

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 81918
RECEIVED
SEP 19 2017
Department of Water Resources
Eastern Region

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) Idaho Department of Veterans Services

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
OCT 10 2017

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Department of Water Resources
Eastern Region

Name of Applicant(s) Idaho Division of Veterans Services Phone 208-780-1300

Mailing address 351 Collins Road, Boise, Idaho 83702 Email _____

- ☐ 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 Keller Associates, Nathan Cleaver, P.E. Phone 208-288-1992

Mailing address 131 SW 5th Avenue, Suite A, Meridian, Idaho 83642 Email ncleaver@kellerassociates.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

DAVID E. BRASWELL, Administrator
Print Name and Title if applicable

10-4-17
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 Remove surface water right condition
- 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**.

Idaho Division of Veterans Services has acquired 40 acres of land from the Idaho Department of Health and Welfare and is seeking to add a point of diversion for the proportion of water rights associated with the land. It is also seeking to remove the surface water use condition pursuant to water right 27-07478 in order to eliminate the need for a dual water source distribution system within the Veterans Cemetery.

AMENDED 819181

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

RECEIVED
SEP 19 2017
Department of Water Resources
Eastern Region

Name of Applicant(s) Idaho Division of Veterans ServicesPhone 208-780-1300Mailing address 351 Collins Road, Boise, Idaho 83702

Email _____

- ☐ 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 Keller Associates, Nathan Cleaver, P.E.Phone 208-288-1992Mailing address 131 SW 5th Avenue, Suite A, Meridian, Idaho 83642Email ncleaver@kellerassociates.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 _____

Print Name and Title if applicable _____

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 Remove surface water right condition

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**.

Idaho Division of Veterans Services has acquired 40 acres of land from the Idaho Department of Health and Wellness and is seeking to add a point of diversion for the proportion of water rights associated with the land. It is also seeking to remove the surface water use condition pursuant to water right 27-07478 in order to eliminate the need for a dual water source distribution system within the Veterans Cemetery.

SUPERCEDED

81918

81918

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 ☐ ☒	27-07478	0.24/101.9	Irrigation	Apr 1 to Oct 31	Groundwater
☐ ☒	27-07084	0.45/140	Irrigation	Apr 1 to Nov 1	Groundwater
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.69 cfs and/or 160 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.69 cubic feet per second and/or 160 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 #
Y			SE	SE	02	03S	35E	Bingham	Groundwater	

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	
03S	35E	02															27.2	12.8	40
Total Acres (for irrigation use)																			40

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:

A new well is to be constructed which will be secured locking cap. A lockable total flow meter will be installed.

- b. Who owns the property at the point(s) of diversion? The Idaho Division of Veterans Services

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:

If the transfer is complete, there should be no effect on the land currently irrigated. A portion of the original farm land currently irrigated has been transferred to IDVS for use as a Veterans Cemetery. The existing water rights will be split proportional to the amount of land transferred. Therefore, no change to the amount irrigation that the remaining farmland receives will occur.

- 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:

Surface water rights from Corbett Slough Ditch Company will also be split between the properties proportional to their acreage.

- 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:

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 27-07478

Current Owner: STATE OF IDAHO

Priority Date: 5/31/1989

Origin: Water Right

Status: Active

Basis: License

Source

Tributary

GROUND WATER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION 4/01 to 10/31

2.2 CFS

Total Diversion

2.2 CFS

Location of Point(s) of Diversion

GROUND WATER

SE1/4SE1/4

Sec. 2, Twp 03S, Rge 35E B.M.

BINGHAM County

Place of Use

IRRIGATION Within BINGHAM County

T03S R35E S1	NESW	38.00	T03S R35E S1	NWSW	39.00
T03S R35E S1	SWSW	39.00	T03S R35E S1	SESW	39.00
T03S R35E S2	NESW	16.00	T03S R35E S2	SESW	34.00
T03S R35E S2	NESE	39.00	T03S R35E S2	NWSE	37.00
T03S R35E S2	SWSE	39.00	T03S R35E S2	SESE	39.00
T03S R35E S12	NENW	12.00			

Total Acres: 371

Page _____ of _____

Conditions of Approval:

1. 079 This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
2. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
3. R31 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
4. 049 The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. 048 The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. Rights 27-07084 and 27-07478 when combined shall not exceed a total annual diversion volume of 1484.0 af and the irrigation of 371 acres.
Right 27-07084 is also diverted through the point(s) of diversion described above.

Licensed Date: 2/21/1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2B

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.

Right Number: 27-07478 Blank

1. amount	0.24	(cfs/ac-ft) for	Irrigation	purposes from	April 1	to	Oct 31
amount		for		purposes from		to	
amount		for		purposes from		to	
amount		for		purposes from		to	
amount		for		purposes from		to	
amount		for		purposes from		to	
amount		for		purposes from		to	
amount		for		purposes from		to	
amount		for		purposes from		to	

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	35E	02															27.2	12.8	40

Total Acres (for irrigation use) 40

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 27-07084

Current Owner: STATE OF IDAHO

Priority Date: 5/9/1977

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	3.11 CFS	969.5 AF
	<u>Total Diversion</u>	3.11 CFS	969.5 AF

Location of Point(s) of Diversion

GROUND WATER

SW1/4NE1/4SE1/4

Sec. 2, Twp 03S, Rge 35E B.M.

BINGHAM County

Place of Use

IRRIGATION Within BINGHAM County

T03S R35E S1	NWSW	38.00	T03S R35E S1	SWSW	38.00
T03S R35E S2	NESW	14.00	T03S R35E S2	SESW	34.00
T03S R35E S2	NESE	39.00	T03S R35E S2	NWSE	36.00
T03S R35E S2	SWSE	39.00	T03S R35E S2	SESE	39.00

Total Acres: 277

Conditions of Approval:

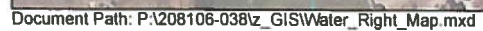
1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
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 lands above.
3. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Decreed Date: 1/9/2007

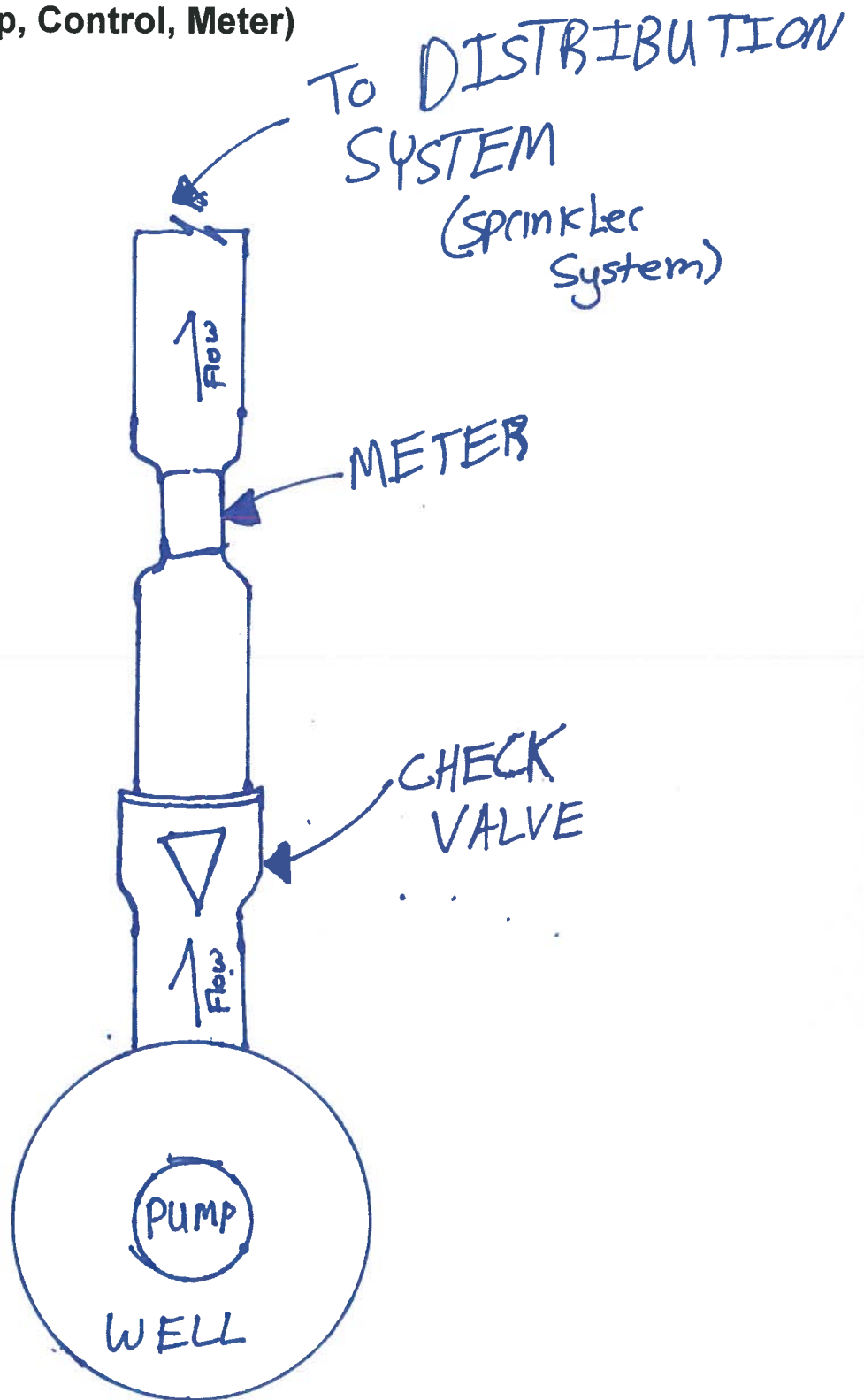
This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

81918

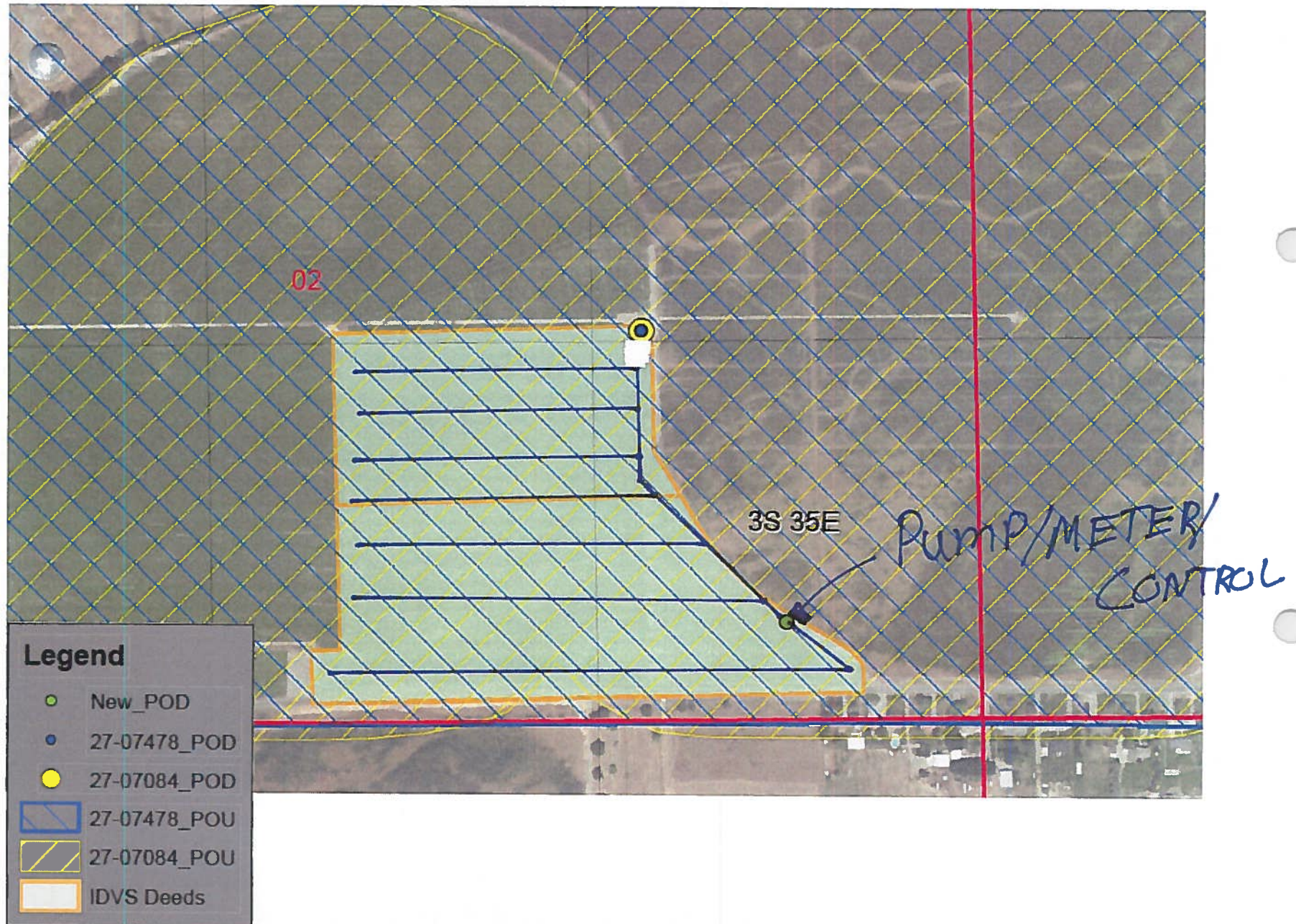
81918

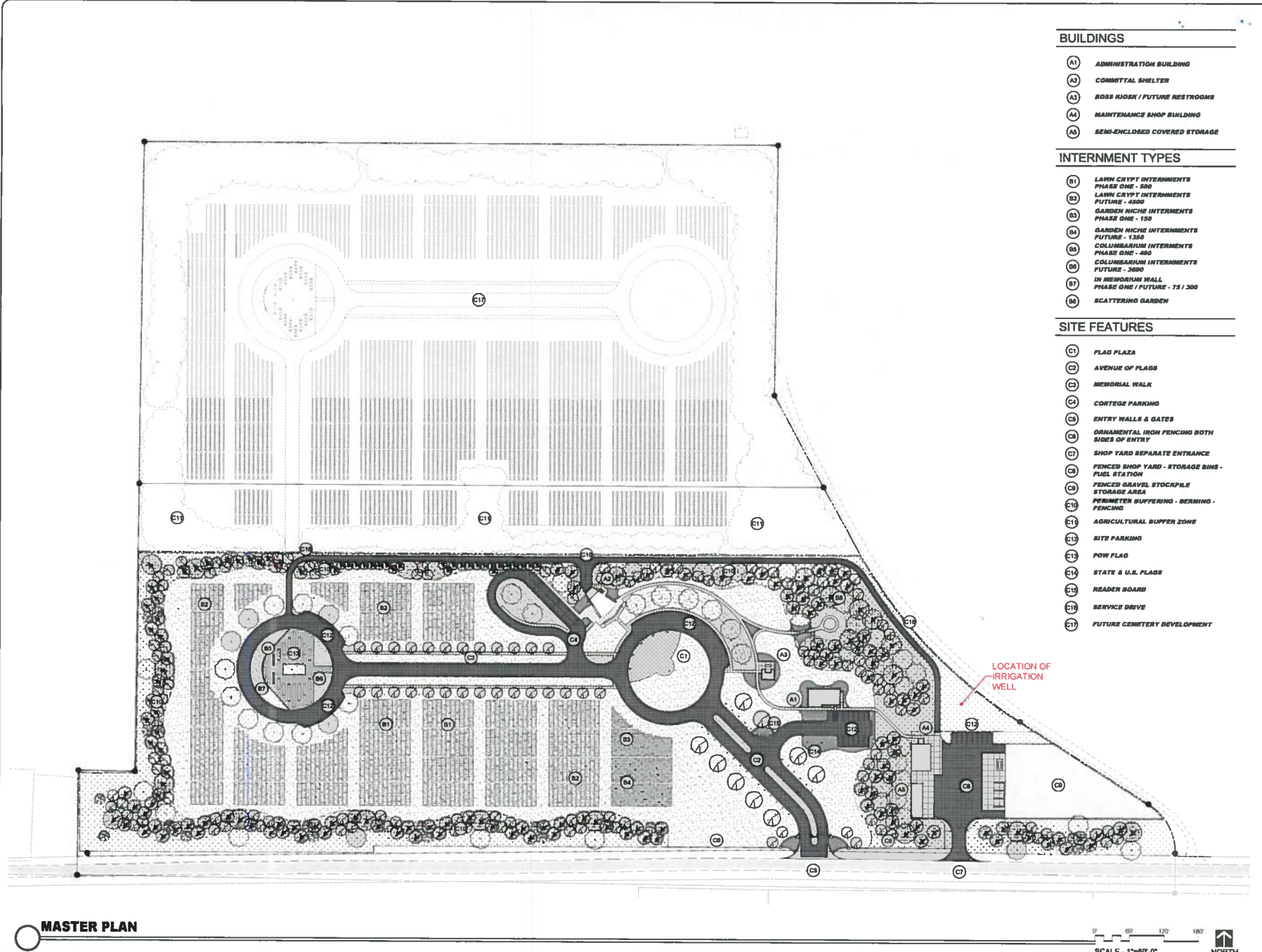


Attachment 7A-2 (Pump, Control, Meter)



Attachment 7A-3 (Distribution System)





BUILDINGS

- (A1) ADMINISTRATION BUILDING
- (A2) COMMUNITAL SHELTER
- (A3) BOSS KIOSK / FUTURE RESTROOMS
- (A4) MAINTENANCE SHOP BUILDING
- (A5) SEMI-ENCLOSED COVERED STORAGE

INTERMENT TYPES

- (B1) LAWN CRYPT INTERMENTS PHASE ONE - 800
- (B2) LAWN CRYPT INTERMENTS FUTURE - 4500
- (B3) GARDEN NICHE INTERMENTS PHASE ONE - 150
- (B4) GARDEN NICHE INTERMENTS FUTURE - 1350
- (B5) COLUMBARIUM INTERMENTS PHASE ONE - 400
- (B6) COLUMBARIUM INTERMENTS FUTURE - 3600
- (B7) IN MEMORIAM WALL PHASE ONE / FUTURE - 75 / 300
- (B8) SCATTERING GARDEN

SITE FEATURES

- (C1) FLAG PLAZA
- (C2) AVENUE OF FLAGS
- (C3) MEMORIAL WALK
- (C4) CORTEX PARKING
- (C5) ENTRY WALLS & GATES
- (C6) ORNAMENTAL IRON FENCING BOTH SIDES OF ENTRY
- (C7) SHOP YARD SEPARATE ENTRANCE
- (C8) FENCED SHOP YARD - STORAGE BINS - FUEL STATION
- (C9) FENCED GRAVEL STOCKPILE STORAGE AREA
- (C10) PERIMETER BUFFERING - BERRING - FENCING
- (C11) AGRICULTURAL BUFFER ZONE
- (C12) SITE PARKING
- (C13) POW FLAG
- (C14) STATE & U.S. FLAGS
- (C15) READER BOARD
- (C16) SERVICE DRIVE
- (C17) FUTURE CEMETERY DEVELOPMENT

LOCATION OF IRRIGATION WELL

MASTER PLAN

SCALE - 1"=80'-0"



BB
BECK AND SAUNDERS
ARCHITECTURE
PLANNING & URBAN DESIGN

Project: 2014-001
Date: 10/1/14
Scale: 1"=80'-0"

DRAFT



Southeast Idaho Veterans Cemetery
Master Plan
Blackfoot, Idaho
MASTER PLAN

NO.	REVISION

PROJECT INFORMATION
DATE: 10/1/14
SCALE: 1"=80'-0"
DESIGN: JTB
CHECK: JTB
DATE: 10/1/14
SCALE: 1"=80'-0"
PROJECT: 2014-001

MP-01

81918

RECEIVED
SEP 15 2017

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, [see #6](#) of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
27-07478	Yes ☒	Yes ☐		Yes ☐	Yes ☐
27-07084	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Idaho Department of Health and Welfare, State Hospital South
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Idaho Division of Veterans Services
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- | | | | |
|-------------------------|--|--------------|--------------|
| <u>351 Collins Road</u> | <u>Boise</u> | <u>Idaho</u> | <u>83702</u> |
| Mailing address | City | State | ZIP |
| <u>208-780-1300</u> | <u>David.Brasuell@veterans.idaho.gov</u> | | |
| Telephone | Email | | |
4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☒ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: May 16, 2017
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed [IRS Form W-9](#) for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed [Lessor Designation](#) form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
- ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- ☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- ☒ Filing fee (see instructions for further explanation):
- ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ No fee is required for pending adjudication claims.
- ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
- ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an [IRS Form W-9](#).

8. Signature: <u>Ed. J. Brasuel</u>	<u>Administration, Brasuel</u>	<u>9-12-2017</u>
Signature of new owner/claimant	Title, if applicable	Date
Signature: _____	_____	_____
Signature of new owner/claimant	Title, if applicable	Date

For IDWR Office Use Only:

Received by JS Date 9-15-2017 Receipt No. E043385 Receipt Amt. 200.
Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
Name on W-9 _____ Approved by _____ Processed by _____ Date _____

81918 •

Attachment #2A-1

State of Idaho Deed No. 14132
Page 1 of 3

Instrument # 686947
BINGHAM COUNTY, IDAHO
2017 05 22 09 06 59 AM No of Pages 3
Recorded for IDAHO DEPARTMENT OF LANDS
PAMELA W ECKHARDT Fee \$16 00
Ex-Officio Recorder Deputy DWootton
Index To QUIT CLAIM DEED
Electronically Recorded by Simplifile

STATE OF IDAHO QUITCLAIM DEED

THIS INDENTURE is made this 16th day of May, 2017, by and between the STATE OF IDAHO, by and through the IDAHO DEPARTMENT OF HEALTH AND WELFARE, whose mailing address is P.O. Box 83720, Boise, Idaho 83720-0036, hereinafter referred to as "Grantor", and, the STATE BOARD OF LAND COMMISSIONERS by and through the IDAHO DEPARTMENT OF LANDS, whose mailing address is 300 North 6th Street, Suite 103, Boise, Idaho 83702 ("Grantee") as trustee for the benefit of, and on behalf of, the IDAHO DIVISION OF VETERANS SERVICES, (Beneficiary).

WITNESSETH: That Grantor, for good and valuable consideration, the receipt whereof is hereby acknowledged, does bargain and convey unto Grantee to be held in trust for the use and benefit of Beneficiary, its successors and assigns forever, all of the real property situated in Bingham County, State of Idaho, and described in Exhibit A which is attached hereto.

GRANTOR shall reserve, for the State of Idaho, all water rights and the right to all coal, oil, oil shale, gas, phosphate, sodium, asbestos, gold, silver, lead, zinc, copper, antimony, geothermal resources (including associated by-products), saleable minerals and all other minerals or deposits of minerals of whatsoever kind or character, in accordance with § 47-701, Idaho Code.

SUBJECT TO all existing rights, patent reservations, protective covenants, zoning ordinances, applicable building codes, laws and regulations, encroachments, overlaps, encumbrances, reservations, rights-of-way and easements of record, including a reservation to the United States of America for rights-of-way over and across said lands for ditches and canals constructed by authority of the United States as directed and required by the Act of Congress approved August 30, 1890, (26 Stat. 391; 43 U.S.C. Sec. 945); or as provided by Idaho Code § 58-604.

TOGETHER WITH the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining.

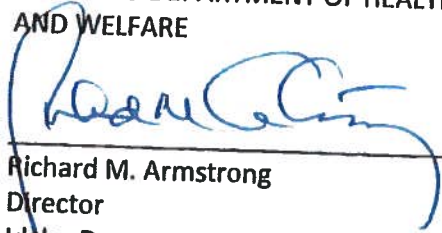
TO HAVE AND TO HOLD, all and singular, the above-described premises and parcels of land and conveyed real property unto the said Grantee and its successors and assigns forever.

IN WITNESS WHEREOF, I, Richard M. Armstrong, the Director of the Idaho Department of Health and Welfare, have hereunto signed my name the day and year first above written.

Attachment #2A-2

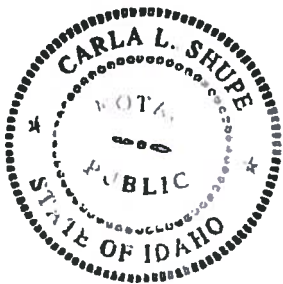
Quitclaim Deed
Page 2 of 3

STATE OF IDAHO, by and through
the IDAHO DEPARTMENT OF HEALTH
AND WELFARE


Richard M. Armstrong
Director
Idaho Department of Health and Welfare

STATE OF IDAHO)
) ss.
County of Ada)

On this 17 day of May 2017, before me the undersigned Notary Public, personally appeared Richard M. Armstrong, known or identified to me to be the Director of the Idaho Department of Health and Welfare that executed the foregoing instrument and acknowledged to me that such agency executed the same.




Notary Public for the State of Idaho
My commission expires: 6.6.2017

EXHIBIT A

Parcel 1

A Parcel of Land, situated in the SE1/4 of Section 2, Township 3 South, Range 35 East, Boise Meridian, Bingham County, Idaho, more particularly described as follows:

Beginning at a point that is N 89° 18' 24" W 359.42 feet along the South line of section 2 from the Southeast Corner of said Section 2, running thence N 89° 18' 24" W 1917.71 feet along said Section Line; thence N 00° 36' 16" E 183.87 feet; thence S 89° 09' 44" E 99.15 feet; thence N 00° 36' 16" E 506.82 feet; thence S 89° 53' 17" E 1196.74 feet; thence S 28° 22' 44" E 112.34 feet to a point of curve; thence along said curve to the left 430.82 feet (Curve Data: Radius=850.00 feet, Delta=29°02'25", Chord Bears=S42°53'56"E 426.22 feet); thence S 57° 25' 09" E 267.57 feet to a point of curve; thence along said curve to the right 101.27 feet (Curve Data: Radius=100.00 feet, Delta=58°01'25", Chord Bears=S28°24'26"E 97.00 feet); thence S 00° 36' 16" W 69.60 feet to the Point of Beginning.

Subject to a prescriptive road Right-of-Way along the south portion for Cromwell Lane and any other easements of record.

Contains 24.54 acres more or less.

Boundary Description

Parcel #2

A Parcel of Land, situated in the SE1/4 of Section 2, Township 3 South, Range 35 East, Boise Meridian, Bingham County, Idaho, more particularly described as follows:

Beginning at point that is N 89° 18' 24" W 2277.13 feet along the South line of Section 2 and N 00° 36' 16" E 183.87 feet and S 89° 09' 44" E 99.15 feet and N 00° 36' 16" E 506.82 feet to the True Point of Beginning, from the Southeast Corner of said Section 2, running thence N 00° 36' 16" E 600.83 feet; thence S 89° 53' 17" E 1108.70 feet; thence S 00° 36' 16" W 441.13 feet; thence S 28° 22' 44" E 181.70 feet; thence N 89° 53' 17" W 1196.74 feet to the True Point of Beginning.

Contains 15.45 acres more or less.

**MEMORANDUM OF AGREEMENT
REGARDING QUITCLAIM DEED OF REAL PROPERTY**

PARTIES

THIS MEMORANDUM OF AGREEMENT ("MOA") is made and entered into this 16th day of May, 2017, by and between the IDAHO DEPARTMENT OF HEALTH AND WELFARE (hereafter "IDHW"), the IDAHO DIVISION OF VETERANS SERVICES (hereafter "IDVS"), and the IDAHO STATE BOARD OF LAND COMMISSIONERS by and through the IDAHO DEPARTMENT OF LANDS (hereafter "LANDS").

LEGAL AUTHORITY

This Memorandum of Understanding is entered into pursuant to the authority of Idaho Code Section 67-2326 through 67-2332, and 65-202, Idaho Code. IDVS Administrator is authorized to enter into this agreement pursuant to Idaho Code section 65-202. IDHW is authorized to enter into this agreement pursuant to Idaho Code sections 56-1003(5) and 56-1004(2).

RECITALS

WHEREAS pursuant to Senate Concurrent Resolution No. 149, during the second regular session of the sixty-third legislature of the State of Idaho, authority was provided for the acquisition of property and to authorize IDVS to accept gifts, grants, contributions and bequests, and to hold title to property for the benefit of a veterans cemetery in Eastern Idaho.

WHEREAS pursuant to Idaho Code 65-108, title to the property for the IDVS cemetery shall be vested in the State Board of Land Commissioners by and through the Idaho Department of Lands.

WHEREAS IDHW holds title to real property situated in Bingham County, State of Idaho, as more fully described in Exhibit A attached hereto which real property IDHW intends to convey by quitclaim deed to LANDS on behalf of IDVS for the construction of a state veterans' cemetery in eastern Idaho.

SECTION I

NOW THEREFORE, in consideration of the foregoing recitals the Parties agree as follows:

Upon the execution of a quitclaim deed indenture by the parties, LANDS, on behalf of IDVS agrees to authorize IDHW to maintain its existing lease agreement of said real property with third-party agriculturalists as follows:

- Agriculturalists will be allowed to plant and harvest their crops as planned in 2017, which includes growing potatoes on Parcel 1 and 2 (as described in Exhibit A) and harvesting this yield on or about October 1, 2017;
- Agriculturalists will be allowed to continue to farm Parcel 2 through the December 2021 expiration of the existing lease.
- Should cemetery construction in Parcel 1 be delayed by more than one (1) year from 2017 and into the fall of 2018 or later, agriculturalists will be allowed to continue to plant and harvest their crops annually pursuant to amended agreements annually.

If required, the Parties agree to execute a lease agreement for said property which provides IDIHW the authority to sublease the property for agricultural purposes. All revenues derived from any lease agreements entered into between IDIHW and agriculturists belong to IDIHW.

Upon becoming staffed and operational, IDVS agrees to a good neighboring partnership with IDIHW, State Hospital South to assist with the basic preservation and upkeep of IDIHW, State Hospital South Cemetery, which is located directly at the southwestern corner of Parcel 1. Preservation and upkeep of IDIHW, State Hospital South Cemetery will be a joint effort of available landscape equipment and personnel to assist in the maintenance and landscaping required to keep a presentable and preserved appearance. IDVS good neighboring partnership includes the use of available personnel and resources to provide assistance in mowing and trimming grass; removing clippings, leaves, and debris from grounds area. IDVS' availability of personnel and resources are dependent upon priority of support and assistance first to the Veterans Cemetery. The IDVS and IDIHW joint effort is to ensure that both cemeteries reflect a dignified and presentable final resting place for Idahoans. IDHW will maintain ownership and title of State Hospital South Cemetery.

Upon the execution of the quitclaim deed indenture, IDIHW and IDVS will work in good faith to negotiate water rights with the assistance of a consultant. IDVS will cover all costs associated with obtaining property water rights.

SECTION II

Terms of Agreement

1. This Agreement shall take effect on this 16th day of May 2017.
2. IDHW and IDVS may amend this Agreement by mutual consent. Any changes to the Agreement must be agreed to by all Parties in writing.
3. In the event another site is selected for the eastern Idaho veterans' cemetery, LANDS on behalf of IDVS will by quitclaim deed transfer all of the real property, as described in Exhibit A, back to IDHW.
4. In the event that IDVS is unable to secure federal grant funding for the project, LANDS on behalf of IDVS will by quitclaim deed transfer all of the real property, as described in Exhibit A, back to IDHW.

EXECUTION

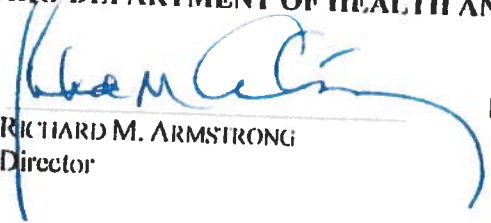
This Agreement is executed for IDHW by its Director, Richard Armstrong; and executed for IDVS by its Administrator, David E. Brasuell; and executed for LANDS by its Director, Tom Schultz.

TERMINATION

This agreement shall terminate upon the express written agreement of the Parties.

IDAHO DEPARTMENT OF HEALTH AND WELFARE

By:

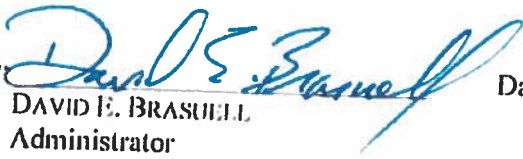

RICHARD M. ARMSTRONG
Director

Date:

5/16/17

IDAHO DIVISION OF VETERANS SERVICES

By:

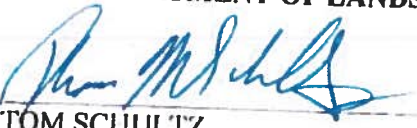

DAVID E. BRASUELL
Administrator

Date:

5/17/17

IDAHO DEPARTMENT OF LANDS

By:


TOM SCHULTZ
Director

Date:

5/19/17