

APR 02 2020

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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)** Joshua & Krista Baker Phone 541-570-5737
 2. **MAILING ADDRESS** 3356 N 3300 E City Kimberly
 State ID Zip 83341 Email josh@magicvalleyrealtygroup.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)** 47-17159

- ☒ 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 0.100 cubic feet per second and/or 20.0 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 #
	<u>2</u>	NE	SW	NW	7	11S	18E	Twin Falls	Ground Water	

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:

Existing Well with pump (5HP) w/ provided straight length for meter
* "new well to be drilled" * (per 04-11-21 email from Mr. Baker)

- b. Who owns the property at the point(s) of diversion? Joshua & Krista Baker
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)?

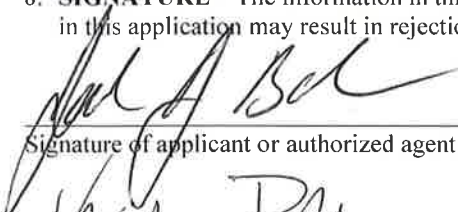
If yes, describe:

- 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*.

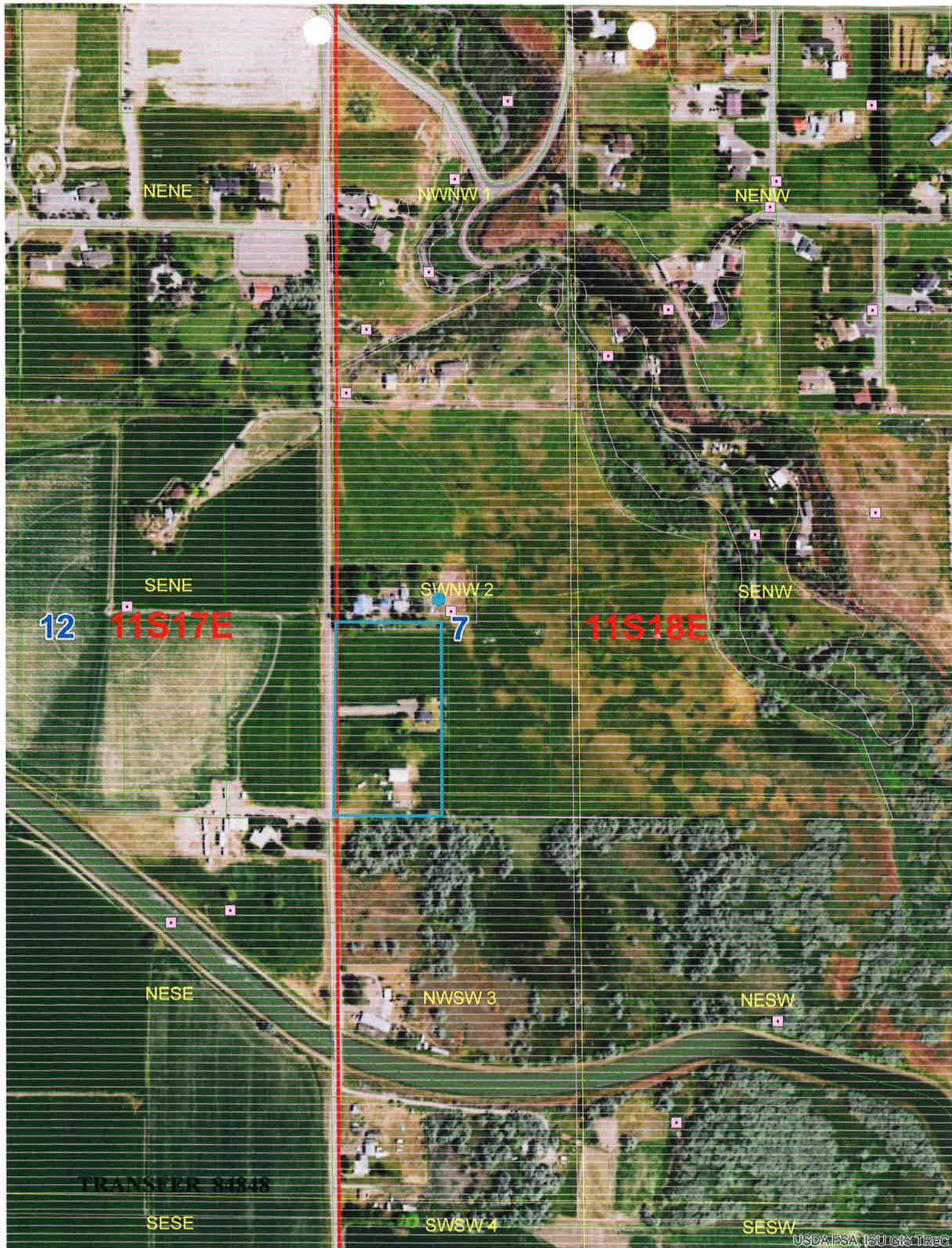
8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

 Signature of applicant or authorized agent	Joshua Baker Print name and title if applicable	3/31/21 Date
 Signature of applicant or authorized agent	Krista Baker Print name and title if applicable	3-31-21 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 \$20000 Date 4/2/21 Received by SC Receipt # 5038499
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)



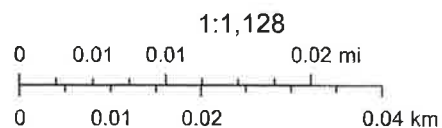
Application for Water Right



3/31/2021, 2:34:19 PM

TRANSFER 84848

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



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

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 114090

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	227.25
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	227.25
Fax			
Section	Legals	Start/End Dates	05/06/2021 - 05/13/2021
SubSection		Insertions	2
Category	50 Legal	Size	150
Ad Key	114090-1	Salesperson(s)	Jenny Green - Legals
Keywords	TN 84855,TN 84848, TN 84915	Taken By	Jenny Green
Notes			

Ad Proof

**Proof of legal notice received from
Times News 4/30/2021 (2 pgs)**

✓ DM 5.3.2021

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 114090

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

43-13896

RAFT RIVER LAND & LIVESTOCK LLC

PO BOX 584

RUPERT, ID 83350-0584

Point of Diversion NWNE S9 T14S R25E CASSIA County Source

GROUND WATER Tributary

Use: STOCKWATER 01/01 to 12/31 0.1 CFS

Total Diversion: 0.1 CFS

Date Filed: 03-17-2021

Place Of Use: STOCKWATER

T14S R25E S8 SENE

Place Of Use: STOCKWATER

T14S R25E S9 NWNE, SWNE, NESW, NWSW

Application proposes to divert 0.1 cfs from a proposed well for stock water use on property located approximately 1.75 miles south and 0.9 miles east of Elba. This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 84855

DANIEL L WILLIE, 1017 S 1150 E, EDEN, ID 83325-5037 has filed Application No. 84855 for changes to the following water rights within JEROME County(s): Right No(s). 36-15637, 36-15639, 36-15641, 36-7045, 36-8766. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes adding a new well to be drilled as an authorized point of diversion for five water rights associated with a commercial development (Travelers Oasis Truck Plaza) located approximately 0.2 mile south and 0.1 mile west of the Interstate 84 and Hwy 50 junction. The new well and an existing well will divert up to 0.20 cfs for commercial use.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 84848

JOSHUA BAKER and KRISTA BAKER, 3356 N 3300 E, KIMBERLY, ID 83341-5266 has filed Application No. 84848 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-17159. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) for a 0.10 cfs ground water irrigation right from a shared well to a new well, to be drilled approximately 600 feet south within the authorized place of use (POU). The authorized POU and proposed POD is a 5 acre farm located approximately 3.0 miles east and 4.4 miles south of the Kimberly Road & Blue Lakes Blvd intersection in Twin Falls.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 84915

RBA LLC, PO BOX 370, KIMBERLY, ID 83341-0370 has filed Application No. 84915 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-17140. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change the existing Commercial period of use (April 01 to October 31) for a ground water right (.04 cfs & 7.0 AF), to year round use that is needed for aircraft runway maintenance and aerial agriculture spraying. There are no proposed changes to the Point of Diversion (POD) or Place of Use (POU). The POD and POU are located approximately 8.9 miles north and 2.9 miles west of Rupert.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. 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 **May 24, 2021**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on May 6th & 13th, 2021

✓ dm
5/3/2021



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

Brad Little
Governor

Gary Spackman
Director

April 29, 2021

JOSHUA BAKER
KRISTA BAKER
3356 N 3300 E
KIMBERLY, ID 83341-5266

RE: Transfer No. 84848
Water Right No(s). 47-17159

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 5/6/2021 and 5/13/2021**. 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 **May 24, 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

Maline, Denise

From: Maline, Denise
Sent: Thursday, April 29, 2021 2:27 PM
To: Times News
Subject: LEGAL NOTICES
Attachments: Times News cover letter.docx; Times News ad.docx; Notice of Administrative Proceeding Ad (Wood River Basin).docx

Attached please find **(2)** legal notices being submitted for publication on May 6th & 13th, 2021. Please let me know if there are any questions or if you are not able to run the ads on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline
Administrative Assistant I
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 293-9908
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

Brad Little
Governor

Gary Spackman
Director

April 29, 2021

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Application for Permit No. 43-13896

RE: Transfer No. 84855

Water Right No(s). 36-15637, 36-15639, 36-15641, 36-7045, 36-8766

RE: Transfer No. 84848

Water Right No(s). 47-17159

RE: Transfer No. 84915

Water Right No(s). 36-17140

RE: Notice of Administrative Proceeding

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 May 24, 2021. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

Enclosure(s)

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RUPERT, ID 83350-0584

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Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. 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 **May 24, 2021**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on May 6th & 13th, 2021

MEMORANDUM

Date: April 27, 2021
To: Transfer 84848
From: Kent Aasa
Re: Synopsis Memo

Synopsis Memo
4/27/2021

Application for transfer proposes to change the point of diversion (POD) for a 0.10 cfs ground water irrigation right from a shared well to a new well to be drilled approximately 600 feet south within the authorized place of use (POU). The authorized POU and proposed POD is a 5 acre farm located approximately 3.0 miles east and 4.4 miles south of the Kimberly Road/Blue Lakes Boulevard intersection in Twin Falls. The proposed transfer is located in Water District 47O but ground water is excluded from the Water District and stock water is not administered so Water Master comments will not be solicited.

MEMORANDUM

Date: April 27, 2021
To: Transfer 84848
From: Kent Aasa
Re: Fee Memo

Fee Memo
4/27/2021

Filing fees charged for transfer application # 84848 were based on the current transfer fee schedule and included \$200.00 for the full 0.10 cfs being transferred in the application (Receipt No.S038499).

Aasa, Kent

From: Joshua <josh@magicvalleyrealtygroup.com>
Sent: Sunday, April 11, 2021 5:00 PM
To: Aasa, Kent
Subject: Re: IDWR Transfer Application

Good afternoon Kent,

Yes, I was disappointed too, but they had our residential well going at 17gpm, and it was draining faster than it could recover. I imagine that going to 45 would kill it pretty quick.

Here goes. Please change the phrase "existing well" to "New well to be drilled" in the advertisement. Hopefully no one has an issue!

Josh Baker

On 4/8/2021 9:05 AM, Aasa, Kent wrote:

Hi Josh,

I listened to your voicemail—I wish your domestic well produced enough.

Item 6 on the transfer application asks for a description of the complete diversion system. When you were in my office we discussed it and decided to write: "Existing well with pump (5 HP) w/provided straight length for meter."

If you can shoot me an email asking to change "Existing well" to "New well to be drilled" or something similar I will be able to change it for you. Or you can come in and make the change and initial it.

Respectfully,

Kent Aasa
Water Resource Agent