

Filing Fee = \$200.00

RECEIVED

JAN 09 2014

Department of Water Resources
Eastern 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) Marguerite and Michael Walker Phone _____

2. MAILING ADDRESS 93 DC Bar Road City Leadore

State ID Zip 83464 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) 74-279B, 74-406B and 74-407B (Mill Lake)

- ☐ 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 4.93 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 #
16N	24E	22			NE	NW	Lemhi	Mill Creek	DC Diversion
								Point of re-diversion for	74-407B (Mill Lake)
74-407	B only								
16N	24E	6			NW	SW	Lemhi	Mill Creek	Lake Diversion
									point of diversion
									and point of inj.

Mr. Cefalo,

As per our conversation, my signature reflects my understanding that this Application and Action is for the purpose of more accurately describing the location of our historic and unchanged physical point of diversion. The Application calls this a transfer, which it is not, but as stated above a correction of an older inaccurate description of POD. It is my understanding that this correction on paper only, will not have any bearing on our historic status and grandfathered designation.

Thank you,
Michael P Walker
Marguerite J Walker

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:

Headgate and ditch at DC Diversion. Dam at Mill Lake diversion.

- b. Who owns the property at the point(s) of diversion? US Forest Service

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

Point of diversion has always existed on Forest Service ground at the proposed POD location.

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

Yes No

☐

☒

undergone a period of five or more consecutive years of non-use,

☐

☒

currently leased to the Water Supply Bank,

☐

☒

currently used in a mitigation plan limiting the use of water under the right(s), or

☐

☒

currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe _____

7. MAP - ☒ Attach a map of the diversion, measurement, control and distribution system. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. The *Map Tool*, available at <http://maps.idwr.idaho.gov/TransferApplicationLayouts/> provides a satisfactory template for creating the required map.

8. SIGNATURE - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Michael P Walker

Signature of applicant or authorized agent

Michael P Walker

Print name and title if applicable

12/27/13

Date

Marquette J Walker

Signature of applicant or authorized agent

Marquette J. Walker

Print name and title if applicable

12/27/13

Date

See Back of Page 1 for Conditions of Signatures ^{MPW} _{mgw}

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 _____ pages of attachments.

Received by _____

Date _____

Fee paid \$200.00 Date 1/9/2014

Received by Blair

Receipt # E039427

Preliminary review completed by _____

Date _____

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

1/9/2014

WATER RIGHT NO. 74-279B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARGUERITE J WALKER
Current Owner	MICHAEL P WALKER
	93 DC BAR RD
	LEADORE, ID 83464
	(970)426-9520

Priority Date: 05/30/1881

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MILL CREEK	LEMHI RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	2.7 CFS	
Total Diversion			2.7 CFS	

Location of Point(s) of Diversion:

MILL CREEK	SWSW	Sec. 15	Township 16N	Range 24E	LEMHI County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

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Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
17N	24E	34		SWNE	7		SENE	12						
				SENE	8									
				NESW	40		SWSW	38		SESW	39			
				NESE	19		NWSE	33		SWSE	11		SESE	2

Total Acres: 209

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.	E64	This right authorizes the irrigation of 208.4 total acres.

Dates:

Licensed Date:

Decreed Date: 07/09/2007

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: AND

Water District Number:

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

79036

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

1/9/2014

WATER RIGHT NO. 74-406B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARGUERITE J WALKER
Current Owner	MICHAEL P WALKER
	93 DC BAR RD
	LEADORE, ID 83464
	(970)426-9520

Priority Date: 05/01/1886

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MILL CREEK	LEMHI RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	2.23 CFS	
Total Diversion			2.23 CFS	

Location of Point(s) of Diversion:

MILL CREEK	SWSW	Sec. 15	Township 16N	Range 24E	LEMHI County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

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Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
17N	24E	34		SWNE	7		SENE	12						
				SENE	8									
				NESW	40		SWSW	38		SESW	39			
				NESE	19		NWSE	33		SWSE	10		SESE	2

Total Acres: 208

Conditions of Approval:

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Dates:

Licensed Date:

Decreed Date: 07/09/2007

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:

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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1/9/2014

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Current Owner	MICHAEL P WALKER
	93 DC BAR RD
	LEADORE, ID 83464
	(970)426-9520

Priority Date: 08/15/1900

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MILL CREEK	LEMHI RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION STORAGE	1/01	12/31		140 AFA
IRRIGATION FROM STORAGE	3/15	11/15		140 AFA
Total Diversion			140 AFA	

Location of Point(s) of Diversion:

MILL CREEK	SENW	Sec. 06	Township 15N	Range 24E	LEMHI County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION FROM STORAGE LEMHI County

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Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
17N	24E	34		SWNE	7		SENE	12						
				SENE	8									
				NESW	40		SWSW	38		SESW	39			
				NESE	19		NWSE	33		SWSE	10		SESE	2

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Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

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Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

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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