

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 82462**

This is to certify that: AMERICAN FALLS ABERDEEN GROUND WATER DISTRICT  
BINGHAM GROUND WATER DISTRICT  
BONNEVILLE JEFFERSON GROUND WATER DISTRICT  
CAREY VALLEY GROUND WATER DISTRICT  
FREMONT MADISON IRRIGATION DISTRICT  
JEFFERSON CLARK GROUND WATER DISTRICT  
MADISON GROUND WATER DISTRICT  
MAGIC VALLEY GROUND WATER DISTRICT  
NORTH SNAKE GROUND WATER DISTRICT  
SOUTHWEST IRRIGATION DISTRICT  
C/O RANDALL C BUDGE  
PO BOX 1391  
POCATELLO, ID 83204-1391

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

**Summary of Water Rights Before the Proposed Changes**

| <u>Water Right</u> | <u>Origin/Basis</u> | <u>Priority Date</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u>    |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|------------------|
| 36-17028           | WR/DECREED          | 9/5/1969             | 10.000 cfs            | N/A                     | N/A               | N/A                | THOUSAND SPRINGS |

**Purpose of Transfer (Changes Proposed)**

| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 36-17028              | NO           | NO         | YES        | NO             | NO                   | NO                   |

**Summary Of Water Rights After the Approved Change**

| <u>Existing Right</u>  | <u>New No. (Changed Portion)</u> | <u>Transfer Rate</u> | <u>Transfer Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>New No. (remaining portion)</u> | <u>Remaining Rate</u> | <u>Remaining Volume</u> | <u>Remaining Acre Limit</u> | <u>Remaining Total Acres</u> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 36-17028               | 36-17028                         | 10.000 cfs           | N/A                    | N/A               | N/A                | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED TOTALS</b> |                                  | <b>10.000 cfs</b>    | <b>N/A</b>             | <b>N/A</b>        | <b>N/A</b>         |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 17<sup>th</sup> day of August, 2018.



PAMELA S SKAGGS, Water Rights Supervisor

Transfer No. 82462

**WATER RIGHT NO. 36-17028****As Modified by Transfer No. 82462**

In accordance with the approval of Transfer No. 82462, Water Right No. 36-17028 is now described as follows:

**Right Holder:** NORTH SNAKE GROUND WATER DISTRICT  
MAGIC VALLEY GROUND WATER DISTRICT  
CAREY VALLEY GROUND WATER DISTRICT  
SOUTHWEST IRRIGATION DISTRICT  
AMERICAN FALLS ABERDEEN GROUND WATER DISTRICT  
BINGHAM GROUND WATER DISTRICT  
BONNEVILLE JEFFERSON GROUND WATER DISTRICT  
MADISON GROUND WATER DISTRICT  
FREMONT MADISON IRRIGATION DISTRICT  
JEFFERSON CLARK GROUND WATER DISTRICT  
C/O RANDALL C BUDGE  
PO BOX 1391  
POCATELLO, ID 83204-1391

**Priority Date:** 9/5/1969

**Source:** THOUSAND SPRINGS

**Tributary:** SNAKE RIVER

**BENEFICIAL USE**

FISH PROPAGATION  
MITIGATION

**From**

01/01  
01/01

**To**

to 12/31  
to 12/31

**Diversion Rate**

10.000 cfs  
10.000 cfs  
10.000 cfs

**LOCATION OF POINT(S) OF DIVERSION**

|                  |             |       |                 |                |
|------------------|-------------|-------|-----------------|----------------|
| THOUSAND SPRINGS | L8 (SESESE) | Sec 6 | Twp 08S Rge 14E | GOODING County |
| THOUSAND SPRINGS | L8 (SESESE) | Sec 6 | Twp 08S Rge 14E | GOODING County |
| THOUSAND SPRINGS | L1 (NENWNW) | Sec 8 | Twp 08S Rge 14E | GOODING County |
| THOUSAND SPRINGS | L1 (NWNWNW) | Sec 8 | Twp 08S Rge 14E | GOODING County |
| THOUSAND SPRINGS | L1 (NWNWNW) | Sec 8 | Twp 08S Rge 14E | GOODING County |
| THOUSAND SPRINGS | L1 (SENWNW) | Sec 8 | Twp 08S Rge 14E | GOODING County |
| THOUSAND SPRINGS | L1 (SENWNW) | Sec 8 | Twp 08S Rge 14E | GOODING County |
| THOUSAND SPRINGS | L1 (SENWNW) | Sec 8 | Twp 08S Rge 14E | GOODING County |
| THOUSAND SPRINGS | L1 (SENWNW) | Sec 8 | Twp 08S Rge 14E | GOODING County |

**PLACE OF USE: FISH PROPAGATION**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 07S | 14E | 31  |    |    | X  | X  |    |    |    |    |    |    |    |    |    |    |    |    |        |
| 07S | 14E | 32  |    |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |        |

**PLACE OF USE: MITIGATION**

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 07S | 14E | 31  |    |    | X  | X  |    |    |    |    |    |    |    |    | X  |    |    |    |        |

Transfer No. 82462

**WATER RIGHT NO. 36-17028**  
**As Modified by Transfer No. 82462**

**PLACE OF USE: MITIGATION**

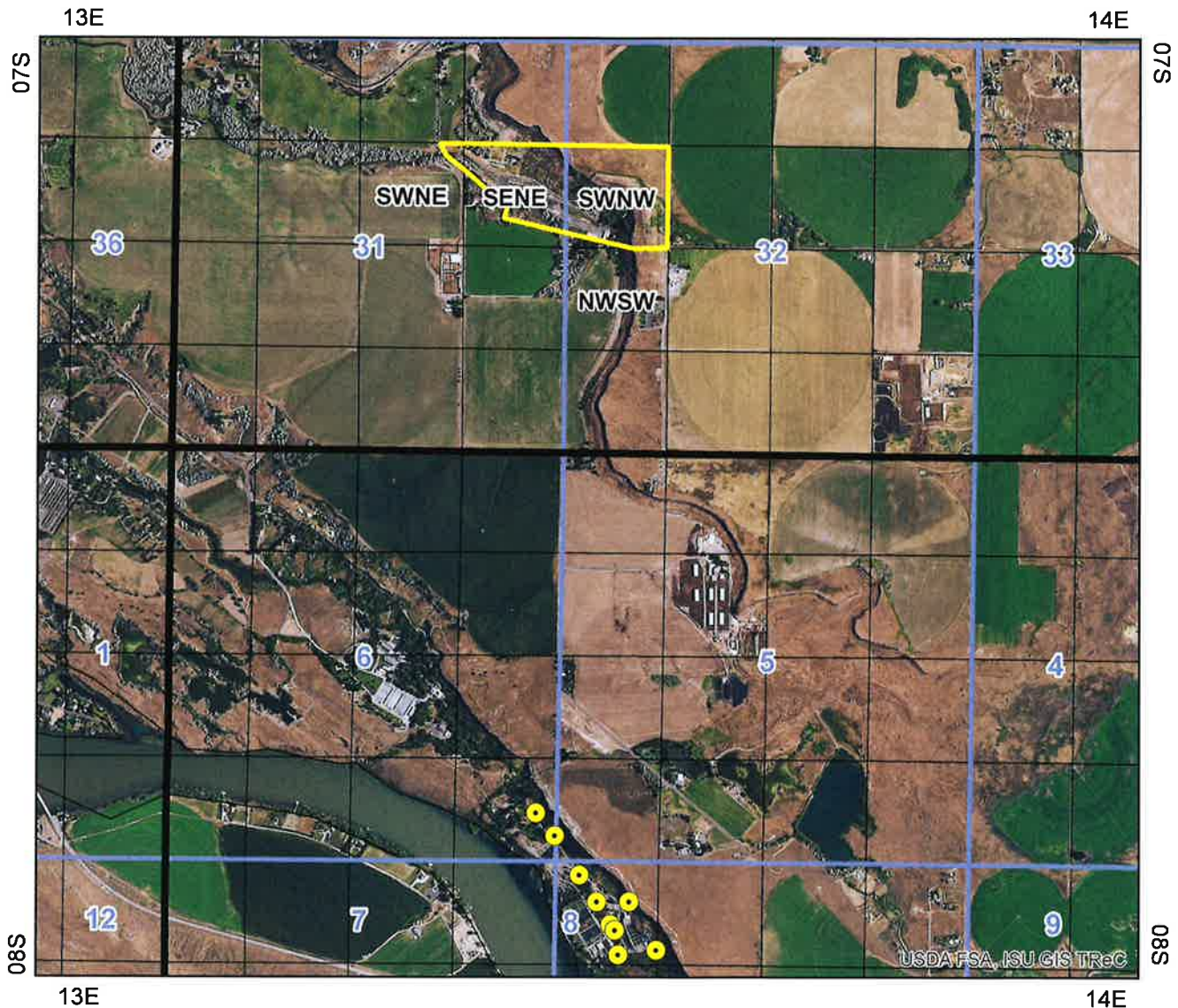
| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 07S | 14E | 32  |    |    |    |    |    |    | X  |    |    | X  |    |    |    |    |    |    |        |
| 08S | 14E | 5   |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 0      |

**CONDITIONS OF APPROVAL**

1. IGWA and Southwest Irrigation District will continue into the future aquifer enhancement activities equal to the rate of flow to be diverted from Magic Springs due to Transfer No. 82462. Prior to the start of each irrigation season, IGWA must submit documentation to the State Office of the Department stating: (a) the rate of flow to be diverted from Magic Springs for the upcoming year (April 1 through March 31), and (b) past aquifer enhancement activities to sufficiently mitigate for water diverted from Magic Springs the upcoming year. For example, if 8 cfs will be diverted from Magic Springs pursuant to the transfer, IGWA and Southwest Irrigation District must submit documentation establishing mitigation from aquifer enhancement activities of 8 cfs to the Snake River between Kimberly and King Hill. If IGWA fails to document sufficient mitigation through aquifer enhancement activities as required, diversions from Magic Springs will not be authorized pursuant to this right for the year in which documentation is lacking.
2. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
3. The right holder shall maintain measuring devices and lockable controlling works of a type approved by the Department in a manner that will provide the watermasters suitable control of the diversions.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 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.

State of Idaho  
Department of Water Resources  
**Attachment to Transfer 82462**  
36-17028

This map depicts the FISH PROPAGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



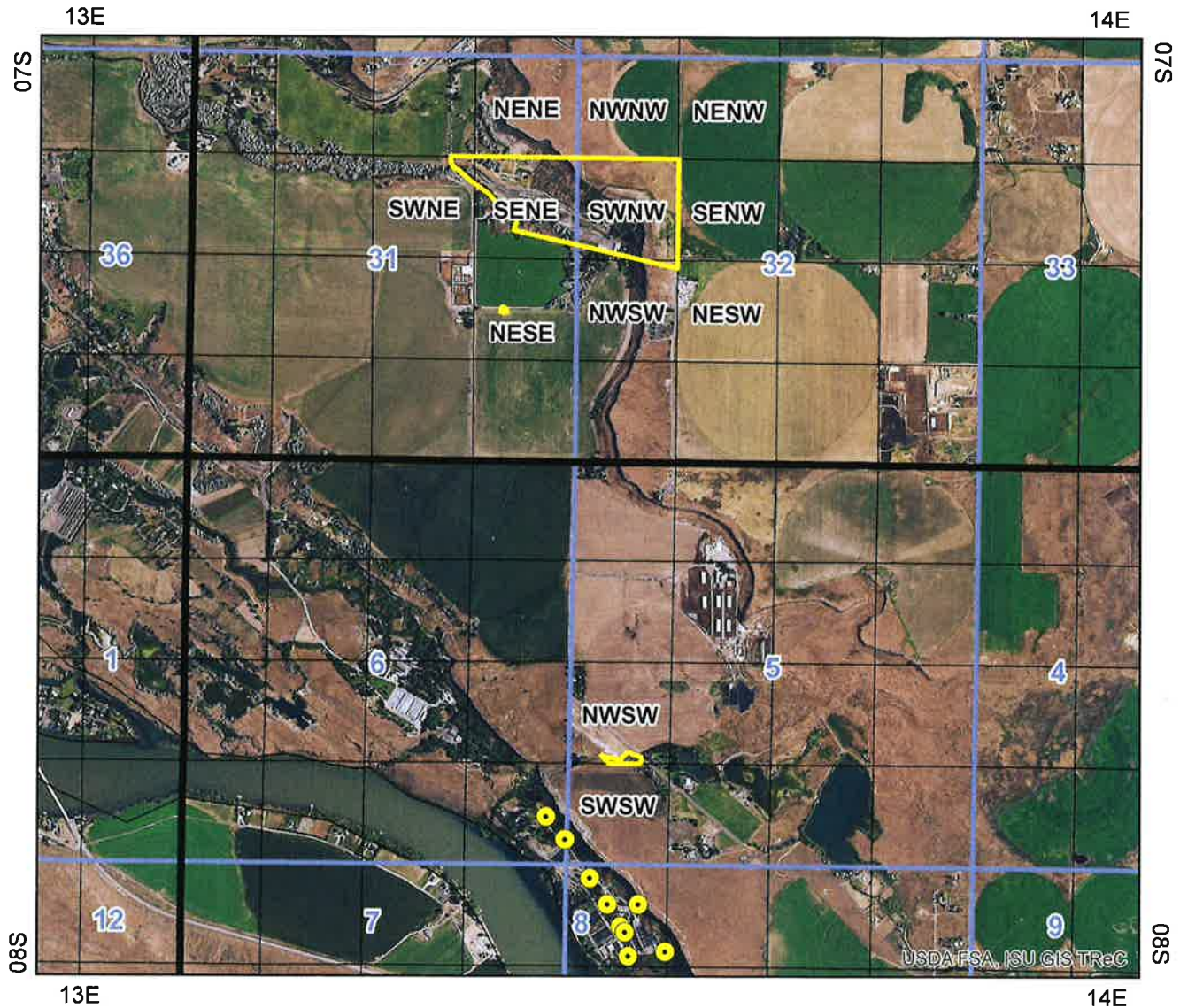
-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections

0 0.275 0.55 1.1 Miles



State of Idaho  
Department of Water Resources  
**Attachment to Transfer 82462**  
36-17028

This map depicts the MITIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections

0 0.275 0.55 1.1 Miles





State of Idaho

## DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

GARY SPACKMAN  
Director

C.L. "BUTCH" OTTER  
Governor

August 21, 2018

Re: Transfer No: 82462  
Water Right No(s): 36-17028

### Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 287-4951.

Sincerely,



Pamela S. Skaggs

Water Rights Supervisor

Enclosure

c:

AMERICAN FALLS ABERDEEN GROUND WATER DISTRICT

C/O RANDALL C BUDGE

BINGHAM GROUND WATER DISTRICT

C/O RANDALL C BUDGE

MAGIC VALLEY GROUND WATER DISTRICT

C/O RANDALL C BUDGE

NORTH SNAKE GROUND WATER DISTRICT

C/O RANDALL C BUDGE

MADISON GROUND WATER DISTRICT

C/O RANDALL C BUDGE

BONNEVILLE JEFFERSON GROUND WATER DISTRICT

C/O RANDALL C BUDGE

SOUTHWEST IRRIGATION DISTRICT

C/O RANDALL C BUDGE

CAREY VALLEY GROUND WATER DISTRICT

C/O RANDALL C BUDGE

FREMONT MADISON IRRIGATION DISTRICT

C/O RANDALL C BUDGE

JEFFERSON CLARK GROUND WATER DISTRICT

C/O RANDALL C BUDGE

WATER DISTRICT #130

## **CERTIFICATE OF SERVICE**

I hereby certify that on August 22, 2018 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

**Re: Transfer No.: 82462  
Water Right No(s): 36-17028**

**AMERICAN FALLS ABERDEEN GROUND WATER DISTRICT  
C/O RANDALL C BUDGE  
PO BOX 1391  
POCATELLO ID 83204-1391**

**BINGHAM GROUND WATER DISTRICT  
C/O RANDALL C BUDGE  
PO BOX 1391  
POCATELLO ID 83204-1391**

**MAGIC VALLEY GROUND WATER DISTRICT  
C/O RANDALL C BUDGE  
PO BOX 1391  
POCATELLO ID 83204-1391**

**NORTH SNAKE GROUND WATER DISTRICT  
C/O RANDALL C BUDGE  
PO BOX 1391  
POCATELLO ID 83204-1391**

**MADISON GROUND WATER DISTRICT  
C/O RANDALL C BUDGE  
PO BOX 1391  
POCATELLO ID 83204-1391**

**BONNEVILLE JEFFERSON GROUND WATER DISTRICT  
C/O RANDALL C BUDGE  
PO BOX 1391  
POCATELLO ID 83204-1391**

**SOUTHWEST IRRIGATION DISTRICT  
C/O RANDALL C BUDGE  
PO BOX 1391  
POCATELLO ID 83204-1391**

CAREY VALLEY GROUND WATER DISTRICT  
C/O RANDALL C BUDGE  
PO BOX 1391  
POCATELLO ID 83204-1391

FREMONT MADISON IRRIGATION DISTRICT  
C/O RANDALL C BUDGE  
PO BOX 1391  
POCATELLO ID 83204-1391

JEFFERSON CLARK GROUND WATER DISTRICT  
C/O RANDALL C BUDGE  
PO BOX 1391  
POCATELLO ID 83204-1391

WATER DISTRICT #130  
NATHAN ERICKSON  
650 ADDISON AVE W STE 500  
TWIN FALLS ID 83301

A handwritten signature in cursive script, reading "Darla Block", is written over a horizontal line.

**Darla Block**  
**Technical Records Specialist**

## **EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

### **PETITION FOR RECONSIDERATION**

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

### **EXCEPTIONS AND BRIEFS**

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

### **REQUEST FOR HEARING**

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

### **ORAL ARGUMENT**

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

## CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

## FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

## APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

## Webster, Clay

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**From:** Peggy <pferwin@q.com>  
**Sent:** Thursday, August 09, 2018 8:51 AM  
**To:** Webster, Clay; Erickson, Nathan  
**Subject:** FW: Magic Springs Operational Criteria

Clay and Nathan,

I'm forwarding this email that I received from Bob Hardgrove. I assumed he had sent it to the department but obviously he did not.

Frank

Sent from [Mail](#) for Windows 10

**From:** [Bob Hardgrove](#)  
**Sent:** Tuesday, July 24, 2018 8:25 AM  
**To:** [Frank Erwin](#)  
**Cc:** [Bob Hardgrove](#)  
**Subject:** Magic Springs Operational Criteria

Frank,

We assumed no Sandy water will be used while MS is running and no water will be delivered to Rangen while MS is being used for irrigation. The below describes how things will be measured. Thanks for the call, good speaking with you.

## DESIGN AND OPERATIONAL CRITERIA AND ASSUMPTIONS:

1. NO SANDY POND WATER SHALL BE USED WHILE MAGIC SPRINGS IS IN USE. IN MOST CASES MAGIC SPRINGS' USE WILL BE LATE IN THE SEASON WHERE THE INFLOW TO THE PONDS FROM NSCC'S W26 IS AT A LOW RATE. THE PONDS MAY REFILL WHILE MAGIC SPRINGS IN USE.
2. NO WATER SHALL BE DELIVERED TO RANGEN WHILE THE MAGIC SPRINGS LINE IS DELIVERING WATER TO MORRIS, MUSSER, OR CANDY.
3. THE MAGIC SPRINGS PUMPING AND PIPING SYSTEM IS NOT INTENDED TO BE TURNED ON AND OFF ON A FREQUENT BASIS. MAGIC SPRINGS SHALL BE STARTED AND RAN FOR A SIGNIFICANT DURATION, WHICH SHALL NOT BE LESS THAN A WEEK AT A TIME.
4. NO ABOVE GRADE STRUCTURES ARE DESIRED IN CULTIVATED FIELDS. VALVE BOXES SHALL BE PLACED AS CLOSE TO THE EDGES OF FIELDS AS PRACTICABLE AND SHALL BE PROTECTED FROM FARMING OPERATIONS AND EQUIPMENT.
5. THE MAGIC SPRINGS PIPELINE AND ADDED DELIVERY PIPELINES SHALL BE DRAINED AT THE END OF EACH IRRIGATION SEASON, IF USED.
6. IGWA SHALL MAINTAIN ACCESS TO THE RANGEN FACILITY THROUGH EASEMENT OR OWNERSHIP, AS THE MAIN ISOLATION VALVES EXIST ON RANGEN PROPERTY.
7. THE MAGIC SPRINGS SYSTEM SHALL HAVE THE ABILITY TO DELIVER WATER DIRECTLY TO THE MORRIS POND. IF NOT MONITORED EXCESS WATER WILL OVERFLOW OUT OF THE POND AND COULD FLOW TO THE SNAKE RIVER.
8. THE MAGIC SPRINGS SYSTEM SHALL HAVE THE ABILITY TO DELIVER WATER DIRECTLY TO THE SANDY PIPELINE FOR DELIVERY TO THE SANDY PUMP VAULT. ANY UNUSED WATER FROM THE SANDY PUMP VAULT WILL OVERFLOW TO THE CURREN DITCH.
9. THE MAGIC SPRINGS DELIVERY FLOW RATE SHALL BE SET AT THE MAGIC SPRINGS PUMP STATION PLC. MANUAL VALVES SHALL BE USED TO DIRECT WHERE WATER IS DELIVERED AND THE RESPECTIVE DELIVERY FLOW RATES. IT IS ABSOLUTELY CRITICAL TO AVOID DEADHEAD PUMPING CONDITIONS AND HAVE MANUAL VALVES OPEN PRIOR TO TURNING ON THE MAGIC SPRINGS PUMP STATION.
10. PRIOR TO PUMP STATION START-UP, TOTALIZED FLOW NUMBERS SHALL BE RECORDED FOR ALL THE FLOW METERS. (MAGIC SPRINGS, MORRIS POND PUMP, ALL METERS INTO AND OUT OF THE SANDY PUMP VAULT). THE DATE AND TIME THE PUMP STATION IS TURNED ON AND OFF AND INITIAL FLOW RATE SHALL ALSO BE RECORDED.
11. LOG FORMS SHALL BE PLACED IN THE MAGIC SPRINGS PUMP STATION TO DOCUMENT TOTALIZED VOLUMES PRIOR TO STARTUP AND WHEN THE SYSTEM IS TURNED OFF.
12. TWO EXISTING FLOW METERS SHALL BE USED TO MEASURE TOTALIZED FLOW AND WHERE THE WATER IS BEING USED. THE MAGIC SPRINGS FLOW METER WILL MEASURE THE FLOW AND VOLUME DIVERTED. THE SANDY PIPELINE ULTRASONIC METER SHALL MEASURE THE FLOW AND VOLUME SENT TO THE SANDY PIPELINE. THE DIFFERENCE BETWEEN THE TWO REPRESENTS WHAT IS DELIVERED TO THE MORRIS POND. AGAIN, NO WATER SHALL BE DELIVERED TO RANGEN.
13. DAILY FLOWS CAN BE TRACKED VIA THE EXISTING DATA LOGGING CAPABILITIES OF THE MAGIC SPRINGS SYSTEM AND THE SANDY POND SYSTEM. THIS MAY OR MAY NOT BE NEEDED.
14. ONE WEEK NOTICE SHALL BE PROVIDED TO IGWA PRIOR TO THE INITIAL START-UP OF THE SYSTEM EACH SEASON TO ENSURE IGWA HAS TIME TO COORDINATE CONSULTANT AND/OR CONTRACT SUPPORT. A FULL DAY MAY BE NEEDED TO START UP THE SYSTEM FOR THE FIRST TIME EACH SEASON AND TO WINTERIZE THE SYSTEM AT THE END OF THE SEASON.
15. A OPERATIONAL DOCUMENT SHALL BE CREATED THAT EXPLAINS HOW TO START-UP, OPERATE, SHUT-OFF, AND WINTERIZE THE SYSTEM.

---

**Bob Hardgrove, P.E. | Principal Engineer**

SPF Water Engineering, LLC

300 E Mallard Drive, Suite 350 | Boise, ID 83706

**p.** 208.383.4140 | **f.** 208.383.4156 | **d.** 208.489.2148

**e.** [bhardgrove@spfwater.com](mailto:bhardgrove@spfwater.com) | **w.** [www.spfwater.com](http://www.spfwater.com)



**\*\* Proof of Publication \*\***

Twin Falls Times-News  
132 Fairfield St W, Twin Falls, Idaho 83301

RUBY AUFDERHEIDE, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

IDAHO DEPT OF WATER RESOURCES UIC

Jean Hersley

PO BOX 83720

BOISE ID 83720

ORDER NUMBER 70643

Ruby Aufderheide  
(Legals Clerk)

STATE OF IDAHO )  
                                .SS  
COUNTY OF TWIN FALLS )

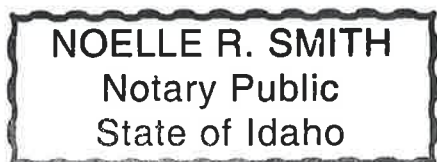
On this 26 day of July in the year of 2018 before me, a Notary Public, personally appeared before me Ruby Aufderheide known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Noelle Smith  
Notary Public FOR Idaho  
Residing at: Twin Falls, Idaho  
My Commission expires: 6.13.2023

PUBLISHED ON: 07/19/2018, 07/26/2018

TOTAL AD COST: 105.03

FILED ON: 7/26/2018



**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 82462**

AMERICAN FALLS ABERDEEN GROUND WATER DISTRICT, BINGHAM GROUND WATER DISTRICT, BONNEVILLE JEFFERSON GROUND WATER DISTRICT, CAREY VALLEY GROUND WATER DISTRICT, FREMONT MADISON IRRIGATION DISTRICT, JEFFERSON CLARK GROUND WATER DISTRICT, MADISON GROUND WATER DISTRICT, MAGIC VALLEY IRRIGATION DISTRICT, NORTH SNAKE GROUND WATER DISTRICT, SOUTHWEST IRRIGATION DISTRICT, C/O TJ BUDGE, RACINE LAW, PO BOX 1391, POCATELLO, IDAHO, 83204-1391 has filed Application No. 82462 for changes to the following water rights within GOODING County(s): Right No(s). 36-17028; The purpose of the transfer is to change a portion of the above rights as follows:

to add places of use for mitigation to include Sandy Vault located about 0.7 miles east of the intersection of S 1175 E and Vader Grade roads in Gooding County, the Morris Pond east of the Hagerman National Fish Hatchery and the NWSW, S32, T07S, R14E to include the southern portion of Rangen Inc property.

For additional information concerning the property location, contact IDWR State office at (208) 287-4800; or for a full description of the transfer, please see <http://www.idwr.idaho.gov/water-rights/transfers/search.html>

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 8/6/2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

**PUBLISH:** July 19 and 26, 2018

*tl gmt 8-6-18*

**LEGAL PROOF OF PUBLICATION**

| Account # | Ad Number  | Identification                      | PO             | Amount   | Cols | Lines |
|-----------|------------|-------------------------------------|----------------|----------|------|-------|
| 321081    | 0003759214 | LEGAL NOTICE NOTICE OF PROPOSED CHA | Transfer 82462 | \$125.45 | 1    | 74    |

**Attention: JEAN HERSLEY**

IDAHO DEPT OF WATER RESOURCES - STATE OFFICE  
PO BOX 83720  
BOISE, ID 837200098

**LEGAL NOTICE**

**NOTICE OF PROPOSED  
CHANGE OF WATER RIGHT  
TRANSFER NO. 82462**

AMERICAN FALLS ABERDEEN  
GROUND WATER DISTRICT,  
BINGHAM GROUND WATER DISTRICT,  
BONNEVILLE JEFFERSON  
GROUND WATER DISTRICT,  
CAREY VALLEY GROUND WATER  
DISTRICT FREMONT MADISON IRRIGATION DISTRICT, JEFFERSON  
CLARK GROUND WATER DISTRICT,  
MADISON GROUND WATER DISTRICT,  
MAGIC VALLEY IRRIGATION DISTRICT,  
NORTH SNAKE GROUND WATER DISTRICT  
SOUTHWEST IRRIGATION DISTRICT,  
C/O TJ BUDGE, RACINE LAW, PO BOX 1391, POCATELLO, IDAHO, 83204-1391 has filed Application No. 82462 for changes to the following water rights within GOODING County(s): Right No(s). 36-17028; The purpose of the transfer is to change a portion of the above rights as follows: to add places of use for mitigation to include Sandy Vault located about 0.7 miles east of the intersection of S 1175 E and Vader Grade roads in Gooding County, the Morris Pond east of the Hagerman National Fish Hatchery and the NWSW, S32, T07S, R14E to include the southern portion of Rangen Inc property.

For additional information concerning the property location, contact IDWR State office at (208) 287-4800; or for a full description of the transfer, please see <http://www.idwr.idaho.gov/water-rights/transfers/search.html>.

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 8/6/2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Pub. July 19,26, 2018

0003759214-01

*OK  
Jmh  
8-2-18*

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Idaho Statesman, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

Beginning issue of: 07/19/2018

Ending issue of: 07/26/2018

*Janice Hildreth*  
(Legals Clerk)

STATE OF IDAHO )

..SS

COUNTY OF ADA )

On this 27th day of July in the year of 2018 before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

*Heather Harradine*  
Notary Public FOR Idaho

Residing at: Boise, Idaho

My Commission expires: 2/11/2020



# Proof of Publication

## The Post Register

RECEIVED

JUL 30 2018

DEPARTMENT OF  
WATER RESOURCES

State of Idaho  
County of Bonneville

I, ~~Dawn Giannini~~ or Staci Dockery, first being duly sworn, depose and say: That I am the ~~Classified Manager, or~~ Legal Notice Representative of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published Tuesday through Sunday at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880, and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidations up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register under ad number: **104430** for **2** consecutive (days) weeks, between **07/19/2018** and **07/26/2018**, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

*Staci Dockery*

Subscribed and sworn to before me, this 26th day of July 2018

BETH CROSSLEY  
Notary Public  
State of Idaho

*Beth Crossley*  
Notary Public  
My commission expires: 06/28/2022 *7/28/2022*

attached jurat

STATE OF IDAHO

ss.

COUNTY OF BONNEVILLE

Subscribed and sworn to before me, this 26th day of July 2018, before me, the undersigned, a Notary public for said state, personally appeared ~~Dawn Giannini~~ or Staci Dockery, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he/she/they executed the same,

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

BETH CROSSLEY  
Notary Public  
State of Idaho

*Beth Crossley*  
Notary Public for The Post Company  
Residing: Idaho Falls, Idaho  
Commission expires: 06/28/2022 *7/28/2022*

NOTICE OF PROPOSED CHANGE  
OF WATER RIGHT  
**TRANSFER NO. 82462**

AMERICAN FALLS ABERDEEN GROUND WATER DISTRICT, BINGHAM GROUND WATER DISTRICT, BONNEVILLE JEFFERSON GROUND WATER DISTRICT, CAREY VALLEY GROUND WATER DISTRICT, FREMONT MADISON IRRIGATION DISTRICT, JEFFERSON CLARK GROUND WATER DISTRICT, MADISON GROUND WATER DISTRICT, MAGIC VALLEY IRRIGATION DISTRICT, NORTH SNAKE GROUND WATER DISTRICT, SOUTHWEST IRRIGATION DISTRICT, C/O TJ BUDGE, RACINE LAW, PO BOX 1391, POCATELLO, IDAHO, 83204-1391 has filed Application No: 82462 for changes to the following water rights within GOODING County(s): Right No(s). 36-17028; The purpose of the transfer is to change a portion of the above rights as follows: to add places of use for mitigation to include Sandy Vault located about 0.7 miles east of the intersection of S 1175 E and Vader Grade roads in Gooding County, the Morris Pond east of the Hagerman National Fish Hatchery and the NWSW, S32, T07S, R14E to include the southern portion of Rangen Inc property.

For additional information concerning the property location, contact IDWR State office at (208) 287-4800; or for a full description of the transfer, please see <http://www.idwr.idaho.gov/water-rights/transfers/search.html>

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 8/6/2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published: July 19, and 26, 2018

(104430)

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*pmh*  
*8-2-18*

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TRIBUNE PUBLISHING COMPANY, INC  
The Lewiston Tribune  
505 C St., P.O.Box 957  
Lewiston, Idaho 83501  
(208) 743-9411

RECEIVED

JUL 30 2018

LEGAL ADVERTISING  
INVOICE DEPARTMENT OF  
WATER RESOURCES

Date: 07/26/2018 INVOICE NO. 145361  
Account No. 446640  
Description 145361 NOTICE O  
Times 2 Lines 36  
Tab. lines  
\$ 105.30

Sold To: ID DEPT OF WATER RESOURCES  
322 EAST FRONT STREET, 6TH FLOOR  
BOISE ID 83702

PO# TRANSFER NO. 8

NOTICE: This is a invoice of Purchase made by you. Statement will be rendered the first of the month  
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

145361

NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 82462

AMERICAN FALLS ABERDEEN GROUND WATER DISTRICT, BINGHAM GROUND WATER DISTRICT, BONNEVILLE JEFFERSON GROUND WATER DISTRICT, CAREY VALLEY GROUND WATER DISTRICT, FREMONT MADISON IRRIGATION DISTRICT, JEFFERSON CLARK GROUND WATER DISTRICT, MADISON GROUND WATER DISTRICT, MAGIC VALLEY IRRIGATION DISTRICT, NORTH SNAKE GROUND WATER DISTRICT, SOUTHWEST IRRIGATION DISTRICT, C/O TJ BUDGE, RACINE LAW, PO BOX 1391, POCATELLO, IDAHO, 83204-1391 has filed Application No. 82462 for changes to the following water rights within GOODING County(s): Right No(s). 36-17028; The purpose of the transfer is to change a portion of the above rights as follows:

to add places of use for mitigation to include Sandy Vault located about 0.7 miles east of the intersection of S 1175 E and Vader Grade roads in Gooding County, the Morris Pond east of the Hagerman National Fish Hatchery and the NWSW, S32, T07S, R14E to include the southern portion of Rangen Inc property.

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GARY SPACKMAN, Director

Published on 7/19/2018 and 7/26/2018

AFFIDAVIT OF PUBLICATION

Julie L. Winters, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho and under and by virtue of the laws of the State of Washington, publishers of the Lewiston Tribune, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 105 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 145361 NOTICE O attached hereto and which is made a part of this affidavit was published in the said Lewiston Tribune,

2 time(s). Publication being on 07/19, or once a Week for 2 consecutive Week, the first publication thereof being on the 07/19/2018, and the last publication thereof being on the 07/26/2018, and said 145361 NOTICE O was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

State of Idaho

S.S.

County of Nez Perce

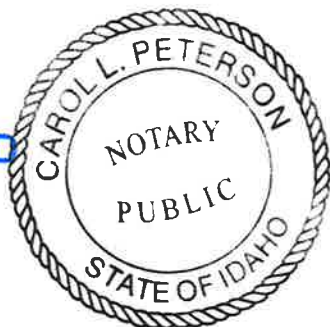
On this 26th day of July in the year of 2018, before me, a Notary Public, personally appeared Julie L. Winters, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Notary Public in and for the State of Idaho,  
residing at Lewiston, therein  
Commission Expires 8-1-2023

RECEIVED

JUL 31 2018

FISCAL



RECEIVED  
JUL 25 2018  
DEPARTMENT OF  
WATER RESOURCES

Department of Water Resources  
Transfer of Water Right(s)  
**RECOMMENDATION FORM**

**Transfer Application No.:** 82462

**Water Right No(s):** 36-17028

**Transfer Applicant's Name:** VARIOUS GROUND WATER AND IRRIGATION DISTRICTS  
C/O TJ BUDGE- RACINE LAW  
PO BOX 1391  
POCATELLO ID 83204-1391

Water master'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 24<sup>th</sup> day of July, 2018

**Water District No.** 36A



Water master's Signature

Frank Erwin

Printed Name

RECEIVED

JUL 20 2018

DEPT OF WATER RESOURCES

State of Idaho  
Department of Water Resources  
Transfer of Water Right(s)  
**RECOMMENDATION FORM**

Transfer Application No.: 82462

Water Right No(s): 36-17028

Transfer Applicant's Name: VARIOUS GROUND WATER AND IRRIGATION DISTRICTS  
C/O TJ BUDGE- RACINE LAW  
PO BOX 1391  
POCATELLO ID 83204-1391

Water master'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:

PLEASE HAVE APPLICANT PROVIDE MEASUREMENT  
PLAN. WILL NEED TO MAKE SURE WD 130 & 36A  
ARE ABLE TO COLLECT APPROPRIATE DATA.

Dated this 20 day of JULY, 2018

Water District No. 130



Water master's Signature

NATHAN ERICKSON

Printed Name