

RECEIVED  
JUL 20 2021DEPT OF WATER RESOURCES  
SOUTHERN REGIONSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. 85046

**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) SANDRA AGUEDA AND JOE E AGUEDA**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: \_\_\_\_\_

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JUL 20 2021

DEPT OF WATER RESOURCES  
SOUTHERN REGIONSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1

Name of Applicant SANDRA AGUEDA Phone (208) 324-6825  
 Mailing Address 326 E 400 N, JEROME ID 83338 Email \_\_\_\_\_  
 Name of Applicant JOE E AGUEDA Phone (208) 324-6825  
 Mailing Address 326 E 400 N, JEROME ID 83338 Email \_\_\_\_\_

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

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

☒ No Representative

Name of Representative \_\_\_\_\_ Phone \_\_\_\_\_  
 Mailing Address \_\_\_\_\_ Email \_\_\_\_\_

☐ Send all correspondence for this application to the representative and not to the applicant.

OR

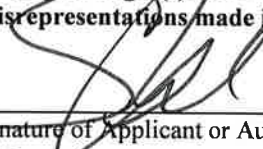
☐ Send original correspondence to the applicant and copies to the representative.

☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

  
 Signature of Applicant or Authorized Representative  
  
 Signature of Applicant or Authorized Representative

Sandra L. Agueda  
 Print Name and Title if applicable  
JOE AGUEDA  
 Print Name and Title if applicable

7/28/21  
 Date  
7-28-21  
 Date

## A. PURPOSE OF TRANSFER

| 1.       | Right | Split | POD | POU | Add POD | Period of Use | Nature of Use |
|----------|-------|-------|-----|-----|---------|---------------|---------------|
| 36-4157D | No    | No    | No  | No  | Yes     | No            | No            |
| 36-14860 | No    | No    | No  | No  | Yes     | No            | No            |

## 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**

Application propose to add a new well to the system and to show the new well and two existing wells as  
authorized points of diversion for both water rights.

**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<br>Right (All or<br>Part) | Transfer<br>Rate | Transfer<br>Volume | Acre Limit | Total Acres | Original<br>Right<br>(Remaining<br>Portion) | Remaining<br>Rate | Remaining<br>Volume | Remaining<br>Acre Limit | Remaining<br>Total Acres |
|---------------------------------------|------------------|--------------------|------------|-------------|---------------------------------------------|-------------------|---------------------|-------------------------|--------------------------|
| <b>36-14860</b>                       | 0.090 cfs        | 3.8 af             | N/A        | N/A         |                                             | N/A               | N/A                 | N/A                     | N/A                      |
| <b>36-4157D</b>                       | 0.300 cfs        | 45.0 af            | N/A        | N/A         |                                             | N/A               | N/A                 | N/A                     | N/A                      |
| <b>COMBINED<br/>TOTALS</b>            | 0.390 cfs        | 48.8 af            | N/A        | N/A         |                                             | N/A               | N/A                 | N/A                     | N/A                      |

2. Total amount of water proposed to be transferred or changed 0.39 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.** 36-14860

**Current Water Right Owner**

JOE E AGUEDA  
 326 E 400 N  
 JEROME, ID 83338

AND

SANDRA AGUEDA  
 326 E 400 N  
 JEROME, ID 83338

**Priority Date:** 12/31/1942

**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> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| DOMESTIC              | 1/01        | 12/31     | 0.040 CFS             | 1.2 AFA       |                    |
| STOCKWATER            | 1/01        | 12/31     | 0.090 CFS             | 2.6 AFA       | Dairy              |
| Total Diversion       |             |           | 0.090 CFS             | 3.8 AFA       |                    |

**Source and Point(s) of Diversion:**

|              |      |                                       |
|--------------|------|---------------------------------------|
| GROUND WATER | SESW | Sec. 27 Twp 07S Rge 17E JEROME County |
| GROUND WATER | SESW | Sec. 27 Twp 07S Rge 17E JEROME County |
| GROUND WATER | SESW | Sec. 27 Twp 07S Rge 17E JEROME County |

**Place of Use:** DOMESTIC

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 07S | 17E | 27  |    |    |    |    |    |    |    |    |    |    |    | x  |    |    |    |    |        |

**Place of Use:** STOCKWATER

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

**Proposed Water Right No.** 36-4157D

Current Water Right Owner

JOE E AGUEDA  
 326 E 400 N  
 JEROME, ID 83338

AND

SANDRA AGUEDA  
 326 E 400 N  
 JEROME, ID 83338

Priority Date: 6/1/1956

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> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| COMMERCIAL            | 01/01       | 12/31     | 0.300 CFS             | 45.0 AFA      | Dairy              |
| STOCKWATER            | 01/01       | 12/31     | 0.300 CFS             | 45.0 AFA      | Dairy              |
| Total Diversion       |             |           | 0.300 CFS             | 45.0 AFA      |                    |

**Source and Point(s) of Diversion:**

|              |      |                         |               |
|--------------|------|-------------------------|---------------|
| GROUND WATER | SESW | Sec. 27 Twp 07S Rge 17E | JEROME County |
| GROUND WATER | SESW | Sec. 27 Twp 07S Rge 17E | JEROME County |
| GROUND WATER | SESW | Sec. 27 Twp 07S Rge 17E | JEROME County |

**Place of Use:** COMMERCIAL

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 07S | 17E | 27  |    |    |    |    |    |    |    |    |    |    |    | X  |    |    | X  |    |        |
| 07S | 17E | 34  | X  | X  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

**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 |        |
| 07S | 17E | 27  |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |        |

## 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

Application proposes to add a new well to the system and will install a measuring device for the well

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

Applicant

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

N/A

- 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: N/A

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:

N/A

- 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:

None

- 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: N/A

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

**Current Water Right No. 36-14860**

Current Water Right Owner

JOE E AGUEDA  
 326 E 400 N  
 JEROME, ID 83338

And

SANDRA AGUEDA  
 326 E 400 N  
 JEROME, ID 83338

Priority Date: 12/31/1942

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> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| DOMESTIC              | 1/01        | 12/31     | 0.040 CFS             | 1.2 AFA       |                    |
| STOCKWATER            | 1/01        | 12/31     | 0.090 CFS             | 2.6 AFA       | Dairy              |
| Total Diversion       |             |           | 0.090 CFS             | 3.8 AFA       |                    |

**Source and Point(s) of Diversion:**

GROUND WATER

SESW

Sec. 27 Twp 07S Rge 17E JEROME County

**Place of Use: DOMESTIC**

|     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 07S | 17E | 27  |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |    | 0.0    |

**Place of Use: STOCKWATER**

**Conditions/Remarks:**

- The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
- The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
- Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- The total instantaneous diversion of water from all points of diversion under Transfer 5716 shall not exceed 0.39 cfs, nor a total combined annual volume of 48.8 af.  
 The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by Right 36-04157D.  
 The quantity of water decreed for Right 36-14860 for stockwater and domestic uses is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.  
 Commercial use under Right 36-04157D is for a dairy in the SESW, S27, T07S, R17E.  
 Domestic use under Right 36-14860 is for 5 homes.  
 Two points of diversion are located within SESW, S27, T07S, R17E.

IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT

**Conditions/Remarks:**

6. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.

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

**Current Water Right No. 36-4157D**

Current Water Right Owner

JOE E AGUEDA  
 326 E 400 N  
 JEROME, ID 83338

AND

SANDRA AGUEDA  
 326 E 400 N  
 JEROME, ID 83338

Priority Date: 6/1/1956

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> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| COMMERCIAL            | 01/01       | 12/31     | 0.300 CFS             | 45.0 AFA      | Dairy              |
| STOCKWATER            | 01/01       | 12/31     | 0.300 CFS             | 45.0 AFA      | Dairy              |
| Total Diversion       |             |           | 0.300 CFS             | 45.0 AFA      |                    |

**Source and Point(s) of Diversion:**

GROUND WATER

SESW

Sec. 27 Twp 07S Rge 17E JEROME County

GROUND WATER

SESW

Sec. 27 Twp 07S Rge 17E JEROME County

**Place of Use: COMMERCIAL**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 07S | 17E | 27  |    |    |    |    |    |    |    |    |    |    |    | X  |    |    | X  |    | 0.0    |
| 07S | 17E | 34  | X  | X  |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 0.0    |

**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 |        |
| 07S | 17E | 27  |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |    | 0.0    |

**Conditions/Remarks:**

1. THE PLACE OF COMMERCIAL USE AUTHORIZED BY THIS APPROVAL INCLUDES LAND UPON WHICH WASTEWATER MAY BE APPLIED FOR IRRIGATION PURPOSES TO SATISFY WATER QUALITY REQUIREMENTS. WATER DIVERTED UNDER THIS APPROVAL SHALL NOT BE USED FOR IRRIGATION UNLESS THE WATER IS FIRST USED IN THE DAIRY AS AUTHORIZED BY RIGHT 36-4157D.
2. USE OF THIS RIGHT WITH RIGHT NO. 36-14860 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.39 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 48.8 AF.
3. COMMERCIAL USE IS FOR A DAIRY IN THE SESW, S27, T07S, R17E.
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.
5. THIS RIGHT IS A SPLIT FROM FORMER RIGHT 36-4157A.
6. TWO POINTS OF DIVERSION LOCATED IN T07S, R17E, S27, SESW.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements)

- ☐ 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.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the rights(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**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ 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.:

N/A

FOR DEPARTMENT USE ONLY

Transfer Contains 11 pages and                      attachments.  
Received By C. SKINNER Date 7/20/2021 Prelim. Check By                      Date                       
Fee Paid 8500.00 Date 7/20/2021 Received By C. SKINNER Receipt # 5038716  
Add'l Fee Paid                      Date                      Received By                      Receipt #



## Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 117441

|             |                                  |                 |                         |
|-------------|----------------------------------|-----------------|-------------------------|
| 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     | 192.33                  |
| City St Zip | TWIN FALLS ID 83301              | Amount Paid     | 0.00                    |
| Phone       | 2087363033                       | Amount Due      | 192.33                  |
| Fax         |                                  |                 |                         |
| Section     | Legals                           | Start/End Dates | 08/05/2021 - 08/12/2021 |
| SubSection  |                                  | Insertions      | 2                       |
| Category    | 50 Legal                         | Size            | 126                     |
| Ad Key      | 117441-1                         | Salesperson(s)  | Jenny Green - Legals    |
| Keywords    | Transfers: 84224, 85046, 85137   | Taken By        | Jenny Green             |
| Notes       |                                  |                 |                         |

Ad Proof

✓ DM 7-30-2021

**Proof of legal notice received  
from Times News 7/29/2021 (2 pgs)**

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT****TRANSFER NO. 84224**

FRENCH QUARTER FARMS LLC, PO BOX 9160, KETCHUM, ID 83340-7140 has filed Application No. 84224 for changes to the following water rights within GOODING County(s): Right No(s). 37-7667. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change points of diversion (POD) and the place of use (POU) for a fish propagation water right which currently diverts up to 14.85 cfs from Sullivan Creek. The proposed POU and PODs are in a general area located approximately 5.0 miles north and 1.4 miles west of the intersection of Main Street and State Street in Hagerman. The transfer reflects current conditions resulting from changes in the system that have occurred over time.

**TRANSFER NO. 85046**

SANDRA AGUEDA and JOE E AGUEDA, 326 E 400 N, JEROME, ID 83338 has filed Application No. 85046 for changes to the following water rights within JEROME County(s): Right No(s). 36-14860, 36-4157D. The purpose of the transfer is to change a portion of the above rights as follows: This application for transfer is being filed to add a new well as a point of diversion (POD) for two stockwater and commercial ground water rights for an existing dairy. The total diversion of up to 0.39 cfs and 48.8 af will be diverted from the new POD and the two existing PODs. The PODs and dairy site are located approximately 3.7 to 4.2 miles north and 3.0 to 3.8 miles east of the center of Jerome.

**TRANSFER NO. 85137**

BOX CANYON LAND HOLDINGS LLC, PO BOX 140, WENDELL, ID 83355-0140 has filed Application No. 85137 for changes to the following water rights within GOODING County(s): Right No(s). 36-10395, 36-10899, 36-2312D, 36-4151B, 36-7291D, 36-7387D, 36-7871, 36-8362, 36-8367. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes adding two points of diversion and changing the place of use for five stockwater & commercial water rights (2.25 cfs total) currently in use at an existing dairy facility, locally known as "Box Canyon Dairy", located approximately 5.0 to 5.5 miles south and 2.7 to 3.4 miles west of Wendell. Application also proposes changing the points of diversion and place of use for portions of four stockwater & commercial water rights (0.50 cfs total) to be transferred from three separate dairy facilities to the "Box Canyon Dairy" site. These three separate dairy facilities are all located within a half mile of the "Box Canyon Dairy" site. Application proposes a total of five wells, four existing wells and one proposed new well to be drilled at the "Box Canyon Dairy" site to allow for the diversion of a total combined rate of 2.75 cfs.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and the proposed transfers, please see [research.idwr.idaho.gov/ppsaterights](https://research.idwr.idaho.gov/ppsaterights) under New Transfers. 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 **August 23, 2021**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

**Published on August 5th & 12th, 2021**

✓ DM  
7-30-2021



State of Idaho

## DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

July 30, 2021

JOE E AGUEDA  
SANDRA AGUEDA  
326 E 400 N  
JEROME, ID 83338

RE: Transfer No. 85046  
Water Right No(s). 36-14860, 36-4157D

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 8/5/2021 and 8/12/2021**. 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 **August 23, 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 1



State of Idaho

## DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

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Brad Little  
Governor

Gary Spackman  
Director

July 30, 2021

WATER DISTRICT 130  
NATHAN ERICKSON  
650 ADDISON AVE W STE 500  
TWIN FALLS, ID 83301-5858

RE: Application for Transfer No. 84224  
Application for Transfer No. 85046  
Application for Transfer No. 85111  
Application for Transfer No. 85137

Dear Nathan:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at:  
<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

*Denise Maline*

Denise Maline  
Administrative Assistant 1

Enclosure(s)

## Maline, Denise

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**From:** Maline, Denise  
**Sent:** Thursday, July 29, 2021 12:55 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 August 5<sup>th</sup> & 12<sup>th</sup>, 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 I**  
Idaho Dept. of Water Resources  
650 Addison Ave W Ste 500  
Twin Falls ID 83301-5858  
(208) 293-9908  
[denise.maline@idwr.idaho.gov](mailto:denise.maline@idwr.idaho.gov)



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

July 29, 2021

**LEGAL NOTICE DEPARTMENT**  
TIMES NEWS  
PO BOX 548  
TWIN FALLS, ID 83303-0548

RE: Transfer No. 84224  
Water Right No(s). 37-7667

RE: Transfer No. 85046  
Water Right No(s). 36-14860, 36-4157D

RE: Transfer No. 85137  
Water Right No(s). 36-2312D, etc.

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 August 23, 2021. Your cooperation is appreciated.

Sincerely,

*Denise Maline*

Denise Maline  
Administrative Assistant 1

Enclosure(s)

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TRANSFER NO. 84224**

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For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see [research.idwr.idaho.gov/apps/waterrights/QueryNewTransfers](https://research.idwr.idaho.gov/apps/waterrights/QueryNewTransfers). 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 **August 23, 2021**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director  
Published on August 5<sup>th</sup> & 12<sup>th</sup>, 2021

## **MEMORANDUM**

**TO:** Transfer 85046 File

**FROM:** Benny Walker

**DATE:** July 28, 2021

**SUBJECT:** Filing Fee

The filing fee of, \$500.00, for this transfer is based on the amount of water proposed to be transferred or changed, 0.39 cfs. The transfer fee schedule for a transfer involving 0.21-1.00 cfs indicates that the filing fee is \$500.00. The applicant submitted a fee of \$500.00 for this transfer. (Receipt S038716).

## **MEMORANDUM**

**Date:** July 28, 2021  
**To:** Transfer 85046 File  
**From:** Benny Walker  
**Re:** Transfer Synopsis

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This application for transfer is being filed to add a new well as a point of diversion (POD) for two stockwater and commercial ground water rights for an existing dairy. The total diversion of up to 0.39 cfs and 48.8 af will be diverted from the new POD and/or the two existing PODs. The PODs and Dairy site are located approximately 3.7 to 4.2 miles north and 3.0 to 3.8 miles east of the center of Jerome.

This application requires public notice and is subject to protest. The property is within Water District 130, watermaster comments will be solicited.