

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

RECEIVED
SEP 18 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
☐ Transfer is for changes pursuant to [Idaho Code § 42-221.O.8](#). Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** Parkinson Farms Phone 208 527 3921
2. **MAILING ADDRESS** 2195 N 3000 W City Arco
State ID Zip 83213 Email parksg@live.com

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 34-2313

- ☒ 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 1.2 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 #
		NW	NW	NW	26	4N	26E	Butte	Big Lost River	

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:

Rain 4 Rent is installing a pipeline from the Munsey Canal to about 8-9 users, each user will have flow meter and lock.

- b. Who owns the property at the point(s) of diversion? Munsey Canal (Big Lost River Irrigation District)

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

This Project is being directed by NRCS (Jessie Fullmer)

- 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.

Parkinson Farms by
Scott Parkinson

Signature of applicant or authorized agent

Scott Parkinson partner

Print name and title if applicable

09/18/19

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 \$580.- Date 9/18/2019

Received by JB

Receipt # E045329

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)

9/18/2019

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PARKINSON FARMS 2253 N 3100 W ARCO, ID 83213 (208) 527-3161

Status: Active

Tributary
SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/01	10/15	1.200 CFS	
	Total Diversion		1.200 CFS	

BIG LOST RIVER **NENWSE** **Sec. 12, Twp 03N, Rge 26E, BUTTE County**

IRRIGATION within BUTTE 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
03N	27E	18					1.2	20.8 L1	38.0 L2	39.0									99.0

POU Total Acres: 99.0

1.	S34	THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
2.		USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 21.62 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 3784.0 AF. COMBINED RIGHT NOS.: 34-00635, 34-02289, 34-02490, 34-02497, 34-02505, 34-02506, 34-04008, 34-07145, 34-07176, 34-10393 AND 34-12368.
3.		USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 885 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-00635, 34-02289, 34-02490, 34-02497, 34-02505, 34-02506, 34-04008, 34-07145, 34-07176, 34-10393 AND 34-12368.
4.	C18	THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/18/2019

DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

5. WATER IS DELIVERED THROUGH MC LAUGHLIN DITCH.
6. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Comments:

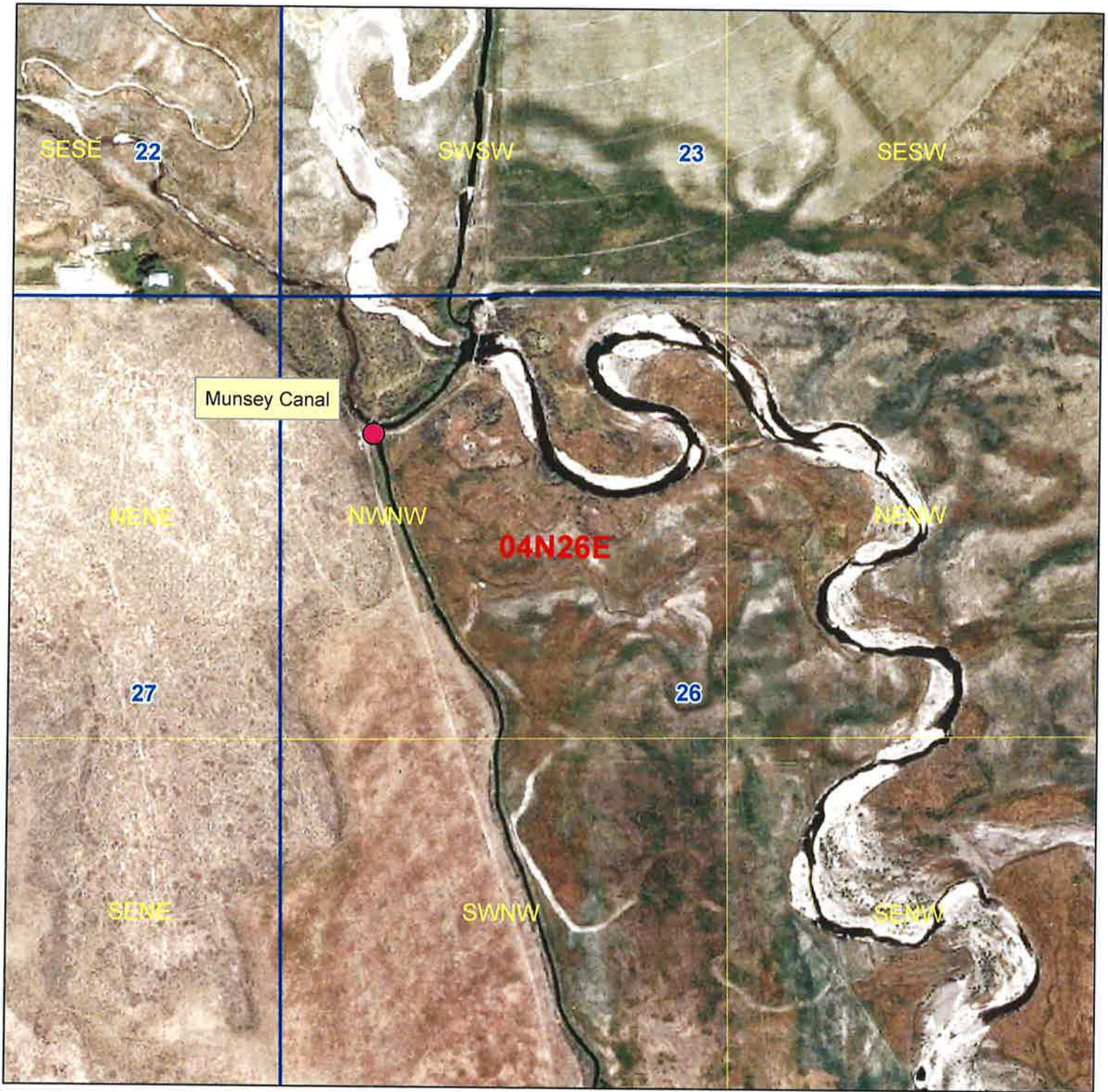
1. CARLSEN 8/19/1991 COPIED FROM REMARKS
THIS WATER RIGHT IS FOR 103 ACRES WITHIN THE TRACTS OF LAND LISTED IN ITEM
10. A34-10393/00635/07176/07145/02497/02505/02506/04008/02490/02289
2. AJTEMP 5/9/1992 SEE COMMENTS
DELETED CONSUMPTIVE USE OF 247.5 AFY. ADDED DIVERSION VOLUME OF 3784 AF
TO REMARKS AND CONDITION M04.
3. FRAZEE 3/1/1994 OWNERSHIP CHANGE
OWNERSHIP CHANGE REC'D 1/26/94.
4. SSHERMAN 5/17/1995 NAME AND/OR ADDRESS CHANGE
SF3 OWNERSHIP CHANGE, FARM CREDIT BANK OF SPOKANE TO PARKINSON FARMS.
5. SSHERMAN 5/19/1995 ADDRESS DATA ENTRY
ADDRESS DATA ENTRY CORRECTION.
6. AJU10-DS 6/9/2000 AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
7. nmiller 5/25/2006 POD
Correlated PODID 436373 from SpatialDataID 215045 to SpatialDataID 215042

Dates and Other Information

Decreed Date: 5/30/2001
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 34
Mitigation Plan: False

Combined Use Limits

Rate	Volume	Acres
21.620	3,784.0	
34-2289 ,34-7176 ,34-635 ,34-2313 ,34-2490 ,34-2497 ,34-2505 ,34-2506 ,34-4008 ,34-7145 ,34-10393 ,34-12368 ,34-13577		
Rate	Volume	Acres
21.620	3,784.0	885.0
34-2289 ,34-7176 ,34-635 ,34-2313 ,34-2490 ,34-2497 ,34-2505 ,34-2506 ,34-4008 ,34-7145 ,34-10393 ,34-12368 ,34-13577		



Legend

- Proposed POD
- Township/Range
- Sections
- QQ

0 0.075 0.15 0.3 Miles



MH

83649



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

October 3, 2019

PARKINSON FARMS
2195 N 3000 W
ARCO, ID 83213

RE: Transfer No. 83649
Water Right No(s). 34-2313

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the ARCO ADVERTISER on 10/10/2019 and 10/17/2019. 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,

A handwritten signature in blue ink, appearing to read 'CH' followed by a stylized surname.

Christina Henman
Administrative Assistant

Henman, Christina

From: Henman, Christina
Sent: Thursday, October 03, 2019 9:52 AM
To: 'arcoadv@aol.com'
Subject: Legal Ads for Arco Advertiser
Attachments: 83649 ARCO ADVERTISER.doc

Hello,

Please see attached document regarding legal ads to run in your paper.

Thank You,

Christina Henman
Administrative Assistant
Idaho Dept. of Water Resources, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 497-3793

This may contain more than one (1) page

October 3, 2019

LEGAL NOTICE DEPARTMENT

ARCO ADVERTISER

PO BOX C

ARCO, ID 83213

RE: Transfer No. 83649,
Water Right No(s): 34-2313

Dear Legal Notice Department:

Please publish the enclosed legal notice 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 10/28/2019. Your cooperation is appreciated.

Sincerely,

Christina Henman
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 83649**

PARKINSON FARMS, 2195 N 3000 W, ARCO, ID 83213; has filed Application No. 83649 for changes to the following water rights within BUTTE County(s): Right No(s). 34-2313; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. 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 NWNWNW Sec 26 T4N R26E for 1.20 cfs from Big Lost River. 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 10/28/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director Published on 10/10/2019 and 10/17/2019

October 2, 2019

Lucas Yockey
Watermaster 34
PO Box 53
Mackay, ID 83251

RE: Application for Transfer 83649

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 past. 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)

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Application No.: 83649

Applicant's Name: PARKINSON FARMS

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 Comment:

Dated this _____ day of _____, 20_____.

Water District No: 34

Watermaster's Signature