STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 75580

RECEIVED
APR 23 2009
IDWR NORTH

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Burton N. and/or Rosalie Willis Phone 208-683-2672

Mailing address P.O. Box 113, Athol, ID 83801 Email N/A

- ☐ 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.

Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date
Rosalie A. Willis	ROSALIE A WILLIS	4-23-09

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.** A portion of our property was sold and this water right is to be divided equally between the parties with each having their own well or point of diversion.

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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.

1. All or Part	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☐ ☐	95-10002	0.01/1.75	Irrigation	4/1 to 11/01	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.01 cfs and/or 1.75 ac-ft

2. Total amount of water proposed to be transferred or changed 0.01 cubic feet per second and/or 1.75 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 #
			SE	SW	12	53N	3W	Kootenai	Groundwater	0005 4299

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	
53N	3W	12												½					½

Total Acres (for irrigation use) ½

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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: Submersible pump in well.

b. Who owns the property at the point(s) of diversion? Applicant
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? No
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:
None

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: 95-9985 is a domestic license that is on the same place of use.

f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes	No	
☐	☑	1. undergone a period of five or more consecutive years of non-use,
☐	☑	2. currently leased to the Water Supply Bank,
☐	☑	3. currently used in a mitigation plan limiting the use of water under the right, or
☐	☑	4. currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

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APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1. of the application, attach a Proof Report (obtained from Department) or Details Report (obtained from website @ http://www.idwr.idaho.gov/apps/ExtSearch/SearchWRAJ.asp). Label it **Part 2A.**

B. 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. If the entire right is proposed to be changed, Part 2B is not applicable.

Right Number: 95-10002

1. amount 0.01/1.75 (cfs/ac-ft) for Irrigation purposes from 4/1 to 11/01
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____

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

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	
53N	3W	12												½					½

Total Acres (for irrigation use) ½

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Part 2A

04/14/2009

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 95-10002

WATER RIGHT NUMBER: 95-10002

Owner Type	Name and Address
Current Owner	BURTON WILLIS PO BOX 113 ATHOL, ID 83801 (208)683-2672
Current Owner	ROSALIE WILLIS PO BOX 113 ATHOL, ID 83801 (208)683-2672
Previous Owner	HOWARD M PETERS PO BOX 217 ATHOL, ID 83801
Original Owner	HOWARD C PETERS , ZZ
Original Owner	ROBERT C KING PO BOX 2551 PALMER, AK 99645 (907)745-2255

Priority Date: 04/10/1979

Basis: License

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION	04/01	11/01	0.020 CFS	3.50 AF
		Total Diversion:	0.020 CFS	3.50 AF

Location of Point(s) of Diversion

GROUND WATER — SE1/4SW1/4 — Sec. 12, Twp 53N, Rge 03W, B.M.

KOOTENAI County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
53N	03W	12												1.0					1.0

Total Acres: 1

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 95-10002

1. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. 175 When notified by the Department, the right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code, and/or the management plan for the Rathdrum Prairie Ground Water Management Area.
3. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. This right when combined with right 96-9385 shall not exceed a total diversion rate of 0.04 cfs.
5. 174 This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of the management plan approved by the director for the RPGWMA.

Remarks:

Comments:

1. edavis 3/25/2008 POD
Comment: Updated shape

2. edavis 3/25/2008 POU
Comment: Updated Shape

3. edavis 3/25/2008 POU
Comment: Updated Shape

4. kfranklin 11/17/2008 2:09:26 PM POU
Comment: Updated Shape

5. kfranklin 11/17/2008 2:11:36 PM POU
Comment: Updated Shape

6. pskaggs 11/18/2008 2:08:11 PM POU
Comment: Updated PLS

7. kfranklin 11/20/2008 11:12:02 AM Transferred Right
Comment: This is now an approved transfer, transfer number = 74669

8. Renumber 12/30/2008 1:49:25 PM Renumber WR 95-10002
Comment: This has been renumbered from 96-7769

9. erushing 12/30/2008 2:27:24 PM POU
Comment: Updated Shape

10. erushing 12/30/2008 2:28:05 PM POD
Comment: Updated Shape

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 95-10002

Dates and Other Information:

Licensed Date: 11/27/1984
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector: And/Or
Water District Number:
Generic Max Rate Per Acre: 0.03
Generic Max Volume Per Acre: 3.5
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

STATE OF IDAHO
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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 Syste (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the pla of use. Label it **Attachment #7b.**

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 documentati 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 th availability or reliability of the primary right(s) being supplemented, both before and after the change:_____

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by Diane Date 4/23/09 Prelim. Check by _____ Date _____

Fee Paid $100.00 Date 4/23/09 Receipted by Diane Receipt # N020384

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

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95-10002

Attach #7b

0 90 180 360 540 720 Feet

Legend

- workingpod
- workingpou
- Taxlots
- QQ

N W E S