

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 74892APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant Shoshone-Bannock Tribes Phone 208-239-4580Mailing address PO Box 306, Fort Hall, ID 83203 Email eteton@shoshonebannocktribes.com

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 allow tenant to irrigate Tribal property through existing pipeline.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>29-231</u>	<u>07/06/1868</u>	<u>1.59 cfs</u>	<u>Irrigation</u>	<u>01/01</u> to <u>12/31</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 1.59 cubic feet per second and/or 259.3 acre-feet per annum.3. Source of water Toponce Creek tributary to Portneuf River

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
	NW	NE	SW	35	6S	38E	Caribou	POD 231
	SW	SW	SE	33	6S	38E	Caribou	KCGA Pipeline

5. 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	
6S	38E	35								X									39.71
6S	38E	35									X								39.82

RECEIVED

JUN 30 2008

Department of Water Resources
Eastern RegionTotal Acres 79.53

74892

PART 1

6. General Information:

- a. Description of diversion system a gravity flow pipe within a concrete basin and gate
- 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:
Not applicable
- d. Remarks:
none

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. 29-231 Decreed to Shoshone-Bannock Tribes
in case of SRBA No. 39576 vs. _____
dated 12/13/2007 in 5th Judicial District county of Twin Falls
 - 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 Order of Partial Decree 29-231

3. Source of water Toponce Creek tributary to Portneuf River

4. Date or priority 07/06/1868

5. Water is used for the following purposes:

amount <u>1.59 cfs</u>	for <u>Irrigation</u>	purposes from <u>01/01</u>	to <u>12/31</u>
(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 1.59 cubic feet per second and/or 259.3 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
	NW	NE	SW	35	6S	38E	Caribou	POD 231

8. 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	
6S	38E	35								X									39.71
6S	38E	35									X								39.82

Total Acres 79.53

9. Describe any other water rights used for the same purpose as described above none

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?

NA _____ 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	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)*

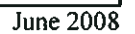
1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

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	



ATTORNEY-CLIENT COMMUNICATION
CONFIDENTIAL. PRIVILEGED INFORMATION

PRELIMINARY DRAFT
for attorney-client review

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

1. New Nature of Use Amount(cfs/af-ft) Hours/days/year Period of Use
None _____ to _____
 _____ to _____
2. Quantity and quality of return flows and location of discharge: _____
None _____

3. Describe effects on other water uses resulting from the proposed change:
None _____

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.

(Signature of Applicant)

Monzo A. Coby

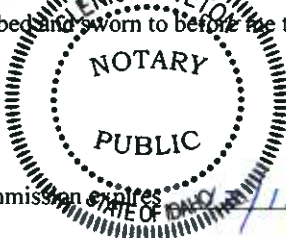
Subscribed and sworn to before me this

26th

day of

June

, 20 08



(Notary Public)

My commission expires

12/13/2012

MY COMMISSION EXPIRES
December 13, 2012

BONDED THRU NOTARY PUBLIC UNDERWRITERS

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and _____ attachments

Received by _____ Date 6/30/08 Protest filed by _____

Prelim. Check by _____ Fee 290 E034191

Receipted by _____ Date 6/30/08

Published in Caribou Co. Sen. 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 _____



ADMINISTRATION

Appenay, Billie A		208-478-3802
Broncho, Candice	Receptionist	208-478-3801
Chandler, Candace	Office Aide	208-478-4019
Coby, Cathy	Administrative Assistant	208-478-3833
Galloway, Gwendolyn	Recording Secretary	208-478-3806
Kniffin, Kelly	Administrative Office Aide	208-478-3768

ARCHIVES

Racehorse, Velda	Tribal Archivist	208-478-3752
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ATTORNEYS

Bacon, William	General Counsel	208-478-3815
Boyer, Claudene	Legal Secretary	208-478-3829
Decker, Janell	Paralegal	208-478-3816
Teton, Glenice	Legal Secretary	208-478-3822
Whitworth, Brandelle	General Counsel	208-478-3923
Wolfley, Jeanette	Special Counsel Attorney	208-232-1922

BUFFALO CARETAKERS

Tissidimit, Lance	Buffalo Chaser	208-251-8397
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BUSINESS COUNCIL

Broncho, Anthony Pete	Secretary	208-478-3804
Coby, Alonzo	Chairman	208-478-3805
Edmo, Blaine	Council Member	208-478-3807
Fisher, Glen	FHBC Member	208-478-3811
Hill, Adam	Secretary	208-478-3812
Small, Nathan	Vice-Chairman	208-478-3803
Tyler, LeeJuan	Council Member	208-478-3814

BUSINESS LICENSE

Farmer, Wendy	Business License Officer	208-239-4574
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COMMODITIES

Edmo, Frank	Warehouse Worker	208-478-3917
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