

RECEIVED

DEC 12 2013

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

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

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)
Point of inj/rediv for
74-407A☐ Ownership change

1. APPLICANT(S) John Amonson Phone 208-768-2602
2. MAILING ADDRESS PO Box-2551 City Lemhi
State Idaho Zip 83465 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) 74-280, 74-279A, 74-406A, 74-407A (Mill Lake)

- ☐ 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 11.33 cubic feet per second and/or \$140.0 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 #
16N	24E	22			NE	NW	Lemhi	Mill Creek	DC Diversion
								Point of rediversion for 74-407A	
74-407A only									
16N	24E	6			NW	SW	Lemhi	Mill Creek	Lake Diversion
									& Point of
									Injection

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:

Headgate and Ditch

- b. Who owns the property at the point(s) of diversion? US Forest Service

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

Point of diversion has always existed on Forest Service Ground. at the proposed POD location.

- 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 $\frac{1}{4}$ $\frac{1}{4}$ 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.

John Amanson
Signature of applicant or authorized agent

JOHN AMANSON
Print name and title if applicable

12-12-13
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

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 \$200.- Date 12/12/2013 Received by JP Receipt # E039369

Preliminary review completed by _____ Date _____

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

12/11/2013

WATER RIGHT NO. 74-280

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARIAN B AMONSON PO BOX 36 LEMHI, ID 83465 (208)768-2726
Current Owner	JUDITH W AMONSON
Current Owner	JOHN C AMONSON JR PO BOX 51 LEMHI, ID 83465 (208)768-2602
Original Owner	RICK SNYDER PO BOX 25 LEMHI, ID 83465

Priority Date: 05/19/1908

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MILL CREEK	LEMHI RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	6.4 CFS	
Total Diversion			6.4 CFS	

Location of Point(s) of Diversion:

MILL CREEK	SWSW	Sec. 15	Township 16N	Range 24E	LEMHI County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
17N	24E	27		NENE	35		NWNE	40		SWNE	40		SENE	40
				SENE	38									
				NESW	22									
				NESE	40		NWSE	40						

Total Acres: 295

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.
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Dates:

Licensed Date:

Decreed Date: 07/09/2007

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: OR

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

12/11/2013

WATER RIGHT NO. 74-279A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARIAN B AMONSON PO BOX 36 LEMHI, ID 83465 (208)768-2726
Current Owner	JUDITH W AMONSON
Current Owner	JOHN C AMONSON JR PO BOX 51 LEMHI, ID 83465 (208)768-2602
Original Owner	RICK SNYDER PO BOX 25 LEMHI, ID 83465

Priority Date: 05/30/1881

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MILL CREEK	LEMHI RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	2.7 CFS	
Total Diversion			2.7 CFS	

Location of Point(s) of Diversion:

MILL CREEK	SWSW	Sec. 15	Township 16N	Range 24E	LEMHI County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
17N	24E	27		SESW	40									
				SWSE	40		SESE	37						
		34		NENE	18.1		NWNE	40		SWNE	25.7		SENE	22.2
				NENW	37.3		SENE	8.5						

Total Acres: 268.8

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.
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Dates:

Licensed Date:

Decreed Date: 07/09/2007

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: OR

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

12/11/2013

WATER RIGHT NO. 74-406A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARIAN B AMONSON PO BOX 36 LEMHI, ID 83465 (208)768-2726
Current Owner	JUDITH W AMONSON
Current Owner	JOHN C AMONSON JR PO BOX 51 LEMHI, ID 83465 (208)768-2602
Original Owner	RICK SNYDER PO BOX 25 LEMHI, ID 83465

Priority Date: 05/01/1886

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MILL CREEK	LEMHI RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	2.23 CFS	
Total Diversion			2.23 CFS	

Location of Point(s) of Diversion:

MILL CREEK	SWSW	Sec. 15	Township 16N	Range 24E	LEMHI County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
17N	24E	27		SESW	40									
				SWSE	40		SESE	37						
		34		NENE	18.1		NWNE	40		SWNE	25.7		SENE	22.2
				NENW	37.3		SENE	8.5						

Total Acres: 268.8

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.
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Dates:

Licensed Date:

Decreed Date: 07/09/2007

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: OR

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/12/2013

Water Right 74-407A

Owner Type **Name**
Current Owner MARIAN B AMONSON
Current Owner JUDITH W AMONSON
Current Owner JOHN C AMONSON JR
Original Owner RICK SNYDER
Priority Date: 8/15/1900
Basis: Decreed
Status: Active

Source **Tributary**
MILL CREEK LEMHI RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION STORAGE	1/01	12/31		140.0 AF
IRRIGATION FROM STORAGE	3/15	11/15		140.0 AF
	<u>Total Diversion</u>			140.0 AF

Source and Point(s) of Diversion

MILL CREEK NWSW Sec. 6, Twp 15N, Rge 24E, LEMHI County

Place Of Use

IRRIGATION FROM STORAGE within LEMHI County

T17N R24E S27	SESW	40.0
T17N R24E S27	SWSE	40.0
T17N R24E S27	SESE	37.0
T17N R24E S34	NENE	18.1
T17N R24E S34	NWNE	40.0
T17N R24E S34	SWNE	25.7
T17N R24E S34	SENE	22.2
T17N R24E S34	NENW	37.3
T17N R24E S34	SENW	8.5
POU Total Acres:		268.8

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.

PO Box 83720
Boise, Idaho 83720-0098
garrick.baxter@idwr.idaho.gov
Phone: (208) 287-4811
Fax: (208) 287-6700

From: Ciscell, Michael
Sent: Wednesday, December 04, 2013 9:31 AM
To: Kenworthy, Robert P -FS; Miller, Nick
Cc: Melvin, Stefani -FS; Rose, Robert W -FS; Jacobson, Lee -FS; Craig, Belle A -FS; Page, Tim K -FS; Baxter, Garrick
Subject: RE: Correction to IDWR spatial data for Mill Creek diversions, Lemhi Basin

Bob,

Not, unfortunately, a straight-forward request. PODs cannot be moved if the move (even to the correct location) puts them in a QQ different from their water right's legal description for that POD. That said, each of these rights has a Notice of Error, sent by IDWR staff to the claimants, as part of our recommendation and none brought a change in POD to our attention. I have put your GPS locations in our location layer so they are available to staff in the future.

The first diversion, Mill Creek DC ditch, has two issues:

- All the WRs but 74-407A & B were decreed in 16N24E 15 SWSW. The proper location (according to your GPS reading) is in 16N24E 22 NENW. This will require a set-aside of the decree or a transfer to change the POD for each right.
- 74-407A & B's POD are located at Mill Lake outlet in 15N24E 6 NWSW. No rediversion points are shown on the decreed right.

The second, Strupp Diversion is also decreed in a QQ, 16N24E 15 SWSW, that is different from the location (16N24E 15 SESW) you give below. Same remedy applies.

NENW

The third, Mill Creek (Kluesner-Peterson) is in the same QQ, 16N24E 15 ~~SESW~~, as your new coordinates. I have moved two of the rights to this new location. 74-286 was decreed in this QQ but was transferred in Aug, 2013 to 16N24E 15 SENE. A change in POD was a part of the transfer and the POD is now in the new location.

The other issue here is that each of these whose legal description is different from your locations MAY have been at the decreed location originally and they HAVE changed their POD. In that case all DO need to file transfers to reflect the new locations. This may be something you'd like to approach them about. I have cc'ed Garrick Baxter, our Deputy AG, on this as well.

Michael

From: Kenworthy, Robert P -FS [<mailto:rkenworthy@fs.fed.us>]
Sent: Tuesday, December 03, 2013 1:29 PM
To: Miller, Nick; Ciscell, Michael
Cc: Melvin, Stefani -FS; Rose, Robert W -FS; Jacobson, Lee -FS; Craig, Belle A -FS; Page, Tim K -FS
Subject: Correction to IDWR spatial data for Mill Creek diversions, Lemhi Basin

Hi Nick and Michael,

I'm not sure who to send this information to but I imagine you will forward it to the correct person(s).

