

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

SEP 01 2021

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

Department of Water Resources

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an 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) TWJ Properties, LLP Phone 756-1158 & 756-7309
 2. MAILING ADDRESS PO Box 1005 City Salmon
 State ID Zip 83467 Email lisajacksonlabs58@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) 75-14870, 75-14871, 75-14901, 75-14902

- ☐ 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 0.51 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*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Yes	4		SE	NW	36	20N	21E	Lemhi	Salmon River/Lake Ck	

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:

Cornell Pump in the Salmon River using # HP connected directly to an irrigation system

- b. Who owns the property at the point(s) of diversion? TWJ Properties LLP
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)?

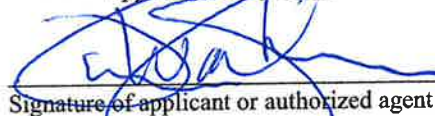
If yes, describe:

- 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 $\frac{1}{4}$ $\frac{1}{4}$ 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

Tim Jackson
Print name and title if applicable

8-21-21
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 \$500.00 Date 6/28/21 Received by CH Receipt # E047115

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)

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

Current Water Right No.: 75-14870

Current Owner: TWJ PROPERTIES LLP
Priority Date: 4/15/1934
Origin: Water Right
Status: Active
Basis: Decreed

Source

SALMON RIVER

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

0.07 CFS

0.07 CFS

Annual Volume

Location of Point(s) of Diversion

SALMON RIVER

LEMHI County

SW1/4NW1/4NW1/4

Sec. 1, Twp 19N, Rge 21E B.M.

Place of Use

IRRIGATION Within LEMHI County

T20N R21E S36	Lot 4	SWNE	0.50	T20N R21E S36	NENW	0.20
T20N R21E S36	Lot 4	SENE	2.30			

Total Acres: 3

Conditions of Approval:

1. E55 Right Nos. 75-14870 and 75-14871 are limited to the irrigation of a combined total of 3.3 acres in a single irrigation season.
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.

Decreed Date: 12/29/2010

85090

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

Current Water Right No.: 75-14871

Current Owner: TWJ PROPERTIES LLP

Priority Date: 11/14/1961

Origin: Water Right

Status: Active

Basis: Decreed

Source

LAKE CREEK

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Diversion Rate

0.07 CFS

Annual Volume

9.9 AF

Total Diversion

0.07 CFS

9.9 AF

Location of Point(s) of Diversion

LAKE CREEK

L1(SE1/4NE1/4NE1/4)

Sec. 2, Twp 19N, Rge 21E B.M.

LEMHI County

Place of Use

IRRIGATION Within LEMHI County

T20N R21E S36	Lot 4	SWNE	0.50	T20N R21E S36	NENW	0.10
T20N R21E S36	Lot 4	SENE	2.70			

Total Acres: 3.3

Conditions of Approval:

1. 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.
2. P21 THIS RIGHT IS A SPLIT FROM FORMER RIGHT 75-13993
3. This right is a split from former right 75-14126.

Decreed Date: 11/17/2008

85090

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

Current Water Right No.: 75-14901

Current Owner: TWJ PROPERTIES LLP
Priority Date: 4/15/1934
Origin: Water Right
Status: Active
Basis: Decreed

Source

SALMON RIVER

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

0.19 CFS

0.19 CFS

Annual Volume

Location of Point(s) of Diversion

SALMON RIVER

LEMHI County

SW1/4NW1/4NW1/4

Sec. 1, Twp 19N, Rge 21E B.M.

Place of Use

IRRIGATION Within LEMHI County

T20N R21E S36 Lot 4 SENW 9.30

Total Acres: 9.3

Conditions of Approval:

1. 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.
2. E55 Right Nos. 75-14901 and 75-14902 are limited to the irrigation of a combined total of 9.3 acres in a single irrigation season.

Decreed Date: 12/29/2010

65090

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

Current Water Right No.: 75-14902

Current Owner: TWJ PROPERTIES LLP
Priority Date: 11/14/1961
Origin: Water Right
Status: Active
Basis: Decreed

Source

LAKE CREEK

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Total Diversion

Diversion Rate

0.18 CFS

0.18 CFS

Annual Volume

27.9 AF

27.9 AF

Location of Point(s) of Diversion

LAKE CREEK

LEMHI County

L1(SE1/4NE1/4NE1/4)

Sec. 2, Twp 19N, Rge 21E B.M.

Place of Use

IRRIGATION Within LEMHI County

T20N R21E S36 Lot 4 SENW 9.30

Total Acres: 9.3

Conditions of Approval:

1. 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.
2. E55 Right Nos. 75-14901 and 75-14902 are limited to the irrigation of a combined total of 9.3 acres in a single irrigation season.

Decreed Date: 11/17/2008

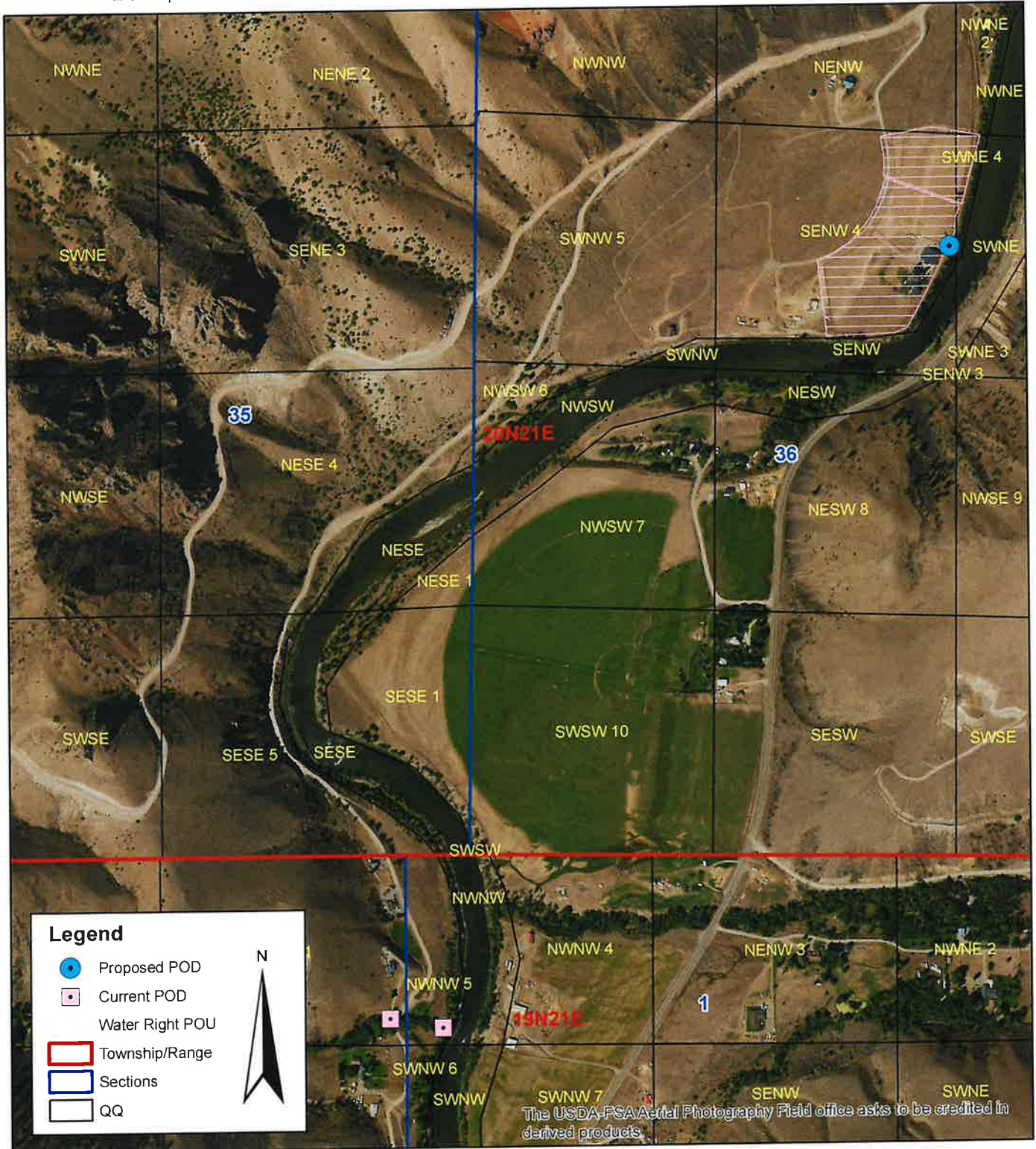
85090

Water Right Proposed Point of Diversion

75-14870, 75-14871, 75-14901, 75-14902

Irrigation

The map depicts the place of use for the water use listed above and the point(s) of diversion of this right as currently derived from the interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



0 0.075 0.15 0.3
Miles

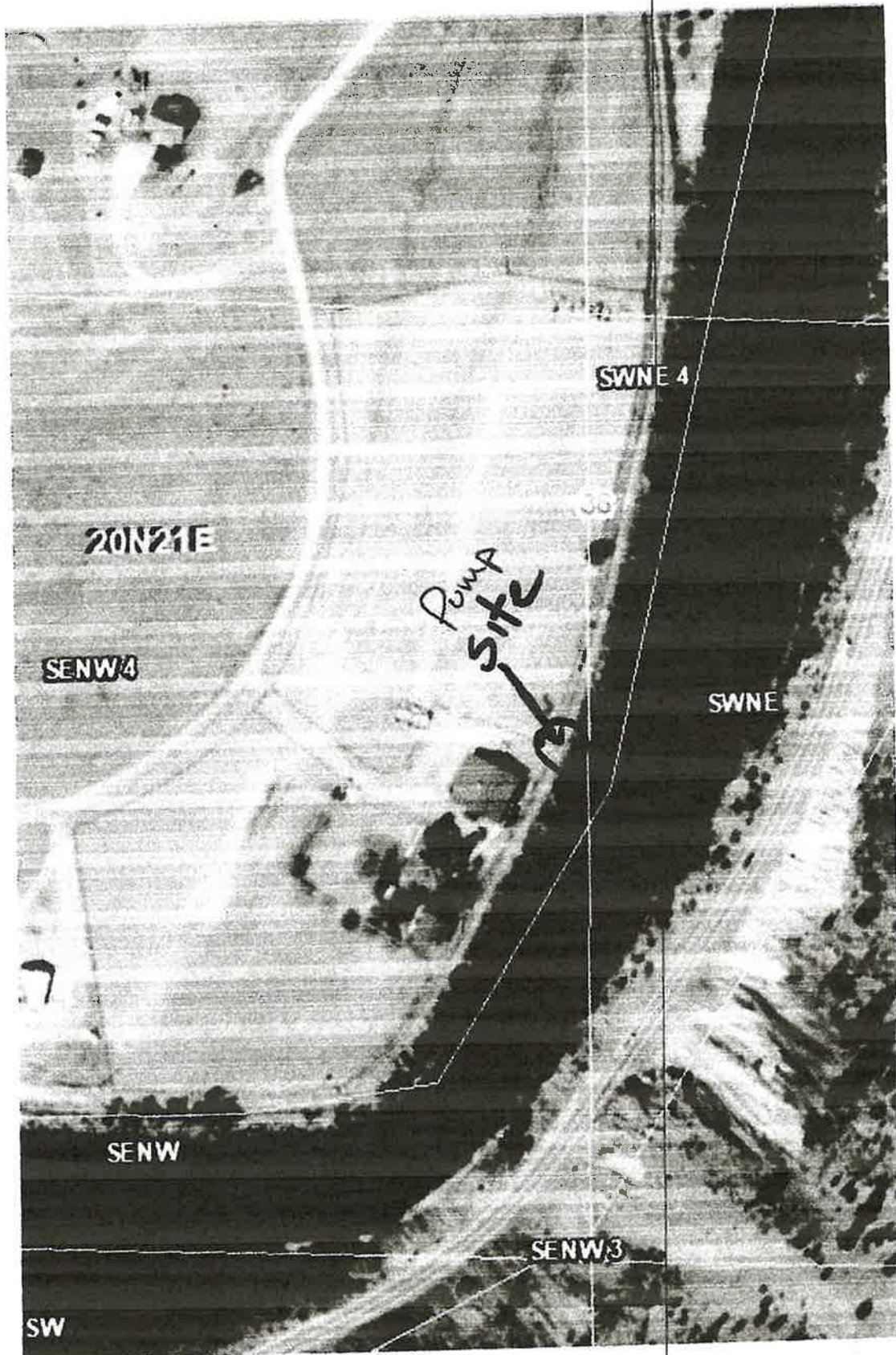
Date Created: 7/2/2021



5090



86 1:34 PM



85090

I do not oppose of IDWR Transfer Application 85090 submitted by TWJ Properties LLP to change the points of diversion for rights 75-14870, 75-14871, 75-14901, and 75-14902 to Lot 4 (SENW) in Sec. 36 T20N R 21E from the Salmon River.

Signature: 
Owners: Deleski, Robert; Deleski, Yvonne
Water Right(s): 75-14628, 75-14630

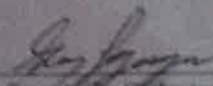
Date: 7-12-2021

Signature: _____
Owners: Adams 2000 Revocable Trust, Adams, Darry, Adams, Jerry
Water Right(s): 75-14629, 75-14631

Date: _____

Signature: _____
Owners: Pence, Carl; Pence, Vicki
Water Right(s): 75-14588, 75-2149G

Date: _____

Signature: 
Owners: ~~Saunders, Catherine~~ Gary & Linda Heisinger
Water Right(s): 75-14569

Date: 7-6-2021

Signature: _____
Owners: Miller, Jeffery, Miller, Linda
Water Right(s): 75-14127

Date: _____

Signature: _____
Owners: Albrecht, Franklin; Albrecht, Linda
Water Right(s): 75-2149B

Date: _____

These are the house above river from me.
There's one missing and that signature
would be the Danicks. They bought
Danna & Mary Ann's house. I don't know
who the other people are in this sheet.
But, the Adams we bought the property
from. And they transferred their water
rights to us. I hope this is helpful.
Thank you
Lisa Jackson

I do not oppose of IDWR Transfer Application 85090 submitted by TWJ Properties LLP to change the points of diversion for rights 75-14870, 75-14871, 75-14901, and 75-14902 to Lot 4 (SENW) in Sec 36 T20N R 21E from the Salmon River.

Signature: _____ Date: _____
Owners: Deleski, Robert; Deleski Yvonne
Water Right(s): 75-14628, 75-14630

Signature: _____ Date: _____
Owners: Adams 2000 Revocable Trust, Adams, Darty; Adams, Jerry
Water Right(s): 75-14629, 75-14631

Signature: _____ Date: _____
Owners: Pence, Carl; Pence, Vicki
Water Right(s): 75-14568, 75-2149G

Signature: _____ Date: _____
Owners: Szumigala, Catherine
Water Right(s): 75-14569

Signature: _____ Date: _____
Owners: Miller, Jeffery; Miller, Linda
Water Right(s): 75-14127

Signature: _____ Date: _____
Owners: Albrecht, Franklin; Albrecht, Linda
Water Right(s): 75-2149B

85090



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

September 8, 2021

TWJ PROPERTIES LLP
PO BOX 1005
SALMON, ID 83467-1005

RE: Transfer No. 85090
Water Right No(s). 75-14870, 75-14871, 75-14901, 75-14902

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 RECORDER HERALD on 9/16/2021 and 9/23/2021. 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: Wednesday, September 8, 2021 3:04 PM
To: 'rhlegals@custertel.net'
Subject: Legal Notice for Recorder Herald
Attachments: 75-15024, 85090 Recorder Herald.docx

LEGAL NOTICE DEPARTMENT
RECORDER HERALD
PO BOX 310
SALMON, ID 83467

RE: Application Nos. 75-15024, 85090

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 10/4/2021. 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

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

75-15024

JUDY AND JERRY JUSTICE

2070 E GERONIMO ST

CHANDLER, AZ 85225

Point of Diversion SWNW S14 T25N R21E LEMHI County

Source GROUND WATER Tributary

Use: DOMESTIC

1 /1 to 12/31

0.03 CFS

Total Diversion:

0.03 CFS

Date Filed: 08-05-2021

Place Of Use: DOMESTIC

T25N R21E S14

SWNW

Place Of Use: DOMESTIC

T25N R21E S15

SENE

This application proposes the diversion and use of water from ground water tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for domestic purposes.

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 10/4/2021. The protestant must also send a copy of the protest to the applicant.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 85090

TWJ PROPERTIES LLP, PO BOX 1005, SALMON, ID 83467-1005 has filed Application No. 85090 for changes to the following water rights within LEMHI County(s): Right No(s). 75-14870, 75-14871, 75-14901, 75-14902; 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. The proposed point of diversion is a pump in the Salmon River located in Lot 4 (SENW) Sec 36 T20N R21E for a total of 0.51 cfs. The source for 0.25 cfs is Lake Creek and the source for 0.26 cfs is the Salmon River.

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 10/4/2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 9/16/2021 and 9/23/2021