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DEPARTMENT OF WATER RESOURCES13 70301
Transfer No. 3351

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

MAR 24 1989

Department of Water Resources

Eastern District Office

Name of applicant Lorna A. or Mike D. HeathPhone 425-3734Post Office address Rt. 1 Box 103 Grace, Idaho 83241

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 The original use of the license was commercial and domestic use at a cheese factory. The factory is now closed but the applicants are continuing domestic use and wish to transfer a portion of the commercial right to cover irrigation of 2 acres. (We have about 4 acres to irrigate)

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

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-----------------|----------------------|-----------------------|-------------------|----------------------------|
| <u>13-7030B</u> | <u>April 3, 1972</u> | <u>0.06 cfs</u> | <u>Irrigation</u> | <u>4/1</u> to <u>11/1</u> |
| | | <u>0.02 cfs</u> | <u>Domestic</u> | <u>1/1</u> to <u>12/31</u> |
| | | | | to _____ |
| | | | | to _____ |
2. Total amount of water being transferred 0.06 cfs cubic feet per second and/or 6.2 acre-feet per annum.
3. Source of water Unnamed springs tributary to Bear River
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
2		NW	NE	4	11S	40E	Caribou	

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	
11S	40E	4									2								2

Total acres 2

PART 1

6. General Information:

- ✓ a. Description of diversion system Water runs from the spring through 40' of 2' culvert then into 4" pvc pipe to a 5000 gal. steel tank which is about 150' down the hill. out of tank to the property in 4" pvc which is about 1/2 mile. The pipe changes from pvc to steel where it crosses the River
- ✓ 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:
N/A
- d. Remarks:
Cheese factory has closed and there are no plans to reopen.
Allow 3.5 acre-ft/acre and 1.2 acre-ft for domestic = 8.2 acre-ft to transfer. Allow 0.03 cfs /acre X 2 acres = 0.06 cfs to transfer.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 13-7030BAnd said application is hereby APPROVED, subject to the following limitations and conditions:

A lockable measuring device of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion. 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

10th day ofFebruary, 1989J. Glen Saxton
Chief, Water Alloc.
Bureau

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 13-7030 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach 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 Unnamed Spring tributary to Bear River

4. Date or priority April 3, 1972

5. Water is used for the following purpose:

amount 0.80 cfs for Manufacturing purposes from 1/1 to 12/31
(cfs/ac-ft)
amount 0.02 cfs for Domestic purposes from 1/1 to 12/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.80 cfs cubic feet per second and/or 578 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
2		NW	NE	4	11S	40E	Caribou	

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	
11S	40E	4									M _D								

Total acres N/A

9. Describe any other water rights used for the same purpose as described above 13-2202

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

_____ 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 0.06 cfs/6 afa for Manufacturing purposes from 4/1 to 11/1
 (cfs/ac-ft)
 amount 0.02 cfs/ for Domestic purposes from 1/1 to 12/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
2		NW	NE	4	11S	40E	Caribou	

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	
11S	40E	4									~~2~~								~~2~~
											~~M/D~~								

Total acres ~~2~~

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.74 cfs for Manufacturing purposes from 1/1 to 12/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
2		NW	NE	4	11S	40E	Caribou	

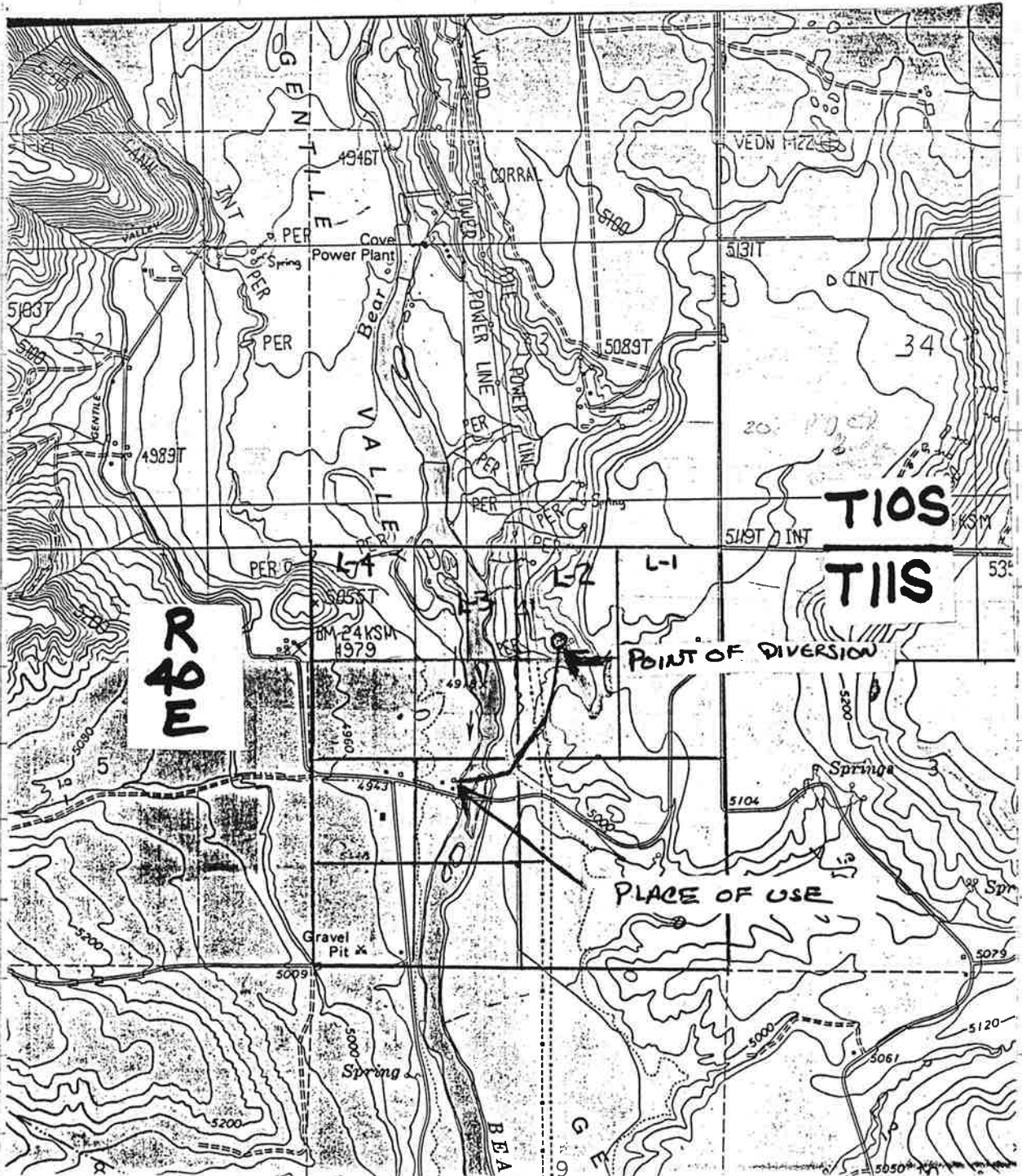
3. Lands irrigated or place of use:

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	
11S	40E	4									~~M/D~~								

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
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PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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

1.	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	Irrigation	0.06cfs&8.2	afa 24hr/214days	4/1 to 11/1
	Domestic	0.02cfs&1.2	afa 24hr/365days	1/1 to 12/31

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

N/A

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

Manufacturing use has been discontinued.

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.

Mike D. Heath Jean A. Heath
(Signature of Applicant)

Subscribed and sworn to before me this 27th day of July, 1987.

Theresa May
(Notary Public)

My commission expires lifetime

Assisted by EB 7-20-87

FOR DEPARTMENT USE ONLY

Transfer/contains _____ pages and _____ attachments

Received by OW Date 7-29-87 Protest filed by _____Prelim. check by HWS Fee \$50.00Receipted by dg Date 8-24-87 #41363Published in Caribou County Sun Copies of protest forwarded by _____Pub. dates 9-3 + 9-10-87 dg protest date 9-21 Hearing held by _____ Date _____Watermaster recommendation requested on 8-28-87 Recommended for ☒ approval ☐ denial

(e) D #11 rec'd. 9-10-87 by RBC Gary

Copy of transfer sent to lien holder _____