

of
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 78317

09 2012

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Department of Water Resources
Eastern Region

Name of Applicant(s) Goodwin Excavating LLC & Pocatello Ready Mix Phone _____

Mailing address 157 S 800 W Blackfoot 83221 & 53 N 550 W Blackfoot 83221 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☒ No Representative

Name of Representative _____ Phone _____

Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
- OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
- OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

[Signature]
Signature of Applicant or Authorized Representative

MICHAEL HEICKROCKS DIRECTOR
Print Name and Title if applicable

11/1/12
Date

[Signature]
Signature of Applicant or Authorized Representative

TRAVIS GOODWIN Co-Owner
Print Name and Title if applicable

11/8/12
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**. This application will split a portion of 35-13986 and move it to a new point of diversion and place of use. In addition the nature of use will be change to industrial.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒		0.10cfs/20af	Industrial	04/01 to 11/01	Ground water
☐ ☒	35-13986	1.310/262af	Irrigation	04/01 to 11/01	Ground water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 1.41 cfs and/or 282 ac-ft

2. Total amount of water proposed to be transferred or changed .10 cubic feet per second and/or 20 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 #
Y			SE	SE	07S	30E	27	Power	Ground Water	For Split 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	
07S	30E	27															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: WE WILL BE USING A VARIABLE SPEED DRIVE ON THE PUMP THAT CAN BE LOCKED TO ALLOW PRESCRIBED USE

b. Who owns the property at the point(s) of diversion? POCATELLO READY MIX
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? NO
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:
5 acres of land from the existing place of use will be dried up to cover the use of water at the new location.

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:

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

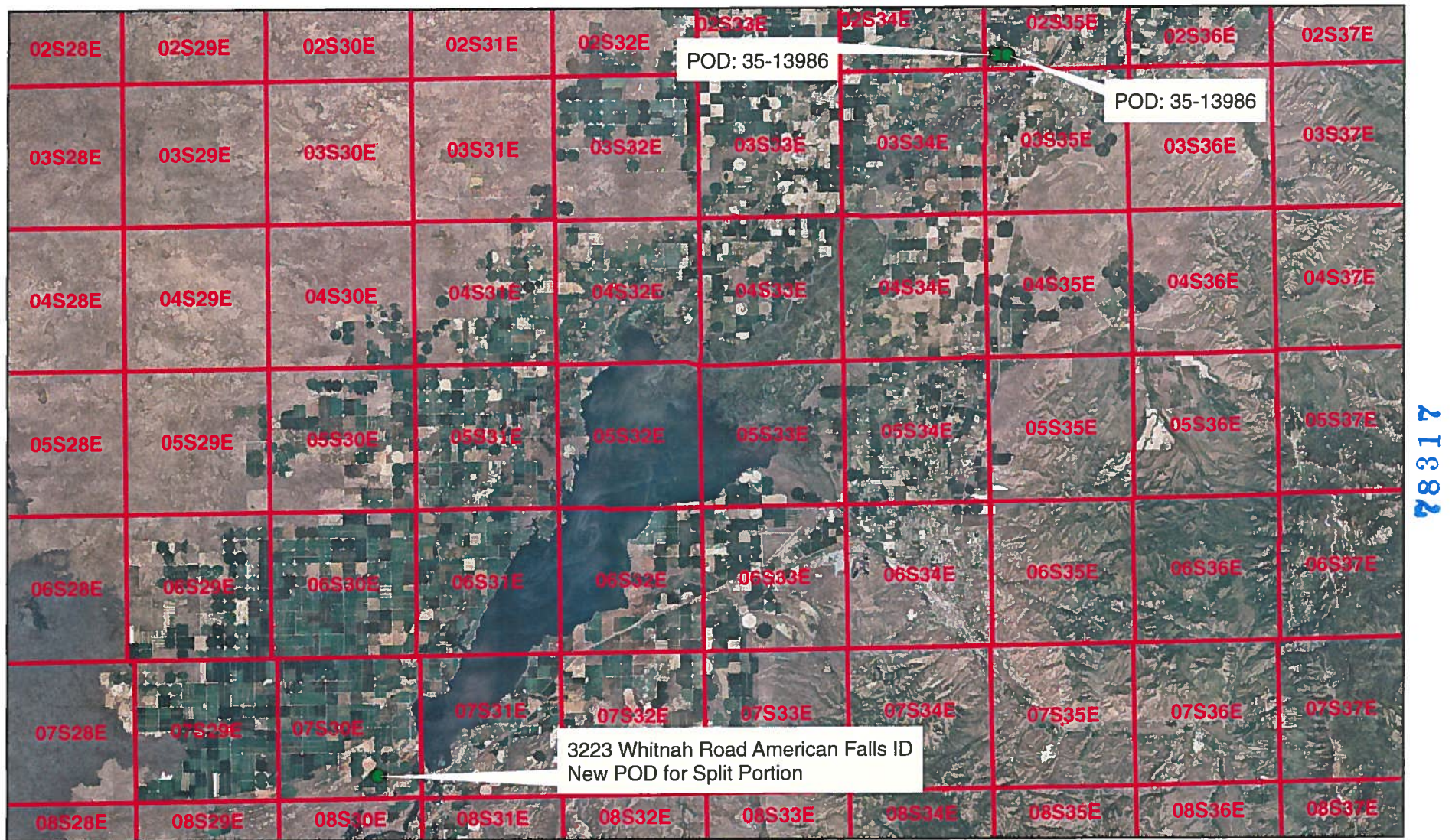
For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ <http://www.idwr.idaho.gov/> , Water Right Transfers, Step 1.
Insert Part 2A reports into the application following Part 1.

☒ 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.

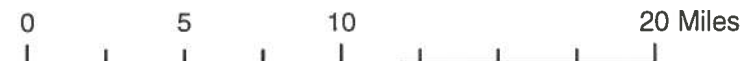
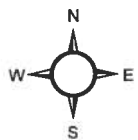
[illegible][illegible]

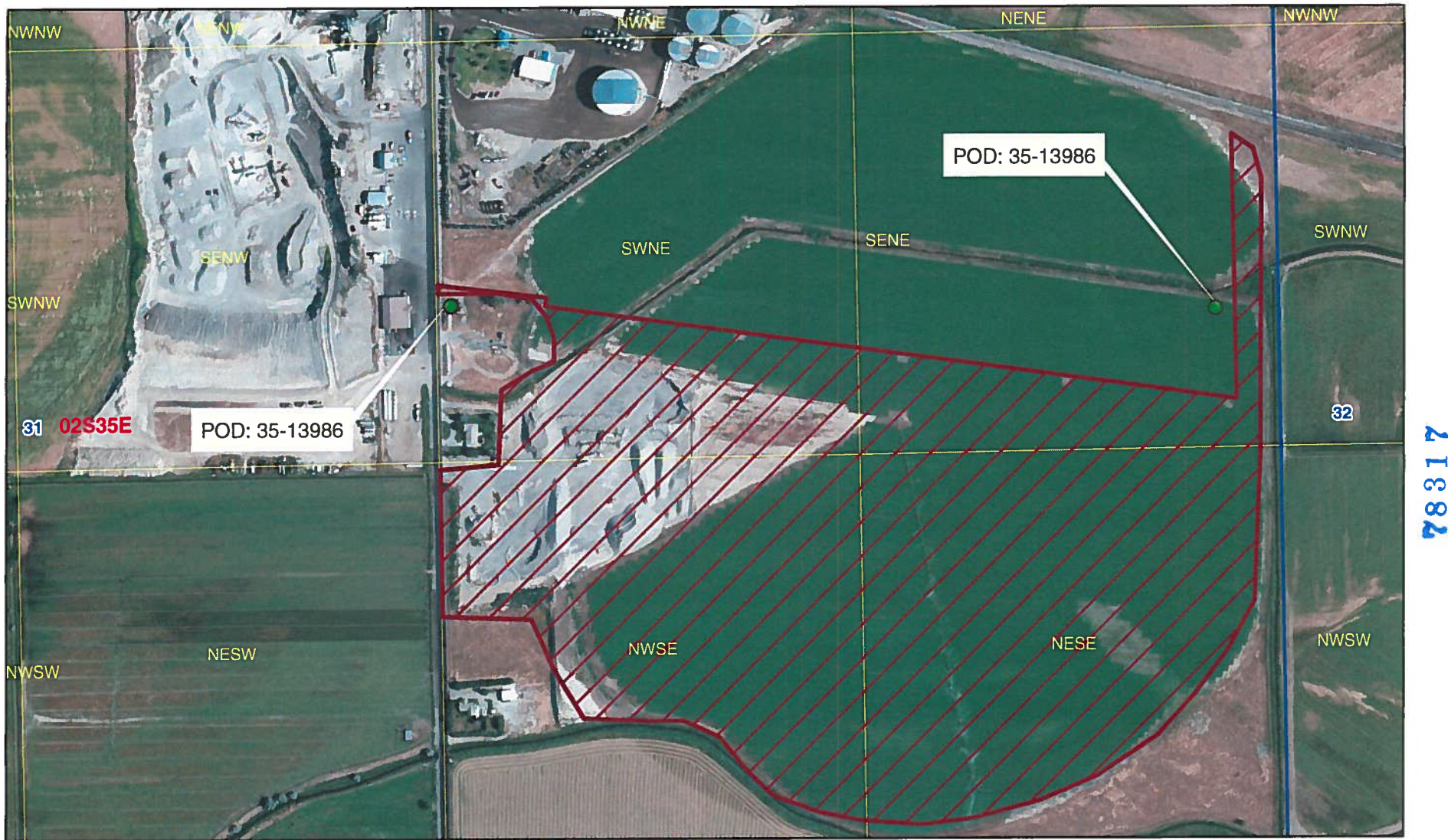
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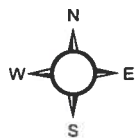


Goodwin Excavating & Pocatello Ready Mix Transfer





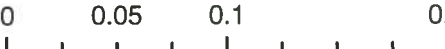
Goodwin Excavating & Pocatello Ready Mix Transfer Existing.



-  Place_of_Use
-  Township/Range
-  Sections
-  QQ

2011 Aerial Photography

0 0.05 0.1 0.2 Miles





Goodwin Excavating & Pocatello Ready Mix Transfer *Proposed*





Pocatello Ready Mix



- Split_Portion
- Township/Range
- Sections
- QQ

0 0.0425 0.085 0.17 Miles

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ESPA Ground Water Rights Transfer Spreadsheet Data Summary

TRANSFER NO: 0
TRANSFER NAME: Pocatello Ready Mix

PREPARED BY: Kerrie Mathews
DATE:
Transfer Tool
Version Version 3.1

WATER RIGHTS INVOLVED:

Group 1 Transfer Rights		Group 2 Additional Mitigation Rights	
Right No.	Priority Date	Right No.	Priority Date
35-13986	5/20/1977		

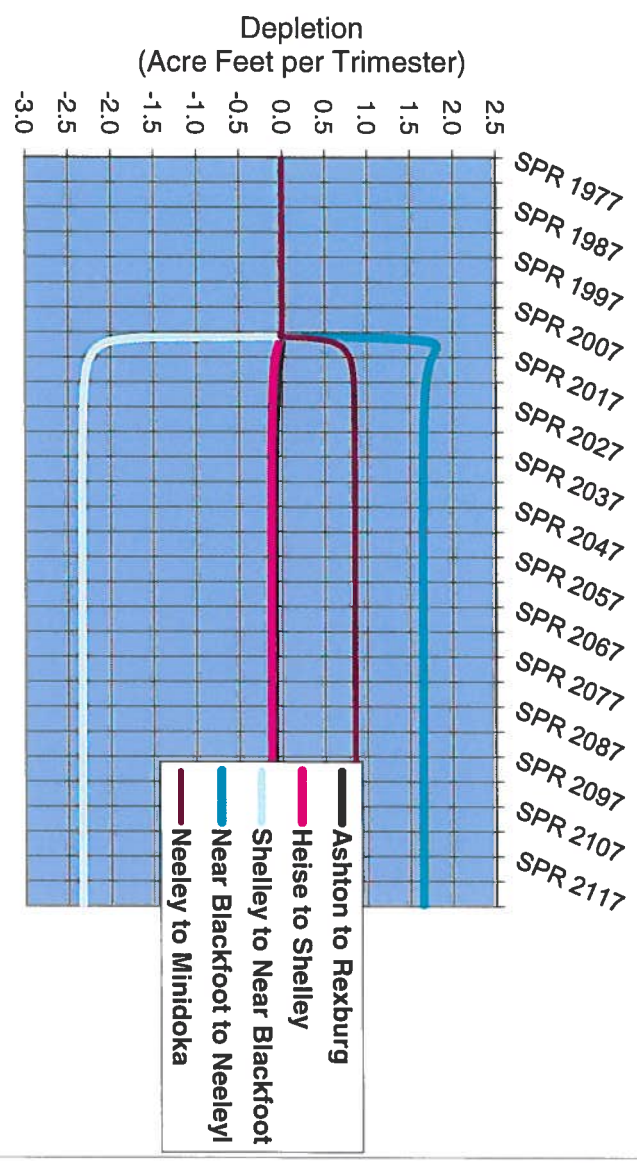
HISTORIC BENEFICIAL USE:

Trans/Mit. Rights (group no.)	Acres to <i>Move</i> ~~Dry Up~~ (ac)	Beneficial Use (afa/yr)	Total (af/yr)
No Mitigation	5	20 afa	20 afa

MODEL CELL LOCATIONS:

	TO WELL	FROM1 WELL	FROM2 WELL	FROM3 WELL
ROW	93	81	0	0
COLUMN	97	134	0	0

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



No. W 58804	Due no later than Feb 29, 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. GOODWIN EXCAVATING, LLC RAYMON T GOODWIN 157 S 800 W BLACKFOOT ID 83221		RAYMON TODD GOODWIN 157 S 800 W BLACKFOOT ID 83221			
			3. <u>New</u> Registered Agent Signature:*			
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
MANAGER	RAYMON B GOODWIN	155 S 800 W	BLACKFOOT	ID	USA	83221
MANAGER	RAYMON TODD GOODWIN	157 S 800 W	BLACKFOOT	ID	USA	83221
MANAGER	TRAVIS SCOTT GOODWIN	53 NORTH 550 WEST	BLACKFOOT	ID	USA	83221
5. Organized Under the Laws of: ID W 58804		6. Annual Report must be signed.* Signature: Todd Goodwin Name (type or print): Todd Goodwin Date: 02/12/2012 Title: Manager				
Processed 02/12/2012		* Electronically provided signatures are accepted as original signatures.				

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10/22/2012

No. C 65806	Due no later than Jan 31, 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.		SCOTT HORROCKS 9659 NORTH PHILBIN ROAD POCATELLO ID 83201			
	POCATELLO READY MIX, INC. CHARLES R. HORROCKS 9659 N. PHILBIN ROAD POCATELLO ID 83201		3. <u>New</u> Registered Agent Signature:*			
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
DIRECTOR	C M HORROCKS	9659 N PHILBIN RD	POCATELLO	ID	USA	83202
SECRETARY	SCOTT HORROCKS	9659 N PHILBIN RD	POCATELLO	ID	USA	83202
PRESIDENT	C R HORROCKS	9659 N PHILBIN RD	POCATELLO	ID	USA	83202
5. Organized Under the Laws of:		6. Annual Report must be signed.*				
ID C 65806		Signature: Scott Horrocks			Date: 11/07/2011	
		Name (type or print): Scott Horrocks			Title: Secretary	
Processed 11/07/2011		* Electronically provided signatures are accepted as original signatures.				

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

Current Water Right No.: 35-13986

Current Owner: GOODWIN EXCAVATING LLC
POCATELLO READY MIX

Priority Date: 5/2/1977

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	1.41 CFS	282 AF
	<u>Total Diversion</u>	1.41 CFS	282 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4NE1/4	Sec. 31,	Twp 02S,	Rge 35E B.M.
BINGHAM County				
GROUND WATER	SE1/4SE1/4NE1/4	Sec. 31,	Twp 02S,	Rge 35E B.M.
BINGHAM County				

Place of Use

IRRIGATION Within BINGHAM County

T02S R35E S31	SWNE	10.00	T02S R35E S31	SENE	7.10
T02S R35E S31	NESE	29.60	T02S R35E S31	NWSE	23.80

Total Acres: 70.5

Conditions of Approval:

1. E12 USE OF THIS RIGHT IS COMBINED WITH WATER FROM TREGO DITCH CO.
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. E04 USE OF THIS RIGHT IS COMBINED WITH WATER FROM DANSKIN DITCH CO.

Decreed Date: 2/22/2002

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: _____

Instrument # 199687
POWER COUNTY, IDAHO
02-04-2011 11:53:06 am No. of Pages: 2
Recorded for: ALLIANCE TITLE - PDCATELLO
CHRISTINE STEINLICHT Fee: \$13.00
Ex-Officio Recorder Deputy: Linda Annen
Electronically Recorded by Simplifile

WARRANTY DEED

Order No.:3011121035CS

FOR VALUE RECEIVED

Benjamin Gonzalez and Margarita Gonzalez, Husband and Wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

C. R. K. Pocatello Ready Mix, Inc.

whose current address is

9659 No. Philbin Rd. Pocatello, ID 83201

the grantee(s), the following described premises, in Power County, Idaho, TO WIT:

Parcel 1:

A parcel of land in the Southeast $\frac{1}{4}$ of Section 27, Township 7 South, Range 30 East, Boise Meridian, Power County, Idaho, described as follows:

COMMENCING at the Southeast corner of said Section 27;
Thence North 89°55'39" West, along the South line of said Section, 982.20 feet to the TRUE POINT OF BEGINNING;

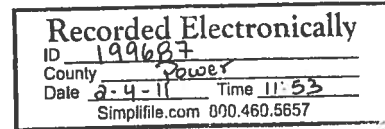
Thence North 89°55'39" West, continuing along said South line, 951.52 feet to a point of intersection with the center of an existing canal;
Thence North 46°15'42" East, along said canal centerline, 1322.57 feet;
Thence South 00°15'10" West, leaving said centerline, 915.59 feet to a point on the South line of said Section, said point being the centerline of Whitnah Road and the TRUE POINT OF BEGINNING.

Parcel 2:

A parcel of land in the Southeast $\frac{1}{4}$ of Section 27, Township 7 South, Range 30 East, Boise Meridian, Power County, Idaho, described as follows:

COMMENCING at the Southeast corner of said Section 27;
Thence North 89°55'39" West, along the South line of said Section 569.00 feet to the TRUE POINT OF BEGINNING, said point being the Southwest corner of a parcel of land described in Quitclaim Deed Instrument No. 164560;
Thence, North 89°55'39" West, continuing along said South line, 413.20 feet to the Southeast corner of a parcel described on Warranty Deed Instrument No. 190322;
Thence North 00°15'10" East, leaving the South line of said Section and along the East line of Warranty Deed Instrument No. 190322, a distance of 915.59 feet to the Intersection with the centerline of an existing canal;
Thence North 46°15'42" East, leaving the East line of said Warranty Deed and along the centerline of said canal, 35.51 feet;
Thence North 57°32'04" East, continuing along said canal centerline, 460.75 feet to the Northwest corner of the Parcel described in Quitclaim Deed Instrument No. 164560;
Thence South 00°15'10" West, leaving said canal centerline and along the West line of said Quitclaim Deed, 1187.97 feet to the TRUE POINT OF BEGINNING.

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WARRANTY DEED

Order No.:3011121035CS

FOR VALUE RECEIVED

Benjamin Gonzalez and Margarita Gonzalez, Husband and Wife

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Thence North $46^{\circ}15'42''$ East, along said canal centerline, 1322.57 feet;
Thence South $00^{\circ}15'10''$ West, leaving said centerline, 915.59 feet to a point on the South line of said Section, said point being the centerline of Whitnah Road and the TRUE POINT OF BEGINNING.

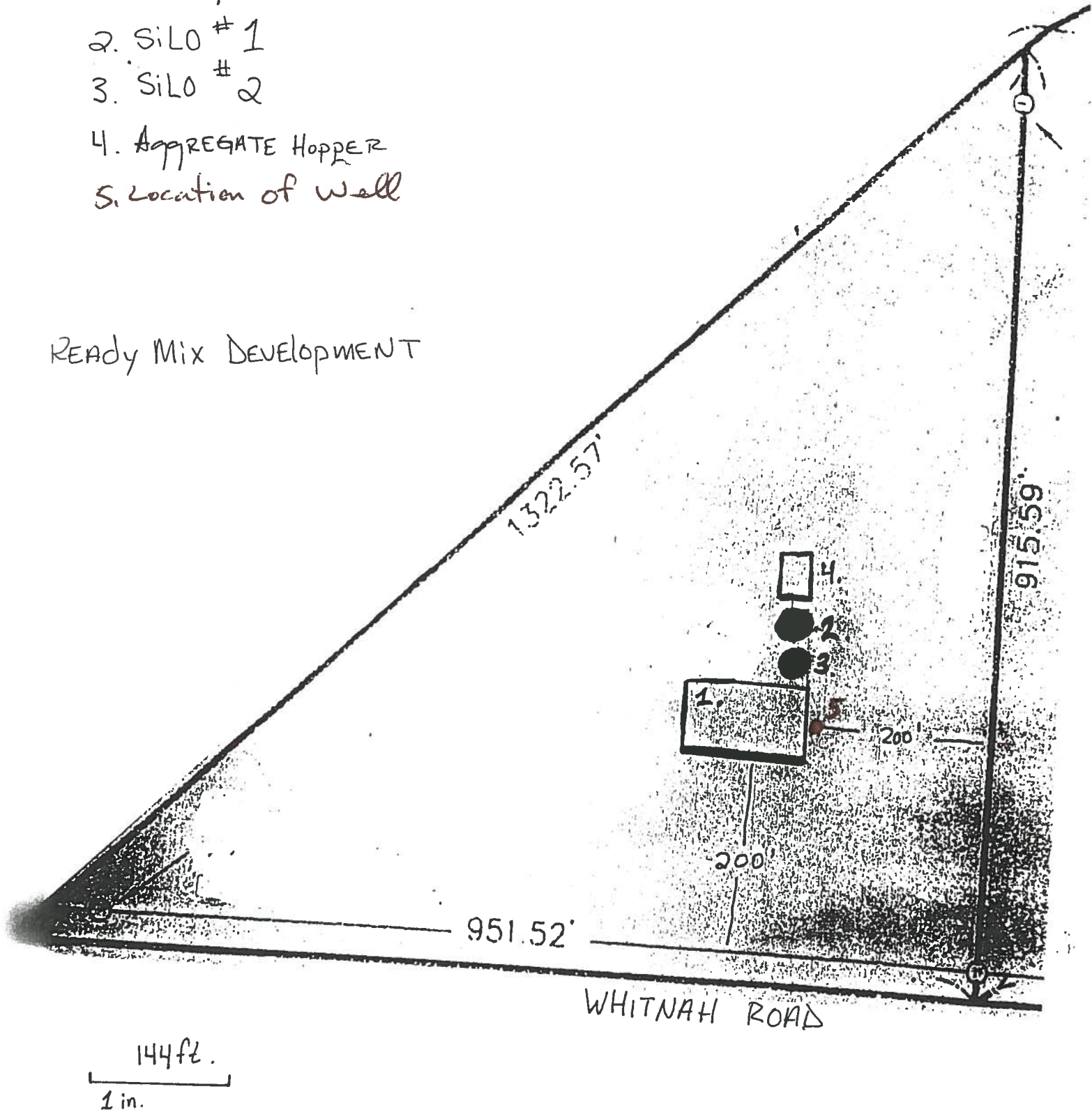
Parcel 2:

A parcel of land in the Southeast $\frac{1}{4}$ of Section 27, Township 7 South, Range 30 East, Boise Meridian, Power County, Idaho, described as follows:

COMMENCING at the Southeast corner of said Section 27;
Thence North $89^{\circ}55'39''$ West, along the South line of said Section 569.00 feet to the TRUE POINT OF BEGINNING, said point being the Southwest corner of a parcel of land described in Quitclaim Deed Instrument No. 164560;
Thence, North $89^{\circ}55'39''$ West, continuing along said South line, 413.20 feet to the Southeast corner of a parcel described on Warranty Deed Instrument No. 190322;
Thence North $00^{\circ}15'10''$ East, leaving the South line of said Section and along the East line of Warranty Deed Instrument No. 190322, a distance of 915.59 feet to the intersection with the centerline of an existing canal;
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Thence South $00^{\circ}15'10''$ West, leaving said canal centerline and along the West line of said Quitclaim Deed, 1187.97 feet to the TRUE POINT OF BEGINNING.

1. SHOP/OFFICE
2. SILO # 1
3. SILO # 2
4. AGGREGATE HOPPER
5. LOCATION OF WELL

READY MIX DEVELOPMENT



SE 1/4

SCALE 1"=200'

SURVEY FOR KEITH TILLEY INST. NO. 125151

BAR W/PLASTIC CAP PLS 843

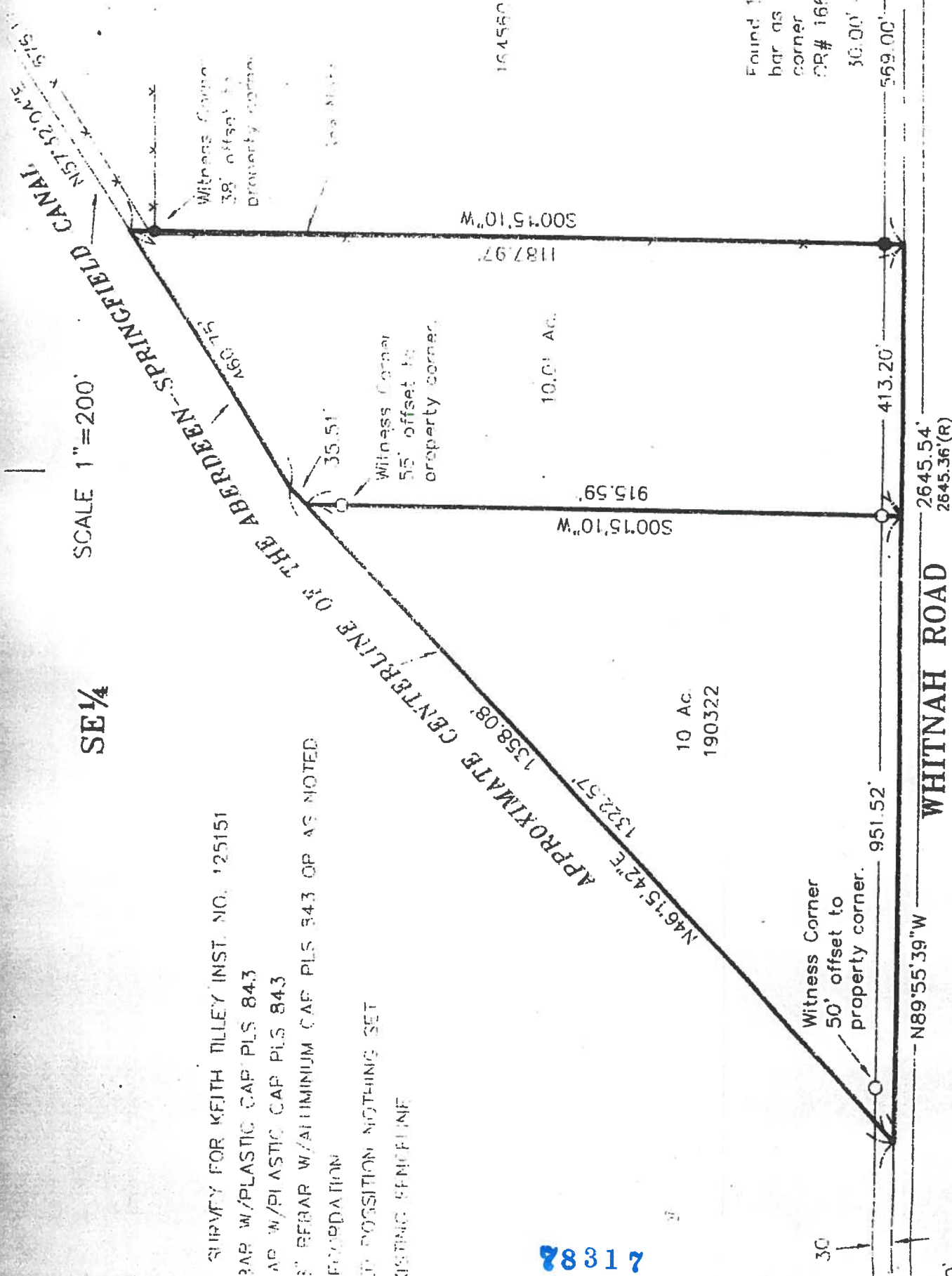
AP W/PLASTIC CAP PLS 843

3" REBAR W/ALUMINIUM CAP PLS 843 OR AS NOTED

FOUNDATION

TO POSITION NOTHING SET

USING FENCELINE



78317

OXIMATE CENTERLINE OF WHITNAH ROAD.

127A