

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 13779

RECEIVED

MAY 31 2005

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1WATER RESOURCES
WESTERN REGIONName of Applicant BERNARD and/or TONI CHOUTCHOURROU Phone (208) 459-1898Post Office address 6020 SE 10th AVE, CALDWELL, ID 83605

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 has acquired a 30-acre portion of water right 63-7194 and proposes moving right to applicant's operation and changing the nature of use from irrigation to stockwater.

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
TBD* Feb 7, 1969 0.50 cfs/135.2 ac-ft stockwater 1/1 to 12/31
*portion of 63-7194 _____ to _____
_____ to _____

2. Total amount of water being transferred 0.50 cubic feet per second and/or 135.2 acre-feet per annum.

3. Source of water GROUNDWATER tributary to N/A

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
4		SW	SW	19	6N	3W	PAYETTE	Three wells at this location

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	
6N	3W	19									S	S	S	S					
6N	3W	30						S	S										
6N	4W	24													S			S	
6N	4W	25	S	S	S	S									S	S		S	

— Superseded —

Total Acres _____ SCANNED

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PART 1

6. General Information:

Description of diversion system Three wells equipped with submersible pumps supply water to an existing dairy operation.

a. 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.

b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
The land will be removed from irrigation.

c. Remarks:
Applicant proposes to limit total diversion volume to the consumptive portion of the transferred right. The proposed consumptive portion is based on an average irrigation requirement of 987 mm per year from Appendix E of Allen and Brockway (1983), Swan Falls Power House climate station, for alfalfa hay, a typical crop grown on the seller's property. A copy of the contract for sale of this water right is attached.

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

SCANNED
JAN 03 2006

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. 63-7194 issued by the Idaho Department of Water Resources.
 - c. Claim No. 63-7194 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 GROUNDWATER tributary to _____

4. Date or priority FEBRUARY 7, 1969

5. Water is used for the following purposes:

amount 2.38 cfs / 642 ac-ft 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 2.38 cubic feet per second and/or 642 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SW	NE	21	1N	1W	Ada	

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	
1N	1W	21	38	31.5	33	40													142.5

*Acreage distribution per quarter-quarter based on SRBA recommendation for this right.

Total Acres 142.5

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

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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 0.50 cfs / 135.2 ac-ft 0 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	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SW	NE	21	1N	1W	ADA	

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	
1N	1W	21	3.5	3.8	9.2	13.5													30

Total Acres 30

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

1. amount 1.88 cfs / 506.8 ac-ft 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	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SW	NE	21	1N	1W	ADA	

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	
1N	1W	21	34.5	27.7	23.8	26.5													112.5

SCANNED

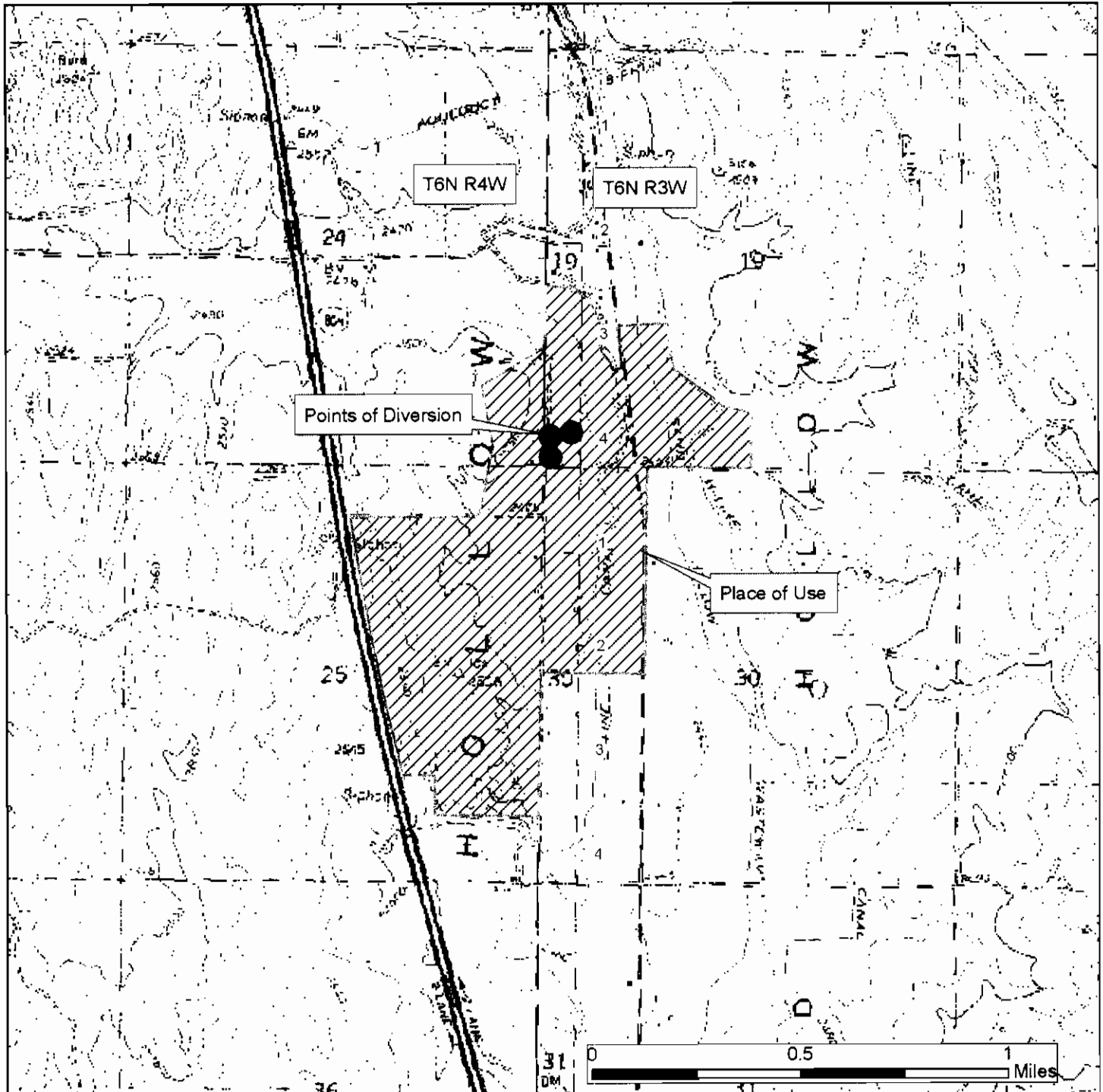
JAN 03 2006

Total Acres 112.5

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.



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PART 3

B. CHANGES IN NATURE OF USE

1.	<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	<u>STOCKWATER</u>	<u>0.50 cfs / 97.2 ac-ft</u>	<u>avg 6.4 hrs/day 365 days/yr</u>	<u>1/1 to 12/31</u>
				<u>to</u>

Quantity and quality of return flows and location of discharge: None

2. Describe effects on other water uses resulting from the proposed change:

Place of use will no longer be irrigated.

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.



Loni Choudhury
(Signature of Applicant)

Subscribed and sworn to before me this 23rd day of May, 2005.

Angel M. Francis
(Notary Public)

My commission expires 12-10-2008

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by LB Date 5/31/05 Protest filed by _____

Prelim. Check by R Fee \$290 - *

Receipted by LB W032995 Date 5/31/05

Published in ST + IE Copies of protest forwarded by _____

Pub. Dates 1-5 + 12-06 Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____ **SCANNED**

Copy of transfer sent to lien holder _____

*\$250 fee, \$40 Refund
processed ✓

JAN 03 2006