

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 84150

This is to certify that: **JAMES MC DONALD AND**
LISA MC DONALD
2004 GRANGER RD
INDIAN VALLEY, ID 83632

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
67-15123	WR/DECREED	10/1/1972	0.630 cfs	269.9 af	N/A	124.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
67-15123	NO	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
67-15123	67-15123	0.630 cfs	269.9 af	N/A	115.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.630 cfs	269.9 af	N/A	115.0		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 22 day of October, 2020.

for, Paula Wiley
Chief, Water Allocation Bureau

WATER RIGHT NO. 67-15123 **As Modified by Transfer No. 84150**

In accordance with the approval of Transfer No. 84150, Water Right No. 67-15123 is now described as follows:

Right Holder: JAMES MC DONALD AND
LISA MC DONALD
2004 GRANGER RD
INDIAN VALLEY, ID 83632

Priority Date: 10/1/1972

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.630 cfs	269.9 af
			0.630 cfs	269.9 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNW Sec 28 Twp 13N Rge 01W WASHINGTON County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	01W	21												24.0			9.0		33.0
13N	01W	28		1.0			15.0	32.0	1.0										49.0
13N	01W	29	32.0			1.0													33.0

POU Total Acres: 115.0

CONDITIONS OF APPROVAL

1. The right holder shall cease irrigation of 9 acres previously authorized under this right, and consolidate use of water on the remaining 115 acres.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than 3/23/2009.

Transfer No. 84150

WATER RIGHT NO. 67-15123
As Modified by Transfer No. 84150

CONDITIONS OF APPROVAL

5. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
6. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

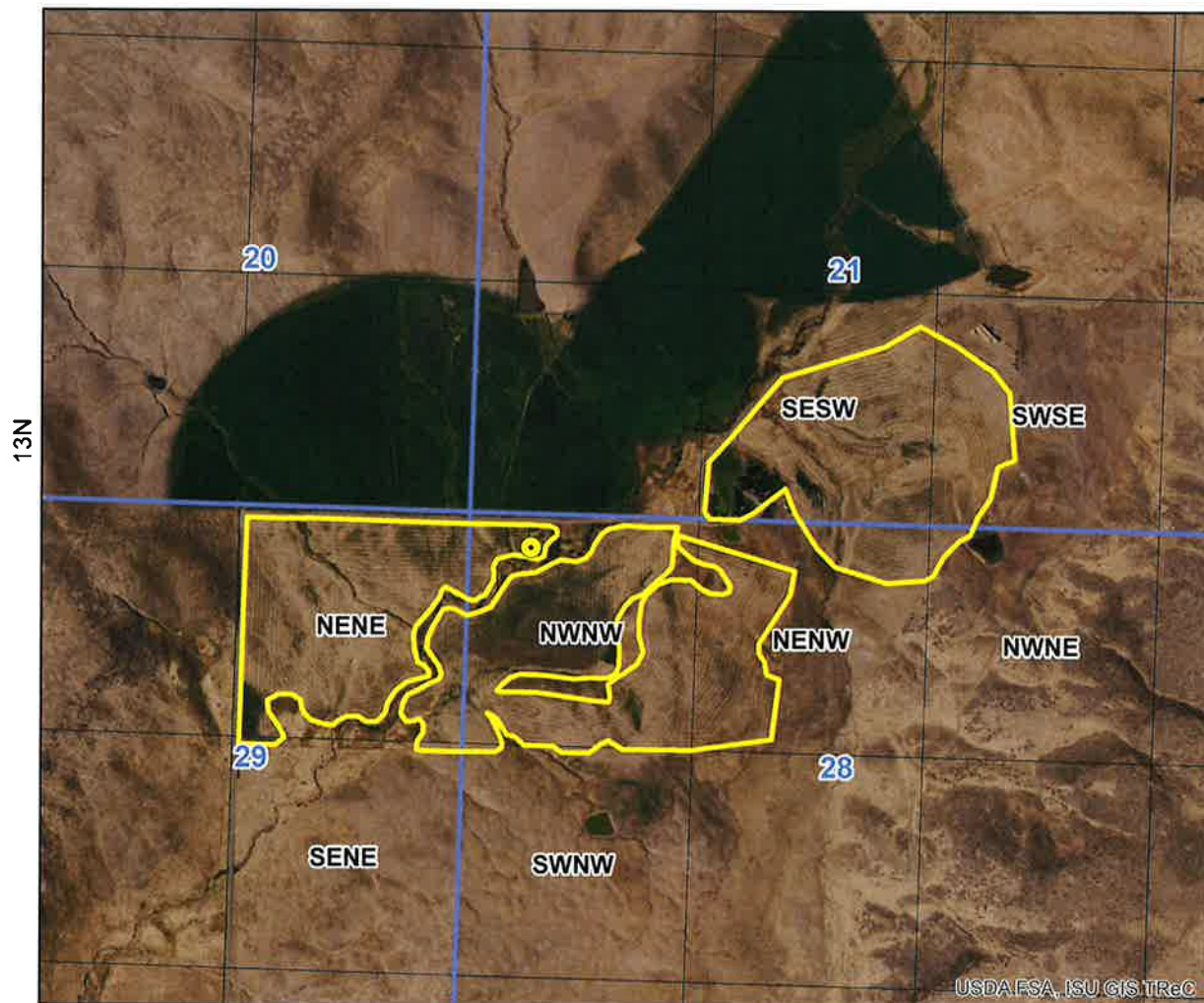
State of Idaho
Department of Water Resources






Attachment to Water Right Transfer 84150

67-15123

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.

01W



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

0 0.125 0.25 0.5 Miles



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SEP 04 2020

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 84150MINIMUM 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 www.idwr.idaho.gov.

Name of Applicant(s) JAMES AND LISA MCDONALDCheck 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 www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☐ #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 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) James and Lisa McDonaldPhone 208-355-3329Mailing address 2004 Granger Rd., Indian Valley, ID 83632Email jandlivestockllc@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.

James R. McDonald
Signature of Applicant or Authorized Representative

James R. McDonald
Print Name and Title if applicable

9-4-2020
Date

Lisa B. McDonald
Signature of Applicant or Authorized Representative

Lisa B. McDonald
Print Name and Title if applicable

9-4-2020
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. 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.2**.

We intend to drill a new well and want to update our place of use.

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 <input checked="" type="checkbox"/> <input type="checkbox"/>	67-15123	0.63/269.9	Irrigation	4/1 to 10/31	Groundwater
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	

Total authorized under rights 0.63 cfs and/or 269.9 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.63 cubic feet per second and/or 269.9 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 #
Y			NW	NW	28	13N	01W	Washington	Groundwater	

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				Acres Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	01W	21												24			9		33
		28		1			15	32	1										49
		29	32			1													33
Total Acres (for irrigation use)																			115

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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OCT 09 2020
WATER RESOURCES
WESTERN REGION

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:

We are in the preliminary stages of drilling the well & are in the process of researching advice as to what we need for the measuring device & lockable works.

- b. Who owns the property at the point(s) of diversion? James & Lisa McDonald
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: 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:

There should be no changes and the new POW reflects the actual irrigated acres

- 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

- 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:

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? _____
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: _____

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:

- 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:

- 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:

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:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by LE Date 5-18-2020 Preliminary check by _____ Date _____

Fee paid 50.00 Date 5-18-2020 Received by LE Receipt # W040205

Add'l fee paid 450.00 Date 6-17-2020 Received by LE Receipt # W048395

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

ATTACHMENT 2A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/2/2020

Water Right 67-15123

Owner Type **Name and Address**
 Current Owner JAMES MC DONALD
 2004 GRANGER RD
 INDIAN VALLEY, ID 83632
 (208) 355-3329

Current Owner LISA MC DONALD
 2004 GRANGER RD
 INDIAN VALLEY, ID 83632
 (208) 355-3329

Priority Date: 10/1/1972**Basis:** Decreed**Status:** Active

Source
 GROUND WATER

Tributary

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.630 CFS	269.9 AF
	Total Diversion		0.630 CFS	269.9 AF

Source and Point(s) of Diversion

GROUND WATER

NWSW

Sec. 21, Twp 13N, Rge 01W, WASHINGTON County

Place Of Use

IRRIGATION within WASHINGTON County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	01W	21												28.0			13.0		39.0
13N	01W	28		1.0			28.0	28.0											57.0
13N	01W	29	28.0																28.0

POU Total Acres: 124.0

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. S39 The use of water for irrigation under this right may begin as early as March 15 provided other elements of the right are not exceeded. The use of water before April 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Comments:

ATTACHMENT 2A

**IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report**

9/2/2020

1. agrimm 9/18/2014 Split Right
Water Right No. 67-7108 has been split creation new Water Right No. 67-15123 for the new owner.
2. agrimm 9/18/2014 POD
Updated Shape
3. agrimm 9/18/2014 POU
Updated Shape

Dates and Other Information

Decreed Date: 3/23/2009
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: And
Water District Number: 67
Mitigation Plan: False

Combined Use Limits

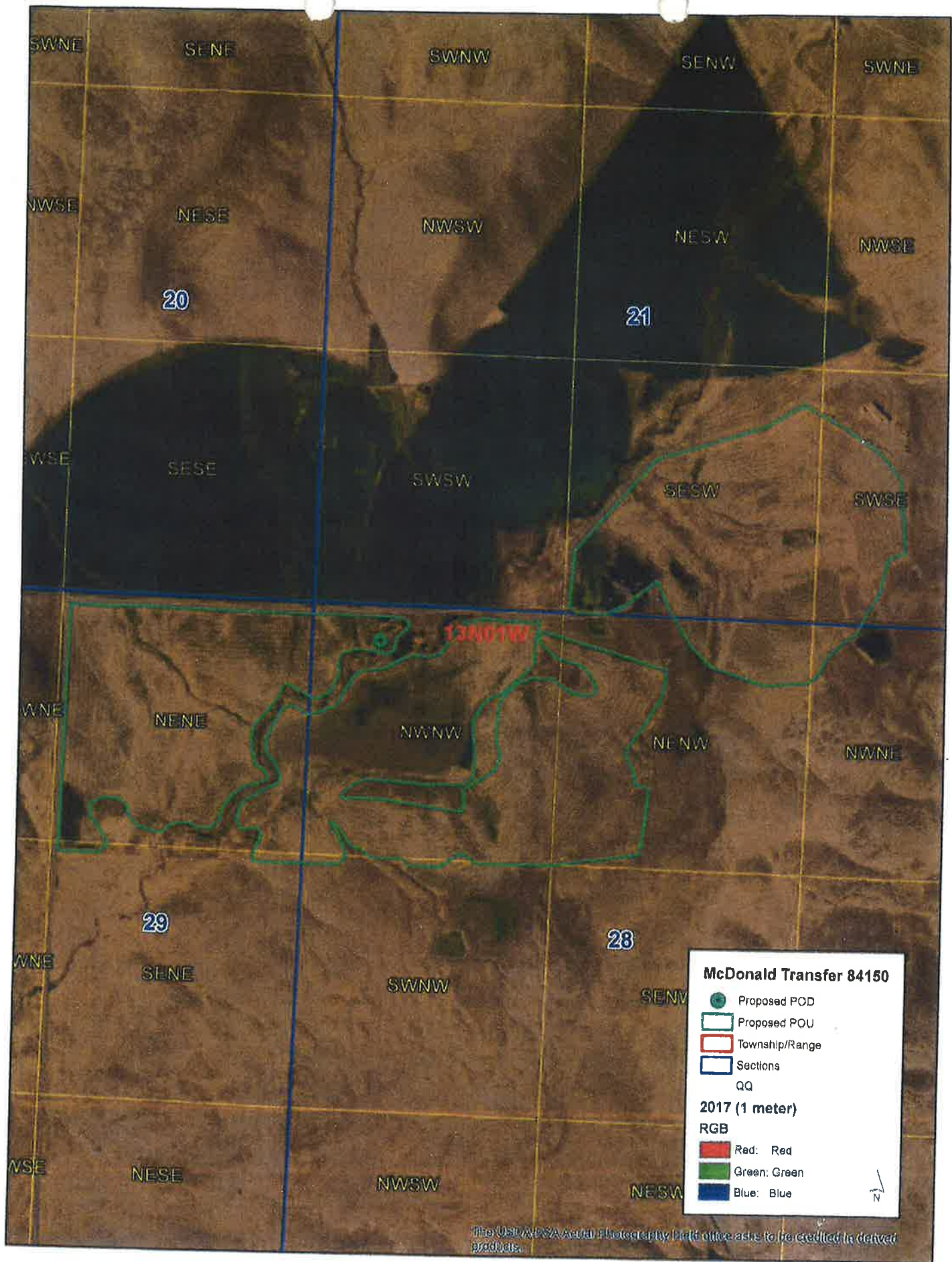
N/A

SubCase:

N/A

Water Supply Bank:

N/A



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

INCOMPLETE

MAY 18 2020

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

**WATER RESOURCES
WESTERN REGION**

WATER RESOURCES
WESTERN REGION

Check all that apply:

- ☒ Change diversion point(s) ☐ Add diversion point(s) ☐ Ownership change ☐ Ownership split
☐ Transfer is for changes pursuant to [Idaho Code § 42-221.0.8](#). Attach an explanation and any supporting documentation.

1. APPLICANT(S) James & Lisa McDonald Phone 208.355.3329

2. MAILING ADDRESS 2004 Granger Rd City Indian Valley

State ID Zip 83632 Email landlivelivestock11c@gmail.com

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
- ☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
- ☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 67-15123

- ☐ Attach a copy of the water right(s) as recorded, available at idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 0.63 cubic feet per second and/or 269.9 acre-feet per annum.
(diversion rate) (storage volume)

5. POINT OF DIVERSION – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at idwr.idaho.gov, *Water Rights, Water Right Transfers, Modeling Resources*.

[illegible]

6. 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:

There will be a pump and a meter can be placed on it.

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

- c. 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 used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a [Lessor Designation](#) form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an [IRS Form W-9](#).
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. You may create a map at idwr.idaho.gov, *Water Rights, Water Right Transfers, File a Transfer Application, Step 2C*.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

James R. McDonald
Signature of applicant or authorized agent

James R. McDonald
Print name and title if applicable

5-12-2020
Date

[Signature]
Signature of applicant or authorized agent

Lisa R. McDonald
Print name and title if applicable

5-12-2020
Date

9. **FE** – ☐ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8, require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The [Fee Schedule](#) is available at www.idwr.idaho.gov, *Water Right Transfers, Step 4* and in the [Application for Transfer Instructions](#).

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments.

Received by LE

Date 05/18/2020

Fee paid 50 Date 05/18/2020

Received by LE

Receipt # W048285

Preliminary review by _____

Date _____

Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐

Name on W-9 _____

W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

Addl. fee: \$450 06/17/2020 LE W048395

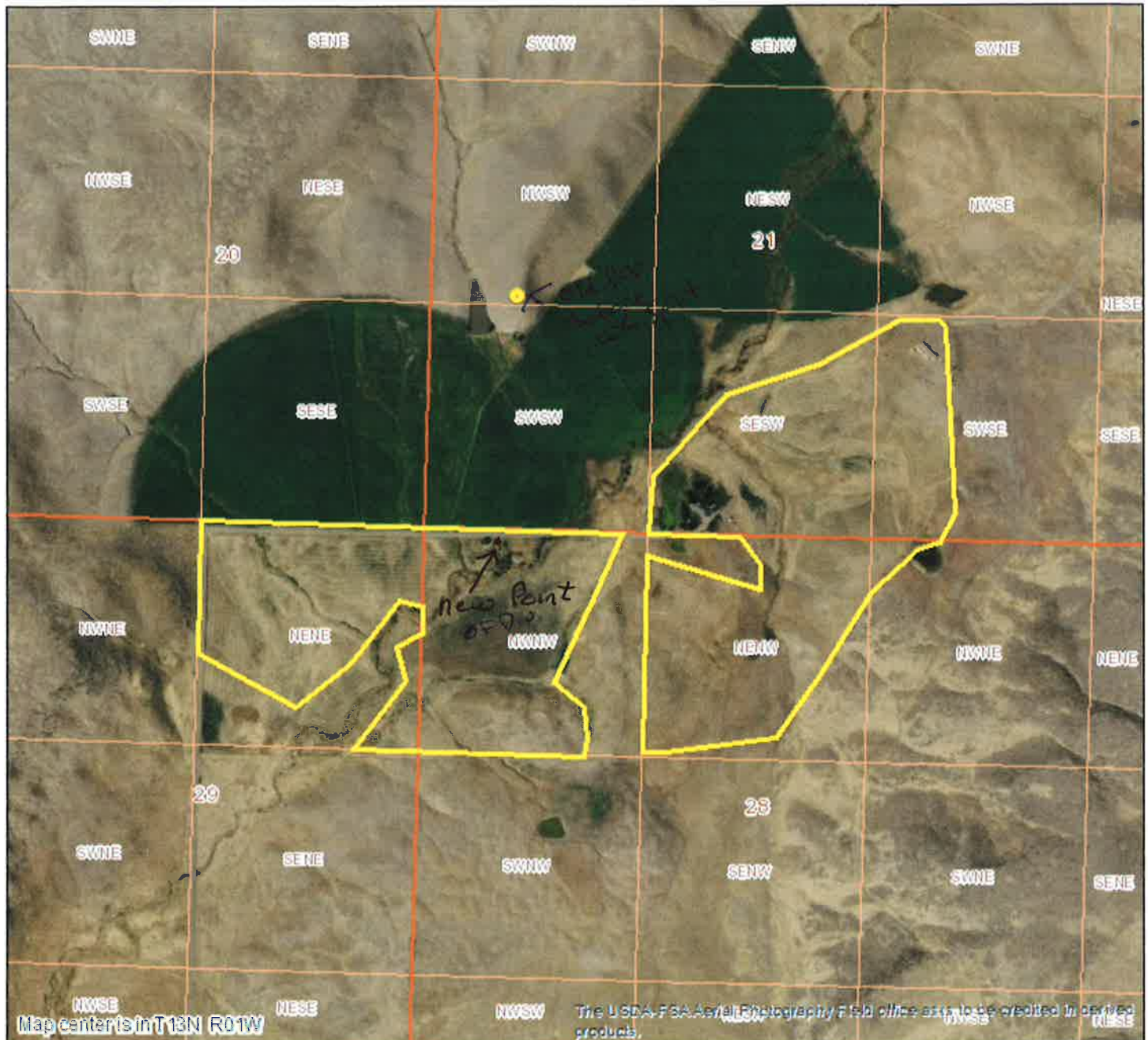
State of Idaho
Department of Water Resources

Water Right

67-15123

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Legend

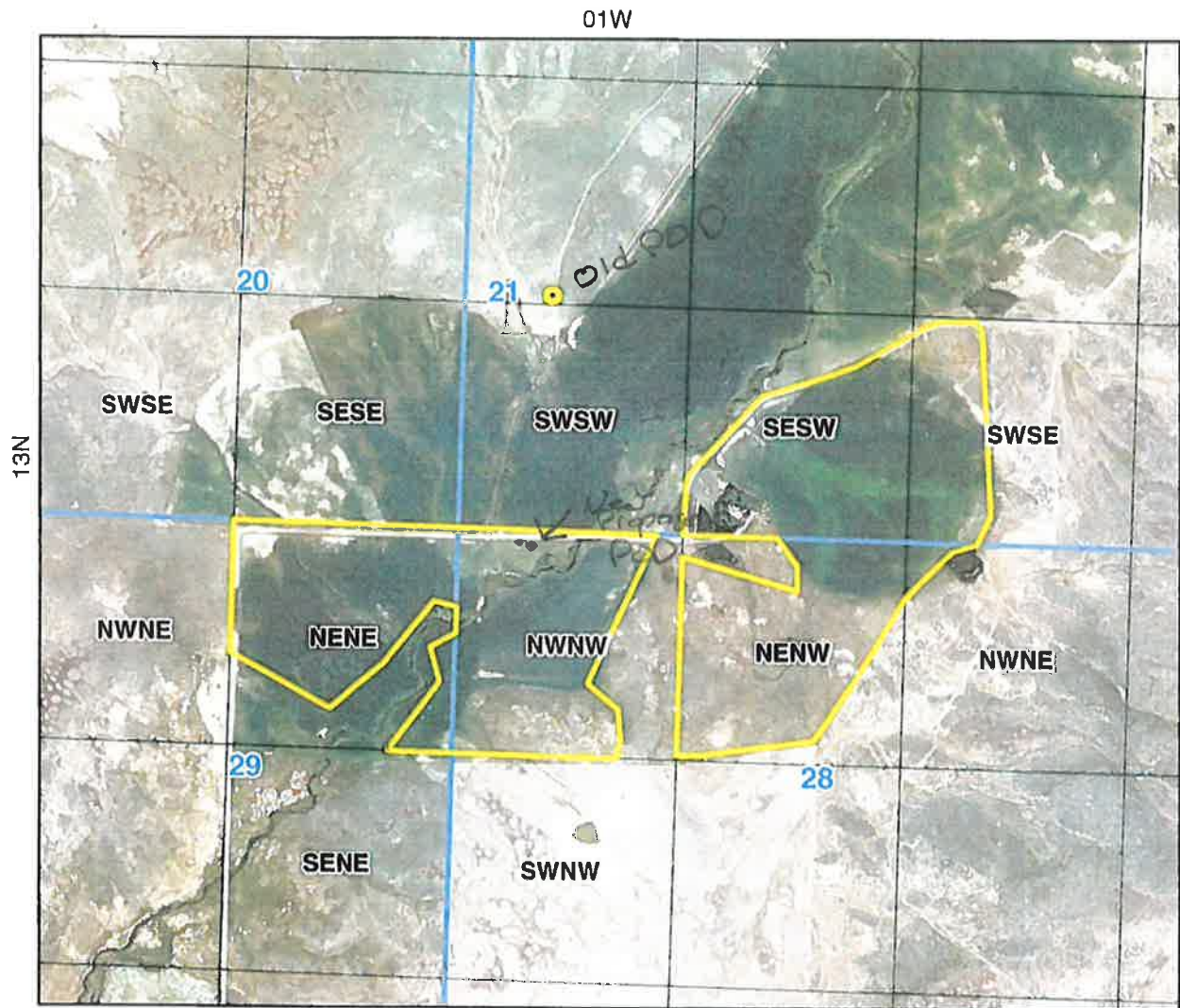
- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters








Date created: 5/12/2020

84150

State of Idaho
Department of Water Resources
Water Right License
67-15123
POU After Split



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

0 0.125 0.25 0.5 Miles



84150



[Home](#) / [Water Rights](#) / [Research](#) / [Search Water Rights](#)

WATER RIGHT REPORT

5/12/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 67-15123

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAMES MC DONALD
Current Owner	LISA MC DONALD
	2004 GRANGER RD
	INDIAN VALLEY, ID 83632
	2083553329
Original Owner	ANN R MEYER
	INDIAN VALLEY, ID 83632
	2083552400

Priority Date: 10/01/1972

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.63 CFS	269.9 AFA
Total Diversion			0.63 CFS	269.9 AFA

Location of Point(s) of Diversion:

GROUND WATER|NWSW|Sec. 21|Township 13N|Range 01W|WASHINGTON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION WASHINGTON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
13N	01W	21		SESW	26									
				SWSE	13									
		28		NWNE	1									
				NENW	28		NWNW	28						
		29		NENE	28									

Total Acres: 124

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. S39 The use of water for irrigation under this right may begin as early as March 15 provided other elements of the right are not exceeded. The use of water before April 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Dates:

Licensed Date:

Decreed Date: 03/23/2009

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: And

Water District Number: 67

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Phone #'s

Home - 208.355.3329

Lisa - 541.977.3329

James - 541.977.3309



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

October 22, 2020

JAMES MC DONALD
LISA MC DONALD
2004 GRANGER RD
INDIAN VALLEY ID 83632

Re: Transfer No: 84150
Water Right No(s): 67-15123

Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 334-2190.

Sincerely,



Anna Kaiser

for

Nick Miller

Regional Manager

Enclosure

CERTIFICATE OF SERVICE

I hereby certify that on October 22, 2020 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 84150
Water Right No(s): 67-15123

JAMES MC DONALD
LISA MC DONALD
2004 GRANGER RD
INDIAN VALLEY ID 83632



Anna Kaiser
Water Resource Agent

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

TO: Transfer No. 84150
FROM: Shilynn Novak
DATE: October 16, 2020
RE: Evaluation of Application

The purpose of this application is to change the location of the POD and update the POU for water right 67-15123. The transfer proposes to move the POD from its current location to land owned by the applicants. This transfer also proposes to update the POU to reflect current, irrigated acres.

The site is approximately 8.4 miles south of the City of Indian Valley and 5.3 miles northeast of Crane Creek Reservoir in Washington County.

Summary of Information Submitted

Authority to File:

James and Lisa McDonald are the owners of water right 67-15123 and owners of the land where the POD and POU are located.

Water Right Validity:

The water right 67-7108 was decreed by the SRBA on March 23, 2009 and is the parent right of 67-15123.

Validity is not a concern. Transfer is to update POU to actual irrigated acres. Aerial imagery shows new POU matches actual irrigated acres. The new POU is green and appears to have agricultural work in the fields.

Note: Although GIS shows the new POU slightly crossing over into a neighboring property, aerial imagery shows that a property line is established. The new POU matches the aerial imagery layer. It is assumed the POU is in the aerial imagery layer is correct and that the GIS parcel layer is off.

Injury to Other Water Rights:

There appears to be no potential injury to other water rights in the area. Updating the POU will not change the amount of water for this right.

Enlargement of Use:

This water right authorizes 0.63 cfs on 124 acres. This translates to a rate/acre of 0.005cfs/acre and is considerably less than the 0.02 cfs/acre standard limit. Changing the place of use to match irrigation use would reduce the water right to 115 acres. Since 0.63 cfs on 115 acres is still less than the standard limit, a reduction to the diversion rate will not be reduced.

Local Public Interest:

No information has shown to suggest a conflict with public interest.

Water Right Overlap

Although there is overlap listed in the generated POU comparison, other water rights only share the same QQ. There is no overlap with other applicable water rights in the area.

Water Supply Bank

Water right 67-15123 is not in the Water Supply Bank.

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

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.

13N01W21

WR #	Owner	Source	Use	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
67-15123	MC DONALD, JAMES ; MC DONALD, LISA; MEYER, ANN R; MEYER, MILTON L; MEYER, VERDENE; THE MILTON & ANN MEYER FAMILY TRUST	GROUND WATER	IRRIGATION												24			9	
67-7108	MEYER, ANN R; MEYER, MILTON L; MEYER, VERDENE; THE MILTON & ANN MEYER FAMILY TRUST	GROUND WATER	IRRIGATION	30	40	40		10		40	40	40	40	40	14		32	12	
67-8020	HARMS, BOYD L; HARMS, PAMELA A; MEYER, MILTON L; MEYER, VERDENE; THE MILTON & ANN MEYER FAMILY TRUST	GROUND WATER	IRRIGATION	19	37	39		8			20	38	6	32	12		30		

13N01W29

WR #	Owner	Source	Use	NENE	NWNE	SWNE	SENE	NENW	SNW	SWSW	SESW	NESE	NWSE	SWSE
67-11577	HODGE, GLORIA L; HODGE, ROBERT B; STIPPICH, BILLIE; STIPPICH, KERMIT	GROUND WATER	DOMESTIC											X
67-11579	STIPPICH, BILLIE; STIPPICH, KERMIT	GROUND WATER	STOCKWATER											X
67-15123	MC DONALD, JAMES ; MC DONALD, USA; MEYER, ANN R; MEYER, MILTON L; MEYER, VERDENE; THE MILTON & ANN MEYER FAMILY TRUST	GROUND WATER	IRRIGATION	32		1								

13N01W28

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 334-2190 • Fax: (208) 334-2348

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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

September 2, 2020

JAMES AND LISA MCDONALD
2004 GRANGER RD
INDIAN VALLEY ID 83632

COPY

RE: Additional Information Request for Transfer 84150

Dear Applicant:

On June 17, 2020, you filed a transfer application to change the point of diversion for irrigation use authorized under water right 67-15123. Part of the transfer evaluation process is water right validity which includes measuring beneficial use during the previous five years. Changes to the place of use were not proposed, however review of satellite imagery suggests that an update to the place of use is needed.

The irrigation place of use currently describes acreage in the following legal description:

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	01W	21												26.0			13.0		39.0
13N	01W	28		1.0			28.0	28.0											57.0
13N	01W	29	28.0																28.0

POU Total Acres: 124.0

The map attached to this letter outlines evidence of irrigation on your property. The outlined area measures acreage in the following legal description:

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	01W	21												24.0			9.0		33.0
13N	01W	28		1.0			15.0	32.0				1.0							49.0
13N	01W	29	32.0			1.0													33.0

POU Total Acres: 115.0

Your water right authorizes 0.63 cfs on 124 acres. This translates to a rate/acre of 0.005 cfs/acre. This is considerably less than the 0.02 cfs/acre standard limit. Changing the place of use to match your irrigation use would reduce the water right to 115 acres. However, since 0.63cfs on 115 acres is still less than the standard limit, **a reduction to your diversion rate or amount of water you divert would not be reduced**. This is what we call a "consolidation of acres".

For your convenience, I have started the transfer form that would update your irrigation place of use. Please review the document and complete the form. Submit the form back to my office for the application to be processed. The application will be voided without a timely written reply within the next thirty (30) days. Refunds are not issued for voided applications. Thank you for your attention to this matter.

Sincerely,



Patrick Kelly

Water Rights Supervisor

Letter says all we are
doing is updating the
POU to reflect current
irrigated acres.

There is no reduction of
water.

Just updating irrigated acres.

MEMORANDUM

TO: McDonald Application for Transfer

FROM: Shilynn Novak

DATE: June 17, 2020

RE: Filing Fee Correction

A letter for an incomplete application for permit and transfer was sent to the McDonalds on June 5, 2020. In the letter, the amount for the transfer application used acre-feet instead of cfs. After confirming with Patrick Kelly (supervisor), the amount for the transfer was \$500 not \$660.

Original Amounts Requested (Incorrect Amount Due)

	Amount of Water	Fee for Amount	Paid	Due
App for Permit	1.82 cfs	\$ 290	\$ 100	\$ 190
Transfer	269.9 af	\$ 660	\$ 50	\$ 610
			Total Due	\$ 800

Correct Amount Due

	Amount of Water	Fee for Amount	Paid	Due
App for Permit	1.82 cfs	\$ 290	\$ 100	\$ 190
Transfer	0.63 cfs	\$ 500	\$ 50	\$ 450
			Total Due	\$ 640

The applicant was notified of the correct amount to pay via email on 6/12/2020. (In file.)

Novak, Shilynn

From: Novak, Shilynn
Sent: Friday, June 12, 2020 4:18 PM
To: 'jandllivestockllc@gmail.com'
Subject: Follow Up 6/12
Attachments: McDonald Transfer.pdf

Hi Lisa,

I just wanted to follow up my call with an email as I am heading out of the office for the day.

#5 – Proposed use

IDWR uses 0.02 cfs/acre for irrigation. So you can leave the 0.02, but clarify that it is cfs.

Action: If you can either write or circle the “cfs” on the Application for permit that will clear things up.

#6 – Total Quantity

Since IDWR uses 0.02 cfs/acre for irrigation, this is where you state the total amount that will be diverted. (You will have 0.02 cfs on #5 and 1.8 cfs on #6)

Action: Write 1.8 in the blank for cfs and cross out 0.2 acre-feet. (The acre feet will be determined at a later date by the Department.)

Fee

I misread my note for the fee and the amount for the transfer is \$500 not \$660. So \$450 is left due for that.

The application for permit is \$290. \$190 is left due for it.

The total for both of them (if you would like to submit one lump sum) is **\$640**. (Not \$800 as stated in the letter. I will correct it on my end.)

When you send the payment in, please include a small note that states \$450 is for the transfer application and \$190 is for the application for permit. This will make it easier for our staff to keep track of.

Action: Pay \$640 for transfer and application for permit. Write small note that states \$450 is for the transfer application and \$190 is for the application for permit.

I will be in the office Monday at 8 am in case you have any other questions. I've also included a copy of your application for transfer for your reference.

Kindest regards,

Shilynn Novak | Water Resource Agent
Idaho Department of Water Resources
Western Regional Office
Phone: (208) 334-2190



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

June 5, 2020

COPY

JAMES AND LISA MC DONALD
2004 GRANGER RD
INDIAN VALLEY ID 83632

Re: Water Right Application & Transfer Application Incomplete

Dear Applicant:

This office received your Application for Permit and Application for Transfer on May 18, 2020. The applications cannot be accepted into the records of the Idaho Department of Water Resources (IDWR) until the following items are addressed:

- **#5 – Proposed Use**
 - Please clarify if 0.02 is cfs or af
 - Irrigation is considered a rate and is 0.02 cfs/acre
 - Season of Use: from 3/15 to 10/31
- **#6 – Total Quantity**
 - The application for permit listed 0.02 af per year, but irrigation is determined using 0.02 cfs/acre rate. If the place of use (POU) is 91.2 acres (91.2 acres was determined using the original map attached to the application), then the cfs will be 1.82 cfs.
 - $0.02 \text{ cfs/acre} \times 91.2 \text{ acres} = 1.824 \text{ cfs} = \underline{1.82 \text{ cfs}}$
 - Volume (af) is generally reserved for ponds/storage water on applications.
- **#9 – Place of Use**
 - For irrigation use, please indicate the number of acres in the table on the application.
 - A map has been included that was generated using the original POU submitted. The numbers of acres in each QQ is listed. 38 acres in NWSW, 13 acres in SWNW, 1.2 acres in NENW, etc. Use this information to complete the table if this POU on the map is correct.
 - For the 38 acres in NWSW, you will find the smaller NW under the larger SW and write 38 in the space. This indicates 38 acres in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$. You will write the number of acres in the NENW, SWNW, SENW, NWSW, and NESW QQs.
 - Total number of acres to be irrigated: 91.2 acres (if irrigating the whole area within POU)
- **#11 – Ownership**
 - Who owns the property at the point of diversion?
- **The Fee**
 - The Application for Permit only listed 0.02 af which is likely incorrect. If the POU is 91.2 acres, then 1.82 cfs is used to determine the correct fee. If the POU is incorrect,

determine the total number of acres and multiply it by 0.02 cfs/acre. This will give the correct cfs to base the fee on.

▪ $0.02 \text{ cfs/acre} \times 91.2 \text{ acres} = 1.824 \text{ cfs} = \underline{1.82 \text{ cfs}}$ **OR**

▪ $0.02 \text{ cfs/acre} \times \# \text{ total acres} = \text{total cfs}$

- The Application for Transfer lists 0.63 cfs and 269.9 af and \$50 was paid. \$50 is only used if there is no physical change on an application according to Idaho Code §42-221.O.8. There is a physical change in POD location so 269.9 af was used to determine the fee.
- Using the fee schedule for each application, the following amounts were determined due in order to continue processing your applications:

	Amount of Water	Fee for Amount	Paid	Due
App for Permit	1.82 cfs	\$ 290	\$ 100	\$ 190
Transfer	269.9 af	\$ 660	\$ 50	\$ 610
			Total Due	\$ 800

***Any changes to the original application should be initialed and signed by the applicant. If a change took place. A new application may be submitted, but should be initialed and signed by the applicant to use previous amount paid towards new application.**

\$500 for the transfer

The original incomplete Application for Permit is enclosed. Please return the original form and re-submit together with payment of the fee. If IDWR does not receive your written response within thirty (30) days of this filing, this letter is an attempt to ensure that your application is complete in order to establish a priority date on your Application for Permit. You may receive future correspondence regarding more specific details of your applications. IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please consult the IDWR website or contact me via email at Shilynn.Novak@idwr.idaho.gov or call this office at 208-334-2190 if you have any questions about the necessary information or fee.

Sincerely,

Shilynn Novak
Water Resource Agent

Enclosure: Original Application for Permit
Application for Permit Fee Schedule
Transfer Application Fee Schedule
Copy of Idaho Code §42-221.O.8
Map for Application for Permit