

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 74305

APPLICATION FOR TRANSFER OF WATER RIGHT

WAYNE EUGENE STEPHENS AND/OR **PART 1**Name of Applicant LAKEVIEW WATER CORP C/O WAYNE STEPHENS

(208) 585-3134

Phone (208) 454-8440

Post Office address 24604 EMMETT RD, CALDWELL, ID 83607

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
- A FOURTH WELL WAS ADDED TO THE SYSTEM IN 1995
-
- BUT IT COULDN'T BE INCLUDED IN SRBA CLAIMS, SO I WAS TOLD TO FILE A TRANSFER TO
-
- INCLUDE THE FOURTH WELL. THIS IS THE TRANSFER APPLICATION DAN NELSON TOLD ME TO FILE
-
- TO ALLOW COVERAGE OF THE FOURTH WELL. Added 12 Plex and Well to common System

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
63-20900	2/8/1956	0.08/2.3	DOMESTIC	01/01 to 12/31
63-20901	6/1/1962	0.14/5.7	DOMESTIC	01/01 to 12/31
63-20902	6/1/1962	0.15/7.1	DOMESTIC	01/01 to 12/31
<u>45. 63-20909</u>	<u>6-1-1965</u>	<u>1.23</u>	<u>Domestic</u>	<u>01/01 to 12/31</u>

2. Total amount of water being transferred
45. 0.37
- cubic feet per second and/or
- 15.1
- acre-feet per annum.

3. Source of water
- GROUND WATER
- tributary to
- N/A

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NE	NE	16	3N	3W	CANYON	WEST WELL
		NE	NE	16	3N	3W	CANYON	LAKEVIEW WELL
		NE	NE	16	3N	3W	CANYON	VALLEYVIEW WELL
		NE	NE	16	3N	3W	CANYON	<u>45. LAKEVIEW WATER CORP WELL</u>

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	3W	16	X																

RECEIVED

Total Acres _____

OCT 09 2007

WATER RESOURCES
WESTERN REGION

PART 1

6. General Information:

a. Description of diversion system The four wells tie into a common mainline system and service a 12-plex, a 8-plex, 2 tri-plexes, and a 4-plex

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
 _____ Yes no 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:
No affects should be seen from this change. The system has been this way since 1995 with no complaints.

d. Remarks: Added 12 Plex and well to common system. WS 2-10-09
~~This transfer was filed to add the Bigview Water Corp well to the system. It was added in 1995, and we thought the adjudication claims for these rights would correct this situation, but discovered they could not add any wells to the water rights that were not constructed prior to 1987. The fourth well was added in 1995~~

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 20_____.

 For the Director

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

Transfer No. _____
Receipt No. _____

Current Water Right No. 63-20902

Priority Date: 06/01/1962

Origin: Adjudication Recommendation

Basis: Beneficial Use

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>
DOMESTIC	01/01 12/31	0.14 CFS	5.7 AFA	
	Total Diversion	0.14 CFS	5.7 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NENE	03N 03W	16	CANYON
GROUND WATER	NENE	03N 03W	16	CANYON
GROUND WATER	NENE	03N 03W	16	CANYON

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N 03W 16	X																

Conditions/Remarks:

1. Parcel Number R2760500000
2. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3. Place of use is located within Lot 4 and Lot 5; Vanal Heights Subdivision.
4. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
5. Domestic use is for 7 apartments, lawn, office, and laundry.
6. Rights 63-20900 and 63-20901 are also diverted through the points of diversion described above.

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

Transfer No. _____

Receipt No. _____

Current Water Right No. 63-20902

Documentation of Ownership of the Current Place of Use

N/A Owner of Record

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

NO

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

NONE

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

NO

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Transfer No. _____

Receipt No. _____

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

Current Water Right No. 63-20901

Priority Date: 06/01/1962

Origin: Adjudication Recommendation

Basis: Beneficial Use

Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
DOMESTIC	01/01 12/31	0.15 CFS	7.1 AFA	
	Total Diversion	0.15 CFS	7.1 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NENE	03N 03W	16	CANYON
GROUND WATER	NENE	03N 03W	16	CANYON
GROUND WATER	NENE	03N 03W	16	CANYON

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 03W 16	X																

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. Domestic use is for 8 apartments and lawn.
3. Rights 63-20900 and 63-20902 are also diverted through the points of diversion described above.
4. Parcel number 1R27606-000-0
5. Place of use is located within Section 73, Lot 4 and Lot 5; Vanal Heights Subdivision.
6. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

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

Transfer No. _____
Receipt No. _____

Current Water Right No. 63-20901

Documentation of Ownership of the Current Place of Use

N/A Owner of Record

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

NO

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

NONE

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

NO

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Transfer No. _____

Receipt No. _____

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

Current Water Right No. 63-20900

Priority Date: 02/08/1956

Origin: Adjudication Recommendation

Basis: Beneficial Use

Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
DOMESTIC	01/01 12/31	0.08 CFS	2.3 AFA	
	Total Diversion	0.08 CFS	2.3 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NENE	03N 03W	16	CANYON
GROUND WATER	NENE	03N 03W	16	CANYON
GROUND WATER	NENE	03N 03W	16	CANYON

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 03W 16	X																

Conditions/Remarks:

1. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
2. Rights 63-20901 and 63-20902 are also diverted through the points of diversion described above.
3. Domestic use is for 3 apartments and lawn.
4. Parcel Number R3286300000
5. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
6. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

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

Transfer No. _____

Receipt No. _____

Current Water Right No. 63-20900

Documentation of Ownership of the Current Place of Use

N/A Owner of Record

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

NO

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

NONE

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

NO

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-20909 V2

WATER RIGHT NUMBER: 63-20909 V2

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WAYNE EUGENE STEPHENS 24604 EMMETT RD CALDWELL, ID 83607 (208)585-3134
Current Owner	LAKEVIEW WATER CO C/O WAYNE STEPHENS 24604 EMMETT RD CALDWELL, ID 83607 (208)454-8440

Priority Date: 06/01/1965

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.230 CFS	
	<u>Total Diversion:</u>	0.230 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4	Sec. 16, Twp 03N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4NE1/4	Sec. 16, Twp 03N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4NE1/4	Sec. 16, Twp 03N, Rge 03W, B.M.
CANYON County		

Place of Use

DOMESTIC Within CANYON County

T03N R03W S16 NENE

Conditions of Approval:

1. X01 Domestic use is for internal use for a twelve unit apartment building.
2. X60 The physical address of the place of use is 15077 Karcher Rd., Caldwell, Idaho.
3. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
4. Parcel no. is R2760500000.
5. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-20909 V2

6. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
7. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
8. F06 The following rights are diverted through point(s) of diversion described above: 63-20900, 63-20901, 63-20902 and 63-20909.

Remarks:

Comments:

Water Supply Bank:

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

Transfer No. _____

Receipt No. _____

Current Water Right No. 03-20909

Documentation of Ownership of the Current Place of Use

N/A Owner of Record

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

NO

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

NONE

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

NO

2-10-09
W.S.

PART 2

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 NONE OF THE WATER RIGHTS ARE BEING SPLIT.

(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	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

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

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	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

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

Total Acres _____

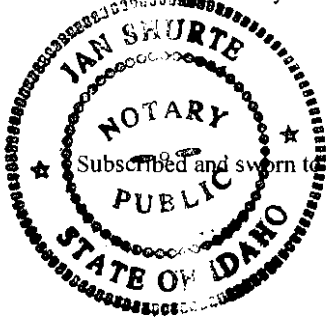
PART 3**B. CHANGES IN NATURE OF USE**

1. New Nature of Use Amount(cfs/af-ft) Hours/days/year Period of Use
N/A _____ to _____
 _____ to _____
2. Quantity and quality of return flows and location of discharge: N/A

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

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.



Wayne Stephens
 (Signature of Applicant)
9th day of October, 20 07
Jan Skurte
 (Notary Public)

My commission expires 12-12-12

FOR DEPARTMENT USE ONLY

Transfer contains 14 pages and 0 attachments
 Received by DB Date 10-9-07 Protest filed by _____
 Prelim. Check by VLM Fee \$250-
 Receipted by DB/W035886 Date 10-9-07
 Published in _____ Copies of protest forwarded by _____
 Pub. Dates _____ Hearing held by _____ Date _____
 Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial
 _____ received _____ by _____

Copy of transfer sent to lien holder _____

12-plex (63-20909)
New Permit filed

WEST WELL

LAKEVIEW WELL

63-20902
(triplex and 4-plex)

63-20901 (8-plex)

well for 8-plex

63-20900 (triplex)

VALLEYVIEW WELL

Green area is irrigated lawns.

**T3N R3W
S16 NENE**

BIGVIEW WATER CORP WELL

THIS WELL ADDED IN 1995

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Part 3