

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) JOHN E. AND/OR RUTH C. BUANS Phone 208-756-3645
2. MAILING ADDRESS Box 264, CARMEN, IDAHO City CARMEN
State IDAHO Zip 83462 Email treeboxmules@custertel.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) 75-69A, 75-70A, 75-10061A,
75-10062A, 75-14248

☒ 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 0.433 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 #
22N	22E	2	3	NW	NE	NW	LEMHI	CARMEN CR.	CC-9
22N	22E	2		SW	SW	NW	LEMHI	CARMEN CR.	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:

IDF:G SCREEN AND HEADGATE AND HEADGATE/WEIR FOR CROSS-CONNECTION TO C-8 DITCH. LOCABLE GATES.

- b. Who owns the property at the point(s) of diversion? IDF:G EASEMENT

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

IDF:G EASEMENT OR UPPDITCH.

- 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. SEE ALSO ATTACHED DESCRIPTION (NARRATIVE AND PHOTOS)

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.

[Signature]
Signature of applicant or authorized agent

JOHN E. BURNS
Print name and title if applicable

3/21/12
Date

[Signature]
Signature of applicant or authorized agent

ROTH C. BURNS
Print name and title if applicable

3/21/12
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](#).

FEE REMITTED BY IDF:G.

FOR DEPARTMENT USE ONLY

Transfer includes 18 pages of attachments. Received by Km Date 5-9-2012

Fee paid \$500.00 Date _____ Received by _____ Receipt # _____

Preliminary review completed by Km Date 5-9-2012

ATTACHMENT TO APPLICATION FOR TRANSFER
Point of Diversion

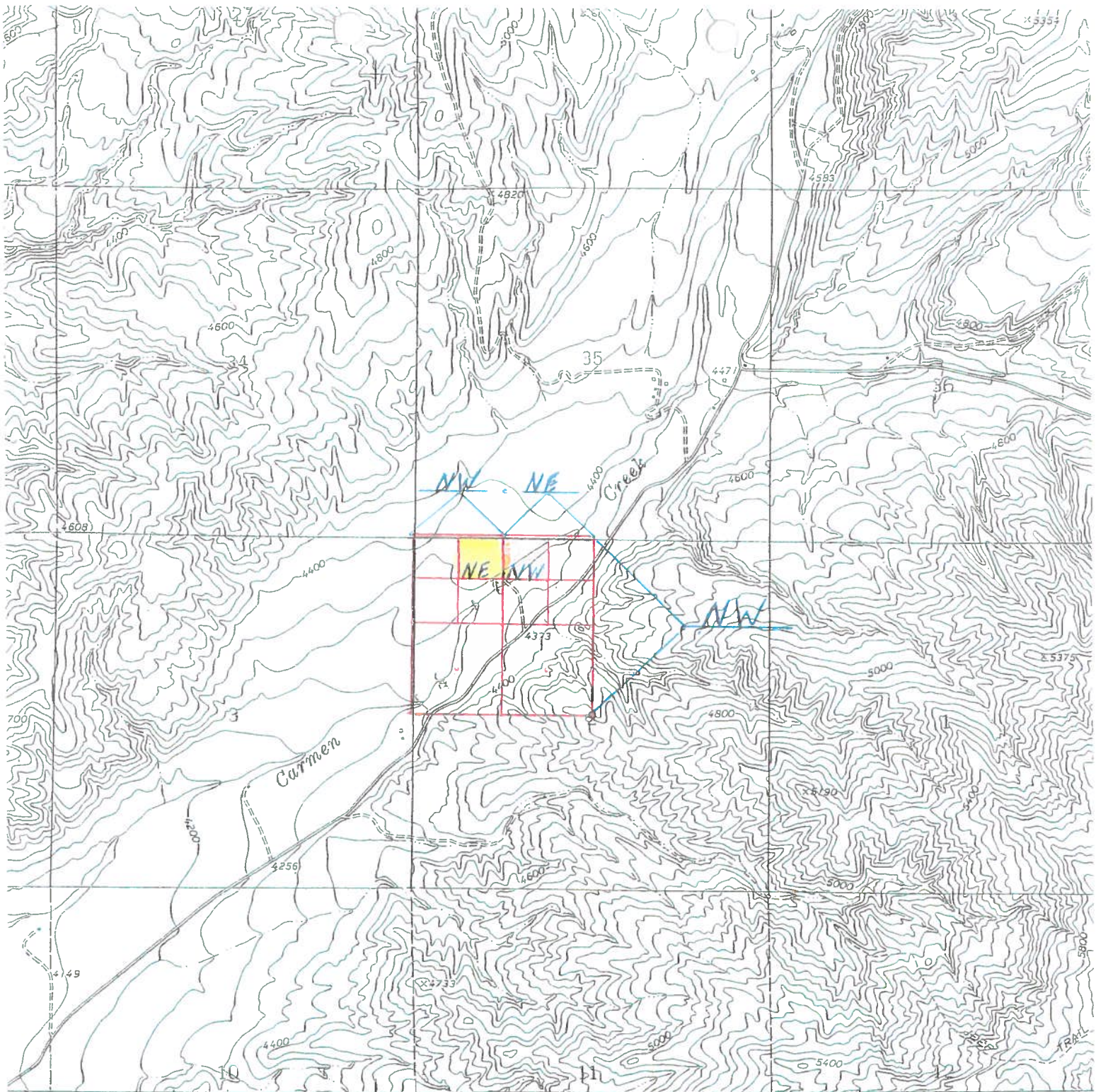
Name: JOHN & RUTH BURNS

Right Numbers: 75-69A, 75-70A, 75-10061A, 75-10062A, 75-14248

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.

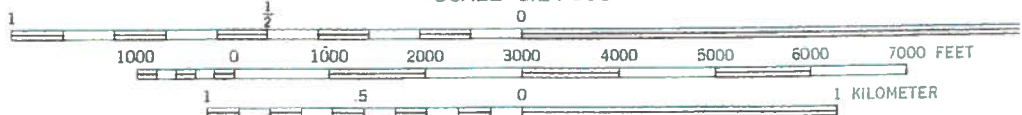
Note that the rights listed above will also continue to be served by CC7, further downstream, which is not involved in the consolidation.



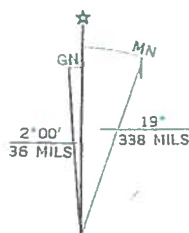
ARMEN 2.4 MI.
ALMON (VIA U.S. 93) 7 MI.

al Survey

SCALE 1:24 000



CONTOUR INTERVAL 40 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929



UTM GRID AND 1966 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET

New PCP NW 1/4, NE 1/4, NW

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

77922

**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

~~PART 2A~~
75-69A
1888

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

3/23/2012

WATER RIGHT NO. 75-69A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN E BURNS
Current Owner	RUTH C BURNS
	PO BOX 264
	CARMEN, ID 83462
	(208)756-3645
Attorney	RIGBY ANDRUS & MOELLER CHTD
	PO BOX 250
	REXBURG, ID 83440
	(208)356-3633
Original Owner	THOMAS PALMER

Priority Date: 05/01/1888

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	0.054 CFS	
Total Diversion			0.054 CFS	

Location of Point(s) of Diversion:

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77922

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	2		SWNW	0.4									
				NWSW	1.3									
		3		SENE	1.5									
				NESE	7.7									

Total Acres: 10.9

Conditions of Approval:

1.	E56	The rights listed below are limited to the irrigation of a combined total of 10.9 acres in a single irrigation season. Combined Right Nos.: 75-69A, 75-70A, 75-10061A, 75-10062A and 75-14248.
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:

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:

77922

Combined Acres Limit: 10.9
Combined Volume Limit:
Combined Rate Limit: 0.43
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

3/23/2012

WATER RIGHT NO. 75-70A

~~PART 2A~~

75-70A

1892

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN E BURNS
Current Owner	RUTH C BURNS
	PO BOX 264
	CARMEN, ID 83462
	(208)756-3645
Attorney	RIGBY ANDRUS & MOELLER CHTD
	PO BOX 250
	REXBURG, ID 83440
	(208)356-3633
Original Owner	THOMAS PALMER

Priority Date: 05/01/1892

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	0.073 CFS	
Total Diversion			0.073 CFS	

Location of Point(s) of Diversion:

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77922

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	2		SWNW	0.4									
				NWSW	1.3									
		3		SENE	1.5									
				NESE	7.7									

Total Acres: 10.9

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 10.9 acres in a single irrigation season. Combined Right Nos.: 75-69A, 75-70A, 75-10061A, 75-10062A and 75-14248.

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

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 75D

Generic Max Rate per Acre:

Generic Max Volume per Acre:

77922

Combined Acres Limit: 10.9

Combined Volume Limit:

Combined Rate Limit: 0.43

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

77922

[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

3/23/2012

WATER RIGHT NO. 75-10061A

~~PART 2A~~
75-10061A
1875

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN E BURNS
Current Owner	RUTH C BURNS
	PO BOX 264
	CARMEN, ID 83462
	(208)756-3645
Attorney	RIGBY ANDRUS & MOELLER CHTD
	PO BOX 250
	REXBURG, ID 83440
	(208)356-3633

Priority Date: 05/01/1875

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	0.059 CFS	
Total Diversion			0.059 CFS	

Location of Point(s) of Diversion:

CARMEN CREEK	NWNW	Sec. 02	Township 22N	Range 22E	LEMHI County
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77922

CARMEN CREEK	SWSWNW	Sec. 02	Township 22N	Range 22E	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
22N	22E	2		SWNW	0.4									
				NWSW	1.3									
		3		SENE	1.5									
				NESE	7.7									

Total Acres: 10.9

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 10.9 acres in a single irrigation season. Combined Right Nos.: 75-69A, 75-70A, 75-10061A, 75-10062A & 75-14248.

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: 10.9

77922

Combined Volume Limit:
Combined Rate Limit: 0.43
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

3/23/2012

WATER RIGHT NO. 75-10062A

~~PART 2A~~
75-10062A
1882

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN E BURNS
Current Owner	RUTH C BURNS
	PO BOX 264
	CARMEN, ID 83462
	(208)756-3645
Attorney	RIGBY ANDRUS & MOELLER CHTD
	PO BOX 250
	REXBURG, ID 83440
	(208)356-3633

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	0.027 CFS	
Total Diversion			0.027 CFS	

Location of Point(s) of Diversion:

CARMEN CREEK	NWNW	Sec. 02	Township 22N	Range 22E	LEMHI County
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77922

CARMEN CREEK	SWSWNW	Sec. 02	Township 22N	Range 22E	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
22N	22E	2		SWNW	0.4									
				NWSW	1.3									
		3		SENE	1.5									
				NESE	7.7									

Total Acres: 10.9

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 10.9 acres in a single irrigation season. Combined Right Nos.: 75-69A, 75-70A, 75-10061A, 75-10062A & 75-14248.

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: 10.9

77922

Combined Volume Limit:
Combined Rate Limit: 0.43
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

77922

75-14248
1915

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

3/23/2012

WATER RIGHT NO. 75-14248

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN E BURNS
Current Owner	RUTH C BURNS
	PO BOX 264
	CARMEN, ID 83462
	(208)756-3645

Priority Date: 04/01/1915

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	0.22 CFS	
Total Diversion			0.22 CFS	

Location of Point(s) of Diversion:

CARMEN CREEK	NWNW	Sec. 02	Township 22N	Range 22E	LEMHI County
CARMEN CREEK	SWSWNW	Sec. 02	Township 22N	Range 22E	LEMHI County

Place(s) of use:

77922

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	2		SWNW	0.4									
				NWSW	1.3									
		3		SENE	1.5									
				NESE	7.7									

Total Acres: 10.9

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 10.9 acres in a single irrigation season. Combined Right Nos.: 75-69A, 75-70A, 75-10061A, 75-10062A & 75-14248.

Dates:

Licensed Date:

Decreed Date: 11/17/2008

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:

Owner Name Connector: Or

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 10.9

Combined Volume Limit:

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

77922