

T4013 HEJTMANEK

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4013
WATER RIGHT NO. 33-02120

4013
RECEIVED

OCT 27 1993

Department of Water Resources
Eastern District Office

This is to certify that: **THOMAS HEJTMANEK JR**
HC 65 BOX 1042
HOWE ID 83244

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.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	3.39 CFS	1237.2 AF

SOURCE

GROUNDWATER

Priority: 07/09/1965

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 34, Township 06N, Range 29E
NWSW , Sec. 34, Township 06N, Range 29E
BUTTE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	29E	34	NENE 39	NWNE 39	SWNE 40	
			SENE 40	NESW 40	NWSW 39	
			NESE 40	NWSE 40	SESE 40	357
						357

Total number of acres irrigated: 357

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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. 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this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

TRANSFER NO. 4013
WATER RIGHT NO. 33-02120

CONDITIONS/REMARKS:

4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. Two points of diversion are located within NWNE, S34, T06N, R29E.

Dated this 18th day of October, 1993.


Chief, Water Alloc. Bureau

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Thomas Hejzmanek Jr. Phone 767-3368

Post Office address HC 65 Box 1042, Howe Id 83244

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 Adding well within NWE Sec 34 to bring system up to licensed amount.

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 |
|-----------------|----------|-----------------------|------------------|---------------|
| 33-2120 | 7/9/1965 | 3.39 | Irrigation | 4/1 to 11/1 |
| | | | | to |
| | | | | to |
| | | | | to |
2. Total amount of water being transferred 3.39 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion: _____

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total acres 357

PART 1

6. General Information:

a. Description of diversion system Three wells mainline to laterals with sprinklersb. 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:

None. Transfer is to add a well within NWNE Sec 34, T6N R29E to bring system up to licensed amount

d. Remarks:

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 _____.

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. 33-2120 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 Groundwater tributary to _____

4. Date or priority July 9, 1965

5. Water is used for the following purpose:

amount 3.39 cfs for Irrigation purposes from 4/1 to 11/1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 3.39 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	34	6N	29E	Butte	
		NW	NE	34	6N	29E	Butte	

8. Lands irrigated or place of use:

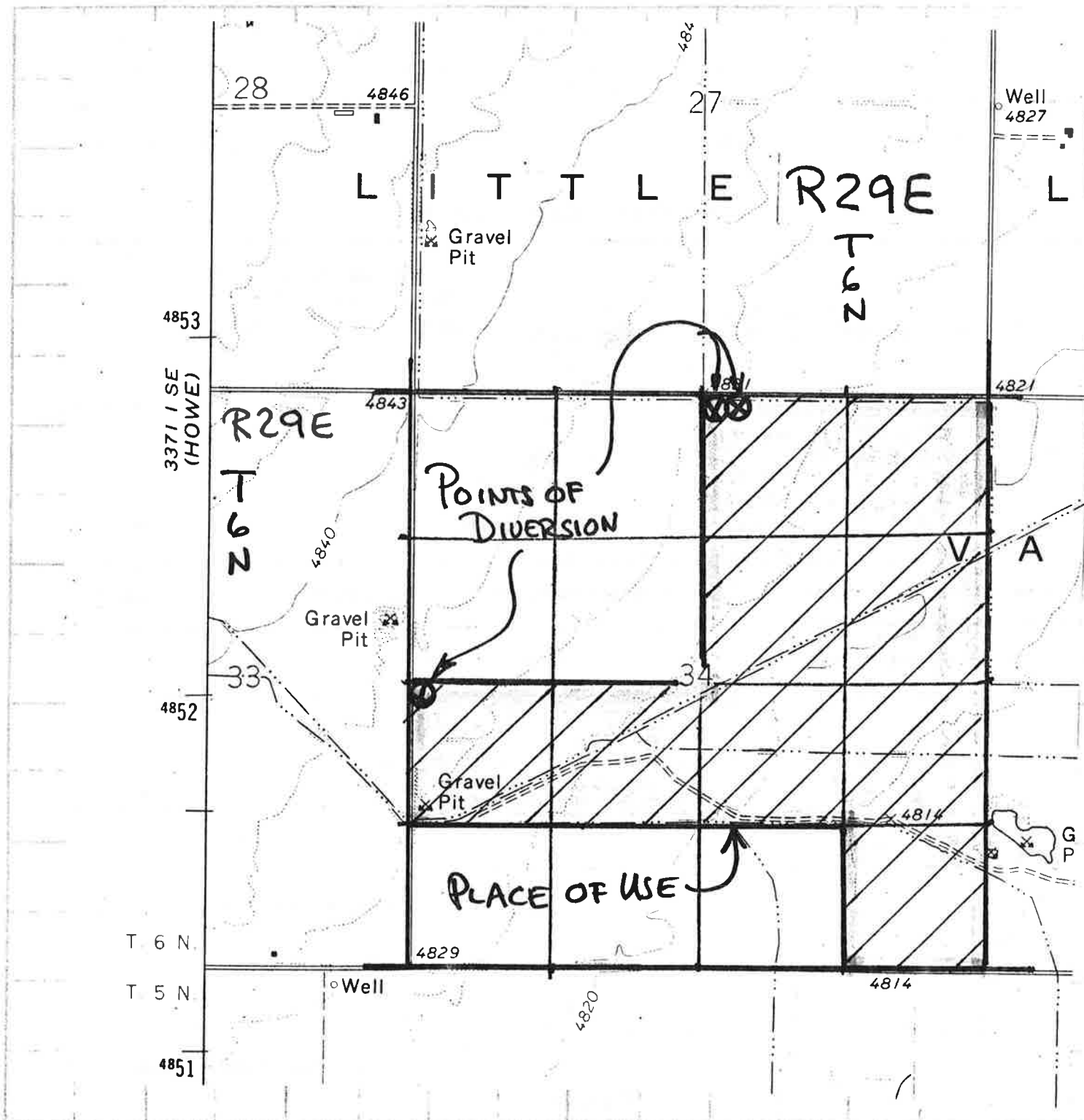
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	29E	34	39	39	40	40					40	39			40	40		40	357

Total acres 357

9. Describe any other water rights used for the same purpose as described above NONE

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.

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

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
	_____	_____	_____	_____ 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.

Thomas Heston Jr
(Signature of Applicant)

Subscribed and sworn to before me this 9th day of October, 1992.

BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO

Betty J Thompson
(Notary Public)

My commission expires _____
MY COMMISSION EXPIRES: 6-30-94

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by KCW Date 9 Oct 92 Protest filed by _____

Prelim. check by _____ Fee _____

Receipted by KCW Date 9 Oct 92 # E017966Published in Arco Advertiser Copies of protest forwarded by _____Pub. dates 11-5-12-92 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial_____ rec'd. _____ by RDC

Copy of transfer sent to lien holder _____

MEMORANDUM

To: Transfer 33-02120
From: Paul Meyer
Date: 30 June 1993

RE: Field Investigation

On 5 May 1993, I conducted a verification examination on the historic place of use and point of diversion for 33-02120. At that time it was noted that there was evidence of historic use of the water as originally licensed.

I recommend that the transfer requesting addition on a point of diversion be approved under the following constraints:

1. Water right 33-02120 is still subject to review by the Snake River Basin Adjudication staff to determine validity of the licensed right.
2. ~~A flow measurement should be taken on both original and new points of diversion at the time of the SRBA review.~~
3. ~~Both the new and old points of diversion should be fitted with the proper control devices to ensure that the licensed flow rate of 33-02120 is not exceeded.~~
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Special drilling + casing requirements may be required for areas of Basin 33.

