

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAY 24 2018
Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Hirschi Family Living Trust Phone 8013093837
Mailing address 1095 S Roueche Lane, Kaysville, UT 84037 Email shirschi@amfam.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

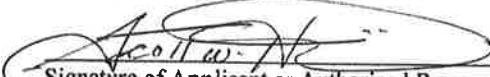
Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☒ No Representative

Name of Representative _____ Phone _____
Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.


Signature of Applicant or Authorized Representative

Scott W. Hirschi
Print Name and Title if applicable

5/22/18
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
☐ Change nature of use

☐ Add diversion point(s)
☐ Change period of use

☒ Change place of use
☐ Other _____
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.
Cattle have always watered in the meadows causing them to travel 1/2 mile leaving trails. I would like to put in tire tanks north of the meadows for stockwater. Would be driven by a solar pump from the Miller Ditch to 6 tanks north of the meadow. Cattle pastures are created for more efficient grazing patterns with 2 tanks per pasture.

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APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	11-7482	0.12 cfs	Stockwater	4/15 to 12/31	Bear River/Great Salt Lake
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.12 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.12 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	46E	19			S												S		
14S	46E	30								S	S			S					
14S	46E	31	S				S	S		S	S		S	S	S	S	S		
									L2				L4						
Total Acres (for irrigation use)																			

STATE OF IDAHO
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**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued**

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Cattle drink from Miller Ditch and water will be pumped from ditch via a small solar pump rated at 10 gpm to the tire tanks. It will only pump 10 gpm and then only in the day time.

- b. Who owns the property at the point(s) of diversion? Hawks and Son

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
N/A. Existing ditch has been in place for many years. The point of diversion will not change.

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

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
No irrigation.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

Permit 11-7814 for stockwater partially overlaps place of use. Eleven irrigation rights are delivered via the Miller Ditch.

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/22/2018

Water Right 11-7482

Owner Type **Name and Address**
Current Owner HIRSCHI FAMILY LIVING TRUST
1095 S ROUECHE LN
KAYSVILLE, UT 84037
(801) 309-3837

Priority Date: 4/15/1877

Basis: Statutory Claim

Status: Active

Source **Tributary**
BEAR RIVER GREAT SALT LAKE

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	04/15	12/31	0.120 CFS	
	<u>Total Diversion</u>		0.120 CFS	

Source and Point(s) of Diversion

BEAR RIVER SWSW Sec. 29, Twp 14S, Rge 46E, BEAR LAKE County

Place Of Use

STOCKWATER within BEAR LAKE County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	46E	31	X		X	X				X	X	X	X	X	X	X			
												L3	L4						
14S	46E	32						X	X			X	X						

Conditions of Approval:

Dates and Other Information

Water District Number: 11

Mitigation Plan: False

Combined Use Limits

N/A

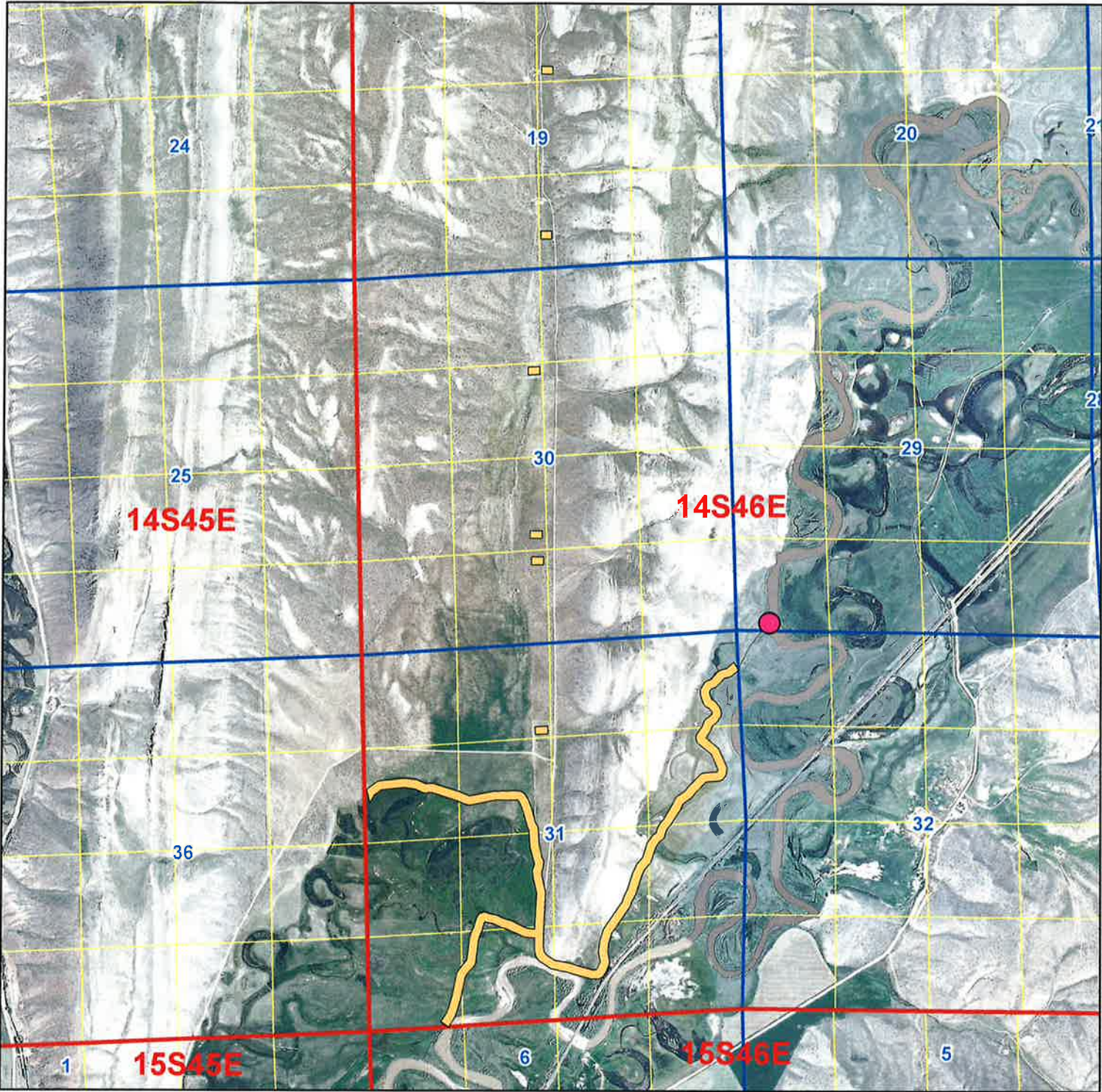
SubCase:

N/A

Water Supply Bank:

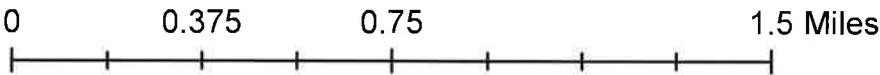
N/A

Transfer of Right No. 11-7482



Legend

- Miller Ditch POD
- Proposed POU
- Township/Range
- Sections
- QQ



82391

MH

 IRS DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
CINCINNATI OH 45999-0023

Date of this notice: 12-09-2015

Employer Identification Number:
81-6154435

Form: SS-4

Number of this notice: CP 575 B

HIRSCHI FAMILY LIVING TR
SCOTT HIRSCHI TTEE
1095 S ROUECHE LN
KAYSVILLE, UT 84037

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 81-6154435. This EIN will identify your estate or trust. If you are not the applicant, please contact the individual who is handling the estate or trust for you. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

Based on the information received from you or your representative, you must file the following form(s) by the date(s) shown.

Form 1041

12/09/2015

After our review of your information, we have determined that you have not filed tax returns for the above-mentioned tax period(s) dating as far back as 2009. Please file your return(s) by 12/24/2015. If there is a balance due on the return(s), penalties and interest will continue to accumulate from the due date of the return(s) until it is filed and paid. If you were not in business or did not hire any employees for the tax period(s) in question, please file the return(s) showing you have no liabilities.

If you have questions about the form(s) or the due date(s) shown, you can call us at the phone number or write to us at the address shown at the top of this notice. If you need help in determining your annual accounting period (tax year), see Publication 538, *Accounting Periods and Methods*.

We assigned you a tax classification based on information obtained from you or your representative. It is not a legal determination of your tax classification, and is not binding on the IRS. If you want a legal determination of your tax classification, you may request a private letter ruling from the IRS under the guidelines in Revenue Procedure 2004-1, 2004-1 I.R.B. 1 (or superseding Revenue Procedure for the year at issue). Note: Certain tax classification elections can be requested by filing Form 8832, *Entity Classification Election*. See Form 8832 and its instructions for additional information.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at www.irs.gov. If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

5/3/18

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Department of Water Resources
Eastern Region

Dear, James

As we discussed the other day on the phone I have completed both applications

- 1) Amendment to claim 11-7482 that more accurately reflects actual use. If you go back to the original claim of Rulon Wistisen you can see in question 7 he only listed the dates for stock use after the irrigation rights had ended assuming stock could water during that time. This is a more accurate reflection of what has been going on historically.
- 2) Application for Transfer of right 11-7482 - all we are trying to do is provide stock water for the cattle in the various pastures we are creating north of the meadow in the old dry farm area. They now travel to the meadow to drink leaving trails and walking off pounds. This transfer is only for stock water to better care for the land and the animals. As you can see water is minimal for only stock purposes.

Thanks much your help, it made more sense to me what was wanted with your explanation.

Scott

P.S. not sure what this costs
please give me a call I will
call with card and get you a
check. I would like to get
this handled ASAP so I can
take care of things with NRCS.

Hix