

APR 27 2011

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

WATER RESOURCES 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

1. **APPLICANT(S)** West Mountain Water Assn. Inc. Phone (208) 382-4288

2. MAILING ADDRESS PO Box 388 City Cascade

State Idaho Zip 83611 Email 1bcascade@hotmail.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.
- ☐ 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) 65-3111A 65-13088

Records correction for existing system, no new physical changes proposed

- ☒ 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 0.05 cubic feet per second and/or N/A 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*.

[illegible]

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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:

40 gallon collector tank in Rock Creek with 3/4 mile
of 1 1/2 inch PVC pipe gravity feed to holding tanks

- b. Who owns the property at the point(s) of diversion? Dwight Jividen (ann-report W 27214)
 If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

Written agreement with Dwight Jividen

- 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.

James T. Bunce James T. Bunce (BOD - WMWA) 4/26/2011
 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 8 pages of attachments. Received by SL Date 4/27/2011
 Fee paid \$100 Date 4/27/2011 Received by SL Receipt # W039165
 Preliminary review completed by SL Date 6/23/2011

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

Current Water Right No.: 65-3111A

Current Owner: WEST MOUNTAIN WATER ASSN INC

Priority Date: 6/1/1894 *Richard Creek*

Origin: Water Right

Status: Active

Basis: Decreed

Source~~UNNAMED STREAM~~*Rock Creek***Tributary**

NORTH FORK PAYETTE RIVER

Beneficial Use

DOMESTIC

From To

1/01 to 12/31

Diversion Rate

0.05 CFS

Annual Volume

30 AF

Total Diversion

0.05 CFS

30 AF

34.8 AF
*34.8 AF***Location of Point(s) of Diversion**~~UNNAMED STREAM~~*Rock Creek*

NW1/4SE1/4

Sec. 3, Twp 13N, Rge 03E B.M.

VALLEY County

*NE SW***Place of Use**DOMESTIC Within VALLEY County

T13N R03E S3

NENE ✓

T13N R03E S3

NWNE ✓

T13N R03E S3

SWNE ✓

T13N R03E S3

SENE ✓

T13N R03E S3

NESE ✓

T13N R03E S3

NWSE ✓

T13N R03E S3

SWSE ✓

T13N R03E S3

SESE ✓

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.

2. SOURCE IS ALSO KNOWN AS ~~ROCK CREEK~~ *Richard Creek*
~~SOURCE IS ALSO KNOWN AS RICHARD CREEK~~

3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Decreed Date: 10/31/2000

4 *This water right is second to no other water right.*

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

Current Water Right No.: 65-13088

Current Owner: WEST MOUNTAIN WATER ASSN INC

Priority Date: 7/26/1989 *(Richard Creek)*

Origin: Water Right

Status: Active

Basis: License

Source

ROCK CREEK

Tributary~~CASCADE RESERVOIR~~*North Fork Payette River***Beneficial Use**

DOMESTIC

From To

1/01 to 12/31

Total Diversion

Diversion Rate

0.05 CFS

0.05 CFS

Annual Volume

34.8 AF

34.8 AF

Location of Point(s) of Diversion

ROCK CREEK

NE1/4SW1/4

Sec. 3, Twp 13N, Rge 03E B.M.

VALLEY County

Place of UseDOMESTIC Within VALLEY County

T13N R03E S3

SWNE

T13N R03E S3

NESE

T13N R03E S3

NWSE

T13N R03E S3

SWSE

T13N R03E S3

SESE

*SENE**NWNE**NENE*

*Proposed
place of use
to match
65-3111A*

Conditions of Approval:

1. The total combined rate of diversion under this right and Right 65-03111A shall not exceed 0.05 cfs nor a combined volume of 36.2 afa. Source known locally as Richard Creek. Domestic use is for 28 homes.
2. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 4 DISTRICT.
3. 004 The issuance of this right does not grant any right-of-way or easement across the land of another.

Licensed Date: 2/25/1993

*4. This water right shall be second
to no other water right.*

WEST MTN. WATER ASSOC. INC. -- NOTES

JL 4/7/2011

0.005 65-3111A decreed 2000

0.005 65-13088 licensed 1993

(check elevation)
current use confirmed 11/2010 dept. visit?

Definitely

1 point

Probably same POD per file information – ~~1 or 2 points~~ used? Both above West Mtn. Road?

~~Assoc pipe in Allen ditch, #5 on 11/2010 dept map? If yes, site visit confirmed being used.~~

Tax lot above West Mtn. Road, mostly West Mtn. Properties LLC (previously Boise Cascade).

Contact in Cascade. *(Dwight Jividen 413 Carbarton Rd., Cascade
Id. 83611)*

Access per 65-13088 appl info: verbal agreement with owner Noland before Boise Cascade.

Transfer appl 1 or both rights, records correction, change &/or add PODs.

\$100 fee 1 or both rights, combined 0.05 cfs.

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No. C 83963		Due no later than May 31, 2010 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. WEST MOUNTAIN WATER ASSOCIATION, INC. ISABEL A. BUNCE P O BOX 388 CASCADE ID 83611		ISABEL BUNCE 29 ISSY LANE CASCADE ID 83611			
				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	
TREASURER	ISABEL A. BUNCE	29 ISSY LANE P.O. BOX 890	CASCADE	ID	USA	83611-0890	
SECRETARY	ISABEL A. BUNCE	29 ISSY LANE P.O. BOX 890	CASCADE	ID	USA	83611-0899	
DIRECTOR	JAMES T. BUNCE	29 ISSY LANE P.O. BOX 890	BOISE	ID	USA	83611-0899	
DIRECTOR	JERRY DYE	3 LIGE LANE	CASCADE	ID	USA	83611-0899	
DIRECTOR	ARGYLE WHITE	2650 S. GOLD BAR WAY	MERIDIAN	ID	USA	83642-0899	
DIRECTOR	JEFF INGLIS	709 BITTERROOT DR.	BOISE	ID	USA	83709-0899	
PRESIDENT	KRIS KOTTER	321 EIDEN	BOISE,	ID	USA	83705-0899	
5. Organized Under the Laws of: ID C 83963		6. Annual Report must be signed.* Signature: Isabel A. Bunce Name (type or print): Isabel A. Bunce Date: 04/21/2010 Title: Secretary-Treasurer					
Processed 04/21/2010		* Electronically provided signatures are accepted as original signatures.					

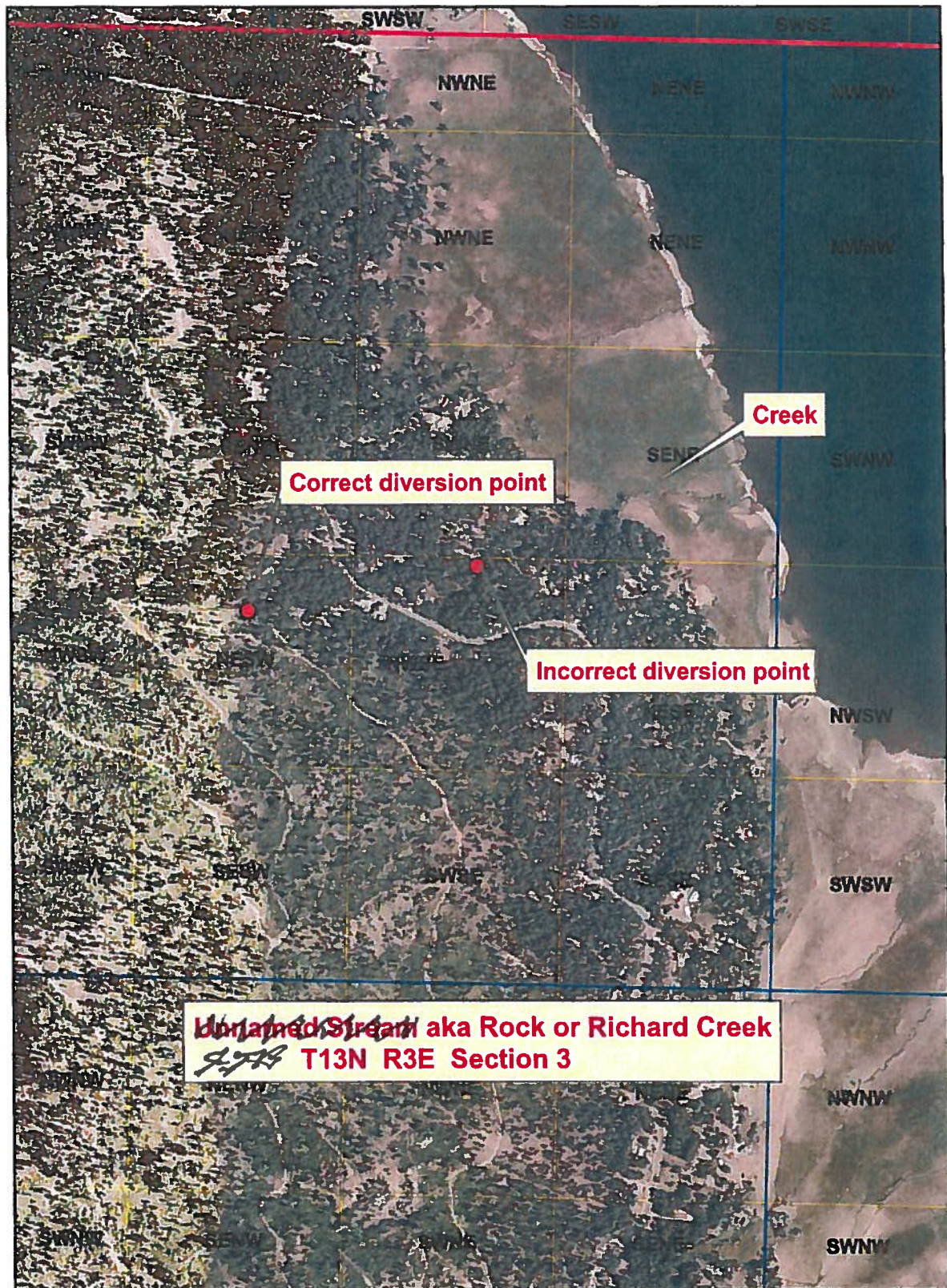
Transfer 77209

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No. W 27214	Due no later than Dec 31, 2010 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. WEST MOUNTAIN PROPERTIES, LLC DWIGHT JIVIDEN 413 CABARTON RD CASCADE ID 83611		DWIGHT JIVIDEN 413 CARBARTON RD CASCADE ID 83611			
			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
MEMBER	BRENT FOX	5086 DEBRON CT	POLLOCK PINES	CA	USA	95726
5. Organized Under the Laws of: ID W 27214		6. Annual Report must be signed.* Signature: Dwight Jividen Name (type or print): Dwight Jividen Date: 10/09/2010 Title: Member				
Processed 10/09/2010		* Electronically provided signatures are accepted as original signatures.				

Transfer 77209

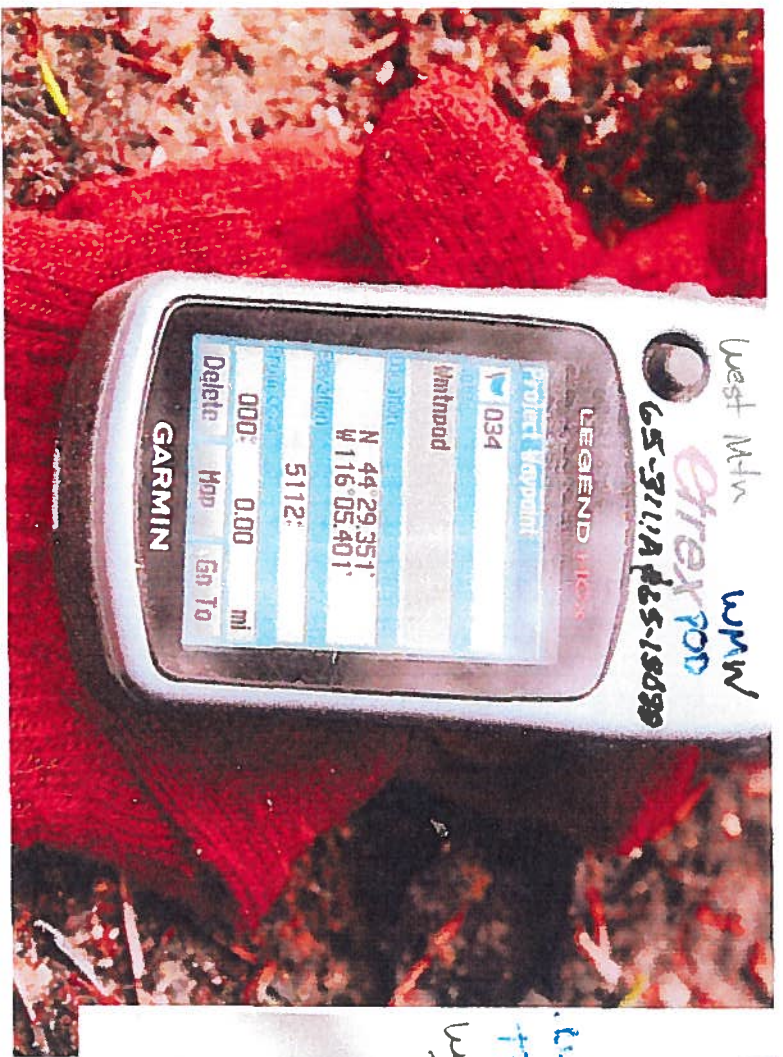
65-3111A & 65-13088



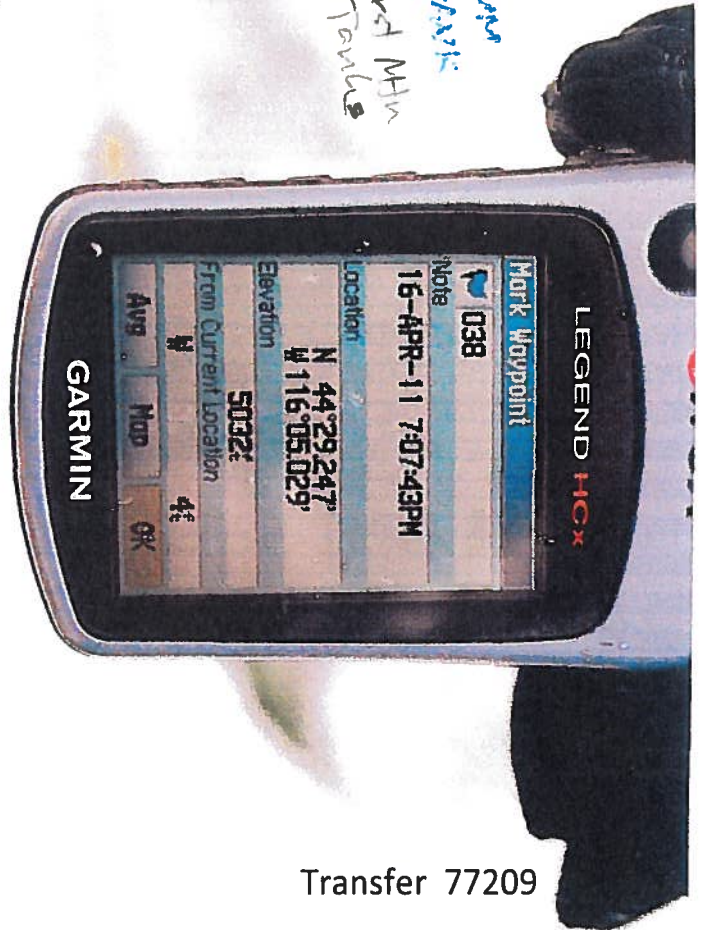
Transfer 77209

diversion ditch at end of Allen

Ditch.
across
Allen
Hatch
Roads



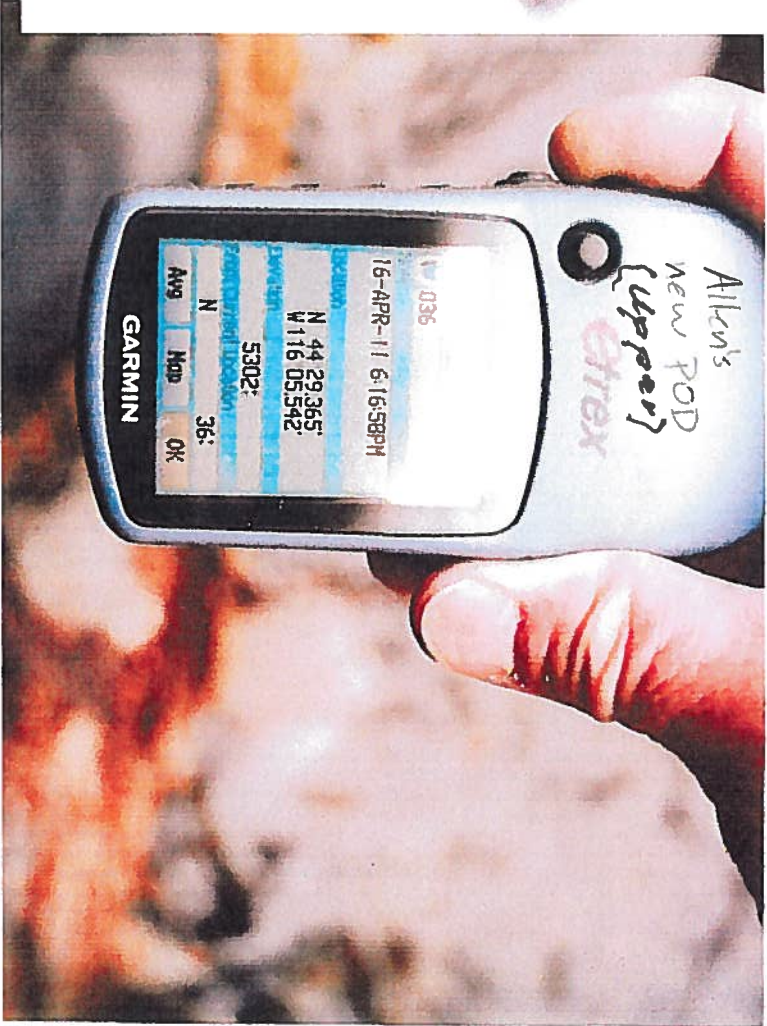
West Mtn
Cirex
65-3111A 65-15039



even
+back
West Mtn
Tanks

GPS Coordinates-- West Mtn. Water April 16, 2011

Transfer 77209



Allen's
new POD
{upper}