STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 86977

This is to certify that: UNITED STATES OF AMERICA ACTING THROUGH
USDI FISH & WILDLIFE SERVICE
C/O RACHEL ESRALEW
911 N E 11TH AVE
PORTLAND, OR 97232-4171

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

Summary of Water Rights Before the Proposed Changes

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
31-11230	WR/DECREED	3/20/1962	11.060 cfs	87.4 af	1904.0	N/A	GROUND WATER
31-11231	WR/DECREED	5/7/1962	15.700 cfs	2016.0 af	394.0	N/A	GROUND WATER
31-2350	WR/DECREED	10/20/1955	11.060 cfs	1936.0 af	553.0	N/A	GROUND WATER
31-2362	WR/DECREED	5/13/1957	10.600 cfs	2135.0 af	610.0	N/A	GROUND WATER
31-7301	WR/DECREED	6/2/1978	8.780 cfs	4310.0 af	5231.0	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
31-11230	NO	YES	NO	NO	NO	NO
31-11231	NO	YES	NO	NO	NO	NO
31-2350	NO	YES	NO	NO	NO	NO
31-2362	NO	YES	NO	NO	NO	NO
31-7301	NO	YES	NO	NO	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
31-11230	31-11230	11.060 cfs	87.4 af	1904.0	N/A	N/A	N/A	N/A	N/A	N/A
31-11231	31-11231	15.700 cfs	2016.0 af	394.0	N/A	N/A	N/A	N/A	N/A	N/A
31-2350	31-2350	11.060 cfs	1936.0 af	553.0	N/A	N/A	N/A	N/A	N/A	N/A
31-2362	31-2362	10.600 cfs	2135.0 af	610.0	N/A	N/A	N/A	N/A	N/A	N/A
31-7301	31-7301	8.780 cfs	4310.0 af	5231.0	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**35.540 cfs**	**10484.4 af**	**5231.0**	**5231.0**		**N/A**	**N/A**	**N/A**	**N/A**

SCANNED
MAY 30 2023

SUPPORT DATA
IN FILE # 31-2350

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 86977

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 26th day of May, 2023.

Regional Manager

SUPPORT DATA
IN FILE # 31-2350

SCANNED
MAY 30 2023

WATER RIGHT NO. 31-2350

As Modified by Transfer No. 86977

In accordance with the approval of Transfer No. 86977, Water Right No. 31-2350 is now described as follows:

Right Holder: UNITED STATES OF AMERICA ACTING THROUGH
USDI FISH & WILDLIFE SERVICE
DIVISION OF ENGINEERING
911 N E 11TH AVE
PORTLAND, OR 97232-4181

Priority Date: 10/20/1955

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
WILDLIFE	04/01	to	10/31	11.060 cfs	1936.0 af
				11.060 cfs	1936.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENW	Sec 24 Twp 07N Rge 35E JEFFERSON County
GROUND WATER	SENE	Sec 19 Twp 07N Rge 36E JEFFERSON County
GROUND WATER	NENW	Sec 29 Twp 07N Rge 36E JEFFERSON County

PLACE OF USE: WILDLIFE

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	35E	1													X	X	X	X	
															L 6			L 7	
07N	35E	12	X	X		X													
			L 1			L 2													
07N	35E	13	X																
			L 1																
07N	35E	24	X															X	
			L 1															L 4	
07N	35E	25				X									X				
						L 2									L 3				
07N	36E	6							X	X	X	X	X	X	X	X	X	X	
									L 5			L 6	L 7						
07N	36E	7	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
								L 1	L 2			L 3	L 4						
07N	36E	8										X	X						
07N	36E	17					X	X	X	X		X	X						
07N	36E	18	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
								L 1	L 2			L 3	L 4						
07N	36E	19	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
								L 1	L 2			L 3	L 4						
07N	36E	20						X	X				X						
07N	36E	29					X	X	X	X		X							
07N	36E	30	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
								L 1	L 2			L 3	L 4						

Transfer No. 86977

SCANNED
MAY 30 2023

WATER RIGHT NO. 31-2350

As Modified by Transfer No. 86977

CONDITIONS OF APPROVAL

1. This right is limited to 553 acres within the authorized place of use in a single season.
2. Rights 31-2350 and 31-11230 when combined shall not exceed a total diversion rate of 11.06 cfs.
3. Rights 31-269, 31-270, 31-271, 31-272, 31-273, 31-274, 31-275, 31-276, 31-277, 31-278, 31-279, 31-280, 31-281, 31-282, 31-283, 31-284, 31-2251, 31-2350, 31-2362, 31-2363, 31-7301, 31-11230, 31-11231 and 31-11232 when combined shall not exceed 5,231 acres within the boundary of the Camas National Wildlife Refuge.
4. Diversion of water from the well located in the NENW of Section 24, T07N, R35E, as authorized under Transfer 86977, shall not exceed a maximum diversion rate of 10.00 cfs.
5. 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. 110.
6. Prior to diversion and use of water under Transfer approval 86977, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

SCANNED
MAY 30 2023

WATER RIGHT NO. 31-11230

As Modified by Transfer No. 86977

In accordance with the approval of Transfer No. 86977, Water Right No. 31-11230 is now described as follows:

Right Holder: UNITED STATES OF AMERICA ACTING THROUGH
USDI FISH & WILDLIFE SERVICE
DIVISION OF ENGINEERING
911 N E 11TH AVE
PORTLAND, OR 97232-4181

Priority Date: 3/20/1962

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
WILDLIFE	01/01	to	12/31	11.060 cfs	87.4 af
				11.060 cfs	87.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENW	Sec 24 Twp 07N Rge 35E JEFFERSON County
GROUND WATER	SENE	Sec 19 Twp 07N Rge 36E JEFFERSON County
GROUND WATER	NENW	Sec 29 Twp 07N Rge 36E JEFFERSON County

PLACE OF USE: WILDLIFE

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	35E	1													X	X	X	X	
															L 6			L 7	
07N	35E	12	X	X		X													
			L 1			L 2													
07N	35E	13	X																
			L 1																
07N	35E	24	X															X	
			L 1															L 4	
07N	35E	25				X									X				
						L 2									L 3				
07N	36E	6							X	X	X	X	X	X	X	X	X	X	
									L 5			L 6	L 7						
07N	36E	7	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
								L 1	L 2			L 3	L 4						
07N	36E	8										X	X						
07N	36E	17					X	X	X	X		X	X						
07N	36E	18	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
								L 1	L 2			L 3	L 4						
07N	36E	19	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
								L 1	L 2			L 3	L 4						
07N	36E	20						X	X				X						
07N	36E	29					X	X	X	X		X							
07N	36E	30	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
								L 1	L 2			L 3	L 4						

Transfer No. 86977

SCANNED
MAY 30 2023

WATER RIGHT NO. 31-11230

As Modified by Transfer No. 86977

CONDITIONS OF APPROVAL

1. This right is limited to 1,904 acres within the authorized place of use in a single season.
2. Rights 31-2350 and 31-11230 when combined shall not exceed a total diversion rate of 11.06 cfs.
3. Rights 31-269, 31-270, 31-271, 31-272, 31-273, 31-274, 31-275, 31-276, 31-277, 31-278, 31-279, 31-280, 31-281, 31-282, 31-283, 31-284, 31-2251, 31-2350, 31-2362, 31-2363, 31-7301, 31-11230, 31-11231 and 31-11232 when combined shall not exceed 5,231 acres within the boundary of the Camas National Wildlife Refuge.
4. Diversion of water from the well located in the NENW of Section 24, T07N, R35E, as authorized under Transfer 86977, shall not exceed a maximum diversion rate of 10.00 cfs.
5. 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. 110.
6. Prior to diversion and use of water under Transfer approval 86977, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

SCANNED
MAY 30 2023

WATER RIGHT NO. 31-2362

As Modified by Transfer No. 86977

In accordance with the approval of Transfer No. 86977, Water Right No. 31-2362 is now described as follows:

Right Holder: UNITED STATES OF AMERICA ACTING THROUGH
USDI FISH & WILDLIFE SERVICE
DIVISION OF ENGINEERING
911 N E 11TH AVE
PORTLAND, OR 97232-4181

Priority Date: 5/13/1957

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
WILDLIFE	04/01	to	10/31	10.600 cfs	2135.0 af
				10.600 cfs	2135.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENW	Sec 24 Twp 07N Rge 35E JEFFERSON County
GROUND WATER	SENE	Sec 19 Twp 07N Rge 36E JEFFERSON County
GROUND WATER	NENW	Sec 29 Twp 07N Rge 36E JEFFERSON County

PLACE OF USE: WILDLIFE

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	35E	1									X			X	X	X	X		
															L 6				
07N	35E	12	X	X	X	X	X			X	X	X			X	X	X	X	
			L 1			L 2									L 3			L 4	
07N	35E	13	X	X	X	X					X			X	X	X	X	X	
			L 1			L 2									L 3			L 4	
07N	35E	24	X	X	X	X	X			X	X			X	X	X	X	X	
			L 1			L 2									L 3			L 4	
07N	35E	25	X																
			L 1																
07N	36E	7										X	X						
												L 3	L 4						
07N	36E	18						X	X			X	X						
								L 1	L 2			L 3	L 4						
07N	36E	19						X	X			X	X						
								L 1	L 2			L 3	L 4						
07N	36E	30						X											
								L 1											

CONDITIONS OF APPROVAL

1. This right is limited to 610 acres within the authorized place of use in a single season.

Transfer No. 86977

SCANNED
MAY 30 2023

WATER RIGHT NO. 31-2362

As Modified by Transfer No. 86977

CONDITIONS OF APPROVAL

2. Rights 31-2362 and 31-11231 when combined shall not exceed a total diversion rate of 15.7 cfs.

3. Rights 31-269, 31-270, 31-271, 31-272, 31-273, 31-274, 31-275, 31-276, 31-277, 31-278, 31-279, 31-280, 31-281, 31-282, 31-283, 31-284, 31-2251, 31-2350, 31-2362, 31-2363, 31-7301, 31-11230, 31-11231 and 31-11232 when combined shall not exceed 5,231 acres within the boundary of the Camas National Wildlife Refuge.

4. Diversion of water from the well located in the NENW of Section 24, T07N, R35E, as authorized under Transfer 86977, shall not exceed a maximum diversion rate of 10.00 cfs.

5. 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. 110.

6. Prior to diversion and use of water under Transfer approval 86977, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.

7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

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

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

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

SCANNED
MAY 30 2023

WATER RIGHT NO. 31-11231

As Modified by Transfer No. 86977

In accordance with the approval of Transfer No. 86977, Water Right No. 31-11231 is now described as follows:

Right Holder: UNITED STATES OF AMERICA ACTING THROUGH
USDI FISH & WILDLIFE SERVICE
DIVISION OF ENGINEERING
911 N E 11TH AVE
PORTLAND, OR 97232-4181

Priority Date: 5/7/1962

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
WILDLIFE	03/20	to 11/16	15.700 cfs	2016.0 af
			15.700 cfs	2016.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENW	Sec 24 Twp 07N Rge 35E JEFFERSON County
GROUND WATER	SENE	Sec 19 Twp 07N Rge 36E JEFFERSON County
GROUND WATER	NENW	Sec 29 Twp 07N Rge 36E JEFFERSON County

PLACE OF USE: WILDLIFE

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	35E	1									X			X	X	X	X		
															L 6				
07N	35E	12	X	X	X	X	X			X	X	X			X	X	X	X	
			L 1			L 2									L 3			L 4	
07N	35E	13	X	X	X	X					X			X	X	X	X	X	
			L 1			L 2									L 3			L 4	
07N	35E	24	X	X	X	X	X			X	X			X	X	X	X	X	
			L 1			L 2									L 3			L 4	
07N	35E	25	X																
			L 1																
07N	36E	7										X	X						
												L 3	L 4						
07N	36E	18						X	X			X	X						
								L 1	L 2			L 3	L 4						
07N	36E	19						X	X			X	X						
								L 1	L 2			L 3	L 4						
07N	36E	30						X											
								L 1											

CONDITIONS OF APPROVAL

1. This right is limited to 394 acres within the authorized place of use in a single season.

Transfer No. 86977

SCANNED
MAY 30 2023

WATER RIGHT NO. 31-11231

As Modified by Transfer No. 86977

CONDITIONS OF APPROVAL

2. Rights 31-2362 and 31-11231 when combined shall not exceed a total diversion rate of 15.7 cfs.

3. Rights 31-269, 31-270, 31-271, 31-272, 31-273, 31-274, 31-275, 31-276, 31-277, 31-278, 31-279, 31-280, 31-281, 31-282, 31-283, 31-284, 31-2251, 31-2350, 31-2362, 31-2363, 31-7301, 31-11230, 31-11231 and 31-11232 when combined shall not exceed 5,231 acres within the boundary of the Camas National Wildlife Refuge.

4. Diversion of water from the well located in the NENW of Section 24, T07N, R35E, as authorized under Transfer 86977, shall not exceed a maximum diversion rate of 10.00 cfs.

5. 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. 110.

6. Prior to diversion and use of water under Transfer approval 86977, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.

7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

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

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

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

SCANNED
MAY 30 2023

WATER RIGHT NO. 31-7301

As Modified by Transfer No. 86977

In accordance with the approval of Transfer No. 86977, Water Right No. 31-7301 is now described as follows:

Right Holder: UNITED STATES OF AMERICA ACTING THROUGH
USDI FISH & WILDLIFE SERVICE
DIVISION OF ENGINEERING
911 N E 11TH AVE
PORTLAND, OR 97232-4181

Priority Date: 6/2/1978

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
WILDLIFE	03/01	to	11/01	8.780 cfs	4310.0 af
				8.780 cfs	4310.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENW	Sec 24 Twp 07N Rge 35E JEFFERSON County
GROUND WATER	SENE	Sec 19 Twp 07N Rge 36E JEFFERSON County
GROUND WATER	NENW	Sec 29 Twp 07N Rge 36E JEFFERSON County

PLACE OF USE: WILDLIFE

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	35E	1									X			X	X	X	X	X	
															L 6			L 7	
07N	35E	12	X	X	X	X	X			X	X	X			X	X	X	X	
			L 1			L 2									L 3			L 4	
07N	35E	13	X	X	X	X					X			X	X	X	X	X	
			L 1			L 2									L 3			L 4	
07N	35E	24	X	X	X	X	X			X	X			X	X	X	X	X	
			L 1			L 2									L 3			L 4	
07N	35E	25	X			X									X				
			L 1			L 2									L 3				
07N	36E	5						X	X										
								L 4											
07N	36E	6	X	X	X	X			X	X	X	X	X	X	X	X	X	X	
			L 1	L 2					L 5			L 6	L 7						
07N	36E	7	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
								L 1	L 2			L 3	L 4						
07N	36E	8	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
07N	36E	9											X	X					
07N	36E	16						X	X		X	X	X	X		X	X		
07N	36E	17	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
07N	36E	18	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
								L 1	L 2			L 3	L 4						
07N	36E	19	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
								L 1	L 2			L 3	L 4						
07N	36E	20	X	X	X	X	X	X	X	X	X	X	X	X		X			
07N	36E	21					X	X	X	X									
07N	36E	29					X	X	X	X		X							
07N	36E	30	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
								L 1	L 2			L 3	L 4						

Transfer No. 86977

SCANNED
MAY 30 2023

WATER RIGHT NO. 31-7301

As Modified by Transfer No. 86977

PLACE OF USE: WILDLIFE

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08N	36E	32									X	X	X	X					

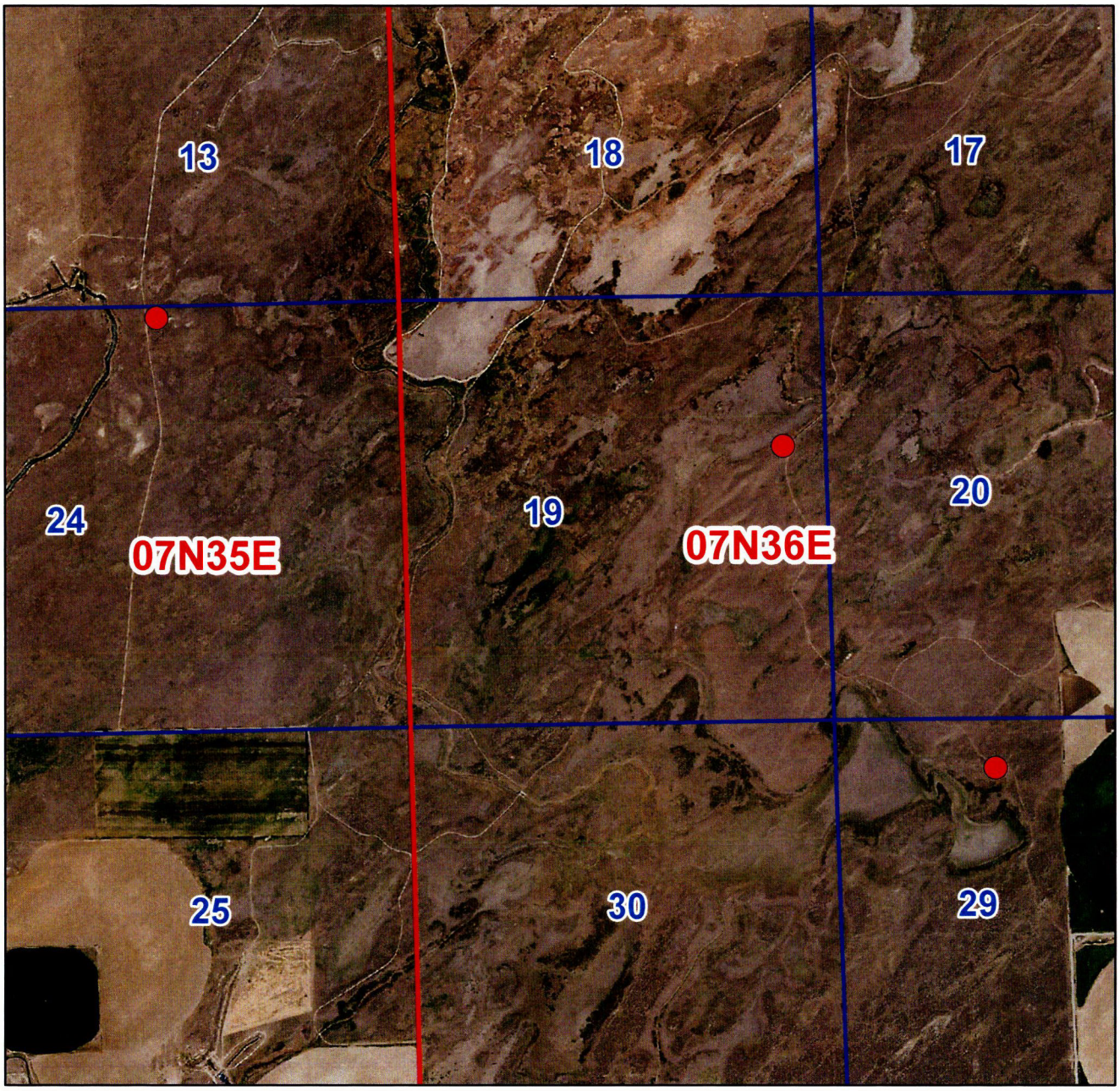
CONDITIONS OF APPROVAL

1. This right is limited to 5,231 acres within the authorized place of use in a single season.
2. Rights 31-269, 31-270, 31-271, 31-272, 31-273, 31-274, 31-275, 31-276, 31-277, 31-278, 31-279, 31-280, 31-281, 31-282, 31-283, 31-284, 31-2251, 31-2350, 31-2362, 31-2363, 31-7301, 31-11230, 31-11231 and 31-11232 when combined shall not exceed 5,231 acres within the boundary of the Camas National Wildlife Refuge.
3. Diversion of water from the well located in the NENW of Section 24, T07N, R35E, as authorized under Transfer 86977, shall not exceed a maximum diversion rate of 10.00 cfs.
4. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 110.
5. Prior to diversion and use of water under Transfer approval 86977, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

SCANNED
MAY 30 2023

Attachment to Transfer Approval 86977

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



0 0.25 0.5 1 Miles

N
W E
S

Legend

- WR POD
- Township/Range
- Sections

SCANNED
MAY 30 2023

Date: 5/26/2023

Form No.
222-Ext
08/09

RECEIVED
Dec 16, 2022
DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME TO COMPLETE TRANSFER

The holder of the water rights listed below requests an additional period of time in which to accomplish change(s) authorized by approval of Application for Transfer of Water Right(s) No. T85002 approved on September 9, 2021.

Water Right No(s). 31-2350, 31-2362, 31-7301, 31-11230, 31-11231

Number of Year(s) Authorized in which to Accomplish Change(s) X (1) ____(2) ____(3) ____(4) ____(5)

Number of Additional Year(s) Requested in which to Accomplish Change(s) ____(1) X (2) ____(3) ____(4)
(Not to exceed 5 years total from date of the approval.)

Name(s) of Right Holder: U. S. Fish and Wildlife Service
(If not the right holder of record, submit a Notice of Change of Water Right Ownership, appropriate fee and documentation.)

Mailing Address: 911 NE 11th Avenue

City Portland State OR Zip 97232-4128

Phone No.: (916) 790-0645 (until late 2023) (503) 231-2395 (early 2024) Email: Rachel_Esralew@fws.gov

Explain why additional time to complete transfer is needed and show a reasonable cause for the delay:

The new well locations identified in transfer application T85002 were found not conducive for optimal drilling, construction, and power supply and require a minor adjustment in location. To account for this minor adjustment, the U. S. Fish and Wildlife Service applied for a transfer of these water rights with new locations on September 7, 2022 (T-86977).

Costing $ $2660

RACHEL ESRALEW Digitally signed by RACHEL ESRALEW Date: 2022.12.16 14:59:12 -08'00'
(Signature) *If other than right holder, Power of Attorney must be supplied.* (Date)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

The Department approved the above referenced Application for Transfer with a condition that it be completed within 1 year(s).

The right holder has notified the Department that the transfer has not yet been accomplished.

The right holder has requested an extension of time for completion of the transfer and has shown reasonable cause for the delay.

IT IS, THEREFORE, HEREBY ORDERED that the right holder of Transfer No. 85002 is granted an extension to August 31, 2024 in which to accomplish the transfer. **IT IS FURTHER HEREBY ORDERED** that this extension does not stay the accumulation of the 5 year period associated with forfeiture of a water right for non-use.

OR ____Extension is not granted. (See correspondence in water right file.)

Signed this 20th day of December, 2022.

SCANNED
DEC 20 2022

CERTIFICATE OF SERVICE

I hereby certify that on **December 20, 2022,** I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Request for Extension of Time) to the person(s) listed below:

RE: Transfer No.: 85002
Water Rights: 31-2350, 31-2362, 31-7301, 31-11230, 21-11231

US FISH & WILDLIFE SERVICE
C/O RACHEL ESRALEW
911 NE 11TH AVE
PORTLAND, OR 97232

Christina Henman
Administrative Assistant

SCANNED
DEC 20 2022

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

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

(Required by Rule of Procedure 730.02)

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

SCANNED
DEC 20 2022

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) The petition for reconsideration is disposed of; or
> (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

SCANNED
DEC 20 2022

86977

RECEIVED

SEP 12 2022

Department of Water Resources
Eastern Region

42-222 POD - 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) 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.O.8. Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** U.S. Fish and Wildlife Service Phone 916-790-0645

2. **MAILING ADDRESS** 911 NE 11th Avenue City Portland

State OR Zip 97232 Email rachel_esralew@fws.gov

☐ 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)** T-85002; 31-2350, 31-2362, 31-7301, 31-11230, 31-11231

☑ 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 35.54 (diversion rate) cubic feet per second and/or 10,484.4 (storage volume) acre-feet per annum.

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 #
Yes			NE	NW	24	07	35	Jefferson	Groundwater	Well #2
Yes			NE	NW	29	07	36	Jefferson	Groundwater	Well #3
Yes			SE	NE	19	07	36	Jefferson	Groundwater	Well #8

Transfer No. 86977

86977

SCANNED
OCT 05 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 consists of three groundwater wells. The measuring device for each well consists of a an in-line flow meter to be installed on each well according to IDWR requirements

b. Who owns the property at the point(s) of diversion? Department of Interior, U.S. Fish and Wildlife Service
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 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.

Signature of applicant or authorized agent	Print name and title if applicable	Date
RACHEL ESRALEW Digitally signed by RACHEL ESRALEW Date: 2022.09.07 12:58:46 -07'00'	Hydrologist, Water Resources Branch Chief	9/7/2022
Signature of applicant or authorized agent	Print name and title if applicable	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 $2660.00 Date 9/12/22 Receipted by _____ Receipt # 5048495

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)

86977

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OCT 05 2022

IDAHO DEPARTMENT OF WATER RESOURCES 10/4/2022

Proof Report

Water Right 31-2350

Owner Type	**Name and Address**
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH USDI FISH & WILDLIFE SERVICE DIVISION OF ENGINEERING 911 N E 11TH AVE PORTLAND, OR 97232-4181 (503) 231-6145

Priority Date: 10/20/1955
Basis: Decreed
Status: Active

Source	**Tributary**
GROUND WATER	

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
WILDLIFE	04/01	10/31	11.060 CFS	1,936.0 AF
	Total Diversion		11.060 CFS	1,936.0 AF

Source and Point(s) of Diversion:

GROUND WATER	NWNW	Sec. 20, Twp 07N, Rge 36E, JEFFERSON County
GROUND WATER	SENW	Sec. 29, Twp 07N, Rge 36E, JEFFERSON County
GROUND WATER	SESW	Sec. 13, Twp 07N, Rge 35E, JEFFERSON County

Place Of Use:
WILDLIFE within JEFFERSON County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	35E	1													X L6	X	X	X L7	
07N	35E	12	X L1	X		X L2													
07N	35E	13	X L1																
07N	35E	24	X L1															X L4	
07N	35E	25				X L2									X L3				
07N	36E	6							X L5	X	X	X L6	X L7	X	X	X	X	X	
07N	36E	7	X	X	X	X	X	X L1	X L2	X	X	X L3	X L4	X	X	X	X	X	
07N	36E	8										X	X						

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OCT 05 2022

56977

07N	36E	17						X	X	X	X		X	X						
07N	36E	18	X	X	X	X	X	X L1	X L2	X	X	X L3	X L4	X	X	X	X	X		
07N	36E	19	X	X	X	X	X	X L1	X L2	X	X	X L3	X L4	X	X	X	X	X		
07N	36E	20						X	X				X							
07N	36E	29						X	X	X	X		X							
07N	36E	30	X	X	X	X	X	X L1	X L2	X	X	X L3	X L4	X	X	X	X	X		

Conditions of Approval:

1.	X27	This right is limited to 553 acres within the authorized place of use in a single season.
2.	X35	Rights 31-2350 and 31-11230 when combined shall not exceed a total diversion rate of 11.06 cfs.
3.	X35	Rights 31-269, 31-270, 31-271, 31-272, 31-273, 31-274, 31-275, 31-276, 31-277, 31-278, 31-279, 31-280, 31-281, 31-282, 31-283, 31-284, 31-2251, 31-2350, 31-2362, 31-2363, 31-7301, 31-11230, 31-11231 and 31-11232 when combined shall not exceed 5231 acres within the boundary of the Camas National Wildlife Refuge.
4.	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. 110.
5.	212	Prior to diversion and use of water under Transfer approval 85002, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
6.	213	Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8.	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.
9.	T19	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.

Dates and Other Information:
Decreed Date: 2/22/2002
Water District Number: 110
Mitigation Plan: False

Water Supply Bank:

N/A

SCANNED
OCT 05 2022
86977

Water Right 31-2362

Owner Type	Name and Address
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH USDI FISH & WILDLIFE SERVICE DIVISION OF ENGINEERING 911 N E 11TH AVE PORTLAND, OR 97232-4181 (503) 231-6145

Priority Date: 5/13/1957
Basis: Decreed
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
WILDLIFE	04/01	10/31	10.600 CFS	2,135.0 AF
	Total Diversion		10.600 CFS	2,135.0 AF

Source and Point(s) of Diversion:

GROUND WATER	SESW	Sec. 13, Twp 07N, Rge 35E, JEFFERSON County
GROUND WATER	NWNW	Sec. 20, Twp 07N, Rge 36E, JEFFERSON County
GROUND WATER	SENW	Sec. 29, Twp 07N, Rge 36E, JEFFERSON County

Place Of Use:
WILDLIFE within JEFFERSON County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	35E	1									X			X	X L6	X	X		
07N	35E	12	X L1	X	X	X L2	X			X	X	X			X L3	X	X	X L4	
07N	35E	13	X L1	X	X	X L2					X			X	X L3	X	X	X L4	
07N	35E	24	X L1	X	X	X L2	X			X	X			X	X L3	X	X	X L4	
07N	35E	25	X L1																
07N	36E	7										X L3	X L4						
07N	36E	18						X L1	X L2			X L3	X L4						
07N	36E	19						X	X			X	X						

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31-2362
OCT 05 2022

86977

			L1	L2	L3	L4
07N	36E	30	X L1			

Conditions of Approval:

1.	X27	This right is limited to 610 acres within the authorized place of use in a single season.
2.	X35	Rights 31-2362 and 31-11231 when combined shall not exceed a total diversion rate of 15.7 cfs.
3.	X35	Rights 31-269, 31-270, 31-271, 31-272, 31-273, 31-274, 31-275, 31-276, 31-277, 31-278, 31-279, 31-280, 31-281, 31-282, 31-283, 31-284, 31-2251, 31-2350, 31-2362, 31-2363, 31-7301, 31-11230, 31-11231 and 31-11232 when combined shall not exceed 5231 acres within the boundary of the Camas National Wildlife Refuge.
4.	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. 110.
5.	212	Prior to diversion and use of water under Transfer approval 85002, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
6.	213	Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8.	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.
9.	T19	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.

Dates and Other Information:
Decreed Date: 2/22/2002
Water District Number: 110
Mitigation Plan: False

Water Supply Bank:

N/A

86977

SCANNED
OCT 05 2022

Water Right 31-7301

Owner Type	Name and Address
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH USDI FISH & WILDLIFE SERVICE DIVISION OF ENGINEERING 911 N E 11TH AVE PORTLAND, OR 97232-4181 (503) 231-6145

Priority Date: 6/2/1978
Basis: Decreed
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
WILDLIFE	03/01	11/01	8.780 CFS	4,310.0 AF
	Total Diversion		8.780 CFS	4,310.0 AF

Source and Point(s) of Diversion:

GROUND WATER	NWNW	Sec. 20, Twp 07N, Rge 36E, JEFFERSON County
GROUND WATER	SESW	Sec. 13, Twp 07N, Rge 35E, JEFFERSON County
GROUND WATER	SENW	Sec. 29, Twp 07N, Rge 36E, JEFFERSON County

Place Of Use:
WILDLIFE within JEFFERSON County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	35E	1									X			X	X L6	X	X	X L7	
07N	35E	12	X L1	X	X	X L2	X			X	X	X			X L3	X	X	X L4	
07N	35E	13	X L1	X	X	X L2					X			X	X L3	X	X	X L4	
07N	35E	24	X L1	X	X	X L2	X			X	X			X	X L3	X	X	X L4	
07N	35E	25	X L1			X L2									X L3				
07N	36E	5						X L4	X										
07N	36E	6	X L1	X L2	X	X			X L5	X	X	X L6	X L7	X	X	X	X	X	
07N	36E	7	X	X	X	X	X	X L1	X L2	X	X	X L3	X L4	X	X	X	X	X	
07N	36E	8	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	

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07N	36E	9														X	X			
07N	36E	16							X	X		X	X	X	X		X	X		
07N	36E	17	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
07N	36E	18	X	X	X	X	X	X L1	X L2	X	X	X L3	X L4	X	X	X	X	X		
07N	36E	19	X	X	X	X	X	X L1	X L2	X	X	X L3	X L4	X	X	X	X	X		
07N	36E	20	X	X	X	X	X	X	X	X	X	X	X	X		X				
07N	36E	21					X	X	X	X										
07N	36E	29					X	X	X	X		X								
07N	36E	30	X	X	X	X	X	X L1	X L2	X	X	X L3	X L4	X	X	X	X	X		
08N	36E	32									X	X	X	X						

Conditions of Approval:

1.	X27	This right is limited to 5231 acres within the authorized place of use in a single season.
2.	X35	Rights 31-269, 31-270, 31-271, 31-272, 31-273, 31-274, 31-275, 31-276, 31-277, 31-278, 31-279, 31-280, 31-281, 31-282, 31-283, 31-284, 31-2251, 31-2350, 31-2362, 31-2363, 31-7301, 31-11230, 31-11231 and 31-11232 when combined shall not exceed 5231 acres within the boundary of the Camas National Wildlife Refuge.
3.	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. 110.
4.	212	Prior to diversion and use of water under Transfer approval 85002, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
5.	213	Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
6.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7.	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.
8.	T19	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.

Dates and Other Information:
Decreed Date: 2/22/2002
Water District Number: 110
Mitigation Plan: False
Water Supply Bank:
N/A

SCANNED
OCT 05 2022

86977

Water Right 31-11230

Owner Type	Name and Address
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH USDI FISH & WILDLIFE SERVICE DIVISION OF ENGINEERING 911 N E 11TH AVE PORTLAND, OR 97232-4181 (503) 231-6145

Priority Date: 3/20/1962
Basis: Decreed
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
WILDLIFE	01/01	12/31	11.060 CFS	87.4 AF
	Total Diversion		11.060 CFS	87.4 AF

Source and Point(s) of Diversion:

GROUND WATER	SESW	Sec. 13, Twp 07N, Rge 35E, JEFFERSON County
GROUND WATER	NWNW	Sec. 20, Twp 07N, Rge 36E, JEFFERSON County
GROUND WATER	SENW	Sec. 29, Twp 07N, Rge 36E, JEFFERSON County

Place Of Use:
WILDLIFE within JEFFERSON County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	35E	1													X L6	X	X	X L7	
07N	35E	12	X L1	X		X L2													
07N	35E	13	X L1																
07N	35E	24	X L1															X L4	
07N	35E	25				X L2									X L3				
07N	36E	6							X L5	X	X	X L6	X L7	X	X	X	X	X	
07N	36E	7	X	X	X	X	X	X L1	X L2	X	X	X L3	X L4	X	X	X	X	X	
07N	36E	8										X	X						

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07N	36E	17						X	X	X	X		X	X							
07N	36E	18	X	X	X	X	X	X L1	X L2	X	X	X L3	X L4	X	X	X	X	X			
07N	36E	19	X	X	X	X	X	X L1	X L2	X	X	X L3	X L4	X	X	X	X	X			
07N	36E	20						X	X				X								
07N	36E	29						X	X	X	X		X								
07N	36E	30	X	X	X	X	X	X L1	X L2	X	X	X L3	X L4	X	X	X	X	X			

Conditions of Approval:

1.	X27	This right is limited to 1904 acres within the authorized place of use in a single season.
2.	X35	Rights 31-2350 and 31-11230 when combined shall not exceed a total diversion rate of 11.06 cfs.
3.	X35	Rights 31-269, 31-270, 31-271, 31-272, 31-273, 31-274, 31-275, 31-276, 31-277, 31-278, 31-279, 31-280, 31-281, 31-282, 31-283, 31-284, 31-2251, 31-2350, 31-2362, 31-2363, 31-7301, 31-11230, 31-11231 and 31-11232 when combined shall not exceed 5231 acres within the boundary of the Camas National Wildlife Refuge.
4.	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. 110.
5.	212	Prior to diversion and use of water under Transfer approval 85002, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
6.	213	Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8.	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.
9.	T19	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.

Dates and Other Information:
Decreed Date: 2/22/2002
Water District Number: 110
Mitigation Plan: False

Water Supply Bank:

N/A

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Water Right 31-11231

Owner Type	**Name and Address**
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH USDI FISH & WILDLIFE SERVICE DIVISION OF ENGINEERING 911 N E 11TH AVE PORTLAND, OR 97232-4181 (503) 231-6145

Priority Date: 5/7/1962
Basis: Decreed
Status: Active

Source	**Tributary**
GROUND WATER	

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
WILDLIFE	03/20	11/16	15.700 CFS	2,016.0 AF
	Total Diversion		15.700 CFS	2,016.0 AF

Source and Point(s) of Diversion:

GROUND WATER	SESW	Sec. 13, Twp 07N, Rge 35E, JEFFERSON County
GROUND WATER	NWNW	Sec. 20, Twp 07N, Rge 36E, JEFFERSON County
GROUND WATER	SENW	Sec. 29, Twp 07N, Rge 36E, JEFFERSON County

Place Of Use:
WILDLIFE within JEFFERSON County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N	35E	1									X			X	X L6	X	X		
07N	35E	12	X L1	X	X	X L2	X			X	X	X			X L3	X	X	X L4	
07N	35E	13	X L1	X	X	X L2					X			X	X L3	X	X	X L4	
07N	35E	24	X L1	X	X	X L2	X			X	X			X	X L3	X	X	X L4	
07N	35E	25	X L1																
07N	36E	7										X L3	X L4						
07N	36E	18						X L1	X L2			X L3	X L4						
07N	36E	19						X	X			X	X						

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			L1	L2	L3	L4
07N	36E	30	X L1			

Conditions of Approval:

1.	X27	This right is limited to 394 acres within the authorized place of use in a single season.
2.	X35	Rights 31-2362 and 31-11231 when combined shall not exceed a total diversion rate of 15.7 cfs.
3.	X35	Rights 31-269, 31-270, 31-271, 31-272, 31-273, 31-274, 31-275, 31-276, 31-277, 31-278, 31-279, 31-280, 31-281, 31-282, 31-283, 31-284, 31-2251, 31-2350, 31-2362, 31-2363, 31-7301, 31-11230, 31-11231 and 31-11232 when combined shall not exceed 5231 acres within the boundary of the Camas National Wildlife Refuge.
4.	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. 110.
5.	212	Prior to diversion and use of water under Transfer approval 85002, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
6.	213	Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8.	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.
9.	T19	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.

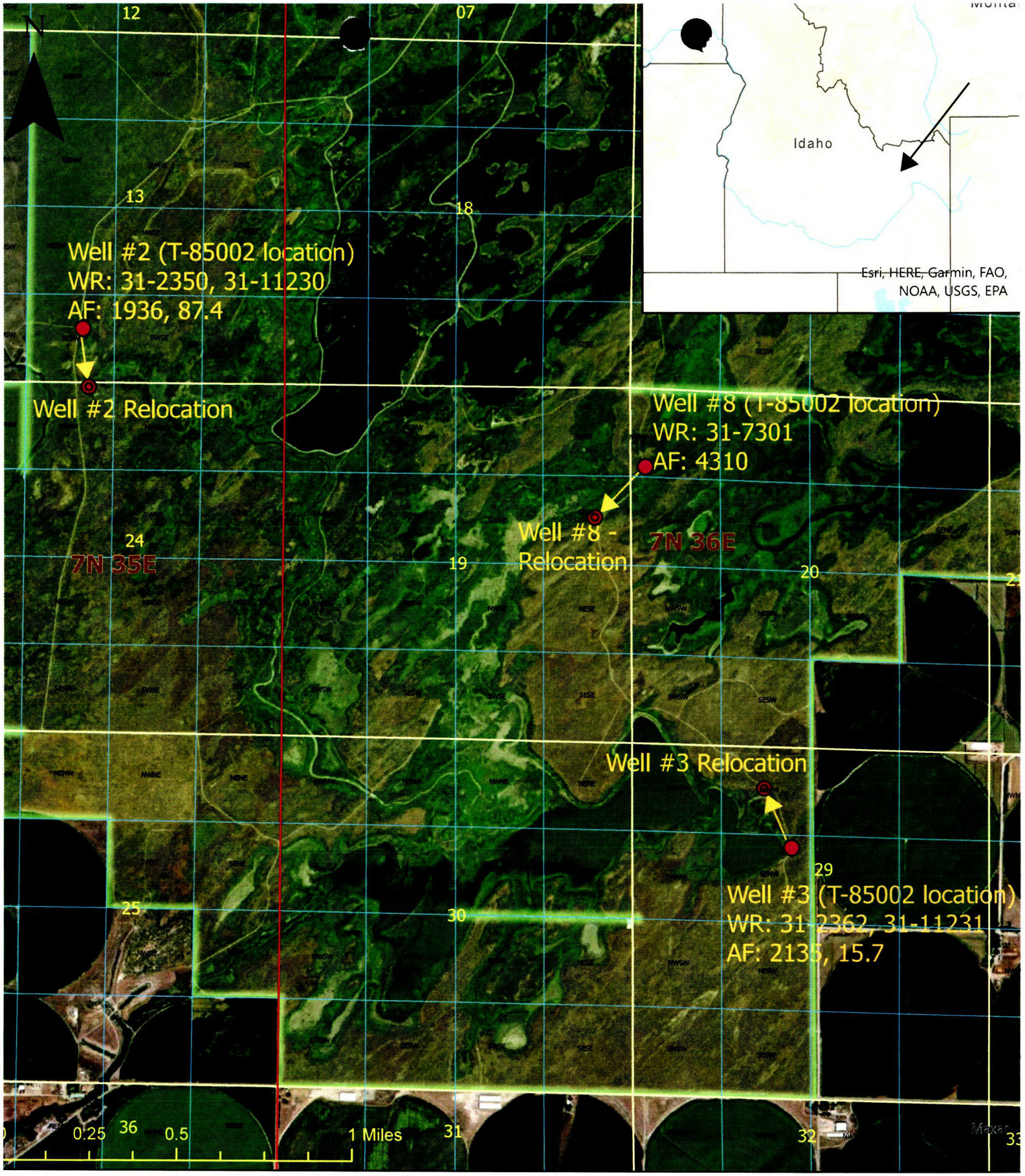
Dates and Other Information:
Decreed Date: 2/22/2002
Water District Number: 110
Mitigation Plan: False

Water Supply Bank:

N/A

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86977



Legend

ell Locations

- T 85002 Location
- New Well Location

PLSSIntersected
PLSSTownship
PLSSFirstDivision

Camas National Wildlife Refuge Boundary

86977

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OCT 05 2022

1 Idaho CADNSDI PLSS; Esri, DigitalGlobe, GeoEye, i-cubed, USDA FSA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community; Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, CAN, Esri Japan, METI, Esri China (Hong Kong), NOSTRA, © OpenStreetMap contributors, and the GIS User Community; USFWS DOI, Esri

IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

May 26, 2023

UNITED STATES OF AMERICA ACTING THROUGH
USDI FISH & WILDLIFE SERVICE
C/O RACHEL ESRALEW
911 N E 11TH AVE
PORTLAND OR 97232-4171

Re: Transfer No: 86977
Water Right No(s).: 31-2350, 31-2362, 31-7301, 31-11230, 31-11231

Transfer Approval Notice

Dear Water Right Holder:

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.

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MAY 30 2023

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

If you have any questions, please contact me at (208) 525-7161.

Sincerely,

Christina Henman
Administrative Assistant

Enclosure
CC:

FRANK WILSON
OFFICE OF THE REGIONAL SOLICITOR
601 SW 2ND AVE STE 1950
PORTLAND, OR 97204

MUD LAKE WATER USERS INC
1400 E 1500 N
PO BOX 68
TERRETON ID 83450

INDEPENDENT WATER USERS OF MUD LAKE INC
C/O KEITH SHULBERG
1785 N 1800 E
HAMER ID 83425-5163

HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

SCANNED
MAY 30 2023

CERTIFICATE OF SERVICE

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

Re: Transfer No.: 86977
Water Right No(s).: 31-2350, 31-2362, 31-7301, 31-11230, 31-11231

UNITED STATES OF AMERICA ACTING THROUGH
USDI FISH & WILDLIFE SERVICE
C/O RACHEL ESRALEW
911 N E 11TH AVE
PORTLAND OR 97232-4171

FRANK WILSON
OFFICE OF THE REGIONAL SOLICITOR
601 SW 2ND AVE STE 1950
PORTLAND, OR 97204

MUD LAKE WATER USERS INC
1400 E 1500 N
PO BOX 68
TERRETON ID 83450

INDEPENDENT WATER USERS OF MUD LAKE INC
C/O KEITH SHULBERG
1785 N 1800 E
HAMER ID 83425-5163

HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

Christina Henman
Administrative Assistant

SCANNED
MAY 30 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.

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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.

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MAY 30 2023

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR TRANSFER NO. 86977 IN THE NAME OF UNITED STATES FISH & WILDLIFE SERVICE	))))	**ORDER VACATING HEARING**

On April 21, 2023, the Department issued a *Notice of Hearing and Scheduling Order*, scheduling the above-referenced contested case for a hearing to take place on August 24 and 25, 2023. On May 18, 2023, the parties to the contested case filed a *Stipulation for Withdrawal of Protests*, settling all protests filed against the application. The administrative hearing is no longer needed and can be vacated.

ORDER

IT IS HEREBY ORDERED that the administrative hearing scheduled for August 24 and 25, 2023 and all remaining discovery and disclosure deadlines associated with this contested case are VACATED.

Dated this 26th day of May 2023

James Cefalo
Hearing Officer

SCANNED
MAY 30 2023

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of May 2023, true and correct copies of the documents described below were served by email to the following:

Documents Served: Order Vacating Hearing

U.S. FISH AND WILDLIFE SERVICE
C/O RACHEL ESRALEW
Rachel_esralew@fws.gov

FRANK WILSON
OFFICE OF THE REGIONAL SOLICITOR
Frank.wilson@sol.doi.gov

MUD LAKE WATER USERS, INC
Mudlakeh20@gmail.com

HOLDEN KIDWELL HAHN & CRAPO
ROBERT L HARRIS
rharris@holdenlegal.com

INDEPENDENT WATER USERS, INC
C/O KEITH SHULDBERG
kkfshuldberg@yahoo.com

Christina Henman
Administrative Assistant

SCANNED
MAY 30 2023

MEMORANDUM

Date: May 26, 2023

To: Transfer 86977

From: James Cefalo

Re: Review & Evaluation of Sufficiency of Information

This transfer application proposes to change the three shared points of diversion for ground water rights 31-2350, 31-2362, 31-7301, 31-11230 and 31-11231. The points of diversion were updated in Transfer 85002, approved in 2021. After Transfer 85002 was approved, the water right owner, US Fish & Wildlife Service, decided the well locations needed to be adjusted slightly to better coincide with power lines. The adjustments would move the points of diversion over QQ lines. Therefore, a transfer application was needed for the change.

Authority to File: US Fish & Wildlife Service is the owner of record for the water rights and has the authority to file the application.

Water Right Validity: Water rights were just reviewed in 2021. Diversion records from Water District 110 show consistent use of the rights.

Injury to Other Water Rights: Department published notice of the application. Mud Lake Water Users Inc. and Independent Water Users Inc. filed protests. The primary issue of protest was that the proposed well site in the NENW of Section 24, T07N, R35E, would affect the well field used by the companies, know as the Buck Springs Complex. After lengthy settlement discussions, US Fish & Wildlife Service agreed to limit its diversion at the proposed well site in Section 24 to 10 cfs. The parties executed a Stipulation and the protests were withdrawn. A condition will be added to the transfer approval noting the 10 cfs limit. Watermaster for Water District 110 does not oppose the transfer.

Enlargement of Use: No issues identified. Place of use will not change. Combined rate and acre limits will be carried forward.

Local Public interest: No issues identified.

Beneficial Use/Conservation of Water Resources: No issues identified.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

SCANNED
MAY 30 2023

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

RECEIVED
MAY 18 2023
Department of Water Resources
Eastern Region

IN THE MATTER OF APPLICATION FOR TRANSFER NO. 86977 IN THE NAME OF THE U.S. FISH AND WILDLIFE SERVICE

STIPULATION FOR WITHDRAWAL OF PROTESTS

THIS STIPULATION FOR WITHDRAWAL OF PROTESTS (this "Stipulation") is made and entered into to be effective as of the latest signature date set forth below, by and between the following parties:

1. **U.S. Fish and Wildlife Service** (hereinafter, "USFWS"); and

2. **Mud Lake Water Users, Inc.** and **Independent Water Users of Mud Lake, Inc.** (collectively the "Protestants").

USFWS and the Protestants may hereinafter collectively be referred to as the "Parties."

RECITALS:

A. Application for Transfer No. 86977 (the "Transfer") was filed on September 12, 2022, by USFWS with the Idaho Department of Water Resources ("IDWR" or "Department") which seeks to change the location of three points of diversion described on Water Right Nos. 31-2350, 31-2362, 31-7301, 31-11230, and 31-11231 (the "USFWS Water Rights").

B. The Transfer was timely protested by the Protestants.

C. The primary concern of the Protestants is the change in location for one of the wells described on the USFWS Water Rights (denoted by the USFWS as Well #2) from the SE1/4SW1/4 of Section 13, Township 07N., Range 35E., to the NE1/4NW1/4 of Section 24, Township 07N. Range 35E.

D. Well #2 is close to the Protestants' wells that divert under its water rights in an area known as Buck Springs.

E. In lieu of participating in an administrative hearing for the Transfer, as provided for under Idaho law, the Parties hereby agree as set forth below, pursuant to IDAPA 37.01.01.612, the result of which is withdrawal of the Protestants' protests and issuance of an approvals for the Transfer.

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MAY 30 2023

AGREEMENTS:

1. **Withdrawal of Protests**. Subject to the provisions of this Stipulation, the Protestants hereby withdraws their protests to the Transfer.

2. **Conditions to be Included in Final Approval of the Transfer Concerning Operation of Well #2**. The following conditions shall be included in the Final Order approving the Transfer and included in the conditions of the applicable USFWS Water Rights:

> "Diversion of water from the well located in the NE1/4NW1/4 of Section 24, Township 07N., Range 35E., authorized under Transfer 86977, shall not exceed a maximum diversion rate of 10.00 cfs."

3. **Reservation of Rights**. The Parties agree and acknowledge that this Stipulation only resolves the protests to the Transfer and that the Protestants reserve all rights to protest on the same or similar bases other applications for permit, transfer, and other proceedings that may be initiated before the Department by USFWS. The Parties shall not use this Stipulation in any other administrative or judicial proceedings for any purpose, other than an action to enforce its terms as provided in paragraph 7 below.

4. **Reliance Upon Statements/Integration and Merger**. The Parties hereto specifically acknowledge that they were represented by counsel in this matter and agree that other than as is set forth herein, they have executed this Stipulation without relying upon any statements or representations written or oral, as to any statement of law or fact made by any other party or attorney. The Parties to this Stipulation have read and understand the Stipulation and warrant and represent that this Stipulation is executed voluntarily and without duress or undue influence on the part of or on behalf of any party. This Stipulation represents the sole entire and integrated Stipulation by and between the Parties hereto and supersedes any and all prior understandings or agreements whether written or oral except as specifically provided herein.

5. **Successors and Assigns**. This Stipulation shall be binding upon and shall inure to the benefit of each Parties' officers, directors, shareholders, heirs, successors and assigns, and shall be specifically enforceable.

6. **Waiver and Modification**. No provision of this Stipulation may be waived, modified, or amended except by written agreement executed by all the Parties hereto.

7. **Enforcement and Interpretation**. This Stipulation is a valid and binding obligation of the Parties, and their successors or assigns. It shall be admissible and enforceable according to its terms, and venue in any subsequent action shall rest within the State of Idaho. This Stipulation is subject to interpretation in accordance with the laws of the State of Idaho.

8. **Counterparts**. This Stipulation may be executed in counterparts, each of which is

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MAY 30 2023

deemed an original but all of which constitute one and the same instrument. The signature pages may be detached from each counterpart and combined into one instrument.

9. **Attorney Fees**. Each party shall bear their own attorney fees, costs, and expenses associated with the Transfer. In any suit, action or appeal therefrom, to enforce this Stipulation or any term or provision hereof, or to interpret this Stipulation, the prevailing Party shall be entitled to recover all its costs reasonably incurred therein (and on appeal), including reasonable attorney fees.

UNITED STATES FISH AND WILDLIFE SERVICE

Digitally signed by FRANK WILSON
Date: 2023.04.28 10:11:56 -07'00'

Date: _____

By: Frank S. Wilson, Office of the Regional Solicitor
Attorneys for the United States Fish and Wildlife Service

MUD LAKE WATER USERS, INC.

Date: May 15, 2023

By: Robert L. Harris, of the firm Holden, Kidwell, Hahn, & Crapo, P.L.L.C.
Attorneys for Mud Lake Water Users, Inc.

INDEPENDENT WATER USERS OF MUD LAKE, INC.

Date: May 15 2023

By: Keith Shuldberg, President

SCANNED
MAY 30 2023

Cefalo, James

From: Cefalo, James
Sent: Wednesday, May 17, 2023 10:08 AM
To: 'Rob Harris'; Wilson, Frank S
Cc: Steve Shively; kkfshuldberg@yahoo.com
Subject: RE: Camas National Wildlife Refuge water right transfer protest; Transfer No. 86977

Rob,

Thank you for notifying me of the resolution and for sending a copy of the Stipulation for Withdrawal of Protests. I recognize that chasing down signatures can take time and will plan on Keith Shuldberg signing the document on behalf of Independent Water Users by the end of the week.

Your email notes that today marks the deadline for propounding written discovery requests in the contested case. Given the imminent resolution of protests, I agree that the deadline for discovery requests should be vacated. This email confirms that the May 17, 2023, deadline for serving written discovery requests is vacated. The remaining dates and the hearing will be vacated once the stipulation is fully executed.

I appreciate all the parties being willing to engage in discussions to resolve the issues of protest.

James

IDAHO DEPARTMENT OF WATER RESOURCES
James Cefalo | Regional Manager
900 N Skyline Drive, Idaho Falls, ID 83402
(208) 525-7161 | www.idwr.idaho.gov

From: Rob Harris <rharris@holdenlegal.com>
Sent: Wednesday, May 17, 2023 9:16 AM
To: Wilson, Frank S <Frank.Wilson@sol.doi.gov>; Cefalo, James <James.Cefalo@idwr.idaho.gov>
Cc: Steve Shively <shively_steve@yahoo.com>; kkfshuldberg@yahoo.com
Subject: Camas National Wildlife Refuge water right transfer protest; Transfer No. 86977

James:

The protestants to Transfer No. 86977 have resolved their protest to the transfer application. Attached is the stipulation signed by the FWS and MLWU, but we have been waiting for Independent's signature for several weeks now. I am told that I will receive it today, or at a minimum, that Keith Shuldberg will be in Idaho Falls tomorrow to sign the document. Please consider this email a verification that the transfer protests have been resolved.

Today is a discovery deadline for the parties to submit discovery requests. The FWS has been relying upon my representations that the signatures are on their way, and as a result, if for any reason Independent does not sign the stipulation (and I emphasize that Keith is planning to sign), the FWS should be provided additional time to submit discovery requests.

Based on Independent's representations, I would move forward with preparing the final paperwork for the transfer approval with the stipulated condition described in the stipulation as the FWS would like to move forward with their contractor to begin construction of the new well.

SCANNED
MAY 30 2023

Let me know if you have any questions. Because of the attachments, please confirm that you received this email.

Thanks,

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, PLLC
1000 Riverwalk Drive, Suite 200
P.O. Box 50130
Idaho Falls, ID 83405-0130
Phone: (208) 523-0620
Fax: (208) 523-9518
E-Mail: rharris@holdenlegal.com

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SCANNED
MAY 30 2023

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR TRANSFER 86977 IN THE NAME OF U.S. FISH AND WILDLIFE SERVICE	)	**NOTICE OF HEARING AND SCHEDULING ORDER**

NOTICE OF HEARING

On September 12, 2022, U.S. Fish and Wildlife Service filed Application for Transfer No. 86977 with the Idaho Department of Water Resources ("Department"). Protests were filed by Mud Lake Water Users, Inc. ("MLWU") and Independent Water Users, Inc. ("IWU"). The Department held an informal settlement conference on February 15, 2023.

On April 5, 2023, the department conducted a pre-hearing conference. The parties asked the Department to schedule an administrative hearing to decide this contested case. The department has scheduled this matter for hearing on **August 24-25, beginning at 9:00 am, at the Idaho Department of Water Resources Eastern Region Office,** located at 900 N Skyline Dr., Suite A, Idaho Falls, ID.

The presiding officer at the hearing will be James Cefalo, whose mailing address is 900 N. Skyline Dr., Ste A, Idaho Falls, ID 83402-1718.

The hearing will be held in accordance with the provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, Idaho Code, the department's Rules of Procedure (IDAPA 37.01.01), and the department's Water Appropriation Rules (IDAPA 37.03.08). A copy of the code and rules may be obtained from the department's website, www.idwr.idaho.gov, or upon request.

All parties appearing in the matter will have the opportunity to present information, examine witnesses, and provide argument on issues related to the contested application.

The hearing will be conducted in a facility that satisfies the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in, or understand the conference, please notify the department at least (10) days prior to the hearing. Inquiries about scheduling or hearing facilities should be directed to Christina Henman at (208) 525-7161.

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APR 21 2023

SCHEDULING ORDER

1. Discovery may begin immediately. Written discovery requests must be filed on or before May 17, 2023.

2. Responses to written discovery must be served on the requesting party within 30 days of the discovery request. Therefore, written discovery will be completed by June 16, 2023.

3. Expert Reports, if any are prepared, must be served on the other parties and the hearing officer on or before June 30, 2023.

4. On or before August 10, 2023, each party must disclose to all other parties and the hearing officer, in writing, the identity of all witnesses that may testify for the party at the hearing and provide a copy of all proposed exhibits, including any rebuttal expert reports. These documents may be served electronically, but the parties must bring two extra copies of the proposed exhibits to the hearing (one copy for the witness stand and one copy for the hearing officer.)

5. To avoid duplication of exhibit numbers, the parties should use the following numbers for proposed exhibits:

Applicants U.S. Fish and Wildlife Service	Exhibits 1-100
Protestants MLWU and IWU	Exhibits 101-200

Dated this 21st day of April, 2023

James Cefalo
Hearing Officer

SCANNED
APR 21 2023

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of April, 2023, true and correct copies of the documents described below were served by placing a copy of the same with the United States Postal Service, certified mail with return receipt requested, postage prepaid and properly addressed to the following:

Document Served: Notice of Hearing and Scheduling Order

CERTIFIED MAIL Application for Transfer No. 86977

U.S. FISH AND WILDLIFE SERVICE
C/O RACHEL ESRALEW
911 NE 11TH AVE
PORTLAND, OR 97232
Rachel_esralew@fws.gov

FRANK WILSON
OFFICE OF THE REGIONAL SOLICITOR
601 SW 2ND AVE, STE 1950
PORTLAND, OR 97204
Frank.wilson@sol.doi.gov

MUD LAKE WATER USERS, INC
PO BOX 68
TERRETON, ID 83450
Mudlakeh20@gmail.com

HOLDEN KIDWELL HAHN & CRAPO
ROBERT L HARRIS
PO BOX 50130
IDAHO FALLS, ID 83402
rharris@holdenlegal.com

INDEPENDENT WATER USERS, INC
C/O KEITH SHULDBERG
1785 N 1800 E
HAMER, ID 83425
kkfshuldberg@yahoo.com

Christina Henman
Administrative Assistant

SCANNED
APR 21 2023

Cefalo, James

From: Cefalo, James
Sent: Wednesday, April 5, 2023 11:45 AM
To: Wilson, Frank S; Esralew, Rachel; Wehausen, Brian; Rob Harris; kkfshuldberg@yahoo.com
Cc: Henman, Christina
Subject: Water Rights near Buck Springs
Attachments: Water Rights at Buck Springs Complex.xlsx

Dear Parties:

Thank you for participating in the pre-hearing conference this morning. We spent some time discussing the relative priority dates of the water rights held by Mud Lake Water Users, Independent Water Users, and the Fish & Wildlife Service. Attached is a spreadsheet I put together this morning to assist with any possible settlement discussions. I made a few adjustments to the spreadsheet after the meeting to make it easier to read. Because I am the designated presiding officer in this case, this spreadsheet cannot be used as an exhibit if we go to hearing. All the information in the spreadsheet is found in the Department's water right records, so you all should be able to create a similar summary.

One thing I failed to mention this morning but is important to note. Because we have now moved into formal proceedings and I am the designated hearing officer, you should not contact me about substantive issues in the case without including the other parties in the correspondence. Feel free to contact Christina Henman if you have questions about scheduling, facilities, or technology needs.

James

IDAHO DEPARTMENT OF
WATER RESOURCES
James Cefalo | Regional Manager
900 N Skyline Drive, Idaho Falls, ID 83402
(208) 525-7161 | www.idwr.idaho.gov

SCANNED
APR 21 2023

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR TRANSFER 86977 IN THE NAME OF U.S. FISH AND WILDLIFE SERVICE	))))	**NOTICE OF PRE-HEARING CONFERENCE**

On September 12, 2022, U.S. Fish and Wildlife Service filed Application for Transfer No. 86977 with the Idaho Department of Water Resources ("Department"). Protests were filed by Mud Lake Water Users, Inc. and Independent Water Users, Inc. The Department held an informal settlement conference on February 15, 2023. The parties requested that a prehearing conference be held.

The department has scheduled this matter for a telephone pre-hearing conference to be held on April 5, 2023, beginning at 9:00 am MST.

Please use the following numbers to participate via Webex. Participation options are detailed on a separate document included with this notice.

Meeting number (access code): 2458 965 1855
Meeting password: IDWR2023

1-lost key
272 712

The presiding officer will be James Cefalo.

Agenda items for the pre-hearing conference will include:

1. Review of the application.

2. Identify issues of protest.

3. Designate target date for conducting administrative hearing if resolution is not possible during the pre-hearing conference.

4. Set dates for discovery and pre-hearing disclosures.

The department encourages the applicant and protestants to discuss and resolve the protests before the pre-hearing conference. If private discussions are not possible or do not resolve the protests, the department's Rules of Procedure provide for a pre-hearing conference to be held before scheduling a formal hearing.

The pre-hearing conference provides another informal opportunity for the applicant and protestants to meet. The parties often settle their differences at the pre-hearing conference. If a formal hearing is needed to resolve the protests, the pre-hearing conference serves as an opportunity to formulate or simplify the issues, obtain concessions of fact or identification of documents to avoid unnecessary proof, schedule discovery (when discovery is allowed), arrange for the exchange of proposed exhibits or prepared testimony,

SCANNED
FEB 17 2023

limit witnesses, schedule hearings, establish procedure at hearings, and address other matters that may expedite orderly conduct and disposition of the proceeding.

It is important for all parties to give considerable thought to each of these matters before appearing at the pre-hearing conference and to make the most of the opportunity to resolve the dispute informally.

The pre-hearing conference will be conducted in a facility that satisfies the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in, or understand the pre-hearing conference, please notify the department at least (10) days prior to the hearing. Inquiries about scheduling, hearing facilities, etc., should be directed to Christina Henman, (208)525-7161.

Dated this 17th day of February, 2022

James Cefalo
Regional Manager

SCANNED
FEB 17 2023

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of February, 2022, true and correct copies of the documents described below were served by placing a copy of the same with the United States Postal Service, postage prepaid and properly addressed to the following:

Document Served: Notice Of Pre-Hearing Conference
Hearing Procedure for Application for Transfer

U.S. FISH AND WILDLIFE SERVICE
C/O RACHEL ESRALEW
911 NE 11TH AVE
PORTLAND, OR 97232
Rachel_esralew@fws.gov

MUD LAKE WATER USERS INC
PO BOX 68
TERRETON, ID 83450
Mudlakeh20@gmail.com

HOLDEN KIDWELL HAHN & CRAPO
ROBERT L HARRIS
PO BOX 50130
IDAHO FALLS, ID 83402
rharris@holdenlegal.com

INDEPENDENT WATER USERS INC
C/O KEITH SHULDBERG
1785 N 1800 E
HAMER, ID 83425
kkfshuldberg@yahoo.com

Christina Henman
Administrative Assistant

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FEB 17 2023

PRE-HEARING CONFERENCE AND/OR HEARING PROCEDURE APPLICATION FOR TRANSFER

ISSUES

Applications for transfer are filed for the purpose of changing a point of diversion, purpose of use, period of use or nature of use of all or part of a licensed, decreed or statutory water right. Section 42-222, Idaho Code, identifies the following potential issues for the department to consider in connection with an application for transfer:

1. Will the proposed transfer reduce the quantity of water under existing water rights?
2. Will the proposed transfer constitute an enlargement in use of the original right?
3. Will the proposed transfer be contrary to the conservation of water resources within the State of Idaho?
4. Will the proposed transfer conflict with the local public interest, where local public interest is defined as interests that the people in the area directly affected by a proposed water use and its potential effects on the public water source?
5. Will the proposed transfer adversely affect the local economy of the watershed or local area within which the source of water for the proposed use originates, in the case where the place of use is outside of the watershed or local area where the source of water originates?
6. If the proposed transfer is for a municipal use, is it necessary to provide reasonably anticipated future needs for a municipal service area and is the planning horizon consistent with Sections 42-222 and 42-202B, Idaho Code?
7. Will the proposed transfer change the nature of use from an agricultural use, and would such a change significantly affect the agricultural base of the local area?

BURDEN OF PROOF

The applicant has the initial burden of proof for issues 1, 2, 3, 5, 6, and 7 above and must provide evidence for the department to evaluate these criteria.

The initial burden of proof on issue 5, if applicable, lies with both the applicant and protestant as to factors of which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

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FEB 17 2023

CONFERENCE

The purpose of a pre-hearing conference is to provide the opportunity for the parties and the department to familiarize themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues to avoid unnecessary proof, identify documents, schedule discovery, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement or make settlement offers, schedule hearings, establish procedure at hearing, and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement. When attending the conference, please bring a calendar with your schedule for the next two–six month period from the date of the prehearing conference for the purpose of scheduling a hearing. Parties will be expected to discuss their availability at the prehearing conference for the purpose of scheduling the hearing.

HEARING

A hearing may be conducted according to Sections 42-1701A(1) and (2), Idaho Code and the department's Rules of Procedure. Copies of Idaho Code and the department's rules are available upon request or by accessing the department's website at: www.idwr.idaho.gov. The department records formal hearings, and copies of a hearing recording are available upon request. There may be a charge for reproducing the recording.

The hearing will likely be conducted by a hearing officer appointed by the Director rather than by the Director himself. If so, the hearing officer will prepare a recommended or preliminary order. Parties can petition for reconsideration of a decision or file exceptions. A brief to support exceptions may request oral argument. Parties may seek judicial review of any final order issued by the Director.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer.

AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please notify the department no later than ten (10) days prior to the hearing.

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FEB 17 2023

TO USE WEBEX

Meeting number (access code): 2458 965 1855
Meeting password: IDWR2023

Using Your Computer:

- Calendar invitations were sent to email addresses provided. Simply click the link included to join the meeting, and follow on-screen instructions.

Using the Mobile app:

- Download WebEx Meetings to your mobile device. (App is free.)
- Click Join Meeting.
- Enter Meeting Number, name, and email address.
- Click 'join'.
    - If you intend to share documents, maps, images, etc. please ensure that you have granted the WebEx app the appropriate permissions to access those documents before the meeting.

Using Your Telephone: (No video or internet required)

- Call 1-415-655-0001
- Follow Prompts

More options are included in the emailed link. If you have any questions, need a copy of the invitation sent to another email address, or otherwise need the link, feel free to contact Christina Henman at (208) 525-7161 or christina.henman@idwr.idaho.gov.

SCANNED
FEB 17 2023

Cefalo, James

From: Cefalo, James
Sent: Wednesday, February 15, 2023 2:33 PM
To: Wilson, Frank S; Esralew, Rachel; Wehausen, Brian; Rob Harris; kkfshuldberg@yahoo.com; mudlakeh2o@gmail.com
Subject: Well Driller's Reports
Attachments: Buck Springs Area Well Log 1.pdf; Buck Springs Area Well Log 2.pdf; Buck Springs Area Well Log 3.pdf; Buck Springs Area Well Log 4.pdf; Buck Springs Area Well Log 5.pdf; Buck Springs Area Well Log 6.pdf

Dear Parties:

Thank you for your time this afternoon and for being willing to engage in settlement discussions. Attached are six well reports from the Buck Springs area. The wells are all fairly shallow, and the reports do not show a significant clay layer until about 130 feet below land surface.

I also found that the Department has monitored ground water levels in one of the wells in the Buck Springs area since 2015. The well is identified as 07N 35E 13 CCC2 and the data can be found through a map available on the Department's website. The data collected since 2015 shows a seasonal fluctuation in the water table. The data confirms a statement made during the conference that the aquifer reaches a low point in late summer and rebounds over the non-irrigation season.

James

IDAHO DEPARTMENT OF WATER RESOURCES
James Cefalo | Regional Manager
900 N Skyline Drive, Idaho Falls, ID 83402
(208) 525-7161 | www.idwr.idaho.gov

SCANNED
FEB 17 2023

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR TRANSFER 86977 IN THE NAME OF U.S. FISH AND WILDIFE SERVICE	)	**AMENDED NOTICE OF INFORMAL SETTLEMENT CONFERENCE**

On September 12, 2022, U.S. Fish and Wildlife Service filed Application for Water Right Transfer No. 86977 with the Idaho Department of Water Resources ("Department"). Protests were filed by Mud Lake Water Users, Inc. and Independent Water Users, Inc. The Department initially scheduled this case for an informal settlement conference on December 20, 2022, which was rescheduled until January 11, 2023. The parties requested that the conference be postponed for one month to allow further development of a potential resolution.

The department has rescheduled this case for an informal settlement conference on **February 15, 2023** beginning at **1:00 pm**. The applicant and protestant(s) must attend.

Please use the following numbers to participate via Webex. Participation options are detailed on a separate document included with this notice.

Meeting number (access code): 2459 103 9938
Meeting password: IDWR2023

Agenda items for the informal settlement conference will include:

1. Review of the application and protest(s),
2. Additional informational needs,
3. Settlement options,
4. Need for additional informal proceedings or alternative dispute resolution options, and
5. Commencement of formal proceedings.

The Department encourages the applicant and protestant(s) to discuss and resolve the protest(s) before the informal settlement conference. If private discussions are not possible or do not resolve the protest(s), the informal settlement conference provides another opportunity for the applicant and protestant(s) to meet before commencing a formal hearing. Parties often settle their differences at the informal settlement conference.

If informal proceedings are unlikely to resolve this contested case, the Department will initiate formal proceedings by issuing a notice of prehearing conference and identifying a

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JAN 20 2023

presiding officer. It is important for all parties to make the most of the opportunity to resolve the dispute informally.

The informal settlement conference will be conducted in a facility that satisfies the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in, or understand the pre-hearing conference, please notify the Department at least ten (10) days prior to the conference. Inquiries about scheduling, hearing facilities, etc., should be directed to Christina Henman at 208-525-7161 or christina.henman@idwr.idaho.gov.

Dated this 20th day of January, 2023

James Cefalo
Regional Manager

SCANNED
JAN 20 2023

CERTIFICATE OF SERVICE

I certify that on the 20th day of January, 2023, true and correct copies of the documents described below were served by placing a copy of the same with the United States Postal Service, postage prepaid and properly addressed to the following:

Document Served: Amended Notice of Informal Settlement Conference

U.S. FISH AND WILDLIFE SERVICE
C/O RACHEL ESRALEW
911 NE 11TH AVE
PORTLAND, OR 97232
Rachel_esralew@fws.gov

MUD LAKE WATER USERS INC
PO BOX 68
TERRETON, ID 83450
Mudlakeh20@gmail.com

HOLDEN KIDWELL HAHN & CRAPO
ROBERT L HARRIS
PO BOX 50130
IDAHO FALLS, ID 83402
rharris@holdenlegal.com

INDEPENDENT WATER USERS INC
C/O KEITH SHULDBERG
1785 N 1800 E
HAMER, ID 83425
kkfshuldberg@yahoo.com

Christina Henman
Administrative Assistant

SCANNED
JAN 20 2023

TO USE WEBEX

Meeting number (access code): 2459 103 9938
Meeting password: IDWR2023

Using Your Computer:

- Calendar invitations were sent to email addresses provided. Simply click the link included to join the meeting, and follow on-screen instructions.

Using the Mobile app:

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- Click Join Meeting.
- Enter Meeting Number, name, and email address.
- Click 'join'.
    - If you intend to share documents, maps, images, etc. please ensure that you have granted the WebEx app the appropriate permissions to access those documents before the meeting.

Using Your Telephone: (No video or internet required)

- Call 1-415-655-0001
- Follow Prompts

More options are included in the emailed link. If you have any questions, need a copy of the invitation sent to another email address, or otherwise need the link, feel free to contact Christina Henman at (208) 525-7161 or christina.henman@idwr.idaho.gov.

SCANNED
JAN 20 2023

Cefalo, James

From: Cefalo, James
Sent: Monday, January 9, 2023 2:57 PM
To: 'Esralew, Rachel'; Henman, Christina; mudlakeh2o@gmail.com; rharris@holdenlegal.com; kkfshuldberg@yahoo.com
Cc: Wehausen, Brian; Lindenberg, Mary; Chappell, Michelle; Wilson, Frank S
Subject: RE: [EXTERNAL] 86977 USFW Informal Settlement Conference

Thank you for the update, Rachel. I am happy to hear that USFWS and the protestants are exploring ideas to resolve the issues of protest. I don't have any concerns about delaying the contested case by one month to allow additional time for settlement discussions. Therefore, **the informal settlement conference scheduled for January 11th at 9:00 am is cancelled.** Your proposal to reschedule the conference for February 15th works for me. Christina will reach out to the protestants later this week to see if February 15th will work for them.

James

IDAHO DEPARTMENT OF WATER RESOURCES
James Cefalo | Regional Manager
900 N Skyline Drive, Idaho Falls, ID 83402
(208) 525-7161 | www.idwr.idaho.gov

From: Esralew, Rachel <Rachel_Esralew@fws.gov>
Sent: Monday, January 9, 2023 1:19 PM
To: Henman, Christina <Christina.Henman@idwr.idaho.gov>; Cefalo, James <James.Cefalo@idwr.idaho.gov>; mudlakeh2o@gmail.com; rharris@holdenlegal.com; kkfshuldberg@yahoo.com
Cc: Wehausen, Brian <brian_wehausen@fws.gov>; Lindenberg, Mary <mary_lindenberg@fws.gov>; Chappell, Michelle <michelle_chappell@fws.gov>; Wilson, Frank S <Frank.Wilson@sol.doi.gov>
Subject: Re: [EXTERNAL] 86977 USFW Informal Settlement Conference

Good afternoon,

We are requesting a 1-month postponement of our pre-hearing conference call scheduled for this Wednesday 1/11 at 9am. We've had several meetings with protestants over the past few months, and we are in the process of developing an agreement between parties on the timing of some well operations at certain times of year/certain conditions. We'd like more time to work through this agreement, and we remain hopeful that we can resolve the protest and not need a pre-hearing conference call; however, we would still like to proceed with booking the meeting 1 month out just to keep it on the calendar in case needed.

Tentatively rescheduling the call for Wednesday February 15th at 9am will work best for FWS, but we defer to others on what may work for scheduling in that timeframe.

Thank you,

Rachel Esralew
Water Resources Branch Chief - Supervisory Hydrologist
U.S. Fish and Wildlife Service

SCANNED
JAN 19 2023

United States Department of the Interior

FISH AND WILDLIFE SERVICE
911 NE 11th Avenue
Portland, Oregon 97232-4181

In Reply Refer to:
FWS/R1

RECEIVED
Dec 16, 2022
DEPARTMENT OF
WATER RESOURCES

December 16, 2022

Idaho Department of Water Resources Eastern Region
900 N Skyline Dr. Suite A
Idaho Falls, ID 83402-1718

Subject: Request Extension of Time to Complete Transfer T-85002 (WR 31-3250, 31-2362, 31-7301, 31-11230, 31-11231) for Water Rights at Camas National Wildlife Refuge

The U.S. Fish and Wildlife Service wishes to submit the form for extension of time to complete transfer T-85002. The reason for the request for extension of time is because well locations identified in the transfer application were found not conducive for optimal drilling, construction, and power supply, and require a minor adjustment in location. To account for this minor adjustment, the U.S. Fish and Wildlife Service applied for a transfer of these water rights with new locations on September 7, 2022 (T-86977).

If you have any questions or need further information, please contact me at Rachel_Esralew@fws.gov, or at (916) 790-0645 (until 2024), then (503) 231-2395 (early 2024).

RACHEL ESRALEW
Digitally signed by RACHEL ESRALEW
Date: 2022.12.16 14:57:58 -08'00'

Rachel Esralew,
Water Resources Branch Chief, Supervisory Hydrologist
U.S. Fish and Wildlife Service
911 NE 11th Avenue
Portland, OR 97232-4181

Attachments:
(1) Request for Extension of Time to Complete Transfer Form

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DEC 20 2022

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR TRANSFER 86977 IN THE NAME OF U.S. FISH AND WILDIFE SERVICE	)	**AMENDED NOTICE OF INFORMAL SETTLEMENT CONFERENCE**

On September 12, 2022, U.S. Fish and Wildlife Service filed Application for Water Right Transfer No. 86977 with the Idaho Department of Water Resources ("Department"). Protests were filed by Mud Lake Water Users, Inc. and Independent Water Users, Inc.

The Department had initially scheduled this case for an informal settlement conference on December 20, 2022. Due to a scheduling conflict, the conference has been rescheduled for **January 11, 2023** beginning at **9:00 am**. The applicant and protestant(s) must attend.

Please use the following numbers to participate via Webex. Participation options are detailed on a separate document included with this notice.

Meeting number (access code): 2463 523 9976
Meeting password: IDWR2022

Agenda items for the informal settlement conference will include:

1. Review of the application and protest(s),
2. Additional informational needs,
3. Settlement options,
4. Need for additional informal proceedings or alternative dispute resolution options, and
5. Commencement of formal proceedings.

The Department encourages the applicant and protestant(s) to discuss and resolve the protest(s) before the informal settlement conference. If private discussions are not possible or do not resolve the protest(s), the informal settlement conference provides another opportunity for the applicant and protestant(s) to meet before commencing a formal hearing. Parties often settle their differences at the informal settlement conference.

If informal proceedings are unlikely to resolve this contested case, the Department will initiate formal proceedings by issuing a notice of prehearing conference and identifying a presiding officer. It is important for all parties to make the most of the opportunity to resolve the dispute informally.

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DEC 08 2022

The informal settlement conference will be conducted in a facility that satisfies the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in, or understand the pre-hearing conference, please notify the Department at least ten (10) days prior to the conference. Inquiries about scheduling, hearing facilities, etc., should be directed to Christina Henman at 208-525-7161 or christina.henman@idwr.idaho.gov.

Dated this 8th day of December, 2022

James Cefalo
Regional Manager

SCANNED
DEC 08 2022

CERTIFICATE OF SERVICE

I certify that on the 8th day of December, 2022, true and correct copies of the documents described below were served by placing a copy of the same with the United States Postal Service, postage prepaid and properly addressed to the following:

U.S. FISH AND WILDLIFE SERVICE
C/O RACHEL ESRALEW
911 NE 11TH AVE
PORTLAND, OR 97232
Rachel_esralew@fws.gov

MUD LAKE WATER USERS INC
PO BOX 68
TERRETON, ID 83450
Mudlakeh20@gmail.com

HOLDEN KIDWELL HAHN & CRAPO
ROBERT L HARRIS
PO BOX 50130
IDAHO FALLS, ID 83402
rharris@holdenlegal.com

INDEPENDENT WATER USERS INC
C/O KEITH SHULDBERG
1785 N 1800 E
HAMER, ID 83425
kkfshuldberg@yahoo.com

Christina Henman
Administrative Assistant

SCANNED
DEC 08 2022

INFORMAL SETTLEMENT CONFERENCE PROCEDURE

APPLICATION FOR TRANSFER

ISSUES

Applications for transfer are filed for the purpose of changing a point of diversion, purpose of use, period of use or nature of use of all or part of a licensed, decreed or statutory water right. Section 42-222, Idaho Code, identifies the following potential issues that the Idaho Department of Water Resources (Department) considers in connection with an application for transfer:

1. Will the proposed transfer reduce the quantity of water under existing water rights?
2. Will the proposed transfer constitute an enlargement in use of the original water right?
3. Will the proposed transfer be contrary to the conservation of water resources within the State of Idaho?
4. Will the proposed transfer conflict with the local public interest, where local public interest is defined as interests that the people in the area directly affected by a proposed water use and its potential effects on the public water source?
5. Will the proposed transfer adversely affect the local economy of the watershed or local area within which the source of water for the proposed use originates, in the case where the place of use is outside of the watershed or local area where the source of water originates?
6. Is the proposed transfer consistent with the requirements for municipal providers, if applicable?
7. Will the proposed transfer change the nature of use from an agricultural use, and would such a change significantly affect the agricultural base of the local area?

BURDEN OF PROOF

The applicant has the initial burden of proof for issues 1, 2, 3, 5, 6, and 7 above and must provide evidence for the Department to evaluate these criteria.

The initial burden of proof on issue 4 lies with both the applicant and protestant as to factors of which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for all of these issues.

SCANNED
DEC 08 2022

PROCEDURE

The Department generally conducts an informal settlement conference with the parties to determine the issues and to try to settle a protested matter before the formal hearing process starts. The formal hearing process commences with a prehearing conference, which may require parties to be represented by an attorney.

INFORMAL SETTLEMENT CONFERENCE

The purpose of an informal settlement conference is to provide the opportunity for the parties and the Department to familiarize themselves with a protested matter and to attempt to resolve the matter. At the conference, the Department and the parties will discuss the application and protests, explore settlement options, discuss additional informational needs, evaluate the need for additional informal proceedings or alternative dispute resolution options such as mediation, and discuss the commencement of formal proceedings. When attending the conference, please bring a calendar with your schedule for the next two–six month period from the date of the informal settlement conference for the purpose of scheduling follow-up conferences, if needed.

HEARING

If the parties do not resolve the matter at the informal settlement conference, a formal hearing process may be commenced according to Sections 42-1701A(1) and (2), Idaho Code and the Department's Rules of Procedure. Copies of Idaho Code and the Department's rules are available upon request or by accessing the Department's website at: www.idwr.idaho.gov. The Department records formal hearings, and copies of a hearing recording are available upon request. There may be a charge for reproducing the recording.

If necessary, the hearing will likely be conducted by a hearing officer appointed by the Director rather than by the Director himself. The hearing officer will be designated in a notice of prehearing conference that commences the formal hearing process.

AMERICANS WITH DISABILITIES ACT

Any scheduled conferences or hearing will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing, please notify the Department no later than ten (10) days prior to the conference or hearing.

SCANNED
DEC 08 2022

TO USE WEBEX

Meeting number (access code): 2463 523 9976
Meeting password: IDWR2022

Using Your Computer:

- Calendar invitations were sent to email addresses provided. Simply click the link included to join the meeting, and follow on-screen instructions.

Using the Mobile app:

- Download WebEx Meetings to your mobile device. (App is free.)
- Click Join Meeting.
- Enter Meeting Number, name, and email address.
- Click 'join'.
    - If you intend to share documents, maps, images, etc. please ensure that you have granted the WebEx app the appropriate permissions to access those documents before the meeting.

Using Your Telephone: (No video or internet required)

- Call 1-415-655-0001
- Follow Prompts

More options are included in the emailed link. If you have any questions, need a copy of the invitation sent to another email address, or otherwise need the link, feel free to contact Christina Henman at (208) 525-7161 or christina.henman@idwr.idaho.gov.

SCANNED
DEC 08 2022

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR TRANSFER 86977 IN THE NAME OF U.S. FISH AND WILDIFE SERVICE	)	**NOTICE OF INFORMAL SETTLEMENT CONFERENCE**

On September 12, 2022, U.S. Fish and Wildlife Service filed Application for Water Right Transfer No. 86977 with the Idaho Department of Water Resources ("Department"). Protests were filed by Mud Lake Water Users, Inc. and Independent Water Users, Inc.

The Department has scheduled this case for an informal settlement conference on **December 20, 2022** beginning at **9:00 am**. The applicant and protestant(s) must attend.

Please use the following numbers to participate via Webex. Participation options are detailed on a separate document included with this notice.

Meeting number (access code): 2463 523 9976
Meeting password: IDWR2022

Agenda items for the informal settlement conference will include:

1. Review of the application and protest(s),
2. Additional informational needs,
3. Settlement options,
4. Need for additional informal proceedings or alternative dispute resolution options, and
5. Commencement of formal proceedings.

The Department encourages the applicant and protestant(s) to discuss and resolve the protest(s) before the informal settlement conference. If private discussions are not possible or do not resolve the protest(s), the informal settlement conference provides another opportunity for the applicant and protestant(s) to meet before commencing a formal hearing. Parties often settle their differences at the informal settlement conference.

If informal proceedings are unlikely to resolve this contested case, the Department will initiate formal proceedings by issuing a notice of prehearing conference and identifying a presiding officer. It is important for all parties to make the most of the opportunity to resolve the dispute informally.

SCANNED
NOV 25 2022

The informal settlement conference will be conducted in a facility that satisfies the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in, or understand the pre-hearing conference, please notify the Department at least ten (10) days prior to the conference. Inquiries about scheduling, hearing facilities, etc., should be directed to Christina Henman at 208-525-7161 or christina.henman@idwr.idaho.gov.

Dated this 25th day of November, 2022

James Cefalo
Regional Manager

SCANNED
NOV 25 2022

CERTIFICATE OF SERVICE

I certify that on the 25th day of November, 2022, true and correct copies of the documents described below were served by placing a copy of the same with the United States Postal Service, postage prepaid and properly addressed to the following:

U.S. FISH AND WILDLIFE SERVICE
C/O RACHEL ESRALEW
911 NE 11TH AVE
PORTLAND, OR 97232
Rachel_esralew@fws.gov

MUD LAKE WATER USERS INC
PO BOX 68
TERRETON, ID 83450
Mudlakeh20@gmail.com

HOLDEN KIDWELL HAHN & CRAPO
ROBERT L HARRIS
PO BOX 50130
IDAHO FALLS, ID 83402
rharris@holdenlegal.com

INDEPENDENT WATER USERS INC
C/O KEITH SHULDBERG
1785 N 1800 E
HAMER, ID 83425
kkfshuldberg@yahoo.com

Christina Henman
Administrative Assistant

SCANNED
NOV 25 2022

INFORMAL SETTLEMENT CONFERENCE PROCEDURE

APPLICATION FOR TRANSFER

ISSUES

Applications for transfer are filed for the purpose of changing a point of diversion, purpose of use, period of use or nature of use of all or part of a licensed, decreed or statutory water right. Section 42-222, Idaho Code, identifies the following potential issues that the Idaho Department of Water Resources (Department) considers in connection with an application for transfer:

1. Will the proposed transfer reduce the quantity of water under existing water rights?
2. Will the proposed transfer constitute an enlargement in use of the original water right?
3. Will the proposed transfer be contrary to the conservation of water resources within the State of Idaho?
4. Will the proposed transfer conflict with the local public interest, where local public interest is defined as interests that the people in the area directly affected by a proposed water use and its potential effects on the public water source?
5. Will the proposed transfer adversely affect the local economy of the watershed or local area within which the source of water for the proposed use originates, in the case where the place of use is outside of the watershed or local area where the source of water originates?
6. Is the proposed transfer consistent with the requirements for municipal providers, if applicable?
7. Will the proposed transfer change the nature of use from an agricultural use, and would such a change significantly affect the agricultural base of the local area?

BURDEN OF PROOF

The applicant has the initial burden of proof for issues 1, 2, 3, 5, 6, and 7 above and must provide evidence for the Department to evaluate these criteria.

The initial burden of proof on issue 4 lies with both the applicant and protestant as to factors of which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for all of these issues.

SCANNED
NOV 25 2022

PROCEDURE

The Department generally conducts an informal settlement conference with the parties to determine the issues and to try to settle a protested matter before the formal hearing process starts. The formal hearing process commences with a prehearing conference, which may require parties to be represented by an attorney.

INFORMAL SETTLEMENT CONFERENCE

The purpose of an informal settlement conference is to provide the opportunity for the parties and the Department to familiarize themselves with a protested matter and to attempt to resolve the matter. At the conference, the Department and the parties will discuss the application and protests, explore settlement options, discuss additional informational needs, evaluate the need for additional informal proceedings or alternative dispute resolution options such as mediation, and discuss the commencement of formal proceedings. When attending the conference, please bring a calendar with your schedule for the next two–six month period from the date of the informal settlement conference for the purpose of scheduling follow-up conferences, if needed.

HEARING

If the parties do not resolve the matter at the informal settlement conference, a formal hearing process may be commenced according to Sections 42-1701A(1) and (2), Idaho Code and the Department's Rules of Procedure. Copies of Idaho Code and the Department's rules are available upon request or by accessing the Department's website at: www.idwr.idaho.gov. The Department records formal hearings, and copies of a hearing recording are available upon request. There may be a charge for reproducing the recording.

If necessary, the hearing will likely be conducted by a hearing officer appointed by the Director rather than by the Director himself. The hearing officer will be designated in a notice of prehearing conference that commences the formal hearing process.

AMERICANS WITH DISABILITIES ACT

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SCANNED
NOV 25 2022

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SCANNED
NOV 25 2022

IDAHO DEPARTMENT
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

November 3, 2022

U.S. FISH AND WILDLIFE SERVICE
C/O RACHEL ESRALEW
911 NE 11TH AVE
PORTLAND, OR 97232

HOLDEN KIDWELL HAHN & CRAPO
ROBERT L HARRIS
PO BOX 50130
IDAHO FALLS, ID 83402

MUD LAKE WATER USERS INC
PO BOX 68
TERRETON, ID 83450

INDEPENDENT WATER USERS INC
C/O KEITH SHULDBERG
1785 N 1800 E
HAMER, ID 83425

RE: Application for Transfer No. 86977

Dear Parties:

This letter acknowledges receipt of protests filed against the above-referenced transfer application from: Mud Lake Water Users, Inc. and Independent Water Users, Inc. The following options are available for the resolution of protested applications:

- Direct contact between the parties to determine the nature of the protest(s) and to attempt to resolve the protest(s). Sincere conversation between the parties prior to initiation of formal proceedings can often resolve protest(s).
- Discussions at an informal settlement conference between Department staff, the applicant(s), and the protestant(s). The enclosed document summarizes the informal settlement conference purpose and procedure.
- Formal proceedings administered by the Department after the informal settlement conference. If formal proceedings are necessary, the Department will schedule a prehearing conference to begin the process.

Please consider the best option(s) for resolution of the protested application.

Meanwhile, the Department will schedule an informal settlement conference pursuant to the Department's Rules of Procedure (IDAPA 37.01.01). **Please notify the Department within 14 days of any dates you are UNAVAILABLE to participate in an informal settlement conference in the next three months.** You may provide unavailable dates via mail or via email to the email address below. If you do not notify the Department of unavailable dates, the Department will assume you are available for the informal settlement conference on any date selected. The Department may schedule the informal settlement conference as a conference phone call or in-person. The Department will send notice of the informal settlement conference once it is scheduled.

SCANNED
NOV 03 2022

You may contact this office if you have any questions regarding the procedure discussed in this letter or additional information regarding the application, protest(s), water rights, and other matters administered by the Department is available on the Internet at www.idwr.idaho.gov.

Sincerely,

Christina Henman
Administrative Assistant
Christina.henman@idwr.idaho.gov
(208) 525-7161

Enclosure: Informal Settlement Conference Procedure

SCANNED
NOV 03 2022

INFORMAL SETTLEMENT CONFERENCE PROCEDURE

APPLICATION FOR TRANSFER

ISSUES

Applications for transfer are filed for the purpose of changing a point of diversion, purpose of use, period of use or nature of use of all or part of a licensed, decreed or statutory water right. Section 42-222, Idaho Code, identifies the following potential issues that the Idaho Department of Water Resources (Department) considers in connection with an application for transfer:

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5. Will the proposed transfer adversely affect the local economy of the watershed or local area within which the source of water for the proposed use originates, in the case where the place of use is outside of the watershed or local area where the source of water originates?
6. Is the proposed transfer consistent with the requirements for municipal providers, if applicable?
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BURDEN OF PROOF

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SCANNED
NOV 03 2022

PROCEDURE

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INFORMAL SETTLEMENT CONFERENCE

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If the parties do not resolve the matter at the informal settlement conference, a formal hearing process may be commenced according to Sections 42-1701A(1) and (2), Idaho Code and the Department's Rules of Procedure. Copies of Idaho Code and the Department's rules are available upon request or by accessing the Department's website at: www.idwr.idaho.gov. The Department records formal hearings, and copies of a hearing recording are available upon request. There may be a charge for reproducing the recording.

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SCANNED
NOV 03 2022

Rev. 04/2022

Filing Fee: $25.00

STATE OF IDAHO
DEPARTMENT OF WATER RESROUCRES

RECEIVED
OCT 3 1 2022
Department of Water Resources
Eastern Region

NOTICE OF PROTEST

This form may be used to file a protest under Sections 42-203A, 42-203C, 42-211, 42-222 or 42-240, Idaho Code. The Department will also accept a timely protest completed in a different format if it contains the same information required on this form. Each protestant must provide a separate $25 filing fee for each application protested. The Department's Rules of Procedure (IDAPA 37.01.01) require the protestant to **send a copy of the protest to the applicant**.

1. Matter protested. Application for ☐ Permit ☐ Amendment of Permit ☑ Transfer ☐ Exchange
   No. 86977 in the name of U.S. Fish and Wildlife Service
2. Protestant's Name: Mud Lake Water Users, Inc.
   Address: P.O. Box 68, Terreton, ID 83450-0068
   Telephone: 208-663-4420 Email: mudlakeh2o@gmail.com
3. Protestant's Representative: Robert L. Harris, HKHC
   Address: P.O. Box 50130, Idaho Falls, ID 83402
   Telephone: 208-523-0620 Email: rharris@holdenlegal.com
4. Basis of protest. Clearly state your objections to approval of the application and identify the applicable review criteria. See *Instructions for Filing a Notice of Protest* for the relevant review criteria.

   The transfer will injure existing MLWU water rights, is not in the local public interest, and is contrary to the conversation of water resources in Idaho. The changes proposed by the applicant propose new wells that are closer to MLWU's Bybee Well Field, Holly Well Field, and Buck Springs Well Field. The proposed changes may also effect an enlargement as the transfer application does not contain information to conclude otherwise.

   (Additional pages may be attached to describe the basis of your protest.)

   Identify any review criteria that are not a basis for your protest:

5. ☑ Check here if Protestant and Representative will accept service of documents by email at the email address(es) listed under Item #2 and #3 above.

I acknowledge that if I, or my designated representative, fail to appear at any regularly scheduled conference or hearing in the matter, of which I have been properly notified, the Department may issue a notice of proposed default against me in this matter for failure to appear. **I also verify that I have served a copy of this protest upon the applicant.**

Robert L. Harris — Robert L. Harris — Oct. 31, 2022

Protestant's or Representative's Signature | Printed Name and Title (if applicable) | Date

FOR DEPARTMENT USE ONLY

$25.00 fee receipted by CLH Receipt # E048678 Date 10/31/22

SCANNED
NOV 02 2022

Rev. 04/2022

Filing Fee: $25.00

STATE OF IDAHO
DEPARTMENT OF WATER RESROUCRES

NOTICE OF PROTEST

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1. Matter protested. Application for ☐ Permit ☐ Amendment of Permit ☑ Transfer ☐ Exchange
   No. 86977 in the name of U.S Fish and Wildlife Service
2. Protestant's Name: Independent Water Users INC.
   Address: 1785 N 1800 E Hamer ID 83425
   Telephone: 208-520-4898 Email: kkfshuldberg@yahoo.com
3. Protestant's Representative: Keith Shuldberg
   Address: 1785 N 1800 E, Hamer, ID 83425
   Telephone: 208-520-4898 Email: kkfshuldberg@yahoo.com
4. Basis of protest. Clearly state your objections to approval of the application and identify the applicable review criteria. See *Instructions for Filing a Notice of Protest* for the relevant review criteria.

   We are concerned that the transfers will injure existing water rights at Buck Springs

   (Additional pages may be attached to describe the basis of your protest.)

   Identify any review criteria that are not a basis for your protest:

   None other than are a basis for protest

5. ☑ Check here if Protestant and Representative will accept service of documents by email at the email address(es) listed under Item #2 and #3 above.

I acknowledge that if I, or my designated representative, fail to appear at any regularly scheduled conference or hearing in the matter, of which I have been propertly notified, the Department may issue a notice of proposed default against me in this matter for failure to appear. **I also verify that I have served a copy of this protest upon the applicant.**

Keith Shuldberg — Protestant's or Representative's Signature

Keith Shuldberg — Printed Name and Title (if applicable)

10-18-22 — Date

FOR DEPARTMENT USE ONLY

$25.00 fee receipted by CH Receipt # E048632 Date 10/18/22

SCANNED
NOV 02 2022

McCLATCHY

Beaufort Gazette
Belleville News-Democrat
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Lexington Herald-Leader
Merced Sun-Star
Miami Herald
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San Luis Obispo Tribune
Tri-City Herald
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AFFIDAVIT OF PUBLICATION

of Cld 63100

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
26963	331995	Print Legal Ad-IPL00932390 - IPL0093239		$56.06	1	43 L

Attention: Christina Henman
ATTN: ACCOUNTING / FINANCE
PO BOX 83720
BOISE, ID 837200098

RECEIVED
OCT 20 2022
Department of Water Resources
Eastern Region

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 86977

UNITED STATES OF AMERICA ACTING THROUGH USDI FISH & WILDLIFE SERVICE, C/O RACHEL ESRALEW, 911 N E 11TH AVE, PORTLAND, OR 97232-4171 has filed Application No. 86977 for changes to the following water rights within JEFFERSON County(s): Right No(s). 31-11230, 31-11231, 31-2350, 31-2362, 31-7301; 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: change points of diversion. The proposed points of diversion are in NENW Sec 24 T07N R35E; and SENE Sec 19 and NENW Sec 29, T07N R36E for 35.54 cfs from ground water.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. 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, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of $25.00 for each application on or before 10/31/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on 10/13/2022 and 10/20/2022
IPL0093239
Oct 13,20 2022

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

No. of Insertions: 2
Beginning Issue of: 10/13/2022
Ending Issue of: 10/20/2022

B Jantzen

(Legals Clerk)

On this 20th day of October in the year of 2022 before me, a Notary Public, personally appeared before me Bettina Jantzen known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Stefani Beard

Notary Public in and for the state of Texas, residing in Dallas County

STEFANI SCOTT BEARD
My Notary ID # 131788951
Expires October 23, 2022

Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

SCANNED
NOV 02 2022

**● Proof of Publication **●

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

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

2 Insertions

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 86977

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GARY SPACKMAN, Director

Published on 10/13/2022 and 10/20/2022

WATER RESOURCES
ATTN: SHARLA COX
900 N SKYLINE DR STE A
IDAHO FALLS ID 83402

RECEIVED
OCT 24 2022
Department of Water Resources
Eastern Region

ORDER NUMBER 131755

Reba Davis
(Legals Clerk)

STATE OF IDAHO)
.SS
COUNTY OF TWIN FALLS)

On this 20 day of Oct in the year of 2022 before me, a Notary Public, personally appeared before me Reba Davis known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

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

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

Section: Legals
Category: 50 Legal
PUBLISHED ON: 10/13/2022, 10/20/2022

TOTAL AD COST: 70.11 OK CK 63100
FILED ON: 10/20/2022

SCANNED
NOV 02 2022

TRIBUNE PUBLISHING COMPANY, INC
The Lewiston Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

LEGAL ADVERTISING INVOICE

Date: 10/20/2022
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Lines 28
Tab. lines
$ 91.90

OK C14 43100

Sold To: IDAHO DEPT OF WATER RESOURCES
900 N. SKYLINE DR, STE A
IDAHO FALLS ID 83402

PO# # 86977 Henman, Ch

NOTICE:This is a invoice of Purchase made by you. Statement will be rendered the first of the month
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

171202

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 86977

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GARY SPACKMAN, Director
Published on 10/13/2022 and 10/20/2022

RECEIVED
OCT 24 2022
Department of Water Resources
Eastern Region

AFFIDAVIT OF PUBLICATION

S KELLAM , being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho and under and by virtue of the laws of the State of Washington, publishers of the Lewiston Tribune, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 105 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 171202 NOTICE O attached hereto and which is made a part of this affadavit was published in the said Lewiston Tribune, 2 time(s). Publication being on 10/13 , or once a week for 2 consecutive weeks the first publication thereof being on the 10/13/2022 , and the last publication thereof being on the 10/20/2022 , and said 171202 NOTICE O was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Skellam

State of Idaho
S.S.
County of Nez Perce

On this 20 day of Oct in the year of 2022, before me, a Notary Public, personally appeared S KELLAM , known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

TERESA M NITCY
NOTARY PUBLIC
Comm No. 41543
STATE OF IDAHO

Notary Public in and for the State of Idaho, residing at Lewiston, therein
Commission Expires 1/23/28

SCANNED
NOV 02 2022

PROOF OF PUBLICATION
Post Register

RECEIVED
OCT 27 2022
Department of Water Resources
Eastern Region

State of Idaho
County of Bonneville

I, ~~Dawn Giannini, or~~ Collins Crapo first being duly sworn, depose and say: That I am the ~~Classified Manager, or~~ Processing Clerk employed by Adams Publishing Group of the Rockies LLC, publishers of The Post Register, a newspaper of general circulation, published 4 days, Tuesday, Wednesday, Friday and Sunday, at Idaho Falls, Idaho.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for 2 day(s), first publication having been made on 10/18/2022 last publication having been made on 10/25/2022, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Collins Crapo

Subscribed and sworn to before me, on this 25th day of October, 2022

Vera J Powell

VERA J POWELL
NOTARY PUBLIC - STATE OF IDAHO
COMMISSION NUMBER 20222624
MY COMMISSION EXPIRES 5-31-2028

Notary Public
My commission expires:

_____ attached jurat _____

STATE OF IDAHO

ss.

COUNTY OF BONNEVILLE

On this 25th day of October, 2022 before me, the undersigned, a Notary public for said state, personally appeared ~~Dawn Giannini or~~ Collins Crapo, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she/they executed the same,

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

VERA J POWELL
NOTARY PUBLIC - STATE OF IDAHO
COMMISSION NUMBER 20222624
MY COMMISSION EXPIRES 5-31-2028

Vera J Powell

Notary Public for APG of the Rockies
Residing: Idaho Falls, Idaho
Commission expires:

290699

SCANNED
NOV 02 2022

AD# 290699AD#

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 86977

UNITED STATES OF AMERICA ACTING THROUGH USDI FISH & WILDLIFE SERVICE, C/O RACHEL ESRALEW, 911 N E 11TH AVE, PORTLAND, OR 97232-4171 has filed Application No. 86977 for changes to the following water rights within JEFFERSON County(s): Right No(s). 31-11230, 31-11231, 31-2350, 31-2362, 31-7301; 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: change points of diversion. The proposed points of diversion are in NENW Sec 24 T07N R35E; and SENE Sec 19 and NENW Sec 29, T07N R36E for 35.54 cfs from ground water. For additional information concerning the property location, contact Eastern Region office at (208)525-7161. 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, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of $25.00 for each application on or before 10/31/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN
Director

Published: October 12, 19, 2022 (PR10591-290699)

S... ...E D
NOV 0 7 2022

THE JEFFERSON STAR

PROOF OF PUBLICATION
Jefferson Star

RECEIVED
OCT 24 2022
Department of Water Resources
Eastern Region

State of Idaho
County of Jefferson

I, ~~Dawn Giannini, or~~ Collins Crapo first being duly sworn, depose and say: That I am the ~~Classified Manager, or~~ Processing Clerk employed by Adams Publishing Group of the Rockies LLC, publishers of Jefferson Star, a newspaper of general circulation, published 1 day, Wednesday at Rigby, Idaho.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Jefferson Star for 2 day(s), first publication having been made on 10/12/2022 last publication having been made on 10/19/2022, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Collins Crapo

Subscribed and sworn to before me, on this 19th day of October, 2022

Vera J Powell

VERA J POWELL
NOTARY PUBLIC - STATE OF IDAHO
COMMISSION NUMBER 20222624
MY COMMISSION EXPIRES 5-31-2028

Notary Public
My commission expires:

_____ attached jurat _____

STATE OF IDAHO

ss.

COUNTY OF JEFFERSON

On this 19th day of October, 2022 before me, the undersigned, a Notary public for said state, personally appeared ~~Dawn Giannini or~~ Collins Crapo, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she/they executed the same,

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Vera J Powell

VERA J POWELL
NOTARY PUBLIC - STATE OF IDAHO
COMMISSION NUMBER 20222624
MY COMMISSION EXPIRES 5-31-2028

Notary Public for APG of the Rockies
Residing: Idaho Falls, Idaho
Commission expires:

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 86977

UNITED STATES OF AMERICA ACTING THROUGH USDI FISH & WILDLIFE SERVICE, C/O RACHEL ESRALEW, 911 N E 11TH AVE, PORTLAND, OR 97232-4171 has filed Application No. 86977 for changes to the following water rights within JEFFERSON County(s): Right No(s). 31-11230, 31-11231, 31-2350, 31-2362, 31-7301; 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: change points of diversion. The proposed points of diversion are in NENW Sec 24 T07N R35E; and SENE Sec 19 and NENW Sec 29, T07N R36E for 35.54 cfs from ground water. For additional information concerning the property location, contact Eastern Region office at (208)525-7161. 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, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of $25.00 for each application on or before 10/31/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published in the Jefferson Star, Rigby, Idaho, on October 12 and 19, 2022. (290776)

AD# 290776

SCANNED
NOV 02 2022

Henman, Christina

From: Henman, Christina
Sent: Wednesday, October 5, 2022 4:38 PM
To: Jordan, Blake
Subject: Application for Transfer No. 86977
Attachments: tmp4B98.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://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

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

SCANNED
NOV 02 2022

IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

October 5, 2022

UNITED STATES OF AMERICA ACTING THROUGH
USDI FISH & WILDLIFE SERVICE
C/O RACHEL ESRALEW
911 N E 11TH AVE
PORTLAND, OR 97232-4171

RE: Transfer No. 86977
Water Right No(s). 31-11230, 31-11231, 31-2350, 31-2362, 31-7301

Dear Applicant:

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 JEFFERSON STAR and POST REGISTER on 10/12/2022 and 10/19/2022, as well as in the TIMES NEWS, IDAHO STATESMAN, and LEWISTON TRIBUNE on 10/13/2022 and 10/20/2022. 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,

CAH

Christina Henman
Administrative Assistant

SCANNED
OCT 05 2022

Henman, Christina

From: Henman, Christina
Sent: Wednesday, October 5, 2022 3:29 PM
To: info@jeffersonstarnews.com
Subject: Legal Notice for Jefferson Star
Attachments: 86977 Post Register, Jefferson Star.docx

LEGAL NOTICE DEPARTMENT
JEFFERSON STAR
PO BOX 37
RIGBY, ID 83442

RE: Transfer No. 86977
Water Right No(s). 31-11230, 31-11231, 31-2350, 31-2362, 31-7301

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 10/31/2022. Your cooperation is appreciated.

Thank You,

IDAHO DEPARTMENT OF WATER RESOURCES

Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

SCANNED
OCT 05 2022

Henman, Christina

From: Henman, Christina
Sent: Wednesday, October 5, 2022 3:29 PM
To: legalnotices@postregister.com
Subject: Legal Notice for Post Register
Attachments: 86977 Post Register, Jefferson Star.docx

LEGAL NOTICE DEPARTMENT
POST REGISTER
PO BOX 1800
IDAHO FALLS, ID 83403-1800

RE: Transfer No. 86977
Water Right No(s). 31-11230, 31-11231, 31-2350, 31-2362, 31-7301

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 10/31/2022. Your cooperation is appreciated.

Thank You,

IDAHO DEPARTMENT OF WATER RESOURCES

Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

SCANNED
OCT 05 2022

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 86977

UNITED STATES OF AMERICA ACTING THROUGH USDI FISH & WILDLIFE SERVICE, C/O RACHEL ESRALEW, 911 N E 11TH AVE, PORTLAND, OR 97232-4171 has filed Application No. 86977 for changes to the following water rights within JEFFERSON County(s): Right No(s). 31-11230, 31-11231, 31-2350, 31-2362, 31-7301; 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: change points of diversion. The proposed points of diversion are in NENW Sec 24 T07N R35E; and SENE Sec 19 and NENW Sec 29, T07N R36E for 35.54 cfs from ground water.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. 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, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of $25.00 for each application on or before 10/31/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director Published on 10/12/2022 and 10/19/2022

SCANNED
OCT 05 2022

Henman, Christina

From: Henman, Christina
Sent: Wednesday, October 5, 2022 3:30 PM
To: legals@magicvalley.com
Subject: Legal Notice for Times News
Attachments: 86977 Times News, Idaho Statesman, Lewiston Tribune.docx

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

RE: Transfer No. 86977
Water Right No(s). 31-11230, 31-11231, 31-2350, 31-2362, 31-7301

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 10/31/2022. Your cooperation is appreciated.

Thank You,

IDAHO DEPARTMENT OF WATER RESOURCES

Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

SCANNED
OCT 05 2022

Henman, Christina

From: Henman, Christina
Sent: Wednesday, October 5, 2022 3:30 PM
To: legals@idahostatesman.com
Subject: Legal Notice for Idaho Statesman
Attachments: 86977 Times News, Idaho Statesman, Lewiston Tribune.docx

LEGAL NOTICE DEPARTMENT
IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

RE: Transfer No. 86977
Water Right No(s). 31-11230, 31-11231, 31-2350, 31-2362, 31-7301

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

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Thank You,

IDAHO DEPARTMENT OF WATER RESOURCES

Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

SCANNED
OCT 05 2022

Henman, Christina

From: Henman, Christina
Sent: Wednesday, October 5, 2022 3:30 PM
To: legals@lmtribune.com
Subject: Legal Notice for Lewiston Tribune
Attachments: 86977 Times News, Idaho Statesman, Lewiston Tribune.docx

LEGAL NOTICE DEPARTMENT
LEWISTON TRIBUNE
505 C ST
PO BOX 957
LEWISTON, ID 83501

RE: Transfer No. 86977
Water Right No(s). 31-11230, 31-11231, 31-2350, 31-2362, 31-7301

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 10/31/2022. Your cooperation is appreciated.

Thank You,

IDAHO DEPARTMENT OF WATER RESOURCES

Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

SCANNED
OCT 05

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 86977

UNITED STATES OF AMERICA ACTING THROUGH USDI FISH & WILDLIFE SERVICE, C/O RACHEL ESRALEW, 911 N E 11TH AVE, PORTLAND, OR 97232-4171 has filed Application No. 86977 for changes to the following water rights within JEFFERSON County(s): Right No(s). 31-11230, 31-11231, 31-2350, 31-2362, 31-7301; 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: change points of diversion. The proposed points of diversion are in NENW Sec 24 T07N R35E; and SENE Sec 19 and NENW Sec 29, T07N R36E for 35.54 cfs from ground water.

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GARY SPACKMAN, Director Published on 10/13/2022 and 10/20/2022

SCANNED
OCT 05 2022

United States Department of the Interior

FISH AND WILDLIFE SERVICE
911 NE 11th Avenue
Portland, Oregon 97232-4181

In Reply Refer to:
FWS/R1

RECEIVED
SEP 12 2022
Department of Water Resources
Eastern Region

September 6th, 2022

Idaho Department of Water Resources Eastern Region
900 N Skyline Dr Ste A
Idaho Falls ID 83402
Tel. 208-525-7161

Subject: Application for Transfer of Points of Diversion for Groundwater Wells at Camas National Wildlife Refuge; Water Right Numbers 31-2350, 31-2362, 31-7301, 31-11230, and 31-11231

The U.S. Fish and Wildlife Service (Service) is submitting the enclosed application to transfer three points of diversion (groundwater wells) to new locations within the Camas National Wildlife Refuge. The Service needs to move three groundwater wells under water rights 31-2350, 31-2362, 31-7301, 31-11230, and 31-11231 to new locations to support wildlife.

Previously, the Service submitted a transfer application for these well locations that was approved under transfer T-85002 in August 2021. Unfortunately, the proposed locations that were previously modified under transfer T-85002 do not support the drilling of a new well. The revised locations for these wells are in different quarter quarter sections than identified in T-85002, therefore requiring a new transfer.

This application enclosed includes a proposed transfer of 35.54 cubic feet per second over 10,484.4 acre-feet per year. The transfer application fee of $2,660 will be paid at the time of delivery of hard copy of this application to the IDWR office. We have not included the Eastern Snake Plane Aquifer (ESPA) analysis in this application because we were informed by IDWR that this analysis could be run by IDWR after submission of the application.

Sincerely,

RACHEL ESRALEW Digitally signed by RACHEL ESRALEW
Date: 2022.09.08 11:44:53 -07'00'

Rachel Esralew
Water Resources Branch Chief, Supervisory Hydrologist
U.S. Fish and Wildlife Service
911 NE 11th Avenue, Portland, OR 97232-4171

Attachments:
(1) Application for transfer of water right – point(s) of diversion
(2) Application map
(3) Copy of the water rights as recorded, as modified by T-85002

SCANNED
OCT 05 2022