

Page _____ of _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Transfer No. 73716

**CORRECTED APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Name of applicant Idaho Water Co., LLC Phone (208) 734-7052

Post Office address 1135 Valley Rd. South, Eden, ID 83301

RECEIVED
JAN 18 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

A. PURPOSE OF TRANSFER

- Change point of diversion Add diversion point Change place of use
 Change nature of use Change period of use Other Create PPU
- Describe the reason for the proposed changes To irrigate these acres on another farm associated with original place of use and parent water right 36-16379. See also transfer to David Patterson - Transfers combined for mitigation purposes.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>36-16379¹</u>	<u>9/12/1973</u>	<u>2.53/506.8</u>	<u>Irrigation</u>	<u>4/15 to 10/01</u>
<u>36-16380²</u>	<u>9/12/1973</u>	<u>0.11/21.2</u>	<u>Irrigation</u>	<u>4/15 to 10/01</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 2.64 cubic feet per second and/or 528 acre-feet per annum.

3. Source of water Ground Water tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	<u>SE</u>	<u>NW</u>	<u>NW</u>	<u>24</u>	<u>09s</u>	<u>20e</u>	<u>Jerome</u>	<u>Existing well</u>

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>09s</u>	<u>20e</u>	<u>24</u>								<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>					<u>160</u>	

PART 1

6. General Information:

a. Description of diversion system Existing wells with associated distribution piping.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
 Yes No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:
5.3 acres will not be irrigated at current place of use to provide water
for this particular transfer.

d. Remarks:
¹This portion of original 36-7378 limited to 0.11 cfs, 5.3 acres and 21.2 afa.

²This portion of original 36-7378 limited to 2.53 cfs, 126.7 acres and 506.8 afa.

This transfer combined with transfer to David Patterson for mitigation
purposes - see attached ESPA transfer spreadsheet mitigation plan and analysis.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

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

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 36-7378 Decreed to Larry & Kathy Adams
in case of SRBA vs. _____
dated 12/30/1997? in _____ county of _____
- b. License No. 36-16379 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 72389, 72393 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. check appropriate box below.

- Tax notice Warranty Deed Other _____

3. Source of water groundwater tributary to _____

4. Date of priority 09/12/1973

5. Water is used for the following purpose:

Amount 2.53/506.8 for Irrigation purposes from 4/15 to 10/01
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.53 cubic feet per second and/or 506.8 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	SE	NW	NW	24	09S	20E	Jerome	Well and pump

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals	
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4		
09S	17E	24								31.7	31.1	33.1	30.8							126.7

Total acres 126.7

9. Describe any other water rights used for the same purpose as described above None

(Right 36-8559 also diverted through POD described above for separate POU)

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

_____ No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(if the entire right is to be changed by the applicant, omit part B and C)

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

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals	
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4		

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

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

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals	
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4		

Total acres _____

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

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 36-7378 Decreed to Larry & Kathy Adams
in case of SRBA vs. _____
dated 12/30/1997? in _____ county of _____
- b. License No. 36-16380 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 72389, 72393 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. check appropriate box below.

- Tax notice Warranty Deed Other _____

3. Source of water groundwater tributary to _____

4. Date of priority 09/12/1973

5. Water is used for the following purpose:

- Amount 0.11/21.2 for Irrigation purposes from 4/15 to 10/01
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.11 cubic feet per second and/or 21.2 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
	NE	SE	SW	24	8S	21E	Jerome	Existing well
	NE	NE	SW	24	8S	21E	Jerome	Existing well

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4				
08S	21E	24												40			40	40	40	40	40	240
		25	40	40	26	22	39			15												182
8S	22E	30						42	21													63

Total acres 485 PPU

9. Describe any other water rights used for the same purpose as described above 36-16342, 16344, 16346, 16348

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(if the entire right is to be changed by the applicant, omit part B and C)

- Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals	
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4		

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

- Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
 Amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

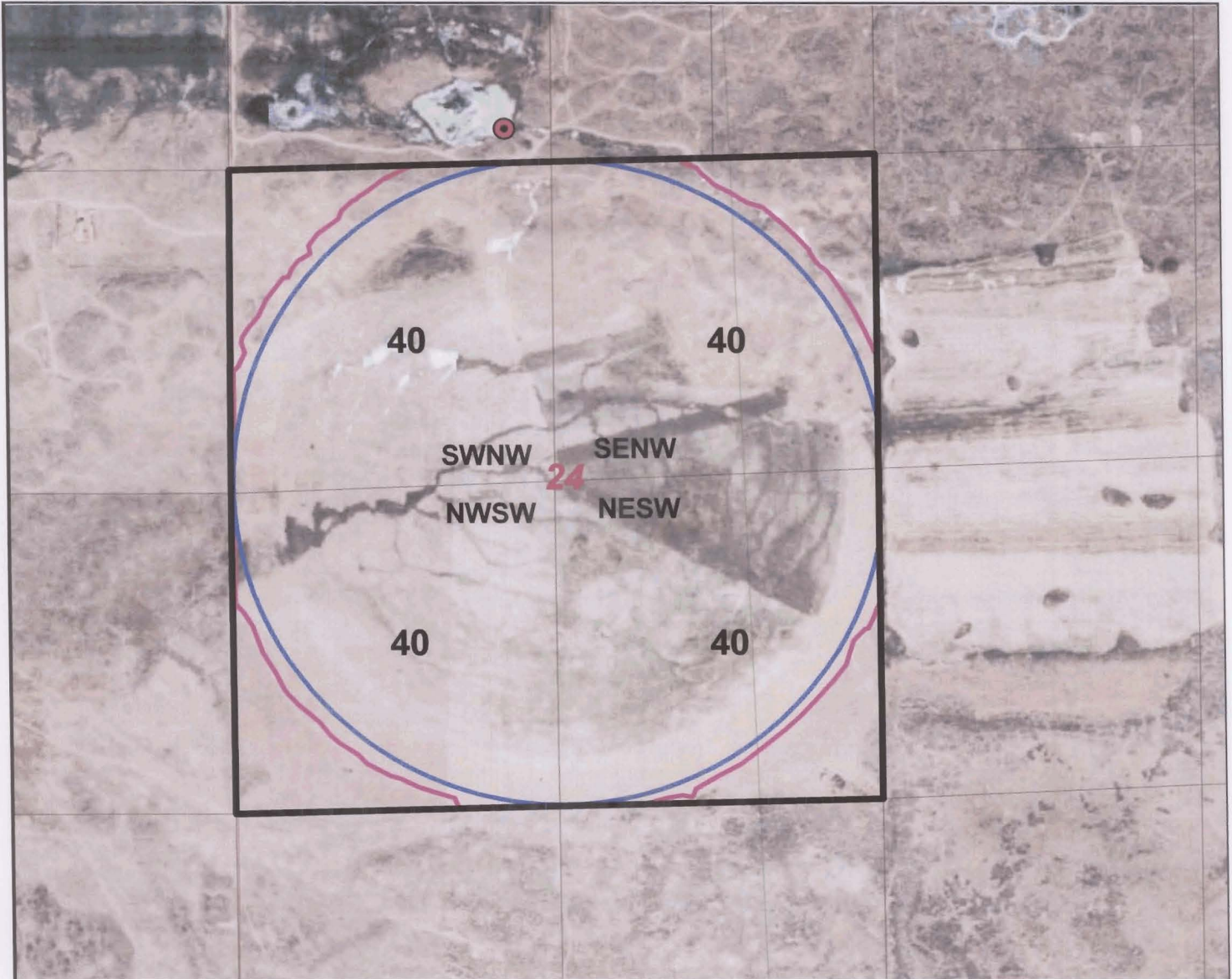
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals	
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4		

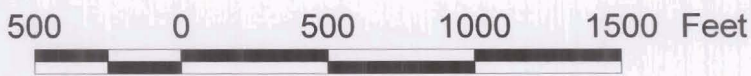
Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



2006 NAIP Aerial Photo



- Historical POU (36-16380)
- Existing POU (36-16379)
- Proposed PPU (36-16379, 16380)
- Existing Well
- PLSS Township Boundaries
- PLSS Section Lines
- 40's
- ESPA Model Grid

Brockway Engineering, PLLC
JCH - January 5, 2007

PART 3

B. CHANGES IN NATURE OF USE

1.

<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
_____	_____	_____	_____ to _____
_____	_____	_____	_____ to _____

2. Quantity and quality of return flows and location of discharge:

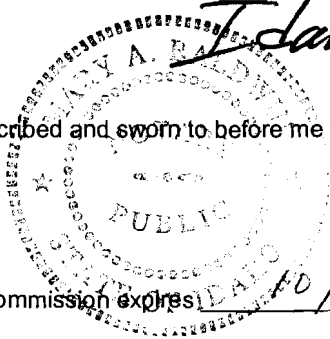
3. Describe the effects on other water uses resulting from the proposed change:
5.3 acres dried up at original POU.
This transfer combined with transfer to David Patterson for ESPA mitigation purposes

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. 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 voiding its approval.

Idaho Water Company LLC _____
 (Signature of Applicant)

Subscribed and sworn to before me this 11th day of January, 2007



Mary A. Baldwin
 (Notary Public)

My commission expires 10/16/2010

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by P. SKINNER Date 1/18/2007 Protest filed by _____

Prelim. check by _____ Fee \$330.00 5029229 _____

Receipted by P. SKINNER Date 1/18/2007 _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for Approval Denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____