

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. 83363

83363

RECEIVED

JUN 17 2019

Department of Water Resources  
Eastern Region

**MINIMUM REQUIREMENTS CHECKLIST**  
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

Name of Applicant(s) Taylor Canal Company, Inc.

**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](http://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) Taylor Canal Company, Inc. Phone \_\_\_\_\_  
Mailing address P.O. Box 3, Geneva, Idaho 83238 Email \_\_\_\_\_

- ☐ 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**.


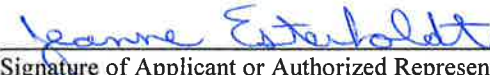
Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Randall C. Budge, Attorney Phone 208-232-6101  
Mailing address P.O. Box 1391, Pocatello, Idaho 83204-1391 Email randy@racineolson.com

- ☐ 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.

<u></u> Signature of Applicant or Authorized Representative	<u>Erick W. Esterholdt, President</u> Print Name and Title if applicable	<u>6-4-19</u> Date
<u></u> Signature of Applicant or Authorized Representative	<u>Jeanne Esterholdt, Secretary</u> Print Name and Title if applicable	<u>6-4-19</u> Date

### A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use  
☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_
2. 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**.
3. 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 ATTACHMENT - PART 1A.3.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## 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.	<u>Right Number</u>	<u>Amount</u> (cfs/ac-ft)	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source &amp; Tributary</u>
All or Part		See Attachment	25.98	Irrigation	4/15 to 10/31	Thomas Fork
<input type="checkbox"/> <input type="checkbox"/>		Part 1 B			to	
<input type="checkbox"/> <input type="checkbox"/>					to	
<input type="checkbox"/> <input type="checkbox"/>					to	
<input type="checkbox"/> <input type="checkbox"/>					to	
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<input type="checkbox"/> <input type="checkbox"/>					to	
<input type="checkbox"/> <input type="checkbox"/>					to	

Total authorized under rights 25.98 cfs and/or \_\_\_\_\_ acre-feet.

2. Total amount of water proposed to be transferred or changed 25.98 cubic feet per second and/or \_\_\_\_\_ acre-feet per year.

3. Point(s) of Diversion:

- ☒ 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 #

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	46E	Map																	
13S	46E	Map																	
14S	46E	Map																	
Total Acres (for irrigation use)																			1300

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:

Concrete diversion structure with boards to form dam in Thomas Fork Creek diverting into headgate of Taylor Canal. A weir measuring device exists and is used in the ditch approximately 100' downstream from the point diversion.

- b. Who owns the property at the point(s) of diversion? Shareholder Garth Boehme

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: \_\_\_\_\_

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:  
No effect on the land now irrigated.

- 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:  
None

- 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:

**83363**

TAYLOR CANAL COMPANY, INC.  
APPLICATION FOR TRANSFER

**Part 1A.3. - Purpose of Transfer**

The purpose of this Application is to change the place of use for all water rights owned by Taylor Canal Company, Inc. ("Taylor Canal") to reflect the historic and current place of use. A total of 19 water rights in the Thomas Fork Drainage were decreed in 1902 (*Fawsett et al. v. Thomas Fork Irrigation & Canal Company, et al.*). Taylor Canal was originally organized in 1910/1911. The original Articles of Organization found in the backfiles for water right no. 11-115 states that the private water right owners would surrender their water rights to Taylor Canal in exchange for stock. While no deeds conveying water rights to Taylor Canal have been identified, this conveyance apparently occurred as certificates of stock were issued to all of the individuals. In July 2017 Taylor Canal filed a Notice of Change in Water Right Ownership. Following an objection, the John Blechert right no. 11-147 remained under ownership of the current owner Kirk and Janet Widmer who objected to the ownership change. The remaining 18 water rights were all changed to reflect Taylor Canal as the owner in March 2018. Now the water right ownership has been updated for these 18 rights, Taylor Canal desires to establish a service area and boundary of the place of use, excepting the place of use of water right no. 11-147 as depicted on the attached map. The point of diversion, nature of use and other elements of the water rights will remain unchanged.



# Application for Transfer - Taylor Canal Company

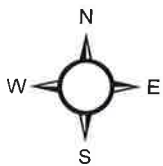
## Part 1.B - List of Water Rights

<u>WR Number</u>	<u>Priority</u>	<u>Rate (cfs)</u>	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source</u>
11-115	5/15/1885	0.10	Irrigation	April 15 to October 31	Thomas Fork
11-133	4/1/1890	3.20	Irrigation	April 15 to October 31	Thomas Fork
11-151	5/1/1894	0.20	Irrigation	April 15 to October 31	Thomas Fork
11-155	5/1/1897	0.10	Irrigation	April 15 to October 31	Thomas Fork
11-159	4/1/1895	1.60	Irrigation	April 15 to October 31	Thomas Fork
11-160	4/1/1895	1.60	Irrigation	April 15 to October 31	Thomas Fork
11-161	4/1/1895	1.60	Irrigation	April 15 to October 31	Thomas Fork
11-162	4/1/1895	1.60	Irrigation	April 15 to October 31	Thomas Fork
11-163	4/1/1895	3.98	Irrigation	April 15 to October 31	Thomas Fork
11-164	4/1/1895	0.80	Irrigation	April 15 to October 31	Thomas Fork
11-165	4/1/1895	1.60	Irrigation	April 15 to October 31	Thomas Fork
11-166	4/1/1895	0.80	Irrigation	April 15 to October 31	Thomas Fork
11-167	4/1/1895	0.80	Irrigation	April 15 to October 31	Thomas Fork
11-168	4/1/1895	2.40	Irrigation	April 15 to October 31	Thomas Fork
11-169	4/1/1895	1.60	Irrigation	April 15 to October 31	Thomas Fork
11-170	4/1/1895	0.80	Irrigation	April 15 to October 31	Thomas Fork
11-171	4/1/1895	1.60	Irrigation	April 15 to October 31	Thomas Fork
11-172	4/1/1895	1.60	Irrigation	April 15 to October 31	Thomas Fork
<b>Total</b>		<b>25.98</b>			

TAYLOR CANAL COMPANY, INC.  
APPLICATION FOR TRANSFER

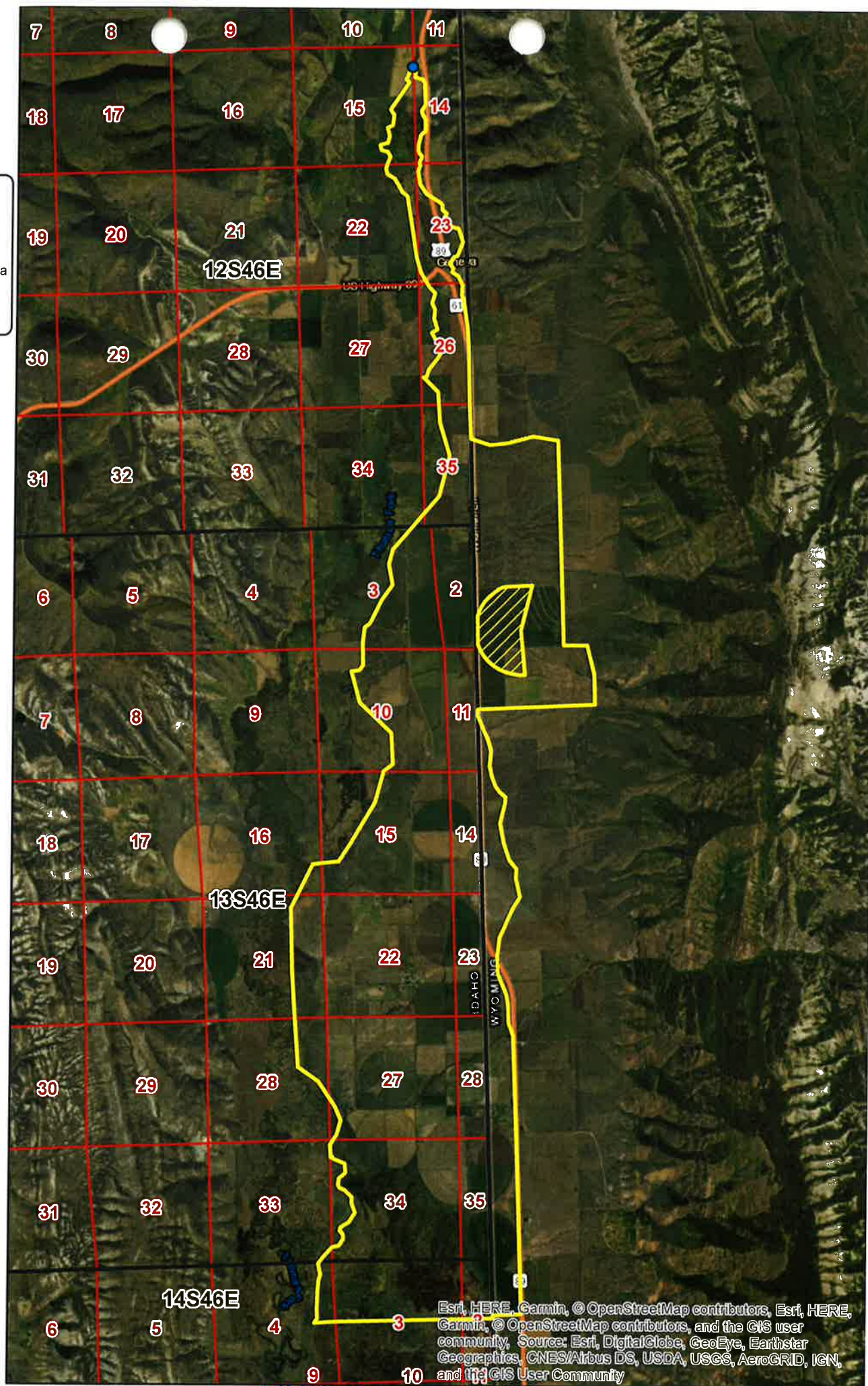
**Part 3A – Plat Map**





### legend

- POD
- 11-7678 & 11-7679
- Taylor Canal Service Area
- TR Lines
- Section Lines



50124

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## SPECIAL POWER OF ATTORNEY FOR WATER RIGHTS

The undersigned hereby appoints the law firm of RACINE OLSON, PLLP, 201 E. Center Street, Post Office Box 1391, Pocatello, Idaho 83204 (the "Firm"), its true and lawful attorney for the purpose of dealing with the Idaho Department of Water Resources relative to the management and transaction of water rights, and to allow the Firm to receive all information, opinions, and records regarding water rights, and to sign and submit applications and other filings on its behalf.

DATED this 4<sup>th</sup> day of June, 2019.

TAYLOR CANAL COMPANY, INC.  
P.O. Box 3  
Geneva, Idaho 83238

By: Erick W. Esterholdt  
Erick W. Esterholdt, President

STATE OF WY )  
 )  
 ) :ss  
County of Lincoln )

This record was acknowledged before me on this 4<sup>th</sup> day of June, 2019, by Erick W. Esterholdt, President of Taylor Canal Company, Inc.

Carolyn B. Reed  
NOTARY PUBLIC  
Residing at:  
Commission expires:



5/18/2020

<b><u>Owner Type</u></b>	<b><u>Name and Address</u></b>
Current Owner	TAYLOR CANAL CO INC C/O JAMES SAXTON 1012 RAYMOND RD GENEVA, ID 83238

**Status:** Active

Tributary  
BEAR RIVER

Sec. 14, Twp 12S, Rge 46E, BEAR LAKE County

[illegible]

1. P/D INCOMPLETE TAYLOR CANAL LEGAL FROM USGS MAP.  
P/U INCOMPLETE AC. IRR. = 160.  
DECREE SOURCE - TAYLOR CANAL



## 5/18/2020

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TAYLOR CANAL CO INC C/O JAMES SAXTON 1012 RAYMOND RD GENEVA, ID 83238

**Status:** Active

Tributary  
BEAR RIVER

<b><u>From</u></b>	<b><u>To</u></b>	<b><u>Diversion Rate</u></b>
/	/	3.200 CFS
<b><u>Total Diversion</u></b>		3.200 CFS

**Volume**

Sec. 14, Twp 12S, Rge 46E, BEAR LAKE County

## IRRIGATION within BEAR LAKE 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
13S	46E	22									X			X		X	X		0.0

1. P/D INCOMPLETE TAYLOR CANAL.  
P/D LEGAL TAYLOR CANAL (USGS MAP).  
P/U INCOMPLETE.  
DECREE SOURCE - TAYLOR CANAL.

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

5/18/2020

**Water Right 11-151**

**Owner Type**      **Name and Address**  
Current Owner      TAYLOR CANAL CO INC  
C/O JAMES SAXTON  
1012 RAYMOND RD  
GENEVA, ID 83238

**Priority Date:** 5/1/1894

**Basis:** Decreed

**Status:** Active

**Source**  
THOMAS FORK

**Tributary**  
BEAR RIVER

<b><u>Beneficial Use</u></b>	<b><u>From</u></b>	<b><u>To</u></b>	<b><u>Diversion Rate</u></b>	<b><u>Volume</u></b>
IRRIGATION	04/15	10/31	0.200 CFS	
	<b><u>Total Diversion</u></b>		0.200 CFS	

**Source and Point(s) of Diversion**

THOMAS FORK      SWNW      Sec. 14, Twp 12S, Rge 46E, BEAR LAKE County

**Place of Use**

IRRIGATION within BEAR LAKE 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	46E	15																40.0	40.0
12S	46E	22	40.0																40.0
12S	46E	23						40.0	40.0										80.0

POU Total Acres: 160.0

**Conditions of Approval:**

1. Point of Diversion is Taylor Brothers Canal.

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

5/18/2020

**Water Right 11-155**

**Owner Type**      **Name and Address**  
 Current Owner      TAYLOR CANAL CO INC  
                              C/O JAMES SAXTON  
                              1012 RAYMOND RD  
                              GENEVA, ID 83238

**Priority Date:** 5/1/1897

**Basis:** Decreed

**Status:** Active

**Source**  
 THOMAS FORK

**Tributary**  
 BEAR RIVER

<b><u>Beneficial Use</u></b>	<b><u>From</u></b>	<b><u>To</u></b>	<b><u>Diversion Rate</u></b>	<b><u>Volume</u></b>
IRRIGATION	04/15	10/31	0.100 CFS	
	<b><u>Total Diversion</u></b>		0.100 CFS	

**Source and Point(s) of Diversion**

THOMAS FORK                      SWNW                      Sec. 14, Twp 12S, Rge 46E, BEAR LAKE County

**Place of Use**

IRRIGATION within BEAR LAKE 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	46E	14							40.0			40.0	40.0						120.0

POU Total Acres: 120.0

**Conditions of Approval:**

1. Point of diversion is the Taylor Brothers Canal.

5/18/2020

<b><u>Owner Type</u></b>	<b><u>Name and Address</u></b>
Current Owner	TAYLOR CANAL CO INC C/O JAMES SAXTON 1012 RAYMOND RD GENEVA, ID 83238

**Status:** Active

Tributary  
BEAR RIVER

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
/	/	1.600 CFS
<b>Total Diversion</b>		1.600 CFS

## Volume

THOMAS FORK                  SWNW                  Sec. 14, Twp 12S, Rge 46E, BEAR LAKE County

## IRRIGATION within BEAR LAKE County

[illegible]

1. P/D INCOMPLETE - TAYLOR BROTHERS CANAL.  
P/D LEGAL FOR TAYLOR CANAL FROM USGS MAP.  
P/U INCOMPLETE - AC. IRR. = 80.



5/18/2020

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TAYLOR CANAL CO INC C/O JAMES SAXTON 1012 RAYMOND RD GENEVA, ID 83238

**Status:** Active

Tributary  
BEAR RIVER

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
/	/	1.600 CFS
<u>Total Diversion</u>		1.600 CFS

## Volume

Sec. 14, Twp 12S, Rge 46E, BEAR LAKE County

## IRRIGATION within BEAR LAKE 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
13S	46E	22													X			X	0.0

1. P/D INCOMPLETE - TAYLOR BROTHERS CANAL.  
P/D LEGAL FOR TAYLOR CANAL FORM USGS MAP.  
P/U INCOMPLETE - AC. IRR. = 80.

5/18/2020

<b><u>Owner Type</u></b>	<b><u>Name and Address</u></b>
Current Owner	TAYLOR CANAL CO INC C/O JAMES SAXTON 1012 RAYMOND RD GENEVA, ID 83238

**Status:** Active

Tributary  
BEAR RIVER

## Volume

1.600 CFS

Sec. 14, Twp 12S, Rge 46E, BEAR LAKE County

## IRRIGATION within BEAR LAKE 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
13S	46E	15				X									X				0.0

1. P/D INCOMPLETE - TAYLOR BROTHERS CANAL.  
P/D LEGAL TAYLOR CANAL FROM USGS MAP.  
P/U INCOMPLETE - AC. IRR. = 80.

5/18/2020

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TAYLOR CANAL CO INC C/O JAMES SAXTON 1012 RAYMOND RD GENEVA, ID 83238

**Status:** Active

Tributary  
BEAR RIVER

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
/	/	1.600 CFS
<u>Total Diversion</u>		1.600 CFS

**Volume**

Sec. 14, Twp 12S, Rge 46E, BEAR LAKE County

## IRRIGATION within BEAR LAKE 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
13S	46E	22							X	X									0.0

1. P/D INCOMPLETE - TAYLOR BORTHERS CANAL.  
P/D LEGAL FOR TAYLOR CANAL FROM USGS MAP.  
P/U INCOMPLETE - AC. IRR. = 80.

5/18/2020

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TAYLOR CANAL CO INC C/O JAMES SAXTON 1012 RAYMOND RD GENEVA, ID 83238

**Status:** Active

Tributary  
BEAR RIVER

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
04/15	10/31	3.980 CFS
<b>Total Diversion</b>		<b>3.980 CFS</b>

## Volume

**THOMAS FORK**                  SWNW                  Sec. 14, Twp 12S, Rge 46E, BEAR LAKE County

## IRRIGATION within BEAR LAKE County

[illegible]

POU Total Acres: 199.0

1. P/D INCOMPLETE - TAYLOR BROTHERS CANAL.  
P/D LEGAL FOR TAYLOR CANAL FROM USGS MAP.

5/18/2020

**Owner Type**  
Current Owner

**Priority Date:** 4/1/1895  
**Basis:** Deceased  
**Status:** Active

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
/	/	0.800 CFS
<b>Total Diversion</b>		0.800 CFS

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	46E	15									40.0								40.0

1. P/D INCOMPLETE - TAYLOR BROTHERS CANAL.  
P/D LEGAL FOR TAYLOR CANAL FROM USGS MAP.  
P/U LISTED FOR J. W. MUMFORD, A PARTNER IN MUMFORD BROTHERS.

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

5/18/2020

**Water Right 11-165**

**Owner Type**      **Name and Address**  
Current Owner      TAYLOR CANAL CO INC  
                                 C/O JAMES SAXTON  
                                 1012 RAYMOND RD  
                                 GENEVA, ID 83238

**Priority Date:** 4/1/1895

**Basis:** Decreed

**Status:** Active

**Source**  
THOMAS FORK

**Tributary**  
BEAR RIVER

<b><u>Beneficial Use</u></b>	<b><u>From</u></b>	<b><u>To</u></b>	<b><u>Diversion Rate</u></b>	<b><u>Volume</u></b>
IRRIGATION	04/15	10/31	1.600 CFS	
	<b><u>Total Diversion</u></b>		1.600 CFS	

**Source and Point(s) of Diversion**

THOMAS FORK      SWNW      Sec. 14, Twp 12S, Rge 46E, BEAR LAKE County

**Place of Use**

IRRIGATION within BEAR LAKE 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	
13S	46E	22										40.0	40.0						80.0

POU Total Acres: 80.0

**Conditions of Approval:**

1. P/D INCOMPLETE - TAYLOR BROTHERS CANAL.  
P/D LEGAL FOR TAYLOR CANAL FROM USGS MAP.

## 5/18/2020

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TAYLOR CANAL CO INC C/O JAMES SAXTON 1012 RAYMOND RD GENEVA, ID 83238

**Status:** Active

**Tributary**  
BEAR RIVER

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
/	/	0.800 CFS
<b>Total Diversion</b>		0.800 CFS

## Volume

Sec. 14, Twp 12S, Rge 46E, BEAR LAKE County

## IRRIGATION within BEAR LAKE 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
13S	46E	22									X			X		X	X		0.0

1. P/D INCOMPLETE - TAYLOR BROTHERS CANAL.  
P/D LEGAL FOR TAYLOR CANAL FROM USGS MAP.  
P/U INCOMPLETE.



5/18/2020

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TAYLOR CANAL CO INC C/O JAMES SAXTON 1012 RAYMOND RD GENEVA, ID 83238

5/18/2020

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TAYLOR CANAL CO INC C/O JAMES SAXTON 1012 RAYMOND RD GENEVA, ID 83238

**Status:** Active

Tributary  
BEAR RIVER

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
04/15	10/31	2.400 CFS
<b>Total Diversion</b>		2.400 CFS

## Volume

[illegible]

## IRRIGATION within BEAR LAKE County

[illegible]

POU Total Acres: 120.0

1. P/D INCOMPLETE - TAYLOR BROTHERS CANAL.  
P/D LEGAL FOR TAYLOR CANAL FROM USGS MAP.

**IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report**

5/18/2020

**Water Right 11-169**

<b><u>Owner Type</u></b>	<b><u>Name and Address</u></b>
Current Owner	TAYLOR CANAL CO INC C/O JAMES SAXTON 1012 RAYMOND RD GENEVA, ID 83238

**Priority Date:** 4/1/1895

**Basis:** Decreed

**Status:** Active

<b><u>Source</u></b>	<b><u>Tributary</u></b>
THOMAS FORK	BEAR RIVER

<b><u>Beneficial Use</u></b>	<b><u>From</u></b>	<b><u>To</u></b>	<b><u>Diversion Rate</u></b>	<b><u>Volume</u></b>
IRRIGATION	/	/	1.600 CFS	
	<b><u>Total Diversion</u></b>		1.600 CFS	

**Source and Point(s) of Diversion**

THOMAS FORK	SWNW	Sec. 14, Twp 12S, Rge 46E, BEAR LAKE County
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**Place of Use**

IRRIGATION within BEAR LAKE 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	
13S	46E	14										X L3	X L4						0.0

**Conditions of Approval:**

1. P/D INCOMPLETE - TAYLOR BROTHERS CANAL.  
P/D LEGAL FOR TAYLOR CANAL FROM USGS MAP.  
P/U LEGAL INCOMPLETE AC. IRR. = 80.

5/18/2020

<b><u>Owner Type</u></b>	<b><u>Name and Address</u></b>
Current Owner	TAYLOR CANAL CO INC C/O JAMES SAXTON 1012 RAYMOND RD GENEVA, ID 83238

**Status:** Active

Tributary  
BEAR RIVER

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
/	/	0.800 CFS
<b>Total Diversion</b>		0.800 CFS

## Volume

[illegible]

## IRRIGATION within BEAR LAKE County

[illegible]

1. P/D INCOMPLETE - TAYLOR BROTHERS CANAL.  
P/D LEGAL FOR TAYLOR CANAL FROM USGS MAP.  
P/U INCOMPLETE.

## 5/18/2020

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TAYLOR CANAL CO INC C/O JAMES SAXTON 1012 RAYMOND RD GENEVA, ID 83238

**Status:** Active

**Tributary**  
BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	/	/	1.600 CFS	
	<b>Total Diversion</b>		1.600 CFS	

[illegible]

## IRRIGATION within BEAR LAKE 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
13S	46E	27				X									X				0.0

1. P/D INCOMPLETE - TAYLOR BROTHERS CANAL.  
P/D LEGAL FOR TAYLOR CANAL FROM USGS MAP.  
P/U INCOMPLETE - AC. IRR. = 80.

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

5/18/2020

Water Right 11-172

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TAYLOR CANAL CO INC C/O JAMES SAXTON 1012 RAYMOND RD GENEVA, ID 83238

Priority Date: 4/1/1895

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
THOMAS FORK	BEAR RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	/	/	1.600 CFS	
	<u>Total Diversion</u>		1.600 CFS	

Source and Point(s) of Diversion

THOMAS FORK	SWNW	Sec. 14, Twp 12S, Rge 46E, BEAR LAKE County
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Place of Use

IRRIGATION

Conditions of Approval:

1. P/D INCOMPLETE - TAYLOR BROTHERS CANAL.  
P/D LEGAL FOR TAYLOR CANAL FROM USGS MAP.  
P/U INCOMPELTE.

# Idaho Department of Water Resources Receipt

Receipt ID: E045083

Payment Amount \$2,259.20 Date Received 6/17/2019 Region EASTERN

Payment Type Check Check Number 1061

Payer TAYLOR CANAL COMANY LLC

Comments APP FOR TRANSFER OF WATER RIGHT  
11-115 11-155 11-161 11-164 11-167 11-170  
11-133 11-159 11-162 11-165 11-168 11-171  
Fee Details 11-151 11-160 11-163 11-166 11-169 11-172

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$2,259.20	TRANSFERS	63105	0229	21		1155

*mf*

Signature Line (Department Representative)





RANDALL C. BUDGE  
randy@racineolson.com

*June 13,*  
~~May 23~~, 2019

RECEIVED  
JUN 17 2019  
Department of Water Resources  
Eastern Region

James Cefalo  
Idaho Department of Water Resources  
Eastern Regional Office  
900 North Skyline Drive, Suite A  
Idaho Falls, Idaho 83402-1718

**Re: Taylor Canal Company – Application for Transfer**

Dear James:

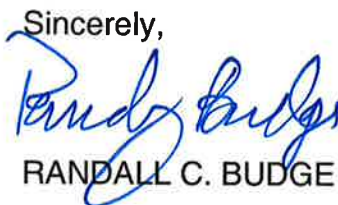
Enclosed please find the following for filing and processing:

1. Application for Transfer of Water Right – Original and two copies.
2. Check in the amount of \$2,259.20 for filing fees.
3. Stamped and addressed return envelopes to me and Taylor Canal Company.

If this meets with your approval, would you please file and process the original Application and conform stamp the extra copies, returning one to me and one to the Applicant in the provided envelopes.

Thank you for your assistance. If you have any questions, please contact me.

Sincerely,



RANDALL C. BUDGE

RCB:ts  
Enclosures  
c: Taylor Canal Company



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

May 20, 2020

TAYLOR CANAL CO INC  
C/O JAMES SAXTON  
1012 RAYMOND RD  
GENEVA, ID 83238

RE: Transfer No. 83363

Water Right No(s). 11-115, 11-133, 11-151, 11-155, 11-159, 11-160, 11-161, 11-162, 11-163, 11-164, 11-165, 11-166, 11-167, 11-168, 11-169, 11-170, 11-171, 11-172

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 THE NEWS EXAMINER on 5/27/2020 and 6/3/2020. 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:  
RANDALL C BUDGE  
PO BOX 1391  
POCATELLO, ID 83204-1391



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

May 20, 2020

WYOMING STATE ENGINEERS OFFICE  
KEVIN PAYNE  
PO BOX 277  
COKEVILLE, WY 83114

RE: Transfer No. 83363

Dear Interested Party:

The Idaho Department of Water Resources (IDWR) is seeking comment and/or recommendations from your organization 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, and submit any comments to this office within 21 days of the date of this letter.

IDWR can finish reviewing an unprotested application as soon as the protest period has passed. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

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

Sincerely,

Christina Henman  
Administrative Asst. I

Enclosure(s)

## Henman, Christina

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**From:** Henman, Christina  
**Sent:** Wednesday, May 20, 2020 2:29 PM  
**To:** NEWS EXAMINER (bjohnson@hjnews.com)  
**Subject:** Legal Notice for News Examiner  
**Attachments:** 83363 News Examiner.doc

Hello,

Please find attached document regarding a legal advertisement for your paper.

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

May 20, 2020

**MAY CONTAIN MORE THAN 1 PAGE**

**Legal Notice Department**

News Examiner

PO Box 278

Montpelier ID 83254-0278

RE: Transfer No. 83363

**Dear LEGAL NOTICE DEPARTMENT:**

Enclosed you will find a legal notice which we wish to have published in your newspaper 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 **June 15, 2020**. Your cooperation is appreciated.

Sincerely,

Christina Henman  
Administrative Assistant  
Dept of Water Resources  
900 N Skyline Dr Ste A  
Idaho Falls ID 83402  
208-525-7161  
208-525-7177 – fax  
[Christina.Henman@idwr.idaho.gov](mailto:Christina.Henman@idwr.idaho.gov)

**PLEASE PUT IN NORMAL COLUMN AND NO BORDERS. THANK YOU.**

\*\*\*\*\*

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT**

**TRANSFER NO. 83363**

TAYLOR CANAL CO INC, C/O JAMES SAXTON

1012 RAYMOND RD, GENEVA, ID 83238 has filed Application No. 83363 for changes to the following water rights within BEAR LAKE County(s): Right No(s). 11-115, 11-133, 11-151, 11-155, 11-159, 11-160, 11-161, 11-162, 11-163, 11-164, 11-165, 11-166, 11-167, 11-168, 11-169, 11-170, 11-171, 11-172; 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 the place of use to create a single, uniform service area boundary for all of the Taylor Canal Company water rights. The eighteen water rights, in combination, authorize 1,300 irrigated acres. Proposed service area boundary includes acres in Idaho and Wyoming. In Idaho, the place of use is within Sec 14, 15, 22, 23, 26, 34, and 35, T12S R46E; Sec 2, 3, 10, 11, 14, 15, 16, 21, 22, 23, 26, 27, 28, 33, 34, and 35, T13S R46E; and Sec 2, 3, and 4, T14S R46E. In Wyoming, the place of use is within Sec 19, T27N R19W; Sec 12, 13, 24, 25, and 36, T27N R20W; and Sec 1, 12, and 13, T26N R20W; PM 6.

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 6/15/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/27/2020 and 6/3/2020

## MEMORANDUM

**Date:** May 20, 2020  
**To:** Transfer 83363  
**From:** James Cefalo  
**Re:** Legal Notice Not Required

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. The point of diversion for the water rights will not change. Therefore, staff review of the transfer application found no cause to require statewide legal notice. The application will be advertised in the local paper (Bear Lake County) to allow water users inside and outside of the company an opportunity to review the proposed boundary for accuracy. Further, the State of Wyoming field office in Cokeville will be notified of the transfer application because the proposed service boundary includes Wyoming lands.