

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 21 2015

Department of Water Resources
Eastern RegionAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant(s) Kim Wolfley Phone 208 680 3320Mailing address 1120 Taber Road Blackfoot ID 83221 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.

R. Kim Wolfley
Signature of Applicant or Authorized Representative

R. Kim Wolfley (owner)
Print Name and Title if applicable

4/16/15
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
☐ Change nature of use
 ☐ Add diversion point(s)
☐ Change period of use
 ☒ Change place of use
☐ Other _____
- 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 splits 3.5 acres from right 35-7357B and moves them from T02S R35E Sec 01 NWNE to the NESE and SESE of 02S 34E Sec 18. Per an attached agreement, the rights will remain in the applicant's name but be placed on Delyn Proter's ground.

STATE OF IDAHO
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APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	35-7357B	0.05	Irrigation	04/01 to 11/01	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.05 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.05 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			SE	SE	18	02S	34E	Bingham	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	
02S	34E	18													1.0			2.5	3.5
Total Acres (for irrigation use)																			3.5

STATE OF IDAHO
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APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

5. General Information:

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

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

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Attached agreement

- 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:
It will be dry

- 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:
Proposed POD: None/Domestic. Proposed POU: None.

Existing POD: None. Existing POU: 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:

4/16/2015

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	R KIM WOLFLEY 1120 W TABER RD BLACKFOOT, ID 83221 (208)684-3320

Status: Active

GROUND WATER

624.0 AF

Sec. 1, Twp 02S, Rge 33E, BINGHAM County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02S	33E	1	38.0 L1	39.0 L2	40.0	39.0													156.0

POU Total Acres: 156.0

1. 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.

1. JTHOMPSO 5/11/1995 CHANGED ADDRESS
5/11/95/JT

2. AJU10-EC 11/19/1998 AJU10 CONDITION UPDATE
CONDITION CODE(S) C12 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

3. **skeen** **8/2/2002** **Water Right**
This water right record was updated by decree record from old RightID 31489 to new RightID 216604

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/16/2015

4. kpickett 10/4/2005 POD
Correlated PODID 241743 from SpatialDataID 229780 to SpatialDataID 229807

Dates and Other Information

Decreed Date: 3/8/2002
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: OR
Water District Number: 120
Mitigation Plan: False

Combined Use Limits

N/A

Verification Log

SubCase:

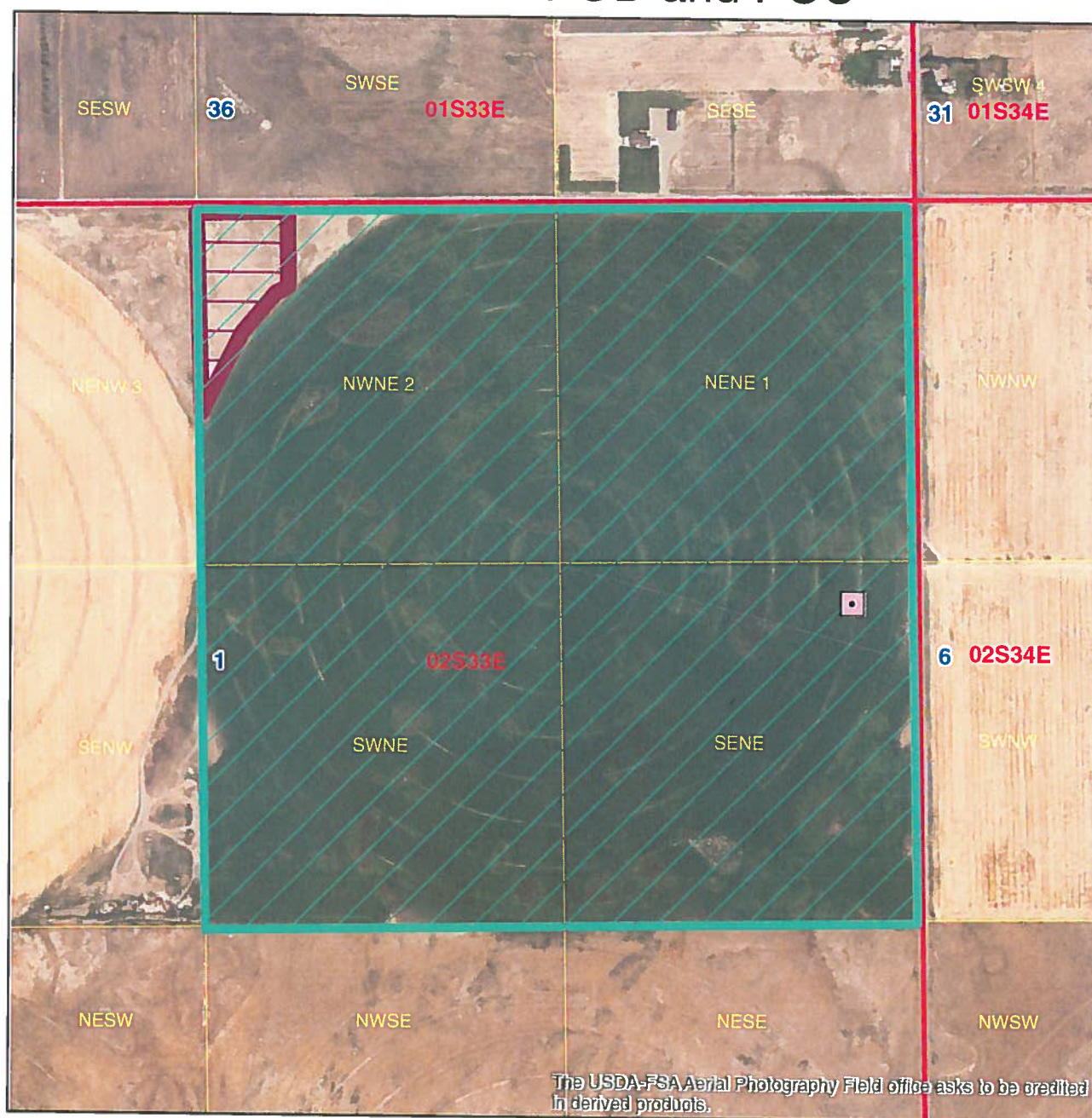
SubCaseNumber: 35-7357B
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date: 11/13/2001
Attorney Assigned: SARA C DENISTON
Adjudication Agent:
Basis of Claim:
Date Filed: 6/2/1999
Objection Status: Active

Water Supply Bank:

N/A

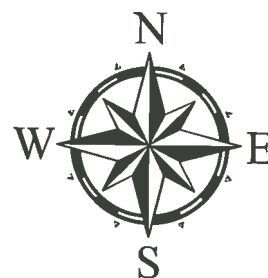
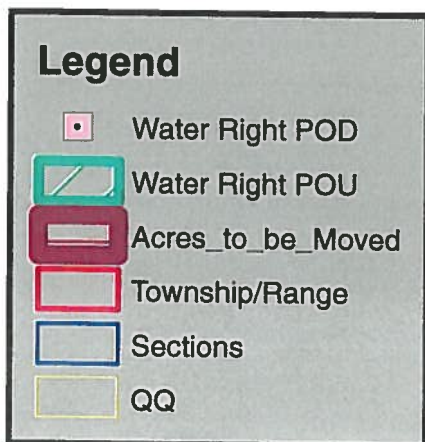
This image shows a single sheet of white paper with horizontal ruling lines. There are two prominent red lines running horizontally across the page, one near the top and one near the bottom, which typically serve as margins. Between these red lines and outside them are several thinner black horizontal lines. The paper appears to be part of a notebook or a set of loose-leaf papers.

Pre-Transfer POD and POU

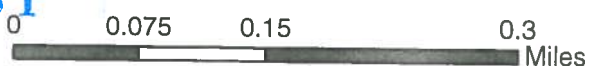


The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

2013 Imagery



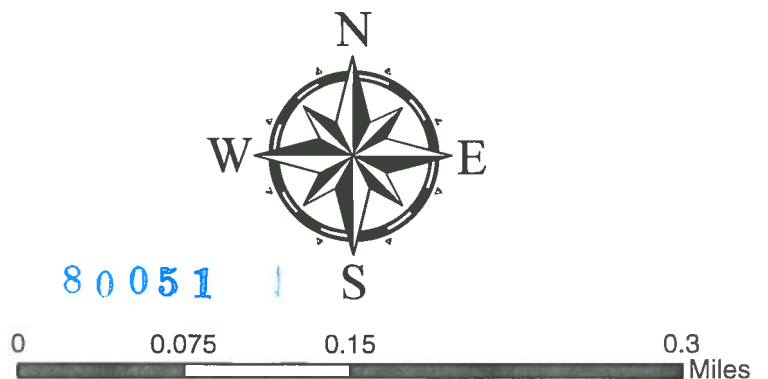
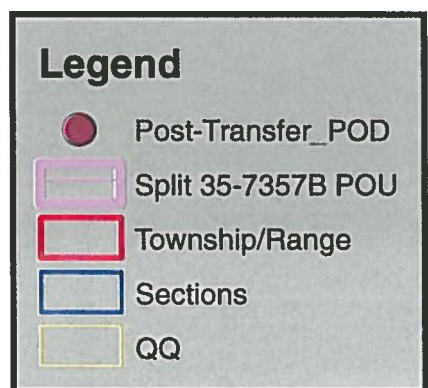
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Post Transfer POD and POU



2013 Imagery

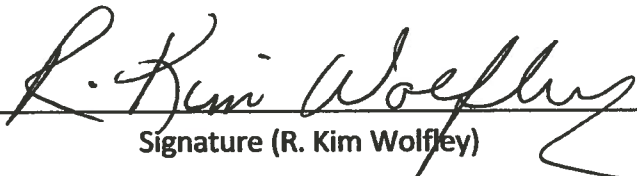


LONG TERM WATER RIGHTS LEASE AGREEMENT

Mr. R. Kim Wolfley and / or Mrs. Pat Wolfley, (1120 West Taber Road, Blackfoot, Idaho) do hereby agree to a long term water rights lease agreement with Mr. Delyn D. Porter and / or Mrs. Wendy Lee Porter (320 North 1100 West, Blackfoot, Idaho) for 3.5 acres groundwater rights for Section 18, T02S, R34E from water right 35-73578 owned by Mr. R. Kim Wolfley, beginning 04/21/2015.

This lease will remain in effect for a period of 100 years beginning 04/21/2015 unless the property owned by Mr. Delyn D. Porter and / or Mrs. Wendy Lee Porter is sold to another owner. Upon sale of said property, the new owner(s) would be required to renegotiate this lease with Mr. R. Kim Wolfley and / or Mrs. Pat Wolfley.

The total cost for this long term lease is \$1.00. Lease fee has been paid in full.



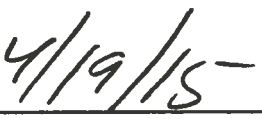
Signature (R. Kim Wolfley)



Date



Signature (Delyn D. Porter)



Date

ENHANCED GROUND-WATER RIGHTS

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

Cells this color are
set up for user entries

ENTER STARTING DATE FOR
SIMULATION. THEN PUSH
"UPDATE DATES" BUTTON

TRANSFER NO:

YEAR 1974 TRANSFER NAME:

SEASON WINTER ▼ Wolfley Transfer

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	76	73		
COLUMN	131	131		

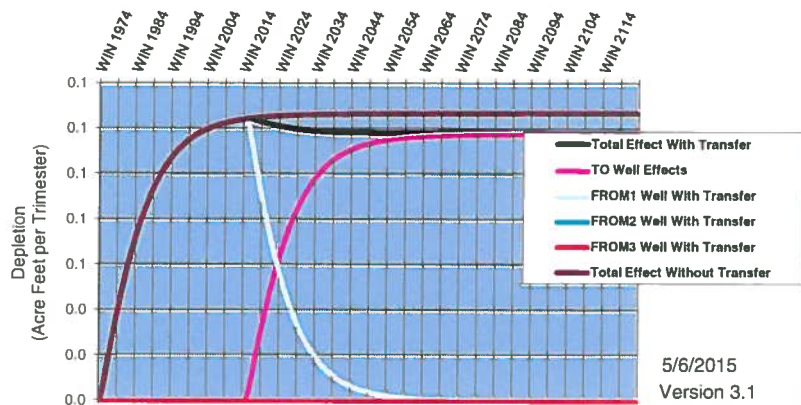
TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 W
	Projected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER
WIN 1974	0	4	4	0	0	0
SPR 1975	0	4	4	0	0	0
SUM 1975	0	4	4	0	0	0
WIN 1975	0	4	4	0	0	0
SPR 1976	0	4	4	0	0	0
SUM 1976	0	4	4	0	0	0
WIN 1976	0	4	4	0	0	0

80051

SPR 2010	0	4	4	0	0	0
SUM 2010	0	4	4	0	0	0
WIN 2010	0	4	4	0	0	0
SPR 2011	0	4	4	0	0	0
SUM 2011	0	4	4	0	0	0
WIN 2011	0	4	4	0	0	0
SPR 2012	0	4	4	0	0	0
SUM 2012	0	4	4	0	0	0
WIN 2012	0	4	4	0	0	0
SPR 2013	0	4	4	0	0	0
SUM 2013	0	4	4	0	0	0
WIN 2013	0	4	4	0	0	0
SPR 2014	0	4	4	0	0	0
SUM 2014	0	4	4	0	0	0
WIN 2014	0	4	4	0	0	0
SPR 2015	0	4	4	0	0	0
SUM 2015	4	0	4	0	0	0
WIN 2015	4	0	4	0	0	0
SPR 2016	4	0	4	0	0	0
SUM 2016	4	0	4	0	0	0
WIN 2016	4	0	4	0	0	0
SPR 2017	4	0	4	0	0	0
SUM 2017	4	0	4	0	0	0
WIN 2017	4	0	4	0	0	0
SPR 2018	4	0	4	0	0	0
SUM 2018	4	0	4	0	0	0
WIN 2018	4	0	4	0	0	0
SPR 2019	4	0	4	0	0	0
SUM 2019	4	0	4	0	0	0
WIN 2019	4	0	4	0	0	0
SPR 2020	4	0	4	0	0	0
SUM 2020	4	0	4	0	0	0
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SPR 2021	4	0	4	0	0	0
SUM 2021	4	0	4	0	0	0

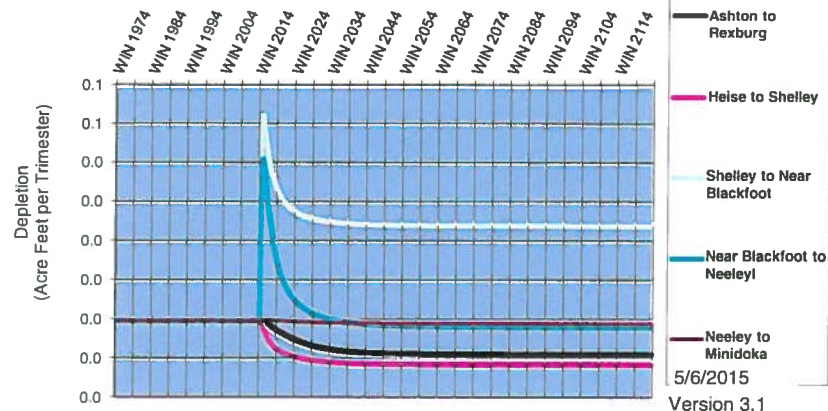
Hydrologic Response—Ashton to Rexburg

Customer Name: **Wolfley Transfer** Transfer No:



Net Transfer Effect Above Milner

(Total Effect With Transfer - Total Effect Without Transfer)

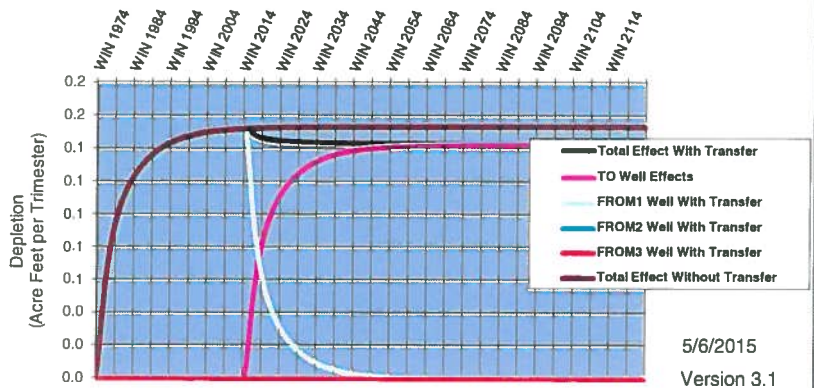


Customer Name: **Wolfley Transfer**

Transfer No:

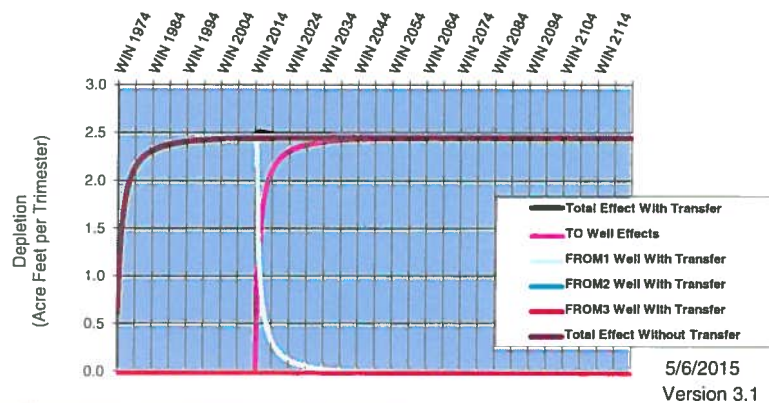
Hydrologic Response—Heise to Shelley

Customer Name: **Wolfley Transfer** Transfer No:



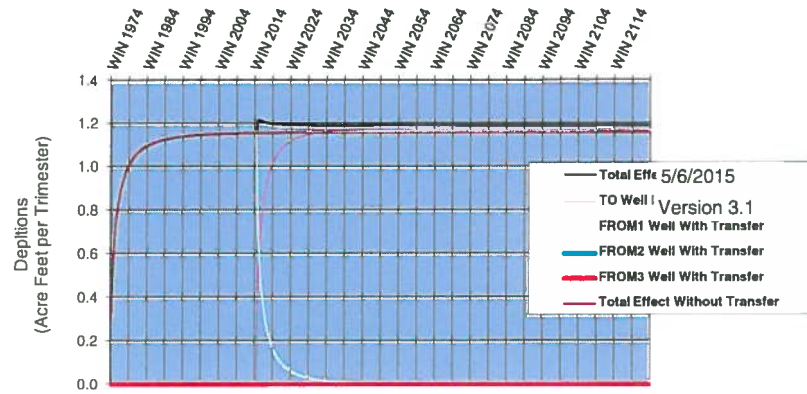
Hydrologic Response—Near Blackfoot to Neeley

Customer Name: **Wolfley** Transfer No:

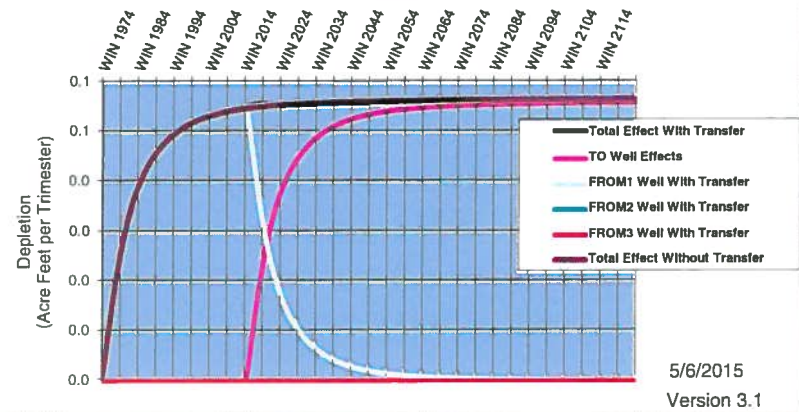


**Wolfley
Transfer**

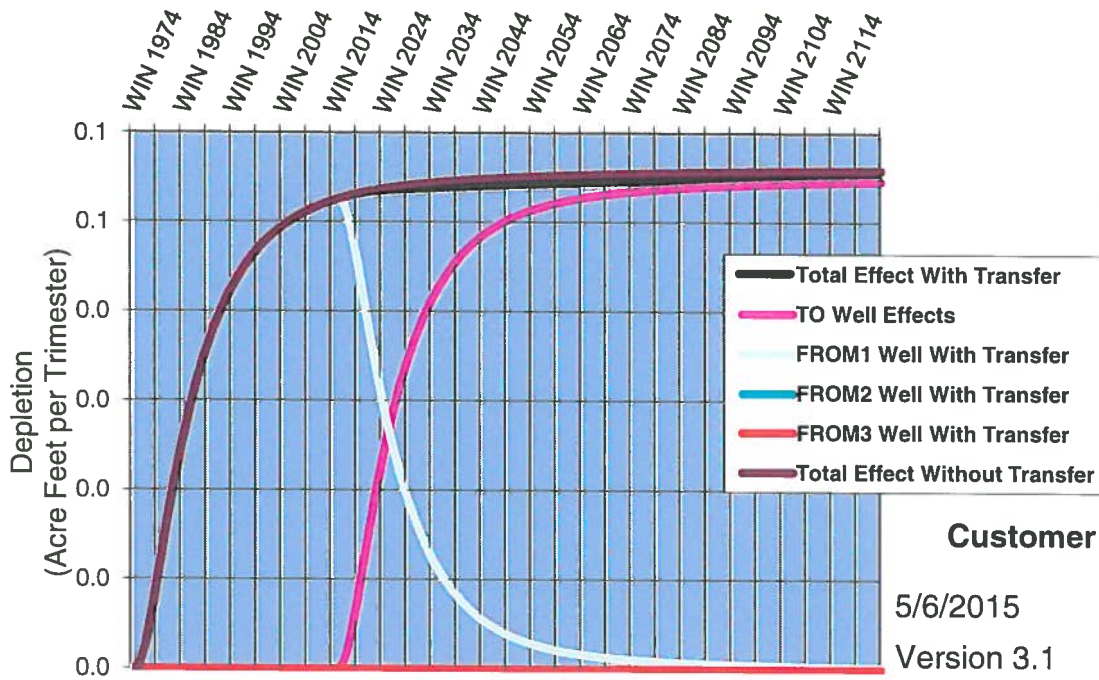
Hydrologic Response--Shelley to Near Blackfoot
Customer Name:
Transfer No:



Hydrologic Response-- Neeley to Minidoka
Customer Name: Wolfley Transfer
Transfer No:



Hydrologic Response--Devil's Washbowl to Buhl Customer Name: **Wolfley** Transfer No:

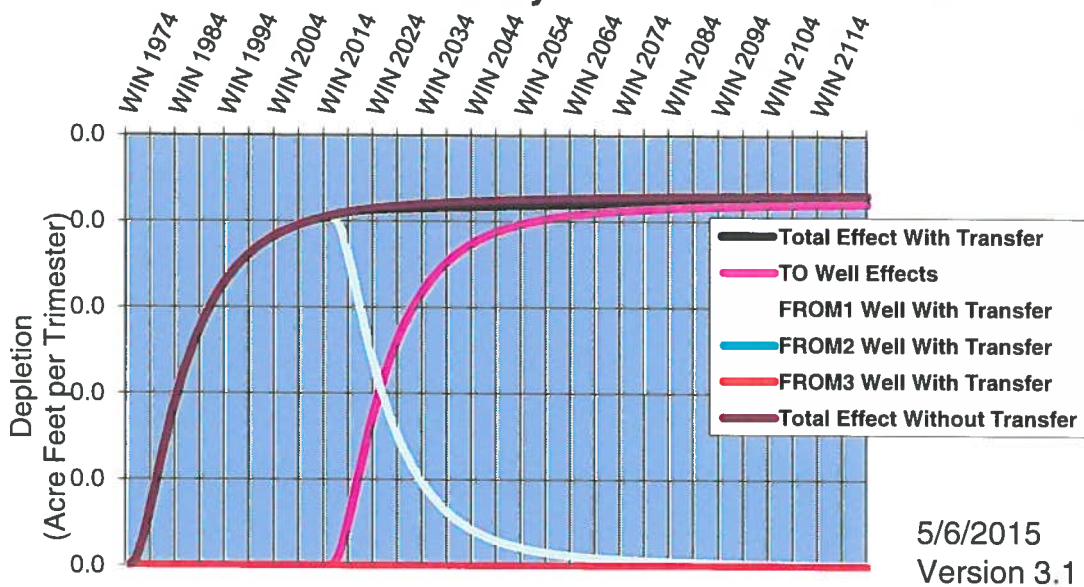


Customer Name

5/6/2015

Version 3.1

Hydrologic Response--Buhl to Thousand Springs Customer Name: **Wolfley** Transfer No:

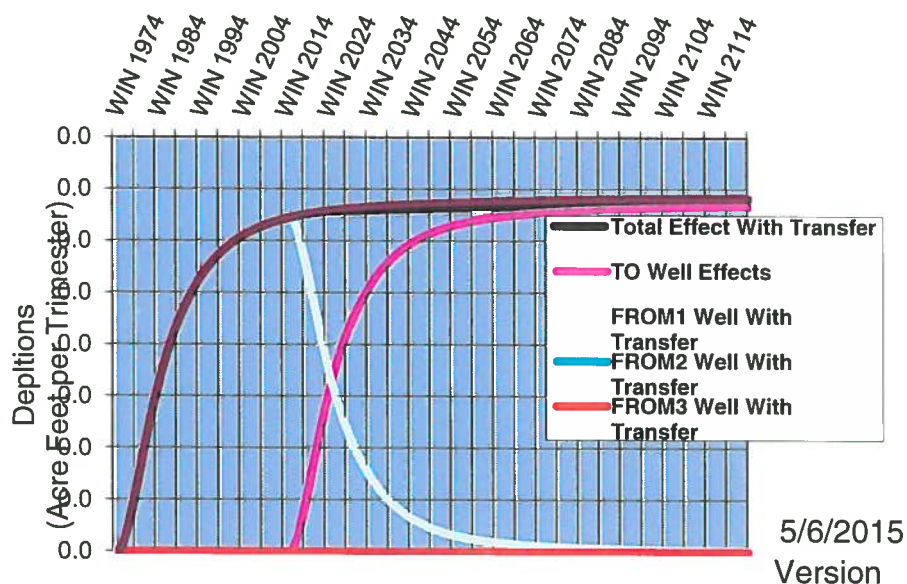


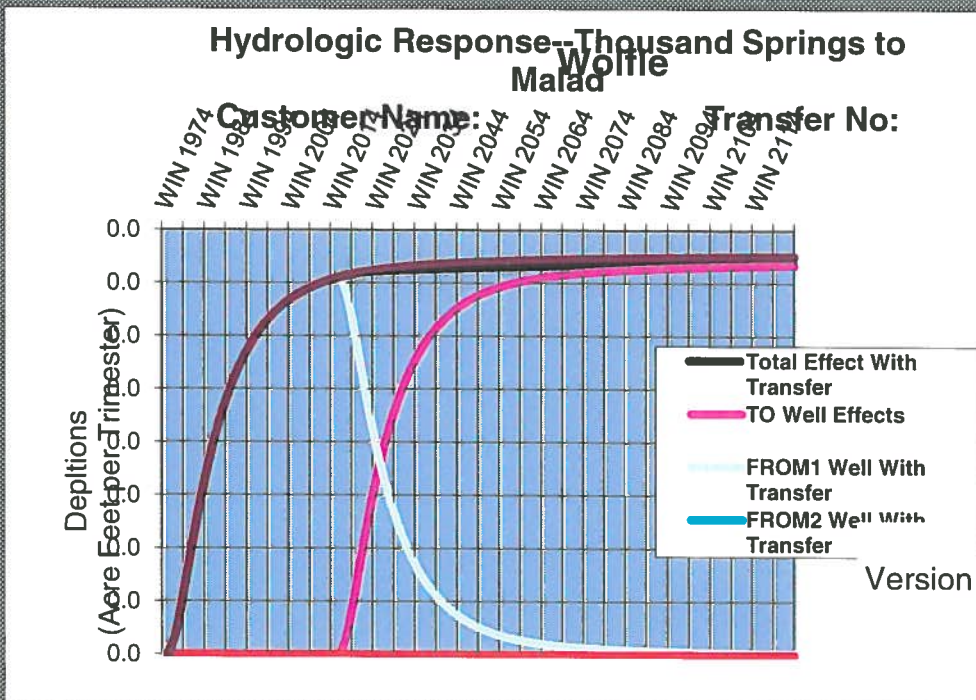
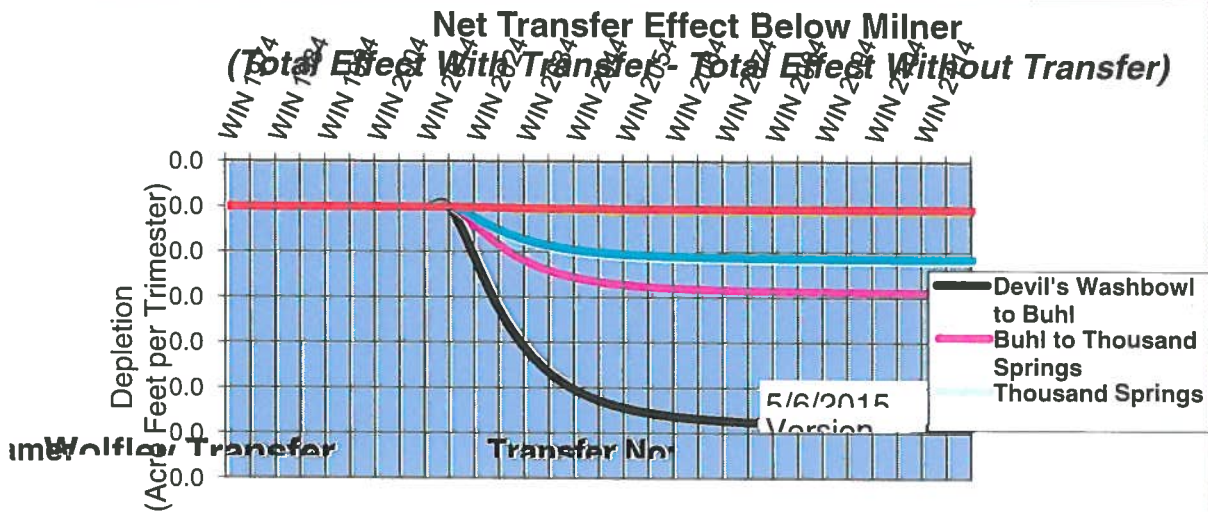
5/6/2015

Version 3.1

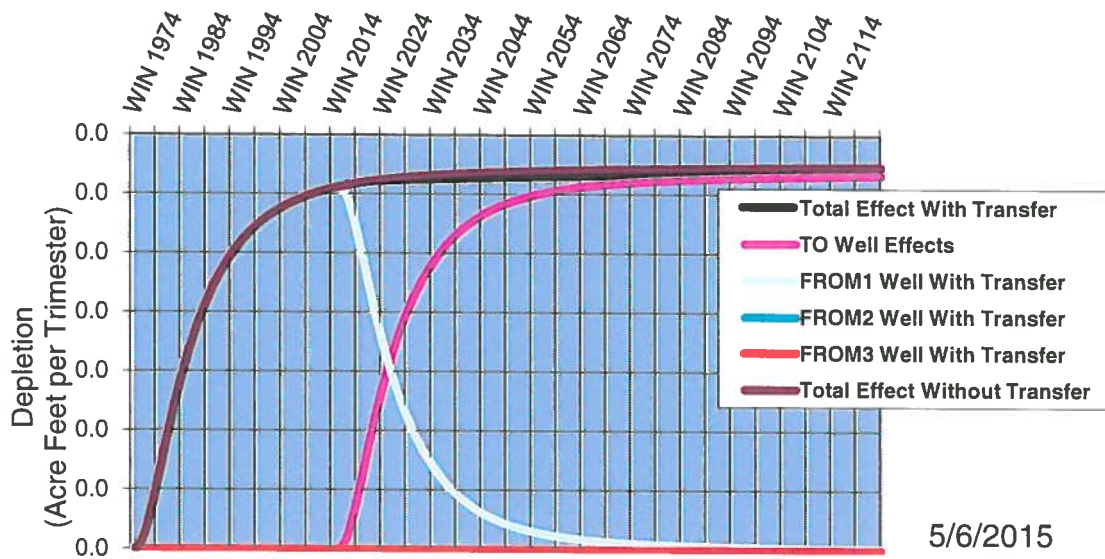
Hydrologic Response--Thousand Springs

Customer Name: **Wolfley** Transfer No:





Hydrologic Response-- Malad Customer Name: Wolfley Transfer No:



5/6/2015

Version 3.1

Hydrologic Response-- Malad to Bancroft Customer Name: Transfer No: Wolfley

