

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
APR 29 2019
Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☒ Change diversion point(s) ☐ Add diversion point(s) ☐ Ownership change ☐ Ownership split
☐ Transfer is for changes pursuant to Idaho Code § 42-2210.8. Attach an explanation and any supporting documentation.

1. APPLICANT(S) RALPH & NORA LEE UNSTINE Phone 208-520-0841
2. MAILING ADDRESS 3103 S. OLD HIGHWAY 91 City MCCAMMON
State ID Zip 83250 Email RALPHUNSTINE@AOL.COM

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
- ☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
- ☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 29-14135

- ☒ Attach a copy of the water right(s) as recorded, available at idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 0.06 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at idwr.idaho.gov, *Water Rights, Water Right Transfers, Modeling Resources*.

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/30/2019

Water Right 29-14135

Owner Type
Current Owner
Name and Address
RALPH ONSTINE
3103 S OLD HWY 91
MCCAMMON, ID 83250
(208) 520-0841

Current Owner
NORA LEE ONSTINE
3103 S OLD HWY 91
MCCAMMON, ID 83250

Priority Date: 6/17/1902

Basis: Decreed

Status: Active

Source
ROBBERS ROOST CREEK

Tributary
PORTNEUF RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.060 CFS	
	Total Diversion		0.060 CFS	

Source and Point(s) of Diversion

ROBBERS ROOST CREEK	SWNWSE	Sec. 23, Twp 08S, Rge 36E,	BANNOCK County
ROBBERS ROOST CREEK	NWSWSW	Sec. 24, Twp 08S, Rge 36E,	BANNOCK County
ROBBERS ROOST CREEK	SWNESE	Sec. 23, Twp 08S, Rge 36E,	BANNOCK County

Place Of Use

IRRIGATION within BANNOCK 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	
08S	36E	23														3.0			3.0

POU Total Acres: 3.0

Conditions of Approval:

1. X35 Rights 29-14135 and 29-14136 when combined shall not exceed a total diversion rate of 0.06 cfs and the irrigation of 3.0 acres.
2. RIGHTS 29-260, 29-14302, 29-14135, 29-14162, AND 29-00261 ROTATE THE USE OF ALL OF THE WATERS OF ROBBERS ROOST CREEK AS: 29-00260, 29-14302, 29-14135, AND 29-14162 (2.5 DAYS); 29-00261 (5 DAYS). AS DECREED 1911, DIST. JUDGE A. BUDGE, AND 1982 AGREEMENT.
3. This right when combined with 29-14136 shall provide no more than 0.02 cfs per acre.
4. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

6. 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:

Pump in creek to sprinklers. No need to install meter at this time. Property is less than 5 acres.

- b. Who owns the property at the point(s) of diversion? Applicants
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. 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 used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

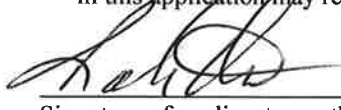
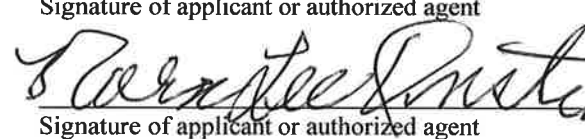
If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a [Lessor Designation](#) form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an [IRS Form W-9](#).
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. You may create a map at idwr.idaho.gov, *Water Rights, Water Right Transfers, File a Transfer Application, Step 2C*.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

	<u>RALPH OUSTINE</u>	<u>4/29/2019</u>
Signature of applicant or authorized agent	Print name and title if applicable	Date
	<u>NORA LEE OUSTINE</u>	<u>4/29/2019</u>
Signature of applicant or authorized agent	Print name and title if applicable	Date

9. **FEE** – ☒ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The [Fee Schedule](#) is available at www.idwr.idaho.gov, *Water Right Transfers, Step 4* and in the [Application for Transfer Instructions](#).

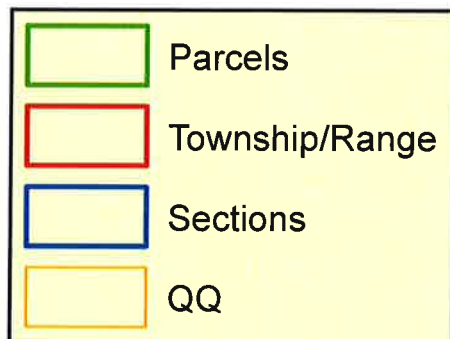
FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by _____ Date _____
Fee paid 200- Date 4/29/19 Received by SC Receipt # ED044919
Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐
W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐
(Do NOT scan the W-9 – confidential information is held by fiscal only)

Application for Transfer - Onstine



2013 Aerial Photo



0 150 300 Feet

