

APR 12 2016**WATER RESOURCES
WESTERN REGION**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 79831**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) JOHN D COOK &/OR CRYSTAL J COOK &/OR JANA L COOKCheck 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

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) JOHN D COOK &/OR CRYSTAL J COOK &/OR JANA L COOK Phone 208-781-0691
Mailing address 11980 N HWY 52 HORSESHOE BEND, ID 83629 Email manfromsalmonriver@gmail.c

- ☐ 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.

J.D. Cook JOHN D COOK, OWNER 4/12/16
Signature of Applicant or Authorized Representative Print Name and Title if applicable 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**.

TRANSFER WILL CHANGE PLACE OF USE TO COVER PIVOT ACRES. WILL ALSO RESULT IN A CHANGE OF OWNERSHIP. and a split of 65-22974

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 ☒ ☐	65-22972	.17 cfs/29.8 af	IRRIGATION	04/01 to 11/01	PAYETTE/SNAKE
☐ ☒	65-22974	.09 cfs/15.8 af	IRRIGATION	04/01 to 11/01	PAYETTE/SNAKE
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.36 cfs and/or 63.1 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.26 cubic feet per second and/or 45.6 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 #

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	
7N	1E	24			5.5	5									6.5	1			
					GL3										GL2	GL2			
Total Acres (for irrigation use)																			18

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:

PUMP AT RIVER BANK CONNECTED TO AN IRRIGATION PIPELINE

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

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

- 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: N/A

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 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:

WATER RIGHTS 65-11272A, 65-22553, 65-22972, 65-22973, 65-22974, 65-22975, 65-23622, 65-23623

DIVERTED FROM SAME POD FOR IRRIGATION

- 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:

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 1. Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- ☒ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the Part 2B form can be obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: 65-22974

1. amount .09 cfs/15.8 af (cfs/ac-ft) for IRRIGATION purposes from 04/01 to 11/01
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/12/2016

Water Right 65-22972

Part 2 A

Owner Type **Name and Address**
Current Owner WILLIAM E SHOBEL
11710 N HWY 52
HORSESHOE BEND, ID 83629
(208)584-3316

Current Owner MERILYN R SHOBEL
11710 N HWY 52
HORSESHOE BEND, ID 83629
(208)584-3316

Priority Date: 6/30/1983

Basis: License

Status: Active

Source
PAYETTE RIVER

Tributary
SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.170 CFS	29.8 AF
	<u>Total Diversion</u>		0.170 CFS	29.8 AF

Source and Point(s) of Diversion

PAYETTE RIVER L2(NWSE) Sec. 24, Twp 07N, Rge 01E, GEM County

Place Of Use

IRRIGATION within GEM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	01E	24			3.0	1.0									2.0	2.5			8.5
					L3										L2	L2			

POU Total Acres: 8.5

Conditions of Approval:

1. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. & DISTRICT.
2. R30 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

Comments:

1. jpeppers 9/23/2005 owner change
Owner change splits 65-12656 to parts 65-22972 (Shobel) and 65-22973 (Intermountain), filed Feb. 11, 2005.

2. jpeppers 9/23/2005 POD
Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

4/12/2016

Proof Report

pt 2A(cont)

3. jpeppers 9/23/2005 POU
Updated Shape
4. Ownership Change 8/20/2015 Split Right
WR no. 65-22972 has been split by ownership charge into WR nos. 65-22972 and 65-23623
5. bserrano 8/20/2015 POU
Updated Shape

Dates and Other Information

Licensed Date: 11/27/1991
Owner Name Connector: And
Water District Number: 65
Mitigation Plan: False

Combined Use Limits

N/A

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/12/2016

Water Right 65-22974
PART 2A

Owner Type **Name and Address**
Current Owner WILLIAM E SHOBEL
11710 N HWY 52
HORSESHOE BEND, ID 83629
(208)584-3316

Current Owner MERILYN R SHOBEL
11710 N HWY 52
HORSESHOE BEND, ID 83629
(208)584-3316

Priority Date: 12/13/1973

Basis: Decreed

Status: Active

Source
PAYETTE RIVER

Tributary
SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.190 CFS	33.3 AF
	<u>Total Diversion</u>		0.190 CFS	33.3 AF

Source and Point(s) of Diversion

PAYETTE RIVER SENWSE Sec. 24, Twp 07N, Rge 01E, GEM County

Place Of Use

IRRIGATION within GEM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	01E	24													9.5				9.5
															L2				

POU Total Acres: 9.5

Conditions of Approval:

- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .03 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 3.5 AF PER ACRE AT FIELD HEADGATE. COMBINED RIGHT NOS.: 65-11272A, 65-23622 AND 65-12423.
- 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.

Comments:

- jpeppers 9/23/2005 Owner change

IDAHO DEPARTMENT OF WATER RESOURCES

4/12/2016

Proof Report

pt 2A (cont.)

Owner change splits 65-22552 to parts 65-22974 (Shobel) and 65-22975 (Intermountain), filed Feb. 11, 2005.

2. jpeppers 9/23/2005 POD
Updated shape

3. jpeppers 9/23/2005 POU
Updated Shape

4. Ownership Change 8/20/2015 Split Right
WR no. 65-22974 has been split by ownership charge into WR nos. 65-22974 and 65-23602.

5. bserrano 8/20/2015 POU
Updated Shape

Dates and Other Information

Decreed Date: 7/26/2002
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: Or
Water District Number: 65
Mitigation Plan: False

Combined Use Limits

N/A

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it Attachment #7a.
- ☒ 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. Label it Attachment #7b.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it Attachment #8a.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it Attachment #8b.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

WILL BE PRIMARY WATER

FOR DEPARTMENT USE ONLY

Transfer contains 10 pages and 1 attachments. *total 11 papers*

Received by DM Date 4-12-16 Preliminary check by DM Date 4-12-16

* Fee paid \$500 Date 3/13/15 Received by CJ Receipt # W042817

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

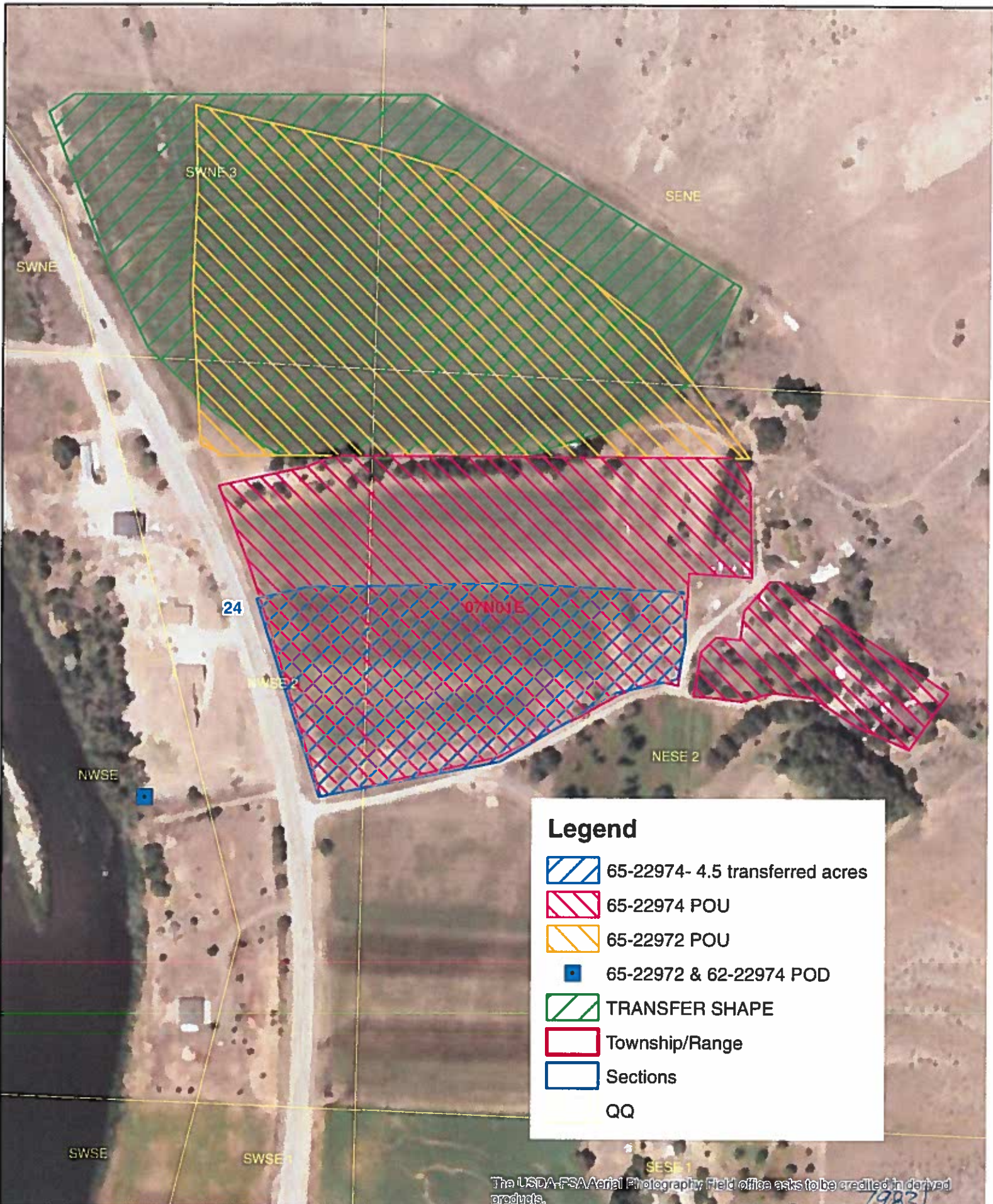
Page 10

* Received w/ original application

79831

TRANSFER 79831

ATTACHMENT 7A/7B



RECEIVED

FEB 13 2015

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 79831MINIMUM 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) John D. Cook and/or Crystal J. Cook and/or Jenna Cook

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).
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- ☒ #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). **
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- ☒ #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.
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- ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ #10 Other. Please describe: _____

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

FEB 13 2015

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1WATER RESOURCES
WESTERN REGION

Name of Applicant(s) John D. Cook and/or Crystal J. Cook and/or Jane L. Cook Phone 208-781-0691
 Mailing address 11980 N. Hwy 52 Horseshoe Bend, ID. 83629 Email manfromsalmonriver@gmail.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**.
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- ☐ 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.

J. D. Cook John D. Cook, Owner 2/13/15
 Signature of Applicant or Authorized Representative Print Name and Title if applicable 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.

Change place of use to northern pivot to center pivot irrigation area -
07N01E SENE from 07N01E NWSE. Change POD from unnamed stream
in 07N01E NWSE to drawn from Payette River, at same point of D
as 65-11272A. This is to cover Page 2 land irrigate Change of POD to make
water delivery more efficient. Ownership is also being changed in transfer.

* Superseded by amended app received 4-12-16.

79831

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 (09 ac)	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒					
.0x.03	65-12423 ^(1.0 ac)	.03	irrigation	Mar 1 to Nov 15	Payette
.2x.02	65-22972 ^(9.20 ac)	.78			
☐ ☐					
☐ ☐					
☐ ☐					
☐ ☐					
☐ ☐					
☐ ☐					
☐ ☐					

Total authorized under rights .59 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 #
		SE	NW	SE	24	7N	1E	GEM	Payette	

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	
7N	1E	24			5	5.2									2.4				12.6
				13															
Total Acres (for irrigation use)																			12.6

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:

Pump at river bank connected to an irrigation pipeline.

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

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

irrigation easement by survey.

- 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 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:

Irrigation

- 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:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
☐ 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. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☒ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

Irrigation from March 1 - Nov. 15 65-22972

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments.
 Received by aj Date 2/13/15 Preliminary check by DM Date 3-10-16
 Fee paid \$500.00 Date 2/13/15 Received by aj Receipt # W042817
 Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

★ Superseded by amended app. received by 4-12-16 -DM 79831

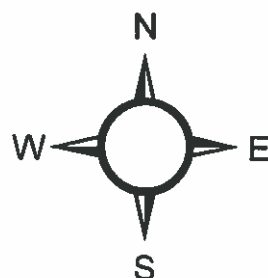
Application Map Part 7A



Legend

- new_pod
- new_pou
- current_pod
- current_pou
- Township/Range
- Sections
- QQ

0 325 650 1,300 Feet



2013 aerial imagery

Map Created 2/13/14

**Superseded by amended app. received 4-12-16 -NM 79831*

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

2/6/2015

2A

Shins-
John

WATER RIGHT NO. 65-12423

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MERILYN R SHOBEL
Current Owner	WILLIAM E SHOBEL 11710 N HWY 52 HORSESHOE BEND, ID 83629 (208)584-3316

Priority Date: 05/27/1981

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	0.03 CFS	3.5 AFA
STOCKWATER	1/01	12/31	0.02 CFS	0.3 AFA
Total Diversion			0.03 CFS	

Location of Point(s) of Diversion:

UNNAMED STREAM | NESE Lt 2 | Sec. 24 | Township 07N | Range 01E | GEM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION GEM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
07N	01E	24	2	NESE 1										

Place of Use Legal Description: STOCKWATER same as IRRIGATION

Total Acres: 1

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .03 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 3.5 AF PER ACRE AT FIELD HEADGATE. COMBINED RIGHT NOS.: 65-11272A AND 65-07446.
2. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. STOCKWATER, 25 RANGE CATTLE.
4. 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.
5. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Dates:

Licensed Date:

Decreed Date: 07/26/2002

Permit Proof Due Date: 10/1/1986

Permit Proof Made Date: 7/1/1986

Permit Approved Date: 10/23/1981

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 05/27/1981

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: Or

Water District Number: 65

Generic Max Rate per Acre: **superseded by amended appⁿ on 4-12-16-DM 79831*

pt. 2A (cont.)

received

Generic Max Volume per Acre:

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

pt. 2A (cont.)

*Superseded by amended app. received 4-12-16 -PM

79831

State of Idaho
Department of Water Resources

Water Right
65-12423

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- 015 Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots

0 0.03 0.06 0.12 Miles

pt. 2A(cont.)



* Superseded by amended app. received 4-12-16
-DM
Map produced on February 05, 2015

79831

*Season:
Justin
Som
Split*

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

2/6/2015

WATER RIGHT NO. 65-22972

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MERILYN R SHOBEL
Current Owner	WILLIAM E SHOBEL 11710 N HWY 52 HORSESHOE BEND, ID 83629 (208)584-3316

Priority Date: 06/30/1983

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
PAYETTE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.21 CFS	36.8 AFA
Total Diversion			0.21 CFS	

Location of Point(s) of Diversion:

PAYETTE RIVER | NWSE Lt 2 | Sec. 24 | Township 07N | Range 01E | GEM County

Licensed Diversion Capacity: 0.84

Place(s) of use:

Place of Use Legal Description: IRRIGATION GEM County

** Superseded by amended app. received on 4-12-16*

DM

79831

<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	01E	24	~~3~~	SWNE 3	~~3~~		SENE 1	1						
			2	NESE 4	4	2	NWSE 2.5	2.5						

Total Acres: 10.5

Conditions of Approval:

1. R30 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.
2. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 65 .

Dates:

Licensed Date: 11/27/1991

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector: And

Water District Number: 65

Generic Max Rate per Acre:

Generic Max Volume per Acre:

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

pt (2A)(cont.)

** Superseded by amended app. received 4-12-16. DM*

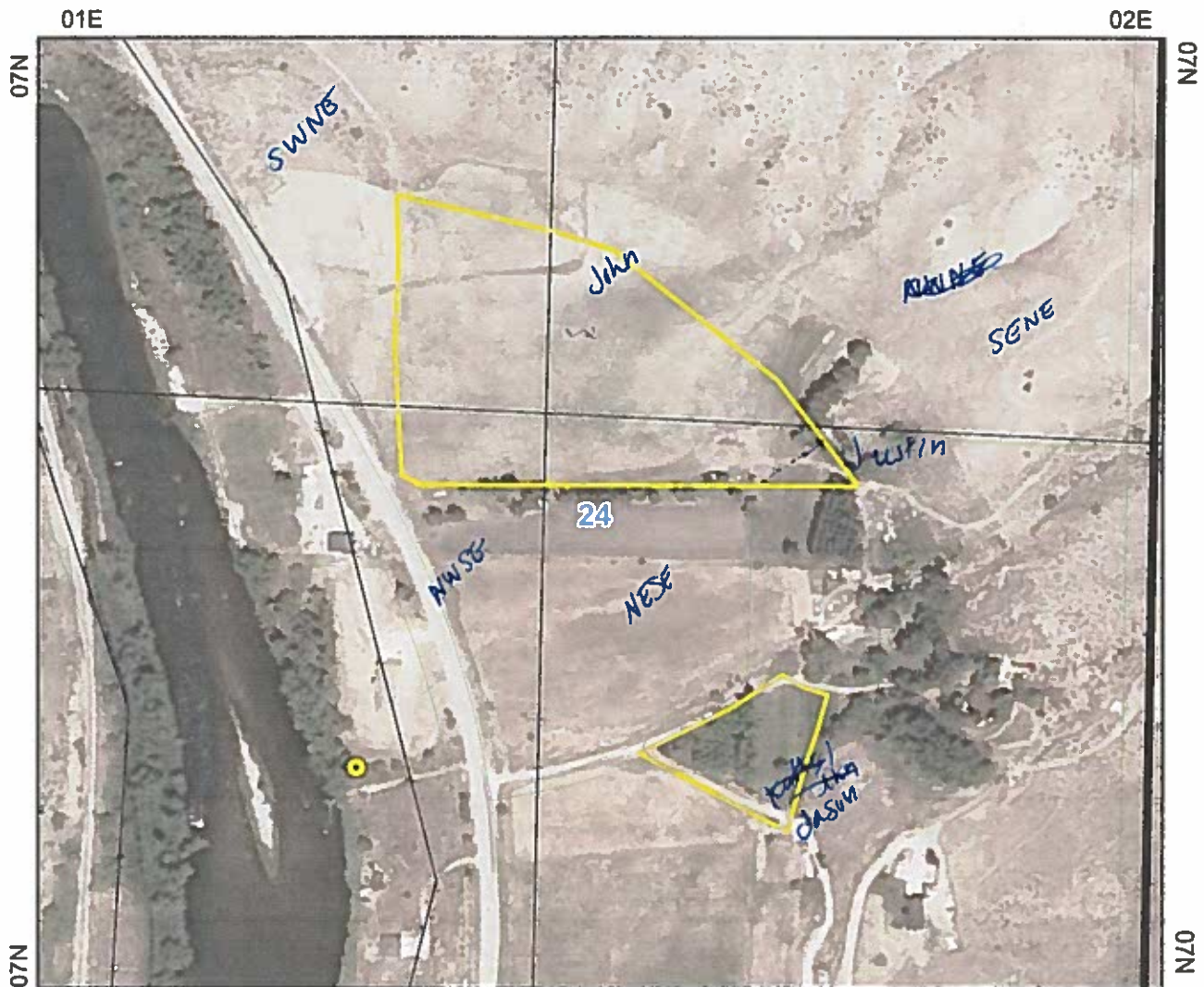
79831

State of Idaho
Department of Water Resources

Water Right
65-22972

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



015 Point of Diversion

Place Of Use Boundary

Townships

PLS Sections

Quarter Quarters

Taxlots

0 0.045 0.09 0.18 Miles

pt 2A(cont.)



79831

* Superseded by amended app. received 4-12-16 DM
Map produced on February 05, 2015



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 1, 2016

JOHN D COOK
CRYSTAL J COOK
JANA COOK
11980 N HWY 52
HORSESHOE BEND, ID 83629

RE: Transfer No. 79831
Water Right No(s). 65-22972, 65-22974

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the MESSENGER INDEX on 9/7/2016 and 9/14/2016. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Rachel Neely
Administrative Assistant

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, September 01, 2016 9:24 AM
To: 'IDAHO PRESS TRIBUNE'
Subject: Gem Legal Ad
Attachments: Gem Cover Letter.docx; Gem Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ad for publication on 9/7/2016 & 9/14/2016.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

September 1, 2016

LEGAL NOTICE DEPARTMENT
MESSENGER INDEX
PO BOX 577
EMMETT, ID 83617

RE: Transfer No. 79831,
Water Right No(s): 65-22972, 65-22974

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 9/26/2016. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosure(s)

The following application has been filed to appropriate the public waters of the State of Idaho:

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79831**

JOHN D COOK and CRYSTAL J COOK and JANA COOK, 11980 N HWY 52, HORSESHOE BEND, ID 83629; has filed Application No. 79831 for changes to the following water rights within GEM County(s): Right No(s): 65-22972, 65-22974; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change the 13 acres of the Place Of Use for irrigation rights 65-22972 and 65-22974 from the southern part of applicant's property to a northern pivot line, approximately 0.15 miles away. Transfer will also split right 65-22974 based on ownership. The proposed POU is located to the east of State Highway 52, approximately 6 miles west of Horseshoe Bend.

For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right(s) or proposed transfer(s), please see www.idwr.idaho.gov/WaterManagement/WaterRights. Protests may be submitted based on the criteria of Idaho Code § 42-222. Any protest against the proposed change(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 9/26/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 9/7/2016 and 9/14/2016



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

September 1, 2016

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

KIMBERLY WELSH
11715 N HWY 52
HORSESHOE BEND ID 83629

Re: Application for Transfer No. 79831

Dear Interested Party:

The above referenced application may be of interest to you. I would like to inform you that the application has been submitted to the *Messenger Index* for advertising. I have enclosed a copy of the application for your convenience. This information is also available on our website www.idwr.idaho.gov.

If you desire to file a formal protest against approval of the application, a written protest along with the \$25.00 protest fee must be received in this office by September 26, 2016. A copy of the protest must also be sent to the applicant.

If you have any questions regarding the application, please contact this office at 208-334-2190.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Rachel Neely', with a long, sweeping horizontal line extending to the right.

Rachel Neely
Administrative Assistant
Western Regional Office

Enclosures

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, September 01, 2016 9:26 AM
To: 'wd65@srvinet.com'
Subject: Application for Transfer No. 79831
Attachments: Watermaster Recommendation For1.docx; Application for Transfer No. 79831.pdf

September 1, 2016

RON SHURTLEFF
WATER DISTRICT #65
102 N MAIN
PAYETTE, ID 83661

RE: Application for Transfer No. 79831

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. A copy of the application is enclosed with this email for your reference. Please review the application, complete a recommendation form, and submit your reply, if any, to this office by September 26, 2016.

IDWR will assume you do not object to this application if a timely response is not received. Please contact me if you have any questions in this matter. Thank you for your help.

Sincerely,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

MEMORANDUM

Date: August 24, 2016

To: Transfer 79831

From: Danielle Merriman

Re: Legal Notice Remarks

The purpose of the transfer is to change the 13 acres of the Place Of Use for irrigation rights 65-22972 and 65-22974 from the southern part of applicant's property to a northern pivot line, approximately 0.15 miles away. Transfer will also split right 65-22974 based on ownership. The proposed POU is located to the east of State Highway 52, approximately 6 miles west of Horseshoe Bend.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 21, 2016

JOHN D, CRYSTAL J, OR JANA L COOK
11980 N HIGHWAY 52
HORSESHOE BEND, ID 83629

COPY

RE: Application for Transfer

Dear Applicant,

The purpose of this letter is to request additional information related to the application for transfer 79831. There are a few aspects of your application that need to be clarified before it can be processed.

- **Point of Diversion:** Part of processing an application for transfer is to evaluate for forfeiture by determining if water from the source identified on the right was used to accomplish the beneficial use. You are proposing to change the Point of Diversion (POD) from water right 65-12423. The original POD for this right was located east of your property on an unnamed stream. The Department has been provided information that the unnamed stream has been dry for over five years, and that you most likely have not been able to pull water to irrigate from it. This would not be a use from the source as described on the original right and would lead to the forfeiture of said right. Please provide information that shows that water from the unnamed stream has, in fact, been used in the past five years for irrigation.
- **Number of acres requested:** Based on your application for transfer form and aerial photography of your pivot line, it appears as though you want to transfer 12.6 acres to cover the land you irrigate. Water right 65-22972 authorizes the irrigation of 8.5 acres. Water right 65-12423 authorizes the irrigation of one (1) acre but, based on the above forfeiture analysis, may be forfeit and not cover any acres. This means you would still need an additional 4.1 acres to cover the remaining acres of your pivot. It is suggested that you submit an application for permit to account for these extra acres as your submitted transfer is only likely to be approved for 8.5 of the acres. The Department can help you complete this application.

Please submit the requested information for the application to be processed. You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. The application will be voided without a timely written reply within the next thirty (30) days. Refunds are not issued for voided applications. You may email me the information at danie.merriman@idwr.idaho.gov.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you need more information. Thank you for your attention to these matters.

Sincerely,

Danie Merriman
Water Resource Agent
IDWR, Western Region

Merriman, Danielle

From: Sommer, Rachel
Sent: Wednesday, March 09, 2016 8:15 AM
To: Merriman, Danielle
Subject: FW: Neighbors to notify of John Cook's request for change in POD from Unnamed Stream to Payette River
Attachments: Sweet Idaho Neighbors 2.2016.pdf

Hey Danie,

Did Nick forward this email to you?

From: Kimberly [<mailto:pythonharley@gmail.com>]
Sent: Tuesday, March 01, 2016 11:06 AM
To: Van Dyke, Nick
Cc: Sommer, Rachel; Miller, Nick
Subject: Fwd: Neighbors to notify of John Cook's request for change in POD from Unnamed Stream to Payette River

----- Forwarded message -----

From: Kimberly <pythonharley@gmail.com>
Date: Mon, Feb 29, 2016 at 4:48 PM
Subject: Neighbors to notify of John Cook's request for change in POD from Unnamed Stream to Payette River
To: nick.vandyke@idwr.id.gov
Cc: rachel.sommer@idwr.id.gov, nick.miller@idwr.id.gov

Nick - as promised, attached is a list of neighbors, in addition to myself, who would like to be notified of John Cook's request to change the point of diversion from the Unnamed Stream, which has been dry for decades, to the Payette River.

Thank you

Kimberly Welsh
11715 N. Highway 52
Horseshoe Bend, ID 83629

IDWR: Please notify the following people directly regarding John Cook's request for a change in the point of diversion from the Unnamed Stream, which has been dry for last several decades, to the Payette River. Thank you.

February 29, 2016

Kimberly Welsh
11715 N. Highway 52
Horseshoe Bend, ID 83629
pythonharley@gmail.com

Tom and Debbie Long
208.8793.2221
debby@cascadecraft.com

Laurie and Chris West
PO Box 117
Horseshoe Bend, ID 83629
208.954.1061
toadiolson@gmail.com

Mike and Gina Thorton
11730 North Highway 52
Horseshoe Bend, ID 83629
Cowboy7179@juno.com
208.866.5297

Doc and Judy Peterson
11725 North Highway 52
Horseshoe Bend, ID 83629
208.859.9621 cell
208.584.3785 fax (Please fax notice)

Jason and Kathy Bromgard
11714 N. Highway 52
Horseshoe Bend, ID 83629
kbromgard23@gmail.com
208.631.9858

Linda Holstein
11685 N. Highway 52
Horseshoe Bend, ID 83629
Holstein@enjoywireless.com
208.584.3182

C.J. and Alicia
11735 N. Highway 52
Horseshoe Bend, ID 83629 (Please mail notice)

12/22/11

Received On - 12/22/11
From - Mirror C livestock
(John + Crystal Cook)
And - \$16,000
Check - 1387
Toward - 1st payment of purchase price of \$63,000
Description - 07 N 012 Sec 24 + 25 Riverview
Manor Subdivision lot 5 Bk 1
consisting of approximately
20,930 acres.
TB - Jackie Montgomery

Jackie Montgomery
Jackie Montgomery
Montgomery Trust, Trustee