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JUN 10 2019

Department of Water Resources  
Eastern Region

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1

Name of Applicant(s) PT Elliot LLC Phone 208-538-7140

Mailing address 392 N 4500 E Rigby, ID 83442 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 Carl Zitlau Phone 208-589-7140

Mailing address 392 N 4500 E Rigby, ID 83442 Email carl.zitlau@gmail.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.

Carl Zitlau  
Signature of Applicant or Authorized Representative

\_\_\_\_\_  
Print Name and Title if applicable

6-10-19  
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. 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**.  
 Changing POD to a new groundwater well due to no longer having access to current well. Changing POU to correct incorrect land list and shape.

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"/>	35-7720	1.57	Irrigation	04/01 to 10/31	Ground water
<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	
<input type="checkbox"/> <input type="checkbox"/>				to	

Total authorized under rights 1.57 cfs and/or \_\_\_\_\_ acre-feet.

2. Total amount of water proposed to be transferred or changed 1.57 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 #
No	5		SW	SW	3	04N	37E	Jefferson	Ground water	WMIS # 200800
Yes	6		NE	SW	3	04N	37E	Jefferson	Ground water	

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	
04N	37E	3			5.7						18.3	38.0	2.3	0.3					64.6
					L7						L6		L5	L14					
04N	37E	3			4.6						9.0		0.5						14.1
					L12						L14		L14						
Total Acres (for irrigation use)																			78.7

STATE OF IDAHO  
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**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:

WELL + PUMP METER IN LINE

- b. Who owns the property at the point(s) of diversion? PT ELLIOT LLC

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:

1-7017, 35-10255 + 35-7744

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

**Yes No**

- |                          |                                     |   |
|--------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | undergone a period of five or more consecutive years of non-use,                              |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently leased to the Water Supply Bank,  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently used in a mitigation plan limiting the use of water under the right, or             |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

## 3/9/2020

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PT ELLIOTT LLC 392 N 4500 E RIGBY, ID 83442-5596 (208) 589-7140

**Status:** Active

Source  
GROUND WATER

## IRRIGATION

	<u>04/01</u>	<u>10/31</u>
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1.570 CFS

## Total Diversion

1.570 CFS

## GROUND WATER

L5(SWSW)

Sec. 3, Twp 04N, Rge 37E, JEFFERSON County

GROUND WATER

NWSE

Sec. 4, Twp 04N, Rge 37E, JEFFERSON County

## IRRIGATION within JEFFERSON County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	37E	3			11.7						25.0	40.0	2.0						78.7
					L7						L6		L5						

POU Total Acres: 78.7

1.	E53	USE OF THIS RIGHT WITH ALL OTHER RIGHTS IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 315 AF AT THE FIELD HEADGATE FOR THE LANDS BELOW.
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.	E55	USE OF THIS RIGHT WITH RIGHT NO. 01-7017 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 78.7 ACRES IN A SINGLE IRRIGATION SEASON.

## Decreed Date: 1/12/2004

Civil Case Number: 39576

Judicial District: FIFTH

Water District Number:

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

3/9/2020

Mitigation Plan: False

**Combined Use Limits**  
**Rate**

**Volume**

**Acres**  
78.7

1-7017 ,35-7720

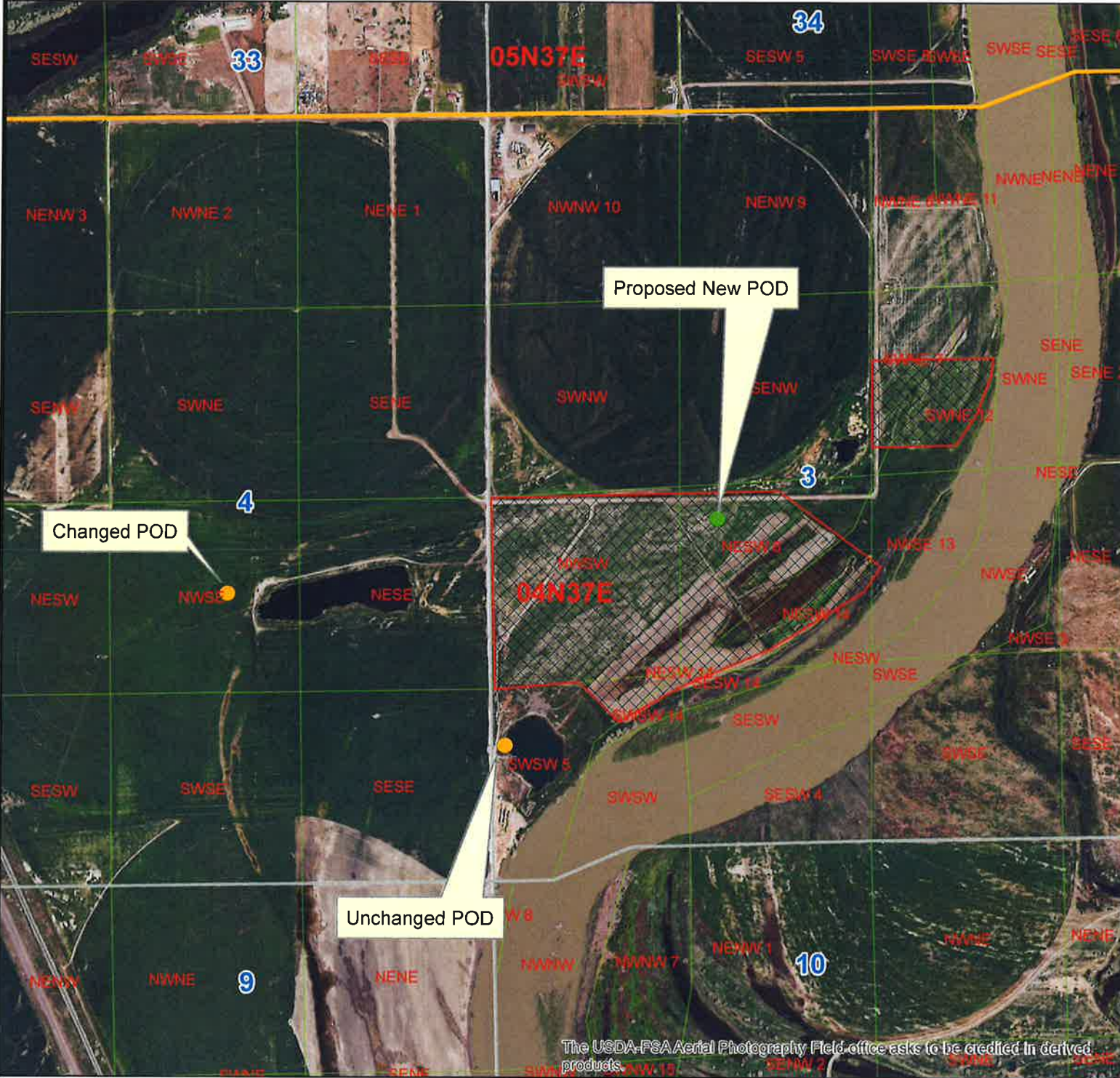
**SubCase:**  
N/A

**Water Supply Bank:**  
N/A





# Transfer 83093 Ammended Map



## Legend

- 35-7720\_Proposed\_POD
- 35-7720\_Current\_POD's
- Corrected\_POU
- Township/Range
- Sections
- QQ

