

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. 77884

**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: \_\_\_\_\_

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APR 12 2012

WATER RESOURCES  
WESTERN REGION

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESTransfer No. 77884APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1Name of Applicant(s) U.S.D.I., BLM Phone (208) 373-3831Mailing address 1387 S. Vinnell Way, Boise, ID 83709-1657 Email fwprice@blm.gov

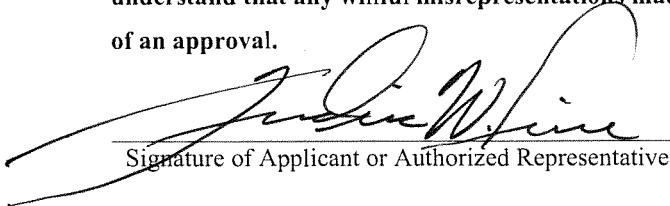
- ☒ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the 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 RepresentativeName of Representative Fredric W. Price, Water Rights Specialist Phone (208) 373-3831Mailing address 1387 S. Vinnell Way, Boise, ID 83709-1657 Email fwprice@blm.gov

- ☒ 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.



Signature of Applicant or Authorized Representative

Fredric W. Price, Water Rights Specialist  
Print Name and Title if applicable

04-12-2012  
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 \_\_\_\_\_
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**. We need to shorten up an instream stockwater claim such that the beginning point of diversion starts  
where the Unnamed Stream crosses the road in the NWNW, S15, T07S, R03W.

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WATER RESOURCES  
WESTERN REGION

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.                                                                          | <u>Right Number</u> | <u>Amount</u><br>(cfs/ac-ft) | <u>Nature of Use</u> | <u>Period of Use</u> | <u>Source &amp; Tributary</u> |
|-----------------------------------------------------------------------------|---------------------|------------------------------|----------------------|----------------------|-------------------------------|
| All or Part<br><input checked="" type="checkbox"/> <input type="checkbox"/> | 55-12084            | 0.02 cfs                     | instream stockwater  | 01/01 to 12/31       | Unnamed Stream to Rock Ck     |
| <input type="checkbox"/> <input type="checkbox"/>                           |                     |                              |                      | to                   |                               |
| <input type="checkbox"/> <input type="checkbox"/>                           |                     |                              |                      | to                   |                               |
| <input type="checkbox"/> <input type="checkbox"/>                           |                     |                              |                      | to                   |                               |
| <input type="checkbox"/> <input type="checkbox"/>                           |                     |                              |                      | to                   |                               |
| <input type="checkbox"/> <input type="checkbox"/>                           |                     |                              |                      | to                   |                               |
| <input type="checkbox"/> <input type="checkbox"/>                           |                     |                              |                      | to                   |                               |
| <input type="checkbox"/> <input type="checkbox"/>                           |                     |                              |                      | to                   |                               |
| <input type="checkbox"/> <input type="checkbox"/>                           |                     |                              |                      | to                   |                               |

Total authorized under rights 0.02 cfs and/or        ac-ft

2. Total amount of water proposed to be transferred or changed 0.02 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 # |
|-------|-----|----|----|----|-----|-----|-----|--------|----------------|---------------------|
| x     |     | NW | NW | NW | 15  | 07S | 03W | Owyhee | Unnamed Stream | Beginning POD       |
|       |     | SW | NW | SW | 15  | 07S | 03W | Owyhee | Unnamed Stream | Ending POD          |
|       |     |    |    |    |     |     |     |        |                |                     |
|       |     |    |    |    |     |     |     |        |                |                     |
|       |     |    |    |    |     |     |     |        |                |                     |

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 |             |
| 07S | 03W | 15  |      |    |    |    |      | S  | S  |    |      | S  |    |    |      |    |    |    | N/A         |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |

Total Acres (for irrigation use) N/A

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: \_\_\_\_\_  
Instream stockwater (there is no diversion). \_\_\_\_\_  
\_\_\_\_\_

- b. Who owns the property at the point(s) of diversion? U.S.D.I., BLM  
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: N/A  
\_\_\_\_\_

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:  
N/A  
\_\_\_\_\_  
\_\_\_\_\_

- 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:  
None  
\_\_\_\_\_  
\_\_\_\_\_

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

Yes No

- |                          |                                     |                                                                                               |
|--------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | undergone a period of five or more consecutive years of non-use,                              |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently leased to the Water Supply Bank,                                                    |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently used in a mitigation plan limiting the use of water under the right, or             |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**

# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 2

**A. DESCRIPTION OF RIGHT(S) AS RECORDED**

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ <http://www.idwr.idaho.gov/>, Water Right Transfers, Step 1.  
Insert Part 2A reports into the application following Part 1.

**B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES**

- ☒ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ <http://www.idwr.idaho.gov/>, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: 55-12084

- [illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per  $\frac{1}{4}$   $\frac{1}{4}$  tract.)

[illegible]

|                                  |      |
|----------------------------------|------|
| Total Acres (for irrigation use) | zero |
|----------------------------------|------|

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 3

**A. PLAT MAP** (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☐ 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.

### B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ 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**.

### C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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.:

FOR DEPARTMENT USE ONLY

Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments.

Received by RS Date 4.12.12 Prelim. Check by \_\_\_\_\_ Date \_\_\_\_\_

Fee Paid 200- Date 4.12.12 Received by RS Receipt # W040072

[illegible]

2000 JAN 03 PM 02:00  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED

In Re SRBA ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 55-12084

PAGE 1  
Jan-03-2000

## Attachment 3 Delegation of Authority

UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
Idaho State Office  
1387 South Vinnell Way  
Boise, Idaho 83709-1657

In Reply Refer To:  
7250/1230 (933) P

*July 27, 2001*

EMS  
Instruction Memorandum No. ID-2001-063  
Expires: 09/30/2002

To: ICT

From: State Director

Subject: Water Rights Delegation of Authority

Idaho State Office 1203 - Delegation of Authority Manual Supplement is amended to add a delegated authority to both the Deputy State Director for Resource Services and the Branch Chief for Lands and Minerals to negotiate and settle Snake River Basin Adjudication (SRBA) water rights issues. The SRBA water rights team leader (Gary Madenford) and senior water rights specialist (Fred Price) will continue to have authority to represent the BLM regarding all water rights issues.

This delegation is effective immediately. The Idaho Delegation of Authority Supplement will be revised to reflect these changes.

Contact Jimmie Buxton if you have comments or questions regarding this issue.

Signed by:  
Martha G. Hahn

Authenticated by:  
Susanna M. Henry  
Staff Assistant (ID-933)

cc:  
ISO Water Rights Team  
Larry Brown, DOJ Attorney  
Mel Matlock (950)  
Bill Ferry, Field Solicitor - Boise

# Attachment 3

## Delegation of Authority

Page 2 of 3

Form 1221-2  
(June 1969)



UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE SUPPLEMENT  
MANUAL TRANSMITTAL SHEET

Release  
1-315

Date  
09/15/97

Subject

1203 - DELEGATION OF AUTHORITY

1. Explanation of Material Transmitted: This Supplement updates Idaho's delegation of authority and related procedures to Idaho Field Offices. It provides updated information on Idaho policy for delegations of authority, criteria for determining appropriate level of delegations of authority, procedures for re delegating authorities, procedures for revoking authorities, procedures for designating acting officials, and an index of Idaho authorities.
2. Reports Required: None.
3. Material Superseded: Manual Supplement pages listed below are removed by this release.
4. Filing Instructions: File as directed below.

Remove:

All of Idaho  
Supplement 1203 (Rel. 1-312)

(Total: 37 Sheets)

Insert:

BLM Manual  
Supplement 1203

(Total: 45 Sheets)

*Donna B. [Signature]*  
State Director

Associate

# Attachment 3 Delegation of Authority

Page 3 of 3

Appendix 2, Page 68

## 1203 - DELEGATION OF AUTHORITY

| Reference Code | Activity                                                                                                                                                                                                            | Authority Delegated To |             |                  |        |        |        |        |                            |             |             |             |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|-------------|------------------|--------|--------|--------|--------|----------------------------|-------------|-------------|-------------|
|                |                                                                                                                                                                                                                     | S<br>D                 | D<br>S<br>D | B<br>r<br>C<br>h | D<br>M | A<br>M | A<br>O | O<br>M | A<br>I<br>l<br>S<br>u<br>p | W<br>C<br>O | F<br>M<br>O | M<br>R<br>F |
| 6525           | Approve Cooperative Management Programs Jointly with State Wildlife Agencies Pursuant to the Sikes Act, as Amended<br>Source: 74 Stat 1052; 88 Stat 1369; 92 Stat 921, P.L. 95-420<br>Date of Last Change: 11/10/94 |                        |             |                  | X      | X      |        |        |                            |             |             |             |
| 6602           | Approve Wildlife Inventory and Monitoring Plans<br>Source: FLPMA; 43 U.S.C. 1701 ET SEQ, NEPA, 42 U.S.C. 4321<br>Date of Last Change: 11/10/94                                                                      |                        |             |                  |        | X      |        |        |                            |             |             | X           |
| 6780           | Approve Habitat Management Plan<br>Source: Idaho Manual Supplement 6780<br>Date of Last Change: 11/10/94                                                                                                            |                        |             |                  | X      | X      |        |        |                            |             |             | X           |
| 6840           | Conduct Endangered Species Consultation per Section 7 of Endangered Species Act of 1973, as Amended<br>Source: 50 CFR 402<br>Date of Last Change: 11/10/94                                                          |                        |             |                  | X      | X      |        |        |                            |             |             | X           |
| 7250           | Settle Water Rights Issues<br>Source: 1993 Court Order to State Director<br>Special Delegation To Special Project Team (931) - Water Rights<br>Date of Last Change: 01/09/95                                        |                        |             |                  |        |        |        |        |                            |             |             |             |

