

T5362 BUREAU OF LAND MANAGEMENT

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

AMENDED

TRANSFER NO. 5362
WATER RIGHT NO. 32-07157

AMENDED

RECEIVED

MAR 17 2000

Department of Water Resources
Eastern Region

This is to certify that: US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK DR
IDAHO FALLS ID 83401

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>
STOCKWATER	06/01 to 10/15	0.02 CFS	1.8 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
WEBBER CREEK	MEDICINE LODGE CREEK

Priority: 04/07/1987

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 15, Township 12N, Range 32E
CLARK County

PLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	
12N	32E	13	NENE
		14	NENE
		15	SENE

CONDITIONS OF APPROVAL AND REMARKS

1. The quantity of water decreed for this water right is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 32C.
3. Diversion of water from Webber Creek is limited to those times water is available for diversion under this right and priority from the original source, a spring tributary to Webber Creek located within NWNWNE, S14, T12N, R32E.
4. Prior to diversion of water from Webber Creek, the right holder shall obtain approval of the diversion means or structure from the watermaster.

TRANSFER NO. 5362
WATER RIGHT NO. 32-07157

CONDITIONS OF APPROVAL AND REMARKS

5. Approval of Transfer 5362 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.
9. Right 32-07157 also includes incidental use of water for wildlife.
10. The point of diversion and place of use are also known as Webber Creek Pipeline and BLM Record ID No. 3203588081.

Dated this 13th day of March, 1900


Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Eastern AJ
1WATRS shows NAP
filed.

TRANSFER OF WATER RIGHT

TRANSFER NO. 5362
WATER RIGHT NO. 32-07157

This is to certify that: US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK DR
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STOCKWATER	06/01 to 10/15	0.02 CFS	1.8 AF
<u>SOURCE</u>	<u>TRIBUTARY OF</u>		
WEBBER CREEK	MEDICINE LODGE CREEK		

Priority: 04/07/1987

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 15, Township 12N, Range 32E
CLARK County

PLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	
12N	32E	13	NENE
		14	NENE
		15	SENW
			NENW

CONDITIONS OF APPROVAL AND REMARKS

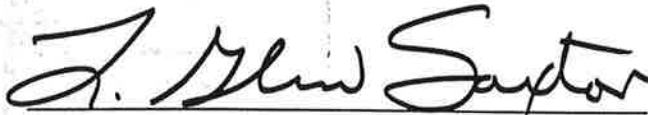
1. The quantity of water decreed for this water right is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 32C.
3. The right holder shall maintain a measuring 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. Diversion of water from Webber Creek is limited to those times water is available for diversion under this right and priority from the original source, a spring tributary to Webber Creek located within NWNWNE, S14, T12N, R32E.

TRANSFER NO. 5362
WATER RIGHT NO. 32-07157

CONDITIONS OF APPROVAL AND REMARKS

5. Prior to diversion of water from Webber Creek, the right holder shall obtain approval of the diversion means or structure from the watermaster.
6. Approval of Transfer 5362 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
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. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.
10. Right 32-07157 also includes incidental use of water for wildlife.
11. The point of diversion and place of use are also known as Webber Creek Pipeline and BLM Record ID No. 3203588081.

Dated this 18th day of October, 1999.


Chief, Water Allocation Bureau

MEMORANDUM

TO: File 32-07157

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5362

DATE: October 14, 1999

Transfer 5362 changes the point of diversion, place of use and source under Right 32-07157. This right has been recommended in the SRBA similarly to the original license. The transfer application reflects changes to the right to resolve an objection to the recommendation by the right holder.

The transfer proposes to change the source from a spring tributary to Webber Creek to a point of diversion located in Section 15, T12N, R32E, directly from Webber Creek. The place of use is changed to reflect GPS corrections, to include a trough located in Section 15, T12N, R32E, add a second trough in Section 13, T12N, R32E, and remove the trough originally identified in Section 18, T12N, R33E.

The watermaster of Water District 32-C approved of the proposed change with specific concerns regarding the diversion. Recommended conditions include watermaster control, measuring device & lockable controlling works, diversion limited to water availability from the original source, diversion means subject to watermaster, right-of-way (Forest Service administered land), common grazing allotment limits, incidental wildlife use, non-confirmation of historical use, 13,000 gpd diversion limit, and standard transfer conditions.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

5362

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant U.S.D.I., Bureau of Land Management Phone (208) 524-7500Post Office address 1405 Hollipark Drive, Idaho Falls, Idaho 83401

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 GPS data indicates that the original legal locations claimed are incorrect.

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>32-07157</u>	<u>04/07/1987</u>	<u>0.02/1.0</u>	<u>Stockwater</u>	<u>June 1</u> to <u>Oct. 15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 0.02 cubic feet per second and/or 1.0 acre-feet per annum.

3. Source of water Spring tributary to Weber Creek

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NW	NE	14	12N	32E	Clark	Weber Creek Pipeline

5. 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	
12N	32E	13	S				S												

Total acres _____

PART 2

TRANS NO. 5362

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 32-07157

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	06/01 to 10/15	0.02 CFS	1.8 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
SPRING	WEBER CREEK

Priority: 04/07/1987

LOCATION OF POINT(S) OF DIVERSION: NWNWNE , Sec. 14, Township 12N, Range 32E
CLARK County

PLACE OF USE: STOCKWATERTWN RGE SEC

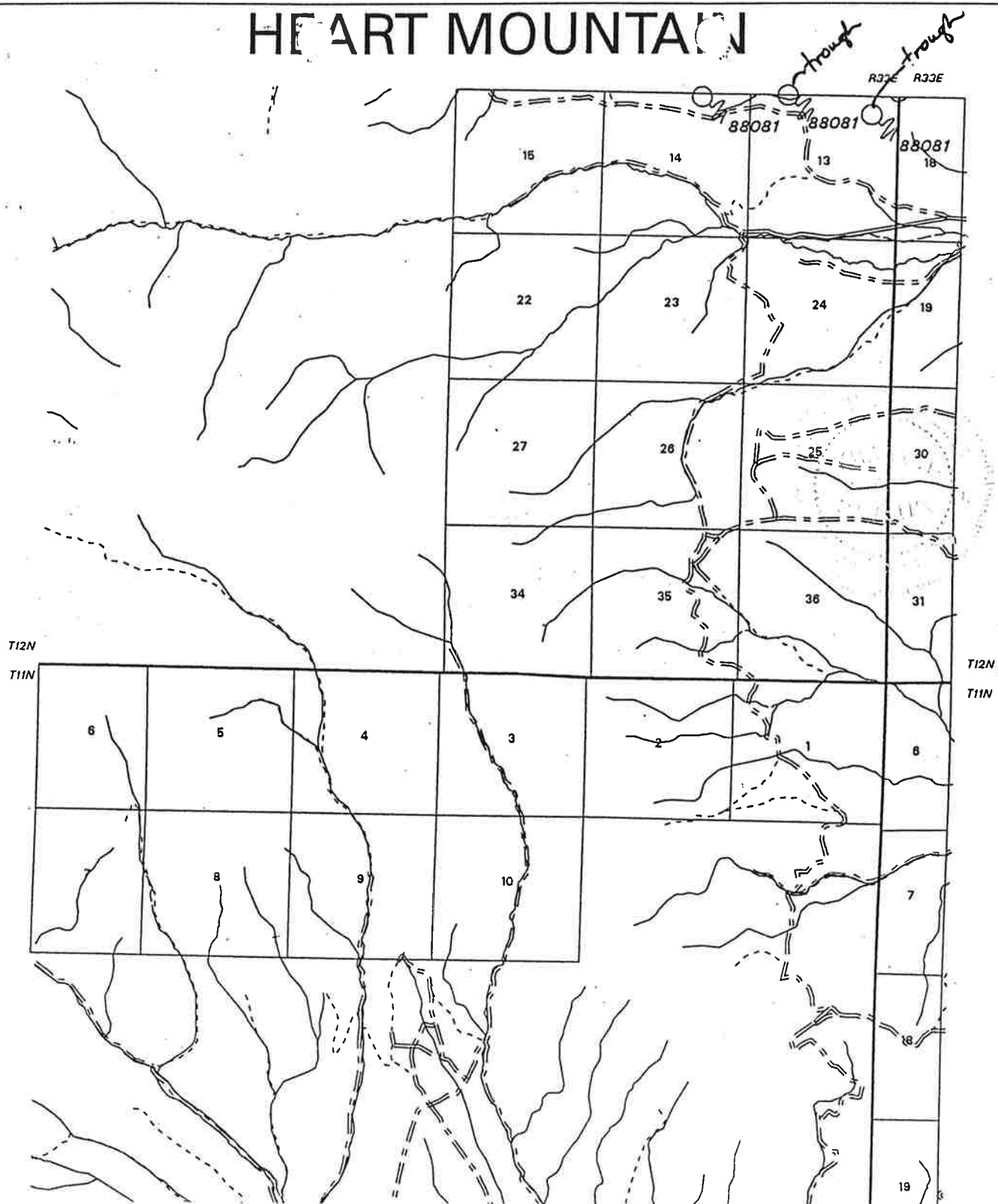
12N	32E	13	NENW
33E	18	Lot 1	(NWNW)

CONDITIONS/REMARKS:

1. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. BLM RECORD ID = 3203588081
310 RANGE CATTLE, 100 ANTELOPE, 75 DEER, 30 ELK, 5 MOOSE, GROUSE

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.



Protraction Diagram No 70 approved 2/24/1955

IDaho Falls District Sec 3

STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES

MT PLAT

[illegible]

1 012695 Cat PL 167 (Act of Cong 7/23/1755)
completed 4/3/1962. All NF surface Mgmt by USFS

1 2449 BLV D C1 Vult Gse, Clark County;
Secr from above "inn under Ell HE, 1A, & PS
All unappropriated exps. 1.70 = 1. in
Secs 1 to 3 Incl
Secs 10 to 13 Incl
Secs 24, 25
Sec 36

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
JUN 26 1973	

USE PLATS

4-266

75362