

50 12/20/01
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 69460

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant HANS OR TWAIN HAYDEN Phone 208-335-2152
Post Office address 3747 Mid Crystal Rd, Arbon, ID 83212

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use (irrigated acres, only)
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Current place of use includes 5 acres
isolated from the rest of the farm. We want to consolidate
all the use in one area to unify the use under these rights.

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>29-2144</u>	<u>7-03-1912</u>	<u>0.98 cfs</u>	<u>Irrig.</u>	<u>3-15</u> to <u>11-15</u>
<u>29-2564</u>	<u>1-21-1964</u>	<u>2.2 ac-ft *</u>		to _____
				to _____
				to _____

2. Total amount of water being transferred 0.98 cubic feet per second and/or * acre-feet per annum.

3. Source of water CLIFTON CREEK tributary to Bannock Creek

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	NW	SE	SE	3	9S	34E	Power	
	NW	NE	SW	8	"	"	"	
	NE	NW	NW	16	"	"	"	

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	
9S	34E	8									28	35		38	39	16	30	37	223
		9											3	2					5

* Stockwater storage + Fish Propagation Storage
remains the same for 29-2564

Total Acres 228

6. General Information:

a. Description of diversion system Ditch to sump + pump to sprinklers. Second pump lifts directly from stream. See license exam 29-7948

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 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:

will not be irrigated any longer.

d. Remarks:

Proposed place of use is immediately north of place of use under permit 29-7948 from same source.

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

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 29-2564

Priority Date: 01/21/1964

Origin: Adjudication Recommendation

Basis: License

Status: Active

CLIFTON CREEK Tributary to: BANNOCK CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION STORAGE	01/01	12/31		2.2 AFA	
STOCKWATER STORAGE	01/01	12/31		2.2 AFA	
IRRIGATION FROM STORAGE	03/15	11/15		2.2 AFA	
FISH PROPAGATION STORAGE	01/01	12/31		2.2 AFA	
Total Diversion				2.2 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
CLIFTON CREEK	09S	34E	3	NWSESE		POWER
CLIFTON CREEK (Rediversion)	09S	34E	8	NWNESW		POWER
CLIFTON CREEK (Rediversion)	09S	34E	16	NENWNW		POWER

PLACE OF USE: STOCKWATER STORAGE

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
09S	34e	3															X		

PLACE OF USE: IRRIGATION FROM STORAGE

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
09S	34E	3															5.0		5.0
09S	34E	8									28.0	35.0		38.0	39.0	16.0	30.0	37.0	223.0

Total Acres: 228

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 29-2564

PLACE OF USE: FISH PROPAGATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
09S	34e	3	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
																	X		

Conditions/Remarks:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. 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.
4. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 62 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
5. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 228 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-480, 29-2144, 29-2509, 29-2564, 29-7272, 29-10893, 29-13215.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 29-2144

Priority Date: 07/03/1912

Origin: Adjudication Recommendation

Basis: License

Status: Active

CLIFTON CREEK Tributary to: **BANNOCK CREEK**

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.98 CFS		
	Total Diversion	0.98 CFS		

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
CLIFTON CREEK	09S	34E	16	NENWNW		POWER
CLIFTON CREEK	09S	34E	3	NWSESE		POWER
CLIFTON CREEK	09S	34E	8	NWNESW		POWER

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
09S	34E	3																	5.0	5.0
09S	34E	8									28.0	35.0		38.0	39.0	16.0	30.0	37.0	223.0	

Total Acres: 228

Conditions/Remarks:

1. 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.
2. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 49 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 29-2144

5. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 228 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-480, 29-2144, 29-2509, 29-2564, 29-7272, 29-10893, 29-13215.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

Haydon/ Mid Crystal
Proposed new pool
for transfer

29-07949

Point of Divergence

Proposed
New pool

Permitted Pool
under
29-1948
and 29-1949

B. CHANGES IN NATURE OF USE

1.	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:

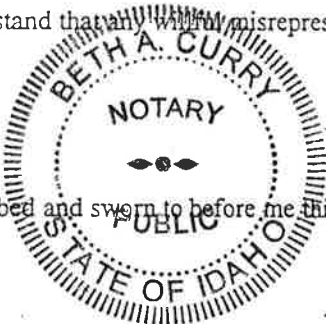
Any return flows will return to the same stream but further down.

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

None foreseen.

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

3rd

day of

Sept

, 20 01

(Signature of Applicant)

Beth A. Curry

(Notary Public)

My commission expires

8/12/04

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 12 attachments

Received by BC

Date 9-6-01

Protest filed by

Prelim. Check by 9/17/01 # E027165

Fee \$100 - Nrrd \$150 more

Received by BC # E027089

Date 9-6-2001

Published in Power Co. Press

Copies of protest forwarded by

Pub. Dates Oct 17 & 24, 2001

Hearing held by Date

Watermaster recommendations requested on

Recommended for ☐ approval ☐ denial

received

by

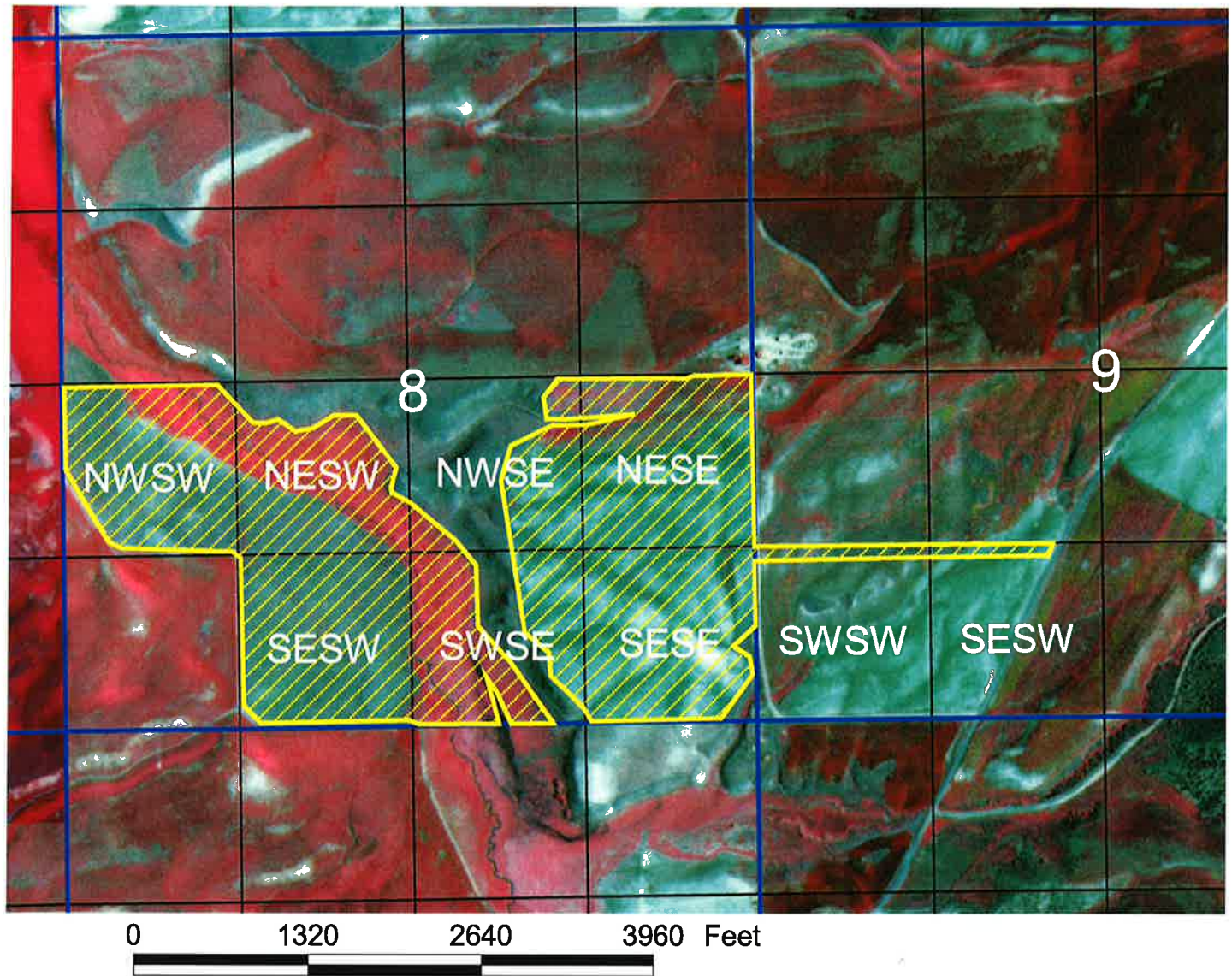
Copy of transfer sent to lien holder



Department of Water Resources

Transfer No.: 69460

29-2144, 29-2564



T69460.shp



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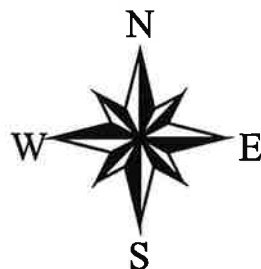


Sections



QQ

Irrigated Acres = 228



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepare by: E. Carlsen
Date: December 2001

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Superior National Bank

Samuel May Jr.