

Total Acres

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 73610APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant Celeste Belle BeamPhone 208-483-3183Post Office address P.O. Box 91 Swan Valley, Idaho 83449

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
- Relocating and combining this diversion with the upstream diversion
-
- POD known as the Travis Weeks POD will result in a newer modern diversion that will be more efficient.
-
- The old Beam diversion is made of wood and is structurally unsound, relocating to a combined POD will
-
- be a new modern structure that is fish friendly for passage and the outgoing water will be screened to
-
- prevent fish entrainment in the ditches that will be split at the new combined POD.

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	
<u>23-14</u>	<u>06-01-1895</u>	<u>2.4 cfs</u>	<u>irrigation</u>	<u>4/01</u>	<u>to 11/01</u>
<u>23-17</u>	<u>09-19-1897</u>	<u>1.6 cfs</u>	<u>irrigation</u>	<u>4/15</u>	<u>to 10/31</u>
<u>23-21</u>	<u>04-09-1889</u>	<u>1.6 cfs</u>	<u>irrigation</u>	<u>4/15</u>	<u>to 10/31</u>
<u>23-46</u>	<u>09-01-1890</u>	<u>1.6 cfs</u>	<u>irrigation</u>	<u>4/15</u>	<u>to 10/31</u>
<u>23-90</u>	<u>01-22-1916</u>	<u>7.2 cfs</u>	<u>irrigation</u>	<u>4/01</u>	<u>11/01</u>

2. Total amount of water being transferred
- 14.4cfs
- cubic feet per second and/or _____ acre-feet per annum.

3. Source of water
- Rainey Creek
- tributary to
- South Fork Snake River

4. Point(s) of Diversion: See attached Part II for detailed listing of place of use

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	SW	NE	SE	33	2N	44E	Bonneville	Beam Diversion or Rainey Creek #3
	SW	SE	SW	33	2N	44E	Bonneville	Shurtleff Diversion or R/C # 5

5. 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	
2N	44E	33												32			31	2	65
1N	44E	4		13	30				40										83

Total Acres 148

73610

PART 1

6. General Information:

- a. Description of diversion system Current Diversion is an old wooden structure that is old and in bad need of replacement. Location is in T1N R44E Section 33 SENESE. We will be locating this diversion POD upstream and combine it with the Travis Weeks Diversion. New GPS location is LAT 43.456966 LON 111.269974
- 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:
No change in the place of use.
- d. Remarks:
Combing this diversion with the one upstream makes sense economically because the ditches can be split at the diversion. Water can be delivered more effectively, reduced maintenance, out going water will be screened for fish, and diversion will provide upstream and downstream fish passage.

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

73610

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 23-14 V1

WATER RIGHT NUMBER: 23-14 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CELESTE B BEAM PO BOX 91 SWAN VALLEY, ID 83449 (208)483-3183
Original Owner	CHARLES BEAM , ID
Current Owner	FRANCIS R BEAM PO BOX 91 SWAN VALLEY, ID 83449 (208)483-3183

Priority Date: 06/01/1895

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
RAINEY CREEK	SOUTH FORK SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	2.400 CFS	
	<u>Total Diversion:</u>	2.400 CFS	

Location of Point(s) of Diversion

RAINEY CREEK	SE1/4NE1/4SE1/4	Sec. 33, Twp 02N, Rge 44E, B.M.
BONNEVILLE County		
RAINEY CREEK	SE1/4NW1/4SE1/4	Sec. 33, Twp 02N, Rge 44E, B.M.
BONNEVILLE 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	
01N	44E	4	12.0	40.0			16.0												68.0
			L 1	L 2			L 3												
02N	44E	33									32.0				32.0	1.3			65.3

Total Acres: 133.3

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 23-14 V1

1. F06 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 23-00014, 23-00017, 23-00021, 23-00046, 23-00090.
2. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. 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.
4. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 133.3 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 23-00014, 23-00017, 23-00021, 23-00046, 23-00090.
5. E52 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.67 CFS. COMBINED RIGHT NOS.: 23-00014, 23-00017, 23-00021, AND 23-00046.

Remarks: 7.2
9.87

Comments:

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: OR
Water District Number: 01
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Priority Date	12/11/2003 12:01:18 PM	aruberry			Active
POD	12/11/2003 12:01:36 PM	aruberry			Active
POU	12/11/2003 12:05:09 PM	aruberry			Active
Use	12/11/2003 12:06:51 PM	aruberry			Active
Season	12/11/2003 12:07:35 PM	aruberry			Active
Source	12/11/2003 12:17:13 PM	aruberry			Active
Quantity	12/11/2003 12:17:15 PM	aruberry			Active
Summary			12/11/2003	aruberry	Active

05/14/2007

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 23-17 V1

WATER RIGHT NUMBER: 23-17 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MATILDA E BEAM
	, ID
Current Owner	CELESTE B BEAM PO BOX 91 SWAN VALLEY, ID 83449 (208)483-3183
Current Owner	FRANCIS R BEAM PO BOX 91 SWAN VALLEY, ID 83449 (208)483-3183

Priority Date: 09/19/1897

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
RAINEY CREEK	SOUTH FORK SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	1.600 CFS	
	<u>Total Diversion:</u>	1.600 CFS	

Location of Point(s) of Diversion

RAINEY CREEK	SE1/4NW1/4SE1/4	Sec. 33, Twp 02N, Rge 44E, B.M.
BONNEVILLE County		
RAINEY CREEK	SE1/4NE1/4SE1/4	Sec. 33, Twp 02N, Rge 44E, B.M.
BONNEVILLE 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	
01N	44E	4	12.0	40.0			16.0												68.0
			L 1	L 2			L 3												
02N	44E	33									32.0				32.0	1.3			65.3

Total Acres: 133.3

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 23-17 V1

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. F06 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 23-00014, 23-00017, 23-00021, 23-00046, 23-00090.
3. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 133.3 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 23-00014, 23-00017, 23-00021, 23-00046, 23-00090.
4. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
5. E52 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.67 CFS. COMBINED RIGHT NOS.: 23-00014, 23-00017, 23-00021, AND 23-00046.

Remarks:Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number: 01
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	12/11/2003 12:25:43 PM	aruberry			Active
POD	12/11/2003 12:26:02 PM	aruberry			Active
POU	12/11/2003 12:29:42 PM	aruberry			Active
Use	12/11/2003 12:31:38 PM	aruberry			Active
Season	12/11/2003 12:32:23 PM	aruberry			Active
Source	12/11/2003 12:34:41 PM	aruberry			Active
Quantity	12/11/2003 12:34:42 PM	aruberry			Active
Summary			12/11/2003	aruberry	Active

05/14/2007

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 23-21 V1

WATER RIGHT NUMBER: 23-21 V1

Owner Type Name and Address
 Current Owner FRANCIS R BEAM
 PO BOX 91
 SWAN VALLEY, ID 83449
 (208)483-3183
 Original Owner RICHARD A BEAM

, ZZ
 Current Owner CELESTE B BEAM
 PO BOX 91
 SWAN VALLEY, ID 83449
 (208)483-3183

Priority Date: 04/09/1889

Basis: Decreed

Status: Active

Source Tributary
 RAINEY CREEK SOUTH FORK SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	1.600 CFS	
	<u>Total Diversion:</u>	1.600 CFS	

Location of Point(s) of Diversion

RAINEY CREEK	SE1/4NW1/4SE1/4	Sec. 33, Twp 02N, Rge 44E, B.M.
BONNEVILLE County		
RAINEY CREEK	SE1/4NE1/4SE1/4	Sec. 33, Twp 02N, Rge 44E, B.M.
BONNEVILLE 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	
01N	44E	4	12.0	40.0			16.0												68.0
			L 1	L 2			L 3												
02N	44E	33									32.0				32.0	1.3			65.3

Total Acres: 133.3

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 23-21 V1

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. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. F06 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 23-00014, 23-00017, 23-00021, 23-00046, 23-00090.
4. E52 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.67 CFS. COMBINED RIGHT NOS.: 23-00014, 23-00017, 23-00021, AND 23-00046.
5. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 133.3 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 23-00014, 23-00017, 23-00021, 23-00046, 23-00090.

Remarks:Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number: 01
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	12/11/2003 12:39:47 PM	aruberry			Active
Priority Date	12/11/2003 1:04:09 PM	aruberry			Active
POD	12/11/2003 1:05:31 PM	aruberry			Active
POU	12/11/2003 1:05:44 PM	aruberry			Active
Season	12/11/2003 1:07:08 PM	aruberry			Active
Source	12/11/2003 1:09:17 PM	aruberry			Active
Use	12/11/2003 1:09:18 PM	aruberry			Active
Quantity	12/11/2003 1:09:19 PM	aruberry			Active
Summary			12/11/2003	aruberry	Active

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 23-46 V1

WATER RIGHT NUMBER: 23-46 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CELESTE B BEAM PO BOX 91 SWAN VALLEY, ID 83449 (208)483-3183
Original Owner	JOHN MC GIBBON , ID
Original Owner	RICHARD A BEAM , ZZ
Current Owner	FRANCIS R BEAM PO BOX 91 SWAN VALLEY, ID 83449 (208)483-3183

Priority Date: 09/01/1890

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
RAINEY CREEK	SOUTH FORK SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	1.600 CFS	
	<u>Total Diversion:</u>	1.600 CFS	

Location of Point(s) of Diversion

RAINEY CREEK	SE1/4NW1/4SE1/4	Sec. 33, Twp 02N, Rge 44E, B.M.
BONNEVILLE County		
RAINEY CREEK	SE1/4NE1/4SE1/4	Sec. 33, Twp 02N, Rge 44E, B.M.
BONNEVILLE 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	
01N	44E	4	12.0	40.0			16.0												68.0
			L 1	L 2			L 3												
02N	44E	33											32.0				32.0	1.3	65.3

Total Acres: 133.3

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 23-46 V1Conditions of Approval:

1. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. E52 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.67 CFS. COMBINED RIGHT NOS.: 23-00014, 23-00017, 23-00021, AND 23-00046.
3. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 133.3 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 23-00014, 23-00017, 23-00021, 23-00046, 23-00090.
4. F06 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 23-00014, 23-00017, 23-00021, 23-00046, 23-00090.
5. 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.

Remarks:Comments:Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: OR
Water District Number: 01
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
POD	12/11/2003 1:12:20 PM	aruberry			Active
POU	12/11/2003 1:12:35 PM	aruberry			Active
Use	12/11/2003 1:13:29 PM	aruberry			Active
Season	12/11/2003 1:14:21 PM	aruberry			Active
Summary			12/11/2003	aruberry	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 23-90 V1

WATER RIGHT NUMBER: 23-90 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CELESTE B BEAM PO BOX 91 SWAN VALLEY, ID 83449 (208)483-3183
Original Owner	RICHARD A BEAM , ZZ
Current Owner	FRANCIS R BEAM PO BOX 91 SWAN VALLEY, ID 83449 (208)483-3183

Priority Date: 01/22/1916

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
RAINEY CREEK	SOUTH FORK SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	7.200 CFS	
	<u>Total Diversion:</u>	7.200 CFS	

Location of Point(s) of Diversion

RAINEY CREEK	SE1/4NW1/4SE1/4	Sec. 33, Twp 02N, Rge 44E, B.M.
BONNEVILLE County		
RAINEY CREEK	SE1/4NE1/4SE1/4	Sec. 33, Twp 02N, Rge 44E, B.M.
BONNEVILLE 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	
01N	44E	4	12.0	40.0			16.0												68.0
			L 1	L 2			L 3												
02N	44E	33									32.0				32.0	1.3			65.3

Total Acres: 133.3

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 23-90 V1

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. F06 THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 23-00014, 23-00017, 23-00021, 23-00046, 23-00090.
3. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 133.3 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 23-00014, 23-00017, 23-00021, 23-00046, 23-00090.

Remarks:Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number: 01
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
POD	12/11/2003 1:17:36 PM	aruberry			Active
POU	12/11/2003 1:18:47 PM	aruberry			Active
Season	12/11/2003 1:20:30 PM	aruberry			Active
Summary			12/11/2003	aruberry	Active

Verification Log:

Element	Date Time Stamp	Reviewer	Log text
POD	12/11/2003 1:17:36 PM	aruberry	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a POD? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD?



State of Idaho

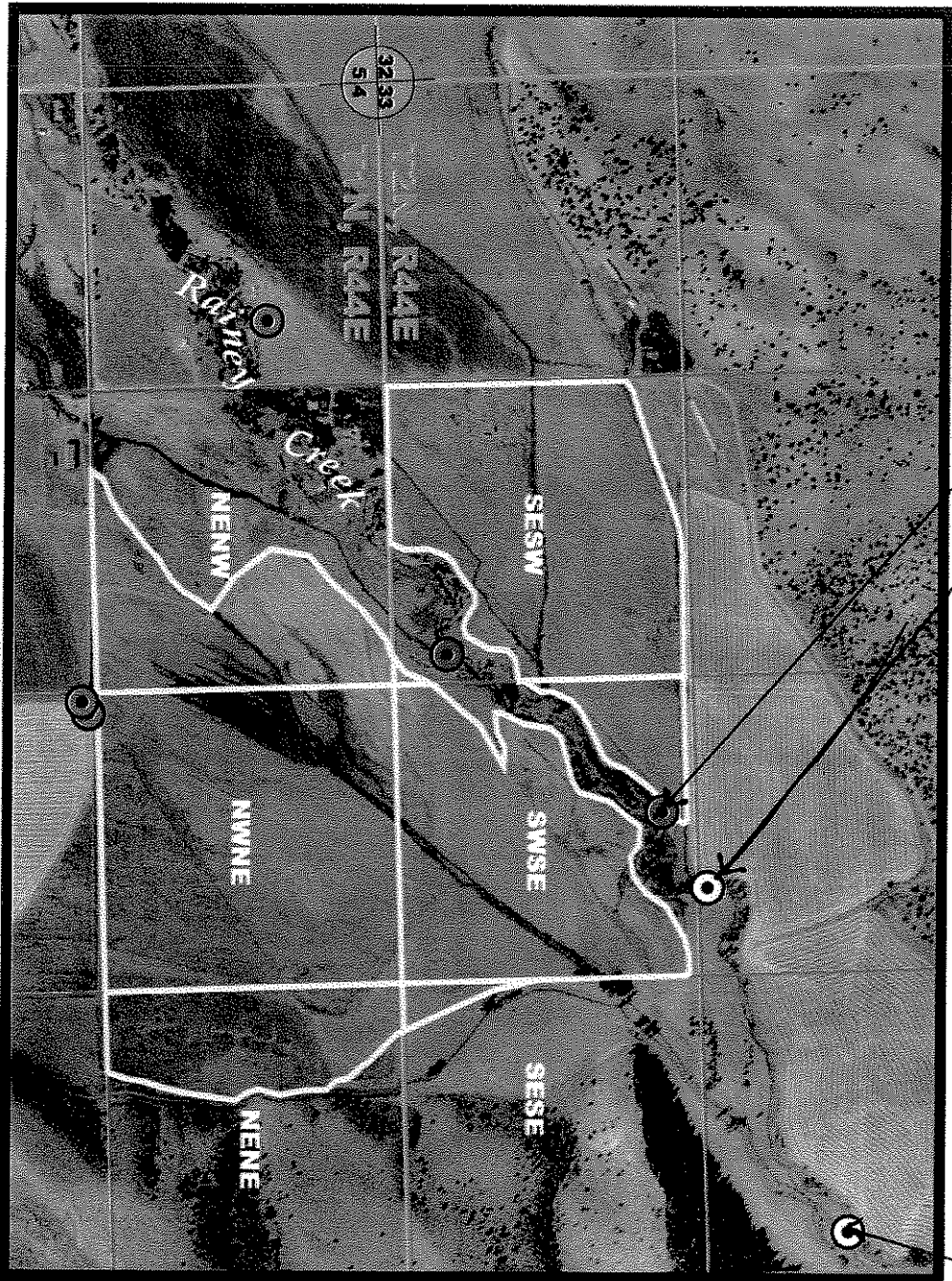
Department of Water Resources

Eastern Region

Shurtleff Pbd

Boatsche Diversion

Beam Diversion



Water Right(s):
23-00014, 23-00017,
23-00021, 23-00046,
23-00090

Place of Use: (parts of)
T2N, R44E Sec. 33
SESW, S2SE
T1N, R44E Sec. 4
NENW, N2NE

Point(s) of Diversion:
T2N, R44E Sec. 33
SESW, SESE

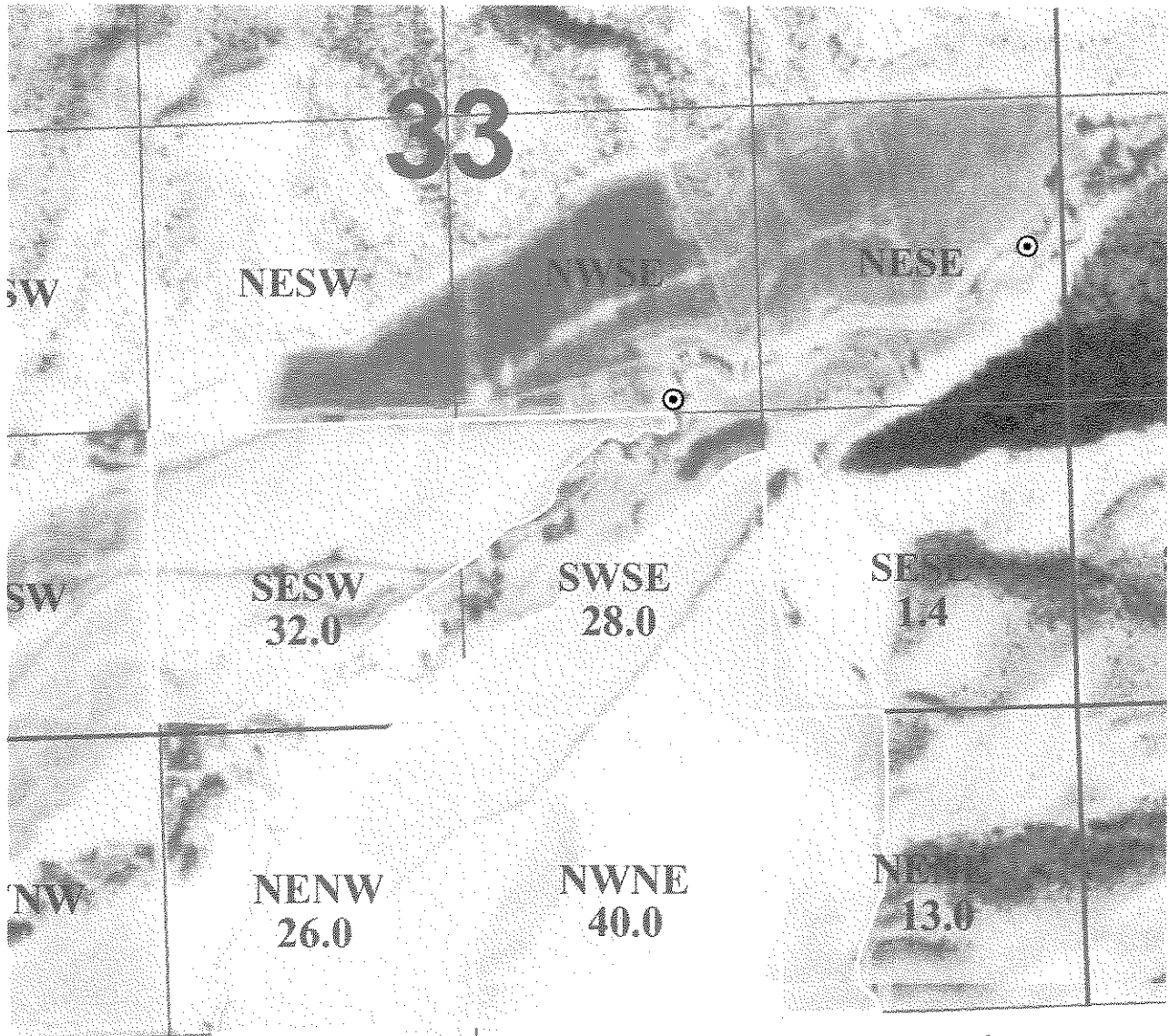


LEGEND

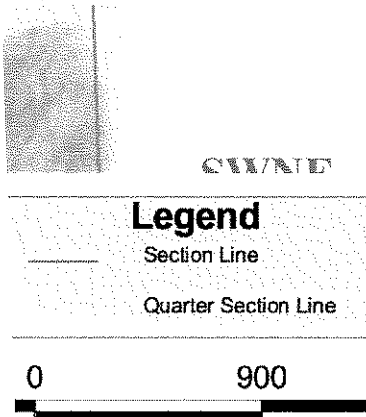
- Point of Diversion
- Place of Use
- Section
- Quarter-Quarter

Water Right Claim Number 23-00014
Townships, 2N44E, 1N44E

01/08/2001



A portion of the
Beam water coming
via the Shurtleff POD
will be delivered
via the new combined
Goettsche/Shurtleff
POD upstream.



The 32 ac in
T2N R44E Sec. 33
SESW will be
watered via the new
combined POD at
the Goettsche POD.

A23-00014

TZN

TIN

an Valley
Camera

MACROFILM

04 07 1992

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

1.

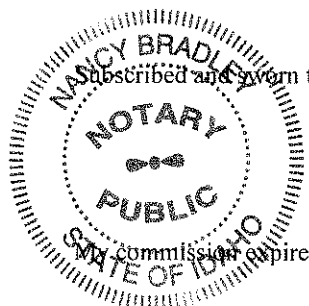
<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
No change in use			_____ to _____
			_____ to _____

2. Quantity and quality of return flows and location of discharge: There is no change in the amount or quantity of water being delivered. However the water should be considerably cleaner because of debris and coarse sediment will be filtered out by the new fish screen.

3. Describe effects on other water uses resulting from the proposed change:
No change.

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.



Celeste Belle Beam
 (Signature of Applicant)

Subscribed and sworn to before me this 8 day of March, 2007.

Nancy Bradley
 (Notary Public)

5/10/2011

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Transfer contains 20 pages and 3 attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by _____ Fee SL E032926

Received by _____ Date _____

Published in Post Register 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 _____

73610

FRANCIS BEAM

23-14	6/1/1895	2.4
23-17	9/19/1897	1.6
23-21	4/10/1889	1.6
23-46	9/1/1890	1.6
23-90	1/22/1916	<u>2.2</u> ^{ad} $\Rightarrow$ 2.67 _{af}
		<u>9.87</u>
		2.67 max Q

$$133.3 \times .02 = 2.67 \text{ af}$$

Narrative

Rainey Creek Description and Background

Yellowstone Cutthroat Trout (YCT)

YCT are currently not a listed species under the federal Endangered Species Act; but continue to be reconsidered for listing. Cutthroat trout populations have been drastically reduced from their historical numbers. The last known large populations of YCT are now located in the South Fork Snake drainage, Yellowstone Lake, and Yellowstone River.

The Rainey Creek project seeks to restore a continuous migration corridor between the headwaters and the lower stream reaches including access to the main-stem South Fork Snake River. The limiting factors are numerous, and we are working with a variety of organizations and agencies to address specific concerns. There are nine irrigation diversion structures that are being modified or consolidated to provide adequate fish passage up and downstream. After the passage issues are addressed, all diversion points will be screened to prevent fish entrainment. We will also be developing creative ways to improve irrigation efficiency for area landowners so they may use their water in a more efficient manner. Through increased gains in efficiency, and a reduction in water loss in the channelized area, instream flows will be improved for fish. Finally, we will be working with the various private landowners to install, where needed, riparian fencing, appropriate bank stabilization measures, and revegetation to restore severely overgrazed areas. Funding has been obtained from the Natural Resource Conservation Service (NRCS) to start renovating two irrigation diversions for improved fish passage in 2007. Our plan is to continue this work, primarily with NRCS funding, over the next three years with completion by 2009.

Location and Significance

Rainey Creek is one of the largest watersheds leading into the South Fork Snake River (USDA 1994) and has been recognized since 1957 as having the greatest potential for habitat improvement [to benefit the Yellowstone cutthroat trout fishery] in the Idaho portion of the South Fork (IDF&G). Rainey Creek is a mountain stream at the headwaters, with numerous springs in the lower reaches. It is located near Swan Valley, Idaho. Once it reaches the valley floor it flows westward through private lands in Swan Valley to eventually merge with the South Fork Snake River. Rainey Creek has experienced some recent transformations as historical ranching and farming families either retire or are forced from the land because of economic constraints. Restoring and protecting a natural channel should be done now before increased housing developments further restrict options.

Rainey Creek is one of four big tributaries that feed the South Fork Snake from the north out of the Big Hole Mountains. The other three are Pine Creek, Palisades Creek, and Big Burns Creek. Collectively, these tributaries are

responsible for most of the tributary habitat and spawning recruitment for YCT in the South Fork Snake River Basin. In discussions with Idaho Department of Fish and Game (IDFG) and Caribou-Targhee National Forest (CTNF), Rainey Creek, if restored, has the potential to replace Burns Creek as the number one spawning tributary to the South Fork Snake River.

The CTNF has done an outstanding job of restoring headwater habitat in the Rainey Creek drainage. Unfortunately South Fork Snake River fluvial cutthroat have only limited access during high flow years to this headwater habitat because of irrigation diversion structures that restrict passage and because of water loss to the substrate in the channelized area. The likelihood of long-term survivability of Yellowstone Cutthroat in the South Fork Snake River system will be greatly improved when Rainey Creek is restored to a naturally functioning condition.

Project Statement of Work

Trout Unlimited working collaboratively with the Rainey Creek Landowners and the National Resource Conservation Service (NRCS) are working to consolidate and combine the four upper diversion points on Rainey Creek into two new points of diversion and eliminate two old out dated and structurally unsound diversions, provide fish passage, and screen outgoing irrigation water in the process. The intent is to relocate the Shurtleff diversion upstream and combine it with what has been historically known as the Goettsche diversion. We will also relocate and combine the Celeste Beam diversion upstream with the Travis Weeks or Ivan Weeks diversion. The respective ditches can be split at the new points of diversion. This process will provide a new fish friendly structure that will pass fish both upstream and downstream and the out going irrigation water will be screened prior to the ditch split to eliminate fish loss do to ditch entrainment. The new combined POD's will be designed with longevity and take into account proper location and stream site hydrology. The new structures will be easy to maintain and will be designed remain in place over time. Further the new structures will be designed to improve irrigation efficiency and delivery. Combining the four diversions into two makes sense economically; the passage process and goal will be achieved much faster, and will be a win win situation for all involved.