

RECEIVED

JAN 16 2024

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Eastern RegionAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Cannon Shelley Property Ltd Partnership Phone _____
 Mailing address 1470 N. 750 E., Shelley, ID 83274-5011 Email cannondairy@yahoo.com

- ☐ 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 Robert L. Harris Phone 208-523-0620
 Mailing address HKHC, PO Box 50130, Idaho Falls, Idaho 83402 Email rharris@holdenlegal.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.

Robert L. Harris
 Signature of Applicant or Authorized Representative

Robert L. Harris
 Print Name and Title if applicable

January 12, 2024
 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**.
 This transfer adds an existing stockwater well as an authorized POD that was previously inadvertently not included on the WRs. Further, this transfer adds a new well location for a future stockwater well. This transfer also updates the POU for the WRs to make them consistent and adds new 1/4 1/4 locations for expanded dairy.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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FEB 06 2024

DEPT. OF WATER RESOURCES
EASTERN REGION

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.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	35-13524	1.35/217	Stockwater	01/01 to 12/31	Groundwater
☒ ☐	35-13524	1.35/217	Commercial	01/01 to 12/31	Groundwater
☒ ☐	35-14391	0.41/161.5	Stockwater	01/01 to 12/31	Groundwater
☒ ☐	35-14391	0.41/161.5	Commercial	01/01 to 12/31	Groundwater
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

AMENDED

Total authorized under rights 2.14 cfs and/or 395.6 acre-feet.

2. Total amount of water proposed to be transferred or changed 2.14 cubic feet per second and/or 395.6 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 #
N	4	NW	SW	SW	31	4N	36E	Jefferson	Ground water	A0016373
N	4	NW	SW	SW	31	4N	36E	Jefferson	Ground water	
Y			SE	SW	31	4N	36E	Jefferson	Ground water	
Y			SW	SE	36	4N	35E	Jefferson	Ground water	

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	
4N	35E	36													S,C		S,C	S,C	
4N	36E	31									S,C	S,C	S,C	S,C	S,C	S,C	S,C	S,C	
Total Acres (for irrigation use)																			

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:

Well and pump into mainlines for distribution to dairy facilities.

- b. Who owns the property at the point(s) of diversion? Applicant (Sec. 31 Land); SJC Properties LLC (Sec. 36 Land)

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

SJC Properties LLC is an affiliated entity of the Applicant.

- 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: _____

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:

N/A

- 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:

None.

- 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:

Close

Water Right Report : 35-13524(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	CANNON SHELLEY PROPERTY LTD PARTNERSHIP	1470 N 750 E	SHELLEY	ID	83274-5011

Water Right Status

Priority Date : 8/8/1983

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	04N	36E	31	4	NW	SW	SW	JEFFERSON	
GROUND WATER	04N	36E	31	4	NW	SW	SW	JEFFERSON	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
STOCKWATER	01/01	12/31	1.35 CFS	217.00 AFA
COMMERCIAL	01/01	12/31	1.35 CFS	217.00 AFA
TOTAL			1.35 CFS	217.00 CFS

Places of Use

[Printable View](#)
[Paged View](#)

Place of Use Legal Description : STOCKWATER (JEFFERSON county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
04N	36E	31	4		SW	SW	

Place of Use Legal Description : COMMERCIAL (JEFFERSON county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
04N	36E	31	4		SW	SW	

Conditions

Code Conditions

Commercial use is for a dairy

WB4 The total instantaneous diversion of water from all points of diversion under Right 35-13524 shall not exceed 1.35 cfs, nor a total combined annual volume of 217 af.

115 Prior to the diversion and use of water under Transfer approval 71632, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.

067 The right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

- R05 Use of water under this right will 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. 120.
- T18 Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
- T07 The right holder shall accomplish the change authorized by this transfer within one (1) 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.
- T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
- 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
- 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
- 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
- 020 The diversion and use of water described in Transfer 71672 may be subject to additional conditions and limitations agreed to by the protestant(s) and the right holder under separate agreement to which the Department is not a party and which may be enforceable by a court of law.

Dates

Licensed Date :
 Decreed Date : 1/31/2002
 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 : S
 Water District Number : 120
 Generic Max Rate Per Acre : 0
 Generic Max Volume Per Acre : 0
 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

6/26/2023

Close

Water Right Report : 35-14391(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	CANNON SHELLEY PROPERTY LTD PARTNERSHIP	1470 N 750 E	SHELLEY	ID	83274-5011
Original Owner	ARCHIBALD, DON C	153 E MAIN PO BOX 16	RIGBY	ID	83442
Previous Owner	IDAHO GEM POTATO CO	PO BOX 77	MENAN	ID	83434

Water Right Status

Priority Date : 8/8/1983
 Basis : Decreed
 Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	04N	36E	31	4	NW	SW	SW	JEFFERSON	
GROUND WATER	04N	36E	31	4	NW	SW	SW	JEFFERSON	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
STOCKWATER	1/1	12/31	0.41 CFS	161.50 AFA
COMMERCIAL	1/1	12/31	0.41 CFS	17.10 AFA
TOTAL			0.79 CFS	178.60 CFS

Places of Use

Printable View

Page View

Place of Use Legal Description : STOCKWATER (JEFFERSON county)

Show 10 entries

Search:

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
04N	36E	31			NE	SW	
04N	36E	31	3		NW	SW	
04N	36E	31	4		SW	SW	
04N	36E	31			SE	SW	
04N	36E	31			NW	SE	
04N	36E	31			SW	SE	

Showing 1 to 6 of 6 entries

Previous

1

Next

88739

Place of Use Legal Description : COMMERCIAL (JEFFERSON county)

Show 10 entries

Search:

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
04N	36E	31			NE	SW	
04N	36E	31	3		NW	SW	
04N	36E	31	4		SW	SW	
04N	36E	31			SE	SW	
04N	36E	31			NW	SE	
04N	36E	31			SW	SE	

Showing 1 to 6 of 6 entries

Previous

1

Next

Conditions

Code Conditions

- X05 Commercial use is for a dairy.
- X02 Stockwater use is for 8190 mixed cattle.
- R05 Use of water under this right will 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. 120.
- 212 Prior to diversion and use of water under Transfer approval 79433, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
- 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.
- F06 The following rights are diverted through point(s) of diversion described above: 35-13524 and 35-14391.
- O46 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
- 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.
- T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates

Licensed Date :
 Decreed Date : 1/31/2002
 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 : S
 Water District Number : 120
 Generic Max Rate Per Acre : 0
 Generic Max Volume Per Acre : 0
 Civil Case Number :
 Decree Plaintiff :
 Decree Defendant :
 Swan Falls Trust or Nontrust :
 Swan Falls Dismissed :
 DLE Act Number :
 Cary Act Number :
 Mitigation Plan: False

CANNON SHELLEY PROPERTY LIMITED PARTNERSHIP STOCKWATER/COMMERCIAL WATER RIGHTS BEFORE TRANSFER

Water Right No.	Priority Date	Beneficial Use	Auth. Irrigated Acres	Diversion Rate (cfs)	Authorized Volume (AF)	Combined Div. Rate (cfs)	Combined Volume (AF)	Place of Use	Points of Diversion	Notes
35-13524	8/8/1983	Stockwater	N/A	1.35	217	1.35	217	4N 36E 31 SWSW (4)	4N 36E 31 NWSWSW (Gov't Lot 4) 4N 36E 31 NWSWSW (Gov't Lot 4)	
		Commercial	N/A	1.35	217					
35-14391	8/8/1983	Stockwater	N/A	0.41	161.5	0.79	178.6	4N 36E 31 NESW, NWSW (3), SWSW (4), SESW, NWSE, SWSE	4N 36E 31 NWSWSW (Gov't Lot 4) 4N 36E 31 NWSWSW (Gov't Lot 4)	
		Commercial	N/A	0.41	17.1					
	TOTALS					2.14	395.6			

CANNON SHELLEY PROPERTY LIMITED PARTNERSHIP STOCKWATER/COMMERCIAL WATER RIGHTS AFTER TRANSFER

Water Right No.	Priority Date	Beneficial Use	Auth. Irrigated Acres	Diversion Rate (cfs)	Authorized Volume (AF)	Combined Div. Rate (cfs)	Combined Volume (AF)		Points of Diversion	Notes
35-13524	8/8/1983	Stockwater	N/A	1.35	217	1.35	217	4N 36E 31 NESW, NWSW (3), SWSW (4), SESW, NESE, NWSE, SWSE, SESE 4N 35E 36, NESE, SWSE, SESE	4N 36E 31 NWSWSW (Gov't Lot 4) 4N 36E 31 NWSWSW (Gov't Lot 4) 4N 36E 31 SESW 4N 35E 36 SESE	Bolded POU descriptions are additions to the POU. The POUs for both water rights are the same after the proposed transfer. Bolded POD is an existing well that previously was not added to the WRs. Red POD is a future stockwater well. Existing POD GIS locations have also been updated, but are still within described legal description (NWSWSW). PODs for both water rights are the same after the proposed transfer.
		Commercial	N/A	1.35	217					
35-14391	8/8/1983	Stockwater	N/A	0.41	161.5	0.79	178.6	4N 36E 31 NESW, NWSW (3), SWSW (4), SESW, NESE, NWSE, SWSE, SESE 4N 35E 36, NESE, SWSE, SESE	4N 36E 31 NWSWSW (Gov't Lot 4) 4N 36E 31 NWSWSW (Gov't Lot 4) 4N 35E 36 SESE 4N 35E 36 SESE	
		Commercial	N/A	0.41	17.1					
	TOTALS					2.14	395.6			

98739

ESPA ANALYSIS

Per Transfer Memo No. 24, Part 12, it is not necessary to run an ESPA analysis because Water Right Nos. 35-13524 and 35-14391 (which were originally developed within model cell no. 59,155) is being transferred to include a point of diversion in a model grid cell adjacent to the current point of diversion (model cell no. 59,154).

SPECIAL POWER OF ATTORNEY

The undersigned hereby appoints **Robert L. Harris** of the law firm of Holden Kidwell Hahn & Crapo P.L.L.C., 1000 Riverwalk Drive, Suite 200, Idaho Falls, Idaho 83402, as our true and lawful attorney for the purpose of signing documents and acting on our behalf on matters associated with submission of water right transfer applications and water supply bank rentals to the Idaho Department of Water Resources and/or the Idaho Water Resource Board, and to allow him to receive all information, and to sign documents and other filings on our behalf.

DATED this 12 day of January, 2024.

I certify (or declare) under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct. Idaho Code § 9-1406; Idaho Rule of Civil Procedure 2.7.

SJC PROPERTIES, LLC

By: Seth Cannon
Seth Cannon, Manager

SPECIAL POWER OF ATTORNEY

The undersigned hereby appoints **Robert L. Harris** of the law firm of Holden Kidwell Hahn & Crapo P.L.L.C., 1000 Riverwalk Drive, Suite 200, Idaho Falls, Idaho 83402, as our true and lawful attorney for the purpose of signing documents and acting on our behalf on matters associated with submission of water right transfer applications and water supply bank rentals to the Idaho Department of Water Resources and/or the Idaho Water Resource Board, and to allow him to receive all information, and to sign documents and other filings on our behalf.

DATED this 12 day of January, 2024.

I certify (or declare) under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct. Idaho Code § 9-1406; Idaho Rule of Civil Procedure 2.7.

**CANNON SHELLEY PROPERTY LTD
PARTNERSHIP**

By: Seth Cannon
Seth Cannon, Partner

G:\WPDATA\RLH\23080-000 Feed Lot WRs\Transfer App\Stockwater WRs Transfer\Special Power of Attorney Cannon Shelley.docx

- Stockwater Commercial POU After Transfer
- Existing & Auth Stockwater PODs (14391,13524)
- Additional Existing Stockwater Well
- Future New Stockwater POD
- TR Lines_2014
- Section Lines_2014
- Quarter Quarters 2014

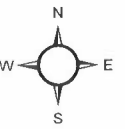


Prepared by:
Robert L. Harris
2021 NAIP Aerial

A horizontal number line representing a distance of 1 mile. The line starts at 0 on the left and ends at 1 Miles on the right. There are major tick marks at 0, 0.25, 0.5, and 1 Miles. Between each major tick mark, there are three minor tick marks, dividing each 0.25-mile segment into four equal parts of 0.0625 miles each. The minor tick marks are located at 0.125, 0.375, 0.625, and 0.875 miles.

88739

SJC PROPERTIES, LLC TRANSFER

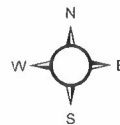


Legend

- Stockwater Commercial POU After Transfer
- Existing & Auth Stockwater PODs (14391,13524)
- Additional Existing Stockwater Well
- ▲ Future New Stockwater POD
- modelgrid
- TR Lines_2014
- Section Lines_2014
- Quarter Quarters_2014



SJC PROPERTIES, LLC TRANSFER



Legend

- Stockwater Commercial POU After Transfer
- Existing & Auth Stockwater PODs (14391,13524)
- Additional Existing Stockwater Well
- ▲ Future New Stockwater POD
- modelgrid
- TR Lines_2014
- Section Lines_2014
- Quarter Quarters_2014



Prepared by:
Robert L. Harris
2021 NAIP Aerial

0 0.075 0.15 0.3 Miles

88739



Holden Kidwell
Hahn & Crapo P.L.L.C.
L A W O F F I C E S

Established in 1896

1000 Riverwalk Drive, Suite 200
PO Box 50130
Idaho Falls, Idaho 83405
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www.holdenlegal.com
rharris@holdenlegal.com

RECEIVED

January 11, 2024

JAN 16 2024

Department of Water Resources
Eastern Region

Eastern Region Office
Idaho Department of Water Resources
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402

RE: Application for Transfer for WR 35-13524 and WR 35-14391; Filed in the Name of Cannon Shelley Property Ltd Partnership.

Dear Reviewing Agent:

Enclosed for processing is a completed *Application for Transfer* for the above-referenced water rights. As described in the application, it proposes to add to the place of use for both rights, add an existing well as an authorized point of diversion, and add a new well location for a well that will be drilled in the future. The water rights are used in conjunction with an existing dairy facility and a proposed expansion of the dairy.

Upon email request, we will email you the GIS shapefiles generated for this transfer.

Enclosed is a check in the amount of \$580.00 for the filing fee associated with a transfer of this type. We appreciate your assistance in the review and processing of this application. If you have any questions or concerns, please let me know.

Best regards,

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures

\\law\data\wpdata\rlh\23080-000 sjc feed lot wrs\transfer apps\2024.01.12 ltr to idwr.docx

88739

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.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	35-13524	1.35/217	Stockwater	01/01 to 12/31	Groundwater
☒ ☐	35-13524	1.35/217	Commercial	01/01 to 12/31	Groundwater
☒ ☐	35-14391	0.41/161.5	Stockwater	01/01 to 12/31	Groundwater
☒ ☐	35-14391	0.41/161.5	Commercial	01/01 to 12/31	Groundwater
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

SUPERCEDED

Total authorized under rights 1.76 cfs and/or 378.5 acre-feet.

2. Total amount of water proposed to be transferred or changed 1.76 cubic feet per second and/or 378.5 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 #
N	4	NW	SW	SW	31	4N	36E	Jefferson	Ground water	A0016373
N	4	NW	SW	SW	31	4N	36E	Jefferson	Ground water	
Y			SE	SW	31	4N	36E	Jefferson	Ground water	
Y			SE	SE	36	4N	35E	Jefferson	Ground water	

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	
4N	35E	36													S,C		S,C	S,C	
4N	36E	31									S,C	S,C	S,C	S,C	S,C	S,C	S,C	S,C	
Total Acres (for irrigation use)																			



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

February 7, 2024

CANNON SHELLEY PROPERTY LTD PARTNERSHIP
1470 N 750 E
SHELLEY, ID 83274-5011

RE: Transfer No. 88739
Water Right No(s). 35-13524, 35-14391

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 on 2/14/2024 and 2/21/2024. 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 circular blue stamp.

Christina Henman
Administrative Assistant

CC:
ROBERT L HARRIS
HOLDEN KIDWELL HAHN & CRAPO PLLC
PO BOX 50130
IDAHO FALLS, ID 83405-0130

Henman, Christina

From: Henman, Christina
Sent: Wednesday, February 7, 2024 2:39 PM
To: legalnotices@jeffersonstarnews.com
Subject: Legal Notice for Jefferson Star
Attachments: 88739 Jefferson Star.docx

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

RE: Transfer No. 88739
Water Right No(s). 35-13524, 35-14391

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 3/4/2024. 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. 88739**

CANNON SHELLEY PROPERTY LTD PARTNERSHIP, 1470 N 750 E, SHELLEY, ID 83274-5011 has filed Application No. 88739 for changes to the following water rights within JEFFERSON County(s): Right No(s). 35-13524, 35-14391; 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: add points of diversion and change place of use. Proposed points of diversion are in Lot 4 (2 wells) (NWSWSW) and SESW (new) Sec 31 T04N R36E, and SWSE (new) Sec 36 T04N R35E for 2.14 cfs from ground water. Proposed place of use is in NESE, SWSE and SESE Sec 36 T04N R35E, and S1/2 Sec 31 T04N R36E for commercial and stockwater use.

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 3/4/2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 2/14/2024 and 2/21/2024