

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant Tuscany Hills, LLC Phone (208) 859-8848

Post Office address 82 East State Street, Suite B, Eagle, ID 83616

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 Applicant proposes to eliminate existing points of diversion and add three new points of diversion on-site. The applicant also proposes to add 0.7 acres to the permissible place of use.

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>63-31801</u>	<u>4/13/1967</u>	<u>0.72cfs/344.2af</u>	<u>Irrigation</u>	<u>3/15</u> to <u>11/15</u>
<u>63-31799</u>	<u>10/7/1968</u>	<u>0.30cfs/127.0af</u>	<u>Irrigation</u>	<u>4/1</u> to <u>11/1</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 1.02 cubic feet per second and/or 428 acre-feet per annum.

3. Source of water Ground Water tributary to NA

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		NW	SW	11	2N	3W	Canyon	
		NW	SW	11	2N	3W	Canyon	
		NW	SW	11	2N	3W	Canyon	

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	
2N	3W	10			0.4	34.6									19.0			3.5	57.5
		11						18.0	30.0			40.0							88.0

Superseded

Total Acres 95.1 irrigated acres within a 145.5 permissible place of use

PART 1

6. General Information:

- a. Description of diversion system Three wells with electric submersible pumps.
- 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:

- d. Remarks:
Applicant proposes up to three new wells to serve Tuscany Hills subdivision. Irrigation water will be delivered through a public water system or a pressurized irrigation system.

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. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____

b. License No. 63-31799 issued by the Idaho Department of Water Resources.

c. Claim No. 63-31799 on file with the Idaho Department of Water Resources.

d. Transfer No. 68832 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 NA
4. Date or priority 10/7/1968
5. Water is used for the following purposes:
- amount 0.30 cfs / 127.0 af 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)
6. Total amount of water under right 0.30 cubic feet per second and/or 127.0 acre-feet per annum.
7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		NW	SW	11	2N	3W	Canyon	
		NE	SE	11	2N	3W	Canyon	

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	
2N	3W	10				34.8									19.0				56.8
		11						18.0	30.0			40.0							88.0

Total Acres 144.8

9. Describe any other water rights used for the same purpose as described above 63-31801 has the same permissible place of use and purpose.

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

(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	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

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	

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	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

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	

Total Acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

D. DESCRIPTION OF RIGHT AS RECORDED

4. Right as evidenced by:
- e. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
 - f. License No. 63-31801 issued by the Idaho Department of Water Resources.
 - g. Claim No. 63-31801 on file with the Idaho Department of Water Resources.
 - h. Transfer No. 68832 which produced this right.

5. 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 _____

9. Source of water Ground Water tributary to NA

10. Date or priority 4/13/1967

11. Water is used for the following purposes:

amount <u>0.72 cfs / 344.2 af</u>	for <u>Irrigation</u>	purposes from <u>3/15</u>	to <u>11/15</u>
(cfs/ac-ft)			
amount _____	for _____	purposes from _____	to _____
(cfs/ac-ft)			
amount _____	for _____	purposes from _____	to _____
(cfs/ac-ft)			

12. Total amount of water under right 0.72 cubic feet per second and/or 344.2 acre-feet per annum.

13. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		NW	SW	11	2N	3W	Canyon	
		NE	SE	11	2N	3W	Canyon	

14. 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	
2N	3W	10				34.8									19.0				56.8
		11						18.0	30.0			40.0							88.0

Total Acres 144.8

11. Describe any other water rights used for the same purpose as described above 63-31799 has the same permissible place of use and purpose.

PART 2

12. 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 _____

E. 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)

3. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

6. 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	

Total Acres _____

F. 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)

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

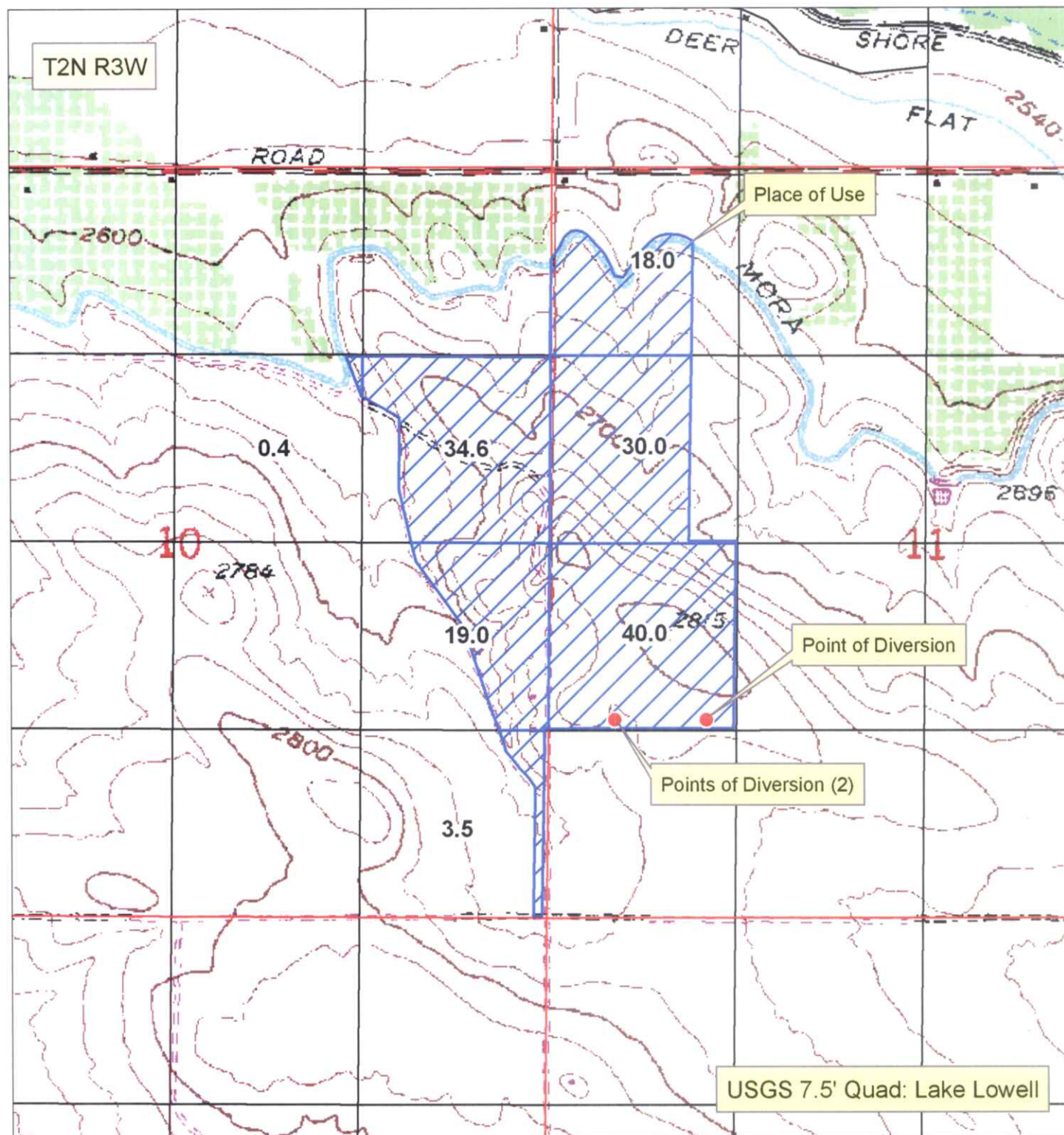
5. Lands irrigated or place of use:

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	

Total Acres _____

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.



PART 3

B. CHANGES IN NATURE OF USE

1.

New Nature of Use

Amount(cfs/af-ft)

Hours/days/year

Period of Use

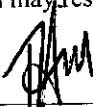
to

to
2.

Quantity and quality of return flows and location of discharge:
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.



(Signature of Applicant)

Subscribed and sworn to before me this _____ day of _____, 20_____.

(Notary Public)

My commission expires _____

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by sk Date 3-7-06 Protest filed by _____

Prelim. Check by _____ Fee 290⁰⁰ W033919

Received by sk Date 3-7-06

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 _____