

RECEIVED  
MAR 17 2020  
Department of Water Resources  
Eastern 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) Kurt and Janie Nightingale Phone 208-670-5620  
2. MAILING ADDRESS PO Box 445 City Moore  
State ID Zip 83255 Email kjnightingale02@gmail.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) 34-14745, 34-14746, 34-14750

- ☐ 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 2.66 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:

The diversion system is a deep well with a flowmeter.

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

Kurt Nightingale  
Print name and title if applicable

3-3-20  
Date

Janie Nightingale  
Signature of applicant or authorized agent

Janie Nightingale  
Print name and title if applicable

3-3-20  
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](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 \$660.00 Date 3/17/2020

Received by CA Receipt # E045736

Preliminary review by \_\_\_\_\_

Date \_\_\_\_\_

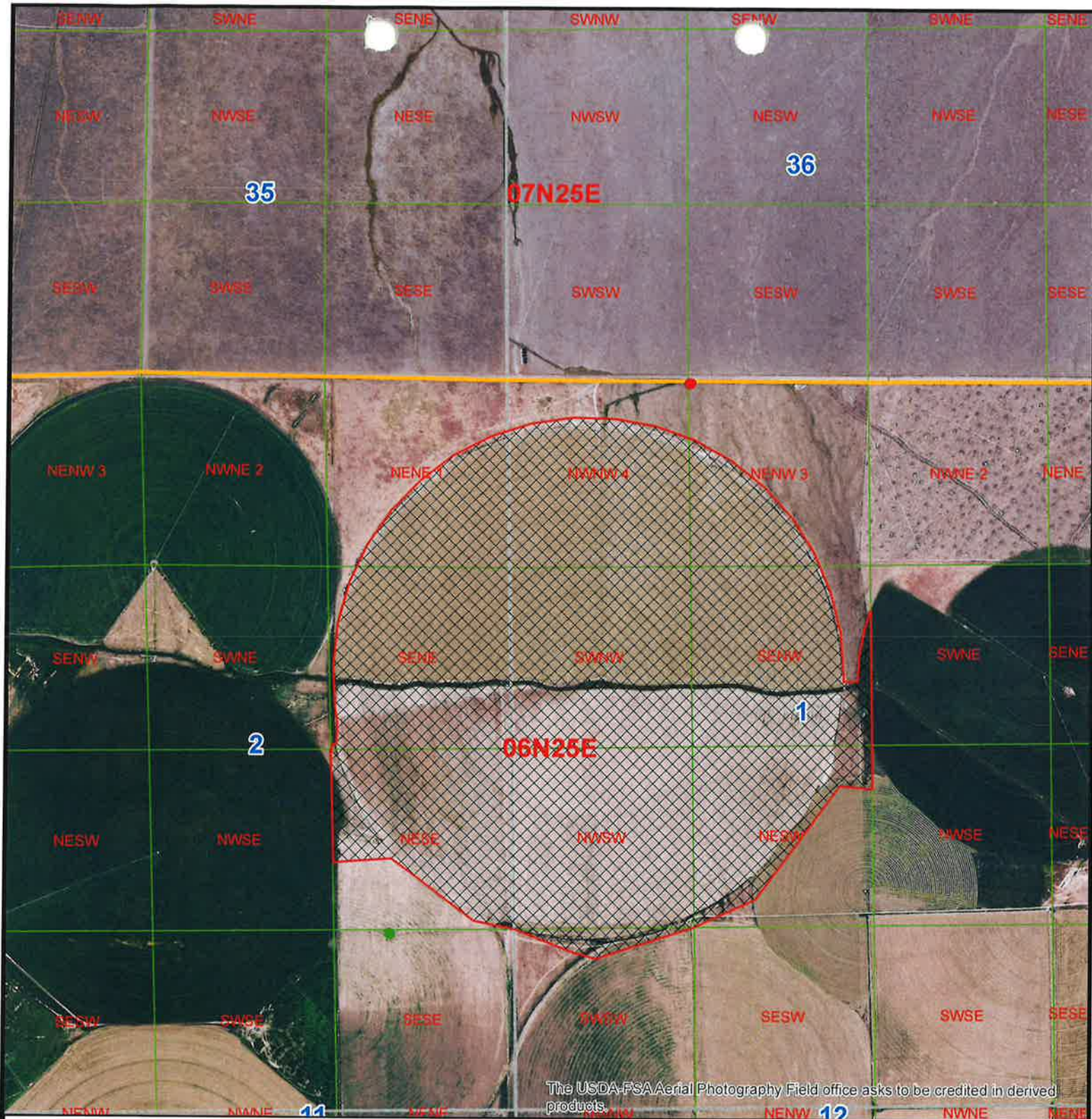
Active in the Water Supply Bank? Yes ☐ No ☐

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)



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

## Legend

- Proposed POD
- Current POD
-  POU
-  Township/Range
-  Sections
-  QQ

0 462.5 925 1,850 Feet

1 inch = 1,000 feet

83958



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

3/19/2020

**Water Right 34-14745**

**Owner Type**      **Name and Address**  
Current Owner      KURT A NIGHTINGALE  
                                 1127 S 2800 E  
                                 HAZELTON, ID 83335-5705  
                                 (208) 670-5620

Current Owner      JANIE R NIGHTINGALE  
                                 1127 S 2800 E  
                                 HAZELTON, ID 83335-5705  
                                 (208) 670-5620

**Priority Date:** 8/1/1961

**Basis:** Decreed

**Status:** Active

**Source**  
GROUND WATER

**Tributary**

| <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                   | 04/01                         | 10/31            | 1.870 CFS                    | 378.0 AF             |
|                              | <b><u>Total Diversion</u></b> |                  | 1.870 CFS                    | 378.0 AF             |

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

GROUND WATER

NWSESE

Sec. 2, Twp 06N, Rge 25E, BUTTE County

**Place Of Use**

IRRIGATION within BUTTE 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 |        |
| 06N | 25E | 1   |            |    |    |      | 13.0<br>L3 | 33.0<br>L4 | 41.0 | 37.0 | 24.0 | 41.0 | 4.0 |    |      |    |    |    | 193.0  |
| 06N | 25E | 2   | 17.0<br>L1 |    |    | 40.0 |            |            |      |      |      |      |     |    | 31.0 |    |    |    | 88.0   |

Right Acre Limit: 108.0

POU Total Acres: 281.0

**Conditions of Approval:**

1.      X27      This right is limited to the irrigation of 108 acres within the authorized place of use in a single irrigation season.
2.      X35      Rights 34-14745, 34-14746 and 34-14750 when combined shall not exceed a total diversion rate of 1.87 cfs.
3.      X35      Rights 34-14741, 34-14743, 34-14745, 34-14746 and 34-14750 when combined shall not exceed a total annual maximum diversion volume of 858.9 af at the field headgate, and the irrigation of 245.4 acres.
4.      X35      Rights 34-14740, 34-14741, 34-14746, 34-14745, 34-114750, 34-14743, 34-14747,

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

3/19/2020

- 34-14748 and 34-14749 when combined shall not exceed a total diversion rate of 6.98 cfs and the irrigation of 258 acres.
5. X35 Rights 34-14739, 34-14740, 34-14741, 34-14742, 34-14743, 34-14744, 34-14745, 34-14746, 34-14747, 34-14748, 34-14749 and 34-14750 when combined shall not exceed a total diversion rate of 7.87 cfs and the irrigation of 281 acres.
  6. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
  7. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
  8. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
  9. 214 Prior to the diversion and use of water under Transfer approval 76450, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
  10. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
  11. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
  12. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
  13. R59 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 lands above.
  14. F06 The following rights are diverted through point(s) of diversion described above:  
34-4031, 34-7175, 34-12364, 34-14745, 34-14746, 34-14750.
  15. K01 Right No. 34-14750 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

**Dates and Other Information**

State or Federal: S

Owner Name Connector: AND

Water District Number: 34

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 3.5

Mitigation Plan: False

**Combined Use Limits**

N/A

**SubCase:**

N/A

**Water Supply Bank:**

N/A

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

3/19/2020

**Water Right 34-14746**

**Owner Type**      **Name and Address**  
Current Owner      JANIE R NIGHTINGALE  
                                 1127 S 2800 E  
                                 HAZELTON, ID 83335-5705  
                                 (208) 670-5620

Current Owner      KURT A NIGHTINGALE  
                                 1127 S 2800 E  
                                 HAZELTON, ID 83335-5705  
                                 (208) 670-5620

**Priority Date:** 4/4/1977

**Basis:** Decreed

**Status:** Active

**Source**  
GROUND WATER

**Tributary**

| <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                   | 04/01                         | 11/01            | 0.320 CFS                    | 55.3 AF              |
|                              | <b><u>Total Diversion</u></b> |                  | 0.320 CFS                    | 55.3 AF              |

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

GROUND WATER

NWSESE

Sec. 2, Twp 06N, Rge 25E, BUTTE County

**Place Of Use**

IRRIGATION within BUTTE 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 |        |
| 06N | 25E | 1   |            |    |    |      | 13.0<br>L3 | 33.0<br>L4 | 41.0 | 37.0 | 24.0 | 41.0 | 4.0 |    |      |    |    |    | 193.0  |
| 06N | 25E | 2   | 17.0<br>L1 |    |    | 40.0 |            |            |      |      |      |      |     |    | 31.0 |    |    |    | 88.0   |

Right Acre Limit: 15.8

POU Total Acres: 281.0

**Conditions of Approval:**

1.      X27      This right is limited to the irrigation of 15.8 acres within the authorized place of use in a single irrigation season.
2.      X35      Rights 34-14745, 34-14746 and 34-14750 when combined shall not exceed a total diversion rate of 1.87 cfs.
3.      X35      Rights 34-14741, 34-14743, 34-14745, 34-14746 and 34-14750 when combined shall not exceed a total annual maximum diversion volume of 858.9 af at the field headgate, and the irrigation of 245.4 acres.
4.      X35      Rights 34-14740, 34-14741, 34-14746, 34-14745, 34-114750, 34-14743, 34-14747,

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

3/19/2020

- 34-14748 and 34-14749 when combined shall not exceed a total diversion rate of 6.98 cfs and the irrigation of 258 acres
5. X35 Rights 34-14739, 34-14740, 34-14741, 34-14742, 34-14743, 34-14744, 34-14745, 34-14746, 34-14747, 34-14748, 34-14749 and 34-14750 when combined shall not exceed a total diversion rate of 7.87 cfs and the irrigation of 281 acres.
  6. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
  7. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
  8. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
  9. 214 Prior to the diversion and use of water under Transfer approval 76450, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
  10. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
  11. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
  12. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
  13. R59 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 lands above.
  14. F06 The following rights are diverted through point(s) of diversion described above: 34-4031, 34-7175, 34-12364, 34-14745, 34-14746, 34-14750.
  15. K01 Right No. 34-14750 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

**Dates and Other Information**

State or Federal: S

Owner Name Connector: AND

Water District Number: 34

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 3.5

Mitigation Plan: False

**Combined Use Limits**

N/A

**SubCase:**

N/A

**Water Supply Bank:**

N/A

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

3/19/2020

**Water Right 34-14750**

**Owner Type**      **Name and Address**  
Current Owner      KURT A NIGHTINGALE  
1127 S 2800 E  
HAZELTON, ID 83335-5705  
(208) 670-5620

Current Owner      JANIE R NIGHTINGALE  
1127 S 2800 E  
HAZELTON, ID 83335-5705  
(208) 670-5620

**Priority Date:** 7/9/1979

**Basis:** Decreed

**Status:** Active

**Source**  
GROUND WATER

**Tributary**

| <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                   | 04/01                         | 10/31            | 0.470 CFS                    | 197.8 AF             |
|                              | <b><u>Total Diversion</u></b> |                  | 0.470 CFS                    | 197.8 AF             |

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

GROUND WATER      NWSESE      Sec. 2, Twp 06N, Rge 25E, BUTTE County

**Place Of Use**

IRRIGATION within BUTTE 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 |        |
| 06N | 25E | 1   |            |    |    |      | 13.0<br>L3 | 33.0<br>L4 | 41.0 | 37.0 | 24.0 | 41.0 | 4.0 |    |      |    |    |    | 193.0  |
| 06N | 25E | 2   | 17.0<br>L1 |    |    | 40.0 |            |            |      |      |      |      |     |    | 31.0 |    |    |    | 88.0   |

Right Acre Limit: 62.9

POU Total Acres: 281.0

**Conditions of Approval:**

1.      K09      This right is for an enlargement of 134.2 acres within the place of use described for this right.
2.      X35      Rights 34-14745, 34-14746 and 34-14750 when combined shall not exceed a total diversion rate of 1.87 cfs.
3.      X35      Rights 34-14741, 34-14743, 34-14745, 34-14746 and 34-14750 when combined shall not exceed a total annual maximum diversion volume of 858.9 af at the field headgate, and the irrigation of 245.4 acres.
4.      X35      Rights 34-14740, 34-14741, 34-14746, 34-14745, 34-114750, 34-14743, 34-14747,

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

3/19/2020

- 34-14748 and 34-14749 when combined shall not exceed a total diversion rate of 6.98 cfs and the irrigation of 258 acres.
5. X35 Rights 34-14739, 34-14740, 34-14741, 34-14742, 34-14743, 34-14744, 34-14745, 34-14746, 34-14747, 34-14748, 34-14749 and 34-14750 when combined shall not exceed a total diversion rate of 7.87 cfs and the irrigation of 281 acres.
  6. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
  7. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
  8. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
  9. 214 Prior to the diversion and use of water under Transfer approval 76450, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
  10. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
  11. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
  12. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
  13. R59 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 lands above.
  14. F06 The following rights are diverted through point(s) of diversion described above: 34-4031, 34-7175, 34-12364, 34-14745, 34-14746, 34-14750.
  15. C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
  16. K02 This right is based upon an enlargement of Right No. 34-14745, 34-14746 pursuant to Section 42-1426, Idaho Code.

**Dates and Other Information**

Enlargement Statute Priority Date: 4/12/1994

State or Federal: S

Owner Name Connector: AND

Water District Number: 34

Generic Max Volume Per Acre: 3.5

Mitigation Plan: False

**Combined Use Limits**

N/A

**SubCase:**

N/A



**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

March 25, 2020

KURT A NIGHTINGALE  
JANIE R NIGHTINGALE  
PO BOX 445  
MOORE, ID 83255

RE: Transfer No. 83958  
Water Right No(s). 34-14745, 34-14746, 34-14750

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 ARCO ADVERTISER on 4/2/2020 and 4/9/2020. 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.

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

Sincerely,

Christina Henman  
Administrative Assistant

## Henman, Christina

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**From:** Henman, Christina  
**Sent:** Wednesday, March 25, 2020 10:13 AM  
**To:** ARCO ADVERTISER (arcoadv@aol.com)  
**Subject:** Legal Ads for Arco Advertiser  
**Attachments:** 83958, 83960 Arco Advertiser.doc

Hello,

Please see attached document regarding legal ads 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

**This may contain more than one (1) page**

March 25, 2020

**Legal Notice Department**

Arco Advertiser

PO Box C

Arco ID 83213

RE: Transfer No. 83958, 83960

**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 4/20/2020. Your cooperation is appreciated.

Sincerely

Christina Henman  
Administrative Assistant

.....  
**NOTICE OF PROPOSED CHANGE OF WATER RIGHT**

**TRANSFER NO. 83958**

KURT A NIGHTINGALE and JANIE R NIGHTINGALE, PO BOX 445, MOORE, ID 83255 has filed Application No. 83958 for changes to the following water rights within BUTTE County(s): Right No(s). 34-14745, 34-14746, 34-14750. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion. The point of diversion will be in Lot 3 (NENW) Sec 1 T6N R25E for 1.87 cfs from ground water. The place of use remains the same.

**TRANSFER NO. 83960**

BRADLEY KEITH NIGHTINGALE and ROSALYN ANN NIGHTINGALE, 4157 N 3600 W, MOORE, ID 83255 has filed Application No. 83960 for changes to the following water rights within BUTTE County(s): Right No(s). 34-2390A, 34-2390B. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion. The point of diversion will be in SESE Sec 2 T6N R25E for 2.14 cfs from ground water. The place of use remains the same. To see a full description of these rights and the proposed transfers, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. 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 4/20/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 4/2/2020 and 4/9/2020

## Henman, Christina

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**From:** Henman, Christina  
**Sent:** Tuesday, March 24, 2020 4:46 PM  
**To:** 'watermaster34@atcnet.net'  
**Subject:** Applications for Transfer No. 83960, 83958, 83935  
**Attachments:** RecommendationForm Transfer0.docx; RecommendationForm Transfer1.docx; RecommendationForm Transfer2.docx

Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right applications. You can find a copy of the applications at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the applications, then complete the enclosed recommendation forms and return to this office within 7 DAYS of the date of this email.

If the applications are 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 these applications should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has passed. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 7 DAYS from the date of this letter, IDWR will presume that you do not oppose approval of the applications and that you have no comments for IDWR to consider.

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

## Henman, Christina

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**From:** Henman, Christina  
**Sent:** Tuesday, March 24, 2020 3:37 PM  
**To:** Pline, Treva; Marston, Sascha  
**Subject:** Refund  
**Attachments:** E045736.pdf

Hello,

I need a refund of \$80 for an overpayment on receipt E045736.  
Please send to:

KURT AND JANIE NIGHTINGALE  
PO BOX 445  
MOORE, ID 83255

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