

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESTransfer No. 71330

RECEIVED

APR 27 2004

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1WATER RESOURCES  
DIVISIONApplicant High Plains LLC, c/o Frank Ficken Phone (925) 963-0895Post Office address 2724 Lavender Dr., Walnut Creek, CA 94596

## 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 split water right 63-31213 into twenty-two pieces for irrigation of residential lots at High Plains Estates subdivision. This transfer is for lot 6 of block 1.

## 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>TBD</u><br>(portion of 63-31213) | <u>4/26/1971</u> | <u>0.11 / 24.3</u> | <u>irrigation</u> | <u>4/15</u> to <u>10/15</u> |
| _____                               | _____            | _____              | _____             | _____ to _____              |
| _____                               | _____            | _____              | _____             | _____ to _____              |

2. Total amount of water being transferred 0.11 cubic feet per second and/or 24.3 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 |
|-----|---|----|----|-----|-----|-----|--------|--------------------------|
|     |   | SE | SW | 6   | 5N  | 2W  | 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 |        |
| 5N  | 2W  | 6   |      |    |    |    |      |    |    |    |      |    |    | 5.4 |      |    |    |    | 5.4    |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |     |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |     |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |     |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |     |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |     |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |     |      |    |    |    |        |

Total Acres 5.4

## PART 1

**6. General Information:**

- a. Description of diversion system Well with electric pump.
- \_\_\_\_\_
- \_\_\_\_\_
- 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:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

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### 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. 63-31213 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 4/26/1971

## 5. Water is used for the following purposes:

amount 3.68 / 828 for irrigation purposes from 4/15 to 10/15  
(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 3.68 cubic feet per second and/or 828 acre-feet per annum.

## 7. Point(s) of Diversion:

| Lot | ¼  | ¼  | ¼  | Sec | Twp | Rge | County | Local name for diversion |
|-----|----|----|----|-----|-----|-----|--------|--------------------------|
|     | SW | SW | SW | 5   | 5N  | 2W  | Canyon |                          |
|     |    |    |    |     |     |     |        |                          |
|     |    |    |    |     |     |     |        |                          |

## 8. Lands irrigated or place of use:

9.

| 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 |        |
| 5N  | 2W  | 6   |      |    |    |    |      |    |    |    |      |    | 35 | 38 |      |    | 38 | 35 | 146    |
| 5N  | 3W  | 1   |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    | 38 | 38     |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |        |

Total Acres 1849. 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 0.11 / 24.3 for irrigation purposes from 4/15 to 10/15  
 (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 | SW | SW | 5   | 5N  | 2W  | Canyon |                          |
|     |    |    |    |     |     |     |        |                          |
|     |    |    |    |     |     |     |        |                          |

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 |        |
| 5N  | 2W  | 6   |      |    |    |    |      |    |    |    |      |    |    | 5.4 |      |    |    |    | 5.4    |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |     |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |     |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |     |      |    |    |    |        |

Total Acres 5.4

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

1. amount 3.57 / 803.7 for irrigation purposes from 4/15 to 10/15  
 (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 | SW | SW | 5   | 5N  | 2W  | Canyon |                          |
|     |    |    |    |     |     |     |        |                          |
|     |    |    |    |     |     |     |        |                          |

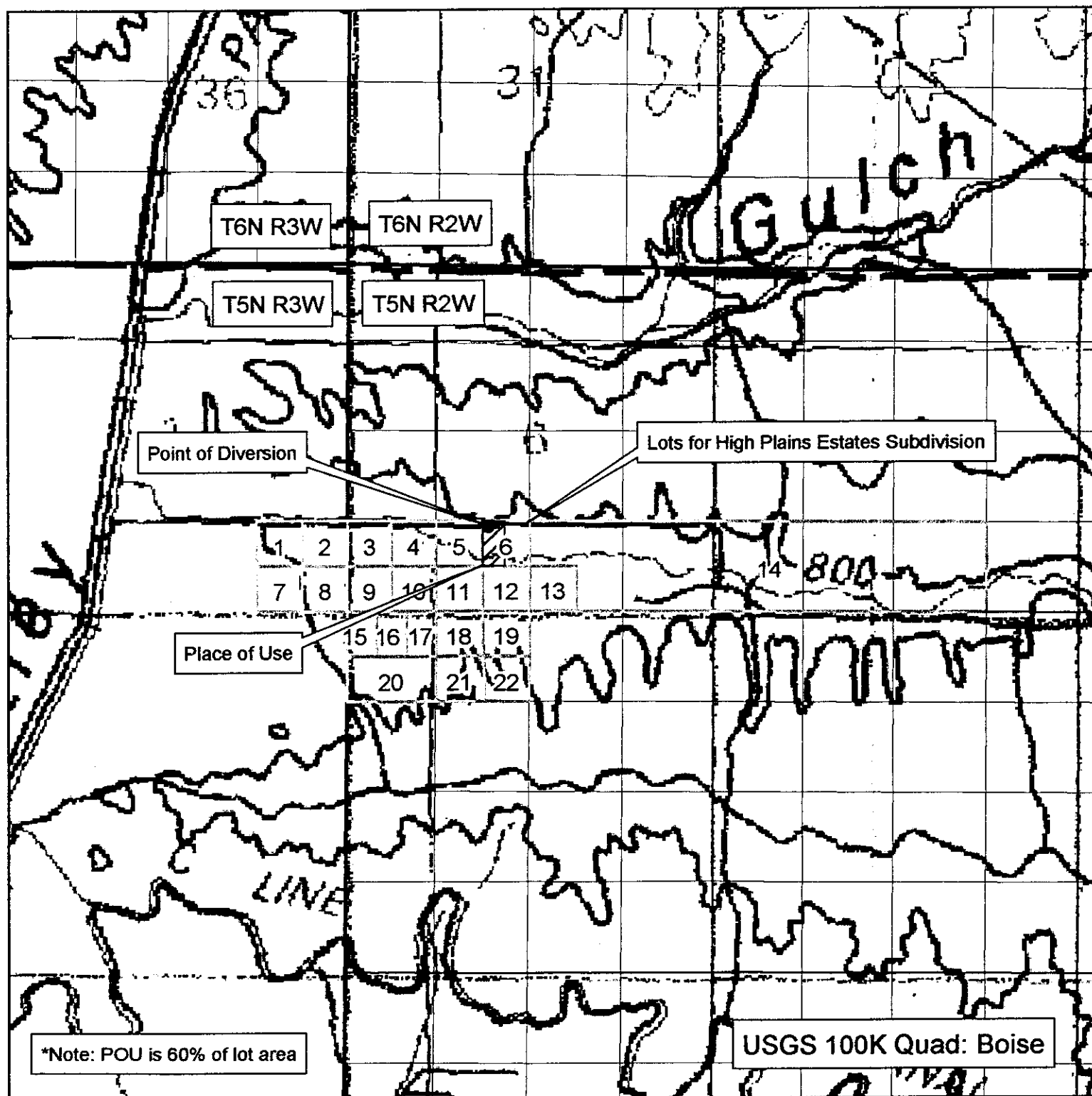
3. Lands irrigated or place of use:

| 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 |        |
| 5N  | 2W  | 6   |      |    |    |    |      |    |    |    |      |    | 35 | 32.6 |      |    | 38 | 35 | 140.6  |
| 5N  | 3W  | 1   |      |    |    |    |      |    |    |    |      |    |    |      |      |    |    | 38 | 38     |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |      |      |    |    |    |        |
|     |     |     |      |    |    |    |      |    |    |    |      |    |    |      |      |    |    |    |        |

Total Acres 178.6

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. | <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: NA
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.

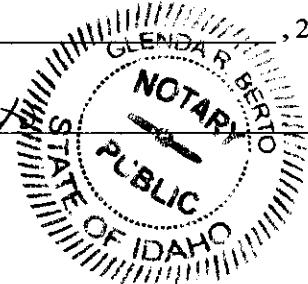
I understand that any willful misrepresentations made in this application may result in voiding its approval.

[Signature]  
(Signature of Applicant)

Subscribed and sworn to before me this 14th day of April, 2004

[Signature]  
(Notary Public)

My commission expires 5-15-04

**FOR DEPARTMENT USE ONLY**

Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments

Received by [Signature] Date 4/27/04 Protest filed by \_\_\_\_\_

Prelim. Check by \_\_\_\_\_ Fee 100.00

Receipted by [Signature] Date 4/27/04 W031609

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 \_\_\_\_\_