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FEB 07 2018

WATER RESOURCES
WESTERN REGION

**WITHDRAWAL
OF
APPLICATION FOR TRANSFER OF WATER RIGHT(S)**

I/We, Robert Leake and Lana Leake,
(Applicant's Printed Name) (Applicant's Printed Name)

_____ and _____,
(Applicant's Printed Name) (Applicant's Printed Name)

hereby withdraw our Application for Transfer No. 60030 of Water Right

No(s). _____

Signed this 7 day of Feb, 20 18.

Robert Leake
(Signature/Title of Applicant)

Svetlana V Leake
(Signature/Title of Applicant)

(Signature/Title of Applicant)

(Signature/Title of Applicant)

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JUL 1 2015

WITHDRAWN

STATE OF IDAHO

Transfer No. 80030

APR 20 2015

WATER RESOURCES
WESTERN REGION

DEPARTMENT OF WATER RESOURCES

WATER RESOURCES
WESTERN REGIONMINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

AMENDED

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) Robert and Svetlana Leake

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: _____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER No. 80030

APR 20 2015

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

AMENDED

WATER RESOURCES
WESTERN REGIONName of Applicant(s) Robert and Svetlana LeakePhone 208 286-0225Mailing address 8919 West Deer Ln, Eagle, ID 83616Email lanal@q.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.

Robert B Leake
Signature of Applicant or Authorized Representative

Robert B Leake

Print Name and Title if applicable

4/17/15
Date

Svetlana V Leake
Signature of Applicant or Authorized Representative

Svetlana V Leake

Print Name and Title if applicable

4/17/15
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 split water rights
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.** 129
 The association has right for ~~100.02~~ acres of which 5.02 belongs to the applicants. The applicants plan to drill a well to alleviate stress on the current system and prolong the life of that system.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER No. 80030

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	63-7700/63-3576	0.77/373.7	Irrigation	03/15 to 11/15	Ground water
☐ ☒	63-7700/63-3576	0.27/14.4	Domestic	01/01 to 12/31	Ground water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 1.07 cfs and/or 403.8 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.04 cubic feet per second and/or 15.7 acre-feet per annum.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Yes			NE	NW	16	05N	01W	ADA	ground water	Proposed well
No			NE	NW	16	05N	01W	ADA	ground water	
No			SW	SW	9	05N	01W	ADA	ground water	63-91-W-088

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☒ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Total Acres (for irrigation use)																			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Corrected
TRANSFER No. 80030

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:

Individual well on 5.02 acres supplying domestic and irrigation water for that property

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

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: no

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:

acreage authorized by 63-7700\63-3576 is being reduced to 123.98 from 129 acres

- 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:

5.02 acres are part of association domestic and irrigation supply. This will cease usage of association well and relocate to new well on 5.02 acres

- 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:

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: 63-7700\63-3576

- [illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/26/2015

Water Right 63-3576

Owner Type **Name and Address**
Current Owner CHAPARRAL WATER ASSN
LIZA JOHNSON SECRETARY
PO BOX 414
EAGLE, ID 83616
(208)866-4360

Original Owner DAN LAND
 , ID

Priority Date: 1/16/1967

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.730 CFS	165.0 AF
DOMESTIC	01/01	12/31	0.280 CFS	15.0 AF
	<u>Total Diversion</u>		1.010 CFS	180.0 AF

Source and Point(s) of Diversion

GROUND WATER	NENW	Sec. 16, Twp 05N, Rge 01W, ADA County
GROUND WATER	SWSW	Sec. 9, Twp 05N, Rge 01W, ADA County

Place Of Use

IRRIGATION within ADA 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	
05N	01W	9											6.0						6.0
05N	01W	16					10.0	10.5		10.0									30.5

POU Total Acres: 36.5

DOMESTIC within ADA 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	
05N	01W	9											X						
05N	01W	16					X	X											

Conditions of Approval:

1. E60 USE OF THIS RIGHT WITH RIGHT NO. 63-7700 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.07 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 403.8 AF.
2. S39 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

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EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

3. E55 USE OF THIS RIGHT WITH RIGHT NO. 63-7700 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 129.0 ACRES IN A SINGLE IRRIGATION SEASON.
4. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 36.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
5. WB5 Domestic use is for 14 homes and does not include lawn, garden, landscape, or other types of irrigation.
6. 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.

Comments:

1. kbrown 6/7/2004 63-3576 & 63-7700
This right when combined with License 63-7700 shall provide no more than 0.8 cfs for irrigation use and 0.28 cfs for domestic use.

2. kbrown 6/7/2004 63-3576 & 63-7700
These two systems are interconnected to serve as a backup for each other.

3. segbert 3/17/2010 POD
PODID 620708 correlated from SpatialDataID 306427 to SpatialDataID 295526

Dates and Other Information

Decreed Date: 2/16/2007
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
1.070	403.8	129.0
63-7700 ,63-3576		

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	6/7/2004	kbrown			Closed
Priority Date	6/7/2004	kbrown			Closed
POD	6/7/2004	kbrown			Closed
Source	6/7/2004	kbrown			Closed
POU	6/7/2004	kbrown			Closed
Use	6/7/2004	kbrown			Closed

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Proof Report

1/26/2015

Season	6/7/2004	kbrown			Closed
Quantity	6/7/2004	kbrown			Closed
Summary	6/7/2004	kbrown	6/7/2004	kbrown	Closed

Verification Log

<u>Element</u>	<u>Date</u>	<u>User</u>	<u>Log Text</u>
Contacts	6/7/2004	kbrown	(No) 1. Do you want to schedule an appointment? Comment for 1: Licensed.
Priority Date	6/7/2004	kbrown	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	6/7/2004	kbrown	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Source	6/7/2004	kbrown	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	6/7/2004	kbrown	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	6/7/2004	kbrown	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (Yes) 13. Is a Purpose of Use remark and/or condition required?
Season	6/7/2004	kbrown	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
Quantity	6/7/2004	kbrown	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 10 - See IDWR Field Report.
POD	6/7/2004	kbrown	Edited point location

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

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POU	6/7/2004	kbrown	Edited shape boundary
Summary	6/7/2004	kbrown	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POU	8/13/2005	mciscell	Updated shape for Active POU
POD	3/17/2010	segbert	PODID 620708 correlated from SpatialDataID 306427 to SpatialDataID 295526

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/26/2015

Water Right 63-7700

Owner Type **Name and Address**
Current Owner CHAPARRAL WATER ASSN
LIZA JOHNSON SECRETARY
PO BOX 414
EAGLE, ID 83616
(208)866-4360

Priority Date: 12/18/1972

Basis: Decreed

Status: Active

Source **Tributary**
GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	0.800 CFS	388.8 AF
DOMESTIC	01/01	12/31	0.270 CFS	15.0 AF
Total Diversion			1.070 CFS	403.8 AF

Source and Point(s) of Diversion

GROUND WATER	SWSW	Sec. 9, Twp 05N, Rge 01W, ADA County
GROUND WATER	NENW	Sec. 16, Twp 05N, Rge 01W, ADA County

Place Of Use

IRRIGATION within ADA 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	
05N	01W	9											14.0	16.0					30.0
05N	01W	16					30.0	29.0	10.0	30.0									99.0

POU Total Acres: 129.0

DOMESTIC Same as IRRIGATION

Conditions of Approval:

1. E55 USE OF THIS RIGHT WITH RIGHT NO. 63-3576 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 129.0 ACRES IN A SINGLE IRRIGATION SEASON.
2. WB5 Domestic use is for 25 homes and does not include lawn, garden, landscape, or other types of irrigation.
3. S39 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
4. E60 USE OF THIS RIGHT WITH RIGHT NO. 63-03576 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.07 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 403.8 AF.

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5. 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.

Comments:

1. kbrown 6/7/2004 63-3576 & 63-7700
This right when combined with License 63-3576 shall provide no more than 0.8 cfs for irrigation use and 0.28 cfs for domestic use.

2. kbrown 6/7/2004 63-3576 & 63-7700
These two systems are interconnected to serve as a backup for each other.

3. segbert 3/17/2010 POD
PODID 620698 correlated from SpatialDataID 306427 to SpatialDataID 295526

Dates and Other Information

Decreed Date: 2/16/2007
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Mitigation Plan: False

Combined Use Limits

N/A

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	6/7/2004	kbrown			Closed
Priority Date	6/7/2004	kbrown			Closed
POD	6/7/2004	kbrown			Closed
Source	6/7/2004	kbrown			Closed
POU	6/7/2004	kbrown			Closed
Use	6/7/2004	kbrown			Closed
Season	6/7/2004	kbrown			Closed
Quantity	6/7/2004	kbrown			Closed
Summary	6/7/2004	kbrown	6/7/2004	kbrown	Closed
Summary	6/7/2004	kbrown	6/7/2004	kbrown	Closed

Verification Log

<u>Element</u>	<u>Date</u>	<u>User</u>	<u>Log Text</u>
Contacts	6/7/2004	kbrown	(No) 1. Do you want to schedule an appointment? Comment for 1: Licensed.
Priority Date	6/7/2004	kbrown	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license?

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Proof Report

			(Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	6/7/2004	kbrown	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Source	6/7/2004	kbrown	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	6/7/2004	kbrown	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	6/7/2004	kbrown	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (Yes) 13. Is a Purpose of Use remark and/or condition required?
Season	6/7/2004	kbrown	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
Quantity	6/7/2004	kbrown	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 10 - Refer to IDWR Field Report.
Summary	6/7/2004	kbrown	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Summary	6/7/2004	kbrown	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights?

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/26/2015

(Yes) 6. Is an additional remark and/or condition required?
(Yes) 7. Would you like to view the recommended right?
(Yes) 8. Is this a split or combined right?

POD	6/7/2004	kbrown	Edited point location
POU	6/7/2004	kbrown	Edited shape boundary
POU	8/13/2005	mciscell	Updated shape for Active POU
POD	3/17/2010	segbert	PODID 620698 correlated from SpatialDataID 306427 to SpatialDataID 295526

SubCase:

N/A

Water Supply Bank:

N/A

(A)

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 01/04/10 03:05PM
DEPUTY Bonnie B. Oberbillig
RECORDED-REQUEST OF
ALLIANCE TITLE - PRODUCTI

2
AMOUNT 6.00 2



SPECIAL WARRANTY DEED

Order No.: AT-5000949479DBD

OW

FOR VALUE RECEIVED

First Horizon Home Loans, a division of First Tennessee Bank National Association, successor in interest by merger to First Horizon Home Loan Corporation.

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Robert B. Leake and Svetlana V Leake, Husband and Wife

whose current address is

3807 Dorman Ave., Caldwell, ID 83605

the grantee(s), the following described premises, in Ada County, Idaho, TO WIT:

EXHIBIT A/

A part of the Northeast quarter of the Northwest quarter of Section 16, Township 5 North, Range 1 West, Boise Meridian, Ada County, Idaho; more particularly described as follows, to wit:

COMMENCING at the Northeast corner of the Northwest quarter of Section 16, Township 5 North, Range 1 West, of the Boise Meridian; thence North 89°41' West, a distance of 331.2 feet along the North line of said Section 16 to the INITIAL POINT; thence South 0°01'30" East, a distance of 660 feet parallel to the East line of said Northwest quarter; thence North 89°41' West, a distance of 331.2 feet parallel to the said North line; thence North 0°01'30" West, a distance of 660 feet parallel to said East line to a point on the said North line; thence South 89°41' East, 331.2 feet along the said North line to the INITIAL POINT.

EXCEPT any portion lying within the road right of way on the North side of the Property.

EXCEPT any house trailer or mobile home standing on the premises.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that no encumbrances were initiated during the ownership of the undersigned nor is the undersigned aware of any such.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 12-31-2009

First Horizon Home Loans, a division of First Tennessee Bank National Association, successor in interest by merger to First Horizon Home Loan Corporation.

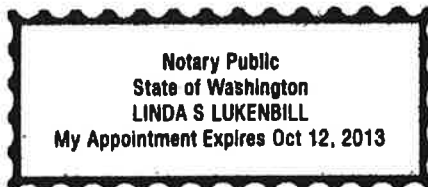
Candice Woodworth, VP
By: Candice Woodworth, Vice President

State of Washington }
County of King } ss.

On this 31st day of December, 2009, before me, a Notary Public in and for said state,
personally appeared Candice Woodworth, V.P. known to me to be the
Vice President of the Corporation, and acknowledged to me that
pursuant to a Resolution of the Board of Directors, he/she/they executed the foregoing in said Corporation name and
acknowledged to me that said corporation executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this
certificate first above written.

Linda S. Lukenburg
Notary Public for the State of Washington
Residing at: Bothell, WA
Commission Expires: 10-12-2013



Ada County Assessor Map



This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Map center: 43° 46' 38.7" N, 116° 27' 53.8" W



Legend

- ⚡ Railroads
- Major Streets
- Minor Arterial
- Collector
- SECTION
- PRINCIPAL Arterial
- INTERSTATE
- Other
- Minor Streets
- LOCAL
- PARKS
- PRIVATE
- RESIDENTIAL
- Other
- Street Names (minor)
- Addresses
- Parcels
- Sections
- Parks
- City Limits
- Kuna
- Boise
- Garden City
- Eagle
- Star
- Meridian
- Ada-QQ2013



Scale: 1:3,000

Chaparral Water Association

8875 W Deer Ln
Eagle, ID 83616

January 30, 2015

To whom it may concern:

This is to authorize the President of the Chaparral Water Association, Robert Leake, to be a decision maker on all Chaparral Water Association matters including water rights.

Thanks

A handwritten signature in dark ink, appearing to read "Robert Leake", followed by a long horizontal flourish line.

Robert Leake

President CWA

ALL-PURPOSE ACKNOWLEDGEMENT

STATE OF IDAHO
COUNTY OF ADA
CUSTOMER NAME ROBERT LEAKE

On 1/30/15 before me, KELLY JUDY, a Notary Public,
(DATE)

personally appeared, ROBERT LEAKE,

____ personally known to me OR ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of the which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Kelly Judy
NOTARY SIGNATURE

My Commission Expires: 9-17-19

AMENDED
TRANSFER No. 80030

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 right(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:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page.**FOR DEPARTMENT USE ONLY**

Transfer contains 19 pages and 3 attachments.

Received by CA Date 4/20/15 Preliminary check by Patrick Kelly Date 7-30-2015

Fee paid \$100.00 Date 4/20/15 Received by CA Receipt # W043026

Add'l fee paid \$300⁰⁰ Date 7/20/15 Received by CS Receipt # W043327

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

RECEIVED

APR 20 2015

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 80030MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER* SUPERCEDED *
By Amended Application

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) Robert and Svetlana LeakeCheck 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: _____

RECEIVEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER No. 80030

APR 20 2015

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**WATER RESOURCES
WESTERN REGIONName of Applicant(s) Robert and Svetlana LeakePhone 208 286-0225Mailing address 8919 West Deer Ln, Eagle, ID 83616Email lanal@q.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.



Signature of Applicant or Authorized Representative

Robert B Leake

Print Name and Title if applicable

4/17/15
Date

Signature of Applicant or Authorized Representative

Svetlana V Leake

Print Name and Title if applicable

4/17/15
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 split water rights
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 association has right for 136.82 acres of which 5.02 belongs to the applicants. The applicants plan to drill a well to alleviate stress on the current system and prolong the life of that system.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	63-3576	0.63/142.4	Irrigation	03/15 to 11/15	Ground water
☐ ☒	63-3576	0.24/12.95	Domestic	01/01 to 12/31	Ground water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 1.01 cfs and/or 180.0 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.138 cubic feet per second and/or 24.6 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 #
		NE	NW		16	05N	01W	ADA	ground water	Proposed well

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☒ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Total Acres (for irrigation use)																			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

5. General Information:

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

Individual well on 5.02 acres supplying domestic and irrigation water for that property

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

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: no

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:
acreage authorized by 63-3576 is being reduced to 31.5 from 36.5 acres

- 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:

5.02 acres are part of association domestic and irrigation supply. This will cease usage of association well and relocate to new well on 5.02 acres

- 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:

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 right(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:

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and extend across the width of the page. There are no margins, text, or other markings on the paper.

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by Q Date 4/20/15 Preliminary check by n Date _____

Fee paid \$100.00 Date 4/20/15 Received by CS Receipt # W043026

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)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BLITCH" OTTER
Governor

GARY SPACKMAN
Director

June 6, 2018

ROBERT LEAKE
SVETLANA LEAKE
8919 W DEAR LN
EAGLE ID 83616

Re: Withdrawal of Application for Transfer No. 80030

Dear Applicants:

The Department has received your recent withdrawal of the above referenced application. For your convenience a copy of the withdrawal and application are enclosed.

In addition, a refund request in the amount of \$250.00 has also been submitted for processing. Upon approval, it will be sent to you under separate cover.

Please feel free to contact our office at 208-334-2190 if you have additional questions in this matter. Also, more information about water rights and other matters administered by this agency is available on the Internet at www.idwr.idaho.gov.

Sincerely,

Rachel Neely
Administrative Assistant
Western Regional Office

Enclosures

MEMORANDUM

TO: Water Right file 63-3576, 63-7700 and 63-34124
FROM: Patrick Kelly
DATE: 6/4/2018
SUBJECT: Transfer withdrawal and application for permit amendment

Transfer 80030 was filed to split a portion of Chaparral Water Users Association rights (63-3576, 63-7700) to a property owner within the sub-division and authorize them to drill a new private well on their land. Permit 63-34124 was filed shortly afterward to add additional water which the ownership split would not provide.

The permit application was protested by the Chaparral Water Users. At the pre-hearing conference, a resolution was formed between both parties if the transfer was withdrawn and adding water to the existing system was proposed. The Leake's amended the permit application to reflect the existing water system to improve the delivery of water to their land. The application for permit was re-advertised to announce these changes.

The \$500 fee from receipts W043026 and W043327 reflect a fees for a transfer, an ownership split and a permit application. \$150 should have been refunded but an error was made and \$250 was sent to the Leake's in error. They returned \$100 on May 7 (W046309) to clear the balance.

MEMORANDUM

TO: Sascha Marston
FROM: Patrick Kelly
DATE: 3/21/2018
RE : **Refund Request**

Robert and Svetlana Leake paid \$100 for an Application for Transfer on April 20, 2015 and \$300 for an Application for Transfer on July 20, 2015. The application was withdrawn on February 7 2018. A partial refund should be issued.

Please issue a \$250 refund to the **payer** as follows:

TO

ROBERT AND SVETLANA LEAKE
8919 W DEER LN
EAGLE ID 83616

TEL. 208-286-0225

RECEIPT

W043026 AND W043327, copy attached

Kelly, Patrick

From: Lana Leake <lanal@q.com>
Sent: Tuesday, March 06, 2018 5:49 PM
To: Kelly, Patrick
Subject: RE: Water Right Applications

Yes that is correct. We were transferring the rights to us and also keeping the "extra" water rights as was recommended by IDWR. And not changing the diversion point.

From: Kelly, Patrick [mailto:Patrick.Kelly@idwr.idaho.gov]
Sent: Tuesday, March 06, 2018 9:47 AM
To: lanal@q.com
Subject: Water Right Applications

Hello,

My name is Patrick and I have been assigned to process your water right applications. It is my understanding that you are withdrawing your transfer application but completing the ownership change that was a part of this application. We are going to re-advertise the application for permit to recognize the Chaparral Water system. After paying for the re-advertisement and completing an ownership split, the refund due to you is \$100. Please confirm that you agree and I will continue the water right process.

Regards,

Patrick Kelly

Water Resource Agent, Senior
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705
p: 208.334.2190
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State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 2, 2015

ROBERT & SVETLANA LEAKE
8919 W DEER LN
EAGLE ID 83616

RE: Additional Information Request for Transfer 80030

Dear Mr. & Mrs. Leake:

On April 20, 2015, you filed an application for transfer for irrigation and domestic use in the NENW $\frac{1}{4}$ of Section 16, Township 5 North, Range 1 West. The application is requesting the split of 0.138cfs, 24.6 af on 5 acres of property owned by the Leake's from water right 63-3576. Place of Use overlap review shows that the property described above is authorized irrigation use under 63-3576 and 63-7700. Combined use limits of these rights limit the Chaparral Water Assn irrigation use of 0.8 cfs, 388.8 af on 129.0 acres and domestic component of 0.28 cfs, 15.0 af on 25 homes. A split of 63-7700 will need to be completed identified in the transfer as well.

The combined rate of 0.8 cfs, 388.8 af on 129.0 acres provides the right holder 0.0062 cfs and 3.01 af per acre. This would allow you to only transfer 0.03 cfs and 15.1 af for irrigation use, as well as 0.01 cfs and 0.6 af for domestic use. The total 0.04 cfs and 15.7 af may not provide enough water for all of your needs. If you are preparing to drill a private well for the property, I would recommend applying for a new water right where you can gain 0.03 cfs and 4.5 af per acre. I have included these forms in this letter for your convenience.

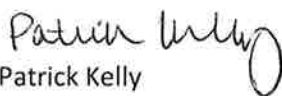
If you wish to move forward with the transfer application, the correct fees are going to need to be received before further processing can move forward. The Department received an amount of \$100 (receipt #WO43026). A transfer application requires a \$200 fee for transferring 0-0.2 cfs or 0-20 af of water. Additionally, A fee of \$100 is required for any transfer application changing ownership per divided right.

Please return the amended application identifying both water rights, an accurate rate/volume and an additional \$300 for the application to be processed. You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. The application will be voided without a timely written reply within the next thirty (30) days. Refunds are not issued for voided applications.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov.

Please contact me at 208-334-2190 if you need more information. Thank you for your attention to these matters.

Sincerely,


Patrick Kelly
Water Resource Agent

Supervisor of Idaho Department of Water Resources
Western Regional Office
2735 Airport Way,
Boise, Idaho.

June 23, 2015

RECEIVED
JUN 26 2015
WATER RESOURCES
WESTERN REGION

To whom it may concern:

On April 20, 2015 we applied for a transfer of water right # 63-3576 due to a critical situation occurring with the association's domestic and irrigation wells. With the increased number of users in the association in the recent months we have seen system performance levels at the same levels they usually are at the end of the season and it is only June. As an association we have ensured each home owner's systems are in top condition and are not using excessive water due to leaks and oversized nozzles. Despite this effort we are still seeing significant performance issues and feel it is important to reduce the load on the overall system as soon as possible.

For that reason we are requesting that you expedite the process of transferring the water right as we would like to put a well in services on our five acres as soon as possible to give some relief to the association's system.

Thank you

Robert and Lana Leake
8919 West Deer Lane.
Eagle, 83616
208-286-0225
lanal@q.com

