

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 78558 78550**RECEIVED****APR 22 2013**Department of Water Resources
Eastern Region**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**Name of Applicant(s) W Gary RogersPhone 208-588-4584Mailing address PO BOX 476 Arco, ID 83213

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.

Gary Rogers
Signature of Applicant or Authorized Representative

GARY ROGERS Owner 4-22-13
Print Name and Title if applicable 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**. To move the split portion from early transfer to this new place of use.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF 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 ☐ ☒	34-7118B	8.81 cfs	Irrigation	04/01 to 11/01	Ground Water
☒ ☐	34-7186A	2.09 cfs	Irrigation	04/01 to 11/01	Waste Water
☒ ☐	34-7186B	2.09 cfs	Irrigation	04/01 to 11/01	Waste Water
☐ ☐		1.8 cfs	Irrigation	04/01 to 11/01	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 12.99 cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed 1.8 cubic feet per second and/or _____ acre-feet per annum.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
	3	SW	NW	SW	30	06N	26E	Custer	Ground Water	
								Change only applies to the split portion*****		

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	
06N	26E	30									30	19.4	15.6	25					90
		*****	Only	applies	to	split	portion	n****											

Total Acres (for irrigation use) 90

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: - groundwater to mainline to pivots.

- b. Who owns the property at the point(s) of diversion? - Historical easement.
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:

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:

90 acres will be dried up to move to a new place of use.

- 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

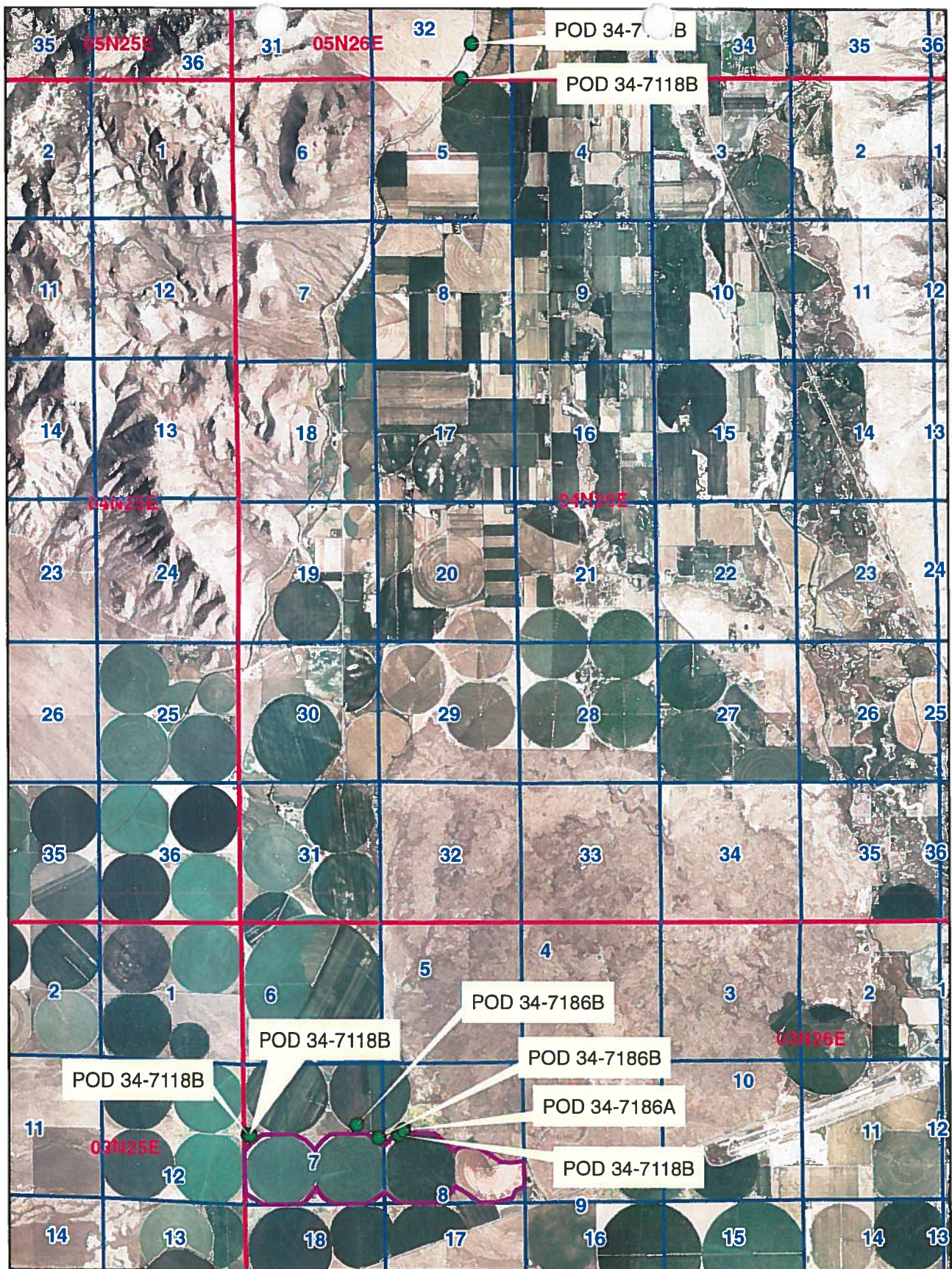
- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

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:

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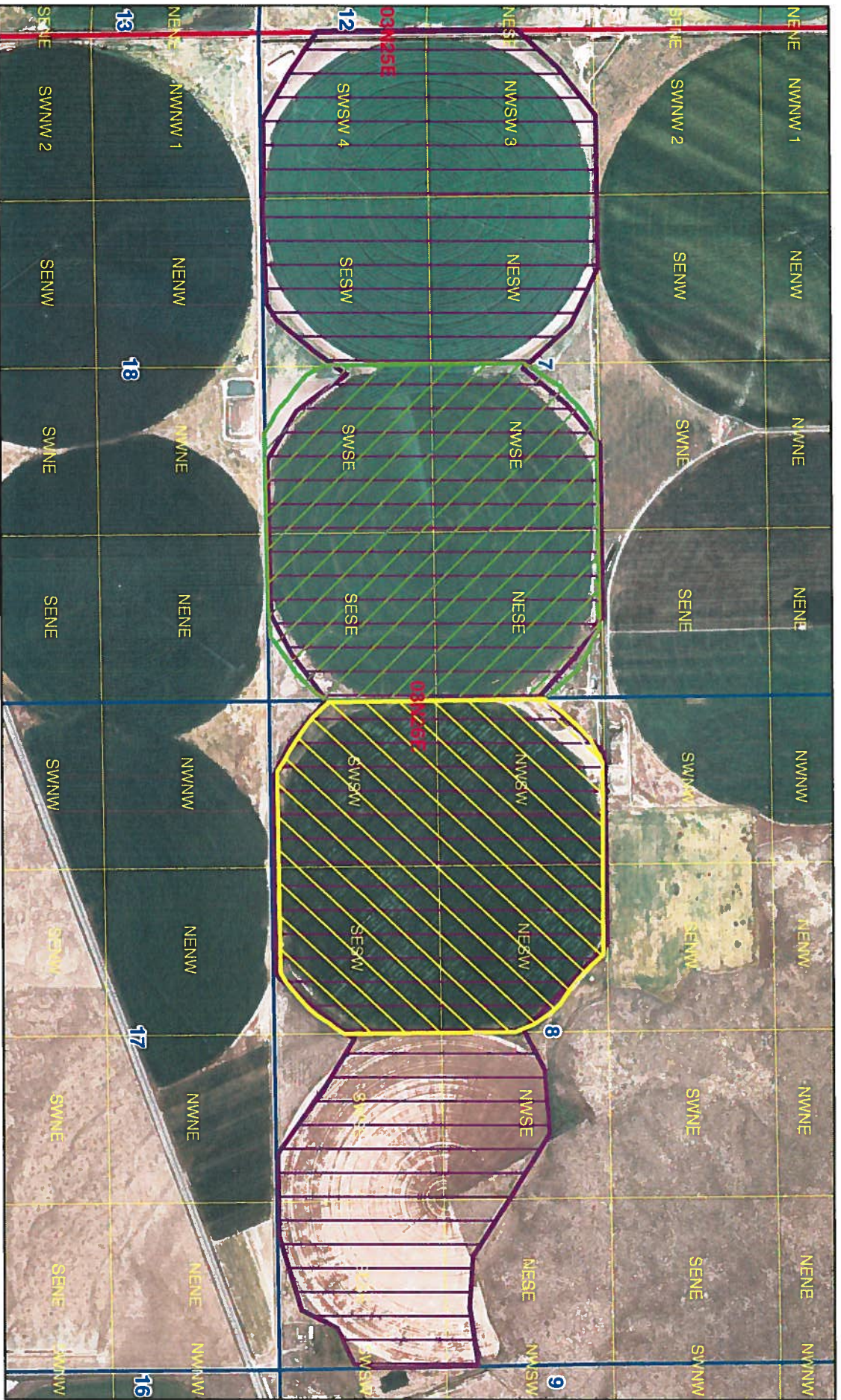


Gary Rogers Existing POD & POU



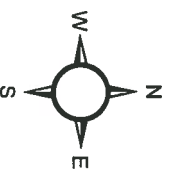
- transfer_1_existing_POU
- Township/Range
- Sections

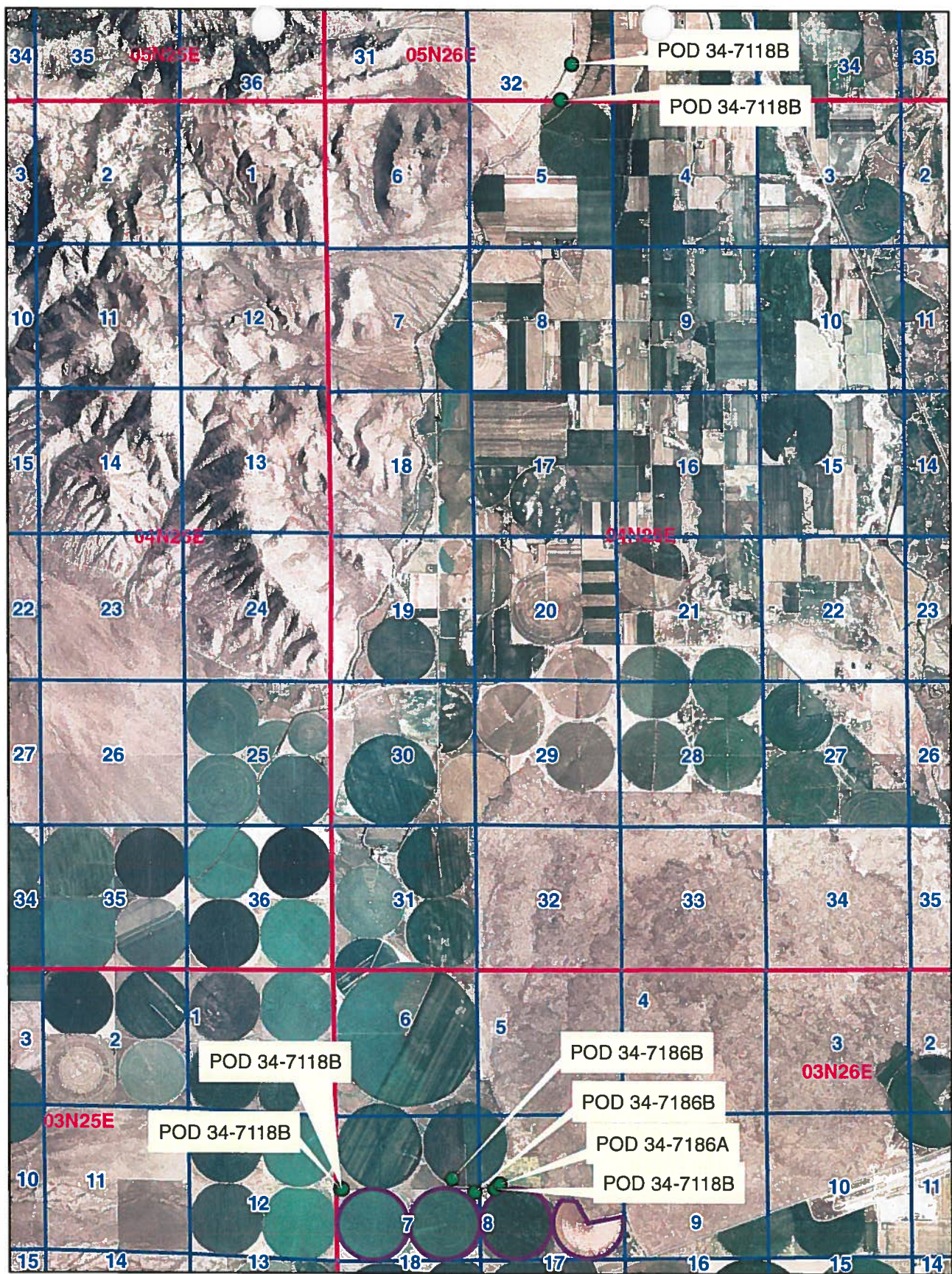
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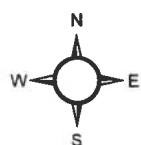
Gary Rogers Existing POU

- 34-7186A
- 34-7186B
- 34-7118B
- Township/Range
- Sections
- QQ



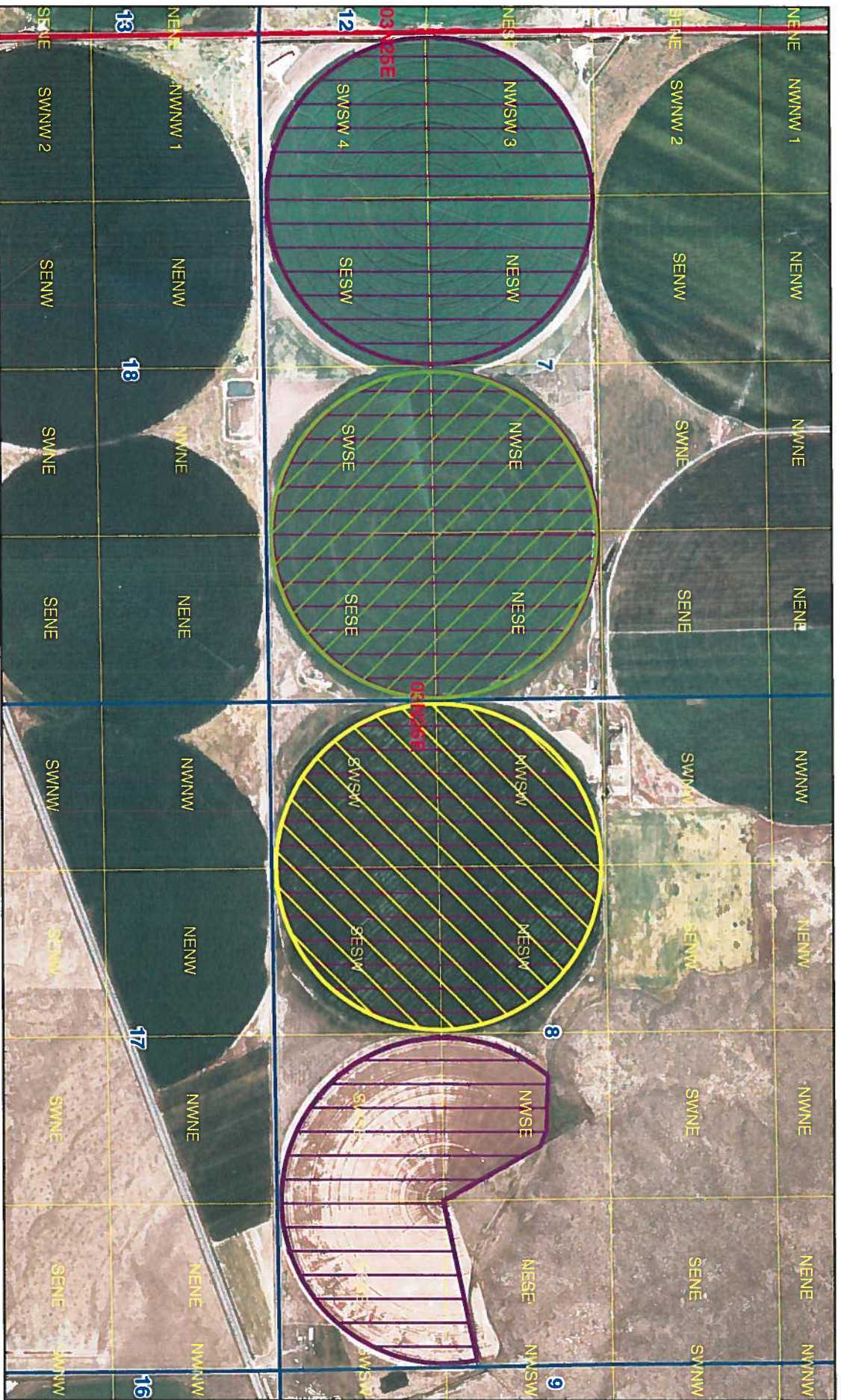


Gary Rogers New POD & POU



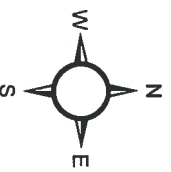
- New POU
- Township/Range
- Sections

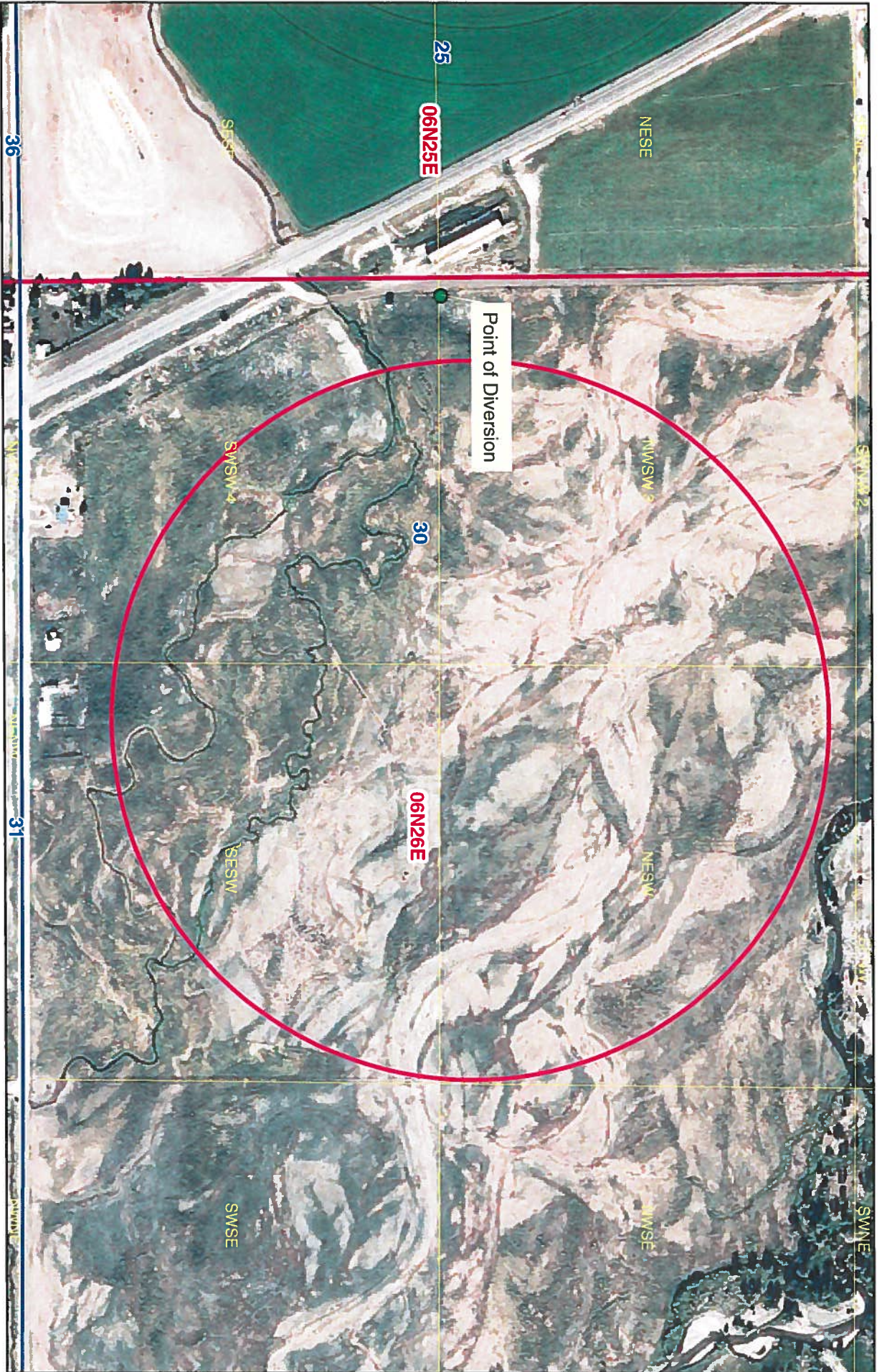
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Gary Rogers New POU

- 34-7118B_new_POU
- 34-7186A_new_POU
- 34-7186B_new_POU
- Township/Range
- Sections
- QQ





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Gary Rogers

 Pivot



WA

10980 South Jordan Gateway
P.O. Box 95850
South Jordan, UT 84095
(801) 571-9200
1-800-824-9198
Administrative Fax (801) 571-9481
Accounting Fax (801) 571-1641

July 10, 2012

RECEIVED

JUL 26 2012

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
Department of Water Resources
PO Box 83720
Boise, Idaho 83720

RE: NOTICE OF RELEASE for W. Gary Rogers

Dear State Engineer:

Please be advised that The Bank of Commerce **no longer has a security interest in the water rights** described on the attached Notice of Pledge.

Please file this notice with your records as evidence of such. Your assistance in this matter is appreciated.

Sincerely,

The Bank of Commerce

By: Western AgCredit, FLCA, Servicing Agent

By: 

David G. Brown

Vice President - Credit Services

SUPPORT DATA

IN FILE # 34-7118B

7/26/2012
Released
DMS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Security Interest in a Water Right

**And Request for Notification of a Change in Ownership or Any Proposed
Or Final Action to Amend, Transfer, or Otherwise Modify a Water Right**

Please print or type. Attach pages with additional information. Instructions are on the back of this page
Incomplete forms will be returned

1. Water Right No(s): 34-7186A, 34-7118B, 34-7186B
2. The following **REQUIRED** information must be submitted with this form:
 - A) Evidence of the security interest. This may be a copy of a **DEED of TRUST, MORTGAGE, CONTRACT OF SALE** or other legal document indicating your interest in the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION**.
 - B) A **FEE** of \$25.00 per water right or adjudication claim.
3. Name and Mailing Address of Person or Company holding Security Interest:

The Bank of Commerce
c/o Western AgCredit
10980 South Jordan Gateway
P.O. Box 95850
South Jordan, UT 84095-0850.
4. Name of Water Right Owner/Claimant(s):

W. GARY ROGERS and PAMELA A. ROGERS
5. Expiration Date of Notification Period: June 1, 2018
6. Is this a Renewal of Request for Notification () YES (X) NO

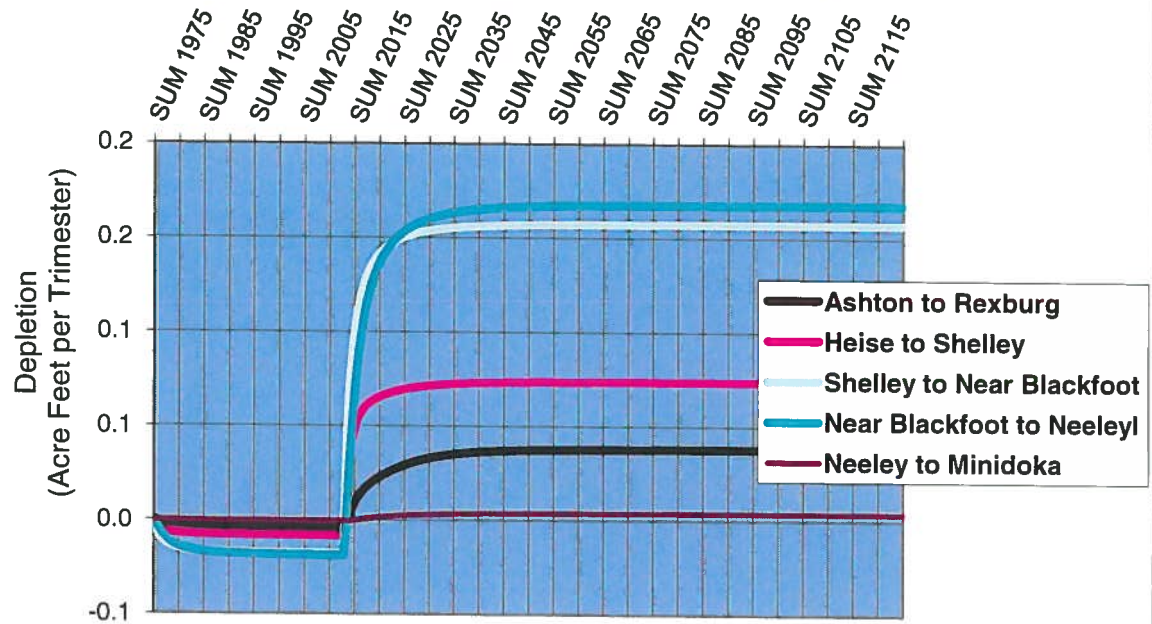
The Bank of Commerce
By: Western AgCredit, FLCA, Servicing Agent
7. Signature(s) (and title if applicable): By: 

David G. Brown
Vice President – Credit Services

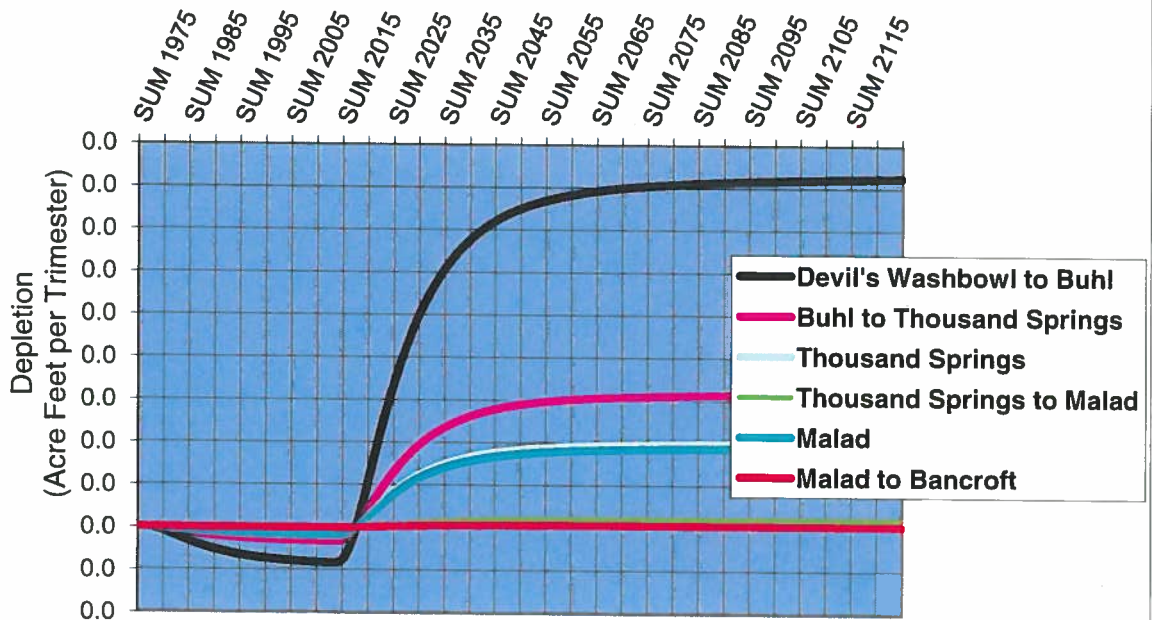
For Office Use Only

Received by _____	Date _____	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____	Date _____	WR _____ Date _____

Net Transfer Effect Above Milner (Total Effect With Transfer - Total Effect Without Transfer)



Net Transfer Effect Below Milner (Total Effect With Transfer - Total Effect Without Transfer)



New POU 34-7186A Transfer 2																			
TWN	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4		Acres Total		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	26E	8									25.3	31.40	29.2	29.4					115.3
New POU 34-7186B Transfer 2																			
TWN	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4		Acres Total		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	26E	7													30.2	30.1	30.4	29.4	120.1

Name	cfs	af	acreage	cfs/acre	Forfeiture				Balance			
					%	T Acr	AF	cfs	acres	CFS Loss	CFS	Acreage
34-7118B		10.61	1855	530			165.9	0.95	47.4	34-7118B	8.81	440.00
34-7186A		2.09		141				0.15	10.3	34-7186A	1.71	115.30
34-7186B		2.09		144				0.21	14.4	34-7186B	1.74	120.10

Combined Limits				X27 ON: 34-7186A 115.3 acre, 34-7186B 120.1 acre			
CFS	AFA	Acres		Transfer 1 = moving 42.6 acres = .85 cfs : Transfer 2 = Move 238 acre = 3.5 : TOTAL = 4.35 cfs = \$820.00			
	1540	440.0					

Balance	CFS	AF	Acreage
34-??	1.80	315.0	90.00
34-7118B	8.81	1540	440.00
34-7186A	1.71		115.30
34-7186B	1.74		120.10

34-14394

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P39 R30
P40 R30

From: 31R TD: 19R
105C 112C

[illegible][illegible][illegible][illegible]

New Combined POU TRANSFER 2																	
TWN	RGE	SEC	NE 1/4			NW 1/4			SW 1/4			SE 1/4			Acres Total		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
03N	26E	7							30.5	29	29	30.5	29	29	30.5	238	
03N	26E	8							30	29.5	29.5	30	4	19	30	202	
Acres Moved															440		
34-7186A	26E	8							0	0	0	0	30.5	29	29	30.5	119
34-7186B	26E	7							30	29.5	29.5	30	0	0	0	0	119
ACRES MOVED TRANSFER 2															238		