

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 84102

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED
MAY 28 2020

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) Dan Sharp

Check 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) Dan Sharp Phone 208-716-3634
Mailing address P.O. Box 135 Dayton, ID 83232 Email cottontop3634@yahoo.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.

G. Dan Sharp G. Dan Sharp 5/27/2020
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 Ownership Change
2. Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
Consolidating my grandfather's water rights onto my lands.

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.	<u>Right Number</u>	<u>Amount</u> (cfs/ac-ft)	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source & Tributary</u>
All or Part ☒ ☐	13-60B	.08	Irrigation	04/01 to 11/01	Spring Creek/ Cub River
☒ ☐	13-61B	.17	Irrigation	04/01 to 11/01	Spring Creek/ Cub River
☒ ☐	13-274	2.85	Irrigation	04/01 to 11/01	Spring Creek/ Cub River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 3.1 cfs and/or 756.0 acre-feet.

2. Total amount of water proposed to be transferred or changed 2.03 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	39E	12		20	40	20													
Total Acres (for irrigation use)																			80

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:

Canal gate and rectangular weir already in place.

- b. Who owns the property at the point(s) of diversion? Kent Moser

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

Signed right of way to point of diversion through the property.

- 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:

The land is currently irrigated by water shares from a different source.

- 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:

Existing land is irrigated by water shares from different source. Proposed land is irrigated from water right source, and shares from a different source, and will continue to be irrigated with the shares and different sources. Water rights moved from stacked position to stacked position.

- 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:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/27/2020

Water Right 13-60B

Owner Type **Name and Address**
Current Owner LYMAN J SHARP
RT 1
PRESTON, ID 83263

Priority Date: 5/15/1886

Basis: Decreed

Status: Active

Source **Tributary**
SPRING CREEK CUB RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	0.080 CFS	34.0 AF
	Total Diversion		0.080 CFS	34.0 AF

Source and Point(s) of Diversion

SPRING CREEK SWSE Sec. 1, Twp 16S, Rge 39E, FRANKLIN County

Place Of Use

IRRIGATION within FRANKLIN 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	
16S	39E	12		17.0	40.0	20.0					24.0			40.0		40.0	35.0		216.0

POU Total Acres: 216.0

Conditions of Approval:

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

Water Right 13-61B

Owner Type **Name and Address**
Current Owner LYMAN J SHARP
RT 1
PRESTON, ID 83263

Priority Date: 5/15/1888

Basis: Decreed

Status: Active

Source **Tributary**
SPRING CREEK CUB RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	0.170 CFS	73.0 AF
	Total Diversion		0.170 CFS	73.0 AF

84102

Source and Point(s) of Diversion

SPRING CREEK

SWSE

Sec. 1, Twp 16S, Rge 39E, FRANKLIN County

Place Of Use

IRRIGATION within FRANKLIN County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	39E	12		17.0	40.0	20.0					24.0			40.0		40.0	35.0		216.0

POU Total Acres: 216.0

Conditions of Approval:**Combined Use Limits**

N/A

SubCase:

N/A

Water Supply Bank:

N/A

Water Right 13-274**Owner Type**

Current Owner

Name and Address

LYMAN L SHARP
RT 1
PRESTON, ID 83263

Priority Date: 9/1/1903**Basis:** Decreed**Status:** Active**Source**

SPRING CREEK

Tributary

CUB RIVER

Beneficial Use

IRRIGATION

From

4/01

To

11/01

Diversion Rate

2.850 CFS

Volume

756.0 AF

Total Diversion

2.850 CFS

756.0 AF

Source and Point(s) of Diversion

SPRING CREEK

SWSE

Sec. 1, Twp 16S, Rge 39E, FRANKLIN County

SPRING CREEK

L4(NWNW)

Sec. 6, Twp 16S, Rge 40E, FRANKLIN County

Place Of Use

IRRIGATION within FRANKLIN County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	39E	12		17.0	40.0	20.0					24.0			40.0		40.0	35.0		216.0

POU Total Acres: 216.0

Conditions of Approval:

- THIS WATER INCLUDES WATERS ARISING BELOW THE CHADWICK DAM AND SUCH PORTION OF THOSE WATERS ABOVE THE CHADWICK DAM AS OVERFLOW SAID DAM, UNDER THE USE OF SAID WATERS AND STRUCTURE OF SAID DAM AS IS NOW CONSTITUTED.
THIS RT. WHEN COMBINED WITH RTS. 13-0060B & 13-0061B, SHALL PROVIDE NO MORE THAN 3.5 CFS OR 756.0 AF/YR.
THIS DECREEED RT. WAS MODIFIED BY THE FINAL WORM CREEK DECREE.

Combined Use Limits

N/A

Dan Sharp Transfer



Legend

-  Post-Transfer Place of Use
-  Pre-Transfer Place of Use
-  Township/Range
-  Sections
-  QQ



0 0.1 0.2 0.4 Miles

84102

233318 1-2

recorded at the request of
Lyman J. Sharp

a.m. APR 10 2006 p.m. 12:46

QUITCLAIM DEED

THIS QUITCLAIM DEED, Executed this 10 day of April

first party, Lyman J. Sharp Family Trust

whose post office address is 573 South 1800 East Preston, ID 83263

to second party, Val B. Sharp

whose post office address is 1208 East 2200 South Preston, ID 83263

WITNESSETH, That the said first party, for good consideration and for the sum of \$ 4000.00 paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the said second party forever, all the right, title, interest and claim which the said first party has in and to the following described parcel of land, and improvements and appurtenances thereto in the County of State of Idaho, to wit: Exhibit A

IN WITNESS WHEREOF, The said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of:

Witness

Harold J. Sharp
First Party

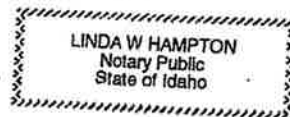
Witness

Val B. Sharp
Second Party

STATE OF Idaho
COUNTY OF Franklin }

On April 10 2006 before me, Linda W. Hampton, notary, personally appeared Harold J. Sharp and Val B. Sharp, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument: WITNESS my hand and official seal.

Signature Linda W. Hampton



Affiant Known Unknown
ID Produced Drivers License shown
(Seal)

84102

233318 2.2

Exhibit A

PARCEL J

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 16 SOUTH, RANGE 39 EAST, BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 12, FROM WHICH THE NORTHEAST CORNER OF SECTION 12 BEARS NORTH 89° 00' 46" EAST;
THENCE NORTH 89° 00' 46" EAST 450.00 FEET ALONG THE NORTH BOUNDARY OF SECTION 12 TO A 5/8" REBAR AND CAP LABELED "ALLEN" AND SURVEYING, PLS 9163". THE POINT OF BEGINNING;
THENCE NORTH 89° 00' 46" EAST 204.40 FEET ALONG SAID NORTH BOUNDARY TO A 5/8" REBAR AND CAP;
THENCE SOUTH 02° 00' 00" WEST 45.00 FEET TO A 5/8" REBAR AND CAP;
THENCE SOUTH 62° 52' 30" EAST 68.20 FEET TO A 5/8" REBAR AND CAP;
THENCE SOUTH 04° 35' 00" WEST 141.00 FEET TO A 5/8" REBAR AND CAP;
THENCE SOUTH 85° 34' 00" WEST 27.19 FEET TO A 5/8" REBAR AND CAP;
THENCE SOUTH 00° 21' 15" WEST 1092.90 FEET TO A 5/8" REBAR AND CAP;
THENCE WEST 677.02 FEET TO A 5/8" REBAR AND CAP AT THE LOCALLY ACCEPTED WEST BOUNDARY OF SAID NORTHEAST QUARTER;
THENCE NORTH 00° 02' 55" WEST 663.92 FEET ALONG SAID WEST BOUNDARY TO A 5/8" REBAR AND CAP;
THENCE NORTH 00° 40' 12" WEST 106.14 FEET ALONG SAID WEST BOUNDARY TO A 5/8" REBAR AND CAP AT THE SOUTH BOUNDARY OF THE PARCEL OF LAND DESCRIBED IN INSTRUMENT NUMBER 202043;
THENCE NORTH 89° 00' 46" EAST 469.66 FEET ALONG SAID SOUTH BOUNDARY TO A 5/8" REBAR AND CAP AT THE SOUTHEAST CORNER OF SAID PARCEL;
THENCE NORTH 00° 59' 14" WEST 530.00 FEET ALONG THE EAST BOUNDARY OF SAID PARCEL TO THE POINT OF BEGINNING;
CONTAINING APPROXIMATELY 14.88 ACRES.

SUBJECT TO A THIRTY FOOT WIDE COUNTY ROADWAY AND UTILITY EASEMENT, BEING SOUTH OF, AND COINCIDENT WITH, THE CENTERLINE OF 2200 SOUTH

ALSO SUBJECT TO A SIXTY (60) FOOT WIDE ACCESS AND UTILITY EASEMENT, THE EAST BOUNDARY OF SAID EASEMENT DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 16 SOUTH, RANGE 39 EAST, BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO, FROM WHICH THE EAST QUARTER CORNER OF SECTION 12 BEARS NORTH 89° 10' 45" EAST;
THENCE NORTH 00° 02' 55" WEST 1352.93 FEET ALONG THE LOCALLY ACCEPTED WEST BOUNDARY OF SAID NORTHEAST QUARTER TO A 5/8" REBAR AND CAP LABELED "ALLEN" AND SURVEYING, PLS 9163";
THENCE EAST 60.00 FEET TO THE POINT OF BEGINNING;
THENCE NORTH 00° 02' 55" WEST 664.30 FEET;
THENCE NORTH 00° 40' 12" WEST 106.80 FEET;
THENCE NORTH 01° 08' 15" EAST 500.34 FEET TO THE SOUTH RIGHT OF WAY LINE OF 2200 SOUTH

Also together with 2/7ths of the waters heretofore
decreed to Christian Monson out of the water of
Spring Creek.

Also subject to a fifty (50) foot easement along the west
boundary for David W. Beckstead

WHEN RECORDED MAIL TO:

PO Box 135
Dryden ID 83530

278485

Recorded at the request of

Valerie Sharp
Time: 2:00 Amount \$ 15.00

AUG 13 2019

CAMILLE LARSEN, RECORDER
By scm Deputy
Franklin County, Idaho

QUIT CLAIM DEED

Val B Sharp and/or Jeralyn Sharp, Grantor
of Franklin County, State of Idaho,
hereby Quit Claims

to G. Dan Sharp and/or Valerie Sharp, Grantee
of Franklin County, State of Idaho,

for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION,
the following described tract of land in Franklin County, State of Idaho.

See Attached Exhibit "A"

WITNESS, the hands of said grantors, this 11 day of August, 2019.

Val B. Sharp

Jeralyn Sharp

State of Idaho
County of Franklin ss:

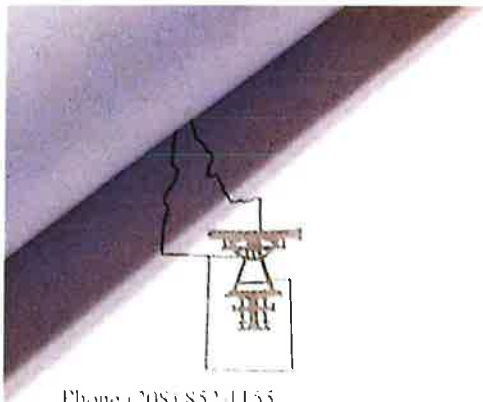
On this 11 day of August, 2019, personally appeared before me,
Val B Sharp and/or Jeralyn Sharp
duly acknowledged to me that he/she/they executed the same.

who

Gina G Griffiths
Notary Public

Residing:
Expire:

GINA G GRIFFITHS
COMM NO. 57265
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES: JAN. 12, 2023



A. A. HUDSON
and
ASSOCIATES

278485
22

Phone (208) 852-1155
Fax (208) 852-3211
132 South State
Preston, Idaho 83263
aa@aaahudson.com

Tim Christensen
Idaho PLS-13173
Utah PLS-375041-201

LEGAL DESCRIPTION
FOR
VAL SHARP
PARCEL 2
MAY 2019

A parcel of land located in Section 12, Township 16 South, Range 39 East, Boise Meridian, Franklin County, Idaho and more particularly described as follows:

Beginning at the North quarter corner of said Section 12, from which the Northeast corner of Section 12 bears North 88° 59' 08" East 2702.41 feet;
Thence North 88° 59' 08" East 450.00 feet along the North line of said Section 12 to the True Point of Beginning;

Thence continuing North 88° 59' 08" East 204.40 feet;

Thence along the Easterly line of the parcel of land owned by Scot Reed Hansen, which parcel is described in Instrument # 256220 in the official records of Franklin County, the following 5 courses:

Thence South 01° 58' 25" West 45.00 feet;

Thence South 62° 54' 05" East 68.20 feet;

Thence South 04° 33' 25" West 141.00 feet;

Thence South 85° 32' 25" West 27.19 feet;

Thence South 00° 19' 40" West 395.06 feet;

Thence South 88° 59' 08" West 348.15 feet along the North line of the parcel owned by The W. Pauline Beckstead Survivor's Trust, which parcel is described in Instrument # 276397 in the official records of Franklin County;

Thence North 46° 04' 32" East 123.36 feet along the Northwesterly bank of Spring Creek;

Thence North 88° 59' 08" East 45.67 feet along the South line of the parcel of land owned by Val B. Sharp and Jeralyn Sharp, which parcel is described in Instrument # 240140 in the official records of Franklin County to the Southeast corner thereof;

Thence North 01° 00' 52" West 530.01 feet along the East line of said Sharp parcel to the True Point of Beginning.

Containing 3.4 acres of land.

Subject to the public right of way on 2200 South Street.

Along with water rights 13-60B, 13-61B, 13-274.



State of Idaho

DEPARTMENT OF WATER RESOURCES

EASTERN Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

June 4, 2020

DAN SHARP
PO BOX 135
DAYTON, ID 83232

RE: Transfer No. 84102
Water Right No(s). 13-274, 13-60B, 13-61B

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the PRESTON CITIZEN on 6/10/2020 and 6/17/2020. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Christina Henman
Administrative Assistant

Henman, Christina

From: Henman, Christina
Sent: Thursday, June 04, 2020 3:42 PM
To: PRESTON CITIZEN (bjohnson@hjnews.com)
Subject: Legal Ad for Preston Citizen
Attachments: 84102 Preston Citizen.doc

Hello,

Please find attached document regarding a legal ad for your newspaper.

Thank You,

Christina Henman
Administrative Assistant
Idaho Dept. of Water Resources, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 497-3793

June 4, 2020

MAY CONTAIN MORE THAN ONE PAGE!

Legal Notice Department

Preston Citizen
PO Box 472
Preston ID 83263

RE: Transfer No. 84102
Water Right No(s). 13-274, 13-60B, 13-61B

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before **July 29, 2019**. Your cooperation is appreciated.

Sincerely

Christina Henman
Administrative Assistant
Dept of Water Resources
900 N Skyline Dr Ste A
Idaho Falls ID 83402
208-525-7161
208-525-7177 – fax

PLEASE PUT IN NORMAL COLUMN AND NO BORDERS. THANK YOU.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84102

DAN SHARP, PO BOX 135, DAYTON, ID 83232 has filed Application No. 84102 for changes to the following water rights within FRANKLIN County(s): Right No(s). 13-274, 13-60B, 13-61B; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change place of use. The proposed place of use is in the NE1/4 of Sec 12 T16S R39E for 80 acres. The point of diversion for 3.10 cfs from Spring Creek will not change.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 6/29/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 6/10/2020 and 6/17/2020

Henman, Christina

From: Henman, Christina
Sent: Thursday, June 04, 2020 2:37 PM
To: 'farmerkirk@hotmail.com'
Subject: Application for Transfer No. 84102
Attachments: RecommendationForm Transfer12.docx

Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Please contact this office if you have any questions regarding the application.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls ID 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177

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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

June 3, 2020

DEAN & VELDA SHARP FAMILY TRUST
1203 E 3200 S
PRESTON ID 83263

Re: Transfer of Water Right Nos. 13-60B, 13-61B, & 13-274

To Whom It May Concern:

A water right Application for Transfer has been filed on rights 13-60B, 13-61B, and 13-274 ("rights"). Department records indicate that these rights may be appurtenant to your property. The transfer, numbered 84102, proposes to consolidate the water rights' place of use, moving them off of your property. You can find a copy of the application at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>

The transfer applicant, Dan Sharp, asserts total ownership of the rights. However, the Department is providing you direct notice of the transfer and its intent in order to give you the opportunity to demonstrate your interest in the rights. Typically, interest in water rights includes evidence of ownership and active usage (ie within the past five years) of the rights. But any evidence that you provide will be considered.

If you are found to have an interest in the water right, you should consider filing a Notice of Change in Water Right Ownership with the Department and/or filing a protest to the transfer application. These forms can be found on the Department's website at idwr.idaho.gov.

If you have any questions, I invite you to reach out to me at 208 525 7161.

Sincerely,

Cooper Fritz
Senior Water Resource Agent
(208) 525-7161