STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 82426

This is to certify that: PATRICK D FUREY AND
TAMMY R FUREY
301 E BROOKHOLLOW DR
BOISE, ID 83706-6730

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
71-14	WR/DECREED	5/1/1910	0.090 cfs	N/A	N/A	9.8	MEADOW CREEK
71-15	WR/DECREED	7/1/1910	0.180 cfs	N/A	N/A	9.8	MEADOW CREEK
71-17	WR/DECREED	5/1/1910	0.030 cfs	N/A	N/A	9.8	MEADOW CREEK
71-18	WR/DECREED	7/1/1910	0.110 cfs	N/A	N/A	9.8	MEADOW CREEK

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
71-14	NO	NO	YES	NO	NO	NO
71-15	NO	NO	YES	NO	NO	NO
71-17	NO	NO	YES	NO	NO	NO
71-18	NO	NO	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
71-14	71-14	0.090 cfs	N/A	N/A	9.8	N/A	N/A	N/A	N/A	N/A
71-15	71-15	0.180 cfs	N/A	N/A	9.8	N/A	N/A	N/A	N/A	N/A
71-17	71-17	0.030 cfs	N/A	N/A	9.8	N/A	N/A	N/A	N/A	N/A
71-18	71-18	0.110 cfs	N/A	N/A	9.8	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**0.410 cfs**	**N/A**	**N/A**	**9.8**		**N/A**	**N/A**	**N/A**	**N/A**

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 31ST day of August, 2018.

Southern Region Manager

SUPPORT DATA

Transfer No. 82426

IN FILE # 71-14

WATER RIGHT NO. 71-14

As Modified by Transfer No. 82426

In accordance with the approval of Transfer No. 82426, Water Right No. 71-14 is now described as follows:

Right Holder: TAMMY R FUREY AND
PATRICK D FUREY
301 E BROOKHOLLOW DR
BOISE, ID 83706-6730

Priority Date: 5/1/1910

Source: MEADOW CREEK **Tributary:** GOAT CREEK

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	05/01	to	10/31	0.090 cfs
				0.090 cfs

LOCATION OF POINT(S) OF DIVERSION

MEADOW CREEK	SWNWNE	Sec 20 Twp 10N Rge 13E	CUSTER County
MEADOW CREEK	SESWNW	Sec 20 Twp 10N Rge 13E	CUSTER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10N	13E	17											1.7	8.1					9.8

POU Total Acres: 9.8

CONDITIONS OF APPROVAL

1. Rights 71-14, 71-15, 71-17, and 71-18 when combined shall not exceed a total diversion rate of 0.41 cfs and the irrigation of 9.8 acres.
2. This right when combined with all other rights shall provide no more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 71.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 82426

WATER RIGHT NO. 71-14

As Modified by Transfer No. 82426

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

7. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 71-15

As Modified by Transfer No. 82426

In accordance with the approval of Transfer No. 82426, Water Right No. 71-15 is now described as follows:

Right Holder: PATRICK D FUREY AND
TAMMY R FUREY
301 E BROOKHOLLOW DR
BOISE, ID 83706-6730

Priority Date: 7/1/1910

Source: MEADOW CREEK **Tributary:** GOAT CREEK

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	05/01	to	10/31	0.180 cfs
				0.180 cfs

LOCATION OF POINT(S) OF DIVERSION

MEADOW CREEK	SWNWNE	Sec 20 Twp 10N Rge 13E	CUSTER County
MEADOW CREEK	SESWNW	Sec 20 Twp 10N Rge 13E	CUSTER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10N	13E	17											1.7	8.1					9.8

POU Total Acres: 9.8

CONDITIONS OF APPROVAL

1. Rights 71-14, 71-15, 71-17, and 71-18 when combined shall not exceed a total diversion rate of 0.41 cfs and the irrigation of 9.8 acres.
2. This right when combined with all other rights shall provide no more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 71.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 82426

WATER RIGHT NO. 71-15

As Modified by Transfer No. 82426

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

7. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 71-17

As Modified by Transfer No. 82426

In accordance with the approval of Transfer No. 82426, Water Right No. 71-17 is now described as follows:

Right Holder: TAMMY R FUREY AND
PATRICK D FUREY
301 E BROOKHOLLOW DR
BOISE, ID 83706-6730

Priority Date: 5/1/1910

Source: MEADOW CREEK **Tributary:** GOAT CREEK

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	05/01	to	10/31	0.030 cfs
				0.030 cfs

LOCATION OF POINT(S) OF DIVERSION

MEADOW CREEK	SWNWNE	Sec 20 Twp 10N Rge 13E CUSTER County
MEADOW CREEK	SESWNW	Sec 20 Twp 10N Rge 13E CUSTER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10N	13E	17											1.7	8.1					9.8

POU Total Acres: 9.8

CONDITIONS OF APPROVAL

1. Rights 71-14, 71-15, 71-17, and 71-18 when combined shall not exceed a total diversion rate of 0.41 cfs and the irrigation of 9.8 acres.
2. This right when combined with all other rights shall provide no more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 71.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 82426

WATER RIGHT NO. 71-17

As Modified by Transfer No. 82426

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

7. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 71-18

As Modified by Transfer No. 82426

In accordance with the approval of Transfer No. 82426, Water Right No. 71-18 is now described as follows:

Right Holder: PATRICK D FUREY AND
TAMMY R FUREY
301 E BROOKHOLLOW DR
BOISE, ID 83706-6730

Priority Date: 7/1/1910

Source: MEADOW CREEK **Tributary:** GOAT CREEK

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	05/01	to	10/31	0.110 cfs
				0.110 cfs

LOCATION OF POINT(S) OF DIVERSION

MEADOW CREEK	SWNWNE	Sec 20 Twp 10N Rge 13E	CUSTER County
MEADOW CREEK	SESWNW	Sec 20 Twp 10N Rge 13E	CUSTER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10N	13E	17											1.7	8.1					9.8

POU Total Acres: 9.8

CONDITIONS OF APPROVAL

1. Rights 71-14, 71-15, 71-17, and 71-18 when combined shall not exceed a total diversion rate of 0.41 cfs and the irrigation of 9.8 acres.
2. This right when combined with all other rights shall provide no more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 71.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 82426

WATER RIGHT NO. 71-18

As Modified by Transfer No. 82426

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

7. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho
Department of Water Resources

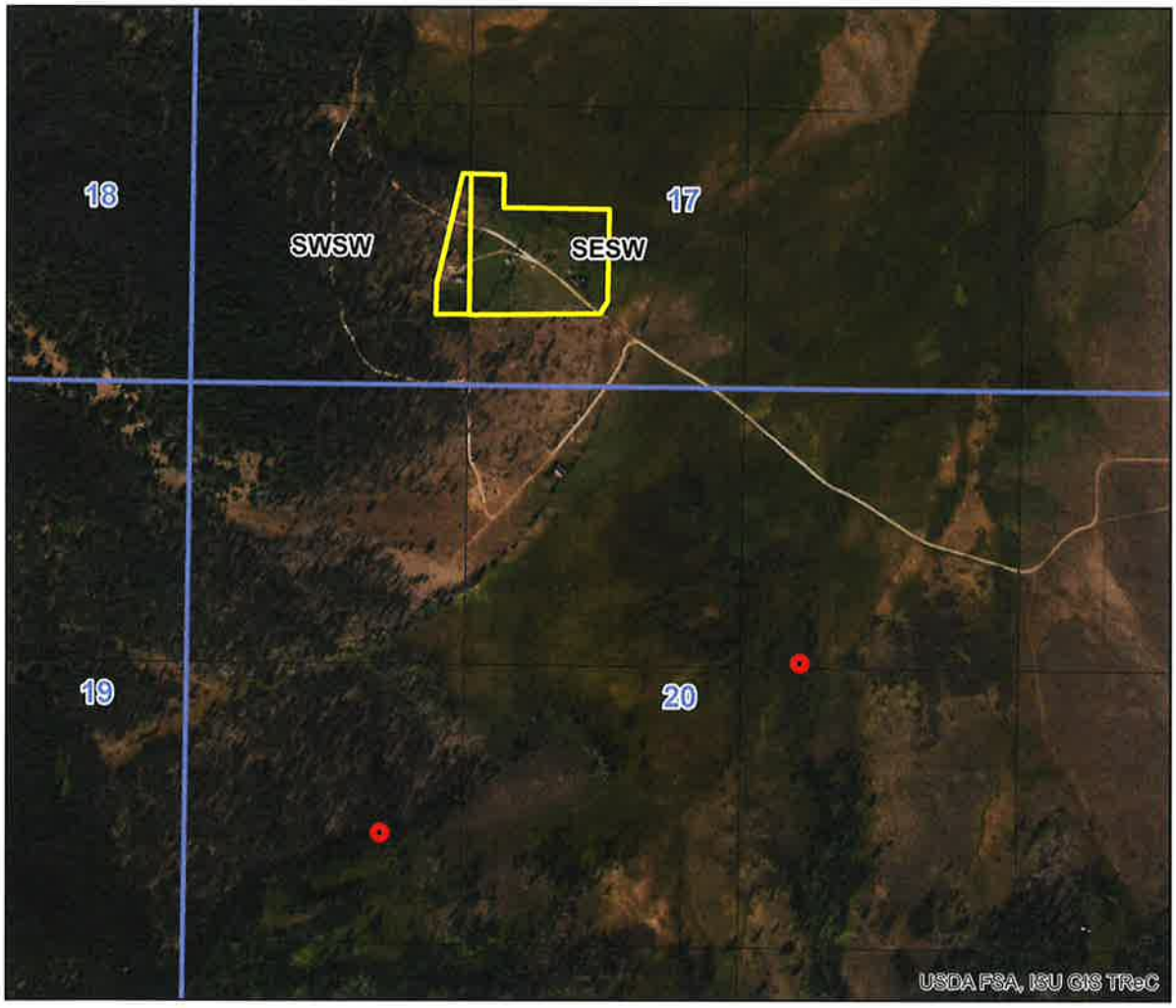
Attachment to Transfer # 82426

71-14, 71-15, 71-17, and 71-18

This map depicts the IRRIGATION place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.

13E

10N



0 0.1 0.2 0.4 Miles

Point of Diversion

Place Of Use Boundary

Townships

PLS Sections

N

Rev. 01/15

RECEIVED
JUN 14 2018
DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 82426

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) PATRICK D. FUREY and TAMMY R. FUREY

Check 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: Narrative explanation of problem sought to be corrected by this Application

Amended Application received June 14, 2018

Rev. 01/15

RECEIVED
JUN 14 2018
DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Patrick D. Furey and Tammy R. Furey Phone 208-368-0855

Mailing address 301 E. Brookhollow Dr., Boise, ID 83706 Email pdfureylaw@icloud.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.

Patrick D. Furey — Patrick D. Furey — 06-11-2018
Signature of Applicant or Authorized Representative — Print Name and Title if applicable — Date

Tammy R. Furey — Tammy R. Furey — 06-11-2018
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 Show true POU

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.**

~~The Place of Use for WR Nos. 71-14, 71-15, 71-17 and 71-18 has since 1960 or even earlier been on at least 9.8~~ acres of land now owned by Applicants. Due to a mapping error, 3.5 acres of this POU shows in the Dept's records as "shifted" N and E onto National Forest land which has never been irrigated by anyone, ever. Applicants want to correct this to locate the entire 9.8A POU onto their land.

RECEIVED
JUL 30 2018
DEPT OF WATER RESOURCES
SOUTHERN REGION

Rev 07/18

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.

All	or Part	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☐	☐	71-14	0.09	Irrigation	05/01 to 10/31	Meadow Creek/Goat Creek
☐	☐	71-15	.18	Irrigation	05/01 to 10/31	Meadow Creek/Goat Creek
☐	☐	71-17	0.03	Irrigation	05/01 to 10/31	Meadow Creek/Goat Creek
☐	☐	71-18	.110	Irrigation	05/01 to 10/31	Meadow Creek/Goat Creek
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	

Total authorized under rights 0.41 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed .145 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	
10N	13E	17											1.7	8.1					9.8
																		Total Acres (for irrigation use)	9.8

AMENDED PAGE RECEIVED 7/30/2018

Rev. 01/15

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.

All	Part	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☐	☑	71-14	0.090	irrigation	05/01 to 10/31	Meadow Cr / Goat Cr
☐	☑	71-15	0.180	irrigation	05/01 to 10/31	Meadow Cr / Goat Cr
☐	☑	71-17	0.030	irrigation	05/01 to 10/31	Meadow Cr / Goat Cr
☐	☑	71-18	0.110	irrigation	05/01 to 10/31	Meadow Cr / Goat Cr
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	

Total authorized under rights .41 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed .145 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 #

SUPERSEDED BY PART 1 RECEIVED 7/30/18

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	
														1.8					1.8
													1.7						1.7

Total Acres (for irrigation use) 3.5

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:

~~Ditch with diversion from Meadow Cr flood irrigates the 9.8 acres Applicants own. A measuring weir already~~ exists at the ditch head. Diversion is by simple plastic dam across Meadow Cr. Future lockable controlling works would require a concrete headgate with locking gate.

b. Who owns the property at the point(s) of diversion? Sawtooth Natl Recreation Area (United States)

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

~~Historical custom and useage since 1910. There may be a Special Use Permit, as well; unsure.~~

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:

~~That's the anomaly: the 3.5 acres of POU that is the subject of this application has never been irrigated. All 9.8~~ acres of the true POU is land owned by Applicants. The Transfer sought won't affect either the 3.5 acres of SNRA land or the 9.8 acres of Applicants' land at all; it will simply correct the Dept's records to show the true

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:

~~There is no system at the "existing" 3.5A POU, please see above. The entirety of WR 71-14, -15, -17 and -18~~ have at all times been used on the 9.8 (or more) acres of Applicants' land.

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:

Rev. 01/15

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 1.
Insert Part 2A reports into the application following Part 1.

B. 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. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: 71-14,-15,-17,-18

1. amount 71-14: 0.032 (cfs/ac-ft) for irrigation purposes from 05/01 to 10/31
   amount 71-15: 0.064 (cfs/ac-ft) for irrigation purposes from 05/01 to 10/31
   amount 71-17: 0.010 (cfs/ac-ft) for irrigation purposes from 05/01 to 10/31
   amount 71-18: 0.039 (cfs/ac-ft) for irrigation purposes from 05/01 to 10/31
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

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	
														1.8					1.8
													1.7						1.7
																		Total Acres (for irrigation use)	3.5

STATE OF IDAHO

DEPARTMENTOF 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: 71-14

1. amount 0.032 (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____

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

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	
														1.8					1.8
													1.7						1.7
																			3.5

Total Acres (for irrigation use) _____

IDAHO DEPARTMENT OF WATER RESOURCES 5/17/2018

Proof Report

Water Right 71-14

Owner Type	Name and Address
Current Owner	TAMMY R FUREY 301 E BROOKHOLLOW DR BOISE, ID 83706-6730 2 (08) 368-0855
Current Owner	PATRICK D FUREY 301 E BROOKHOLLOW DR BOISE, ID 83706-6730 (208) 368-0855

Priority Date: 5/1/1910
Basis: Decreed
Status: Active

Source	Tributary
MEADOW CREEK	GOAT CREEK

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	05/01	10/31	0.090 CFS	
	Total Diversion		0.090 CFS	

Source and Point(s) of Diversion

MEADOW CREEK	SWNWNE	Sec. 20, Twp 10N, Rge 13E,	CUSTER County
MEADOW CREEK	SESWNW	Sec. 20, Twp 10N, Rge 13E,	CUSTER County

Place Of Use

IRRIGATION within CUSTER County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10N	13E	17										3.5		6.3					9.8

POU Total Acres: 9.8

Conditions of Approval:

1. THE USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 12.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHTS: 71-00014, 71-00015, 71-00017, 71-00018, 71-00016, 71-00019A, 71-00020A & 71-00021A.
2. 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.
3. C13 THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 71: WATER RIGHT NO. SOURCE NONE NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE NONE ALL WATER RIGHTS WITHIN BASIN 71 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

4. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

5. THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINTS OF DIVERSION DESCRIBED ABOVE: 71-00014, 71-00015, 71-00017, 71-00018, 71-10960, 71-10961, 71-10962, 71-10963, 71-10964, 71-10965, 71-10967, 71-10968, 71-10975, 71-10976, 71-10977 and 71-10978.

Dates and Other Information
Decreed Date: 3/16/1999
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: 71
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 3.5
Mitigation Plan: False

Combined Use Limits
N/A

SubCase:
N/A

Water Supply Bank:
N/A

STATE OF IDAHO

DEPARTMENTOF 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: 71-15

1. amount 0.064 (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____

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

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	
														1.8					1.8
													1.7						1.7
																			3.5

Total Acres (for irrigation use) _____

IDAHO DEPARTMENT OF WATER RESOURCES 5/17/2018

Proof Report

Water Right 71-15

Owner Type	**Name and Address**
Current Owner	PATRICK D FUREY 301 E BROOKHOLLOW DR BOISE, ID 83706-6730 (208) 368-0855
Current Owner	TAMMY R FUREY 301 E BROOKHOLLOW DR BOISE, ID 83706-6730 2 (08) 368-0855

Priority Date: 7/1/1910
Basis: Decreed
Status: Active

Source	**Tributary**
MEADOW CREEK	GOAT CREEK

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
IRRIGATION	05/01	10/31	0.180 CFS	
	Total Diversion		0.180 CFS	

Source and Point(s) of Diversion

MEADOW CREEK	SESWNW	Sec. 20, Twp 10N, Rge 13E,	CUSTER County
MEADOW CREEK	SWNWNE	Sec. 20, Twp 10N, Rge 13E,	CUSTER County

Place Of Use

IRRIGATION within CUSTER County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10N	13E	17										3.5		6.3					9.8

POU Total Acres: 9.8

Conditions of Approval:

1. THE USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 12.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHTS: 71-00014, 71-00015, 71-00017, 71-00018, 71-00016, 71-00019A, 71-00020A & 71-00021A.

2. C13 THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 71: WATER RIGHT NO. SOURCE NONE NONE THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE NONE ALL WATER RIGHTS WITHIN BASIN 71 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED

		CONJUNCTIVELY.
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 OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
4.		THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINTS OF DIVERSION DESCRIBED ABOVE: 71-00014, 71-00015, 71-00017, 71-00018, 71-10960, 71-10961, 71-10962, 71-10963, 71-10964, 71-10965, 71-10967, 71-10968, 71-10975, 71-10976, 71-10977 and 71-10978.
5.	C05	RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates and Other Information
Decreed Date: 3/16/1999
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: 71
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 3.5
Mitigation Plan: False

Combined Use Limits
N/A

SubCase:
N/A

Water Supply Bank:
N/A

STATE OF IDAHO

DEPARTMENTOF 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: 71-17

1. amount 0.010 (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____

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

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	
														1.8					1.8
													1.7						1.7
																			3.5

Total Acres (for irrigation use) _____

IDAHO DEPARTMENT OF WATER RESOURCES 5/17/2018

Proof Report

Water Right 71-17

Owner Type	**Name and Address**
Current Owner	TAMMY R FUREY 301 E BROOKHOLLOW DR BOISE, ID 83706-6730 2 (08) 368-0855
Current Owner	PATRICK D FUREY 301 E BROOKHOLLOW DR BOISE, ID 83706-6730 (208) 368-0855

Priority Date: 5/1/1910
Basis: Decreed
Status: Active

Source	**Tributary**
MEADOW CREEK	GOAT CREEK

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
IRRIGATION	05/01	10/31	0.030 CFS	
	Total Diversion		0.030 CFS	

Source and Point(s) of Diversion

MEADOW CREEK	SWNWNE	Sec. 20, Twp 10N, Rge 13E,	CUSTER County
MEADOW CREEK	SESWNW	Sec. 20, Twp 10N, Rge 13E,	CUSTER County

Place Of Use

IRRIGATION within CUSTER County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10N	13E	17										3.5		6.3					9.8

POU Total Acres: 9.8

Conditions of Approval:

1. THE USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 12.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHTS: 71-00014, 71-00015, 71-00017, 71-00018, 71-00016, 71-00019A, 71-00020A & 71-00021A.

2. C13 THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 71: WATER RIGHT NO. SOURCE NONE NONE THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE NONE ALL WATER RIGHTS WITHIN BASIN 71 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED

		CONJUNCTIVELY.
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 OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
4.		THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINTS OF DIVERSION DESCRIBED ABOVE: 71-00014, 71-00015, 71-00017, 71-00018, 71-10960, 71-10961, 71-10962, 71-10963, 71-10964, 71-10965, 71-10967, 71-10968, 71-10975, 71-10976, 71-10877 and 71-10978.
5.	C05	RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates and Other Information
Decreed Date: 3/16/1999
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: 71
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 3.5
Mitigation Plan: False

Combined Use Limits
N/A

SubCase:
N/A

Water Supply Bank:
N/A

STATE OF IDAHO

DEPARTMENTOF 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: 71-18

1. amount 0.039 (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____

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

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	
														1.8					1.8
													1.7						1.7
																			3.5

Total Acres (for irrigation use) _____

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

Water Right 71-18

Owner Type	Name and Address
Current Owner	PATRICK D FUREY 301 E BROOKHOLLOW DR BOISE, ID 83706-6730 (208) 368-0855
Current Owner	TAMMY R FUREY 301 E BROOKHOLLOW DR BOISE, ID 83706-6730 2 (08) 368-0855

Priority Date: 7/1/1910
Basis: Decreed
Status: Active

Source	Tributary
MEADOW CREEK	GOAT CREEK

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	05/01	10/31	0.110 CFS	
	Total Diversion		0.110 CFS	

Source and Point(s) of Diversion

MEADOW CREEK	SWNWNE	Sec. 20, Twp 10N, Rge 13E,	CUSTER County
MEADOW CREEK	SESWNW	Sec. 20, Twp 10N, Rge 13E,	CUSTER County

Place Of Use

IRRIGATION within CUSTER County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10N	13E	17										3.5		6.3					9.8

POU Total Acres: 9.8

Conditions of Approval:

1. THE USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 12.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHTS: 71-00014, 71-00015, 71-00017, 71-00018, 71-00016, 71-00019A, 71-00020A & 71-00021A.

2. C13 THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 71: WATER RIGHT NO. SOURCE NONE NONE THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE NONE ALL WATER RIGHTS WITHIN BASIN 71 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED

		CONJUNCTIVELY.
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 OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
4.	C05	RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5.		THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINTS OF DIVERSION DESCRIBED ABOVE: 71-00014, 71-00015, 71-00017, 71-00018, 71-10960, 71-10961, 71-10962, 71-10963, 71-10964, 71-10965, 71-10967, 71-10968, 71-10975, 71-10976, 71-10977 and 71-10978.

Dates and Other Information
Decreed Date: 3/16/1999
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: 71
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 3.5
Mitigation Plan: False

Combined Use Limits
N/A

SubCase:
N/A

Water Supply Bank:
N/A

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 rights(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:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by DM Date 6-14-2018 Preliminary check by _____ Date _____

Fee paid $200- Date 6-4-2018 Receipted by DM Receipt # S036777

Add'l fee paid _____ Date _____ Receipted by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

NARRATIVE EXPLANATION OF PROBLEM SOUGHT TO BE CORRECTED BY TRANSFER

Water Right Nos. 71-14, 71-15, 71-17 and 71-18 have at all times since 1960 or before been used on land now owned by Applicants and comprising either 9.8 acres or 10.7 acres or 12.2 acres, depending which records are reviewed. Because the most recent Part 2A Proof Reports for each of the respective Water Rights gives the acreage as 9.8, Applicants have used that figure throughout the application. (They do not waive any greater POU acreage to which they may be entitled, if any, however.)

For some reason unknown to Applicants, when the POU for these rights was mapped in the Department, most was correctly shown on the land now owned by Applicants, but another 3.5 acres of POU were incorrectly peeled off and mapped a distance North and slightly West, onto land owned not by Applicants or any of their predecessors in interest, but by the United States as part of the Sawtooth National Forest. This 3.5 acres has never been irrigated at all, by anyone, ever. The Forest Service has no interest whatsoever in these water rights.

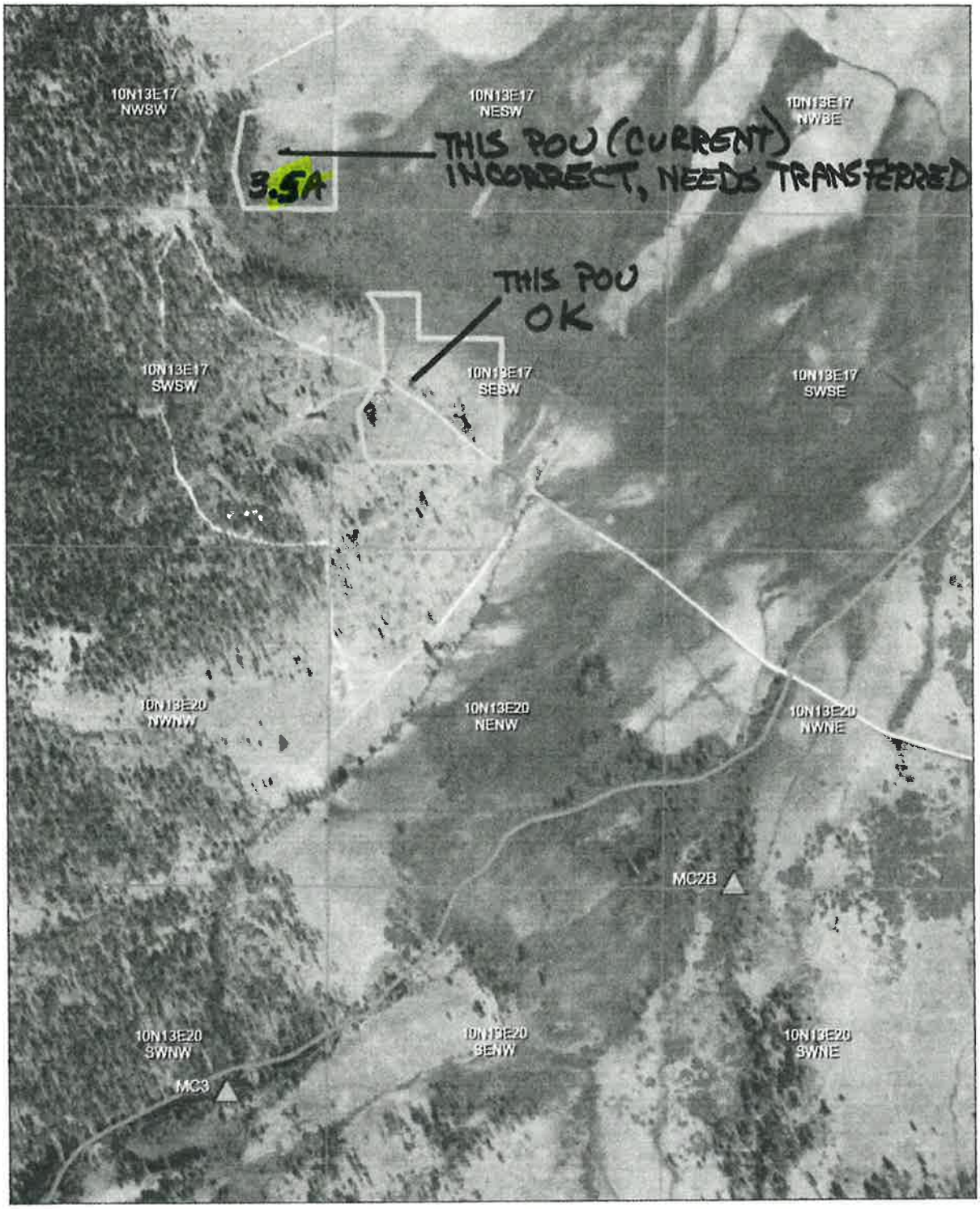
Applicants want to correct the erroneously-mapped 3.5 acres of POU currently shown as being on National Forest land and transfer the same South and slightly East, onto Applicants' land and contiguous to their correctly-mapped POU for a total of 9.8 acres of POU for Water Rights 71-14, 71-15, 71-17 and 71-18.

The Part 2B calculations were arrived at by dividing the POU acreage to be transferred (3.5) by the total POU acreage (9.8) to arrive at a percentage (35.714%). The total cfs of each of the four water rights was then multiplied by 35.714 to determine the portion of the water right (in cfs) sought to be transferred to the correct POU.

ATTACHMENT #10

TRANSFER 82426

WR Nos. 71-14, 71-15, 71-17, 71-18



Place of Use

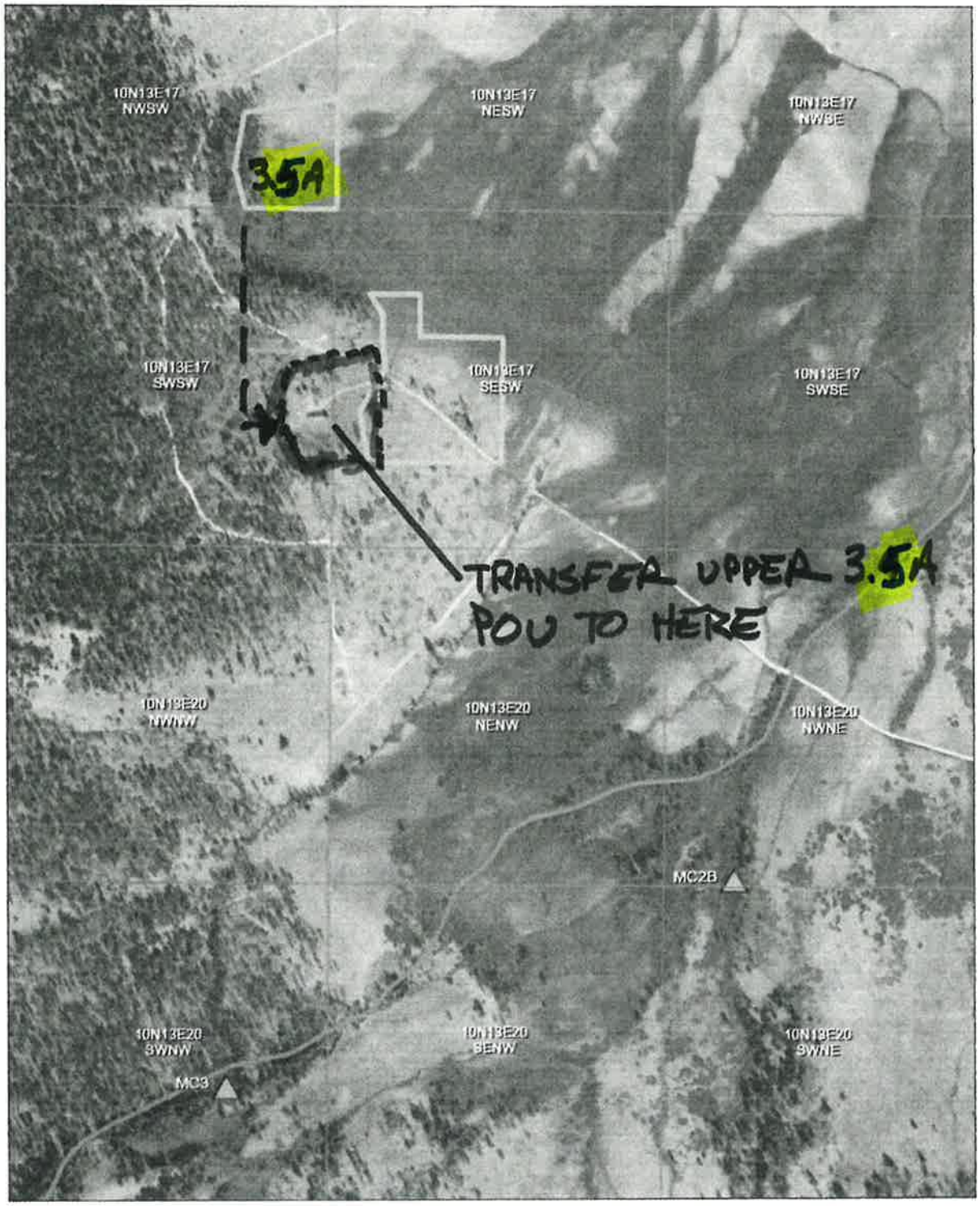
Point of Diversion

0 0.075 0.15 0.3 Miles

ATTACHMENT #7a

TRANSFER 82426

WR Nos. 71-14, 71-15, 71-17, 71-18



Place of Use

Point of Diversion

0 0.075 0.15 0.3 Miles

ATTACHMENT #8a

TRANSFER 82426

Rev. 01/15

RECEIVED
JUN 04 2018
DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

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) PATRICK D. FUREY and TAMMY R. FUREY

Check 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: Narrative explanation of problem sought to be corrected by this Application

Fee Schedule
Corrective Deed
Corrective Deed

Rev. 01/15

RECEIVED
JUN 04 2018
DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Patrick D. Furey and Tammy R. Furey Phone 208-368-0855

Mailing address 301 E. Brookhollow Dr., Boise, ID 83706 Email pdfureylaw@icloud.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**.

Superseded

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.

Patrick D. Furey — Signature of Applicant or Authorized Representative
Patrick D. Furey — Print Name and Title if applicable — 06-01-2018 Date

Tammy R. Furey — Signature of Applicant or Authorized Representative
Tammy R. Furey — Print Name and Title if applicable — 06-01-2018 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 Show true POU

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.**

   The Place of Use for WR Nos. 71-14, 71-15, 71-17 and 71-18 has since 1960 or even earlier been on at least 9.8 acres of land now owned by Applicants. Due to a mapping error, 3.4 acres of this POU shows in the Dept's records as "shifted" N and E onto National Forest land which has never been irrigated by anyone, ever. Applicants want to correct this anomaly to show all 9.8 acres of POU for these water rights on their land.

Rev. 01/15

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. All or Part	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☐ ☑	71-14	0.090	irrigation	05/01 to 10/31	Meadow Cr / Goat Cr
☐ ☑	71-15	0.180	irrigation	05/01 to 10/31	Meadow Cr / Goat Cr
☐ ☑	71-17	0.030	irrigation	05/01 to 10/31	Meadow Cr / Goat Cr
☐ ☑	71-18	0.110	irrigation	05/01 to 10/31	Meadow Cr / Goat Cr
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights .41 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed: .142 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**.

SUPERSEDED

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	
														1.7					1.7
													1.7						1.7
																		Total Acres (for irrigation use)	3.4

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:

Ditch with diversion from Meadow Cr flood irrigates the 9.8 acres Applicants own. A measuring weir already exists at the ditch head. Diversion is by simple plastic dam across Meadow Cr. Future lockable controlling works would require a concrete headgate with locking gate.

b. Who owns the property at the point(s) of diversion? Sawtooth Natl Recreation Area (United States)

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

Historical custom and useage since 1910. There may be a Special Use Permit, as well; unsure.

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:

That's the anomaly: the 3.4 acres of POU that is the subject of this application has never been irrigated. All 9.8 acres of the true POU is land owned by Applicants. The Transfer sought won't affect either the 3.4 acres of SNRA land or the 9.8 acres of Applicants' land at all; it will simply correct the Dept's records to show the true POU.

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:

There is no system at the "existing" 3.4A POU, please see above. The entirety of WR 71-14, -15, -17 and -18 have at all times been used on the 9.8 (or more) acres of Applicants' land.

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:

Page _____ of _____

STATE OF IDAHO

DEPARTMENTOF 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: 71-14

1. amount 0.031 (cfs/ac-ft) for irrigation purposes from 05/01 to 10/31
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____

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

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	
														1.7					1.7
													1.7						1.7

SUPERSEDED

Total Acres (for irrigation use) 3.4

IDAHO DEPARTMENT OF WATER RESOURCES 5/17/2018

Proof Report

Water Right 71-14

Owner Type	**Name and Address**
Current Owner	TAMMY R FUREY 301 E BROOKHOLLOW DR BOISE, ID 83706-6730 2 (08) 368-0855
Current Owner	PATRICK D FUREY 301 E BROOKHOLLOW DR BOISE, ID 83706-6730 (208) 368-0855

Priority Date: 5/1/1910
Basis: Decreed
Status: Active

Source	**Tributary**
MEADOW CREEK	GOAT CREEK

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
IRRIGATION	05/01	10/31	0.090 CFS	
	Total Diversion		0.090 CFS	

Source and Point(s) of Diversion

MEADOW CREEK	SWNWNE	Sec. 20, Twp 10N, Rge 13E,	CUSTER County
MEADOW CREEK	SESWNW	Sec. 20, Twp 10N, Rge 13E,	CUSTER County

Place Of Use

IRRIGATION within CUSTER County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10N	13E	17										3.5		6.3					9.8

POU Total Acres: 9.8

Conditions of Approval:

1. THE USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 12.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHTS: 71-00014, 71-00015, 71-00017, 71-00018, 71-00016, 71-00019A, 71-00020A & 71-00021A.
2. 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.
3. C13 THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 71: WATER RIGHT NO. SOURCE NONE NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE NONE ALL WATER RIGHTS WITHIN BASIN 71 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

4. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

5. THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINTS OF DIVERSION DESCRIBED ABOVE: 71-00014, 71-00015, 71-00017, 71-00018, 71-10960, 71-10961, 71-10962, 71-10963, 71-10964, 71-10965, 71-10967, 71-10968, 71-10975, 71-10976, 71-10977 and 71-10978.

Dates and Other Information
Decreed Date: 3/16/1999
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: 71
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 3.5
Mitigation Plan: False

Combined Use Limits
N/A

SubCase:
N/A

Water Supply Bank:
N/A

Page _____ of _____

STATE OF IDAHO

DEPARTMENTOF 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: 71-15

1. amount 0.062 (cfs/ac-ft) for irrigation purposes from 05/01 to 10/31
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____

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

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	
														1.7					1.7
													1.7						1.7

SUPERSEDED

Total Acres (for irrigation use) 3.4

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/17/2018

Water Right 71-15

Owner Type	Name and Address
Current Owner	PATRICK D FUREY 301 E BROOKHOLLOW DR BOISE, ID 83706-6730 (208) 368-0855
Current Owner	TAMMY R FUREY 301 E BROOKHOLLOW DR BOISE, ID 83706-6730 2 (08) 368-0855

Priority Date: 7/1/1910
Basis: Decreed
Status: Active

Source
MEADOW CREEK

Tributary
GOAT CREEK

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	05/01	10/31	0.180 CFS	
	Total Diversion		0.180 CFS	

Source and Point(s) of Diversion

MEADOW CREEK	SESWNW	Sec. 20, Twp 10N, Rge 13E,	CUSTER County
MEADOW CREEK	SWNWNE	Sec. 20, Twp 10N, Rge 13E,	CUSTER County

Place Of Use

IRRIGATION within CUSTER County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10N	13E	17										3.5		6.3					9.8

POU Total Acres: 9.8

Conditions of Approval:

1. THE USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 12.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHTS: 71-00014, 71-00015, 71-00017, 71-00018, 71-00016, 71-00019A, 71-00020A & 71-00021A.

2. C13 THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 71: WATER RIGHT NO. SOURCE NONE NONE THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE NONE ALL WATER RIGHTS WITHIN BASIN 71 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED

CONJUNCTIVELY.

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 OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

4. THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINTS OF DIVERSION DESCRIBED ABOVE: 71-00014, 71-00015, 71-00017, 71-00018, 71-10960, 71-10961, 71-10962, 71-10963, 71-10964, 71-10965, 71-10967, 71-10968, 71-10975, 71-10976, 71-10977 and 71-10978.

5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates and Other Information

Decreed Date: 3/16/1999
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: 71
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 3.5
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

Page _____ of _____

STATE OF IDAHO

DEPARTMENTOF 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: 71-17

1. amount 0.010 (cfs/ac-ft) for irrigation purposes from 05/01 to 10/31
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____

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

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	
														1.7					1.7
													1.7						1.7

Superseded

Total Acres (for irrigation use) 3.4

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/17/2018

Water Right 71-17

Owner Type	**Name and Address**
Current Owner	TAMMY R FUREY 301 E BROOKHOLLOW DR BOISE, ID 83706-6730 2 (08) 368-0855
Current Owner	PATRICK D FUREY 301 E BROOKHOLLOW DR BOISE, ID 83706-6730 (208) 368-0855

Priority Date: 5/1/1910
Basis: Decreed
Status: Active

Source
MEADOW CREEK

Tributary
GOAT CREEK

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
IRRIGATION	05/01	10/31	0.030 CFS	
	Total Diversion		0.030 CFS	

Source and Point(s) of Diversion

MEADOW CREEK	SWNWNE	Sec. 20, Twp 10N, Rge 13E,	CUSTER County
MEADOW CREEK	SESWNW	Sec. 20, Twp 10N, Rge 13E,	CUSTER County

Place Of Use
IRRIGATION within CUSTER County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10N	13E	17										3.5		6.3					9.8

POU Total Acres: 9.8

Conditions of Approval:

1. THE USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 12.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHTS: 71-00014, 71-00015, 71-00017, 71-00018, 71-00016, 71-00019A, 71-00020A & 71-00021A.
2. C13 THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 71: WATER RIGHT NO. SOURCE NONE NONE THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE NONE ALL WATER RIGHTS WITHIN BASIN 71 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED

		CONJUNCTIVELY.
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 OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
4.		THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINTS OF DIVERSION DESCRIBED ABOVE: 71-00014, 71-00015, 71-00017, 71-00018, 71-10960, 71-10961, 71-10962, 71-10963, 71-10964, 71-10965, 71-10967, 71-10968, 71-10975, 71-10976, 71-10877 and 71-10978.
5.	C05	RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates and Other Information
Decreed Date: 3/16/1999
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: 71
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 3.5
Mitigation Plan: False

Combined Use Limits
N/A

SubCase:
N/A

Water Supply Bank:
N/A

Page _____ of _____

STATE OF IDAHO

DEPARTMENTOF 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: 71-18

1. amount 0.038 (cfs/ac-ft) for irrigation purposes from 05/01 to 10/31
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____

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

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	
														1.7					1.7
													1.7						1.7

Superseded

Total Acres (for irrigation use) 3.4

IDAHO DEPARTMENT OF WATER RESOURCES 5/17/2018

Proof Report

Water Right 71-18

Owner Type	**Name and Address**
Current Owner	PATRICK D FUREY 301 E BROOKHOLLOW DR BOISE, ID 83706-6730 (208) 368-0855
Current Owner	TAMMY R FUREY 301 E BROOKHOLLOW DR BOISE, ID 83706-6730 2 (08) 368-0855

Priority Date: 7/1/1910
Basis: Decreed
Status: Active

Source	**Tributary**
MEADOW CREEK	GOAT CREEK

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
IRRIGATION	05/01	10/31	0.110 CFS	
	Total Diversion		0.110 CFS	

Source and Point(s) of Diversion

MEADOW CREEK	SWNWNE	Sec. 20, Twp 10N, Rge 13E,	CUSTER County
MEADOW CREEK	SESWNW	Sec. 20, Twp 10N, Rge 13E,	CUSTER County

Place Of Use

IRRIGATION within CUSTER County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10N	13E	17										3.5		6.3					9.8

POU Total Acres: 9.8

Conditions of Approval:

1. THE USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 12.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHTS: 71-00014, 71-00015, 71-00017, 71-00018, 71-00016, 71-00019A, 71-00020A & 71-00021A.

2. C13 THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 71: WATER RIGHT NO. SOURCE NONE NONE THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE NONE ALL WATER RIGHTS WITHIN BASIN 71 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED

CONJUNCTIVELY.

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 OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

4. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

5. THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINTS OF DIVERSION DESCRIBED ABOVE: 71-00014, 71-00015, 71-00017, 71-00018, 71-10960, 71-10961, 71-10962, 71-10963, 71-10964, 71-10965, 71-10967, 71-10968, 71-10975, 71-10976, 71-10977 and 71-10978.

Dates and Other Information

Decreed Date: 3/16/1999
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: 71
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 3.5
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 1.
Insert Part 2A reports into the application following Part 1.

B. 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. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: 71-14,-15,-17,-18

1. amount 71-14: 0.031 (cfs/ac-ft) for irrigation purposes from 05/01 to 10/31
   amount 71-15: 0.062 (cfs/ac-ft) for irrigation purposes from 05/01 to 10/31
   amount 71-17: 0.010 (cfs/ac-ft) for irrigation purposes from 05/01 to 10/31
   amount 71-18: 0.038 (cfs/ac-ft) for irrigation purposes from 05/01 to 10/31
   amount ______ (cfs/ac-ft) for ______ purposes from ______ to ______
   amount ______ (cfs/ac-ft) for ______ purposes from ______ to ______
   amount ______ (cfs/ac-ft) for ______ purposes from ______ to ______
   amount ______ (cfs/ac-ft) for ______ purposes from ______ to ______

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

Superseded

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	
														1.7					1.7
													1.7						1.7

Total Acres (for irrigation use) 3.4

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 rights(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:

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by Dm _____ Date 6/4/2018 Preliminary check by _____ Date _____

Fee paid $200- _____ Date _____ Receipted by Dm _____ Receipt # 5036777

Add'l fee paid _____ Date _____ Receipted by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

NARRATIVE EXPLANATION OF PROBLEM SOUGHT TO BE CORRECTED BY TRANSFER

Water Right Nos. 71-14, 71-15, 71-17 and 71-18 have at all times since 1960 or before been used on land now owned by Applicants and comprising either 9.8 acres or 10.7 acres or 12.2 acres, depending which records are reviewed. Because the most recent Part 2A Proof Reports for each of the respective Water Rights gives the acreage as 9.8, Applicants have used that figure throughout the application. (They do not waive any greater POU acreage to which they may be entitled, if any, however.)

For some reason unknown to Applicants, when the POU for these rights was mapped in the Department, most was correctly shown on the land now owned by Applicants, but another 3.4 acres of POU were incorrectly peeled off and mapped a distance North and slightly West, onto land owned not by Applicants or any of their predecessors in interest, but by the United States as part of the Sawtooth National Forest. This 3.4 acres has never been irrigated at all, by anyone, ever. The Forest Service has no interest whatsoever in these water rights.

Applicants want to correct the erroneously-mapped 3.4 acres of POU currently shown as on National Forest land and transfer the same South and slightly East, onto Applicants' land and contiguous to their correctly-mapped POU for a total of 9.8 acres of POU for Water Rights 71-14, 71-15, 71-17 and 71-18.

The Part 2B calculations were arrived at by dividing the POU acreage to be transferred (3.4) by the total POU acreage (9.8) to arrive at a percentage (34.693%). The total cfs of each of the four water rights was then multiplied by 34.693 to determine the portion of the water right (in cfs) sought to be transferred to the correct POU.

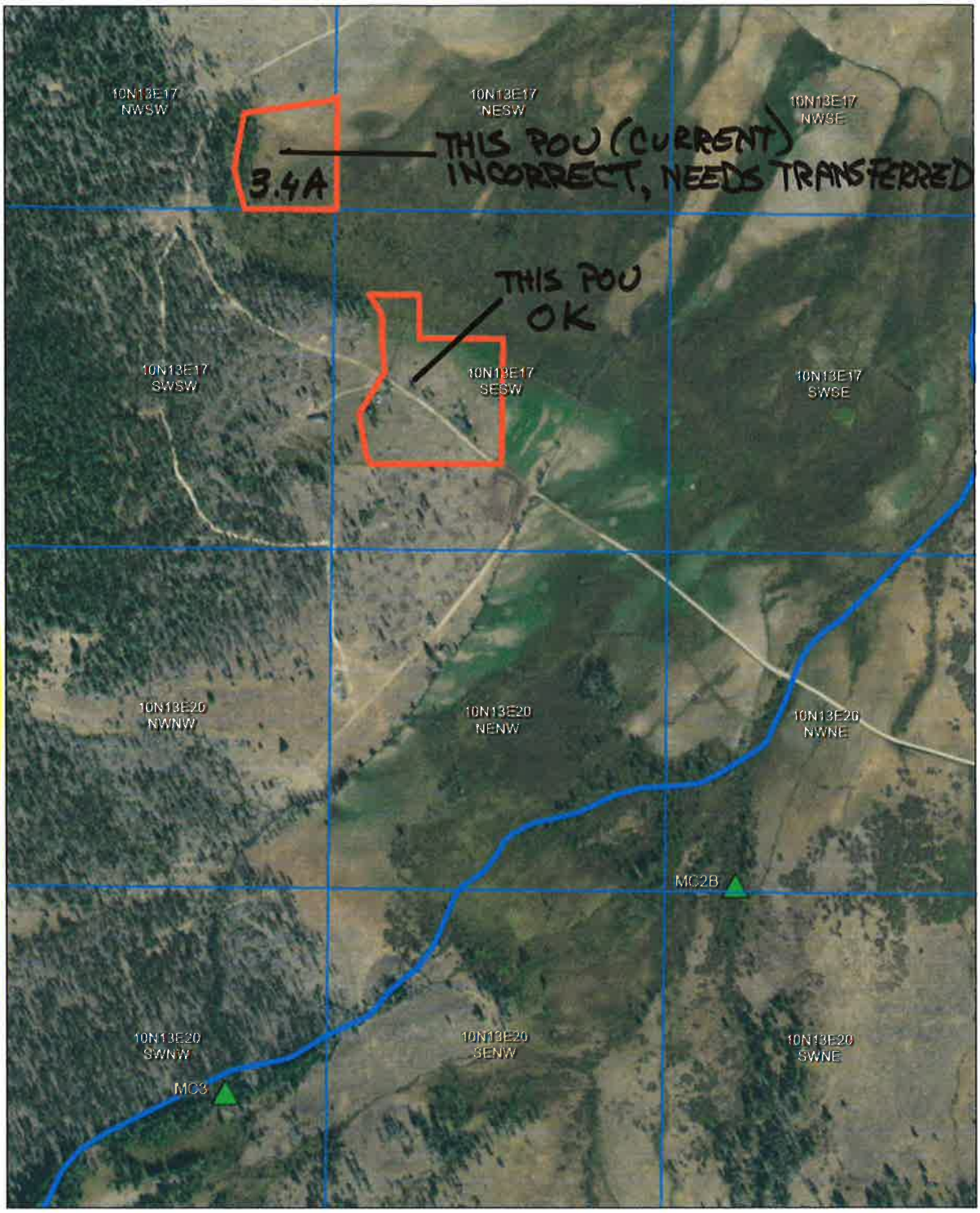
RECEIVED
JUN 04 2018
DEPT OF WATER RESOURCES
SOUTHERN REGION

Superseded

ATTACHMENT #10

WR Nos. 71-14, 71-15, 71-17, 71-18

Superseded



Place of Use

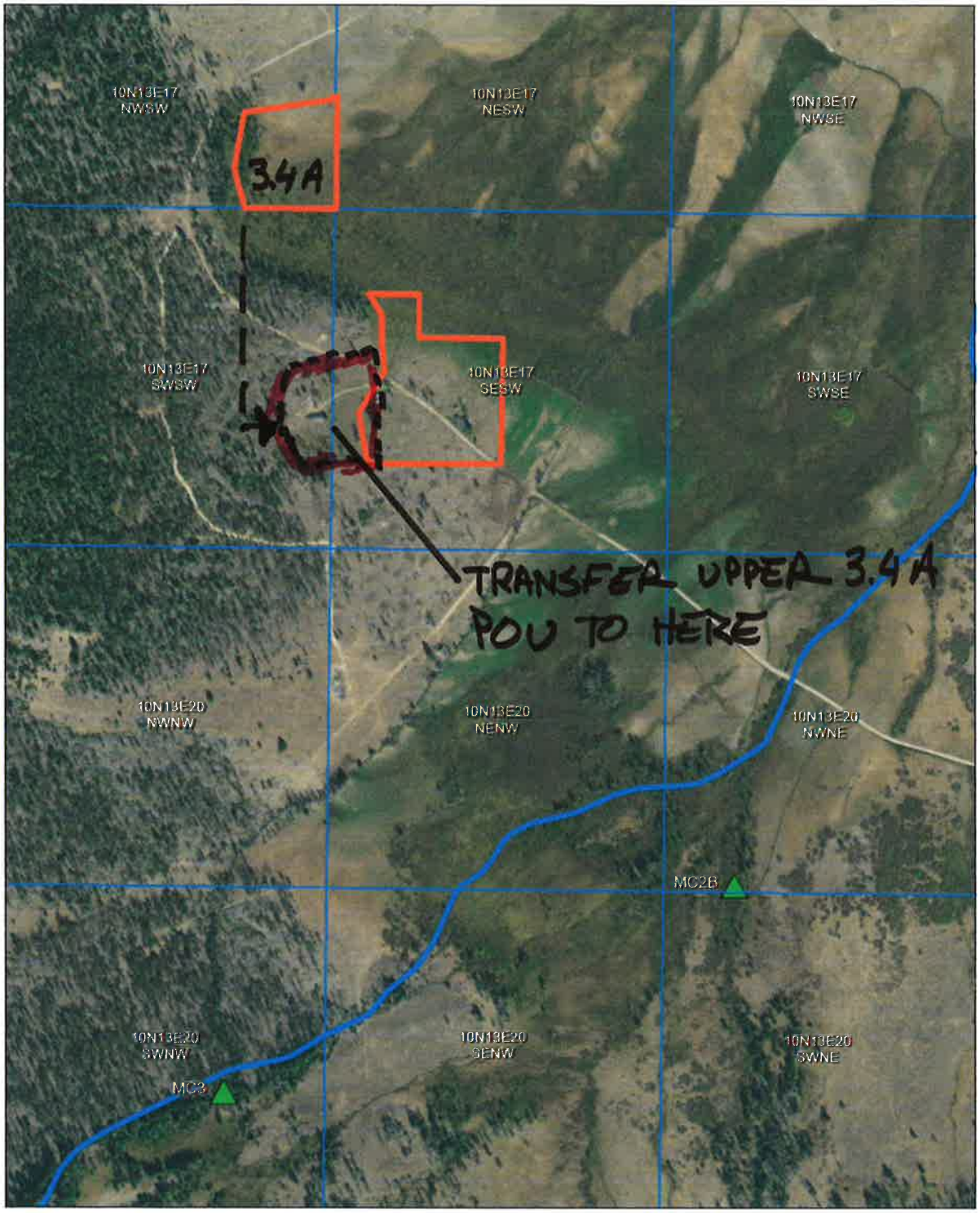
Point of Diversion

0 0.075 0.15 0.3 Miles

ATTACHMENT #7a

WR Nos. 71-14, 71-15, 71-17, 71-18

Superseded



Place of Use

Point of Diversion

0 0.075 0.15 0.3 Miles

ATTACHMENT #8a

State of Idaho
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 4, 2018

PATRICK D FUREY
TAMMY R FUREY
301 E BROOKHOLLOW DR
BOISE ID 83706-6730

Re: Transfer No: 82426
Water Right No(s).: 71-14, 71-15, 71-17, 71-18

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a $100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 736-3033.

Sincerely,

Corey Skinner
Southern Regional Manager

Enclosure

cc:

WATER DISTRICT 71
MORGAN MILLER
3594 HOTSPRINGS RD
CHALLIS ID 83226

WATER DISTRICT 170
CINDY YENTER
102 S WARPATH
SALMON ID 83467

USDA FOREST SERVICE
STEVEN M SPENCER
1805 HWY 16 RM 5
EMMETT ID 83617

CERTIFICATE OF SERVICE

I hereby certify that on September 4, 2018 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 82426
Water Right No(s).: 71-14, 71-15, 71-17, 71-18

PATRICK D FUREY
TAMMY R FUREY
301 E BROOKHOLLOW DR
BOISE ID 83706-6730

WATER DISTRICT 71 *via e-mail*
MORGAN MILLER
3594 HOTSPRINGS RD
CHALLIS ID 83226

WATER DISTRICT 170 *via e-mail*
CINDY YENTER
102 S WARPATH
SALMON ID 83467

USDA FOREST SERVICE
STEVEN M SPENCER
1805 HWY 16 RM 5
EMMETT ID 83617

Denise Maline

Denise Maline
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) The petition for reconsideration is disposed of; or
> (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

Date: August 27, 2018

To: Transfer 82426

From: Kent Aasa

Re: Review & Evaluation of Sufficiency of Information

Review & Evaluation of Sufficiency of Information
8/27/2018

The transfer proposes to update the place of use (POU) of water rights 71-14, 71-15, 71-17, and 71-18 for the irrigation of 3.5 acres. The POU was incorrectly identified on land owned by the United States Forest Service and will be correctly identified on land owned by the applicant. This change reflects the actual historical irrigation practices that have taken place. An email from the Forest Service dated June 18, 2018 supports the change proposed with this transfer. The POU is located approximately 2.0 miles west and 1.8 miles south of the Highway 75/21 intersection in Stanley. Because it is simply a POU correction as defined by 42-222 advertising will not be necessary.
Proposed transfer is in Water District 71 so water master comments will be solicited.

Authority to File: The Department's database indicates that the water rights involved are owned by the applicants; Patrick and Tammy Furey. The application was signed the applicants.

Water Right Validity: The water rights were decreed in the SRBA on 03/16/1999. Recent aerial photography supports uses described on the water rights. There does not appear to be a validity issue.

Injury to Other Water Rights: None anticipated or foreseen. The transfer is simply updating the POU to reflect the actual historical irrigation practices on the applicants land.

Enlargement of Use: None anticipated

Local Public interest: No issues anticipated. The application will not be advertised.

Beneficial Use/Conservation of Water Resources: Proposed use is recognized as a beneficial use of water.

Effect on Economy the Local Area: None anticipated.

Effect on Agricultural Base of the Local Area: None Anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

MEMORANDUM

Date: August 27, 2018

To: Transfer 82426

From: Kent Aasa

Re: Legal Notice Not Required

Legal Notice Not Required
8/27/2018
The transfer proposed with water rights 71-14, 71-15, 71-17, and 71-18 is simply updating the place of use (POU) of 3.5 acres of irrigation. The POU was incorrectly identified on land owned by the United States Forest Service and will be correctly identified on land owned by the applicant. This change reflects the actual historical irrigation practices that have taken place. The POU is located approximately 2.0 miles west and 1.8 miles south of the Highway 75/21 intersection in Stanley.
Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.

MEMORANDUM

Date: August 20, 2018

To: Transfer 82426

From: Kent Aasa

Re: Fee Memo

Fee Memo
8/20/2018

Filing fee of $200.00 for transfer application 82426 is based on the amount of water (0.142 cfs) proposed to be transferred or changed. The water rights associated with the transfer are limited to irrigation of a 9.8 acre POU. The filing fee is based on the current transfer fee schedule for 0.142 cfs. Receipt No.S036777 reflects the fee of $200.00 paid on 06/04/2018.

Maline, Denise

From: Yenter, Cindy
Sent: Thursday, August 16, 2018 9:57 AM
To: Maline, Denise
Cc: mvm_32_rs@hotmail.com
Subject: RE: Comment Letter - Transfer 82426 (Patrick & Tammy Furey

I have no objection to the approval of this transfer. The transfer is necessary in order for the acres to be properly described on private land so the right may be placed in the Water Supply Bank.

Cindy Yenter
Watermaster, Water District 170
IDWR Salmon Field Office
102 S Warpath, Salmon ID 83467
cindy.yenter@idwr.idaho.gov
208-742-0655
208-731-0901 cell

From: Maline, Denise
Sent: Tuesday, July 31, 2018 10:19 AM
To: Yenter, Cindy <Cindy.Yenter@idwr.idaho.gov>
Subject: Comment Letter - Transfer 82426 (Patrick & Tammy Furey

Hi Cindy,

Attached is an application for transfer currently being processed within your district. Please review the application and provide any necessary comments at your earliest convenience.

Note: This application does not require advertising in the local newspaper; therefore there is no protest deadline. If no comments or concerns are received from you within 21 days, we will move forward with the approval process.

* Comments have also been solicited from WD71, and Fish & Game *

Thank you in advance,

Denise

Maline, Denise

From: Maline, Denise
Sent: Tuesday, July 31, 2018 10:19 AM
To: Cindy Yenter
Subject: Comment Letter - Transfer 82426 (Patrick & Tammy Furey
Attachments: Transfer 82426 (Furey).pdf

Hi Cindy,

Attached is an application for transfer currently being processed within your district. Please review the application and provide any necessary comments at your earliest convenience.

Note: This application does not require advertising in the local newspaper; therefore there is no protest deadline. If no comments or concerns are received from you within 21 days, we will move forward with the approval process.

* Comments have also been solicited from WD71, and Fish & Game *

Thank you in advance,

Denise

State of Id
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 31, 2018

WATER DISTRICT #170 ***via e-mail***
CINDY YENTER
102 S WARPATH
SALMON, ID 83467

RE: Transfer No. 82426
Water Right No(s). 71-14, 71-15, 71-17, 71-18 *(Patrick & Tammy Furey)*

Dear Cindy:

A copy of the above referenced application is enclosed. Please review the application, and provide any necessary comments within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the water master, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Tuesday, July 31, 2018 10:33 AM
To: Morgan Miller (WD 71)
Subject: Comment Letter - Transfer 82426 (Patrick & Tammy Furey)
Attachments: Transfer 82426 (Furey).pdf

Hi Morgan,

Attached is an application for transfer currently being processed within your district. Please review the application and provide any necessary comments within 21 days.

* Comments have also been solicited from WD170, and Fish & Game *

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov

State of Idaho
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 31, 2018

WATER DISTRICT #71 ***via e-mail***
MORGAN MILLER
3594 HOTSPRINGS RD
CHALLIS ID 83226

RE: Transfer No. 82426
Water Right No(s). 71-14, 71-15, 71-17, 71-18 *(Patrick & Tammy Furey)*

Dear Morgan:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the water master, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

Enclosure(s)

State of Id
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 31, 2018

IDAHO DEPT OF FISH & GAME
JEFF RICHARDS
99 HWY 93 N
SALMON ID 83467

RE: Transfer No. 82426
Water Right No(s). 71-14, 71-15, 71-17, 71-18

Dear Fish & Game:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed for your reference. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days. In addition, detailed information regarding this application(s) can be found on our website at www.idwr.idaho.gov.

The Department can publish notice of the application as soon as the initial review is completed. Therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a $25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

Enclosure(s)

Aasa, Kent

From: Patrick Furey <pdfureylaw@icloud.com>
Sent: Monday, July 30, 2018 8:49 AM
To: Aasa, Kent
Subject: Re: Page 3 corrections

Kent,

Thank you so much for catching this. I misread the call of the form to reference the POU acreage we're moving, rather than the total, correct POU acreage. Thank you again, I absolutely agree!

Pat

On Jul 27, 2018, at 4:53 PM, Aasa, Kent <Kent.Aasa@idwr.idaho.gov> wrote:

Pat,

The page 3 of the amended application (82426) indicates a total of 3.5 acres for irrigation after the transfer is completed which would diminish your water rights. I have attached an amended page 3 that indicates a total of 9.8 acres for irrigation. Please review these and let me know if you agree.

Cheers,

Kent Aasa
Water Resource Agent
Southern Region/Twin Falls
(208) 736-3033

<Page 3_.pdf><Page 3_Corrections.pdf>

Aasa, Kent

From: Spencer, Steven M -FS <sspencer@fs.fed.us>
Sent: Monday, June 18, 2018 9:53 AM
To: Aasa, Kent
Subject: Furey Transfer

Kent,

Thank you for contacting me about the Application for Transfer filed by Patrick and Tammy Furey for water right nos. 71-00014, 71-00015, 71-00017 and 71-00018. The Forest Service does not oppose the action being proposed in this Application for Transfer.

If you have any questions about this matter please contact me.

Thank you,

Steve

Steven M. Spencer
Water Use Specialist
Idaho Water Right Coordinator
Forest Service
Intermountain & Northern Regions
p: 208-365-7055
sspencer@fs.fed.us
1805 Hwy 16 Rm 5
Emmett, ID 83617
www.fs.usda.gov

Caring for the land and serving people

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

Patrick D. Furey
Attorney at Law

RECEIVED
JUN 14 2018
DEPT OF WATER RESOURCES
SOUTHERN REGION

June 12, 2108

Mr. Kent Aasa
Idaho Department of Water Resources
Southern Region
650 Addison Ave W, Suite 500
Twin Falls, ID 83301-5858

Re: Pat Furey CORRECTED application for POU transfer

Dear Kent:

Enclosed is the CORRECTED application to transfer the POU for my water rights in Stanley off the Forest Service ground and down onto my compound, where it should be. Per our conversation the other day, I have changed it to reflect that the true acreage to be transferred is 3.**5** acres, rather than 3.**4** as I had it in the original application. I don't know where I got the wrong number, but I apologize for any inconvenience it may have caused. Please don't hesitate to call if I have any mistakes in the enclosed, too.

Thanks again.

Very truly yours,

Pat

Patrick D. Furey

encl: CORRECTED transfer application

301 E. Brookhollow Dr.
Boise, Idaho 83706
Telephone/Facsimile (208) 368-0855
pdfureylaw@icloud.com

RECEIVED
JUN 04 2018
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Patrick D. Furey
Attorney at Law

June 1, 2018

Mr. Kent Aasa
IDWR, Southern Region
650 Addison Ave, W. Suite 500
Twin Falls, ID 83301-5858

Re: WR 71-14, 71-15, 71-17 and 71-18
Transfer of portion of POU

Dear Kent:

Enclosed is my application to move the mis-mapped POU for the referenced water rights down onto my own property. I hope I completed the application correctly, but if I fouled it up anywhere, please don't hesitate to give me a call.

Also, I recall Amy Cassell in your Salmon office indicated awhile back that she had spoken with a representative of the SNRA who said he or she would give Amy whatever consent or acquiescence you might want. I'll shoot her an email and ask her to get that to you.

Thanks again for all your help with this.

Very truly yours,

Pat

Patrick D. Furey

encl: Transfer application
Filing fee

301 E. Brookhollow Dr.
Boise, Idaho 83706
Telephone/Facsimile (208) 368-0855
pdfureylaw@icloud.com