

T5735 RL CHRISTNER ESTATE

Eastern

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OCT 02 2000

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.

TRANSFER NO. 5735
WATER RIGHT NO. 74-01049A

CONDITIONS OF APPROVAL AND REMARKS

4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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 28th day of September, 2000.


Chief, Water Allocation Bureau

50 6/29/00
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5735

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of Applicant Patricia Owens, Executor for R. L. Christner Estate Phone 580-276-3997

Post Office address HC 73 Box 70 Marietta, OK 73448

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 _____

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Department of Water Resources
Eastern Region

2. Describe the reason for the proposed changes The current point of diversion is an old wooden flume that cannot be repaired and maintained

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

1. Right Number 74-01049A^B Priority 4/01/1935 Amount (cfs/ac-ft) 1.28 cfs Nature of Use Irrigation Period of Use 3-15 to 11-15

2. Total amount of water being transferred 1.28 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Hayden 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
		NE	SW	14	17N	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	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	23E	14							4	16	5	18							43

Total Acres 43

PART 1

6. General Information:

a. Description of diversion system Pump in creek to irrigation pipeline

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:

The old flume is suspended above ground making repair difficult + has left us without irrigation water. See rights A74-01049A + B. Christian portion is the same as A74-01049A

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____.

For the Director

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 74-01049

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/15 to 11/15	1.58 CFS

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

Priority: 04/01/1935

LOCATION OF POINT(S) OF DIVERSION:SWNE , Sec. 27, Township 17N, Range 23E
LEMHI CountyPLACE OF USE:

IRRIGATION

				NE				NW				SW				SE												
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:			
17N	23E	14	:											:	04		16				05		18		10		:	
																							:	TOTAL ACRES	:	53.0		

CONDITIONS/REMARKS:

1. AC. IRR.=52.9.

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

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:

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 _____

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PART 2

5735

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 1.28 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:

"B"

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SW	NE	27	17N	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	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	23E	14							4	16	5	18							43

Total Acres 43

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

1. amount 0.30 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:

"A"

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SW	NE	27	17N	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	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	23E	14											10						10

Total Acres 10

PART 3

B. CHANGES IN NATURE OF USE

- | <u>New Nature of Use</u> | <u>Amount(cfs/af-ft)</u> | <u>Hours/days/year</u> | <u>Period of Use</u> |
|--------------------------|--------------------------|------------------------|----------------------|
| _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ to _____ |
- Quantity and quality of return flows and location of discharge:

- 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.

Patricia Owens

(Signature of Applicant)

Subscribed and sworn to before me this 24TH day of APRIL, 2000.



Richard Barker

(Notary Public)

My commission expires 4-7-2004

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and _____ attachments

Received by HWT Date 5-1-2000 Protest filed by _____

Prelim. Check by KW Fee 100%

Receipted by HWT # E025796 Date 5-1-2000

Published in Recorder Herald Copies of protest forwarded by _____

Pub. Dates May 18 & 25, 2000 Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____