

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4800
WATER RIGHT NO. 74-01556

RECEIVED

FEB 1 1997

Department of Water Resources
Eastern Region

This is to certify that: MC FARLAND LIVESTOCK CO INC
C/O TEX J KAUSER
PO BOX 50
LEMHI ID 83465

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	* 5.00 CFS	582.4 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
LEMHI RIVER	SALMON RIVER

Priority: 03/21/1889

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 24, Township 17N, Range 24E
LEMHI 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>
17N	24E	14	NENW 7.8	NWNW 14.6	SWNW 34	
			SENE 36.8	NESW 31.5	NESE 5.5	
			NWSE 17.7	SWSE 18.5		166.4
			Total number of acres irrigated:			166.4

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 74.
2. A measuring device and lockable controlling works 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.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre for the lands above.
4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

TRANSFER NO. 4800
WATER RIGHT NO. 74-01556

CONDITIONS OF APPROVAL AND REMARKS

5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
6. 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this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. 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.
- *8. 1.67 cfs of Right No. 74-01556 is a portion of the right which is used for conveyance losses.

Dated this 4th day of February, 1997.


Chief, Water Alloc. Bureau

MEMORANDUM

TO: FILE NO. 74-01556

FROM: PAM SKAGGS²⁸/STATE OFFICE

SUBJECT: TRANSFER NO. 4800

DATE: September 20, 1996

ok Jan

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Transfer No. 4800 was filed to change the point of diversion under Right No. 74-01556. The transfer is the third in a series of transfers filed to consolidate diversion through L-46A and eliminate the original point of diversion. ✓

Season of use and diversion volume were adjusted to current standards. Recommended conditions include watermaster control, measuring device/lockable controlling works, irrigation overlap, conveyance losses, right-of-way and standard transfer conditions.

$$166.4 \times .02 = .3.328$$

$$\begin{array}{r} 5.00 \\ - 3.32 \\ \hline 1.68 \text{ cfs} \approx 1.67 \end{array}$$

50 8-8-96

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4800

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant MC FARLAND Livestock Co. Inc. % Tex J. Kauer Phone (208) 768-2711
 Post Office address PO Box 50 Lemhi ID. 83465

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 elimination of one Lemhi River Diversion by consolidation

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
74-01556 03-21-1989 5.0 cfs irrigation 3-15 to 11-15
~~04-01~~ to 11-01
 _____ to _____
 _____ to _____
 _____ to _____
2. Total amount of water being transferred 5.0 cfs cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Lemhi River tributary to Salmon River
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	24	17N	24E	Lemhi	L-46A

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
17N	24E	14					7.8	14.6	34.0	36.8	31.5				5.5	17.7	18.5		166.4

Total acres 166.4

PART 1

6. General Information:

a. Description of diversion system Rock berm in River, headgate and ditches to
place of use.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? NO 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

d. Remarks:

elimination of one diversion and two fish screen will
reduce fish passage obstacles and maintenance costs to
irrigators and fish & game

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. 74-01550 Decreed to McFarland Livestock Co. % T.L. McFarland
in case of STATE OF IDAHO vs. McFarland Livestock Co. % T.L. McFarland
dated June 17, 1971 in IDAHO county of Lemhi
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ 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 Lemhi River tributary to Salmon River

4. Date or priority 03-21-1889

5. Water is used for the following purpose:

amount 5.00 cfs for irrigation purposes from 5-15 to 11-15
(cfs/ac-ft) 01-01
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 5.00 cfs 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
		SE	SE	14	17N	24E	Lemhi	L-46

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	
17N	24E	14					7.8	14.6	34.0	36.8	31.5				5.5	17.7	18.5		166.4

Total acres 166.4

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

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

NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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

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

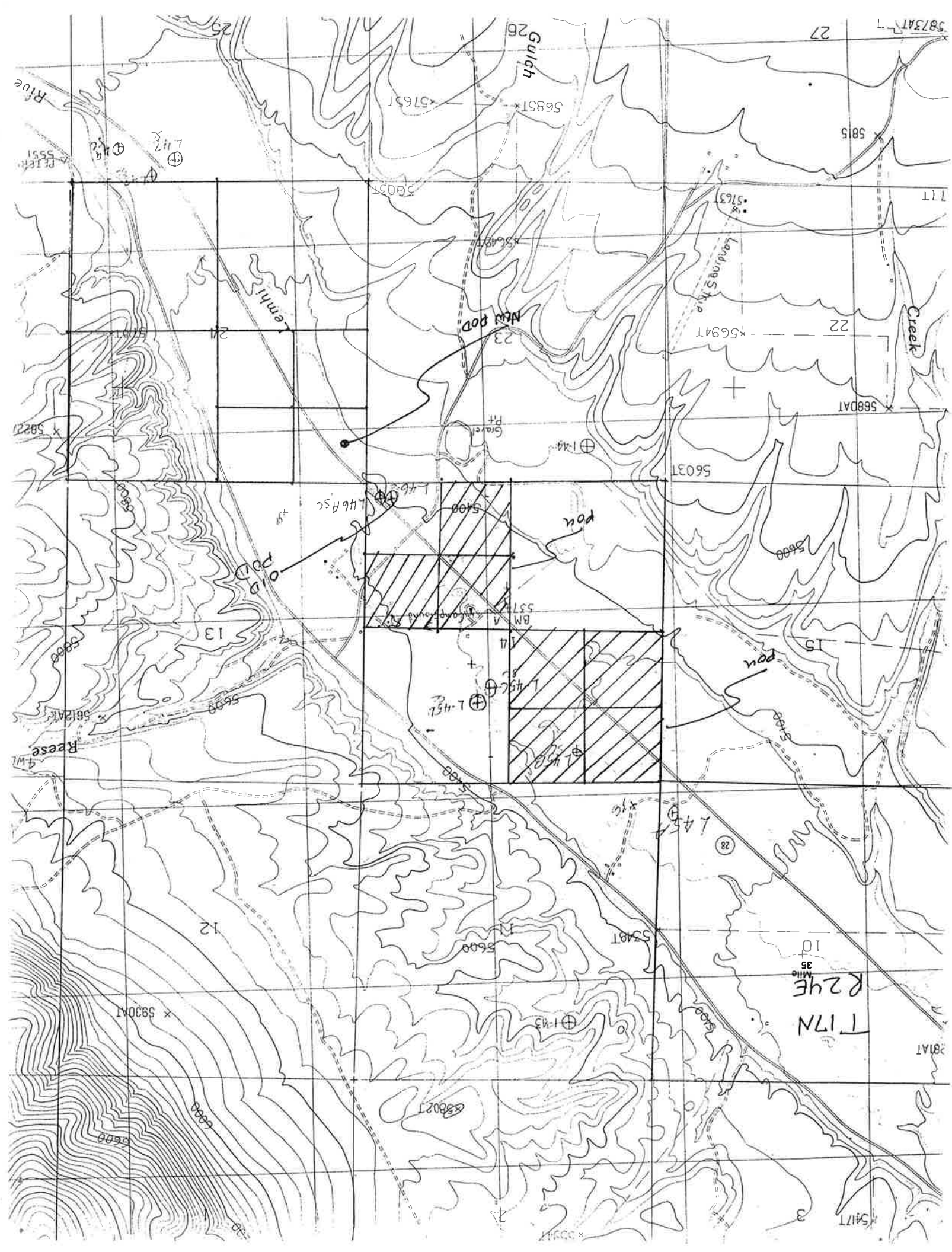
2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____



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.**

A large grid for drawing a map, with a circular stamp on the left side. The stamp is a circular seal with the text "IDAHO DEPARTMENT OF WATER RESOURCES" around the perimeter and "BOB KLEIN" in the center.

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

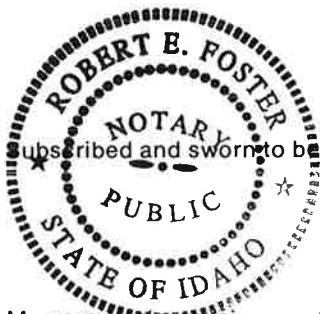
1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to _____
				to _____

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

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

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



Subscribed and sworn to before me this

27th

day of

March, 19 96

(Signature of Applicant)

Robert E. Foster

(Notary Public)

My commission expires

02-16-2001**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by WMDate 3/29/96

Protest filed by _____

Prelim. check by _____

Fee \$100.00Received by HUT #E01291Date 4-2-96Published in Recorder Herald

Copies of protest forwarded by _____

Pub. dates May 2 and 9, 1996

Hearing held by _____ Date _____

Watermaster recommendation requested on 4-29-96Recommended for ☐ approval ☐ denialWater Right 74 rec'd. _____

by _____

Copy of transfer sent to lien holder _____