

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 78929

NOV 29 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGIONMINIMUM 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/>.

Name of Applicant(s) RAYMOND D BAIRD AND CARLEY J BAIRD

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.
- ☐ ☒ #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).
- ☐ ☒ #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.)
- ☐ ☒ #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: _____

NOV 29 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant RAYMOND D BAIRD Phone (208)823-4534
Mailing Address 086 LAKEVIEW DR, CAREY ID 83320 Email _____
Name of Applicant CARLEY J BAIRD Phone (208)823-4534
Mailing Address 086 LAKEVIEW DR, CAREY ID 83320 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 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.

Raymond D Baird Raymond D BAIRD Nov. 27-13
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date
Carley J Baird CARLEY J. BAIRD 11-27-13
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	37-11687	No	No	Yes	Yes	No	No

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

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**

Application proposes to add and additional point of diversion and place of use, that was developed at the same time as his other springs but was omitted from his claim.

- B. **DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT TO A SEPARATE SYSTEM, DESCRIBE PORTIONS TO BE CHANGED TO A SEPARATE SYSTEM AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.**

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
37-11687	0.050 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED TOTALS	0.050 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 0.05 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☒ As shown in Part 1.
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

4. Place of Use:

- ☐ No changes to place of use are proposed. (Proceed to #5.)
- ☒ As shown in Part 1.
- ☐ See Attachment.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 37-11687

Current Water Right Owner

RAYMOND D BAIRD
086 LAKEVIEW DR
CAREY, ID 83320

AND

CARLEY J BAIRD
086 LAKEVIEW DR
CAREY, ID 83320

Priority Date: 12/31/1968

Origin: Water Right

Basis: Decreed

Status Active

Source: SPRINGS

Tributary: SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
STOCKWATER	1/01	12/31	0.050 CFS	
Total Diversion			0.050 CFS	

Source and Point(s) of Diversion:

SPRINGS	NWSESW	Sec. 10 Twp 01N Rge 21E	BLAINE County
SPRINGS	SWSESW	Sec. 10 Twp 01N Rge 21E	BLAINE County
SPRINGS	NWSWSW	Sec. 10 Twp 01N Rge 21E	BLAINE County
SPRINGS	SWNWNE	Sec. 15 Twp 01N Rge 21E	BLAINE County
SPRINGS	NENENW	Sec. 15 Twp 01N Rge 21E	BLAINE County
SPRINGS	NESENW	Sec. 15 Twp 01N Rge 21E	BLAINE County
SPRINGS	NENWNW	Sec. 16 Twp 01N Rge 21E	BLAINE County
SPRINGS	NENESW	Sec. 16 Twp 01N Rge 21E	BLAINE County
SPRINGS	SWSENE	Sec. 9 Twp 01N Rge 21E	BLAINE County
SPRINGS	SESESW	Sec. 9 Twp 01N Rge 21E	BLAINE County

Describe the proposed diversion system

PERFERATED PIPELINES TO TROUGHS OR PONDS
PERFERATED PIPELINES TO TROUGHS OR PONDS
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PERFERATED PIPELINES TO TROUGHS OR PONDS

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	21E	9				X					X	X		X					
01N	21E	10			X								X	X	X				0
01N	21E	15			X		X												
01N	21E	16		X				X			X								

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
No measuring device is required. The system consist of a spring piped to a trough.

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

- 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 effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
N/A

- e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
N/A

- 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: N/A

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

Current Water Right No. 37-11687

Current Water Right Owner

RAYMOND D BAIRD
086 LAKEVIEW DR
CAREY, ID 83320

AND

CARLEY J BAIRD
086 LAKEVIEW DR
CAREY, ID 83320

Priority Date: 12/31/1968

Origin: Water Right

Basis: Decreed

Status: Active

Source: SPRINGS Tributary: SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
STOCK WATER	1/01	12/31	0.050 CFS	
Total Diversion			0.050 CFS	

Source and Point(s) of Diversion:

SPRINGS	SWSESW	Sec. 10 Twp 01N Rge 21E BLAINE County
SPRINGS	SWSENE	Sec. 9 Twp 01N Rge 21E BLAINE County
SPRINGS	SESESW	Sec. 9 Twp 01N Rge 21E BLAINE County
SPRINGS	SWNWNE	Sec. 15 Twp 01N Rge 21E BLAINE County
SPRINGS	NWSESW	Sec. 10 Twp 01N Rge 21E BLAINE County
SPRINGS	NENENW	Sec. 15 Twp 01N Rge 21E BLAINE County
SPRINGS	NESENW	Sec. 15 Twp 01N Rge 21E BLAINE County
SPRINGS	NENESW	Sec. 16 Twp 01N Rge 21E BLAINE County
SPRINGS	NENWNW	Sec. 16 Twp 01N Rge 21E BLAINE County

Describe the proposed diversion system

PERFERATED PIPELINES TO TROUGHS OR PONDS
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PERFERATED PIPELINES TO TROUGHS OR PONDS

Place of Use: STOCK WATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	21E	9				X					X	X		X					0.0
01N	21E	10			X									X	X				0.0
01N	21E	15			X		X												0.0
01N	21E	16		X				X			X								0.0

Conditions/Remarks:

- 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.
- THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

3. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. PARCEL NO. RP01N210091510 PARCEL NO. RP01N210151580 T01N R21E S15 ROP01N210141560
LITTLE FISH CREEK GRAZING ASSN. INC 11 AUSTN RD, CAREY, ID 83320 T01N R21E S16 STATE
OF IDAHO SEE REMARKS STOCKWATER 150 RANGE CATTLE

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**

1. 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.: _____

N/A

FOR DEPARTMENT USE ONLY

Transfer Contains 8 pages and _____ attachments.
Received By _____ Date 11/29/13 Prelim. Check By B Walker Date 12/2/13
Fee Paid \$200.00 Date 12/2/13 Received By B Walker Receipt # 5033676
Add'l Fee Paid _____ Date _____ Received By _____ Receipt # _____

NESE

NWSW

NESW

9 SESE

SWSW

10

Point of Diversion

Place of Use

01N21E
SESW

NENE 16

NWNW 15

NENW

78929



Pioneer Title Co.

GOING BEYOND

5680 E. Franklin Rd., Ste. 150
Nampa, ID 83687

File No. 524462

QUITCLAIM DEED

For Value Received

Raymond D Baird also shown of record as Ray Baird and Carley J Baird, who acquired title as Carly Baird, husband & wife
do hereby convey, release, remise and forever quit claim unto

Raymond D Baird and Carley J Baird, husband & wife
whose address is 86 Lakeview Drive, Carey, ID 83320

the following described premises, to-wit:

See attached Exhibit A

together with their appurtenances.

Dated: May 21, 2013

Raymond D Baird
Raymond D Baird

Carley J Baird
Carley J Baird

State of IDAHO, County of Blaine

On this 21st day of May in the year of 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared Raymond D Baird and Carley J Baird known or identified to me to be the person/persons whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Laurie L Ficus
Residing at: Blaine Co Idaho
Commission Expires: 08/01/16

LAURIE L. FICUS
NOTARY PUBLIC
STATE OF IDAHO

78929



Pioneer Title Co.

EDINS OFFICE

5680 E. Franklin Rd., Ste. 150
Nampa, ID 83687

Instrument # 609487

HAILEY, BLAINE, IDAHO
05-22-2013 1:59:39 PM No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - KETCHUM
JOLYNN DRAGE Fee: \$13.00
Ex-Officio Recorder Deputy: JB
Electronically Recorded by Simplifile

File No. 524462

QUITCLAIM DEED

For Value Received

Raymond D Baird also shown of record as Ray Baird and Carley J Baird, who acquired title as Carly Baird, husband & wife

do hereby convey, release, remise and forever quit claim unto

Raymond D Baird and Carley J Baird, husband & wife

whose address is 86 Lakeview Drive, Carey, ID 83320

the following described premises, to-wit:

See attached Exhibit A

together with their appurtenances.

Dated: May 21, 2013

Raymond D Baird
Raymond D Baird

Carley J Baird
Carley J Baird

State of IDAHO, County of Blaine

On this 21st day of May in the year of 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared Raymond D Baird and Carley J Baird known or identified to me to be the person/persons whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Laurel L. Pious
Residing at: Blaine Co Idaho
Commission Expires: 08/01/16

LAUREL L. PIOUS
NOTARY PUBLIC
STATE OF IDAHO

78929

EXHIBIT 'A'

LEGAL DESCRIPTION:

**Township 1 North, Range 21 East, Boise Meridian, Blaine
County, Idaho**

Section 4: S $\frac{1}{2}$ SW $\frac{1}{4}$

Section 9: All

Section 10: W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$

**Section 15: S $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NW $\frac{1}{4}$, excepting there
from the following described parcel:**

**Beginning at the NW $\frac{1}{16}$ section corner of section 15,
thence along the E-W centerline of the NW $\frac{1}{4}$ section 15,
N. 89° 50' 34" E., 759.70 ft., thence S. 7° 27' 12" W.,
353.81 ft., thence S. 33° 23' 05" W., 417.71 ft., thence N.
89° 56' 08" W., 836.38 ft., thence N. 26° 50' 12" E.,
780.67 ft., to the Point of Beginning.**

Section 25: Lot 2, Lot 3, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{2}$

Section 26: S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$

RECEIVED

DEC 03 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

Kneeland, Kolb,
Collier & Benjamin
P. O. Box 249
Ketchum, ID 83340

Deed
Blaine Co.
18

BLAINE CO.
RECEIVED
FEB 19 18

292463

(Space above line for Recorder's Use)

QUITCLAIM DEED

FOR VALUE RECEIVED, DENNIS BAIRD, and LAURIE
FISCUS, Grantors, do hereby convey, release, remise and
forever quitclaim unto RAY and CARLY BAIRD, husband and
wife, of P. O. Box 185, Carey, Idaho 83320, Grantees, all of
the following described real estate, situated in the County
of Blaine, State of Idaho, to-wit:

Township 1 North, Range 21 East, Boise Meridian,
Blaine County, Idaho

Section 4:
South Half of the Southwest Quarter

Section 9.

Section 10:
West Half
West Half of the Northeast Quarter

Section 15:
Northwest Quarter

Section 25:
Lots 2 and 3
Northwest Quarter of the Southeast Quarter
East Half of the Southwest Quarter of the
Northeast Quarter

Section 26:
South Half of the Southeast Quarter of the
Northeast Quarter

Township 1 South Range 21 East Boise Meridian,
Blaine County, Idaho

Section 34:
Northeast Quarter of the Northwest Quarter
West Half of the Southeast Quarter of the
Southwest Quarter

78929

RECEIVED

DEC 03 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Together with all and singular the tenements, hereditaments and appurtenants thereunto belonging or in any way appertaining, the reversion and reversions, remainders and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, specifically including, but not limited to, all water rights of whatever nature.

EXECUTED this 13 day of February, 1985.

Dennis Baird
DENNIS BAIRD

Laurie Fiscus
LAURIE FISCUS

STATE OF IDAHO)
) ss.:
County of Blaine)

On this 13 day of February, 1985, before me, the undersigned, a Notary Public in and for said State, personally appeared DENNIS BAIRD, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the 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.

(seal)

L. J. [Signature]
NOTARY PUBLIC for Idaho
Residing at [Address]
Commission Expires [Date]

STATE OF IDAHO)
) ss.:
County of Blaine)

On this 13 day of February, 1985, before me, the undersigned, a Notary Public in and for said State, personally appeared LAURIE FISCUS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the 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.

(seal)

L. J. [Signature]
NOTARY PUBLIC for Idaho
Residing at [Address]
Commission Expires [Date]



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 13, 2013

RAYMOND D BAIRD
CARLEY J BAIRD
086 LAKEVIEW DR
CAREY, ID 83320

RE: Transfer No. 78929
Water Right No(s). 37-11687

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **IDAHO MOUNTAIN EXPRESS** on **12/18/2013 and 12/24/2013**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**January 6, 2014**).

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,


Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Thursday, December 12, 2013 4:59 PM
To: Idaho Mountain Express
Subject: LEGAL NOTICE
Attachments: Idaho Mountain Express Cover Letter.docx; Idaho Mountain Express Ad.docx

Attached please find (1) legal notice being submitted for publication on December 18th & 24th, 2013. I have adjusted the second date of publication accordingly, per your recent e-mail regarding early publication due to Christmas.

Please contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you and Happy Holidays,

Denise Maline
Administrative Assistant, Southern Region
Idaho Dept of Water Resources
1341 Fillmore St, Ste 200
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov

December 12, 2013

LEGAL NOTICE DEPARTMENT
IDAHO MOUNTAIN EXPRESS
PO BOX 1013
KETCHUM, ID 83340

RE: Transfer No. 78929
Water Right No(s): 37-11687

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 January 6, 2014. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78929**

RAYMOND D BAIRD and CARLEY J BAIRD, 086 LAKEVIEW DR, CAREY, ID 83320; has filed Application No. 78929 for changes to the following water rights within BLAINE County(s): Right No(s). 37-11687; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. The purpose of the transfer is to change a portion of the above rights as follows: Transfer application proposes to add an additional place of use and point of diversion from a spring to a 0.05 cfs stockwater right. The proposed place of use and point of diversion is located approximately 8.0-8.3 miles north and 0.25-0.5 miles west of Carey.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before January 6, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on December 18th & 24th, 2013

MEMORANDUM

Date: December 5, 2013
To: Transfer 78929 File
From: Benny Walker
Re: Evaluation of Sufficiency of Information Submitted

Transfer application proposes to add an additional place of use and point of diversion from a spring to a 0.05 cfs stockwater right. The proposed place of use and point of diversion is located approximately 8.0-8.3 miles north and 0.25-0.5 miles west of Carey. This additional place of use and point of diversion was omitted from the applicants' water right. The property and point of diversion involved in the transfer are located within Water District 37-N so watermaster comments will be solicited.

- **Authority to File:**
Applicant is listed as current owner on IDWR record for right 37-11687. The application includes Quitclaim Deeds showing that the applicant owns the proposed place of use and point of diversion.
- **Water Right Validity:**
Right 37-11687 was decreed in the SRBA. Aerial photography indicates that the land and point of diversion involved with the transfer have been used in recent years.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated. This right is limited to 13,000 gallons per day. The place of use and point of diversion was developed at the same time as the applicants other springs but was omitted from the water right.
- **Local Public Interest:**
Application will be subject to public notice and protest.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as beneficial uses of water.
- **Effect of the Agricultural Base of the Local Area:**
None anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 21, 2013

RAYMOND AND CARLEY BAIRD
086 LAKEVIEW DR
CAREY, ID 83320

Dear Mr. and Mrs. Baird:

You recently contacted our office regarding information concerning the water rights associated with the springs that were developed in Sections 9,10,15 and 16 of TWP 1N RNG 21E in Carey, Idaho for Stockwater. Examination of Department records indicates that decreed water right 37-11687 for Stockwater is appurtenant to this property. You indicated that one of the springs that was developed in section 10 was not recorded on water right 37-11687. As we discussed the location of this spring and the trough could be added to water right 37-11687 as an additional point of diversion and place of use. I have included a transfer application to add the spring and trough to water right 37-11687. Please review the enclosed transfer application and corresponding map. If you approve of the proposed transfer application please sign the application where indicated and return it to me along with the filing fee of \$200.00 made payable to Idaho Department of Water Resources (IDWR). In addition a copy of your deed for this property also needs to be included.

If you have any questions, or if I can be of any further assistance, feel free to contact me at your convenience.

Sincerely,

Benny Walker
Water Resource Agent

Enclosures