

T4700 JOHNSON / HATMAKER

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4700
WATER RIGHT NO. 34-07140

RECEIVED
FEB 02 1998
Department of Water Resources
Eastern Region

This is to certify that: **JOAN JOHNSON**
WALTER H JOHNSON
SALLY RAE JOHNSON
DIANE HATMAKER
6139 TRAIL CREEK RD
MACKAY ID 83251

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	2.96 CFS	518.0 AF
STOCKWATER	01/01 to 12/31	0.07 CFS	4.1 AF
	Totals	3.03 CFS	522.1 AF

SOURCE

GROUNDWATER

Priority: 04/01/1976

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 2, Township 08N, Range 21E
CUSTER 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>
08N	21E	2	SWNE 5	NESW 33	NWSW 21	
			NESE 36	NWSE 40	SESE 13	148
Total number of acres irrigated:						148

PLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>
08N	21E	2
		NWSW

CONDITIONS OF APPROVAL AND REMARKS

1. Rights 34-00097, 34-00099, 34-07140 and 34-10250 when combined shall not exceed a total diversion rate of 9.72 cfs, a total annual diversion volume of 1207.5 af at the field headgate, and the irrigation of 345.0 acres.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 34.

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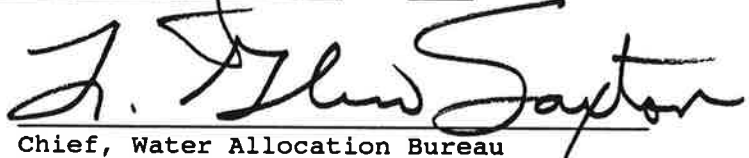
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
6. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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.
10. The quantity of water under Right 34-07140 for stockwater use shall not exceed 13,000 gallons per day.
11. The quantity of water decreed for Right 34-07140 for stockwater use is not a determination of historical beneficial use.

Dated this

29th day of

January

, 1998.


Chief, Water Allocation Bureau

MEMORANDUM

TO: FILE 34-07104

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER 4700

DATE: January 27, 1998

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Transfer 4700 changes the place of use under Right 34-07140. Companion Transfer 4701 changes the place of use under surface water Rights 34-00097, 34-00099 and 34-10250 that cover a larger 345 acre place of use that includes the acres described under Right 34-07140.

The transfers were filed in an effort to remove the rights from BLM land and resolve problems with the recommendations of the SRBA. Earlier review was not possible due to recommendations of these decreed rights including expansion statutes. Carter Fritschle recently notified me that the transfer could now be processed using the reformatted "R" records and requested that we proceed to resolve the BLM land issue.

The reformatted recommendation identified the total acres under Right 34-07140 as 136 instead of the original 148. Review of the records by adjudication staff confirmed that 148 acres are the correct number of authorized acres under this right.

Recommended conditions include watermaster control, measuring device & lockable controlling works, irrigation overlap, supplemental groundwater, combined right limits, SRBA stockwater conditions and standard transfer conditions.