

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. 86040

## MINIMUM REQUIREMENTS CHECKLIST

### TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at [idwr.idaho.gov](http://idwr.idaho.gov).

Name of Applicant(s) Simone Hardin, Tami Archer, Scott Coburn

**Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.**

**Yes N/A** \* Means the item is always required and must be included with the application.

- ☒ \* Completed Application for Transfer of Water Right form, Part 1.
- ☒ \* Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ \* Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ \* Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ \* Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

**Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.**

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. \*\*
- ☐ ☒ #2b 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).\*\*  
\*\* Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at [idwr.idaho.gov/water-rights/transfers/resources.html](http://idwr.idaho.gov/water-rights/transfers/resources.html).
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ \* #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b 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. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☒ #10 Other. Please describe: \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 06 2022

## APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Department of Water Resources  
Eastern Region

Name of Applicant(s) Simone Hardin, Tami Archer, Scott Coburn Phone 208-554-3807  
Mailing address PO Box 619, Moore, ID 83255 Email \_\_\_\_\_

- ☐ 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.

Simone Hardin  
Signature of Applicant or Authorized Representative

Tami Archer  
Signature of Applicant or Authorized Representative

\_\_\_\_\_  
Print Name and Title if applicable

4-5-2022  
Date

\_\_\_\_\_  
Print Name and Title if applicable

4-5-2022  
Date

### A. PURPOSE OF TRANSFER

- ☒ Change point of diversion  
☐ Change nature of use
 ☐ Add diversion point(s)  
☐ Change period of use
 ☒ Change place of use  
☐ Other \_\_\_\_\_
- 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**.
- 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**.  
We propose to move 10 acres from ground water rights 34-2447B and 34-10930 to a farm 1/4 mile to the east to cover part of a pivot. Permit 34-13791 covers the rest of the pivot. Transferred acres will be combined with water rights 34-14829, 34-14830 and 34-14831 to irrigate 24 acres. Water has been used this way for over fifteen years.

**Cefalo, James**

---

**From:** S C <sd103k@yahoo.com>  
**Sent:** Wednesday, April 6, 2022 10:00 AM  
**To:** Cefalo, James  
**Subject:** Water transfer

James Cefalo

Good morning. It is fine with me, to transfer the water rights to the lower property.  
Thank you for your time and help.

Scott Coburn

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<br>(cfs/ac-ft) | Nature of Use       | Period of Use | Source & Tributary |
|-----------------------------------------------------------------------------|--------------|-----------------------|---------------------|---------------|--------------------|
| All or Part<br><input type="checkbox"/> <input checked="" type="checkbox"/> | 34-2447B     | 0.13 cfs              | Irrigation (6.4 ac) | 4/1 to 11/1   | Ground Water       |
| <input type="checkbox"/> <input checked="" type="checkbox"/>                | 34-10930B    | 0.07 cfs              | Irrigation (3.6 ac) | 4/1 to 10/31  | Ground Water       |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 34-14829     | 0.39 cfs              | Irrigation          | 5/1 to 10/15  | Big Lost River     |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 34-14830     | 0.14 cfs              | Irrigation          | 5/1 to 10/15  | Big Lost River     |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 34-14831     | 0.14 cfs              | Irrigation          | 5/1 to 10/15  | Big Lost River     |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |                     | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |                     | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |                     | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |                     | to            |                    |

Total authorized under rights 0.67 cfs and/or \_\_\_\_\_ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.19 cubic feet per second and/or \_\_\_\_\_ 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 # |
|-------|-----|----|----|----|-----|-----|-----|--------|----------------|---------------------|
| Y     |     |    | SW | SE | 4   | 05N | 26E | Butte  | Ground Water   | Coburn Well         |
| N     |     | NW | SE | NW | 32  | 06N | 26E | Butte  | Big Lost River | B&J Ditch           |
|       |     |    |    |    |     |     |     |        |                |                     |
|       |     |    |    |    |     |     |     |        |                |                     |
|       |     |    |    |    |     |     |     |        |                |                     |

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 |             |
| 05N                              | 26E | 4   |      |    |    |    |      |    |    |    |      |    |    |    |      | 10 | 14 |    | 24          |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
| Total Acres (for irrigation use) |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    | 24          |

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:  
Water rights are regulated by Water District 34. B&J Ditch includes a measuring device. Proposed point of diversion (Coburn Well, WMIS No. 367) is already equipped with a measuring device.
- b. Who owns the property at the point(s) of diversion? Applicants  
 If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:  
N/A
- 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: No.
- 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:  
Ground water rights 34-2447B and 34-10930B share the same place of use as Big Lost River rights 34-320A, 34-428C and 34-894B at the existing place of use. The rights will be combined with identical priority rights at the proposed place of use. No change in total irrigated acres at the existing or proposed places of use.
- 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:  
Existing place of use: 34-320A, 34-428C, 34-894B  
Proposed place of use: 34-14829, 34-14830, 34-14831 (Permit 34-13791 covers the rest of the pivot in Sec. 4)  
Proposed point of diversion (ground water well): Permit 34-13791
- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:
- | Yes                                 | No                                  |                                                                                               |
|-------------------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | undergone a period of five or more consecutive years of non-use,                              |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | currently leased to the Water Supply Bank,                                                    |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | currently used in a mitigation plan limiting the use of water under the right, or             |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

Pivot at proposed place of use was installed prior to 2004. 10 acres of ground water rights 34-2447B and 34-10930B have been used at the new pivot since that time. Big Lost River rights at proposed place of use are junior (1894/1895) and are rarely available. Acres outside of pivot are only irrigated in good water years.



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 (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the right(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

- ☐ 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 700.00 Date 4-6-22 Received by M. Petter Receipt # E047988

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)

*\$200.00 for this app.*

**86040**

**IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report**

3/28/2022

**Water Right 34-14829**

|                          |                                |
|--------------------------|--------------------------------|
| <b><u>Owner Type</u></b> | <b><u>Name and Address</u></b> |
| Current Owner            | SIMONE HARDIN                  |
| Current Owner            | TAMI ARCHER                    |
| Current Owner            | SCOTT D COBURN                 |

**Priority Date:** 9/26/1894  
**Basis:** Decreed  
**Status:** Active

|                      |                         |
|----------------------|-------------------------|
| <b><u>Source</u></b> | <b><u>Tributary</u></b> |
| BIG LOST RIVER       | SINKS                   |

|                              |                               |                  |                              |                      |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
| IRRIGATION                   | 5/01                          | 10/15            | 0.390 CFS                    |                      |
|                              | <b><u>Total Diversion</u></b> |                  | 0.390 CFS                    |                      |

**Source and Point(s) of Diversion:**  
 BIG LOST RIVER                      NWSENW                      Sec. 32, Twp 06N, Rge 26E, BUTTE County

**Place Of Use:**  
 IRRIGATION within BUTTE County

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |     |      |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|------|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW  | SW   | SE |        |
| 05N | 26E | 4   |    |    |    |    |    |    |    |    |    |    |    |    |    | 7.0 | 17.0 |    | 24.0   |

POU Total Acres: 24.0

**Conditions of Approval:**

- |    |     |                                                                                                                                                                                                                                                                                                          |
|----|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | X35 | Rights 34-14829, 34-14830 and 34-14831 when combined shall not exceed a total diversion rate of 0.50 cfs and the irrigation of 24 acres.                                                                                                                                                                 |
| 2. | S34 | The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.                                                            |
| 3. | C03 | Right includes accomplished change in point of diversion pursuant to Idaho Code § 42-1425.                                                                                                                                                                                                               |
| 4. | F01 | Water is delivered through the B&J Ditch.                                                                                                                                                                                                                                                                |
| 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. Idaho Code § 42-1412(6). |

86040

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

3/28/2022

**Water Right 34-14830**

|                          |                                |
|--------------------------|--------------------------------|
| <b><u>Owner Type</u></b> | <b><u>Name and Address</u></b> |
| Current Owner            | SCOTT D COBURN                 |
| Current Owner            | SIMONE HARDIN                  |
| Current Owner            | TAMI ARCHER                    |

**Priority Date:** 6/1/1894  
**Basis:** Decreed  
**Status:** Active

|                      |                         |
|----------------------|-------------------------|
| <b><u>Source</u></b> | <b><u>Tributary</u></b> |
| BIG LOST RIVER       | SINKS                   |

|                              |                               |                  |                              |                      |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
| IRRIGATION                   | 5/01                          | 10/15            | 0.140 CFS                    |                      |
|                              | <b><u>Total Diversion</u></b> |                  | 0.140 CFS                    |                      |

**Source and Point(s) of Diversion:**  
 BIG LOST RIVER                      NWSENW                      Sec. 32, Twp 06N, Rge 26E, BUTTE County

**Place Of Use:**  
 IRRIGATION within BUTTE County

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |     |      | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|------|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW  | SE   |        |
| 05N | 26E | 4   |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 7.0 | 17.0 | 24.0   |

Right Acre Limit: 7.10  
 POU Total Acres: 24.0

**Conditions of Approval:**

- |    |     |                                                                                                                                                                                                                                                                                                          |
|----|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | X27 | This right is limited to the irrigation of 7.1 acres within the authorized place of use in a single irrigation season.                                                                                                                                                                                   |
| 2. | X35 | Rights 34-14829, 34-14830 and 34-14831 when combined shall not exceed a total diversion rate of 0.50 cfs and the irrigation of 24 acres.                                                                                                                                                                 |
| 3. | S34 | The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.                                                            |
| 4. | C03 | Right includes accomplished change in point of diversion pursuant to Idaho Code § 42-1425.                                                                                                                                                                                                               |
| 5. | F01 | Water is delivered through the B&J Ditch.                                                                                                                                                                                                                                                                |
| 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. Idaho Code § 42-1412(6). |

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

3/28/2022

**Water Right 34-14831**

|                          |                                |
|--------------------------|--------------------------------|
| <b><u>Owner Type</u></b> | <b><u>Name and Address</u></b> |
| Current Owner            | SCOTT D COBURN                 |
| Current Owner            | SIMONE HARDIN                  |
| Current Owner            | TAMI ARCHER                    |

**Priority Date:** 6/1/1895

**Basis:** Decreed

**Status:** Active

|                      |                         |
|----------------------|-------------------------|
| <b><u>Source</u></b> | <b><u>Tributary</u></b> |
| BIG LOST RIVER       | SINKS                   |

|                              |                               |                  |                              |                      |
|------------------------------|-------------------------------|------------------|------------------------------|----------------------|
| <b><u>Beneficial Use</u></b> | <b><u>From</u></b>            | <b><u>To</u></b> | <b><u>Diversion Rate</u></b> | <b><u>Volume</u></b> |
| IRRIGATION                   | 5/01                          | 10/15            | 0.140 CFS                    |                      |
|                              | <b><u>Total Diversion</u></b> |                  | 0.140 CFS                    |                      |

**Source and Point(s) of Diversion:**  
BIG LOST RIVER                      NWSENW                      Sec. 32, Twp 06N, Rge 26E, BUTTE County

**Place Of Use:**  
IRRIGATION within BUTTE County

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |     |      |    |        |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|------|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW  | SW   | SE | Totals |
| 05N | 26E | 4   |    |    |    |    |    |    |    |    |    |    |    |    |    | 7.0 | 17.0 |    | 24.0   |

POU Total Acres: 24.0

**Conditions of Approval:**

1.        X35        Rights 34-14829, 34-14830 and 34-14831 when combined shall not exceed a total diversion rate of 0.50 cfs and the irrigation of 24 acres.
2.        S34        The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
3.        C03        Right includes accomplished change in point of diversion pursuant to Idaho Code § 42-1425.
4.        F01        Water is delivered through the B&J Ditch.
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. Idaho Code § 42-1412(6).

**3/28/2022**

|                          |                                                     |
|--------------------------|-----------------------------------------------------|
| <b><u>Owner Type</u></b> | <b><u>Name and Address</u></b>                      |
| Current Owner            | SIMONE HARDIN<br>PO BOX 619<br>MOORE, ID 83255-0619 |

**Status:** Active

## Tributary SINKS

|                        |           |                       |
|------------------------|-----------|-----------------------|
| <u>From</u>            | <u>To</u> | <u>Diversion Rate</u> |
| 5/01                   | 10/15     | 0.620 CFS             |
| <b>Total Diversion</b> |           | 0.620 CFS             |

Sec. 32, Twp 06N, Rge 26E, BUTTE County

## IRRIGATION within BUTTE County

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |      |    | SE |    |    |    |        |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|------|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW   | SE | NE | NW | SW | SE | Totals |
| 05N | 26E | 4   |    |    |    |    |    |    |    |    |    |    | 37.0 |    |    |    |    |    | 37.0   |

POLL Total Acres: 37.0

|    |     |                                                                                                                                                                                                                                                                                                          |
|----|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | X35 | Rights 34-320A, 34-428C, 34-894B, 34-2447B and 34-10930B when combined shall not exceed a total diversion rate of 1.24 cfs and the irrigation of 37 acres.                                                                                                                                               |
| 2. | S34 | The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.                                                            |
| 3. | C03 | Right includes accomplished change in point of diversion pursuant to Idaho Code § 42-1425.                                                                                                                                                                                                               |
| 4. | F01 | Water is delivered through the B&J Ditch.                                                                                                                                                                                                                                                                |
| 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. Idaho Code § 42-1412(6). |

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

3/28/2022

Water Right 34-428C

**Owner Type**      **Name and Address**  
Current Owner      SIMONE HARDIN  
                         PO BOX 619  
                         MOORE, ID 83255-0619

**Priority Date:** 6/1/1894

**Basis:** Decreed

**Status:** Active

**Source**  
BIG LOST RIVER

**Tributary**  
SINKS

**Beneficial Use**  
IRRIGATION

**From**  
5/01

**To**  
10/15

**Diversion Rate**  
0.220 CFS

**Volume**

**Total Diversion**      0.220 CFS

**Source and Point(s) of Diversion:**

BIG LOST RIVER

NWSENW

Sec. 32, Twp 06N, Rge 26E, BUTTE County

**Place Of Use:**

IRRIGATION within BUTTE County

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |      |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|------|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW   | SE | NE | NW | SW | SE |        |
| 05N | 26E | 4   |    |    |    |    |    |    |    |    |    |    | 37.0 |    |    |    |    |    | 37.0   |

Right Acre Limit: 10.90  
POU Total Acres: 37.0

**Conditions of Approval:**

1.      X27      This right is limited to the irrigation of 10.9 acres within the authorized place of use in a single irrigation season.
2.      X35      Rights 34-320A, 34-428C, 34-894B, 34-2447B and 34-10930B when combined shall not exceed a total diversion rate of 1.24 cfs and the irrigation of 37 acres.
3.      S34      The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
4.      C03      Right includes accomplished change in point of diversion pursuant to Idaho Code § 42-1425.
5.      F01      Water is delivered through the B&J Ditch.
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. Idaho Code § 42-1412(6).

## Proof Report

## Water Right 34-894B

**Owner Type**      **Name and Address**  
 Current Owner      SIMONE HARDIN  
                          PO BOX 619  
                          MOORE, ID 83255-0619

**Priority Date:** 6/1/1895

**Basis:** Decreed

**Status:** Active

**Source**  
 BIG LOST RIVER

**Tributary**  
 SINKS

| <b>Beneficial Use</b> | <b>From</b>            | <b>To</b> | <b>Diversion Rate</b> | <b>Volume</b> |
|-----------------------|------------------------|-----------|-----------------------|---------------|
| IRRIGATION            | 5/01                   | 10/15     | 0.220 CFS             |               |
|                       | <b>Total Diversion</b> |           | 0.220 CFS             |               |

**Source and Point(s) of Diversion:**

BIG LOST RIVER      NWSENW      Sec. 32, Twp 06N, Rge 26E, BUTTE County

**Place Of Use:**

IRRIGATION within BUTTE County

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |      |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|------|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW   | SE | NE | NW | SW | SE |        |
| 05N | 26E | 4   |    |    |    |    |    |    |    |    |    |    | 37.0 |    |    |    |    |    | 37.0   |

POU Total Acres: 37.0

**Conditions of Approval:**

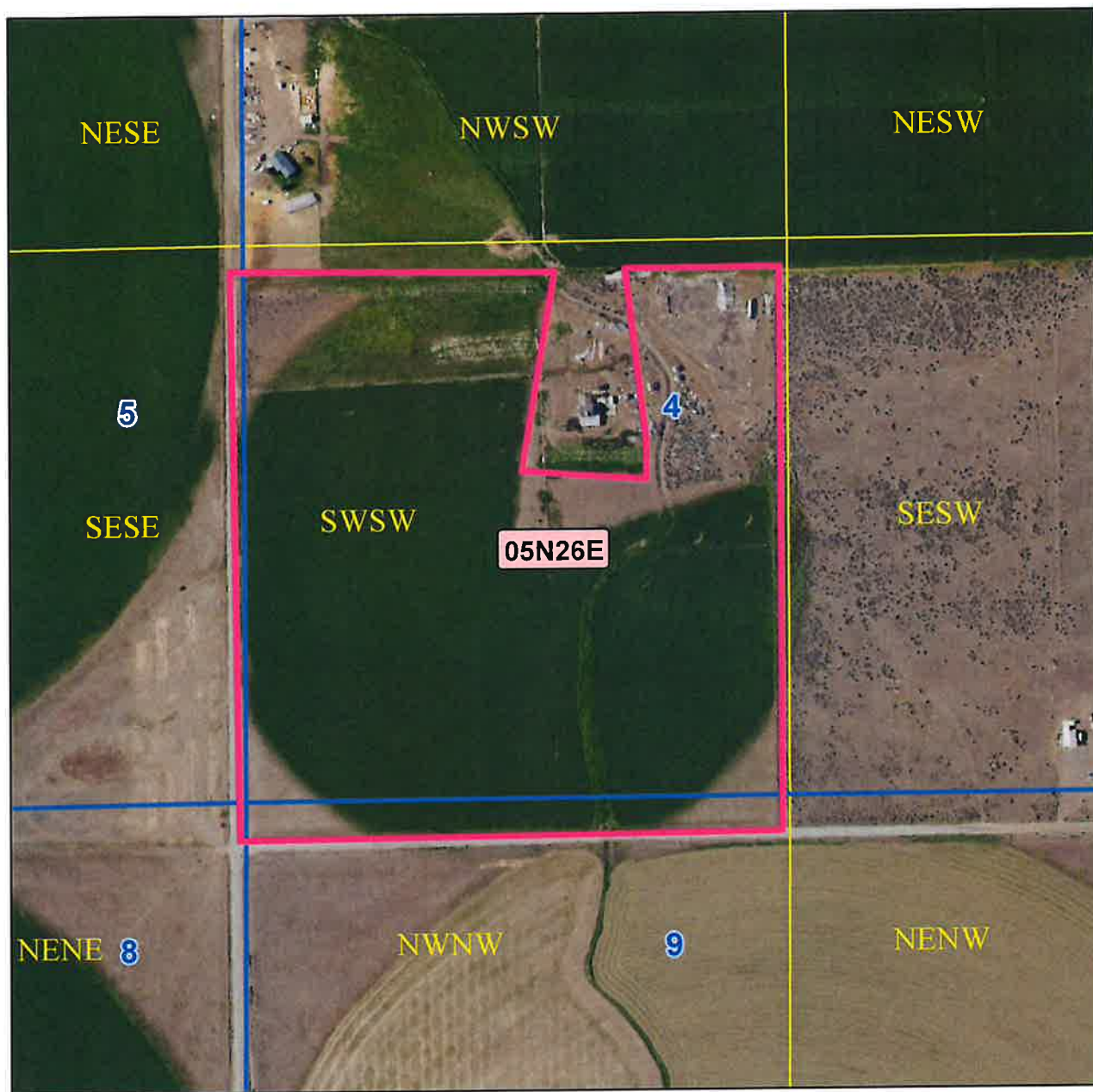
1. X35 Rights 34-320A, 34-428C, 34-894B, 34-2447B and 34-10930B when combined shall not exceed a total diversion rate of 1.24 cfs and the irrigation of 37 acres.
2. S34 The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
3. C03 Right includes accomplished change in point of diversion pursuant to Idaho Code § 42-1425.
4. F01 Water is delivered through the B&J Ditch.
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. Idaho Code § 42-1412(6).

**3/28/2022**

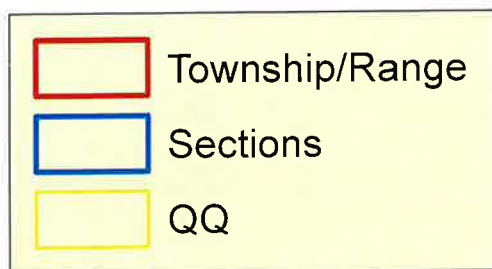
86040

## 3/28/2022

# Place of Use for Water Rights 34-320A, 34-428C and 34-894B



2021 Imagery

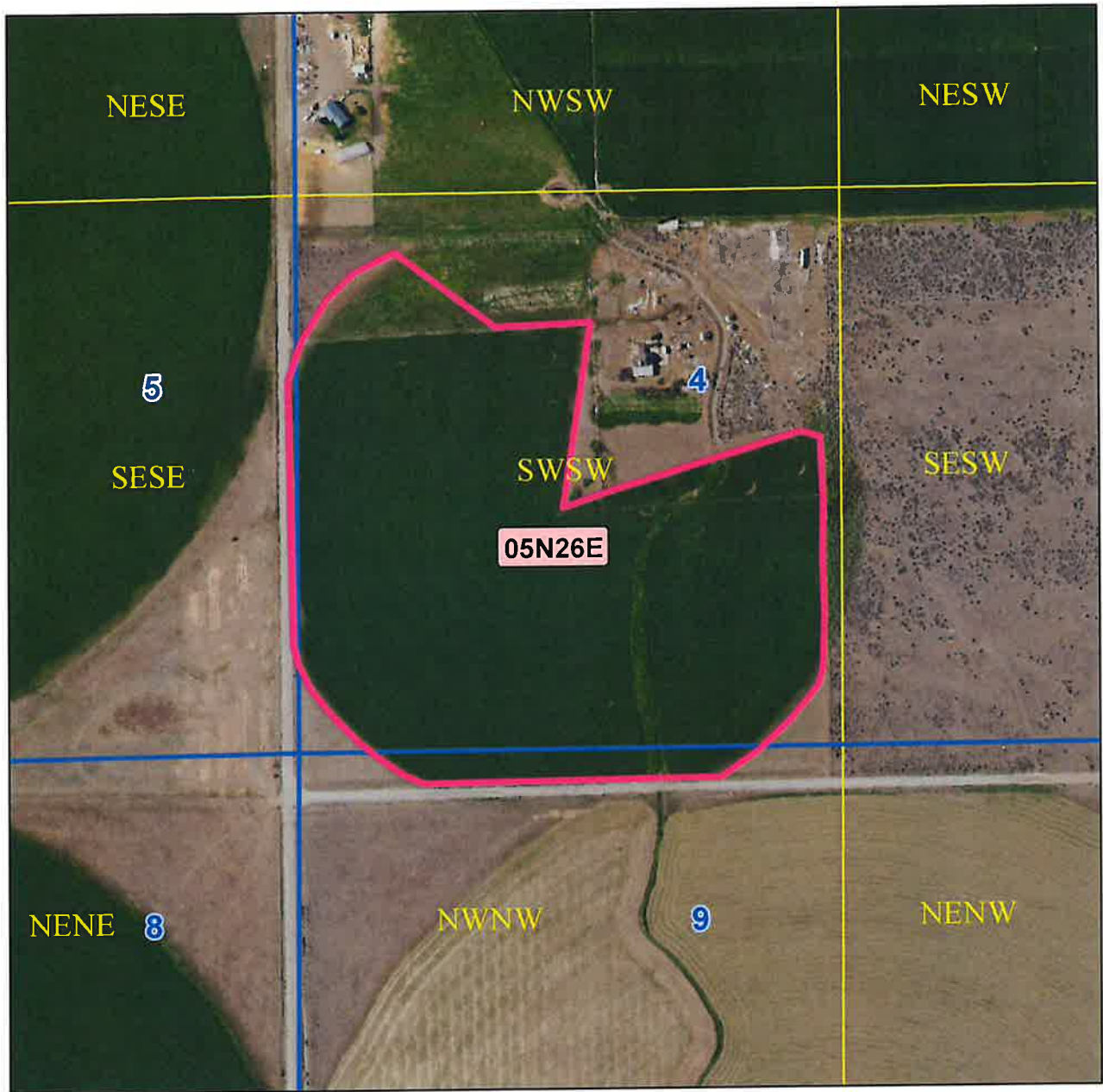


0 250 500 1,000 Feet

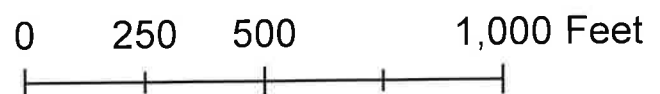
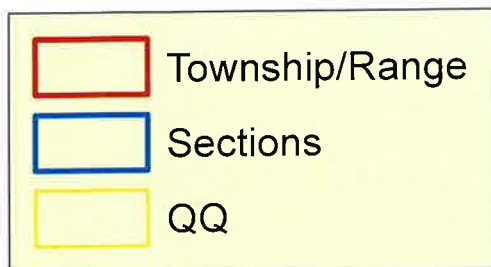


86040

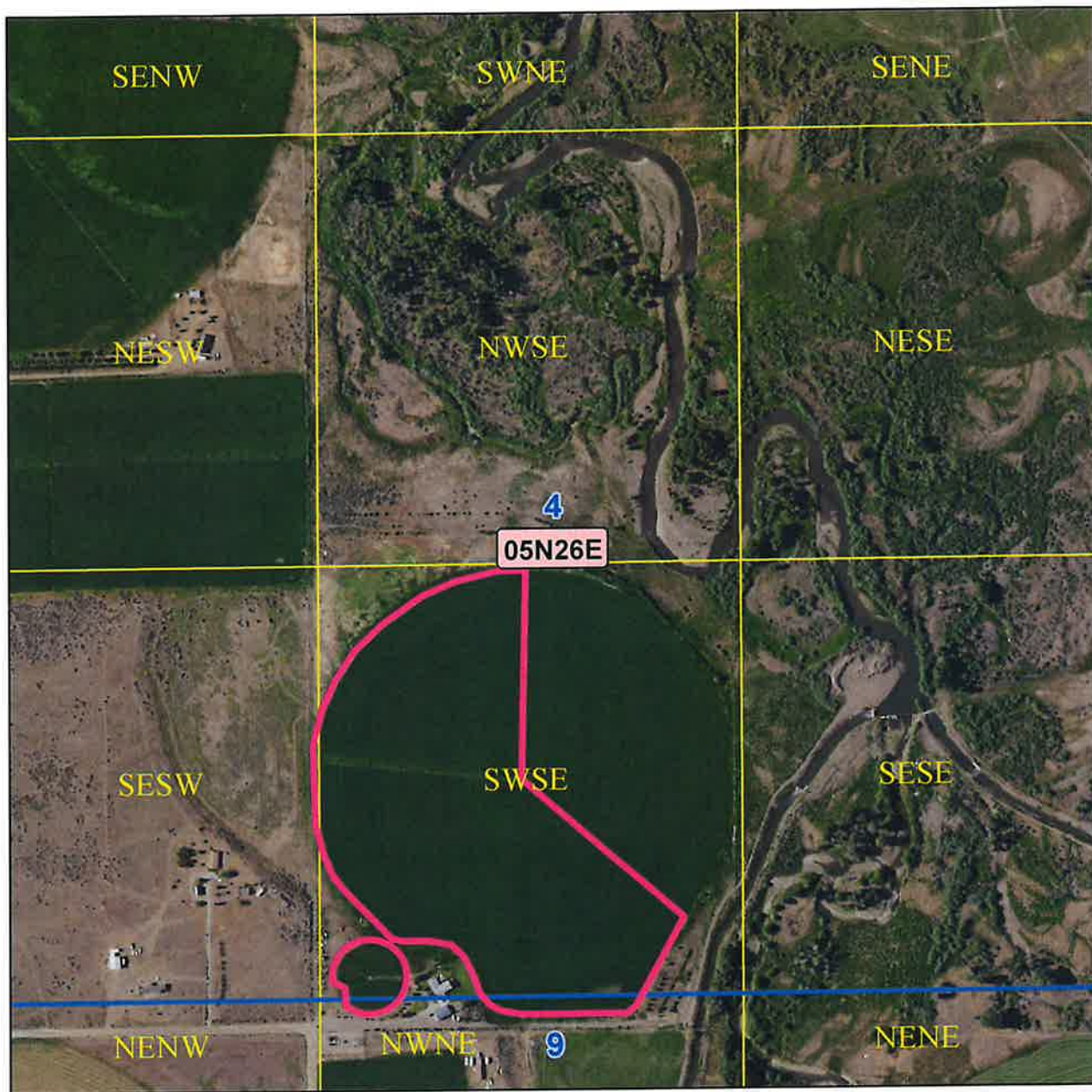
# Remaining Place of Use for Water Rights 34-2447B and 34-10930B



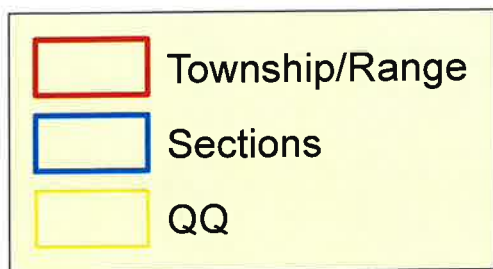
2021 Imagery



# Acres Irrigated with Permit 34-13791



2021 Imagery

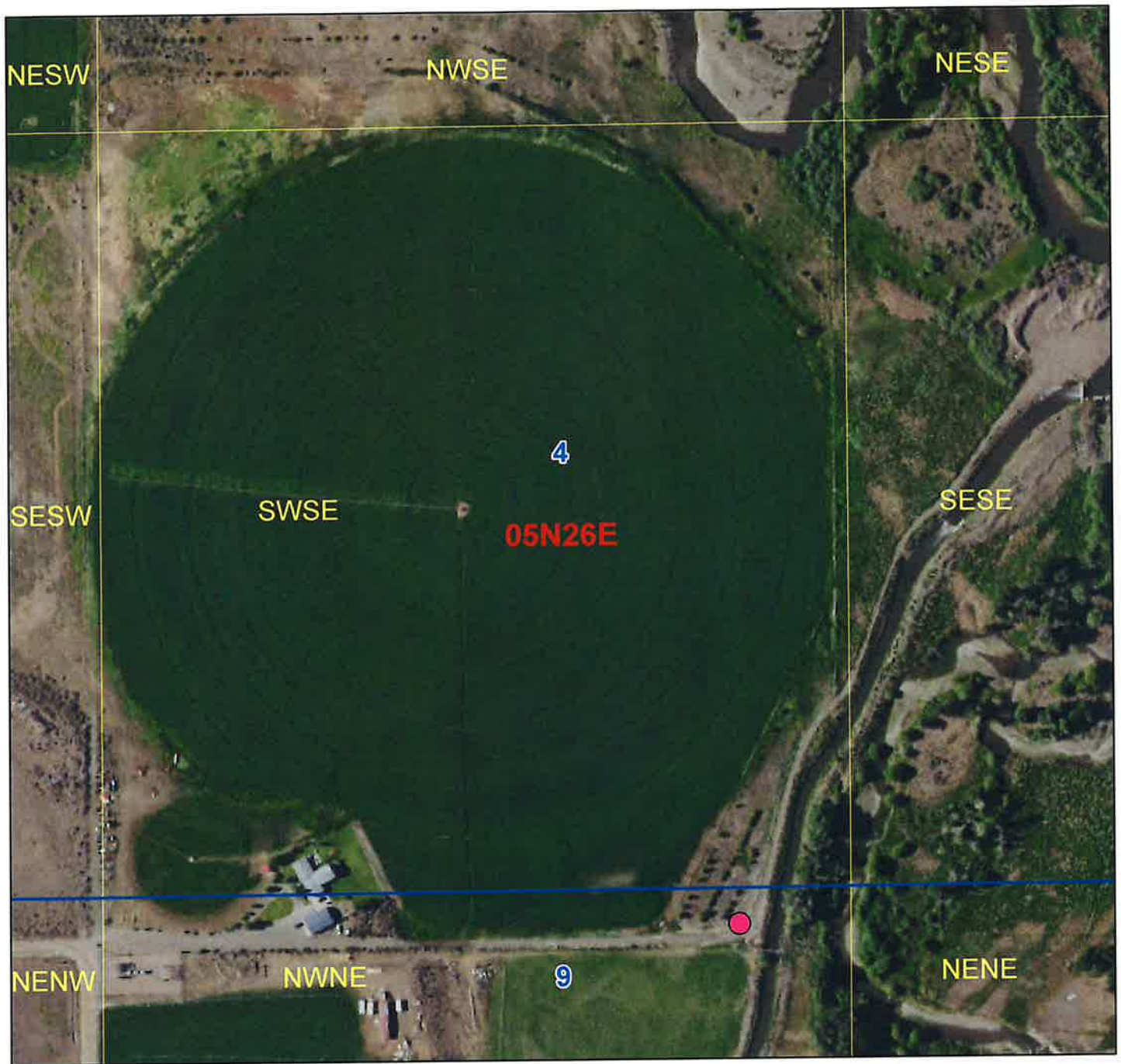


0 300 600 1,200 Feet



86040

# Proposed Point of Diversion for Transferred Portions of Water Rights 34-2447B and 34-10930B



0 300 600 1,200 Feet

## Legend

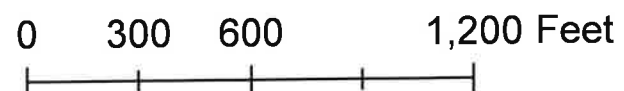
- Proposed POD
- Township/Range
- Sections
- QQ

N



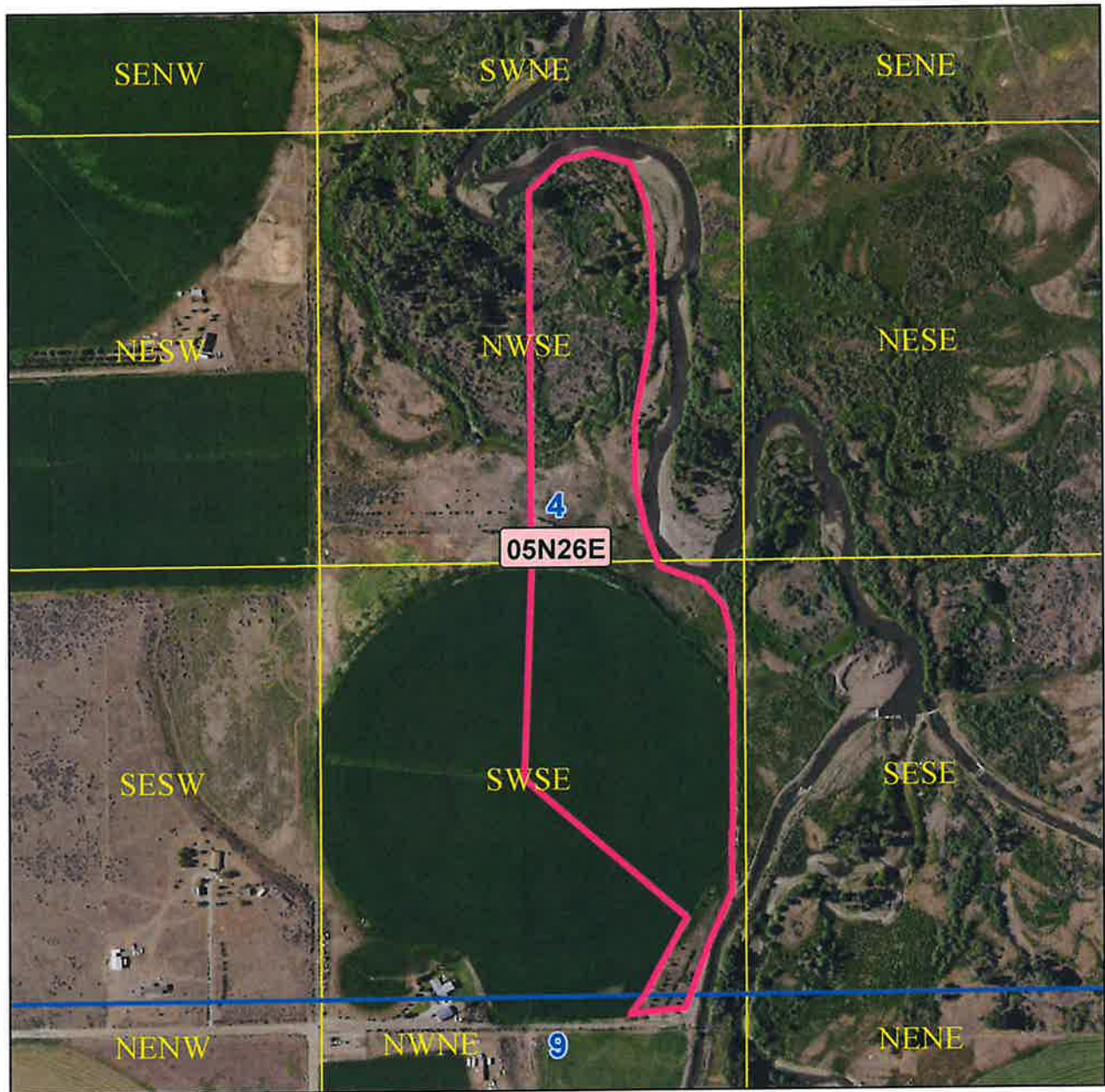
86040

 Township/Range  
 Sections  
 QQ

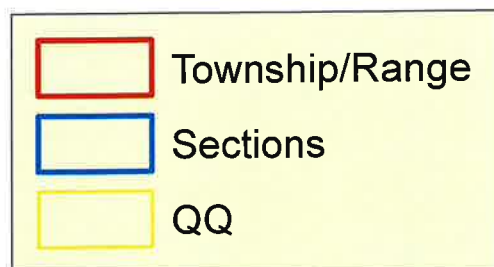


86040

# Proposed Place of Use for Combined Water Rights (24 acres)



2021 Imagery



0 300 600 1,200 Feet



86040



IDAHO DEPARTMENT OF  
**WATER RESOURCES**

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: [easterninfo@idwr.idaho.gov](mailto:easterninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

**Governor Brad Little**

**Director Gary Spackman**

April 20, 2022

SCOTT D COBURN  
651 S COLFAX ST  
BOISE, ID 83709-0246

SIMONE HARDIN  
PO BOX 619  
MOORE, ID 83255-0619

TAMI ARCHER  
3346 W 2700 N  
MOORE, ID 83255-8719

RE: Transfer No. 86040  
Water Right No(s). 34-10930B, 34-14829, 34-14830, 34-14831, 34-2447B

Dear Applicants:

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 ARCO ADVERTISER on 4/28/2022 and 5/5/2022. 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,

Christina Henman  
Administrative Assistant

## Henman, Christina

---

**From:** Henman, Christina  
**Sent:** Wednesday, April 20, 2022 10:45 AM  
**To:** arcoadv@aol.com  
**Subject:** Legal Notice for Arco Advertiser  
**Attachments:** 85980, 86040, 86041 Arco Advertiser.docx

LEGAL NOTICE DEPARTMENT  
ARCO ADVERTISER  
PO BOX C  
ARCO, ID 83213

RE: Transfer No. 85980, 86040, 86041  
Water Right No(s). 34-12367, 34-13580, 34-165A, 34-2382B, 34-2423, 34-753, 34-800C, 34-10930B, 34-14829, 34-14830, 34-14831, 34-2447B, 34-10930B, 34-2447B

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (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 5/16/2022. Your cooperation is appreciated.

Thank You,



Christina Henman  
Administrative Assistant  
IDWR, Eastern Region  
900 N Skyline Ste. A  
Idaho Falls, ID 83402  
Phone: (208) 525-7161

# **NOTICE OF PROPOSED CHANGE OF WATER RIGHT**

## **TRANSFER NO. 85980**

MAURICE DUANE HANEY, 3457 N 3350 W, MOORE, ID 83255-8763; KODY HANEY, 3388 W 2900 N, MOORE, ID 83255-5001 has filed Application No. 85980 for changes to the following water rights within BUTTE County(s): Right No(s). 34-12367, 34-13580, 34-165A, 34-2382B, 34-2423, 34-753, 34-800C; 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: Change point of diversion and place of use. The proposed point of diversion is in SENW Sec 9 T05N R26E for 2.27 cfs from ground water. The proposed place of use is in Sec 9 T05N R26E for 249.0 acres.

## **TRANSFER NO. 86040**

SCOTT D COBURN, 651 S COLFAX ST, BOISE, ID 83709-0246; SIMONE HARDIN, PO BOX 619, MOORE, ID 83255-0619; TAMI ARCHER, 3346 W 2700 N, MOORE, ID 83255-8719 has filed Application No. 86040 for changes to the following water rights within BUTTE County(s): Right No(s). 34-10930B, 34-14829, 34-14830, 34-14831, 34-2447B; 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: change point of diversion and place of use. The proposed point of diversion for 0.13 cfs from ground water is in SWSE Sec 4 T05N R26E. The point of diversion for 0.67 cfs from Big Lost River will not change. The proposed place of use is in NWSE and SWSE Sec 4 T05N R26E for 24 acres.

## **TRANSFER NO. 86041**

SIMONE HARDIN, PO BOX 619, MOORE, ID 83255-0619 has filed Application No. 86041 for changes to the following water rights within BUTTE County(s): Right No(s). 34-10930B, 34-2447B; 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: change point of diversion. The proposed point of diversion is in SWSW Sec 4 T05N R26E for 0.34 cfs from ground water.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 5/16/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 4/28/2022 and 5/5/2022