

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 11 2022

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

Department of Water Resources
Eastern Region

Name of Applicant(s) Richard F Smith Phone 208-390-7060
Mailing address PO Box 8, Rexburg, ID 83440 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**.

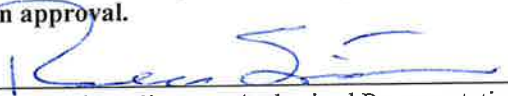
Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Rocky Mountain Environmental Associates, Inc. Phone 208-524-2353
Mailing address 482 Constitution Way Ste 303, Idaho Falls, ID 83402 Email kristin.rmea@gmail.com

- ☐ 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.


Signature of Applicant or Authorized Representative

RICHARD F. SMITH
Print Name and Title if applicable

11/16/21
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

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 _____
2. 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**.
3. 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**.
- Applicant has been renting water through the Water Supply Bank for the proposed POU for several years. It is proposed to relocate water rights already owned by applicant to provide permanent water rights for the proposed POU. Water rights will be taken from other lands that have been or will be taken out of production, some in the WSB.

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 ☐ ☒	22-7032	0.15 cfs	Irrigation	5/01 to 10/01	Ground Water
☐ ☒	22-2175B	0.21 cfs	Irrigation	4/01 to 10/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.36 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.36 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 #
N			SW	NE	28	6N	40E	Madison	Ground Water	A0008754

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	
6N	40E	29	21																21
Total Acres (for irrigation use)																			21

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 well delivers water through a mainline to pivot.

- b. Who owns the property at the point(s) of diversion? DS & S Inc.
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Applicant leases the POU to DS & S Inc and the lessor uses their own well to deliver the water to the POU. See Attachment #10 for authorization letter.

- 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:
The land now irrigated will no longer 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:
Existing POD/POU: None. Proposed POD/POU: 22-7054B shares the same POD as the proposed well location.

- 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:

A portion of 22-2175B is currently enrolled in the Water Supply Bank until the end of 2025 and was proposed to be rented for use at the proposed POU through 2025. With approval of the transfer, the rental will no longer be required. However, remaining portions will continue to be leased to the WSB.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/13/2022

Water Right 22-7032

Owner Type **Name and Address**
Current Owner RICHARD F SMITH
 PO BOX 8
 REXBURG, ID 83440
 (208) 390-7000

Current Owner JILL D SMITH
 PO BOX 8
 REXBURG, ID 83440
 (208) 356-4912

Priority Date: 3/13/1970

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	10/01	1.730 CFS	315.0 AF
	<u>Total Diversion</u>		1.730 CFS	315.0 AF

Source and Point(s) of Diversion

GROUND WATER L4(SWNW) Sec. 1, Twp 05N, Rge 39E, MADISON County

Place Of Use

IRRIGATION within MADISON 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	39E	1							4.7 L4										4.7
05N	39E	2				40.0 L1													40.0
06N	39E	35															35.1	10.0	45.1

POU Total Acres: 89.8

Conditions of Approval:

1. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 100.
2. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
3. 214 Prior to the diversion and use of water under Transfer approval 85421, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/13/2022

- diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
4. 004 This right does not grant any right-of-way or easement across the land of another.
 5. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
 6. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
 7. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 8. T19 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.

Dates and Other Information

Decreed Date: 3/1/2012

State or Federal: S

Owner Name Connector: AND

Water District Number: 100

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 3.5

Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

SubCaseNumber: 22-7032

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent:

Basis of Claim: License

Date Filed: 4/6/2006

Objection Status: Active

Water Supply Bank:

N/A

1/13/2022

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RICHARD F SMITH PO BOX 8 REXBURG, ID 83440 (208) 390-7000

Status: Active

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.250 CFS	273.0 AF
	Total Diversion		1.250 CFS	273.0 AF

<u>Source and Point(s) of Diversion</u>		
GROUND WATER	NESE	Sec. 31, Twp 06N, Rge 40E, MADISON County

Place Of Use
IRRIGATION within MADISON 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	
06N	40E	32											39.0	39.0					78.0

POU Total Acres: 78.0

Conditions of Approval:		
1.	C05	Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2.	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.
3.		Claim renumbered from 22-10021 to accurately reflect the water right as split.
4.	F05	Right No. 22-2175A is also diverted through point of diversion described above.

Decreed Date: 11/24/2008
Civil Case Number: 39576
Judicial District: FIFTH
Water District Number: 100
Mitigation Plan: False

Page 1 of 4

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IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/13/2022

Rate

2.640

Volume

22-2175B ,22-2175A ,22-7502

Acres

SubCase:

N/A

Water Supply Bank:

N/A

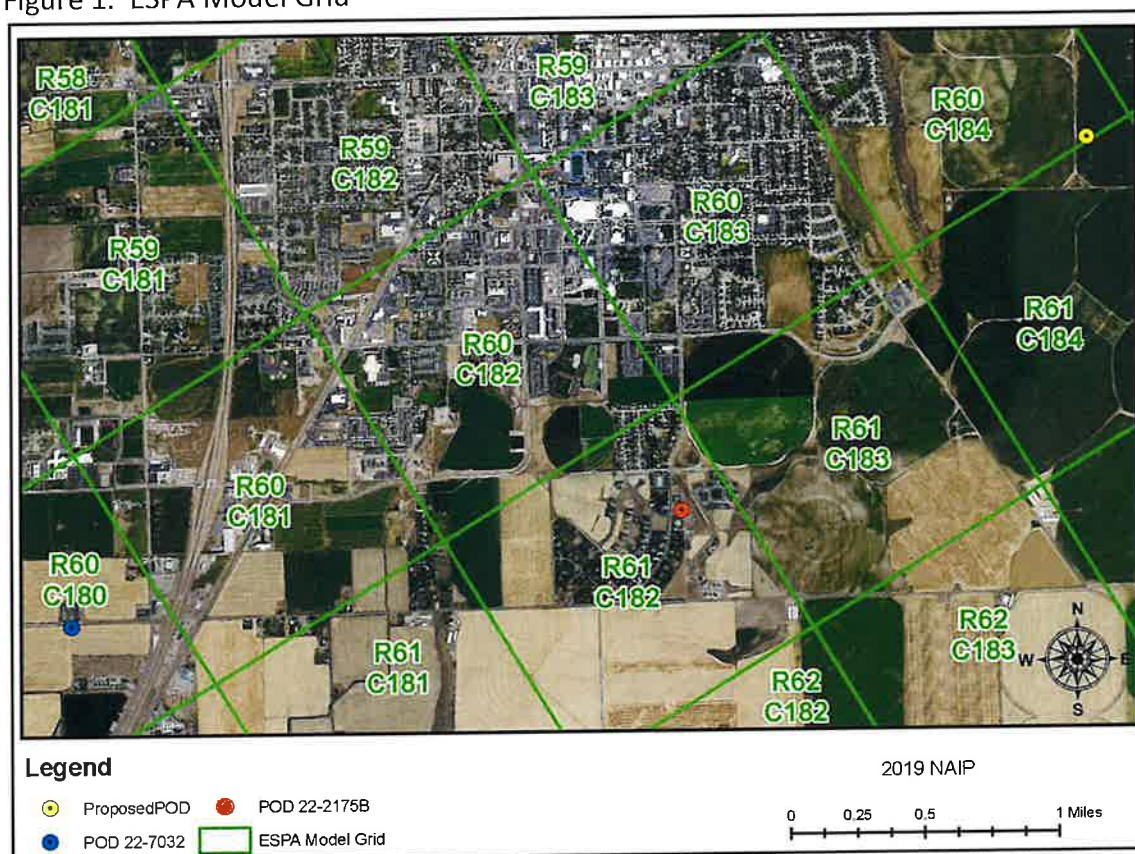
Eastern Snake Plain Aquifer Modeling Analysis

Richard F Smith

The Applicant proposes to transfer 21 acres to fulfill a water rights deficit at the proposed place of use. The points of diversion included in this modeling analysis are identified to be located in the following grid cells, as shown in Figure 1:

TO Well	R60 C184	
FROM Well 1	R60 C180	WR 22-7032
FROM Well 2	R61 C182	WR 22-2175B

Figure 1. ESPA Model Grid



Volumes were calculated at 2.5 afa/acre consumptive irrigation requirement for the acres proposed under each water right, as shown in the table below. Any discrepancies in sums are due to rounding of decimal places in the calculations.

WR	Model Cell	Transferred Portions			Modeling Portions	
		cfs	acres	afa	CU afa	CU af/tri
22-7032	R60 C180	0.15	7.7	27.0	19.3	6.4
22-2175B	R61 C182	0.21	13.3	46.6	33.3	11.1
TO Well	R60 C184	0.36	21.0	73.5	52.5	17.5

ESPA Model 3.4 run by Jake Nebeker.

ENHANCED GROUND-WATER RIGHTS TRANSFER

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPARTMENT OF AGRICULTURE

Cells this color are set up for user entries

ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON

YEAR: 1960

SEASON: WINTER

TRANSFER NO: 22-2175B 22-703

TRANSFER NAME: Richard Smith

UPDATE DATES

RUN MODEL

GET OUTPUT

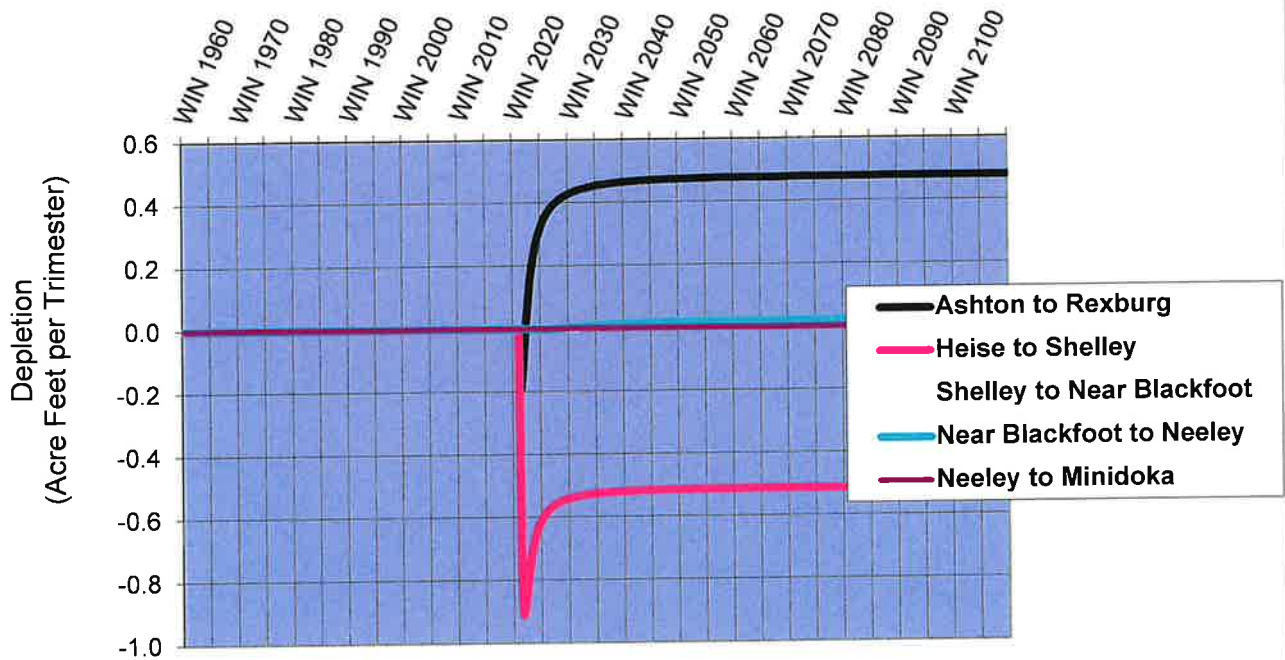
CALCULATE EFFECTS

ENTER CELL LOCATIONS:

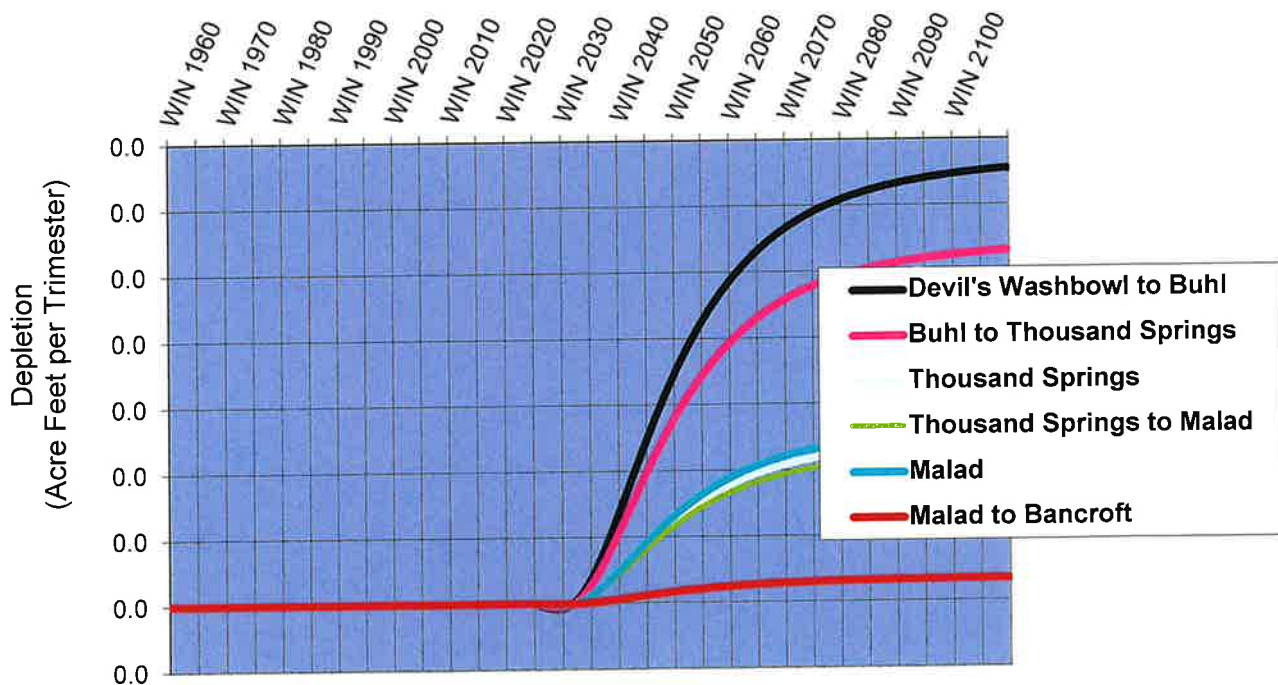
	TO' CELL	FROM1' CELL	FROM2' CELL	FROM3' CELL
ROW	60	60	61	0
COLUMN	184	180	182	0

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
	Projected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
WIN 1960	0.00	0.00	0.00	11.10	11.10	0.00	0.00
SPR 1961	0.00	0.00	0.00	11.10	11.10	0.00	0.00
SUM 1961	0.00	0.00	0.00	11.10	11.10	0.00	0.00
WIN 1961	0.00	0.00	0.00	11.10	11.10	0.00	0.00
SPR 1962	0.00	0.00	0.00	11.10	11.10	0.00	0.00
SPR 1969	0.00	0.00	0.00	11.10	11.10	0.00	0.00
SUM 1969	0.00	0.00	0.00	11.10	11.10	0.00	0.00
WIN 1969	0.00	0.00	0.00	11.10	11.10	0.00	0.00
SPR 1970	0.00	6.40	6.40	11.10	11.10	0.00	0.00
SUM 1970	0.00	6.40	6.40	11.10	11.10	0.00	0.00
WIN 1970	0.00	6.40	6.40	11.10	11.10	0.00	0.00
SPR 1971	0.00	6.40	6.40	11.10	11.10	0.00	0.00
SPR 2021	0.00	6.40	6.40	11.10	11.10	0.00	0.00
SUM 2021	0.00	6.40	6.40	11.10	11.10	0.00	0.00
WIN 2021	0.00	6.40	6.40	11.10	11.10	0.00	0.00
SPR 2022	17.50	0.00	6.40	0.00	11.10	0.00	0.00
SUM 2022	17.50	0.00	6.40	0.00	11.10	0.00	0.00
WIN 2022	17.50	0.00	6.40	0.00	11.10	0.00	0.00
SPR 2023	17.50	0.00	6.40	0.00	11.10	0.00	0.00
SUM 2023	17.50	0.00	6.40	0.00	11.10	0.00	0.00
SPR 2109	17.50	0.00	6.40	0.00	11.10	0.00	0.00
SUM 2109	17.50	0.00	6.40	0.00	11.10	0.00	0.00
WIN 2109	17.50	0.00	6.40	0.00	11.10	0.00	0.00
SPR 2110	17.50	0.00	6.40	0.00	11.10	0.00	0.00
SUM 2110	17.50	0.00	6.40	0.00	11.10	0.00	0.00

Net Transfer Effect Above Milner (Total Effect With Transfer - Total Effect Without Transfer)



Net Transfer Effect Below Milner (Total Effect With Transfer - Total Effect Without Transfer)



One-Way Analysis of Independent Transfers

New Water Right (GModelo):

WR No.	Div. Rate (CFS)	Con. Vol (AFA)	No. of Irr. Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT	Model Node
Transfer 1: Proposed Steady State Impacts following Transfer							
???	???	275.6	68.9	1/1/1960	8S26E-3	275.6 91.9	SP062075
???	???	275.6	68.9	1/1/1960	8S26E-3	275.6 91.9	SP068066
Transfer 1: Worst Case Transient State Impacts following Transfer							
???	???	275.6	68.9	1/1/1960	8S26E-3	275.6 91.9	SP062075
???	???	275.6	68.9	1/1/1960	8S26E-3	275.6 91.9	SP068066

Steady State Analysis

Mitigation Check 1 - >10% of Historical:
 Mitigation Check 2 - > 2 AFTT: 0.5
 Mitigation Check 3 - >10% of Total: 52.2%
 Mitigation Required?: NO
 Mitigation Vol. Req'd (ac-ft): 0.5

Transient State Analysis

Mitigation Check 1 - >10% of Historical:
 Mitigation Check 2 - > 2.01 AFTT: 0.5
 Mitigation Required?: NO
 Mitigation Vol. Req'd (ac-ft): 0.5

Impact by Reach (AFT/Trimester)

Ashton to Rexburg	Halse to Shelby	Shelby to N. Blackft	N. Blackft to Neeley	Neeley to Mindoka	Dev. Wd. To Buhi	Buhi to Kspr	Kspr to Kspr to Maled	Maled to Maled to Bancroft
8.85	7.78	0.32	0.70	0.01	0.01	0.01	0.00	0.00
9.13	7.27	0.33	0.72	0.01	0.01	0.01	0.00	0.00
8.65	7.78	0.32	0.70	0.01	0.01	0.01	0.00	0.00
9.13	7.27	0.33	0.72	0.01	0.01	0.01	0.00	0.00
5.5%	-6.6%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
0.5	-0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
52.2%	41.6%	1.9%	4.1%	0.1%	0.1%	0.0%	0.0%	0.0%
NO	NO	NO	NO	NO	NO	NO	NO	NO
0.5	-0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
5.5%	-6.6%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
0.5	-0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
NO	NO	NO	NO	NO	NO	NO	NO	NO
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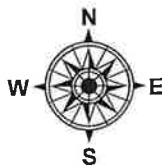


0 0.125 0.25 0.5 Miles

2019 NAIP

Legend

- Proposed POD
- Proposed POU
- Twp & Rng
- Section
- QQ



Proposed Location Map

Richard F Smith

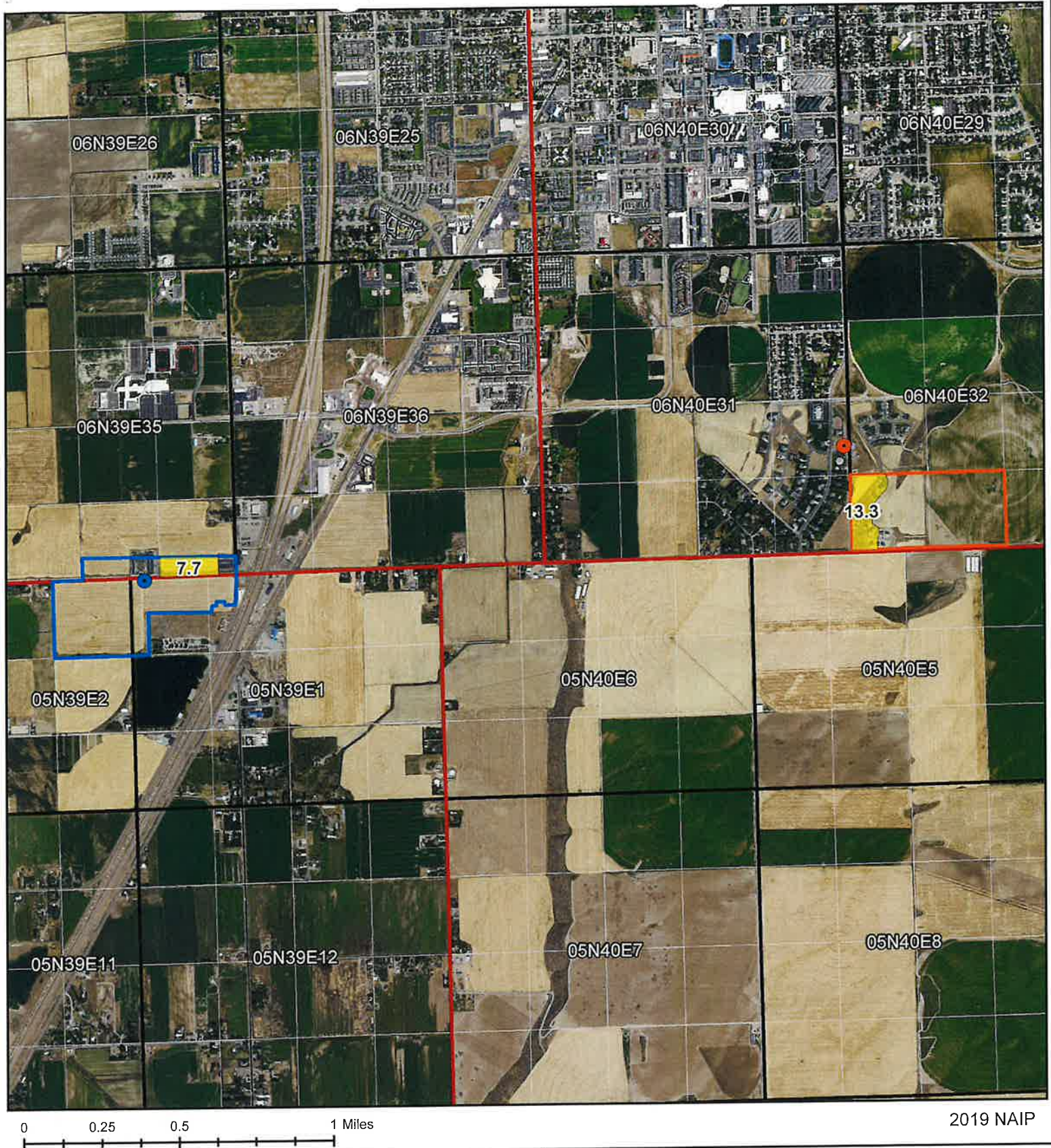
RMEA #15-0014

by: KM

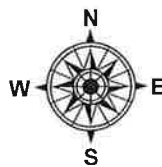
Date: 9/27/2021



65692

**Legend**

- | | |
|---|---|
|  Transfer Acres |  Twp & Rng |
|  POD 22-7032 |  Section |
|  POU 22-7032 |  QQ |
|  POD 22-2175B | |
|  POU 22-2175B | |

**Existing Locations Map Pg. 1**

Richard F Smith

RMEA #15-0014

by: KM

Date: 9/27/2021



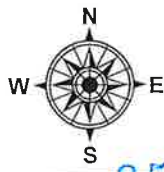
85692



2019 NAIP

Legend

- Transfer Acres
- QQ
- POD 22-7032
- POU 22-7032
- Twp & Rng
- Section

**Existing Locations Map Pg. 2**

Richard F Smith

RMEA #15-0014

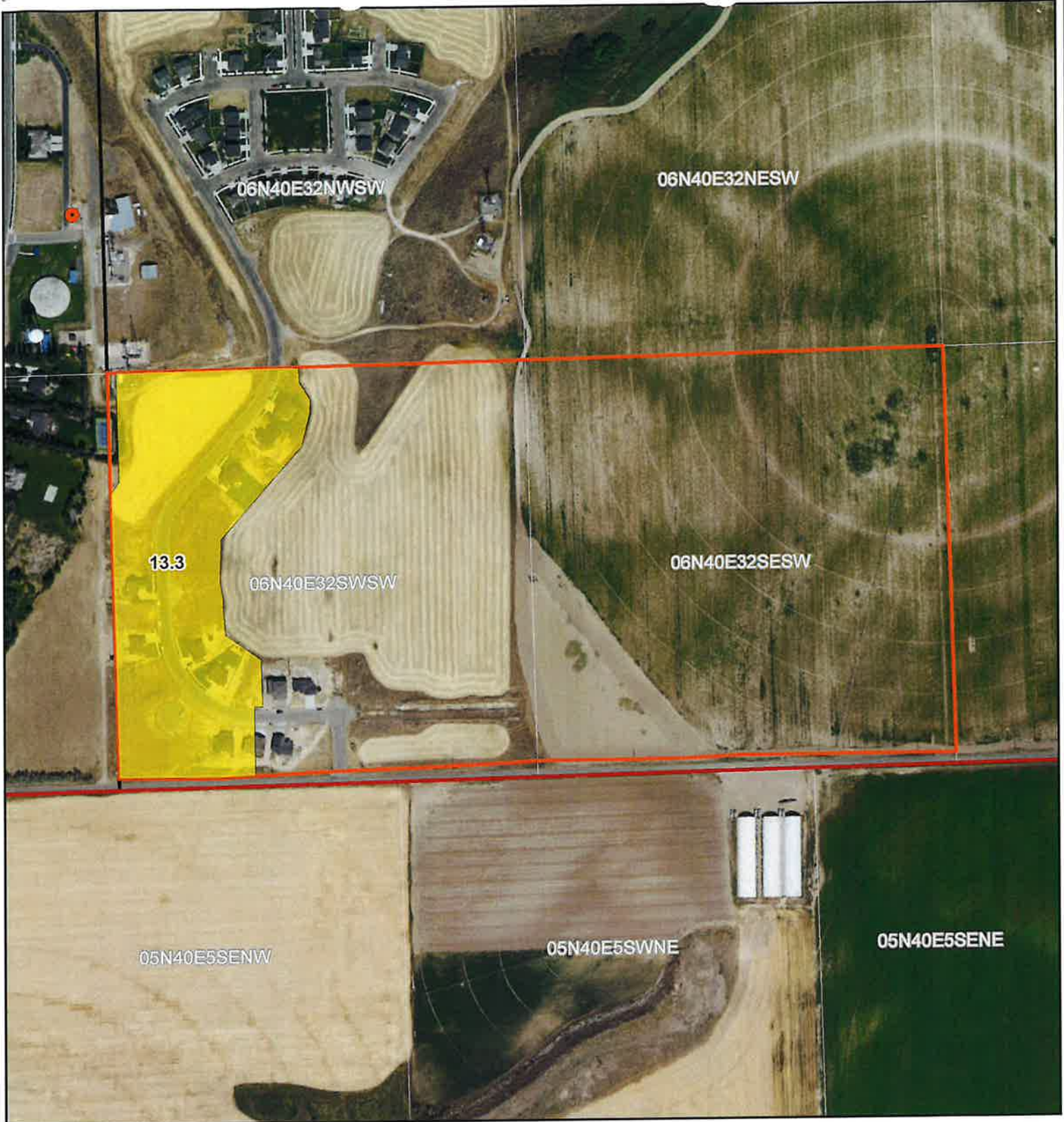
by: KM

Date: 9/27/2021



Rocky Mountain
ENVIRONMENTAL
ASSOCIATES, INC.

85692

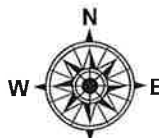


0 0.05 0.1 0.2 Miles

2019 NAIP

Legend

- Transfer Acres
- QQ
- POD 22-2175B
- POU 22-2175B
- Twp & Rng
- Section



85692

Existing Locations Map Pg. 3

Richard F Smith

RMEA #15-0014

by: KM

Date: 9/27/2021



Rocky Mountain
ENVIRONMENTAL
ASSOCIATES, INC.

Authorization to Transfer Water Right to Point of Diversion

DS & S Inc. owns the well located in SWNE Section 28 T6N R40E and currently uses this well and associated mainline to deliver water to property leased from Richard Smith. The leased property is located in NENE Section 29 T6N R40E and includes 21 acres of irrigation under a half pivot. DS & S Inc will continue to lease this property for the foreseeable future and desires to continue irrigating this property through our well.

This letter grants authority to Richard Smith to file an Application for Transfer of Water Right that will use our well as a point of diversion for the purposes of irrigating the leased property described above.

DS & S INC.


Signature _____ Printed Name and Title Harvey Bert Summers President
Date 01-06-2022



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 • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

January 19, 2022

RICHARD F SMITH
PO BOX 8
REXBURG, ID 83440

RE: Transfer No. 85692
Water Right No(s). 22-2175B, 22-7032

Dear Applicant:

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 REXBURG STANDARD JOURNAL on 1/28/2022 and 2/4/2022. 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

CC:
ROCKY MOUNTAIN ENVIRONMENTAL ASSOC INC
C/O KRISTIN MOORE
482 CONSTITUTION WAY STE 303
IDAHO FALLS, ID 83402-3552

Henman, Christina

From: Henman, Christina
Sent: Wednesday, January 19, 2022 12:03 PM
To: legalnotices@postregister.com
Subject: Legal Notice for Standard Journal
Attachments: 85692 Standard Journal.docx

LEGAL NOTICE DEPARTMENT
REXBURG STANDARD JOURNAL
PO BOX 10
REXBURG, ID 83440

RE: Transfer No. 85692
Water Right No(s). 22-2175B, 22-7032

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 2/14/2022. 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. 85692

RICHARD F SMITH, PO BOX 8, REXBURG, ID 83440 has filed Application No. 85692 for changes to the following water rights within MADISON County(s): Right No(s). 22-2175B, 22-7032; 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 SWNE Sec 28 T06N R40E for 0.36 cfs from ground water. The proposed place of use is in NENE Sec 29 T06N R40E for 21 acres.

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 2/14/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 1/28/2022 and 2/4/2022