

RECEIVED

JUN 19 2015

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

Transfer No. 79905

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) CARL H RIXON; KARIN RIXONCheck 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: _____

JUN 19 2015

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

DEPT OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant CARL H RIXON Phone (208) 720-1646
Mailing Address 1664 S 1700 E, GOODING ID 83330 Email _____

Name of Applicant KARIN RIXON Phone (208) 721-0501
Mailing Address 1664 S 1700 E, GOODING ID 83330 Email brinrixon@gmail.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

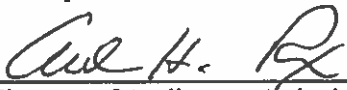
☐ Send original correspondence to the applicant and copies to the representative.

☐ 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>CARL H. RIXON</u>	<u>6-19-15</u>
Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date
	<u>Karin T. Rixon</u>	<u>6-18-15</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
	37-72A	No	Yes	No	No	No	No

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 .

TO MODERNIZE from flood irrigation to a sprinkler system.

- 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
37-72A	0.440 cfs	N/A	N/A	19.0		N/A	N/A	N/A	N/A
COMBINED TOTALS	0.440 cfs	N/A	19.0	N/A		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 0.44 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.

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

SEE ATTACHED: 10 HP. PUMA WITH SEAMETRICS
SLIMAN, BUTLER IRRIGATION / AG 2000 6" MEASUR, PIPES TO
PIVOT(2) AND HAND LINES

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

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

Carl & Karin Ryxson (applicants)

- 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:

LESS RUN OFF OF DIRTY WATER? BETTER USE OF WATER

- 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:

NONE

- 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 1 Transfer Right After Requested Changes

Proposed Water Right No. 37-72A

Current Water Right Owner

CARL H RIXON
1664 S 1700 E
GOODING, ID 83330

AND

KARIN RIXON
1664 S 1700 E
GOODING, ID 83330

Priority Date: 4/1/1885

Origin: Water Right

Basis: Decreed

Status Active

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

Beneficial Use

IRRIGATION

From

4/01

To

10/31

Diversion Rate

0.440 CFS

Subuse Code

Total Diversion

0.440 CFS

Source and Point(s) of Diversion:

BIG WOOD RIVER

NENESE

Sec. 26 Twp 05S Rge 14E GOODING County

Describe the proposed diversion system

PUMP IN RIVER TO GRAVITY DITCHES

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	
05S	14E	25										7.0							7.0
05S	14E	26													12.0				12.0

POU Total Acres:

19.0

AMENDED
POD correction - see Email
from the Rixons.

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

Proposed Water Right No. 37-72A

Current Water Right Owner

CARL H RIXON
1664 S 1700 E
GOODING, ID 83330

AND

KARIN RIXON
1664 S 1700 E
GOODING, ID 83330

Priority Date: 4/1/1885

Origin: Water Right

Basis: Decreed

Status Active

Source: BIG WOOD RIVER Tributary: MALAD RIVER

Beneficial Use
IRRIGATION

From To Diversion Rate
4/01 10/31 0.440 CFS
Total Diversion 0.440 CFS

Subuse Code

SUPERSEDED

Source and Point(s) of Diversion:
BIG WOOD RIVER

NENESW

Sec. 26 Twp 05S Rge 14E GOODING County

Describe the proposed diversion system
PUMP IN RIVER TO GRAVITY DITCHES
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	
05S	14E	25										7.0							7.0
05S	14E	26													12.0				12.0

POU Total Acres: 19.0

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

Current Water Right No. 37-72A

Current Water Right Owner

**CARL H RIXON
1664 S 1700 E
GOODING, ID 83330**

AND

**KARIN RIXON
1664 S 1700 E
GOODING, ID 83330**

Priority Date: 4/1/1885

Origin: Water Right

Basis: Decreed

Status: Active

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

Beneficial Use

IRRIGATION

From

4/01

To

10/31

Diversion Rate

0.440 CFS

Subuse Code

Total Diversion

0.440 CFS

Source and Point(s) of Diversion:

BIG WOOD RIVER

SENWSW

Sec. 25 Twp 05S Rge 14E GOODING County

Describe the proposed diversion system

PUMP IN RIVER TO GRAVITY DITCHES

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	
05S	14E	25										7.0							7.0
05S	14E	26													12.0				12.0

POU Total Acres: 19.0

Conditions/Remarks:

1. 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 1 AND AFTER OCTOBER 31 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.
2. 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.
3. USE OF THIS RIGHT IS COMBINED WITH WATER FROM BIG WOOD CANAL CO.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. Delivery of this right is subject to the water exchange provisions contained in Bureau of Reclamation contract no. 14-06-W-73, executed October 14, 1954, between the United States of America and American Falls Reservoir District No. 2, as supplemented by Bureau of Reclamation contract no. 14-06-100-6031, executed June 1, 1962, between and among the United States of America, American Falls Reservoir District No. 2, and the Big Wood Canal Company.

☒ 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.

☐ If you propose to change the nature of use or period of use of all or part of the right(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**.

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**

1. 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.:

[illegible]

Transfer Contains 7 pages and 2 attachments.

Received By DS Date 6/19/15 Prelim. Check By _____ Date _____
 Fee Paid 500- Date 6/19/15 Received By B. Walker Receipt # S034858
 Add'l Fee Paid _____ Date _____ Received By _____ Receipt # _____

PENTAIR

BERKELEY

Pentair Electronic Catalog

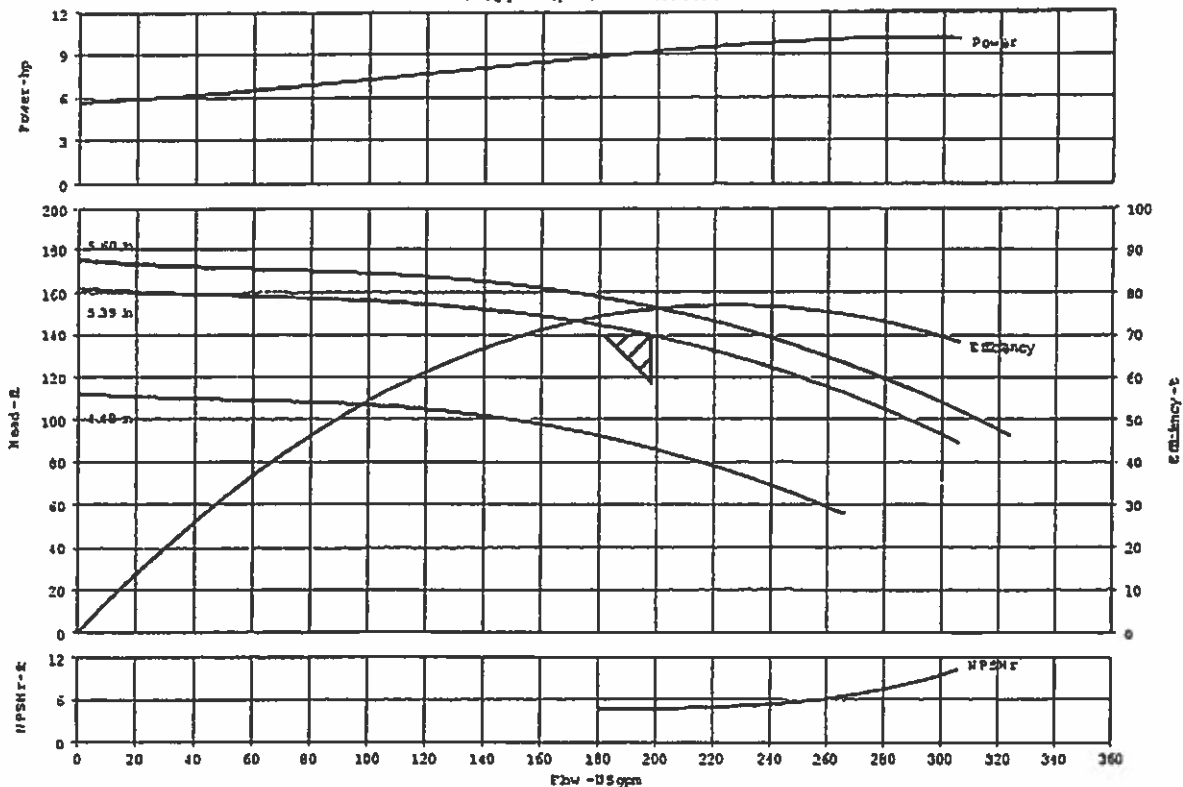
Copy Done

Pump Performance Datasheet

Customer	:		Quote number	:	
Customer reference	:		Size	:	8M-SS
Item number	:	Default	Stages	:	5
Service	:		Based on curve number	:	08_TURB_2110_3600_SS
Quantity	:	1	Date last saved	:	08 Jun 2015 12:50 PM

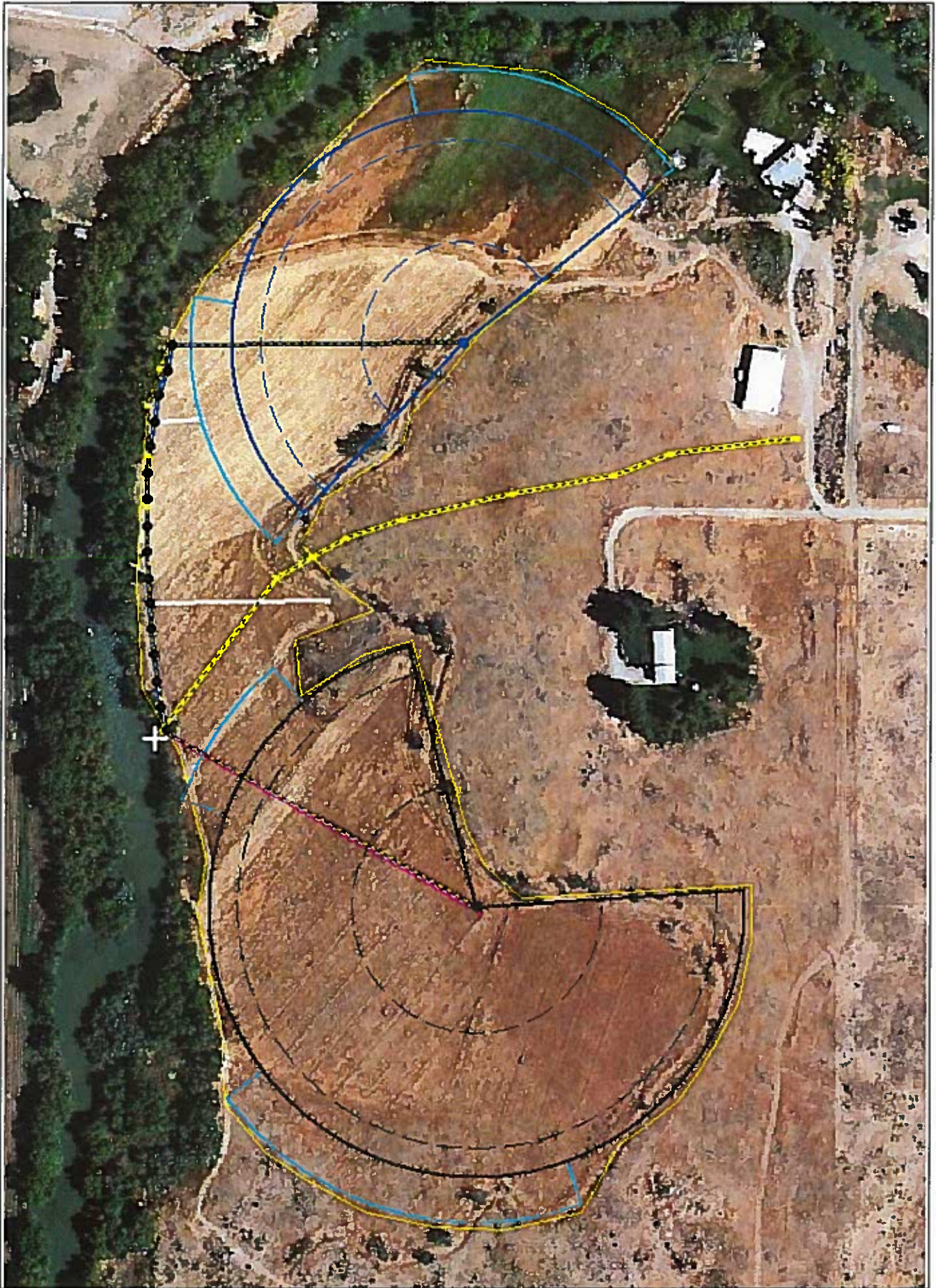
Operating Conditions		Liquid	
Flow, rated	: 198.0 USgpm	Liquid type	: -Water
Differential head / pressure, rated (requested)	: 140.0 ft	Additional liquid description	:
Differential head / pressure, rated (actual)	: 140.0 ft	Solids diameter, max	: 0.00 in
Suction pressure, rated / max	: 0.00 / 0.00 psi.g	Solids concentration, by volume	: 0.00 %
NPSH available, rated	: Ample	Temperature, max	: 68.00 deg F
Frequency	: 60 Hz	Fluid density, rated / max	: 1.000 / 1.000 SG
Performance		Viscosity, rated	: 1.00 cP
Speed, rated	: 1,760 rpm	Vapor pressure, rated	: 0.00 psi.a
Impeller diameter, rated	: 5.39 in	Material	
Impeller diameter, maximum	: 5.60 in	Material selected	: Cast Iron / Stainless Steel
Impeller diameter, minimum	: 4.48 in	Pressure Data	
Efficiency (bowl / pump)	: 76.19 / - %	Maximum working pressure	: See the Additional Data page
NPSH required / margin required	: 4.71 / 0.00 ft	Maximum allowable working pressure	: See the Additional Data page
nq (imp. eye flow) / S (imp. eye flow)	: 42 / 151 Metric units	Maximum allowable suction pressure	: N/A
MCSF	: -	Hydrostatic test pressure	: See the Additional Data page
Head, maximum, rated diameter	: 162.4 ft	Driver & Power Data	
Head rise to shutoff	: 15.99 %	Driver sizing specification	: Maximum power
Flow, best eff. point (BEP)	: 225.2 USgpm	Margin over specification	: 0.00 %
Flow ratio (rated / BEP)	: 87.93 %	Service factor	: 1.00
Diameter ratio (rated / max)	: 98.25 %	Power, hydraulic	: 7.00 hp
Head ratio (rated dia / max dia)	: 91.23 %	Power (bowl / pump)	: 9.19 / - hp
Cq/Cb/Ce/Cn [ANSI/HI 9.6.7-2010]	: 1.00 / 1.00 / 1.00 / 1.00	Power, maximum, rated diameter	: 10.16 hp
Selection status	: Acceptable	Minimum recommended motor rating	: [REDACTED]

Pump performance. Adjusted for construction, viscosity, friction and power losses of the shaft and thrust bearings. Not adjusted for any static lift.
The duty point represents the head at the bowl.



ATTN: FOR #7A

Copy Down



DAVE BUTLER 208-539-5405 CELL

TRANSFER 79905

SLIMAN & BUTLER IRRIGATION INC.

P.O. BOX 491 GOODING, ID 83330

1903 E 1700 S GOODING

20359 HWY 30 BUHL

208-934-8416



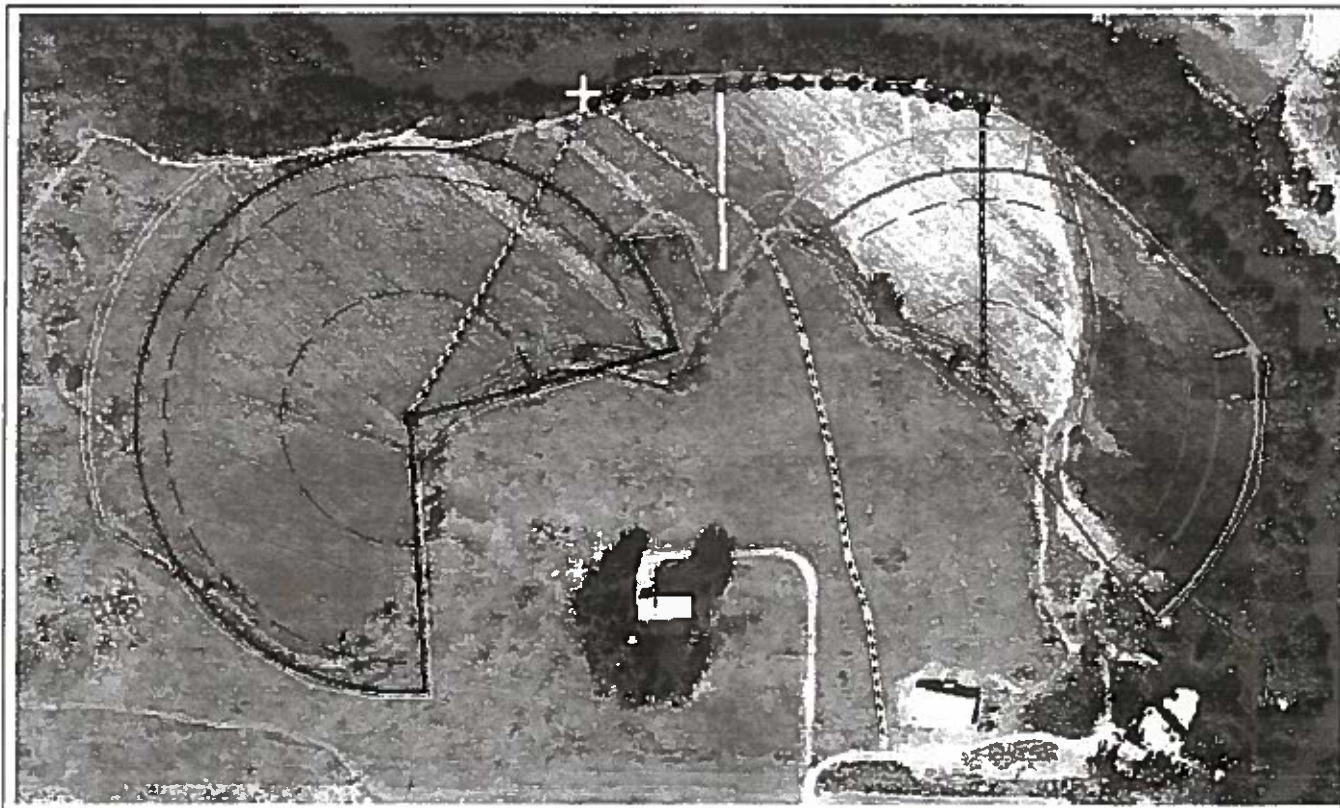
Farm: RIXON 2015

Grower:

6/9/2015

Systems:	Length	Spans	Total area including endgun
● Pivot WEST	421.50 ft	2 spans + 7500 - 39 ft o.h.	10.49 acres
● PIVOT EAST	363.00 ft	2 spans + 7500 - 39 ft o.h.	6.19 acres

Pipe and Wire:	Length / Size	Description
○ HANDLINE	76.40 ft / ??	
○ HANDLINE	280.19 ft / ??	
● RISER LINE	1062.41 ft / ??	
○ PIVOT MAINLINE	572.16 ft / ??	
○ Wire 1	1167.39 ft / ??	
○ Wire EAST	1087.77 ft / ??	
○ Wire WEST	580.81 ft / ??	



TRANSFER 79905

PIVOT EAST

Pivot Area: **4.96** acres
 Endgun Area: **1.22** acres
 Total Area: **6.19** acres

System Length: **363.00** ft
 # of Spans: **2 + overhang**
 Deg. of Sweep: **188.1°**
 Endgun Throw: **65.0** ft

Color on map:



Spans

# of Spans: 2	Span 1 (159.0)	Span 2 (317.5)	Overhang (363.0)
Length:	7500 - 159'	7500 - 159'	7500 - 39 ft
Pipe Size:	4 - 1/2"	4 - 1/2"	4 - 1/2"

Endgun Areas

Endgun 1: (Throw = 65.0 ft)

# of Areas: 2	Start / Stop Angle (Deg. from North)	Start / Stop Angle (Deg. from Pivot Start)	Start / Stop Location (Lat/Long)		Area (acres)
Area 1	313.4° / 9.6°	0.0° / 56.2°	---	---	0.58
Area 2	78.0° / 140.5°	124.6° / 187.1°	---	---	0.64

DAVE BUTLER 208-539-5405 CELL

TRANSFER 79905

Pivot WEST

Pivot Area: **9.19** acres
 Endgun Area: **1.30** acres
 Total Area: **10.49** acres

System Length: **421.50** ft
 # of Spans: **2 + overhang**
 Deg. of Sweep: **258.3°**
 Endgun Throw: **70.0** ft

Color on map:



Spans

# of Spans: 2	Span 1 (198.0)	Span 2 (376.0)	Overhang (421.5)
Length:	7500 - 198'	7500 - 178'-6"	7500 - 39 ft
Pipe Size:	4 - 1/2"	4 - 1/2"	4 - 1/2"

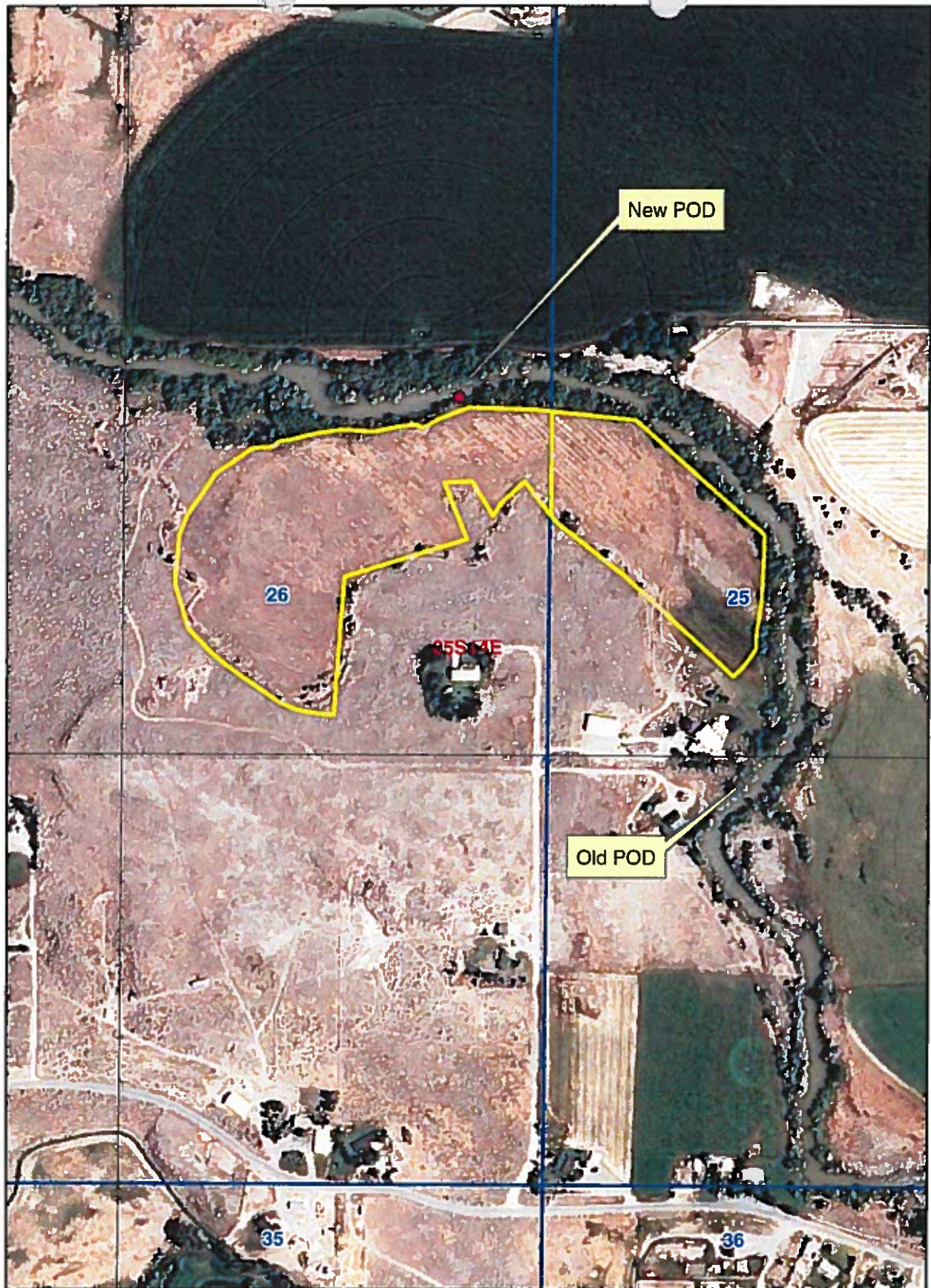
Endgun Areas

Endgun 1: (Throw = 70.0 ft)

# of Areas: 2	Start / Stop Angle (Deg. from North)	Start / Stop Angle (Deg. from Pivot Start)	Start / Stop Location (Lat/Long)		Area (acres)
Area 1	250.6° / 322.6°	74.0° / 146.0°	---	---	0.92
Area 2	19.8° / 49.0°	203.2° / 232.4°	---	---	0.37

DAVE BUTLER 208-539-5405 CELL

TRANSFER 79905



37-72A, T#79905
Rixon Transfer

Maline, Denise

From: Maline, Denise
Sent: Monday, June 29, 2015 9:39 AM
To: 'Kevin Lakey'
Subject: Comment Letters for Ext. of Time - Sutton; Transfer 79905 - Rixon; App for Permit - Cook; App for Permit Barer Trust
Attachments: Comment Letter to WM37 for 79905, 37-22950, 22958, Sutton Ext of Time.docx; 37~21854.pdf; 37~21871.pdf; 37~21888.pdf; 37~21905.pdf; 37~21922.pdf; 37~22950.pdf; 37-22958.pdf; Transfer 79905.pdf

Hi Kevin,

Attached is a cover letter, recommendation forms and copies of the above referenced applications. Please review the information and submit any necessary comments within 21 days.

Feel free to contact our office if you have any questions,

Have a good day,

Denise @ IDWR

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, 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

June 29, 2015

KEVIN LAKEY
WATER DISTRICT #37
107 W 1ST
SHOSHONE, ID 83352

Via e-mail

RE: Application For Extension of Time to Avoid Forfeiture of Water Right No.(s):
37-21854, 37-21871, 37-21888, 37-21905 & 37-21922

RE: Transfer No.: 79905
Water Right No(s): 37-72A

RE: Application for Permit No.: 37-22950, 37-22958

Dear Kevin:

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 watermaster, 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, 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

June 26, 2015

CARL H RIXON
KARIN RIXON
1664 S 1700 E
GOODING, ID 83330

RE: Transfer No. 79905
Water Right No(s). 37-72A

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 7/2/2015 and 7/9/2015**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**July 20, 2015**).

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in cursive script that reads "Denise Maline". The signature is written in dark ink and is positioned above the printed name and title.

Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Thursday, June 25, 2015 1:21 PM
To: Times News
Subject: LEGAL NOTICES
Attachments: Times News Cover Letter.docx; Times News Ad.docx; Coal Cities Mitigation Plan Ad SWC call.docx

Attached please find (2) legal notice being submitted for publication on July 2nd & 9th, 2015. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
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, 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

June 25, 2015

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Extension of Time to Avoid Forfeiture of a Water Right No(s): 47-4160

RE: Application For Permit No(s): 47-17635 & 47-17636

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

RE: Transfer No. 79905
Water Right No(s): 37-72A

RE: Transfer No. 80161
Water Right No(s): 43-10539, 43-10541, 43-2447B, 43-2448B, 43-2449, 43-2450D, 43-2451

RE: Transfer No. 80173
Water Right No(s): 45-14376, 45-7021

RE: Notice of Mitigation Plan Submitted by the Coalition of Cities

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 July 20, 2015. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

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.

**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/or 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

MEMORANDUM

Date: June 22, 2015
To: Transfer 79905 File
From: Jim Bitzenburg
Re: Evaluation of Sufficiency of Information Submitted

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.

The application will be advertised and subject to protest.

An inaccuracy in the POD description on the application was corrected through email communication with the Rixons. The application listed the new POD as T05S, R14E, Section 26, NENESW; the correct location is in the NENESE.

- **Authority to File:**
The Department's database indicates that water right 37-72A is owned by Carl and Karin Rixon. Both Carl and Karin Rixon signed the application.
- **Water Right Validity:**
Water right 37-72A was decreed in September of 2006. Aerial imagery shows apparent irrigation in the past 5 years, particularly in 2009.
- **Injury to Other Water Rights:**
None anticipated or foreseen. The POD will be moving downstream, and no diversions appear to be located between the two points.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated. This application will be advertised and subject to protest.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**
None Anticipated
- **Effect of the Agricultural Base of the Area:**
None Anticipated

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

Bitzenburg, James

From: Karin Rixon [karinrixon@gmail.com]
Sent: Friday, June 19, 2015 4:46 PM
To: Bitzenburg, James
Subject: Re: Transfer POD correction

It looks correct to us, please continue to process Transfer.

☐ "EYES WIDE OPEN, NO FEAR"
KT

On Jun 19, 2015, at 4:37 PM, Bitzenburg, James <James.Bitzenburg@idwr.idaho.gov> wrote:

Carl and Karin-

I am the water resource agent that has been staffed the transfer that you came into our office to work on today, and in reviewing the application, I believe there is an error. In the new point of diversion description, the location is described as T05S, R14E, Section 26, NENESW. On the map, it appears the correct location should read: T05S, R14E, Section 26, NENESE. I have attached a map with the POD marked "New POD". Does the NENESE description look correct to you? If so, I'll go ahead and change the application and continue processing it.

Thanks for your help with this issue.

Jim

Jim Bitzenburg
Water Resource Agent
Idaho Department of Water Resources
Southern Regional Office
Phone (208)-736-3033
Fax (208)-736-3037
james.bitzenburg@idwr.idaho.gov

<Rixon Transfer 79905.pdf>