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AUG 12 2020

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

003875

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

Name of Applicant(s) Gregory B. Johnson

RECEIVED

JAN 21 2020

WATER RESOURCES
WESTERN REGIONCheck 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 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) Gregory B. Johnson Phone _____
Mailing address 2463 E. Gala, Ste. 120, Meridian, ID 83642 Email _____

- ☐ 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 S. Bryce Farris, Sawtooth Law Offices, PLLC Phone 208-629-7447
Mailing address P.O. Box 7985, Boise, ID 83707 Email bryce@sawtoothlaw.com

- ☐ 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.

Gregory B. Johnson Gregory B. Johnson 1/30/20
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Is this a transfer for changes pursuant to Idaho Code § 42-221.0.8?
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**.

Applicant proposes to use Water License 63-32616 to provide for irrigation needs to the proposed Mayfield Springs Planned Community. Applicant proposes to continue irrigating at the current location and slowly begin using this water right for irrigation as the development is started and continues to grow into a community.

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"/>	63-32616	2.37	Irrigation	03/15 to 11/15	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 2.37 cfs and/or 651.3 acre-feet.

2. Total amount of water proposed to be transferred or changed 2.37 cubic feet per second and/or 651.3 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 #
Yes			SE	SE	28	01N	04E	Elmore	Groundwater	Ex Well: #00060006
Yes			SE	SW	34	01N	04E	Elmore	Groundwater	Well No.2
Yes			NE	SW	35	01N	04E	Elmore	Groundwater	Well No.3
No			NE	SW	28	01N	04E	Elmore	Groundwater	Existing POD

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	
01N	04E	34	40		40	40			40	40	40	40	40	40	40	40	40	40	520
01N	04E	35						40	40		40	40	40	40					240
01N	04E	28			27	32					9				39	38			145
Total Acres (for irrigation use)																			905

*145 acre limit within 905 acres

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:

The ground sourced irrigation water will flow through a flow meter located in a well building and then be distributed to the place of use. Both the well and well building will be locked, and the site secured with a fence.

- b. Who owns the property at the point(s) of diversion? Mayfield Development, LLC

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

Applicant is the Manager of Mayfield Development, LLC.

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? NO

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:

The land now irrigated will continue to be irrigated. However, as the Planned Community begins and grows to full build-out, irrigation to the land currently irrigated will be gradually reduced to meet the increasing irrigation demands of the development.

- 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:

Permit 63-32225 will be amended to the same new POD and place of use and will be used to provide potable water for new planned community. Irrigation and non-irrigation season water use records will be kept to provide for accurate use monitoring per water right.

- 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:

0.67 cfs (for a volume of 184.2 AF) is currently being leased to the water supply bank. The lease currently expires on 12-31-22. It is anticipated that the lease to the Water Supply Bank will not be renewed past this date.

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Transfer No. _____

**APPLICATION FOR TRANSFER OF WATER RIGHT
ATTACHMENT WSB:
TRANSFERRING WATER RIGHTS LEASED TO THE WATER SUPPLY BANK**

Approval of a transfer application will not impact the terms of a Water Supply Bank Lease Contract. Any transferred water right or portion of a water right that is leased to the Water Supply Bank (Bank) shall remain unused while the lease is active.

If the transfer proposes to relocate the place of use of an irrigation water right, and the relocated acres include land currently idled due to a Bank lease contract, the applicant is required to identify the areas that will be idled at the new place of use for the duration of the lease contract. The acres to be idled should be clearly identified on the map created for Attachment 7B of the transfer application. The applicant should confirm the map is attached when completing the table below. If the leased portion of the place of use is not proposed to be relocated, a map is not required.

A Bank lease contract shall remain in effect until it expires, a new lease proposal is processed to replace it, or the water right is released from the Bank through written confirmation issued by the Water Resource Board. If the proposed transfer is approved, the water right owner will be provided sufficient time to allow the lease contract to expire before beneficial use of water at the new place of use will be expected. Meanwhile, water rights leased to the Bank are protected from forfeiture for the duration of the lease contract.

Water right owners who would like to adjust the terms of their lease contracts can either submit a new lease proposal on an [Application to Lease a Water Right to the Water Supply Bank](#) form, or they can request early termination of their lease contracts by completing a [Request to Release a Water Right from the Water Supply Bank](#) form. If a water right is leased to the Bank, and it is currently being rented from the Bank, the lease cannot be reduced or terminated until the rental agreement concludes. A request to release a water right or to submit a new lease application should be sent to the Department's state office. To find out if there are any rentals associated with a leased water right, please call a Bank representative at the Department at 208-287-4800.

In the table below, please provide the requested information for any water right that is both proposed for transfer and leased to the Bank. The information needed to complete this table can be found in your Bank lease contract. A copy of your lease contract can be obtained using the 'Search Water Rights' option on the Department's internet page at www.idwr.idaho.gov or by contacting any Department office.

Water Right Number	Lease Contract Expiration Date	Water Right Quantities Leased to the Bank			Map Attachment 7B Clearly Identifies Idled Place of Use at New Location
		Rate (cfs)	Volume (AF)	Acres	
63-32616	12-31-22	0.67	184.2	41	Attached? <input type="checkbox"/> or No Change <input checked="" type="checkbox"/>
					Attached? <input type="checkbox"/> or No Change <input type="checkbox"/>
					Attached? <input type="checkbox"/> or No Change <input type="checkbox"/>
					Attached? <input type="checkbox"/> or No Change <input type="checkbox"/>
					Attached? <input type="checkbox"/> or No Change <input type="checkbox"/>
					Attached? <input type="checkbox"/> or No Change <input type="checkbox"/>

Is the ownership of the water right(s) leased to the Bank being changed? ☐ 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](#).

Additional Information:

Agency Use Only: Personnel processing transfer applications should forward a copy of this attachment, the original Lessor Designation form and/or IRS Form W-9, if received, to the State Office.

Attachment #9 (WSB)

83875

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

Current Water Right No.: 63-32616

Current Owner: GREGORY B JOHNSON

Priortly Date: 10/17/1974

Origin: Water Right

Status: Water Supply Bank Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	2.37 CFS	651.3 AF
	<u>Total Diversion</u>	2.37 CFS	651.3 AF

Location of Point(s) of Diversion

GROUND WATER NE1/4SW1/4 Sec. 28, Twp 01N, Rge 04E B.M.
ADA County

Place of Use

IRRIGATION Within ADA County

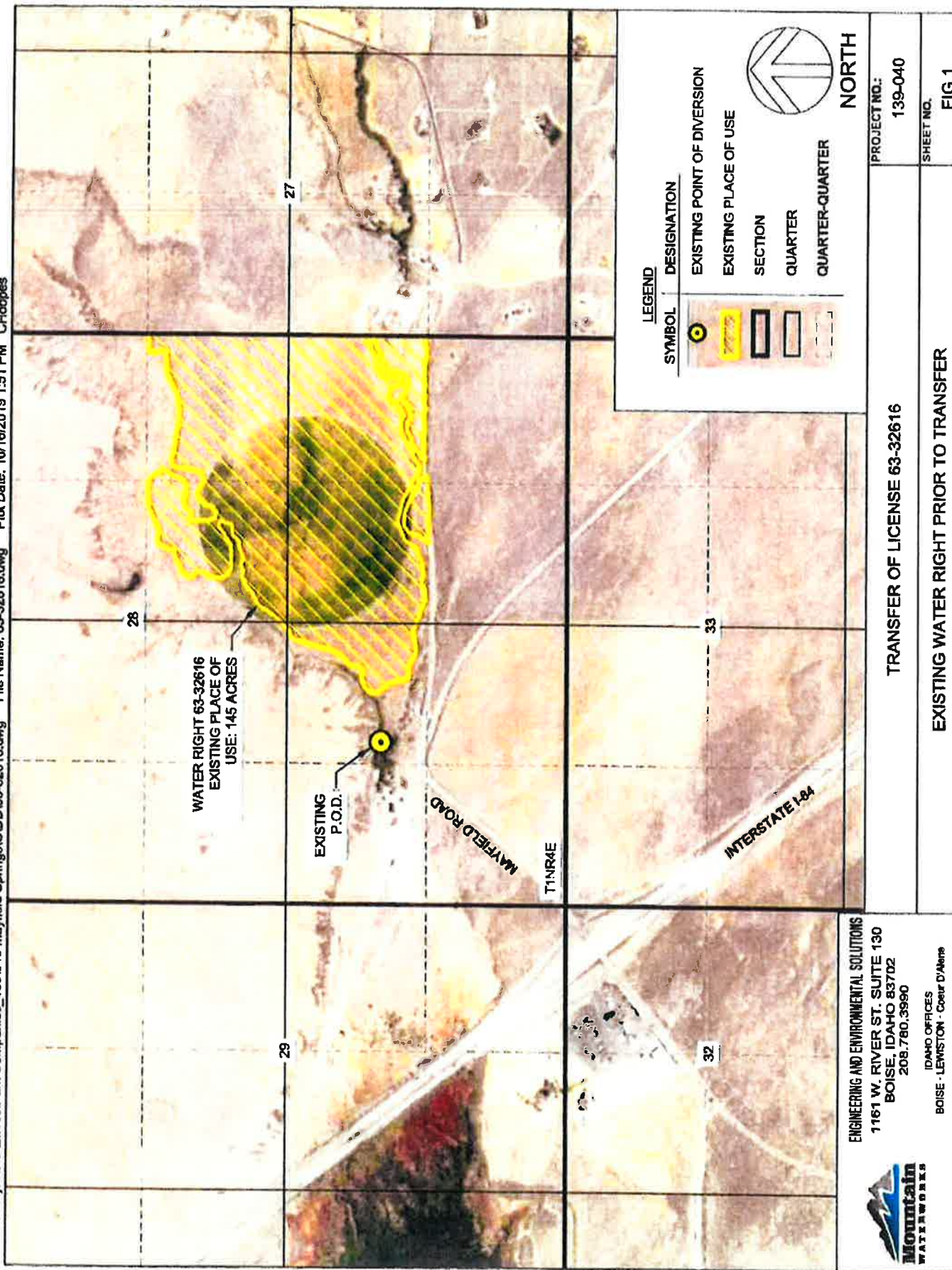
T01N R04E S28	SWNE	27.00	T01N R04E S28	SENE	32.00
T01N R04E S28	NESW	9.00	T01N R04E S28	NESE	39.00
T01N R04E S28	NWSE	38.00			

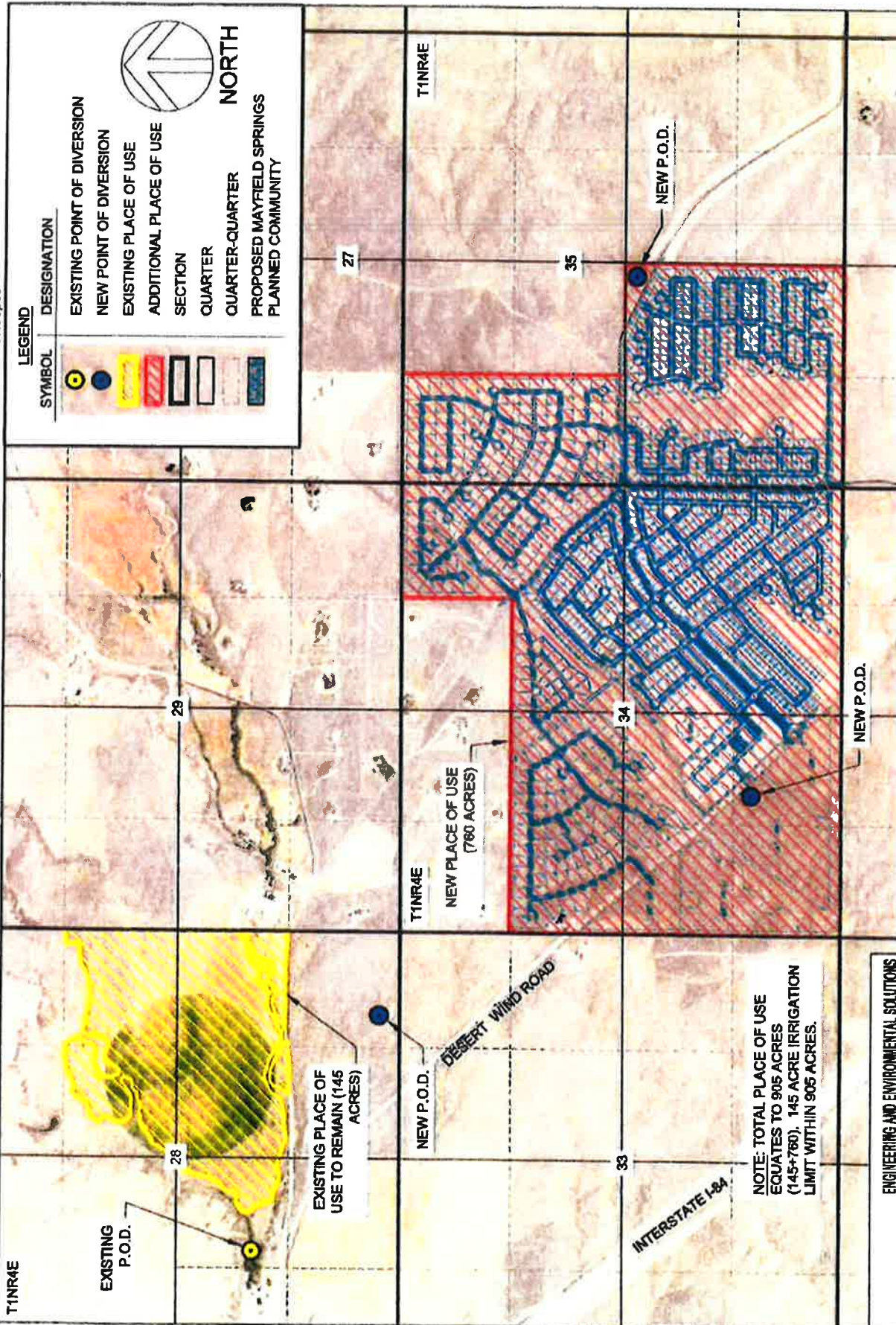
Total Acres: 145

Conditions of Approval:

1. S39 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
2. 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.
3. This right is a split from former right 63-8051 .

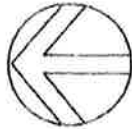
Decreed Date: 1/14/2009





LEGEND

- | SYMBOL | DESIGNATION |
|--------|---|
| | EXISTING POINT OF DIVERSION |
| | NEW POINT OF DIVERSION |
| | EXISTING PLACE OF USE |
| | ADDITIONAL PLACE OF USE |
| | SECTION |
| | QUARTER |
| | QUARTER-QUARTER |
| | PROPOSED MAYFIELD SPRINGS PLANNED COMMUNITY |



NORTH

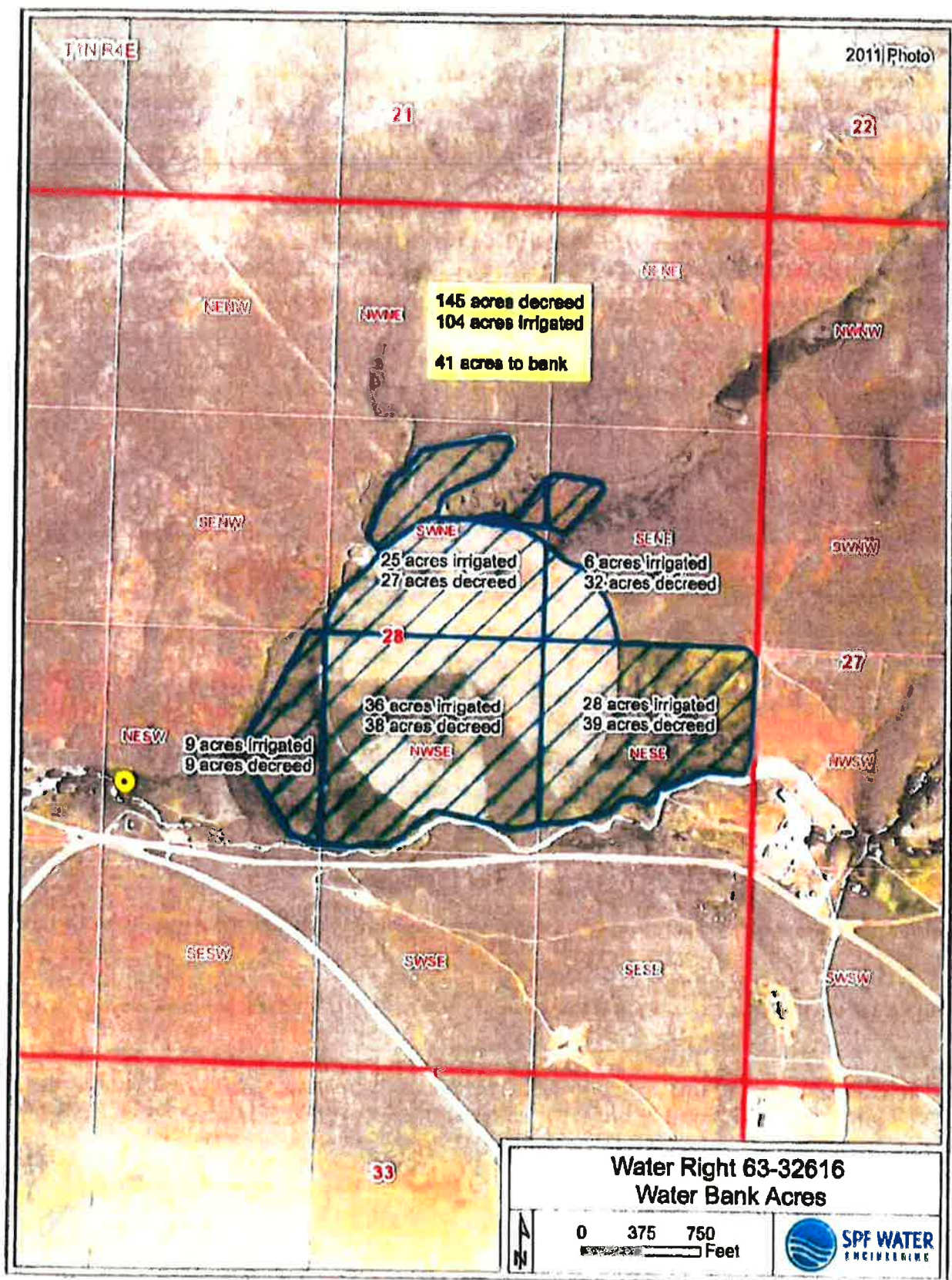
ENGINEERING AND ENVIRONMENTAL SOLUTIONS
1161 W. RIVER ST. SUITE 130
BOISE, IDAHO 83702
208.780.3990
IDAHO OFFICES
BOISE · LEWISTON · COEUR D'ALENE



PROJECT NO.:
139-040

SHEET NO.
FIG 2

TRANSFER OF LICENSE 63-32616
NEW POINTS OF DIVERSION AND PLACE OF USE AFTER TRANSFER

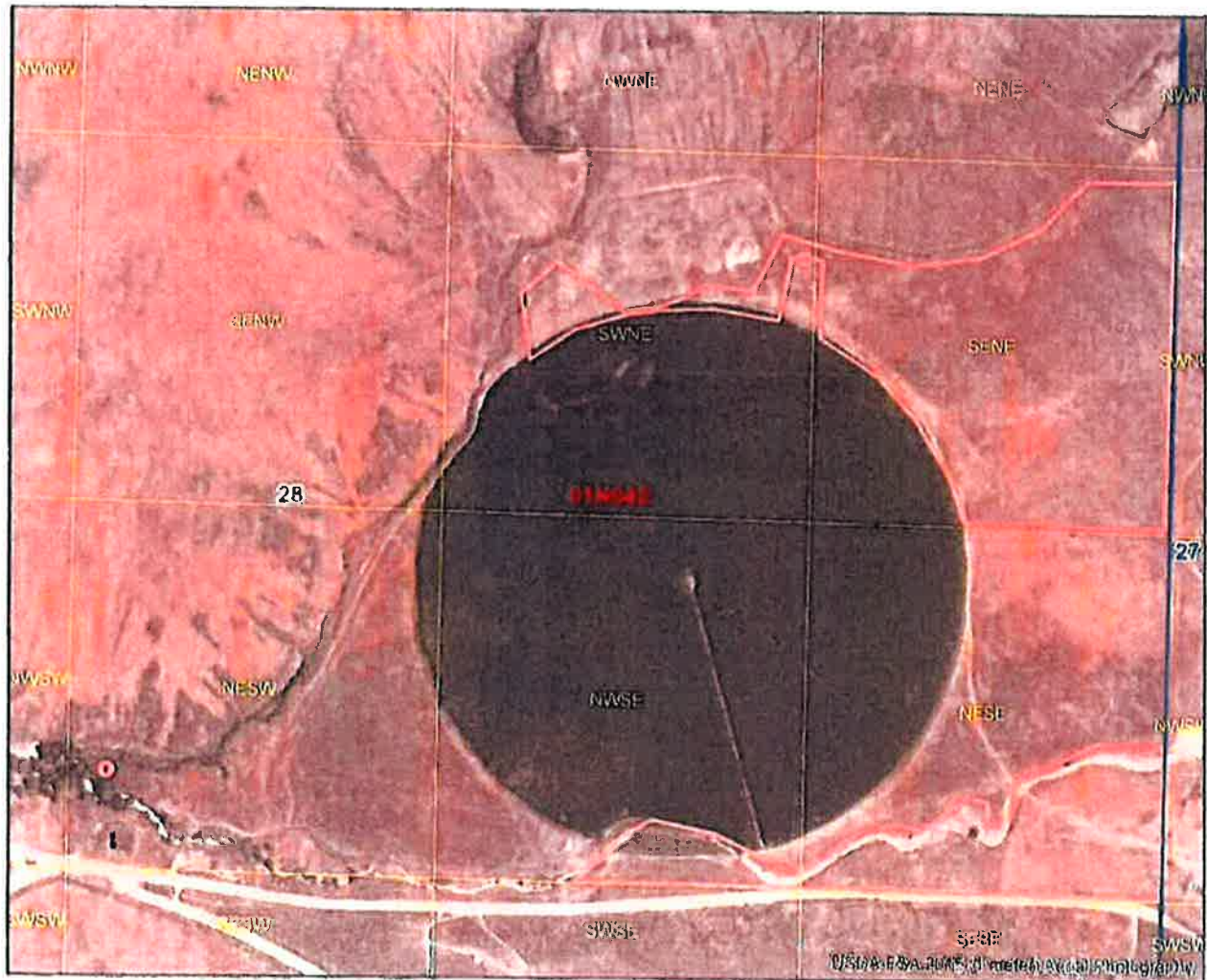


Idaho Water Resource Board
Water Supply Bank Lease Contract No. 734

63-32616

Effective until December 31, 2022

This map depicts the place of use to be idled pursuant to the lease contract and is attached to the contract solely for illustrative purposes.



- ⊙ Approved Lease Point of Diversion
- Approved Lease Place of Use
- Township/Range
- Sections
- QQ



0 500 1,000 1,500 Feet



0003611707

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0003611707

Date Filed: 9/2/2019 7:41:12 AM

Entity Name and Mailing Address: INTERMOUNTAIN SEWER & WATER, CORP. The file number of this entity on the records of the Idaho Secretary of State is: 0000491404 Address: PO BOX 344 MERIDIAN, ID 83680-0344		
Entity Details: Entity Status: Active-Good Standing This entity is organized under the laws of: IDAHO If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: C161920		
The registered agent on record is: Registered Agent: GREGORY B JOHNSON Registered Agent Physical Address: 2463 E GALA, STE 120 MERIDIAN, ID 83642 Mailing Address:		
Corporate Officers and Directors:		
Name	Title	Address
LAWRENCE C SQUIRES	Secretary	PO BOX 344 MERIDIAN, ID 83680
GREGORY B JOHNSON	President	PO BOX 344 MERIDIAN, ID 83680
The annual report must be signed by an authorized signer of the entity. LAWRENCE SQUIRES Sign Here: _____ Date: 09/02/2019 Signer's Title: SECRETARY		

B0338-4608 09/02/2019 7:41 AM Received by ID Secretary of State Lawrence Denney



0003554385

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0003554385

Date Filed: 6/28/2019 9:20:55 AM

Entity Name and Mailing Address: MAYFIELD DEVELOPMENT, LLC The file number of this entity on the records of the Idaho Secretary of State is: 0000559970 Address: PO BOX 344 MERIDIAN, ID 83680-0344		
Entity Details: Entity Status: Active-Existing This entity is organized under the laws of: IDAHO If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: W185293		
The registered agent on record is: Registered Agent: GREGORY JOHNSON Registered Agent Physical Address: 2463 E GALA, STE 120 MERIDIAN, ID 83642 Mailing Address:		
Limited Liability Company Managers and Members		
Name	Title	Address
PGM CORPORATION	Member	PO BOX 344 MERIDIAN, ID 83680
PGM CORPORATION	Manager	2463 E GALA STE 120 MERIDIAN, ID 83642
GREGORY JOHNSON	Manager	2463 E GALA STE 120 MERIDIAN, ID 83642
DANIEL JOHNSON	Manager	2463 E GALA STE 120 MERIDIAN, ID 83642
LARRY SQUIRES	Manager	2463 E GALA STE 120 MERIDIAN, ID 83642
The annual report must be signed by an authorized signer of the entity.		
LARRY SQUIRES Sign Here		06/28/2019 Date
Signer's Title: Manager		

BC294-0096 06/28/2019 9:20 AM Received by ID Secretary of State Lawrence Denney