

T5252 AMY

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5252
WATER RIGHT NO(S). 33-00031M/33-00091E

RECEIVED
OCT 15 1998

Department of Water Resources
Eastern Region

This is to certify that: LEO AMY
1398 HWY 22-33
HOWE ID 83244

31P
DUE NEXT (SRBA)
AS 91D

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. 33-00031M :			
IRRIGATION	04/15 to 10/15	2.60 CFS	854.0 AF
Priority: 09/01/1879			
Right No. 33-00091E :			
IRRIGATION	04/15 to 10/15	0.70 CFS	254.1 AF
Priority: 06/01/1891			
TOTAL:		3.30 CFS	* 854.0 AF

SOURCE

LITTLE LOST RIVER

TRIBUTARY OF

SINKS

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 4, Township 05N, Range 29E
BUTTE 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>
05N	29E	2	Lot 4 (NWNW) 40.0	SWNW 40.0	SWSW 25.5	105.5
		3	SENE 39.0	SESE 24.5		63.5
		11	NENW 38.0	NWNW 37.0		75.0
Total number of acres irrigated:						* 244.0

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 33.
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.

TRANSFER NO. 5252
WATER RIGHT NO(S). 33-00031M/33-00091E

CONDITIONS OF APPROVAL AND REMARKS

3. 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.
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. 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.
- * 7. Rights 33-00031M and 33-00091E when combined shall not exceed a total annual maximum diversion volume of 854.0 af at the field headgate, and the irrigation of 244.0 acres.
8. Approval of Transfer 5252 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 8th day of October, 1998


Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 33-00031K & 33-00091C

FROM: Pam Skaggs^{PS}/State Office

SUBJECT: Transfer 5252

DATE: September 15, 1998

Transfer 5252 changes the point of diversion and place of use under portions of Rights 33-00031K (L & M) and 33-00091C (D & E), splitting each right.

The applicant is preparing for a sale of land and wants to rearrange the water rights for most efficient use. Transfer 5251 modified the groundwater right on his property. These rights have been claimed in the SRBA under different split suffixes as A33-00031P and A33-00091D. Adjudication records will be appropriately updated when the transfer approval is reviewed by SRBA staff.

Region staff failed to collect the watermaster comment for this surface water transfer. The transfer approval will be withheld from processing until the comment has been received. Season of use and diversion volume were adjusted to current standards. Recommended conditions include watermaster control, measuring & lockable device, irrigation overlap, right-of-way and standard transfer conditions.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 6252

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant Leo Amy Phone (208) 767-3418
Post Office address 1398 Hyway 22-33, Howe, ID 83244

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 I'm selling the ground and I want the water rights on the best place of use.

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>33-00091 E</u>	<u>06/01/1891</u>	<u>0.70 cfs</u>	<u>irrigation</u>	<u>04/15</u> to <u>10/15</u>
<u>33-00031 M</u>	<u>09/01/1879</u>	<u>2.60 cfs</u>	<u>irrigation</u>	<u>04/15</u> to <u>10/15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 3.30 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Little Lost River tributary to sinks
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	04	05N	29E	Butte	

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	
05N	29E	02						40	40				25.5						105.5
								L-4											
		03				39											24.5		63.5
		11					38	37											75

Total acres 244

PART 1

6. General Information:

a. Description of diversion system Diversion ditch to sprinkler & 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? ☒ 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:

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. 5252

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 33-00031K

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	5.54 CFS

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

Priority: 09/01/1879

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N 29E 2	NWNE	SWNE	SENE	
	NWNW	SWNW	NESW	
	SESW	NWSE	SWSE	
3	NENE	SENE	NESE	
	SESE			
08N 27E 3	Lot 2 (NWNE)	SWNE	SENE	
	Lot 3 (NENW)	Lot 4 (NWNW)	SWNW	
	SESW	NESW	SWSW	
	NESE	NWSE	SWSE	
	SESE			
11	NWNW			
09N 27E 34	NWSW	SWSW	SESW	

CONDITIONS/REMARKS:

1. AS PER TRANS. 2945.

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

33-00031M
(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 2.60 cfs for irrigation purposes from not listed to _____
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____
2. Point(s) of Diversion: Not Listed

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	
05N	29E	02						A	A										
								L-4											
		03													A			A	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*
33-00031L

1. amount 2.94 cfs for irrigation purposes from Not listed to _____
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____
2. Point(s) of Diversion: Not Listed

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	
05N	29E	02		A	A	A					A			A		A	A		
		03	A			A									A			A	
08N	27E	03		A	A	A	A	A	A	A			A		A	A	A	A	
				L-2			L3	L4											
		11						A											

34

A A A

Total acres _____

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 33-00091C

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	1.40 CFS
DOMESTIC	to	
	Totals	1.40 CFS

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

Priority: 06/01/1891

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>
05N	29E	11	NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SENW		

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

1. P/D NW1/4 S32 T5N R29E.

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 0.70 cfs for irrigation purposes from not listed to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion: Not Listed

33-00091E

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	
05N	29E	11					A	A											

Total acres _____

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

1. amount 0.70 cfs for irrigation purposes from not listed to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

33-00091D

2. Point(s) of Diversion: Not listed

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

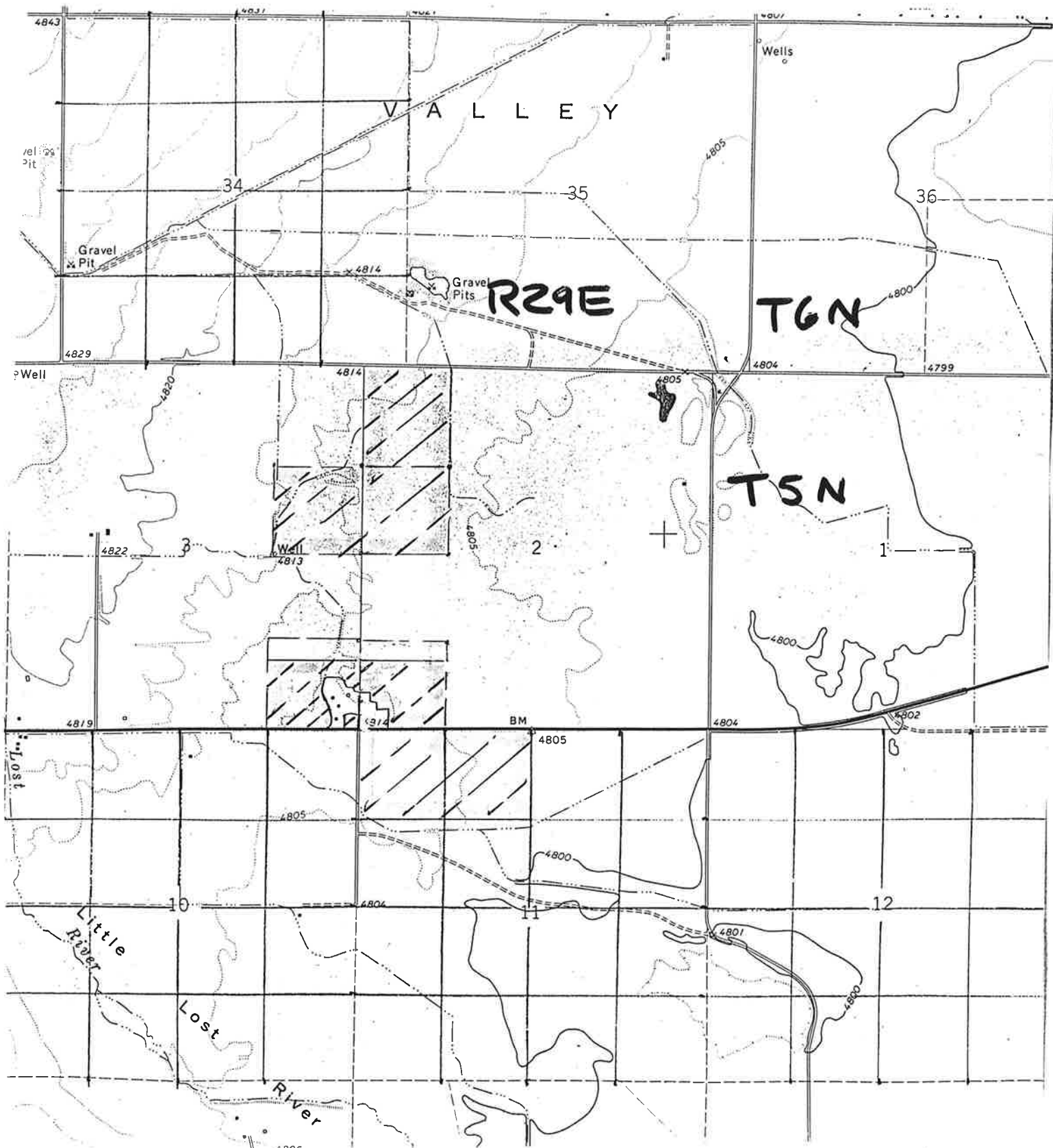
3. Lands irrigated or place of use:

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	
05N	29E	11	A	A	A	A			A	A									

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3



PART 3

B. CHANGES IN NATURE OF USE

1	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.

Leo D. Arroyo
(Signature of Applicant)

Subscribed and sworn to before me this 13th day of April, 19 98.

Richard H. Hill
(Notary Public)

My commission expires 8-2-99

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by AR Date 4-13-98 Protest filed by _____

Prelim. check by KW 4/13/98 Fee \$100⁰⁰ E024039 _____

Received by Alan Rubery Date 4-13-98 _____

Published in Area Advertiser Copies of protest forwarded by _____

Pub. dates April 23 & 30, 1998 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____