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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4236
WATER RIGHT NO(S). 67-00219C/67-00220/67-00226/67-00229

This is to certify that: PINE CREEK PROPERTY OWNERS IRR ASSN
C/O PEARL J KETZ
3608 ADVENT GULCH RD
CAMBRIDGE ID 83610

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. 67-00219C :			
IRRIGATION	04/01 to 10/31	0.28 CFS	56.0 AF
Priority: 05/01/1901			
Right No. 67-00220 :			
IRRIGATION	04/01 to 10/31	0.24 CFS	48.0 AF
Priority: 05/01/1901			
Right No. 67-00226 :			
IRRIGATION	04/01 to 10/31	0.34 CFS	68.0 AF
Priority: 05/01/1902			
Right No. 67-00229 :			
IRRIGATION	04/01 to 10/31	0.42 CFS	84.0 AF
Priority: 05/01/1908			
TOTAL:		1.28 CFS	256.0 AF

SOURCE

EAST PINE CREEK

TRIBUTARY OF

PINE CREEK

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 25, Township 16N, Range 04W
SENE , Sec. 35, Township 16N, Range 04W
NWSE , Sec. 35, Township 16N, Range 04W
SWNW , Sec. 36, Township 16N, Range 04W
WASHINGTON 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>
16N	04W	25	SWSW 5	SESW 8		13
		35	SWNE 2	SENE 10	NESW 8	
			SWSW 3	SESW 3	NWSE 4	30
		36	NENW 1	NWNW 20		21
Total number of acres irrigated:						64

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44 01 1994

TRANSFER NO. 4236
WATER RIGHT NO(S). 67-00219C/67-00220/67-00226/67-00229

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 67.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
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 from all authorized points of diversion which will allow determination of the total rate of diversion.
7. The total instantaneous diversion of water from all points of diversion under Transfer No. 4236 shall not exceed 1.28 cfs.
8. Right No. 67-00219C is limited to the irrigation of 14.0 acres in the place of use described above in a single irrigation season.
9. Right No. 67-00220 is limited to the irrigation of 12.0 acres in the place of use described above in a single irrigation season.
10. Right No. 67-00226 is limited to the irrigation of 17.0 acres in the place of use described above in a single irrigation season.
11. Right No. 67-00229 is limited to the irrigation of 21.0 acres in the place of use described above in a single irrigation season.
12. Right No. 67-00229 has been reduced by 0.40 cfs that has been lost through non-use.
13. Irrigated acres described in S35, T16N, R04W, are located south of the access road.
14. Four (4) points of diversion are located within SENE, and two (2) points of diversion are located within NWSE, S35, T16N, R04W. A single point of diversion is located on or near the line between SENE, S35 and SWNW, S36, T16N, R04W. The system has a total of eight (8) points of diversion.

Dated this 22nd day of

June

, 1994.

[Signature]
Chief, Water Alloc. Bureau

[Stamp]

JUL 01 1994

G. N. Amidon

31 Fred C Kruck

Little Pine Creek
Pine Creek

Thomas Ray

S M Rutledge

James Orton

William Toors

Joel W Weimer

Henry Harsh and Orma Harsh

Frank C Downs

Andrew Schweinfurter

Arthur Moon

Augusta Kinney

Spring Creek.

Thomas Ray

Frank Courtright

G W Lattig sub for W Beeson

James C Tuttle

Andrew Miller

G W Rowley

Rush Creek

Estate of Christian Larson

James L and Marl Lewis

James L Lewis

Rush Creek (Con)

R E Wilson

12	✓	May 1, 1901	✓	67 0220
21	✓	May 1, 1901	✓	67 0221
11	✓	May 1, 1905	✓	67 0222
2	✓	May 1, 1902	✓	67 0223
10	✓	May 1, 1904	✓	67 0224
6	✓	May 1, 1902	✓	67 0225
17	✓	May 1, 1902	✓	67 0226
8	✓	June 30, 1909	✓	67 0227
7	✓	May 1, 1906	✓	67 0228
41	✓	May 1, 1908	✓	67 0229
13	✓	May 1, 1909	✓	67 0230
5	✓	June 1, 1916	✓	67 0231
2	✓	May 1, 1910	✓	67 0232
5	✓	May 1, 1910	✓	67 0233
12	✓	May 1, 1912	✓	67 0234
12	✓	Aug 11, 1906	✓	67 0235
1	✓	Aug 11, 1906	✓	67 0236
10	✓	Aug 11, 1906	✓	67 0237
10	✓	Aug 11, 1906	✓	67 0238
9	✓	Aug 11, 1906	✓	67 0239
5	✓	Aug 11, 1906	✓	67 0240
22	✓	May 1, 1878	✓	67 0241 TRANS
25	✓	May 1, 1878	✓	67 0242 T # 19
7 7/8	✓	May 1, 1878	✓	67 0243 T # 195
23	✓	June 1, 1899	✓	67 0244 T # 1
19	✓	June 1, 1900	✓	67 0245 T #
8	✓	May 1, 1878	✓	67 0246 T # 1
4	✓	Aug 23, 1883	✓	67 0247 T # 12
22	✓	June 1, 1899	✓	67 0248 T # 1
19	✓	June 1, 1900	✓	67 0249 T # 1
20	✓	Oct 29, 1908	✓	67 0250

JUL 01 1994

MEMORANDUM

TO: FILE 67-00226

FROM: PAM SKAGGS C*

RE: TRANSFER # 4236

DATE: 10-26-93

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Original Transfer Application, Form and correspondence regarding the above referenced Transfer is located within file # 67-00219.

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MEMORANDUM

TO: FILES 67-00219C/220/226 & 229

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER NO. 4236

DATE: June 8, 1994

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Transfer No. 4236 was filed to update five (5) decreed water rights to reflect the way the water is currently used. The rights have been consolidated and are used to irrigate parcels of land along Pine Creek from multiple diversion points.

A field exam was conducted to confirm existing uses under these vaguely described decreed rights. 64 Acres were confirmed as irrigated and eight (8) points of diversion identified. The application was amended to reflect the field exam results and to include the fifth right found to be part of this system.

The region recommendations included a conveyance loss using the original full ditch system, but the addition of multiple points of diversion from Pine Creek adjacent to irrigated parcels negates the need to calculate ditch losses.

The decree does not identify the specific number of acres under each right, but using 5/8" rate per acre as defined in the decree, 1.68 cfs could represent 134 original acres or more. Since the field exam identified a reduced number of irrigated acres the rate of diversion also needed to be adjusted. The rate of flow for the remaining acres is the standard 0.02 cfs per acre or 64 acres times 0.02 cfs equals 1.28 cfs.

All but the most junior right can be recommended with full rate of diversion and a specific number of acres identified. The junior right will be adjusted to reflect the changes in acres and rate.

67-00219C	0.28 cfs	14 acres	56.0 afa
(67-0219 Parts A & B combined into Part C)			
67-00220	0.24 cfs	12 acres	48.0 afa
67-00226	0.34 cfs	17 acres	68.0 afa
Subtotals	0.86 cfs	43 acres	172.0 afa

Total Rate - Senior Rights = Remaining Rate
1.28 cfs - 0.86 cfs = 0.42 cfs

0.82 cfs under 67-00229 adjusted to 0.42 cfs

67-00229	0.42 cfs	21 acres	84.0 afa
TOTALS	1.28 cfs	64 acres	256.0 afa

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Transfer Memo #4236

Recommended conditions include a condition from a previous transfer regarding limiting irrigated acres to south of the access road in Section 35, permissible place of use remarks for each right, watermaster control, multiple points of diversion/measuring devices, irrigation overlap and standard transfer conditions.

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WR0749NP
No. T67-00226

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/08/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PINE CREEK PROPERTY OWNERS IRR ASSN C/O PEARL J KETZ 3608 ADVENT GULCH RD CAMBRIDGE ID 83610 (208) 642-2766	05/01/1902	IRRIGATION	04-01 10-31	0.34 CFS	68.00 AFA
TOTAL DIVERSION:					0.34 CFS	68.00 AFA

Water Source: EAST PINE CREEK

Tributary to: PINE CREEK

Stage: DECREED

Point(s) of Diversion:	T16N R04W S25 S35 S36	NESW SENE SWNW	NWSE	WASHINGTON County WASHINGTON County WASHINGTON County
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Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
16N	04W	25	:											05	08					:	13.0
16N	04W	35	:			02	10							08	03	03			04	:	30.0
16N	04W	36	:							01	20									:	21.0
TOTAL ACRES																				:	64.0

Pou County: WASHINGTON

Other Water Rights with Same Point(s) of Diversion and Source:
T67-00219C T67-00220 T67-00229

Other Water Rights Listing Overlapping Place(s) of use:
67-00219B 67-00220 67-00226 T67-00219C T67-00220 T67-00229

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 67.
- R31 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
- T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- 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.
- T17 - 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.

Remarks: The total instantaneous diversion of water from all points of diversion under Transfer No. 4236 shall not exceed 1.28 cfs.

WR0749NP
No. T67-00226

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/08/94
PAGE: 2

Remarks: Right No. 67-00226 is limited to the irrigation of 17.0 acres in the place of use described above in a single irrigation season. Irrigated acres described in S35, T16N, R04W, are located south of the access road.
Four (4) points of diversion are located within SENE, and two (2) points of diversion are located within NWSE, S35, T16N, R04W. A single point of diversion is located on or near the line between SENE, S35 and SWNW, S36, T16N, R04W. The system has a total of eight (8) points of diversion.

Dates: App. Received: Priority Date: 05/01/1902
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 67 Field Exam Fee:

Comments: Date: 01/06/1994 User-ID: PRODMGR Subject: TRANSFER NO. 4236
Transfer No. 4236 was filed to add diversion points and change the place of use under Right Nos. 67-00219A/219B/220/226 and 229. The transfer reflects a combined system with a permissible place of use and will recombine parts A and B of 67-00219 into part C.

Date: 06/08/1994 User-ID: SKAGGS Subject:

Audit: 01/06/94 PRODMGR 05/17/94 SKAGGS 06/08/94 SKAGGS

WR5809NP
No. 67-00226

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/26/93
PAGE: 2

OWNER		PRIORITY	WATER USE	USE PERIOD		DIVERSION	DIVERSION
CODE	NAME & ADDRESS	DATE		FROM	TO	RATE	VOLUME
C	S. M. RUTLEDGE	05/01/1902	IRRIGATION	00-00	00-00	0.34 CFS	
TOTAL DIVERSION:						0.34 CFS	

Water Source: PINE CREEK

Tributary to: WEISER RIVER

Stage: DECREED

Place of use Legal Description for: IRRIGATION

NE												NW								SW								SE												
				NENE		NWNE		SWNE		SENE		:	NENW		NWNW		SWNW		SENW		:	NESW		NWSW		SWSW		SESW		:	NESE		NWSE		SWSE		SESE		:	
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM		
16N	04W	25	:									:									:							:												
16N	04W	26	:									:									:							:												
16N	04W	35	:									:									:							:												
16N	04W	36	:									:									:							:												

Pou County: WASHINGTON

Dates:	App. Received:	Priority Date:	05/01/1902
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 67 Field Exam Fee:

Audit: 04/01/85 05/01/88 CONVERT