

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 79902

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED
APR 14 2015
DEPT OF WATER RESOURCES
SOUTHERN REGION

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable to 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) LEROY ROBINSON AND KARLA ROBINSON

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A *Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☒ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.)
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☐ #9 Other. Please describe: _____

RECEIVED

APR 14 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant LEROY ROBINSON Phone (208)673-5516
Mailing Address 1170 E 810 S, ALBION ID 83311 Email _____

Name of Applicant KARLA ROBINSON Phone (208) 673-5516
Mailing Address 1170 E 810 S, ALBION ID 83311 Email _____

- ☐ 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

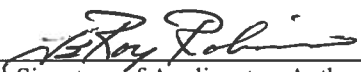
☐ Send original correspondence to the applicant and copies to the representative.

☐ 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.


Signature of Applicant or Authorized Representative

Leroy Robinson
Print Name and Title if applicable

4/14/15
Date


Signature of Applicant or Authorized Representative

Karla Robinson
Print Name and Title if applicable

4-14-15
Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	45-13428	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**

Applicant proposes to move the current point of diversion of his water right from an adjacent property to a new well to be drilled on the applicants property.

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
45-13428	0.310 cfs	70.0 af	N/A	20.0		N/A	N/A	N/A	N/A
COMBINED TOTALS	0.310 cfs	70.0 af	N/A	20.0		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 0.31 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)

☒ As shown in Part 1.

☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5.**

4. Place of Use:

☐ No changes to place of use are proposed. (Proceed to #5.)

☒ As shown in Part 1.

☐ See Attachment.

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

Proposed Water Right No. 45-13428

Current Water Right Owner

LEROY ROBINSON
 1170E 810 S
 ALBION, ID 83311

AND

KARLA L ROBINSON
 1170 E 810 S
 ALBION, ID 83311

Priority Date: 5/27/1977

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.310 CFS	70.0 AFA	
Total Diversion			0.310 CFS	70.0 AFA	

Source and Point(s) of Diversion:
 GROUND WATER

NESE

Sec. 6 Twp 12S Rge 25E CASSIA County

Describe the proposed diversion system

WELL & PUMP.

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	
12S	25E	6													20.0				20.0

POU Total Acres: 20.0

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
The diversion system shall consist of a newly constructed well that can be fitted with a measuring device and lockable controlling works as necessary.
- b. Who owns the property at the point(s) of diversion
Applicant
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
N/A
- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No, ☒ If Yes, ☐
Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien:
It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.
- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
No change is proposed to the place of Use
- 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:
Surface water right 45-13463 for irrigation of 10.4 a acres
- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:
- | Yes | No | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

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

Current Water Right No. 45-13428

Current Water Right Owner

LEROY ROBINSON
 1170E 810 S
 ALBION, ID 83311

AND

KARLA L ROBINSON
 1170 E 810 S
 ALBION, ID 83311

Priority Date: 5/27/1977

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.310 CFS	70.0 AFA	
Total Diversion			0.310 CFS	70.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

NESWSE

Sec. 6 Twp 12S Rge 25E CASSIA County

Describe the proposed diversion system

WELL & PUMP.

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	
12S	25E	6													20.0				20.0

POU Total Acres: 20.0

Conditions/Remarks:

1. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 20.0 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 45-13463 & 45-13428
2. THIS RIGHT IS A SPLIT FROM FORMER RIGHT 45-7311
3. WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE. COMBINED RIGHT NOS. 45-13463 AND 45-13428.
4. 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.

☐ 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.:

Supplemental right is used when available

Transfer Contains 7 pages and attachments.

Received By Z. WALKER Date 4/14/15 Prelim. Check By _____ Date _____

Fee Paid \$500.00 Date 4/14/15 Received By B. Walker Receipt # 5034685

Add'l Fee Paid	Date	Received By	Receipt #
----------------	------	-------------	-----------

SWNE

SENE

SWNW

NWSE

NESE

NWSE

Place of Use

New Point of Diversion

6

12S25E

5

SWSE

SESE

SWSW

TRANSFER 79902

USDA FS

Maline, Denise

From: Maline, Denise
Sent: Tuesday, May 05, 2015 8:34 AM
To: 'Brian Higgs'
Subject: Comment Letters for Transfers 79902 & 79943
Attachments: Comment Letter to WM140 for 79902 & 79943.docx; Transfer 79943.pdf; Transfer 79902.pdf

Hi Brian,

Attached is a cover letter, recommendation forms and copy of applications for transfer 79902 & 79943. Please review the information and provide any necessary comments within 21 days. Feel free to contact our office if you have any questions.

Thank you in advance,

Denise Maline
Idaho Dept of Water Resources
Administrative Assistant, 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

May 5, 2015

BRIAN HIGGS
WATER DISTRICT #140
355 W 500 S
BURLEY, ID 83318

Via e-mail

RE: Transfer No. 79943
Water Right No(s): 45-14284

RE: Transfer No. 79902
Water Right No(s): 45-13428

Dear Mr. Higgs:

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

April 30, 2015

LEROY ROBINSON
KARLA ROBINSON
1170 E 810 S
ALBION, ID 83311

RE: Transfer No. 79902
Water Right No(s). 45-13428

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 5/7/2015 and 5/14/2015**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**May 26, 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,

Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Thursday, April 30, 2015 10:35 AM
To: Times News
Subject: Legal Notice
Attachments: Times News Cover Letter.docx; Times News Ad.doc

Attached please find (1) legal notice being submitted for publication on May 7th & 14th, 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

April 30, 2015

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

RE: Application For Permit No.(s): 1-10632

RE: Transfer No. 79902
Water Right No(s): 45-13428

RE: Transfer No. 79943
Water Right No(s): 45-14284

RE: Transfer No. 80034
Water Right No(s): 36-2117, 36-2594

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 May 26th, 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:

1-10632

NORTH SNAKE GROUND WATER DISTRICT

152 E MAIN ST

JEROME, ID 83338

Point of Diversion SESE S22 T10S R21E JEROME County Source SNAKE RIVER Tributary COLUMBIA RIVER

Point of Diversion L5(SWNW) S28 T10S R21E JEROME County Source SNAKE RIVER Tributary COLUMBIA RIVER

Point of Diversion L5(SWSWNW) S28 T10S R21E JEROME County Source SNAKE RIVER Tributary COLUMBIA RIVER

Use: IRRIGATION 04/01 to 10/31 200 CFS

Total Diversion: 200 CFS

Date Filed: 2/17/2015

Place Of Use: IRRIGATION

Place of Use located within the service area of the North Snake Ground Water District, within portions of Jerome, Lincoln and Gooding counties.

Application proposes diverting up to 200 cfs from the Snake River, upstream from Milner Dam, at two North Side Canal Company diversions and the Milner-Gooding Canal diversion. Water will be used for irrigation of up to 16,000 acres of land located within the service area of the North Snake Ground Water District located in portions of Jerome, Lincoln and Gooding counties.

Application proposes using natural flow when available for "soft conversions" in lieu of groundwater currently used to irrigate the 16,000 acres. Ground water will continue to be used on those 16,000 acres when the requested flows are not available. Published in Times News, Idaho Statesman, Post Register & Lewiston Tribune on May 7th & 14th, 2015

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 79902

LEROY ROBINSON and KARLA ROBINSON, 1170 E 810 S, ALBION, ID 83311; has filed Application No. 79902 for changes to the following water rights within CASSIA County(s): Right No(s). 45-13428. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the point of diversion for a ground water irrigation right currently diverted from a well located approximately 0.5 miles south and 0.1 miles east of the center of the City of Albion (Main and Market streets) to a new well to be drilled. The proposed new point of diversion is located approximately 0.3 miles south and 0.4 miles east of the center of the City of Albion. The proposed point of diversion will be used to divert up to 0.31 cfs for irrigation of 20 acres at the existing place of use.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 79943

ALBION 12 INVESTMENTS LLC, 7595 E MC DONALD DR STE 130, SCOTTSDALE, AZ 85250; has filed Application No. 79943 for changes to the following water rights within CASSIA County(s): Right No(s). 45-14284. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the place of use and add three new points of diversion to ground water right 45-14284 (1.31 cfs), which currently supplements three surface water rights (45-14288, 45-14286, and 45-10912) on 67.0 acres of farm ground located approximately 0.8 to 1.3 miles west and 0.7 to 1.2 miles south of the intersection of Main and Market Streets in Albion. The new place of use will be on farm ground located approximately 1.4 to 2.4 miles east and 1.8 to 3.2 miles south of Albion, supplementing surface water right 45-284B (1.50 cfs, 90.0 acres), which is within a 399.2 acre permissible place of use. Right 45-14284 is currently diverted from two wells located approximately 1.3 miles west and 1.1 miles south of Albion. The proposed transfer will relocate the points of diversion to three new wells located approximately 1.7 miles east and 2.6 miles south; 1.7 miles east and 2.9 miles south; and 1.9 miles east and 2.9 miles south of Albion.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 80034

IDAHO WATER CO LLC, 1135 VALLEY RD S, EDEN, ID 83325; has filed Application No. 80034 for changes to the following water rights within JEROME County(s): Right No(s). 36-2117, 36-2594. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 9.7 acre (0.19 cfs) portion of two ground water irrigation rights currently used on a farm located approximately 5.0 miles south of Hazelton to provide additional water at an existing dairy operation located approximately 0.75 to 1.0 miles north and 5.25 to 5.5 miles west of Paul. The transferred rights (0.19 cfs and 30 AFA) will be diverted from two existing wells located at the dairy site.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx . For additional information on new permits, please see www.idwr.idaho.gov/WaterManagement/WaterRights/#NewListings. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. 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 May 26, 2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on May 7th & 14th, 2015

MEMORANDUM

Date: April 28, 2015
To: Transfer 79902 File
From: Benny Walker
Re: Evaluation of Sufficiency of Information Submitted

Application proposes changing the point of diversion for a ground water irrigation right currently diverted from a well located approximately 0.5 miles south and 0.1 miles east of the center of the City of Albion (Main and Market streets) to a new well to be drilled. The proposed new point of diversion is located approximately 0.3 miles south and 0.4 miles east of the center of the City of Albion. The proposed point of diversion will be used to divert up to 0.31 cfs for irrigation of 20 acres at the existing place of use. The points of diversion involved with the application are located within Water Districts 140 so watermaster comments will be solicited.

- **Authority to File:**
Applicant is listed as the current owner on IDWR records
- **Water Right Validity:**
The right involved with this transfer was decreed in 2005. Aerial photography indicates that the lands involved with the transfer have been irrigated in recent years.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated. No change is proposed to the place of use.
- **Local Public Interest:**
Application will be subject to public notice and protest.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial uses of water.
- **Effect on Economy of the Local Area:**
No issues anticipated
- **Effect of the Agricultural Base of the Local 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.