

T4903 PLAYER

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

RECEIVED

JAN 26 1998

Department of Water Resources
Eastern Region

TRANSFER NO. 4903
WATER RIGHT NO(S). 34-00513B/34-00514B/34-00515B/34-00560B

This is to certify that: **A GORDON PLAYER**
PO BOX 266
SUN VALLEY ID 83353

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>
Right No. 34-00513B :		
RECREATION	05/01 to 10/15	0.04 CFS
Priority: 09/03/1888		
Right No. 34-00514B :		
RECREATION	05/01 to 10/15	0.05 CFS
Priority: 09/03/1882		
Right No. 34-00515B :		
RECREATION	05/01 to 10/15	0.04 CFS
Priority: 07/01/1904		
Right No. 34-00560B :		
RECREATION	05/01 to 10/15	0.04 CFS
Priority: 05/01/1905		
TOTAL:		0.17 CFS

SOURCE

CHERRY CREEK

TRIBUTARY OF

ANTELOPE CREEK

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 32, Township 05N, Range 24E
CUSTER County

PLACE OF USE: RECREATION

TWN RGE SEC

04N 24E 5

NWSE

TRANSFER NO. 4903
WATER RIGHT NO(S). 34-00513B/34-00514B/34-00515B/34-00560B

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. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. 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.
6. Rights 34-00513B, 34-00514B, 34-00515B and 34-00560B when combined shall not exceed a total annual diversion volume of 15.0 af.

Dated this 21st day of

January, 1998



Chief, Water Allocation Bureau

MEMORANDUM

TO: FILES 34-00513, 34-00514, 34-00515 & 34-00560

FROM: PAM SKAGGS²⁸/STATE OFFICE

SUBJECT: TRANSFERS 4298 & 4903

DATE: January 15, 1998

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These two transfers were held up due to a combination of SRBA problems. The rights were recently reformatted and Susan Hamlin of the adjudication staff advised that the transfers could be processed using the new recommendations.

The transfers were processed concurrently splitting each of the affected rights into Parts A under Transfer 4298 describing the irrigation portion of the right and Parts B under Transfer 4903 providing a recreational flow rate to a pond being developed under Application for Permit 34-07580. The application is also being processed at this time.

The original rights provided irrigation to 445 acres, a portion of which had apparently been developed on BLM land. BLM provided a letter agreeing to the removal of the 27 acres on their land. Tax notices & the Custer County Assessor's office provided proof of ownership of both the original and new places of use. The transfer changes the place of use to reflect only the applicant's land and his preferred acres. The approval identifies 439 total acres, having removed the 6 acres used to provide a recreation flow under Transfer 4903.

Irrigation season of use was recommended as a non-standard season and remains the same. Diversion volume identified according to current standards and the recreation use limited to the consumptive use associated with the 6 acre pond as identified on the application.

Recommended conditions include watermaster control, measuring devices, lockable controlling works, irrigation overlap, combined limits and standard transfer conditions.

100 Fee

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4903APPLICATION FOR TRANSFER OF WATER RIGHT RECEIVED
PART 1

AUG 21 1996

Name of applicant Gordon Player Phone (208) 225-5055Post Office address PO Box 266, Sun Valley ID 83353

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 | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|------------------|------------------|--------------------|---------------------|-----------------------------|
| <u>34-00560B</u> | <u>5/01/1905</u> | <u>0.043 cfs</u> | <u>Recreational</u> | <u>5-01</u> to <u>10-15</u> |
| <u>34-00515B</u> | <u>7/01/1904</u> | <u>0.043</u> | <u>Recreational</u> | <u>5-01</u> to <u>10-15</u> |
| <u>34-00514B</u> | <u>9/03/1882</u> | <u>0.043</u> | <u>Recreational</u> | <u>5-01</u> to <u>10-15</u> |
| <u>34-00513B</u> | <u>9/03/1888</u> | <u>0.043</u> | <u>Recreational</u> | <u>5-01</u> to <u>10-15</u> |
2. Total amount of water being transferred 0.17 cubic feet per second and/or 15 acre-feet per annum.
3. Source of water Cherry Creek tributary to Antelope Creek
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NW	SW	32	5N	24E	Custer	

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	
4N	24E	5														R			6

Total acres 6

PART 1

6. General Information:

- a. Description of diversion system Headgate, weir and ditch to pond and exit back to ditch
for irrigation.
- 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 six ^{Acres} ~~areas~~ previously irrigated will have the pond on it for recreation use.
- d. Remarks:
Applicant is giving up six acres and 15 af of consumptive use to install this pond
of six surface acres and 50 af capacity. Also see Attachment "A" reference the
BLM trespass acres.

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)

1. 34-00513

A. DESCRIPTION OF RIGHT AS RECORDED

2. 34-00514

1. Right evidenced by: 3. 34-00515

a. ~~XXXXXX~~ 4. 34-00560 ~~XXXXXX~~ SRBA Recommendation

in case of _____ vs. _____

dated _____ in _____ county of _____

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 Cherry Creek tributary to Antelope Creek

4. Date or priority _____

5. Water is used for the following purpose:

1. amount 3.20 cfs for Irrigation purposes from 5-01 to 10-15

2. (cfs/ac-ft) amount 3.20 cfs for Irrigation purposes from 5-01 to 10-15

3. (cfs/ac-ft) amount 3.20 cfs for Irrigation purposes from 5-01 to 10-15

4. (cfs/ac-ft) amount 3.20 cfs for Irrigation purposes from 5-01 to 10-15

6. Total amount of water under right 12.80 cubic feet per second and/or 1112.5 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	30	5N	24E	Custer	
		SE	NE	31				
		SE	NE					
		NE	NW					
		NW	SW	32				

8. 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	
4N	24E	4											33						33
		5		8	26		36	5		17	2				8	35	23	40	200
		8	5																5
		9						25											25
5N	24E	31	8	19	6	30									21			17	101
		32									3	30	33	15					81

Total acres 445

9. Describe any other water rights used for the same purpose as 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 0.043 cfs for Irrigation purposes from 5-01 to 10-15
2. (cfs/ac-ft) 0.043 for Irrigation purposes from 5-01 to 10-15
3. (cfs/ac-ft) 0.043 for Irrigation purposes from 5-01 to 10-15
4. amount 0.043 for Irrigation purposes from 5-01 to 10-15
5. (cfs/ac-ft) 0.043 Irrigation 5-01 10-15

2. Point(s) of Diversion: SEE LINE A-7 Adj. claim report

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	
4N	24E	5														6			6

Total acres 6

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

1. amount 3.157 cfs for Irrigation purposes from 5-01 to 10-15
2. (cfs/ac-ft) 3.157 cfs for Irrigation purposes from 5-01 to 10-15
3. (cfs/ac-ft) 3.157 cfs for Irrigation purposes from 5-01 to 10-15
4. amount 3.157 cfs for Irrigation purposes from 5-01 to 10-15
5. (cfs/ac-ft) 3.157 cfs Irrigation 5-01 10-15

2. Point(s) of Diversion: SEE LINE A-7 Adj. claim Report

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

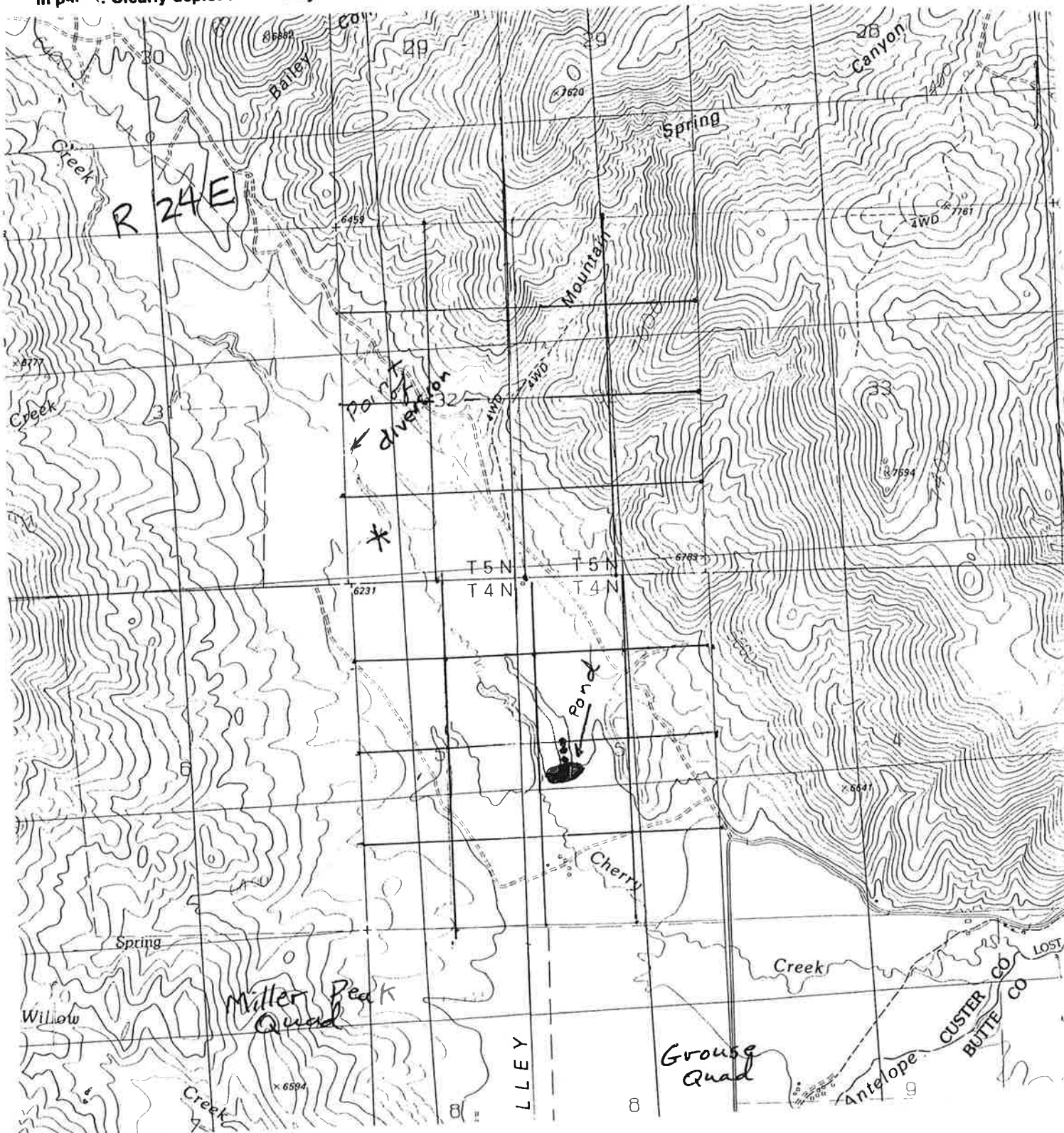
3. Lands irrigated or place of use:

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	
4N	24E	4											33						33
		5		8	26		36	5		17	2				8	29	23	40	194
		8	5																5
		9						25											25
5N	24E	31	8	19	6	30									21			17	101
		32									3	30	33						81

TOTAL ACRES 439

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.



PART 3

B. CHANGES IN NATURE OF USE

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 August 14 day of _____, 19 96.

(Signature of Applicant)

Alfred E. Vignone
(Notary Public)

My commission expires 3-9-99

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by HWT Date 8-21-96

Prelim. check by KCW Fee \$100.00

Receipted by HWT # E022503 Date 8-22-96

Protest filed by _____

Copies of protest forwarded by _____

Pub. dates _____

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☒ approval ☐ denial

_____ rec'd. _____

by RA

Copy of transfer sent to lien holder _____