

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 idwr.idaho.gov.

Name of Applicant(s) Michael Cooper and Christine Cooper

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 idwr.idaho.gov/water-rights/transfers/resources.html.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☐ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
AUG 20 2018
Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Michael Cooper and Christine Cooper Phone (208) 756-4681
Mailing address 1465 Lemhi Road, Salmon, ID 83467 Email michaelcooper@centurytel.net

- ☐ 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.

Michael Cooper
Signature of Applicant or Authorized Representative

MICHAEL COOPER
Print Name and Title if applicable

8/15/18
Date

Christine Cooper
Signature of Applicant or Authorized Representative

Christine Cooper
Print Name and Title if applicable

8/15/18
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 _____
2. Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
Update the place of use for a 4.5-acre portion of water rights 74-389 and 74-391. Update ownership of these rights.

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.

I.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	(74-16179) 74-389	0.04 cfs	Irrigation	3/15 to 11/15	Springs
☐ ☒	74-391	0.03 cfs	Irrigation	3/15 to 11/15	Springs
☐ ☐	(74-16180)			to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.07 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.03 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	
20N	23E	13																1.5	1.5
		24	3.0																3.0
Total Acres (for irrigation use)																			4.5

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/20/2018

Water Right 74-16179

Owner Type **Name and Address**
Current Owner LOIS BOWMAN
 24 BOWMAN LN
 SALMON, ID 83467

Current Owner JAY BOWMAN
 24 BOWMAN LN
 SALMON, ID 83467

Priority Date: 4/1/1905

Basis: Decreed

Status: Active

Source
SPRINGS

Tributary
UNNAMED STREAM

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.040 CFS	
	<u>Total Diversion</u>		0.040 CFS	

Source and Point(s) of Diversion

SPRINGS L4(SWSWSW) Sec. 18, Twp 20N, Rge 24E, LEMHI County

Place Of Use

IRRIGATION within LEMHI County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
20N	23E	24	4.5																4.5

POU Total Acres: 4.5

Conditions of Approval:

1. 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.

Decreed Date: 9/20/2007

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

8/20/2018

Water Right 74-16180

Owner Type **Name and Address**
Current Owner LOIS BOWMAN
 24 BOWMAN LN
 SALMON, ID 83467

Current Owner JAY BOWMAN
 24 BOWMAN LN
 SALMON, ID 83467

Priority Date: 4/1/1917

Basis: Decreed

Status: Active

Source
SPRINGS

Tributary
UNNAMED STREAM

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	0.030 CFS	
	Total Diversion		0.030 CFS	

Source and Point(s) of Diversion

SPRINGS L4(SWSWSW) Sec. 18, Twp 20N, Rge 24E, LEMHI County

Place Of Use

IRRIGATION within LEMHI County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
20N	23E	24	4.5																4.5

POU Total Acres: 4.5

Conditions of Approval:

1. 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.

Decreed Date: 9/20/2007

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:
Water diverted from unnamed stream through two ditches. Measuring devices can be installed in ditches if required by Watermaster in the future. Water rights are in Water District 74G (Sandy Creek)
- b. Who owns the property at the point(s) of diversion? Curtis Fayle (Watermaster for WD74G)
 If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Existing, historical ditches. No change in point of diversion.
- 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: N/A Water rights are not being moved off of the property.
- 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:
I own 4.5 acres of these water rights. No more than 4.5 acres will be irrigated in the future.
- 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:
Water right 74-7195 is a domestic right from springs on the property in Section 13.
- 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:**
I've used water out of the ditch to irrigate in Section 13 during high water events.

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:

N/A

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

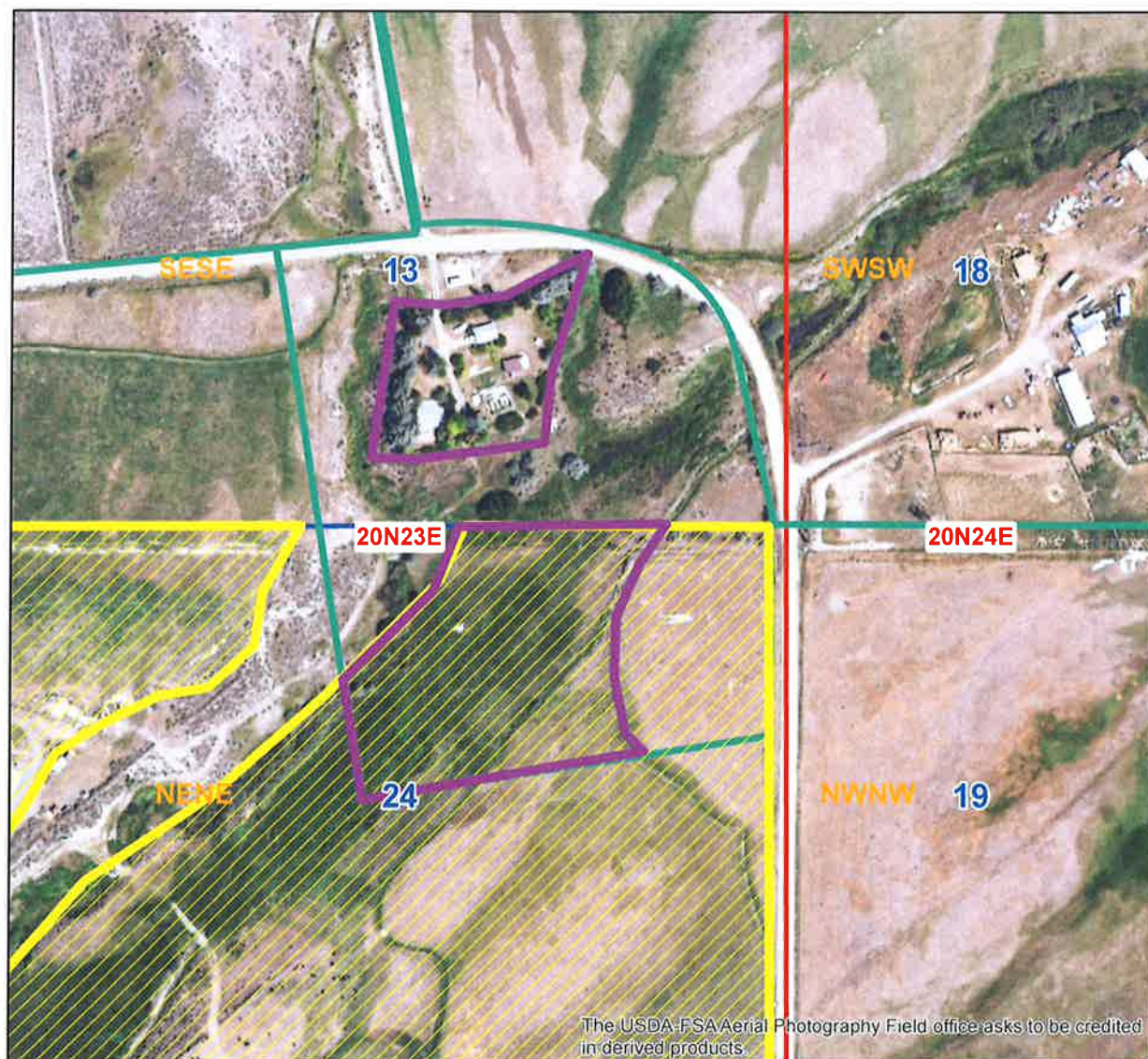
Received by SC Date 8/20/18 Preliminary check by _____ Date _____

Fee paid 400- Date 8/20/18 Received by SC Receipt # E044315

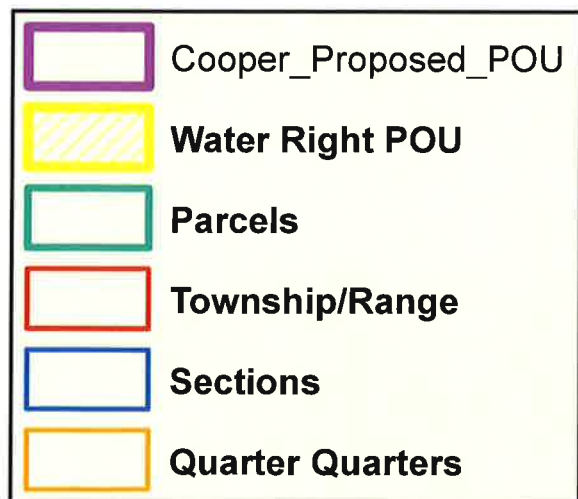
Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

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

Cooper Application for Transfer



2013 Aerial Photo



0 250 500 Feet



Warranty Deed

For Value Received JAY D. BOWMAN AND LOIS BOWMAN,
Husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto

MICHAEL R. COOPER AND CHRISTINE I. COOPER,
husband and wife,

Whose address is: 1465 Lemhi Road, Salmon, ID 83467

the grantees, the following described premises, in Lemhi County Idaho, to wit:

SEE EXHIBIT 'A' ATTACHED HERETO: (5.17 acres)

The above conveyance is made free and clear of all other encumbrances except: Rights-of-way and easements, reservation in Federal patents and State deeds, or other restrictions imposed by law, building and zoning regulations and ordinances of any governmental unit, whether of sight or of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do hereby covenant to and with the said Grantee(s), that he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated: April 10, 2015

JAY D. BOWMAN

LOIS BOWMAN

STATE OF IDAHO, County of Lemhi--ss

On this 13 day of April, 2015,
before me, a notary public in and for said State, personally appeared

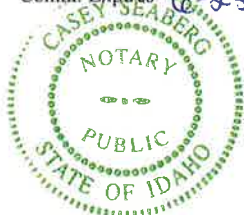
JAY D. BOWMAN AND LOIS BOWAN,
Known or proved to me to be the person(s) whose name(s) is/are
subscribed to the within instrument, and acknowledged to me that
he/she/they has/have executed the same.

Casey Seaberg

Notary Public

Residing at Salmon, Idaho

Comm. Expires 10-23-2020

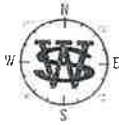


Reserved for recording information

Instrument # 299200 # Pages: 2
LEMHI COUNTY, Idaho
May 12, 2015 1:25:51 pm Fee: \$ 13.00
For: BILL ALLEN ESCROW
TERRI J. MORTON, Recorder
JEDWARDS, Deputy

ALLIANCE
TITLE & RECORD COMPANY

COPY 82642



WADE SURVEYING

Global Positioning Service

Land Surveying and Planning

402 Van Dreff St.

Salmon, Idaho 83467



Phone: (208)-756-3070

March 19, 2015

JAY D. BOWMAN & LOIS BOWMAN

TO

MICHEAL R. COOPER & CHRISTINE I. COOPER

A parcel of land located in the E1/2NE1/4 of Section 24, T. 20 N., R. 23 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows;

Commencing at the NE Corner of said Section 24, from which the E1/4 Corner of said section bear South a distance of 2626.98 ft., the Basis of Bearing of this description, run thence S 89°57'39"W along the northerly boundary of said section a distance of 25.68 ft. to a point on the centerline of Lemhi Road;

Thence the following courses along said centerline;

S 04°34'33"E 42.62 ft.; S 00°30'25"W 258.54 ft. to the POINT OF BEGINNING;

Thence S 81°05'41"W a distance of 617.62 ft.;

Thence N 08°54'17"W a distance of 401.00 ft.;

Thence N 89°57'39"E a distance of 671.14 ft. to a point on Lemhi Road;

Thence the following courses along said centerline;

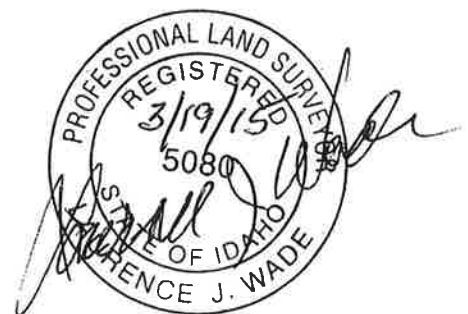
S 04°34'33"E 42.62 ft.; S 00°30'25"W 258.54 ft. to the POINT OF BEGINNING;

PARCEL CONTAINS 5.17 ACRES

C:\Documents and Settings\Owner\My Documents\BOWMAN-COOPER.doc

COPY

82642



Warranty Deed

For Value Received MICHAEL R. COOPER AND CHRISTINE I. COOPER,
Husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto

JAY D. BOWMAN AND LOIS BOWMAN,
Husband and wife,

Whose address is: 24 Bowman Lane, Salmon ID 83467

the grantees, the following described premises, in Lemhi County Idaho, to wit:

SEE EXHIBIT 'A' ATTACHED HERETO: (5.17 acres)

The above conveyance is made free and clear of all other encumbrances except: Rights-of-way and easements, reservation in Federal patents and State deeds, or other restrictions imposed by law, building and zoning regulations and ordinances of any governmental unit, whether of sight or of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do hereby covenant to and with the said Grantee(s), that he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated: April 10, 2015

Michael R. Cooper
MICHAEL R. COOPER

Christine I. Cooper
CHRISTINE I. COOPER



STATE OF IDAHO, County of LEMHI--ss

On this day of April, 2015,
before me, a notary public in and for said State, personally appeared

MICHAEL R. COOPER AND CHRISTINE I. COOPER
Known or proved to me to be the person(s) whose name(s) is/are
subscribed to the within instrument, and acknowledged to me that
he/she/they has/have executed the same.

Casey Seaberg

Residing at Salmon Idaho Notary Public
Comm. Expires 6-23-2020

Reserved for recording information

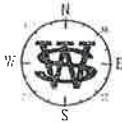
Instrument # 299202 # Pages: 2
LEMHI COUNTY, Idaho
May 12, 2015 1:25:53 pm Fee: \$ 13.00
For: BILL ALLEN ESCROW
TERRI J. MORTON, Recorder
JEDWARDS, Deputy

ALLIANCE



COPY

82642



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402 Van Dreff St.

Salmon, Idaho 83467



Phone: (208)-756-3070

March 19, 2015

MICHEAL R. COOPER & CHRISTINE I. COOPER
TO
JAY D. BOWMAN & LOIS BOWMAN

A parcel of land located in the SE1/4 of Section 13, T. 20 N., R. 23 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows;

Commencing at the NE Corner of said Section 24, from which the E1/4 Corner of said section bear South a distance of 2626.98 ft., the Basis of Bearing of this description, run thence S 89°57'39"W along the northerly boundary of said section a distance of 25.68 ft. to a point on the centerline of Lemhi Road;

Thence the following courses along said centerline;
S 04°34'33"E 42.62 ft.; S 00°30'25"W 258.54 ft.;

Thence S 81°05'41"W a distance of 617.62 ft.;

Thence N 08°54'17"W a distance of 401.00 ft. to the POINT OF BEGINNING;

Thence S 89°57'39"W a distance of 622.25 ft.;

Thence N 00°03'47"E a distance of 354.40 ft. to a point on the centerline of Lemhi Road;

Thence N 84°38'15"E along said centerline a distance of 560.65 ft.;

Thence S 08°54'17"E a distance of 411.32 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 5.17 ACRES

C:\Documents and Settings\Owner\My Documents\BOWMAN-COOPER.doc

COPY
82642

