

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

Check all that apply:

☐ Ownership change

State ID. Zip 83712 Email raykau@msn.com

- A57-10005

- ☐ 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.waterboards.ca.gov/water_issues/programs/central_valley_basins/cvba/ESPA/ESPA_analysis.htm](#), *Water Right Transfers, Online Resources*.

[illegible]

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:

Pump specifications

- b. Who owns the property at the point(s) of diversion? DERCK Investment Corp.

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(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 $\frac{1}{4}$ of section information. The *Map Tool*, available at www.idwr.idaho.gov/transfer/transfer.html 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

Print name and title if applicable

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 *Application Fee Schedule* is available at www.idwr.idaho.gov, *Water Right Transfers, Step 4* and in the

FOR DEPARTMENT USE ONLY

Transfer includes 4 pages of attachments.

Received by SB

Date 11-28-2011

Fee paid \$580.00 Date 11-28-2011

Received by SB

Receipt # W039777

Preliminary review completed by Vicki Musico

Date 12-19-11

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

Current Water Right No.: 57-10005

Current Owner: DERCK INVESTMENT CORP
Priority Date: 6/30/1955
Origin: Water Right
Status: Active
Basis: Decreed

Source

RABBIT CREEK

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

3/01 to 11/15

Diversion Rate

1.08 CFS

Annual Volume

Total Diversion

1.08 CFS

Location of Point(s) of Diversion

RABBIT CREEK

NE1/4SW1/4NE1/4

Sec. 34, Twp 01S, Rge 02W B.M.

OWYHEE County

Place of Use

IRRIGATION Within OWYHEE County

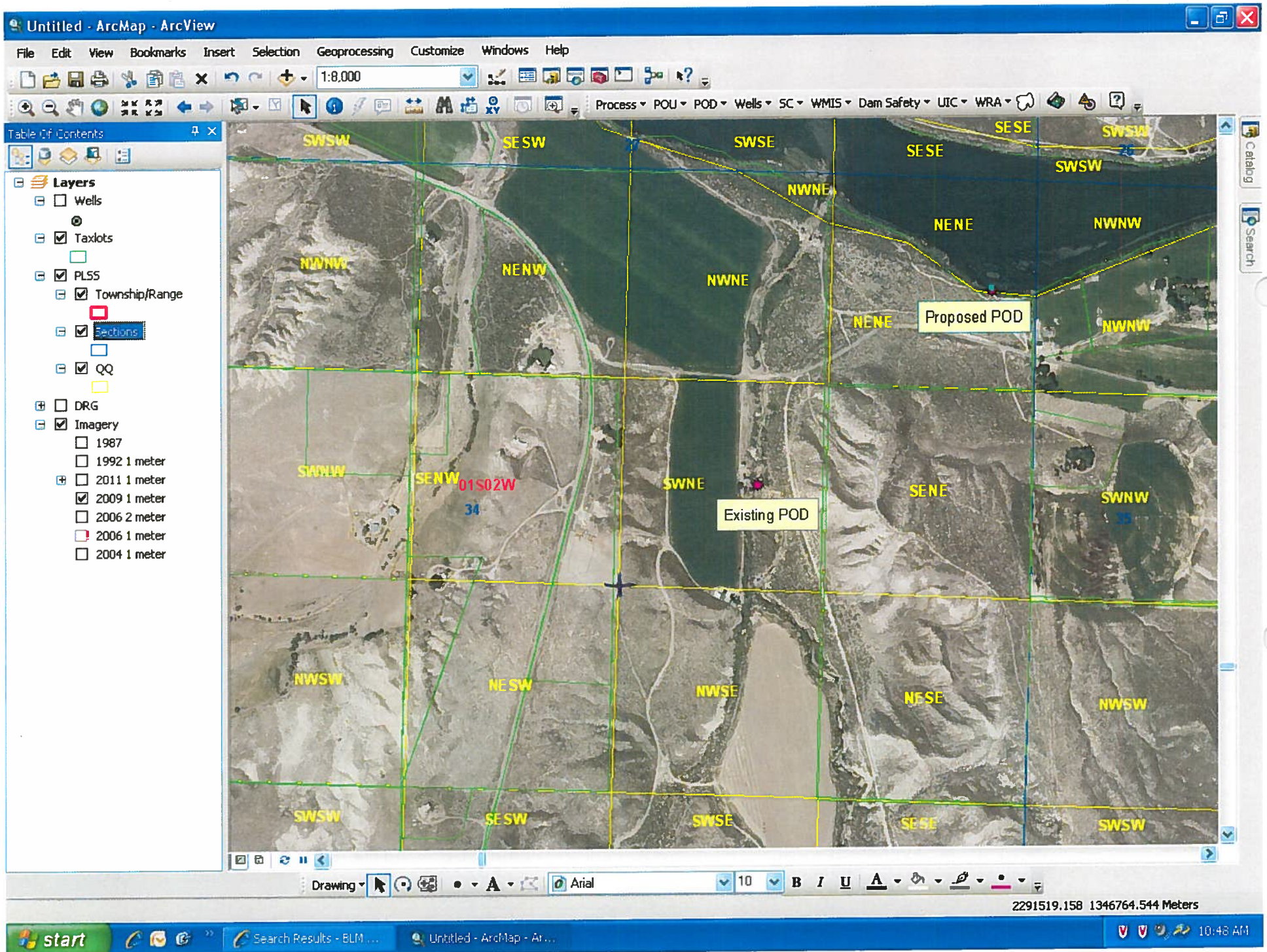
T01S R02W S27	Lot 6	SESW	6.00	T01S R02W S34	Lot 2	NWNE	24.00
T01S R02W S34		SWNE	12.00	T01S R02W S34		NENW	12.00

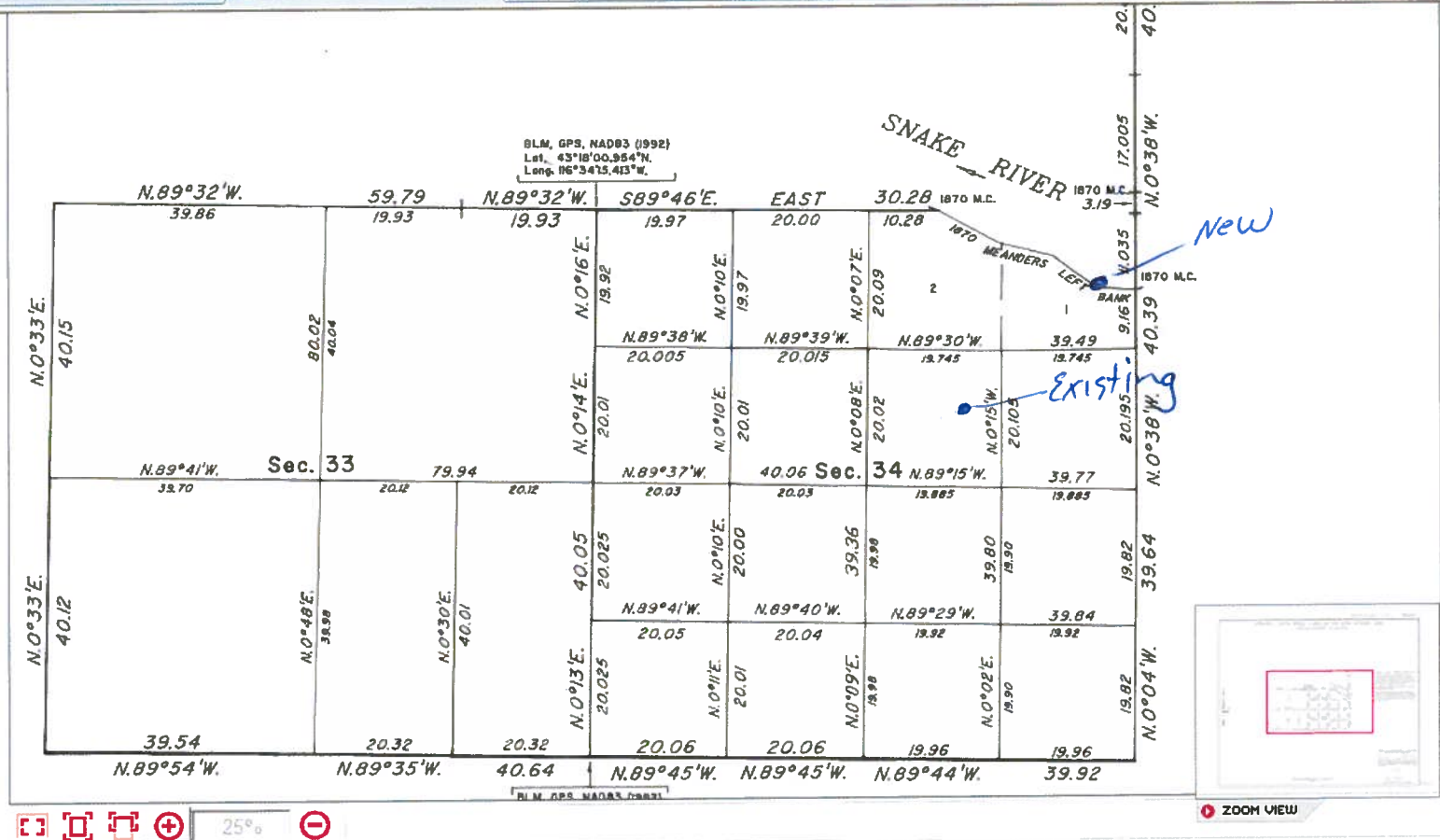
Total Acres: 54

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: 12/24/2002





Javascript Viewer

Plugin Viewer

Basic Viewer



Note: For help viewing and printing images, check out our [Viewing And Printing Images Guide](#).

No. C 86936	Due no later than Jun 30, 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	1. Mailing Address: Correct in this box if needed.		RAY G. KAUFMAN 1444 KNIGHTS DRIVE BOISE ID 83712			
	DERCK INVESTMENT CORP. RAY G. KAUFMAN 1444 KNIGHTS DRIVE BOISE ID 83712		3. <u>New</u> Registered Agent Signature:*			
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
PRESIDENT	RAY G KAUFMAN	1444 KNIGHTS DR.	BOISE	ID	USA	83712
5. Organized Under the Laws of: ID C 86936		6. Annual Report must be signed.* Signature: Ray G Kaufman Name (type or print): Ray G Kaufman Date: 05/20/2011 Title: President				
Processed 05/20/2011		* Electronically provided signatures are accepted as original signatures.				

Borgeman, Sherry

From: Borgeman, Sherry
Sent: Wednesday, January 11, 2012 2:46 PM
To: 'jennifer@owyheeavalanche.com'
Subject: Legal Notice
Attachments: Owyhee Cty - Cover Letter.docx; Owyhee Cty - Ad.docx

Attached is (1) legal notice being submitted for publication. If you have any questions regarding the attached information, or if you can not publish the ad on the dates indicated please contact me immediately.

Thank you,

Sherry Borgeman
Idaho Department of Water Resources, Western Region
208-334-2190 (ph)
208-334-2348 (fax)

January 11, 2012

LEGAL NOTICE DEPARTMENT
OWYHEE AVALANCHE
PO BOX 97
HOMEDALE, ID 83628

RE: Transfer No. 77635,
Water Right No(s): 57-10005

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 2/6/2012. Your cooperation is appreciated.

Sincerely,

Sherry Borgeman
Administrative Assistant

Enclosure(s)

PROPOSED CHANGE OF WATER RIGHT

DERCK Investment Corporation of 1444 Knights Dr, Boise, Idaho filed **Application No. 77635** to transfer one water right with a 1955 priority date from Rabbit Creek totaling 1.08 cfs. The purpose of the transfer is to change the point of diversion from Rabbit Creek to a point of diversion on the Snake River, approximately 0.25 mile upstream of the confluence of Rabbit Creek and the Snake River. There is no change proposed to the source which will continue to be described as Rabbit Creek. Water will be used at the current place of use near about 5.5 miles south of Melba, on the south side of the Snake River.

For additional information concerning the property location, contact Western Region office at (208) 334-2190; or see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp for a full description of the right(s) and the proposed transfer. Protests may be submitted based on the criteria of Idaho Code § 42-222. Any protest against the proposed change must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before February 6, 2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director
Published on 1/18/2012 and 1/25/2012