

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION MAY 27 2021

This form may be used to apply to change and/or add points of diversion for existing water rights and Department of Water Resources a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for Eastern Regional supplements 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) Matthew & Aleisha Kruckeberg Phone (208) 569-4796
2. MAILING ADDRESS 679 N 3400 E City Menan
State ID Zip 83434 Email matt.kruckeberg707@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) 35-14730, 35-14727, 35-14724

- ☐ 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 0.05 cubic feet per second and/or 9.6 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]

JUN 21 2021

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:

Not applicable.

- 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:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

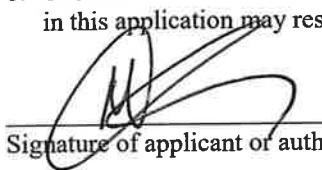
- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

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.)

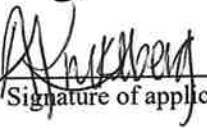
7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. You may create a map at idwr.idaho.gov, Water Rights, Water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

Matthew Kruckeberg
Print name and title if applicable

6-13-21
Date


Signature of applicant or authorized agent

Aleisha Kruckeberg
Print name and title if applicable

6-13-21
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 200.00 Date 5-27-21 Received by M. Petta Receipt # E047016

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)

<u>Owner Type</u>	<u>Name and Address</u>
~~Current~~ Owner	MATTHEW KRUCKEBERG 679 N 3400 E MENAN, ID 83434-5077

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

1/4/2021

Water Right 35-14727

Owner Type **Name and Address**
Current Owner MATTHEW KRUCKEBERG
679 N 3400 E
MENAN, ID 83434-5077

Current Owner ALEISHA KRUCKEBERG
679 N 3400 E
MENAN, ID 83434-5077

Priority Date: 12/31/1940

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.020 CFS	5.8 AF
	<u>Total Diversion</u>		0.020 CFS	5.8 AF

Source and Point(s) of Diversion

GROUND WATER	NWNENW	Sec. 22, Twp 05N, Rge 38E, MADISON County
GROUND WATER	SWSWSW	Sec. 15, Twp 05N, Rge 38E, MADISON County

Place of Use

IRRIGATION within MADISON County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	38E	15										2.4							2.4

Right Acre Limit: 1.4

POU Total Acres: 2.4

Conditions of Approval:

1. X27 This right is limited to the irrigation of 1.4 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 35-14724, 35-14727 and 35-14730 when combined shall not exceed the irrigation of 2.4 acres.
3. E17 Use of this right is combined with water from Palisades Water Users Association.
4. E03 Use of this right is combined with water from Butte & Market Lake Canal Co.
5. U45 The place of use does not include federal land.
6. T19 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

85018

IDAHO DEPARTMENT OF WATER RESOURCES

1/4/2021

Proof Report

Water Right 35-14730

Owner Type **Name and Address**
 Current Owner ALEISHA KRUCKEBERG
 679 N 3400 E
 MENAN, ID 83434-5077

Current Owner MATTHEW KRUCKEBERG
 679 N 3400 E
 MENAN, ID 83434-5077

Priority Date: 9/28/1981

Basis: Decreed

Status: Active

Source
 GROUND WATER

Tributary

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.010 CFS	0.3 AF
	Total Diversion		0.010 CFS	0.3 AF

Source and Point(s) of Diversion

GROUND WATER	NWNENW	Sec. 22, Twp 05N, Rge 38E, MADISON County
GROUND WATER	SWSWSW	Sec. 15, Twp 05N, Rge 38E, MADISON County

Place of Use

IRRIGATION within MADISON County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	38E	15										2.4							2.4

Right Acre Limit: 0.1

POU Total Acres: 2.4

Conditions of Approval:

1. X27 This right is limited to the irrigation of 0.1 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 35-14724, 35-14727 and 35-14730 when combined shall not exceed the irrigation of 2.4 acres.
3. The maximum authorized diversion rate for this right is 0.002 cfs.
4. E17 Use of this right is combined with water from Palisades Water Users Association.
5. E03 Use of this right is combined with water from Butte & Market Lake Canal Co.
6. U45 The place of use does not include federal land.
7. T19 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

85018



A horizontal number line with four tick marks. The tick marks are evenly spaced and extend vertically from the line.



POD Transfer Application



Legend

- Water Right POU
- Township/Range
- Sections
- QQ
- Proposed POD

0 55 110 220 Yards



55018



State of Idaho

DEPARTMENT OF WATER RESOURCES

EASTERN Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718
Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

June 9, 2021

MATTHEW KRUCKEBERG
ALEISHA KRUCKEBERG
679 N 3400 E
MENAN, ID 83434-5077

RE: Transfer No. 85018
Water Right No(s). 35-14724, 35-14727, 35-14730

Dear Applicants:

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the REXBURG STANDARD JOURNAL on 6/18/2021 and 6/25/2021. 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, June 9, 2021 2:50 PM
To: 'legalnotices@postregister.com'
Subject: Legal Notice for Standard Journal
Attachments: 85018 Standard Journal.docx

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

RE: Transfer No. 85018
Water Right No(s). 35-14724, 35-14727, 35-14730

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 7/5/2021. Your cooperation is appreciated.

Christina Henman
Administrative Assistant
Idaho Dept. of Water Resources, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 497-3793

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 85018**

MATTHEW KRUCKEBERG and ALEISHA KRUCKEBERG, 679 N 3400 E, MENAN, ID 83434-5077 has filed Application No. 85018 for changes to the following water rights within MADISON County(s): Right No(s). 35-14724, 35-14727, 35-14730; 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 in NWSW Sec 15 T05N R38E for 0.05 cfs from Ground water.

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 7/5/2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 6/18/2021 and 6/25/2021