

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

85779
RECEIVED

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

JAN 31 2022

DEPT OF WATER RESOURCES
SOUTHERN REGION

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.

Name of Applicant(s) Keith & Sandra Helmick

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 <https://idwr.idaho.gov/water-rights/transfers/resources/>.
- ☐ ☒ #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

JAN 31 2022

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of Applicant(s) Sandra Keith & Helmick

Cell 208-867-3416
Phone 208-386-9679

Mailing address 16 E Indian Creek Rd, Boise ID 83716-3410

Email koneilh@hotmail.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☒ No Representative

Name of Representative _____ Phone _____

Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Keith O'Neil Helmick
Signature of Applicant or Authorized Representative

KEITH O'NEIL HELMICK
owner
Print Name and Title if applicable

1/27/22
Date

Sandra R. Helmick
Signature of Applicant or Authorized Representative

SANDRA R. HELMICK owner
Print Name and Title if applicable

1-27/2022
Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use

☐ Change nature of use ☐ Change period 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**.

Move point of diversion (POD) to POD for 37-22792. POU will be adjacent to POU for water right 37-22792.

Moving downstream less than 1/2 mile, no water PODs in-between.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☒ All or ☐ Part	37-2144	0.4	Irrigation	04/15 to 10/31	Johnson Spring/Camas Creek
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	

Total authorized under rights 0.4 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.4 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 #
X		NW	SW	NE	5	02S	11E	~~Camas~~ Elmore AS	Camas Creek	

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	
01S	11E	32														20			20
Total Acres (for irrigation use)																			20

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:

Existing POD with measuring device.

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

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Shared Diversion

- 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: _____

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:

Will not be irrigated

- 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:

Shared POD 37-22792 & 37-4323

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|-------------------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☒ | ☐ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 37-2144

Current Owner: KEITH O NEIL HELMICK
SANDRA R HELMICK
Priority Date: 7/5/1909
Origin: Water Right
Status: Active
Basis: Decreed

Source

JOHNSON SPRING

Tributary

CAMAS CREEK

Beneficial Use

IRRIGATION

From To

04/15 to 10/31

Diversion Rate

0.4 CFS

Annual Volume

Total Diversion

0.4 CFS

Location of Point(s) of Diversion

JOHNSON SPRING

NE1/4SE1/4NW1/4

Sec. 5, Twp 02S, Rge 11E B.M.

ELMORE County

Place of Use

IRRIGATION Within ELMORE County

T02S R11E S4	Lot 3	NENW	3.00	T02S R11E S4	Lot 4	NWNW	17.00
Total Acres: 20							

Conditions of Approval:

1. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
2. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
3. 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.

Decreed Date: 5/13/2009

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Transfer No. _____

**APPLICATION FOR TRANSFER OF WATER RIGHT
ATTACHMENT WSB:
TRANSFERRING WATER RIGHTS LEASED TO THE WATER SUPPLY BANK**

Approval of a transfer application will not impact the terms of a Water Supply Bank Lease Contract. Any transferred water right or portion of a water right that is leased to the Water Supply Bank (Bank) shall remain unused while the lease is active.

If the transfer proposes to relocate the place of use of an irrigation water right, and the relocated acres include land currently idled due to a Bank lease contract, the applicant is required to identify the areas that will be idled at the new place of use for the duration of the lease contract. The acres to be idled should be clearly identified on the map created for Attachment 7B of the transfer application. The applicant should confirm the map is attached when completing the table below. If the leased portion of the place of use is not proposed to be relocated, a map is not required.

A Bank lease contract shall remain in effect until it expires, a new lease proposal is processed to replace it, or the water right is released from the Bank through written confirmation issued by the Water Resource Board. If the proposed transfer is approved, the water right owner will be provided sufficient time to allow the lease contract to expire before beneficial use of water at the new place of use will be expected. Meanwhile, water rights leased to the Bank are protected from forfeiture for the duration of the lease contract.

Water right owners who would like to adjust the terms of their lease contracts can either submit a new lease proposal on an [Application to Lease a Water Right to the Water Supply Bank](#) form, or they can request early termination of their lease contracts by completing a [Request to Release a Water Right from the Water Supply Bank](#) form. If a water right is leased to the Bank, and it is currently being rented from the Bank, the lease cannot be reduced or terminated until the rental agreement concludes. A request to release a water right or to submit a new lease application should be sent to the Department's state office. To find out if there are any rentals associated with a leased water right, please call a Bank representative at the Department at 208-287-4800.

In the table below, please provide the requested information for any water right that is both proposed for transfer and leased to the Bank. The information needed to complete this table can be found in your Bank lease contract. A copy of your lease contract can be obtained using the 'Search Water Rights' option on the Department's internet page at www.idwr.idaho.gov or by contacting any Department office.

Water Right Number	Lease Contract Expiration Date	Water Right Quantities Leased to the Bank			Map Attachment 7B Clearly Identifies Idled Place of Use at New Location
		Rate (cfs)	Volume (AF)	Acres	
37-2144	12/31/2022	0.4		20	Attached? ☒ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐
					Attached? ☐ or No Change ☐

Is the ownership of the water right(s) leased to the Bank being changed? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a [Lessor Designation](#) form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an [IRS Form W-9](#).

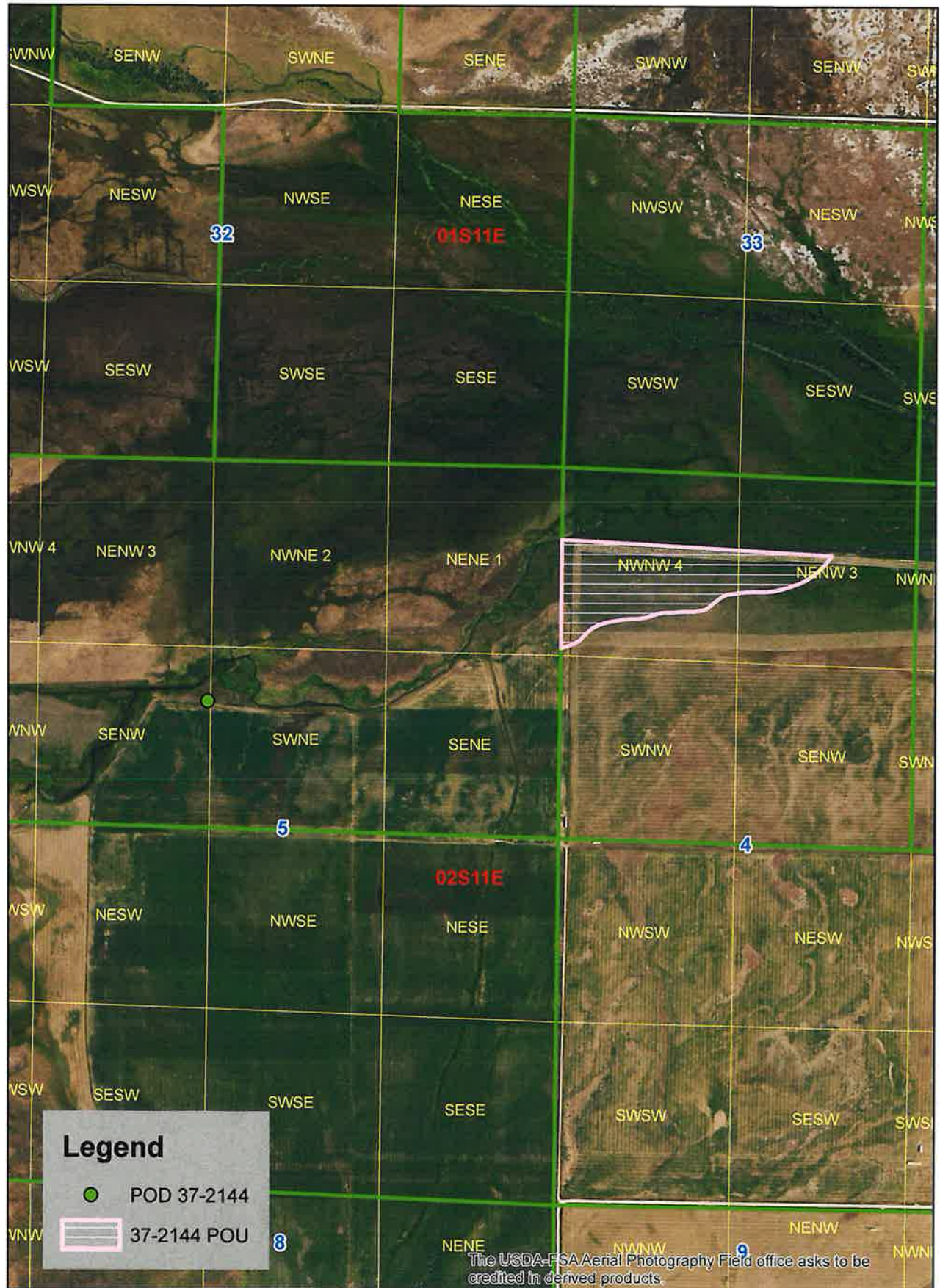
Additional Information:

Agency Use Only: Personnel processing transfer applications should forward a copy of this attachment, the original Lessor Designation form and/or IRS Form W-9, if received, to the State Office.

Attachment 7A:Proposed POD & POU



Attachment 7B: Current POD & POU



WARRANTY DEED

For Value Received,

CLARE M OLSON AND KAREN Y OLSON, HUSBAND AND WIFE

the Grantors do hereby grant, bargain, sell, convey and warrant unto

**KEITH O'NEIL HELMICK AND SANDRA R HELMICK, HUSBAND AND WIFE, AS
COMMUNITY PROPERTY WITH RIGHT OF SURVIVORSHIP**

the Grantees whose current address is:
16 E Indian Creek Rd, Boise, ID 83716

the following described real property in Elmore County, State of Idaho more particularly
described as follows, to-wit:

Township 1 South, Range 11 East, Boise Meridian, Elmore County, Idaho.

Section 32: W1/2NE1/4, E1/2NW1/4, SE1/4

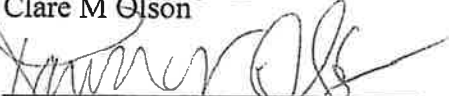
SAVE AND EXCEPT those portions used for Roadway purposes.

TOGETHER WITH A SPLIT OF WATER RIGHT NO. 37-4323 V2

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said
Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with
the said Grantees, that they are the owners in fee simple of said premises; that said premises are
free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject
and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions,
dedications, easements, rights of way and agreements, (if any) of record, and general taxes and
assessments, (including irrigation and utility assessments, if any) for the current year, which are
not yet due and payable, and that they will warrant and defend the same from all lawful claims
whatsoever, except those of record.

Date: October 30, 2012


Clare M Olson


Karen Y Olson

State of Idaho
County of Elmore

On this 31st day of October, 2012, before me, the undersigned, a Notary Public, in and for said
State, personally appeared **CLARE M OLSON AND KAREN Y OLSON**, known to me, and/or
identified to me on the basis of satisfactory evidence, to be the persons whose names are
subscribed to the within instrument and acknowledged to me that they executed the same.

the Grantors do hereby grant, bargain, sell, convey and warrant unto

**KEITH O'NEIL HELMICK AND SANDRA R HELMICK, HUSBAND AND WIFE, AS
COMMUNITY PROPERTY WITH RIGHT OF SURVIVORSHIP**

the Grantees whose current address is:
16 E Indian Creek Rd, Boise, ID 83716

the following described real property in Elmore County, State of Idaho more particularly
described as follows, to-wit:

Township 1 South, Range 11 East, Boise Meridian, Elmore County, Idaho.

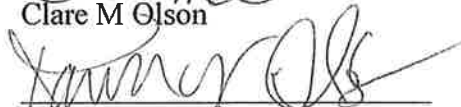
Section 32: W1/2NE1/4, E1/2NW1/4, SE1/4

SAVE AND EXCEPT those portions used for Roadway purposes.

TOGETHER WITH A SPLIT OF WATER RIGHT NO. 37-4323 V2

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that they will warrant and defend the same from all lawful claims whatsoever, except those of record.

Date: October 30, 2012


Clare M Olson

Karen Y Olson

State of Idaho
County of Elmore

On this 31st day of October, 2012, before me, the undersigned, a Notary Public, in and for said State, personally appeared **CLARE M OLSON AND KAREN Y OLSON**, known to me, and/or identified to me on the basis of satisfactory evidence, to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL



Notary Public
Residing at: **Mountain Home**
Commission Expires: **1-6-18**



NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
TRANSFER NO. 85779

KEITH O NEIL HELMICK and SANDRA R HELMICK, 16 E INDIAN CREEK RD, BOISE, ID 83716-3410 has filed Application No. 85779 for changes to the following water rights within ELMORE County(s): Right No(s). 37-2144; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterri-ghts/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes moving the point of diversion (POD) and place of use (POU) for a 0.40 cfs, 20 acre Johnson Spring irrigation water right. POD is proposed to be moved approximately 0.1 mile downstream (northeast) to an existing POD on Camas Creek. POU is proposed to be moved approximately 0.4 miles to the northwest from its current location. Current POD is located approximately 19.3 miles west and 4.3 miles south of the intersection of Soldier Rd and Hwy 20 in Fairfield. Current POU is located approximately 18.4 to 18.8 miles west and 4.0 to 4.3 miles south of the intersection of Soldier Rd and Hwy 20 in Fairfield.

For additional information concerning the property location, contact Southern Region office at (208)736-3033. 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, Southern Region, 650 ADDISON AVE W STE 500, TWIN FALLS ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **March 21, 2022**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN,
Director

First Publication:
March 2, 2022
Second Publication:
March 9, 2022

8.50
68 Lines

Please review, sign and return by fax or e-mail with any corrections by Noon the Friday prior to run date.

Total cost will be \$91.80. If signed proof and pre-payment (if required) is not received by deadline, this legal will not run.

Thank you,
Legal Department
Mountain Home News
ph (208) 587-3331
fax (208) 587-9205
legaldept@mountainhomenews.com

Proofed	
Date	
☐	Ok, with changes
☒	Ok, no changes
☐	Re-proof
Proofed by <u>Smaline</u>	

**Legals canceled prior to publication will incur a \$10 processing/typesetting fee*

☐ Prepayment ☒ Charge

Thanks, Joy

✓ 2-24-2022

Denise Maline



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

February 24, 2022

KEITH O NEIL HELMICK
SANDRA R HELMICK
16 E INDIAN CREEK RD
BOISE, ID 83716-3410

RE: Transfer No. 85779
Water Right No(s). 37-2144

Dear Applicant(s):

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 **MOUNTAIN HOME NEWS on 3/2/2022 and 3/9/2022**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **March 21, 2022**.

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,

Denise Maline
Administrative Assistant



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

February 24, 2022

WATER DISTRICT 37B
RUSTY KRAMER
246B S HIGHWAY 46
FAIRFIELD ID 83327-5560

RE: Transfer No. 85779 (Keith & Sandra Helmick)

Dear Rusty:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, February 24, 2022 9:39 AM
To: Dawson,Bradley
Subject: Comment Letter for Transfer No. 85779 - Helmick
Attachments: Application for Transfer No. 85779 (Helmick).pdf; Comment letter to F&G for 85779.docx

Good morning,

Attached is an application for transfer currently being processed by the department. Please review the application and provide any necessary comments within 21 days.

If you have any questions regarding these applications, please feel free to contact Water Right agent Bill Mills at our office at (208) 736-3033.

Thank you in advance,

Denise @ IDWR

Denise Maline, Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

February 24, 2022

IDAHO DEPT OF FISH & GAME
BRADLEY DAWSON
324 S 417 E STE 1
JEROME ID 83338-6206

RE: Transfer No. 85779 (Keith & Sandra Helmick)

Dear Mr. Dawson:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. *You can find a complete copy of the application(s) at:* <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days of the date of this letter.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication (**on or before March 21, 2022**).

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, February 24, 2022 8:31 AM
To: Mountain Home News
Subject: LEGAL NOTICE
Attachments: Mountain Home News cover letter.docx; Mountain Home News ad.docx

Attached please find **(1)** legal notice being submitted for publication on March 2nd & 9th, 2022. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Please send the affidavit and payment invoice to our office in Twin Falls, at the address below.

Thank you in advance,

Denise Maline @ IDWR Twin Falls

Denise Maline, Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

February 24, 2022

LEGAL NOTICE DEPARTMENT
MOUNTAIN HOME NEWS
PO BOX 1330
MOUNTAIN HOME, ID 83647-1330

RE: Transfer No. 85779
Water Right No(s). 37-2144

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 March 21, 2022. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 85779**

KEITH O NEIL HELMICK and SANDRA R HELMICK, 16 E INDIAN CREEK RD, BOISE, ID 83716-3410 has filed Application No. 85779 for changes to the following water rights within ELMORE County(s): Right No(s). 37-2144; 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: Application for transfer proposes moving the point of diversion (POD) and place of use (POU) for a 0.40 cfs, 20 acre Johnson Spring irrigation water right. POD is proposed to be moved approximately 0.1 mile downstream (northeast) to an existing POD on Camas Creek. POU is proposed to be moved approximately 0.4 miles to the northwest from its current location. Current POD is located approximately 19.3 miles west and 4.3 miles south of the intersection of Soldier Rd and Hwy 20 in Fairfield. Current POU is located approximately 18.4 to 18.8 miles west and 4.0 to 4.3 miles south of the intersection of Soldier Rd and Hwy 20 in Fairfield.

For additional information concerning the property location, contact Southern Region office at (208)736-3033. 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, Southern Region, 650 ADDISON AVE W STE 500, TWIN FALLS ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **March 21, 2022**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on March 2nd & 9th, 2022

M E M O R A N D U M

Date: February 15, 2022

To: Transfer 85779

From: Bill Mills

Re: Transfer Proposal

Application for transfer proposes moving the point of diversion (POD) and place of use (POU) for water right 37-2144, a 0.40 cfs, 20 acre Johnson Spring irrigation water right. POD is proposed to be moved approximately 0.1 mile downstream (northeast) to an existing POD on Camas Creek. POU is proposed to be moved approximately 0.4 miles to the northwest from its current location. Current POD is located approximately 19.3 miles west and 4.3 miles south of the intersection of Soldier Rd and Hwy 20 in Fairfield. Current POU is located approximately 18.4 to 18.8 miles west and 4.0 to 4.3 miles south of the intersection of Soldier Rd and Hwy 20 in Fairfield.

POD and POU are located in Water District 37B and watermaster comments will be solicited.

M E M O R A N D U M

Date: February 15, 2022

To: Transfer 85779

From: Bill Mills

Re: Fee Evaluation

Filing fees charged for transfer application #85779 were based on the on the current transfer fee schedule and included \$500.00 for the 0.4 cfs being transferred in the application (Receipt Nos. S039060 & S039082).

Mills, Bill

From: Condon, Mary
Sent: Tuesday, February 15, 2022 12:13 PM
To: Mills, Bill
Cc: Skinner, Corey; Rusty Krame; Parker, Cody; Hummer, Phill; Bank
Subject: RE: Rental 37-2144 for R Burr

Bill,

Thank you for letting me know. I will look to see if there is a different right available for the rental, but chances are slim.

Best,
Mary

Mary Condon
Water Supply Bank Coordinator



IDAHO DEPARTMENT OF
WATER RESOURCES
Planning & Projects
mary.condon@idwr.idaho.gov
Direct: (208) 287-4936
Fax: (208) 287-6700, Attn. Mary C.

From: Mills, Bill <Bill.Mills@idwr.idaho.gov>
Sent: Tuesday, February 15, 2022 11:40 AM
To: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Subject: RE: Rental 37-2144 for R Burr

Mary,

The current owners of water right 37-2144, Keith & Sandra Helmick have just filed a transfer application that seeks to move both the POD and POU (transfer #85779). The application was received 1/31/2022 and the fees were paid in full 02/14/2022. I spoke with the Helmick's, and it is their desire to withdraw the water right from the WSB so they can utilize it this upcoming irrigation season provided the transfer is approved. I have attached the transfer proposal for your convenience.

Sincerely,
Bill Mills

From: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>
Sent: Tuesday, February 15, 2022 10:52 AM
To: Mills, Bill <Bill.Mills@idwr.idaho.gov>
Subject: FW: Rental 37-2144 for R Burr

From: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Sent: Sunday, February 13, 2022 10:53 AM
To: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>; Rusty Krame <waterdistrict37b@outlook.com>
Cc: Bank <Bank@idwr.idaho.gov>; Hummer, Phill <Phill.Hummer@idwr.idaho.gov>; Parker, Cody <Cody.Parker@idwr.idaho.gov>
Subject: Rental 37-2144 for R Burr

Good morning,

Please see the attached review memo and move map for Mr. Burr on Bennett Mtn, and kindly respond with comments or concerns within 7 days.

I have also attached a spreadsheet and map of water rights between the rental and leased location, with Camas Creek as the source.

Conditions of approval include water district 37B, availability of rental water limited to times when leased water is available, and subordination to other rights on Camas Creek between rental and lease POD. Is there measurement reporting due for the rental since it is over 5 acres worth of irrigation?

Best,
Mary

Mary Condon
Water Supply Bank Coordinator



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WATER RESOURCES

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