

T5807 HEINZ

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5807
WATER RIGHT NO(S) . 74-00979/74-00980

RECEIVED

OCT 05 2000

Department of Water Resources
Eastern Region

This is to certify that: BEVERLY K HEINZ TRUST
5529 COTTONWOOD CLUB DR
SALT LAKE CITY UT 84117

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>
Right No. 74-00979 :			
IRRIGATION	03/15 to 11/15	0.21 CFS	36.1 AF
Priority: 04/01/1968			
Right No. 74-00980 :			
IRRIGATION	03/15 to 11/15	0.53 CFS	91.7 AF
Priority: 04/01/1917			
	TOTAL:	0.74 CFS	126.0 AF *

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
** BASIN CREEK	HAYDEN CREEK
<u>LOCATION OF POINT(S) OF DIVERSION:</u>	NESWNE , Sec. 4, Township 17N, 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>
17N	23E	4	SWNE 28	SENE 8		36
Total number of acres irrigated:						36 *

CONDITIONS OF APPROVAL AND REMARKS

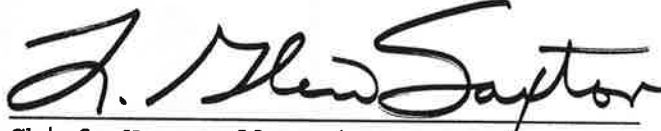
1. Use of water under this water right will be regulated by the watermaster of State Water District No. 74.
2. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

TRANSFER NO. 5807
WATER RIGHT NO(S). 74-00979/74-00980

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. 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. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the department for measuring the flow in Bear Creek at the original points of diversion and at the point of diversion from Basin Creek.
- ** 7. Diversion of water from Basin Creek under Rights 74-00979 and 74-00980 is limited to those times water is available for diversion under these rights and priorities from the original source, Bear Creek.
- * 8. Right 74-00979 is limited to the irrigation of 10.3 acres in a in the place of use described above single irrigation season.
- * 9. Right 74-00980 is limited to the irrigation of 26.2 acres in a in the place of use described above single irrigation season.
- * 10. Rights 74-00979 and 74-00980 when combined shall not exceed a total annual maximum diversion volume of 126.0 af at the field headgate and the irrigation of 36.0 acres.

Dated this 29th day of September, 2000.


Chief, Water Allocation Bureau

So 9/5/00
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5807

\$500
250

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant **Beverly Kirkham Heinz**

Phone (801) 277-5279

Post Office address **5529 Cottonwood Club Drive, Salt Lake City, Utah 84117****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 **Create permissible place of use**

2. Describe the reason for the proposed changes. **Applicant wishes to move diversion from ditches with no headworks to pump in Basin Creek. Present ditch system does not allow for watermaster control and existing ditches are difficult to maintain and have high transmission loss. New system would include handlines for sprinkler irrigation.**

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

<u>Right Number</u>	<u>Priority</u>	<u>Amount (cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>
74-00979	04/01/1968	0.21 cfs	Irrigation	03/15 to 11/15
74-00980	04/01/1917	0.53 cfs	Irrigation	03/15 to 11/15
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred **0.74** cubic feet per second and/or _____ acre-feet per annum.

3. Source of water **Basin Creek** tributary to **Hawley Creek**

4. Point(s) of Diversion: **Harden**

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
	NE	SW	NE	04	17N	23E	Lemhi	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	23E	04			28	8													36

Total Acres **36**

PART 1

6. General Information:

- a. Description of diversion system **Pump in Basin Creek to pipelines for sprinkler irrigation.**

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

Permissible place of use will be created. Water right 74-00979 will irrigate 10 acres within the 36 acres listed as place of use and 74-00980 will irrigate 26 acres within the 36 acres listed.

- 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:

[illegible]

Witness my hand this _____ day of _____, 20_____

For the Director

PART 2

TRANS NO. 5807

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 74-00979

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/15 to 11/15	0.21 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BEAR CREEK	BASIN CREEK

Priority: 04/01/1968

LOCATION OF POINT(S) OF DIVERSION:SWSW , Sec. 4, 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	:			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
17N	23E	4	:											:											:	10.0
			:			08	02	:						:											:	10.0
																							TOTAL ACRES	10.0		

CONDITIONS/REMARKS:

1. AC. IRR.= 10.3.

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

74-00980To 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 2

TRANS NO. 5807

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 74-00980

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/15 to 11/15	0.53 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BEAR CREEK	BASIN CREEK

Priority: 04/01/1917

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 4, Township 17N, Range 23E
 SWSW , Sec. 4, Township 17N, Range 23E
 LEMHI 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	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
17N	23E	4	:					20		06				:									:							:	26.0
																TOTAL ACRES										26.0					

CONDITIONS/REMARKS:

1. AC. IRR.=26.2.

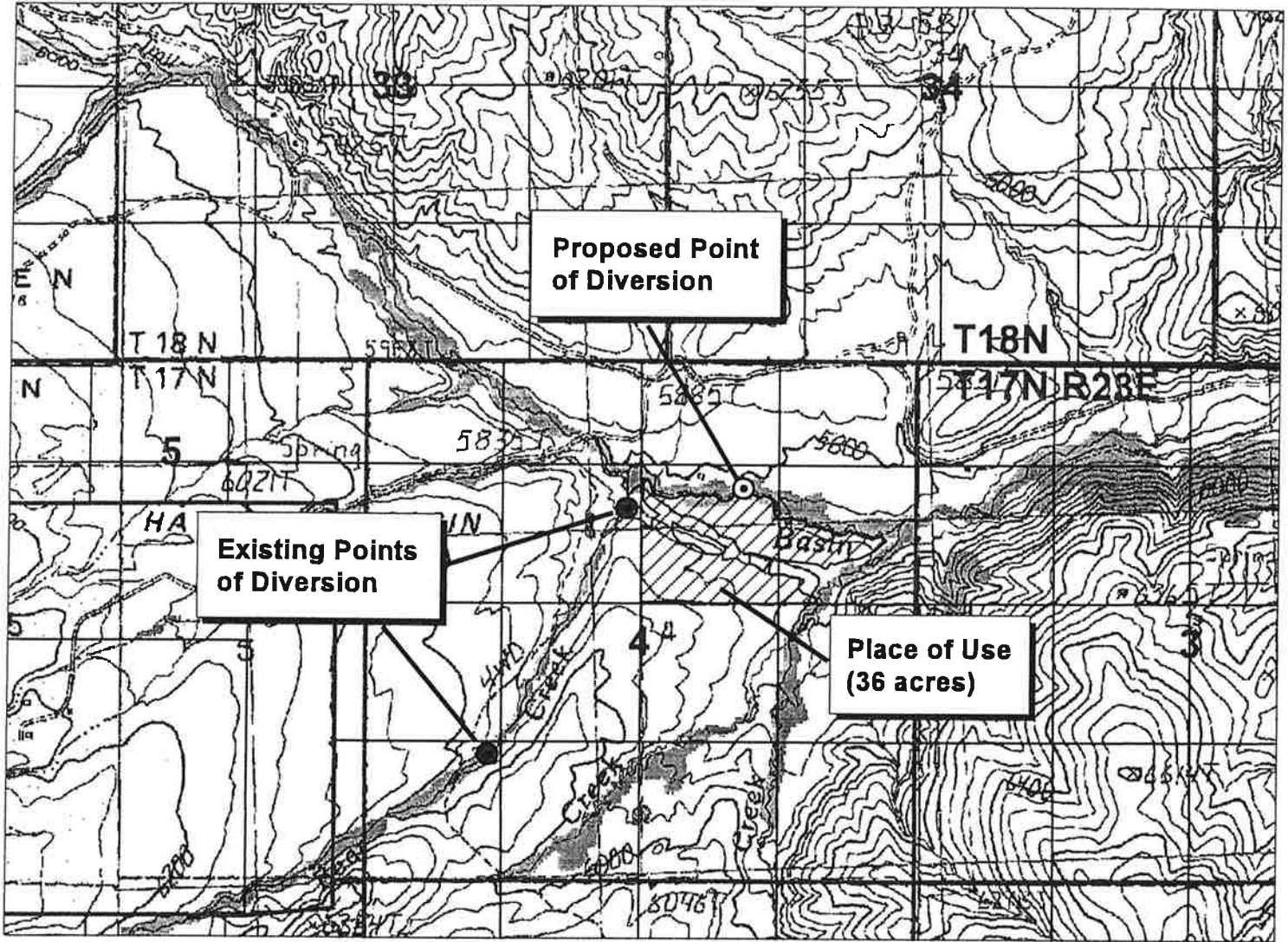
Describe any other water rights used for the same purpose as described above:

74-00979

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:

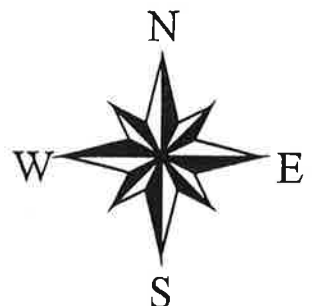
Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____



- Existing Point of Diversion
- ⊙ Proposed Point of Diversion
- ▨ Place of Use

Transfer -- Kirkham
74-00979, 74-00980



PART 3

B. CHANGES IN NATURE OF USE

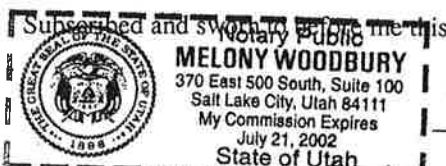
- | <u>New Nature of Use</u> | <u>Amount(cfs/af-ft)</u> | <u>Hours/days/year</u> | <u>Period of Use</u> |
|--------------------------|--------------------------|------------------------|----------------------|
| _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ to _____ |
- Quantity 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.

Beverly K. Henry
 (Signature of Applicant)



27th day of July, 2000

Melony Woodbury
 (Notary Public)

My commission expires July 21, 2002

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by [Signature] Date 7/3/00 Protest filed by _____

Prelim. Check by _____ Fee 250

Receipted by JC #E026018 Date 7/3/00

Published in Recorder Herald Copies of protest forwarded by _____

Pub. Dates Aug 10 & 17, 2000 Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____