

**AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

OCT 25 2013
Department of Water Resources
Eastern Region

Name of Applicant BAR 13 RANCH LTD PARTNERSHIP

Phone (208) 588-2514

Mailing Address PO BOX 11, TENDON ID 83468

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.

[Signature]
Signature of Applicant or Authorized Representative

Ross K. (30) J. Lavel
Print Name and Title if applicable

10/25/13
Date

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
	74-222	No	No	Yes	No	No	No
	74-224	No	No	Yes	No	No	No
	74-225	No	No	Yes	No	No	No
	74-228	No	No	Yes	No	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**

Propose to change the acreages of place of use to other owned lands and dry up the same amount of acreage that has been adjudicated for use.

- 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
74-222	2.800 cfs	N/A	N/A	222.0		N/A	N/A	N/A	N/A
74-224	1.040 cfs	N/A	N/A	222.0		N/A	N/A	N/A	N/A
74-225	1.200 cfs	N/A	161.9	222.0		N/A	N/A	N/A	N/A
74-228	0.800 cfs	N/A	51.5	222.0		N/A	N/A	N/A	N/A

**COMBINED
TOTALS**

4.400 cfs N/A N/A 222.0 N/A N/A N/A N/A

2. Total amount of water proposed to be transferred or changed 4.4 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. 74-222

Current Water Right Owner

BAR 13 RANCH LTD
PARTNERSHIP
PO BOX 11
TENDON, ID 83468

Priority Date: 6/1/1871

Origin: Water Right

Basis: Decreed

Status Active

Source: PATTEE CREEK

Tributary: LEMHI RIVER

Beneficial Use

IRRIGATION

From

03/15

To

11/15

Diversion Rate

2.800 CFS

Subuse Code

Total Diversion

2.800 CFS

Source and Point(s) of Diversion:

PATTEE CREEK

SENE

Sec. 16 Twp 19N Rge 24E LEMHI County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19N	24E	8		12.6	29.8	7.7									13.0	32.0	33.2	7.0	135.3
19N	24E	16						20.0	7.3										27.3
									L 2										
19N	24E	17	13.8	17.6		28.0													59.4

POU Total Acres: 222.0

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

Proposed Water Right No. 74-224

Current Water Right Owner

BAR 13 RANCH LTD
 PARTNERSHIP
 PO BOX 11
 TENDON, ID 83468

Priority Date: 6/1/1871

Origin: Water Right

Basis: Decreed

Status Active

Source: PATTEE CREEK

Tributary: LEMHI RIVER

Beneficial Use

IRRIGATION

From

03/15

To

11/15

Diversion Rate

1.040 CFS

Subuse Code

Total Diversion

1.040 CFS

Source and Point(s) of Diversion:

PATTEE CREEK

SENE

Sec. 16 Twp 19N Rge 24E LEMHI County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19N	24E	8		12.6	29.8	7.7									13.0	32.0	33.2	7.0	135.3
19N	24E	16						20.0	7.3										27.3
									L 2										
19N	24E	17	13.8	17.6		28.0													59.4

POU Total Acres: 222.0

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

Proposed Water Right No. 74-225

Current Water Right Owner

BAR 13 RANCH LTD
 PARTNERSHIP
 PO BOX 11
 TENDON, ID 83468

Priority Date: 6/1/1917

Origin: Water Right

Basis: Decreed

Status: Active

Source: PATTEE CREEK

Tributary: LEMHI RIVER

Beneficial Use

IRRIGATION

From

03/15

To

11/15

Diversion Rate

1.200 CFS

Subuse Code

Total Diversion

1.200 CFS

Source and Point(s) of Diversion:

PATTEE CREEK

SENE

Sec. 16 Twp 19N Rge 24E LEMHI County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19N	24E	8		12.6	29.8	7.7									13.0	32.0	33.2	7.0	135.3
19N	24E	16						20.0	7.3										27.3
									L 2										
19N	24E	17	13.8	17.6		28.0													59.4

Right Acre Limit: 161.9

POU Total Acres: 222.0

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 changes

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

Bar 13 Ranch

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?
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:

Transfer will result in drying up 29.9 acres that presently cannot be feasibly irrigated and applyin
g that water to lands that can be irrigated.

- 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:

- 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: A portion of the lands have been converted to pivot irrigation resulting in the inability, d
ue to arid climate conditions and economic feasibility, to irrigate all lands as authorized. The entire water
right has been delivered and used. This transfer will show the actual use without changing the decree.

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

Current Water Right No. 74-222

Current Water Right Owner BAR 13 RANCH LTD
 PARTNERSHIP
 PO BOX 11
 TENDON, ID 83468

Priority Date: 6/1/1871

Origin: Water Right

Basis: Decreed

Status: Active

Source: PATTEE CREEK **Tributary:** LEMHI RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	2.800 CFS	
Total Diversion			2.800 CFS	

Source and Point(s) of Diversion:
 PATTEE CREEK SENE Sec. 16 Twp 19N Rge 24E LEMHI County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19N	24E	8			34.0	10.0									13.0	35.0	36.0	7.0	135.0
19N	24E	16							10.0										10.0
									L 2										
19N	24E	17	23.0	26.0		28.0													77.0

POU Total Acres: 222.0

Conditions/Remarks:

1. This right authorizes the irrigation of 226.5 total acres.
2. 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
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 74-224

Current Water Right Owner
 BAR 13 RANCH LTD
 PARTNERSHIP
 PO BOX 11
 TENDON, ID 83468

Priority Date: 6/1/1871

Origin: Water Right

Basis: Decreed

Status: Active

Source: PATTEE CREEK **Tributary:** LEMHI RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	1.040 CFS	
Total Diversion			1.040 CFS	

Source and Point(s) of Diversion:
 PATTEE CREEK SENE Sec. 16 Twp 19N Rge 24E LEMHI County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19N	24E	8			34.0	10.0									13.0	36.0	35.0	7.0	135.0
19N	24E	16							10.0										10.0
									L 2										
19N	24E	17	23.0	26.0		28.0													77.0

POU Total Acres: 222.0

Conditions/Remarks:

1. This right authorizes the irrigation of 226.5 total acres.
2. 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
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 74-225

Current Water Right Owner
 BAR 13 RANCH LTD
 PARTNERSHIP
 PO BOX 11
 TENDON, ID 83468

Priority Date: 6/1/1917

Origin: Water Right

Basis: Decreed

Status: Active

Source: PATTEE CREEK **Tributary:** LEMHI RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	1.200 CFS	
Total Diversion			1.200 CFS	

Source and Point(s) of Diversion:
 PATTEE CREEK SENE Sec. 16 Twp 19N Rge 24E LEMHI County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19N	24E	8			34.0	10.0									13.0	35.0	36.0	7.0	135.0
19N	24E	17		24.0															24.0

POU Total Acres: 159.0

Conditions/Remarks:

1. This right authorizes the irrigation of 161.9 total acres.
2. 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
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No. 74-228

Current Water Right Owner

BAR 13 RANCH LTD
 PARTNERSHIP
 PO BOX 11
 TENDROY, ID 83468

Priority Date: 5/1/1914

Origin: Water Right

Basis: Decreed

Status: Active

Source: PATTEE CREEK

Tributary: LEMHI RIVER

Beneficial Use

IRRIGATION

From

03/15

To

11/15

Diversion Rate

0.800 CFS

Subuse Code

Total Diversion

0.800 CFS

Source and Point(s) of Diversion:

PATTEE CREEK

SENE

Sec. 16 Twp 19N Rge 24E LEMHI County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19N	24E	17	23.0			28.0													51.0

POU Total Acres: 51.0

Conditions/Remarks:

1. 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. This right authorizes the irrigation of 51.3 total acres.

☐ 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.

☐ 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**.

☐ 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.:

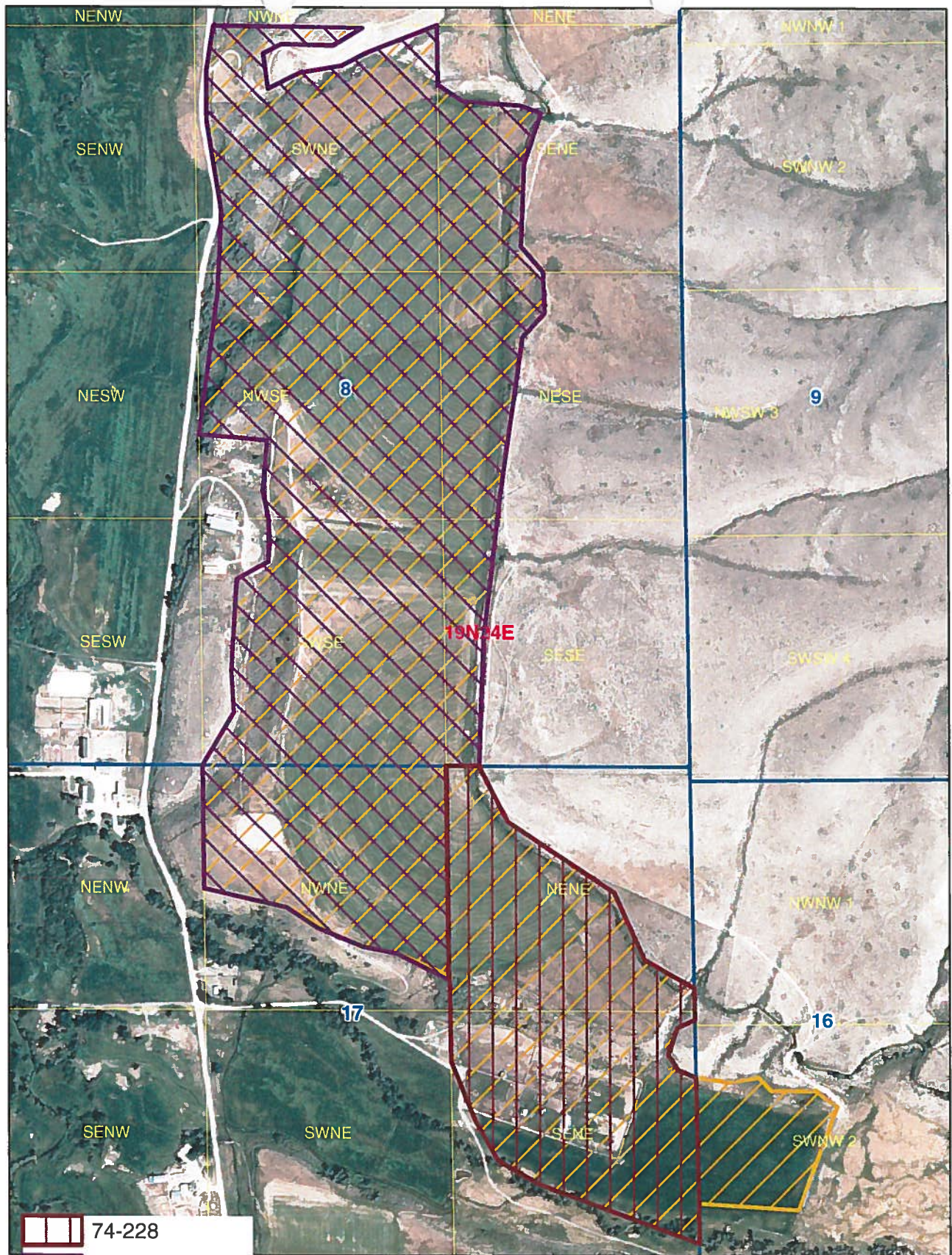
This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Transfer Contains 13 pages and attachments.

Received By _____ Date 7/30/2013 Prelim. Check By _____ Date _____

Fee Paid	Date	Received By	Receipt # E039006
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Add'l Fee Paid	Date	Received By	Receipt #
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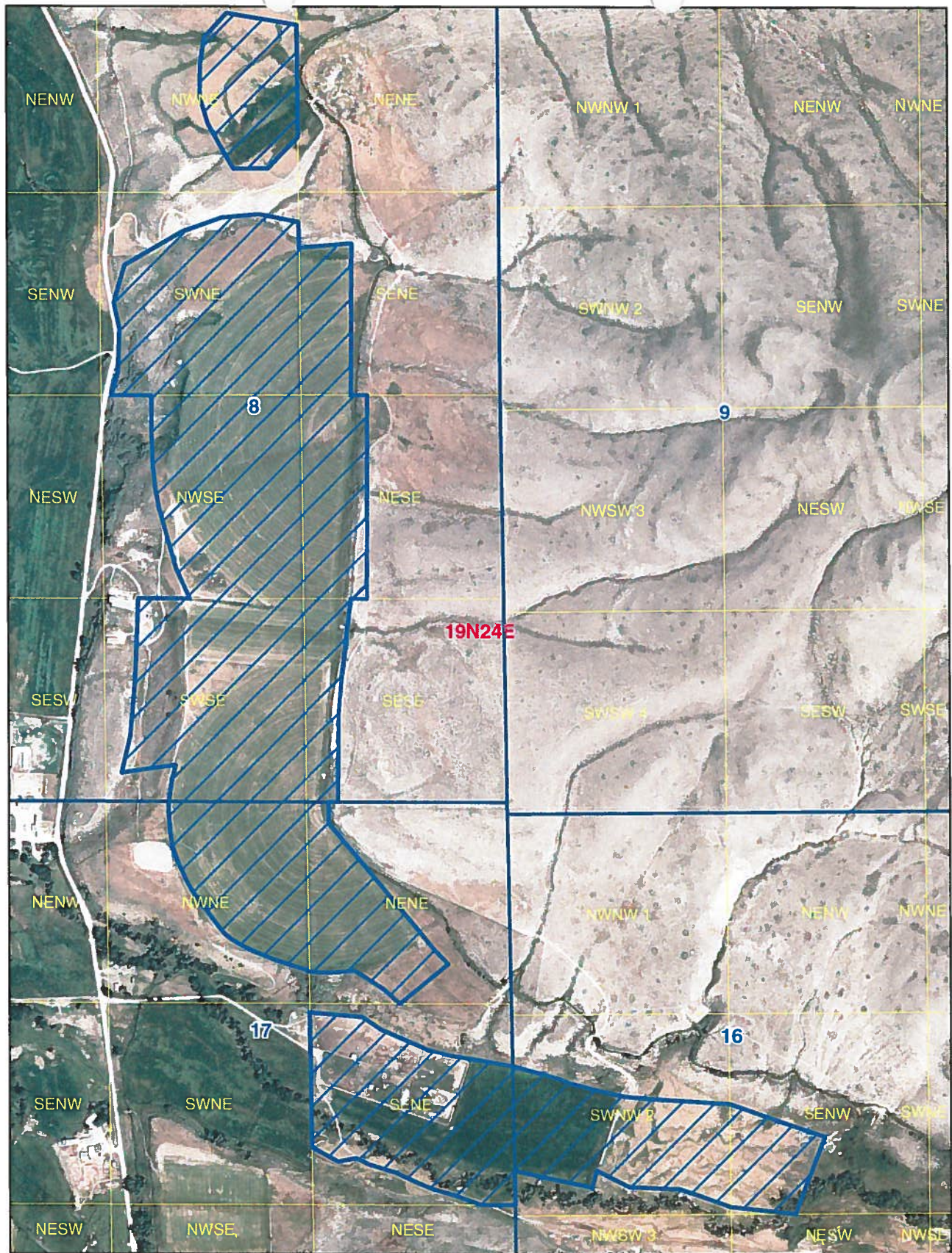
-  74-228
-  74-225
-  74-222 & 74-224
-  Township/Range
-  Sections
-  QQ

Bar 13 Existing Place of Use

0 0.05 0.1 0.2 Miles

78843





-  POU
-  Township/Range
-  Sections
-  QQ

Bar 13 Proposed Place of Use

0 0.075 0.15 0.3 Miles

78843



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

RECEIVED

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

JUL 30 2013Department of Water Resources
Eastern Region

An application for transfer must be prepared in accordance with the minimum requirements listed below to be accepted 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 www.idwr.idaho.gov.

Name of Applicant(s) _____

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 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). **
** 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 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: _____

Page 1 of Transfer No. _____

78843

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 30 2013

Department of Water Resources
Eastern Region

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Name of Applicant(s) BAR 13 Ranch Limited Partnership Phone 208-756-2196
Mailing address c/o Ross Goddard PO Box 11 Tendoy, ID 83468 Email suegoddard@centurytel.net

- ☐ 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**. N/A
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**. N/A
- ☐ 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**. N/A
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**. N/A

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 N/A Phone _____

Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant. N/A
OR
- ☐ Send original correspondence to the applicant and copy to the representative. N/A
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant. N/A
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**. N/A

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]
Signature of Applicant or Authorized Representative

ROSS K. GODDARD
Print Name and Title if applicable

7/26/13
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**.

Propose to change the acreages of place of use to other owned lands and dry up the same amount of acreage that has been adjudicated for use.

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 ☒ ☐	74-0222	2.8 cfs	Irrigation	3-15 to 11-15	Pattie Cr; Lemhi River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.8 cfs cfs and/or 5.6 acre-feet.

2. Total amount of water proposed to be transferred or changed .59 cubic feet per second and/or 1.1 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	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19N	24E	08		12.6	29.8	7.7									13.0	32.0	33.2	7.0	135.3
19N	24E	16							20.0	7.3									27.3
19N	24E	17	13.8	17.6		28.0													59.4
Total Acres (for irrigation use)																			222

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:

No changes to current diversion system and measuring devices, P.O.D not changed.

- b. Who owns the property at the point(s) of diversion? BAR 13 Ranch Limited Partnership
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: No liens or encumbrances.

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:

Transfer will result in drying up 29.9 acres that presently cannot be feasibly irrigated and applying that water to lands that can be irrigated.

- 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:

Water right 74-0224 is also diverted along with 74-0222 at same location; BOTH are appurtenant to the same lands.

- 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, -see explanation
☐ ☒ 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:

A portion of the lands have been converted to pivot irrigation resulting in the inability, due to arid climate conditions and economic feasibility, to irrigate all lands as authorized. The entire water right has been delivered and used. This transfer will show the actual use without changing the decree.

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 1. *See Attached*
Insert Part 2A reports into the application following Part 1.

B. 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. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: 74-0222

1. amount 2.80 (~~cfs~~/ac-ft) for Irrigation purposes from 3-15 to 11-15
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

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

Current Water Right No.: 74-0222

Current Owner: BAR 13 RANCH LTD PARTNERSHIP

Priority Date: 6/1/1871

Origin: Water Right

Status: Active

Basis: Decreed

Source

PATTEE CREEK

Tributary

LEMHI RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Diversion Rate

2.8 CFS

Annual Volume

Total Diversion

2.8 CFS

Location of Point(s) of Diversion

PATTEE CREEK

SE1/4NE1/4

Sec. 16, Twp 19N, Rge 24E B.M.

LEMHI County

Place of Use

IRRIGATION Within LEMHI County

T19N R24E S8	SWNE	34.00	T19N R24E S8	SENE	10.00
T19N R24E S8	NESE	13.00	T19N R24E S8	NWSE	35.00
T19N R24E S8	SWSE	36.00	T19N R24E S8	SESE	7.00
T19N R24E S16	Lot 2 SWNW	10.00	T19N R24E S17	NENE	23.00
T19N R24E S17	NWNE	26.00	T19N R24E S17	SENE	28.00

Total Acres: 222

Conditions of Approval:

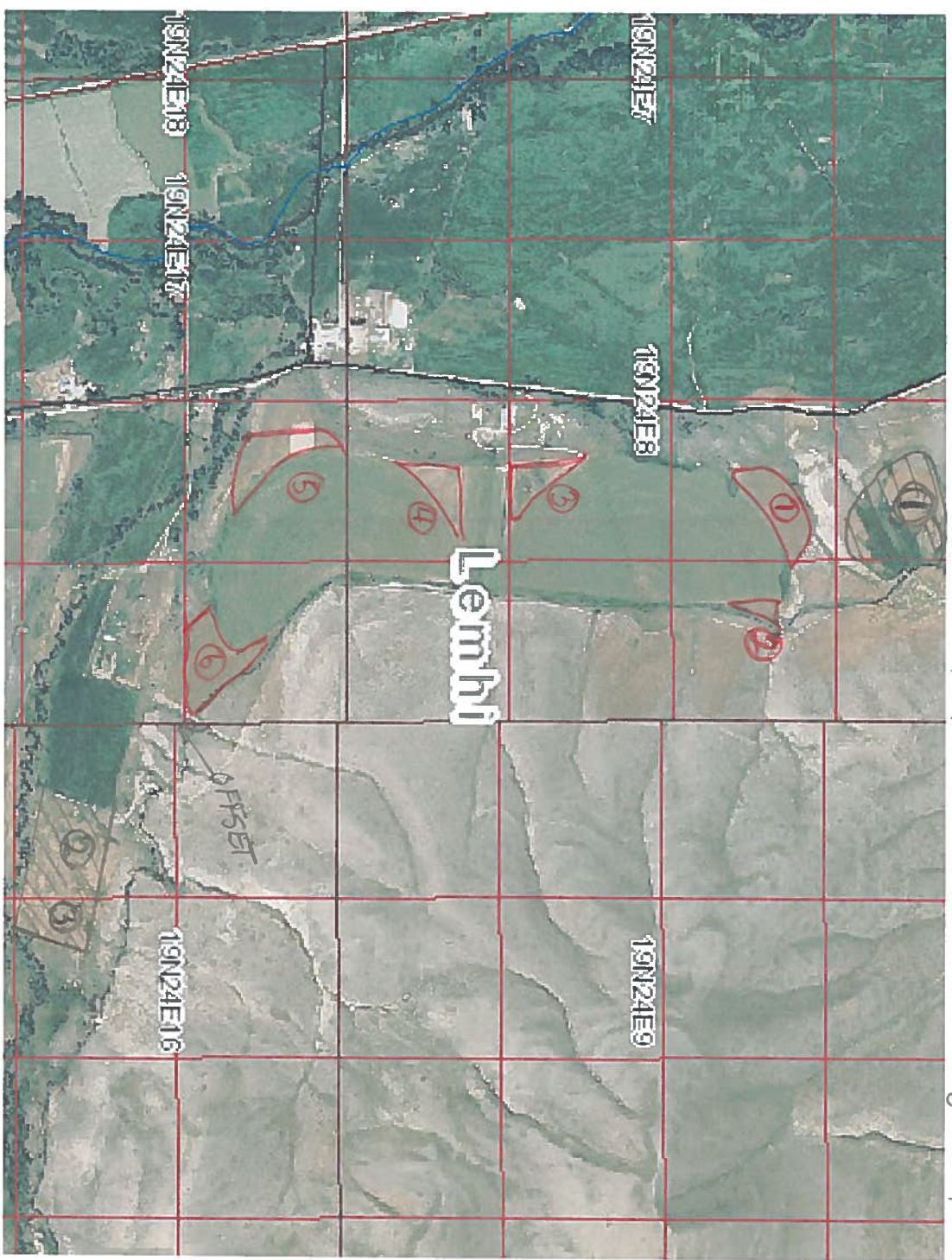
1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. E64 This right authorizes the irrigation of 226.5 total acres.

Decreed Date: 7/9/2007

KAR 15 KANON LID TRAKI NCKSNIP
C/O ROSS Gaddard

Right click on the image and select 'Save As...'

Attachment #7B
Transfer P.O.U. Water Right 74-0222



- ① = New P.O.U. Sec 8 (NWNE) add 12.6 acres
- ② = New P.O.U. Sec 16 (SWNW) add additional 10.0 acres
- ③ = New P.O.U. Sec 16 (SENW) Add 7.3 acres
- ① DRY UP 4.2 acres (SWNE) sec 8
- ② DRY UP 2.3 acres (SENE) Sec 8
- ③ DRY UP 3.0 acres (NWSE) Sec 8
- ④ DRY UP 2.8 acres (SWSE) Sec 8
- ⑤ DRY UP 8.4 acres (NWNE) Sec 17
- ⑥ DRY UP 9.2 acres (WENE) Sec 17

8843

- ① Proposed irrigation by pipeline and/or ditch to lands and distributed by lateral ditches or pipes.
- ② and ③ Proposed irrigation by extension of wheel lines and/or ditches.

ATTACHMENT # 7B Page 2 of 2
 BAR 13 RANCH LTD PARTNERSHIP
 TRANSFER PLACE OF USE
 WATER RIGHT 74-0222

T19NR24E

Section 8

NW NE (add 12.6 acres) ①	NENE
SW NE 29.8 acres (4.2 acres dried up) ①	SE NE 7.7 acres (2.3 acres dried up) ②
NW SE 32 acres (3.0 acres dried up) ③	NE SE 13.0 acres (Remains SAME)
SW SE 33.2 acres (2.8 acres dried up) ④	SE SE 7.0 acres (Remains SAME)

Section 17

NW NE 17.6 acres (8.4 acres dried up) ⑤	NENE 13.8 acres (9.2 acres dried up) ⑥
	SE NE 28.0 acres (Remains SAME)

Partial Decree authorizes 226.5 acres total with 222.0 acres in use.

Proposed changes in PLACE OF USE:

- ① Add 12.6 acres in Sec 8 (NW NE)
- ② Add 10.0 additional acres in Sec 16 (SW NW)
- ③ Add 7.3 acres in Sec 16 (SE NW)
- ① DRY UP 4.2 acres in Sec 8 (SW NE)
- ② DRY UP 2.3 acres in Sec 8 (SE NE)
- ③ DRY UP 3.0 acres in Sec 8 (NW SE)
- ④ DRY UP 2.8 acres in Sec 8 (SW SE)
- ⑤ DRY UP 8.4 acres in Sec 17 (NW NE)
- ⑥ DRY UP 9.2 acres in Sec 17 (NENE)

NO NET CHANGE IN IRRIGATED ACRES - 222 acres used total
 (29.9 acres to new lands)
 (29.9 acres dried up)

← offset

Sec 16

NW NW	NENW	
SW NW 10 acres (add 10 acres) more ②	SE NW (add 7.3 acres) ③	

No. L 174		Due no later than Oct 31, 2012 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		1. Mailing Address: Correct in this box if needed. BAR 13 RANCH LIMITED PARTNERSHIP STEPHEN E MARTIN PO BOX 3189 IDAHO FALLS ID 83403		ROSS K GODDARD 45 MULESHOE RD MACKAY ID 83251			
				3. <u>New</u> Registered Agent Signature:*			
Office Held	Name	Street or PO Address	City	State	Country	Postal Code	
GENERAL PARTNER	ROSS K GODDARD	PO BOX 11	TENDON	ID	USA	83468	
GENERAL PARTNER	JACK L GODDARD	6538 SOUTH 9TH WEST	IDAHO FALLS	ID	USA	83402	
5. Organized Under the Laws of:		6. Annual Report must be signed.*					
ID L 174		Signature: Stephen E. Martin				Date: 08/13/2012	
		Name (type or print): Stephen E. Martin				Title: Attorney	
Processed 08/13/2012		* Electronically provided signatures are accepted as original signatures.					

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