

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
OCT 05 2018
Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Ronnie Quick Phone 208 339 6550
Mailing address 805 S Arthur Pocatello ID 83204 Email _____

- ☐ 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.

Ronnie J. Quick
Signature of Applicant or Authorized Representative

Ronnie J. Quick
Print Name and Title if applicable

10-3-18
Date

Lincoln Driscoll
Signature of Applicant or Authorized Representative

Lincoln Driscoll
Print Name and Title if applicable

10-5-18
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.O.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**.
This Transfer rearranges the places of use for rights 34-575 and 34-864 to be placed solely on Ronnie Quick's land.
Errors in the Decree placed water where it hadnt been used, on land now owned by Lincoln Driscoll. Lincoln Driscoll has signed the application, and understands that he has no interest in either right.

**STATE OF IDAHO
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**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued**

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	<u>Right Number</u>	<u>Amount</u> (cfs/ac-ft)	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source & Tributary</u>
All or Part ☒ ☐	34-864	2.00	Irrigation	05/01 to 10/15	Antelope Creek
☒ ☐	34-575	0.06	Irrigation	05/01 to 10/15	Antelope Creek
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.06 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed ~1.50 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 #

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	
05N	25E	29							10			25							35
		30													4.5		1.5	18	24
		31		1.5															1.5
Total Acres (for irrigation use)																			60.5

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/15/2018

Water Right 34-575

Owner Type **Name and Address**
Current Owner EMMA E KELLER
505 DICKSON AVE
IDAHO FALLS, ID 83402
(208) 522-0001

Current Owner ARTHUR J KELLER
505 DICKSON AVE
IDAHO FALLS, ID 83402
(208) 522-0011

Priority Date: 5/18/1902

Basis: Decreed

Status: Active

Source
ANTELOPE CREEK

Tributary
BIG LOST RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/01	10/15	0.060 CFS	
	<u>Total Diversion</u>		0.060 CFS	

Source and Point(s) of Diversion

ANTELOPE CREEK	SWSESE	Sec. 30, Twp 05N, Rge 25E, CUSTER County
ANTELOPE CREEK	NENWNE	Sec. 31, Twp 05N, Rge 25E, BUTTE County

Place Of Use

IRRIGATION within BUTTE,CUSTER Counties

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	25E	29							4.0	12.0	7.0	9.0							32.0
05N	25E	30															23.6	5.5	29.1
05N	25E	31		2.0															2.0

POU Total Acres: 63.1

Conditions of Approval:

1. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
2. USE OF THIS RIGHT WITH RIGHT NO. 34-00864 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 63.1 ACRES IN A SINGLE IRRIGATION SEASON.
3. 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

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/15/2018

4. C05 OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.
5. RIGHT NOS. 34-00864 AND 34-10124 ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.
6. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

Combined Use Limits

Rate

Volume

Acres

34-864 ,34-575

63.1

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/15/2018

Water Right 34-864

Owner Type **Name and Address**
Current Owner ARTHUR J KELLER
505 DICKSON AVE
IDAHO FALLS, ID 83402
(208) 522-0011

Current Owner EMMA E KELLER
505 DICKSON AVE
IDAHO FALLS, ID 83402
(208) 522-0001

Priority Date: 6/23/1884

Basis: Decreed

Status: Active

Source
ANTELOPE CREEK

Tributary
BIG LOST RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/01	10/15	2.000 CFS	
	<u>Total Diversion</u>		2.000 CFS	

Source and Point(s) of Diversion

ANTELOPE CREEK	SWSESE	Sec. 30, Twp 05N, Rge 25E, CUSTER County
ANTELOPE CREEK	NENWNE	Sec. 31, Twp 05N, Rge 25E, BUTTE County

Place Of Use

IRRIGATION within BUTTE,CUSTER Counties

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	25E	29							4.0	12.0	7.0	9.0							32.0
05N	25E	30															23.6	5.5	29.1
05N	25E	31		2.0															2.0

POU Total Acres: 63.1

Conditions of Approval:

1. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
2. USE OF THIS RIGHT WITH RIGHT NO. 34-00575 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 63.1 ACRES IN A SINGLE IRRIGATION SEASON.
3. 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

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SECTION 42-1425, IDAHO CODE.
5. RIGHT NOS. 34-00575 AND 34-10124 ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.
6. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

Combined Use Limits

Rate

Volume

Acres

63.1

34-864 ,34-575

SubCase:

N/A

Water Supply Bank:

N/A

STATE OF IDAHO
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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:

Gravity diversion to ditches, headgate with a weir, will put a lockable device on it if required.

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

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:

It will be dried up.

- 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:

Quick Transfer

