

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant CPM DEVELOPMENT Phone 509-534-6221
Post Office address 3366 SPOKANE, WA 99220

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 the reason for the proposed changes _____

There was a change of ownership and although water will still be used for irrigation another portion will be used for the industrial purpose of washing aggregate.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|----------------|-------------------|-----------------------|-------------------|-----------------------------|
| <u>95-2185</u> | <u>06/17/1966</u> | <u>1.34</u> | <u>INDUSTRIAL</u> | <u>1/01</u> to <u>12/31</u> |
| | | <u>1.26</u> | <u>IRRIGATION</u> | <u>3/15</u> to <u>11/15</u> |
| | | | | |
| | | | | |
| | | | | |

2. Total amount of water being transferred 2.6 cubic feet per second and/or 1057 acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total acres 196

Withdrawn

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 74141

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		<u>1.26</u>	<u>IRRIGATION</u>	<u>3/15</u> to <u>11/15</u>
				to _____
				to _____

2. Total amount of water being transferred 2.6 cubic feet per second and/or 1057 acre-feet per annum.3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SW		35	52N	04W	KOOTENAI	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
52N	04W	35									40	-	40	40	-	40	36	-	196
52N	04W	35													I				

Total acres 196

PART 1

6. General Information:

a. Description of diversion system 12 inch by 350 foot well.b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

The use of land will be for the purpose of washing aggregate and other industrial purposes in the sand and gravel business.

d. Remarks:

We dried up the NESE 1/4 ; the SESE 1/4 and the NSW 1/4 to compensate for the change of use.**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 95-2185 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 6/17/1966

5. Water is used for the following purpose:

amount 2.6 cfs for Irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.6 cubic feet per second and/or 1057 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SW		35	52N	04W	KOOTENAI	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
52N	04W	35									40	26	40	40	40	46	36	40	302

Total acres 302

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1																			

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>INDUSTRIAL</u>	<u>1.34 cfs</u>	<u>210 days/year</u>	<u>1/01</u> to <u>12/31</u>
	<u>IRRIGATION</u>	<u>1.26 cfs</u>	<u>260 days/year</u>	<u>1/01</u> to <u>12/31</u>

2. Quantity and quality of return flows and location of discharge:

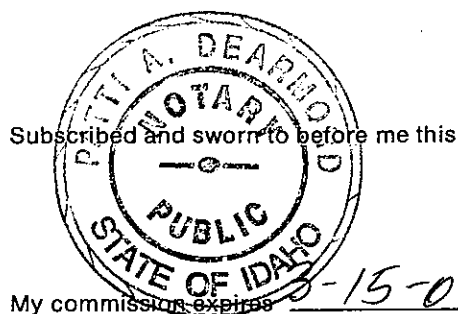
The quantity and quality of return flows will remain the same with little change.

3. Describe effects on other water uses resulting from the proposed change:

Effects of this change will not change the benefits of others in the area.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.



C. Pat McFarlane

(Signature of Applicant)

Subscribed and sworn to before me this

27

day of

November

18 2006

Patti A. DeArmon

(Notary Public)

My commission expires

3-15-08

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by dp/RH

Date

11/28/06

Protest filed by _____

Prelim. check by _____

Fee

\$330.00

Received by dp #N018034

Date

11/28/06

Published in _____

Copies of protest forwarded by _____

Pub. dates _____

Hearing held by _____

Date _____

Watermaster recommendation requested on _____

Recommended for

☐

approval

☐

denial

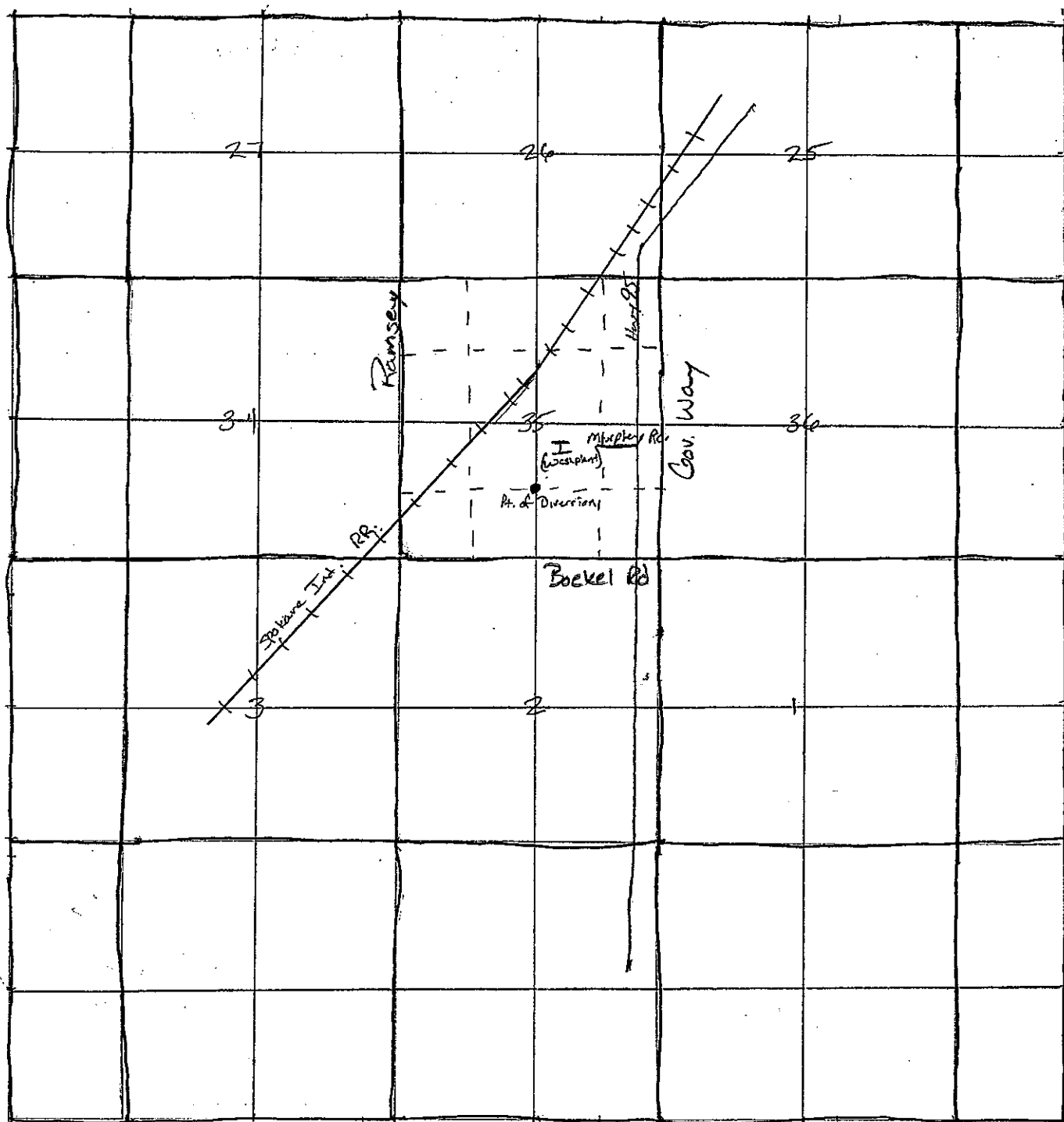
rec'd. _____

by _____

Copy of transfer sent to lien holder _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



Transfer No. 74141
 Receipt No. _____

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

Current Water Right No. 95-2185

Priority Date: 06/17/1966

Origin: Water Right

Basis: License

Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15 11/15	2.60 CFS	1,057.0 AFA	
Total Diversion		2.60 CFS	1,057.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NESW 52N 04W 35 KOOTENAI

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	
52N 04W 35									40.0	26.0	40.0	40.0	40.0	40.0	36.0	40.0	302.0

Total Acres: 302

Conditions/Remarks:

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

**WITHDRAWAL
OF
APPLICATION FOR TRANSFER**

RECEIVED

JAN 15 2010

IDWR / NORTH

TO WHOM IT MAY CONCERN:

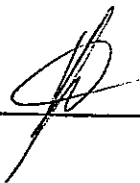
I hereby withdraw Application for Transfer of Water

Right No(s). 95-2185

Transfer No. 74141.

I understand that the withdrawal does not adversely
affect the above-referenced water right(s).

Signed this 23rd day of December, 2009.



Signature of Applicant

Dana L Rayborn Wetzel, Attorney for CPM Development
Printed Name of Applicant



ATTORNEYS AT LAW P.L.L.C.

A Professional Limited Liability Company

Steven C. Wetzel
Dana L. Rayborn Wetzel
Kevin P. Holt

January 15, 2010

Idaho Department of Water Resources
7600 N. Mineral Drive, Suite 100
Coeur d'Alene, Id 84815

Hand Delivered

Attn: Chad

RE: WATER RIGHT CLAIM ADJUDICATION FEES
CPM DEVELOPMENT

RECEIVED

JAN 15 2010

IDWR / NORTH

Dear Chad:

Enclosed please find a check from CPM Development Corporation in the amount of \$1,310.00 to be applied as filing fees for the water right claims listed below. Please note that during our earlier conversation regarding these fees you produced a check from Interstate Concrete and Asphalt issued June 27, 2004 in the amount of \$330.00 to complete a transfer on Water Right Permit No 95-2185. The transfer request was held pending the adjudication process and will now be completed as part of the adjudication claim. Interstate and CPM Development have determined that it would be more appropriate for their bookkeeping systems to have this check returned to our firm and to issue a new check for the full amount of fees due for the adjudication of Water Right Permit No. 95-2185. Please refer to the detail set forth below.

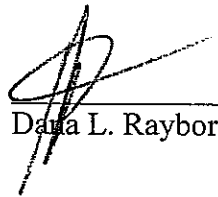
<u>Water Right Adjudication Claim</u>	<u>Fee Due</u>
1. Water Right Permit No. 95-8805	\$ 52.00
2. Water Right Permit No. 95-2185	352.00
3. Water Right Permit No. 95-9459	95.00
4. Water Right No. 95- 8821	250.00
5. Water Right No. 95-7133A	288.00
6. Water Right Number 95-9042	<u>273.00</u>
TOTAL DUE TO IDAHO DEPT OF WATER RESOURCES	\$1,310.00

In addition to the fees set forth above, we have enclosed the executed form withdrawing the Application for Transfer for Water Right No. 95-2185. You will also find the completed Notice of Claim to a Water Right for each of the water rights set forth above.

Thank you for your assistance. If you have any questions or concerns please contact me at 667-3400.

Sincerely,

WETZEL, WETZEL
& HOLT P.L.L.C.



Dana L. Rayborn Wetzel

RECEIVED

JAN 15 2010

IDWR / NORTH

Enc Check No.1015273 in the amount of \$1,310.00
Cc Client