



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. 83930

**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) E&M Trust

**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

## APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) E&M Trust Phone 208-852-2375  
Mailing address 2414 S 1600E Preston, ID 83263 Email egolightly@plmw.com

- ☒ 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 \_\_\_\_\_ Phone \_\_\_\_\_  
Mailing address \_\_\_\_\_ Email \_\_\_\_\_

- ☐ 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.

  
Signature of Applicant or Authorized Representative

  
Print Name and Title if applicable

3-4-2020  
Date

\_\_\_\_\_  
Signature of Applicant or Authorized Representative

\_\_\_\_\_  
Print Name and Title if applicable

\_\_\_\_\_  
Date

### A. PURPOSE OF TRANSFER

- ☒ Change point of diversion  
☐ Change nature of use
 ☐ Add diversion point(s)  
☐ Change period of use
 ☒ Change place of use  
☐ Other \_\_\_\_\_
- Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?  
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- 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**.  
Change point of diversion and place of use for a 139-acre portion of water rights 13-60B, 13-61B and 13-274. The water rights will be consolidated onto a 117-acre place of use. The proposed place of use is already covered by Spring Creek water rights and/or Cub River Irrigation Company shares.

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 <input type="checkbox"/> <input checked="" type="checkbox"/>	13-60B	0.05/21.9	Irrigation	4/1 to 11/1	Spring Creek
<input type="checkbox"/> <input checked="" type="checkbox"/>	13-61B	0.11/47.0	Irrigation	4/1 to 11/1	Spring Creek
<input type="checkbox"/> <input checked="" type="checkbox"/>	13-274	1.83/486.5	Irrigation	4/1 to 11/1	Spring Creek
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	

Total authorized under rights 1.99 cfs and/or 486.5 acre-feet.

2. Total amount of water proposed to be transferred or changed 1.99 cubic feet per second and/or 486.5 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 #
			NW	NW	6	16S	40E	Franklin	Spring Creek	Chadwick Dam

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	
16S	39E	12	8.2			20.3									15				43.5
16S	40E	7						32	26.5			15							73.5
								L1	L2			L3							
Total Acres (for irrigation use)																			117

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:  
Chadwick Dam send water into our ditch and pipeline. Diversion will be rebuilt this year and a measuring device will be installed at that time.

- b. Who owns the property at the point(s) of diversion? Existing historical diversion.  
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: N/A

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:  
Existing place of use is covered with Cub River Irrigation Company shares and will continue to be irrigated.  
Proposed place of use is covered with Cub River Irrigation Company shares, ground water rights, and/or Spring Creek water rights. Water rights will be moved from a stacked position to a stacked position.
- 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:  
13-258 (Chadwick), 13-217 (E&M), 13-62 (E&M), 13-7792 (E&M), 13-7793 (Wheatley), 13-218 (Wheatley), 13-7102 (Wheatley), 13-7464 (Wheatley)

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

**Yes No**

- |                          |                                     |   |
|--------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | undergone a period of five or more consecutive years of non-use,                              |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently leased to the Water Supply Bank,  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently used in a mitigation plan limiting the use of water under the right, or             |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

**If yes, describe:**

Acres have been consistently irrigated.

## 3/4/2020

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LYMAN J SHARP RT 1 PRESTON, ID 83263

**Basis:** Decreed

**Status:** Active

**Tributary**  
CUB RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	0.080 CFS	34.0 AF
	<b>Total Diversion</b>		0.080 CFS	34.0 AF

## SPRING CREEK

SWSE

Sec. 1, Twp 16S, Rge 39E, FRANKLIN County

## Place Of Use

## IRRIGATION within FRANKLIN 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
16S	39E	12		17.0	40.0	20.0					24.0			40.0		40.0	35.0		216.0

POU Total Acres: 216.0

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

3/4/2020

**Water Right 13-61B**

**Owner Type**      **Name and Address**  
Current Owner      LYMAN J SHARP  
RT 1  
PRESTON, ID 83263

**Priority Date:** 5/15/1888

**Basis:** Decreed

**Status:** Active

**Source**  
SPRING CREEK

**Tributary**  
CUB 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	4/01	11/01	0.170 CFS	73.0 AF
	<b><u>Total Diversion</u></b>		0.170 CFS	73.0 AF

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

SPRING CREEK      SWSE      Sec. 1, Twp 16S, Rge 39E, FRANKLIN County

**Place Of Use**

IRRIGATION within FRANKLIN 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	
16S	39E	12		17.0	40.0	20.0					24.0			40.0		40.0	35.0		216.0

POU Total Acres: 216.0

## 3/4/2020

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LYMAN L SHARP RT 1 PRESTON, ID 83263

**Status:** Active

**Tributary**  
CUB RIVER

756.0 AF

Sec. 1, Twp 16S, Rge 39E, FRANKLIN County  
Sec. 6, Twp 16S, Rge 40E, FRANKLIN 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
16S	39E	12		17.0	40.0	20.0					24.0			40.0		40.0	35.0		216.0

1. THIS WATER INCLUDES WATERS ARISING BELOW THE CHADWICK DAM AND SUCH PORTION OF THOSE WATERS ABOVE THE CHADWICK DAM AS OVERFLOW SAID DAM, UNDER THE USE OF SAID WATERS AND STRUCTURE OF SAID DAM AS IS NOW CONSTITUTED.

THIS RT. WHEN COMBINED WITH RTS. 13-0060B & 13-0061B, SHALL PROVIDE NO MORE THAN 3.5 CFS OR 756.0 AF/YR.

THIS DECREED RT. WAS MODIFIED BY THE FINAL WORM CREEK DECREE.





**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**

# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 3

**A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)**

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ 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. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

### B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

### C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

[illegible]

**FOR DEPARTMENT USE ONLY**

Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments.

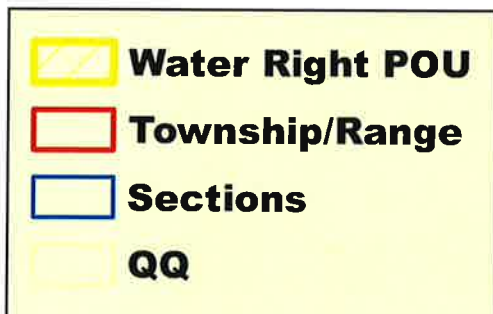
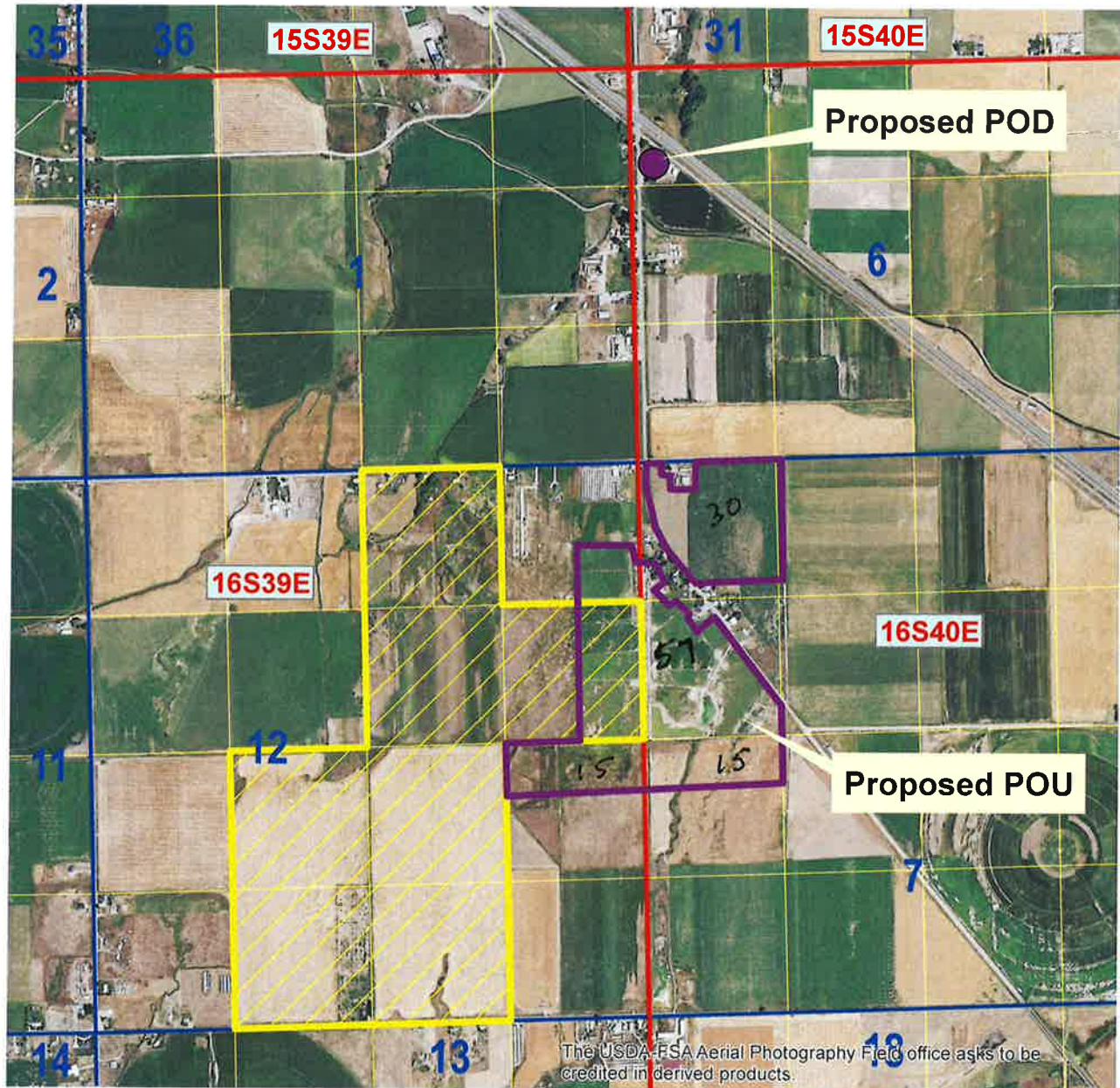
Received by \_\_\_\_\_ Date \_\_\_\_\_ Preliminary check by \_\_\_\_\_ Date \_\_\_\_\_

Fee paid \$880.00 Date \_\_\_\_\_ Received by CA PH Receipt # E045714

Add'l fee paid \_\_\_\_\_ Date \_\_\_\_\_ Received by \_\_\_\_\_ Receipt # \_\_\_\_\_

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

# E&M Trust Application for Transfer



0 0.3 0.6 Miles



**Acceptance of Trust**

Upon the termination of Patricia Vaughn and James Townsend, the Trustee Board approves and appoints Eldon C. Golightly to serve as the successor and contingent trustee in accordance within the Trust Articles of the E & M Family Trust 52-7078885. I Eldon C. Golightly duly sworn to serve and protect as trustee, being vested with and having all rights, duties powers and privileges which an absolute owner the of the same property would have accepts the authority as Trustee for E & M Family Trust.

Signature: Eldon C. GolightlyDate: 1-16-09State of IdahoCounty of Franklin

On this 16 day of January, 2004, before me, the undersigned, a Notary in and for said State, personally appeared Eldon Golightly personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is inscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument, the person(s), or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature: Jannalee W. Stone (SEAL)My commission expires: 05-01-09

## Acceptance of Trust

Upon the termination of Patricia Vaughn and James Townsend, the Trustee Board approves and appoints Mary Ann Gelightly, to serve as the successor and contingent trustee in accordance with the Trust Articles of the E & M Family Trust 52-7078885. I Mary Ann Gelightly duly sworn to serve and protect as trustee, being vested with and having all rights, duties powers and privileges which an absolute owner the of the same property would have accept the authority as Trustee for E & M Family Trust.

Signature: Mary Ann Gelightly Date: 1-16-04

State of Idaho

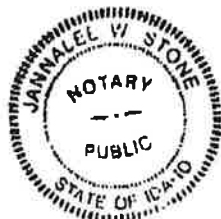
County of Franklin

On this 16 day of January 2004 before me, the undersigned, a Notary in and for said State, personally appeared Mary Ann Gelightly personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is inscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument, the person(s), or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature: Jannalee W. Stone (SEAL)

My commission expires: 05-01-09



Idaho dept of Water  
Idaho Falls Idaho.

January 5, 2020  
Preston, Idaho

Attention James

Regarding Purchase of Circle 7 Water Rights  
Circle 7 water Rights Listed Below

<u>Ident. No.</u>	<u>date of original Pelling</u>	<u>DIVISION</u>
13-0274	9-1-1903	<u>Point</u>
13 00 60 B	5-15-1886	Chadwick
13 00 61 B	5-15-1888	Dam -
		11

See 3 Attachment  
Source:

Spring Creek

DIVISION:  
Chadwick Dam -

Former Place of Use

			South W				South East				Total Acres
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	
16S	39E	12	24			40		40	35		139

CIRCLE 7 PROPERTIES LLC with Troy Hobbs as  
manager sells the Above Rights to E+M Trust  
and Golightly FARMS LLC with Eldon C Golightly  
as Trustee and manager Respectfully-

Purchase price of \$10,000 dollars. \$1,000 dollars  
Received and the other \$9,000 Due July 1, 2020

Eldon C Golightly

Buyer-

Eldon C Golightly 83930

Joy H

Seller

Troy Hobbs





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 11, 2020

E & M TRUST  
2414 S 1600 E  
PRESTON, ID 83263

RE: Transfer No. 83930  
Water Right No(s). 13-274, 13-60B, 13-61B

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 PRESTON CITIZEN 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,

Christina Henman  
Administrative Assistant

## Henman, Christina

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**From:** Henman, Christina  
**Sent:** Wednesday, March 11, 2020 12:23 PM  
**To:** PRESTON CITIZEN (bjohnson@hjnews.com)  
**Subject:** Legal ad for Preston Citizen  
**Attachments:** 83930 Preston Citizen.doc

Hello,

Please see attached document regarding a legal ad 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

March 11, 2020

**MAY CONTAIN MORE THAN ONE PAGE!**

**Legal Notice Department**

Preston Citizen  
PO Box 472  
Preston ID 83263

RE: Transfer No. 83930  
Water Right No(s). 13-274, 13-60B, 13-61B

**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 **4/6/2020**. 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

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

\*\*\*\*\*

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 83930**

E & M TRUST, 2414 S 1600 E, PRESTON, ID 83263 has filed Application No. 83930 for changes to the following water rights within FRANKLIN County(s): Right No(s). 13-274, 13-60B, 13-61B; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion and place of use. Proposed point of diversion is in Lot 4 (NWNW) Sec 6 T16S R40E for 1.99 cfs from Spring Creek. Proposed place of use is in NENE, SENE, NESE Sec 12 T16S R39E and Lot 1 (NWNW), Lot 2 (SWNW), Lot 3 (NWSW) Sec 7 T16S R40E for 117 acres.

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 4/6/2020. 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



**Henman, Christina**

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**To:** farmerkirk@hotmail.com  
**Subject:** Recommendation of Watermaster 83930  
**Attachments:** ROW 13A.doc

Dear Watermaster:

A copy of the above referenced application will be available online at <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this email.

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



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls ID 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177

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

**BRAD LITTLE**  
Governor

**GARY SPACKMAN**  
Director

March 11, 2020

Kirk Iverson  
Water District 13A  
2724 S 1400 W  
Preston ID 83263  
[farmerkirk@hotmail.com](mailto:farmerkirk@hotmail.com)

RE: Application for Transfer 83930

Dear Watermaster:

A copy of the above referenced application is enclosed. 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.

IDWR's regional offices 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 during regional review. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

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

Sincerely,

Christina Henman  
Administrative Assistant

Enclosure(s)