

RECEIVED

MAY 03 2021

IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 84934MINIMUM 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) ANDREW J RENSHAW and MARIKA L RENSHAWCheck 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 idwr.idaho.gov/water-rights/transfers/resources.html.
- ☐ ☒ #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: application to change only the legal description for the place of use (POU). There will be no physical change to the historical use location of the POU, rather the POU is inconsistent with the decree.

RECEIVED**MAY 03 2021**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1****IDWR / NORTH**Name of Applicant(s) ANDREW J RENSHAW and MARIKA L RENSHAWPhone 208-553-5472Mailing address 24060 Gifford Renshaw Rd Coldspring, ID 83524Email renshaw.marika1@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 _____ 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.

Andrew Renshaw
Signature of Applicant or Authorized Representative

Andrew Renshaw
Print Name and Title if applicable

4-21-21
Date

Marika Renshaw
Signature of Applicant or Authorized Representative

Marika Renshaw
Print Name and Title if applicable

4/21/21
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**.

Purpose of transfer is to correct the legal description for right 85-4382. When claimed by prior property owner and subsequent adjudication process, the Place of Use was described as Twp 36N, Rng 02W, Sec 12, NENE & NWNE.

The historic use of water is on our property, located at Twp 36N, Rng 03W, Sec 12, NENE & NWNE.

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 ☒ ☐	85-4382	0.02 CFS	STOCKWATER	1/1 to 12/31	Source: Magpie Creek
☐ ☐				to	Tributar: Cottonwood Creek
☐ ☐				to	&
☐ ☐				to	Source: Spring
☐ ☐				to	Tributar: Cottonwood Creek
☒ ☐	85-4382	0.08 CFS	DOMESTIC	1/1 to 12/31	Source: Magpie Creek
☐ ☐				to	Tributar: Cottonwood Creek
☐ ☐				to	Source: Spring
☐ ☐				to	Tributar: Cottonwood Creek

Total authorized under rights 0.10 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed N/A cubic feet per second and/or N/A 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	
36N	03W	12	D/S	D/S															
Total Acres (for irrigation use)																			

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:

- b. Who owns the property at the point(s) of diversion? Wayne Cecil Martin
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

Verbal agreement

- ☒ 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: _____

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

- 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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 right(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 NS Date _____ Preliminary check by _____ Date _____

Fee paid 5/23/2019 50.00 Date 5/23/2019 Received by NS Receipt # NØ31641

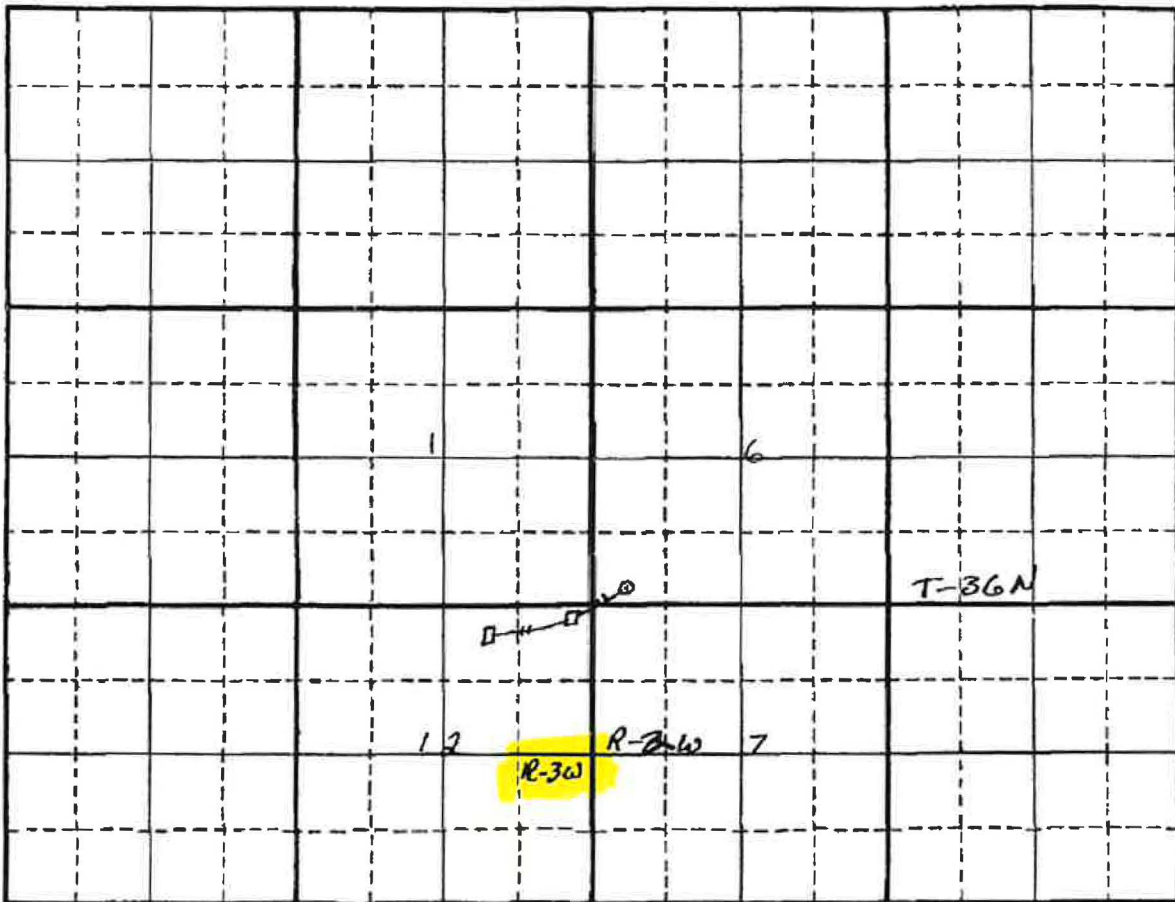
Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

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

Step (6) further supports the Rge 3W as highlighted above.

Part 1 A.2. – SUPPORTING DOCUMENTS

Original Claim filed on 24 March 1983 includes a grid map that identifies the Range as 03W for Place of Use, with small circle identifying the Point of Diversion in the SWSW, Twp 36N, Rge 02W, Sec 6 as seen below:



Scale: 2 Inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Lootenau) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 24 day of March

Les [Signature]
(Claimant)

Robert D. Haynes
Notary Public
Residing at CSA

My commission expires Lifetime

Part 1 A.2. – SUPPORTING DOCUMENTS

Claim was processed and issued for advertising period on 4/7/1983 with the incorrect point of diversion Range description of 03W, but was advertised for the correct place of use (domestic and Stockwater uses) with Range description = 03W shown below:

Priority Date: 06/01/1953
 Diversion Pt: SWSE Sec 01 T 35N R 06W
 Use: IRRIGATION (0.06 CFS)
 In: SWSE Sec 01 T 35N R 06W FOR 3 ACRES
 85-4328
 VAN HOUTEN, HERMAN JOHAN
 Rt. 1 BOX 133, LAPWAI, ID 83540
 Source: GROUNDWATER
 Priority Date: 08/29/1962
 Diversion Pt: SWNW Sec 13 T 35N R 04W
 Use: DOMESTIC (0.40 CFS)
 In: SWNW Sec 13 T 35N R 04W
 85-4329
 SCHAUB, STEPHEN A.
 3745 LAPWAI RD., LEWISTON, ID 83501
 Source: SPRING trib. to SMALLS CANYON
 Priority Date: 01/01/1940
 Diversion Pt: SWSE Sec 36 T 36N R 05W
 Use: IRRIGATION (0.02 CFS)
 STOCKWATER (0.02 CFS)
 DOMESTIC (0.12 CFS)
 In: LOT 03 Sec 01 T 35N R 05W FOR 1 ACRES
 85-4330
 SPRINGSTON, HAROLD
 RT. 1 BOX 42, PECK, ID 83545
 Source: SPRING trib. to JACK CREEK
 Priority Date: 01/01/1935
 Diversion Pt: NWSW Sec 17 T 36N R 01W
 Use: STOCKWATER (0.02 CFS)
 DOMESTIC (0.05 CFS)
 In: NWSW Sec 17 T 36N R 01W
 85-4333
 OSBORN, M.L. & or CONSTANCE
 1030 PROSPECT ST., LEWISTON, ID 83501
 Source: SPRINGS trib. to SINKS
 Priority Date: 01/01/1900
 Diversion Pt: SENW NESW Sec 02 T 36N R 02W
 Use: STOCKWATER (0.02 CFS)
 STOCKWATER STORAGE (3.0 AF)
 STOCKWATER FROM STORAGE (3.0 AF)
 DIVERSION TO STORAGE (0.10 CFS)
 In: SENW NESW Sec 02 T 36N R 02W
 86-4172
 GROSECLOSE, VIRGIL A.
 9949 N & S HWY., LEWISTON, ID 83501
 Source: UNNAMED STREAM trib. to CLEARWATER RIVER
 Priority Date: 01/01/1939
 Diversion Pt: SWSW Sec 16 T 36N R 04W
 Use: IRRIGATION (0.02 CFS)
 DOMESTIC (0.04 CFS)
 In: SWSW Sec 16 T 36N R 04W FOR 3 ACRES
 86-4174
 NELSON, RUDOLPH
 RT. 1 BOX 70, TROY, ID 83871
 Source: UNNAMED STREAM trib. to BIG BEAR CREEK
 Priority Date: 06/01/1931
 Diversion Pt: NESE Sec 22 T 39N R 03W
 Use: IRRIGATION (0.20 CFS)
 IRRIGATION STORAGE (65.0 AF)
 STOCKWATER STORAGE (1.0 AF)
 In: NESE Sec 22 T 39N R 03W FOR 10 ACRES
 86-4176
 MESSINGER, JR., LEO
 Rt. 1 BOX 100, CULDESAC, ID 83526
 Source: SPRING trib. to MAGPIE CREEK
 Priority Date: 01/01/1932
 Diversion Pt: SWSW Sec 06 T 36N R 03W
 Use: STOCKWATER (0.02 CFS)
 DOMESTIC (0.08 CFS)
 In: NENE NWNE Sec 12 T 36N R 03W
 Exceptions to a claim may be filed with the Director, Dept. of Water Resources: 4055 Gov't. Way, Coeur d'Alene, Id. 83814.
 KEN DUNN, Dir.
 NOTICE OF APPLICATION FOR WATER RIGHT
 The following application(s) have been

of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established paper and has been published regularly and issued regularly at least once a day for more than 20 consecutive years immediately preceding the first publication of this notice, and has been so published uninterruptedly for said period; that the NOTICE OF CLAIMS TO WATER RIGHTS attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, once a week for 2 consecutive weeks, the first publication thereof being on the 7th day of April, A. D. 1983, and the last publication thereof being on the 14th day of April, A. D. 1983, and said NOTICE OF CLAIMS TO WATER RIGHTS was so published in the regular and entire issue of the said newspaper and not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE
 14th day of April, 1983.

RECEIVED

APR 21 1983

Department of Water Resources
 Northern District Office

OK
 [Signature]

Part 1 A.2. - SUPPORTING DOCUMENTS

A Notice of Correction was advertised changing the point of diversion Range description from 03W to 02W initiating on 5/5/1983. The claim place of use designation of Range = 03W was not affected by the POD correction as shown below:

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Nez Perce } ss.
Gayle Schumacher

being duly sworn
deposes and says, I am the Classified Bookkeeper
of the Tribune Publishing Company, a corporation organized
and existing under and by virtue of the laws of the State of
Idaho, publishers of the LEWISTON MORNING TRIBUNE, a
newspaper of general circulation published at Lewiston, Nez
Perce County, Idaho; That the said Lewiston Morning Tribune
is an established paper and has been published regularly and
issued regularly at least once a day for more than 20 consecu-
tive years immediately preceding the first publication of this
notice, and has been so published uninterruptedly for said
period; that the NOTICE OF CORRECTION

attached hereto and which is made a part of this affidavit was
published in the said Lewiston Morning Tribune, once a
week 2 consecutive weeks, the

first publication thereof being on the 5th day of
May, A. D. 1983, and the last publica-
tion thereof being on the 12th day of May,

A. D. 1983, and said NOTICE OF CORRECTION
was so published in the regular and entire issue of the said
newspaper and not in a supplement thereof and was so pub-
lished in every issue and number of the said paper, during the
period and times of publication as set forth above.

Gayle Schumacher

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE
12th day of May, 1983

Sheryl M. Lent
Notary Public in and for the State of Idaho.

OK
NOTICE OF CORRECTION
Notice is hereby given that Claim to a
Water Right No. 84-4176 in the name of
Leo Messinger, Jr. was advertised in-
correctly on 4/7 and 4/14, 1983.
The Diversion Point was incorrectly
described as the SWSW Sec 06 T36N
R03W; whereas, correctly it should be
the SWSW Sec 06 T36N R02W.
Any exception to the above referenced
correction must be filed with the State
of Idaho Department of Water Re-
sources, 4055 Government Way, Coeur
d'Alene, Idaho 83814.
A. KENNETH DUNN
Director

RECEIVED
MAY 16 1983

Part 1 A.2. – SUPPORTING DOCUMENTS

A Notice of Claim to Water Right was drafted by the Department following the advertising period, in which the POD was corrected, but the original POU should have remained the same (Rge = 03W). It appears the Department erred in data entry, and changed both the POD and POU legal description for Range to reflect 02W, which was not caught by the applicant nor staff throughout the remainder of the adjudication process.

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A85-04382
Date Received: 8/24/1988
Receipt No: 10-1050
Received By: AB

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: LEO MESSINGER, JR. 208-836-5543
Address: RT. 1 BOX 100
CULDESAC, ID 83526
OR
Name: JEAN A. MESSINGER, JR. 208-836-5543
Address: RT. 1 BOX 100
CULDESAC, ID 83526
2. Date of Priority: JAN 01, 1952
3. Source: SPRING & MAGPIE CREEK Trib. to: COTTONWOOD CREEK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|-----------|
| 36N | 02W | 6 | SW | SW | SW | | NEZ PERCE |
5. Description of diverting works:
COLLECTION BOX & PIPE.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| STOCKWATER | 01/01 | 12/31 | 0.020 | | |
| DOMESTIC | 01/01 | 12/31 | 0.080 | | |
7. Total Quantity Appropriated is:
0.100 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
D/2 HOMES, S/50 RANGE.

A85-04382

Page 1

Date: 08/24/88

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
36N	02W	12	NE	NE		STOCK	
			NW	NE		STOCK	

11. Place of use in counties: NEZ PERCE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Leo Messinger Jr. Date: Aug 24 1988

Date: _____

State of Idaho

County of Council Bluffs } SS.

Subscribed and sworn (or affirmed) before me this 24th day

of August 19 88

Allen Branch
Notary Public

Seal

Residing at Council Bluffs

My Commission Expires 7/20/94

A85-04382

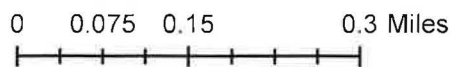
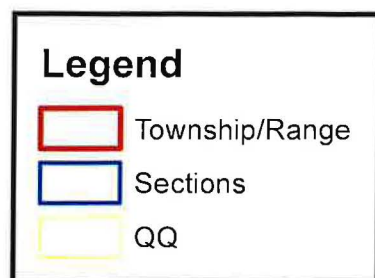
Page 2

Date: 08/24/88

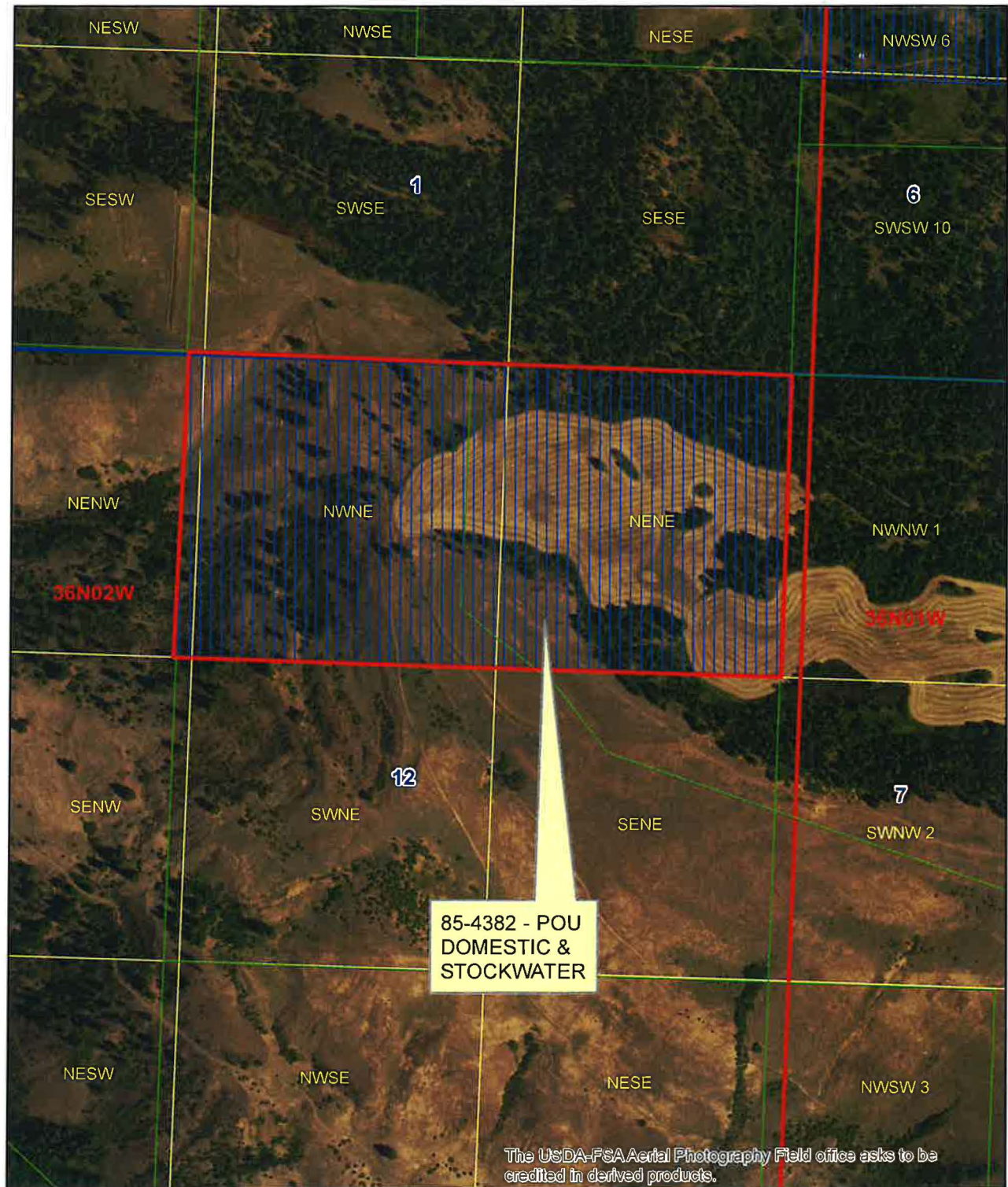
Part 1 A.2. – SUPPORTING DOCUMENTS

As a result of the error in data entry, claim 85-4382 was decreed with the incorrect Place of Use legal description, based on actual geographic location of the historical application of beneficial use. This transfer application seeks to correct the inaccuracy in Place of Use, based on the information provided above.

RENSH. .V TRANSFER - HISTORIC USE .POU

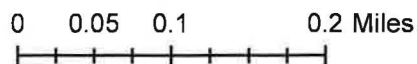


RENSHAW TRANSFER - INACCURATE POU LEGAL DESCRIPTION



Legend

- Township/Range
- Sections
- QQ



MEMORANDUM

Date: May 7, 2021
To: Transfer 84934
From: Luke Bates 
Re: Legal Notice Not Required

Legal Notice Not Required
5/7/2021

Transfer of Place of Use from Range 02 West to Range 03 West, of Township 36N, Section 12, NENE & NWNE does not harm or injure other existing water rights.

Cornelia S Faur, property owner for Place of Use associated with Twp 36N, Rng 02W, Sec 12, NENE & NWNE, was contacted via mail correspondence by the Department in order to discuss the discrepancy with the Place of Use associated with water right 85-4382. Cornelia S Faur replied by mail correspondence that she does not own or use water associated with right 85-4382, and the Place of Use for right 85-4382 is not on her property and was incorrectly filed.

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.

MEMORANDUM

Date: May 7, 2021
To: Transfer 84934
From: Luke Bates 
Re: Comment/Analysis

Comment/Analysis
5/7/2021

Current property owners associated with right 85-4382 submitted Change of Ownership forms with the Department. During initial review for change of ownership processing, it was identified the Place of Use (POU) had a discrepancy in the legal description with regard to Range (Rng).

Following the SRBA process, right 85-4382 was decreed with a legal description for the POU =
Township 56 North, Range 02 West, Section 12, NENE & NWNE.

The applicant's stated the historic use of water associated with right 85-4382 occurs at their property located within

Township 56 North, Range 03 West, Section 12, NENE & NWNE.

Proposed transfer includes a change of Place of Use, to correct the legal description for right 85-4382 to reflect

Township 56 North, Range 03 West, Section 12, NENE & NWNE.

MEMORANDUM

Date: May 7, 2021
To: Transfer 84934
From: Luke Bates *ysb*
Re: Review & Evaluation of Sufficiency of Information

Purpose of transfer is to correct the legal description for right 85-4382. When claimed by prior property owner and subsequent adjudication process, the Place of Use (POU) was described as Twp 36N, Rng 02W, Sec 12, NENE & NWNE. The historic use of water is on our property, located at Twp 36N, Rng 03W, Sec 12, NENE & NWNE. This transfer changes only the Range (Rng) of the legal description.

Authority to File:

The applicant is listed as the current owner of the property, and is congruently filing Change in Ownership forms with the department.

Water Right Validity:

The water right is valid and has been decreed in the SRBA.

Injury to Other Water Rights:

Injury is not anticipated by the correction of POU description. The property owner associated with the erroneously decreed POU has provided written correspondence that there is no concern to removing the POU from property within Twp 56N, Rng 02W, Sec 12, NENE & NWNE.

Enlargement of Use:

None

Local Public interest:

No negative issues anticipated.

Beneficial Use/Conservation of Water Resources:

Right 85-4382 shall continue to be used as historically licensed; only POU is being changed as a result of this transfer process.

Effect on Economy the Local Area:

None anticipated.

Effect on Agricultural Base of the Local Area:

None anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.



Cornelia S Faur SPK
713 Cottonwood Butte Rd
Cottonwood ID 83522-5169
30 DEC 1

PM 3 L



Duke Bates
Water Resource Agent
Id. Dept. of Water Resources
7600 N. Mineral Dr.
Suite 100
Coeur d'Alene, Id
83815-7763



RECEIVED

JAN 04 2021

Dec. 28, 2020

To: IDWR / NORTH

Dept. Water Resources

I do not own or
use water associated
with right 85-4382.

The water right should
go to the rightful owner
rights 85-4382 is not on my
property as incorrectly filed.
Hope this helps - Call if
there is still a problem -

Cornelia S. Faur
713 Cotti Butte Rd,
Cottonwood, ID 83522



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene ID 83815-7763

Phone: (208) 762-2800 • Fax: (208) 762-2819

Website: idwr.idaho.gov • Email: northerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

December 23, 2020

CORNELIA SEUBERT FAUR
713 COTTONWOOD BUTTE RD
COTTONWOOD ID 83522

RE: Water Right 85-4382

To Whom It May Concern,

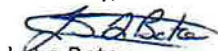
The Idaho Department of Water Resources has identified a discrepancy regarding a water right that has incorrectly identified your property as the place of use for domestic and stockwater uses. The intent of this correspondence is to create a dialogue between you and the department as we work to correct the error.

Currently mapping software identifies FAUR CORELIA SEUBERT as the current owner of two parcels of land located in Township 36 North, Range 02 West, Section 12, NWNE and NENE, designated as parcel No.(s) RP36N02W120600 & RP36N02W120002.

When water right 85-4382 was decreed, the legal description for the place of use associated with the right was erroneously data entered. The result is that right 85-4382 identifies your property instead of the applicant's actual property (6 miles East). IDWR is working to correct this error, and I am reaching out to you to validate you are not using water for stockwater use or domestic purposes associated with right 85-4382. Please contact me **within 14 days** of receipt of this letter to discuss this letter, **or no later than 15 January 2021**. If you do not reply, IDWR will presume you do not have any concerns regarding IDWR correcting and removing the place of use designation covered under right 85-4382 and associated with your two parcels.

If you have any questions, please contact me at 208-762-2800 or luke.bates@idwr.idaho.gov

Sincerely,


Luke Bates

Water Resource Agent
Idaho Dept. of Water Resources
P: (208) 762-2800
luke.bates@idwr.idaho.gov

Attachments: 85-4382 Proof Report
Water Right Map

*Cornelia Faur contacted Department on
28 December 2020. She stated she did
not have issue with correcting the POU.
Stated she would write a letter.
208- 790 - 8723*