

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. 78292

## APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Idaho Department of Fish & Game Phone 208-334-3180Mailing address PO Box 25, Boise, ID 83707 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 SPF Water Engineering Phone 208-383-4140Mailing 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.

  
Signature of Applicant or Authorized Representative

Paul Kline Asst Fish Chief  
Print Name and Title if applicable

12/5/12  
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**. Applicant proposes drilling a new domestic well in the NENE to serve three homes and an office. The new well will replace an existing domestic well authorized in the SWNE under water right 35-11394. The total quantity of water diverted from the new well will not exceed 13,000 gallons per day.

78292

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<br>(cfs/ac-ft) | Nature of Use | Period of Use | Source & Tributary |
|-----------------------------------------------------------------------------|--------------|-----------------------|---------------|---------------|--------------------|
| All or Part<br><input checked="" type="checkbox"/> <input type="checkbox"/> | 35-11394     | 0.04                  | Domestic      | 1/1 to 12/31  | Ground Water       |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |

Total authorized under rights 0.04 cfs and/or \_\_\_\_\_ ac-ft

2. Total amount of water proposed to be transferred or changed 0.04 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**. N/A: new well proposed in adjacent grid cell

| New ? | Lot | ¼ | ¼  | ¼  | Sec | Twp | Rge | County  | Source       | Local name or tag # |
|-------|-----|---|----|----|-----|-----|-----|---------|--------------|---------------------|
| Y     |     |   | NE | NE | 24  | 4S  | 32E | Bingham | Ground Water |                     |
|       |     |   |    |    |     |     |     |         |              |                     |
|       |     |   |    |    |     |     |     |         |              |                     |
|       |     |   |    |    |     |     |     |         |              |                     |
|       |     |   |    |    |     |     |     |         |              |                     |

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 |             |
| 4S  | 32E | 24  | X    | X  | X  |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |

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: \_\_\_\_\_

Well and pump.

Measuring device and controlling works will be installed upon Department request.

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

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

- |                          |                                     |                                                                                               |
|--------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | undergone a period of five or more consecutive years of non-use,                              |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently leased to the Water Supply Bank,                                                    |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently used in a mitigation plan limiting the use of water under the right, or             |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe: \_\_\_\_\_

Page \_\_\_\_\_ of \_\_\_\_\_

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

**Current Water Right No.:** 35-11394

**Current Owner:** NORTH FORK ENERGY INC

**Priority Date:** 6/1/1945

**Origin:** Water Right

**Status:** Active

**Basis:** Decreed

**Source**

**Tributary**

GROUND WATER

| <b><u>Beneficial Use</u></b> | <b><u>From To</u></b>         | <b><u>Diversion Rate</u></b> | <b><u>Annual Volume</u></b> |
|------------------------------|-------------------------------|------------------------------|-----------------------------|
| DOMESTIC                     | 1/01 to 12/31                 | 0.04 CFS                     |                             |
|                              | <b><u>Total Diversion</u></b> | 0.04 CFS                     |                             |

**Location of Point(s) of Diversion**

GROUND WATER

SW1/4NE1/4      Sec. 24,    Twp 04S,    Rge 32E B.M.

BINGHAM County

**Place of Use**

**DOMESTIC** Within BINGHAM County

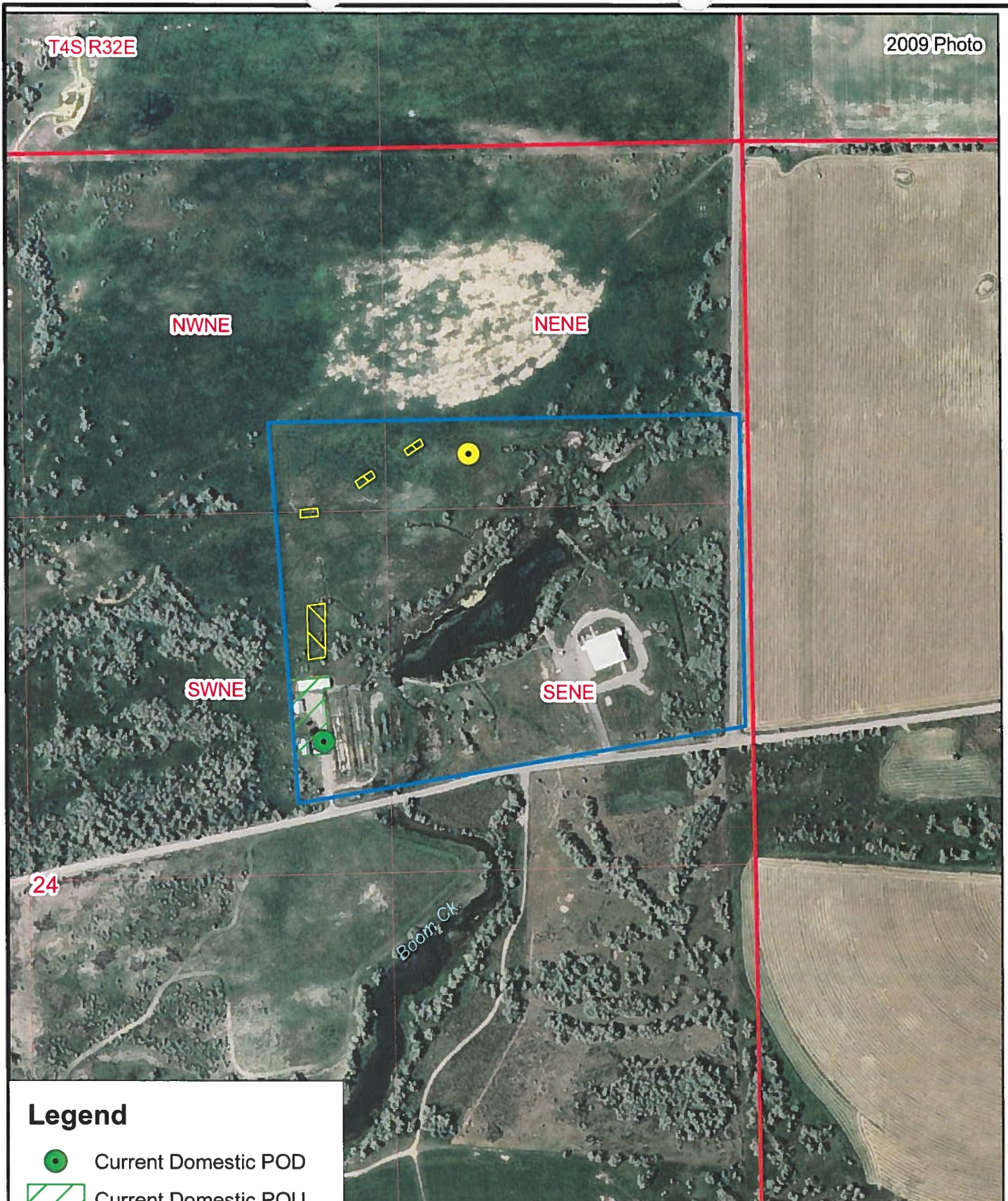
T04S R32E S24                      SWNE

**Conditions of Approval:**

1.      N13      THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED  
                 13,000 GALLONS PER DAY.
2.                      PARCEL NO. RP 0099003
3.      N11      THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT  
                 A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Decreed Date: 11/28/1997

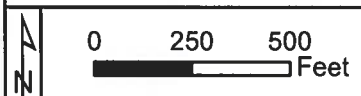
78292



**Legend**

-  Current Domestic POD
-  Current Domestic POU
-  Proposed Domestic POD
-  Proposed Domestic POU
-  IDFG Parcel

**Transfer Attachment 7A**



**ATTACHMENT 2A**  
**WATER RIGHT OWNERSHIP DOCUMENTATION**  
**(chain of title)**

DEC 31. 2000 2:28 PM

ALLIANCE TITLE

NO 962 F 1

SACHT M. LULU...  
BLACKFOOT, IDAHO  
FEE 90 SEP MK

2905 DEC 30 PM 12:30

562189

RETURNED AT THE REQUEST OF

Alliance Title &amp; Escrow Corp

COPY

32.507940-S

**CORPORATION GIFT WARRANTY DEED**

AS A CHARITABLE GIFT CONTRIBUTION WITHOUT MONETARY CONSIDERATION, NORTH FORK ENERGY, INC., an Idaho corporation, as "Grantor", does hereby GRANT, BARGAIN AND CONVEY unto IDAHO FISH AND WILDLIFE FOUNDATION, INC., an Idaho non-profit corporation, whose current address is P.O. Box 2254, Boise, ID 83701, as "Grantee", all of that real property situated in the County of Bingham, State of Idaho more particularly described in Exhibit "A" attached hereto and by this reference incorporated herein (the "Premises").

TOGETHER WITH all mineral rights, if any there be, water rights, without warranty as to quantity and quality thereof, and all other tenements, hereditaments, and appurtenances thereto belonging, or in anywise appertaining, and the reversions, remainders, rents, issues, and profits thereof.

TO HAVE AND TO HOLD the said Premises with their appurtenances unto the said Grantee, and Grantee's successors and assigns forever. The Grantor does hereby covenant to and with the Grantee that Grantor is the owner in fee simple of said Premises; that said Premises are free from all encumbrances except the lien of current year's taxes and assessments, and easements, restrictions and reservations of record; and that Grantor will warrant and defend the same from any lawful claims whatsoever.

DATED: December 28, 2005.

**GRANTOR:**

**NORTH FORK ENERGY, INC.**

Linda L. Yanke  
Linda L. Yanke, President

ATTEST:

Richard D. Heaton  
Richard D. Heaton, Secretary

STATE OF IDAHO )  
 ) ss  
County of ADA )

On this 29<sup>th</sup> day of December, 2005, before me, the undersigned Notary Public for the state of Idaho, personally appeared **LINDA L. YANKE** and **RICHARD D. HEATON**, President and Secretary respectively, of **NORTH FORK ENERGY, INC.**, the corporation which executed the foregoing document, known or identified to me to be the persons whose names are subscribed to the foregoing document, and acknowledged to me that they executed the same for and on behalf of the corporation and in its name.

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



*Cynthia L Parrish Jones*  
Notary Public for the state of Idaho  
Residing at: Boise, Idaho  
My commission expires: 7/25/2009

**CORPORATION GIFT WARRANTY DEED**

- PAGE 2

**Exhibit "A"****Parcel I:**

Part of the Northeast  $\frac{1}{4}$  of Section 24, Township 4 South, Range 32, East, Boise Meridian, Bingham County, Idaho, described as:

Beginning at a Point on the West line of a county road that is South  $0^{\circ}13'14''$  West 1001.26 feet along the section line and North  $89^{\circ}40'08''$  West 57.90 feet from the Northeast corner of said section 24 and running thence South  $1^{\circ}11'42''$  West 1128.14 feet along said West line to the North line of a county road; thence South  $80^{\circ}53'08''$  West 813.33 feet along said North line; thence South  $81^{\circ}36'36''$  West 753.22 feet along said North line; thence North  $2^{\circ}55'53''$  West 1377.93 feet; thence South  $89^{\circ}40'08''$  East 1642.24 feet to the Point of Beginning.

**Parcel II:**

Part of the East  $\frac{1}{2}$  of the Section 24, Township 4 South, Range 32, East, Boise Meridian, Bingham County, Idaho, described as follows:

Beginning at a Point in an existing north-south fence line that is North  $00^{\circ}13'14''$  East 1615.08 feet along the section line and North  $89^{\circ}34'12''$  West 33.14 feet from the Southeast corner of said Section 24 and running thence North  $01^{\circ}42'30''$  West 1509.49 feet along said existing fence line to the South line of an existing County Road; thence South  $81^{\circ}36'31''$  West 714.85 feet along said South line; thence South  $02^{\circ}48'39''$  West 834.28 feet; thence South  $30^{\circ}55'57''$  West 426.02 feet; thence South  $44^{\circ}54'25''$  West 277.78 feet; thence South  $89^{\circ}34'12''$  East 1208.22 feet to the Point of Beginning.

**EXCEPTING THEREFROM:**

Part of the east  $\frac{1}{2}$  of Section 24, Township 4 South, Range 32, East, Boise Meridian, Bingham County, Idaho, described as:

Beginning at a Point in an existing East west fence line that is North  $0^{\circ}13'14''$  East 1615.08 feet along the section line and North  $89^{\circ}34'12''$  West 177.66 feet from the Southeast corner of said Section 24 and running thence North  $89^{\circ}34'12''$  West 1063.71 feet; thence North  $44^{\circ}54'05''$  East 124.50 feet to an existing fence line; thence South  $84^{\circ}22'19''$  East 980.51 feet along said fence line to the Point of Beginning.

562189

12/29/05 THU 09:13 [TX/RX NO 9382] 003

12/30/05 FRI 14:41 [TX/RX NO 9414] 003

78292

Recording Requested By and  
When Recorded Return to:

State of Idaho, Department of Fish and Game  
P.O. Box 25  
Boise, Idaho 83707  
Attn: Ed Schriever

339 623-13

Instrument # 619692

BINGHAM COUNTY, IDAHO  
07-13-2010 11:48:45 AM No. of Pages: 6  
Recorded for: FIRST AMERICAN TITLE - BL  
SARA J. STAUB Fee: 26.00  
Ex-Officio Recorder Deputy BDahlquist  
Index To: WARRANTY DEED  
Electronically Recorded by Simplifile

SPACE ABOVE THIS LINE FOR RECORDOR'S USE ONLY

**SPECIAL WARRANTY DEED**  
(Idaho)

THIS WARRANTY DEED is made this 8<sup>TH</sup> day of July, 2010, between the Idaho Fish and Wildlife Foundation, Inc., an Idaho nonprofit corporation, the "Grantor," and the State of Idaho Department of Fish and Game, the "Grantee," whose complete mailing address is P.O. Box 25, Boise, Idaho 83707.

**WITNESSETH:**

For valuable consideration Grantor does hereby sell, transfer and convey to Grantee the following described real property situate in the County of Bingham, State of Idaho, to-wit:

Described on attached EXHIBIT "A."

TOGETHER WITH the tenements, hereditaments, water and water rights, including but not limited to Department of Water Resources Water Right Nos. 35-4271A, 35-8635A and 35-8679, and appurtenances thereunto belonging or in anywise appertaining (collectively the "Premises").

TO HAVE AND TO HOLD said Premises unto Grantee, its successors and assigns forever.

SPECIAL WARRANTY DEED - 1

41811.0014.1877203.1

619692

Grantor hereby covenants with Grantee that the Premises are free from all encumbrances made by Grantor and that it will warrant and defend said Premises against the lawful claims of all persons claiming by, through or under Grantor, subject to reservations or restrictions in federal patents or state deeds or in laws providing for such patents or deeds, to all easements or other matters of record or appearing from an accurate survey and examination of the Premises, including but not limited to those liens, encumbrances and other matters listed on EXHIBIT "B" attached hereto and by this reference made a part hereof, and to the rights of all persons in possession, if any.

IN WITNESS WHEREOF, this Special Warranty Deed has been duly executed by Grantor as of the day and year herein first above written.

IDAHO FISH AND WILDLIFE FOUNDATION,  
INC., an Idaho nonprofit corporation

By:   
Ann Dehner, Executive Director

SPECIAL WARRANTY DEED - 2

41811.0014.1877203.1

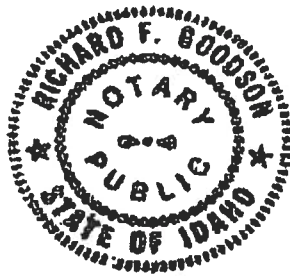
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78292

STATE OF IDAHO                    )  
                                          ) ss.  
County of Ada                    )

On this 8<sup>th</sup> day of July, 2010, before me, Richard F. Goodson, a Notary Public in and for said State, personally appeared Ann Dehner, known or identified to me to be the Executive Director of Idaho Fish and Wildlife Foundation, Inc., an Idaho nonprofit corporation, the nonprofit corporation that executed the within instrument or the person who executed the instrument on behalf of said nonprofit corporation, and acknowledged to me that such nonprofit corporation executed the same.

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



Richard F. Goodson  
Notary Public for Idaho  
Residing at Boise, Idaho  
My commission expires 10/22/2012

SPECIAL WARRANTY DEED - 3

41811.0014.1877203.1

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**Exhibit "A"**

**Parcel I:**  
**Part of the Northeast ¼ of Section 24, Township 4 South, Range 32, East, Boise Meridian, Bingham County, Idaho, described as:**

Beginning at a Point on the West line of a county road that is South 0°13'14" West 1001.26 feet along the section line and North 89°40'08" West 57.90 feet from the Northeast corner of said section 24 and running thence South 1°11'42" West 1128.14 feet along said West line to the North line of a county road; thence South 80°53'08" West 813.33 feet along said North line; thence South 81°36'36" West 753.22 feet along said North line; thence North 2°55'53" West 1377.93 feet; thence South 89°40' 08" East 1642.24 feet to the Point of Beginning.

**Parcel II:**  
**Part of the East ½ of the Section 24, Township 4 South, Range 32, East, Boise Meridian, Bingham County, Idaho, described as follows:**

Beginning at a Point in an existing north-south fence line that is North 00°13'14" East 1615.08 feet along the section line and North 89°34'12" West 33.14 feet from the Southeast corner of said Section 24 and running thence North 01°42'30" West 1509.49 feet along said existing fence line to the South line of an existing County Road; thence South 81°36'31" West 714.85 feet along said South line; thence South 02°48'39" West 834.28 feet; thence South 30°55'57" West 426.02 feet; thence South 44°54'25" West 277.78 feet; thence South 89°34'12" East 1208.22 feet to the Point of Beginning.

**EXCEPTING THEREFROM:**

**Part of the east ½ of Section 24, Township 4 South, Range 32, East, Boise Meridian, Bingham County, Idaho, described as:**

Beginning at a Point in an existing East west fence line that is North 0°13'14" East 1615.08 feet along the section line and North 89°34'12" West 177.66 feet from the Southeast corner of said Section 24 and running thence North 89°34'12" West 1063.71 feet; thence North 44°54'05" East 124.50 feet to an existing fence line; thence South 84°22'19" East 980.51 feet along said fence line to the Point of Beginning.

**EXHIBIT B**  
**LIST OF PERMITTED EXCEPTIONS**

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title including discrepancies, conflicts in boundary lines, shortage in area, or any other facts that would be disclosed by an accurate and complete land survey of the land, and that are not shown in the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Any liens, or rights to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.
7. 2010 taxes, not yet due and payable.
8. Levies and assessments of Aberdeen-Springfield Canal Company.
9. Levies and assessments of American Falls-Aberdeen Ground Water District.
10. Easement for ditches running through as disclosed by decree, recorded February 3, 1916, in Book 3 of Judgments, Page 406.
11. Easement for power lines granted to Idaho Power Company, recorded April 11, 1972, as Instrument No. 168948.  
(Affects S½ NE¼ Section 24 & additional property)
12. Easement for power lines granted to Idaho Power Company, recorded March 11, 1975, as Instrument No. 198965.  
(Affects N½ Section 24)
13. Provisions in deed to Roger Ferguson and Sybil Ferguson, husband and wife, recorded December 19, 1986, as Instrument No. 356696, correction recorded March 9, 1989, as Instrument No. 378743, and correction recorded September 5, 1989, as Instrument No. 383462.

SPECIAL WARRANTY DEED - 5

41811.0014.1877203.1

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14. All matters, and any rights, easements, interests or claims which may exist by reason thereof, disclosed by survey recorded February 13, 1987, as Instrument No. 358391.
15. Easement for power lines granted to Idaho Power Company, recorded August 15, 1988, as Instrument No. 373833.  
(Affects Parcel 1)
16. Easement for underground power line granted to Idaho Power Company, recorded June 28, 1989, as Instrument No. 381855.  
(Affects Parcel 1)
17. All matters, and any rights, easements, interests or claims which may exist by reason thereof, disclosed by survey recorded December 27, 1989, as Instrument No. 386188.
18. All matters, and any rights, easements, interests or claims which may exist by reason thereof, disclosed by survey recorded March 6, 1991, as Instrument No. 396570.
19. All matters, and any rights, easements, interests or claims which may exist by reason thereof, disclosed by survey recorded March 26, 2007, as Instrument No. 578775.  
(Affects Parcel 1)
20. All matters, and any rights, easements, interests or claims which may exist by reason thereof, disclosed by survey recorded June 25, 2010, as Instrument No. 619152.

SPECIAL WARRANTY DEED - 6

41811.0014.1977203.1

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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. \_\_\_\_\_

**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: \_\_\_\_\_