

RECEIVED

FEB 25 2016

DEPT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

80711

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) STEVE FARROCheck 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: Application is to correct aqueduct part of original water right 75-10374.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEPARTMENT OF
WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) STEVE FARRO Phone 208.866.7683
Mailing address 3348 W. ANDERSON ST. BOISE, ID. 83703 Email stevef@boiseai.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**.
- ☐ 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 HAYDEN-WADE SURVEYING Phone 208.756.3070
Mailing address 402 VAN DREFF ST. SALMON, ID. 83467 Email Wadesurveying@custertel.net

- ☐ 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.

Steven R. Farro
Signature of Applicant or Authorized Representative

Personal Representative of Estate of Cyril E. Farro
Steven R. Farro
Print Name and Title if applicable

02/24/16
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use

☐ Change nature of use ☐ Change period of use ☒ Other correct error in original water right.
- 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**.

Reason for application is to correct an error in the original water right location of aliquot part. water right is located in the SE 1/4 SE 1/4 and not in the listed NE 1/4 SE 1/4, T. 23 N, R. 17 E, SEC. 15.

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 ☒ ☐	75-10374	0.040 cfs	DOMESTIC	1/01 to 12/31	DWL CREEK/SALMON RIVER
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.040 cfs and/or N/A acre-feet.

2. Total amount of water proposed to be transferred or changed 0.04 cubic feet per second and/or N/A 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	
23N	17E	15																X	1.20
Total Acres (for irrigation use)																			1.20

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:

No changes to water use or diversion system. Application is to correct an error in the original water right 75-10374 to the aliquot part it is in.

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

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: NO

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? NO

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 changes made, need to put water right 75-10374 into the proper aliquot part, T. 23N., R. 17E., SEC. 15 SE 1/4 SE 1/4.

- 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:

No changes being made other than to correct paperwork error in original water right 75-10374.

- 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
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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 right(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:

[illegible]

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by di Date 2-25-16 Preliminary check by _____ Date _____

Fee paid \$200.00 Date 2-25-16 Received by di Receipt # C101557

Add'l fee paid	Date	Received by	Receipt #
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Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

3/2/2015

WATER RIGHT NO. 75-10374

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CYRIL E FARRO
Current Owner	VERNA O FARRO 1804 MARY ST SALMON, ID 83467 (208)756-2617

Priority Date: 06/10/1963

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
OWL CREEK	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	1/01	12/31	0.04 CFS	
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

OWL CREEK ~~NENE~~ Sec. 15 Township 23N Range 17E LEMHI County

* need to correct aliquot part to SESE, SEC. 15, T. 23 N., R. 17 E.

Place(s) of use: please see attached maps. ATTACHMENT #7b ①-⑥

Place of Use Legal Description: DOMESTIC LEMHI 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>
23N	17E	15		NESE										

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. RP A00100040090 A

Dates:

Licensed Date:

Decreed Date: 11/03/2000

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: S

Owner Name Connector: OR

Water District Number:

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



WADE SURVEYING

Global Positioning Service

Land Surveying and Planning

402 Van Dreff Street

Salmon, Idaho 83467



Phone: (208)-756-3070

February 18, 2016

Steve Farro
3348 W. Anderson Street
Boise, Idaho 83703

Re: Idaho Water Right 75-10374

Hello Steve,

Hello Steve,

Enclosed is the application to Idaho Department of Water Resources (IDWR) to correct the aliquot part the existing water right is listed in. There are no changes listed on the application to the existing diversion system, will not constitute an enlargement in use of the original rights, or the place or purpose of use. If this understanding is in error, we will need to correct the application to include said improvements or adjustments to the existing structure and use. If this understanding is correct, please sign the enclosed application on the first page, print name and title, and then date. It would be beneficial to also include the estate of Cyril Farro listing you as personal representative so it does not hold up the application process. Please label documentation providing authority to sign for the applicant, and label it Attachment #4.

Once IDWR corrects the aliquot part in the existing water right 75-10374, we will then file a transfer of ownership from Farro Estate to Thomas Estate. This will be filed separately and after this application has been approved.

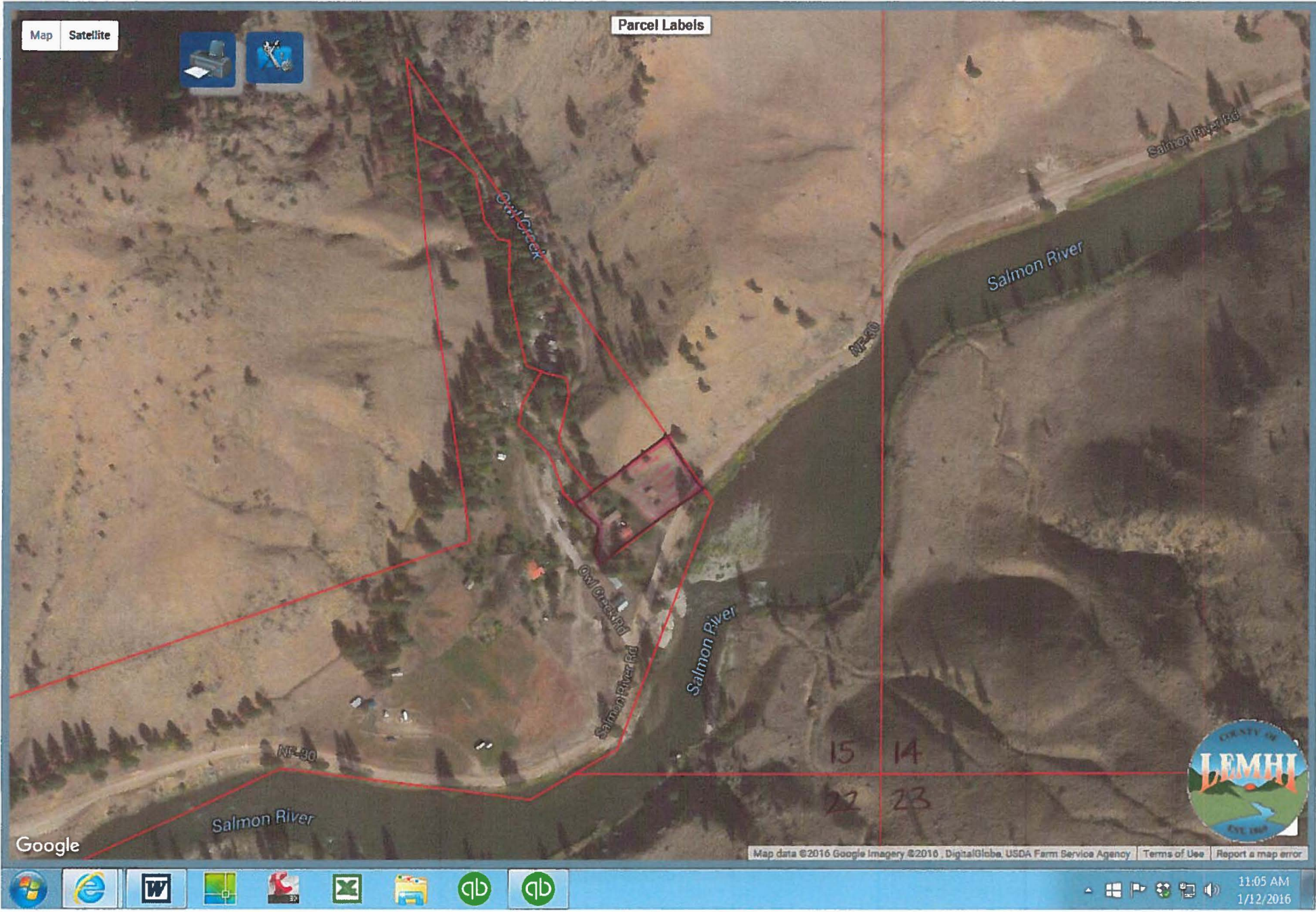
According to the existing rejected application done in October of 2015, the fee was \$25.00, which will need to be sent in with this application. The payment will need to be issued to IDWR.

Please feel free to contact us at the number listed above if you have further questions or need additional information.

Thank you,

Kristin Hayden
Wade Surveying





ATTACHMENT - #76 (2)

Attachment to Transfer Application 80711

RECORD OF SURVEY

H.E.S. 368

DEPENDENT RESURVEY

LEGEND

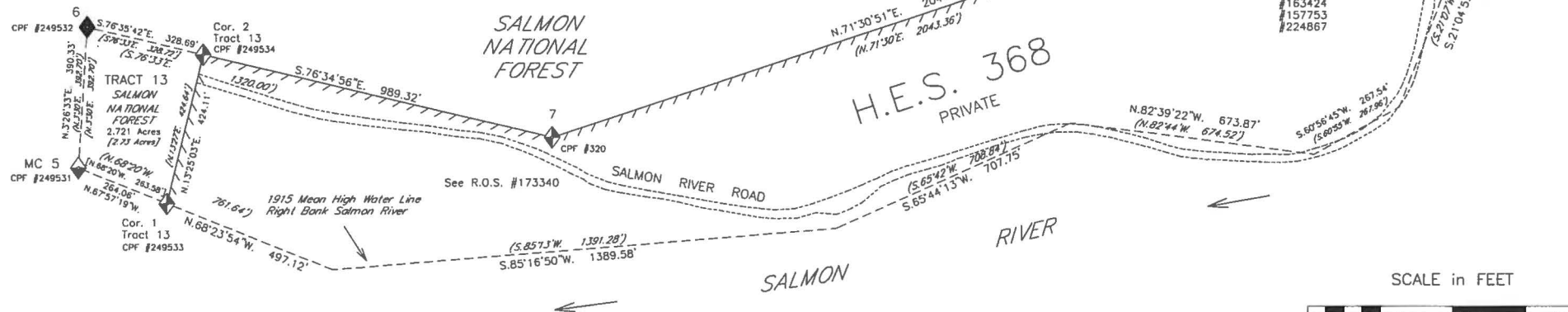
- ◆ B.L.M. BRASS CAP IRON POST MONUMENT; REMONUMENTATION OF ORIGINAL EVIDENCE; FORSYTH, 1964 & 1967.
- ◆ B.L.M. BRASS TABLET; REMONUMENTATION OF ORIGINAL EVIDENCE; FORSYTH, 1964.
- ◆ U.S.F.S. BRASS CAP IRON POST MONUMENT; EXCHANGE CORNERS- 1966 & REMONUMENTATION OF ORIGINAL EVIDENCE- 1970; FERGUSON, PLS 695.
- ◆ U.S.F.S. BRASS TABLET; REMONUMENTATION OF ORIGINAL EVIDENCE; HOFFMAN, PLS 5575, 2001.
- ◆ U.S.F.S. ALUM. DRIVEABLE MONUMENT; PROPORTIONED POSITION; HOFFMAN, PLS 5575, 2001.

/// PROPERTY LINE POSTED TO U.S.F.S. STANDARDS.

[SLANTED LETTERING] - GILBREATH -1915

[SLANTED LETTERING] - WARRANTY DEED, BK 49, PG 40, 7/15/63.

NOTE: The location for topographic features on this plat were approximated from aerial photography and/or U.S.G.S. quadrangles. Salmon River Road location based on survey ties. Trail No. 152 mapped using resource grade GPS.



NAD 27 Position for Corner #1:
Latitude---45°19'07.79"N.
Longitude---114°28'58.45"W.

See R.O.S. Maps:
#163424
#157753
#224867

SCALE in FEET



SURVEY HISTORY

The original survey of H.E.S. 368 was completed Sept. 20, 1915, by Earl R. Gilbreath, Forest Ranger, Surveyor.

John Ferguson, PLS 695, U.S.F.S. Surveyor, surveyed and monumented Tracts No. 13 & 37 as part of a 1966 land exchange. See Warranty Deed filed in Book 49 of Deeds, Page 40.

BASIS OF BEARINGS

The bearing between two traverse control points was determined by direct solar observation on May 22, 2001. All courses are rotated to that base by angular measurement.

* -Represents the mean of 24 differentially corrected positions collected with a Trimble Geopoint 3 GPS receiver.

COUNTY RECORDER CERTIFICATION

INSTRUMENT NUMBER 249557

TIME 1:38pm DATE 1-28-02

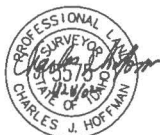
BOOK 13 PAGE 8

RECORDS OF LEMHI COUNTY, STATE OF IDAHO

Shirley J. Martin by Grace Ayle
RECORDER

CERTIFICATE OF SURVEY

I, CHARLES J. HOFFMAN, Registration No. 5575, Professional Land Surveyor, State of Idaho, hereby certify that this plat correctly represents a survey made by me or under my direction in conformance with the B.L.M. "Manual of Surveying Instructions-1973" and the law(s) of the State of Idaho at the request of the U.S. Department of Agriculture-Forest Service-Region 4.

U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE

REGION 4

SALMON NATIONAL FOREST

FOREST PROPERTY LINE SURVEY

DEPENDENT RESURVEY

H.E.S. 368

SECTIONS 15 & 16 (UNSURVEYED)
TOWNSHIP 23 NORTH, RANGE 17 EAST, B.M.
LEMHI COUNTY, IDAHO

SURVEYED BY	R. Schroeder & J.P. Wade	DATE	5/01	DRAWN	RAS
FOREST APPROVAL		DATE		CHECKED	
APPROVED		DATE		SHEET	1 of 1
APPROVED		DATE		DWG NAME	HES368_ROS

A 12 P.8

RECORD OF SURVEY

LOCATED IN H.E.S. 368. UNSURVEYED SECTION 15.

T. 23 N.. R. 17 E.. BOISE MERIDIAN. LEMHI COUNTY, IDAHO

C.P.&F. INST.
NO. 249529

THE PURPOSE OF THIS SURVEY IS TO RELOCATE COMMON BOUNDARY LINES BETWEEN ADJOINING PROPERTIES AND NO ADDITIONAL PARCELS ARE HEREBY CREATED; THEREFORE, THIS SURVEY IS EXEMPT FROM A LOT SPLIT REVIEW.

PARCELS A, B AND R.O.S. 224807 ARE TO REPLACE THE PARCELS X, Y AND Z AS SHOWN ON R.O.S. 174635 WHICH WAS SURVEYED BY HUGH COIMER IN 1959.



DESCRIPTION OF PARCELS

PARCEL "A"

A PARCEL OF LAND LOCATED IN H.E.S. 368, UNSURVEYED SECTION 15, T. 23 N., R. 17 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT CORNER 4 OF SAID H.E.S., FROM WHICH CORNER 3 OF SAID H.E.S. BEARS N 34°25'57" W 1448.17 FT., THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE N 34°25'57" W ALONG THE LINE BETWEEN SAID CORNERS 4 AND 3 A DISTANCE OF 48.04 FT., TO THE POINT OF BEGINNING;

THENCE S 53°09'13" W A DISTANCE OF 342.52 FT., TO A POINT ON THE CENTERLINE OF OWL CREEK;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID CENTERLINE: N 52°16'54" W 33.55 FT.; N 05°40'10" E 81.50 FT.; N 48°23'20" W 55.30 FT.;

THENCE N 53°41'04" W A DISTANCE OF 309.36 FT., TO A POINT ON THE LINE BETWEEN SAID CORNERS 4 AND 3;

THENCE S 24°25'57" E ALONG SAID LINE A DISTANCE OF 168.90 FT., TO THE POINT OF BEGINNING.

PARCEL CONTAINS 1.20 ACRES

SUBJECT TO A 12 FT. WIDE EASEMENT FOR INGRESS AND EGRESS ALONG AND EXISTING ROAD AS SHOWN ON THE R.O.S. FILED IN THE LEMHI COUNTY COURTHOUSE IN 2002.

PARCEL "B"

A PARCEL OF LAND LOCATED IN H.E.S. 368, UNSURVEYED SECTION 15, T. 23 N., R. 17 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT CORNER 4 OF SAID H.E.S., FROM WHICH CORNER 3 OF SAID H.E.S. BEARS N 34°25'57" W 1448.17 FT., THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE N 34°25'57" W ALONG THE LINE BETWEEN SAID CORNERS 4 AND 3 A DISTANCE OF 211.03 FT., TO THE POINT OF BEGINNING;

THENCE S 53°41'04" W A DISTANCE OF 247.20 FT., TO THE NE CORNER OF THE PROPERTY SHOWN ON R.O.S. INST. NO. 224807 AS RECORDED IN THE LEMHI COUNTY COURTHOUSE;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID R.O.S.: N 48°23'20" W 68.80 FT.; N 25°57'59" W 51.58 FT.; S 24°25'57" E 128.60 FT., TO A POINT ON THE LINE BETWEEN SAID CORNERS 4 AND 3;

THENCE N 53°41'04" W A DISTANCE OF 309.36 FT., TO A POINT ON THE LINE BETWEEN SAID CORNERS 4 AND 3;

THENCE S 24°25'57" E ALONG SAID LINE A DISTANCE OF 207.16 FT., TO CORNER 3 OF SAID H.E.S.;

THENCE S 24°25'57" E ALONG THE LINE BETWEEN CORNERS 3 AND 4 OF SAID H.E.S. A DISTANCE OF 1237.14 FT., TO THE POINT OF BEGINNING.

PARCEL CONTAINS 3.48 ACRES

TOWNSHIP WITH AND SUBJECT TO A 12 FT. WIDE EASEMENT FOR INGRESS AND EGRESS ALONG AND EXISTING ROAD AS SHOWN ON THE R.O.S. FILED IN THE LEMHI COUNTY COURTHOUSE IN 2002.

0 100' 200'

SCALE 1" = 100.00'

LEGEND

- GOVERNMENT MONUMENT
- CALCULATED POINT (NOT SET)
- 5/8" X 24" REBAR WITH PLASTIC CAP MARKED WADE PLS 5080
- 1/2" REBAR SET BY LS 970
- LARGE STONE WITH CHISELED "X"
- P.O.L. POINT ON LINE
- P.O.B. POINT OF BEGINNING
- OLD PROPERTY BOUNDARY FROM INST. NO. 157753
- == 12' WIDE ROAD EASEMENT
- ===== CENTERLINE OWL CREEK

COUNTY RECORDER'S
CERTIFICATE

RECORDER OF LEMHI COUNTY

TIME: 11:02 DAY: 27 MONTH: February 2002

BOOK: 13 PAGE: 17 INST. NO. 249529

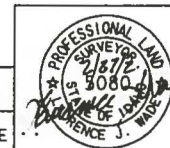
RECORDER: [Signature]

BY: [Signature]

FOR

GREG ENGLISH

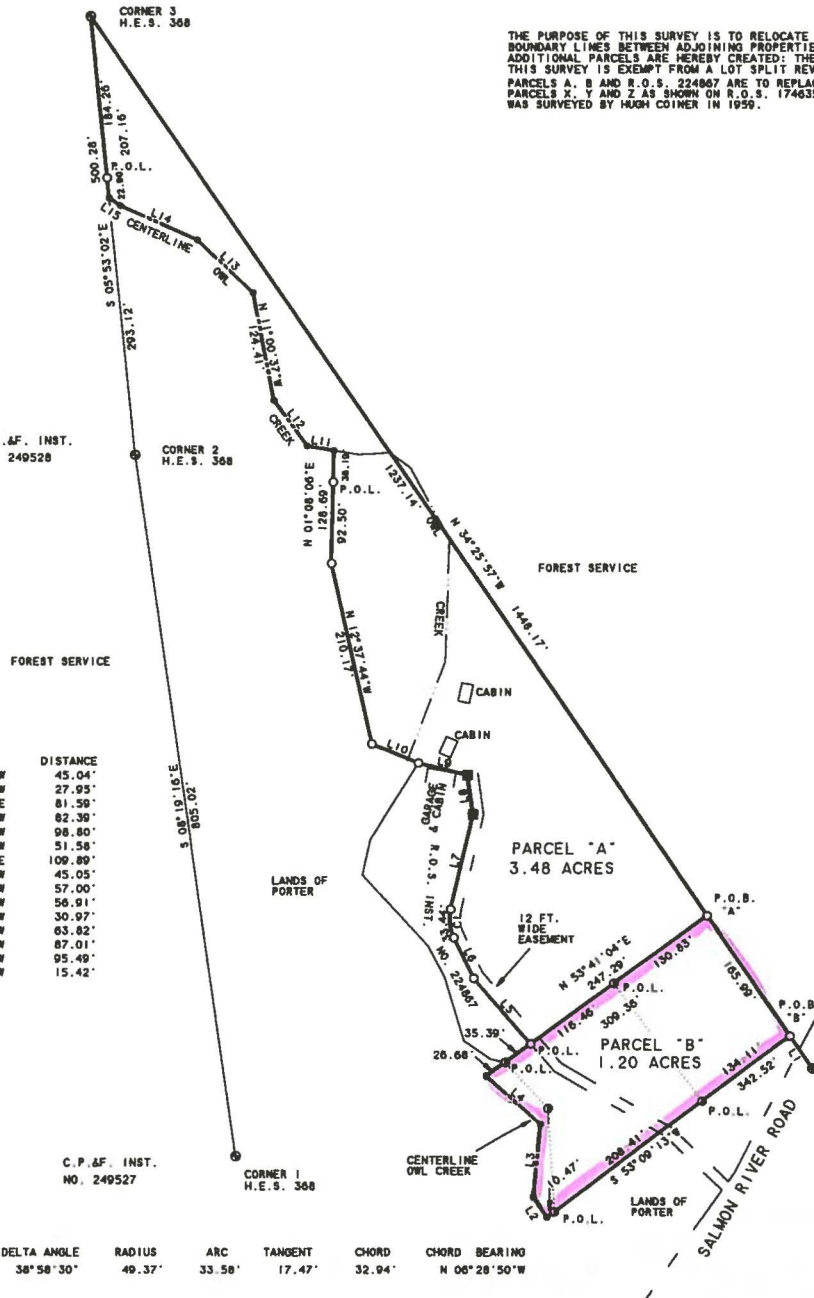
FILE: ENGLISH.0CD CHK BY: LJW
DATE: 01/21/2002 DRAWN BY: RM
WADE SURVEYING
104 S WARPATZ SALMON, IDAHO
208-756-3070 83467

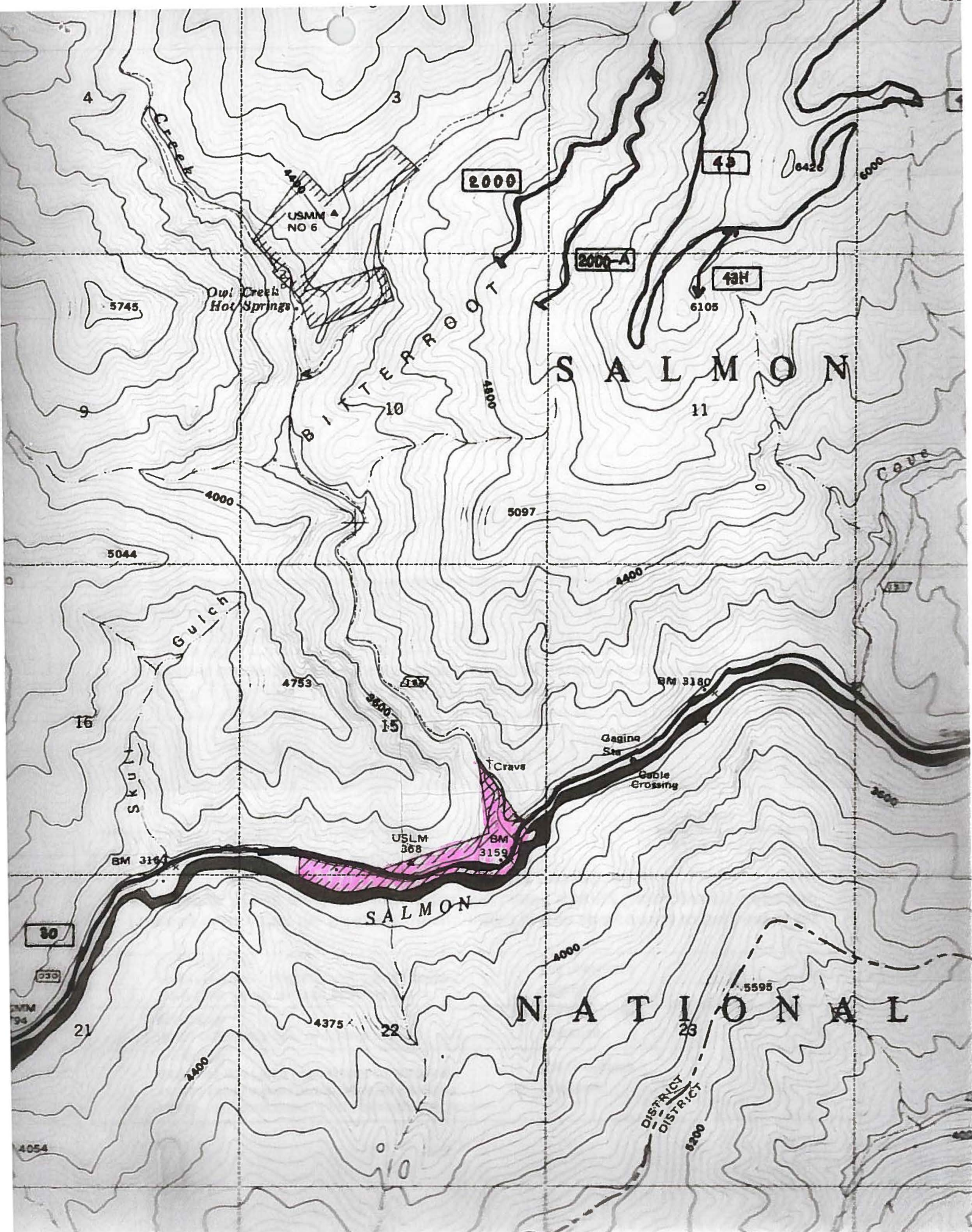


1/4	SEC	T	R
	15	23N	17E

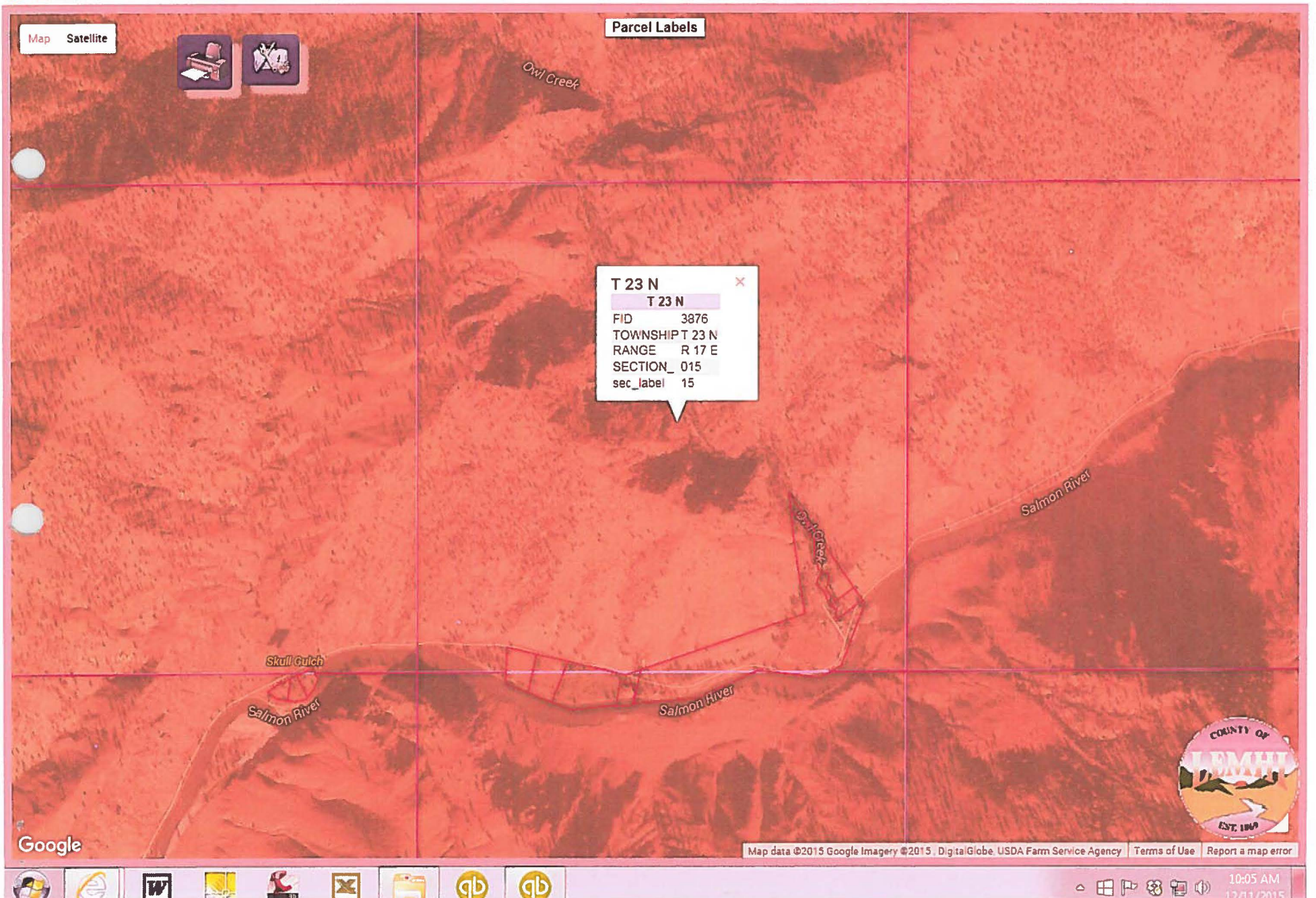
LINE	BEARING	DISTANCE
L 1	N 34°25'57"W	45.04'
L 2	N 33°16'34"W	27.93'
L 3	N 05°40'10"E	81.50'
L 4	N 48°23'20"W	82.39'
L 5	N 40°53'25"W	98.80'
L 6	N 25°57'59"W	51.58'
L 7	N 13°00'21"E	109.89'
L 8	N 08°08'06"W	45.05'
L 9	N 76°24'31"W	57.00'
L 10	N 67°30'52"W	56.91'
L 11	N 60°06'47"W	30.97'
L 12	N 36°08'38"W	63.82'
L 13	N 46°37'04"W	87.01'
L 14	N 65°54'12"W	95.49'
L 15	N 55°06'13"W	15.42'

CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C 1	38°58'30"	49.37'	33.58'	17.47'	32.94'	N 06°28'50"W





ATTACHMENT #76 (6)



Slavin Law Office, Chrd
Milton A. Slavin, Esq., ISBN 15
Milton Chace Slavin, Esq., ISBN 9809
116 North Center Street
Salmon, Idaho 83467
Telephone: 208-756-2030

STATE OF IDAHO
COUNTY OF LEMHI
I, TERRY J. MORTON, CLERK OF THE DISTRICT COURT
OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF
IDAHO, IN AND FOR THE COUNTY OF LEMHI DOE HEREBY
CERTIFY THAT THE PROCEEDING IS A TRUE AND CORRECT
COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.
IN WITNESS WHEREOF I HAVE HERE UNTO SET MY HAND
AND AFFIXED MY OFFICIAL SEAL THIS 29th DAY
OF May YEAR 2014
TERRY J. MORTON, CLERK
BY [Signature] DEPUTY

FILED ON

MAY 29 2014

LEMHI COUNTY MAGISTRATE

Attorneys for Estate

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LEMHI

IN THE MATTER OF THE ESTATE
OF:

CYRIL EDWARD FARRO,
a/k/a CYRIL E. FARRO,

Deceased.

Case No. CV 14-160

LETTERS TESTAMENTARY

The Will of CYRIL E. FARRO, having been admitted to informal probate, MICHAEL E. FARRO
OR STEVEN R. FARRO are hereby appointed as Personal Representatives of the estate herein.

WITNESS: STEPHEN J. CLARK, Magistrate of the District Court, County of Lemhi, State of
Idaho, with the seal of the Court affixed this 29th day of May 2014.

[Signature]
STEPHEN J. CLARK, Magistrate Judge

Acceptance

We, MICHAEL E. FARRO and STEVEN R. FARRO, hereby accept the duties as Personal
Representatives of the Estate of CYRIL E. FARRO, and do solemnly swear that we will perform, according
to the law, the duties of Personal Representatives of the Estate of CYRIL E. FARRO.

[Signature]
MICHAEL E. FARRO

[Signature]
STEVEN R. FARRO

DATE: Mr 29, 2014

DATE: May 29, 2014

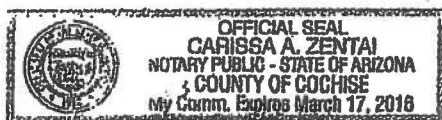
STATE OF ARIZONA

County of Cochise

On this 29th day of May, 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared MICHAEL E. FARRO, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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

(Seal)



Carissa A Zentai
Notary Public for State of Arizona

Residing at: Sierra Vista,

AZ.

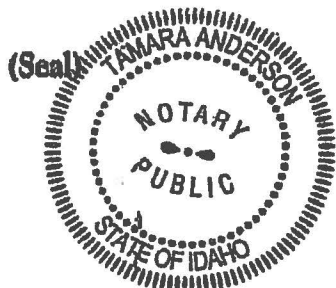
My Commission Expires: 3/17/2016

STATE OF IDAHO

County of Ada

On this 29 day of May, 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared STEVEN R. FARRO, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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



Tamara Anderson
Notary Public for State of Idaho

Residing at: 6259W Emerald Borte ID

My Commission Expires: 8/19/2019

MY COMMISSION EXPIRES:
August 19, 2019

IN7PRO\FARRO.CYRIL.1TOR\1498-03



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

February 29, 2016

GREGORY ENGLISH
4640 E LOMA CIR
IDAHO FALLS ID 83406-8262

RE: Transfer No. 80711

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from you regarding the above referenced application for transfer. A full description concerning property location may be found at: <http://www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx>.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If you desire to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

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

Sincerely,

A handwritten signature in black ink that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

February 29, 2016

JON PORTER
6 OWL CREEK LN
SHOUP ID 83469

RE: Transfer No. 80711

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from you regarding the above referenced application for transfer. A full description concerning property location may be found at: <http://www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx>.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If you desire to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

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

Sincerely,

A handwritten signature in black ink that reads "Jean Hersley". The signature is written in a cursive, flowing style.

Jean Hersley
Technical Records Specialist II

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

February 29, 2016

SALMON CHALLIS NATIONAL FOREST
1206 S CHALLIS ST
SALMON ID 83467

RE: Transfer No. 80711

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from you regarding the above referenced application for transfer. A full description concerning property location may be found at: <http://www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx>.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If you desire to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

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

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

February 29, 2016

STEVEN R FARRO
3348 W ANDERSON ST
BOISE, ID 83703

RE: Transfer No. 80711
Water Right No(s). 75-10374

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 RECORDER HERALD on 3/03/2016 and 3/10/2016. 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,

Jean Hersley
Technical Records Specialist

CC: WADE SURVEYING
KRISTIN HAYDEN
402 VAN DREFF ST
SALMON, ID 83467



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

February 29, 2016

IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY
900 NORTH SKYLINE SUITE B
IDAHO FALLS, ID 83402

RE: Transfer No. 80644 (Water Right Nos. 74-16041 & 74-2158), Transfer No. 80592 (Water Right Nos. 74-192, 74-2158, 74-468), Transfer No. 80711 (Water right No. 75-10374 and Application for Permit 75-14822)

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right applications. I have enclosed a copy of the applications for your reference.

This office can publish notice of the application and transfers as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of these applications, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

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

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

February 29, 2016

IDAHO DEPARTMENT OF FISH & GAME
ATTN: TOM BASSISTA
4279 COMMERCE WAY
IDAHO FALLS ID 83401

RE: Transfer No. 80644 (Water Right Nos. 74-16041 & 74-2158), Transfer No. 80592 (Water Right Nos. 74-192, 74-2158, 74-468), Transfer No. 80711 (Water right No. 75-10374 and Application for Permit 75-14822)

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right transfers and application for permit. I have enclosed a copy of the applications for your reference.

This office can publish notice of the application and transfers as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of these applications, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

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

Sincerely,

A handwritten signature in black ink, reading "Jean Hersley".

Jean Hersley
Technical Records Specialist II

Enclosure(s)

c: Dept of Fish & Game- Salmon office

Legal Notice Department

Recorder Herald
PO Box 310
Salmon ID 83467

RE: Legal Ad for your paper

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper 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 March 21, 2016. Your cooperation is appreciated.

Sincerely

Jean Hersley
Idaho Department of Water Resources
320 E Front St
PO Box 83720
Boise ID 83720-0098
208-287-4942 – telephone
208-287-6700 – Fax
jean.hersley@idwr.idaho.gov

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 80644

BRENT W MULKEY, 1008 HWY 28, SALMON, ID 83467-5303; has filed Application No. 80644 for changes to the following water rights within LEMHI County(s): Right No(s). 74-16041, 74-2158; 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:
Proposes reconfiguring the place of use for both rights in T20N R23E S2 & S11 to cover existing irrigation locations and conveyance of Pratt Creek water into Sandy Creek for the point of diversion of 74-2158.

TRANSFER NO. 80592

BRENT W MULKEY, 1008 HWY 28, SALMON, ID 83467-5303; has filed Application No. 80592 for changes to the following water rights within LEMHI County(s): Right No(s). 74-192, 74-2158, 74-468; 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:
Proposes reconfiguring the place of use in T20N R23E S11 to accommodate new pivot irrigation system and changing the point of diversion including conveyance of Pratt Creek water into Sandy Creek.

TRANSFER NO. 80711

STEVEN R FARRO, 3348 W ANDERSON ST, BOISE, ID 83703; has filed Application No. 80711 for changes to the following water rights within LEMHI County(s): Right No(s). 75-10374; 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:
Transfer proposes to correct water right by changing the place of use to historical location of home.

For additional information concerning the property location, contact IDWR State office at (208) 287-4800; or for a full description of the transfer, please see

<http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm> 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, 322 E Front St, PO Box 83720, Boise ID 83720-0098 together with a protest fee of \$25.00 for each application on or before 3/21/2016. The protestant must also send a copy of the protest to the applicant.

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

75-14822

STANLEY POTTS

4 REDSIDE WAY

SHOUP, ID 83469

Point of Diversion SESE S25 T23N R16E LEMHI County

Source COLSON CREEK Tributary SALMON RIVER

Use: AESTHETIC

01/01 to 12/31

1 CFS

Use: POWER

01/01 to 12/31

1 CFS

Total Diversion:

1 CFS

Date Filed: 2/3/2016

Place Of Use: POWER & AESTHETIC

T23N R16E S25 SESW

This application proposes development of hydropower and aesthetic uses. This application proposes the diversion and use of water from a tributary of the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for non-consumptive purposes.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the State office at (208) 287-4800; or for a full description of the right(s), please see

www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, State Office, 322 E Front St, PO Box 83720, Boise, ID 83720 together with a protest fee of \$25.00 for each application on or before 3/21/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 3/03/2016 and 3/10/2016

MEMORANDUM

Date: February 26, 2016
To: Transfer 80711
From: Pam Skaggs 
Re: Review & Evaluation of Sufficiency of Information

This transfer application is to change the place of use to the right holder's property and correct an apparent error on the partial decree. The point of diversion is located in the NESE, S15, but the home and lot owned by the right holder is located in the SESE, S15. The place of use is currently represented by the PLS for the full 40 acres. A comment letter will be sent to the three property owners in the NESE, S15 to allow for comments or concerns during the advertising period.

Authority to File: This application to change Right 75-10374 was filed on behalf of the authorized right holders, Cyril E. or Verna O. Farro, by Steven R. Farro as one of the personal representatives of the estate of Cyril E. Farro. Ownership changes are not proposed at this time.

Water Right Validity: An SRBA partial decree was issued for 75-10374 on 11/03/2000 for domestic use. A house, yard and out-buildings are clearly visible in 2015 imagery. No concerns about forfeiture.

Injury to Other Water Rights: No change in the point of diversion from Owl Creek is proposed. No impact on other six rights from source. Diversion system is not proposed to be changed from historical system.

Enlargement of Use: The partial decree identified domestic use was for one home and the transfer will also.

Local Public interest: No effect on local water users.

Beneficial Use/Conservation of Water Resources: Domestic use is an authorized beneficial use of water.

Effect on Economy the Local Area: No effect or change.

Effect on Agricultural Base of the Local Area: No effect since domestic use.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

Skaggs, Pam

From: wadesurveying@custertel.net
Sent: Friday, February 26, 2016 11:53 AM
To: Skaggs, Pam
Cc: stevef@boisegi.com
Subject: Re: Application for Transfer 80711 Farro

Hello Pam and Steve,

The Point of Diversion is correct on the map you provided Pam, it is the point of use that needs to be updated to be in the SESE for Farro.

I hope this answers your questions, and if you need additional information please don't hesitate to contact us. Have a good weekend!

Kristin

Wade Surveying

Salmon, Idaho

On Fri, 26 Feb 2016 17:57:14 +0000, "Skaggs, Pam"

<Pam.Skaggs@idwr.idaho.gov> wrote:

> Mr. Farro,

>

> I am completing a preliminary review of the transfer application you

> recently submitted and have a couple of questions before I proceed.

>

> On your application Part 1.B.3. Point(s) of Diversion a box was

> checked saying "No changes to point(s) of diversion are proposed..."

>

> On your application Part 1.B.4. Place of Use, you have identified a

> change to the SESE.

>

> On the proof report of Right 75-10374 submitted as Part 2 of the

> application representing the currently authorized elements of the

> right, on the point of diversion description there is a hand written

> note about the need to change to SESE per attached maps. The maps only

> identify the proposed or corrected place of use.

>

> It appears that you intend to change only the place of use description

> from the maps, but since there are contradictory comments within the

> application I need confirmation from you.

>

> I have inserted a map below that shows the currently authorized point

> of diversion in the NESE and the proposed place of use in the SESE. If

> this represents what you propose to accomplish through this transfer

> application please confirm by return email.

>

> I will proceed with processing when I have received your response.

>

> Thank you,

>

> Pam

>

> _____

>

> PAMELA S. SKAGGS

Skaggs, Pam

From: Skaggs, Pam
Sent: Friday, February 26, 2016 10:57 AM
To: 'stevef@boisegi.com'
Cc: 'wadesurveying@custertel.net'
Subject: Application for Transfer 80711 Farro

Mr. Farro,

I am completing a preliminary review of the transfer application you recently submitted and have a couple of questions before I proceed.

On your application Part 1.B.3. Point(s) of Diversion a box was checked saying "No changes to point(s) of diversion are proposed..."

On your application Part 1.B.4. Place of Use, you have identified a change to the SESE.

On the proof report of Right 75-10374 submitted as Part 2 of the application representing the currently authorized elements of the right, on the point of diversion description there is a hand written note about the need to change to SESE per attached maps. The maps only identify the proposed or corrected place of use.

It appears that you intend to change only the place of use description from the maps, but since there are contradictory comments within the application I need confirmation from you.

I have inserted a map below that shows the currently authorized point of diversion in the NESE and the proposed place of use in the SESE. If this represents what you propose to accomplish through this transfer application please confirm by return email.

I will proceed with processing when I have received your response.

Thank you,

Pam

Pamela S. Skaggs
Water Rights Supervisor
Idaho Department of Water Resources
322 E Front St
PO Box 83720
Boise ID 83720-0098
Phone (208) 287-4951
Fax (208) 287-6700

Currently authorized

point of diversion from Owl Creek for 75-10374

