

RECEIVED

NOV 14 2011

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) 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 diversion point(s) ☐ Add diversion point(s) ☐ Ownership change
Greg Amaral, Trustee of the

1. APPLICANT(S) Greg Amaral Ltd. Pension Plan and Trust Phone 707-864-11962. MAILING ADDRESS 1606 Amaral Court City FairfieldState CA Zip 94534 Email amaralranch@aol.com

- ☐ 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 WATER RIGHT NUMBER(S) 67-447067-4470

- ☒ 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 3.13 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	1/4	1/4	1/4	County	Source	Local name or tag #
11N	4W	35			NE	NE	Washington	Weiser River	Galloway Canal POD

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:

See attached

- b. Who owns the property at the point(s) of diversion? Weiser Irrigation District

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

Weiser Irrigation District authorization (attached)

- 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 1/4 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

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 *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 includes _____ pages of attachments.

Received by

Date

Fee paid 740

Date 11-14-11

Received by

Receipt #

Preliminary review completed by

Date

Transfer Item 6.a. Continued:

Weiser Irrigation District (WID) has agreed to deliver private right 67-4470 through their system upon transfer approval. As part of the agreement, the District will install a new headgate on Galloway Canal for delivery of water right 67-4470 and a portion of applicant's WID contract water for gravity and sprinkler irrigation use. The new headgate will be managed and controlled by WID and consist of a measuring device as required by the District.

WEISER IRRIGATION DISTRICT
P.O. Box 591
WEISER, IDAHO 83672

November 7, 2011

Idaho Department of Water Resources

RE: Amaral water right 67-4470

Dear Sirs;

At our November 1, 2011 meeting, the Weiser Irrigation District Board of Directors voted to deliver Greg Amaral's water including both flood water 67-4470 and his corresponding Crane Creek Reservoir shares. The water will be delivered through the Galloway canal.

Please change the point of diversion of water right 67-4470 to our Galloway Dam located in the NE1/4NE1/4 of Sec. 35, Twp. 11 N., R. 4 W., B.M.

Sincerely yours,

Jay Edwards
Sec.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-4470

WATER RIGHT NUMBER: 67-4470

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MILTON & LOLA DEANE KERNER 1733 WEISER RIVER RD WEISER, ID 83672 (208)549-2795
Current Owner	GREG AMARAL LTD PENSION PLAN & TRUST GREG AMARAL, TRUSTEE 1606 AMARAL CT FAIRFIELD, CA 94534 707-864-1196

Priority Date: 06/01/1966

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
WEISER RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	3.130 CFS	
	<u>Total Diversion:</u>	3.130 CFS	

Location of Point(s) of Diversion

WEISER RIVER	NW1/4SE1/4	Sec. 1, Twp 10N, Rge 05W, B.M.
WASHINGTON County		
WEISER RIVER	SW1/4NW1/4	Sec. 1, Twp 10N, Rge 05W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	05W	1			27.0			2.0	28.0	25.0	40.0	12.0		7.0		29.0	1.5		171.5
								L 4											

Total Acres: 171.5

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.

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 67-4470

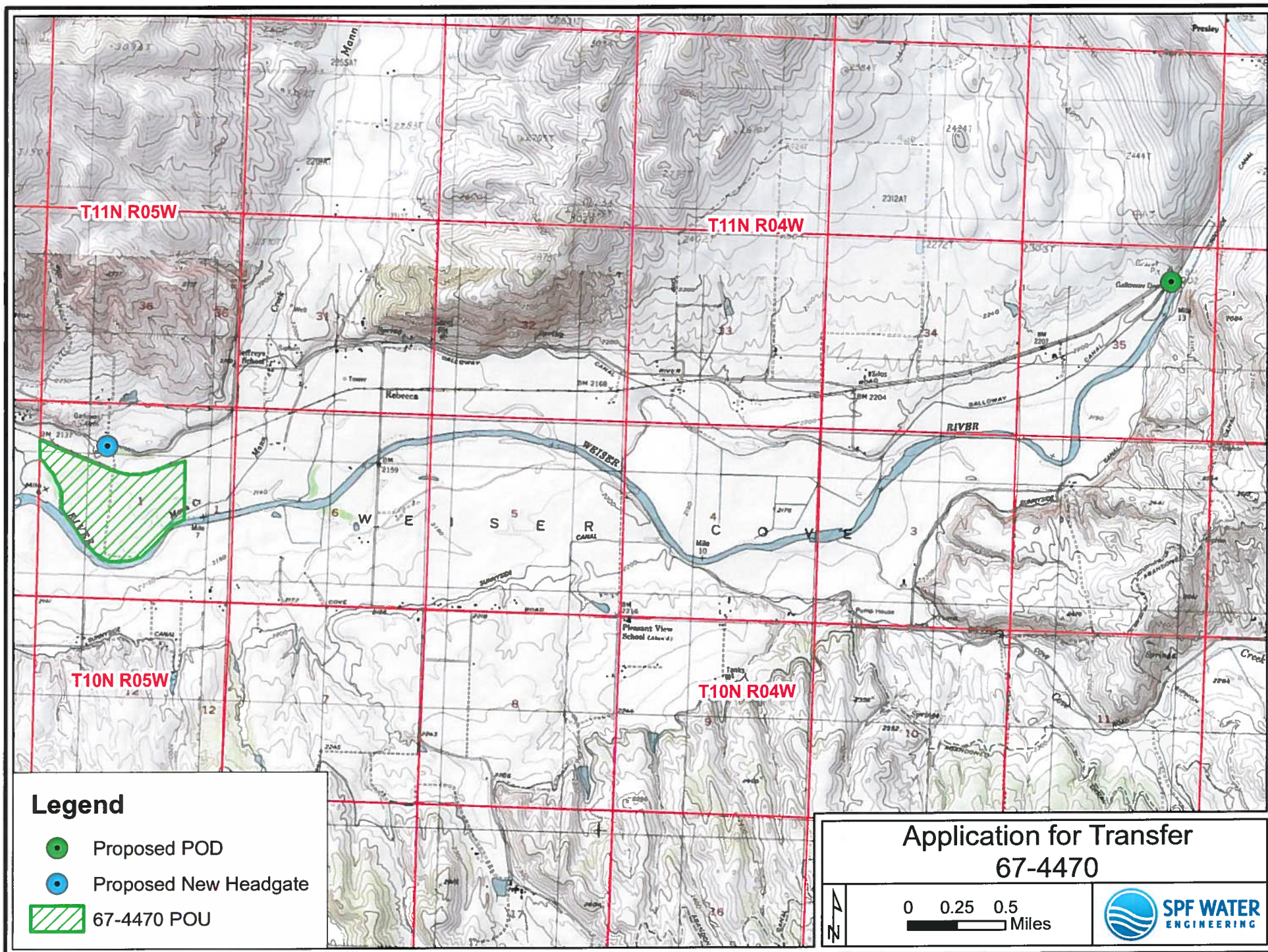
Comments:

1. mvanbussum 6/26/2006 POU
Comment: POU shape digitized according to Bruce Kerner, son of claimant, description of irrigated lands.
2. mvanbussum 6/26/2006 PODs
Comment: According to Bruce Kerner, son of claimants, there are two PODs. PODs digitized from estimation of PODs when PTO pump is in place.
3. mvanbussum 6/26/2006 Quantity
Comment: Recommended quantity as claimed. Theoretical calculation of capacity exceeds quantity claimed. Quantity recommended is about 0.9 inches per acre.
4. mvanbussum 6/26/2006 Period of Use
Comment: Recommended IDWR standard season of use.
5. mvanbussum 6/26/2006 copied from remarks
Comment: THIS WATER IS PUMPED ALL ALONG THE WEISER RIVER IN THE LEGAL LAND DESCRIPTION GIVEN FOR THE POD.

Dates and Other Information:

Licensed Date:
Decreed Date: 10/20/2008
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Water Supply Bank:



Borgeman, Sherry

From: Borgeman, Sherry
Sent: Wednesday, December 28, 2011 1:53 PM
To: 'NEWSROOM@RURALNETWORK.NET'
Subject: Legal Notice
Attachments: Washington Cty - Cover letter.docx; Washington 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)

December 28, 2011

LEGAL NOTICE DEPARTMENT
WEISER SIGNAL
PO BOX 709
WEISER, ID 83672

RE: Transfer No. 77621,
Water Right No(s): 67-4470

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 1/23/2012. Your cooperation is appreciated.

Sincerely,

Sherry Borgeman
Administrative Assistant

Enclosure(s)

PROPOSED CHANGE OF WATER RIGHT

Greg Amaral, Trustee of the Greg Amaral Ltd. Pension Plan and Trust of 1606 Amaral Court, Fairfield, CA, 94534, filed Application No. **77621** to transfer one water right with a 1966 priority date from the Weiser River totaling 3.13 cfs. The purpose of the transfer is to change his points of diversion to the Galloway Canal. Water will be used at the current place of use 4 miles south east of Weiser, south of Galloway Cemetery on the north side of the 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 January 23, 2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director
Published on 1/4/2012 and 1/11/2012

Walker, Kay

From: Walker, Kay
Sent: Thursday, December 22, 2011 3:23 PM
To: watermaster67@hotmail.com
Cc: Walker, Kay
Subject: Application for Transfer 77621 - Greg Amaral

Brandi:

I am preparing this application for advertising and will need to have your comments before final action. We are wondering if you would want us to require watermaster controls at the headgate of the canal to prevent expansion of the right. Please submit your comments regarding the attached, scanned transfer, within the next 3 weeks so we can condition the final document appropriately. Thanks for your help and have a Merry Christmas!

Kay Walker

Sr. Water Resource Agent

IDWR – Western Region

334-2190



Transfer App
77621.pdf



November 10, 2011

RECEIVED

NOV 14 2011

WATER RESOURCES
WESTERN REGION

Steve Lester
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Application for Transfer, Water Right 67-4470

Dear Steve,

Enclosed on behalf of Greg Amaral, Trustee of the Greg Amaral Ltd. Pension Plan and Trust, is an *Application for Transfer* seeking authorization to change the point of diversion for water right 67-4470.

Check No. 2118 for \$740 is enclosed for the filing fee. Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Lori Graves", is written in a cursive, flowing style.

Lori Graves
Water Rights Specialist

Cc: Greg Amaral
Jay Edwards, Secretary of WID

Enclosures

SPF file number: 901.0020