

DEC 11 2015

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

80580

DEPT OF WATER RESOURCES
SOUTHERN 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) John McIntosh Partridge & Ann Partridge, Co-Trustees of the At Last Ranch Trust, dated October 25, 2015

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

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

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

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 11 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) John McIntosh Partridge & Ann Partridge, Co-Trustees of the At La Phone (415) 789-1024Mailing address 17 Eucalyptus Rd., Belvedere, CA, 94920 Email johnmpartridge@yahoo.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 RepresentativeName of Representative James P. Speck Phone 208-726-4421Mailing address Speck & Aanestad, PO Box 987, Ketchum, ID, 83340 Email jim@speckandaanestad.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.

Signature of Applicant or Authorized Representative

Trustee

Print Name and Title if applicable

Date

Signature of Applicant or Authorized Representative

Trustee

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**.
 Domestic water right was decreed in SRBA with incorrect USGS locations for point of diversion and place of use.
 Applicant desires to correct these locations using current and more accurate USGS survey information.

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 ☒ ☐	37-10700	0.04	domestic	Jan. 1 to Dec. 31	ground water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.04 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.04 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 #
no		SW	NW	SW	11	5N	17E	Blaine	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	
5N	17E	11							~~D~~			D*							
Total Acres (for irrigation use)																			

* email per Jim Speck
dated 12/16/15 (see file)

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, pump, buried delivery system to house and residential irrigation

- 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? **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:

None. Legal description of existing place of use is being corrected. The actual place of use is not being moved or changed.

- 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:

None

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

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

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

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

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

Right Number: _____

- [illegible]

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

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

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

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

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

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

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the 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.

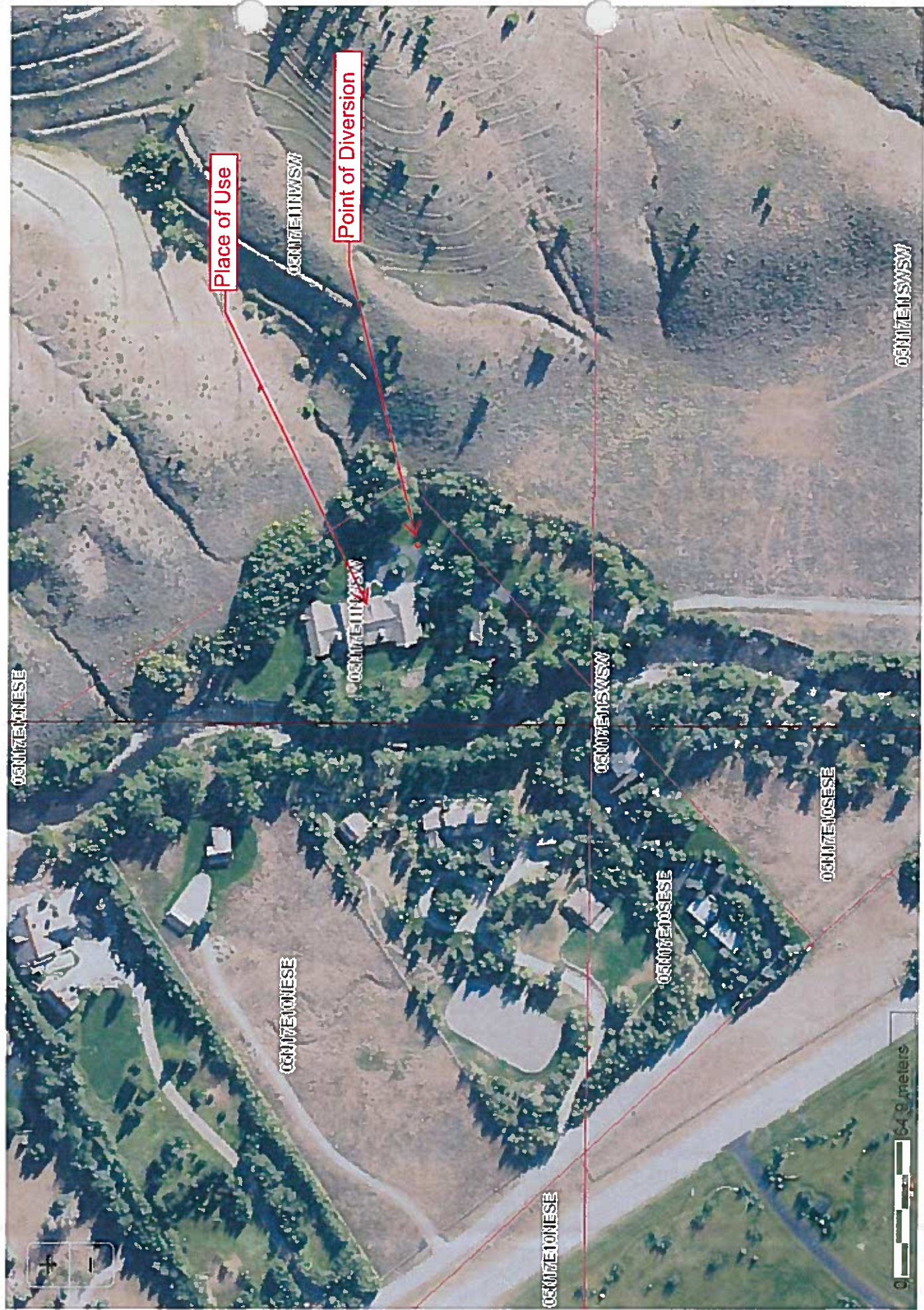
Received by TF Date 12.11.2015 Preliminary check by _____ Date _____

Fee paid \$200 - Date 12.11.2015 Received by DM Receipt # 5035147

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

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

At Last Ranch Trust - Application for Transfer - Water Right 37-10700 - Attachment 7a



TRANSFER 80580



Instrument # 630992

HAILEY, BLAINE, IDAHO
11-09-2015 11:23:00 AM No. of Pages: 2
Recorded for: BLAINE COUNTY TITLE
JOLYNN DRAGE Fee: \$13.00
Ex-Officio Recorder Deputy: mpp
Electronically Recorded by Simplifile

WARRANTY DEED

FOR VALUE RECEIVED

River Lodge, LLC, a Washington limited liability company,

the Grantor, hereby grants, bargains, sells, conveys and warrants unto

John McIntosh Partridge and Ann Partridge, Co-Trustees of the At Last Ranch Trust dated October 27, 2015

the Grantee, whose current address is: 17 Eucalyptus Rd, Belvedere, CA 94920

the following described premises, to-wit:

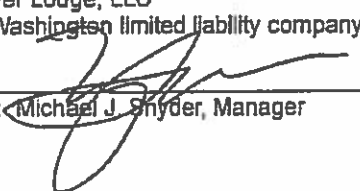
Lot 18 of BARLOW SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 105687, Records of Blaine County, Idaho.

Together with any and all water rights appurtenant thereto including, but not limited to, Water Rights Nos. 37-276H and 37-10700 as recorded in the records of the Idaho Department of Water Resources.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises, that said premises are free from all encumbrances and that the Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated this 28 day of October, 2015.

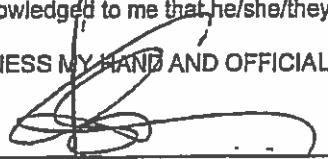
River Lodge, LLC
a Washington limited liability company

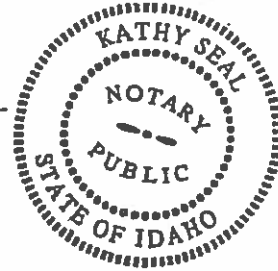
By: 
Michael J. Snyder, Manager

State of Idaho
County of Blaine

On this 28 day of October, 2015, before me, the undersigned, a Notary Public, in and for said State, personally appeared Michael J. Snyder, known to me, and/or identified to me on the basis of satisfactory evidence, to be the Manager of the Limited Liability Company that executed the within instrument and the foregoing instrument was signed on behalf of said company by authority of its members and acknowledged to me that he/she/they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.


Notary Public Kathy Seal
Residing at: Blaine County, Idaho
My Commission Expires: 7-26-2017



MEMORANDUM

Date: December 17, 2015
To: Transfer 80580 File
From: Jana Reeder
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes correcting the locations of the point of diversion and place of use for water right 37-10700 to current USGS projections. An existing well will divert up to 0.04 cfs for domestic uses associated with a home. The POD and POU are located within Lot 18 of the Barlow Subdivision in Sun Valley. (HES 124)

A recent ownership change revealed the incorrect locations of the POD and POU most likely caused by a GCDB shift. No physical changes are actually occurring so advertisement is not necessary. Water right is for domestic use so water master comments will not be requested .

Note overlapping surface water right 37-276H for irrigation is also decreed incorrectly. Brockway engineering is currently working on a transfer analysis for a portion of this right. The remaining portion is currently in the Water Supply Bank.

- **Authority to File:**
The Department's database indicates that the applicant is listed as current owner on water right 37-10700. A warranty deed for the property was submitted with a recent notice of ownership change.
- **Water Right Validity:**
Water right 37-10700 was decreed on May 2, 2001.
- **Injury to Other Water Rights:**
None anticipated or foreseen. No physical changes are occurring.
- **Enlargement of Use:**
No physical changes are occurring.
- **Local Public Interest:**
No negative impact anticipated. Recommend no advertise.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**
None Anticipated
- **Effect of the Agricultural Base of the Area:**
None Anticipated

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.

MEMORANDUM

Date: December 16, 2015

To: Transfer 80580

From: Jana Reeder

Re: Fee Memo

The \$200.00 filing fee submitted with the transfer application was based on the current transfer fee schedule of 0.04 cfs for domestic uses associated with a home. (receipt No. SO35147)

Fee Memo
12/16/2015

MEMORANDUM

Date: December 16, 2015
To: Transfer 80580
From: Jana Reeder
Re: Legal Notice Not Required

Legal Notice Not Required
12/16/2015

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.

Reeder, Jana

From: Jim Speck [jim@speckandaanestad.com]
Sent: Wednesday, December 16, 2015 10:15 AM
To: Reeder, Jana
Cc: Skinner, Corey; 'John Partridge'; 'Zach Latham'
Subject: RE: RE: At Last Ranch Trust Transfer Application

Jana,

Sorry, I misunderstood. You are correct. The map is also correct and the legal description is wrong - it should also be the NWSW. Please correct. Thank you.

Jim

-----Original Message-----

From: Reeder, Jana
Sent: Wednesday, December 16, 2015 10:04 AM
To: Jim Speck
Cc: Skinner, Corey; John Partridge; Zach Latham

Jim,

Yes, the POD is correct on the map and the application. The issue is the POU on the map (NWSW) and the application (SWNW) is not the same.

Jana

-----Original Message-----

From: Jim Speck [<mailto:jim@speckandaanestad.com>]
Sent: Wednesday, December 16, 2015 9:06 AM
To: Reeder, Jana
Cc: Skinner, Corey; John Partridge; Zach Latham
Subject: RE: At Last Ranch Trust Transfer Application

Jana,

The legal description of the new (corrected) POD on p.3 of the Application is the SWNWSW S.11 which matches the map. Brockway Engineering, on behalf of my client, will be filing another transfer application to change the source and POD of a portion of 37-276H to ground water and a well on the property. The remaining portion of that right is currently leased to the Water Supply Bank through 2019.

Please call me if you have more questions or concerns. Thank you.

Jim

-----Original Message-----

From: Reeder, Jana
Sent: Tuesday, December 15, 2015 4:48 PM
To: Jim Speck
Cc: Skinner, Corey

Hi Jim,

I have begun processing the application for Transfer that you submitted in the name of At Last Ranch Trust. During review I found that the map you submitted indicates the new place of use will be located in the NWSW of section 11 but the legal description on the application indicates it will be located in the SWNW of section 11. I need some verification from you stating which is correct to modify the application.

Furthermore, irrigation water right 37-276H, in the name of At Last Ranch Trust appears to be appurtenant to the same property and also has legal description issues. Is this something you are planning on fixing in the transfer process as well?

Let me know your thoughts.

Jana

SPECK & AANESTAD
A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

RECEIVED

DEC 11 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

JAMES P. SPECK
jim@speckandaanestad.com
DOUGLAS J. AANESTAD
doug@speckandaanestad.com

December 9, 2015

Mr. Allen Merritt
Idaho Department of Water Resources
650 Addison Ave W, Ste. 500
Twin Falls, Idaho 83301

Re: At Last Ranch Trust - Application for Transfer of Water Right No. 37-10700

Dear Allen:

Enclosed you will find the original and a copy of the above-referenced Application for Transfer together with my firm's check payable to the Department for the \$200 filing fee. This Application is filed to correct errors in the survey legal description of the point of diversion and place of use that were made at the time the partial decree for the water right was issued in the SRBA. As you know, this is not uncommon for the earlier decreed water rights located north of Ketchum.

Please receipt date-stamp the copy and return it to me in the postage prepaid self-addressed envelope included for that purpose. Kindly give me a call if you have any questions or comments about this Application. Thank you.

Sincerely Yours,

SPECK & AANESTAD
A Professional Corporation

By: _____


James P. Speck

Enclosures

cc: client w/encl.