

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

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 an entire 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 or to report an ownership change for a portion 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

1. APPLICANT(S) John Terry Field & Leslie A Field Phone 208-834-2263
2. MAILING ADDRESS 38167 State Highway 78 City Grand View
State Idaho Zip 83624 Email field35@msn.com

- ☐ 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) required for water right ownership changes; see [fee schedule](#).
- ☐ 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) 2-2083, 2-2084, 2-2176A, 2-2176C, 2-2272, 2-2405A

- ☐ 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 9.41 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*.

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
05S	04E	34	9	SW	SE	SW	Owyhee	SNAKE RIVER	Bybee Lateral Water Users

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:

Bybee Lateral Water Users will install all necessary state approved measuring devices, required to meet water districe No 2 standards

- b. Who owns the property at the point(s) of diversion? Bybee Lateral Water Users Easement
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

Member of Bybee Lateral Water Users and my own personal pumps are already located at the site of diversion.

- 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 leased to the Water Supply Bank,
☐ ☒ 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 _____

7. **MAP** - ☒ Attach a map of the diversion, measurement, control and distribution system. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. The *Map Tool*, available at <http://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.

J. Terry Field
Signature of applicant or authorized agent

J. Terry Field (John Terry Field) 10-25-13
Print name and title if applicable Date

Leslie A Field
Signature of applicant or authorized agent

Leslie A Field 10-25-13
Print name and title if applicable Date

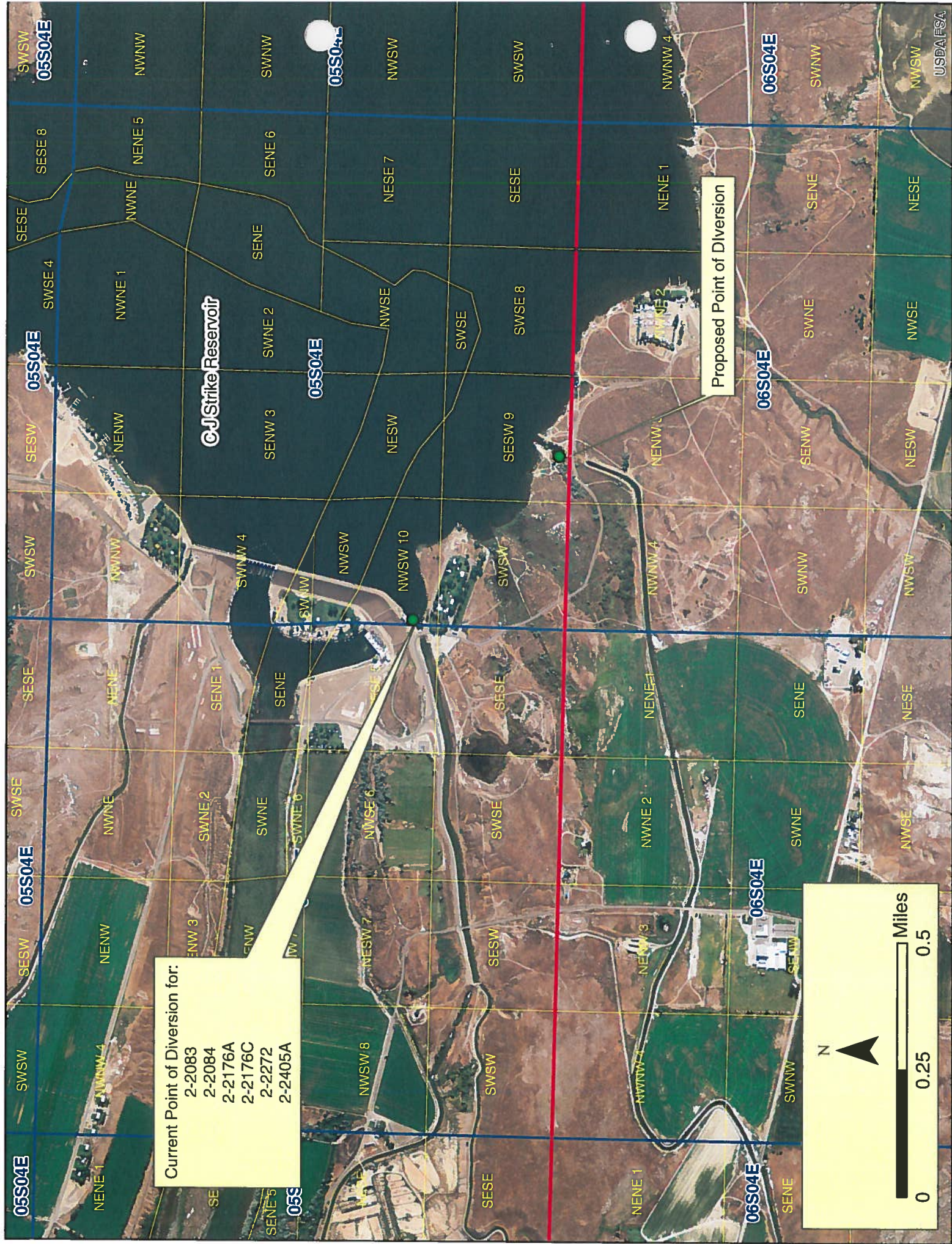
9. **FEE** - ☐ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet 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 19 pages of attachments. Received by *HP* Date 10-25-13

Fee paid 1000.00 Date 10-25-13 Receipted by *HP* Receipt # 0097904

Preliminary review completed by *Vicki MAGE* Date 1-22-14



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/9/2014

Water Right 2-2083

Owner Type **Name and Address**
Current Owner LESLIE A FIELD
38167 STATE HWY 78
GRAND VIEW, ID 83624-5039
(208)834-2263

Current Owner J TERRY FIELD
38167 STATE HWY 78
GRAND VIEW, ID 83624-5039
(208)834-2263

Priority Date: 6/8/1958

Basis: Decreed

Status: Active

Source
SNAKE RIVER

Tributary
COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	10/31	2.400 CFS	
DOMESTIC	01/01	12/31	0.040 CFS	
	<u>Total Diversion</u>		2.400 CFS	

Source and Point(s) of Diversion

SNAKE RIVER L10(NWSW) Sec. 34, Twp 05S, Rge 04E, OWYHEE County

Place Of Use

IRRIGATION within OWYHEE 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	
05S	04E	32											23.0	10.0					33.0
06S	04E	5					45.0 L3	35.0 L4											80.0
06S	04E	6	5.0 L1																5.0

POU Total Acres: 118.0

DOMESTIC Same as IRRIGATION

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.

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3. X35 Rights 2-2083, 2-2084, 2-2176A, 2-2176B, 2-4027, 2-2271, 2-2272, 2-2405A, 2-2405B, 2-7032, 2-63, 2-10313, and 2-10503 when combined shall not exceed a total diversion rate of 14.55 cfs.
4. F06 The following rights are diverted through point of diversion described above: 2-2083, 2-2084, 2-2176A, 2-2176B, 2-4027, 2-2271, 2-2272, 2-2405A, 2-2405B, 2-7032, 2-63, 2-10313, 2-10503.

Comments:

Dates and Other Information

Decreed Date: 6/15/2009
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: OR
Mitigation Plan: False

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2-2084, 2-2176A, 2-2176B, 2-4027, 2-2271, 2-2272, 2-2405A, 2-2405B, 2-7032, 2-63,
2-10313, 2-10503.

Comments:

1. jdean 6/13/2005 POD/POU

POD, POU recommended as claimed via accomplished transfer, evidenced by: transfer claim in file (unapproved and undated), recommendation in 1980 adjudication of 02, note in claim saying "claimant states POD is actually in lot 10 and always has been)", aerial photography from 1987 shows irrigated acres (POU).

Dates and Other Information

Decreed Date: 6/15/2009

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Owner Name Connector: OR

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/9/2014

Water Right 2-2176A

Owner Type **Name and Address**
Current Owner LESLIE A FIELD
38167 STATE HWY 78
GRAND VIEW, ID 83624-5039
(208)834-2263

Current Owner J TERRY FIELD
38167 STATE HWY 78
GRAND VIEW, ID 83624-5039
(208)834-2263

Priority Date: 5/1/1962

Basis: Decreed

Status: Active

Source
SNAKE RIVER

Tributary
COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	10/31	2.890 CFS	1,080.0 AF
	<u>Total Diversion</u>		2.890 CFS	1,080.0 AF

Source and Point(s) of Diversion

SNAKE RIVER L10(NWSW) Sec. 34, Twp 05S, Rge 04E, OWYHEE County

Place Of Use

IRRIGATION within OWYHEE 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	
05S	03E	36									5.0	13.0							18.0
05S	04E	31															27.0	26.0	53.0
06S	04E	5			18.0	26.0													44.0
06S	04E	6	21.0	27.0			37.0	48.0											133.0
			L1	L2			L3	L4											

POU Total Acres: 248.0

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. P21 This right is a split from former right 02-02176.
4. E60 Right Nos. 2-2176A and 2-2405A are limited to a total combined diversion rate of 4.65

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- cfs and to a total combined annual diversion volume of 1116 AF.
5. E55 Right Nos. 2-2176A and 2-2405A are limited to the irrigation of a combined total of 248 acres in a single irrigation season.
 6. X35 Rights 2-2083, 2-2084, 2-2176A, 2-2176B, 2-4027, 2-2271, 2-2272, 2-2405A, 2-2405B, 2-7032, 2-63, 2-10313, and 2-10503 when combined shall not exceed a total diversion rate of 14.55 cfs.
 7. F06 The following rights are diverted through point of diversion described above: 2-2083, 2-2084, 2-2176A, 2-2176B, 2-4027, 2-2271, 2-2272, 2-2405A, 2-2405B, 2-7032, 2-63, 2-10313, 2-10503.

Dates and Other Information

Decreed Date: 6/15/2009

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Owner Name Connector: OR

Mitigation Plan: False

**IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report**

9/9/2014

Water Right 2-2176C

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CORP OF THE PRESIDING BISHOP CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS REAL ESTATE SERVICES DIV 50 E NORTH TEMPLE ST SALT LAKE CITY, UT 84150-6320 (801) 240-4657

Priority Date: 5/1/1962

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	10/31	0.070 CFS	26.0 AF
	<u>Total Diversion</u>		0.070 CFS	26.0 AF

Source and Point(s) of Diversion

SNAKE RIVER L10(NWSW) Sec. 34, Twp 05S, Rge 04E, OWYHEE County

Place Of Use

IRRIGATION within OWYHEE 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	
05S	03E	36										11.0							11.0

Right Acre Limit: 6.0

POU Total Acres: 11.0

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. P21 This right is a split from former right 02-02176.
3. K06 This right is limited to the irrigation of 6 acres within the place of use described above in a single irrigation season.
4. E56 The rights listed below are limited to the irrigation of a combined total of 11 acres in a single irrigation season. Combined Right Nos.: 2-2176C and 2-2380

Comments:

1. jdean 6/9/2005 Owner
Terry Fields listed as current owner with no evidence so status was changed to previous owner.
2. jdean 6/9/2005 POD

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recommended licensed POD vs claimed POD as per D.Shaff memo in claim file. However, it appears to be same system as 2-02380 (same owner), proof of change requested

Dates and Other Information

Decreed Date: 6/15/2009
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
2-2176C ,2-2380		11.0

9/9/2014

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	J TERRY FIELD 38167 STATE HWY 78 GRAND VIEW, ID 83624-5039 (208)834-2263

Status: Active

Tributary
COLUMBIA RIVER

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
03/15	10/31	1.290 CFS	395.0 AF
Total Diversion		1.290 CFS	395.0 AF

SNAKE RIVER L10(NWSW) Sec. 34, Twp 05S, Rge 04E, OWYHEE County

IRRIGATION within OWYHEE 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
05S	03E	36															27.0	10.0	37.0
06S	03E	1	23.0 L1	19.0 L2															42.0

POU Total Acres: 79.0

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.
2.	C05	Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3.	X35	Rights 2-2083, 2-2084, 2-2176A, 2-2176B, 2-4027, 2-2271, 2-2272, 2-2405A, 2-2405B, 2-7032, 2-63, 2-10313, and 2-10503 when combined shall not exceed a total diversion rate of 14.55 cfs.
4.	F06	The following rights are diverted through point of diversion described above: 2-2083, 2-2084, 2-2176A, 2-2176B, 2-4027, 2-2271, 2-2272, 2-2405A, 2-2405B, 2-7032, 2-63, 2-10313, 2-10503.

Decreed Date: 6/15/2009
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S

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9/9/2014

Water Right 2-2405A

Owner Type **Name and Address**
Current Owner J TERRY FIELD
38167 STATE HWY 78
GRAND VIEW, ID 83624-5039
(208)834-2263

Current Owner LESLIE A FIELD
38167 STATE HWY 78
GRAND VIEW, ID 83624-5039
(208)834-2263

Priority Date: 5/18/1967

Basis: Decreed

Status: Active

Source
SNAKE RIVER

Tributary
COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	1.760 CFS	855.3 AF
	<u>Total Diversion</u>		1.760 CFS	855.3 AF

Source and Point(s) of Diversion

SNAKE RIVER L10(NWSW) Sec. 34, Twp 05S, Rge 04E, OWYHEE County

Place Of Use

IRRIGATION within OWYHEE 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	
05S	03E	36									5.0	13.0							18.0
05S	04E	31															27.0	26.0	53.0
06S	04E	5			18.0	26.0													44.0
06S	04E	6	21.0	27.0			37.0	48.0											133.0
			L1	L2			L3	L4											

POU Total Acres: 248.0

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. P21 This right is a split from former right 2-2405.
3. E60 Right Nos. 2-2176A and 2-2405A are limited to a total combined diversion rate of 4.65 cfs and to a total combined annual diversion volume of 1116 AF.
4. E55 Right Nos. 2-2176A and 2-2405A are limited to the irrigation of a combined total of 248

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5. X35 acres in a single irrigation season.
Rights 2-2083, 2-2084, 2-2176A, 2-2176B, 2-4027, 2-2271, 2-2272, 2-2405A, 2-2405B, 2-7032, 2-63, 2-10313, and 2-10503 when combined shall not exceed a total diversion rate of 14.55 cfs.
6. F06 The following rights are diverted through point of diversion described above: 2-2083, 2-2084, 2-2176A, 2-2176B, 2-4027, 2-2271, 2-2272, 2-2405A, 2-2405B, 2-7032, 2-63, 2-10313, 2-10503.

Comments:

1. mmount 2/9/2006 Period of Use
Recd as per license 3/15 - 11/15 with condition s39

2. scurtis 8/24/2011 Water Right
This water right record was updated by decree record from old RightID 7172 to new RightID 589654

Dates and Other Information

Decreed Date: 6/15/2009
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: OR
Mitigation Plan: False

Sommer, Rachel

From: Sommer, Rachel
Sent: Wednesday, September 24, 2014 12:12 PM
To: 'JENNIFER@OWYHEEAVALANCHE.COM'
Subject: Owyhee Legal Ad
Attachments: Owyhee Cover Letter.docx; Owyhee Legal Ad.docx

Good Afternoon Jennifer Stutheit,

Please see the attached ad for publication on 10/1/2014 & 10/8/2014.

Please confirm these are okay to publish as shown.

Thank you very much,

Rachel Sommer

Administrative Assistant
Dept. of Water Resources
Western Regional Office
2735 Airport Way, Boise ID 83705
Phone 208-334-2190 | Fax 208-334-2348
Email: rachel.sommer@idwr.idaho.gov

September 24, 2014

LEGAL NOTICE DEPARTMENT
OWYHEE AVALANCHE
PO BOX 97
HOMEDALE, ID 83628

RE: Application for Transfer No. 78909

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 10/20/2014. Your cooperation is appreciated.

Sincerely,

Rachel Sommer
Administrative Assistant

Enclosures

PROPOSED CHANGE OF WATER RIGHTS

John Terry and Leslie A Field of 38167 Hwy 78, Grandview, Idaho, 83624, filed Application No. **78909** to transfer six water rights with priority dates that range from 1958 to 1967 from the Snake River totaling 9.41 cfs. The purpose of the transfer is to change the common point of diversion pursuant to a request by the Bybee Canal Co., to a point 0.4 miles south of the current point of diversion. Water will be used at the current place of use near approximately 3 miles southeast of Grandview.

For additional information concerning the property location, contact Western Region office at (208) 334-2190; or see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp for a full description of the right(s) and the proposed transfer. Protests may be submitted based on the criteria of Idaho Code § 42-222. Any protest against the proposed change must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 10/20/2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 10/1/2014 and 10/8/2014

MEMORANDUM

TO: Transfer Nos. 78909
FROM: Vicky Music
DATE: September 3, 2014
RE: Evaluation of Sufficiency of Information Submitted

The transfer propose to move the common point of diversion of six rights from a former Bybee Canal Co. diversion on CJ Strike Reservoir 0.4 miles south to the current Bybee Canal diversion on CJ Strike Reservoir. The rights to be transferred are: 2-2083, 2-2084, 2-2176A, 2-2176C, 2-2272 and 2-2405A.

The places of use of the rights are approximately 2 to 4 miles southeast of Grandview, Idaho. The old and new PODs are approximately 6.5 miles southeast of Grandview. The applicants are the contact persons.

Deviations from Transfer Policy Standards

The application was filed using the "short form" for changes to the point of diversion only.

Because the rights are delivered by the Bybee Canal Co., I requested a letter from them stating that the transfers were acceptable to them, which I received. Evidently, the old POD is owned by Idaho Power, and has not been used for the Bybee Canal Co rights for several years, so this transfer will change on paper a change that was made on the ground years ago.

The applicants are the owners of record of four of the rights, and J. Terry Field is the owner of record of right 2-2272. The owner of record of the sixth right, no. 2-2176C, was in the name of the LDS Church.

When notified, the Fields filed a change of ownership for right 2-2176C and paid the fee. The change of ownership form states the right should go in the names of both Leslie and J. Terry Field. However, the deed only conveys the property to J. Terry Field, so he will be the owner of record.

Although IDWR policy is that the short form is not to be used for transfers involving changes in ownership, there is nothing to be gained by requiring the applicants to refile the transfer on the long form.

These deviations will not delay processing.

The application will be advertised.

Summary of Information Submitted

Authority to File: As the owners of record of the water rights that are the subject of this transfer, they have the authority to file the application.

Water Right Validity:

Right presumed to be valid because the partial decrees were issued within the past five year period, on 6/15/09.

Injury to Other Water Rights:

No injury is expected by moving the PODs about 0.4 mile.

Enlargement of Use:

There is a danger of enlargement due to an unusual condition on the water right that is described in the discussion section, and because two of the rights have active applications to lease to the WSB. Water District 02 has only become active in the past year and the water master will ensure that enlargement does not occur.

Local Public Interest:

There are no public interest issues.

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho.

Review of the application finds there is no clear inconsistency with criteria of I. C. § 42-222 preventing processing of the application.

Additional Information/Analysis and Discussion

These rights have this condition:

The rights listed below are limited to a total combined diversion rate of 14.55 cfs. Combined Right Nos.: 02-02083, 02-02084, 02-02176A, 02-02176B, 02-04027, 02-02271, 02-02272, 02-02405A, 02-02405B, 02-07032, 02-00063, 2-10313.

However, the sum of the diversion rates on the face of the rights total about 23 cfs. There are 5 water right owners of the 12 rights, and they have all filed transfers to change the POD. Hence, the 12 rights subject to the condition will be transferred to the new POD, and none of the rights will be prorated.

IDWR analysis is not needed from other IDWR personnel or programs. IDWR staff held a meeting with the Basin 02 Watermaster to discuss the history, the condition, and other issues in the area.

Data entry affected the correct records. The partial decrees were issued & results were migrated to wr records.

SRBA status was described above.

All of the POU overlaps owned by the applicants are the subject of this transfer. The new POD per the transfers is also the POD of many other rights delivered by the Bybee Canal Co.

Mitigation is not an issue.

Applications to lease right nos. 2-2405, 2-2176A, 2-7061, 2-7062 and 2-7157 were submitted to the Water Bank. Water Bank personnel are aware of the unusual conditions of these rights. I contacted WSB staff about the transfers and they indicated the transfers could be processed.

Summary

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.

Condition 046 n/a because a new well is not proposed.

Music, Vicky

From: Webster, Clay
Sent: Wednesday, September 03, 2014 4:19 PM
To: Music, Vicky
Cc: Palmer, Cherie
Subject: FW: Terry Fields transfer 78909

Vicky,

I looked into this and this is one of our early comers for 2015. They won't be processed until after November for the 2015 season so they will remain as applications in the system until they are processed. The transfer on the PODs can be processed. Thanks for the head's up.

Clay

From: Palmer, Cherie
Sent: Wednesday, September 03, 2014 3:39 PM
To: Webster, Clay
Subject: FW: Terry Fields transfer 78909

Clay,

When you get a chance can you please look into this? Please let Vicky know what you find out.

Thanks,

Cherie

From: Music, Vicky
Sent: Wednesday, September 03, 2014 2:47 PM
To: Palmer, Cherie
Subject: Terry Fields transfer 78909

Hi Cheri –

I am working on the above transfer to change the POD of 5 rights. The applicant has applied to lease 2 of the rights to the WSB. [2-2176A, 2-2405A]. I conducted a WSB search on the website, which listed the statuses as “application”, and I am wondering if that is current.

Thanks.

Vicky Music
Sr. Water Resource Agent
IDWR Western Region
208.334.2190

Please reply that you received this message.

Music, Vicky

From: Music, Vicky
Sent: Wednesday, September 03, 2014 2:31 PM
To: Knowles, Corbin
Subject: Terry Fields POD transfer 78909

RE rights nos. 2-2083, 2-2084, 2-2176C, 2-2176A, 2-2272, 2-2405A

Hi Corbin –

This transfer of the Fields POD to the “new” Bybee Canal POD is ready for advertising. Because you are very aware of the situation and we have had meetings regarding it, we thought we would not sent you a request for a comment letter.

Instead, I am sending you this email. No reply is necessary unless you want to comment, and I will put those comments in the file.

Thanks.

Vicky Music
Sr. Water Resource Agent
IDWR Western Region
208.334.2190

Please reply that you received this message.

Lester, Steve

For T. 78909:

From: Lester, Steve
Sent: Monday, August 04, 2014 9:14 AM
To: Webster, Clay
Cc: Knowles, Corbin
Subject: RE: Region and Watermaster Comments on T Jerry Field WSB Lease Applications
Attachments: Bybee Canal POD xfers.pdf; 78909 Field.pdf

WSB comments
2-2176A & 2-2405A

Hi Clay:

5 owners of multiple rights with significant combined rate limits filed separate transfers to change POD from Grand View Mutual Canal to Bybee Canal to get their rights in good shape as Corbin implements watermaster controls for the Snake River. Corbin is up to speed on this.

Everything will probably work out ok but some procedural problems remain, at least for some applicants.

Attached docs summarize current status:

Unruh & Draper transfers approved, no protests, BLM must have missed those.

Order Tranquility (Beus) & Astle transfers protested, BLM cites right-of-way issues for public land. Guessing this will settle but could be sticky given current complications with public land issues.

Field transfer pending more info from applicant, on call-up at Western late this month. Assuming will get necessary info from Field & appl will be advertised & protested by BLM. Same somewhat protracted settlement guess as above. Meanwhile, cloud remains over Field's multiple rights, including those 2 for WSB lease apps.

Not sure how tight these things are with WSB issues but assume this complicates lease appl – can a right be rented if in pending transfer &/or protest process? Seems like the answer should be no, in which case the right should probably not be accepted into WSB, I guess.

Regardless, these rights in lease apps are subject to those combined rate limits if rented out someday. Let me know if any questions/concerns about any of these transfers.

✓ Copy of this email is provided to Field's transfer 78909 application.

Regards,

Steve

From: Webster, Clay
Sent: Friday, August 01, 2014 12:32 PM
To: Lester, Steve; Knowles, Corbin
Subject: Region and Watermaster Comments on T Jerry Field WSB Lease Applications

Steve and Corbin,

I am currently processing these applications to lease part of these rights into the bank. Any concerns or comments?

Sincerely,

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/15/2013

✓ 2/4/2014 UPDATE

SAME POD & 14.55 CFS LIMIT (23 cfs arithmetic sum)

12 RIGHTS

5 OWNERS

ALL SHOULD CHANGE POD

Conditions of Approval (from 2-2176B UNRUH)

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. P21 This right is a split from former right 02-02176.
3. E60 Right Nos. 02-02176B and 02-02405B are limited to a total combined diversion rate of 3.7 cfs and to a total combined annual diversion volume of 787.5 AF.
4. E55 Right Nos. 02-02176B and 02-02405B are limited to the irrigation of a combined total of 175 acres in a single irrigation season.
5. E56 The rights listed below are limited to the irrigation of a combined total of 558.5 acres in a single irrigation season. Combined Right Nos.: 2-2176B, 2-2405B, 2-10198
6. F06 The following rights are diverted through point of diversion described above: 02-02083, 02-02084, 02-02176A, 02-02176B, 02-04027, 02-02271, 02-02272, 02-02405A, 02-02405B, 02-07032, 02-00063, 2-10313.
7. E52 The rights listed below are limited to a total combined diversion rate of 14.55 cfs. Combined Right Nos.: 02-02083, 02-02084, 02-02176A, 02-02176B, 02-04027, 02-02271, 02-02272, 02-02405A, 02-02405B, 02-07032, 02-00063, 2-10313.

UNRUH

transfers 78382 & 78383 filed

Approved

* FIELD

transfer 78909 (includes 2-2176C w/o combine rate limits)

Pending

DRAPER

transfer 78941 to split rights between 2 PODs

Approved

ORDER OF
TRANQUILITY

transfer filed 1/27/2104 (c/o Beus)

} BLN
protests

ASTLE

transfer filed 1/31/2014 (ownership change, Meaker to Astle)

Combined Use Limits

Rate
14.550

! vs. Arith. Sum ~ 23 ± cfs

2-63 2-2271 2-4027 2-2405A 2-2176A 2-2176B 2-2405B 2-2083 2-2084
2-2272 2-7032 2-10313

✓ 8/4/2014 update -JL

* Field xfer, no Ads yet,
probably BLN protest
when adverse



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 25, 2014

JOHN T & LESLIE A FIELD
38167 HWY 78
GRANDVIEW, ID 83624

Re: Application for Transfer No. 78909 (Water Right Nos. 2-2083, 2-2176A,
2-2176C 2-2272 and 2-2405A)

Dear Mr. and Mrs. Field:

I receive your letter requesting a six-month extension to request the information I requested in my letter to you, dated January 23, 2014. Your request is granted and the new deadline is August 24, 2014. I can be reached at 208.334.2190 if you wish to discuss the application further. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Vicky Music".

Vicky Music
Sr. Water Resource Agent

BYBEE LATERAL WATER USER'S ASSOCIATION

PO Box 235
Mountain Home, Id. 83647

Phone 587-2789
Fax 587-2802
Email calzola@earthlink.net

February 04, 2014

Idaho Department of Water Resources
PO Box 83720
Boise, Id. 83720-0098

This is to advise you that Bybee Lateral Water User's Association authorizes the change of point of diversion for John Terry and Leslie A. Field from T05S R04E S34 NWSW Lot 10 to T05S R04E S34 Lot 9 SWSESW.

Sincerely,

A handwritten signature in black ink, appearing to read "Jack Post", written over a horizontal line.

Jack Post
Secretary

RECEIVED

JAN 31 2014

WATER RESOURCES
WESTERN REGION

January 27, 2014

Idaho Department of water Resources
2735 Airport Way
Boise, Idaho 83705-5082

Dear Vicky Music,

As per our conversation of January 27, 2014 we would like to apply for the extension of six months on the transfer No. 78909.

The reason for the request is because of the number of days that I will be out of town during February.

Upon my return and the receipt of the form to transfer ownership of 2-2176C I will return the needed documentation for the water right 2-2176C.

Also I will return the letter requested from Bybee Canal, to your office.

Thank you for your time and effort in the transfer of water rights.

Sincerely,

Handwritten signatures of John T. Field and Leslie A. Field in blue ink. The signature of John T. Field is on top, and the signature of Leslie A. Field is below it, partially overlapping.

John T and Leslie A Field



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 23, 2014

JOHN T & LESLIE A FIELD
38167 HWY 78
GRANDVIEW, ID 83624

Re: Application for Transfer No. 78909 (Water Right Nos. 2-2083, 2-2084, 2-2176A, 2-2176C, 2-2272 and 2-2405A)

Dear Mr. and Mrs. Field:

The transfer application referenced above has been assigned to me for processing. The applications seek to transfer the points of diversion for six water rights from a Snake River source, from a location on CJ Strike Reservoir to a location about 0.4 mile south on CJ Strike Reservoir. The Department must have additional information before processing can continue.

According to Department records, water right no. 2-2176C is owned by the Church of Jesus Christ of Latter Day Saints. You own right no. 2-2176A, which you included on the transfer application. Was the addition of the Church right an error? If so, please call me at 334-2190 to set a time so that the both of you can amend the original application in the office.

Additionally, applications for rights that fall within the service area of irrigation or delivery entities must provide something in writing that the change is acceptable to the irrigation or delivery entity. Please provide a letter from the Bybee Canal Company that it authorizes this change in points of diversion.

Please submit the requested information so that IDWR can continue to process the applications. Alternately, you may seek additional time up to six months to provide the information. The requested information or a request for more time to obtain the information must be received in writing by February 24, 2014. Failure to submit the information may result in the application being voided. Fees are not refunded for voided applications. Thank you.

Sincerely,

Vicky Music
Sr. Water Resource Agent