

Transfer 70616 Reference Sheet

DATE: January 2, 2004

TO: File(s) 57-7265 and 2-2401

**Original Transfer Application form,
correspondence and review documents
regarding Transfer 70616 are located within
Water Right file 57-2306.**

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APR 06 2004

Transfer 70616 Reference Sheet

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70616

This is to certify that: RICHARD D ECHEVARRIA
PO BOX 897
HOMEDALE ID 83628-0897
(208)337-4077

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>
57-2306	WR/Decreed	12/13/1966	1.13 cfs	319.5 af	N/A	71.0	UNNAMED DRAIN
2-2401	AJC/License	12/13/1966	1.28 cfs	319.5 af	N/A	71.0	SNAKE RIVER
57-7265	WR/License	07/31/1980	2.77 cfs	534.5 af	163.5	188.0	UNNAMED DRAIN

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>
57-2306	NO	YES	YES	NO	NO	NO
2-2401	NO	NO	YES	NO	NO	NO
57-7265	NO	YES	YES	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>
57-2306	57-2306	1.13 cfs	319.5 af	71.0	212.0		N/A	N/A	N/A	N/A
2-2401	2-2401	1.28 cfs	319.5 af	71.0	212.0		N/A	N/A	N/A	N/A
57-7265	57-7265	2.77 cfs	534.5 af	163.5	212.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		3.76 cfs	846.0 af	188.0	212.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 31st day of December, 20 03



Chief, Water Allocation Bureau

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WATER RIGHT NO. 2-2401
As Modified by Transfer No. 70616

In accordance with the approval of Transfer No. 70616, Water Right No. 2-2401 is now described as follows.

Right Holder: RICHARD D ECHEVARRIA
PO BOX 897
HOMEDALE ID 83628-0897

Priority Date: December 13, 1966

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	1.28 CFS	319.5 AF
		1.28 CFS	319.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SNAKE RIVER L5 (SWSESW) Sec. 29 Twp 04N Rge 05W OUYHEE 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	
04N 05W 29									11.0	9.0	31.0	10.0					61.0
04N 05W 32			5.0		30.0	38.0	40.0	38.0									151.0

Total Acres: 212

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 71 acres within the place of use described above in a single irrigation season.
2. Rights 02-2401 and 57-2306 when combined shall not exceed a total diversion rate of 1.42 cfs, a total annual maximum diversion volume of 319.5 af at the field headgate, and the irrigation of 71 acres.
3. Rights 02-2401, 57-2306, and 57-7265 when combined shall not exceed a total diversion rate of 3.76 cfs, a total annual maximum diversion volume of 846 af at the field headgate, and the irrigation of 188 acres.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
5. 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.

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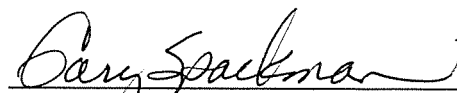
WATER RIGHT NO. 2-2401
As Modified by Transfer No. 70616

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

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 31st day of December, 20 03



Chief, Water Allocation Bureau

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WATER RIGHT NO. 57-2306
As Modified by Transfer No. 70616

In accordance with the approval of Transfer No. 70616, Water Right No. 57-2306 is now described as follows.

Right Holder: RICHARD D ECHEVARRIA
 PO BOX 897
 HOMEDALE ID 83628-0897

Priority Date: December 13, 1966

Source: UNNAMED DRAIN **Tributary:** SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to	11/15	1.13 CFS	319.5 AF
			1.13 CFS	319.5 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED DRAIN L6 (NESW) Sec. 29 Twp 04N Rge 05W OWYHEE 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	
04N 05W 29									11.0	9.0	31.0	10.0					61.0
04N 05W 32			5.0		30.0	38.0	40.0	38.0									151.0

Total Acres: 212

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 71 acres within the place of use described above in a single irrigation season.
2. Rights 02-2401 and 57-2306 when combined shall not exceed a total diversion rate of 1.42 cfs, a total annual maximum diversion volume of 319.5 af at the field headgate, and the irrigation of 71 acres.
3. Rights 02-2401, 57-2306, and 57-7265 when combined shall not exceed a total diversion rate of 3.76 cfs, a total annual maximum diversion volume of 846 af at the field headgate, and the irrigation of 188 acres.
4. Diversion of water from unnamed drain at the new point of diversion authorized under Transfer 70616 is limited to those times water is available for diversion under this right and priority from the original point of diversion.

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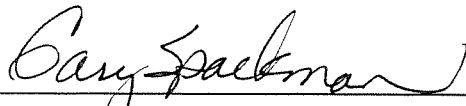
WATER RIGHT NO. 57-2306
As Modified by Transfer No. 70616

CONDITIONS OF APPROVAL

5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the department for measuring the flow in the unnamed drain at the original point of diversion located within Lot 5 (SESE), Section 29, T4N, R5W and at the point of diversion located within Lot 6 (NESW), Section 29, T4N R5W.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 1-22-2003.
7. 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.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.
11. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

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 31st day of December, 20 03



Chief, Water Allocation Bureau

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APR 06 2004

WATER RIGHT NO. 57-7265
As Modified by Transfer No. 70616

In accordance with the approval of Transfer No. 70616, Water Right No. 57-7265 is now described as follows.

Right Holder: RICHARD D ECHEVARRIA
 PO BOX 897
 HOMEDALE ID 83628-0897

Priority Date: July 31, 1980

Source: UNNAMED DRAIN

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01 to	11/15	2.63 CFS	526.5 AF
STOCKWATER	01/01 to	12/31	0.14 CFS	8.0 AF
			2.77 CFS	534.5 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED DRAIN L6 (NESW) Sec. 29 Twp 04N Rge 05W OWYHEE 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	
04N 05W 29									11.0	9.0	31.0	10.0					61.0
04N 05W 32			5.0		30.0	38.0	40.0	38.0									151.0

Total Acres: 212

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 05W 29									X	X	X	X					
04N 05W 32					X	X	X	X	L6	L6	L5	L5					
					L7			L6									

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 163.5 acres within the place of use described above in a single irrigation season.
2. Water shall not be diverted under this right when flows in the Snake River are below established minimum flow amounts at the following locations: Murphy 3,300 cfs and at Weiser, 4750 cfs.
3. Rights 02-2401, 57-2306, and 57-7265 when combined shall not exceed a total diversion rate of 3.76 cfs, a total annual maximum diversion volume of 846 af at the field headgate, and the irrigation of 188 acres.

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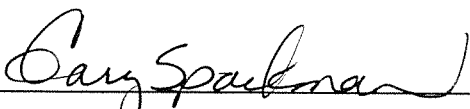
WATER RIGHT NO. 57-7265
As Modified by Transfer No. 70616

CONDITIONS OF APPROVAL

4. 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.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
8. Diversion of water from unnamed drain at the new point of diversion authorized under Transfer 70616 is limited to those times water is available for diversion under this right and priority from the original point of diversion.
9. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the department for measuring the flow in the unnamed drain at the original point of diversion located within Lot 5 (SESE), Section 29, T4N, R5W and at the point of diversion located within Lot 6 (NESW), Section 29, T4N R5W.

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.

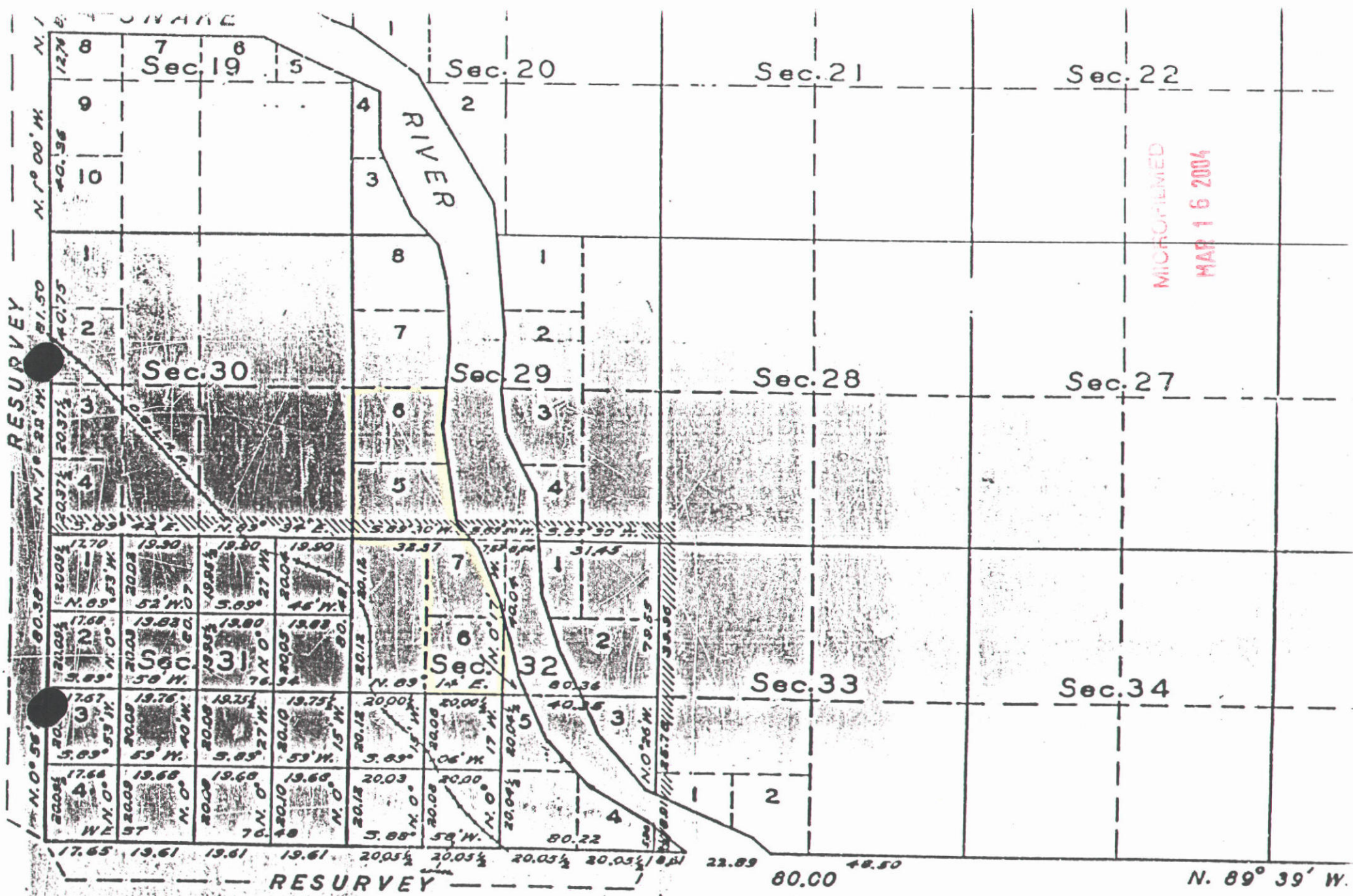
Dated this 31st day of December, 20 03



Chief, Water Allocation Bureau

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Office of U.S. Supervisor of Sur
Denver Colorado May

INITIAL TRANSFER REVIEW CHECKLIST

Applicant Echevarria Transfer No. _____

Reviewed by DAN Date 6-4-03

Data entered by DAN

DAN's Shelley
Contacted.

1. Type of right ☒ Decree ☒ License OR ☒ AJ Record

Caution before processing: ☒ Partial Decree to WR ☒ Ownership Change filed & split completed
☒ Informal AJ split completed prior to transfer processing only if needed

2. Purpose of transfer ☒ Change P/D ☐ Add P/D ☒ Change P/U
☐ Change N/U ☐ Change Period ☐ Other (identify)

3. Check Existing Right ☒ Source ☒ Priority ☒ Amount
☒ Purpose ☐ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights for original P/D &/or P/U

Check
Overlap.

4. Check Proposed Right for amount of land &/or water transferred:

- ☐ Analysis memo – always include unless justify why not needed
- ☒ All of right
- ☐ Part of right – Note: Part B should normally be completed only if part of right is owned by applicant
- ☒ Description of point(s) of diversion
- ☒ Description of place of use
- ☒ Map showing proposed P/D &/or P/U
- ☒ Correct notarized signature and fee – see Transfer Memo #23 about fees if necessary
- ☒ Proof of ownership of right &/or land from which water is transferred
- ☒ Expansion in use of right: check rate of flow, diversion volume and consumptive volume. Discuss in memo.
- ☒ Surface water source: IDFG letter; notify Water Planning Bureau if protected river or minimum flow reach.

k. ☒ Overlapping rights for current & proposed scenarios

Current see memo

Proposed see memo

l. ☒ SRBA Claim(s) see memo

m. ☒ Comment letters ☒ Yes as follows ☐ No
Water District # ☒ IDFG ☐ Other, list below
or see attached

PUBLICATION REVIEW

1. Comment Letters

Watermaster comments received _____ (date)

Other comment letters received ☐ Yes ☐ No

2. Affidavit of publication received: ☐ Yes

3. Published correctly: ☐ Yes ☐ No

If No, re-publication required: ☐ Yes ☐ No

4. Protests received: ☐ Yes ☐ No ☐ If yes, acknowledgement sent

RECOMMENDATIONS

See electronic transfer folder.

Folder name = applicant last name + transfer application #.

Recommendations = see file name "draft approval" &/or "review memo"

FORWARDING FILE TO S.O. – see Supplemental Checklist for Scanning

1. Scanning completed & Supplemental Review Sheet filed in Western WR file(s) ☒ Yes

2. File forwarded to S.O. 12-24-03 Date

Kreger (Taylor), Sue

From: Kreger (Taylor), Sue
Sent: Wednesday, October 29, 2003 3:49 PM
To: IDFG (E-mail)
Cc: Kreger (Taylor), Sue
Subject: comment letters

**IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705**

October 29, 2003

ERIC LEITZINGER, IDFG
PO BOX 25
BOISE ID 83707

Re: Application for Permit No. 67-14433 and Applications for Transfer Nos. 70616, 70709 and 70735

Dear Sir:

Attached are copies of one or more applications that may be of interest to you. Please review the application(s) and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of any of these applications, your written protest along with the \$25.00 protest fee for each application protested, must be received in this office by November 24, 2003.

If you have any questions regarding these applications, please contact this office at 334-2190.

Sincerely,

Sue Kreger
ID Dept Water Resources



67-14433.pdf



Application.pdf



Application.pdf

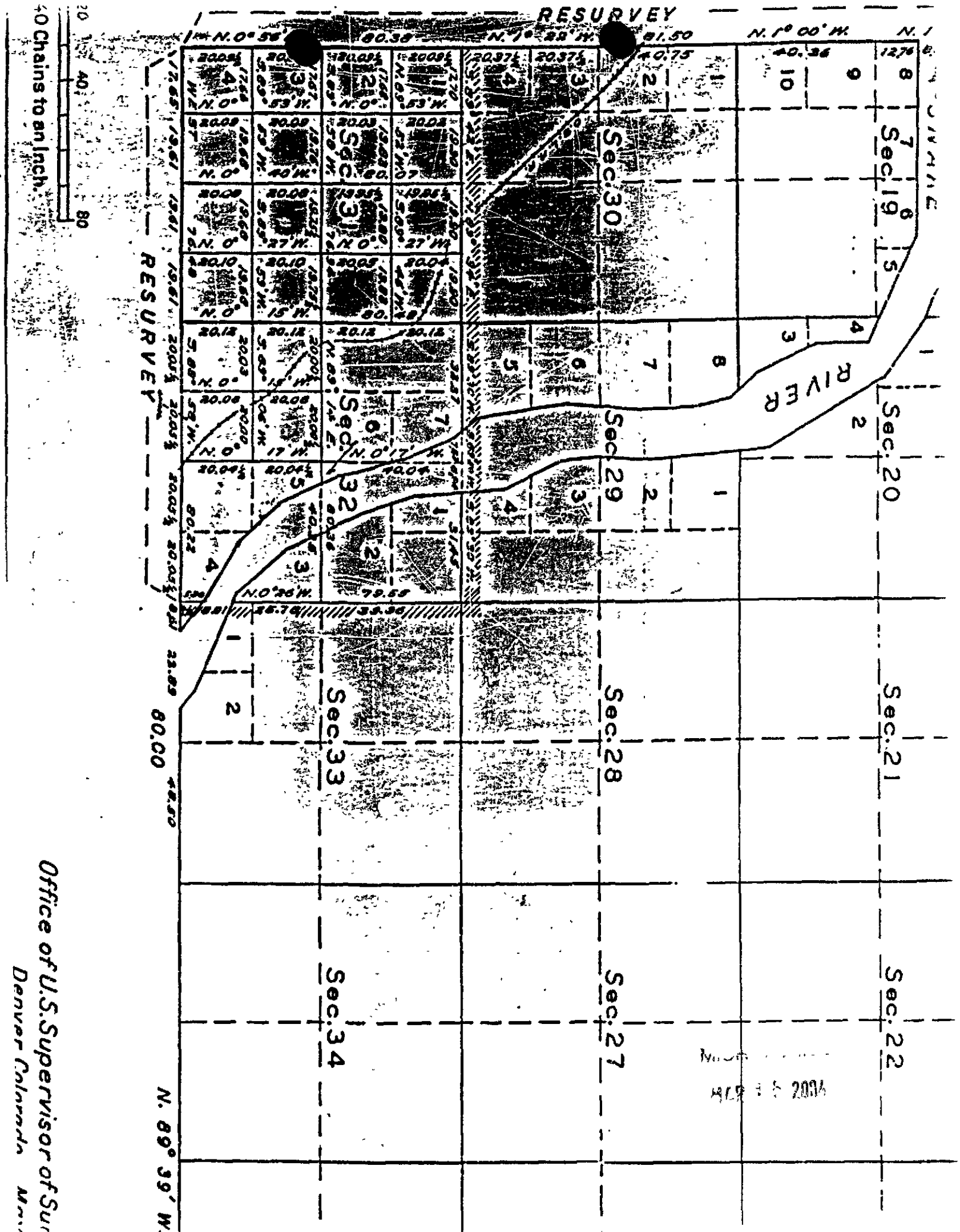


Application.pdf

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40 Chains to an Inch.



Office of U.S. Supervisor of Sur
Denver Colorado Min.

APR 15 2004

11/4/02

TO: State of Idaho
Dept. of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-502

Attention: Lori Graves
Fax no. 334-2348
3 pages
Copies of ownership

Thanks,
Rick Eckerman

Cell 412-6412

Microfilm

MAR 16 2006