

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79673**

This is to certify that: JEFF L WEBER
KERI JO WEBER
950 E 570 S
DIETRICH, ID 83324

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>
37-7089	WR/DECREED	3/22/1971	4.400 cfs	1092.0 af	273.0	288.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

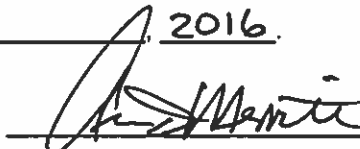
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-7089	YES	YES	YES	NO	NO	NO

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>
37-7089	37-22908	0.032 cfs	8.0 af	N/A	2.0	37-7089	4.368 cfs	1084.0 af	271.0	288.0
COMBINED TOTALS		0.032 cfs	8.0 af	N/A	2.0		N/A	N/A	N/A	N/A

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 3rd day of February, 2016.


Southern Region Manager

SUPPORT DATA

IN FILE # 37-7089

Transfer No. 79673

WATER RIGHT NO. 37-7089**As Modified by Transfer No. 79673**

In accordance with the approval of Transfer No. 79673, Water Right No. 37-7089 is now described as follows:

Right Holder: KERI JO WEBER
JEFF L WEBER
950 E 570 S
DIETRICH, ID 83324

Priority Date: 3/22/1971

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/15	to 10/15	4.368 cfs	1084.0 af
			4.368 cfs	1084.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWNWNE Sec 33 Twp 06S Rge 19E LINCOLN County

PLACE OF USE: IRRIGATION

				NE				NW				SW				SE				Totals
Twp	Rng	Sec		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	19E	33		33.0	39.0	40.0	33.0	39.0	30.0	33.0	40.0	1.0								288.0

Right Acre Limit: 271.0

POU Total Acres: 288.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 271.0 acres within the place of use described above in a single irrigation season.
2. This right is limited to the irrigation of a specific 271.0 acres within the 288.0 acre place of use authorized by this right in a single irrigation season. The specific 271.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 271.0 to be irrigated within the 288.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
3. Use of water under this right will 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.

WATER RIGHT NO. 37-7089

As Modified by Transfer No. 79673

CONDITIONS OF APPROVAL

4. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. Prior to the diversion and use of water under Transfer approval 69995, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
7. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 12/11/2002.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 37-22908**As Modified by Transfer No. 79673**

In accordance with the approval of Transfer No. 79673, Water Right No. 37-22908 is now described as follows:

Right Holder: JEFF L WEBER
KERI JO WEBER
950 E 570 S
DIETRICH, ID 83324

Priority Date: 3/22/1971

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/15	to 10/15	0.032 cfs	8.0 af
			0.032 cfs	8.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESE Sec 15 Twp 06S Rge 18E LINCOLN County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	18E	15																2.0	2.0

POU Total Acres: 2.0

CONDITIONS OF APPROVAL

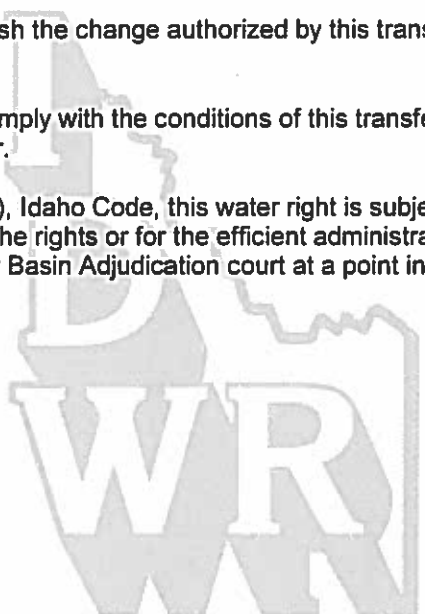
1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
2. The right holder shall maintain a lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. Prior to the diversion and use of water under Transfer approval 79673, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
4. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

Transfer No. 79673

WATER RIGHT NO. 37-22908

As Modified by Transfer No. 79673

CONDITIONS OF APPROVAL

5. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 12/11/2002.
 6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
 7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 8. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
- 

State of Idaho
Department of Water Resources

Attachment to Transfer No. 79673

37-22908

This map depicts the IRRIGATION 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.

18E



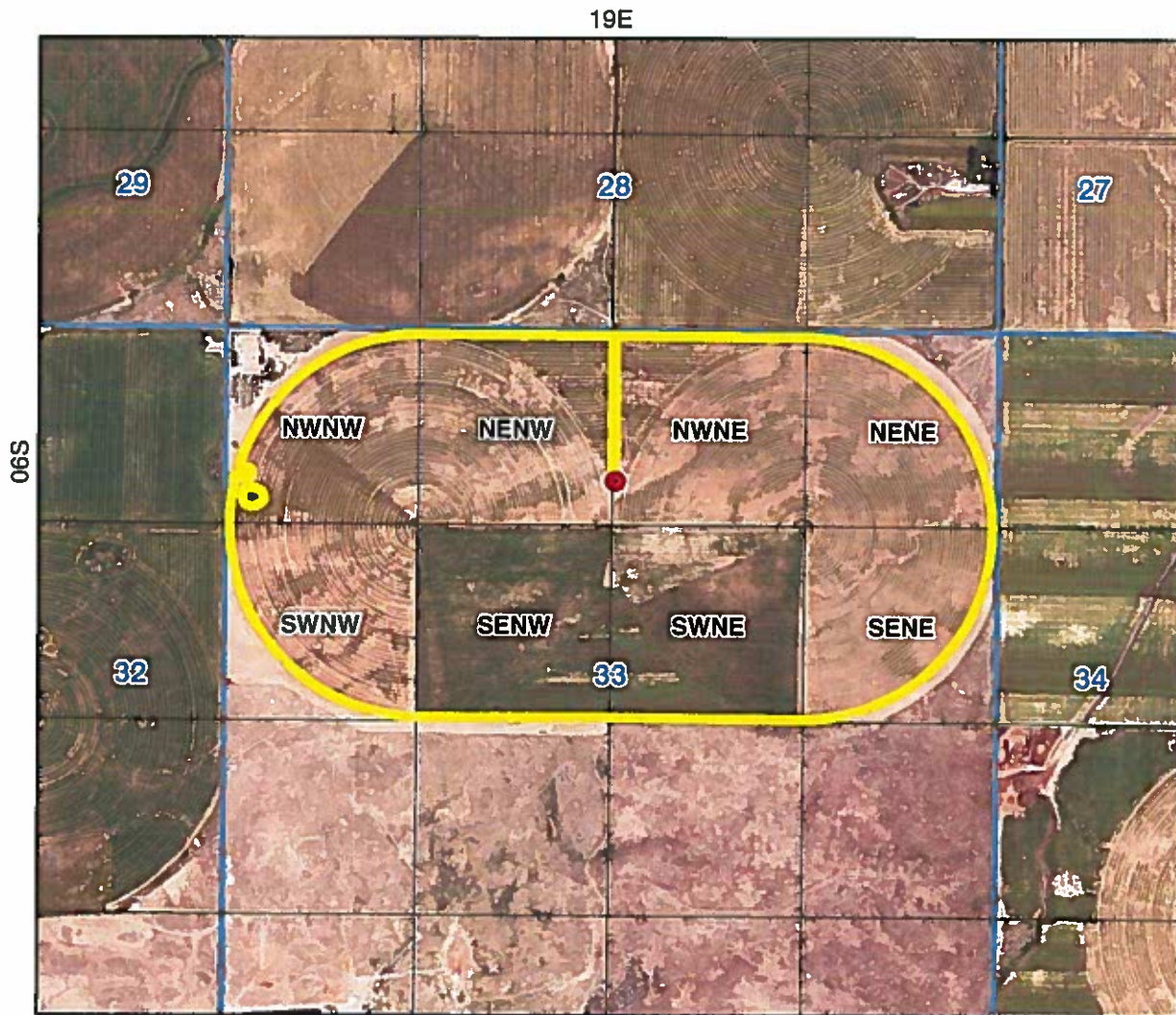
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.035 0.07 0.14 Miles



State of Idaho
Department of Water Resources
Attachment to Transfer No. 79673
37-7089

This map depicts the IRRIGATION 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 0.15 0.3 0.6 Miles





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

February 3, 2016

JEFF L WEBER
KERI JO WEBER
950 E 570 S
DIETRICH ID 83324

Re: Transfer No: 79673
Water Right No(s): 37-7089

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) 736-3033.

Sincerely,

A handwritten signature in black ink, appearing to read "Allen Merritt". The signature is stylized with a large, sweeping initial "A" and a cursive "Merritt".

Allen Merritt
Southern Regional Manager

Enclosure

cc:

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

CERTIFICATE OF SERVICE

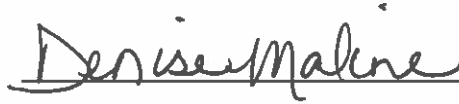
I hereby certify that on February 3, 2016 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

Re: Transfer No.: 79673
Water Right No(s): 37-7089

JEFF L WEBER
KERI JO WEBER
950 E 570 S
DIETRICH ID 83324

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

via e-mail

A handwritten signature in cursive script, reading "Denise Maline", is written over a solid horizontal line.

Denise Maline
Administrative Assistant

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.

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Application No: T# 79673
Water Right No: 37-7089
Applicant Name: Jeff L & Keri Jo Weber

Watermaster's Recommendation:

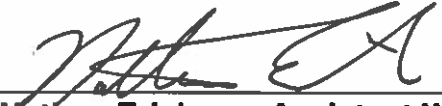
- a) ☐ I do not oppose approval of this application
b) ☒ I do not oppose approval of this application under the following terms:

Add condition 01M for a flow measuring device after notification.

- c) ☐ I oppose approval of this application(s) for the following reasons:
d) ☐ Additional comment:

Dated: December 9, 2015

Water District 130



Nathan Erickson, Assistant Watermaster

RECEIVED

NOV 24 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

WATER LISCENCE USE AGREEMENT

On this 23rd day of November, 2015, the **Jeffrey Leo Weber Family Trust**, hereinafter designated as **Grantor**, does temporarily convey and grant permission to the **Dietrich Cemetery District**, hereinafter designated as **Grantee**, a portion of water right 37-7089 sufficient to irrigate two acres of land located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15 in Township 6 South, Range 18 East of the Boise Meridian, Lincoln County, State of Idaho, also known as the Dietrich Cemetery.

NOW, THEREFORE, the Grantor and the Grantee do hereby accept the following terms and conditions:

1. It is understood that the use of a portion of the water right 37-7089 is meant to be temporary. The Grantor allows use of said water for an indefinite period of time. However, the Grantee agrees to continue to exercise diligence in seeking the purchase of a water right for it's own use. If it becomes apparent that opportunities to purchase a water right are not being exercised when available, the Grantor at his sole discretion, may revoke this agreement in it's entirety.
2. The Grantee agrees to becoming the entity that will participate in the mitigation plan and fulfill those responsibilities for the portion of water right 37-7089 which they are using.
3. The Grantee agrees to being the entity which would be responsible for any potential water appropriation law violations, that may result from their misuse of said water.
4. Any violation by the Grantee of this agreement may result in the immediate revocation of this agreement and the removal of said water.

IN WITNESS THEREOF by affixing their signatures hereto, The Grantor and the Grantee hereby agree and accept the terms and condition of this Agreement.

GRANTOR:

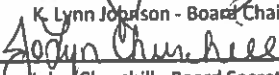


Jeff L. Weber - Trustee


Keri Jo Weber - Trustee

GRANTEE:

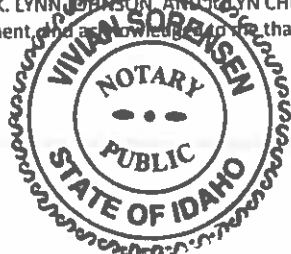


K. Lynn Johnson - Board Chairman


Jody Churchill - Board Secretary

State of Idaho)
) ss.
County of Lincoln)

On this 23rd day of November, 2015, before me, the undersigned, a Notary Public in and for the said State, personally appeared JEFF L. WEBER, KERI JO WEBER, K. LYNN JOHNSON, AND JODY CHURCHILL, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.





Notary Public Residing At Dietrich, Idaho
My commission expires 4-24-19



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

November 19, 2015

Jeff and Keri Jo Weber
950 E 570 S
DIETRICH ID 83324

Re: Transfer #79673

Mr. Weber ,

We are still lacking an official written document authorizing use of the irrigation right proposed under the transfer on their land. This was requested in a June 30, 2015 email, in the Sept 30, 2015 letter, and reiterated during our in-person visit on Oct 23.

Please provide this within 30 days or IDWR will deny the transfer and any use at the cemetery will constitute a violation under Title 42, Idaho Code.

Thank you for your prompt attention to this matter. Please respond to this with your intentions.

Douglas Jones, P.E.
Technical Engineer
Idaho Dept of Water Resources



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

Sept 30, 2015

Jeff Weber
950 E 570 S
DIETRICH ID 83324

RE: 37-7089 Split and Transfer #79673 to Cemetery District

Mr. Weber,

We are close to having the transfer ready for advertizing and want to provide you with a map that illustrates the 1st year's irrigation extent as per the map you supplied with the transfer. The red vertical-lined area is the 288 acre permissible place of use as described on the transfer. The yellow represents the 271 acres that would be authorized for irrigation. The pivots are 120 ac (1290 ft radius) and the interior corners total 31 acres within rounding tolerance. The setback for the north two corners is 60 ft from the south edge of the pavement (not the borrow pit); and the setback for the south two corners is 110 ft from the quarter-quarter line. Please respond whether this map represents your intent, or to supply an alternative map.

In addition, IDWR needs a written, signed agreement between the Cemetery District and you that grants permission to use water on their land, that they understand that you can remove it and under what terms, to identify the appropriate entity that will participate in the mitigation plan and fulfill those responsibilities, and to identify which entity is responsible for potential water appropriation law violations at the Cemetery (it would be you if other specifics are not provided).

Thank you for your attention to this matter and I look forward to hearing from you soon.

Sincerely,

Douglas Jones
Technical Engineer

MEMORANDUM

To File: T#79673, Weber (37-7089)

Date: 7/20/2015

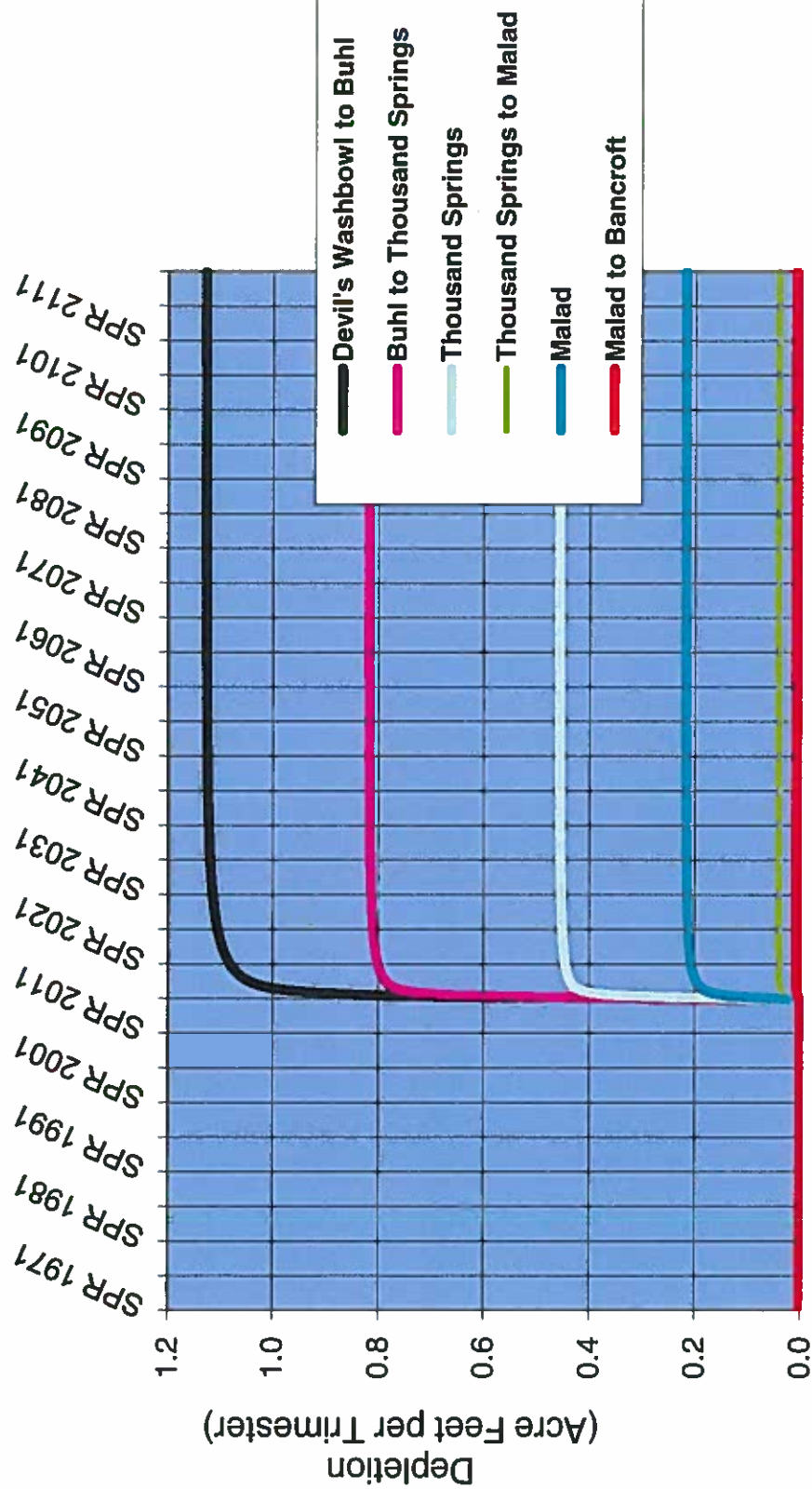
From: Douglas Jones

RE: Evaluation of Transfer Effects relative to mitigation requirements

The transfer proposes to change the place of use and point of diversion for 2 acres and 0.032 cfs (8 AF) of the original right. The new place of use is about 4 miles west of the current area.

I ran the Modified ETran3_1 model and determined that the effect on the Snake River (above or below Milner) is less than 2.0 AF/Trimester everywhere. No mitigation is required. See attached graphs for input and output data.

Net Transfer Effect Below Milner (Total Effect With Transfer - Total Effect Without Transfer)



TRANSFER NO.	7673
TRANSFER NAME	Weber

PREPARED BY

DATE _____

Transfer Tool Version: Version 3.1

WATER RIGHTS INVOLVED

Group 1		Group 2	
Transfer Points	Additional Migration Points		
Point No.1	Point No.		
3/7/2000	3/27/2001		

HISTORIC BENEFICIAL USE

[illegible]

MODEL CELL LOCATIONS

ROW	TO WELL	FROM WELL	FROM2 WELL	FROM3 WELL
50		54	0	0
41		44	0	0

[illegible]**IMMIGRATION NOTES:**

BLUE CELLS ARE SET UP FOR
USER ENTRIES

MEMORANDUM

TO: Transfer # 79673 File

FROM: Douglas Jones

DATE: July 17, 2015

SUBJECT: Filing Fee

The filing fee, \$200.00, for this transfer is based on the total amount of water being transferred, approximately 0.03 cfs. Note that the transfer proposes moving 2 acres of a 273 acre water right, the flow rate is proportionate. The transfer fee schedule for a transfer involving 0.00 – 0.20 cfs indicates that the filing fee is \$200.00.

Jones, Doug

From: Jones, Doug
Sent: Tuesday, June 30, 2015 4:11 PM
To: 'jstargateranch@gmail.com'
Subject: Transfer for Cemetery District
Attachments: weber-irrigation-T79673.pdf

Mr. Weber,

We are close to having the transfer ready for advertizing and want to provide you with a map that illustrates the 1st year's irrigation extent as per the map you supplied with the transfer. The red vertical-lined area is the 288 acre permissible place of use as described on the transfer. The yellow represents the 271 acres that would be authorized for irrigation. The pivots are 120 ac (1290 ft radius) and the interior corners total 31 acres within rounding tolerance. The setback for the north two corners is 60 ft from the south edge of the pavement (not the borrow pit); and the setback for the south two corners is 110 ft from the quarter-quarter line. Please respond whether this map represents your intent, or to supply an alternative map.

In addition, IDWR needs a written, signed agreement between the Cemetery District and you that grants permission to use water on their land, that they understand that you can remove it and under what terms, to identify the appropriate entity that will participate in the mitigation plan and fulfill those responsibilities, and to identify which entity is responsible for potential water appropriation law violations at the Cemetery (it would be you if other specifics are not provided).

I will be unavailable between 7/1 and 7/13, but may be able to check emails periodically. Thank you.

Douglas Jones

*** 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

ID DEPARTMENT OF WATER RESOURCES
650 ADDISON AVE W, STE 500
TWIN FALLS, ID 83301

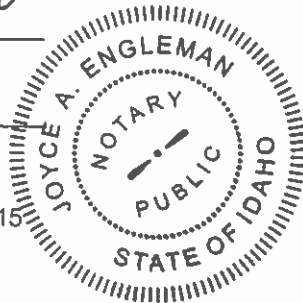
ORDER NUMBER 3033

Ruby Aufderheide
(Legal Clerk)

STATE OF IDAHO)
 SS
COUNTY OF TWIN FALLS)

On this 9th day of July in the year of 2015 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.

Joyce A. Engleman
Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 6/28/19



PUBLISHED ON: 07/02/2015, 07/09/2015

TOTAL AD COST: 364.02
FILED ON: 7/9/2015

RECEIVED

JUL 24 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

The following application(s) have been filed to appropriate the public waters of the State of Idaho.

47-17635 ✓
TWIN FALLS SCHOOL DISTRICT #411
201 MAIN AVE W
TWIN FALLS, ID 83301-6103
Point of Diversion SENWNW S12 T10S R17E TWIN FALLS
County Source GROUND WATER Tributary
Use: COOLING 01/01 to 12/31 0.27 CFS
Use: HEATING 01/01 to 12/31 0.27 CFS
Total Diversion: 0.27 CFS
Date Filed: 5/27/2015
Place Of Use: COOLING, HEATING
T10S R17E S12 NWNW
Application seeks to appropriate 0.267 cfs of groundwater for heating and cooling uses associated with the new Pillar Falls Elementary School to be built on the east side of Hankins Rd and south of Falls Ave. 0.2 miles, on the east side of Twin Falls. A new well will be drilled at the site and water will be diverted, used, and reinjected at the site.

47-17636 ✓
TWIN FALLS SCHOOL DISTRICT #411
201 MAIN AVE W TWIN FALLS, ID 83301-6103
Point of Diversion NWNWSW S32 T09S R17E TWIN FALLS
County Source GROUND WATER Tributary
Use: COOLING 01/01 to 12/31 0.27 CFS
Use: HEATING 01/01 to 12/31 0.27 CFS
Total Diversion: 0.27 CFS
Date Filed: 5/27/2015
Place Of Use: COOLING, HEATING
T09S R17E S32 SWNW
Application seeks to appropriate 0.267 cfs of groundwater for heating and cooling uses associated with the new Rock Creek Elementary School to be built north of the hospital in northwest Twin Falls. A new well will be drilled at the site and water will be diverted, used, and reinjected at the site.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79673 ✓

JEFF L WEBER and KERI JO WEBER, 950 E 570 S, DIETRICH, ID 83324, has filed Application No. 79673 for changes to the following water rights within LINCOLN County(s): Right No(s): 37-7089. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to dry up 2 acres of irrigation from right 37-7089 and transfer it 4 miles NW to 1 mile west of Dietrich for use at the new Dietrich Cemetery District cemetery. A new well at the cemetery located in the SESE Sec 15, T06S, R18E can divert up to 14 gpm to irrigate the 2 acres.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79905 ✓

CARL H RIXON and KARIN RIXON, 1664 S 1700 E, GOODING, ID 83330, has filed Application No. 79905 for changes to the following water rights within GOODING County(s): Right No(s): 37-72A. 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) for irrigation water right 37-72A (0.44 cfs, 19.0 acres) which is currently diverted from the Big Wood River at a point approximately 2.3 miles north and 1.9 miles west of the intersection of U.S. Highway 26 and State Highway 46 in Gooding. The new POD will be located approximately 2.5 miles north and 2.0 miles west of Gooding, about 0.3 miles downstream on the Big Wood River.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80161 ✓

Brook E HOLTMAN and STACY M HOLTMAN, PO BOX 74, MALTA, ID 83342, has filed Application No. 80161 for changes to the following water rights within CASSIA County(s): Right No(s): 43-10539, 43-10541, 43-2447B, 43-2448B, 43-2449, 43-2450D, 43-2451. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes creating a new 944 acre permissible place of use on an existing farm located approximately 3.8 to 4.8 miles east and 1.5 to 3.0 miles south of the HWY 77 and HWY 81 intersection in Malta. Three existing wells on the farm will divert up to 15.6 cfs and 3298.6 AF for the irrigation of 902 acres.

✓ OK DM
7-28-2015

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80173**

SIX S RANCH LLC, 1354 E SIX S RANCH RD, DECLO, ID 83323, has filed Application No. 80173 for changes to the following water rights within CASSIA County(s): Right No(s). 45-14376, 45-7021. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the point of diversion and place of use of a 1.0 cfs and 125.8 acre portion of two groundwater rights that are currently used on a farm located approximately 4.0 to 6.25 miles east and 1.5 miles north to 2.5 miles south of the center of Declo. The transfer proposes moving the rights to a new well to be drilled approximately 2.9 miles east and 0.5 miles north of the center of Declo. The transferred rights will be used, along with other existing rights, on a farm located approximately 2.5 to 3.5 miles east and 0.5 miles north to 0.25 miles south of the center of Declo to irrigate 125.8 acres within a 263.3 acre permissible place of use.

Extension of Time to Avoid Forfeiture

ORCHARD VIEW ENTERPRISES LLC, 2206 MAYBERRY LN, FILER, ID 83328 filed an Application for Extension of Time to Avoid Forfeiture of a Water Right for all of water right 47-4160, with a 12/31 1949 priority date from ground water, in the amount of 0.09 cfs and 9.4 AF for commercial purposes. It is unknown when the last time water was diverted for use, but the Extension of Time to Avoid Forfeiture was filed before 5 years elapsed after the SRBA decree was issued. The property to which the water right is appurtenant is located approximately at 2984 N 3800 E, Hansen ID 83334, in the NWNW Sec.36, T11S, R18E. The applicant propose to resume the use before July 2019. For additional information, contact Southern Region at (208) 736-3033, or search under www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx, for documents provided under water right number 47-4160.

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 the proposed transfers, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. 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 together with a protest fee of \$25.00 for each application on or before July 20, 2015. The protestant must also send a copy of the protest to the applicant

GARY SPACKMAN, Director
Published on July 2nd & 9th, 2015

✓ OK AM 7-28-2015