

RECEIVED

JUL 02 2012

DEPT. OF WATER RESOURCES
SOUTHERN REGION42-222 POD
07/2011STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for an entire water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right or to report an ownership change for a portion of a water right. See the Application for Transfer Instructions for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

☒ Change diversion point(s)☐ Add diversion point(s)☐ Ownership change1. APPLICANT(S) GW FINANCE, LLC Phone 208-349-57402. MAILING ADDRESS 22 NORTH YALE ROAD City DecloState IDAHO Zip 83323 Email milkcowcatenet.net☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) required for water right ownership changes; see fee schedule.☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.3. LIST WATER RIGHT NUMBER(S) 43-13642, AND 43-13640☒ Attach a copy of the water right(s) as recorded, available at www.idwr.idaho.gov, Water Right Transfers, Step 1, or by contacting any Department office.4. TOTAL AMOUNT OF WATER transferred is 4.75 cubic feet per second and/or 976 acre-feet per annum.
(diversion rate) (storage volume)5. POINT OF DIVERSION – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, Water Right Transfers, Online Resources.

Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
T11S	27E	7		NW	NE	NW	CASSIA	Ground water	A0013368
T11S	27E	7		SW	SW	NW	CASSIA	Ground water	New Well

6. 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:

Deep well pump thru a sand separator, there is room
in the line for a flow meter

- b. Who owns the property at the point(s) of diversion? GW Finance
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. 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(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe _____

7. MAP - ☒ Attach a map of the diversion, measurement, control and distribution system. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. The *Map Tool*, available at <http://maps.idwr.idaho.gov/TransferApplicationLayouts>, provides a satisfactory template for creating the required map.

8. SIGNATURE - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Todd B Webb

Signature of applicant or authorized agent

Todd B. Webb, Managing Member

Print name and title if applicable

7/2/12

Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. FEE - ☐ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The *Fee Schedule* is available at www.idwr.idaho.gov, *Water Right Transfers, Step 4* and in the *Application for Transfer Instructions*.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments.

Received by B. Walker

Date 7/2/12

Fee paid 820⁰⁰ Date 7/2/12

Received by B. Walker

Receipt # S032657

Preliminary review completed by _____

Date _____

Page _____ of _____

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

Current Water Right No.: 43-13640

Current Owner: GW FINANCE CO LLC
Priority Date: 3/18/1960
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	03/15 to 11/15	0.18 CFS	170.8 AF
	Total Diversion	0.18 CFS	170.8 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4NW1/4	Sec. 7.	Twp 11S.	Rae 27E B.I
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CASSIA County

Place of Use

IRRIGATION Within CASSIA County

T11S R27E S7	NENE	30.00	T11S R27E S7	NWNE	30.00
T11S R27E S7	SWNE	30.50	T11S R27E S7	SENE	30.50
T11S R27E S7	NENW	31.00	T11S R27E S7	NWNW	28.50
T11S R27E S7	SWNW	30.50	T11S R27E S7	SENN	33.00
		Total Acres: 244			

Conditions of Approval:

- 1. E53** Use of this right with right no. 43-13642 is limited to a total combined annual
- 2. C03** Right includes accomplished change in point of diversion pursuant to section 42-
- 3. T19** Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such
- 4. C05** Right includes accomplished change in place of use pursuant to section 42-
- 5. K06** This right is limited to the irrigation of 42.7 acres within the place of use
- 6. E55** Use of this right with right no. 43-13642 is limited to the irrigation of a combined

Decreed Date: 6/28/2002

MAKE CHECK PAYABLE TO:
CASSIA COUNTY TAX COLLECTOR
1459 OVERLAND AVE ROOM 102
BURLEY, ID 83318

2011 TAX BILL/RECEIPT

BILL# 12337
CODE AREA 17-00

PARCEL NUMBER
RP11S27E070000A

LAND 73,901
IMPROVEMENT 9,600

1ST HALF DUE		2ND HALF DUE		FULL DUE		TOT MKT	
TAX	353.25	TAX	353.25	TAX	706.50		83,501
LATE		LATE		LATE			
INT		INT		INT			
COST		COST		COST			
TOT		TOT		TOT		TOT ACRES	240.000

GW FINANCE COMPANY LLC
22 NORTH YALE ROAD
DECLO ID 83323

NE1/4, E1/2NW
S 7 T 11 R 27

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

TAXING DISTRICT	RATE	
COUNTY	.003339037	278.80
SCH DIST 151	.000000000	
#151 BOND #1	.001862571	155.52
#151 PLANT FAC	.000587699	49.06
#151 SUPP	.000510517	42.62
RAFT RIVER HWY	.002027474	169.30
RAFT RIVER FIRE	.000134264	11.20
FLOOD DIST 15	.000000000	
AMOUNT DUE	.008461562	706.50

TO PAY BY CREDIT CARD CALL
1-888-827-4240 OPT. 5 OR VISIT
WWW.OFFICIALPAYMENTS.COM

GW FINANCE COMPANY LLC



2011
BILL# 12337

2ND HALF

RP11S27E070000A
17-0000



AMOUNT DUE 353.25

CASSIA COUNTY
1459 OVERLAND AVE ROOM 102
BURLEY, ID 83318

LATE
INT
COST
TOTAL

JUNE 20, 2012

DATE PAID
BY

CHECK #
CASH

MAKE CHECK PAYABLE TO:
CASSIA COUNTY TAX COLLECTOR
1459 OVERLAND AVE ROOM 102
BURLEY, ID 83318

2011 TAX BILL/RECEIPT

BILL# 12338
CODE AREA 17-0000

PARCEL NUMBER
RP11S27E073000A
LAND

29,063

1ST HALF DUE		2ND HALF DUE		FULL DUE		TOT MKT	29,063
TAX	122.95	TAX	122.95	TAX	245.90		
LATE		LATE		LATE			
INT		INT		INT			
COST		COST		COST			
TOT		TOT		TOT		TOT ACRES	78.250

GW FINANCE COMPANY LLC
22 NORTH YALE ROAD
DECLO ID 83323

T 3868
S 7 T 11 R 27

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE

TO PAY BY CREDIT CARD CALL
1-888-827-4240 OPT. 5 OR VISIT
WWW.OFFICIALPAYMENTS.COM

TAXING DISTRICT	RATE	
COUNTY	.003339037	97.04
SCH DIST 151	.000000000	
#151 BOND #1	.001862571	54.12
#151 PLANT FAC	.000587699	17.08
#151 SUPP	.000510517	14.84
RAFT RIVER HWY	.002027474	58.92
RAFT RIVER FIRE	.000134264	3.90
FLOOD DIST 15	.000000000	
AMOUNT DUE	.008461562	245.90

GW FINANCE COMPANY LLC



2011
BILL# 12338

2ND HALF

RP11S27E073000A
17-0000



AMOUNT DUE 122.95

CASSIA COUNTY
1459 OVERLAND AVE ROOM 102
BURLEY, ID 83318

LATE
INT
COST
TOTAL

JUNE 20, 2012

DATE PAID

CHECK #

No. W 18463	Due no later than Mar 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. GW FINANCE COMPANY, LLC MICHAEL D GARNER 22 N YALE RD DECLO ID 83323		MICHAEL D GARNER 22 N YALE RD DECLO ID 83323 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
MEMBER	MICHAEL D GARNER	113 S. 2550 E.	DECLO	ID	USA	83323
MEMBER	SCOTT C WEBB	49 N YALE ROAD	DECLO	ID	USA	83323
MEMBER	TODD B WEBB	111 S. YALE ROAD	DECLO	ID	USA	83323
MEMBER	MARK A WEBB	73 N. YALE ROAD	DECLO	ID	USA	83323
5. Organized Under the Laws of: ID W 18463		6. Annual Report must be signed.* Signature: Michael D Garner Name (type or print): Michael D Garner Date: 01/11/2012 Title: Member				
Processed 01/11/2012		* Electronically provided signatures are accepted as original signatures.				

310961

WARRANTY DEED

#42392

For Value Received

William Byron Peterson and Kaylene B. Peterson, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

GW Finance Company, LLC, an Idaho limited liability company

**Address: 22 North Yale Road
Declo, Idaho 83342**

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

**TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 7: NE¼, E½NW¼ and part of Lots 1 and 2 described as follows; to-wit:

Beginning at the Northeast corner of said Section 7; thence South 89°43' West for 5268.47 feet along the section line to a point (said point is 415.12 feet East of the Northwest corner of said Lot 1) which point shall be known as the True Point of Beginning;
Thence South 0°06' East for 2644.07 feet to a point on the quarter section line (said point is 430.96 feet East of the Southwest corner of said Lot 2);
Thence North 89°44'30" East along the quarter section line for 1289.00 feet to a point on the 1/16th section line (said point is the Southeast corner of said Lot 2);
Thence North 0°06' West along the 1/16th section line for 2644.77 feet to a point on the North section line of said Section 7 (said point is the Northeast corner of said Lot 1);
Thence South 89°43' West for 1289.00 feet along the North section line to the True Point of Beginning.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to State of Idaho, Department of Water Resources Nos. 43-2396A and 43-2492A.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2006 and subsequent years.

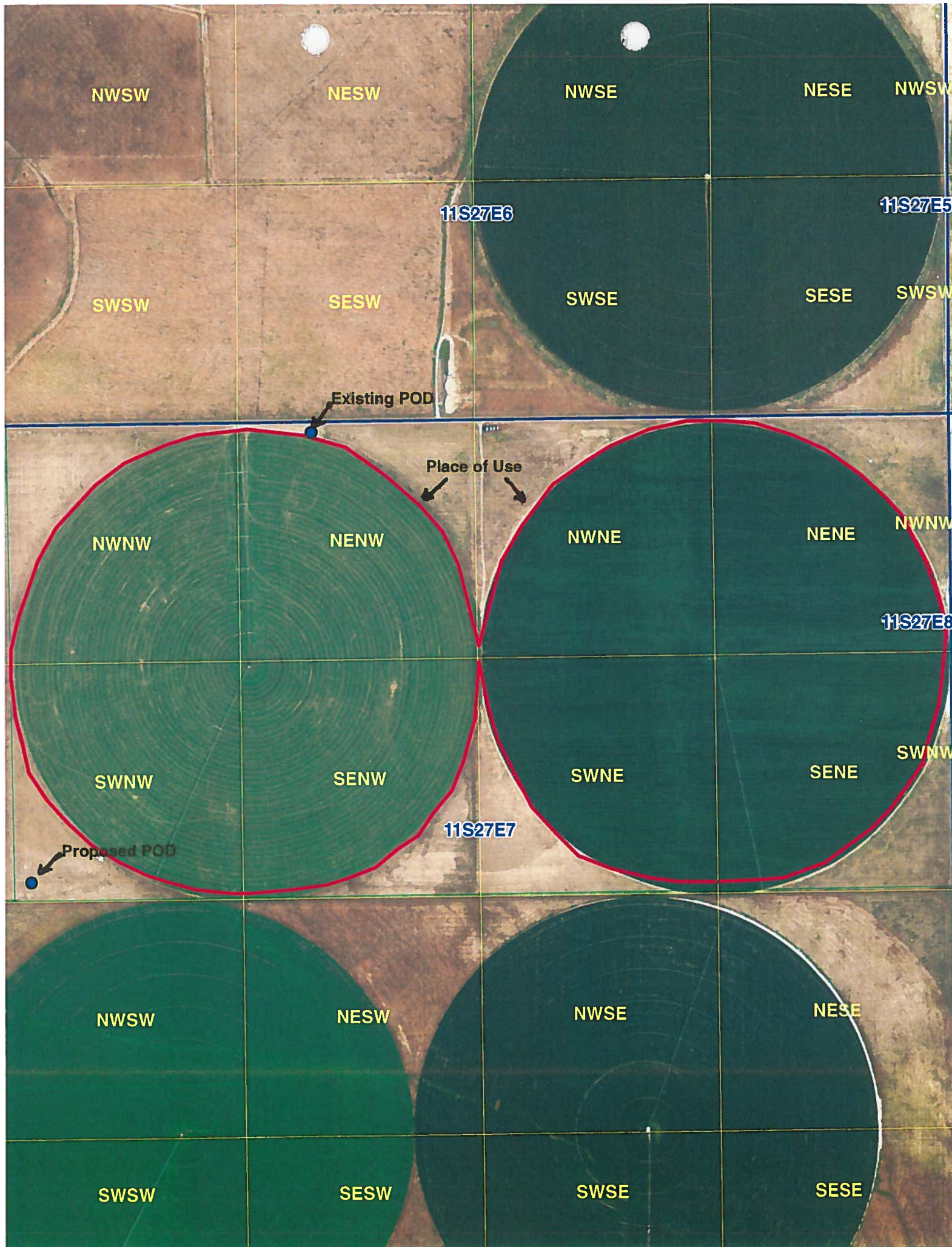
Agreement for Purchase of Power between Raft River Rural Electric Cooperative, Inc., as Seller, and H. C. Matthews, as Consumer, dated June 17, 1960, and recorded April 15, 1963, as Instrument No. 12328 on Film No. 20, records of Cassia County, Idaho.

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

2006 SEP 18 PM 3 16

CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN
RECORDER
FEE 600 DEPUTY *[Signature]*

310961





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

July 13, 2012

GW FINANCE CO LLC
ATTN: TODD WEBB
22 N YALE RD
DECLO, ID 83323

Re: Transfer No. 78011
Water Right No(s). 43-13640, 43-13642

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 7/19/2012 and 7/26/2012**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**August 6, 2012**).

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in cursive script that reads "Denise Maline".

Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Friday, July 13, 2012 9:12 AM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News Cover Letter.docx; Times News Ad.docx

Attached please find (1) legal notice being submitted for publication on July 19th & 26th, 2012. Please contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources
1341 Fillmore St, Ste 200
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov

July 13, 2012

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Application For Permit No.(s): 36-16945 & 37-22751

RE: Transfer No. 77992
Water Right No(s): 47-4065

RE: Transfer No. 78011
Water Right No(s): 43-13640, 43-13642

RE: Transfer No. 78013
Water Right No(s): 37-20729

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before August 6, 2012. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

36-16945

BOB SELLERS

WILMA SELLERS

1277 S 1845 E

HAZELTON, ID 83335

Point of Diversion SESESE S24 T10S R19E JEROME County Source WASTE WATER Tributary SNAKE RIVER

Use: IRRIGATION 03/15 to 11/15 1 CFS

Total Diversion: 1 CFS

Date Filed: 5/15/2012

Place Of Use: IRRIGATION

T10S R19E S24 NESE SWSE SESE

Total Acres: 50

Application proposes to divert up to 1.0 CFS of wastewater tributary to the Snake River, at a point of diversion located approximately 4.3 mi. S & 1.9 mi. W of Hazelton, for irrigation of 50 acres (with appurtenant North Side Canal Company (NSCC) Shares) located approximately 4.0 to 4.3 mi S & 1.8 to 2.1 mi W of Hazelton. Applicant proposes this appropriation as a recapture of NSCC wastewater that has been settled in a water quality improvement pond and plans to apply it to lands with full NSCC shares to reduce low quality water flows to the Snake River. Applicant proposes no new acres to be irrigated with the proposed appropriation.

37-22751

CITY OF DIETRICH

35 W FIRST ST

DIETRICH, ID 83324

Point of Diversion NESENW S12 T06S R18E LINCOLN County Source GROUND WATER Tributary

Point of Diversion NESENW S12 T06S R18E LINCOLN County Source GROUND WATER Tributary

Use: MUNICIPAL 01/01 to 12/31 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 6/1/2012

Place Of Use: MUNICIPAL

T06S R18E S12 SWNE SENW SW(ALL) NWSE SWSE

T06S R18E S13 NENW NWNW

T06S R18E S14 NENE

Application for permit proposes drilling a new well for the city of Dietrich. The new well and an existing well will divert up to 0.2 cfs of ground water for municipal use. The point of diversion and place of use is located with the City of Dietrich service area.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 77992

HERB DEUEL and BLANCHE DEUEL, PO BOX 348, BUHL, ID 83316 has filed Application No. 77992 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-4065. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to extend the season of use and add a point of diversion to groundwater right 47-4065 (0.77 CFS, 266 AFA), currently diverted for heating, recreation, and domestic uses at the Banbury Hot Springs facility (located approximately 6.4 mi. N & 3.3 mi. W of Buhl). The facility currently uses two wells located within or adjacent to the authorized place of use, and proposes an additional well to be drilled adjacent to the facility, approximately 6.3 mi. N & 3.4 mi. W of Buhl. The current season of use for recreation uses under this right is limited to April 1 to Sept. 15. Applicant proposes to change the season to year round use (Jan. 1 to Dec. 31), without increasing the authorized instantaneous flow rate or annual diverted volume.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 78011

GW FINANCE CO LLC, 22 N YALE RD, DECLO, ID 83323 has filed Application No. 78011 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13640, 43-13642. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to change the location of a well to be drilled on a farm located approximately 14.0 - 14.8 mi. east and 2.2 - 2.7 mi. south of Declo. The new well and an existing well will be used to divert 4.75 cfs and 976 af for the irrigation of 244 acres on the farm.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78013**

CITY OF DIETRICH, 35 W FIRST ST, DIETRICH, ID 83324 has filed Application No. 78013 for changes to the following water rights within LINCOLN County(s): Right No(s). 37-20729. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes adding a new proposed well for the city of Dietrich. An existing well and the new well will up to divert 0.37 cfs of ground water for municipal use. The point of diversion and place of use is located with the City of Dietrich service area.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before August 6, 2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on July 19th & 26th, 2012

MEMORANDUM

Date: July 3, 2012
To: Transfer 78011 File
From: Benny Walker
Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes to change the location of a well to be drilled on a farm located approximately 14.0-14.8 mi. east and 2.2-2.7 mi. south of Declo. The new well and an existing well will be used to divert 4.75 cfs and 976 af for the irrigation of 244 acres on the farm.

This transfer proposes to change the point of diversion that was added to the water rights in transfer 77851 (Approved May 22nd 2012). A test well was drilled for transfer 77851 and was unproductive. Applicant moved to a new location and drilled a test well that produced better results.

The area associated with the transfer is located within the Raft River Critical Groundwater Area so it will need to be advertised. The points of diversion are located outside the ESPA smooth water boundary and are not associated with any water district.

- **Authority to File:**
The applicant is listed as the current owner of the rights involved with the transfer according to IDWR records. In addition, a copy of the warranty deed was submitted with the application.
- **Water Right Validity:**
The rights involved with the transfer have been decreed in the SRBA as valid rights. Recent aerial photography indicates that the lands involved with the transfer have been irrigated in recent years.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated. Transfer will be subject to public notice and protest.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.