

AMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 02 2013

Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant EUNICE TYLER Phone (208)768-2404
Mailing Address 762 LEE CREEK RD, LEADORE ID 83464 Email _____

- ☐ 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

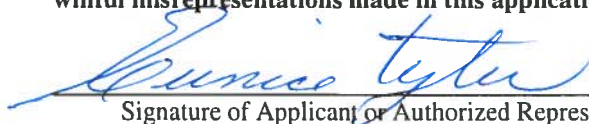
☐ Send original correspondence to the applicant and copies to the representative.

☐ 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.

 Eunice Tyler 4-2-2013
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	74-282A	No	No	Yes	Yes	No	No
	74-283A	No	No	Yes	Yes	No	No
	74-284A	No	No	Yes	Yes	No	No

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

2. 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**

This transfer proposes to combine and re-arrange the place of use, and add a point of diversion.

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

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
74-282A	1.640 cfs	N/A	82.0	333.7		N/A	N/A	N/A	N/A
74-283A	3.200 cfs	N/A	150.9	333.7		N/A	N/A	N/A	N/A
74-284A	1.600 cfs	N/A	100.8	333.7		N/A	N/A	N/A	N/A

**COMBINED
TOTALS**

6.440 cfs	N/A	N/A	333.7	N/A	N/A	N/A	N/A
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2. Total amount of water proposed to be transferred or changed 6.44 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)

☒ As shown in Part 1.

☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

4. Place of Use:

☐ No changes to place of use are proposed. (Proceed to #5.)

☒ As shown in Part 1.

☐ See Attachment.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 74-282A

Current Water Right Owner

EUNICE TYLER
 762 LEE CREEK RD
 LEADORE, ID 83464

Priority Date: 9/24/1909

Origin: Water Right

Basis: Decreed

Status Active

Source: MILL CREEK

Tributary: LEMHI RIVER

Beneficial Use

IRRIGATION

From

3/15

To

11/15

Diversion Rate

1.640 CFS

Subuse Code

Total Diversion

1.640 CFS

Source and Point(s) of Diversion:

MILL CREEK

L2(SENSE)

Sec. 15 Twp 16N Rge 24E LEMHI County

MILL CREEK

L2(SENSE)

Sec. 15 Twp 16N Rge 24E LEMHI County

Describe the proposed diversion system

Quinn ditch, open ditch to mainline, sprinkler irrigation.

Carlson ditch, open ditch to mainline, sprinkler irrigation.

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	24E	12	26.4		8.1	36.3													70.8
16N	25E	6											7.3	18.0					25.3
													L 7						
16N	25E	7		36.3	38.3		41.0	41.0	41.0	40.0									237.6
								L 1	L 2										

Right Acre Limit: 82.0

POU Total Acres: 333.7

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Form 1 Transfer Right After Requested Changes

Proposed Water Right No. 74-283A

Current Water Right Owner **EUNICE TYLER**
762 LEE CREEK RD
LEADORE, ID 83464

Priority Date: 9/24/1909

Origin: Water Right

Basis: Decreed

Status Active

Source: MILL CREEK **Tributary:** LEMHI RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	3/15	11/15	3.200 CFS	
Total Diversion			3.200 CFS	

Source and Point(s) of Diversion:

MILL CREEK	L2(SENE)	Sec. 15 Twp 16N Rge 24E LEMHI County
MILL CREEK	L2(SENE)	Sec. 15 Twp 16N Rge 24E LEMHI County

Describe the proposed diversion system

Quinn ditch, open ditch to mainline, sprinkler irrigation.

Carlson ditch, open ditch to mainline, sprinkler irrigation.

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	24E	12	26.4		8.1	36.3													70.8
16N	25E	6											7.3	18.0					25.3
													L 7						
16N	25E	7		36.3	38.3		41.0	41.0	41.0	40.0									237.6
								L 1	L 2										

Right Acre Limit: 150.9

POU Total Acres: 333.7

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Part 1 Transfer Right After Requested Changes

Proposed Water Right No. 74-284A

Current Water Right Owner

EUNICE TYLER
 762 LEE CREEK RD
 LEADORE, ID 83464

Priority Date: 9/24/1909

Origin: Water Right

Basis: Decreed

Status: Active

Source: MILL CREEK

Tributary: LEMHI RIVER

Beneficial Use

IRRIGATION

From

3/15

To

11/15

Diversion Rate

1.600 CFS

Subuse Code

Total Diversion

1.600 CFS

Source and Point(s) of Diversion:

MILL CREEK

L2(SENSE)

Sec. 15 Twp 16N Rge 24E LEMHI County

MILL CREEK

L2(SENSE)

Sec. 15 Twp 16N Rge 24E LEMHI County

Describe the proposed diversion system

Quinn ditch, open ditch to mainline, sprinkler irrigation.

Carlson ditch, open ditch to mainline, sprinkler irrigation.

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	24E	12	26.4		8.1	36.3													70.8
16N	25E	6											7.3	18.0					25.3
													L 7						
16N	25E	7		36.3	38.3		41.0	41.0	41.0	40.0									237.6
								L 1	L 2										

Right Acre Limit: 100.8

POU Total Acres: 333.7

**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

- b. Who owns the property at the point(s) of diversion

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No, ☐ 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. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

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

- f. 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
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 74-282A

Current Water Right Owner

NORMA E CARLSON
 740 LEE CREEK RD
 LEADORE, ID 83464

AND

ROBERT E CARLSON
 740 LEE CREEK RD
 LEADORE, ID 83464

Priority Date: 9/24/1909

Origin: Water Right

Basis: Decreed

Status: Active

Source: MILL CREEK

Tributary: LEMHI RIVER

Beneficial Use

IRRIGATION

From

3/15

To

11/15

Diversion Rate

1.640 CFS

Subuse Code

Total Diversion

1.640 CFS

Source and Point(s) of Diversion:

MILL CREEK

L2(ENE)

Sec. 15 Twp 16N Rge 24E LEMHI County

Describe the proposed diversion system

CARLSON DITCH, WOODEN HDGATE, PARSHAL FLUME DITCHES, FLOOD IRR.

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	25E	7						41.0	41.0										82.0
								L 1	L 2										

POU Total Acres: 82.0

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.

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

Current Water Right No. 74-283A

Current Water Right Owner

NORMA E CARLSON
 740 LEE CREEK RD
 LEADORE, ID 83464

AND

ROBERT E CARLSON
 740 LEE CREEK RD
 LEADORE, ID 83464

Priority Date: 9/24/1909

Origin: Water Right

Basis: Decreed

Status: Active

Source: MILL CREEK

Tributary: LEMHI RIVER

Beneficial Use

IRRIGATION

From

3/15

To

11/15

Diversion Rate

3.200 CFS

Subuse Code

Total Diversion

3.200 CFS

Source and Point(s) of Diversion:

MILL CREEK

L2(ENE)

Sec. 15 Twp 16N Rge 24E LEMHI County

Describe the proposed diversion system

CARLSON DITCH, WOODEN HDGATE PARSHAL FLUME DITCHES, FLOOD IRR.

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	25E	7		33.0	40.0		38.0			40.0									151.0

POU Total Acres: 151.0

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. This right authorizes the irrigation of 150.9 total acres.

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

Current Water Right No. 74-284A

Current Water Right Owner

ROBERT E CARLSON
 740 LEE CREEK RD
 LEADORE, ID 83464

AND

NORMA E CARLSON
 740 LEE CREEK RD
 LEADORE, ID 83464

Priority Date: 9/24/1909

Origin: Water Right

Basis: Decreed

Status: Active

Source: MILL CREEK

Tributary: LEMHI RIVER

Beneficial Use
 IRRIGATION

From
 3/15

To
 11/15

Diversion Rate
 1.600 CFS
 Total Diversion
 1.600 CFS

Subuse Code

Source and Point(s) of Diversion:

MILL CREEK

L2(SENSE)

Sec. 15 Twp 16N Rge 24E LEMHI County

Describe the proposed diversion system

CARLSON DITCH WOODEN HDGATE WITH PARSHAL FLUME DITCHES, FLOOD IRR.

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	24E	12	34.0		27.0	40.0													101.0

POU Total Acres: 101.0

Conditions/Remarks:

1. This right authorizes the irrigation of 100.8 total acres.
2. 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.

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

☐ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.

☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Transfer Contains 11 pages and attachments.
 Received By Date 1/24/2013 Prelim. Check By Date
 Fee Paid Date Received By Receipt # E038354
 Add'l Fee Paid Date Received By Receipt #