

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESTransfer No. 77718**APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1**Name of Applicant(s) David Ward and Melissa Ward Phone 208-657-2560Mailing address 2700 N 626 E Montevue, ID 83435 Email \_\_\_\_\_

- ☐ 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 \_\_\_\_\_ Phone \_\_\_\_\_

Mailing address \_\_\_\_\_ Email \_\_\_\_\_

- ☐ 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**.

RECEIVED

JAN 25 2012

Department of Water Resources  
Eastern Region

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

David Ward  
Print Name and Title if applicable

Date

Signature of Applicant or Authorized Representative

Melissa Ward  
Print Name and Title if applicable

Date

RECEIVED

JAN 25 2012

Department of Water Resources  
Eastern Region**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. See supplementary page for narrative**

### **Part 1A.2.**

The rate of diversion to acre ratio under right 31-11730 is lighter than desired and we are seeking to increase that rate of diversion to acre ratio by swapping out 74.5 acres from right 31-11730 with 74.5 acres from right 31-12265, 31-12267 and 31-12269. This transfer will also bring in an additional 7.0 acres from water rights 31-12265, 31-12267 and 31-12269 to cover land irrigated without a water right. This transfer (no. 1) will be to change the point of diversion and place of use for 81.5 acres under water rights 31-12265, 31-12267 and 31-12269. Transfer no. 2 was filed simultaneously to backfill 74.5 out of 81.5 acres removed from water right 31-12265, 31-12267 and 31-12269 with 74.5 acres from water right 31-11730.

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.                                                                          | Right Number        | Amount<br>(cfs/ac-ft) | Nature of Use | Period of Use  | Source & Tributary |
|-----------------------------------------------------------------------------|---------------------|-----------------------|---------------|----------------|--------------------|
| All or Part<br><input checked="" type="checkbox"/> <input type="checkbox"/> | 31-11730            | 1.47 cfs              | Irrigation    | 04/01 to 10/31 | Ground Water       |
| <input type="checkbox"/> <input checked="" type="checkbox"/>                | 31-12265 (31-12274) | 0.26 cfs              | Irrigation    | 04/01 to 10/31 | Ground Water       |
| <input type="checkbox"/> <input checked="" type="checkbox"/>                | 31-12267 (31-12275) | 0.17 cfs              | Irrigation    | 04/01 to 10/31 | Ground Water       |
| <input type="checkbox"/> <input checked="" type="checkbox"/>                | 31-12269 (31-12276) | 1.21 cfs              | Irrigation    | 04/01 to 10/31 | Ground Water       |
| <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 3.11 cfs and/or \_\_\_\_\_ ac-ft

2. Total amount of water proposed to be transferred or changed 3.11 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 # |
|-------|-----|----|----|----|-----|-----|-----|-----------|--------------|---------------------|
|       |     | SW | NW | SW | 22  | 08N | 33E | Jefferson | Ground Water |                     |
|       |     |    |    |    |     |     |     |           |              |                     |
|       |     |    |    |    |     |     |     |           |              |                     |
|       |     |    |    |    |     |     |     |           |              |                     |
|       |     |    |    |    |     |     |     |           |              |                     |

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 |             |
| 08N | 33E | 22  |      |    |    |    |      |    |    |    | 35.5 | 34.3 | 33.4 | 34.3 |      |      |    |    | 137.5       |
| 08N | 33E | 21  |      |    |    |    |      |    |    |    |      |      |      |      | 36   | 34.5 | 33 | 34 | 137.5       |
|     |     |     |      |    |    |    |      |    |    |    |      |      |      |      |      |      |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |      |      |      |      |      |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |      |      |      |      |      |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |      |      |      |      |      |    |    |             |
|     |     |     |      |    |    |    |      |    |    |    |      |      |      |      |      |      |    |    |             |

Total Acres (for irrigation use) 275.0

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: POD to two center pivots

- 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. 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: \_\_\_\_\_

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: 74.5 acres from water right 31-11730 will backfill the 74.5 acres transferred from water right 31-12265, 31-12267, 31-12269. 7.0 acres of water rights 31-12265, 31-12267, 31-12269 will be dried up.

- 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: \_\_\_\_\_

- 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: \_\_\_\_\_

Page \_\_\_\_\_ of \_\_\_\_\_

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

**Current Water Right No.:** 31-11730

**Current Owner:** MELISSA WARD  
DAVID Z WARD

**Priority Date:** 1/2/1952

**Origin:** Water Right

**Status:** Active

**Basis:** Decreed

**Source**

**Tributary**

GROUND WATER

| <u><b>Beneficial Use</b></u> | <u><b>From To</b></u>         | <u><b>Diversion Rate</b></u> | <u><b>Annual Volume</b></u> |
|------------------------------|-------------------------------|------------------------------|-----------------------------|
| IRRIGATION                   | 04/01 to 10/31                | 2.04 CFS                     | 888.2 AF                    |
|                              | <u><b>Total Diversion</b></u> | 2.04 CFS                     | 888.2 AF                    |

**Location of Point(s) of Diversion**

GROUND WATER  
JEFFERSON County

SW1/4NW1/4SW1/4    Sec. 22,    Twp 08N,    Rge 33E B.M.

**Place of Use**

**IRRIGATION Within JEFFERSON County**

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T08N R33E S21 | NESE | 33.00 | T08N R33E S21 | NWSE | 33.00 |
| T08N R33E S21 | SWSE | 33.00 | T08N R33E S21 | SESE | 33.00 |
| T08N R33E S22 | NESW | 34.00 | T08N R33E S22 | NWSW | 34.00 |
| T08N R33E S22 | SWSW | 34.00 | T08N R33E S22 | SESW | 34.00 |

Total Acres: 268

**Conditions of Approval:**

1.    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.

**Decreed Date:** 12/31/2003

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# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 2

**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.

☒ 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.

[illegible][illegible]

|                                  |      |
|----------------------------------|------|
| Total Acres (for irrigation use) | 81.5 |
|----------------------------------|------|

77 71 8

Page \_\_\_\_\_ of \_\_\_\_\_

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

Current Water Right No.: 31-12265

Current Owner: DAVID Z WARD  
MELISSA WARD  
Priority Date: 7/25/1955  
Origin: Water Right  
Status: Active  
Basis: Decreed

Source

Tributary

GROUND WATER

| <u>Beneficial Use</u> | <u>From To</u>         | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|------------------------|-----------------------|----------------------|
| IRRIGATION            | 04/01 to 10/31         | 0.44 CFS              | 188.8 AF             |
|                       | <u>Total Diversion</u> | 0.44 CFS              | 188.8 AF             |

Location of Point(s) of Diversion

GROUND WATER  
JEFFERSON County  
NE1/4SE1/4 Sec 22, Twp 08N, Rge 33E B.M.

Place of Use

IRRIGATION Within JEFFERSON County

|                  |      |       |               |      |       |
|------------------|------|-------|---------------|------|-------|
| T08N R33E S22    | NESE | 34.50 | T08N R33E S22 | NWSE | 34.00 |
| T08N R33E S22    | SWSE | 33.50 | T08N R33E S22 | SESE | 34.00 |
| Total Acres: 136 |      |       |               |      |       |

Page \_\_\_\_\_ of \_\_\_\_\_

Conditions of Approval:

1. X27 This right is limited to the Irrigation of 131.4 acres within the authorized place of use described above in a single irrigation season.
2. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 110.
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. T19 Pursuant to Section 42-1412(8), 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.
8. 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.
7. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. 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.
9. 131 Prior to the diversion and use of water under Transfer approval 72768, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
10. X35 Rights 31-12265, 31-12267 and 31-12289 when combined shall not exceed a total diversion rate of 2.74 cfs, a total annual maximum diversion volume of 476.0 af at the field headgate, and the irrigation of 136.0 acres.

Decreed Date 2/22/2002

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

**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.

Right Number: 31-12267

[illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

[illegible]

|                                         |             |
|-----------------------------------------|-------------|
| <b>Total Acres (for irrigation use)</b> | <b>81.5</b> |
|-----------------------------------------|-------------|

Page \_\_\_\_\_ of \_\_\_\_\_

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

Current Water Right No.: 31-12267

Current Owner: DAVID Z WARD  
MELISSA WARD

Priority Date: 7/26/1961

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

| <u>Beneficial Use</u> | <u>From</u>            | <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|------------------------|-----------|-----------------------|----------------------|
| IRRIGATION            | 01/01                  | 12/31     | 0.28 CFS              | 118.4 AF             |
|                       | <u>Total Diversion</u> |           | 0.28 CFS              | 118.4 AF             |

Location of Point(s) of Diversion

GROUND WATER  
JEFFERSON County

NE 1/4 SE 1/4    Sec. 22,    Twp 08N,    Rge 33E B.M.

Place of Use

IRRIGATION Within JEFFERSON County

|                  |      |       |               |      |       |
|------------------|------|-------|---------------|------|-------|
| T08N R33E S22    | NESE | 34.50 | T08N R33E S22 | NWSE | 34.00 |
| T08N R33E S22    | SWSE | 33.50 | T08N R33E S22 | SESE | 34.00 |
| Total Acres: 138 |      |       |               |      |       |

Page \_\_\_\_\_ of \_\_\_\_\_

Conditions of Approval:

1. X35 Rights 31-12265, 31-12267 and 31-12269 when combined shall not exceed a total diversion rate of 2.74 cfs, a total annual maximum diversion volume of 476.0 af at the field headgate, and the irrigation of 136.0 acres.
2. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
3. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. 131 Prior to the diversion and use of water under Transfer approval 72766, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
5. 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.
6. 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.
7. 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.
8. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 110.

Decreed Date 2/22/2002



Page \_\_\_\_\_ of \_\_\_\_\_

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

**Current Water Right No.:** 31-12269

**Current Owner:** DAVID Z WARD  
MELISSA WARD

**Priority Date:** 6/22/1953

**Origin:** Water Right

**Status:** Active

**Basis:** Decreed

**Source**

**Tributary**

GROUND WATER

| <u><b>Beneficial Use</b></u> | <u><b>From To</b></u>         | <u><b>Diversion Rate</b></u> | <u><b>Annual Volume</b></u> |
|------------------------------|-------------------------------|------------------------------|-----------------------------|
| IRRIGATION                   | 04/01 to 10/31                | 2.02 CFS                     | 416.9 AF                    |
|                              | <u><b>Total Diversion</b></u> | 2.02 CFS                     | 416.9 AF                    |

**Location of Point(s) of Diversion**

|                  |            |        |         |             |
|------------------|------------|--------|---------|-------------|
| GROUND WATER     | NE1/4SE1/4 | Sec 22 | Twp 08N | Rge 33E B M |
| JEFFERSON County |            |        |         |             |

**Place of Use**

**IRRIGATION Within JEFFERSON County**

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T08N R33E S22 | NESE | 34.50 | T08N R33E S22 | NWSE | 34.00 |
| T08N R33E S22 | SWSE | 33.50 | T08N R33E S22 | SESE | 34.00 |

Total Acres: 136

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Page \_\_\_\_\_ of \_\_\_\_\_

Conditions of Approval:

1. 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.
2. 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.
3. 131 Prior to the diversion and use of water under Transfer approval 72766, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 110.
6. 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.
7. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
9. X27 This right is limited to the irrigation of 119.1 acres within the authorized place of use described above in a single irrigation season.
10. X35 Rights 31-12265, 31-12267 and 31-12289 when combined shall not exceed a total diversion rate of 2.74 cfs, a total annual maximum diversion volume of 476.0 af at the field headgate, and the irrigation of 136.0 acres.

Decreed Date: 2/22/2002

## APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

☒ 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.

☐ 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**.

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

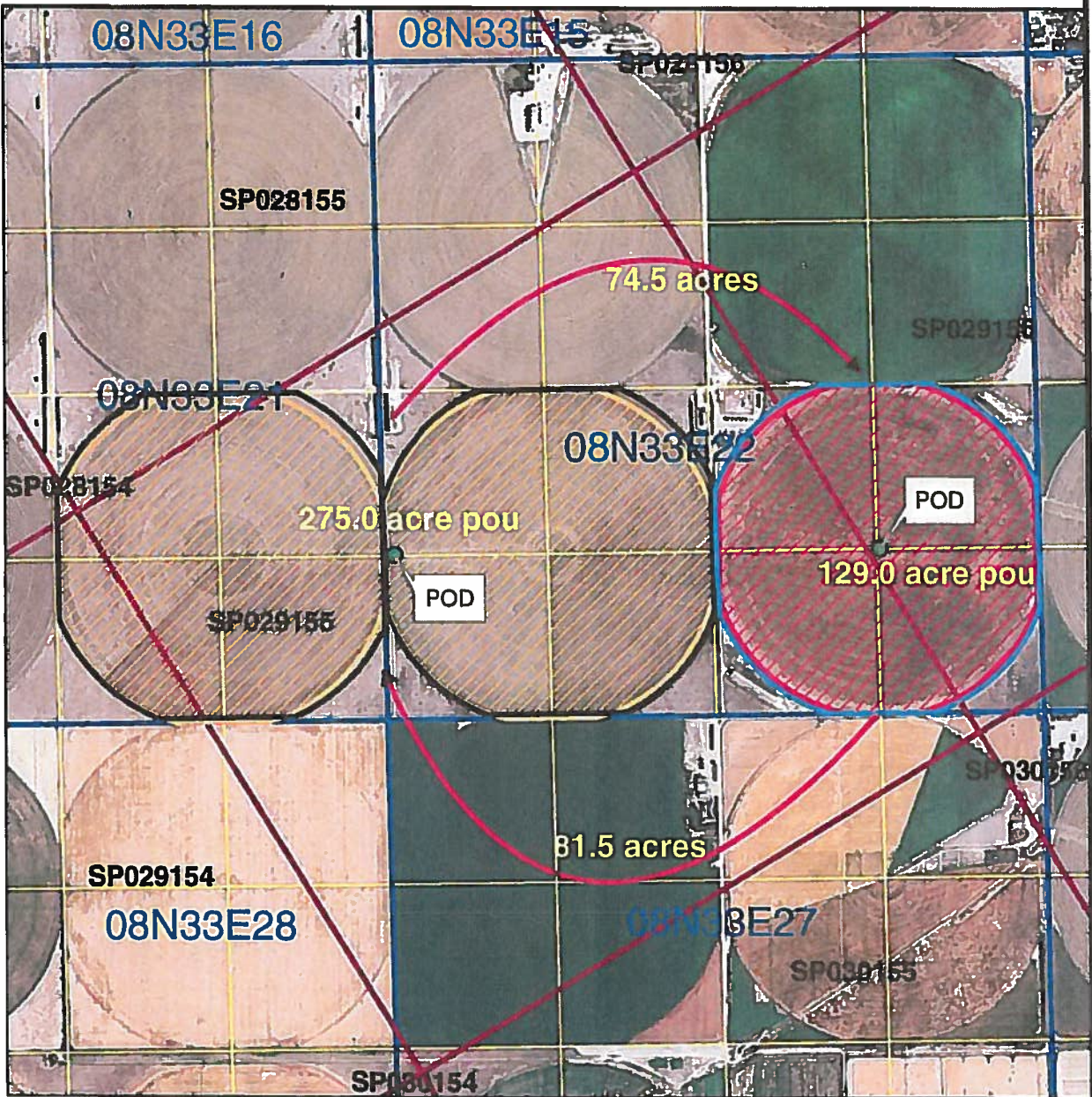
1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary 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.:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page.

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

|                           |                       |                         |                          |
|---------------------------|-----------------------|-------------------------|--------------------------|
| Received by _____         | Date _____            | Prelim. Check by _____  | Date _____               |
| Fee Paid <u>\$2160.00</u> | Date <u>1/26/2012</u> | Received by <u>Blak</u> | Receipt # <u>E037273</u> |
| Add'l Fee Paid _____      | Date _____            | Received by _____       | Receipt # _____          |
| <u>Yxfers</u>             |                       |                         |                          |

77 71 8



### Legend

- 31-12265, 31-12267, 31-12269\_CurrentPOU
- 31-11730\_ProposedPOU
- 31-11730\_CurrentPOU
- 31-12265, 31-12267, 31-12269\_ProposedPOU
- Modelgrid
- Township/Range
- Sections
- QQ

0 0.125 0.25 0.5 Miles  
1 inch = 0.25 miles



2011 Aerial Photography

**Attachment #5; ESPA Analysis**

Points of diversion are within adjacent cells. No ESPA analysis is required

JAN 25 2012

Rev. 10/09

Department of Water Resources  
Eastern Snake Plain Transfer No. 77718STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**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: \_\_\_\_\_

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