

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 23 2015

Department of Water Resources
Eastern Region

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

Name of Applicant(s) Richard and/or Jacqueline Reynolds Phone (208)527-3203

Mailing address 3253 W 2800 N Arco ID 83213 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.

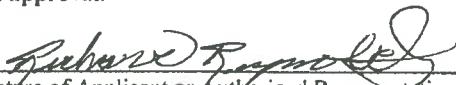
☒ No Representative

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

Richard Reynolds
Print Name and Title if applicable

4-23-15
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 Ownership change on 34-301F

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 application proposes to re-arrange the place of use for the water rights, to facilitate the use of pivot irrigation.

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 ☒ ☐	34-301E	1.8 cfs	Irrigation	05/01 to 10/15	Big Lost River
☒ ☐	34-301F	0.2 cfs	Irrigation	05/01 to 10/15	Big Lost River
☒ ☐	34-2496	0.14 cfs	Irrigation	04/01 to 11/01	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.04 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 2.04 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 #

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	
04N	26E	15	20	27	33	24													104
Total Acres (for irrigation use)																			104

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:
The surface water is diverted down a ditch to the proposed place of use, the ground water is taken from a well and piped to the place of use. Irrigation will occur with a new pivot.
- b. Who owns the property at the point(s) of diversion? Ground Water - Applicant, Surface Water - Historical easement
 If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
There is a historical easement in place for the use of the open ditches to the place of use.
- 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:
9 acres in the NENENE quarter of Section 15 will be dried up and the ground water will be co-mingled with the surface water to facilitate the irrigation of 104 acres under a new pivot.
- 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: _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 34-301E

Current Owner: RICHARD E REYNOLDS
Priority Date: 5/1/1885
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG LOST RIVER

Tributary

SINKS

Beneficial Use

IRRIGATION

From To

5/01 to 10/15

Total Diversion

Diversion Rate

1.8 CFS

1.8 CFS

Annual Volume

Location of Point(s) of Diversion

BIG LOST RIVER

BUTTE County

SE1/4SE1/4

Sec. 4, Twp 05N, Rge 26E B.M.

Place of Use

IRRIGATION Within BUTTE County

T04N R26E S15	NENE	10.00	T04N R26E S15	NWNE	35.00
T04N R26E S15	SWNE	38.00	T04N R26E S15	SENE	12.00

Total Acres: 95

80006

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 34-301F

Current Owner: JAMES E MATHEWS
Priority Date: 5/1/1885
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG LOST RIVER

Tributary

SINKS

Beneficial Use

IRRIGATION

From To

5/01 to 10/15

Total Diversion

Diversion Rate

0.2 CFS

0.2 CFS

Annual Volume

Location of Point(s) of Diversion

BIG LOST RIVER

BUTTE County

NW1/4SE1/4SE1/4

Sec. 4, Twp 05N, Rge 26E B.M.

Place of Use

IRRIGATION Within BUTTE County

T04N R26E S15

NENE

9.00

Total Acres: 9

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NO. 34-02496 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 9 ACRES IN A SINGLE IRRIGATION SEASON.
2. USE OF THIS RIGHT WITH RIGHT NO. 34-02496 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.24 CFS.
3. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
4. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
5. WATER IS DELIVERED THROUGH EASTSIDE DITCH.

Decreed Date: 12/14/2001

80006

Page _____ of _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 34-2496

Current Owner: RICHARD REYNOLDS
JACQUELINE REYNOLDS

Priority Date: 9/30/1966

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.14 CFS	31.5 AF
	<u>Total Diversion</u>	0.14 CFS	31.5 AF

Location of Point(s) of Diversion

GROUND WATER
BUTTE County

NW1/4NE1/4NE1/4 Sec. 15, Twp 04N, Rge 26E B.M.

Place of Use

IRRIGATION Within BUTTE County

T04N R26E S15 NENE 9.00

Total Acres: 9

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NO. 34-0301F IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 9 ACRES IN A SINGLE IRRIGATION SEASON.
2. USE OF THIS RIGHT WITH RIGHT NO. 34-00301F IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.24 CFS.
3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Decreed Date: 12/14/2001

80006



Rick Reynolds Existing Place of Use

 Township/Range

 Sections

 QQ

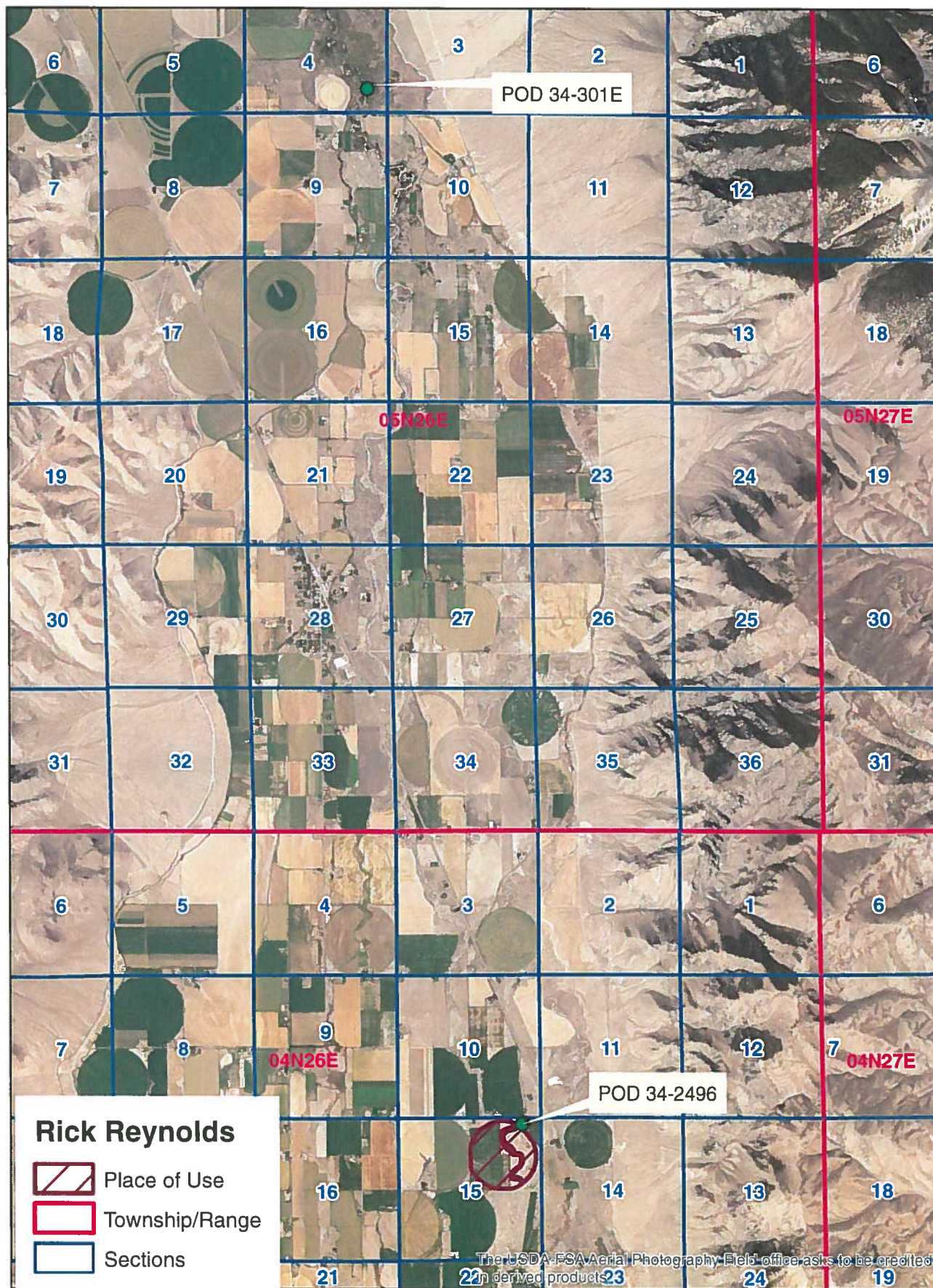
8 0 0 0 6 0

0.05

0.1

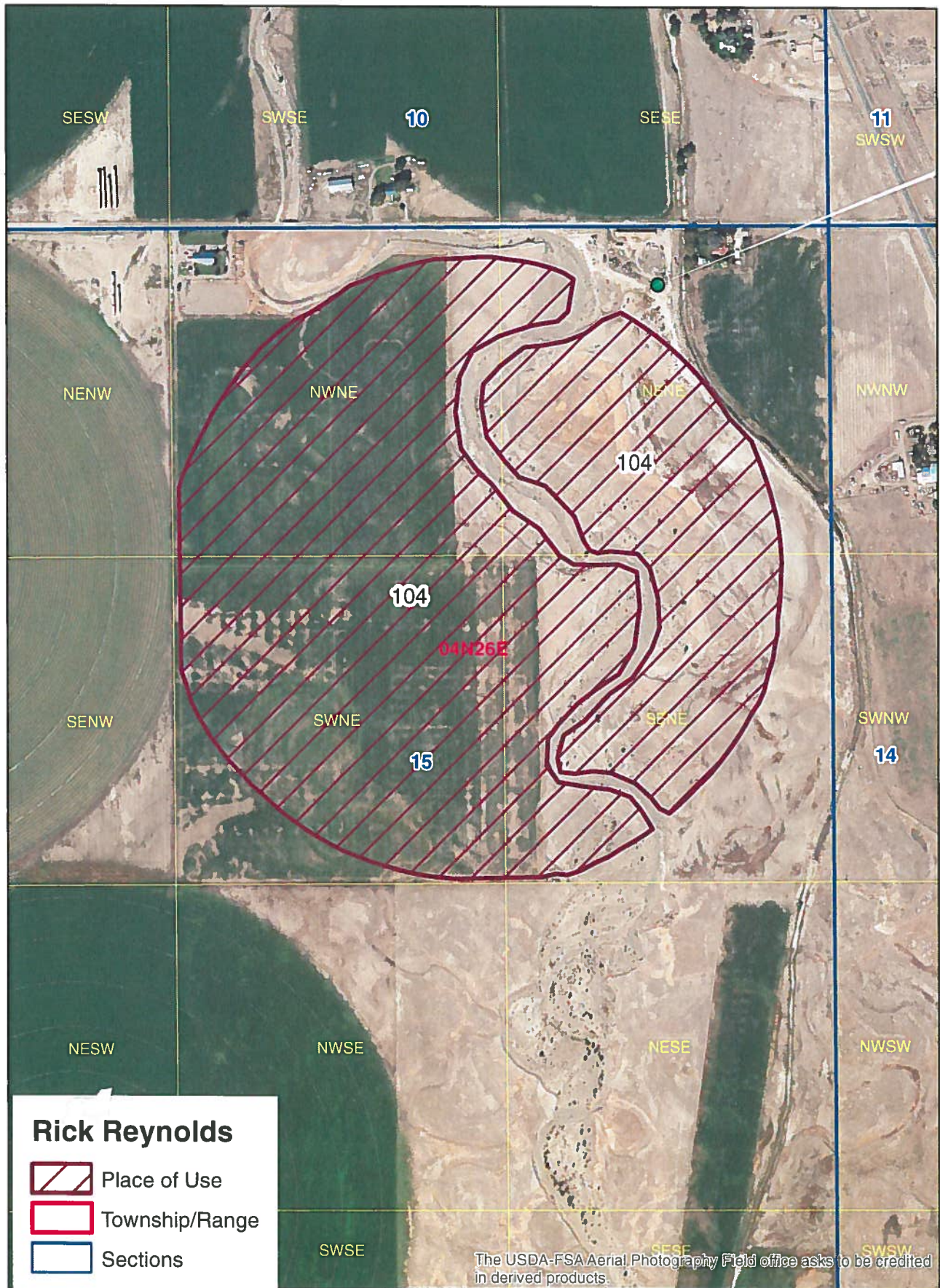
0.2 Miles





8 0 0 0 6

0 0.5 1 2 Miles



Rick Reynolds

-  Place of Use
-  Township/Range
-  Sections

0 0.05 0.1 0.2 Miles

FILE No. _____

INSTRUMENT No. 028706**QUITCLAIM DEED**

FOR VALUABLE CONSIDERATION RECEIVED _____

JAMES EARL MATHEWS, A single person,

the Grantor, does hereby REMISE, RELEASE and forever QUITCLAIM, unto
ERVIN B. MATHEWS, single, ANN RACHELLE MATHEWS, single, and BRENDA
LEE MATHEWS RICHARDS, Married,

the Grantee, whose current address is Box 553, Anna, Idaho 83213

_____ the

following described real estate situated in BUTTE

County, State of Idaho, to-wit:

That portion of the NE1/4, Section 15, Township 4
 North, Range 26 East, Boise Meridian, Butte County,
 Idaho.

Beginning at the Northeast corner of said Section
 15; thence West 275 feet; thence South 160 feet;
 thence West 273 feet; thence North 160 feet; thence
 West 327 feet; South 180 feet; thence Southeast 260
 feet to the West bank of the East side canal; thence
 Southwesterly along the West bank of said canal to a
 point that is 1210 feet South of the Northeast
 corner of said Section 15; thence North 1210 feet to
 the Point of Beginning. Containing therein 12 acres
 more or less.

TOGETHER, with all tenements, hereditaments and appurtenances thereto belonging.

In construing this Deed and where the context so requires, the singular includes the plural and the
 masculine, the feminine and neuter.

DATED _____

James E. Mathews
Notary Public

STATE OF IDAHO, County of BUTTE 1994
 On this 21st day of December
 before me, Lyle B. Boyer
 Notary Public in and for the said State personally
 appeared Rachelle Mathews as Guardian
of James B. Mathews, an incompetent person
Rachelle Mathews is
 known to me to be the person(s) whose name(s)
 subscribed to the within instrument, and acknowledges
 to me that she executed the same.

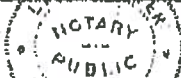
Lyle B. Boyer
 Notary Public
 Commission Expires 8-27-97

THIS SPACE FOR COUNTY RECORDER'S USE ONLY.

NO. 028706
FILED

DEC 21 1994

10:00 AM P.M.
 BUTTE COUNTY RECORDER
for a fee



BANK OF AMERICA & TRUST COMPANY
 Secured by TIL Insurance

847 N. Capital Ave., P.O. Box 367, Idaho Falls, ID 83402 (208) 327-7800

No. 400

To:

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Accepted:

By X Ja



WARRANTY DEED

FOR VALUABLE CONSIDERATION RECEIVED

ERVIN E. MATHEWS, a single person

, the Grantor,

does hereby grant, bargain, sell and convey unto RICHARD E. REYNOLDS AND JACQUELINE REYNOLDS, a married couple

, the Grantee,

whose current address is 3253 W. 2800 N. ARCO, IDAHO

the following described real estate situated in BUTTE County, State of Idaho, to-wit:

That portion of the NE1/4, NE1/4, Section 15, Township 4 North, Range 26 East, Boise Meridian, Butte County, Idaho.

Beginning at the Northeast corner of said Section 15; thence West 275 feet; thence South 160 feet; thence West 273 feet; thence North 160 feet; thence West 327 feet; South 180 feet; thence Southeast 260 feet to the West bank of the East side canal; thence Southeasterly along the West bank of said canal to a point that is 1210, feet South of the Northeast corner of said Section 15; thence North 1210 feet to the Point of Beginning. Containing therein 12 acres more or less.

TO HAVE AND TO HOLD the said premises, together with all tenements, hereditaments and appurtenances thereunto belonging, unto the said Grantee, his successors and assigns forever. Grantor does hereby covenant to and with the said Grantee that IT is the owner in fee simple of said premises and that IT will warrant and defend the same from all lawful claims whatsoever.

In construing this Deed and where the context so requires, the singular includes the plural and the masculine, the feminine and neuter.

DATED: 6-14-99

Ervin Mathews

STATE OF IDAHO, County of Butte

On this 14 day of June 19
before me, Judith R. Bailey, a
Notary Public in and for the said State personally
appeared Ervin Mathews

THIS SPACE FOR COUNTY RECORD'S USE ONLY.

Known to me, the person(s) whose name(s)
subscribed to the within instrument, and acknowl-
edges to me the Notary, executed the same.

Judith R. Bailey
Notary Public
State of Idaho
Residing at
Comm. Expires: May 1, 2005

034578

RECORDED

JUN 14 1999

BUTTE COUNTY RECORDER

IDAHO TITLE & TRUST COMPANY
Escrows • Title Insurance

P.O. Box 50367, Idaho Falls, ID 83405-0367 (208) 522-3458