

MAY 24 2018

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 82412WATER 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 www.idwr.idaho.gov.

Name of Applicant(s) Bridgetower Investments LLC & Cottonwood Development 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.)
- ☒ ☐ #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 www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #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: Water right split trees

RECEIVED

Rev. 01/15

MAY 24 2018

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant(s) Bridgetower Investments LLC & Cottonwood Development LLC Phone 208-895-8858Mailing address 398 E. Copper Ridge St., Meridian, ID 83646 Email shawn@trilogydaho.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 RepresentativeName of Representative SPF Water Engineering Phone 208-383-4140Mailing address 300 E. Mallard Dr., Ste. 350, Boise, ID 83706 Email sking@spfwater.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.

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 _____

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**.

Applicants propose (1) to split the water rights to reflect portions appurtenant to their property; (2) an irrigation permissible place of use for their water right portions to allow irrigation flexibility; and (3) the addition of a new irrigation well.

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 ☐ ☒	63-32317	1.03/358.2	Irrigation	3/15 to 11/15	Ground Water
☐ ☒	63-33347	1.37/309.8	Irrigation	3/15 to 11/15	Ground Water
☐ ☒	63-33351	0.11/56.3	Irrigation	3/15 to 11/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 3.34 cfs and/or 959.9 acre-feet.

2. Total amount of water proposed to be transferred or changed 2.51 cubic feet per second and/or 724.3 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			NW	SE	27	4N	1W	Ada	Ground Water	
N			NE	SE	27	4N	1W	Ada	Ground Water	u/k
N			NE	NE	34	4N	1W	Ada	Ground Water	u/k

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	
4N	1W	27									40	28		10	40	40	40	12	210
		34	40	40															80

*161.5 acres irrigation within a 290-acre permissible place of use

Total Acres (for irrigation use) *290

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:
Wells, pumps, pressurized irrigation system. Measuring device and lockable controlling works will be accommodated upon Department request. The proposed new well will be constructed in similar water-bearing zones as the two existing wells licensed under water right 63-8825 (see licensing exam for well descriptions).
- b. Who owns the property at the point(s) of diversion? As proposed: Bridgetower Investments LLC
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
The 3 authorized wells located off project place of use are not proposed for transfer. Applicants propose using the 2 authorized existing wells and 1 proposed new well located on applicants' property for this transfer.
- 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:
Lands are subject to residential development project. The place of use is changed so that water rights appurtenant to non-irrigable areas (i.e., road and rooftops) will be available to other irrigable lands within the project area and supplied by the same primary water from Settlers Irrigation District.
- 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:
Ground water will continue to supplement surface water from Settlers Irrigation District. Municipal water will serve the development's potable uses. Ground water appurtenant to properties not owned by the applicant is excluded from the amounts proposed for transfer. See water right split trees included as Attachment 10.
- 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
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 63-32317

Current Owner: ED L BEWS
SHIRLEY G BEWS

Priority Date: 5/6/1977

Origin: Water Right

Status: Active

Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Diversion Rate

1.37 CFS

Annual Volume

474.8 AF

Total Diversion

1.37 CFS

474.8 AF

Location of Point(s) of Diversion

GROUND WATER

ADA County

NE1/4SE1/4

Sec. 27, Twp 04N, Rge 01W B.M.

GROUND WATER

ADA County

NW1/4NW1/4

Sec. 35, Twp 04N, Rge 01W B.M.

GROUND WATER

ADA County

NE1/4NE1/4

Sec. 36, Twp 04N, Rge 01W B.M.

GROUND WATER

ADA County

SE1/4SE1/4

Sec. 26, Twp 04N, Rge 01W B.M.

GROUND WATER

ADA County

NE1/4NE1/4

Sec. 34, Twp 04N, Rge 01W B.M.

Place of Use

IRRIGATION Within ADA County

T04N R01W S27

NESE

38.00

T04N R01W S27

NWSE

36.00

T04N R01W S27

SWSE

37.00

T04N R01W S27

SESE

36.00

T04N R01W S34

NENE

29.00

T04N R01W S34

NWNE

38.00

Total Acres: 214

Conditions of Approval:

1. This right is a split from former right 63-8825 .
2. The applicant is responsible to ensure that water pumped under Transfer No. 4137 does not cause the water level in any irrigation well to exceed the reasonable pumping level, unless the holder of the prior water right receives reasonable compensation or mitigation for the reduced water level caused directly or indirectly by the withdrawal of water under Transfer No. 4137.
3. Well no. 5, located within the NWNW, Sec. 35, Twp. 4N, Rge. 1W, B.M. shall be either shallower than 100 feet, or cased and sealed to a minimum depth of 200 feet. The motor installed for diversion from this well shall be limited to a 15 horsepower rating.
4. Water diverted under these water rights is to be used for supplemental purposes only, in connection with the primary surface water rights from the Boise River. The surface water rights dedicated to this land must be utilized to their full extent during any year that these supplemental ground water rights are utilized.
5. K06 This right is limited to the irrigation of 105.5 acres within the place of use described above in a single irrigation season.
6. Prior to diversion of water in 1993, a measuring device of a type acceptable to the Department shall be installed and maintained in conjunction with each well that diverts water under these water rights. In addition, the water right holder shall provide to the Department a plan limiting diversions to no more than 0.02 cfs per acre for irrigation purposes on irrigated land from all sources. This plan must be approved before pumpage under Transfer No. 4137 is authorized.
7. The applicant is responsible to ensure that water pumped under Transfer No. 4137 does not directly, as determined by the Director, cause the water level in any domestic well drilled prior to March 29, 1978, to be lowered so as to require modification to the well or pumping system or to cause the water level in any other well having a prior right to exceed a reasonable pumping level, unless the applicant provides reasonable compensation or mitigation, as determined by the Director, to the prior water right holder for the reduced water levels.
8. 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.
9. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
10. T08 Failure of the right holder to comply with the conditions of Transfer No. 4137 is cause for the Director to rescind approval of the transfer.
11. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands below.
12. S39 The use of water for irrigation under this right may begin as early as March 1, 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 irrigation use and a priority date earlier than the date a partial decree is entered for this right.
13. The right holder is not authorized to increase the horsepower on the existing wells over that already installed and operating during the 1992 irrigation season.
14. W51 Use of this right is combined with water from Nampa Meridian Irrigation District.
15. W54 Use of this right is combined with water from Settlers Irrigation District.
16. Approval of Transfer No. 4137 does not grant any right-of-way or easement across the land of another.

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

Current Water Right No.: 63-33347

Current Owner: ED L BEWS
SHIRLEY G BEWS

Priority Date: 10/4/1988

Origin: Water Right

Status: Active

Basis: License

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.82 CFS	410.5 AF
	<u>Total Diversion</u>	1.82 CFS	410.5 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4	Sec. 34,	Twp 04N,	Rge 01W B.M.
ADA County				
GROUND WATER	SE1/4SE1/4	Sec. 26,	Twp 04N,	Rge 01W B.M.
ADA County				
GROUND WATER	NW1/4NW1/4	Sec. 35,	Twp 04N,	Rge 01W B.M.
ADA County				
GROUND WATER	NE1/4SE1/4	Sec. 27,	Twp 04N,	Rge 01W B.M.
ADA County				
GROUND WATER	NE1/4NE1/4	Sec. 36,	Twp 04N,	Rge 01W B.M.
ADA County				

Place of Use

IRRIGATION Within ADA County

T04N R01W S27	NESE	38.00	T04N R01W S27	NWSE	36.00
T04N R01W S27	SWSE	37.00	T04N R01W S27	SESE	36.00
T04N R01W S34	NENE	29.00	T04N R01W S34	NWNE	38.00

Total Acres: 214

Conditions of Approval:

1. 004 The issuance of this right does not grant any right-of-way or easement across the land of another.
2. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. Conditions per Memorandum Decision and Order dated 06-17-93.
4. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Licensed Date: 11/5/1992

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

Current Water Right No.: 63-33351

Current Owner: ED L BEWS
SHIRLEY G BEWS
Priority Date: 8/1/1989
Origin: Water Right
Status: Active
Basis: License

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.15 CFS	74.6 AF
	<u>Total Diversion</u>	0.15 CFS	74.6 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4	Sec. 26,	Twp 04N,	Rge 01W B.M.
ADA County				
GROUND WATER	NW1/4NW1/4	Sec. 35,	Twp 04N,	Rge 01W B.M.
ADA County				
GROUND WATER	NE1/4NE1/4	Sec. 34,	Twp 04N,	Rge 01W B.M.
ADA County				
GROUND WATER	NE1/4SE1/4	Sec. 27,	Twp 04N,	Rge 01W B.M.
ADA County				
GROUND WATER	NE1/4NE1/4	Sec. 36,	Twp 04N,	Rge 01W B.M.
ADA County				

Place of Use

IRRIGATION Within ADA County

T04N R01W S27	NESE	38.00	T04N R01W S27	NWSE	36.00
T04N R01W S27	SWSE	37.00	T04N R01W S27	SESE	36.00
T04N R01W S34	NENE	29.00	T04N R01W S34	NWNE	38.00

Total Acres: 214

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Conditions of Approval:

1. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Conditions per Memorandum Decision and Order dated 06-17-93.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.
6. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. 004 The issuance of this right does not grant any right-of-way or easement across the land of another.

Licensed Date: 11/24/1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2B

IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☒ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

Right Number: 63-33347 Applicants' Portion

[illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

[illegible]

Total Acres (for irrigation use) 161.5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2B

IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☒ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

Right Number: 63-33351 Applicants' Portion

[illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

Total Acres (for irrigation use)	161.5
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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:

Currently, ground water supplements surface water from Settlers Irrigation District. The additional area proposed in the N1/2SW and SESW, S27, as part of the irrigation ppu is also assessed and irrigated with surface water from Settlers Irrigation District. The total area irrigated will not change as a result of this transfer application.

FOR DEPARTMENT USE ONLY

Transfer contains 14 pages and 6 attachments.

Received by CS Date 5/24/18 Preliminary check by _____ Date _____

Fee paid \$990⁰⁰ Date 5/24/18 Received by CS Receipt # W046374

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)

\$660⁰⁰ Transfer
\$300⁰⁰ ownership change
\$30⁰⁰ overpaid

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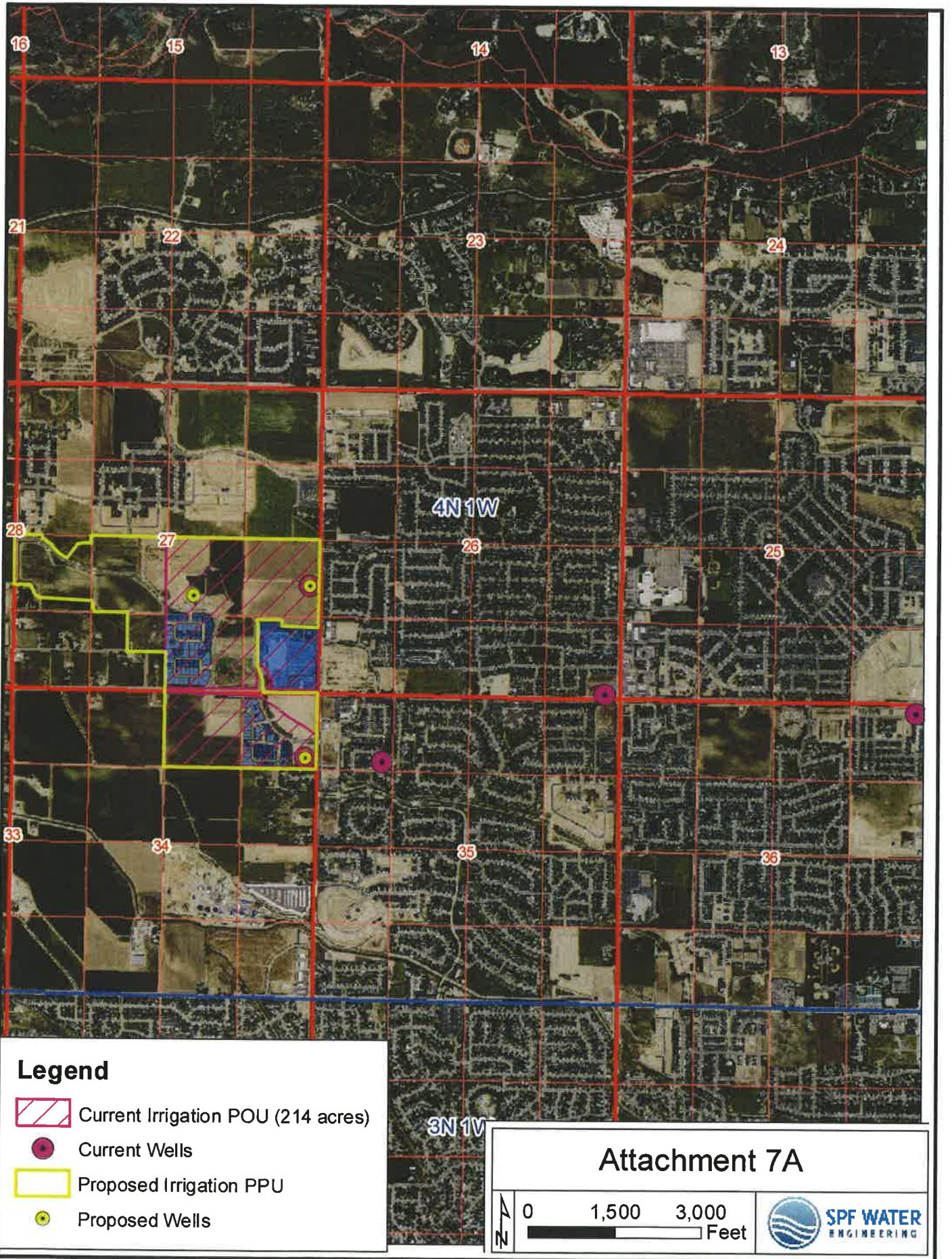
82412

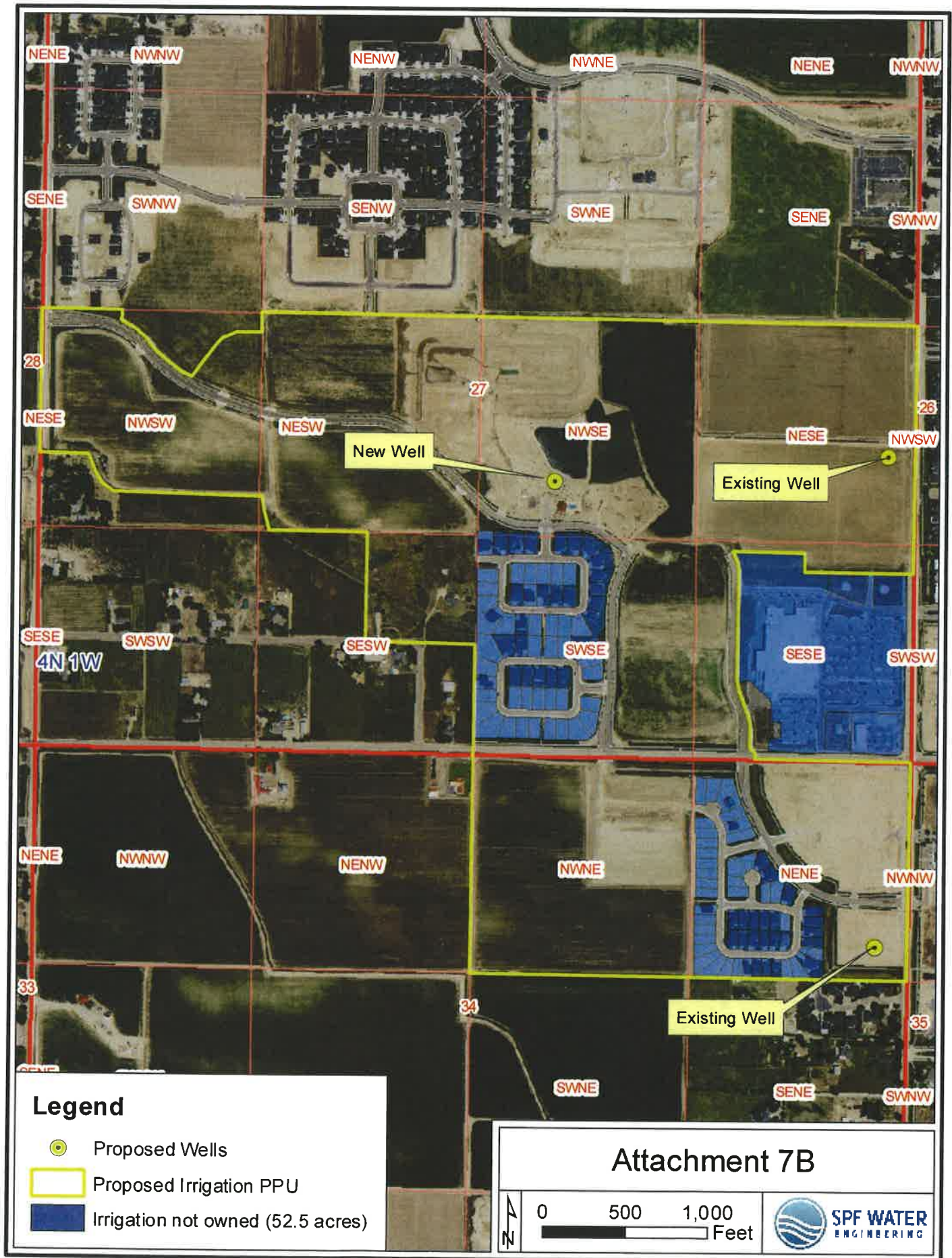
No. W 103423	Due no later than May 31, 2018 Annual Report Form		2. Registered Agent and Address (NO PO BOX)
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE			STEVE WEEKS 1041 LIBEY RD VIOLA ID 83872 3. <u>New</u> Registered Agent Signature:*
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.			
5. Organized Under the Laws of: ID W 103423	6. Annual Report must be signed.* Signature: Mike McCollum Name (type or print): Mike McCollum Date: 03/20/2018 Title: Manager		
Processed 03/20/2018	* Electronically provided signatures are accepted as original signatures.		

82412

No. W 121381	Due no later than Jan 31, 2018 Annual Report Form		2. Registered Agent and Address (NO PO BOX)														
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE			STEVE WEEKS 1041 LIBEY RD VIOLA ID 83872 3. <u>New</u> Registered Agent Signature:*														
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager. <table border="1"> <thead> <tr> <th>Office Held</th> <th>Name</th> <th>Street or PO Address</th> <th>City</th> <th>State</th> <th>Country</th> <th>Postal Code</th> </tr> </thead> <tbody> <tr> <td>MEMBER</td> <td>DAVID F FASI</td> <td>670 KAULANA PL</td> <td>HONOLULU</td> <td>HI</td> <td>USA</td> <td>96821</td> </tr> </tbody> </table>				Office Held	Name	Street or PO Address	City	State	Country	Postal Code	MEMBER	DAVID F FASI	670 KAULANA PL	HONOLULU	HI	USA	96821
Office Held	Name	Street or PO Address	City	State	Country	Postal Code											
MEMBER	DAVID F FASI	670 KAULANA PL	HONOLULU	HI	USA	96821											
5. Organized Under the Laws of: ID W 121381	6. Annual Report must be signed.* Signature: Rusty Brummer Name (type or print): Rusty Brummer Date: 12/06/2017 Title: Admin																
Processed 12/06/2017	* Electronically provided signatures are accepted as original signatures.																

82412







State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

August 8, 2019

BRIDGETOWER INVESTMENTS
COTTONWOOD DEVELOPMENT LLC
398 E COPPER RIDGE ST
MERIDIAN, ID 83646-1204

RE: Application for Permit No. 63-34550
Transfer No: 82412
Water Right Nos: 63-34760, 63-34762, 63-34763

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 IDAHO STATESMAN on 8/15/2019 and 8/22/2019. Protests to this application may be submitted for a period ending ten (10) days after the second publication. (Please note, due to national holiday, the protest deadline for this publication period will be pushed to Tuesday, September 3, 2019.)

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,

Anna Kaiser
Administrative Assistant

CC:
SPF WATER ENGINEERING LLC
C/O SCOTT N KING
300 E MALLARD DR STE 350
Boise, ID 83706

Kaiser, Anna

From: Kaiser, Anna
Sent: Wednesday, August 7, 2019 12:24 PM
To: 'BOI Legals'
Subject: ADA Legal Ad
Attachments: Cover Letter.docx; Legal Notice.docx

Good Afternoon Legal Clerk,

Please see the attached ad for publication on 8/15/2019 & 8/22/2019.

Please confirm these are okay to publish as shown.

Thank You,

Anna Kaiser | Administrative Assistant I
IDWR-Western Region
2735 W Airport Way, Boise ID 83705
(208).334.2190 | anna.kaiser@idwr.idaho.gov

August 7, 2019

LEGAL NOTICE DEPARTMENT

IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

RE: Application For Permit No: 63-34550
 Application for Transfer No: 82412
 Water Right Nos: 63-34760, 63-34762, 63-34763

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 9/3/2019. Your cooperation is appreciated.

Sincerely,
Anna Kaiser
Administrative Assistant

Enclosures

The following applications have been filed to appropriate the public waters of the State of Idaho:

63-34550

COTTONWOOD DEVELOPMENT LLC

398 E COPPER RIDGE ST

MERIDIAN, ID 83646-1204

Point of Diversion NWSE S27 T04N R01W ADA County Source GROUND WATER Tributary BOISE RIVER

Point of Diversion NWSE S27 T04N R01W ADA County Source GROUND WATER

Use: AESTHETIC STORAGE 01/01 to 12/31 37 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 0.05 CFS

Total Diversion: 37 AF 0.05 CFS

Date Filed: 5/30/2018

Place Of Use: AESTHETIC STORAGE

T04N R01W S27 NWSE

Water bearing zone to be appropriated is from 0 to 17 feet, 200 to 300 feet.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 82412

BRIDGETOWER INVESTMENTS and COTTONWOOD DEVELOPMENT LLC, 398 E COPPER RIDGE ST, MERIDIAN, ID 83646-1204; has filed Application No. 82412 for changes to the following water rights within ADA County(s): Right No(s). 63-34760, 63-34762, 63-34763; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: The purpose of this transfer is to define a common place of use for all of the water rights included to reflect an integrated system. The applicant also proposes to update the points of diversion for all ground water rights in the transfer to reflect two current wells and one proposed well. Water will be used at roughly the current place of use approximately 3.5 miles northwest of downtown Meridian, Idaho.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at 208-334-2190; or for a full description of the right(s) or proposed transfer (s) please see www.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code §§ 42-203A and 42-222. Any protest against the approval of the application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 9/3/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 8/15/2019 and 8/22/2019



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

March 22, 2019

COPY

COTTONWOOD DEVELOPMENT LLC
398 E COPPER RIDGE ST
MERIDIAN ID 83646

RE: Application for permit 63-34550 and Application for transfer 82412

Dear Applicants

I am writing today in regard to the two applications referenced above. The Idaho Dept. of Water Resources (IDWR) received these application on May 24, 2018. The transfer application includes the split of water rights 63-32317, 63-33347, and 63-33351. The split was meant to claim ownership of 161.5 of the 214 acres on these rights. As evidence of your ownership of the land, you submitted two warranty deeds. However, these warranty deeds showed ownership of 22.4 acres which are not part of the place of use described on the rights. Therefore, the ownership change and transfer can not be processed.

To resume processing please submit warranty deeds demonstrating your ownership of the 161.5 acre portion of the three water rights you wish to claim. I look forward to your reply within thirty (30) days of the date of this letter. The transfer application will be rejected without a timely written reply. Refunds are not issued for rejected applications. Thank you for your time and for your attention to these matters.

Respectfully,

Cody Parker
Water Resource Agent
IDWR Western Region
208-334-2190
cody.parker@idwr.idaho.gov

Enclosed: Warranty deeds submitted with the application

CC: SPF Water Engineering



May 22, 2018

Angie Grimm
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

RECEIVED

MAY 24 2018

WATER RESOURCES
WESTERN REGION

Subject: Application for Transfer & Application for Permit

Dear Angie,

Enclosed on behalf of Bridgetower Investments LLC and Cottonwood Development LLC, are the following:

Application for Transfer proposing (1) to split the water rights to reflect portions appurtenant to the Applicants' property; (2) an irrigation permissible place of use for the appurtenant water right portions to allow irrigation flexibility; and (3) the addition of a new irrigation well. The Department's filing fee for the application is \$660 plus \$300 to split the water rights for a total of \$990.

\$960⁰⁰

Application for Permit proposing water right coverage for a pond and a new well to mitigate the evaporative losses resulting from the pond. The Department's filing fee for the application is \$250.

Check No. 5907 for \$1,240 is enclosed for the filing fees. Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

Lori Graves
Water Rights Specialist

\$1240 submitted

\$1210 fee total

\$30 refund
needed
-cj

Cc: Shawn Brownlee, Matt Munger

Enclosures

SPF file number: 1359.0010