

**RECEIVED**

**NOV 10 2010**

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. 76927

**DEPT. OF WATER RESOURCES SOUTHERN REGION**  
**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. Part 2B forms are available on the Department's website at: [http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/PDFs\\_09/WaterRight\\_TransferApp\\_Part2B.pdf](http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/PDFs_09/WaterRight_TransferApp_Part2B.pdf)
  - \* 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.
- #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).
- #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/wrt\\_default.htm](http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/wrt_default.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.)
- #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: Attachment A summary of District Water Rights.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. \_\_\_\_\_

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1

Name of Applicant(s) A4B Irrigation District Phone 208 436 3152

Mailing address P.O. Box 675 Rupert Id. 83350 Email abid@pmt.org

- 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 Dan Temple Manager Phone 208 436 3152

Mailing address P.O. Box 675 Rupert Id. 83350 Email abid@pmt.org

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]  
Signature of Applicant or Authorized Representative

Dan Temple Mgr.  
Print Name and Title if applicable

11-9-2010  
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 delete (5) points of diversion

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.** see attachment

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: All three (3) of the requested new points of diversion will be located direct to the District water users. All systems will have lockable valves controlled by the District and approved flowmeters to measure usage.

b. Who owns the property at the point(s) of diversion? A+B ID water users  
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system: A+B ID will prepare legal grant of easements for the granting of operation + maintenance easements.

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: Does not apply

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 A+B ID boundaries for the place of use are not proposed to be changed or the total number of acres under our rights will not change.

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: The A+B water rights shown on attachment A are the only rights to my knowledge that serve the lands involved in this proposed transfer.

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: The District has 132 acres under right 36-15127B that has been placed in the CREP program

The District has an approved mitigation plan on file with the department for the Blue Lake delivery/call.

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					
<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				
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<input type="checkbox"/>	<input type="checkbox"/>				
<input type="checkbox"/>	<input type="checkbox"/>				

See Attachment A

Total authorized under rights 1100 cfs and/or \_\_\_\_\_ ac-ft

2. Total amount of water proposed to be transferred or changed \_\_\_\_\_ cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

3. Point(s) of Diversion: See attachment B

- 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 #
yes	98	NE	NW	SW	28	850.	24E01	Minidoka	Ground water	28A824
yes	96	SE	SE	NE	13	850.	24E01	Minidoka	Ground water	13D824
yes	96	SW	SE	SW	14	850.	25E01	Minidoka	Ground water	14D825

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			

No change

Total Acres (for irrigation use) \_\_\_\_\_



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 3

**A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)**

- 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.

**B. CHANGES IN NATURE OF USE (Water Balance)**

- If you propose to change the nature of use or period of use of all or part of the rights(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.**

**C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS**

- 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.: \_\_\_\_\_

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**FOR DEPARTMENT USE ONLY**

Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments.  
Received by ADM Date 11/10/2010 Prelim. Check by A. SOWNER Date 11/19/2010  
Fee Paid \$890.00 Date 11/10/2010 Received by ADM Receipt # 5031681  
Add'l Fee Paid \_\_\_\_\_ Date \_\_\_\_\_ Received by \_\_\_\_\_ Receipt # \_\_\_\_\_

Part 1A.2

With this transfer application A&B Irrigation District proposes to add three (3) new points of diversion and to abandon five (5) Points Of Diversions listed on the Districts last approved transfer 75339.

The requested three (3) new Point Of Diversions are needed to supplement 3 separate current District well system Point Of Diversions. There will be no change in the place of use or enlargement of the acreage of the District's water rights.

The five (5) points of diversion that will be abandoned to State standards are as follows:

<b>Section</b>	<b>Township</b>	<b>Range</b>	<b>Quarter</b>	<b>Quarter</b>	<b>Quarter</b>
35	8S	23EBM	SE	NW	SE
20	8S	24EBM	SE	SE	SW
30	8S	24EBM	SE	NW	SE
14	8S	23EBM	NW	SW	SW
9	8S	24EBM	SE	SW	SE

ATTACHMENT "A"

Summary of Water Rights Affected

<u>Right</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>
36-2080	09/09/1948	1100.00 cfs	250416.0 af
36-15192	04/01/1962	0.60 cfs	
36-15127A	04/01/1962	20.00 cfs	4823.2 af
36-15127B	04/01/1984	34.03 cfs	8206.0 af
36-15193B	04/01/1965	0.31 cfs	75.6 af
36-15195B	04/01/1978	2.25 cfs	542.4 af
36-15196B	04/01/1981	0.08 cfs	18.8 af
36-15194A	04/01/1962	0.23 cfs	54.8 af
36-15194B	04/01/1968	2.53 cfs	609.6 af
36-15193A	04/01/1962	0.21 cfs	50.0 af
36-15195A	04/01/1962	0.87 cfs	210.0 af
36-15196A	04/01/1962	0.29 cfs	69.6 af

Attachment B

28B 824	7 cfs
14D 825	4 cfs
13D 824	<u>6 cfs</u>
	17 cfs total
3 Drilling Permits	\$ 600.00
17 cfs Transfer Fee	<u>\$ 890.00</u>
	1490.00

Attachment #3



United States Department of the Interior

BUREAU OF RECLAMATION  
Pacific Northwest Regional Office  
1150 North Curtis Road, Suite 100  
Boise, ID 83706-1234

IN REPLY REFER TO:

PN-3100  
WTR-4.10

**NOV 09 2010**

Mr. Dan Temple, Manager  
A&B Irrigation District  
P.O. Box 675  
Rupert, ID 83350-0675

Subject: Application for Transfer of Water Rights 36-2080 etc., A&B Irrigation District,  
Minidoka Project, Idaho

Dear Mr. Temple:

As the water right holder, the Bureau of Reclamation hereby consents to the attached proposed transfer, which you sent to me by email on November 2, 2010. The proposed transfer adds three (3) new points of diversion and eliminates five (5) existing points of diversion. Should you have questions, please contact me at 208-378-5306.

Sincerely,

E. Gail McGarry, PE  
Program Manager  
Water Rights and Acquisition

Enclosure

cc: A&B Irrigation District  
P.O. Box 675  
Rupert, ID 83350

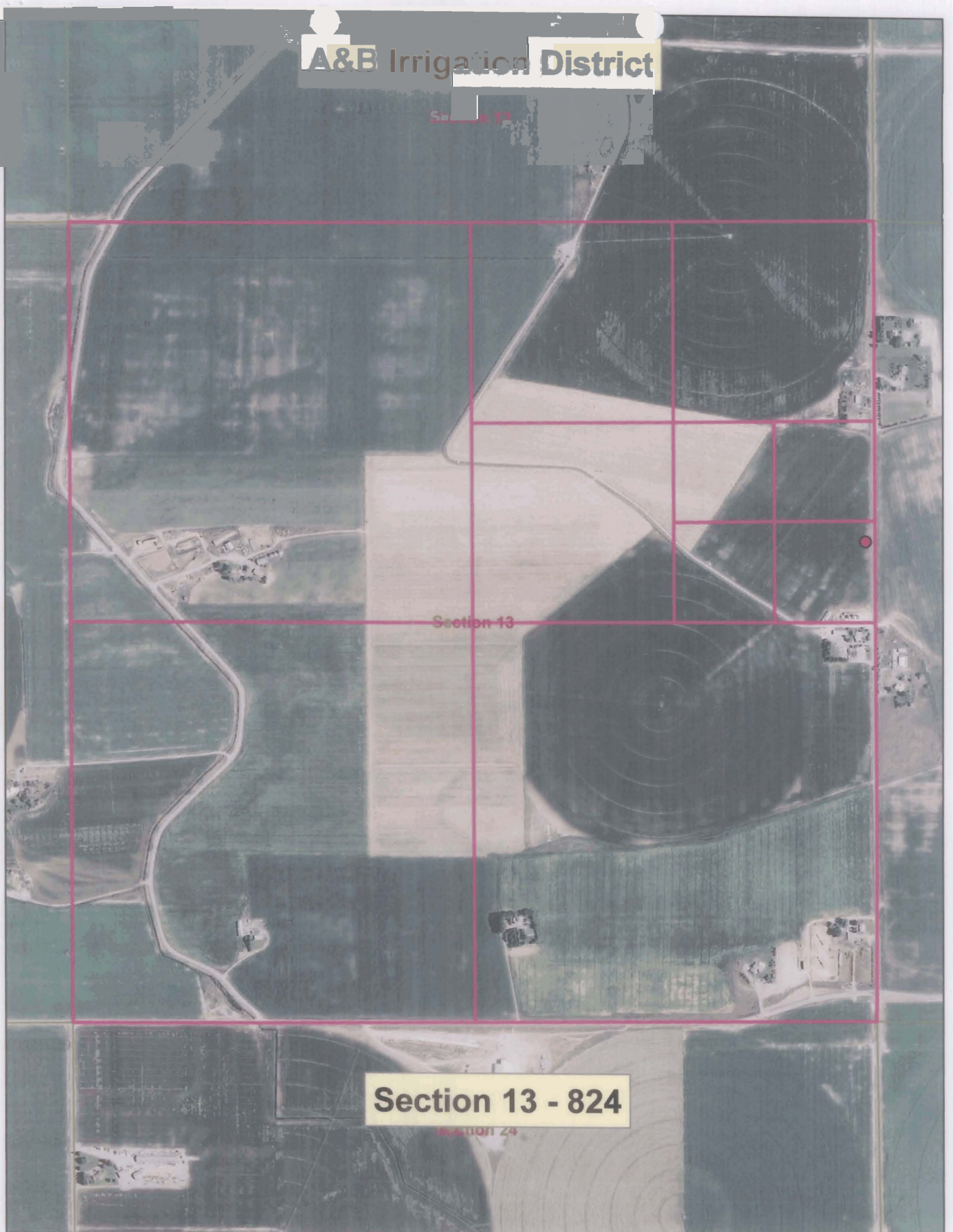
# A&B Irrigation District

Section 13

Section 13

Section 13 - 824

SECTION 13



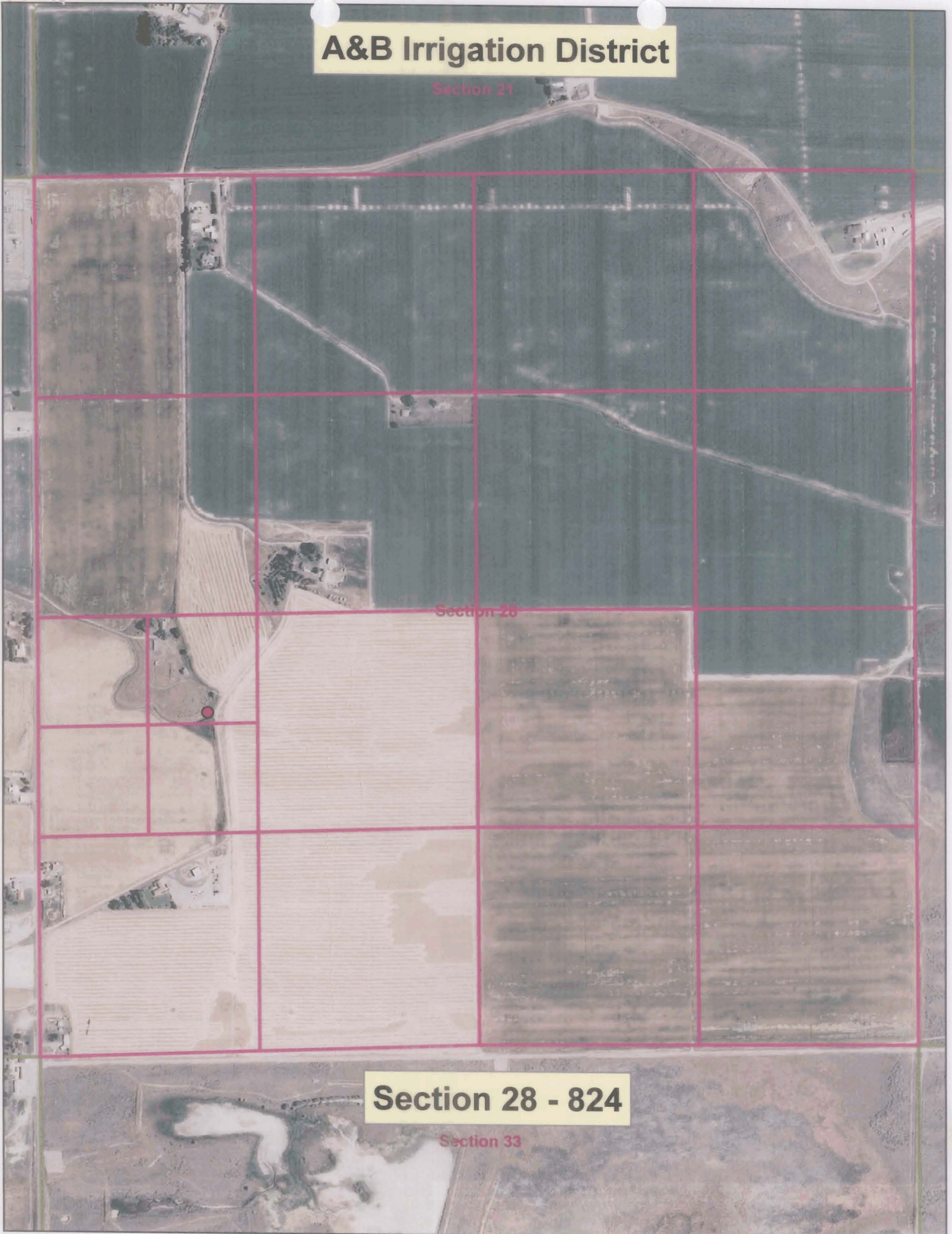
# A&B Irrigation District

Section 21

Section 28

## Section 28 - 824

Section 33



# A&B Irrigation District

Section 11

Section 14 - 825

