

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 79822

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED

FEB 10 2015

Department of Water Resources
Eastern Region

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) _____

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

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

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

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Carol Pope Phone (208) 527-3277

Mailing address 2398 Highway Drive, 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**.

RECEIVED
FEB 10 2015
Department of Water Resources
Eastern Region

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.

Carol C. Pope
Signature of Applicant or Authorized Representative

CAROL C. Pope
Print Name and Title if applicable

1-31-15
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 _____
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**.
- _____

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 ☒ ☐	34-330D	0.121 cfs	Irrigation	5/1 to 10/15	Big Lost River
☒ ☐	34-4133	0.12 cfs	Irrigation	4/1 to 10/31	Ground Water
☐ ☐		0.04 cfs	Domestic	1/1 to 12/31	Ground Water
☒ ☐	34-14427	0.04 cfs	Irrigation	5/1 to 10/15	Big Lost River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.18 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.18 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	
03N	27E	6	3.3																3.3
04N	27E	31															1.2	1.7	2.9
Total Acres (for irrigation use)																			6.2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

See Attachment A

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:

N/A

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

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:

on wrong property - no effect

- 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:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

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

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

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

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

B. CHANGES IN NATURE OF USE (Water Balance)

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

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. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page.

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date 11/1/11 Preliminary check by _____ Date _____

Fee paid 200 Date 2/11/15 Received by SC Receipt # E040637

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

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

1/23/2015

79822

1/23/2015

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CAROL C POPE 2398 HWY DR ARCO, ID 83213 (208)527-3277

Status: Active

Tributary

Sec. 6, Twp 03N, Rge 27E, BUTTE County

[illegible]

79822

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/23/2015

3. USE OF THIS RIGHT WITH RIGHT NO. 34-00330D IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 6 ACRES IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 4.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
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. N10 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
6. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/23/2015

Water Right 34-14427

Owner Type **Name and Address**
Current Owner CAROL C POPE
2398 HWY DR
ARCO, ID 83213
(208)527-3277

Priority Date: 9/1/1898

Basis: Decreed

Status: Active

Source **Tributary**
BIG LOST RIVER SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	10/15	0.040 CFS	
	<u>Total Diversion</u>		0.040 CFS	

Source and Point(s) of Diversion

BIG LOST RIVER NWNWNW Sec. 26, Twp 04N, Rge 26E, BUTTE County

Place Of Use

IRRIGATION within BUTTE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	27E	31															0.1	1.6	1.7

POU Total Acres: 1.7

Conditions of Approval:

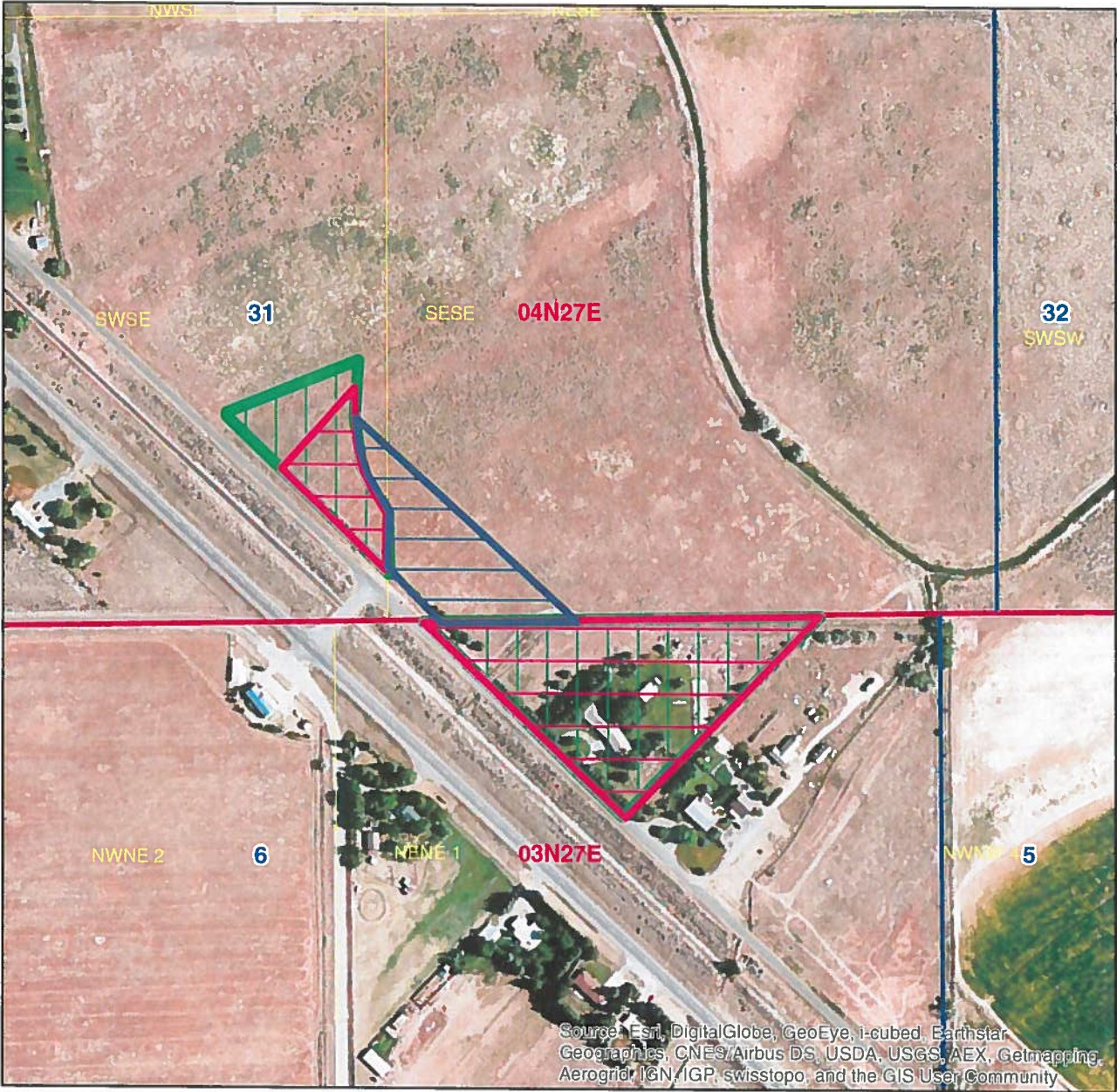
1. WATER DELIVERED THROUGH ARCO CANAL.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Summary of Water Rights after Transfer

<u>Right No.</u>	<u>Rate (cfs)</u>	<u>Volume (af)</u>	<u>Acres</u>
34-330D	0.121	N/A	5.5
34-4133	0.12	16.0	4.5
34-14427	0.04	N/A	1.7

Combined Limits: 0.18 cfs, 6.2 acres

Pre-Transfer Water Right Place of Use (POU)



2013 Imagery

Legend

34-14427 POU

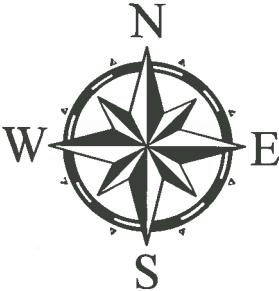
34-4133 POU

34-330D POU

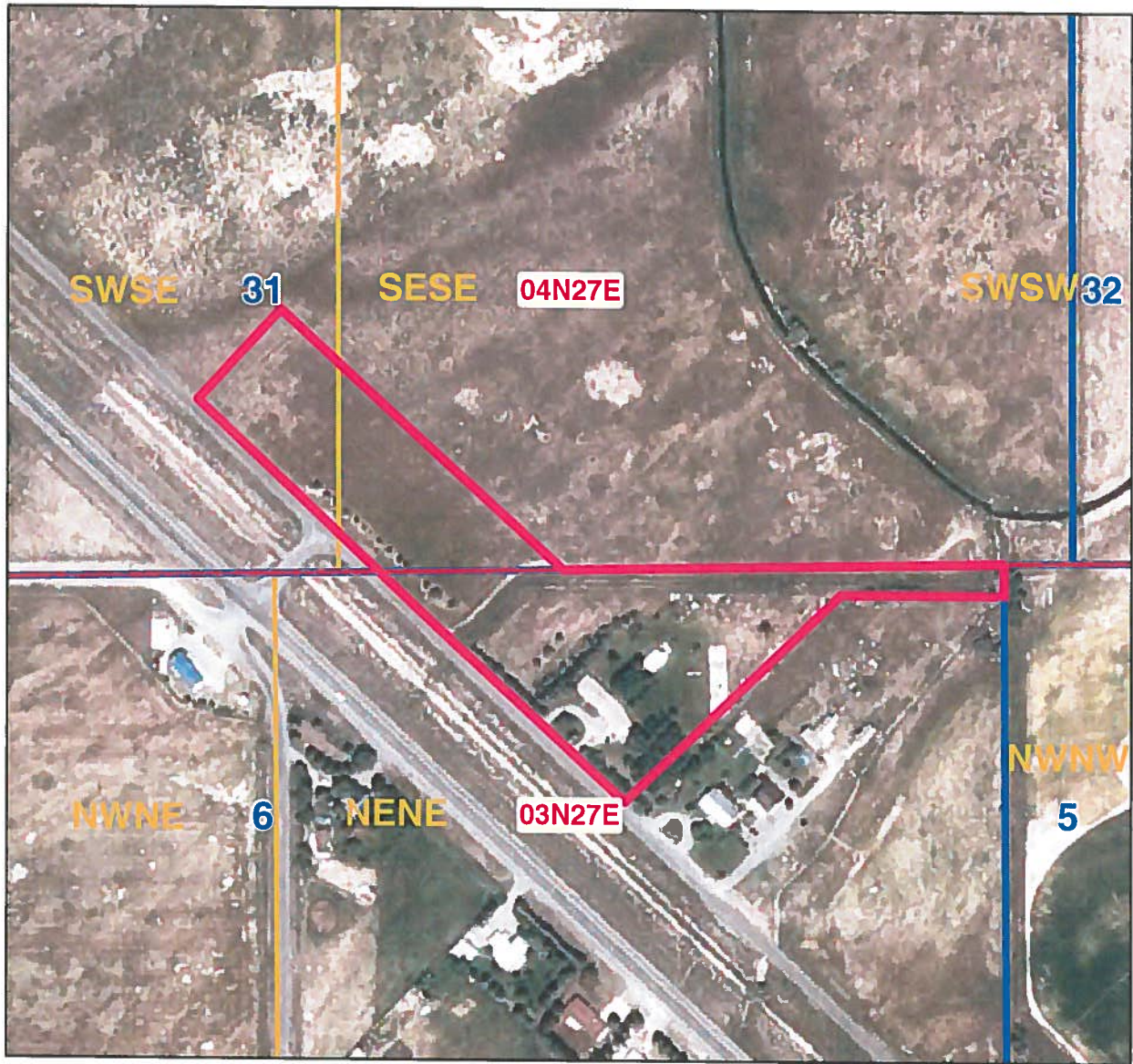
Township/Range

Sections

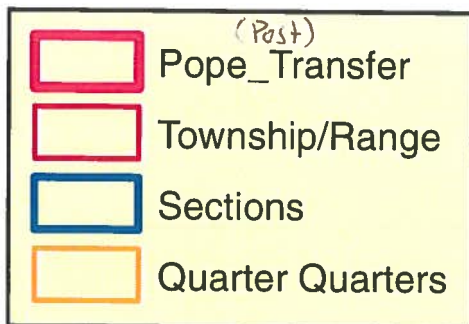
QQ



Application for Transfer (Pope)



2009 Aerial Photo



0 250 500 Feet

A horizontal scale bar with three segments, labeled 0, 250, and 500 Feet.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Abandonment of Water Right

Print Name of Water Right Owner(s): Carol C Pope

Mailing Address: 2398 Hwy Drive

Arco ID 83213

Phone: 208.527.3277

Note: If you are not listed as the current owner of the water right in the Idaho Department of Water Resources' records, you must include evidence of ownership of the water right (or portion of the water right) with this form. Evidence may include a warranty deed, quitclaim deed, court decree, contract of sale, etc.

I am the current owner of X all, or part of, the water right described in the Idaho Department of Water Resources' records as Water Right No. 34-4133.

I hereby abandon all, or X part of the water right designated above. This abandonment is intentional and voluntary. I recognize that this abandonment permanently eliminates the right to divert and use water under the water right designated above.

If this abandonment applies to a portion of the water right, please indicate which part is abandoned by describing the diversion rate, annual diversion volume or storage volume, and place of use (include acres if the use is irrigation) and by attaching a detailed map identifying the specific locations.

1/2 acre (0.5 acre) of the physical place of use situated in SWSE Section 31, T4N R27E, Butte County.

This portion of the POU is not owned by me. The right will be reduced to 1 ac in SWSE Sec 31.

I wish to consolidate the entire 4.5 ac place of use of this right on parcels which I own.

Carol C Pope

Signature of Water Right Owner(s) or Authorized Representative

10-9-14

Date

CAROL C. POPE

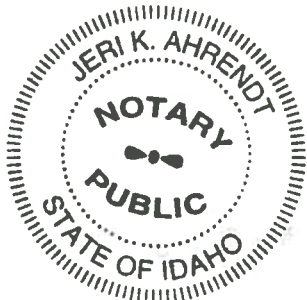
Print Name and Title of Authorized Representative

(Complete if applicable and include your authority to act on behalf of the water right owner)

State of Idaho)
County of Butte) ss

On this 9 day of October, 2014, the signer(s) of the above instrument appeared before me and duly acknowledged to me that he/she executed the same.

SEAL



Jeri K Ahrendt

Notary Public

My commission expires: July 25, 2020

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Abandonment of Water Right

Print Name of Water Right Owner(s): Carol C Pope

Mailing Address: 2398 Hwy Dr

Arco ID 83213

Phone: 208 527.3277

Note: If you are not listed as the current owner of the water right in the Idaho Department of Water Resources' records, you must include evidence of ownership of the water right (or portion of the water right) with this form. Evidence may include a warranty deed, quitclaim deed, court decree, contract of sale, etc.

I am the current owner of all, or part of, the water right described in the Idaho Department of Water Resources' records as Water Right No. 34-12436.

I hereby abandon all, or part of the water right designated above. This abandonment is intentional and voluntary. I recognize that this abandonment permanently eliminates the right to divert and use water under the water right designated above.

If this abandonment applies to a portion of the water right, please indicate which part is abandoned by describing the diversion rate, annual diversion volume or storage volume, and place of use (include acres if the use is irrigation) and by attaching a detailed map identifying the specific locations.

The portion remaining after the first abandonment

Carol C Pope

Signature of Water Right Owner(s) or Authorized Representative

9-24-14

Date

Print Name and Title of Authorized Representative

(Complete if applicable and include your authority to act on behalf of the water right owner)

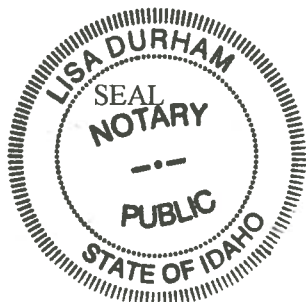
State of Idaho)

County of Butte) ss

On this 24 day of September, 2014, the signer(s) of the above instrument appeared before me and duly acknowledged to me that he/she executed the same.

Lisa Durham
Notary Public

My commission expires: 7/30/16



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Abandonment of Water Right

Print Name of Water Right Owner(s): Carol C Pope

Mailing Address: 2398 Hwy Drive

Arco ID 83213

Phone: 208.527.3277

Note: If you are not listed as the current owner of the water right in the Idaho Department of Water Resources' records, you must include evidence of ownership of the water right (or portion of the water right) with this form. Evidence may include a warranty deed, quitclaim deed, court decree, contract of sale, etc.

I am the current owner of X all, or _____ part of, the water right described in the Idaho Department of Water Resources' records as Water Right No. 34-12436.

I hereby abandon X all, or _____ part of the water right designated above. This abandonment is intentional and voluntary. I recognize that this abandonment permanently eliminates the right to divert and use water under the water right designated above.

If this abandonment applies to a portion of the water right, please indicate which part is abandoned by describing the diversion rate, annual diversion volume or storage volume, and place of use (include acres if the use is irrigation) and by attaching a detailed map identifying the specific locations.

This right is an enlargement right; the acres will no longer be irrigated.

Carol C. Pope

Signature of Water Right Owner(s) or Authorized Representative

10-9-14
Date

CAROL C. Pope

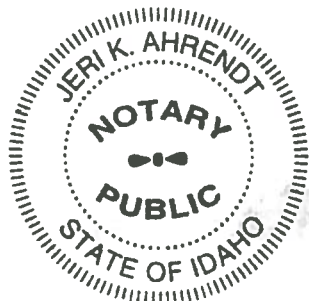
Print Name and Title of Authorized Representative

(Complete if applicable and include your authority to act on behalf of the water right owner)

State of Idaho)
County of Butte) ss

On this 9 day of October, 2014, the signer(s) of the above instrument appeared before me and duly acknowledged to me that he/she executed the same.

SEAL



Jeri K. Ahrendt

Notary Public

My commission expires: July 25, 2020

79822

Quitclaim Deed

For value received, A. Larry Quist,

Does hereby convey, release, remise, and forever quit claim unto

Carol C. Pope,

whose current address is 2398 Highway Drive, Arco, ID 83213,

the following:

All my Right, Title and Interest in Water Right Nos. 34-4133 and 34-12436,
which are or may be appurtenant to land within the SW1/4SE1/4 of Section 31,
Township 4 North, Range 27 East of the Boise Meridian, Butte County, Idaho.

To have and to hold, unto the said grantees, heirs and assigns forever.

Date: 10-9-14

A. Larry Quist
A. Larry Quist

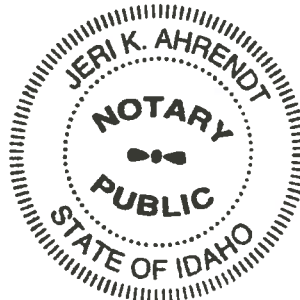
State of Idaho

ss.

County of Butte

On this 9 day of October in the year of 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared A. Larry Quist, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

Jeri K. Ahrendt, Notary Public
Residing at: ARCO ID 83213
My Commission Expires: July 25, 2020
(seal)





State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 North Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

2/13/2015

Arthur Larry Quist
2272 N 2900 W
Arco, ID, 83213

Mr. Quist,

A transfer was recently filed with the Department on water rights 34-330D, 34-4133, and 34-14427. Water right 34-330D is appurtenant to 0.6 acres of your property in the SWSE of Section 31, T04N, R27E. The transfer proposes to consolidate the three rights onto 6.2 acres owned by Carol Pope in S ½ of the SE ¼ of the same Section, and the NENE (Lot 1) of Section 6.

The transfer is enclosed for your review. It includes a map of the current and proposed water right locations.

If you have any questions or objections regarding the transfer, please do not hesitate to contact me. If I do not hear from you within 14 days, I will assume that you have no comments or objections regarding the transfer, and we will proceed with approval.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cooper Fritz', with a long horizontal line extending to the right.

Cooper Fritz
Water Resources Agent