

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 87630**

This is to certify that: **LITTLE WILLOW IRRIGATION DIST**
PO BOX 807
PAYETTE, ID 83661

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>
65-2149	WR/DECREED	12/29/1913	50.000 cfs	36400.0 af	5652.0	N/A	LITTLE WILLOW CREEK
65-2973	WR/DECREED	3/2/1967	110.000 cfs	1600.0 af	2826.0	N/A	LITTLE WILLOW 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>
65-2149	NO	NO	NO	YES	NO	NO
65-2973	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>
65-2149	65-2149	50.000 cfs	36400.0 af	2826.0	N/A	N/A	N/A	N/A	N/A	N/A
65-2973	65-2973	110.000 cfs	1600.0 af	2826.0	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		160.000 cfs	38000.0 af	2826.0	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 30th day of May, 2023.


SCOTT STORMS, Water Rights Supervisor

SUPPORT DATA

IN FILE #65-2149

SCANNED

JUN 02 2023

Transfer No. 87630

WATER RIGHT NO. 65-2149**As Modified by Transfer No. 87630**

In accordance with the approval of Transfer No. 87630, Water Right No. 65-2149 is now described as follows:

Right Holder: LITTLE WILLOW IRRIGATION DIST
PO BOX 807
PAYETTE, ID 83661

Priority Date: 12/29/1913

Source: LITTLE WILLOW CREEK

Tributary: BIG WILLOW CREEK

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
IRRIGATION	3/15	to 11/15	50.000 cfs	
IRRIGATION FROM STORAGE	3/15	to 11/15	50.000 cfs	36400.0 af
			50.000 cfs	36400.0 af

LOCATION OF POINT(S) OF DIVERSION

LITTLE WILLOW CREEK	NWSW	Sec 2 Twp 08N Rge 04W PAYETTE County	(R)
LITTLE WILLOW CREEK	NWSE	Sec 12 Twp 09N Rge 03W PAYETTE County	(R)
LITTLE WILLOW CREEK	NENW	Sec 13 Twp 09N Rge 03W PAYETTE County	(R)
LITTLE WILLOW CREEK	SWNW	Sec 13 Twp 09N Rge 03W PAYETTE County	(R)
LITTLE WILLOW CREEK	NWSE	Sec 20 Twp 09N Rge 03W PAYETTE County	(R)
LITTLE WILLOW CREEK	NENW	Sec 22 Twp 09N Rge 03W PAYETTE County	(R)
LITTLE WILLOW CREEK	NWNE	Sec 23 Twp 09N Rge 03W PAYETTE County	(R)
LITTLE WILLOW CREEK	NENE	Sec 30 Twp 09N Rge 03W PAYETTE County	(R)
LITTLE WILLOW CREEK	NENW	Sec 36 Twp 09N Rge 04W PAYETTE County	(R)
LITTLE WILLOW CREEK	SWSE	Sec 17 Twp 10N Rge 02W WASHINGTON County	

CONDITIONS OF APPROVAL

1. Diversion of water from the additional point of redirection authorized under transfer no. 81482, located in NENW, Sec. 36, T09N, R04W, shall not exceed a maximum diversion rate of 4.00 cfs.
2. Water diverted from the additional point of redirection authorized under transfer no. 81482, located in NENW, Sec. 36, T09N, R04W, is limited to the amount released from storage under water right nos. 65-2149 and 65-2973 and bypassed into the Little Willow Creek channel beyond each of the authorized points of redirection upstream of the additional point of redirection.
3. Diversion of water from the additional point of redirection authorized under transfer no. 82713 located in NWNE, Sec. 23, T09N, R03W, shall not exceed a maximum diversion rate of 3.10 cfs.
4. Water diverted from the additional point of redirection authorized under transfer no. 82713, located in NWNE, Sec. 23, T09N, R03W, is limited to the amount released from storage under water right nos. 65-2149 and 65-2973 and bypassed into the Little Willow Creek channel beyond each of the authorized points of redirection upstream of the additional point of redirection.
5. Diversion of water from the additional point of redirection authorized under Transfer 87630 located in NENW, Sec 22, T09N, R03W, shall not exceed a maximum diversion rate of 2.9 cfs.

Transfer No. 87630

SCANNED

JUN 02 2023

WATER RIGHT NO. 65-2149

As Modified by Transfer No. 87630

CONDITIONS OF APPROVAL

6. Water diverted from the additional point of redirection authorized under transfer no. 87630, located in NENW, Sec. 22, T09N, R03W, is limited to the amount released from storage under water right nos. 65-2149 and 65-2973 and bypassed into the Little Willow Creek channel beyond each of the authorized points of redirection upstream of the additional point of redirection.
7. The right holder shall measure and record the flow of storage water released into the Little Willow Creek channel under this right to confirm the amount available to be redirected at the additional points of diversion authorized under transfer nos. 81482, 82713, and 87630. Additionally, the right holder shall measure and record the quantity of storage water bypassed into the Little Willow Creek channel at each of its points of redirection under this right as necessary to confirm the amount of water available for redirection at the additional points of redirection authorized under transfer nos. 81482, 82713, and 87630. The right holder shall retain measurement records and make them available to the Department upon request.
8. This right is limited to the irrigation of 2826 acres within the boundaries of the Little Willow Irrigation District in a single irrigation season. Combined right nos. 65-64, 65-2067, 65-2149, 65-2973, 65-3130, 65-3131, 65-3132, 65-3133, and 65-3134.
9. 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.
10. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 and is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date of this approval.
11. Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
12. The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) (2003) and authorized pursuant to I.C. Section 42-1411(2)(h) (2003). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
13. 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.65.
14. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

WATER RIGHT NO. 65-2149
As Modified by Transfer No. 87630

CONDITIONS OF APPROVAL

15. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
16. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



WATER RIGHT NO. 65-2973

As Modified by Transfer No. 87630

In accordance with the approval of Transfer No. 87630, Water Right No. 65-2973 is now described as follows:

Right Holder: LITTLE WILLOW IRRIGATION DIST
PO BOX 807
PAYETTE, ID 83661

Priority Date: 3/2/1967

Source: LITTLE WILLOW CREEK

Tributary: BIG WILLOW CREEK

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
DIVERSION TO STORAGE	1/01	to 12/31	110.000 cfs	
IRRIGATION FROM STORAGE	3/15	to 11/15		1600.0 af
			110.000 cfs	1600.0 af

LOCATION OF POINT(S) OF DIVERSION

LITTLE WILLOW CREEK	NWSW	Sec 2 Twp 08N Rge 04W PAYETTE County	(R)
LITTLE WILLOW CREEK	NWSE	Sec 12 Twp 09N Rge 03W PAYETTE County	(R)
LITTLE WILLOW CREEK	NENW	Sec 13 Twp 09N Rge 03W PAYETTE County	(R)
LITTLE WILLOW CREEK	SWNW	Sec 13 Twp 09N Rge 03W PAYETTE County	(R)
LITTLE WILLOW CREEK	NWSE	Sec 20 Twp 09N Rge 03W PAYETTE County	(R)
LITTLE WILLOW CREEK	NENW	Sec 22 Twp 09N Rge 03W PAYETTE County	(R)
LITTLE WILLOW CREEK	NWNE	Sec 23 Twp 09N Rge 03W PAYETTE County	(R)
LITTLE WILLOW CREEK	NENE	Sec 30 Twp 09N Rge 03W PAYETTE County	(R)
LITTLE WILLOW CREEK	NENW	Sec 36 Twp 09N Rge 04W PAYETTE County	(R)
LITTLE WILLOW CREEK	SWSE	Sec 17 Twp 10N Rge 02W WASHINGTON County	

CONDITIONS OF APPROVAL

1. Diversion of water from the additional point of redirection authorized under transfer no. 81482, located in NENW, Sec. 36, T09N, R04W, shall not exceed a maximum diversion rate of 4.00 cfs.
2. Water diverted from the additional point of redirection authorized under transfer no. 81482, located in NENW, Sec. 36, T09N, R04W, is limited to the amount released from storage under water right nos. 65-2149 and 65-2973 and bypassed into the Little Willow Creek channel beyond each of the authorized points of redirection upstream of the additional point of redirection.
3. Diversion of water from the additional point of redirection authorized under transfer no. 82713 located in NWNE, Sec. 23, T09N, R03W, shall not exceed a maximum diversion rate of 3.10 cfs.
4. Water diverted from the additional point of redirection authorized under transfer no. 82713, located in NWNE, Sec. 23, T09N, R03W, is limited to the amount released from storage under water right nos. 65-2149 and 65-2973 and bypassed into the Little Willow Creek channel beyond each of the authorized points of redirection upstream of the additional point of redirection.
5. Diversion of water from the additional point of redirection authorized under Transfer 87630 located in NENW, Sec 22, T09N, R03W, shall not exceed a maximum diversion rate of 2.9 cfs.

Transfer No. 87630

SCANNED

JUN 02 2023

WATER RIGHT NO. 65-2973

As Modified by Transfer No. 87630

CONDITIONS OF APPROVAL

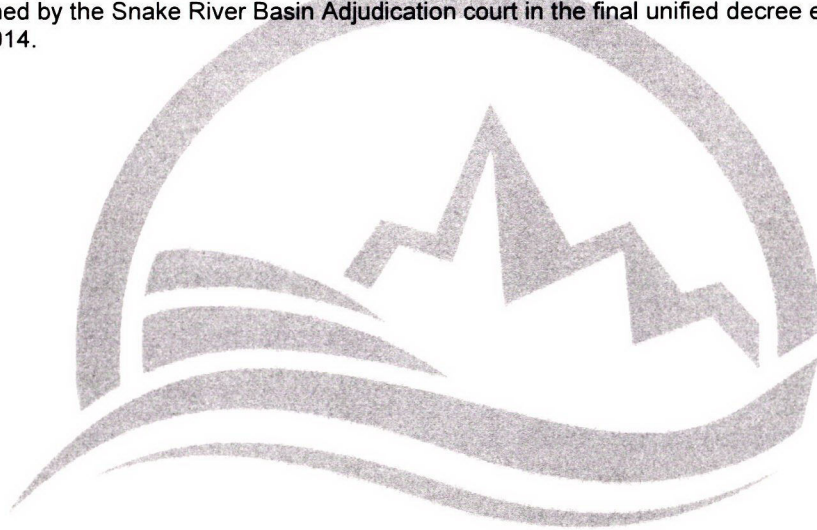
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7. The right holder shall measure and record the flow of storage water released into the Little Willow Creek channel under this right to confirm the amount available to be redirected at the additional points of diversion authorized under transfer nos. 81482, 82713, and 87630. Additionally, the right holder shall measure and record the quantity of storage water bypassed into the Little Willow Creek channel at each of its points of redirection under this right as necessary to confirm the amount of water available for redirection at the additional points of redirection authorized under transfer nos. 81482, 82713, and 87630. The right holder shall retain measurement records and make them available to the Department upon request.
8. This right is limited to the irrigation of 2826 acres within the boundaries of the Little Willow Irrigation District in a single irrigation season. Combined right nos. 65-64, 65-2067, 65-2149, 65-2973, 65-3130, 65-3131, 65-3132, 65-3133, and 65-3134.
9. 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.
10. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 and is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date of this approval.
11. Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977.
This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
12. 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.65.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 65-2973

As Modified by Transfer No. 87630

CONDITIONS OF APPROVAL

15. The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) (2003) and authorized pursuant to I.C. Section 42-1411(2)(h) (2003). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
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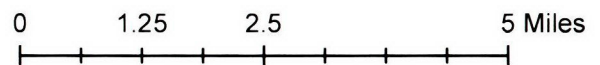
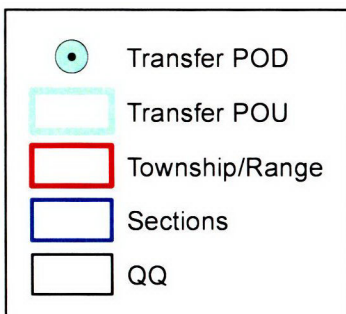
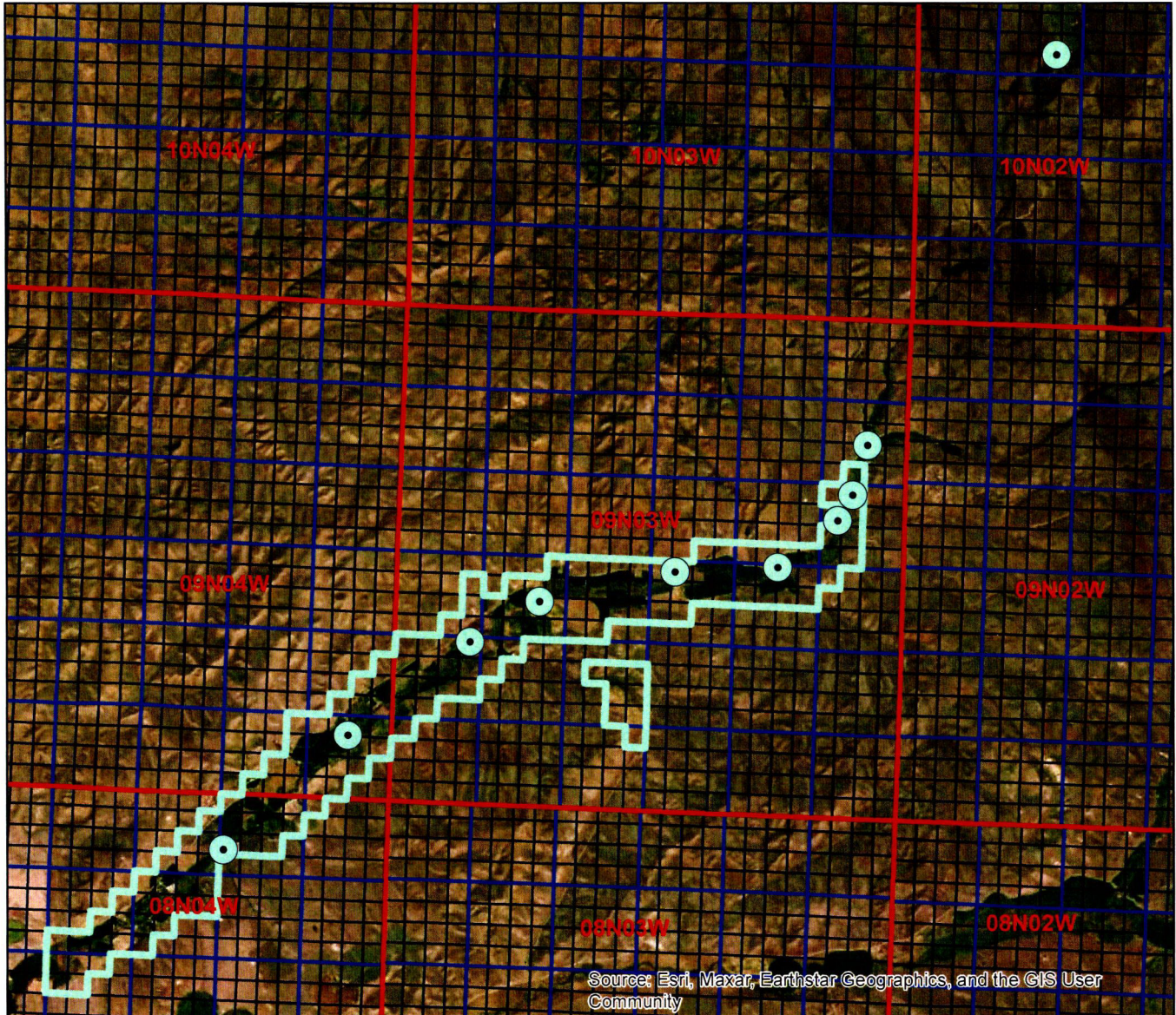


State of Idaho
Department of Water Resources

Attachment to Transfer No. 87630

Water Right(s): 65-2149, 65-2973

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.



FEB 15 2023

DEC 29 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT - POINT OF DIVERSION

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 § 42-221.0.8. Attach an explanation and any supporting documentation.

1. APPLICANT(S) Little Willow Irrigation District Phone 208-739-2261
 2. MAILING ADDRESS PO Box 807 City Payette
 State Idaho Zip 83661 Email josh.hurst90@gmail.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) 65-2149, 65-2973

- ☐ 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 2.9 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	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
X			SE	NE	21	9N	3W	Payette	Little Willow Creek	
X			SE	NW	22	09N	03W	Payette	Little Willow Creek	
			NE	NW						

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:

Floating pump station, with a flowmeter in the mainline. A lockable panel box, This is a point of Re-diversion.

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

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

Little Wilkes Irrigation District has access to all points of Diversion Per Parum Salices

- 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 ¼ ¼ 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.

Pat Kelly
Signature of applicant or authorized agent

PAT Kelly
Print name and title if applicable

10-11-2022
Date

Larry Dahnke
Signature of applicant or authorized agent

Larry Dahnke
Print name and title if applicable

10-6-2022
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 _____ Date _____

Fee paid \$660.00 Date 2-15-23 Received by DM Receipt # WOS1018

Preliminary review by AO Date 3/13/2023 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)

RECEIVED
Mar 03, 2021
DEPARTMENT OF
WATER RESOURCE

RECEIVED

RECEIVED

FEB 15 2023

DEC 29 2022

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT OF DIVERSION

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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) Little Willow Irrigation District Phone 208-739-2261
2. MAILING ADDRESS PO Box 807 City Payette
State Idaho Zip 83661 Email josh.horst90@gmail.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) 65-2149, 65-2973

- ☐ 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 2.9 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.*

[illegible]

SCANNED

MAR 31 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

RECEIVED

FEB 15 2023

DEC 29 2022

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

WATER RESOURCES
WESTERN REGIONWATER RESOURCES
WESTERN REGION

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Check all that apply:

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 ☒ 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.

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2. **MAILING ADDRESS** PO Box 807 City Payette

State Idaho Zip 83661 Email joshlhost90@gmail.com

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4. **TOTAL AMOUNT OF WATER** transferred is 2.9 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	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
X			SE	NE	21	9N	3W	Payette	Little Willow Creek	



2/15/2023

SCANNED
87630
MAR 21 2023
65-2149

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/15/2023

- transfer no. 81482, located in NENW, Sec. 36, T09N, R04W, is limited to the amount released from storage under water right nos. 65-2149 and 65-2973 and bypassed into the Little Willow Creek channel beyond each of the authorized points of rediversion upstream of the additional point of rediversion.
3. 186 Diversion of water from the additional point of rediversion authorized under transfer no. 82713 located in NWNE, Sec. 23, T09N, R03W, shall not exceed a maximum diversion rate of 3.10 cfs.
4. Water diverted from the additional point of rediversion authorized under transfer no. 82713, located in NWNE, Sec. 23, T09N, R03W, is limited to the amount released from storage under water right nos. 65-2149 and 65-2973 and bypassed into the Little Willow Creek channel beyond each of the authorized points of rediversion upstream of the additional point of rediversion.
5. The right holder shall measure and record the flow of storage water released into the Little Willow Creek channel under this right to confirm the amount available to be rediverted at the additional points of diversion authorized under transfer nos. 81482 and 82713. Additionally, the right holder shall measure and record the quantity of storage water bypassed into the Little Willow Creek channel at each of its points of rediversion under this right as necessary to confirm the amount of water available for rediversion at the additional points of rediversion authorized under transfer nos. 81482 and 82713. The right holder shall retain measurement records and make them available to the Department upon request.
6. X27 This right is limited to the irrigation of 2826 acres within the boundaries of the Little Willow Irrigation District in a single irrigation season. Combined right nos. 65-64, 65-2067, 65-2149, 65-2973, 65-3130, 65-3131, 65-3132, 65-3133, and 65-3134.
7. R65 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.
8. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 and is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date of this approval.
9. C20 Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
10. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) (2003) and authorized pursuant to I.C. Section 42-1411(2)(h) (2003). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
11. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/15/2023

- district. At the time of this approval, this water right is within State Water District No.65.
12. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. T19 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates and Other Information:

Decreed Date: 6/7/2004
State or Federal: S
Water District Number: 65
Generic Max Rate Per Acre: 0.020
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
		2,826.0	65-2149 ,65-2973 ,65-64 ,65-3130 ,65-3131 ,65- 3132 ,65-3133 ,65-3134 ,65-2067

SubCase:

SubCaseNumber: 65-2149
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: Decreed
Date Filed: 1/17/2002
Objection Status: Active

Water Supply Bank:

N/A

2/15/2023

65-2973 MAR 31 2023

IDAHO DEPARTMENT OF WATER RESOURCES
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2/15/2023

3. 186 authorized points of rediversion upstream of the additional point of rediversion. Diversion of water from the additional point of rediversion authorized under transfer no. 82713 located in NWNE, Sec. 23, T09N, R03W, shall not exceed a maximum diversion rate of 3.10 cfs.
4. Water diverted from the additional point of rediversion authorized under transfer no. 82713, located in NWNE, Sec. 23, T09N, R03W, is limited to the amount released from storage under water right nos. 65-2149 and 65-2973 and bypassed into the Little Willow Creek channel beyond each of the authorized points of rediversion upstream of the additional point of rediversion.
5. The right holder shall measure and record the flow of storage water released into the Little Willow Creek channel under this right to confirm the amount available to be rediverted at the additional points of diversion authorized under transfer nos. 81482 and 82713. Additionally, the right holder shall measure and record the quantity of storage water bypassed into the Little Willow Creek channel at each of its points of rediversion under this right as necessary to confirm the amount of water available for rediversion at the additional points of rediversion authorized under transfer nos. 81482 and 82713. The right holder shall retain measurement records and make them available to the Department upon request.
6. X27 This right is limited to the irrigation of 2826 acres within the boundaries of the Little Willow Irrigation District in a single irrigation season. Combined right nos. 65-64, 65-2067, 65-2149, 65-2973, 65-3130, 65-3131, 65-3132, 65-3133, and 65-3134.
7. R65 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.
8. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 and is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date of this approval.
9. C20 Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
10. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) (2003) and authorized pursuant to I.C. Section 42-1411(2)(h) (2003). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
11. R05 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. 65.
12. T07 The right holder shall accomplish the change authorized by this transfer within

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/15/2023

13. T08 one year of the date of this approval.
Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. T19 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates and Other Information:

Decreed Date: 6/7/2004
State or Federal: S
Water District Number: 65
Generic Max Rate Per Acre: 0.020
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
		2,826.0	65-2149 ,65-2973 ,65-64 ,65-3130 ,65-3131 ,65- 3132 ,65-3133 ,65-3134 ,65-2067

SubCase:

SubCaseNumber: 65-2973
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: Decreed
Date Filed: 1/17/2002
Objection Status: Active

Water Supply Bank:

N/A

SCANNED



Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

May 31, 2023

LITTLE WILLOW IRRIGATION DIST
PO BOX 807
PAYETTE ID 83661-0807

Re: Transfer No: 87630
Water Right No(s): 65-2149, 65-2973

Transfer Approval Notice

Dear Water Right Holder(s):

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.

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

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JUN 02 2023

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) 334-2190.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lynne Evans', written in a cursive style.

Lynne Evans
Administrative Assistant I

Enclosure(s)

SCANNED

JUN 02 2023

CERTIFICATE OF SERVICE

I hereby certify that on May 31, 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.: 87630
Water Right No(s): 65-2149, 65-2973

LITTLE WILLOW IRRIGATION DIST
PO BOX 807
PAYETTE ID 83661-0807



Lynne Evans
Administrative Assistant I

SCANNED

JUN 02 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.

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.

MEMORANDUM

TO: Transfer No. 87630
FROM: Aaron Olson
DATE: 5/26/2023
RE: Evaluation of Application

The transfer proposes to add a point of redirection to the storage water rights owned by Little Willow Irrigation District.

The site is located in NENW Township 09N, Range 03W, Section 22, or approximately a quarter mile east of the intersection between Little Willow Road and Stone Quarry Road.

Summary of Information Submitted

Authority to File:

IDWR records show the applicant is the current owner of the involved water rights. The application was signed by Pat Kelly who is a board member of Little Willow Irrigation District.

Water Right Validity:

The partial decree for water rights nos. 65-2149 and 65-2973 were issued on 6/7/2004. These rights are presumed to be valid since beneficial use has occurred within the last five years. Beneficial use confirmed by department aerial imagery, landsat images, google earth images, or other evidence. Evidence of beneficial use does not need to be added to the file it is an IDWR product available to other staff.

Injury to Other Water Rights:

Other water rights should not be impacted by the proposed transfer. The storage water that is to be redirected is considered to have already been appropriated once released from storage and the quantity of water used for these rights will not change as a result. The proposed transfer was advertised and no protests were received. The application was submitted for review to the Watermaster of Water District 65 and he did not oppose approval on the condition that an approved measuring device and related data logger are maintained at the new point of diversion.

Enlargement of Use:

Enlargement does not appear to be an issue. The proposed changes will not result in an increase of diversion rate, storage volume, or number of acres irrigated.

Local Public Interest:

This application proposes a change consistent with the local public interest.

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.

SCANNED

JUN 02 2023

Discussion

The application was originally proposed to add the point of redirection to both the storage water and natural flow rights owned by Little Willow Irrigation District. After discussion with the applicant of previous transfer application no. 81482 that was filed to add an additional point of diversion to the rights an amendment was submitted to remove the natural flow rights from this transfer. An order issued June 7th 2018 following an administrative hearing for transfer no. 81482 denied the addition of the point of diversion for the natural flow rights due to injury and enlargement issues, but approved the addition of a point of redirection for the storage water rights.

If approved the following changes should be made to the conditions of the water rights:

- Add condition 186 to limit the maximum diversion of water at the additional point of redirection to 2.9 cfs.
- Add unnumbered condition from previous transfers and June 7th 2018 order that states water diverted at the additional point of redirection is limited to the amount of water released from storage into the Little Willow Creek channel upstream of the additional point.

Assuming protests are not filed and/or other information does not contradict the above analysis, the application can be approved as reflected by the draft approval.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
County of Washington) ss.

Sarah Bales, 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

April 5, 2023

and ending

with the issue of April 12, 2023

Sarah Bales

Fees, \$ 113.23

Subscribed and sworn to before me this 5

date of April 2023

Judith Parsons
Notary Public, residing at Weiser, Idaho.

My commission expires 2-12-26

JUDITH PARSONS
COMMISSION NO. 15747
NOTARY PUBLIC
STATE OF IDAHO

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 87630

LITTLE WILLOW IRRIGATION DIST, PO BOX 807,
PAYETTE, ID 83661-0807 has filed Application No. 87630
for changes to the following water rights within PAYETTE,
WASHINGTON County(s): Right No(s). 65-2149, 65-2973;
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:

to add a point of redirection to the natural flow and storage
water rights owned by Little Willow Irrigation District. The
proposed point of redirection is located in NENW Township
09N, Range 03W, Section 22, or approximately a quarter mile
east of the intersection between Little Willow Road and Stone
Quarry Road.

For additional information concerning the property location,
contact the Western Region office at (208)334-2190. Protests
may be submitted based on the criteria of Idaho Code § 42-
222. Any protest against the proposed change must be filed
with the Department of Water Resources, Western Region,
2735 W AIRPORT WAY, BOISE ID 83705-5082 together
with a protest fee of \$25.00 for each application on or before
4/24/2023. The protestant must also send a copy of the protest
to the applicant.

GARY SPACKMAN, Director
Published on 4/5/2023 and 4/12/2023

14-2S

OK
LE 5/14/23

RECEIVED

MAY 01 2023

WATER RESOURCES
WESTERN REGION

SCANNED

JUN 02 2023

RECEIVED

APR 19 2023

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Payette }

M Brooke Watkins

Of Payette, Payette County, Idaho, being
First duly sworn, deposes and says:

- 1) That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not party to the above entitled action.
- 2) That I am the representative of the Argus Observer, a daily newspaper published in the County of Payette and State of Idaho; that the said newspaper is in general circulation in the said County of Payette, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
- 3) That the notice, of which the annexed is a printed copy, was published in said newspaper 2 time(s) in the regular and entire issue of said paper and was printed in the newspaper proper, and not in a supplement.

That said notice was published the following:
04/05/2023 04/12/2023

Legal # 620023
APPLICATIONS FILED
L-620023

M. Brooke Watkins

State of Idaho }
County of Payette }

On this 12th day of April in the year 2023
Before me a Notary Public personally appeared.
M Brooke Watkins
known or identified to me to be
the person whose name is subscribed to the within
instrument, and being by me first duly sworn,
declared that the statements therein are true, and
acknowledge to me that he/she executed the same.

Yvonne Dee Lee
Notary Public for Idaho
Residing at Payette County
My Commission expires *

November 4, 2025

SCANNED

JUN 02 2023

YVONNE DEE LEE
Notary Public - State of Idaho
Commission Number 62548
My Commission Expires Nov 4, 2025

The following application (s) have been filed to appropriate the public waters of the State of Idaho:
65-24209
DICKINSON FROZEN FOODS
600 NW 21ST ST
FRUITLAND, ID
83619-5052
Point of Diversion SWSE
S15 T08N R05W
PAYETTE County
Source GROUND WATER
Use: INDUSTRIAL, 01/01 to 12/31, 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 03-08-2023
Place Of Use: INDUSTRIAL
T08N R05W S15 NWSE, SWSE

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western Region office at (208)334-2190; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 4/24/2023. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN,
Director

*OK
LE
4/25/23*

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 87630
LITTLE WILLOW IRRIGATION DIST, PO BOX 807, PAYETTE, ID 83661-0807 has filed Application No. 87630 for changes to the following water rights within PAYETTE, WASHINGTON County(s): Right No(s). 65-2149, 65-2973; 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: to add a point of diversion to the natural flow and storage water rights owned by Little Willow Irrigation District. The proposed point of diversion is located in NENW Township 09N, Range 03W, Section 22, or approximately a quarter mile east of the intersection between Little Willow Road and Stone Quarry Road.

For additional information concerning the property location, contact the Western Region office at (208)334-2190. Protests may be submitted based on the criteria of Idaho Code § 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 4/24/2023. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN,
Director

Legal Number 620023
April 5, 12, 2023



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

March 30, 2023

LITTLE WILLOW IRRIGATION DIST
PO BOX 807
PAYETTE, ID 83661-0807

RE: Transfer No. 87630
Water Right No(s). 65-2149, 65-2973

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 INDEPENDENT ENTERPRISE and WEISER SIGNAL on 4/5/2023 and 4/12/2023. 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,

Lynne Evans
Administrative Assistant I

SCANNED

MAR 31 2023

Evans, Lynne

From: Evans, Lynne
Sent: Thursday, March 30, 2023 11:38 AM
To: idahofiddler@yahoo.com
Subject: Legal Notice for Transfer No. 87630; Water Right No(s). 65-2149, 65-2973
Attachments: Legal Notice.docx

Please publish the enclosed legal notice in the Weiser Signal 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 4/24/2023. Your cooperation is appreciated.

Lynne Evans | Administrative Assistant I
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

SCANNED

MAR 31 2023

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 87630

LITTLE WILLOW IRRIGATION DIST, PO BOX 807, PAYETTE, ID 83661-0807 has filed Application No. 87630 for changes to the following water rights within PAYETTE, WASHINGTON County(s): Right No(s). 65-2149, 65-2973; 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:

to add a point of diversion to the natural flow and storage water rights owned by Little Willow Irrigation District. The proposed point of diversion is located in NENW Township 09N, Range 03W, Section 22, or approximately a quarter mile east of the intersection between Little Willow Road and Stone Quarry Road.

For additional information concerning the property location, contact the Western Region office at (208)334-2190. Protests may be submitted based on the criteria of Idaho Code § 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 4/24/2023. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 4/5/2023 and 4/12/2023

SCANNED

MAR 31 2023

Evans, Lynne

From: Evans, Lynne
Sent: Thursday, March 30, 2023 11:37 AM
To: legals@ind-ent.com
Subject: Legal Notice for Application for Permit No. 65-24209; Transfer No. 87630
Attachments: Legal Notice.docx

Please publish the enclosed legal notice in the Independent Enterprise 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 4/24/2023. Your cooperation is appreciated.

Lynne Evans | Administrative Assistant I
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

SCANNED

MAR 31 2023

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

65-24209

DICKINSON FROZEN FOODS

600 NW 21ST ST

FRUITLAND, ID 83619-5052

Point of Diversion SWSE S15 T08N R05W PAYETTE County

Source GROUND WATER

Use: INDUSTRIAL, 01/01 to 12/31, 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 03-08-2023

Place Of Use: INDUSTRIAL

T08N R05W S15 NWSE, SWSE

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western Region office at (208)334-2190; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 4/24/2023. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 4/5/2023 and 4/12/2023

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 87630

LITTLE WILLOW IRRIGATION DIST, PO BOX 807, PAYETTE, ID 83661-0807 has filed Application No. 87630 for changes to the following water rights within PAYETTE, WASHINGTON County(s): Right No(s). 65-2149, 65-2973; 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:

to add a point of redirection to the natural flow and storage water rights owned by Little Willow Irrigation District. The proposed point of redirection is located in NENW Township 09N, Range 03W, Section 22, or approximately a quarter mile east of the intersection between Little Willow Road and Stone Quarry Road.

For additional information concerning the property location, contact the Western Region office at (208)334-2190. Protests may be submitted based on the criteria of Idaho Code § 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 4/24/2023. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 4/5/2023 and 4/12/2023

SCANNED

MAR 31 2023

Evans, Lynne

From: Evans, Lynne
Sent: Thursday, March 30, 2023 4:01 PM
To: neil.waterdistrict65@gmail.com
Subject: Application for Transfer No. 87630; Application for Permit No. 65-24201
Attachments: 87630 WD.docx; 65-24201 WD.docx

Watermaster:

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://research.idwr.idaho.gov/apps/waterrights/wrajsearch/wradjsearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office by April 24, 2023.

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 by April 24, 2023, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

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

Lynne Evans | Administrative Assistant I
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

SCANNED

MAR 31 2023

State of Idaho
Department of Water Resources
RECOMMENDATION FORM

RE: Transfer No. 87630
Water Right No(s). 65-2149, 65-2973

Transfer Applicant's Name: LITTLE WILLOW IRRIGATION DIST
PO BOX 807
PAYETTE, ID 83661

Watermaster's Recommendation:

- a) _____ I do not oppose approval of this application.
- b) _____ I do not oppose approval of this application if it is conditioned
as follows:
- c) _____ I oppose approval of this application for the following reasons:
- d) _____ Additional comments:

Dated this _____ day of _____.

Watermaster's Signature

SCANNED

MAR 31 2023

COPY



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

December 30, 2022

LITTLE WILLOW IRRIGATION DISTRICT
PO BOX 807
PAYETTE ID 83661

Re: Water Right Application Incomplete - Returned

Dear Applicant:

This office received your application on December 29, 2022. The application cannot be accepted into the records of the Idaho Department of Water Resources (IDWR) until the following items are complete:

- **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.
- **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 ¼ ¼ of section information. You may create a map at idwr.idaho.gov, *Water Rights, Water Right Transfers, File a Transfer Application, Step 2C*.

The original incomplete application is enclosed. Please make the necessary amendments to the original form and re-submit within the next thirty (30) days. IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please consult the IDWR website or contact this office at 208-334-2190 and ask for the “office day person” if you have any questions about the necessary information or fee.

Sincerely,

Western Region Water Rights Staff

Enclosure: Original Application

SCANNED

MAR 31 2023

REVIEW CHECKLIST TRANSFER -- OR -- EXCHANGE (Workflow) (maybe Workflow)

Application # 87630 Reviewer AO Date 3/13/23

Acceptable Filing (TP Memo #24 Sect. 3) ☒ Y ☐ N If "N" 30-day Deficiency Ltr Sent _____ (date & initial)

Initial Review & Abbreviated Data Entry AO (3/13/23) (date & initial) Supervisor Notes ☐ Y ☐ N

Right(s) in Water Bank ☐ Y ☒ N, Notify S.O. - (date) - WSB App Attachment -

COMMENT LETTERS ☒ Y ☐ N

Water District # 65 (Required even if No Legal Notice Required)

Other(s): list here or see attached _____

ADVERTISING ☒ Y ☐ N If "N" Save Legal Notice Not Required DB Comment in Workflow & Memo _____

Legal Notice Required - Saved as Legal Notice Remarks in Workflow ☒ Y *uncheck "Currently in Data Entry" flag

Statewide ads ☐ Y ☒ N ("Y" only if any single right > 10 cfs, 1000 af storage)

COMPLETE TO HERE BEFORE FORWARD FOR ADVERTISING

ADVERTISER COMPLETES

LEGAL NOTICE & PROTEST

Protest Deadline 4/24/23

Y ☒ N ☒

Protested

If Y: _____

Scan protest

Affidavit received/published correctly

If N: _____

Re-advertised & published correctly

REVIEW MEMO -- DRAFT APPROVAL -- APPROVAL COVER LETTER

Drilling fee upgrade _____ Paid _____ WC & WR File Documented (Request, CAN NOT hold xFer if unpaid).

Review Memo Completed _____ (See Review Memo Template N:/WRProcessing/Transfers/Review Memo Template).

Data Entry, Conditions, & ArcMap Data Entry Completed _____

E' folder w/ Draft Approval _____
(applicant last name + application #)

NOTE FOR CLERICAL STAFF APPROVAL COVER LETTER

Add WSB paragraph to approval cover letter (see N:WRFormLetters/Water Bank Paragraph) _____ Y _____ N

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

WD 161 (Non-de minimis uses) - R05
 ≤ 0.24 cfs/5 acres - No MD
 > 0.24 cfs/5 acres - 214

~~WD~~

< 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.

DRILLING PERMIT - 046 (new well)

SURFACE WATER:

WD - R05
 ≤ 0.20 cfs - 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-18B/R40-123-220-219-221-222-259-937-938	POWER	- 17H-17K (+uses)-025-106
IRR ≤ 5 ac	- R66/R67/R68/R69 (0.03 cfs/ac)	MUNICIPAL	
> 5 ac	- R62/R63/R64/R65 (0.02 cfs/ac)	Restricted area	- 022-075 RAFN – 007-109-X64
Volume only	- R58/R59/R60/R61	Irr., GW supp to SW	- 102
Supplemental	- 943 & WB7		
Storage	- R70		
STOCKWATER	- R37 (all BLM/USFS)	DOMESTIC	
MINING	- 054-106	Surface water	- WB5 (Boise above Star Bridge)
FISH PROP	- 029 (70's basins only)-007-122-106	>1 in restricted area	- 070-071-075(no parks/common areas, etc)
HEAT/COOL	- R07 (injection well)	Irr use listed separate	- WB5
FIRE PROT.	- 077-218		
DAIRY	- 082 (zoning if a concern)-106-WD8		

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop
T08 - comply or rescind
WD8 - land application of waste water
01Q - used instead of 01M when
 there's another meas. condition
 outside a WD

Protested - 020-X19
Water Quality - 106-R07

X27 - Number of acres/season in ppu
X35 - Combined **limits** of multiple rts

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 - ultimately
 C18 placed on rts to cover issue. If C18
 on rts replace with T19 and remove X63.

**Apply one to chg'd & unchg'd
rts that are 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 rts
not subject to SRBA

NOTES:
