

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
NOV 20 2019
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

1. **APPLICANT(S)** Merlyn & Lori Ringel Phone 208-881-2751 (C)
2. **MAILING ADDRESS** 792 N 3600 E City Menan
State ID Zip 83434 Email mringel@bdhsi.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)** 35-14628, 35-14629, 35-14630

- ☒ 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 .09 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 #
Y			SW	SW	15	5N	38E	Madison	Ground Water	

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:

About 3 HP pump in new well to 1 home and irrigated acreage

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

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.

Marilyn R. Ringel
Signature of applicant or authorized agent

MERYLN Ringel
Print name and title if applicable

11-20-19
Date

Lori Ringel
Signature of applicant or authorized agent

Lori Ringel
Print name and title if applicable

11-20-19
Date

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

FOR DEPARTMENT USE ONLY

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

Fee paid 200.00 Date 11-20-19 Received by M. Pettis Receipt # E045464

Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/18/2019

Water Right 35-14628

Owner Type **Name**
Current Owner LORI RINGEL
Current Owner MERLYN R RINGEL
Priority Date: 3/5/1948
Basis: Decreed
Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.030 CFS	6.8 AF
	<u>Total Diversion</u>		0.030 CFS	6.8 AF

Source and Point(s) of Diversion

GROUND WATER	NWNENW	Sec. 22, Twp 05N, Rge 38E, MADISON County
GROUND WATER	SWSWSW	Sec. 15, Twp 05N, Rge 38E, MADISON County

Place Of Use

IRRIGATION within MADISON County

T05N R38E S15	SWSW	4.7
	Right Acre Limit:	1.7
	POU Total Acres:	4.7

Conditions of Approval:

1. E03 Use of this right is combined with water from Butte & Market Lake Canal Co.
2. X35 Rights 35-14628, 35-14629 and 35-14630 when combined shall not exceed the irrigation of 4.7 acres.
3. X27 This right is limited to the irrigation of 1.7 acres within the authorized place of use in a single irrigation season.
4. F06 The following rights are diverted through point(s) of diversion described above:
35-14174, 35-14176, 35-14178, 35-14613, 34-14614, 34-14615, 35-14616, 34-14617,
34-14618, 34-14628, 34-14629 and 34-14630.
5. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
6. U45 The place of use does not include federal land.
7. E17 Use of this right is combined with water from Palisades Water Users Association.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/18/2019

Water Right 35-14629

Owner Type **Name**
Current Owner MERLYN R RINGEL
Current Owner LORI RINGEL
Priority Date: 12/31/1940
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.050 CFS	11.2 AF
	<u>Total Diversion</u>		0.050 CFS	11.2 AF

Source and Point(s) of Diversion

GROUND WATER	NWNENW	Sec. 22, Twp 05N, Rge 38E, MADISON County
GROUND WATER	SWSWSW	Sec. 15, Twp 05N, Rge 38E, MADISON County

Place Of Use

IRRIGATION within MADISON County

T05N R38E S15	SWSW	4.7
	Right Acre Limit:	2.8
	POU Total Acres:	4.7

Conditions of Approval:

1. U45 The place of use does not include federal land.
2. E03 Use of this right is combined with water from Butte & Market Lake Canal Co.
3. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
4. F06 The following rights are diverted through point(s) of diversion described above:
35-14174, 35-14176, 35-14178, 35-14613, 34-14614, 34-14615, 35-14616, 34-14617,
35-14618, 35-14628, 35-14629 and 35-14630.
5. E17 Use of this right is combined with water from Palisades Water Users Association.
6. X27 This right is limited to the irrigation of 2.8 acres within the authorized place of use in a single irrigation season.
7. X35 Rights 35-14628, 35-14629 and 35-14630 when combined shall not exceed the irrigation of 4.7 acres.

11/18/2019

<u>Owner Type</u>	<u>Name</u>
Current Owner	MERLYN R RINGEL
Current Owner	LORI RINGEL
<u>Priority Date:</u>	9/28/1981
<u>Basis:</u>	Decreed
<u>Status:</u>	Active

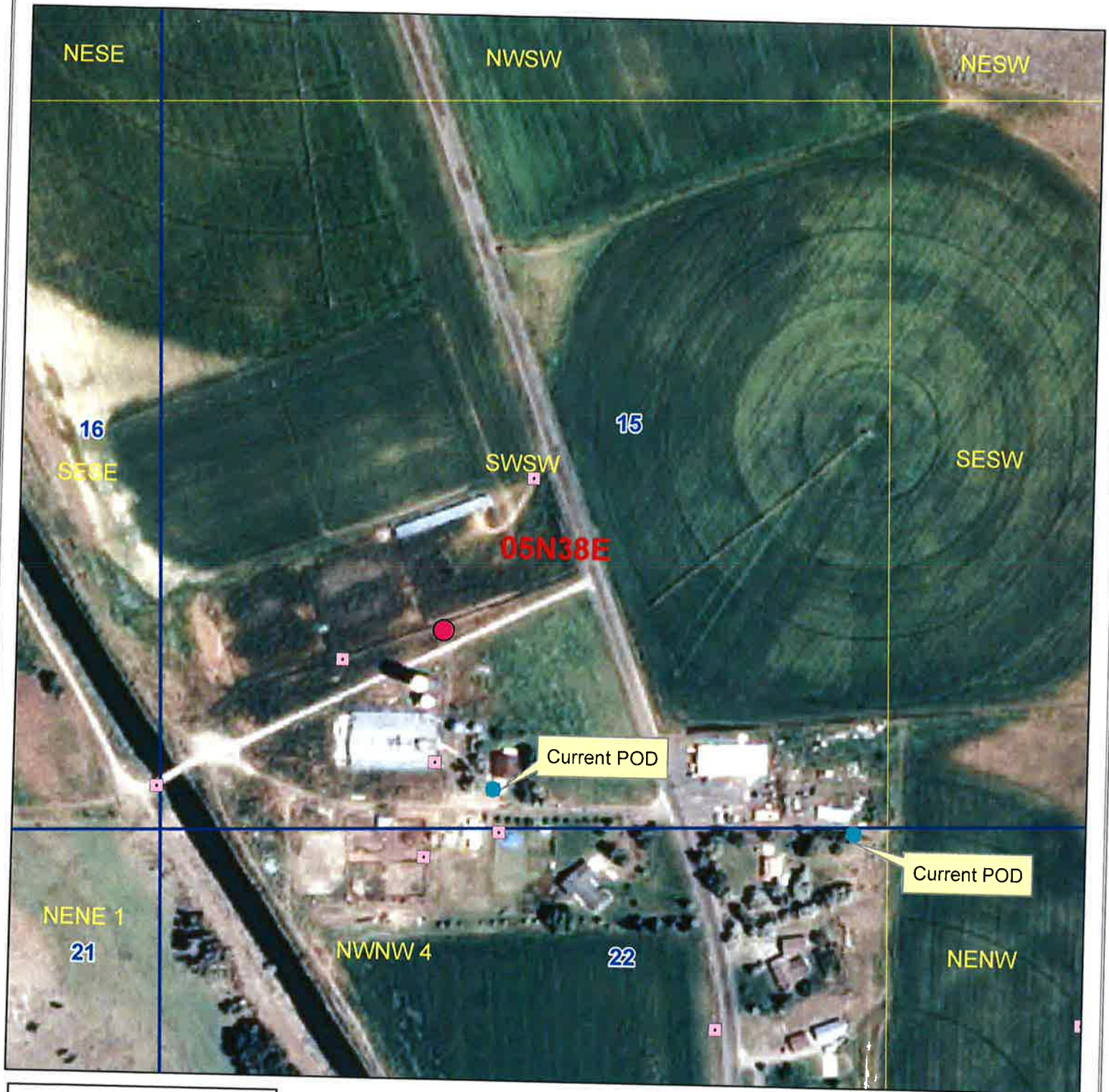
Tributary

0.8 AF

T05N R38E S15	SWSW	4.7
	Right Acre Limit:	0.2
	POU Total Acres:	4.7

1.	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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
2.	F06	The following rights are diverted through point(s) of diversion described above: 35-14174, 35-14176, 35-14178, 35-14613, 34-14614, 34-14615, 35-14616, 34-14617, 35-14618, 35-14628, 35-14629 and 35-14630.
3.	E03	Use of this right is combined with water from Butte & Market Lake Canal Co.
4.	X27	This right is limited to the irrigation of 0.2 acres within the authorized place of use in a single irrigation season.
5.	E17	Use of this right is combined with water from Palisades Water Users Association.
6.	X35	Rights 35-141628, 35-14629 and 35-14630 when combined shall not exceed the irrigation of 4.7 acres. This water right shall not exceed 0.003 cfs for irrigation.
7.	U45	The place of use does not include federal land.

Transfer of Right Nos. 35-14628, 35-14629, & 35-14630



Legend

- Water Right POD
- Proposed POD
- Township/Range
- Sections
- QQ

0 0.05 0.1 0.2 Miles



Henman, Christina

From: Henman, Christina
Sent: Thursday, November 21, 2019 3:42 PM
To: REXBURG STANDARD JOURNAL (legals@rexburgstandardjournal.com)
Subject: Legal Ads for Rexburg Standard Journal
Attachments: 83765 Rexburg Standard Journal.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 EMAIL MAY CONTAIN MORE THAN ONE PAGE!

November 21, 2019

Legal Notice Department

Rexburg Standard Journal / Herald Chronicle
PO Box 10
Rexburg ID 83440

RE: Transfer No. 83765,
Water Right No(s): 35-14628, 35-14629, 35-14630

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 for **ACCOUNT NUMBER 241525**. Please send the affidavit and bill to this office before 12/16/2019. Your cooperation is appreciated.

Sincerely

Christina Henman
Administrative Assistant

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

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 83765

MERLYN R RINGEL and LORI RINGEL, 792 N 3600 E, MENAN, ID 83434-5206; has filed Application No. 83765 for changes to the following water rights within MADISON County(s): Right No(s). 35-14628, 35-14629, 35-14630; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion. The point of diversion will be in SWSW Sec 15 T5N R38E for 0.09 cfs from ground water. The place of use remains the same.

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 12/16/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 11/29/2019 and 12/6/2019



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 • Email: easterninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

November 20, 2019

MERLYN R. and LORI RINGEL
792 N 3600 E
MENAN, ID 83434-5206

RE: Transfer No. 83765
Water Right No(s). 35-14628, 35-14629, 35-14630

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 REXBURG STANDARD JOURNAL on 11/29/2019 and 12/6/2019. 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