

APR 18 2014

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

79269

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for an entire water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right or to report an ownership change for a portion of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

☒ Change diversion point(s)☐ Add diversion point(s)☐ Ownership change1. APPLICANT(S) Scott M. Hayes Phone 208-386-9219 *cell 208 863 59*2. MAILING ADDRESS 9417 N. Winderwood Lane City BoiseState Idaho Zip 83714 Email _____☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) required for water right ownership changes; see [fee schedule](#).☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.3. LIST WATER RIGHT NUMBER(S) 73-116 and 73-78☒ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.4. TOTAL AMOUNT OF WATER transferred is 3.5 cfs cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)5. POINT OF DIVERSION – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
14N	21E	1		NE	SE	SW	Custer	Pahsimeroi River	A-0011426

6. 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:

The current Point of Diversion does not have adequate headgate, measuring device or fish screen. The new POD has a lockable/measurable measuring device, headgate and NOAA criteria fish screen.

- b. Who owns the property at the point(s) of diversion? Cirlice PI - Ben Yates

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

The IDFG screen easement is in place including an access easement. An additional easement will be signed with the current owner.

- c. 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(s), or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the right(s)? |

If yes, describe _____

7. MAP - ☒ Attach a map of the diversion, measurement, control and distribution system. Clearly label the map with township, range, section and ¼ ¼ of section information. The Map Tool, available at <http://maps.idwr.idaho.gov/TransferApplicationLayouts/> provides a satisfactory template for creating the required map.

8. SIGNATURE - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

<u>Scott M. Hayes</u>	<u>Scott M. Hayes (owner)</u>	<u>3/31/2014</u>
Signature of applicant or authorized agent	Print name and title if applicable	Date

_____ Signature of applicant or authorized agent	_____ Print name and title if applicable	_____ Date
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9. FEE - ☐ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The [Fee Schedule](#) is available at www.idwr.idaho.gov, *Water Right Transfers, Step 4* and in the [Application for Transfer Instructions](#).

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by _____ Date _____

Fee paid \$740.00 Date 4/21/2014 Received by B/ak Receipt # E039743

Preliminary review completed by _____ Date _____

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

Current Water Right No.: 73-116

Current Owner: SCOTT M HAYES
Priority Date: 11/29/1907
Origin: Water Right
Status: Active
Basis: Decreed

Source

PATTERSON CREEK

Tributary

PAHSIMEROI RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Diversion Rate

1.4 CFS

Annual Volume

Total Diversion

1.4 CFS

Location of Point(s) of Diversion

PATTERSON CREEK

NE1/4NE1/4

Sec. 7, Twp 14N, Rge 22E B.M.

LEMHI County

Place of Use

IRRIGATION Within CUSTER County

T15N R21E S27

SWNW

33.00

T15N R21E S27

SENW

5.20

T15N R21E S27

NESW

22.00

T15N R21E S27

NWSW

37.00

Total Acres: 97.2

Conditions of Approval:

1. Patterson Creek is locally known as Big Spring Creek.
2. C18 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.

Decreed Date: 2/2/2010

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

Current Water Right No.: 73-78

Current Owner: SCOTT M HAYES
Priority Date: 4/30/1904
Origin: Water Right
Status: Active
Basis: Decreed

Source

PAHSIMEROI RIVER
PATTERSON CREEK

Tributary

SALMON RIVER
PAHSIMEROI RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Diversion Rate

2.1 CFS

Annual Volume

Total Diversion

2.1 CFS

Location of Point(s) of Diversion

PATTERSON CREEK

NE1/4NE1/4

Sec. 7, Twp 14N, Rge 22E B.M.

LEMHI County

PAHSIMEROI RIVER

L3(NW1/4SW1/4)

Sec. 7, Twp 14N, Rge 22E B.M.

CUSTER County

Place of Use

IRRIGATION Within CUSTER County

T15N R21E S27	SWNW	33.00	T15N R21E S27	SENW	5.20
T15N R21E S27	NESW	22.00	T15N R21E S27	NWSW	37.00

Total Acres: 97.2

Conditions of Approval:

1. C18 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. Patterson Creek is locally known as Big Spring Creek.

Decreed Date: 2/2/2010

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

3/13/2014

WATER RIGHT NO. 73-78

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SCOTT M HAYES 9417 N WINTERWOOD LN BOISE, ID 83714 (208)386-9219
Original Owner	JOHN JOHNSON , ID
Original Owner	RICHARD A DINGES HC 62 BOX 2312 MAY, ID 83253 (208)876-4453
Original Owner	LAWSON CREEK RANCH INC PO BOX 2314 SUN VALLEY, ID 83353 (208)726-9746

Priority Date: 04/30/1904

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
PAHSIMEROI RIVER	SALMON RIVER
PATTERSON CREEK	PAHSIMEROI RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	2.1 CFS	
Total Diversion			2.1 CFS	

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Location of Point(s) of Diversion:

PATTERSON CREEK|NENE|Sec. 07|Township 14N|Range 22E|LEMHI County
 PAHSIMEROI RIVER|NWSW Lt 3|Sec. 07|Township 14N|Range 22E|CUSTER County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CUSTER County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
15N	21E	27		SWNW	33		SEnw	5.2						
				NESW	22		NWSW	37						

Total Acres: 97.2

Conditions of Approval:

1. C18 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. Patterson Creek is locally known as Big Spring Creek.

Dates:

Licensed Date:

Decreed Date: 02/02/2010

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 73

Generic Max Rate per Acre:

Generic Max Volume per Acre:

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Combined Acres Limit: 97.2

Combined Volume Limit:

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

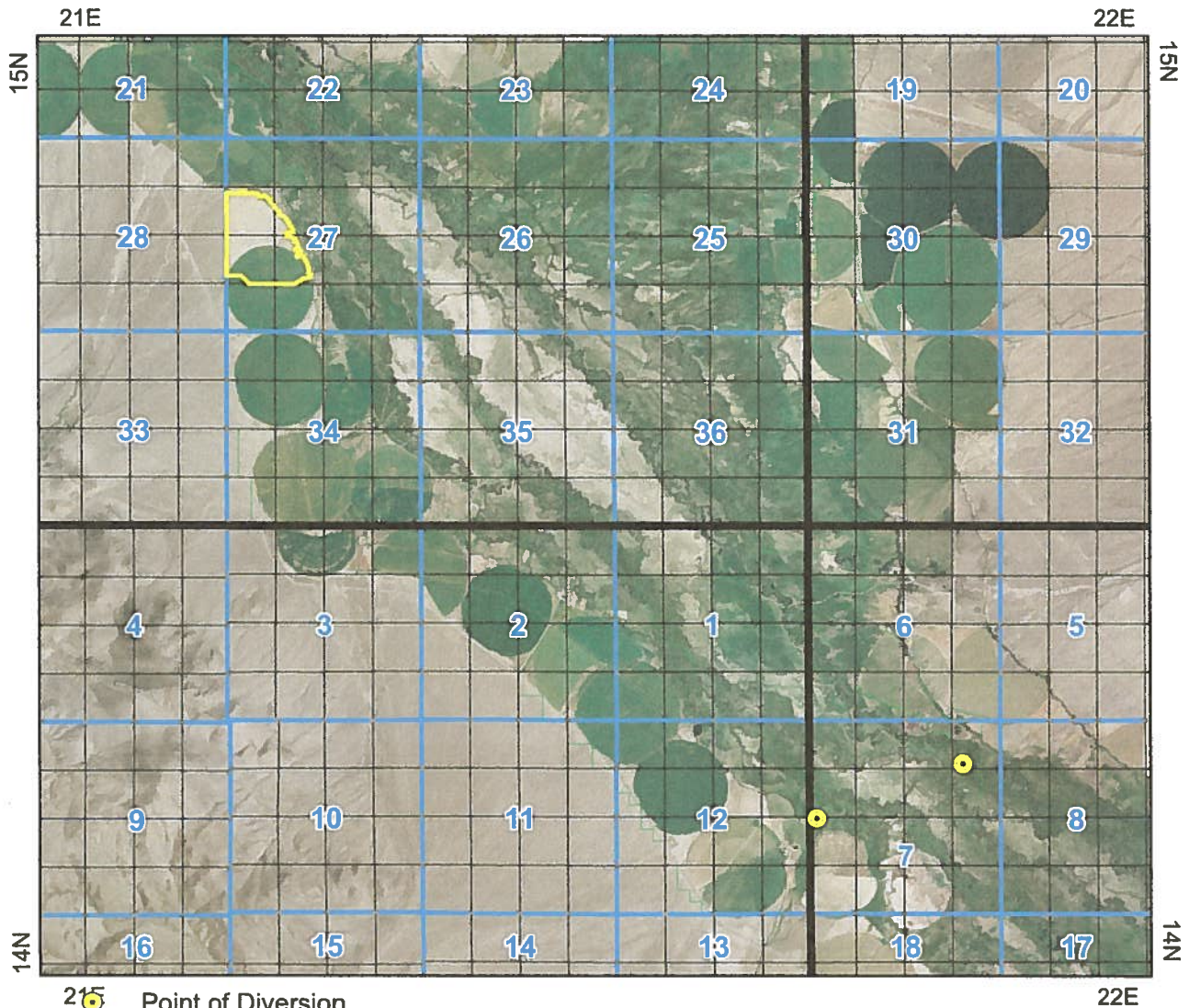
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State of Idaho
Department of Water Resources

Water Right 73-78

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  215 Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.5 1 2 Miles

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Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

3/13/2014

WATER RIGHT NO. 73-116

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SCOTT M HAYES 9417 N WINTERWOOD LN BOISE, ID 83714 (208)386-9219
Original Owner	LEWIS DECOCQ , ID
Original Owner	RICHARD A DINGES HC 62 BOX 2312 MAY, ID 83253 (208)876-4453
Original Owner	LAWSON CREEK RANCH INC PO BOX 2314 SUN VALLEY, ID 83353 (208)726-9746

Priority Date: 11/29/1907

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
PATTERSON CREEK	PAHSIMEROI RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.4 CFS	
Total Diversion			1.4 CFS	

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Location of Point(s) of Diversion:

PATTERSON CREEK|NENE|Sec. 07|Township 14N|Range 22E|LEMHI County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CUSTER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
15N	21E	27		SWNW	33		SEnw	5.2						
				NESW	22		NWSW	37						

Total Acres: 97.2

Conditions of Approval:

1. C18 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. Patterson Creek is locally known as Big Spring Creek.

Dates:

Licensed Date:

Decreed Date: 02/02/2010

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 73

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 97.2

Combined Volume Limit:

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Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

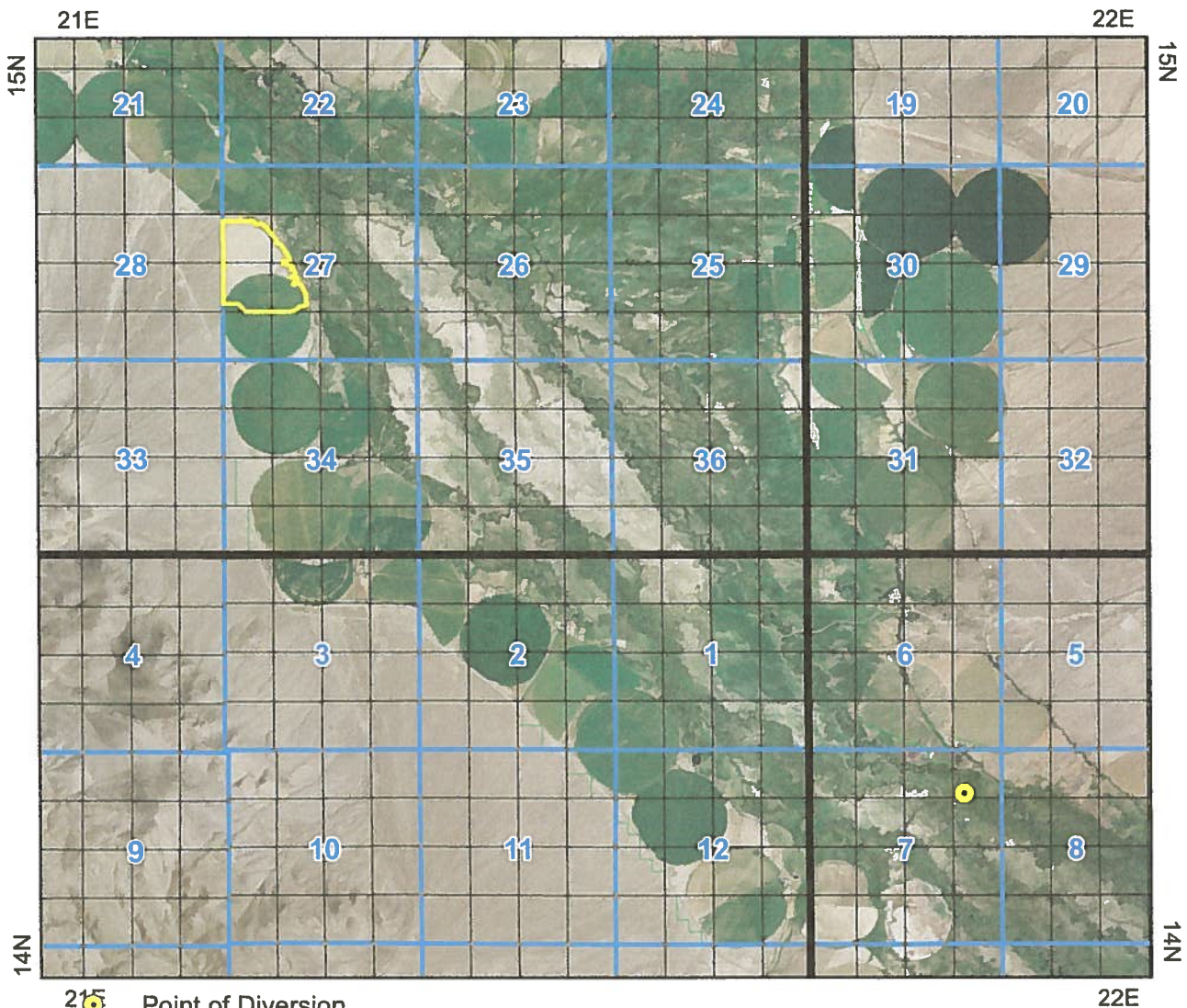
79269

State of Idaho
Department of Water Resources

**Water Right
73-116**

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.5 1 2 Miles

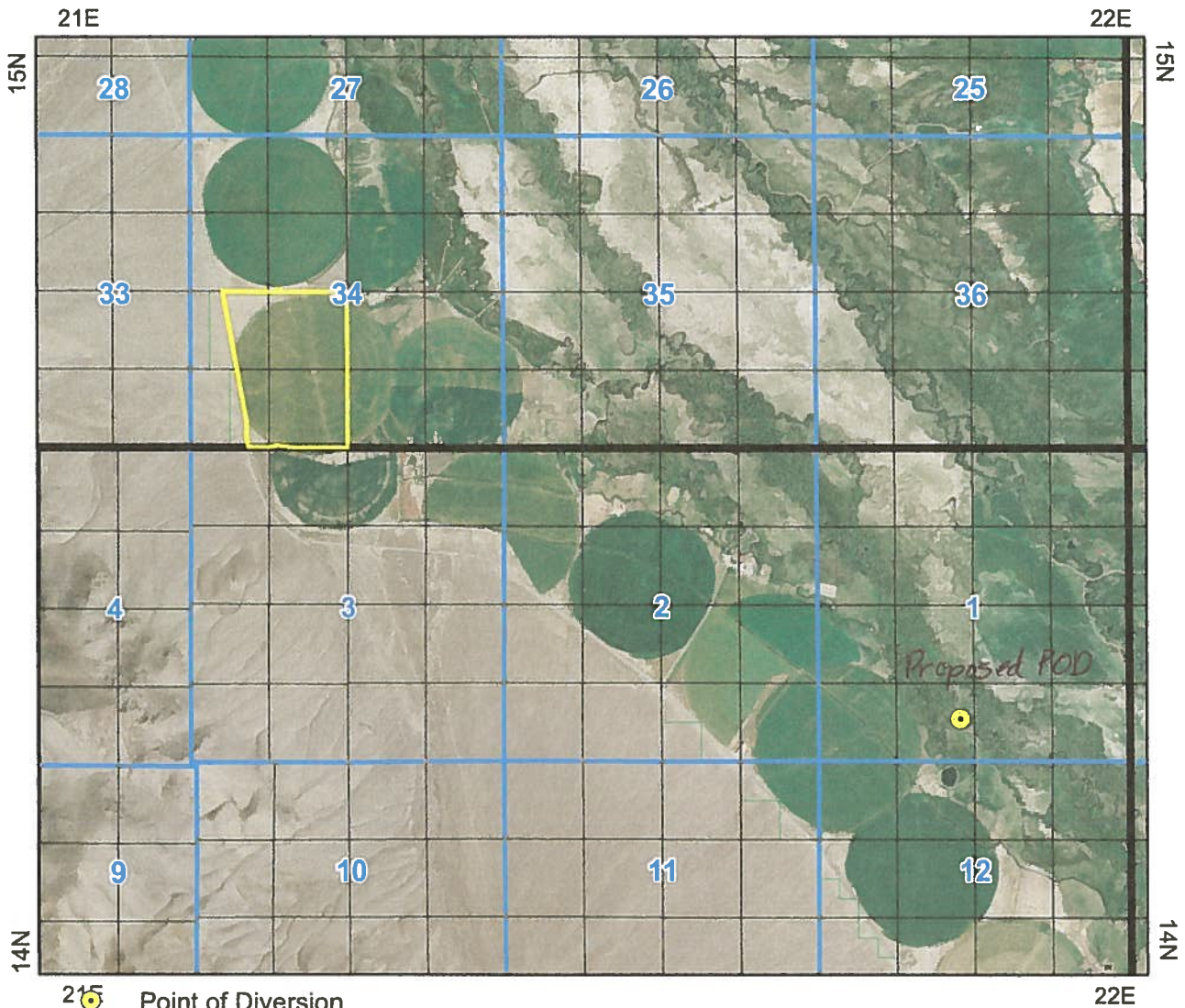


State of Idaho
Department of Water Resources

**Water Right
73-90**

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.35 0.7 1.4 Miles



To: Idaho Department of Water Resources

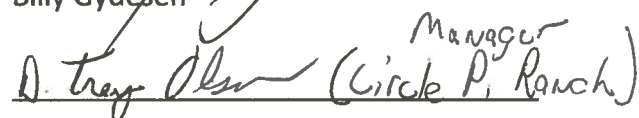
From: Billy and Shannon Gydesen & Troy Olson

Date: April 2, 2014

Subject: Transfer for Water Rights 73-116 and 73-78

As water users on the POD known as P-12 we approve the transfer for Scott Hayes Water Rights 73-116 and 73-78 into the P-12 Diversion. This approval includes a conservation project via the Custer Soil and Water Conservation District and the Idaho Department of Fish and Game to improve the infrastructure to the irrigation systems currently served by this Point of Diversion. This will also allow these agencies to close the P-13 Ditch which is does not currently have a NOAA Criteria Fish Screen on the diversion.


Billy Gydesen


Troy Olson