

FEB 07 2022

DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 85761

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 <http://www.idwr.idaho.gov/>.

Name of Applicant(s) JOHN D COURTNEY; SUSAN L COURTNEY

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 #1-9.

- ☐ ☒ #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 transfer 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).
- ☐ ☒ #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 <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☐ ☒ #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.
- ☐ ☒ #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.)
- ☐ ☒ #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 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 07 2022

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

DEPT OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant JOHN D COURTNEY Phone (208) 731-2614

Mailing Address 2424 N 2700 E, TWIN FALLS ID 83301-0710 Email _____

Name of Applicant SUSAN L COURTNEY Phone (208) 731-2614

Mailing Address 2424 N 2700 E, TWIN FALLS ID 83301-0710 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.

John D Courtney
Signature of Applicant or Authorized Representative

John D Courtney
Print Name and Title if applicable

2-7-2022
Date

Susan L Courtney
Signature of Applicant or Authorized Representative

Susan L Courtney
Print Name and Title if applicable

2/7/22
Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	47-7022	No	No	Yes	Yes	No	No
	47-7803A	No	No	Yes	Yes	No	No
	47-8075	No	No	Yes	Yes	No	No

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

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.2**

Applicant is seeking to consolidate three irrigation water rights into a PPU and to add all five of his wells to each water right. Rights authorize 381 acres of irrigation and this transfer will create a 386 permissible place of use.

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

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
47-8075	1.300 cfs	634.3 af	200.0	386.0		N/A	N/A	N/A	N/A
47-7803A	2.500 cfs	724.0 af	181.0	386.0		N/A	N/A	N/A	N/A
47-7022	0.400 cfs	195.4 af	68.0	386.0		N/A	N/A	N/A	N/A
COMBINED TOTALS	4.200 cfs	N/A	N/A	386.0		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 4.2 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☒ As shown in Part 1.
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

4. Place of Use:

- ☐ No changes to place of use are proposed. (Proceed to #5.)
- ☒ As shown in Part 1.
- ☐ See Attachment.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 47-8075

Current Water Right Owner

JOHN D COURTNEY
2424 N 2700 E
TWIN FALLS, ID
83301-0710

SUSAN L COURTNEY
2424 N 2700 E
TWIN FALLS, ID 83301-0710

Priority Date: 12/21/1987

Origin: Water Right

Basis: License

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3 /15	11/15	1.300 CFS	634.3 AFA	
Total Diversion			1.300 CFS	634.3 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNWNE	Sec. 24 Twp 12S Rge 16E	TWIN FALLS County
GROUND WATER	SENESE	Sec. 24 Twp 12S Rge 16E	TWIN FALLS County
GROUND WATER	SWSWSE	Sec. 24 Twp 12S Rge 16E	TWIN FALLS County
GROUND WATER	NENWNE	Sec. 25 Twp 12S Rge 16E	TWIN FALLS County
GROUND WATER	SWNESW	Sec. 30 Twp 12S Rge 17E	TWIN FALLS County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	16E	24	17.0	16.0	4.5	33.0									17.0	12.0	23.0	28.0	150.5
12S	16E	25	31.0	32.0	31.0	31.0													125.0
12S	17E	30					31.0	10.0	10.5	30.0	15.0	14.0							110.5
								L 1	L 2			L 3							

Right Acre Limit: 200.0

POU Total Acres: 386.0

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 47-7803A

Current Water Right Owner

JOHN D COURTNEY
2424 N 2700 E
TWIN FALLS, ID
83301-0710

SUSAN L COURTNEY
2424 N 2700 E
TWIN FALLS, ID 83301-0710

Priority Date: 3/12/1982

Origin: Water Right

Basis: License

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	2.500 CFS	724.0 AFA	
Total Diversion			2.500 CFS	724.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNWNE	Sec. 24 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SENESE	Sec. 24 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SWSWSE	Sec. 24 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	NENWNE	Sec. 25 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SWNESW	Sec. 30 Twp 12S Rge 17E TWIN FALLS County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	16E	24	17.0	16.0	4.5	33.0									17.0	12.0	23.0	28.0	150.5
12S	16E	25	31.0	32.0	31.0	31.0													125.0
12S	17E	30					31.0	10.0	10.5	30.0	15.0	14.0							110.5
							L 1	L 2				L 3							

Right Acre Limit: 181.0

POU Total Acres: 386.0

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 47-7022

Current Water Right Owner

JOHN D COURTNEY
2424 N 2700 E
TWIN FALLS, ID
83301-0710

SUSAN L COURTNEY
2424 N 2700 E
TWIN FALLS, ID 83301-0710

Priority Date: 1/23/1968

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/01	11/01	0.400 CFS	194.0 AFA	
STOCKWATER	01/01	12/31	0.030 CFS	1.4 AFA	
Total Diversion			0.400 CFS	195.4 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNWNE	Sec. 24 Twp 12S Rge 16E	TWIN FALLS County
GROUND WATER	SENESE	Sec. 24 Twp 12S Rge 16E	TWIN FALLS County
GROUND WATER	SWSWSE	Sec. 24 Twp 12S Rge 16E	TWIN FALLS County
GROUND WATER	NENWNE	Sec. 25 Twp 12S Rge 16E	TWIN FALLS County
GROUND WATER	SWNESW	Sec. 30 Twp 12S Rge 17E	TWIN FALLS County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	16E	24	17.0	16.0	4.5	33.0									17.0	12.0	23.0	28.0	150.5
12S	16E	25	31.0	32.0	31.0	31.0													125.0
12S	17E	30					31.0	10.0	10.5	30.0	15.0	14.0							110.5
								L 1	L 2			L 3							

Right Acre Limit: 68.0

POU Total Acres: 386.0

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	16E	24															X	X	

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
Five wells with pipelines to five pivots. Measuring device and lockable controlling works will be installed when required by IDWR.
- 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:
- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No, ☒ 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. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
Only authorized acres will be irrigated. Other acres will no longer be irrigated.
- e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
- f. 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. 47-8075

Current Water Right Owner

JOHN D COURTNEY
2424 N 2700 E
TWIN FALLS, ID
83301-0710

SUSAN L COURTNEY
2424 N 2700 E
TWIN FALLS, ID 83301-0710

Priority Date: 12/21/1987

Origin: Water Right

Basis: License

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3 /15	11/15	1.300 CFS	634.3 AFA	
Total Diversion			1.300 CFS	634.3 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NENWNE	Sec. 25 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SWNESW	Sec. 30 Twp 12S Rge 17E TWIN FALLS County

Describe the proposed diversion system

Well and pump, 50 hp motor with 25 hp booster.
Well, 7.5 hp motor and pump.

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	16E	25	31.0	31.0	31.0	31.0													124.0
12S	17E	30					31.0	10.5	10.5	31.0	16.5	14.5							114.0
								L 1	L 2			L 3							

Right Acre Limit: 200.0

POU Total Acres: 238.0

Conditions/Remarks:

- The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.
- If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
- This right is limited to the irrigation of a specific 200 acres within the 238 acre place of use authorized by this right in a single irrigation season. The specific 200 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 200 acres to be irrigated within the 238 acre place of use, the right holder shall submit a new land list and map to the Department prior to the irrigation season in which the change will occur.
- This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
- This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

6. This right is limited to the irrigation of 200 acres within the place of use described above in a single irrigation season.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Current Water Right No. 47-7803A

Current Water Right Owner

JOHN D COURTNEY
2424 N 2700 E
TWIN FALLS, ID
83301-0710

AND

SUSAN L COURTNEY
2424 N 2700 E
TWIN FALLS, ID 83301-0710

Priority Date: 3/12/1982

Origin: Water Right

Basis: License

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	2.500 CFS	724.0 AFA	
Total Diversion			2.500 CFS	724.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SENESE	Sec. 24 Twp 12S Rge 16E	TWIN FALLS County
GROUND WATER	SWNWNE	Sec. 24 Twp 12S Rge 16E	TWIN FALLS County
GROUND WATER	SWSWSE	Sec. 24 Twp 12S Rge 16E	TWIN FALLS County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	16E	24	25.0	20.0	9.0	39.0									24.0	2.0	25.0	37.0	181.0
POU Total Acres:			181.0																

Conditions/Remarks:

1. Rights 47-07022 and 47-07803A when combined shall not exceed the irrigation of 181 acres.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
3. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company or irrigation district deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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

Current Water Right No. 47-7022

Current Water Right Owner

JOHN D COURTNEY
2424 N 2700 E
TWIN FALLS, ID
83301-0710

AND

SUSAN L COURTNEY
2424 N 2700 E
TWIN FALLS, ID 83301-0710

Priority Date: 1/23/1968

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/01	11/01	0.400 CFS	194.0 AFA	
STOCKWATER	01/01	12/31	0.030 CFS	1.4 AFA	
Total Diversion			0.400 CFS	195.4 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNWNE	Sec. 24 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SENESE	Sec. 24 Twp 12S Rge 16E TWIN FALLS County
GROUND WATER	SWSWSE	Sec. 24 Twp 12S Rge 16E TWIN FALLS County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	16E	24	25.0	20.0	9.0	39.0									24.0	2.0	25.0	37.0	181.0
Right Acre Limit:			68.0																
POU Total Acres:			181.0																

Place of Use: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	16E	24															X	X	0.0

Conditions/Remarks:

1. This right is limited to the irrigation of 68 acres within the authorized place of use in a single irrigation season.
2. Rights 47-07022 and 47-07803A when combined shall not exceed the irrigation of 181 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

☒ 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 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**.

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**

-
- This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slight shadow on the right side, suggesting it's resting on a surface.

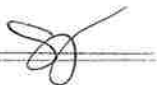
Transfer Contains 14 pages and attachments.
Received By WM Date 2-7-2022 Prelim. Check By Date
Fee Paid \$820- Date 2-7-2022 Received By WM Receipt # 5039070
Add'l Fee Paid Date Received By Receipt #

CERTIFIED TO BE A TRUE AND
EXACT COPY OF THE ORIGINAL

Case No. **76652 CM**

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

TITLEFACT, INC

BY: 

TWIN FALLS COUNTY
RECORDED FOR:
TITLEFACT, INC.
03:53:43 PM 01-18-2022
2022001121
NO. PAGES 3 FEE: \$15.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: CT
Electronically Recorded by Simplifile

PERSONAL REPRESENTATIVE'S DEED

FOR VALUE RECEIVED **Ataraxis Accounting and Advisory Services, Chtd, Nancy Koonce, as its agent, as Personal Representative of the Estate of DESSIE D. COURTNEY, a Protected Individual, Deceased,** hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **JOHN D. COURTNEY and SUSAN COURTNEY, husband and wife,** hereinafter called Grantee, whose address is:

2424 North 2700 East, Twin Falls, Id. 83301
the following described premises in Twin Falls County, Idaho; to-wit:

See Attached Exhibit "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: January 18, 2022

Estate of **DESSIE D. COURTNEY, a Protected Individual, Deceased**

By: **Ataraxis Accounting and Advisory Services, Chtd., Personal Representative**

BY: Nancy Koonce, Authorized Agent
Nancy Koonce, Authorized Agent

STATE OF IDAHO
County of Twin Falls

On this 18 day of January, 2022, before me, a Notary Public, personally appeared **Nancy Koonce**, known or identified to me to be the person who executed the instrument and acknowledged to me that she executed the same as the Authorized Agent for **Ataraxis Accounting and Advisory Services, Chtd., Personal Representative of the Estate of DESSIE D. COURTNEY, a protected individual, deceased.**

Chantil Marlow
Notary Public for Idaho
Residing in Twin Falls
Commission Expires: 11-23-2026

CHANTIL MARLOW
COMMISSION #20204408
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES 11/23/2026

EXHIBIT "A"

Township 12 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho

Section 24: Part of the E½, more particularly described as follows:

BEGINNING at the Southeast Corner of Section 24 in T.12 S., R.16 E., B.M. said corner marked by a ½" rebar which shall be the POINT OF BEGINNING;

THENCE South 89°56'24" West along the South line of Section 24 for a distance of 2321.15 feet;

THENCE North 00°01'28" West for a distance of 25.00 feet to a ½" rebar;

THENCE North 00°01'28" West for a distance of 1091.45 feet to a ½" rebar;

THENCE along a curve to the right for a distance of 1667.36 feet to a ½" rebar, said curve having a radius of 1080.00 feet, a delta angle of 88°27'23", and a long chord bearing of North 45°40'59" East for a distance of 1506.64 feet;

THENCE North 89°58'32" East for a distance of 515.86 feet to a ½" rebar;

THENCE North 00°01'28" West for a distance of 58.18 feet to a ½" rebar;

THENCE North 00°01'28" West for a distance of 16.51 feet to the centerline of a canal;

THENCE North 63°04'34" West along said centerline for a distance of 514.48 feet;

THENCE North 46°46'39" West along said centerline for a distance of 81.89 feet;

THENCE North 28°27'31" West along said centerline for a distance of 363.55 feet;

THENCE North 30°07'07" West along said centerline for a distance of 291.18 feet;

THENCE North 22°18'46" West along said centerline for a distance of 85.56 feet;

THENCE North 11°10'12" West along said centerline for a distance of 221.53 feet;

THENCE North 15°03'56" West along said centerline for a distance of 95.77 feet;

THENCE North 35°12'01" West along said centerline for a distance of 246.46 feet;

THENCE North 46°58'27" West along said centerline for a distance of 102.33 feet;

THENCE North 58°54'12" West along said centerline for a distance of 85.58 feet;

THENCE North 85°24'54" West along said centerline for a distance of 87.62 feet;

THENCE South 87°16'25" West along said centerline for a distance of 318.68 feet;

THENCE South 84°20'36" West along said centerline for a distance of 135.25 feet;

THENCE North 87°03'07" West along said centerline for a distance of 76.90 feet;

THENCE North 60°35'38" West along said centerline for a distance of 94.49 feet to the West line of the E½ of Section 24;

THENCE North 00°01'39" East along said quarter section line for a distance of 28.47 feet to a ½" rebar;

THENCE North 00°01'39" East along said quarter section line for a distance of 984.90 feet to a ½" rebar;

THENCE South 88°45'19" East for a distance of 2620.79 feet to a ½" rebar;

THENCE South 88°45'19" East for a distance of 35.07 feet to the East line of Section 24;

THENCE South 00°02'22" West along said section line for a distance of 2133.96 feet to a ½" rebar with aluminum cap at the E¼ Corner;

THENCE South 00°01'28" East along said section line for a distance of 1052.49 feet;

THENCE South 89°58'32" West for a distance of 25.00 feet to a ½" rebar;

THENCE South 89°58'32" West for a distance of 40.00 feet to a ½" rebar;

THSNCE North 00°01'28" West for a distance of 35.00 feet to a ½" rebar;

THENCE South 89°58'32" West for a distance of 283.57 feet to a ½" rebar;

THENCE along a curve to the right for a distance of 375.38 feet to a ½" rebar, said curve having a radius of 1050.00 feet, a delta angle of 20°29'01", and a long chord bearing of South 21°31'29" East for a distance of 373.39 feet;

THENCE North 89°58'32" East for a distance of 186.72 feet to a ½" rebar;

THENCE North 89°58'32" East for a distance of 25.00 feet to the East line of section 24;

THENCE South 00°01'28" East along said section line for a distance of 1292.12 feet to the POINT OF BEGINNING.

SUBJECT TO an Easement for a Drain Field, described as follows:

Township 12 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho,

Section 24: Part of the SE¼;

BEGINNING at the Southeast corner of Section 24 in T.12 S., R.16 E., B.M. said corner marker by a ½" rebar;

THENCE North 00°01'28" West along the East line of Section 24 for a distance of 1292.12 feet;

THENCE South 89°58'32" West for a distance of 25.00 feet to a ½" rebar;

THENCE South 89°58'32" West for a distance of 85.00 feet to the POINT OF BEGINNING;

THENCE South 00°01'28" East for a distance of 20.00 feet;

THENCE South 89°58'32" West for a distance of 200.00 feet;

THENCE North 00°01'28" West for a distance of 20.00 feet;

THENCE North 89°58'32" East for a distance of 98.28 feet to a ½" rebar;

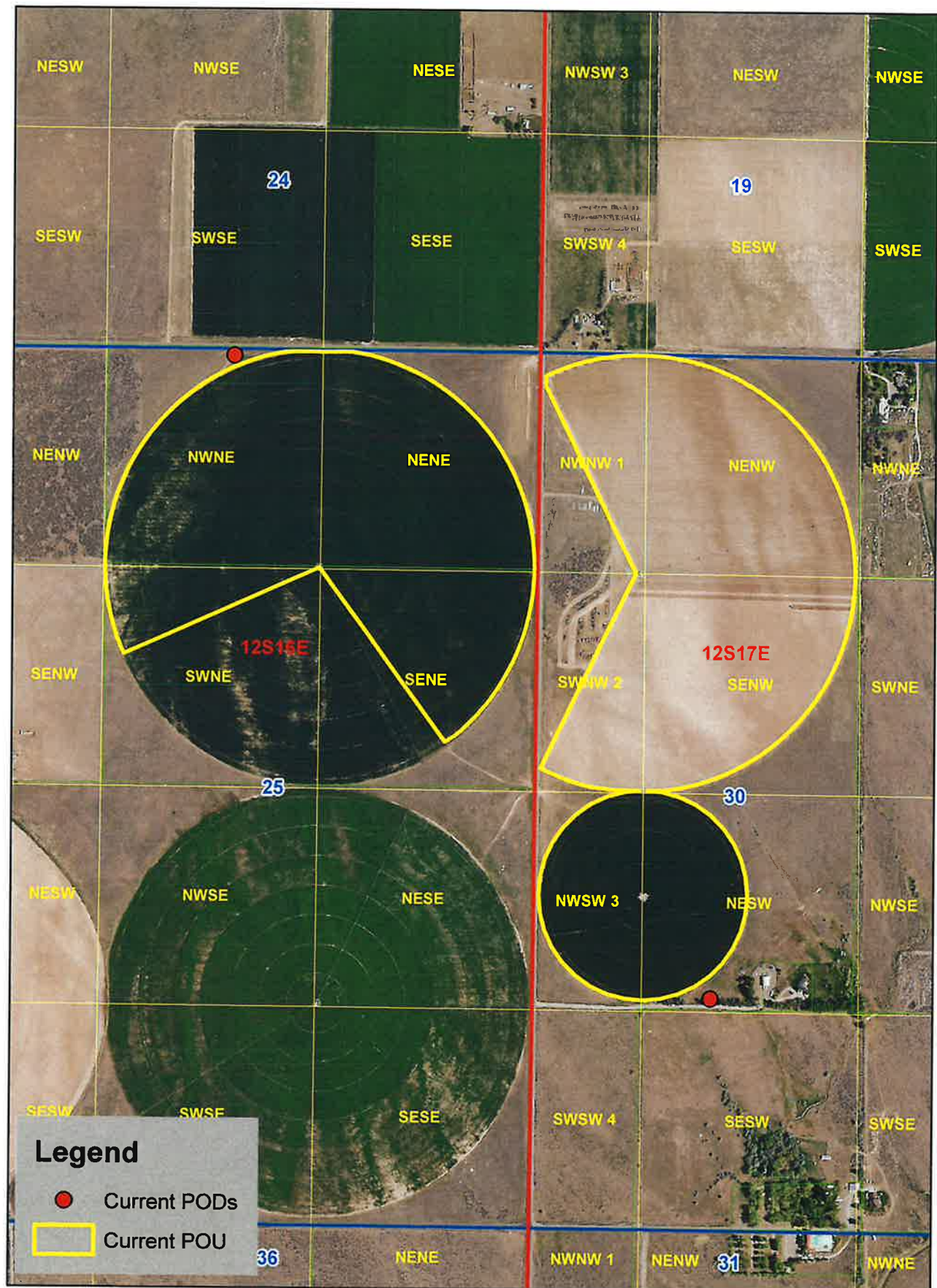
THENCE North 89°58'32" East for a distance of 101.72 feet to the POINT OF BEGINNING.

ALSO SUBJECT TO a County Road right-of-way along the East and South sides.

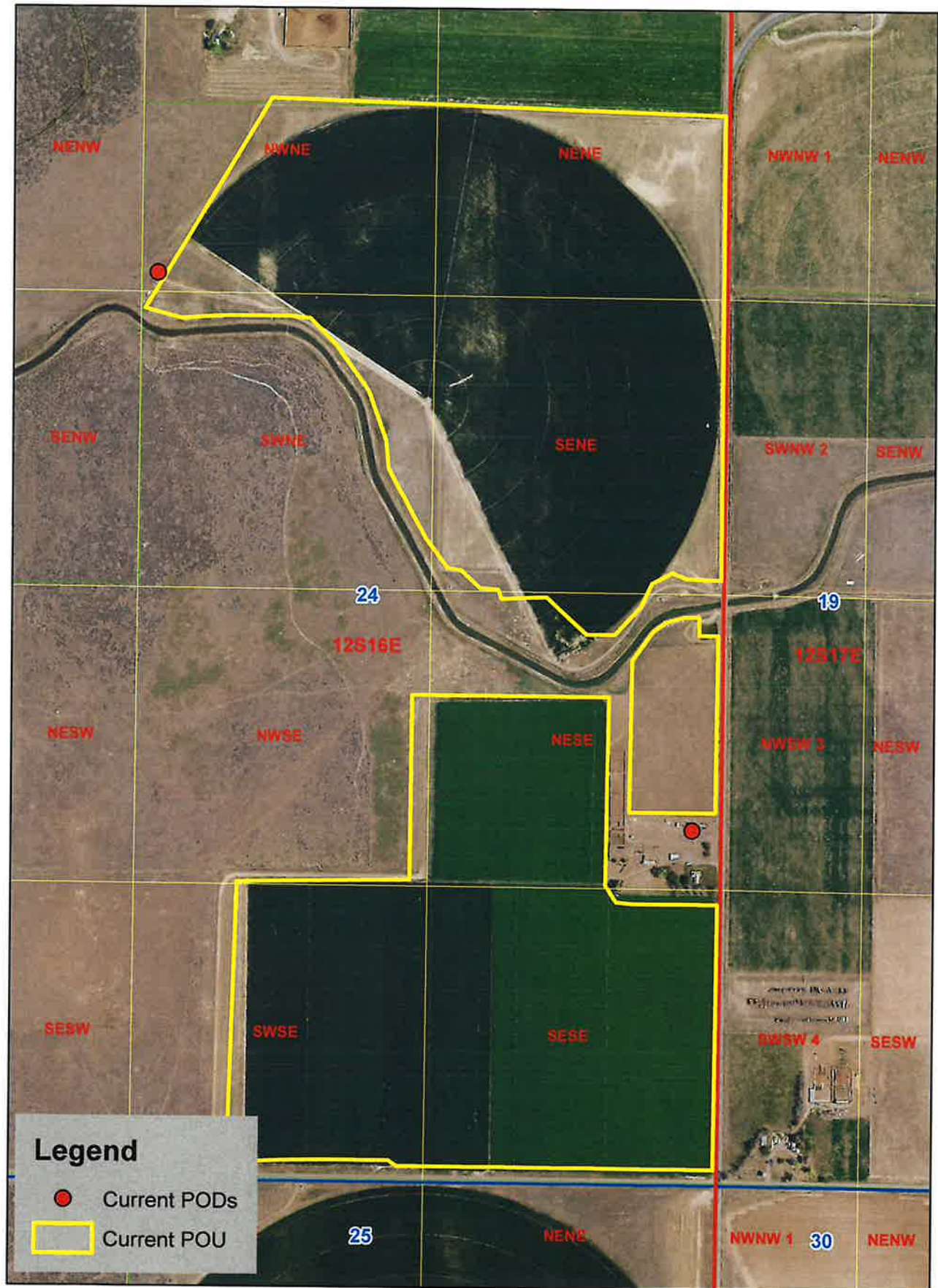
Attachment 7A: Proposed PPU & PODs



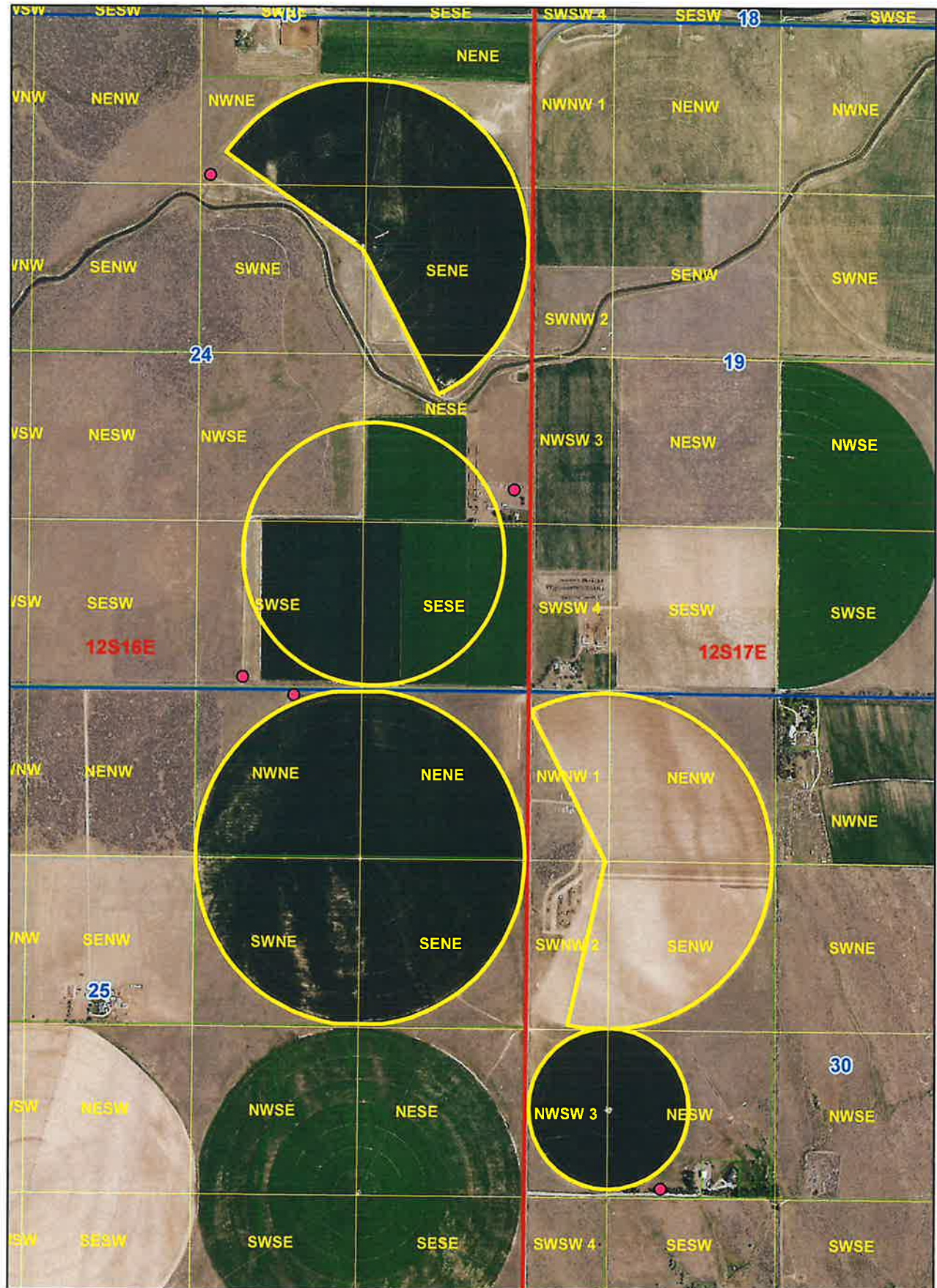
Attachment 7B (2): 47-8075 Current POU & PODs



Attachment 7B (1): 47-7022 & 47-7803A Current POU & PODs



"206" POU for 2022 Irrigation Season



Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 124449

Publication

Times News

Contact

ID DEPARTMENT OF WATER RESOURCES

PO Number

Address 1

650 ADDISON AVE W, STE 500

Rate

Legal Notice

Address 2

Order Price

89.02

City St Zip

TWIN FALLS ID 83301

Amount Paid

0.00

Phone

2087363033

Amount Due

89.02

Fax

Section

Legals

Start/End Dates

02/17/2022 - 02/24/2022

SubSection

Insertions

2

Category

50 Legal

Size

55

Ad Key

124449-1

Salesperson(s)

Legal Notices

Keywords

NOTICE/TRANSFER NO. 85761

Taken By

Seana Chapman

Notes

Ad Proof

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 85761

JOHN D COURTNEY and SUSAN L COURTNEY, 2424 N 2700 E, TWIN FALLS, ID 83301-0710 has filed Application No. 85761 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-7022, 47-7803A, 47-8075; 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 seeks to combine three ground water irrigation rights (381 acres total; 4.2 cfs total) into a 386 acre permissible place of use (PPU) that will be limited to the irrigation of 381 acres. Currently there are three authorized wells on two of the rights and two authorized wells on one right, application also seeks to list all five wells on all three rights. Wells and proposed PPU are located approximately 13.0 to 14.6 miles south and 2.5 to 3.4 miles west of the intersection of Addison Ave and Blue Lakes Blvd in Twin Falls.

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 7, 2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on February 17th & 24th, 2022

Proof of legal notice received from Times News 2/10/2022

Sm 2-10-2022



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 10, 2022

JOHN D COURTNAY
SUSAN L COURTNAY
2424 N 2700 E
TWIN FALLS, ID 83301-0710

RE: Transfer No. 85761
Water Right No(s). 47-7022, 47-7803A, 47-8075

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 **TIMES NEWS on 2/17/2022 and 2/24/2022**. 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 7, 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

Maline, Denise

From: Maline, Denise
Sent: Thursday, February 10, 2022 9:53 AM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News cover letter.docx; Times News ad.docx

Attached please find **(1)** legal notice being submitted for publication on February 17th & 24th, 2022. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls

Our offices will be closed Monday, February 21, 2022 in observance of President's Day

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 10, 2022

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 85761

Water Right No(s). 47-7022, 47-7803A, 47-8075

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 7, 2022**. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline

Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 85761**

JOHN D COURTNEY and SUSAN L COURTNEY, 2424 N 2700 E, TWIN FALLS, ID 83301-0710 has filed Application No. 85761 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-7022, 47-7803A, 47-8075; 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 seeks to combine three ground water irrigation rights (381 acres total; 4.2 cfs total) into a 386 acre permissible place of use (PPU) that will be limited to the irrigation of 381 acres. Currently there are three authorized wells on two of the rights and two authorized wells on one right, application also seeks to list all five wells on all three rights. Wells and proposed PPU are located approximately 13.0 to 14.6 miles south and 2.5 to 3.4 miles west of the intersection of Addison Ave and Blue Lakes Blvd in Twin Falls.

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 7, 2022**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on February 17th & 24th, 2022

M E M O R A N D U M

Date: February 8, 2022
To: Transfer 85761
From: Bill Mills
Re: Transfer Proposal

Application seeks to combine three ground water irrigation rights (381 acres total; 4.2 cfs total) into a 386 acre permissible place of use (PPU) that will be limited to the irrigation of 381 acres. Currently there are three authorized wells on rights 47-7022 and 47-7803A and two authorized wells on right 47-8075, application also seeks to list all five wells on all three rights. Wells and proposed PPU are located approximately 13.0 to 14.6 miles south and 2.5 to 3.4 miles west of the intersection of Addison Ave and Blue Lakes Blvd in Twin Falls.

MEMORANDUM

Date: February 8, 2022

To: Transfer 85761

From: Bill Mills

Re: Fee Evaluation

Filing fees charged for transfer application #85761 were based on the on the current transfer fee schedule and included \$820.00 for the 4.2 cfs being transferred in the application (Receipt No.S039070).