

T5309 HANSEN

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 5309
WATER RIGHT NO. 75-04417

RECEIVED
JUN 11 1999
Department of Water Resources
Eastern Region

This is to certify that: **JOANNE HANSEN**
HARRY HANSEN
6810 BIRDS LANDING RD
BIRDS LANDING CA 94512

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	1.16 CFS	203.0 AF
STOCKWATER	04/15 to 10/15	0.02 CFS	0.2 AF
Totals		* 1.16 CFS	* 203.2 AF

SOURCE

SALMON RIVER, NORTH FORK
STATE CREEK

TRIBUTARY OF

SALMON RIVER
SALMON RIVER, NORTH FORK

Priority: 11/13/1908

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 34, Township 27N, Range 21E
LEMHI 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>
26N	21E	3	NENW 10	SENW 4		14
27N	21E	34	SENW 5	NESW 23	SESW 16	44
Total number of acres irrigated:						58

PLACE OF USE: STOCKWATER, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

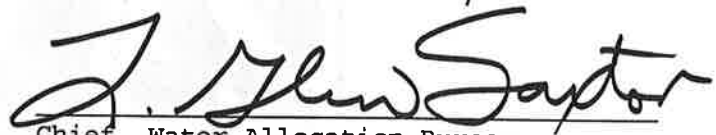
1. Use of water under this right may be affected by an agreement between the protestant and the right holder.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

TRANSFER NO. 5309
WATER RIGHT NO. 75-04417

CONDITIONS OF APPROVAL AND REMARKS

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. 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.
- * 7. The total instantaneous diversion of water from all points of diversion under Transfer 5309 shall not exceed 1.16 cfs, nor a total combined annual volume of 203.2 af.
8. The right holder shall comply with Forest Service recommendations to modify the existing diversion structure in the Salmon River, North Fork to allow for fish passage.
9. Approval of Transfer 5309 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
10. Approval of Transfer 5309 does not confirm Claimed Right 75-04417.
11. Two points of diversion are located within NENW, S34, T27N, R21E.

Dated this 8th day of June, 1999.


Chief, Water Allocation Bureau

MEMORANDUM

TO: File 75-04417

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5309

DATE: June 7, 1999

OK 

Transfer 5309 changes the place of use, and adds a second source and point of diversion under Right 75-04417. A second point of diversion from State Creek that is tributary to the original source of Salmon River, North Fork has been used for some time. The transfer will describe the right as currently used; no physical changes will be made.

Forest Service protested the transfer, and a conference was held to discuss concerns with the applicant. The protest was withdrawn predicated upon the inclusion of conditions addressing measuring devices and modification of the diversion structure to allow for fish passage.

Season of use and diversion volume were adjusted to current standards. Recommended conditions include multiple points of diversion/measuring devices, protest agreement, modification of diversion structure for fish passage, right-of-way, non-confirmation of claim, irrigation overlap and standard transfer conditions.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5309
RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1
JUL 27 1998
Department of Water Resources
Eastern Region

Name of applicant HARRY and/or JOANNE HANSEN Phone (707) 374-5192
Post Office address 6810 Birds Landing Rd Birds Landing CA 94512

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 Add Source
2. Describe the reason for the proposed changes Original claim had incorrect legal descriptions. Also State creek was added as a source when the North Fork diversion north of our property washed out

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>75-04417</u> | <u>11/13/1908</u> | <u>1.16 cfs</u> | <u>Irrigation</u> | <u>4/15</u> to <u>10/15</u> |
| <u>" "</u> | <u>" "</u> | <u>0.02</u> | <u>Stockwater</u> | <u>"</u> to <u>"</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 1.16 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Salmon River, North Fork tributary to Salmon River
State Creek Salmon River, North Fork
4. Point(s) of Diversion: _____

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	34	27N	21E	Lemhi	State Creek (new)
		NE	NW	34	27N	21E	Lemhi	Salmon River, North Fork

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	
26N	21E	3					10			4									14
27N	21E	34								5	23			16					44

Total acres 58

PART 1

6. General Information:

a. Description of diversion system A ditch from State Creek for upper 10
acres and a ditch from the North Fork for the lower
48 acres. (Flood irrigation)

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

N.A.

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

TRANS NO. 5309

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 75-04417

STAGE: STATUTORY CLAIM

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 11/01	1.30 CFS
STOCKWATER	04/01 to 11/01	CFS
Totals		1.30 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
SALMON RIVER, NORTH FORK	SALMON RIVER

Priority: 11/13/1908

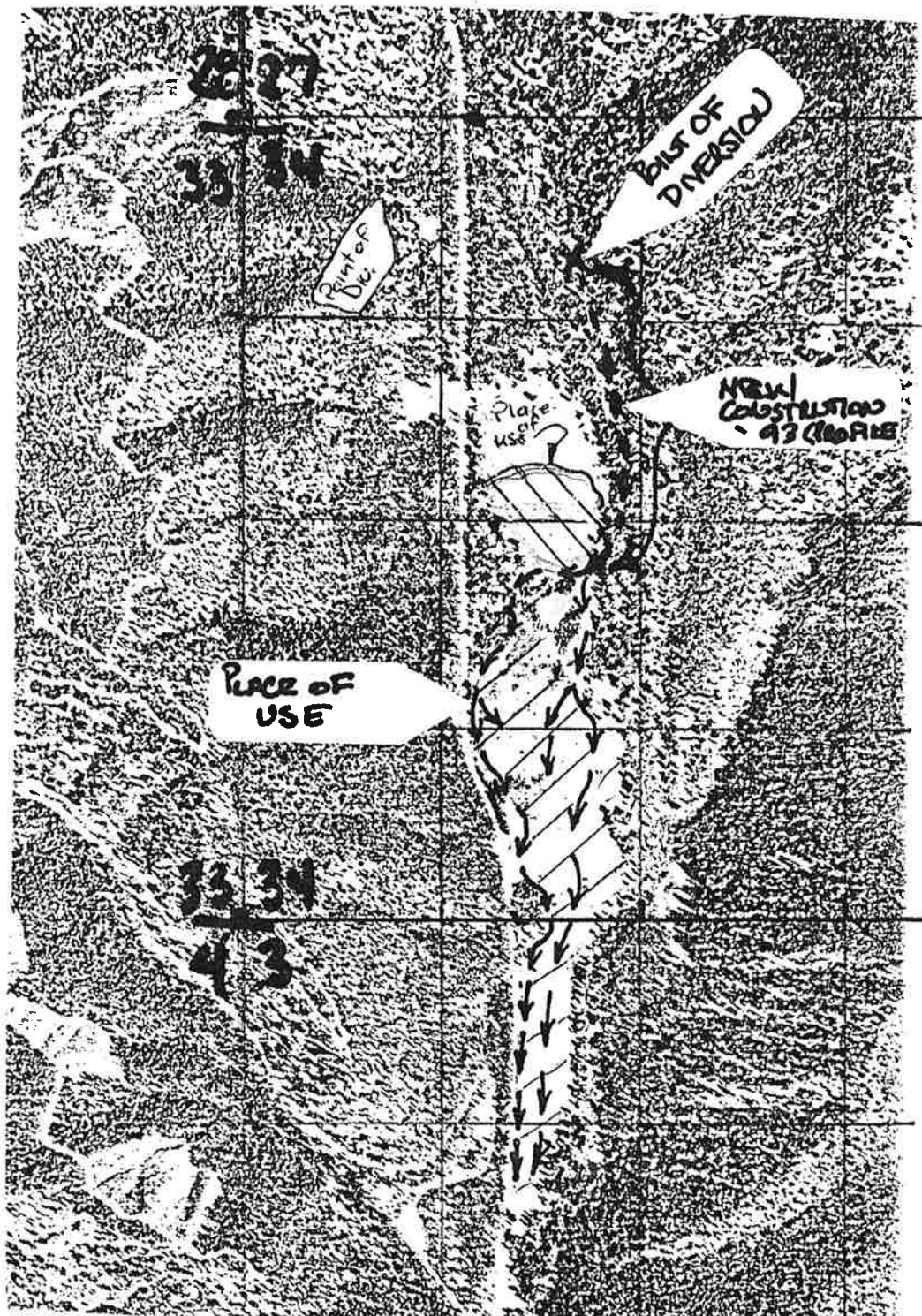
LOCATION OF POINT(S) OF DIVERSION:NENW , Sec. 34, Township 26N, Range 21E
LEMHI CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
26N	21E	3	NENW 12	SENW 11		23
		34	NESW 23	SESW 15		38
Total number of acres irrigated:						61

PLACE OF USE: STOCKWATER, same as IRRIGATION useCONDITIONS/REMARKS:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION 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

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>NA.</u>			to
				to

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

NA.

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

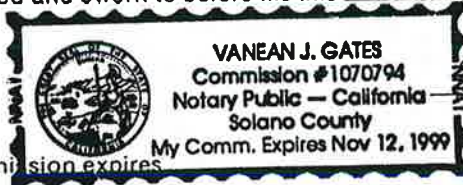
NA.

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.

Harry W. Hansen
(Signature of Applicant)

Subscribed and sworn to before me this 22nd day of July, 19 98.



Vanean J. Gates
(Notary Public)

My commission expires

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee \$100^{XX}

Receipted by Aut #E023904 Date 7-9-1998

Published in Recorder Herald Copies of protest forwarded by _____

Pub. dates Aug 6 & 13, 1998 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____