

RECEIVED

NOV 09 2012

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 78251

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: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 78251

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of Applicant(s) BRENT A. & JENNIFER L. HOCKLANDER Phone 208-853-2595
 Mailing address 10600 N. SAGECREST PL. BOISE ID 83714 Email BHOCKLANDER@GMAIL.COM

- ☐ 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.

Brent A. Hocklander
 Signature of Applicant or Authorized Representative

BRENT A HOCKLANDER
 Print Name and Title if applicable

11/6/12
 Date

Jennifer L. Hocklander
 Signature of Applicant or Authorized Representative

Jennifer L. Hocklander
 Print Name and Title if applicable

11/6/12
 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**. DOMESTIC FOR USE AT 1 HOME; POINT OF USE HAS ALWAYS BEEN AT THIS LOCATION JUST CORRECTING WATER RIGHTS 40 ACRES 1/4 SECTION FROM SW TO SE

2 homes under 65-7986*

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 ☒ ☐	65-10504	0.040/1.20	DOMESTIC	1/01 to 12/31	MIDDLE FORK PAYETTE RIVER
☒ ☐	*65-7986	.04/2.4	DOMESTIC	1/01 to 12/31	SPRING
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.080 cfs and/or 3.6 ac-ft

2. Total amount of water proposed to be transferred or changed 0.080 cubic feet per second and/or 3.6 acre-feet per annum.

3. Point(s) of Diversion: for Right 65-10504

☒ (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	SE	SW	13	10N	4E	Boise	spring	
									(65-7986 only)	

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	
10N	04E	13												10					

Total Acres (for irrigation use) _____

* all changes shown in black
were made by applicant on
1/14/13 *SA*

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: THE DIVERSION SYSTEM IS A 1 1/2 HP PUMP WITH 1 1/4" OUTLETS.

- b. Who owns the property at the point(s) of diversion? RIVER
JEFFERY CONRAD

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

WE HAVE A VERBAL AGREEMENT TO ACCESS THE PROPERTY.

- 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

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:

NO EFFECT.

- 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:

SPRING 65-7986 WATER RIGHTS ALSO NEED TO HAVE THE POINT OF DIVERSION AND POINT OF USE CORRECTED. AT A FUTURE DATE. PD AND PU HAVE NOT CHANGED BUT NEED THE CORRECT 1/4 1/4 RECORDED.

- 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:

Total Acres (for irrigation use) _____

PART 2A

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 65-10504

WATER RIGHT NUMBER: 65-10504

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SANDRA E SCHELL 312 SUNRISE RIM RD NAMPA, ID 83686
Current Owner	CHARLES W SCHELL 312 SUNRISE RIM RD NAMPA, ID 83686

Priority Date: 05/01/1971

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MIDDLE FORK PAYETTE RIVER	PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	1.20 AF
<u>Total Diversion:</u>		0.040 CFS	1.20 AF

Location of Point(s) of Diversion

MIDDLE FORK PAYETTE RIVER	SW1/4SW1/4	Sec. 13, Twp 10N, Rge 04E, B.M.
BOISE County		

Place of Use

<u>DOMESTIC</u>		<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>					
<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
10N	04E	13												X					

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. PARCEL NO. RP 10N04E136650 A
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Dates and Other Information:

Decreed Date: 10/30/1998
 State or Federal: S
 Owner Name Connector: OR
 Water District Number: 65
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number: 39576
 Judicial District: FIFTH
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 65-7986

WATER RIGHT NUMBER: 65-7986

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SANDRA E SCHELL 312 SUNRISE RIM RD NAMPA, ID 83686
Current Owner	CHARLES W SCHELL 312 SUNRISE RIM RD NAMPA, ID 83686
Current Owner	DONALD ROGERS 435 N EAGLE RD EAGLE, ID 83616
Current Owner	PRISCILLA ROGERS 435 N EAGLE RD EAGLE, ID 83616

Priority Date: 09/22/1977

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	MIDDLE FORK PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	2.40 AF
<u>Total Diversion:</u>		0.040 CFS	2.40 AF

Location of Point(s) of Diversion

SPRING	NE1/4SW1/4	Sec. 13, Twp 10N, Rge 04E, B.M.
BOISE County		

Place of Use

<u>DOMESTIC</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
<u>Twp Rge Sec</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
10N 04E 13									X								

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. 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.
4. PARCEL NO. RP 10N04E136650A

Comments:

1. cfritsch 1/10/2013 POU
 Comment: No POU was listed on the permit. The property owned by Schell is in the SESW rather than the NESW, and the old parcel number indicates the parcel is in the SESW.

Dates and Other Information:

Decreed Date: 7/6/1999
 Owner Name Connector: Or
 Water District Number: 65

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.:

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by JA Date 11/9/2012 Prelim. Check by SC Date 1/3/13

Fee Paid \$200.00 Date 11/9/2012 Receipted by JA Receipt # W040707

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

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WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

#2a

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
65-10504	Yes ☐		Yes ☐		Yes ☐
65-7986	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: CHARLES W. SCHELL

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): BRENT A. HOCKLANDER

Name of each new owner as listed on the conveyance document

JENNIFER L HOCKLANDER

New owner continued ☐ Name connector ☐ and ☐ or ☐ and/or

10600 N. SAGECREST PL.

Mailing address

BOISE

City

State ID

ZIP 83714

208-867-2020

Telephone

BHOCKLANDER@GMAIL.COM

Email

4. If the water rights and/or adjudication claims were split, how did the division occur?

- ☒ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: 10/30/12

6. This form must be signed and submitted with the following **REQUIRED** items:

- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- Filing fee (see instructions for further explanation):
 - ☒ \$25 per undivided water right.
 - ☐ \$100 per split water right.
 - ☐ No fee is required for pending adjudication claims.

7. Signature: Brent A. Hocklander

Signature of new owner/claimant

Title, if applicable

Date 10/30/12

- Signature: Jennifer L Hocklander

Signature of new owner/claimant

Title, if applicable

Date 10/30/12

For IDWR Office Use Only:

Received by JA

Date 11/9/2012

Receipt No. W040804
W040707

Receipt Amt. \$25.00

Approved by

Processed by

Date

\$25.00

Instrument # 237309

IDAHO CITY, BOISE COUNTY, IDAHO

10-30-2012 01:52:12 No. of Pages: 2

Recorded for : CHARLES SCHELL

MARY T. PRISCO Fee: 13.00

Ex-Officio Recorder Deputy *[Signature]*

Index to: DEEDS

QUITCLAIM DEED

FOR VALUE RECEIVED,

Charles W. Schell and Sandra E. Schell

GRANTOR, does hereby grant, bargain, sell and convey unto:

Jennifer L Hocklander and Brent A. Hocklander

GRANTEE, whose current mailing address is:

10600 N Sagecrest Place
Boise ID 83714

The following described real property located in Boise county, state of ID, more particularly described as follows:

See attached

Together with their appurtenances.

Charles W. Schell
Signature

10-30-12
Date

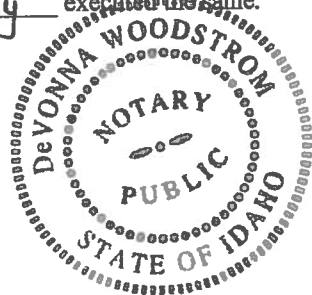
Sandra E. Schell
Signature

10-30-2012
Date

STATE OF Idaho,

COUNTY OF Boise,

On this 30 day of October in the year 2012, before me, a notary public in and for said State, personally appeared Charles W. Schell & Sandra E. Schell
Known or identified to me to be the person S whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



(SEAL)

Devonna Woodstrom
Notary Public for Idaho
Residing at Idaho City
My commission expires: 5-18-17

All of Lot 71 and a portion of Lot 70 of the Recorders Plat of the Lighting Creek Subdivision, lying in the Southwest $\frac{1}{4}$ of Section 13, Township 10 North, Range 4 East of the Boise Meridian, Boise County, Idaho more particularly described as follows:

Commencing at the Northwest corner of said Lot 70, which is the REAL POINT OF BEGINNING of this description;

Thence S $9^{\circ}33'15''$ E 69.82 feet along the Westerly boundary of said Lot 70, shown of record to be S $12^{\circ}59'00''$ E to a point marked with a set $\frac{1}{2}$ " iron pin, with a yellow plastic cap marked LS 752;

Thence N $64^{\circ}58'17''$ E 92.12 feet to a point on the boundary common to Lots 70 and 71 to a set $\frac{1}{2}$ inch iron pin, with a yellow plastic cap marked LS 752;

Thence S $72^{\circ}33'11''$ E 99.15 feet to a found $\frac{1}{2}$ inch iron pin, shown of record to be S $73^{\circ}15'46''$ E;

Thence N $21^{\circ}27'31''$ E 105.59 feet to a found $\frac{3}{8}$ inch iron pin and a "T" post, shown of record to be N $19^{\circ}07'30''$ E 141.21 feet;

Thence N $8^{\circ}47'08''$ E 59.10 feet to a found $\frac{5}{8}$ inch iron pin, shown of record to be N $3^{\circ}05'25''$ E 49.70 feet;

Thence N $76^{\circ}16'34''$ W 212.40 feet to a found $\frac{5}{8}$ inch iron pin, shown of record to be N $84^{\circ}18'38''$ W 206.19 feet;

Thence S $16^{\circ}16'07''$ W 49.38 feet to found $\frac{1}{2}$ inch iron pin, shown of record to be S $15^{\circ}19'53''$ W 49.38 feet;

Thence S $9^{\circ}42'37''$ W 101.52 feet to a found $\frac{1}{2}$ inch iron pin, shown of record to be 101.27 feet, to the REAL POINT OF BEGINNING.

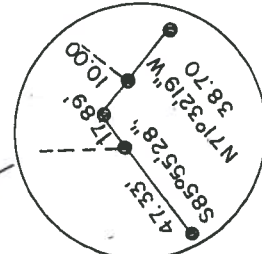
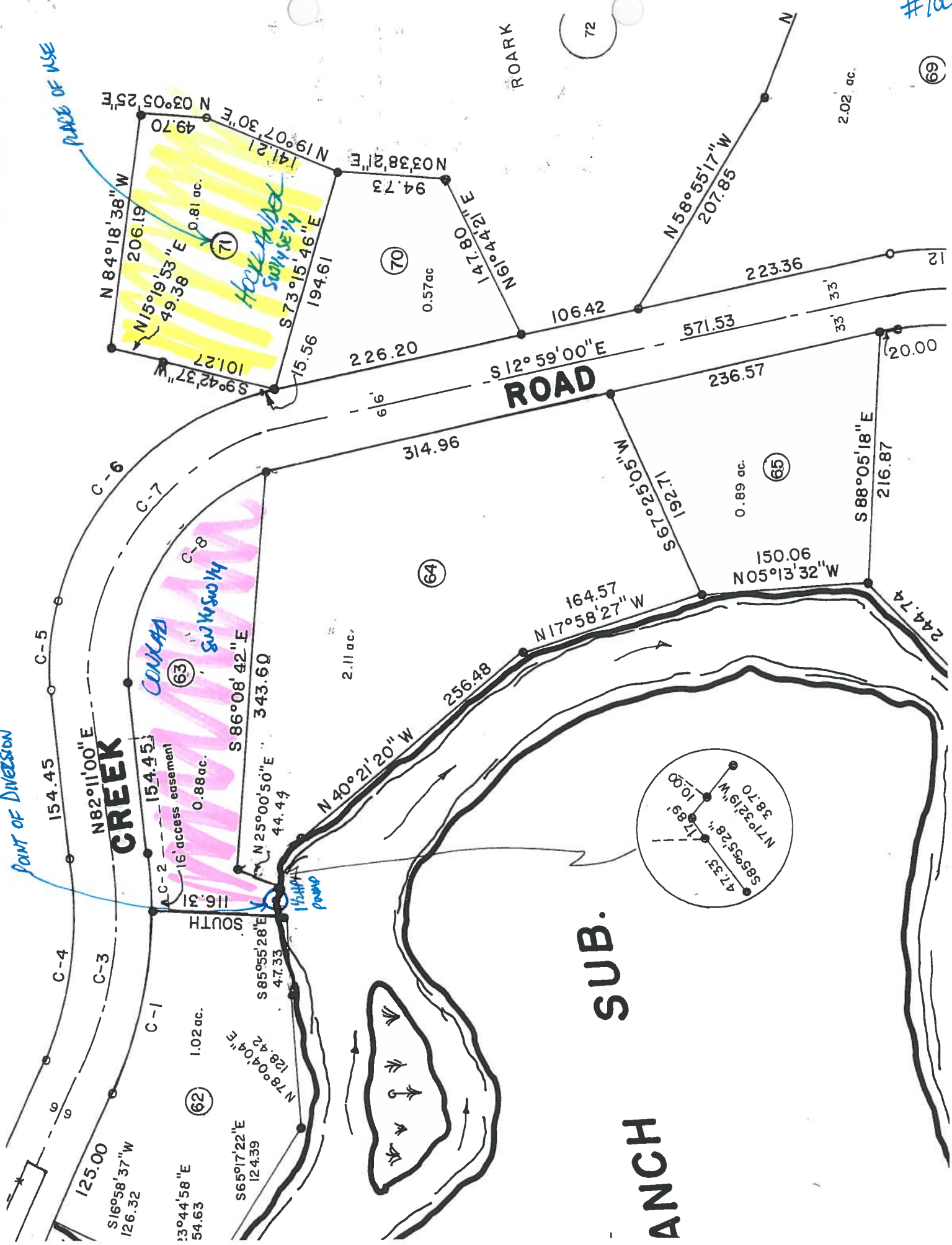
The above described parcel contains 0.834 acres more or less and is subject to all existing rights-of-way and easements.

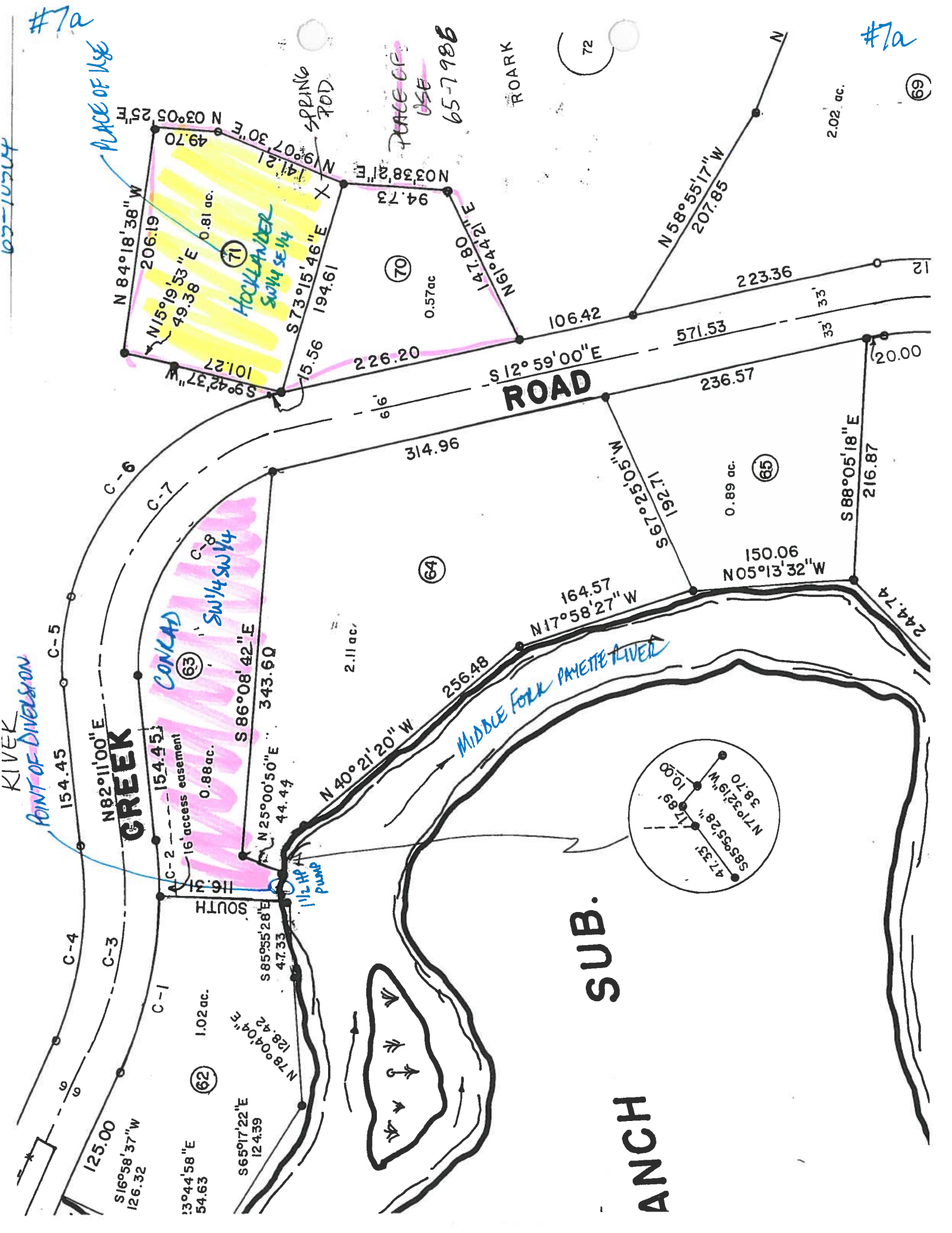
#7a

65-10504

Point of Diversion

PAVE OF USE





65-10204

NESE

NWSW

NESW

WR

SESE

13

SWSW

SSEW

MSW

MSW

23

NWNW

24

NENW

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JAN 29 2013

WATER RESOURCES
WESTERN REGION

To Whom It May Concern,

We, Austin & April Reed, are the present owners of the 2nd lot and home covered by Water Right 65-7986. We hereby give our consent to the filing of Transfer 78251 by Brent and Jennifer Hocklander for the correction of the legal descriptions of the point of diversion and place of use under said right.

Dated this 22 day of January, 2013.

Austin Reed

April Reed

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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WATER RESOURCES
WESTERN REGION

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
65-7986	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Donald & Priscilla Rogers (several ownership changes to present)
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Austin & April Reed
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☒ and ☐ or ☐ and/or

2993 E. Fern Brook Dr.

Mailing address

Eagle 1d 83616

City State ZIP

208-724-3629 wvumtneer@msn.com

Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: (property) 10-15-04

6. This form must be signed and submitted with the following **REQUIRED** items:

- A copy of the conveyance document warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- Filing fee (see instructions for further explanation):
 - ☒ \$25 per undivided water right.
 - ☐ \$100 per split water right.
 - ☐ No fee is required for pending adjudication claims.

7. Signature: Austin Reed
Signature of new owner/claimant

Title, if applicable

1-22-13
Date

Signature: April Reed
Signature of new owner/claimant

Title, if applicable

1-22-13
Date

For IDWR Office Use Only:

Received by MS Date 1/29/13 Receipt No. W040825 Receipt Amt. \$25-

Approved by _____ Processed by _____ Date _____

RECEIVED

JAN 29 2013



Instrument # 199021

IDAHO CITY, BOISE COUNTY, IDAHO

2004-10-22 04:38:14 No. of Pages: 2

Recorded for : MTN VIEW TITLE

RORA A. CANODY

Ex-Officio Recorder Deputy

Index to: DEEDS

Fee: 6.00

WATER RESOURCES
WESTERN REGION

Order No.: A0433041

WARRANTY DEED

FOR VALUE RECEIVED,

MELDON J. DAVIS and DONNA R. DAVIS, HUSBAND AND WIFE

The Grantor(s), do(es) hereby grant, bargain sell and convey unto

AUSTIN REED and APRIL REED, HUSBAND AND WIFE

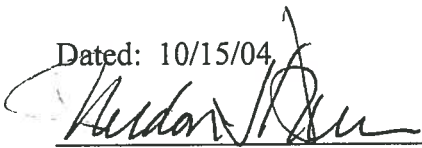
whose current address is 3760 ELGIN WAY, BOISE, ID 83713

the Grantee(s), the following described premises, in BOISE County, Idaho, TO WIT:

Exhibit "A" legal description attached hereto

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: 10/15/04,


MELDON J. DAVIS


DONNA R. DAVIS

STATE OF IDAHO
COUNTY OF ADA

ON THIS 15 OF OCTOBER, 2004, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC PERSONALLY APPEARED, MELDON J. DAVIS, DONNA R. DAVIS, KNOWN TO ME OR PROVEN TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.


DEBBIE PLANT
NOTARY PUBLIC
RESIDING AT: MERIDIAN
MY COMMISSION EXPIRES:
02/10/09
(SEAL)



EXHIBIT A

A tract of land located at the Southwest $\frac{1}{4}$ of section 13, Township 10 North, Range 4 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

Commencing at the southwest corner of said section 13;
thence North $27^{\circ} 53' 17''$ East, 1,083.60 feet;
thence North $59^{\circ} 41' 40''$ East, 530.30 feet;
thence South $83^{\circ} 51' 15''$ East, 430.08 feet;
thence South $46^{\circ} 27' 10''$ East, 376.64 feet;
thence South $03^{\circ} 14' 00''$ West, 12.22 feet to THE REAL POINT
OF BEGINNING;
thence North $03^{\circ} 36' 52''$ East, 96.76 feet;
thence South $73^{\circ} 03' 24''$ East, 193.29 feet;
thence South $03^{\circ} 53' 32''$ West, 94.73 feet;
thence North $73^{\circ} 03' 54''$ West, 192.04 feet to THE REAL POINT
OF BEGINNING;

And a tract of land located at the Southwest $\frac{1}{4}$ of section 13, Township 10 North, Range 4 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

Commencing at the Southwest corner of said section 13,
thence North $23^{\circ} 57' 17''$ East, 1,083.60 feet;
thence North $59^{\circ} 41' 40''$ East, 530.30 feet;
thence South $83^{\circ} 51' 15''$ East, 430.08 feet;
thence South $46^{\circ} 27' 10''$ East, 376.64 feet;
thence South $03^{\circ} 14' 00''$ East, 12.22 feet to THE REAL POINT OF
BEGINNING;
thence South $73^{\circ} 03' 54''$ East, 192.04 feet;
thence South $61^{\circ} 56' 20''$ West, 156.76 feet;
thence North $19^{\circ} 43' 00''$ West, 135.99 feet to THE REAL POINT OF
BEGINNING;

MEMORANDUM

Date: January 15, 2013

To: Transfer 78251

From: Sharla Curtis

Re: Review & Evaluation of Sufficiency of Information

The application was originally filed for right 65-10504 only. During the review of the application, the other right covering this property was included in the transfer per regional office discretion even though a different source. The other right (65-7986) was decreed for 2.4 af for domestic use; the license showed 2 homes and the last ownership documentation for the right before and after the decree included the owners of the 2nd home. The decree did not specifically say 2 homes in comments or remarks, but was implied by the volume designated and the listing of 4 owners (the Schells and the Rogers). Schell sold to Hocklander and Rogers sold to Reeds. Ownership documentation for Reeds was solicited so that the transfer could be approved with current information. The point of diversion description for the spring is also incorrect on this right and is located in the same ¼¼ as the place of use.

Deviations from Transfer Policy Standards:

This transfer application will not be advertised due to the fact that it only proposes corrections to the legal descriptions of the place of use &/or point of diversion. Adjudication personnel referred to the error in a comment in Right 65-7986.

Summary of Information Submitted:

Authority to File: Ownership documentation provided, applicant is now right holder of record

Water Right Validity: The rights were decreed in 1998 and 1999. The uses are only domestic and these are validated by the taxlot data and aerial photography. The taxlot data lists a 1959 Kit 10X42 mobile home for the Hocklanders and a 1966 Nashua 12X45 for the Reeds.

Injury to Other Water Rights: None anticipated

Enlargement of Use: No enlargement will occur, all parameters of rights unchanged except to correct legal description of place of use under both rights and correct the pod description for Right 65-7986.

Local Public Interest: The use is domestic for summer homes; domestic use is definitely in the local public interest.

Beneficial Use/Conservation of Water Resources: The application proposes beneficial use consistent with conservation of water resources in Idaho.

Effect on Economy the Local Area: Provides revenue for local businesses during the summer months at the times right holders are staying in the area.

Data entry affected the correct records.

The application is consistent with criteria of I. C. § 42-222 and should be processed.