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SEP 19 2013

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DEPARTMENT OF
WATER RESOURCES

SEP 23 2013

WATER RESOURCES
WESTERN REGION

STATE 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) John & Kim Malcolm Phone (951) 500-0546
2. MAILING ADDRESS 811 E 3800 N City Buhl
State ID Zip 83316 Email malcolmkim@sbcglobal.net

- ☐ 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) 51-13003 and 51-13004

- ☐ 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 4.66 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	¼	¼	¼	County	Source	Local name or tag #
10S	12E	12			SE	SW	TWIN FALLS	GROUND WATER	EXISTING WELL
10S	12E	12			SE	SW	TWIN FALLS	GROUND WATER	EXISTING WELL
10S	12E	12			NW	SW	TWIN FALLS	GROUND WATER	NEW WELL

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:

Irrigation well will have main line that could have a measuring device or lockable controlling device installed if required.

- b. Who owns the property at the point(s) of diversion? John and Kim Malcolm

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 $\frac{1}{4}$ $\frac{1}{4}$ 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.

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 _____ pages of attachments. Received by _____ Date _____

Fee paid 820.00 Date 9-19-13 Receipted by HP Receipt # 6097758

Preliminary review completed by _____ Date _____

IDAHO

Department of Water Resources
Well Drillers' Locator



Results

If present, the yellow dot on the map indicates the lat/long you provided:

42° 34.228' N; 115° 00.043' W

ed quarter of the quarter of Section n,

Township und, Range eff

IDTM NAD83 coordinates:

Easting=2417868.4; Northing=1263827

Note: One or more well drilling restriction areas may be present within the area shown on the map. Those layers were turned off by the user.

The following may be present:

● POD - Water Rights

Rocky Pools
Denny



Scale: 1" = 500 feet

Information are required, are hereby notified that they should

State of Idaho
Department of Water Resources
322 East Front Street
Boise, Idaho 83720-0098
Phone: (208) 287-4800
Fax: (208) 287-6700

[illegible]

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

9/3/2013

WATER RIGHT NO. 51-13004

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN MALCOLM
Current Owner	KIM MALCOLM
	811 E 3800 N
	BUHL, ID 83316
	(951)500-0546
Directors Report Owner	JOHN W PETERSON
	PO BOX 674
	CASTLEFORD, ID 83321
	(208)537-6705
Original Owner	CANYON VIEW IRRIGATION CO
	PO BOX 411
	TWIN FALLS, ID 83303-0411
	(208)734-5380

Priority Date: 12/21/1959

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	2.18 CFS	982 AFA
Total Diversion			2.18 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SWSESW|Sec. 12|Township 10S|Range 12E|TWIN FALLS County
GROUND WATER|SWSESW|Sec. 12|Township 10S|Range 12E|TWIN FALLS County

IRRIGATION Use:

Acre Limit: 245.4

Place(s) of use:

Place of Use Legal Description: IRRIGATION TWIN FALLS 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>
10S	12E	12		SENW	17									
				NESW	38		NWSW	4		SWSW	32		SESW	35
				NWSE	14		SWSE	33						
		13		NWNE	39		SWNE	40		SENE	18			
				NENW	36		NWNW	38		SENW	40			
				NESW	24									
				NESE	22		NWSE	34						

Total Acres: 464

Conditions of Approval:

1. E53 Right Nos. 51-13003 and 51-13004 are limited to a total combined annual diversion volume of 1,856 AF.
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. C18
3. E56 The rights listed below are limited to the irrigation of a combined total of 464 acres in a single irrigation season. Combined Right Nos.: 51-13003 and 51-13004.
4. K06 This right is limited to the irrigation of 245.4 acres within the place of use described above in a single irrigation season.
5. This right was renumbered from former right 47-2329.

Dates:

Licensed Date:

Decreed Date: 10/30/2007
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:
Combined Acres Limit: 464
Combined Volume Limit: 1856
Combined Rate Limit:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

9/3/2013

WATER RIGHT NO. 51-13003

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN MALCOLM
Current Owner	KIM MALCOLM
	811 E 3800 N
	BUHL, ID 83316
	(951)500-0546
Directors Report Owner	JOHN W PETERSON
	PO BOX 674
	CASTLEFORD, ID 83321
	(208)537-6705
Original Owner	CANYON VIEW IRRIGATION CO
	PO BOX 411
	TWIN FALLS, ID 83303-0411
	(208)734-5380

Priority Date: 07/29/1955

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	2.48 CFS	876 AFA
Total Diversion			2.48 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SESW|Sec. 12|Township 10S|Range 12E|TWIN FALLS County
GROUND WATER|SESW|Sec. 12|Township 10S|Range 12E|TWIN FALLS County

IRRIGATION Use:
Acre Limit: 219

Place(s) of use:

Place of Use Legal Description: IRRIGATION TWIN FALLS 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>
10S	12E	12		SENW	17									
				NESW	38		NWSW	4		SWSW	32		SESW	35
				NWSE	14		SWSE	33						
		13		NWNE	39		SWNE	40		SENE	18			
				NENW	36		NWNW	38		SENE	40			
				NESW	24									
				NESE	22		NWSE	34						

Total Acres: 464

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 464 acres in a single irrigation season. Combined Right Nos.: 51-13003 and 51-13004.
2. K06 This right is limited to the irrigation of 219 acres within the place of use described above in a single irrigation season.
3. E53 Right Nos. 51-13003 and 51-13004 are limited to a total combined annual diversion volume of 1,856 AF.
4. 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.
5. This right is renumbered from former right 47-2290.

Dates:
Licensed Date:
Decreed Date: 10/30/2007
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:
Combined Acres Limit: 464
Combined Volume Limit: 1856
Combined Rate Limit:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close