

T5531 SAGER

RECEIVED

OCT 25 1999

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5531
WATER RIGHT NO. 74-00216E

RECEIVED

OCT 21 1999

Department of Water Resources
Southern Region

This is to certify that: **MAXINE SAGER**
WILLIAM N SAGER
RR 1 BOX 69
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	0.05 CFS	11.6 AF

SOURCE
WITHINGTON CREEK

TRIBUTARY OF
LEMHI RIVER

Priority: 04/15/1885

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 3, Township 20N, Range 23E
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>
20N	23E	3	NWSW	3.3		3.3
Total number of acres irrigated:						3.3

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. 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 18 day of October, 1999

[Signature]
Chief, Water Allocation Bureau

MEMORANDUM

TO: File 74-00216B

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5531

DATE: October 13, 1999

Transfer 5531 changes the point of diversion under a portion of Right 74-00216B, splitting the right into Parts D and E. The applicant has sold the majority of the property and retained 3.3 acres. They now want to divert water from a separate point of diversion adjacent to their remaining parcel of land.

No watermaster comment was requested since Water District 74J has been disbanded. Standard diversion volume was identified for the 3.3 acres. Recommended conditions include irrigation overlap and standard transfer conditions.

SO 9/14/99

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5531

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant William N. and/or Maxine SAGER Phone (208) 756-3758
Post Office address RR1 Box 69 Salmon Id 83467

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 Have sold Ranch, keeping 3.33 acres
at bottom of ditch. will change to sprinkler system.

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 |
|----------------------|-------------------|-----------------------|-------------------|-----------------------------|
| 74-002164 | <u>04/14/1885</u> | <u>.05 CFS</u> | <u>IRRIGATION</u> | <u>3-15</u> to <u>11-15</u> |
| <u>74-00216E</u> | | | | to |
| | | | | to |
| | | | | to |
2. Total amount of water being transferred .05 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Withington Creek tributary to LEMHI RIVER
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SW	3	20N	23E	LEMHI	

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	
20N	23E	3							3.3										3.3

Total acres 3.3

PART 1

6. General Information:

a. Description of diversion system Sump hole in creek with screened foot valve To sprinkler system.

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. 5531

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 74-00216B

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/15 to 11/15	1.00 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
WITHINGTON CREEK	LEMHI RIVER

Priority: 04/15/1885

LOCATION OF POINT(S) OF DIVERSION:NWNE , Sec. 9, Township 20N, Range 23E
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>
20N	23E	3	NWSW 17	SWSW 18		35
		4	SESE 7			7
		9	NENE 26			26
Total number of acres irrigated:						68

CONDITIONS/REMARKS:

1. AC. IRR.=67.5.

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 0.05 cfs for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	9	20N	23E	Lemhi	

3. 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	
20N	23E	3									3.3								3.3

Total acres 3.3

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

1. amount 0.95 cfs for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

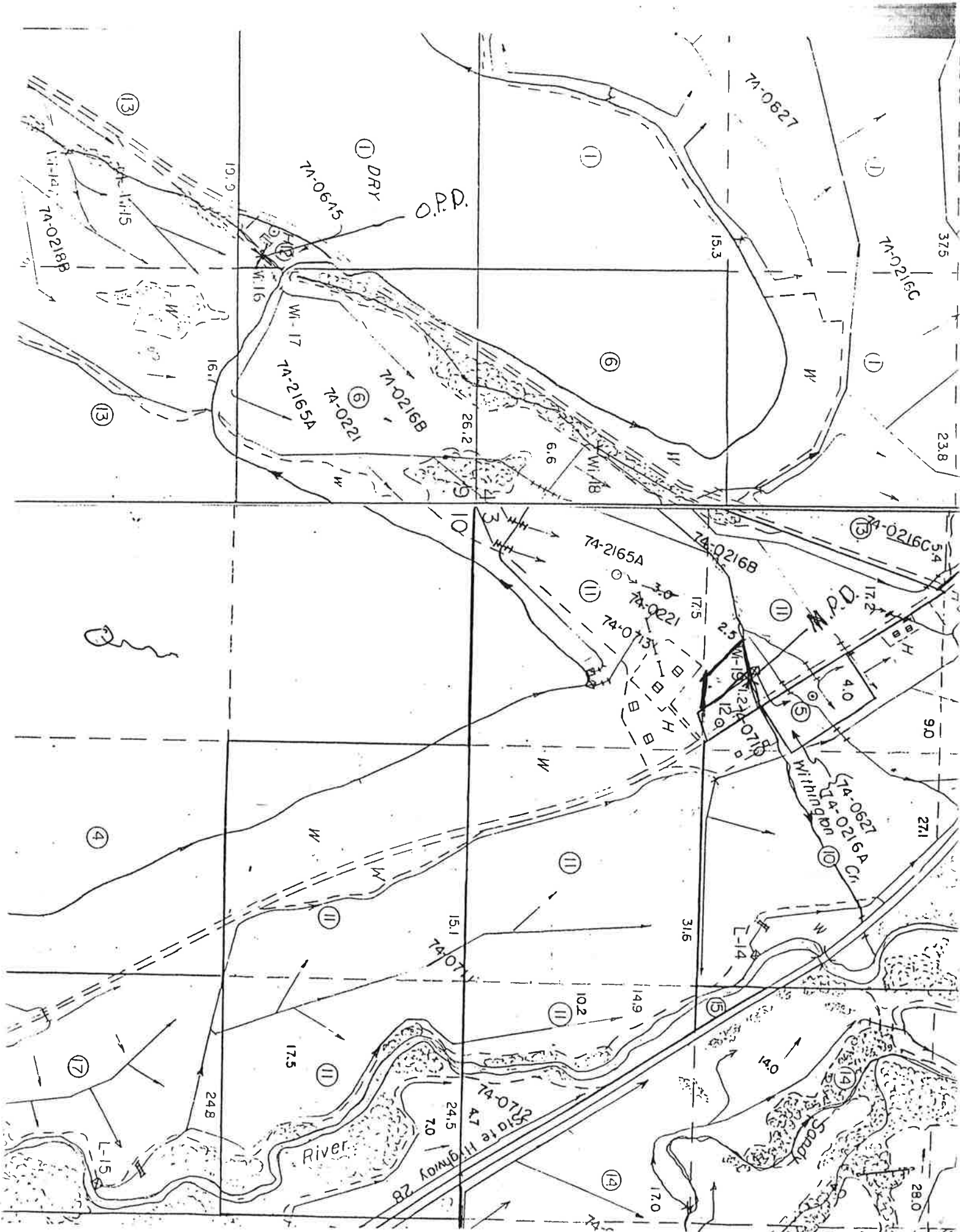
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NE	9	20N	23E	Lemhi	

3. 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	
20N	23E	3									13.7	18							31.7
		4															7		7
		9	26																26

Total acres 64.7



PART 3

B. CHANGES IN NATURE OF USE

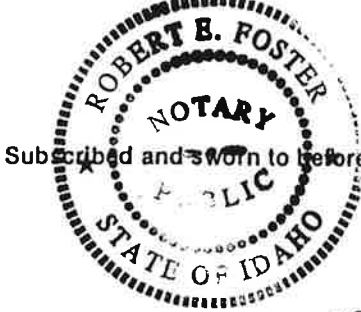
1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

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.



William Seger
(Signature of Applicant)

Subscribed and sworn to before me this 27th day of July, 19 99.

Robert E. Foster
(Notary Public)

My commission expires 02-16-2001

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and attachments

Received by SL Date 7/29/99

Protest filed by

Prelim. check by Fee \$100~~8~~

Received by HWT #E025169 Date 8-3-99

Published in RECORDER HERALD

Copies of protest forwarded by

Pub. dates Aug 12 & 19, 1999

Hearing held by Date

Watermaster recommendation requested on

Recommended for ☒ approval ☐ denial

 rec'd.

by RDC

Copy of transfer sent to lien holder

