

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:

5 Horse pump in river to hand lines. Electrical pannel is lockable

- b. Who owns the property at the point(s) of diversion? Clair A and Sari Ann Stucki

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

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. You may create a map at idwr.idaho.gov, Water Rights, Water Right Transfers, File a Transfer Application, Step 2C.

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

Clair A Stucki
Signature of applicant or authorized agent

Clair A Stucki
Print name and title if applicable

9-24-2020
Date

Sari Ann Stucki
Signature of applicant or authorized agent

Sari Ann Stucki
Print name and title if applicable

9/24/20
Date

9. **FEE** – ☐ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by _____ Date _____

Fee paid 200.00 Date 9-24-20 Receipted by M. Pettis Receipt # E046309

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)

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/8/2020

Water Right 29-13211

Owner Type **Name and Address**
Current Owner CLAIR A STUCKI
6998 W PORTNEUF RD
POCATELLO, ID 83204
(208) 234-4469

Current Owner SARI A STUCKI
6998 W PORTNEUF RD
POCATELLO, ID 83204
(208) 234-4469

Priority Date: 6/19/1902

Basis: Decreed

Status: Active

Source
PORTNEUF RIVER

Tributary
SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.080 CFS	
	<u>Total Diversion</u>		0.080 CFS	

Source and Point(s) of Diversion

PORTNEUF RIVER SENWSW Sec. 22, Twp 07S, Rge 35E, BANNOCK County

Place Of Use

IRRIGATION within BANNOCK County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S	35E	21													3.5				3.5

POU Total Acres: 3.5

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.

Combined Use Limits

N/A

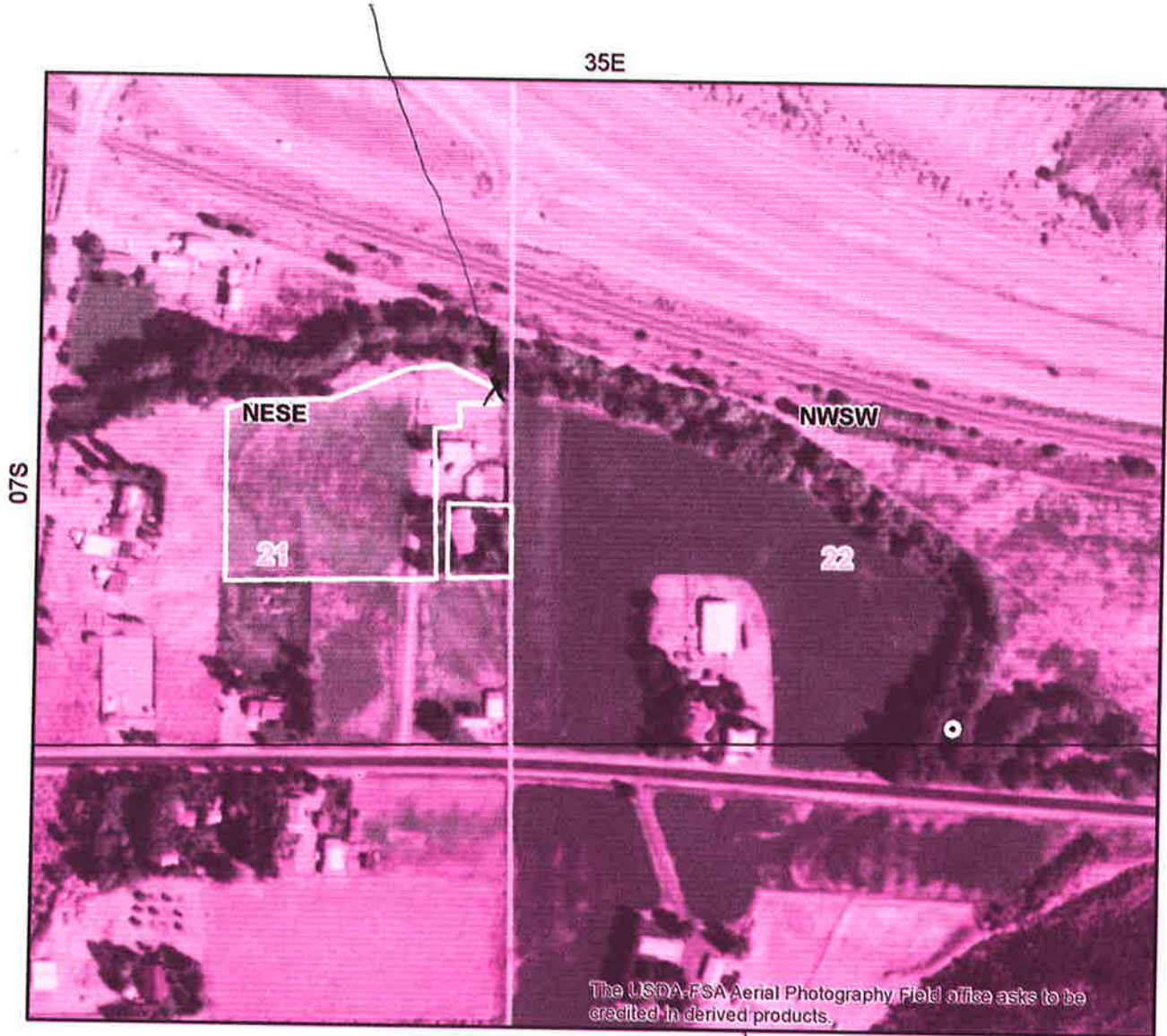
SubCase:

N/A

Water Supply Bank:

State of Idaho
Department of Water Resources
Water Right License
29-13211

purposed water diversion point September 08, 2020



⊙ Point of Diversion (*Current point of Diversion*)

Place Of Use Boundary

- Townships
- PLS Sections
- Quarter Quarters

0 0.0375 0.075 0.15 Miles



84410



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

September 30, 2020

CLAIR A STUCKI
SARI A STUCKI
6998 W PORTNEUF RD
POCATELLO, ID 83204

RE: Transfer No. 84410
Water Right No(s). 29-13211

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 10/7/2020 and 10/14/2020. 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

Henman, Christina

From: Henman, Christina
Sent: Wednesday, September 30, 2020 3:00 PM
To: IDAHO STATE JOURNAL (legalnotices@postregister.com)
Subject: Legal Notices for Idaho State Journal
Attachments: 84409, 84410 Idaho State Journal.docx

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

RE: Transfer No. 84409, 84410
Water Right No(s). 29-11420, 29-13211

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 10/26/2020. 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. 84409**

CURTIS BROOKS POPE, 536 TERRACE DR, BURLEY, ID 83318-5421; ANNETTE POPE, 536 TERRACE DR, BURLEY, ID 83318 has filed Application No. 84409 for changes to the following water rights within BANNOCK County(s): Right No(s). 29-11420; 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 point of diversion, add point of diversion, and change place of use. The proposed point of diversion for a pipeline is in Lot 1 (NENE) Sec 4 T11S R37E. The proposed points of diversion for instream use are between SENW (point of beginning) and NWSW (point of ending), Sec 4 T11S R37E for 0.02 cfs from an Unnamed Stream and Yago Creek. The proposed place of use is in SWNW, SENW, and NWSW, Sec 4 T11S R37E for stockwater.

TRANSFER NO. 84410

CLAIR A STUCKI and SARI A STUCKI, 6998 W PORTNEUF RD, POCATELLO, ID 83204 has filed Application No. 84410 for changes to the following water rights within BANNOCK County(s): Right No(s). 29-13211; 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 point of diversion. The proposed point of diversion is in NESE Sec 21 T07S R35E for 0.08 cfs from Portneuf River.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 10/26/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 10/7/2020 and 10/14/2020

Henman, Christina

From: Henman, Christina
Sent: Wednesday, September 30, 2020 2:47 PM
To: 'halarm@gmail.com'
Subject: Application for Transfer No. 84410
Attachments: RecommendationForm Transfer40.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.