APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Department of Weller Receivinger

RECTIVED

Name of Applicant(s) Lamar Isaak

Phone 208-223-2618

Mailing address 3298 So Loop American Falls, Idaho 83211

Email lamarisaak@hotmail.com

- If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it Attachment #1.
- Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it Attachment #2a.
- ✓ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it Attachment #2b.
- Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it Attachment #3.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

Phone 208-736-8543
Email

- Send all correspondence for this application to the representative and not to the applicant.
- 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.

Print Name and Title if applicable

Signature of Applicant or Authorized Representative

Signature of Applicant or Authorized Representative

A. PURPOSE OF TRANSFER

 1. Image Change point of diversion
 Image Diversion

 Image Diversion
 Image Diversion

Add diversion point(s)Change period of use

✓ Change place of use
 Other

- Is this a transfer for changes pursuant to <u>Idaho Code § 42-221.0.8</u>? If yes,
 attach an explanation and any supporting documentation labeled as **Part1A.2**.
- 3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.

This transfer proposes to update the 386.7 acre POU for water rights 29-7481 and 29-10583.

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- - - -

OR

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

B. DESCRIPTION OF RIGHTS <u>AFTER</u> THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR <u>AFTER</u> THE REQUESTED CHANGES.

	1.	Right Number	Amount (cfs/ac-ft)	Nat	ure of Use	Per	iod c	of Use	Source & Tributary
All (or Part	29-7481	2.35/689.5	ir	rigation	4/01	to	10/31	Ground Water
\square		29-2331	1.14/	Ir	rigation	4/01	to	10/31	Ground Water
		29-10583	1.315/	j.	rigation	4/01	to	10/31	Ground Water
							to		
							to		
				-			to_		
							to_		
							to_		
							to _		
	Total	authorized under rights	4.81	cfs and/or	1146.8	acre-feet.			

2. Total amount of water proposed to be transferred or changed <u>4.81</u> cubic feet per second and/or <u>1146.8</u> 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	1/4	1/4	1/4	Sec	Тwp	Rge	County	Source	Local name or tag #
			NE	NE	5	08S	31E	Power	Ground Water	
			sw	NW	5	08S	31E	Power	Ground Water	

4. Place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Тwp	Rge	Rae	ge Sec		NE	1/4			NW 1/4			SW ¼			SE ¼				Acre
		000	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S	31E	32												0.2				1.0	1.2
08S	31E	5	35.1	38	36.4	21.3	29.9	14	31.7	32.9	0.1	2.7							242.1
08S	31E	4					2.0	16.2	8.8	16.4									43.4
				1															

Total Acres (for irrigation use) 286.7

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:

Existing wells, existing mainlines and pivots. New mainlines and new pivots will be installed.

- b. Who owns the property at the point(s) of diversion? Lamar Isaak
 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 <u>Attachment WSB</u>.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer: There will continue to be 286.7 acres irrigated.
- 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:

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

Current Water Right No.: 29-10583

Current water M	yin No 25-10	1303					
Current Owner:	MARTIN E B	RUCKER					
Priority Date:	4/1/1961						
Origin:	Water Right						
Status:	Active						
Basis:	Decreed						
	Decised						
Source				Tributary			
GROUND WATE	R						
Beneficial Use	En	om To		Diversion Rate	A	Innual Volu	me
IRRIGATION	04/01	to 10/31		1.315 CFS			
	Total	Diversion		1.315 CFS			
Location of Point	(s) of Diversio	m					
GROUND WATE	R			SW1/4NW1/4	Sec. 5,	Twp 08S,	Rge 31E B.M.
POWER C	ounty						
GROUND WATE	R			L1(NE1/4NE1/4)	Sec. 5,	Twp 08S,	Rge 31E B.M.
POWER C	ounty						
Place of Use							
IRRIGATION With	in POWER Cou	unty					
T07S R31E S32		SESE	16.00	T08S R31E S4		SWNW	9.30
T08S R31E S5	Lot 1	NENE	40.00	T08S R31E S5	Lot 2	NWNE	40.00
T08S R31E S5		SWNE	30.00	T08S R31E S5		SENE	24.00
T08S R31E S5	Lot 3	NENW	38.00	T08S R31E S5	Lot 4	NWNW	18.00
T08S R31E S5		SWNW	36.00	T08S R31E S5		SENW	33.00
T08S R31E S5		NWSW	2.40				
			Total	Acres: 286.7			

Total Acres: 286.7

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Condi	tions of A	pproval:
1.	K06	THIS RIGHT IS LIMITED TO THE IRRIGATION OF 145 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
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.	F06	THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-2331, 29-7481
4.	C05	RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5.	E60	USE OF THIS RIGHT WITH RIGHT NOS. 29-2331 AND 29-7481 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.81 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1146.8 AF.

Decreed Date: 3/22/2004

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

Current Water Right No.: 29-2331 Current Owner: MARTIN E BRUCKER SILVIA BRUCKER Priority Date: 3/14/1953 Origin: Water Right Status: Active Basis: Decreed Source Tributary GROUND WATER **Beneficial Use** From To **Diversion Rate** Annual Volume IRRIGATION 04/01 to 10/31 1.14 CFS Total Diversion 1.14 CFS Location of Point(s) of Diversion GROUND WATER Sec. 5, Twp 08S, Rge 31E B.M. L1(NE1/4NE1/4) POWER County GROUND WATER SW1/4NW1/4 Sec. 5, Twp 08S, Rge 31E B.M. **POWER County** Place of Use IRRIGATION Within POWER County T07S R31E S32 SESE T08S R31E S4 16.00 SWNW 9.30 T08S R31E S5 NÈNE Lot 1 40.00 T08S R31E S5 Lot 2 NWNE 40.00 T08S R31E S5 SWNE 30.00 T08S R31E S5 SENE 24.00 T08S R31E S5 Lot 3 NENW 38.00 T08S R31E S5 Lot 4 NWNW 18.00 T08S R31E S5 SWNW 36.00 T08S R31E S5 SENW 33.00 T08S R31E S5 NWSW 2.40 Total Acres: 286.7

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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.	C03	RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3.	K06	THIS RIGHT IS LIMITED TO THE IRRIGATION OF 145 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4,	F06	THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-7481, 29-10583
5.	E60	USE OF THIS RIGHT WITH RIGHT NOS. 29-7481 AND 29-10583 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.81 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1146.8 AF.

Decreed Date: 3/22/2004

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

Current Water Right No.: 29-7481

Current Owner:	MARTIN E BRUCKER
	SILVIA BRUCKER
Priority Date:	1/18/1979
Origin:	Water Right
Status:	Active
Basis:	Decreed

Source

Tributary

GROUND WATER

T085 R31E S5

<u>Beneficial Use</u> IRRIGATION	04/0	rom <u>To</u> 1 to 10/31 I <u>Diversion</u>		Diversion Rate 2.35 CFS 2.35 CFS	1	Annual Volu 689.5 AF 689.5 AF	<u>me</u>
Location of Point(s)	of Diversi	on					
GROUND WATER				SW1/4NW1/4	Sec. 5,	Twp 08S,	Rge 31E B.M.
POWER Count	ty						-
GROUND WATER				L1(NE1/4NE1/4)	Sec. 5,	Twp 08S,	Rge 31E B.M.
POWER Count	ly .						
Place of Use							
IRRIGATION Within P	OWER Co	unty					
T07S R31E S32		SESE	16.00	T08S R31E S4		SWNW	9.30
T08S R31E S5	Lot 1	NENE	40.00	T08S R31E S5	Lot 2	NWNE	40.00
T08S R31E S5		SWNE	30.00	T08S R31E S5		SENE	24.00
T08S R31E S5	Lot 3	NENW	38.00	T08S R31E S5	Lot 4	NWNW	18.00
T08S R31E S5		SWNW	36.00	T08S R31E S5		SENW	33.00

Total Acres: 286.7

NWSW

2.40

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Conditions of Approval:

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2.	C03	RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3.	E 60	USE OF THIS RIGHT WITH RIGHT NOS. 29-2331 AND 29-10583 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.81 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1146.8 AF.
4.	F06	THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-2331, 29-10583
5.	K06	THIS RIGHT IS LIMITED TO THE IRRIGATION OF 197 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Decreed Date: 3/22/2004

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

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

Attach a map of the diversion, measurement, control, and distribution system. Label it Attachment #7a.
 If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it Attachment #7b.

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

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

B. CHANGES IN NATURE OF USE (Water Balance)

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

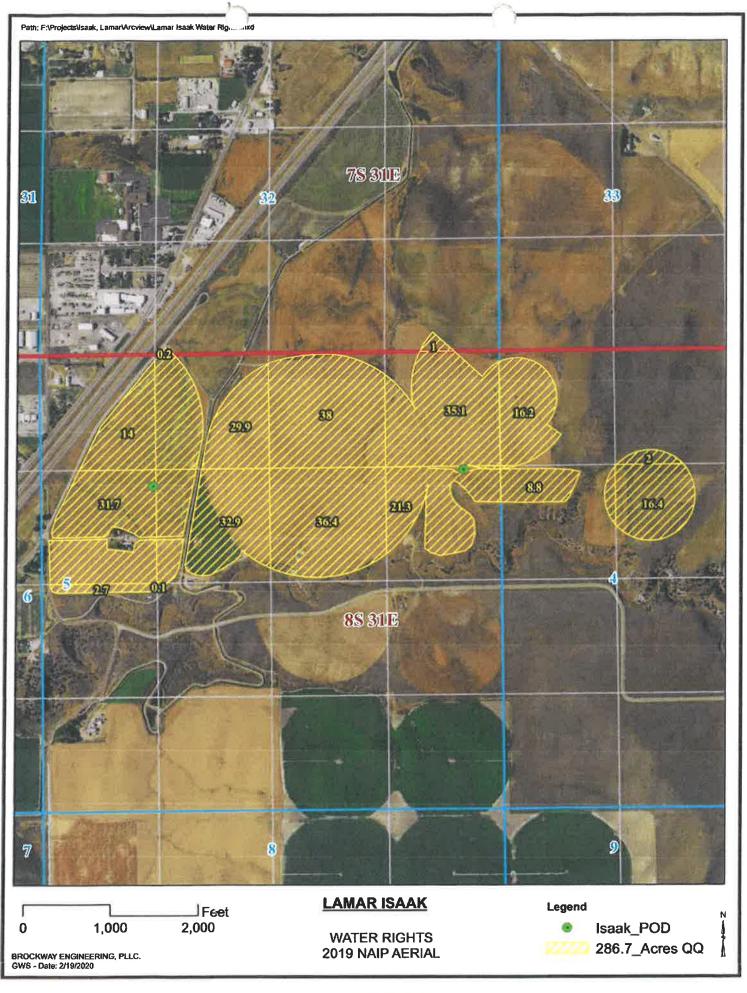
C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

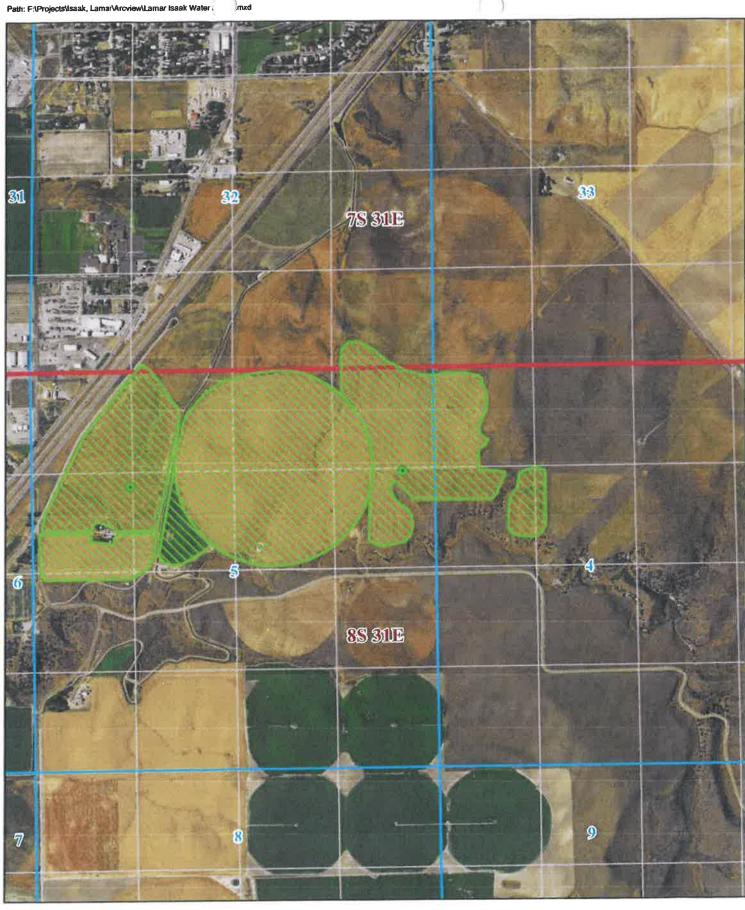
If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the <u>existing</u> 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:

FOR DEPARTMENT USE ONLY

Transfer contains	_ pages and	attachments.	
Received by M. Pettis	Date 2-26-20	Preliminary check by	Date
Fee paid	Date	Receipted by	Receipt # E045683
Add'l fee paid	Date	Receipted by	Receipt #
Check all that apply: Attachment WSB [] (copy sent to state office) Lessor Designation form [] &/or W-9 [] (originals to state office)			
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LAMAR ISAAK

WATER RIGHTS 2019 NAIP AERIAL **4** 0 4 4

Legend ۲ Isaak_POD CCCC 2019 Imigation

BROCKWAY ENGINEERING, PLLC. GWS - Date: 2/19/2020