

T5053 HARTMAN RANCH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5053
WATER RIGHT NO. 24-04015

RECEIVED

OCT 16 1997

Department of Water Resources
Eastern Region

This is to certify that: **HARTMAN RANCH LLC**
PO BOX 25177
JACKSON WY 83001

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	4.54 CFS	497.0 AF
RECREATION	04/15 to 10/15	0.46 CFS	31.5 AF
Totals		*5.00 CFS	528.5 AF

SOURCE

CROW CREEK

TRIBUTARY OF

SALT RIVER

Priority: 01/26/1903

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 22, Township 09S, Range 46E
SWNW , Sec. 22, Township 09S, Range 46E
CARIBOU 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>
09S	46E	15	SESW 15	NWSE 17	SWSE 35	67
		22	NWNE 19	NENW 19	NWNW 17	
			SWNW 20			75
Total number of acres irrigated:						142

PLACE OF USE: RECREATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>
09S	46E	22
		NENW

CONDITIONS OF APPROVAL AND REMARKS

1. 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.
2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

TRANSFER NO. 5053
WATER RIGHT NO. 24-04015

CONDITIONS OF APPROVAL AND REMARKS

3. 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this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. 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.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- *6. The total instantaneous diversion of water from all points of diversion under Transfer No. 5053 shall not exceed 5.00 cfs, nor total combined annual volume of 528.5 af at the field headgate.
7. Approval of Transfer No. 5053 does not confirm claimed Right No. 24-04015.

Dated this 10th day of October, 1997.

J. Glen Saxton
Chief, Water Allocation Bureau

MEMORANDUM

TO: FILE NO. 24-04015
 FROM: PAM SKAGGS²⁸/STATE OFFICE
 SUBJECT: TRANSFER NO. 5053
 DATE: September 11, 1997

ok

Transfer No. 5053 changes the place and nature of use under Right No. 24-04015. The irrigated acres are shifted slightly and a new QQ is added. Nine acres will cease irrigation to compensate for the new recreation use through 2 ponds.

This right is a statutory claim with a high rate of diversion. The rate is split disproportionately between the remaining irrigation and the recreation use. Season of use and diversion volume were identified at current standards. The recreation use is limited to the diversion volume available from the 9 acres taken out of production.

Recommended conditions include non-confirmation of claim, irrigation overlap, multiple points of diversion/measuring devices and standard transfer conditions.

<u>Change in Nature of Use Evaluation</u>				
Original				
24-04015	5.00 cfs	IRR	151 acres	(528.5 afa)
After Transfer				
24-04015	4.54 "	IRR	142 "	497.0 "
	0.46 "	REC	(9 ")	31.5 "
Totals	5.00 cfs		142 acres	528.5 afa

$$\frac{5.0}{151} = 0.033 \frac{\text{cfs}}{\text{Ac}}$$

$$\frac{4.54}{142} = 0.032 \frac{\text{cfs}}{\text{Ac}}$$

SRBA will validate this claim when they adjudicate
 Res. 24 rights

APPLICATION FOR TRANSFER OF WATER RIGHT

Name of applicant Hartman Ranch LLC Eastern Region Phone (307) 739-2224
Post Office address PO BOX 25177 Jackson, WY 83001

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 Correct point of diversion
2. Describe the reason for the proposed changes We wish to make 2 wildlife habitat ponds. This is in conjunction with the HIP Program with ID Fish & Game. We will give up portions of the irrigation rights and change the nature of use to recreation.

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>24-04015B</u> | <u>1/26/1903</u> | <u>0.46 cfs</u> | <u>Recreation</u> | <u>4-01</u> to <u>10-31</u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
| <u>24-04015A</u> | <u>1/26/1903</u> | <u>4.54 cfs</u> | <u>Irrigation</u> | <u>4-01</u> to <u>10-31</u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
| 2. Total amount of water being transferred | | <u>5.00 cfs</u> | cubic feet per second and/or | <u>49</u> acre-feet per annum. |
| 3. Source of water | | <u>Crow Creek</u> tributary to <u>Salt River</u> | | |
| 4. Point(s) of Diversion: | | | | |

[illegible]

5. Lands irrigated or place of use:

[illegible]

TOTAL

142

PART 1

6. General Information:

a. Description of diversion system _____

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ 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:
14 Acres of irrigated ground will be excavated and used as wildlife habitat ponds.

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 _____.

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

Water Right No. 24-04015

STAGE: STATUTORY CLAIM

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	05/01 to 08/01	5.00 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
CROW CREEK	SALT RIVER

Priority: 01/26/1903

LOCATION OF POINT(S) OF DIVERSION:NENW , Sec. 22, Township 09S, Range 46E
SWNW , Sec. 22, Township 09S, Range 46E
CARIBOU 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>
09S	46E	15	SESW 21	SWSE 15		36
		22	NWNE 32	NENW 39	NWNW 17	115
			SWNW 27			151

Total number of acres irrigated: 151

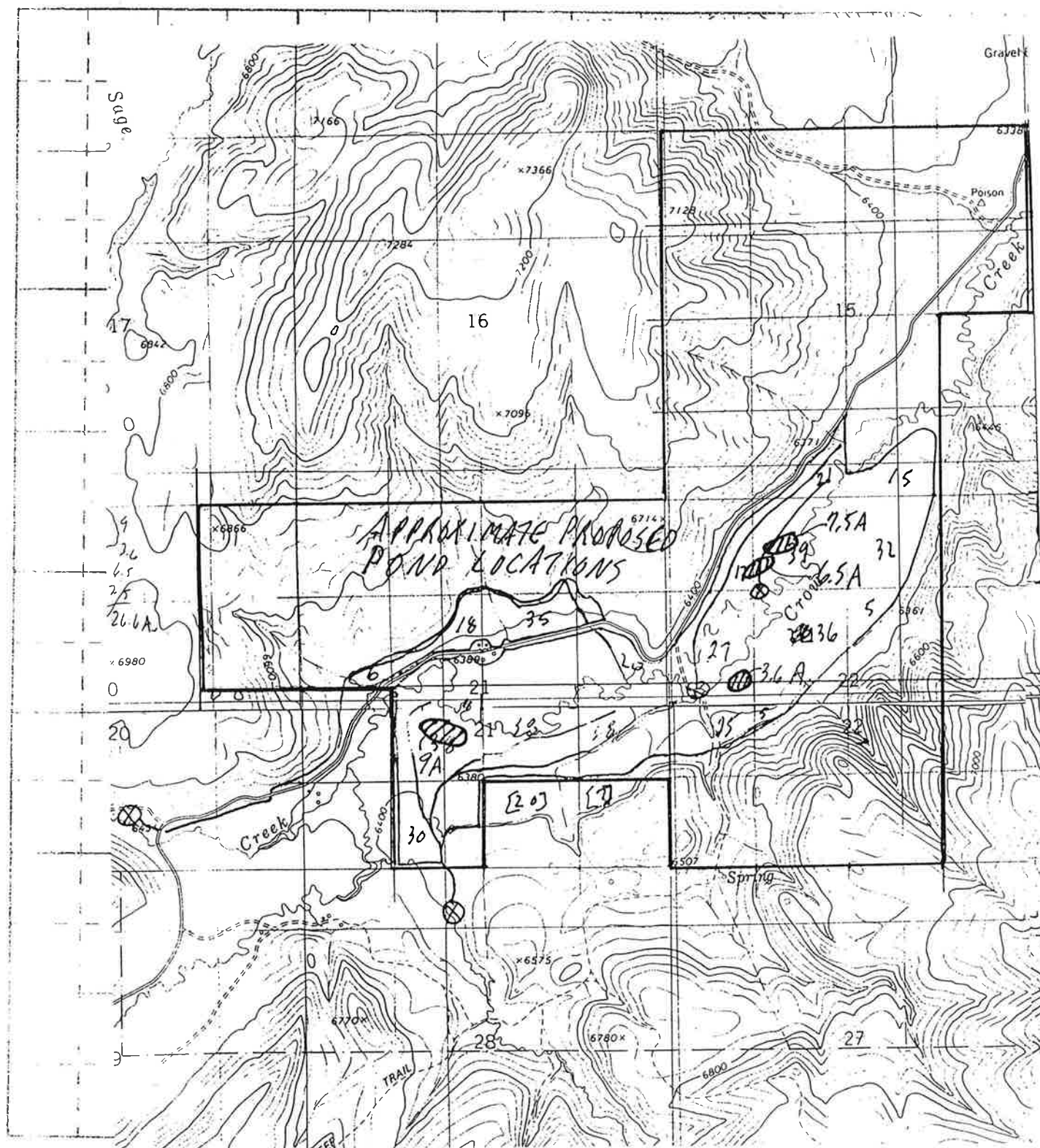
CONDITIONS/REMARKS:

CROW CREEK



**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.**



SCALE: 2 inches equal 1 mile. Draw plan in ink.

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

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	<u>Recreation</u>	<u>0.46 cfs</u>	<u>24 hrs/day</u>	<u>4-01</u> to <u>10-31</u>
				to

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

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

The total amount of irrigated acres will be reduced by 14 acres.

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.

W. E. Stanton Carroll A. Smith
(Signature of Applicant)

Subscribed and sworn to before me this 11 day of March, 19 97.



Carol A. Smith
(Notary Public)
1-8-98

FOR DEPARTMENT USE ONLYTransfer contains 5 pages and _____ attachmentsReceived by HWT Date 3-12-97 Protest filed by _____Prelim. check by KW Fee \$100.00Receipted by HWT #E023009 Date 3-12-97

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____