

T5004 STOECKLEIN

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Easter
RECEIVED

MAR 06 2000

TRANSFER OF WATER RIGHT

AMENDED

AMENDED

Department of Water Resources
Eastern Region

TRANSFER NO. 5004
WATER RIGHT NO(S) . 34-00699C/34-00700C/34-00701C/34-00702C
34-00703C/34-00704C

This is to certify that: WALTER STOECKLEIN
DAVID R STOECKLEIN
SHELLEY STOECKLEIN
MARY J STOECKLEIN
PO BOX 856
KETCHUM ID 83340

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>
Right No. 34-00699C :			
Priority: 06/01/1885			
IRRIGATION	05/01 to 10/15	0.15 CFS	26.3 AF
RECREATION	05/01 to 10/15	0.01 CFS	1.7 AF
RECREATION STORAGE	01/01 to 12/31		1.7 AF
SUBTOTAL:		0.16 CFS	28.0 AF
Right No. 34-00700C :			
Priority: 05/01/1905			
IRRIGATION	05/01 to 10/15	0.36 CFS	63.7 AF
RECREATION	05/01 to 10/15	0.01 CFS	1.7 AF
RECREATION STORAGE	01/01 to 12/31		1.7 AF
SUBTOTAL:		0.37 CFS	65.5 AF
Right No. 34-00701C :			
Priority: 07/01/1916			
IRRIGATION	05/01 to 10/15	1.13 CFS	198.5 AF
RECREATION	05/01 to 10/15	0.04 CFS	7.0 AF
RECREATION STORAGE	01/01 to 12/31		7.0 AF
SUBTOTAL:		1.17 CFS	205.5 AF
Right No. 34-00702C :			
Priority: 05/01/1910			
IRRIGATION	05/01 to 10/15	0.41 CFS	72.9 AF
RECREATION	05/01 to 10/15	0.01 CFS	1.7 AF
RECREATION STORAGE	01/01 to 12/31		1.7 AF
SUBTOTAL:		0.42 CFS	74.6 AF

TRANSFER NO. 5004
 WATER RIGHT NO(S). 34-00699C/34-00700C/34-00701C/34-00702C
 34-00703C/34-00704C

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 34-00703C :			
Priority: 06/01/1890			
IRRIGATION	05/01 to 10/15	0.77 CFS	134.7 AF
RECREATION	05/01 to 10/15	0.03 CFS	5.3 AF
RECREATION STORAGE	01/01 to 12/31		5.3 AF
SUBTOTAL:		0.80 CFS	140.0 AF
Right No. 34-00704C :			
Priority: 05/01/1905			
IRRIGATION	05/01 to 10/15	0.51 CFS	90.0 AF
RECREATION	05/01 to 10/15	0.02 CFS	3.5 AF
RECREATION STORAGE	01/01 to 12/31		3.5 AF
SUBTOTAL:		0.53 CFS	93.5 AF
TRANSFER TOTAL:		3.45 CFS	* 553.0 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
Right No. 34-00699C/34-00700C/34-00701C/34-00702C :	
BIG LOST RIVER	SINKS

Right No. 34-00703C/34-00704C :	
WARM SPRINGS CREEK	BIG LOST RIVER

LOCATION OF POINT(S) OF DIVERSION:

Right No. 34-00699C/34-00700C/34-00701C/34-00702C :

Injection	SWNW , Sec. 15, Township 08N, Range 21E
Rediversion	SWNW , Sec. 27, Township 08N, Range 22E
	SESW , Sec. 26, Township 08N, Range 22E

Right No. 34-00703C/34-00704C :

NWNE , Sec. 35, Township 08N, Range 22E
 CUSTER County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08N 22E 35	NENE 40	NWNE 40		80
36	NENW 38	NWNW 35		73
Total number of acres irrigated:				* 153 **

PLACE OF USE: RECREATION

<u>TWN RGE SEC</u>	<u>ACRES</u>
08N 22E 36	NWNW

TRANSFER NO. 5004
WATER RIGHT NO(S). 34-00699C/34-00700C/34-00701C/34-00702C
34-00703C/34-00704C

CONDITIONS OF APPROVAL AND REMARKS

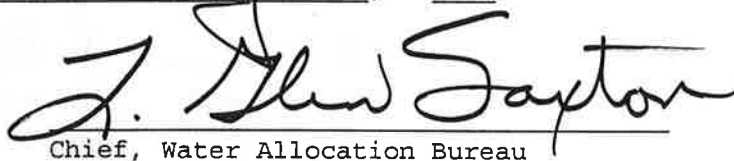
1. Use of water under this water right will be regulated by the watermaster of State Water District No. 34.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. The period of use for irrigation and recreation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the watermaster for Water District 34.
- ** 7. Right 34-00699C is limited to the irrigation of 7.5 acres within the place of use described above in a single irrigation season.
- ** 8. Right 34-00700C is limited to the irrigation of 18.2 acres within the place of use described above in a single irrigation season.
- ** 9. Right 34-00701C is limited to the irrigation of 56.7 acres within the place of use described above in a single irrigation season.
- ** 10. Right 34-00702C is limited to the irrigation of 20.8 acres within the place of use described above in a single irrigation season.
- ** 11. Right 34-00703C is limited to the irrigation of 38.5 acres within the place of use described above in a single irrigation season.
- ** 12. Right 34-00704C is limited to the irrigation of 25.7 acres within the place of use described above in a single irrigation season.
- * 13. Rights 34-00699C, 34-00700C, 34-00701C, 34-00702C, 34-00703C and 34-00704C when combined shall not exceed a total annual maximum diversion volume of 553.0 af at the field headgate, and the irrigation of 153.0 acres.
14. The first year that water is diverted to recreation storage, the irrigation use under these combined rights shall be limited to 3.16 cfs, 145.1 acres and 508.0 afa.
15. The reduction of irrigation during the first year will provide the additional storage volume to fill the pond when combined with the 17.5 af associated with the 5.0 acres no longer irrigated.

TRANSFER NO. 5004
WATER RIGHT NO(S). 34-00699C/34-00700C/34-00701C/34-00702C
34-00703C/34-00704C

CONDITIONS OF APPROVAL AND REMARKS

16. Measuring devices are required at the point of injection into and the point of redirection from Warm Springs Creek identified under Rights 34-00699C, 34-00700C, 34-00701C and 34-00702C.
17. Approval of Transfer 5004 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
18. This approval is specifically conditioned upon the terms and limitations contained in the Stipulation, Settlement, and Joint Motion for Order filed with the Department on October 12, 1999, In the Matter of Application for Permit No. 34-07591, In the Name of L&S Partners, numerous other captioned matters and the Preliminary Order of the Department issued on November 18, 1999. This approval is subject to any future modifications resulting from or required by the terms of that Stipulation, the Preliminary Order of the Department, and the actions taken pursuant thereto.

Dated this 28th day of February, 2000.


Chief, Water Allocation Bureau

MEMORANDUM

TO: Rights 34-00699C, 34-00700C, 34-00701C, 34-00702C, 34-00703C & 34-00704C

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5004

DATE: February 18, 2000

Transfer 5004 changes a portion of the above referenced irrigation rights into recreation and recreation storage for a pond. All the uses are served by a common system per the applicant.

The proposed pond will have a 45 af capacity with 5 acre surface area. 5 acres will cease being irrigated to provide the annual consumptive use for the pond and an annual diversion volume of 17.5 af. The initial filling of the pond will require an additional reduction in irrigation of 7.9 acres to provide the remaining 27.5 af of water to fill the pond.

Recommended conditions include watermaster control, measuring & lockable device, irrigation overlap, permissible place of use limits, combined right limits, initial pond fill limitations, measuring devices at the points of injection and redirection of Big Lost River rights, right-of-way and standard transfer conditions.

Change in Nature of Use Evaluation

Combined Rts.	Rate	Acres	Div. Vol.	C.U. Vol.
Before	3.45 cfs	158.0	553.0 afa	395.0 afa
After	3.33 cfs	153.0	535.5 afa	382.5 afa
	0.12 cfs	(5.0)	17.5 afa	12.5 afa
	3.45 cfs	Pond & 153.0	553.0 afa	395.0 afa

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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FEB 28 2000

Department of Water Resources
Eastern Region

TRANSFER OF WATER RIGHT

TRANSFER NO. 5004
WATER RIGHT NO(S). 34-00699C/34-00700C/34-00701C/34-00702C
34-00703C/34-00704C

This is to certify that: **WALTER STOECKLEIN**
DAVID R STOECKLEIN
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<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 34-00699C :			
Priority: 06/01/1885			
IRRIGATION	05/01 to 10/15	0.15 CFS	26.3 AF
RECREATION	05/01 to 10/15	0.01 CFS	1.7 AF
RECREATION STORAGE	01/01 to 12/31		1.7 AF
SUBTOTAL:		0.16 CFS	28.0 AF
Right No. 34-00700C :			
Priority: 05/01/1905			
IRRIGATION	05/01 to 10/15	0.36 CFS	63.7 AF
RECREATION	05/01 to 10/15	0.01 CFS	1.7 AF
RECREATION STORAGE	01/01 to 12/31		1.7 AF
SUBTOTAL:		0.37 CFS	65.5 AF
Right No. 34-00701C :			
Priority: 07/01/1916			
IRRIGATION	05/01 to 10/15	1.13 CFS	198.5 AF
RECREATION	05/01 to 10/15	0.04 CFS	7.0 AF
RECREATION STORAGE	01/01 to 12/31		7.0 AF
SUBTOTAL:		1.17 CFS	205.5 AF
Right No. 34-00702C :			
Priority: 05/01/1910			
IRRIGATION	05/01 to 10/15	0.41 CFS	72.9 AF
RECREATION	05/01 to 10/15	0.01 CFS	1.7 AF
RECREATION STORAGE	01/01 to 12/31		1.7 AF
SUBTOTAL:		0.42 CFS	74.6 AF

TRANSFER NO. 5004
 WATER RIGHT NO(S) . 34-00699C/34-00700C/34-00701C/34-00702C
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<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 34-00703C :			
Priority: 06/01/1890			
IRRIGATION	05/01 to 10/15	0.77 CFS	134.7 AF
RECREATION	05/01 to 10/15	0.03 CFS	5.3 AF
RECREATION STORAGE	01/01 to 12/31		5.3 AF
SUBTOTAL:		0.80 CFS	140.0 AF
Right No. 34-00704C :			
Priority: 05/01/1905			
IRRIGATION	05/01 to 10/15	0.51 CFS	90.0 AF
RECREATION	05/01 to 10/15	0.02 CFS	3.5 AF
RECREATION STORAGE	01/01 to 12/31		3.5 AF
SUBTOTAL:		0.53 CFS	93.5 AF
TRANSFER TOTAL:		3.45 CFS	* 553.0 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
Right No. 34-00699C/34-00700C/34-00701C/34-00702C :	
BIG LOST RIVER	SINKS

Right No. 34-00703C/34-00704C :	
WARM SPRINGS CREEK	BIG LOST RIVER

LOCATION OF POINT(S) OF DIVERSION:

Right No. 34-00699C/34-00700C/34-00701C/34-00702C :

Injection

SWNW , Sec. 15, Township 08N, Range 21E

Rediversion

SWNW , Sec. 27, Township 08N, Range 22E

SESW , Sec. 26, Township 08N, Range 22E

Right No. 34-00703C/34-00704C :

 NWNE , Sec. 35, Township 08N, Range 22E
 CUSTER County
PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08N 22E 35	NENE 40	NWNE 40		80
36	NENW 38	NWNW 35		73
Total number of acres irrigated:				* 153 **

PLACE OF USE: RECREATION

<u>TWN RGE SEC</u>	<u>ACRES</u>
08N 22E 36	NWNW

TRANSFER NO. 5004
WATER RIGHT NO(S) . 34-00699C/34-00700C/34-00701C/34-00702C
34-00703C/34-00704C

CONDITIONS OF APPROVAL AND REMARKS

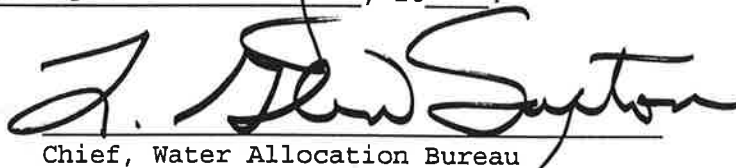
1. Use of water under this water right will be regulated by the watermaster of State Water District No. 34.
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5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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14. The first year that water is diverted to recreation storage, the irrigation use under these combined rights shall be limited to 3.16 cfs, 145.1 acres and 508.0 afa.
15. The reduction of irrigation during the first year will provide the additional storage volume to fill the pond when combined with the 17.5 af associated with the 5.0 acres no longer irrigated.

TRANSFER NO. 5004
WATER RIGHT NO(S). 34-00699C/34-00700C/34-00701C/34-00702C
34-00703C/34-00704C

CONDITIONS OF APPROVAL AND REMARKS

16. Measuring devices are required at the point of injection into and the point of redirection from Warm Springs Creek identified under Rights 34-00699C, 34-00700C, 34-00701C and 34-00702C.
17. Approval of Transfer 5004 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Dated this 22nd day of February, 2000


Chief, Water Allocation Bureau

MEMORANDUM

TO: Rights 34-00699C, 34-00700C, 34-00701C, 34-00702C, 34-00703C & 34-00704C

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5004

DATE: February 18, 2000

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RECEIVED

SO 11/30/99

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STATE OF IDAHO

5004

Transfer No. _____

Department of Water Resources
Eastern Region

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

Name of applicant Dave Stoecklein Phone (800)727-5191
Post Office address PO Box 356, Ketchum, ID 83340

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 Constructing a recreational pond for private use fishing

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

RIGHT NUMBER	PRIORITY	AMOUNT (cfs/ac-ft)	NATURE OF USE	PERIOD OF USE
<u>34-00703E</u>	<u>6/1/1890</u>	<u>0.025 0.03</u>	<u>Recreational</u>	<u>5/1 to 10/15</u>
<u>34-00704E</u>	<u>5/1/1905</u>	<u>0.016 0.02</u>	<u>"</u>	<u>" to "</u>
<u>34-00699E</u>	<u>6/1/1885</u>	<u>0.01</u>	<u>"</u>	<u>" to "</u>
<u>34-00700E</u>	<u>5/1/1905</u>	<u>0.01</u>	<u>"</u>	<u>" to "</u>
<u>34-00701E</u>	<u>7/1/1916</u>	<u>0.037 0.04</u>	<u>"</u>	<u>" to "</u>
<u>34-00702E</u>	<u>5/1/1910</u>	<u>0.01</u>	<u>"</u>	<u>" to "</u>

2. Total amount of water being transferred ~~0.11~~ 0.12 cubic feet per second and/or 12.5 acre-feet per annum.
3. Source of water Warm Springs Creek tributary to Big Lost River
4. Point(s) of Diversion: Big Lost River Sinks

[illegible]

5. Lands irrigated or place of use:

[illegible]

PART 1

6. General information:

a. Description of diversion system: Headgate, and weir are from an existing irrigation ditch.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ____
_ yes X 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:

The five acres previously irrigated will have the pond on it for recreation use

d. Remarks:

Applicant is giving up five acres and 12.5 af of consumptive use to install this pond of five surface acres and 45 af capacity.

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____.

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 34-00699C

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	05/01 to 10/15	0.16 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BIG LOST RIVER	SINKS

Priority: 06/01/1885

LOCATION OF POINT(S) OF DIVERSION:Injection
RediversionNESWNW , Sec. 15, Township 08N, Range 21E
SWSWNW , Sec. 27, Township 08N, Range 22E
SESESW , Sec. 26, Township 08N, Range 22E
CUSTER CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08N 22E 35	NENE 40	NWNE 40		80
36	NENW 38	NWNW 40		78
		Total number of acres irrigated:		158

CONDITIONS/REMARKS:

1. WATER DELIVERED THROUGH NEILSEN DITCH
POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM WARM SPRINGS CREEK.
2. THE AMOUNT OF WATER DIVERTED FROM WARM SPRINGS CREEK SHALL BE REDUCED WHERE NECESSARY TO PREVENT INJURY TO APPROPRIATORS OF WATER DOWNSTREAM FROM THE POINT OF REDIVERSION.
3. USE OF THIS RIGHT WITH RIGHT NOS. 34-00700C, 34-00701C, 34-00702C, 34-00703C, AND 34-00704C IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 395 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 158 ACRES IN A SINGLE IRRIGATION SEASON.

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

E

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

1. amount 0.01 cfs for Irrigation purposes from 5/01 to 10/15
 (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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SW	NW	15	8N	21E	Custer	

3. 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	
8N	22E	36					5												5

Total acres 5

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

D

1. amount 0.15 cfs for Irrigation purposes from 5/01 to 10/15
 (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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SW	NW	15	8N	21E	Custer	

3. 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	
8N	22E	35	40	40															80
		36					38	35											73

Total acres 153

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 34-00700C

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	05/01 to 10/15	0.37 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BIG LOST RIVER	SINKS

Priority: 05/01/1905

LOCATION OF POINT(S) OF DIVERSION:Injection
RediversionNESWNW , Sec. 15, Township 08N, Range 21E
SWSWNW , Sec. 27, Township 08N, Range 22E
SESESW , Sec. 26, Township 08N, Range 22E
CUSTER CountyPLACE 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	22E	35	NENE 40	NWNE 40		80
		36	NENW 38	NWNW 40		78
Total number of acres irrigated:						158

CONDITIONS/REMARKS:

1. WATER DELIVERED THROUGH NEILSEN DITCH.
2. POINT OF INJECTION INTO WARM SPRINGS CREEK.
3. POINT OF REDIVERSION FROM WARM SPRINGS CREEK.
4. THS AMOUNT OF WATER DIVERTED FROM WARM SPRINGS CREEK SHALL BE REDUCED WHERE NECESSARY TO PREVENT INJURY TO APPROPRIATORS OF WATER DOWNSTREAM FROM THE POINT OF REDIVERSION.
5. USE OF THIS RIGHT WITH RIGHT NOS. 34-00699C, 34-00701C, 34-00702C, 34-00703C, AND 34-00704C IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 395 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 158 ACRES IN A SINGLE IRRIGATION SEASON.

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

E

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

1. amount 0.01 cfs for Irrigation purposes from 5/01 to 10/15
 (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
	NE	SW	NW	15	8N	21E	Custer	

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	
8N	22E	36						5											5

Total acres 5

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

D

1. amount 0.363 cfs for Irrigation purposes from 5/01 to 10/15
 (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
	NE	SW	NW	15	8N	21E	Custer	

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	
8N	22E	35	40	40															80
		36					38	35											73

Total acres 153

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 34-00701C

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	05/01 to 10/15	1.17 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BIG LOST RIVER	SINKS

Priority: 07/01/1916

LOCATION OF POINT(S) OF DIVERSION:Injection
RediversionNESWNW , Sec. 15, Township 08N, Range 21E
SWSWNW , Sec. 27, Township 08N, Range 22E
SESESW , Sec. 26, Township 08N, Range 22E
CUSTER CountyPLACE 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	22E	35	NENE 40	NWNE 40		80
		36	NENW 38	NWNW 40		78
Total number of acres irrigated:						158

CONDITIONS/REMARKS:

1. WATER DELIVERED THROUGH NEILSEN DITCH.
2. POINT OF INJECTION INTO WARM SPRINGS CREEK.
3. POINT OF REDIVERSION FROM WARM SPRINGS CREEK.
4. THE AMOUNT OF WATER DIVERTED FROM WARM SPRINGS CREEK SHALL BE REDUCED WHERE NECESSARY TO PREVENT INJURY TO APPROPRIATORS OF WATER DOWNSTREAM FROM THE POINT OF REDIVERSION.
5. USE OF THIS RIGHT WITH RIGHT NOS. 34-00699C, 34-00700C, 34-00702C, 34-00703C, AND 34-00704C IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 395 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 158 ACRES IN A SINGLE IRRIGATION SEASON.

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 0.04 for Irrigation purposes from 5/01 to 10/15
 (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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SW	NW	15	8N	21E	Custer	

3. 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	
8N	22E	36					5												5

Total acres 5

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

1. amount 1.133 for Irrigation purposes from 5/01 to 10/15
 (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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SW	NW	15	8N	21E	Custer	

3. 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	
8N	22E	35	40	40															80
		36					38	35											73

Total acres 153

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 34-00702C

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	05/01 to 10/15	0.42 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BIG LOST RIVER	SINKS

Priority: 05/01/1910

<u>LOCATION OF POINT(S) OF DIVERSION:</u>	
Injection	NESWNW , Sec. 15, Township 08N, Range 21E
Rediversion	SWSWNW , Sec. 27, Township 08N, Range 22E
	SESESW , Sec. 26, Township 08N, Range 22E
	CUSTER County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08N 22E 35	NENE 40	NWNE 40		80
36	NENW 38	NWNW 40		78
		Total number of acres irrigated:		158

CONDITIONS/REMARKS:

1. WATER DELIVERED THROUGH NEILSEN DITCH.
2. POINT OF INJECTION INTO WARM SPRINGS CREEK.
3. POINT OF REDIVERSION FROM WARM SPRINGS CREEK.
4. THE AMOUNT OF WATER DIVERTED FROM WARM SPRINGS CREEK SHALL BE REDUCED WHERE NECESSARY TO PREVENT INJURY TO APPROPRIATORS OF WATER DOWNSTREAM FROM THE POINT OF REDIVERSION.
5. USE OF THIS RIGHT WITH RIGHT NOS. 34-00699C, 34-00700C, 34-00701C, 34-00703C, AND 34-00704C IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 395 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 158 ACRES IN A SINGLE IRRIGATION SEASON.

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 0.01 for Irrigation purposes from 5/01 to 10/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: E

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SW	NW	15	8N	21E	Custer	

3. 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	
8N	22E	36					5												5

Total acres 5

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

1. amount 0.416 cfs for Irrigation purposes from 5/01 to 10/15
 (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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SW	NW	15	8N	21E	Custer	

3. 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	
8N	22E	35	40	40															80
		36					38	35											73

Total acres 153

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Claim No. 34-00703C

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	05/01 to 10/15	0.80 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
WARM SPRINGS CREEK	BIG LOST RIVER

Priority: 06/01/1890

LOCATION OF POINT(S) OF DIVERSION:SWNWNE , Sec. 35, Township 08N, Range 22E
CUSTER CountyPLACE 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	22E	35	NENE 40	NWNE 40		80
		36	NENW 38	NWNW 40		78
Total number of acres irrigated:						158

CONDITIONS/REMARKS:

1. USE OF THIS RIGHT WITH RIGHT NOS. 34-00699C, 34-00700C, 34-00701C, 34-00702C, AND 34-00704C IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 395 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 158 ACRES IN A SINGLE IRRIGATION SEASON.
2. RIGHT NO. 34-00704C IS ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.

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

E

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

1. amount 0.03 cfs for Irrigation purposes from 5/01 to 10/15
 (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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NW	NE	35	8N	22E	Custer	

3. 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	
8N	22E	36					5												5

Total acres 5

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

D

1. amount 0.77 cfs for Irrigation purposes from 5/01 to 10/15
 (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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NW	NE	35	8N	22E	Custer	

3. 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	
8N	22E	35	40	40															80
		36					38	35											73

Total acres 153

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 34-00704C

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	05/01 to 10/15	0.53 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
WARM SPRINGS CREEK	BIG LOST RIVER

Priority: 05/01/1905

LOCATION OF POINT(S) OF DIVERSION: SWNWNE , Sec. 35, Township 08N, Range 22E
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	22E	35	NENE 40	NWNE 40		80
		36	NENW 38	NWNW 40		78
Total number of acres irrigated:						158

CONDITIONS/REMARKS:

1. USE OF THIS RIGHT WITH RIGHT NOS. 34-00699C, 34-00700C, 34-00701C, 34-00702C, AND 34-00703C IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 395 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 158 ACRES IN A SINGLE IRRIGATION SEASON.
2. RIGHT NO. 34-00703C IS ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.

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 0.02 cfs for Irrigation purposes from 5/01 to 10/15
 (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
	SW	NW	NE	35	8N	22E	Custer	

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	
8N	22E	36					5												5

Total acres 5

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

1. amount 0.513 cfs for Irrigation purposes from 5/01 to 10/15
 (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
	SW	NW	NE	35	8N	22E	Custer	

3. Lands irrigated or place of use:

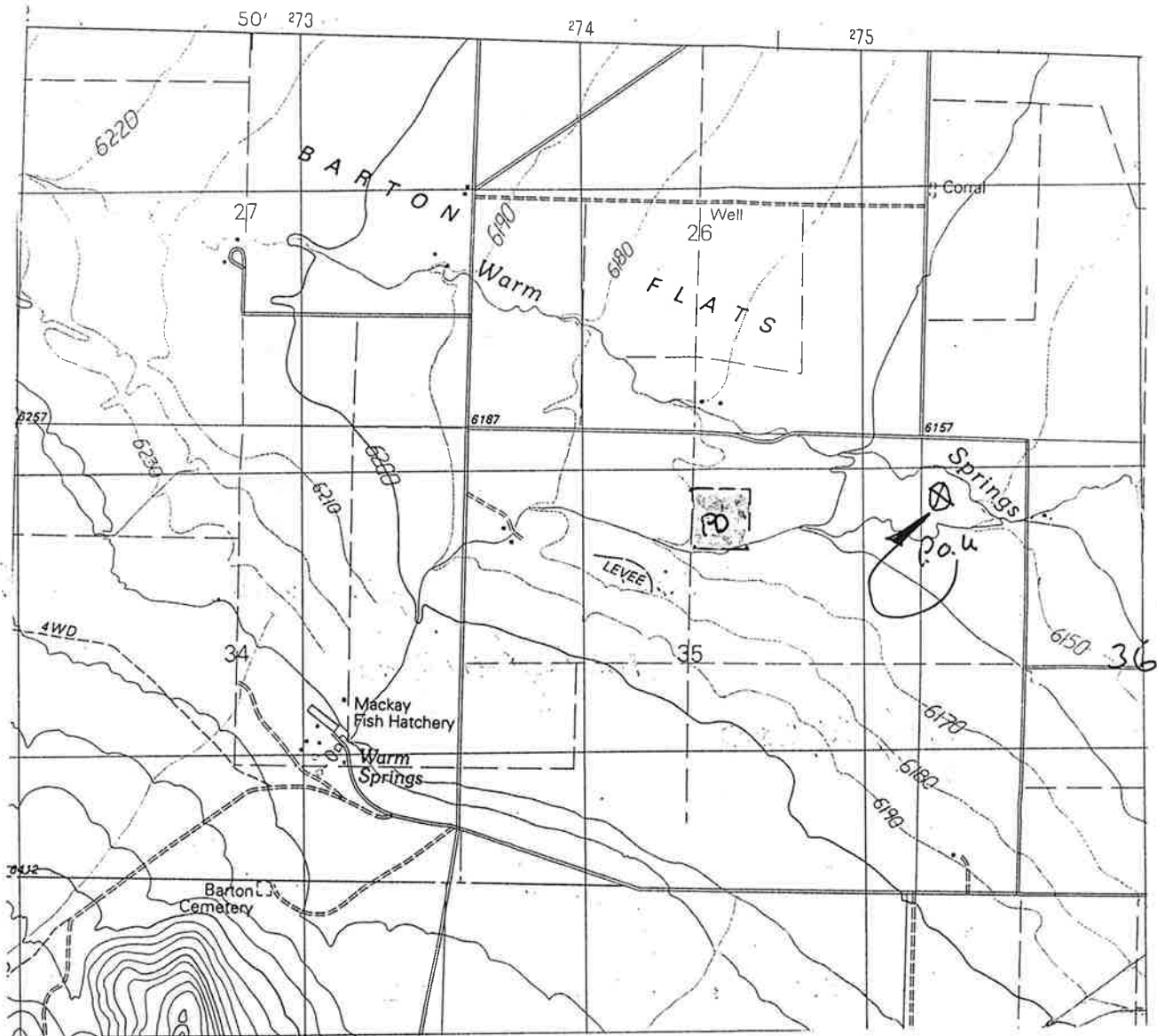
Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8N	22E	35	40	40															80
		36					38	35											73

Total acres 153

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.



Lehman Butte Quad.

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

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>Recreation</u>	<u>0.11 cfs</u>	<u>24 hrs / day</u>	<u>5-01 to 10-15</u>
				to

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

This is just a part of the existing irrigation system.

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

N.A.

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 13th day of January, 1997

(Signature of Applicant)



(Notary Public)

My commission expires July 20, 2000

FOR DEPARTMENT USE ONLYTransfer contains 16 pages and attachmentsReceived by HWT Date 11-7-96 1-28-97Prelim. check by Fee \$100.00Receipted by HWT # E022726 Date 11-7-96Published in Challis MessengerPub. dates February 20 & 27, 1997Watermaster recommendation requested on 2-18-1997Water Dist #34Nancy Rosenkrance rec'd.Protest filed by Copies of protest forwarded by Hearing held by Date Recommended for ☒ approval ☐ denialby EDCCopy of transfer sent to lien holder