

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/>.

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.
- ☒ * 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. Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #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.
- ☐ ☒ #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.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #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: _____

SUPPORT DATA

IN FILE # 01-345

RECEIVED

OCT 31 2013

WATER RESOURCES
WESTERN REGION
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 78921APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant(s) Mule Shoe LLC Phone (208) 539-2245Mailing address PO Box 141, Fairfield, ID 83327 Email loua@frontier.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____ Phone _____

Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
- OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
- OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ 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. Add diversion down stream and bring in SD Home Pits to use water more efficiently

SUPPORT DATA

IN FILE # 61-345

AMENDED

TRANSFER No 78921

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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FEB 10 2014

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.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part					
☒ ☐	61-345	0.500	irrigation	2/15 to 11/15	Cold Springs Creek Snake River
☒ ☐	61-347	3.200	irrigation	2/15 to 11/15	Cold Springs Creek Snake River
☒ ☐	61-2007	2.100	irrigation	2/15 to 11/15	Cold Springs Creek Snake River
☒ ☐	61-2052	0.640	irrigation	2/15 to 11/15	Cold Springs Creek Snake River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 6.440 cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed 6.440 cubic feet per second and/or _____ 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.)
- ☐ 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 or tag #
		NE	SW		29	05S	09E	Elmore	Cold Springs Creek	
		NE	SW		20	05S	09E	Elmore	Cold Springs Creek	
✓		NE	NE		31	05S	09E	Elmore	Cold Springs Creek	

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	
05S	09E	19													8.9			29.0	37.9
05S	09E	20										4.1	31.0						35.1
05S	09E	29						38.0	35.0			38.0	32.5						143.5
05S	09E	30	38.0			40.0									40.0			34.0	152.0
05S	09E	31	14.4			4.3													18.7
05S	09E	32						30.4	1.0										31.4
05S	09E	29			24.2		2.1			24.9	24.2								51.2

TA
2-8-14

TA
2-8-14
Total Acres (for irrigation use) 469.8

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: Head gates to Pump to Sprinklers

with future possibility to install locking Device

- b. Who owns the property at the point(s) of diversion? Applicant

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☒ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

DNA

- 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) use:

DNA

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

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/28/2013

Water Right 61-345

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MULE SHOE LLC PO BOX 1449 EDMONDS, WA 98020 (425) 775-6000

Priority Date: 6/30/1879

Basis: Decreed

Status: Active

Source
COLD SPRINGS CREEK

Tributary
SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	02/15	11/15	0.500 CFS	
	Total Diversion		0.500 CFS	

Source and Point(s) of Diversion

COLD SPRINGS CREEK	NESW	Sec. 29, Twp 05S, Rge 09E,	ELMORE County
COLD SPRINGS CREEK	NESW	Sec. 20, Twp 05S, Rge 09E,	ELMORE County

Place Of Use

IRRIGATION within ELMORE County

[illegible]

POU Total Acres: 405.8

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. | | USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 405.8 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 61-00347, 61-02007, 61-02052 & KING HILL IRRIGATION DISTRICT WATER. |
| 3. | C15 | THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER |

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/28/2013

RIGHTS IN BASIN 61: WATER RIGHT NO. SOURCE NONE NONE
 THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE
 NONE ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES
 OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
 CONJUNCTIVELY.

4. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF
 DIVERSION DESCRIBED ABOVE: 61-00347, 61-02007, 61-02052.
5. W03 USE OF THIS RIGHT IS COMBINED WITH WATER FROM KING HILL IRRIGATION
 DISTRICT.

Comments:**Dates and Other Information**

Decreed Date: 10/26/2000
 Civil Case Number: 39576
 Judicial District: FIFTH
 State or Federal: S
 Water District Number: 61E
 Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
61-2052 ,61-345 ,61-347 ,61-2007		405.8

Verification Log**SubCase:**

SubCaseNumber: 61-345
 Class: 1
 SF5 Filed Date:
 Special Master Recom Signed Date: 1/24/2003
 Attorney Assigned:
 Adjudication Agent:
 Basis of Claim:
 Date Filed:
 Objection Status:

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/28/2013

Water Right 61-347

Owner Type **Name and Address**
Current Owner MULE SHOE LLC
 PO BOX 1449
 EDMONDS, WA 98020
 (425) 775-6000

Priority Date: 5/1/1884**Basis:** Decreed**Status:** Active

Source
COLD SPRINGS CREEK

Tributary
SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	02/15	11/15	3.200 CFS	
	<u>Total Diversion</u>		3.200 CFS	

Source and Point(s) of Diversion

COLD SPRINGS CREEK	NESW	Sec. 20, Twp 05S, Rge 09E,	ELMORE County
COLD SPRINGS CREEK	NESW	Sec. 29, Twp 05S, Rge 09E,	ELMORE County

Place Of Use

IRRIGATION within ELMORE 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	09E	19													8.9			29.0	37.9
05S	09E	20										4.1	31.0						35.1
05S	09E	29						38.0	35.0			38.0	32.5						143.5
05S	09E	30	38.0			40.0									40.0			34.0	152.0
05S	09E	31	14.4																14.4
05S	09E	32						22.9											22.9

Right Acre Limit: 155.0

POU Total Acres: 405.8

Conditions of Approval:

1. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 405.8 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 61-00345, 61-02007, 61-02052 & KING HILL IRRIGATION DISTRICT WATER.
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.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/28/2013

Comments:**Dates and Other Information**

Decreed Date: 10/26/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 61E
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
61-2052 ,61-345 ,61-347 ,61-2007		405.8

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary	9/12/2001	lharris	9/12/2001	lharris	Closed

Verification Log

<u>Element</u>	<u>Date</u>	<u>User</u>	<u>Log Text</u>
Summary	9/12/2001	lharris	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?

SubCase:

SubCaseNumber: 61-347
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date: 1/24/2003
Attorney Assigned:
Adjudication Agent:
Basis of Claim:
Date Filed:
Objection Status:

Water Supply Bank:

N/A

10/28/2013

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**IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report**

10/28/2013

61-345, 61-2052 & KING HILL IRRIGATION DISTRICT WATER.

Comments:**Dates and Other Information**

Decreed Date: 10/26/2000
 Civil Case Number: 39576
 Judicial District: FIFTH
 State or Federal: S
 Water District Number: 61E
 Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
61-2052 ,61-345 ,61-347 ,61-2007		405.8

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary	9/10/2001	mschulte	9/10/2001	mschulte	Closed

Verification Log

<u>Element</u>	<u>Date</u>	<u>User</u>	<u>Log Text</u>
Summary	9/10/2001	mschulte	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?

SubCase:

SubCaseNumber: 61-2007
 Class: 1
 SF5 Filed Date:
 Special Master Recom Signed Date: 1/24/2003
 Attorney Assigned:
 Adjudication Agent:
 Basis of Claim:
 Date Filed:
 Objection Status:

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/28/2013

Water Right 61-2052

Owner Type **Name and Address**
 Current Owner MULE SHOE LLC
 PO BOX 1449
 EDMONDS, WA 98020
 (425) 775-6000

Priority Date: 12/19/1917

Basis: Decreed

Status: Active

Source
 COLD SPRINGS CREEK

Tributary
 SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	02/15	11/15	0.640 CFS	
	<u>Total Diversion</u>		0.640 CFS	

Source and Point(s) of Diversion

COLD SPRINGS CREEK	NESW	Sec. 20, Twp 05S, Rge 09E, ELMORE County
COLD SPRINGS CREEK	NESW	Sec. 29, Twp 05S, Rge 09E, ELMORE County

Place Of Use

IRRIGATION within ELMORE 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	09E	19													8.9			29.0	37.9
05S	09E	20										4.1	31.0						35.1
05S	09E	29						38.0	35.0			38.0	32.5						143.5
05S	09E	30	38.0			40.0									40.0			34.0	152.0
05S	09E	31	14.4																14.4
05S	09E	32						22.9											22.9

Right Acre Limit: 32.0

POU Total Acres: 405.8

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. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 405.8 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 61-00347, 61-00345, 61-02007 & KING HILL IRRIGATION DISTRICT WATER.
 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 32 ACRES WITHIN THE PLACE

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/28/2013

3. C15 OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
 THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 RIGHTS IN BASIN 61: WATER RIGHT NO. SOURCE NONE NONE
 THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE
 NONE ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES
 OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
 CONJUNCTIVELY.
4. W03 USE OF THIS RIGHT IS COMBINED WITH WATER FROM KING HILL IRRIGATION
 DISTRICT.
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
 SECTION 42-1425, IDAHO CODE.
6. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF
 DIVERSION DESCRIBED ABOVE: 61-00347, 61-00345, 61-02007.
7. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
 PURSUANT TO SECTION 42-1425, IDAHO CODE.

Comments:

1. AJU10-JS 11/21/1998 AJU10 CONDITION UPDATE
 CONDITION CODE(S) C15 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates and Other Information

Decreed Date: 10/26/2000
 Civil Case Number: 39576
 Judicial District: FIFTH
 State or Federal: S
 Water District Number: 61E
 Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
61-2052 ,61-345 ,61-347 ,61-2007		405.8

Verification Log**SubCase:**

SubCaseNumber: 61-2052
 Class: 1
 SF5 Filed Date:
 Special Master Recom Signed Date: 1/24/2003
 Attorney Assigned:
 Adjudication Agent:
 Basis of Claim:
 Date Filed:
 Objection Status:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/28/2013

Water Supply Bank:

N/A

Total Acres (for irrigation use) _____

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.)

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

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 on Part 3B above.:

FOR DEPARTMENT USE ONLY

Transfer contains 15 pages and 3 attachments.

Received by JA Date 10/31/13 Prelim. Check by JA Date 1/22/2014

Fee Paid \$980.00 Date 10/31/13 Received by JA Receipt # W041619

Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____

RECEIVED

OCT 31 2013

WATER RESOURCES
WESTERN REGION

Attachment #6

October 28, 2013

Idaho Department of Water Resources
Re: Mule Shoe L.L.C.
Water Rights #61-345; #61-347; #61-2007; #61-2052

To Whom it May Concern:

Northwest Farm Credit Services, FLCA does hold a mortgage on land and water rights referenced above. We support the addition of a point of diversion and the addition of another place of use as requested by Mule Shoe L.L.C.

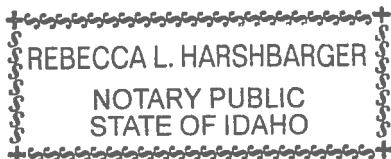
Sincerely,

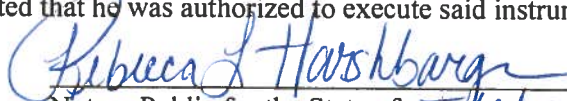


Bill Lickley
Relationship Manager/VP

STATE OF Idaho)
County of Twin Falls ss.

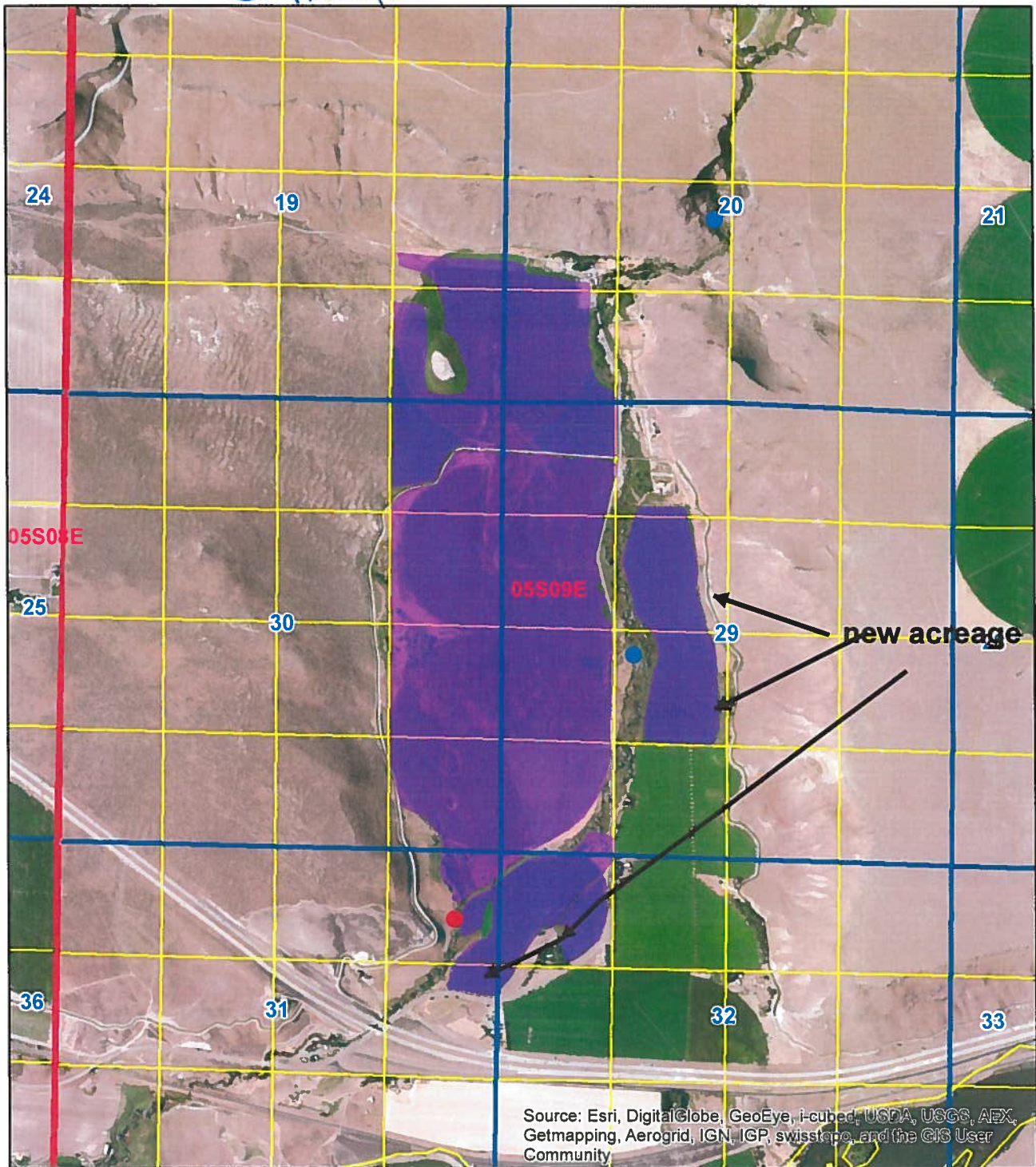
On this 28th day of October, 2013, before me personally appeared Bill Lickley known to me to be the authorized agent of Northwest Farm Credit, FLCA that executed the within instrument, and acknowledged to me that such corporation executed the same as its free act and deed; and he on oath stated that he was authorized to execute said instrument.




Notary Public for the State of Idaho
Residing at Twin Falls
My commission expires 1-21-16
Printed Name Rebecca L Harshbarger

Mule Shoe LLC Transfer Map

ATTACHMENT #7a



Legend

- new point of diversion
- existing points of diversion
- Mule_Shoe_Place_of_Use
- Township/Range
- Sections
- QQ

0 0.175 0.35 0.7 Miles



ATTACHMENT #7a (pg 1 of 1)

For Office Use Only

Updated by _____

Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**CHANGE IN ADDRESS**

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

☒ Water Right Number(s): 61-345, 61-347, 61-2007
61-2052

☒ Name(s): Mule Shoe LLC

☒ Old Mailing Address: PO Box 1449
Edmond, WA 98020

☒ New Mailing Address: PO Box 141
Fairfield, ID 83327

Telephone Number: (208) 539-2245

Email: loua@Frontier.com

☒ Signature(s) of Owner(s) 
Managing Member
(Include your title if on behalf of company or organization)

Date: 10/28/13

Send a signed original to your closest regional office:

IDWR Northern Region
7600 Mineral Dr., Suite 100
Coeur d'Alene, ID 83815
(208) 762-2800

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

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.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	<u>61-345</u>	<u>0.500</u>	<u>irrigation</u>	<u>2/15</u> to <u>11/15</u>	<u>Cold Springs Creek</u> <u>Snake River</u>
☒ ☐	<u>61-347</u>	<u>3.200</u>	<u>irrigation</u>	<u>2/15</u> to <u>11/15</u>	<u>Cold Springs Creek</u> <u>Snake River</u>
☒ ☐	<u>61-2007</u>	<u>2.100</u>	<u>irrigation</u>	<u>2/15</u> to <u>11/15</u>	<u>Cold Springs Creek</u> <u>Snake River</u>
☒ ☐	<u>61-2052</u>	<u>0.640</u>	<u>irrigation</u>	<u>2/15</u> to <u>11/15</u>	<u>Cold Springs Creek</u> <u>Snake River</u>
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 6.440 cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed 6.440 cubic feet per second and/or _____ 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.)
☐ 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 or tag #
		NE	SW		29	05S	09E	Elmore	Cold Springs Creek	
		NE	SW		20	05S	09E	Elmore	Cold Springs Creek	
✓		NE	NE		31	05S	09E	Elmore	Cold Springs Creek	

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	
05S	09E	19													8.9			29.0	37.9
05S	09E	20									4.1	31.0							35.1
05S	09E	29						38.0	35.0		38.0	32.5							143.5
05S	09E	30	38.0			40.0								40.0			34.0		152.0
05S	09E	31	14.4			4.3													18.7
05S	09E	32						30.4	1.0										31.4
05S	09E	29			24.2		2.1			24.9									51.2

Total Acres (for irrigation use) 469.8

SUPERSEDED BY AMENDED PAGE 3 of 15 RECEIVED 2/10/2014 - AR

Sommer, Rachel

From: Sommer, Rachel
Sent: Tuesday, February 18, 2014 5:17 PM
To: 'to-b1ask1@q.com'
Subject: Application for Transfer
Attachments: Application 78921.pdf; Watermaster Recommendation Form.docx

February 18, 2014

RICHARD NEAL
WATER DISTRICT #61C
PO BOX 354
GLENN'S FERRY ID 83623
MIDVALE ID 83645

RE: Application for Permit No. 78921

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application(s). A copy of the application(s) is enclosed with this email for your reference. Please review the application(s), complete the enclosed recommendation form, and submit your reply, if any, to this office within 30 days.

The protest deadline for any interested party is March 10, 2014. A written protest and the \$25 filing fee must be received by 5:00 p.m. that day in order to be recognized by IDWR.

IDWR will assume you do not object to this application(s) 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, February 12, 2014 1:48 PM
To: 'SSWENSON@MOUNTAINHOMENEWS.COM'
Subject: Elmore Legal Ad
Attachments: Elmore Cover Letter.docx; Elmore Legal Ad.docx

Good Afternoon Stacy Swenson,

Please see the attached ad for publication on 2/19/2013 & 2/26/2013.

Please confirm these are okay to publish as shown.

Thank you very much,

Rachel Sommer

Administrative Assistant
IDWR, Western Region
Office: 208-334-2190
Fax: 208-334-2348
rachel.sommer@idwr.idaho.gov

February 12, 2014

MOUNTAIN HOME NEWS
PO BOX 1330
MOUNTAIN HOME, ID 83647-1330

RE: Transfer No. 78921

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 3/10/2014. Your cooperation is appreciated.

Sincerely,

Rachel Sommer
Administrative Assistant

Enclosures

PROPOSED CHANGE OF WATER RIGHT(S)

Mule Shoe LLC of PO Box 141 Fairfield ID 83327 filed Application No. **78921** to transfer four water rights with 1879 thru 1917 priority dates from Cold Springs Creek totaling 6.44 cfs. The purpose of the transfer is to add a downstream point of diversion and increase the permissible place of use for irrigation of up to 405.8 ac within a 469.8 acre area with water from Cold Springs Creek. Water will be used at the current place of use located along Cold Springs Creek Rd from 0.5 to 2 miles north of the intersection of I-84 and Cold Springs Rd approximately 2.25 miles east of Hammett.

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 3/10/2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 2/19/2014 and 2/26/2014

MULE SHOW LLC
LOU & TERESA ANDERSEN
PO Box 141
Fairfield, ID 83327

RECEIVED
FEB 10 2014
WATER RESOURCES
WESTERN REGION

February 8, 2014

State of Idaho
Dept. of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

RE: Amendment Required for Application for Transfer No. 78921

Dear Angela,

Please find enclosed the amended application for the transfer to change water rights 61-345, 61-2347, and 61-2052. We would appreciate the process to continue as quickly as possible.

Thank you,



Lou & Teresa Andersen



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

February 5, 2014

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

MULE SHOE LLC
PO BOX 141
FAIRFIELD ID 83327

Re: Amendment Required for Application for Transfer No. 78921

Dear Mr. and Mrs. Andersen:

The Idaho Department of Water Resources (IDWR) is currently reviewing the above referenced application for transfer to change water rights 61-345, 61-347, 61-2007, and 61-2052. During review, I identified one small inconsistency on the application form when compared to the map. An amendment to the application is needed to continue processing.

Please amend the application to address the following:

- **The requested place of use (POU) description (Part 1 Item No. 4):** The map accompanying the application indicates 24.2 acres in the NE SW Section 29 T5S R9E is to be included in the POU proposed. Part 1 Item No. 4 of the form states these 24.2 acres are in the SW NE rather than NE SW. Please amend the form so the acre description matches the acres illustrated on the map. I've enclosed a copy of the original application page 3. Please strike through the "24.2" shown in the SW NE box, add "24.2" to the correct box for the NE SW, both initial and date next to the changes, and return this page.

Please submit the requested application amendment for processing to continue. You may seek additional time to provide the amended application 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 transfer 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.

Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to this matter.

Sincerely,

Angela M. Grimm, P.G.
Water Resource Agent, Sr.

Enclosure(s): Copy of Transfer No. 78921 page 3 and map

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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☐ ☐				to	
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☐ ☐				to	
☐ ☐				to	
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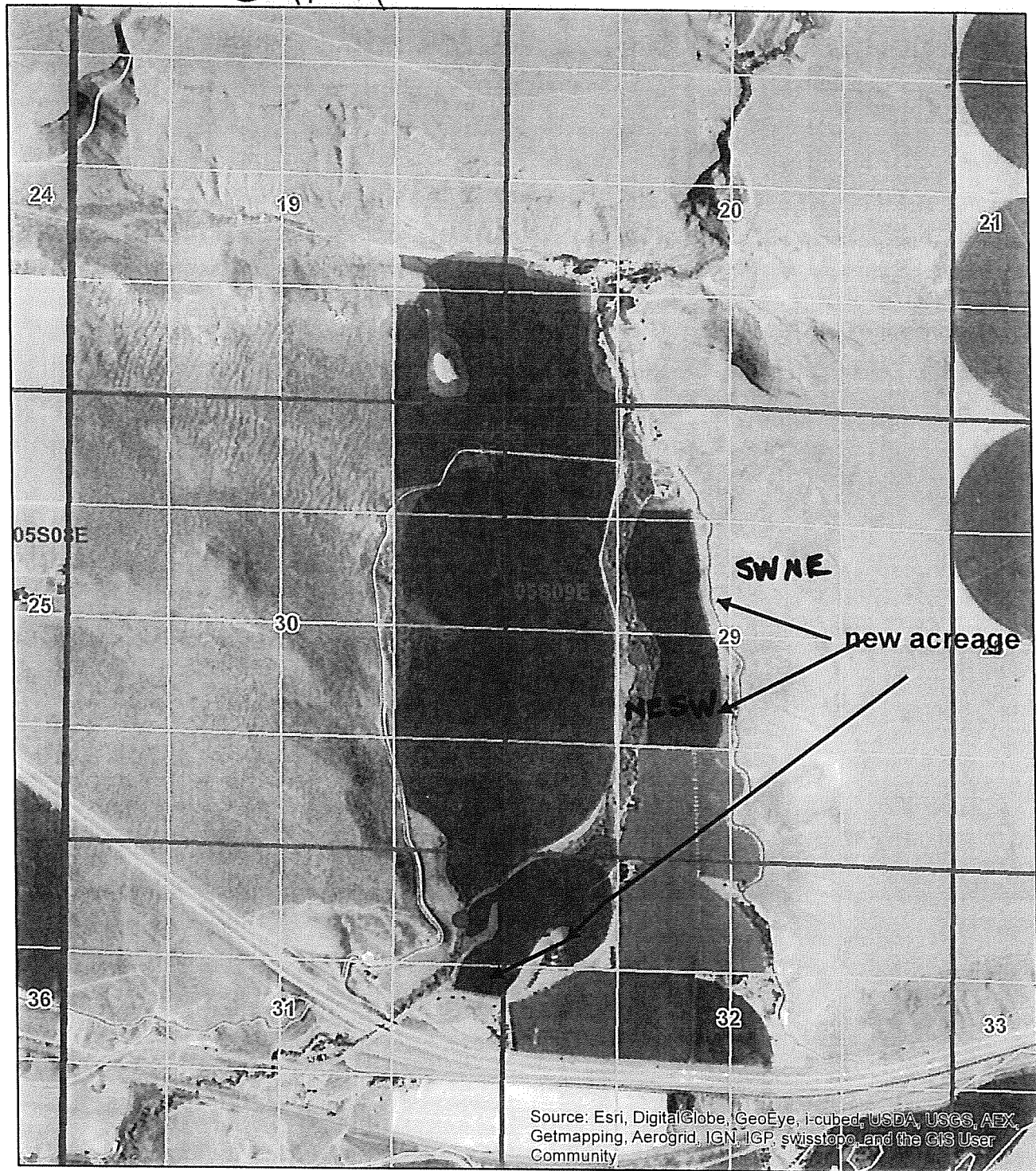
Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
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Mule Shoe LLC Tranfer Map

TRANSFER No. 78921

ATTACHMENT #7a



Legend

- new point of diversion
- existing points of diversion
- Mule_Shoe_PLace_of_Use
- Township/Range
- Sections
- QQ

0 0.175 0.35 0.7 Miles



ATTACHMENT #7a (pg 1 of 1)