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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 80905APR 21 2016
RECEIVED
Department of Water Resources
Eastern RegionMINIMUM 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) Shawn J Walters, Mona Walters, W Jeffrey Walters, or Patrice Walters

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☒ ☐ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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APR 21 2016

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

Department of Water Resources
Eastern Region

Name of Applicant(s) Shawn J & Mona Walters or W Jeffrey & Patrice Walters Phone (208) 458-4656

Mailing address PO Box 156, Newdale, ID 83436 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Kristin Moore @ Rocky Mountain Environmental Assoc. Phone 208-524-2353

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

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Shawn Walters
Signature of Applicant or Authorized Representative

Shawn Walters
Print Name and Title if applicable

4-15-16
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
☐ Change nature of use

☐ Add diversion point(s)
☐ Change period of use

☒ Change place of use
☐ Other _____
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.
 Applicant has purchased a portion of water right no. 22-4046 and proposes to transfer a portion to an existing farm.
 The transferred portion will contribute to the available ground water rights at the new place of use. Mitigation is offered to offset the simulated depletions per ESPAM 2.1.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	22-406 22-4046	2.67 cfs	Irrigation	04/01 to 10/31	Ground Water
☐ ☐		466.7 afa	Irrigation	04/01 to 10/31	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.67 cfs and/or 466.7 acre-feet.

2. Total amount of water proposed to be transferred or changed 2.67 cubic feet per second and/or 466.7 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	SE	36	7N	41E	FREMONT	GROUND WATER	

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

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	41E	1	35	24															59
			L1	L2															
	42E	6						34											34
								L4											
7N	41E	36	39	39	39	39	39	39	39	39	34	30		9.3	39	39	38	37	538.3
	42E	31										39	38						77
												L3	L4						
Total Acres (for irrigation use)																			708.3

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Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	22-4046	2.67 cfs	Irrigation	04/01 to 10/31	Ground Water
☐ ☐		466.7 afa	Irrigation	04/01 to 10/31	
☐ ☐				to	
☐ ☐		0.40 cfs	Mitigation	04/01 to 10/31	
☐ ☐		70.3 afa	Mitigation	04/01 to 10/31	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 3.07 cfs and/or 537 acre-feet.2. Total amount of water proposed to be transferred or changed 3.07 cubic feet per second and/or 537 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	SE	36	7N	41E	FREMONT	GROUND WATER	

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

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	41E	1	35	24															59
			L1	L2															
	42E	6						34											34
								L4											
	41E	36	39	39	39	39	39	39	39	39	34	30		9.3	39	39	38	37	538.3
	42E	31										39	38						77
												L3	L4						
Total Acres (for irrigation use)																			708.3

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:

Well to pump to mainline to irrigation systems. A measuring device can be installed on an exposed section of mainline.

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

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

The land now irrigated will no longer be irrigated with ground water.

- 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:

There are no other ground water rights diverted from the existing point of diversion. At the new POD, there are four existing ground water rights (22-2222, 22-2287, 22-11185, and 22-13475) that will also be used in combination with the proposed water right on a shared POU.

- 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:

WATER RIGHT NO. 22-4046

Owner Type Name and Address

Current Owner DALE DAW

2650 E 300 N

ST ANTHONY, ID 83445

(208)390-6081

Attorney

JERRY R RIGBY

RIGBY ANDRUS & MOELLER CHTD

25 N 2ND E

PO BOX 250

REXBURG, ID 83440

(208)356-3633

Priority Date: 04/01/1962

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	7.11 CFS	1244 AFA
Total Diversion			7.11 CFS	

Location of Point(s) of Diversion:

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

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

Place of Use Legal Description: IRRIGATION FREMONT County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	41E	20		SWNE	21									
				SWNW	0.5		SENE	18						
				NESW	29		NWSW	27		SWSW	33		SESW	33
				NESE	38		NWSE	38		SWSE	31		SESE	31
		21		SWSW	3.1		SESW	40						

		28		NWNE	4.4									
				NENW	8.5									

Total Acres: 355.5

Conditions of Approval:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient

1. C18 administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. E02 Use of this right is combined with water from Southeast Idaho Canal Co. and Wilford Irrigation & Mfg. Co.

Decreed Date: 05/30/2012

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.

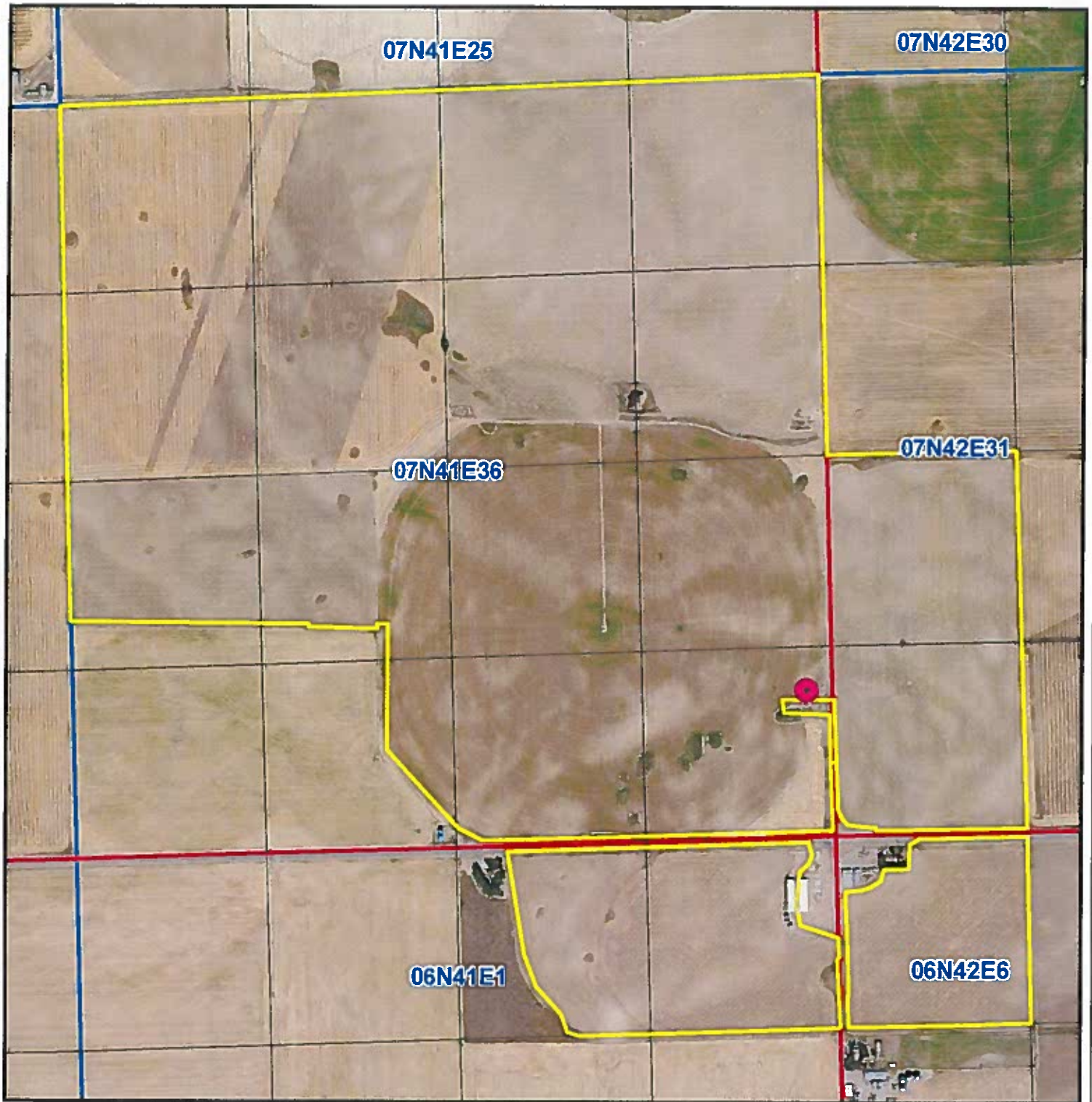
Right Number: 22-4046

- [illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

[illegible]

80905



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

0 400 800 1,600 Feet
 2015 Aerial Photography

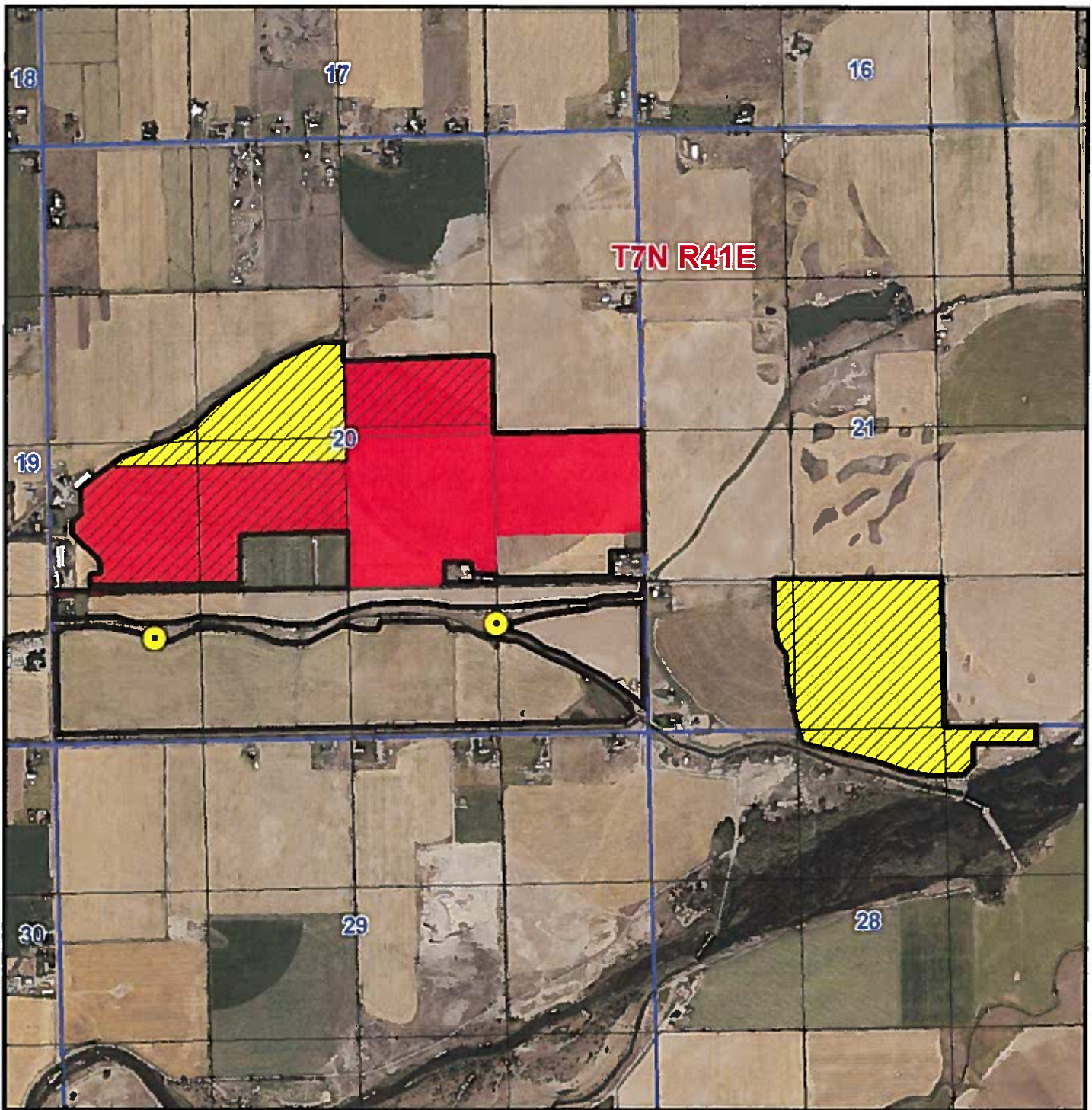


Application for Transfer Daw to Walters

by: KM
 April 4, 2016



80905

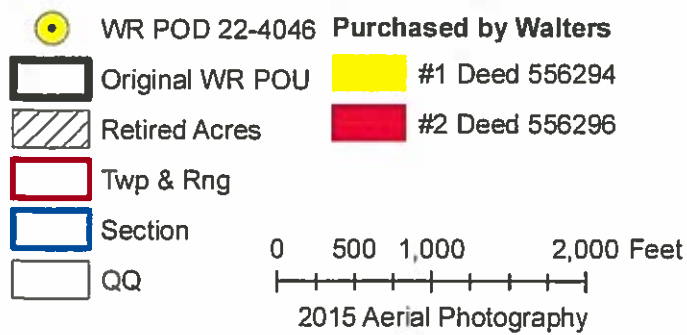
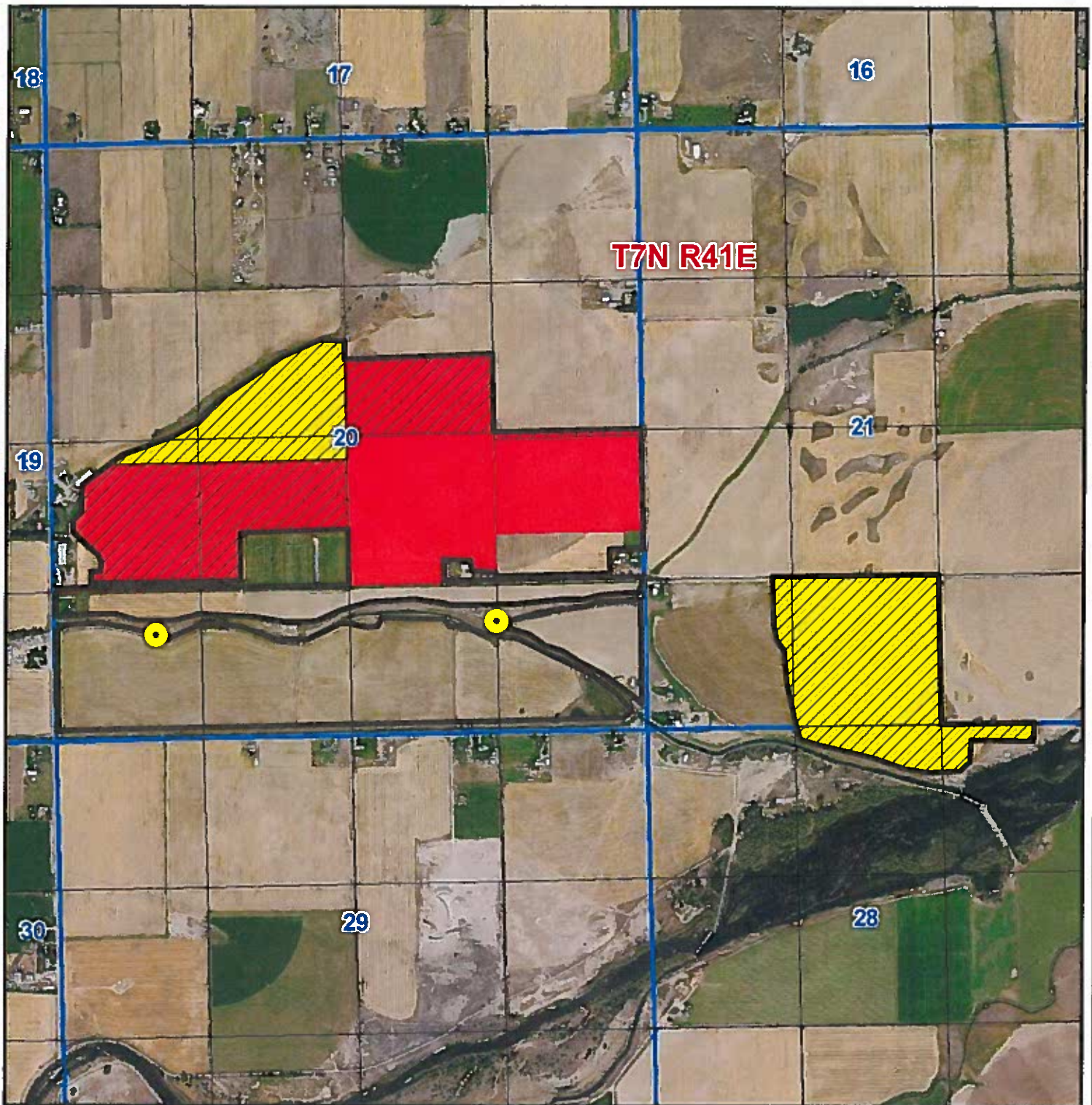


- WR POD 22-4046 Purchased by Walters
 ■ Original WR POU
 ■ Retired Acres
 ■ Twp & Rng
 ■ Section
 ■ QQ
- #1 Deed 556294
 ■ #2 Deed 556296
- 0 500 1,000 2,000 Feet
 2015 Aerial Photography

Application for Transfer Daw to Walters

by: KM
May 3, 2016





Application for Transfer Daw to Walters

by: KM
April 4, 2016



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Department of Water Resources
Eastern Region

Authorized Representative

We, **Shawn J Walters, Mona Walters, W Jeffrey Walters, and Patrice Walters**, do hereby authorize **Shawn J Walters** to act as a designated and authorized representative on our behalf in regards to all water rights jointly owned. Shawn Walters may submit applications, required documentation, and sign on behalf of all parties concerning said water rights.

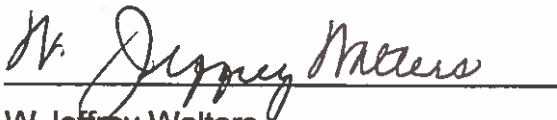
Signed this 3rd day of May, 2016.



Shawn J Walters



Patrice Walters



W Jeffrey Walters



Mona Walters

Authorization to Apply Water Rights

Crapo Ag LLC does hereby give authority for Shawn J Walters, Patrice Walters, W Jeffrey Walters, and Mona Walters to apply their own water rights through an Application for Transfer to property (RP06N41E010603) located south of Highway 33 east of Newdale, Madison County, Idaho as shown in Figure 1. By so doing, we claim no ownership of the water rights now or in the future.

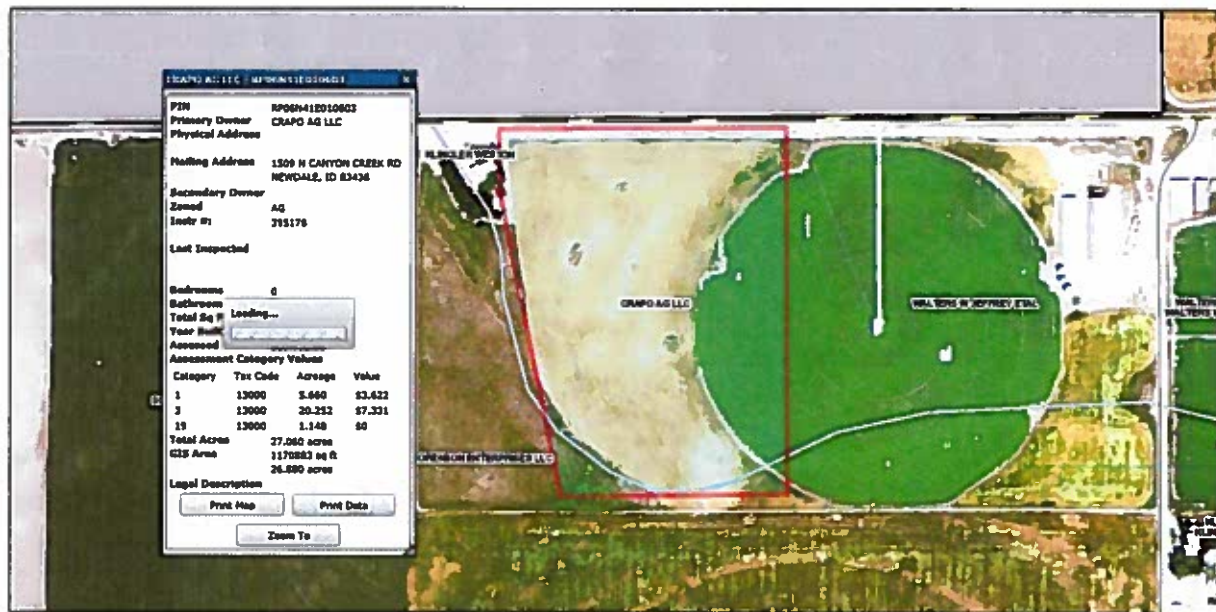


Figure 1 Madison County Parcel Map

CRAPO AG LLC

By: Conn Crapo

Its: Manager

Eastern Snake Plain Aquifer Analysis

The Applicant requires an additional 133.3 acres, 2.67 cfs, and 466.7 afa at the new place of use and point of diversion. For modeling purposes, the consumptive use value of 2.5 afa/acre is used rather than the field headgate requirement of 3.5 afa/acre. Hence, the modeled volume proposed to be consumed at the new Place of Use is 333.3 afa. Using ESPAM 2.1 to simulate the depletions of transferring these quantities to the proposed point of diversion, the affects exceed the threshold of 2.0 af/trimester. Mitigation is required.

In order to fully mitigate the effects of the consumptive use volume of 333.3 afa at the new Point of Diversion, an additional 38.7 afa ($38.7 \text{ afa} / 2.5 \text{ afa/ac} = 15.5 \text{ acres}$) is proposed to be transferred. This application therefore proposes to transfer a total of 148.8 acres of the original water right 22-4046, only 133.3 acres to be irrigated at the new Place of Use and 15.5 acres to be offered as mitigation.

Figures 1-3 include excerpts from the ESPAM 2.1 simulation. Results show that with the proposed mitigation, the effects of pumping at the new point of diversion do not exceed 0.0 af/trimester in any reach of the Snake River.

Figure 1. Data Entry

ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON		TRANSFER NO: 123		CALCULATE EFFECTS			
YEAR: 1962		TRANSFER NAME: Daw 2 Walters					
SEASON: SPRING							
ENTER CELL LOCATIONS:							
	TO CELL	FROM1 CELL	FROM2 CELL	FROM3 CELL			
ROW	61	57	75	45			
COLUMN	195	192	105	30			
TRIMESTER OF ACTIVITY	Projected Use AF/TRIMESTER	FROM1 WELL		FROM2 WELL		FROM3 WELL	
		With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SPR 1962	0	124	124	0	0	0	0
SUM 1962	0	124	124	0	0	0	0
WIN 1962	0	124	124	0	0	0	0
SPR 1963	0	124	124	0	0	0	0
SUM 1963	0	124	124	0	0	0	0
WIN 1963	0	124	124	0	0	0	0
SPR 2015	0	124	124	0	0	0	0
SUM 2015	0	124	124	0	0	0	0
WIN 2015	0	124	124	0	0	0	0
SPR 2016	111	0	124	0	0	0	0
SUM 2016	111	0	124	0	0	0	0
WIN 2016	111	0	124	0	0	0	0
SPR 2017	111	0	124	0	0	0	0
SUM 2017	111	0	124	0	0	0	0
WIN 2017	111	0	124	0	0	0	0
SPR 2110	111	0	124	0	0	0	0
SUM 2110	111	0	124	0	0	0	0
WIN 2110	111	0	124	0	0	0	0
SPR 2111	111	0	124	0	0	0	0
SUM 2111	111	0	124	0	0	0	0
WIN 2111	111	0	124	0	0	0	0

Figure 2. Net Affect Above Milner

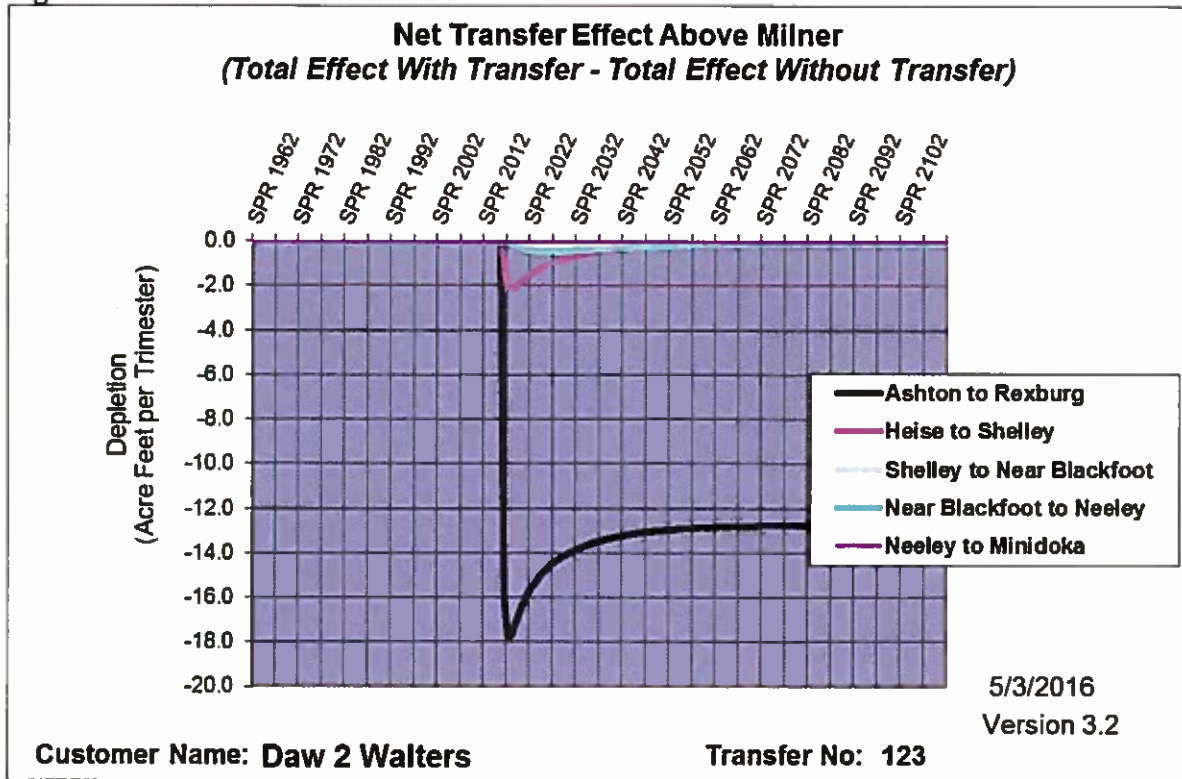


Figure 3. Calculated Affects

Enter First Time Step of Transfer: **SPR 2010**

	Match: 145	Match: 456													
	AtR	HS	StNB	NBtN	NtM	DWtB	BtTS	TS	TStM	M	MtB	Total			
Preexisting Effects @ SS (Last Time Step):	75.37	31.35	4.51	11.73	0.07	0.23	0.26	0.11	0.07	0.07	0.00	123.77	Total Eff		
Steady State - Value of Dep. @ Last Time Step:	62.62	31.35	4.47	11.62	0.07	0.23	0.26	0.11	0.07	0.07	0.00	110.86	Total Eff		
sting Effects @ Transient State (Max Value Timestep):	75.37	31.35	4.51	11.73	0.07	0.23	0.26	0.11	0.07	0.07	0.00	123.77	Total Eff		
Transient State - Max. Value of Dep. After Transfer:	75.02	31.35	4.47	11.62	0.07	0.23	0.26	0.11	0.07	0.07	0.00	123.26	Total Eff		
Steady State Change:	-12.75	0.00	-0.04	-0.11	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
Transient State Change:	-0.35	0.00	-0.04	-0.11	0.00	0.00	0.00	0.00	0.00	0.00	0.00				

Eastern Snake Plain Aquifer Analysis

The Applicant requires an additional 133.3 acres, 2.67 cfs, and 466.7 afa at the new place of use and point of diversion. Using ESPAM 2.1 to simulate the depletions of transferring these quantities to the proposed point of diversion, the affects exceed the threshold of 2.0 af/trimester. Mitigation is required.

In order to fully mitigate the effects of pumping 466.7 afa at the new point of diversion, an additional 70.3 afa is proposed to be transferred. This application therefore proposes to transfer a total of 537 afa of the original water right 22-4046, only 466.7 afa to be diverted at the pump and 70.3 afa to be offered as mitigation.

Figures 1-3 include excerpts from the ESPAM 2.1 simulation. Results show that by transferring 537 afa (179 af/trimester), the effects of pumping at the new point of diversion do not exceed 0.0 af/trimester in any reach of the Snake River.

Figure 1. Data Entry

ENHANCED GROUND-WATER RIGHTS TRANSFER SIMULATOR
UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPARTMENT OF AGRICULTURE

Cells this color are set up for user entries

UPDATE DATES RUN MODEL GET OUTPUT

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

TRANSFER NO: 123

YEAR: 1982

SEASON: SPRING

TRANSFER NAME: Daw 2 Walters

CALCULATE EFFECTS

ENTER CELL LOCATIONS:

ROW	TO CELL	FROM1 CELL	FROM2 CELL	FROM3 CELL
COLUMN	61	57	75	45
	194	192	105	30

TRIMESTER OF ACTIVITY	TO WELL Protected Use AF/TRIMESTER	FROM1 WELL		FROM2 WELL		FROM3 WELL	
		With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SPR 1982	0	179	179	0	0	0	0
SUM 1982	0	179	179	0	0	0	0
WIN 1982	0	179	179	0	0	0	0
SPR 1983	0	179	179	0	0	0	0
SUM 1983	0	179	179	0	0	0	0
WIN 1983	0	179	179	0	0	0	0
SPR 2015	0	179	179	0	0	0	0
SUM 2015	0	179	179	0	0	0	0
WIN 2015	0	179	179	0	0	0	0
SPR 2016	156	0	179	0	0	0	0
SUM 2016	156	0	179	0	0	0	0
WIN 2016	156	0	179	0	0	0	0
SPR 2017	156	0	179	0	0	0	0
SUM 2017	156	0	179	0	0	0	0
WIN 2017	156	0	179	0	0	0	0
SPR 2110	156	0	179	0	0	0	0
SUM 2110	156	0	179	0	0	0	0
WIN 2110	156	0	179	0	0	0	0
SPR 2111	156	0	179	0	0	0	0
SUM 2111	156	0	179	0	0	0	0
WIN 2111	156	0	179	0	0	0	0

Figure 2. Net Effect Above Milner

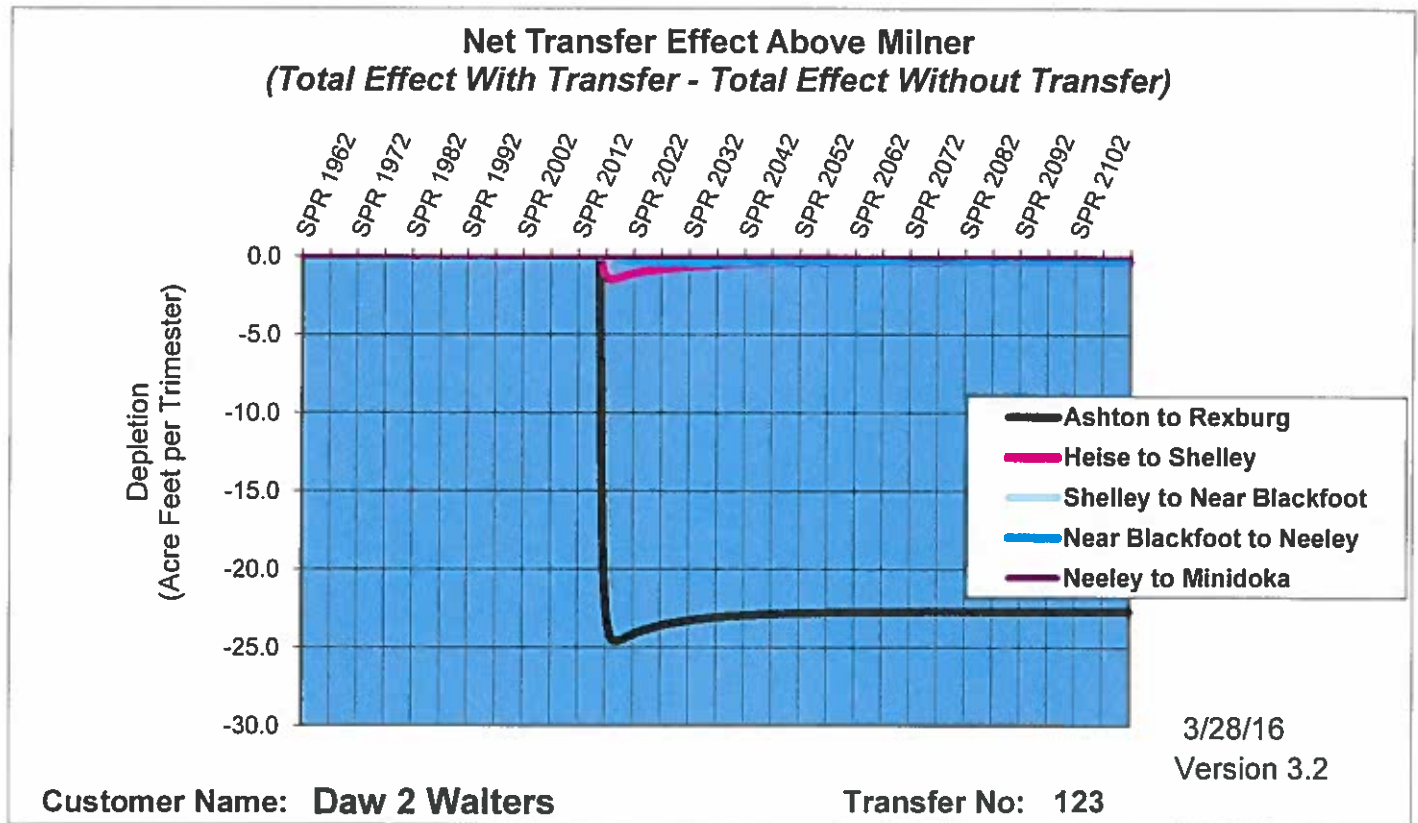


Figure 3. Calculated Affects

Enter First Time Step of Transfer: **SPR 1962**

	Match: 1	Match: 456													
	AlR	HiS	StNB	NBN	NIM	DWIB	BiTS	TS	TS&M	M	MIB	Total	Total Effect	Total Effect	
Preexisting Effects @ SS (Last Time Step):	108.79	45.25	6.51	16.93	0.10	0.33	0.37	0.17	0.10	0.10	0.01	178.66	Total Effect:		
Steady State - Value of Dep. @ Last Time Step:	86.11	44.95	6.41	16.65	0.10	0.32	0.37	0.16	0.10	0.09	0.01	155.28	Total Effect:		
Effects @ Transient State (Max Value Timestep):	108.79	45.25	6.51	16.93	0.10	0.33	0.37	0.17	0.10	0.10	0.01	178.66	Total Effect:		
Transient State - Max. Value of Dep. After Transfer:	108.29	44.95	6.41	16.65	0.10	0.32	0.37	0.16	0.10	0.09	0.01	177.46	Total Effect:		
Steady State Change:	-22.68	-0.31	-0.11	-0.28	0.00	-0.01	-0.01	0.00	0.00	0.00	0.00				
Transient State Change:	-0.50	-0.31	-0.11	-0.28	0.00	-0.01	-0.01	0.00	0.00	0.00	0.00				

Exhibit 2

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Robert L. Harris, Esq.
Holden, Kidwell, Hahn & Crapo, PLLC
PO Box 50130
Idaho Falls, ID 83405-0130

Microfilm No. 556294
7 Day Dec 20 15
At 11:38 O'Clock A M
ABBIE MACE
FREMONT CO RECORDER
Fee \$ 22 ☒ Deputy
Recorded at Request of
Shawn Walters

(Space Above for Recorder's Use)

CORRECTION SPECIAL WARRANTY DEED FOR WATER RIGHT

(To correct an error by including a specific description and map of the acres to which the conveyed water rights are appurtenant on Instrument # 542941 recorded in the records of Fremont County, Idaho.)

DALE D. DAW and BRANDI L. DAW, husband and wife, of 2650 East 300 North, St. Anthony, ID 83445, and ACE D. DAW and SHIRLEY DAW, husband and wife, of 225 N. 2600 E., St. Anthony, Idaho 83445 (collectively "Grantors"), do hereby grant, bargain, sell, assign, and convey unto and W. JEFFREY WALTERS and MONA WALTERS, husband and wife, of 1250 South 2nd East, Rexburg, Idaho 83440, and SHAWN J. WALTERS and PATRICE WALTERS, husband and wife, of P.O. Box 178 Newdale, Idaho 83436 (collectively, "Grantees") and to Grantees' heirs and assigns forever, a portion of Grantors' right title and interest in Water Right No. 22-4046 as described in Exhibit A hereto (the "Water Right").

Grantors hereby covenant and warrant to Grantees as follows:

- (A) Grantors are the owners of the Water Right;
- (B) Grantors have not conveyed any of the Water Right to anyone other than Grantees;
- (C) The Water Right is free from all liens, claims, or encumbrances; and
- (D) Grantors have the authority to convey the Water Right to Grantees.

Grantors make no other covenants or warranties as to the Water Right. Only the Water Right is conveyed herein. No land is conveyed pursuant to this deed.

CORRECTION SPECIAL WARRANTY DEED FOR WATER RIGHT - 1

80905

556294

IN WITNESS WHEREOF, the Grantors have caused his name to be hereunto subscribed.

DATED this 15 day of Dec, 2015.

"GRANTORS"



STATE OF IDAHO
COUNTY OF FREMONT
CITY OF ST. ANTHONY

On this 15 day of Dec, 2015
before me a notary public in and for said State personally
appeared Brandi L. Daw

known to me to be the
(person/persons) whose (name/names) (is/are) subscribed to
the within instrument and acknowledge to me that (he/she, they)
executed the same.
My Commission expires 6-6-2020

Kelly Greene

Dale D. Daw
Dale D. Daw

Brandi L. Daw
Brandi L. Daw

Ace D. Daw
Ace D. Daw

Shirley Daw
Shirley Daw

STATE OF IDAHO)
) ss.
County of Fremont)

On this 15 day of Dec, 2015, before me, a Notary Public for said
County and State, personally appeared DALE D. DAW and BRANDI L. DAW, husband and
wife, known or identified to me to be the persons whose names are subscribed to the within
instrument and acknowledged to me they executed the same.

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

(seal)



Kelly Greene
Notary Public for Idaho
Residing at: St Anthony
My commission expires: 6-6-2020

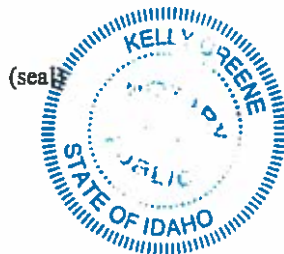
CORRECTION SPECIAL WARRANTY DEED FOR WATER RIGHT - 2

80905

STATE OF IDAHO)
) ss.
County of Fremont)

On this 1st day of Dec, 2015, before me, a Notary Public for said County and State, personally appeared ACE D. DAW and SHIRLEY DAW, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me they executed the same.

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



Kelly Greene
Notary Public for Idaho
Residing at: St Anthony
My commission expires: 6-6-2020

GRANTEE CONSENT

The undersigned, Grantees under the foregoing Correction Special Warranty Deed for Water Right, hereby consents to the terms and provisions of the foregoing Correction Special Warranty Deed for Water Right and accepts the same in substitution for, and in replacement of, that certain Special Warranty Deed for Water Right recorded on March 13, 2013 as Instrument No. 542941 in the Official Records of Fremont County, Idaho.

"GRANTEES"

W. Jeffrey Walters
W. Jeffrey Walters

Mona Walters
Mona Walters

Shawn J. Walters
Shawn J. Walters

Patrice Walters
Patrice Walters

556294

STATE OF IDAHO)
) ss.
County of Madison)

On this 4 day of December, 2015, before me, the undersigned, a Notary Public for said County and State, personally appeared W. JEFFREY WALTERS and MONA WALTERS, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me they executed the same.

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

(seal)

MELISSA MOSS
NOTARY PUBLIC
STATE OF IDAHO

Melissa Moss
Notary Public for Idaho

Residing at: Madison County

My commission expires: 5-23-21

STATE OF IDAHO)
) ss.
County of Madison)

On this 4 day of December, 2015 before me, the undersigned, a Notary Public for said County and State, personally appeared, SHAWN J. WALTERS and PATRICE WALTERS, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me they executed the same.

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

(seal)

MELISSA MOSS
NOTARY PUBLIC
STATE OF IDAHO

Melissa Moss
Notary Public for Idaho

Residing at: Madison County

My commission expires: 5-23-21

000294

EXHIBIT A
WATER RIGHT DESCRIPTION

WATER RIGHT NO. 22-4046

Diversion Rate: 1.67 cfs (allocated at .02 cfs per acre)

Diversion Volume: 291.67 acre-feet per year
(allocated at 3.5 acre-feet per year per acre)

Irrigated Acres: 83 1/3 acres appurtenant to the following described acres
located in Township 7N, Range 41E, which are also
depicted on the below map:

- Section 20: SW1/4NW1/4 (0.5 acres); SE1/4NW1/4 (18 acres); NE1/4SW1/4
(6.1 acres); and NW1/4SW1/4 (2.73 acres).
Section 21: SW1/4SW1/4 (3.1 acres); SE1/4SW1/4 (40 acres).
Section 28: NW1/4NE1/4 (4.4 acres); NE1/4NW1/4 (8.5 acres).

EXHIBIT A MAP

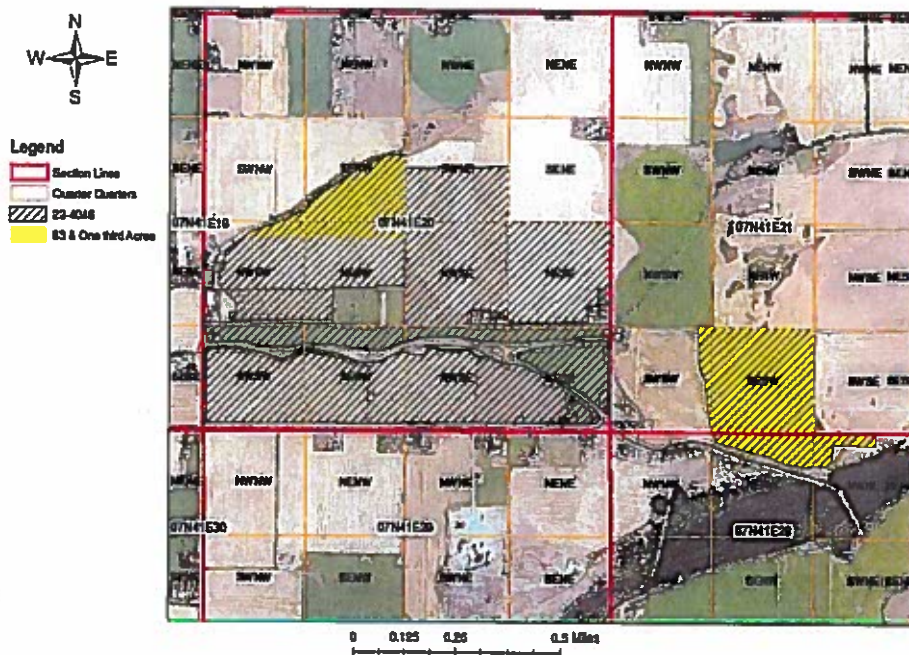


Exhibit 3

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Robert L. Harris, Esq.
Holden, Kidwell, Hahn & Crapp, PLLC
PO Box 50130
Idaho Falls, ID 83405-0130

Microfilm No. 556296
At 11:50 Day Dec 20 15
O'Clock A M
ABBIE MACE
FREMONT CO RECORDER
Fee \$ 19.- (H) Deputy
Recorded at Request of
Shawn Walters

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHT

DALE D. DAW and BRANDI L. DAW, husband and wife, of 2650 East 300 North, St. Anthony, ID 83445, and ACE D. DAW and SHIRLEY DAW, husband and wife, of 225 N. 2600 E., St. Anthony, Idaho 83445 (collectively "Grantors"), do hereby grant, bargain, sell, assign, and convey unto and W. JEFFREY WALTERS and MONA WALTERS, husband and wife, of 1250 South 2nd East, Rexburg, Idaho 83440, and SHAWN J. WALTERS and PATRICE WALTERS, husband and wife, of P.O. Box 178 Newdale, Idaho 83436 (collectively, "Grantees") and to Grantees' heirs and assigns forever, a portion of Grantors' right title and interest in Water Right No. 22-4046 as described in Exhibit A hereto (the "Water Right").

Grantors hereby covenant and warrant to Grantees as follows:

- (A) Grantors are the owners of the Water Right;
- (B) Grantors have not conveyed any of the Water Right to anyone other than Grantees;
- (C) The Water Right is free from all liens, claims, or encumbrances; and
- (D) Grantors have the authority to convey the Water Right to Grantees.

Grantors make no other covenants or warranties as to the Water Right. Only the Water Right is conveyed herein. No land is conveyed pursuant to this deed.

SPECIAL WARRANTY DEED FOR WATER RIGHT - 1

556296

IN WITNESS WHEREOF, the Grantors have caused his name to be hereunto subscribed.

DATED this 15th day of Dec, 2015.



STATE OF IDAHO
COUNTY OF FREMONT
CITY OF ST. ANTHONY

On this 15 day of Dec, 2015,
before me a Notary Public in and for said State personally
appeared Brandi L. Daw

(person/persons) whose (name/names) (is/are) subscribed to
the within instrument and acknowledge to me that (he/she, they)
executed the same.

My Commission expires 6-6-2020

Kelly Greene

Dale D. Daw
Dale D. Daw

Brandi L. Daw
Brandi L. Daw

Ace D. Daw
Ace D. Daw

Shirley Daw
Shirley Daw

STATE OF IDAHO)
County of Fremont) ss.

On this 15 day of Dec, 2015, before me, a Notary Public for said
County and State, personally appeared DALE D. DAW and ~~BRANDI L. DAW~~, husband and
wife, known or identified to me to be the persons whose names are subscribed to the within
instrument and acknowledged to me they executed the same.

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



(seal)

Kelly Greene
Notary Public for Idaho
Residing at: St Anthony
My commission expires: 6-6-2020

SPECIAL WARRANTY DEED FOR WATER RIGHT - 2

8090#

556296

STATE OF IDAHO)
) ss.
County of Teton)

On this 14 day of Dec, 2015, before me, a Notary Public for said County and State, personally appeared ACE D. DAW and SHIRLEY DAW, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me they executed the same.

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

(seal)



Kelly Greene
Notary Public for Idaho
Residing at: St Anthony
My commission expires: 6-6-2020

556296

EXHIBIT A
WATER RIGHT DESCRIPTION

WATER RIGHT NO. 22-4046

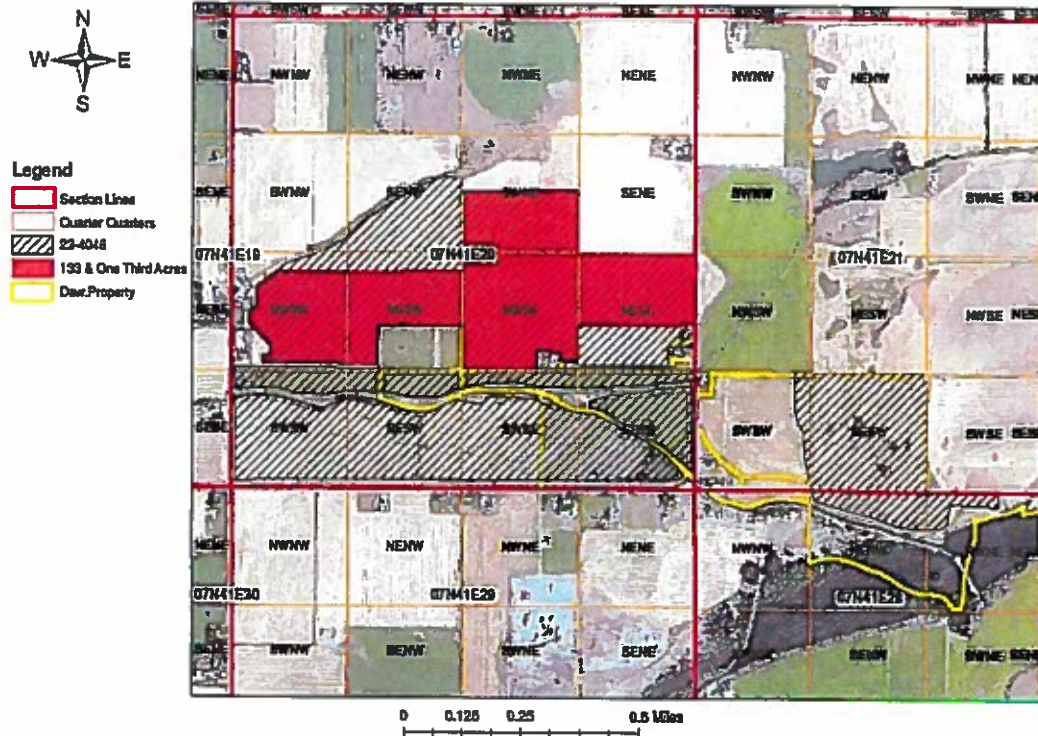
Diversion Rate: 2.67 cfs (allocated at .02 cfs per acre)

Diversion Volume: 466.67 acre-feet per year
(allocated at 3.5 acre-feet per year per acre)

Irrigated Acres: 133 1/3 acres appurtenant to the following described acres located in Township 7N, Range 41E, which are also depicted on the below map:

Section 20: SW1/4NE1/4 (21 acres); NW1/4SW1/4 (24.27 acres); NE1/4SW1/4 (22.9 acres); NW1/4SE1/4 (38 acres); and NE1/4SE1/4 (27.16 acres).

EXHIBIT A MAP





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

May 18, 2016

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

W JEFFREY WALTERS
PATRICE WALTERS
SHAWN J WALTERS
MONA WALTERS
PO BOX 156
NEWDALE, ID 83436

RE: Transfer No. 80905
Water Right No(s). 22-14206

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 REXBURG STANDARD JOURNAL on 5/27/2016 and 6/3/2016. 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,

Judea Jones
Administrative Assistant

CC: ROCKY MOUNTAIN ENVIRONMENTAL ASSOC
C/O KRISTIN MOORE
482 CONSTITUTION WAY
IDAHO FALLS, ID 83402

Cox, Sharla

From: Cox, Sharla
Sent: Thursday, May 19, 2016 1:26 PM
To: 'Legals'
Subject: Legal Notice for Your Newspaper
Attachments: Rexburg Standard Journal.doc

Contacts: Rexburg Standard Journal - #241525

Sharla

*Sharla Cox
Administrative Assistant
Idaho Dept of Water Resources
900 N Skyline Dr. Ste A.
Idaho Falls ID 83402
sharla.cox@idwr.idaho.gov
208-525-7161 phone
208-525-7177 fax*

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80905**

W JEFFREY WALTERS and PATRICE WALTERS and SHAWN J WALTERS and MONA WALTERS, PO BOX 156, NEWDALE, ID 83436; has filed Application No. 80905 for changes to the following water rights within FREMONT County(s): Right No(s). 22-14206; 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 a portion of the above rights as follows:

Change the point of diversion and change the place of use. The point of diversion is in SESE Sec 36 T7N R41E for 2.67 cfs from ground water. The place of use is in Sec 1 T6N R41E, Sec 6 T6N R42E, Sec 36 T7N R41E, and Sec 31 T7N R42E for 133.3 acres within a 708.3 acre place of use.

For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before 6/13/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/27/2016 and 6/3/2016