



T5786

FOREST SERVICE

Easton

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5786
WATER RIGHT NO. 75-04164

RECEIVED
OCT 05 2000

Department of Water Resources
Eastern Region

This is to certify that: **US DEPARTMENT OF AGRICULTURE
FOREST SERVICE
RR 2 BOX 600
SALMON ID 83467**

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	04/01 to 10/31	* 0.25 CFS	71.1 AF *

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
PANTHER CREEK	SALMON RIVER

Priority: 05/01/1891

LOCATION OF POINT(S) OF DIVERSION: SWSWNE , Sec. 3, Township 22N, Range 18E
SENENW , Sec. 3, Township 22N, Range 18E
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>ACRES</u>	<u>TOTAL</u>
22N	18E	3	SWNE 10.0	NENW 5.3	SENW 5.0		20.3
Total number of acres irrigated:							20.3

CONDITIONS OF APPROVAL AND REMARKS

1. Approval of Transfer 5786 does not confirm Claimed Right 75-04164.
2. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

TRANSFER NO. 5786
WATER RIGHT NO. 75-04164

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.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 8. The total instantaneous diversion of water from all points of diversion under Transfer 5786 shall not exceed 0.25 cfs, nor a total combined annual volume of 71.1 af.

Dated this 2nd day of October, 2000.


Chief, Water Allocation Bureau

MEMORANDUM

TO: File 75-04164

FROM: Pam Skaggs 

SUBJECT: Transfer 5786

DATE: October 2, 2000

Review of Transfer 5786 found a discrepancy between the right as proposed transferred and the SRBA Claim. The original statutory claim, 75-04164 was for 28.0 acres from two ditches, the SRBA Claim included a listing of 15.0 total acres with no acres identified within the POU, and the transfer proposes a place of use of 20.3 total acres historically irrigated from the upper ditch.

The SRBA Claim will be amended through the transfer approval. Since it is a Forest Service right, no fee is involved in amending the claim for more acres. Carter Fritschle & Don Shaff agree that no other action on the claim is required prior to approval of the transfer.

(Internet)

So 8/23/00

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5786

FS# (33-055)

State# (75-4164

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant USDA-Forest Service Phone 208-756-5100

Post Office address RR2, Box 600, Salmon, Idaho 83467

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 Change acreage
2. Describe the reason for the proposed changes Existing irrigation system is a diversion by ditch.
The ditch is difficult to maintain due to steep slopes and rock outcrops, therefore we are
proposing to change to a pump system. This would require 2 points of diversion.

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>75-4164</u> | <u>5-1-1891</u> | <u>0.25/84</u> | <u>Irrigation</u> | <u>May 1</u> to <u>Sept. 30</u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
| 2. Total amount of water being transferred <u>0.25</u> cubic feet per second and/or <u>84</u> acre-feet per annum. | | | | |
| 3. Source of water <u>Panther Creek</u> tributary to <u>Salmon River</u> | | | | |
| 4. Point(s) of Diversion: | | | | |

[illegible]

5. Lands irrigated or place of use:

[illegible]

PART 1

6. General Information:

a. Description of diversion system The new diversion system would consist of two points of diversion from Panther Creek for pump setup. Acreage irrigation would be handlines 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 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:

We will be able to irrigate the land without the expense of maintaining a difficult ditch. We will block off the existing ditch to prevent fish from entering the ditch system.

d. Remarks:

See the cover letter describing the history of this Claim to a Water Right.

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. 75-04164

STAGE: STATUTORY CLAIM

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	05/01 to 09/30	0.25 CFS	84.0 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
PANTHER CREEK	SALMON RIVER

Priority: 05/01/1891

LOCATION OF POINT(S) OF DIVERSION:SESE , Sec. 3, Township 22N, Range 18E
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	:	
---	---	---	:	---	---	---	---	---	---	---	---	---	---	:	---	---	---	---	---	---	---	---	:	---
22N	18E	3	:			10		:	13			05	:					:					:	28.0
																							TOTAL ACRES	28.0

CONDITIONS/REMARKS:

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

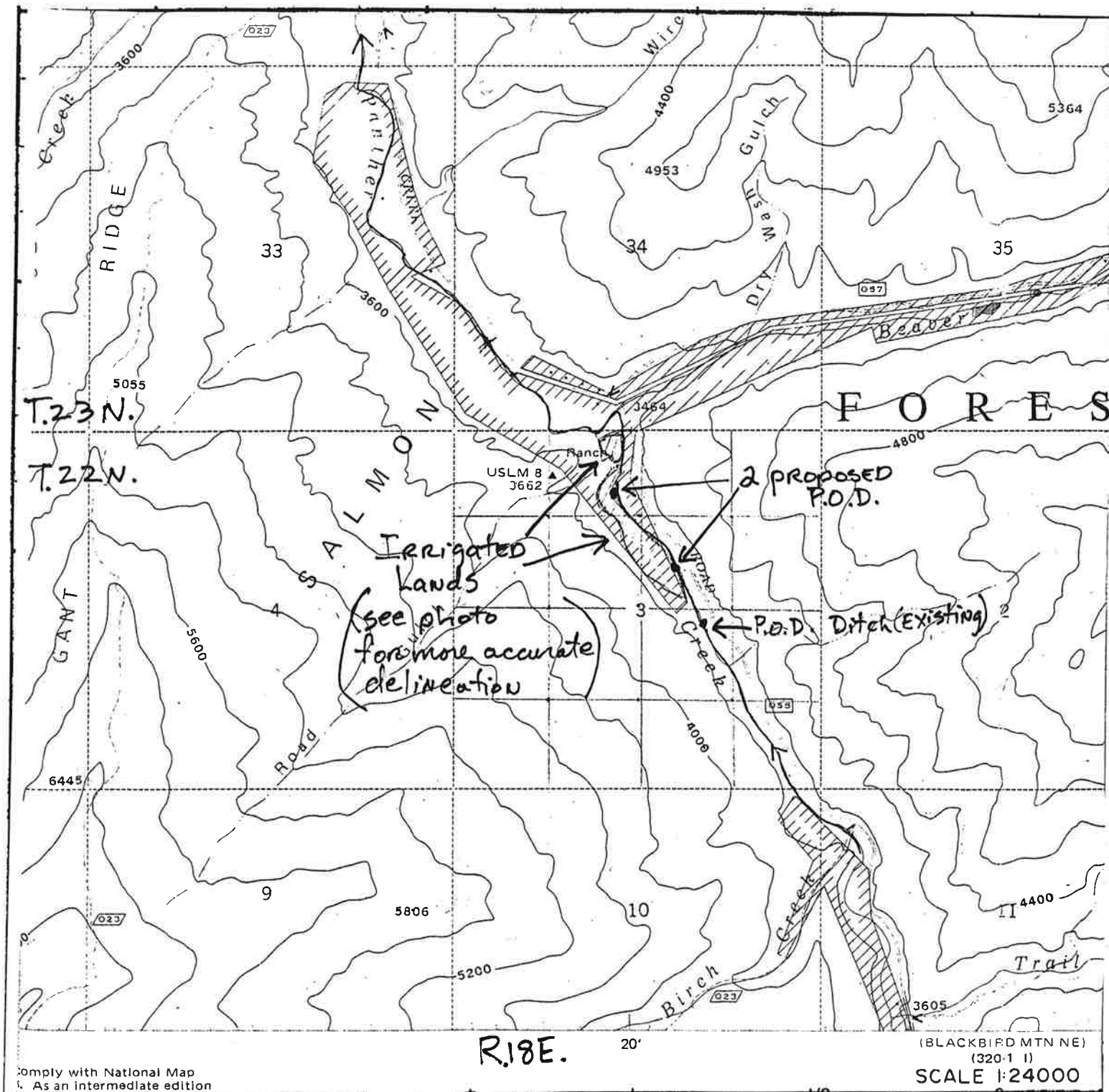
To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? NO If yes, describe:

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 _____

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.



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.



Subscribed and sworn to before me this

George Matijevic
(Signature of Applicant)
(for) Jack Blackwell, Regional Forester
26th day of June, 18 2000

Timothy J. Jones
(Notary Public)

My commission expires

2/16/2002**FOR DEPARTMENT USE ONLY**Transfer contains 5 pages and 8 attachments

Received by

HWT

Date

6-28-00

Protest filed by

Prelim. check by

Fee

\$ 100.00

Received by

AWS #E025941

Date

6-28-00

Published in

Recorder Herald

Copies of protest forwarded by

Pub. dates

7-20 & 7-27-00

Hearing held by

Date

Watermaster recommendation requested on

Recommended for



approval



denial

rec'd.

by

Copy of transfer sent to lien holder