

RECEIVED

JUL 09 2013

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 78723RECEIVED
DEPT. OF WATER RESOURCES
SOUTHERN REGION

JUL 22 2013

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: Applicants' deed for water right and land.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 78723

RECEIVED

JUL 22 2013

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant SPF Water Engineering R. and/or Cindy L. Gillette Phone 208-934-4555

Mailing address 1961 S. 1800 E., Gooding, ID 83330 Email windyacres@safelink.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**.
- ☐ 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 SPF Water Engineering Phone 208-383-4140

Mailing address 300 E. Mallard Dr., Ste 350, Boise, ID 83706 Email lgraves@spfwater.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.

Larry R. Gillette
Signature of Applicant or Authorized Representative

Larry R. Gillette
Print Name and Title if applicable

7/18/2013
Date

Cindy L. Gillette
Signature of Applicant or Authorized Representative

Cindy L. Gillette
Print Name and Title if applicable

7-16-13
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 consolidate water right
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**. Update the water right record to reflect a consolidated irrigation system that has been established and is currently used.

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
☒ ☐	37-2761A	1.62/676.0	Irrigation	3/15 to 11/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 1.62 cfs and/or 676.0 ac-ft

2. Total amount of water proposed to be transferred or changed 1.62 cubic feet per second and/or 676.0 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 #

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	
6S	14E	14		1.5	1		36	32.5	29	33									133

Total Acres (for irrigation use) 133

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: _____

Existing well, pump and pressurized irrigation system. The well is currently equipped with a measuring device and lockable controlling works.

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

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: Zion's Bank is the property lien holder.

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:

Lands in section 11 are owned by the City of Gooding. The City deeded all of water right 37-2761A to the applicants, who now seek to update the water right record to reflect current irrigation practices consisting of all irrigation consolidated to section 14.

- 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:

None

- 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: _____

Page 4 of 6

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

Current Water Right No.: 37-2761a

Current Owner: LARRY R GILLETTE
CINDY L GILLETTE

Priority Date: 7/14/1967

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.64 CFS	676 AF
	<u>Total Diversion</u>	1.64 CFS	676 AF

Location of Point(s) of Diversion

GROUND WATER
GOODING County SW1/4NW1/4SE1/4 Sec. 14, Twp 06S, Rge 14E B.M.

Place of Use

IRRIGATION Within GOODING County

T06S R14E S11	SWSW	3.00	T06S R14E S11	SESW	30.00
T06S R14E S14	NENW	40.00	T06S R14E S14	NWNW	16.00
T06S R14E S14	SWNW	40.00	T06S R14E S14	SENW	40.00

Total Acres: 169

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.

Decreed Date: 12/11/2002

Total Acres (for irrigation use)

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**.

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.:

See Attached Map

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by DM Date 7-9-2013 Prelim. Check by _____ Date _____

Fee Paid \$580- Date 7-22-2013 Receipted by JB Receipt # 8033400

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

ATTACHMENT 6
LIEN HOLDER AUTHORIZATION

TRANSFER 78723

ZIONS BANK®

GOODING OFFICE
State of Idaho

502 Main Street
Gooding, Idaho, 83330
(208) 934-8431
Fax (208) 934-8434

Department of Water Resources

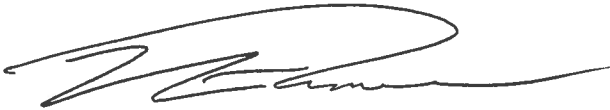
July 2, 2013

To whom it may concern,

Concerning the "Changing Place of use" for the 1.62cfs irrigation water owned by Larry R. and Cindy L. Gillette, referenced to in the attached Application for Transfer of Water Right, dated July 2, 2013:

Zions First National Bank, is the lien holder with a financial interest in the water rights and the land referred to.

This letter is a "Statement of Agreement" in favor of the proposed transfer dated July 2, 2013.



Vern E. Eames

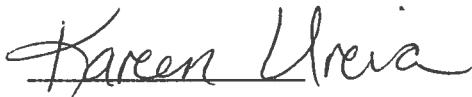
Vice President and CLO

Zions First National Bank

State of Idaho

County of Gooding

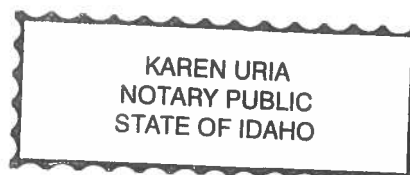
On this 2nd day of July, 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared Vern E. Eames, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that they executed the same.



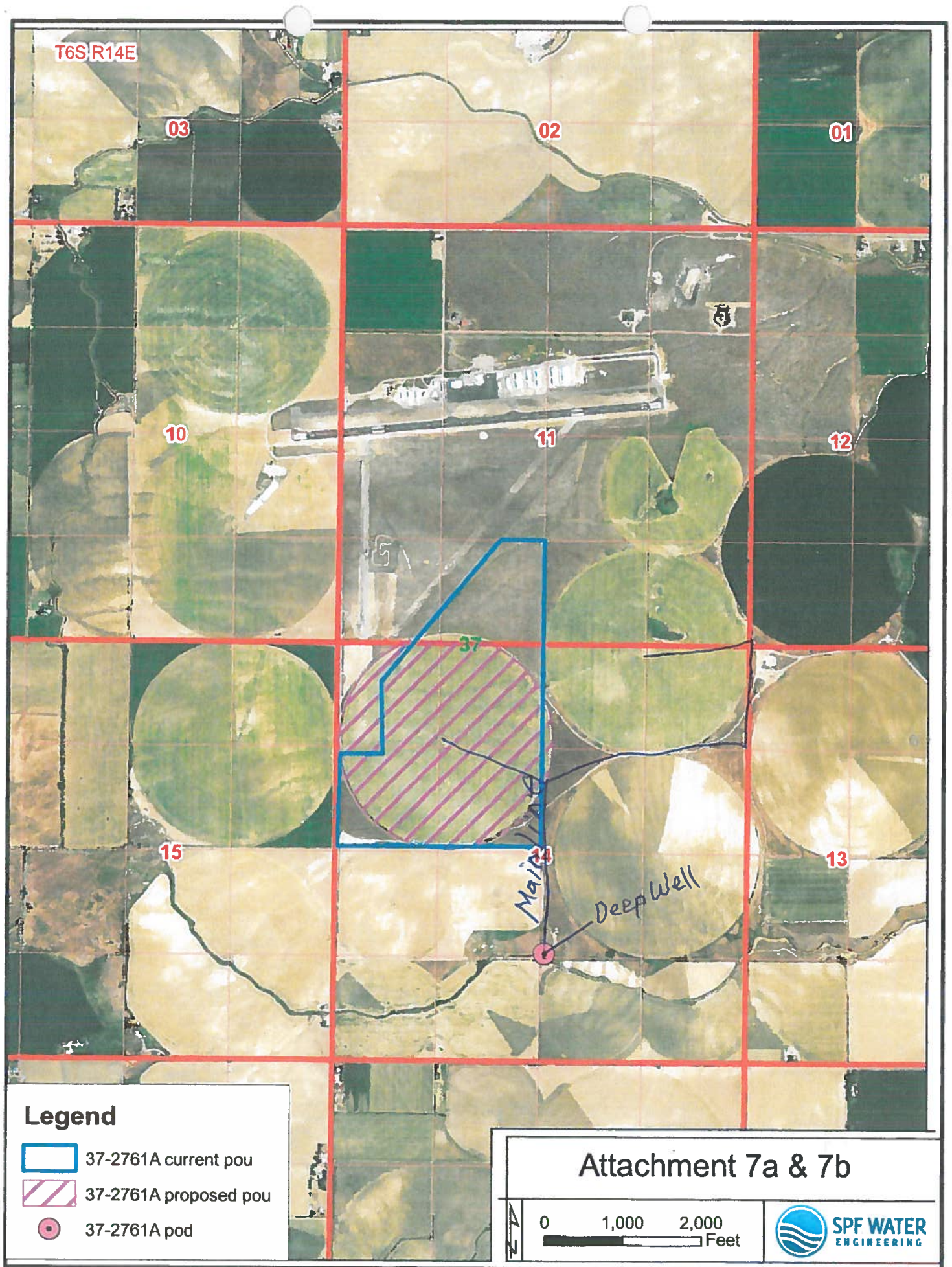
Notary Public

Residing at: Gooding, Idaho

My Commission expires: 5/5/17



TRANSFER 78723



ATTACHMENT 9
DEEDS

GG-12191

DEED

Instrument # 245162

GOODING, GOODING, IDAHO

6-17-2013 12:20:18 No. of Pages: 2

Recorded for : LAND TITLE AND ESCROW, INC

DENISE M. GILL

Fee: 13.00

Ex-Officio Recorder Deputy

DI

For value received THE CITY OF GOODING, an incorporated municipality of the State of Idaho, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto LARRY R. GILLETTE and CINDY L. GILLETTE, husband and wife, 1961 South 1800 East, Gooding, Idaho 83330 (hereinafter called the Grantees), all of Grantor's interest in the following described real property, located in Gooding County, Idaho:

Township 6 South, Range 14 East Boise Meridian,
Section 14: NW1/4

Together with all of Grantor's interest in Water Right No. 37-2761A for 1.64 cfs, and together with a center pivot located thereon and any and all rights and interests described in, and associated with the Joint Ownership Agreement and Easement between the City of Gooding, Idaho and Windy Acres, Inc., dated September 21, 2004 regarding a well, pump panel, penstock and appurtenances thereto.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantees and to the Grantees' heirs and assigns forever.

DATED THIS 14th day of June, 2013.

CITY OF GOODING, IDAHO

ATTEST:

By: *William Duke Morton*
William Duke Morton - Mayor

Morri Hall
Morri Hall - City Clerk

STATE OF IDAHO)
) ss.
County of Gooding)

On this 14th day of June, 2013, before me a Notary Public in and for said State, personally appeared WILLIAM DUKE MORTON and MORRI HALL, known to me to be the Mayor and City Clerk of the CITY OF GOODING, IDAHO and acknowledged to me that ~~they~~ ^{he} executed the same on behalf of the City of Gooding, Idaho..

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Susan M. Bolton
Notary Public
State of Idaho

Susan M. Bolton
NOTARY PUBLIC FOR IDAHO
Residing at: *Gooding, ID*
Commission Expires: *10-16-2016*

STATE OF IDAHO)

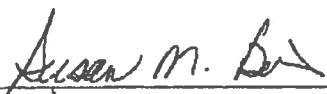
)

County of Gooding)

On this 17th day of June, 2013, before me a Notary Public in and for said State, personally appeared MORRI HALL, known to me to be the City Clerk of the CITY OF GOODING, IDAHO and acknowledged to me that they executed the same on behalf of the City of Gooding, Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Susan M. Bolton
Notary Public
State of Idaho



NOTARY PUBLIC FOR IDAHO
Residing at: Gooding, ID
Commission Expires: 10-16-2016

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED,

BUTTE ENTERPRISES, INC., who acquired title as WALKER FAMILY FARMS & RANCHES, INC.
a corporation duly organized and existing under the laws of the State of ALASKA, GRANTOR, does hereby
grant, bargain, sell and convey unto

LARRY R. GILLETTE and CINDY L. GILLETTE, husband and wife
whose address is 357 South 1950 East, Paul, Idaho 83347

GRANTEE, the following described real estate, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO.

TOGETHER WITH 114.96 SHARES OF BIG WOOD CANAL COMPANY WATER STOCK
AND WATER RIGHTS PERMIT NUMBERS 37-02729, 37-02660, 37-08742, A37-12824
AND A-37-02697

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said GRANTEE, and
the successors and assigns of the GRANTEE forever, except as aforesaid.

IN WITNESS WHEREOF, The GRANTOR, pursuant to a resolution of its Board of Directors has caused
its corporate name to be hereunto subscribed by its AGENT, this 23rd day of January, 1996.

BY: Dean Rampy
DEAN RAMPY FOR BUTTE ENTERPRISES, INC.

STATE OF TEXAS

COUNTY OF HARRIS

On this 23rd day of JANUARY, 1996, before me, the undersigned a Notary Public in and for said State,
personally appeared DEAN RAMPY, known or identified to me to be the AN of the corporation that
executed the instrument in the person who executed the instrument, and he acknowledged to me that such corporation executed the same.

Anthony L. Lunsford
Notary Public
Residing at: Alvin, Co. TX
My Commission expires: 9-1-96

164131

STATE OF IDAHO COUNTY OF GOODING
Filed for record at the request of Land Title & Escrow Inc.

15 min past 1 o'clock P. m. this 26th
of January, 1996

By Denney Watson Deputy

PN-24-1995 3-40

74%

P. 09

Order Number: G-23144

TOWNSHIP 6 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHOSection 12: NE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$;

EXCEPTING 40 foot strip of land for highway purposes as set forth in deeds to State of Idaho as follows:

1. Dated October 2, 1937, recorded December 11, 1937 in Book 28 Deeds, Page 616, across SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11 and NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12.
2. Dated September 10, 1937, recorded December 11, 1937 in Book 28 Deeds, Page 620, across NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12.

AND EXCEPTING THEREFROM the following described tract:

Beginning at the Southeast corner of said NE $\frac{1}{4}$ of Section 12;
Thence South 89°58' West, 3946.1 feet to the Southwest corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12;
Thence North 0°10' West, 690 feet;
Thence South 85°59' East, 2987.7 feet;
Thence North 75°35' East, 999.1 feet;
Thence South 725 feet to THE POINT OF BEGINNING.

TOWNSHIP 6 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHOSection 11: NE $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$;Section 12: SW $\frac{1}{4}$;That part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ described as follows:

Beginning at the Southeast corner of the NE $\frac{1}{4}$;
Thence South 89°58' West, 3946.1 feet, more or less, to the Southwest corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence North 0°10' West, 690 feet;
Thence South 85°59' East, 2987.7 feet;
Thence North 75°35' East, 999.1 feet;
Thence South 725 feet to THE POINT OF BEGINNING.

Section 13: NW $\frac{1}{4}$; N $\frac{1}{2}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$; and part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ lying North of Idaho Irrigation Company's Canal.Section 14: NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$;EXCEPTING THEREFROM a parcel of land located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12 and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, Township 6 South, Range 14, East of the Boise Meridian, Gooding County, Idaho, described as follows:

Beginning at the Southeast corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12;
Thence North 0°00'00" East for a distance of 275.06 feet along the Easterly boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence North 90°00'00" West for a distance of 300.00 feet to a $\frac{1}{4}$ " rebar;
Thence South 0°00'00" West for a distance of 1465.00 feet parallel with the Easterly boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ NE $\frac{1}{4}$ to a $\frac{1}{4}$ " inch rebar;
Thence South 90°00'00" East for a distance of 300.00 feet to a $\frac{1}{4}$ " inch rebar set in the Easterly boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 13;
Thence North 0°00'00" East for a distance of 1190.00 feet along the Easterly boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ to THE POINT OF BEGINNING.

SUBJECT TO the rights of a public road which affects the Easterly 25.00 feet thereof.



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

August 13, 2013

CINDY YENTER
WATER DISTRICT #130
1341 FILLMORE ST, STE 200
TWIN FALLS, ID 83301

Hand Delivered

RE: Transfer No. 78723
Water Right No(s): 37-2761A

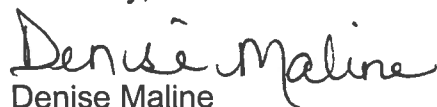
Dear Ms. Yenter:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,



Denise Maline
Administrative Assistant

Enclosure(s)



RECEIVED

JUL 22 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

July 19, 2013

Jim Bitzenburg
IDWR Southern Region Office
1341 Fillmore St., St. 200
Twin Falls, ID 83301-3380

Subject: Gillette Application for Transfer

Dear Jim,

Enclosed on behalf of Larry and Cindy Gillette, is re-submittal of the *Application for Transfer*, previously submitted July 9, 2013, with a new signature page and additional warranty deed you requested in your letter dated July 11, 2013.

Check No. 5972 for \$580 is enclosed for the filing fee. Thank you very much for your consideration and assistance in this matter. Please call me if you have any further questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Lori Graves", written in a cursive style.

Lori Graves
Water Rights Specialist

Cc: Larry Gillette

Enclosures

SPF file number: 169.0020



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 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 11, 2013

Lori Graves
SPF Water Engineering, LLC
300 E. Mallard Drive, Ste. 350
Boise, ID 83706

Dear Lori:

Our office recently received a water right transfer application that you submitted on behalf of Larry and Cindy Gillette. The transfer application deals with groundwater right 37-2761A and seeks to change the place of use for that right. However, a recent review of the transfer application revealed issues and/or incomplete items that make the application unacceptable for processing. As a result, we are returning the transfer application and the filing fee of \$580.00 (Windy Acres Inc. check #5972).

IDWR records indicate that the name connector for Larry and Cindy Gillette under water right 37-2761A is "and", so both Larry and Cindy Gillette need to sign the application. The deed that you sent with the application also indicates that they own the land and water right jointly.

In addition, the ownership for the two small parcels in the SW and NW of the NE of Section 14, T06S, R14E needs to be verified with copies of the deeds relevant to those parcels.

When you return the application with the application fee, please send it to my attention. If you have any questions, or if I can be of any further assistance, feel free to contact me at your convenience.

Sincerely,

Jim Bitzenburg
Water Resource Agent

Enclosures

Cc: Larry and Cindy Gillette