

T4733 HARTVIGSON

MEMORANDUM

TO: FILE NO. 74-00716
FROM: PAM SKAGGS/^{CS}STATE OFFICE
SUBJECT: TRANSFER NO. 4733
DATE: April 8, 1996

RECEIVED

APR 17 1996

Department of Water Resources
Eastern District Office

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Transfer No. 4733 was filed to change the point of diversion under Right No. 74-00716. The reason for this change is to consolidate rights in a single lateral ditch, L-17, and eliminate diversion from another lateral ditch, L-16.

Season of use and diversion volume were adjusted to current standards. The high diversion rate decreed allows for conveyance losses through the lateral ditch delivery. The new point of diversion is near to the original point of diversion, but further away from the place of use. That portion of the right in excess of an inch per acre, 0.52 cfs, has been identified for conveyance purposes.

Recommended conditions include watermaster control, measuring device/lockable controlling works, irrigation overlap, right-of-way and standard transfer conditions.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4733
WATER RIGHT NO. 74-00716

RECEIVED

APR 17 1996

Department of Water Resources
Eastern District Office

This is to certify that: EUNICE HARTVIGSON
C/O Z R HARTVIGSON
746 KING ST
DENVER CO 80204

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	* 1.56 CFS	182.0 AF

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

Priority: 06/01/1895

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 14, Township 20N, Range 23E
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>
20N	23E	3	SWNE 8	NWSE 14	SWSE 17	52
			SESE 13			52
Total number of acres irrigated:						52

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.

TRANSFER NO. 4733
WATER RIGHT NO. 74-00716

CONDITIONS OF APPROVAL AND REMARKS

3. 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.
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.
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. A portion of Right No. 74-00716, 0.52 cfs, is limited to use for conveyance losses in delivery of this right.

Dated this 9th day of

April

19

96

J. Glen Saylor

Chief, Water Alloc. Bureau

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4233

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Eunice Hartvigson % Z.R. Hartvigson Phone (208) 756-2463 ^(Vicki Olson)Post Office address 746 King Street Denver, Co. 80204

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 change point of diversion to eliminate
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 |
|-----------------|-------------------|-----------------------|-------------------|------------------------------|
| <u>74-00716</u> | <u>06-01-1898</u> | <u>1.560 cfs</u> | <u>irrigation</u> | <u>03-15</u> to <u>11-15</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 1.560 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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	14	20N	23E	Lemhi	L-17

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	
20N	23E	03			08											14	17	13	52.0

Total acres 52.0

PART 1

6. General Information:

a. Description of diversion system Rock dam 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? X 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:

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 _____

Transfer No. _____

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. 74-00716 Decreed to Eunice Hartvigson
in case of STATE OF IDAHO vs. Eunice Hartvigson
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 06-01-1895

5. Water is used for the following purpose:

amount 1.560 cfs for irrigation purposes from 03-15 to 11-15
(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 1.560 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
		SW	SW	11	20N	23E	Lemhi	L-16

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	
20N	23E	03			08											14	17	13	52.0

Total acres 52.0

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

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.



_____ of _____

Transfer No. _____

PART 3

CHANGES IN NATURE OF USE

<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.

Eunice E Hartwigson
(Signature of Applicant)

Subscribed and sworn to before me this 25th day of September, 19 95.

Linda Buster
(Notary Public)

My commission expires 8-22-2000

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee \$100 # E021459

Receipted by HWT Date 8-31-95

Published in Recorder Herald Copies of protest forwarded by _____

Pub. dates 11-23 & 30-95 Hearing held by _____ Date _____

Watermaster recommendation requested on 11-20-95 Recommended for ☐ approval ☐ denial

Water list 74 rec'd. _____ by _____

Copy of transfer sent to lien holder _____