

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 73477

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant Royden O for Mina R. Capps Phone 208-736-6195

Post Office address PO Box 45 Lemhi ID 83465

RECEIVED

APR 12 2007

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

Department of Water Resources
Eastern Region

2. Describe the reason for the proposed changes Remove POU's on BLM land and add them to private land.

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

1. Right Number 74-1030 Priority 4/1/1935 Amount (cfs/ac-ft) 0.740 cfs Nature of Use Irrigation Period of Use 3/15 to 11/15

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

3. Source of water Basin Creek tributary to Hayden Crk

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SE	NE	4	17N	23E	Lemhi	

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	
17N	23E	2					7.1			0.5								24.6	

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OCT 04 2007

Total Acres 24.6

Department of Water Resources
Eastern Region

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PART 1

6. General Information:

a. Description of diversion system ditch to place of use

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
 _____ Yes ✓ 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 federal land will be irrigated

d. Remarks:

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

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01/19/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 74-1030
NAME AND ADDRESS: MINA R CAPPS
BOX 45
LEMHI ID 83465
ROYDEN O CAPPS
BOX 45
LEMHI ID 83465

SOURCE: BASIN CREEK TRIBUTARY: HAYDEN CREEK
QUANTITY: 0.740 CFS
PRIORITY DATE: 04/01/1935
POINT OF
DIVERSION: T17N R23E S4 SENE Within LEMHI County
PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	3/15 11/15	0.740 CFS
PLACE OF USE: IRRIGATION Within LEMHI County		
T17N R23E S02 Lot 1 NENE 2.80	T17N R23E S02 Lot 2 NWNE	7.20
T17N R23E S02 SWNE 7.00	T17N R23E S02 Lot 3 NENW	7.10
T17N R23E S02 SENW 0.50		

24.6 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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PART 2

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

_____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount .08 cfs for irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SE	NE	4	17N	23E	Lemhi	

3. 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	
17N	23E	2	2.8																2.8

Total Acres 2.8 ac**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount .64 cfs for irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		SE	NE	4	17N	23E	Lemhi	

3. 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	
17N	23E	2		7.2	7.0		7.1			.5									21.8

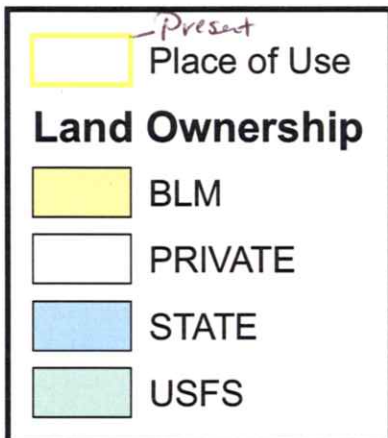
Total Acres 21.8

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74-01030, Capps

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Proposed POU



U.S. Department of the Interior
Bureau of Land Management
1387 S. Vinnell Way
Boise, ID 83709

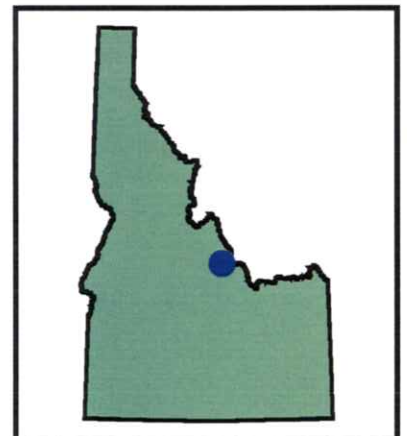
No warranty is made by the
Bureau of Land Management
for use of the data for purposes
not intended by the BLM.
Map date: June 23, 2006

GCDB data maintained by
Bureau of Land Management
Idaho State Office
NAD_1983_IDTM



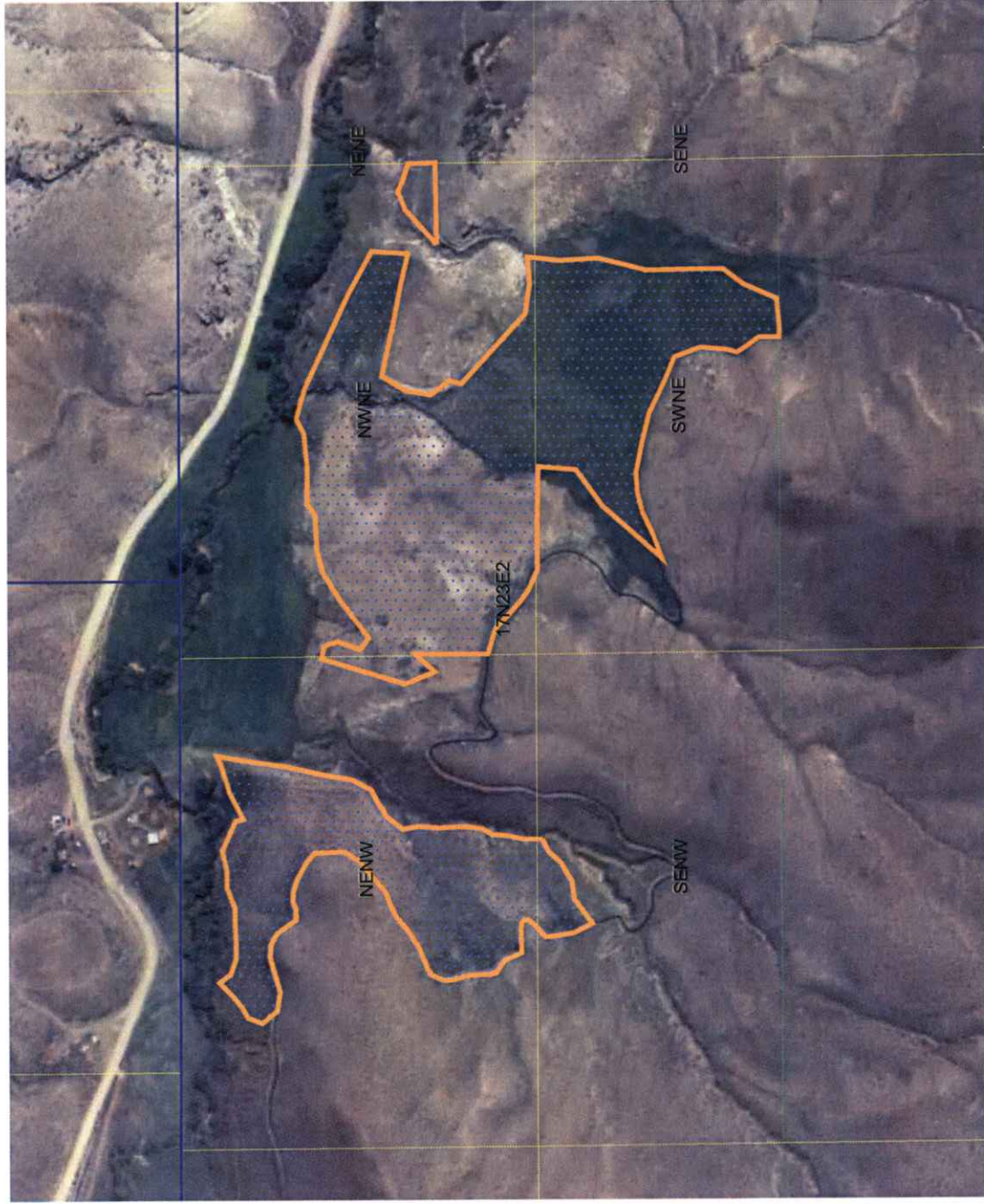
1:8,647

0.03 0.075 0.15 0.225 0.3 Miles



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PLACE OF USE



- 74-1030.shp
- Sections
- QQ
- Lemhi taxlots
- GCDB17N23E GCDB

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

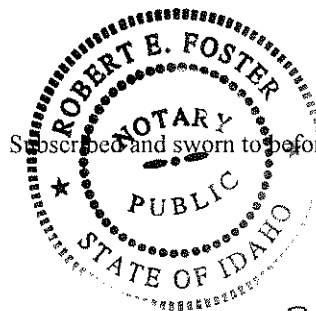
1.	<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
				to
				to

2. Quantity and quality of return flows and location of discharge: _____

3. Describe effects on other water uses resulting from the proposed 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.



Subscribed and sworn to before me this 10th day of April, 20 07.

Royden O. Lopp
(Signature of Applicant)

Robert E. Foster
(Notary Public)

My commission expires 3-6-2013

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by DC Fee \$100 EO32768

Received by DC Date 4-12-07

Published in Recorder Herald 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 _____

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