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JUL 19 2023
DEPARTMENT OF WATER RESOURCES

Form 42-1761-1 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

Print Form

APPLICATION TO SELL OR LEASE A WATER RIGHT TO THE WATER SUPPLY BANK

RECEIVED
JUL 17 2023
WATER RESOURCES
WESTERN REGION

Designated Applicant David Ascuena
(Select one owner – see item 1A on the application)

Water Right No. 61-7041
(One water right per application)

Is this application being submitted with a rental application as a lease/rental package? Yes ☑ No ☐

This application must be prepared in accordance with the minimum requirement checklist below. Use this checklist to ensure all necessary documentation has been provided. This checklist is part of the lease application and must be included with the lease application. **Applications that do not meet the minimum requirements will not be processed and may be returned or denied.**

MIMUMUM REQUIREMENT CHECKLIST

All items must be checked as either *Attached* (Yes) or *Not Applicable* (N/A)

	Yes	
	☑	Completed *Application to Sell or Lease a Water Right to the Water Supply Bank.*
	☑	Application filing fee of $250.00 per water right. If you are submitting more than one lease application and the water rights have an overlapping, common place of use, or a common diversion rate or volume, the total fee for all water rights is $500.00. For places of use, multiple water rights must be used to irrigate the same lands in order to qualify for the joint filing fee. Individual filing fees are required for water rights that share a common permissible place of use but which cover separate acres within the permissible place of use.
	☑	Confirmation this form has been printed **single sided**, per requirement of the Water Supply Bank.

Attachment	N/A	Yes	
1A	☐	☑	Signatures and contact information for ***all owners*** of the water right to be leased or sold on this application.
1B	☐	☑	An Internal Revenue Service (IRS) Form W-9 for the Designated Applicant.
1C	☑	☐	*Notice of Change in Water Right Ownership* form (accessible from www.idwr.idaho.gov).
1D	☑	☐	Contact information for an authorized representative and documentary proof they are authorized to represent the Designated Applicant on this application. If the Designated Applicant is a business, partnership, municipality, organization or association, include documents identifying officers authorized to sign or act on behalf of the entity.
2	☑	☐	Description of a water right portion offered to the Water Supply Bank.
3	☑	☐	A map that clearly outlines the specific location where irrigated acres will be dried up, or where a beneficial use of water will be suspended. You have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov.
4A	☐	☑	Written consent from irrigation district or water delivery company.
4G	☐	☑	Evidence demonstrating the water right has not been forfeited pursuant to Section 42-222(2), Idaho Code.

Department Use Only

Fee Amount $ 250	Received By: P. Mansfield Western	Date Received: 7/19/23	Receipt # W051406
W-9 received? Yes ☑ No ☐	(Route W-9 to Fiscal)	Name on W-9: David G. Ascuena	

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STATE OF IDAHO
WATER RESOURCE BOARD

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WATER RESOURCES
WESTERN REGION

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

1. CONTACT INFORMATION

A. This application must be completed by a Designated Applicant who is a current owner of the water right being sold or leased to the Water Supply Bank. If there are additional current owners, those individuals must authorize the Designated Applicant to represent them on this application by completing and signing Attachment 1A of this application package.

Designated Applicant David Ascuena D.B.A. ASCUENA FARMS LLC

Mailing Address 4020 S Main (Street) Mountain Home (City) ID (State) 83647 (Zip Code)

Email Address dascuena@q.com Phone Number (208) 599-0454

☐ The Designated Applicant is the sole owner of the water right being sold or leased to the Water Supply Bank.

OR

☐ The Designated Applicant is representing additional water right holders who have completed Attachment 1A.

B. Has the Designated Applicant submitted an IRS Form W-9 to this Department within the last 2 years? Yes ☐ No ☐
If no, complete the form and attach to this application (Attachment 1B).

C. Are all applicants on this form listed in IDWR's records as the current owners of the water right? Yes ☑ No ☐
If no, attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee (Attachment 1C).

D. Is this application being completed by an authorized representative of the Designated Applicant? Yes ☐ No ☑
If yes, representatives (includes employees of Designated Applicant companies) must complete this section and submit documentary proof of their authority to represent the Designated Applicant (Attachment 1D).

Name of Representative _____ Organization _____

Professional Title _____ Email Address _____

Mailing Address _____ Phone Number _____

☐ Send all correspondence for this application to the representative and not to the Designated Applicant.

OR

☐ Send original correspondence to the Designated Applicant and copies to the representative.

2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

☐ The full water right is being offered to the Bank.

OR

☑ A part of the water right is being offered to the Bank.
If a portion of the water right is being offered, **complete Attachment 2**.

3. MAP

Attach a map of the point(s) of diversion and place(s) of use proposed to be idled by this lease application. Make sure the idled place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to idle. If the water right proposed for lease is located within a permissible place of use (PPU) and portions of the PPU will continue to receive water from non-leased water rights, clearly outline on a map the acres within the PPU that will continue to be irrigated, as well as acres that will be idled during the lease term. Label the map **Attachment 3**.

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

4. GENERAL INFORMATION

A. Is the diversion works or system owned or managed by an irrigation district or water delivery company? Yes ☐ No ☑
If yes, provide written consent from the company, corporation or irrigation district authorizing the proposed sale or lease (Attachment 4A).

If your water right is delivered through a canal, lateral or ditch operated by a canal company, irrigation district, or similar delivery entity, your lease request must include written consent from the company, district, or similar entity for your removal of water from its system pursuant to Section 42-108, Idaho Code and IDAPA WSB Rule 37.02.03.25.02e.

B. Please provide a description of the current water diversion and delivery system.

The current water diversion and delivery system includes pivot and handline irrigation. Water is pumped from a well and pressured from a point to the afore mentioned systems.

C. Describe any other water rights used for the same purpose at the same place of use as the water right being offered to the Bank. This place of use is utilizing Mountain Home Irrigation District Surface Water and the remaining ground water right.

D. Are any of the water rights identified in Section 4C stacked with the water right proposed for lease? Yes ☐ No ☑

Stacked water rights are used together to achieve a common beneficial use, such as irrigation of the same lands. Stacked water rights cannot be separated and must be jointly leased to the Water Supply Bank. Stacked water rights qualify for the multiple fee payment of $500.

E. Will the present place of use continue to receive water from any other source? Yes ☑ No ☐

If yes, explain the relationship between the different water sources and how enlargement of the authorized use will not occur if this water right is leased. The ground where the water right is currently applicable will continue to recieve Mountain Home Irrigation District surface water shares and the remaining ground water right.

F. Identify annual volumes and/or rates of water diverted in the last 5 years to accomplish the beneficial use authorized by this water right. Irrigated as per water right.

G. Has any portion of this water right undergone a period of five or more consecutive years of non-use? Yes ☐ No ☑

If yes, describe the circumstances and attach evidence to demonstrate how the water right has not been lost through forfeiture (Attachment 4G). See Section 42-223, Idaho Code for exceptions to forfeiture. Your application may be denied if forfeiture concerns are not addressed.

H. Is this water right involved in any other IDWR process, such as an application for transfer or a mitigation plan?

If yes, describe. Yes ☑ No ☐

This water right is involved in designating a permissible place of use.

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

5. SALE/LEASE AGREEMENT

A. Is the water right, or portion thereof, offered to the Idaho Water Resource Board (IWRB) for sale ☐ or lease ☑?
If lease, specify the years when the use of water will be suspended: 2024 (Year) to 2029 (Year) (maximum lease period 5 calendar years).

B. Show the minimum payment acceptable to the seller/lessor. The minimum payment may be shown as the "current rental rate" as established by the IWRB. Include the method of determining the minimum payment if other than the current rental rate.
The rental rate is agreed upon as $11.50/afa. As per budgeting.

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this water right for sale or lease to the Idaho Water Resource Board.

The Designated Applicant acknowledges the following:

1. Payment to the Designated Applicant is contingent upon the sale or rental of the water right from the Bank.
2. While a water right is in the Bank, the seller/lessor of the water right may not use the water right, even if the water right is not rented from the Bank.
3. A water right accepted into the Bank stays in the Bank until the Designated Applicant receives written confirmation from the Board or Water Supply Bank that the water right has been released from the Bank.
4. While a water right is in the Bank, forfeiture is stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any element of the water right.

Signature of Designated Applicant	Printed Name	Date
David G Ascuena	DAVID G ASCUENA	7/13/23
Signature of Authorized Representative	Printed Name	Date

Mail to:
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Print Form

Attachment 3

If designated acres are in field A, no acres in field B will be irrigated, Thus the transferred water will come from field B, that could have been irrigated under the 139-acre water right and are not utilized in field A will be transferred.

Those transferred acres reported here are in no particular portion of field B. On the years field B is the designated place of the use the transferred amount will come from no particular portion of field A.

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STATE OF IDAHO
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Complete Attachment 2 if only a portion of the water right is offered to the Bank.

ATTACHMENT 2

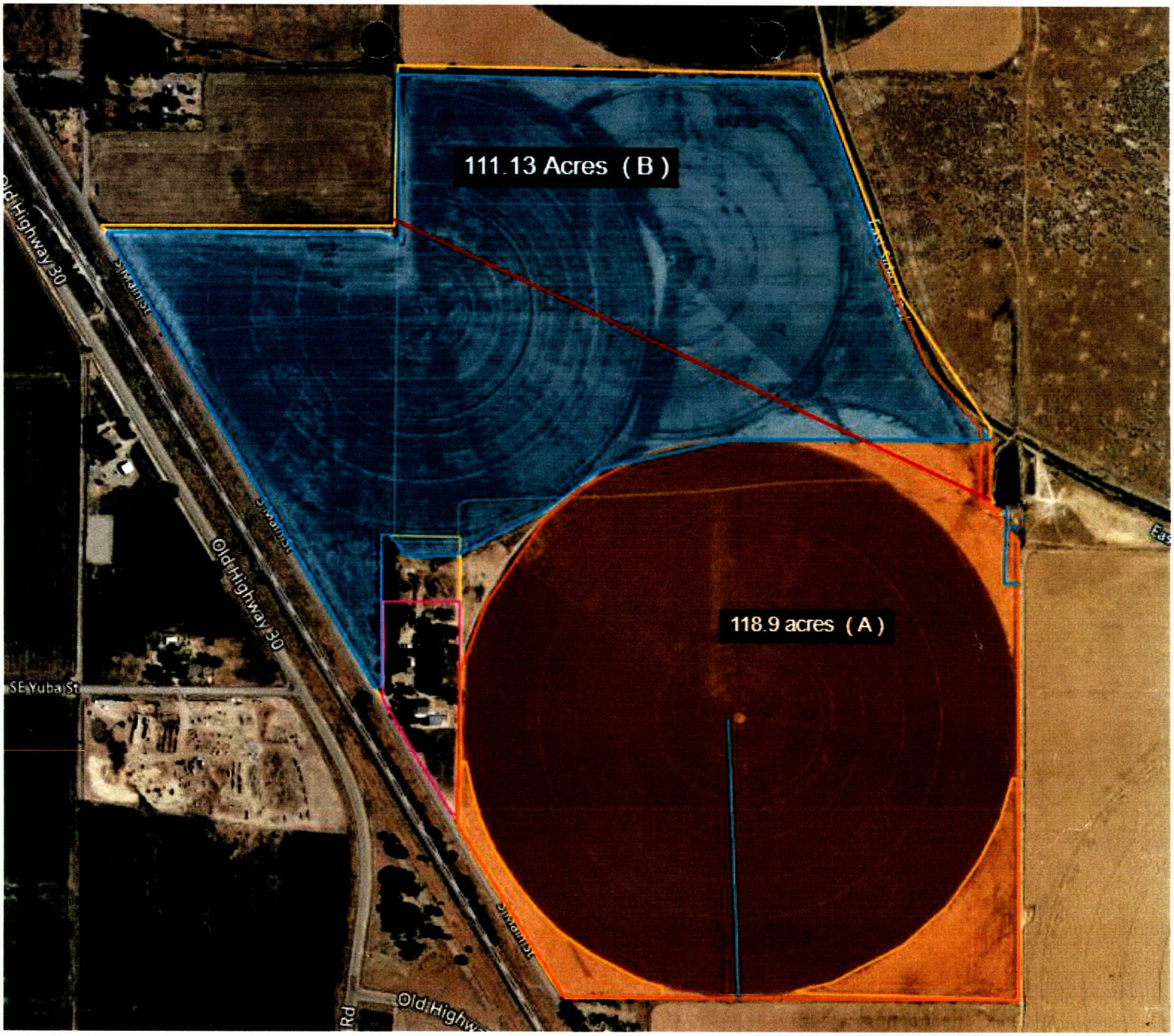
DESCRIPTION OF A WATER RIGHT PORTION OFFERED TO THE WATER SUPPLY BANK

1. Water Right Number	Nature of Use	Leased Rate (cfs)	Leased Volume (af)	Leased Acres (ac)
61-7041	Irrigation	.38	85.5	19
	Total Amounts:			

2. Source of water Ground Water tributary to _____

3. Point(s) of diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
04S	07E	6			SE	SE	Elmore


111.13 Acres (B)
118.9 acres (A)
Old Highway 30
SE Yuba St
Old Highway 30

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 88059

This is to certify that: ASCUENA FARMS LLC
4020 S MAIN ST
MOUNTAIN HOME, ID 83647

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
61-7041	WR/DECREED	7/30/1968	2.600 cfs	625.5 af	N/A	139.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
61-7041	NO	NO	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
61-7041	61-7041	2.600 cfs	625.5 af	139.0	238.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**2.600 cfs**	**625.5 af**	**139.0**	**238.0**		**N/A**	**N/A**	**N/A**	**N/A**

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 19th day of JANUARY, 2024.

Cody Parker, Water Rights Supervisor

WATER RIGHT NO. 61-7041

As Modified by Transfer No. 88059

In accordance with the approval of Transfer No. 88059, Water Right No. 61-7041 is now described as follows:

Right Holder: ASCUENA FARMS LLC
4020 S MAIN ST
MOUNTAIN HOME, ID 83647

Priority Date: 7/30/1968

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	4/01	to	11/01	2.600 cfs	625.5 af
				2.600 cfs	625.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESE Sec 6 Twp 04S Rge 07E ELMORE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04S	07E	6									15.0			13.0	22.0	40.0	40.0	39.0	169.0
04S	07E	7	40.0	29.0															69.0

Right Acre Limit: 139.0
POU Total Acres: 238.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 139 acres within the authorized place of use in a single irrigation season.
2. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10/26/2000.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. Use of this right is combined with water from Mountain Home Irrigation District.
5. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 161.

Transfer No. 88059

WATER RIGHT NO. 61-7041

As Modified by Transfer No. 88059

CONDITIONS OF APPROVAL

6. When notified by the Department, the right holder shall install and maintain a measuring device of a type acceptable to the Department as part of the diverting works.

7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

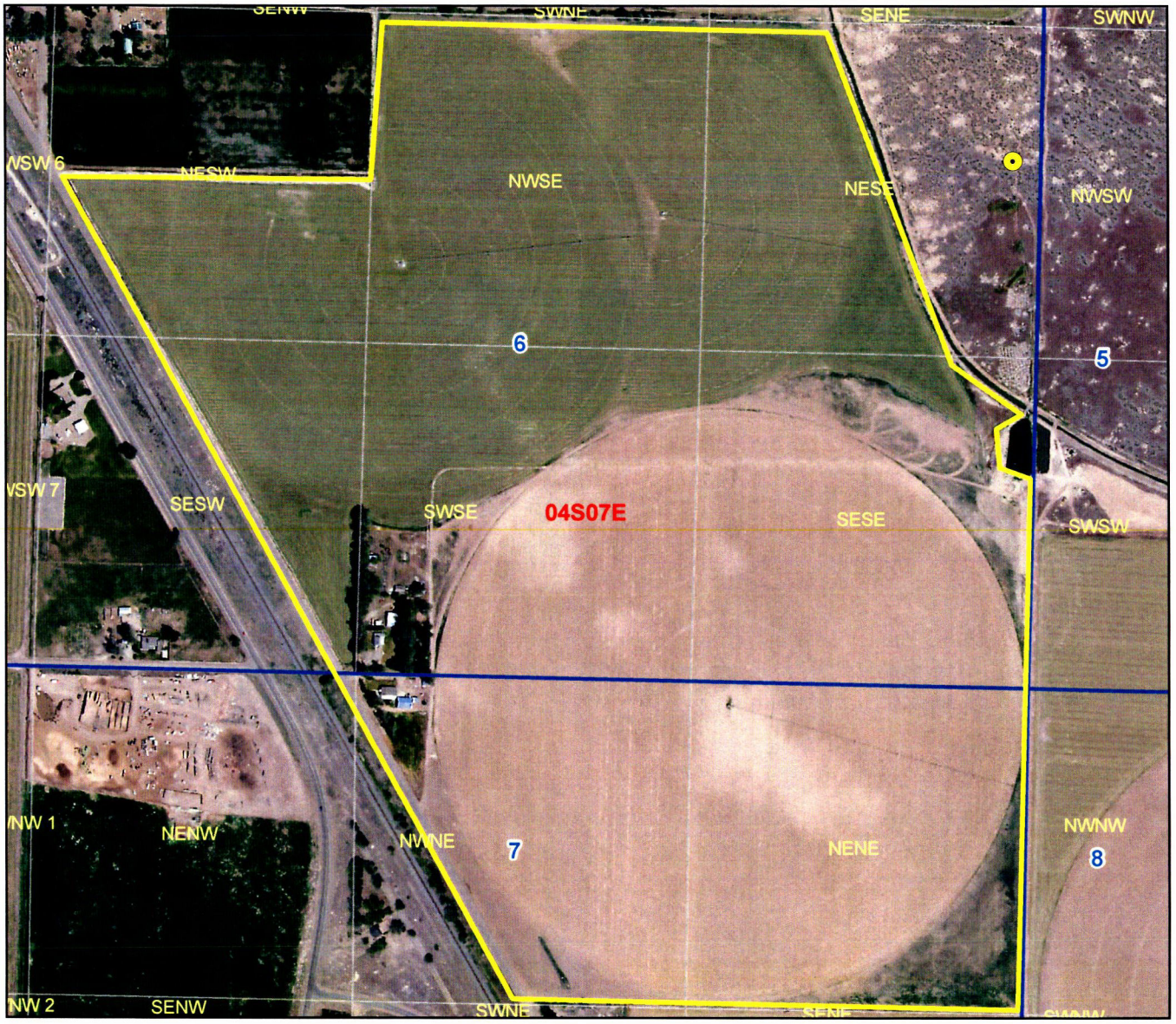
9. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho
Department of Water Resources

Attachment to Transfer No. 88059

Water Right(s): 61-7041

This map depicts the IRRIGATION permissable place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Transfer POD
- Transfer POU
- Township/Range
- Sections
- QQ

N

0 1,000 2,000 Feet

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 88059

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JUN 29 2023
DEPARTMENT OF
WATER RESOURCES

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) DAVID ASCUENA (ASCUENA FARMS LLC)

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☐ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).** ** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at https://idwr.idaho.gov/water-rights/transfers/resources/.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☒ #10 Other. Please describe: _____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

DAVID ASCUENA (PRES) PART 1

Name of Applicant(s) ASCUENA FARMS LLC Phone (208) 599-0454

Mailing address 4020 S MAIN Email DASCUENA@Q.COM

☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.

☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.

☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.

☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☒ No Representative

Name of Representative_____ Phone_____

Mailing address_____ Email _____

☐ Send all correspondence for this application to the representative and not to the applicant.
OR
☐ Send original correspondence to the applicant and copies to the representative.

☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). 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 rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date
David G Ascuena	DAVID G ASCUENA	5/24/23

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 PERMISSABLE CREATE A PLACE OF USE

2. Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
   If yes, ☐ attach an explanation and any supporting documentation labeled as **Part1A.2**.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part1A.3**. CREATE A PERMISSABLE PLACE OF USE TO IRRIGATE 139 ACRES

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DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1. All or Part	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☐ ☐	61-7041	2.6 CFS	IRRIGATION	4/1 to 11/1	GROUND WATER
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.6 cfs and/or 625.5 acre-feet.

2. Total amount of water proposed to be transferred or changed 2.6 cubic feet per second and/or 625.5 acre-feet per year.

3. Point(s) of Diversion:

☒ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	07E	6									15			13	22	40	40	39	169
04S	07E	7	40	29												1			69

Total Acres (for irrigation use) 238 PPU

* IRRIGATE 139 ACRES

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
SURFACE WATER IS DELIVERED THROUGH A LOCKABLE HEADGATE
WELL WATER TO DELIVERED DIRECTLY INTO A POND AND SUBAQUENTLY
PRESURIZED IN TO THE SYSTEM. THE WELL HAS A WATER METER.

b. Who owns the property at the point(s)of diversion? ASCUENA FARMS LLC - DAVID ASCUENA PRES
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? NO
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank? NO
If yes, ☐ complete Attachment WSB.

e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
SUPPLEMENTAL GW WILL BE MOVED WITHIN PPL - ALL
LANDS HAVE SAME MITID. SW AVAILABLE.

f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes	No	
☐	☒	undergone a period of five or more consecutive years of non-use,
☐	☒	currently leased to the Water Supply Bank,
☐	☒	currently used in a mitigation plan limiting the use of water under the right, or
☐	☒	currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

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DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a.**

☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b.**

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

CREATE AN AREA of PERMISABLE USE

FOR DEPARTMENT USE ONLY

Transfer contains_____ pages and_____ attachments.

Received by DM Date 6-13-23 Preliminary check by_____ Date_____

Fee paid $660.00 Date 6-13-23 Receipted by DM Receipt # W051304

Add'l fee paid_____ Date_____ Receipted by_____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

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Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 1.
Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: 61-7041

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

	Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
A →	04S	07E	6																	30.6
B →	04S	7E	7																	65
C →	04S	7E	6																	160

Total Acres (for irrigation use)

C = ORIGINAL WATER RIGHT DESCRIPTION

A & B = EXPANSION OF PERMISABLE USE

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Page _____ of _____

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

Current Water Right No.: 61-7041

Current Owner: ASCUENA FARMS LLC

Priority Date: 7/30/1968

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
GROUND WATER	

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	4/01 to 11/01	2.6 CFS	625.5 AF
	Total Diversion	2.6 CFS	625.5 AF

Location of Point(s) of Diversion

GROUND WATER NE1/4SE1/4 Sec. 6, Twp 04S, Rge 07E B.M.
ELMORE County

Place of Use

IRRIGATION Within ELMORE County

T04S R07E S6	NESE	24.00	T04S R07E S6	NWSE	39.00
T04S R07E S6	SWSE	40.00	T04S R07E S6	SESE	36.00

Total Acres: 139

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Conditions of Approval:

1.	W05	USE OF THIS RIGHT IS COMBINED WITH WATER FROM MOUNTAIN HOME IRRIGATION DISTRICT.
2.	C18	THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3.	C15	THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 61: WATER RIGHT NO. SOURCE NONE NONE THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE NONE ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.
4.		THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Decreed Date: 10/26/2000

IDAHO DEPARTMENT OF WATER RESOURCES 5/24/2023
Proof Report

Water Right 61-7041

Owner Type	Name and Address
Current Owner	ASCUENA FARMS LLC 4020 S MAIN ST MOUNTAIN HOME, ID 83647 (208) 598-9252

Priority Date: 7/30/1968
Basis: Decreed
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	2.600 CFS	625.5 AF
	Total Diversion		2.600 CFS	625.5 AF

Source and Point(s) of Diversion:
GROUND WATER NESE Sec. 6, Twp 04S, Rge 07E, ELMORE County

Place Of Use:
IRRIGATION within ELMORE County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04S	07E	6													24.0	39.0	40.0	36.0	139.0
																		POU Total Acres	139.0

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
3. C15 THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL

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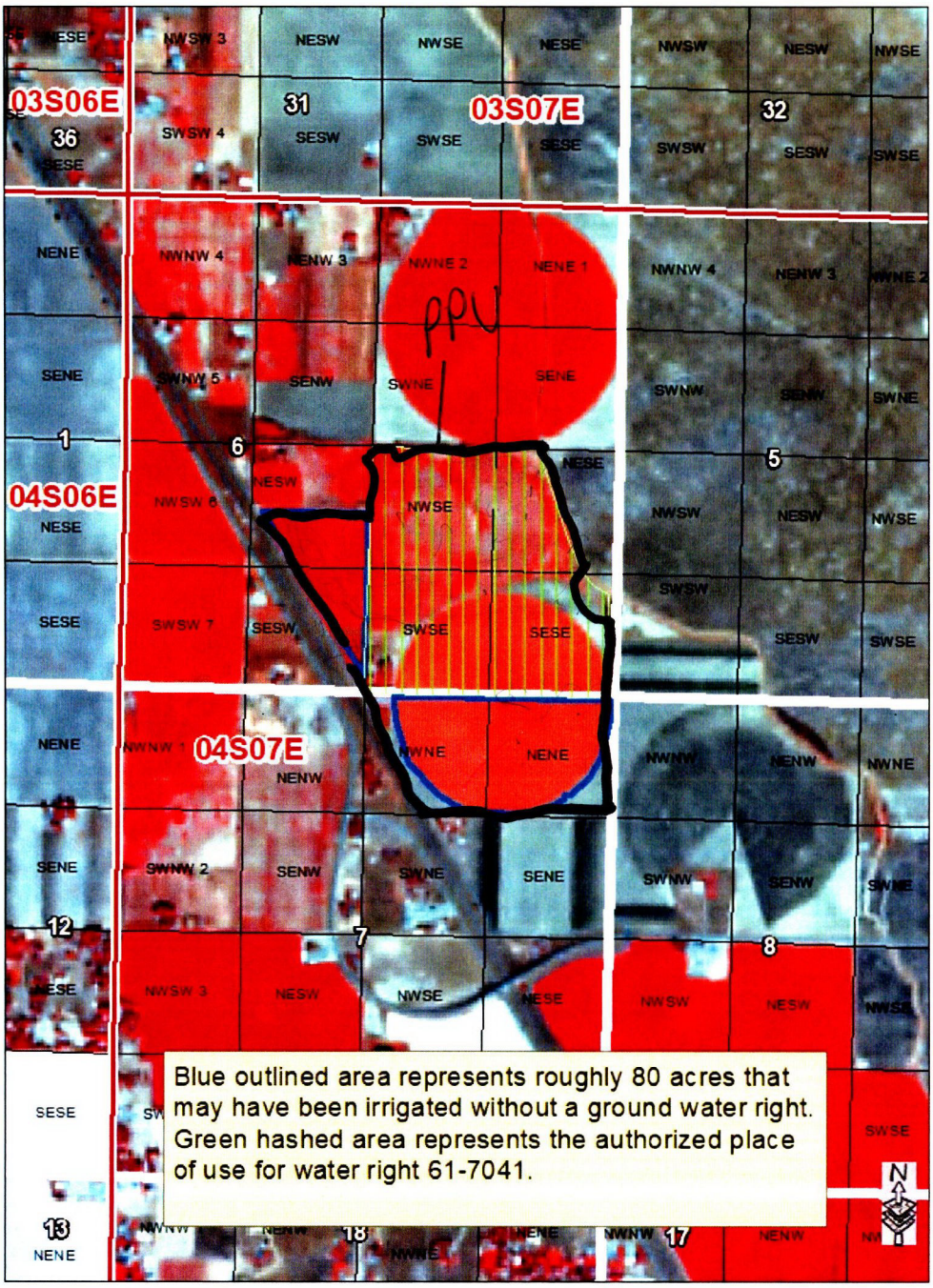
		OTHER WATER RIGHTS IN BASIN 61: WATER RIGHT NO. SOURCE NONE NONE THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN: WATER RIGHT NO. SOURCE NONE NONE ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.
4.	W05	USE OF THIS RIGHT IS COMBINED WITH WATER FROM MOUNTAIN HOME IRRIGATION DISTRICT.

Dates and Other Information:
Decreed Date: 10/26/2000

61-7041

88059

September 20, 2022 Satellite Imagery and Ascuena Water Use



MEMORANDUM

TO: Transfer No. 88059
FROM: Blake Burkard
DATE: August 22, 2023
RE: Evaluation of Application

The purpose of this transfer is to create a permissible place of use for water right 61-7041. The transfer proposes the irrigation of 139 acres within a 238-acre PPU. The site is approximately 3 miles southeast of Mountain Home, adjacent to Old Hwy 30.

Summary of Information Submitted

Authority to File:

The applicant, Ascuena Farms LLC, is the current owner of the water right. David Ascuena is the President of Ascuena Farms and is who initiated a change in water right ownership in 2016.

Water Right Validity:

The partial decree for water right no. 61-7041 was issued on October 26, 2000. The right is presumed to be valid since beneficial use has occurred within the last five years. Beneficial use confirmed by department aerial imagery, landsat images, google earth images, or other evidence. Evidence of beneficial use does not need to be added to the file; it is an IDWR product available to other staff.

A condition of the water right states that the water diverted is combined with water from Mountain Home Irrigation District. The water right's application for permit remarks: "The water supply of Mountain Home Irrigation District for irrigation is frequently inadequate to furnish sufficient water for the production of normal crops. Delivery in the 1968 season was 1.1 acre feet per acre." While aerial imagery cannot prove that groundwater has been used for the irrigation of the appurtenant land, it is safe to assume that it has been used as a supplemental source in the last five years if the water right is necessary to have a successful irrigation season.

Injury to Other Water Rights:

Creating a permissible place of use should not affect other water rights.

Enlargement of Use:

There should be no enlargement of use in creating a permissible place of use, considering that the annual volume and irrigated acreage is limited to the original decreed value. The transfer approval should keep the original quantities of 139 acres and 625.5 acre-ft.

Local Public Interest:

Creating a permissible place of use should be considered within local public interest, as crop rotation can lead to better soil health and a better harvest. No comments were received by the

watermaster in District 161, so it is assumed that the water district has no concerns with this transfer. For these reasons this application proposes a change consistent with the local public interest.

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho. While 625.5 acre-ft diverted to 139 acres would be 4.5 acre-ft per acre, the applied volume is likely less than than given the ground water is pumped to a storage pond where seepage and evaporation losses could occur. If approved, the applied rate and volume should be limited to 0.02 cfs per acre and 4.5 acre-ft per acre.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

Summary

In the application for transfer 88059, Ascuena Farms LLC included a map of their irrigated land that showed they exceeded their place of use. A note on the map read: "Blue outlined area represents roughly 80 acres that may have been irrigated without a ground water right." There were no formal enforcement activities, but it is possible that they have been practicing crop rotations without authority to do so and they received an NOV. This transfer could rectify the issue.

Water Right Overlap

The original POU shape for 61-7041 overlapped with the domestic/stockwater right 61-10339, also owned by Ascuena Farms LLC. The right is limited to 13,000 gallons per day and it is presumed that they are irrigating up to ½ acre within their POU. The permissible place of use applied for would include an additional overlap with 61-10192, also a domestic/stockwater right owned by Ascuena Farms LLC. This transfer, if approved, would authorize the irrigation of 139 acres within the PPU, separate from the two ½-acre amounts authorized under the domestic rights.

Water Supply Bank

This water right has had a water supply bank application filed, but it has not yet been processed. After the transfer processes have concluded, water supply bank staff will be notified.

Discussion

If approved the following changes should be made to the conditions of water right no. 61-7041:

Add condition X27 defining the authorized irrigation acreage within the PPU
Update condition C18 to T19
Update an unnamed condition to the corresponding condition X61
Update condition W05 to follow modern formatting
Add condition R05 to list the irrigation district
Add condition WB7 to limit the per-acre rate to 0.02 cfs/acre
Add conditions T07 and T08

Assuming other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.

Updated July 2020

TRANSFER TRACKING SHEET

Transfer # 88059

Name Ascuena

Date / Person

6/20/23 AO — **Initial Checklist**

8/21/23 - BB — **Initial Review**

_____ **30-Day Deficiency Letter Sent** _____

_____ **Any rights leased to the Water Supply Bank?** ✓ **No** WSB APPLIED FOR

_____ **Yes attachment included** _____ **Yes attachment requested**

_____ **Attachment received**

_____ **Initial Data Entry Done**

- ☑ **Received Date Entered**
- ☑ **Receipt No. Entered**
- ☑ **Status Changed to Active**
- ☐ **Currently in Data Entry Un-checked**
- ☐ **Wild & Scenic Data Entry**
- ☐ **Legal Notice Required** No

_____ **Comment Letters Request or** ☐ **N/A**

- ☑ **Water Master(s) (Water District 161)**
- ☐ **Fish & Game**
- ☐ **DEQ**
- ☐ **Canal Company**
- ☐ **IDWR Planning**
- ☐ **Security Interest Holder**
- ☐ **Wild & Scenic**
- ☐ **Other –Provide Address**

N/A **Legal Ad Prepared** **Statewide** _____ **Y** _____ **N (Y if any WR >10 cfs or 1000 af)**

Newspaper(s) _____

Protest Deadline _____

N/A **Affidavit of Advertising Received and Published Correctly**

_____ **Approval Data Entry Done**

- ☑ **New POD and/or POU entered**
- ☑ **Shapes Updated**
- ☑ **Map Created**
- ☑ **Conditions Complete**

_____ **Evaluation Memo Completed**

✓ **Conditions Completed**

_____ **Protests Entered into Workflow**

_____ **Withdrawal of Protest / Application**

_____

_____

_____

Updated July 2020

OPTIONAL PAGE -- CONDITIONS & NOTES

GROUNDWATER:

DRILLING PERMIT ✓ - 046 (new or existing well)
* DP upgrade req'd ___Y ✓ N
< 0.24 cfs/5 acres - No MD
≥ 0.24 cfs/5 acres - 01M or 01Q (ref. MD flowchart) R05

No water measurement districts in Western Region at this time.

SURFACE WATER:

WD - R05
≤ 0.20 cfs/others - R02, 01P or No MD (ref. MD flowchart)
> 0.20 cfs
~~WD~~, SPRINGS/SINK, INACTIVE WD & REST OF STATE
< 0.24 cfs/5 acres - No MD
≥ 0.24 cfs/5 acres - 01M or 01Q

STANDARD SEASON 3/15 to 11/15 (use X61 if extended season) X61 USED
STANDARD VOLUME 4 af/ac - R64
CONSUMPTIVE USE VOLUME _____ af/ac

USES:

STORAGE - 18C-R02-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
Volume only - R58/R59/R60/R61
Supplemental - 065, 105 & WB& ~~94~~ +WB77
STOCKWATER - R37 (all BLM/USES)
MINING - 054-106
FISH PROP - 029 (70's basins only)-007-122-106
HEAT/COOL - R07 (injection well)
FIRE PROT. - 077
DAIRY - 082 (zoning if a concern)-106-WD8

POWER - 17H-17K (+uses)-025-106
MUNICIPAL
Restricted area - 022-075 RAFN – 007-109-X64
Irr., GW supp to SW - 102

DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
- 27A (Payette River)
>1 in restricted area - 070/071/075(no parks/common areas, etc)
Irr use listed separate - WB5

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop
T08 - comply or rescind ✓
WD - land application of waste water
01Q - use instead of 01M when WR is outside WD and WR has another measuring condition

Protested - 020-X19
Water Quality - 106-R07

X27 - Number of acres/season in PPU ✓
X35 - Combined **limits** of multiple WRs

X49 - measure p/'d's (source chg'd to orig trib)
X51 - 2+ yrs to develop
X53 - Use ltd to orig. source availability
X54 - forfeited ac/rate (used rarely)
205 - use when quantity reduced by xFer approval
X55 - (transfer shrinks total water to less ac)
004 - no right-of-way
X58 - pending claim (statutory or AJ b/u claim)
X61 - extended irr season ✓
X63 - replaced C12 through C17 – replaced by C18. Replace with T19 C15 REPLACED BY T19

Apply one to chg'd & unchg'd WR that were subject to SRBA:

T09 - on-going SRBA (no Dir Rpt yet)

T19 - replaces C18 (if at Directors Report or Partial Decree stage)
T20 – use only on unchg'd WR not subject to SRBA

Notes:

NOT SURE IF I GOT WORDING OF X61 CORRECT

0005265855

STATE OF IDAHO

Office of the secretary of state, Phil McGrane

ANNUAL REPORT

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: $0.00

For Office Use Only

-FILED-

File #: 0005265855

Date Filed: 6/5/2023 9:37:06 AM

Entity Name and Mailing Address:

Entity Name:	ASCUENA FARMS, L.L.C.
The file number of this entity on the records of the Idaho Secretary of State is:	0000034769
Address	4020 S MAIN ST MOUNTAIN HOME, ID 83647-6033

Entity Details:

Entity Status	Active-Existing
This entity is organized under the laws of:	IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:	W6513

The registered agent on record is:

Registered Agent	DAVID G ASCUENA Registered Agent Physical Address 4020 S MAIN ST MOUNTAIN HOME, ID 83647 Mailing Address

Limited Liability Company Managers and Members

Name	TItle	Business Address
David G Ascuena	Manager	4020 S MAIN ST MOUNTAIN HOME, ID 83647
Cristina R Serpa	Member	176 FAIRWAY CIRCLE POCATELLO, ID 83201

The annual report must be signed by an authorized signer of the entity.

Job Title: Bkpr

Chris Alzola
Sign Here

06/05/2023
Date

Document Received by Clerk of the Idaho Supreme Court 6/6/2023 9:31 AM

Page 1 of 1

TRANSFER RESEARCH

Completed by AO Date 6/20/2023

See Required Information in Transfer Memo #24 Sect. 3 (pg. 7-15)
Authority to sign? (Check ID Sec of State)

Is the application complete? ✓ YES ____ NO
YES = Complete the **Initial Checklist – Transfers** in Workflow
NO = No Data Entry, return to Applicant

Application ID # 88059 Water Right(s) # ~~71~~ 61-7041

Areas of Concern or GWMA: Mountain Home GWMA

Overlapping WR's:

WR#	Source	Owner
Mt. Home Irrigation Dist.		

61-10192 > Dom & stock owned by applicants
61-10339

Water District: ____ YES ✓ NO Water District #: EXL Send WM comment letter.

Mitigation Plan? ____ YES ✓ NO YES = Data entry in Mitigation Plan field.

Representative? ____ YES ✓ NO YES = Data enter with correspondence flag.

APPSLIST: ✓ Input Initial Data Entry with App ID#
✓ Log file location to WR Supervisor

TRANSFER APPLICATION: ✓ Uncheck "Currently in Data Entry" box in Total Amounts tab
✓ Add Pupose of Transfer and Save

Advertising: ____ YES ✓ NO 42-222 provides discretion for public notice. If no, add Legal Notice Not Required comment to tool and memo.

SUPERVISOR NOTES

BJ 8/21: WATER DIST 161

March 2017

REVIEW CHECKLIST TRANSFER -- OR -- EXCHANGE

(Workflow) (maybe Workflow)

Application # 88059 **Reviewer** AO **Date** 6/20/2023

Acceptable Filing (TP Memo #24 Sect. 3) J Y ____ N If "N" 30-day Deficiency Ltr Sent – (date & initial)

Initial Review & Abbreviated Data Entry AO 6/20/2023 (date & initial) Supervisor Notes ____Y ____N

Right(s) in Water Bank ____ Y J N, Notify S.O. – (date) - WSB App Attachment –

COMMENT LETTERS ____ Y ____ N

Water District # 61 (Required even if No Legal Notice Required)

Other(s): list here or see attached ____

ADVERTISING ____ Y ✓ N If "N" Save Legal Notice Not Required DB Comment in Workflow & Memo ___

Legal Notice Required - Saved as Legal Notice Remarks in Workflow ____Y *uncheck "Currently in Data Entry" flag

Statewide ads ____ Y ____ N ("Y" only if any single right > 10 cfs, 1000 af storage)

COMPLETE TO HERE BEFORE FORWARD FOR ADVERTISING

ADVERTISER COMPLETES

LEGAL NOTICE & PROTEST

Protest Deadline ____

Y	N			
____	____	Protested	If Y: ____	Scan protest
____	____	Affidavit received/published correctly	If N:____	Re-advertised & published correctly

REVIEW MEMO -- DRAFT APPROVAL -- APPROVAL COVER LETTER

Drilling fee upgrade ____ Paid ____WC & WR File Documented (Request, CAN NOT hold xFer if unpaid).

Review Memo Completed ____ (See Review Memo Template N:/WRProcessing/Transfers/Review Memo Template).

Data Entry, Conditions, & ArcMap Data Entry Completed ____

E'folder w/ Draft Approval ____
(applicant last name + application #)

NOTE FOR CLERICAL STAFF APPROVAL COVER LETTER

Add WSB paragraph to approval cover letter (see N:WRFormLetters/Water Bank Paragraph) ____ Y ____N

OPTIONAL PAGE -- CONDITIONS & NOTES

GROUNDWATER:

WD 161 (Non-de minimis uses) - R05
- ≤ 0.24 cfs/5 acres - No MD
- > 0.24 cfs/5 acres - 214

~~WD~~
- < 0.24 cfs/5 acres - No MD
- ≥ 0.24 cfs/5 acres - 01M or 01Q (ref. MD flowchart)

No water measurement districts in Western Region at this time.
DRILLING PERMIT - 046 (new well)

SURFACE WATER:

WD - R05
≤ 0.20 cfs - R02, 01P or No MD (ref. MD flowchart)
> 0.20 cfs - R43
~~WD~~, SPRINGS/SINK, INACTIVE WD & REST OF STATE
- < 0.24 cfs/5 acres - No MD
- ≥ 0.24 cfs/5 acres - 01M or 01Q

STANDARD SEASON _____ to _____ (use X61 if extended season)
STANDARD VOLUME_____ af/ac
CONSUMPTIVE USE VOLUME _____ af/ac

USES:

STORAGE - 18C-18B/R40-123-220-219-221-222-259-937-938
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
Volume only - R58/R59/R60/R61
Supplemental - 943 & WB7
Storage - R70
STOCKWATER - R37 (all BLM/USFS)
MINING - 054-106
FISH PROP - 029 (70's basins only)-007-122-106
HEAT/COOL - R07 (injection well)
FIRE PROT. - 077-218
DAIRY - 082 (zoning if a concern)-106-WD8

POWER - 17H-17K (+uses)-025-106
MUNICIPAL
Restricted area - 022-075 RAFN – 007-109-X64
Irr., GW supp to SW - 102

DOMESTIC
Surface water - WB5 (Boise above Star Bridge)
>1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop
T08 - comply or rescind
WD8 - land application of waste water
01Q - used instead of 01M when there's another meas. condition outside a WD

Protested - 020-X19
Water Quality - 106-R07

X27 - Number of acres/season in ppu
X35 - Combined **limits** of multiple rts
X49 - measure p/'d's (source chg'd to orig trib)
X51 - 2+ yrs to develop
X53 - Use ltd to orig. source availability
X54 - forfeited ac/rate (used rarely)
205 - use when quantity reduced by xFer approval
X55 - (transfer shrinks total water to less ac)
004 - no right-of-way
X58 - pending claim (statutory or AJ b/u claim)
X61 - extended irr season
X63 - replaced C12 through C17 - ultimately C18 placed on rts to cover issue. If C18 on rts replace with T19 and remove X63.

Apply one to chg'd & unchg'd rts that are subject to SRBA:

T09 - on-going SRBA (no Dir Rpt yet)
T19 - replaces C18 (if at Directors Report or Partial Decree stage)
T20 – use only on unchg'd rts not subject to SRBA

NOTES:

_____

_____

_____

_____

_____

_____

_____