

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 78252
77961

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/>.

RECEIVED

MAY 29 2012

WATER RESOURCES
WESTERN REGION

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

- | | | |
|---|--|---|
| ☒ Yes
☒
☒
☐
☒
☒ | N/A
*
*
*
☐
*
* | * Means the item is <u>always required</u> 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 <u>for each water right</u> for which <u>only a portion</u> 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.

- | | | |
|---|--|--|
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☐ | #1 If the applicant is a business, partnership, organization, or association, and <u>not</u> 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: _____ |
|---|--|--|

ORIGINAL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 78252
77961APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant(s) Allen Ranch LLLP Phone _____Mailing address 2624 S. Inglenook Place, Meridian, ID 83642 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 RepresentativeName of Representative Bruce M. Smith Phone 331-1800/631-3702 (cell)Mailing address 950 West Bannock Street, Suite 520, Boise, ID 83702 Email bms@msbtlaw.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.

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
 ☐ Add diversion point(s)
 ☐ Change place of use
 ☐ Change nature of use
 ☐ Change period of use
 ☐ Other _____
- 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**. Correct the historical error in the recorded point of diversion. The upper and lower points listed on the next page and shown on the map have historically been used to irrigate the land. Stockwater for 600 head.

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 ☒ ☐	65-3111X	2.70cfs	Irrigation/Stockwater	04/15 to 10/15	Rock Creek/Little Rock Creek
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.70 cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed _____ 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 #
		NW	SW		3	13N	03E	Valley	Rock Creek/Little Rock Crk	Richard Creek/Rock Cr
		SE	NE		3	13N	03E	Valley	Rock Creek/Little Rock Crk	Richard Creek/Rock Cr
		SW	NE		3	13N	03E	Valley	Rock Creek/Little Rock Crk	Richard Creek/Rock Cr
		NE	NE		3	13N	03E	Valley	Rock Creek/Little Rock Crk	Richard Creek/Rock Cr
		NW	SE		3	13N	03E	Valley	Rock Creek/Little Rock Crk	Richard Creek/Rock Cr

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	

Total Acres (for irrigation use) _____

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: _____
Gravity flow ditches, can install headgates & measuring devices in certain locations if needed.

- b. Who owns the property at the point(s) of diversion? United States Forest Service/West Mountain Properties/Applicant
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: N/A

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 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: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 @ <http://www.idwr.idaho.gov/> , Water Right Transfers, Step 1.
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 @ <http://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: _____

- [illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

Total Acres (for irrigation use)

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 65-3111X

WATER RIGHT NUMBER: 65-3111X

Part 2 A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	E K ALLEN RANCH LTD PARTNERSHIP PO BOX 474 CASCADE, ID 83611 (208)382-4122

Priority Date: 06/01/1894

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	NORTH FORK PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15	to 10/15	2.700 CFS	
	<u>Total Diversion:</u>		2.700 CFS	

Location of Point(s) of Diversion

UNNAMED STREAM	NW1/4SE1/4	Sec. 3, Twp 13N, Rge 03E, B.M.
VALLEY County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
13N	03E	3	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	83.0
			23.0	21.0	8.0	31.0													
			L 8	L 7															

Total Acres: 83

Conditions of Approval:

1. SOURCE IS ALSO KNOWN AS RICHARD CREEK.
SOURCE IS ALSO KNOWN AS ROCK CREEK.
2. 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.
3. THIS RIGHT SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE WHEN MEASURED AT FIELD HEADGATE.

Dates and Other Information:

Decreed Date: 10/31/2000
Water District Number: 65

Transfer contains _____ pages and _____ attachments.

Received by RS Date 5.29.12 Prelim. Check by _____ Date _____

Fee Paid 660.00 Date 5.29.12 Received by RS Receipt # WD40215

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



IDAHO SECRETARY OF STATE

Viewing Business Entity

Ben Ysursa, Secretary of State

[[New Search](#)] [[Back to Summary](#)]
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ALLEN RANCH, LLLP

2624 S INGLEBROOK PL
 MERIDIAN, ID 83642

Type of Business: LIMITED PARTNERSHIP

Status: CURRENT, ANREPT SENT 04 Apr 2012

State of Origin: IDAHO

Date of 17 Jun 1983

Origination/Authorization:

Current Registered Agent: J R ALLEN
 2624 S INGLENOK PL
 MERIDIAN, ID 83642

File Number: L373

Date of Last Annual Report: 14 Apr 2012

Original Filing:

Filed 17 Jun 1983 CERTIFICATE OF LP
 [[Help Me Print/View TIFF](#)]
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Amendments:

Amendment Filed 12 Aug 2005 AMENDED & RESTATED
 [[Help Me Print/View TIFF](#)]
[View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)

Amendment Filed 13 Nov 2007 NAME CHANGED TO ALLEN RANCH, LLLP
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Annual Reports:

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Report for year 2012 ANNUAL REPORT [View Document Online](#)

Report for year 2011 ANNUAL REPORT [View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)

Report for year 2010 ANNUAL REPORT [View Document Online](#)

Report for year 2009 ANNUAL REPORT [View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)

Report for year 2008 ANNUAL REPORT [View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)

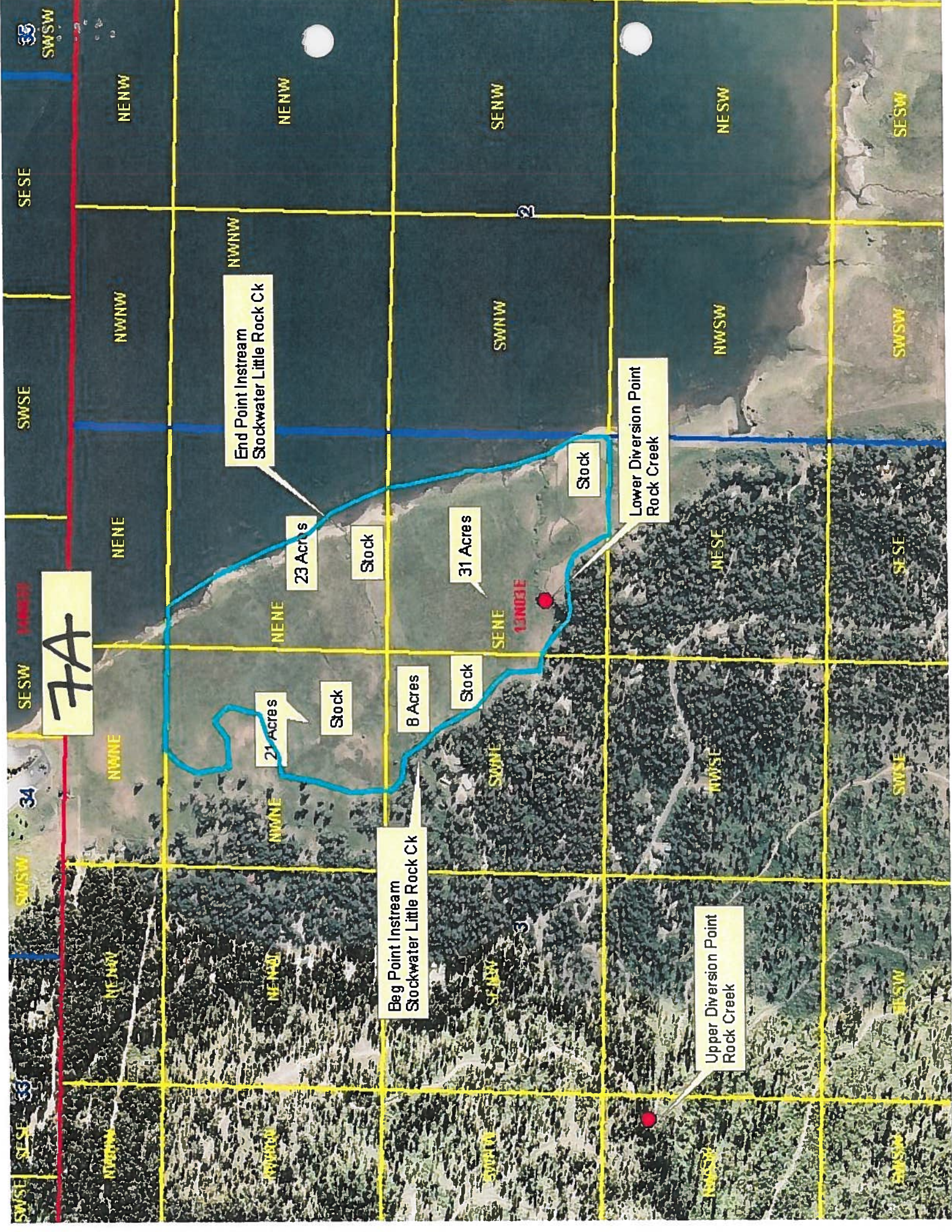
Report for year 2007 ANNUAL REPORT [View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)

[Idaho Secretary of State's Main Page](#)

[State of Idaho Home Page](#)

Comments, questions or suggestions can be emailed to: sosinfo@sos.idaho.gov

No. L 373	Due no later than Jun 30, 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. ALLEN RANCH, LLLP J.R. ALLEN 2624 S INGLEBROOK PL MERIDIAN ID 83642		J R ALLEN 2624 S INGLENOOK PL MERIDIAN ID 83642			
			3. <u>New</u> Registered Agent Signature:*			
Office Held GENERAL PARTNER	Name J.R. ALLEN JR ALLEN CATTLE CO INC	Street or PO Address 2624 S INGLENOOK PL	City MERIDIAN	State ID	Country USA	Postal Code 83642
5. Organized Under the Laws of: ID L 373		6. Annual Report must be signed.* Signature: Jr Allen Name (type or print): Jr Allen Date: 04/14/2012 Title: General Partner				
Processed 04/14/2012		* Electronically provided signatures are accepted as original signatures.				



7A

End Point Instream
Stockwater Little Rock Ck

23 Acres

Stock

31 Acres

Stock

Lower Diversion Point
Rock Creek

21 Acres

Stock

8 Acres

Stock

Bag Point Instream
Stockwater Little Rock Ck

Upper Diversion Point
Rock Creek



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 25, 2013

Re: Application for Permit No. 65-23493 — Allen Ranch LLLP
Application for Transfer No. 78252 — Allen Ranch LLLP

Dear Interested Parties:

The above referenced applications may be of interest to you. I would like to inform you that both applications have been submitted to The Star News for advertising. I have enclosed copies of both files for your convenience. This information is also available on our website www.idwr.idaho.gov.

If you have any questions regarding the applications, please contact this office at 208-334-2190.

Sincerely,

A handwritten signature in black ink that reads "Rachel Sommer". The signature is written in a cursive, flowing style.

Rachel Sommer
Administrative Assistant I
Western Regional Office

Enclosures: Application for Permit No. 65-23493
Application for Transfer No. 78252
Distribution List

DISTRIBUTION LIST

RE: Application for Permit No. 65-23493
Application for Transfer No.78252

MAUREEN K WEBER
4603 S 5 MILE RD
BOISE, ID 83709

WADE ZURCHER
2625 N CROFT LN
EAGLE, ID 83616

DWIGHT JIVIDEN
413 CABARTON RD
CASCADE, ID 83611

CINDI BETHEL CARMONA
10421 W CAMPVILLE ST
BOISE, ID 83709

LAWRENCE J CHESS
1200 LIZASO AVE
BOISE, ID 83709

LAWRENCE RIDENOUR
3136 TATIENHAM AVE
BOISE, ID 83713

SANDRA M CHESS
1200 LIZASO AVE
BOISE, ID 83709

TERRY MCCLINTICK
PO BOX 18
ORVADA, NV 89425

JAMES T BUNCE
PO BOX 890
CASCADE, ID 83611-0890

RANDY MCCLINTICK
PO BOX 7
ORVADA, NV 89425

MELVIN PURSEL
C/O SANDRA CHESS OR JIM BUNCE 1077
WASHINGTON ST
RENO, NV 89503

NADEAN PERKINS
700 STEEPLEVIEW
EAGLE, ID 83616

CRISA MCCLINTICK
PO BOX 7
ORVADA, NV 89425

GAFFNEY PROPERTIES, A PARTNERSHIP
C/O D BLAIR CLARK, ATIORNEY
1513 TYRELL LN STE 130
BOISE, ID 83706

GERALD DYE
3 LIGE LN
CASCADE, ID 83611

IRVIN R SHAW
2579 DESTINY AVE
KUNA, ID 83634

GLENN FORD
569 BRENDA LN
CASCADE, ID 83611

WEST MOUNTAIN WATER ASSN INC
C/O JIM BUNCE
PO BOX 388
CASCADE, ID 83611

TRESSA YOUNG
312 NORCHARD HTSWAY
NAMPA, ID 83651

RON SHURTLEFF
WATER MASTER
102 N MAIN
PAYETTE, ID 83661

Sommer, Rachel

From: Sommer, Rachel
Sent: Wednesday, July 24, 2013 1:58 PM
To: 'STARCLASS@FRONTIER.COM'
Subject: Valley Legal Ads
Attachments: Valley Cover Letter.docx; Valley Legal Ad.docx

Good Afternoon Kim,

Please see the attached ad for publication on 8/1/2013 & 8/8/2013.

Please confirm these are okay to publish as shown.

Thank you very much,

Rachel Sommer

Administrative Assistant
IDWR, Western Region
Office: 208-334-2190
Fax: 208-334-2348
rachel.sommer@idwr.idaho.gov

July 24, 2013

LEGAL NOTICE DEPARTMENT
STAR NEWS
1000 1ST ST
MCCALL, ID 83638

RE:

Application for Permit No's: 65-23493, 65-23540

Application for Transfer No. 78252

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 8/19/2013. Your cooperation is appreciated.

Sincerely,

Rachel Sommer
Administrative Assistant

Enclosures

The following applications have been filed to appropriate the public waters of the State of Idaho:

65-23540

MARION D GROOTHUIS
JUDY L GROOTHUIS
3490 N SADDLEMAN PL
EAGLE, ID 83616
Point of Diversion NESE S20 T16N R03E VALLEY County Source GROUND WATER
Use: IRRIGATION 04/15 to 10/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 4/22/2013
Place Of Use: IRRIGATION
T16N R03E S20 NESE
Total Acres: 8

65-23493

ALLEN RANCH LLP
2624 S INGLENOOK PL
MERIDIAN, ID 83642
Points of Diversion SENE NWSW NWSE S3 T13N R03E VALLEY County Source ROCK CREEK Tributary NORTH FORK PAYETTE RIVER
Points of Diversion SWNE L8(NENE) S3 T13N R03E VALLEY County Source UNNAMED STREAM Tributary NORTH FORK PAYETTE RIVER
Use: IRRIGATION 03/15 to 04/14 2.7 CFS
Use: IRRIGATION 10/16 to 11/30 2.7 CFS
Use: STOCKWATER 01/01 to 12/31 0.14 CFS
Use: STOCKWATER 05/15 to 11/30 0.14 CFS
Total Diversion: 2.7 CFS
Date Filed: 5/9/2012
Place of Use: IRRIGATION, STOCKWATER
T13N R03E S3 L8(NENE) L7(NWNE) SWNE SENE
Total Acres: 83
Rock Creek source also known as unnamed stream and or Richard Creek. Unnamed stream source also known as Little Rock Creek.

PROPOSED CHANGE OF WATER RIGHT(S)

Allen Ranch LLLP of 2624 S. Inglenook Place, Meridian, ID 83642 filed Application No. **78252** to transfer a water right with an 1894 priority date from an unnamed stream totaling 2.7 cfs. The stream is also known as Rock Creek and/or Richard Creek. The purpose of the transfer is to change and add points of diversion from unnamed streams, locally known as Rock Creek and Little Rock Creek, and include stockwater use on the right. Water will be used at the current place of use near West Mtn. Road on the southwest side of Cascade Reservoir.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 8/19/2013. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
Published on 8/1/2013 and 8/8/2013



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor

GARY SPACKMAN, Director

July 12, 2013

ALLEN RANCH LLLP
C/O BRUCE SMITH
MOORE SMITH BUXTON & TURCKE
950 W BANNOCK ST STE 520
BOISE ID 83702

Re: Application for Transfer No. 78252 and Application for Permit No. 65-23493

Dear Bruce:

Thank you for your visit today to discuss revising the above referenced applications for processing to move ahead. Timely legal notices for the applications are necessary to help resolve the situation. Please review the following information in this regard. These items are duplicated in the notes I gave you this morning.

Please provide a power-of-attorney or similar document, or explanation, authorizing you to sign the applications.

Transfer Application 78252

- The purpose should be to change and add points of diversion (POD) from the decreed point to two other locations, "Upper POD" and "Lower POD."
- Adding stockwater use is presumed to be an expansion and therefore not approvable under standard transfer processing protocol.
- Adding a source is presumed to be an expansion (Little Rock Creek) and therefore not approvable under standard transfer processing protocol.
- Of course, the applicant is welcome to not delete stockwater and the additional source and make the case for approving those in the transfer. The department does not always have to follow the same exact protocol in every case. This might be one of those exceptions to the standards.
- Upper POD land ownership information appears incorrect, and an explanation of authorized access to that diversion is missing.

Allen Ranch LLLP
July 12, 2013
Page 2

Permit Application 65-23493

- Beginning and ending PODs for proposed instream stock use should be added to the application.
- The place of use table should match 65-3111X (all in NE ¼).
- Ownership and access information for the Upper POD is needed.
- Demonstrate why irrigation beyond the standard season is a beneficial use, particularly considering the Cascade area climate.
- Confirm if year around stockwater is for instream flow and if stockwater for a shorter period is via the irrigation system. Stockwater use during winter months seems unlikely. Please justify why an all year period is needed.
- To the extent more water in excess of 2.70 cfs under 65-3111X is proposed for irrigation and/or stockwater, provide information showing:
 - additional water for a new right is available from the sources
 - this will not injure other rights
 - the new uses are consistent with local public interest.
- Alternately, the applicant could clarify that the proposed new right is not for another increment of water exceeding 65-3111X, just a different use and/or a for a different period each year than the senior right.

Temporary authorization to continue using Allen's Upper POD could be jeopardized by lack of due diligence in seeking water right approval to change the senior irrigation right. Please submit amended applications and additional information noted above within thirty (30) days to avoid that problem.

Please contact Angela Grimm at this office for help from July 15 through August 8 since I will be unavailable as we discussed. Thank you for your attention to these matters.

Sincerely,



Steve Lester
Water Rights Supervisor

Cc: Angela Grimm, P. G., Sr. Water Resource Agent, IDWR Western Region

MOORE SMITH BUXTON & TURCKE, CHARTERED

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May 25, 2012

RECEIVED

MAY 29 2012

WATER RESOURCES
WESTERN REGION

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705

RE: Application for Permit

To Whom It May Concern:

Enclosed, please find an original and one copy of an Application for Transfer being filed on behalf of our client Allen Ranch LLLP. Please file the original and return a "conformed" copy to our office in the enclosed self-addressed, stamped envelope. I have also enclosed a check in the amount of \$660.00 which I understand to be the fee for filing of the application. If you have any questions, please contact our office at 331-1800. Thank you for your assistance in this matter. ✓

Sincerely,

MOORE SMITH BUXTON & TURCKE, CHARTERED


Cathy Minyard
Legal Assistant to Bruce M. Smith

Enclosures

RECEIPT # W040215