

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

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

Check all that apply:

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

1. APPLICANT(S) Egan Land & Cattle LLC Phone 208-680-5460 (cell)

2. MAILING ADDRESS 84 Rowland Rd City Dubois

State ID Zip 83423 Email eganlandandcattle@yahoo.com

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

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

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

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

3. LIST WATER RIGHT NUMBER(S) 32-10004, 32-13351, 32-13352, 32-13353

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

4. **TOTAL AMOUNT OF WATER** transferred is 0.13 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)

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

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

[illegible]

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**RECEIVED
MAY 02 2017**

Department of Water Resources
Southwest Region

APPLICATION FOR TRANSFER OF WATER RIGHT -- POINT(S) OF DIVERSION

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☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

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3. **LIST WATER RIGHT NUMBER(S)** 32-10004, 32-13351, 32-13353

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

4. **TOTAL AMOUNT OF WATER** transferred is 0.11 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)

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

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

New?	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
Y			SE	SE	29	10N	34E	Clark	Ground Water	
N			SE	SE	29	10N	34E	Clark	Ground Water	

5/2/2017

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EGAN LAND & CATTLE LLC 84 ROWLAND RD DUBOIS, ID 83423 (208) 374-5460

Status: Active

Tributary

Sec. 29, Twp 10N, Rge 34E, CLARK County

DOMESTIC within CLARK County

[illegible]

1.	N13	THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2.	N11	THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3.		PARCEL NO. 10N34E294810

81647

5/2/2017

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WEBBER CREEK RANCH LLC PO BOX 50 SWAN VALLEY, ID 83449

Status: Active

Tributary

81647

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/2/2017

9. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Decreed Date: 10/27/2000

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/3/2017

Water Right 32-13352

Owner Type **Name**
Current Owner WEBBER CREEK RANCH LLC
Priority Date: 3/29/1984
Basis: Decreed
Status: Active

Source **Tributary**
GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume
STOCKWATER	09/15	05/15	0.060 CFS	5.7 AF
	Total Diversion		0.060 CFS	5.7 AF

Source and Point(s) of Diversion
GROUND WATER SESE Sec. 29, Twp 10N, Rge 34E, CLARK County

Place Of Use
STOCKWATER within CLARK County
T10N R34E S29 SWSE
T10N R34E S32 NWNE

Conditions of Approval:

1. X35 Rights 32-13351, 32-13352, and 32-13353 when combined shall not exceed a total diversion rate of 0.09 cfs.
2. X02 Stockwater use is for 1400 range cattle.
3. 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.
4. 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. 110.
5. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. K01 Right No. 32-13353 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
7. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. 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.
9. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Decreed Date: 10/27/2000

5/2/2017

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WEBBER CREEK RANCH LLC PO BOX 50 SWAN VALLEY, ID 83449

Status: Active

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	09/15	05/15	0.010 CFS	1.4 AF
	Total Diversion		0.010 CFS	1.4 AF

GROUND WATER SESE Sec. 29, Twp 10N, Rge 34E, CLARK County

STOCKWATER within CLARK County

[illegible]

1.	X35	Rights 32-13351, 32-13352, and 32-13353 when combined shall not exceed a total diversion rate of 0.09 cfs.
2.	X02	Stockwater use is for 1400 range cattle.
3.	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.
4.	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. 110.
5.	R02	A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6.	K02	This right is based upon an enlargement of Right Nos. 32-13351 and 32-13352 pursuant to Section 42-1426, Idaho Code.
7.	C11	This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/2/2017

8. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. 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.
10. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Decreed Date: 9/17/2002

6. GENERAL INFORMATION

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

Two wells will be tied together to provide water for one home and feedlot. If a measuring device is required in the future, we will find a way to get one installed.

- b. Who owns the property at the point(s) of diversion? Webber Creek Ranch LLC

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

Written authorization from Webber Creek Ranch (Cletus Hamilton) will be provided before transfer approval.

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

Yes No

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

If yes, describe:

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

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

7. MAP - ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. The Map Tool, available at maps.idwr.idaho.gov/Transfer/ApplicationLayouts provides a satisfactory template for creating the required map.

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

Brion Egan
Signature of applicant or authorized agent

Brion Egan
Print name and title if applicable

5-2-17
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

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

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments.

Received by _____ Date _____

Fee paid 200 Date 5/2/17

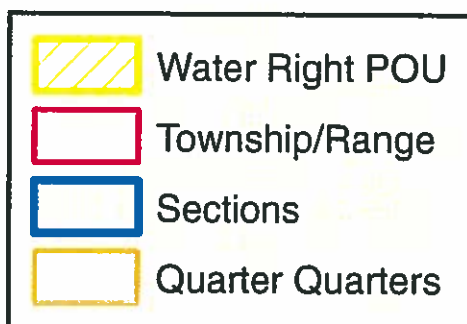
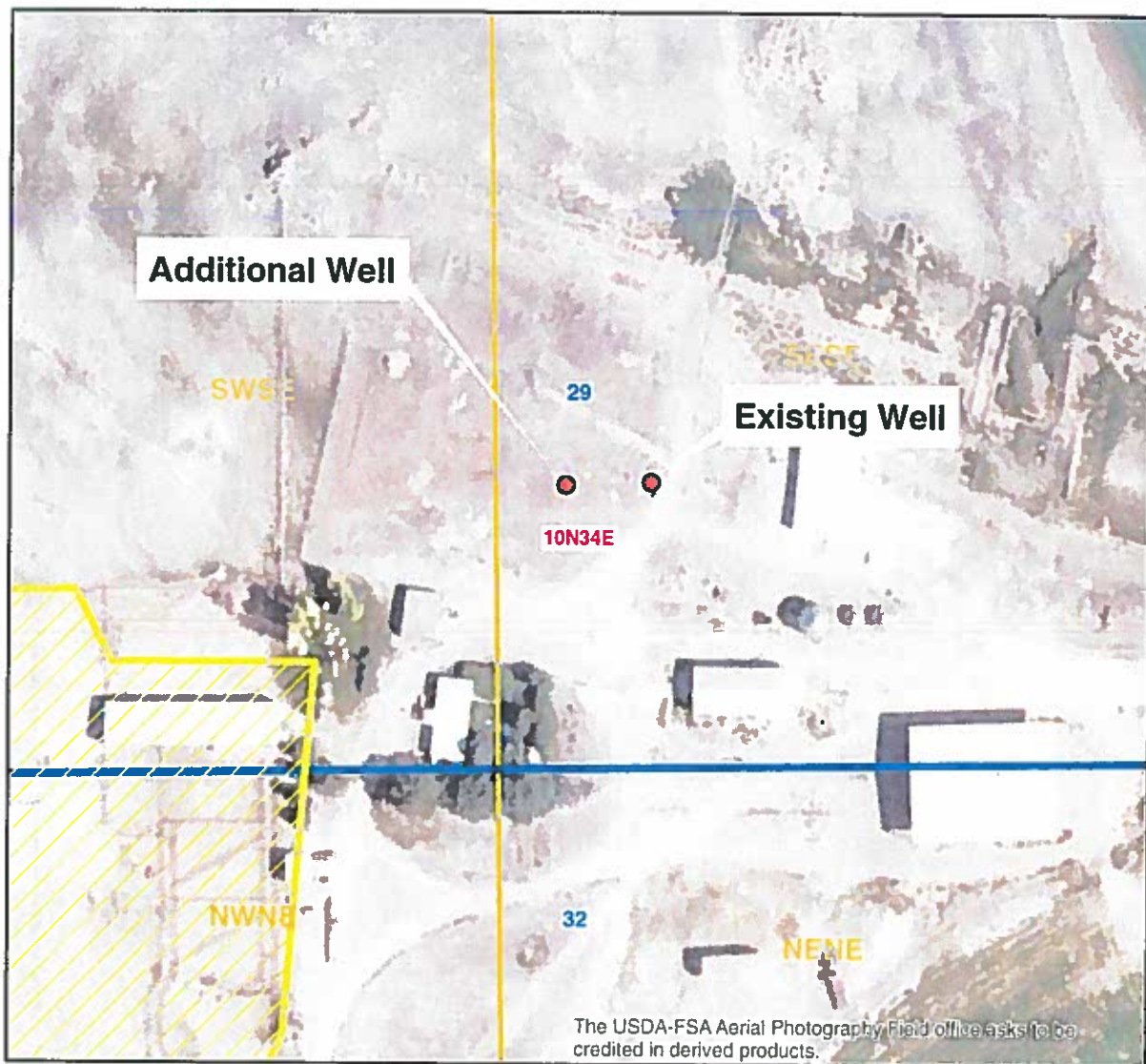
Received by SC Receipt # E042985

Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

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

Application for Transfer - Egan



State of Idaho

Department of Water Resources

RECEIVED

MAY 04 2017

Department of Water Resources
Eastern Region

Reference: addition of point of diversion and well permit.

I Cletus Hamilton, owner of Webber Creek Ranch, understand, acknowledge, and agree to adding a POD to my water rights 32-13351 and 32-13353 and to the drilling of a new well on my property, located at, " Twp. 10N, Rge.34E, Sec. 29, SE ¼, SE ¼ .Lat. 44.9.6540, Long 112.28.7760, Clark County, 57 Edin Ranch Road, Dubois, Idaho 83423.

Cletus Hamilton

