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MAR 09 2009

DEPARTMENT OF
WATER RESOURCES
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 75497

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MAR 11 2009

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. 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 @ <http://www.idwr.idaho.gov/>.

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

■ Means this item is always required and should be included in application.

- ☒ ■ Completed Application for Transfer of Water Right form, Part 1.
- ☒ ■ Notarized signature of applicant(s) or applicant's authorized representative on first page of transfer application form. 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 attach an Application for Transfer Part 2B/C for each water right for which only a portion 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. (See last page of the application for transfer instructions.)

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 Department 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, attach documentation showing land and/or 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 water right(s) or land affected by the proposed transfer. (See Part 1.5.b.)
- ☒ ■ #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 describe 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 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 REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant Gem State Academy Phone 208-459-1627Mailing address 16115 S. Montana Ave., Caldwell, ID 83605 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, 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**.

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.

Harold R. Dixon, III
Signature of Applicant or Authorized Representative

Harold R. Dixon, III
VP for Finance
Print Name and Title if applicable

- ☐ If signed by authorized representative, attach Power of Attorney or documentation proving authority to sign on the applicant's behalf. Also attach documentation providing authority for others—consultants, attorneys or representatives—to act on the applicant's behalf. Label documents Attachment #4.

Representative's name and mailing address Lori Graves, SPF Water EngineeringPhone 208-383-4440 Email lgraves@spf.comSubscribed and sworn to before me this 27th day of January, 2009

Jean L. Lewis
(Notary Public)

My commission expires 8/19/2009

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**.

- 1) Update the water right record to describe a primary and secondary well currently used for diversion of the licensed ground water.
 2) Correct the domestic place of use description that was licensed in error in the NESE S10 and the NENE S15 forty acre tracts that are not associated with the Gem State Academy campus.
 3) Change the domestic place of use for three of the nine homes that are covered under water right 63-11308. It appears that these homes were overlooked in the licensing exam for water right 63-11308. The three homes proposed were constructed in the early 1960's to serve administrative staff for the academy and are connected to the domestic system developed under water rights 63-11308 & 63-3207.

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued**

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

1. Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
63-11308	0.20 cfs/45 ac-ft	Irrigation	3/15 to 11/15	Ground Water
	0.23 cfs/130.2 ac-ft	Commercial	1/1 to 12/31	
	0.37 cfs/30.6 ac-ft	Domestic	1/1 to 12/31	
			to	
			to	
			to	
			to	
			to	
			to	

2. Total amount of water being transferred 0.62 cubic feet per second and/or 205.8 acre-feet per annum.

3. Point(s) of Diversion:

- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion within ESPA.
Label it **Attachment #5**.

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local Name for Diversion
		SE	SW	10	3N	3W	Canyon	Primary Well
		SW	SW	10	3N	3W	Canyon	Back-up Well

4. 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				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	3W	10									D		D	D			D		
														C					
													10						10

Total Acres (for irrigation use) 10

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION 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:

Two wells, pumps, common distribution system.Power records or flow meter.

- b. 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. 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.

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

N/a

- d. 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:

Well in the SESW, Section 10 also supplies water right 63-3207.

- e. 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, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1 B.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 **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: _____

1. amount _____ (cfs/ac-ft) 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. Point(s) of Diversion:

[illegible]

3. Lands irrigated or place of use:

[illegible]

Total Acres _____

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PART 2A

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Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/12/2009

WATER RIGHT NO. 63-11308

Owner Type	Name and Address
Current Owner	GEM STATE ACADEMY 16115 S MONTANA AVE CALDWELL, ID 83605 (208)459-1627

Priority Date: 02/28/1990
Basis: License
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/15	11/15	0.2 CFS	45 AFA
COMMERCIAL	1/01	12/31	0.23 CFS	130.2 AFA
DOMESTIC	1/01	12/31	0.37 CFS	30.6 AFA
Total Diversion			0.62 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NESW|Sec. 10|Township 03N|Range 03W|CANYON County
GROUND WATER|SESW|Sec. 10|Township 03N|Range 03W|CANYON County

Licensed Diversion Capacity: 0.62

Place(s) of use:

Place of Use Legal Description: IRRIGATION CANYON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
03N	03W	10		SESW	10									

Place of Use Legal Description: COMMERCIAL CANYON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
03N	03W	10		SESW										

Place of Use Legal Description: DOMESTIC CANYON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
03N	03W	10		NESW			SESW							
				NESE			SWSE							
		15		NENE										

Total Acres 10

Conditions of Approval:

- Two points of diversion are located within SESW, T03N, R03W, S10 Domestic use is for the Gem State Academy buildings and grounds and also for 9 homes. Commercial use is for a bakery.
- This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

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Dates:

Licensed Date: 05/30/1994

Decreed Date:

Permit Proof Due Date: 9/1/1993

Permit Proof Made Date: 7/22/1993

Permit Approved Date: 8/16/1990

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 02/28/1990

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

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

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**

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 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**.

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 ground water rights have been used historically in conjunction with other water right(s) at the existing place of use. Describe the time during the irrigation season that the supplemental right(s) have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change:

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.**FOR DEPARTMENT USE ONLY**

Transfer contains 8 pages and 2 attachments.

Received by SO. Date 3.9.09 Prelim. Check by SA Date 11/27/09

Fee Amount \$250 Date 3-9-2009 Received by SR7 Receipt # C088141

Fee Amount _____ Date _____ Received by _____ Receipt # _____

total Rec.
\$450-

ATTACHMENT 1
BUSINESS REGISTRATION & OFFICERS

CANCELLATION OR AMENDMENT OF CERTIFICATE OF ASSUMED BUSINESS NAME

(Please type or print legibly)

FILED EFFECTIVE

To the SECRETARY OF STATE, STATE OF IDAHO
Pursuant to Section 53-507 and 53-508, Idaho Code, the undersigned gives notice
of the action(s) indicated below:

1. The assumed business name is: Gem State Adventist Academy
2. The assumed business name was filed with the Secretary of State's Office
on October 16, 1998 as file number D19125.
3. ☐ Cancellation. The persons who filed the certificate no longer claim an interest in
the above assumed business name and cancel the certificate in its entirety.
4. ☐ The assumed business name is amended to: _____
5. ☐ The true names and business addresses of the entity or individuals doing
business under the assumed business name are amended as follow:

Add:	Delete:	Name:	Address:
☐	☒	<u>Southern Idaho Corporation</u>	<u>7777 Fairview Ave., Boise, ID 83704</u>
		<u>of Seventh-day Adventists</u>	
☒	☐	<u>Idaho Conference of Seventh-day</u>	<u>7777 Fairview Ave., Boise, ID 83704</u>
		<u>Adventists, Inc.</u>	
☐	☐	<u>05527</u>	

6. ☐ The type of business is amended to read:

☐ Retail Trade	☐ Manufacturing	☐ Transportation and Public Utilities
☐ Wholesale Trade	☐ Agriculture	☐ Finance, Insurance, and Real Estate
☐ Services	☐ Construction	☐ Mining
7. ☐ The name and address to which future correspondence should be addressed
is changed to read: _____

8. Name and address for this acknowledgment copy is:

Skinner Fawcett

P.O. Box 700

Boise, ID 83701-0700

Signature: _____

Printed Name: Frederick J. Rey

Capacity: Treasurer

(see instruction # 9 on back of form)

Secretary of State use only

06 JAN - 6 PM
SECRETARY OF STATE
STATE OF IDAHO

IDAHO SECRETARY OF STATE
01/06/2004 05:00
CK: 16665 CT: 1723 DA: 720220
1 @ 10.00 = 10.00 ASSUM AMEN # 3

g:\comp\forms\forms\abamend.pmd
Revised 04/2003

No. C 5527		Due no later than Sep 30, 2008 Annual Report Form		2. Registered Agent and Address (NO PO BOX)		
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		1. Mailing Address: Correct in this box if needed. IDAHO CONFERENCE OF SEVENTH-DAY ADVENTISTS, INC. DONALD A KLINGER 7777 FAIRVIEW BOISE ID 83704-8418		DONALD A KLINGER 7777 FAIRVIEW AVENUE BOISE ID 83704		
				3. New Registered Agent Signature:*		
4. Corporations: Enter Names and Business Addresses of President, Secretary, Directors and(optional) Treasurer.						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
DIRECTOR	PETER MCPHERSON	16115 S MONTANA AVE	CALDWELL	ID	USA	83607
PRESIDENT	STEPHEN L MCPHERSON	3016 WESTVIEW LN	NAMPA	ID	USA	83686
SECRETARY	DONALD A KLINGER	1823 W SANTA CLARA DR	MERIDIAN	ID	USA	83642
DIRECTOR	GREG ABERLE	610 E CENTRAL	EMMETT	ID	USA	83617
DIRECTOR	JACQUE BOTIMER	13753 LOCUST LN	NAMPA	ID	USA	83686
DIRECTOR	THOMAS GRAY	2201 LINDA LN	LA GRANDE	OR	USA	97850
DIRECTOR	ED HEIL	183 ORCHARD DR W	TWIN FALLS	ID	USA	83301
DIRECTOR	ALITA HENSLEE	PO BOX 186	LONG CREEK	OR	USA	97856
DIRECTOR	MICKEY MEYER	2004 GRANGER RD	INDIAN VALLEY	ID	USA	83632
DIRECTOR	SANDY SCHNELL	2408 SUNSET AVE	CALDWELL	ID	USA	83605
DIRECTOR	DWAYNE O KLUCHESKY	1481 ATLANTIC ST	TWIN FALLS	ID	USA	83301
TREASURER	HAROLD R DIXON III	6200 N RIVER POINTE DR APT C-2	GARDEN CITY	ID	USA	83714
DIRECTOR	BLAINE KENNEY	14581 PINE CREEK RD	BAKER CITY	OR	USA	97814
DIRECTOR	RAY TREES	243 EVERGREEN RD	ONTARIO	OR	USA	97914
DIRECTOR	SYLVIA TETZ	503 3RD AVE E	TWIN FALLS	ID	USA	83301
DIRECTOR	DAN ROSS	1363 E PROHASKA CT	EAGLE	ID	USA	83616
DIRECTOR	JAMIE MILLER	1721 FILBERT CT	NAMPA	ID	USA	83651
DIRECTOR	STEVE MEHARRY	2501 W SNYDER AVE	MERIDIAN	ID	USA	83642
DIRECTOR	EDWIN LOPEZ	2160 W CABOT AVE	NAMPA	ID	USA	83686
DIRECTOR	TIM ESSINK	8579 W MOONLIGHT DR	BOISE	ID	USA	83709
DIRECTOR	TED EDMISTER SR	1077 E 1400 N	SHELLEY	ID	USA	83274
DIRECTOR	BROCK BOHLMAN	594 W GRAY FOX CT	MERIDIAN	ID	USA	83646
DIRECTOR	PAULETTE JACKSON	2887 N CHRISTIAN WAY	MERIDIAN	ID	USA	83646
5. Organized Under the Laws of: ID C 5527		6. Annual Report must be signed.* Signature: Donald A Klinger Name (type or print): Donald A Klinger Date: 07/14/2008 Title: Secretary				
Processed 07/14/2008		* Electronically provided signatures are accepted as original signatures.				

ATTACHMENT 7a & 7b
PROPOSED PLACE OF USE AND DIVERSIONS

2006 Aerial Photo

T3N R3W

