

T5776 HARALSON FAMILY TRUST

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 05 2000

Department of Water Resources
Eastern Region

TRANSFER OF WATER RIGHT

TRANSFER NO. 5776
WATER RIGHT NO(S). 34-00509A/34-00510A/34-00577B

This is to certify that: HARALSON FAMILY TRUST
DBA HARALSON RANCH
RT 1 BOX 450
ARCO ID 83213

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. 34-00509A :			
Priority: 06/01/1886			
IRRIGATION	05/01 to 10/15	2.52 CFS	441.0 AF
Right No. 34-00510A :			
Priority: 06/01/1902			
IRRIGATION	05/01 to 10/15	0.92 CFS	354.0 AF
SUBTOTAL:		3.44 CFS	532.0 AF
Right No. 34-00577B :			
Priority: 05/17/1904			
IRRIGATION	05/01 to 10/15	1.46 CFS	189.0 AF
TOTAL:		* 4.90 CFS	721.0 AF *

SOURCE
BIG LOST RIVER

TRIBUTARY OF
SINKS

LOCATION OF POINT(S) OF DIVERSION:

SWSWNE , Sec. 9, Township 04N, Range 26E
NWSESE , Sec. 4, Township 05N, Range 26E
BUTTE County

PLACE OF USE: IRRIGATION

Right No. 34-00509A & 34-00510A :

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N 26E 15	NENW 38	NWNW 39	SWNW 35	152
	SEnw 40			152 **
Total number of acres irrigated:				152 **

Right No. 34-00577B :

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N 26E 16	NWSE 24	SWSE 30		54
Total number of acres irrigated:				54

TRANSFER NO. 5776
WATER RIGHT NO(S). 34-00509A/34-00510A/34-00577B

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 34.
2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
- * 3. The total instantaneous diversion of water from all points of diversion under Transfer 5776 shall not exceed 4.90 cfs, nor a total annual maximum diversion volume of 721.0 af at the field headgate.
4. Use of the point of diversion located within SWSWNE, S9, T4N, R26, requires prior approval of the watermaster of State Water District No. 34.
5. 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.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- ** 8. Right 34-00509A is limited to the irrigation of 126.0 acres in the place of use described above in a single irrigation season.
9. Rights 34-00509A, 34-00510A, 34-10370A and 34-10941A when combined shall not exceed a total diversion rate of 4.07 cfs, a total annual maximum diversion volume of 532.0 af at the field headgate, and the irrigation of 152.0 acres.
10. Rights 34-00577B, 34-10370B and 34-10941B when combined shall not exceed a total diversion rate of 1.52 cfs, a total annual maximum diversion volume of 189.0 af at the field headgate, and the irrigation of 54.0 acres.
11. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/20 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
12. Approval of Transfer 5776 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Dated this 29th day of August, 2000


Chief, Water Allocation Bureau

80 7/26/00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5776

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant **Haralson Ranch**

Phone (208) 527-3357

Post Office address **Route 1, Box 450, Arco, Idaho 83213****RECEIVED****JUN 23 2000**Department of Water Resources
Eastern Region**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. **Applicant wishes to add the Nichols Diversion as a point of diversion for their existing ditch system.**

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
R 34-00509A	06/01/1886	2.52 cfs	Irrigation	05/01 to 10/15
R 34-00510A	06/01/1902	0.92 cfs	Irrigation	05/01 to 10/15
R 34-00577B	05/17/1904	1.46 cfs	Irrigation	05/01 to 10/15

2. Total amount of water being transferred **4.90** cubic feet per second and/or _____ acre-feet per annum.

3. Source of water **Big Lost River** tributary to **Sinks**

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
	NW	SE	SE	04	05N	26E	Butte	Moore Diversion
	SW	SW	NE	09	04N	26E	Butte	Nichols Diversion

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	
<u>34-00509A, 34-00510A</u>																			
04N	26E	15					38	39	35	40									152
<u>34-00577B</u>																			
04N	26E	16														24	30		54

Total Acres **206**

Claim No. R34-00509A

6. COMBINED RIGHT NOS.: 34-00510A, 34-10370A AND 34-10941A.
7. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 126 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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 _____

PART 2

TRANS NO. 5776

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. R34-00510A

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	05/01 to 10/15	0.92 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BIG LOST RIVER	SINKS

Priority: 06/01/1902

LOCATION OF POINT(S) OF DIVERSION:NWSESE , Sec. 4, Township 05N, Range 26E
BUTTE 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	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
04N	26E	15	:									:	38		39		35		40		:									:							:	152.0	
																																TOTAL ACRES				152.0			

CONDITIONS/REMARKS:

- THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
- USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.07 CFS.
- COMBINED RIGHT NOS.: 34-00509A, 34-10370A AND 34-10941A.
- 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.
- USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 152 ACRES IN A SINGLE IRRIGATION SEASON.

Claim No. R34-00510A

6. COMBINED RIGHT NOS.: 34-00509A, 34-10370A AND 34-10941A.

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 _____

PART 2

TRANS NO. 5774

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. R34-00577B

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	05/01 to 10/15	1.46 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BIG LOST RIVER	SINKS

Priority: 05/17/1904

LOCATION OF POINT(S) OF DIVERSION: NWSESE , Sec. 4, Township 05N, Range 26E
BUTTE 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	:	SUM
04N	26E	16	:											:											:	
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Page 8 of

TRANS NO. 5776

Claim No. R34-00577B

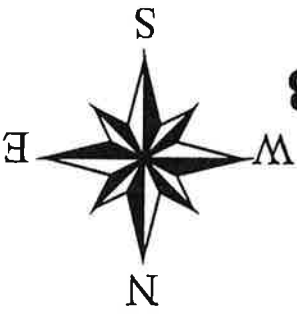
6. COMBINED RIGHT NOS.: 34-10370B AND 34-10941B.

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

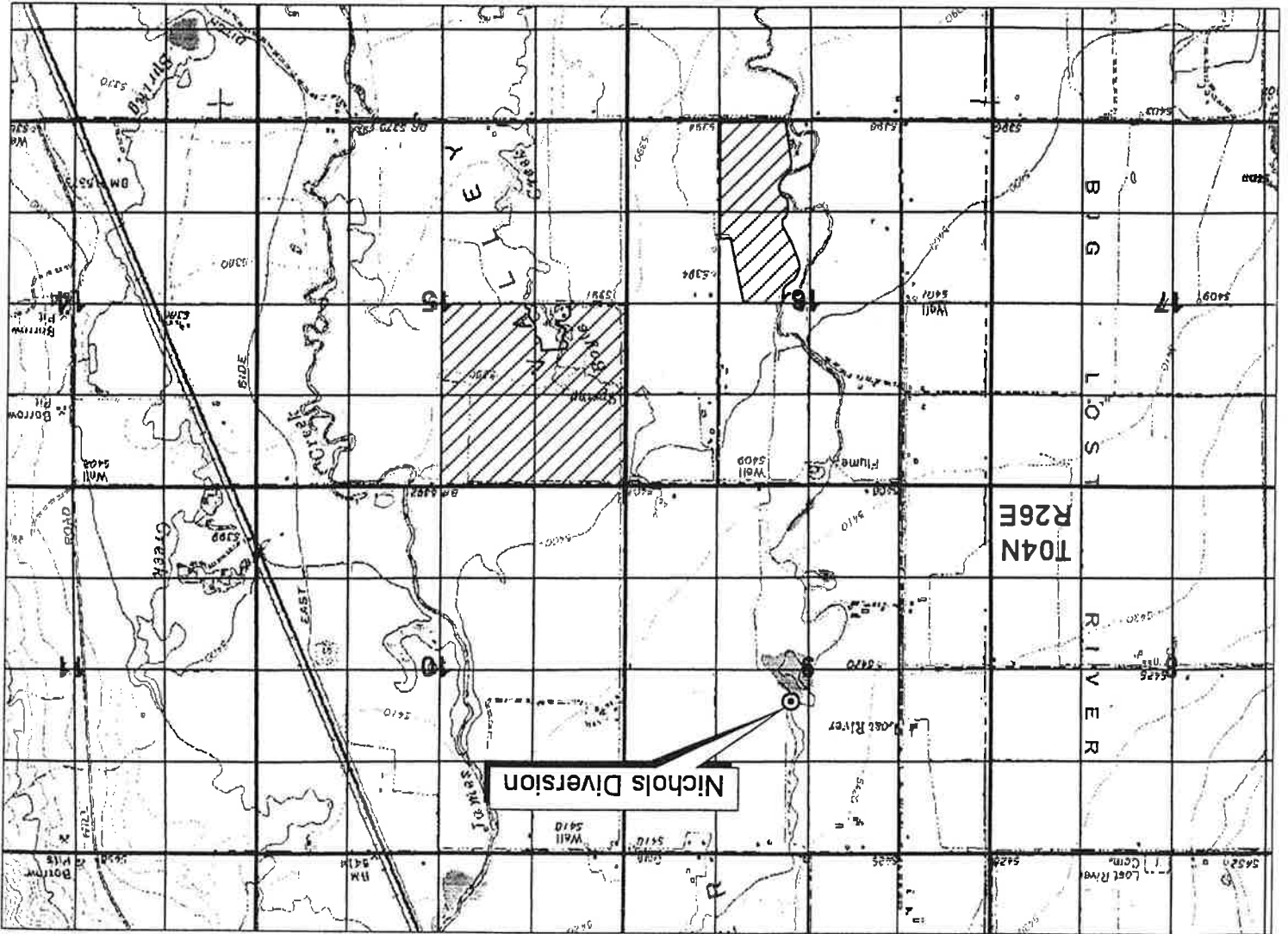
To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? NO If yes, describe:

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 _____



⊙ Additional point of diversion
▨ Place of use



PART 3

CHANGES IN NATURE OF USE

New Nature of Use

Amount(cfs/af-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.

Billy L. Harlow

(Signature of Applicant)

Subscribed and sworn to before me this 22 day of June, 2000.

Barbara Shuster

(Notary Public)

My commission expires 4-17-03

FOR DEPARTMENT USE ONLY

Transfer contains 10 pages and attachments

Received by HWT Date 6-23-00

Protest filed by

Prelim. Check by Fee \$100.00

Receipted by HWT #E025931 Date 6-26-00

Published in Arco Advertiser

Copies of protest forwarded by

Pub. Dates 7/6 & 7/13/00

Hearing held by Date Recommended for ☐ approval ☐ denial

Watermaster recommendations requested on

received by

Copy of transfer sent to lien holder