

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

RECEIVED
OCT 23 2017
Department of Water Resources
Eastern Region

Name of Applicant(s) Ronald Mumford

Phone _____

Mailing address 60 West 66th St Apt 4E New York City, NY 10023Email eremny16@gmail.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.

Ronald Mumford
Signature of Applicant or Authorized Representative

Ronald Mumford
Print Name and Title if applicable

9-20-2017
Date

Ronald Mumford
Signature of Applicant or Authorized Representative

Ronald Mumford
Print Name and Title if applicable

9-20-2017
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**.
 Change the place of use for five acres of right 13-7128, swapping them with acres to be irrigated under right 13-137 per a separate transfer submitted simultaneously.

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 ☒ ☐	13-7128	0.84	Irrigation	04/01 to 10/31	Groundwater
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.84 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.03 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

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

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	38E	14							17.0			25.0	21.0						63.0
14S	38E	15				27.0									20.0			15.0	62.0
Total Acres (for irrigation use)																			125.0

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DEPARTMENT OF WATER RESOURCES

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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:

- b. Who owns the property at the point(s) of diversion? _____
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:
See companion transfer filed on right 13-137

- 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:

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- 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.

☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

☐ 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 is no handwriting or other markings on the paper.

Transfer contains _____ pages and _____ attachments.

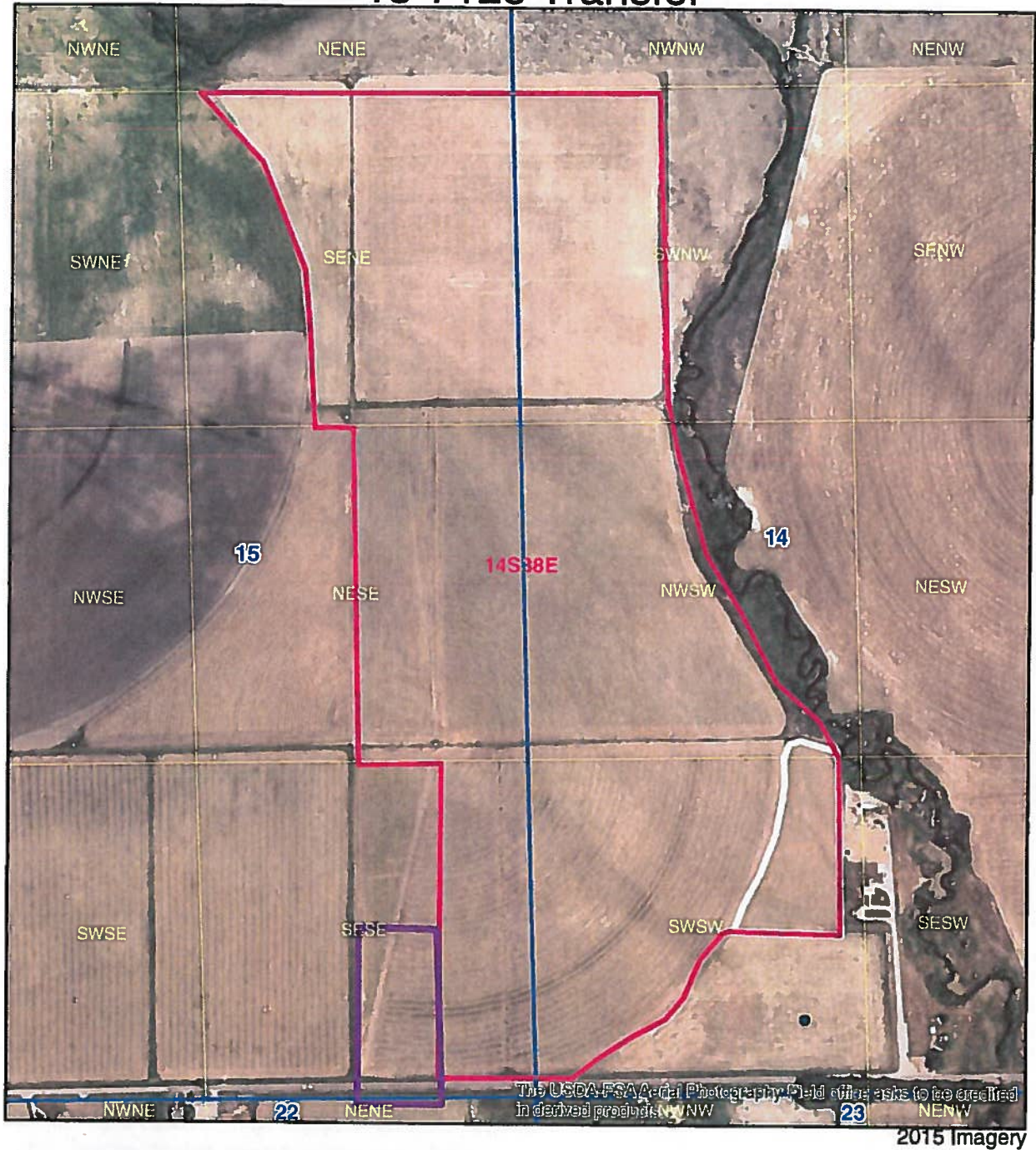
Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid E043494 Date 10/23/17 Received by _____ Receipt # E043494

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

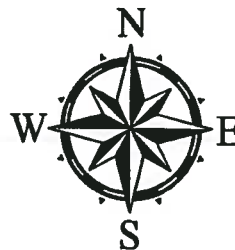
Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

13-7128 Transfer



Legend

- 13-7128 Pre-Transfer POU
- Acres for Split
- Split Portion Post-Transfer POU
- Township/Range
- Sections
- QQ



0 0.075 0.15 0.3 Miles

81989

12/4/2017

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RONALD MUMFORD 60 WEST 66TH ST APT 4E NEW YORK CITY, NY 10023 (435) 760-1956

Status: Active

GROUND WATER

356.6 AF

Sec. 15, Twp 14S, Rge 38E, FRANKLIN 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	
14S	38E	14							17.0			25.0	26.0						68.0
14S	38E	15				27.0									20.0			10.0	57.0

1. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
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. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

192561 1-4

PERSONAL REPRESENTATIVE'S DEED

THIS DEED, is made by BETTY JO MUMFORD, as Personal Representative of the Estate of GIDEON EUGENE MUMFORD, aka G. EUGENE MUMFORD aka GIDEON E. MUMFORD, aka EUGENE MUMFORD, Deceased, and BETTY JO MUMFORD, aka BETTY JOE MUMFORD, AKA BETTY JOYCE MUMFORD, Grantors,

To BETTY JO MUMFORD, Trustee of the MARITAL TRUST as contained in the G. E. MUMFORD FAMILY TRUST, dated December 12, 1990 as amended by that Amendment dated November 24, 1992, Grantee, whose address is 89 West 8th North, Clifton, Idaho 83228.

WHEREAS, Grantor is the qualified Personal Representative of the Estate filed as Probate Case No. SP-94-134, Franklin County, Idaho;

THEREFORE, for valuable consideration received, Grantor sells, transfers, and conveys to Grantee the following described real property:

LOCATED IN FRANKLIN COUNTY, IDAHO AND MORE PARTICULARLY DESCRIBED BELOW:

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE

AND TOGETHER WITH: Section 15, Township 14 South, Range 38 East of the Boise Meridian:

Commencing at a point 1170.5 feet West of the Southeast Corner of the Southwest Quarter of said Section 15, and running thence North 140 feet; thence East 120 feet; thence South 140 feet; thence West 120 feet to the point of beginning.

BUT FURTHER LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED REAL PROPERTIES:

Commencing 21 feet West of the Southeast Corner of the Southwest 1/4 of Section 15 of Township 14 South, Range 38 East of the Boise Meridian and running thence West 1,450.5 feet; thence North 326.78 feet; thence East 1,450.5 ft; thence South 326.78 feet to the point of beginning.

Commencing at a point 326.78 feet North and 21 feet West of the Southeast Corner of the Southwest 1/4 of Section 15, Township 14 South, Range 38 East of the Boise Meridian and running thence West 1,450.5 feet; thence North 900.05 feet; thence East 1,450.5 feet; thence South 900.05 feet to the point of beginning. Consisting of approximately 29.97 acres.

192561 2-4

Commencing at a point 1,170.5 feet West of the Southeast Corner of the Southwest Quarter of said Section 15, and running thence North 180 feet; thence West 120 feet; thence South 180 feet; thence East 120 feet to the point of beginning.

Together with all water rights, appurtenances, and improvements located thereon or appurtenant thereto.

EXECUTED this 30th day of December, 1994.

Betty Jo Mumford
BETTY JO MUMFORD
Personal Representative of the
Estate of GIDEON EUGENE MUMFORD,
Deceased

Betty Jo Mumford
BETTY JO MUMFORD, an Individual
Recorded at the request of
Ronald E. Mumford

— a.m. DEC 30 1994: 3:50 p.m.

STATE OF IDAHO)
COUNTY OF FRANKLIN) ss.

LERAE E. JOHNSON, RECORDER.
By Ruth K. Rawlings Deputy
FRANKLIN COUNTY, IDAHO

On this 30th day of December, 1994, before me, a Notary Public in and for said State, personally appeared BETTY JO MUMFORD, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she is the duly authorized and appointed Personal Representative of the Estate, and that she executed this document in said capacity for and in behalf of said Estate.

Myra Mae
NOTARY PUBLIC
Residing at: Franklin County
My Commission Expires: 2-1-99

STATE OF IDAHO)
COUNTY OF FRANKLIN) ss.

On this 30th day of December, 1994, before me, a Notary Public in and for said State, personally appeared BETTY JO MUMFORD, an individual, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Myra Mae
NOTARY PUBLIC
Residing at: Franklin County

My Commission
Expires 2-1-99

Township 14 South, Range 38 East of the Boise Meridian, Franklin County, Idaho

Section 10: $S\frac{1}{2}SE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$

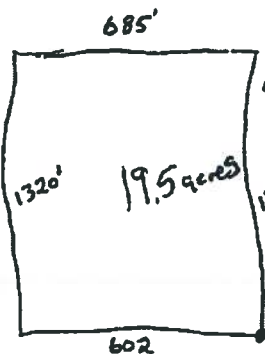
Section 11: $W\frac{1}{2}SW\frac{1}{4}$

Section 14: $SW\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}SW\frac{1}{4}$, $NW\frac{1}{4}SW\frac{1}{4}$, EXCEPTING THEREFROM: Beginning at the intersection of the West Boundary of the RR right-of-way and the South line of Section 14, and running West along said line 477.9 feet to a new point of beginning; thence West along the South line of Section 14, also the North boundary of a County road, 414.3 feet; thence 210.3 feet North; thence East 400.0 feet to a large post in a fence that defines the East boundary of this lot; thence South-easterly along said fence to the new point of beginning; TOGETHER WITH culinary well located to the East and Southeast of the house, and all improvements and outbuildings located thereon.

ALSO EXCEPTING; Beginning at the Southeast corner of the $NW\frac{1}{4}NW\frac{1}{4}$ of Section 14, and running thence Southwesterly across Deep Creek along a fence line South 16° West approximately 122 rods; thence South 36° East approximately 53 rods to a point 50 feet West of the Southwest corner of the $NE\frac{1}{4}SW\frac{1}{4}$ of Section 14; thence South 49° East across Deep Creek 60 rods; thence South 18° East 25 rods; thence South 16 rods, more or less, to the South boundary line of grantor's property, which is the South line of said Section 14; thence East along said line to the railroad right-of-way; thence North along the West boundary of said right-of-way 80 rods, more or less; thence West to the Southwest corner of the $NE\frac{1}{4}SW\frac{1}{4}$ of said Section 14; thence North 160 rods, more or less, to the point of beginning.

ALSO INCLUDING, $NW\frac{1}{4}NW\frac{1}{4}$, There is conveyed herein an access road EXTENDING from SE corner OF $NW\frac{1}{4}NW\frac{1}{4}$ of said Section 14, East along South line of $NE\frac{1}{4}NW\frac{1}{4}$ of said Section 14 to the County Road, as reserved in Book 47 of Deeds, page 484, records of Franklin County, Idaho

Section 15: $NE\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$.



ALSO, Commencing at the Southeast corner of Section 15, running thence North along the Section line 1502 feet from the Southeast corner of said Section to the point of beginning; thence South $78^{\circ}6'$ West 2179 feet; thence North $7^{\circ}25'$ West 700 feet; thence North $78^{\circ}30.5'$ East 2269 feet; thence South along section line 696 feet to the point of beginning.

ALSO, Commencing at the Southeast corner of Section 15, running thence North 80 rods; thence West 20 rods; thence South $78^{\circ}20'$ West 355 feet; thence South $4^{\circ}37'$ East 1320 feet, more or less, to section line; thence East 502 feet to the point of beginning.

256830 1-2

NTF-83287

When recorded mail to:
Ronald E. Mumford
125 North 1st West
Clifton, Idaho 83228

Recorded at the request of
Northern Title Co.
Time 10:01 A

DEC 10 2012

SHAUNA T. REDDES, RECORDER
BY [Signature] Deputy
FRANKLIN COUNTY IDAHO

AFFIDAVIT AND ACCEPTANCE OF TRUSTEESHIP

Comes now the undersigned Ronald E. Mumford, Substitute Trustee of the Marital Trust, as contained in the G. E. Mumford Family Trust, dated December 12, 1990 as amended by that amendment dated November 24, 1992 and being on oath first duly deposes and says:

1. That I am a citizen of the United States of legal age and capacity, and competent to make this affidavit.
2. That I was personally acquainted with the deceased, Betty Jo Mumford
3. That said deceased is one in the same person as Betty Jo Mumford, listed in that certain document as recorded on December 30, 1994 at Entry No. 192561 in the office of the Franklin County recorder, State of ID.
4. That the purpose of this affidavit is for Ronald E. Mumford, and to accept the Trusteeship of the of the Marital Trust, as contained in the G. E. Mumford Family Trust, dated December 12, 1990 as amended by that amendment dated November 24, 1992 and hereby agree to act as Trustee of said Trust on all the terms, provisions and conditions specified in said Trust.
5. That a certified death certificate of the deceased is hereby attached.

Ronald E. Mumford, Substitute Trustee of the Marital Trust, as contained in the G. E. Mumford Family Trust, dated December 12, 1990 as amended by that amendment dated November 24, 1992

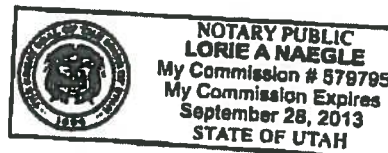
UT
State of ~~ID~~ Utah
County of ~~Franklin~~ } ss:

[Signature]
By: Ronald E. Mumford

On Dec 4, 2012 personally appeared before me Ronald E. Mumford, the signer(s) of the within instrument, who duly acknowledged to me that they executed the same.

Residing: Lewiston, UT
Expires: 9-28-13

Lorie A Naegle
Notary Public



STATE OF IDAHO
CERTIFICATION OF VITAL RECORD

STATE OF IDAHO
IDAHO DEPARTMENT OF HEALTH AND WELFARE
BUREAU OF VITAL RECORDS AND HEALTH STATISTICS
CERTIFICATE OF DEATH

Date Filed **JULY 13, 2006**

State File No **2006-05206**

DECEASED - LEGAL NAME BETTY JOYCE PIERSON MUMFORD			
SEX FEMALE	SOCIAL SECURITY NUMBER [REDACTED]	AGE 79 YEARS	DATE OF BIRTH APRIL 27, 1927
BIRTHPLACE SANDY, UTAH		PLACE OF RESIDENCE CLIFTON, IDAHO	
MARITAL STATUS AT TIME OF DEATH WIDOWED		NAME OF SURVIVING SPOUSE (if wife, maiden name) [REDACTED]	
FATHER - NAME PETER WILFORD PIERSON		BIRTHPLACE UTAH	
MOTHER - MAIDEN NAME HAZEL MARIE REYNOLDS		BIRTHPLACE UTAH	
METHOD OF DISPOSITION BURIAL		FUNERAL SERVICE LICENSEE DOUGLAS S. WEBB	
NAME AND ADDRESS OF FUNERAL FACILITY WEBB FUNERAL HOME, PRESTON, IDAHO			
DATE OF DEATH JULY 06, 2006	TIME OF DEATH 8:45 A.M.	CITY, TOWN OR LOCATION OF DEATH CLIFTON, IDAHO	COUNTRY OF DEATH FRANKLIN
CAUSE OF DEATH (underlying cause last) BREAST CANCER			Approximate Interval Between Death and Death YEARS
a. DUE TO (or as a consequence of): [REDACTED]			
b. DUE TO (or as a consequence of): [REDACTED]			
c. DUE TO (or as a consequence of): [REDACTED]			
OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH but not resulting in the underlying cause given above NONE STATED			
MANNER OF DEATH NATURAL		NAME OF CERTIFIER DAVID B. BECKSTEAD, M.D.	TITLE PHYSICIAN
CORONER SUBSEQUENT CERTIFICATION IF NECESSARY [REDACTED]			
DATE OF INJURY [REDACTED]			
TIME OF INJURY [REDACTED]		PLACE OF INJURY [REDACTED]	
LOCATION WHERE INJURY OCCURRED [REDACTED]			
DESCRIPTION OF HOW INJURY OCCURRED [REDACTED]			

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO BUREAU OF VITAL RECORDS AND HEALTH STATISTICS

DATE ISSUED: **DECEMBER 05, 2012**

This copy not valid unless prepared on engraved border displaying state seal and signature of the Registrar.

James B. Aydelotte
JAMES B. AYDELOTTE
STATE REGISTRAR

81989