

RECEIVED

MAY 07 2012

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) ☐ Ownership change

1. APPLICANT(S) GEORGE MATEJKO Phone 208-756-1946  
2. MAILING ADDRESS P.O. BOX 129 City CARMEN  
State ID Zip 83402 Email gmatejko@centurytel.net

- ☐ 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) 75-10061R; 75-10062P; 75-69H; 75-70H;  
75-14431

- ☒ Attach a copy of the water right(s) as recorded, available at [www.idwr.idaho.gov](http://www.idwr.idaho.gov), *Water Right Transfers, Step 1*, or by contacting any Department office.

4. TOTAL AMOUNT OF WATER transferred is 0.374 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](http://www.idwr.idaho.gov), *Water Right Transfers, Online Resources*.

| Twp | Rge | Sec | Govt Lot | ¼  | ¼  | ¼  | County | Source       | Local name or tag # |
|-----|-----|-----|----------|----|----|----|--------|--------------|---------------------|
| 22N | 22E | 2   | 3        | NW | NE | NW | LEMHI  | CARMEN CREEK | CC 9                |
| 22N | 22E | 2   |          | SW | SW | NW | LEMHI  | CARMEN CREEK | CC 7                |
|     |     |     |          |    |    |    |        |              |                     |
|     |     |     |          |    |    |    |        |              |                     |
|     |     |     |          |    |    |    |        |              |                     |
|     |     |     |          |    |    |    |        |              |                     |
|     |     |     |          |    |    |    |        |              |                     |
|     |     |     |          |    |    |    |        |              |                     |
|     |     |     |          |    |    |    |        |              |                     |
|     |     |     |          |    |    |    |        |              |                     |

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:

MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS PROVIDED ON FISH SCREEN  
BY ID FISH + GAME

- b. Who owns the property at the point(s) of diversion? EASEMENT TO ID FISH + GAME  
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

EASEMENT TO IDAHO FISH AND GAME

- 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 1/4 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.

George Matejko

Signature of applicant or authorized agent

GEORGE MATEJSKO

Print name and title if applicable

4-6-12

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](http://www.idwr.idaho.gov), [Water Right Transfers](#), Step 4 and in the [Application for Transfer Instructions](#).

PROVIDED BY IDF&G

FOR DEPARTMENT USE ONLY

Transfer includes 13 pages of attachments. Received by Km Date 5-9-2012

Fee paid \$500.- Date \_\_\_\_\_ Received by \_\_\_\_\_ Receipt # \_\_\_\_\_

Preliminary review completed by Km Date 5-9-2012

ATTACHMENT TO APPLICATION FOR TRANSFER  
Point of Diversion

Name: GEORGE MATEJKO

Right Numbers: 75-10061R, 75-10062P, 75-69H, 75-20H, 75-4B1

This property is served by two diversion points designated as CC7 and CC8, located in SW SW NW of Section 2, T22N R22E and (Govt. Lot 4) NE NW NW of Section 2, T22N R22E, respectively. The Idaho Fish & Game has recently installed a metal headgate structure and fish screen on CC7. Diversion CC7 is not involved in the transfer request, but CC7 will continue to serve the listed rights.

CC8 will be discontinued, and the flow for CC8 will now be diverted at CC9 which is upstream and very close to CC8. Consolidated CC9 has a new headgate structure and screen with crosscut pipe, gate, and weir to move CC8 water into the CC8 ditch below the closed CC8 diversion point. The original ditches, distribution amounts, and places of use remain unchanged. The sole effect is the elimination of one diversion point through the consolidation of CC8 and CC9.

Note that the rights listed above will also continue to be served by CC7, further downstream, which is not involved in the consolidation.

**APPLICATION FOR TRANSFER  
DIVERSION PT CC8 TO CC9**

**CC8 NENWNW**

**CC9 NWNENW**

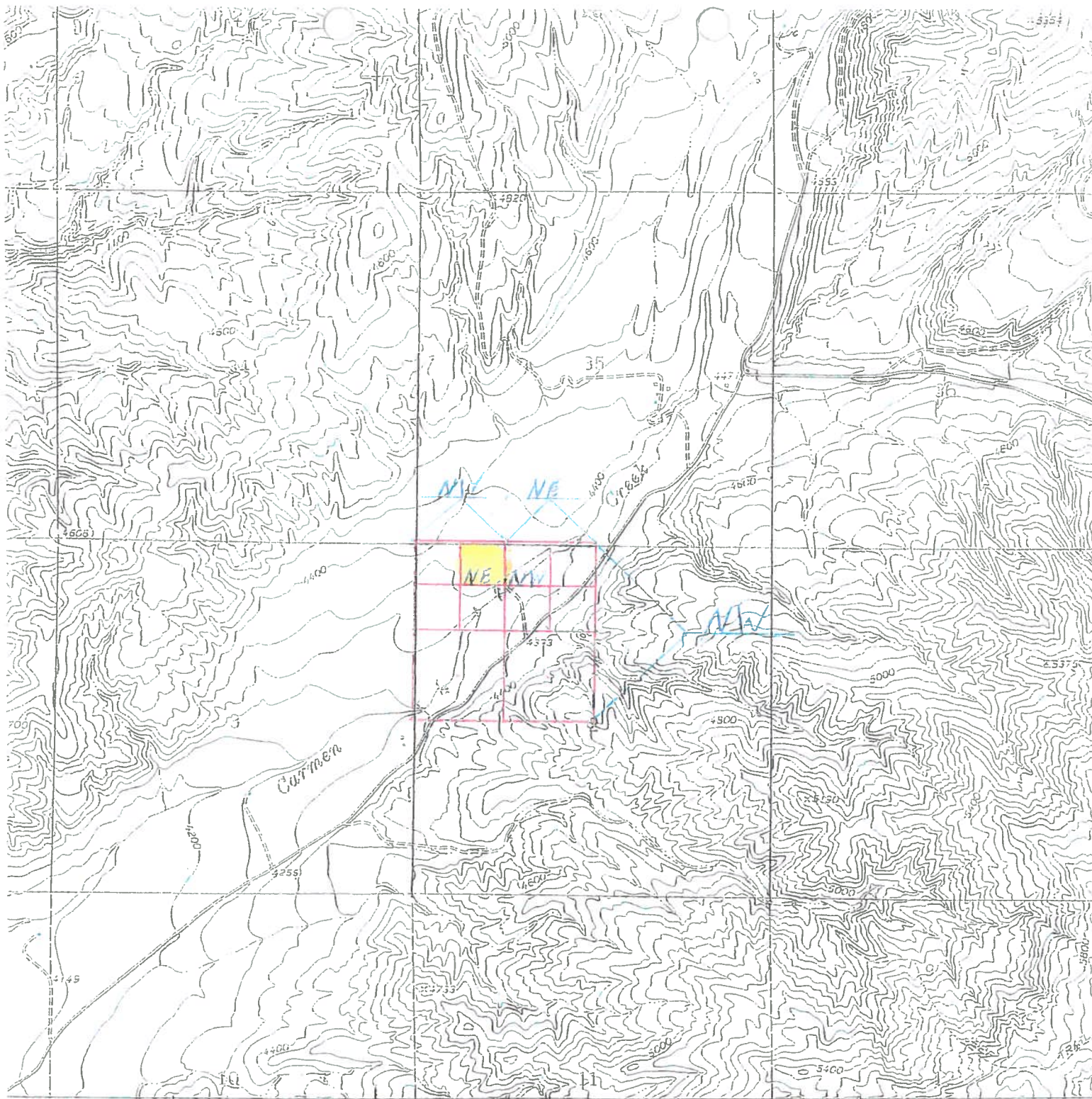
**T23N R22E**

**T22N R22E**

**2**

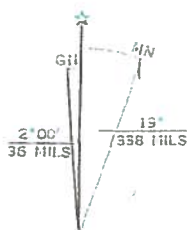
**NWNW SEC2 IS G.L 4**

**NENW SEC2 IS G.L.3**

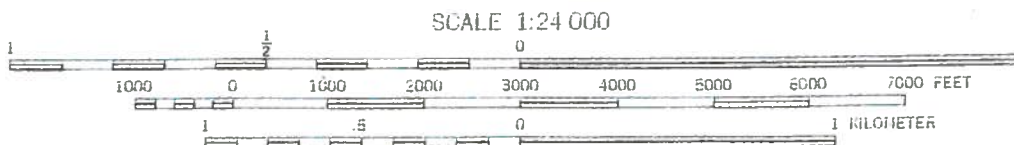


ARMEN 2.4 MI.  
ALMOH (VIA U.S. 83) 7 MI.

al Survey



UTM GRID AND 1965 MAGNETIC NORTH  
DECLINATION AT CENTER OF SHEET



CONTOUR INTERVAL 40 FEET  
NATIONAL GEODETIC VERTICAL DATUM OF 1929

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS  
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22  
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

77005

Close

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report

4/4/2012

WATER RIGHT NO. 75-10061R

1875  
10061R

| Owner Type     | Name and Address                                                                |
|----------------|---------------------------------------------------------------------------------|
| Current Owner  | GEORGE MATEJKO<br>PO BOX 129<br>CARMEN, ID 83462<br>(208)756-1946               |
| Attorney       | RIGBY ANDRUS & MOELLER CHTD<br>PO BOX 250<br>REXBURG, ID 83440<br>(208)356-3633 |
| Original Owner | M GARY ANDERSON<br>405 BROADWAY<br>SALMON, ID 83467<br>(208)756-8787            |

Priority Date: 05/01/1875

Basis: Decreed

Status: Active

| Source       | Tributary    |
|--------------|--------------|
| CARMEN CREEK | SALMON RIVER |

| Beneficial Use  | From  | To    | Diversion Rate | Volume |
|-----------------|-------|-------|----------------|--------|
| IRRIGATION      | 04/01 | 10/31 | 0.051 CFS      |        |
| Total Diversion |       |       | 0.051 CFS      |        |

Location of Point(s) of Diversion:

|              |        |         |              |           |              |
|--------------|--------|---------|--------------|-----------|--------------|
| CARMEN CREEK | SENWNW | Sec. 02 | Township 22N | Range 22E | LEMHI County |
| CARMEN CREEK | SWNW   | Sec. 02 | Township 22N | Range 22E | LEMHI County |

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 |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 22N      | 22E   | 3       |     | NESE  | 9.4   |     |       |       |     |       |       |     |       |       |

Total Acres: 9.4

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. | E56 | The rights listed below are limited to the irrigation of a combined total of 9.4 acres in a single irrigation season. Combined Right Nos.: 75-69H, 75-70H, 75-10061R, 75-10062P & 75-14431.                                                                                                                     |

77925

## Dates:

Licensed Date:

Decreed Date: 01/05/2011

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: 75D

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 9.4

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](#)

77925

Close

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report

4/4/2012

WATER RIGHT NO. 75-10062P

10062P  
1882

| <u>Owner Type</u> | <u>Name and Address</u>                                                         |
|-------------------|---------------------------------------------------------------------------------|
| Current Owner     | GEORGE MATEJKO<br>PO BOX 129<br>CARMEN, ID 83462<br>(208)756-1946               |
| Attorney          | RIGBY ANDRUS & MOELLER CHTD<br>PO BOX 250<br>REXBURG, ID 83440<br>(208)356-3633 |
| Original Owner    | M GARY ANDERSON<br>405 BROADWAY<br>SALMON, ID 83467<br>(208)756-8787            |

Priority Date: 05/01/1882

Basis: Decreed

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| CARMEN CREEK  | SALMON RIVER     |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 04/01       | 10/31     | 0.024 CFS             |               |
| Total Diversion       |             |           | 0.024 CFS             |               |

Location of Point(s) of Diversion:

|              |        |         |              |           |              |
|--------------|--------|---------|--------------|-----------|--------------|
| CARMEN CREEK | SENWNW | Sec. 02 | Township 22N | Range 22E | LEMHI County |
| CARMEN CREEK | SWNW   | Sec. 02 | Township 22N | Range 22E | LEMHI County |

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI 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> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 22N             | 22E          | 3              |            | NESE         | 9.4          |            |              |              |            |              |              |            |              |              |

Total Acres: 9.4

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. E56 | The rights listed below are limited to the irrigation of a combined total of 9.4 acres in a single irrigation season. Combined Right Nos.: 75-69H, 75-70H, 75-10061R, 75-10062P & 75-14431.                                                                                                                     |

77925

Dates:

Licensed Date:

Decreed Date: 01/05/2011

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: 75D

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 9.4

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

Close

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report

4/4/2012

WATER RIGHT NO. 75-69H

69H  
1888

| Owner Type     | Name and Address                                                                |
|----------------|---------------------------------------------------------------------------------|
| Current Owner  | GEORGE MATEJKO<br>PO BOX 129<br>CARMEN, ID 83462<br>(208)756-1946               |
| Attorney       | RIGBY ANDRUS & MOELLER CHTD<br>PO BOX 250<br>REXBURG, ID 83440<br>(208)356-3633 |
| Original Owner | M GARY ANDERSON                                                                 |
| Original Owner | THOMAS PALMER<br>405 BROADWAY<br>SALMON, ID 83467<br>(208)756-8787              |

Priority Date: 05/01/1888

Basis: Decreed

Status: Active

| Source       | Tributary    |
|--------------|--------------|
| CARMEN CREEK | SALMON RIVER |

| Beneficial Use  | From  | To    | Diversion Rate | Volume |
|-----------------|-------|-------|----------------|--------|
| IRRIGATION      | 04/01 | 10/31 | 0.046 CFS      |        |
| Total Diversion |       |       | 0.046 CFS      |        |

Location of Point(s) of Diversion:

|              |           |         |              |           |              |
|--------------|-----------|---------|--------------|-----------|--------------|
| CARMEN CREEK | NWNW Lt 4 | Sec. 02 | Township 22N | Range 22E | LEMHI County |
| CARMEN CREEK | SWNW      | Sec. 02 | Township 22N | Range 22E | LEMHI County |

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 |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 22N      | 22E   | 3       |     | NESE  | 9.4   |     |       |       |     |       |       |     |       |       |

Total Acres: 9.4

Conditions of Approval:

|    |     |                                                                                                                                                                                                                                                                                                                 |
|----|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | E56 | The rights listed below are limited to the irrigation of a combined total of 9.4 acres in a single irrigation season. Combined Right Nos.: 75-69H, 75-70H, 75-10061R, 75-10062P & 75-14431.                                                                                                                     |
| 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. |

Dates:

Licensed Date:

Decreed Date: 01/31/2011

Enlargement Use Priority Date:

77925

## Water Right Report

Page 2 of 2

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: 75D  
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:  
Cary Act Number:  
Mitigation Plan: False

[Close](#)

77925

Close

IDAHO DEPARTMENT OF WATER RESOURCES  
Water Right Report

4/4/2012

WATER RIGHT NO. 75-70H

70H  
1892

| Owner Type     | Name and Address                                                                |
|----------------|---------------------------------------------------------------------------------|
| Current Owner  | GEORGE MATEJKO<br>PO BOX 129<br>CARMEN, ID 83462<br>(208)756-1946               |
| Attorney       | RIGBY ANDRUS & MOELLER CHTD<br>PO BOX 250<br>REXBURG, ID 83440<br>(208)356-3633 |
| Original Owner | M GARY ANDERSON                                                                 |
| Original Owner | THOMAS PALMER<br>405 BROADWAY<br>SALMON, ID 83467<br>(208)756-8787              |

Priority Date: 05/01/1892

Basis: Decreed

Status: Active

| Source       | Tributary    |
|--------------|--------------|
| CARMEN CREEK | SALMON RIVER |

| Beneficial Use  | From  | To    | Diversion Rate | Volume |
|-----------------|-------|-------|----------------|--------|
| IRRIGATION      | 04/01 | 10/31 | 0.063 CFS      |        |
| Total Diversion |       |       | 0.063 CFS      |        |

Location of Point(s) of Diversion:

|              |           |         |              |           |              |
|--------------|-----------|---------|--------------|-----------|--------------|
| CARMEN CREEK | NWNW Lt 4 | Sec. 02 | Township 22N | Range 22E | LEMHI County |
| CARMEN CREEK | SWNW      | Sec. 02 | Township 22N | Range 22E | LEMHI County |

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 |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 22N      | 22E   | 3       |     | NESE  | 9.4   |     |       |       |     |       |       |     |       |       |

Total Acres: 9.4

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. | E56 | The rights listed below are limited to the irrigation of a combined total of 9.4 acres in a single irrigation season. Combined Right Nos.: 75-69H, 75-70H, 75-10061R, 75-10062P & 75-14431.                                                                                                                     |

Dates:

Licensed Date:

Decreed Date: 01/31/2011

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

77925

Other Information:  
State or Federal: S  
Owner Name Connector:  
Water District Number: 75D  
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:  
Cary Act Number:  
Mitigation Plan: False

Close

**77925**

Close

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommended Right Report

4/4/2012

WATER RIGHT NO. 75-14431

14431  
1915

| Owner Type    | Name and Address                                                  |
|---------------|-------------------------------------------------------------------|
| Current Owner | GEORGE MATEJKO<br>PO BOX 129<br>CARMEN, ID 83462<br>(208)756-1946 |

Priority Date: 04/01/1915

Basis: Beneficial Use

Status: Active

| Source       | Tributary    |
|--------------|--------------|
| CARMEN CREEK | SALMON RIVER |

| Beneficial Use  | From  | To    | Diversion Rate | Volume |
|-----------------|-------|-------|----------------|--------|
| IRRIGATION      | 04/01 | 10/31 | 0.19 CFS       |        |
| Total Diversion |       |       | 0.19 CFS       |        |

Location of Point(s) of Diversion:

|              |        |         |              |           |              |
|--------------|--------|---------|--------------|-----------|--------------|
| CARMEN CREEK | SENWNW | Sec. 02 | Township 22N | Range 22E | LEMHI County |
|--------------|--------|---------|--------------|-----------|--------------|

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 |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 22N      | 22E   | 3       |     | NESE  | 9.4   |     |       |       |     |       |       |     |       |       |

Total Acres: 9.4

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. E56 | The rights listed below are limited to the irrigation of a combined total of 9.4 acres in a single irrigation season. Combined Right Nos.: 75-69H, 75-70H, 75-10061R, 75-10062P & 75-14431.                                                                                                                     |

Dates:

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

77925