

(Internet)

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RECEIVED

SEP 25 2003

Department of Water resources
Eastern Region

Transfer No. 70840

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant David M. For Lisa Tooke Phone 407-366-4197
Post Office address 17116 Carillon Park Drive, Oviedo FL 32765

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 See attached

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 |
|-----------------------------|-------------|-----------------------|------------------|------------------------|
| 22- See
Remarks
13276 | May 9, 1978 | .28 | Irrigation | April 15 to October 15 |
| | | | | to |
| | | | | to |
| | | | | to |
2. Total amount of water being transferred .28 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Ground Water tributary to _____
4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

SCANNED

OCT 08 2003

Total acres 19.5

PART 1

6. General Information:

a. Description of diversion system well/pump to sprinkler system

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes X 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:

N/A

d. Remarks:

See attached

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 _____.

SCANNED

OCT 08 2003

T70840

Part 1, Section A, Question 2.

The current point of diversion serves 160 acres, known as the Mead parcels (NW ¼ Township 5N Range 44E Section 11) as well as a larger tract north of the 160 acres. This point of diversion is located off said 160 acres and is separated from the parcels by county road 400 North (also known as Packsaddle road). The 160 acres have been subdivided into eight (8) 20-acre parcels. We recently purchased (July 9, 2003) the parcel that is located furthest from the point of diversion (south ½ of the southwest ¼ of the northwest ¼). In order to irrigate, we would have to pump the water under 400 North as well as across three (3) neighboring parcels. Note: there currently are no permanent water lines from the current point of diversion. Since the well and pump at the current point of diversion is designed to supply water to a much larger area compared to our 20 acres, the cost of operating the pump at the current point of diversion is considerable. It would be more efficient, cost effective, and less obtrusive to move the point of diversion to the point of use.

Part 1, Section B, Question 6 d. Remarks:

Note that a Notice of Change in Water Right Ownership has not been processed for our property. We purchased the 20 acre parcel and associated water rights from Peter and Leslie Mead, and Muffy Ferro (Mead) July 9, 2003. The Mead's address is PO Box 239 Tetonia, ID 83452. A copy of the Warranty Deed is attached. The Mead's Water Right number is 22-13255. Since ownership change by the Idaho Department of Water Resources has not been completed, the water right amount associated with the 20 acre parcel is not known and we are therefore estimating the water right that will be apportioned to us to be approximately .29 cfs.

SCANNED

OCT 08 2003

page 4 of 8

Page 1

Transfer No. 70840
Receipt No. _____

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 22-13276

Priority Date: 05/09/1978
Origin: Adjudication Claim
Basis: License
Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/15	0.28 CFS	68.2 AFA	
	Total Diversion	0.28 CFS	68.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER NWSESW 05N 44E 2 TETON

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	
05N 44E 11							19.5										19.5

Total Acres: 19.5

Conditions/Remarks:

1. this right is a split of 22-13272

Documentation of Ownership of the Current Place of Use
Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer
none no change

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

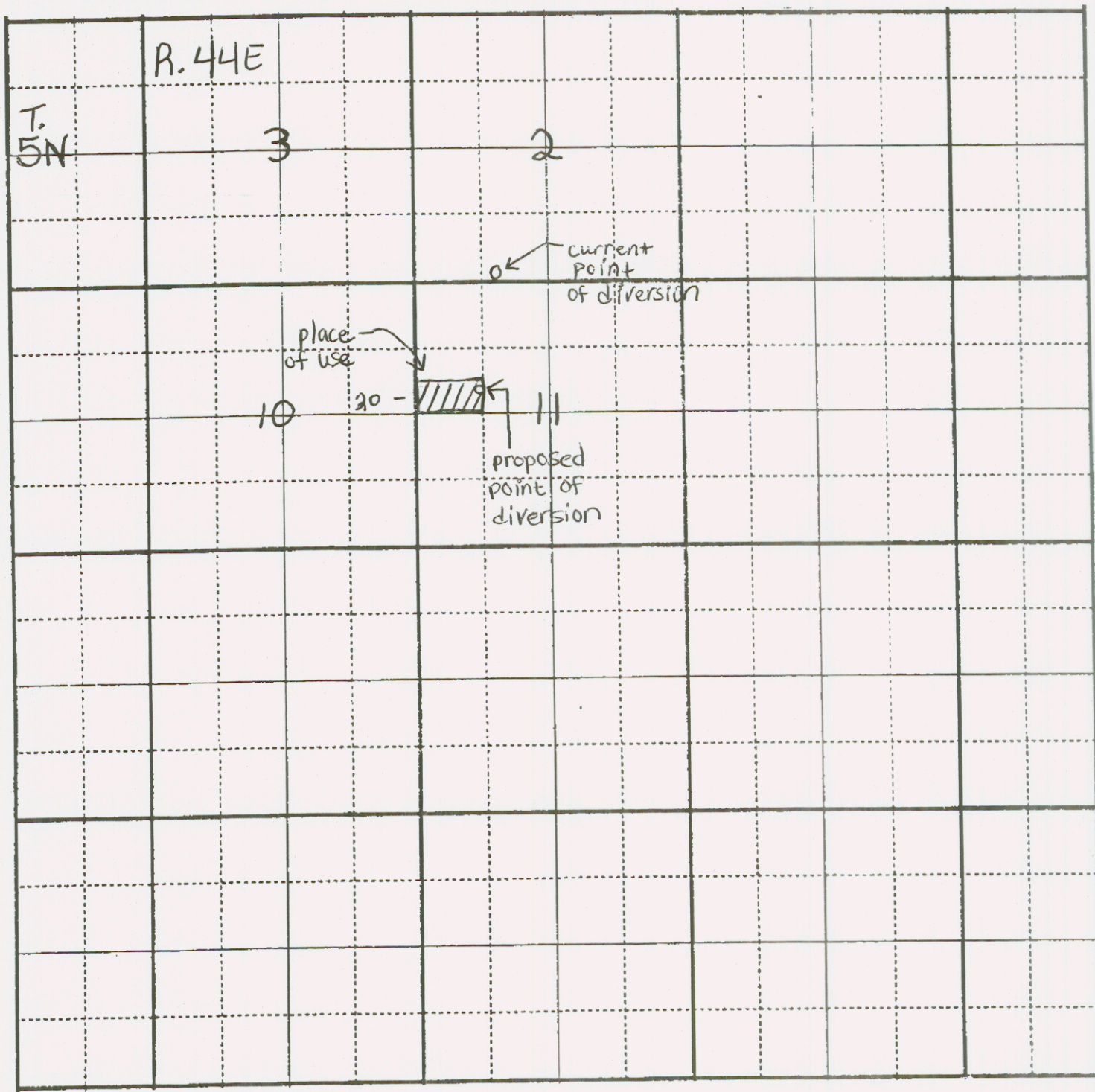
SCANNED

OCT 08 2003

T70840

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.

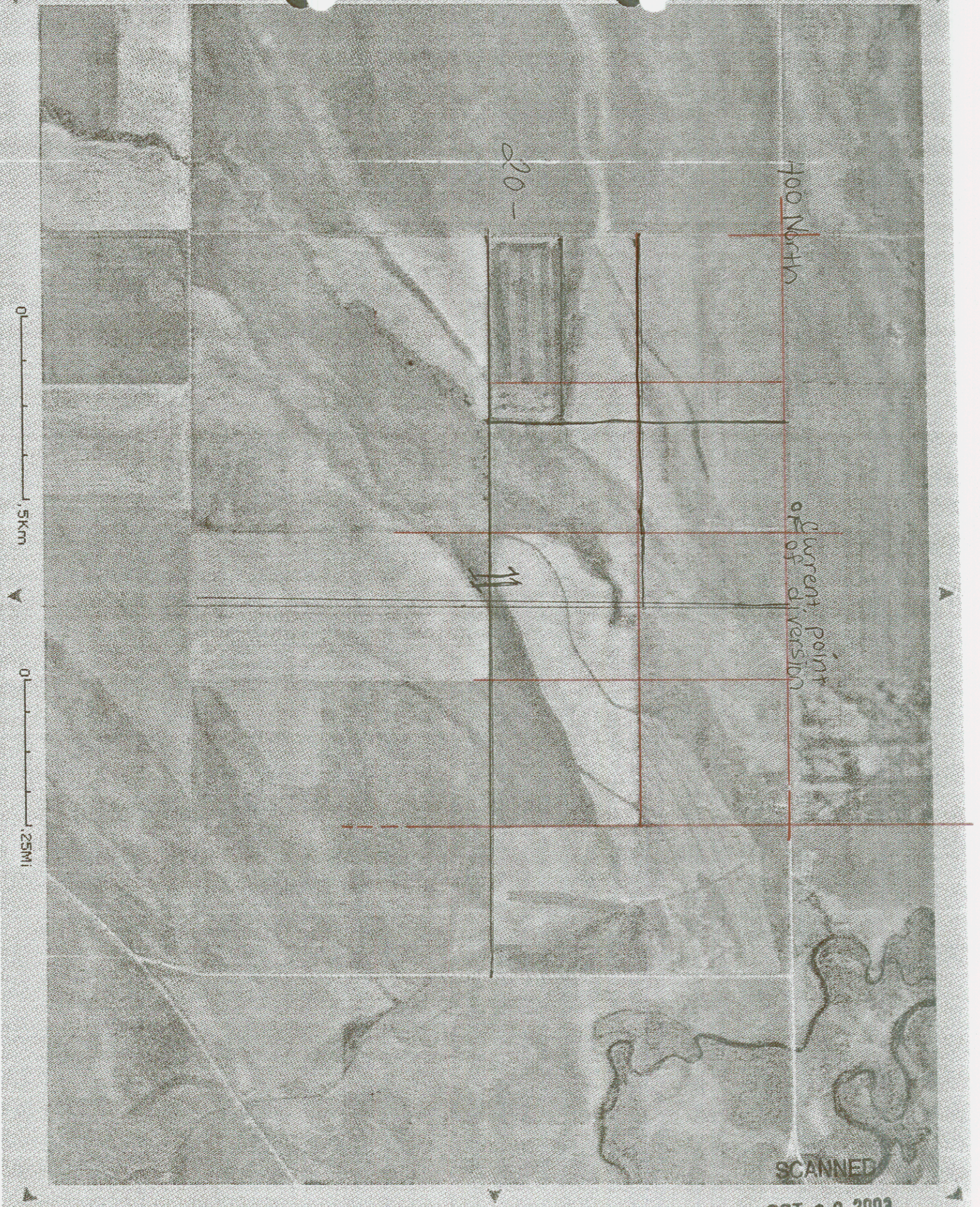


SCALE: 2 inches equal 1 mile. Draw plan in ink.

T70840

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OCT 08 2003



SCANNED

OCT 08 2003

T70840

SEC 2

Map 20 ACRE PARCELS

400 North

T 5N
R 44E
SEC 11
NW 1/4

MEAD RIGHT #

22-13255 1.36 cfs

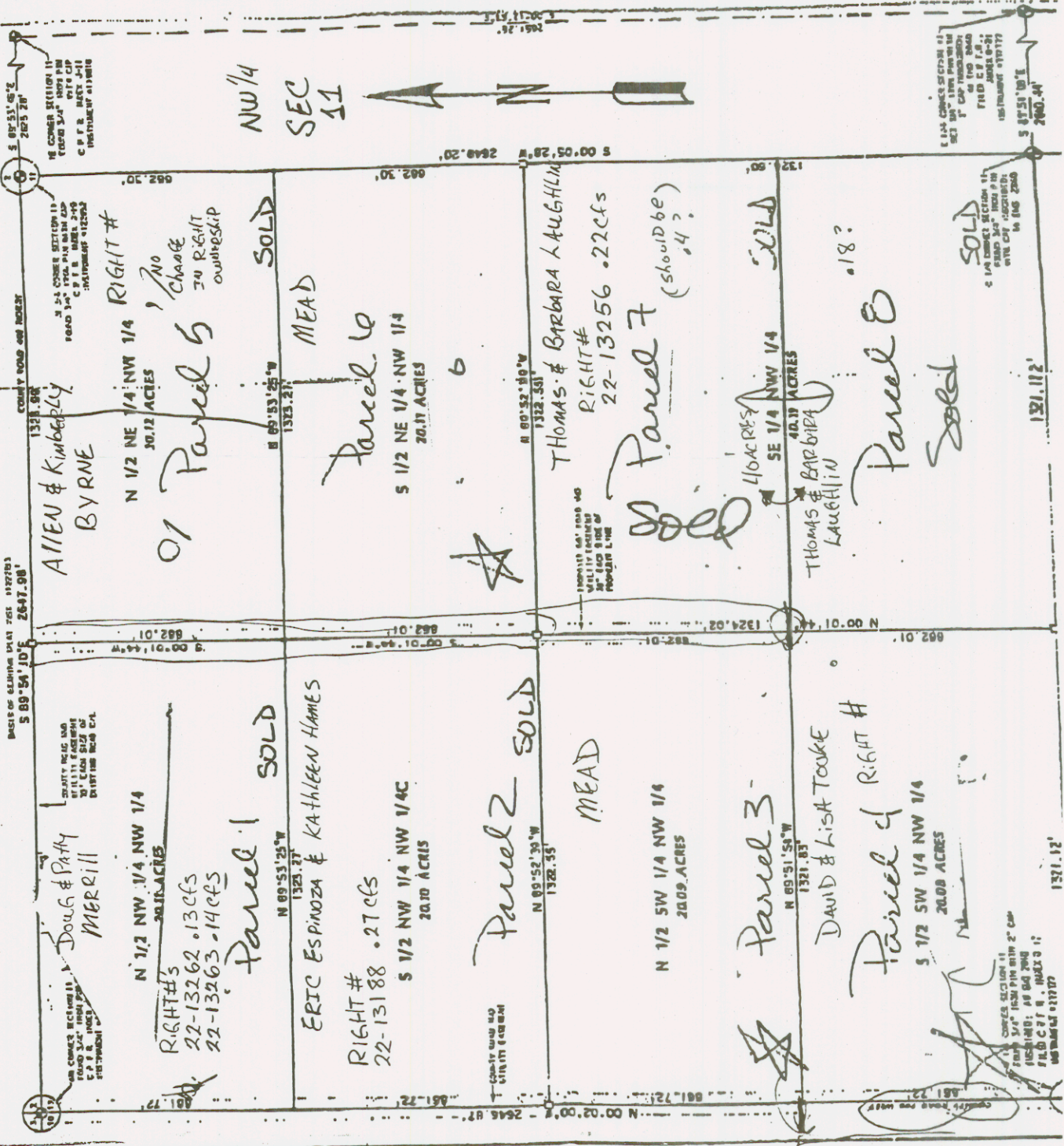
NE NW 38 ACES

SW NW 39 "

SE NW 18 " -> Laughlins?

SCANNED
OCT 08 2003

AVAILABLE



PART 3

B. CHANGES IN NATURE OF USE

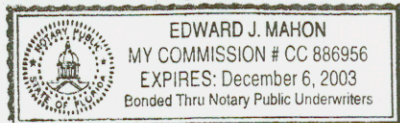
1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

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.



(Signature of Applicant)

Subscribed and sworn to before me this

day of

SEPT

28 2003

(Notary Public)

My commission expires

12-6-03

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 1 attachmentsReceived by DC Date 9/25/2003

Protest filed by

Prelim. check by DC Fee 2505029236Received by DC Date 9/25/2003Published in Teton Valley News

Copies of protest forwarded by

Pub. dates 1/1 & 1/8/04

Hearing held by Date

Watermaster recommendation requested on

Recommended for



approval



denial

rec'd.

by ROL

Copy of transfer sent to lien holder

SCANNED

OCT 08 2003

T70840

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SEP 25 2003

Form 1-222
12-82

(Internet)

Page 1 of 11

STATE OF IDAHO

Department of Water Resources
Eastern Region

DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant David M. For Lisa Tooke Phone 407-366-4197
 Post Office address 1716 Carillon Park Drive, Oviedo FL 32765

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 See attached

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 22- See remarks 13276 Priority May 9, 1978 Amount (cfs/ac-ft) .28 Nature of Use Irrigation Period of Use April 15 to October 15
2. Total amount of water being transferred .28 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Ground Water tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
4	SE	SW	NW	11	5N	44E	Teton	

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	
5N	44E	11							20										20
									19.5										

Total acres 20

RECEIVED

155929

3050312208-T

JUL 10 2003

TELE. ROOM ID
CLERK RECORDER

WARRANTY DEED

ALLIANCE TITLE & ESCROW CORP. INC.
P.O. BOX 644 / 78 N. MAIN STREET
DRIGGS, IDAHO 83422

Order No.:3050312208-T

For Value Received

Peter Bradford Mead and Leslie J. Mead, Husband and Wife an undivided 1/2 interest and Muffy E. Ferro, formerly known as Muffy E. Mead, an undivided 1/2 interest as tenants in common

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

David M. Tooke and Lisa Tooke, Husband and Wife

whose current address is

1716 Carillon Park Drive Oviedo, FL 32765

Instrument # 155929

DRIGGS, TETON, IDAHO

2003-07-10

03:52:32 No. of Pages: 1

Recorded for: ALLIANCE TITLE & ESCROW

NOLAN G. BOYLE

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: DEED WARRANTY

R B W side

the grantee(s), the following described premises, in Teton County, Idaho, TO WIT:

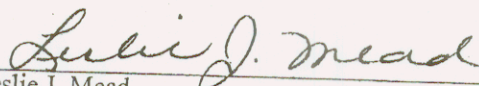
Township 5 North, Range 44 East, Boise Meridian, Teton County, Idaho.
Section 11: S 1/2 SW 1/4 NW 1/4.

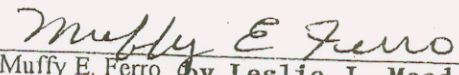
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 7/07/2003


Peter Bradford Mead


Leslie J. Mead


Muffy E. Ferro by Leslie J. Mead as
Attorney-in-fact

State of Idaho }
County of Teton } ss.

On this 9th day of July, 2003, before me, a Notary Public in and for said state, personally appeared Peter Bradford Mead and Leslie J. Mead

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.
IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.

Carla C. Jones
NOTARY PUBLIC
STATE OF IDAHO


Notary Public for the State of Idaho
Residing at: Driggs
Commission Expires: 11/19/05

State of Idaho }
County of Teton } ss.

On this 9th day of July, 2003, before me, a Notary Public in and for said state, personally appeared Leslie J. Mead known or identified to me to be the person(s) whose name(s) subscribed to the within instrument as Attorney-in-fact of Muffy E. Ferro, and acknowledged to me that she subscribed the name of Muffy E. Ferro as principal and his/her own name as Attorney-in-fact.
IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.

Carla C. Jones
NOTARY PUBLIC
STATE OF IDAHO


Notary Public for the State of Idaho
Residing at: Driggs
Commission Expires: 11/19/05

155929

EAST AS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70840

This is to certify that: DAVID M TOOKE And/Or
LISA TOOKE
1716 CARILLON PARK
OVIEDO FL 32765

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

Right	Origin/Basis	Priority	Rate	Volume	Acre Limit	Total Acres	Source
22-13276	AJC/License	05/09/1978	0.28 cfs	68.2 af	N/A	19.5	GROUND WATER

Purpose of Transfer (Changes Proposed)

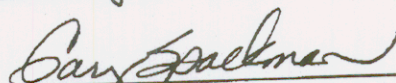
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
22-13276	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
22-13276	22-13276	0.28 cfs	58.5 af	N/A	19.5		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.28 cfs	58.5 af	N/A	19.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 13th day of February, 2004


Chief, Water Allocation Bureau

WATER RIGHT NO. 22-13276
As Modified by Transfer No. 70840

In accordance with the approval of Transfer No. 70840, Water Right No. 22-13276 is now described as follows.

Right Holder: LISA TOOKE And
 DAVID M TOOKE
 1716 CARILLON PARK
 OVIEDO FL 32765

Priority Date: May 09, 1978

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/15	0.28 CFS	58.5 AF
			0.28 CFS	58.5 AF

LOCATION OF POINT(S) OF DIVERSION:
 GROUND WATER SWNW

Sec. 11 Twp 05N Rge 44E TETON 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	
05N	44E	11							19.5										19.5

Total Acres: 19.5

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. 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.
3. 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.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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.

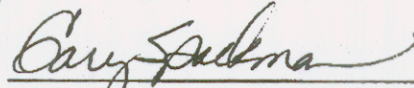
WATER RIGHT NO. 22-13276
As Modified by Transfer No. 70840

CONDITIONS OF APPROVAL

6. 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.
7. The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 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.

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 13th day of February, 2004



Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 22-7279 Priority May 9, 1978 Amount 3.65 cfs

THIS IS TO CERTIFY, that James E. Hatch
of Driggs, Idaho, has complied with the terms and conditions of Permit
No. 22-7279 issued pursuant to Application for Permit dated May 9, 1978,
and has submitted proof to the Department of Water Resources on August 17, 1982,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 3.65 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 15</u> to <u>October 15</u>	at <u>3.65</u> cfs and	<u>765.0</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 3.65 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
765.0 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 2,
Twp 5N, Rge 44E in the County of Teton

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5N	44E	2											33	38			36		107
		11					38	38	39	33									148

Total number of acres irrigated 255

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 11TH day of September, 19 84.

RECORDED

Acting for the Director Norman C Young

DW

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ Other

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

Recommended Amendments:

22-7279

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made:			
(List Telephone No. used)			
☐ Appointment scheduled for:			
(Date, time, location)			

EXAMINATION

Date 7-22-82 Accompanied by N/A Sec Note Total Q measured 3.65 cfs ✓

If source is surface water, estimate total flow of source

Methods of measurement McCrometer

Meets Permit requirements?

Measurement calculations:

Observed approx 1700 gpm on McCrometer = $295 \times 0.02 \text{ cfs} = 5.9 \text{ cfs}$

0.01 af in 119.3 sec

$(43560 \text{ ft}^2/\text{ac} \times 0.01 \text{ ac/ft}) \div 119.3 \text{ sec} = 3.65 \text{ cfs}$ ✓ capacity

$U = 255 \text{ ac} \times 3 \text{ af} = 765 \text{ af}$ ✓

$V = 3.65 \text{ cfs} \times 1.9859 \text{ af/cfs} \times 183 \text{ days} = 1325 \text{ af}$ ✓

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS-DEV	REMARKS
	300	U.S. Motors	MN 9537-276 T4164-587	Johnston	N/A	McCrometer	Good	No S/N

System Description well, pump, 10" mainline to portable mainline with laterals with sprinklers

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = 3.0 ✓

AFA/Acre

USE

Q (cfs)

V (afa)

FROM

TO

IRRIGATION ✓

3.65 ✓

765 af ✓

4/15 ✓

10/15 ✓

183 days

Total

3.65 cfs ✓

765 af ✓

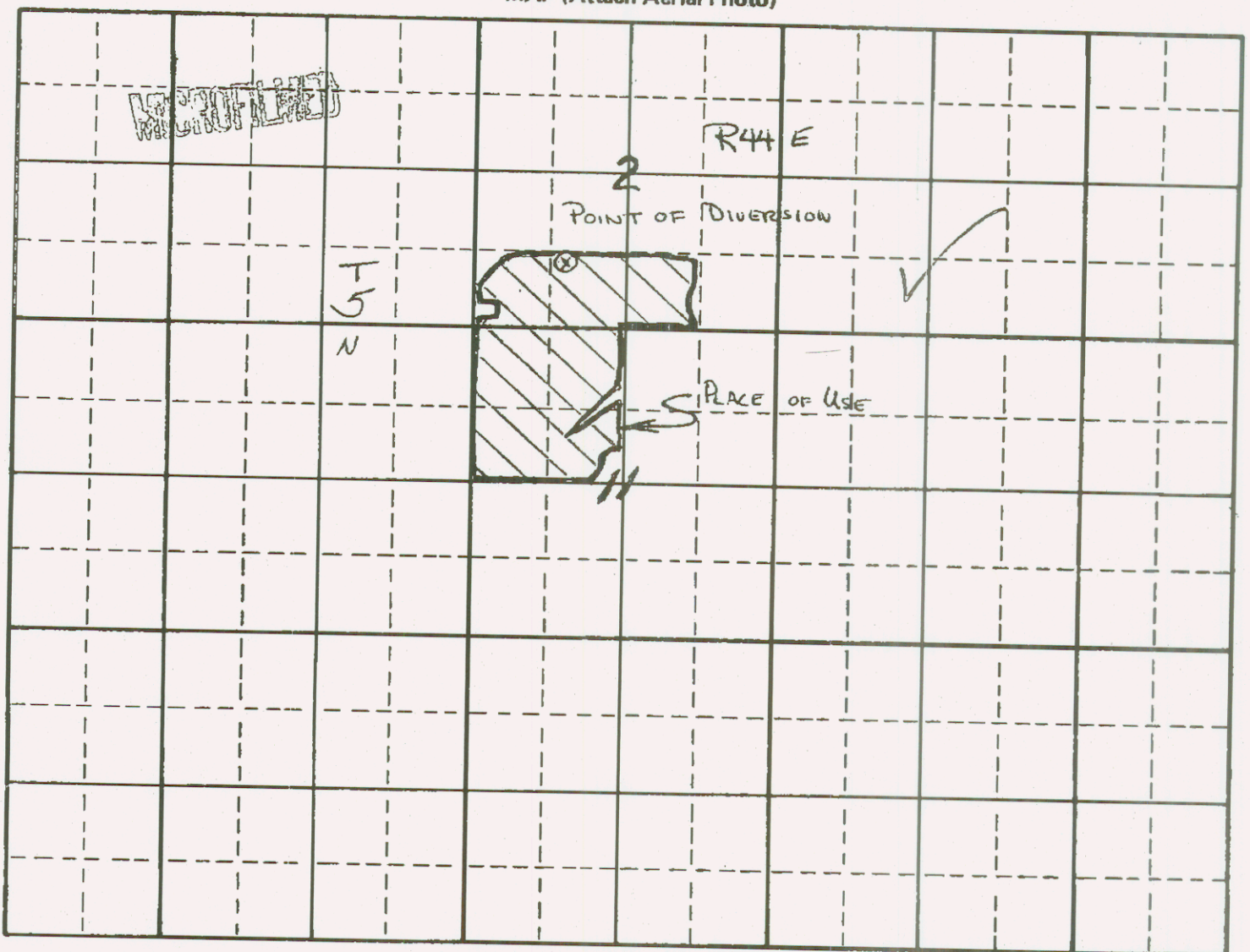
4/15

10/15

Remarks Recommend changing period of use on license to 4/15 to 10/15 ✓

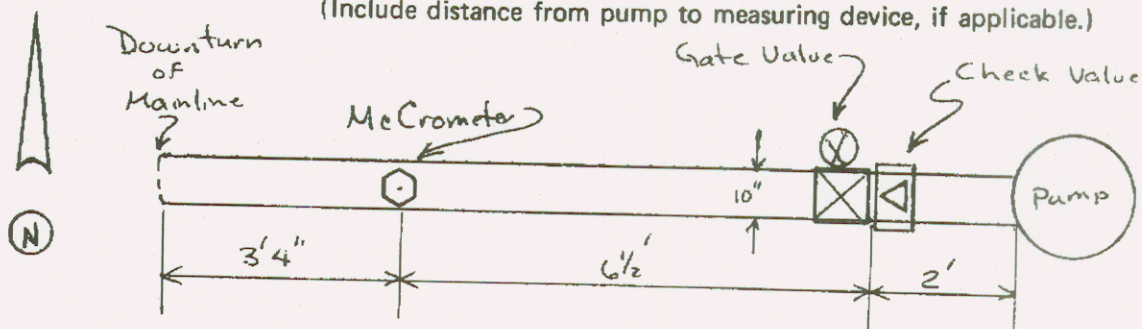
NOTE: Mr. Hatch instructed me how to find his place he said that he would take the McCrometer Reading. He also indicated on the aerial photo the place of use accept (per phone conversation w/Keith Wilson 9/14/84. kw)

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: SE 1/4 SW 1/4 Sec 2 T 5 N R 44 E

Place(s) of Use less acres

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	
5N	44E	2											33	38			36		107 ✓
		11					38	38	39	33									148 ✓

Recommended Amendments:

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

☒ None
☒ Other

Change Period of IRRIGATION

Examiner's Signature

Checked by

Approved by

Keith C. Wilson
Harold Walker

Date 5 Dec 1983

Date 12-05-1983

Date 8-3-84

255

PERMIT NO. 22-7279 James E. Hotala
(Name)

Accompanied by:
EXAMINATION: DATE: 7-22-82

Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No.
US Motors	300	MP9537-270 74164-389	Johnston	NA

Measuring Device Type: Hygromat No. 5/N

Meter # Annubar# Size #

Remarks: PD + HOK

Measurement calculations:

1700 gpm

$$C = 0.01 \text{ aFm} \quad \text{lim } 59.3 \text{ sec} = 3.65$$

SCHEMATIC DIAGRAM OF SYSTEM

Mainline Diameter _____ Length _____

Portable mainline

