

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. 79687

## 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) MICKEY R LEGUINECHE AND LOUIS J LEGUINECHE

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

- | Yes                                 | N/A                                 |                                                                                                                                                                                                                                                          |
|-------------------------------------|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | * Means the item is <u>always required</u> and must be included with the application.                                                                                                                                                                    |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | * Completed Application for Transfer of Water Right form, Part 1.                                                                                                                                                                                        |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | * 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.                                                    |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.                                                                                                                           |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Complete and attach an Application for Transfer Part 2B <u>for each water right</u> for which <u>only a portion</u> is proposed to be changed through this transfer application                                                                          |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | * 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). |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | * 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.

- |                                     |                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-------------------------------------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | #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.)                                                                                                                                                                                                                                                                                                                                                             |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | #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).                                                                                                                                                                                                                                                                                                                                                                  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | #3 Documentation of authority to make the change if the applicant is not the water right owner.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | #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 <a href="http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm">http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm</a> .<br><i>Adjacent cells</i> |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | #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.)                                                                                                                                                                                                                                                                                                                                                               |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | * #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.)                                                                                                                                                                                                                                                  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | #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.                                                                                                                                                                                                                                                                                                                                 |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | #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.)                                                                                                                                                                                                                                                                                                                               |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | #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.)                                                                                                                                                                                                                                                                                                     |
| <input type="checkbox"/>            | <input type="checkbox"/>            | #9 Other. Please describe: _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

## RECEIVED

### NOV 26 2014

DEPT OF WATER RESOURCES  
SOUTHERN REGION

# APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant MICKEY R LEGUINECHE Phone (208)934-4180

Mailing Address 1450 S 1750 E, GOODING ID 83330 Email \_\_\_\_\_

Name of Applicant LOUIS J LEGUINECHE Phone (208)934-4180

Mailing Address 1450 S 1750 E, GOODING ID 83330 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.

Louis J Leguineche  
Signature of Applicant or Authorized Representative

Louis Leguineche  
Print Name and Title if applicable

11/26/14  
Date

Mickey R. Leguineche  
Signature of Applicant or Authorized Representative

Mickey R. Leguineche  
Print Name and Title if applicable

11-26-14  
Date

## A. PURPOSE OF TRANSFER

|    |          |       |     |     |         |               |               |
|----|----------|-------|-----|-----|---------|---------------|---------------|
| 1. | Right    | Split | POD | POU | Add POD | Period of Use | Nature of Use |
|    | 37-20799 | No    | Yes | No  | No      | No            | No            |

RECEIVED

NOV 26 2014

DEPT OF WATER RESOURCES  
SOUTHERN REGION

## 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**

Drill well on applicants property since original well on other owners property and their change in irrigation practices requires our own well.

**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<br>Right (All or<br>Part) | Transfer<br>Rate | Transfer<br>Volume | Acre Limit | Total Acres | Original<br>Right<br>(Remaining<br>Portion) | Remaining<br>Rate | Remaining<br>Volume | Remaining<br>Acre Limit | Remaining<br>Total Acres |
|---------------------------------------|------------------|--------------------|------------|-------------|---------------------------------------------|-------------------|---------------------|-------------------------|--------------------------|
| <b>37-20799</b>                       | 2.040 cfs        | 408.0 af           | 102.0      | 102.0       |                                             | N/A               | N/A                 | N/A                     | N/A                      |

**COMBINED  
TOTALS**

|           |          |     |       |     |     |     |     |
|-----------|----------|-----|-------|-----|-----|-----|-----|
| 2.040 cfs | 408.0 af | N/A | 102.0 | N/A | N/A | N/A | N/A |
|-----------|----------|-----|-------|-----|-----|-----|-----|

2. Total amount of water proposed to be transferred or changed 2.04 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 I.

☐ 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 I.

☐ 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  
Well and pump.

- 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:

- 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:

N/A

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

N/A

- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes

No

☐☒

undergone a period of five or more consecutive years of non-use,

☐☒

currently leased to the Water Supply Bank,

☐☒

currently used in a mitigation plan limiting the use of water under the right, or

☐☒

currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

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

**Proposed Water Right No.** 37-20799

Current Water Right Owner

MICKEY R LEGUINECHE  
 1450 S 1750 E  
 GOODING, ID 83330

AND

LOUIS J LEGUINECHE  
 1450 S 1750 E  
 GOODING, ID 83330

Priority Date: 2/11/1966

Origin: Water Right

Basis: Decreed

**Status Active**

**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 04/01       | 11/01     | 2.040 CFS             | 408.0 AFA     |                    |
| Total Diversion       |             |           | 2.040 CFS             | 408.0 AFA     |                    |

**Source and Point(s) of Diversion:**

GROUND WATER

SWNE

Sec. 11 Twp 05S Rge 14E GOODING County

**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 | 11  |    |    | 38.0 | 36.0 |    |    |    | 28.0 |    |    |    |    |    |    |    |    | 102.0  |

Right Acre Limit: 102.0

POU Total Acres: 102.0

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

**Current Water Right No.** 37-20799

**Current Water Right Owner**

MICKEY R LEGUINECHE  
 1450 S 1750 E  
 GOODING, ID 83330

OR

LOUIS J LEGUINECHE  
 1450 S 1750 E  
 GOODING, ID 83330

**Priority Date:** 2/11/1966

**Origin:** Water Right

**Basis:** Decreed

**Status:** Active

**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 04/01       | 11/01     | 2.040 CFS             | 408.0 AFA     |                    |
| Total Diversion       |             |           | 2.040 CFS             | 408.0 AFA     |                    |

**Source and Point(s) of Diversion:**

GROUND WATER

NWNW

Sec. 12 Twp 05S Rge 14E GOODING County

**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 | 11  |    |    | 38.0 | 36.0 |    |    |    | 28.0 |    |    |    |    |    |    |    |    | 102.0  |

Right Acre Limit: 102.0

POU Total Acres: 102.0

**Conditions/Remarks:**

1. 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.
2. 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 November 1 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.
3. Use of this right is combined with water from Big Wood Canal Co.

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements)

- ☐ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

B. CHANGES IN NATURE OF USE (Water Balance)

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

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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.:

Ground water used to supplement lands with shares in AFRD/Big Wood Canal Co. and water (waste water) in Dog Creek. Ground water used to supplement lands with shares in AFRD/Big Wood Canal Co. and water (waste water) in Dog Creek.

Does not apply

FOR DEPARTMENT USE ONLY

Transfer Contains 7 pages and        attachments.

Received By ADN Date 11/26/2014 Prelim. Check By        Date       

Fee Paid \$660.00 Date 11/26/14 Receipted By ADN Receipt # S034418

Add'l Fee Paid        Date        Receipted By        Receipt #



TRANSFER 79687

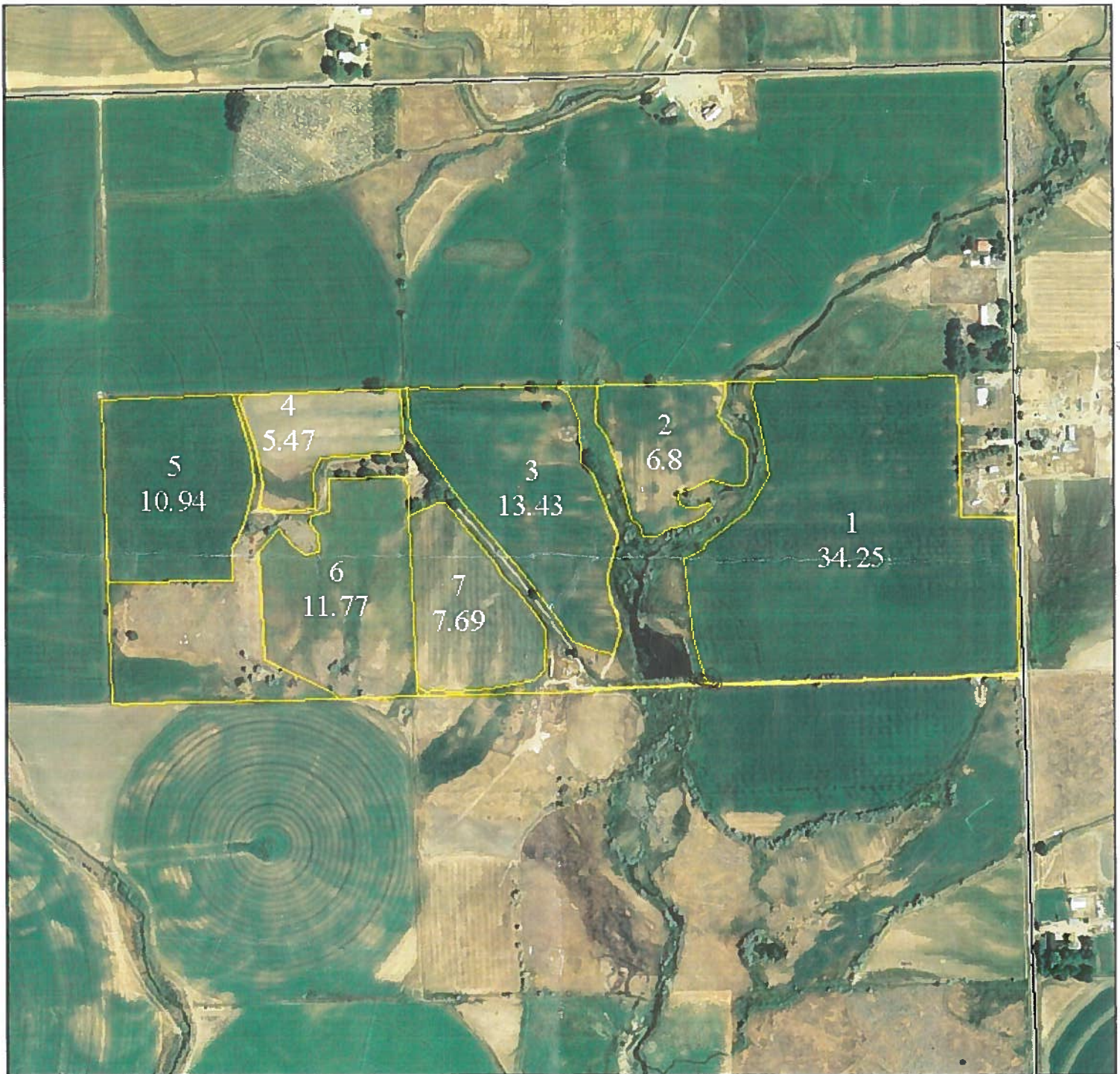


UNITED STATES DEPARTMENT OF

**AGRICULTURE**

**Farm Service Agency**

**Gooding County Idaho**



**Tract 482**  
**Farm 1484**

**11-5S-14E**



March 02, 2011

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

**TRANSFER 79687**



## 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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

December 12, 2014

MICKEY R LEGUINECHE  
LOUIS J LEGUINECHE  
1450 S 1750 E  
GOODING, ID 83330

RE: Transfer No. 79687  
Water Right No(s). 37-20799

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 12/18/2014 and 12/25/2014**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**January 5, 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



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

December 12, 2014

CINDY YENTER  
WATER DISTRICT #130  
650 ADDISON AVE W, STE 500  
TWIN FALLS, ID 83301

***Hand Delivered***

RE: Transfer No. 79679  
Water Right No(s): 36-7377F, 36-7547F

RE: Transfer No. 79680  
Water Right No(s): 36-7377F, 36-7547F

RE: Transfer No. 79687  
Water Right No(s): 37-20799

Dear Ms. Yenter:

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

**Maline, Denise**

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**From:** Maline, Denise  
**Sent:** Thursday, December 11, 2014 2:50 PM  
**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 December 18<sup>th</sup> & 25<sup>th</sup>, 2014. 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](mailto:denise.maline@idwr.idaho.gov)



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

December 11, 2014

**LEGAL NOTICE DEPARTMENT**

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 78846  
Water Right No(s): 43-10597A, 43-2574D, 43-2576D

RE: Transfer No. 79579  
Water Right No(s): 47-2521

RE: Transfer No. 79580  
Water Right No(s): 45-10107, 45-2176, 45-2220, 45-2408

RE: Transfer No. 79679  
Water Right No(s): 36-7377F, 36-7547F

RE: Transfer No. 79680  
Water Right No(s): 36-7377F, 36-7547F

RE: Transfer No. 79686  
Water Right No(s): 43-13286, 43-13288, 43-13290

RE: Transfer No. 79687  
Water Right No(s): 37-20799

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 January 5, 2015. Your cooperation is appreciated.

Sincerely,

Denise Maline  
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 78846**

CROSS E LAND LLC, 358 S 2750 E, DECLO, ID 83323; has filed Application No. 78846 for changes to the following water rights within CASSIA County(s): Right No(s). 43-10597A, 43-2574D, 43-2576D. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to add a point of diversion to water rights 43-2574D, 43-2576D and 43-10597A, total allowance for the water rights is 26.82 cfs and 6,072 af. No change will occur to the place of use. The new well will have a maximum capacity of 6 cfs and be located approximately 5.5 miles east and 11 miles north of the City of Malta. Published in Times News, Idaho Statesman, Post Register & Lewiston Tribune on December 18<sup>th</sup> & 25<sup>th</sup>, 2014.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 79579**

BRUCE L BULCHER and KATHY J BULCHER, 3627 E 3300 N, HANSEN, ID 83334; has filed Application No. 79579 for changes to the following water rights within CASSIA, TWIN FALLS County(s): Right No(s). 47-2521. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes moving a 2.0 cfs ground water right for the irrigation of 146.5 acres at a proposed place of use (POU) on an existing farm, with water diverted from four existing wells. The proposed POU and the four wells are located approximately 4.7 to 6.0 miles south and 0.7 miles east to 0.9 miles west of Murtaugh. Current place of use is located approximately 1.1 to 1.6 miles south and 5.4 to 5.9 miles west of Murtaugh.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 79580**

SHAUNNA CRANE and DANFORD L CRANE II, 3772 N 3600 E, KIMBERLY, ID 83341; has filed Application No. 79580 for changes to the following water rights within CASSIA, TWIN FALLS County(s): Right No(s). 45-10107, 45-2176, 45-2220, 45-2408. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes moving portions of four irrigation ground water rights for use in a new place of use on an existing farm located approximately 4.5 to 5.2 miles south and 2.0 to 2.6 miles east of Murtaugh. The portions to be moved are as follows: 8.7 acres (0.17 cfs) from water right 45-2176; 17.4 acres (0.20 cfs) from right 45-2220; 26.1 acres (0.14 cfs) from right 45-2408 and 6.4 acres (0.13 cfs) from right 45-10107. Total allowed diversion for the moved portions will be 0.52 cfs and 122 Af for the irrigation of 36.8 acres. Current place of use is located approximately 5.2 to 6.2 miles south and 0.0 to 0.9 miles east of Murtaugh.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 79679**

SOUTHFIELD DAIRY, 3308 S 1600 E, WENDELL, ID 83355; has filed Application No. 79679 for changes to the following water rights within GOODING County(s): Right No(s). 36-7377F, 36-7547F. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes moving a 5.9 acre portion of two irrigation rights from a farm located approximately 5.5 to 6.0 mi. west and 1.5 to 2.0 mi. south of the center of Wendell to an existing CAFO located approximately 3.5 to 4.0 mi. west and 5.25 to 5.5 mi. south of the center of Wendell (intersection of Main St. and HWY 46). Transfer will allow for the diversion of up to 0.11 cfs and 23.6 AFA from an existing well for uses associated with the CAFO facility.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 79680**

SOUTHFIELD DAIRY, 3308 S 1600 E, WENDELL, ID 83355; has filed Application No. 79680 for changes to the following water rights within GOODING County(s): Right No(s). 36-7377F, 36-7547F. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes converting a 17.1 acre portion of two irrigation rights from a farm located approximately 5.5 to 6.0 mi. west and 1.5 to 2.0 mi. south of the center of Wendell to an existing dairy operation located approximately 5.0 to 5.5 mi. west and 1.5 to 2.0 mi. south of the center of Wendell (intersection of Main and HWY 46). Transfer will allow for the diversion of up to 0.32 cfs and 68.4 AFA from three existing wells for uses associated with the dairy facility.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 79686**

JCK FARMS LLC, 695 S 320 W, PROVO, UT 84601; has filed Application No. 79686 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13286, 43-13288, 43-13290. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to add a point of diversion (POD) to ground water irrigation rights 43-13286 (2.75 cfs), 43-13288 (3.68 cfs), and 43-13290 (1.04 cfs) which are currently diverted from 4 wells. The new well will be located 1.75 miles north and 0.25 miles east of the intersection of State Highways 77 and 81 in Malta.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 79687**

MICKEY R LEGUINECHE and LOUIS J LEGUINECHE, 1450 S 1750 E, GOODING, ID 83330; has filed Application No. 79687 for changes to the following water rights within GOODING County(s): Right No(s). 37-20799. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change a groundwater point of diversion located approximately 4.8 miles north and 1.7 miles west of the center of the city of Gooding (7th and Main) to a new well to be drilled located approximately 4.5 miles north and 2.25 miles west of the center of the city of Gooding. The proposed new well will allow for the diversion of 2.04 cfs, 408.0 afa, for the irrigation of 102.0 acres.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. To see a full description of these rights and the proposed transfers, please see [www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx](http://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 January 5, 2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director  
Published on December 18<sup>th</sup> & 25<sup>th</sup>, 2014

## MEMORANDUM

**Date:** December 9, 2014  
**To:** Transfer 79687 File  
**From:** Benny Walker  
**Re:** Evaluation of Sufficiency of Information Submitted

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Application proposes to change a groundwater point of diversion located approximately 4.8 miles north and 1.7 miles west of the center of the city of Gooding (7<sup>th</sup> and Main) to a new well to be drilled located approximately 4.5 miles north and 2.25 miles west of the center of the city of Gooding. The proposed new well will allow for the diversion of 2.04 cfs, 408.0 afa, for the irrigation of 102.0 acres. The current well is owned by a neighbor and shared by the applicant and the proposed move of the point of diversion is due to changes in irrigation practices of the current owner and requires the applicant to drill his own well.

The point of diversion is located within Water District 130 therefore watermaster comments will be requested.

- **Authority to File:**  
The applicant owns the water right involved with the transfer according to department records.
- **Water Right Validity:**  
The right involved with the transfer was decreed in the SRBA. Aerial photography indicates use of the right in recent years. Therefore forfeiture of the right involved with the transfer does not appear to be an issue.
- **Injury to Other Water Rights:**  
None anticipated. The change in point of diversion is within adjacent model cells of the current well location therefore an analysis is not required.
- **Enlargement of Use:**  
None anticipated. There is no change to the place of use
- **Local Public Interest:**  
No negative impact anticipated. Application will be subject to public notice and protest
- **Beneficial Use/Conservation of Water Resources:**  
Proposed use is recognized as a beneficial use of water.
- **Effect on Economy of the Local Area:**  
None 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.**