STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 87515

This is to certify that: ALBERT JAY COTTLE AND/OR
JULENE COTTLE
1750 S 1900 E
MALTA, ID 83342-8673

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

Summary of Water Rights Before the Proposed Changes

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
43-13421	WR/DECREED	10/1/1947	0.060 cfs	9.6 af	2.4	162.3	GROUND WATER
43-2271	WR/DECREED	5/6/1932	1.800 cfs	N/A	90.0	140.0	PARKS CREEK
43-412	WR/DECREED	6/15/1873	2.000 cfs	N/A	N/A	162.3	CASSIA CREEK
43-4191	WR/DECREED	10/19/1928	2.790 cfs	N/A	139.3	140.0	WASTE WATER
43-88	WR/DECREED	3/1/1880	0.060 cfs	N/A	2.4	162.3	CASSIA CREEK

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
43-13421	NO	NO	YES	NO	NO	NO
43-2271	NO	NO	YES	NO	NO	NO
43-412	NO	NO	YES	NO	NO	NO
43-4191	NO	NO	YES	NO	NO	NO
43-88	NO	NO	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
43-13421	43-13421	0.060 cfs	9.6 af	2.4	164.3	N/A	N/A	N/A	N/A	N/A
43-2271	43-2271	1.800 cfs	N/A	90.0	164.3	N/A	N/A	N/A	N/A	N/A
43-412	43-412	2.000 cfs	N/A	162.3	164.3	N/A	N/A	N/A	N/A	N/A
43-4191	43-4191	2.790 cfs	N/A	139.3	164.3	N/A	N/A	N/A	N/A	N/A
43-88	43-88	0.060 cfs	N/A	2.4	164.3	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**6.710 cfs**	**0.0 af**	**N/A**	**164.3**		**N/A**	**N/A**	**N/A**	**N/A**

SUPPORT DATA
IN FILE # 43-88

SCANNED
JUL 27 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 87515

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

Dated this 25th day of July, 2023.

Southern Region Manager

SCANNED
JUL 27 2023

WATER RIGHT NO. 43-412

As Modified by Transfer No. 87515

In accordance with the approval of Transfer No. 87515, Water Right No. 43-412 is now described as follows:

Right Holder: JULENE COTTLE
1750 S 1900 E
MALTA, ID 83342-8673

Priority Date: 6/15/1873

Source: CASSIA CREEK **Tributary:** RAFT RIVER

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	04/01	to	10/31	2.000 cfs
				2.000 cfs

LOCATION OF POINT(S) OF DIVERSION

CASSIA CREEK	SWSWSW	Sec 20 Twp 13S Rge 26E CASSIA County
CASSIA CREEK	NESE	Sec 21 Twp 13S Rge 26E CASSIA County
CASSIA CREEK	NESW	Sec 21 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	21				10.0					1.5		8.5	18.0	22.0	13.0	37.0	31.3	141.3
13S	26E	22											23.0						23.0

Right Acre Limit: 162.3
POU Total Acres: 164.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 162.3 acres within the authorized place of use in a single irrigation season.
2. Rights 43-88, 43-412, and 43-13421 when combined shall not exceed the irrigation of 162.3 acres.
3. Rights 43-412, 43-4191, and 43-2271 when combined shall not exceed the irrigation of 164.3 acres.
4. Rights 43-412, 43-4191, 43-88, 43-13421 and 43-2271 when combined shall not exceed the irrigation of 164.3 acres.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District 43-C.

Transfer No. 87515

SCANNED
JUL 27 2023

WATER RIGHT NO. 43-412

As Modified by Transfer No. 87515

CONDITIONS OF APPROVAL

6. 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 diversions.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

SCANNED
JUL 27 2023

WATER RIGHT NO. 43-2271

As Modified by Transfer No. 87515

In accordance with the approval of Transfer No. 87515, Water Right No. 43-2271 is now described as follows:

Right Holder: JULENE COTTLE
1750 S 1900 E
MALTA, ID 83342-8673

Priority Date: 5/6/1932

Source: PARKS CREEK **Tributary:** CASSIA CREEK

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	04/01	to	10/31	1.800 cfs
				1.800 cfs

LOCATION OF POINT(S) OF DIVERSION

PARKS CREEK SENENE Sec 32 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	21				10.0					1.5		8.5	18.0	22.0	13.0	37.0	31.3	141.3
13S	26E	22											23.0						23.0

Right Acre Limit: 90.0
POU Total Acres: 164.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 90 acres within the authorized place of use in a single irrigation season.
2. Rights 43-412, 43-4191, and 43-2271 when combined shall not exceed the irrigation of 164.3 acres.
3. Rights 43-412, 43-4191, 43-88, 43-13421, and 43-2271 when combined shall not exceed the irrigation of 164.3 acres.
4. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.43C.
5. 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(s).

Transfer No. 87515

SCANNED
JUL 27 2023

WATER RIGHT NO. 43-2271

As Modified by Transfer No. 87515

CONDITIONS OF APPROVAL

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

9. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

10. Source is also known as Parke Creek.

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JUL 27 2023

WATER RIGHT NO. 43-4191

As Modified by Transfer No. 87515

In accordance with the approval of Transfer No. 87515, Water Right No. 43-4191 is now described as follows:

Right Holder: JULENE COTTLE
1750 S 1900 E
MALTA, ID 83342-8673

Priority Date: 10/19/1928

Source: WASTE WATER **Tributary:** CASSIA CREEK

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	04/01	to	10/31	2.790 cfs
				2.790 cfs

LOCATION OF POINT(S) OF DIVERSION

WASTE WATER	SESWSW	Sec 20 Twp 13S Rge 26E CASSIA County
WASTE WATER	NWSWSW	Sec 21 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	21				10.0					1.5		8.5	18.0	22.0	13.0	37.0	31.3	141.3
13S	26E	22											23.0						23.0

Right Acre Limit: 139.3
POU Total Acres: 164.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 139.3 acres within the authorized place of use in a single irrigation season.
2. Rights 43-412, 43-4191, and 43-2271 when combined shall not exceed the irrigation of 164.3acres.
3. Rights 43-412,43-4191, 43-88, 43-13421, and 43-2271 when combined shall not exceed the irrigation of 164.3 acres.
4. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.43C.
5. 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(s).

Transfer No. 87515

SCANNED
JUL 27 2023

WATER RIGHT NO. 43-4191

As Modified by Transfer No. 87515

CONDITIONS OF APPROVAL

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

9. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

SCANNED
JUL 27 2023

WATER RIGHT NO. 43-13421

As Modified by Transfer No. 87515

In accordance with the approval of Transfer No. 87515, Water Right No. 43-13421 is now described as follows:

Right Holder: JULENE COTTLE
1750 S 1900 E
MALTA, ID 83342-8673

Priority Date: 10/1/1947

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
IRRIGATION	03/15	to 11/15	0.060 cfs	9.6 af
			0.060 cfs	9.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSESW Sec 21 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	21				10.0					1.5		8.5	18.0	22.0	13.0	37.0	31.3	141.3
13S	26E	22											23.0						23.0

Right Acre Limit: 2.4
POU Total Acres: 164.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2.4 acres within the place of use described above in a single irrigation season.
2. Rights 43-88 and 43-13421 when combined shall not exceed a total annual maximum diversion volume of 9.6 af at the field headgate, and the irrigation of 2.4 acres.
3. Rights 43-88, 43-412, and 43-13421 when combined shall not exceed the irrigation of 162.3 acres.
4. Rights 43-412, 43-4191, 43-88, 43-13421, and 43-2271 when combined shall not exceed the irrigation of 164.3 acres.
5. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

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JUL 27 2023

WATER RIGHT NO. 43-13421

As Modified by Transfer No. 87515

CONDITIONS OF APPROVAL

6. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company or irrigation district deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.

7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

9. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

SCANNED
JUL 27 2023

WATER RIGHT NO. 43-88

As Modified by Transfer No. 87515

In accordance with the approval of Transfer No. 87515, Water Right No. 43-88 is now described as follows:

Right Holder: JULENE COTTLE
1750 S 1900 E
MALTA, ID 83342-8673

Priority Date: 3/1/1880

Source: CASSIA CREEK **Tributary:** RAFT RIVER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	03/15	to	11/15	0.060 cfs	9.6 af
				0.060 cfs	

LOCATION OF POINT(S) OF DIVERSION

CASSIA CREEK	SWSWSW	Sec 20 Twp 13S Rge 26E CASSIA County
CASSIA CREEK	NESE	Sec 21 Twp 13S Rge 26E CASSIA County
CASSIA CREEK	NESW	Sec 21 Twp 13S Rge 26E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	21				10.0					1.5		8.5	18.0	22.0	13.0	37.0	31.3	141.3
13S	26E	22											23.0						23.0

Right Acre Limit: 2.4
POU Total Acres: 164.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 2.4 acres within the place of use described above in a single irrigation season.
2. Rights 43-88 and 43-13421 when combined shall not exceed a total annual maximum diversion volume of 9.6 af at the field headgate, and the irrigation of 2.4 acres.
3. Rights 43-88, 43-412, and 43-13421 when combined shall not exceed the irrigation of 162.3 acres.
4. Rights 43-412, 43-4191, 43-88, 43-13421 and 43-2271 when combined shall not exceed the irrigation of 164.3 acres.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 43-C.

Transfer No. 87515

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JUL 27 2023

WATER RIGHT NO. 43-88

As Modified by Transfer No. 87515

CONDITIONS OF APPROVAL

6. 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 diversions.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

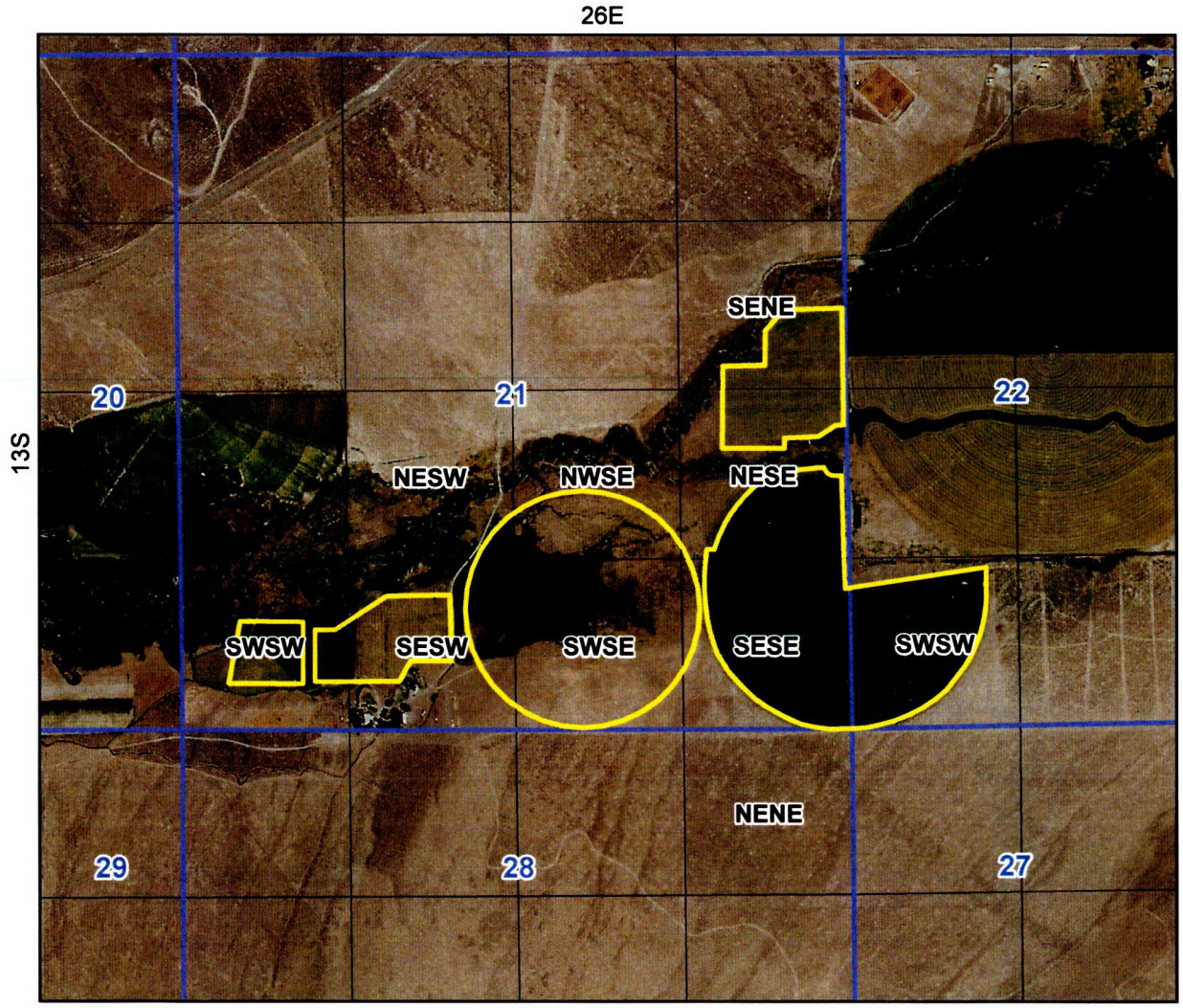
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JUL 27 2023

State of Idaho
Department of Water Resources

Attachment to Transfer # 87515

43-412, 43-4191, 43-88, 43-13421, and 43-2271

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



0 0.175 0.35 0.7 Miles

Place Of Use Boundary
Townships
PLS Sections
Quarter Quarters

N

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JUL 27 2023

Rev. 07/11

RECEIVED
MAR 30 2023
DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 87515

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) ALBERT JAY COTTLE; JULENE COTTLE

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: _____

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APR 27 2023

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MAR 30 2023
DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant ALBERT JAY COTTLE Phone (208) 645-2567

Mailing Address 1750 S 1900 E , MALTA ID 83342 Email

Name of Applicant JULENE COTTLE Phone (208) 645-2567

Mailing Address 1750 S 1900 E , MALTA ID 83342 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 ROBERT COTTLE Phone 801-592-1005

Mailing Address 1750 S. 1900 E. MALTA, ID 83342 Email CottleRanch@gmail.com

☑ 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	Print Name and Title if applicable	Date
Julene Cottle	Julene Cottle	3-27-23

A. PURPOSE OF TRANSFER

1.

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
43-88	No	No	Yes	No	No	No
43-412	No	No	Yes	No	No	No
43-2271	No	No	Yes	No	No	No
43-4191	No	No	Yes	No	No	No
43-13421	No	No	Yes	No	No	No

SCANNED
APR 27 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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**

The applicant proposes to shift acres within the place of use and to adjacent lands. The applicant is updating his irrigation system to maximize better use of his water rights.

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
43-412	2.000 cfs	N/A	162.3	164.3		N/A	N/A	N/A	N/A
43-2271	1.800 cfs	N/A	90.0	164.3		N/A	N/A	N/A	N/A
43-4191	2.790 cfs	N/A	139.3	164.3		N/A	N/A	N/A	N/A
43-13421	0.060 cfs	9.6 af	2.4	164.3		N/A	N/A	N/A	N/A
43-88	0.060 cfs	N/A	2.4	164.3		N/A	N/A	N/A	N/A
COMBINED TOTALS	6.710 cfs	N/A	N/A	164.3		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 6.71 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.

SCANNED
APR 27 2023

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

Proposed Water Right No. 43-412

Current Water Right Owner

ALBERT JAY COTTLE
1750 S 1900 E
MALTA, ID 83342

AND/OR

JULENE COTTLE
1750 S 1900 E
MALTA, ID 83342

Priority Date: 6/15/1873
Origin: Water Right
Basis: Decreed
Status Active
Source: CASSIA CREEK **Tributary:** RAFT RIVER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	04/01	10/31	2.000 CFS	
Total Diversion			2.000 CFS	

Source and Point(s) of Diversion:

CASSIA CREEK	SWSWSW	Sec. 20 Twp 13S Rge 26E CASSIA County
CASSIA CREEK	NESE	Sec. 21 Twp 13S Rge 26E CASSIA County
CASSIA CREEK	NESW	Sec. 21 Twp 13S Rge 26E CASSIA County

Describe the proposed diversion system
Existing headgate and ditch to gravity irrigation
Existing headgate to gravity irrigation
Proposed point of diversion.

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	21				10.0					1.5		8.5	18.0	22.0	13.0	37.0	31.3	141.3
13S	26E	22											23.0						23.0

Right Acre Limit: 162.3
POU Total Acres: 164.3

Transfer No. 87515

SCANNED
APR 27 2023

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

Proposed Water Right No. 43-2271

Current Water Right Owner

ALBERT JAY COTTLE
1750 S 1900 E
MALTA, ID 83342

AND

JULENE COTTLE
1750 S 1900 E
MALTA, ID 83342

Priority Date: 5/6/1932
Origin: Water Right
Basis: Decreed
Status Active
Source: PARKS CREEK **Tributary:** CASSIA CREEK

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	04/01	10/31	1.800 CFS	
Total Diversion			1.800 CFS	

Source and Point(s) of Diversion:
PARKS CREEK SENENE Sec. 32 Twp 13S Rge 26E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	21				10.0					1.5		8.5	18.0	22.0	13.0	37.0	31.3	141.3
13S	26E	22											23.0						23.0

Right Acre Limit: 90.0
POU Total Acres: 164.3

Transfer No. 87515

SCANNED
APR 27 2023

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

Proposed Water Right No. 43-4191

Current Water Right Owner

JULENE COTTLE
1750 S 1900 E
MALTA, ID 83342

AND

ALBERT JAY COTTLE
1750 S 1900 E
MALTA, ID 83342

Priority Date: 10/19/1928
Origin: Water Right
Basis: Decreed
Status Active
Source: WASTE WATER **Tributary:** CASSIA CREEK

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	04/01	10/31	2.790 CFS	
Total Diversion			2.790 CFS	

Source and Point(s) of Diversion:

WASTE WATER	SESWSW	Sec. 20 Twp 13S Rge 26E CASSIA County
WASTE WATER	NWSWSW	Sec. 21 Twp 13S Rge 26E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	21				10.0					1.5		8.5	18.0	22.0	13.0	37.0	31.3	141.3
13S	26E	22											23.0						23.0

Right Acre Limit: 139.3
POU Total Acres: 164.3

Transfer No. 87515

SCANNED
APR 27 2023

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

Proposed Water Right No. 43-13421

Current Water Right Owner

ALBERT JAY COTTLE
1750 S 1900 E
MALTA, ID 83342

And

JULENE COTTLE
1750 S 1900 E
MALTA, ID 83342

Priority Date: 10/1/1947
Origin: Water Right
Basis: Decreed
Status Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	03/15	11/15	0.060 CFS	9.6 AFA	
Total Diversion			0.060 CFS	9.6 AFA	

Source and Point(s) of Diversion:
GROUND WATER SWSESW Sec. 21 Twp 13S Rge 26E CASSIA County

Describe the proposed diversion system
Existing domestic well, motor, pump

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	21				10.0					1.5		8.5	18.0	22.0	13.0	37.0	31.3	141.3
13S	26E	22											23.0						23.0

Right Acre Limit: 2.4
POU Total Acres: 164.3

Transfer No. 87515

SCANNED
APR 27 2023

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

Proposed Water Right No. 43-88

Current Water Right Owner

ALBERT JAY COTTLE
1750 S 1900 E
MALTA, ID 83342

AND/OR

JULENE COTTLE
1750 S 1900 E
MALTA, ID 83342

Priority Date: 3/1/1880
Origin: Water Right
Basis: Decreed
Status Active
Source: CASSIA CREEK **Tributary:** RAFT RIVER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	03/15	11/15	0.060 CFS	9.6 AFA	
Total Diversion			0.060 CFS		

Source and Point(s) of Diversion:

CASSIA CREEK	SWSWSW	Sec. 20 Twp 13S Rge 26E CASSIA County
CASSIA CREEK	NESE	Sec. 21 Twp 13S Rge 26E CASSIA County
CASSIA CREEK	NESW	Sec. 21 Twp 13S Rge 26E CASSIA County

Describe the proposed diversion system
Existing headgate and ditch to gravity irrigation
Existing headgate to gravity irrigation
Proposed point of diversion.

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	21				10.0					1.5		8.5	18.0	22.0	13.0	37.0	31.3	141.3
13S	26E	22											23.0						23.0

Right Acre Limit: 2.4
POU Total Acres: 164.3

Transfer No. 87515

SCANNED
APR 27 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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
A measuring device and lockable controlling works will be installed when required.

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: N/A
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:
There will be a shift of irrigated acres within the place of use and to adjacent lands

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:
All water rights used for these lands are included in this transfer

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:

Transfer No. 87515

SCANNED
APR 27 2023

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

Current Water Right No. 43-412

Current Water Right Owner

ALBERT JAY COTTLE 1750 S 1900 E MALTA, ID 83342	And/Or	JULENE COTTLE 1750 S 1900 E MALTA, ID 83342

Priority Date: 6/15/1873
Origin: Water Right
Basis: Decreed
Status: Active
Source: CASSIA CREEK **Tributary:** RAFT RIVER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	04/01	10/31	2.000 CFS	
Total Diversion			2.000 CFS	

Source and Point(s) of Diversion:

CASSIA CREEK	NESW	Sec. 21 Twp 13S Rge 26E	CASSIA County
CASSIA CREEK	SWSWSW	Sec. 20 Twp 13S Rge 26E	CASSIA County
CASSIA CREEK	NESE	Sec. 21 Twp 13S Rge 26E	CASSIA County

Describe the proposed diversion system
Proposed point of diversion.
Existing headgate and ditch to gravity irrigation
Existing headgate to gravity irrigation

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	21				13.0					9.3		23.0	27.0	36.0	24.0	21.0	9.0	162.3

POU Total Acres: 162.3

Conditions/Remarks:

1. Rights 43-88 and 43-412 when combined shall not exceed a total diversion rate of 2.06 cfs and the irrigation of 162.3 acres.

2. Rights 43-412, 43-4191, 43-88, 43-13421 and 43-2271 when combined shall not exceed the irrigation of 164.3 acres.

3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District 43-C.

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 diversions.

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

SCANNED
APR 27 2023

Conditions/Remarks:

8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

SCANNED
APR 27 2023

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

Current Water Right No. 43-2271

Current Water Right Owner

ALBERT JAY COTTLE
1750 S 1900 E
MALTA, ID 83342

AND

JULENE COTTLE
1750 S 1900 E
MALTA, ID 83342

Priority Date: 5/6/1932
Origin: Water Right
Basis: Decreed
Status: Active
Source: PARKS CREEK **Tributary:** CASSIA CREEK

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	04/01	10/31	1.800 CFS	
Total Diversion			1.800 CFS	

Source and Point(s) of Diversion:
PARKS CREEK SENENE Sec. 32 Twp 13S Rge 26E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	21									9.3		23.0	27.0	24.0	24.0	21.0	9.0	137.3

Right Acre Limit: 90.0
POU Total Acres: 137.3

Conditions/Remarks:

1. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 164.3 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-412, 43-4191, AND 43-2271.

2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 90 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

3. SOURCE IS ALSO KNOWN AS PARKE CREEK.

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.

Transfer No. 87515

SCANNED
APR 27 2023

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

Current Water Right No. 43-4191

Current Water Right Owner

JULENE COTTLE
1750 S 1900 E
MALTA, ID 83342

AND

ALBERT JAY COTTLE
1750 S 1900 E
MALTA, ID 83342

Priority Date: 10/19/1928
Origin: Water Right
Basis: Decreed
Status: Active
Source: WASTE WATER **Tributary:** CASSIA CREEK

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	04/01	10/31	2.790 CFS	
Total Diversion			2.790 CFS	

Source and Point(s) of Diversion:

WASTE WATER	SESWSW	Sec. 20 Twp 13S Rge 26E	CASSIA County
WASTE WATER	NWSWSW	Sec. 21 Twp 13S Rge 26E	CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	21									9.3		25.0	27.0	24.0	24.0	21.0	9.0	139.3

Right Acre Limit: 139.3
POU Total Acres: 139.3

Conditions/Remarks:

1. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 164.3 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-412, 43-4191, AND 43-2271.

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.

SCANNED
APR 27 2023

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

Current Water Right No. 43-13421

Current Water Right Owner

ALBERT JAY COTTLE
1750 S 1900 E
MALTA, ID 83342

And

JULENE COTTLE
1750 S 1900 E
MALTA, ID 83342

Priority Date: 10/1/1947
Origin: Water Right
Basis: Decreed
Status: Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	03/15	11/15	0.060 CFS	9.6 AFA	
Total Diversion			0.060 CFS	9.6 AFA	

Source and Point(s) of Diversion:
GROUND WATER SWSESW Sec. 21 Twp 13S Rge 26E CASSIA County

Describe the proposed diversion system
Existing domestic well, motor, pump

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	21				13.0					9.3		23.0	27.0	36.0	24.0	21.0	9.0	162.3

Right Acre Limit: 2.4
POU Total Acres: 162.3

Conditions/Remarks:

1. This right is limited to the irrigation of 2.4 acres within the place of use described above in a single irrigation season.

2. Rights 43-88 and 43-13421 when combined shall not exceed a total annual maximum diversion volume of 9.6 af at the field headgate, and the irrigation of 2.4 acres.

3. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

4. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

5. If the surface water rights appurtenant to the place of use are sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

6. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

SCANNED
APR 27 2023

Conditions/Remarks:

8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

SCANNED
APR 27 2023

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

Current Water Right No. 43-88

Current Water Right Owner

ALBERT JAY COTTLE
1750 S 1900 E
MALTA, ID 83342

And/Or

JULENE COTTLE
1750 S 1900 E
MALTA, ID 83342

Priority Date: 3/1/1880
Origin: Water Right
Basis: Decreed
Status: Active
Source: CASSIA CREEK **Tributary:** RAFT RIVER

Beneficial Use	From	To	Diversion Rate	Subuse Code
IRRIGATION	03/15	11/15	0.060 CFS	
Total Diversion			0.060 CFS	

Source and Point(s) of Diversion:

CASSIA CREEK	NESW	Sec. 21 Twp 13S Rge 26E CASSIA County
CASSIA CREEK	SWSWSW	Sec. 20 Twp 13S Rge 26E CASSIA County
CASSIA CREEK	NESE	Sec. 21 Twp 13S Rge 26E CASSIA County

Describe the proposed diversion system
Proposed point of diversion.
Existing headgate and ditch to gravity irrigation
Existing headgate to gravity irrigation

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	26E	21				13.0					9.3		23.0	27.0	36.0	24.0	21.0	9.0	162.3

Right Acre Limit: 2.4
POU Total Acres: 162.3

Conditions/Remarks:

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 43-C.

2. This right is limited to the irrigation of 2.4 acres within the place of use described above in a single irrigation season.

3. Rights 43-88 and 43-13421 when combined shall not exceed a total annual maximum diversion volume of 9.6 af at the field headgate, and the irrigation of 2.4 acres.

4. Rights 43-88 and 43-412 when combined shall not exceed a total diversion rate of 2.06 cfs and the irrigation of 162.3 acres.

5. Rights 43-412, 43-4191, 43-88, 43-13421 and 43-2271 when combined shall not exceed the irrigation of 164.3 acres.

6. 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 diversions.

Transfer No. 87515

SCANNED
APR 27 2023

Conditions/Remarks:

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

SCANNED
APR 27 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 rights(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.:

N/A

FOR DEPARTMENT USE ONLY

Transfer Contains 18 pages and _____ attachments.
Received By SG Date 3/30/2023 Prelim. Check By SG Date 3/30/2023
Fee Paid $740.00 Date 3/30/2023 Receipted By SG Receipt # 503724
Add'l Fee Paid _____ Date _____ Receipted By _____ Receipt # _____

Transfer No. 87515

SCANNED
APR 27 2023

STATE OF IDAHO

TIFICATION OF VITAL RECO

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
BUREAU OF VITAL RECORDS AND HEALTH STATISTICS

CERTIFICATE OF DEATH

Date Filed: FEBRUARY 18, 2020

State File No.: 2020-01613

DECEDENT - LEGAL NAME
ALBERT JAY COTTLE
AKA: JAY COTTLE

SEX	SOCIAL SECURITY NUMBER	AGE	DATE OF BIRTH
MALE		87 YEARS	OCTOBER 02, 1932

BIRTHPLACE	PLACE OF RESIDENCE
MALTA, IDAHO	MALTA, IDAHO

MARITAL STATUS AT TIME OF DEATH	NAME OF SURVIVING SPOUSE (If wife, maiden name)	WAS DECEDENT EVER IN U.S. ARMED FORCES?
MARRIED	JULENE BUNKER	YES

FATHER - NAME	BIRTHPLACE
ALBERT JOSEPH COTTLE	UTAH

MOTHER - MAIDEN NAME	BIRTHPLACE
EHTEL L HALL	UTAH

METHOD OF DISPOSITION	FUNERAL SERVICE LICENSEE
BURIAL	JEFFREY H. RASMUSSEN

NAME AND ADDRESS OF FUNERAL FACILITY
RASMUSSEN-WILSON FUNERAL HOME, BURLEY, IDAHO

DATE OF DEATH	TIME OF DEATH	CITY, TOWN OR LOCATION OF DEATH	COUNTY OF DEATH
FEB. 11, 2020	10:45 P.M.	BURLEY, IDAHO	CASSIA

CAUSE OF DEATH (underlying cause last)

		Approximate Interval Between Onset and Death
a.	PLEURAL EFFUSION	1 WEEK
DUE TO (or as a consequence of): b.	PNEUMONIA	1 WEEK
DUE TO (or as a consequence of): c.		
DUE TO (or as a consequence of): d.		

OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH but not resulting in the underlying cause given above	WAS AN AUTOPSY PERFORMED?
ALPHA 1 ANTITRYP DEF; COPD; INTERSTITIAL LUNG; AFIB; NON-HODGKINS LYMPHOMA	NO

MANNER OF DEATH	NAME OF CERTIFIER	TITLE
NATURAL	RONALD B. CAMPBELL, D.O.	PHYSICIAN

CORONER SUBSEQUENT CERTIFICATION IF NECESSARY

EXTERNAL CAUSES ONLY

DATE OF INJURY	TIME OF INJURY	PLACE OF INJURY	INJURY AT WORK?

LOCATION WHERE INJURY OCCURRED

DESCRIPTION OF HOW INJURY OCCURRED

SCANNED
APR 27 2023

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO BUREAU OF VITAL RECORDS AND HEALTH STATISTICS.

DATE ISSUED: FEBRUARY 18, 2020

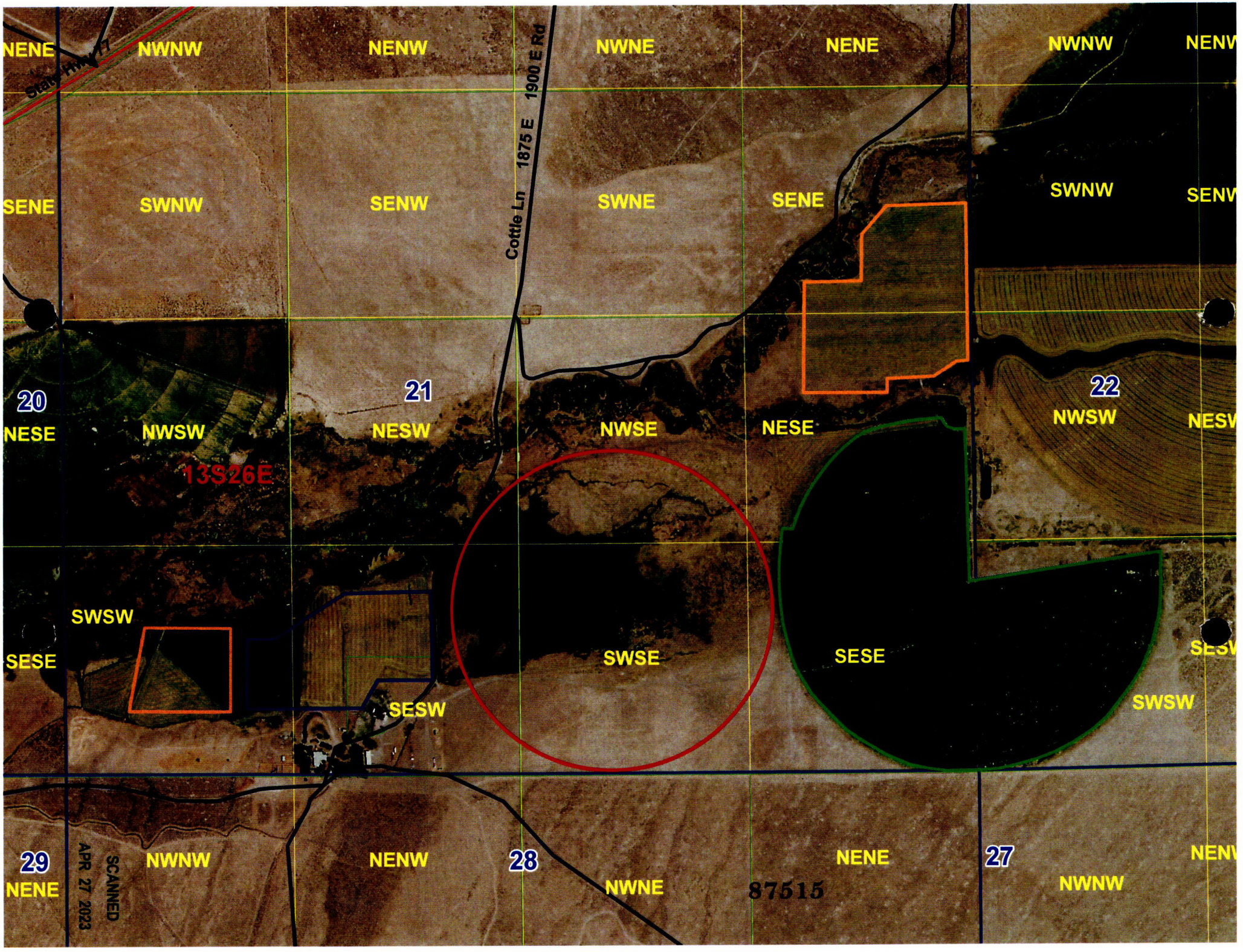
This copy not valid unless prepared on engraved border displaying state seal and signature of the Registrar.

James B. Aydelotte

JAMES B. AYDELOTTE
STATE REGISTRAR

PBNCD (Rev) 05/18

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE



SCANNED
APR 27 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858
Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

July 26, 2023

ALBERT JAY COTTLE
JULENE COTTLE
1750 S 1900 E
MALTA ID 83342-8673

CORR.

Re: Transfer No: 87515
Water Right No(s).: 43-88, 43-412, 43-2271, 43-4191, 43-13421

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

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

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

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

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

SCANNED
JUL 27 2023

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

If you have any questions, please contact me at (208) 736-3033.

Sincerely,



Corey Skinner
Southern Regional Manager

Enclosure

c:

ROBERT COTTLE
1750 S 1900 E
MALTA ID 83342-8673

WATER DISTRICT 143
BRIAN RAGAN
PO BOX 83720
BOISE ID 83720-0098

WATER DISTRICT 43C
ROGER MUSSER
917 PARK LN
POCATELLO ID 83201-2818

SCANNED
JUL 27 2023

CERTIFICATE OF SERVICE

I hereby certify that on July 26, 2023 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 87515
Water Right No(s).: 43-88, 43-412, 43-2271, 43-4191, 43-13421

ALBERT JAY COTTLE
JULENE COTTLE
1750 S 1900 E
MALTA ID 83342-8673

ROBERT COTTLE
1750 S 1900 E
MALTA ID 83342-8673

WATER DISTRICT 143
BRIAN RAGAN
PO BOX 83720
BOISE ID 83720-0098

WATER DISTRICT 43C
ROGER MUSSER
917 PARK LN
POCATELLO ID 83201-2818

Denise Maline

Denise Maline
Administrative Assistant

SCANNED
JUL 27 2023

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

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

(Required by Rule of Procedure 730.02)

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

SCANNED
JUL 27 2023

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

SCANNED
JUL 27 2023

Sufficiency Memorandum

Date: June 21, 2023

To: Transfer 87515

From: Benny Walker

Re: Evaluation of Sufficiency of Information Submitted

The transfer application proposes to shift 61.3 acres and 3.28 cfs for one surface water right from Parks Creek, one from Wastewater, two surface water rights from Cassia Creek, and one ground water right. The proposed adjustment is within the existing place of use (POU) and includes adjacent lands for the irrigation of 164.3 allowable acres and 6.71 cfs under these rights. There is no proposed point of diversion changes. The POU is located approximately 2.0 to 2.7 miles south and 3.0 to 4.0 miles west of Malta. The transfer was subject to notice and protest. No protest was received. The place of use is within Water District 43C and 143, watermaster comments were solicited. No comments were received from watermaster of 43C and the watermaster from 143 had no comments or concerns with this transfer.

- **Authority to File:**
  The applicants Albert and Julene Cottle listed as the current owner of the water rights involved in the transfer. A death certificate was provided by Julene Cottle to remove her husband Albert Jay Cottle from the water rights.

- **Water Right Validity:**
  The five water rights involved in the transfer were decreed in the SRBA in 2002. Recent aerial photography indicates that these water rights have been used in recent years.

- **Injury to Other Water Rights:**
  None anticipated.

- **Enlargement of Use:**
  None anticipated.

- **Local Public Interest:**
  No negative impacts anticipated. No protests were received.

- **Beneficial Use/Conservation of Water Resources:**
  Proposed uses are recognized as beneficial uses 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.

SCANNED
JUL 27 2023

12 June 2023

RECEIVED
JUN 16 2023
DEPT OF WATER RESOURCES
SOUTHERN REGION

Idaho Department of Water Resources
650 Addison Ave W, Suite 500
Twin Falls, ID 83301-5858

RE: Water Transfer 87515

Attn: Benny Walker

It is my desire to remove my husband Albert Jay Cottle from the water rights that are associated with the transfer 87515 due to his passing in February 2020. A copy of his death certificate was submitted with the transfer request, therefore one is not attached.

If you have any further questions regarding the transfer, please feel free to reach out to my son Robert Cottle at (801)-592-1005 who is managing the Ranch affairs.

Sincerely,

Julene Cottle

Julene Cottle

SCANNED
JUL 27 2023

** Proof of Publication **

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

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

2 Insertions

ID DEPARTMENT OF WATER RESOURCES Southern Region
Denise Maliine Adminisrative Assistant
650 ADDISON AVE W, STE 500
TWIN FALLS ID 83301

ORDER NUMBER 136872

Sherri Davis

(Legals Clerk)

STATE OF IDAHO)
.SS
COUNTY OF TWIN FALLS)

On this 11 day of May in the year of 2023 before me, a Notary Public, personally appeared before me Sherri Davis known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Amy Wiesmore

Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 9-4-26

Section: Legals

Category: 50 Legal

PUBLISHED ON: 05/04/2023, 05/11/2023

TOTAL AD COST: 123.58

FILED ON: 5/11/2023

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 87515

ALBERT JAY COTTLE and JULENE COTTLE, 1750 S 1900 E, MALTA, ID 83342-8673 has filed Application No. 87515 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13421, 43-2271, 43-412, 43-4191, 43-88; to see a full description of these rights and the proposed transfer, please see https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. The purpose of the transfer is to change a portion of the above rights as follows: The transfer application proposes to adjust 61.3 acres and 3.28 cfs for one surface water right from Parks Creek, one from Wastewater, two surface water rights from Cassia Creek, and one ground water right. The proposed adjustment is within the existing place of use (POU) and includes adjacent lands for the irrigation of 164.3 allowable acres and a total 6.71 cfs under these water rights rights. There are no changes proposed for the points of diversion. The POU is located approximately 1.9 to 2.5 miles south and 0.8 to 2.0 miles west of Malta.

For additional information concerning the property location, contact Southern Region office at (208)736-3033. 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 83301-5858 together with a protest fee of $25.00 for each application on or before **May 22, 2023.** The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on May 4th & 11th, 2023

RECEIVED
MAY 15 2023
DEPT OF WATER RESOURCES
SOUTHERN REGION

AMY WIESMORE
COMMISSION NO. 20203230
NOTARY PUBLIC
STATE OF IDAHO
MY COMM. EXPIRES 09/04/2026

✓ OK DM 5/22/2023

SCANNED
JUL 27 2023

Maline, Denise

From: Ragan, Brian
Sent: Thursday, May 11, 2023 1:33 PM
To: Maline, Denise
Cc: King, Corey
Subject: RE: Comment Letter for Transfer No. 87515 - Cottle

I have no comments or concerns regarding this transfer, although I only have jurisdiction over ground water right (43-13421). Please consider comments you receive from the WD43C watermaster.

Brian Ragan
IDWR Water Distribution Section
(208) 287-4934

From: Maline, Denise <Denise.Maline@idwr.idaho.gov>
Sent: Thursday, April 27, 2023 10:48 AM
To: Ragan, Brian <Brian.Ragan@idwr.idaho.gov>
Subject: Comment Letter for Transfer No. 87515 - Cottle

Good morning Brian,

Attached is an application for transfer currently being processed by the department, within WD143 / 43C. Please review the application and provide any necessary comments within 21 days. I have also solicited comments from Water District 43C.

If you have any questions regarding this application, please feel free to contact Benny Walker at our office.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline, Administrative Assistant I
Idaho Dept. of Water Resources
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov

SCANNED
JUL 27 2023

Customer Ad Proof

164-60002276 ID DEPARTMENT OF WATER RESOURCES **Order Nbr 136872**

Southern Region

Publication	**Times News**		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	123.58
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	123.58
Fax			
Section	Legals	Start/End Dates	05/04/2023 - 05/11/2023
SubSection		Insertions	2
Category	50 Legal	Size	65
Ad Key	136872-1	Salesperson(s)	Legal Notices
Keywords	NOTICE OF PROPOSED CHANGE OF W	Taken By	Amy Packham
Notes			

Ad Proof

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 87515

ALBERT JAY COTTLE and JULENE COTTLE, 1750 S 1900 E, MALTA, ID 83342-8673 has filed Application No. 87515 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13421, 43-2271, 43-412, 43-4191, 43-88; to see a full description of these rights and the proposed transfer, please see https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. The purpose of the transfer is to change a portion of the above rights as follows: The transfer application proposes to adjust 61.3 acres and 3.28 cfs for one surface water right from Parks Creek, one from Wastewater, two surface water rights from Cassia Creek, and one ground water right. The proposed adjustment is within the existing place of use (POU) and includes adjacent lands for the irrigation of 164.3 allowable acres and a total 6.71 cfs under these water rights rights. There are no changes proposed for the points of diversion. The POU is located approximately 1.9 to 2.5 miles south and 0.8 to 2.0 miles west of Malta.

For additional information concerning the property location, contact Southern Region office at (208)736-3033. 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 83301-5858 together with a protest fee of $25.00 for each application on or before **May 22, 2023.** The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on May 4th & 11th, 2023

Proof of legal notice received from Times News 4/27/2023

✓ AM 4-27-2023

SCANNED
JUL 27 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858
Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

April 27, 2023

ALBERT JAY COTTLE
JULENE COTTLE
1750 S 1900 E
MALTA, ID 83342-8673

RE: Transfer No. 87515
Water Right No(s). 43-13421, 43-2271, 43-412, 43-4191, 43-88

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 5/4/2023 and 5/11/2023**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of $25.00 for each application, on or before **May 22, 2023**.

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
Denise Maline
Administrative Assistant

c: Robert Cottle

SCANNED
APR 27 2023

Maline, Denise

From: Maline, Denise
Sent: Thursday, April 27, 2023 10:48 AM
To: Ragan, Brian
Subject: Comment Letter for Transfer No. 87515 - Cottle
Attachments: Comment letter to WD143 for 87515.docx; Transfer No. 87515 (Cottle).pdf

Good morning Brian,

Attached is an application for transfer currently being processed by the department, within WD143 / 43C. Please review the application and provide any necessary comments within 21 days. I have also solicited comments from Water District 43C.

If you have any questions regarding this application, please feel free to contact Benny Walker at our office.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline, Administrative Assistant I
Idaho Dept. of Water Resources
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov

SCANNED
APR 27 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858
Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

April 27, 2023

BRIAN RAGAN
WATER DISTRICT 143
PO BOX 83720
BOISE ID 83720-0098

Re: Transfer No(s). 87515 (Albert Jay and Julene Cottle)

Dear Brian:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at: https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx. Please review the application, then complete the enclosed recommendation form 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 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

Denise Maline
Administrative Assistant 1

Enclosure(s)

SCANNED
APR 27 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858
Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

April 27, 2023

ROGER MUSSER
WATER DISTRICT 43C
917 PARK LN
POCATELLO ID 83201-2818

Re: Transfer No(s). 87515 (Albert Jay and Julene Cottle)

Dear Roger:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at: https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx. Please review the application, then complete the enclosed recommendation form 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 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

Denise Maline
Administrative Assistant 1

Enclosure(s)

SCANNED
APR 27 2023

Maline, Denise

From:	Maline, Denise
Sent:	Thursday, April 27, 2023 10:03 AM
To:	Times News
Subject:	LEGAL NOTICE - ACCOUNT #164-60002276
Attachments:	Times News Cover Letter.docx; Times News Ad.docx

Attached please find **(1)** legal notice being submitted for publication on May 4th & 11th, 2023. This publication is for Idaho Dept of Water Resources in Twin Falls, Idaho, under account number 164-60002276.

Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls, Idaho

Thank you,

Denise Maline, Administrative Assistant I
Idaho Dept. of Water Resources
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov

SCANNED
APR 27 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858
Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

April 27, 2023

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

RE: Transfer No. 87515
Water Right No(s). 43-13421, 43-2271, 43-412, 43-4191, 43-88

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 22, 2023. Your cooperation is appreciated.

Sincerely,
Denise Maline
Denise Maline
Administrative Assistant 1

Enclosure(s)

SCANNED
APR 27 2023

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 87515

ALBERT JAY COTTLE and JULENE COTTLE, 1750 S 1900 E, MALTA, ID 83342-8673 has filed Application No. 87515 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13421, 43-2271, 43-412, 43-4191, 43-88; to see a full description of these rights and the proposed transfer, please see https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. The purpose of the transfer is to change a portion of the above rights as follows: The transfer application proposes to adjust 61.3 acres and 3.28 cfs for one surface water right from Parks Creek, one from Wastewater, two surface water rights from Cassia Creek, and one ground water right. The proposed adjustment is within the existing place of use (POU) and includes adjacent lands for the irrigation of 164.3 allowable acres and a total 6.71 cfs under these water rights rights. There are no changes proposed for the points of diversion. The POU is located approximately 1.9 to 2.5 miles south and 0.8 to 2.0 miles west of Malta.

For additional information concerning the property location, contact Southern Region office at (208)736-3033. 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 83301-5858 together with a protest fee of $25.00 for each application on or before **May 22, 2023**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on May 4th & 11th, 2023

SCANNED
APR 27 2023

MEMORANDUM

TO: Transfer 87515 File

FROM: Benny Walker

DATE: April 25, 2023

SUBJECT: Filing Fee

The $740.00 filing fee for this transfer is based on the quantity being transferred 3.28 cfs. for 61.3 acres being shifted within the place of use. The transfer fee schedule for 3.01-4.00 cfs is $740.00 The applicant submitted a fee of $740.00 (Receipt S039724).

SCANNED
APR 27 2023

Synopsis & Legal

Date: April 25, 2023

To: Transfer 87515

From: Benny Walker

Re: Synopsis/Legal

The transfer application proposes to adjust 61.3 acres and 3.28 cfs for one surface water right from Parks Creek, one from Wastewater, two surface water rights from Cassia Creek, and one ground water right. The proposed adjustment is within the existing place of use (POU) and includes adjacent lands for the irrigation of 164.3 allowable acres and a total 6.71 cfs under these water rights. There are no changes proposed for the points of diversion. The POU is located approximately 1.9 to 2.5 miles south and 0.8 to 2.0 miles west of Malta. The transfer is subject to notice and protest. The place of use is within Water District 43C and 143 so watermaster comments will be solicited.

SCANNED
APR 27 2023