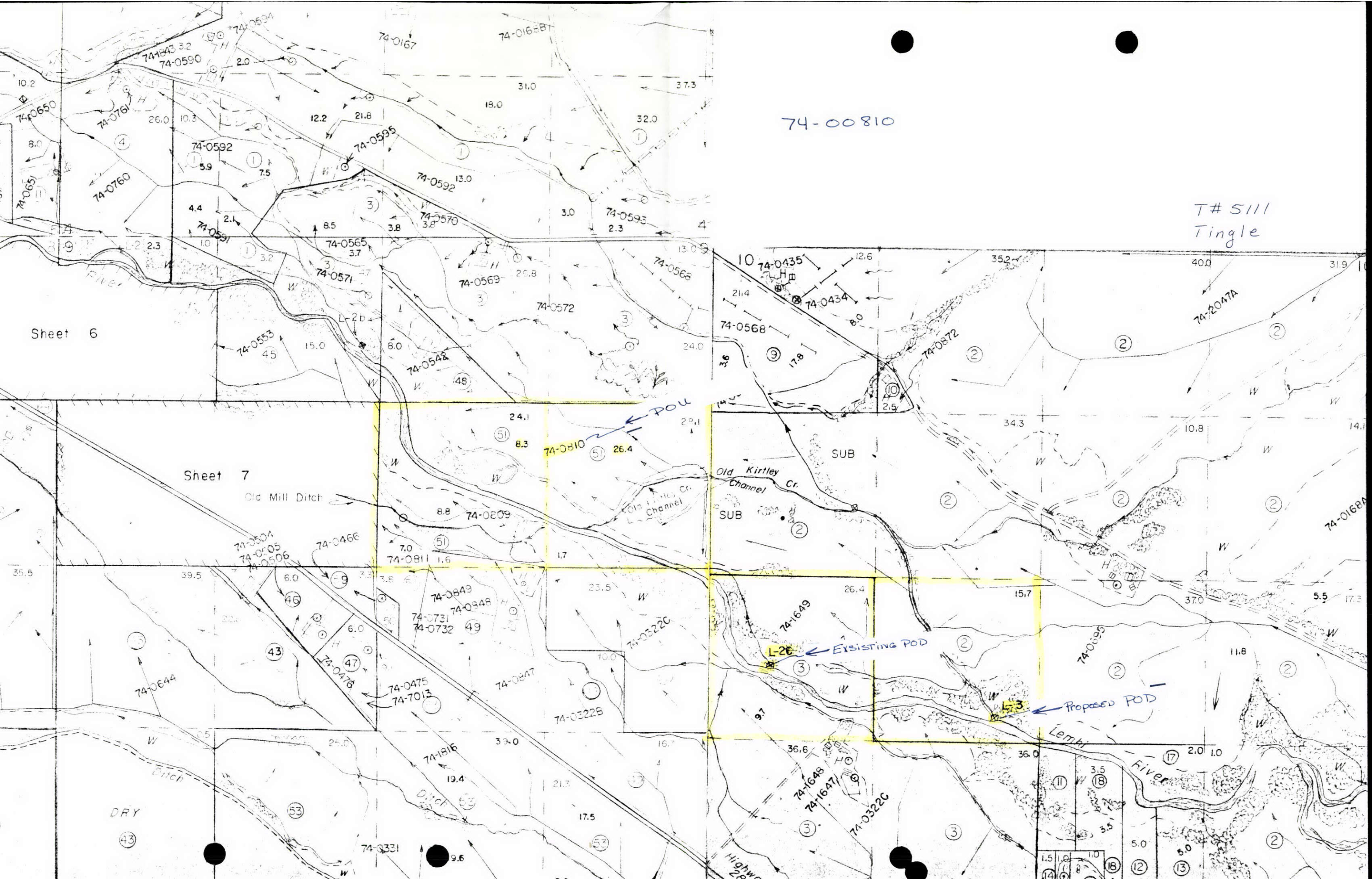




74-00810

T# 5111
Tingle

Sheet 6

Sheet 7

Old Mill Ditch

Old Kirtley Channel

Old Kirtley Cr. Channel

DRY

Highway 28

Existing POD

Proposed POD

POU

Lemhi River

**NOTICE OF PROPOSED CHANGE
OF A WATER RIGHT NO T5111**

Notice is hereby given that Joanne S. Tingle, P.O. Box 812, Salmon ID 83467 has applied to the Department of Water Resources to change point of diversion of the waters of the Lemhi River. The right sought to be changed is evidenced by a decree and recorded as follows:

Decree No. 74-00810 Decreed to Tom H. and/or Joanne Tingle dated 06/17/1971 in Idaho county of Lemhi.

Source: Lemhi River tributary to Salmon River

Amount: 1.04 Priority: 04/01/1963

Point (s) of Diversion: NWSW SEC 10 T21N R22E, Lemhi County (diversion L-2B)

The water is used for irrigation of 34 acres from 03/15 to 11/15 within the S1/2NE SEC 09 T21N R23E, B.M.

TO BE CHANGED AS FOLLOWS:

The water will be diverted from the NESW SEC 10 T21N R22E, Lemhi County (diversion L-3)

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID, 83402, together with a protest fee of \$25 on or before August 25, 1997.

The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER

Director

Published in The Recorder Herald on August 7 & 14, 1997.

8-7-2tc

Affidavit of Publication

STATE OF IDAHO }
County of Lemhi } ss.

RECEIVED

SEP 30 1997

Department of Water Resources
Eastern Region

RICKY G. HODGES, being first duly sworn, deposes and says he is one of the publishers (printers) of The Recorder Herald, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein. That the IDAHO DEPT OF WATER T5111 TINGLE

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 TWO (2) consecutive issues, commencing with the issue dated 8/7, 19 97 and ending with the issue dated 8/14, 19 97

STATE OF IDAHO }
County of Lemhi } ss.

On this 14th day of AUGUST in this year of 19 97 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.

Shirley K. Hodges

Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 9-21-2001

Publication Fee \$ 52.80

Account No. 630

MICROFILMED

DEC 10 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5111
WATER RIGHT NO. 74-00810

This is to certify that: **JOANNE S TINGLE**
PO BOX 812
SALMON ID 83467

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>
IRRIGATION	04/15 to 10/15	1.04 CFS	121.5 AF
<u>SOURCE</u>	<u>TRIBUTARY OF</u>		
LEMHI RIVER	SALMON RIVER		

Priority: 04/01/1963

LOCATION OF POINT(S) OF DIVERSION: NESW , Sec. 10, Township 21N, Range 22E
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>
21N	22E	9	SWNE 8	SENE 26		34
Total number of acres irrigated:						* 34

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. The right holder shall maintain a measuring device and lockable controlling works of a type approved by this Department in a manner that will provide the watermaster suitable control of the diversion.
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.

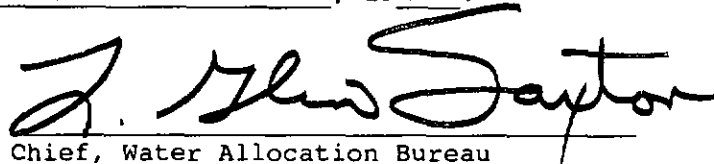
DEC 10 1967

TRANSFER NO. 5111
WATER RIGHT NO. 74-00810

CONDITIONS OF APPROVAL AND REMARKS

- * 6. Right 74-00810 authorizes the irrigation of 34.7 total acres.
- 7. 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.
- 8. Approval of Transfer 5111 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Dated this 30th day of October, 1997.


Chief, Water Allocation Bureau

RECORDED
DEC 10 1997

Page 1 of 6
RECEIVEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5111OCT 17 1997 APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Department of Water Resources

Name of applicant JOANNE S. Tingle Phone (208) 756-4909Post Office address PO Box 812 Salmon ID 83467

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 _____

2. Describe the reason for the proposed changes change point of diversion as part of a consolidation agreement with Fish + Game to eliminate two (2) Lemhi River diversions

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
<u>74-20810</u>	<u>04-01-1963</u>	<u>1.04 cfs</u>	<u>irrigation</u>	<u>03-15</u> to <u>11-15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 1.04 cfs cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Lemhi River tributary to Salmon River

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SW	10	21N	22E	Lemhi	L-3

5. 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	
21N	22E	9			8.0	26.0													34.0

Total acres 34.0

PART 1**6. General Information:**

a. Description of diversion system Rock dam in river headgate + ditches to place of use

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

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

Witness my hand this _____ day of _____, 19 _____

MICROFILMED

DEC 10 1997

PART 2

TRANS NO. 5111

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 74-00810

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/15 to 11/15	1.04 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
LEMHI RIVER	SALMON RIVER

Priority: 04/01/1963

LOCATION OF POINT(S) OF DIVERSION: NWSW , Sec. 10, Township 21N, Range 22E
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>
21N	22E	9	SWNE 8	SENE 26		34
Total number of acres irrigated:						34

CONDITIONS/REMARKS:

1. AC. IRR.=34.7.
2. DIV. L-2C.

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DEC 10 1997

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. 74-00810 Decreed to TOM H. +/or JOANNE Tingle
in case of STATE OF IDAHO vs. TOM H. + JOANNE Tingle
dated 6-17-1971 in IDAHO county of Lemhi
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ 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 Lemhi River tributary to Salmon River

4. Date or priority 4-01-1963

5. Water is used for the following purpose:

amount 1.04 cfs for irrigation purposes from 03-15 to 11-15
(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 1.04 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
		NW	SW	10	21N	22E	Lemhi	L-2C

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	
21N	22E	09			8.0	26.0													34.0

Total acres 34.0

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

10. To your knowledge, has any portion of this water right undergone a period of five 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	

MICROFILMED
DEC 8 1997

Total acres _____

74-00810

T# 5111
Tingle

Sheet 6

Sheet 7

Old Mill Ditch

POY

... ..

SUB .

EXISTING POD

Proposed POTD

DRY

Ditch

Ditch

11

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.**

(See Attached Map)



MICROFILMED

DEC 10 1937

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

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

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

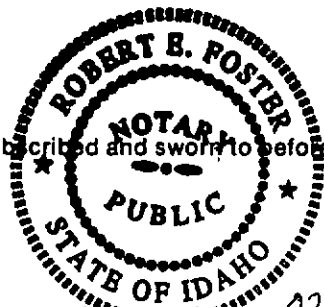
2. Quantity and quality of return flows and location of discharge:

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



Joanne Tingle
(Signature of Applicant)
17th day of July, 19 97.

Robert E. Foster
(Notary Public)

My commission expires 02-16-2001

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee \$100.00

Receipted by HWT #E023439 Date 7-23-97

Published in August Recorder Herald Copies of protest forwarded by _____

Pub. dates August 7 & 14, 1997 Hearing held by _____ Date _____

Watermaster recommendation requested on July 28, 1997 Recommended for ☒ approval ☐ denial

WAD-74 rec'd. 8-4-97 by RDC

Copy of transfer sent to lien holder _____

RECORDED
DEC 10 1997

ATTN: Larry Weeks

6/23/97

ARLA BOOTS
LEMI COUNTY ASSESSOR
LEMI COUNTY COURTHOUSE
208 COURTHOUSE DR.
SALMON, ID 83467

IMPORTANT NOTICE-PLEASE READ

FORWARD & ADDRESS CORRECTION

CATEGORY DESCRIPTION
2 IRRGTD PASTURE

TAX CODE

21.00

LOTS/ACRES

79.452 AC

79.452

MARKET VALUE

36,405

36,405*

1997
TAXPAYER'S
VALUATION

ASSESSMENT NOTICE
TAXES ARE BASED ON THE VALUATION
LISTED ON THIS STATEMENT

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 16, 1997

See the reverse side for further reference
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS

PARCEL NUMBER

RP 21N22E091206 A

Mail To:

T. 3680

9 21 22

NEW LEGAL & ACREAGE TAKEN FROM BOX 812

#228090

TINGLE JOANNE S

SALMON

ID 83467

MICROFILMED
DEC 10 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ABSTRACT

05/04/83

INDICATES TOTAL

SOURCE: LEMHI RIVER

TRIBUTARY TO: SALMON RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
74-2153	TURNER, MARY TENDRY ID 83468 REMARKS: THIS RT. IS INCLUDED IN RT. 74-0927 AND SHOULD NOT BE INTERPRETED TO BE IN ADDITION TO RT. 74-0927.	11-29-1962	IRRIGATION	03-15 11-15	.12 CFS	SWS# S04 T10N R24E	N4S#(06) S04 T18N R24E	LICENSE * 6 ACRES*
74-0810	TINGLE, TOM H. TINGLE, JOANNE P.O. BOX 812 SALMON ID 83467 REMARKS: AC. IRR.=34.7. DIV. L-2C.	04-01-1963	IRRIGATION	03-15 11-15	1.04 CFS	NWS# S10 T21N R22E	S4NE(08) SENE(26) S09 T21N R22E	DECREE * 34 ACRES*
74-0798	SNOOK, JOHN C. SNOOK, FRED SNOOK, QUINTON RT. 1 SALMON ID 83467 REMARKS: DIV. L-19A. AC. IRR.=27.3.	04-15-1963	IRRIGATION	03-15 11-15	.82 CFS	NES# S24 T20N R23E	N4NW(06) S24 T20N R23E NEVE(18) S23 T20N R23E SESE(04) S14 T20N R23E	DECREE * 28 ACRES*
74-1714	NELSON, CLYDE S. NELSON, RUBY M. RT. 1 SALMON ID 83467 REMARKS: DIV. L-3. P/O: T21N R22E S04 SWNE(01) LT04 (NWNW)(25) P/O: T22N R22E S33 SWS#(13)	06-21-1963	IRRIGATION	03-15 11-15	3.00 CFS	NES# S10 T21N R22E	SENE(04) NESE(03) LT01 (NENE)(08) LT02 (N4NE)(20) LT03 (NENW)(28) SESE(01)	DECREE * 149 ACRES*
74-0535	SWANSON, CLARENCE SWANSON, FLORENCE RT. 1 SALMON ID 83467 REMARKS: DIV. L-22A. AC. IRR.=46.5.	08-01-1963	IRRIGATION	03-15 11-15	1.40 CFS	SENE S25 T20N R23E	NENE(38) NWNE(03) SENE(05) S25 T20N R23E	DECREE * 46 ACRES*
74-1719	STATE OF IDAHO DEPT. OF FISH & GAME	06-15-1964	FISH PROP.	01-01 12-31	40.00 CFS	NWN# S28 T18N R24E	N4NW S28 T18N R24E	DECREE

MICROFILMED
DEC 10 1987

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LEMHI

IN THE MATTER OF THE GENERAL)
DETERMINATION OF THE RIGHTS)
TO THE USE OF THE SURFACE WATERS)
AND TRIBUTARIES FROM WHATEVER)
SOURCE OF THE LEMHI RIVER)
DRAINAGE BASIN.)

CIVIL NO. 4948
PROPOSED FINDING OF
WATER RIGHTS

The above-entitled cause was initiated under provisions of Section 42-1406, Idaho Code, by the submission of a petition from eight (8) water users in the Lemhi River Basin, requesting that the Department of Water Administration (changed to Department of Water Resources in 1974) obtain authority from the Court to prepare a proposed finding of water rights in the Lemhi River Basin. The petitioners specifically requested that the study reflect the present practice and use of water within the Lemhi River Basin.

Pursuant to Section 42-1407, Idaho Code, R. Keith Higginson, Director of the Department of Water Resources petitioned the Court on April 30, 1970, for an order of authorization for the commencement of an adjudication of water rights in the Lemhi River Drainage.

An order was signed on August 13, 1970, by District Judge Arnold T. Beebe, authorizing the Department to commence an investigation and determination of the various rights to the use of the water of the Lemhi River and its surface tributaries including ground water which may be either tributary to the Lemhi River or its surface tributaries within the Lemhi River Drainage Basin, such waters lying or being used within Lemhi County.

An order of joinder signed on June 17, 1971, made approximately 457 land owners and possible water users parties to the adjudication. An additional 351 water users were joined by an order signed November 1, 1971. Approximately 1,900 claims of water rights were submitted to the Department.

Based upon all existing court decrees adjudicating water rights within the Lemhi River Drainage Basin, the claims submitted, the files and records of the Department and the Court, the examination and studies of the Lemhi River Drainage Basin and the various ditches and other diversions of water therein and the lands irrigated or other uses of water, the Department of Water Resources, in July 1974, filed a proposed finding of water rights with the Court. Objections to the proposed finding were resolved either by stipulation or hearing before the Court. The Court then adopted the following findings of fact, conclusions of law and decree of water rights, in which the

DEC 10 1977



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

October 31, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RICK SAGER
WATERMASTER
201 BROADWAY
SALMON ID 83467

RE: TRANSFER OF WATER RIGHT 74-00810

Dear Rick:

Enclosed is a copy of the recently approved Transfer of Water Right for the above referenced water right (Transfer No. 5111) in the name of Joanne S. Tingle.

Also enclosed is a copy of the reviewers notes.

If you have any questions, please call me at (208) 327-7947.

Sincerely,

A handwritten signature in cursive script that reads "Shelly Walter Keen".

JIM JOHNSON, Manager
Water Permits Section

JJ:klt

Enclosures

MICROFILMED
DEC 10 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

October 30, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JOANNE S TINGLE
PO BOX 812
SALMON ID 83467

RE: Water Right 74-00810 (Transfer 5111)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water right (Transfer 5111). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

As of July 1, 1996, all water right owners are required to report any change in water right ownership and any change of mailing address to the department.

If you have acquired any other water right or have changed your mailing address **PRIOR TO** July 1, 1996, you have until July 30, 1998, to record the ownership and/or address change with the department.

If you acquired other water rights or changed your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes in a timely manner could result in a \$100 late filing fee. You can contact any office of the department for more information. If you have any questions concerning your water right listed above you can contact me at (208) 327-7947.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosures

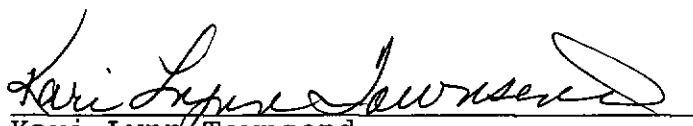
MICROFILMED
DEC 10 1997

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of October, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

WATER RIGHT 74-00810 (Transfer 5111)

JOANNE S TINGLE
PO BOX 812
SALMON ID 83467


Kari Lynn Townsend
Secretary

MICROFILMED
DEC 10 1997

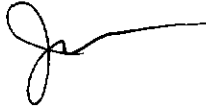
MEMORANDUM

TO: FILE 74-00810

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER 5111

DATE: October 23, 1997

ok 

=====

Transfer 5111 is one of three transfers filed concurrently to consolidate Lemhi River diversions into a single new point of diversion, designated L-3. This transfer changes the point of diversion under Right 74-00810.

Season of use and diversion volume were adjusted to current standards. Recommended conditions include measuring device & watermaster control, irrigation overlap, right-of-way, total acres and standard transfer conditions.

MICROFILMED

DEC 10 1997

TRANSFER REVIEW SHEET

(06-97)

Transfer # 5111

Date Reviewed 10-23-97
98

Right(s) 74-00810

WRD Print Split Summary NA Run POU Comparison Report
P/D change only

B: Change P/D C: Add P/D D: Change P/U E: Change Nature of Use
F: Change Period of Use G: Other H: Change P/D & Add P/D
I: Change P/D & P/U J: Add P/D & Change P/U

Proof of Ownership '97 tax notice - T# 3680 79 Acres pasture S21 - No P/D change

Transfer ✓ All of Right _____ Portion of Right
Resulting Split(s) NONE

Check Transfer Against Recorded Right Season/Vol. B/3.5

(1) ✓ Priority (2) ✓ Use (3) _____ Season (4) ✓ Rate (5) _____ Volume

(6) ✓ Source (7) _____ P/D (8) _____ P/U (9) NA Proof/Owner (10) ✓ Map

(11) 74 Water District (12) NO Pertinent Conditions (13) NO Expansion
WM approval rev'd 8-4-97

(3) Standard Season 4-15 to 10-15

(5) Standard Vol = 3.5 x 34.7 = (121.5 aca) < 1.04 x 183 x 1.9835 = 377.5 aca

(7) Change P/D

(8) No change to P/U - Decree remarks 34.7 acres - Identify .7 acre in remarks

(4) Rate = .0299 cts/acre as decreed - limit vol. @ FHG

SRBA same as WR

Transfer Remarks R25 @ FHG-W57-34.7 Acres
Conditions R04, R43, I04, I07, I08, I09

Database/Processing Notes Standard ✓ Non-Standard _____
T file

Pccommon File T5111.txt; 98 Transfer Memo Complete ✓
File Deleted 10-30-97 Database Updated 10-30-97 98

WR0749NP
No. 174-00810

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/23/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOANNE S TINGLE PO BOX 812 SALMON ID 83467 (208) 756-4909	04/01/1963	IRRIGATION	04/15 10/15	1.040 CFS	121.50 AFA
TOTAL DIVERSION:					1.040 CFS	121.50 AFA

Water Source: LEMHI RIVER

Tributary to: SALMON RIVER

Stage: DECREED

Point(s) of Diversion: T21N R22E S10 NESW LEMHI County

Point of Diversion Name(s):

	Name	Rate	Number
T21N R22E S10	NE SW		L-3

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S		T	R	S		T	R	S		T	R	S		SUM
21N	22E	9	:				:				:				:	34.0
TOTAL ACRES																34.0

Pou County: LEMHI

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 74.
- R43 - The right holder shall maintain a measuring device and lockable controlling works of a type approved by this Department in a manner that will provide the watermaster suitable control of the diversion.
- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - 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.

Remarks:

Right 74-00810 is authorized the irrigation of 34.7 total acres. 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.

Approval of Transfer No. 5111 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

WR0749NP
No. 74-00810

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/23/97
PAGE: 2

=====
Dates: App. Received: Priority Date: 04/01/1963
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 74 Field Exam Fee:

Comments: Date: 10/23/1997 User-ID: PSKAGGS Subject: TRANSFER 5111
Transfer 5111 changes the point of diversion under Right 74-00810
in order to consolidate Lemhi River diversions.

Audit: 07/25/97 RBODELL 10/23/97 PSKAGGS

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
-	74-00810	TINGLE, TOM H.	C	04/01/1963	D/	LEMHI RIVER	IRR	WR
-		TINGLE, JOANNE	C					
-	T74-00810			04/01/1963	D/	LEMHI RIVER	IRR	WR
-								
-	A74-00810	TINGLE, JOANNE S	C	04/01/1963	D/	LEMHI RIVER	IRR	AJ

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(Enter=Continue)      (GOLD7=This Query)      (GOLD8=Cancel)      (Menu       )
Natural 2.1/7V      OVR      LIB=PRODLIBS      Last key was ENTR
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

7-24-97-HWJ

INITIAL REVIEW BY: HWJ

T# 5111

1. Right number 74-00810 Applicant TINGLE, Joanne
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Other _____
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. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☒ Check for expansion in use of right. Comments _____
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) NA
 - j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No
If yes, what district? WD 74 - Lemhi River - Rick Sgser

RECEIVED

OCT 17 1997

Department of Water Resources

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on July 28, 97 Received on 8-4-97
DDP 8-25-97
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* _____ ZZ

4. By RDC Date Oct 16, 1997
AD 50 7-25-97
TR 50 7-28

* All uses within Watermaster Districts require special conditions.

T# 5111

**NOTICE OF PROPOSED CHANGE
OF A WATER RIGHT NO T5111**

Notice is hereby given that Joanne S. Tingle, P.O. Box 812, Salmon ID 83467 has applied to the Department of Water Resources to change point of diversion of the waters of the Lemhi River. The right sought to be changed is evidenced by a decree and recorded as follows:

Decree No. 74-00810 Decreed to Tom H. and/or Joanne Tingle dated 06/17/1971 in Idaho county of Lemhi.

Source: Lemhi River tributary to Salmon River

Amount: 1.04 Priority: 04/01/1963

Point(s) of Diversion: NWSW SEC 10 T21N R22E, Lemhi County (diversion L-2B)

The water is used for irrigation of 34 acres from 03/15 to 11/15 within the S1/2NE SEC 09 T21N R23E, B.M.

TO BE CHANGED AS FOLLOWS:

The water will be diverted from the NESW SEC 10 T21N R22E, Lemhi County (diversion L-3)

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID, 83402, together with a protest fee of \$25 on or before August 25, 1997.

The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER

Director

Published in The Recorder Herald on August 7 & 14, 1997.

8-7-2tc

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

RECEIVED

SEP 3 0 1997

Department of Water Resources
Eastern Region

RICKY G. HODGES

being first duly sworn, deposes and says he is one of the publishers (printers) of The Recorder Herald, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein. That the IDAHO DEPT OF WATER T5111 TINGLE

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 TWO (2) consecutive issues, commencing with the issue dated 8/7, 19 97 and ending with the issue dated 8/14, 19 97

STATE OF IDAHO

County of Lemhi

ss.

On this 14th day of AUGUST 1997

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.

Shirley K. Hodges

Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 9-21-2001

Publication Fee \$ 52.80

Account No. 630

MICROFILMED

DEC 1 0 1997

September 8, 1997

RECORDER HERALD
PO BOX 310
SALMON ID 83467

RE: Notice of Proposed Change of a Water Right No:
5111 Joanne S. Tingle

Dear Publisher:

Could you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on August 7 & 14, 1997.

If the application was never published, I need to know as soon as possible.

Your cooperation in this matter is greatly appreciated.

Very truly yours,


Rita Bodell
Secretary

MICROFILM

DEC 10 1997

APPLICATION FOR TRANSFER OF
WATER RIGHT NO. 5111

WATER DISTRICT: 74

WATERMASTER: Rick Sager

DATE: July 28, 1997

HAS THIS WATER RIGHT(S) BEEN DELIVERED WITHIN THE LAST FIVE YEARS?

YES X NO _____

COMMENTS: _____

X I do endorse approval of this change.

_____ I do not endorse approval of this change.

I recommend the following conditions of approval:

Rick Sager
Watermaster

July 31, 1997
DATE

MICROFILMED

DEC 10 1997

RECEIVED

AUG 4 1997

Department of Water Resources
Eastern Region

July 28, 1997

RICK SAGER
WATER DIST 74
201 BROADWAY
SALMON ID 83467

RE: Application for Transfer No. 5111
JOANNE S. TINGLE

Dear Mr. Sager:

Please find enclosed a copy of the above referenced application for transfer. Please review the application and submit any comments you may have to our Department as soon as possible.

If we may be of further assistance, please feel free to contact us.

Thank you for your cooperation in this matter.

Respectfully submitted,

Harold W. Jones
Water Right Supervisor

HWJ/rb
enc.

MICROFILMED
DEC 10 1997



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 25, 1997

JOANNE S TINGLE
PO BOX 812
SALMON ID 83467

RE: Notice of Application for Transfer No. 5111

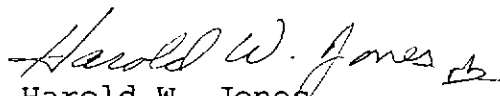
Dear Applicant:

This office is currently in the process of advertising the notice of Application for Transfer of Water Right in the Recorder Herald on August 7 & 14, 1997. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this 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

HWJ/rb

MICROFILMED

DEC 10 1997



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

July 25, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RECORDER HERALD
PO BOX 310
SALMON ID 83467

Dear Publisher:

Enclosed you will find a legal notice which we wish to have on the dates indicated in your newspaper. 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 AUGUST 25, 1997.

Yours truly,

Rita Bodell
Secretary

Enc.

RECORDED

DEC 10 1997

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. T5111

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KARL J. DREHER
Director

Published in the Recorder Herald on August 7 & 14, 1997.

*Called Recorder Herald
8-12-97. for correction.*

DEC 10 1997

DEC 10 1997