

RECEIVED
DEC 05 2016
Department of Water Resources
Eastern Snake Plain

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 81379

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) Wilford-Chester Cemetery District

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 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

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Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Wilford-Chester Cemetery District Phone 208-458-4134

Mailing address PO Box 83, Chester, ID 83421 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 Kristin Moore @ Rocky Mountain Environmental Associates, Inc Phone 208-524-5353

Mailing address 482 Constitution Way, Ste 303, Idaho Falls, ID 83402 Email kristin.rmea@gmail.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.

Keith L Blanchard
Signature of Applicant or Authorized Representative

Authorized
Keith Blanchard Board mem.
Print Name and Title if applicable

30 Nov 2016
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 _____
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**.
Applicant proposes to transfer 1 acre of water right to the Wilford-Chester Cemetery for irrigation of lawns. Authority to filed transfer granted through Gift Assignment in Attachment #3. A new well will be drilled for diversion of the transferred water right.

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 ☐ ☒	22-14206	0.02 cfs	Irrigation	4/01 to 10/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.02 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.02 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 #
Y			NW	NE	30	8N	42E	FREMONT	GROUND WATER	

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	
8N	42E	30		0.9			0.1												1
Total Acres (for irrigation use)																			1

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:
New well to pump to irrigation system.

- b. Who owns the property at the point(s) of diversion? Wilford Cemetery District #2
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:
The existing place of use will be retired from ground water irrigation.

- 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:
Other split portions of the parent right still exist at the original PODs. At the new POU, there are canal shares in the Fall River Canal Co., but they have not been accessible for some time due to changes in irrigation practices along the shared ditch.

- 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
Water Right Report

11/1/2016

WATER RIGHT NO. 22-14206

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MONA WALTERS
Current Owner	PATRICE WALTERS
Current Owner	SHAWN J WALTERS
Current Owner	W JEFFREY WALTERS
	PO BOX 156
	NEWDALE, ID 83436
	(208)458-4656

Priority Date: 04/01/1962
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.36 CFS	237.6 AFA
Total Diversion			1.36 CFS	

Location of Point(s) of Diversion:

GROUND WATER SWSW Sec. 20 Township 07N Range 41E FREMONT County
GROUND WATER SWSE Sec. 20 Township 07N Range 41E FREMONT County

Place of Use Legal Description: IRRIGATION FREMONT County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	41E	20		SWNE	2.7									
				NESE	27.2		NWSE	38						

Total Acres: 67.9

Conditions of Approval:

1. E02 Use of this right is combined with water from Southeast Idaho Canal Co. and Wilford Irrigation & Mfg. Co.
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
2. T19 water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Decreed Date: 05/30/2012

[illegible]

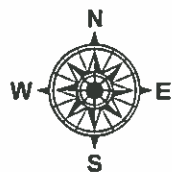
81379



0 150 300 600 Feet 2015 Aerial Photography

Legend

-  New POD
-  New POU
-  Twp & Rng
-  Section
-  QQ



81379

Application for Transfer

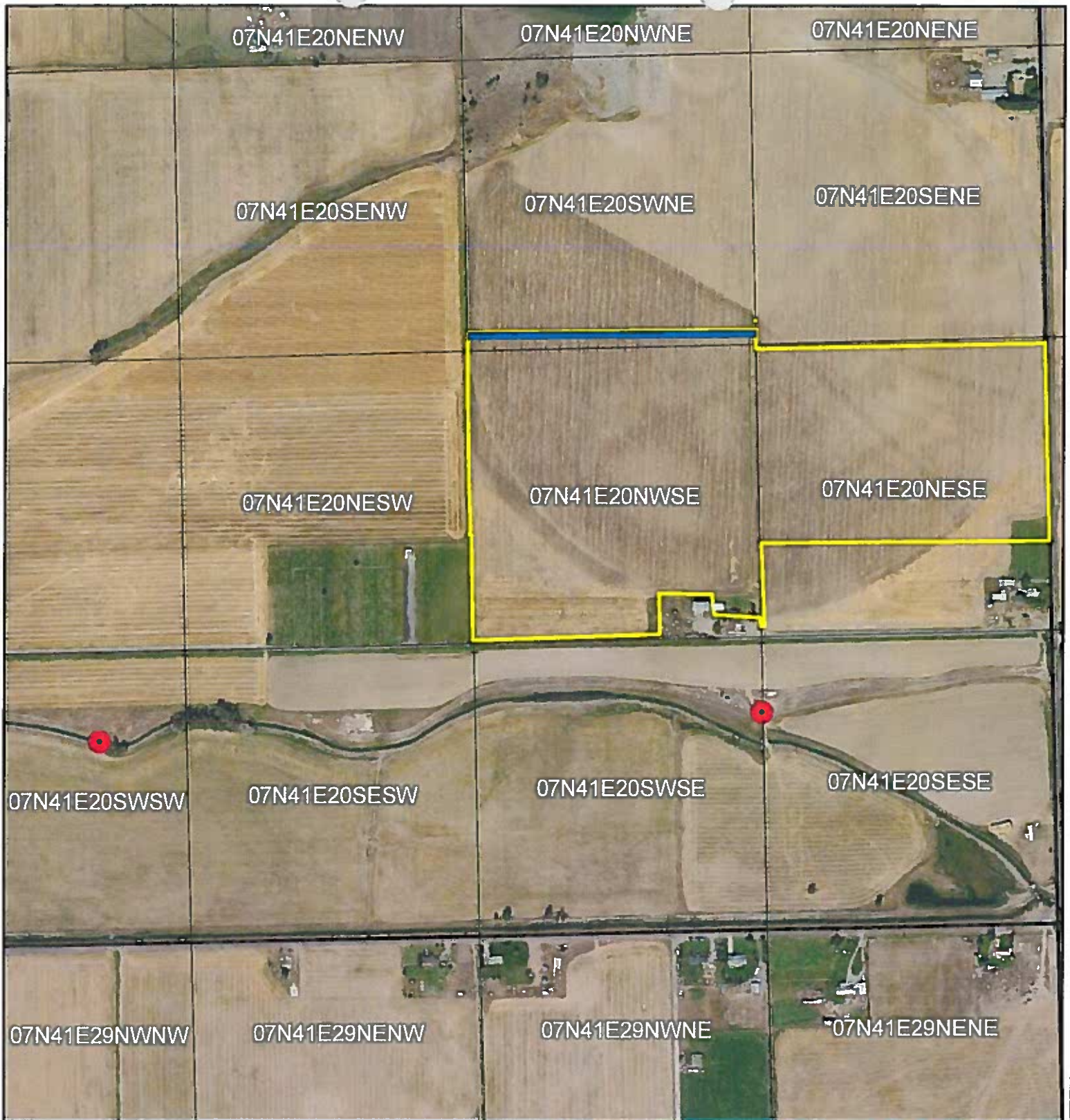
Wilford-Chester Cemetery District

RMEA #14-0131

by: KM

November 21, 2016



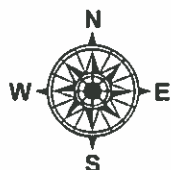


0 650 1,300 2,600 Feet

2015 Aerial Photography

Legend

- WR POD
- Retired Acres
- WR POU
- Twp & Rng
- Section
- QQ



81379

Application for Transfer

Wilford-Chester Cemetery District

RMEA #14-0131

by: KM

November 21, 2016



GIFT ASSIGNMENT OF A PORTION OF GROUND WATER RIGHT

AS A GIFT, and without monetary consideration, Shawn J. Walters, W. Jeffrey Walters, Mona Walters and Patrice Walters, "Assignors," do hereby assign, transfer, and set over unto the Wilford-Chester Cemetery District, "Assignee," a portion of water right #22-14206, equal to the prorated amount of ONE ACRE of the said water rights total allowable acres, determined to be the c.f.s. equivalent rate of 0.02 c.f.s. The fair market value of this gift is agreed by Assignors and Assignee to be the sum of [REDACTED].

Assignee agrees to file the necessary paper work under Idaho Code §42-222 in order to accomplish the required transfer of said one acre worth of the water right and to pay all necessary transfer costs and fees. Assignor agrees to work with Assignee in accomplishing the intended purpose of this Gift.

DATED This 22 day of November, 2016.

"Assignors"

Shawn J. Walters
Shawn J. Walters

W. Jeffrey Walters
W. Jeffrey Walters

Mona Walters
Mona Walters

Patrice Walters
Patrice Walters

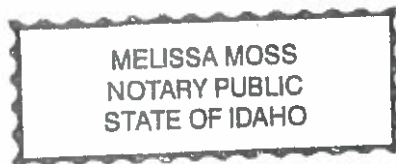
"Assignee"

Keith L. Blanchard
Wilford-Chester Cemetery District
By: Keith L. Blanchard
Auth - Bd. member

[illegible]

On this 22 day of November, 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared **Shawn J. Walters, W. Jeffrey Walters, Mona Walters, Patrice Walters**, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

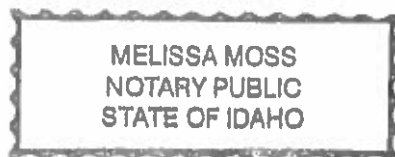
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Juliana Dean
Notary Public for Idaho
Residing at: Madison County
My Commission Expires: 5-23-21

STATE OF IDAHO)
County of Madison)
SS.)

On this 22 day of November, in the year 2016, before me, the undersigned, a Notary Public, personally appeared Shawn Walters, Wesley Walters, Mona Walters, Brian Walters or identified to me to be the president, or vice-president, or secretary or assistant secretary, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.



Juliana Dorn
Notary Public for Idaho
Residing at: Madison County
My Commission expires: 5-23-21

STATE OF IDAHO,)
 ss.
 County of Madison.)

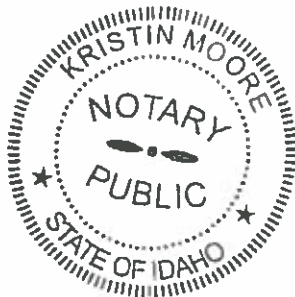
On this ____ day of November, 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared **Shawn J. Walters, W. Jeffrey Walters, Mona Walters, Patrice Walters**, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

 Notary Public for Idaho
 Residing at:
 My Commission Expires:

STATE OF IDAHO)
 ss.
 County of Bonneville)

On this 30 day of November, in the year 2016, before me, the undersigned, a Notary Public, personally appeared Keith L Blanchard known or identified to me to be the president, or vice-president, or secretary or assistant secretary, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.



Kristin Moore
 Notary Public for Idaho
 Residing at: Ruby, ID
 My Commission expires: June 29, 2022

Date Filed 12/27/16

12-27-15P04:13 RCVD

Local Taxing District Election Information
(Due in County Clerk's office on or before December 28, 2016)

Name and Address of District:

Wilford/Chester Cemetery District

Name of the Taxing District

Wilford

Location of Office

271 N. 2500 E.

Mailing Address

208-624-7844

Phone Number

208-390-1955

Secondary Phone Number

Email Address (Optional)

Name and Address of District Election Official: (Usually Secretary or Clerk)

Sherri Abegglen

Name

271 N. 2500 E.

Mailing Address

208-624-7844

Phone

Place where declarations of candidacies are available & filed:

Date of Next Election: Nov 7, 2017

Current Officeholders – Seat/Position – Term of Office – Expiration of Office: (If more spaces is required, please make note and put on back of page.)

Carry Kerbs Board Chairman 4

Name

Seat/Position

Term of Office

2019

Expiration of Office

Roger Murri Board Member 4

Name

Seat/Position

Term of Office

2019

Expiration of Office

Keith Blanchard Board Member 4

Name

Seat/Position

Term of Office

2017

Expiration of Office

Name

Seat/Position

Term of Office

Expiration of Office

Name

Seat/Position

Term of Office

Expiration of Office

Mode of Election: Zone or Subdistrict _____ District-wide ☒
(Are officials elected from a zone or subdistrict only or are they voted on by all electors district-wide?)

No Election Option:

Is an election held if only one candidate files for a position? _____ Yes ☒ NO

I hereby certify that the above information is true and correct.

Sherri Abegglen - Secretary

Signature and Title

81379

Application for Transfer of Water Rights

Eastern Snake Plain Aquifer Modeling

The transfer proposes to move 1.0 acre of water right 22-14206 from two wells in ESPA Grid Cell Row 57 and Column 192 to a new well proposed to be drilled in Row 55, Column 199 in the Wilford-Chester Cemetery. An ESPA Analysis was used to determine that the effects of the proposed transfer are within the mitigation thresholds allowed by IDWR. NO MITIGATION IS NECESSARY. Figure 1 below include maps of the TO and FROM well locations identifying the grid cells. Additionally, Figures 2-4 are excerpts from the ESPA Analysis showing the data entry and modeling results.

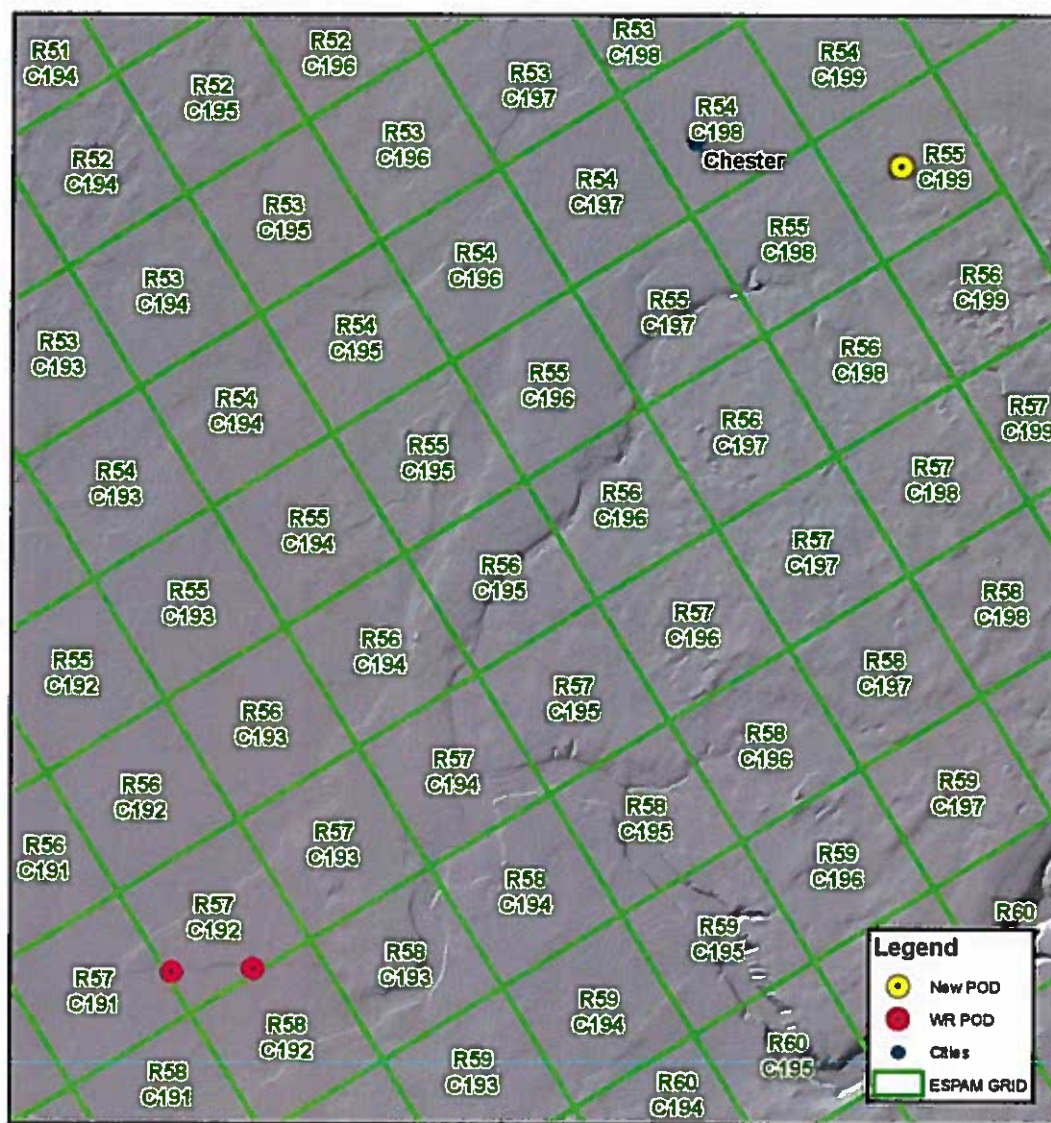


Figure 1. ESPA Grid Map

ENHANCED GROUND-WATER RIGHTS TRANS

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPA

Cells this color are set up for user entries

UPDATE DATES

RUN MODEL

GET OUTPUT

ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTO

TRANSFER NO: 123

YEAR: 1962

SEASON: SPRING

TRANSFER NAME: test

CALCULATE EFFECTS

ENTER CELL LOCATIONS:				
	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	55	57	75	45
COLUMN	199	192	105	30

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
	Projected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SPR 1962	0	1	1	0	0	0	0
SUM 1962	0	1	1	0	0	0	0
WIN 1962	0	1	1	0	0	0	0
SPR 1963	0	1	1	0	0	0	0
SUM 1963	0	1	1	0	0	0	0
WIN 1963	0	1	1	0	0	0	0
SPR 1964	0	1	1	0	0	0	0
SUM 1964	0	1	1	0	0	0	0
WIN 1964	0	1	1	0	0	0	0
SPR 1965	0	1	1	0	0	0	0
SUM 1965	0	1	1	0	0	0	0
WIN 1965	0	1	1	0	0	0	0
SUM 2015	0	1	1	0	0	0	0
WIN 2015	0	1	1	0	0	0	0
SPR 2016	0	1	1	0	0	0	0
SUM 2016	0	1	1	0	0	0	0
WIN 2016	0	1	1	0	0	0	0
SPR 2017	1	0	1	0	0	0	0
SUM 2017	1	0	1	0	0	0	0
WIN 2017	1	0	1	0	0	0	0
SPR 2018	1	0	1	0	0	0	0
SUM 2018	1	0	1	0	0	0	0
WIN 2018	1	0	1	0	0	0	0
SPR 2019	1	0	1	0	0	0	0
SUM 2019	1	0	1	0	0	0	0
WIN 2019	1	0	1	0	0	0	0
SPR 2020	1	0	1	0	0	0	0
SPR 2109	1	0	1	0	0	0	0
SUM 2109	1	0	1	0	0	0	0
WIN 2109	1	0	1	0	0	0	0
SPR 2110	1	0	1	0	0	0	0
SUM 2110	1	0	1	0	0	0	0
WIN 2110	1	0	1	0	0	0	0
SPR 2111	1	0	1	0	0	0	0
SUM 2111	1	0	1	0	0	0	0
WIN 2111	1	0	1	0	0	0	0

Figure 2. Excerpt of Data Entry Sheet

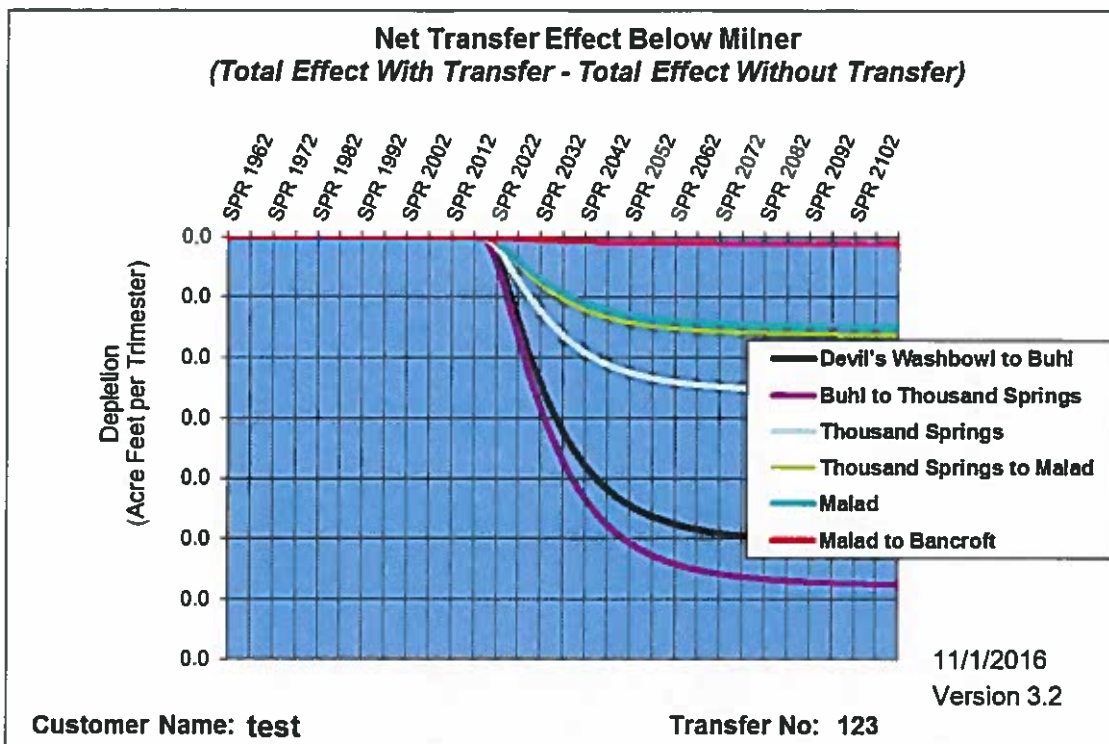


Figure 3. Graph of Net Transfer Effect Below Milner

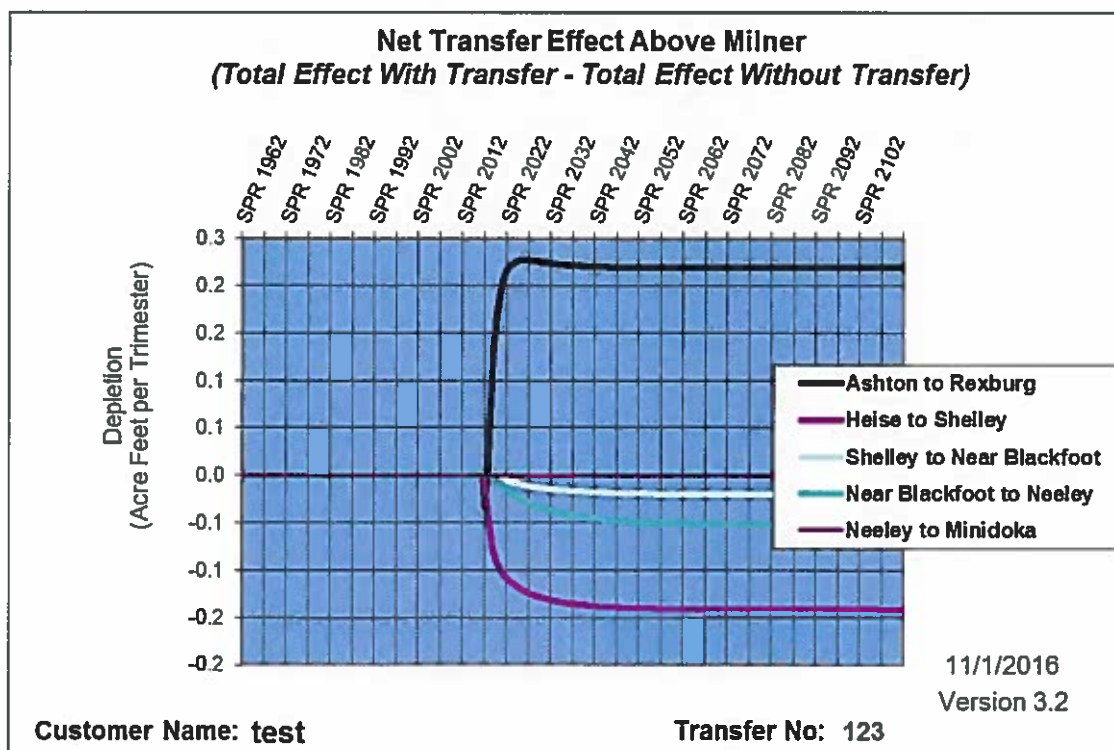


Figure 4. Graph of Net Transfer Effect Above Milner