

RECEIVED

42-222 POD - 07/18

OCT 23 2023

WATER RESOURCES
WESTERN REGION

AMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☐ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership change ☐ Ownership split
☐ Transfer is for changes pursuant to [Idaho Code § 42-221.O.8](#). Attach an explanation and any supporting documentation.

1. APPLICANT(S) West Indian Cove Water Co Inc Phone 208-599-01192. MAILING ADDRESS 51381 Hwy 78 City HammettState ID Zip 83627 Email dalehooley899@gmail.com

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 2-2044, 2-2055, 2-2097B, 2-2128, 2-4015, 2-7133, 2-10008, 2-10010

- ☒ Attach a copy of the water right(s) as recorded, available at [idwr.idaho.gov](#), *Water Right Transfers, Step 1*, or by contacting any Department office.

4. TOTAL AMOUNT OF WATER transferred is 21.44 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)5. POINT OF DIVERSION – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at [idwr.idaho.gov](#), *Water Rights, Water Right Transfers, Modeling Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Yes	6		NW	SW	34	5S	7E	Owyhee	Snake River	New Pump Station
No	2		SW	NW	34	5S	7E	Owyhee	Snake River	Current Pump Station

6. 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:

Measuring device and lockable controlling works will be accommodated for the new pump station as required.
The current pump station will be retained as back-up.

- b. Who owns the property at the point(s) of diversion? New POD: Hooley Properties LLC, Parcel #RP05S07E345500
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Easement agreement

- c. 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 used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No
☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and 1/4 1/4 of section information. You may create a map at idwr.idaho.gov, Water Rights, Water Right Transfers, File a Transfer Application, Step 2C.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

[Signature]
Signature of applicant or authorized agent

Dale Hooley, Secretary
Print name and title if applicable

10/05/2023
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** – ☒ The application filing fee provided in Idaho Code § 42-221.08 must be submitted with the application for transfer. Application for changes pursuant to Idaho Code § 42-221.08 require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

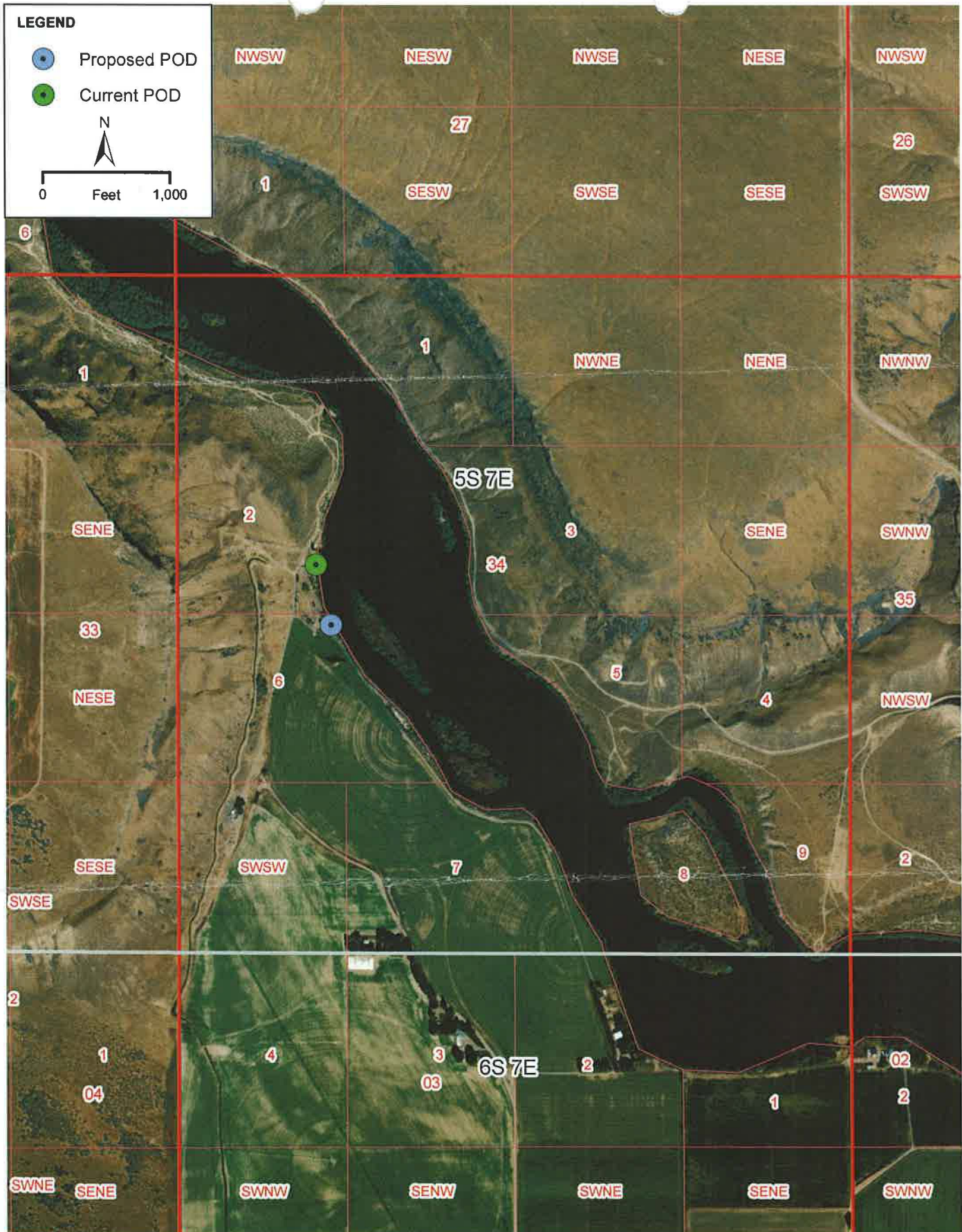
Transfer includes _____ pages of attachments. Received by _____ Date _____

Fee paid \$1,050 Date _____ Received by _____ Receipt # _____

Preliminary review by AO Date 10/23/23 Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)



APPLICATION FOR TRANSFER (AMENDED)
WEST INDIAN COVE WATER CO INC
PROPOSED NEW PUMP STATION

6. 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:

Pump station, pipeline. Measuring device and lockable controlling works will be accommodated as required.

- b. Who owns the property at the point(s) of diversion? Hooley Properties LLC, Parcel #RP05S07E345500
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Easement agreement

- c. 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 used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No
☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. You may create a map at idwr.idaho.gov, Water Rights, Water Right Transfers, File a Transfer Application, Step 2C.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Samuel R. Hamilton
Signature of applicant or authorized agent

Samuel R. Hamilton, Pres.
Print name and title if applicable

8-16-2023
Date

[Signature]
Signature of applicant or authorized agent

Dale Hooley, Secretary
Print name and title if applicable

8-16-2023
Date

9. **FEE** – ☒ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes 19 pages of attachments. Received by KH Date 8.22.23

Fee paid \$1,050 Date 8.22.23 Received by KH Receipt # C116937

Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

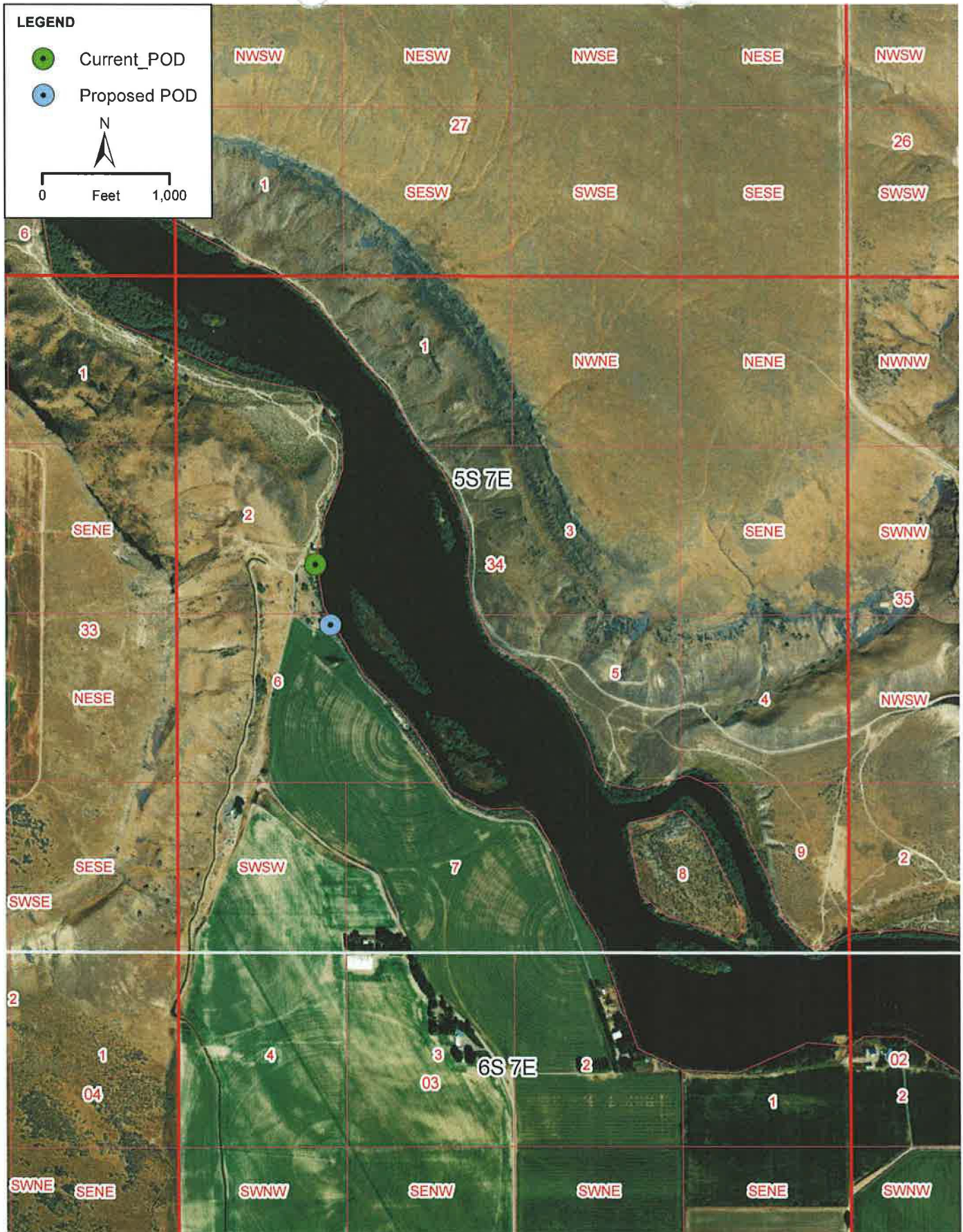
(Do NOT scan the W-9 – confidential information is held by fiscal only)

LEGEND

- Current_POD
- Proposed POD

N

0 Feet 1,000



APPLICATION FOR TRANSFER
WEST INDIAN COVE WATER CO INC
PROPOSED NEW PUMP STATION

PATH: S:\PROJECTS\THRU Z PROJECTS\WEST INDIAN COVE WATER CO\PROJECTS\IARC\PROJECTS\XFR MAP.MXD - USER: LORAVES - DATE: 8/7/2023

PROJECT #

88508

Superseded

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

Current Water Right No.: 2-2044

Current Owner: WEST INDIAN COVE WATER CO INC
Priority Date: 2/7/1944
Origin: Water Right
Status: Active
Basis: Decreed

Source

SNAKE RIVER

Tributary

COLUMBIA RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Total Diversion

Diversion Rate

3.74 CFS

3.74 CFS

Annual Volume

Location of Point(s) of Diversion

SNAKE RIVER

OWYHEE County

L2(SW1/4NW1/4)

Sec. 34, Twp 05S, Rge 07E B.M.

Place of Use

IRRIGATION Within OWYHEE County

T05S R07E S34		SWSW	T05S R07E S34	Lot 7	SESW
T06S R07E S3		SWNE	T06S R07E S3		SENE
T06S R07E S3	Lot 3	NENW	T06S R07E S3	Lot 4	NWNW
T06S R07E S3		SWNW	T06S R07E S3		SENW
T06S R07E S3		NESW	T06S R07E S3		NWSW
T06S R07E S3		SWSW	T06S R07E S3		SESW
T06S R07E S3		NESE	T06S R07E S3		NWSE
T06S R07E S3		SWSE	T06S R07E S3		SESE
T06S R07E S10		NENE	T06S R07E S10		NWNE
T06S R07E S11		NENW	T06S R07E S11		NWNW
T06S R07E S11		SWNW	T06S R07E S11		SENW

Total Acres: 714

Page _____ of _____

Conditions of Approval:

1. The place of use is within the service area of the West Indian Cove Water Co.
2. E55 Right Nos. 2-2044 and 2-2055 are limited to the irrigation of a combined total of 458 acres in a single irrigation season.
3. E56 The rights listed below are limited to the irrigation of a combined total of 714 acres in a single irrigation season. Combined Right Nos.: 2-2044, 2-2055, 2-2097B, 2-2128, 2-4015, 2-7133, 2-10008, and 2-10010.
4. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
5. 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.

Decreed Date: 5/20/2009

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

Current Water Right No.: 2-2055

Current Owner: P J HOOLEY
WEST INDIAN COVE WATER CO INC

Priority Date: 6/22/1938

Origin: Water Right

Status: Active

Basis: Decreed

Source

SNAKE RIVER

Tributary

COLUMBIA RIVER

Beneficial Use **From To**

IRRIGATION 03/15 to 11/15

Total Diversion

Diversion Rate **Annual Volume**

10 CFS

10 CFS

Location of Point(s) of Diversion

SNAKE RIVER

OWYHEE County

L2(SW1/4NW1/4) Sec. 34, Twp 05S, Rge 07E B.M.

Place of Use

IRRIGATION Within OWYHEE County

T05S R07E S34		SWSW	T05S R07E S34	Lot 7	SESW
T06S R07E S3		SWNE	T06S R07E S3		SENE
T06S R07E S3	Lot 3	NENW	T06S R07E S3	Lot 4	NWNW
T06S R07E S3		SWNW	T06S R07E S3		SENW
T06S R07E S3		NESW	T06S R07E S3		NWSW
T06S R07E S3		SWSW	T06S R07E S3		SESW
T06S R07E S3		NESE	T06S R07E S3		NWSE
T06S R07E S3		SWSE	T06S R07E S3		SESE
T06S R07E S10		NENE	T06S R07E S10		NWNE
T06S R07E S11		NENW	T06S R07E S11		NWNW
T06S R07E S11		SWNW	T06S R07E S11		SENW

Total Acres: 714

Page _____ of _____

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 place of use for this water right is within the service area of West Indian Cove Water Co.
3. E56 The rights listed below are limited to the irrigation of a combined total of 714 acres in a single irrigation season. Combined Right Nos.: 2-2044, 2-2055, 2-2097B, 2-2128, 2-4015, 2-7133, 2-10008, 2-10010.
4. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
5. E55 Right Nos. 2-2044 and 2-2055 are limited to the irrigation of a combined total of 458 acres in a single irrigation season.

Decreed Date: 5/20/2009

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

Current Water Right No.: 2-2097b

Current Owner: WEST INDIAN COVE WATER CO INC
Priority Date: 6/4/1952
Origin: Water Right
Status: Active
Basis: Decreed

Source

SNAKE RIVER

Tributary

COLUMBIA RIVER

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Total Diversion

Diversion Rate

0.12 CFS

0.12 CFS

Annual Volume

Location of Point(s) of Diversion

SNAKE RIVER

OWYHEE County

L2(SW1/4NW1/4)

Sec. 34, Twp 05S, Rge 07E B.M.

Place of Use

IRRIGATION Within OWYHEE County

T05S R07E S34	SWSW	T05S R07E S34	Lot 7	SESW
T06S R07E S3	SWNE	T06S R07E S3		SENE
T06S R07E S3	NENW	T06S R07E S3	Lot 4	NWNW
T06S R07E S3	SWNW	T06S R07E S3		SENE
T06S R07E S3	NESW	T06S R07E S3		NWSW
T06S R07E S3	SWSW	T06S R07E S3		SESW
T06S R07E S3	NESE	T06S R07E S3		NWSE
T06S R07E S3	SWSE	T06S R07E S3		SESE
T06S R07E S10	NENE	T06S R07E S10		NWNE
T06S R07E S11	NENW	T06S R07E S11		NWNW
T06S R07E S11	SWNW	T06S R07E S11		SENE

Total Acres: 714

Page _____ of _____

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 714 acres in a single irrigation season. Combined Right Nos.: 2-2044, 2-2055, 2-2097B, 2-2128, 2-4015, 2-7133, 2-10008, 2-10010.
2. The place of use for this water right is within the service area of West Indian Cove Water Co.
3. 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.
4. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
5. K06 This right is limited to the irrigation of 6 acres within the place of use described above in a single irrigation season.

Decreed Date: 5/20/2009

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

Current Water Right No.: 2-2128

Current Owner: WEST INDIAN COVE WATER CO INC
Priority Date: 4/30/1956
Origin: Water Right
Status: Active
Basis: Decreed

Source

SNAKE RIVER

Tributary

COLUMBIA RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Total Diversion

Diversion Rate

0.96 CFS

0.96 CFS

Annual Volume

4361 AF

4361 AF

Location of Point(s) of Diversion

SNAKE RIVER

OWYHEE County

L2(SW1/4NW1/4)

Sec. 34, Twp 05S, Rge 07E B.M.

Place of Use

IRRIGATION Within OWYHEE County

T05S R07E S34	SWSW
T06S R07E S3	SWNE
T06S R07E S3	NENW
T06S R07E S3	SWNW
T06S R07E S3	NESW
T06S R07E S3	SWSW
T06S R07E S3	NESE
T06S R07E S3	SWSE
T06S R07E S10	NENE
T06S R07E S11	NENW
T06S R07E S11	SWNW

Lot 3

T05S R07E S34	Lot 7	SESW
T06S R07E S3		SENE
T06S R07E S3	Lot 4	NWNW
T06S R07E S3		SENW
T06S R07E S3		NWSW
T06S R07E S3		SESW
T06S R07E S3		NWSE
T06S R07E S3		SESE
T06S R07E S10		NWNE
T06S R07E S11		NWNW
T06S R07E S11		SENW

Lot 4

Total Acres: 714

Page _____ of _____

Conditions of Approval:

1. The place of use for this water right is within the service area of West Indian Cove Water Co.
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. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
4. E56 The rights listed below are limited to the irrigation of a combined total of 714 acres in a single irrigation season. Combined Right Nos.: 2-2044, 2-2055, 2-2097B, 2-2128, 2-4015, 2-7133, 2-10008, 2-10010.
5. K06 This right is limited to the irrigation of 490 acres within the place of use described above in a single irrigation season.
6. E54 The rights listed below are limited to a total combined annual diversion volume of 4,361 af. Combined Right Nos.: 2-2044, 2-2055, and 2-2128.

Decreed Date: 5/20/2009

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

Current Water Right No.: 2-4015

Current Owner: WEST INDIAN COVE WATER CO INC
Priority Date: 8/30/1969
Origin: Water Right
Status: Active
Basis: Decreed

Source

SNAKE RIVER

Tributary

COLUMBIA RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Total Diversion

Diversion Rate

1.71 CFS

1.71 CFS

Annual Volume

Location of Point(s) of Diversion

SNAKE RIVER

OWYHEE County

L2(SW1/4NW1/4)

Sec. 34, Twp 05S, Rge 07E B.M.

Place of Use

IRRIGATION Within OWYHEE County

T05S R07E S34		SWSW
T06S R07E S3		SWNE
T06S R07E S3	Lot 3	NENW
T06S R07E S3		SWNW
T06S R07E S3		NESW
T06S R07E S3		SWSW
T06S R07E S3		NESE
T06S R07E S3		SWSE
T06S R07E S10		NENE
T06S R07E S11		NENW
T06S R07E S11		SWNW

T05S R07E S34	Lot 7	SESW
T06S R07E S3		SENE
T06S R07E S3	Lot 4	NWNW
T06S R07E S3		SENW
T06S R07E S3		NWSW
T06S R07E S3		SESW
T06S R07E S3		NWSE
T06S R07E S3		SESE
T06S R07E S10		NWNE
T06S R07E S11		NWNW
T06S R07E S11		SENW

Total Acres: 714

Page _____ of _____

Conditions of Approval:

1. K06 This right is limited to the irrigation of 57 acres within the place of use described above in a single irrigation season.
2. The place of use for this water right is within the service area of West Indian Cove Water Co.
3. E56 The rights listed below are limited to the irrigation of a combined total of 714 acres in a single irrigation season. Combined Right Nos.: 2-2044, 2-2055, 2-2097B, 2-2128, 2-4015, 2-7133, 2-10008, 2-10010.
4. 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.
5. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Decreed Date: 5/20/2009

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

Current Water Right No.: 2-7133

Current Owner: WEST INDIAN COVE WATER CO INC
Priority Date: 12/28/1973
Origin: Water Right
Status: Active
Basis: Decreed

Source

SNAKE RIVER

Tributary

COLUMBIA RIVER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION 03/15 to 11/15
Total Diversion

1.3 CFS 325 AF
1.3 CFS 325 AF

Location of Point(s) of Diversion

SNAKE RIVER
OWYHEE County

L2(SW1/4NW1/4) Sec. 34, Twp 05S, Rge 07E B.M.

Place of Use

IRRIGATION Within OWYHEE County

T05S R07E S34	SWSW	T05S R07E S34	Lot 7	SESW
T06S R07E S3	SWNE	T06S R07E S3		SENE
T06S R07E S3	Lot 3 NENW	T06S R07E S3	Lot 4	NWNW
T06S R07E S3	SWNW	T06S R07E S3		SENW
T06S R07E S3	NESW	T06S R07E S3		NWSW
T06S R07E S3	SWSW	T06S R07E S3		SESW
T06S R07E S3	NESE	T06S R07E S3		NWSE
T06S R07E S3	SWSE	T06S R07E S3		SESE
T06S R07E S10	NENE	T06S R07E S10		NWNE
T06S R07E S11	NENW	T06S R07E S11		NWNW
T06S R07E S11	SWNW	T06S R07E S11		SENW

Total Acres: 714

Page _____ of _____

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 714 acres in a single irrigation season. Combined Right Nos.: 2-2044, 2-2055, 2-2097B, 2-2128, 2-4015, 2-7133, 2-10008, 2-10010.
2. R33 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 5.0 afa per acre for the lands above.
3. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
4. The place of use for this water right is within the service area of West Indian Cove Water Co.
5. K06 This right is limited to the irrigation of 65 acres within the place of use described above in a single irrigation season.
6. 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.

Decreed Date: 5/20/2009

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

Current Water Right No.: 2-10008

Current Owner: WEST INDIAN COVE WATER CO INC
Priority Date: 4/13/1971
Origin: Water Right
Status: Active
Basis: Decreed

Source

SNAKE RIVER

Tributary

COLUMBIA RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Total Diversion

Diversion Rate

2.37 CFS

2.37 CFS

Annual Volume

Location of Point(s) of Diversion

SNAKE RIVER

OWYHEE County

L2(SW1/4NW1/4)

Sec. 34, Twp 05S, Rge 07E B.M.

Place of Use

IRRIGATION Within OWYHEE County

T05S R07E S34		SWSW
T06S R07E S3		SWNE
T06S R07E S3	Lot 3	NENW
T06S R07E S3		SWNW
T06S R07E S3		NESW
T06S R07E S3		SWSW
T06S R07E S3		NESE
T06S R07E S3		SWSE
T06S R07E S10		NENE
T06S R07E S11		NENW
T06S R07E S11		SWNW

T05S R07E S34	Lot 7	SESW
T06S R07E S3		SENE
T06S R07E S3	Lot 4	NWNW
T06S R07E S3		SENW
T06S R07E S3		NWSW
T06S R07E S3		SESW
T06S R07E S3		NWSE
T06S R07E S3		SESE
T06S R07E S10		NWNE
T06S R07E S11		NWNW
T06S R07E S11		SENW

Total Acres: 714

Page _____ of _____

Conditions of Approval:

1. The place of use for this water right is within the service area of West Indian Cove Water Co.
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. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
4. K06 This right is limited to the irrigation of 79 acres within the place of use described above in a single irrigation season.
5. E56 The rights listed below are limited to the irrigation of a combined total of 714 acres in a single irrigation season. Combined Right Nos.: 2-2044, 2-2055, 2-2097B, 2-2128, 2-4015, 2-7133, 2-10008, 2-10010.

Decreed Date: 5/20/2009

188508

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

Current Water Right No.: 2-10010

Current Owner: WEST INDIAN COVE WATER CO INC
Priority Date: 4/13/1971
Origin: Water Right
Status: Active
Basis: Decreed

Source

SNAKE RIVER

Tributary

COLUMBIA RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Total Diversion

Diversion Rate

1.24 CFS

1.24 CFS

Annual Volume

Location of Point(s) of Diversion

SNAKE RIVER

OWYHEE County

L2(SW1/4NW1/4)

Sec. 34, Twp 05S, Rge 07E B.M.

Place of Use

IRRIGATION Within OWYHEE County

T05S R07E S34		SWSW	T05S R07E S34	Lot 7	SESW
T06S R07E S3		SWNE	T06S R07E S3		SENE
T06S R07E S3	Lot 3	NENW	T06S R07E S3	Lot 4	NWNW
T06S R07E S3		SWNW	T06S R07E S3		SENW
T06S R07E S3		NESW	T06S R07E S3		NWSW
T06S R07E S3		SWSW	T06S R07E S3		SESW
T06S R07E S3		NESE	T06S R07E S3		NWSE
T06S R07E S3		SWSE	T06S R07E S3		SESE
T06S R07E S10		NENE	T06S R07E S10		NWNE
T06S R07E S11		NENW	T06S R07E S11		NWNW
T06S R07E S11		SWNW	T06S R07E S11		SENW

Total Acres: 714

Page _____ of _____

Conditions of Approval:

1. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
2. E56 The rights listed below are limited to the irrigation of a combined total of 714 acres in a single irrigation season. Combined Right Nos.: 2-2044, 2-2055, 2-2097B, 2-2128, 2-4015, 2-7133, 2-10008, 2-10010.
3. The place of use for this water right is within the service area of West Indian Cove Water Co.
4. 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.

Decreed Date: 5/20/2009



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

December 1, 2023

WEST INDIAN COVE WATER CO INC
51381 HIGHWAY 78
HAMMETT ID 83627-5009

RE: Transfer No. 88508

Water Right No(s). 2-10008, 2-10010, 2-2044, 2-2055, 2-2097B, 2-2128,
2-4015, 2-7133

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the OWYHEE AVALANCHE on 12/6/2023 and 12/13/2023. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Lynne Evans
Administrative Assistant I

CC: LORI GRAVES, HDR INC

Evans, Lynne

From: Evans, Lynne
Sent: Friday, December 1, 2023 6:19 PM
To: Whitney, Rob
Subject: Application for Transfer No. 88508
Attachments: 88508 WM.docx; 88508 Application.pdf

Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find more information about the application at: <https://research.idwr.idaho.gov/apps/waterrights/wrajsearch/wradjsearch.aspx>. A copy of the application is also attached to this email. Please review the application, then complete the enclosed recommendation form and return it to this office by December 26, 2023.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has passed. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation by December 26, 2023, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Please contact this office if you have any questions regarding the application.

Lynne Evans | Administrative Assistant I
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

State of Idaho
Department of Water Resources
RECOMMENDATION FORM

RE: Transfer No. 88508

Water Right No(s). 2-10008, 2-10010, 2-2044, 2-2055, 2-2097B, 2-2128, 2-4015, 2-7133

Transfer Applicant's Name:

WEST INDIAN COVE WATER CO INC
51381 HIGHWAY 78
HAMMETT, ID 83627-5009

Watermaster's Recommendation:

- a) _____ I do not oppose approval of this application.
- b) _____ I do not oppose approval of this application if it is conditioned as follows:
- c) _____ I oppose approval of this application for the following reasons:
- d) _____ Additional comments:

Dated this _____ day of _____, 20_____.

Watermaster's Signature

Evans, Lynne

From: Evans, Lynne
Sent: Friday, December 1, 2023 9:12 AM
To: Jon Brown; office@owyhee.com
Subject: Transfer No. 88508
Attachments: Legal Notice.docx

Please publish the enclosed legal notice in the Owyhee Avalanche on the dates indicated (12/6/23 & 12/13/23, once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 12/26/2023. Your cooperation is appreciated.

Thank you,

Lynne Evans | Administrative Assistant I
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 88508

WEST INDIAN COVE WATER CO INC, 51381 HIGHWAY 78, HAMMETT, ID 83627-5009 has filed Application No. 88508 for changes to the following water rights within OWYHEE County(s): Right No(s). 2-10008, 2-10010, 2-2044, 2-2055, 2-2097B, 2-2128, 2-4015, 2-7133; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows:

to add a point of diversion for West Indian Cove Water Co Inc's Snake River water rights. The proposed new point of diversion is a pump station located in Lot 6 NWSW Section 34, Township 05S, Range 07E approximately 0.1 miles south of the current pump station and approximately 2.5 miles West of Indian Cove.

For additional information concerning the property location, contact the Western Region office at (208)334-2190. Protests may be submitted based on the criteria of Idaho Code § 42-222. Any protest against the proposed change must be filed with the Director, Dept. of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 12/26/2023. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 12/6/2023 and 12/13/2023



RECEIVED

OCT 23 2023

WATER RESOURCES
WESTERN REGION

October 17, 2023

Aaron Olson
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: *Amended Application for Transfer*
Additional Filing Fee

Dear Aaron,

Enclosed on behalf of West Indian Cove Water Co. Inc., is an *Amended Application for Transfer* proposing to keep the existing pump and using it as a back-up to the new pump station. As requested, Check No.1369 is enclosed for the \$1,050 filing fee shortage. This check, in addition to check No. 1359 previously submitted account for the \$2,100 total fee due.

Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

HDR Engineering, Inc.

Lori Graves

Lori Graves
Sr. Water Rights Specialist

Cc: Dale Hooley

Enclosers: application, check

Project: 10378916

Olson, Aaron

From: Graves, Lori <Lori.Graves@hdrinc.com>
Sent: Tuesday, October 17, 2023 10:55 AM
To: Olson, Aaron
Subject: RE: West Indian Cove Transfer

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Check and transfer amendment mailed to you today Aaron.

From: Olson, Aaron <on.Olson@idwr.idaho.gov>
Sent: Wednesday, September 20, 2023 4:16 PM
To: Graves, Lori <Lori.Graves@hdrinc.com>
Subject: RE: West Indian Cove Transfer

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Lori,

In the meantime while we are holding this Transfer waiting on their decision to amend or not it appears I missed a mix up on the fee paid. \$1050 was paid already, but according to the Transfer fee schedule 21.44 cfs requires a \$2100 payment.

Thanks,

Aaron

From: Graves, Lori <Lori.Graves@hdrinc.com>
Sent: Tuesday, September 12, 2023 12:47 PM
To: Storms, Scott <Scott.Storms@idwr.idaho.gov>
Cc: Alan Schroeder (alan@schroederlaw.net) <alan@schroederlaw.net>; Dale Hooley <dalehooley899@gmail.com>; Olson, Aaron <on.Olson@idwr.idaho.gov>
Subject: RE: West Indian Cove Transfer

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Will do. Thanks much Scott.

Lori Graves, Sr. Water Rights Specialist
D 208.872.9519 M 208.850.4601

hdrinc.com/follow-us

From: Storms, Scott <Scott.Storms@idwr.idaho.gov>

Sent: Tuesday, September 12, 2023 12:31 PM

To: Graves, Lori <Lori.Graves@hdrinc.com>

Cc: Alan Schroeder (alan@schroederlaw.net) <alan@schroederlaw.net>; Dale Hooley <dalehooley899@gmail.com>; Olson, Aaron <an.Olson@idwr.idaho.gov>

Subject: RE: West Indian Cove Transfer

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Lori,

That one hasn't made it to advertising yet so no problem putting it on hold. Looks like it's in Aaron Olson's office right now so you or your clients could reach out to him if they need to make an amendment. I've cc'd him on this email.

Scott



Scott Storms

Water Rights Supervisor

IDWR Western Region

208-334-2190

scott.storms@idwr.idaho.gov

2735 W Airport Way Boise, ID 83705

From: Graves, Lori <Lori.Graves@hdrinc.com>

Sent: Tuesday, September 12, 2023 12:21 PM

To: Storms, Scott <Scott.Storms@idwr.idaho.gov>

Cc: Alan Schroeder (alan@schroederlaw.net) <alan@schroederlaw.net>; Dale Hooley <dalehooley899@gmail.com>

Subject: West Indian Cove Transfer

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Hi Scott,

We submitted a transfer application for West Indian Cove Water Company August 21 proposing to replace an old pump station with a new pump station located in a different forty-acre tract. The applicants are now considering keeping the old pump station as a back-up point of diversion. Can you put the brakes on processing the transfer until the applicants decide? Thank you.

Lori Graves

Sr. Water Rights Specialist

HDR | SPF

412 E Parkcenter Blvd, Ste 100

Boise, ID 83706

D 208.872.9519 M 208.850.4601

Lori.Graves@hdrinc.com

hdrinc.com/follow-us

Olson, Aaron

From: Graves, Lori <Lori.Graves@hdrinc.com>
Sent: Friday, September 8, 2023 12:10 PM
To: Olson, Aaron
Subject: RE: West Indian Cove Water Co Inc transfer clarification

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Yes, it is in Lot 6

Lori Graves, Sr. Water Rights Specialist
D 208.872.9519 M 208.850.4601

hdrinc.com/follow-us

From: Olson, Aaron <on.Olson@idwr.idaho.gov>
Sent: Thursday, September 7, 2023 12:12 PM
To: Graves, Lori <Lori.graves@hdrinc.com>
Subject: West Indian Cove Water Co Inc transfer clarification

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Lori,

I have one more application I'm working through out of a stack I was given to do initial data entry. This application looks good but I just wanted to clarify if the new POD is actually going to be in lot NWSW Lot 6 or in plain NWSW as it is currently on the application. It looks like in the map the point is just a little over the line into lot 6.

Please let me know if that is the case or if I can just go ahead and continue with it as is.

Thanks,

Aaron Olson - Water Resource Agent
Idaho Dept. of Water Resources
2735 W Airport Way
Boise, ID 83705
(208) 605-4629
Aaron.Olson@idwr.idaho.gov



RECEIVED

AUG 22 2023

DEPARTMENT OF
WATER RESOURCES

August 22, 2023

Scott Storms
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: *Application for Transfer*
Notice of Address Change

Dear Scott,

Enclosed on behalf of West Indian Cove Water Co. Inc., is an *Application for Transfer* proposing changing the Company's authorized point of diversion on the Snake River from an old pump station to a new proposed pump station located approximately 400 feet south of the old. A copy of the Joint Application for Permit will be submitted to Katie Gobble at the State Office as soon as complete. Check No.1359 is enclosed for the \$1,050 filing fee.

An Address Change Notice is also included that will allow the water right records to be updated as part of the transfer process.

Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

HDR Engineering, Inc.

Lori Graves

Lori Graves
Sr. Water Rights Specialist

Cc: Dale Hooley, Katie Gobble

Enclosers: application, check

Project: 10378916

hdrinc.com

HDR, 412 E Parkcenter Blvd, Suite 100, Boise, ID 83706
(208) 387-7000