

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

APR 10 2017
Department of Water Resources
Eastern Region

Name of Applicant(s) Todd & Jennifer Cook

Phone 208-351-4910

Mailing address 796 N 1800 W Blackfoot 83221

Email toddcook04@yahoo.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.

Todd Cook
Signature of Applicant or Authorized Representative

Todd Cook
Print Name and Title if applicable

4-6-17
Date

Jennifer Cook
Signature of Applicant or Authorized Representative

Jennifer Cook
Print Name and Title if applicable

4-27-17
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 _____
- 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**.
Add a new Point of Diversion in the SWSE 008892 quarter.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

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 ☒ ☐	35-2568	5.25 cfs	Irrigation	04/01 to 10/31	Groundwater
☒ ☐	35-7769	2.22 cfs	Irrigation	04/01 to 10/31	Groundwater
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 7.47 cfs and/or acre-feet.

2. Total amount of water proposed to be transferred or changed 3.00 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 #
N			NE	NW	24	01S	32E	Bingham	Groundwater	A0012128
Y			SW	SE	24	01S	32E	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	
Total Acres (for irrigation use)																			

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 ☐ ☐	35-2568	1.42	Irrigation	04/01 to 10/31	Groundwater
☐ ☐	35-7769	0.60	Irrigation	04/01 to 11/01	Groundwater
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.02 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed _____ 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 #
			NE	NW	24	01S	32E	Bingham	Groundwater	Existing Irrigation Well
YES			SW	SE	24	01S	32E	Bingham	Groundwater	New Irrigation Well
YES			SE	SE	24	01S	32E	Bingham	Groundwater	New Irrigation Well

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

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	32E	24			5					5	5			7	33	40	40	33	168
Total Acres (for irrigation use)																			168

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:

One new well will be drilled in either the SWSE ~~4/4~~ quarter. Proposed well will irrigate SE pivot and center pivot and be limited to a diversion rate of 222 cfs.

- 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:

no pos change.

- 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:

N/A

- 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:

Page 6

81535

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

Current Water Right No.: 35-2568

Current Owner: TODD COOK
JENNIFER COOK

Priority Date: 3/20/1959

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 10/31	5.25 CFS	2036 AF
	<u>Total Diversion</u>	5.25 CFS	2036 AF

Location of Point(s) of Diversion

GROUND WATER
BINGHAM County

NE1/4NE1/4NW1/4 Sec. 24, Twp 01S, Rge 32E B.M.

Place of Use

IRRIGATION Within BINGHAM County

T01S R32E S24	NENE	33.00	T01S R32E S24	NWNE	40.00
T01S R32E S24	SWNE	40.00	T01S R32E S24	SENE	33.00
T01S R32E S24	NENW	40.00	T01S R32E S24	NWNW	40.00
T01S R32E S24	SWNW	40.00	T01S R32E S24	SENW	40.00
T01S R32E S24	NESW	40.00	T01S R32E S24	NWSW	40.00
T01S R32E S24	SWSW	40.00	T01S R32E S24	SESW	40.00
T01S R32E S24	NESE	33.00	T01S R32E S24	NWSE	40.00
T01S R32E S24	SWSE	40.00	T01S R32E S24	SESE	40.00

Total Acres: 619

81535

Page _____ of _____

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. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 509 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 35-07769 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 619 ACRES IN A SINGLE IRRIGATION SEASON.
3. USE OF THIS RIGHT WITH RIGHT NO. 35-07769 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2476 AF.
4. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE
5. RIGHT NO. 35-07769 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Decreed Date: 4/30/2002

81535

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

Current Water Right No.: 35-7769

Current Owner: TODD COOK
JENNIFER COOK

Priority Date: 1/24/1978

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

4/01 to 11/01

2.22 CFS

Total Diversion

2.22 CFS

Location of Point(s) of Diversion

GROUND WATER

NE1/4NE1/4NW1/4

Sec. 24, Twp 01S, Rge 32E B.M.

BINGHAM County

Place of Use

IRRIGATION Within BINGHAM County

T01S R32E S24	NENE	33.00	T01S R32E S24	NWNE	40.00
T01S R32E S24	SWNE	40.00	T01S R32E S24	SENE	33.00
T01S R32E S24	NENW	40.00	T01S R32E S24	NWNW	40.00
T01S R32E S24	SWNW	40.00	T01S R32E S24	SENW	40.00
T01S R32E S24	NESW	40.00	T01S R32E S24	NWSW	40.00
T01S R32E S24	SWSW	40.00	T01S R32E S24	SESW	40.00
T01S R32E S24	NESE	33.00	T01S R32E S24	NWSE	40.00
T01S R32E S24	SWSE	40.00	T01S R32E S24	SESE	40.00

Total Acres: 619

81535

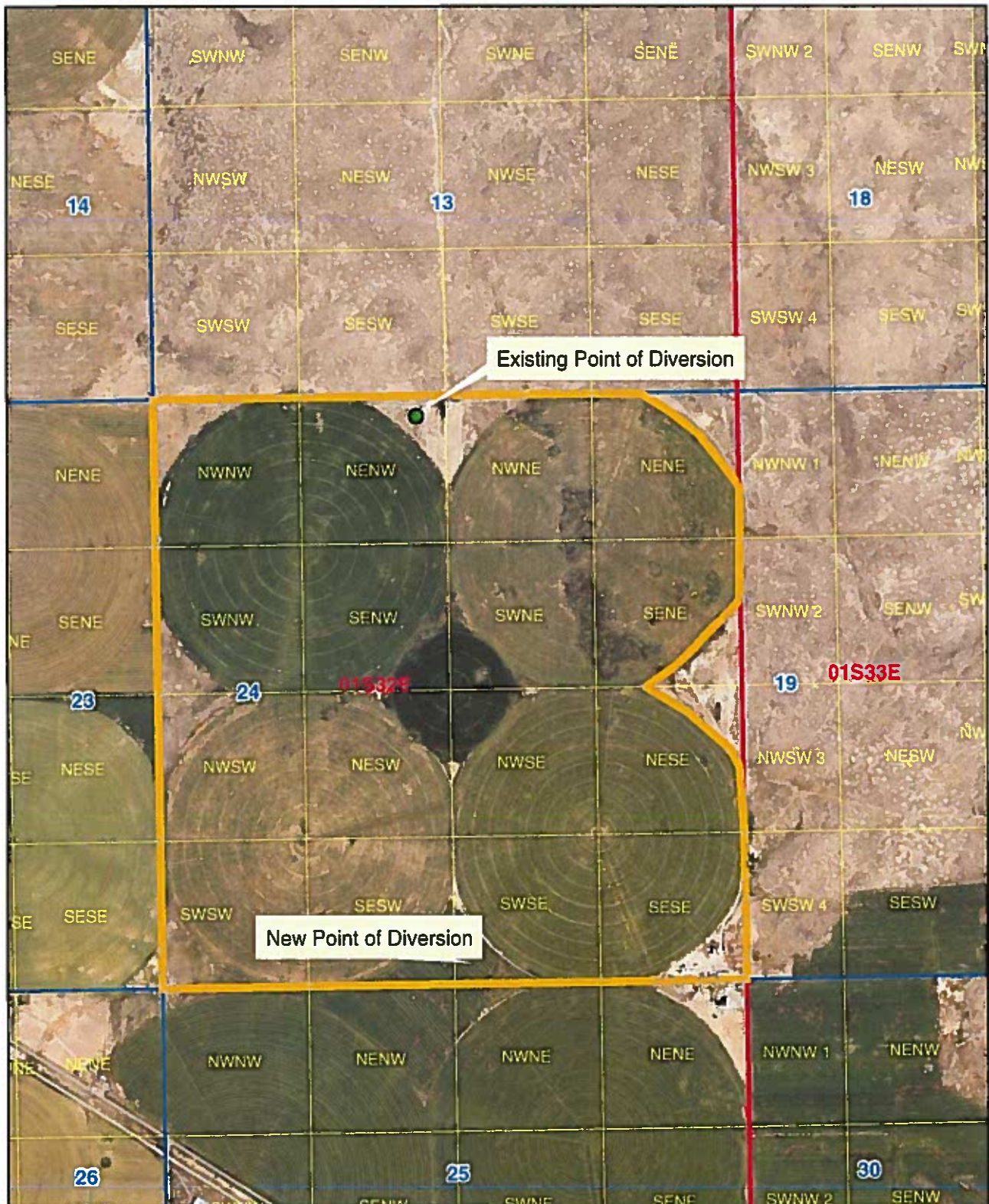
Page _____ of _____

Conditions of Approval:

1. RIGHT NO. 35-02568 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
2. USE OF THIS RIGHT WITH RIGHT NO. 35-02568 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2476 AF.
3. 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(8), IDAHO CODE.
4. USE OF THIS RIGHT WITH RIGHT NO. 35-02568 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 619 ACRES IN A SINGLE IRRIGATION SEASON.

Decreed Date: 4/30/2002

81535



Existing Place of Use & New POD

- Cook
- Township/Range
- Sections
- QQ

The USDA-FS Aerial Photography Field Office asks to be credited in derived products.

AMENDED

81535

Cook Transfer

