

RECEIVED

Rev. 07/11

Page _____ of _____

SEP 15 2011

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 77538APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant(s) USDI-BLM Challis Field OfficePhone 1.208.879.6200Mailing address 1151 Blue Mountain RoadEmail narave@blm.gov

- ☐ 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 Nathaniel Arave, HydrologistPhone 1.208.879.6215Mailing address 1151 Blue Mountain RoadEmail narave@blm.gov

- ☒ 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.



Signature of Applicant or Authorized Representative



Print Name and Title if applicable



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 _____
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**. The BLM has an installed pipeline system on Rock Springs. This pipeline was originally installed in the late 1960's. The purpose of this transfer is to stack the two existing water rights from the spring and include wildlife as a nature of use as well as correct the place of use for the existing troughs.

77538

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

77538

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 (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	73-2199	0.02 CFS	Stockwater/Wildlife	01/01 to 12/31	Rock Springs trib to Sinks
☐ ☒	73-2222	0.02 CFS	Stockwater/Wildlife	05/01 to 11/30	Rock Springs Trib to Sinks
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.02 cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed 0.02 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 #
no		SE	SW	NE	24	12N	22E	Custer	Rock Springs	

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	
13N	22E	35				S/W													
12N	22E	1											S/W						
		24			S/W														
12N	23E	6															S/W		
		8										S/W							
		18														S/W			

Total Acres (for irrigation use) _____

77538

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

77538

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 headboxes have lockable tops on them with on off valves located within the head boxes. The watermaster could lock the headboxes if such action ever became necessary.

- b. Who owns the property at the point(s) of diversion? Federal Land administered by USDI-BLM Challis Field Office

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: n/a

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:

n/a

- 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:

73-173 is an irrigation/stockwater right which supplies water to private lands. This water right includes a small stockwater pond which is filled by the springs. The dam is located on private lands while a portion of the pond is located on BLM lands this pond is used for watering of stock and wildlife. 73-10520 is a USDI-BLM federal reserve right for the spring.

- 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: _____

77538

77 53 8

77 53 8

STATE OF IDAHO

77538

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: 73-2222

- [illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

[illegible]

Total Acres (for irrigation use)

77538

77538

15N-23E

MT PLAT

NDI 08142 Del PL 167 (Act of Cong 07/23/056)
completed 12/10/1982. All NF surface Mgmt by USFS

77538

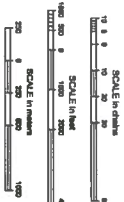


This plot is only a graphic display of the Bureau of Land Management's (BLM) Record of Title and Township survey data. Records herein do not reflect title changes which may have been effected by lateral movements of river or other bodies of water. Refer to cadastral surveys for official information.

The notation shown on withdrawal represents the last section taken, but may not be the effective date. See the historical index for the date of original withdrawal order.

No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use or aggregate use with other data is not guaranteed.

NORTH 



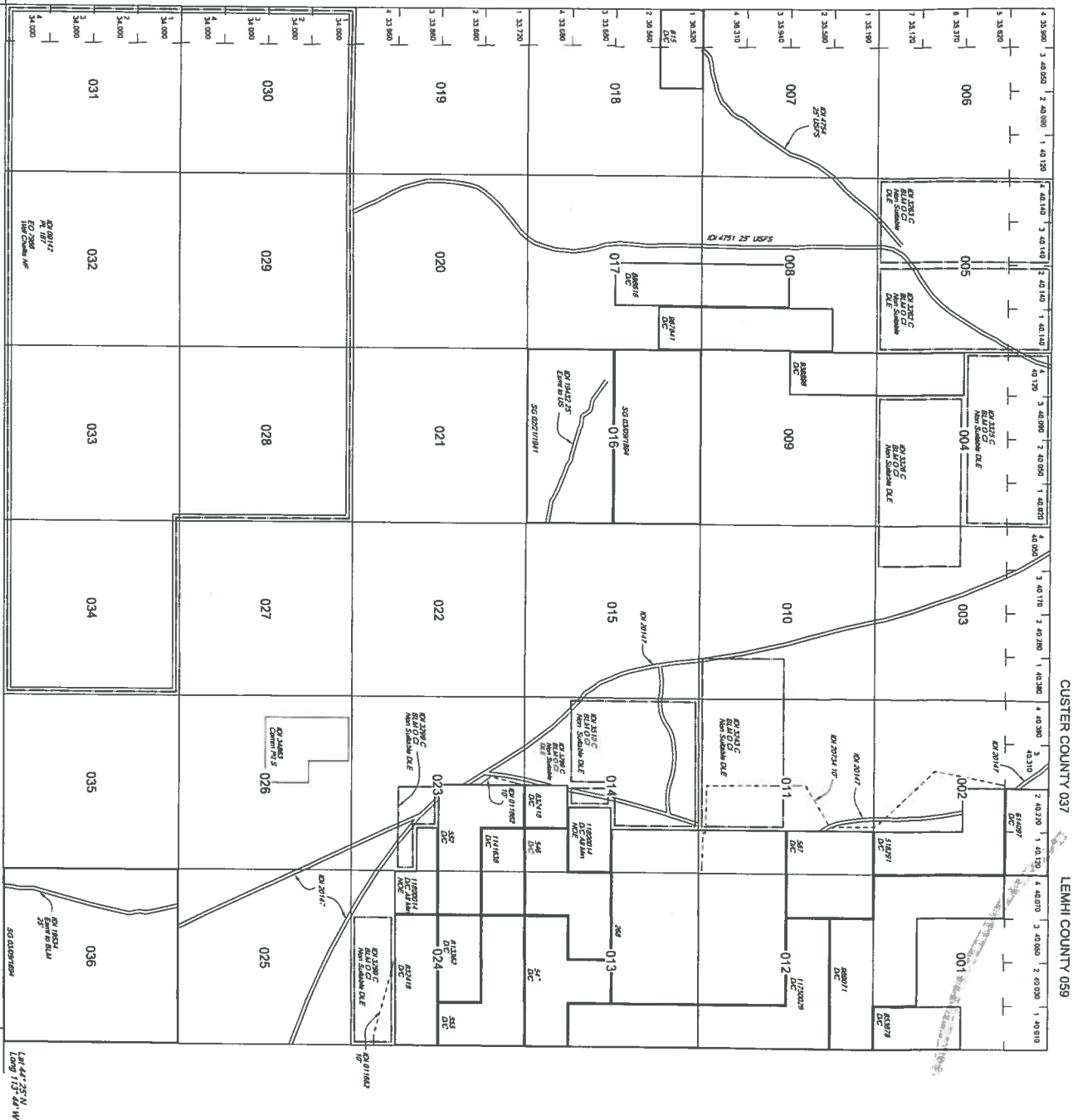
U. S. Bureau of Land Management - Idaho State Office
13817 S. Vinnet Way Boise, Idaho 83709
(208) 373-4000



Boxing Day
T. 12 N
R. 22 E

TOWNSHIP 13 NORTH RANGE 22 EAST OF THE BOISE MERIDIAN, IDAHO

IDAHO FALLS DISTRICT SEC. 3



STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES

MT PLAT

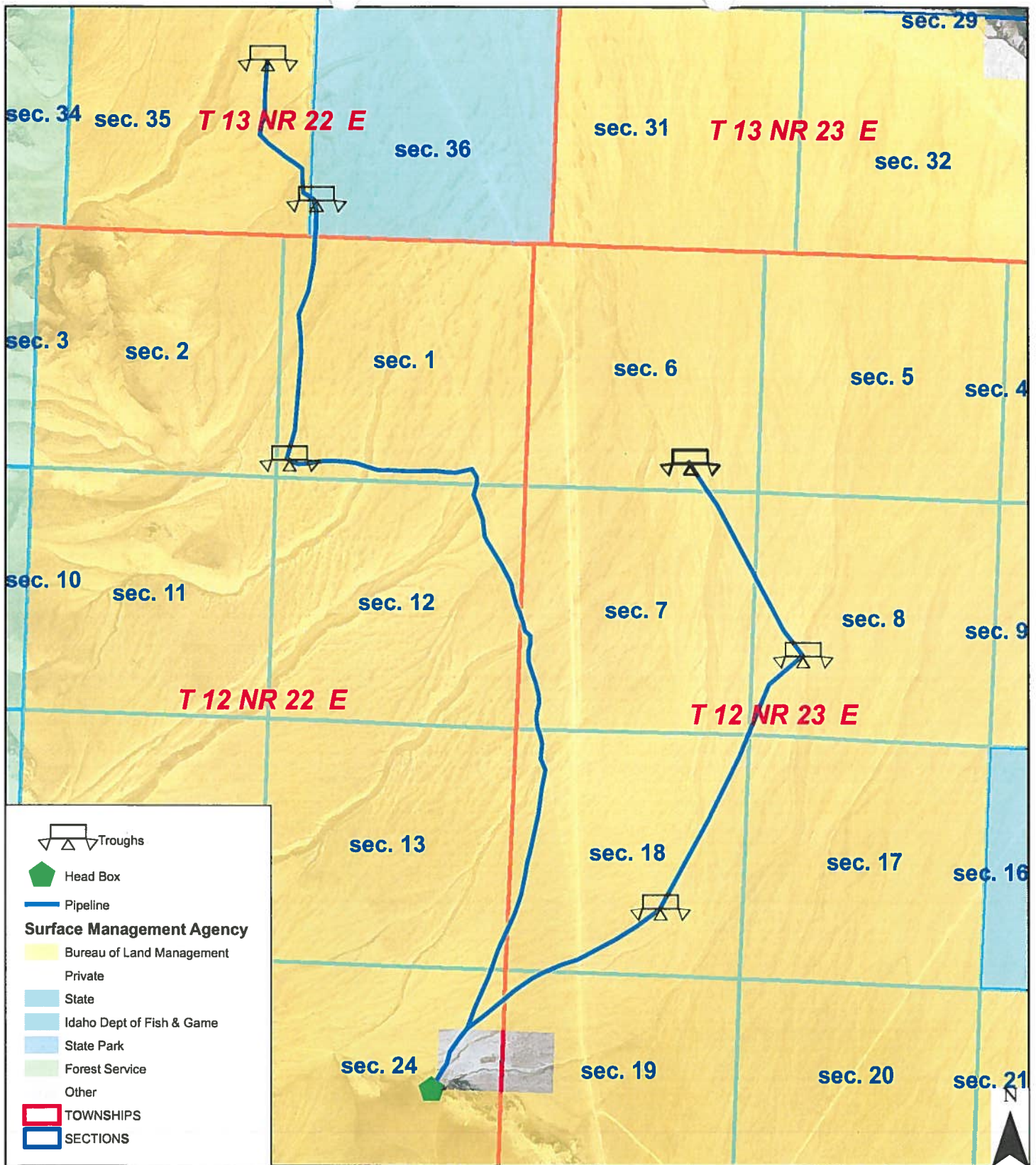
INDEX TO SEGREGATED TRACTS			
TRACT NO.	T.	R.	SEC.
1	13	22	3
2	13	22	3
3	13	22	3
4	13	22	3
5	13	22	3
6	13	22	3
7	13	22	3
8	13	22	3
9	13	22	3
10	13	22	3
11	13	22	3
12	13	22	3
13	13	22	3
14	13	22	3
15	13	22	3
16	13	22	3
17	13	22	3
18	13	22	3
19	13	22	3
20	13	22	3
21	13	22	3
22	13	22	3
23	13	22	3
24	13	22	3
25	13	22	3
26	13	22	3
27	13	22	3
28	13	22	3
29	13	22	3
30	13	22	3
31	13	22	3
32	13	22	3
33	13	22	3
34	13	22	3
35	13	22	3
36	13	22	3

ID 09142 Del. Pl. 167 (Ad. of Cong. 07/23/1855)
Completed 12/10/1962 Ad. Pl. Survey Map by USFS

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAND REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

FILE NO.	00003 (01/20/04) 00000 (04)
CONVERTED TO:	11/02/2005 BY: LJA
LAST UPDATED:	02/17/2008 BY: JCB
DATE:	04/02/05
POSTED TO PUBLIC RECORD:	March 31, 2008
PUBLIC LAND SURVEY SYSTEM (PLSS)	BY: JCB
BLM GDS ACQUIRED:	04/02/05
OTHER:	NA
PROJECTED COORDINATE SYSTEM:	UTM ZONE 12N UTM 1863

NOTE:
USE PLATS:
Boise Ave
T. 13 N
R. 22 E



Map of Place of Use For Rock Springs Pipeline

0 0.25 0.5 1 Miles

Nate Arave September 2011



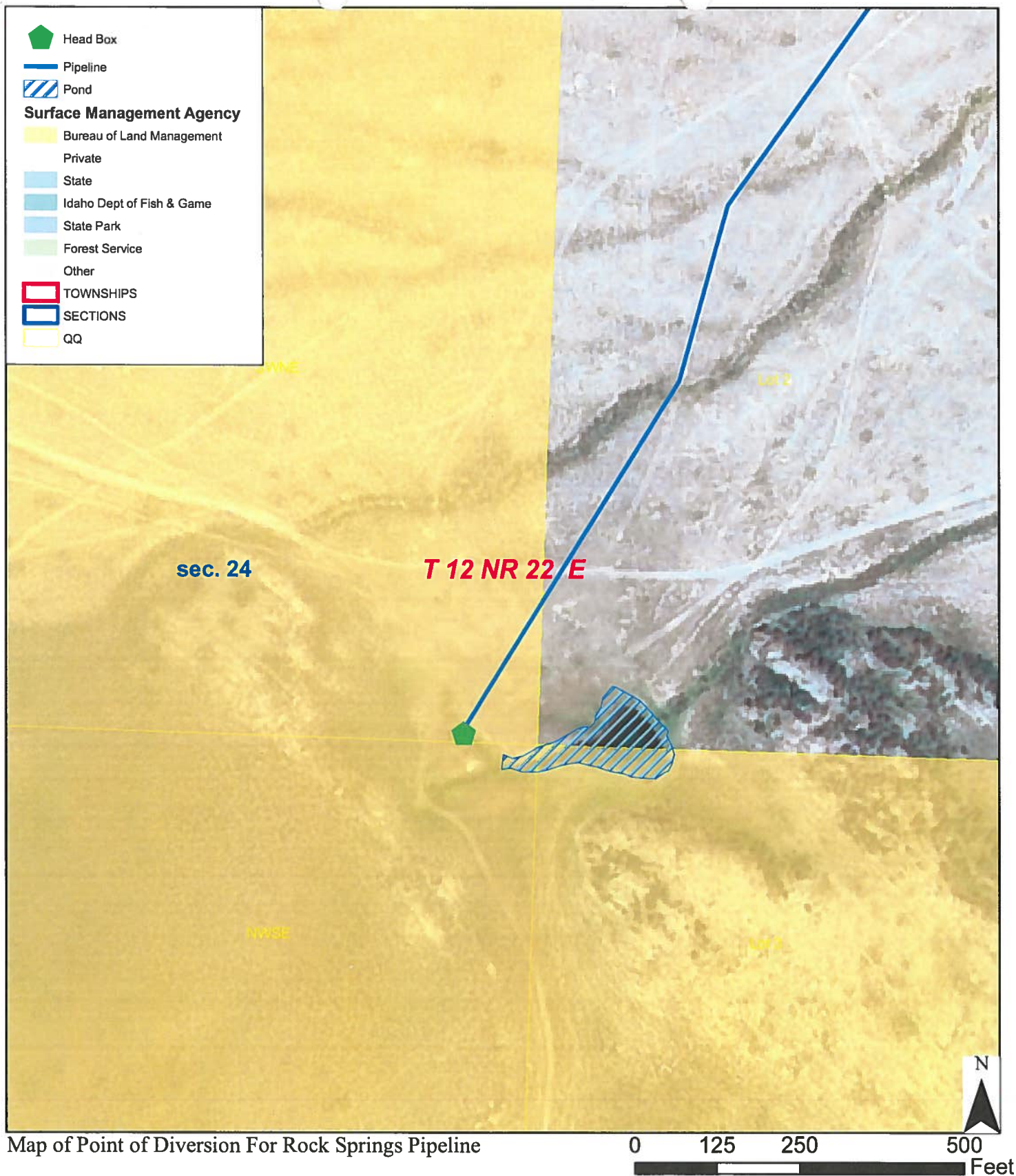
Original data was compiled at various scales from various sources. Spatial information may not meet National Mapping Accuracy Standards. The information may be updated without notification. no warranty is made by the Bureau of Land Management as to the accuracy, reliability or completeness of the data. The following cannot be made Section 508 compliant. For help with its data or information, please contact the BLM Idaho State Office Webmaster at 208-373-4000.

NAD83 UTM 11N

77538

1:35,614

1 inch equals 0.56 miles



Nate Arave September 2011



Original data was compiled at various scales from various sources. Spatial information may not meet National Mapping Accuracy Standards. The information may be updated without notification. No warranty is made by the Bureau of Land Management as to the accuracy, reliability or completeness of the data. The following cannot be made Section 508 compliant. For help with its data or information, please contact the BLM Idaho State Office Webmaster at 208-373-4000.

NAD83 UTM 11N

1:2,407

1 inch equals 200.62 feet

77538

Attachment #8a. Water Balance

The addition of wildlife to the nature of use for water right 73-2199 is an acknowledgment of use of these troughs by wildlife and would not result in an increase of use over the existing condition.

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

9/12/2011

WATER RIGHT NO. 73-2222

Owner Type	Name and Address
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WAY BOISE, ID 83709-1657 (208)373-4000

Priority Date: 03/20/1968

Basis: Decreed

Status: Active

Source	Tributary
SPRING	SINKS

Beneficial Use	From	To	Diversion Rate	Volume
STOCKWATER	5/01	11/30	0.02 CFS	
WILDLIFE	4/01	12/31	0.02 CFS	
Total Diversion			0.02 CFS	

Location of Point(s) of Diversion:

SPRING	SESWNE	Sec. 24	Township 12N	Range 22E	CUSTER County
--------	--------	---------	--------------	-----------	---------------

Place(s) of use:

77538

Place of Use Legal Description: STOCKWATER CUSTER County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
12N	22E	1		SWSW										
		24		SWNE										
13N		35		NWSE			SESE							

Place of Use Legal Description: WILDLIFE CUSTER County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
12N	22E	1		SWSW										
		24		SWNE										
13N		35		NWSE			SESE							

Conditions of Approval:

1.	N13	THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2.	N11	THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3.		BLM RECORD ID = 7304588049 DPERMIT 2255 STOCKWATER, 544 RANGE CATTLE; WILDLIFE VAR. AMT.
4.	C05	RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5.	C03	RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 04/25/2000

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

77538

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 73

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

9/12/2011

WATER RIGHT NO. 73-2199

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WAY BOISE, ID 83709-1657 (208)373-4000

Priority Date: 09/02/1966
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.02 CFS	
Total Diversion			0.02 CFS	

Location of Point(s) of Diversion:

SPRING	SESWNE	Sec. 24	Township 12N	Range 22E	CUSTER County
--------	--------	---------	--------------	-----------	---------------

Place(s) of use:

77538

Place of Use Legal Description: STOCKWATER CUSTER County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
12N	23E	7 18		NENW NWSE										

Conditions of Approval:

1.	N13	THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2.	N11	THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3.		BLM RECORD ID = 7304588026 DPERMIT 2083 STOCKWATER, 943 RANGE CATTLE; WILDLIFE VAR. AMT.
4.	C05	RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 04/25/2000

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 73

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

77538

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

77538

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

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.
- ☒ * 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. Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #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). Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #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/resources.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.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #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: _____