

T5441 PROTESTED

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Vance or Sunny Hawley & the Estates of Phone (208) 524-7099
L.R. and Vance Hawley
 Post Office address 578 East 4900 South Idaho Falls, ID. 83404

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 To make the described & past places of use consistent with the current place of use. Also 19.3 acres of BLM trespass acres will be relocated.

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
See attached Sheet "A"				to _____
				to _____
				to _____
				to _____

- Total amount of water being transferred 21.86 cubic feet per second and/or _____ acre-feet per annum.
- Source of water Little Lost River tributary to sinks
Ground Water
- Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	14	6N	28E	Butte	Little Lost River
		SE	NE	14	"	"	"	(Groundwater) two wells
		NE	SE	14	"	"	"	two diversions (Groundwater)
		SE	NE	24	"	"	"	Little Lost River
		NW	SE	11	"	"	"	Little Lost R

5. Lands irrigated or place of use:

TWP	RGE	SEC	NE				NW				SW				SE				ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	28E	13							30	40	39	27	39	32		40	30	36	313
		14				38									38				76
		24	34	23	39	26	39	34.3		28				35	29	40	40	34	401.3
		25	32	40															72

TOTAL ACRES OF PERMISSIBLE PLACE OF USE = 862.3

PART 1

6. General Information:

- a. Description of diversion system Two headgates in Little Lost River and three wells.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes XX 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:
Two hundred acres formerly irrigated with waters from Little Lost River will no longer receive any water from Little Lost River. Water previously decreed to specific forty acre tracts will now be used on the entire farm.
- d. Remarks:
In approximately 1945, Applicant's predecessor used part of the decreed rights described herein to irrigate 200 acres (6N 29E, Section 14, SW1/4 of SW1/4 and 6N 29E, Section 15, SE1/4) without benefit of formal transfer. In 1989, said water was transferred back to described lands herein without formal transfer. Portions of both ground water and decreed water has been used on all the lands described in Part 2.
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 _____

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

[illegible]

PART 2

TRANS NO. 5441

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 33-00051

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	1.10 CFS

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

Priority: 01/01/1885

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N 28E 24	SWNE	SENE	SENE	
	SESW	NESE	SENE	
	SWSE	SESE ✓	NWSE	
25	NENE	NWNE ✓		

CONDITIONS/REMARKS:

1. P/D & P/U INCOMPLETE.

PART 2

TRANS NO. 5441

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 33-00052

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	2.80 CFS

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

Priority: 04/01/1887

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>
06N	28E	24	SWNE	SENE	SENE	
			SESW	NESE	NWSE	
			SWSE	SESE		
		25	NENE	NWNE		

CONDITIONS/REMARKS:

1. P/D & P/U INCOMPLETE.

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 33-00053

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	2.30 CFS

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

Priority: 06/01/1891

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N 28E 24	SWNE	SENE	SENW	
	SESW	NESE	NWSE	
	SWSE	SESE		
25	NENE	NWNE		

CONDITIONS/REMARKS:

1. P/D & P/U INCOMPLETE.

PART 2

TRANS NO. 5441

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 33-00054

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	1.00 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
SAW MILL CREEK	LITTLE LOST RIVER

Priority: 05/25/1891

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>
06N	28E	24	SWNE	SENE	SENE	
			SESW	NESE	NWSE	
			SWSE	SESE		
		25	NENE	NWNE		

CONDITIONS/REMARKS:

1. P/D & P/U INCOMPLETE.

PART 2

TRANS NO. 5441

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 33-00055

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	1.60 CFS

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

Priority: 04/01/1889

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>
06N	28E	13	SWSW	SESW		
		24	NWNE	NENW	NWNW	

CONDITIONS/REMARKS:

1. P/D & P/U INCOMPLETE.
2. DECREE SUPERCEDES TRANS. 67

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 33-00056

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	0.60 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>
06N	28E	13	SWSW	SESW		
		24	NWNE	NENW	NWNW	

CONDITIONS/REMARKS:

1. P/D & P/U INCOMPLETE.

PART 2

TRANS NO. 544

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 33-00057

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	1.00 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
SAW MILL CREEK	LITTLE LOST RIVER

Priority: 05/25/1891

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>
06N	28E	13	SWSW	SESW		
		24	NWNE	NENW	NWNW	

CONDITIONS/REMARKS:

1. P/D & P/U INCOMPLETE.

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 33-00058

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	0.60 CFS

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

Priority: 04/01/1888

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>
06N	28E	13	SWNW	NWSW		
		14	SWNE	SENE	NESE	

CONDITIONS/REMARKS:

1. P/D & P/U INCOMPLETE.

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 33-00059

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	1.60 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>
06N	28E	13	SWNW	NWSW		
		14	SWNE	SENE		

CONDITIONS/REMARKS:

1. P/D & P/U INCOMPLETE.

PART 2

TRANS NO. 5441

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 33-00060

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	1.00 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
SAW MILL CREEK	LITTLE LOST RIVER

Priority: 05/25/1891

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>
06N	28E	13	SWNW	NWSW		
		14	SWNE	SENE		

CONDITIONS/REMARKS:

1. P/D & P/U INCOMPLETE.

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 33-02101

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	8.26 CFS

SOURCE

GROUNDWATER

Priority: 07/12/1961

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 14, Township 06N, Range 28E
 NESE , Sec. 14, Township 06N, Range 28E
 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>
06N	28E	13	SWNW 32	SENW 16	NESW 7	
			NWSW 26	SWSW 36	SESW 30	
			SWSE 6			153
		14	SENE 38	NESE 26		64
		24	NWNE 25	SWNE 40	SENE 10	
			NENW 34	NWNW 11	SENW 11	
			SESW 19	NESE 20	NWSE 40	
			SWSE 40			250
		25	NWNE 40			40
Total number of acres irrigated:						507

CONDITIONS/REMARKS:

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.

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.

Nancy Hawley
(Signature of Applicant)

Subscribed and sworn to before me this 31st day of March, 1999.

Karen Hennes
(Notary Public)



FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee 100⁰⁰Receipted by HWJ #E024437 Date _____Published in Statewide Copies of protest forwarded by _____Pub. dates 4/15/99 & 4/22/99 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____