

REJECTED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 73812

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant INTERMOUNTAIN DEV. INC. Phone 208-587-3875Post Office address P.O. Box 624, MTN. HOME ID 83647

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 To change the place of use and points of diversion in order to irrigate a lawn & garden on a 1 1/2 ACRE LOT.

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>61-7048</u>		<u>.02</u>	<u>irrigation</u>	<u>4-1</u> to <u>11-1</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred .02 cubic feet per second and/or ONE acre-feet per annum.

3. Source of water ground water tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
<u>Gov 1</u>	<u>NW</u>	<u>NW</u>		<u>18</u>	<u>4N</u>	<u>7E</u>	<u>ELMORE</u>	<u>LOT 5 BLK 1, PHEASANT RUN</u>

5. Lands irrigated or place of use:

3. Lands irrigated or place of use.																				
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		
								1											1	
																</				

RECEIVED

Total Acres 1

APR 27 2006

WATER RESOURCES
WESTERN REGION

PART 1

6. General Information:

a. Description of diversion system Well, submersible pump and distribution
System for the lot.

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:

WILL Reduce EXISTING IRR by 1 ACCE.

d. Remarks:

PM / PD Located ON Lot 5 Bk 1 Pheasant Run Sub

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 RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

- a. Decree No. 61-7048 Decreed to INTERMOUNTAIN DEV INC
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 ground water tributary to _____

4. Date or priority 11-29-68

5. Water is used for the following purposes:

amount .02 for irr purposes from 4-1 to 11-1
(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 0.720 cubic feet per second and/or 37 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 _____

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?

_____ 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 .02 for irrigation purposes from 4-1 to 11-1
 (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
<u>10</u>	<u>NW</u>	<u>NW</u>	<u>NW</u>	<u>18</u>	<u>7N</u>	<u>4E</u>	<u>ELMORE</u>	<u>LOTS 1341 Pheasant Run sub</u>

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	
<u>7N</u>	<u>4E</u>	<u>18</u>						<u>1</u>											<u>1</u>

Total Acres _____

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

1. amount .72 for irrigation purposes from 4-1 to 11-1
 (cfs/ac-ft)
 amount .02 for STOCK purposes from 1-1 to 12-31
 (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
	<u>NW</u>	<u>SW</u>	<u>NW</u>	<u>14</u>	<u>3S</u>	<u>6E</u>	<u>ELMORE</u>	

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	
<u>3S</u>	<u>6E</u>	<u>14</u>							<u>3</u>										
									<u>36</u>										<u>36</u>

Total Acres 36

PART 3

B. CHANGES IN NATURE OF USE

none

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

Subscribed and sworn to before me this

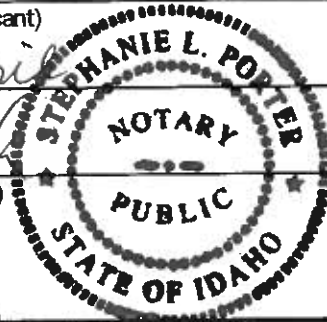
27th

day of

April, 20 06

(Signature of Applicant)

(Notary Public)



My commission expires

9-19-07

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by DB Date 4-27-06 Protest filed by _____Prelim. Check by _____ Fee \$100 -Received by DB W034100 Date 4-27-06

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

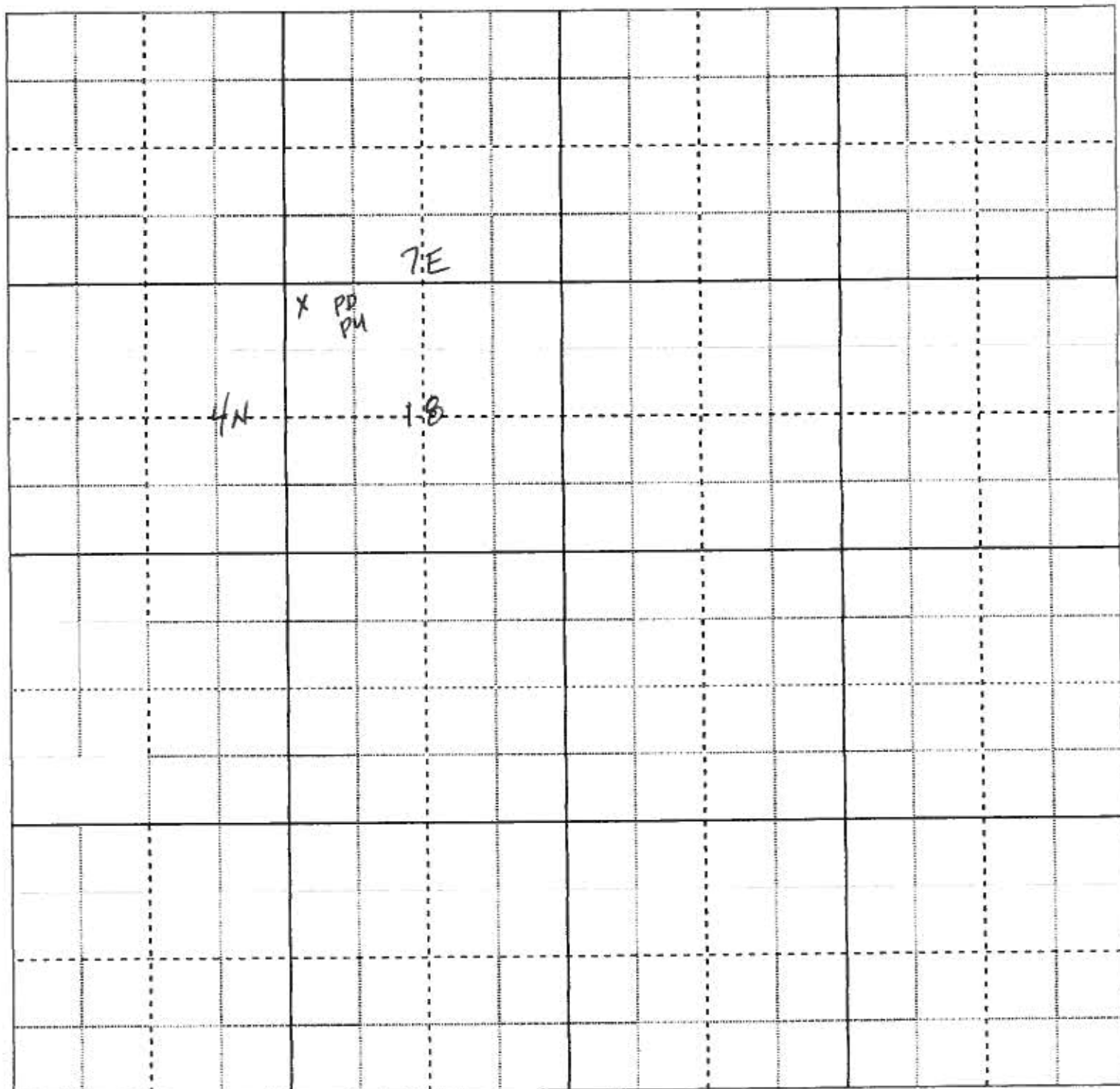
Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

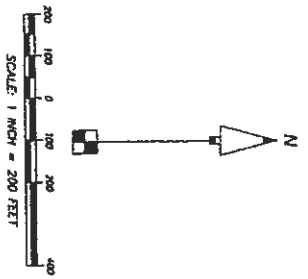
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- 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.



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

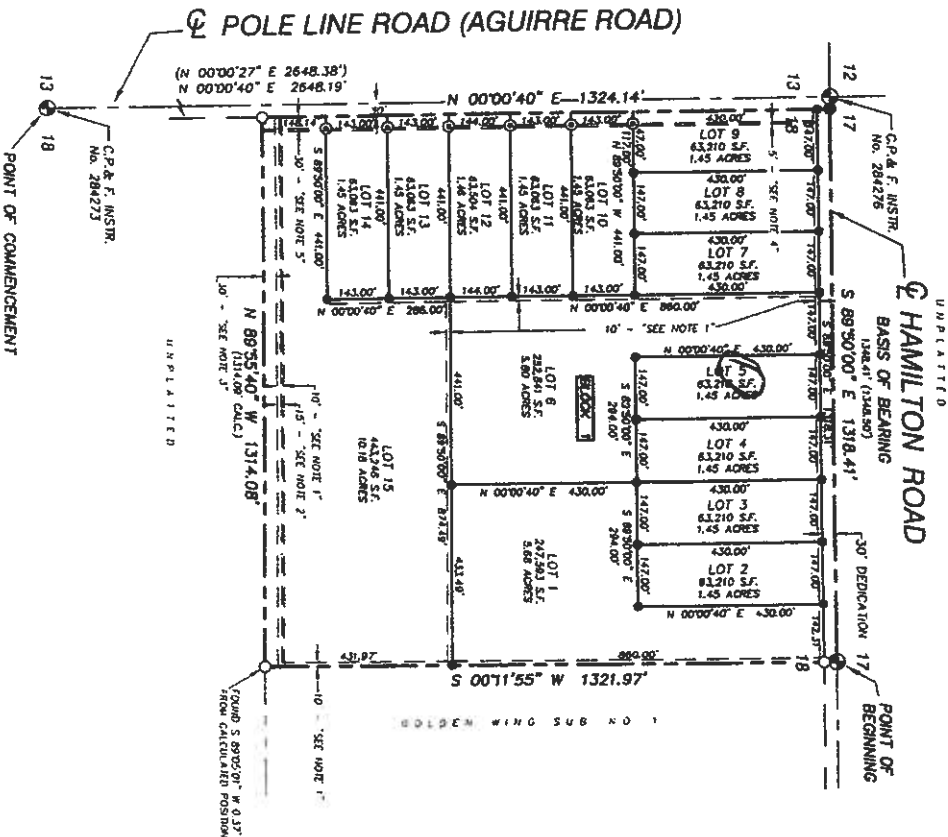
PHEASANT RUN SUBDIVISION SITUATED WITHIN A PORTION OF GOVERNMENT LOT 1 SECTION 18, TOWNSHIP 4 SOUTH, RANGE 7 EAST, BOISE MERIDIAN, ELMORE COUNTY, IDAHO 2004



LEGEND

- BOUNDARY LINE
- PUBLIC RIGHT-OF-WAY LINE
- EASEMENT
- CENTER LINE
- PROPOSED LOT LINE
- FOUND ALUMINUM CAP
- SET 5/8" X 30" STEEL PIN WITH CAP W/RE PLS 8793
- WITNESS CORNER SET 5/8" X 30" STEEL PIN WITH CAP W/RE PLS 8793
- SET 1/2" X 30" STEEL PIN WITH CAP W/RE PLS 8793
- FOUND 5/8" STEEL PIN

UNPLATTED



NOTES

1. AN EASEMENT 10 FEET WIDE IS HEREBY RESERVED FOR PUBLIC UTILITIES, DRAINAGE AND IRRIGATION PURPOSES AS SHOWN HEREON.
2. AN EASEMENT 15 FEET WIDE IS HEREBY RESERVED FOR IRRIGATION PURPOSES AS SHOWN HEREON.
3. AN EASEMENT 30 FEET WIDE IS HEREBY RESERVED FOR THE USE AND BENEFIT OF THE MOUNTAIN HOME IRRIGATION DISTRICT FOR FUTURE ROAD PURPOSES.
4. AN EASEMENT 5 FEET WIDE IS HEREBY RESERVED FOR PUBLIC UTILITIES, DRAINAGE AND IRRIGATION PURPOSES AS SHOWN HEREON.
5. AN EASEMENT 30 FEET WIDE IS RESERVED ADJACENT TO POLE LINE ROAD RIGHTS-OF-WAY FOR THE USE AND BENEFIT OF THE MOUNTAIN HOME IRRIGATION DISTRICT FOR THE SUPPORT OF IRRIGATION WATER CONDUIT. BUT IS NOT LIMITED TO THE USE OF IRRIGATION WATER CONDUIT. BUT IS NOT LIMITED TO THE USE OF IRRIGATION WATER CONDUIT. BUT IS NOT LIMITED TO THE USE OF IRRIGATION WATER CONDUIT.
6. THE DEVELOPER SHALL COMPLY WITH IDAHO CODE SECTION 31-11-13 RELATING TO IRRIGATION RIGHTS, TRANSFER AND DISCLOSURE.
7. ACCESS RIGHTS ARE RELINQUISHED FOR LOTS WITHIN THIS SUBDIVISION WITH THE EXCEPTION OF A COMMON DRIVE APPROACH AND AREON WITH A WIDTH NOT TO EXCEED 30 FEET. THE APPROACHES ARE TO BE CONSTRUCTED WITHIN 19 FEET OF THE COMMON LOT LINE BETWEEN LOTS 2-3, 4-5, 6-7, 8-9, 10-11, 12-13, 14-15. THE DRIVE APPROACH FOR LOT 1 SHALL BE CONSTRUCTED IN THE CENTER OF LOT 1/RIGHT-OF-WAY LINE.
8. ALL LOT OWNERS ARE REQUIRED TO RETAIN ALL SURFACE RUNOFF WATER ON SITE. LOTS SHALL BE FIVE GRADES AS REQUIRED FOLLOWING CONSTRUCTION TO RETAIN SURFACE RUNOFF WITHIN EACH INDIVIDUAL LOT.
9. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503, IDAHO CODE, RIGHT TO FARM, WHICH STATES: "NO AGRICULTURAL OPERATION OR ANY APPURTENANCE TO IT SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER THE SAME HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION HAS NOT IN A USABLE MANNER PREVIOUSLY BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR. THE OPERATION SHALL NOT APPLY WHENEVER A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENCE OPERATION OF ANY AGRICULTURAL OPERATION OR APPURTENANCE TO IT."



ENGLEBRITSON LAND SURVEYS, INC.

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BOISE, IDAHO 83706
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OWNER / DEVELOPER
INTERMOUNTAIN DEVELOPMENT, INC.
P.O. BOX 624
MOUNTAIN HOME, IDAHO 83647
(208) 867-6344