

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 79195

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) BIG SPRINGS WATER USERS ASSN

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. *Sec. of State document copies*
- ☒ * 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

MAR 17 2014

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEPT. OF WATER RESOURCES
SOUTHERN 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 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: ☒ Correction to the POD

☐ Change diversion point(s)

☐ Add diversion point(s)

☐ Ownership change

1. APPLICANT(S) Big Spring Water Users Association Phone 208-837-4808

2. MAILING ADDRESS 2775 South 1050 East City Hagerman

State ID Zip 83332 Email glemmon@northrim.net

☐ 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) 36-23

☒ 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 1.62 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.

POD to be corrected to read as follows:

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
7S	14E	18	3	SE	NW	SW	Gooding	Big Springs	A0001543

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:

existing diversion system is already in place, which includes the Durfee-Secor tunnel, concrete head structure leading to 30" steel pipe, steel head gates, and in-line flow meter

- b. Who owns the property at the point(s) of diversion? Idaho Department of Parks & Recreation

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
POD is already in place and in use according to historical easement

- 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 ¼ ¼ of section information. The *Map Tool*, available at <http://maps.idwr.idaho.gov/Transfer/ApplicationLayouts> 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.

Gary Lemmon
Signature of applicant or authorized agent

Gary Lemmon, President
Print name and title if applicable

3/15/14
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](http://www.idwr.idaho.gov/WaterRightTransfers) and in the *Application for Transfer Instructions*.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments.

Received by DS

Date 3/17/14

Fee paid \$580 Date 3-17-14

Received by DS

Receipt # 5033888

Preliminary review completed by _____

Date _____

Page _____ of _____

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

Current Water Right No.: 36-23

Current Owner: BIG SPRING WATER USERS ASSN
Priority Date: 4/1/1911
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG SPRINGS

Tributary

BILLINGSLEY CREEK

Beneficial Use

From To

Diversion Rate

Annual Volume

DOMESTIC 01/01 to 12/31

0.34 CFS

STOCKWATER 01/01 to 12/31

0.06 CFS

IRRIGATION 02/15 to 11/30

1.62 CFS

Total Diversion

1.62 CFS

Location of Point(s) of Diversion

BIG SPRINGS

L2(SW1/4NW1/4)

Sec. 18, Twp 07S, Rge 14E B.M.

GOODING County

Place of Use

DOMESTIC Within GOODING County

T07S R13E S13	NESW	T07S R13E S13	SWSW
T07S R13E S13	SESW	T07S R13E S13	NWSE
T07S R13E S13	SWSE	T07S R13E S14	NESE
T07S R13E S14	SESE	T07S R13E S23	NENE
T07S R13E S23	NWNE	T07S R13E S23	NESE
T07S R13E S24	NENE	T07S R13E S24	NWNE
T07S R13E S24	SWNE	T07S R13E S24	SENE
T07S R13E S24	SENE	T07S R13E S24	NESW
T07S R13E S24	SENE	T07S R13E S24	NWSE

STOCKWATER Within GOODING County

T07S R13E S13	NESW	T07S R13E S13	SWSW
T07S R13E S13	SESW	T07S R13E S13	NWSE
T07S R13E S13	SWSE	T07S R13E S13	SESE
T07S R13E S14	SESE	T07S R13E S23	NENE
T07S R13E S23	NWNE	T07S R13E S24	NENE
T07S R13E S24	NWNE	T07S R13E S24	SWNE
T07S R13E S24	SENE	T07S R13E S24	NENW
T07S R13E S24	NWNW	T07S R13E S24	SWNW
T07S R13E S24	SENE	T07S R13E S24	NESW
T07S R13E S24	NESE	T07S R13E S24	NWSE

IRRIGATION Within GOODING County

T07S R13E S13	NESW	4.00	T07S R13E S13	SWSW	35.00
T07S R13E S13	SESW	34.00	T07S R13E S13	NWSE	19.00
T07S R13E S13	SWSE	37.00	T07S R13E S13	SESE	7.00
T07S R13E S14	SESE	30.00	T07S R13E S23	NENE	35.00
T07S R13E S23	NWNE	24.00	T07S R13E S24	NENE	40.00
T07S R13E S24	NWNE	36.00	T07S R13E S24	SWNE	36.00
T07S R13E S24	SENE	31.00	T07S R13E S24	NENW	40.00
T07S R13E S24	NWNW	39.00	T07S R13E S24	SWNW	34.00
T07S R13E S24	SENE	34.00	T07S R13E S24	NESW	35.00
T07S R13E S24	NESE	31.00	T07S R13E S24	NWSE	36.00

Total Acres: 617

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1063 ACRES IN A SINGLE IRRIGATION SEASON. OTHER RIGHT NOS.: 36-00022, 36-02465, AND 36-15168.
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.

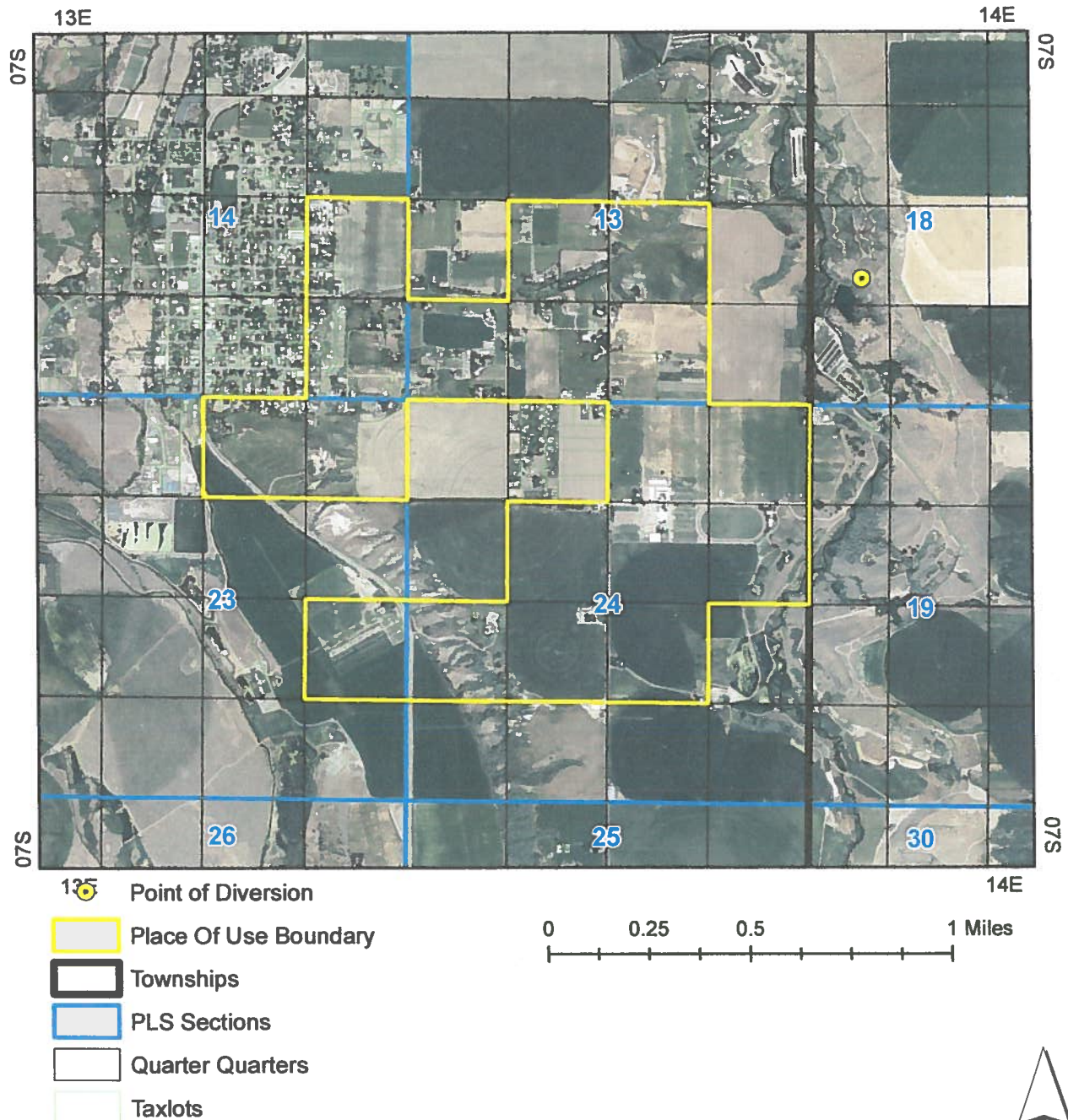
State of Idaho
Department of Water Resources

Water Right

36-23

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

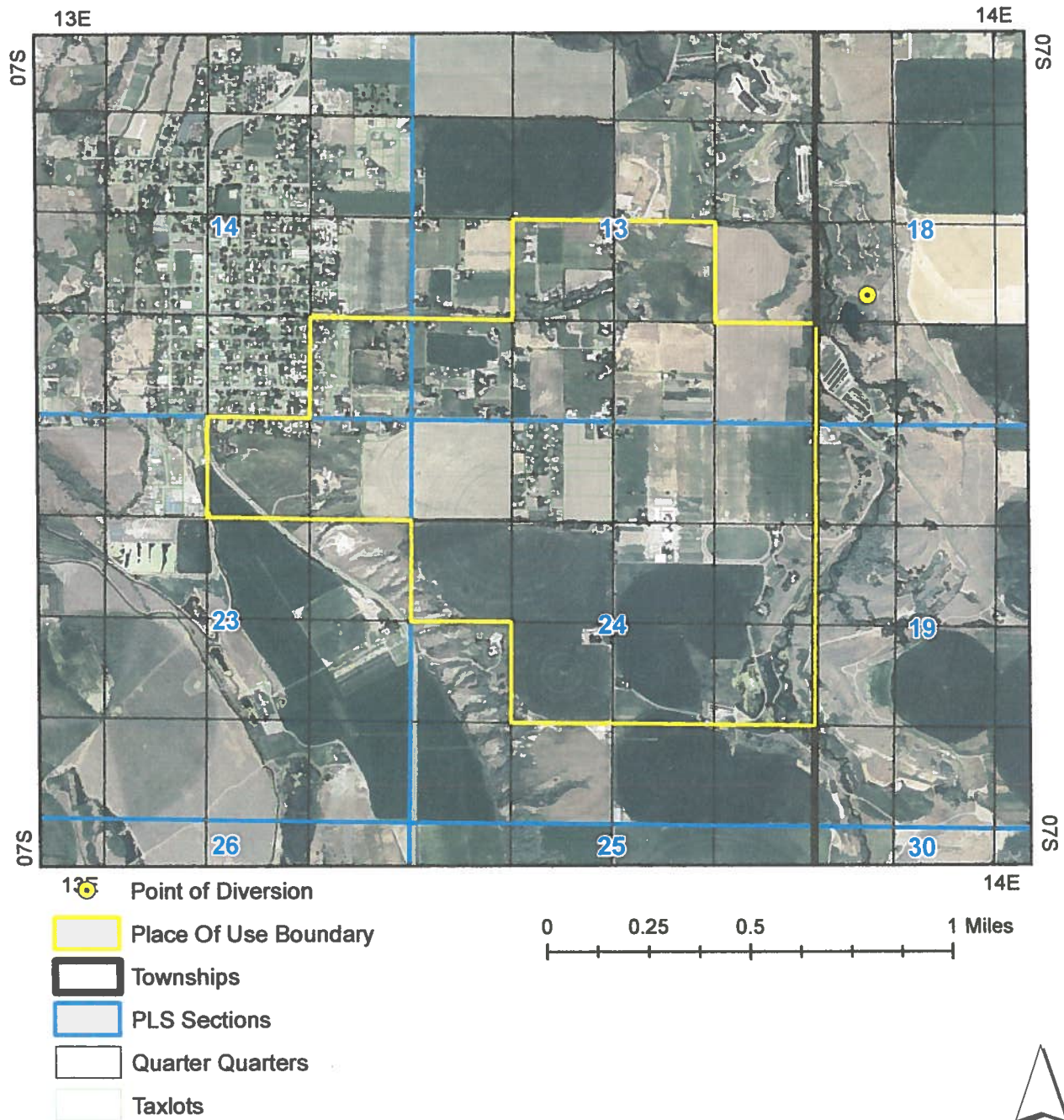


State of Idaho
Department of Water Resources

Water Right 36-23

IRRIGATION

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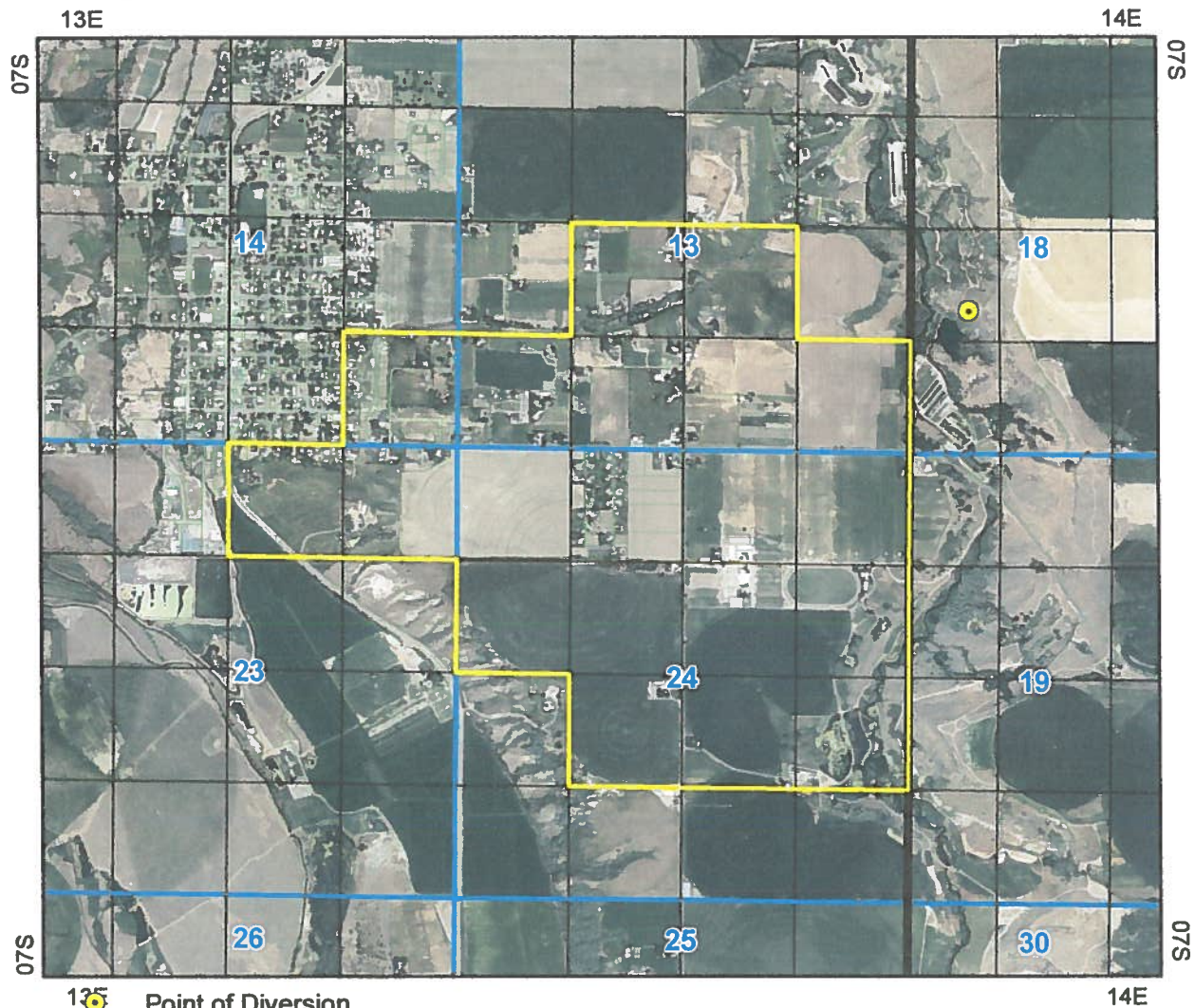
State of Idaho
Department of Water Resources

Water Right

36-23

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.25 0.5 1 Miles



No. C 136014		Due no later than Oct 31, 2013		2. Registered Agent and Address (NO PO BOX)	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		Annual Report Form 1. Mailing Address: Correct in this box if needed. BIG SPRING WATER USERS ASSOCIATION, INC. GARY LEMMON 2775 S 1050 E HAGERMAN ID 83332		GARY LEMMON 2775 S 1050 E HAGERMAN ID 83332	
				3. New Registered Agent Signature:*	
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).					
Office Held	Name	Street or PO Address	City	State	Country Postal Code
PRESIDENT	GARY LEMMON	2775 SOUTH 1050 EAST	HAGERMAN	ID	USA 83332
VICE PRESIDENT	SILVAN CLARK	1020 -C EAST 2700 SOUTH	HAGERMAN	ID	USA 83332
SECRETARY	LINDA LEMMON	2775 SOUTH 1050 EAST	HAGERMAN	ID	USA 83332
DIRECTOR	MIKE SECREST	18126 US HIGHWAY 30	HAGERMAN	ID	USA 83332
DIRECTOR	KIM LEMMON	2757 S 1050 E	HAGERMAN	ID	USA 83332
TREASURER	LINDA LEMMON	2775 SOUTH 1050 EAST	HAGERMAN	ID	USA 83332
DIRECTOR	PETE WEIR	PO BOX 158	HAGERMAN	ID	USA 83332
5. Organized Under the Laws of: ID C 136014		6. Annual Report must be signed.* Signature: Linda Lemmon Name (type or print): Linda Lemmon Date: 10/09/2013 Title: Secretary			
Processed 10/09/2013		* Electronically provided signatures are accepted as original signatures.			

A copy of the BSWUA
bylaws is already in
the backfile associated
with 36-22, which
gives the President power
to sign documents.

IDAHO SECRETARY OF STATE
Viewing Business Entity

Ben Yarsua, Secretary of State

[\[New Search \]](#) [\[Back to Summary \]](#)
[\[Get a certificate of existence for BIG SPRING WATER USERS ASSOCIATION, INC. \]](#)**BIG SPRING WATER USERS ASSOCIATION, INC.**2775 S 1050 E
HAGERMAN, ID 83332**Type of Business:** CORPORATION, GENERAL NON PROFIT**Status:** GOODSTANDING, ANREPT SENT 02 Aug 2013**State of Origin:** IDAHO**Date of Origination/Authorization:** 18 Oct 2000**Current Registered Agent:** GARY LEMMON
2775 S 1050 E
HAGERMAN, ID 83332**Organizational ID / Filing Number:** C136014**Number of Authorized Stock Shares:****Date of Last Annual Report:** 09 Oct 2013**Original Filings:****Filed 18 Oct 2000 INCORPORATION**[\[Help Me Print/View PDF \]](#)[View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)**Annual Reports:**[\[Help Me Print/View PDF \]](#)**Report for year 2013 ANNUAL REPORT**[View Document Online](#)**Report for year 2012 ANNUAL REPORT**[View Document Online](#)**Report for year 2011 ANNUAL REPORT**[View Document Online](#)**Report for year 2010 ANNUAL REPORT**[View Document Online](#)**Report for year 2010 CHNG RA/RO**[View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)**Report for year 2010 CHANGE ADDRESS**[View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)**Report for year 2009 ANNUAL REPORT**[View Document Online](#)**Report for year 2008 ANNUAL REPORT**[View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)**Report for year 2007 ANNUAL REPORT**[View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)**Report for year 2006 ANNUAL REPORT**[View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)**Report for year 2005 ANNUAL REPORT**[View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)**Report for year 2004 ANNUAL REPORT**[View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)**Report for year 2003 ANNUAL REPORT**[View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)**Report for year 2002 ANNUAL REPORT**[View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)**Report for year 2001 ANNUAL REPORT**[View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)[Idaho Secretary of State's Main Page](#)[State of Idaho Home Page](#)Comments, questions or suggestions can be emailed to: sosinfo@sos.idaho.gov

MEMORANDUM

Date: Aug. 14, 2014
To: Transfer 79195 File, Big Springs Water Users Assn, 36-23
From: Douglas Jones
Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes to change the point of diversion description to correct a discrepancy between this record (36-23) and the larger, more senior right (36-22). The post transfer description will align with the actual location of Big Spring, the source of both rights. The right was decreed in the SRBA for 1.62 cfs and there are no combined flow rate limits with any other right. Due to the error correction nature of the change and that there is no physical change in diversion point this transfer is not being advertised.

- **Authority to File:**

The applicant is listed as the current owner of involved water right (36-23) according to IDWR records. However, lands at the proposed diversion point are owned by the State of Idaho, administered by Parks and Recreation.

- **Water Right Validity:**

Water right has been decreed in the SRBA.

- **Injury to Other Water Rights:**

No injury because the water has been diverted at the same place since before the New International Decree in 1932.

- **Enlargement of Use:**

None.

- **Local Public Interest:**

No physical changes, no conflict. Water Users Assn was informed of need to conform records by Tim Luke, IDWR Water Distribution Sec. Mgr.

- **Beneficial Use/Conservation of Water Resources:**

Water has been administered by the Water District 36A. It is delivered through a pipeline to minimizes seepage and delivery losses.

