

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 78979DEC 06 2013 APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Department of Water Resources
Eastern Region

Name of Applicant Idaho Water Co LLC Phone (208) 312-1135
 Mailing Address 1135 Valley Rd S, Eden, ID 83325 Email _____

- ☐ 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 RepresentativeName of Representative Rocky Mountain Environmental Associates Inc. Phone (208) 524-2353 / Fax 524-1795Mailing address 482 Constitution Way, Ste 303, Idaho Falls, ID 83402 Email kmoore@rockymountainenvironmental.com

- ☐ 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.

Idaho Water Company LLC
 Signature of Applicant or Authorized Representative

Print Name and Title if applicable

12/2/13
 Date

Delbert Kohrt
 Signature of Applicant or Authorized Representative

Print Name and Title if applicable

12/2/13
 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**:

Applicant has contracted to sell 1.2 acres of water right to Robert and Mary Ann Cherry to be used for irrigation of lawn and landscaping on their private property. An Agreement for Purchase and Sale of Water Right can be found under Attachment #9. Ownership of the transferred portion will be changed after the transfer is approved. The water right is being transferred from 1.2 acres within a permissible place of use.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHT(S) 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 ☐ ☒	25-14381	0.02 cfs	Irrigation	04/01 to 10/31	Ground water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total Authorized under rights 0.02 cfs and/or _____ ac-ft

2. Total amount of water being transferred or changed 0.02 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 #
N		NE	SW	NE	36	3N	37E	BONNEVILLE	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	
3N	37E	36			1.2														1.2

Total Acres (for irrigation use): 1.2

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: The water right will be delivered through the existing domestic well already attached to the house and existing irrigation system.

b. Who owns the property at the point(s) of diversion? Robert and Mary Ann Cherry

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system: An Agreement for Purchase and Sale of Water Right permits the applicant to file this transfer on behalf of the Cherry's and the portion of the water right they intend to purchase.

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 of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

d. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

The land now irrigated will be no longer be irrigated with this water right. 1.2 acres will be dried up.

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:

There are two other water rights on the existing place of use that share the permissible place of use. Combined use conditions on this right limit the three rights to 22.8 acres; however, this limit is simply a sum of each of the three rights together. Although they share a permissible place of use, they are not overlapping water rights. At the proposed point of diversion and place of use, there is only a domestic right with 1/2 ac of irrigation.

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: The water right proposed to be transferred is leased into the Water Supply Bank. The portion transferred will be requested to be removed from the Bank upon approval of this transfer.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

WATER RIGHT NO. 25-14381

Owner Type **Name and Address**
Current Owner IDAHO WATER CO LLC
1135 VALLEY RD S
EDEN, ID 83325
(208) 312-1135

Priority Date: 07/19/1973
Basis: Decreed
Status: Active
Water Supply Bank Status: Active

Source **Tributary**
GROUND WATER

Beneficial Use **From** **To** **Diversion Rate** **Volume**
IRRIGATION 04/01 10/31 0.21 CFS 56 AFA
Total Diversion 0.21 CFS

Location of Point(s) of Diversion:

GROUND WATER NWSWSE Sec. 21 Township 01N Range 38E BONNEVILLE County
GROUND WATER SESWNE Sec. 28 Township 01N Range 38E BONNEVILLE County
GROUND WATER SESENE Sec. 28 Township 01N Range 38E BONNEVILLE County
GROUND WATER NESENW Sec. 28 Township 01N Range 38E BONNEVILLE County

IRRIGATION Use: Acre Limit: 14

Place of Use Legal Description: IRRIGATION BONNEVILLE 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>
01N	38E	27		SWNW 40										
				NWSW 40										
		28		NENE 14			SENE 22							
				NENW 3			SENW 27							
				NESE 24			NWSE 18			SWSE 34			SESE 39	

Total Acres: 261

1. X27 This right is limited to the irrigation of 14.0 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 25-14381, 25-14383, 25-14385 when combined shall not exceed the irrigation of 22.8 acres.
Rights 25-14381, 25-14383, 25-14385 are limited to the irrigation of a specific 22.8 acres within the 261.0 acre place of use authorized by this right in a single irrigation season. The specific 22.8 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 22.8 acres to be irrigated within the 261.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
3. 206 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
4. R05 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. 214 Prior to the diversion and use of water under Transfer approval 78018, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
The combination of changes under: Transfer approval 78016 as described under right 25-14380 Transfer approval 78017 as described under right 35-14280 Transfer approval 78018 as described under right 25-14381 Transfer approval 78019 as described under right 25-14382 provide the necessary mitigation for any increased depletion to connected reaches of the Snake River that would result from each individual transfer.
9. 201 These transfer approvals shall not require mutual dependence for ongoing mitigation. Any future action, including a subsequent transfer of this right or an order rescinding a transfer approval, which would result in a change to the point(s) of diversion under this right may require mitigation for the effects of the change. Such future action to change the point(s) of diversion under this right shall be analyzed for effects to connected reaches of the Snake River based on the priority date, point(s) of diversion and steady-state quantity as authorized for this right under Transfer approval 78018.
10. 004 This right does not grant any right-of-way or easement across the land of another.
11. T07 The right holder shall accomplish the change authorized by this transfer within one years of the date of this approval.
12. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
13. T19

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2B

IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☒ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

Right Number: 25-14381

- [illegible]

2. Lands irrigated or place of use: (if irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

[illegible]

Total Acres (for irrigation use) 1.2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
Part 3

A. PLAT MAP (See Part 3A for 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 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**.

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 supplemental, 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 _____ pages and _____ attachments.

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

Fee Paid \$200 Date 12/13/2013 Received by WCF Receipt # E039370

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

ESPA TRANSFER ANALYSIS SUMMARY

	TO WELL	FROM WELL
ROW	69	80
COL	162	159

The ESPA modeling shows a de minimus affect from the proposed transfer.
Effects do not exceed 2 AF/trimester.

		DATA ENTRY			NET EFFECT OF TRANSFER										
Yr	Seas	TO WELL With	FROM WELL With	FROM WELL Without	A-R	H-S	S-NB	NB-N	N-M	DWB- BUL	BUL- KSP	KSP- KSP	KSP- MLD	MLD- MLD	MLD- BAN
1973	SUM	0	2.4	2.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1973	WIN	0	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1974	SPR	0	2.4	2.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1974	SUM	0	2.4	2.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1974	WIN	0	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1975	SPR	0	2.4	2.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1975	SUM	0	2.4	2.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1975	WIN	0	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1976	SPR	0	2.4	2.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2014	SPR	2.4	0	2.4	0.0	0.0	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2014	SUM	2.4	0	2.4	0.0	0.0	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2014	WIN	0	0	0	0.0	0.0	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2015	SPR	2.4	0	2.4	0.0	0.0	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2015	SUM	2.4	0	2.4	0.0	0.1	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2015	WIN	0	0	0	0.0	0.0	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2016	SPR	2.4	0	2.4	0.0	0.1	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2016	SUM	2.4	0	2.4	0.0	0.1	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2016	WIN	0	0	0	0.0	0.0	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2017	SPR	2.4	0	2.4	0.0	0.1	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2017	SUM	2.4	0	2.4	0.0	0.1	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2017	WIN	0	0	0	0.0	0.1	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2018	SPR	2.4	0	2.4	0.0	0.1	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2018	SUM	2.4	0	2.4	0.0	0.1	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2018	WIN	0	0	0	0.0	0.1	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2119	SUM	2.4	0	2.4	0.0	0.1	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2119	WIN	0	0	0	0.0	0.1	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2120	SPR	2.4	0	2.4	0.0	0.1	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2120	SUM	2.4	0	2.4	0.0	0.1	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2120	WIN	0	0	0	0.0	0.1	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2121	SPR	2.4	0	2.4	0.0	0.1	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2121	SUM	2.4	0	2.4	0.0	0.1	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2121	WIN	0	0	0	0.0	0.1	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2122	SPR	2.4	0	2.4	0.0	0.1	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2122	SUM	2.4	0	2.4	0.0	0.1	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2122	WIN	0	0	0	0.0	0.1	-0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2123	SPR	2.4	0	2.4	0.0	0.1	-0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Application for Transfer

Idaho Water Co / Robert and Mary Ann Cherry

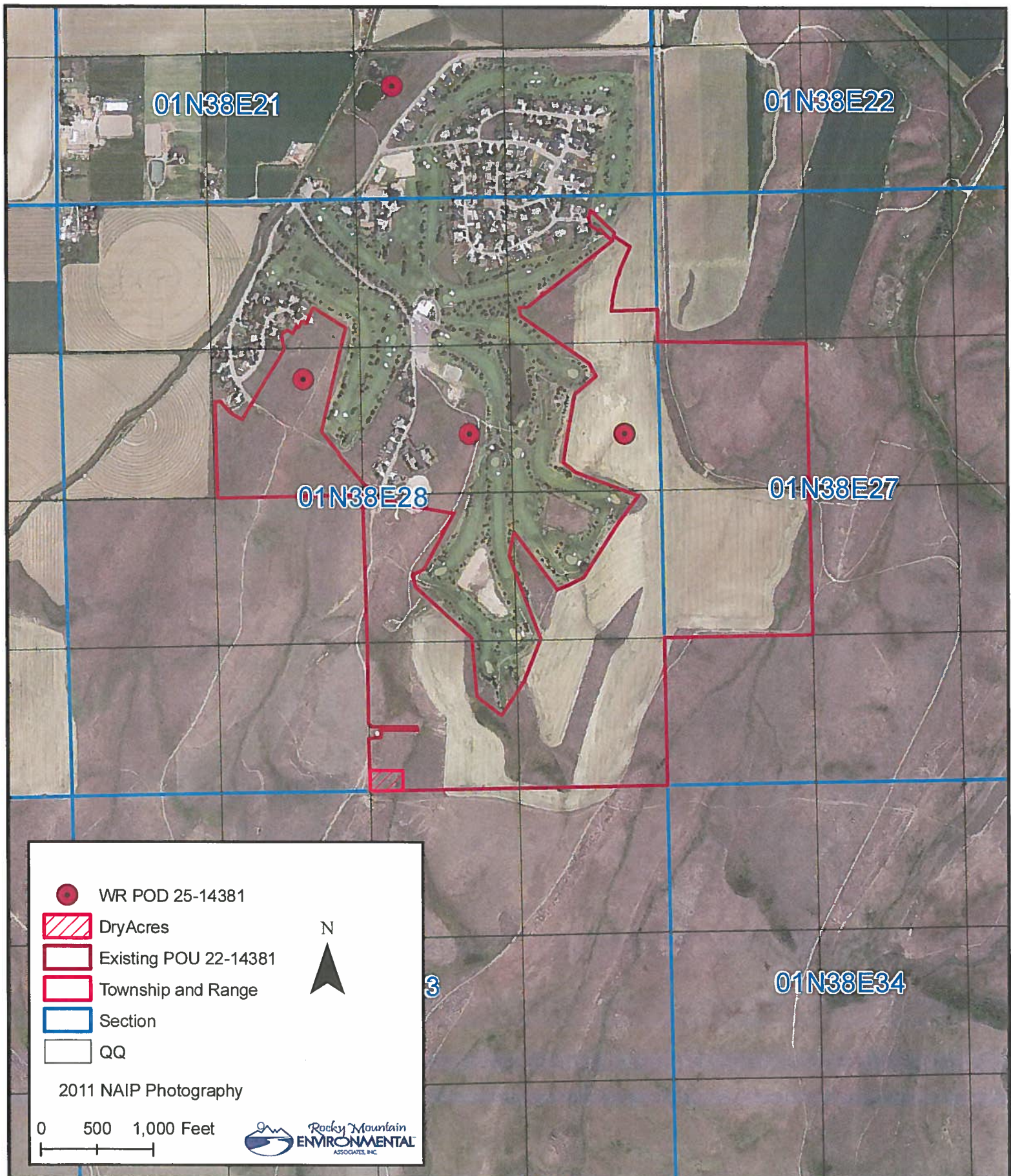
Attachment #7a



78979

Application for Transfer
Idaho Water Co / Robert and Mary Ann Cherry

Attachment #7b



78979

IDAHO WATER COMPANY LLC
AGREEMENT FOR PURCHASE AND SALE OF WATER RIGHT

THIS AGREEMENT is made and entered into this 21st day of Nov, 2013 by and between Del Kohtz of Idaho Water Company LLC (hereinafter "Seller") of 1135 Valley Rd., Eden, Id. 83325 hereinafter ("Seller") and Robert and/or Mary Ann Cherry of 760 W Riverview Dr., Idaho Falls, ID 83401 ("Buyer"). The seller, Del Kohtz discloses that he is a licensed real estate agent acting herein as principal for his own account and not representing or acting as an agent for the buyer.

TERMS AND CONDITIONS

RSC 1. The Sellers, in consideration of the terms contained herein, do hereby contract and agree to sell and convey to the Buyers and the Buyer does hereby agree to buy from the Seller ^{4.8} DK acre feet/annum of Idaho Water Right #25-14381 and the water appurtenant thereto, for per acre. 1.2 acres of water are included in this agreement. No land is included in this agreement

2. The total purchase price shall be . The balance of the purchase price shall be paid on the closing date described in paragraph 5 below, less 50% finders fee and down payment paid at signing. Payment of paid at signing.

3. This Agreement for Purchase and Sale of said license is contingent upon and subject to approval of the application for transfer by the Department of Water Resources. If the application is not approved, this Agreement shall become null and void.

4. The closing of this transaction and delivery of the executed Assignment to Buyer and the entire purchase price for the contract to Seller shall take place at the law offices of Givens Pursley, 277 N 6th St. Boise, Idaho, within thirty days of Buyers receipt of approval from the Department of the application for transfer. The Buyers shall be given possession and use of the water right and the water appurtenant thereto, upon closing.

5. This transfer and Water Right will remain in the name of Idaho Water Company LLC until the contract is closed and paid for by the buyer. The buyer's place of use and point of diversion will be used for the transfer. When the contract is closed a Warranty Deed of the form described in Exhibit A and change of ownership form will be signed by Idaho Water Co. LLC (Del Kohtz)

6. In the event of any suit proceeding by either party against the other party, in any way arising out of this agreement, the prevailing party shall be awarded their reasonable attorney fees and costs.

7. Each party agrees to pay one-half of any costs incurred in executing this document. These costs shall not be more than \$150.00 each.

8. This agreement shall be binding upon and shall inure to the benefit of the heirs, personal representatives, administrators, successors and assigns to the parties hereto.

9. If Kohtz fails to accomplish the desired transfer with this or other water rights the upfront money will be refunded. Buyer understands consultant fees for preparation of transfer, calculation of mitigation, and attorney fees in the case of protests and hearings on their water transfer are to be paid by the Buyer.

10. Del Kohtz has my permission to make needed changes to the Water transfer application that is the result of this contract to facilitate the process of transferring the water. The changes made will not materially change the amount of money buyer has to pay, or the amount of water buyer receives.

11. Kohtz (Idaho Water Company) has no control over the amount of mitigation or writedown IDWR will require of Buyers particular transfer therefore the amount Buyer pays is based on the amount of water transferred out of the original Water Right. Buyer understands that all mitigation rights provided by Idaho Water Co. LLC and all Reach credits accrued by this transfer shall remain the property of Idaho Water Co. LLC.

OTHER PROVISIONS

IN WITNESS WHEREOF the parties have caused their names to be subscribed
on the dates set forth above.

SELLERS

Idaho Water Company LLC
Delbert H. Harty

BUYERS

Robert S. Cherry

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

78979

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: Agreement for Purchase and Sale of Water Right

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