

RECEIVED

AUG 27 2024

DEPT. OF WATER RESOURCES
EASTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Chelsea Pearson and Robin Roy Pearson Phone 208-339-1661
 Mailing address 206 N Rine St Alturas California 96101 Email shelcea@hotmail.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 _____ Phone _____
 Mailing address _____ Email _____

- ☐ 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**.

AMENDED

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.

Chelsea Pearson
 Signature of Applicant or Authorized Representative

Chelsea Pearson
 Print Name and Title if applicable

08/27/2024
 Date

Robin Roy Pearson
 Signature of Applicant or Authorized Representative

Robin Roy Pearson
 Print Name and Title if applicable

08/26/2024
 Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other Ownership

2. Is this a transfer for changes pursuant to Idaho Code §42-221.0.8?
 If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.

3. 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**.

WR 34-2323C was deeded to applicant and wants to transfer the right to irrigate around a
home.

88832

88832

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT. OF WATER RESOURCES
EASTERN REGIONAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 ContinuedB. 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	34-2323C	0.04	Irrigation	04/01 to 10/31	Ground Water
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	

AMENDED

Total authorized under rights 0.04 cfs and/or _____ acre-feet.2. Total amount of water proposed to be transferred or changed 0.04 cubic feet per second and/or _____ 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	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
			SW	SE	5	04N	26E	Butte	Ground Water	

4. Place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

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

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	26E	5															2.2		2.2
Total Acres (for irrigation use)																			2.2

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DEPARTMENT OF WATER RESOURCESDEPT. OF WATER RESOURCES
EASTERN REGIONAPPLICATION 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:

Pump from well to handlines.

AMENDED

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

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

- 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: Acres will be dried up.

- 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: Water Right 34-10365 for domestic use, irrigates 0.5-acres. There are no shares on the property.

- 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:

See attached statement regarding forfeiture

IDAHO DEPARTMENT OF WATER RESOURCES

3/29/2024

Proof Report

Water Right 34-2323C

Owner Type **Name and Address**
 Current Owner BANK OF IDAHO
 C/O TRUSTEE LESLIE A BALL IRA 781
 S RIVER RD
 SAINT ANTHONY, ID 83445-5510
 (208) 313-4386

Priority Date: 2/11/1955**Basis:** Decreed**Status:** Active

Source
 GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	0.040 CFS	7.7 AF
	<u>Total Diversion</u>		0.040 CFS	7.7 AF

Source and Point(s) of Diversion:

GROUND WATER	SENWNW	Sec. 34, Twp 07N, Rge 24E, CUSTER County(R)
GROUND WATER	SENWSE	Sec. 27, Twp 07N, Rge 24E, CUSTER County

Place Of Use:

IRRIGATION within CUSTER 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	24E	34	2.2																2.2
																			POU Total Acres: 2.2

Conditions of Approval:

1. G04 Water diverted under a portion of this right is exchanged by injecting water diverted under this right into the Swauger Ditch and diverting an equal amount from the Big Lost River at the points of rediversion described above.
2. G11 Water may be rediverted from the Big Lost River only when there is current demand for the water injected into the Swauger Ditch by users of water from Swauger Ditch with currently deliverable priorities below the point of injection.
3. G05 Water diverted from the Big Lost River is delivered through the Swauger and Burnett Ditches.
4. 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.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/29/2024

Dates and Other Information:

Decreed Date: 2/13/2002
State or Federal: S
Water District Number: 34
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 3.5
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>
5.260	

<u>Acres</u>
180.2

Water Rights

34-2323C ,34-637D ,34-
644C ,34-909 ,34-10685
,34-12360 ,34-227E

SubCase:

N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right
34-2323c



0 0.075 0.15 0.3 Miles

-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Point of Diversion
-  State Outline



88832



Legend

- Township/Range
- Sections
- QQ
- Parcels
- ⊕ Proposed POD
- Proposed POU

Transfer No. 88832
Robin & Chelsea Pearson

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2023 Imagery

AMENDED

DEPT. OF WATER RESOURCES
EASTERN REGION



IDAHO DEPARTMENT OF
WATER RESOURCES

JNEBEKER_IDWR

88832

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. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slight shadow on the right side, suggesting it's resting on a surface.

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid 225.00 Date 3-1-24 Received by M. Pettis Receipt # E049839

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)

To IDWR;

I am trying to move water right 34-2323C to my property to irrigate my lawn by my home. I bought this water right from Rodney and Natalie Michaelson. The Michaelson's were able to give me some history about the property and water right. They stated that the lot has not been irrigated since it was developed into a subdivision in the early 2000's. I am aware that this right may be lost, since it has not been irrigated for over 20 years. My defense to forfeiture is that this non-use has resulted from circumstances over which the water right had no control. The Michaelson's mentioned that the diversion system was removed when the subdivision was developed. They also said that they did not have legal access to the portion of land above and adjacent to the Burnett Ditch.
Reference: Idaho Code 42-223 part 6.

Sincerely,
Robin Roy Pearson



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DEPT. OF WATER RESOURCES
EASTERN REGION

AFTER RECORDING RETURN TO:
Bank of Idaho
Trust Department
PO Box 1487
Idaho Falls, ID 83403

256575

Custer County Req. of

Bank of Idaho

Time 11:00 AM Date 06-07-2019

Lura H. Baker, Clerk

Tara Vagner \$15.00
Deputy

QUITCLAIM DEED

For value received Bank of Idaho, Successor Custodian for Leslie A Ball, IRA

do hereby convey, release, remise and forever quit claim unto Leslie A. Ball and Janet H. Ball, husband and wife

Whose address is: 781 So. River Road, Chester, Idaho 83445

The following described premises to-wit:

Lot 7, CEDAR CREEK SITES Subdivision, Custer County, Idaho, T 7 N., R 24 E., BM

Together with their appurtenances.

Dated : June 5, 2019

Bank of Idaho Trustee, Leslie A. Ball IRA

By Jeanna Nance
Jeanna Nance, VP and Trust Officer

STATE OF IDAHO

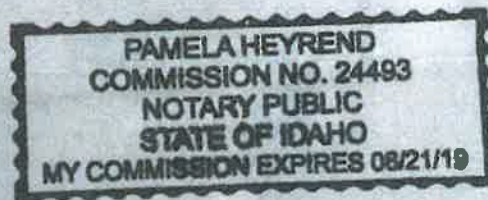
: ss.

COUNTY OF BONNEVILLE

On this 5th day of June, 2019, before me, Pamela Heyrend notary public in and for said State, personally appeared Jeanna Nance, VP & Trust Officer known or identified to me to be the persons whose names subscribed to the within instrument, and acknowledged to me that they executed the same.

Pamela Heyrend
Notary Public
Residing at Idaho Falls, ID

Commission expires 8/21/19



257165

QUITCLAIM DEED

Custer County Req. of

Natalie MichaelsonTime 1:11 P.M. Date 10-7-2019

Lura H. Baker, Clerk

Tara Vagner \$ 15.00
Deputy

For value received Leslie A. Ball and Janet H. Ball, Husband and wife

do hereby convey, release, remise and forever quit claim unto Rodney Michaelson and Natalie Michaelson,
Husband and wife

Whose address is: 4097 N 4300 W., Mackay, Idaho 83251

The following described premises to-wit:

Lot 7, Block 1, of the Cedar Creek Sites Subdivision, NE 1/4 Section 34, T.7 N., R. 24E., BM., Custer
County, Idaho as per the plat thereof
Together with their appurtenances.

Dated: 3/09/2019

By Leslie A. BallJanet H. Ball

STATE OF IDAHO

: ss.

COUNTY OF FREMONT

On this 19th day of September, 2019, before me, Karl Boehm notary public
in and for said State, personally appeared Leslie A. Ball and Janet H. Ballknown or identified to me to be the persons whose names subscribed to the within instrument, and
acknowledged to me that they executed the same.Karl Boehm

Notary Public

KARL BOEHM
29795
NOTARY PUBLIC
STATE OF IDAHOResiding at RexburgCommission expires 5/9/22

QUITCLAIM DEED

For value received Rodney Michealson and Natalie Michaelson

do hereby convey, release, remise and forever quit claim unto Robin Roy Pearson and Robin A Pearson,
Husband and wife

Whose address is: 3432 W. 2900 N. Moore, Idaho 83255

and Kim Pearson

Whose address is 1143 S Nectarine St. Cornelius, OR 97113

The following described to-wit: Water rights, interest, pertaining right 34-2323C. As it relates to:

Lot 7, Block 1, of the CEDAR CREEK SITES Subdivision, NE ¼ Section 34, T. 7 N., R. 24E., BM.,
Custer County, Idaho, as per plat thereof.

Dated : 2/8 / 2021

By [Signature] [Signature]
Rodney Michaelson Natalie Michaelson

STATE OF IDAHO

: ss.

COUNTY OF Custer

On this 8 day of Feb, 2021, before me, Terry L Williams notary public
in and for said State, personally appeared Rodney Michaelson, Natalie Michaelson

known or identified to me to be the persons whose names subscribed to the within instrument, and
acknowledged to me that they executed the same.

Terry L Williams
Notary Public

Residing at Arco, Idaho

Commission expires 1-26-22



ENHANCED GROUND-WATER RIGHTS TRANSFER

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

IDAHO DEPARTMENT OF AGRICULTURE

Cells this color are set up for user entries

UPDATE DATES

RUN MODEL

GET OUTPUT

ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON

TRANSFER NO:

88832

YEAR

1955

TRANSFER NAME:

SEASON

WINTER

Pearson

CALCULATE EFFECTS

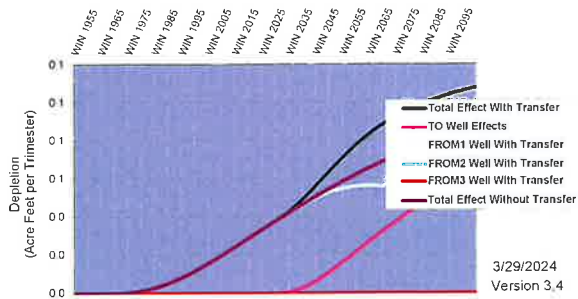
ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	27	9	0	0
COLUMN	109	108	0	0

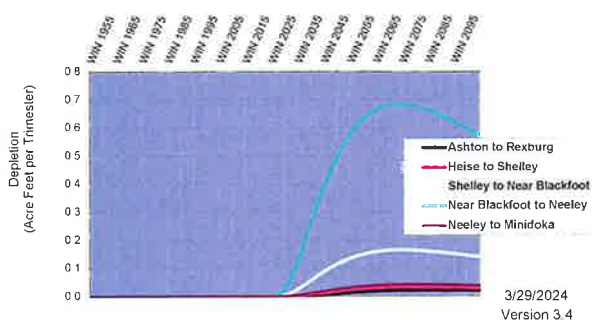
TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
	Projected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
WIN 1955	0.00	7.70	7.70	0.00	0.00	0.00	0.00
SPR 1956	0.00	7.70	7.70	0.00	0.00	0.00	0.00
SUM 1956	0.00	7.70	7.70	0.00	0.00	0.00	0.00
WIN 1956	0.00	7.70	7.70	0.00	0.00	0.00	0.00
SPR 1957	0.00	7.70	7.70	0.00	0.00	0.00	0.00
SUM 1957	0.00	7.70	7.70	0.00	0.00	0.00	0.00
WIN 1957	0.00	7.70	7.70	0.00	0.00	0.00	0.00
SPR 1958	0.00	7.70	7.70	0.00	0.00	0.00	0.00
SUM 1958	0.00	7.70	7.70	0.00	0.00	0.00	0.00
WIN 1958	0.00	7.70	7.70	0.00	0.00	0.00	0.00
SPR 1959	0.00	7.70	7.70	0.00	0.00	0.00	0.00
SUM 1959	0.00	7.70	7.70	0.00	0.00	0.00	0.00
WIN 1959	0.00	7.70	7.70	0.00	0.00	0.00	0.00
SPR 1960	0.00	7.70	7.70	0.00	0.00	0.00	0.00
SUM 1960	0.00	7.70	7.70	0.00	0.00	0.00	0.00
WIN 1960	0.00	7.70	7.70	0.00	0.00	0.00	0.00

SUM 2022	0.00	7.70	7.70	0.00	0.00	0.00	0.00
WIN 2022	0.00	7.70	7.70	0.00	0.00	0.00	0.00
SPR 2023	0.00	7.70	7.70	0.00	0.00	0.00	0.00
SUM 2023	0.00	7.70	7.70	0.00	0.00	0.00	0.00
WIN 2023	0.00	7.70	7.70	0.00	0.00	0.00	0.00
SPR 2024	7.70	0.00	7.70	0.00	0.00	0.00	0.00
SUM 2024	7.70	0.00	7.70	0.00	0.00	0.00	0.00
WIN 2024	7.70	0.00	7.70	0.00	0.00	0.00	0.00
SPR 2025	7.70	0.00	7.70	0.00	0.00	0.00	0.00
SUM 2025	7.70	0.00	7.70	0.00	0.00	0.00	0.00
WIN 2025	7.70	0.00	7.70	0.00	0.00	0.00	0.00

Hydrologic Response--Ashton to Rexburg
Customer Name: Pearson Transfer No: 88832



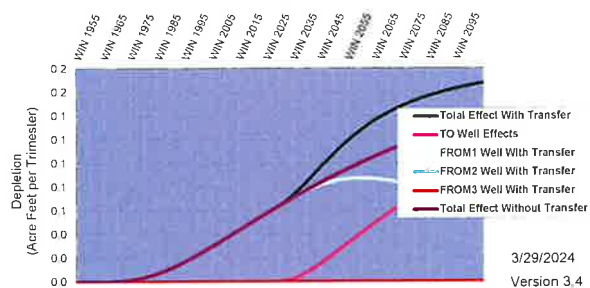
Net Transfer Effect Above Milner
(Total Effect With Transfer - Total Effect Without Transfer)



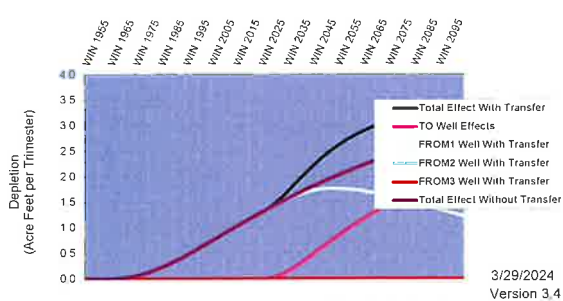
Customer Name: Pearson

Transfer No: 88832

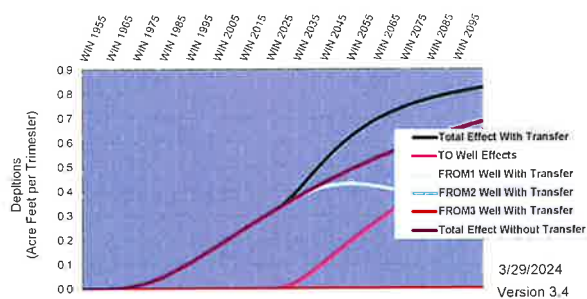
Hydrologic Response--Heise to Shelley
Customer Name: Pearson Transfer No: 88832



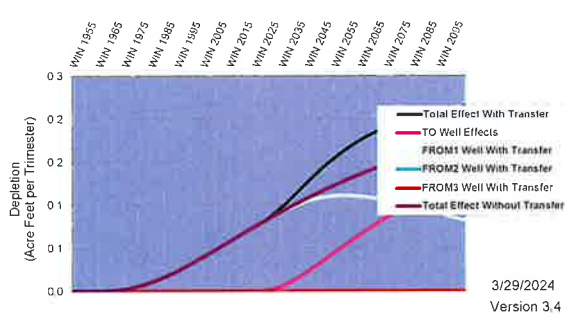
Hydrologic Response-- Near Blackfoot to Neeley
Customer Name: Pearson Transfer No: 88832



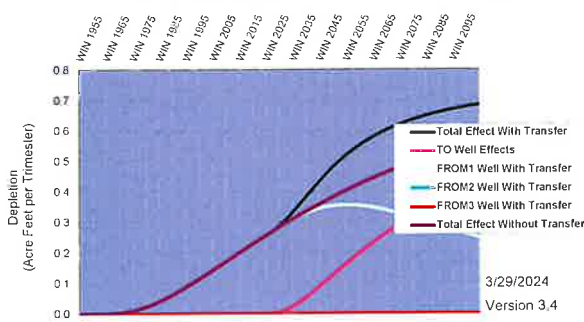
Hydrologic Response--Shelley to Near Blackfoot
Customer Name: Pearson Transfer No: 88832



Hydrologic Response-- Neeley to Minidoka
Customer Name: Pearson Transfer No: 88832

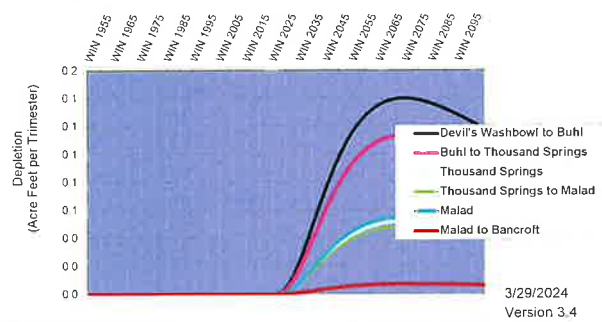


Hydrologic Response--Devil's Washbowl to Buhl
Customer Name: Pearson Transfer No: 88832



3/29/2024
Version 3.4

Net Transfer Effect Below Milner
(Total Effect With Transfer - Total Effect Without Transfer)

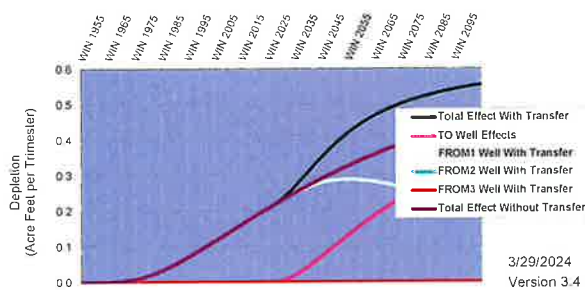


3/29/2024
Version 3.4

Customer Name: Pearson

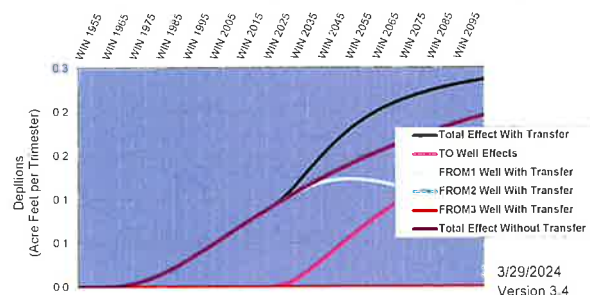
Transfer No: 88832

Hydrologic Response--Buhl to Thousand Springs
Customer Name: Pearson Transfer No: 88832



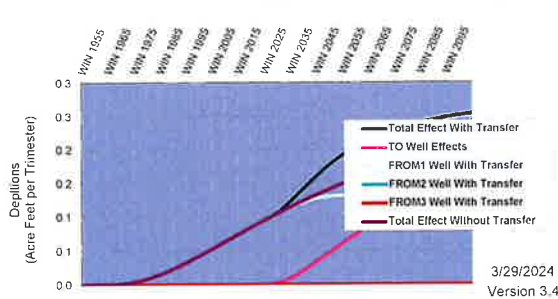
3/29/2024
Version 3.4

Hydrologic Response--Thousand Springs to Malad
Customer Name: Pearson Transfer No: 88832



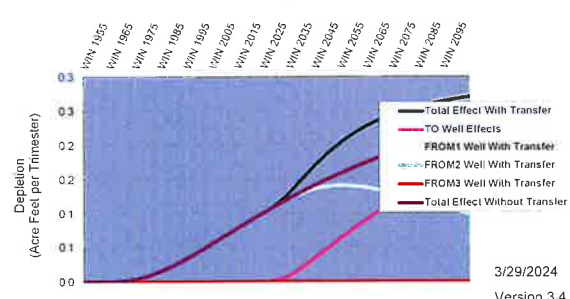
3/29/2024
Version 3.4

Hydrologic Response--Thousand Springs
Customer Name: Pearson Transfer No: 88832



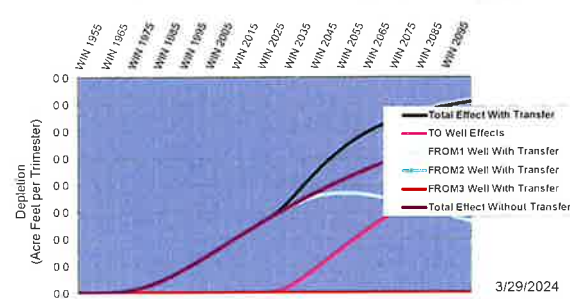
3/29/2024
Version 3.4

Hydrologic Response--Malad
Customer Name: Pearson Transfer No: 88832



3/29/2024
Version 3.4

Hydrologic Response--Malad to Bancroft
Customer Name: Pearson Transfer No: 88832



3/29/2024
Version 3.4

One-Way Analysis of Independent Transfers

New Water Right (GModelo):

WR No.	Div Rate (CFS)	Con Vol (AFA)	No. of Irr. Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT	Model Node
Transfer 1: Proposed Steady State Impacts following Transfer							
777	777	275.6	68.9	1/1/1960	8526E-3	275.6 91.9	SP082075
777	777	275.6	68.9	1/1/1960	8526E-3	275.6 91.9	SP080666
Transfer 1: Worst Case Transient State Impacts following Transfer							
777	777	275.6	68.9	1/1/1960	8526E-3	275.6 91.9	SP082075
777	777	275.6	68.9	1/1/1960	8526E-3	275.6 91.9	SP080666

Steady State Analysis

Mitigation Check 1 - > 10% of Historical:	22.5%	21.4%	20.4%	20.3%	21.8%	20.9%	20.9%	21.0%	21.2%
Mitigation Check 2: > 2 AFT:	0.0	0.0	0.1	0.6	0.0	0.1	0.1	0.0	0.0
Mitigation Check 3 - > 10% of Total:	1.6%	2.9%	12.2%	50.4%	3.2%	10.1%	8.2%	3.5%	4.0%
Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft):	0.0	0.0	0.1	0.6	0.0	0.1	0.1	0.0	0.0

Transient State Analysis

Mitigation Check 1 - > 10% of Historical:	22.5%	21.4%	20.4%	20.3%	21.8%	20.9%	20.9%	21.0%	21.2%
Mitigation Check 2: > 2.01 AFT:	0.0	0.0	0.1	0.6	0.0	0.1	0.1	0.0	0.0
Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft):	0.0	0.0	0.1	0.6	0.0	0.1	0.1	0.0	0.0

Read Me

Impact by Reach (AFT/Trimester)									
Ashion to Rexburg	Heise to Shelley	Shelley to Nr Bickit	Nr Bickit to Neeley	Neeley to Minidoka	Dev. Wbl. to Buhl	Buhl to Kspr	Kspr to Malad	Malad to Malad	Malad to Bancroft
0.09	0.14	0.68	2.83	0.18	0.57	0.46	0.21	0.20	0.03
0.11	0.17	0.82	3.40	0.21	0.68	0.56	0.25	0.24	0.04
0.09	0.14	0.68	2.83	0.18	0.57	0.46	0.21	0.20	0.03
0.11	0.17	0.82	3.40	0.21	0.68	0.56	0.25	0.24	0.04
22.5%	21.4%	20.4%	20.3%	21.8%	20.9%	20.9%	21.0%	21.0%	21.2%
0.0	0.0	0.1	0.6	0.0	0.1	0.1	0.0	0.0	0.0
1.6%	2.9%	12.2%	50.4%	3.2%	10.1%	8.2%	3.7%	3.5%	4.0%
NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
0.0	0.0	0.1	0.6	0.0	0.1	0.1	0.0	0.0	0.0
22.5%	21.4%	20.4%	20.3%	21.8%	20.9%	20.9%	21.0%	21.0%	21.2%
0.0	0.0	0.1	0.6	0.0	0.1	0.1	0.0	0.0	0.0
NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
0.0	0.0	0.1	0.6	0.0	0.1	0.1	0.0	0.0	0.0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 01 2024

DEPT. OF WATER RESOURCES
EASTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Robin Roy Pearson Phone 208-339-0634
Mailing address 3432 W 2900 N Moore, ID 83255 Email elkhunter@atcnet.net

- ☐ 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 _____ Phone _____
Mailing address _____ Email _____

☐ 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

Robin Roy Pearson
Print Name and Title if applicable

3-1-24
Date

[Signature]
Signature of Applicant or Authorized Representative

Kim Pearson
Print Name and Title if applicable

3-9-24
Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other Updating ownership

2. 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 **Part1A.2**.

3. 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 **Part1A.3**.

WR 34-2323C was deeded to applicant and wants to transfer the right to water acres around home.

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	34-2323C	.04		to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	

SUPERCEDED

Total authorized under rights .04 cfs and/or acre-feet.

2. Total amount of water proposed to be transferred or changed .04 cubic feet per second and/or 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 #
			SW	SE	5	04N	26E	Butte	Ground Water	
			SW	SE	5	04N	26E	Butte	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	
04N	26E	5															4		4
Total Acres (for irrigation use)																			4

Pearson Transfer



Legend

-  Proposed_Points_of_Diversion
 Proposed_Place_of_Use
 Township/Range
 Sections

88832

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 28 2024

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

DEPT. OF WATER RESOURCES
EASTERN REGION

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	34-2323C	0.4	Irrigation	04/01 to 10/31	Ground Water
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	

AMENDED

SUPERCEDED

Total authorized under rights 0.04 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.04 cubic feet per second and/or _____ 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	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
Y			SW	SE	5	04N	26E	Butte	Ground Water	
Y			SW	SE	5	04N	26E	Butte	Ground Water	

4. Place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

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

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	26E	5															2.2		2.2
Total Acres (for irrigation use)																			2.2

[Handwritten signature]

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:

Pump from well to handlines.

- b. Who owns the property at the point(s) of diversion? Applicant, Butte County Cemetery

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

Private agreement between two parties

SUPERCEDED

- 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:

Acres will be dried up.

- 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:

- 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:



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 Mathew Weaver

August 28, 2024

ROBIN ROY PEARSON
CHELSEA PEARSON
206 N RINE ST
ALTURAS, CA 96101

RE: Transfer No. 88832
Water Right No(s). 34-2323C

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 ARCO ADVERTISER on 9/5/2024 and 9/12/2024. 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,

Christina Henman
Administrative Assistant

Henman, Christina

From: Henman, Christina
Sent: Wednesday, August 28, 2024 12:22 PM
To: arcoadv@aol.com
Subject: Legal Notice for Arco Advertiser
Attachments: 88832 Arco Advertiser.docx

LEGAL NOTICE DEPARTMENT
ARCO ADVERTISER
PO BOX C
ARCO, ID 83213

RE: Transfer No. 88832
Water Right No(s). 34-2323C

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 9/23/2024. 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. 88832**

ROBIN ROY PEARSON and CHELSEA PEARSON, 206 N RINE ST, ALTURAS, CA 96101 has filed Application No. 88832 for changes to the following water rights within BUTTE County(s): Right No(s). 34-2323C; 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 and place of use. Proposed point of diversion is in SWSE Sec 5 T04N R26E for 0.04 cfs from ground water. Proposed place of use is in SWSE Sec 5 T04N R26E for 2.2 acres. 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 9/23/2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 9/5/2024 and 9/12/2024