

RECEIVED

NOV 30 2021
Incomplete
WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

Transfer No. _____

JAN 24 2022
Complete
WATER RESOURCES
WESTERN REGION**MINIMUM 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) Chris Unruh and Catherine UnruhCheck 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: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Chris Unruh and Catherine Unruh Phone 208-863-1569
Mailing address 25289 Hipwell Lane, Grandview, ID 83624 Email unruhchris@yahoo.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 _____ 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.

Chris Unruh
Signature of Applicant or Authorized Representative

Chris Unruh
Print Name and Title if applicable

11/30/21
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

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. 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**.

3. 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**.

Propose to change the POD from Bybee Canal to the Grandview Irrig. Distr. Canal and move the POU downstream to other properties.

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	2-10201	0.83	Irrigation	3/1 to 11/15	Snake R.
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	

Total authorized under rights 0.83 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.83 cubic feet per second and/or _____ 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 #
X	10		NW	SW	34	05S	04E	Owhyee	Snake R	Grandview Canal

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	
04S	02E	27		5.4			18		20				20						41.4
04S	02E	34		5.4			16												
Total Acres (for irrigation use)																			41.4

C.V.
1/24/22

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:

Build pump and diversion works from Grandview Canal then into pressurized system.

- b. Who owns the property at the point(s) of diversion? Idaho Power

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- 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: none

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:

some is covered by other water rights other areas will be dried up

- 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:

2-2405B, 2-2176B, 2-10198, 57-11838, 57-11866

POD 2-29, 2-2034, 2-203, 2-81

- 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:

released from water bank 12/31/2018

Page 6

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

Current Water Right No.: 2-10201

Current Owner: CHRIS UNRUH
CATHERINE UNRUH
Priority Date: 7/23/1974
Origin: Water Right
Status: Water Supply Bank Active
Basis: Decreed

Source

SNAKE RIVER

Tributary

COLUMBIA RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Total Diversion

Diversion Rate

0.83 CFS

0.83 CFS

Annual Volume

189 AF

189 AF

Location of Point(s) of Diversion

SNAKE RIVER

OWYHEE County

L9(SE1/4SW1/4)

Sec. 34, Twp 05S, Rge 04E B.M.

Place of Use

IRRIGATION Within OWYHEE County

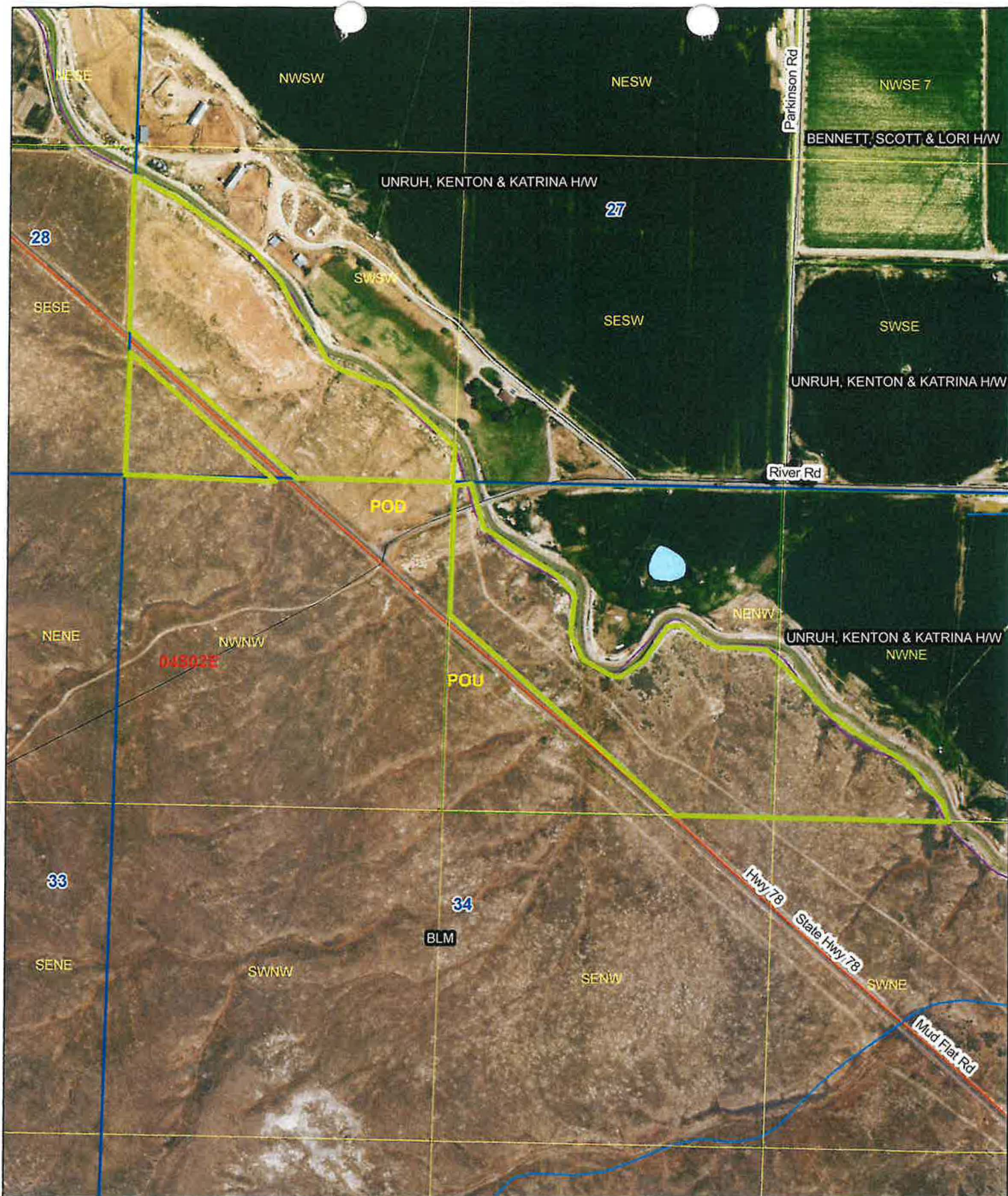
T05S R03E S36	NWSW	4.00	T05S R04E S31	NWNW	0.50
T05S R04E S31	SWNW	8.00	T05S R04E S31	SENW	3.50
T05S R04E S31	NESW	2.00	T05S R04E S31	NWSW	24.00

Total Acres: 42

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. P21 This right is a split from former right 2-10197.
3. S47 The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.
4. F06 The following rights are diverted through point of diversion described above: 2-10198, 2-10201, & 2-10202.

Decreed Date: 6/15/2009



Application for Transfer
Attachment 7B - New POU

0 0.1 0.2 Miles

Attachment # 7b New Point of Diversion



Legend



New_PO D



2-10201_PO D



New_Place_of_Use

N



0 0.05 0.1 0.2 Miles

Catherine Unruh authorizes Chris Unruh to make changes to Water Rite transfor # 82946 -82919 and all other changes concerning water rite matters .

Catherine Unruh 1-18-2019

Catherine Unruh 1-24-2022



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

April 15, 2022

CHRIS UNRUH
CATHERINE UNRUH
25289 HIPWELL LN
GRAND VIEW, ID 83624-5119

RE: Transfer No. 85747
Water Right No(s). 2-10201

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the OWYHEE AVALANCHE on 4/20/2022 and 4/27/2022. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact the Western Region office at (208) 334-2190 if you have any questions regarding the application.

Sincerely,

Jean Hersley
Technical Records Specialist



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

April 15, 2022

KENTON UNRUH
KATRINA UNRUH
21674 RIVER RD
GRAND VIEW ID 83624

THEODORE E CANTRELL
SANDRA CANTRELL
28294 RIVER RD
GRAND VIEW ID 83624

RE: Application for Transfer 85747
Water Right No. 2-10201

Dear Interested Party:

The Department of Water Resources is notifying you of an application for amendment of permit that may be of interest to you. A full description concerning property location may be found at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

Chris & Katherine Unruh filed an application to transfer a point of diversion from the Bybee Canal to the Grand View Irrigation District Canal. You are being notified of this transfer because you have a point of diversion on the Bybee Canal.

If you desire to file a formal protest against approval of the application, a written protest along with the \$25 protest fee for each application protested must be received by April 4, 2022. Notice of Protest forms are available on our website, www.idwr.idaho.gov.

Please contact the Western Region office at (208) 334-2190 if you have any questions regarding the application.

Sincerely,

Jean Hersley
Technical Records Specialist II



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

April 15, 2022

GRAND VIEW IRRIGATION DISTRICT
PO BOX 9
GRAND VIEW, ID 83624

RE: Transfer No. 85747
Water Right 2-10201

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at:
<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days of the final publication.

Please contact the Western Region office at (208) if you have any questions regarding the application.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

April 15, 2022

BYBEE LATERAL WATER USERS ASSOC
27161 DAIRY RD
GRAND VIEW ID 83264

RE: Transfer No. 85747
Water Right 2-10201

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at:
<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days of the final publication.

Please contact the Western Region office at (208) if you have any questions regarding the application.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 85747

CHRIS UNRUH and CATHERINE UNRUH, 25289 HIPWELL LN, GRAND VIEW, ID 83624-5119 has filed Application No. 85747 for changes to the following water rights within OWYHEE County(s): Right No(s). 2-10201; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change the point of diversion for water right 2-10201 which currently diverts 0.83 cfs from the Snake River for the irrigation of a 42-acre place of use. The point of diversion will be changed from the Bybee Canal to the Grandview Irrigation District Canal, approximately 0.4 miles downstream from the current point of diversion. The water will be used approximately 11.5 miles northwest of the current place of use, with the new place of use located near the intersection of State Highway 78 (Murphy Grandview Rd) and River Rd in Owyhee County.

For additional information concerning the property location, contact Western Region office at (208)334-2190. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 5/9/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 4/20/2022 and 4/27/2022

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, April 14, 2022 2:59 PM
To: office@owyhee.com
Cc: Jon Brown
Subject: Legal Notice for the Owyhee Avalanche
Attachments: Legal Notice transfer 85747.docx

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in the Owyhee Avalanche on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to the Western Region office, 2735 Airport Way, Boise, Idaho, 83705-5082 before May 9, 2022. Your cooperation is appreciated.

Sincerely

Jean Hersley
Technical Records Specialist II
IDWR State Office
322 E Front St
Boise ID 83720
208-287-4942
jean.hersley@idwr.idaho.gov

Hersley, Jean

From: Hersley, Jean
Sent: Friday, April 15, 2022 9:42 AM
To: Whitney, Rob
Subject: WM Comments Application for Transfer No. 85747
Attachments: tmpE47E.docx

Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to the Western Region office by May 9, 20202

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation by May 9, 2022, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Please contact the Western Region office at (208) if you have any questions regarding the application.

*Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942*



Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

April 12, 2022

COPY

CHRIS UNRUH
25289 HIPWELL LN
GRAND VIEW ID 83624-5119

Re: Application for transfer of water right 2-10201

Dear Mr. Unruh,

On January 24, 2022, the Idaho Dept. of Water Resources received your application for transfer to change the place of use for water right 2-10201. The Department plans to advertise your application on April 20 and April 27, 2022. However, to continue the transfer approval process it is necessary to evaluate your proposed changes to the water right in accordance with Idaho Code §42-222.

Part of the Department's evaluation is to determine if the applicant is the current owner of the water right to be changed, i.e., if the applicant has the authority to file the application. Water rights are considered appurtenant to the land on which they were historically used unless otherwise noted on a conveyance document in the sale of the land.

A portion of water right 2-10201 appears to be appurtenant to land owned by someone other than yourself, and you may not have the authority to make changes to that portion of the right. It appears that 14 acres of irrigation authorized by right 2-10201 are located across the Shoofly Canal on property owned by Theodore and Sandra Cantrell (*see attached map*).

After a review of the decree for water right 2-10201, it appears that the water right is appurtenant to the ground on which it is now authorized. This means that, absent any documentation to the contrary, based on this information the Department's conclusion is that you do not have the authority to make changes to the fourteen (14) irrigated acres in the NWNW, SWNW, SENW, and NESW of Sec 31, Township 05 South, Range 04 East.

Please let me know how you would like to proceed based on the information above. Some options may include:

1. You may provide documentation showing that you own the land in question and are therefore authorized to make changes to water rights appurtenant to that ground.
2. You may pursue the water right transfer and make the requested changes to just the 28 acres of irrigation that you own.
3. You may withdraw the application for transfer and no changes will be made to the water right.

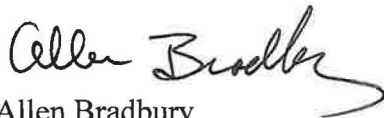
Some additional information concerning permissions and ownership are also needed.

1. Please provide written statement from the Grandview Irrigation District Canal giving permission to transfer your new point of diversion to their canal.
2. Also, the tax parcel information shows that parcels at the new place of use are owned by Kenton & Katrina Unruh, 21674 River Rd, Grand View, ID 83624. Please provide information concerning your arrangements with this property.
3. Please provide information from the Bybee Canal to help the Department evaluate the effects of transferring this water right i.e. concerns with conveyance through the canal due to decrease in water volume etc.

Please submit the requested information within the next **thirty (30) days** to continue processing your application. You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. If IDWR does not receive your written response within **thirty (30) days**, a refund will be issued for this filing.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please reply to this email or contact me at 208-334-2190 if you need more information. Thank you for your attention to these matters.

Respectfully,



Allen Bradbury
Water Resource Agent, Sr.

Enclosed: Partial Decree
 Map

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 02-10201

NAME AND ADDRESS: TRIANGLE DAIRY INC
PO BOX 7526
BOISE, ID 83707

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.83 CFS
189.00 AFY

PRIORITY DATE: 07/23/1974

POINT OF DIVERSION: T05S R04E S34 LOT 9 (SESW) Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.83 CFS 189.00 AFY

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

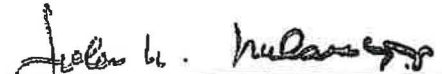
PLACE OF USE:	Irrigation	Within Owyhee County
	T05S R03E S36	
	R04E S31	
	NWSW 4.0	
	NWNW 0.5	SWNW 8.0
	SENW 3.5	NESW 2.0
	NWSW 24.0	
	42.0 Acres Total	

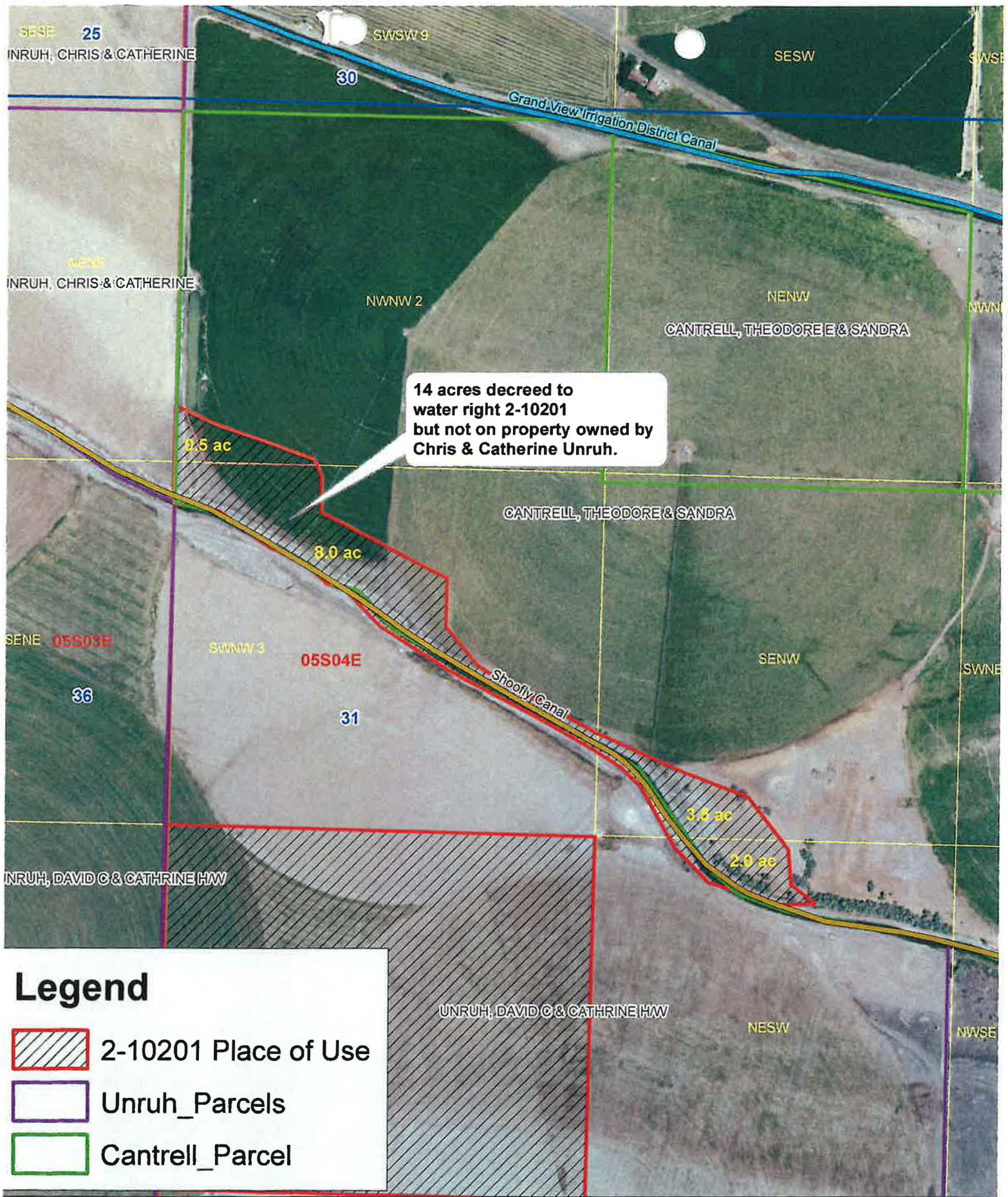
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

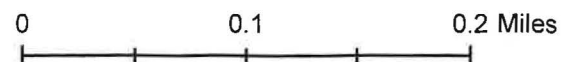
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



Unruh

Parcel Ownership and Water Rights
Before Transfer





Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

12/13/2021

CHRIS AND CATHERINE UNRUH
25289 HIPWELL LN
GRAND VIEW ID 83624

Re: Water Right Transfer Application Incomplete - Returned

Dear Applicant:

This office received your application on 11/30/2021. The application cannot be accepted into the records of the Idaho Department of Water Resources (IDWR) until the following items are complete:

- **Place of Use or acres irrigated** was not provided correctly.
 - The Description of the proposed Place of Use listed in item #4 on page 3 of the application does not match the proposed place of use labeled on the provided the map. The place of use description has 20 acres listed in SWNW Twp 04S Rge 02E Sec 27 that are not shown in the map.
- **The Map**
 - The Labeled proposed Place of Use does not match the legal description provided in item #4 on page 3 of the application. A number of acres labeled as the proposed place of use are outlined in SWSW Twp 04S Rge 02E Sec 27 but are not listed in the place of use description in item #4.

Please provide a new map or amend the description of the Place of use in item #4 so that the description of the location and what is shown on the map are matching.

- **The Signature and/or Title**
 - Please have Catherine Unruh sign and date the application on page 2. The authorization letter attached with the application predates it by several years.

-While not required for the application to be considered complete and acceptable for filing it is evident according to Owyhee County parcel data that the lands at the proposed place of use are not owned by the applicants. In this situation before a transfer may be approved the applicants **must provide** documentation that authorizes the change on behalf of the current owner of the proposed place of use.

-It has also been indicated on the application that Idaho Power is the current owner of the property at the proposed point of diversion and no description of an arrangement enabling access to the property for the diversion system was provided. Approval of this transfer does not grant any right-of-way or easement across the land of another. If no arrangement for permission to access the point of diversion has been made, please keep this in mind.



IDAHO DEPARTMENT OF
WATER RESOURCES

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The original incomplete application is enclosed. Please make the necessary amendments to the original form and re-submit within the next thirty (30) days. If IDWR does not receive your written response within thirty (30) days, a refund will be issued for this filing. IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please consult the IDWR website or contact this office at 208-334-2190 and ask for the "office day person" if you have any questions about the necessary information or fee.

Sincerely,

Western Region Water Rights Staff

Enclosure: Original Application