

RECEIVED

OCT 15 2018

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 82778

RECEIVED

OCT 22 2018

DEPARTMENT OF
WATER RESOURCESMINIMUM 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) Lowell Lull and LouAnn McCuneCheck 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. ** *Wak county Deal & Split*
- ☐ ☒ #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. *Attachmentes split on see*
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.) *Wak county deal*
- ☐ ☒ #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: _____

82778

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 15 2018

WATER RESOURCES
WESTERN REGION

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

Name of Applicant(s) Lowell Lull and LouAnn McCune Phone 208-628-4221
Mailing address PO Box 344 Riggins, ID 83549 Email idalou7@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.

	Lowell Lull	10-1-2018
Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date
	LouAnn McCune	10-1-2018
Signature of Applicant or Authorized Representative	Print Name and Title if applicable	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 § 42-221.0.8?](#)
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part1A.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**.
A new Point of Diversion across the McCune parcel to the Lull parcel creates a direct line from the little salmon river to the place of use. Pump at the river will service water line to run across the north portion of the McCune parcel to the Lull 1.026 acres/place of use. Purpose is to irrigate pasture and landscape.

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 ☐ ☒	78-7294	0.03	Irrigation	03/01 to 11/30	Little Salmon River
☐ ☒	78-7294	0.01	Irrigation	03/01 to 11/30	Little Salmon River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.04 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.01 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 #
Yes		SW	NE		32	23	1	Idaho	Little Salmon River	Little Salmon River
No		SW	NE		32	23	1	Idaho	Little Salmon River	Little Salmon River

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	
Total Acres (for irrigation use)																			

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:

Irrigation pump in river with screened intake, water lines run across the north portion of tax number 214 to POU on 1.026 acre Lull parcel.

- b. Who owns the property at the point(s) of diversion? LouAnn McCune

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:

- 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:

- 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:

82778

498154

WARRANTY DEED

Instrument # 498154

IDAHO COUNTY, IDAHO,

2-5-2015 10:09:53 AM No. of Pages: 4

Recorded for : IDAHO COUNTY TITLE

KATHY M. ACKERMAN

Fee: 19.00

Ex-Officio Recorder Deputy

Pollock

GRANTOR, LORETTA J. HERMAN, also known as LORETTA HERMAN, a single woman, of 126 Barn Road, Pollock, ID 83547, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to LOWELL E. LULL, a married man, of P.O. Box 344, Riggins, ID 83549, as GRANTEE, and the Grantee's heirs and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

See Schedule C, attached hereto and hereby incorporated by this reference.

TOGETHER WITH, all improvements, water, water rights, ditches, ditch rights, easements, hereditaments, and appurtenances thereto.

SUBJECT TO:

- 1) General taxes for the year 2015, which are a lien, not yet due and payable.
- 2) Easement, including the terms and provisions thereof, by and between Henry Talbott, unmarried and J. N. Brown, trustee, recorded May 22, 1908 under Instrument No. 6467, Book 27 page 313, records of Idaho County, Idaho.
- 3) Right of Way Easement, including the terms and provisions thereof, by and between M.E. Damon and Anna Damon and The Mountain States Telephone and Telegraph Co., recorded August 25, 1932 under Instrument No. 99201, Book 60 page 435, records of Idaho County, Idaho.
- 4) Reserving unto The United States, its permittee or licensee the right to enter upon, occupy and use any part or all of said land, for the purposes provided in the Act of June 10, 1920, (41 Stat. 1063), and subject to the conditions and limitations of Section 24 of said Act, set forth in Patent, recorded April 1, 1942 under Instrument No. 137824, Book 71 page 484, records of Idaho County, Idaho.
- 5) Right of Way Easement, including the terms and provisions thereof, by and between Elgie B. Bratland, a widow, to The Mountain States Telephone and Telegraph Company, recorded June 30, 1956 under Instrument No. 1879787, Book 89 page 611, records of Idaho County, Idaho.
- 6) Terms and provisions as contained in Warranty Deed, by and between John Bratland, a widower; John Bratland, Administrator for the Estate of Elgie B. Bratland; Firmin Gotzinger and LaVon Gotzinger, his wife, and State of Idaho,

L. Lull

recorded July 20, 1961 under Instrument No. 205804, Book 95 page 373, records of Idaho County, Idaho.

7) Power Line Easement, including the terms and provisions thereof, by and between John Bratland to Idaho Power Company, a corporation, recorded August 7, 1961 under Instrument No. 205955, Book 95 page 418, records of Idaho County, Idaho.

8) Terms and provisions contained in Agreement, by and between Robert C. Herman and Loretta J. Herman, husband and wife, parties of the first part, and Theodore W. Thomas and Edith G. Thomas, husband and wife, parties of the second part, recorded April 2, 1974 under Instrument No. 253418, records of Idaho County, Idaho.

9) Matters as shown on Survey No. S-456, recorded December 11, 1986 under Instrument No. 332291; Survey No. S-1357, recorded June 18, 1997 under Instrument No. 393674; Survey No. S-1758, recorded May 15, 2000 under Instrument No. 0411808; Survey No. S-1827, recorded November 28, 2000, under Instrument No. 0414475; Survey No. S-2448, recorded June 8, 2006 under Instrument No. 448897; and, Survey No. S-2698, recorded April 3, 2008 under Instrument No. 460311, all records of Idaho County, Idaho.

10) Terms and provisions contained in Water Pipeline Easement, by and between Firmin Gotzinger and LaVon Gotzinger, husband and wife, first parties, and Robert Herman, second party, recorded February 20, 1990 under Instrument No. 350275, records of Idaho County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee, his heirs and assigns, forever. And the said Grantor does hereby covenant to and with the said Grantee that she is the owner in fee simple of said premises; that it is free from all encumbrances, and that she will warrant and defend the same from all lawful claims whatsoever, EXCEPT General taxes for the year 2015 and easements, reservations, restrictions, and rights of way of record or in use.

Except as otherwise expressly provided in this instrument, Grantor hereby declares, pursuant to Title 5, Chapter 2 of the Idaho Code, that in the event Grantor shall have permitted or suffered, at any time prior to the making of this instrument, any person or entity to possess, use, or occupy the above-described premises, or any portion thereof, for any purpose, with or without the knowledge of Grantor, it was not

SCHEDULE C

Township 23 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Section 32:

A parcel of land located in the NE $\frac{1}{4}$, more particularly described as follows:

Commencing at the Section corner common to Sections 28, 29, 32 and 33 a 1985 brass cap by PE/LS 2098 Instrument No. 384665;
thence S 00°01'59" E, 2,651.019 feet along the Section line between said Sections 32 and 33 to the 1/4 corner common to Sections 32 and 33 a 1975 brass cap by PE/LS Instrument No. 384667;
thence S 89°56'57" W, 1,321.947 feet along the southerly side of said NE $\frac{1}{4}$ to the CE 1/16 corner of Section 32 a 1985 brass cap by PE/LS 2098;
thence N 00°01'50" W, 975.038 feet along the westerly side of the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of said Section 32 to a 5/8" rebar by PE/LS 2098, the Point of Beginning;
thence N 00°01'50" W, 96.722 feet continuing along said westerly side to a 5/8" rebar by PE/LS 2098 at the Intersection with the westerly right of way of U.S. Highway 95 (F.A.P. #F-4113 (12));
thence S 18°51'54" E, 396.737 feet along said westerly right of way to a 5/8" rebar by PLS 9166
thence S 75°58'41" W, 168.444 feet leaving said westerly right of way to a 5/8" rebar by PLS 9166 on the easterly right of way of Barn Road (old U.S. Highway 95 F.A.P. 9E);
thence N 09°20'18" W, 161.359 feet along said easterly right of way to a 5/8" rebar by PE/LS 2098;
thence N 05°23'20" W, 160.806 feet continuing along said easterly right of way to a 5/8" rebar by PE/LS 2098;
thence N 89°50'57" E, 76.481 feet leaving said easterly right of way back to the Point of Beginning.
Sometimes known as a portion of Assessor's Tax No.'s 65 and Tax No. 170.

(end schedule c)

82778

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:

Irrigation pump in river with screened intake, water lines run across the north portion of tax number 214 to POU on 1.026 acre Lull parcel.

- b. Who owns the property at the point(s) of diversion? LouAnn McCune

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 $\frac{1}{4}$ $\frac{1}{4}$ 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.

[Signature]
Signature of applicant or authorized agent

Lowell Lull
Print name and title if applicable

10-1-2018
Date

[Signature]
Signature of applicant or authorized agent

LouAnn McCune
Print name and title if applicable

10-1-2018
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 _____ Date _____ Received by _____ Receipt # _____

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)

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

Current Water Right No.: 78-07294

Current Owner: LORETTA J HERMAN
ROBERT C HERMAN

Priority Date: 6/2/1988

Origin: Water Right

Status: Active

Basis: License

Source

LITTLE SALMON RIVER

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From To

3/01 to 11/30

Diversion Rate

0.04 CFS

Annual Volume

8 AF

Total Diversion

0.04 CFS

8 AF

Location of Point(s) of Diversion

LITTLE SALMON RIVER

IDAHO County

SW1/4NE1/4

Sec. 32, Twp 23N, Rge 01E B.M.

Place of Use

IRRIGATION Within IDAHO County

T23N R01E S32

SWNE

2.00

Total Acres: 2

Conditions of Approval:

1. R51 This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.

Licensed Date: 8/14/1997

Water Right 78-7294 ~ New POD for split 0.5 AC to Lull 1.026 AC Property

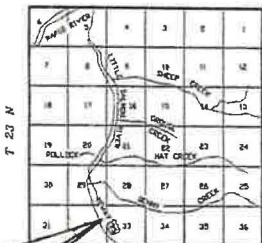
S-2698

CERTIFICATE OF RECORDER

460311

VICINITY MAP

1" = 2 MILES



New split POD Water Right 78-7294
Pump in river will service irrigation
to 0.5 AC on TBD Barn Rd 1.026 AC
Lull Parcel

SW 1/4 NE 1/4

NEW POD
River Pump

Water line

141 Barn Rd

Water line to POD,
TBD Barn Rd 1.026
AC Lull Parcel

REFERENCE SURVEYS

2000 S.O.S. # 448097 BY PLS 9166
2000 S.O.S. # 414475 BY PLS 9166
2000 S.O.S. # 411849 BY PLS 9166
1998 S.O.S. # 332291 BY PE/LS 2098
1975 S.O.S. # 323561 BY PE/LS 2098
1964 PAP F-4112 (12) AS CONSTRUCTED
7/24/64, 1832 PAP DE AS CONSTRUCTED

NOTES:

1. IN PROVIDING THIS BOUNDARY SURVEY NO ATTEMPT HAS BEEN MADE TO OBTAIN OR SHOW DATA CONCERNING EXISTENCE, SIZE, DEPTH, CONDITION, CAPACITY OR LOCATION OF ALL UTILITIES EXISTING IN THE SITE, WHETHER PRIVATE, MUNICIPAL OR PUBLIC OWNED.
2. NO ABSTRACT OF TITLE, NOR TITLE COMMITMENT, OR RESULTS OF A TITLE SEARCH WERE FURNISHED TO THE SURVEYOR. ALL DOCUMENTS OF RECORD REVERSED AND NOTED HEREON. THERE MAY EXIST OTHER DOCUMENTS THAT MAY AFFECT THIS SURVEYED PARCEL.
3. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR EXAMINED OR CONSIDERED AS PART OF THIS SURVEY. NO EVIDENCE OR STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONDITIONS, CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.
4. NO ATTEMPT WAS MADE TO SHOW ALL PHYSICAL FEATURES OF THE PROPERTY OR EASEMENTS, RECORDED OR UNRECORDED.
5. THE ASSAULT PLANS FOR F-4112 (12) SHOW A CHANGE OF THE SPIRAL CURVE DATA FROM A 200' SPIRAL TO A 200' SPIRAL. HOWEVER THE R.O.S. MOVEMENTS ARE SET AT THE 200' SPIRAL CURVE. I USED THE 200' ASSAULT DATA.

LEGEND

- SECTION CORNER, FOUND 1985 BC BY PE/LS 2098 #384665
- QUARTER CORNER, FOUND 1975 BC BY PE/LS 2098 #384667
- CENTER OF SECTION, FOUND BC BY PE/LS 2098
- 1/16th CORNER, FOUND BC BY PE/LS 2098
- CENTERLINE OLD HIGHWAY 95, FOUND RR SPIKE
- PROPERTY CORNER, FOUND 5/8" REBAR BY PLS 9166
- PROPERTY CORNER, FOUND 5/8" REBAR BY PE/LS 2098
- PROPERTY CORNER, SET 5/8"x30" REBAR w/ SERV CAP.
- CHAINS ORIGINAL OLD OR BLK DISTANCE CALL IN CHAINS

- SECTION LINE
- QUARTER SECTION LINE
- 1/16th SECTION LINE
- ROAD CENTERLINE
- RIGHT-OF-WAY (ROW) LINE
- PARCEL LINE, PREVIOUS SURVEY
- PARCEL LINE, THIS SURVEY
- TIE LINE

CERTIFICATION

THIS IS TO CERTIFY THAT I, HUNTER J. EDWARDS, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, PLS #9166 AND CERTIFIED FEDERAL SURVEYOR, CFWS #1026, HAD RESPONSIBLE CHARGE FOR THIS SURVEY OF THE LANDS AND CORNERS AS INDICATED ON THIS 'RECORD OF SURVEY' AND THAT THIS IS A TRUE REPRESENTATION OF SAID SURVEY.

9166
HUNTER J. EDWARDS
APR 11 2008

TANGENT TABLE

LINE	LENGTH	BEARING
T1	27.799	S00°01'50"E
T2	96.722	N00°01'50"W
T3	76.481	N89°50'57"E
T4	36.700	N09°20'18"W
T5	25.015	N82°38'11"E
T6	25.000	N80°39'12"E

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING	TANGENT
C1	334.550'	901.369'	21°15'57"	332.633'	N19°59'16"W	169.222'
C2	126.543'	876.369'	8°16'24"	126.433'	N13°29'39"W	63.382'
C3	210.417'	868.369'	13°53'01"	209.902'	N22°49'17"W	105.726'
C4	12.991'	868.369'	0°51'26"	12.990'	N30°11'38"W	6.495'

SCALE
1" = 100 FEET

GEOMATIC PROFESSIONAL
SERVICES, PLLC
239 E. South Street
GRANGEVILLE, IDAHO 83530-2264
Phone (208) 983-2666
survey@connectidaho.com

FILE NO.	CPS-004-08
DATE	APRIL 2008
SCALE	1" = 100'
DESIGN	H.J.E.
DRAWN BY	J.C.G.
INSTRUMENT	HERMAN DMC

RECORD OF SURVEY

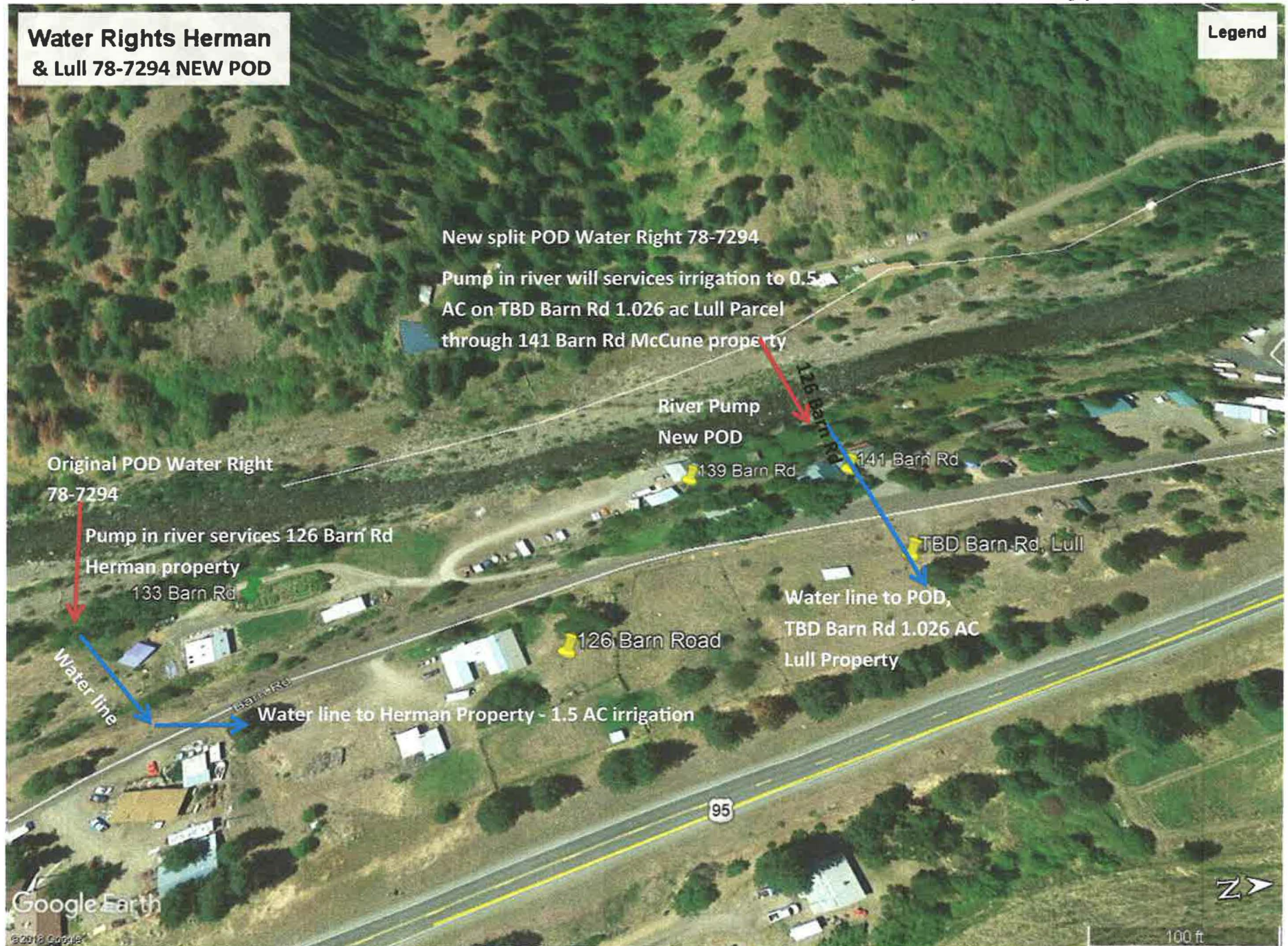
FOR LORETTA HERMAN
SECTION 32, T. 23 N., R. 1 E., BM
IDAHO COUNTY, IDAHO

82778

SW 1/4 NE 1/4 T23N 01E Sec 32

**Water Rights Herman
& Lull 78-7294 NEW POD**

Legend



82778

This map is not to exact scale and is not an actual survey. This map was made for information purposes only.

Hersley, Jean

From: Hersley, Jean
Sent: Friday, March 15, 2019 8:27 AM
To: 'IFPlegals@idahocountyfreepress.com'
Subject: Legal Notice for your paper
Attachments: Idaho City Free Press.doc

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notices which we wish to have published in your newspaper 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, PO Box 83720, Boise, Idaho, 83720-0098 before April 8, 2019. Your cooperation is appreciated.

Sincerely

Jean Hersley
Technical Records Specialist II
IDWR State Office
322 E Front St
Boise ID 83720
208-287-4942
jean.hersley@idwr.idaho.gov

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*

March 15, 2019

Legal Notice Department

ID City Free Press

PO Box 690

Grangeville ID 83530

RE: Legal Ad for your paper

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notices which we wish to have published in your newspaper 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, PO Box 83720, Boise, Idaho, 83720-0098 before April 8, 2019. Your cooperation is appreciated.

Sincerely

Jean Hersley
Technical Records Specialist II
IDWR State Office
322 E Front St
Boise ID 83720
208-287-4942
jean.hersley@idwr.idaho.gov

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 82778

LOWELL E LULL and LOUANN MCCUNE, PO BOX 344, RIGGINS, ID 83549-0344; has filed Application No. 82778 for changes to the following water rights within IDAHO County(s): Right No(s). 78-12507; The purpose of the transfer is to change a portion of the above rights as follows:

authorize irrigation of a maximum of 0.5 acres in the SWNE and SENE quarter-quarters of Sec 32, Township 23N, Range 01E, from a point of diversion on the Little Salmon River, in the SWNE QQ of Sec 32, Township 23N, Range 01E.

For additional information concerning the property location, contact IDWR State office at (208) 287-4800; or for a full description of the transfer, please see <http://www.idwr.idaho.gov/water-rights/transfers/search.html>

Protests may be submitted based on the criteria of Idaho Code Sec. 42-222.

Any protest against the proposed change must be filed with the Department of Water Resources, 322 E FRONT ST, PO BOX 83720, BOISE ID 83720-0098 together with a protest fee of \$25.00 for each application on or before 4/8/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 3/20/2019 and 3/27/2019



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

Website: idwr.idaho.gov • Email: idwrinfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

March 15, 2019

LOWELL E LULL
LOUANN MCCUNE
PO BOX 344
RIGGINS, ID 83549-0344

RE: Transfer No. 82778
Water Right No(s). 78-12507

Dear Applicant(s):

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 COUNTY FREE PRESS on 3/20/2019 and 3/27/2019. 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,

Jean Hersley
Technical Records Specialist

Hersley, Jean

From: Hersley, Jean
Sent: Friday, March 15, 2019 9:00 AM
To: Clark, Cynthia Bridge; Skoro, Emily
Subject: Transfer 82778

This transfer will be advertised on the 20th and 27th of March. Protest end date April 8, 2019. Please let me know if you have any comments or concerns. Documents will be scanned by end of day.

Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942

Memorandum

To: Water Rights 78-7294 and 78-12507
From: Remington Buyer
Date: February 22, 2019
Re: Review of Water Right Transfer 82778

Purpose/Narrative: Lowell Lull and LouAnn McCune submitted an ownership change and transfer application, received by IDWR on October 22, 2018. Mr. Lull recently acquired from Loretta Herman approximately 1.0 acres of what was formerly a 2.8 acre parcel. (Ms. Herman remains the owner of the remaining balance of 1.8 acres, however in a telephone conversation with LouAnn McCune on February 20th, 2019, Mrs. McCune stated Loretta Herman has now sold the remaining balance of her property.)

Water right 78-7294 is appurtenant to the lands now owned by Lull and Herman. Water right 78-7294 authorizes irrigation of 2 acres within the boundaries of what was previously the 2.8 acre parcel. Although Lull has acquired approximately 37% of the 2.8 acres, a note with the transfer application indicates that he has only obtained an interest of 0.5 acres (25%) of water right 78-7294. A review of 2018 Sentinel satellite imagery indicates that approximately 2.0 acres were irrigated last year, of which approximately 0.5 acres was on the land acquired by Lowell Lull.

Thus, transfer application 82778 proposes to split water right 78-7294 into two portions, with 75% remaining titled to Loretta Herman, and the remaining balance titled to Lowell Lull. Once the water right split and ownership change process is complete, transfer application 82778 further proposes to add a point of diversion to the newly created water right for Lowell Lull.

Authority to File: IDWR records list Robert and Loretta Herman as the owners of water right 78-7294. However, the land title transfer warranty deed states that Loretta Herman is a single woman. Because water right 78-7294 is appurtenant to land that Loretta Herman has legally conveyed to Lowell Lull (inclusive of water rights) IDWR can split the water right and list Lowell and LouAnn as the water right owners of the new portion. Note: though it was not clear from documentation submitted with the transfer application, in a phone conversation with Lowell Lull on Wednesday, December 19, 2018, Mr. Lull confirmed that he and LouAnn are married and that the ownership records for the split water right should be in both his name as well as LouAnn's.

Water Right Validity/Forfeiture Evaluation: A review of Sentinel satellite imagery confirms that approximately 2.0 acres of the 2.8 acre parcel was irrigated in 2018. No concerns about the validity or forfeiture of the water right. In evaluating the extent of the 2.0 acres observed irrigated in 2018, it appears that approximately 0.45 acres of Lull's land was irrigated, and 1.5 acres of Herman's land was irrigated. Thus, this water right appears valid and the irrigated acreages match the acreages requested in the transfer application paperwork.

It should also be noted that water right 78-7294 was licensed with a single point of diversion for irrigation of two acres, all in the SWNE QQ of Section 32, Township 23N, Range 1E. However, a shift in the public land survey data seems to have occurred, as the physical point of diversion is now located in the NWSE QQ of Section 32, and much of the land being irrigated under water right 78-7294 is located in the SENE QQ of Section 32. The applicant has confirmed that their intent in submitting this application is to abandon the original point of diversion, while adding a new point of diversion, for the irrigation of 0.5 acres on a parcel

that straddles the SWNE and SENE QQs of Section 32. The legal location of the new point of diversion is in the SWNE QQ of section 32, so although there will be a real change to the physical point of diversion, there will be no change to the legal location of the point of diversion.

Injury Evaluation: The transfer proposes to add a point of diversion to the newly created water right, approximately 0.1 miles downstream of the current point of diversion, on the Little Salmon River. There appears to be a single point of diversion between the present and newly proposed points of diversion. This single POD (for water right 78-7133) authorizes diversion of 0.03 cfs for irrigation with Little Salmon River water. A review of USGS stream gage data for the Little Salmon River at a measurement station located approximately 10 miles downstream of the transfer location indicates that, over a period of 60 years, more than 200 cfs flows in the Little Salmon River during the irrigation season (see table 1 on the next page).

Idaho County, Idaho

Hydrologic Unit Code 17060210

Latitude 45°24'47", Longitude 116°19'31" NAD83

Drainage area 576 square miles

Gage datum 1,760 feet above NGVD29

Output formats

[HTML table of all data](#)

[Tab-separated data](#)

[Headstart output format](#)

00060, Discharge, cubic feet per second.

Mean of daily mean values for each day for 65 - 67 years of record in, ft3/s (Calculation Period 1950-10-01 -> 2019-09-30)

Day of month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1	380	320	451	984	1,620	2,820	1,260	316	216	215	339	332
2	324	322	460	990	1,660	2,850	1,200	310	218	211	233	360
3	297	317	471	988	1,710	2,880	1,160	299	215	214	231	364
4	287	325	475	1,010	1,770	2,910	1,120	291	210	212	233	336
5	280	314	479	1,070	1,830	2,970	1,050	283	211	210	235	330
6	281	307	491	1,150	1,920	2,940	994	275	210	206	240	318
7	281	320	511	1,180	1,980	2,860	940	271	208	213	256	304
8	280	332	522	1,200	2,050	2,760	872	266	215	209	272	296
9	275	348	535	1,190	2,120	2,630	870	259	217	205	258	292
10	275	370	608	1,190	2,130	2,530	785	255	211	212	264	304
11	274	359	662	1,170	2,120	2,450	741	250	209	220	277	312
12	269	355	649	1,180	2,140	2,440	700	245	211	252	303	325
13	272	349	643	1,210	2,190	2,430	674	244	211	250	296	328
14	284	344	668	1,270	2,240	2,380	635	244	215	243	288	322
15	314	342	686	1,280	2,340	2,380	599	242	219	238	277	331
16	379	353	746	1,270	2,480	2,190	567	247	217	230	286	320
17	402	371	745	1,290	2,550	2,310	536	246	212	222	294	298
18	351	387	710	1,340	2,620	2,230	513	240	219	217	291	291
19	326	406	715	1,350	2,720	2,130	489	236	218	219	315	282
20	329	423	717	1,400	2,740	2,060	463	235	224	219	310	291
21	327	435	733	1,450	2,730	1,880	440	233	232	218	302	299
22	320	442	766	1,490	2,780	1,890	423	232	217	226	303	321
23	312	435	827	1,550	2,710	1,820	406	239	212	239	289	330
24	329	427	859	1,590	2,730	1,780	391	242	208	249	290	314
25	328	428	847	1,580	2,730	1,730	378	233	208	242	300	300
26	305	430	968	1,560	2,760	1,650	366	231	210	246	292	294
27	299	429	892	1,590	2,750	1,560	356	223	210	242	285	301
28	300	437	928	1,620	2,780	1,490	343	220	208	241	277	297
29	305	473	931	1,600	2,840	1,400	334	218	218	238	276	304
30	304		963	1,600	2,840	1,330	326	215	221	239	290	306
31	311		997		2,810		321	216		247		330

Table 1. USGS Stream Gage Data measured at the confluence of the Little Salmon and Salmon rivers.

It appears that there should be ample flow in the Little Salmon River during the irrigation season, sufficient to accommodate the addition of a POD as proposed on Transfer 82778 without causing injury to water right 78-7133.

This water right is also located within the regulated reach of minimum stream flow water right 78-12362 (which appears to be the same as water right 79-14124). MSF 78-12362/79-14124 is subordinated to non-DCMI (domestic, commercial, municipal and industrial uses) up to 52.7 cfs. This is a non-DCMI use, and this is not a new appropriation, so provided some non-DCMI subordination remains available under 78-12362, this transfer should not negatively impact or cause injury to state minimum stream flows.

Injury is not apparent through this transfer.

Enlargement Evaluation: The lands presently authorized to be irrigated under 78-7294 will continue to be irrigated under the newly split water right and no enlargement should occur under the transfer.

Local Public Interest: Staff are not aware of any local public interests that would be contrary to approval of this transfer.

Beneficial Use/Conservation of Water Resources: The intent of this transfer to authorize a decreed and recognized beneficial use of water and nothing suggests that approval of the transfer will negatively impact the conservation of water resources.

Department/Watermaster Comments: Water right 78-7133 does not appear to be located within the boundaries of an active water district. Regional comments may be requested.

Transfer Evaluation: Subject to regional comments and a possible issues identified through advertisement, it is recommended this transfer be approved.

Buyer, Remington

From: lmccune@frontier.com
Sent: Thursday, February 21, 2019 2:59 PM
To: Buyer, Remington
Subject: Re: Transfer Application 82778

In re: Transfer application 82778

Hello Remington,

As per our phone conversation this morning I am sending this email.

In response to Question 1:

At this time I only want to address the spatial location of the point of diversion associated with water right 78-12507. The new location of the point of diversion will be on the east side of the Little Salmon River designated by the red triangle on the map. This would be in Section 32 SWNE QQ.

Question 2:

The 0.5 acre place of use to be irrigated under this water right is located in the SWNE and the SENE section of Section 32.

Let me know if you need any other information.

Thank you,

LouAnn McCune
Lowell Lull

On Monday, January 28, 2019, 3:13:59 PM MST, LouAnn McCune <idalou7@gmail.com> wrote:

Sent from my iPhone

Begin forwarded message:

From: LouAnn McCune <idalou7@gmail.com>
Date: January 28, 2019 at 3:10:52 PM MST
To: Jaclyn Truppi <jaclyntruppi@gmail.com>
Subject: Fwd: Transfer Application 82778

Just got these questions about the water right to The pasture. If you have a moment sometime could you look it over. I'm not quite sure what we need to do.

Thanks,
LouAnn

Sent from my iPhone

Begin forwarded message:

From: "Buyer, Remington" <Remington.Buyer@idwr.idaho.gov>
Date: January 28, 2019 at 1:25:48 PM MST

To: "idalou7@gmail.com" <idalou7@gmail.com>
Subject: Transfer Application 82778

Mr. Lull and Ms. McCune,

I am processing your transfer application for water right 78-12507, which has been created through your purchase and split of a portion of water right 78-7294. The application is almost ready for legal notice however I have two questions regarding the transfer which I would like you to answer for me.

Question 1: Would you like to update the spatial location of the point of diversion associated with both water right 78-12507 and 78-7294?

If you look at the map attached to this email, you'll see that the point of diversion shared by water right 78-7294 and 78-12507 is spatially located west of the Little Salmon River, at the far southern edge of the SWNE quarter-quarter (green circle on the map). From a review of the backfile documentation for water right 78-7294, it appears that the point of diversion may actually be located in the NWSW quarter-quarter (yellow square on the map). My question for you is, would you like me to leave the spatial point of diversion in the present location (on the hill) or update IDWR's records so that it is visually represented along the Little Salmon River? If you would like me to update it, can you please confirm whether it should be located in the SWNE quarter-quarter, or in the NWSE QQ?

Question 2: Would you like water right 78-12507 to authorize irrigation in the SENE of Section 32, Township 23N, Range 01E?

Your transfer application requested that the 0.5 acre place of use to be irrigated under your water right should be located in the SWNE and NENW quarter-quarters of Section 32. However, it appears that the parcel of land acquired from Loretta Herman straddles the SWNE and SENE quarter-quarters and does not lie in the NENW. Can you please confirm that through Transfer application 82778 you are requesting that water right 78-12507 authorize irrigation of 0.5 acres in the SWNE and/or the SENE of Section 32, and not the NENW QQ?

Please respond to the above questions at your earliest convenience.

Regards,

Remington Buyer

Water Supply Bank Coordinator

Idaho Department of Water Resources

322 East Front Street, Boise, ID, 83720

T: (208) 287-4918 | **F:** (208) 287-6700

Buyer, Remington

From: Buyer, Remington
Sent: Monday, January 28, 2019 1:26 PM
To: 'idalou7@gmail.com'
Subject: Transfer Application 82778
Attachments: Review_Map.pdf

Mr. Lull and Ms. McCune,

I am processing your transfer application for water right 78-12507, which has been created through your purchase and split of a portion of water right 78-7294. The application is almost ready for legal notice however I have two questions regarding the transfer which I would like you to answer for me.

Question 1: Would you like to update the spatial location of the point of diversion associated with both water right 78-12507 and 78-7294?

If you look at the map attached to this email, you'll see that the point of diversion shared by water right 78-7294 and 78-12507 is spatially located west of the Little Salmon River, at the far southern edge of the SWNE quarter-quarter (green circle on the map). From a review of the backfile documentation for water right 78-7294, it appears that the point of diversion may actually be located in the NWSW quarter-quarter (yellow square on the map). My question for you is, would you like me to leave the spatial point of diversion in the present location (on the hill) or update IDWR's records so that it is visually represented along the Little Salmon River? If you would like me to update it, can you please confirm whether it should be located in the SWNE quarter-quarter, or in the NWSE QQ?

Question 2: Would you like water right 78-12507 to authorize irrigation in the SENE of Section 32, Township 23N, Range 01E?

Your transfer application requested that the 0.5 acre place of use to be irrigated under your water right should be located in the SWNE and NENW quarter-quarters of Section 32. However, it appears that the parcel of land acquired from Loretta Herman straddles the SWNE and SENE quarter-quarters and does not lie in the NENW. Can you please confirm that through Transfer application 82778 you are requesting that water right 78-12507 authorize irrigation of 0.5 acres in the SWNE and/or the SENE of Section 32, and not the NENW QQ?

Please respond to the above questions at your earliest convenience.

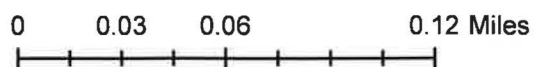
Regards,

Remington Buyer
Water Supply Bank Coordinator
Idaho Department of Water Resources
322 East Front Street, Boise, ID, 83720
T: (208) 287-4918 | F: (208) 287-6700

nn



Legend



- | | | | | |
|---|-------------------------|--|---|----------------|
|  | POD_78-12507_(proposed) | Land Ownership |  | Township/Range |
|  | POD 78-7294 (presumed) |  HERMAN, LORETTA |  | Sections |
|  | POD 78-7294 (recorded) |  LULL, LOWELL E |  | QQ |
| | |  MC CUNE, LOU ANN | | |



October 4, 2018

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082

RECEIVED

OCT 15 2018

WATER RESOURCES
WESTERN REGION

To IDWR,

This letter is to accompany the Notice of Change in Water Right Ownership form and Notice of Transfer of water right – Point of Diversion of Loretta Herman's water right No. 78-2794. This includes documentation for the transfers, split, and adding the second point of diversion for the new split water right.

Here is some brief background information of the situation to help explain the water right split, change of ownership, and new added diversion point:

Mrs. Herman sold part of her property to Lowell Lull (1.026 acres on the north end of the Herman property). Along with the sale of this property they agreed to split the existing water right; which services irrigation water to the entire Herman parcel from the Little Salmon River. They agreed of the total 2.0 acres of irrigation water allowed, 0.5 acres will go to Mr. Lull's property and 1.5 acres will stay with Mrs. Herman's property. Mr. Lull and his spouse own land directly across from the 1.026 acres, the land lying between it and the river, which would create a straight water line route from the river to the 1.026 acres. The new point of diversion will allow this direct route instead of going through two other properties to get there and a much greater distance.

At this time Mrs. Herman and Mr. Lull would like to complete the water right split, transfer of ownership, and add a new point of diversion for the new split water right as described. Attached you will find the following:

- Notice of Change of Water Right Ownership form
- Application for Transfer of Water Right – Point(s) of Diversion
- Minimum Requirements Checklist (to be submitted with application for transfer)
- Aerial and Survey maps of the properties showing the water rights split POD and POU
- Water Rights report
- Warranty deed for the transfer of the real estate
- Check to IDWR in the amount of \$300.00 for all of the above

Please let me know if there are any questions or any additional information is needed.

Thank you.

Best regards,

COPY
Original in 78-7294

Lowell Lull
LouAnn McCune
208-628-4221 home
925-699-2845 cell
ldalou7@gmail.com

October 4, 2018

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082

RECEIVED

OCT 15 2018

WATER RESOURCES
WESTERN REGION

To IDWR,

This letter is to accompany the Notice of Change in Water Right Ownership form and Notice of Transfer of water right – Point of Diversion of Loretta Herman's water right No. 78-2794. This includes documentation for the transfers, split, and adding the second point of diversion for the new split water right.

Here is some brief background information of the situation to help explain the water right split, change of ownership, and new added diversion point:

Mrs. Herman sold part of her property to Lowell Lull (1.026 acres on the north end of the Herman property). Along with the sale of this property they agreed to split the existing water right; which services irrigation water to the entire Herman parcel from the Little Salmon River. They agreed of the total 2.0 acres of irrigation water allowed, 0.5 acres will go to Mr. Lull's property and 1.5 acres will stay with Mrs. Herman's property. Mr. Lull and his spouse own land directly across from the 1.026 acres, the land lying between it and the river, which would create a straight water line route from the river to the 1.026 acres. The new point of diversion will allow this direct route instead of going through two other properties to get there and a much greater distance.

At this time Mrs. Herman and Mr. Lull would like to complete the water right split, transfer of ownership, and add a new point of diversion for the new split water right as described. Attached you will find the following:

- Notice of Change of Water Right Ownership form
- Application for Transfer of Water Right – Point(s) of Diversion
- Minimum Requirements Checklist (to be submitted with application for transfer)
- Aerial and Survey maps of the properties showing the water rights split POD and POU
- Water Rights report
- Warranty deed for the transfer of the real estate
- Check to IDWR in the amount of \$300.00 for all of the above

Please let me know if there are any questions or any additional information is needed.

Thank you.

Best regards,

Lowell Lull
LouAnn McCune
208-628-4221 home
925-699-2845 cell
ldalou7@gmail.com