

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 70989
RECEIVED
DEC 22 2003
Department of Water Resources
Southern Region

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant GEORGE & PAMELA FORESTER Phone 208-838-2212
Post Office address P.O. BOX 924, CHALLIS, ID 83226

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 WATER WILL BE USED AT THE
MINE (THREE RIVERS STONE QUARRY).

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>72-7247</u> | <u>02-03-1983</u> | <u>.11/10</u> | <u>MINING</u> | <u>4/01</u> to <u>11/01</u> |
| <u>72-7247</u> | <u>"</u> | <u>.11/10</u> | <u>DIVERSION TO STORAGE</u> | <u>4/01</u> to <u>11/01</u> |
| <u>72-7247</u> | <u>"</u> | <u>.11/1.5</u> | <u>MINING STORAGE</u> | <u>0/01</u> to <u>12/31</u> |
| <u>72-7247</u> | <u>"</u> | <u>.11/1.5</u> | <u>MINING FROM STORAGE</u> | <u>11/02</u> to <u>3/31</u> |
2. Total amount of water being transferred .11 cubic feet per second and/or 10 acre-feet per annum.
3. Source of water SALLON RIVER tributary to SNAKE RIVER
4. Point(s) of Diversion: NO CHANGE

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

5. Lands irrigated or place of use: RETAIN ORIGINAL PLACE OF USE & ADD MINE AREA

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11N	18E	11														X*			LOT 5
11N	18E	11														X*			LOT 8
11N	18E	22	X ¹⁰		X ¹⁰	X ¹⁰									X	X	X	X	
11N	18E	23						X	X	X	X	X	X	X					
11N	18E	26					X	X											
* 11N	18E	27	X																

* PER 12/23/2003 TELECOM WITH ERIC KLEPPER

* LOCATION OF MINING STORAGE USE
PER 12/23/2003 TELECOM WITH ERIC KLEPPER

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVED

DEC 16 2003

Department of Water Resources
Southern Region

Southern Region
Name of applicant GEORGE E PANALLA FORESTER Phone 208-838-2212
Post Office address P.O. BOX 924, CHALLIS, ID 83226

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 WATER WILL BE USED AT THE
THREE STONE QUARRY

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 72-7247 Priority 02-03-1983 Amount (cfs/ac-ft) .11/12 Nature of Use MINING Period of Use 4/01 to 11/01
2. Total amount of water being transferred 10 cubic feet per second and/or 10 acre-feet per annum.
3. Source of water SALMON RIVER tributary to SNAKE RIVER
4. Point(s) of Diversion: NO CHANGE

[illegible]

5. Lands irrigated or place of use: ~~RETAIN ORIGINAL PLACE OF USE~~ ADD MINE AREA

[illegible]

PART 1

6. General Information:

a. Description of diversion system NO CHANGE IN DIVERSION SYSTEM -
PUMP IN RIVER EXTRACTING WATER TO A 10,000 GALLON
HOLDING TANK 50 GPM (5HP) AND/OR TO A POND.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? NO 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:

THE EXISTING IRRIGATED LAND (APPROX 4 AC.) WOULD NO
LONGER BE IRRIGATED FOR AGRICULTURAL USE. REVERTS
BACK TO A NON-IRRIGATED CONDITION.

d. Remarks:

SEE ATTACHED PROJECT DESCRIPTION.

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 _____.

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 evidenced by:

- a. Decree No. 72-7247 Decreed to GEORGE & PAMELA FORESTIER
in case of _____ vs. _____
dated 12/01/2000 in 5th DIST. COURT county of TWIN FALLS
- b. License No. _____ 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 a 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 SALMON RIVER tributary to SNAKE RIVER

4. Date or priority 02-03-1983

5. Water is used for the following purpose:

amount .11/12 for IRRIGATION purposes from APRIL 1 to NOV. 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 .11 cubic feet per second and/or 12 acre-feet per annum.

7. Point(s) of Diversion: NO CHANGE

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
5	SW	NW	SE	11	11N	18E	CUSTER	NONE

8. Lands irrigated or place of use: LOT 5 & 8

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11N	18E	11																	
11N	18E	11																	

Total acres _____

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

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 ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

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 ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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.**

SEE ATTACHED
MAP

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

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>MINING</u>	<u>.11 / 10</u>	<u>24 / 7 / 365</u>	<u>APRIL 1 to NOV. 1</u>
				to _____

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

SEE ATTACHED PROJECT DESCRIPTION. WATER USE IS ALL
CONSUMPTIVE (10 AC-FT)

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

TRANSFER OF ONLY THE CONSUMPTIVE PORTION (10 AC-FT) WILL
RESULT IN NO NET CHANGE TO OTHER WATER USES.

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.

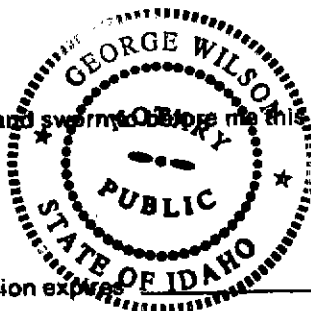
I understand that any willful misrepresentations made in this application may result in voiding its approval.

X George B. Forester
X Pamela L. Forester
 (Signature of Applicant)

Subscribed and sworn to before me this

11 Dec

day of

Dec2003

My commission expires

06/08

(Notary Public)

06/08**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by P. SKINNERDate 12/16/2003

Protest filed by _____

Prelim. check by P. SKINNERFee \$100.00 S026340Receipted by P. SKINNERDate 12/18/2003

Published in _____

Copies of protest forwarded by _____

Pub. dates _____

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

rec'd. _____

by _____

Copy of transfer sent to lien holder _____

KMS

Klepfer Mining Services LLC

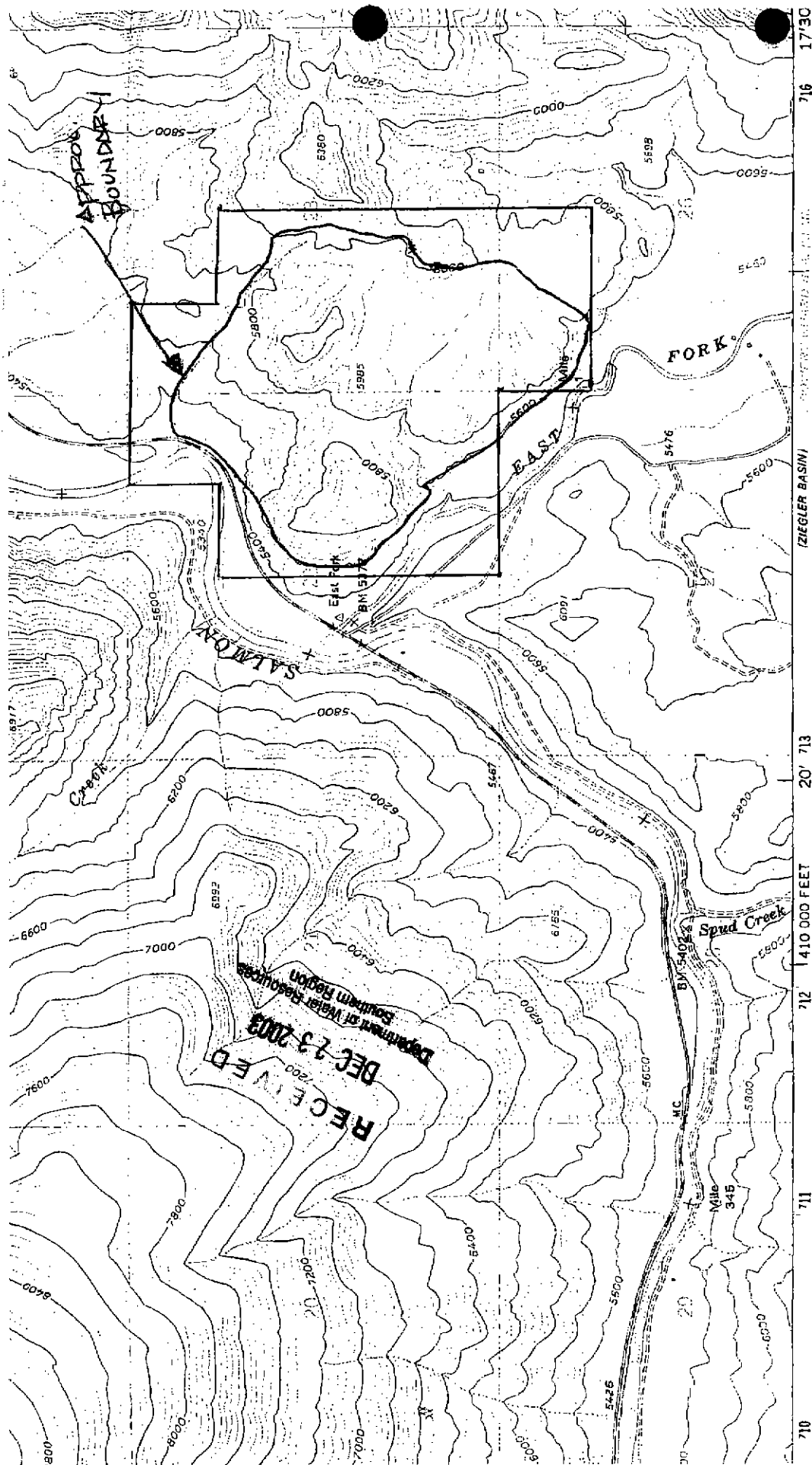
13058 Sherwood Court
Hayden Lake, Idaho 83835
(208) 772-6993
(208) 772-3480 Fax

Fax

To: Corey Skinner (IDWR)
From: Eric Klepfer
CC: _____
Date: December 23, 2003
Pages 2 (Including cover page)

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DEC 23 2003
Department of Water Resources
Southern Region

Attached is a map showing the original section outline and the approximately mine boundary for the place of use determination for the water rights application. I imagine that there will be some distortion in the map from the fax but will provide a good approximation of the intended place of use for water.



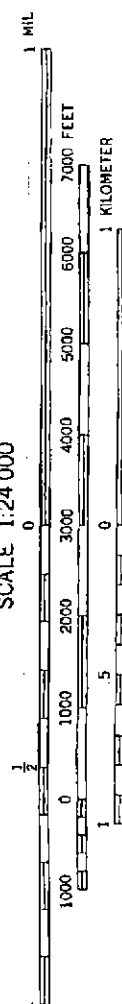
edited, and published by the Geological Survey
USGS and USC&GS

by photogrammetric methods from aerial photos taken 1957. Field checked 1963

projection. 1927 North American datum
not grid based on Idaho coordinate system, central zone
at Universal Transverse Mercator grid ticks,
shown in blue

in the predicted North American Datum 1983 projection lines 13 meters north and east as shown by dashed corner ticks fitted, land lines have not been established be private inholdings within the boundaries of

SCALE 1:24 000



CONTOUR INTERVAL 40 FEET
DOTTED LINES REPRESENT 20-FOOT CONTOURS
NATIONAL GEODETIC VERTICAL DATUM OF 1929

UTM GRID AND 1963 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS

THIS MAP COMPLETES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST