

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

RECEIVED

DEC 21 2015

Department of Water Resources
Eastern RegionName of Applicant(s) Russell J. KlempelPhone 208 221 4236Mailing address 1488 South 3100 West Aberdeen ID 83210Email rjklempel@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**.
- ☐ 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.

Russell J. Klempel
Signature of Applicant or Authorized Representative

Russell J. Klempel
Print Name and Title if applicable

12-16-2015
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**.
 Corrals have always existed in the SWSW and SESW of Section 13, T05S, R30E. The corrals in the SWSW of Section 13 were not included in the decreed water right. I'd like to add those corrals, and a portion of my 1/2 acre lawn in the SWSW of Section 13, to the decreed water right. No more than 500 cattle or 1/2 acre irrigation will occur.

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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 ☒ ☐	35-12165	0.16 cfs	Domestic/Stock	01/01 to 12/31	Groundwater
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.16 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.16 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 #

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	
05S	30E	13											D	D					
05S	30E	13											S	S					
Total Acres (for irrigation use)																			

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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:

One well/pump, one house (an application for permit for a second house was submitted simultaneously), nine troughs.

- 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: 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:

N/A

- 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:

N/A

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

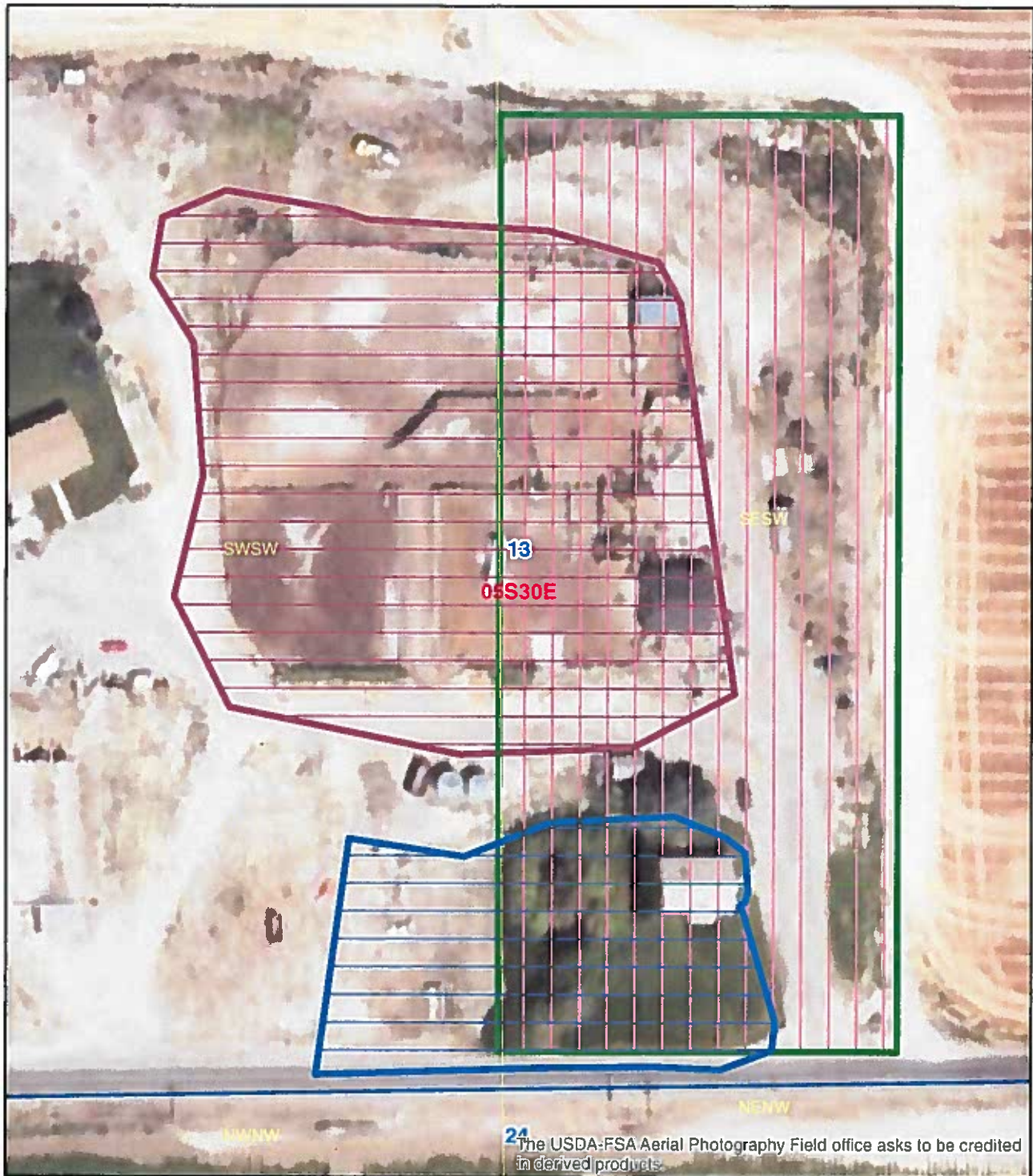
Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | 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:

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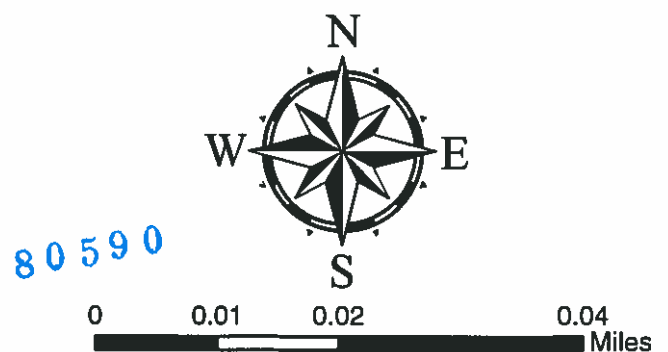
Klempel Transfer



2013 Imagery

Legend

- Post-Transfer Domestic POU
- Post-Transfer Stockwater POU
- Pre-Transfer Domestic and Stock POU
- Township/Range
- Sections
- QQ



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/22/2015

Water Right 35-12165

Owner Type **Name and Address**
Current Owner JOYCE A KLEMPER
3070 W 1500 S
ABERDEEN, ID 83210
(208)397-4096

Current Owner HOWARD KLEMPER
3070 W 1500 S
ABERDEEN, ID 83210
(208)397-4096

Priority Date: 6/1/1947

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.120 CFS	
DOMESTIC	1/01	12/31	0.040 CFS	
	<u>Total Diversion</u>		0.160 CFS	

Source and Point(s) of Diversion

GROUND WATER SWSESW Sec. 13, Twp 05S, Rge 30E, BINGHAM County

Place Of Use

DOMESTIC within BINGHAM 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	
05S	30E	13												X					

STOCKWATER within BINGHAM 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	
05S	30E	13												X					

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. PARCEL NO. RP0005801 STOCKWATER, 500 CATTLE

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/22/2015

Dates and Other Information

Decreed Date: 11/28/1997
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Mitigation Plan: False

Combined Use Limits

N/A

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A

Instrument # 670413

BINGHAM COUNTY

9-15-2015 03:56:46 PM No. of Pages: 2

Recorded for : RUSSELL KLEMPPEL

PAMELA W. ECKHARDT

Fee: 13.00

Ex-Officio Recorder Deputy

RECORDING REQUESTED BY:Baker & Harris
266 W Bridge
Blackfoot, ID 83221

space above this line for Recording use only

GRANT DEED

THIS INDENTURE, made this 9 day of June, 2015, between JOYCE A. KLEMPPEL, as Trustee of the KLEMPPEL REVOCABLE TRUST, dated June 6, 2008, Grantor, and RUSSELL J. KLEMPPEL, a single man as his sole and separate property, of 3080 W 1500 S, Aberdeen, Blackfoot, Idaho 83210, Grantee.

WITNESSETH: That the said Grantor, for good and valuable consideration paid by the said Grantee, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and convey unto the said Grantee, and to his successors and assigns all the certain land situate, lying and being in the County of Bingham, State of Idaho, described as follows, to wit:

Beginning at the Southwest corner of Section 13, Township 5 South, Range 30 East, Boise Meridian, Bingham County, Idaho; thence due East along the Southerly boundary of Section 13 a distance of 1,320 feet more or less to the True Point of Beginning; thence North on a line perpendicular to the Southerly boundary of said Section 13, a distance of 170 feet; thence East 220 feet on a line parallel to the Southerly boundary of Section 13; thence South 170 feet to the Southerly boundary of said Section 13; thence West along the Southerly boundary of said Section a distance of 220 feet, to the True Point of Beginning.

Together with any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

Subject to all existing rights-of-ways for public highways, protective covenants, utility lines, existing roadways, irrigation ditches and all building, zoning and other restrictions of use and all encumbrances of record.

Excepting and reserving nevertheless the right of the Grantor to use and occupy the property herein conveyed as her personal residence (but not for rental or other income producing purposes)

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