

AMENDEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 80080

RECEIVED
JUN 13 2018Department of Water Resources
Eastern Region**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 <http://www.idwr.idaho.gov/>.

Name of Applicant(s) BRYCE W CRANE AND SMITH, DRUE**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 #1-9.

- ☒ ☐ #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 transfer 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).
- ☒ ☐ #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 <http://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.
- ☐ ☒ #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.)
- ☐ ☒ #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 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

Name of Applicant BRYCE W CRANE Phone (208) 847-5434

Mailing Address 244 SMITH CENTER RD, MONTPELIER ID 83254 Email _____

Name of Applicant SMITH DRUE Phone _____

Mailing Address 305 SMITH LN, MONTPELIER ID 83254 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.

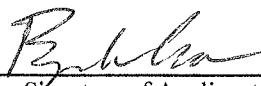
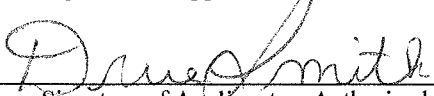
☐ No Representative

Name of Representative _____ 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.

 _____ Signature of Applicant or Authorized Representative	<u>Bryce W Crane</u> _____ Print Name and Title if applicable	<u>5-14-18</u> _____ Date
 _____ Signature of Applicant or Authorized Representative	<u>Drue Smith</u> _____ Print Name and Title if applicable	<u>5/14/18</u> _____ Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	11-4208	No	No	Yes	No	No	No

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

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**

This transfer proposes to change the place of use to cover acres that are irrigated under right 11-4208.

This transfer will also change the place of use to accommodate a center pivot being installed on Bryce Crane's property.

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

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
11-4208	1.180 cfs	N/A	518.1	1135.7		N/A	N/A	N/A	N/A
COMBINED TOTALS	1.160 cfs	N/A	518.1	1,135.7		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 1.16 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☒ As shown in Part 1.
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

4. Place of Use:

- ☐ No changes to place of use are proposed. (Proceed to #5.)
- ☒ As shown in Part 1.
- ☐ See Attachment.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 11-4208

Current Water Right Owner
 THREE MILE CREEK
 IRRIGATION CO
 GEORGETOWN, ID 83239

Priority Date: 5/31/1900

Origin: Water Right

Basis: Statutory Claim

Status Active

Source: DUNNS CANYON CREEK **Tributary:** BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	4/15	10/15	1.160 CFS	
STOCKWATER	1/01	12/31	0.020 CFS	
Total Diversion			1.180 CFS	

Source and Point(s) of Diversion:

DUNNS CANYON CREEK	SESW	Sec. 16 Twp 11S Rge 44E BEAR LAKE County
DUNNS CANYON CREEK	NWNE	Sec. 29 Twp 11S Rge 44E BEAR LAKE County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	44E	16											17	6.9					23.9
11S	44E	17															6.5	9.2	15.7
11S	44E	19			32.0	37.0				1.9					40.0			22.0	132.9
11S	44E	20	41	25	39	41			38	39	40	40	40	40	41	40	40	40	544
11S	44E	21					5	32	40	32	17	34							160
11S	44E	29	22	40	40	14	40	38	21	40									255
11S	44E	30	4.2																4.2

Right Acre Limit: 518.1

POU Total Acres: 1,135.7

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	44E	16											X						
11S	44E	17																X	
11S	44E	20	X		X	X			X	X	X	X		X	X	X	X	X	
11S	44E	21					X	X	X			X	X						
11S	44E	29		X			X												

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

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

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?
No, ☐ 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. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

- e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

- f. 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:

**AHO DEPARTMENT OF WATER RESOURC
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 11-4208

Current Water Right Owner
THREE MILE CREEK
IRRIGATION CO
GEORGETOWN, ID 83239

Priority Date: 5/30/1900

Origin: Water Right

Basis: Statutory Claim

Status: Active

Source: DUNNS CANYON CREEK **Tributary:** BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	4/15	10/15	1.160 CFS	
STOCKWATER	1/01	12/31	0.020 CFS	
Total Diversion			1.180 CFS	

Source and Point(s) of Diversion:

DUNNS CANYON CREEK	NWNE	Sec. 29 Twp 11S Rge 44E BEAR LAKE County
DUNNS CANYON CREEK	SESW	Sec. 16 Twp 11S Rge 44E BEAR LAKE County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	44E	16											17.0						17.0
11S	44E	17																6.0	6.0
11S	44E	20	25.0		40.0	40.0			12.0	40.0	40.0	12.0		15.0	34.0	40.0	21.0	16.0	335.0
11S	44E	21					7.0	32.0	30.0			43.0	40.0						152.0
11S	44E	29		39.0			11.0												50.0

POU Total Acres: 560.0

Place of Use: STOCKWATER

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

☐ 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.

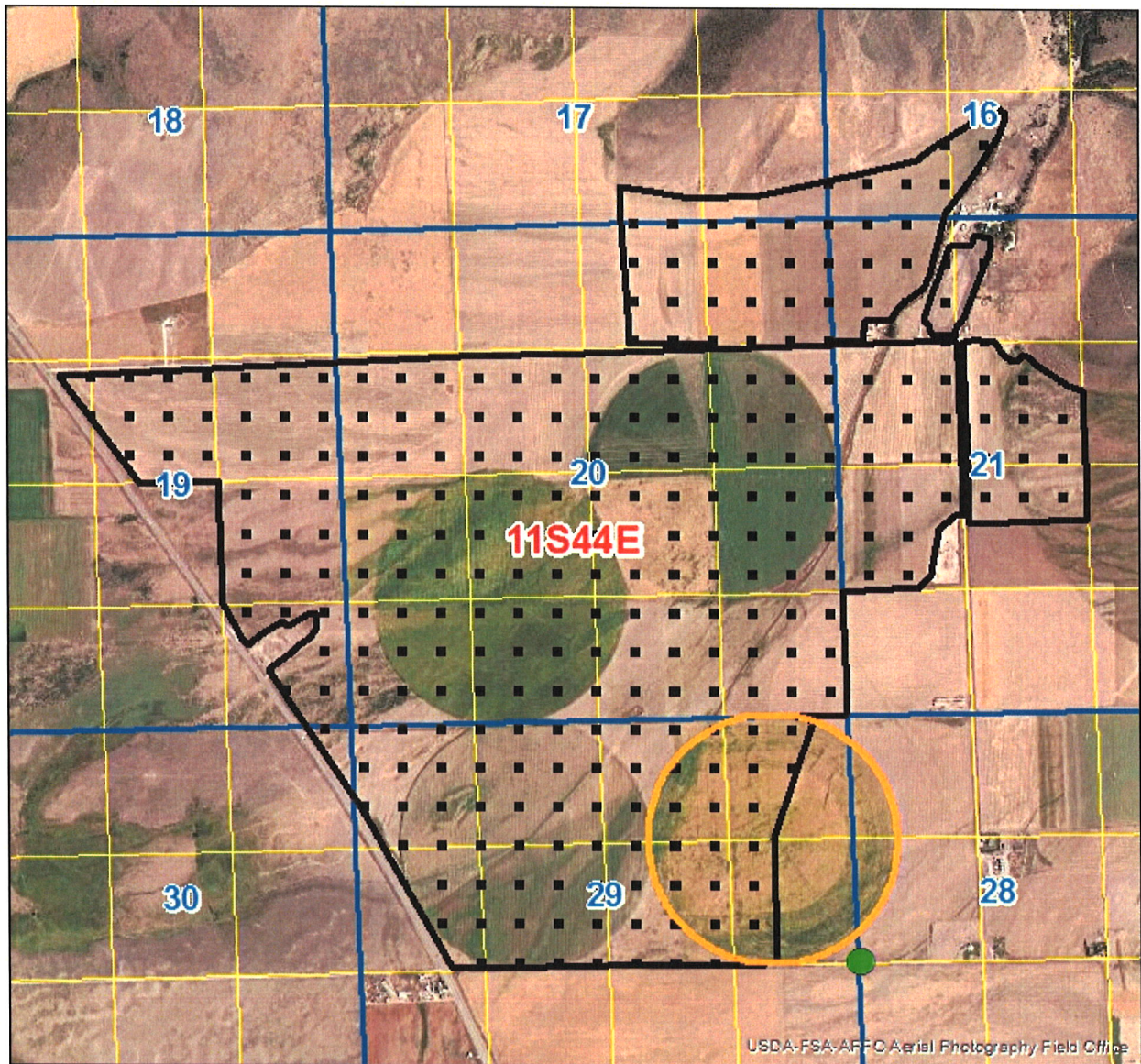
☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the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

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

1. 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.:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines, typical of notebook paper. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Transfer Contains 7 pages and _____ attachments.
 Received By _____ Date 5/13/2015 Prelim. Check By _____ Date _____
 Fee Paid _____ Date _____ Received By _____ Receipt # E040709
 Add'l Fee Paid _____ Date _____ Received By _____ Receipt # _____



Transfer 80080

-  Proposed Place of Use 11-4208 (Amended)
-  Township/Range
-  Sections
-  QQ

Transfer 80077

-  Proposed Point of Diversion 11-7047
-  Proposed POU 11-7047 (Amended)

0 1,050 2,100 4,200 Feet

1 inch = 1,660 feet



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 80080**AMENDED**

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED
MAY 13 2015

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) Bryce Crane and Drue Smith (Three Mile Creek Irrigation Co.)

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: _____

AMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

Name of Applicant(s) Bryce Crane and Drue Smith (Three Mile Creek Irrigation Co) Phone (208) 847-5434

Mailing address 244 S Center Rd, Montpelier, ID 83254 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 _____ 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.

Bryce Crane
Signature of Applicant or Authorized Representative

Bryce Crane
Print Name and Title if applicable

4-29-15
Date

Drue Smith
Signature of Applicant or Authorized Representative

Drue Smith President
Print Name and Title if applicable
Three Mile Dairy Inc

4/29/15
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**.

This transfer proposes to change the place of use to cover acres that are irrigated under right 11-4208. This transfer will also change the place of use to accommodate a center pivot being installed on Bryce Crane's property.

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 ☒ ☐	11-4208	1.16 cfs	Irrigation	4/15 to 10/15	Dunns Canyon Cr./Bear R.
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 1.16 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 1.16 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	
11S	44E	16											17	6.9					23.9
11S	44E	17															6.5	9.2	15.7
11S	44E	19													38	22			60.0
11S	44E	20	40	25	39	40			38	39	40	40	40	40	41	40	40	40	542.0
11S	44E	21					5	32	40	32	17	34							160.0
11S	44E	29	39	40		32	40			39									190.0
11S	44E	28						7.0											7.0
Total Acres (for irrigation use)																			998.6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Existing headgate and gravity flow pipe to sprinkler irrigation systems.

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

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 place of use will be dried up.

- 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:

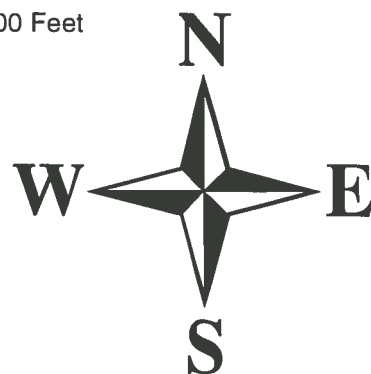
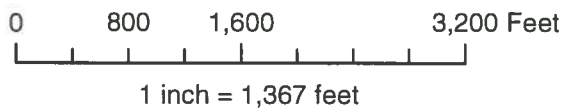
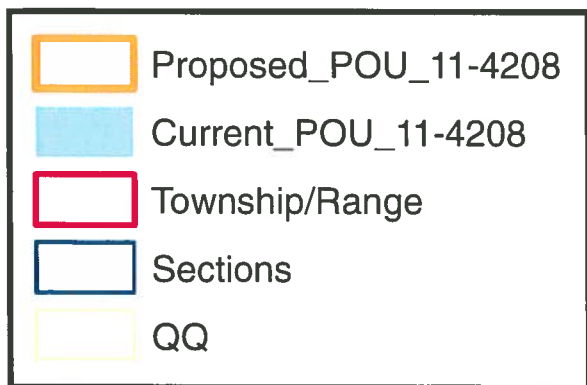
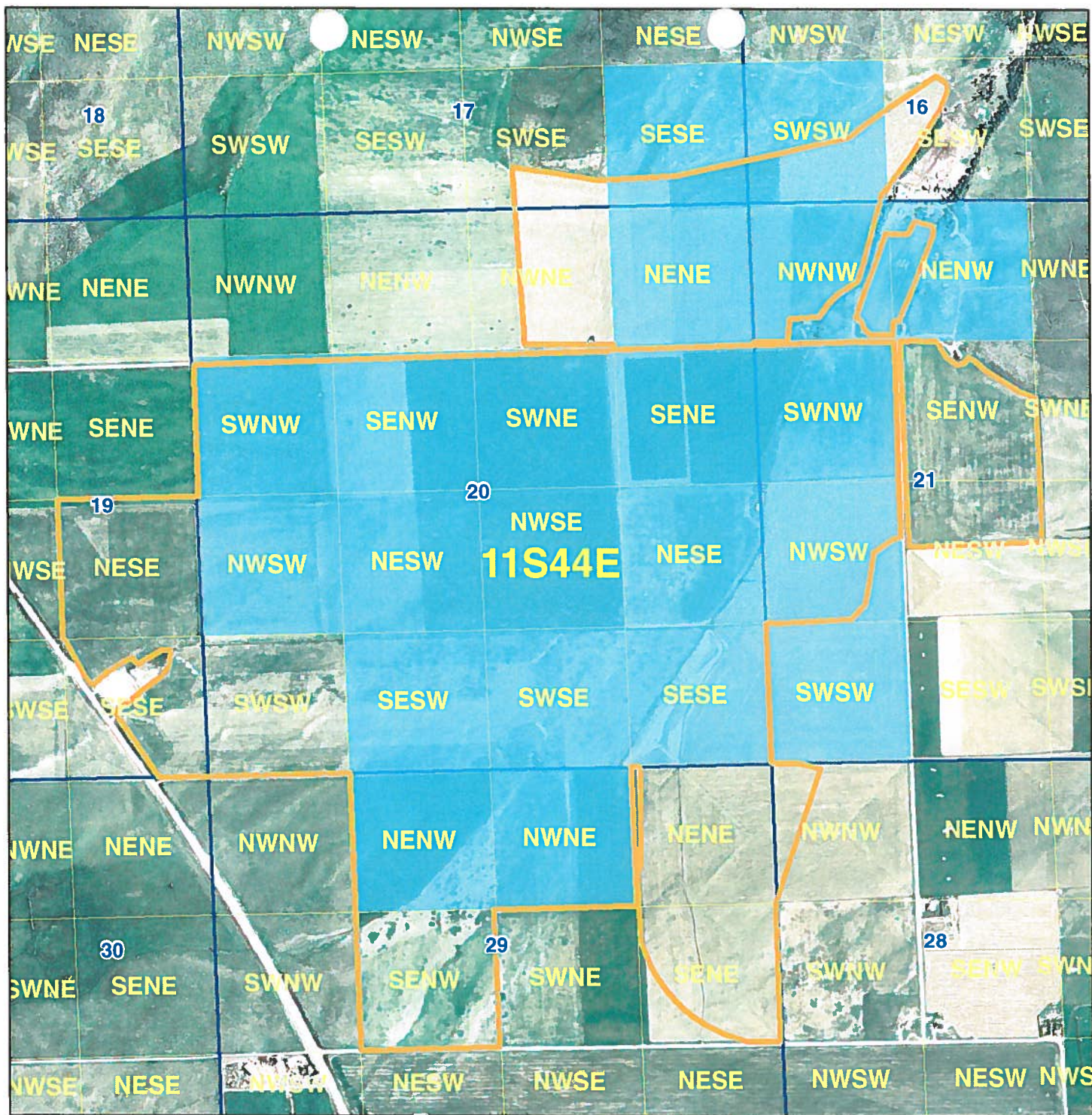
- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

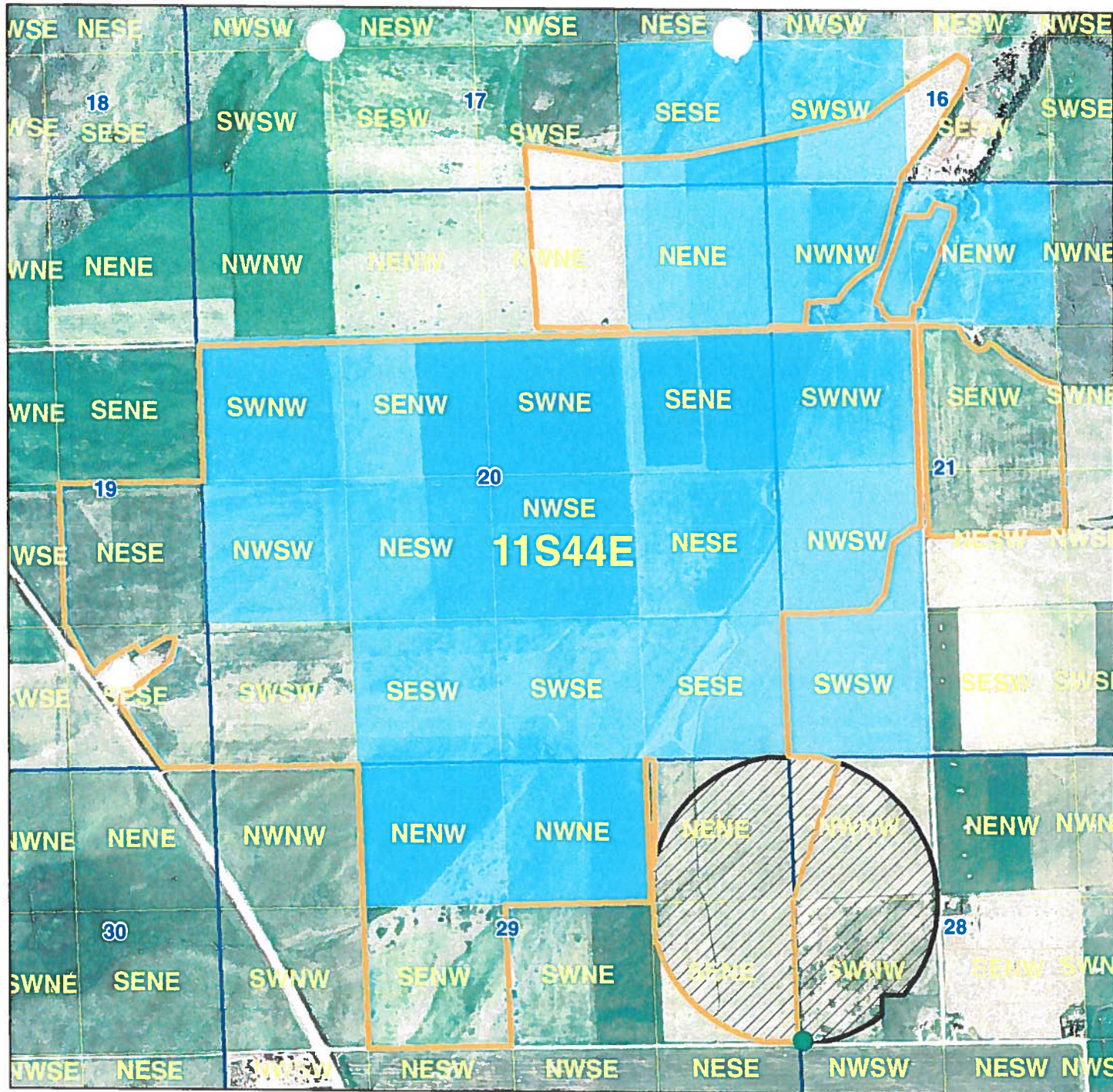
- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

4/28/2015



80080



Proposed POD 11-7047



Proposed_POU_11-4208



Proposed POU 11-7047



Current_POU_11-4208



Township/Range



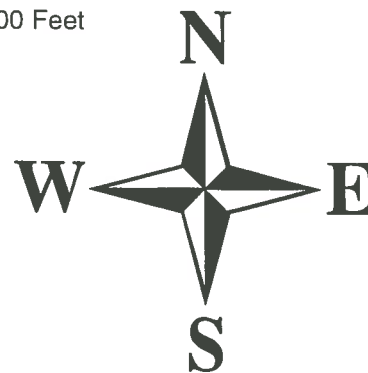
Sections



QQ

0 800 1,600 3,200 Feet

1 inch = 1,367 feet



SUPERCEDED

Page 1 of

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 80080

**APPLICATION FOR TRANSFER OF WATER RIGHT
MINIMUM REQUIREMENTS CHECKLIST**

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 and water right proof report or details report for Part 2A of the transfer application are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

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 Proof Report (obtained from Department) or Details Report (obtained on website) 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 #1-9.

- ☐ ☒ #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 transfer 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).
- ☐ ☒ #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 <http://www.idwr.idaho.gov/water/rights/>.
- ☐ ☒ #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.
- ☐ ☒ #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 3C.)
- ☐ ☒ #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 Other. Please describe: See attached Narrative Description of Transfer, Attachment #1.

80080

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: Existing gravity flow pipe will be extended to new P/U.
- 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. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer: _____
43 acres of existing P/U to be dried up: T.11S.,R.44E., Sec. 21: SWSW (40ac),
Sec. 20, SESE (3 ac) and moved to new 43 acre P.U describedd in Part 1.B.4, above.
See Narrative Description, Attachment #1.
- e. 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
See Narrative Description, Attachment #1.

If yes, describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

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

- ☒ 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.

B. CHANGES IN NATURE OF USE (Water Balance)

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

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

1. 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.:

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Prelim. Check by _____ Date _____

Fee Paid 200 - Date 3/6/15 Received by SL Receipt # E040710

Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____

80080

Attachment 1

NARRATIVE DESCRIPTION
Water Right No. 11-4208

Applicant Three Mile Creek Irrigation Company ("Applicant") is the owner of water right no. 11-4208 (Attachment 2B). The existing place of use is depicted in the map, Attachment 7A,B. Bryce W. Crane owns 80 of 216 shares of water of Applicant, together with the 43 acres under the existing place of use proposed to be dried up and as well as the 43 acres under the new place of use to be added. The remaining interests in the water available to Applicant is owned or controlled by lease by Drue Smith who has consented to this transfer.

Bryce W. Crane has requested and Applicant has agreed to dry up 43 acres under the existing place of use of water right 11-4208 and add 43 acres immediately adjacent to the south to provide water for a new pivot which will irrigate a total of 120 acres. The pivot is depicted in Attachment 7A,B. The pivot will receive water for 77 acres acquired by Bryce W. Crane under water right 11-7047 which is the subject of a pending Transfer Application filed by Bryce W. Crane and will receive water for the remaining 43 acres pursuant to this Transfer Application.

The 43 acres under Applicant's existing place of use will be dried up and is described as follows:

Township 11S, Range 43E:

Section 21: SWSW (40 acres)
Section 20: SESE (3 acres)
Total Acre: 43 acres

The newly added place of use on property owned by Bryce W. Crane is described as follows:

Township 11S, Range 44E:

Section 28: NWNW (13 acres)
Section 29: NENE (30 acres)
Total Acres: 43 acres

Water available under Applicant's water right no. 11-4208 is currently supplied by gravity flow pipeline which will be extended by Bryce W. Crane at his expense to the new place of use.

Attachment 1B

After recording return to:

Bryce W. Crane

244 Smith Center Road

Montpelier, ID 83254

For Information only:

Tax Parcel No. 02678 and 02689

Space above this line for Recorder's Use

WATER DEED

AGRESERVES, INC., a Utah corporation, Grantor, with its principal office located at 79 South Main, Suite 1100, Salt Lake City, Utah 84111, hereby remises, releases, and quitclaims to BRYCE W. CRANE, Grantee, of 244 Smith Center Road, Montpelier, ID 83254, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following-described water rights located in Bear Lake County, State of Idaho, which are used in connection with the real property described on Exhibit A, attached hereto and incorporated herein by reference (the "Property").

All water rights of the Idaho Department of Water Resources used in connection with the Property, including specifically:

Two-ninths (2/9) of all of the interests of the Three Mile Creek Irrigation Company under Water Right # 11-4208. Grantor also conveys to Grantee after-acquired title or other interests, if any, to the water rights hereby conveyed.

IN WITNESS WHEREOF, the undersigned has executed this instrument as of February 6, 2014.

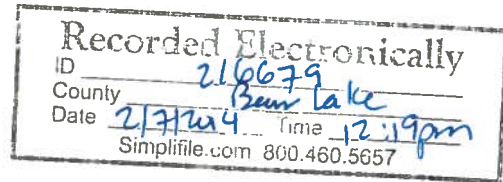
GRANTOR: AGRESERVES, INC.,
a Utah corporation

By: Don M. Sleight
Don M. Sleight, President

RB

After recording return to:

Bryce W. Crane
244 Smith Center Road
Montpelier, ID 83254



For Information only:
Tax Parcel No. 02678 and 02689

Space above this line for Recorder's Use

WATER DEED

AGRESERVES, INC., a Utah corporation, Grantor, with its principal office located at 79 South Main, Suite 1100, Salt Lake City, Utah 84111, hereby remises, releases, and quitclaims to BRYCE W. CRANE, Grantee, of 244 Smith Center Road, Montpelier, ID 83254, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following-described water rights located in Bear Lake County, State of Idaho, which are used in connection with the real property described on Exhibit A, attached hereto and incorporated herein by reference (the "Property").

All water rights of the Idaho Department of Water Resources used in connection with the Property, including specifically:

Two-ninths (2/9) of all of the interests of the Three Mile Creek Irrigation Company under Water Right # 11-4208. Grantor also conveys to Grantee after-acquired title or other interests, if any, to the water rights hereby conveyed.

6, IN WITNESS WHEREOF, the undersigned has executed this instrument as of February 6, 2014.

GRANTOR: AGRESERVES, INC.,
a Utah corporation

By: Don M. Sleight
Don M. Sleight, President
RB

STATE OF UTAH)
 :SS
COUNTY OF SALT LAKE)

On this 6 day of February, 2014, personally appeared before me Don M. Sleight, personally known to me to be the President of AGRESERVES, INC., a Utah corporation, and acknowledged to me that he signed the foregoing instrument in his capacity as President of said corporation and that said corporation executed the same.



Notary Public for Utah



Exhibit A
Legal Description

All that certain lot, piece or parcel of land situate in Township 11 South, Range 44 East Boise Meridian, Bear Lake County, Idaho, described as follows:

Commencing at the NW corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20, Township 11 South, Range 44 E.B.M., Bear Lake County, Idaho, and running thence East 1749 feet; thence South 2640 feet; thence West 1749 feet; thence North 2640 feet to the Place of Beginning.

Also: Commencing at the NE corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 20, and thence South 2640 feet; thence West 891 feet; thence North 2640 feet; thence East 891 feet to the Place of Beginning.

Section 20: SW $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 19: S $\frac{1}{2}$ NE $\frac{1}{4}$. Also: Commencing at a point 1392.60 feet South from the NE corner of the NW $\frac{1}{4}$ of said Section 19, and running South 616.44 feet, more or less, to intersection with U.S. Highway 30; thence North 34° West along said road 741.18 feet; thence North 89°46' East 418.44 feet to the Place of Beginning.

Parcel ID Nos.: 02678, 02689

Attachment 2B

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

3/2/2015

WATER RIGHT NO. 11-4208

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	THREE MILE CREEK IRRIGATION CO GEORGETOWN, ID 83239

Priority Date: 05/30/1900
Basis: Statutory Claim
Status: Active

<u>Source</u>	<u>Tributary</u>
DUNNS CANYON CREEK	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/15	10/15	1.16 CFS	
STOCKWATER	1/01	12/31	0.02 CFS	
Total Diversion			1.18 CFS	

Location of Point(s) of Diversion:

DUNNS CANYON CREEK	SESW	Sec. 16	Township 11S	Range 44E	BEAR LAKE County
DUNNS CANYON CREEK	NWNE	Sec. 29	Township 11S	Range 44E	BEAR LAKE County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BEAR LAKE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
11S	44E	16		SWSW	17									
		17		SESE	6									
		20		NENE	25		SWNE	40		SENE	40			
				SWNW	12		SENE	40						
				NESW	40		NWSW	12		SESW	15			
				NESE	34		NWSE	40		SWSE	21		SESE	16
		21		NENW	7		NWNW	32		SWNW	30			
				NWSW	43		SWSW	40						
		29		NWNE	39									
				NENW	11									

Place of Use Legal Description: STOCKWATER same as IRRIGATION

Total Acres: 560

Dates:

Licensed Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

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:

80080

Cary Act Number:
Mitigation Plan: False

Close

Attachment 4

SPECIAL POWER OF ATTORNEY FOR WATER RIGHTS

The Three Mile Creek Irrigation Company, hereby appoints the law firm of RACINE OLSON NYE BUDGE & BAILEY, CHARTERED, 201 E. Center Street, Post Office Box 1391, Pocatello, Idaho 83204, its true and lawful attorney for the purpose of dealing with the Idaho Department of Water Resources relative to the management and transaction of water rights, and to allow the firm to receive all information, opinions, and records regarding water rights, and to sign and submit applications and other filings on my/our behalf.

DATED this 2nd day of March, 2015.

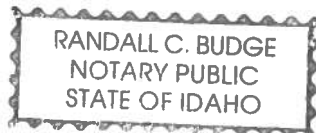
THREE MILE CREEK
IRRIGATION COMPANY

By: Bryce Crane
BRYCE CRANE, Shareholder/Manager

STATE OF IDAHO)
 :SS
County of Bannock)

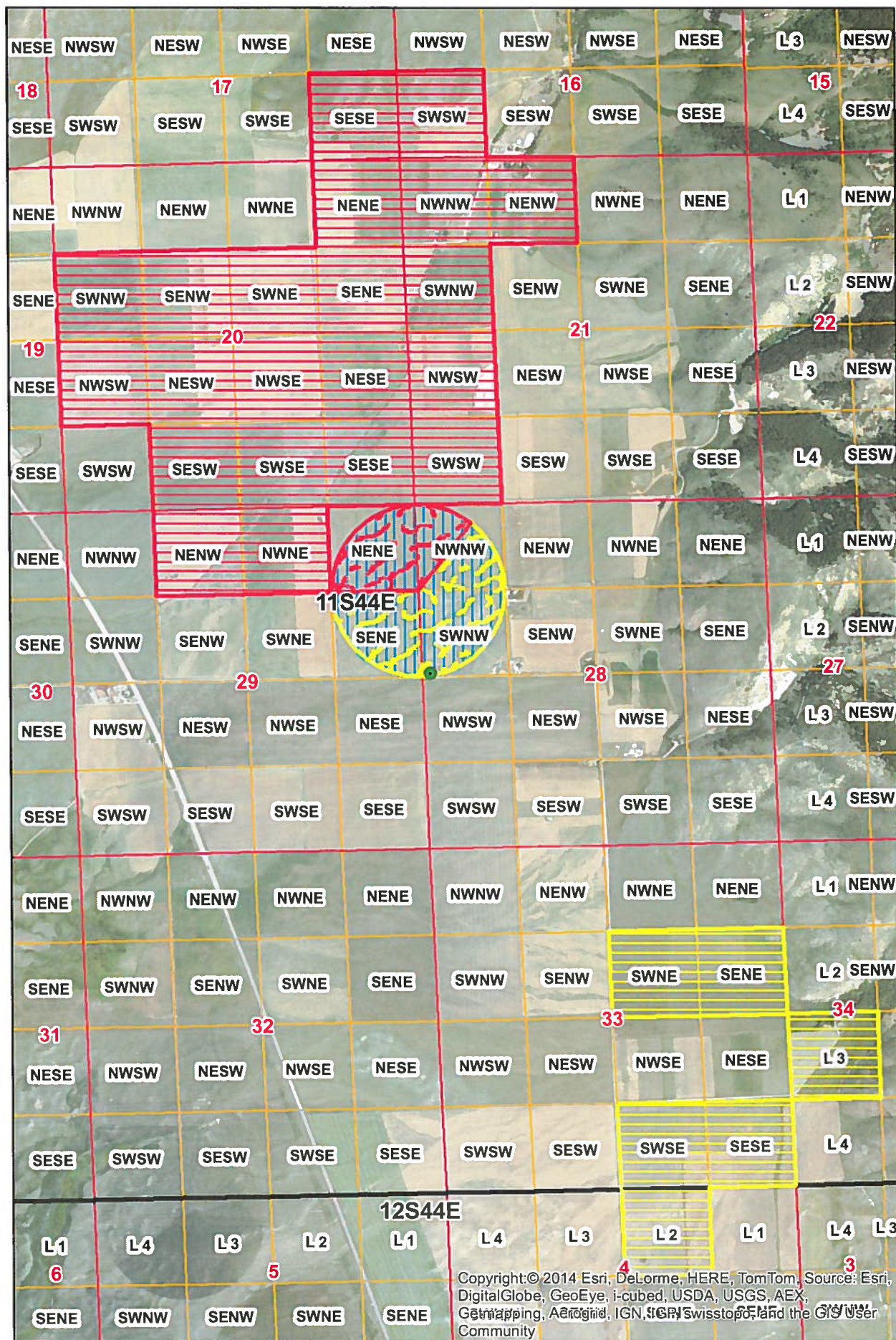
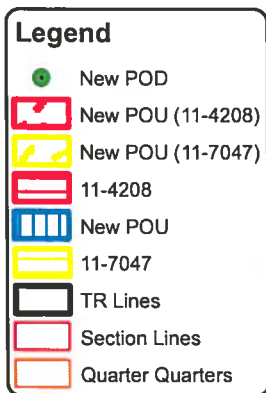
On this 2nd day of March, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared BRYCE CRANE, known or identified to me to be the Shareholder and Manger of Three Mile Creek Irrigation Company, that executed the instrument or the person who executed the instrument on behalf of said company, and acknowledged to me that such company executed the same.

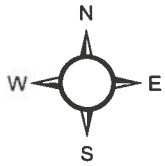
(SEAL)



Randall C. Budge
NOTARY PUBLIC FOR IDAHO
Residing at: Bannock County, Idaho
Commission expires: 10/11/16

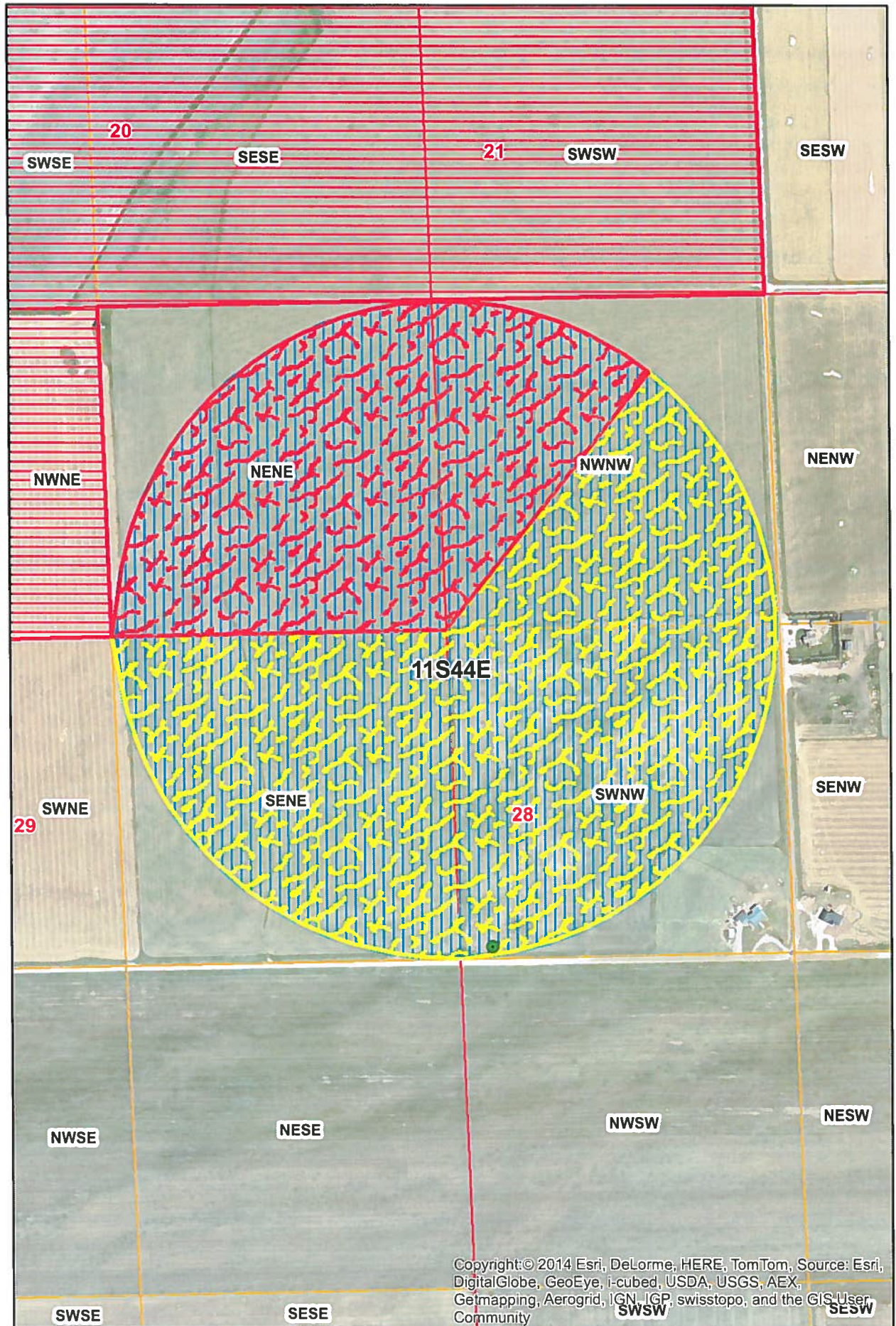
Attachment 7A, B





Legend

- New POD
- New POU (11-4208)
- New POU (11-7047)
- 11-4208
- New POU
- 11-7047
- TR Lines
- Section Lines
- Quarter Quarters



RACINE
OLSON
NYE
BUDGE
BAILEY

Copyright:© 2014 Esri, DeLorme, HERE, TomTom, Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

80080