

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 74813APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1208-334-21199Name of Applicant Heyburn State Park PWS # ID1050013 Phone 208-686-1308Mailing address P.O. Box 83720, Boise, ID 83720-0065 Email _____

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use☒ Change nature of use ☐ Change period of use ☐ Other _____2. Describe the reason for the proposed changes The change will accurately describe the place of use for the existing water rights. A new point of discharge is being added but will not change the total diversion rate or quantity. A municipal nature of use describes more accurately the current water rights.

RECEIVED

MAY 15 2008

IDWR/North

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
95-7056	4-29-1969	0.07 cfs	Municipal	1/01 to 12/31
95-7057	4-29-1969	0.07 cfs	Municipal	1/01 to 12/31
95-7058	4-29-1969	0.07 cfs	Municipal	1/01 to 12/31
95-7059	4-29-1969	0.07 cfs	Municipal	1/01 to 12/31
95-7449	5-15-1974	0.2 cfs	Municipal	1/01 to 12/31
95-7562	4-29-1969	0.07 cfs	Municipal	1/01 to 12/31
2. Total amount of water being transferred <u>0.34</u> cubic feet per second and/or <u>205.1</u> acre-feet per annum.				
3. Source of water <u>Groundwater</u> tributary to <u>195.1</u>				

4. Point(s) of Diversion: NE NW 01 04W NW

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
Well 1		SW	NW	06	46N	03W	Benewah	Proposed Chatcolet Well
Well 2		NE	SW	11	46N	03W	Benewah	Benewah Well
Well 3		NE	SW	01	46N	04W	Benewah	Chatcolet Main Well
Well 4		SE	NW	01	46N	04W	Benewah	Chatcolet Secondary Well

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
		SEE	ATTACHED CHART																
																			</

Total Acres 5700 acres

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
46N	03 W	2								M		M	M						60
		3																	
		4																	
		5												M			M		40
		6		M	M														50
		7	M	M	M	M									M	M	M	M	320
		8	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	590
		9		M		M	M		M		M	M	M	M	M	M	M	M	400
		10		M	M		M	M	M	M	M	M	M	M	M	M	M	M	400
		11	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	400
46N	04W	1	M	M	M		M	M	M	M	M	M	M	M		M	M	M	560
		2	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	640
		12	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	640
47N	03W	31		M	M	M									M	M	M		280
		32						M											40
47N	04W	35	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	640
		36	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	640

Total Acres: 5700

PART 1**6. General Information:**

- a. Description of diversion system 1) Proposed Chatcolet Well: 8" Groundwater well with proposed 10 to 15 Hp motor and a submersible pump; 2) Benewah Well: 8" groundwater well with a 3 Hp motor and submersible pump;
3) Chatcolet Main Well: 10" groundwater well with a 10 Hp motor and submersible pump; 4) Chatcolet Secondary Well: 8" groundwater well with a 2 Hp motor and a submersible pump.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
 _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
The existing place of use is listed as a portion of Heyburn State Park. However, the water rights service the entire Heyburn State Park. The description of the place of use has been changed to include all the property within Heyburn State Park's boundaries as shown on the attached Service Area map. Water use for this system can be generally classified as rural residential. The Chatcolet main well has tested positive for under the influence of surface water. Changing the point of diversion may eliminate the surface water influence. The groundwater withdrawn shall never exceed the pumps' capacity and conducted on a seasonal basis since the campgrounds are
- d. Remarks:
closed during the winter months. The water system utilizes storage tanks to reduce and control the operation time of wells.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20_____.

 For the Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 95-7056 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☒ Other N/A Boundaries of State Park

3. Source of water Groundwater tributary to _____4. Date or priority 4-29-1969

5. Water is used for the following purposes:

amount 0.07 for Domestic purposes from 1/01 to 12/31
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.07 cubic feet per second and/or 10 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NE	SW	01	46N	04W	Benewah	Chatcolet Main Well
		SE	NW	01	46N	04W	Benewah	Chatcolet Secondary Well

Point of Diversion as described in license is no longer in use and may never have been used.

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
46N	03W	05												D					20

Total Acres 20

9. Describe any other water rights used for the same purpose as described above _____

95-7057; 95-7058; 95-7059; 95-7449; 095-7562

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No _____ If yes, describe _____

(If the entire right is to be changed by the applicant, omit part B and C.)

- [illegible]

- [illegible]

[illegible]

- [illegible]

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 95-7057 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☒ Other N/A Boundaries of State Park

3. Source of water Groundwater tributary to _____4. Date or priority 4-29-1969

5. Water is used for the following purposes:

amount 0.07 for Domestic purposes from 1/01 to 12/31
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.07 cubic feet per second and/or 10 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		NE	SW	01	46N	04W	Benewah	Chatcolet Main Well
		SE	NW	01	46N	04W	Benewah	Chatcolet Secondary Well

Point of Diversion as described in license is no longer in use and may never have been used.

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
46N	03W	05												D					20

Total Acres 20

9. Describe any other water rights used for the same purpose as described above _____
95-7056; 95-7058; 95-7059; 95-7449; 095-7562

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No _____ If yes, describe _____

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

- [illegible]

- [illegible]

Total Acres _____

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

- [illegible]

- [illegible]

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 95-7058 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☒ Other N/A Boundaries of State Park

3. Source of water Groundwater tributary to _____4. Date or priority 4-29-1969

5. Water is used for the following purposes:

amount 0.07 for Domestic purposes from 1/01 to 12/31
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.07 cubic feet per second and/or 10 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SE	NW	01	46N	04W	Benewah	Chatcolet Secondary Well

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
46N	03W	06		D															0
	04W	01		D	D					D									120
47N	03W	31															D		50

Total Acres 1709. Describe any other water rights used for the same purpose as described above _____
95-7056; 95-7057; 95-7059; 95-7449; 095-7562

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

(If the entire right is to be changed by the applicant, omit part B and C.)

- [illegible]

- [illegible]

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

- [illegible]

- [illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 95-7059 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☒ Other N/A Boundaries of State Park

3. Source of water Groundwater tributary to _____4. Date or priority 4-29-1969

5. Water is used for the following purposes:

amount 0.07 for Domestic purposes from 1/01 to 12/31
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.07 cubic feet per second and/or 10 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		NE	SW	01	46N	04W	Benewah	Chatcolet Main Well

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
46N	03W	06		D															0
	04W	01		D	D					D									120
47N	03W	31															D		50

Total Acres 170

9. Describe any other water rights used for the same purpose as described above _____
95-7056; 95-7057; 95-7058; 95-7449; 095-7562

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No _____ If yes, describe _____

(If the entire right is to be changed by the applicant, omit part B and C.)

2. Point(s) of Diversion:

3. Lands irrigated or place of use:

Total Acres _____

2. Point(s) of Diversion:

3. Lands irrigated or place of use:[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 95-7449 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☒ Other N/A Boundaries of State Park

3. Source of water Groundwater tributary to _____4. Date or priority 5-15-1974

5. Water is used for the following purposes:

amount 0.2 *ms* for Domestic purposes from 1/01 to 12/31
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.2 *ms* cubic feet per second and/or 195.1 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SE	NW	01	46N	04W	Benewah	Chatcolet Secondary Well
		NE	SW	01	46N	04W	Benewah	Chatcolet Main Well

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
46N	03W	05												D			D		20
		06						D					D						0
		08		D			D												80
	04W	01	D	D	D	D									D	D	D	D	120
47N	03W	31									D	D	D	D					50

Total Acres 270

9. Describe any other water rights used for the same purpose as described above
95-7056; 95-7057; 95-7058; 95-7059; 095-7562

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

[illegible][illegible]

Total Acres

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

[illegible][illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 95-7562 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☒ Other N/A Boundaries of State Park

3. Source of water Groundwater tributary to _____4. Date or priority 4-29-1969

5. Water is used for the following purposes:

amount 0.07 for Domestic purposes from 1/01 to 12/31
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.07 cubic feet per second and/or 10 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		NE	SW	11	46N	03W	Benewah	Benewah Well

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
46N	03W	11									D								40

Total Acres 409. Describe any other water rights used for the same purpose as described above
95-7056; 95-7057; 95-7058; 95-7059; 95-7449

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe

(If the entire right is to be changed by the applicant, omit part B and C.)

2. Point(s) of Diversion:

3. Lands irrigated or place of use:Total Acres

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

3. Lands irrigated or place of use:[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.**

SEE ATTACHED MAP

Scale: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

1.

<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
Municipal (95-7056, 95-7057 95-7058, 95-7059, 95-7562)	0.07 cfs each	24 hr/day, 365 day/yr	1/01 to 12/31
Municipal (95-7449)	0.2 cfs	24 hr/day, 365 day/yr	1/01 to 12/31

2. Quantity and quality of return flows and location of discharge: Permit 95-7449 combines 95-7056, 95-7057, 95-7058 and 95-7059
for a total flow of 0.27 cfs. Permit 95-7562 adds 0.07 for a total flow of 0.34 cfs. The quantity or quality of
the 0.34 cfs will not change with this transfer. The discharge will be used for rural residential (cabins and
campsites) and irrigation.

3. Describe effects on other water uses resulting from the proposed change:
Refer to Part 1, Item 6.

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.

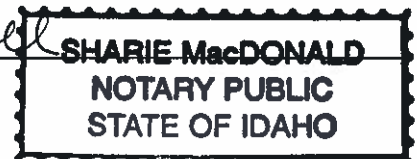
Tom Joyner
 (Signature of Applicant)

THOMAS JOYNER, SR. ENGR. TECH. IDPR
 Print Name (and title, if applicable)

Subscribed and sworn to before me this 14TH day of MAY, 20 08.

Sharie MacDonald
 (Notary Public)

My commission expires 9/29/2010

**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by _____ Fee _____

Received by _____ Date _____

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____