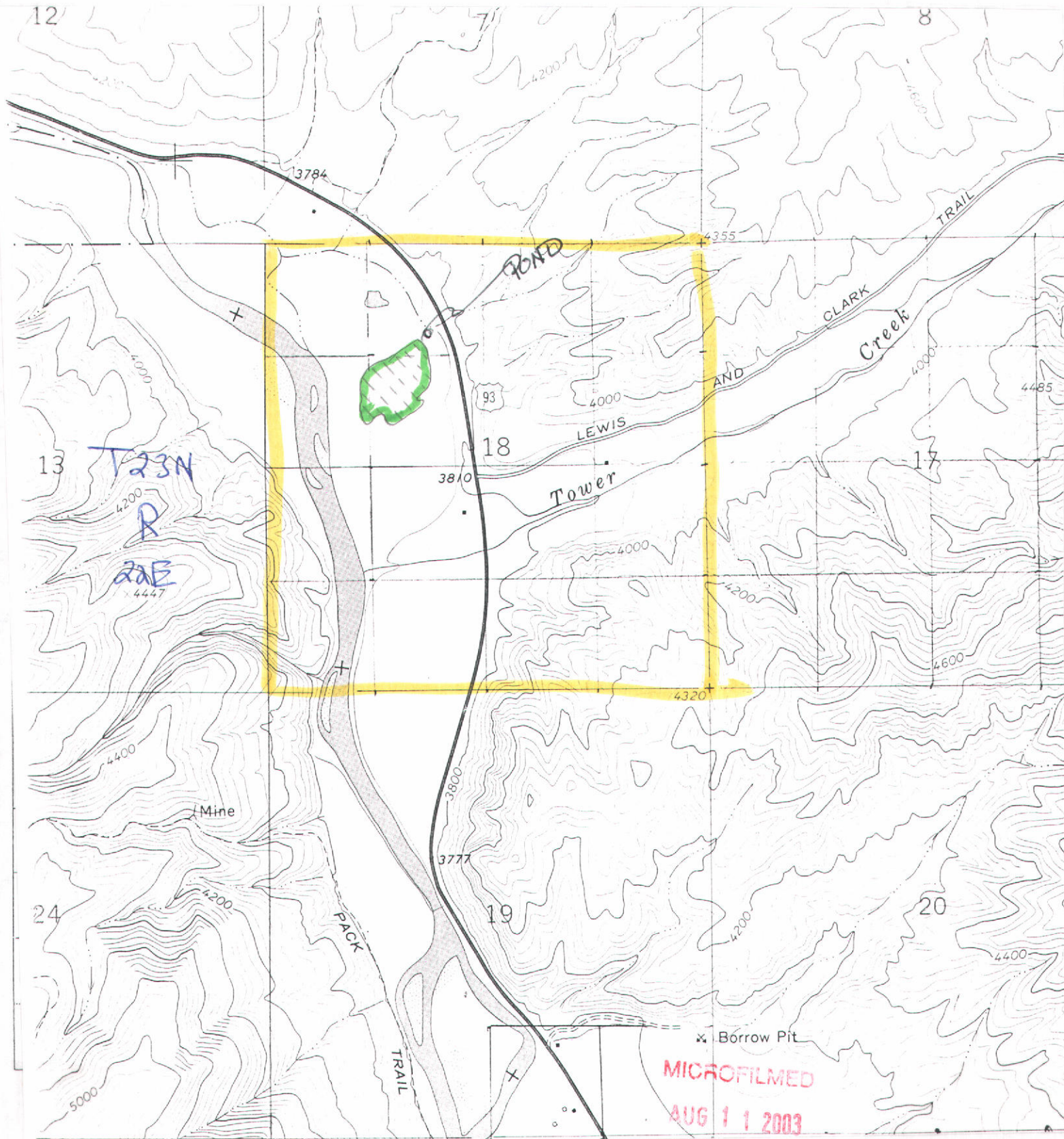


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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.



NOTICE OF
CORRECTION

Notice is hereby given that Claim No. 75-4090 in the name of Robert Ellis was advertised incorrectly on March 15 and 22, 1979. The place of use was advertised as being within the NENW NWNW SWNW Sec 18, T 23N, R 22E.

WHEREAS, the actual place of use is within the NENW NWNW SWNW SENW Sec. 18, T 23N R 22E.

Any exception to this claim may be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401.

C. STEPHEN ALLRED
Director
Published in The Recorder-Herald on April 5 and 12, 1979.

4-5-2tp

Affidavit of Publication

STATE OF IDAHO }
County of Lemhi } ss.

JERRY G. ROSIN

being first duly sworn, deposes and says that he is one of the printers (publisher) of the RECORDER HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein,

That the Notice of Correction No. 75-4090

a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for ² consecutive issues, commencing with the issue dated April 5, 1979 and ending with the issue dated April 12, 1979.

Jerry G. Rosin

Subscribed and sworn to before me, this twelfth day of April, 1979.

RECEIVED

APR 13 1979

Publication Fee \$ No charge-our error
Department of Water Resources
Eastern District Office

Neil Armstrong
Notary Public for the State of Idaho,
Residing at Salmon, Idaho

MICROFILMED

24-A

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT TRANSFER NO.
69098

JOHN C. HEISER, PO BOX 226
CARMEN ID 83462, has filed Appli-
cation No. 69098 for changes to the
following water rights within Lemhi
County:
Right No. 75-409U
Priority 4/1/1900
Source SALMON RIVER
Use IRRIGATION (19 ACRES) 1.70
CFS
Total Amount 1.70 CFS
Point(s) of Diversion SENW S19
T23N R22E
Place of Use S18 T23N R22E
The purpose of the transfer is to
change a portion of the above rights
as follows:
The applicant is reducing the
place of use to 16 acres and 0.32
cfs and is moving the point of diver-
sion to a pond on his property in the
SENW Sec 18 T23N R22E.
Protests may be submitted based
on criteria of Sec 42-222, Idaho
Code.
Any protest against the proposed
change must be filed with the De-
partment of Water Resources, East-
ern Region, 900 N Skyline Dr Ste A,
Idaho Falls Id 83402 together with a
protest fee of \$25.00 for each ap-
plication on or before May 29, 2001.
The protestant must also send a
copy of the protest to the applicant.
KARL J DRECHER, Director

Affidavit of Publication

JUN 06 2001

Department of Water Resources
Eastern Region

STATE OF IDAHO }
County of Lemhi } ss.

RICKY G. HODGES being first duly sworn, deposes and says he is one of the publishers (print-
ers) of The Recorder Herald, a newspaper published weekly at Salmon, Lemhi County, Idaho, and
of general circulation therein. That the **NOTICE OF PROPOSED WATER RIGHT CHANGE**, a
true printed copy of which is attached to the margin hereof, has been and was correctly printed and
published in the regular and entire issue of every number of said newspaper and not in any supple-
ment thereof or thereto for **TWO(2)** consecutive issue(s), commencing with the issue dated **05-
10-2001** and ending with the issue dated **05-17-2001**.

STATE OF IDAHO }
County of Lemhi } ss.

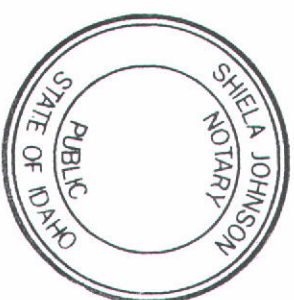
On this **1st day of June** in this year of 2001 before me, A Notary Public, personally appeared
RICKY G. HODGES, known or identified to me to be the person whose name subscribed to the within
instrument, and being by me first duly sworn, declared that the statements therein are true, and
acknowledged to me that he executed the same.

Residing At Salmon, Idaho

Sheila Johnson
Notary Public for Idaho

My Commission expires: 01-02-2007

Publication Fee \$56.16



MICROFILMED
AUG 11 2003

Blind Creek

Rocky
Hollow
Park

CW

Mouth of
Lower Creek

460

1979 photo

T16
(see 620)

1989 photo

LEFT

R21E/R22E

T23N

BLM

12.7
13.18

460
T609

May 93

Lower Cr Rd



I

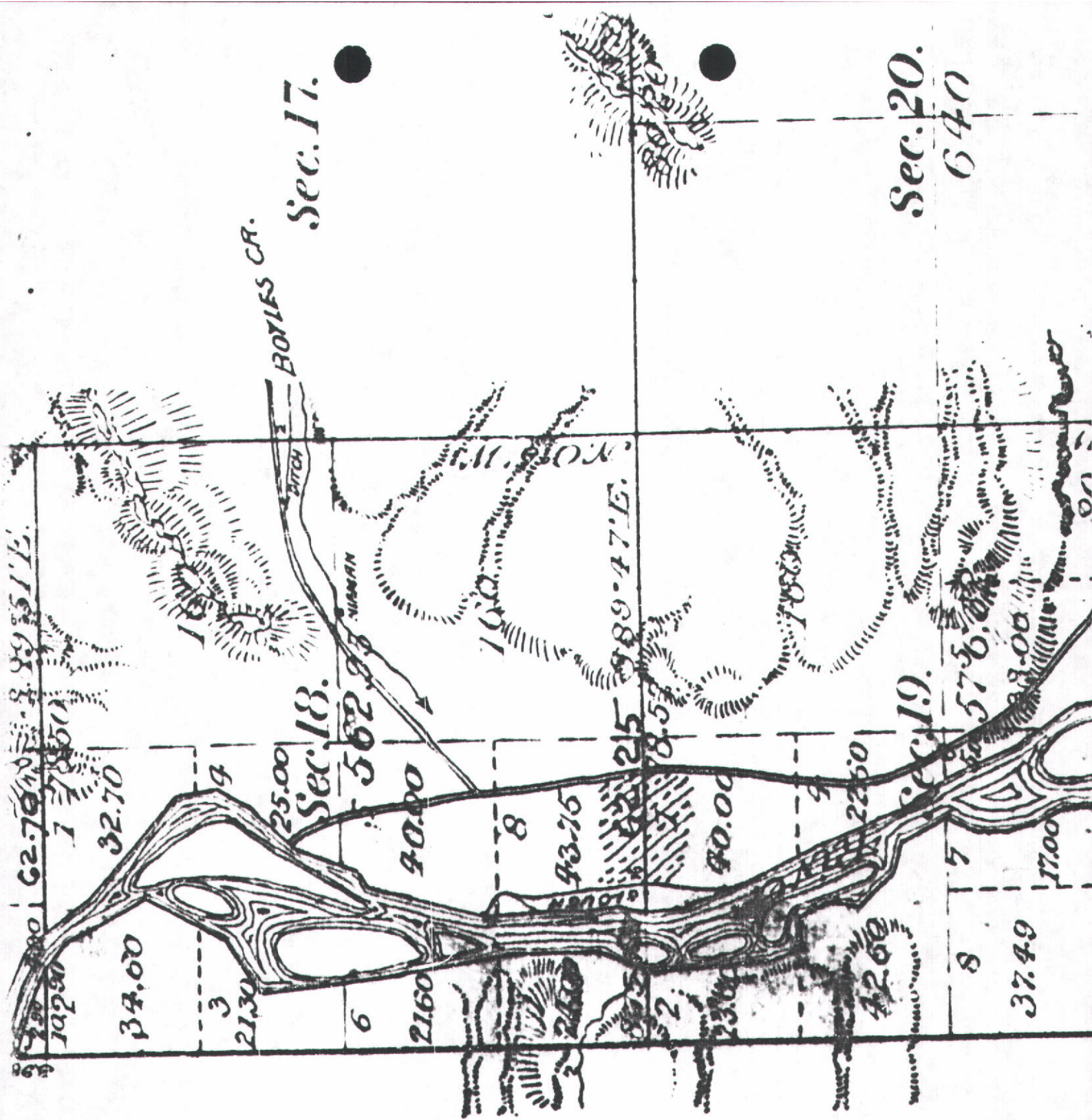
i

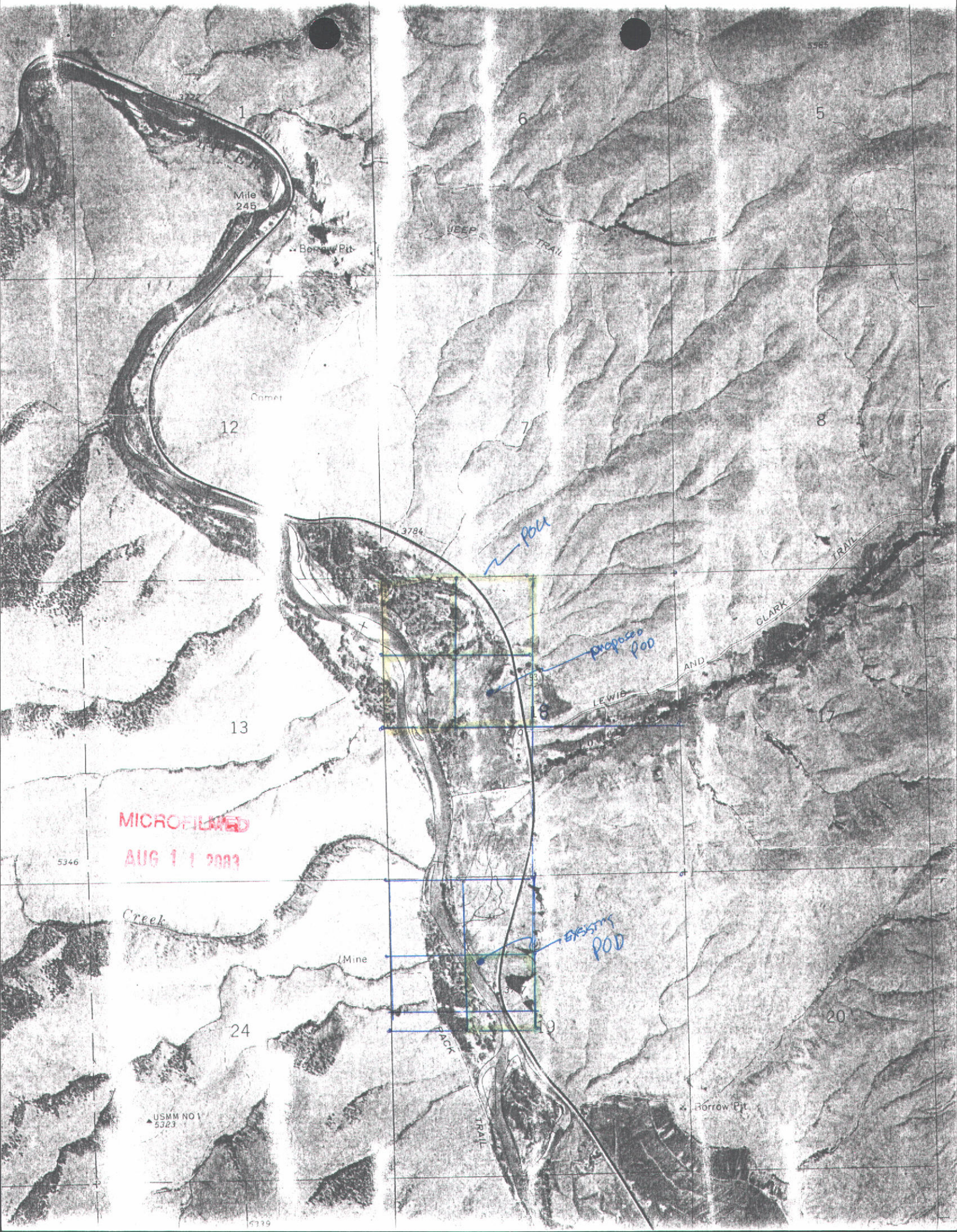
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k

MICROFILMED

AUG 11 2003





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69098

This is to certify that: JOHN C HEISER
PO BOX 226
CARMEN ID 83462
(208)756-6234

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

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
75-4090	AJC/Statutory Claim	04/01/1900	1.7 cfs	N/A		19.0	SALMON RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
75-4090	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
75-4090	75-4090	0.32 cfs	56 af	N/A	16.0		N/A	N/A	N/A	N/A
TOTALS		0.32 cfs	56 af		16		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 16th day of December, 2002


Chief, Water Allocation Bureau

MICROFILMED

AUG 1 1 2002

WATER RIGHT NO. 75-4090
As Modified by Transfer No. 69098

In accordance with the approval of Transfer No. 69098, Water Right No. 75-4090 is now described as follows.

Right Holder: JOHN C HEISER
 PO BOX 226
 CARMEN ID 83462

Priority Date: April 01, 1900

Source: SPRING

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	10/31	0.32 CFS	56.0 AF
			0.32 CFS	56.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SPRING NWSNW Sec. 18 Twp 23N Rge 22E 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	
23N 22E 18					1.0		1.0	14.0									16.0
					L 9		L 9	L 9									

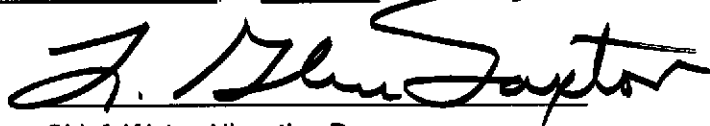
Total Acres: 16

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. Diversion of springs is limited to those times water is available for diversion under this right and priority from the Salmon River.
7. The right holder shall cease irrigation of 3 acres previously authorized under this right, and consolidate use of water on the remaining 16 acres.
8. Approval of Transfer 69098 does not confirm Claimed Right 75-4090.

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

Dated this 16th day of December, 2002


 Chief, Water Allocation Bureau

MICROFILMED

AUG 11 2003

Page 1 of 5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 69098

RECEIVED

JUL 13 2031

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Department of Water Resources

Department of Water Resources
Name of Applicant JOHN C. HEISER Phone 208-756-6234

Post Office address P.O. Box 226 Carmen, ID 83462

A. PURPOSE OF TRANSFER

RECEIVED

APR 26 2001

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use

☐ Change nature of use

☐ Change period of use

☒ Other

Change Source + Reduce access to dfs

Department of Water Resources
Eastern Region

2. Describe the reason for the proposed changes. I'm putting in a pivot & will pump from a pond instead of the Salween River thereby eliminating a diversion on the river. This change reflects current irrigation practices.

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
75-04090	4-01-1900	0.32 cfs	Irrigation	4/01 to 10/31
				to
				to
				to

2. Total amount of water being transferred 0.32 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Springs tributary to Sinks

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

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2003

Total Acres 16

2. 80 5

PART 1

Transfer No. 69048

6 General Information:

a. Description of diversion system

pump, mainline to pivot

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:

NA

d. Remarks:

Acres & cfs reduced to 16 acres & 0.32 cfs.

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

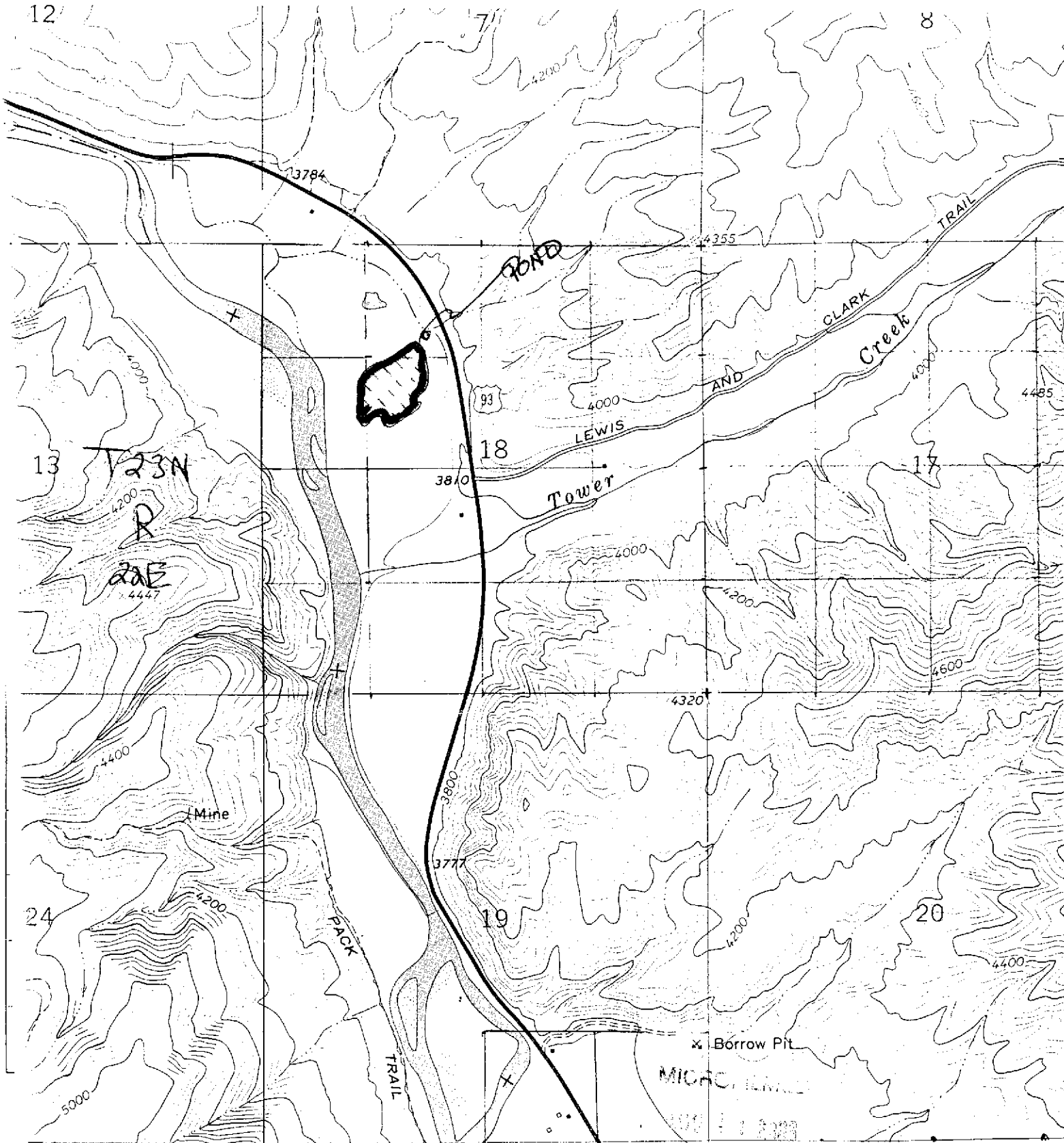
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AUG 11 2003

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.



PART 3

B. CHANGES IN NATURE OF USE

1.

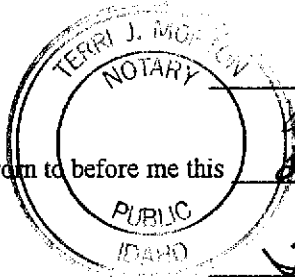
<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____
2. Quantity and quality of return flows and location of discharge:

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 25th day of April, 2001.

 John A. Heiser
(Signature of Applicant)

Terri J. Morton
(Notary Public)

My commission expires 4-25-02

FOR DEPARTMENT USE ONLY

Transfer contains 5 pages and 3 attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by HWT Fee \$290.00

Receipted by HWT #E026610 Date 4-6-01

Published in Recorder Herald Copies of protest forwarded by _____

Pub. Dates May 10 & 17, 2001 Hearing held by _____ Date _____

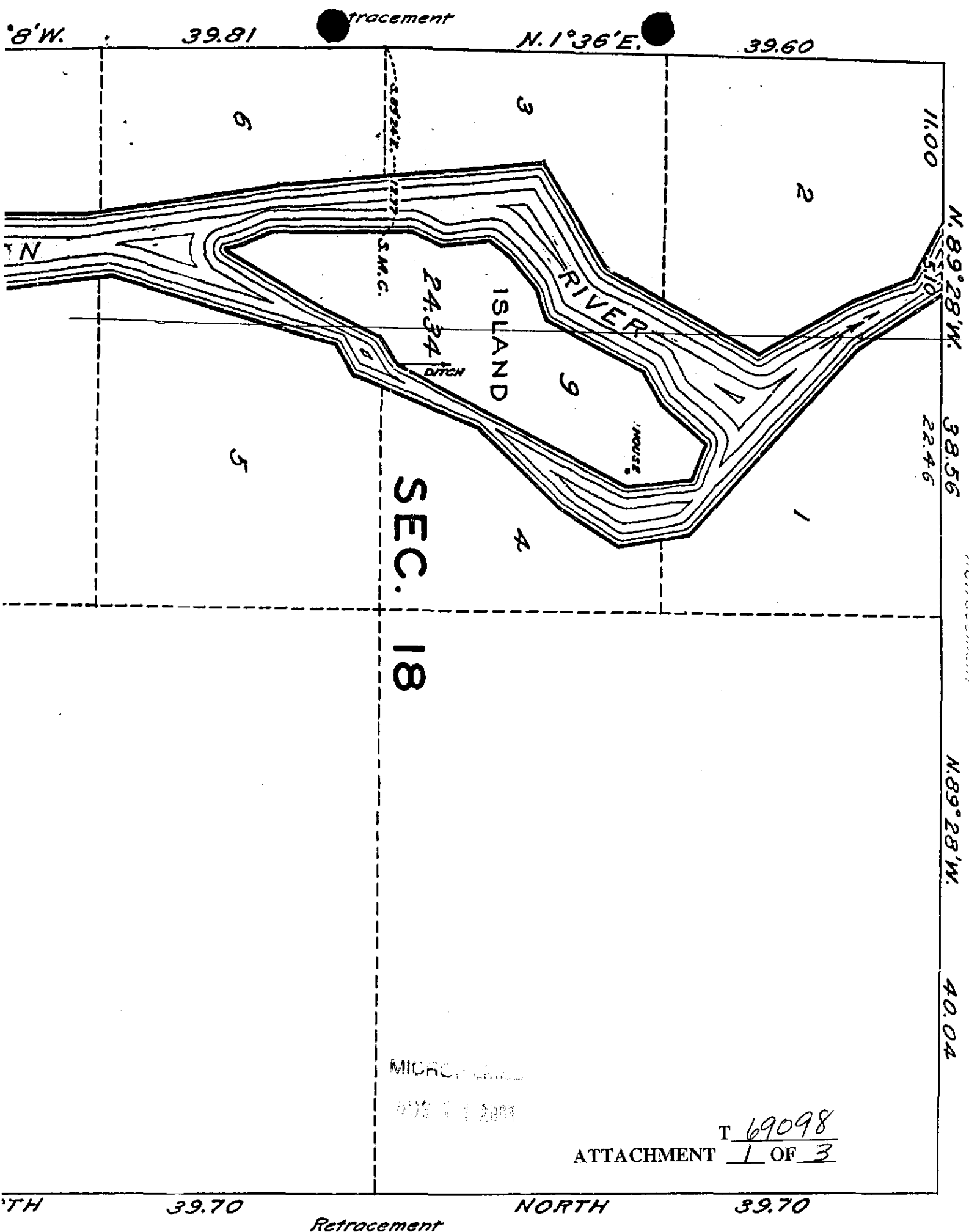
Watermaster recommendations requested on _____ Recommended for ☒ approval ☐ denial

_____ received _____ by RDC

Copy of transfer sent to lien holder _____

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AUG 11 2003



1989 photo

LEFT

R21E R22E

T23N

BLM

Mr. Barstelman

Lower C Rd

+

ATTACHMENT T 69098
3 OF 3

MICROFILMED
AUG 11 2003

Blind Creek

photo

716
(see 620)

Acres highlighted as irrigated
shows 16 acres.

Hef

MICROFILMED 7-10-01

AUG 1 1 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that BOB Robert ELLIS
(Name of Claimant)
Carmen Id 83462 Telephone No. 756 3066
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) April 1900

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Salmon River tributary to Columbia

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>1.70 cfs</u>		Use <u>Irrigation</u>		Period of Use From <u>Apr</u>	To <u>Nov</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) TOTAL QUANTITY USED.

(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE 1/4 NW 1/4, Sec. 19 Twp. 23N Rge. 22E B.M., County of Lemhi
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. FROM the salmon R. 4' deep & 5' wide

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
23N	22E	18					1	2	20	5									28

No. of acres 28

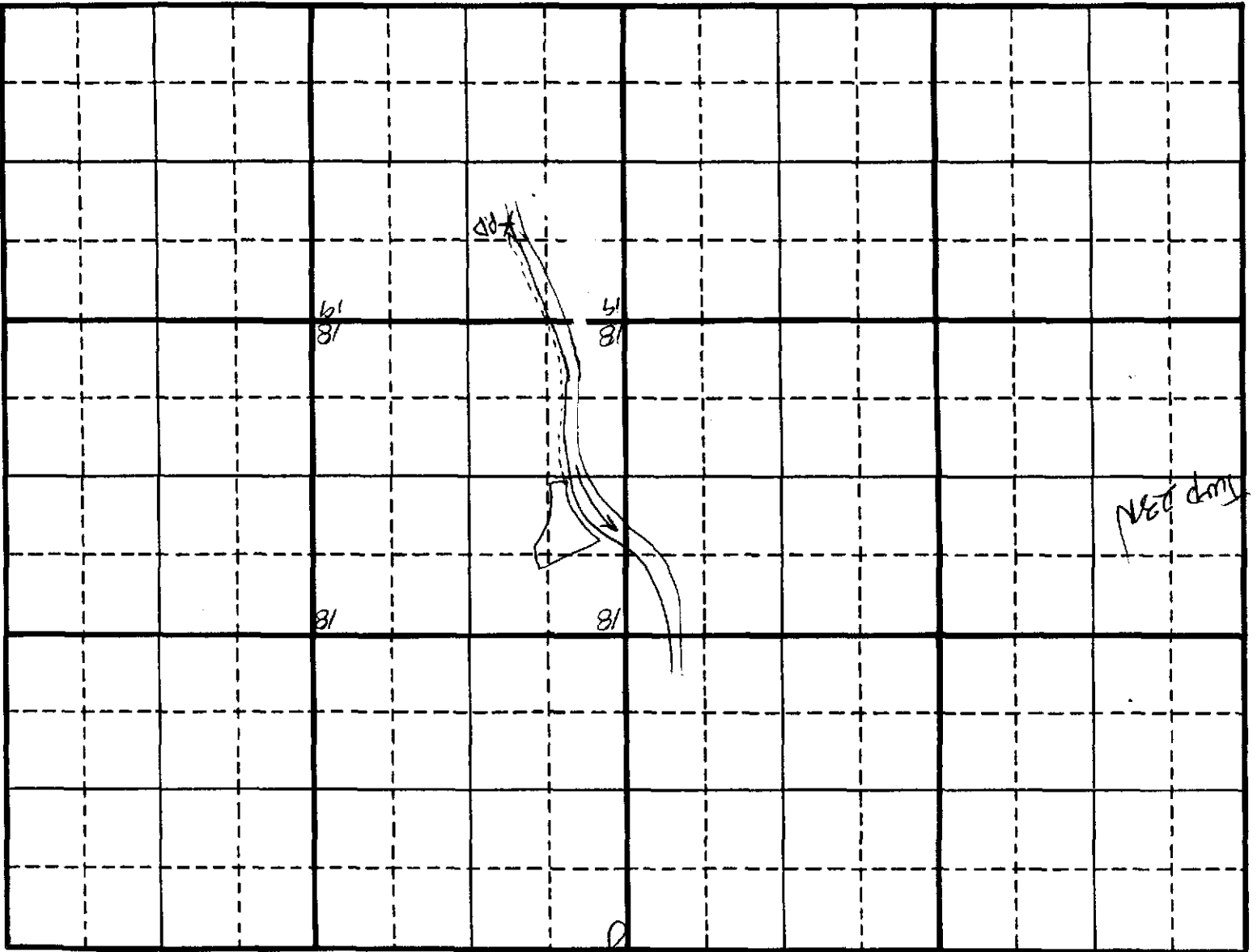
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: NONE

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

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Page 22E



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho
County of Lemhi
ss.
)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 22nd day of February, 1979.
Notary Public
Residing at Salmon, Idaho
My commission expires 12-21-82

FOR DEPARTMENT USE ONLY

Received by dh Date 2-26-79 Exception filed by: Forwarded to claimant by: Date
Prelim. check by dh Date 2-26-79
\$20.00 fee received by dh Date 2-26-79
Published in Recorder-Herald
Dates March 8 & 15, 1979
April 5 & 12, 1979 (Notice of Correction)

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

NOTICE OF CORRECTION

Notice is hereby given that Claim No. 75-4090 in the name of Robert Ellis was advertised incorrectly on March 15 and 22, 1979. The place of use was advertised as being within the NENW NWNW SWNW Sec 18, T 23N, R 22E.

WHEREAS, the actual place of use is within the NENW NWNW SWNW Sec 18, T 23N, R 22E.

Any exception to this claim may be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401.

STEPHEN ALFRED

Published in The Recorder-Herald on April 5 and 12, 1979.

4-5-79

JERRY G. ROSIN

being first duly sworn, deposes and says that he is one of the printers (publisher) of the RECORDER HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

That the Notice of Correction No. 75-4090

a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for 2 consecutive issues, commencing with the issue dated April 5, 1979 and ending with the issue dated April 12, 1979.

Jerry G. Rosin

Subscribed and sworn to before me, this twelfth

day of April, 1979

RECEIVED

APR 13 1979

Publication Fee \$ No charge-our error

Department of Water Resources
Eastern District Office

Neil Armstrong
Notary Public for the State of Idaho,
Residing at Salmon, Idaho

24-A

WALDAL, EDWARD C.

BOX 711, SALMON, ID 83467

Source: GROUND-WATER

Priority Date: 04/01/1952

Amount: 0.04 CFS

Diversion Point: SWNE Sec 31 T 22N R 22E, LEMHI Co.

Use: IRRIGATION (0.04 CFS) from 04/01 to 11/01

Place of Use: SWNE Sec 31 T 22N R 22E FOR 2 ACRES

Diversion Means: WELL, PUMP & SPRINKLER SYSTEM 74-4010

Fletcher, CAROL A. BOX 1769, SALMON, ID 83467

Source: TWELVE MILE CREEK tributary to SALMON RIVER

Priority Date: 04/01/1890

Amount: 0.04 CFS

Diversion Point: SESE Sec 36 T 20N R 22E, LEMHI Co.

Use: IRRIGATION (0.04 CFS) from 04/01 to 11/01

Place of Use: SESE Sec 36 T 20N R 22E FOR 1 ACRES

Diversion Means: DITCHES

75-4086

BOLANDER, IVAN H.

(0.04 CFS) from 04/01 to 11/01

Place of use: NESW WSE Sec 35 T 24N R 21E FOR 9 ACRES

Diversion Means: DITCHES

75-4088

ALFORD, RICHARD L. &/or MARILYN M.

Box 1062, SALMON, ID 83467

Source: TOWER CREEK tributary to SALMON RIVER

Priority Date: 12/01/1911

Amount: 0.50 CFS

Diversion Point: NW- Sec 09 T 23N R 22E, LEMHI Co.

Use: IRRIGATION (0.50 CFS) from 04/01 to 11/01

Place of Use: SWNW Sec 09 T 23N R 22E SENE Sec 08 T 23N R 22E for 12 ACRES

Diversion Means: DITCHES

75-4089

EDWARDS, EUGENE BOX 1145, SALMON, ID 83467

Source: SALMON RIVER tributary to SNAKE RIVER

Priority Date: 07/25/1888

Amount: 100.00 CFS

Diversion Point: NESE Sec 31 T 21N R 22E, LEMHI Co.

Use: IRRIGATION (100.00 CFS) from 04/01 to 11/01

Place of Use: NENE NWNE SWNE SENE NENW SENW NESW Sec 30 T 21N R 22E NESE NWSE SWSE SESE Sec 30 T 21N R 22E NENE NWNE SENE Sec 31 T 21N R 22E FOR 357 ACRES

Diversion Means: DITCHES

75-4090

ELLIS, ROBERT

CARMEN, ID 83462

Source: SALMON RIVER tributary to SNAKE RIVER

Priority Date: 04/01/1900

Amount: 1.70 CFS

Diversion Point: SENW Sec 19 T 23N R 22E, LEMHI Co.

Use: IRRIGATION (1.70 CFS) from 04/01 to 11/01

Place of Use: NENW NWNW SWNW Sec 18 T 23N R 22E for 28 ACRES

Diversion Means: ditch

75-4091

STODDARD, GEORGE H.

BOX 1087, SALMON, ID 83467

Source: GROUND-WATER

Priority date: 02/01/1934

Amount: 0.04 CFS

Diversion Point: NESE Sec 07 T 21N R 22E, LEMHI Co.

Use: COMMERCIAL (0.04 CFS) from 01/01 to 12/31

Place of Use: NESE SESE Sec 07 T 21N R 22E

Diversion Means:

Sec 19 T 21N R 22E, LEMHI Co.

Use: STOCK WATER (0.02 CFS) from 04/01 to 12/31

IRRIGATION (3.47 CFS) from 04/01 to 11/01

Place of Use: NENW SENW Sec 19 T 21N R 22E FOR 39 ACRES

Diversion Means: HEADGATE

75-4093

PALMER, DEAN L. &/or JUANITA

ROUTE 1, BOX 220, SALMON, ID 83467

Source: GROUND-WATER

Priority Date: 02/02/1961

Amount: 0.06 CFS

Diversion Point: NW- Sec 29 T 21N R 22E, LEMHI Co.

Use: DOMESTIC (0.04 CFS) from 01/01 to 12/31 COMMERCIAL (0.02 CFS) from 01/01 to 12/31

Place of Use: NWNW Sec 29 T 21N R 22E

Diversion Means: WELL, PUMP & PIPE-LINE

75-4094

HAMMOND, GLADYS BOX 541, SALMON, ID 83467

Source: RINGLE CREEK tributary to SALMON RIVER

Priority Date: 04/01/1900

Amount: 0.50 CFS

Diversion Point: SENE Sec 33 T 18N R 21E, LEMHI Co.

Use: IRRIGATION (0.50 CFS) from 04/01 to 11/01

Place of Use: SENE Sec 33 T 18N R 21E FOR 10 ACRES

Diversion Means: DITCH

75-4095

ALLEN, STAN J.

BOX 595, SALMON, ID 83467

Source: Groundwater

Priority Date: 08/01/1958

Amount: 0.04 CFS

Diversion Point: NWNE Sec 08 T 22N R 22E, LEMHI Co.

Use: IRRIGATION (0.04 CFS) from 04/01 to 11/01

Place of use: NWNE Sec 08 T 22N R 22E FOR 10 ACRES

Diversion Means: WELL & PUMP

75-4096

GOODMAN, WILLIAM

E. &/or FRANCES J. BOX 116, SALMON, ID 83467

Source: GROUND-WATER

Priority Date: 05/01/1962

Amount: 0.17 CFS

Diversion Point: SESE Sec 31 T 22N R 22E, LEMHI Co.

Use: IRRIGATION (0.17 CFS) from 04/01 to

ER tributary to SNAKE RIVER

Priority Date: 11/07/1914

Amount: 0.60 CFS

Diversion Point: SW- NW Sec 12 T 23N R 21E, LEMHI Co.

Use: IRRIGATION (0.60 CFS) from 04/01 to 11/01

Place of Use: NESW SWSW SESW Sec 01 T 23N R 21E NWNW Sec 12 T 23N R 21E FOR 30 ACRES

Diversion Means: HEADGATE & DITCHES

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401.

C. STEPHEN ALLRED

Director Published 3-15 & 3-22-79.

3-15-2tc

y sworn, de

CORDER HEF

o, and of ge

009, 74-4

, 75-4094

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 16, 2002

JOHN C HEISER
PO BOX 226
CARMEN ID 83462

RE: Transfer No.: 69098 - Water Right 75-4090 - Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7940.

Sincerely,

for Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt

Enclosure(s)

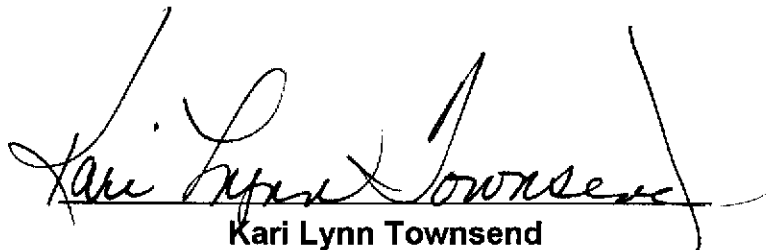
MICROFILMED
2003 1 1 2003

CERTIFICATE OF SERVICE

I hereby certify that on December 16, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 69098 - WATER RIGHT 75-4090

**JOHN C HEISER
PO BOX 226
CARMEN ID 83462**



**Kari Lynn Townsend
Secretary**

MICROFILMED

AUG 11 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED
2010 11 2000

MEMORANDUM

Date: December 16, 2002
To: Transfer 69098
From: Sharla
Re: Lien Holder Info

On 12/13 Mr. Heiser called me in response to Keith Wilson's phone calls. Mr. Heiser did not realize that the YES box had been checked on the second page of the transfer application to indicate there was a lien on the lands in question. He told me that the check mark was in error because the property has been clean of any liens/mortgages for 18 years.

MICROFILMED

AUG 11 2003

TRANSFER REVIEW SHEET

Trans # 69098

Date Reviewed 12/10/02

Right No(s)* 75-4090

Split? Y N Y N Y N Y N Y N Y N

AREA OF CONCERN: No/Yes S/C
wilderness

PURPOSE OF TRANSFER FOR EACH RIGHT:

Change p/d Change use period Change p/u
Add p/d Change nature of use

RightID's of From & To records correct? Y N (resolve with State Office personnel)

Check for Partial Decree issuance, etc. since time of application's entry

PROOF OF OWNERSHIP COMPLETE FOR OLD & NEW P/U

Lien Holder Release

GROUNDWATER:

DRILLING PERMIT

All wells - 046
DP upgrade req'd Y N (contact GW personnel)

WMD - North/East/West

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 067

WMD

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 01M or 01Q

SURFACE WATER:

WD - R05 (WD#) WM comments rec'd

≤ 0.20 cfs/others - R02, 01P or No MD

> 0.20 cfs - R43

WD, SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 01M or 01Q

STANDARD SEASON 4/1 to 10/31 (use X61 if extended season)

STANDARD VOLUME 3.5 af/ac

CONSUMPTIVE USE VOLUME af/ac

SUPPLEMENTAL (irr = only use) - 065-104

SUPPLEMENTAL (irr + other uses) - 100-105

USES:

STORAGE - 18C-R02-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (all BLM/USFS)
MINING - 054-106
FISH PROP - 029(70'S only)-007-122-106
HEAT/COOL - R07 (injection well)
FIRE PROT. - 077
DAIRY - 082 (zoning if a concern)-106-WD8

USES:

POWER - 17H-17K (+uses)-025-106
MUNICIPAL
Restricted area - 022-075 RAFN - 007-109-X64
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
- 27A (Payette River)
> 1 in restricted area - 070-071-075 (no parks/common areas, etc)
Irr use listed separate - WB5

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop
T08 - comply or rescind
T17 - measure all p/d's (used with WB4)
T18 - Special T17 & R43 combined - multiple pds in WD

Protested - 020-X19
Water Quality - 106-R07

X27 - Number of acres/season in ppu
X35 - Combined totals of multiple rts

X49 - measure p/d's (source chg'd to orig trib)

X51 - 2+ yrs to develop

X53 - Use ltd to orig. source availability

X54 - forfeited ac/rate (used rarely)

X55 - (transfer shrinks total water to less ac)

004 - no right-of-way

X58 - pending claim (statutory or AJ b/u claim)

X61 - extended irr season

X62 - replaces N11 and N13

X63 - replaces C12

WB4 - + p/ds, cfs & afa (used with T17)

WD8 - land application of waste water

01Q - used instead of 01M when there's another meas. Cond (i.e. T17 & 01m)

Apply one to chg'd & unchg'd

rts that are subject to SRBA:

T09 - on-going SRBA (no Dir Rpt or Recomm yet)

T19 - replaces C18
(if at Recommendation or Partial Decree stage)

T20 - use only on unchg'd rts not subject to SRBA

OTHER CONDITIONS/REMARKS

COMMENTS

Database files updated ✓ Approval form printed ✓ Shape files created ✓

Special Mailing Instructions (cc's, etc)

Final database update after approval ✓ *Comment to WR No(s). 75-4090

50
12/16/02

MEMORANDUM

Date: December 12, 2002
To: Transfer 69098
From: kwilson
Re: Lien Holder Release

Messages on 12/11/2002 and today were left on answering machine informing the applicant to contact Sharla Curtis [(208) 327-5452/327-7900] about the pending transfer. And also that the department needed a notarized copy of a release from the lien holder agreeing to the transfer before the transfer could be approved.

MICROFILMED
AUG 11 2003

RECEIVED

13 2001

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

4-26-01

T 69098

INITIAL REVIEW BY: [Signature]

1. Right number 75-04090 Applicant LEISER

2. Type of right: ☐ Decree ☐ License ☒ Claim ☐ SRBA Recommendation

3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s)
☐ Change place of use ☒ Other Renew on CPS AAC

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use

b. ☒ Description of original point of diversion.

c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

a. ☒ All of right.

b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

c. Map for remainder of right? ☐ Yes ☐ No

d. ☒ Check description of point(s) of diversion.

e. ☒ Check description of place of use

f. ☒ Check map (shows p.d. and p.u. after transfer).

g. ☒ Check for correct signature, notarization, and fee.

h. ☒ Check proof of ownership of right &/or land from which water is transferred.

i. ☒ Check for expansion in use of right. Comments _____

j. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) _____

k. ☒ Is use within a Watermaster District? ☐ Yes ☒ No

If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____

2. Reviewed by Adjudication Staff? ☐ Yes ☐ No

3. Is transfer published correctly? ☒ Yes ☐ No

4. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* _____

4. By RDC Date 7/9/01

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT TRANSFER NO.
69098

JOHN C. HEISER, PO BOX 226
CARMEN ID 83462, has filed Appli-
cation No. 69098 for changes to the
following water rights within Lemhi
County:

Right No. 75-4090

Priority 4/1/1900

Source SALMON RIVER

Use IRRIGATION (19 ACRES) 1.70

CFS

Total Amount 1.70 CFS

Point(s) of Diversion SENW S19

T23N R22E

Place of Use S18 T23N R22E

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

The applicant is reducing the
place of use to 16 acres and 0.32
cfs and is moving the point of diver-
sion to a pond on his property in the
SENW Sec 18 T23N R22E.

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

Any protest against the proposed
change must be filed with the De-
partment of Water Resources, East-
ern Region, 900 N Skyline Dr Ste A,
Idaho Falls Id 83402 together with a
protest fee of \$25.00 for each ap-
plication on or before May 29, 2001.
The protestant must also send a
copy of the protest to the applicant.
KARL J DRECHER, Director

Affidavit of Publication

RECEIVED
JUN 06 2001

Department of Water Resources
Eastern Region

STATE OF IDAHO }
County of Lemhi } ss.

RICKY G. HODGES being first duly sworn, deposes and says he is one of the publishers (print-
ers) of The Recorder Herald, a newspaper published weekly at Salmon, Lemhi County, Idaho, and
of general circulation therein. That the ~~NOTICE OF PROPOSED WATER RIGHT CHANGE~~, a
true printed copy of which is attached to the margin hereof, has been and was correctly printed and
published in the regular and entire issue of every number of said newspaper and not in any supple-
ment thereof or thereto for ~~TWO(2)~~ consecutive issue(s), commencing with the issue dated 05-
10-2001 and ending with the issue dated 05-17-2001.

STATE OF IDAHO }
County of Lemhi } ss.

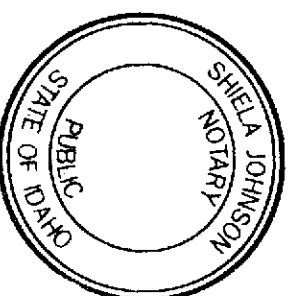
On this 1st day of June in this year of 2001 before me, A Notary Public, personally appeared
RICKY G. HODGES, known or identified to me to be the person whose name subscribed to the within
instrument, and being by me first duly sworn, declared that the statements therein are true, and
acknowledged to me that he executed the same.

Residing At Salmon, Idaho

Notary Public for Idaho

My Commission expires: 01-02-2007

Publication Fee \$56.16





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 02, 2001

JOHN C HEISER
PO BOX 226
CARMEN ID 83462

RE: Application for Transfer No 69098
Water Right No(s) 75-4090

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the Recorder Herald on May 10 and 17, 2001. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). 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 feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W Jones
Water Right Supervisor

MICROFILMED

AUG 15 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 02, 2001

Legal Notice Department
RECORDER-HERALD
PO BOX 310
SALMON ID 83467

RE: Transfer No. 69098

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper 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 May 29, 2001. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant



MICROFILMED

2001 5 2

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 69098

JOHN C HEISER, PO BOX 226 CARMEN ID 83462, has filed Application No. 69098 for changes to the following water rights within LEMHI County:

Right No. 75-4090

Priority 4/1/1900

Source SALMON RIVER

Use IRRIGATION (19 acres) 1.70 CFS

Total Amount 1.70 CFS

Point(s) of Diversion SENW S19 T23N R22E

Place of Use S18 T23N R22E

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

The applicant is reducing the place of use to 16 acres and 0.32 cfs and is moving the point of diversion to a pond on his property in the SENW Sec 18 T23N R22E.

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

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 May 29, 2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on May 10 and 17, 2001

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AUG 1 1 2001

MICROFILMED
AUG 1 1984

PART 1

6. General Information:

a. Description of diversion system pump mainline to pivot

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, 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 effect on the land now irrigated if the place of use is changed pursuant to this transfer:

None

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

Witness my hand this _____ day of _____, 19____

RECEIVED

APR 16 2001

Department of Water Resources
Eastern Region

Mr. Jones;

If you wish to put the claim down as 16 acres irrigated; you may.

What we have always had here was 16 acres of hay field and the remainder of the acreage as pasture. The irrigation ditch completely surrounds the property & was always all flood irrigated.

The sprinkler system does cover less ground than the flood irrigation did so the 16 acre claim will suffice.

Sincerely,

John C. Weis

P.O. Box 226

Carmen, Id.

83462

MICROFILMED

AUG 11 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

April 10, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

John Heiser
P.O. Box 226
Carmen, Idaho 83462

Mr. Heiser:

I have received the latest information on your proposed transfer of claim 75-04090. The 1979 map shows only 16 acres irrigated. Any development must have taken place prior to 1971 to qualify as a claim on surface water.

Do you have any additional data to support 19 acres as an irrigated place of use for claim 75-04090.

Please let me know as soon as possible.

Sincerely,

Harold W. Jones
Water Resources Supervisor

HWJ/ck

MICROFILMED

APR 11 2001

MAKE CHECK PAYABLE TO:
MARY ANN HEISER(208)756-2816
LEMHI COUNTY TAX COLLECTOR
206 COURTHOUSE DRIVE
SALMON, IDAHO 83467

2000 TAX BILL/RECEIPT

PARCEL NUMBER
RP23N22E184205A
30,722
129,760

BILL# 9022 CODE AREA 21-00
1ST HALF DUE 2ND HALF DUE
TAX 412.43 TAX 412.43
LATE LATE
INT INT
COST COST
TOT TOT

FULL DUE TOT MV 160,482
TAX 824.86 HM- 50,000
LATE
INT NET MV 110,482
COST WAC .685
TOT TOT ACS 20.315

HEISER JOHN C
& HEISER MARY ANN
PO BOX 226
CARMEN ID 83462

TAXING DISTRICT RATE AMOUNT
STATE 000000000
LEMHI COUNTY 002645092 292.24
SCHOOL DIST 291 003414559 377.24
LEMHI LIBRARY 000324466 35.84
LEMHI RURALFIRE 000538982 59.54
DISTRICT TOTAL 006923099 764.86
SOLID WASTE 60.00
AMOUNT DUE 824.86

T 2344
18 23 22

IMPORTANT
PLEASE READ BOTH FRONT AND BACK
MONTHLY PAYMENTS ARE ACCEPTED
PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.
TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.
KEEP TOP PORTION FOR YOUR RECORDS.
PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

COPY
AVOID LATE FEES & INTEREST--MAIL EARLY.
** \$25 WILL BE ADDED FOR CHECKS RETURNED BY BANK.

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

HEISER, JOHN C

COPY
2000
9022



2ND HALF



AMOUNT DUE 412.43

LEMHI COUNTY
RP23N22E184205A
21-00

*NEW NW for Lemhi
SE NW County
SW NW Assessor
3/13/01*

LATE
INT
COST
TOT

DELINQUENT IF NOT PAID ON OR BEFORE

JUNE 20, 2001

DATE PAID
PAID BY

CHECK #
CASH

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

HEISER, JOHN C

COPY
2000
9022



1ST HALF



AMOUNT DUE 412.43

FULL



824.86

LEMHI COUNTY
RP23N22E184205A
21-00

LATE
INT
COST
TOT

LATE
INT
COST
TOT

DELINQUENT IF NOT PAID ON OR BEFORE

DECEMBER 20, 2000

DATE PAID
PAID BY

MICROFILMED

CHECK #
CASH

AUG 1 1 2001

Page of STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant JOHN C. HEISER Phone 208-756-6234Post Office address P.O. Box 226 Carmen, ID 83462

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 Reduce acres + cfs

2. Describe the reason for the proposed changes
- Im putting in a pivot + will pump from a pond instead of the Salmon River thereby eliminating a diversion on the river. This change reflects current irrigation practices.

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

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>75-04090</u>	<u>4-01-1900</u>	<u>0.32 cfs</u>	<u>Irrigation</u>	<u>4/01</u> to <u>10/31</u>
				to
				to
				to

2. Total amount of water being transferred
- 0.32
- cubic feet per second and/or
-
- acre-feet per annum.

3. Source of water
- Springs
- tributary to
- Sinks

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	NW	SE	NW	18	23N	22E	Lemhi	

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	
23N	22E	18					1		1	14									16
							L-9		L-9	L-9									

MICROFILMED

AUG 11 2003

Total Acres 16

6. General Information:

- a. Description of diversion system pump, mainline to pivot
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
X 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:
NA
- d. Remarks:
Acres & cfs reduced to 16 acres & 0.32 cfs.

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

MICROFILMED
AUG 11 2003

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 rights described in part 1. Clearly depict the land by section, township and range number.**

A large grid for drawing a map, with a circular stamp on the right side. The stamp is from the Idaho Department of Water Resources, dated 10/1/03, and includes the text "IDaho DEPARTMENT OF WATER RESOURCES".

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

MICROFILMED
JUN 11 2003

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

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

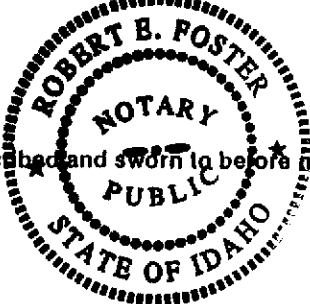
2. Quantity and quality of return flows and location of discharge:

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 18th day of December, 2000.



John C. Heiser
(Signature of Applicant)

Robert E. Foster
(Notary Public)

My commission expires 02-06-2001

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee _____

Recapled by _____ Date _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

MICROFILMED
JUN 11 2003

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 evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 75-04096 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a 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 _____

3. Source of water Salmon River tributary to Snake River

4. Date or priority 4-01-1960

5. Water is used for the following purpose:

amount 1.7 cfs for irrigation purposes from 04-01 to 11-01
 (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 1.7 cfs cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	19 23N	23N	22E	Lamhi	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
23N	22E	18					1	2	20	5									28.0

Total acres 28.0

9. Describe any other water rights used for the same purpose as described above NONE

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

No 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 _____ 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:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

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:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

April 10, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

John Heiser
P.O. Box 226
Carmen, Idaho 83462

Mr. Heiser:

I have received the latest information on your proposed transfer of claim 75-04090. The 1979 map shows only 16 acres irrigated. Any development must have taken place prior to 1971 to qualify as a claim on surface water.

Do you have any additional data to support 19 acres as an irrigated place of use for claim 75-04090.

Please let me know as soon as possible.

Sincerely,

Harold W. Jones
Water Resources Supervisor

HWJ/ck

MICROFILMED
AUG 11 2003

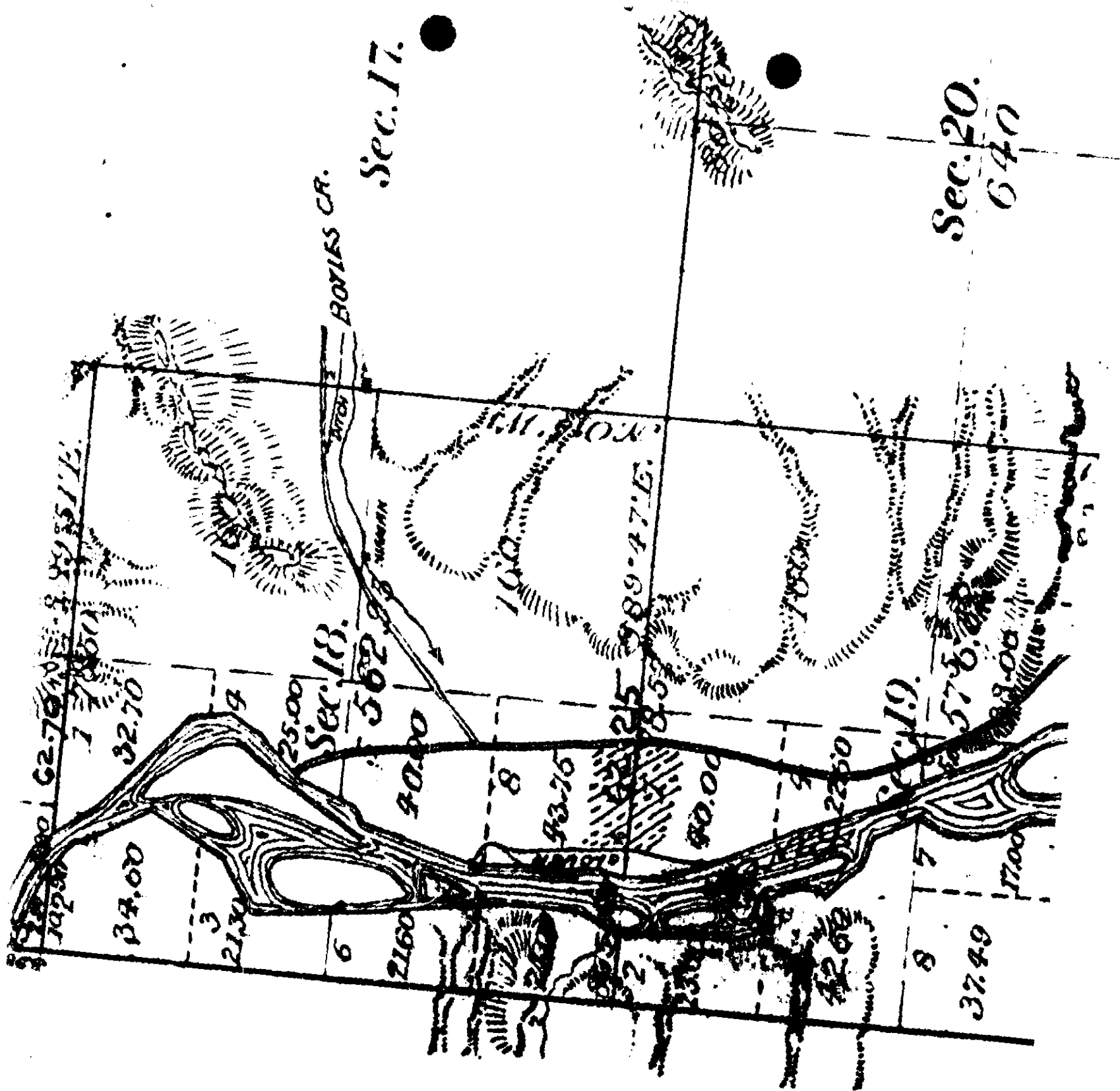
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2

MICROFILMED
AUG 11 2003

K

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State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION
March 02, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

John Heiser
P.O. Box 226
Carmen, Idaho 83462

RECEIVED

APR 06 2001

Department of Water Resources
Eastern Region

Mr. Heiser:

Enclosed is your recent application for transfer on claim 75-04090 and check # 40874 for \$290. Also enclosed is a modified application for transfer I wrote up.

Since this is a claim we are working with I will need additional information. A claim is not a water right and the values listed on a claim have not been verified or yet approved.

Since you now have a pump and pressurized system the maximum amount of cfs we can work with is 0.02 cfs / acre or 19 acres x 0.002 cfs = 0.38 cfs. I have reflected that on the new application.

Also I will need evidence of prior irrigation of at least 19 acres and a definitive map of how these 19 acres look. I've enclosed a USGS Map for your use.

You will need to sign and notarize the new application and resubmit it. Finally your tax notice does not list where in the section your property is located other than a reference to Tax # T2344. I will need the assessor's office to clarify where that property is located by 1/4 of 1/4.

If you need on-site help please contact Bob Foster at our Salmon office.

Sincerely,

Harold W. Jones
Water Resource Supervisor

HWJ/ck

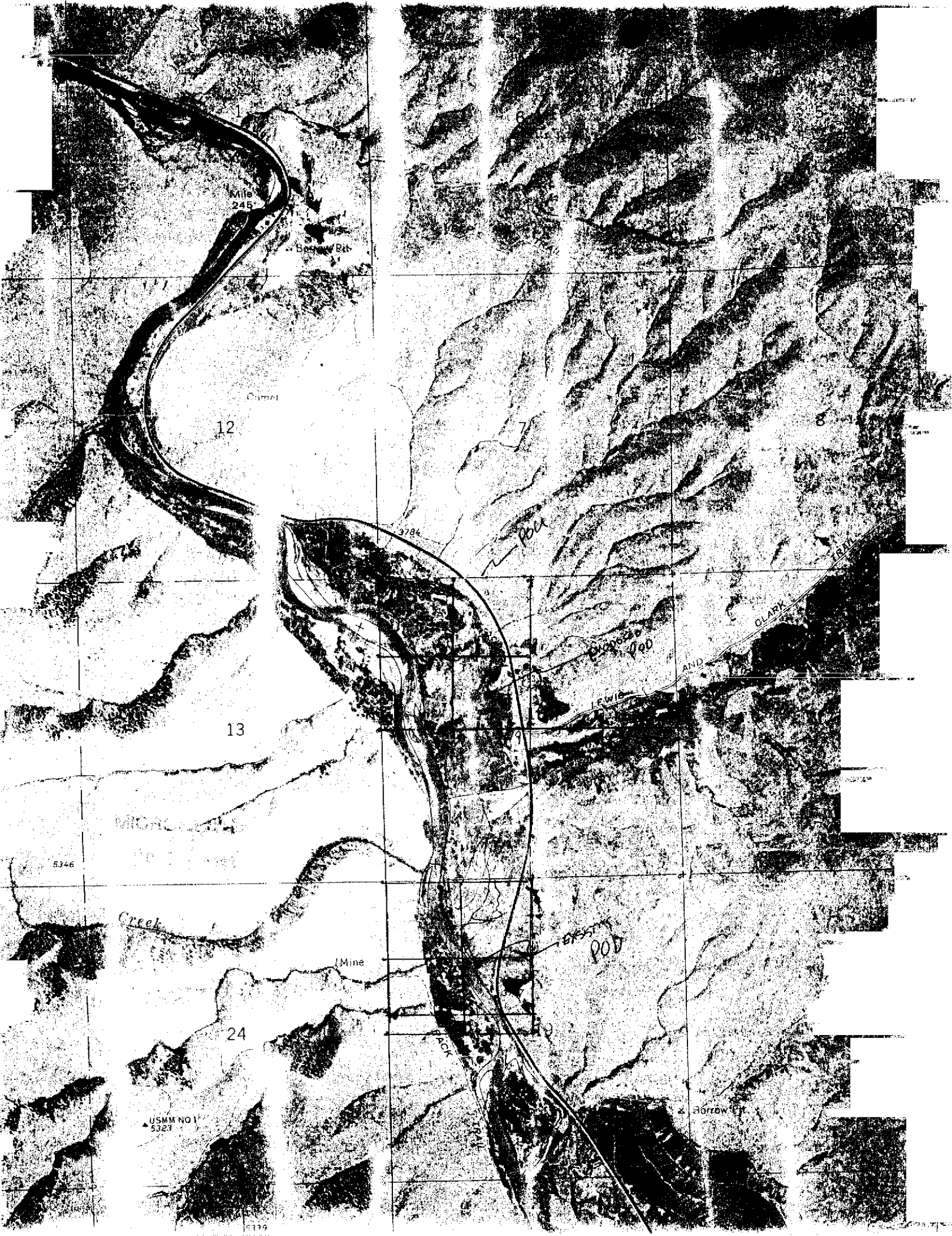
4-5-01

Skip,
The acres on the
1989 overflight
were verified at
19± by FSA.

Thanks
Bar

MICROFILMED

AUG 17 2001



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.



John C. Heiser
 (Signature of Applicant)

Subscribed and sworn to before me this 3rd day of April, 2001.

Robert E. Foster
 (Notary Public)

My commission expires 02-16-07

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. Check by _____ Fee \$290.00

Received by Hwj #E026610 Date 4-6-01

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 _____

MICROFILMED

AUG 11 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, ID 83401
(208) 523-7186

MARCH 26, 1979

ROBERT ELLIS
CARMEN

ID 83462

RE: Claim No. 75-4090

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

RECEIVED
MARCH 27 1979
WATER RESOURCES
DIVISION

March 30, 1979

The Recorder-Herald
P. O. Box 300
Salmon, Idaho 83467

Gentlemen:

Re: Claim No. 75-4090 - Notice of Correction

The galley we received on the above referenced claim indicated in handwriting that you were going to make a needed correction. However, the affidavit shows this correction was not made.

We, therefore, request this be advertised again at your expense. Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:dh
Enclosure

ENCLOSURE
KDC:qr

RECEIVED
SUBSISTENCE
KIMMIE D. CARRISON

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NOTICE OF CORRECTION

Notice is hereby given that Claim No. 75-4090 in the name of Robert Ellis was advertised incorrectly on March 15 and 22, 1979. The place of use was advertised as being within the NENW NWNW SWNW Sec 18, T 23N, R 22E.

WHEREAS, the actual place of use is within the NENW NWNW SWNW SENW Sec. 18, T 23N R 22E.

Any exception to this claim may be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401.

C. STEPHEN ALLRED
Director

Published in The Recorder-Herald on April 5 and 12, 1979.

4-5-2rp

NOTICE OF CORRECTION

Notice is hereby given that Claim No. 75-4090 in the name of Robert Ellis was advertised incorrectly on March 15 and 22, 1979. The place of use was advertised as being within the NENW NWNW SWNW Sec. 18, T 23N, R 22E.

WHEREAS, the actual place of use is within the NENW NWNW SWNW SENW Sec. 18, T 23N R 22E.

Any exception to this claim may be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401.

C. STEPHEN ALLRED
Director

Published in the Recorder-Herald on April 5 and 12, 1979.

W.A.

MICROFILMED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, ID 83401
(208) 523-7166

MARCH 2, 1979

The Recorder-Herald
P. O. Box 310
Salmon, Idaho 83467

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 26, 1979.

Yours truly,

RONALD D. CARLSON
Supervisor

Encl.

MICROFILMED

75-4090
ELLIS, ROBERT

CARMEN, ID 83462

Source: SALMON RIV-
ER tributary to SNAKE
RIVER

Priority Date: 04/01/
1900

Amount: 1.70 CFS

Diversion Point: ~~senw~~ *caps*

Sec 19 T 23N R 22E,
LEMHI Co.

Use: IRRIGATION
(1.70 CFS) from 04/01 to
11/01

caps Place of Use: ~~senw~~ *caps*

~~nwnw~~ ~~senw~~ sec 18 T R
22E FOR 28 ACRES

Diversion Means: ditch

S W N W

23 N

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

Z5-4090-

ELLIS, ROBERT

CARMEN, ID 83462

Source: SALMON RIVER tributary to SNAKE RIVER

Priority Date: 04/01/1900

Amount: 1.70 CFS

Diversion Point: SENW Sec 19 T 23N R 22E, LEMHI Co.

Use: IRRIGATION (1.70 CFS) from 04/01 to 11/01

Place of Use: NENW N4NW S4NW SENW Sec 18 T 23N R 22E FOR 28 ACRES

Diversion Means: DITCH

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401.

C. STEPHEN ALLRED

Director

Published ~~3/8 & 3/15/79.~~ 3/22/79

MICROFILMED

February 26, 1979

Mr. Robert Ellis
Carmen, Idaho 83462

Dear Mr. Ellis:

Re: Claim to a Water Right

Attached herewith is Departmental receipt No. 12910 in the amount of \$20.00 for the above referenced claim.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:Sh

Attachment

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: APK

Right Number _____ Applicant Ellis

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly. (NOTICE OF CORRECTION)
- ☒ Exceptions processed. None

By Ernest Carlson Date 4/24/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jani Date 6/1/79

MICROFILM