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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**TRANSFER OF WATER RIGHT**

TRANSFER NO. 5807  
WATER RIGHT NO(S). 74-00979/74-00980

This is to certify that: BEVERLY K HEINZ TRUST  
5529 COTTONWOOD CLUB DR  
SALT LAKE CITY UT 84117

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

| <u>BENEFICIAL USE</u>                                      | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|------------------------------------------------------------|----------------------|-----------------------|----------------------|
| Right No. 74-00979 :<br>IRRIGATION<br>Priority: 04/01/1968 | 03/15 to 11/15       | 0.21 CFS              | 36.1 AF              |
| Right No. 74-00980 :<br>IRRIGATION<br>Priority: 04/01/1917 | 03/15 to 11/15       | 0.53 CFS              | 91.7 AF              |
| TOTAL:                                                     |                      | 0.74 CFS              | 126.0 AF *           |

SOURCE

TRIBUTARY OF

\*\* BASIN CREEK

HAYDEN CREEK

LOCATION OF POINT(S) OF DIVERSION:

NESWNE , Sec. 4, Township 17N, Range 23E  
LEMHI County

PLACE OF USE: IRRIGATION

| <u>TWN</u>                       | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|----------------------------------|------------|------------|--------------|--------------|--------------|--------------|
| 17N                              | 23E        | 4          | SWNE 28      | SENE 8       |              | 36           |
| Total number of acres irrigated: |            |            |              |              |              | 36 *         |

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 74.
2. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

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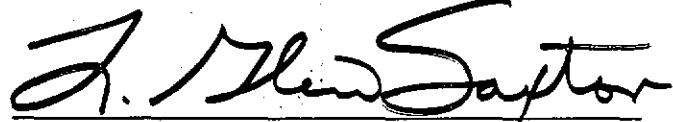
OCT 12 2000

TRANSFER NO. 5807  
WATER RIGHT NO(S). 74-00979/74-00980

CONDITIONS OF APPROVAL AND REMARKS

3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. 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 Bear Creek at the original points of diversion and at the point of diversion from Basin Creek.
- \*\* 7. Diversion of water from Basin Creek under Rights 74-00979 and 74-00980 is limited to those times water is available for diversion under these rights and priorities from the original source, Bear Creek.
- \* 8. Right 74-00979 is limited to the irrigation of 10.3 acres in a in the place of use described above single irrigation season.
- \* 9. Right 74-00980 is limited to the irrigation of 26.2 acres in a in the place of use described above single irrigation season.
- \* 10. Rights 74-00979 and 74-00980 when combined shall not exceed a total annual maximum diversion volume of 126.0 af at the field headgate and the irrigation of 36.0 acres.

Dated this 29<sup>th</sup> day of September, 2000.

  
Chief, Water Allocation Bureau

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OCT 12 2000

4RD416

05/04/83

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
WATER RIGHTS ABSTRACT

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\*INDICATES TOTAL\*

SOURCE: BEAR CREEK

TRIBUTARY TO: BASIN CREEK

| RIGHT NUMBER | NAME AND ADDRESS                                                                 | PRIORITY DATE | USE FROM TO            | MAX AMOUNT MAX RATE | DIVERSION POINT                                                             | PLACE OF USE AND ACREAGE                                                                    | BASIS FOR RIGHT |
|--------------|----------------------------------------------------------------------------------|---------------|------------------------|---------------------|-----------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|-----------------|
| 74-0261      | WHITSON, ISABEL<br>P.O. BOX 22<br>LEMMI<br>REMARKS: AC. IRR.=39.4.               | 05-01-1911    | IRRIGATION 03-15 11-15 | .94 CFS             | SESE S05<br>T17N R23E                                                       | SENE(03)<br>S04 T17N R23E                                                                   | DECREE          |
| 74-2218      | WHITSON, ISABEL<br>P.O. BOX 22<br>LEMMI<br>REMARKS: AC. IRR.=21.5.               | 03-17-1917    | IRRIGATION 03-15 11-15 | 1.00 CFS            | SENE S07<br>T17N R23E<br>S08 T17N R23E<br>LFO9 (SWSW)(06)<br>S05 T17N R23E  | NNW(15)<br>S08 T17N R23E<br>LFO9 (SWSW)(06)<br>S05 T17N R23E                                | DECREE          |
| 74-0980      | KIRKHAM, LA VERNE<br>KIRKHAM, NELL<br>RT. 1<br>ASHTON<br>REMARKS: AC. IRR.=26.2. | 04-01-1917    | IRRIGATION 03-15 11-15 | .53 CFS             | SWSW S04<br>T17N R23E<br>SENE S04<br>T17N R23E                              | SENE(06)<br>S04 T17N R23E                                                                   | DECREE          |
| 74-1114      | WHITSON, ISABEL<br>P.O. BOX 22<br>LEMMI<br>REMARKS: AC. IRR.=100.2.              | 04-01-1926    | IRRIGATION 03-15 11-15 | 2.00 CFS            | SESE S05<br>T17N R23E<br>SENE S08<br>T17N R23E<br>SESE(29)<br>S05 T17N R23E | NNW(10)<br>S08 T17N R23E<br>NWSW(28) SWSW(06)<br>S04 T17N R23E<br>SESE(29)<br>S05 T17N R23E | DECREE          |
| 74-0979      | KIRKHAM, LA VERNE<br>KIRKHAM, NELL<br>RT. 1<br>ASHTON<br>REMARKS: AC. IRR.=10.9. | 04-01-1968    | IRRIGATION 03-15 11-15 | .21 CFS             | SWSW S04<br>T17N R23E                                                       | SENE(08)<br>S04 T17N R23E                                                                   | DECREE          |

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74-AA

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**MEMORANDUM**

**TO:** FILE 74-00980  
**FROM:** VAULT  
**RE:** TRANSFER # 5807  
**DATE:** 9-27-00

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

**FILE #** 74-00979

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