

RECEIVED

FEB 05 2019

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 82988

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 <http://www.idwr.idaho.gov/>.

Name of Applicant(s) LEVI SCHILDER; RENAE SCHILDER

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 #1-9.

- ☐ ☒ #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 transfer 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).
- ☐ ☒ #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 <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☐ ☒ #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.
- ☐ ☒ #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.)
- ☐ ☒ #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 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant LEVI SCHILDER Phone (208) 934-5907

Mailing Address 1691 SHOESTRING RD, GOODING ID 83330 Email _____

Name of Applicant RENAE SCHILDER Phone (208) 934-8806

Mailing Address 1691 SHOESTRING ROAD, GOODING ID 83330 Email LRSCHILD@HOTMAIL.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.

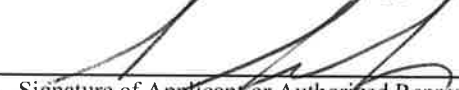
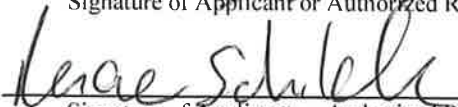
☒ No Representative

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.

	<u>Levi Schilder</u>	<u>2-5-19</u>
Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date
	<u>Renae Schilder</u>	<u>2-5-19</u>
Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	37-22306	No	Yes	Yes	No	No	No

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

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.2**

Applicant proposes to change the place of use, point of diversion and ownership of water right

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT TO A SEPARATE SYSTEM, DESCRIBE PORTIONS TO BE CHANGED TO A SEPARATE SYSTEM AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
37-22306	0.060 cfs	24.0 af	N/A	6.0		N/A	N/A	N/A	N/A

**COMBINED
TOTALS**

0.060 cfs	24.0 af	N/A	6.0	N/A	N/A	N/A	N/A
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2. Total amount of water proposed to be transferred or changed 0.06 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☒ As shown in Part 1.
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5.**

4. Place of Use:

- ☐ No changes to place of use are proposed. (Proceed to #5.)
- ☒ As shown in Part 1.
- ☐ See Attachment.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 37-22306

Current Water Right Owner

RENAE SCHILDER
1691 SHOESTRING ROAD AND
GOODING, ID 83330

LEVI SCHILDER
1691 SHOESTRING RD
GOODING, ID 83330

Priority Date: 7/22/1971

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/15	0.060 CFS	24.0 AFA	
Total Diversion			0.060 CFS	24.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SWNW

Sec. 27 Twp 06S Rge 14E GOODING County

Describe the proposed diversion system

12" WELL WITH A 40 HP TURBINE AND A 60 HP BOOSTER.

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	14E	27							6.0										6.0

POU Total Acres: 6.0

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

Applicant will install a measuring device when system is installed

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

Applicant

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

N/A

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No, ☒ 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:

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. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

The property will no longer be irrigated

- e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

N/A

- f. 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 leased to the Water Supply Bank,
currently used in a mitigation plan limiting the use of water under the right, or
currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No. 37-22306

Current Water Right Owner

GARY MILLER
2280 S 1400 E
GOODING, ID 83330

And

SANDRA K MILLER
2280 S 1400 E
GOODING, ID 83330

Priority Date: 7/22/1971

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15	10/15	0.060 CFS	24.0 AFA	
Total Diversion			0.060 CFS	24.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SENESEW

Sec. 28 Twp 06S Rge 14E GOODING County

Describe the proposed diversion system

12" WELL WITH A 40 HP TURBINE AND A 60 HP BOOSTER.

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	14E	28											6.0						6.0

POU Total Acres: 6.0

Conditions/Remarks:

1. USE OF THIS RIGHT IS COMBINED WITH WATER FROM BIG WOOD CANAL CO.
2. THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 37-07063 AND 37-7107.
3. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
5. 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 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.
6. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

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.
- ☐

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**

- I. 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.:

N/A

FOR DEPARTMENT USE ONLY

Transfer Contains 7 pages and attachments.

Received By BW Date 2/5/19 Prelim. Check By Date

Fee Paid \$200 Date 2/5/19 Received By AI Receipt # 5037146

Add'l Fee Paid Date Received By Receipt #



NENE

NWNW

NENW

28

06S14E

27

Place of Use

Point of Diversion

SENE

SWNW

SENW

NESE

NWSW

NESW

TRANSFER 82988

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 81183

Publication	Times News		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	139.95
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	139.95
Fax			
Section	Legals	Start/End Dates	02/21/2019 - 02/28/2019
SubSection		Insertions	2
Category	50 Legal	Size	90
Ad Key	81183-1	Salesperson(s)	Ruby Aufderheide
Keywords	Schilder & Robinson Water Right Transfers	Taken By	Ruby Aufderheide
Notes			

Ad Proof

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 82988

LEVI SCHILDER and RENAE SCHILDER, 1691 SHOESTRING RD, GOODING, ID 83330-5235; has filed Application No. 82988 for changes to the following water rights within GOODING County(s): Right No(s). 37-22306. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) and place of use (POU) for a ground water irrigation right for 0.06 cfs and the irrigation of 6.0 acres. The current POD and POU are located approximately 4.8 to 5.0 miles south and 4.7 to 5.0 miles west of the City of Gooding. The proposed new POD and POU are located approximately 4.3 to 4.5 miles south and 3.8 to 4.0 miles west of the City of Gooding.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 82876

LEROY ROBINSON, PO BOX 486, ALBION, ID 83311; has filed Application No. 82876 for changes to the following water rights within CASSIA County(s): Right No(s). 45-13429, 45-2296. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to transfer a 0.09 cfs and 6.0 acre portion of a ground water irrigation right from a parcel located approximately 0.5 to 0.6 miles south and 0.25 to 0.5 miles east of Albion. This water right will be moved to a farm, located approximately 0.25 to 0.75 miles south and 0.5 to 1.0 miles east of Albion. Also a portion of the existing water right located at the proposed place of use will be shifted to include the transferred 6.0 acres. This will create a 131 acre permissible place of use and a total diversion of 1.34 cfs for both water rights diverted from an existing well located on the proposed place of use.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see research.idwr.idaho.gov/apps/waterrights/Query-NewTransfers. 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, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before March 11, 2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

PUBLISH: February 21 and 28, 2019

Proof of legal notice received
from Times News 2/14/2019

✓ OK dm 2/15/2019



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037

Website: www.idwr.idaho.gov • Email: southerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

February 13, 2019

WATER DISTRICT #130 *via hand delivery*
NATHAN ERICKSON
650 ADDISON AVE W, STE 500
TWIN FALLS, ID 83301

RE: Application for Transfer No(s). 82988 (Schilder)
Water Right No(s). 37-22306

Dear Nathan:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, 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 water master, 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'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. 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,

Denise Maline
Administrative Assistant

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

February 13, 2019

LEVI SCHILDER
RENAE SCHILDER
1691 SHOESTRING RD
GOODING, ID 83330-5235

RE: Transfer No. 82988
Water Right No(s). 37-22306

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 **TIMES NEWS on 2/21/2019 and 2/28/2019**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **March 11, 2019**.

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,

Allison Inouye
Water Resource Agent

Maline, Denise

From: Maline, Denise
Sent: Wednesday, February 13, 2019 3:54 PM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News Cover Letter.docx; Times News Ad.docx

Attached please find **(1)** legal notice being submitted for publication on February 21st & 28th, 2019. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise

Denise Maline
Administrative Assistant I
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

February 13, 2019

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 82876,
Water Right No(s): 45-13429, 45-2296

RE: Transfer No. 82988,
Water Right No(s): 37-22306

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 3/11/2019. Your cooperation is appreciated.

Sincerely,

Allison Inouye
Water Resource Agent

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 82988**

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TRANSFER NO. 82876**

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For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see research.idwr.idaho.gov/apps/waterrights/QueryNewTransfers. 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, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before March 11, 2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on February 21st and 28th, 2019



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

LEVI SCHILDER
1691 SHOESTRING RD
GOODING, ID 83330

February 12, 2019

Re: Well Construction fee

Dear Mr. Schilder,

IDWR is in the process of reviewing transfer application 82988 for water right 37-22306. This water right transfer proposes diverting water for irrigation from a point of diversion in the SWNW of Section 27, Township 06 South, Range 14 East, in Gooding County. The proposed point of diversion was originally drilled as a domestic well (Tag D0072615 in December 2016) under drilling permit number 881195. Specified in section 42-235, Idaho Code, if the well is to be used for other than domestic or monitoring purposes, the charge for the permit shall be two hundred dollars (\$200). The requirement is further explained in the well construction rules:

IDAPA 37.03.09 - Rule 45.05.b. The difference between the drilling permit fee required by Section 42-235 Idaho Code as applicable, must be paid when an existing well constructed on or after July 1, 1987, for which the lower drilling permit fee was paid, is authorized by the Director for a use which would require the larger drilling permit fee.

Because the well was originally permitted only for domestic purposes, the drilling permit fee was \$75.00. The transfer increases the use of the well to Irrigation, which also increases the permit fee to \$200.00. At this time the Department requests that the difference of \$125.00 be paid to the department to appropriately match the use.

If you have any questions, please call me at 736-3033.

Sincerely,

Clinton Barnes
Well Drilling Coordinator
Sr. Water Resource Agent
IDWR Southern Region

FEE MEMORANDUM

Date: February 11, 2019
To: Levi and Renae Schilder (Transfer #82988)
From: Benny Walker
Re: Receipting/disposition of fees paid

This transfer was filed on February 5, 2019 (receipt #S037146) for \$200.00 from the applicant to cover the filing fee. The fee for this transfer is based on 0.06 cfs being transferred.

TRANSFER SYNOPSIS

Date: February 11, 2019
To: Transfer # 82988 File
From: Benny Walker
Re: Transfer Summary

Application for transfer proposes to change the point of diversion (POD) and place of use (POU) for a ground water irrigation right for 0.06 cfs and the irrigation of 6.0 acers. The current POD and POU are located approximately 4.8-5.0 miles south and 4.7-5.0 miles west of the City of Gooding. The proposed new POD and POU are located approximately 4.3-4.5 miles south and 3.8-4.0 miles west of the City of Gooding.

The points of diversion and place of use involved with the application are located within Water District 130 so watermaster comments will be solicited.

A model analysis is not required since the points of diversions involved in the transfer are within adjacent model cells.