

SEP 15 2021

Department of Water Resource DIVERSION

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☐ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership change ☐ Ownership split
- ☐ Transfer is for changes pursuant to [Idaho Code § 42-221.O.8](#). Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** New Sweden Irrigation District Phone 208-523-0175

2. MAILING ADDRESS 2350 W 17th S City Idaho Falls

State ID Zip 83402 Email newswwedenirr@gmail.com

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
- ☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
- ☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 01-320

(New pumps will be limited to 1.84cfs)

- ☐ Attach a copy of the water right(s) as recorded, available at idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 220 cubic feet per second and/or acre-feet per annum.
(diversion rate) (storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at idwr.idaho.gov, *Water Rights, Water Right Transfers, Modeling Resources*.

[illegible]

New Points of Diverson

New Lot	1/4.	1/4.	1/4.	Sec	T	Rge		County	Local name
x	SW	SW		36	3N	37E	Snake River	Bonneville	McDevitt pump
x	SW	SW		36	3N	37E	Snake River	Bonneville	Griffen pump
x	4 NW	NW		1	2N	37E	Snake River	Bonneville	Craig pump
x	4 NW	NW		1	2N	37E	Snake River	Bonneville	Hahn pump
x	4 NW	NW		1	2N	37E	Snake River	Bonneville	Jensen pump
x	10 SW	NW		10	1N	37E	Snake River	Bonneville	SJC Property pump
x	11 NE	SW		10	1N	37E	Snake River	Bonneville	Brown/ Rumsey pump

Existing Points of Diverson

NE	NW		31	1N	37E	Snake River	Bingham	Oxbow Farm pump
NW	NE	NW	12	2N	37E	Snake River	Bonneville	Porter Canel
7 SE	NE	NW	25	2N	37E	Snake River	Bonneville	Monroc -Lyons pump
8 NW	NW		13	3N	37E	Snake River	Bonneville	Crandall pump
8 NE	NW		24	3N	37E	Snake River	Bonneville	Harmell pump
8 NE	NW		24	3N	37E	Snake River	Bonneville	Wackerli pump
9 NE	NW		24	3N	37E	Snake River	Bonneville	Lingo pump
9 NE	NW		24	3N	37E	Snake River	Bonneville	Fowler pump
NE	NE		35	4N	37E	Snake River	Bonneville	Great Western Canal

RECEIVED

OCT 05 2021

Department of Water Resources
Eastern Region

RECEIVED

OCT 05 2021

6. General Information

- a. All diversions will be entitled to 1 inch per acre .

Department of Water Resources

Eastern Region

The diversions for McDevitt, Griffen, Craig, Hahn and Jensen in Section 36, T3N, R 37E and Section 1, T 2N, R 37E are small pumps for watering their lawns, which are diverting directly from the Snake River because of lack of access to any of the District's canals.

McDevitt Pump	.04 CFS
Griffen Pump	.02 CFS
Craig Pump	.02 CFS
Hahn Pump	.02 CFS
Jensen Pump	.02 CFS

The S. J. C. diversion is a head gate diverting from the Snake River from the City of Idaho Falls Gem Lake impoundment which leads to a pumping station. If necessary the head gate could be locked and a measurement device could be installed at the pump.

S. J. C. Pump	1.02 CFS
---------------	----------

The Brown / Rumsey diversion is a head gate diverting from the Snake river from the City of Idaho Falls Gem lake impoundment which leads to a pumping station. If necessary the head gate could be locked and a measurement device could be installed at the pump. This location is a joint diversion with both New Sweden Irrigation District water and Woodville Canal company water.

Brown / Rumsey Pump	.7 CFS
---------------------	--------

- b. The properties are all owned by the individual property owners. As a condition of transferring District water to the diversion points from the river the District requires the ability to access the diversion locations.

6. 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? _____

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

- c. 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 used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a [Lessor Designation](#) form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an [IRS Form W-9](#).
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☐ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. You may create a map at idwr.idaho.gov, *Water Rights, Water Right Transfers, File a Transfer Application, Step 2C*.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.



Signature of applicant or authorized agent

Print name and title if applicable

Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** – ☐ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The [Fee Schedule](#) is available at www.idwr.idaho.gov, *Water Right Transfers, Step 4* and in the [Application for Transfer Instructions](#).

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments.

Received by _____ Date _____

Fee paid 580.00 Date 9-15-21

Received by M. Pettis Receipt # E047352

Preliminary review by _____

Date _____

Active in the Water Supply Bank? Yes ☐ No ☐

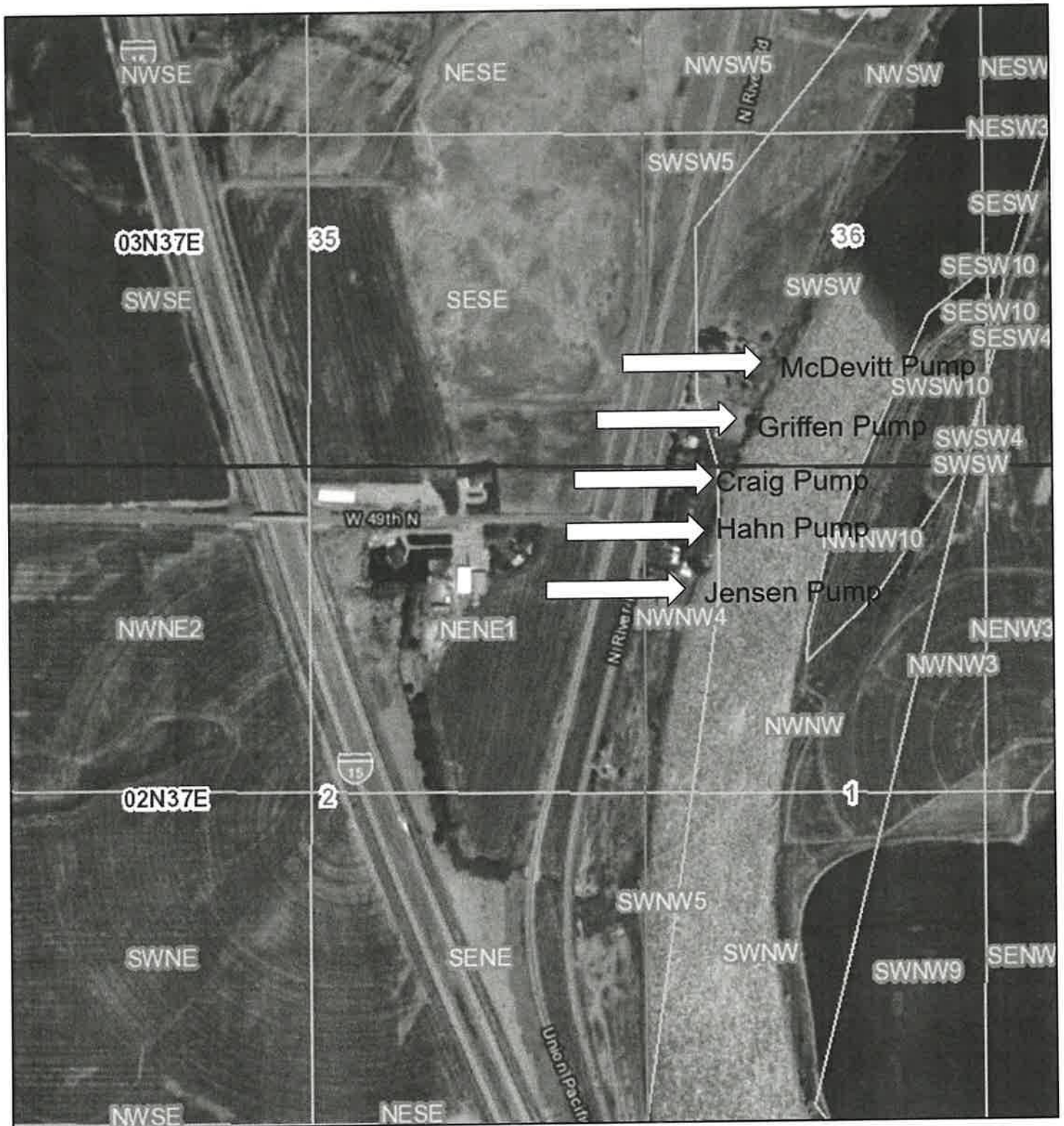
W-9 received? Yes ☐ No ☐

Name on W-9 _____

W-9 forwarded to fiscal? Yes ☐ No ☐

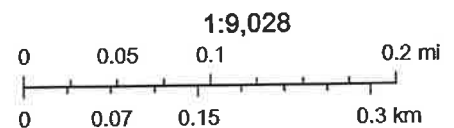
(Do NOT scan the W-9 – confidential information is held by fiscal only)

Application for Water Right



8/17/2021, 3:13:41 PM

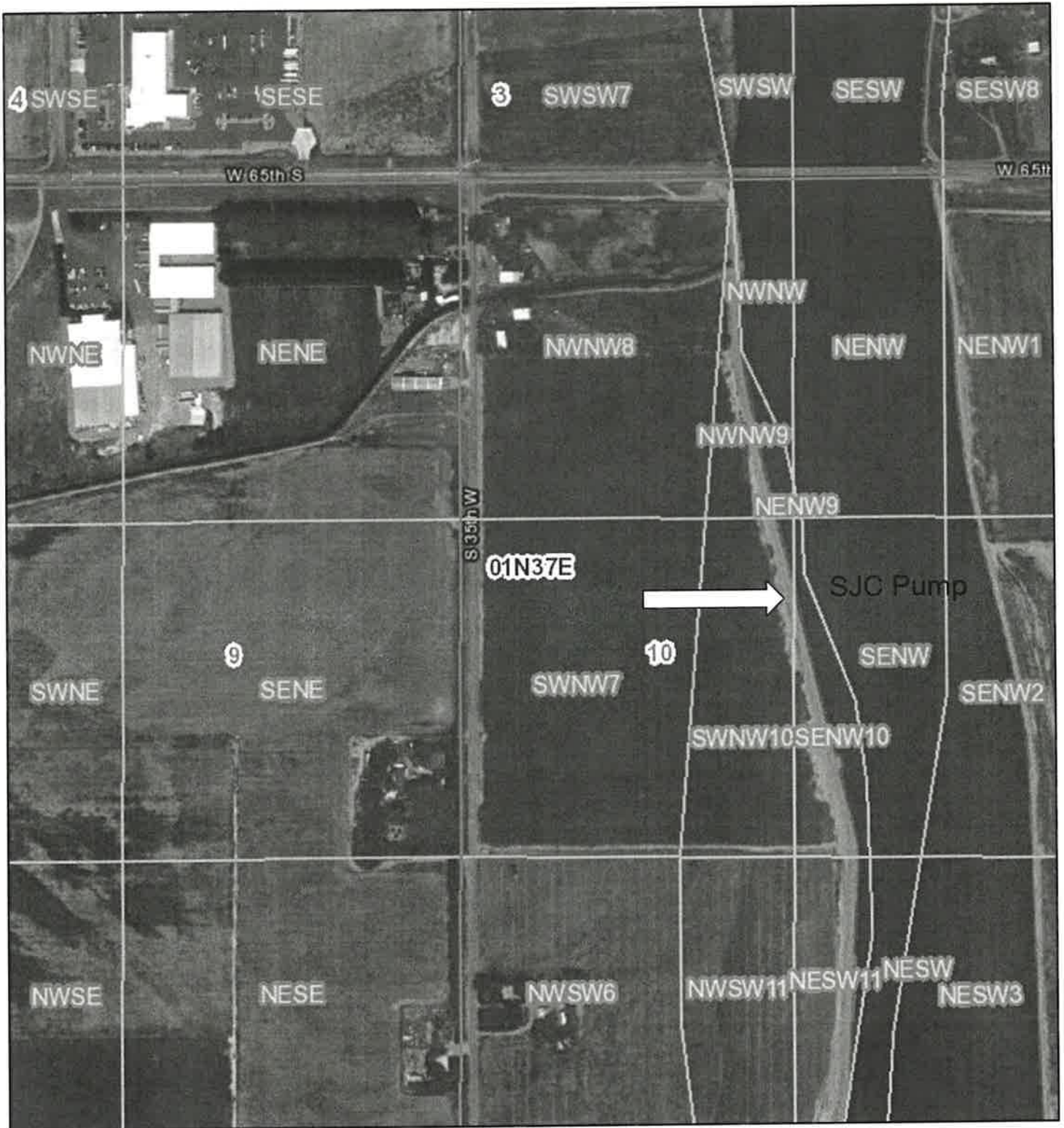
- | | |
|--------------------|----------------|
| Override 1 | Section |
| Counties | Township/Range |
| ESPA Model Outline | Idaho Outline |
| Quarter Quarter | Idaho Mask |



Created by NRCS from 1:24,000 scale USGS topographic maps., Esri, HERE, IPC, Idaho Department of Water Resources, Maxar

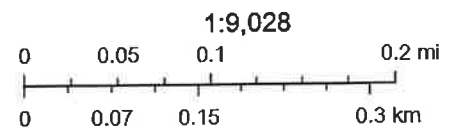
85346

Application for Water Right



8/19/2021, 10:07:29 AM

-  Override 1
-  Counties
-  ESPA Model Outline
-  Quarter Quarter
-  Section
-  Township/Range
-  Idaho Outline
-  Idaho Mask



Created by NRCS from 1:24,000 scale USGS topographic maps., Esri, HERE, iPC, Idaho Department of Water Resources, Maxar

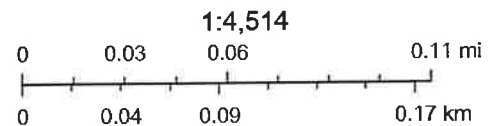
85346

Application for Water Right



8/23/2021, 10:28:00 AM

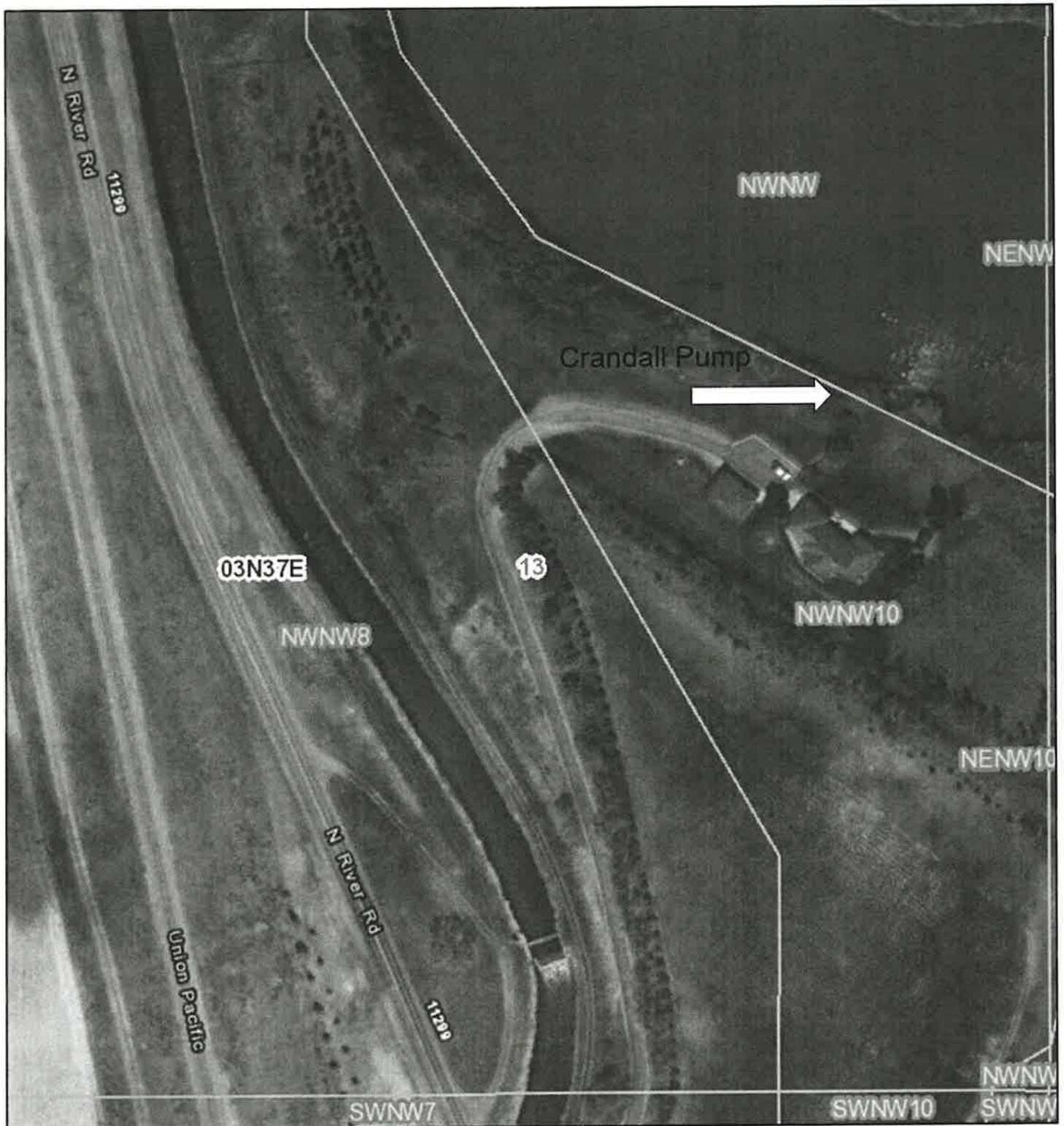
- | | | | |
|--|--------------------|--|----------------|
| | Override 1 | | Section |
| | Counties | | Township/Range |
| | ESPA Model Outline | | Idaho Outline |
| | Quarter Quarter | | Idaho Mask |



Created by NRCS from 1:24,000 scale USGS topographic maps., Esri, HERE, iPC, Idaho Department of Water Resources, Maxar

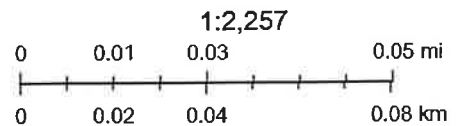
85346

Application for Water Right



8/23/2021, 11:17:24 AM

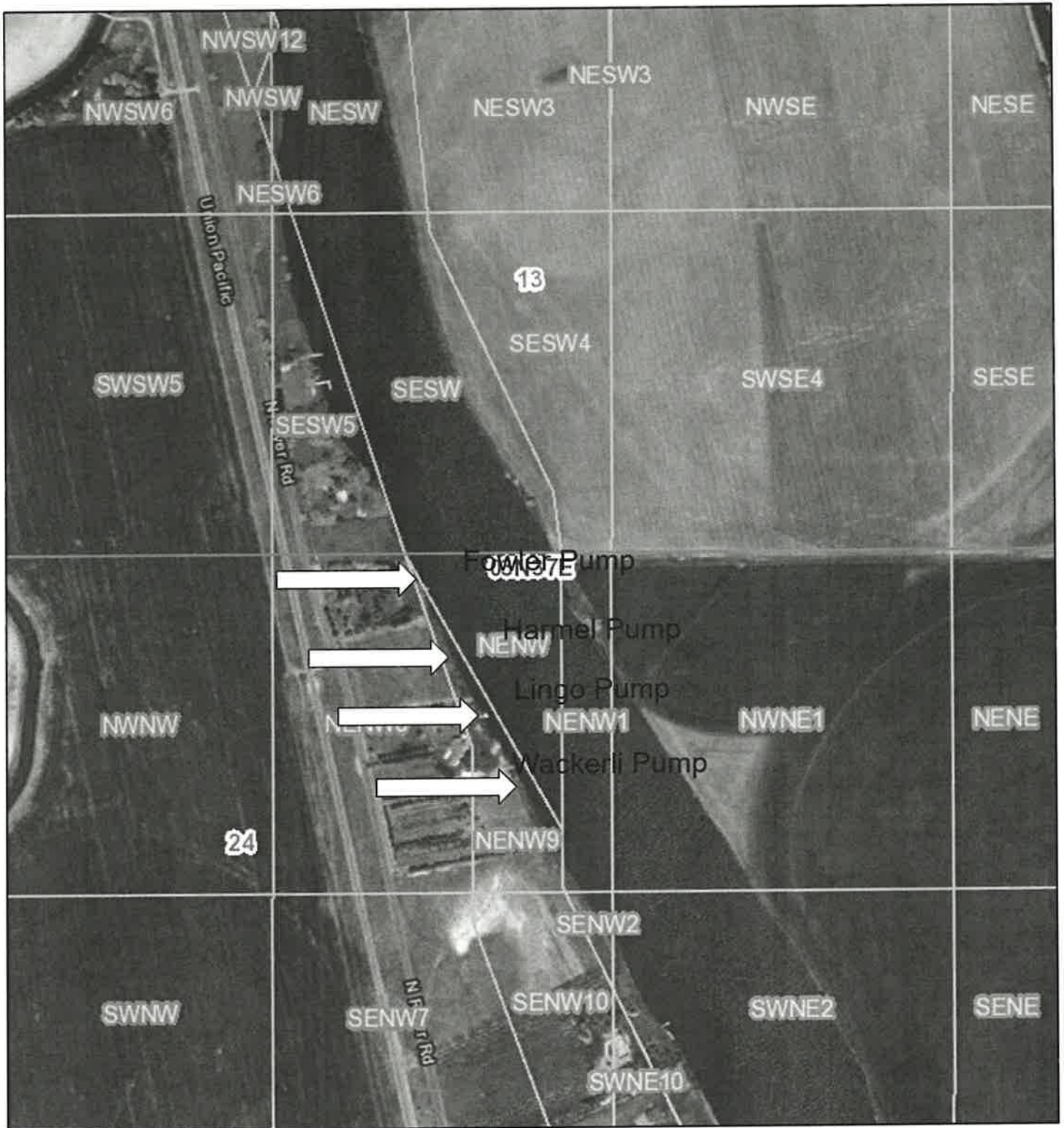
- | | | | |
|--|--------------------|--|----------------|
| | Override 1 | | Section |
| | Counties | | Township/Range |
| | ESPA Model Outline | | Idaho Outline |
| | Quarter Quarter | | Idaho Mask |



Maxar, Microsoft, Created by NRCS from 1:24,000 scale USGS topographic maps., Esri, HERE, iPC, Idaho Department of Water Resources

85346

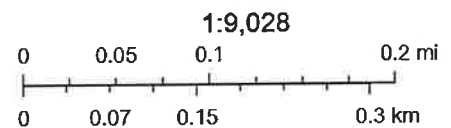
Application for Water Right



8/23/2021, 11:24:24 AM

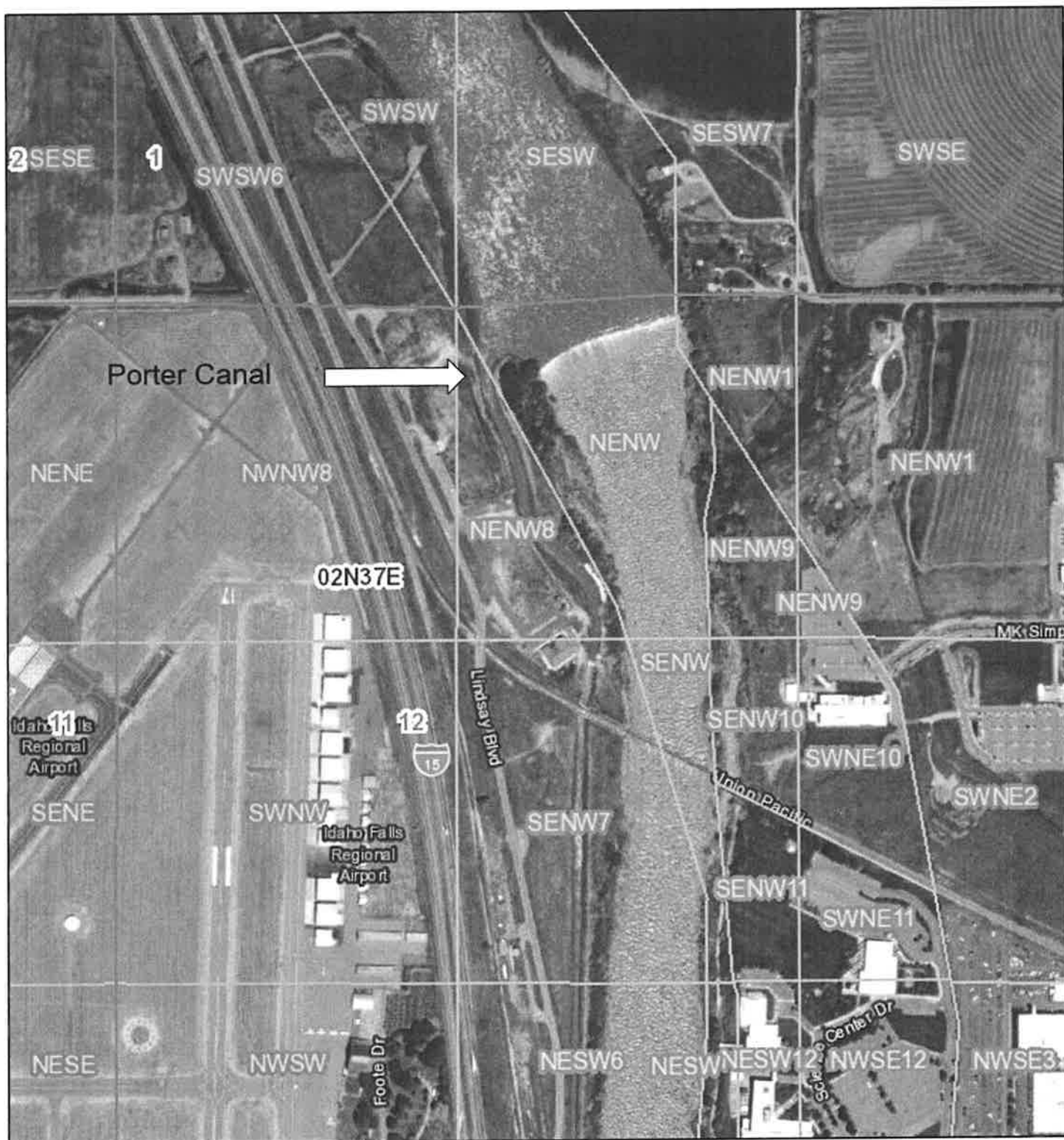
- | | |
|--------------------|----------------|
| Override 1 | Section |
| Counties | Township/Range |
| ESPA Model Outline | Idaho Outline |
| Quarter Quarter | Idaho Mask |

85346



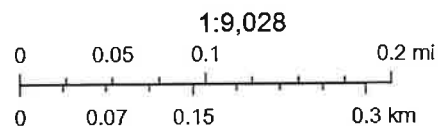
Created by NRCS from 1:24,000 scale USGS topographic maps., Esri, HERE, iPC, Idaho Department of Water Resources, Maxar

Application for Water Right



8/23/2021, 11:26:57 AM

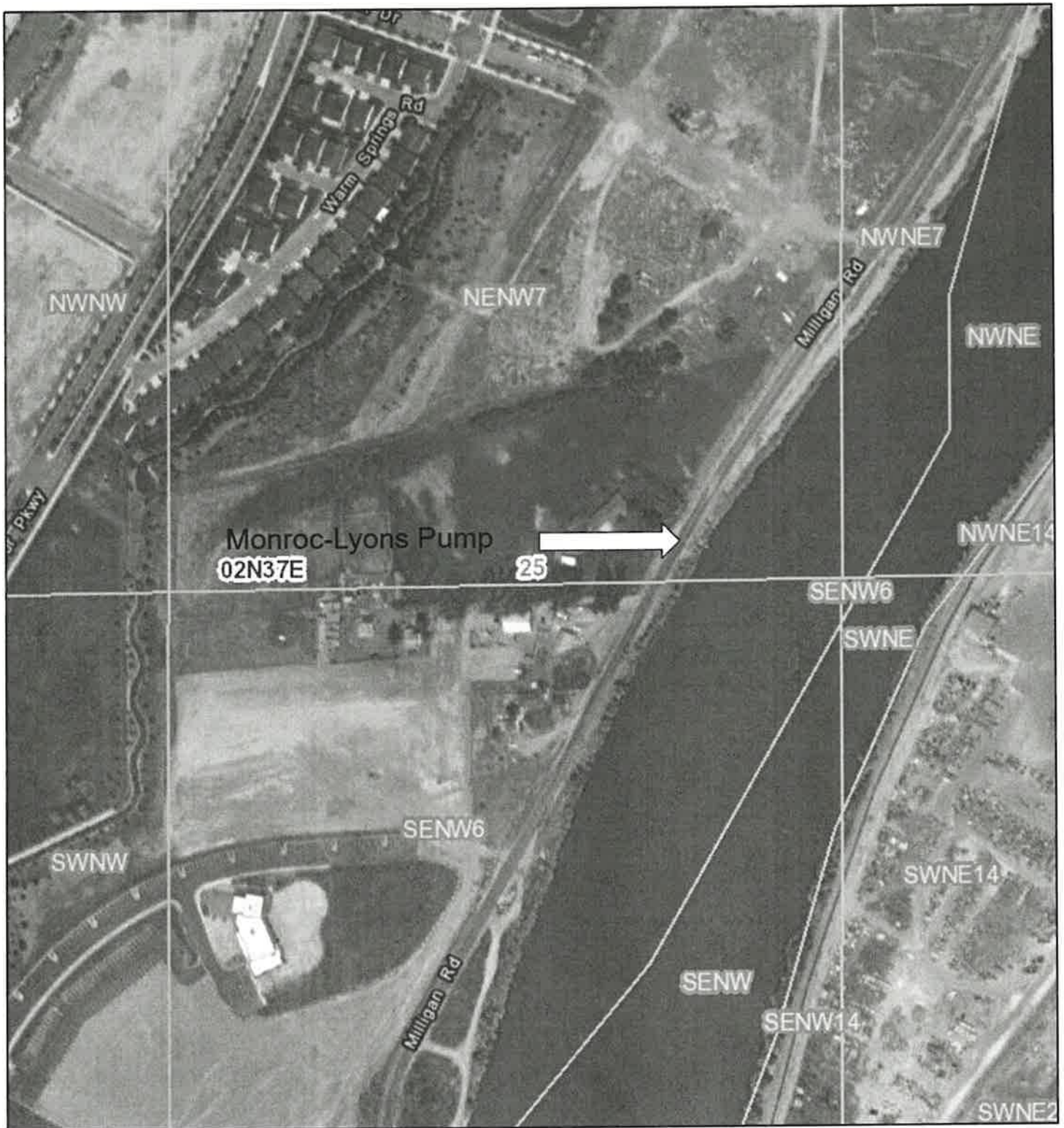
- | | | | |
|--|--------------------|--|----------------|
| | Override 1 | | Section |
| | Counties | | Township/Range |
| | ESPA Model Outline | | Idaho Outline |
| | Quarter Quarter | | Idaho Mask |



Created by NRCS from 1:24,000 scale USGS topographic maps., Esri, HERE, IPC, Idaho Department of Water Resources, Maxar

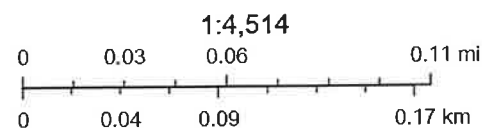
85346

Application for Water Right



8/23/2021, 11:29:53 AM

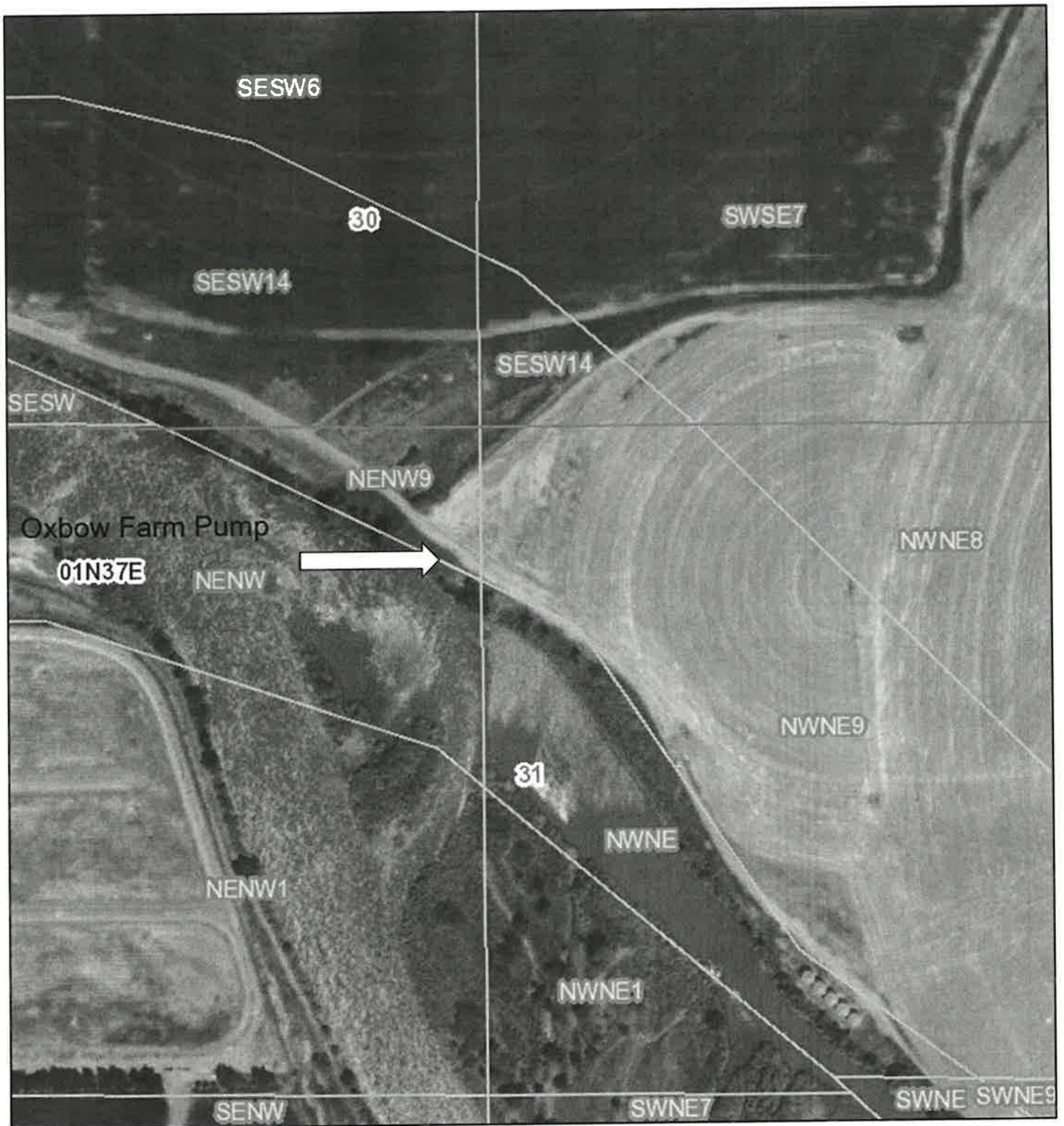
- | | | | |
|--|--------------------|--|----------------|
| | Override 1 | | Section |
| | Counties | | Township/Range |
| | ESPA Model Outline | | Idaho Outline |
| | Quarter Quarter | | Idaho Mask |



Created by NRCS from 1:24,000 scale USGS topographic maps., Esri, HERE, IPC, Idaho Department of Water Resources, Maxar

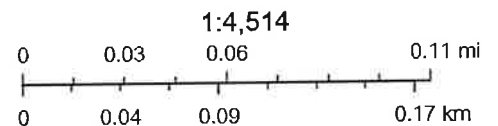
85346

Application for Water Right



8/23/2021, 12:53:19 PM

- | | | | |
|--|--------------------|--|----------------|
| | Override 1 | | Section |
| | Counties | | Township/Range |
| | ESPA Model Outline | | Idaho Outline |
| | Quarter Quarter | | Idaho Mask |



Created by NRCS from 1:24,000 scale USGS topographic maps., Esri, HERE, IPC, Idaho Department of Water Resources, Maxar

85346



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

October 14, 2021

NEW SWEDEN IRRIGATION DISTRICT
2350 W 1700 S
IDAHO FALLS, ID 83402

RE: Transfer No. 85346
Water Right No(s). 1-320

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 POST REGISTER on 10/20/2021 and 10/27/2021. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

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

Sincerely,

Christina Henman
Administrative Assistant

Henman, Christina

From: Henman, Christina
Sent: Thursday, October 14, 2021 9:39 AM
To: legalnotices@postregister.com
Subject: Legal Notice for Post Register
Attachments: 85346, 85360, 13-8084, 13-8085, 13-8086 Post Register.docx

LEGAL NOTICE DEPARTMENT
POST REGISTER
PO BOX 1800
IDAHO FALLS, ID 83403-1800

RE: Transfer No. 85346, 85360
Water Right No(s). 1-320, 35-14746

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 11/8/2021. 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. 85346

NEW SWEDEN IRRIGATION DISTRICT, 2350 W 1700 S, IDAHO FALLS, ID 83402 has filed Application No. 85346 for changes to the following water rights within BONNEVILLE County(s): Right No(s). 1-320; 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: add points of diversion. The proposed points of diversion are in Lot 10 (SWNW) (new) and Lot 11 (NESW) (new) Sec 10, and NENW Sec 31, T01N R37E; Lot 4 (NWNW) (3 new pumps) Sec 1, NWNENW Sec 12, and Lot 7 (SENENW) Sec 25, T02N R37E; Lot 8 (NWNW) Sec 13, Lot 8 (NENW) (2 pumps) and Lot 9 (NENW) (2 pumps) Sec 24, and SWSW (2 new pumps) Sec 36, T03N R37E; and NENE Sec 35 T04N R37E for 220 cfs from Snake River.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 85360

WAYNE PROPERTIES LLC, PO BOX 2906, IDAHO FALLS, ID 83403-2906 has filed Application No. 85360 for changes to the following water rights within BONNEVILLE County(s): Right No(s). 35-14746; 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 NESW Sec 14 T01N R38E for 0.07 cfs from Ground Water. The proposed place of use is in Sec 13 and 14, T01N R38E for 6 acres within a 285.4-acre permissible place of use.

For additional information concerning the property locations, 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 changes 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 11/8/2021. The protestant must also send a copy of the protest to the applicant.

The following applications have been filed to appropriate the public waters of the State of Idaho:

13-8084

TWIN LAKES CANAL CO, PO BOX 247, PRESTON, ID 83263

Point of Diversion NENW S25 T13S R39E FRANKLIN County

Source COTTONWOOD CREEK Tributary BEAR RIVER

Point of Diversion SESE S8 T12S R39E BANNOCK County

Source COTTONWOOD CREEK Tributary BEAR RIVER

Point of Diversion SWSW S2 T14S R39E FRANKLIN County

Source COTTONWOOD CREEK Tributary BEAR RIVER

Point of Diversion SWSE S2 T14S R39E FRANKLIN County

Source COTTONWOOD CREEK Tributary BEAR RIVER

Use: DIVERSION TO STORAGE

10/01 to 04/19

30 CFS

Use: IRRIGATION STORAGE

01/01 to 12/31

3600 AF

Use: IRRIGATION FROM STORAGE

04/20 to 09/30

3600 AF

Total Diversion:

30 CFS

3600 AF

Date Filed: 08-23-2021

Place Of Use: IRRIGATION STORAGE

T14S R38E S13

SWSW,SESW

T14S R38E S14

NESE,NWSE,SWSE,SESE

T14S R38E S23

NENE,NWNE,SENE,NESE,SESE

T14S R38E S24

NENW,NWNW,SWNW,SESW,NWSE,SWSE,SESE

Place Of Use: IRRIGATION STORAGE

T14S R38E S25

NENW,NWNW

Place Of Use: IRRIGATION FROM STORAGE

PLACE OF USE FOR IRRIGATION FROM STORAGE IS WITHIN THE SERVICE AREA OF THE TWIN LAKES CANAL COMPANY.

13-8085

TWIN LAKES CANAL CO, PO BOX 247, RESTON, ID 83263

Point of Diversion SWSW S2 T14S R39E FRANKLIN County

Source BATTLE CREEK Tributary BEAR RIVER

Point of Diversion SWSE S2 T14S R39E FRANKLIN County

Source BATTLE CREEK Tributary BEAR RIVER

Use: IRRIGATION STORAGE

01/01 to 12/31

5400 AF

Use: IRRIGATION FROM STORAGE

04/20 to 09/30

5400 AF

Use: DIVERSION TO STORAGE

10/01 to 04/19

46 CFS

Total Diversion:

46 CFS

5400 AF

Date Filed: 08-23-2021

Place Of Use: IRRIGATION STORAGE

T14S R38E S13

SWSW,SESW

T14S R38E S14

NESE,NWSE,SWSE,SESE

T14S R38E S15

NENE,NWNE,SWNE,SENE,SENW,NENW,NWNW,SWNW,SWSW,NESW,NWSW,SESW,NESE,SWSE,NWSE,SESE

T14S R38E S23

NENE,NWNE,SENE,NESE,SESE

T14S R38E S24

NENW,NWNW,SWNW,SENW,NESW,NWSW,SWSW,SESW,NWSE,SWSE,SESE

T14S R38E S25

NENW,NWNW

PLACE OF USE FOR IRRIGATION FROM STORAGE IS WITHIN THE SERVICE AREA OF THE TWIN LAKES CANAL COMPANY.

13-8086

TWIN LAKES CANAL CO, PO BOX 247, PRESTON, ID 83263

Point of Diversion NENE S21 T14S R40E FRANKLIN County

Source BEAR RIVER Tributary GREAT SALT LAKE

Use: IRRIGATION STORAGE

01/01 to 12/31

9000 AF

Use: DIVERSION TO STORAGE

01/01 to 12/31

30 CFS

Use: IRRIGATION FROM STORAGE

04/20 to 09/30

9000 AF

Use: IRRIGATION

04/20 to 09/30

30 CFS

Total Diversion:

30 CFS

9000 AF

Date Filed: 08-23-2021

Place Of Use: IRRIGATION STORAGE

T14S R38E S13

NWSW,SWSW

T14S R38E S14

NESE,NWSE,SWSE,SESE

T14S R38E S23

NENE,NWNE,SENE,NESE,SESE

T14S R38E S24

NENW,NWNW,SWNW,SENW,NESW,NWSW,SWSW,SESW,NWSE,SWSE,SESE

T14S R38E S25

NENW,NWNW

T14S R39E S11

SWSE,SESE

T14S R39E S14

NENE,NWNE,SWNE,NENW,NWNW,SWNW,SENW,NESW

T14S R39E S22

SWSE

T14S R39E S26

SWNW,SENW,NWSW

T14S R39E S27

NENE,NWNE,SWNE,SENE,NENW

Place Of Use: IRRIGATION

T14S R38E S15

NENE,NWNE,SWNE,SENE,SENW,NENW,NWNW,SWNW,SWSW,NESW,NWSW,SESW,NESE,SWSE,NWSE,SESE

PLACE OF USE FOR IRRIGATION AND IRRIGATION FROM STORAGE IS WITHIN THE SERVICE AREA OF THE TWIN LAKES

CANAL COMPANY.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Eastern office at (208)525-7161; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. 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 11/8/2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 10/20/2021 and 10/27/2021