

T4994 NORTH FORK ENERGY

SO. 4/27/98

Page 1 of 8

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4994

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant North Fork Energy Inc Phone 208-328 2306
 Post Office address P.O. Box 5405 Boise, ID 83705

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To change an artesian well point of diversion

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/acre-ft)	Nature of Use	Period of Use
35-07097	09/30/1969	4.00	Fish Prop. & Domestic	01-01 to 12-31
35-07098	08/02/1969	20.00	Fish prop.	01-01 to 12-31
35-07097	9/30/1969	0.04	Domestic	01-01 to 12-31
				to

2. Total amount of water being transferred 24.0 cubic feet per second and/or 1.2(domestic) acre-feet per annum.
3. Source of water Springs and artesian wells tributary to American Falls reservoir
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	SW	SW	NW	30	4S	33E	BINGHAM	Springs & Two wells(existing)
	NW	NW	SW	30	4S	33E	BINGHAM	Springs & One well (existing)
	SW	SW	NW	30	4S	33E	BINGHAM	Two wells(to be drilled)
	NW	NW	SW	30	4S	33E	BINGHAM	One well(to be drilled)
	SE	SE	NE	25	4S	32E	BINGHAM	One well (to be drilled)

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4S	33E	30							H			H							

Total acres _____

PART 1

6. General Information:

a. Description of diversion system Springs and artesian wells. Flow from springs and wells is or will be piped to the head of raceways. Discharge from raceways flows down to American Falls Reservoir

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

No

Yes

c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:

d. Remarks:

Additional point of diversion is necessary to provide flexibility to the water supply system for the fish facility ,
restore discharge to licensed amounts, and to avoid power lines along the section line between Section 30, T4SR33E and
Section 25 T4S R25E. See attached letter from C.E. Brockway P.E. 11/1/1997

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 35-07097 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 4994 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. check appropriate box below.

☐ Tax notice

☒ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date of priority 09/30/1969

5. Water is used for the following purpose:

amount 4.00 for Fish propagation purposes from 01-01 to 12-31
 (cfs/ac-ft)
 amount 0.04 for Domestic purposes from 01-01 to 12-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 4.00 cubic feet per second and/or 1.2(domestic) acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	SW	NW		30	4S	33E	Bingham	Third place spring and wells
	NW	SW		30	4S	33E	Bingham	Third place spring and wells
	SW	SW	NW	30	4S	33E	BINGHAM	Two wells(to be drilled)
	NW	NW	SW	30	4S	33E	BINGHAM	Two wells(to be drilled)

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4s	33e	30							H			H							

Total acres _____

9. Describe any other water rights used for the same purpose as described above 35-07098

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(if the entire right is to be changed by the applicant, omit part B and C)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 35-07098 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 4994 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. check appropriate box below.

☐ Tax notice

☒ Warranty Deed!

☐ Other _____

3. Source of water Springs tributary to American Falls reservoir

4. Date of priority 08/02/1969

5. Water is used for the following purpose:

amount 20.0 for Fish propagation purposes from 01-01 to 12-31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 20 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	SW	NW		30	4S	30E	Bingham	Third Place spring
	NW	SW		30	4S	30E	Bingham	Third Place spring
	SW	SW	NW	30	4S	33E	BINGHAM	Two wells(to be drilled)
	NW	NW	SW	30	4S	33E	BINGHAM	Two wells(to be drilled)

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4s	33e	30							H			H							

Total acres _____

9. Describe any other water rights used for the same purpose as described above 35-04271, 35-08679

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(if the entire right is to be changed by the applicant, omit part B and C)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

Trans. 499H

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

See attached portion of USGS Quad sheet and survey map by Harper-Leavitt Engineering Inc.

PART 3**B. CHANGES IN NATURE OF USE**

1.	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				to
				to
				to

2. Quantity and quality of return flows and location of discharge:

Entire flow from springs and wells discharges into American Falls reservoir

3. Describe the effects on other water uses resulting from the proposed change:

There are no diversions downstream of this facility and no change in net use will occur. The only change from the rights as described in Transfer 4994 will be the change of one point of diversion from the SWSWNW Section 30 T4S R33E to SESENE Section 25 T4S R32E, a distance of about 150 feet.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.

Subscribed and sworn to before me this 5th day of February, 19 98.

Cynthia L. Parrish-Jones
(Notary Public)

My commission expires July 27, 2003

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by HWJ Date 2-9-98 Protest filed by _____

Prelim. check by _____ Fee \$100^{XX}

Received by HWJ #E023983 Date 2-9-98

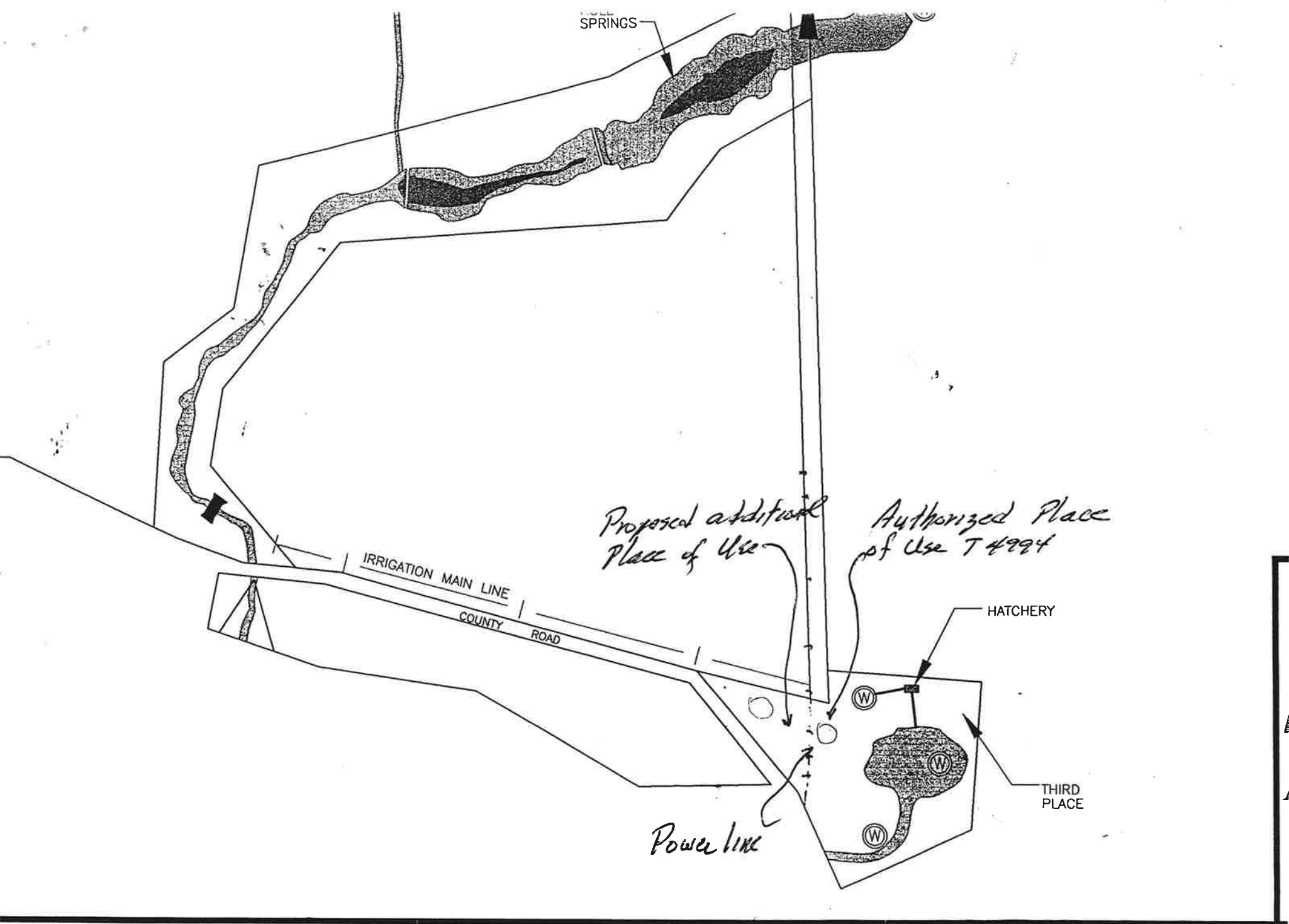
Published in Morning News Copies of protest forwarded by _____

Pub. dates Mar 12 & 19, 1998 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for Approval ! Denial

_____ rec'd. by PPC

Copy of transfer sent to lien holder _____



SPRINGS

IRRIGATION MAIN LINE

COUNTY ROAD

Authorized Place of Use T 4994

HATCHERY

THIRD PLACE

Proposed additional Place of Use

Power line