

Transfer No. 74597
Receipt No. E033858

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

1. Applicant Information BEVERLY KIRKHAM HEINZ
5529 COTTONWOOD CLUB DR
SALT LAKE CITY UT 84117
(801)277-5279

Will this transfer result in an ownership change? _____ Yes X No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
74-265	WR/Decreed	1.50			71.0	BASIN CREEK
74-979	WR/Decreed	0.21	36.1		36.0	BASIN CREEK
74-980	WR/Decreed	0.53	91.7		36.0	BASIN CREEK
74-2319	WR/Decreed	0.63			72.0	BASIN CREEK

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
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

Describe the reason for the proposed changes

Applicant proposes to add a point of diversion to utilize a POD that will divert water from the canal used for the delivery of water right 74-1097. This new point of diversion will allow the applicant to install a gravity fed pivot to irrigate the property. The applicant wishes to maintain the other PODs to allow them to irrigate when flows are low.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

B. Describe the effects on other water uses resulting from the proposed change

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5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
74-265	1.50 cfs		71.0	
74-979	0.21 cfs		36.0	36.1 af
74-980	0.53 cfs		36.0	91.7 af
74-2319	0.63 cfs		72.0	
TOTAL	2.87 cfs		108.0	

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**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.

Beverly L. Skumig
(Signature of Applicant)

(Title or Office)

Subscribed and sworn to before me this 3 day of April, 2008.

[Signature]
(Notary Public)

My commission expires 12/11/2010



AMENDED VERSION

Transfer No. 74597
 Receipt No.E033858

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

Current Water Right No. 74-265

Priority Date: May 30, 1903
 Origin: Water Right
 Basis: Decreed
 Status: Active

Source: BASIN CREEK

Tributary: HAYDEN CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	1.50 CFS		
	Total Diversion	1.50 CFS		

Source and Point(s) of Diversion:

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/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.

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Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

There will be no change to the POU.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

AMENDED VERSION

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

Current Water Right No. 74-979

Priority Date: April 01, 1968
Origin: Water Right
Basis: Decreed
Status: Active

Source: BASIN CREEK

Tributary: HAYDEN CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.21 CFS	36.1 AFA	
Total Diversion		0.21 CFS	36.1 AFA	

Source and Point(s) of Diversion:

BASIN CREEK NESWNE Sec. 4 Twp 17N 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/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. Diversion of water from Basin Creek under rights 74-979 and 74-980 is limited to those times water is available for diversion under these rights and priorities from the original source, Bear Creek.
3. 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 lands below.
4. A means of measurement acceptable to the Department shall be maintained for measuring the flow in Bear Creek at the original points of diversion and at the point of diversion from Basin Creek.
5. This right is limited to the irrigation of 10.3 acres in a single irrigation season.

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Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

There will be no change in the place of use.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

AMENDED VERSION

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

Current Water Right No. 74-980

Priority Date: April 01, 1917
Origin: Water Right
Basis: Decreed
Status: Active

Source: BASIN CREEK

Tributary: HAYDEN CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.53 CFS	91.7 AFA	
Total Diversion			0.53 CFS	91.7 AFA	

Source and Point(s) of Diversion:

BASIN CREEK NESWNE Sec. 4 Twp 17N 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/Remarks:

1. This right is limited to the irrigation of 26.2 acres in a single irrigation season.
2. A means of measurement acceptable to the Department shall be maintained for measuring the flow in Bear Creek at the original points of diversion and at the point of diversion from Basin Creek.
3. 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.
4. 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 lands below.
5. Diversion of water from Basin Creek under rights 74-979 and 74-980 is limited to those times water is available for diversion under these rights and priorities from the original source, Bear Creek.

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Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

There will be no change in the POU.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

AMENDED VERSION

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Transfer No. 74597
 Receipt No.E033858

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

Current Water Right No. 74-2319

Priority Date: October 29, 1956

Origin: Water Right

Basis: Decreed

Status: Active

Source: BASIN CREEK

Tributary: HAYDEN CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15 11/15	0.63 CFS		
	Total Diversion	0.63 CFS		

Source and Point(s) of Diversion:

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/Remarks:

1. This right authorizes the irrigation of 71.0 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.

AMENDED VERSION

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Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

There will be no change in POU.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

AMENDED VERSION

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 74-265

Priority Date: May 30, 1903

Origin: Water Right

Basis: Decreed

Status: Active

Source: BASIN CREEK
TRAIL CREEK**Tributary:** HAYDEN CREEK
BASIN CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	1.50 CFS		
	Total Diversion	1.50 CFS		

Source and Point(s) of Diversion:

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

Describe the proposed diversion system

Point of Diversion # 1 Gravity feed pipeline to pivots.

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

AMENDED VERSION

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 74-979

Priority Date: April 01, 1968

Origin: Water Right

Basis: Decreed

Status: Active

Source: BASIN CREEK
TRAIL CREEK

Tributary: HAYDEN CREEK
BASIN CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.21 CFS	36.1 AFA	
	Total Diversion	0.21 CFS	36.1 AFA	

Source and Point(s) of Diversion:

BASIN CREEK NESWNE Sec. 4 Twp 17N Rge 23E LEMHI County

TRAIL CREEK NWSW Sec. 33 Twp 18N Rge 23E LEMHI County

Describe the proposed diversion system

Point of Diversion # 1 Gravity feed pipeline to pivots

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

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**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 74-980

Priority Date: April 01, 1917

Origin: Water Right

Basis: Decreed

Status: Active

Source: BASIN CREEK
 TRAIL CREEK

Tributary: HAYDEN CREEK
 BASIN CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.53 CFS	91.7 AFA	
	Total Diversion	0.53 CFS	91.7 AFA	

Source and Point(s) of Diversion:

BASIN CREEK NESWNE Sec. 4 Twp 17N Rge 23E LEMHI County

TRAIL CREEK NWSW Sec. 33 Twp 18N Rge 23E LEMHI County

Describe the proposed diversion system

Point of Diversion # 1 Gravity feed pipeline to pivots.

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

AMENDED VERSION

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 74-2319

Priority Date: October 29, 1956

Origin: Water Right

Basis: Decreed

Status: Active

Source: BASIN CREEK
TRAIL CREEK**Tributary:** HAYDEN CREEK
BASIN CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.63 CFS		
	Total Diversion	0.63 CFS		

Source and Point(s) of Diversion:

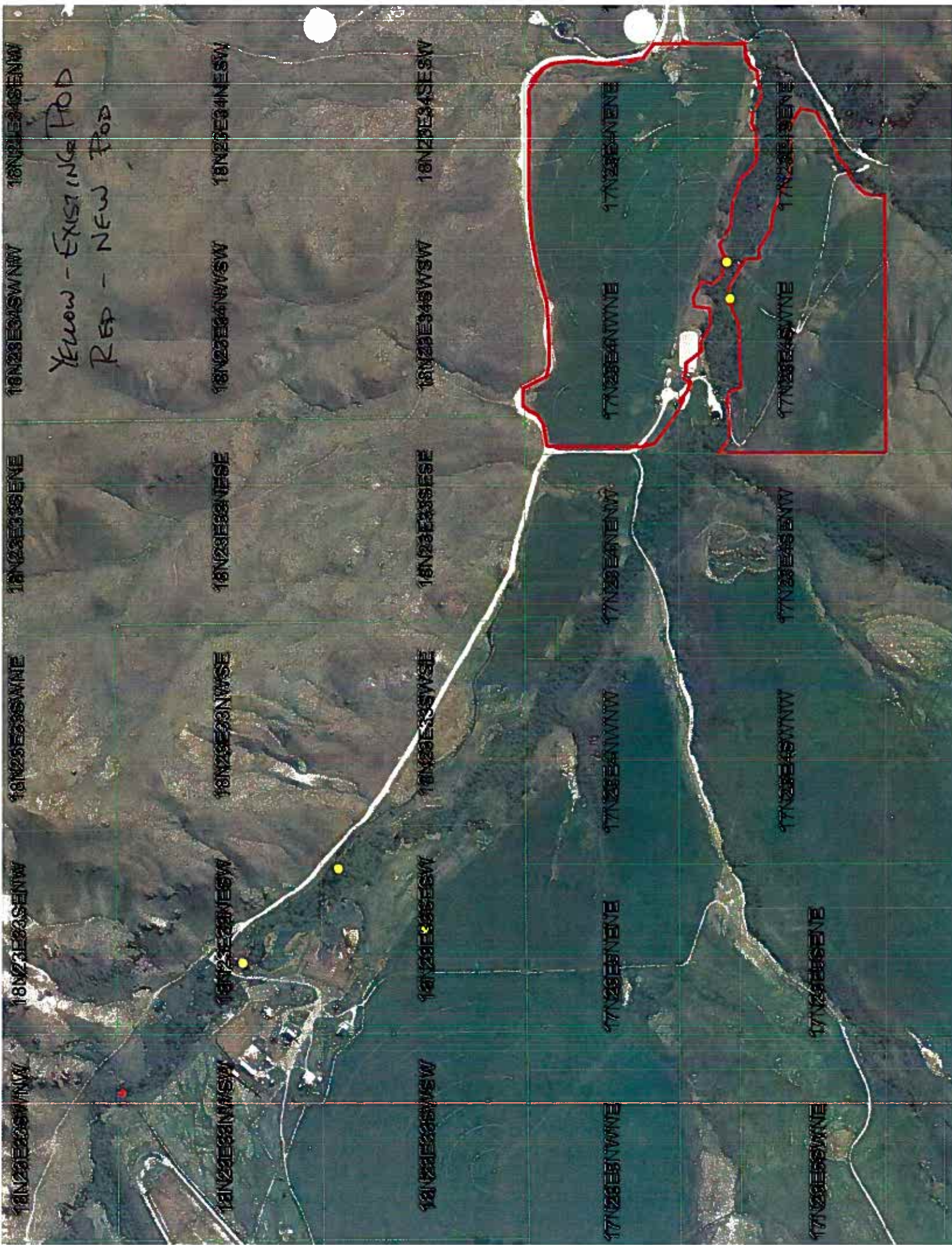
BASIN CREEK	NESW	Sec. 33 Twp 18N Rge 23E LEMHI County
TRAIL CREEK	NWSW	Sec. 33 Twp 18N Rge 23E LEMHI County
BASIN CREEK	SESW	Sec. 33 Twp 18N Rge 23E LEMHI County

Describe the proposed diversion system**PLACE OF USE:** IRRIGATION

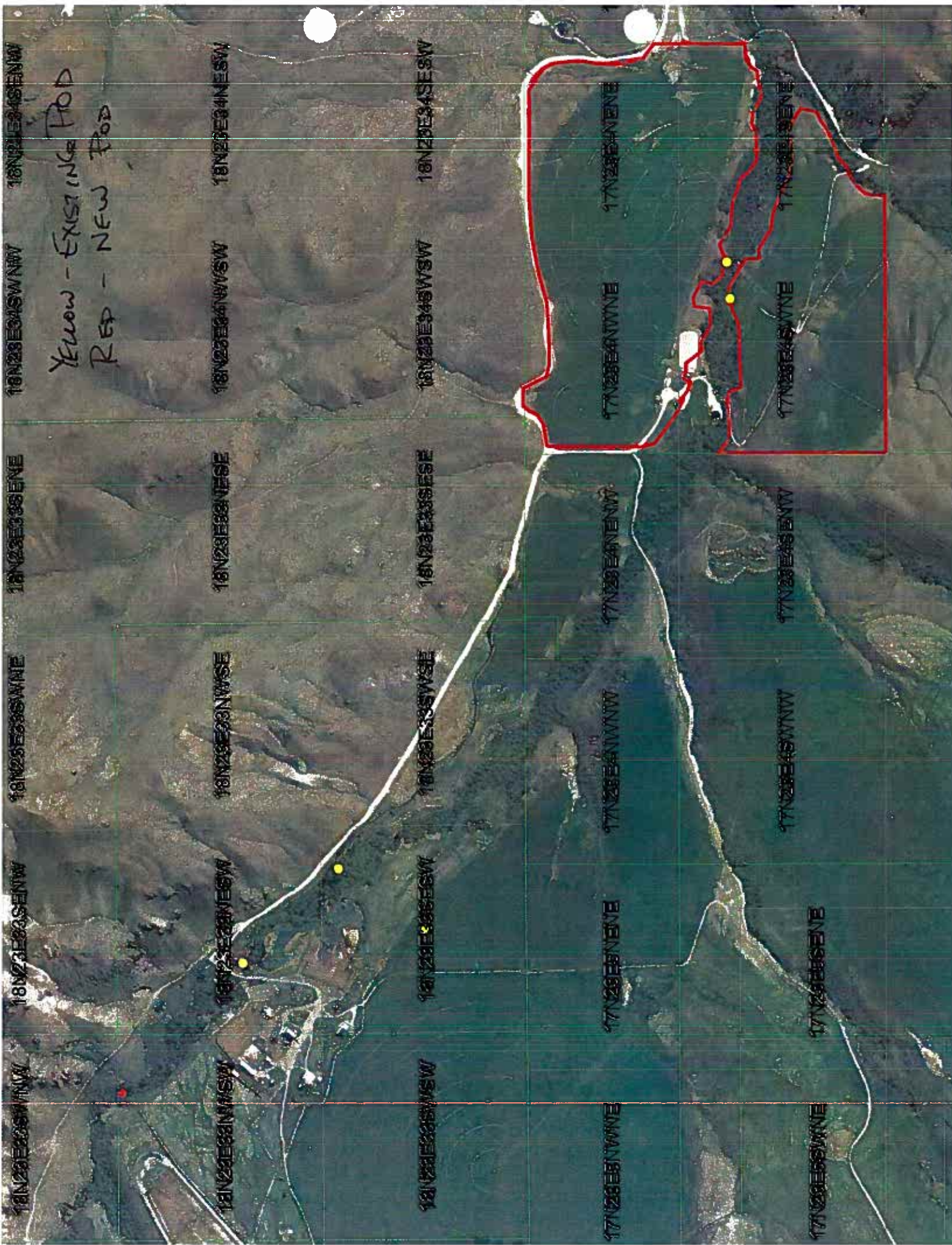
Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N 23E 4	25.0	27.0	5.0	15.0													72.0
	L 1	L 2															

Total Acres: 72

AMENDED VERSION



Yellow - Existing Pod
Red - New Pod



Transfer No. 74597

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

1. Applicant Information BEVERLY KIRKHAM HEINZ
 5529 COTTONWOOD CLUB DR
 SALT LAKE CITY UT 84117
 (801)277-5279

Will this transfer result in an ownership change? _____ Yes X No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acre Limit	Total Acres	Source
74-265	WR/Decreed	1.50			71.0	BASIN CREEK
74-979	WR/Decreed	0.21	36.1		36.0	BASIN CREEK
74-980	WR/Decreed	0.53	91.7		36.0	BASIN CREEK
74-2319	WR/Decreed	0.63			72.0	BASIN CREEK

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
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

Describe the reason for the proposed changes

Applicant proposes to add a point of diversion to utilize a POD used by water right 74-1097. This new point of diversion will allow the applicant to install a gravity fed pivot to irrigate the property. The applicant wishes to maintain the other PODs to allow them to irrigate when flows are low.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

B. Describe the effects on other water uses resulting from the proposed change

There should be little effect. The water is being drawn from a tributary upstream about 1 mile.

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Department of Water Resources
 Eastern Region

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5. Total Amounts Transferred

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	Rate	Acre Limit	Total Acres	Volume
74-265	1.50 cfs		71.0	
74-979	0.21 cfs		36.0	36.1 af
74-980	0.53 cfs		36.0	91.7 af
74-2319	0.63 cfs		72.0	
TOTAL	2.87 cfs		108.0	

SUPERCEDED

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Transfer No. 74597
Receipt No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.

Beverly L. Henry
(Signature of Applicant)

(Title or Office)

Subscribed and sworn to before me this 29TH day of February, 2008.

Jonie M. Barg
(Notary Public)

My commission expires July 24, 2013



SUPERCEDED

Transfer No. 74597

Receipt No. _____

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

Current Water Right No. 74-265

Priority Date: May 30, 1903

Origin: Water Right

Basis: Decreed

Status: Active

Source: BASIN CREEK**Tributary:** HAYDEN CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	1.50 CFS		
	Total Diversion	1.50 CFS		

Source and Point(s) of Diversion:

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/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.

SUPERCEDED

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Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

There will be no change to the POU.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

SUPERCEDED

74597

Transfer No. 74597

Receipt No. _____

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

Current Water Right No. 74-979

Priority Date: April 01, 1968

Origin: Water Right

Basis: Decreed

Status: Active

Source: BASIN CREEK**Tributary:** HAYDEN CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.21 CFS	36.1 AFA	
Total Diversion		0.21 CFS	36.1 AFA	

Source and Point(s) of Diversion:

BASIN CREEK NESWNE Sec. 4 Twp 17N Rge 23E LEMHI County

PLACE OF USE: IRRIGATION

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

Total Acres: 36

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. Diversion of water from Basin Creek under rights 74-979 and 74-980 is limited to those times water is available for diversion under these rights and priorities from the original source, Bear Creek.
3. 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 lands below.
4. A means of measurement acceptable to the Department shall be maintained for measuring the flow in Bear Creek at the original points of diversion and at the point of diversion from Basin Creek.
5. This right is limited to the irrigation of 10.3 acres in a single irrigation season.

SUPERCEDED

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

There will be no change in the place of use.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

SUPERCEDED

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

Current Water Right No. 74-980

Priority Date: April 01, 1917

Origin: Water Right

Basis: Decreed

Status: Active

Source: BASIN CREEK

Tributary: HAYDEN CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.53 CFS	91.7 AFA	
Total Diversion		0.53 CFS	91.7 AFA	

Source and Point(s) of Diversion:

BASIN CREEK NESWNE Sec. 4 Twp 17N 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/Remarks:

1. This right is limited to the irrigation of 26.2 acres in a single irrigation season.
2. A means of measurement acceptable to the Department shall be maintained for measuring the flow in Bear Creek at the original points of diversion and at the point of diversion from Basin Creek.
3. 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.
4. 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 lands below.
5. Diversion of water from Basin Creek under rights 74-979 and 74-980 is limited to those times water is available for diversion under these rights and priorities from the original source, Bear Creek.

SUPERCEDED

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

There will be no change in the POU.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

SUPERCEDED

Transfer No. 74597

Receipt No. _____

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

Current Water Right No. 74-2319

Priority Date: October 29, 1956

Origin: Water Right

Basis: Decreed

Status: Active

Source: BASIN CREEK**Tributary:** HAYDEN CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15 11/15	0.63 CFS		
	Total Diversion	0.63 CFS		

Source and Point(s) of Diversion:

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/Remarks:

1. This right authorizes the irrigation of 71.0 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.

SUPERCEDED

74597

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

There will be no change in POU.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

SUPERCEDED

Transfer No. 74597

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 74-265

Priority Date: May 30, 1903

Origin: Water Right

Basis: Decreed

Status: Active

Source: BASIN CREEK
TRAIL CREEK**Tributary:** HAYDEN CREEK
BASIN CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	1.50 CFS		
	Total Diversion	1.50 CFS		

Source and 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

Describe the proposed diversion system

Point of Diversion # 1 Gravity feed pipeline to pivots.

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														
			L 1	L 2																

Total Acres: 71

SUPERCEDED

74597

Transfer No. 74597

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 74-979

Priority Date: April 01, 1968

Origin: Water Right

Basis: Decreed

Status: Active

Source: BASIN CREEK
TRAIL CREEK**Tributary:** HAYDEN CREEK
BASIN CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.21 CFS	36.1 AFA	
	Total Diversion	0.21 CFS	36.1 AFA	

Source and 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

Describe the proposed diversion system

Point of Diversion # 1 Gravity feed pipeline to pivots

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

SUPERCEDED

74597

Transfer No. 74597

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 74-980

Priority Date: April 01, 1917

Origin: Water Right

Basis: Decreed

Status: Active

Source: BASIN CREEK

TRAIL CREEK

Tributary: HAYDEN CREEK

BASIN CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.53 CFS	91.7 AFA	
	Total Diversion	0.53 CFS	91.7 AFA	

Source and 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

Describe the proposed diversion system

Point of Diversion # 1 Gravity feed pipeline to pivots.

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

SUPERCEDED

74597

Transfer No. 74597

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 74-2319

Priority Date: October 29, 1956

Origin: Water Right

Basis: Decreed

Status: Active

Source: BASIN CREEK

TRAIL CREEK

Tributary: HAYDEN CREEK

BASIN CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.63 CFS		
	Total Diversion	0.63 CFS		

Source and 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

Describe the proposed diversion system**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															

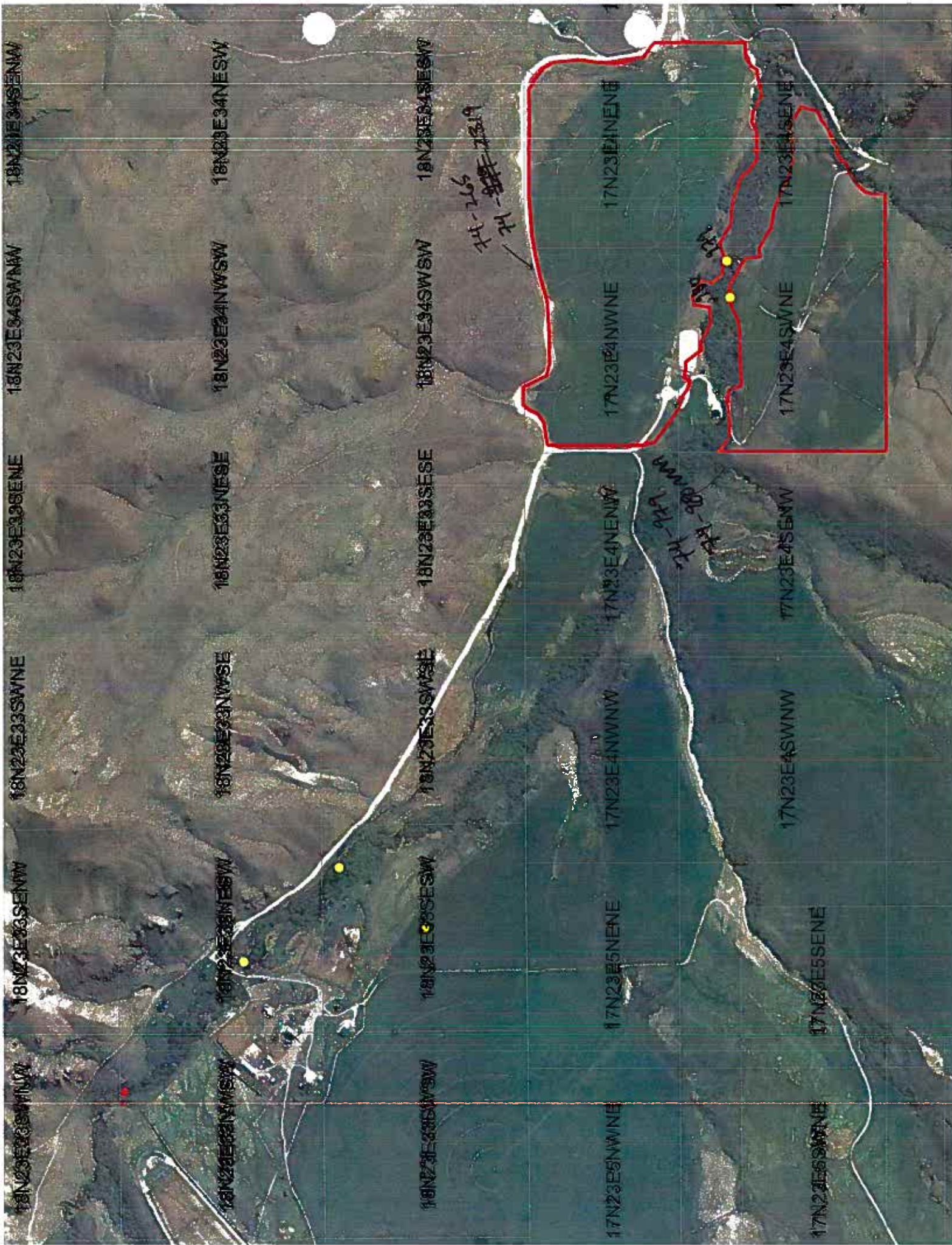
Total Acres: 72

SUPERCEDED

74597

Yellow - Existing Pond
Red - New Pond

SUPERCEDED



18N23E33S4WNW

18N23E33S5ENW

18N23E33S4WNE

18N23E33S5ENE

18N23E34S4WNW

18N23E34S5ENW

18N23E32N4SWW

18N23E32N5ENW

18N23E33N4WNE

18N23E33N5ENE

18N23E34N4SWW

18N23E34N5ENW

18N23E33S4SWW

18N23E33S5SEW

18N23E33S4WSE

18N23E33S5ESE

18N23E34S4SWW

18N23E34S5SEW

17N23E5N4WNE

17N23E5N5ENE

17N23E4N4WNW

17N23E4N5ENW

17N23E4N4WNE

17N23E4N5ENE

17N23E6S4WNE

17N23E6S5ENE

17N23E4S4WNW

17N23E4S5ENW

17N23E4S4WNE

17N23E4S5ENE

RECEIVED

MAR 24 2008

Department of Water Resources
Eastern Region

To Whom It May Concern:

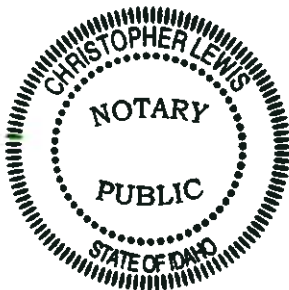
I, Lois Bean, grant to Kerry or Beverly Heinz, permission to trespass and place equipment on my property for purposes of water conveyance. I also grant permission to convey water within my ditch.

Lois Bean
Lois Bean

Mar. 24, 2008
Date

NOTARY:

On this 24th day of March, in the year of 2008, before me Christopher Lewis, personally appeared Lois A. Bean, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same.



Seal

Christopher Lewis
Notary Public
My commission expires:

MY COMMISSION EXPIRES
June 29, 2012
BONDED THRU NOTARY PUBLIC UNDERWRITERS

74597



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

January 26, 2011

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

BEVERLY KIRKHAM HEINZ
5529 COTTONWOOD CLUB DR
SALT LAKE CITY, UT 84117

RE: Transfer No. 74597
Water Right No(s). 74-265, 74-979, 74-980, 74-2319

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the RECORDER-HERALD on February 3 and 10, 2011. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

Please contact this office if you have any questions regarding the application.

Sincerely,

Sharla Cox
Administrative Assistant

Cox, Sharla

From: Cox, Sharla
Sent: Wednesday, January 26, 2011 11:53 AM
To: 'rhlegals@salmoninternet.com'
Subject: Legal ad for your paper

Contacts: Recorder Herald



Recorder
Herald.doc

Sharla

Sharla Cox
Administrative Assistant
Idaho Department of Water Resources
900 N. Skyline Dr. Ste. A
Idaho Falls ID 83402
208-525-7161 - telephone
208-525-7177 - fax
sharla.cox@idwr.idaho.gov

WorkCentre 7345 Transmission Report

G3 ID

21

Date/Time: 01/26/2011:01:04PM
Page: 1 (Last Page)

Local Name
Logo

Document has been sent.
Document Size 8.5X11"SEF



State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718
Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

January 26, 2011

LEGAL NOTICE DEPARTMENT
RECORDER-HERALD
PO BOX 310
SALMON, ID 83467

RE: Transfer No. 74597, 76901,
Water Right No(s). 74-265, 74-979, 74-980, 74-2319, 74-175, 74-177, 74-176, 74-181, 74-182, 74-183,
74-184, 74-377

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before February 22, 2011. Your cooperation is appreciated.

Sincerely,

Charla Cox
Administrative Assistant
Enclosure(s)

I emailed this to you also. Thank you

736-2221

Total Pages Scanned: 2 Total Pages Sent : 2

No.	Doc.	Remote Station	Start Time	Duration	Pages	Mode	Contents	Status
1	1371	2087562222	1-26; 1:03PM	27s	2 / 2	SG3		CP

Note:
RE: Resend MB: Send to Mailbox BC: Broadcast MP: Multi Polling RV: Remote Service
PG: Polling RB: Relay Broadcast RS: Relay Send BF: Box Fax Forward CP: Completed
SA: Send Again EN: Engaged AS: Auto Send TM: Terminated



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

January 26, 2011

LEGAL NOTICE DEPARTMENT
RECORDER-HERALD
PO BOX 310
SALMON, ID 83467

RE: Transfer No. 74597, 76901,
Water Right No(s). 74-265, 74-979, 74-980, 74-2319, 74-175, 74-177, 74-176, 74-181, 74-182, 74-183,
74-184, 74-377

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before February 22, 2011. Your cooperation is appreciated.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Sharla Cox', written over a circular blue ink stamp.

Sharla Cox
Administrative Assistant

Enclosure(s)

I emailed this to you also. Thank you

756-2221

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 76901

EAGLE VALLEY RANCH LLC, 446 BOHANNON CREEK RD, SALMON, ID 83467 has filed Application No. 76901 for changes to the following water rights within LEMHI County(s): Right No(s). 74-175, 74-177, 74-176, 74-181, 74-182, 74-183, 74-184, 74-377; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp.

The purpose of the transfer is to change a portion of the above rights as follows:

The applicant proposes to change the point of diversion and to change the place of use. The points of diversion are in Lot 2 NESWSE Sec 35 T22N R23E and the SWSW Sec 2 T21N R23E for 17.6 cfs. The place of use is within Sec 2, 3, 11, 12 and 14 T21N R23E and Sec 34 and 35 T22N R23E for 804.9 acres.

TRANSFER NO. 74597

BEVERLY KIRKHAM HEINZ, 5529 COTTONWOOD CLUB DR, SALT LAKE CITY, UT 84117 has filed Application No. 74597 for changes to the following water rights within LEMHI County(s): Right No(s). 74-265, 74-979, 74-980, 74-2319; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp.

The purpose of the transfer is to change a portion of the above rights as follows:

The applicant proposes to add a point of diversion. The points of diversion are in the NWSW, NESW, NESW and SESW Sec 33 T18N R23E and NESWNE Sec 4 T17N R23E for 2.87 cfs. The place of use remains the same in Sec 4 T17N R23E for 108 acres.

Protests may be submitted based on the criteria of Idaho Code Sec. 42-222.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before February 22, 2011. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on February 3 and 10, 2011



WATER DISTRICT 74

P O BOX 744

SALMON ID. 83467

RECEIVED

MAR 11 2008

Department of Water Resources
Eastern Region

March 10 2008

To: Joe Larson

From: Rick Sager Water master Dist 74

In reference to our phone call on March, 10 2008. In talking with you about the transfer of Terry Heinz, adding a point of diversion on Basin Creek. I do not have a concern with this as there is an existing point of diversion there belonging to the Bean ranch.

I would however request a measuring device and a controllable head gate installed at the existing point of diversion. I have met with Von Bean and discussed this transfer and have concluded that there is usually enough water to fill both rights.

If you have any questions concerning this you can contact me at (208) 303-7449.

Respectfully

Rick Sager



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

March 28, 2008

Beverly Heinz
5529 Cottonwood Club Dr.
Salt Lake City, UT 84117

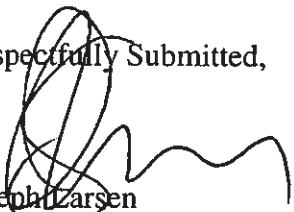
RE: Transfer 74597

Dear Mrs. Heinz,

Because of the alterations to your application for transfer that occurred by changing the new point of diversion to a new QQ and thus avoiding complications that arise from acquiring Land Use Permits from the BLM, this Department needs you to sign with notary the amended transfer application enclosed with this letter and return it to this office. I have also enclosed a copy for your records.

If you have any questions, please, feel free to contact me at (208) 525-7161.

Respectfully Submitted,



Joseph Zarsen
Water Resource Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

March 20, 2008

Von Bean
Box 42
Lemhi, ID 83465

RE: Transfer 74597

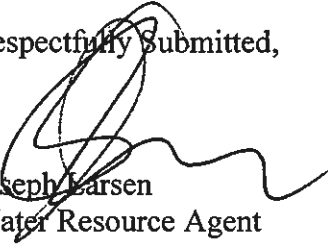
Dear Applicant,

Pursuant to our telephone conversation I am sending a map of where the point of diversion for the water rights involved in transfer 74597 should be located on the amended application. If this is correct please let me know, if not then please place the correct location on the map and return it to me.

I also need a Trespass Agreement for the new point of diversion.

If you have any questions, please, feel free to contact me at (208) 525-7161.

Respectfully Submitted,


Joseph Larsen
Water Resource Agent

March 14, 2008

JOE LARSEN
DEPARTMENT OF WATER RESOURCES
900 NORTH SKYLINE DRIVE
SUITE A
IDAHO FALLS, IDAHO 83402-1718

RE: Addition of Diversion Point

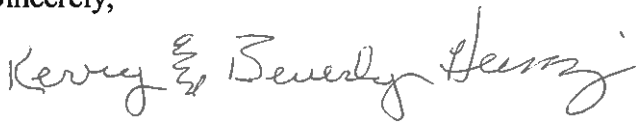
Dear Joe:

Von Bean has talked with Rick Sager, the Water Master, and has sent, to your office the form you requested. He has also sent a letter from his mother, Lois Bean, granting us permission to place our equipment on her property, rather than on the BLM land.

Enclosed is our check in the amount of \$330, which is the amount you indicated would be necessary to provide the additional diversion point, for our water.

Thank you for your help in this matter.

Sincerely,



Kerry & Beverly Heinz

RECEIVED

MAR 17 2008

Department of Water Resources
Eastern Region