

T5653 ROSENKRANCE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5653
WATER RIGHT NO. 34-00365A

RECEIVED

MAR 29 2000

Department of Water Resources
Eastern Region

This is to certify that: DELORES ROSENKRANCE
DOUG ROSENKRANCE
3926 N 4300 W HOUSTON RD
MACKAY ID 83251

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	05/01 to 10/15	0.24 CFS	38.5 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
ALDER CREEK	BIG LOST RIVER

Priority: 09/30/1882

LOCATION OF POINT(S) OF DIVERSION: Lot 21(SWSE), Sec. 14, Township 06N, Range 24E
CUSTER 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	24E	13	NWSW	11		11
Total number of acres irrigated:						11

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 34.
4. 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.

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CONDITIONS OF APPROVAL AND REMARKS

5. 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.
6. Approval of Transfer 5653 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
7. Right 34-12050B is also diverted through the point(s) of diversion described above.
8. The period of use for irrigation may be extended in seasons of unusual characteristics to a beginning date of April 20 and an ending date of October 31 at the discretion of the watermaster for Water District 34.

Dated this 27th day of March, 2000.


Chief, Water Allocation Bureau

80 3/10/2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5653

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

FEB 02 2000

Name of Applicant Douglas or Dolores Rosenkrance Phone 208-588-2554
 Post Office address 3926 N. 4300 W. Houston Rd Maday, ID 83251

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 Changing irrigation to gravity flow system and we need more pressure in the lines. Proposed change will reinstate the historic original point of diversion

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

1. Right Number 34-00365A Priority 9/30/1882 Amount (cfs/ac-ft) 0.24 Nature of Use Irrigation Period of Use 5/01 to 10/15
 _____ to _____
 _____ to _____
 _____ to _____

2. Total amount of water being transferred 0.24 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Alder Creek tributary to Big Lost River

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
21		SW	SE	14	4N	24E	Custer	

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	
4N	24E	13										11							11

Total Acres 11

6. General Information:

a. Description of diversion system loadable hydrate out of creek with rock
structure diversion + small pond to service pipeline that can be
measured

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

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

For the Director

PART 2

TRANS NO.

5653

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. R34-00365A

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	05/01 to 10/15	0.24 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
ALDER CREEK	BIG LOST RIVER

VERIFIED BY EMC 10 MAR 2000.

Priority: 09/30/1882

LOCATION OF POINT(S) OF DIVERSION: Lot 18 (NWNESE), Sec. 14, Township 06N, Range 24E
CUSTER County

PLACE OF USE:

IRRIGATION

				NE				NW				SW				SE				
				NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
06N	24E	13	:																	11.0
																			TOTAL ACRES	11.0

CONDITIONS/REMARKS:

- RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
- THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE WATERMASTER FOR WATER DISTRICT 34.
- RIGHT NO. 34-12050 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

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

None

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:

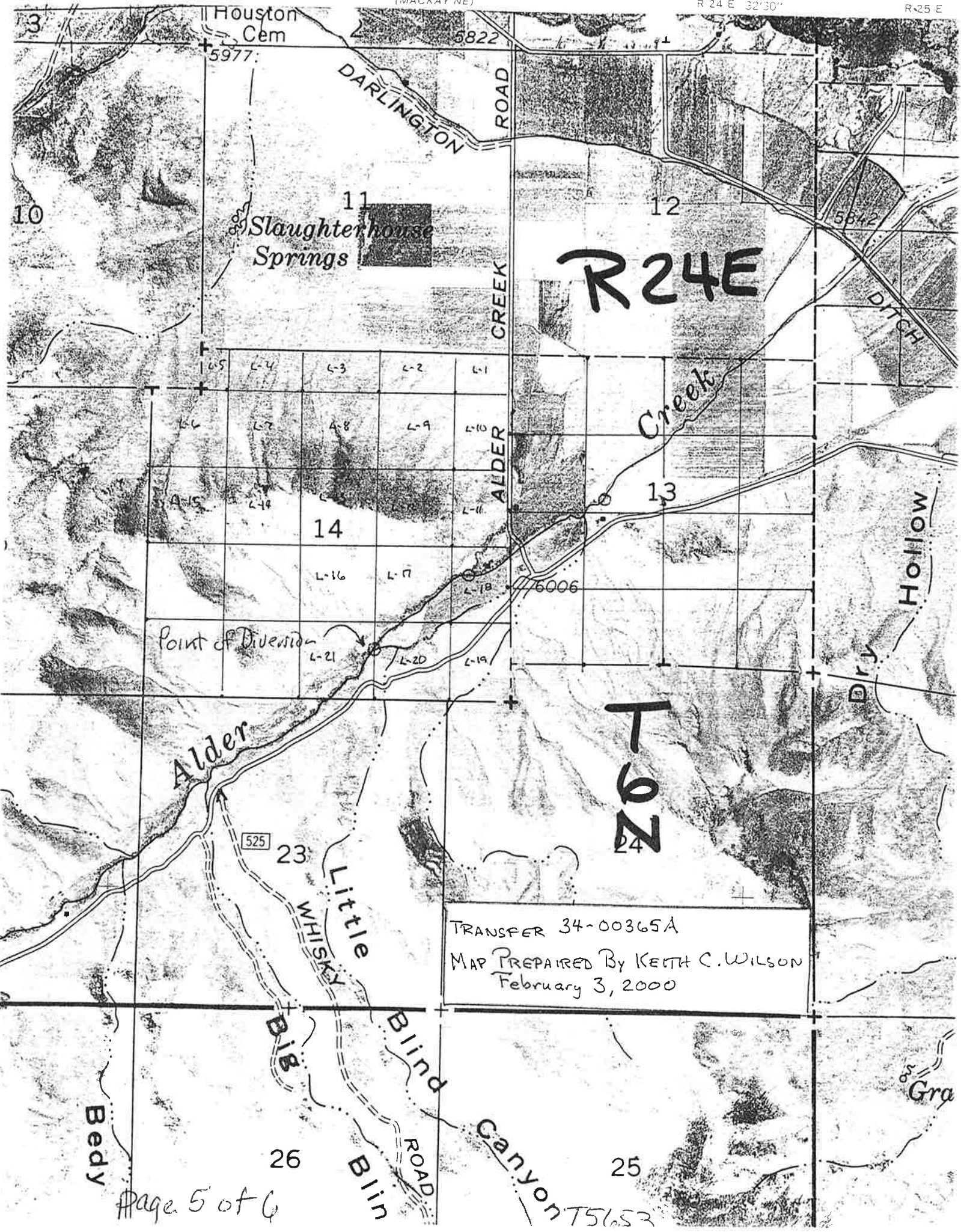
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TRANS NO. 5653

Claim No. R34-00365A

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/af-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:

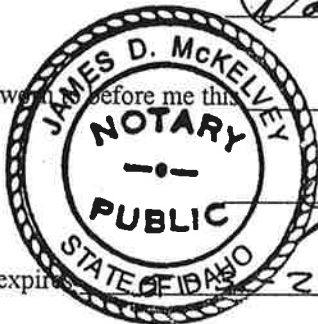
3. Describe effects on other water uses resulting from the proposed change:

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.

Douglas D. Rosenthal
 (Signature of Applicant)

Subscribed and sworn to before me this 31 day of JANUARY, 20 00.



James D. McKelvey
 (Notary Public)

My commission expires 2000

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 2 attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by KW Fee \$100.00

Receipted by HWT #E025583 Date 2-2-2000

Published in Challis Messenger Copies of protest forwarded by _____

Pub. Dates 2-17 & 2-24-00 Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____