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IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 86500MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) KRISTAN PEACOCK

Check whether each item below is **attached (Yes)** or **not applicable (N/A)** for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a [Part 2A](#) report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer [Part 2B](#) for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. ([Fee schedule](#) is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <https://idwr.idaho.gov/water-rights/transfers/resources/>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System ([GIS](#)) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see [fee schedule](#).
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☐ ☐ #10 Other. Please describe: Purpos of transfer is to correct POD/POU legal descriptions for right 96-9178. When Licensed the POD/POU were designated in Twp 56N, Rge 03W, Sec 18, NESW QQ respectively. Each is inconsistent with historic use.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) KRISTAN PEACOCK Phone 208-263-0395
Mailing address PO BOX 0034 LACLEDE ID 83841 Email kristan.peacock@gmail.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☒ No Representative

Name of Representative N/A Phone _____
Mailing address _____ Email _____

☐ Send all correspondence for this application to the representative and not to the applicant.

OR

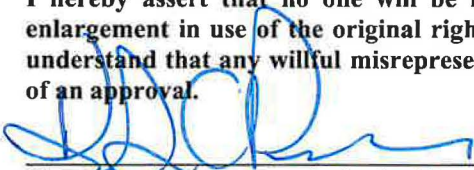
☐ Send original correspondence to the applicant and copies to the representative.

☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.


Signature of Applicant or Authorized Representative

KRISTAN PEACOCK
Print Name and Title if applicable

7/13/2022
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
- Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
If yes, ☒ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.

Purpose of transfer is to correct inconsistencies with licensed POD & POU for right 96-9178. When licensed the POD & POU were designated in Twp 56N, Rge 03W, Sec 18, NESW QQ respectively. The historic use of water occurs at my property located at Twp 56N, Rge 03W, Sec 18, NWNW1 & SWNW2 QQs.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☒ All or ☐ Part	96-9178	0.02 cfs / 3.0 af	IRRIGATION	4/1 to 10/31	Riley Creek, Pend Oreille River
☐		0.02 cfs / 0.1 af	STOCKWATER	1/1 to 12/31	Riley Creek, Pend Oreille River
☐					
☐					
☐					
☐					
☐					
☐					
☐					
☐					

Total authorized under rights 0.02 cfs and/or 3.1 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.02 cubic feet per second and/or 3.1 acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
	1		NW	NW	18	56N	03W	BONNER	RILEY CREEK	PUMP IN CREEK

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
56N	03W	18						S	S										
								GL1	GL2										
								0.5	0.5										1.0
								GL1	GL2										
Total Acres (for irrigation use)																			1.0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

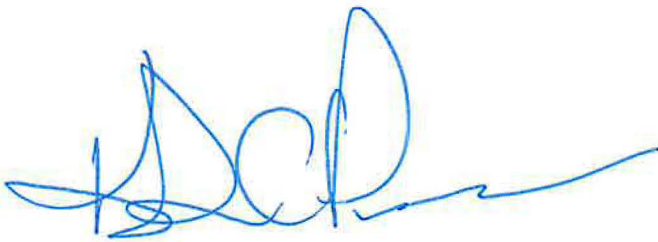
- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
Historically existing electric pump with 2 inch poly pipe routed uphill to place of use.
2 inch necks down to 1 inch for irrigation system and stockwater use.
- b. Who owns the property at the point(s) of diversion? KRISTAN PEACOCK - APPLICANT
 If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
N/A
- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A
- It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.
- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
N/A - Historical use of irrigation acreage is not changing.
- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
N/A
- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:
Yes No
☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?
If yes, describe:
N/A

Part 1 A.2. – SUPPORTING DOCUMENTS

When licensed, it appears the field examiner conducted the exam but designated the POD & POU at my parent's main residence just south of our parcel. My parent's parcel located at 1992 North Riley Creek Rd does have a diversion which has been claimed in the adjudication process, but that is not my diversion point nor historical use of water.

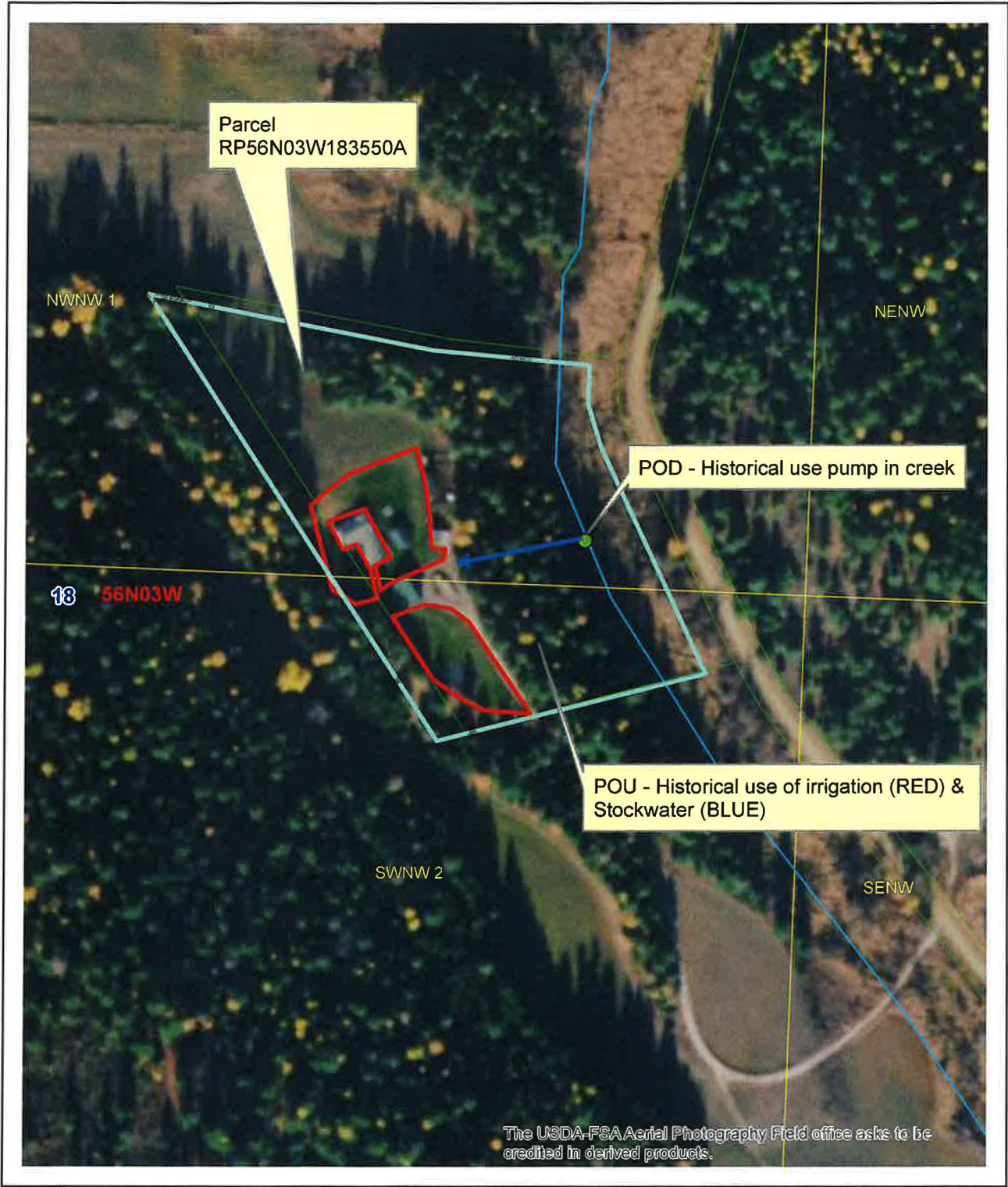
Bonner County tax parcel information is up to date and I'm the owner of parcel RP56N03W183550A. I am also the owner of water right No. 96-9178.

This transfer application is being filed to correct the inaccuracy in Point of Diversion & Place of Use for my water right.

A handwritten signature in blue ink, appearing to be 'H. Del' followed by a long horizontal flourish.

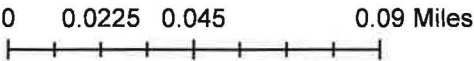
7/13/2022

Transfer Application POD & POU for Historical water use



Legend

- Township/Range
- Sections
- QQ



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/13/2022

Water Right 96-9178

Owner Type **Name and Address**
Current Owner KRISTAN PEACOCK
 PO BOX 0034
 LACLEDE, ID 83841
 (208) 263-0395

Priority Date: 4/30/2004

Basis: License

Status: Active

Source
RILEY CREEK

Tributary
PEND OREILLE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.020 CFS	3.0 AF
STOCKWATER	01/01	12/31	0.020 CFS	0.1 AF
	<u>Total Diversion</u>		0.020 CFS	3.1 AF

Source and Point(s) of Diversion:

RILEY CREEK NWNESW Sec. 18, Twp 56N, Rge 03W, BONNER County

Place Of Use:

STOCKWATER within BONNER County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
56N	03W	18									X								

IRRIGATION within BONNER County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
56N	03W	18									1.0								1.0

Right Acre Limit: 1.00
POU Total Acres: 1.0

Conditions of Approval:

1. R66 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the diversion pump for irrigation of the lands above.

Comments:

1 kfranklin 12/1/2006 POD
Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/13/2022

2 kfranklin 12/1/2006 POD
Updated PLS

3 kfranklin 12/1/2006 Field Report Narrative
A main trunk line from the pump runs up to the home area. From there, there is a 5/8 inch hose with portable sprinklers that do the irrigation. A flow measurement was done on the trunk line utilizing a 5 gallon bucket. A 60 ft to 70 ft rise in elevation was observed from the creek to the irrigated area. Irrigation and overall diversions were adjusted to reflect the actual output of the pump. Irrigation diversion changed from 0.03 cfs to 0.02 cfs and the overall diversion from 0.05 cfs to 0.02 cfs.

4 csaxton 6/7/2010 Stockwater Condition
Removed condition x02 identifying stockwater use to 10 head of range cattle.

Dates and Other Information:

Licensed Date: 6/8/2010
Water District Number: NWD
Generic Max Rate Per Acre: 0.030
Generic Max Volume Per Acre: 3.0
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Attachment to Water Right License
96-9178

This map depicts the STOCKWATER place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Point of Diversion
-  State Outline

0 0.045 0.09 0.18 Miles



State of Idaho
Department of Water Resources
Attachment to Water Right License
96-9178

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Point of Diversion
-  State Outline

0 0.045 0.09 0.18 Miles

