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MAY 05 2014

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

79336

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 an Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Name of Applicant(s) Duane Lundholm, Personal Representative of the Carl and Gladys Lundholm Estate

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.

- X * Completed Application for Transfer of Water Right form, Part 1.
- X * 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.
- X * 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.
- X * 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).
- X * 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

- ☐ X #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.)
- X ☐ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner. Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ X #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.
- X ☐ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ X #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- X ☐ #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>
- ☐ X #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)
- X * #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).
- X ☐ #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.
- ☐ X #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.
- ☐ X #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.)
- X ☐ #9 Other. Please describe: Map over 2009 aerial photo.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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Department of Water Resources
Eastern RegionAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant(s) Duane Lundholm, Personal Representative of the Carl and Gladys Lundholm Estate Phone: (208) 390-9649Mailing Address: 1865 N. 1900 E., Hamer, ID 83425 Email: dandr@mudlake.net

- ☐ 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**.
- X 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**.
- X 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 Robert L. Harris Phone: (208) 523-0620Mailing Address: P.O. Box 50130, Idaho Falls, ID 83405 Email: rharris@holdenlegal.com

- ☐ Send all correspondence for this application to the representative and not the applicant.

OR

- X 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.

Robert L. Harris
Signature of Applicant or Authorized Representative

Robert L. Harris, Attorney
Print Name and Title if applicable

May 2, 2014
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. X Change point of diversion ☐ Add diversion point(s) X 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. See attached sheet labeled Part 1A.2.**
- _____

PART 1A.2.

The applicant is the personal representative of the Carl and Gladys Lundholm Estate. The estate is currently in the process of being settled between three brothers, Duane, Carl, and Larry Lundholm. Part of the proposed estate settlement is ensure that 17 acres of water rights are appurtenant to the entirety of the 20-acre property that Duane will eventually end up owning. Duane currently owns 10 acres of land, which includes his home, large yard, and approximately 8-acre field behind his home. The remaining farmland and associated water rights will be owned by Carl and Larry Lundholm.

It is anticipated that once the transfer is approved, 17 acres of the stacked water rights will be deeded to Duane, and the 17 acres will then be primarily diverted from a domestic well existing on Duane's property or the center pivot west of the property will make a full circle and catch a portion of Duane's property. Duane's domestic well was drilled in 1983 (see attached Well Driller's Report), and it is anticipated that we will need to submit an additional filing fee because the transfer will turn this domestic well into an irrigation well. This well has been used to irrigate Duane's property.

Well #1 has historically diverted water into a ditch, approximately 5,000 feet in length, for delivery to the currently authorized place of use of Water Right Nos. 31-335A, 31-372, and 31-4009. The ditch is depicted on the maps associated with this transfer. Last year, Mr. Gunderson—the owner of land upon which the ditch is located—unilaterally filled in the ditch to accommodate a new pivot on his property. After promising the applicant that he would replace the ditch, Mr. Gunderson has, at this point, taken the position that he does not have to replace the ditch. The applicant is currently in negotiations with Mr. Gunderson, but it is unclear what will come of the situation.

In order to ensure adequate water to the place of use, the applicant proposes to stack the four water rights appurtenant to the Lundholm farm and create a permissible place of use of 375 acres, within which 370 acres can be irrigated. The entire place of use was irrigated in 2009, so forfeiture is not an issue. Of the five wells identified as authorized points of diversion, three are existing wells, and only one well (either Well #4 or Well #5) is proposed as a new well. If the ditch issue is resolved by replacement of the ditch, it is very likely that Well #4/#5 will not be drilled, but it is also possible what Well #1 could be abandoned and Well #4 or Well #5 (only one of them) will be drilled to replace it as part of a settlement. Well #2 and Well #3 have been used to irrigate the entirety of the Lundholm farm during the ditch dispute.

We anticipate as part of the transfer approval there will be a requirement that will require the applicant to submit a map or GIS shapefile of the 370-acre place of use. We have prepared a map and land list of the initial 370-acre place of use, and will email the GIS shapefiles for both the 370-acre place of use and the 375-acre permissible place of use upon request.

It may not seem important to have the addition 5-acre flexibility, but the historic practice has been to rotate certain acres on the pivot corners. The initial 5 acres left out of the 370-acre POU is on a corner with less productive soil, so it will likely not be irrigated in the next few years, but eventually, crops will be rotated there.

The transfer also proposes to correct an oversight in the SRBA by not including a volumetric limit on Water Right No. 31-7261, which is a ground water right. Using IDWR's standard of 3.5 acre-feet per acre for this area, we propose a volumetric limit of 308 acre-feet (88 acres X 3.5 AF/acre = 308) for this water right. The transfer will also clean up the GIS shapefile for the property, which appeared to off slightly from actual irrigation occurring on the property.

Department of Water Resources
Eastern District Office

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.	<u>Right Number</u>	<u>Amount</u> (cfs/ac-ft)	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source & Tributary</u>
All or part					
☐	☐	_____	_____	_____ to _____	_____
☐	☐	_____	_____	_____ to _____	_____
☐	☐	_____	_____	_____ to _____	_____
☐	☐	_____	_____	_____ to _____	_____
☐	☐	_____	_____	_____ to _____	_____
☐	☐	_____	_____	_____ to _____	_____
☐	☐	_____	_____	_____ to _____	_____
☐	☐	_____	_____	_____ to _____	_____
☐	☐	_____	_____	_____ to _____	_____

SEE ATTACHED SPEADSHEET

Total authorized under rights: 8.91 cfs and/or 1355 ac-ft.

2. Total amount of water proposed to be transferred or changed 8.91 Cubic feet per second and/or 1355 acre-feet per annum.
3. Point(s) of diversion:

☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)

X 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 for diversion
N		SW	NE	NE	26	7N	35E	JEFFERSON	GROUND WATER	
N		NW	SE	NE	35	7N	35E	JEFFERSON	GROUND WATER	
Y		NE	SE	NE	34	7N	35E	JEFFERSON	GROUND WATER	Duane Lundholm Domestic Well
Y		NE	NE	NE	34	7N	35E	JEFFERSON	GROUND WATER	
Y		NE	NE	NW	35	7N	35E	JEFFERSON	GROUND WATER	

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	

SEE ATTACHED SPREADSHEET FOR PPOU

Total Acres (for irrigation use) _____

LUNDHOLM WATER RIGHTS

WATER RIGHTS BEFORE TRANSFER

Water Right No.	Name on Water Right	Basis	Priority Date	Source	Beneficial Use	Individual Diversion Rate Limitation (cfs)	Individual Volume Limitation (AFA)	Combined Volume Limitation (AFA)	Individual Acre Limitation	Combined Acre Limitation	PPOU	Point of Diversion	Notes
31-7261	Carl W. Lundholm	Decreed	June 8, 1977	Ground water	Irrigation	1.76	None		88		None	NWSENE, Sec. 35, 7N, 35E	
31-335A			July 31, 1930			2.6	472.5	1047	135	282			
31-372			August 19, 1931			3	987						
31-4009			September 4, 1947		Irrigation/ Stockwater	1.55	339.4						
					TOTALS	8.91			370				

WATER RIGHTS AFTER TRANSFER

Water Right No.	Name on Water Right	Basis	Priority Date	Source	Beneficial Use	Individual Diversion Rate Limitation (cfs)	Individual Volume Limitation (AFA)	Combined Volume Limitation (AFA)	Individual Acre Limitation	Combined Acre Limitation		Point of Diversion	Notes
31-7261	Carl W. Lundholm	Decreed	June 8, 1977	Ground water	Irrigation	1.76	308		88	370	382	#1: NWSENE, Sec. 35, 7N, 35E #2: SWNESE, Sec. 26, 7N, 35E #3: NESENE, Sec. 34, 7N, 35E #4: NENENE, Sec. 34, 7N, 35E #5: NENENW, Sec. 35, 7N 35E	The volume limit on this water right based on a rate of 3.5 AFA based on IDWR's field headgate requirement for this area.
31-335A			July 31, 1930			2.6	472.5	1047	135				Wells #1 and #2 are existing wells. Well #3 is an existing domestic well located on property owned by Duane Lundholm, and will be used to irrigate the field behind and around his house. Well #4 or #5 is necessary because a ditch that transports Well #1 was illegally filled in by a neighbor, and it is unknown at this point whether the ditch will be replaced or a new well is necessary. Only Well #4 or #5 will be drilled, not both of them.
31-372			August 19, 1931			3	987						
31-4009			September 4, 1947		Irrigation/Stockwater	1.55	339.4						
					TOTALS	8.91	1355		370	382			

PERMISSIBLE PLACE OF USE DESCRIPTION AFTER PROPOSED CHANGES

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	35E	34	39	39	34	32													144
		35	35	39	13	2	39	39	35	29									231
																			0
																			0
																			0
TOTAL																			375

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 Department of Water Resources
 Eastern Region

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PERMISSIBLE PLACE OF USE DESCRIPTION AFTER PROPOSED CHANGES

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	35E	34	39	36	32	32													139
		35	35	39	14	2	39	39	37	31									236
																			0
																			0
																			0
TOTAL																			375

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2014

INITIAL 370 ACRE PLACE OF USE DESCRIPTION AFTER PROPOSED CHANGES

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	35E	34	39	39	29	32													139
		35	35	39	13	2	39	39	35	29									231
																			0
																			0
																			0
TOTAL																			370

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Department of Water Resources
Eastern Region

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INITIAL 370 ACRE PLACE OF USE DESCRIPTION AFTER PROPOSED CHANGES

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	35E	34	39	39	24	32													134
		35	35	39	14	2	39	39	37	31									236
																			0
																			0
																			0
TOTAL																			370

SUPERCEDED

79336

ADDED
07/18/2014

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**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. Wells and pumps into mainlines and ditches. Wells either have measuring devices or can accommodate installation of a measuring device.

b. Who owns the property at the point(s) of diversion? The estate owns Well #2, and the locations where Wells #4 and #5 are proposed. The United States Fish and Wildlife Service owns the land where Well #1 is located. Duane Lundholm owns Well #3, and it will be used to irrigate Duane's property, which will consist of 20 acres (17 of which will be irrigated) once the probate is settled.

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

Well #1 has existed by longtime agreement between the USFWS and the Applicant since the 1940s. Duane Lundholm is the personal representative of the estate, and will own the water rights associated with his property, and consents to his domestic well (Well #3 in this transfer) being included in the transfer because it will eventually be the point of diversion where the field behind his home and yard will be irrigated from.

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 or 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: The transfer will create a permissible place of use within which 370 acres will be irrigated.

e. 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) of use: None

f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ X Undergone a period of five or more consecutive years of non-use, (See Att. No. 9, 2009 map showing irrigation)
- ☐ X Currently leased to the Water Supply Bank,
- ☐ X Currently used in a mitigation plan limiting the use of water under the right, or
- ☐ X 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.)

- X Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- X 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.

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 right(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**.

1. 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 in Part 3B above.

[illegible]**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments.

Received by: _____ Date: _____ Prelim. Check by _____ Date: _____

Fee paid: 1,140.00 Date: 5/6/14 Received by SR Receipt # E039803

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

Attachment No. 2a Water Right Ownership Documentation

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

4/26/2014

WATER RIGHT NO. 31-7261

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CARL W LUNDHOLM 1806 N 2000 E HAMER, ID 83425 (208)662-5215

Priority Date: 06/08/1977

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	1.76 CFS	
Total Diversion			1.76 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NWSENE|Sec. 35|Township 07N|Range 35E|JEFFERSON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

| | | | | | | | | | | | |

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<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	35E	35		NENE	34		NWNE	39		SWNE	12		SENE	3

Total Acres: 88

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.

Dates:

Licensed Date:

Decreed Date: 02/22/2002

Permit Proof Due Date: 8/1/1982

Permit Proof Made Date: 8/2/1982

Permit Approved Date: 8/22/1977

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 110

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

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

4/26/2014

WATER RIGHT NO. 31-335A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CARL W LUNDHOLM 1806 N 2000 E HAMER, ID 83425 (208)662-5215

Priority Date: 07/31/1930

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	11/01	2.6 CFS	472.5 AFA
Total Diversion			2.6 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SWNENE|Sec. 26|Township 07N|Range 35E|JEFFERSON County

IRRIGATION Use:

Acre Limit: 135

Place(s) of use:

79336

Place of Use Legal Description: IRRIGATION JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	35E	34		NENE	39		NWNE	39		SWNE	36		SENE	29
		35		NENW	39		NWNW	40		SWNW	37		SENW	23

Total Acres: 282

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. K06 This right is limited to the irrigation of 135 acres within the place of use described above in a single irrigation season.
4. E54 The rights listed below are limited to a total combined annual diversion volume of 1047 af. Combined Right Nos.: 31-335A, 31-372, and 31-4009.
5. E56 The rights listed below are limited to the irrigation of a combined total of 282 acres in a single irrigation season. Combined Right Nos.: 31-335A, 31-372, and 31-4009.
6. F06 The following rights are also diverted through point of diversion described above: 31-335A, 31-372, and 31-4009.

Dates:

Licensed Date:

Decreed Date: 03/12/2007

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 110

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 282

Combined Volume Limit: 987

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

4/26/2014

WATER RIGHT NO. 31-372

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CARL W LUNDHOLM 1806 N 2000 E HAMER, ID 83425 (208)662-5215

Priority Date: 08/19/1931
Basis: Deceased
Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	11/01	3 CFS	987 AFA
Total Diversion			3 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SWNENE|Sec. 26|Township 07N|Range 35E|JEFFERSON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

79 33 6

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	35E	34		NENE	39		NWNE	39		SWNE	36		SENE	29
		35		NENW	39		NWNW	40		SWNW	37		SENW	23

Total Acres: 282

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. E54 The rights listed below are limited to a total combined annual diversion volume of 1047 af. Combined Right Nos.: 31-335A, 31-372, and 31-4009.
3. E56 The rights listed below are limited to the irrigation of a combined total of 282 acres in a single irrigation season. Combined Right Nos.: 31-335A, 31-372, and 31-4009.
4. F06 The following rights are also diverted through point of diversion described above: 31-335A, 31-372, and 31-4009.

Dates:

Licensed Date:

Decreed Date: 03/12/2007

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 31

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 282

Combined Volume Limit: 987

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

79336

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

4/26/2014

WATER RIGHT NO. 31-4009

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CARL W LUNDHOLM 1806 N 2000 E HAMER, ID 83425 (208)662-5215

Priority Date: 09/04/1947

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	11/01	1.55 CFS	339.4 AFA
STOCKWATER	01/01	12/31	0.05 CFS	
Total Diversion			1.55 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SWNENE|Sec. 26|Township 07N|Range 35E|JEFFERSON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

79336

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	35E	34		NENE	39		NWNE	39		SWNE	36		SENE	29
		35		NENW	39		NWNW	40		SWNW	37		SENW	23

Place of Use Legal Description: STOCKWATER same as IRRIGATION

Total Acres: 282

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. E54 The rights listed below are limited to a total combined annual diversion volume of 1047 af. Combined Right Nos.: 31-335A, 31-372, and 31-4009.
3. E56 The rights listed below are limited to the irrigation of a combined total of 282 acres in a single irrigation season. Combined Right Nos.: 31-335A, 31-372, and 31-4009.
4. F06 The following rights are also diverted through point of diversion described above: 31-335A, 31-372, and 31-4009.
5. X02 Stockwater use is for 200 range/dairy cattle.
6. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

Dates:

Licensed Date:

Decreed Date: 03/12/2007

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 31

Generic Max Rate per Acre:

79336

Generic Max Volume per Acre:
Combined Acres Limit: 282
Combined Volume Limit: 987
Combined Rate Limit:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

Attachment No. 3
Documentation of Authority -
Applicant NOT Water Right
Owner

79336

Scott P. Eskelson, Esq. (Bar #3054)
MARTIN & ESKELOSON, PLLC
425 S. Holmes Avenue (83401)
P.O. Box 3189
Idaho Falls, Idaho 83403-3189
Telephone: (208) 523-6644
Facsimile: (208) 522-0791

Attorneys for Petitioner

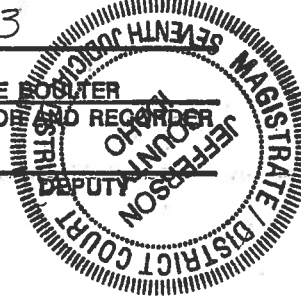
STATE OF IDAHO)
COUNTY OF JEFFERSON)

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING
IS A FULL, TRUE AND CORRECT COPY OF THE
ORIGINAL THEREOF (ON FILE) (ON RECORD) IN MY
OFFICE.

DATED 5-13-13

CHRISTINE ROSSITER
EX OFFICIO AUDITOR AND RECORDER

BY [Signature] DEPUTY



2013 MAY 13 AM 7:51
MAGISTRATE DISTRICT COURT
JEFFERSON COUNTY, IDAHO

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF JEFFERSON
MAGISTRATE DIVISION

IN THE MATTER OF THE ESTATE)
OF)
CARL WESTLAKE LUNDHOLM)
and GLADYS LUNDHOLM,)
Deceased.)
_____)

Case No. CV-2013-0399

LETTERS OF ADMINISTRATION

1. Duane Lundholm was duly appointed and qualified as general personal representative of the estates of the above named decedents on May 10, 2013, by the Magistrate acting as Registrar with all authority pertaining thereto.

2. Administration of the estates is unsupervised.

3. These letters are issued to evidence the appointment, qualification, and authority of the said personal representative.

DATED this 10 day of May, 2013.

[Signature] Donna Crowley, Jr. - Magistrate Judge
by [Signature] deputy clerk
As authorized by the Court
Magistrate Acting as Registrar

Attachment No. 5

ESPA Analysis and Mitigation Plan

ESPA ANALYSIS

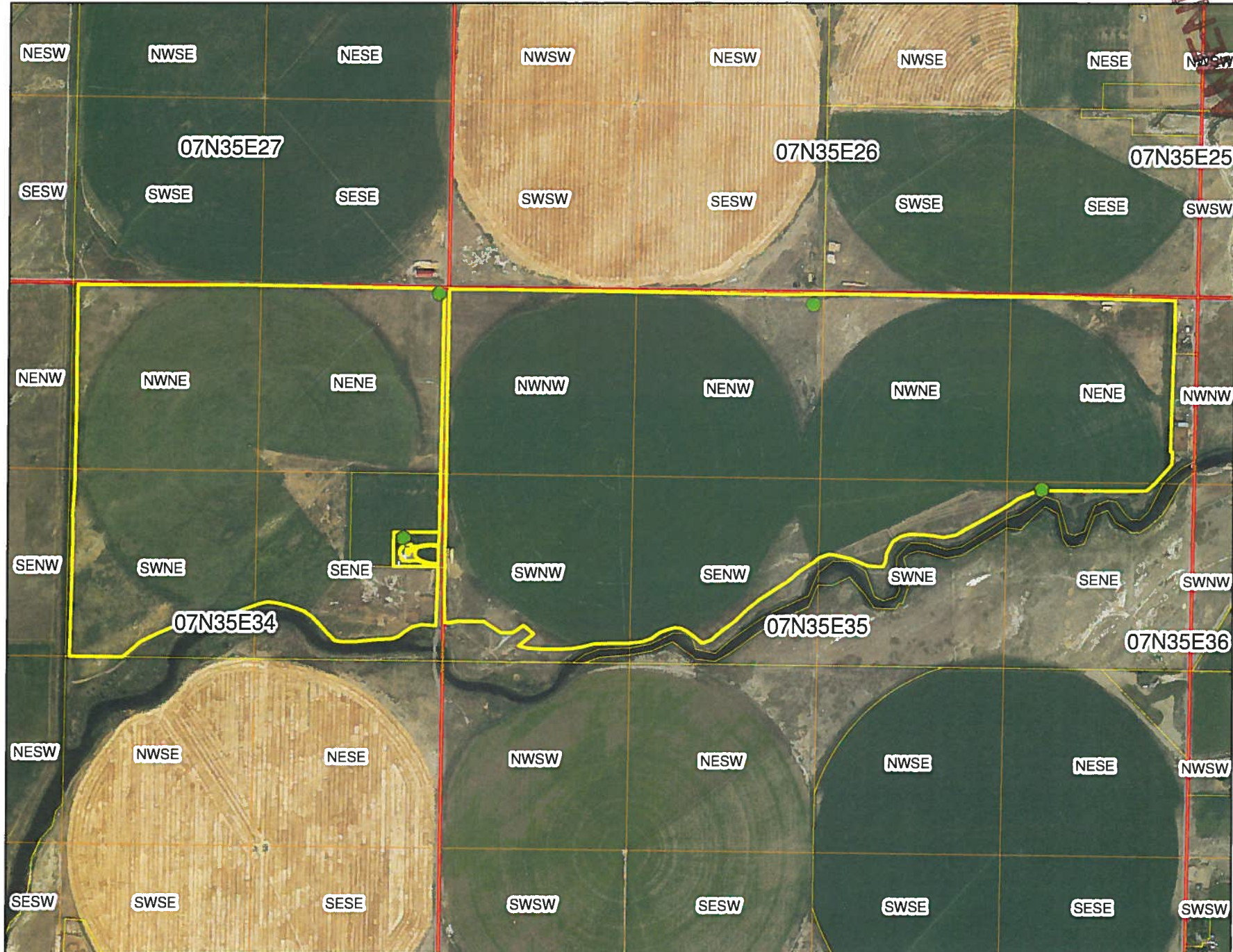
Per Transfer Memo No. 24, Part 12 is not necessary to run an ESPA analysis because the proposed new points of diversion (Well #3, #4, and #5) are in a model grid cell adjacent to the current points of diversion.

LUNDHOLM TRANSFER (375-acre PPOU)

RECEIVED

Legend

- PODs
- Revised 375 ac PPOU
- Parcels
- gcdb_sections
- gcdb_qq



RECEIVED
SEP 17 2014
Department of Water Resources
Eastern Region

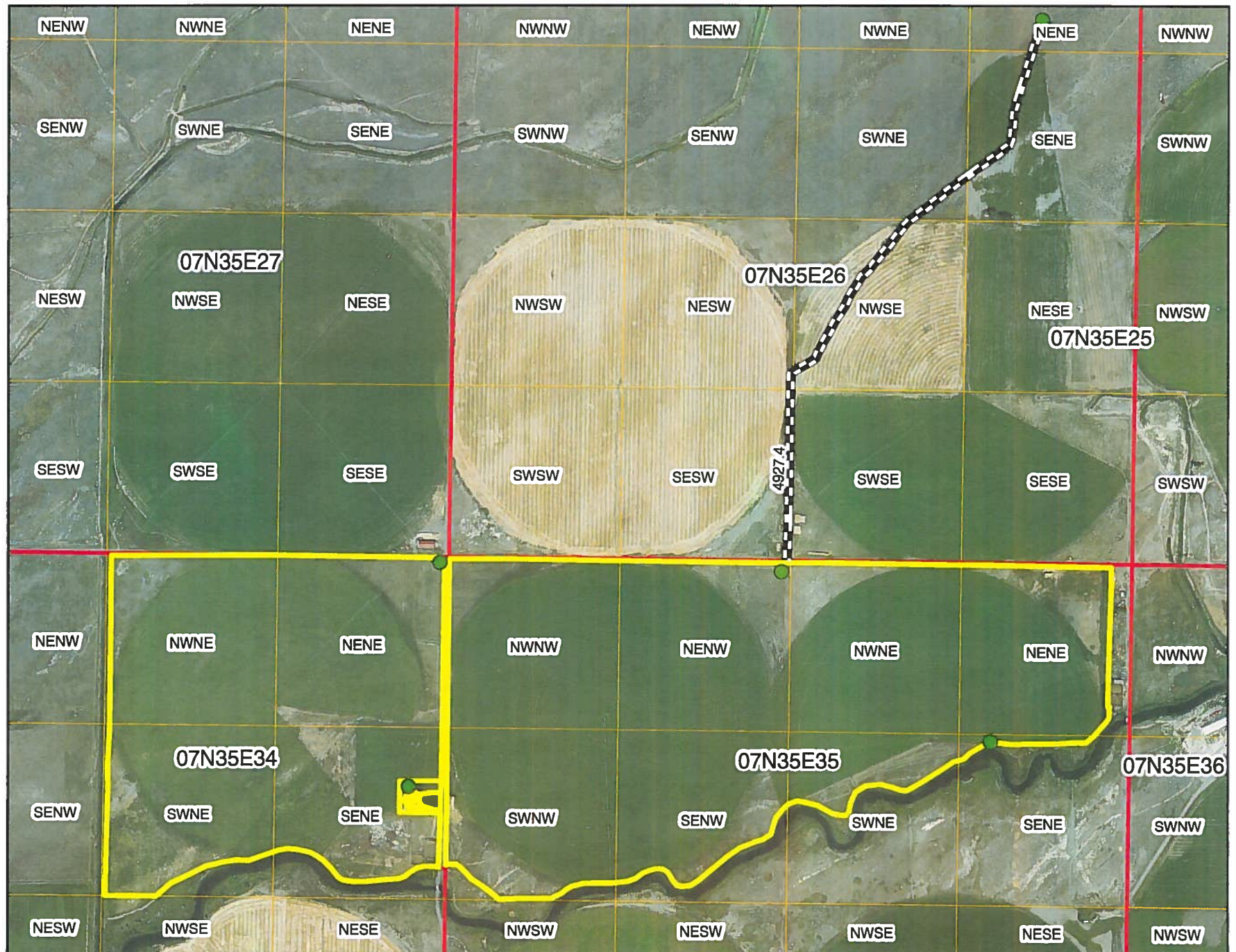
Attachment No. 7a Map - Proposed POD

LUNDHOLM TRANSFER



Legend

-  PODs
 PPOU
 Filled-in Ditch
 gcdb_sections
 gcdb_qq

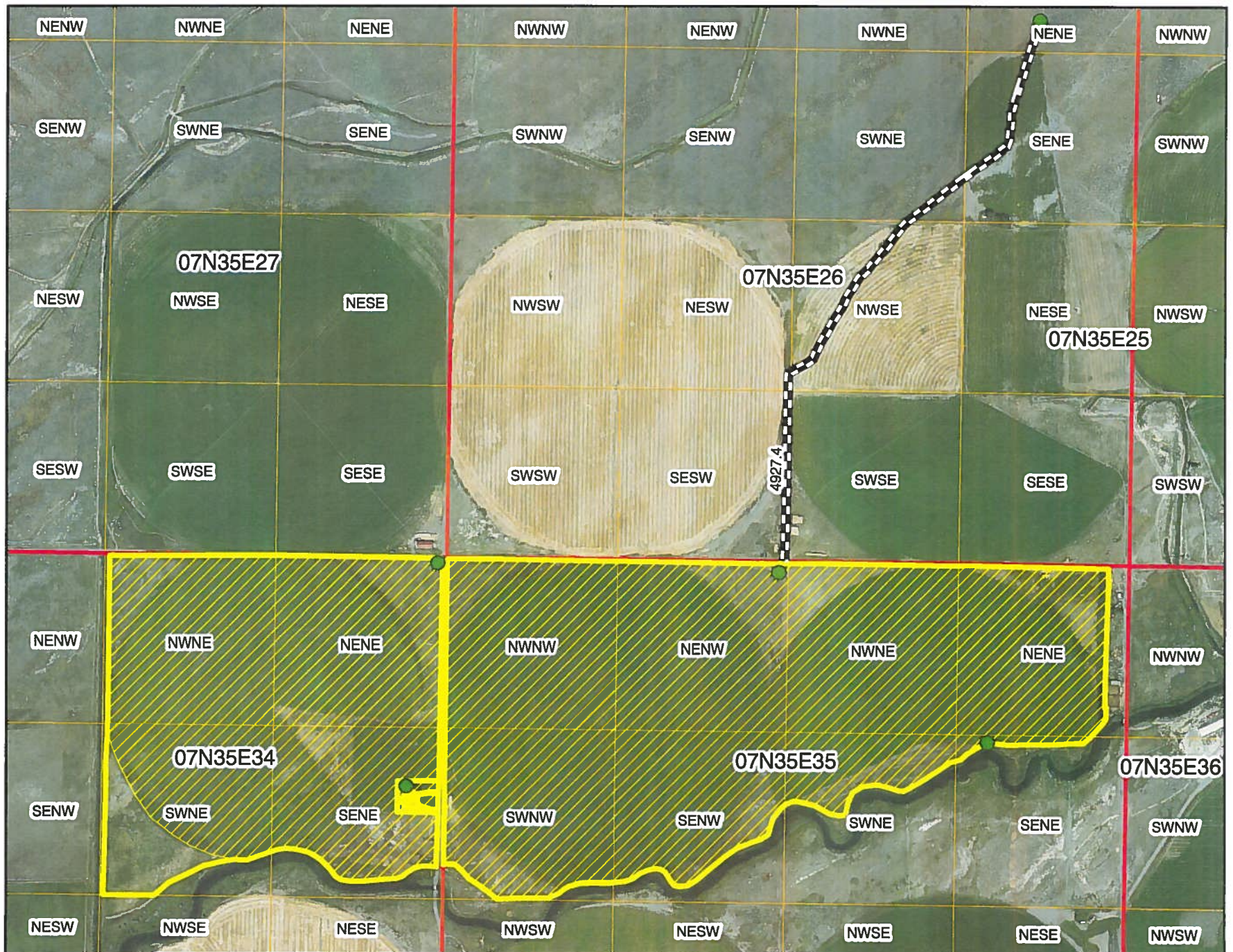


63036

Attachment No. 7b

GIS Shape File

-  PODs
-  PPOU
-  370 acre POU
-  Filled-in Ditch
-  gcdb_sections
-  gcdb_qq



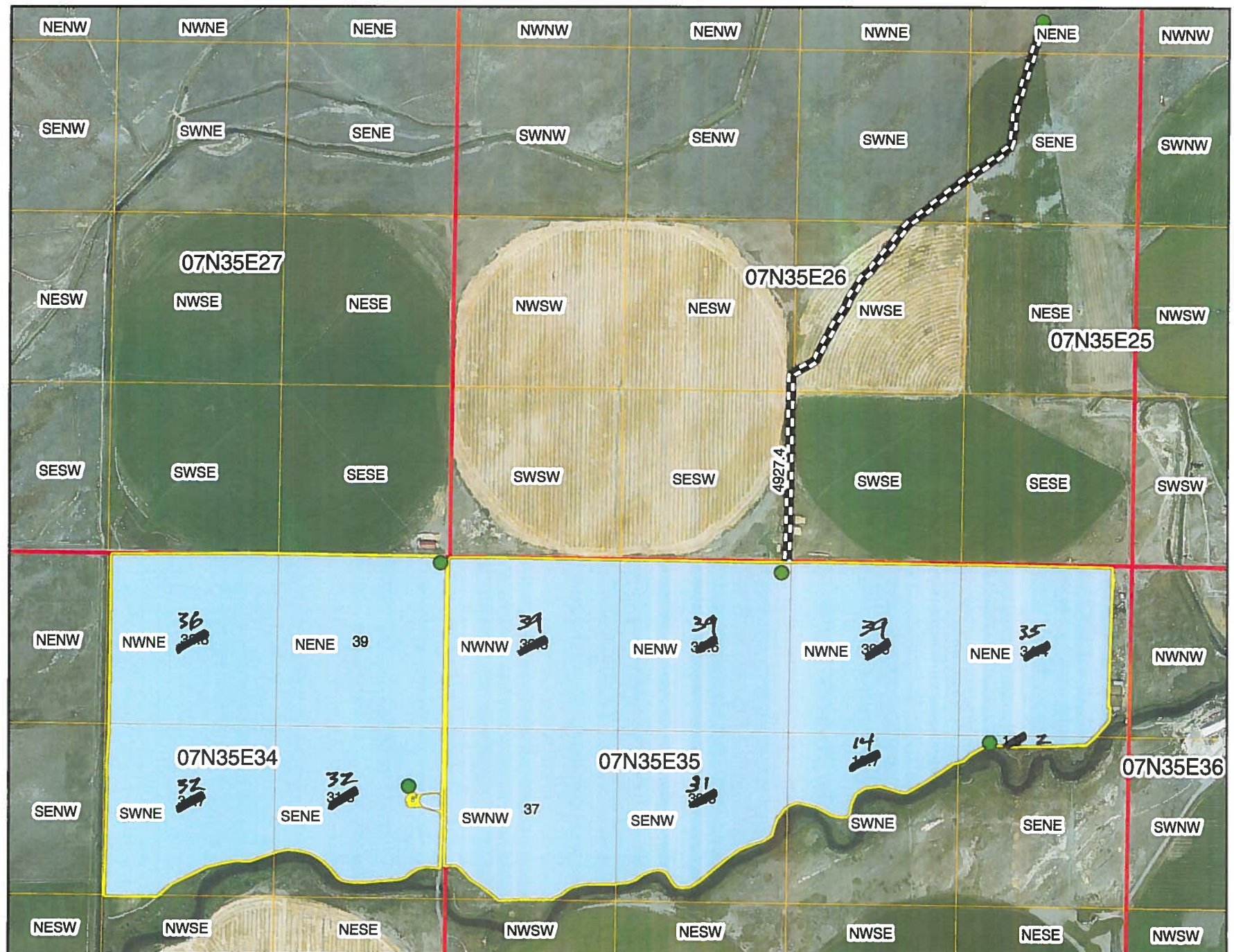
93362

LUNDHOLM TRANSFER



Legend

-  PODs
-  PPOU by QQ
-  PPOU
-  370 acre POU
-  Filled-in Ditch
-  gcdb_sections
-  gcdb_qq



9332

LUNDHOLM TRANSFER

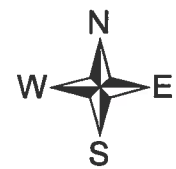


79336

Attachment No. 9

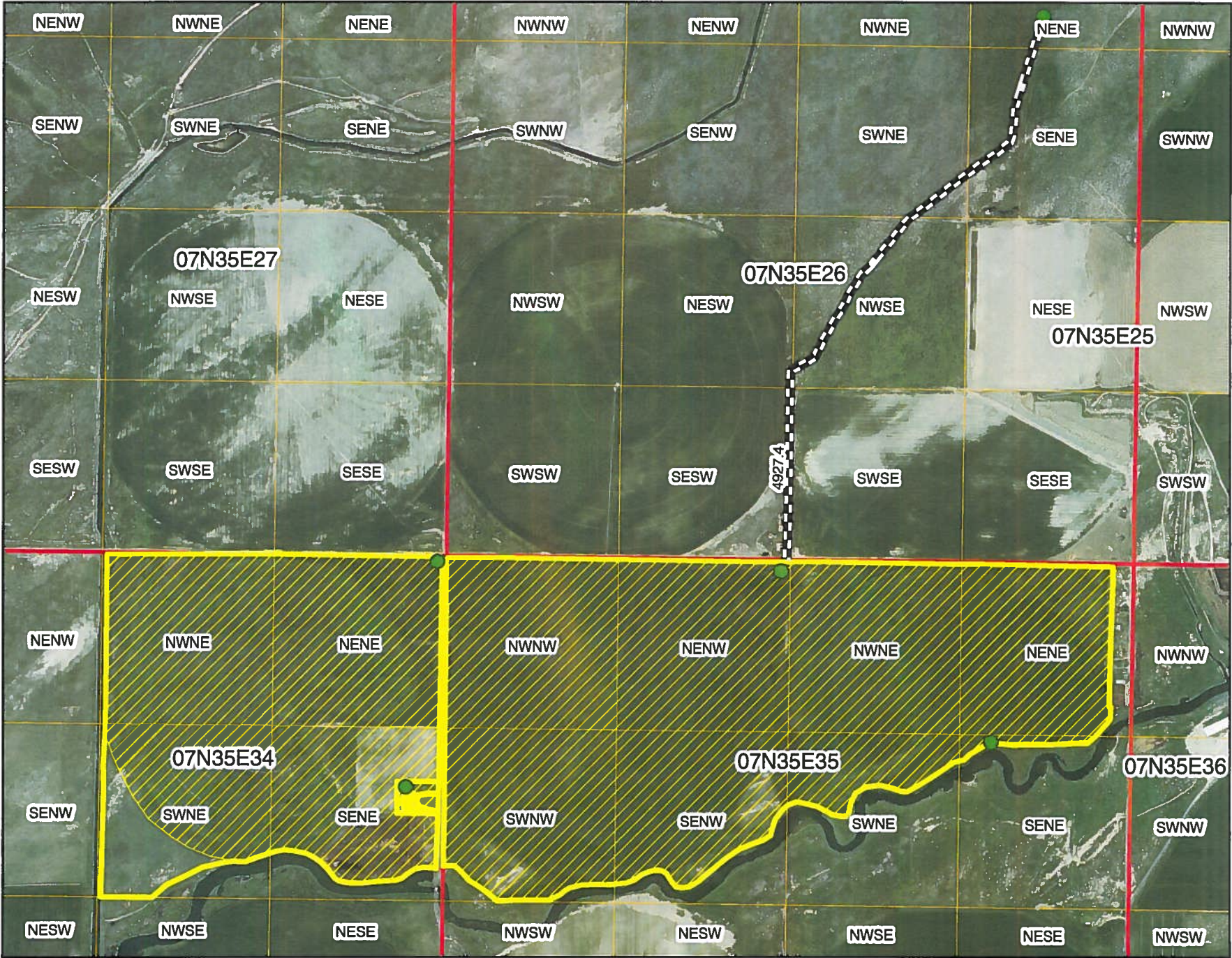
Other

LUNDHOLM TRANSFER



Legend

- PODs
- PPOU
- 370 acre POU
- Filled-in Ditch
- gcdb_sections
- gcdb_qq



2019
AERIAL PHOTO

gcdb