

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

SEP 05 2023

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Department of Water Resources
Eastern Region

Name of Applicant(s) Corbett Farms, Inc. Phone (208) 425-3429
 Mailing address PO Box 272 Grace, ID 83241 Email craig@corbettfarms.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

Craig Corbett, President
 Print Name and Title if applicable

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. 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 **Part 1A.2**.

Correcting legal description for Place of Use - see 3. below

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 **Part 1A.3**.

In reviewing this water right's map on IDWR's website, it was noted the Place of Use (POU) was incorrect. Further investigation showed a transposition error on the original 1987 Notice of Claim to a Water Right (copy attached). Item # 10 should have been the SW 1/4 of SE 1/4, so this application is submitted to make the correction.

STATE OF IDAHO
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.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All ☒ or Part ☐	27-11328	.08 CFS	Domestic/Stockwater	01/01 to 12/31	Groundwater
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	

Total authorized under rights .08 cfs and/or N/A acre-feet.

2. Total amount of water proposed to be transferred or changed N/A cubic feet per second and/or N/A 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	
5S	41E	20															XX		
Total Acres (for irrigation use)																			

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:

No change to existing diversion

- b. Who owns the property at the point(s) of diversion? Applicant

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?

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: N/A

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?

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:

N/A

- 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:

N/A

- 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:

Water Right Report : 27-11328(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
------------	------	---------	------	-------	-------------

Current Owner	CORBETT FARMS INC	PO BOX 272	GRACE	ID	83241
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Water Right Status

Priority Date : 8/10/1987

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
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GROUND WATER			
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Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
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GROUND WATER	05S	41E	20	0	SE	SW	SE	CARIBOU	
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Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
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STOCKWATER	1/01	12/31	0.04 CFS	
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DOMESTIC	1/01	12/31	0.04 CFS	
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TOTAL			0.08 CFS	
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Places of Use

Printable View

Paged View

Place of Use Legal Description : STOCKWATER (CARIBOU county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
05S	41E	20		SE	SW		

should be SW of SE

Place of Use Legal Description : DOMESTIC (CARIBOU county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
05S	41E	20		SE	SW		

should be SW of SE

Conditions

Code Conditions

N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

4 HORSES RP 10130

Dates

Licensed Date :

Decreed Date : 4/23/1999

Permit Proof Due Date :

Permit Proof Made Date :

Permit Approved Date :

Permit Moratorium Expiration Date :

Enlargement Use Priority Date :

Enlargement Statute Priority Date :

Application Received Date:

Protest Deadline Date:

Other Information

State or Federal : S

Water District Number : TBD

Generic Max Rate Per Acre : 0

Generic Max Volume Per Acre : 0

Civil Case Number :

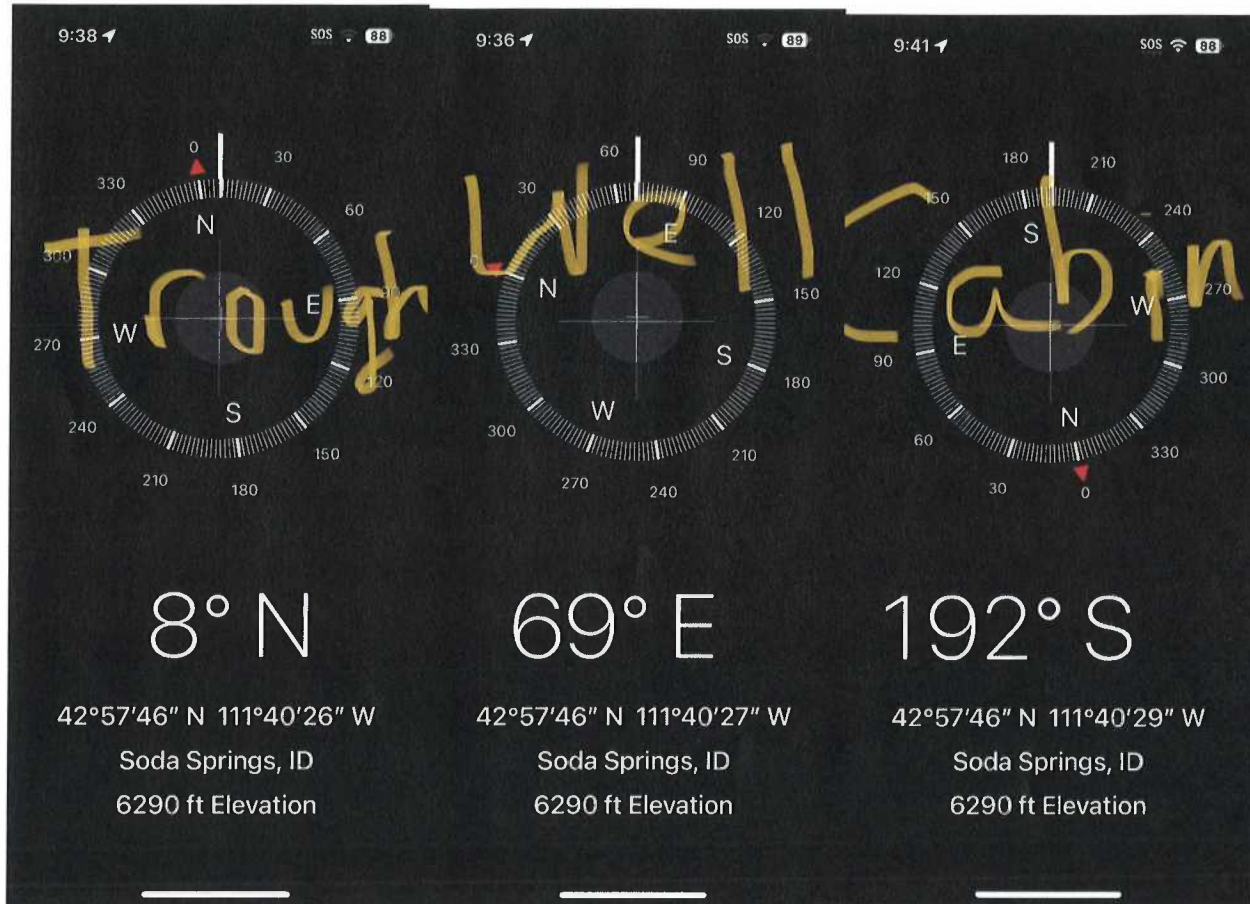
Decree Plaintiff :

Decree Defendant :

Swan Falls Trust or Nontrust :

Swan Falls Dismissed :

DLE Act Number :



Converted to Decimal Degrees:

Trough: 42.962778, -111.673889

Well: 42.962778, -111.674167

Cabin: 42.962778, -111.674722

RECEIVED

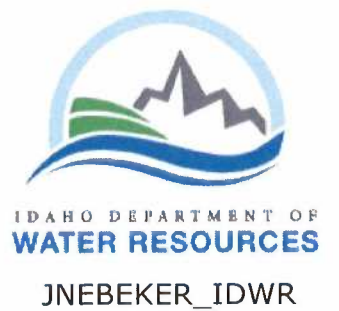
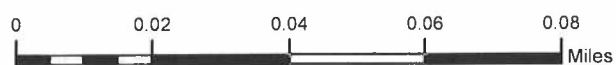
SEP 15 2023

**Department of Water Resources
Eastern Region**



- Corbett_Cabin
- Cobrett_Well
- Corbett_Trough
- Township/Range
- Sections
- QQ
- Transfer POU

Transfer No. 88505



State of Idaho
Department of Water Resources
Water Right

27-11328

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 8/31/2023



Legend

- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary
- Point of Diversion



State of Idaho
Department of Water Resources

Water Right

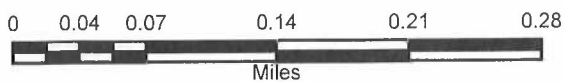
27-11328

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 8/31/2023



Legend

- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary
- Point of Diversion



STATE OF IDAHO
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 (WaterBalance)

N/A

- ☐ 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

N/A

- ☐ 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:

N/A

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid 50.00 Date 9-5-23 Received by M. Petter Receipt # E049467

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

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

PART 1 A.2

2,000 acre feet but not exceeding 10,000 acre feet
..... \$2,020
plus \$40.00 for each additional c.f.s. or part thereof or
100 acre feet or part thereof over the first 20.0 c.f.s.
or 2,000 acre feet.

5. For a quantity greater than 100 c.f.s. but not
exceeding 500 c.f.s., or for a storage volume greater than
10,000 acre feet but not exceeding 50,000 acre feet
..... \$5,220
plus \$20.00 for each additional c.f.s. or part thereof or
100 acre feet or part thereof over the first 100 c.f.s. or
10,000 acre feet.

6. For a quantity greater than 500 c.f.s., or for a
storage volume greater than 50,000 acre feet
..... \$13,220

plus \$4.00 for each additional c.f.s. or part thereof or
100 acre feet or part thereof over the first 500 c.f.s. or
50,000 acre feet.

7. For any application to change the nature of use of
water under one (1) or more vested water right(s), an
additional fee of \$250 shall apply.

8. For an application to change only the legal
description for the place of use or the point of diversion
when there will be no physical change in the location of
the place of use or the point of diversion and no
unauthorized physical change in the location of the place
of use or the point of diversion has occurred inconsistent
with the decree, license or transfer defining the water
right, the total filing fee shall be \$50.00 per water
right.

P. For filing a notice of land application of effluent as
required by section 42-201

(8),	Idaho	Code
.....		\$150

All fees received by the department of water resources
under the provisions of this chapter shall be transmitted to
the state treasurer for deposit in the water administration
account.

History:

[(42-221) 1903, p. 223, sec. 10; reen. R.C. & C.L., sec.
3263; C.S., sec. 5581; am. 1923, ch. 53, sec. 1, p. 60;
I.C.A., sec. 41-215; am. 1941, ch. 116, sec. 1, p. 228; am.
1967, ch. 374, sec. 12, p. 1079; am. 1968 (2nd E.S.), ch. 25,
sec. 1, p. 47; am. 1971, ch. 151, sec. 1, p. 750; am. 1978,
ch. 143, sec. 1, p. 323; am. 1980, ch. 151, sec. 1, p. 320;
am. 1981, ch. 147, sec. 2, p. 253; am. 1983, ch. 61, sec. 2,

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

Identification No. _____

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Corbett Farms, Inc Phone (208) 425-3429Mailing Address P.O. Box 272 CRALE, Idaho Zip 832412. Date of Priority (Only one per claim) 8/10/87 Month/Day/Year3. Source of water supply (Check one) (☒) Groundwater or Other () (a) _____

Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township SS Range 41 ESection 20 S E 1/4 of S W 1/4 of SE 1/4, Govt. Lot _____, BM.,County of Caribou

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Well 8" CASE 180' Deep 1 1/2 hp. Submeriblepump, Pipe to house not done at this time.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 01/01 to 12-31 amount 0.04 (cfs)For Stockwater purposes from 01/01 to 12-31 amount 0.04 (Both dates are inclusive)7. Total quantity claimed 0.08 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 2 households, 4 horses

10. Place of use is: Township: 55 Range 41E

Section 20 S.E. 1/4 of S.W. 1/4, Govt. Lot _____, B.M.,

for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Caribou

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
(1) None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do X do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Vice President

of Corbett Farms, Inc. Title _____ that I have signed the foregoing

document in the space below as V.P. of Corbett Farms, Inc.
Title _____ Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent W. Gary Corbett Date 2/5/90

Title and Organization Vice President Corbett Farms, Inc.

State of Idaho/or _____)

County of Caribou) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 5 day of February 19 90

SEAL

Notary Public Myrna W. Archibald

Residing at Soda Springs

My Commission Expires 6/18/93

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

MEMORANDUM

Date: September 8, 2023
To: Transfer 88505
From: Jake Nebeker
Re: Legal Notice Not Required

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.