

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

RECEIVED

JUN 02 2004

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1
REVISED

WATER RESOURCES
Name of Applicant Western Regional Water K. and Wilma M. Thornton; Layne and Lori Thornton Phone (208) 922-5779; 922-4658

Post Office address 2800 S. Ten Mile Rd. Kuna, ID 83634**A. PURPOSE OF TRANSFER**

1. ☐ Change point of diversion ☒ Add diversion point(s)* ☐ Change place of use *63-2986 only
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Create 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>63-7474 "A"</u>	<u>10/1/1971</u>	<u>1.33 cfs/315.0 af</u>	<u>irrigation</u>	<u>Apr. 1</u> to <u>Oct. 31</u>
<u>63-3404 "A"</u>	<u>4/16/1964</u>	<u>3.60 cfs/652.5 af</u>	<u>irrigation</u>	<u>Apr. 1</u> to <u>Oct. 31</u>
<u>63-2986</u>	<u>4/12/1954</u>	<u>0.92 cfs/360.0 af</u>	<u>irrigation</u>	<u>Mar. 1</u> to <u>Nov. 15</u>

2. Total amount of water being transferred 5.85 cubic feet per second and/or 1327.5 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
1	NE	NE	NE	3	1N	1E	Ada	
	SE	NE	SE	3	1N	1E	Ada	

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	
1N	1E	2								40	40		23	33					136
		3	40	40	40	40					36	20			40	40		14	310

Total Acres 446**

**295 acres within a 446 acre PPU

6. General Information:

- a. Description of diversion system Two wells with electric pumps.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
X 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:
Acres within PPU will be rotated in and out of irrigation on an annual basis.

Remarks:

- 1) The total combined diversion rate under these rights not to exceed 5.60 cfs.
- 2) The total combined diversion rate under 63-2986 and 63-3404 "A" not to exceed 4.50 cfs.

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. 63-7474 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 NA

4. Date or priority 10/1/1971

5. Water is used for the following purposes:

amount 1.81 cfs / 427.5 afa for irrigation purposes from Apr. 1 to Oct. 31
(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 1.81 cubic feet per second and/or 427.5 afa acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
1		NE	NE	3	1N	1E	Ada	
		NE	SE	3	1N	1E	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	1E	2							20										20
		3									36	20					5	14	75

Total Acres 95

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?

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 1.33 cfs / 315 afa for irrigation purposes from Apr. 1 to Oct. 31
 (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
1		NE	NE	3	1N	1E	Ada	
		NE	SE	3	1N	1E	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	1E	3									36	20						14	70

Total Acres 70

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

1. amount 0.48 cfs / 112.5 afa for irrigation purposes from Apr. 1 to Oct. 31
 (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
1		NE	NE	3	1N	1E	Ada	
		NE	SE	3	1N	1E	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	1E	2							20										20
		3															5		5

Total Acres 25

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. 63-3404 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 NA4. Date or priority 4/16/1964

5. Water is used for the following purposes:

amount 3.68 cfs / 670.5 afa for irrigation purposes from Apr. 1 to Oct. 31
(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 3.68 cubic feet per second and/or 670.5 afa acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
1	NE	NE	NE	3	1N	1E	Ada	
	SE	NE	SE	3	1N	1E	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	1E	3	37	36	39	36									38	39			225
		2							4										4

Total Acres 2299. Describe any other water rights used for the same purpose as described above 63-2986

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 3.60 cfs / 652.5 for irrigation purposes from Apr. 1 to Oct. 31
 (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
1	NE	NE	NE	3	1N	1E	Ada	
	SE	NE	SE	3	1N	1E	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	1E	3	37	36	39	36					38	39							225

Total Acres 225**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 0.08 cfs / 18.0 afa for irrigation purposes from Apr. 1 to Oct. 31
 (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
1	NE	NE	NE	3	1N	1E	Ada	
	SE	NE	SE	3	1N	1E	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	1E	2							4										4

Total Acres 4

REVISED
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

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. 63-2986 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 NA
4. Date or priority 4/12/1954
5. Water is used for the following purposes:

amount 0.92 cfs/ 360.0 afa for irrigation purposes from Mar. 1 to Nov. 15
(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 0.92 cubic feet per second and/or 360.0 afa acre-feet per annum.
7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
1	NE	NE	NE	3	1N	1E	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	1E	3	37	37	6														80

Total Acres 80

9. Describe any other water rights used for the same purpose as described above 63-3404

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	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 _____

D. 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

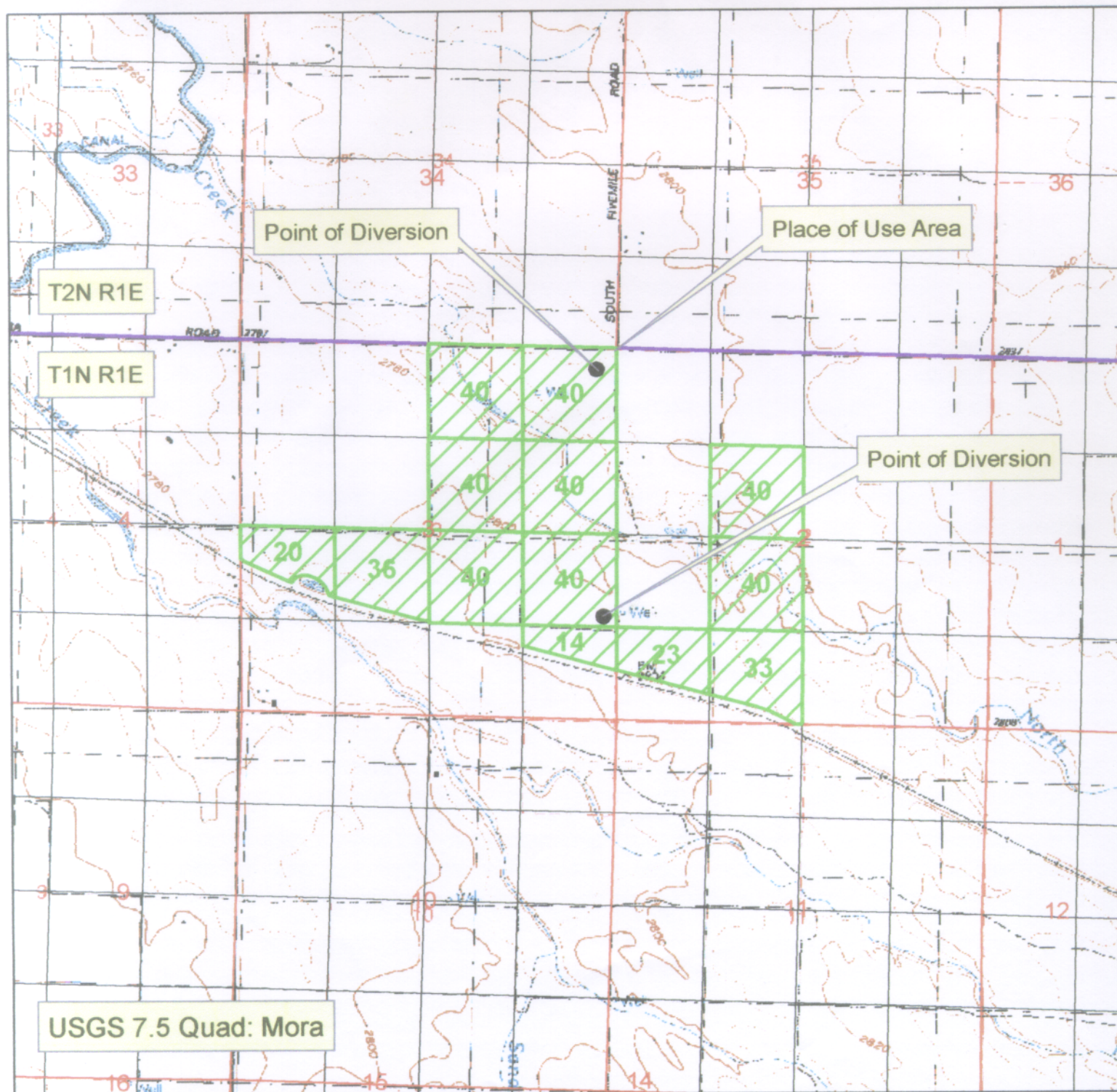
3. Lands irrigated or place of use:

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	

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.



Scale: 1 inch equals 2000 feet.

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>
_____	_____	_____	_____ 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.

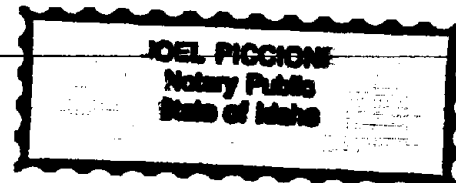
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Lance K. Thompson
Michael M. Thornton
(Signature of Applicant)

Subscribed and sworn to before me this 27th day of May, 2004.

Joel Piccione
(Notary Public)

My commission expires 4-16-07

**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by OAN Date 6-2-04 Protest filed by _____

Prelim. Check by OAN Fee \$450.00

Received by OAN FOR K.G. Date 12-9-03 42031166

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 _____

December 3, 2003

Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Water Right Transfer by LaVar Thornton and Layne Thornton

Gentlemen:

Wells Fargo Bank is the mortgage holder on property located in Section 3, T 1N, R1E that was purchased from Anthony Miller by LaVar and Layne Thornton. We understand that the Thorton's are proposing a water right transfer to create a permissible place of use for water right 63-2986 and their portions of water rights 63-3404 and 63-7474. The permissible place of use would include the mortgage lands in Section 3, and other Thornton lands in Section 2. The bank does not oppose this proposed transfer.

Please contact me with any questions.

Sincerely,



Norman G. Jensen
Vice President & Business Banker