

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 83851**

This is to certify that: PEGGY JO BERNT AND  
WILLIAM C BERNT  
PO BOX 425  
SALMON, ID 83467-0425

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

**Summary of Water Rights Before the Proposed Changes**

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
75-14972	WR/DECREED	6/29/1899	0.110 cfs	N/A	N/A	5.9	TOWER CREEK
75-14973	WR/DECREED	12/10/1909	0.040 cfs	N/A	N/A	5.9	TOWER CREEK

**Purpose of Transfer (Changes Proposed)**

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
75-14972	NO	YES	NO	NO	NO	NO
75-14973	NO	YES	NO	NO	NO	NO

**Summary Of Water Rights After the Approved Change**

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
75-14972	75-14972	0.110 cfs	N/A	N/A	5.9	N/A	N/A	N/A	N/A	N/A
75-14973	75-14973	0.040 cfs	N/A	N/A	5.9	N/A	N/A	N/A	N/A	N/A
<b>COMBINED TOTALS</b>		<b>0.150 cfs</b>	<b>N/A</b>	<b>5.9</b>	<b>5.9</b>		<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 19<sup>th</sup> day of OCTOBER, 2020.

  
ANGELA GRIMM, Water Rights Section Manager

**SUPPORT DATA**

**IN FILE # 75-14972**

Transfer No. 83851

**WATER RIGHT NO. 75-14972**  
**As Modified by Transfer No. 83851**

In accordance with the approval of Transfer No. 83851, Water Right No. 75-14972 is now described as follows:

**Right Holder:** WILLIAM C BERNT  
 PEGGY JO BERNT  
 PO BOX 425  
 SALMON, ID 83467-0425

**Priority Date:** 6/30/1899

**Source:** TOWER CREEK

**Tributary:** SALMON CREEK

<b><u>BENEFICIAL USE</u></b>	<b><u>From</u></b>	<b><u>To</u></b>	<b><u>Diversion Rate</u></b>
IRRIGATION	04/01	to 10/31	0.110 cfs 0.110 cfs

**LOCATION OF POINT(S) OF DIVERSION**

TOWER CREEK                      NESW                      Sec 4    Twp 23N Rge 22E    LEMHI County

**PLACE OF USE: 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	
23N	22E	4								3.5	2.4								5.9

POU Total Acres:                      5.9

**CONDITIONS OF APPROVAL**

1. Rights 75-14972 and 75-14973 when combined shall not exceed the irrigation of 5.91 acres.
2. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
3. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
4. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
5. Place of use does not include federal public lands.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No.    83851

**WATER RIGHT NO. 75-14972**  
**As Modified by Transfer No. 83851**

**CONDITIONS OF APPROVAL**

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.



**WATER RIGHT NO. 75-14973**  
**As Modified by Transfer No. 83851**

In accordance with the approval of Transfer No. 83851, Water Right No. 75-14973 is now described as follows:

**Right Holder:** WILLIAM C BERNT  
 PEGGY JO BERNT  
 PO BOX 425  
 SALMON, ID 83467-0425

**Priority Date:** 12/10/1909

**Source:** TOWER CREEK

**Tributary:** SALMON CREEK

**BENEFICIAL USE**  
 IRRIGATION

**From** 04/01 **To** 10/31

**Diversion Rate**  
 0.040 cfs  
 0.040 cfs

**LOCATION OF POINT(S) OF DIVERSION**

TOWER CREEK                      NESW                      Sec 4   Twp 23N Rge 22E   LEMHI County

**PLACE OF USE: IRRIGATION**

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
23N	22E	4								3.5	2.4								5.9

POU Total Acres:                      5.9

**CONDITIONS OF APPROVAL**

1. Rights 75-14972 and 75-14973 when combined shall not exceed the irrigation of 5.91 acres.
2. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
3. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
4. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
5. Place of use does not include federal public lands.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No.    83851

**WATER RIGHT NO. 75-14973**  
**As Modified by Transfer No. 83851**

**CONDITIONS OF APPROVAL**

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.



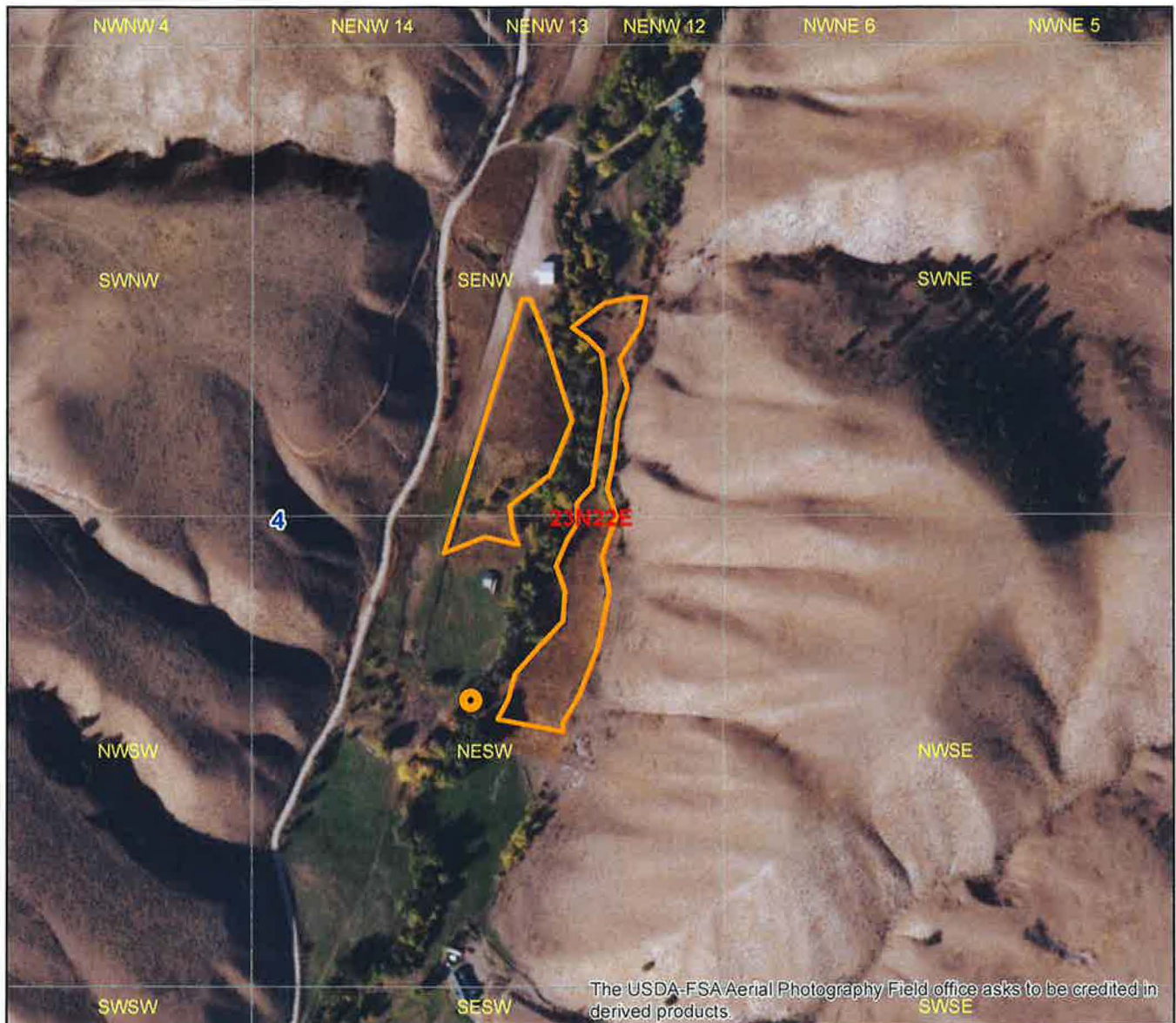


State of Idaho  
Department of Water Resources

# Attachment to Transfer No. 83851





Water Right(s): 75-14972 & 75-14973

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

0 0.05 0.1 0.2 Miles

-  Transfer Place of Use
-  Transfer Point of Diversion
-  PLS Sections
-  PLS Quarter Quarter





**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

Website: [idwr.idaho.gov](http://idwr.idaho.gov) • Email: [idwrinfo@idwr.idaho.gov](mailto:idwrinfo@idwr.idaho.gov)

BRAD LITTLE  
Governor

GARY SPACKMAN  
Director

October 20, 2020

WILLIAM C BERNT  
PEGGY JO BERNT  
PO BOX 425  
SALMON ID 83467-0425

Re: Transfer No: 83851  
Water Right No(s): 75-14972, 75-14973

**Transfer Approval Notice**

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 287-4800.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jan Hershey".Handwritten initials "for" in cursive script.

Angela M Grimm

Water Rights Section Manager

Enclosure



## **CERTIFICATE OF SERVICE**

I hereby certify that on October 20, 2020 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

**Re: Transfer No.: 83851**  
**Water Right No(s): 75-14972, 75-14973**

**WILLIAM C BERNT**  
**PO BOX 425**  
**SALMON ID 83467-0425**

**PEGGY JO BERNT**  
**PO BOX 425**  
**SALMON ID 83467-0425**

A handwritten signature in cursive script, reading "Jean Hersley", is written over a horizontal line.

**Jean Hersley**  
**Technical Records Specialist**

## **EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

### **PETITION FOR RECONSIDERATION**

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

### **EXCEPTIONS AND BRIEFS**

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

### **REQUEST FOR HEARING**

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

### **ORAL ARGUMENT**

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

### **CERTIFICATE OF SERVICE**

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

### **FINAL ORDER**

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

### **APPEAL OF FINAL ORDER TO DISTRICT COURT**

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

## Storms, Scott

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**From:** Yenter, Cindy  
**Sent:** Wednesday, October 7, 2020 1:59 PM  
**To:** Storms, Scott  
**Subject:** RE: Transfer 83851, Bernt

Bill Bernt confirms that his pump is on the west side of the creek, and he has a pipeline over the creek to the east side for the sprinklers on that side. The pump replaced 2 ditch diversions. Only one pump, west side only, and it serves both the existing and the new acres. I think you're good to go.

Did you get any feedback from the neighbors? I note that a letter was sent to other water users on Smith's ditch where the water was moved from.

**From:** Storms, Scott  
**Sent:** Tuesday, October 06, 2020 8:48 AM  
**To:** Yenter, Cindy <Cindy.Yenter@idwr.idaho.gov>  
**Subject:** RE: Transfer 83851, Bernt

Good morning Cindy,

That's a good point you make. I only included the west most POD because that is all they asked for but it certainly seems they would need both, since the POU is on both sides of the creek. I can reach out to them, but if you already have plans to visit with them or just want to get better acquainted with the system yourself, that works fine too. Just let me know.

Scott

**From:** Yenter, Cindy  
**Sent:** Wednesday, September 30, 2020 11:12 AM  
**To:** Hersley, Jean <[Jean.Hersley@idwr.idaho.gov](mailto:Jean.Hersley@idwr.idaho.gov)>; Storms, Scott <[Scott.Storms@idwr.idaho.gov](mailto:Scott.Storms@idwr.idaho.gov)>  
**Subject:** Transfer 83851, Bernt

Bernt appears to have two PODs in NESW Sec 4, one on each side of the creek. Rights 14520 and 14521 use both. This is consistent with that place of use on both sides of Tower Creek. The POD for Bernt's rights 75-14522 and 14523 is the east POD in NESW, and a lower diversion in SESW. This also appears consistent with that POU, east of the creek. Bernt requested that the transferred pod for 14972 and 14973 be situated on the west pod only in NESW, which he identified as a pump station. The POU under that split is also on both sides of Tower Creek. Does Bernt also need to add the east POD to this transfer? There may be a line from the pump that crosses the creek; I spoke with Bernt and Kord early on in this process and cannot recall if this came up. I have not conducted full inventory up Tower Creek and am not sure how many of the 3 pods Bernt actually uses.

If you would like me to check this out I am happy to. I would prefer to get this correct the first time around.

When the 2 split rights are combined with Mr. Bernt's rights 75-14520 and 75-14521 at the existing pump station, the system will be serving up to 16.9 acres at an authorized rate of up to 0.59 cfs. This system will be subject to future water district measurement requirements, but does not require a meter now. Suggest W&S conditions 01H, 196, 197, 198.

WD Flag = NWD

*Cindy Yenter  
Idaho Dept of Water Resources  
Salmon Field Office  
102 S Warpath, Salmon ID 83467  
[cindy.yenter@idwr.idaho.gov](mailto:cindy.yenter@idwr.idaho.gov)  
208-742-0655  
208-731-0901 cell*

## MEMORANDUM

**Date:** February 7, 2020  
**To:** Transfer 83851  
**From:** Scott Storms  
**Re:** Review & Evaluation of Sufficiency of Information

### **Review & Evaluation of Sufficiency of Information 2/7/2020**

Application for Transfer of water rights (WR) 75-14516 & 75-14517 was received on January 14, 2020. The application included splits of these rights, as well as changing the point of diversion (POD) on the newly split portions. The newly split portions became WRs 75-14972 & 75-14973. The split was processed prior to the processing of the POD transfer, and therefore the continuation of the transfer processing, including this review, will only pertain to the newly split child rights 75-14972 & 75-14973. Because the split was processed prior to the transfer, all information pertaining to the split is contained in the file for WR 75-14516. This information includes a breakdown of how the owners of the parent rights (the Smiths) and the new owners of the new child rights (the Bernts) came to agreement on how the rights would be split. The agreement concluded that a 27% portion of the parent rights would be split off for the Bernts. This amounted to a total of 5.9 acres of each right (and the correlating diversion rates) being split off for the Bernts. A map outlining those acres, as well as a notarized quit claim deed stating the same, were supplied with the transfer application and are located in the file for 75-14516.

The POD transfer proposes to move the POD on WRs 75-14972 & 75-14973 from the three diversions from Tower Creek originally listed on the parent rights, to the western most of the two Tower Creek diversions that are listed as PODs on WR 75-14521.

**Authority to File:** The application was submitted and signed by William and Peggy Jo Bernt. A warranty deed showing transfer of ownership of a portion of the land at the place of use (POU) to the Bernts was submitted with the application, along with a notarized quitclaim deed transferring a 27% portion of WRs 75-14516 & 75-14517 to the Bernts. William and Peggy Jo Bernt are now the owners of record of WRs 75-14972 & 75-14973. No concerns over authority to file.

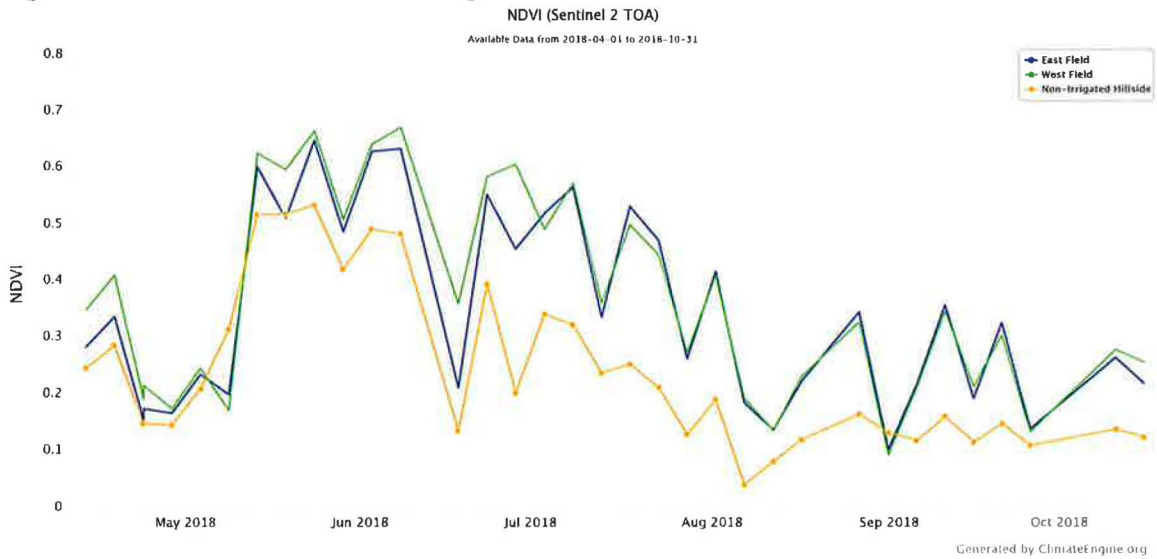
**Water Right Validity:** Review of Normalized Differential Vegetation Index (NDVI) data using the Climate Engine tool and comparing the POU of these rights to a knowingly unirrigated portion of the adjacent hillside, there are clear signs of irrigation as late as 2018. No concerns of the validity of the water rights.



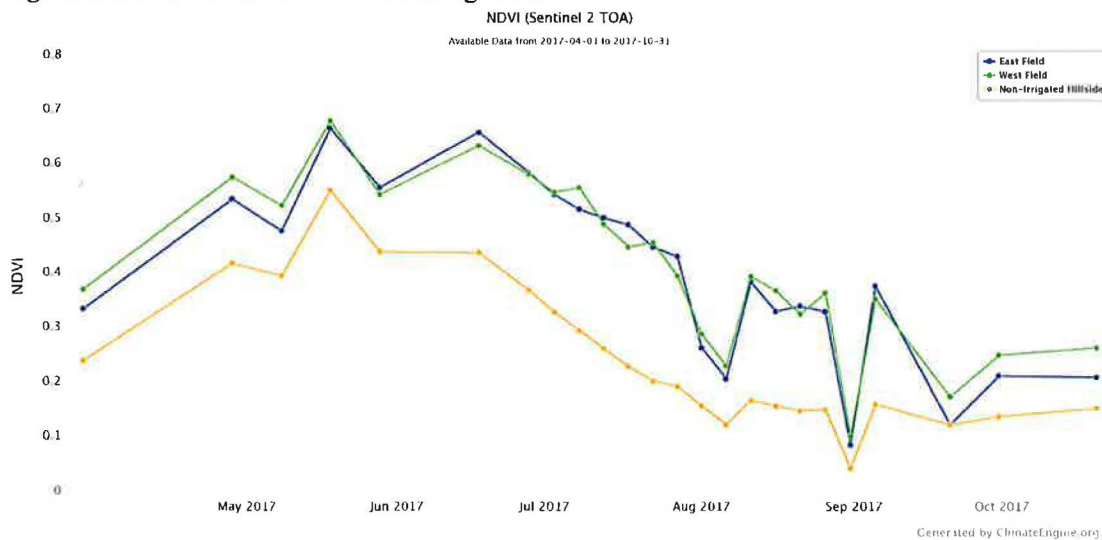
**Figure 1. NDVI Irrigation Analysis Polygons**



**Figure 2. NDVI Fluctuations 2018 Growing Season**



**Figure 3. NDVI Fluctuations 2017 Growing Season**



**Injury to Other Water Rights:** There are no surface water PODs between the original POD locations for these rights and the proposed POD. The northern-most of the original PODs has 6 other rights, including the parent rights, which are also diverted through the same POD. This appears to be a shared ditch diversion between all these rights, and the total diversion rate authorized by these rights is 0.76 cfs. This POD is the only POD for all other rights besides the transfer rights and the parent rights to the transfer rights. Because the parent rights include two other PODs, it is hard to decipher exactly how much of their original flow rate was diverted through this shared ditch system. Review of the parent rights, and their parent right, 75-14036, did not reveal any information regarding the layout of this particular ditch system, nor how much rate in relation to these rights, had historically been diverted through this ditch. Small, community ditches such as this are often subject to issues of conveyance when some of the rights on the ditch are transferred to a different POD. This transfer proposes to move a total of 0.15 cfs from the three original PODs, to a completely different POD. If the entirety of this rate was originally diverted through the shared ditch system, this would mean a loss of 20% of the total authorized diversion rate for the ditch. However, because the POU occupies fields on either side of the Tower Creek, it is extremely unlikely that both fields would have been fed by this ditch, as the diversion would have to cross Tower Creek at some point. Furthermore, these fields are located at the southern-most portion of the original parent right POUs, and were more likely supplied by the PODs located further south. Still, in order to alleviate any concerns of injury, the owners of record on all other water rights diverted through the shared ditch should be provided with notice of the transfer, in order to properly prevent injury.

**Enlargement of Use:** There are no major changes to the water right other than a change of POD. As long as the diversion rate added to transfer POD is only applied to the POU described in these rights, there are no concerns of enlargement.

**Local Public interest:** Aside from potential conveyance issues addressed above, there are no other apparent issues with local public interest.

**Beneficial Use/Conservation of Water Resources:** This proposed transfer appears to be consistent with the conservation of water resources in Idaho.

**Effect on Economy the Local Area:** No effect on local economies is anticipated

**Effect on Agricultural Base of the Local Area:** No effect on the local agricultural base is anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.



NOTICE OF PROPOSED CHANGE  
OF WATER RIGHT  
TRANSFER NO. 83851 AND 83953

TRANSFER NO. 83851

WILLIAM C BERNT and PEGGY JO BERNT, PO BOX 425, SALMON, ID 83467-0425 have filed Application No. 83851 for changes to the following water rights within LEMHI County(s): Right No(s): 75-14972, 75-14973; 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: to move the point of diversion from from three diversions on Tower Creek, one located in the SWSE of Sec. 33, T24N, R22E, and two located in the NENW of Sec. 4, T23N, R22E, to a single point of diversion further downstream located in the NESW of Sec. 4, T23N, R22E.

TRANSFER NO. 83953

MYRNA R HARRIS and O JERRY HARRIS, 100 WILLIAMS CREEK RD, SALMON, ID 83467 have filed Application No. 83953 for changes to the following water rights within LEMHI County(s): Right No(s): 75-14263; 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: to move the point of diversion from a shared ditch diversion located in Lot 2 (NWNE) of Sec. 2, T20N, R21E, to a different shared ditch diversion located 0.6 mile downstream in Lot 4 (NWNW) of Sec. 1, T20N, R21E.

For additional information concerning the property locations, contact IDWR State office at (208) 287-4800. 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, 322 E Front St, PO Box 83720, Boise ID 83720-0098 together with a protest fee of \$25.00 for each application on or before 10/5/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director 09-17-2tc

# Affidavit of Publication

STATE OF IDAHO }  
County of Lemhi } ss.

RICKY G. HODGES being first duly sworn, deposes and says he is one of the publishers (printers) of The Recorder Herald, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein. That the **NOTICE OF PROPOSED CHANGE OF WATER RIGHT - TRANSFER NO. 83851 AND 83953**, a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for **TWO (2)** consecutive issue(s), commencing with the issue dated **09-17-2020** and ending with the issue dated **09-24-2020**.

STATE OF IDAHO }  
County of Lemhi } ss.

On this **24th day of September** in this year of 2020 before me, A Notary Public, personally appeared RICKY G. HODGES, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Residing At Salmon, Idaho

Notary Public for Idaho

Publication Fee \$126.00



RECEIVED

SEP 28 2020

DEPARTMENT OF  
WATER RESOURCES

RECEIVED

SEP 28 2020

FISCAL

JK

9/30/2020