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STATE OF IDAHO

AMENDED

Transfer No. 73819

WATER RESOURCES DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant RUSSELL AND/OR TAMMY LLOYD Phone (208) 585-9171
Mailing address 26174 MOONGLOW DR. MIDDLETON ID. 83644 Email RBL@SOFTHOME.NET

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 SPLIT RIGHT CHANGE OWNERSHIP

2. Describe the reason for the proposed changes SPLIT RIGHT AND CHANGE OWNERSHIP
FOR MY PORTION AND ADD POINT OF DIVERSION TO
IRRIGATE FROM WELL ON MY PROPERTY.

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

1. Right Number PORION OF 63-32792 Priority 10/26/1977 Amount (cfs/ac-ft) 0.05 cfs/22.5 AF Nature of Use IRRIGATION Period of Use 3/15 to 11/15
 _____ to _____
 _____ to _____
 _____ to _____

2. Total amount of water being transferred 0.05 cubic feet per second and/or 22.5 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
		SE	SE	20	5N	2W	CANYON	LLOYD WELL, TAG ID # D0000512

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	
5N	2W	20													2			3	5

REJECTED

Total Acres 5

PART 1

6. General Information:

a. Description of diversion system RESIDENTIAL WELL (WELL TAG ID# D0000512
DRILLED 1998 BY SOS WELL DRILLING FOR RUSSELL & TAMMY
LLOYD (OWNERS))

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. 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:

N/A

d. Remarks:

N/A

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

SEE ATTACHED

1. Right as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ 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 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 _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purposes:

amount _____ for _____ purposes from _____ to _____
(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 _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

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

8. 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 _____

9. Describe any other water rights used for the same purpose as described above BLACK CANYON
IRRIGATION DISTRICT WATER.

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 0.05 cfs/22.5Aft 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)

- 2. Point(s) of Diversion:**

[illegible]

3. Lands irrigated or place of use:

[illegible]

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

Total Acres

5

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:**

[illegible]

3. Lands irrigated or place of use:

[illegible]

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 the rights described in part 1. Clearly depict the land by section, township and range number.

The form consists of a large grid of 16 columns and 16 rows, creating a 256-square grid. The grid is used for drawing a map or attaching a USGS map. In the center of the grid, the words "SEE ATTACHED" are written in a large, bold, sans-serif font.

Scale: 2 inches equal 1 mile. Draw plan in ink.

PART 3

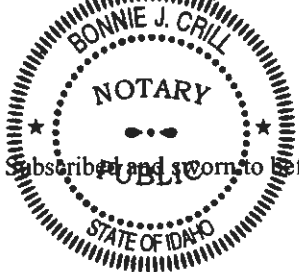
B. CHANGES IN NATURE OF USE

1. New Nature of Use Amount(cfs/af-ft) Hours/days/year Period of Use
_____ 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:

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.



Russell B. Plagel
(Signature of Applicant)

Subscribed and sworn to before me this 9th day of February, 20 07.

Bonnie J. Crill
(Notary Public)

MY COMMISSION EXPIRES
October 2, 2009

My commission expires BONDED THROUGH NOTARY PUBLIC UNDERWRITERS

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 4 attachments
Received by AMB Date 2-13-07 Protest filed by _____
Prelim. Check by AMB AG Fee 100.00
Receipted by AMB Date 2-13-07 #C083254
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 _____

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

Current Water Right No. 63-32792

Priority Date: 10/26/1977

Origin: Adjudication Recommendation

Basis: License

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>
IRRIGATION	03/15 11/15	0.13 CFS	56.3 AFA	
Total Diversion		0.13 CFS	56.3 AFA	

Source and Point(s) of Diversion:

GROUND WATER SENE 05N 02W 20 CANYON

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	
05N 02W 16												.5					.5
05N 02W 20													7.0			4.5	11.5
05N 02W 21																	.5

Total Acres: 12.5

Conditions/Remarks:

1. 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.
2. The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
3. Use of this right is combined with water from Black Canyon Irrigation District.
4. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

ATTACHMENT A (2 PGS)

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

Transfer No. 73819
Receipt No. C083254

Current Water Right No. 63-32792

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?

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

N/A

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

No

A₂



05N02W20SENW

05N02W20SWNE

05N02W20SENE

05N02W21SWNW

05N02W20NESW

05N02W20NWSE

05N02W20NESE

05N02W21NWSW

05N02W20SESW

05N02W20SWSE

05N02W20SESE

05N02W21SWSW

05N02W29NWNE

05N02W29NENE

05N02W28NWNW

ATTACHMENT B

9709703

THIS FORM FURNISHED COURTESY OF:

**ALLIANCE TITLE &
ESCROW CORP.**

READ & APPROVED BY GRANTEE(S):

RSL L.L.L.

SPACE ABOVE THIS LINE FOR RECORDING DATA

Order No.: 97014650

WARRANTY DEED

AC-

FOR VALUE RECEIVED JEFFREY GORDON HOWE AND SUSAN LOUISE HOWE, HUSBAND
AND WIFE

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto RUSSELL B.
LLOYD AND TAMMY L. LLOYD, HUSBAND AND WIFE

GRANTEE(S), whose current address is: 2065 W. SONOMA DRIVE, MERIDIAN, IDAHO 83642
the following described real property in CANYON County, State of Idaho, more particularly
described as follows, to wit:

As set forth on the attached EXHIBIT "A", which by this
reference becomes a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and
Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said
Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from
all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered
or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and
agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments,
if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend
the same from all lawful claims whatsoever.

Dated: March 26, 1997

Jeffrey Gordon Howe
JEFFREY GORDON HOWE

Susan Louise Howe
SUSAN LOUISE HOWE

STATE OF IDAHO
COUNTY OF CANYON

On this 27th day of March, in the year of 1997, before me, the undersigned, a Notary
Public in and for said State, personally appeared JEFFREY GORDON HOWE AND SUSAN LOUISE
HOWE

known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and
acknowledged to me that he/she/they executed the same.



Signature: Shelley Wallace

Name: SHELLEY WALLACE

Residing at: NAMPA, IDAHO

My Commission Expires: 10/03/01

ATTACHMENT C (2 PGS)

ORDER NO. 97014650

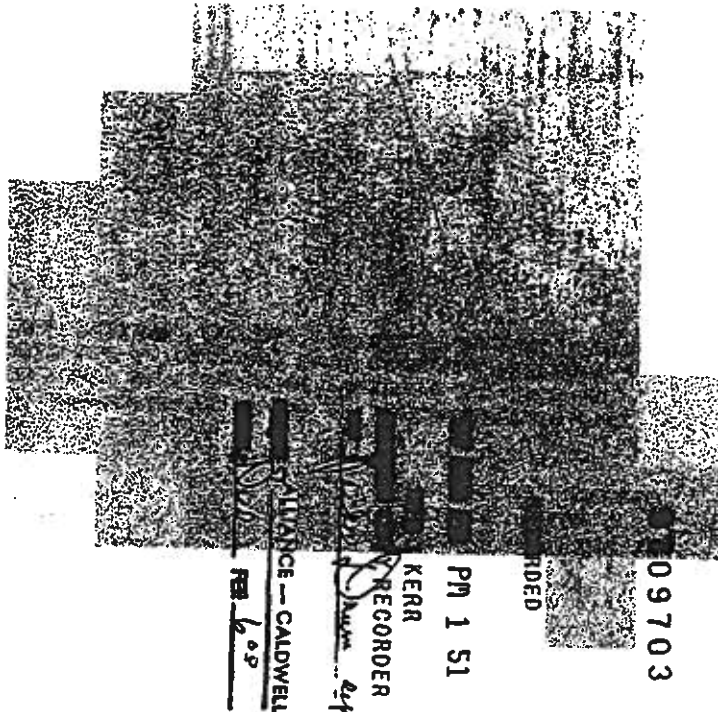
EXHIBIT "A"

Lot 2, Block 1, BENCHMARK ESTATES SUBDIVISION, Canyon County, Idaho, according to the plat filed in Book 19 of Plats, Page 23, and amended by an affidavit recorded February 18, 1994 as Instrument No. 9405452.

TOGETHER with a non-exclusive right of ingress-egress over Lot 10, Block 1, BENCHMARK ESTATES SUBDIVISION, Canyon County, Idaho, according to the plat filed in Book 19 of Plats, Page 23, records of said County.

ALSO TOGETHER with a non-exclusive right of ingress-egress over easement shown in Warranty Deed recorded February 27, 1989 as Instrument No. 8903519 and in Warranty Deed recorded February 27, 1989 as Instrument No. 8903520, records of Canyon County, Idaho.

RBC





ATTACHMENT D (2 PGS)

WELL DRILLED BY:

S.O.S. WELL DRILLING & PUMP CO. INC.

4145 BLACK CAT RD.

MERIDIAN, ID.

FOR

RUSSELL & TAMMY LLOYD
ORIGINAL OWNERS

WHEN

≈ JULY 1998

BUILDING PERMIT # 16950

ISSUED 7/13/1998

CANYON COUNTY DEVELOPMENT SERVICES DPMT.