

AMENDED
RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

83773

FEB 11 2020

WATER RESOURCES
WESTERN REGION

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) Black & Becker LLC

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 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) Marshall Becker Black & Becker LLC Phone 208 598 5821 208 867 9396 *Tyler Becker*
Mailing address 31383 Mad Flat Road Grand View, ID 83624 Email beckermarshall@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.

Marshall Becker
Signature of Applicant or Authorized Representative

Marshall Becker
Print Name and Title if applicable

11-21-19
Date

[Signature]
Signature of Applicant or Authorized Representative

Martin Black
Print Name and Title if applicable

11-22-19
Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
☐ Change nature of use
 ☐ Add diversion point(s)
☐ Change period of use
 ☒ Change place of use
☐ Other _____
- 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**.
- 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**.

I would like to take these rights from an area without electricity and move them about 4 miles to my existing farm where there is suitable land and electricity for irrigation

AMENDEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**RECEIVED****FEB 11 2020**WATER RESOURCES
WESTERN REGION**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"/>	57-7333A	1.23 cfs	Irrigation/Stockwater	3/1 to 11/15	Groundwater
<input checked="" type="checkbox"/> <input type="checkbox"/>	57-7010A	1.57 cfs	Irrigation	3/1 to 11/15	Groundwater
<input checked="" type="checkbox"/> <input type="checkbox"/>	57-7331A	2.0	Irrigation	3/1 to 11/15	Shoofly Creek
<input checked="" type="checkbox"/> <input type="checkbox"/>	57-2108	0.5	Irrigation	3/1 to 11/15	Shoofly Creek
<input checked="" type="checkbox"/> <input type="checkbox"/>	57-1222A	0.58	Irrigation/Stockwater	3/1 to 11/15	Shoofly Creek
<input checked="" type="checkbox"/> <input type="checkbox"/>	57-7184A	1.214	Irrigation	3/1 to 11/15	Groundwater
<input checked="" type="checkbox"/> <input type="checkbox"/>	57-1220	0.52	Irrigation/Stockwater	3/1 to 11/15	Shoofly Creek
<input checked="" type="checkbox"/> <input type="checkbox"/>	57-1219	0.15	Irrigation/Stockwater	3/1 to 11/15	Shoofly Creek
<input type="checkbox"/> <input type="checkbox"/>				to	

Total authorized under rights 4.44 cfs and/or _____ acre-feet.2. Total amount of water proposed to be transferred or changed 4.44 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 #
Y			SE	NE	04	07S	03E	Owyhee	Groundwater	
Y			SE	NE	04	07S	03E	Owyhee	Groundwater	
Y			SE	NE	04	07S	03E	Owyhee	Groundwater	
Y			SE	SW	34	06S	03E	Owyhee	Groundwater	
Y			SW	NE	04	07S	03E	Owyhee	Shoofly Creek	

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	
07S	03E	5													15			40	55
07S	03E	4	25		25	40				5	30	20	40						185
07S	03E	3		30			32	40											102
06S	03E	34			2						15			20	25	40	40	25	167
Total Acres (for irrigation use)																			509

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:

A group of 5 diversion points with 4 wells and one POD from Shoofly Creek(new); 2 new wells, 2 existing.
System will be connected to deliver water to 5 pivots.

- b. Who owns the property at the point(s) of diversion? Marshall Becker

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:

The land now irrigated will be used for cattle grazing and horse training.

- 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:

There are several existing groundwater rights on a portion of the proposed POU for irrigation purposes.

- 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:

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:

The original farm has a creek (Shoofly) that is dry almost all year.
To supplement this almost nonexistent water source, wells were drilled.
In recent years, the wells were used primarily since the creek is not
reliable. This same creek flows through the land where we propose to
move the rights. If any amount of water is in the creek, it will
be used instead of the wells. This ~~is~~ would be very cost effective.

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

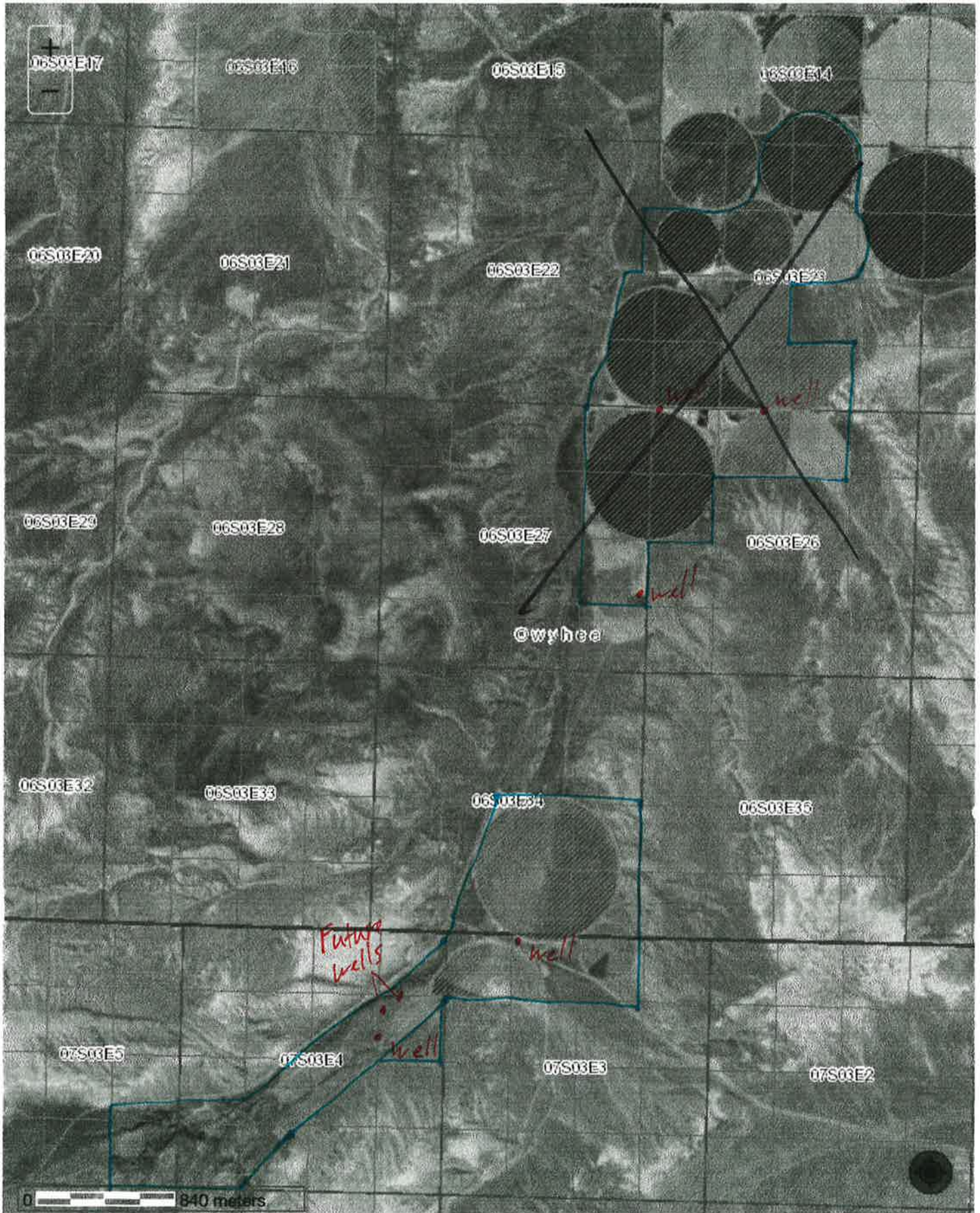
Received by KT Date 11/22/19 Preliminary check by _____ Date _____

Fee paid \$1125.00 Date 11/22/19 Received by KT Receipt # W047895

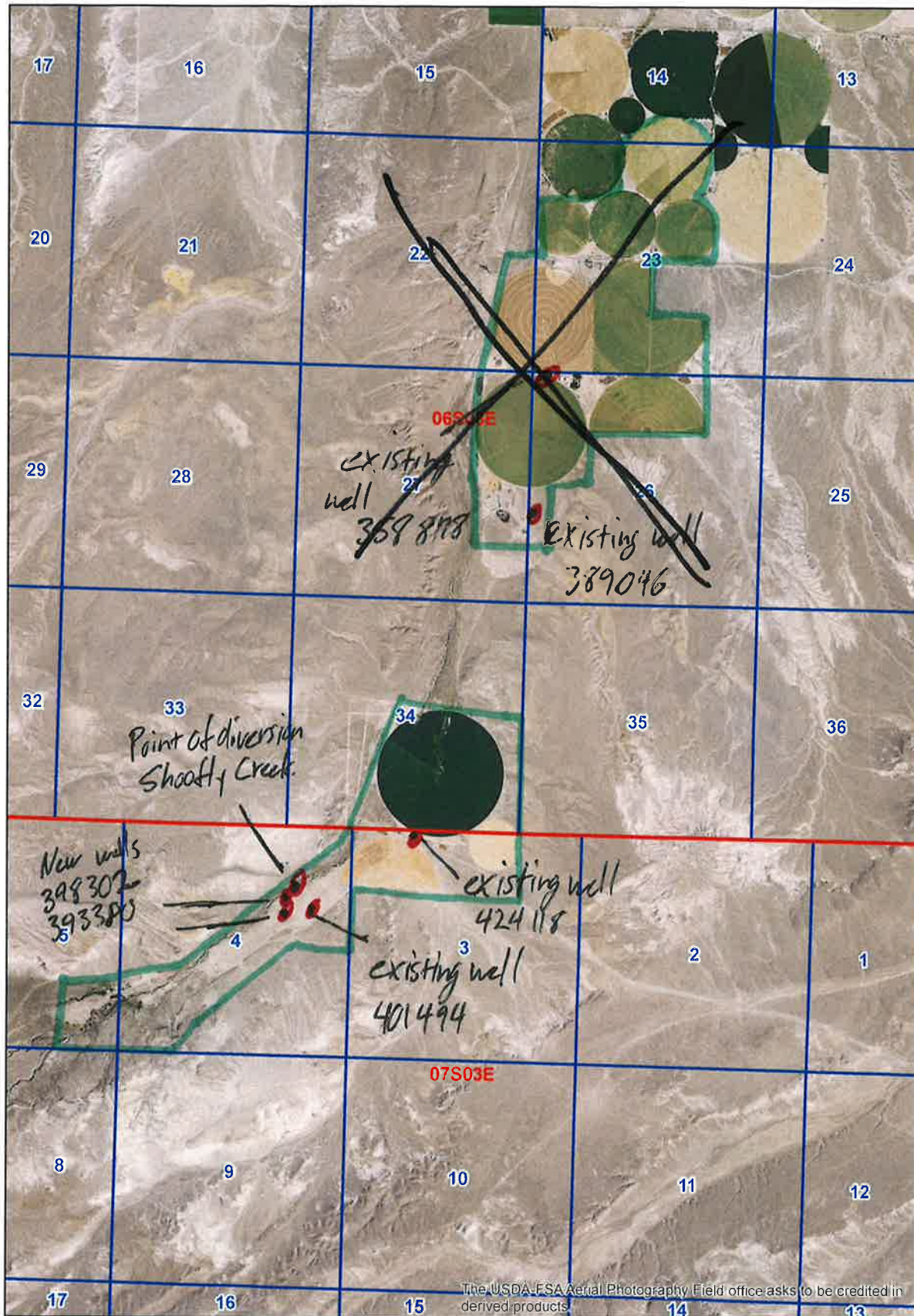
Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

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

North



Worth



RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

83773

NOV 22 2019

WATER RESOURCES
WESTERN REGIONMINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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Name of Applicant(s) Black & Becker LLCCheck 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.)
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- ☐ ☒ #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: _____

Superseded by Amended APP RCVD 2/11/30

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"/>	57-7333A	1.23 cfs	irrigation/stock water	March 1 to Nov 15	Ground water
<input checked="" type="checkbox"/> <input type="checkbox"/>	57-7010A	1.57 cfs	irrigation	March 1 to Nov 15	Ground water
<input checked="" type="checkbox"/> <input type="checkbox"/>	57-7331A	2 cfs	irrigation	March 1 to Nov 15	Shoofly creek
<input checked="" type="checkbox"/> <input type="checkbox"/>	57- 2085 2108	.5 cfs	irrigation	March 1 to Nov 15	Shoofly creek
<input checked="" type="checkbox"/> <input type="checkbox"/>	57-1222A	.58 cfs	irrigation, stock water	March 1 to Nov 15	Shoofly creek
<input checked="" type="checkbox"/> <input type="checkbox"/>	57-7184A	1.214 cfs	irrigation	March 1 to Nov 15	Ground water
<input checked="" type="checkbox"/> <input type="checkbox"/>	57-1220	.52 cfs	irrigation, stock water	March 1 to Nov 15	Shoofly creek
<input checked="" type="checkbox"/> <input type="checkbox"/>	57-1221	.6 cfs	irrigation, stock water	March 1 to Nov 15	waste water, sinks
<input checked="" type="checkbox"/> <input type="checkbox"/>	57-1219	.15 cfs	irrigation, stock water	March 1 to Nov 15	Shoofly creek
Total authorized under rights 4.89 cfs and/or <u>382.1</u> acre-feet.					

2. Total amount of water proposed to be transferred or changed 5.04 ~~4.89~~ cubic feet per second and/or 382.1 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	Twp	Rge	County	Source	Local name or tag #
YES		NE	SE	NE	04	7S	03E	Owyhee	ground	398302
YES		NW	SE	NE	04	7S	03E	Owyhee	ground	393380

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.)

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	03E	14																	
		23																	
		22																	
		26																	
		27																	
		34																	
Total Acres (for irrigation use)																			

See reverse

superseded by Amended APP received 2/11/20

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:

a group of seven wells, 5 existing and 2 future, supply the mainline that goes out to the pivots. All wells have a short piece of mainline dogleg suitable for a water meter

- b. Who owns the property at the point(s) of diversion? Marshall Becker

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:

the land now irrigated will be used for cattle grazing and horse training. It is not suitable for modern irrigation methods such as pivots

- 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:

The existing farm, to which these rights are being moved, has some ground water rights but not enough. These are used for irrigation.

- 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**

11/22/2019

Water Right 57-1219

Owner Type **Name and Address**
Current Owner MATTIE L BLACK
 PO BOX 273
 GRAND VIEW, ID 83624

Current Owner PAUL BLACK
 PO BOX 273
 GRAND VIEW, ID 83624
 (208) 834-2467

Priority Date: 12/21/1886

Basis: Decreed

Status: Active

Source
SHOOFLY CREEK

Tributary
SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	0.150 CFS	
STOCKWATER	1/01	12/31	0.050 CFS	
	<u>Total Diversion</u>		0.150 CFS	

Source and Point(s) of Diversion

SHOOFLY CREEK NENE Sec. 23, Twp 07S, Rge 02E, OWYHEE County

Place Of Use

IRRIGATION within OWYHEE 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	
07S	02E	13											3.0						3.0
07S	02E	14																2.0	2.0

POU Total Acres: 5.0

STOCKWATER Same as IRRIGATION

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. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL

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- 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.
4. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
5. STOCKWATER, 100 RANGE CATTLE

Comments:

1. DSMITH 1/24/1996 NAME AND/OR ADDRESS CHANGE
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT OWNER CHANGE. *NAME/ADDRESS CONFORMED TO AVOID DUPLICATE MAILING LABELS
2. RHOWERTO 8/23/1996 COPIED FROM REMARKS
0.05 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.

Dates and Other Information

Decreed Date: 10/25/2002
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits

N/A

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/22/2019

Water Right 57-1220

Owner Type **Name and Address**
 Current Owner PAUL BLACK
 PO BOX 273
 GRAND VIEW, ID 83624
 (208) 834-2467

Current Owner MATTIE L BLACK
 PO BOX 273
 GRAND VIEW, ID 83624

Priority Date: 12/21/1886

Basis: Decreed

Status: Active

Source
 SHOOFLY CREEK

Tributary
 SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	0.520 CFS	
STOCKWATER	1/01	12/31	0.050 CFS	
	<u>Total Diversion</u>		0.520 CFS	

Source and Point(s) of Diversion

SHOOFLY CREEK NWSW Sec. 13, Twp 07S, Rge 02E, OWYHEE County

Place Of Use

IRRIGATION within OWYHEE 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	
07S	02E	13							3.0	15.0		3.0							21.0

POU Total Acres: 21.0

STOCKWATER Same as IRRIGATION

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. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. USE OF THIS RIGHT WITH RIGHT 57-07010A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.74 CFS.
4. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE

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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.

5. USE OF THIS RIGHT WITH RIGHT 57-07010A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 70 ACRES IN A SINGLE IRRIGATION SEASON.
6. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
7. STOCKWATER, 100 RANGE CATTLE

Comments:

Dates and Other Information

Decreed Date: 1/3/2003
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: OR
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
1.740		70.0
57-7010A ,57-1220		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
2.040		81.0
57-7010A ,57-2108 ,57-1220 ,57-1222A		

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A

**IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report**

11/22/2019

Water Right 57-1221

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MATTIE L BLACK PO BOX 273 GRAND VIEW, ID 83624
Current Owner	PAUL BLACK PO BOX 273 GRAND VIEW, ID 83624 (208) 834-2467

Priority Date: 3/15/1971

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	0.600 CFS	
IRRIGATION STORAGE	3/15	11/15		4.0 AF
IRRIGATION FROM STORAGE	3/15	11/15		4.0 AF
STOCKWATER	1/01	12/31	0.050 CFS	
DIVERSION TO STORAGE	3/15	11/15	0.600 CFS	
	<u>Total Diversion</u>		0.600 CFS	

Source and Point(s) of Diversion

WASTE WATER	SWSESE	Sec. 12, Twp 07S, Rge 02E, OWYHEE County
WASTE WATER	NWNWNE	Sec. 13, Twp 07S, Rge 02E, OWYHEE County

Place Of Use

IRRIGATION within OWYHEE 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	
07S	03E	7				17.5									19.5				37.0

POU Total Acres: 37.0

STOCKWATER Same as IRRIGATION
IRRIGATION FROM STORAGE Same as IRRIGATION

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. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL

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- NOT EXCEED 13,000 GALLONS PER DAY.
3. USE OF THIS RIGHT WITH RIGHT NOS. 57-07184A, 57-07331A AND 57-07333A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.85 CFS.
 4. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, 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.
 5. USE OF THIS RIGHT WITH RIGHT NOS. 57-07184A, 57-07331A AND 57-07333A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 142.5 ACRES IN A SINGLE IRRIGATION SEASON.
 6. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
 7. G16 THIS RIGHT REMAINS SUBJECT TO THE RIGHT OF THE ORIGINAL APPROPRIATOR, IN GOOD FAITH AND IN COMPLIANCE WITH STATE LAWS GOVERNING CHANGES IN USE AND/OR EXPANSION OF WATER RIGHTS, TO CEASE WASTING WATER, TO CHANGE THE PLACE OR MANNER OF WASTING IT, OR TO RECAPTURE IT.
 8. TWO POINTS OF DIVERSION LOCATED IN NWNWNE S13, T07S, R02E. STOCKWATER, 160 RANGE CATTLE

Comments:

1. DSMITH 1/24/1996 ADDRESS CONFORMED
*NAME/ADDRESS CONFORMED TO AVOID DUPLICATE MAILING LABELS
2. SSHERMAN 12/3/1996 OWNERSHIP CHANGE
FORM 42-248/42-1409(6) OWNERSHIP CHANGE, MIKE BLACK TO PAUL AND/OR MATTIE BLACK

Dates and Other Information

Decreed Date: 1/3/2003
 Civil Case Number: 39576
 Judicial District: FIFTH
 State or Federal: S
 Owner Name Connector: AND
 Water District Number: NWD
 Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
2.850		142.5
57-7184A ,57-1221 ,57-7331A ,57-7333A		

Verification Log**SubCase:**

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N/A

Water Supply Bank:

N/A

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Water Right 57-1222A

Owner Type **Name and Address**
Current Owner MATTIE L BLACK
 PO BOX 273
 GRAND VIEW, ID 83624

Current Owner PAUL BLACK
 PO BOX 273
 GRAND VIEW, ID 83624
 (208) 834-2467

Priority Date: 3/15/1968

Basis: Decreed

Status: Active

Source
SHOOFLY CREEK

Tributary
SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	0.580 CFS	
STOCKWATER	1/01	12/31	0.020 CFS	
	<u>Total Diversion</u>		0.580 CFS	

Source and Point(s) of Diversion

SHOOFLY CREEK NWSW Sec. 13, Twp 07S, Rge 02E, OWYHEE County

Place Of Use

IRRIGATION within OWYHEE 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	
07S	02E	12															17.0	6.0	23.0

POU Total Acres: 23.0

STOCKWATER Same as IRRIGATION

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. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. USE OF THIS RIGHT WITH RIGHT 57-07010A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.3 CFS.
4. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE

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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.

5. USE OF THIS RIGHT WITH RIGHT 57-07010A IS LIMITED TO THE IRRIGATION OF 66 ACRES IN A SINGLE IRRIGATION SEASON.

PLACE OF USE WITHIN SWSE AND SESE OF SEC. 12, T07S R02E IS MORE SPECIFICALLY DESCRIBED AS THE S 1/2 OF THE SWSE AND THE S 1/2 OF THE SESE OF SEC. 12, T07S R02E.

6. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

7. STOCKWATER, 55 CATTLE

Comments:

1. DSMITH 1/24/1996 CONFORMED ADDRESS
*NAME/ADDRESS CONFORMED TO AVOID DUPLICATE MAILING LABELS

Dates and Other Information

Decreed Date: 1/3/2003
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: OR
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
1.300		
57-7010A ,57-1222A		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
2.040		81.0
57-7010A ,57-2108 ,57-1220 ,57-1222A		

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A

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Water Right 57-2108

Owner Type **Name and Address**
 Current Owner PAUL BLACK
 PO BOX 273
 GRAND VIEW, ID 83624
 (208) 834-2467

Current Owner MATTIE L BLACK
 PO BOX 273
 GRAND VIEW, ID 83624

Priority Date: 6/1/1917

Basis: Decreed

Status: Active

Source
 SHOOFLY CREEK

Tributary
 SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	0.500 CFS	
	<u>Total Diversion</u>		0.500 CFS	

Source and Point(s) of Diversion

SHOOFLY CREEK NWSW Sec. 13, Twp 07S, Rge 02E, OWYHEE County

Place Of Use

IRRIGATION within OWYHEE 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	
07S	02E	13		11.0			9.0												20.0

POU Total Acres: 20.0

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. USE OF THIS RIGHT WITH RIGHT 57-07010A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.84 CFS.
3. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, 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.

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4. USE OF THIS RIGHT WITH RIGHT 57-07010A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 73 ACRES IN A SINGLE IRRIGATION SEASON.

Comments:

Dates and Other Information

Decreed Date: 1/3/2003
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: OR
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
1.840		73.0
57-7010A ,57-2108		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
2.040		81.0
57-7010A ,57-2108 ,57-1220 ,57-1222A		

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A

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11/22/2019

Water Right 57-7010A

Owner Type **Name and Address**
Current Owner PAUL BLACK
 PO BOX 273
 GRAND VIEW, ID 83624
 (208) 834-2467

Current Owner MATTIE L BLACK
 PO BOX 273
 GRAND VIEW, ID 83624

Priority Date: 2/6/1968

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	1.570 CFS	288.0 AF
	<u>Total Diversion</u>		1.570 CFS	288.0 AF

Source and Point(s) of Diversion

GROUND WATER NWSW Sec. 13, Twp 07S, Rge 02E, OWYHEE County

Place Of Use

IRRIGATION within OWYHEE 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	
07S	02E	12															17.0	6.0	23.0
07S	02E	13		11.0			9.0		3.0	15.0		3.0							41.0

POU Total Acres: 64.0

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. USE OF THIS RIGHT WITH RIGHT 57-01220, 57-01222A AND 57-02108 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.04.
3. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, 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

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- ENTERED FOR THIS RIGHT.
4. USE OF THIS RIGHT WITH RIGHT 57-01220, 57-01222A AND 57-02108 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 81 ACRES IN A SINGLE IRRIGATION SEASON.
5. THE PLACE OF USE IS LIMITED TO THE SOUTH 1/2 OF THE SWSE AND THE SOUTH 1/2 OF THE SESE, SEC. 12, T07S, R02E.

Comments:

1. HOWERTON 3/11/1991 INCORRECTLY CLAIMED LICENSE PRIOR TO DECREE.
MODIFICATION LETTER NOTING THAT THE CLAIM WILL BE CHANGED AS DECREED.
2. DSMITH 1/24/1996 CONFORMED ADDRESS
*NAME/ADDRESS CONFORMED TO AVOID DUPLICATE MAILING LABELS

Dates and Other Information

Decreed Date: 1/3/2003
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
1.300		
57-7010A ,57-1222A		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
1.740		70.0
57-7010A ,57-1220		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
1.840		73.0
57-7010A ,57-2108		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
2.040		81.0
57-7010A ,57-2108 ,57-1220 ,57-1222A		

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A

11/22/2019

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MATTIE L BLACK PO BOX 273 GRAND VIEW, ID 83624
Current Owner	PAUL BLACK PO BOX 273 GRAND VIEW, ID 83624 (208) 834-2467

Status: Active

Tributary

Volume

1.214 CFS

Sec. 13, Twp 07S, Rge 02E, OWYHEE 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
07S	03E	7	20.0			34.0									4.0	20.0			78.0

POU Total Acres: 78.0

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.		USE OF THIS RIGHT WITH RIGHT NO. 57-07333A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.23 CFS AND A TOTAL COMBINED DIVERSION VOLUME OF 382.1 AF. USE OF THIS RIGHT WITH RIGHT NOS. 57-01221, 57-07331A AND 57-07333A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.85 CFS.
3.		THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL

IDAHO DEPARTMENT OF WATER RESOURCES

11/22/2019

Proof Report

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.

4. USE OF THIS RIGHT WITH RIGHT NOS. 57-01221, 57-07331A AND 57-07333A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 142.5 ACRES IN A SINGLE IRRIGATION SEASON.
5. RIGHT NOS. 57-07333A, 57-07333B AND 57-07184B ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Comments:

1. SSHERMAN 12/3/1996 OWNERSHIP CHANGE
FORM 42-248/42-1409(6) OWNERSHIP CHANGE, MIKE BLACK TO PAUL AND/OR MATTIE BLACK.

Dates and Other Information

Decreed Date: 1/3/2003
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
1.230	382.1	
57-7184A ,57-7333A		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
2.850		142.5
57-7184A ,57-1221 ,57-7331A ,57-7333A		

Verification Log**SubCase:**

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/22/2019

Water Right 57-7331A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MATTIE L BLACK PO BOX 273 GRAND VIEW, ID 83624
Current Owner	PAUL BLACK PO BOX 273 GRAND VIEW, ID 83624 (208) 834-2467

Priority Date: 9/3/1982

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SHOOFLY CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	1.600 CFS	641.3 AF
IRRIGATION STORAGE	1/01	12/31		33.1 AF
IRRIGATION FROM STORAGE	3/15	11/15		33.1 AF
DIVERSION TO STORAGE	11/15	5/15	2.000 CFS	
<u>Total Diversion</u>			2.000 CFS	641.3 AF

Source and Point(s) of Diversion

SHOOFLY CREEK NWSW Sec. 13, Twp 07S, Rge 02E, OWYHEE County

Place Of Use

IRRIGATION within OWYHEE 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	
07S	02E	12																0.5	0.5
07S	02E	13	1.5																1.5
07S	03E	7	24.0			34.0							16.0 L4	17.0	19.5	30.0			140.5

POU Total Acres: 142.5

IRRIGATION FROM STORAGE Same as IRRIGATION

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. USE OF THIS RIGHT WITH RIGHT NOS. 57-01221, 57-07184A AND 57-07333A IS

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/22/2019

3. LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.85 CFS.
THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
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.
4. USE OF THIS RIGHT WITH RIGHT NOS. 57-01221, 57-07331A AND 57-07333A IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 142.5 ACRES IN A
SINGLE IRRIGATION SEASON.
5. M05 A LOCKABLE MEASURING DEVICE OF A TYPE ACCEPTABLE TO IDWR SHALL BE
PERMANENTLY INSTALLED AND MAINTAINED AS PART OF THE DIVERTING
WORKS.
6. RIGHT NOS. 57-01221, 57-01222 AND 57-02108 ARE ALSO DIVERTED THROUGH
POINT OF DIVERSION DESCRIBED ABOVE.
RESERVOIR IS LOCATED WITHIN THE NENE, S13, T7S, R2E AND THE STORAGE
CAPACITY IS 35 AF.

Comments:

1. SSHERMAN 12/3/1996 OWNERSHIP CHANGE
FORM 42-248/42-1409(6) OWNERSHIP CHANGE, MIKE BLACK TO PAUL AND/OR MATTIE
BLACK.
2. scurtis 2/4/2014 Water Right
This water right record was updated by decree record from old RightID 378039 to new RightID
421495

Dates and Other Information

Decreed Date: 7/8/1997
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
2.850		142.5
57-7184A ,57-1221 ,57-7331A ,57-7333A		

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/22/2019

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/22/2019

Water Right 57-7333A

Owner Type **Name and Address**
Current Owner MATTIE L BLACK
 PO BOX 273
 GRAND VIEW, ID 83624

Current Owner PAUL BLACK
 PO BOX 273
 GRAND VIEW, ID 83624
 (208) 834-2467

Priority Date: 9/3/1982

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION STORAGE	1/01	12/31		31.1 AF
IRRIGATION FROM STORAGE	3/15	11/15		31.1 AF
STOCKWATER STORAGE	1/01	12/31		2.0 AF
STOCKWATER FROM STORAGE	1/01	12/31		2.0 AF
DIVERSION TO STORAGE	1/01	12/31	1.230 CFS	
	<u>Total Diversion</u>		1.230 CFS	

Source and Point(s) of Diversion

GROUND WATER SWNW Sec. 13, Twp 07S, Rge 02E, OWYHEE County

Place Of Use

IRRIGATION FROM STORAGE within OWYHEE 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	
07S	02E	12																0.5	0.5
07S	02E	13	1.5																1.5
07S	03E	7											16.0 L4	17.0	15.5	10.0			58.5

POU Total Acres: 60.5

IRRIGATION STORAGE within OWYHEE 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	
07S	02E	13	X																

STOCKWATER FROM STORAGE Same as IRRIGATION STORAGE

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/22/2019

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. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. USE OF THIS RIGHT WITH RIGHT NOS. 57-07184A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.23 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 382.1 AF.
USE OF THIS RIGHT WITH RIGHT NOS. 57-01221, 57-07184A AND 57-07331A IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.85 CFS.
4. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, 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.
5. USE OF THIS RIGHT WITH RIGHT NOS. 57-01221, 57-07184A AND 57-07331A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 142.5 ACRES IN A SINGLE IRRIGATION SEASON.
6. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
7. STOCKWATER, 150 RANGE CATTLE RIGHT NOS. 57-07184A, 57-07184B AND AND 57-07333B ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Comments:

1. DSMITH 1/24/1996 ADDRESS CONFORMED
*NAME/ADDRESS CONFORMED TO AVOID DUPLICATE MAILING LABELS
2. SSHERMAN 12/3/1996 OWNERSHIP CHANGE
FORM 42-248/42-1409(6) OWNERSHIP CHANGE, MIKE BLACK TO PAUL AND/OR MATTIE BLACK.
3. scurtis 2/4/2014 Water Right
This water right record was updated by decree record from old RightID 378041 to new RightID 421497

Dates and Other Information

Decreed Date: 7/8/1997
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: NWD
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/22/2019

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
1.230	382.1	
57-7184A ,57-7333A		
<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
2.850		142.5
57-7184A ,57-1221 ,57-7331A ,57-7333A		

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A



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: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

February 26, 2020

BLACK & BECKER LLC
29458 WHITSON LN
BRUNEAU, ID 83604-5020

RE: Transfer No. 83773

Water Right No(s). 57-1219, 57-1220, 57-1222A, 57-2108, 57-7010A, 57-7184A, 57-7331A, 57-7333A

Dear Applicants:

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 OWYHEE AVALANCHE on 3/4/2020 and 3/11/2020. 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,

A handwritten signature in blue ink, appearing to read 'Kensie Thorneycroft'.

Kensie Thorneycroft
Administrative Assistant



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: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

February 26, 2020

LEGAL NOTICE DEPARTMENT
OWYHEE AVALANCHE
PO BOX 97
HOMEDALE, ID 83628

RE: Application for Permit No. 55-13989, 57-12012, 57-12013

RE: Transfer No. 83773

Water Right No(s). 57-1219, 57-1220, 57-1222A, 57-2108, 57-7010A, 57-7184A, 57-7331A, 57-7333A

Dear Legal Notice Department:

Please publish the enclosed legal notice 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 3/23/2020. Your cooperation is appreciated.

Sincerely,

Kensie Thorneycroft
Administrative Assistant

Enclosure(s)

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Wednesday, February 26, 2020 12:02 PM
To: 'Avalanche Office'
Cc: 'jon@owyhee.com'
Subject: Owyhee Legal Notice
Attachments: Cover Letter.docx; Legal Notice.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning Legal Clerk,

I am sending you the new legal notices, please send confirmation to my email.

Please see the attached ad for publication on 03/04/2020 and 03/11/2020.

Please confirm these are okay to publish as shown.

Kensie Thorneycroft
Administrative Assistant 1
Idaho Dept. of Water Resources
208-334-2190

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

55-13989

CHARLENE R DOUGAL STANFORD

36693 JUNIPER MOUNTAIN RD

SOUTH MTN, OR 97910-9508

Point of Diversion SWSE S1 T09S R06W OWYHEE County Source CHERRY CREEK Tributary OWYHEE RIVER

Use: STOCKWATER 01/01 to 12/31 0.06 CFS

Total Diversion: 0.06 CFS

Date Filed: 02-24-2020

Place Of Use: STOCKWATER

T09S R06W S11 NESE

T09S R06W S13 NWSW

T09S R06W S24 NESW

57-12012

SNAKE RIVER RV RESORT, LLC

4030 RIVER RESORT DR

HOMEDALE, ID 83628-3727

Point of Diversion L6(SWNW) S14 T03N R05W OWYHEE County Source GROUND WATER

(2) Point of Diversion L5(SENW) S14 T03N R05W OWYHEE County Source GROUND WATER

Use: DOMESTIC 01/01 to 12/31 0.2 CFS

Use: COMMERCIAL 01/01 to 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 02-06-2020

Place Of Use: COMMERCIAL

T03N R05W S14 L5(NENW),NWNW,L6(SWNW),L5(SENW)

Place Of Use: DOMESTIC

T03N R05W S14 L5(NENW),L5(SENW)

57-12013

MARK S JENSEN

ANGELA JENSEN

10015 WILD HORSE RD

MELBA, ID 83641-4296

Point of Diversion NESE S17 T01N R03W OWYHEE County Source WASTE WATER Tributary SNAKE RIVER

Use: RECREATION STORAGE 01/01 to 12/31 1.9 AF

Total Diversion: 1.9 AF

Date Filed: 02-24-2020

Place Of Use: RECREATION STORAGE

T01N R03W S17 NESE

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 83773

BLACK & BECKER LLC, 31383 MUD FLAT RD, GRAND VIEW, ID 83624 has filed Application No. 83773 for changes to the following water rights within OWYHEE County(s): Right No(s). 57-1219, 57-1220, 57-1222A, 57-2108, 57-7010A, 57-7184A, 57-7331A, 57-7333A; 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: The purpose of the transfer is to change the place of use and points of diversion for the rights involved by moving the rights approximately 4 miles north and no longer use the existing delivery system. The proposed new POD's are downstream from the existing system on the applicant's property. The proposal is located near the intersection of Shoofly Cutoff Rd, Mud Flat Rd, and Poison Creek Rd in Owyhee County.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western office at (208)334-2190; or for a full description of the right(s) or proposed transfer, please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 3/23/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 3/4/2020 and 3/11/2020

Shearer, Justin

From: Marshallbecker <beckermarshall@gmail.com>
Sent: Wednesday, February 19, 2020 4:19 PM
To: Shearer, Justin
Subject: Re: Authority to Make Changes

Yes Justin

Tyler Becker has full privileges to make any modifications or changes to my water rights

Thanks Marshall Becker

On Feb 19, 2020, at 2:53 PM, Shearer, Justin <Justin.Shearer@idwr.idaho.gov> wrote:

Good afternoon Marshall,

Please confirm that your son Tyler Becker has authority to make changes to transfer 83773 that were made in person 2/11/20 so that I can include with the file.

Thanks and regards,

Justin Shearer
Water Resource Agent, Sr.
(208)-334-2190



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

January 30, 2020

BLACK & BECKER, LLC
31383 MUD FLAT RD
GRAND VIEW, ID 83624

COPY

Re: Application for Transfer No. 83773

Dear Applicant:

The Idaho Department of Water Resources (IDWR) is currently reviewing the above referenced application for transfer to change water rights. After preliminary review of the application, some concerns were identified regarding enlargement, feasibility, total acreage etc. issues that may result from your proposed changes. The transfer application would be denied if processed as filed due to these concerns.

1. Enlargement of the groundwater rights is a concern because the Place of Use (POU) does not completely match surface water use. We could change the Point of Diversion's (POD) to list all wells, but would not change the POU to match the surface water rights for fear of enlargement to the groundwater rights.
2. Total acreage applied for on the transfer is a concern because the group of rights total 209 acres of irrigation when accounting for combined use limits. We can create a 1400+ acre Permissible Place of Use (PPU) but would require condition 206 that would force you to identify a 209 acre shape intended as the POU. Which leads to concern #3...
3. Hydrologically connected sources is a concern because distance between current groundwater POD's and proposed POD's is significant. As a result, we have concerns that all the POD's proposed will not be able to deliver water to the entire POU proposed.

You may wish to withdraw your application or amend it with an alternate proposal that will avoid enlargement, feasibility, and total acreage concerns. IDWR will hold further processing of your application to allow a withdrawal or amendment of the application or any other information you may wish to submit in support of your existing or amended proposal. If you would like to set up a meeting to visit our office and discuss these matters, feel free to contact me.

Please submit the requested information for application processing to continue. You may seek additional time to provide the information by making a written request to delay processing. Your written response including the requested information, or a request for more time to seek the information, must be received within the next thirty (30) days.



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

January 22, 2020

BLACK & BECKER, LLC
31383 MUD FLAT RD
GRAND VIEW, ID 83624

COPY

Re: Application for Transfer No. 83773

Dear Applicant:

The Idaho Department of Water Resources (IDWR) is currently reviewing the above referenced application for transfer to change water rights. Additional information is needed to evaluate and process your application.

Please provide the following information:

- Part 1 B (3): list all Points of Diversion (POD) (legal description and sources) to be included on rights after transfer. Currently there are just two groundwater POD's listed which is likely not your intent, nor possible to change source through a transfer.
- #7a – Map: detail all intended POD's and Place of Use (POU) on map to match the legal description provided in tables (blank map provided).

Please submit the requested information for application processing to continue. You may seek additional time to provide the information. Your written response must be received within the next thirty (30) days.

Without a timely reply, IDWR will issue a preliminary order to reject the application. The application fee will not be refunded for a rejected application. A rejected application may be re-filed when adequate information can be provided.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you have any questions or would like to discuss the details of the above requested information. Thank you for your attention to this matter.

Sincerely,

Justin Shearer
Water Resource Agent, Sr.
Justin.shearer@idwr.idaho.gov

Enclosures: Pg 3 of Transfer Form, Map, Copy of Original Transfer Application

Without a timely reply, IDWR will issue a preliminary order to reject the application. The application fee will not be refunded for a rejected application.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you have any questions or would like to arrange an in person meeting. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Justin Shearer", followed by a horizontal line.

Justin Shearer
Water Resource Agent, Sr.
IDWR, Western Region

Basin/Sequ Owner	Source	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
07S02E12	BLACK & BECKER LL SHOOFLY CREEK															17	6
57-1222A	UNITED STATES OF SHOOFLY CREEK												2				
57-1222B	BLACK & BECKER LL GROUND WATER													2		17	6
57-7010A	UNITED STATES OF GROUND WATER																
57-7010B	BLACK & BECKER LL SHOOFLY CREEK																0.5
57-7331A	BLACK & BECKER LL SHOOFLY CREEK																0.5
57-7331A	BLACK & BECKER LL GROUND WATER																0.5
57-7333A	BLACK & BECKER LL GROUND WATER															17	6
	All Rights Sum															0	0
	GW short																23

07S02E13	BLACK & BECKER LL SHOOFLY CREEK																
57-1219	BLACK & BECKER LL SHOOFLY CREEK																
57-1220	BLACK & BECKER LL SHOOFLY CREEK																
57-2108	BLACK & BECKER LL SHOOFLY CREEK		11														
57-7010A	BLACK & BECKER LL GROUND WATER					9											
57-7331A	BLACK & BECKER LL SHOOFLY CREEK		11														
57-7331A	BLACK & BECKER LL SHOOFLY CREEK																
57-7331A	BLACK & BECKER LL GROUND WATER																
57-7333A	BLACK & BECKER LL GROUND WATER																
	All Rights Sum	1.5	11			9			3	15		3					45.5
	GW short	1.5	0			0			0	0		0					4.5

07S03E7	BLACK & BECKER LL WASTE WATER																
57-1221	BLACK & BECKER LL GROUND WATER																
57-7184A	HAUGRUD, JACK; U GROUND WATER	20			17.5										19.5		
57-7184B	BLACK & BECKER LL SHOOFLY CREEK			1	34										4	20	
57-7331A	HAUGRUD, JACK; U SHOOFLY CREEK	24			34								16	17	19.5	30	
57-7331B	BLACK & BECKER LL SHOOFLY CREEK			1													4
57-7331A	BLACK & BECKER LL GROUND WATER	24			34								16	17	19.5	30	
57-7333A	BLACK & BECKER LL GROUND WATER												16	17	15.5	10	
	All Rights Sum	24			34								16	17	19.5	30	140.5
	GW short	4			0								16	17	11.5	10	58.5

Total Acres
GW Short

209
63

1. GW does not completely match SW use. We could change the POD to list all wells, but would not change the POU to match the SW rights for fear of enlargement to the GW rights
2. Group totals 209 acre irrigation. Can create a 1400+ PPU but would require condition 206 and would force them to identify 209 acre shape. Which leads to #3....
3. Hydro connected? How do they propose to move/pump water from south end downstream to north end upstream?
4. Total Rate = ?? Probably 5.23 at most given the highest rate/acre

WR #	cfs	acres
57-1219	0.15	5
57-1220	0.52	21
57-1221	0.6	4
57-1222A	0.58	23
57-2108	0.5	20
57-7010A	1.57	64
57-7184A	1.214	78
57-7331A	1.6	641.3
57-7333A	0	31.1
Total	6.734	964.4
		451

CUL #1			
57-1220	0.52	21	
57-7010A	1.57	64	
total	2.09	85	
CUL	1.74	70	

CUL #2					
57-1221	0.6	4	37		
57-7010A	1.57	288	64		
57-7331A	2	641.3	142.5		
57-7333A	1.23	31.1	60.5		
total	5.4	964.4	304		
CUL	2.85		142.5		

Total CUL at 0.025 idwr std	cfs	af	ac	Combined rate			acres	volume
	5.23		209	57-1220				
	4.18		209	57-7010A	1.74	70		
				57-1221				
				57-7184A				
				57-07331A				
				57-7333A	2.85	142.5		
				57-1222A				
				57-7010A	1.3	66		
				57-2108				
				57-7010A	1.84	73		
				57-7010A				
				57-1220				
				57-1222A				
				57-2108	2.04	81		
				57-7184A				
CUL #3				57-7333A	1.23			382.1
57-1222A	0.58		23	total			11	432.5
57-7010A	1.57		64					
total	2.15		87					
CUL	1.3		66					

CUL #3			
57-1222A	0.58		23
57-7010A	1.57	288	64
total	2.15	288	87
CUL	1.3		66

CUL #4					
57-2108	0.5			20	
57-7010A	1.57	288		64	
total	2.07	288		84	
CUL	1.84			73	
CUL #5					
57-7010A	1.57	288		64	
57-1220	0.52			21	
57-1222A	0.58			23	
57-2108	0.5			20	
total	3.17	288		128	
CUL	2.04			81	

sfc	57-1219	12/21/1886	Ac	Q	Acc	Qc
			5	0.15		

sfc	57-2108	6/1/1917	20	0.5								
irr	GW	57-7010A	2/6/1968	64	1.57	73	1.84					
	sfc	57-1220	12/21/1886	21	0.52					74	1.74	
	sfc	57-1222A	3/15/1968	23	0.58			81	2.04			66
												66

irr	WW	57-1221	3/15/1971	37	0.6							
irr	GW	57-7184A	3/7/1977	78	1.214							
isto	GW	57-7333A	9/3/1982	60.5	1.23							
	sfc	57-7331A	9/3/1982	142.5	2	142.5					1.23	

2.25
~~2.85~~