

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 77428

RECEIVED

AUG 10 2011

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Department of Water Resources

Name of Applicant(s) William Isaak, or Samuel W Isaak, or Lucy M IsaakPhone 208.226.2152Mailing address 3084 Isaak Lane American Falls ID 83211Email

- ☐ 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 RepresentativeName 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**.

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.

Samuel W Isaak
Signature of Applicant or Authorized Representative

Samuel W Isaak
Print Name and Title if applicable

8-5-2011
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**. This change will move water from lands that are no longer irrigated to lands which are irrigated under circle, approximately 23 acres.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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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.

I.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	29-13158	3.730 cfs	Irrigation	04/15 to 11/01	Groundwater
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 3.730 cfs and/or 976.0 ac-ft

2. Total amount of water proposed to be transferred or changed 3.730 cubic feet per second and/or 976.0 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 #

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	
08S	31E	29										1.2	35.3	30.0					66.5
08S	31E	31			5.0	35.3									6.6	32.3			79.2
08S	31E	32					30.0	31.6	36.7										98.3

Total Acres (for irrigation use) 244

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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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:

This is an existing system, no changes will be made.

- b. Who owns the property at the point(s) of diversion? Samuel W Isaak

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

- 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: See attached

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:

There would be no effect on the land, as it is irrigated currently.

- 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:

N/A

- 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: _____

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Page 4 of _____

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

Current Water Right No.: 29-13158

Current Owner: A WILLIAM ISAAK
SAMUEL W ISAAK
LUCY M ISAAK

Priority Date: 9/19/1973

Origin: Water Right

Status: Active

Basis: Decreed

SourceTributary

GROUND WATER

Beneficial UseFrom ToDiversion RateAnnual Volume

IRRIGATION 04/15 to 11/01
Total Diversion

3.73 CFS 976 AF
3.73 CFS 976 AF

Location of Point(s) of Diversion

GROUND WATER

SW1/4NE1/4NW1/4 Sec. 32, Twp 08S, Rge 31E B.M.

POWER County

GROUND WATER

NE1/4NW1/4SW1/4 Sec. 32, Twp 08S, Rge 31E B.M.

POWER County

Place of UseIRRIGATION Within POWER County

T08S R31E S29	NWSW	13.00	T08S R31E S29	SWSW	40.00
T08S R31E S29	SESW	30.00	T08S R31E S31	SWNE	5.00
T08S R31E S31	SENE	23.00	T08S R31E S31	NESE	8.00
T08S R31E S31	NWSE	32.00	T08S R31E S32	NENW	30.00
T08S R31E S32	NWNW	31.00	T08S R31E S32	SWNW	32.00

Total Acres: 244

Page 5 of _____Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. S41 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
3. 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: 3/22/2004

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Transfer contains _____ pages and _____ attachments.

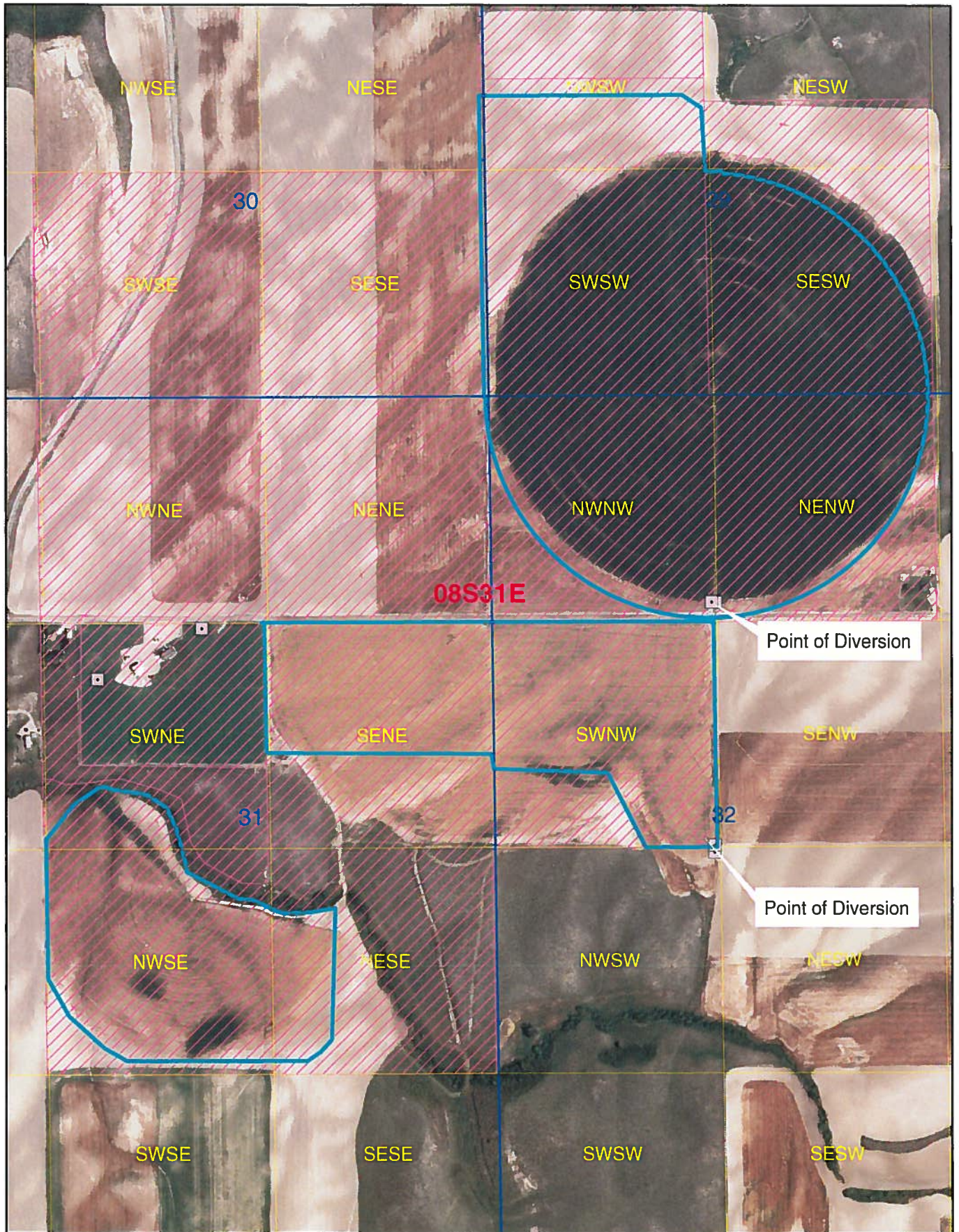
Received by Km Date 8-11-2011 Prelim. Check by Km Date 8-11-2011

Fee Paid \$500.00 Date 8-11-2011 Received by Km Receipt # E036879

Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____

77 428

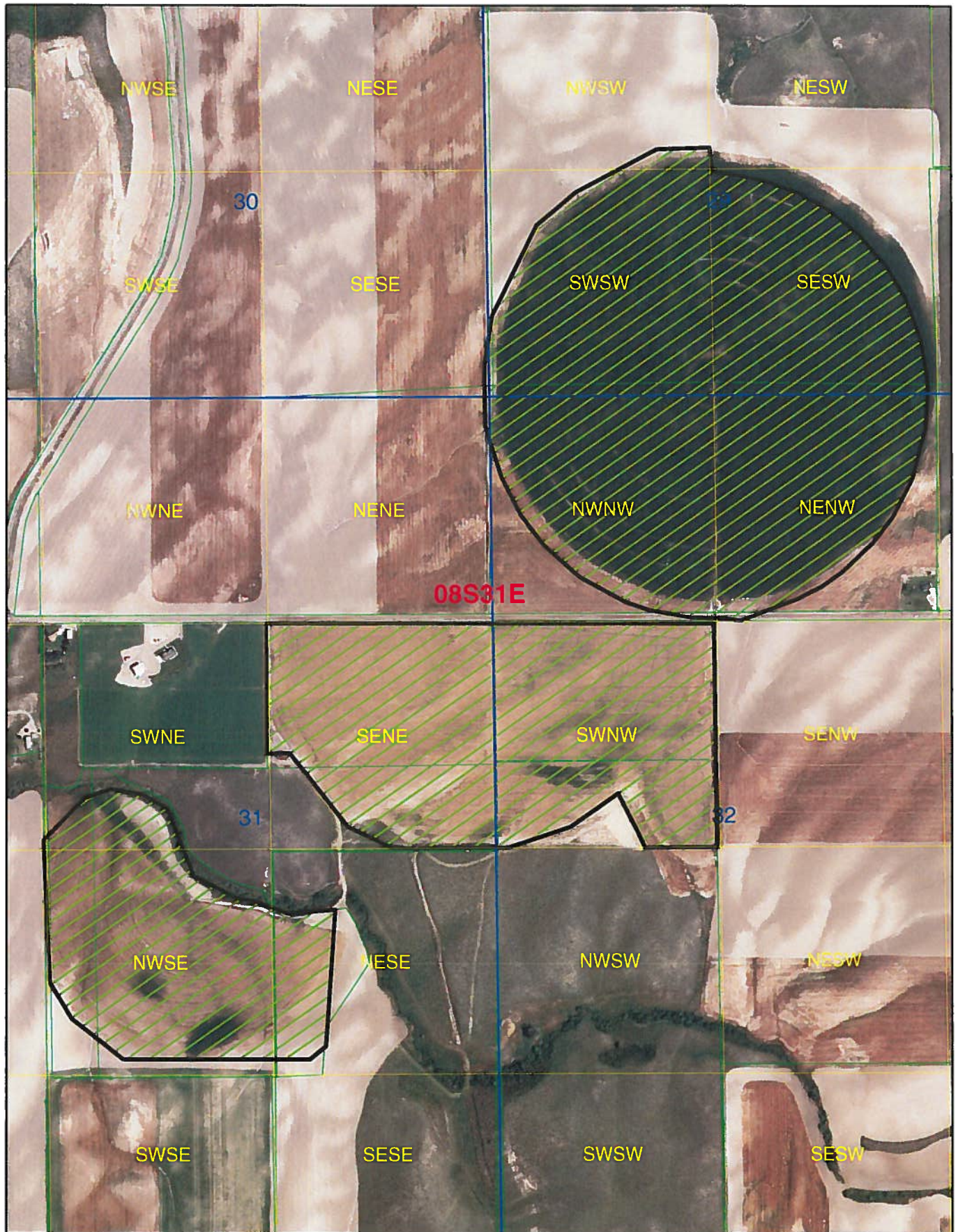
77 42 8



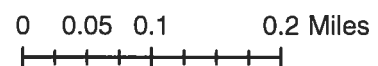
29-13158 Existing Place of Use

77 42 8

0 0.05 0.1 0.2 Miles



29-13158 New Place of Use



Make Check Payable To:
Power County Tax Collector
 Courthouse 543 Bannock
 American Falls, ID 83211
 (208) 226-7614

2010 PROPERTY TAX STATEMENT AND RECEIPT

Bill #: 5561
 Tax Code Area: 3-0000
 Parcel #: RPD1374-02 A

1st Half Due 12/20/2010

Tax \$ 130.98
 Late
 Interest
 Costs
 Total

2nd Half Due 6/20/2011

Tax \$ 130.98
 Late
 Interest
 Costs
 Total

Full 2010 Amount Due

Tax \$ 261.96
 Late
 Interest
 Costs
 Total

Assessed Value

LAND 17,498
 TOT MKT 17,498
 WASTE ACR 4.000
 TOT ACRES 84.000

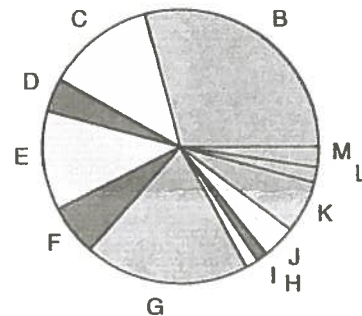
ISAAK SAMUEL W
 3084 ISAAK LOOP
 AMERICAN FALLS ID 83211

3926

2/4



Distribution of your 2010 Tax



Property Location:

Legal Description: S31 T8S R31E
SENE; T-112

Description	Rate	Amount
A = STATE	.000000000	\$0.00
B = POWER COUNTY	.004353788	\$76.18
C = SD381 BOND	.001897384	\$33.20
D = SD381 PLANT FAC	.000597810	\$10.46
E = SD381 SUPP BOND	.001755844	\$30.72
F = SD381 SUPP #1	.000908065	\$15.88
G = COUNTY HWY	.002898299	\$50.70
H = FALLSVIEW CEM	.000219593	\$3.84
I = A.F. FIRE	.000193499	\$3.38
J = AF LIBRARY	.000592383	\$10.36
K = HOSPITAL DIST	.000927951	\$16.24
L = AMBULANCE DIST	.000268671	\$4.70
M = MOSQUITO ABATE	.000360278	\$6.30
AMOUNT DUE	.014973565	\$261.96

★ ★ ★ IMPORTANT ★ ★ ★
 PLEASE READ BOTH FRONT AND BACK
 ★ ★ ★ MONTHLY PAYMENTS ARE ACCEPTED ★ ★ ★

TO AVOID LATE CHARGES, PAYMENTS MUST BE
 RECEIVED OR POSTMARKED BY THE DUE DATE.

IF A MORTGAGE COMPANY IS RESPONSIBLE
 FOR THIS BILL, PLEASE FORWARD.
 LEVY SHEETS ARE AVAILABLE IN TREASURER'S
 OFFICE. RECEIPT GIVEN SUBJECT TO
 CLEARANCE OF YOUR CHECK.

Make Check Payable To:
Power County Tax Collector
Courthouse 543 Bannock
American Falls, ID 83211
(208) 226-7614

2010 PROPERTY TAX STATEMENT AND RECEIPT

Bill #: 557
Tax Code Area: 3-000
Parcel #: RPD1378-04

1st Half Due 12/20/2010

Tax \$ 191.99
Late
Interest
Costs
Total

2nd Half Due 6/20/2011

Tax \$ 191.99
Late
Interest
Costs
Total

Full 2010 Amount Due

Tax \$ 383.98
Late
Interest
Costs
Total

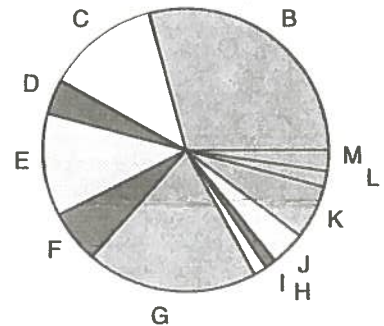
Assessed Value

LAND 25,650
TOT MKT 25,650
TOT ACRES 40.000

ISAAC SAMUEL W
3084 ISAAC LOOP
AMERICAN FALLS ID 83211



Distribution of your 2010 Tax



Property Location:

Legal Description: S32 T8S R31E
SWNW

Description	Rate	Amount
A = STATE	.000000000	\$0.00
B = POWER COUNTY	.004353788	\$111.66
C = SD381 BOND	.001897384	\$48.66
D = SD381 PLANT FAC	.000597810	\$15.32
E = SD381 SUPP BOND	.001755844	\$45.04
F = SD381 SUPP #1	.000908065	\$23.28
G = COUNTY HWY	.002898299	\$74.34
H = FALLSVIEW CEM	.000219593	\$5.62
I = A.F. FIRE	.000193499	\$4.96
J = AF LIBRARY	.000592383	\$15.18
K = HOSPITAL DIST	.000927951	\$23.80
L = AMBULANCE DIST	.000268671	\$6.88
M = MOSQUITO ABATE	.000360278	\$9.24
AMOUNT DUE	.014973565	\$383.98

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Make Check Payable To:
Power County Tax Collector
 Courthouse 543 Bannock
 American Falls, ID 83211
 (208) 226-7614

2010 PROPERTY TAX STATEMENT AND RECEIPT

Bill #: 5572
 Tax Code Area: 3-0000
 Parcel #: RPD1378-05 A

1st Half Due 12/20/2010

Tax \$ 388.99
 Late
 Interest
 Costs
 Total

2nd Half Due 6/20/2011

Tax \$ 388.99
 Late
 Interest
 Costs
 Total

Full 2010 Amount Due

Tax \$ 777.98
 Late
 Interest
 Costs
 Total

Assessed Value

LAND 51,960
 TOT MKT 51,960
 WASTE ACR 3.000
 TOT ACRES 76.000

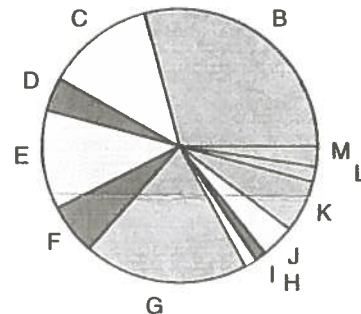
ISAAK SAMUEL W
 3084 ISAAK LOOP
 AMERICAN FALLS ID 83211

3926

4/4



Distribution of your 2010 Tax



Property Location:

Legal Description: S32 T8S R31E
 N2NW EXC T-113

Description	Rate	Amount
A = STATE	.000000000	\$0.00
B = POWER COUNTY	.004353788	\$226.22
C = SD381 BOND	.001897384	\$98.58
D = SD381 PLANT FAC	.000597810	\$31.06
E = SD381 SUPP BOND	.001755844	\$91.22
F = SD381 SUPP #1	.000908065	\$47.18
G = COUNTY HWY	.002898299	\$150.60
H = FALLSVIEW CEM	.000219593	\$11.40
I = A.F. FIRE	.000193499	\$10.04
J = AF LIBRARY	.000592383	\$30.78
K = HOSPITAL DIST	.000927951	\$48.22
L = AMBULANCE DIST	.000268671	\$13.96
M = MOSQUITO ABATE	.000360278	\$18.72
AMOUNT DUE	.014973565	\$777.98

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 OFFICE. RECEIPT GIVEN SUBJECT TO
 CLEARANCE OF YOUR CHECK.

2-nd 5-81 49.67

77428

Make Check Payable To:
Power County Tax Collector
 Courthouse 543 Bannock
 American Falls, ID 83211
 (208) 226-7614

2010 PROPERTY TAX STATEMENT AND RECEIPT

Bill #: 555
 Tax Code Area: 3-000
 Parcel #: RPD1368-02

1st Half Due 12/20/2010

Tax \$ 295.76
 Late
 Interest
 Costs
 Total

2nd Half Due 6/20/2011

Tax \$ 295.76
 Late
 Interest
 Costs
 Total

Full 2010 Amount Due

Tax \$ 591.52
 Late
 Interest
 Costs
 Total

Assessed Value

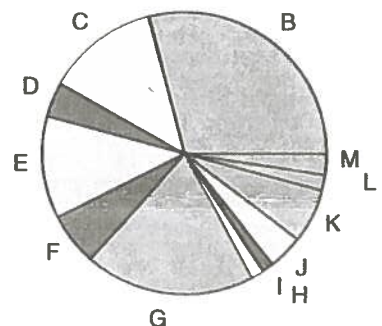
LAND 39,508
 TOT MKT 39,508
 TOT ACRES 160.000

ISAAK SAMUEL W
 3084 ISAAK LOOP
 AMERICAN FALLS ID 83211-5509

3926
 1/4



Distribution of your 2010 Tax



Property Location:
 Legal Description: S29.T8S R31E
 SW4

Description	Rate	Amount
A = STATE	.000000000	\$0.00
B = POWER COUNTY	.004353788	\$172.00
C = SD381 BOND	.001897384	\$74.96
D = SD381 PLANT FAC	.000597810	\$23.62
E = SD381 SUPP BOND	.001755844	\$69.36
F = SD381 SUPP #1	.000908065	\$35.88
G = COUNTY HWY	.002898299	\$114.50
H = FALLSVIEW CEM	.000219593	\$8.68
I = A.F. FIRE	.000193499	\$7.64
J = AF LIBRARY	.000592383	\$23.40
K = HOSPITAL DIST	.000927951	\$36.66
L = AMBULANCE DIST	.000268671	\$10.60
M = MOSQUITO ABATE	.000360278	\$14.22
AMOUNT DUE	.014973565	\$591.52

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 CLEARANCE OF YOUR CHECK.



**Idaho
AgCredit**

When you grow, we grow.

RECEIVED

AUG 10 2011

Department of Water Resources
Eastern Region

2883 Highway 39 • P.O. Box 300
American Falls, Idaho 83211
208.226.5251 or 800.831.5143
Fax: 208.226.5063
www.idahoagcredit.com

August 9, 2011

Idaho Department of Water Resources

To Whom It May Concern:

Idaho AgCredit, FLCA, formerly known as Eastern Idaho Agricultural Credit Association, agrees with the proposed transfer of Water Right number 29-13158 allowing William and Lucy Isaak to change the place of use for the water described in the right. If you have any questions, please call me at 208-226-5251.

Sincerely,

Dana Wood
Loan Officer

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: Current tax lot data showing the water right owner is the owner of the proposed place of use.