

JAN 16 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 82094

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) LAKE SIDE INDUSTRIES, INC.

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: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 25 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) LAKESIDE INDUSTRIES, INC. Phone 208-788-4389

Mailing address P.O. BOX 479, BELLEVUE, IDAHO 83313 Email wrranch@svskylan.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**.
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- ☐ 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 Albert P. Barker, Barker Rosholt & Simpson Phone 208-336-0700

Mailing address P.O. Box 2139, Boise, Idaho 83702-2139 Email apb@idahowaters.com

- ☒ 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

MICHAEL J. LEE PRESIDENT
Print Name and Title if applicable

1/15/18
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
☐ Change nature of use

☐ Add diversion point(s)
☐ Change period of use

☒ Change place of use
☐ Other _____
- 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**.
Applicant proposes to transfer POD and POU of water right 37-2747 to current POD and POU of water right 37-8559 and vice-versa, in order to provide a more senior water right to one parcel of property for purposes of administration.

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Michael J. Lee
Signature of Applicant or Authorized Representative

MICHAEL J. LEE PRESIDENT
Print Name and Title if applicable

1/15/18
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
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.

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

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	37-8559	1.15 cfs	irrigation	4/1 to 11/1	ground water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 1.15 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 1.15 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 #
X		NE	SW	SE	12	1N	18E	BLAINE	ground water	

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	
1N	18E	12															24		24.0
1N	18E	13		33.6															33.6
Total Acres (for irrigation use)																			57.6

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:

Well, pump, pipeline and measuring device in place.

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

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it Attachment #6. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

Under this transfer, and its companion transfer, water right 37-2747 place of use will gain 1.6 acres and water right 37-8559 will be reduced by 1.6 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:

- 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
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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:

[illegible]**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments.

Received by JB Date 1-10-2018 Preliminary check by _____ Date _____

Fee paid see original Date _____ Received by _____ Receipt # _____

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)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 37-8559

12/28/2017

Owner Type **Name and Address**
 Current Owner LAKESIDE INDUSTRIES INC
 PO BOX 479
 BELLEVUE, ID 83313
 (208) 788-2753

Original Owner WOOD RIVER RANCH CO INC
 PO BOX 479
 BELLEVUE, ID 83313
 (208) 720-2141

Priority Date: 8/17/1989**Basis:** License**Status:** Active

Source
 GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	1.150 CFS	202.0 AF
	<u>Total Diversion</u>		1.150 CFS	202.0 AF

Source and Point(s) of Diversion

GROUND WATER NENE Sec. 35, Twp 01N, Rge 18E, BLAINE County

Place Of Use

IRRIGATION within BLAINE 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	
01N	18E	35	9.0	1.6	13.0	34.0													57.6

POU Total Acres: 57.6

Conditions of Approval:

1. R55 This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
2. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
3. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

Comments:

1. csaxton 12/15/2011 POU
Updated Shape
2. csaxton 12/15/2011 POU

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 37-8559

12/28/2017

Updated PLS

3. csaxton 12/15/2011 POD
Updated Shape

4. csaxton 12/15/2011 POU
Updated SeasonOfUse

5. csaxton 12/16/2011 Measuring Device Cond
The permit did not contain requirements for installation of a measuring device. However, this right will be subject to measurement in Upper Wood River Ground Water Management Area. I spoke with Tim Luke and the permit holder of record was notified of the preliminary order issued on November 21, 2011, requiring that, "Measuring devices shall be installed on well used for irrigation for more than five (5) acres by March 15, 2013, or prior to the diversion of water for the 2013 irrigation season." No measuring device requirement condition was added as the GWMA order already addresses that need. Addition of a device requirement now might put the permit holder immediately out of compliance.

6. tluke 10/4/2013 POD
PODID 820296 correlated from SpatialDataID 438813 to SpatialDataID 487698

Dates and Other Information

Licensed Date: 12/19/2011

Water District Number: 37

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 3.5

Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

akeside Industries, Inc.
Place of Use and Point of Diversion Transfer



Legend

- Township/Range
- Sections
- QQ
- Proposed POU for 37-8559

**Proposed Place of Use
and Point of Diversion
for 37-8559**



TRANSFER 82094

0 0.05 0.1 0.2 Miles

No. C 103567 Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	Due no later than Oct 31, 2017 Annual Report Form 1. Mailing Address: Correct in this box if needed. LAKESIDE INDUSTRIES, INC. JEAN GUTHRIE PO BOX 7016 ISSAQUAH WA 98027 USA	2. Registered Agent and Address (NO PO BOX) ROBERT CUNNINGHAM 85 WALKER DR BELLEVUE ID 83313 3. New Registered Agent Signature:*				
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
SECRETARY	DAX WOOLSTON	6505 - 226TH PL SE SUITE #200	ISSAQUAH	WA	USA	98027-7016
DIRECTOR	TIMOTHY G LEE	6505 - 226TH PL SE SUITE #200	ISSAQUAH	WA	USA	98027-8906
PRESIDENT	MICHAEL J LEE	6505 - 226TH PL SE SUITE #200	ISSAQUAH	WA	USA	98027-8906
DIRECTOR	SHARON M LEE	6505 - 226TH PL SE SUITE #200	ISSAQUAH	WA	USA	98027-8906
DIRECTOR	MAUREEN T LEE	6505 - 226TH PL SE SUITE #200	ISSAQUAH	WA	USA	98027-8906
DIRECTOR	RHOADY R LEE III	6505 226TH PL SE SUITE #200	ISSAQUAH	WA	USA	98027-8906
DIRECTOR	MARY PAT OSTERHAUS	6505 226TH PL SE SUITE # 200	ISSAQUAH	WA	USA	98027-8906
DIRECTOR	MICHAEL J LEE	6505 - 226TH PL SE SUITE #200	ISSAQUAH	WA	USA	98027-8906
TREASURER	DAX WOOLSTON	P.O. BOX 7016	ISSAQUAH	WA	USA	98027-8906
5. Organized Under the Laws of: WA C 103567						
6. Annual Report must be signed.* Signature: Jean Guthrie Date: 08/25/2017 Name (type or print): Jean Guthrie Title: Executive Assistant						
Processed 08/25/2017 * Electronically provided signatures are accepted as original signatures.						

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

DEC 26 2017

DEPT OF WATER RESOURCES
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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**.

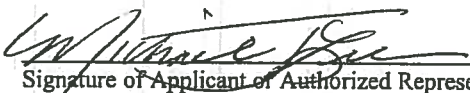
I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative

Albert P. Barker, Attorney at Law

Print Name and Title if applicable

Date


MICHAEL J. LEE, PRESIDENT
 Print Name and Title if applicable

12/22/17
 Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
☐ Change nature of use
 - ☐ Add diversion point(s)
☐ Change period of use
 - ☒ Change place of use
☐ Other _____
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**.

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.	<u>Right Number</u>	<u>Amount</u> (cfs/ac-ft)	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source & Tributary</u>
All or Part ☒ ☐	37-8559	1.15 cfs	irrigation	4/1 to 11/1	Ground water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 1.15 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 1.15 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 #
yes		NE	SW	SE	12	1N	18E	BLAINE	Ground water	

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	
1N	18E	12															24		24
1N	18E	13		32															32
Total Acres (for irrigation use)																			56

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:

Well, pump, pipeline and measuring device in place.

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

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

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

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

None. See companion transfer application for water right 37-2747.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

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

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

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:

[illegible]

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by Drh Date 7/2/17 Preliminary check by _____ Date _____

Fee paid \$580- Date 12/26/11 Received by DM Receipt # 5036507

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

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

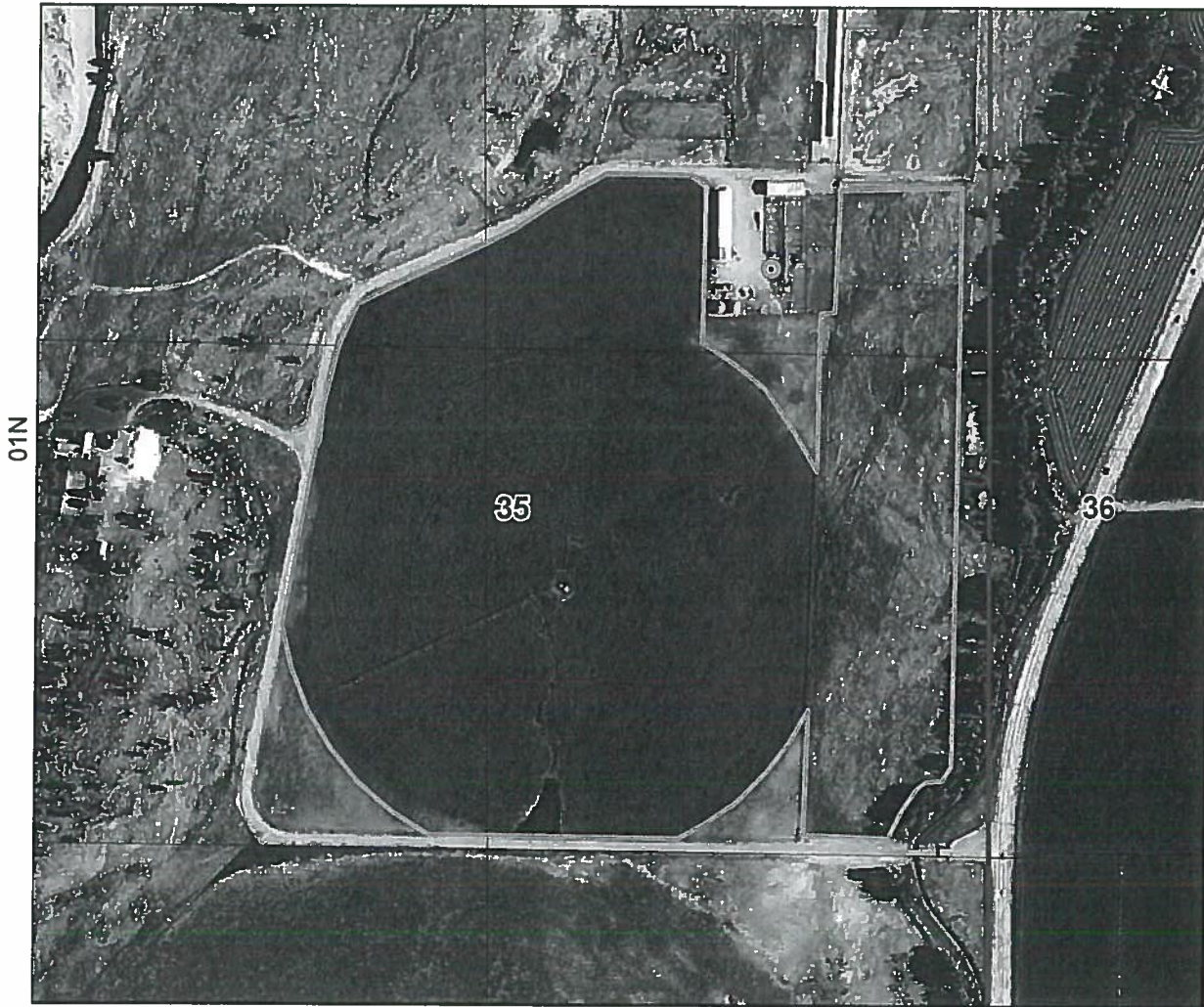
State of Idaho
Department of Water Resources

Water Right
37-8559

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

18E



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.05 0.1 0.2 Miles



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 37-08559

Priority: August 17, 1989

Maximum Diversion Rate: 1.15 CFS
Maximum Diversion Volume: 202.0 AF

It is hereby certified that LAKESIDE INDUSTRIES INC
PO BOX 479
BELLEVUE ID 83313 has complied with the terms and conditions of the
permit, issued pursuant to Application for Permit dated August 17, 1989; and has submitted Proof of
Beneficial Use on December 18, 1990. An examination confirms water is diverted from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/15 to 10/31	1.15 CFS	202.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 35, Twp 01N, Rge 18E, B.M. BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N 18E 35	9.0	1.6	13.0	34.0													57.6

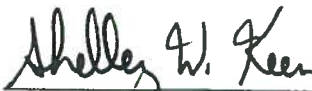
Total Acres: 57.6

CONDITIONS OF APPROVAL

1. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 19th day of December, 2011.


for GARY SPACKMAN
Interim Director

Maline, Denise

From: Maline, Denise
Sent: Thursday, February 01, 2018 4:16 PM
To: Kevin Lakey (WD 37); Cyndi WD37
Subject: Comment Letters for Lakeside Industries & Picabo Livestock
Attachments: Transfer 82093 Lakeside Industries.pdf; Transfer 82094 Lakeside Industries.pdf; Transfer 82108 Picabo Livestock.pdf; Comment Letter to WD37 for 82093, 82094, 82108.docx

Good afternoon Kevin,

Attached is are (3) applications for transfer currently being processed within your district. Please review the information and provide any necessary comments within (21) days.

Please contact our office if you have any questions.

Thank you,

Denise @ IDWR

Denise Maline

Administrative Assistant I

Idaho Dept of Water Resources, Southern Region

650 Addison Ave W, Ste 500

Twin Falls, ID 83301

(208) 736-3033

denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 1, 2018

WATER DISTRICT #37
KEVIN LAKEY
107 W 1ST ST
SHOSHONE ID 83352

via e-mail

RE: Transfer No. 82093
Water Right No(s): 37-2747

RE: Transfer No. 82094
Water Right No(s): 37-8559

RE: Transfer No. 82108
Water Right No(s): 37-426B

Dear Kevin:

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

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

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

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 1, 2018

LAKESIDE INDUSTRIES INC
PO BOX 479
BELLEVUE, ID 83313

RE: Transfer No. 82093
Water Right No(s). 37-2747

RE: Transfer No. 82094
Water Right No(s): 37-8559

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **IDAHO MOUNTAIN EXPRESS on 2/7/2018 and 2/14/2018**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **February 26, 2018**.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

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

Sincerely,

Denise Maline
Administrative Assistant

cc:

ALBERT P BARKER
BARKER ROSHOLT & SIMPSON LLP
1010 W JEFFERSON ST STE 102
PO BOX 2139
BOISE, ID 83702-2139

Maline, Denise

From: Maline, Denise
Sent: Thursday, February 01, 2018 2:17 PM
To: Idaho Mountain Express
Subject: LEGAL NOTICE
Attachments: Idaho Mtn Express cover letter.docx; Idaho Mtn Express Ad.doc

Attached please find **(1)** legal notice being submitted for publication on February 7th & 14th, 2018. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline

Administrative Assistant I

Idaho Dept of Water Resources, Southern Region

650 Addison Ave W, Ste 500

Twin Falls, ID 83301

(208) 736-3033

denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 1, 2018

LEGAL NOTICE DEPARTMENT

IDAHO MOUNTAIN EXPRESS

PO BOX 1013

KETCHUM, ID 83340

RE: Transfer No. 82093
Water Right No(s): 37-2747

RE: Transfer No. 82094
Water Right No(s): 37-8559

RE: Transfer No. 82108
Water Right No(s): 37-426B

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before February 26, 2018. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 82093**

LAKESIDE INDUSTRIES INC, PO BOX 479, BELLEVUE, ID 83313; has filed Application No. 82093 for changes to the following water rights within BLAINE County(s): Right No(s). 37-2747. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the place of use (POU) and the point of diversion (POD) for irrigation ground water right 37-2747 (1.06 cfs) which currently irrigates 56.0 acres located approximately 2.4 to 2.9 miles south and 0.3 to 0.5 mile east of the intersection of Main Street and Elm Street in Bellevue. The new 56.0 acre POU will be located approximately 5.8 to 6.1 miles south and 0.3 to 0.7 mile west of Bellevue. The current POD is located approximately 2.4 miles south and 0.5 mile east of Bellevue, while the proposed POD is an existing well located approximately 5.9 miles south and 0.4 mile west of Bellevue.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 82094**

LAKESIDE INDUSTRIES INC, PO BOX 479, BELLEVUE, ID 83313; has filed Application No. 82094 for changes to the following water rights within BLAINE County(s): Right No(s). 37-8559. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the place of use (POU) and the point of diversion (POD) for irrigation ground water right 37-8559 (1.15 cfs) which currently irrigates 57.6 acres located approximately 5.8 to 6.1 miles south and 0.3 to 0.7 mile west of the intersection of Main Street and Elm Street in Bellevue. The new 57.6 acre POU will be located approximately 2.4 to 2.9 miles south and 0.3 to 0.5 mile east of Bellevue. The current POD is located approximately 5.9 miles south and 0.4 mile west of Bellevue, while the proposed POD is an existing well located approximately 2.4 miles south and 0.5 mile east of Bellevue.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 82108**

PICABO LIVESTOCK CO, PO BOX 688, PICABO, ID 83348; has filed Application No. 82108 for changes to the following water rights within BLAINE County(s): Right No(s). 37-426B. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes moving the point of diversion (POD) for a 1.05 cfs Silver Creek irrigation right approximately 4.5 miles downstream to a location adjacent to the existing 28.0 acre place of use (POU). Proposed POD is located approximately 2.2 miles west and 1 mile north of Picabo.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx . Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before **February 26, 2018**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on February 7th & 14th, 2018

ALBERT P. BARKER
JOHN A. ROSHOLT
JOHN K. SIMPSON
TRAVIS L. THOMPSON
SHELLEY M. DAVIS
SCOTT A. MAGNUSON



1010 W. Jefferson, Suite 102
Post Office Box 2139
Boise, ID 83701-2139
(208) 336-0700 telephone
(208) 344-6034 facsimile
brs@idahowaters.com

163 Second Avenue
Post Office Box 0063
Twin Falls, ID 83303-0063
(208) 733-0700 telephone
(208) 735-2444 facsimile

Albert P. Barker
apb@idahowaters.com

January 23, 2018

RECEIVED

JAN 25 2018

**DEPT OF WATER RESOURCES
SOUTHERN REGION**

VIA U.S. MAIL

Attn: Benny Walker
Idaho Department of Water Resources
Southern Regional Office
650 Addison Avenue West, Suite 500
Twin Falls, ID 83301-5858

Re: Transfer Applications for Water Right Nos. 37-2747 and 37-8559

Dear Benny:

Please find enclosed herewith the original signed Transfer Applications for Water Right Nos. 37-2747 and 37-8559.

Please contact Sharon Strickland or our office should you have any questions or concerns. Thank you for your assistance.

Very truly yours,

BARKER ROSHOLT & SIMPSON LLP

Heather A. Rice, Assistant to
Albert P. Barker

APB/har
Enclosure

TRANSFER SYNOPSIS

Date: January 19, 2018
To: Transfer #82094, Lakeside Industries, Inc. Transfer file
From: Jim Bitzenburg
Re: Summary of transfer

Application for transfer proposes to change the place of use (POU) and the point of diversion (POD) for irrigation ground water right 37-8559 (1.15 cfs) which currently irrigates 57.6 acres located approximately 5.8 to 6.1 miles south and 0.3 to 0.7 mile west of the intersection of Main Street and Elm Street in Bellevue. The new 57.6 acre POU will be located approximately 2.4 to 2.9 miles south and 0.3 to 0.5 mile east of Bellevue. The current POD is located approximately 5.9 miles south and 0.4 mile west of Bellevue, while the proposed POD is an existing well located approximately 2.4 miles south and 0.5 mile east of Bellevue.

The proposed transfer involves moving a POD and POU approximately 3.5 miles and will be advertised and subject to protest.

This transfer application is a companion to transfer #82093 which moves the POD and POU of right 37-2747 to the POU and POD of 37-8559. The purpose of the transfer is to gain an earlier priority date at the property where right 37-8559 currently resides.

FEE MEMORANDUM

Date: January 17, 2018
To: Lakeside Industries, Inc., Transfer #82094 File
From: Jim Bitzenburg
Re: Receipting/disposition of fees paid

This transfer was initially filed on December 26, 2017 by Barker, Rosholt, and Simpson, LLP on behalf of the applicant, Lakeside Industries, Inc. in order to change the POD and POU of water right 37-8559 (1.15 cfs) to the current POD and POU of right 37-2747. The application was returned as incomplete, and was re-filed on January 16, 2018. Since the entire flow rate of 1.15 cfs will be diverted through a different POD, 1.15 cfs should be the basis of the fee, which, from the fee schedule, is \$580.00. The fee was paid by Barker, Rosholt, and Simpson, LLP with check #25742, receipt S036507, when the transfer was first filed.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 28, 2017

ALBERT P BARKER
PO BOX 2139
BOISE ID 83702-8139

RE: Applications for transfer for rights 37-2747 and 37-8559 in the name of Lakeside Industries, Inc.

Dear Mr. Barker:

Two transfers, involving rights 37-2747 and 37-8559, in the name of Lakeside Industries, Inc., were received in our office on December 26, 2017. After a review of the applications, several items need to be addressed that currently prevent processing of the applications, so we are returning the applications to you. If the applications are not resubmitted, with the issues addressed, within 30 days of the date of this letter, the application fees will be refunded. From my review of the applications, the following items need to be addressed:

- The maps included in the transfer packages are the maps of the water rights at their present place of use (POU), while the maps which should be included need to show the proposed POU, and the shapes should match the POU description under Part 1, B., 4. (page 3) of each transfer application. The maps should also show the proposed point of diversion (POD) which should match the POD location described in Part 1, B., 3 (also on page 3).
- Part 1, A., 2. (page 2) of each application needs to be completed, describing the proposal in narrative form including a general statement describing the reason for the proposed change.
- On page 5 of the applications, under Part 2, A, it requests a Part 2A water right report for each right listed in Part 1, B. 1. I have enclosed a water right report for each right for you to send in when re-submitting the two transfers.
- Also on page 5; Part 2. B., does not need to be completed, as the entire amount of each right is being transferred, and not just a portion.

- Finally, the transfers intend to change the POU and POD of each right to the location of those parameters of the other right, and in doing so, it appears that the total acres of right 37-8559 will be reduced from 57.6 acres to 56.0 acres, which would also require a reduction in flow rate and volume so as to not exceed the 0.02 cfs per acre limit on flow rate and the 3.5 acre-foot per acre limit on volume in that area. It may be advisable to transfer the entire 57.6 acres of right 37-8559 to the proposed POU to avoid a reduction/loss of water under the right. The application transferring the 56.0 acres of right 37-2747 proposes a place of use of 57.6 acres which appears to be an enlargement. You may want to consider limiting the proposed place of use in this transfer to 56.0 acres rather than the currently listed 57.6 acres.

If you have any questions or concerns, feel free to give me a call or email. As mentioned earlier, if you do not resubmit the application with the requested information within 30 days of the date of this letter, I will contact the State IDWR office and initiate a refund of your filing fees.

Sincerely,



Jim Bitzenburg
Water Resource Agent

Enclosures

ALBERT P. BARKER
JOHN A. ROSHOLT
JOHN K. SIMPSON
TRAVIS L. THOMPSON
SHELLEY M. DAVIS
SCOTT A. MAGNUSON



1010 W. Jefferson, Suite 102
Post Office Box 2139
Boise, ID 83701-2139
(208) 336-0700 telephone
(208) 344-6034 facsimile
brs@idahowaters.com

163 Second Avenue
Post Office Box 0063
Twin Falls, ID 83303-0063
(208) 733-0700 telephone
(208) 735-2444 facsimile

Albert P. Barker
apb@idahowaters.com

December 22, 2017

RECEIVED

DEC 26 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

Attn: Benny Walker
Idaho Department of Water Resources
Southern Regional Office
650 Addison Avenue West, Suite 500
Twin Falls, ID 83301-5858

Re: Transfer Applications for Water Right Nos. 37-2747 and 37-8559

Dear Benny:

Please find enclosed herewith two Transfer Applications for Water Right Nos. 37-2747 and 37-8559. Also enclosed, please find check number 25742 in the amount of \$1,160.00; \$580 for each of the transfer applications. The original signature pages on the Transfer Applications will follow, however, we wanted to at least get processing initiated.

Please contact our Sharon Strickland or our office should you have any questions or concerns. Thank you for your assistance.

Very truly yours,

BARKER ROSHOLT & SIMPSON LLP

Jessica L. Witt, Assistant to
Albert P. Barker

APB/jlw
Enclosure