

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1****AMENDED**Name of Applicant(s) Telford Lands, LLC; c/o Mike Telford Phone: _____Mailing Address: 1450 W. Hwy. 24, Paul, ID 8347 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 Robert L. Harris; Holden, Kidwell, Hahn & Crapo, P.L.L.C. Phone: _____Mailing Address: PO Box 50130, Idaho Falls, ID 83405-0130 Email: rharris@holdenlegal.com

- ☐ Send all correspondence for this application to the representative and not 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.

Robert L. Harris
Signature of Applicant or Authorized Representative

ROBERT L. HARRIS, ATTORNEY
Print Name and Title if applicable

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

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 if part 1A.2. This Application for Transfer will add a new point of diversion to the below water rights for a new proposed well. The application is necessary because of a shared well dispute between the applicant and Babcock. If this transfer is granted, it is possible that the point of diversion located in

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

SE1/4NW1/4SE1/4 of Section 29, T5N, R36E, will not longer be used under the below water rights, depending on whether the parties can resolve their differences.

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 ContinuedB. 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					
✓ ☐	34-7179	2.78 cfs	Irrigation	04/01 to 11/01	Ground Water
✓ ☐	34-2330B	1.75 cfs	Irrigation	04/01 to 10/31	Ground Water
✓ ☐	34-7077	8 cfs	Irrigation	04/01 to 11/01	Ground Water
✓ ☐	34-7080B	5.33 cfs	Irrigation	04/01 to 10/31	Ground Water
✓ ☐	34-7092	12 cfs	Irrigation	04/15 to 10/15	Ground Water
✓ ☐	34-7121A	0.46 cfs	Irrigation	04/15 to 10/15	Ground Water
✓ ☐	34-7121B	3.74 cfs	Irrigation	04/01 to 11/01	Ground Water
✓ ☐	34-12376	1.25 cfs	Irrigation	04/01 to 10/31	Ground Water
✓ ☐	34-13840	1.26 cfs	Irrigation	04/01 to 10/31	Ground Water
✓ ☐	34-13842	0.46 cfs	Irrigation	04/01 to 11/01	Ground Water

Total: 37.03 cfs and/or _____ ac-ft.

2. Total amount of water being transferred or changed 5.0 Cubic feet per second and/or _____ acre-feet 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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Source	Local name for diversion
	2	NE	NW	NE	4	4N	26E	BUTTE	GROUND WATER	
	3	NE	NE	NW	5	4N	26E	BUTTE	GROUND WATER	
		SW	NW	NW	21	5N	26E	BUTTE	GROUND WATER	
Y		SE	NW	SE	29	5N	26E	BUTTE	GROUND WATER	
		SE	NW	SE	29	5N	26E	BUTTE	GROUND WATER	Babcock Well
		SE	SW	NE	32	5N	26E	BUTTE	GROUND WATER	
		SE	NW	SE	32	5N	26E	BUTTE	GROUND WATER	
	2	NW	NW	NE	4	4N	26E	BUTTE	GROUND WATER	

4. Place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)
☒ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5).

Twp	Rge	Sec	NE 1/4	NW 1/4	SW 1/4	SE 1/4	Acre Totals
-----	-----	-----	--------	--------	--------	--------	-------------

[illegible]

5. General Information:

- 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: No changes to the place of use is proposed.

d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer: None.

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

- ☐ ☒ 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?

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APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

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 in Part 3B above.

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

2. Next, it is important to gather relevant information and data. This can be done through research, consultation with experts, or by analyzing existing data sets.

3. Once the information is gathered, the next step is to analyze it. This involves identifying patterns, trends, and relationships that can help in understanding the problem.

4. After analysis, the next step is to develop a solution or plan. This involves identifying the most effective and efficient way to address the problem.

5. Finally, the solution is implemented and the results are evaluated. This involves monitoring the progress and making adjustments as needed to ensure the solution is effective.

Transfer contains _____ pages and _____ attachments.
 Received by: _____ Date: _____ Prelim. Check by _____ Date: _____
 Fee paid: 410 Date: 5/2/2010 Received by B. Cline Receipt # 6035579
 Add'l fee paid _____ Date: _____ Received by _____ Receipt # _____

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Attachment No. 2a Water Right Ownership Documentation

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IDWR Water Right and Adjudication Search

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Note: This search tool identifies active water rights and active transfers. If you want to search both active and inactive water rights, please check the box below.

To view documents related to all existing Transfer applications, see SEARCH Transfers on the Water Right Transfer tab.

☐ Search for both active and inactive water right records.

Search Results

Type of Query

☒ All Adjudication & Water Rights

Adjudication ☐ Claims ☐ Recommendations ☐ Both	Water Rights ☐ Applications ☐ Permits ☐ Decrees, Licenses and Statutory Claims ☐ Transfers ☐ All of the above
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Query parameters:

OrganizationName = Telford Lands

Search for: active Records

Information for type: Statutory Claim, Decree and License

	Record	Basin	Sequence	Suffix	Version	Basis	Status	Priority Date	Diversion Rate	Source List	Water Uses	Owner List
Details Related Documents General Provision	1	34	618			Decreed	Active	1884-09-01	3.2	BIG LOST RIVER	IRRIGATION	TELFORD LANDS LLC (Current)
Details Related Documents General Provision	2	34	2330	B		Decreed	Active	1977-06-01	1.75	GROUND WATER	IRRIGATION	TELFORD LANDS LLC (Current)
Details Related Documents General Provision	3	34	7077			Decreed	Active	1974-09-05	8	GROUND WATER	IRRIGATION	TELFORD LANDS LLC (Current)
Details Related Documents General Provision	4	34	7080	B		Decreed	Active	1974-09-23	5.33	GROUND WATER	IRRIGATION	TELFORD LANDS LLC (Current)
Details Related Documents General Provision	5	34	7092			Decreed	Active	1975-01-14	12	GROUND WATER	IRRIGATION	TELFORD LANDS LLC (Current)
Details Related Documents General Provision	6	34	7121	A		Decreed	Active	1976-01-09	0.46	GROUND WATER	IRRIGATION	TELFORD LANDS LLC (Current)
Details Related Documents General Provision	7	34	7121	B		Decreed	Active	1976-01-09	3.74	GROUND WATER	IRRIGATION	TELFORD LANDS LLC (Current)
Details Related Documents General Provision	8	34	7179			Decreed	Active	1982-04-06	2.78	GROUND WATER	IRRIGATION	TELFORD LANDS LLC (Current)

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Details	9	34	10028			Decreed	Active	1961-04-01	4.36	GROUND WATER	IRRIGATION	TELFORD LANDS LLC (Current)
Related Documents												
General Provision												
Details	10	34	10896			Decreed	Active	1983-04-01	0.38	GROUND WATER	IRRIGATION	TELFORD LANDS LLC (Current)
Related Documents												
General Provision												
Details	11	34	12376			Decreed	Active	1977-06-01	1.25	GROUND WATER	IRRIGATION	TELFORD LANDS LLC (Current)
Related Documents												
General Provision												
Details	12	34	13659			Decreed	Active	1889-06-01	0.97	BIG LOST RIVER	IRRIGATION	TELFORD LANDS LLC (Current)
Pedigree												
Related Documents												
General Provision												
Details	13	34	13661			Decreed	Active	1896-06-01	1	BIG LOST RIVER	IRRIGATION	TELFORD LANDS LLC (Current)
Pedigree												
Related Documents												
General Provision												
Details	14	34	13840			Decreed	Active	1982-04-06	1.26	GROUND WATER	IRRIGATION	TELFORD LANDS LLC (Current)
Pedigree												
Related Documents												
General Provision												
Details	15	34	13842			Decreed	Active	1975-12-17	0.46	GROUND WATER	IRRIGATION	TELFORD LANDS LLC (Current)
Pedigree												
Related Documents												
General Provision												

Number of records = 15

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Attachment No. 7a Map - Proposed POD

76 28 6

Telford Proposed New Point of Diversion



Legend

-  Proposed New POD
-  Sections
-  Quarter Quarters



2004 NAIP Photo

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Attachment No. 9

Other

76 28 6

Grant of Irrigation Easement**76286**

For valuable consideration the receipt of which is hereby acknowledged Boyd B. Burnett and Sandra P. Burnett
of 3219 N. 3400 W. Moore, ID

Husband and wife, hereby grants and conveys to

Telford Lands LLC, of 1450 W. Highway 24, Paul, ID;

an irrigation easement for placement, repair and maintenance of an irrigation well located within SE, NE, SE
OF SECTION 29 TOWNSHIP 5 NORTH, RANGE 26 EAST and a pipeline to convey the irrigation water from the
new point of diversion to the U.C. canal to benefit the lands whose water is delivered by the Timber Dome
Canal Company. The pipeline is to run generally west from the well site to the UC canal all of which is located
in the following legal description.

Legal Description

The property lying in Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho.

Section 29: N $\frac{1}{2}$ SE $\frac{1}{4}$

Section 20: SE $\frac{1}{4}$ SE $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$

This agreement shall apply to and be binding upon the heirs,
executors, administrators and successors of the parties hereto.

IN WITNESS WHEREOF, the parties have signed their names
and affixed their seals this 3rd day of November 2009.

NO. 3047350
RECORDED

DEC 04 2009

9:50 A.M.
BUTTE COUNTY RECORDER
[Signature]

State of Idaho)

) ss.

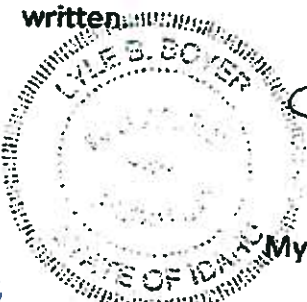
County of Butte)

Boyd B. Burnett

Sandra P. Burnett

On this 3rd day of November, in the year 2009, before me the undersigned notary public in and for
said state, personally appeared Boyd B. Burnett and Sandra P. Burnett, know or
identified to me to be persons whose names are subscribed to the within instrument and acknowledged to me
they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above
written



C. B. Boyer

Notary Public

Residing at Arco, ID

My commission expires 6-5-2015

76286

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 02 2010

APPLICATION FOR TRANSFER OF WATER RIGHT
MINIMUM REQUIREMENTS CHECKLIST

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 and water right proof report or details report for part 2A of the transfer application are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

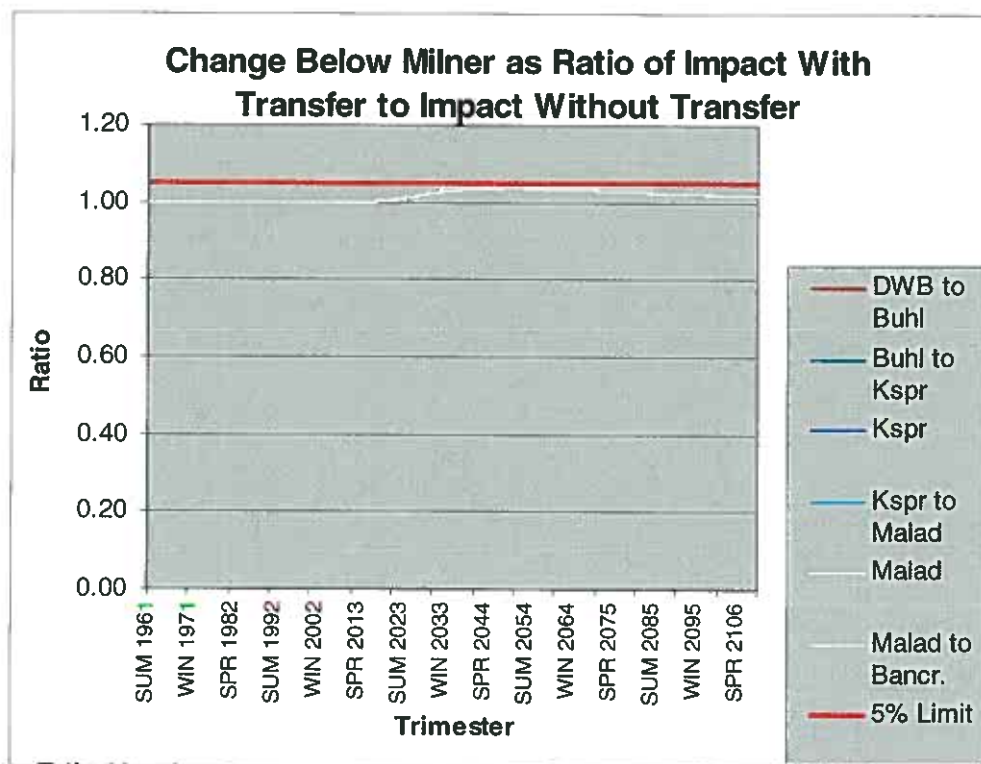
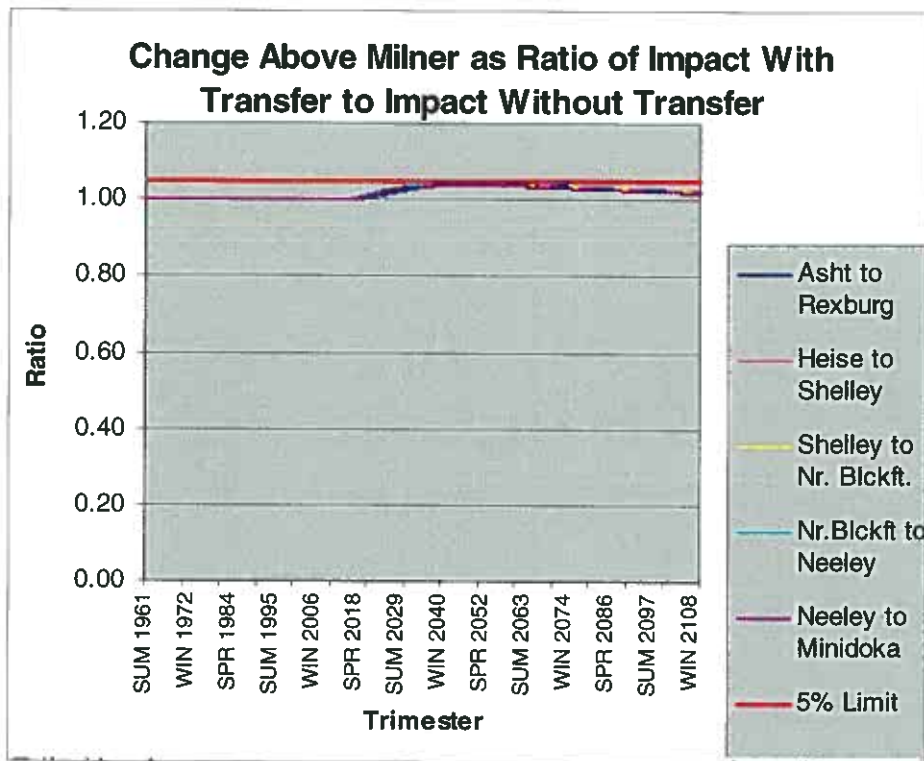
Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

- | Yes | N/A | |
|--|-------------------------------------|--|
| ☒ | ☐ | * Means the item is <u>always required</u> 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 Proof Report (obtained from Department) or Details report (Obtained on website) describing each water right in the transfer as currently recorded.
Complete and attached an Application for Transfer Part 2B <u>for each water right</u> for which <u>only a portion</u> 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 <u>not</u> 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/water/rights . |
| ☐ | ☒ | #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: <u>Easement Deed</u> |

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ENHANCED GROUND-W

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEA

Cells this color are
set up for user entriesENTER STARTING DATE FO
SIMULATION. THEN PUSH
"UPDATE DATES" BUTTON

TRANSFER NO:

76285

YEAR

1961

TRANSFER NAME

SEASON

SUMMER

Telford Lands LLC

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	25	23	0	0
COLUMN	111	112	0	0

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 W
	Projected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER
SUM 1961	0	292	292	0
WIN 1961	0	292	292	0
SPR 1962	0	292	292	0
SUM 1962	0	292	292	0
WIN 1962	0	292	292	0
SPR 1963	0	292	292	0
SUM 1963	0	292	292	0
WIN 1963	0	292	292	0
SPR 1964	0	292	292	0
SUM 1964	0	292	292	0
WIN 1964	0	292	292	0
SPR 1965	0	292	292	0
SUM 1965	0	292	292	0
WIN 1965	0	292	292	0
SPR 1966	0	292	292	0
SUM 1966	0	292	292	0
WIN 1966	0	292	292	0
SPR 1967	0	292	292	0
SUM 1967	0	292	292	0

SPR 1999	0	292	292	0
SUM 1999	0	292	292	0
WIN 1999	0	292	292	0
SPR 2000	0	292	292	0
SUM 2000	0	292	292	0
WIN 2000	0	292	292	0
SPR 2001	0	292	292	0
SUM 2001	0	292	292	0
WIN 2001	0	292	292	0
SPR 2002	0	292	292	0
SUM 2002	0	292	292	0
WIN 2002	0	292	292	0
SPR 2003	0	292	292	0
SUM 2003	0	292	292	0
WIN 2003	0	292	292	0
SPR 2004	0	292	292	0
SUM 2004	0	292	292	0
WIN 2004	0	292	292	0
SPR 2005	0	292	292	0
SUM 2005	0	292	292	0
WIN 2005	0	292	292	0
SPR 2006	0	292	292	0
SUM 2006	0	292	292	0
WIN 2006	0	292	292	0
SPR 2007	0	292	292	0
SUM 2007	0	292	292	0
WIN 2007	0	292	292	0
SPR 2008	0	292	292	0
SUM 2008	0	292	292	0
WIN 2008	0	292	292	0
SPR 2009	0	292	292	0
SUM 2009	0	292	292	0
WIN 2009	0	292	292	0
SPR 2010	292	0	292	0
SUM 2010	292	0	292	0
WIN 2010	292	0	292	0
SPR 2011	292	0	292	0
SUM 2011	292	0	292	0
WIN 2011	292	0	292	0
SPR 2012	292	0	292	0
SUM 2012	292	0	292	0
WIN 2012	292	0	292	0
SPR 2013	292	0	292	0
SUM 2013	292	0	292	0
WIN 2013	292	0	292	0
SPR 2014	292	0	292	0
SUM 2014	292	0	292	0
WIN 2014	292	0	292	0
SPR 2015	292	0	292	0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
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Check whether each item below is attached (Yes) or not applicable (N/A) for the proposed transfer.

- | Yes | N/A | |
|--|-------------------------------------|--|
| ☒ | ☐ | * 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. |
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Complete and attached an Application for Transfer Part 2B for each water right for which <u>only a portion</u> 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 | | |
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| ☐ | ☒ | * #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: _____ |

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SUPERCEDED

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1JAN 29 2010
Department of Water Resources
Eastern RegionName of Applicant(s) Telford Lands, LLC; c/o Mike Telford Phone: _____Mailing Address: 1450 W. Hwy. 24, Paul, ID 8347 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 Robert L. Harris; Holden, Kidwell, Hahn & Crapo, P.L.L.C. Phone: _____Mailing Address: PO Box 50130, Idaho Falls, ID 83405-0130 Email: rharris@holdenlegal.com

- ☐ Send all correspondence for this application to the representative and not 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

Mike TELFORD
Print Name and Title if applicable

Signature of Applicant or Authorized Representative_____
Print Name and Title if applicable

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 if part 1A.2. This Application for Transfer will add a new point of diversion for a new proposed well.

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					
✓ ☐	34-7179	2.78 cfs	Irrigation	04/01 to 11/01	Ground Water
✓ ☐	34-2330B	1.75 cfs	Irrigation	04/01 to 10/31	Ground Water
✓ ☐	34-7077	8 cfs	Irrigation	04/01 to 11/01	Ground Water
✓ ☐	34-7080B	5.33 cfs	Irrigation	04/01 to 10/31	Ground Water
✓ ☐	34-7092	12 cfs	Irrigation	04/15 to 10/15	Ground Water
✓ ☐	34-7121A	0.46 cfs	Irrigation	04/15 to 10/15	Ground Water
✓ ☐	34-7121B	3.74 cfs	Irrigation	04/01 to 11/01	Ground Water
✓ ☐	34-12376	1.25 cfs	Irrigation	04/01 to 10/31	Ground Water
✓ ☐	34-13840	1.26 cfs	Irrigation	04/01 to 10/31	Ground Water
✓ ☐	34-13842	0.46 cfs	Irrigation	04/01 to 11/01	Ground Water

Total: 37.03 cfs and/or _____ ac-ft.2. Total amount of water being transferred or changed 8.0 ^{part} Cubic feet per second and/or _____ acre-feet 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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Source	Local name for diversion
	2	NE	NW	NE	4	4N	26E			
	3	NE	NE	NW	5	4N	26E			
		SW	NW	NW	21	5N	26E			
Y		SE	NW	SE	29	5N	26E			
		SE	SW	NE	32	5N	26E			
		SE	NW	SE	32	5N	26E			
	2	NW	NW	NE	4	4N	26E			

4. Place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

✓ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5).

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				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

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. A new well will be drilled. Any measuring devices or lockable controlling works will be installed if required.

- b. Who owns the property at the point(s) of diversion? Boyd Burnett.
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
The applicant has secured an easement for the well location.

- 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: No changes to the place of use is proposed.

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 or 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) of use: None.

- 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: Water bank leases have been submitted, but have not yet been approved.

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**.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines, typical of notebook paper. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Transfer contains _____ pages and _____ attachments.

Received by: _____ Date: _____ Prelim. Check by _____ Date: _____

Fee paid: _____ Date: _____ Received by _____ Receipt # _____

Add'l fee paid _____ Date: _____ Received by _____ Receipt # _____

76 28 6

Attachment No. 2a Water Right Ownership Documentation

76 28 6

IDWR Water Right and Adjudication Search

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Note: This search tool identifies active water rights and active transfers. If you want to search both active and inactive water rights, please check the box below.

To view documents related to all existing Transfer applications, see SEARCH Transfers on the Water Right Transfer tab.

☐ Search for both active and inactive water right records.

Search Results

Type of Query USAGE INSTRUCTION

☒ All Adjudication & Water Rights

Adjudication

☐ Claims

☐ Recommendations

☐ Both

Water Rights

☐ Applications

☐ Permits

☐ Decrees, Licenses and Statutory Claims

☐ Transfers

☐ All of the above

Basin
Who
What
When
Where
Clear
Search
Help

Query parameters:

OrganizationName = Telford Lands

Search for: active Records

Information for type: Statutory Claim, Decree and License

	Record	Basin	Sequence	Suffix	Version	Basis	Status	Priority Date	Diversion Rate	Source List	Water Uses	Owner List
Details	1	34	618			Decreed	Active	1884-09-01	3.2	BIG LOST RIVER	IRRIGATION	TELFORD LANDS LLC (Current)
Related Documents												
General Provision												
Details	2	34	2330	B		Decreed	Active	1977-06-01	1.75	GROUND WATER	IRRIGATION	TELFORD LANDS LLC (Current)
Related Documents												
General Provision												
Details	3	34	7077			Decreed	Active	1974-09-05	8	GROUND WATER	IRRIGATION	TELFORD LANDS LLC (Current)
Related Documents												
General Provision												
Details	4	34	7080	B		Decreed	Active	1974-09-23	5.33	GROUND WATER	IRRIGATION	TELFORD LANDS LLC (Current)
Related Documents												
General Provision												
Details	5	34	7092			Decreed	Active	1975-01-14	12	GROUND WATER	IRRIGATION	TELFORD LANDS LLC (Current)
Related Documents												
General Provision												
Details	6	34	7121	A		Decreed	Active	1976-01-09	0.46	GROUND WATER	IRRIGATION	TELFORD LANDS LLC (Current)
Related Documents												
General Provision												
Details	7	34	7121	B		Decreed	Active	1976-01-09	3.74	GROUND WATER	IRRIGATION	TELFORD LANDS LLC (Current)
Related Documents												
General Provision												
Details	8	34	7179			Decreed	Active	1982-04-06	2.78	GROUND WATER	IRRIGATION	TELFORD LANDS LLC (Current)
Related Documents												
General Provision												

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Details	9	34	10028			Decreed	Active	1961-04-01	4.36	GROUND WATER	IRRIGATION	TELFORD LANDS LLC (Current)
Related Documents												
General Provision												
Details	10	34	10896			Decreed	Active	1983-04-01	0.38	GROUND WATER	IRRIGATION	TELFORD LANDS LLC (Current)
Related Documents												
General Provision												
Details	11	34	12376			Decreed	Active	1977-06-01	1.25	GROUND WATER	IRRIGATION	TELFORD LANDS LLC (Current)
Related Documents												
General Provision												
Details	12	34	13659			Decreed	Active	1889-06-01	0.97	BIG LOST RIVER	IRRIGATION	TELFORD LANDS LLC (Current)
Pedigree												
Related Documents												
General Provision												
Details	13	34	13661			Decreed	Active	1896-06-01	1	BIG LOST RIVER	IRRIGATION	TELFORD LANDS LLC (Current)
Pedigree												
Related Documents												
General Provision												
Details	14	34	13840			Decreed	Active	1982-04-06	1.26	GROUND WATER	IRRIGATION	TELFORD LANDS LLC (Current)
Pedigree												
Related Documents												
General Provision												
Details	15	34	13842			Decreed	Active	1975-12-17	0.46	GROUND WATER	IRRIGATION	TELFORD LANDS LLC (Current)
Pedigree												
Related Documents												
General Provision												

Number of records = 15

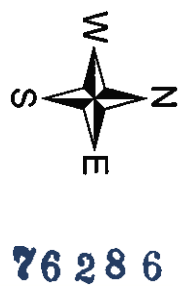
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76 28 6

Attachment No. 7a Map - Proposed POD

76 28 6

Telford Proposed New Point of Diversion



Legend

-  Proposed New POD
-  Sections
-  Quarter Quarters

