

NOV 24 2014

DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 79569
AMENDED

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) ROLF ENGH

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

(es 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: _____

RECEIVED

NOV 24 2014

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT *AMENDED
PART 1

Name of Applicant ROLF ENGH Phone (612)375-7705
 Mailing Address 1928 HUMBOLDT AVE S, MINNEAPOLIS MN 55403 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] Rolf Engh 11/20/2014
 Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

 Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
71-10883	No	No	Yes	Yes	No	No

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

The proposed transfer is intended to authorize a new point of diversion upstream of the current active
diversion (PC7). The current diversion structure forms a barrier to fish passage, blocking the movement
of ESA-listed Chinook salmon, steelhead and bull trout, as well as resident westslope cutthroat trout.
The new POD structure has been designed to allow fish passage at a range of stream flows. It will be
installed with a headgate, measuring device, and fish screen. It will tie in the existing ditch and

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

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
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71-10883	0.600 cfs	N/A	N/A	34.7		N/A	N/A	N/A	N/A
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**COMBINED
TOTALS**

	0.600 cfs	N/A	N/A	34.7		N/A	N/A	N/A	N/A
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2. Total amount of water proposed to be transferred or changed 0.6 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.

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

Proposed Water Right No. 71-10883

Current Water Right Owner **ROLF ENGH**
1928 HUMBOLDT AVE S
MINNEAPOLIS, MN 55403

Priority Date: 5/1/1918

Origin: Water Right

Basis: Decreed

Status Active

Source: POLE CREEK Tributary: SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	05/01	10/31	0.600 CFS	
Total Diversion			0.600 CFS	

Source and Point(s) of Diversion:

POLE CREEK	NENE	Sec. 22 Twp 07N Rge 14E	BLAINE County
POLE CREEK	NWNE	Sec. 22 Twp 07N Rge 14E	BLAINE County
POLE CREEK	NWNE	Sec. 22 Twp 07N Rge 14E	BLAINE County
POLE CREEK	SENE	Sec. 22 Twp 07N Rge 14E	BLAINE County
POLE CREEK	NENW	Sec. 22 Twp 07N Rge 14E	BLAINE County
POLE CREEK	SENW	Sec. 23 Twp 07N Rge 14E	BLAINE County
POLE CREEK	SWNW	Sec. 23 Twp 07N Rge 14E	BLAINE County
POLE CREEK	SESE	Sec. 23 Twp 07N Rge 14E	BLAINE County
POLE CREEK	SENENE	Sec. 25 Twp 07N Rge 14E	BLAINE County
POLE CREEK	SWNENE	Sec. 25 Twp 07N Rge 14E	BLAINE County
POLE CREEK	SENW	Sec. 25 Twp 07N Rge 14E	BLAINE County

Describe the proposed diversion system

HEADGATE & DITCH, GRAVITY & SPRINKLER IRRIGATION
HEADGATE & DITCH, GRAVITY & SPRINKLER IRRIGATION
HEADGATE & DITCH, GRAVITY & SPRINKLER IRRIGATION
HEADGATE & DITCH, GRAVITY & SPRINKLER IRRIGATION
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HEADGATE & DITCH, GRAVITY & SPRINKLER IRRIGATION
HEADGATE & DITCH, GRAVITY & SPRINKLER IRRIGATION

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	
07N	14E	24												0.2					0.2
07N	14E	25		9.1	6.5	0.9	14.9	3.1											34.5

POU Total Acres: 34.7

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

Applicant, Salmon Falls Sheet, USFS

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

- 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:

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

Current Water Right No. 71-10883

Current Water Right Owner
ROLF ENGH
1928 HUMBOLDT AVE S
MINNEAPOLIS, MN 55403

Priority Date: 5/1/1918

Origin: Water Right

Basis: Decreed

Status: Active

Source: POLE CREEK Tributary: SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	05/01	10/31	0.600 CFS	
Total Diversion			0.600 CFS	

Source and Point(s) of Diversion:

POLE CREEK	NWNE	Sec. 22 Twp 07N Rge 14E BLAINE County
POLE CREEK	SENW	Sec. 23 Twp 07N Rge 14E BLAINE County
POLE CREEK	SENE	Sec. 22 Twp 07N Rge 14E BLAINE County
POLE CREEK	NENW	Sec. 22 Twp 07N Rge 14E BLAINE County
POLE CREEK	NWNE	Sec. 22 Twp 07N Rge 14E BLAINE County
POLE CREEK	SENW	Sec. 25 Twp 07N Rge 14E BLAINE County
POLE CREEK	SWNE	Sec. 25 Twp 07N Rge 14E BLAINE County
POLE CREEK	SESE	Sec. 23 Twp 07N Rge 14E BLAINE County
POLE CREEK	NENE	Sec. 22 Twp 07N Rge 14E BLAINE County
POLE CREEK	SWNW	Sec. 23 Twp 07N Rge 14E BLAINE County

Describe the proposed diversion system

HEADGATE & DITCH, GRAVITY & SPRINKLER IRRIGATION
HEADGATE & DITCH, GRAVITY & SPRINKLER IRRIGATION
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HEADGATE & DITCH, GRAVITY & SPRINKLER IRRIGATION
HEADGATE & DITCH, GRAVITY & SPRINKLER IRRIGATION

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	
07N	14E	25	0.2	11.2	8.3	2.5	11.9	0.6											34.7

POU Total Acres: 34.7

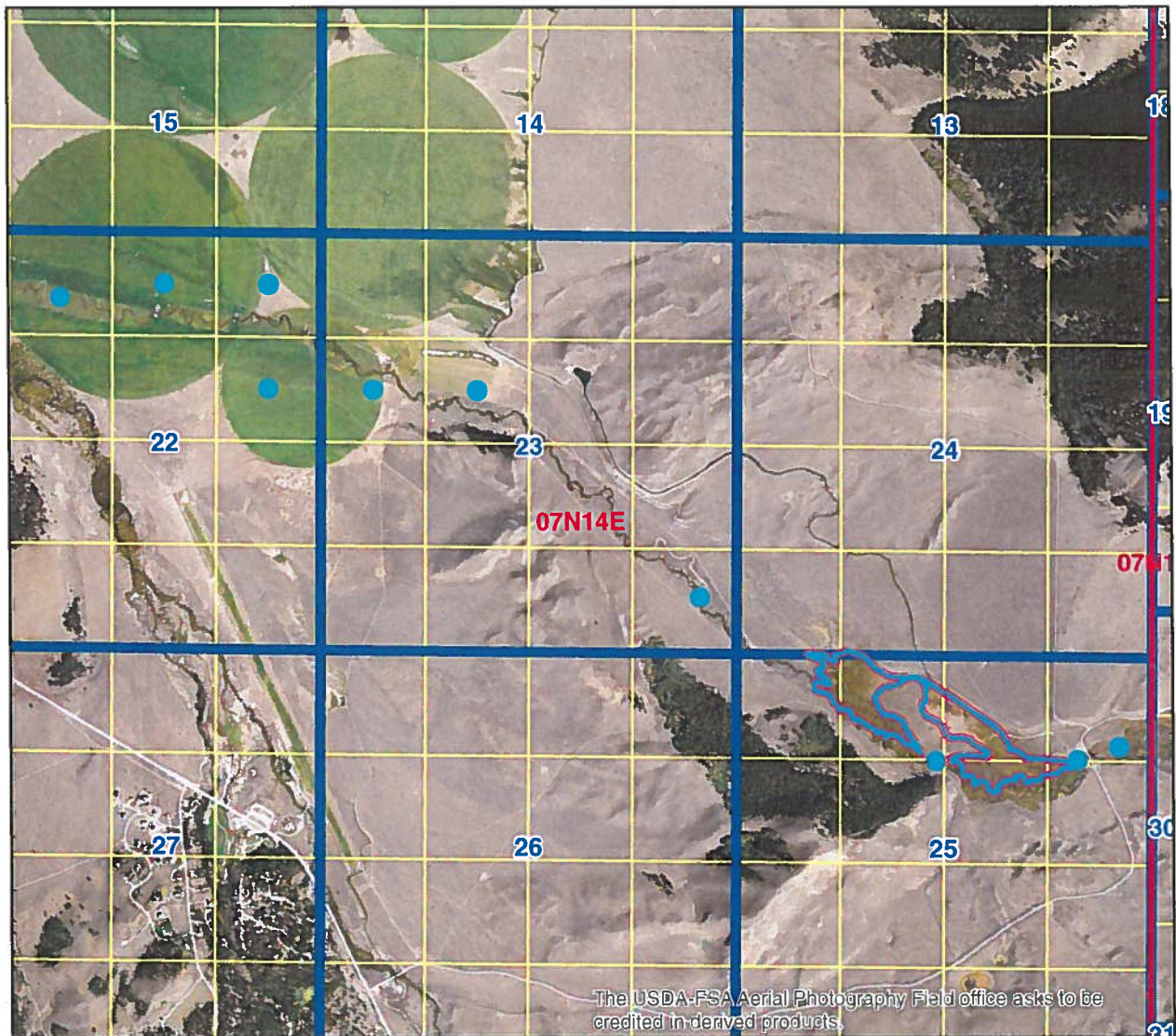
Conditions/Remarks:

- TWO POINTS OF DIVERSION LOCATED IN T7N, R14E, S22, NWNE.
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 71:
WATER RIGHT NO. SOURCE NONE NONE THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE NONE ALL WATER RIGHTS WITHIN BASIN 71 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

Conditions/Remarks:

3. 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.
4. STOCKWATER FOR 1800 RANGE CATTLE. RIGHTS 71-00060A, 71-00060B, 71-00062A, 71-00062B AND 71-00062D AT TIMES PROVIDE WATER TO SAME CATTLE; WHEN RIGHTS COMBINED THE LIMIT IS 1800 CATTLE.

AMENDED TRANSFER 79569



Legend

- Transfer POD
- engh

TRANSFER 79569

THE

Existing
POU

SESE

SENE

SENE

SWSE

SWNE

SWNE

24

25

SWSW

SWSW

SWSW

SWSW

SWSW

SWSW

TRANSFER 79569