

T5415 FISHER

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 5415
WATER RIGHT NO. 74-00839

RECEIVED
FEB 28 2000
Department of Water Resources
Eastern Region

This is to certify that: PAUL E FISHER
WILMA C FISHER
RT 1 BOX 88
SALMON ID 83467

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	03/15 to 11/15	3.60 CFS	416.5 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
LEMHI RIVER	SALMON RIVER

Priority: 04/01/1878

LOCATION OF POINT(S) OF DIVERSION: SESE , Sec. 24, Township 21N, Range 22E
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>
21N	22E	14	SWNE 34	SENE 20	SENW 20	
			NESE 27	NWSE 18		119
Total number of acres irrigated:						119

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 74.
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. 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.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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CONDITIONS OF APPROVAL AND REMARKS

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.

Dated this 22nd day of February, 2000


Chief, Water Allocation Bureau

Memorandum

To: Transfer 5415

From: Kay Walker 

Date: 02/22/00

Re: Recommendations

Transfer No. 5415 was filed to change the location of the point of diversion. No other changes were identified. This transfer only identifies Rt. 74-00839 and changes the entire right so there are no splits involved.

I recommend approval of this transfer with the following conditions of approval:

R04 – Regulation by watermaster of WD74.

R43 – Measuring device and lockable controlling works to allow watermaster control of system.

R59 – Limitation of all rights when combined to 3.5 af per acre. I found no overlapping rights for the lands identified under this transfer in my review.

T07, T08 & T09 – Standard transfer conditions applied for rights claimed in SRBA which have not been finalized.

SO 4/16/99

Page 1 of 5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5415

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

RECEIVED

MAR 05 1999

Department of Water Resources
Eastern Region

Name of applicant Paul E. and/or Wilma C. Fisher Phone (208) 756-3733

Post Office address Route 1 Box 88 Salmon ID 83467

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
 ☐ Add diversion point(s)
 ☐ Change place of use
 ☐ Change nature of use
 ☐ Change period of use
 ☐ Other _____
- Describe the reason for the proposed changes elimination of one Lemhi River diversion by consolidation to improve fish passage and habitat as well as improving the effectiveness of the new point of diversion

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-----------------|-------------------|--------------------|-------------------|------------------------------|
| <u>74-00839</u> | <u>04-01-1878</u> | <u>3.60 cfs</u> | <u>irrigation</u> | <u>03-15</u> to <u>11-15</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
- Total amount of water being transferred 3.60 cfs cubic feet per second and/or _____ acre-feet per annum.
- Source of water Lemhi River tributary to Salmon River
- Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	24	21N	22E	Lemhi	L-6

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	
21N	22E	14			24	20				20					27	18			119.0

Total acres 119.0

PART 1**8. General Information:**

a. Description of diversion system Obermeyer bladder controlled diversion system
headgate with measuring device, fish ladder for fish passage

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:

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. 5415

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 74-00839

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/15 to 11/15	3.60 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
LEMHI RIVER	SALMON RIVER

Priority: 04/01/1878

LOCATION OF POINT(S) OF DIVERSION:NESE , Sec. 14, Township 21N, Range 22E
LEMHI CountyPLACE OF USE: IRRIGATION

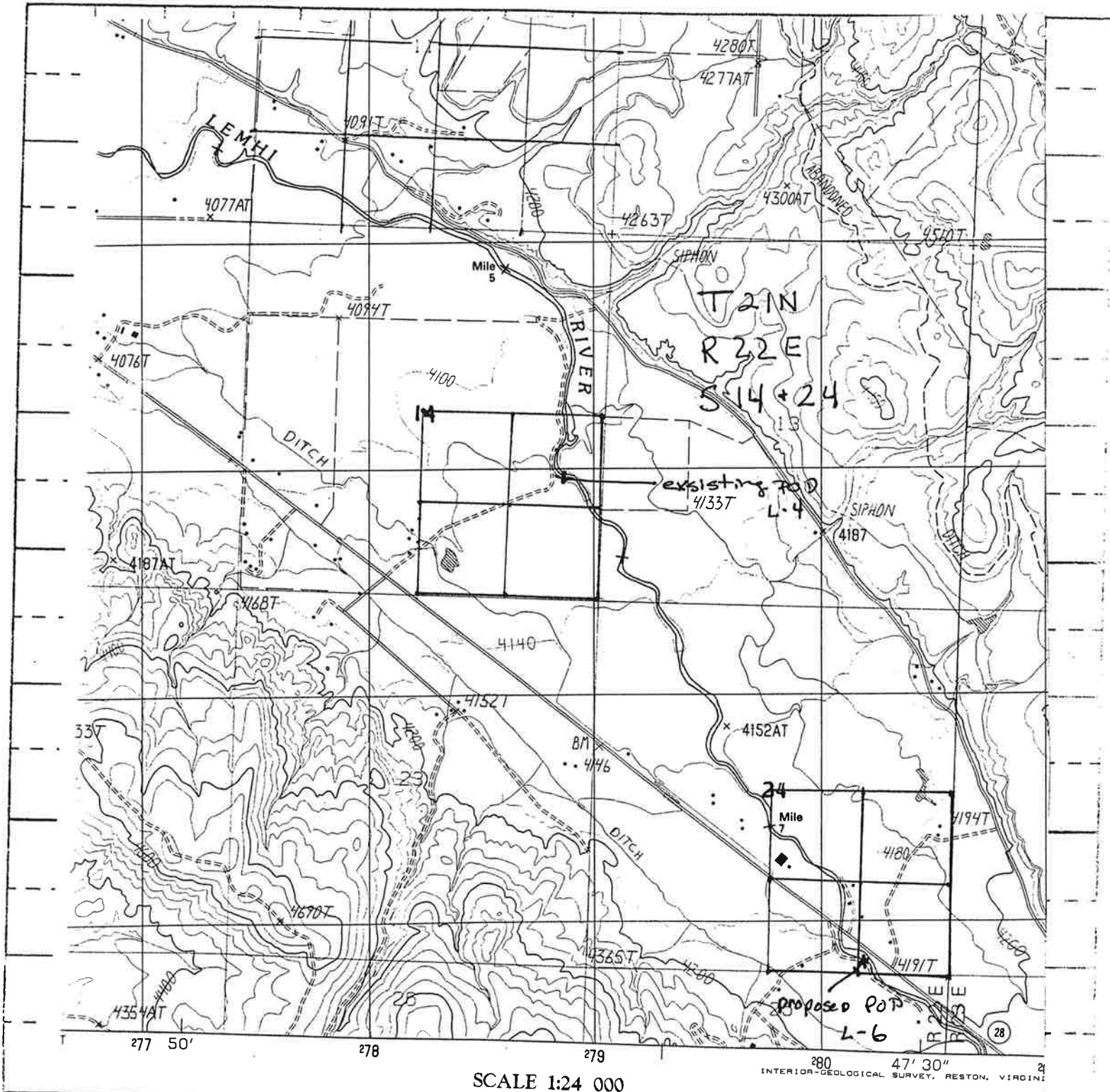
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
21N	22E	14	SWNE 34	SENE 20	SENE 20	119
			NESE 27	NWSE 18		119
Total number of acres irrigated:						119

CONDITIONS/REMARKS:

1. AC. IRR.=119.8.
2. DIV. L-4.
3. CHANGED FROM PROPOSED FINDING FILED WITH THE COURT PER COURT-AUTHORIZED STIPULATION.

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</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				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.



Paul E Fisher
(Signature of Applicant)

Subscribed and sworn to before me this 3RD day of March, 1999.

Robert E. Foster
(Notary Public)

My commission expires 2-16-2001

FOR DEPARTMENT USE ONLY

Transfer contains 5 pages and _____ attachments

Received by HWS Date 3-5-1999 Protest filed by _____

Prelim. check by _____ Fee #100.00 _____

Receipted by HWS # E024813 Date 3-5-1999 _____

Published in Recorder Herald Copies of protest forwarded by _____

Pub. dates March 18 & 25, 1999 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

01-99

State of Idaho
Department of Water Resources

RECEIVED
FEB 15 2000
Department of Water Resources
Eastern Region

RECOMMENDATION OF WATERMASTER

Application No: A 74-00839 TRANSFER # 5415

Applicant's Name: Paul +/or Wilma Fisher

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows: _____

- c) ☐ I oppose approval of this application for the following reasons: _____

- d) Additional Comment : _____

Dated this 11 day of FEB, 2000

Water District No: 74

Rick Soger
Watermaster's Signature

Use reverse side of page if you need more space.