

No Color
Documents
In File

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69968

This is to certify that: THOMAS HEJTMANEK
RT 1 BOX 392
ARCO ID 83213
(208)767-3368

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. A summary of the changes is also listed below. 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>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
33-2092	WR/Decreed	05/12/1960	0.9 cfs	N/A	105.0	151.0	GROUND WATER
33-7062	WR/Decreed	12/02/1977	1.64 cfs	N/A		151.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

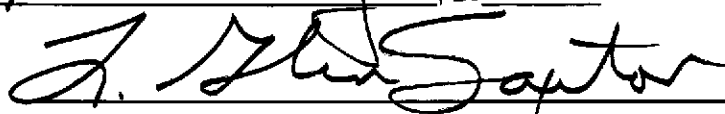
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
33-2092	NO	NO	NO	YES	NO	NO
33-7062	NO	NO	NO	YES	NO	NO

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>
33-2092	33-2092	0.9 cfs	367.5 af	105.0	151.0		N/A	N/A	N/A	N/A
33-7062	33-7062	1.64 cfs	528.5 af	N/A	151.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		1.64 cfs	528.5 af		151		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 5th day of February, 2003


Chief, Water Allocation Bureau

MICROFILMED

FEB 11 2003

WATER RIGHT NO. 33-2092
As Modified by Transfer No. 69968

In accordance with the approval of Transfer No. 69968, Water Right No. 33-2092 is now described as follows.

Right Holder: THOMAS HEJTMANEK
 RT 1 BOX 392
 ARCO ID 83213

Priority Date: May 12, 1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.90 CFS	367.5 AF
			0.90 CFS	367.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNW	Sec. 23 Twp 06N Rge 29E BUTTE County
GROUND WATER	SWSNW	Sec. 23 Twp 06N Rge 29E BUTTE 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	
06N 29E 23					39.0	33.0	39.0	40.0									151.0

Total Acres: 151

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 105 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 33-2092 and 33-7062 shall not exceed 1.64 cfs, nor total combined annual volume of 528.5 af.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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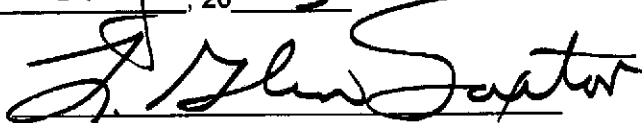
WATER RIGHT NO. 33-2092
As Modified by Transfer No. 69968

CONDITIONS OF APPROVAL

7. 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.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. Prior to the diversion and use of water under Transfer approval 69968, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
10. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
11. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
12. After specific notification by the Department, the right holder shall measure the diversion 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.
13. Use of water under this right is combined with water from Blaine County Canal Co.

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 5th day of February, 2003



Chief, Water Allocation Bureau

MICROFILMED

FEB 11 2003

WATER RIGHT NO. 33-7062
As Modified by Transfer No. 69968

In accordance with the approval of Transfer No. 69968, Water Right No. 33-7062 is now described as follows.

Right Holder: THOMAS HEJTMANEK
 RT 1 BOX 392
 ARCO ID 83213

Priority Date: December 02, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 11/01	1.64 CFS	528.5 AF
		1.64 CFS	528.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNW	Sec. 23 Twp 06N	Rge 29E	BUTTE County
GROUND WATER	SWSNW	Sec. 23 Twp 06N	Rge 29E	BUTTE 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	
06N	29E	23					39.0	33.0	39.0	40.0									151.0

Total Acres: 151

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 33-2092 and 33-7062 shall not exceed 1.64 cfs, nor total combined annual volume of 528.5 af.
2. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. 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.

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FEB 11 2005

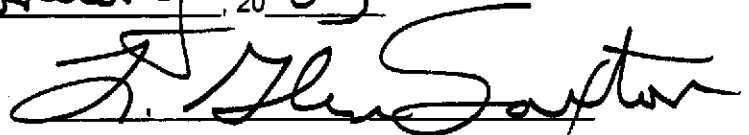
WATER RIGHT NO. 33-7062
As Modified by Transfer No. 69968

CONDITIONS OF APPROVAL

7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
9. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
10. Use of water under this right is combined with water from Blaine County Canal Co.
11. Prior to the diversion and use of water under Transfer approval 69968, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
12. After specific notification by the Department, the right holder shall measure the diversion 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.

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 5th day of February, 2003


Chief, Water Allocation Bureau

MICROFILMED

FEB 11 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69968

This is to certify that: THOMAS HEJTMANEK
RT 1 BOX 392
ARCO ID 83213
(208)767-3368

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. A summary of the changes is also listed below. 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>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
33-2092	WR/Decreed	05/12/1960	0.9 cfs	N/A	105.0	151.0	GROUND WATER
33-7062	WR/Decreed	12/02/1977	1.64 cfs	N/A		151.0	GROUND WATER

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>
33-2092	NO	NO	NO	YES	NO	NO
33-7062	NO	NO	NO	YES	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>
33-2092	33-2092	0.9 cfs	367.5 af	105.0	151.0		N/A	N/A	N/A	N/A
33-7062	33-7062	1.64 cfs	528.5 af	N/A	151.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		1.64 cfs	528.5 af		151		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 5th day of February, 2003


Chief, Water Allocation Bureau

MICROFILMED

FEB 11 2003

WATER RIGHT NO. 33-2092
As Modified by Transfer No. 69968

In accordance with the approval of Transfer No. 69968, Water Right No. 33-2092 is now described as follows.

Right Holder: THOMAS HEJTMANEK
 RT 1 BOX 392
 ARCO ID 83213

Priority Date: May 12, 1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 11/01	0.90 CFS	367.5 AF
		0.90 CFS	367.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNW	Sec. 23 Twp 06N	Rge 29E	BUTTE County
GROUND WATER	SWSENW	Sec. 23 Twp 06N	Rge 29E	BUTTE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06N 29E 23					39.0	33.0	39.0	40.0									151.0

Total Acres: 151

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 105 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 33-2092 and 33-7062 shall not exceed 1.64 cfs, nor total combined annual volume of 528.5 af.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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FEB 11 2000

WATER RIGHT NO. 33-2092
As Modified by Transfer No. 69968

CONDITIONS OF APPROVAL

7. 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.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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13. Use of water under this right is combined with water from Blaine County Canal Co.

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 5th day of February, 2003


Chief, Water Allocation Bureau

MICROFILMED

FEB 11 2003

WATER RIGHT NO. 33-7062
As Modified by Transfer No. 69968

In accordance with the approval of Transfer No. 69968, Water Right No. 33-7062 is now described as follows.

Right Holder: THOMAS HEJTMANEK
 RT 1 BOX 392
 ARCO ID 83213

Priority Date: December 02, 1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	1.64 CFS	528.5 AF
			1.64 CFS	528.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNW	Sec. 23 Twp 06N	Rge 29E	BUTTE County
GROUND WATER	SWSNW	Sec. 23 Twp 06N	Rge 29E	BUTTE 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	
06N	29E	23					39.0	33.0	39.0	40.0									151.0

Total Acres: 151

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 33-2092 and 33-7062 shall not exceed 1.64 cfs, nor total combined annual volume of 528.5 af.
2. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. 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.

MICROFILMED

FEB 11 2001

WATER RIGHT NO. 33-7062
As Modified by Transfer No. 69968

CONDITIONS OF APPROVAL

7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
9. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
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12. After specific notification by the Department, the right holder shall measure the diversion 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.

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 5th day of February, 20 03


Chief, Water Allocation Bureau

MICROFILMED

FEB 11 2003

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 33-07062

NAME AND ADDRESS: FLORENCE F HEJTMANEK
THOMAS HEJTMANEK
RT 1 BOX 392
ARCO, ID 83213

SOURCE: GROUNDWATER

QUANTITY: 1.64 CFS

USE OF THIS RIGHT WITH RIGHT NO. 33-02092 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.64 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 528.5 AF.

PRIORITY DATE: 12/02/1977

POINT OF DIVERSION: T06N R29E S23 SWSENW Within Butte County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	1.64 CFS

PLACE OF USE:	Irrigation	Within Butte County
	T06N R29E S23	NWNW 33.0
		SENEW 40.0
	151.0 Acres Total	

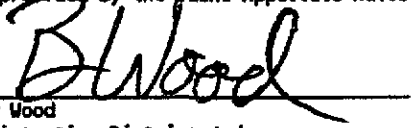
USE OF THIS RIGHT WITH RIGHT NO. 33-02092 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 151 ACRES IN A SINGLE
IRRIGATION SEASON.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

MEMORANDUM

TO: FILE 33-07062
FROM: VAULT
RE: TRANSFER # 69968
DATE: 7-3-2002

=====

**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 33-02092

MICROFILMED

FEB 11 2003