

(Internet)

RECEIVED

SEP 25 2003

Department of Water Resources
Eastern Region

Page 1 of 8

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 70840

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant David M. For Lisa Tooke Phone 407-366-4197
Post Office address 17116 Carillon Park Drive, Oviedo FL 32765

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 See attached

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 |
|---|-------------|-----------------------|------------------|------------------------|
| 22- See
Remarks
13276 | May 9, 1978 | .28 | Irrigation | April 15 to October 15 |
| | | | | to |
| | | | | to |
| | | | | to |
| | | | | to |
| 2. Total amount of water being transferred <u>.28</u> cubic feet per second and/or _____ acre-feet per annum. | | | | |
| 3. Source of water <u>Ground Water</u> tributary to _____ | | | | |
| 4. Point(s) of Diversion: | | | | |

[illegible]

5. Lands irrigated or place of use:

[illegible]

SCANNED

OCT 08 2003

Total acres 19.5

Тяжелко

PART 1

6. General Information:

a. Description of diversion system well/pump to sprinkler system

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:

N/A

d. Remarks:

See 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 said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

SCANNED
OCT 08 2003

T70840

Part 1, Section A, Question 2.

The current point of diversion serves 160 acres, known as the Mead parcels (NW ¼ Township 5N Range 44E Section 11) as well as a larger tract north of the 160 acres. This point of diversion is located off said 160 acres and is separated from the parcels by county road 400 North (also known as Packsaddle road). The 160 acres have been subdivided into eight (8) 20-acre parcels. We recently purchased (July 9, 2003) the parcel that is located furthest from the point of diversion (south ½ of the southwest ¼ of the northwest ¼). In order to irrigate, we would have to pump the water under 400 North as well as across three (3) neighboring parcels. Note: there currently are no permanent water lines from the current point of diversion. Since the well and pump at the current point of diversion is designed to supply water to a much larger area compared to our 20 acres, the cost of operating the pump at the current point of diversion is considerable. It would be more efficient, cost effective, and less obtrusive to move the point of diversion to the point of use.

Part 1, Section B, Question 6 d. Remarks:

Note that a Notice of Change in Water Right Ownership has not been processed for our property. We purchased the 20 acre parcel and associated water rights from Peter and Leslie Mead, and Muffy Ferro (Mead) July 9, 2003. The Mead's address is PO Box 239 Teton, ID 83452. A copy of the Warranty Deed is attached. The Mead's Water Right number is 22-13255. Since ownership change by the Idaho Department of Water Resources has not been completed, the water right amount associated with the 20 acre parcel is not known and we are therefore estimating the water right that will be apportioned to us to be approximately .29 cfs.

SCANNED

OCT 08 2003

page 4 of 8

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Transfer No. 70840
Receipt No. _____

Current Water Right No. 22-13276

Priority Date: 05/09/1978
Origin: Adjudication Claim
Basis: License
Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/15	0.28 CFS	68.2 AFA	
	Total Diversion	0.28 CFS	68.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER NWSESW 05N 44E 2 TETON

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N 44E 11							19.5										19.5

Total Acres: 19.5

Conditions/Remarks:

1. this right is a split of 22-13272

Documentation of Ownership of the Current Place of Use
Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer
none no change

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

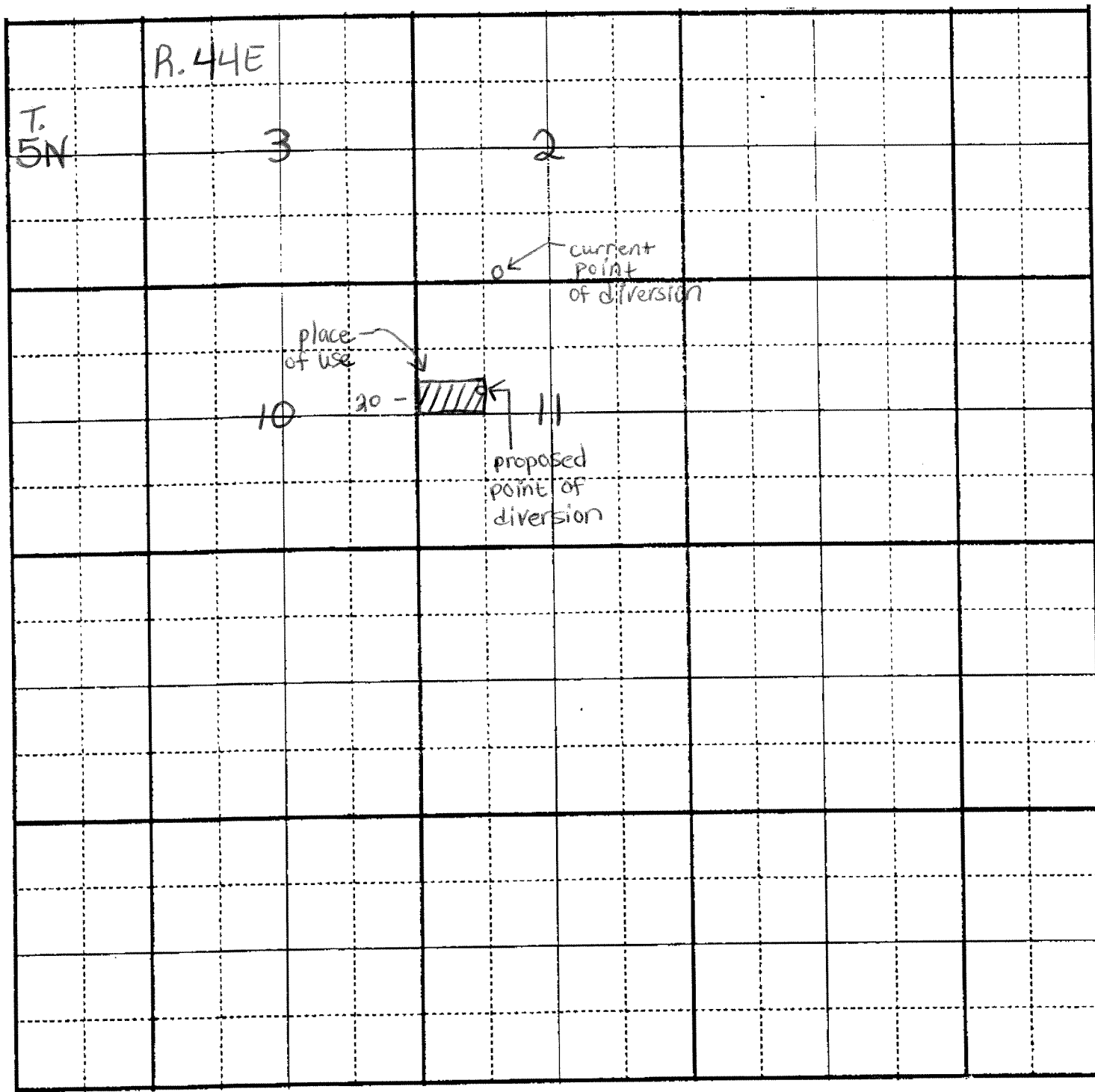
SCANNED

OCT 08 2003

T70840

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 rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

T70840

SCANNED

OCT 08 2003

0 1.5km

0 1.25mi

20-

400 North

of current point
of diversion

SCANNED

OCT 08 2003

FROM : ALTA REALTY

FAX NO. : 208-354-8992

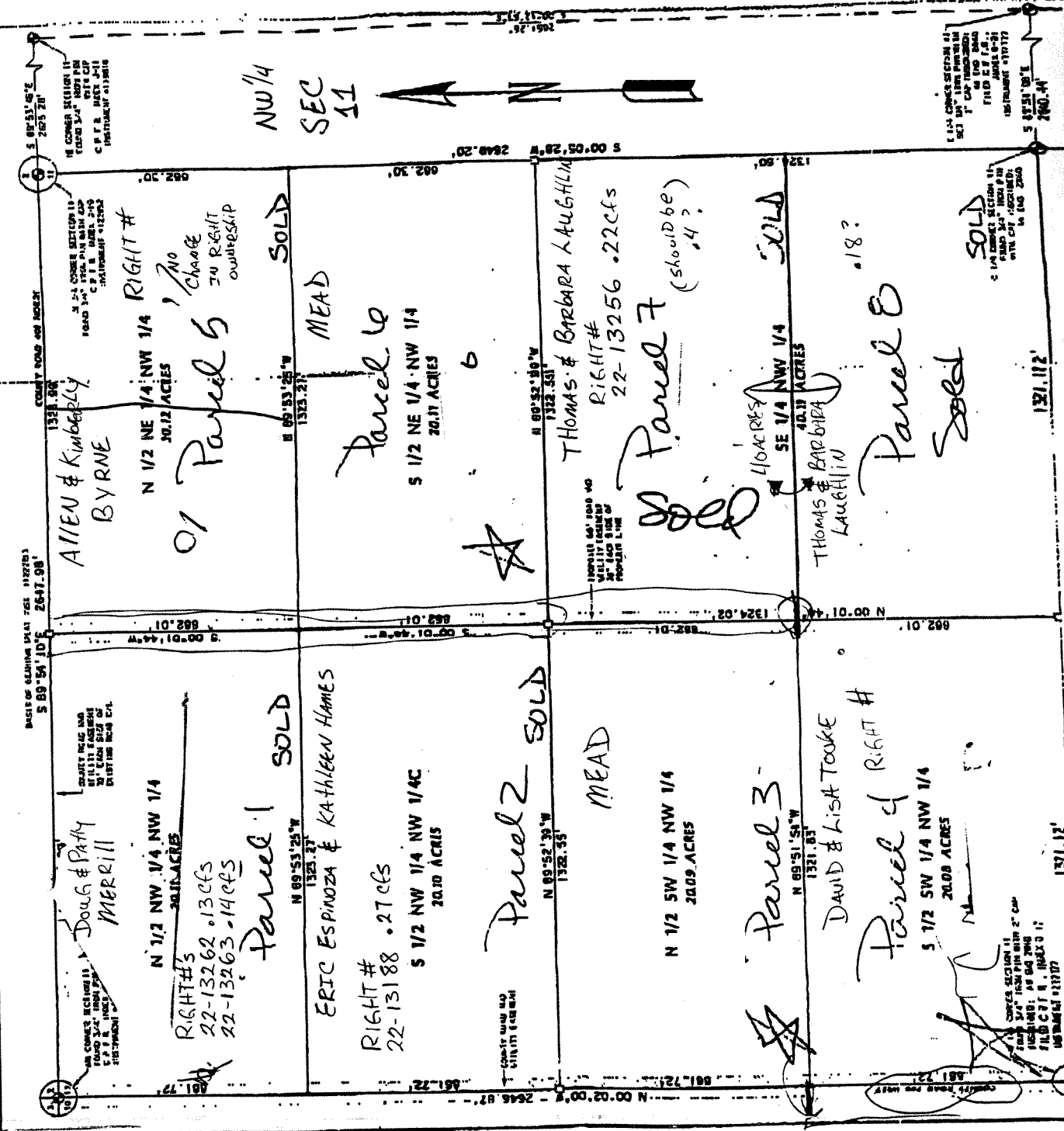
Jun. 02 2003 04:07PM P1

SEC 2

Map 20 Acre PARCELS

T 5N
R 44E
Sec 11
NW 1/4

T70840



MEAD RIGHT #
22-13255 1.36 cfs
NE NW 38 ACRES
SW NW 39 "
SE NW 18 " -> Laughlins?

SCANNED
OCT 08 2003

AVAILABLE

PART 3

B. CHANGES IN NATURE OF USE

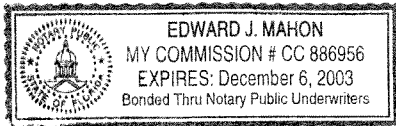
1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
				to
				to

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.



[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 19th day of SEPT, 2003

[Signature]
(Notary Public)

My commission expires 12-6-03

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 1 attachments

Received by DC Date 9/25/2003

Prelim. check by DC Fee 250

Received by DC Date 9/25/2003

Published in Teton Valley News

Pub. dates 1/1 & 1/8/04

Watermaster recommendation requested on _____

Protest filed by _____

EO29236

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for ☒ approval ☐ denial

_____ rec'd. _____

by RDC

Copy of transfer sent to lien holder _____

SCANNED
OCT 08 2003

T70840

RECEIVED

155929

3050312208-T
ALLIANCE TITLE & ESCROW CORP. INC.
P.O. BOX 644 / 78 N. MAIN STREET
DRIGGS, IDAHO 83422

JUL 10 2003

TELEPHONE ID
CLERK RECORDER

WARRANTY DEED

Order No.: 3050312208-T

For Value Received

Peter Bradford Mead and Leslie J. Mead, Husband and Wife an undivided $\frac{1}{2}$ interest and Muffy E. Ferro, formerly known as Muffy E. Mead, an undivided $\frac{1}{2}$ interest as tenants in common

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

David M. Tooke and Lisa Tooke, Husband and Wife

whose current address is

1716 Carillon Park Drive Oviedo, FL 32765

the grantee(s), the following described premises, in Teton County, Idaho, TO WIT:

Township 5 North, Range 44 East, Boise Meridian, Teton County, Idaho.
Section 11: S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 7/07/2003

Peter Bradford Mead

Leslie J. Mead

Muffy E. Ferro by Leslie J. Mead as Attorney-in-fact

State of Idaho }
County of Teton } ss.

On this 9th day of July, 2003, before me, a Notary Public in and for said state, personally appeared Peter Bradford Mead and Leslie J. Mead

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.

CELIA C. JONES
NOTARY PUBLIC
STATE OF IDAHO

Notary Public for the State of Idaho
Residing at: Driggs
Commission Expires: 11/19/05

State of Idaho }
County of Teton } ss.

On this 9th day of July, 2003, before me, a Notary Public in and for said state, personally appeared Leslie J. Mead known or identified to me to be the person(s) whose name(s) subscribed to the within instrument as Attorney-in-fact of Muffy E. Ferro, and acknowledged to me that she subscribed the name of Muffy E. Ferro as principal and his/her own name as Attorney-in-fact.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.

CELIA C. JONES
NOTARY PUBLIC
STATE OF IDAHO

Notary Public for the State of Idaho
Residing at: Driggs
Commission Expires: 11/19/05

155929

SCANNED

OCT 08 2003

T 70840

ATTACHMENT 1 OF 1