

RECEIVED
SEP 24 2021
DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 85037

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) ATARAXIS ACCOUNTING C/O NANCY KOONCE

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: _____

RECEIVED

SEP 24 2021

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant ATARAXIS ACCOUNTING C/O NANCY KOONCEPhone (208) 733-4730Mailing Address PO BOX 1292, TWIN FALLS ID 83301Email nkoonce@idahogpa.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.

Nancy W Koonce
Signature of Applicant or Authorized Representative

Nancy Koonce, Designer of Ataraxis Accounting,
Personal Representative
Print Name and Title if applicable

9/24/21
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

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	No
47-7803A	No	No	Yes	Yes	No	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 reduce the place of use for water rights 47-7803A and 47-7022 by 88 acres and to drop 1 point of diversion (currently 4 PODs on water right) from water right 47-7803A. Transfer will also add two of the wells from 47-7803A to 47-7022 so that both rights share the same three wells as authorized points of diversion.

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
47-7803A	2.500 cfs	N/A	N/A	181.0		N/A	N/A	N/A	N/A
47-7022	0.400 cfs	195.4 af	68.0	181.0		N/A	N/A	N/A	N/A
COMBINED TOTALS	2.900 cfs	N/A	N/A	181.0		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 2.9 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. 47-7803A

Current Water Right Owner

JOHN K COURTNEY
 2527 N 2700 E
 TWIN FALLS, ID 83301

AND/OR

DESSIE D COURTNEY
 2527 N 2700 E
 TWIN FALLS, ID 83301

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>Subuse Code</u>
IRRIGATION	03/15	11/15	2.500 CFS	
Total Diversion			2.500 CFS	

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

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	25.0	20.0	9.0	39.0									24.0	2.0	25.0	37.0	181.0

POU Total Acres: 181.0

**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 K COURTNEY
2527 N 2700 E
TWIN FALLS, ID 83301

AND/OR

DESSIE D COURTNEY
2527 N 2700 E
TWIN FALLS, ID 83301

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

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	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

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

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

Estate is currently in probate. The Courtnay family will own the properties when the estate is settled.

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

Applicant is the Personal Representative for the estate of John D and Dessie D Courtnay.

- 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:
88 acres will be dried up.

- 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. 47-7803A

Current Water Right Owner

JOHN K COURTNEY
2527 N 2700 E
TWIN FALLS, ID 83301

And/Or

DESSIE D COURTNEY
2527 N 2700 E
TWIN FALLS, ID 83301

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>Subuse Code</u>
IRRIGATION	03/15	11/15	2.500 CFS	
Total Diversion			2.500 CFS	

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	SWSWSW	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					22.0	16.0	30.0	20.0	24.0	2.0	25.0	37.0	269.0

POU Total Acres: 269.0

Conditions/Remarks:

- Right 47-07022 is also diverted through the point of diversion located within the SWSWSE, S24, T12S, R16E. Right 47-12011 is also diverted through the point of diversion located within the SENESE, S24, T12, R16E.
- Rights 47-07022 and 47-07803A when combined shall not exceed the irrigation of 274.5 acres.
- This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 1098.0 af at the field headgate for the lands above.
- The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
- 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 when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

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

Current Water Right No. 47-7022

Current Water Right Owner

JOHN K COURTNEY
 2527 N 2700 E
 TWIN FALLS, ID 83301

AND

DESSIE D COURTNEY
 2527 N 2700 E
 TWIN FALLS, ID 83301

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

SWSWSE

Sec. 24 Twp 12S Rge 16E 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	25.0	20.0	9.0	39.0					22.0	16.0	30.0	20.0	24.0	2.0	25.0	37.0	269.0

Right Acre Limit: 68.0

POU Total Acres: 269.0

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	0.0

Conditions/Remarks:

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 1098.0 af at the field headgate for the lands above.
2. Rights 47-07022 and 47-07803A when combined shall not exceed the irrigation of 274.5 acres.
3. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 68 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. 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.

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**

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

Transfer Contains 9 pages and attachments.
Received By Wm Date 9.24.2021 Prelim. Check By Date
Fee Paid \$1600- Date 9.24.2021 Received By Wm Receipt # 5038849
Add'l Fee Paid Date Received By Receipt #

V. LANE JACOBSON [ISB #5994]
ATTORNEY AT LAW
COLEMAN, RITCHIE & JACOBSON
PO Box 525
Twin Falls, Idaho 83303
Telephone: (208) 734-1224
Facsimile: (208) 734-3983
Email: lane@colemanjacobsonlaw.com
Service Email: info@colemanjacobsonlaw.com

Attorneys for Conservator / Personal Representative Ataraxis

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
MAGISTRATE DIVISION

_____	)	
In the Matter of the Person and Estate of	)	Case No.: CV-2014-2860
	)	
DESSIE D. COURTNEY,	)	LETTERS TESTAMENTARY
	)	
A Protected Individual.	)	
	)	
_____	)	

Ataraxis Accounting and Advisory Services, Chtd, Nancy Koonce as its agent, the duly appointed conservator of the estate of Dessie D. Courtney, a protected individual, is hereby authorized to exercise the powers and duties of personal representative of the Estate of Dessie D. Courtney, deceased, with all authority pertaining thereto. Probate of the Estate of Dessie D. Courtney is unsupervised.

These Letters are issued to evidence the appointment, qualification, and authority of the personal representative.

WITNESS, my signature and the seal of the Court:

1/25/2021 1:34:58 PM



MAGISTRATE JUDGE

NOTICE OF FILING & MAILING ORDER

Notice is hereby given by the Clerk of the above-entitled Court, pursuant to Rule 2.3(b) of Idaho Rules of Civil Procedure, that the foregoing LETTERS TESTAMENTARY was electronically filed and served to the following parties on 1/25/2021 :

V. Lane Jacobson
Coleman, Ritchie & Jacobson
info@colemanjacobsonlaw.com

Jeremy C. Vaughn
STEPHAN KVANVIG STONE & TRAINOR
sks&t@idaho-law.com

I further certify that on such date a true and correct copy of the within and foregoing document was served upon the following by depositing the same in the United States mail with first-class postage prepaid, enclosed in envelopes addressed to said parties in interest at their respective addresses, to-wit:

Patrick J. Courtney
2706 E 2500 N
Twin Falls, ID 83301

Judy L. Woody
4251 N 2300 E
Filer, ID 83328

Michael C. Courtney
2615 E 2400 N
Twin Falls, ID 83301

John D. Courtney
2424 N 2700 E
Twin Falls, ID 83301

CLERK OF THE DISTRICT COURT

1/25/2021 3:33:21 PM

By 
Deputy Clerk

Attachment 7A: Proposed Place of Use



Attachment 7B: Current Place of Use



Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 120292

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	96.30
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	96.30
Fax			
Section	Legals	Start/End Dates	10/21/2021 - 10/28/2021
SubSection		Insertions	2
Category	50 Legal	Size	60
Ad Key	120292-1	Salesperson(s)	Legal Notices
Keywords	NOTICE/TRANSFER NO. 85037	Taken By	Seana Chapman
Notes			

Ad Proof

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 85037

ATARAXIS ACCOUNTING C/O NANCY KOONCE, PO BOX 1292, TWIN FALLS, ID 83301 has filed Application No. 85037 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-7022, 47-7803A; 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 proposes dropping one of four wells from an irrigation ground water right and then adding two of the wells from that right to a second irrigation ground water right which will result in the two rights sharing the same three authorized points of diversion (combined total 2.9 cfs for both rights). Application also proposes dropping 88 acres from the shared place of use for both water rights reducing the place of use from 269 acres to 181 acres. Points of diversion and place of use are located approximately 13.0 to 13.9 miles south and 2.8 to 3.6 miles west of the intersection of Addison Ave, Blue Lakes Blvd, and Shoshone St 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 November 8, 2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on October 21st & 28th, 2021

*Proof of legal notice received
from Times News 10/14/2021*

DM



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

October 14, 2021

ATARAXIS ACCOUNTING
C/O NANCY KOONCE
PO BOX 1292
TWIN FALLS, ID 83303-1292

RE: Transfer No. 85037
Water Right No(s). 47-7022, 47-7803A

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 10/21/2021 and 10/28/2021**. 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 **November 8, 2021**.

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

Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Thursday, October 14, 2021 12:12 PM
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 October 21st & 28th, 2021. 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

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

October 14, 2021

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 85037

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

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 November 8, 2021. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline

Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 85037**

ATARAXIS ACCOUNTING C/O NANCY KOONCE, PO BOX 1292, TWIN FALLS, ID 83301 has filed Application No. 85037 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-7022, 47-7803A; 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 proposes dropping one of four wells from an irrigation ground water right and then adding two of the wells from that right to a second irrigation ground water right which will result in the two rights sharing the same three authorized points of diversion (combined total 2.9 cfs for both rights). Application also proposes dropping 88 acres from the shared place of use for both water rights reducing the place of use from 269 acres to 181 acres. Points of diversion and place of use are located approximately 13.0 to 13.9 miles south and 2.8 to 3.6 miles west of the intersection of Addison Ave, Blue Lakes Blvd, and Shoshone St 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 **November 8, 2021**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on October 21st & 28th, 2021

M E M O R A N D U M

Date: October 12, 2021
To: Transfer 85037 File
From: Bill Mills
Re: Transfer Proposal

Application proposes dropping one of four wells from an irrigation ground water right and then adding two of the wells from that right to a second irrigation ground water right which will result in the two rights sharing the same three authorized points of diversion (combined total 2.9 cfs for both rights). Application also proposes dropping 88 acres from the shared place of use for both water rights reducing the place of use from 269 acres to 181 acres. Points of diversion and place of use are located approximately 13.0 to 13.9 miles south and 2.8 to 3.6 miles west of the intersection of Addison Ave, Blue Lakes Blvd, and Shoshone St in Twin Falls.

Based on available aerial imagery, the 88 acres that are being dropped appear to have not been irrigated since 2011 and possibly longer. The well that has been dropped from water right 47-7803A will still serve as an authorized stockwater well under water right 47-16841 (0.25 cfs).

MEMORANDUM

Date: October 12, 2021
To: Transfer 85037 File
From: Bill Mills
Re: Fee Evaluation

Filing fees charged for transfer application #85037 are based on the current transfer fee schedule and are set at \$660.00 for the 2.9 cfs being transferred in the application (Receipt Nos. S038849).