

MAY 19 2021

42-222 POD - 07/13

AMENDEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION**
Department of Water Resources
Eastern Region

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)** Jeffery B. Stieglitz Phone 208-521-18492. **MAILING ADDRESS** 696 US HWY 91 City FirthState ID Zip 83236 Email JB430@aol.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)** 27-07464

- ☒ 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 0.2 cubic feet per second and/or 40 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 #
	7		SW	NW	35	01S	36E	Bingham	Unnamed Slough	
X	8		NW	SW	35	01S	36E	Bingham	Unnamed Slough	

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:

pump and portable main line, sliding headgate
The old diversion point burned with equipment loss

- b. Who owns the property at the point(s) of diversion? I do
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]
Signature of applicant or authorized agent

J. Stegitz
Print name and title if applicable

4/29/21
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 \$150.00 Date 5/3/21 Received by at th Receipt # E046909

Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

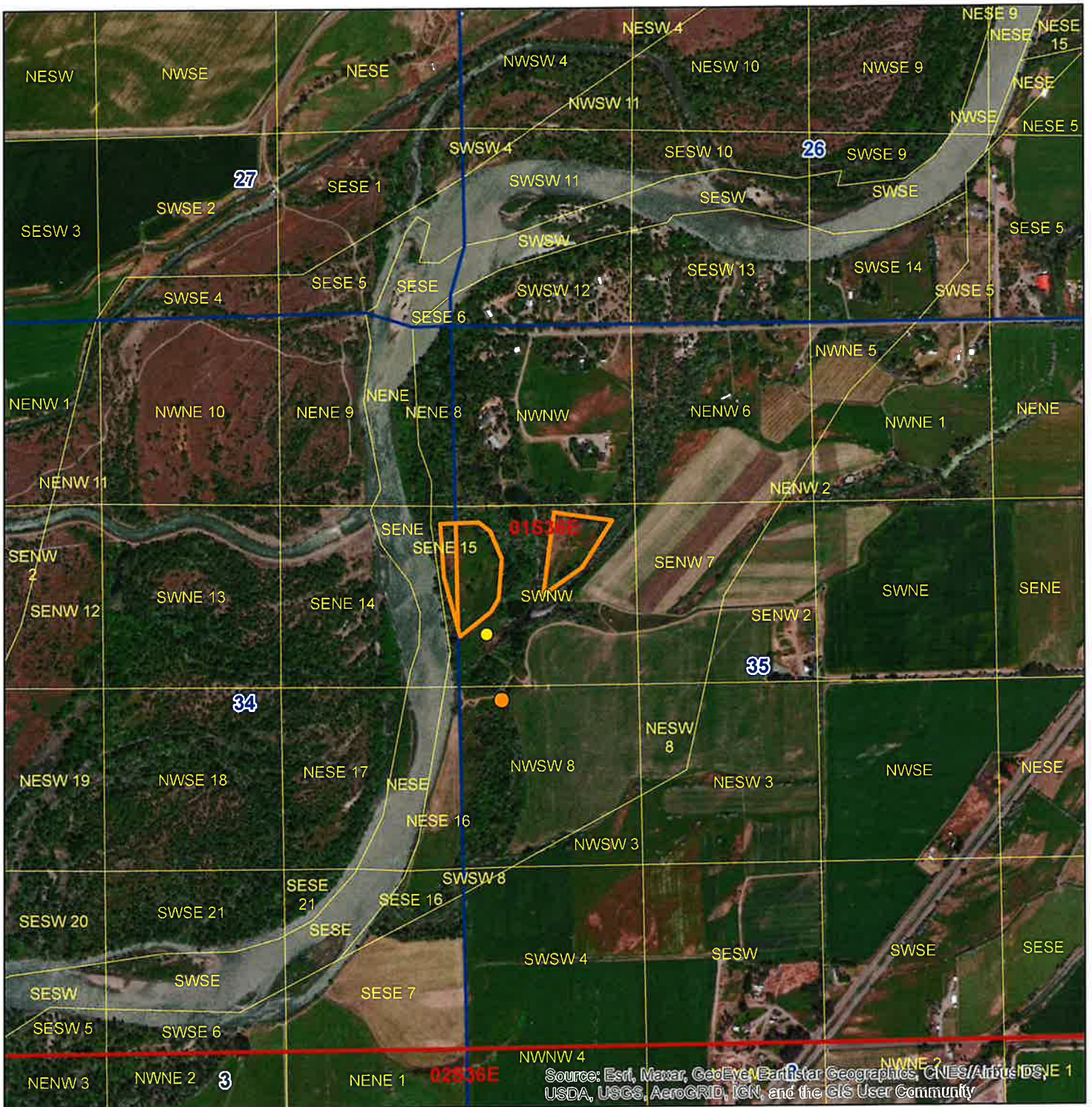
W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

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

ADDL: \$150 5/24/21 at th E046983

Idaho Department of Water Resources

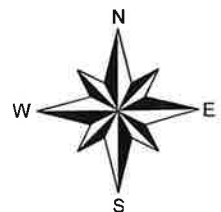
Stieglitz Map



Legend

- Sieglitz_Original_POD
- Stieglitz_New_POD
- Stieglitz_POU
- Township/Range
- Sections
- QQ

0 0.05 0.1 0.2 0.3 0.4 Miles



04265

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/14/2021

Water Right 27-7464

Owner Type **Name and Address**
Current Owner JEFFREY BRIAN STIEGLITZ
646 US HWY 91
FIRTH, ID 83236
(208) 346-6566

Original Owner CLAUDE C CURTIS
646 N HWY 91
FIRTH, ID 83236
(208) 346-6625

Security Interest THE BANK OF COMMERCE
3113 S 25TH E
AMMON, ID 83406-5732

Priority Date: 6/27/1989

Basis: License

Status: Active

Source
UNNAMED SLOUGH

Tributary
SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.200 CFS	40.0 AF
	<u>Total Diversion</u>		0.200 CFS	40.0 AF

Source and Point(s) of Diversion

UNNAMED SLOUGH SWSWNW Sec. 35, Twp 01S, Rge 36E, BINGHAM County

Place Of Use

IRRIGATION within BINGHAM 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	
01S	36E	34				2.0 L15													2.0
01S	36E	35							8.0										8.0

POU Total Acres: 10.0

Conditions of Approval:

1. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
2. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. X23 When water is not available to fill this right, the right holder shall cease diversion, shall

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/14/2021

- rent water from the Snake River Water Bank or shall otherwise mitigate the depletion of water caused by this water use.
4. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. 048 The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

Comments:

Dates and Other Information

Licensed Date: 7/28/2003
Owner Name Connector: AND
Water District Number: 01
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 4.0
Swan Falls Trust or Nontrust: N
Mitigation Plan: False

Combined Use Limits

N/A

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A

RECEIVED

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**Department of Water Resources
Eastern Region**

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2. MAILING ADDRESS 646 US Highway 91 City FIRTH
State ID Zip 83236 Email JB430@aol.com

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[illegible]

Nebeker, Jake

From: Q <jb430@aol.com>
Sent: Wednesday, May 19, 2021 1:44 PM
To: Nebeker, Jake
Subject: Re: Water Right Transfer Amendment.

Thanks for your help, I will put that in the mail today
Jeff Stieglitz

-----Original Message-----

From: Nebeker, Jake <Jake.Nebeker@idwr.idaho.gov>
To: jb430@aol.com <jb430@aol.com>
Sent: Tue, May 18, 2021 3:39 pm
Subject: Water Right Transfer Amendment.

Jeffery,

Per our conversation over the phone you have requested the attached amendment to your transfer application. Give it a review and let me know if there is anything else you would like to change. Also we spoke about the insufficient funds for this transfer, you can mail the additional \$150.00 fee to our Idaho Falls office.

Thanks
-Jake

S. Jake Nebeker
Water Resource Agent
Idaho Department of Water Resources
900 N Skyline Dr # A, Idaho Falls, ID 83402
Phone: (208) 525-7161 Fax: (208) 525-7177



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

May 26, 2021

JEFFREY BRIAN STIEGLITZ
646 US HWY 91
FIRTH, ID 83236

RE: Transfer No. 84965
Water Right No(s). 27-7464

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 BINGHAM NEWS CHRONICLE on 6/2/2021 and 6/9/2021. 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,

A handwritten signature in blue ink, appearing to read 'CH' or 'CHenman'.

Christina Henman
Administrative Assistant

Henman, Christina

From: Henman, Christina
Sent: Wednesday, May 26, 2021 4:15 PM
To: 'legalnotices@postregister.com'
Subject: Legal Notice for Bingham News Chronicle
Attachments: 84965 Bingham News Chronicle.docx

May 26, 2021

LEGAL NOTICE DEPARTMENT
BINGHAM NEWS CHRONICLE
PO BOX 70
BLACKFOOT, ID 83221-0070

RE: Transfer No. 84965
Water Right No(s). 27-7464

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 6/21/2021. Your cooperation is appreciated.

Sincerely,

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. 84965**

JEFFREY BRIAN STIEGLITZ, 646 US HWY 91, FIRTH, ID 83236 has filed Application No. 84965 for changes to the following water rights within BINGHAM County(s): Right No(s). 27-7464; 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 point of diversion. The proposed points of diversion are in SWSWNW (existing) and Lot 8 (NWSW) (new), Sec 35 T01S R36E for 0.20 cfs from Unnamed Slough tributary to Snake 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 6/21/2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 6/2/2021 and 6/9/2021