

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 8 12 73

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED
OCT 21 2016

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) Tommy C. Waddoups, LLC & State of Idaho Department of Lands

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 21 2016

Department of Water Resources
Eastern Region

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

Name of Applicant(s) Tommy C. Waddoups, LLC & State of Idaho Department of Lands Phone _____Mailing address 2440 E. Bancroft, Eagle, ID 83616; PO Box 83720, Boise, ID 83720 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 RepresentativeName of Representative Robert L. Harris (Waddoups), Bill Haagenson (IDL) Phone (208) 523-0620Mailing address P.O. Box 50130, Idaho Falls, ID 83405 Email rharris@holdenlegal.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.

Robert L. Harris
Signature of Applicant or Authorized Representative

Robert L. Harris, Attorney
Print Name and Title if applicable

10/17/2016
Date

Bill Haagenson
Signature of Applicant or Authorized Representative

Bill Haagenson, Division Administrator-Operations
Print Name and Title if applicable

10-3-16
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.

The purpose of this transfer is to add an additional point of diversion to six water rights and to correct the GIS shapefile location for another point of diversion for the same six water rights. Three of the water rights (34-14439, 34-14440, and 34-14441) are owned by both Waddoups and IDL. The other three water rights (34-784, 34-785, and 34-786) are owned by Waddoups only.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 28 2016

Department of Water Resources
Eastern Region

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 ☒ ☐	34-784	0.54	Irrigation	05/01 to 10/15	Antelope Creek/Big Lost River
☒ ☐	34-785	2.59	Irrigation	05/01 to 10/15	Antelope Creek/Big Lost River
☒ ☐	34-786	1.52	Irrigation	05/01 to 10/15	Antelope Creek/Big Lost River
☒ ☐	34-14439	0.06	Irrigation	05/01 to 10/15	Antelope Creek/Big Lost River
☒ ☐	34-14440	0.31	Irrigation	05/01 to 10/15	Antelope Creek/Big Lost River
☒ ☐	34-14441	0.18	Irrigation	05/01 to 10/15	Antelope Creek/Big Lost River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 5.2 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 5.2 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

A GIS shapefile will be submitted to correct the current shapefile location of the point of diversion located in the NWSW of 05N, 34E, Sec. 36.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Yes			NE	SW	36	05N	24E	Custer	Antelope Creek (aka Cherry Creek)	
	3		NE	NW	01	04N	24E	Butte	Antelope Creek (aka Cherry Creek)	
			NW	SW	36	05N	24E	Custer	Antelope Creek (aka Cherry Creek)	
			SE	SW	36	05N	24E	Butte	Antelope Creek (aka Cherry Creek)	
			SE	SW	36	05N	24E	Butte	Antelope Creek (aka Cherry Creek)	

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				Acres 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 ☒ ☐	34-784	0.54	Irrigation	05/01 to 10/15	Antelope Creek/Big Lost River
☒ ☐	34-785	2.59	Irrigation	05/01 to 10/15	Antelope Creek/Big Lost River
☒ ☐	34-786	1.52	Irrigation	05/01 to 10/15	Antelope Creek/Big Lost River
☒ ☐	34-14439	0.06	Irrigation	05/01 to 10/15	Antelope Creek/Big Lost River
☒ ☐	34-14440	0.31	Irrigation	05/01 to 10/15	Antelope Creek/Big Lost River
☒ ☐	34-14441	0.18	Irrigation	05/01 to 10/15	Antelope Creek/Big Lost River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 5.2 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 5.2 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 #
Yes		SW	NE	SW	36	05N	24E	Custer	Antelope Creek (aka Cherry Creek)	
A GIS shapefile will be submitted to correct the current shapefile location of the point of diversion located in the NWSW of 05N, 34E, Sec. 36.										

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)																			

SUPERCEDED

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:

Water is diverted out of the creek into existing ditches.

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

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:

- 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:

- 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

9/22/2016

WATER RIGHT NO. 34-784

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TOMMY C WADDOUPS LLC PO BOX 431 MOORE, ID 83255 (208)554-3813
Original Owner	T C WADDOUPS

Priority Date: 06/01/1884

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
ANTELOPE CREEK	BIG LOST RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	10/15	0.54 CFS	
Total Diversion			0.54 CFS	

Location of Point(s) of Diversion:

ANTELOPE CREEK	NENW Lt 3	Sec. 01	Township 04N	Range 24E	BUTTE County
ANTELOPE CREEK	NWSW	Sec. 36	Township 05N	Range 24E	CUSTER County
ANTELOPE CREEK	SESW	Sec. 36	Township 05N	Range 24E	BUTTE County
ANTELOPE CREEK	SESW	Sec. 36	Township 05N	Range 24E	BUTTE County

IRRIGATION Use:

Acre Limit: 26.8

Place(s) of use:

8 1 2 7 3

Place of Use Legal Description: IRRIGATION BUTTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	24E	1	3	NENW	5									
05N		36		SWNE	19.7									
				SENE	4.2									
				NESW	34.8		SESW	10.2						
				NESE	38.5		NWSE	40.3		SWSE	37.2			
	25E	31		SWNW	23.3									
				NWSW	19.1									

Total Acres: 232.3

Conditions of Approval:

1. X27 This right is limited to the irrigation of 26.8 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 34-784, 34-785 and 34-786 when combined shall not exceed the irrigation of 232.3 acres.
3. 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. 34.
4. 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).
5. 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 place of use.
6. The source of water for the point of diversion located in the NWSW of 05N, 24E, Sec. 36 is also known as Cherry Creek.
7. S34 The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
8. 004 This right does not grant any right-of-way or easement across the land of another.
9. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. 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.
11. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 12/14/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed: ...

Application Received Date:

8 12 73

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 34

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 260

Combined Volume Limit:

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

8 1 2 7 3

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

9/22/2016

WATER RIGHT NO. 34-785

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TOMMY C WADDOUPS LLC PO BOX 431 MOORE, ID 83255 (208)554-3813
Original Owner	T C WADDOUPS

Priority Date: 05/01/1886

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
ANTELOPE CREEK	BIG LOST RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	10/15	2.59 CFS	
Total Diversion			2.59 CFS	

Location of Point(s) of Diversion:

ANTELOPE CREEK	NENW Lt 3	Sec. 01	Township 04N	Range 24E	BUTTE County
ANTELOPE CREEK	NWSW	Sec. 36	Township 05N	Range 24E	CUSTER County
ANTELOPE CREEK	SESW	Sec. 36	Township 05N	Range 24E	BUTTE County
ANTELOPE CREEK	SESW	Sec. 36	Township 05N	Range 24E	BUTTE County

IRRIGATION Use:

Acre Limit: 129.6

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	24E	1	3	NENW	5									
05N		36		SWNE	19.7									
				SENE	4.2									
				NESW	34.8		SESW	10.2						
				NESE	38.5		NWSE	40.3		SWSE	37.2			
	25E	31		SWNW	23.3									
				NWSW	19.1									

Total Acres: 232.3

Conditions of Approval:

1. X27 This right is limited to the irrigation of 129.6 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 34-784, 34-785 and 34-786 when combined shall not exceed the irrigation of 232.3 acres.
3. 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. 34.
4. 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).
5. 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 place of use.
6. The source of water for the point of diversion located in the NWSW of 05N, 24E, Sec. 36 is also known as Cherry Creek.
7. S34 The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
8. 004 This right does not grant any right-of-way or easement across the land of another.
9. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. 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.
11. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 12/14/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

8 1 2 7 3

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: Or

Water District Number: 34

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 260

Combined Volume Limit:

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

9/22/2016

WATER RIGHT NO. 34-786

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TOMMY C WADDOUPS LLC PO BOX 431 MOORE, ID 83255 (208)554-3813
Original Owner	T C WADDOUPS

Priority Date: 09/27/1911

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
ANTELOPE CREEK	BIG LOST RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	10/15	1.52 CFS	
Total Diversion			1.52 CFS	

Location of Point(s) of Diversion:

ANTELOPE CREEK	NENW Lt 3	Sec. 01	Township 04N	Range 24E	BUTTE County
ANTELOPE CREEK	NWSW	Sec. 36	Township 05N	Range 24E	CUSTER County
ANTELOPE CREEK	SESW	Sec. 36	Township 05N	Range 24E	BUTTE County
ANTELOPE CREEK	SESW	Sec. 36	Township 05N	Range 24E	BUTTE County

IRRIGATION Use:
Acre Limit: 75.9

Place(s) of use:

8 12 73

Place of Use Legal Description: IRRIGATION BUTTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	24E	1	3	NENW	5									
05N		36		SWNE	19.7									
				SENE	4.2									
				NESW	34.8		SESW	10.2						
				NESE	38.5		NWSE	40.3		SWSE	37.2			
	25E	31		SWNW	23.3									
				NWSW	19.1									

Total Acres: 232.3

Conditions of Approval:

1. X27 This right is limited to the irrigation of 75.9 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 34-784, 34-785 and 34-786 when combined shall not exceed the irrigation of 232.3 acres. Use of water under this right will be regulated by a watermaster with responsibility for the distribution
3. R05 of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
4. 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).
5. 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 place of use.
6. The source of water for the point of diversion located in the NWSW of 05N, 24E, Sec. 36 is also known as Cherry Creek.
7. S34 The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
8. 004 This right does not grant any right-of-way or easement across the land of another.
9. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. 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.
11. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 12/14/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

8 1 2 7 3

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 34

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 260

Combined Volume Limit:

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

9/22/2016

WATER RIGHT NO. 34-14439

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STATE OF IDAHO DEPT OF LANDS PO BOX 83720 BOISE, ID 83720-0050 208-334-0200
Current Owner	TOMMY C WADDOUPS LLC PO BOX 431 MOORE, ID 83255 (208)554-3813
Original Owner	T C WADDOUPS

Priority Date: 06/01/1884

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
ANTELOPE CREEK	BIG LOST RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	10/15	0.06 CFS	
Total Diversion			0.06 CFS	

Location of Point(s) of Diversion:

ANTELOPE CREEK	NENW Lt 3	Sec. 01	Township 04N	Range 24E	BUTTE County
ANTELOPE CREEK	NWSW	Sec. 36	Township 05N	Range 24E	CUSTER County
ANTELOPE CREEK	SESW	Sec. 36	Township 05N	Range 24E	BUTTE County
ANTELOPE CREEK	SESW	Sec. 36	Township 05N	Range 24E	BUTTE County

8 1 2 7 3

IRRIGATION Use:

Acre Limit: 3.2

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE 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>
05N	24E	36		SENE	20									
				SESE	7.7									

Total Acres: 27.7

Conditions of Approval:

1. 004 This right does not grant any right-of-way or easement across the land of another.
2. The source of water for the point of diversion located in the NWSW of 05N, 24E, Sec. 36 is also known as Cherry Creek.
3. 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).
4. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. X35 Rights 34-14439, 34-14440 and 34-14441 when combined shall not exceed the irrigation of 27.7 acres. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6. T19 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. 34.
7. R05 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 place of use.
8. R63 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. T08 The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
10. S34 This right is limited to the irrigation of 3.2 acres within the authorized place of use in a single irrigation season.
11. X27

Dates:

Licensed Date:

Decreed Date: 12/14/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

8 1 2 7 3

Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:

State or Federal: S
Owner Name Connector: AND
Water District Number: 34
Generic Max Rate per Acre: 0.02
Generic Max Volume per Acre: 3.5
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

9/22/2016

WATER RIGHT NO. 34-14440

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STATE OF IDAHO DEPT OF LANDS PO BOX 83720 BOISE, ID 83720-0050 208-334-0200
Current Owner	TOMMY C WADDOUPS LLC PO BOX 431 MOORE, ID 83255 (208)554-3813
Original Owner	T C WADDOUPS

Priority Date: 05/01/1886

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
ANTELOPE CREEK	BIG LOST RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	10/15	0.31 CFS	
Total Diversion			0.31 CFS	

Location of Point(s) of Diversion:

ANTELOPE CREEK	NENW Lt 3	Sec. 01	Township 04N	Range 24E	BUTTE County
ANTELOPE CREEK	NWSW	Sec. 36	Township 05N	Range 24E	CUSTER County
ANTELOPE CREEK	SESW	Sec. 36	Township 05N	Range 24E	BUTTE County
ANTELOPE CREEK	SESW	Sec. 36	Township 05N	Range 24E	BUTTE County

IRRIGATION Use:

Acre Limit: 15.4

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	24E	36		SENE	20									
				SESE	7.7									

Total Acres: 27.7

Conditions of Approval:

1. 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 place of use.
2. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
3. 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).
4. 004 This right does not grant any right-of-way or easement across the land of another.
5. 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. 34.
6. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. 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.
8. S34 The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
9. X35 Rights 34-14439, 34-14440 and 34-14441 when combined shall not exceed the irrigation of 27.7 acres.
10. X27 This right is limited to the irrigation of 15.4 acres within the authorized place of use in a single irrigation season.
11. The source of water for the point of diversion located in the NWSW of 05N, 24E, Sec. 36 is also known as Cherry Creek.

Dates:

Licensed Date:

Decreed Date: 12/14/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

8 12 73

Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:

State or Federal: S
Owner Name Connector: And
Water District Number: 34
Generic Max Rate per Acre: 0.02
Generic Max Volume per Acre: 3.5
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

9/22/2016

WATER RIGHT NO. 34-14441

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STATE OF IDAHO DEPT OF LANDS PO BOX 83720 BOISE, ID 83720-0050 208-334-0200
Current Owner	TOMMY C WADDOUPS LLC PO BOX 431 MOORE, ID 83255 (208)554-3813
Original Owner	T C WADDOUPS

Priority Date: 09/27/1911

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
ANTELOPE CREEK	BIG LOST RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	10/15	0.18 CFS	
Total Diversion			0.18 CFS	

Location of Point(s) of Diversion:

ANTELOPE CREEK	NENW Lt 3	Sec. 01	Township 04N	Range 24E	BUTTE County
ANTELOPE CREEK	NWSW	Sec. 36	Township 05N	Range 24E	CUSTER County
ANTELOPE CREEK	SESW	Sec. 36	Township 05N	Range 24E	BUTTE County
ANTELOPE CREEK	SESW	Sec. 36	Township 05N	Range 24E	BUTTE County

8 1 2 7 3

IRRIGATION Use:
Acre Limit: 9.1

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	24E	36		SENE	20									
				SESE	7.7									

Total Acres: 27.7

Conditions of Approval:

1. The source of water for the point of diversion located in the NWSW of 05N, 24E, Sec. 36 is also known as Cherry Creek.
2. X35 Rights 34-14439, 34-14440 and 34-14441 when combined shall not exceed the irrigation of 27.7 acres.
3. 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).
4. 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.
5. 004 This right does not grant any right-of-way or easement across the land of another.
6. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. X27 This right is limited to the irrigation of 9.1 acres within the authorized place of use in a single irrigation season.
8. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. 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. 34.
10. 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 place of use.
11. S34 The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.

Dates:

Licensed Date:

Decreed Date: 12/14/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

8 1 2 7 3

Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:

State or Federal: S
Owner Name Connector: And
Water District Number: 34
Generic Max Rate per Acre: 0.02
Generic Max Volume per Acre: 3.5
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

8 12 7 3

Attachment No. 7a

GIS Maps

WADDOUPS/I.D.L. POINT OF DIVERSION TRANSFER



Legend

- New POD
- Shapfile Relocation
Correct Locaion
- Shapfile Relocation
Current Incorrect
Location
- Section Lines
- Quarter Quarters

8
1
2
7
8



ESRI Basemap



Prepared by:
Luke H. Marchant
06/22/2016