

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**

RECEIVED  
OCT 05 2020  
Department of Water Resources  
REGION

## 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)** Bruce and Glenda McConnell Phone 208-768-2203  
2. **MAILING ADDRESS** 100 Cotton Lane City Leadore  
State Idaho Zip 83464 Email bar11ranch@hotmail.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) 74-361, 74-362, 74-363, 74-364, 74-365, 74-367, 74-368

- ☐ Attach a copy of the water right(s) as recorded, available at [idwr.idaho.gov](http://idwr.idaho.gov), *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 15.2 cubic feet per second and/or \_\_\_\_\_ 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](http://idwr.idaho.gov), *Water Rights, Water Right Transfers, Modeling Resources*.

[illegible]

## 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:

Historic diversion from Lee Creek to property

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

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

Historic use

- 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)?

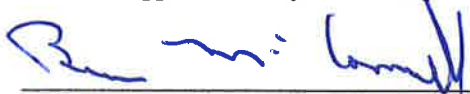
If yes, describe:

- 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](http://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.



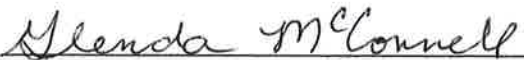
Signature of applicant or authorized agent

Bruce McConnell

Print name and title if applicable

9-23-2020

Date



Signature of applicant or authorized agent

Glenda McConnell

Print name and title if applicable

9-23-2020

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](http://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 \$1,700.00 Date 10/5/2020

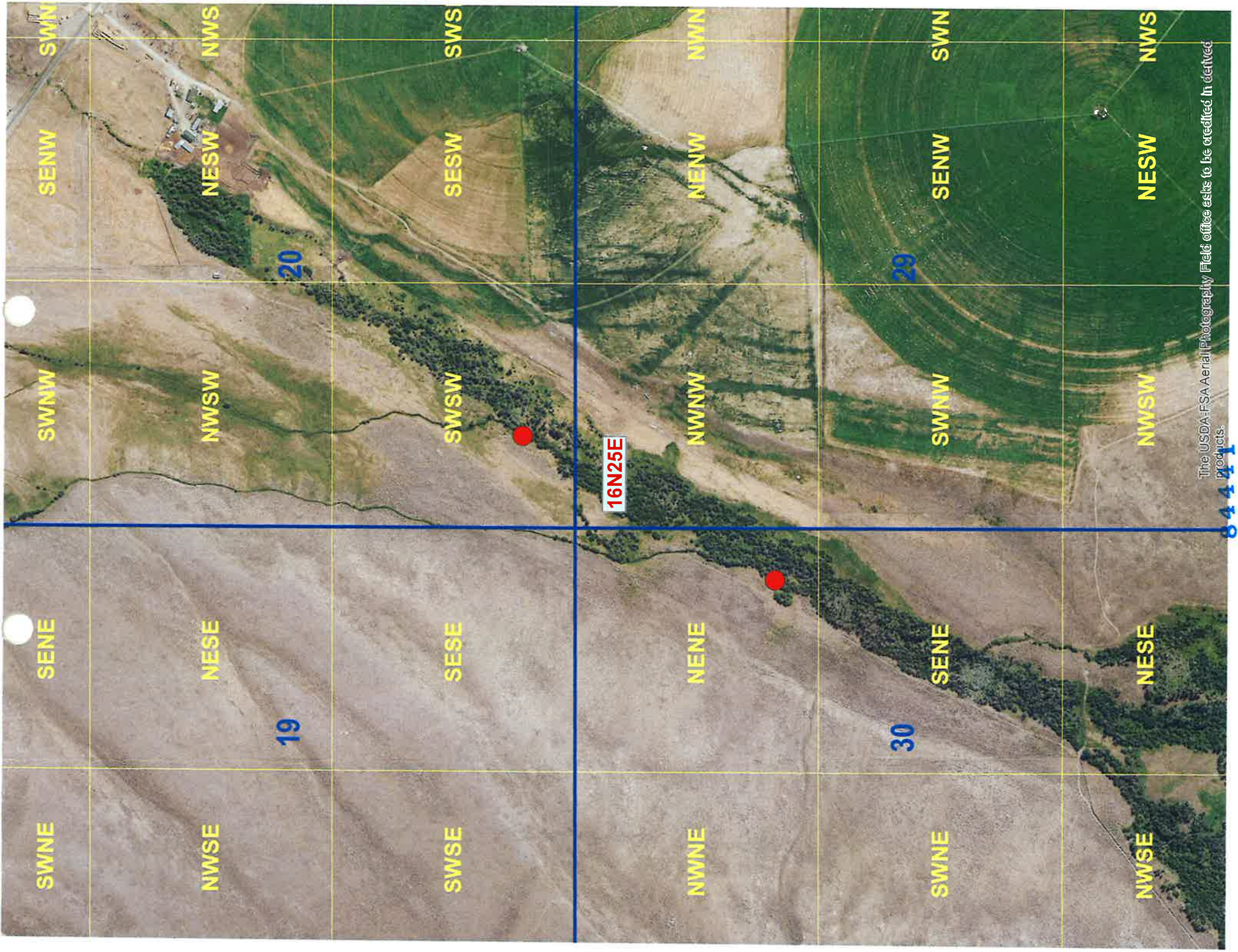
Receipted by CAH Receipt # E046336

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)







# MC HUGH BROMLEY

ATTORNEYS AT LAW, PLLC

cmchugh@mchughbromley.com  
208-287-0991

380 S. 4<sup>th</sup> St., Ste. 103  
Boise, ID 83702

9/29/2020

IDAHO DEPARTMENT OF WATER RESOURCES  
JAMES CEFALO  
900 N SKYLINE DR STE A  
IDAHO FALLS ID 83402-1718

RE: McConnell

To Whom It May Concern:

Enclosed please find an Application for Transfer submitted on behalf of Bruce and Glenda McConnell.

I appreciate your attention to this matter; please call or email me with any questions.

Very Truly Yours,



Candice M. McHugh

Enclosures

84441



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](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

October 21, 2020

BRUCE MC CONNELL  
GLENDA MC CONNELL  
100 COTTOM LN  
LEADORE, ID 83464

RE: Transfer No. 84441  
Water Right No(s). 74-361, 74-362, 74-363, 74-364, 74-365, 74-367, 74-368

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 POST REGISTER on 10/28/2020 and 11/4/2020, and in the RECORDER HERALD, TIMES NEWS, IDAHO STATESMAN, and LEWISTON TRIBUNE on 10/29/2020 and 11/5/2020. 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

CC:  
CHRIS M BROMLEY  
MC HUGH BROMLEY PLLC  
380 S 4TH ST STE 103  
BOISE, ID 83702



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](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

October 21, 2020

MERRITT UDY  
PO BOX 145  
LEADORE, ID 83464-0145

RE: Transfer No. 84441

Dear 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.

Sincerely,

Christina Henman  
Administrative Asst. I

Enclosure(s)

**Henman, Christina**

---

**From:** Henman, Christina  
**Sent:** Wednesday, October 21, 2020 2:44 PM  
**To:** POST REGISTER (legalnotices@postregister.com)  
**Subject:** Legal Notice for Post Register  
**Attachments:** 84441 Post Register.docx

LEGAL NOTICE DEPARTMENT  
POST REGISTER  
PO BOX 1800  
IDAHO FALLS, ID 83403-1800

RE: Transfer No. 84441  
Water Right No(s). 74-361, 74-362, 74-363, 74-364, 74-365, 74-367, 74-368

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 11/16/2020. 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. 84441**

BRUCE MC CONNELL and GLENDA MC CONNELL, 100 COTTOM LN, LEADORE, ID 83464 has filed Application No. 84441 for changes to the following water rights within LEMHI County(s): Right No(s). 74-361, 74-362, 74-363, 74-364, 74-365, 74-367, 74-368; 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. Proposed points of diversion are in SWSW Sec 20 T16N R25E (new) and NENE Sec 30 T16N R25E (existing) for 15.20 cfs from Lee Creek.

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 11/16/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 10/28/2020 and 11/4/2020



**Henman, Christina**

---

**From:** Henman, Christina  
**Sent:** Wednesday, October 21, 2020 2:45 PM  
**To:** LEWISTON MORNING TRIBUNE (legals@lmtribune.com)  
**Subject:** Legal Notice for Lewiston Tribune  
**Attachments:** 84441 RH, TN, IS, LT.docx

LEGAL NOTICE DEPARTMENT  
LEWISTON TRIBUNE  
505 C ST  
PO BOX 957  
LEWISTON, ID 83501

RE: Transfer No. 84441  
Water Right No(s). 74-361, 74-362, 74-363, 74-364, 74-365, 74-367, 74-368

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 11/16/2020. 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

**Henman, Christina**

---

**From:** Henman, Christina  
**Sent:** Wednesday, October 21, 2020 2:45 PM  
**To:** IDAHO STATESMAN (legals@idahostatesman.com)  
**Subject:** Legal Notice for Idaho Statesman  
**Attachments:** 84441 RH, TN, IS, LT.docx

LEGAL NOTICE DEPARTMENT  
IDAHO STATESMAN  
PO BOX 40  
BOISE, ID 83707

RE: Transfer No. 84441  
Water Right No(s). 74-361, 74-362, 74-363, 74-364, 74-365, 74-367, 74-368

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 11/16/2020. 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

**Henman, Christina**

---

**From:** Henman, Christina  
**Sent:** Wednesday, October 21, 2020 2:45 PM  
**To:** TIMES NEWS (legals@magicvalley.com)  
**Subject:** Legal Notice for Times News  
**Attachments:** 84441 RH, TN, IS, LT.docx

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

RE: Transfer No. 84441  
Water Right No(s). 74-361, 74-362, 74-363, 74-364, 74-365, 74-367, 74-368

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 11/16/2020. 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

**Henman, Christina**

---

**From:** Henman, Christina  
**Sent:** Wednesday, October 21, 2020 2:44 PM  
**To:** RECORDER HERALD (Rhlegals@custertel.net)  
**Subject:** Legal Notice for Recorder Herald  
**Attachments:** 84441 RH, TN, IS, LT.docx

LEGAL NOTICE DEPARTMENT  
RECORDER HERALD  
PO BOX 310  
SALMON, ID 83467

RE: Transfer No. 84441  
Water Right No(s). 74-361, 74-362, 74-363, 74-364, 74-365, 74-367, 74-368

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 11/16/2020. 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. 84441**

BRUCE MC CONNELL and GLENDA MC CONNELL, 100 COTTOM LN, LEADORE, ID 83464 has filed Application No. 84441 for changes to the following water rights within LEMHI County(s): Right No(s), 74-361, 74-362, 74-363, 74-364, 74-365, 74-367, 74-368; 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. Proposed points of diversion are in SWSW Sec 20 T16N R25E (new) and NENE Sec 30 T16N R25E (existing) for 15.20 cfs from Lee Creek.

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 11/16/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 10/29/2020 and 11/5/2020