

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JAN 27 2022

Department of Water Resources
Region
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Richard and Jacqueline ReynoldsPhone 208-527-3203Mailing address 3253 W 2800 N, Arco, ID 83213Email reynre@hotmail.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.

Richard Reynolds
Signature of Applicant or Authorized Representative

Richard Reynolds
Print Name and Title if applicable

1-24-22
Date

Jacqueline Reynolds
Signature of Applicant or Authorized Representative

Jacqueline Reynolds
Print Name and Title if applicable

1-24-22
Date

Alisa Reynolds

Nickolas Reynolds
Alisa Reynolds

1-24-22
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 _____?
 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**.

This transfer will rearrange the places of use for rights 34-301E, 34-301F and 34-2496. Right 34-301F and permissible place of use for right 34-301E will be reduced by four acres to leave four acres of the proposed place of use (on the Nick and Alisa Reynolds property) only covered by ground water right 34-2496.

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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 ☒ ☐	34-301E	1.80 cfs	Irrigation	5/1 to 10/15	Big Lost River
☒ ☐	34-301F	0.20 cfs	Irrigation	5/1 to 10/15	Big Lost River
☒ ☐	34-2496	0.14 / 31.5	Irrigation	4/1 to 11/1	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.04 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.08 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 #

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	
Right	s 34-04N	301E 15	and 15	34-29	301F 35														100
Right	34-04N	2496 15																	104
Total Acres (for irrigation use)																			104

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**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:
Big Lost River water rights are delivered through the Eastside Canal. Ground water right is delivered through a well on the Reynolds property. Points of diversion are regulated by the watermaster for Water District 34 and are already equipped with a measuring device.

- b. Who owns the property at the point(s) of diversion? N/A
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
N/A. No change to point of diversion.

- 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:
We recently installed a center pivot. This transfer shifts the place of use to better match the acres irrigated by the pivot. In addition, four acres of ground water right 34-2496 are being moved to cover a pasture on property owned by Nick and Alisa Reynolds. This portion will likely be split off in a future ownership change.
- 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:
None. The individual acre limit for water right 34-301F will be reduced to 5 acres. The authorized diversion rate, should not be reduced. The higher rate is needed to offset conveyance losses in the Eastside Canal.

- 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:

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APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ 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. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

N/A

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid \$ 200.00 Date 1/27/22 Received by CH Receipt # E047742

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

12/10/2021

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RICHARD REYNOLDS 3253 W 2800 N ARCO, ID 83213-8754

Status: Active

Tributary SINKS

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
5/01	10/15	1.800 CFS
Total Diversion		1.800 CFS

Volume

BIG LOST RIVER

SESE

Sec. 4, Twp 05N, Rge 26E, BUTTE County

IRRIGATION within BUTTE 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
04N	26E	15	20.0	27.0	33.0	24.0													104.0

POU Total Acres: 104.0

<u>Conditions of Approval:</u>		
1.	X27	This right is limited to the irrigation of 95 acres within the authorized place of use in a single irrigation season.
2.	X35	Rights 34-301E, 34-301F and 34-2496 when combined shall not exceed a total diversion rate of 2.04 cfs and the irrigation of 104 acres.
3.	R05	Use of water under this right will be regulated by a watermaster of State Water District No.34.
4.	R43	The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5.	R63	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 place of use.
6.	S34	The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
7.		Water is delivered through the Eastside Canal.
8.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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Proof Report

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9. 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.
10. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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Water Right 34-301F

Owner Type **Name and Address**
Current Owner RICHARD REYNOLDS
3253 W 2800 N
ARCO, ID 83213-8754

Current Owner JACQUELINE REYNOLDS
3253 W 2800 N
ARCO, ID 83213-8754

Priority Date: 5/1/1885

Basis: Decreed

Status: Active

Source
BIG LOST RIVER

Tributary
SINKS

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	5/01	10/15	0.200 CFS	
	Total Diversion		0.200 CFS	

Source and Point(s) of Diversion

BIG LOST RIVER NWSESE Sec. 4, Twp 05N, Rge 26E, BUTTE County

Place of Use

IRRIGATION within BUTTE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	26E	15	20.0	27.0	33.0	24.0													104.0

Right Acre Limit: 9.0

POU Total Acres: 104.0

Conditions of Approval:

1. X27 This right is limited to the irrigation of 9 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 34-301F and 34-2496 when combined shall not exceed a total diversion rate of 0.24 cfs and the irrigation of 9 acres.
3. X35 Rights 34-301E, 34-301F and 34-2496 when combined shall not exceed a total diversion rate of 2.04 cfs and the irrigation of 104 acres.
4. S34 The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
5. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
6. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

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7. R63 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 place of use.
8. Water is delivered through the Eastside Canal.
9. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. 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.
11. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

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Water Right 34-2496

Owner Type **Name and Address**
Current Owner RICHARD REYNOLDS
 3253 W 2800 N
 ARCO, ID 83213-8754

Current Owner JACQUELINE REYNOLDS
 3253 W 2800 N
 ARCO, ID 83213-8754

Priority Date: 9/30/1966

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	0.140 CFS	31.5 AF
	<u>Total Diversion</u>		0.140 CFS	31.5 AF

Source and Point(s) of Diversion

GROUND WATER NWNENE Sec. 15, Twp 04N, Rge 26E, BUTTE County

Place of Use

IRRIGATION within BUTTE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	26E	15	20.0	27.0	33.0	24.0													104.0

Right Acre Limit: 9.0

POU Total Acres: 104.0

Conditions of Approval:

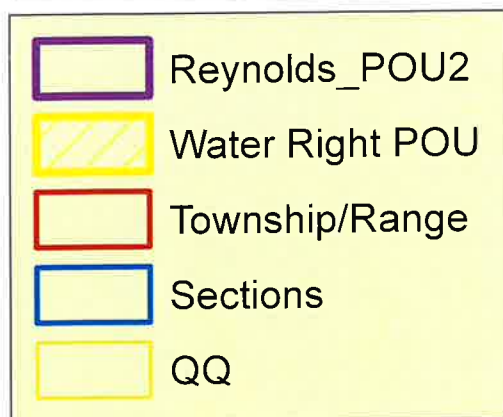
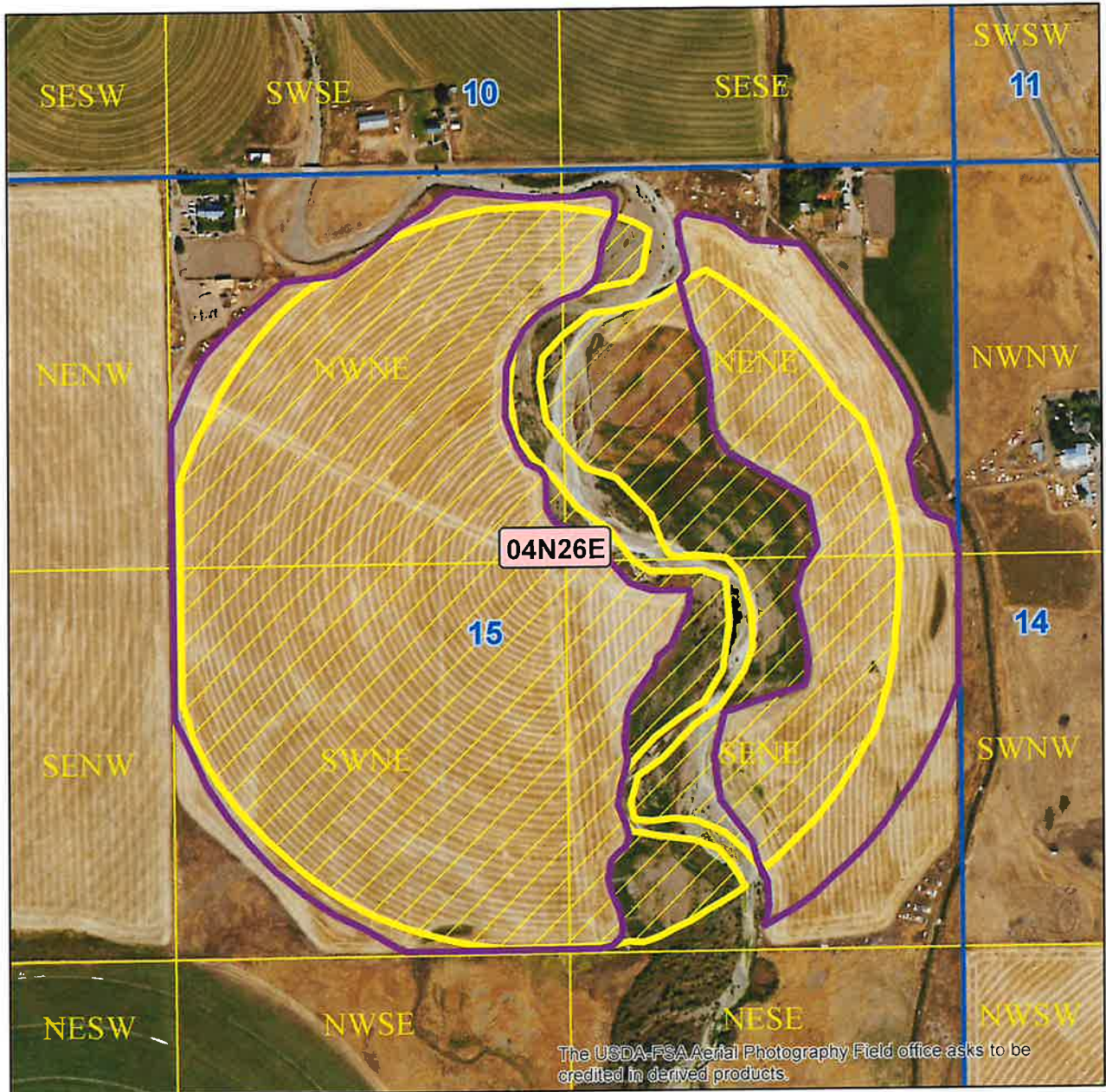
1. X27 This right is limited to the irrigation of 9 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 34-301F and 34-2496 when combined shall not exceed a total diversion rate of 0.24 cfs and the irrigation of 9 acres.
3. X35 Rights 34-301E, 34-301F and 34-2496 when combined shall not exceed a total diversion rate of 2.04 cfs and the irrigation of 104 acres.
4. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
5. 214 Prior to the diversion and use of water under Transfer approval 80006, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

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6. 206 This right is limited to the irrigation of a specific 9.0 acres within the 104 acre place of use authorized by this right in a single irrigation season. The specific 9.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 9.0 acres to be irrigated within the 104 acre place of use, the right holder shall submit a new map to the Department prior to the irrigation season in which the change will occur.
7. R63 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 place of use.
8. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. 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.
10. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

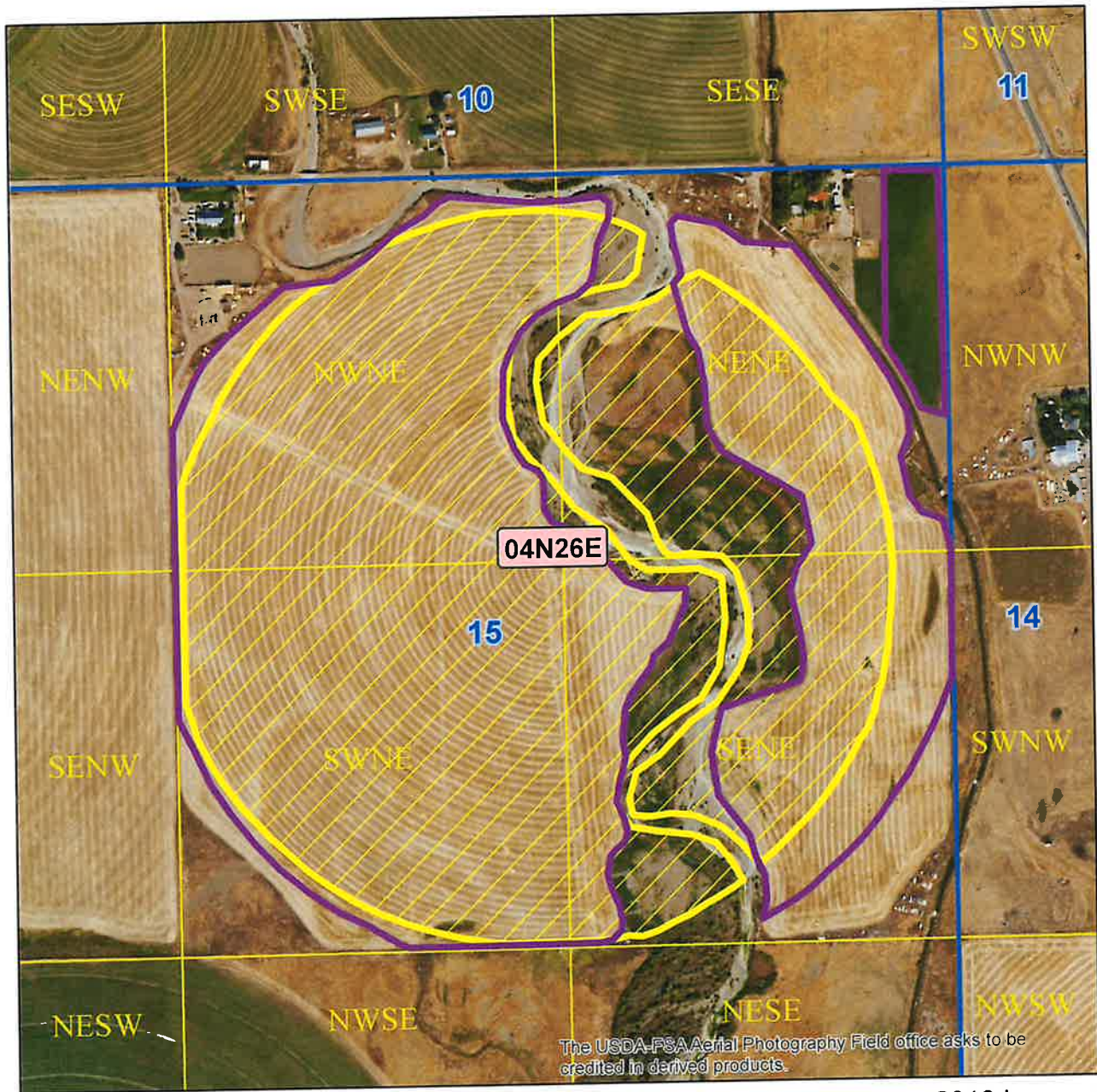
Proposed Place of Use - WRs 34-301E and 34-301F



0 400 800 1,600 Feet



Proposed Place of Use - Water Right 34-2496



2019 Imagery

