

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 84615

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED
DEC 31 2019

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 idwr.idaho.gov.

Name of Applicant(s) Michael and Shelley Vaughan

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 #1-10.

- ☐ ☒ #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 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). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #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 idwr.idaho.gov/water-rights/transfers/resources.html.
- ☒ ☐ #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. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #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.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #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 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☐ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Michael and Shelley VaughanPhone 208-390-3832Mailing address 26500 S Old Malad Highway, Downey, ID 83234Email mvaughan4186@aol.com

- ☐ 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.

Michael Vaughan
Signature of Applicant or Authorized Representative

Mike Vaughan
Print Name and Title if applicable

12-24-2020
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
☐ Change nature of use

☐ Add diversion point(s)
☐ Change period of use

☒ Change place of use
☐ Other _____
- Is this a transfer for changes pursuant to Idaho Code § 42-221.0.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.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.3**.
See attached narrative.

Application for Transfer

Part IA.3

Purpose of Transfer

This transfer will update the 156-acre place of use for water rights 29-348A, 29-2178 and 29-14003 to cover a wiper pivot that was recently installed.

The transfer will also move a 17-acre portion of ground water right 29-13812 into the 156-acre proposed place of use. The 17 acres to be transferred are currently in the Water Supply Bank. The remaining portion of water right 29-13812 is not in the Water Supply Bank and will remain at the existing place of use for right 29-13812. The 17-acre portion of water right 29-13812 to be moved will be diverted from a new ground water well to be drilled in the SESW of Section 5, T12S, R37E.

The transfer also proposes to change the point of diversion for water right 29-2325C from its current location (a shared well in the SWSE of Section 5) to the new well to be drilled in the SESW of Section 5. The place of use for water right 29-2325C will not change.

The transfer also proposes to move water right 29-348B into the 156-acre proposed place of use. In 2012, water right 29-348B was moved from its original location (where it was combined with Marsh Creek water rights) and was combined with other water rights from Cherry Creek. Water right 29-348B was not used to irrigate any more acres, but was used to provide a more-reliable water supply. We now propose to stack water right 29-348B with different water rights from Cherry Creek to provide a more-reliable water supply for that system. No additional acres will be irrigated. The transfer will shift the Cherry Creek water rights to be consistent with a recent diversion agreement signed by all of the water users on Cherry Creek. The underlying water rights at the existing and proposed place of use for water right 29-348B have identical priority dates.

All of the water rights are delivered for irrigation through a common irrigation system. The proposed well will be tied into the mainline delivering water from Cherry Creek and Aspen Creek.

STATE OF IDAHO
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APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	29-348A	1.00 cfs	Irrigation	4/1 to 10/31	Cherry Creek
☒ ☐	29-2178	0.67 cfs	Irrigation	4/1 to 10/31	Aspen Creek
☐ ☐		0.02 cfs	Stockwater	1/1 to 12/31	Aspen Creek
☒ ☐	29-14003	1.00 cfs	Irrigation	4/1 to 10/31	Cherry Creek
☒ ☐	29-348B	0.68 cfs	Irrigation	4/1 to 10/31	Cherry Creek
☒ ☐	29-2325C	0.52 / 91.0	Irrigation	4/1 to 10/31	Ground Water
☐ ☒	29-13812	0.24 / 59.5	Irrigation	4/1 to 11/1	Ground Water
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 3.11 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 1.61 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion: 2.19

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
		NW	SW	NE	29	12S	37E	Bannock	Cherry Creek	Lower Cherry Cr. Div.
			SE	SW	5	12S	37E	Bannock	Ground Water	New Well
								No changes for	Water Right 29-14003	
								No changes for	Aspen Creek PODs	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	37E	5												2.0			0.5		2.5
		8		1.0			31			20	17			18					87
		17					1.5	27	38										66.5
Total Acres (for irrigation use)																			156

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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:

No water district for ground water rights. Cherry Creek rights are actively measured and regulated by the watermaster for Water District 29G. Aspen Creek right is within Water District 29H.

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

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

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: Water right 29-348B has a security interest held by Idaho Ag Credit FLCA. We will provide a letter from Idaho Ag Credit FLCA consenting to the proposed change for water right 29-348B.

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. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

Cherry Creek right 29-348B and ground water rights 29-2325C and 29-13812 will be added to the 156-acre irrigation place of use for water rights 29-348A, 29-2178 and 29-14003. All of the rights will be used to irrigate 156 acres. All other acres will remain dry. Place of use for right 29-2325C will not change.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

Rights 29-348G and 29-14002 share the existing POU with 29-348B. Rights 29-348D, 29-348E, 29-13968, 29-13969, 29-348G and 29-14002 share existing POD with 29-348B. Rights 29-348F, 29-10385, and 29-11631 diverted at proposed Cherry Creek POD. Rights 29-2366 and 29-10077 at existing POU for right 29-13812.

- g. 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:

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Proof Report

12/21/2020

Water Right 29-348A

Owner Type **Name and Address**
Current Owner MICHAEL W VAUGHAN
26500 S OLD MALAD HWY
DOWNEY, ID 83234-1708

Current Owner SHELLEY VAUGHAN
26500 S OLD MALAD HWY
DOWNEY, ID 83234-1708

Priority Date: 11/13/1888

Basis: Decreed

Status: Active

Source
CHERRY CREEK

Tributary
MARSH CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.000 CFS	
	<u>Total Diversion</u>		1.000 CFS	

Source and Point(s) of Diversion

CHERRY CREEK NWSWNE Sec. 29, Twp 12S, Rge 37E, BANNOCK County

Place Of Use

IRRIGATION within BANNOCK 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	
12S	37E	5												6.0					6.0
12S	37E	8		1.0			25.0			21.0	20.0			10.0					77.0
12S	37E	17						35.0	38.0										73.0

Right Acre Limit: 40.0

POU Total Acres: 156.0

Conditions of Approval:

1. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE 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.
3. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 80 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-00348A, 29-02178
4. During times of scarcity, the right holder shall not divert more than 1/12th of the total stream flow of Cherry Creek under this right at the point(s) of diversion described on the right.

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12/21/2020

Water Right 29-2178

Owner Type **Name and Address**
Current Owner SHELLEY VAUGHAN
 26500 S OLD MALAD HWY
 DOWNEY, ID 83234-1708

Current Owner MICHAEL W VAUGHAN
 26500 S OLD MALAD HWY
 DOWNEY, ID 83234-1708

Priority Date: 4/13/1914

Basis: Decreed

Status: Active

Source
ASPEN CREEK
SPRING

Tributary
MARSH CREEK
MARSH CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.670 CFS	
STOCKWATER	01/01	12/31	0.020 CFS	
	<u>Total Diversion</u>		0.670 CFS	

Source and Point(s) of Diversion

ASPEN CREEK	NESESW	Sec. 8, Twp 12S, Rge 37E,	BANNOCK County
ASPEN CREEK	SESESW	Sec. 8, Twp 12S, Rge 37E,	BANNOCK County
SPRING	NENW	Sec. 8, Twp 12S, Rge 37E,	BANNOCK County

Place Of Use

IRRIGATION within BANNOCK 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	
12S	37E	5												6.0					6.0
12S	37E	8		1.0			25.0			21.0	20.0			10.0					77.0

Right Acre Limit: 40.0

POU Total Acres: 83.0

STOCKWATER Same as IRRIGATION

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. E56 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 80 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-00348A, 29-02178

IDAHO DEPARTMENT OF WATER RESOURCES
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3. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
5. STOCKWATER, 30 CATTLE
6. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
7. C24 THE OPERATION AND ADMINISTRATION OF THIS WATER RIGHT IS ALSO SUBJECT TO THE TERMS AND CONDITIONS OF THE FOLLOWING CONTRACTUAL AGREEMENT: WATER RIGHTS SETTLEMENT AGREEMENT ENTERED INTO ON JANUARY 26, 2005, BETWEEN KENT JENSEN, ATTORNEY-IN-FACT, ON BEHALF OF IVA LOU JENSEN, LAUNA MAYNARD (A.K.A. LONNA MAYNARD), ATTORNEY-IN-FACT ON BEHALF OF HELEN JENSEN, GERALDINE B MCNEE, DONNA RAE VAUGHAN DAVID B HARTVIGSEN, ATTORNEY-IN-FACT ON BEHALF OF THE REED & DORIS HARTVIGSEN FAMILY TRUST, AND DAVID B HARTVIGSEN, ATTORNEY-IN-FACT ON BEHALF OF RICHARD N HARTVIGSEN FILED OF RECORD IN THE OFFICE OF THE BANNOCK COUNTY RECORDER ON JANUARY 31, 2005, AS INSTRUMENT NO. 861; THE PROVISION OF SUCH AGREEMENT TO APPLY FULLY TO THIS WATER RIGHT NOTWITHSTANDING THE FACT THAT THE WATER RIGHT ELEMENTS IN THE AGREEMENT MAY DIFFER FROM THOSE SPECIFIED HEREIN.

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12/21/2020

Water Right 29-14003

Owner Type **Name and Address**
 Current Owner MICHAEL W VAUGHAN
 26500 S OLD MALAD HWY
 DOWNEY, ID 83234-1708

Current Owner SHELLEY VAUGHAN
 26500 S OLD MALAD HWY
 DOWNEY, ID 83234-1708

Priority Date: 7/15/1987

Basis: Decreed

Status: Active

Source
 CHERRY CREEK

Tributary
 MARSH CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.000 CFS	
	<u>Total Diversion</u>		1.000 CFS	

Source and Point(s) of Diversion

CHERRY CREEK	SWNE	Sec. 29, Twp 12S, Rge 37E, BANNOCK County
CHERRY CREEK	SESW	Sec. 8, Twp 12S, Rge 37E, BANNOCK County(I)
CHERRY CREEK	SESW	Sec. 8, Twp 12S, Rge 37E, BANNOCK County(R)

Place Of Use

IRRIGATION within BANNOCK 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	
12S	37E	5												6.0					6.0
12S	37E	8		1.0			25.0			21.0	20.0			10.0					77.0
12S	37E	17						35.0	38.0										73.0

Right Acre Limit: 76.0

POU Total Acres: 156.0

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. K09 This right is for an enlargement of 76 acres within the place of use described for this right.
3. K02 This right is based upon an enlargement of Right No. 29-348A pursuant to Section 42-1426, Idaho Code.
4. C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho

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5. E51 Code, the earlier priority right is the superior right.
Right Nos. 29-348A and 29-14003 are limited to a total combined diversion rate of 1.00 cfs.
6. E56 The rights listed below are limited to the irrigation of a combined total of 156 acres in a single irrigation season. Combined Right Nos.: 29-348A, 29-2178, and 29-14003.
7. G01 Point of injection into and point of rediversion from Aspen Creek.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/21/2020

Water Right 29-348B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SHELLEY VAUGHAN 26500 S OLD MALAD HWY DOWNEY, ID 83234-1708
Current Owner	MICHAEL W VAUGHAN 26500 S OLD MALAD HWY DOWNEY, ID 83234-1708
Current Owner	IDAHO AG CREDIT FLCA PO BOX 985 BLACKFOOT, ID 83221-0985

Priority Date: 11/13/1888

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
CHERRY CREEK	MARSH CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.680 CFS	
	<u>Total Diversion</u>		0.680 CFS	

Source and Point(s) of Diversion

CHERRY CREEK	NWSWNE	Sec. 29, Twp 12S, Rge 37E,	BANNOCK County
CHERRY CREEK	SEWNNE	Sec. 32, Twp 12S, Rge 37E,	BANNOCK County

Place Of Use

IRRIGATION within BANNOCK County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	37E	18														37.0	39.0	38.0	114.0

Right Acre Limit: 34.0

POU Total Acres: 114.0

Conditions of Approval:

1. X27 This right is limited to the irrigation of 34 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 29-348B and 29-348G when combined shall not exceed a total diversion rate of 2.28 cfs and the irrigation of 114 acres.
3. X35 Rights 29-348B, 29-348G, and 29-14002 when combined shall not exceed the irrigation of 145 acres.
4. To resolve protests filed against Transfer 76877 and to prevent injury to other water rights, 0.20 cfs of this right shall be left in the lower Cherry Creek diversion located in NWSWNE Sec. 29, T12S, R37E. The remaining 0.48 cfs authorized under this right may be diverted through the upper Cherry Creek diversion located in SENWNE Sec.

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- 32, T12S, R37E.
5. During times of scarcity, the right holder shall not divert more than 1/12th of the total stream flow of Cherry Creek under this right at the point(s) of diversion described on the right.
 6. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
 7. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
 8. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
 9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 10. 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 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.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/21/2020

Water Right 29-2325C

Owner Type **Name and Address**
Current Owner SHELLEY VAUGHAN
26500 S OLD MALAD HWY
DOWNEY, ID 83234-1708

Current Owner MICHAEL W VAUGHAN
26500 S OLD MALAD HWY
DOWNEY, ID 83234-1708

Priority Date: 12/2/1952

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	0.520 CFS	91.0 AF
	<u>Total Diversion</u>		0.520 CFS	91.0 AF

Source and Point(s) of Diversion

GROUND WATER SWSE Sec. 5, Twp 12S, Rge 37E, BANNOCK County

Place Of Use

IRRIGATION within BANNOCK 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	
12S	37E	5									5.0			8.0		9.0	4.0		26.0

Right Acre Limit: 24.0

POU Total Acres: 26.0

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. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/21/2020

Water Right 29-13812

Owner Type **Name and Address**
Current Owner MICHAEL W VAUGHAN
26500 S OLD MALAD HWY
DOWNEY, ID 83234-1708

Current Owner SHELLEY VAUGHAN
26500 S OLD MALAD HWY
DOWNEY, ID 83234-1708

Priority Date: 9/14/1962

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	11/01	2.760 CFS	680.1 AF
	<u>Total Diversion</u>		2.760 CFS	680.1 AF

Source and Point(s) of Diversion

GROUND WATER	SENW	Sec. 7, Twp 11S, Rge 37E,	BANNOCK County
GROUND WATER	SESW	Sec. 7, Twp 11S, Rge 37E,	BANNOCK County
GROUND WATER	SESESW	Sec. 7, Twp 11S, Rge 37E,	BANNOCK County

Place Of Use

IRRIGATION within BANNOCK County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	37E	7					39.0			39.0	39.0			39.0					156.0
11S	37E	18		10.0			39.0			40.0	38.0			38.3					165.3

Right Acre Limit: 194.3

POU Total Acres: 321.3

Conditions of Approval:

1. 186 Diversion of water from the additional well(s) authorized under Transfer 79156 located in SESESW, Sec. 7, T11S, R37E shall not exceed a total combined maximum diversion rate of 2.90 cfs
2. X27 This right is limited to the irrigation of 194.3 acres within the authorized place of use described above in a single irrigation season.
3. X35 Rights 29-2366, 29-13812 and 29-10077 when combined shall not exceed a total diversion rate of 5.16 cfs, a total annual maximum diversion volume of 1124.6 af at the field headgate, and the irrigation of 321.3 acres.
4. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/21/2020

5. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. K01 Right No. 29-10077 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
8. F06 The following rights are diverted through point(s) of diversion described above:
29-2366, 29-13812, 29-10077
9. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
10. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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 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.

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.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

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**.

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 _____ pages and _____ attachments.

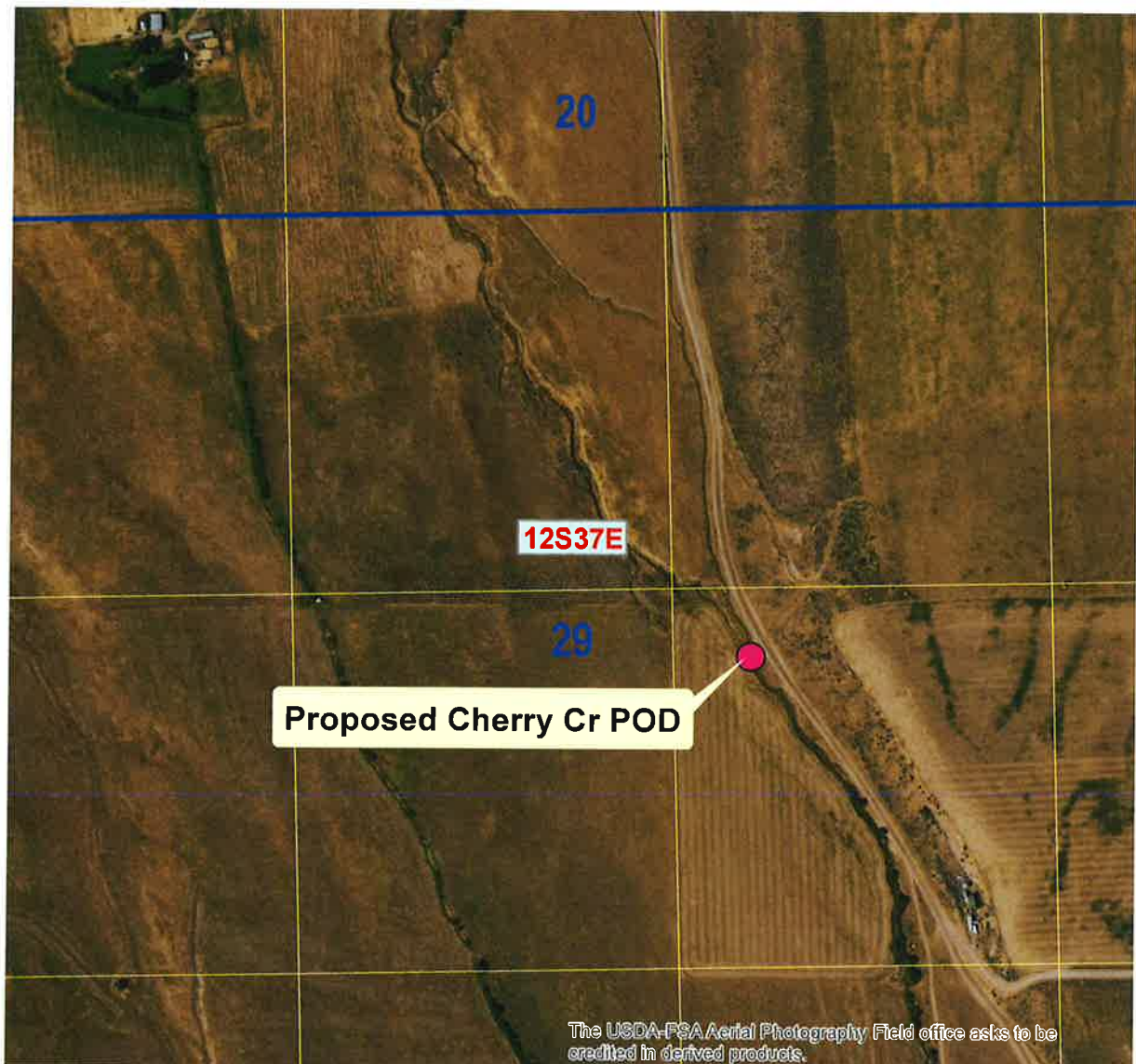
Received by M. Pettis Date 12-31-20 Preliminary check by _____ Date _____

Fee paid 580.00 Date 12-31-20 Received by M. Pettis Receipt # E046541

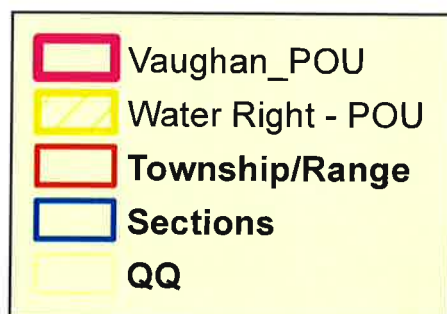
Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

Application for Transfer Michael and Shelley Vaughan



2019 Satellite Imagery



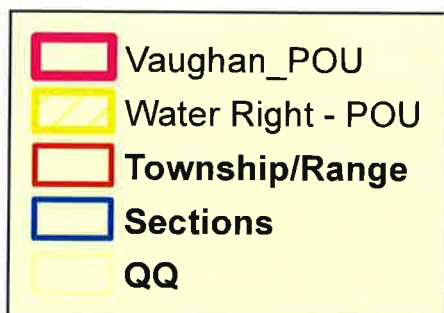
0 500 1,000 Feet



Application for Transfer Michael and Shelley Vaughan



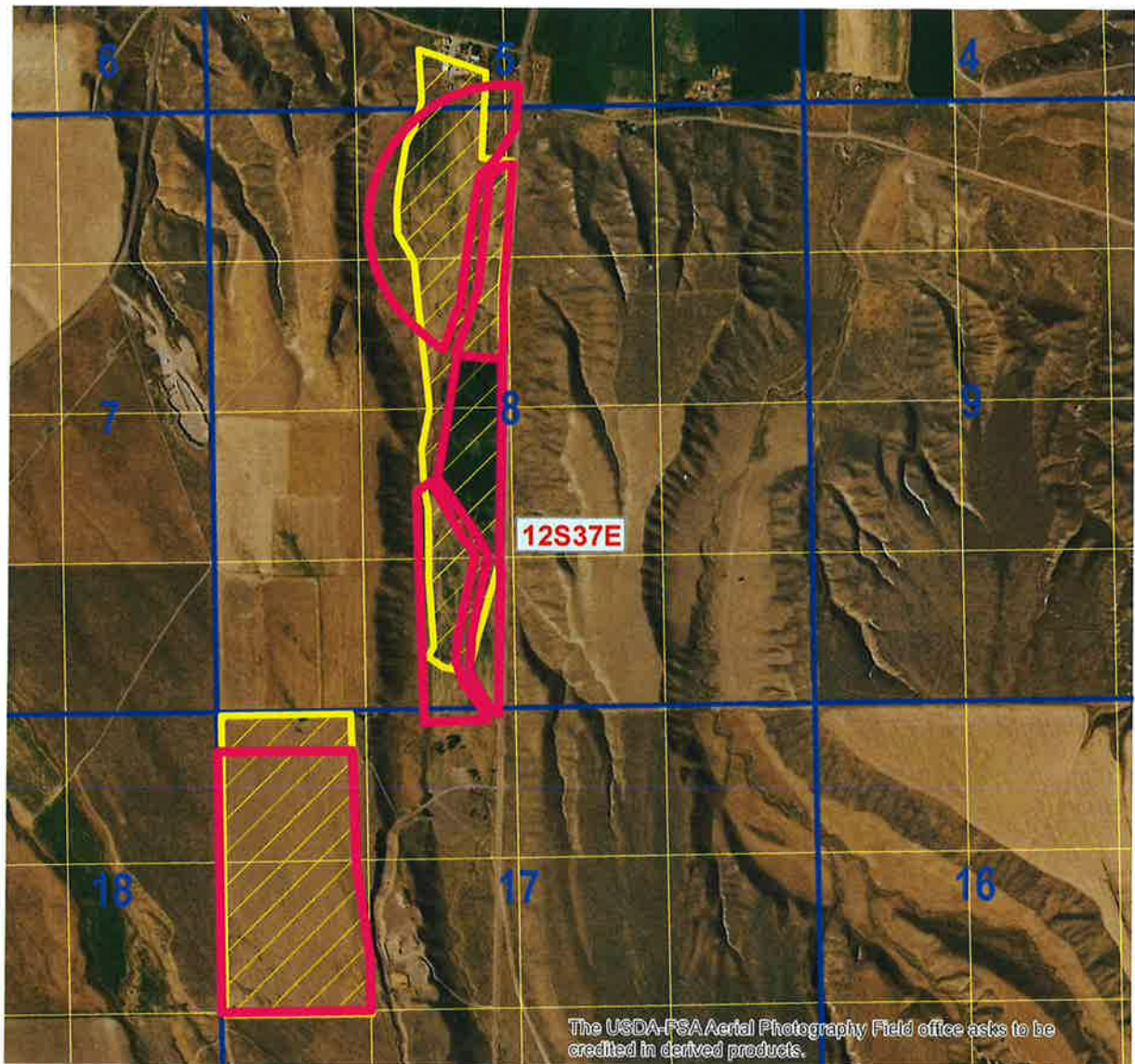
2019 Satellite Imagery



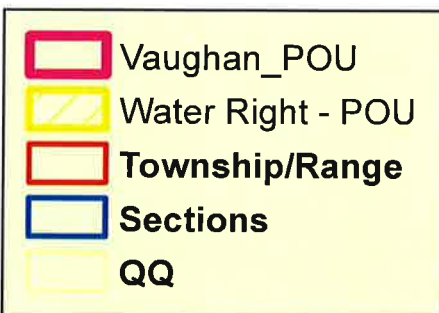
0 250 500 Feet



Application for Transfer Michael and Shelley Vaughan



2019 Satellite Imagery



0 2,000 4,000 Feet



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1035

This Lease Contract ("**Lease**") is between the Idaho Water Resource Board ("**Board**"), and

LESSOR: MICHAEL W VAUGHAN
26500 S OLD MALAD HWY
DOWNEY, ID 83234-0266

RECEIVED

JAN 27 2020

DEPARTMENT OF
WATER RESOURCES

RECITALS

1. The Board is authorized under chapter 17, title 42, Idaho Code to operate a water supply bank and to contract with lessors to act as an intermediary in facilitating the rental of water.
2. The Lessor has filed a completed application to lease water rights described below into the Water Supply Bank on forms supplied by the Idaho Department of Water Resources and received by the Department on September 03, 2019.
3. The Director of the Idaho Department of Water Resources has reviewed the application for compliance with the Water Supply Bank rules and has approved the Lease subject to conditions listed below.

NOW, THEREFORE, in consideration of the mutual covenants and contracts herein contained, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. **WATER RIGHTS:** The Lessor shall lease and the Board shall accept into the Bank the Applicant's water rights described as follows:

Summary of Water Rights or Portions Leased to the Bank

Water Right No.	Priority Date	Source	Diversion Rate (CFS)	Diversion Volume (AF)	Acres (AC)
29-13812	9/14/1962	GROUND WATER	0.24	59.5	17.0
Combined Lease Totals			0.24	59.5	17.0

2. **COMPENSATION:** The Lessor shall accept and the Board shall pay compensation determined by the amount of water rented under the following rental rate during such times as the water is rented from the Bank over the term of this Lease.

Minimum Payment Acceptable: Current Rental Rate

3. **TERM OF LEASE:** The term of this lease shall be January 1, 2020 to December 31, 2024. This Lease shall bind the parties and take effect when both parties have signed it.
4. **WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE:** The Lessor shall abide by all terms and conditions contained in the Water Supply Bank Conditions of Acceptance, attached hereto as "Attachment A" and incorporated herein by this reference.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1035

5. **CHANGE OF WATER RIGHT:** This lease specifies water right elements including but not limited to: diversion rates; diversion volumes; number of acres authorized to be irrigated; places of use; points of diversion; beneficial uses; and seasons of use. During the term of this lease, if a water right is administratively changed due to a water right split and renumbering, this lease may be reduced by an equal amount to reflect the water right elements as legally defined under the water right. If a lease contract cannot be reduced sufficient to reflect the legal definition of a water right as amended through a water right split and/or water right transfer, the Board may release the water right from the Water Supply Bank.
6. **ASSIGNMENT OF CONTRACT:** This lease is between the Board and the Lessor, who is the recognized owner or designated representative of the recognized owners of water rights described herein. Should ownership of any part of a water right herein described change during the term of this lease, either through a water right split, a water right transfer, sale of property to which the water right is appurtenant, or through any other recognized water right reassignment, the lease benefits and obligations to the conditions of acceptance for any such water rights will be assigned to the new owners.
7. **DUPLICATE ORIGINAL:** This Lease is executed in duplicate. Each of the documents with an original signature of each party shall be an original.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1035

IN WITNESS WHEREOF, the parties have executed this Contract on the date following their respective signatures.

LESSOR: MICHAEL W VAUGHAN
26500 S OLD MALAD HWY
DOWNEY, ID 83234-0266

By Michael Vaughan
Title Owner
Date 1-23-2020

IDAHO WATER RESOURCE BOARD
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

By Brian Patton
Brian Patton, Acting Administrator
Idaho Water Resource Board

Date 02/21/20

Lease approved by IDWR

[Signature]

Date 02/21/20

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1035

ATTACHMENT A WATER SUPPLY BANK CONDITIONS OF ACCEPTANCE

The water rights or portions thereof leased to the bank are described as follows:

Source and Location of Point(s) of Diversion for Water Right No(s): 29-13812

GROUND WATER	SENW	Sec. 7	Twp 11S	Rge 37E	BANNOCK County
GROUND WATER	SESESW	Sec. 7	Twp 11S	Rge 37E	BANNOCK County
GROUND WATER	SESW	Sec. 7	Twp 11S	Rge 37E	BANNOCK County

Water Right	Beneficial Use	Season of Use			Diversion Rate (CFS)	Volume (AF)
		From		To		
29-13812	IRRIGATION	04/01	to	11/01	0.24 cfs	59.5 AF
Totals:					0.24 cfs	59.5 AF

PLACES OF USE TO BE IDLED UNDER THIS LEASE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	37E	7					3.0				3.0			3.0					9.0
11S	37E	18									3.5			4.5					8.0

Total Acres: 17.0

ADDITIONAL CONDITIONS OF ACCEPTANCE

- The water rights referenced above will be rented from the bank at the current rental rate.
- There is no rental payment to the lessor of the water right if the right or a part thereof is not rented from the bank.
- While a right is in the bank, the lessor may not use the right without approval of the Department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B.
- A right accepted into the bank stays in the bank until the Board releases it, or the lease term expires. A right may be released from the bank upon request, provided the Board approves the release. Unless approved by the Department, leased rights may not be immediately available for release.
- While a water right is in the bank, forfeiture provisions are stayed pursuant to Idaho Code § 42-223(5).
- Rental of water under this right is subject to the limitations and conditions of approval of the water right.
- Failure of the right holder to comply with the conditions of acceptance is cause for the Director to rescind acceptance of the lease.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK LEASE CONTRACT No. 1035

8. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other Department application process.
9. In accordance with Idaho Code § 42-248 and § 42-1409(6), all owners of water rights are required to notify the Department of any changes in mailing address or change in ownership of all or part of a water right. Notice must be provided within 120 days of the change.
10. If a water right leased into the Water Supply Bank is sold or conveyed during the lease term, and if the leased right was rented, the rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
 - a. Rental payments will go to the lessor(s) of record at the beginning of the rental season, even if the Department processes a Notice of Change in Water Right Ownership during the rental season.
 - b. New lessor(s) of record will receive payment for any subsequent rental seasons.
11. The water right(s) is leased to the bank subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.
12. The unleased portion of this right is limited to 2.52 cfs for 177 acres.
13. The unleased portion of this right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
14. Rights 29-2366, 29-10077, and the unleased portion of 29-13812 when combined shall not exceed a total diversion rate of 4.92 cfs.
15. Use of water under this right may 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. 29H.
16. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
17. Pursuant to Idaho Code § 42-1412(6), 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.

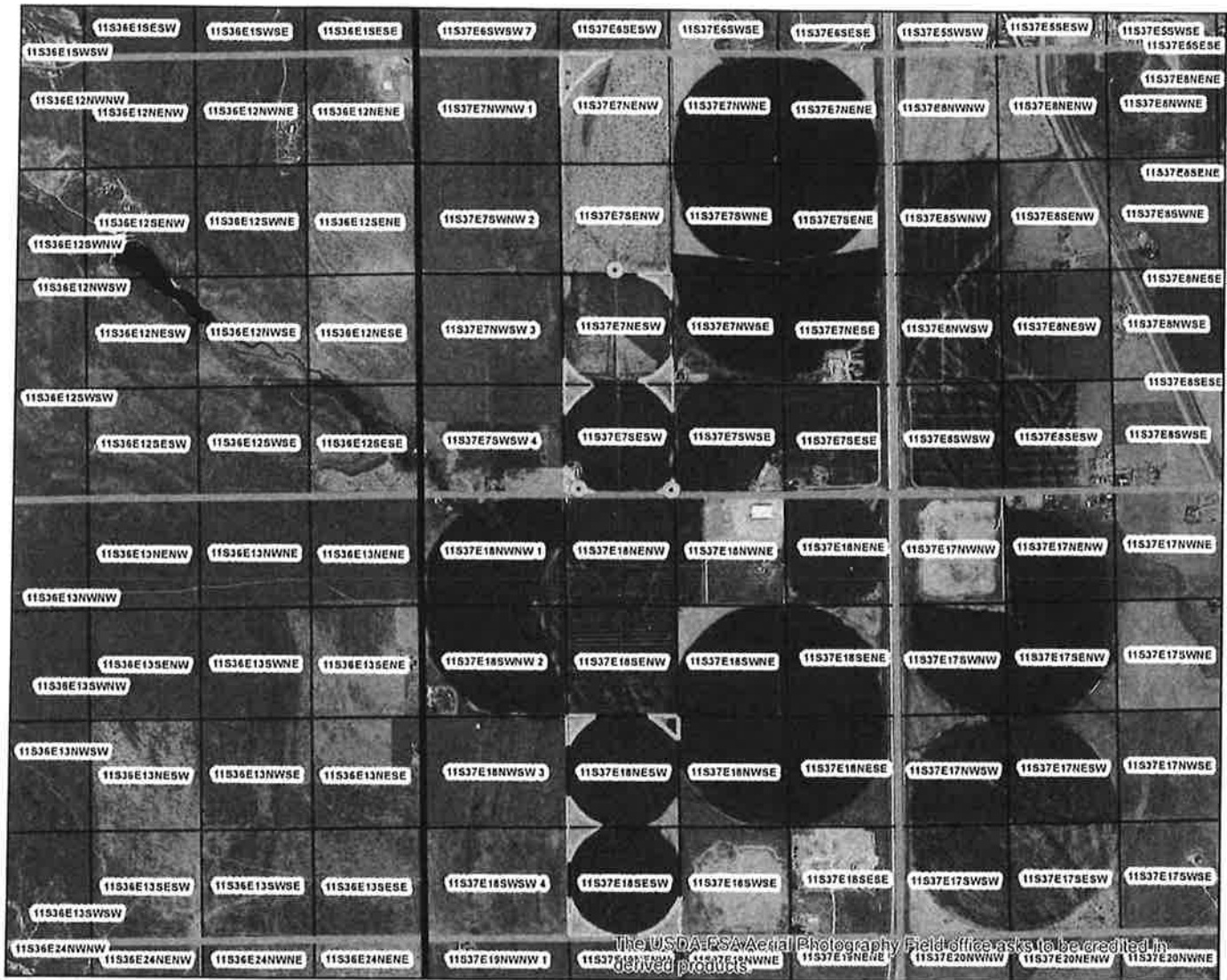
Idaho Water Resource Board

Water Supply Bank Lease Contract No. 1035

29-13812

Effective until December 31, 2024

This map depicts the **place of use to be idled** pursuant to the lease contract and is attached to the contract solely for illustrative purposes.



 Approved Lease Point of Diversion

 Approved Lease Place of Use

 Township/Range

 Sections

 QQ



0 2,000 4,000 Feet



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

January 14, 2021

MICHAEL VAUGHN
SHELLEY VAUGHN
26500 S. OLD MALAD HWY
DOWNEY, ID 83234

RE: Transfer No. 84615
Water Right No(s). 29-13812, 29-14003, 29-2178, 29-2325C, 29-348A, 29-348B

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 IDAHO STATE JOURNAL on 1/20/2021 and 1/27/2021. 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: Thursday, January 14, 2021 12:44 PM
To: 'KILODOG1@GMAIL.COM'
Subject: Application for Transfer No. 84615
Attachments: RecommendationForm Transfer27.docx

Watermaster:

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.

Please contact this office if you have any questions regarding the application.

Henman, Christina

From: Henman, Christina
Sent: Thursday, January 14, 2021 1:26 PM
To: IDAHO STATE JOURNAL (legalnotices@postregister.com)
Subject: Legal Notice for Idaho State Journal
Attachments: 84613, 84615 Idaho State Journal.docx

LEGAL NOTICE DEPARTMENT
IDAHO STATE JOURNAL
PO BOX 431
POCATELLO, ID 83204-0431

RE: Transfer No. 84613, 84615

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 2/8/2021. Your cooperation is appreciated.

Thank You,

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. 84613**

MERRILL RANCH PARTNERSHIP LLC, C/O GLEN MERRILL MGR

PO BOX 22, SWANLAKE, ID 83281 has filed Application No. 84613 for changes to the following water rights within BANNOCK County(s): Right No(s). 13-57, 13-885B, 13-886B, 13-887B, 13-889D; 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 points of diversion and change place of use. The proposed point of diversion from Stockton Creek is in SENW Sec 6 T13S R39E for 0.50 cfs. The proposed points of diversion from Cottonwood Creek are in SESE Sec 8 (Treasureton Canal) and SWNE Sec 33 (Injection), T12S R39E; and SENW Sec 6, T13S R39E (Rediversion) for 10.43 cfs. The proposed place of use is in Sec 11, 12, 13 and 14, T13S R38E, and Sec 6 and 7, T13S R39E for 610.4 acres.

TRANSFER NO. 84615

MICHAEL VAUGHN, 26500 SOUTH OLD MALAD HIGHWAY, DOWNEY, ID 83464; SHELLEY VAUGHN, 26500 S. OLD MALAD HWY, DOWNEY, ID 83234 has filed Application No. 84615 for changes to the following water rights within BANNOCK County(s): Right No(s). 29-13812, 29-14003, 29-2178, 29-2325C, 29-348A, 29-348B; 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 points of diversion and place of use. The proposed new point of diversion from Ground water is in SESW Sec 5 T12S R37E for 0.76 cfs. The proposed point of diversion from Cherry Creek is in NWSWNE Sec 29 T12S R37E for 1.68 cfs. The points of diversion for 0.67 cfs from Aspen Creek will not change. The place of use for right 29-2325C will not change. The proposed place of use for the other rights in the transfer is within Sec 5, 8, and 17, T12S R37E for 156 acres. 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 2/8/2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 1/20/2021 and 1/27/2021