

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 78031
RECEIVED
APR 06 2012
Department of Water Resources
5424 N Region

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

Name of Applicant(s) Rocky Ross or Carol Ross or Donald Phillips or Billie Phillips Phone 208.767.5424

Mailing address Po Box 10 Howe, ID 83244 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.

Rocky Ross
Signature of Applicant or Authorized Representative

Rocky Ross
Print Name and Title if applicable

4-6-12
Date

Carol Ross
Signature of Applicant or Authorized Representative

Carol Ross
Print Name and Title if applicable

4/6/12
Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**. This transfer application corrects the place of use to cover acres currently under irrigation. The place of use will now be combined for these water rights and one ground water point of diversion will be corrected.

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					
☒ ☐	33-7023	2.02cfs/302.7	Irrigation	04/01 to 11/01	Ground Water
☒ ☐	33-7176	2.16cfs/378af	Irrigation	04/15 to 10/31	Ground Water
☒ ☐	33-7075	.73cfs/109.8af	Irrigation	04/15 to 11/01	Ground Water
☒ ☐	33-14934	.18cfs/65.7af	Irrigation	04/01 to 11/01	Spring Creek, Unnamed Crk
☒ ☐	33-14936	.56cfs/204.4af	Irrigation	04/01 to 11/01	Spring Creek, Unnamed Crk
☒ ☐	33-14938	.44cfs/160.6af	Irrigation	04/01 to 11/01	Spring Creek, Unnamed Crk
☒ ☐	33-14940	.22cfs/80.3 af	Irrigation	04/01 to 11/01	Spring Creek, Unnamed Crk
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 4.55 cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed 2.13 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 #
			SW	NE	17	07N	28E	BUTTE	GROUND WATER	
			NO	CHA	NGE	TO	SURF	ACE 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	
07N	28E	16							2										2
07N	28E	17	27	16	19.5	38			21	31	40	40	20	30		25	6		313.1

Total Acres (for irrigation use) 315.5

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:

Headgate to ditch (surface water), well to lift station, pump to 8" & 10" main lines to wheel lines and 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:**

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:

70 acres from a water right split on transfer 77856, will be moved to this place of use and combined with ground water to provide 315.5 acres of land for irrigation.

- 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:

33-7023, 33-7176, 33-7075, 33-14934, 33-14936, 33-14938, and 33-14940 all use the same diversion system, the place of use will be combined to reflect the current use.

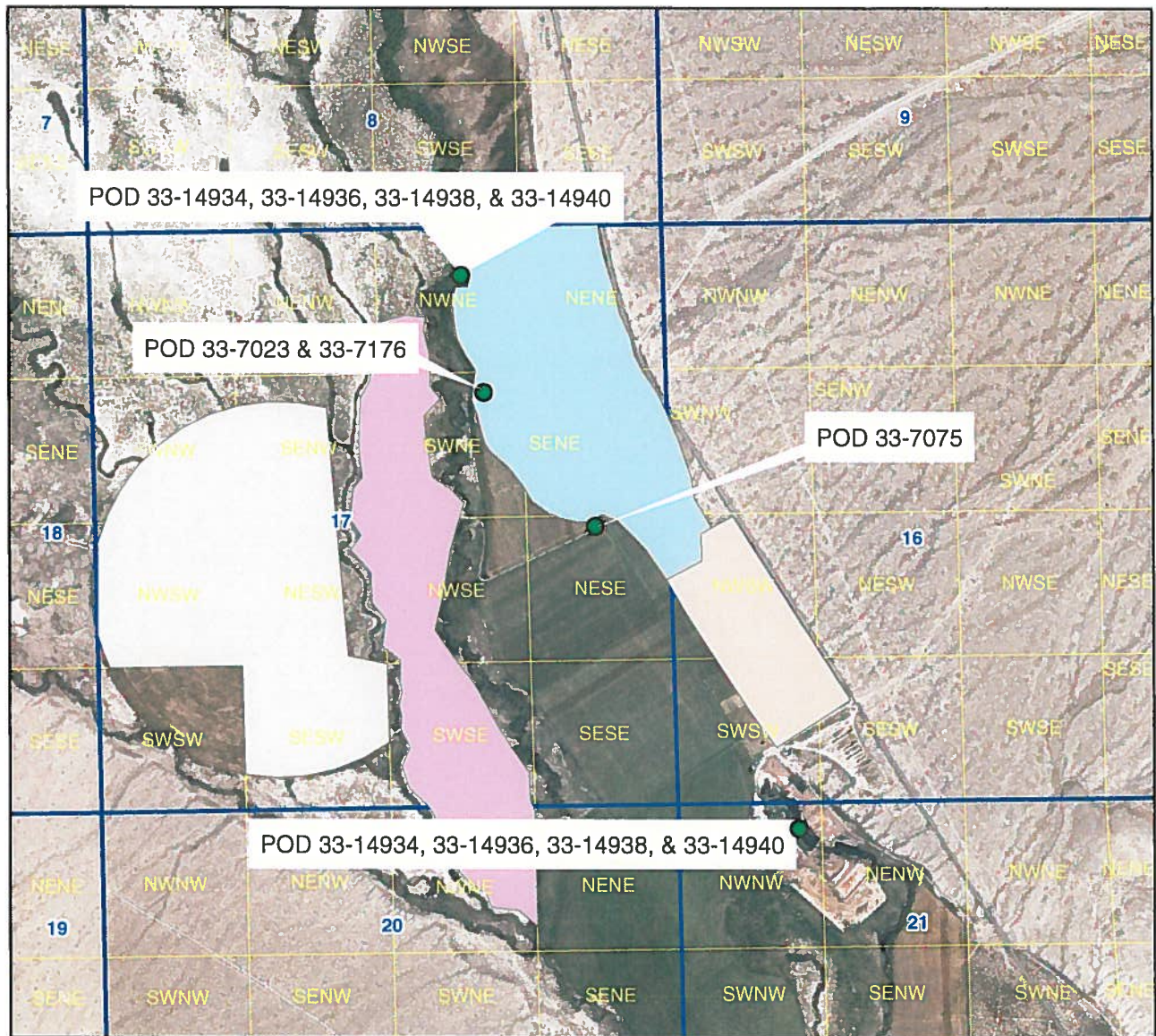
- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

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? |

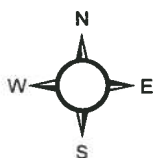
If yes, describe:

78031

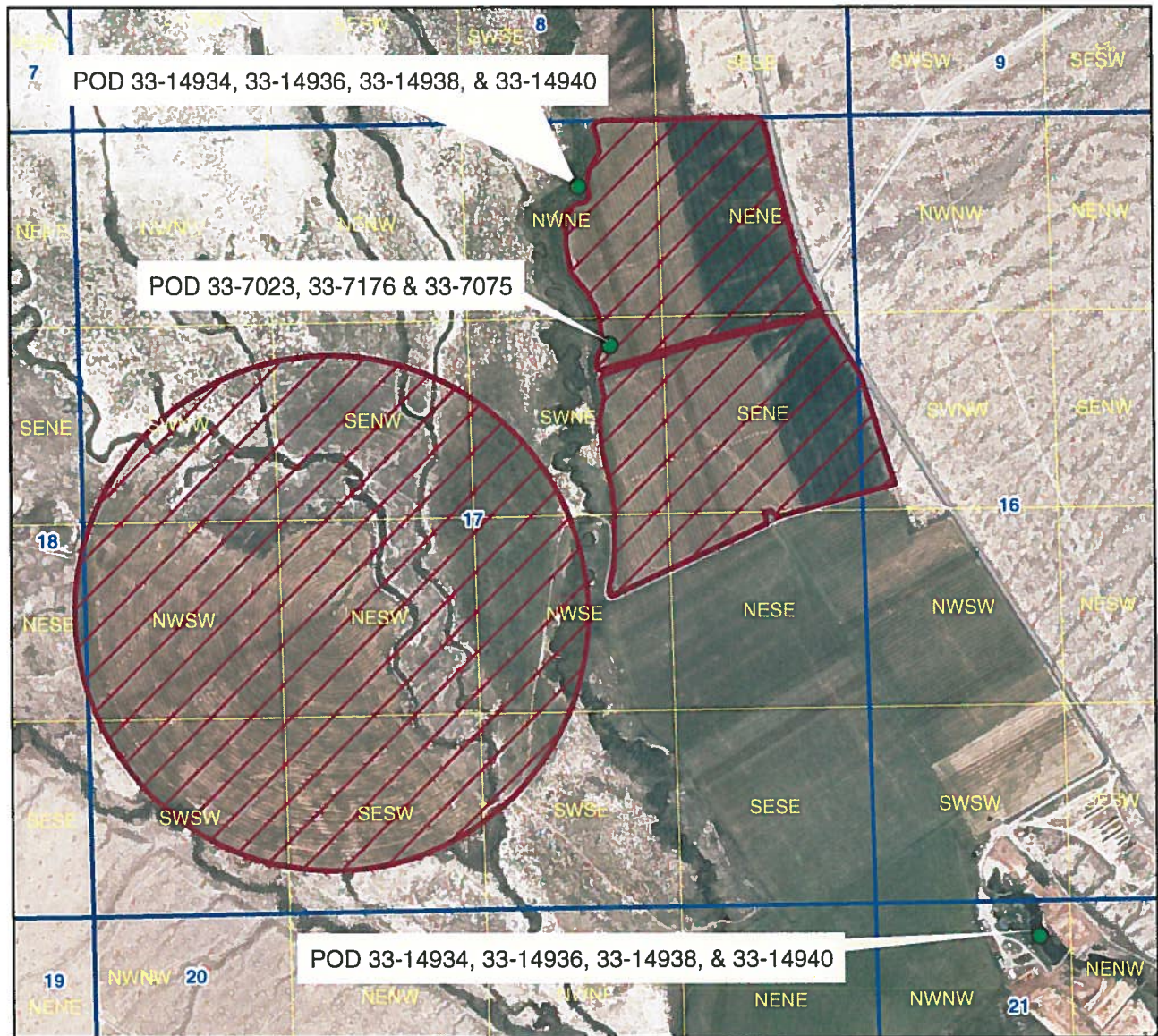


Ross/Phillips Transfer - Current Place of Use

- 33-14934, 14936, 14938 & 33-14940_Current_POU
- 33-7075_Current_POU
- 33-7176_Current_POU
- 33-7023_Current_POU
- Township/Range
- Sections
- QQ

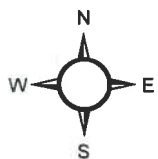


78031



Ross/Phillips Transfer - New Place of Use

-  NPOU2
-  Township/Range
-  Sections
-  QQ



78031

0 0.125 0.25 0.5 Miles

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

Current Water Right No.: 33-7075

Current Owner: BILLIE PHILLIPS
ROCKY ROSS
CAROL ROSS
DONALD R PHILLIPS

Priority Date: 7/2/1990

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	4/01 to 11/01	0.73 CFS	109.8 AF
	<u>Total Diversion</u>	0.73 CFS	109.8 AF

Location of Point(s) of Diversion

GROUND WATER NE1/4NE1/4SE1/4 Sec. 17, Twp 07N, Rge 28E B.M.
BUTTE County

Place of Use

IRRIGATION Within BUTTE County

T07N R28E S16	NWSW	23.00	T07N R28E S16	SWSW	12.00
T07N R28E S16	SESW	1.50	T07N R28E S17	NESE	0.10
Total Acres: 36.6					

Conditions of Approval:

1. 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.

Decreed Date: 8/11/2000

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

Current Water Right No.: 33-7023

Current Owner: BILLIE PHILLIPS
ROCKY ROSS
CAROL ROSS
DONALD R PHILLIPS

Priority Date: 8/30/1973

Origin: Water Right

Status: Active

Basis:	Decreed
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Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	2.02 CFS	302.7 AF
	<u>Total Diversion</u>	2.02 CFS	302.7 AF

Location of Point(s) of Diversion

GROUND WATER NE1/4SW1/4NE1/4 Sec. 17, Twp 07N, Rge 28E B.M.
BUTTE County

Place of Use

IRRIGATION Within BUTTE County

T07N R28E S16	SWNW	3.30	T07N R28E S16	NWSW	3.50
T07N R28E S17	NENE	27.00	T07N R28E S17	NWNE	16.00
T07N R28E S17	SWNE	8.00	T07N R28E S17	SENE	39.00
T07N R28E S17	NESE	4.10			

Total Acres: 100.9

Conditions of Approval:

- | | | |
|----|-----|---|
| 1. | 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. |
| 2. | C05 | RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE. |

Decreed Date: 8/11/2000

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

Current Water Right No.: 33-7176

Current Owner: ROCKY ROSS
DONALD R PHILLIPS

Priority Date: 6/28/1985

Origin: Water Right

Status: Active

Basis:	License
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Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	2.16 CFS	378 AF
	<u>Total Diversion</u>	2.16 CFS	378 AF

Location of Point(s) of Diversion

GROUND WATER SW1/4NE1/4 Sec. 17, Twp 07N, Rge 28E B.M.
BUTTE County

Place of Use

IRRIGATION Within BUTTE County

T07N R28E S17	SWNW	11.00	T07N R28E S17	SENW	3.00
T07N R28E S17	NESW	18.00	T07N R28E S17	NWSW	40.00
T07N R28E S17	SESW	36.00			

Total Acres: 108

Conditions of Approval:

- | | | |
|----|-----|--|
| 1. | 051 | Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of the permit approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term. |
| 2. | R63 | This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use. |
| 3. | X35 | Rights 33-7023 and 33-7176 when combined shall not exceed a total diversion rate of 2.42 cfs or a total annual maximum diversion volume of 680.7 acre-feet. |
| 4. | X27 | This right is limited to the irrigation of 108 acres within the authorized place of use in a single irrigation season. |
| 5. | F06 | The following rights are diverted through point(s) of diversion described above: 33-7026, 33-7176. |

Licensed Date: 3/22/2012

78031

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

Current Water Right No.: 33-7075

Current Owner: BILLIE PHILLIPS
ROCKY ROSS
CAROL ROSS
DONALD R PHILLIPS

Priority Date: 7/2/1990

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	4/01 to 11/01	0.73 CFS	109.8 AF
	<u>Total Diversion</u>	0.73 CFS	109.8 AF

Location of Point(s) of Diversion

GROUND WATER
NE1/4NE1/4SE1/4 Sec. 17, Twp 07N, Rge 28E B.M.
BUTTE County

Place of Use

IRRIGATION Within BUTTE County

T07N R28E S16	NWSW	23.00	T07N R28E S16	SWSW	12.00
T07N R28E S16	SESW	1.50	T07N R28E S17	NESE	0.10
Total Acres: 36.6					

Conditions of Approval:

1. 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.

Decreed Date: 8/11/2000

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

Current Water Right No.: 33-14934

Current Owner: CAROL ROSS
BILLIE PHILLIPS
DONALD R PHILLIPS
ROCKY ROSS

Priority Date: 4/1/1885

Origin: Water Right

Status: Active

Basis: Decreed

Source

SPRING CREEK
UNNAMED STREAM

Tributary

LITTLE LOST RIVER
LITTLE LOST RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 11/01

Diversion Rate

0.18 CFS

Annual Volume

65.7 AF

Total Diversion

0.18 CFS

65.7 AF

Location of Point(s) of Diversion

UNNAMED STREAM
BUTTE County

NW1/4NW1/4

Sec. 21, Twp 07N, Rge 28E B.M.

SPRING CREEK

NE1/4NW1/4NE1/4

Sec. 17, Twp 07N, Rge 28E B.M.

BUTTE County

Place of Use

IRRIGATION Within BUTTE County

T07N R28E S17	NWNE	4.00	T07N R28E S17	SWNE	18.00
T07N R28E S17	NENW	4.00	T07N R28E S17	SENE	7.00
T07N R28E S17	NWSE	18.00	T07N R28E S17	SWSE	10.00
T07N R28E S20	SENE	9.00			

Total Acres: 70

Conditions of Approval:

1. X27 This right is limited to the irrigation of 9 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 33-14934, 33-14936, 33-14938 and 33-14940 when combined shall not exceed a total annual maximum diversion volume of 245 af at the field headgate, and the irrigation of 70 acres.
3. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Current Water Right No.: 33-14936

Current Owner: DONALD R PHILLIPS
BILLIE PHILLIPS
ROCKY ROSS
CAROL ROSS

Priority Date: 6/1/1891

Origin: Water Right

Status: Active

Basis: Decreed

Source

SPRING CREEK
UNNAMED STREAM

Tributary

LITTLE LOST RIVER
LITTLE LOST RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 11/01

Diversion Rate

0.56 CFS

Annual Volume

204.4 AF

Total Diversion

0.56 CFS

204.4 AF

Location of Point(s) of Diversion

UNNAMED STREAM
BUTTE County

NW1/4NW1/4

Sec. 21,

Twp 07N,

Rge 28E B.M.

SPRING CREEK

NE1/4NW1/4NE1/4

Sec. 17,

Twp 07N,

Rge 28E B.M.

BUTTE County

Place of Use

IRRIGATION Within BUTTE County

T07N R28E S17	NWNE	4.00	T07N R28E S17	SWNE	18.00
T07N R28E S17	NENW	4.00	T07N R28E S17	SENE	7.00
T07N R28E S17	NWSE	18.00	T07N R28E S17	SWSE	10.00
T07N R28E S20	SENE	9.00			

Total Acres: 70

Conditions of Approval:

1. X27 This right is limited to the irrigation of 28 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 33-14934, 33-14936, 33-14938 and 33-14940 when combined shall not exceed a total annual maximum diversion volume of 245 af at the field headgate, and the irrigation of 70 acres.
3. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Page _____ of _____

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

Current Water Right No.: 33-14938

Current Owner: CAROL ROSS
BILLIE PHILLIPS
DONALD R PHILLIPS
ROCKY ROSS

Priority Date: 4/1/1888

Origin: Water Right

Status: Active

Basis: Decreed

Source

SPRING CREEK
UNNAMED STREAM

Tributary

LITTLE LOST RIVER
LITTLE LOST RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 11/01

Diversion Rate

0.44 CFS

Annual Volume

160.6 AF

Total Diversion

0.44 CFS

160.6 AF

Location of Point(s) of Diversion

UNNAMED STREAM

NW1/4NW1/4

Sec. 21, Twp 07N, Rge 28E B.M.

BUTTE County

SPRING CREEK

NE1/4NW1/4NE1/4

Sec. 17, Twp 07N, Rge 28E B.M.

BUTTE County

Place of Use

IRRIGATION Within BUTTE County

T07N R28E S17	NWNE	4.00	T07N R28E S17	SWNE	18.00
T07N R28E S17	NENW	4.00	T07N R28E S17	SENE	7.00
T07N R28E S17	NWSE	18.00	T07N R28E S17	SWSE	10.00
T07N R28E S20	SENE	9.00			

Total Acres: 70

Page _____ of _____

Conditions of Approval:

1. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
2. The quantity of water that may be delivered at the points of diversion described is .40 cfs. This reduction in quantity is due to the historical practice of assessing a conveyance loss for the delivery of the right.
3. X35 Rights 33-14934, 33-14936, 33-14938 and 33-14940 when combined shall not exceed a total annual maximum diversion volume of 245 af at the field headgate, and the irrigation of 70 acres.
4. X27 This right is limited to the irrigation of 22 acres within the authorized place of use in a single irrigation season.

Decreed Date: 8/11/2000

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

Current Water Right No.: 33-14940

Current Owner: CAROL ROSS
BILLIE PHILLIPS
DONALD R PHILLIPS
ROCKY ROSS

Priority Date: 5/25/1891

Origin: Water Right

Status: Active

Basis: Decreed

Source

SPRING CREEK
UNNAMED STREAM

Tributary

LITTLE LOST RIVER
LITTLE LOST RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 11/01

Diversion Rate

0.22 CFS

Annual Volume

80.3 AF

Total Diversion

0.22 CFS

80.3 AF

Location of Point(s) of Diversion

UNNAMED STREAM
BUTTE County

NW1/4NW1/4

Sec. 21,

Twp 07N,

Rge 28E B.M.

SPRING CREEK

NE1/4NW1/4NE1/4

Sec. 17,

Twp 07N,

Rge 28E B.M.

BUTTE County

Place of Use

IRRIGATION Within BUTTE County

T07N R28E S17	NWNE	4.00	T07N R28E S17	SWNE	18.00
T07N R28E S17	NENW	4.00	T07N R28E S17	SENE	7.00
T07N R28E S17	NWSE	18.00	T07N R28E S17	SWSE	10.00
T07N R28E S20	SENE	9.00			

Total Acres: 70

Conditions of Approval:

1. X27 This right is limited to the irrigation of 11 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 33-14934, 33-14936, 33-14938 and 33-14940 when combined shall not exceed a total annual maximum diversion volume of 245 af at the field headgate, and the irrigation of 70 acres.
3. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 North Skyline Drive, Suite A Idaho Falls Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH"
OTTER
Governor

Gary Spackman
Interim Director

June 13, 2012

Rocky and Carol Ross
Po Box 10
Howe, ID 83244

Dear Rocky and Carol;

Just a quick note to let you know that the first transfer on the lower portion of the farm is complete and I have begun working on the second transfer for the upper portion.

When I looked through the file, I could not find a receipt for payment of the transfer fee on the second transfer. The last time you were in, I don't remember collecting it from you either... The second transfer is the \$660.00.

Could you please send me a check or the receipt number if I am mistaken. I hope everything is going well for you... Have a great day...

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kerrie'.

Kerrie Mathews
Water Resource Agent

EO37473

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: _____