

RECEIVED

MAY 24 2012

Department of Water Resources
Eastern RegionSTATE 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 change

1. APPLICANT(S) H BOYD OR FRANCES WORLEY Phone (208) 234-7134 254-9119
2. MAILING ADDRESS 6759 S OLD HWY 91 City MCCAMMON
State ID Zip 83250 Email _____

- ☐ 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) 29-64B

- ☒ 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 .021 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 #
09S	36E	12	2		SE	NE	Bannock	Portneuf River	Lewis/Goodenough
									ditch

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 headgate built in the early 1900's, to open ditch to each place of use. This application is a correction to the POD, the water rights have always been taken from this point of diversion.

- b. Who owns the property at the point(s) of diversion? Richard Lockyer

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Historical use

- 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.

H. Boyd Worley
Signature of applicant or authorized agent

H. Boyd Worley
Print name and title if applicable

5/23/2012
Date

Frances Worley
Signature of applicant or authorized agent

Frances Worley
Print name and title if applicable

5/23/2012
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 Km Date 5-25-2012
Fee paid \$20000 Date 5-24-2012 Received by Km Receipt # E037644
Preliminary review completed by Km Date 5-25-2012

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

Current Water Right No.: 29-64B

Current Owner: H BOYD WORLEY
FRANCES M WORLEY

Priority Date: 7/1/1902

Origin: Water Right

Status: Active

Basis: Decreed

Source

PORTNEUF RIVER

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

04/15 to 09/15

Diversion Rate

0.21 CFS

Annual Volume

Total Diversion

0.3 CFS

Location of Point(s) of Diversion

PORTNEUF RIVER

L1(SW1/4NW1/4NE1/4)

Sec. 12, Twp 09S, Rge 36E B.M.

BANNOCK County

Place of Use

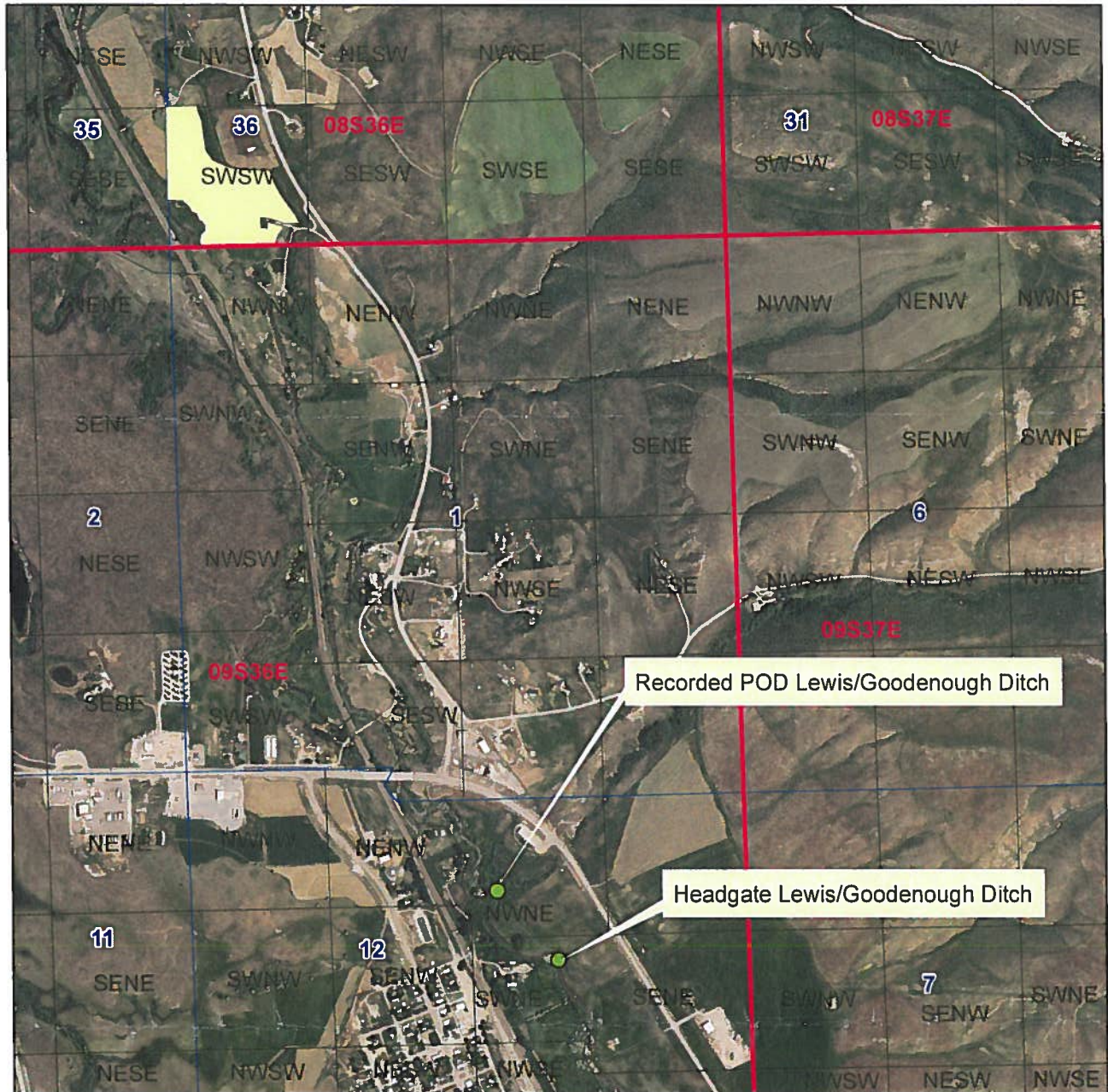
IRRIGATION Within BANNOCK County

T09S R36E S1	Lot 5	SENW	3.50	T09S R36E S1	Lot 6	NESW	3.50
Total Acres: 7							

Conditions of Approval:

1. S35 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 SEPTEMBER 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.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. F01 WATER IS DELIVERED THROUGH LEWIS-GOODENOUGH DITCH.
4. E51 USE OF THIS RIGHT WITH RIGHT NO. 29-07225 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.21 CFS.
5. E55 USE OF THIS RIGHT WITH RIGHT NO. 29-07225 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 7.0 ACRES IN A SINGLE IRRIGATION SEASON.

Decreed Date: 3/22/2004



Boyd Worley

- 29-65B
- Township/Range
- Sections
- QQ

0 0.15 0.3 0.6 Miles

77 95 7

