

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED  
JUN 04 2018  
Department of Water Resources  
Eastern Region

## APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☒ Change diversion point(s)    ☐ Add diversion point(s)    ☐ Ownership change    ☐ Ownership split

1. **APPLICANT(S)** Buster K Ranch, LLC Phone 928.242.1498  
2. **MAILING ADDRESS** PO Box 19736 City Fountain Hills  
State AZ Zip 85269 Email bruce.civil@gmail.com

- ☒ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.  
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.  
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.  
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 34-14659

- ☒ Attach a copy of the water right(s) as recorded, available at [www.idwr.idaho.gov](http://www.idwr.idaho.gov), *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 0.092 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.  
(diversion rate) (storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at [www.idwr.idaho.gov](http://www.idwr.idaho.gov), *Water Right Transfers, Online Resources*.

| New? | Lot | ¼  | ¼  | ¼  | Sec | Twp | Rge | County | Source       | Local name or tag # |
|------|-----|----|----|----|-----|-----|-----|--------|--------------|---------------------|
| Yes  |     | SW | NE | SW | 31  | 7N  | 25E | Custer | Ground water | Lot 6, Block 1      |
|      |     |    |    |    |     |     |     |        |              | Crows Nest Estates  |
|      |     |    |    |    |     |     |     |        |              |                     |
|      |     |    |    |    |     |     |     |        |              |                     |
|      |     |    |    |    |     |     |     |        |              |                     |
|      |     |    |    |    |     |     |     |        |              |                     |
|      |     |    |    |    |     |     |     |        |              |                     |
|      |     |    |    |    |     |     |     |        |              |                     |
|      |     |    |    |    |     |     |     |        |              |                     |
|      |     |    |    |    |     |     |     |        |              |                     |

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

5/31/2018

Water Right 34-14659

**Owner Type**      **Name**  
Current Owner      BUSTER K RANCH LLC  
**Priority Date:** 12/17/1961  
**Basis:** Decreed  
**Status:** Active

**Source**      **Tributary**  
GROUND WATER

| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| IRRIGATION                   | 04/01                         | 11/01            | 0.090 CFS                    | 16.1 AF              |
|                              | <b><u>Total Diversion</u></b> |                  | 0.090 CFS                    | 16.1 AF              |

**Source and Point(s) of Diversion**  
GROUND WATER      NWNESW      Sec. 31, Twp 07N, Rge 25E, CUSTER County

**Place Of Use**  
**IRRIGATION within CUSTER County**  
T07N R25E S31      NESW      4.6  
POU Total Acres:      4.6

**Conditions of Approval:**

1. M03 A totalizing measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.
2. Authorized diversion rate = 0.092 cfs.
3. X60 Place of use is located within Lot 6, Block 1, Crows Nest Estates Subdivision.
4. T19 Pursuant to Section 42-1412(6), Idaho Code, 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

**Combined Use Limits**  
N/A

**SubCase:**  
N/A

**Water Supply Bank:**  
N/A

## 6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Proposed Ground Water Well on applicate property: lot 6 Block 1 Crows Nest Estates, Custer County, ID

- b. Who owns the property at the point(s) of diversion? Proposed POD Ownership is Buster K Ranch, LLC / said Lot 6 Bk 1  
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,  
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or  
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a [Lessor Designation](#) form.  
☐ If yes, the individual owner or designated lessor must complete, sign and attach an [IRS Form W-9](#).  
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. The *Map Tool*, available at [maps.idwr.idaho.gov/TransferApplicationLayouts/](http://maps.idwr.idaho.gov/TransferApplicationLayouts/) provides a satisfactory template for creating the required map.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

|                                                                                     |                                     |                  |
|-------------------------------------------------------------------------------------|-------------------------------------|------------------|
|  | <u>Bruce Butler, manager member</u> | <u>5.21.2018</u> |
| Signature of applicant or authorized agent                                          | Print name and title if applicable  | Date             |
|  | <u>Kim Butler, manager member</u>   | <u>5.21.2018</u> |
| Signature of applicant or authorized agent                                          | Print name and title if applicable  | Date             |

9. **FEE** – ☐ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The [Fee Schedule](#) is available at [www.idwr.idaho.gov](http://www.idwr.idaho.gov), *Water Right Transfers, Step 4* and in the [Application for Transfer Instructions](#).

### FOR DEPARTMENT USE ONLY

|                                                                        |                       |                                                                                           |
|------------------------------------------------------------------------|-----------------------|-------------------------------------------------------------------------------------------|
| Transfer includes _____ pages of attachments.                          | Received by <u>MH</u> | Date <u>6/4/18</u>                                                                        |
| Fee paid <u>\$200</u>                                                  | Received by <u>JB</u> | Receipt # <u>E044071</u>                                                                  |
| Preliminary review by <u>MH</u>                                        | Date <u>6/4/18</u>    | Active in the Water Supply Bank? Yes <input type="checkbox"/> No <input type="checkbox"/> |
| W-9 received? Yes <input type="checkbox"/> No <input type="checkbox"/> | Name on W-9 _____     | W-9 forwarded to fiscal? Yes <input type="checkbox"/> No <input type="checkbox"/>         |

(Do NOT scan the W-9 – confidential information is held by fiscal only)

**AZ CORPORATION COMMISSION  
FILED**

**SEP 12 2011**

**ARTICLES OF ORGANIZATION  
FOR  
BUSTER K RANCH, LLC**

**AZ Corp. Commis**  
03529399

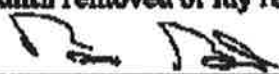
**FILE NO. 117074023**

Pursuant to A.R.S. §29-632 the undersigned states as follows:

1. **Name.** The name of the limited liability company is "Buster K Ranch, LLC".
2. **Registered Office.** The physical address of the registered office in Arizona is 16716 E Parkview Ave STE 101B, Fountain Hills, Arizona 85268. The mailing address is PO Box 19736, Fountain Hills, AZ 85269
3. **Statutory Agent.** The name and street address of the statutory agent is Bruce Butler, 16716 E Parkview Ave STE 101B, Fountain Hills, Arizona 85268. Mailing address is PO Box 19736, Fountain Hills, AZ 85269.

**Acceptance as Statutory Agent**

I, Bruce Butler, having been designated to act as Statutory Agent, hereby consent to act in that capacity until removed or my resignation is submitted in accordance with Arizona Revised Statute

  
Bruce Butler

If Agent is an entity, please print company name

4. **Term.** The Limited Liability Company life period is Perpetual.
5. **Management.** Management of the limited liability company is vested in a manager or managers. The name and address of each person who is a manager of the limited liability company and each member who owns a twenty percent or greater interest in the capital or profits of limited liability company are:

Managers (each of whom are also Members who own a twenty percent or greater interest):

Bruce Taylor Butler  
PO Box 19736  
Fountain Hills, AZ 85269

Kim Marie Butler  
PO Box 19736  
Fountain Hills, AZ 85269

**Members:**

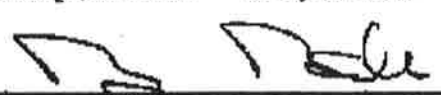
Brooks L. Butler  
42461 W Capistrano Dr.  
Maricopa, AZ 85238

Kelly T. Bozanto  
PO Box 1950  
Halley, ID 83333

Thomas J. Butler  
42461 W Capistrano Dr.  
Maricopa, AZ 85238

Charles L. Hansen  
1904 1/2 N West St.  
Flagstaff, AZ

Kelsey M. Butler  
PO Box 19736  
Fountain Hills AZ 8526

  
Signature

Bruce Butler  
Print Name

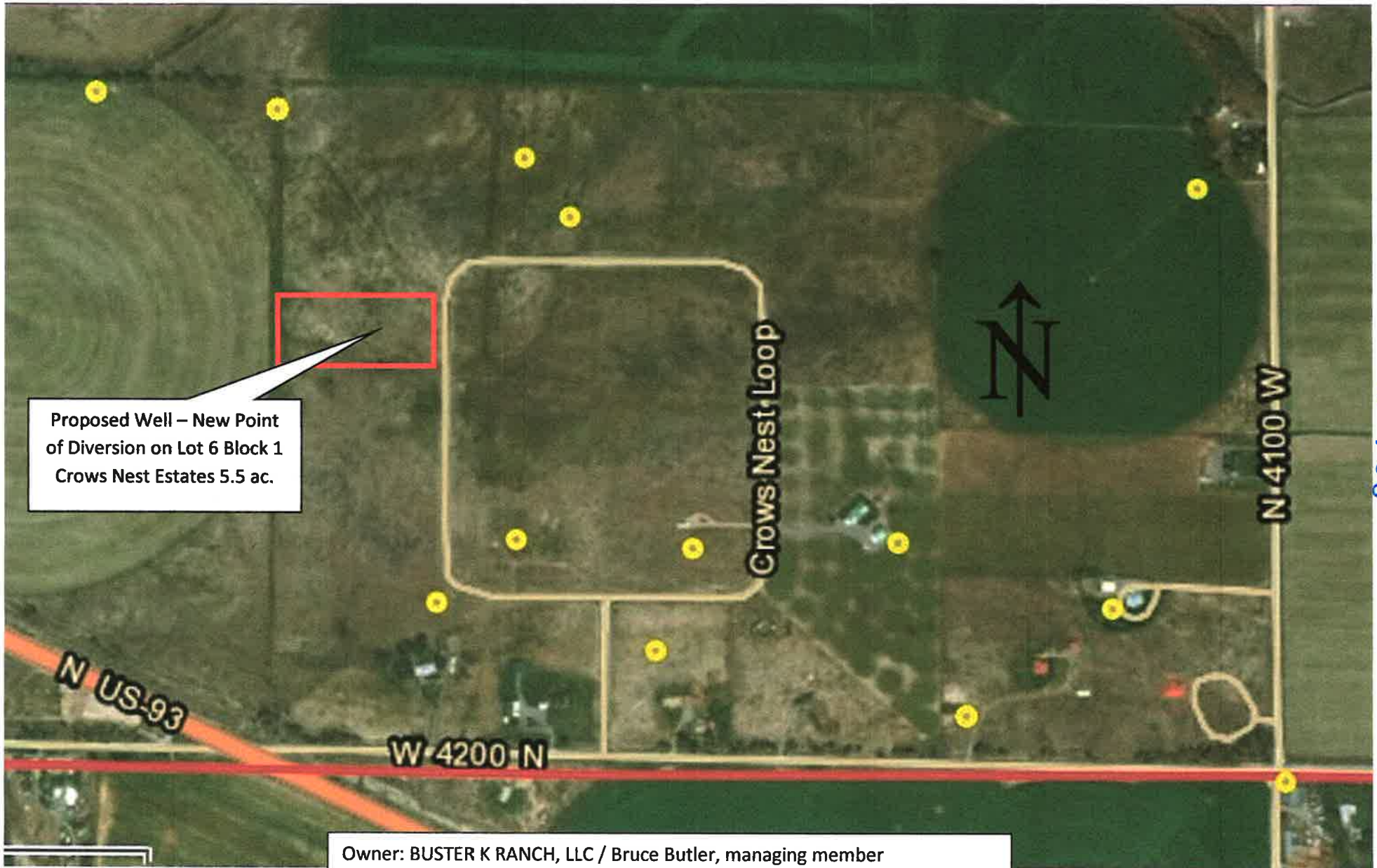
Phone Number: 480 299 5272

Signed on this date: 9-12-11

Title: Manager  
(Manager, Member or Authorized Person)

Email: bruce.civil@gmail.com

824091

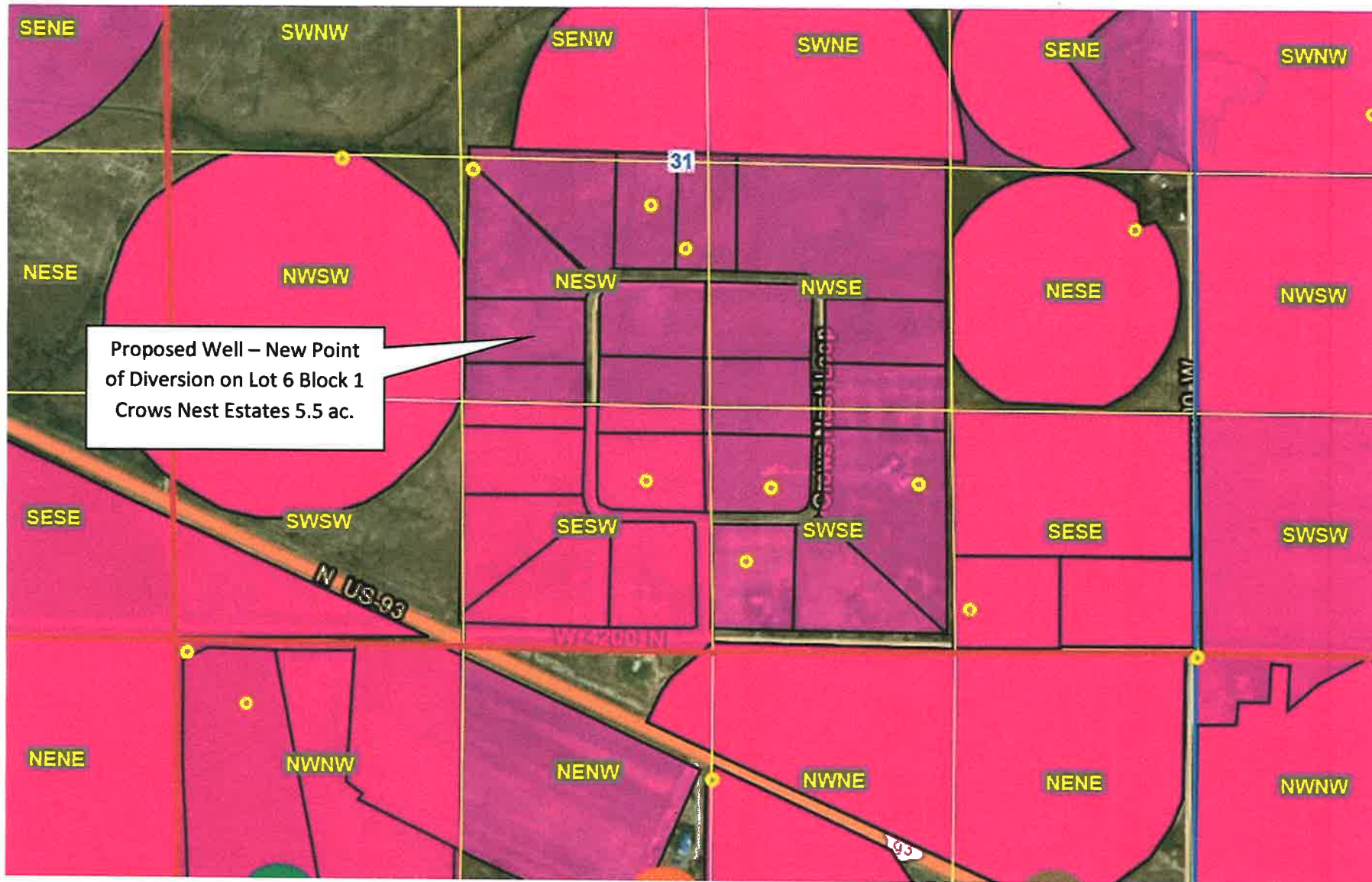


Proposed Well – New Point  
of Diversion on Lot 6 Block 1  
Crows Nest Estates 5.5 ac.

Owner: BUSTER K RANCH, LLC / Bruce Butler, managing member

New Point of Diversion 0.092 CFS/ Sec 31, T7N, R25E, BM Custer Co, Idaho

82409.1



Owner: BUSTER K RANCH, LLC / Bruce Butler, managing member  
New Point of Diversion 0.092 CFS/ Sec 31, T7N, R25E, BM Custer Co, Idaho



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