

2785

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

RECEIVED

JUN 11 1984

Department of Water Resources
Eastern District Office

IN THE MATTER OF WATER RIGHT NO. 11-0173

IN THE NAME OF JIM CRANEY

ORDER

WHEREAS, on May 18, 1984, the Department granted Application for Transfer No. 2785 of Water Right No. 11-0173 with the following condition of approval:

"A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works,"

and,

WHEREAS, on May 25, 1984, the applicant requested the Department to remove the condition; and,

WHEREAS, the Department has determined that the request to remove the measuring device condition is reasonable at this time;

IT IS, THEREFORE, HEREBY ORDERED that the above-referenced condition requiring a measuring device be REMOVED.

Dated this 31st day of May, 1984.


L. GLEN SAXTON
Chief, Operations Bureau



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

RECEIVED

MAY 29 1984

Department of Water Resources
Eastern District Office

May 21, 1984

RE; Transfer of Water Right No. 11-0173

Jim Craney
Rt. 1
Montpelier, ID 83254

Dear Mr. Craney:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 2785). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:sc

Enclosure

Transfer No. 2785Water Right No. 11-0173STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**APPROVED**
AMENDED

AMENDED

APPLICATION FOR TRANSFER OF WATER RIGHT

AMENDED

To Change the Point of Diversion and/or the Place of UseName of applicant Jim Craney Phone 847-1152Post Office address Rt. #1 Montpelier, ID 83254

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. 11-0173 Decreed to Frank A. Clark (Name)
in case of Frank A. Clark vs Albert Kunz, et al
dated in July 22, 1913 in 5th Judicial Dist. county of Bear Lake
(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

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

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Applicant acquired right through purchase of land.

3. Source of water Sheep Creek tributary to Bear River4. Date of priority April 29, 1887

5. Water is used for the following purposes:

amount 3.0cfs for Irrigation purposes from 4-1 to 11-1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 3.0 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NOT SPECIFIED IN DECREE 1/4 of _____ 1/4 of Section _____
Township _____ Range _____, B.M., in _____ County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
14S	45E	12							X			X	X						
		13					X												
		11		X	X										X	X			

Total number of acres to be irrigated 320

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

11-2154 License for storage from Sheep Creek Reservoir

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. 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	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted 3.0 c.f.s. &/or _____ acre feet
- b. Description of diverting works Pipeline from dam to sprinklers and ditches to flood irrigation.
- c. Describe the reasons for the proposed changes Applicant wishes to make more efficient use of the water.

2. Change in point of diversion

Point of diversion SE ¼ SW ¼, Section 36 Township 13S
Range 45E, B.M., Bear Lake County
Additional points _____

3. Change in place of use

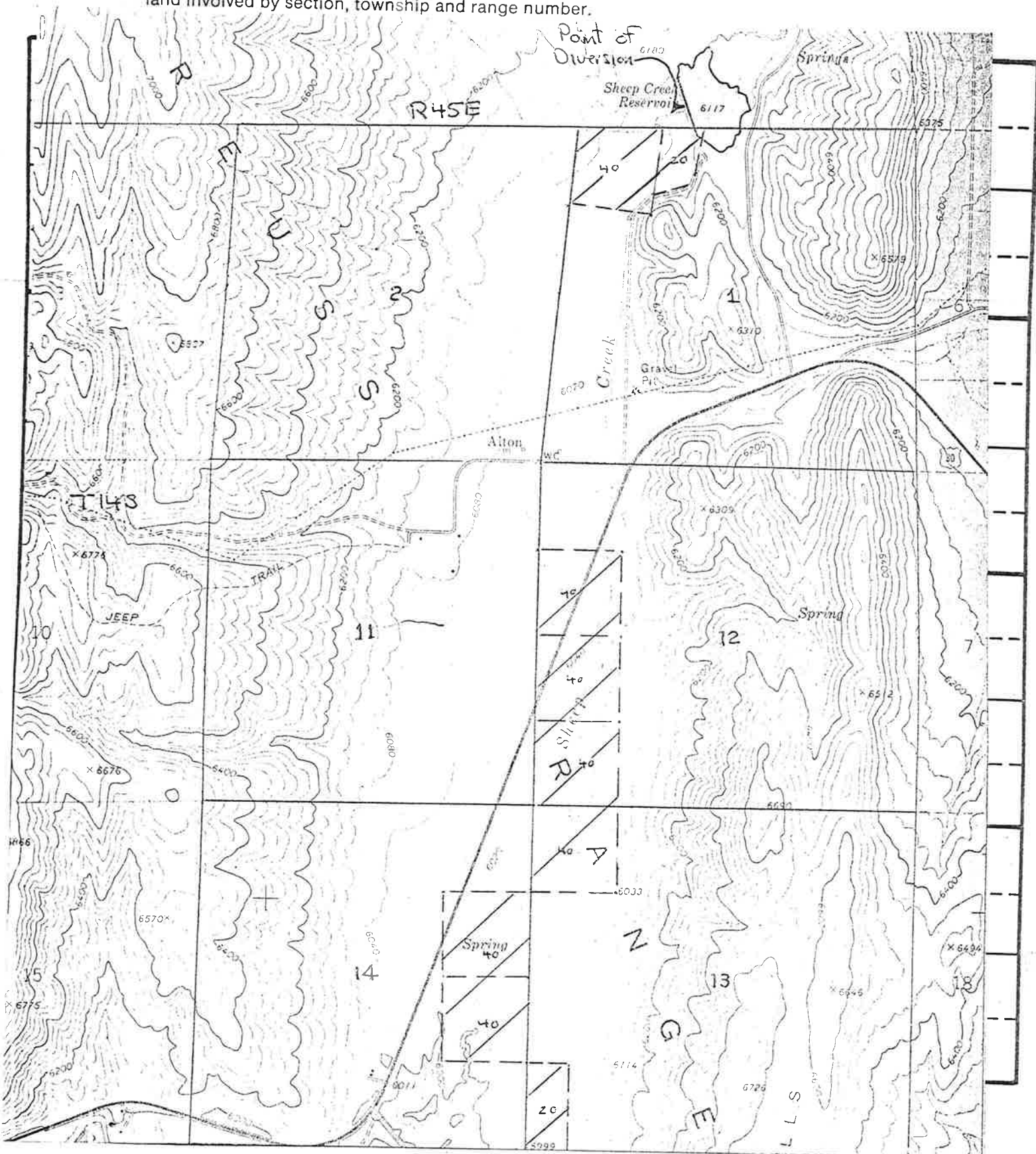
- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
The land will become dry farm or pasture.

c. Describe the lands and place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
14S	45E	1					L-3 20	L-4 40											60
		12							40			40	40						120
		13						40					20						60
		14				40									40				80

Total number of acres to be irrigated 320

4. Describe any other water rights used for the same purpose as described above. License 11-2154
storage water from Sheep Creek Reservoir
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



D. REMARKS

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 willfull misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 9 day of April, 19 84

James E. Crony
(Signature of Applicant)

[Signature]
(Notary Public)

My commission expires lifetime

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 11-0173 and said application is hereby APPROVED, subject to the following limitations and conditions:

1. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
2. Use of water under this right is subject to control by the watermaster of State Water District No. 11, Bear River.

Witness my hand this 18 th day of May, 19 84

J. Glen Sartor
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>CW</u>	Date <u>4-10-84</u>	Protest filed by _____
Prelim. check by <u>HWS</u>	Fee <u>\$20⁰⁰</u>	_____
Received by <u>CW</u>	Date <u>4-10-84</u> # <u>33510</u>	_____
Published in <u>Quinn's Champion</u>	Copies of protest forwarded by _____	
Pub. dates <u>4/19 + 4/26/84</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on <u>4-18-84</u>	Recommended for <u>approval</u> denial	
rec'd. <u>4-24-84</u>	by <u>EMC. Jim DET</u>	