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JAN 31 2012

Rev. 10/09

DEPT. OF WATER RESOURCES  
SOUTHERN REGION

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. 77744

### 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. Part 2B forms are available on the Department's website at: [http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/PDFs\\_09/WaterRight\\_TransferApp\\_Part2B.pdf](http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/PDFs_09/WaterRight_TransferApp_Part2B.pdf).
- \* 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.
- #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).
- #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/wrt\\_default.htm](http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/wrt_default.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.)
- #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: Attachment A Summary of District Water Rights.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. \_\_\_\_\_

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APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1

DEPT. OF WATER RESOURCES

SOUTHERN REGION  
Name of Applicant(s) A+B Irrigation District Phone 208-436-3152

Mailing address P.O. Box 675 Rupert Id. 83350 Email abid@pmt.org

- 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 Dan Temple Phone 208-436-3152

Mailing address P.O. Box 675 Rupert Id. 83350 Email abid@pmt.org

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.

Dan Temple  
Signature of Applicant or Authorized Representative

Dan Temple Mgr.  
Print Name and Title if applicable

1-2-2012  
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 delete (1) P.O.D. / correct (1) P.O.D. / legal description

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.** See attachment

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> (cfs/ac-ft)	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source &amp; Tributary</u>
All or Part					
<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	
<input type="checkbox"/>	<input type="checkbox"/>			to	

See Attachment A

Total authorized under rights 1100 cfs and/or \_\_\_\_\_ ac-ft

2. Total amount of water proposed to be transferred or changed \_\_\_\_\_ 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 #
yes	94	NW	NE	NW						

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	

No change

Total Acres (for irrigation use) \_\_\_\_\_

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:

The new point of diversion will be hooked direct to the District water users. All systems will have lockable valves controlled by the District and approved flowmeters to measure usage.

b. Who owns the property at the point(s) of diversion? A+B ID water users

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

A+B ID will prepare legal grant of easements for the granting of operation & maintenance easements.

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:

Does not apply

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:

The A+B ID boundaries for the place of use are not proposed to be changed or the total number of acres under our rights will not change.

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:

The A+B water rights shown on attachment A are the only rights to my knowledge that serve the lands involved in this proposed transfer.

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: The District has 132 acres under right 36-15727B that has been placed in the CRIP program

The District has an approved mitigation plan on file with the department for the Blue Lake delivery call.





ATTACHMENT "A"

Summary of Water Rights Affected

<u>Right</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>
36-2080	09/09/1948	1100.00 cfs	250416.0 af
36-15192	04/01/1962	0.60 cfs	
36-15127A	04/01/1962	20.00 cfs	4823.2 af
36-15127B	04/01/1984	34.03 cfs	8206.0 af
36-15193B	04/01/1965	0.31 cfs	75.6 af
36-15195B	04/01/1978	2.25 cfs	542.4 af
36-15196B	04/01/1981	0.08 cfs	18.8 af
36-15194A	04/01/1962	0.23 cfs	54.8 af
36-15194B	04/01/1968	2.53 cfs	609.6 af
36-15193A	04/01/1962	0.21 cfs	50.0 af
36-15195A	04/01/1962	0.87 cfs	210.0 af
36-15196A	04/01/1962	0.29 cfs	69.6 af

## Part 1A.2

With this transfer application, A & B Irrigation District proposes to:

- add one (1) new point of diversion
- delete one (1) point of diversion
- correct one (1) point of diversion

The new point of diversion is needed to supplement an existing District well system. There will be no change in the place of use or enlargement of the acreage under the District's water rights.

The point of diversion that is to be deleted was to be a new well. The well was never completed due to a lost drill bit and consequently abandoned by Elsing Drilling.

The point of diversion that is in need of a legal description correction was added under transfer no. 76927.

Section	Township	Range	¼	¼	¼	Purpose
11	9S	22EBM	NW	NE	NW	Add
17	9S	22EBM	--	NE	NW	Delete
28	8S	24EBM	<del>SE</del>	NW	SW	Correct

↑  
PER 2/9/12  
E-MAIL FROM  
DAN TEMPLE

## Attachment B

### New Point of Diversion

- 11D922
- 3 CFS

3 CFS Transfer Fee .....\$660.00

Attachment # 3 see next page



## United States Department of the Interior



IN REPLY REFER TO:

BUREAU OF RECLAMATION  
Pacific Northwest Region  
1150 North Curtis Road, Suite 100  
Boise, Idaho 83706-1234

PN-3100  
WTR-4.10

JAN 25 2012

Mr. Dan Temple  
Manager  
A&B Irrigation District  
P.O. Box 675  
Rupert, ID 83350

Subject: Application for transfer, A&B Irrigation District letter of January 3, 2012

Dear Mr. Temple:

Reclamation consents to the transfer application outlined in your letter of January 3, 2012, which you intend to file with the Idaho Department of Water Resources.

If you have any questions, please call me at 208-378-5306.

Sincerely,

E. Gail McGarry  
Program Manager, Water Rights and Acquisitions



Attachment # 3

## A&B Irrigation District

P.O. Box 675  
414 11<sup>th</sup> Street  
Rupert, ID 83350

Phone: 208-436-3152 Fax: 208-436-3151  
abid@pmt.org

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January 3, 2012

E. Gail McGarry  
Bureau of Reclamation  
Pacific Northwest Regional Office  
1150 North Curtis Road, Ste. 100  
Boise, ID 83706-1234

Re: Application for Transfer of Water Right

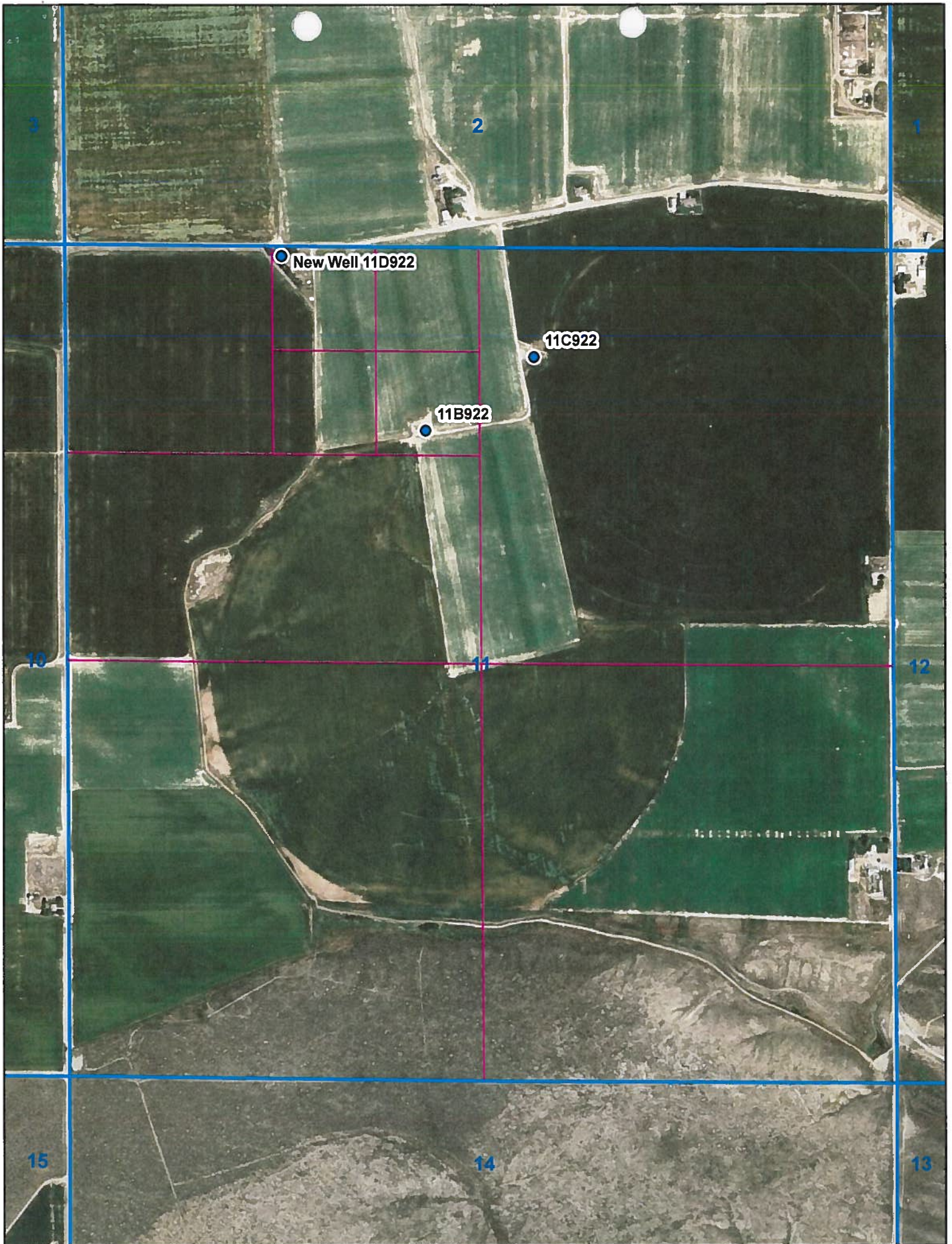
Dear Ms. McGarry,

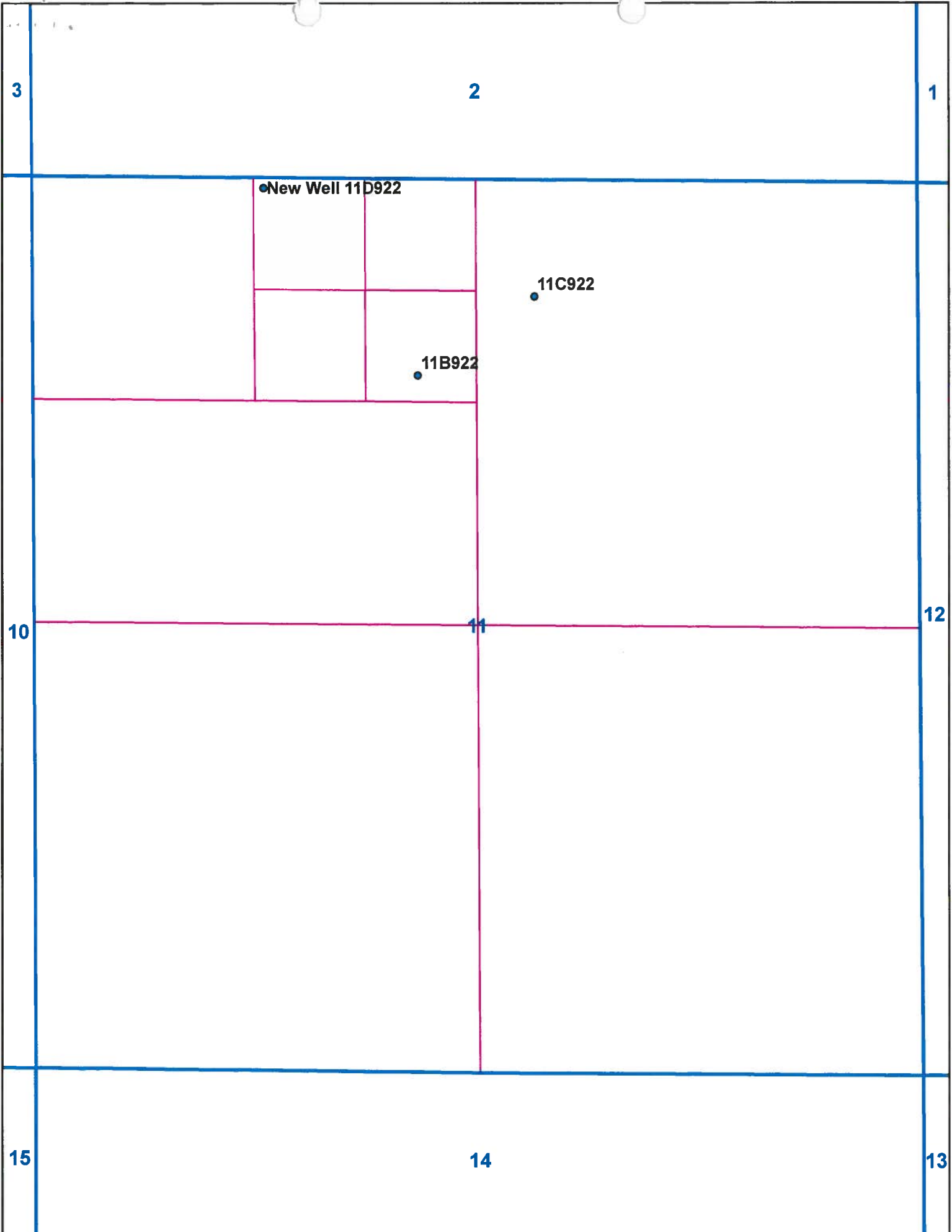
The District, once again, is making changes to our well field. We need to file a transfer to include a new supplemental well in the NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  Section 11, Township 9 South, Range 22 East of the Boise Meridian. Also, we need to correct the legal description of an existing well in Section 28, Township 8 South, Range 24 East of the Boise Meridian *from* the NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  *to* the SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ . A point of diversion in Section 17, Township 9 South, Range 22 East of the Boise Meridian that was approved in a previous transfer will need to be deleted. This well was never completed and eventually abandoned due to a lost drill bit.

Upon approval, a letter from the Bureau of Reclamation will be needed to submit with our transfer application. Your assistance with this matter is greatly appreciated. If you have any questions regarding this letter or any of the attachments, please do not hesitate to call.

Thank you,

Dan Temple  
Manager





3

2

1

•New Well 11D922

•11C922

•11B922

10

11

12

15

14

13



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