Form I-240
07/11

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

INSTRUCTIONS FOR COMPLETING AN

APPLICATION FOR EXCHANGE OF WATER

Under the provisions of Section 42-240, *Idaho Code*, any person holding a surface water right may apply to exchange such water for the use of water from the same source or a different surface water source. Surface water right holders may also apply to exchange for the use of water authorized for diversion under one or more other valid water rights from the same source or a different surface water source. This sheet contains instructions for completing the Application for Exchange of Water.

COMPLETE THE APPLICATION FOR EXCHANGE OF WATER AS FOLLOWS

1. INFORMATION ABOUT THE APPLICANT

Provide your name, mailing address, phone number, and email address, and indicate the identification number(s) of the water right(s) you are proposing to exchange. For each water right, attach a photocopy of the water right license, permit, transfer, decree, or claim evidencing the right, or attach a water right printout obtained from IDWR.

2. INFORMATION ABOUT THE CO-APPLICANT

Complete this portion of the application if you are proposing an exchange for water diverted under a water right held by another party. The co-applicant is the holder of the right to be exchanged for your right. Provide the co-applicant's name, address, and phone number, and indicate the identification number(s) of the co-applicant's water right(s) involved in the exchange. For each water right, attach a photocopy of the water right license, permit, transfer, decree, or claim evidencing the right, or attach a water right printout obtained from IDWR. If there are multiple co-applicants, please attach another sheet containing information about each co-applicant.

3. EXCHANGE AGREEMENT

If you propose an exchange for water diverted under a water right held by another party (the co-applicant), your exchange application *must* be accompanied by a copy of a written agreement signed by you and each co-applicant. Attach a copy of the written agreement. Be sure that you have also completed Item 2 of the Application for Exchange of Water.

4. EXCHANGE INFORMATION

You must complete Item 4 to describe how the proposed exchange will operate. To complete this part of the application form, you must know the amounts of water involved in the proposed exchange. You must also know the locations of the proposed point(s) of diversion, injection, and re-diversion of water by 40-acre subdivisions, section, township and range of the public land survey. For the location information, it may be helpful to have already prepared the maps required under Item 5. When describing the amounts of water involved in the exchange, remember that the exchange cannot result in an enlargement in use of the water right(s). If you need more space to explain how the proposed exchange will operate, use the area at the bottom of Item 4 and/or attach additional sheets.

Part A -- Complete Item 4.A of the exchange application if you are proposing an exchange involving yourself and one or more co-applicants. If you are completing Item 4.A you should have completed Items 2 and 3 also. Complete Item 4.A.1 if the co-applicant(s) water right(s) is (are) not storage water rights. Complete Item 4.A.2 if the co-applicant(s) water right(s) are storage water rights.

Part B -- Complete Item 4.B for an exchange involving only your water right(s). Complete Item 4.B.1 if your water right(s) is (are) not storage water rights. Complete Item 4.B.2 if your water right(s) is (are) storage water rights.

Do not complete both Item 4.A and Item 4.B.

ITEM 4 EXAMPLE -- The following example is for an exchange between an applicant with a natural flow right and a co-applicant with a storage water right.

<u>Part A</u> – For an exchange involving two or more water right holders.

The applicant proposes to divert ***0.80*** cfs and/or ***160*** acre feet per year of water authorized to be diverted under the co-applicant's water right(s) listed above at ***NE*** ¼ of ***NE*** ¼, Govt. Lot ***1*** Sec. ***6*** Township ***1 North*** Range ***14 East*** B.M., ***Camas*** County. Additional points of diversion, if any: _____

In exchange for authorization to divert water as described above, _____ cfs and/or ***160*** acre feet per year of water authorized for diversion under the applicant's water right(s) listed above will be (*complete 1 or 2 below*):

1. made available to the co-applicant for diversion at _____ ¼ of _____ ¼, Govt. Lot _____ Sec._____ Township _____ Range _____ B.M., _____ County. Additional points of diversion, if any: _____

OR

2. released from storage by the co-applicant into ***Noname Creek*** at ***SE*** ¼ of ***SE*** ¼, Govt. Lot _____ Sec. ***6*** Township ***1 North*** Range ***14 East*** B.M., ***Camas*** County.

5. MAPS

Attach two maps, one showing the water right(s) as it is (they are) now used, and another showing how the water right(s) will be used under the proposed exchange. Each map should be on an 8½"x11" sheet and should clearly identify the locations of the point(s) of diversion, injection, and re-diversion of water and the place(s) of use by 40-acre subdivisions, section, township and range of the public land survey. Important landmarks such as rivers, streams, roads, and highways should be shown on the maps. Photocopies of USGS 7½-minute topographic quadrangles are preferred as base maps. If the required information will not fit on an 8½"x11" sheet at a reasonable scale, you may use multiple sheets of paper for one map or you may use a sheet larger than 8½"x11".

SIGNATURE AND FEE

Sign the exchange application form exactly as your name appears in Item 1, unless the applicant is a corporation, municipality, partnership or other organization, in which case the person signing the application must show his or her title or position with the signature.

The fee is based on the total quantity of water to be exchanged (fee schedule on next page). This fee must accompany the application. Make checks payable to Idaho Dept. of Water Resources. Submit your application and fee to the Department of Water Resources office in your area.

IDWR Eastern Region
900 N Skyline Dr, Suite A
Idaho Falls, ID 83402-1718
Telephone 208-525-7161
Fax 208-525-7177

IDWR Northern Region
7600 N Mineral Dr, Suite 100
Coeur d'Alene, ID 83815-7763
Telephone 208-762-2800
Fax 208-762-2819

IDWR Southern Region
650 Addison Ave W, Suite 500
Twin Falls, ID 83301-5858
Telephone 208-736-3033
Fax 208-736-3037

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
Telephone 208-334-2190
Fax 208-334-2348

FEE SCHEDULE

Application for Transfer or Exchange Fee Schedule

(CFS = cubic feet per second; AF = Acre-feet per year)

CFS			AF			FEE	CFS			AF			FEE
0.00	–	0.20	0	–	20	**$200.00**	11.01	–	12.00	1,101	–	1,200	**$1,380.00**
0.21	–	1.00	21	–	100	**$500.00**	12.01	–	13.00	1,201	–	1,300	**$1,460.00**
1.01	–	2.00	101	–	200	**$580.00**	13.01	–	14.00	1,301	–	1,400	**$1,540.00**
2.01	–	3.00	201	–	300	**$660.00**	14.01	–	15.00	1,401	–	1,500	**$1,620.00**
3.01	–	4.00	301	–	400	**$740.00**	15.01	–	16.00	1,501	–	1,600	**$1,700.00**
4.01	–	5.00	401	–	500	**$820.00**	16.01	–	17.00	1,601	–	1,700	**$1,780.00**
5.01	–	6.00	501	–	600	**$900.00**	17.01	–	18.00	1,701	–	1,800	**$1,860.00**
6.01	–	7.00	601	–	700	**$980.00**	18.01	–	19.00	1,801	–	1,900	**$1,940.00**
7.01	–	8.00	701	–	800	**$1,060.00**	19.01	–	20.00	1,901	–	2,000	**$2,020.00**
8.01	–	9.00	801	–	900	**$1,140.00**	20.01	–	100.00	2,001	–	10,000	*
9.01	–	10.00	901	–	1,000	**$1,220.00**	101.01	–	500.00	10,001	–	50,000	**
10.01	–	11.00	1,001	–	1,100	**$1,300.00**	500.01	&	over	50,001	&	over	***

For an application including a **change in nature of use** of water under one (1) or more right(s):
Additional fee of $250 per application.

For any application including a **change in ownership** of water right(s) as required per § 42-248, Idaho Code:
Additional fee of $25.00 per undivided right requiring an ownership change and/or
Additional fee of $100.00 per divided right requiring an ownership change.

* **$2,020.00 plus $40.00** for each additional 1.0 cfs or part thereof or 100 acre-feet or part thereof over the first 20.0 cfs or 2,000 acre-feet.

** **$5,220.00 plus $20.00** for each additional 1.0 cfs or part thereof or 100 acre-feet or part thereof over the first 100.0 cfs or 10,000 acre-feet.

*** **$13,220.00 plus $4.00** for each additional 1.0 cfs or part thereof or 100 acre-feet or part thereof over the first 500.0 cfs or 50,000 acre-feet.