

RECEIVED

MAY 07 2012

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESWATER RESOURCES
WESTERN REGION

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 change

1. **APPLICANT(S)** John Wind Jr. and Jamie Wind, husband and wife Phone 208-922-1703
2. **MAILING ADDRESS** 1556 Poen Road City Kuna
State ID Zip 83634 Email AXION10@AOL.COM

- ☐ 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)** 63-32160
63-32160

- ☒ 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 .16 cubic feet per second and/or _____ 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 #
01N	01W	13	4	SE	SE	SE	Ada	Groundwater	farmstead well
01N	01W	24	1		NE	NE	Ada	Groundwater	dairy well
01N	01W	24	4		SE	NE	Ada	Groundwater	dairy well
01N	01W	24			SW	NW	Ada	Groundwater	dairy well
01N	01W	24	3		NE	SE	Ada	Groundwater	dairy well
01N	01W	24	4		SE	SE	Ada	Groundwater	dairy well
01N	01W	24	2		SE	NE	Ada	Groundwater	dairy well

SW 6/12/11
SW 6/12/11
SW 6/12/11
SW 6/12/11
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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:

A pipe will be laid under Poen Road to transfer water from the dairy system across the street. An agreement is attached whereby John Wind sr. agrees to provide up to .16 cfs to irrigate 10 acres for John Wind Jr.

- b. Who owns the property at the point(s) of diversion? John Wind Sr.

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system: John Wind Jr. is manager and operator of the dairy facility in section 13.

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

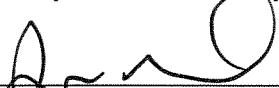
Yes No

- ☐ ☒ 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

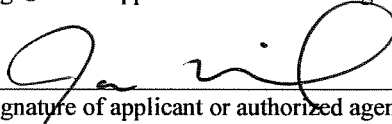
7. **MAP** - ☒ Attach a map of the diversion, measurement, control and distribution system. Clearly label the map with township, range, section and 1/4 1/4 of section information. The *Map Tool*, available at <http://maps.idwr.idaho.gov/TransferApplicationLayouts/> provides a satisfactory template for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


Signature of applicant or authorized agent

John Wind JR
Print name and title if applicable

05.04.12
Date


Signature of applicant or authorized agent

Jamie Wind
Print name and title if applicable

05/04/12
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 RS Date 5-7-12

Fee paid 200 Date 5-7-12 Receipted by RS Receipt # W040148

Preliminary review completed by KW Date 6/12/2012

2011 aerial

N ↑

14

13

1551

18

well for
this transfer →

N

23

24

19

26

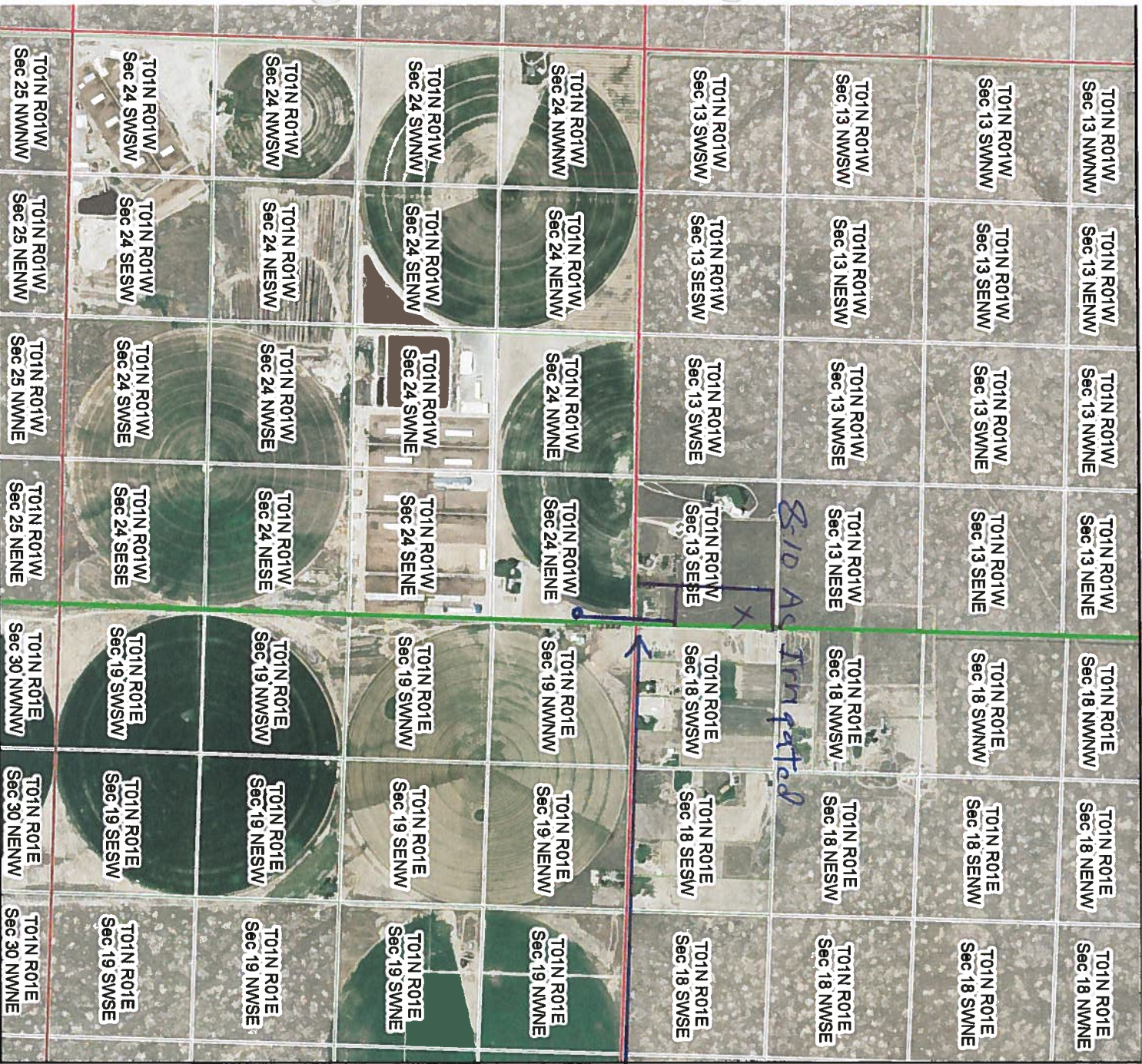
25

30

1W

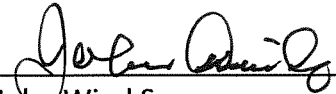
- Legend**
- ESPA
 - GCDB Township/Range
 - GCDB Section
 - GCDB Quarter-Quarter
 - Counties

*Pipe under Road
Connects to Darcy
Irrigation System.
Side well*



Agreement to Share Irrigation Water Wells

I, **John Wind Sr**, owner of the dairy facility on 540 acres in section 24, T01N, R01W, Ada County Idaho, do hereby agree, for valuable consideration, to supply as much as .16 cfs of irrigation water from the irrigation system located on my farm on Poen Road, to **John Wind Jr.**, of 1556 Poen Rd, Kuna, ID, for the purpose of irrigating 10 acres located in the SE ¼ of the SE ¼ of section 13, govt lot 4, T01N, R01W Boise Meridian, Ada County Idaho. This agreement is intended to remain in effect until one of the undersigned notifies the other undersigned, in writing, that a well sharing agreement no longer exists.



John Wind Sr

5-4-12

Date



John Wind Jr.

5-4-12

Date

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

5/2/2012

WATER RIGHT NO. 63-32160

Owner Type	Name and Address
Current Owner	JAMIE WIND
Current Owner	JOHN WIND JR
	1556 POEN RD
	KUNA, ID 83634
	208-922-1703
Original Owner	ESTHER CRAIG
Original Owner	WAYNE W CRAIG
	2200 POEN RD
	KUNA, ID 83634
	(208)922-0435

Priority Date: 05/10/1971

Basis: Decreed

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	0.16 CFS	45 AFA
Total Diversion			0.16 CFS	

Location of Point(s) of Diversion:

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GROUND WATER	SESESE Lt 4	Sec. 13	Township 01N	Range 01W	ADA County
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Place(s) of use:

Place of Use Legal Description: IRRIGATION ADA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
01N	01W	13	4	SESE	10									

Total Acres: 10

Conditions of Approval:

1.	T07	The right holder shall accomplish the change authorized by this transfer within one year from the date of this approval.
2.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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.
4.	046	Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5.	01M	After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6.	X61	The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 04/11/2007.
7.	R65	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
8.	X60	Point of diversion and place of use are located within Lot 4, Blk. 1, Mustang Estates Subdivision.

Dates:

Licensed Date:

Decreed Date: 04/11/2007

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:
Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4.5

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

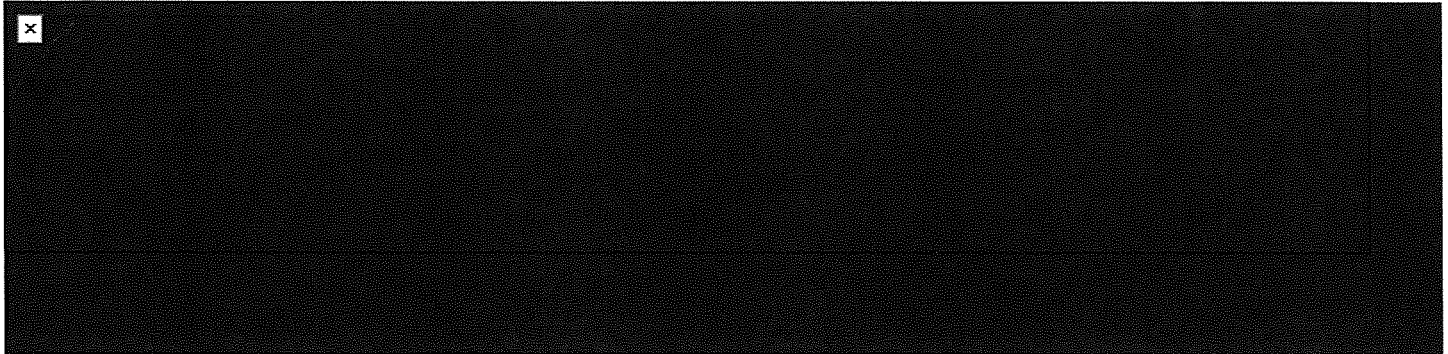
Cary Act Number:

Mitigation Plan: False

Close

Collingwood, Rick

From: John and Jamie Wind [axion10@aol.com]
Sent: Tuesday, May 15, 2012 9:17 PM
To: Collingwood, Rick
Subject: to expedite our point of diversion change for Water right



May 14, 2012

*State of Idaho
Water resources
Airport way
Boise Idaho*

To whom this may concern,

This is a letter asking that our request for our point of diversion be changed to another property of ours be processed as expeditiously as possible. We currently have cattle on our property and are supplementing their feed right now and would like to grow pasture grass for them to feed on. We are geared up and ready to "grow" just waiting on this approval, which we would appreciate at your earliest convenience.

We thank you for your time and your consideration in making this process as quick and painless as possible.

Many thanks,

John and Jamie Wind

*Liberty ranch
1556 poen road
Kuna Idaho 83634*

*Axion10@aol.com
(208) 922-1703 (H)*

*discussed with Jamie
ok to expedite, Ads N/A
949-8304 (cell)
JL 5/16/12*