

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAR 27 2017

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)** Vest Family Ltd. Partnership Phone (931) 325-5316

2. **MAILING ADDRESS** 843 Canann Rd. City Columbia

State TN Zip 38401 Email _____

- ☐ 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)** 22-14208

- ☒ 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 2.79 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	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
NO			SE	NW	6	5N	45E	TETON	SOUTH LEIGH CREEK	SORENSEN DITCH

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:

The Sorensen Ditch has a functioning and lockable headgate and recently-installed weir as a measuring device.

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

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

Prescriptive easement for heading and ditch. Many early priority water rights are diverted from the Sorensen.

- 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/TransferApplicationLayouts/ 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.

Robert L. Lewis
Signature of applicant or authorized agent

Attorney
Print name and title if applicable

March 23, 2017
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 \$660.00 Date 3-27-2017

Received by *[Signature]* Receipt # E042849

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 ☐

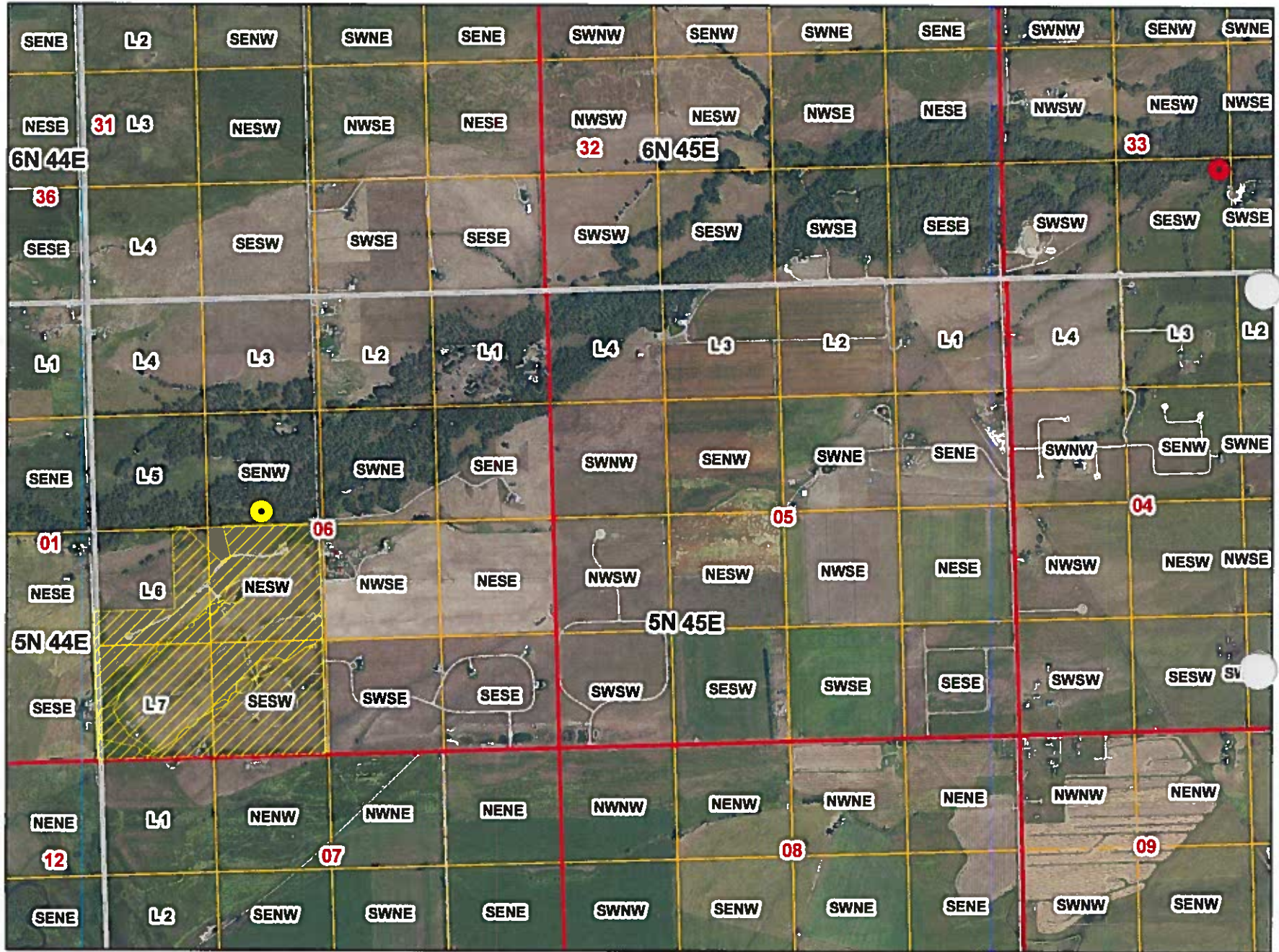
(Do NOT scan the W-9 – confidential information is held by fiscal only)

VEST FAMILY LIMITED PARTNERSHIP TRANSFER W.R. 22-14208



Legend

-  22-14208, 09, 10 POU
-  Sorensen Ditch POD
-  Bell McCracken POD
-  TR Lines_2014
-  Section Lines_2014
-  Quarter Quarters_2014



81528



Attorney Roster Search - Individual Attorney (as of 3/14/17)

Robert Lynn Harris

Address: PO Box 50130

Idaho Falls, ID 83405

Firm: Holden, Kidwell, Hahn & Crapo, PLLC

Phone: (208) 523-0620

Phone Ext:

Fax: (208) 523-9518

Email Address: rharris@holdenlegal.com

Website Address: www.holdenlegal.com

ISB Membership Number: 7018

Admittance Date: Sep/30/2004

Status: Active

Address Change Form

The information above is based on the Idaho State Bar records as of the date of the online Address Change Form or send an email to the Licensing Department if the attorney's information is incorrect. Questions on attorney status and good standing can be reached at (208) 334-4500.

Current Status Definitions

Contact the Bar Counsel's Office at (208) 334-4500 to request a disciplinary hearing.

Information on former members of the Idaho State Bar is limited to names going back to approximately 1994. Records on former members from before 1994 can be requested from the Licensing Department for more information on former members.

P.O. Box 895 Boise Idaho 83701 ph:(208) 334-4500 fax:(208) 334-4515

Idaho State Bar | Idaho Law Foundation | Idaho.gov | Site Map | Contact Us |   

Proof Report

1. The ponds established by the storage of water under rights 22-14208, 22-14209, & 22-14210 shall not exceed a total capacity of 29.1 acre feet or a total surface area of 7.3 acres.
2. 077 Water shall not be diverted from fire protection storage except to fight or repel an existing fire.
3. This right authorizes the diversion of an annual total of 46.6 af to be used for the initial filling of the ponds, for the replacement of losses caused by seepage and evaporation from the ponds.
4. E52 The rights listed below are limited to a total combined diversion rate of 2.79 cfs. Combined Right Nos.: 22-14208, 22-14209, 22-14210.

The rights listed below are limited to a total combined diversion rate of 2.31 cfs for irrigation. Combined Right Nos.: 22-14208, 22-14209, 22-14210
5. T08 Failure of the right holder to comply with the conditions of approved transfer 73910 is cause for the Director to rescind approval of the transfer.
6. F01 Water is delivered through Bell McCracken Ditch.
7. T07 The right holder shall accomplish the change authorized by transfer 73910 by March 3, 2009.
8. 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.
9. E56 The rights listed below are limited to the irrigation of a combined total of 108.1 acres in a single irrigation season. Combined Right Nos.: 22-14208, 22-14209, 22-14210.
10. 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.
11. 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. 01.
12. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
13. The approved transfer 73910 redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A