

RECEIVED

FEB 01 2012

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

77733

APPLICATION FOR TRANSFER OF WATER RIGHT – POINTS 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 Point of Diversion ☐ Add diversion point(s) ☐ Ownership change

1. **APPLICANT(S)** Oxford Mountain Ranch LLC Phone 847-828-0892

2. **MAILING ADDRESS** 111 Terrace Dr City Barrington

State IL Zip 60010 Email _____

c/o Rocky Mountain Environmental Associates, Inc. Email kmoore@rockymountainenvironmental.com

482 Constitution Way, Ste 303, Idaho Falls ID 83402 Phone (208) 524-2353 Fax (208) 524-1795

- ☐ 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 OF WATER RIGHT NUMBER(S)** 13-7134 and 13-7144

- ☒ 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 8.42 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 #
13S	38E	5			SW	SE	BANNOCK	GROUND WATER	
					SW	SW	BANNOCK	GROUND WATER	
		8			NW	NW	BANNOCK	GROUND WATER	

77733

Transfer No. 77733

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:

Two of the wells are existing wells and are already hooked up to an existing irrigation system, including pipelines, pivots, and wheel lines. The third well located in the SWSW of Section 5 is a proposed new well that will replace a dry well located in the SWSE of Section 5, as described on the water right reports. Ground water is co-mingled with surface water right no. 13-132 in a pond adjacent to the proposed new well. No changes are proposed for the surface water right.

- 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. 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: _____

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.


Signature of applicant or authorized agent

manager
Joseph K. K. K.
Print Name and Title if applicable

1-23-12
Date

Signature of applicant or authorized agent

Print Name and Title if applicable

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 contains _____ pages of attachments. Received by _____ Date _____
Fee Paid \$1,140.00 Date 2/02/2012 Received by Km Receipt # E037291
Preliminary review completed by _____ Date _____

Owner Type **Name and Address**
 Current Owner OXFORD MOUNTAIN RANCH LLC
 111 TERRACE DR
 BARRINGTON, IL 60010
 (847)828-0892

Priority Date: 08/20/1976

Basis: License

Status: Active

Source **Tributary**
 GROUND WATER

Beneficial Use **From** **To** **Diversion Rate** **Volume**
 IRRIGATION 04/15 10/15 3.18 CFS 840 AFA
 Total Diversion 3.18 CFS

Location of Point(s) of Diversion:

GROUND WATER SWSE Sec. 05 Township 13S Range 38E BANNOCK County

GROUND WATER SWSE Sec. 05 Township 13S Range 38E BANNOCK County

GROUND WATER NWNW Sec. 08 Township 13S Range 38E BANNOCK County

IRRIGATION Use: Acre Limit: 240

Place of Use Legal Description: IRRIGATION BANNOCK County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
13S	38E	4		SWNW 21			SENE 7.4							
				NESW 28			NWSW 40			SWSW 26			SESE 10	
		5		SENE 3										
				NESW 7.7			SESE 2							
				NESE 22			NWSE 32			SWSE 37			SESE 39	
		8		NENE 41			NWNE 36			SWNE 33				
				NENW 32			NWNW 2.5			SWNW 6.1			SENE 41	
				NESW 0.3										
		9		NWNE 27										
				NENW 36			NWNW 34							

Total Acres: 564

Conditions of Approval:

1. X27 This right is limited to the irrigation of 240 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 13-132, 13-7134 and 13-7144 when combined shall not exceed a total annual maximum diversion volume of 1953 af at the field headgate, and the irrigation of 558 acres.
After specific notification by the Department, the right holder shall install a suitable measuring device
3. 01M or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. 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 lands above.
5. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other
6. X61 elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
7. F06 The following rights are diverted through point(s) of diversion described above: 13-7134, 13-7144.
8. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. 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.

Owner Type **Name and Address**
 Current Owner OXFORD MOUNTAIN RANCH LLC
 111 TERRACE DR
 BARRINGTON , IL 60010
 (847)828-0892

Priority Date: 07/09/1973

Basis: License

Status: Active

Source **Tributary**
 GROUND WATER

Beneficial Use **From** **To** **Diversion Rate** **Volume**
 IRRIGATION 04/15 10/15 5.24 CFS 1445.5 AFA
 Total Diversion 5.24 CFS

Location of Point(s) of Diversion:

GROUND WATER SWSE Sec. 05 Township 13S Range 38E BANNOCK County

GROUND WATER SWSE Sec. 05 Township 13S Range 38E BANNOCK County

GROUND WATER NWNW Sec. 08 Township 13S Range 38E BANNOCK County

IRRIGATION Use: Acre Limit: 413

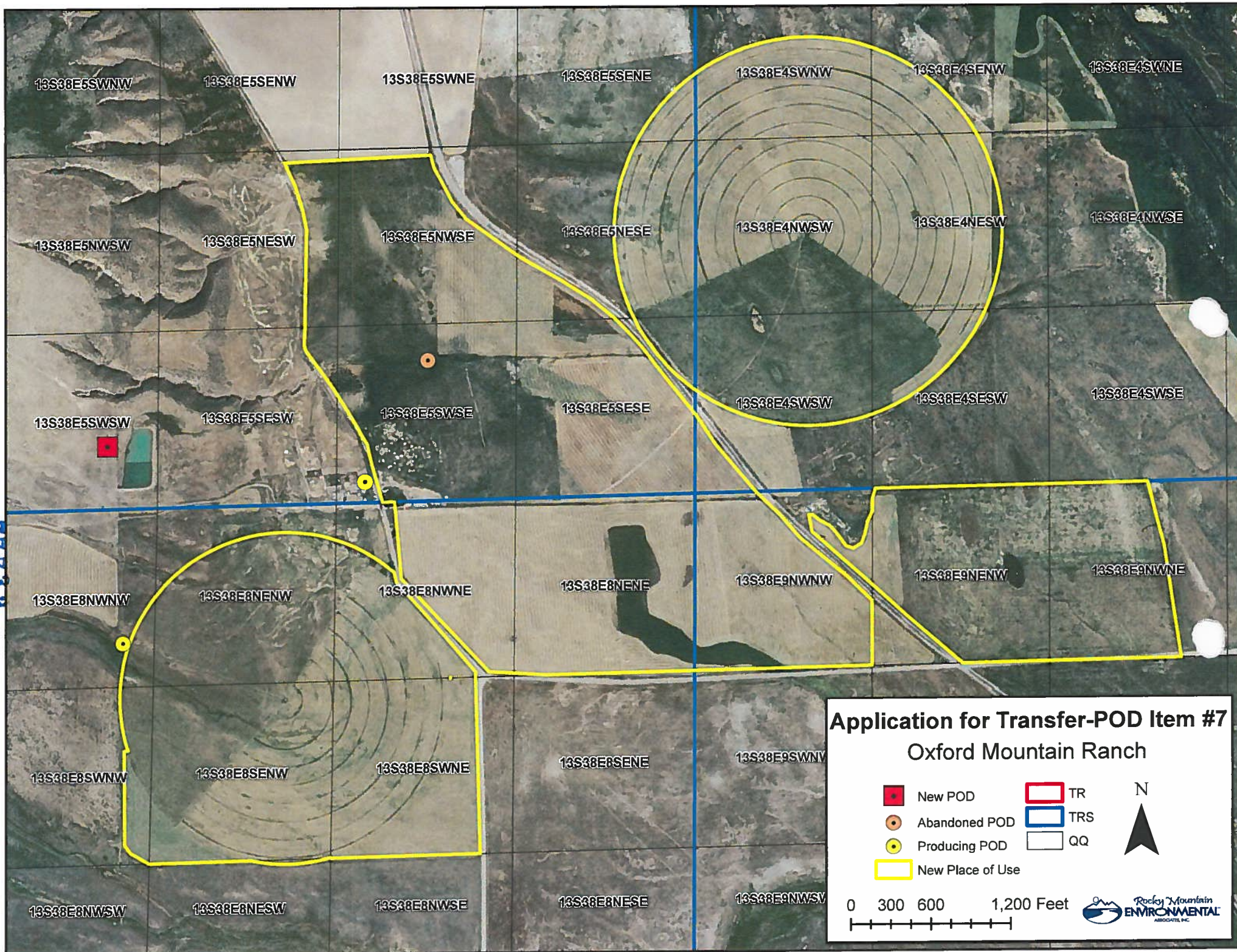
Place of Use Legal Description: IRRIGATION BANNOCK County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
13S	38E	4		SWNW 21			SENE 7.3							
				NESW 28			NWSW 40			SWSW 26			SESE 9.5	
		5		SENE 3										
				NESW 7.7			SESE 1.9							
				NESE 22			NWSE 31			SWSE 37			SESE 39	
		8		NENE 41			NWNE 35			SWNE 34				
				NENW 31			NWNW 2.4			SWNW 5.8			SENE 42	
				NESW 0.6										
				NWSE 0.2										
		9		NWNE 26										
				NENW 35			NWNW 34							

Total Acres: 560.4

Conditions of Approval:

1. X27 This right is limited to the irrigation of 413 acres within the authorized place of use in a single irrigation season.
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9. 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.



No. W 27197	Due no later than Dec 31, 2011 Annual Report Form		2. Registered Agent and Address (NO PO BOX)
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE			RICHARD F GOODSON 877 MAIN ST STE 1000 BOISE ID 83702 3. <u>New</u> Registered Agent Signature:*
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.			
Office Held	Name	Street or PO Address	City State Country Postal Code
MANAGER	JOSEPH T KOCH	P.O. BOX 3487	BARRINGTON IL USA 60011
5. Organized Under the Laws of: ID W 27197	6. Annual Report must be signed.* Signature: Joseph T. Koch Name (type or print): Joseph T. Koch Date: 10/15/2011 Title: Manager		
Processed 10/15/2011		* Electronically provided signatures are accepted as original signatures.	