

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Transfer No. 76301

**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.
- ☒ * 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.
- ☐ ☒ #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: _____

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WATER RESOURCES
WESTERN REGION

Rev. 10/09

Page 1 of 1STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 76301APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant(s) Squaw Creek Ditch Co. Phone 208-584-3472Mailing address 7950 Sweet Ola Hwy, Sweet ID 83670 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 RepresentativeName of Representative Lori Graves, SPF Water Engineering Phone 208-383-4140Mailing address 300 E. Mallard Dr., Ste 350, Boise, ID 83706 Email lgraves@spfwater.com

- ☐ 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.

Mark O. John
Signature of Applicant or Authorized Representative

Chairman Squaw Creek
Print Name and Title if applicable
Ditch Co

02-01-10
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

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. Add a point of diversion and change the place of use to reflect a shareholder's (Mike Young) proposed irrigation practices for delivery and use of six Squaw Creek Ditch Co. shares. Each share is equivalent to one inch of Squaw Creek water.**

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DEPARTMENT OF WATER RESOURCES

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WATER RESOURCES
WESTERN REGIONAPPLICATION 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	65-2379	7.66	Irrigation	4/1 to 11/01	Squaw Creek, Payette River
☐ ☐		0.09	Stockwater	1/1 to 12/31	
☒ ☐	65-3043	18.0	Irrigation	4/1 to 11/01	
☐ ☐		0.09	Stockwater	1/1 to 12/31	
☒ ☐	65-3044	3.28	Irrigation	4/1 to 11/01	
☐ ☐		0.12	Stockwater	1/1 to 12/31	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 28.94 cfs and/or _____ ac-ft2. Total amount of water proposed to be transferred or changed 0.12 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 #
Yes			SE	NW	22	8N	1E	Gem	Squaw Creek	
No			NE	NW	3	7N	1E	Gem	Squaw Creek	
No			NE	NW	3	7N	1E	Gem	Squaw Creek	
No			SE	SW	15	8N	1E	Gem	Squaw Creek	

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) 1,327

See attached GIS map for place of use proposed for change within the Ditch Co.s area boundary located in E1/2 NW, T8N R1E S22.

**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: Proposed diversion: portable pump, ditches

- b. Who owns the property at the point(s) of diversion? Shareholder

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system: Shareholder authorization

- 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: Returns to natural vegetative state (non-irrigated).

- 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: For property proposed for change: portions of Mike Young's private water rights from the same source supplement Ditch Co. shares. Mike has filed a separate transfer application to move his supplemental rights to the same place of use proposed for change on this transfer application to prevent expansion of irrigation use.

- 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.: 65-2379

Current Owner: SQUAW CREEK DITCH CO

Priority Date: 5/8/1934

Origin: Water Right

Status: Active

Basis: Decreed

Source

SQUAW CREEK

Tributary

PAYETTE RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	04/01 to 11/01	7.66 CFS	
STOCKWATER	01/01 to 12/31	0.09 CFS	
	Total Diversion	7.75 CFS	

Location of Point(s) of Diversion

SQUAW CREEK	SE1/4SW1/4	Sec. 15,	Twp 08N,	Rge 01E B.M.
GEM County				
SQUAW CREEK	NE1/4NW1/4	Sec. 3,	Twp 07N,	Rge 01E B.M.
GEM County				
SQUAW CREEK	NE1/4NW1/4	Sec. 3,	Twp 07N,	Rge 01E B.M.
GEM County				

Place of Use

IRRIGATION Within GEM County

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T07N R01E S2	Lot 4	NWNW
T07N R01E S2		NWSW
T07N R01E S3	Lot 1	NENE
T07N R01E S3		SWNE
T07N R01E S3	Lot 3	NENW
T07N R01E S3		SENW
T07N R01E S3		NWSW
T07N R01E S3		SESW
T07N R01E S3		NWSE
T07N R01E S3		SESE
T07N R01E S9		SESE
T07N R01E S10		NWNE
T07N R01E S10		NENW
T07N R01E S10		SWNW
T07N R01E S10		NESW
T07N R01E S10		SWSW
T07N R01E S10		NWSE
T07N R01E S11		NWNW
T08N R01E S22		SENW
T08N R01E S27		SENW
T08N R01E S27		NWSW
T08N R01E S27		SESW
T08N R01E S34		NWNE
T08N R01E S34		SENE
T08N R01E S34		NWNW
T08N R01E S34		SENW
T08N R01E S34		SESW
T08N R01E S34		NWSE
T08N R01E S34		SESE
T08N R01E S35		NWSW

T07N R01E S2		SWNW
T07N R01E S2		SWSW
T07N R01E S3	Lot 2	NWNE
T07N R01E S3		SENE
T07N R01E S3		SWNW
T07N R01E S3		NESW
T07N R01E S3		SWSW
T07N R01E S3		NESE
T07N R01E S3		SWSE
T07N R01E S9		NESE
T07N R01E S10		NENE
T07N R01E S10		SWNE
T07N R01E S10		NWNW
T07N R01E S10		SENW
T07N R01E S10		NWSW
T07N R01E S10		SESW
T07N R01E S10		SWSE
T08N R01E S22		NENW
T08N R01E S27		SWNW
T08N R01E S27		NESW
T08N R01E S27		SWSW
T08N R01E S34		NENE
T08N R01E S34		SWNE
T08N R01E S34		NENW
T08N R01E S34		SWNW
T08N R01E S34		NESW
T08N R01E S34		NESE
T08N R01E S34		SWSE
T08N R01E S35		SWNW
T08N R01E S35		SWSW

Total Acres: 1327

STOCKWATER Within GEM County

T07N R01E S2	Lot 4	NWNW	T07N R01E S2		SWNW
T07N R01E S2		NWSW	T07N R01E S2		SWSW
T07N R01E S3	Lot 1	NENE	T07N R01E S3	Lot 2	NWNE
T07N R01E S3		SWNE	T07N R01E S3		SENE
T07N R01E S3	Lot 3	NENW	T07N R01E S3		SWNW
T07N R01E S3		SENE	T07N R01E S3		NESW
T07N R01E S3		NWSW	T07N R01E S3		SWSW
T07N R01E S3		SESW	T07N R01E S3		NESE
T07N R01E S3		NWSE	T07N R01E S3		SWSE
T07N R01E S3		SESE	T07N R01E S9		NESE
T07N R01E S9		SESE	T07N R01E S10		NENE
T07N R01E S10		NWNE	T07N R01E S10		SWNE
T07N R01E S10		NENW	T07N R01E S10		NWNW
T07N R01E S10		SWNW	T07N R01E S10		SENE
T07N R01E S10		NESW	T07N R01E S10		NWSW
T07N R01E S10		SWSW	T07N R01E S10		SESW
T07N R01E S10		NWSE	T07N R01E S10		SWSE
T07N R01E S11		NWNW	T08N R01E S22		NENW
T08N R01E S22		SENE	T08N R01E S27		SWNW
T08N R01E S27		SENE	T08N R01E S27		NESW
T08N R01E S27		NWSW	T08N R01E S27		SWSW
T08N R01E S27		SESW	T08N R01E S34		NENE
T08N R01E S34		NWNE	T08N R01E S34		SWNE
T08N R01E S34		SENE	T08N R01E S34		NENW
T08N R01E S34		NWNW	T08N R01E S34		SWNW
T08N R01E S34		SENE	T08N R01E S34		NESW
T08N R01E S34		SESW	T08N R01E S34		NESE
T08N R01E S34		NWSE	T08N R01E S34		SWSE
T08N R01E S34		SESE	T08N R01E S35		SWNW
T08N R01E S35		NWSW	T08N R01E S35		SWSW

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. 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.

- 3 01R When notified by the Department, the right holder shall install and maintain measuring devices of a type acceptable to the Department as part of the diverting works.
4. C20 Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
5. 01H Prior to diversion of water under this right, the right holder shall install lockable control valves on the new points of diversion, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
- 6 T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65A.
- 8 127 Place of use is within the boundaries of Squaw Creek Ditch Co
- 9 T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree
- 10 004 This right does not grant any right-of-way or easement across the land of another.
- 11 Diversion of water from the point of diversion located in the SESW, Section 15 shall be reduced by an amount equal to the diversion from the points of diversion located in the NENW, Section 3.
12. X35 Rights 65-2379, 65-3043 and 65-3044 when combined shall not exceed a total diversion rate of 28.94 cfs for irrigation of 1327 acres in a single irrigation season within the boundaries of the Squaw Creek Ditch Co.

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

Current Water Right No.: 65-3043

Current Owner: SQUAW CREEK DITCH CO
Priority Date: 10/2/1893
Origin: Water Right
Status: Active
Basis: Decreed

Source

SQUAW CREEK

Tributary

PAYETTE RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	04/01 to 11/01	18 CFS	
STOCKWATER	01/01 to 12/31	0.09 CFS	
	Total Diversion	18 CFS	

Location of Point(s) of Diversion

SQUAW CREEK	SE1/4SW1/4	Sec. 15,	Twp 08N,	Rge 01E B.M.
GEM County				
SQUAW CREEK	NE1/4NW1/4	Sec. 3,	Twp 07N,	Rge 01E B.M.
GEM County				
SQUAW CREEK	NE1/4NW1/4	Sec. 3,	Twp 07N,	Rge 01E B.M.
GEM County				

Place of Use

IRRIGATION Within GEM County

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T07N R01E S2	Lot 4	NWNW
T07N R01E S2		NWSW
T07N R01E S3	Lot 1	NENE
T07N R01E S3		SWNE
T07N R01E S3	Lot 3	NENW
T07N R01E S3		SENW
T07N R01E S3		NWSW
T07N R01E S3		SESW
T07N R01E S3		NWSE
T07N R01E S3		SESE
T07N R01E S9		SESE
T07N R01E S10		NWNE
T07N R01E S10		NENW
T07N R01E S10		SWNW
T07N R01E S10		NESW
T07N R01E S10		SWSW
T07N R01E S10		NWSE
T07N R01E S11		NWNW
T08N R01E S22		SENW
T08N R01E S27		SENW
T08N R01E S27		NWSW
T08N R01E S27		SESW
T08N R01E S34		NWNE
T08N R01E S34		SENE
T08N R01E S34		NWNW
T08N R01E S34		SENW
T08N R01E S34		SESW
T08N R01E S34		NWSE
T08N R01E S34		SESE
T08N R01E S35		NWSW

T07N R01E S2		SWNW
T07N R01E S2		SWSW
T07N R01E S3	Lot 2	NWNE
T07N R01E S3		SENE
T07N R01E S3		SWNW
T07N R01E S3		NESW
T07N R01E S3		SWSW
T07N R01E S3		NESE
T07N R01E S3		SWSE
T07N R01E S9		NESE
T07N R01E S10		NENE
T07N R01E S10		SWNE
T07N R01E S10		NWNW
T07N R01E S10		SENW
T07N R01E S10		NWSW
T07N R01E S10		SESW
T07N R01E S10		SWSE
T08N R01E S22		NENW
T08N R01E S27		SWNW
T08N R01E S27		NESW
T08N R01E S27		SWSW
T08N R01E S34		NENE
T08N R01E S34		SWNE
T08N R01E S34		NENW
T08N R01E S34		SWNW
T08N R01E S34		NESW
T08N R01E S34		NESE
T08N R01E S34		SWSE
T08N R01E S35		SWNW
T08N R01E S35		SWSW

Total Acres: 1327

STOCKWATER Within GEM County

T07N R01E S2	Lot 4	NWNW	T07N R01E S2		SWNW
T07N R01E S2		NWSW	T07N R01E S2		SWSW
T07N R01E S3	Lot 1	NENE	T07N R01E S3	Lot 2	NWNE
T07N R01E S3		SWNE	T07N R01E S3		SENE
T07N R01E S3	Lot 3	NENW	T07N R01E S3		SWNW
T07N R01E S3		SENW	T07N R01E S3		NESW
T07N R01E S3		NWSW	T07N R01E S3		SWSW
T07N R01E S3		SESW	T07N R01E S3		NESE
T07N R01E S3		NWSE	T07N R01E S3		SWSE
T07N R01E S3		SESE	T07N R01E S9		NESE
T07N R01E S9		SESE	T07N R01E S10		NENE
T07N R01E S10		NWNE	T07N R01E S10		SWNE
T07N R01E S10		NENW	T07N R01E S10		NWNW
T07N R01E S10		SWNW	T07N R01E S10		SENW
T07N R01E S10		NESW	T07N R01E S10		NWSW
T07N R01E S10		SWSW	T07N R01E S10		SESW
T07N R01E S10		NWSE	T07N R01E S10		SWSE
T07N R01E S11		NWNW	T08N R01E S22		NENW
T08N R01E S22		SENW	T08N R01E S27		SWNW
T08N R01E S27		SENW	T08N R01E S27		NESW
T08N R01E S27		NWSW	T08N R01E S27		SWSW
T08N R01E S27		SESW	T08N R01E S34		NENE
T08N R01E S34		NWNE	T08N R01E S34		SWNE
T08N R01E S34		SENE	T08N R01E S34		NENW
T08N R01E S34		NWNW	T08N R01E S34		SWNW
T08N R01E S34		SENW	T08N R01E S34		NESW
T08N R01E S34		SESW	T08N R01E S34		NESE
T08N R01E S34		NWSE	T08N R01E S34		SWSE
T08N R01E S34		SESE	T08N R01E S35		SWNW
T08N R01E S35		NWSW	T08N R01E S35		SWSW

Conditions of Approval:

1. D1H Prior to diversion of water under this right, the right holder shall install lockable control valves on the new points of diversion, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.

2. C20 Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.

3. 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.
4. 01R When notified by the Department, the right holder shall install and maintain measuring devices of a type acceptable to the Department as part of the diverting works.
5. 004 This right does not grant any right-of-way or easement across the land of another.
6. Diversion of water from the point of diversion located in the SESW, Section 15 shall be reduced by an amount equal to the diversion from the points of diversion located in the NENW, Section 3.
7. 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.
8. X35 Rights 65-2379, 65-3043 and 65-3044 when combined shall not exceed a total diversion rate of 28.94 cfs for irrigation of 1327 acres in a single irrigation season within the boundaries of the Squaw Creek Ditch Co.
9. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. 127 Place of use is within the boundaries of Squaw Creek Ditch Co.
11. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65A.
12. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Current Water Right No.: 65-3044

Current Owner: SQUAW CREEK DITCH CO
Priority Date: 4/1/1899
Origin: Water Right
Status: Active
Basis: Decreed

Source

SQUAW CREEK

Tributary

PAYETTE RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	04/01 to 11/01	3.28 CFS	
STOCKWATER	01/01 to 12/31	0.12 CFS	
	Total Diversion	3.28 CFS	

Location of Point(s) of Diversion

SQUAW CREEK	SE 1/4 SW 1/4	Sec. 15,	Twp 08N,	Rge 01E B.M.
GEM County				
SQUAW CREEK	NE 1/4 NW 1/4	Sec. 3,	Twp 07N,	Rge 01E B.M.
GEM County				
SQUAW CREEK	NE 1/4 NW 1/4	Sec. 3,	Twp 07N,	Rge 01E B.M.
GEM County				

Place of Use

IRRIGATION Within GEM County

T07N R01E S2	Lot 4	NWNW
T07N R01E S2		NWSW
T07N R01E S3	Lot 1	NENE
T07N R01E S3		SWNE
T07N R01E S3	Lot 3	NENW
T07N R01E S3		SENW
T07N R01E S3		NWSW
T07N R01E S3		SESW
T07N R01E S3		NWSE
T07N R01E S3		SESE
T07N R01E S9		SESE
T07N R01E S10		NWNE
T07N R01E S10		NENW
T07N R01E S10		SWNW
T07N R01E S10		NESW
T07N R01E S10		SWSW
T07N R01E S10		NWSE
T07N R01E S10		NWNW
T08N R01E S11		SENW
T08N R01E S22		SENW
T08N R01E S27		NWSW
T08N R01E S27		SESW
T08N R01E S34		NWNE
T08N R01E S34		SENE
T08N R01E S34		NWNW
T08N R01E S34		SENW
T08N R01E S34		SESW
T08N R01E S34		NWSE
T08N R01E S34		SESE
T08N R01E S35		NWSW

T07N R01E S2		SWNW
T07N R01E S2		SWSW
T07N R01E S3	Lot 2	NWNE
T07N R01E S3		SENE
T07N R01E S3		SWNW
T07N R01E S3		NESW
T07N R01E S3		SWSW
T07N R01E S3		NESE
T07N R01E S3		SWSE
T07N R01E S9		NESE
T07N R01E S10		NENE
T07N R01E S10		SWNE
T07N R01E S10		NWNW
T07N R01E S10		SENW
T07N R01E S10		NWSW
T07N R01E S10		SESW
T07N R01E S10		SWSE
T08N R01E S22		NENW
T08N R01E S27		SWNW
T08N R01E S27		NESW
T08N R01E S27		SWSW
T08N R01E S34		NENE
T08N R01E S34		SWNE
T08N R01E S34		NENW
T08N R01E S34		SWNW
T08N R01E S34		NESW
T08N R01E S34		NESE
T08N R01E S34		SWSE
T08N R01E S35		SWNW
T08N R01E S35		SWSW

Total Acres: 1327

STOCKWATER Within GEM County

T07N R01E S2	Lot 4	NWNW	T07N R01E S2		SWNW
T07N R01E S2		NWSW	T07N R01E S2		SWSW
T07N R01E S3	Lot 1	NENE	T07N R01E S3	Lot 2	NWNE
T07N R01E S3		SWNE	T07N R01E S3		SENE
T07N R01E S3	Lot 3	NENW	T07N R01E S3		SWNW
T07N R01E S3		SENW	T07N R01E S3		NESW
T07N R01E S3		NWSW	T07N R01E S3		SWSW
T07N R01E S3		SESW	T07N R01E S3		NESE
T07N R01E S3		NWSE	T07N R01E S3		SWSE
T07N R01E S3		SESE	T07N R01E S9		NESE
T07N R01E S9		SESE	T07N R01E S10		NENE
T07N R01E S10		NWNE	T07N R01E S10		SWNE
T07N R01E S10		NENW	T07N R01E S10		NWNW
T07N R01E S10		SWNW	T07N R01E S10		SENW
T07N R01E S10		NESW	T07N R01E S10		NWSW
T07N R01E S10		SWSW	T07N R01E S10		SESW
T07N R01E S10		NWSE	T07N R01E S10		SWSE
T07N R01E S11		NWNW	T08N R01E S22		NENW
T08N R01E S22		SENW	T08N R01E S27		SWNW
T08N R01E S27		SENW	T08N R01E S27		NESW
T08N R01E S27		NWSW	T08N R01E S27		SWSW
T08N R01E S27		SESW	T08N R01E S34		NENE
T08N R01E S34		NWNE	T08N R01E S34		SWNE
T08N R01E S34		SENE	T08N R01E S34		NENW
T08N R01E S34		NWNW	T08N R01E S34		SWNW
T08N R01E S34		SENW	T08N R01E S34		NESW
T08N R01E S34		SESW	T08N R01E S34		NESE
T08N R01E S34		NWSE	T08N R01E S34		SWSE
T08N R01E S34		SESE	T08N R01E S35		SWNW
T08N R01E S35		NWSW	T08N R01E S35		SWSW

Conditions of Approval:

1. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. 01R When notified by the Department, the right holder shall install and maintain measuring devices of a type acceptable to the Department as part of the diverting works.
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. X35 Rights 65-2379, 65-3043 and 65-3044 when combined shall not exceed a total diversion rate of 28.94 cfs for irrigation of 1327 acres in a single irrigation season within the boundaries of the Squaw Creek Ditch Co.
5. C20 Basin 65 General Provisions No. 3, the Separate Streams General Provision does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury. Diversion of water from the point of diversion located in the SESW, Section 15 shall be reduced by an amount equal to the diversion from the points of diversion located in the NENW, Section 3.
7. 13b 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.
8. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65A.
9. 01H Prior to diversion of water under this right, the right holder shall install lockable control valves on the new points of diversion, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
10. 004 This right does not grant any right-of-way or easement across the land of another.
11. 127 Place of use is within the boundaries of Squaw Creek Ditch Co
12. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Total Acres (for irrigation use)

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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.:

Transfer contains 17 pages and 1 attachments.
 Received by Jan Date 2-8-10 Prelim. Check by AG Date 2/18/2010
 Fee Paid 100. Date 2-8-10 Received by Jan Receipt # W038127
 Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____

T8N R1E

2006 Photo

16

15

14

21

22

23

27

Legend

Proposed Pont of Diversion

Current Co. Boundary in Sec. 22

Modified Co. Boundary in Sec. 22

Sections

Attachment 7a & 7b

0 500 1,000 Feet

