

OCT 06 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT - POINT(S) OF DIVERSION Department of Water Resources
Eastern Region

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) Read Lane Irrigation Co., LLC Phone (208) 852-1773
 2. MAILING ADDRESS 2513 E Read Ln City Preston
 State ID Zip 83263 Email johnr@plmw.com

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

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

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

3. LIST WATER RIGHT NUMBER(S) 13-8028, 13-8029

- ☒ 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 1.0 cubic feet per second and/or _____ acre-feet per annum.
 (diversion rate) (storage volume)

5. POINT OF DIVERSION - Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

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

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
Yes			NE	NW	29	14S	40E	Franklin	Bear River	

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:

One electric pump to a pressurized system. Flow meter on pump output, as well as lockable controlling works. Retractable syphon located in river channel, all other equipment in dedicated pump house.

- b. Who owns the property at the point(s) of diversion? Read Lane Irrigation Co., LLC DOTTIE Jo & MIKE B. SHIRLEY
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

SEE ATTACHED EASEMENT AGREEMENT

- 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)?

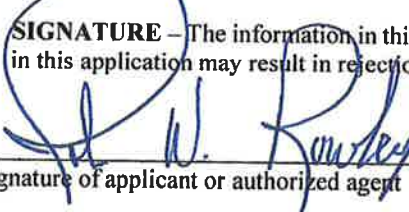
If yes, describe:

- 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 $\frac{1}{4}$ $\frac{1}{4}$ of section information. You may create a map at idwr.idaho.gov, Water Rights, Water Right Transfers, File a Transfer Application, Step 2C.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.


Signature of applicant or authorized agent

John W. Rowley - Managing Member
Print name and title if applicable

9/07/2023
Date

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 500.⁰⁰ Date 10-5-23

Received by M. Fetter

Receipt # E049529

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)

Water Right Report : 13-8028(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	READ LANE IRRIGATION CO LLC	2513 E READ LN	PRESTON	ID	83263-5297
Previous Owner	RIVERDALE PRESTON IRRIGATION CO	C/O STEPHEN MEEK 3525 N 1600 E	PRESTON	ID	83263

Water Right Status

Priority Date : 6/10/1883

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
BEAR RIVER		GREAT SALT LAKE	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
BEAR RIVER	14S	40E	29	0				NE NE FRANKLIN	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/20	09/30	0.32 CFS	
TOTAL			0.32 CFS	

Places of Use

This water right has a [Large Place Of Use](#) 

Irrigation Totals

Total Acres Acre Limit

Conditions

Code Conditions

- X35 Rights 13-8028 and 13-8029 when combined shall not exceed the irrigation of 50 acres.
- 129 Place of use is within the area served by Read Lane Irrigation Comapny.
- 172 The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
- 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. 11.
- R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s). Point of measurement is located in the NENW, Sec. 29, T14S, R40E.
- R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

88586

Water Right Report : 13-8029(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	READ LANE IRRIGATION CO LLC	2513 E READ LN	PRESTON	ID	83263-5297
Original Owner	RIVERDALE PRESTON IRRIGATION CO	C/O STEPHEN MEEK 3525 N 1600 E	PRESTON	ID	83263

Water Right Status

Priority Date : 6/10/1902
Basis : Decreed
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
BEAR RIVER		GREAT SALT LAKE	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQ	QQ	Q	County	Diversion Type
BEAR RIVER	14S	40E	29	0			NE NE	FRANKLIN	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/20	09/30	0.68 CFS	
TOTAL			0.68 CFS	

Places of Use

This water right has a [Large Place Of Use](#) 

Irrigation Totals

Total Acres Acre Limit

Conditions

Code Conditions

- X35 Rights 13-8028 and 13-8029 when combined shall not exceed the irrigation of 50 acres.
- 129 Place of use is within the area served by Read Lane Irrigation Comapny.
- 172 The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
- 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. 11.
- R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s). Point of measurement is located in the NENW, Sec. 29, T14S, R40E.
- R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

88598

- 004 This right does not grant any right-of-way or easement across the land of another.
- T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- 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.

Dates

Licensed Date :
Decreed Date : 7/14/1920
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date:
Protest Deadline Date:

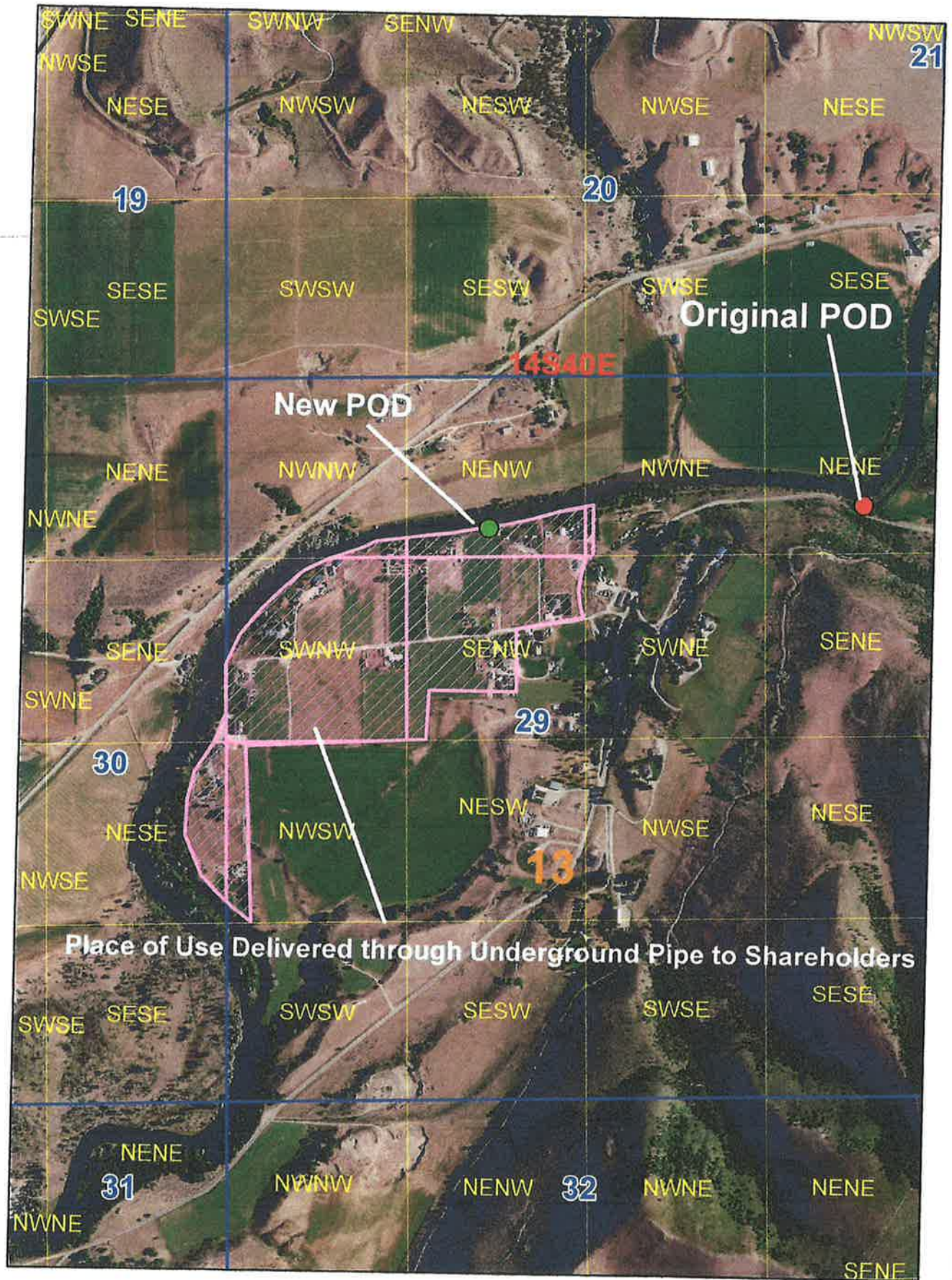
Other Information

State or Federal :
Water District Number : 11
Generic Max Rate Per Acre : 0.02
Generic Max Volume Per Acre : 3.5
Combined Acre Limit : 50.00
Combined Volume Limit:
Combined Rate Limit:
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

7/9/2023

Application for Transfer for Water Rights 13-8028 and 13-8029



88586

0 315 630 1,260 1,890 2,520 Feet



295544

Recorded at the request of

John Rowley

Time: 11:38 Amount \$25.00

OCT 04 2023

CAMILLE LARSEN, RECORDER

By C. Carter Deputy
Franklin County, Idaho

(Space Above For Recorder's Use)

EASEMENT AGREEMENT

This Easement Agreement is made effective this 3rd day of OCTOBER, 2023, by and between Dottie Jo Shirley, and Mike B. Shirley, wife and husband ("Grantors"), and Read Lane Irrigation Company, LLC., an Idaho Limited Liability Company, and its members ("Grantee").

RECITALS

WHEREAS, Grantors are the owners of that certain real property more particularly described in Franklin County Instrument No. 238255; and

WHEREAS, Grantee is the owner of a irrigation equipment located on the Grantors' property which presently and historically has served as the pumping station for the irrigation company; and

WHEREAS, Grantee, wishes to more accurately establish the relationship between the parties along a dirt pathway on the East boundary of Grantors' property which presently and historically has served as access for in ingress and egress to the pump house; and

WHEREAS, the parties desire to set forth herein their agreement pertaining to the same;

AGREEMENT

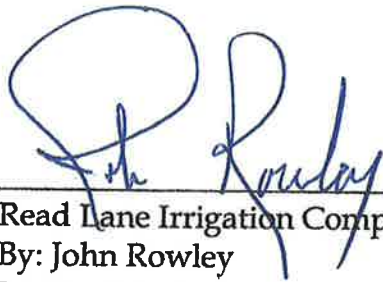
NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. **Grant of Easement.** Grantors hereby grant to Grantee a mutual, exclusive perpetual access easement over, on, across, and through that certain real property in Franklin County, Idaho, generally described as a 10-foot-wide right-of-way from the North West corner of said real property. ~~running thence East from West Read Lane along the East boundary of said real property.~~ The precise location of which, including the location and dimensions of the easement itself, are further identified on **Exhibit A** attached hereto (the "Easement").

2. **Purpose and Scope of Easements.** The Easement granted herein shall be used for ingress and egress, and for such other use as may be reasonably necessary for Grantee to access, maintain, and use its irrigation equipment located along the banks of the Bear River, associated irrigation lines, and other uses necessary to operate a pressurized irrigation system.
3. **Consideration.** The parties acknowledge and agree that good and sufficient consideration for this Easement has been provided.
4. **Binding on Successors.** This Agreement and the Easement granted herein shall be recorded in the official records of Franklin County, Idaho, and shall be binding on the heirs, successors, administrators, executors, and assigns of all parties hereto and shall run with the land.
5. **Counterparts.** This Agreement may be executed in counterparts, each part being considered an original document, all parts being but one document.
6. **Indemnification.** The parties herein each agree to indemnify, defend and hold the other parties, and the other parties' invitees, successors, assigns, and agents, harmless from any and all claims, liability, losses, costs, charges, or expense that arise from their respective use, or use by their respective customers, agents, invitees, or representatives, of the Easement.
7. **Remedies.** In the event of a breach hereunder by any party, the non-breaching party shall have all remedies available at law or in equity, including the availability of injunctive relief. In any suit, action or appeal therefrom to enforce or interpret this Agreement, the prevailing party shall be entitled to recover its costs incurred therein, including reasonable attorneys' fees and disbursements.
8. **Easement Obstructions.** No party will obstruct or purposely impair or impede access or use of the Easement, or any common improvements and components of the Easement.
9. **Maintenance.** The Party for whom the easement is for the benefit of will be responsible for any costs to maintain or repair the Easement.
10. **Modification.** To be valid and binding, any modification of this Agreement shall be in writing and signed by all parties hereto or their respective heirs, successors, and assigns.
11. **Disclaimer and Representation.** The Parties hereto, for and in consideration of Fuller & Fuller, PLLC, attorneys at law, preparing real property documents for them which shall contain a legal description furnished by the Parties, hereby acknowledge that they have not requested said attorney to examine the legal description and

acknowledge that said attorney had no obligation to ascertain the correctness of the said description and makes no representation or warranty as to title, location, boundaries, or applicable zoning ordinances, laws, and regulations of the Access Easement or adjoining Parcels. Further, said attorney has not been engaged to advise the Parties as to the value of the real property interests conveyed and agreed to hereunder, and each Party has either obtained his or her own appraisal of the same or has determined the value based upon his or her own estimate of value. All Parties hereto understand that they each have the right to have this Agreement and all documents relating thereto reviewed by another attorney of their choice.

IN WITNESS WHEREOF, the undersigned have caused this Easement to be executed the day and year first written above.



Read Lane Irrigation Company, LLC.

By: John Rowley

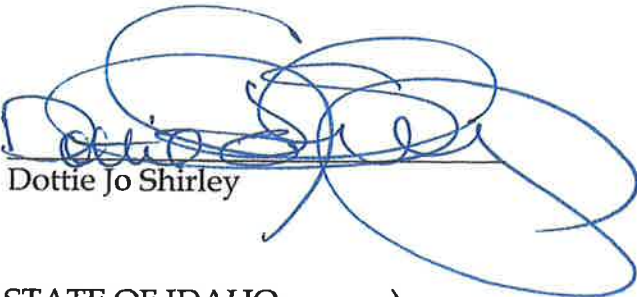
Its: President

STATE OF IDAHO)
) ss.
County of FRANKLIN)

On this 3 day of October, 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared **John Rowley**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same as President of Read Lane Irrigation Company, LLC.




NOTARY PUBLIC for State of Idaho

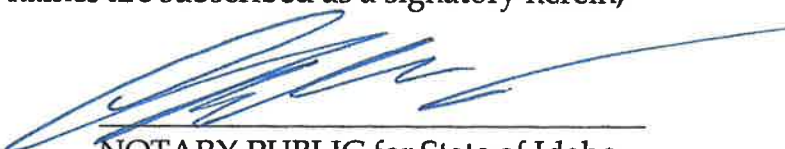


Dottie Jo Shirley

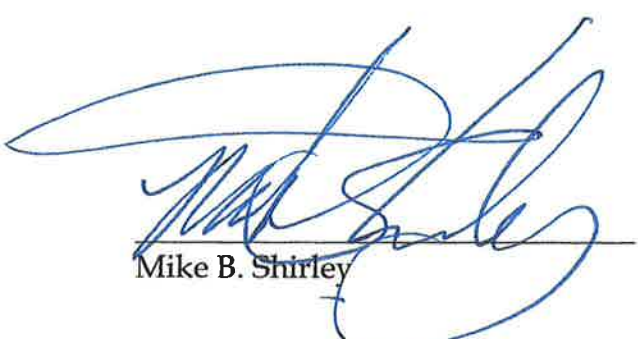
STATE OF IDAHO)
) ss.
 County of FRANKLIN)

On this 3rd day of OCTOBER, 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared **Dottie Jo Shirley**, known or identified to me to be the persons whose names are subscribed as a signatory herein, and signed the same in my presence.

CHRIS BARTON
 COMMISSION #35109
 NOTARY PUBLIC
 STATE OF IDAHO



NOTARY PUBLIC for State of Idaho
 EXP: 11-13-2024

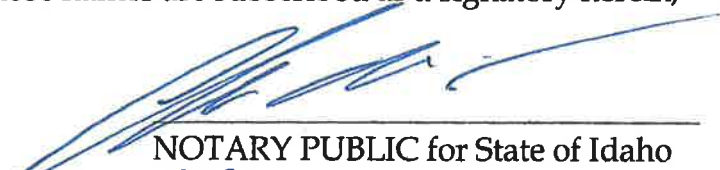


Mike B. Shirley

STATE OF IDAHO)
) ss.
 County of FRANKLIN)

On this 3rd day of OCTOBER, 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared **Mike B. Shirley**, known or identified to me to be the persons whose names are subscribed as a signatory herein, and signed the same in my presence.

CHRIS BARTON
 COMMISSION #35109
 NOTARY PUBLIC
 STATE OF IDAHO



NOTARY PUBLIC for State of Idaho
 EXP: 11-13-2024

EXHIBIT A

A 10' (ten foot wide) irrigation easement beginning at the North West corner of Lot #6, Riverdale Estates Final Plat (record #194361) as recorded on 9/27/1995; thence 289.94' Easterly and parallel to the boundary line to the North East corner of Lot #6; thence 741.45' Southerly, parallel to the Eastern boundary line of Lot #6, to Read Lane.

Riverdale Estates

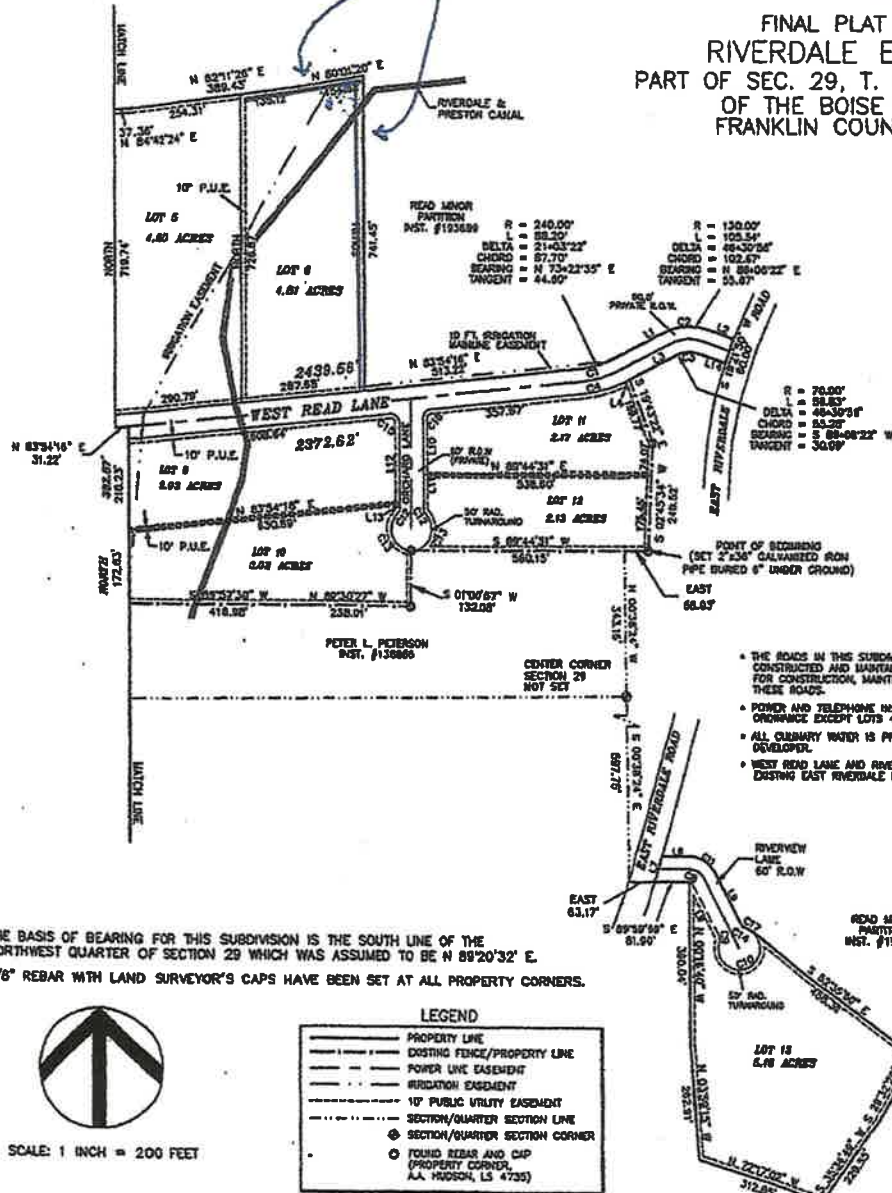
#194761 (2-2)

295544

6-6

Proposed Easement

FINAL PLAT FOR RIVERDALE ESTATES PART OF SEC. 29, T. 14 S., R. 40 E., OF THE BOISE MERIDIAN FRANKLIN COUNTY, IDAHO



THE BASIS OF BEARING FOR THIS SUBDIVISION IS THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 29 WHICH WAS ASSUMED TO BE N 89°20'32" E. 5/8" REBAR WITH LAND SURVEYOR'S CAPS HAVE BEEN SET AT ALL PROPERTY CORNERS.



SCALE: 1 INCH = 200 FEET

COUNTY TREASURER

I CERTIFY THAT THE TAXES DUE, HAVE BEEN PAID, UPON THE PROPERTY INCLUDED IN THIS SUBDIVISION.

Sept. 20, 1995 DATE Maurine E. Dinsmore TREASURER

COUNTY ENGINEER'S CERTIFICATE

I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND IT TO BE CORRECT AND IN ACCORDANCE WITH THE FRANKLIN COUNTY SUBDIVISION ORDINANCE.

Sept. 21, 1995 DATE Donald A. D. ENGINEER

COUNTY COMMISSIONERS APPROVAL

PRESENTED TO THE FRANKLIN CO. COUNCIL THIS 25th DAY OF SEPTEMBER, A.D. 1995, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

Bradley COUNCIL CHAIRPERSON D. E. Dinsmore ATTEST:

COUNTY RECORDER'S No. 194361

STATE OF IDAHO, COUNTY OF FRANKLIN, RECORDED AND FILED AT THE REQUEST OF Jill Reed DATE 27 SEPT 1995 TIME 9:10 AM. FEE 100

INDEX FILED IN: FILE OF PLATS Sharon Address COUNTY RECORDER

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO BE HEREAFTER KNOWN AS: RIVERDALE ESTATES DO HEREBY WARRANT AND SAVE FRANKLIN COUNTY HARMLESS FROM ANY EASEMENTS AND INCUMBRANCES AND DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR SIGNATURES THIS 19th DAY OF SEPTEMBER, A.D. 1995.

Jill Reed PROSIPER Sharon Address SECRETARY Michael P. Reed FOR RIVERDALE ESTATES

ACKNOWLEDGEMENT

STATE OF IDAHO
COUNTY OF FRANKLIN

ON THE 21 DAY OF SEPTEMBER, 1995, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY OF FRANKLIN, IN SAID STATE OF IDAHO, THE SIGNERS OF THE ATTACHED OWNER'S DEDICATION, 2 IN NUMBER, WHO DULY ACKNOWLEDGED TO ME THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES 11-3-2000

Sharon J. Address NOTARY PUBLIC

HEALTH DEPARTMENT APPROVAL

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE TITLE 50-1326 ARE IN FORCE. NO STRUCTURES REQUIRING THE SUPPLYING OF WATER OR SEWAGE FACILITIES SHALL BE CONSTRUCTED UNTIL SANITARY RESTRICTION REQUIREMENTS ARE SATISFIED AND LIFTED.

092595 DATE

Stephen E. Easton, D.H.S. DISTRICT HEALTH DEPT.

PLANNING COMMISSION APPROVAL

APPROVED THIS 22 DAY OF SEPTEMBER, A.D. 1995 BY THE FRANKLIN COUNTY PLANNING COMMISSION.

Michael P. Reed CHAIRPERSON

AUGUST 14, 1995
PROJECT # 04-241

SHEET 2 OF 2 SHEETS



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 Mathew Weaver

October 25, 2023

READ LANE IRRIGATION CO LLC
2513 E READ LN
PRESTON, ID 83263-5297

RE: Transfer No. 88586
Water Right No(s). 13-8028, 13-8029

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 PRESTON CITIZEN on 11/1/2023 and 11/8/2023. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "CH", is written over a faint circular stamp.

Christina Henman
Administrative Assistant

Henman, Christina

From: Henman, Christina
Sent: Wednesday, October 25, 2023 2:27 PM
To: legals@prestoncitizen.com
Subject: Legal Notice for Preston Citizen
Attachments: 88586, 13-8158 Preston Citizen.docx

LEGAL NOTICE DEPARTMENT
PRESTON CITIZEN
PO BOX 472
PRESTON, ID 83263

RE: Transfer No. 88586, Permit No. 13-8158

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 11/20/2023. Your cooperation is appreciated.

Thank You,



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

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 88586**

READ LANE IRRIGATION CO LLC, 2513 E READ LN, PRESTON, ID 83263-5297 has filed Application No. 88586 for changes to the following water rights within FRANKLIN County(s): Right No(s). 13-8028, 13-8029; 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 point of diversion. Proposed point of diversion is in the NENW Sec 29 T14S R40E for 1.00 cfs from Bear River.

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 11/20/2023. The protestant must also send a copy of the protest to the applicant.

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

13-8158

GARY L & SHAUNA LEAK, 3952 W 5000 S, WESTON, ID 83286

Point of Diversion SWSW S24 T16S R38E FRANKLIN County

Source WASTE WATER Tributary SINKS

Use: STOCKWATER

01/01 to 12/31

0.02 CFS

Use: IRRIGATION

04/01 to 10/31

0.09 CFS

Total Diversion:

0.11 CFS

Date Filed: 09-05-2023

Place Of Use: IRRIGATION

T16S R38E S25

NWNW,

Place Of Use: STOCKWATER

T16S R38E S25

NWNW

Total Acres: 3

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Eastern office at (208)525-7161; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, 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 11/20/2023. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 11/1/2023 and 11/8/2023