

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 78059**AMENDED** APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant(s) Randy Pehrson and/or Peggy Pehrson Phone 208 588-2532Mailing address 3754 W 4050 N Moore ID 83255 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.

* Randy Pehrson
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

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Name change

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 corrects the place of use, adds a point of diversion and updates the ownership of these rights. The balance of # 34-2323E

34-644F will be placed in the water supply bank. The application includes a warranty deed showing the applicant owns the water right in its entirety.

78059

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	34-644F	.76 cfs	Irrigation	05/01 to 10/15	Big Lost River
☒ ☐	34-780I	.66 cfs	Irrigation	05/01 to 10/15	Big Lost River
☒ ☐	34-2323E	.66 cfs	Irrigation	04/15 to 10/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 1.32 cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed .66 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 #
N		SW	SW	NE	2	06N	24E	Custer	Ground water	Injection
N		NW	SW	NE	33	07N	24E	Custer	Groundwater	Re-Div./Darlington Ditch
								****Ground water	POD change 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	
06N	24E	7								1.1	27.6	10.8	.3	7.9					47.7

Total Acres (for irrigation use) 47.7

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:
Will use an existing well, water will be released into the Big Lost River and re-diverted from the Darlington Ditch to a pivot.

- 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: Not applicable

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:
This application should not effect the land now irrigated, as this has always been the place of use for these water rights.
This application only corrects the rights to show the true application of water. The balance of the rights, will be placed in the water supply bank until a determination is made for their use.
- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
No other rights

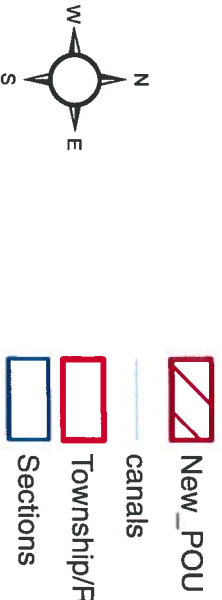
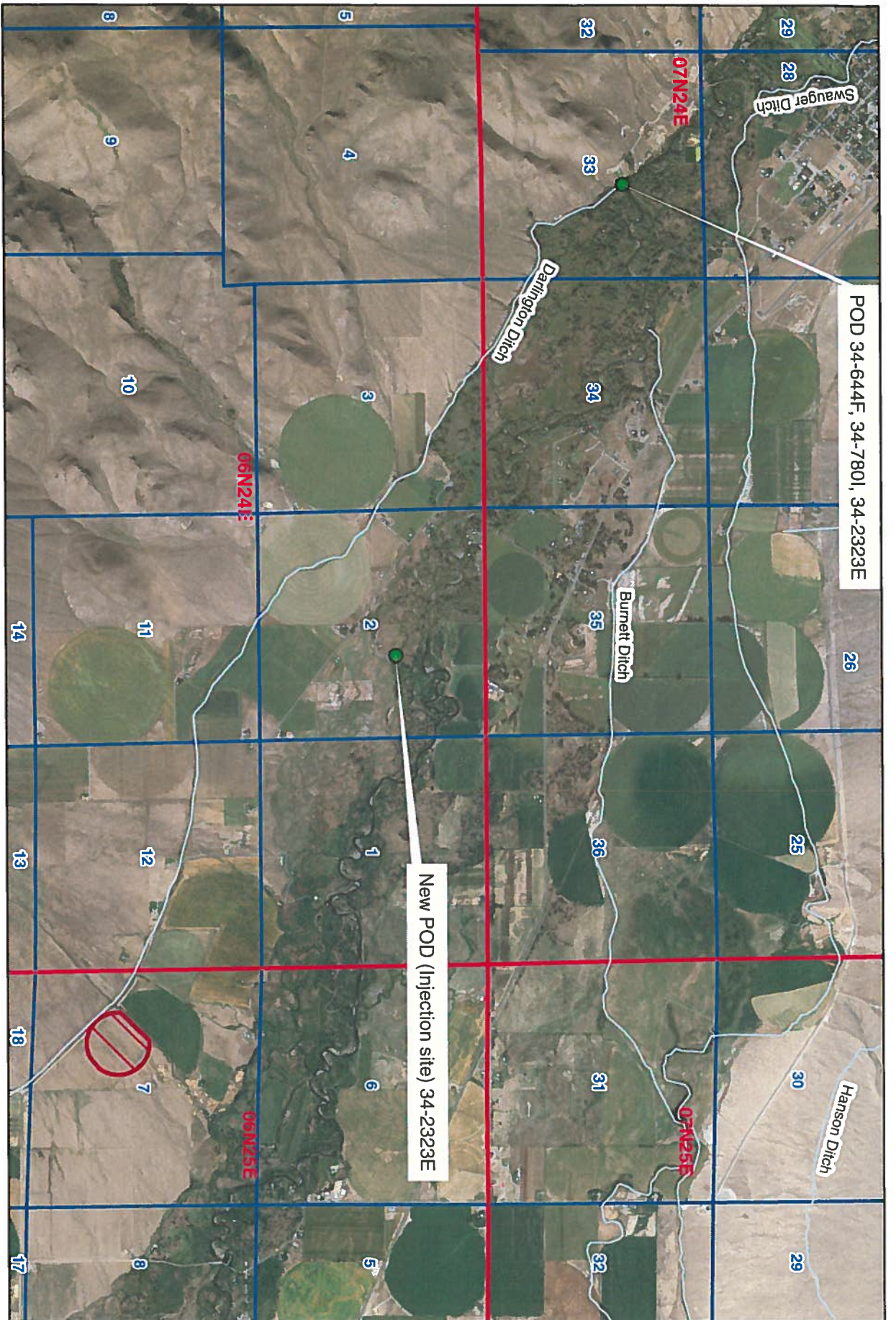
- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

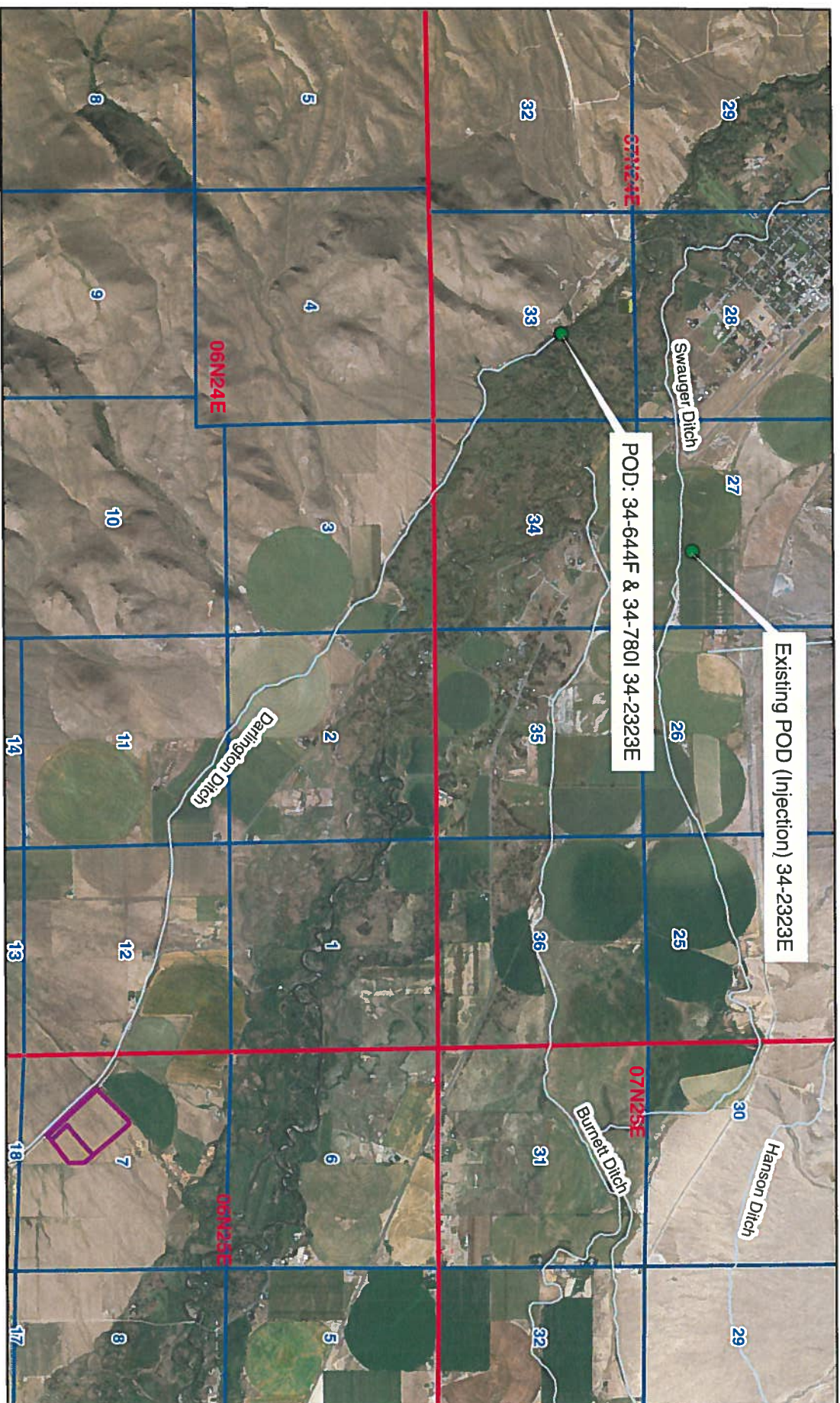
Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | 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:

78059





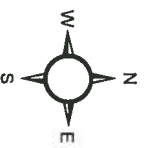
Randy Pehrson

Existing_POU

canals

Township/Range

Sections



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

Current Water Right No.: 34-2323E

Current Owner: MARK SCHLUTER
Priority Date: 2/11/1955
Origin: Water Right
Status: Active
Basis: Decreed

Source

GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	0.76 CFS	166.9 AF
	<u>Total Diversion</u>	0.76 CFS	166.9 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4NE1/4	Sec. 33,	Twp 07N,	Rge 24E B.M.
CUSTER County		(Rediversion)		
GROUND WATER	SE1/4NW1/4SE1/4	Sec. 27,	Twp 07N,	Rge 24E B.M.
CUSTER County				

Place of Use

IRRIGATION Within CUSTER County

T06N R25E S7	Lot 2	SWNW	8.20	T06N R25E S7	SENW	1.50
T06N R25E S7		NESW	30.00	T06N R25E S7	Lot 3	NWSW
T06N R25E S7		SESW	2.50			5.50

Total Acres: 47.7

Page _____ of _____

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.32 CFS.
COMBINED RIGHT NOS.: 34-00644F AND 34-00780I.
2. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
3. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 47.7 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00644F AND 34-00780I.
4. EXCHANGE WATER DIVERTED FROM THE BIG LOST RIVER IS DELIVERED THROUGH THE DARLINGTON DITCH.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 34-02323B, 34-02323C
5. WATER DIVERTED UNDER A PORTION OF THIS RIGHT IS EXCHANGED BY INJECTING WATER DIVERTED UNDER THIS RIGHT INTO THE SWAUGER DITCH AND DIVERTING AN EQUAL AMOUNT FROM THE BIG LOST RIVER AT THE POINT OF REDIVERSION DESCRIBED ABOVE.
WATER MAY BE REDIVERTED FROM THE BIG LOST RIVER ONLY WHEN THERE IS CURRENT DEMAND FOR THE WATER INJECTED INTO THE SWAUGER DITCH BY SWAUGER DITCH WATER USERS WITH CURRENTLY DELIVERABLE PRIORITIES BELOW THE POINT OF INJECTION.

Decreed Date: 2/13/2002

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

Current Water Right No.: 34-644F

Current Owner: MARK SCHLUTER
Priority Date: 6/1/1904
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG LOST RIVER

Tributary

SINKS

Beneficial Use

IRRIGATION

From To

5/01 to 10/15

Total Diversion

Diversion Rate

0.66 CFS

0.66 CFS

Annual Volume

Location of Point(s) of Diversion

BIG LOST RIVER

NW1/4SW1/4NE1/4

Sec. 33, Twp 07N, Rge 24E B.M.

CUSTER County

Place of Use

IRRIGATION Within CUSTER County

T06N R25E S7	Lot 2	SWNW	8.20	T06N R25E S7	SENW	1.50
T06N R25E S7		NESW	30.00	T06N R25E S7	Lot 3	NWSW 5.50
T06N R25E S7		SESW	2.50			
Total Acres: 47.7						

Conditions of Approval:

1. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 47.7 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00780I AND 34-02323E.
3. WATER DELIVERED THROUGH DARLINGTON DITCH.
4. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.32 CFS.
COMBINED RIGHT NOS.: 34-00780I AND 34-02323E.
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

Current Water Right No.: 34-7801

Current Owner: MARK SCHLUTER
Priority Date: 4/22/1884
Origin: Water Right
Status: Active
Basis: Decreed

Source

BIG LOST RIVER

Tributary

SINKS

Beneficial Use

IRRIGATION

From To

5/01 to 10/15

Total Diversion

Diversion Rate

0.66 CFS

0.66 CFS

Annual Volume

Location of Point(s) of Diversion

BIG LOST RIVER

NW1/4SW1/4NE1/4

Sec. 33, Twp 07N, Rge 24E B.M.

CUSTER County

Place of Use

IRRIGATION Within CUSTER County

T06N R25E S7	Lot 2	SWNW	8.20	T06N R25E S7	SENW	1.50
T06N R25E S7		NESW	30.00	T06N R25E S7	Lot 3	NWSW 5.50
T06N R25E S7		SESW	2.50			

Total Acres: 47.7

Conditions of Approval:

1. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 33 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 47.7 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00644F AND 34-02323E.
2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.32 CFS.
COMBINED RIGHT NOS.: 34-00644F AND 34-02323E.
3. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
4. WATER DELIVERED THROUGH DARLINGTON DITCH.

COPY

**CORRECTED
WARRANTY DEED**

This corrects Water Right Nos. and legal description on Warranty Deed recorded January 24, 2012,
Instrument No. 245141, records of Custer County, Idaho

For Valuable Consideration Received

MARK L. SCHLUTER and PEGGY L. SCHLUTER, Husband and Wife,

the Grantors, do hereby grant, bargain, sell, convey and warrant unto

**RANDY PEHRSON and PEGGY PEHRSON, Husband and Wife, as community property
with right of survivorship,**

the Grantees, whose current address is:

3754 W. 4050 N., Moore, ID 83255

the following described premises in **CUSTER county, Idaho**, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

INCLUDING all Water Rights, but not limited to the following:

Right No. 34-644F, Priority: 06-01-1904, Div. Rate: 0.86 CFS, Annual Vol.: 218.8 AF

Right No. 34-780I, Priority: 04-22-1884, Div. Rate: 0.86 CFS, Annual Vol.: 150.5 AF

Right No. 34-2323E, Priority: 02-11-1955, Div. Rate: 0.99 CFS, Annual Vol.: 218.8 AF

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

Mark L. Schluter
Mark L. Schluter

8/13/12
Date

Peggy L. Schluter
Peggy L. Schluter

8/13/12
Date

State of MONTANA

ss.

County of Lewis & Clark

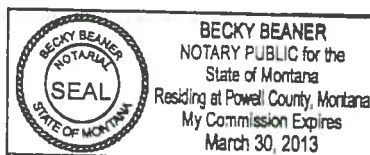
On this 12th day of August, 2012, before me, the undersigned, a Notary Public, in and for said State, personally appeared **MARK L. SCHLUTER and PEGGY L. SCHLUTER**, known to me, and/or identified to me on the basis of satisfactory evidence, to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL

Becky Beaner
Notary Public

Residing at: Powell County

Commission Expires: 03-30-13



78059

245141

EXHIBIT "A"

125581

Parcel #1

Part of the West Half of Section 7, Township 6 North, Range 25 East of the Boise Meridian, Custer County, Idaho, described as:

Commencing at the South Quarter corner of Section 7, said being marked by a 5/8" iron rod—PLS 3577 and bearing North 89°12'07" West 2719.26 feet from the Southeast corner of Section 7, said Southeast corner being marked by a 5/8" iron rod—no cap; thence North 01°17'31" West 2086.61 feet to 5/8" iron rod—no cap which marks the Northeast corner of Deed Instrument no. 214869; thence North 46°19'04" West 42.42 feet to the Northwest corner of Deed Instrument No. 214869 said point being the Point of Beginning and being marked by a 1/2" iron rod—no cap; thence South 44°41'11" West 612.15 feet to the Southwest corner of said Deed Instrument No. 214869, said point also being the Northwest corner of Deed Instrument No. 228888; thence South 50°33'54" West 711.32 feet along the Westerly line of Deed Instrument No. 228888 and Deed Instrument No. 228982 to the Southwest corner of said Deed Instrument No. 228982, said point being marked by a 5/8" iron rod—PLS 8252 and referenced by a 1/2" iron rod—PLS 12222 which bears North 50°33'54" East 25.00 feet; thence North 42°51'36" West 384.40 feet to the true point, said point bears South 44°41'18" West 25.00 feet from a 1/2" iron rod—PLS 12222 placed as a reference point to the true point; thence North 44°41'18" East 1295.28 feet to a 1/2" iron rod—PLS 12222; thence South 46°18'59" East 456.93 feet to the Point of Beginning. Subject to a county road right of way for Houston Road which runs along the South side.

Parcel #2

Part of the West Half of Section 7, Township 6 North, Range 25 East of the Boise Meridian, Custer County, Idaho, described as:

Commencing at the South Quarter corner of Section 7, said being marked by 5/8 iron rod—PLS 3577 and bearing North 89°12'07" West 2719.26 feet from the Southeast corner of Section 7, said Southeast corner being marked by a 5/8" iron rod—no cap; thence North 01°17'31" West 2086.61 feet to 5/8" iron rod—no cap which marks the Northeast corner of Deed Instrument No. 214869; thence North 46°19'04" West 42.42 feet to the Northwest corner at Deed instrument No. 214869, said point being marked by a 1/2" iron rod—no cap; thence North 46°18'59" West 456.93 feet to a 1/2" iron rod—PLS 12222 and the Point of Beginning; thence South 44°41'18" West 1295.28 feet to a point which bears South 44°41'18" West 25.00 feet from a 1/2" iron rod—PLS 12222 set as a reference point to the true corner; thence North 42°51'36" 446.79 feet to a point which bears South 42°51'36" East 25.00 feet from a 1/2" iron rod—PLS 12222 set as a reference point to the true corner; thence North 44°41'18" East 1268.34 feet to a 1/2" iron rod—PLS 12222; thence South 46°18'59" East 446.45 feet to the Point of Beginning. Subject to a county road right of way for Houston Road which runs along the South side.

Parcel #3

Part of the West Half of Section 7, Township 6 North, Range 25 East of the Boise Meridian, Custer County, Idaho, described as:

Commencing at the South Quarter corner of Section 7, said being marked by 5/8" iron rod—PLS 3577 and bearing North 89°12'07" West 2719.26 feet from the Southeast corner of Section 7, said Southeast corner being marked by a 5/8" iron rod—no cap; thence North 01°17'31" West 2086.61 feet to 5/8" iron rod—no cap which marks the Northeast corner of Deed instrument No.

214869; thence North $46^{\circ}19'04''$ West 42.42 feet to the Northwest corner of Deed Instrument No. 214869, said point being marked by a $\frac{1}{2}''$ iron rod—no cap; thence North $46^{\circ}18'59''$ West 903.37 feet to a $\frac{1}{2}''$ iron rod—PLS 12222 and the Point of Beginning; thence South $44^{\circ}41'18''$ West 1268.34 feet to a point, said point bears South $44^{\circ}41'18''$ West 25.00 feet from a $\frac{1}{2}''$ iron rod—PLS 12222 placed as a reference point to the true corner; thence North $42^{\circ}51'36''$ West 456.49 feet to a point marked by a 60d nail and bears South $44^{\circ}41'18''$ West 25.00 feet from a $\frac{1}{2}''$ iron rod—PLS 12222 placed as a reference point to the true corner; thence North $44^{\circ}41'18''$ East 1240.81 feet to a $\frac{5}{8}''$ iron rod—no cap; thence South $46^{\circ}18'59''$ East 456.14 feet to the Point of Beginning.

Subject to a county road right of way for Houston Road which runs along the South side.

WARRANTY DEED

245141
Custer County Req. of Alliance Idaho Title Tr
Time 1:20 P M Date 1-24, 2012
Barbara C. Tierney, Clerk
Deputy Kimberly Crisp \$ 16.00

For Valuable Consideration Received

MARK L. SCHLUTER and PEGGY L. SCHLUTER, Husband and Wife,

the Grantors, do hereby grant, bargain, sell, convey and warrant unto

RANDY PEHRSON and PEGGY PEHRSON, Husband and Wife, as community property
with right of survivorship,
the Grantees, whose current address is:

3754 W. 4050 N., Moore, ID 83255

the following described premises in CUSTER county, Idaho, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

INCLUDING all Water Rights, but not limited to the following:

Right No. 34-00644D, Priority: 06-01-1904, Div. Rate: 0.86 CFS, Annual Vol.: 218.8 AF

Right No. 34-00780G, Priority: 04-22-1884, Div. Rate: 0.86 CFS, Annual Vol.: 150.5 AF

Right No. 34-02323D, Priority: 02-11-1955, Div. Rate: 0.99 CFS, Annual Vol.: 218.8 AF

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said
Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with
the said Grantees, that they are the owners in fee simple of said premises; that said premises are
free from all encumbrances and that they will warrant and defend the same from all lawful claims
whatsoever.

Mark L. Schluter
Mark L. Schluter

1/20/12
Date

Peggy L. Schluter
Peggy L. Schluter

1/20/12
Date

State of MONTANA

ss.

County of Lewis & Clark

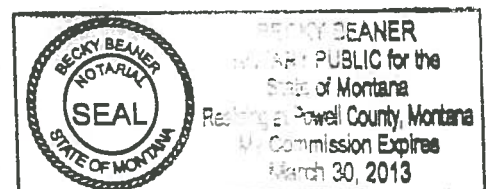
On this 20th day of January, 2012, before me, the undersigned, a Notary Public, in and for
said State, personally appeared MARK L. SCHLUTER and PEGGY L. SCHLUTER, known
to me, and/or identified to me on the basis of satisfactory evidence, to be the persons whose
names are subscribed to the within instrument and acknowledged to me that they executed the
same.

WITNESS MY HAND AND OFFICIAL SEAL

Becky Deaner
Notary Public

Residing at: Powell County

Commission Expires: 03-30-13



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: _____

USE to act

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary	
All or Part						
☐	☒	34-644F	.660	irrigation	5/1 to 10/15	Big lost
☐	☒	34-180I	.660	irrigation	5/1 to 10/15	Big lost
☐	☒	34-2323E	.760	irrigation	4/15 to 10/15	groundwater
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	

Total authorized under rights 1.32 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	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
X			SE	SW	7	6N	25E	Custer	Groundwater	

4. Place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

- ☐ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	25E	7								.3	28.3	8.6	.1	10.4					47.7

Total Acres (for irrigation use) 47.7

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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: _____

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

- 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: _____

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

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe: _____

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APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

☐ 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.

☐ If you propose to change the nature of use or period of use of all or part of the right(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**.

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

1. 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.:

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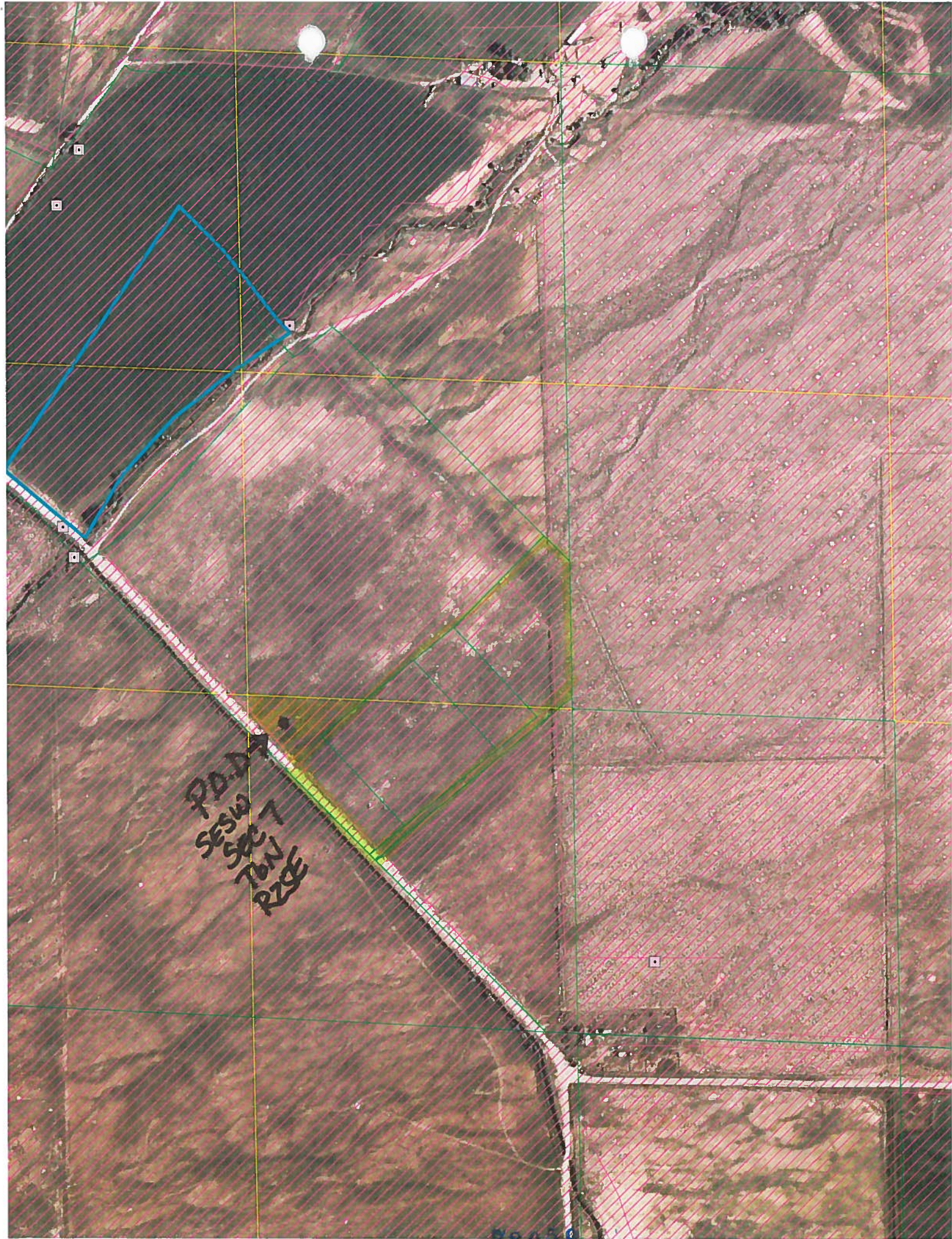
Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Prelim. Check by _____ Date _____

Fee Paid 580⁰⁰ Date 6/20/2012 Received by SL Receipt # E03T121

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

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