

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 86515**

This is to certify that: **DAVID MARTIN AND
LISA MARTIN
863 EATON RD
WEISER, ID 83672-5079**

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

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
67-4173	WR/DECREED	3/1/1920	2.110 cfs	N/A	N/A	108.0	SCOTT CREEK, WARM SPRINGS CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
67-4173	NO	NO	NO	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
67-4173	67-4173	2.110 cfs	N/A	N/A	108.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		2.110 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

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

Dated this 23rd day of March, 2023

Cody Parker
Cody Parker, Water Rights Supervisor

Transfer No. 86515

SCANNED
MAR 29 2023

WATER RIGHT NO. 67-4173**As Modified by Transfer No. 86515**

In accordance with the approval of Transfer No. 86515, Water Right No. 67-4173 is now described as follows:

Right Holder: DAVID MARTIN
LISA MARTIN
863 EATON RD
WEISER, ID 83672-5079

Priority Date: 3/1/1920

Source: SNAKE RIVER
Source: WARM SPRINGS CREEK
Source: SCOTT CREEK

Tributary: COLUMBIA RIVER
Tributary: SNAKE RIVER
Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From
03/01

To
to 11/15

Diversion Rate

2.110 cfs
2.110 cfs

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER	L3 (SWNW)	Sec 20 Twp 11N Rge 06W WASHINGTON County
WARM SPRINGS CREEK	L3 (SWNW)	Sec 20 Twp 11N Rge 06W WASHINGTON County
WARM SPRINGS CREEK	L3 (SWNW)	Sec 20 Twp 11N Rge 06W WASHINGTON County
SCOTT CREEK	NESW	Sec 20 Twp 11N Rge 06W WASHINGTON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	06W	19	2.0																2.0
			L 1																
11N	06W	20						3.0	28.0	25.0	25.0	25.0							106.0
									L 3				L 2						

POU Total Acres: 108.0

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
2. Diversion at the new point of diversion from the Snake River is limited to times when water is available and in priority at the points of diversion from Scott Creek and Warm Springs Creek.
3. 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.

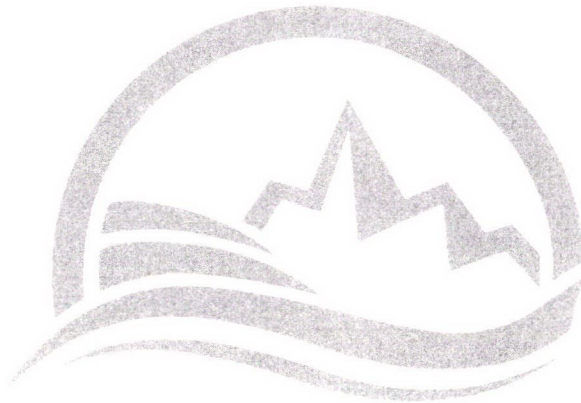
Transfer No. 86515

SCANNED
MAR 29 2023

WATER RIGHT NO. 67-4173
As Modified by Transfer No. 86515

CONDITIONS OF APPROVAL

4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.



Transfer No. 86515

SCANNED
MAR 29 2023

State of Idaho
Department of Water Resources
Attachment to Water Right Transfer
67-4173

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

06W



● Point of Diversion

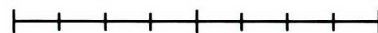
Place of Use

Township/Range

Sections

QQ

0 0.05 0.1 0.2 Miles



**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT - POINT(S) OF DIVERSION

JUL 11 2022

WATER RESOURCES
WESTERN DIVISION

RECEIVED

JUL 14 2022

DEPARTMENT OF
WATER RESOURCES

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☐ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership change ☐ Ownership split
☐ Transfer is for changes pursuant to [Idaho Code § 42-221.O.8](#). Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** DAVID & LISA MARTIN Phone 530-370-10132. **MAILING ADDRESS** 863 EATON RD City WEISERState ID Zip 83672 Email DAVID@MARTIN AG PRODUCTS.COM

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
- ☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
- ☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 67-4173

- ☒ Attach a copy of the water right(s) as recorded, available at idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 2.11 cubic feet per second and/or _____ acre-feet per annum.
(diversion rate) (storage volume)5. **POINT OF DIVERSION** - Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at idwr.idaho.gov, *Water Rights, Water Right Transfers, Modeling Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
NO	SW NW 4T3				20	11 N	06 W	WASHINGTON	WARM SPRINGS CREEK	
NO	SW NW 4T3				20	11 N	06 W	WASHINGTON	WARM SPRINGS CREEK	
NO	NESW				20	11 N	06 W	WASHINGTON	SCOTT CREEK	
YES	SW NW 4T3				20	11 N	06 W	WASHINGTON	SNAKE RIVER	

SCANNED

OCT 12 2022

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future. THE DIVERSION SYSTEM WILL CONSIST OF A PUMP WITH EITHER A SUCTION HOSE OR PIPE TO PULL THE WATER FROM THE RIVER. FLEXIBLE OR HARD DISCHARGE LINE WILL TAKE THE WATER TO THE CURRENT VARIOUS IRRIGATION GATED PIPES, GRAVITY FURROWS, OR SIPHON PIPES FOR FINAL IRRIGATION. THE DISCHARGE FROM THE PUMP WILL BE ABLE TO ACCOMMODATE A MEASURING DEVICE. A LOCKABLE CONTROLLING DEVICE WOULD CONSIST OF EITHER A VARIABLE FREQUENCY DRIVE WITH A LOCK, OR A METERING VALVE WITH A LOCK.
- b. Who owns the property at the point(s) of diversion? WE DO, THE WATER RIGHTS OWNER
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
- c. 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 used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)
- If yes, describe:
- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No
- ☐ If yes and there are multiple owners, attach a [Lessor Designation](#) form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an [IRS Form W-9](#).
(Disregard if these items are on file and ownership has not changed.)
7. **MAP** - ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and 1/4 1/4 of section information. You may create a map at idwr.idaho.gov, Water Rights, Water Right Transfers, File a Transfer Application, Step 2C.
8. **SIGNATURE** - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

David G. Martin
Signature of applicant or authorized agent

DAVID G. MARTIN - CURRENT OWNER
Print name and title if applicable

07-04-22
Date

Lisa May Martin
Signature of applicant or authorized agent

LISA MARTIN - CURRENT OWNER
Print name and title if applicable

07-04-22
Date

9. **FEE** - ☒ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The [Fee Schedule](#) is available at www.idwr.idaho.gov, Water Right Transfers, Step 4 and in the [Application for Transfer Instructions](#).

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by LE Date 07/11/2022
Fee paid \$660.00 Date 07/11/2022 Receipted by LE Receipt # W050592
Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐
W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 - confidential information is held by fiscal only)

SCANNED

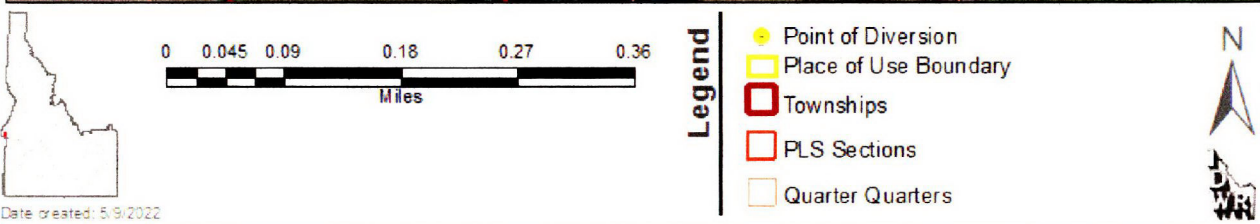
State of Idaho
Department of Water Resources

Water Right

67-4173

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



NEW, ADDITIONAL POINT OF DIVERSION
PLACE OF USE STAYS THE SAME.
EXISTING PIPES, DITCHES, AND CANALS WILL BE USED

SCANNED

86515

OCT 12 2022

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

5/9/2022
IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report
WATER RIGHT NO. 67-4173

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GENEVIEVE L WITTE
Current Owner	MYRTLE M WITTE
	RT 1 BOX 104
	863 EATON RD
	WEISER, ID 83672

Priority Date: 03/01/1920
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
SCOTT CREEK	SNAKE RIVER
WARM SPRINGS CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	11/15	2.11 CFS	
Total Diversion			2.11 CFS	

Location of Point(s) of Diversion:

WARM SPRINGS CREEK	SWNW Lt 3	Sec. 20	Township 11N	Range 06W	WASHINGTON County
WARM SPRINGS CREEK	SWNW Lt 3	Sec. 20	Township 11N	Range 06W	WASHINGTON County
SCOTT CREEK	NESW	Sec. 20	Township 11N	Range 06W	WASHINGTON County

Place(s) of use:
Place of Use Legal Description: IRRIGATION WASHINGTON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
11N	06W	19	1	NENE	2									
		20		NWNW	3	3	SWNW	28		SENW	25			
				NESW	25	2	NWSW	25						

Total Acres: 108

SCANNED

OCT 12 2022

86515

Conditions of Approval:

1. C18 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.

Dates:

Licensed Date:

Decreed Date: 10/20/2008

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: NWD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

SCANNED

OCT 12 2022

86515

07-04-22

Hi Aaron,

I AM JUST ATTACHING THIS EMAIL COPY TO REFRESH YOUR



RECOLLECTION OF THIS CASE.

THANKS

Dad

RECEIVED

JUL 11 2022

WATER RESOURCES
WESTERN REGION

Olson, Aaron <Aaron.Olson@idwr.idaho.gov> Apr 26, 2022, 11:15 AM

to me

Hi David,

I actually just had a discussion again with my supervisor to get his thoughts on this and we have come to the conclusion that the exchange form I mentioned is not necessary. Since there is no limit to how much you can divert from each creek, as long as there is at least the same amount of flow coming from them as what you are diverting from the Snake it would not matter which it is coming from (since all the water from the creeks is going to the same place anyways).

So in this case just the transfer would be fine, when it is approved though it will add condition(s) on the right stating something similar to what I have explained above (as long as there IS available flow from the creeks that is in priority entering the Snake it would be okay to divert an amount equal to that flow from the new point of diversion). Essentially the conditions would just be there to state that if there is no flow available from the creeks because they dried up or you went out of priority you couldn't just pump from the Snake (i.e. you can't take more from the snake than what is being put into it).

This all made sense in my head but I am not sure if I wrote it out the best, if you have any questions please feel free to reach out to me. I have attached the transfer form to add the new point of diversion, feel free to let me know if you have any questions on that as well.

Thanks,

Aaron Olson - Water Resource Agent

Idaho Dept. of Water Resources

2735 W Airport Way

Boise, ID 83705

(208) 605-4629

Aaron.Olson@idwr.idaho.gov

SCANNED

OCT 12 2022

86515



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

March 28, 2023

DAVID MARTIN
LISA MARTIN
863 EATON RD
WEISER ID 83672-5079

Re: Transfer No: 86515
Water Right No.: 67-4173
Transfer Approval Notice

Dear Water Right Holders:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right. 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
MAR 29 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 this office at (208) 287-4800.

Sincerely,

A handwritten signature in black ink, appearing to read "Debbi Judd", with a stylized, cursive script.

Debbi Judd
Technical Records Specialist

Enclosure

SCANNED
MAR 29 2023

CERTIFICATE OF SERVICE

I hereby certify that on March 28, 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.: 86515
Water Right No: 67-4173

DAVID MARTIN
863 EATON RD
WEISER ID 83672-5079

LISA MARTIN
863 EATON RD
WEISER ID 83672-5079



Debbi Judd
Technical Records Specialist

SCANNED
MAR 29 2023

MEMORANDUM

TO: Transfer No. 86515
FROM: Skyler Cheever
DATE: 1/5/2023
RE: Evaluation of Application

The transfer proposes to add a new point of diversion on the Snake River, tributary to the Columbia River, while keeping the three original points of diversion.

The site is located in Weiser, Idaho within Washington County, Idaho. The place of use is 108 acres in area.

Contact person for the applicant is David and Lisa Martin, the applicants.

Deviations from Transfer Policy Standards

There are no deviations on this application from policy standards.

Summary of Information Submitted

Authority to File:

David and Lisa signed the application. Mr. and Mrs. Martin have the authority to file this transfer application because they are the current owners of the water right being transferred.

Water Right Validity:

Water right 67-4173 is likely valid because GIS Aerial Imagery confirms irrigation seems to have occurred in 2021. However a portion in the north of the POU did not seem irrigated under current Aerial Imagery. Landsat Imagery from May 7th, 2017 indicated that portion was irrigated within the forfeiture period. Therefore there is no validity concern.

Injury to Other Water Rights:

The new point of diversion is located on the Snake River. It is unlikely that a new diversion point would decrease flows to a point in which injury would occur. There are no other points of diversion on the Snake River between the mouths of Warm Springs Creek and Scott Creek. The diversion rate and volume for the transferred right is not changing with the addition of a new point of diversion.

Enlargement of Use:

Since the new point of diversion isn't adding additional rate and volume or acres it would be unlikely that enlargement would occur. There are concerns with an enhanced water supply because the new point of diversion is located downstream of the original points of diversion and could provide increased water supply. A condition should be added to limit diversion from the new POD on the Snake River to times when water is available and in priority at the original POD's.

Local Public Interest:

There are no current issues with this change to the right in question to the local public interest and would not affect wildlife or waterway health.

SCANNED
MAR 7 9 2023

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

Summary

Water Right Overlap

The only water rights that overlap the place of use shapefile are Weiser Irrigation District and Crane Creek Reservoir Administration Board rights. It is unlikely that these water rights overlap 67-4173. There is no concern of overp None of the original or new point of diversion are shared within another water right user.

Mitigation

There is no mitigation plan associated with this water right.

Water Supply Bank

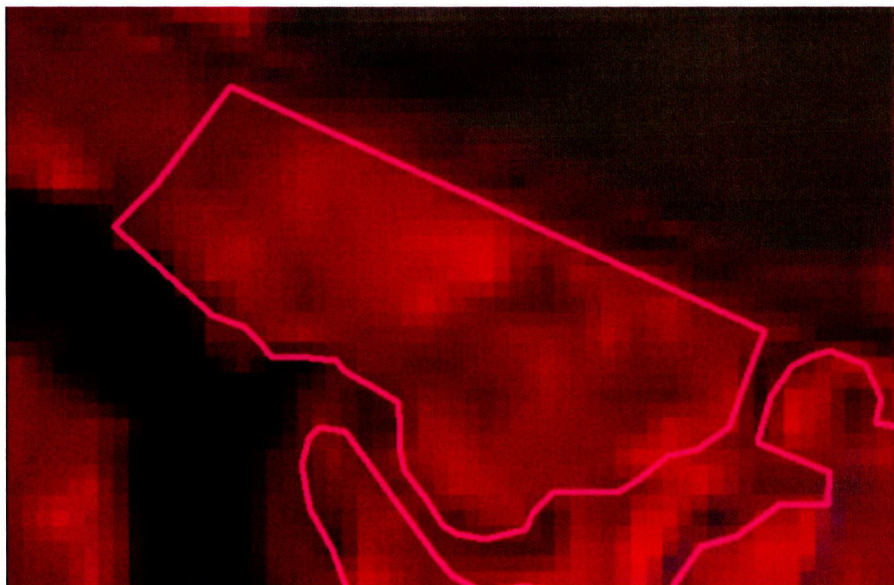
There is no water from this right that is leased or rented into the water supply bank

Discussion

The application was advertised on October 19th 2022 and October 26th 2022, and was not protested. Not comment was received for this application.

Irrigation Map

Landsat Imagery from May 7th, 2017. Map of area to the north within the place of use that didn't seem irrigated in Aerial Imagery. This imagery seems to indicate irrigation occurred.



AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
County of Washington)ss.

Sarah Boles, being duly sworn,
deposes and says:

That she is the Clerk of
THE WEISER SIGNAL AMERICAN, a weekly newspaper
published at Weiser, in the County of Washington and State of
Idaho; that said paper has been and is in general circulation in
the county aforesaid, and in the vicinity of Weiser; that the ad-
vertisement, a copy of which is attached hereto, was published in

said newspaper once a week for two consecutive weeks in
the regular and entire issue of said paper during the period and
time of publication, and was published in the newspaper proper
and not in a supplement; that said paper has been established
and regularly published for more than seventy-eight consecutive
weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

Oct. 19, 2022 and ending

with the issue of Oct. 26, 2022
Sarah Boles

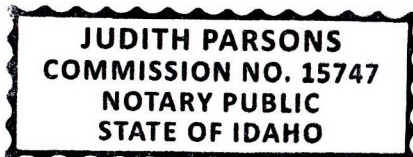
Fees, \$ 113.23

Subscribed and sworn to before me this 26

date of Oct. 2022

Judith Parsons
Notary Public, residing at Weiser, Idaho.

My commission expires 2-12-26



NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 86515

DAVID MARTIN and LISA MARTIN, 863 EATON RD,
WEISER, ID 83672-5079 has filed Application No. 86515 for
changes to the following water rights within WASHINGTON
County(s): Right No(s). 67-4173; to see a full description of
these rights and the proposed transfer, please see [https://re-
search.idwr.idaho.gov/apps/waterrights/querynewtransfers](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 purpose of the transfer is to add a point of diversion on
the Snake River. Water will be used at the current place of use
in Washington County, generally located approximately 7.3
miles Northwest of Weiser Idaho.

For additional information concerning the property location,
contact IDWR State office at (208) 287-4800; or for a full
description of the transfer, please see [http://www.idwr.idaho.
gov/water-rights/transfers/search.html](http://www.idwr.idaho.gov/water-rights/transfers/search.html)

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, 322 E Front St, PO Box
83720, Boise ID 83720-0098 together with a protest fee of
\$25.00 for each application on or before 11/7/2022. The prot-
estant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 10/19/2022 and 10/26/2022

42-2S

*at
gmt
11-3-22*

RECEIVED

OCT 31 2022

WATER RESOURCES
WESTERN REGION

SCANNED
MAR 7 9 2023

Hersley, Jean

From: Sarah Imada <idahofiddler@yahoo.com>
Sent: Thursday, October 13, 2022 10:24 AM
To: Hersley, Jean
Subject: Re: Transfer No. 86515; Water Right No(s). 67-4173

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Got it changed.

Sarah Imada
General Manager
Weiser Signal American
208-549-1717
<http://www.signalamerican.com>

On Thursday, October 13, 2022 at 09:58:05 AM MDT, Hersley, Jean <jean.hersley@idwr.idaho.gov> wrote:

Good catch. This went through 3 of us in this office.

It should read: The purpose of the transfer is to add a point of diversion on the Snake River. Water will be used at the current place of use in Elmore Washington County, generally located approximately 7.3 miles Northwest of Weiser Idaho.



Jean Hersley

Technical Records Specialist II

Idaho Dept Water Resources

(208) 287-4942

SCANNED
MAR 29 2023

From: Sarah Imada <idahofiddler@yahoo.com>
Sent: Thursday, October 13, 2022 9:40 AM
To: Hersley, Jean <Jean.Hersley@idwr.idaho.gov>
Subject: Re: Transfer No. 86515; Water Right No(s). 67-4173

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Good morning,

I have a question on the legal.

The purpose of the transfer is to add a point of diversion on the Snake River. Water will be used at the current place of use in Elmore County, generally located approximately 7.3 miles Northwest of Weiser Idaho.

Is Elmore County correct?

Sarah Imada

General Manager

Weiser Signal American

208-549-1717

<http://www.signalamerican.com>

On Wednesday, October 12, 2022 at 01:32:20 PM MDT, Hersley, Jean <jean.hersley@idwr.idaho.gov> wrote:

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 11/7/2022. Your cooperation is appreciated.



Jean Hersley

Technical Records Specialist II

Idaho Dept Water Resources

(208) 287-4942

SCANNED
MAR 7 9 2023



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

October 12, 2022

DAVID MARTIN
LISA MARTIN
863 EATON RD
WEISER, ID 83672-5079

RE: Transfer No. 86515
Water Right No(s). 67-4173

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 WEISER SIGNAL on 10/19/2022 and 10/26/2022. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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,

Jean Hersley
Technical Records Specialist

SCANNED

OCT 12 2022

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 86515

DAVID MARTIN and LISA MARTIN, 863 EATON RD, WEISER, ID 83672-5079 has filed Application No. 86515 for changes to the following water rights within WASHINGTON County(s): Right No(s). 67-4173; 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 purpose of the transfer is to add a point of diversion on the Snake River. Water will be used at the current place of use in Elmore County, generally located approximately 7.3 miles Northwest of Weiser Idaho.

For additional information concerning the property location, contact IDWR State office at (208) 287-4800; or for a full description of the transfer, please see <http://www.idwr.idaho.gov/water-rights/transfers/search.html>

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, 322 E Front St, PO Box 83720, Boise ID 83720-0098 together with a protest fee of \$25.00 for each application on or before **11/7/2022**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 10/19/2022 and 10/26/2022

SCANNED

OCT 12 2022

Hersley, Jean

From: Hersley, Jean
Sent: Wednesday, October 12, 2022 1:32 PM
To: Sarah Imada
Subject: Transfer No. 86515; Water Right No(s). 67-4173
Attachments: Legal Notice.docx

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 11/7/2022. Your cooperation is appreciated.



Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942

SCANNED

OCT 12 2022

Hersley, Jean

From: Hersley, Jean
Sent: Wednesday, October 12, 2022 1:49 PM
To: Bassista,Tom
Subject: Application for Transfer No. 86515

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. A copy of the application will be available at: <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers> tomorrow, Thursday, October 13, 2022.

IDWR can finish reviewing an unprotested application as soon as the protest period has past, which is November 7, 2022. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee by November 7, 2022.

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



*Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942*

Hersley, Jean

From: Hersley, Jean
Sent: Wednesday, October 12, 2022 1:49 PM
To: IWRB Water Use Reviews
Subject: Application for Transfer No. 86515

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. You can find a copy of the application at: <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. Documents will be scanned by the end of day today.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee by November 7, 2022.

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



Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942

SCANNED

OCT 12 2022

TRANSFER TRACKING SHEET

86515

Transfer # _____

Name Martin

Date / Person

7-18/jmk Initial Checklist10-5/SC Initial Review

_____ 30-Day Deficiency Letter Sent _____

_____ Any rights leased to the Water Supply Bank? ☒ No

_____ Yes attachment included _____ Yes attachment requested

_____ Attachment received

cf

Initial Data Entry Done

- ☒ Received Date Entered
☒ Receipt No. Entered
☒ Status Changed to Active

- ☒ Currently in Data Entry Un-checked
☐ Wild & Scenic Data Entry
☒ Legal Notice Required

✓Comment Letters Request or ☐ N/A

- ☐ Water Master(s)
 (Water District _____)
☒ Fish & Game
☐ DEQ
☐ Canal Company

- ☒ IDWR Planning
☐ Security Interest Holder
☐ Wild & Scenic
☐ Other -Provide Address

10-12/jmkLegal Ad Prepared Statewide _____ Y X N (Y if any WR >10 cfs or 1000 af)Newspaper(s) Weiser SignalProtest Deadline 11-7-22

_____ Affidavit of Advertising Received and Published Correctly

Approval Data Entry Done

- ☐ New POD and/or POU entered ☐ Map Created
☐ Shapes Updated ☐ Conditions Complete

_____ Evaluation Memo Completed

_____ Conditions Completed

_____ Protests Entered into Workflow

_____ Withdrawal of Protest / Application

OPTIONAL PAGE -- CONDITIONS & NOTES**GROUNDWATER:**

DRILLING PERMIT - 046 (new or existing well)
 * DP upgrade req'd Y N
 < 0.24 cfs/5 acres - No MD
 ≥ 0.24 cfs/5 acres - 01M or 01Q (ref. MD flowchart)

No water measurement districts in Western Region at this time.

SURFACE WATER:

WD - R05
 ≤ 0.20 cfs/others - R02, 01P or No MD (ref. MD flowchart)
 > 0.20 cfs - R43
 WD, SPRINGS/SINK, INACTIVE WD & REST OF STATE
 < 0.24 cfs/5 acres - No MD
 ≥ 0.24 cfs/5 acres - 01M or 01Q

STANDARD SEASON _____ to _____ (use X61 if extended season)

STANDARD VOLUME _____ af/ac

CONSUMPTIVE USE VOLUME _____ af/ac

USES:

STORAGE - 18C-R02-01P-18B-NA

IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)

> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)

Volume only - R58/R59/R60/R61

Supplemental - 065, 105 & WB&

STOCK WATER - R37 (all BLM/USFS)

MINING - 054-106

FISH PROP - 029 (70's basins only)-007-122-106

HEAT/COOL - R07 (injection well)

FIRE PROT. - 077

DAIRY - 082 (zoning if a concern)-106-WD8

POWER - 17H-17K (+uses)-025-106

MUNICIPAL

Restricted area - 022-075 RAFN - 007-109-X64

Irr., GW supp to SW - 102

DOMESTIC

Surface water - WB5 (Big Wood or Boise above Star Bridge)

- 27A (Payette River)

>1 in restricted area - 070/071/075 (no parks/common areas, etc)

Irr use listed separate - WB5

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop

T08 - comply or rescind

WD8 - land application of waste water

01Q - use instead of 01M when WR is
 outside WD and WR has
 another measuring condition

Protested - 020-X19

Water Quality - 106-R07

X27 - Number of acres/season in PPU

X35 - Combined limits of multiple WRs

X49 - measure p/d's (source chg'd to orig trib)

X51 - 2+ yrs to develop

X53 - Use ltd to orig. source availability

X54 - forfeited ac/rate (used rarely)

205 - use when quantity reduced by xFer approval

X55 - (transfer shrinks total water to less ac)

004 - no right-of-way

X58 - pending claim (statutory or AJ b/u claim)

X61 - extended irr season

X63 - replaced C12 through C17 - replaced by
 C18. Replace with T19

Apply one to chg'd & unchg'd

WR that were subject to SRBA:

T09 - on-going SRBA (no Dir Rpt yet)

T19 - replaces C18
 (if at Directors Report
 or Partial Decree stage)

T20 - use only on unchg'd WR
 not subject to SRBA

Notes:

80012