

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

RECEIVED
AUG 19 2019
Department of Water Resources
Eastern Region

Name of Applicant(s) CarolAnn Torres Phone (208)346-1960
Mailing address 1778 W 17th S, Idaho Falls, ID 83402 Email gatorres75@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.

CarolAnn Torres
Signature of Applicant or Authorized Representative

CarolAnn Torres
Print Name and Title if applicable

19-Aug-2019
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
If yes, ☒ attach an explanation and any supporting documentation labeled as **Part1A.2**.
3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
This transfer simply corrects the legal description of the POD and POU. No physical change will occur.

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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 ☒ ☐	35-13237	0.05 cfs	Domestic	1/1 to 12/31	Ground water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.05 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.05 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 #
N			SE	SE	23	2N	37E	Bonneville	Ground water	D0032590

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	
2N	37E	23																D	
Total Acres (for irrigation use)																			

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DEPARTMENT OF WATER RESOURCES

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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:

Shared well for domestic use. The right included in this transfer is for one of the two homes on the shared well.

- b. Who owns the property at the point(s) of diversion? Keith and Betty McDaniel

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

Well has been used by the applicant for 20 years.

- 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:

No physical change, only a change in legal description to correct a clerical error in the SRBA.

- 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:

Another home owner also uses the well for domestic purposes.

- 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

8/5/2019

Water Right 35-13237

Owner Type **Name and Address**
Current Owner CAROLANN TORRES
1778 W 17 S
IDAHO FALLS, ID 83402
(208) 523-7754

Current Owner QUIRINO TORRES
1778 W 17TH S
IDAHO FALLS, ID 83402

Priority Date: 3/24/1970

Basis: Decreed

Status: Active

Source **Tributary**
GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume
DOMESTIC	1/01	12/31	0.050 CFS	
	Total Diversion		0.050 CFS	

Source and Point(s) of Diversion
GROUND WATER SWSE Sec. 23, Twp 02N, Rge 37E, BONNEVILLE County

Place Of Use
DOMESTIC within BONNEVILLE County
T02N R37E S23 SWSE

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. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. PARCEL NO. RP02N37E239370

Comments:

1. ECARLSEN 11/14/1998 COPIED FROM REMARKS
THIS CLAIM IS FOR A REPLACEMENT WELL. PREVIOUS WELL HAD 1970 PRIORITY DATE AND WAS SHARED BY TWO PARTIES.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/5/2019

Dates and Other Information

Decreed Date: 11/17/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: OR
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Transfer of Right No. 35-13237



Legend

- Proposed POD
- Parcels
- Township/Range
- Sections
- QQ

0 0.05 0.1 0.2 Miles



38544

MH

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Office Use Only

Well ID No.

Inspected by

Twp _____ Rge _____ Sec _____

1/4	1/4	1/4
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Lat: Long:

☒ Air ☐ Flowing Artesian

12. WELL TESTS:

☐ Pump ☐ Bailer

Bailer

☒ Air☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
10			1 hr.

Water Temp.	Bottom hole temp.
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Water Quality test or comments:

Depth first Water Encounter

13. LITHOLOGIC LOG: (Describe repairs or abandonment)

Water

[illegible]

RECEIVED

AUG 30 2004

Department of Water Resources
Eastern Region

Completed Depth 205' (Measurable)

Date: Started 4-26-04 Completed 4/27/04

14. DRILLER'S CERTIFICATION

1/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Tetco Water Works LLC Firm No 506

Principal Driller _____ Date 4/27/04

and
Driller or Operator: Aug Howell Date 4/27/04

Operator: _____ Date: _____

Principal Driller and Rig Operator *Required*.
Operator I must have signature of Driller/Operator II.

FORWARD WHITE COPY TO WATER RESOURCES