

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 88649

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

RECEIVED

NOV 21 2023

Name of Applicant(s) Little Butte Irrigation Company

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Department of Water Resources
Eastern Region

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a [Part 2A](#) report describing each water right in the transfer as currently recorded.
- ☒ Complete and attach an Application for Transfer [Part 2B](#) for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. ([Fee schedule](#) is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <https://idwr.idaho.gov/water-rights/transfers/resources/>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System ([GIS](#)) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☒ ☐ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see [fee schedule](#).
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☐ ☐ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Little Butte Irrigation Company Phone (208) 438-8103
Mailing address 116 S 600 W, Paul ID 83347 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Rocky Mountain Environmental Assoc. Inc. Phone 208-524-2353
Mailing address 482 Constitution Way Ste 303 Idaho Falls, ID 83402 Email kristin.rmea@gmail.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

[Signature]
Signature of Applicant or Authorized Representative

Quinn Stoffelbein Preside
Print Name and Title if applicable

11/21/23
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
☒ Change nature of use

☐ Add diversion point(s)
☒ Change period of use

☒ Change place of use
☐ Other _____
- Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
Applicant proposes to use a portion of Little Butte Irrigation Company rights to maintain a new pond on behalf of a patron.
The pond will initially be filled with water from the Water Supply Bank or Rental Pool. This transfer is intended to provide water for maintenance of water levels due to evaporation and seepage.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	<u>Right Number</u>	<u>Amount</u> (cfs/ac-ft)	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source & Tributary</u>
All or Part ☒ ☐	27-41	2.18 cfs	Irrigation	4/01 to 10/31	Blackfoot River
☐ ☐		0.22 cfs	Diversion to Storage	4/01 to 10/31	Blackfoot River
☐ ☐		30.4 ac-ft	Recreation Storage	1/01 to 12/31	Blackfoot River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.4 cfs cfs and/or 30.4 ac-ft acre-feet.

2. Total amount of water proposed to be transferred or changed 0.22 cubic feet per second and/or 30.4 acre-feet per year.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	35E	10																RS	
																		L1	
		11											RS	RS					
													L3, W	L2					

Irrigation POU is the Service Area of Little Butte Irrigation Company

RS = Recreation Storage																		Total Acres (for irrigation use)	NA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
Little Butte will continue to divert water through their existing headgates and canal systems. Water will be diverted into the pond from applicant's distribution system. Delivery to the pond can be equipped with a measuring device when constructed.

- b. Who owns the property at the point(s) of diversion? Historical diversion
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
NA

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: NA

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete [Attachment WSB](#).
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
The land now irrigated will be retired from irrigation and will be converted to pond storage.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
See attached narrative labeled Attachment #5f

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☐ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (**GIS**) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (WaterBalance)

- ☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines, typical of notebook paper. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid \$750.00 Date 11/22/23 Received by C.H. Receipt # E049633

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

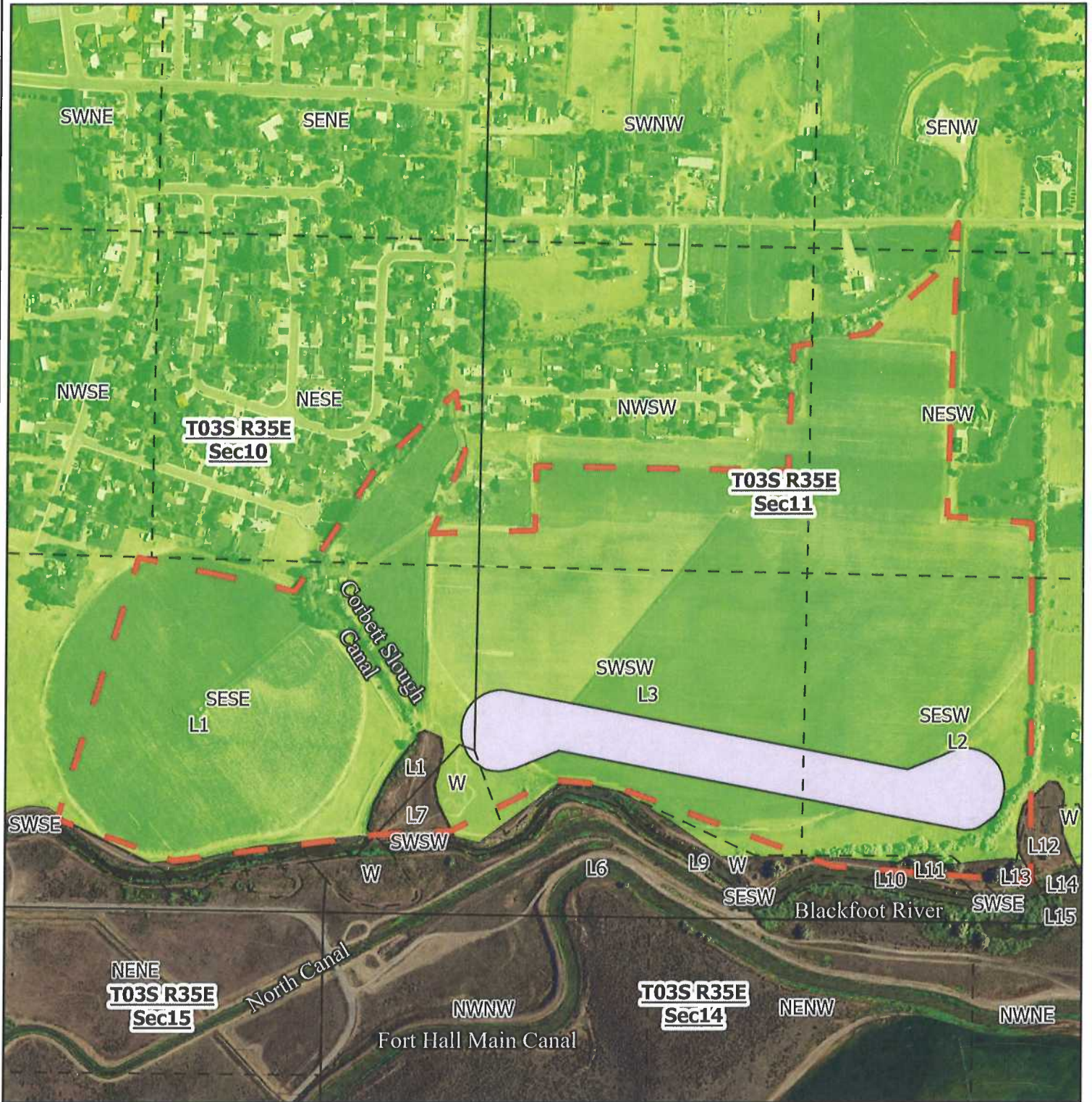
Narrative for Part 5.f.

Little Butte Irrigation Company

Application for Transfer of Water Right No. 27-41

The Little Butte Irrigation Company owns the following water rights that overlap the service area of water right 27-41: 27-38, 27-39, 27-40, and 27-10878. In combination, these rights irrigate 585 acres. Most of the rights have an acre-limit, but they all appear to overlap by portions. The 11 acres retired from irrigation will be reduced from the total combined irrigated acres, resulting in a total irrigated acres of 574 acres. In addition, the acre-limit of 27-41 will be reduced by 11 acres.

Eastern Idaho Water Company owns the following water rights that overlap the service area of water right 27-41: 27-35A, 27-35B, 27-22B, 27-22A, and 27-13739. The 11 acres retired from irrigation will not interfere with the acres irrigated by shares from the Eastern Idaho Water Company on the affected property. The property owner of the proposed pond location owns 33 shares of Eastern Idaho Water Company. Records suggest that 1 share = 1 acre of irrigation. The 33 acres irrigated by Eastern Idaho Water Company will not be affected by this transfer and do not overlap the proposed pond.



0 0.25 0.5 Miles

2021 NAIP

- Section
- QQ
- Affected Property
- Little Butte Irrigation Company
- Pond and Surrounding Infrastructure



Proposed Water Right

Little Butte Irrigation Company

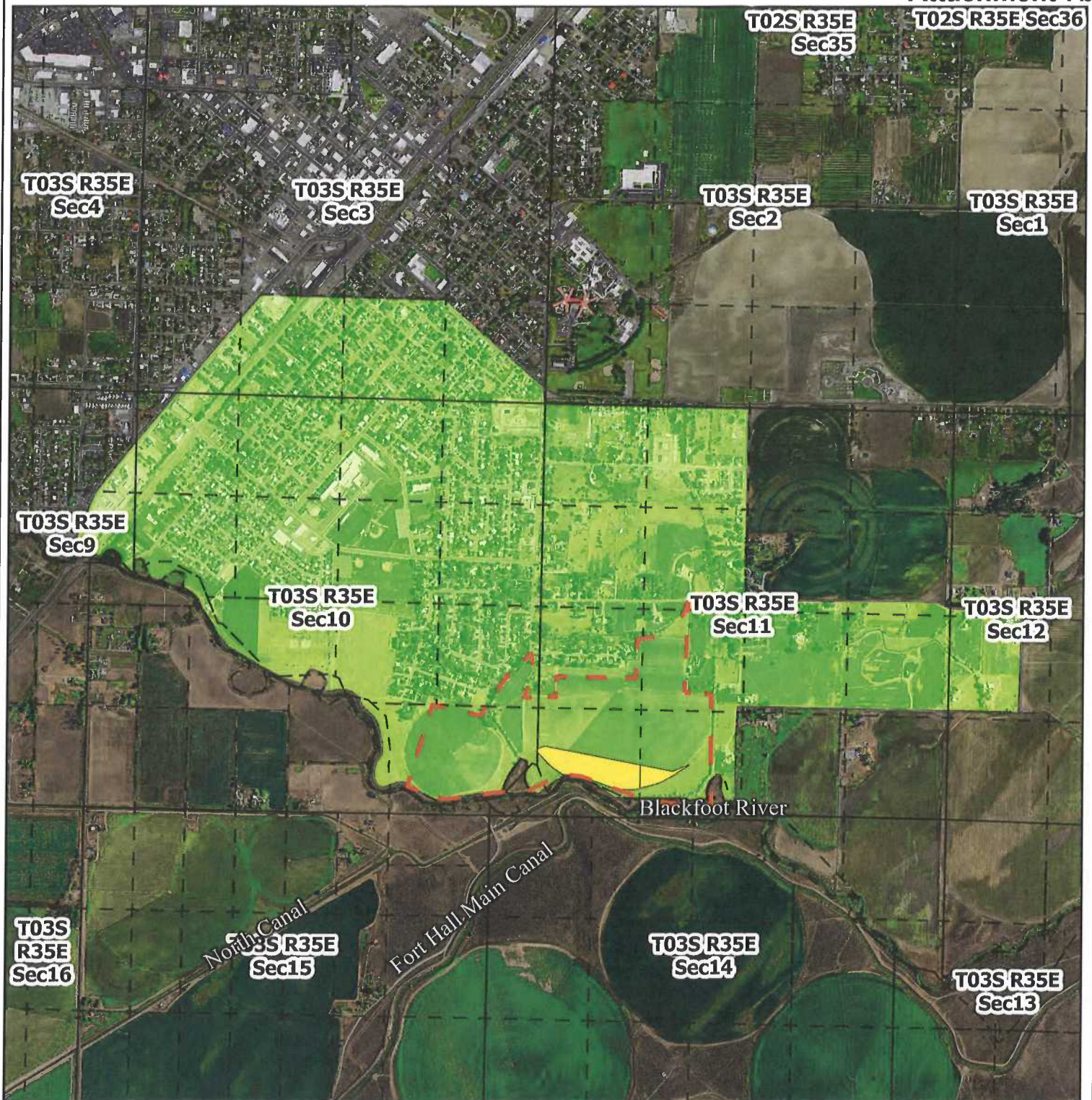
Project #: 22-0164

Drawn by: TK

Date: 11/16/2023



Rocky Mountain
ENVIRONMENTAL
ASSOCIATES, INC.



0 0.25 0.5
Miles

2021 NAIP

- Section
- QQ
- Affected Property
- Little Butte Irrigation Company
- Acres to Retire



Changes to Existing Water Right

Little Butte Irrigation Company

Project #: 22-0164

Drawn by: TK

Date: 11/16/2023



88649

Conversion of Nature of Use

Little Bute Irrigation Company

Applicant proposes to convert a portion of existing water right 27-41 from irrigation to be used for a new pond project within their existing place of use. The new pond is located on land that is irrigated by Little Butte Irrigation Company.

Evaporative Losses: Total pond surface area is anticipated to be about 9 acres. Using IDWR's Pond Loss Calculation Spreadsheet, and data obtained from the Blackfoot (NWS – USC00100915) station, it is expected that loss due to evaporation will be 19.9 afa. Excerpts of the Pond Loss Calculation Spreadsheet are shown in Figure 1.

Figure 1: Evaporative Losses

Found at: <http://data.kimberly.uidaho.edu/ETidaho/>

Precipitation Deficit			
Station:	Blackfoot (NWS – USC00100915)		
Month	mm/day ¹	Days per month	mm/Month
Jan	-0.34	31	0.00
Feb	0.19	28	5.32
March	0.92	31	28.52
April	2.25	30	67.50
May	2.27	31	70.37
June	3.95	30	118.50
July	4.40	31	136.40
August	3.86	31	119.66
September	2.61	30	78.30
October	1.35	31	41.85
November	0.29	30	8.70
December	-0.27	31	0.00
Total mm/year =			675.12

PLEASE NOTE: The seasonal average for precipitation deficit should not be used for calculations because precipitation often exceeds evaporation during wetter months of the year. If the pond is kept full, excess precipitation during wetter months does not serve to refill the pond during drier months.

For example, see Sandpoint KSPT (NWS – 108137), the annual precipitation deficit is -106 mm. However, April through September have positive precipitation deficit values. To properly estimate the annual volume of water necessary to refill a pond due to evaporation losses, the table will automatically enter a zero (0) for each month that the precipitation value is reported as a negative value.

As described above, precipitation offsets evaporation in winter months, so the net effect is that wintertime precipitation deficit is usually zero.

$$[(\text{mm/yr}) \div (\text{convert to feet})] \times (\text{Surface area of pond, in acres}) = \text{Evaporation Loss in Acre Feet}$$

675.12	÷	304.8	) X	9.00	=	19.9 AFA
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Surface Area of Pond is automatically carried over from the Seepage Loss Sheet.

Seepage Losses: The soil underlying the proposed pond project is comprised of sandy loams, as indicated by the NRCS Web Soil Survey¹. At a surface area of 9 acres, seepage is expected to be 9.9 afa. Excerpts of the Pond Loss Calculation Spreadsheet – Seepage are included in Figure 2.

¹ NRCS Web Soil Survey for the proposed pond location identifies the soil unit as Blackfoot Loam. At 5 feet depth, the soil is loam, fine sandy loam, very fine sandy loam, with a classification of CL.

Figure 2: Seepage Losses.

Seepage Loss Calculations				
This spreadsheet has been designed by Idaho Department of Water Resources to estimate the total annual seepage losses from a pond.				
FILE NUMBER	22-0164			User Input
REVIEWER	KM			Calculated value
DATE	10/20/2022			Formula Explanations
INPUTS				Print Page to PDF
Pond Surface Area (AC.)	9	AC.		
Pond Surface Area (SQ. FT.)	392040	SQ. FT.		
I used the following method to obtain my Soil Classification information:	NRCS Web Soil Survey			
My Soil Classification Is	CL			
Suggested Seepage Rate (FT./DAY)	0.0030	FT./DAY		
Formula: (Surface Area X Seepage Rate) X 7.48 = Gallons Per Day Loss				
Convert to GPD	8797	GPD		
Total Seepage Loss (AFA)	9.9	AFA		
Though sand and gravel seepage rates may actually be higher, the maximum allowable rate is 0.2 ft/day, pursuant to Administrative Memo "Seepage Loss Standards for Ponds and Reservoirs."				

Total pond losses are calculated to be about 30 afa (19.9 afa evaporative losses + 9.9 afa seepage losses = 29.8 afa).

Water right 27-41 has historically been used to irrigate alfalfa hay – less frequent cuttings. Information gathered at the Blackfoot (NWS – USC00100915) station shows that Alfalfa – less frequent cuttings has a precipitation deficit of 842 mm/year, or 2.76 af/year, for the growing season (Figure 3). A conversion of 11 acres from irrigation would therefore enable 30 afa (11 ac x 2.76 afa/ac) to be used for pond storage.

Figure 3. ET Values for Alfalfa – less frequent cuttings at Blackfoot (USC00100915)

Alfalfa - less frequent cuttings Precipitation Deficit (Click here for a graph)															
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Growing Season ^a	Non Growing Season ^b	Annual
Mean ^j	mm/day												mm		
Monthly ^c	-0.31	0.09	0.08	1.60	4.25	5.56	5.72	4.90	3.76	1.48	0.02	-0.34	842	-21	821

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/1/2023

Water Right 27-41

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LITTLE BUTTE IRRIGATION CO LTD PO BOX 580 BLACKFOOT, ID 83221 (208) 785-2132

Priority Date: 4/5/1886
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
BLACKFOOT RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	2.400 CFS	
	<u>Total Diversion</u>		2.400 CFS	

Source and Point(s) of Diversion:
BLACKFOOT RIVER L1(SESE) Sec. 12, Twp 03S, Rge 35E, BINGHAM County

Place Of Use:
IRRIGATION within BINGHAM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	35E	3											X	X			X	X	0.0
03S	35E	9	X			X L1													0.0
03S	35E	10	X	X	X	X	X	X	X L4	X L12	X L3				X	X L2	X	X L1	0.0
03S	35E	11			X	X	X	X	X	X	X	X	X L3	X L2	X	X	X		0.0
03S	35E	12							X			X							0.0

Right Acre Limit: 120.00
POU Total Acres: 585.0

Conditions of Approval:

- | | | |
|----|-----|---|
| 1. | 135 | The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary. |
|----|-----|---|

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/1/2023

- | | | |
|----|-----|---|
| 2. | 129 | Place of use is within the area served by Little Butte Irrigation Company. |
| 3. | C18 | This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code. |
| 4. | | Use of this right is combined with water from Eastern Idaho Water Company. |
| 5. | C05 | Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code. |
| 6. | F01 | Water is delivered through Little Butte Canal. |
| 7. | E56 | The rights listed below are limited to the irrigation of a combined total of 585 acres in a single irrigation season. Combined Right Nos.: 27-38, 27-39, 27-40, 27-41, and 27-10878. |
| 8. | K06 | This right is limited to the irrigation of 120 acres within the place of use described above in a single irrigation season. |
| 9. | 257 | This water right is entitled to the protections of paragraph x.d of water right 27-11375. |

Comments:

1 mhollday 6/1/2011 ADR
Removed 10 acre tract from pod description. Corrected season of use to standard. Added K06, E56, F01, and C05.

Dates and Other Information:

Decreed Date: 8/30/2011
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
		585.0	27-38 ,27-39 ,27-40 ,27-41 ,27-10878

SubCase:

SubCaseNumber: 27-41
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: Decreed
Date Filed: 3/8/2006
Objection Status: Active



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

December 6, 2023

LITTLE BUTTE IRRIGATION CO LTD
PO BOX 580
BLACKFOOT, ID 83221

RE: Transfer No. 88649
Water Right No(s). 27-41

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 BINGHAM NEWS CHRONICLE on 12/13/2023 and 12/20/2023. 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 dark ink, appearing to read "CH", is written over the signature line.

Christina Henman
Administrative Assistant

CC:
ROCKY MOUNTAIN ENVIRONMENTAL ASSOC INC
482 CONSTITUTION WAY STE 303
IDAHO FALLS, ID 83402-3552

Henman, Christina

From: Henman, Christina
Sent: Wednesday, December 6, 2023 12:31 PM
To: legalnotices@postregister.com
Subject: Legal Notice for News Chronicle
Attachments: 88649 News Chronicle.docx

LEGAL NOTICE DEPARTMENT
BINGHAM NEWS CHRONICLE
PO BOX 70
BLACKFOOT, ID 83221-0070

RE: Transfer No. 88649
Water Right No(s). 27-41

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 1/2/2024. Your cooperation is appreciated.

Thank You,



Christina Henman
Administrative Assistant
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**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 88649**

LITTLE BUTTE IRRIGATION CO LTD, PO BOX 580, BLACKFOOT, ID 83221 has filed Application No. 88649 for changes to the following water rights within BINGHAM County(s): Right No(s). 27-41; 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 place of use, nature of use, and period of use. Applicant proposes to divert 0.22 cfs from Blackfoot River for recreation storage. Proposed place of use for 30.4 af of recreation storage is in Lot 2 (SESW), SWSW, and Lot 3 (SWSW) Sec 11, and Lot 1 (SESE) Sec 10, T03S R35E. Proposed period of use is 4/1 to 10/31 for diversion to storage and 1/1 to 12/31 for recreation storage.

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 1/2/2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

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