

JAN 02 2020

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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)** Eagle Valley Ranch LLC Phone (208) 756-1376
 2. **MAILING ADDRESS** 446 Bohannon Creek Rd City Salmon
 State ID Zip 83467 Email eaglevalleyranch.salmon@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)** 74-15740, 74-215, 74-173, 74-2348, 74-179C, 74-15891

- ☒ Attach a copy of the water right(s) as recorded, available at idwr.idaho.gov, Water Right Transfers, Step 1, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 11.29 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, Water Rights, Water Right Transfers, Modeling Resources.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
yes		SE	SE		15	21N	23E	Lemhi	Bohannon/Wimpey/WF	LBC-6
no		NE	SW		22	21N	23E	Lemhi	Bohannon/Wimpey/WF	LBC-4
no		SE	NE		28	21N	23E	Lemhi	Bohannon/Wimpey/WF	LBC-3

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:

WR 74-15740, 74-215, 74-173, 74-2348, 74-179C, and 74-15891 will be transferred to an additional POD at LBC-6 as part of the irrigation efficiency project.

- b. Who owns the property at the point(s) of diversion? Eagle Valley Ranch LLC

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)?

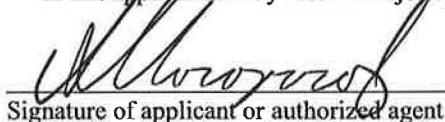
If yes, describe:

- 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.


Signature of applicant or authorized agent

NIKOLAOS D. MONOYIOS, manager 12/26/19
Print name and title if applicable Date

Signature of applicant or authorized agent

Print name and title if applicable

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 _____ Date _____ Receipted by _____ Receipt # _____

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)

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

RECEIVED
OCT 21 2019
**DEPARTMENT OF
WATER RESOURCES**

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

1. **APPLICANT(S)** Eagle Valley Ranch LLC Phone 2087561376
2. **MAILING ADDRESS** 446 Bohannon Creek Rd City Salmon
State ID Zip 83467 Email eaglevalleyranch.salmon@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)** 74-15740, 74-215, 74-173, 74-2348, 74-179c, 74-15891

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

4. **TOTAL AMOUNT OF WATER** transferred is 11.29 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 www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
yes		SE	SE		22	21N	23E	Lemhi	Bohannon/Wimpey/WF W	LBC - 6
no		NE	SW		22	21N	23E	Lemhi	Bohannon/Wimpey/WF W	LBC - 4
no		SE	NE		22	21N	23E	Lemhi	Bohannon/Wimpey/WF W	LBC - 3

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:
WR 74-15740, 74-215, 74-173, 74-2348, 74-179c, and 74-15891 will be transferred to an additional POD at LBC - 6 as a part of an irrigation efficiency project.

- b. Who owns the property at the point(s) of diversion? Eagle Valley Ranch LLC
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. The *Map Tool*, available at maps.idwr.idaho.gov/TransferApplicationLayouts/ provides a satisfactory template for creating the required map.

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] NIKOLAOS P. MONOYIUS 10/15/19
Signature of applicant or authorized agent Print name and title if applicable manager Date

Signature of applicant or authorized agent Print name and title if applicable Date

9. FEE - ☒ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is 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 _____ Date _____ Received by _____ Receipt # _____

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)

Transfer No. 83622

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:
WR 74-15740, 74-215, 74-173, 74-2348, 74-179c, and 74-15891 will be transferred to an additional POD at LBC - 6 as a part of an irrigation efficiency project.

b. Who owns the property at the point(s) of diversion? Eagle Valley Ranch LLC
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. The Map Tool, available at maps.idwr.idaho.gov/TransferApplicationLayouts/ provides a satisfactory template for creating the required map.

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]
Signature of applicant or authorized agent

NIKOLAOS D. MONOYIOS, manager
Print name and title if applicable

9/6/19
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** - ☒ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is 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 [Signature]

Date 9/23/19

Fee paid 1380 Date 9/23/19

Received by [Signature]

Receipt # 407761

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)



Upper Salmon Basin Watershed Program

Homegrown, Common-Sense
Conservation

Coordinated by:

Idaho Governor's Office of
Species Conservation
Scott Pugrud, Administrator

Mike Edmondson
Program Manager
Mike.Edmondson@osc.idaho.gov

Daniel Bertram
Project Coordinator
Daniel.bertram@osc.idaho.gov

USBWP Advisory Committee
Bruce Mulkey, Chairman

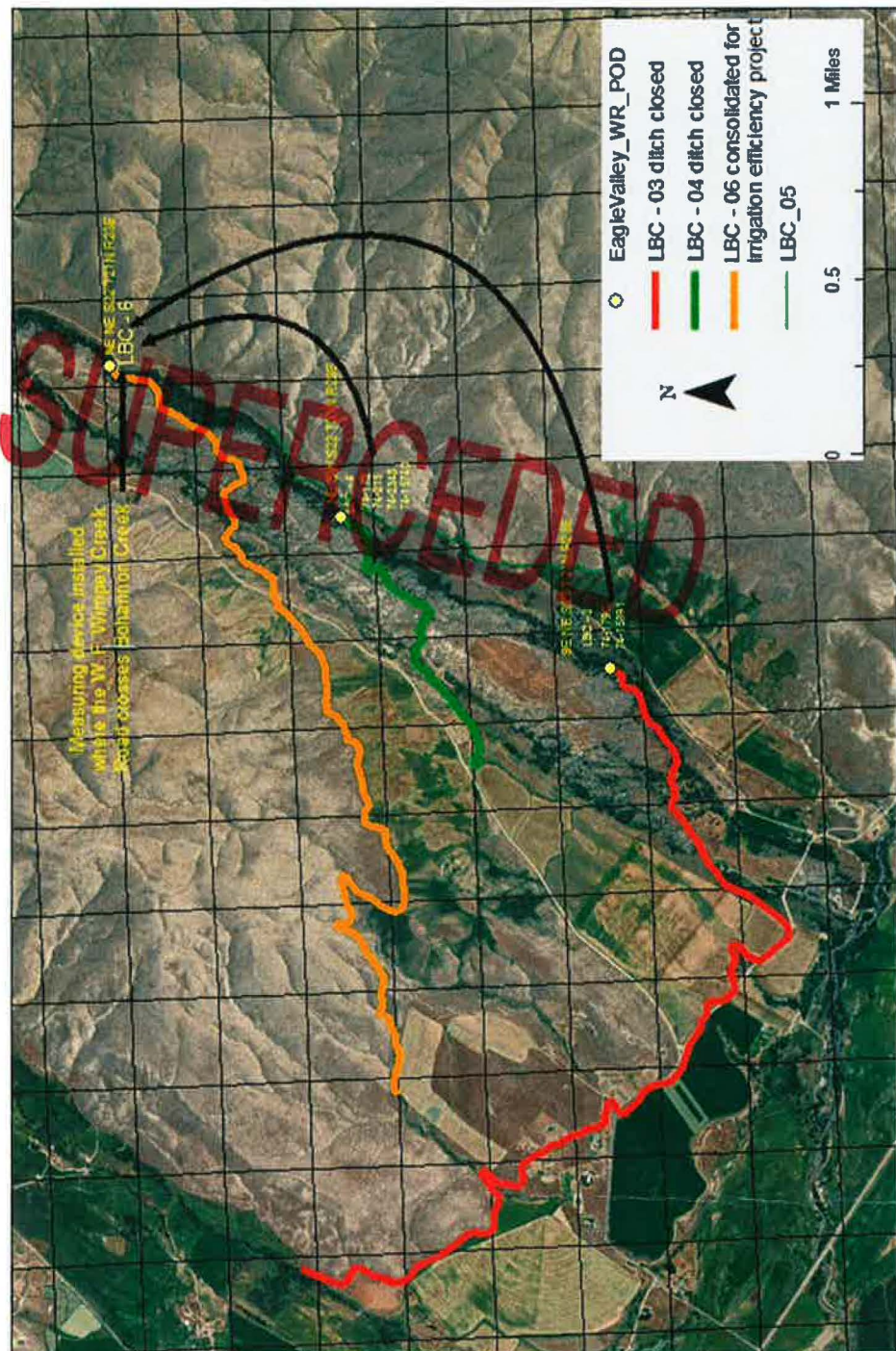
955 Riverfront Drive, Suite B
Salmon, Idaho 83467

Phone 208-756-6322

Facsimile 208-756-6376

www.modelwatershed.org

DRAFT - POD Transfer for Eagle Valley Ranch LLC



83622

Legal Notice Department

Recorder Herald
PO Box 310
Salmon ID 83467

RE: Legal Ad for your paper

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notices 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, PO Box 83720, Boise, Idaho, 83720-0098 before April 6, 2020. Your cooperation is appreciated.

Sincerely

Jean Hersley
Technical Records Specialist II
IDWR State Office
322 E Front St
Boise ID 83720
208-287-4942
jean.hersley@idwr.idaho.gov

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 83622

EAGLE VALLEY RANCH LLC, 446 BOHANNON CREEK RD, SALMON, ID 83467-5045 has filed Application No. 83622 for changes to the following water rights within LEMHI County(s): Right No(s). 74-15740, 74-15891, 74-173, 74-179C, 74-215, 74-2348; 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:

This transfer application proposes adding a diversion of water from Bohannon Creek a tributary of the Lemhi River located in Twp 21N, Rge 23E, Sec 15, SE1/4SE1/4, commonly known as LBC-6 to existing surface water irrigation rights 74-15740, 74-173, 74-2348, 74-179C, & 74-15891.

TRANSFER NO. 83682

JOEL BENDER and NANCY BENDER, 633 FISH HATCHERY RD, HAMILTON, MT 59840 has filed Application No. 83682 for changes to the following water rights within LEMHI County(s): Right No(s). 75-4409; 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:

move the point of diversion for 0.08 cfs from Indian Creek approximately 0.75 miles upstream to a point near the power plant owned by Vessey Fishing & Trading Co. The transfer is for the purpose of getting elevation for an irrigation efficiency project. The project would close an unscreened ditch and install a fish screen on a closed system pipeline.

TRANSFER NO. 83683

RICK DUANE BROWN and KIMBERLY FAYE BROWN, 3585 E 200 N, RIGBY, ID 83442 has filed Application No. 83683 for changes to the following water rights within LEMHI County(s): Right No(s). 75-4379B; 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:

move the point of diversion for 0.08 cfs from Indian Creek approximately 0.5 miles upstream to a point near the power plant owned by Vessey Fishing & Trading Co. The transfer is for the purpose of getting elevation for an irrigation efficiency project. The project would close an unscreened ditch and install a fish screen on a closed system pipeline.

TRANSFER NO. 83684

JOHN F HARRINGTON and DEBRA SUE HARRINGTON, 54 WAGON SPRINGS RD, GARDEN VALLEY, ID 83622 has filed Application No. 83684 for changes to the following water rights within LEMHI County(s): Right No(s). 75-14244; 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:

move the point of diversion for 0.13 cfs from Indian Creek approximately 0.5 miles upstream for the purpose of getting elevation for an irrigation efficiency project. The project will close an unscreened ditch and install a fish screen on a closed system pipeline.

TRANSFER NO. 83685

ROBERTA MEADVILLE and RONALD W MEADVILLE, 60 INDIAN CREEK RD
PO BOX 55, NORTH FORK, ID 83466 has filed Application No. 83685 for changes to the following water rights within LEMHI
County(s): Right No(s). 75-14245; 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:

move the point of diversion for 0.10 cfs from Indian Creek approximately 0.5 miles upstream to a point near the power plant owned
by Vessey Fishing & Trading Co. The transfer is for the purpose of getting elevation for an irrigation efficiency project. The project
would close an unscreened ditch and install a fish screen on a closed system pipeline.

For additional information concerning the property location, 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 4/6/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 3/19/2020 and 3/26/2020

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

75-14971

ROBERT SHIVELY

LISA SHIVELY

1037 E 1700 N

TERRETON, ID 83450-5057

Point of Diversion SWSE S12 T24N R19E LEMHI County

Source INDIAN CREEK Tributary SALMON RIVER

Use: DOMESTIC

04/01 to 10/31

0.02 CFS

Total Diversion:

0.02 CFS

Date Filed: 10-16-2019

Place Of Use: DOMESTIC

T24N R19E S13 SWSE

This application proposes the diversion and use of water from a tributary of the Salmon River Wild & Scenic River. The decreed
minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific
amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the
subordination provision because it is for domestic purposes.

74-16224

STATE OF IDAHO

IDAHO FISH & GAME COMMISSION

PO BOX 25

BOISE, ID 83707-0025

Point of Diversion NWSW S24 T16N R26E LEMHI County

Source CANYON CREEK Tributary LEMHI RIVER

Use: WILDLIFE

03/15 to 11/15

0.8 CFS

Total Diversion:

0.8 CFS

Date Filed: 12-20-2019

Place Of Use: WILDLIFE

T16N R26E S24 NWSW

This application proposes the diversion and use of water from Canyon Creek a tributary of the Salmon Wild & Scenic River. The
decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to
specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit
from the subordination provision because it is a non-consumptive use.

74-16225

STATE OF IDAHO

FISH AND GAME COMMISSION

PO BOX 25

BOISE, ID 83707-0025

Point of Diversion L4(SWSW) S7 T15N R27E LEMHI County

Source EIGHTEENMILE CREEK Tributary LEMHI RIVER

Use: WILDLIFE

03/15 to 11/15

0.8 CFS

Total Diversion:

0.8 CFS

Date Filed: 12-20-2019

Place Of Use: WILDLIFE

T15N R27E S7 L4(SWSW)

This application proposes the diversion and use of water from Eighteen Mile Creek tributary to the Salmon Wild & Scenic River. The
decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to
specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit
from the subordination provision because it is a non-consumptive use.

74-16226

STATE OF IDAHO

IDAHO FISH & GAME COMMISSION

PO BOX 25

BOISE, ID 83707-0025

Point of Diversion L1(NENE) S6 T20N R24E LEMHI County

Source PRATT CREEK Tributary LEMHI RIVER

Use: WILDLIFE

03/15 to 11/15

0.8 CFS

Total Diversion:

0.8 CFS

Date Filed: 12-20-2019

Place Of Use: WILDLIFE

T20N R24E S6 L1(NENE),

This application proposes the diversion and use of water from Pratt Creek tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is a non-consumptive use.

74-16227

STATE OF IDAHO

IDAHO FISH & GAME COMMISSION

PO BOX 25

BOISE, ID 83707-0025

Point of Diversion NWSW S32 T21N R24E LEMHI County

Source PRATT CREEK Tributary LEMHI RIVER

Use: WILDLIFE

03/15 to 11/15

0.8 CFS

Total Diversion:

0.8 CFS

Date Filed: 12-20-2019

Place Of Use: WILDLIFE

T21N R24E S32 NWSW

This application proposes the diversion and use of water from Pratt Creek a tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is a non-consumptive use.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the State office at (208) 287-4800; or for a full description of the right(s), please see

<https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, State Office, 322 E Front St, PO Box 83720, Boise, ID 83720 together with a protest fee of \$25.00 for each application on or before 4/6/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 3/19/2020 and 3/26/2020

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, March 12, 2020 8:11 AM
To: rhlegals@custertel.net
Subject: Legal Ad for your paper
Attachments: Recorder Herald.doc

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notices 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, PO Box 83720, Boise, Idaho, 83720-0098 before April 6, 2020. Your cooperation is appreciated.

Sincerely

Jean Hersley
Technical Records Specialist II
IDWR State Office
322 E Front St
Boise ID 83720
208-287-4942
jean.hersley@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

March 13, 2020

EAST VALLEY RANCH LLC
446 BOHANNON CREEK RD
SALMON ID 83467-5045

RE: Transfer No. 83622

Water Right No(s). 74-15740, 74-158914, 74-173, 74-179C, 74-215, & 74-2348

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 RECORDER HERALD on 3/19/2020 and 3/26/2020. 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,

Jean Hersley
Technical Records Specialist



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

March 12, 2020

JERRY ELZINGA
700 MONROE
SALMON, ID 83467

RE: Transfer No. 83622
Water rights: 74-173, 74-179C, 74-215, 74-2348, 74-15740

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at:
<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

State of Idaho
Department of Water Resources
RECOMMENDATION FORM

RE: Transfer No. 83622

Water rights: 74-173, 74-179C, 74-215, 74-2348, 74-15740

Transfer Applicant's Name:

EAGLE VALLEY RANCH LLC
446 BOHANNON CREEK RD
SALMON, ID 83467-5045

Watermaster's Recommendation:

- a) _____ I do not oppose approval of this application.
- b) _____ I do not oppose approval of this application if it is conditioned
as follows:
- c) _____ I oppose approval of this application for the following reasons:
- d) _____ Additional comments:

Dated this _____ day of _____.

Watermaster's Signature

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, March 12, 2020 11:41 AM
To: Yenter, Cindy
Subject: Comments or Concerns

Big day for advertising!

Please let me know if you have comments or concerns about the following applications.

Applications for Permit: 74-16224, 74-16225, 74-16226, 74-16227 & 75-14971

Transfers: 83682, 83683, 83684, 83685 & 83622

The applications will be advertised on March 19 & 26, 2020 with the protest end date of April 6, 2020. The documents will be scanned by end of day tomorrow.

*Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942*

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, March 12, 2020 11:17 AM
To: Jeff Richards
Subject: Comments for Applications

Application for permit 75-14971

Transfer No. 83682-Water right 75-4409, 83683- water right 75-4379B, 83684- water right 75-14244, 83685- water right 75-14245 & 83622-water rights 74-173, 74-179C, 74-215, 74-2348 & 74-15740

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right applications. You can find a copy of the application at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

This office can publish notice of application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency 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 applications.

*Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942*

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, March 12, 2020 11:11 AM
To: Clark, Cynthia Bridge; Golden, Kala
Cc: Cassel, Amy
Subject: Applications being advertised

Application for Permit 74-16224-74-16227, 75-14971, 84-12302
Transfer No. 83682, 83683, 83684, 83685 & 83622

These applications will be advertised either on March 18 & 25 or March 19 & 26. The protest end date is April 6, 2020. Please let me know if you have any comments or concerns. Documents will be scanned by the end of the day.

*Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942*



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 • Email: idwrinfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

October 15, 2019

EAST VALLEY RANCH LLC
446 BOHANNON CREED RD
SALMON ID 83467

COPY

RE: APPLICATION FOR TRANSFER 83622

Dear Applicant(s):

The Department of Water Resources (Department) received your transfer application on September 23, 2019. Upon preliminary review of the application, the proposed point of diversion (POD) that is being requested be added to the existing POD's for water rights 74-15740, 74-215, 74-173, 74-2348, 74-179C, and 74-15891 public land survey (PLS) description does not match the corresponding PLS description displayed on the map that accompanied the application. On the application (section 5) the proposed POD (requesting to be added) is described being located in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ Sec 22 Twp 21N Rge 23E. On the map the proposed POD is described and shown being located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ Sec 22 Twp 21N Rge 23E. Department records describe the LBC-6 being located in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ Sec 22 Twp 21N Rge 23E. The Department needs clarification where the proposed POD is located, and for the application POD description to match the map POD description. The Department has included a map with this letter showing the location of the proposed added POD described on the application, described on the application attachment map, and described by Department records.

The transfer application (Section 5) only describes the POD proposed to be added. If the existing POD's for water rights 74-15740, 74-215, 74-173, 74-2348, 74-179C, and 74-15891 are to be included on the water rights after the proposed change, then Section 5 of the transfer application needs to describe all POD's. A copy of the application is included with this letter and an example of section 5 has been added in red ink to include all POD's after the proposed change.



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 • Email: idwrinfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

There are four options for moving forward with this application.

1. Provide a revised or amended application for transfer with an initialed, date endorsement on the original application (an amended/revised copy of the first page is acceptable) to clarify the correct POD information with associated map.
2. Provide a new application for transfer to replace the original application.
3. Provide a letter describing the amendments in sufficient detail.
4. Withdraw transfer application.

If the requested information is not received within 30 days of this letter, the Department will reject your application. If you have any questions, contact me at 208-287-4907 or email me at ashley.ritter@idwr.idaho.gov. Thank you for your attention to this matter.

Sincerely,

ASHLEY RITTER
Associate Engineer
IDWR State Office

Attachments: Department Map
Copy of original application

CC: Upper Salmon Basin Watershed Program-Chris Gaughan

Transfer application (Section 5) describes LBC-6 in NWNE

SWSE

15

SESE

SW

Department records showing LBC-6 located in SESE

21 23E

Transfer application map attachment shows LBC-6 in the NENE

NWNE

NENE

NW

22

2

SWNE



0

250

500

1,000

Feet

SW

ats.

SEP 23 2019

DEPARTMENT OF
WATER RESOURCES

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

1. APPLICANT(S) Eagle Valley Ranch LLC Phone 20875613762. MAILING ADDRESS 446 Bohannon Creek Rd City SalmonState ID Zip 83467 Email eaglevalleyranch.salmon@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) 74-15740, 74-215, 74-173, 74-2348, 74-179c, 74-15891

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

4. TOTAL AMOUNT OF WATER transferred is 11.29 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 www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

New?	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
yes	7	NW		NE	22	21N	23E	Lemhi	Bohannon/Wimpey/WF W	LBC - 6
no			NE	SW	22	21N	23E	enter county	enter in source	LBC - 4
no			SE	NE	22	21N	23E	enter county	enter in source	LBC - 3

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:

WR 74-15740, 74-215, 74-173, 74-2348, 74-179c, and 74-15891 will be transferred to an additional POD at LBC - 6 as a part of an irrigation efficiency project.

- b. Who owns the property at the point(s) of diversion? Eagle Valley Ranch LLC

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)?

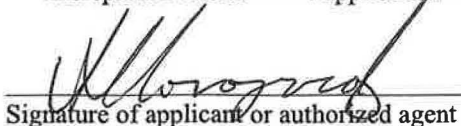
If yes, describe:

- 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. The *Map Tool*, available at maps.idwr.idaho.gov/TransferApplicationLayouts/ provides a satisfactory template for creating the required map.

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

NIKOLAOS D. MONOYIOS, manager
Print name and title if applicable

9/6/19
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** - ☒ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is 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 9/23/19

Fee paid 1380

Date 9/23/19

Received by 

Receipt # C107761

Preliminary review by _____

Date _____

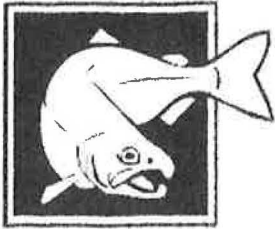
Active in the Water Supply Bank? Yes ☐ No ☐

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)



Upper Salmon Basin Watershed Program

Homegrown, Common-Sense
Conservation

Coordinated by:

Idaho Governor's Office of
Species Conservation
Scott Pugrud, Administrator

Mike Edmondson
Program Manager
Mike.Edmondson@osc.idaho.gov

Daniel Bertram
Project Coordinator
Daniel.bertram@osc.idaho.gov

USBWP Advisory Committee
Bruce Mulkey, Chairman

955 Riverfront Drive, Suite B
Salmon, Idaho 83467

Phone 208-756-6322

Facsimile 208-756-6376

www.modelwatershed.org

April 25, 2019

Re: Water Rights 74-15740, 74-215, 74-173, 74-2348, 74-179c, and 74-15891;
change in POD

The Upper Salmon Basin Watershed Program is assisting Eagle Valley Ranch LLC in the attached application for an additional Point of Diversion (POD) for water rights 74-15740, 74-215, 74-173, 74-2348, 74-179c, and 74-15891 (see attached Water Right documents).

This additional POD is being added as a part of an irrigation efficiency project funded with anadromous fish dollars (see map below). The Lemhi Soil and Water Conservation District is the project sponsor and the irrigation system is being designed by the NRCS Salmon Field Office. Both the existing POD locations as well as the proposed POD transfer location (LBC - 6) are on Eagle Valley Ranch LLC property.

The project sponsor, Lemhi Soil and Water Conservation District, will hold a contract with Eagle Valley Ranch LLC detailing the agreed terms.

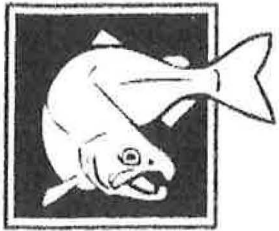
Please let me know if you have any questions.

Sincerely,

Chris Gaughan
USBWP Project Planner
955 Riverfront Dr. Suite B
Salmon, Idaho 83467
(208)756-6322
Chris.Gaughan@osc.idaho.gov



83622



Upper Salmon Basin Watershed Program

Homegrown, Common-Sense
Conservation

Coordinated by:

Idaho Governor's Office of
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Scott Pugrud, Administrator

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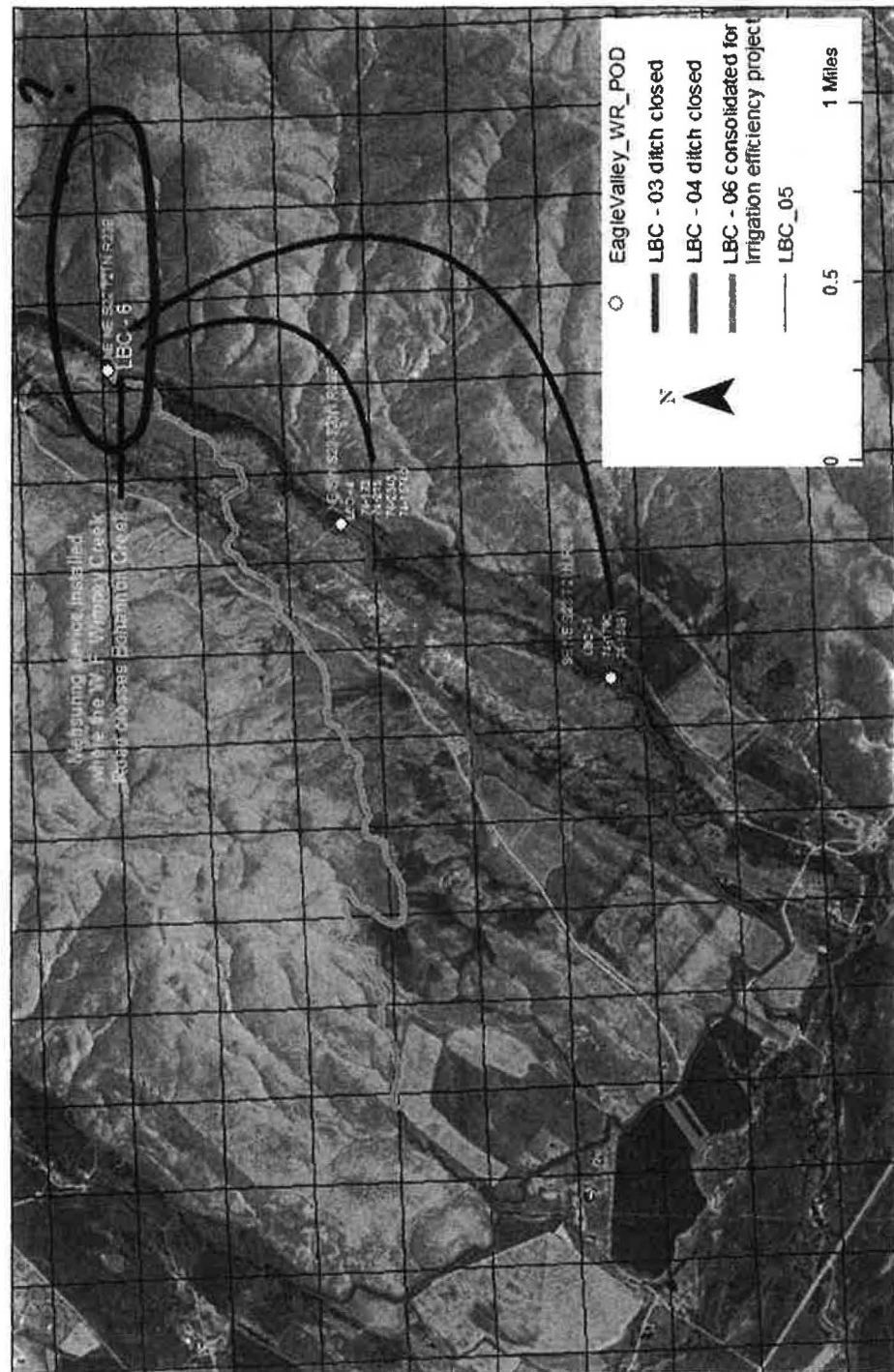
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Facsimile 208-756-6376

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DRAFT - POD Transfer for Eagle Valley Ranch LLC





Upper Salmon Basin Watershed Program

Homegrown, Common-Sense
Conservation

Coordinated by:

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Salmon, Idaho 83467

Phone 208-756-6322

Facsimile 208-756-6376

www.modelwatershed.org

April 25, 2019

Re: Water **Rights** 74-15740, 74-215, 74-173, 74-2348, 74-179c, and 74-15891:
change in **POD**

The Upper **Salmon** Basin Watershed Program is assisting Eagle Valley Ranch LLC in the **attached** application for an additional Point of Diversion (POD) for water rights **74-15740**, 74-215, 74-173, 74-2348, 74-179c, and 74-15891 (see **attached Water Right** documents).

This additional **POD** is being added as a part of an irrigation efficiency project funded with **anadromous** fish dollars (see map below). The Lemhi Soil and Water Conservation **District** is the project sponsor and the irrigation system is being designed by the **NRCS** Salmon Field Office. Both the existing POD locations as well as the **proposed** POD transfer location (LBC - 6) are on Eagle Valley Ranch LLC property.

The project **sponsor**, Lemhi Soil and Water Conservation District, will hold a contract with **Eagle** Valley Ranch LLC detailing the agreed terms.

Please let me know if you have any questions.

Sincerely,

Chris Gaughan
USBWP Project Planner
955 Riverfront Dr. Suite B
Salmon, Idaho 83467
(208)756-6322
Chris.Gaughan@osc.idaho.gov



83622