

T5593 BLM

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5593
WATER RIGHT NO. 33-02145

RECEIVED

JUL 17 2000

This is to certify that: **US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
1405 HOLLIPARK DR
IDAHO FALLS ID 83401**

Department of Water Resources
Eastern Region

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>
STOCKWATER	01/01 to 12/31	0.10 CFS	9.4 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
SPRING	SINKS

Priority: 10/09/1962

LOCATION OF POINT(S) OF DIVERSION: SWSESE , Sec. 34, Township 11N, Range 25E
CUSTER County

PLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	
10N	25E	1	NWSE
		2	SWNW
26E		5	NESW
		6	SWSE
		7	SWNE
11N	25E	27	SESE
		34	SESE
		36	SESW

CONDITIONS OF APPROVAL AND REMARKS

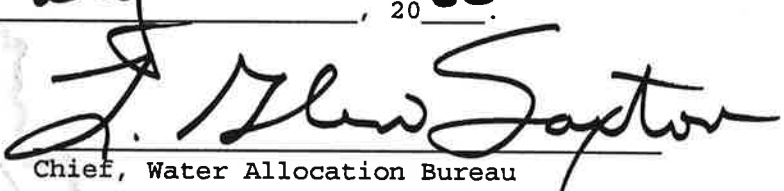
1. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
2. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.

TRANSFER NO. 5593
WATER RIGHT NO. 33-02145

CONDITIONS OF APPROVAL AND REMARKS

3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.
6. The place of use is also known as Sheep Spring Pipeline and BLM Record 3303488003.

Dated this 10th day of July, 2000.


Chief, Water Allocation Bureau

Amended APPLICATION FOR TRANSFER OF WATER RIGHT Amended
PART 1

Name of applicant USDL, Bureau of Land Management c/o Deena Teel Phone (208) 524-7500
Post Office address 1405 Hollipark Drive, Idaho Falls, ID 83401

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 No additional water has been used but additional troughs have been added over the years

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

1. Right Number 33-02145 Priority 10/09/1962 Amount (cfs/ac-ft) 0.10 cfs Nature of Use stockwater Period of Use 01/01 to 12/31
2. Total amount of water being transferred 0.10 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Spring tributary to _____
4. Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SE	SE	34	11N	25E	Custer/Butte	Sheep Spring Pipeline

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	
10N	25E	1														S			
		2							S										
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11N	25E	27																S	
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		36											S						

Butte Co.

Custer

PART 1

6. General Information:

a. Description of diversion system Headbox with gravity flow system to
eight water troughs

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:

N/A

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 _____

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.

See attached map



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.

Charles A. Hardy

(Signature of Applicant)

Subscribed and sworn to before me this 23 day of May, 2000

Donna S. Hoffer

(Notary Public)

My commission expires

11-25-2002

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee _____

Receipted by _____ Date E025846Published in Challis Messenger Copies of protest forwarded by _____Pub. dates June 1 & June 8, 2000 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

TOWNSHIP 10 NORTH-RANGE-25-EAST OF THE BOISE MERIDIAN, IDAHO

CUSTER COUNTY 037

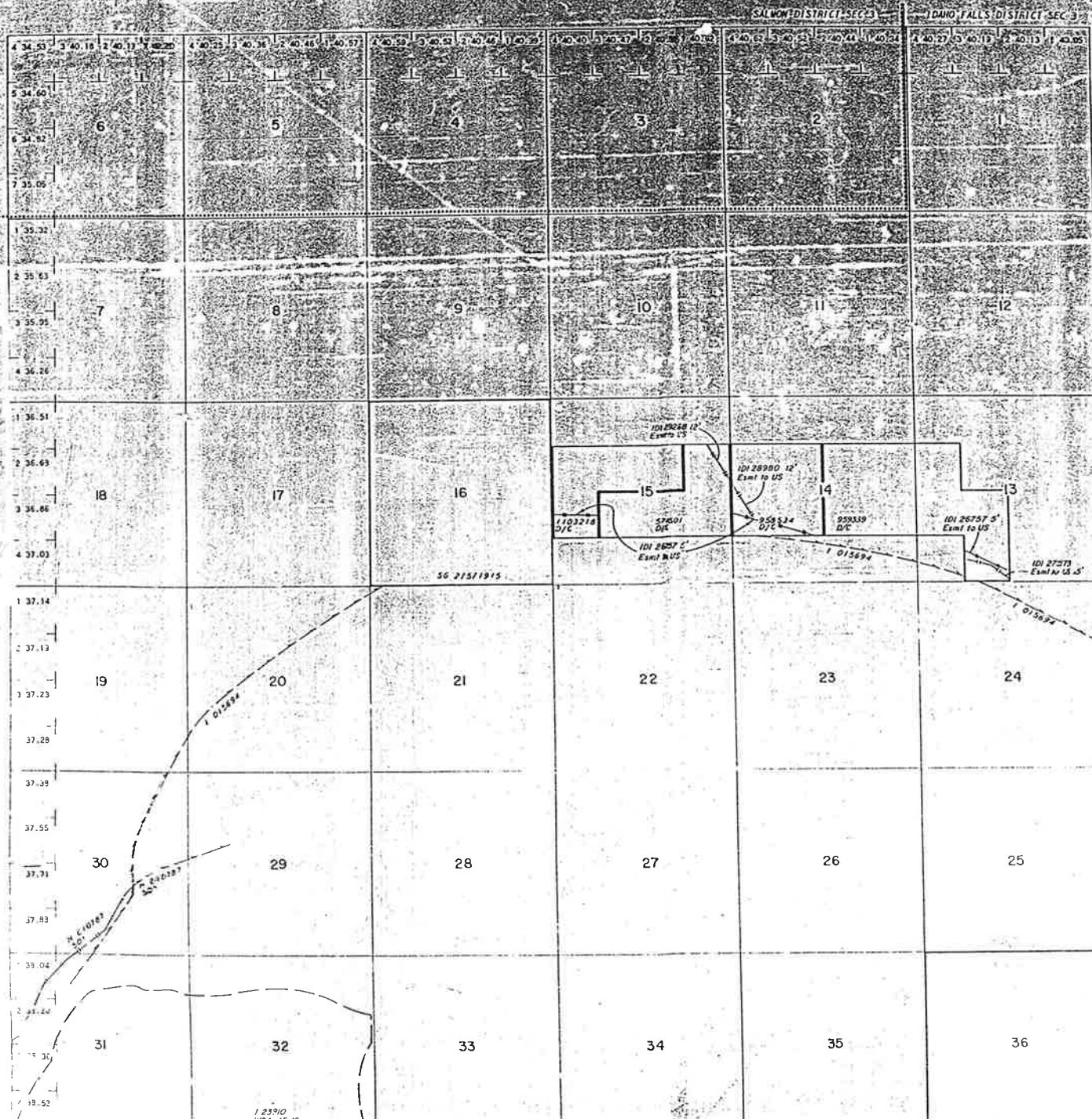
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

INDEX TO SEGREGATED TRACTS				
RECURVE	TRACT NO.	T.3	R.1	SEC.
1	1	10	25	1
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3	3	10	25	3
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FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

CURRENT TO	CURRENT TO



page 6 of 8

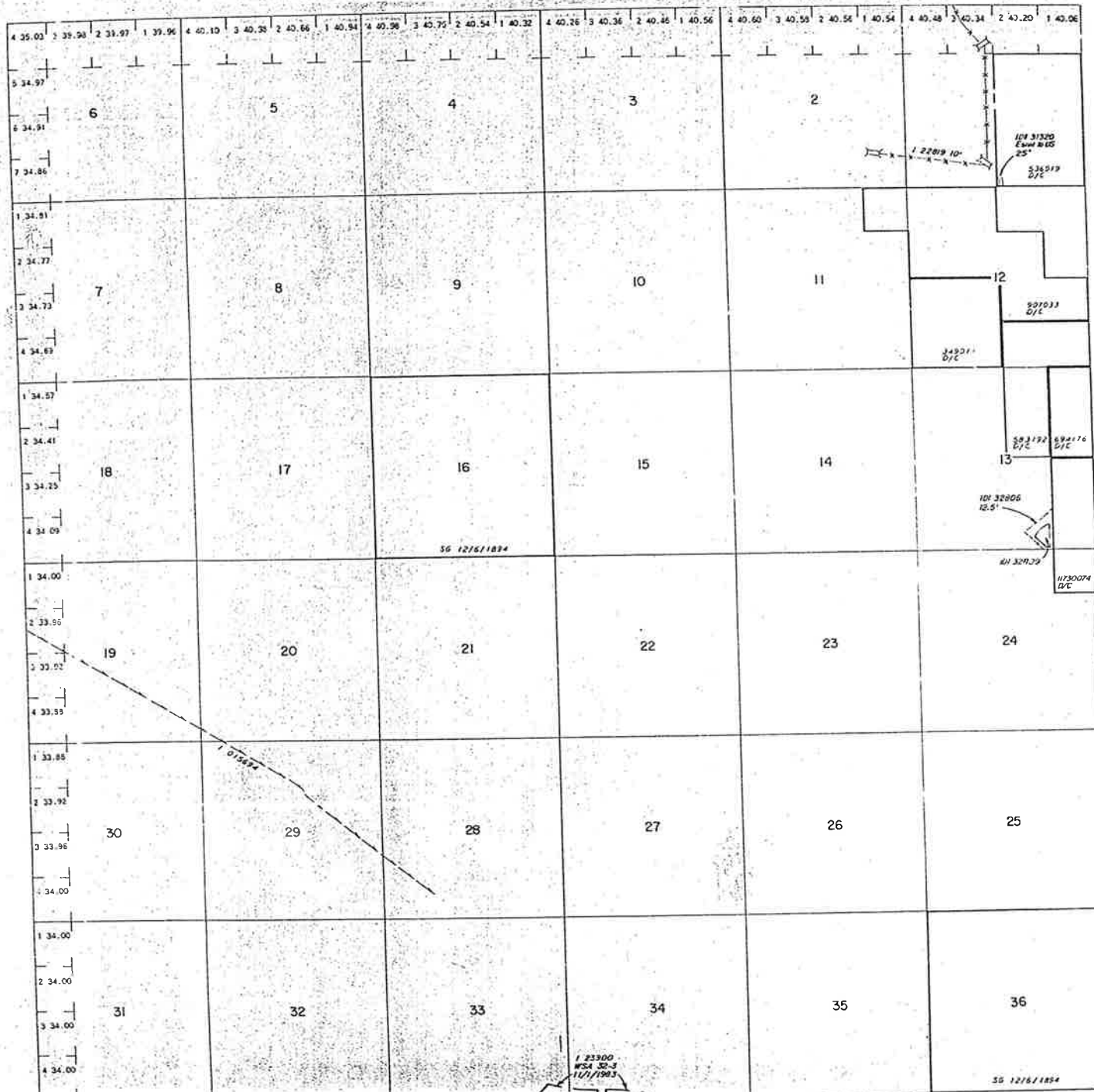
75593

BUTTE COUNTY 023
IDAHO FALLS DISTRICT SEC 3

MT PLAT

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CURRENT TO	CURRENT TO
AUG 27 1999	
USE PLATS	



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T5593

CUSTER COUNTY 037

MT PLAT

[illegible]

1 O-142 Del PL 167 (Act of Cong 7/23/1955)
completed 12/10/1962. All NF surface Mgmt by
USFS

1 2834 BLM O C1 Mult Use
Custer County; Segs from Appropriation under HE, DLE,
IA, B PS

Further Segr from Appropn under general mining laws
Summit Creek Rec S

Sec. 22: NE 1/4 NE 1/4

Sac 23: NW 1/4 NW 1/4

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

CURRENT TO	CURRENT TO
USE PLATS	

Lat. $44^{\circ}14'40''$ N
Long. $113^{\circ}23'$ W

page 8 of 8

75593

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant USDI, Bureau of Land Management ^{C/o Donna Teel} Phone 208-524-7500
 Post Office address 1425 Hollipark Dr., Idaho Falls, ID 83401

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 No additional water has been used but additional troughs have been added over the years

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

1. Right Number 33-02145 Priority 10/09/1962 Amount (cfs/ac-ft) 0.10cfs Nature of Use Stockwater Period of Use 1-01 to 12-31
2. Total amount of water being transferred 0.10 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Spring tributary to Moffet Creek
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SE	SE	34	11N	2SE	Custer	Sheep Spring Pipeline

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	
10N	2SE	1															S		
		2							S										
10N	2SE	5								S									
		6															S		
		7		S															
11N	2SE	34																S	
		36											S						

Total acres _____

PART 1

6. General Information:

a. Description of diversion system Headbox with gravity flow system
to seven water troughs

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? NA 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:
NA

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 _____

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 33-02145

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
STOCKWATER	01/01 to 12/31	0.10 CFS

SOURCE

SPRING

Priority: 10/09/1962

LOCATION OF POINT(S) OF DIVERSION:SESE , Sec. 34, Township 11N, Range 25E
CUSTER CountyPLACE OF USE: STOCKWATERTWN RGE SEC

11N 25E 35 NESE

CONDITIONS/REMARKS:

Describe any other water rights used for the same purpose as described above:

NOTo 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:

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

PART 3

B. CHANGES IN NATURE OF USE

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<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.

Joe Raagentil

(Signature of Applicant)

Subscribed and sworn to before me this 5th day of November, 1999.

Dorinda D. Hoffman

(Notary Public)

My commission expires 11-25-2002

FOR DEPARTMENT USE ONLY

Transfer contains 5 pages and _____ attachments

Received by HWT Date 11-5-99 Protest filed by _____

Prelim. check by _____ Fee \$100⁰⁰

Receipted by HWT #E025442 Date 11-5-99

Published in Challis Messenger Copies of protest forwarded by _____

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

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____