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DEPT. OF WATER RESOURCES
EASTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

GENERAL INFORMATION AND INSTRUCTIONS

Pursuant to Section 42-222(1), *Idaho Code*, a transfer application may be filed to change the point of diversion, place of use, period of use, or nature of use of all or part of an established water right. Any person proposing to make such a change is required to file a transfer application with the Department. "Such application shall be upon forms furnished by the department and shall describe the [water right] to be changed and the changes which are proposed and shall be accompanied by the statutory filing fee." *Idaho Code* § 42-222(1).

The Department has developed this application form to assist applicants in satisfying the requirements of Section 42-222(1). This application form requests information about the applicant's authority to file (Part 1), information about the current elements of the water right(s) to be changed (Part 2), information about the proposed changes (Part 3), information about the validity of the water right(s) and the effects of the proposed changes (Part 4), and confirmation that the information provided is truthful (Part 5).

The applicant or their representative must provide a response for all applicable questions, any additional information required, and the proper filing fee before this application will be considered complete. If an application is incomplete or more information is required, the Department will notify the applicant or representative and allow time for the application to be completed. An application that remains incomplete will be returned to the applicant and the filing fee will be refunded.

An application for transfer is limited to the changes proposed for a single water distribution system. A proposal to change two or more separate water distribution systems, that will remain separate after the transfer, must be filed as separate applications. Applicants may provide additional pages to supplement their responses to the questions posed on this application form. Supplemental forms for listing additional water rights, points of diversion, or places of use can be found on the Department's website (idwr.idaho.gov). If you need assistance understanding the questions on this form, generating current water right reports, determining legal descriptions, or accessing water measurement records feel free to contact the nearest regional office of the Department.

PART 1 – CONTACT INFORMATION, OWNERSHIP RECORDS, AUTHORITY TO FILE

Name(s) of Applicant(s) Estate of La Var Grover

Mailing Address 3469 Francesca Ln. Idaho Falls 83402

Email* Glgrover1eng@gmail.com/gsearle@searlehart.com Phone _____

Name of Representative (if any) Rocky Mountain Environmental Associates Inc.

Mailing Address 482 Constitution Way Suite 303 Idaho Falls, Idaho

Email* thane.rmea@gmail.com Phone (208) 524-2353

*If an email address is provided, Department staff will use email as the primary method for corresponding with the applicant and representative about the application.

A. Representative. If the representative is authorized to sign or amend the application on behalf of the applicant, attach documents confirming that authority. Label documents as Attachment 1A.

Transfer No. 89930 Page 1

850

B. Current Owner. If the applicant is not the current owner of record for all water rights included in this application, attach documents showing that the applicant has the authority to make the proposed changes. Label documents as Attachment 1B.

C. Updating Ownership Records. Applicants needing to update the ownership records for any of the water rights included in this application must attach documents supporting the ownership change. Such documents must trace ownership of the subject water rights or the current place of use for the subject water rights from the current owner of record for the water rights to the applicant. Label documents as Attachment 1C.

D. Business Entities. If the applicant is a business entity (corporation, LLC, partnership, trust, etc.), is the entity currently registered with the Idaho Secretary of State?

☐ Yes. If this application is signed by someone other than a person listed on the most recent annual report filed with the Idaho Secretary of State, attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

☐ No. Attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

E. Approval of Irrigation Delivery Entity. Section 42-108, *Idaho Code*, states that a transfer application proposing to change water rights held by an irrigation company or district requires the consent of the irrigation entity. If this application proposes to change water rights held by an irrigation entity, attach a letter of consent from the entity (labeled as Attachment 1E) or have an authorized representative of the entity co-sign the application.

F. Encumbered Properties. If the current place of use for the water rights included in this application is subject to a lien, deed of trust, mortgage, or contract and the application proposes to change the nature of use of the water rights or to move water rights off the current place of use, attach a statement of consent for the change signed by the lien holder, trustee, mortgagor or contract holder. Label documents as Attachment 1F.

G. Legal Access. If the applicant is not the current owner of the proposed point(s) of diversion, conveyance system, or place(s) of use, provide evidence of legal access to the land or infrastructure not owned by the applicant. Label documents as Attachment 1G. For example, an applicant may provide a letter of consent from the owner of the land or conveyance system or may have the owner co-sign the application. For applications proposing to divert water on or convey water across federal land, an applicant is not required to demonstrate legal access to the federal land prior to approval. Instead, if the transfer application is approved, the applicant must obtain access authorization from the relevant federal agency prior to diverting water under the subject water rights.

PART 2 – WATER RIGHTS BEFORE PROPOSED CHANGES

A. Current Water Rights. For each water right proposed to be changed, attach a current water right report obtained from any Department office or from the Department's website (idwr.idaho.gov). Label water right reports as Attachment 2A.

B. Map of Current System. Attach a map of the current point(s) of diversion and place(s) of use for the water rights to be changed. The map should clearly depict the elements of the water rights to be changed. For example, if the application proposes to change the point of diversion for a water right, the map should display the current location of the point of diversion. For irrigation water rights, the map should also identify the location of the irrigated acres to be changed. Label map as Attachment 2B.

C. Current Location of Irrigated Acres. If this application proposes to change the place of use or nature of use for only a portion of an irrigation water right, use the following table to identify the current location of the irrigated acres to be changed. If additional pages are required, label additional pages as Attachment 2C. If this application proposes to change or rearrange the entire place of use for irrigation water right(s), skip to Part 3.

☒ **N/A.** This application does not propose to change the place of use or nature or use of an irrigation water right or this application proposes to change the place of use or nature of use for an entire irrigation right.

Current Location of Irrigated Acres to be Changed

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	

Total Irrigated Acres to be Changed: _____

PART 3 – DESCRIPTION OF PROPOSED CHANGES

A. Purpose of Transfer. Section 42-222(1), *Idaho Code*, states that transfer applications may only be filed to change the point of diversion, place of use, period of use, or nature of use of an established water right. Section 42-248(3), *Idaho Code*, authorizes water right ownership changes to be described on a transfer application. Identify the changes proposed in this application:

- | | |
|--|---|
| ☒ Change point(s) of diversion | ☒ Change place of use |
| ☒ Add point(s) of diversion | ☐ Change period of use |
| ☐ Change nature of use | ☐ Update water right ownership records |

B. Proposed Changes. Describe the proposed changes in narrative form:

Applicant proposes to correct the water right record to reflect historical usage on the property.
The POU/POD have incorrect quarter-quarters listed, and some are even missing from the
description. This application does not propose a physical change in the application, only a
correction of the description per 42-221.O.8. See Attachment 5A for additional details.

C. Summary of Proposed Changes.

1. Water Rights. Use the following table to list all water rights, or portions thereof, that are proposed to be changed as they would appear after the proposed changes. In the Amount column, list the volume in acre-feet (af) for storage uses or the rate in cubic feet per second (cfs) for all other uses.

All or Part	Right Number	Amount (cfs/af)	Nature of Use	Period of Use	Source
☐ ☐				to	
☒ ☐	22-4073	0.02 CFS	Stockwater	01/01 to 12/31	Unnamed Stream
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

2. Total Amounts. Calculate the total quantity, in cfs or af, of water rights that are proposed to be changed through this application. For an application proposing to only change the place of use for irrigation rights, the total quantity of water is calculated by comparing the current place of use to the proposed place of use, summing the number of acres increased in each legal subdivision, and quantifying the proportional amount of diversion rate for the increased acres. For an application proposing to change or add points of diversion for irrigation or any other beneficial use, the total amount is the total diversion rate for the changed portion of the right.

Total Amount of Water Rights Proposed to be Changed: 0.02 cfs and/or _____ af.

3. Point(s) of Diversion. Use the following table to list all the proposed points of diversion for the water rights to be changed, including any current points of diversion that will continue to be used as part of the proposed water distribution system.

The legal description for the proposed point(s) of diversion must be to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System (PLSS). PLSS information is typically available from USGS topo maps, property deeds, tax bills or various mapping tools on the Department's website.

For points of diversion within platted subdivisions, list the lot and block number in the "Diversion Name/Number" column. An application proposing an injection into a stream and a re-diversion from that stream must list the source for the original diversion as the source for the injection and re-diversion points. If this application proposes construction of a new diversion structure (for example, a new ground water well or a new pump station on a creek), please indicate the status in the appropriate column.

☐ N/A. This application does not propose to add or change any points of diversion.

Proposed Points of Diversion

New?	Twp	Rge	Sec	Lot	1/4	1/4	1/4	County	Source	Diversion Name/Number
	05N	45E	21		NE	NW	SE	Teton	Unnamed Stream	Beginning of Stream
	05N	45E	20		SW	SW	SE	Teton	Unnamed Stream	End of Stream
	05N	45E	20		NW	NE	SE	Teton	Unnamed Stream	Beginning of Stream
	05N	45E	20		SW	NE	SW	Teton	Unnamed Stream	End of Stream
	05N	45E	20		SE	NE	SW	Teton	Unnamed Stream	End of Stream

4. Place of Use. The proposed place of use must be described to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System. Government lot numbers can be noted in parenthesis below the approximate quarter-quarter location of the government lot. For water rights held by irrigation districts, municipal providers or irrigation companies, the proposed place of use may be generally described as authorized by Sections 42-202B, 42-219 and 42-222B, *Idaho Code*.

☐ N/A. This application does not propose to change the place of use.

Proposed Place of Use

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	
05N	45E	20									S				S	S	S	S	S
		21									S	S	S			S			S

Total Irrigated Acres: _____

5. Map of Proposed System. Attach a map showing the location of the points of diversion, reservoirs, dams, canals, ditches, pipelines and other works proposed to divert and convey water. Also show the location of the place of use, including any lands to be irrigated. The map should delineate the legal subdivisions including townships, ranges, sections, quarter-quarters and government lots. Label map as Attachment 3C.

PART 4 – ADDITIONAL INFORMATION

Section 42-222(1), *Idaho Code*, establishes the criteria used to evaluate transfer applications. An applicant bears the burden of demonstrating that the water right to be changed is a valid right, that the proposed use is a beneficial use, and that the proposed changes will not injure other water rights, will not enlarge the use of the original rights, are in the local public interest, and are consistent with the conservation of water resources within the state of Idaho. To satisfy this burden, an applicant must provide sufficient data and information for the

Department to evaluate the effects of the proposed change. The Department may deny an application if the applicant fails to provide sufficient data and information to determine whether the criteria from Section 42-222(1) are satisfied. In addition to the information requested in Parts 1-3 of this application, the following information must be provided for an application to be considered complete. Department staff may request additional information or clarification as the application is processed.

A. Validity of Water Rights

1. If one or more of the water rights proposed to be changed is a statutory claim, established pursuant to Section 42-248, *Idaho Code*, attach evidence supporting the priority date claimed. Label documents as Attachment 4A-1. For statutory claims, the Department may conduct a field inspection as part of the application review process to evaluate the water right elements listed on the statutory claim.

2. Has any portion of the water right(s) proposed to be changed undergone a period of five or more consecutive years of non-use?

☐ Yes. Attach a statement describing the portion of the right(s) that were not used and the length of time of the non-use. In addition, identify any exception or defense to forfeiture and provide a detailed description as to why the water rights have not been lost and forfeited for non-use. Label documents as Attachment 4A-2. Statutory exceptions or defenses to forfeiture are set forth in Section 42-223, *Idaho Code*.

☒ No.

B. Injury to Other Water Rights

1. Identify any other water right(s) diverted at the current point(s) of diversion.

None

2. Identify any other water right(s) diverted at the proposed point(s) of diversion.

None

3. Is the proposed point of diversion within a state water district? ☒ Yes. Water District # 01. ☐ No.

4. If already constructed and in use, are the proposed points of diversion equipped with Department-approved measuring devices? ☐ Yes. ☒ No.

5. If this application proposes to divert a surface water right from a ground water well, attach a technical analysis evaluating the hydraulic connection between the proposed ground water point of diversion and the source of water listed on the right to be changed. Label technical analysis as Attachment 4B-5.

6. If this application proposes changing the point of diversion for a ground water right in the Eastern Snake Plain Aquifer (ESPA), attach a technical analysis of the anticipated depletions to reaches of the Snake River that are hydraulically connected to the ESPA using the Department's current ground water model for the ESPA. The technical analysis must evaluate depletion impacts in a time-series format at transient and steady state time steps. To assist applicants in preparing the required technical analysis, the Department has developed a transfer tool interface for the ESPA model. The transfer tool and user instructions can be downloaded from the Department's website (idwr.idaho.gov). If the proposed and current points of diversion are in the same or adjacent model cells, no technical analysis is required, unless specifically requested by the Department. Label technical analysis as Attachment 4B-6.

C. Enlargement in Use

1. Identify any other water rights used at the current place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

There are no true overlapping POUs, however, IDWR's current record shows Water Right 22-4074 as overlapping this water right (from different streams)

2. Identify any other water rights used at the proposed place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

None

3. If this application proposes changing the place of use or nature of use for irrigation water rights, will the current place of use, for the portion of the right to be changed, continue to be irrigated?

☐ Yes. Identify the water right(s) to be used for the continued irrigation.

☐ No. The place of use for the portion to be changed will no longer be irrigated.

☒ N/A. The application does not propose to change the place of use for irrigation rights.

4. Unstacking Water Rights for Irrigation. If this application proposes to change the place of use for an irrigation water right that is combined with other irrigation rights at the current place of use but does not propose to change the place of use for all the stacked irrigation rights, attach evidence of the historical consumptive use occurring under all water rights at the current place of use. For irrigation rights, this should include at least five years of diversion data and/or crop data and estimates of evapotranspiration. Label the information as Attachment 4C-4. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

5. If the application proposes to change the nature of use for a water right, attach evidence of the historical consumptive use occurring under the portion of the water right to be changed. For irrigation rights, this should include diversion data, crop data and estimates of evapotranspiration. Label the information as Attachment 4C-5. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

6. If the application proposes to change the nature of use of a water right to municipal use for reasonably anticipated future needs, complete the form titled "Municipal Water Right Application Checklist" found on the Department's website (idwr.idaho.gov). Label the form as Attachment 4C-6.

7. To your knowledge, are any portions of the water rights proposed to be changed:

Yes

No

☐☒

currently leased to the Water Supply Bank?

If yes, complete the form titled "Application for Transfer of Water Right Attachment WSB" found on the Department's website (idwr.idaho.gov). Label the Form as Attachment 4C-7.

☐☒

currently used in a mitigation plan limiting the use of water under the right?

☐☒

subject to an agreement not to divert (CREP)?

☐☒

currently enrolled in a federal set-aside program (CRP)?

D. Local Public Interest

The department must consider whether the proposed changes are in the local public interest as defined in Section 42-202B(3), *Idaho Code*. Some of the local public interest factors that may be considered in conjunction with a transfer application are (1) Recreation, fish, and wildlife impacts, (2) Water quality or contamination concerns, (3) Local and state ordinances, regulations, or policies related to water use, (4) Goals, requirements and limits set forth in the State Water Plan. If you choose to provide information about local public interest factors, label the information as Attachment 4D.

E. Conservation of Water Resources

Describe the diversion works and water delivery system. This may include sizes and dimensions of pumps, pipelines, headgates, ditches, dams, impoundments and irrigation equipment.

Applicant allows stock to wander throughout their property and drink from unnamed streams
between PODs.

PART 5 – FILING FEE AND SIGNATURE

A. Filing Fee. Filing fees for transfer applications are set forth in Section 42-221.O, *Idaho Code*. A table summarizing the filing fees for transfer applications is also found on the Department's website (idwr.idaho.gov). Any application proposing to change the nature of use for one or more rights requires an additional filing fee of \$250. Applications proposing to update the ownership records for water rights must also include the appropriate filing fee to update the ownership records. For any application relying on the filing fee set forth in Section 42-221.O.8, *Idaho Code*, attach a statement describing how the application qualifies under Section 42-221.O.8. Label documents as Attachment 5A.

B. Affidavit of Applicant or Representative:

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.

DocuSigned by:		
<u>Gerald Searle</u>	Gerald Searle, Personal Representative	7/16/2025
Signature of Applicant or Representative*	Print Name and Title, if applicable	Date
 Signature of Applicant or Representative*	 Print Name and Title, if applicable	 Date

*If water rights included in this application are owned by multiple people or entities, each owner must sign the application form.

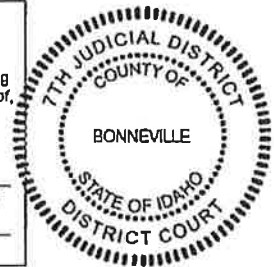
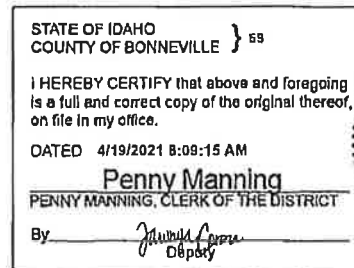
FOR DEPARTMENT USE ONLY

Fee Paid: \$ <u>50.00 (1310 check)</u>	Receipt #: <u>E050998</u>	Date: <u>7/17/25</u>	Received by: <u>Cx H</u>
Add'l Paid: \$ _____	Receipt #: _____	Date: _____	Received by: _____

Attachment 1B

Seventh Judicial District, Bonneville County
Penny Manning, Clerk of the Court
By: Deputy Clerk - Corona, Tawnya

Nathan M. Olsen, ISB No. 7373
OLSEN TAGGART PLLC
P. O. Box 3005
Idaho Falls, ID 83403
Telephone: (208) 523-4560
Telephone: (208) 552-6442
Facsimile: (208) 524-6095
Email: nolsen@olsentaggart.com



Attorneys for Applicant, Gerald W. Searle

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNEVILLE

In the Matter of the Estate of:

LAVAR M. GROVER,

Deceased.

Case No. CV10-21-2253

LETTERS TESTAMENTARY

1. GERALD W. SEARLE was duly appointed and qualified on 4/19/2021, as general Personal Representative of the Estate of LaVar M. Grover deceased, by the Magistrate acting as registrar with all authority pertaining thereto.

2. Administration of the Estate is unsupervised.

These letters are issued to evidence the appointment, qualification, and authority of said Personal Representative.

WITNESSETH, my signature and the seal of this Court, this date 4/16/2021 11:12:11 AM.


Magistrate



LETTERS TESTAMENTARY - 1

89930

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

8/29/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 22-4073

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LA VAR GROVER 671 E 1275 N SHELLEY, ID 83274 2083573213
Attorney	ROBERT L HARRIS HOLDEN KIDWELL HAHN & CRAPO PLLC PO BOX 50130 IDAHO FALLS, ID 83405-0130 2085230620
Original Owner	HOPKINS RODEN CROCKETT HANSEN & HOOPES C/O C TIMOTHY HOPKINS PO BOX 51219 IDAHO FALLS, ID 83405-1219 2085234445

Priority Date: 10/13/1902

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	TETON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	12/31	0.02 CFS	
Total Diversion			0.02 CFS	

Location of Point(s) of Diversion:

UNNAMED STREAM End of Stream Flow	NWNESW	Sec. 20	Township 05N	Range 45E	TETON County
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89930

UNNAMED STREAM Beginning of Stream Flow	NWNESE	Sec. 20	Township 05N	Range 45E	TETON County
UNNAMED STREAM Beginning of Stream Flow	NENWSE	Sec. 21	Township 05N	Range 45E	TETON County
UNNAMED STREAM End of Stream Flow	SWSWSE	Sec. 21	Township 05N	Range 45E	TETON County

Place(s) of use:

Place of Use Legal Description: STOCKWATER TETON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	45E	20		NESW			NWSE			SWSE			SESE	
		21		NESW			NWSW							
				NWSE			SWSE							

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. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
3. STOCKWATER, 1400 CATTLE
4. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.

Dates:

Licensed Date:

Decreed Date: 11/24/2008

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: TBD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

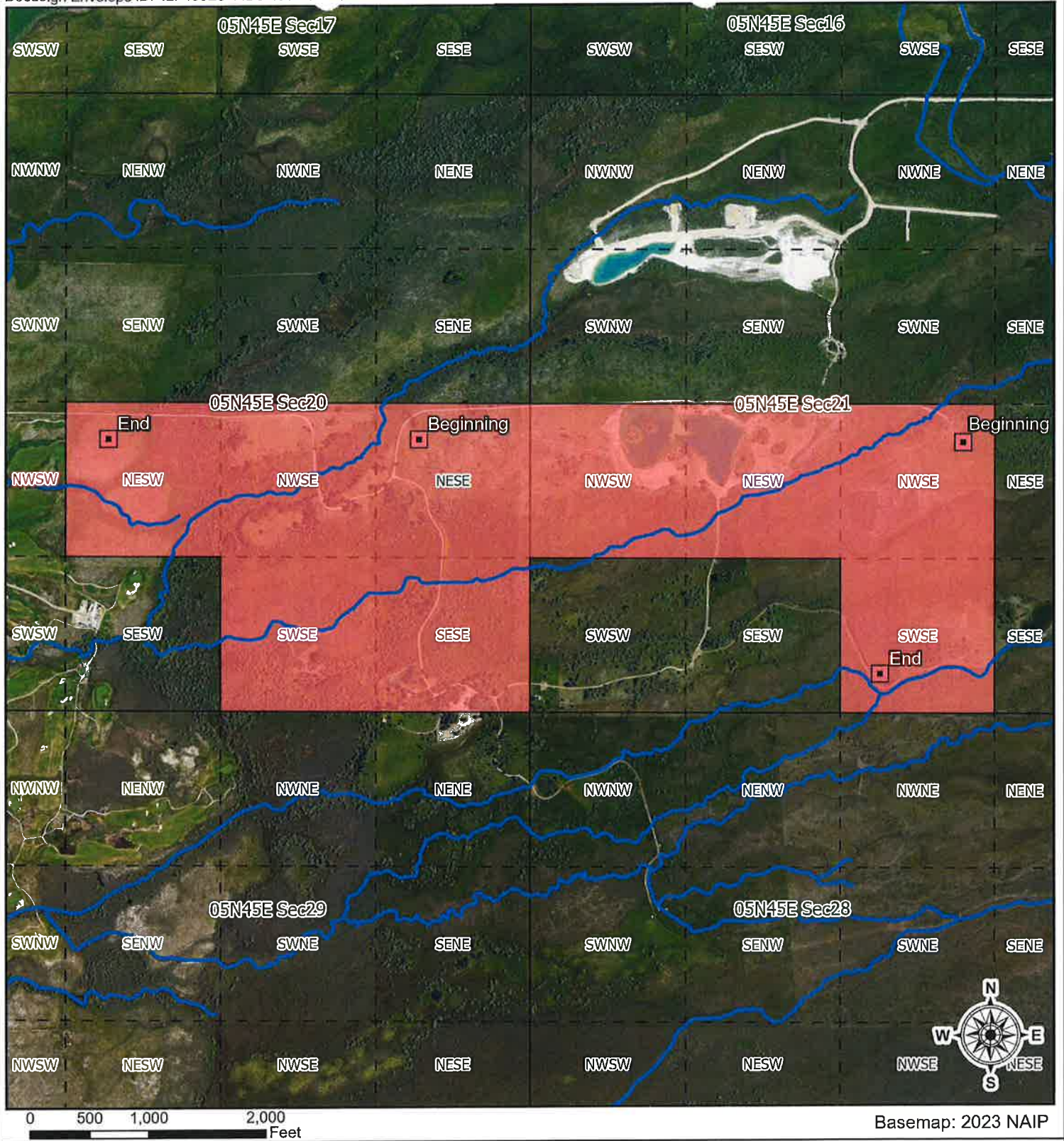
Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



Attachment 2B: Current Water Right System

Legend

- WR 22-4073 PODs
- Rivers and Streams
- WR 22-4073 POU
- QQ
- Township Range and Section

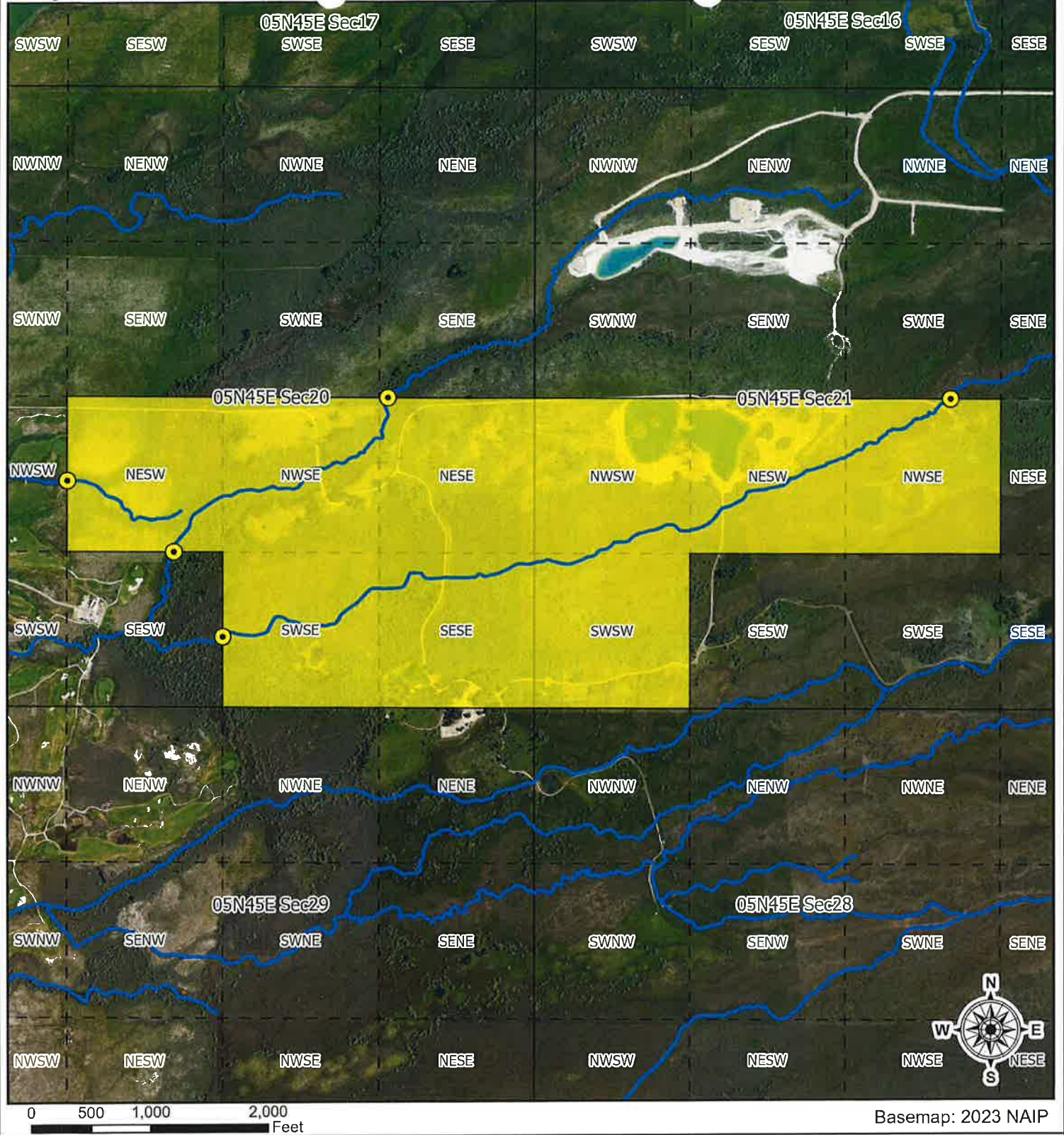
Grover Ranch
Driggs, Teton County, Idaho
Transfer Application

Date: 7/11/2025

RMEA #: 24-0127

Drafted by: TK





Attachment 3C: Corrected Water Right System

Legend

- WR 22-4073 PODs
- Rivers and Streams
- WR 22-4073 POU
- QQ
- Township Range and Section

Grover Ranch
Driggs, Teton County, Idaho
Transfer Application

Date: 7/14/2025

RMEA #: 24-0127

Drafted by: TK



Transfer Narrative and Fee Explanation

Rights 22-4073 and 22-4074 both pertain to the Grover property and provide Instream Stockwater use for the stream channels that cross it. Both rights are proposed to be corrected through separate applications.

In reviewing IDWR's authorized POU and PODs for water right 22-4073 as shown in Attachment 2B, four concerns with IDWR's current description of the Water Right were identified:

- The "End" POD in SWSE of Section 21 does not appear connected to a stream with a "Beginning" POD. It appears that this POD was identified in the wrong section and it should be located in SWSE of Section 20.
- SWSE of Section 21 overlaps the POU of Water Right 22-4074 (see below) and does not give access to the stream as indicated by the PODs.
- SWSW of Section 21 should be included in the POU because a stream marked as accessible to stock passes through it.
- The streams exit the POU in SWSWSE of Section 20, but no POD was identified.

Historical records for rights 22-4073 and 22-4074 were reviewed, but no documents explaining the discrepancies between the currently described right and what appears to be the actual locations were found. However, the SRBA Notice of Claim filed in 2003 provides some information to explain what was intended to be reflected on the stockwater right. Figure 1 below shows the intended diversion locations for water from the streams on his property (from rights 22-4073 and 22-4074). It appears that both claims 22-4073 and 22-4074 described all streams that were beneficially used on the property. The claimant, LaVar Grover, further describes the water use as "instream flow; numerous streams and branches make it difficult to identify one beginning or one ending point" and suggests that the map (Figure 2) be used as a guide for right 22-4073.

Since the claims for 22-4073 and 22-4074 were nearly identical, it appears IDWR divided the POU and PODs and each claim was intended to reflect certain stream channels, 22-4073 primarily reflecting Figure 2 and 22-4074 reflecting the remaining streams.

Attachment 3C illustrates an interpretation of the water right based on information in the water right backfile and after a review of stream locations. This transfer intends to correct IDWR's record of the water right rather than to change the physical implementation of the water right and thus the filing fees included rely on Section 42-221.0.8 of Idaho Code.

Figure 1: Excerpts from the Notice of Claim 22-4073 as submitted by LaVar Grover.

- 4.a. Location of existing point of diversion is:
Township 5N Range 45E Section 20, 1/4 of SW 1/4 of NW 1/4, Govt. Lot .
County of Teton
- Additional points of diversion if any: Sec. 20: SENW, NESW, NESE, NWSE, SWSE, SESE
Sec. 21: NESW, NWSW, SWSW, SESW, NESE, NWSE, SWSE, SESE
Sec. 28: NENE, NWNE, SWNE, SENE, NENW, NWNW, SWNW, SENW
Sec. 29: NENE, SENE
10. Description of place of use:
a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instruction for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TUS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	45E	20							S	S	S				S	S	S	S	
		21									S	S	S	S	S	S	S	S	
		28	S	S	S	S	S	S	S	S									
		29	S			S													

Figure 2: Map of POU attached to a 2003 Notice of Claim submitted to IDWR.

