

T5559

WITHDRAWN

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5559

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

COPY

Name of applicant JAMES or PAULA WHITTAKER Phone (208) 768-2491

Post Office address P.O. Box 240 Leadore, ID 83464

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 need to fill in and enlarge an area under a pivot with an 1850' radius.

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>74-00063</u>	<u>7-18-1911</u>	<u>0.96 cfs</u>	<u>Irrigation</u>	<u>3-15</u> to <u>11-15</u>
<u>74-000398</u>	<u>6-10-1901</u>	<u>6.00 cfs</u>	<u>Irrigation</u>	<u>3-15</u> to <u>11-15</u>
<u>74-000978</u>	<u>6-01-1904</u>	<u>0.75 cfs</u>	<u>" "</u>	<u>3-15</u> to <u>11-15</u>
<u>74-001398</u>	<u>5-14-1920</u>	<u>0.98 cfs</u>	<u>" "</u>	<u>" "</u> to <u>" "</u>

2. Total amount of water being transferred 8.69 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Big Timber 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
		SW	NW	20	15N	26E	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	
15N	26E	15																	8
		21		15		26									6				45 47
		22			2		35	39	40	40	18	28							202

Total acres 249

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Water Right No. 74-00097

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/15 to 11/15	0.96 CFS

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

Priority: 06/01/1904

LOCATION OF POINT(S) OF DIVERSION:SESE , Sec. 11, Township 14N, Range 26E
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>
14N	26E	11	NENE 34	SENE 20	NESE 12	67
		12	SESE 1			2
			SWNW 2			69
Total number of acres irrigated:						69

CONDITIONS/REMARKS:

1. AC. IRR.=69.2.

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 0.75 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
		SE	SE	11	14N	26E	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	
14N	26E	11	34			20													54

Total acres 54

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

1. amount 0.21 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
		SE	SE	11	14N	26E	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	
14N	26E	11													12			1	13
		12						2											2

Total acres 15

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Water Right No. 74-00139

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/15 to 11/15	1.25 CFS

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

Priority: 05/14/1920

LOCATION OF POINT(S) OF DIVERSION:SESE , Sec. 11, Township 14N, Range 26E
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>
14N	26E	11	NENE 34	SENE 20	NESE 12	67
		12	SESE 1			2
			SWNW 2			69

Total number of acres irrigated: 69

CONDITIONS/REMARKS:

1. AC. IRR.=69.2.

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 0.98 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
		SE	SE	11	14N	26E	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	
14N	26E	11	34			20													54

Total acres 54

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

1. amount 0.27 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
		SE	SE	11	14N	26E	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	
14N	26E	11													12			1	13
		12						2											2

Total acres 15

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Water Right No. 74-00039B

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/15 to 11/15	6.00 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BIG TIMBER CREEK	LEMHI RIVER

Priority: 06/10/1901

LOCATION OF POINT(S) OF DIVERSION: SWNW , Sec. 20, Township 15N, Range 26E
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>
15N	26E	22	NENW 40	NWNW 40	SWNW 40	
			SEnw 40	NWSW 35		195
				Total number of acres irrigated:		195

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 74W.
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. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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. The total combined rate of diversion under Right Nos. 74-00039B and 74-00063 shall not exceed 6.96 cfs.
7. The total combined rate of diversion at the field headgate under Right Nos. 74-00039B and 74-00063 shall not exceed 0.02 cfs per irrigated acre.

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Water Right No. 74-00063

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/15 to 11/15	0.96 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BIG TIMBER CREEK	LEMHI RIVER

Priority: 07/18/1911

LOCATION OF POINT(S) OF DIVERSION:SWNW , Sec. 20, Township 15N, Range 26E
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>
15N	26E	22	NENW 40	NWNW 40	SWNW 40	
			SEnw 40	NWSW 35		195
Total number of acres irrigated:						195

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 74W.
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. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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. The total combined rate of diversion under Right Nos. 74-00039B and 74-00063 shall not exceed 6.96 cfs.
7. The total combined rate of diversion at the field headgate under Right Nos. 74-00039B and 74-00063 shall not exceed 0.02 cfs per irrigated acre.

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.





