

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAR 30 2015
Idaho Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the Application for Transfer Instructions for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☒ Change diversion point(s) ☐ Add diversion point(s) ☐ Ownership change ☐ Ownership split

1. **APPLICANT(S)** Boyd Burnett Phone 554 4943
2. **MAILING ADDRESS** 3219 N 3400 W City Moore
State ID Zip 83255 Email _____

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the fee schedule.

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 34-14167 and 34-14169

- ☐ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 1.10 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Yes			NE	SE	29	05N	26E	Butte	Groundwater	

6. 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:

pump running to point approx 85 hp. Dedicated power meter - pcc.

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

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

- c. 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 used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** - ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and 1/4 1/4 of section information. The Map Tool, available at maps.idwr.idaho.gov/TransferApplicationLayouts/ provides a satisfactory template for creating the required map.

8. **SIGNATURE** - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Boyd B. Burnett
Signature of applicant or authorized agent

Boyd Burnett
Print name and title if applicable

3-30-15
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** - ☒ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by _____ Date _____

Fee paid \$580.- Date 3/30/2015 Received by JB Receipt # E040836

Preliminary review by 50 Date 4/2/2015 Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

3/19/2015

WATER RIGHT NO. 34-14167

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FRED N BURT
Current Owner	MARY ANN BURT
	PO BOX 628
	MOORE, ID 83255
	(208)554-3662
Original Owner	MARION PEARSON
	MOORE, ID

Priority Date: 09/16/1960
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	1.1 CFS	
Total Diversion			1.1 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NENWNE|Sec. 29|Township 05N|Range 26E|BUTTE County

IRRIGATION Use:
Acre Limit: 55.2

79938

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05N	26E	29		NESE	36		NWSE	33						

Total Acres: 69

Conditions of Approval:

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.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. USE OF THIS RIGHT WITH RIGHT NO. 34-14169 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.10 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 241.5 AF
4. USE OF THIS RIGHT WITH RIGHT NO. 34-14169 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 69 ACRES IN A SINGLE IRRIGATION SEASON
5. K06 This right is limited to the irrigation of 55.2 acres within the place of use described above in a single irrigation season.
6. RIGHT NO. 34-14169 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
7. K01 RIGHT NUMBER 34-14169 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
8. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.94 CFS. COMBINED RIGHT NOS.: 34-14153, 34-14155, 34-14157, 34-14159, 34-14161, 34-14163, 34-14165, 34-14167 AND 34-14169.
9. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 74 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-14153, 34-14155, 34-14157, 34-14159, 34-14161, 34-14163, 34-14165, 34-14167 AND 34-14169

Dates:

Licensed Date:

Decreed Date: 12/14/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

79938

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Water Right Report

3/19/2015

WATER RIGHT NO. 34-14169

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FRED N BURT
Current Owner	MARY ANN BURT
	PO BOX 628
	MOORE, ID 83255
	(208)554-3662

Priority Date: 09/16/1972

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.22 CFS	
Total Diversion			0.22 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NENWNE|Sec. 29|Township 05N|Range 26E|BUTTE County

IRRIGATION Use:
Acre Limit: 13.8

79938

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05N	26E	29		NESE	36		NWSE	33						

Total Acres: 69

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NO. 34-14167 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.10 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 241.5 AF.
2. RIGHT NO. 34-14167 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
3. K09 THIS RIGHT IS FOR AN ENLARGEMENT OF 13.8 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.
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. USE OF THIS RIGHT WITH RIGHT NO. 34-14167 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 69 ACRES IN A SINGLE IRRIGATION SEASON
6. C11 THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.
7. K02 THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 34-14167 TO SECTION 42-1426, IDAHO CODE.
8. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.94 CFS. COMBINED RIGHT NOS.: 34-14153, 34-14155, 34-14157, 34-14159, 34-14161, 34-14163, 34-14165, 34-14167 AND 34-14169.
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Dates:

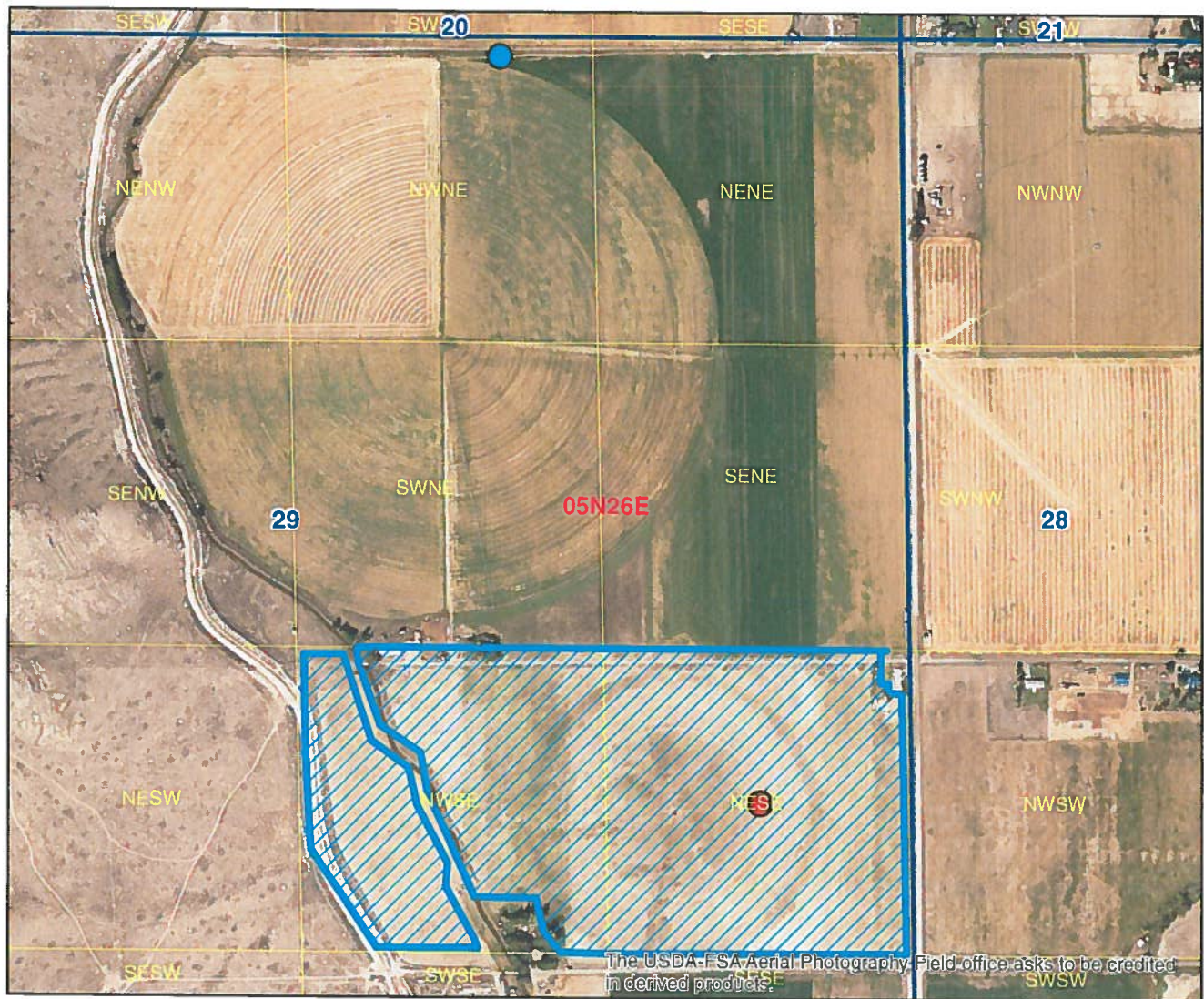
Licensed Date:

Decreed Date: 12/14/2001

Enlargement Use Priority Date:

79938

WRs 34-14167 & 34-14169



Legend

- Proposed Point of Diversion
- Existing Point of Diversion
- Place of Use
- Township/Range
- Sections
- QQ

