

RECEIVED

JAN 31 2014

WATER RESOURCES
WESTERN REGIONSTATE 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) Kim Aske Phone 208 697-7223
 2. MAILING ADDRESS 33985 Goshute mnt Rd Flot City Groveland
 State Id Zip 83624 Email _____

- ☐ 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 - 4027

- ☒ 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 5 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	1/4	1/4	1/4	County	Source	Local name or tag #
5S	4E	34	19	SE	SW		Owyhee	CS Strike Snake River	

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 Pump Station

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

- 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 1/4 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.

[Signature] Kim Arctic 1/30/14
Signature of applicant or authorized agent Print name and title if applicable 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* and in the *Application for Transfer Instructions*.

FOR DEPARTMENT USE ONLY

Transfer includes 3 pages of attachments. Received by MO Date 1/31/14
Fee paid 820 Date 1/31/14 Received by MO Receipt # W041813
Preliminary review completed by _____ Date _____

Page _____ of _____

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

Current Water Right No.: 2-4027

Current Owner: HOLLY MEAKER
REG MEAKER
Priority Date: 5/1/1962
Origin: Water Right
Status: Active
Basis: Decreed

Source

SNAKE RIVER

Tributary

COLUMBIA RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 10/31

Total Diversion

Diversion Rate

5 CFS

5 CFS

Annual Volume

Location of Point(s) of Diversion

SNAKE RIVER

OWYHEE County

L10(NW1/4SW1/4)

Sec. 34, Twp 05S, Rge 04E B.M.

Place of Use

IRRIGATION Within OWYHEE County

T05S R03E S26	NWSW	5.00	T05S R03E S26	SWSW	36.00
T05S R03E S26	SESW	6.00	T05S R03E S35	NWNE	6.00
T05S R03E S35	SWNE	28.00	T05S R03E S35	SENE	3.00
T05S R03E S35	NENW	37.00	T05S R03E S35	NWNW	39.00
T05S R03E S35	SWNW	26.00	T05S R03E S35	SENW	39.00
T05S R03E S35	NESW	40.00	T05S R03E S35	NWSW	34.00
T05S R03E S35	SWSW	25.00	T05S R03E S35	SESW	37.00
T05S R03E S35	NWSE	28.00	T05S R03E S35	SWSE	29.00

Total Acres: 418

Page _____ of _____

Conditions of Approval:

1. 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.
2. 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.
3. E61 The rights listed below are limited to a total combined diversion rate of 8.76 cfs and to a total combined annual diversion volume of 2190 AF. Combined Right Nos.: 02-00071, 02-04027, 02-07344, 57-02304C, 57-02327, 57-04000, 57-04106, 57-07226, & 57-07449.
4. E56 The rights listed below are limited to the irrigation of a combined total of 438 acres in a single irrigation season. Combined Right Nos.: 02-00071, 02-04027, 02-07344, 57-02304C, 57-02327, 57-04000, 57-04106, 57-07226, & 57-07449.
5. 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.

Decreed Date: 6/15/2009

JAN 31 2014

WATER SOURCES
WESTERN REGION



USDA FSA, Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

RECEIVED

JAN 31 2014

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESWATER RESOURCES
WESTERN REGION

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
02 00071	Yes ☐	57 04000	Yes ☐		Yes ☐
02 04027	Yes ☐	57 04106	Yes ☐		Yes ☐
02 07344	Yes ☐	57 07226	Yes ☐		Yes ☐
57 023042	Yes ☐	57 07449	Yes ☐		Yes ☐
57 02327	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Reg Meeker
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Kim Polle
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 33985 Mud Flat Grozdien IL 83624
Mailing address City State ZIP
- 208 697 7223
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 1/20/14
6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - New lessor(s) of record will receive payment after the following rental season.

7. This form must be signed and submitted with the following **REQUIRED** items:

- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- ★ • Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- Filing fee (see instructions for further explanation):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

8. Signature: [Signature] OWN 1/20/14
Signature of new owner/claimant Title, if applicable Date

Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by Mo Date 1/31/14 Receipt No. W041813 Receipt Amt. 225
Approved by _____ Processed by _____ Date _____

COPY for transfer Appl.

Instrument # 258663

MURPHY, OWYHEE, IDAHO

2006-10-31

04:40:12 No. of Pages: 2

Recorded for : ALLIANCE TITLE

CHARLOTTE SHERBURN

Ex-Officio Recorder Deputy

Fee: 6.00

Index to DEED, WARRANTY

M. Peterson

copy

RECEIVED

JAN 31 2014

WATER RESOURCES
WESTERN REGION

WARRANTY DEED

Order No.: AT-5100619207JM

FOR VALUE RECEIVED

Majek Cattle, Inc.,

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Kim Astle, an unmarried person,

whose current address is

PO Box 215, Grandview, ID, 83624,

the grantee(s), the following described premises, in Owyhee County, Idaho, TO WIT:

EXHIBIT A

In Township 5 South, Range 3 East, Boise Meridian, Owyhee County, Idaho.

Section 26: A tract of land in South Half Southwest Quarter, Northwest Quarter Southwest Quarter; and in

Section 35: A tract of land in West Half, West Half Southeast Quarter, West Half Northeast Quarter, Southeast Quarter Northeast Quarter, described as follows:

Beginning at the Southwest corner of Section 35; thence
North 88°35'44" East a distance of 198.46 feet to the REAL POINT OF BEGINNING, being a
point on the centerline of Mudflat Road; thence
North 89°23'48" East a distance of 3447.66 feet; thence
North 03°17'37" East a distance of 3432.92 feet; thence
North 34°15'23" East a distance of 542.53 feet, to a point on the Shoofly Canal; thence
following along the Shoofly Canal, the following approximate bearing and distances:
North 24°26'31" West a distance of 131.54 feet
North 44°19'27" West a distance of 86.80 feet
North 58°08'37" West a distance of 213.84 feet
North 73°09'52" West a distance of 76.59 feet
North 85°33'15" West a distance of 271.60 feet
North 38°27'06" West a distance of 927.08 feet; thence leaving canal
South 57°58'26" West a distance of 252.39 feet to a point on the centerline of Grand View
Highway; thence
North 44°49'18" West along the centerline of Grand View Highway, a distance of 3100 feet;
thence a curve right; chord length of 789.43 feet bearing
North 26°24'39" West to a point in the intersection of Grand View Highway and Mudflat
Road; thence
South 0°11'47" East along the centerline of Mudflat Road, a distance of 3177.95 feet; thence
South 0°25'12" East a distance of 4640.91 feet to the REAL POINT OF BEGINNING.

EXCEPT that portion, if any, within the Northeast Quarter of the Northeast Quarter of said
Section 35;

RECEIVED

JAN 31 2014

WATER RESOURCES
WESTERN REGION

AND EXCEPT that portion of the Southwest Quarter Northwest Quarter of Section 35, Township 5 South, Range 3 East of the Boise Meridian, Owyhee County, Idaho and is more particularly described as follows:

COMMENCING at the Southwest corner of said Section 35; thence North 89 31'11" East along the South boundary of said Section 35, a distance of 199.00 feet to a point on the centerline of Mud Flat Road as it now exists; thence traversing said centerline as follows:
North 00 07'39" East, a distance of 1285.66 feet;
North 00 27'57" West, a distance of 1164.38 feet; thence leaving said centerline and bearing North 76 45'20" East, a distance of 322.50 feet; thence North 43 11'09" East, a distance of 221.01 feet; thence North 48 57'16" East, a distance of 140.70 feet; thence South 39 23'03" East, a distance of 14.00 feet to the TRUE POINT OF BEGINNING; thence North 39 23'03" West, a distance of 168.77 feet; thence North 36 14'57" East, a distance of 178.82 feet; thence North 10 20'08" East, a distance of 65.26 feet; thence South 60 55'15" East, a distance of 290.17 feet; thence South 52 43'18" West, a distance of 40.94 feet; thence South 60 43'26" West, a distance of 141.58 feet; thence South 46 06'14" West, a distance of 149.71 feet to the TRUE POINT OF BEGINNING, said point lying North 15 35'35" East a distance of 2874.04 feet from the Southwest corner of said Section 35.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: October 13, 2006

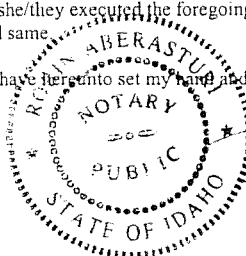
Majek Cattle, Inc.

Erica L. Astle
president

State of Idaho)
County of Owyhee) ss.

On this 25th day of Oct., 2006, before me, a Notary Public in and for said state, personally appeared Erica L. Astle known to me to be the president of the Corporation, and acknowledged to me that pursuant to a Resolution of the Board of Directors, he/she/they executed the foregoing in said Corporation name and acknowledged to me that said corporation executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Ron Aberasturi
Notary Public for the State of
Residing at:
Commission Expires:

Residing in Homedale, Idaho
My Commission Expires 3/26/10

Alliance Title & Escrow Corp.
Escrow no. 5100619207RA

October 13, 2006
RA

STATE OF Idaho
County of Owyhee

CERTIFICATION FOR NO INFORMATION REPORTING
ON THE SALE OR EXCHANGE OF A PRINCIPAL RESIDENCE

I hereby certify that the foregoing instrument is a true and correct copy of the original as it appears 253663

Record of Owyhee County

Dated:

12/30/12

Title:

B. Evans, Deputy Recorder

Sommer, Rachel

From: Sommer, Rachel
Sent: Thursday, May 15, 2014 1:27 PM
To: Knowles, Corbin
Subject: (2) Applications for Transfer
Attachments: 1 Watermaster Recommendation Form.docx; Application for Transfer No. 79101.pdf; Application for Transfer No. 79102.pdf

May 15, 2014

CORBIN KNOWLES
WATER DISTRICT #02
322 E FRONT ST
PO BOX 83720
BOISE, ID 83720-0098

RE: Application for Transfer No's: 79101, 79102

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right applications. Copies of the applications are enclosed with this email for your reference. Please review the applications, complete the attached recommendation form, and submit your reply, if any, to this office by June 9, 2014.

IDWR will assume you do not object to this application if a timely response is not received. Please contact me if you have any questions in this matter. Thank you for your help.

Sincerely,

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

Sommer, Rachel

From: Sommer, Rachel
Sent: Wednesday, May 14, 2014 12:37 PM
To: 'JENNIFER@OWYHEEAVALANCHE.COM'
Subject: Owyhee Legal Ad
Attachments: Cover Letter.docx; Legal Ad.docx

Good Afternoon Jennifer Stutheit,

Please see the attached ad for publication on 5/21/2014 & 5/28/2014.

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

May 14, 2014

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

RE: Transfer No's: 79101, 79102

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 6/9/2014. Your cooperation is appreciated.

Sincerely,

Rachel Sommer
Administrative Assistant

Enclosures

PROPOSED CHANGE OF WATER RIGHT

Kim Astle of 33985 Mud Flat, Grand View, ID 83624 filed Application No. **79101** to transfer one water right with a 1962 priority date from the Snake River totaling 5.0 cfs. The purpose of the transfer is to move the point of diversion from the Grand View Mutual Canal diversion near CJ Strike Reservoir to the nearby Bybee Canal Co diversion, approximately 0.4 miles south. Water will continue to be used at the current place of use.

The Order of Tranquility of PO Box 279, Grand View, ID 83624 filed Application No. **79102** to transfer a water right with a 1964 priority date from the Snake River totaling 0.74 cfs. The purpose of the transfer is to move the point of diversion from the Grand View Mutual Canal diversion near CJ Strike Reservoir to the nearby Bybee Canal Co diversion, approximately 0.4 miles south. Water will continue to be used at the current place of use.

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 6/9/2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/21/2014 and 5/28/2014



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 7, 2014

KIM ASTLE
33985 MUD FLAT
GRAND VIEW ID 83624

Re: Application for Transfer No. 79101 (Water Right No. 2-4027)

Dear Transfer Applicant:

The above referenced application seeks to transfer a Snake River point of diversion from a location on CJ Strike Reservoir to a location about 0.4 miles south. Both are Bybee Canal Co. points of diversion.

The department will proceed with advertising of the transfer application but before final approval can move forward, we need a written statement from the Bybee Canal Co. giving their approval of the change in location of the point of diversion.

Please submit the requested information for application processing to continue. You may seek additional time to provide the information by making a written request to delay processing. Your written response including the requested information, or a request for more time to seek the information, must be received within the next thirty (30) days.

Without a timely reply, IDWR will issue a preliminary order to reject the application. The application fee will not be refunded for a rejected application. A rejected application may be re-filed when adequate information can be provided.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to this matter.

Sincerely,

Sharla Curtis
Sr. Water Resource Agent