
COUNTY	.004593744	162.00
CLIFTON CEMETERY	.000269326	9.50
WESTSIDE SCHOOL #202	.007048684	248.56
LIBRARY DISTRICT	.000187883	6.63
COUNTY ROAD	.000980388	34.57

S2NE4,SE4NW4,NE4SW4,
N2 N2 SE4
5-14-38
INST # 187655

SUBTOTAL	.013080025	461.26
T.V. DISTRICT #1		15.00
SOLID WASTE		90.00

TOTAL ACRES: 199.00

TOT TAX & SPECIALS	.013080025	566.26
-CIRCUIT BREAKER EXEMPTION		.00
SUBTOTAL		566.26
-PREPAID TAX AS OF 10/19/1995		.00
NET TAX AND SPECIALS DUE		566.26

TAXES DELINQUENT FOR:

★ ★ ★ IMPORTANT ★ ★ ★
PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT SUBJECT TO BANK CLEARANCE.

MAKE CHECK PAYABLE TO:
LAURINE E. AINSCOUGH
FRANKLIN COUNTY TREASURER
39 WEST ONEIDA
PRESTON, ID 83263

TAX YEAR 1995 CODE AREA 20

PROPERTY TAX RECEIPT
COUNTY OF FRANKLIN
STATE OF IDAHO

PARCEL #: 759.00
STATE #:

						REAL PROPERTY **VALUATION**
1ST HALF	TAX	7.08	2ND HALF	TAX	7.08	LAND 1,083
	PEN			PEN		IMPRVMNTS
	INT			INT		PERS.PROP.
	COST			COST		MOBILE HM
	TOT			TOT		SUBTOTAL 1,083
						-HM EXEMP
						TOTAL 1,083

RICHINS, CLAUDE L.--ETAL
13650 SOUTH 1300 WEST
RIVERTON, UTAH 84065

TAXING DISTRICT	**RATE**	**AMOUNT**
COUNTY	.004593744	4.98
CLIFTON CEMETERY	.000269326	.29
WESTSIDE SCHOOL #202	.007048684	7.63
LIBRARY DISTRICT	.000187083	.20
COUNTY ROAD	.000980388	1.06
SUBTOTAL	.013080025	14.16

LOT 2
5-14-38
INST # 190213
INST # 187655

TOTAL ACRES: 40.10

TAXES DELINQUENT FOR:

TOT TAX & SPECIALS	.013080025	14.16
-CIRCUIT BREAKER EXEMPTION		.00
SUBTOTAL		14.16
-PREPAID TAX AS OF 10/19/1995		.00
NET TAX AND SPECIALS DUE		14.16

★ ★ ★ IMPORTANT ★ ★ ★
PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

- PERSONAL CHECKS ARE YOUR RECEIPT SUBJECT TO BANK CLEARANCE.

MAKE CHECK PAYABLE TO:
AURINE E. AINSCOUGH
RANKLIN COUNTY TREASURER
39 WEST ONEIDA
-RESTON, ID 83263

TAX YEAR 1995 CODE AREA 20

PROPERTY TAX RECEIPT
COUNTY OF FRANKLIN
STATE OF IDAHO

PARCEL #: 754.00
STATE #:

1ST HALF	TAX	471.86	2ND HALF	TAX	471.86
	PEN			PEN	
	INT			INT	
	COST			COST	
	TOT			TOT	

REAL PROPERTY
VALUATION

LAND	72,150
IMPRVMNTS	
PERS.PROP.	
MOBILE HM	
SUBTOTAL	72,150
-HM EXEMP	
TOTAL	72,150

RICHINS, CLAUDE L.--ETAL
13650 SOUTH 1300 WEST
RIVERTON, UTAH 84065

TAXING DISTRICT	**RATE**	**AMOUNT**
COUNTY	.004593744	331.44
CLIFTON CEMETERY	.000269326	19.43
WESTSIDE SCHOOL #202	.007048684	508.56
LIBRARY DISTRICT	.000187883	13.56
COUNTY ROAD	.000980388	70.73
SUBTOTAL	.013080025	943.72

SE4 NE4 LOT 1 SW4 NE4
S2 NW4
4-14-38
INST # 187655

TOTAL ACRES: 197.96

TAXES DELINQUENT FOR:

TOT TAX & SPECIALS	.013080025	943.72
-CIRCUIT BREAKER EXEMPTION		.00
SUBTOTAL		943.72
-PREPAID TAX AS OF 10/19/1995		.00
NET TAX AND SPECIALS DUE		943.72

★ ★ ★ IMPORTANT ★ ★ ★

PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT SUBJECT TO BANK CLEARANCE.

MAKE CHECK PAYABLE TO:
LAURINE E. AINSCOUGH
FRANKLIN COUNTY TREASURER
59 WEST ONEIDA
PRESTON, ID 83263

TAX YEAR 1995 CODE AREA 20

PROPERTY TAX RECEIPT
COUNTY OF FRANKLIN
STATE OF IDAHO

PARCEL #: 753.00
STATE #:

						REAL PROPERTY **VALUATION**
1ST HALF	TAX	4.97	2ND HALF	TAX	4.97	LAND 760
	PEN			PEN		IMPRVMNTS
	INT			INT		PERS.PROP.
	COST			COST		MOBILE HM
	TOT			TOT		SUBTOTAL 760
						-HM EXEMP
						TOTAL 760

RICHINS, CLAUDE L.--ETAL
13650 SOUTH 1300 WEST-ETAL
RIVERTON, UTAH 84065

TAXING DISTRICT	**RATE**	**AMOUNT**
COUNTY	.004593744	3.49
CLIFTON CEMETERY	.000269326	.20
WESTSIDE SCHOOL #202	.007048684	5.36
LIBRARY DISTRICT	.000187883	.14
COUNTY ROAD	.000980388	.75
SUBTOTAL	.013080025	9.94

SW4 NW4
3-14-38
INST # 190213
INST # 187655

TOTAL ACRES: 40.00

TAXES DELINQUENT FOR:

TOT TAX & SPECIALS	.013080025	9.94
-CIRCUIT BREAKER EXEMPTION		.00
SUBTOTAL		9.94
-PREPAID TAX AS OF 10/19/1995		.00
NET TAX AND SPECIALS DUE		9.94

★ ★ ★ IMPORTANT ★ ★ ★
PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT SUBJECT TO BANK CLEARANCE.

MAKE CHECK PAYABLE TO:
AURINE E. AINSCOUGH
FRANKLIN COUNTY TREASURER
9 WEST ONEIDA
RESTON, ID 83263

TAX YEAR 1995 CODE AREA 35

PROPERTY TAX RECEIPT
COUNTY OF FRANKLIN
STATE OF IDAHO

PARCEL #: 364.00
STATE #:

1ST HALF	TAX	14.13	2ND HALF	TAX	14.13
	PEN			PEN	
	INT			INT	
	COST			COST	
	TOT			TOT	

REAL PROPERTY
VALUATION

LAND	2,160
IMPRVMNTS	
PERS.PROP.	
MOBILE HM	
SUBTOTAL	2,160
-HM EXEMP	
TOTAL	2,160

RICHINS, CLAUDE L.--ETAL
13650 SOUTH 1300 WEST
RIVERTON, UTAH 84065

S2 SW4
32-13-38
INST # 190213
INST # 187655

TOTAL ACRES: 80.00

TAXING DISTRICT	**RATE**	**AMOUNT**
COUNTY	.004593744	9.92
CLIFTON CEMETERY	.000269326	.58
WESTSIDE SCHOOL #202	.007048684	15.23
LIBRARY DISTRICT	.000187883	.41
COUNTY ROAD	.000980388	2.12
SUBTOTAL	.013080025	28.26
TOT TAX & SPECIALS	.013080025	28.26
-CIRCUIT BREAKER EXEMPTION		.00
SUBTOTAL		28.26
-PREPAID TAX AS OF 10/19/1995		.00
NET TAX AND SPECIALS DUE		28.26

TAXES DELINQUENT FOR: [illegible]

★ ★ ★ IMPORTANT ★ ★ ★

PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT SUBJECT TO BANK CLEARANCE.

FOR PROPER CREDIT [illegible]

MAKE CHECK PAYABLE TO:
MAURINE E. AINSCOUGH
FRANKLIN COUNTY TREASURER
39 WEST ONEIDA
PRESTON, ID 83263

TAX YEAR 1994 CODE AREA 20

PROPERTY TAX RECEIPT
COUNTY OF FRANKLIN
STATE OF IDAHO

PARCEL #: 760.00
STATE #:

1ST HALF	TAX	316.15	2ND HALF	TAX	316.15
	PEN			PEN	
	INT			INT	
	COST			COST	
	TOT			TOT	

REAL PROPERTY
VALUATION

LAND	24,393
IMPRVMNTS	18,906
PERS.PROP.	
MOBILE HM	
SUBTOTAL	43,299
-HM EXEMP	9,453
TOTAL	33,846

RICHINS, CLAUDE L.--ETAL
13650 SOUTH 1300 WEST
RIVERTON, UTAH 84065

TAXING DISTRICT	**RATE**	**AMOUNT**
COUNTY	.005206534	176.23
CLIFTON CEMETERY	.000271931	9.20
WESTSIDE SCHOOL #202	.009023548	305.41
LIBRARY DISTRICT	.000195601	6.62
COUNTY ROAD	.000881646	29.84

S2NE4,SE4NW4,NE4SW4,
N2 N2 SE4
5-14-38
INST # 187655

2nd half pd June 19, 1995 CK 363

T.V. DISTRICT #1		15.00
SOLID WASTE		90.00

1st half pd Dec 15, 1995 ck # 349 Richins Bros $1,053.90

TOTAL ACRES: 199.00

TAXES DELINQUENT AFTER [redacted]

TOT TAX & SPECIALS	.015579260	632.30
-CIRCUIT BREAKER EXEMPTION		.00
SUBTOTAL		632.30
-PREPAID TAX AS OF 10/27/1994		.00
NET TAX AND SPECIALS DUE		632.30

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT SUBJECT TO BANK CLEARANCE.

MAKE CHECK PAYABLE TO:
MAURINE E. AINSCOUGH
FRANKLIN COUNTY TREASURER
39 WEST ONEIDA
PRESTON, ID 83263

TAX YEAR 1994 CODE AREA 20

PROPERTY TAX RECEIPT
COUNTY OF FRANKLIN
STATE OF IDAHO

PARCEL #: 753.00
STATE #:

1ST HALF	TAX	5.93	2ND HALF	TAX	5.93	REAL PROPERTY	
	PEN			PEN		**VALUATION**	
	INT			INT		LAND	760
	COST			COST		IMPRVMNTS	
	TOT			TOT		PERS.PROP.	
						MOBILE HM	
						SUBTOTAL	760
						-HM EXEMP	
						TOTAL	760

RICHINS, CLAUDE L.--ETAL
13650 SOUTH 1300 WEST-ETAL
RIVERTON, UTAH 84065

TAXING DISTRICT	**RATE**	**AMOUNT**
COUNTY	.005206534	3.97
CLIFTON CEMETERY	.000271931	.21
WESTSIDE SCHOOL #202	.009023548	6.86
LIBRARY DISTRICT	.000195601	.15
COUNTY ROAD	.000881646	.67

SW4 NW4
3-14-38
INST # 190213
INST # 187655

TOTAL ACRES: 40.00

[redacted]

TOT TAX & SPECIALS	.015579260	11.86
-CIRCUIT BREAKER EXEMPTION		.00
SUBTOTAL		11.86
-PREPAID TAX AS OF 10/27/1994		.00
NET TAX AND SPECIALS DUE		11.86

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT SUBJECT TO BANK CLEARANCE.

MAKE CHECK PAYABLE TO:
MAURINE E. AINSCOUGH
FRANKLIN COUNTY TREASURER
39 WEST ONEIDA
PRESTON, ID 83263

TAX YEAR 1994 CODE AREA 35

PROPERTY TAX RECEIPT
COUNTY OF FRANKLIN
STATE OF IDAHO

PARCEL #: 364.00
STATE #:

						REAL PROPERTY **VALUATION**	
1ST HALF	TAX	16.83	2ND HALF	TAX	16.83	LAND	2,160
	PEN			PEN		IMPRVMNTS	
	INT			INT		PERS.PROP.	
	COST			COST		MOBILE HM	
	TOT			TOT		SUBTOTAL	2,160
						-HM EXEMP	
						TOTAL	2,160

RICHINS, CLAUDE L.--ETAL
13650 SOUTH 1300 WEST
RIVERTON, UTAH 84065

TAXING DISTRICT	**RATE**	**AMOUNT**
COUNTY	.005206534	11.26
CLIFTON CEMETERY	.000271931	.59
WESTSIDE SCHOOL #202	.009023548	19.49
LIBRARY DISTRICT	.000195601	.42
COUNTY ROAD	.000881646	1.90

S2 SW4
32-13-38
INST # 190213
INST # 187655

TOTAL ACRES: 80.00

TOT TAX & SPECIALS	.015579260	33.66
-CIRCUIT BREAKER EXEMPTION		.00
SUBTOTAL		33.66
-PREPAID TAX AS OF 10/27/1994		.00
NET TAX AND SPECIALS DUE		33.66

TAXES DELINQUENT FOR

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT SUBJECT TO BANK CLEARANCE.

MAKE CHECK PAYABLE TO:
MAURINE E. AINSCOUGH
FRANKLIN COUNTY TREASURER
39 WEST ONEIDA
PRESTON, ID 83263

TAX YEAR 1994 CODE AREA 20

PROPERTY TAX RECEIPT
COUNTY OF FRANKLIN
STATE OF IDAHO

PARCEL #: 6013.00
STATE #:

1ST HALF	TAX	119.30	2ND HALF	TAX	119.30	PERS (MACH)	
	PEN			PEN		**VALUATION**	
	INT			INT		LAND	
	COST			COST		IMPRVMNTS	
	TOT			TOT		PERS.PROP.	15,316
						IMPRVMNTS	
						PERS.PROP.	15,316
						MOBILE HM	
						SUBTOTAL	15,316
						-HM EXEMP	
						TOTAL	15,316

RICHINS BROTHERS MINK RANCH
13650 SOUTH 1300 WEST
RIVERTON, UT 84065

TAXING DISTRICT	**RATE**	**AMOUNT**
COUNTY	.005206534	79.74
CLIFTON CEMETERY	.000271931	4.16
WESTSIDE SCHOOL #202	.009023548	138.20
LIBRARY DISTRICT	.000195601	3.00
COUNTY ROAD	.000881646	13.50

TOTAL ACRES: .00

TAXES DELINQUENT FOR:

TOT TAX & SPECIALS	.015579260	238.60
-CIRCUIT BREAKER EXEMPTION		.00
SUBTOTAL		238.60
-PREPAID TAX AS OF 10/27/1994		.00
NET TAX AND SPECIALS DUE		238.60

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT SUBJECT TO BANK CLEARANCE.

MAKE CHECK PAYABLE TO:
MAURINE E. AINSCOUGH
FRANKLIN COUNTY TREASURER
39 WEST ONEIDA
PRESTON, ID 83263

TAX YEAR 1994 CODE AREA 20

PROPERTY TAX RECEIPT
COUNTY OF FRANKLIN
STATE OF IDAHO

PARCEL #: 761.00
STATE #:

1ST HALF	TAX	25.24	2ND HALF	TAX	25.24
	PEN			PEN	
	INT			INT	
	COST			COST	
	TOT			TOT	

REAL PROPERTY
VALUATION

LAND	3,240
IMPRVMNTS	
PERS.PROP.	
MOBILE HM	
SUBTOTAL	3,240
-HM EXEMP	
SUBTOTAL	3,240
-HM EXEMP	
TOTAL	3,240

RICHINS, CLAUDE L.--ETAL
13650 SOUTH 1300 WEST
RIVERTON, UTAH 84065

TAXING DISTRICT	**RATE**	**AMOUNT**
COUNTY	.005206534	16.87
CLIFTON CEMETERY	.000271931	.88
WESTSIDE SCHOOL #202	.009023548	29.24
LIBRARY DISTRICT	.000195601	.63
COUNTY ROAD	.000881646	2.86

LOTS 3-4 SW4 NW4
5-14-38
INST # 190213
INST # 187655

TOTAL ACRES: 120.00

TAXES DELINQUENT FOR: [illegible]

TOT TAX & SPECIALS	.015579260	50.48
-CIRCUIT BREAKER EXEMPTION		.00
SUBTOTAL		50.48
-PREPAID TAX AS OF 10/27/1994		.00
NET TAX AND SPECIALS DUE		50.48

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT SUBJECT TO BANK CLEARANCE.

MAKE CHECK PAYABLE TO:
MAURINE E. AINSCOUGH
FRANKLIN COUNTY TREASURER
39 WEST ONEIDA
PRESTON, ID 83263

TAX YEAR 1994 CODE AREA 20

PROPERTY TAX RECEIPT
COUNTY OF FRANKLIN
STATE OF IDAHO

PARCEL #: 754.00
STATE #:

						REAL PROPERTY	
						VALUATION	
1ST HALF	TAX	562.02	2ND HALF	TAX	562.02	LAND	72,150
	PEN			PEN		IMPRVMNTS	
	INT			INT		PERS.PROP.	
	COST			COST		MOBILE HM	
	TOT			TOT		SUBTOTAL	72,150
						-HM EXEMP	
						TOTAL	72,150

RICHINS, CLAUDE L.--ETAL
13650 SOUTH 1300 WEST
RIVERTON, UTAH 84065

TAXING DISTRICT	**RATE**	**AMOUNT**
COUNTY	.005206534	375.65
CLIFTON CEMETERY	.000271931	19.62
WESTSIDE SCHOOL #202	.009023548	651.05
LIBRARY DISTRICT	.000195601	14.11
COUNTY ROAD	.000881646	63.61

SE4 NE4 LOT 1 SW4 NE4
S2 NW4
4-14-38
INST # 187655

TOTAL ACRES: 197.96

TAXES DELINQUENT FOR [illegible]

TOT TAX & SPECIALS	.015579260	1,124.04
-CIRCUIT BREAKER EXEMPTION		.00
SUBTOTAL		1,124.04
-PREPAID TAX AS OF 10/27/1994		.00
NET TAX AND SPECIALS DUE		1,124.04

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT SUBJECT TO BANK CLEARANCE.

MAKE CHECK PAYABLE TO:
MAURINE E. AINSCOUGH
FRANKLIN COUNTY TREASURER
39 WEST ONEIDA
PRESTON, ID 83263

TAX YEAR 1994 CODE AREA 20

PROPERTY TAX RECEIPT
COUNTY OF FRANKLIN
STATE OF IDAHO

PARCEL #: 759.00
STATE #:

						REAL PROPERTY	
						VALUATION	
1ST HALF	TAX	8.43	2ND HALF	TAX	8.43	LAND	1,083
	PEN			PEN		IMPRVMNTS	
	INT			INT		PERS.PROP.	
	COST			COST		MOBILE HM	
	TOT			TOT		SUBTOTAL	1,083
						-HM EXEMP	
						TOTAL	1,083

RICHINS, CLAUDE L.--ETAL
13650 SOUTH 1300 WEST
RIVERTON, UTAH 84065

TAXING DISTRICT	**RATE**	**AMOUNT**
COUNTY	.005206534	5.64
CLIFTON CEMETERY	.000271931	.29
WESTSIDE SCHOOL #202	.009023548	9.77
LIBRARY DISTRICT	.000195601	.21
COUNTY ROAD	.000881646	.95

LOT 2
5-14-38
INST # 190213
INST # 187655

TOTAL ACRES: 40.10

TAXES DELINQUENT FOR-

TOT TAX & SPECIALS	.015579260	16.86
-CIRCUIT BREAKER EXEMPTION		.00
SUBTOTAL		16.86
-PREPAID TAX AS OF 10/27/1994		.00
NET TAX AND SPECIALS DUE		16.86

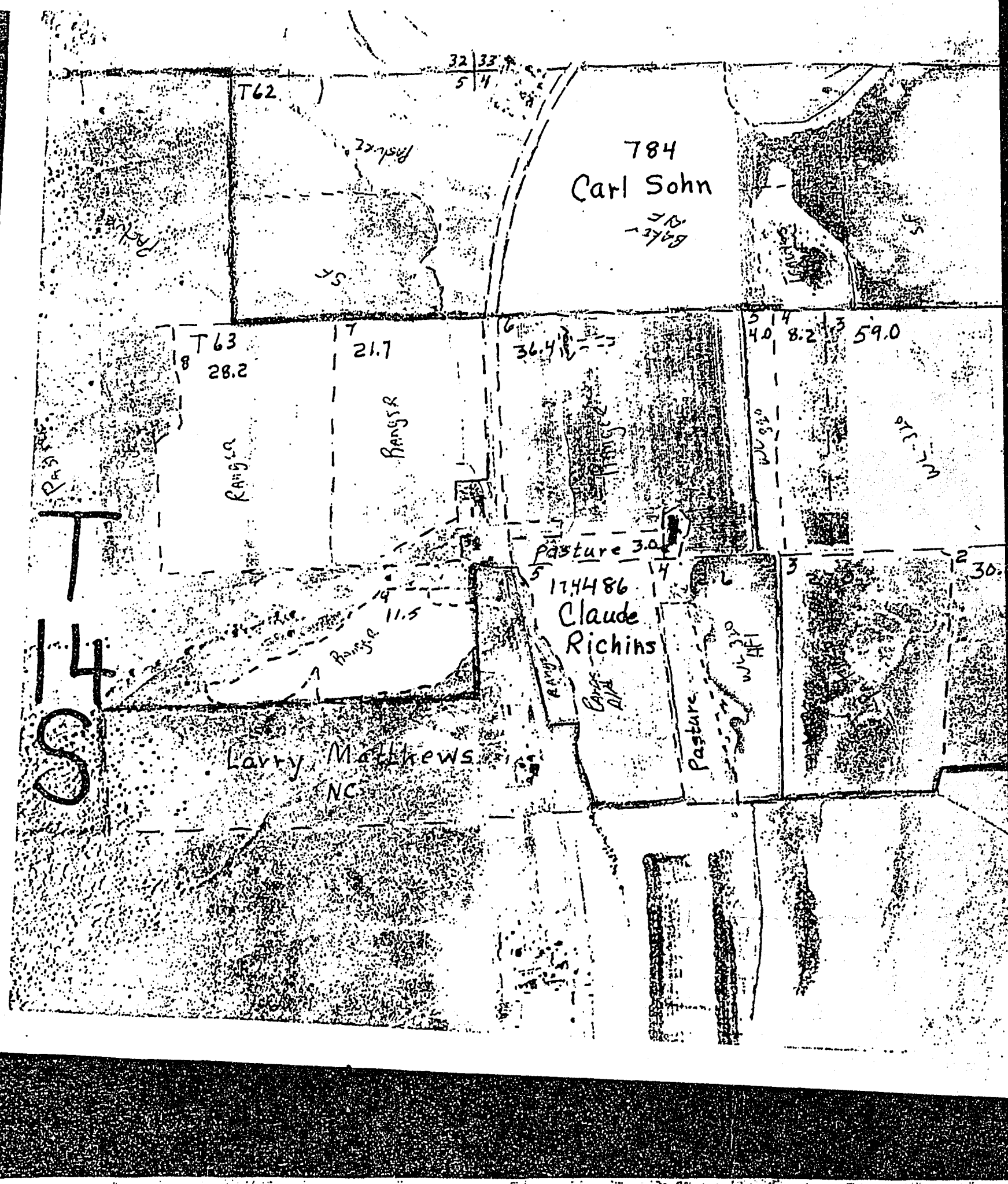
*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK

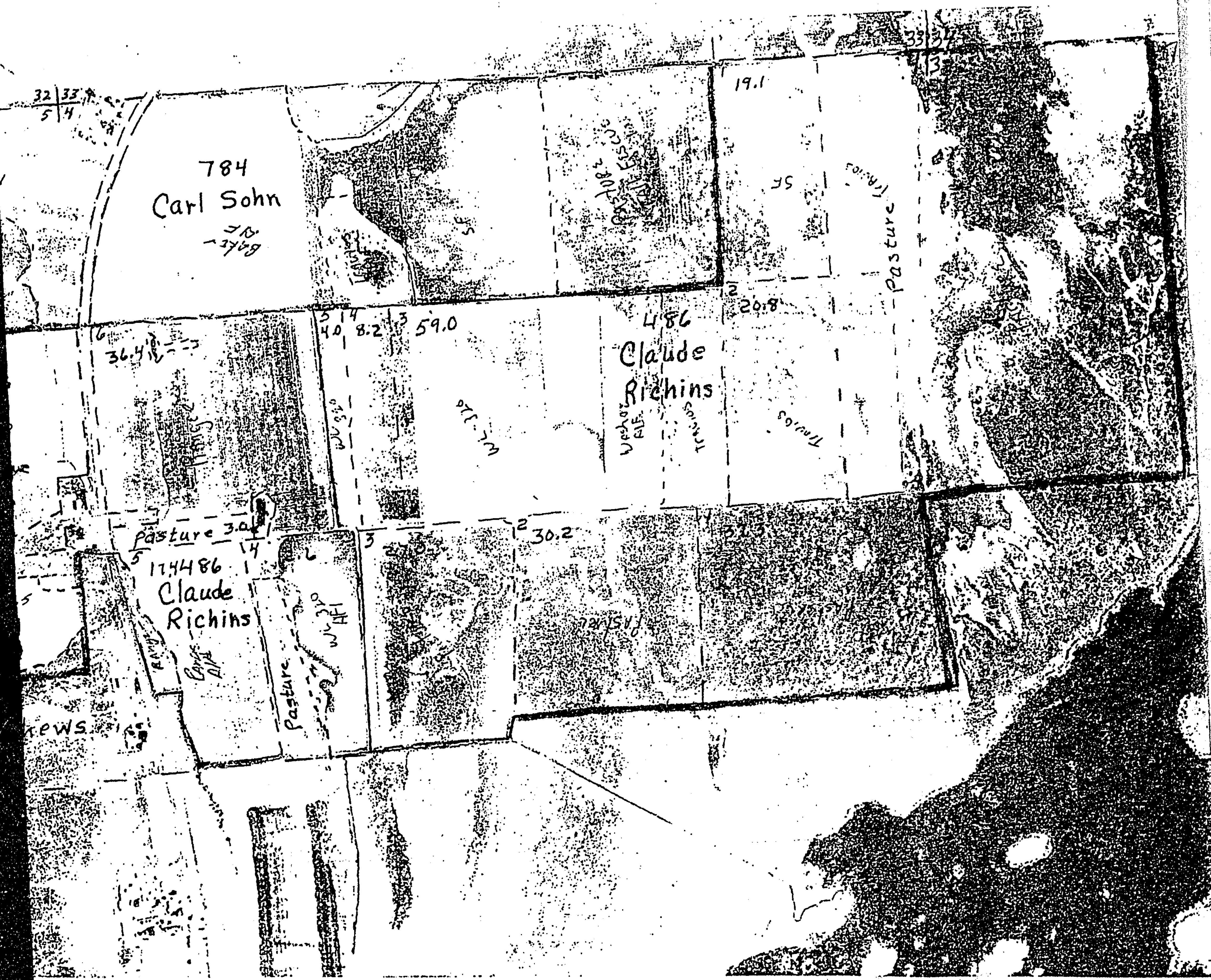
PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT SUBJECT TO BANK CLEARANCE.


T62
32
33
5
4
784
Carl Sohn
T63
8
28.2
17
21.7
6
36.4
5
4
40
8.2
59.0
Pasture 3.0
17,4486
Claude
Richins
11.5
Pasture
Larry Mathews
NC
T
14
S



32 33
5 4
784
Carl Sohn
19.1
20.8
486
Claude
Richins
Pasture
36.4
40
8.2
59.0
Pasture 3.0
174486
Claude
Richins
Pasture
30.2

GARY T. GARNER
46-532
164119
191692

Claud L Richins Etal
187656
190213

32

5 Lot 4 = 39.99A | Lot 3 = 40.05A | Lot 2 = 40.1A | Lot 1 = 40.16A

Claude R. Richins
184776
185396
194213

Claude R. Richins
187656
190213

133492

Claude L. Richins
194430

5

Claude Richins Etal
187652
19,213

Larry Don Matheus
125186
159658
156474

Larry Don Matthews
159659

142765
158399

D. Marcel Beckstead
137826
Family Trust

Roy Grant Peterson Trust
52-361
168350
150875
156416

Roy Grant Peterson
150 874-73
152 824
152 824
156 416
16? 350

T5

A. H. Ro

T23

Runway

33

32

5

4 194213

Lot 4 = 40.16A

T6

5

8

RY T. GARNER
46-532
164119
91692

% James A. Roberts
143812

Glen W. Jenson T
155449
18385 U

T23

GARY T. GARNER
4164119
191692

32

33

4

194213

Lot 1 = 40.16A

5

Lot 4 = 40.16A

Lot 3 = 40.12A

Lot 2 = 40.08

Lot 1 = 40.04

4

Claude R Richins
184776
185396
194213

Claude R Richins
184776
185396
194213
120.36A

E...
Claude Richins E
187656
190213

Claude Richins Etal
187652
190213

Earl A. Ware
153792
Claude Richins Etal
187652
190213

4

Richins Partnership
175373

Claude L Richins Etal
190213

T1

150A

T3 39Ac.

142765
158399

Larry Don Mathews
159659

Don Mathews
156474

T5

Ray Grant Peterson
150 874-73
152 824
152 825
156 416
168 350

A. H. Ro...
Certificate
52-361
T2

Ray Grant Peterson Trust
168350
152825
Lot 5-59.6A

Lot 6-20.41

Ray Grant Peterson

33

34

34

35

4

3

Lot 3 = 40A

Claude Richens Etal
187656
190213

Lot 2 = 40A

Jos. A. Christensen Trust
156793

Lot 1 = 41.21

Lot 9 = 33.32

3

Federal

U.S.A.
169257

2

Lot 11 = 39.78A

U.S.A.
169257

Claude Richens
187656
190213

40A

Lot 4 = 46.7A

Lot 8 = 33.3A

Donald D. Taylor
192729

Dan N
51-
166

3

Lot 7

Vacant U.S.

165186

Lot 5 = 53.2A

Roy G. Petersen Trust
156415
168350

Lot 6 = 38.82

Hugh J. Geddes
50-71

% Jack M. Geddes
146021

% H. Miles Geddes
146021

4

Federal

U.S.A. Light House Reserve

Dan N. Taylor
Forest Cemetery
180645
Nile N. Taylor
51-350
166787

Thomas Cem...
S.F.C.
179103
183180

34 35

Lot 1 = 41.21 | Lot 9 = 38.52 | 3

n Trust 14.36

USA
169257

Lot 11 = 39.78A | Lot 10 = 39.7A | 2

U.S.A.
169257 | 237044

79.43 Rec.

Lot 9 = 39.69A

Ernest Gregersen
45-164

Lot 8 = 25.87A

179103
183180

Lot 8 = 33.3A

Donald D. Taylor
192729

Dan N. Taylor
51-350
166726

163.5A

Ernest Gregersen
177097

Miles Gedde...
181390

Z

320'

Ernest + LaVon Fred Gregersen
37-112
181311
T3

Fred Gregersen 37-112 320'

T1

T2

177097

1000'

408'

323'

H. Miles Gedd...
136092

Dan Taylor 166982

Hugh J. Geddes
50-71

Jack M. Geddes
Carol

J. H. Miles Geddes
192729

[illegible] Lake Sports
181233
80A

Ernest Gregersen II
177097
40A

Steven A. - Ralph
& Kent B. John...

Quarter Section No. _____ Township No. 13 - 14

Block No. _____

30 Lot No. 29 29 28

31 32 32 33

13.50.

Merle Kendall
161865
163424.

32

GRAY, T GANNER
44-532
164119
191692

Claude Richins Etal
187656
190213

32 32

5 Lot 4 = 39.99A Lot 3 = 40.05A Lot 2 = 40.1A Lot 1 = 40.16A 5

14.38.

Earl H. Ward Etal
133492
Claude Richins
187656
190213

Earl H. Ward
133492
Claude Richins
187656
190213

Claude R Richins
184976
185396
194213

Benny Kend
182797
182989

T20

Beth K McCord
199965

James D. Bo
51-29C

PT T19

T23

GA

Hiway

33

4 194213 Lot 4 = 40.16A

Township No. 13-14 Range No. 38

29 28 28 27

32 33 H.J. 34

Benny Kendall
182797
182799
T20

Benny L. Kendall 124

Cemetery

726

148623
Rex S. Kendall
510

Benny L Kendall
182791
182799
T25

Cluff H. Petty % Douglas Sorenson 54-109

Henry A. Jensen
40-290
43-285

Merl Kendall Trust 163424 161865

1385' Beth K McCoomb27 94R 193965± 1R 50

T19

James D. Boyce + Nellie P 172948

25d James P. Boyce 146998

Pt T19

33

Glen W. Jensen Trust
155449
183852

Ireta H. Helmandollar
% James A. Roberts
143812

T GANNER
532
4119
1692

T23

GARY T. GANNER
164119
191692

Highway

32 33 33 34

Lot 1 = 40.16A 5 4 194213 Lot 4 = 40.16A Lot 3 = 40.12A Lot 2 = 40.08 Lot 1 = 40.04 4 3

Claude R Richins
184776
185396
194213

F Claude R Richins
184776
185396
194213
120.36A

Ea. F. Ward
133192
Claude Richins Etal
187656
190213

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4796
WATER RIGHT NOS. 13-02242 & 13-04283

This is to certify that: **CLAUDE RICHINS**
KAYLE RICHINS
13659 S 1300 W
RIVERTON UT 84065

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

RIGHT NO: 13-02242
Priority: 06/20/1961
SOURCE: GROUNDWATER

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	04/15 to 10/15	0.63 CFS	119.0 AF
	SUBTOTAL:	**0.63 CFS**	**119.0 AF**

LOCATION OF POINT(S) OF DIVERSION: SWNW , Sec. 4, Township 14S, Range 38E
FRANKLIN County

RIGHT NO: 13-04283
Priority: 05/12/1885
SOURCE: ANDERSON SPRING
TRIBUTARY OF: SINKS

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	04/15 to 10/15	* 1.00 CFS	147.0 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.4 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF
	SUBTOTAL:	**1.06 CFS**	**148.0 AF**
	TOTAL:	**1.69 CFS**	**** 186.5 AF**

LOCATION OF POINT(S) OF DIVERSION: NESW , Sec. 5, Township 14S, Range 38E
FRANKLIN County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
14S	38E	4	SWNE	40	SWNW	36	SENW	40	
			NESW	10	NWSW	27			153
		5	SWNE	12	SENE	37			49
					Total number of acres irrigated:				*** 202

PLACE OF USE: STOCKWATER & DOMESTIC same as IRRIGATION use

TRANSFER NO. 4796
WATER RIGHT NOS. 13-02242 & 13-04283

CONDITIONS OF APPROVAL AND REMARKS

1. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. 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.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
6. That portion of groundwater Right No. 13-02242 appurtenant to 23.0 acres located in the SWNW, S04, T14S, R38E and irrigated under a portion of surface water Right No. 13-04283 shall not be used if the surface right is sold, transferred, leased, or used on any other place of use.
7. The right holder shall use the full allotment of appurtenant surface water under Right No. 13-04283 in conjunction with the overlapping portion of groundwater Right No. 13-02242. No supplemental groundwater shall be diverted on these 23.0 acres until such time as the spring water is not available.

** *** 8. Right Nos. 13-02242 and 13-04283 in combination shall not exceed a total annual diversion volume of 185.5 af for the irrigation of 53.0 acres.

9. Right No. 13-02242 when combined with Right No. 13-07116 shall not exceed a total combined diversion rate of 2.83 cfs.

** *** 10. Right Nos. 13-02242 and 13-04283 when combined with Right No. 13-07116 shall not exceed a total combined annual diversion volume of 707.0 af, nor the total combined irrigation of 202.0 acres.

*** 11. Right No. 13-02242 is limited to the irrigation of 34.0 acres in the place of use described above in a single irrigation season.

*** 12. Right No. 13-04283 is limited to the irrigation of 42.0 acres in the place of use described above in a single irrigation season.

* 13. A portion of Right No. 13-04283, 0.16 cfs, is limited to use for conveyance losses in delivery of this right.

14. Approval of this transfer does not confirm Statutory Claim No. 13-04283.

Dated this 14th day of January, 1997.

L. Glen Saxton
Chief, Water Alloc. Bureau

This Right has been Decreed in the Case: Peterson vs. Richins

*See Decree file for the Director's Report and Agreements.

07/30/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 13-02242

NAME AND ADDRESS: CLAUDE RICHINS
KAYLE RICHINS
13650 S 1300 W
RIVERTON, UT 84065

SOURCE: GROUND WATER

QUANTITY: 0.63 CFS
119 AFY

USE OF THIS RIGHT WITH RIGHT NOS. 13-04283 AND 13-07116 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 707 AF.
USE OF THIS RIGHT WITH RIGHT NO. 13-04283 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 185.5 AF.

PRIORITY DATE: 06/20/1961

POINT OF DIVERSION: T14S R38E S4 SWNW Within FRANKLIN County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-15 10-15	0.63 CFS 119.0 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 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 DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

IRRIGATION Within FRANKLIN County

T14S R38E S4	SWNE	40	T14S R38E S4	SWNW	36
T14S R38E S4	SENW	40	T14S R38E S4	NESW	10
T14S R38E S4	NWSW	27	T14S R38E S5	SWNE	12
T14S R38E S5	SENE	37			

202 ACRES TOTAL

PLACE OF USE (Continued):

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 34 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 13-04283 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 53 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 13-04283 AND 13-07116 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 202 ACRES IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS RIGHT MAY BE USED TO SUPPLY REPLACEMENT WATER FOR RIGHT NOS. 13-04110A, 13-04110C AND 13-04110D.

THIS RIGHT IS SUPPLEMENTAL TO RIGHT NO. 13-04283 ON 23 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE. THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF RIGHT NO. 13-04283 IN CONJUNCTION WITH THIS RIGHT. NO SUPPLEMENTAL GROUND WATER SHALL BE DIVERTED ON THESE 23 ACRES UNTIL SUCH TIME AS THE WATER DIVERTED UNDER RIGHT NO. 13-04283 IS UNAVAILABLE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT NO. 13-07116 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 28, 1995

Randall C. Budge
Racine, Olson, Nye, Cooper & Budge
P. O. Box 1391
Pocatello, ID 83204-1391

Steven R. Fuller
P. O. Box 191
Preston, ID 83263

Re: *Peterson v. Richins*

Dear Gentlemen:

As you are aware, Susan Hamlin recently transferred to the Public Utilities Commission. I replaced Susan at the Idaho Department of Water Resources and assumed responsibility for some of her cases including *Peterson v. Richins*. I would like to resolve this case as quickly as possible.

The last correspondence from Susan to you, dated October 12, 1995, included a copy of the report from Dr. Gary Johnson on the well impact on Dudley Springs and a draft mitigation plan for the conjunctive management of the wells and Dudley Springs. Please provide me with any comments you have on either document so that we may pursue resolution of this matter.

Further, it is my understanding that the Petersons are to submit amended claims and/or any further information supporting the irrigation of additional acreage. They are also to submit a claim for the domestic well for their home which they failed to file.

The Richins are to submit an application for transfer for Anderson Springs which will split water right no. 13-04283. The Richins are also to submit a claim for ground water right number 13-02242 which they failed to file.

If any of the above is incorrect please contact me immediately. If the requested information is not received from the parties within two weeks from receipt of this letter I shall proceed with finalizing the Directors Report and filing it with the Court.

As you might suspect, I am also working on the Snake River Adjudication. Currently the calendar in the SRBA from the Department's point of few is relaxed. However, that will

not be the case after the first of the new year. Hence, to the extent the parties can resolve any outstanding issues in the next month we should be able to bring this case to a close quickly. Once the new year has commenced, however, I am uncertain how much time or priority this matter can be given by the Department.

Please call me if you have any questions. I look forward to working with you.

Sincerely,

Richard B. Burleigh
Deputy Attorney General

LAW OFFICES OF
RACINE, OLSON, NYE, COOPER & BUDGE
CHARTERED
CENTER PLAZA-CORNER FIRST & CENTER
POST OFFICE BOX 1391
POCATELLO, IDAHO 83204-1391

TELEPHONE
AREA CODE 208
232-6101
—
FAX
208-232-6109

LOUIS F. RACINE, JR.
WILLIAM D. OLSON
W. MARCUS W. NYE
GARY L. COOPER
RANDALL C. BUDGE
JOHN A. BAILEY, JR.
JOHN R. GOODELL*
JOHN B. INGELSTROM
DANIEL C. GREEN
REED W. LARSEN
BRENT O. ROCHE
KIRK B. HADLEY
FRED J. LEWIS
MITCHELL W. BROWN
ERIC S. HUNN
DAVID E. ALEXANDER**
JAMES P. PRICE***

*ALSO MEMBER IL & WY BARS
**ALSO MEMBER MO BAR
***ALSO MEMBER CO BAR

February 15, 1996

RECEIVED
FEB 20 1996
Department of Water Resources

RECEIVED
MAR 14 1996
Department of Water Resources
Eastern District Office

Richard B. Burleigh
Deputy Attorney General
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

RE: ***Peterson v. Richins***

Dear Richard:

This will confirm and follow up on our February 12, 1996, phone conversation regarding the above matter.

I am enclosing copies of the Richins Form 1-222 - Application for Transfer of Water Right and Form 243 - Amended Claim to a Water Right. I have sent the originals to our clients for their signature and should have them back shortly, at which time I will forward them on to you.

The Application and Claim were prepared in response to the request by Susan Hamlin and based upon the information she provided. Our understanding is that the Application for Transfer is simply for the purpose of conforming the identified rights of the Richins to their present and actual place of use. The Claim is for the purpose of identifying their rights in Anderson Springs. This is in accord with the settlement agreement between the parties reached at the prior settlement conference as is summarized in my letter of November 14, 1994. I believe Ms. Hamlin was satisfied with the parties' proposal for the handling of the Anderson Springs water rights based upon supplemental evidence which we provided on behalf of the Richins and which Steve Fuller provided on behalf of the Petersons in support of their domestic claim which they are in the process of revising and filing.

We are satisfied with the draft report by Gary S. Johnson dated October 1995 entitled "Ground Water Pumping Impacts on Spring Discharge in the Upper Cache Valley, Southeast Idaho," which reflects the results of his study to quantify the effects pumping the wells on the Peterson property and the Richins property have on Dudley Springs. We feel the report was well done and properly addresses the Dudley Springs issues as identified in item No. 6 of the November 14, 1994, settlement agreement. Accordingly, the report forms the proper factual basis

for proceeding with the Mitigation Plan and final resolution of this matter in accordance with the settlement agreement.

While I generally feel the proposed Mitigation Plan is appropriate and workable, I have several comments. Some of these concerns may not be a problem where the Johnson report is incorporated in the Mitigation Plan by reference, provided the Mitigation Plan is read in conjunction with the report/

An example of this is Steve Fuller's concern about the Plan's failure to mitigate during the Dudley Springs recovery time. The report does recognize that there is a recovery time associated with the pumping of both the Richins (north) and Peterson (south) pumping wells. The report on page 7 indicates there is a 12-day recovery period pertaining to the Richins well and an eight-day recovery period pertaining to the Peterson well. I don't see we have a problem here, and it would simply be a matter of the water master continuing to require mitigation water after the wells are shut off until the spring recovers. I assume this would start with the full mitigation quantity and be gradually reduced in amount until the recovery occurred.

Another similar suggestion I would make would be to make sure the elements of the "futile call doctrine," as defined in the Conjunctive Management Rule, are incorporated in the Mitigation Plan. This would be consistent with the report which states at page 8:

> In practice, however, conditions will vary from those existing at the time of the test. Ground water levels may vary with seasons, pumping of either the North or South Pumping Wells may be at discharges other than those used in this test, or simultaneous pumping of both wells, as well as other wells in the valley may occur.

Also, the report states on page 9:

> In the case under consideration, this implies that Dudley Springs, as well as other springs and seeps impacted by pumping the North and South Pumping Wells, continue to flow. Obviously, if Dudley Springs is not discharging due to other pumping in the valley, or low aquifer water levels, then additional ground-water pumping will not immediately affect spring discharge. . . Pumping of the North Pumping Well at this point would result in no immediate loss of spring discharge because the spring is already fully depleted.

Also, the report states on page 10:

> . . . [T]he authors believe that the most practical means of applying the results to varying conditions is through application of the assumption of the proportionality between pumping rate and spring depletion under a limited set of conditions. . . The proportionality is not valid if the flow ceases.

While it may not be absolutely necessary to address this issue in the Mitigation Plan since it is covered by the report, for clarification to the parties and the water master, however, I would suggest some language be added to address the issue of futile call as there clearly will be situations where the spring is dried up as a result of the Petersons pumping or another unrelated cause, during which the Richins could pump without mitigation. Perhaps a sentence or two could be added at the end of the first full paragraph on page 3 to that effect.

Similarly, I would have no problem with adding language, consistent with the report, to address Steve Fuller's concern and acknowledge that mitigation may be required for a period of time after a well ceases pumping until spring recovery is reached.

I also have some comments regarding the last paragraph of the Mitigation Plan on page 4 and 5. While the Mitigation Plan would settle that portion of the lawsuit, I believe each party would want to reserve the right to enforce the Mitigation Plan itself, in the pending court action, if necessary.

Finally, when we entered into the November 14, 1994, settlement agreement, Susan Hamlin was going to proceed to prepare a proposed Judgment and Decree for the Court to enter incorporating the terms of the settlement agreement so that both parties would come away with Court-decreed water rights. It would appear appropriate that the Mitigation Plan simply be incorporated as a part of the Decree. The parties could then simply sign a separate Stipulated Settlement Agreement pursuant to which they would agree that the Court would enter the Judgment and Decree as a final judgment in the case, fully compromised and settling all issues.

By copy of this letter, I am advising Steve Fuller of the foregoing. I also wish to propose to Steve and the Petersons another suggestion raised by the Richins relative to mitigation which was discussed at the settlement conference. That is, would the Petersons be cooperative in permitting the Richins to provide mitigation out of the Peterson's abandoned well and/or from the excess capacity from their existing well. Our understanding is that their existing well has pump capacity of some 300 to 400 gallons in excess of their water right in the well which could be available based upon the Richins paying the associated cost. Both of these wells apparently are much closer to Dudley Springs and the Peterson's place of use which could result in

mitigation being provided more readily and at less expense. This is something the parties can address and hopefully work out something amicable.

Thank you for your cooperation and assistance. My apologies for the delay in providing these comments. I believe we are all ready to move forward to bring this matter to a conclusion as quickly as possible.

Sincerely,

RANDALL C. BUDGE

RCB:jmb
Enclosures
cc: Steve Fuller
Claude Richins
Kayle Richins
Rob Richins

LOUIS F. RACINE, JR.
WILLIAM D. OLSON
W. MARCUS W. NYE
GARY L. COOPER
RANDALL C. BUDGE
JOHN A. BAILEY, JR.
JOHN R. GOODELL*
JOHN B. INGELSTROM
DANIEL C. GREEN
REED W. LARSEN
BRENT O. ROCHE
FRED J. LEWIS
KIRK B. HADLEY
MITCHELL W. BROWN
ERIC S. HUNN
DAVID E. ALEXANDER**
JAMES P. PRICE***

*ALSO MEMBER IL & WY BARS
**ALSO MEMBER MO BAR
***ALSO MEMBER CO BAR

LAW OFFICES OF
RACINE, OLSON, NYE, COOPER & BUDGE
CHARTERED
CENTER PLAZA-CORNER FIRST & CENTER
POST OFFICE BOX 1391
POCATELLO, IDAHO 83204-1391

TELEPHONE
AREA CODE 208
232-6101
—
FAX
208-232-6109

February 26, 1996

RECEIVED
MAR 0 1 1996
Department of Water Resources

Richard B. Burleigh
Deputy Attorney General
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

RE: ***Peterson v. Richins***

Dear Richard:

Pursuant to my letter of February 15, 1996, enclosed you will find the signed originals of Form 1-222 - Application for Transfer of Water Right and Form 243 - Amended Claim to a Water Right, together with our check in the amount of $100 for filing fees.

If you have any questions, please don't hesitate to call.

Sincerely,

RANDALL C. BUDGE

RCB:jmb
Enclosures
cc: Steve Fuller
Claude Richins
Kayle Richins
Rob Richins

RECEIVED
MAR 0 7 1996
Department of Water Resources
Eastern District Office

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 27, 1996

PRESTON CITIZEN
PO BOX 472
PRESTON ID 83263

Dear Publisher:

Enclosed you will find a legal notice which we wish to have published on the date indicated in your newspaper. If you cannot publish the notice on the proposed date, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before April 22, 1996.

Yours truly,

Rita Bodell
Secretary

Enc.

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 27, 1996

KAYLE OR CLAUDE RICHINS
13659 S 1300 W
RIVERTON UT 84065

RE: Notice of Application for Transfer 4796

Dear Applicant:

The Department of Water Resources acknowledges receipt of your water right application. This office is currently in the process of advertising the application in the Preston Citizen on April 4 & 11, 1996. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State Office Personnel will conduct a complete review prior to final processing of the applications and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W. Jones rb
Harold W. Jones
Water Right Supervisor

HWJ/rb

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. 4796

Notice is hereby given that Kayle or Claude Richins, 13659 S. 1300 W., Riverton, UT 84065 has applied to the Department of Water Resources to change point of diversion and place of use of the waters of Anderson Spring and a groundwater source. The rights sought to be changed are evidenced by a claim and a license and recorded as follows:

Claim No.: 13-04283 Source: Anderson Spring
Amount: 1.06 cfs Priority: 05/12/1885
Point(s) of Diversion: NESW, S05, T14S, R38E, Franklin County
Only 1.00 cfs of the water is used for irrigation from 4/15 to 10/15, 0.04 cfs for domestic use from 1/1 to 12/31, and 0.02 cfs for stockwater from 1/1 to 12/31 within the S1/2NW, S04, SENE, N1/2SE, S05, T14S, R38E, B.M.

License No.: 13-02242 Source: groundwater
Amount: 0.63 cfs Priority: 06/20/1961
Point(s) of Diversion: SWNE, S05, T14S, R38E, Franklin County
The water is used for irrigation from 4/1 to 11/1 within the SWNW, S04, T14S, R38E, B.M.

TO BE CHANGED AS FOLLOWS:

The water will be diverted from the NESW, S05, T14S, R38E (Anderson Spring); SWNW, S04, T14S, R38E, (well) Franklin County and used to irrigate 75.5 acres within a permissible place of use of 202 acres within the SWNE, S1/2NW, N1/2SW, S04, S1/2NE, S05, T14S, R38E, B.M.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID, 83402, together with a protest fee of $25 on or before April 22, 1996. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER
Director

PUBLISHED IN THE PRESTON CITIZEN ON APRIL 4 & 11, 1996.

875

№ 3943

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

RECEIVED
APR 26 1996
Department of Water Resources
Eastern Region

J. WALTER ROSS

being duly sworn, deposes and says:

That he is the CO-PUBLISHER of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with 4-3, 1996, and ending with the issue of 4-10 19 96

J. Walter Ross

Fee $ 64.67

Subscribed and sworn to before me this 10 day of April 1996.

KELLY MICKELSEN NOTARY PUBLIC STATE OF IDAHO

Notary Public, Residing at Preston, Idaho

My Commission Expires 8/04, 2001.

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT NO. 4796

Notice is hereby given that Kayle or Claude Richins, 13659 S. 1300 W., Riverton, UT 84065 has applied to the Department of Water Resources to change point of diversion and place of use of the waters of Anderson Spring and a groundwater source. The rights sought to be changed are evidenced by a claim and a license and recorded as follows:

Claim No.: 13-04283
Source: Anderson Spring
Amount: 1.06 cfs
Priority: 05/12/1885
Point(s) of Diversion: NESW, S05, T14S, R38E, Franklin County

Only 1.00 cfs of the water is used for irrigation from 4/15 to 10/15, 0.04 cfs for domestic use from 1/1 to 12/31, and 0.02 cfs for stockwater from 1/1 to 12/31 within the S1/2NW, S04, SENE, N1/2SE, S05, T14S, R38E, B.M.

License No.: 13-02242
Source: Groundwater
Amount: 0.63 cfs
Priority: 06/20/1961
Point(s) of Diversion: SWNE, S05, T14S, R38E, Franklin County

The water is used for irrigation from 4/1 to 11/1 within the SWNW, S04, T14S, R38E, B.M.

TO BE CHANGED AS FOLLOWS:

The water will be diverted from the NESW, S05, T14S, R38E (Anderson Spring); SWNW, S04, T14S, R38E, (well) Franklin County and used to irrigate 75.5 acres within a permissible place of use of 202 acres within the SWNE, S1/2NW, N1/2SW, S04, S1/2NE, S05, T14S, R38E, B.M.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID 83402, together with a protest fee of $25 on or before April 22, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher
Director

Legal No. 3943—Publish April 6, 13, 1996.

INTER-DEPARTMENT MEMO

TO: PAM SKAGGS-Boise

SUBJECT: Tr. 4796

FROM: W.W. JONES - Eastern

DATE: 4-30-96

I filed this transf. as per instructions from attorneys involved in the Peterson vs Richins mini-adjudication. Charles Honsinger of our Boise office (Attorney) is the one now working on this matter + needs copy of final approval.

Thanks!

(X) For your information

( ) Response required

signature

MEMORANDUM

TO: FILE NOS. 13-02242 & 13-04283

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER NO. 4796

DATE: July 17, 1996

==========

Transfer No. 4796 was filed to change the point of diversion and place of use under groundwater Right No. 13-02242 and surface water Right No. 13-04283. These rights are being used in combination with groundwater Right No. 13-07116 to irrigate a 202 acre permissible place of use. This transfer is to change these rights to reflect the way the water is currently being used and is the result of a private adjudication.

Season of use and diversion volume were adjusted to current standards. The rights as originally licensed and claimed reflect development of a portion of the groundwater for supplemental use on 23 acres where the rights overlap in the SWNW, S04, T14S, R38E. Conditions were included to describe the overlapping limits of these rights within the larger system.

Recommended conditions include combined limits, supplemental groundwater, measuring devices, future annual reporting, conveyance loss, permissible place of use limits, nonconfirmation of claim and standard transfer conditions.

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 14, 1997

CLAUDE RICHINS
KAYLE RICHINS
13659 S 1300 W
RIVERTON UT 84065

RE: Water Right Nos. 13-02242 AND 13-04283
Transfer No. 4796

Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water rights (Transfer No. 4796). Please be sure to thoroughly review the "Conditions/Remarks:" as listed on the transfer.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:ph

Enclosure

This Right has been Decreed in the Case: Peterson vs. Richins

*See Decree file for the Director's Report and Agreements.