

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74597

This is to certify that: BEVERLY KIRKHAM HEINZ
 5529 COTTONWOOD CLUB DR
 SALT LAKE CITY UT 84117
 (801)277-5279

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
74-265	WR/Decreed	05/30/1903	1.5 cfs	N/A	N/A	71.0	BASIN CREEK
74-979	WR/Decreed	04/01/1968	0.21 cfs	36.1 af	10.3	36.0	BASIN CREEK
74-980	WR/Decreed	04/01/1917	0.53 cfs	91.7 af	26.2	36.0	BASIN CREEK
74-2319	WR/Decreed	10/29/1956	0.63 cfs	N/A	N/A	72.0	BASIN CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
74-265	NO	NO	NO	YES	NO	NO
74-979	NO	NO	NO	YES	NO	NO
74-980	NO	NO	NO	YES	NO	NO
74-2319	NO	NO	NO	YES	NO	NO

Summary of Water Rights After the Approved Change

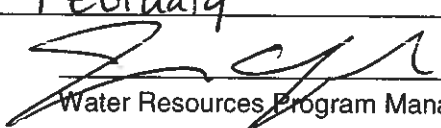
<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
74-265	74-265	1.5 cfs	N/A	N/A	71.0		N/A	N/A	N/A	N/A
74-979	74-979	0.21 cfs	36.1 af	10.3	36.0		N/A	N/A	N/A	N/A
74-980	74-980	0.53 cfs	91.7 af	26.2	36.0		N/A	N/A	N/A	N/A
74-2319	74-2319	0.63 cfs	N/A	N/A	72.0		N/A	N/A	N/A	N/A

COMBINED

TOTALS	2.87 cfs	N/A	N/A	107.0		N/A	N/A	N/A	N/A
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Detailed Water Right Description(s) attached

Dated this 25th day of February, 2011


 Water Resources Program Manager

SUPPORT DATA

IN FILE # 74-265

WATER RIGHT NO. 74-980
As Modified by Transfer No. 74597

In accordance with the approval of Transfer No. 74597, Water Right No. 74-980 is now described as follows.

Right Holder: BEVERLY KIRKHAM HEINZ
 5529 COTTONWOOD CLUB DR
 SALT LAKE CITY UT 84117

Priority Date: April 01, 1917

Source: BASIN CREEK
 TRAIL CREEK

Tributary: HAYDEN CREEK
 BASIN CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.53 CFS	91.7 AF

LOCATION OF POINT(S) OF DIVERSION:

BASIN CREEK	NESWNE	Sec. 4 Twp 17N Rge 23E LEMHI County
TRAIL CREEK	SWNW	Sec. 33 Twp 18N Rge 23E LEMHI County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N 23E 4			28.0	8.0													36.0

Total Acres: 36

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 26.2 acres within the authorized place of use in a single irrigation season.
2. Rights 74-979 and 74-980 when combined shall not exceed the irrigation of 36.0 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 74.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. Diversion of water from Trail Creek or Basin Creek under rights 74-979 and 74-980 is limited to those times water is available for diversion under these rights and priorities at the original point of diversion on Bear Creek.

WATER RIGHT NO. 74-980
As Modified by Transfer No. 74597

CONDITIONS OF APPROVAL

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
12. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the department for measuring the flow in Bear Creek at the original point of diversion and at the point of diversion from Basin Creek.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 25th day of February, 20 11


Water Resources Program Manager

WATER RIGHT NO. 74-979
As Modified by Transfer No. 74597

In accordance with the approval of Transfer No. 74597, Water Right No. 74-979 is now described as follows.

Right Holder: BEVERLY KIRKHAM HEINZ
 5529 COTTONWOOD CLUB DR
 SALT LAKE CITY UT 84117

Priority Date: April 01, 1968

Source: BASIN CREEK
 TRAIL CREEK

Tributary: HAYDEN CREEK
 BASIN CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.21 CFS	36.1 AF

LOCATION OF POINT(S) OF DIVERSION:

BASIN CREEK	NESWNE	Sec. 4 Twp 17N Rge 23E LEMHI County
TRAIL CREEK	SWNW	Sec. 33 Twp 18N Rge 23E LEMHI County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N 23E 4			28.0	8.0													36.0

Total Acres: 36

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 10.3 acres within the authorized place of use in a single irrigation season.
2. Rights 74-979 and 74-980 when combined shall not exceed the irrigation of 36.0 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 74.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the department for measuring the flow in Bear Creek at the original point of diversion and at the point of diversion from the Basin Creek.
6. Diversion of water from Trail Creek and Basin Creek under rights 74-979 and 74-980 is limited to those times water is available for diversion under these rights and priorities at the original point of diversion on Bear Creek.

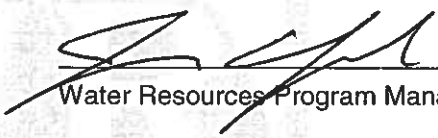
WATER RIGHT NO. 74-979
As Modified by Transfer No. 74597

CONDITIONS OF APPROVAL

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 25th day of February, 20 11


Water Resources Program Manager

WATER RIGHT NO. 74-265
As Modified by Transfer No. 74597

In accordance with the approval of Transfer No. 74597, Water Right No. 74-265 is now described as follows.

Right Holder: BEVERLY KIRKHAM HEINZ
 5529 COTTONWOOD CLUB DR
 SALT LAKE CITY UT 84117

Priority Date: May 30, 1903

Source: BASIN CREEK
 TRAIL CREEK

Tributary: HAYDEN CREEK
 BASIN CREEK

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15 to 11/15	1.50 CFS

LOCATION OF POINT(S) OF DIVERSION:

TRAIL CREEK	SWNW	Sec. 33 Twp 18N Rge 23E LEMHI County
BASIN CREEK	NESW	Sec. 33 Twp 18N Rge 23E LEMHI County
BASIN CREEK	SESW	Sec. 33 Twp 18N Rge 23E LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	23E	4	27.0	24.8	4.6	14.6													71.0
			L 1	L 2															

Total Acres: 71

CONDITIONS OF APPROVAL

1. Rights 74-265 and 74-2319 when combined shall not exceed the irrigation of 71.0 acres.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 74.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. Diversion of water from Trail Creek under rights 74-265 and 74-2319 is limited to those times water is available for diversion under these rights and priorities at the original points of diversion on Basin Creek.
5. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

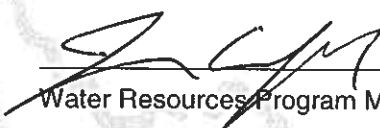
WATER RIGHT NO. 74-265
As Modified by Transfer No. 74597

CONDITIONS OF APPROVAL

7. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 25th day of February, 20 11


Water Resources Program Manager

WATER RIGHT NO. 74-2319
As Modified by Transfer No. 74597

In accordance with the approval of Transfer No. 74597, Water Right No. 74-2319 is now described as follows.

Right Holder: BEVERLY KIRKHAM HEINZ
 5529 COTTONWOOD CLUB DR
 SALT LAKE CITY UT 84117

Priority Date: October 29, 1956

Source: BASIN CREEK
 TRAIL CREEK

Tributary: HAYDEN CREEK
 BASIN CREEK

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15 to 11/15	0.63 CFS

LOCATION OF POINT(S) OF DIVERSION:

TRAIL CREEK	SWNW	Sec. 33 Twp 18N	Rge 23E	LEMHI County
BASIN CREEK	NESW	Sec. 33 Twp 18N	Rge 23E	LEMHI County
BASIN CREEK	SESW	Sec. 33 Twp 18N	Rge 23E	LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	23E	4	25.0	27.0	5.0	15.0													72.0
			L 1	L 2															

Total Acres: 72

CONDITIONS OF APPROVAL

1. Rights 74-265 and 74-2319 when combined shall not exceed the irrigation of 71.0 acres.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 74.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. Diversion of water from Trail Creek under rights 74-265 and 74-2319 is limited to those times water is available for diversion under these rights and priorities at the original points of diversion on Basin Creek.
5. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

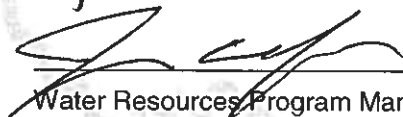
WATER RIGHT NO. 74-2319
As Modified by Transfer No. 74597

CONDITIONS OF APPROVAL

7. This right does not grant any right-of-way or easement across the land of another.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 25th day of February, 2011



Water Resources Program Manager