

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 77137

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) LONG ISLAND IRRIGATION COPhone 208-745-6147Mailing address 729 N 3800 E RIGBY, ID 83442

Email _____

- ☐ 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 _____

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.

Brent Thomas
Signature of Applicant or Authorized Representative

Brent Thomas, President
Print Name and Title if applicable

3-28-2011
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

RECEIVED

MAR 28 2011

Department of Water Resources
Eastern Region**A. PURPOSE OF TRANSFER**

- ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use

☐ Change nature of use ☐ Change period of use ☐ Other _____
- 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**. We want to add two PODs on Dry Bed to our water right. Dee Stocker plans to install two pivots on his property and these two pivots will provide sufficient water to run them. An agreement has been made between us and Dee Stoker which was submitted along with this application.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 ☒ ☐	1-114C	58.97	Irrigation	4/1 to 10/31	Snake River- Columbia Rvr
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 58.97 cfs and/or _____ ac-ft

2. Total amount of water proposed to be transferred or changed 3.5 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 #
		SW	SW	SE	5	04N	39E	JEFFERSON	SNAKE RIVER	
		SW	NW	SE	10	04N	39E	JEFFERSON	SNAKE RIVER	
YES		SE	NW	SE	2	04N	37E	JEFFERSON	DRY BED	
YES		NE	NE	NW	11	04N	37E	JEFFERSON	DRY BED	

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	

Total Acres (for irrigation use) _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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: Two pumps will be added to Dry Bed. One will pump water to two pivots and the other will pump water into ditches to flood irrigate acres south of the pivots.

- b. Who owns the property at the point(s) of diversion? NO- Dee Stoker owns the property

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
An agreement has been signed between Long Island Irrigation Co. and Dee Stoker.

- 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: _____

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: _____

The land list below will remain irrigated.

T04N R37E Sec 2 SENW, NESW, SWSW, SESW, NESE, NWSE, SWSE and T04N R37E Sec 11 NENW, NWNW.

- 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: _____

Water right 25-262 and 25-14049 from Spring Creek.

- 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: _____

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

Current Water Right No.: 1-114C

Current Owner: LONG ISLAND IRRIGATION CO

Priority Date: 6/1/1885

Origin: Water Right

Status: Active

Basis: Decreed

Source

SNAKE RIVER

Tributary

COLUMBIA RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

58.97 CFS

58.97 CFS

Annual Volume

Location of Point(s) of Diversion

SNAKE RIVER

SW1/4SW1/4SE1/4

Sec. 5, Twp 04N, Rge 39E B.M.

JEFFERSON County

SNAKE RIVER

SW1/4NW1/4SE1/4

Sec. 10, Twp 04N, Rge 39E B.M.

JEFFERSON County

Place of Use

IRRIGATION Within JEFFERSON County

T04N R37E S1	Lot 1	NENE	T04N R37E S1	Lot 2	NWNE
T04N R37E S1		SWNE	T04N R37E S1		SENE
T04N R37E S1	Lot 3	NENW	T04N R37E S1	Lot 4	NWNW
T04N R37E S1		SWNW	T04N R37E S1		SENW
T04N R37E S1		NESW	T04N R37E S1		NWSW
T04N R37E S1		SWSW	T04N R37E S1		NESE
T04N R37E S1		NWSE	T04N R37E S2	Lot 1	NENE
T04N R37E S2	Lot 2	NWNE	T04N R37E S2		SWNE
T04N R37E S2		SENE	T04N R37E S2	Lot 3	NENW
T04N R37E S2	Lot 4	NWNW	T04N R37E S2		SWNW
T04N R37E S2		SENW	T04N R37E S2		NESW
T04N R37E S2		NWSW	T04N R37E S2		SWSW
T04N R37E S2		SESW	T04N R37E S2		NESE
T04N R37E S2		NWSE	T04N R37E S2		SWSE
T04N R37E S3	Lot 1	NENE	T04N R37E S3	Lot 2	SENE
T04N R37E S3		NESE	T04N R37E S3	Lot 3	NWSE
T04N R37E S3		SWSE	T04N R37E S3		SESE
T04N R37E S11		NWNE	T04N R37E S11		NENW
T04N R37E S11		NWNW	T04N R38E S2	Lot 3	NENW
T04N R38E S2	Lot 4	NWNW	T04N R38E S3	Lot 1	NENE
T04N R38E S3	Lot 2	NWNE	T04N R38E S3		SWNE

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T04N R38E S3		SENE
T04N R38E S3	Lot 4	NWNW
T04N R38E S3		NESW
T04N R38E S4	Lot 1	NENE
T04N R38E S4		SWNE
T04N R38E S4	Lot 4	NWNW
T04N R38E S4		SENE
T04N R38E S4		NWSW
T04N R38E S4		SESW
T04N R38E S5	Lot 1	NENE
T04N R38E S5		SWNE
T04N R38E S5	Lot 3	NENW
T04N R38E S5		SENE
T04N R38E S6	Lot 1	NENE
T04N R38E S6	Lot 3	NENW
T04N R38E S6		SENE
T04N R39E S5		NESW
T04N R39E S5		SWSW
T04N R39E S6		NESE
T04N R39E S6		SWSE
T04N R39E S7		NENE
T04N R39E S10		NESW
T04N R39E S10		NESE
T04N R39E S10		SWSE
T04N R39E S11		SWSW
T04N R39E S14		NENW
T04N R39E S14		SENE
T04N R39E S15		NWNE
T05N R37E S13	Lot 1	NENE
T05N R37E S13	Lot 2	NWNE
T05N R37E S13	Lot 6	NENW
T05N R37E S13		NWSW
T05N R37E S13		SESW
T05N R37E S13		NWSE
T05N R37E S13		SESE
T05N R37E S14		SESW
T05N R37E S14	Lot 7	NESE
T05N R37E S14		NWSE
T05N R37E S14	Lot 17	NWSE
T05N R37E S14	Lot 6	SWSE
T05N R37E S22		NENW
T05N R37E S22	Lot 5	NWSE
T05N R37E S22	Lot 16	SWSE
T05N R37E S23		NWNE
T05N R37E S23		SENE
T05N R37E S23		NESE
T05N R37E S23		SWSE
T05N R37E S24		NENE

T04N R38E S3	Lot 3	NENW
T04N R38E S3		SENE
T04N R38E S3		NWSE
T04N R38E S4	Lot 2	NWNE
T04N R38E S4	Lot 3	NENW
T04N R38E S4		SWSW
T04N R38E S4		NESW
T04N R38E S4		SWSW
T04N R38E S4		NWSE
T04N R38E S5	Lot 2	NWNE
T04N R38E S5		SENE
T04N R38E S5	Lot 4	NWNW
T04N R38E S5		NESE
T04N R38E S6	Lot 2	NWNE
T04N R38E S6	Lot 4	NWNW
T04N R39E S4	Lot 4	NWNW
T04N R39E S5		NWSW
T04N R39E S5		SESW
T04N R39E S6		NWSE
T04N R39E S6		SESE
T04N R39E S7		NWNE
T04N R39E S10		SESW
T04N R39E S10		NWSE
T04N R39E S10		SESE
T04N R39E S11		SESW
T04N R39E S14		NWNW
T04N R39E S15		NENE
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T05N R37E S13	Lot 5	NENE
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T05N R37E S13		NESE
T05N R37E S13		SWSE
T05N R37E S14	Lot 5	SWSW
T05N R37E S14		NESE
T05N R37E S14	Lot 16	NESE
T05N R37E S14	Lot 6	NWSE
T05N R37E S14		SWSE
T05N R37E S14		SESE
T05N R37E S22	Lot 6	NESE
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T05N R37E S24		NWNE

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T05N R37E S36		NWSW
T05N R37E S36		SESW
T05N R37E S36		NWSE
T05N R37E S36		SESE

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T05N R38E S17	Lot 9	SWSW
T05N R38E S18	Lot 11	SENE
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T05N R38E S25		SWSE

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T05N R38E S18	Lot 13	NESW
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T05N R38E S18	Lot 4	SESW
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T05N R38E S20		SESW
T05N R38E S20		NWSE
T05N R38E S20		SESE
T05N R38E S21	Lot 7	SENE
T05N R38E S21		SWNW
T05N R38E S21	Lot 5	SENW
T05N R38E S21		NWSW
T05N R38E S21		SESW
T05N R38E S21		NWSE
T05N R38E S21		SESE
T05N R38E S22	Lot 5	SWNW
T05N R38E S22	Lot 6	NESW
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T05N R38E S22		SESW
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T05N R38E S23		SESW
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T05N R38E S25		NWSE
T05N R38E S25		SESE

T05N R38E S26		NENE	T05N R38E S26		SWNE
T05N R38E S26		SENE	T05N R38E S26		NWNW
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T05N R38E S27		NESW	T05N R38E S27		NWSW
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T05N R38E S28		NENE	T05N R38E S28		NWNE
T05N R38E S28		SWNE	T05N R38E S28		SENE
T05N R38E S28		NENW	T05N R38E S28		NWNW
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T05N R38E S28		SWSW	T05N R38E S28		SESW
T05N R38E S28		NESE	T05N R38E S28		NWSE
T05N R38E S28		SWSE	T05N R38E S28		SESE
T05N R38E S29		NENE	T05N R38E S29		NWNE
T05N R38E S29		SWNE	T05N R38E S29		SENE
T05N R38E S29		NENW	T05N R38E S29		NWNW
T05N R38E S29		SWNW	T05N R38E S29		SENW
T05N R38E S29		NESW	T05N R38E S29		NWSW
T05N R38E S29		SWSW	T05N R38E S29		SESW
T05N R38E S29		NESE	T05N R38E S29		NWSE
T05N R38E S29		SWSE	T05N R38E S29		SESE
T05N R38E S30		NENE	T05N R38E S30		NWNE
T05N R38E S30		SWNE	T05N R38E S30		SENE
T05N R38E S30		NENW	T05N R38E S30	Lot 1	NWNW
T05N R38E S30	Lot 2	SWNW	T05N R38E S30		SENW
T05N R38E S30		NESW	T05N R38E S30	Lot 3	NWSW
T05N R38E S30	Lot 4	SWSW	T05N R38E S30		SESW
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T05N R38E S30		SWSE	T05N R38E S30		SESE
T05N R38E S31		NENE	T05N R38E S31		NWNE
T05N R38E S31		SWNE	T05N R38E S31		SENE
T05N R38E S31		NENW	T05N R38E S31	Lot 1	NWNW
T05N R38E S31	Lot 2	SWNW	T05N R38E S31		SENW
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T05N R38E S32		SWNW	T05N R38E S32		SENW
T05N R38E S32		NESW	T05N R38E S32		NWSW
T05N R38E S32		SWSW	T05N R38E S32		SESW
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T05N R38E S36		NESE	T05N R38E S36		NWSE
T05N R39E S30		NESW	T05N R39E S30	Lot 3	NWSW
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T05N R39E S30		SWSE	T05N R39E S31		NWNE
T05N R39E S31		SWNE	T05N R39E S31		SENE
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T05N R39E S32		SENW	T05N R39E S32		NESW
T05N R39E S32		NWSW	T05N R39E S32		NESE
T05N R39E S32		NWSE	T05N R39E S32		SWSE

Page _____ of _____

T05N R39E S32

SESE

T05N R39E S33

NESW

T05N R39E S33

NWSW

T05N R39E S33

SWSW

T05N R39E S33

SESW

Total Acres: 11274

Conditions of Approval:

1. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
2. Water is delivered from the Dry Bed.
3. This right will be reduced by 2 acres for the mitigation associated with right 1-10406.
4. F01 Water is delivered through West Labelle & Long Island Canal and White Ditch.
5. 129 Place of use is within the area served by Long Island Irrigation Company.
6. 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.
7. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Decreed Date: 11/7/2007

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.

☐ 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. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

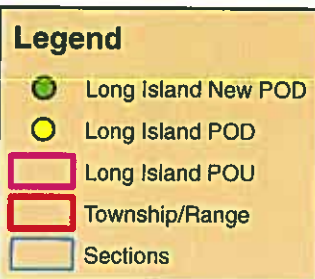
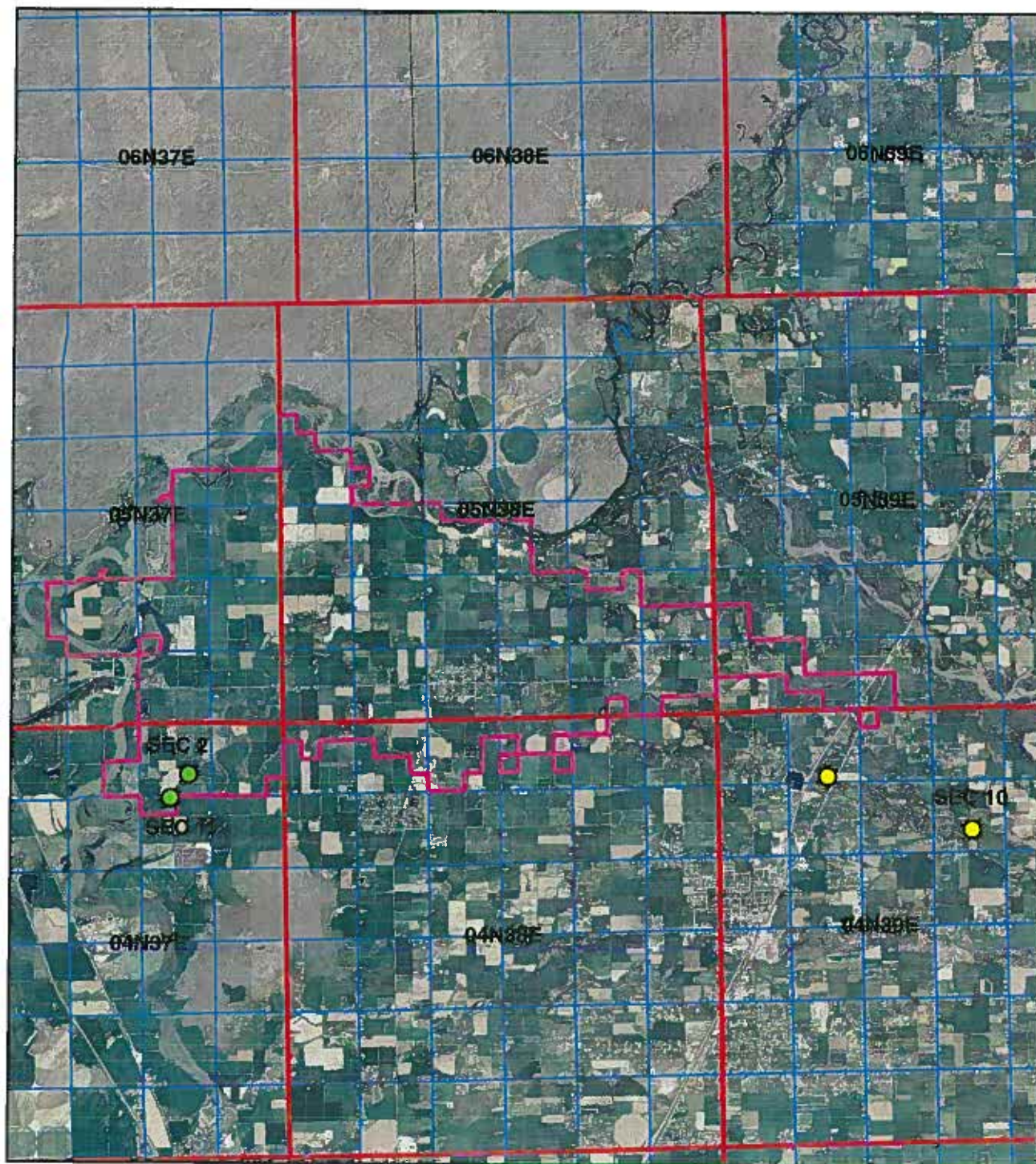
This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins or other markings visible.

Transfer contains _____ pages and _____ attachments.
 Received by DK Date _____ Prelim. Check by _____ Date _____
 Fee Paid \$ 370 Date 3-29-11 Received by DK Receipt # E036518
 Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____

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Proposed Transfer Long Island Irrigation Co. Water Right 1-114C



Prepared by Denise Kidman
On February 4, 2011
2009 Aerial Photography



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The following describes an agreement between Dee Stoker and Long Island Irrigation Company, Inc..

1. Long Island Irrigation Company agrees to change their water right dated June 1, 1885, to request two additional points of diversion on the Drybed at two pumps operated by Dee Stoker to operate two center pivot irrigation systems and to flood irrigate a small field.
2. Dee Stoker agrees that he will operate only one pump at a time unless he has approval from Long Island Irrigation Company to operate both pumps. In addition, Long Island Irrigation Company reserves the right to require that only one center pivot at a time be operated in the event of severe water shortages.
3. Long Island Irrigation Company agrees to allow Dee Stoker to pump from a drain near his pumps that drains wastewater and runoff from fields irrigated by Long Island Irrigation Company water before it enters the Drybed.
4. Dee Stoker agrees to assign 500 acre feet of storage space in Palisades Reservoir to Long Island Irrigation Company.
5. Dee Stoker agrees to pay necessary expenses to change the water right as previously described.
6. Both parties agree to a review of this agreement at the end of three years to consider necessary changes which may become apparent.

Robert Thomas Date 3-28-2011
President, Long Island Irrigation, Inc.

Dee A Stoker Date 3/28/11

RECEIVED

MAR 28 2011

Department of Water Resources
Eastern Region

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