

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

89016

#1

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.

Name of Applicant(s) Cannon Shelley Property Ltd Partnership

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

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

RECEIVED

APR 29 2024

DEPT. OF WATER RESOURCES
EASTERN REGION

APPLICATION 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 Robert L. Harris April 26, 2024
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative Print Name and Title if applicable 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 _____

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 **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**.

This transfer proposes to convert a 48.7-acre portion of an irrigation water right to stockwater use to be diverted out of five stockwater wells at dairy facility year round. The primary crop grown at the POU is irrigated alfalfa.
The transfer also more precisely determines the remaining irrigated acres for 35-13523 (which shifts some acres as described on part 2.b)

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JUL 26 2024

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAMENDED TRANSFER NO.
89016DEPT. 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.

I.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	35-13523	8.22/2534.4	Irrigation	4/1 to 10/31	Groundwater
☐ ☒	35-13523	0.63/195.6	Stockwater	01/01 to 12/31	Groundwater
☒ ☐				to	
☒ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 8.85 cfs and/or 2730 acre-feet.2. Total amount of water proposed to be transferred or changed 8.85 cubic feet per second and/or 2730 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	
N			SE	SW	31	4N	36E	Jefferson	Ground water	
N		SW	SE	SE	36	4N	35E	Jefferson	Ground water	
Y		SW	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	
3N	36E	6	30.8	34.1	38.5	37.4	36.2	31.8	36.8	38.5	40	30.6	34.3	34.9	37.9	39.2	36.2	34.9	572.1
4N	36E	31											1.5	4.2	25		0.9	29.9	61.5
Total Acres (for irrigation use)																			633.6

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 ☐ ☒	35-13523	8.22/2534.4	Irrigation	4/1 to 10/31	Groundwater
☐ ☒	35-13523	0.63/195.6	Stockwater	01/01 to 12/31	Groundwater
☒ ☐	(35-14872)			to	
☒ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 8.85 cfs and/or 2730 acre-feet.

2. Total amount of water proposed to be transferred or changed 8.85 cubic feet per second and/or 2730 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	
N			SE	SW	31	4N	36E	Jefferson	Ground water	
N			SW	SE	36	4N	35E	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	
3N	36E	6	30.8	34.1	38.5	37.4	36.2	31.8	36.8	38.5	40	30.6	34.3	34.9	37.9	39.2	36.2	34.9	572.1
4N	36E	31											1.5	4.2	25		0.9	29.9	61.5
Total Acres (for irrigation use)																			633.6

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; 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:
The POU acreage for the irrigation portion of the water right is updated. 48.7 acres of irrigated ground will be dried up (primarily associated with the dairy expansion).
- 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:
35-13524 and 35-14391 (both stockwater rights). Also a portion of 35-7623 is being transferred to stockwater 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:

CANNON SHELLEY IRRIGATION WATER RIGHT BEFORE TRANSFER												
Type	Basin	Sequence	Basis	Priority Date	Div. Rate (cfs)	Div. Volume (AF)	Irrigated Acres	Place of Use	Point of Diversion	Source	Water Use	Owner
WR	35	13523	Decreed	8/8/1983	8.85	2730	682.3	GIS Shapefile	3N 36E 6 SESWNW	GROUND WATER	IRRIGATION	CANNON SHELLEY

CANNON SHELLEY IRRIGATION WATER RIGHT PORTION AFTER TRANSFER												
Type	Basin	Sequence	Basis	Priority Date	Div. Rate (cfs)	Div. Volume (AF)	Irrigated Acres	Place of Use	Point of Diversion	Source	Water Use	Owner
WR	35	13523	Decreed	8/8/1983	8.22	2534.4	633.6	GIS Shapefile	4N 40E 2 NWSESW	GROUND WATER	IRRIGATION	CANNON SHELLEY

CANNON SHELLEY IRRIGATION WATER RIGHT PORTION THAT WILL BE CONVERTED TO STOCKWATER THROUGH TRANSFER												
Type	Basin	Sequence	Basis	Priority Date	Div. Rate (cfs)	Div. Volume (AF)	Irrigated Acres	Place of Use	Point of Diversion	Source	Water Use	Owner
WR	35	13523	Decreed	8/8/1983	0.63	195.6	48.7	GIS Shapefile	4N 40E 2 NWSESW	GROUND WATER	IRRIGATION	CANNON SHELLEY

Most consumptive crop for POU for 35-13523 is Alfalfa.												
--	--	--	--	--	--	--	--	--	--	--	--	--

ET VIEWER WEBSITE (CIR or precipitation deficit amount 90%)	Precipitation Deficit (mm/acre)	Conversion to AF per acre	Irrigated Acres	Nature of Use Conversion Amount
	955	3.13	48.7	152.6

CANNON SHELLEY IRRIGATION WATER RIGHT CONVERTED TO STOCKWATER AFTER TRANSFER												
Type	Basin	Sequence	Basis	Priority Date	Div. Rate (cfs)	Div. Volume (AF)	Irrigated Acres	Place of Use	Point of Diversion	Source	Water Use	Owner
WR	35	13523 (portion)	Decreed	8/8/1983	0.63	152.6	N/A	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 SWSE 4N 35E 36 SWSE	GROUND WATER	STOCKWATER	CANNON SHELLEY

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

4/25/2024
IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report
WATER RIGHT NO. 35-13523

Owner Type	Name and Address
Current Owner	CANNON SHELLEY PROPERTY LTD PARTNERSHIP 1470 N 750 E SHELLEY, ID 83274-5011 2083577787

Priority Date: 08/08/1983
Basis: Decreed
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	8.85 CFS	2730 AFA
Total Diversion			8.85 CFS	2730 AFA

Location of Point(s) of Diversion:

GROUND WATER|SESWNW|Sec. 06|Township 03N|Range 36E|BONNEVILLE County
Place(s) of use:
Place of Use Legal Description: IRRIGATION BONNEVILLE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
03N	36E	6	1	NENE	31.5	2	NWNE	34.6		SWNE	38.3		SENE	37.4
			3	NENW	36.2	4	NWNW	35.8		SWNW	36.9		SENW	38.5
				NESW	40		NWSW	30.5		SWSW	33.8		SESW	34
				NESE	38.2		NWSE	39.4		SWSE	35.3		SESE	33.9
04N		31	4	SWSW	5.1		SESW	5.1						
				NESE	39.2		NWSE	5.8		SWSE	15.2		SESE	37.6

Total Acres: 682.3
Conditions of Approval:

1. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
2. 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.
3. 214 Prior to the diversion and use of water under Transfer approval 82854, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
4. 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.
5. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. 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.
7. 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: 01/31/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

89016

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Attachment No. 4

Power of Attorney

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

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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

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Attachment No. 5

ESPA Analysis and Mitigation Plan

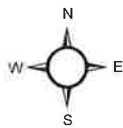
ESPA ANALYSIS

Per Transfer Memo No. 24, Part 12, it is not necessary to run an ESPA analysis because Water Right No. 35-7623 (which were originally developed within model cell no. 58,154) is being transferred to include points of diversion in model grid cells adjacent to or within the current points of diversion (model cell no. 59,154 and 59,155).

Attachment No. 7a

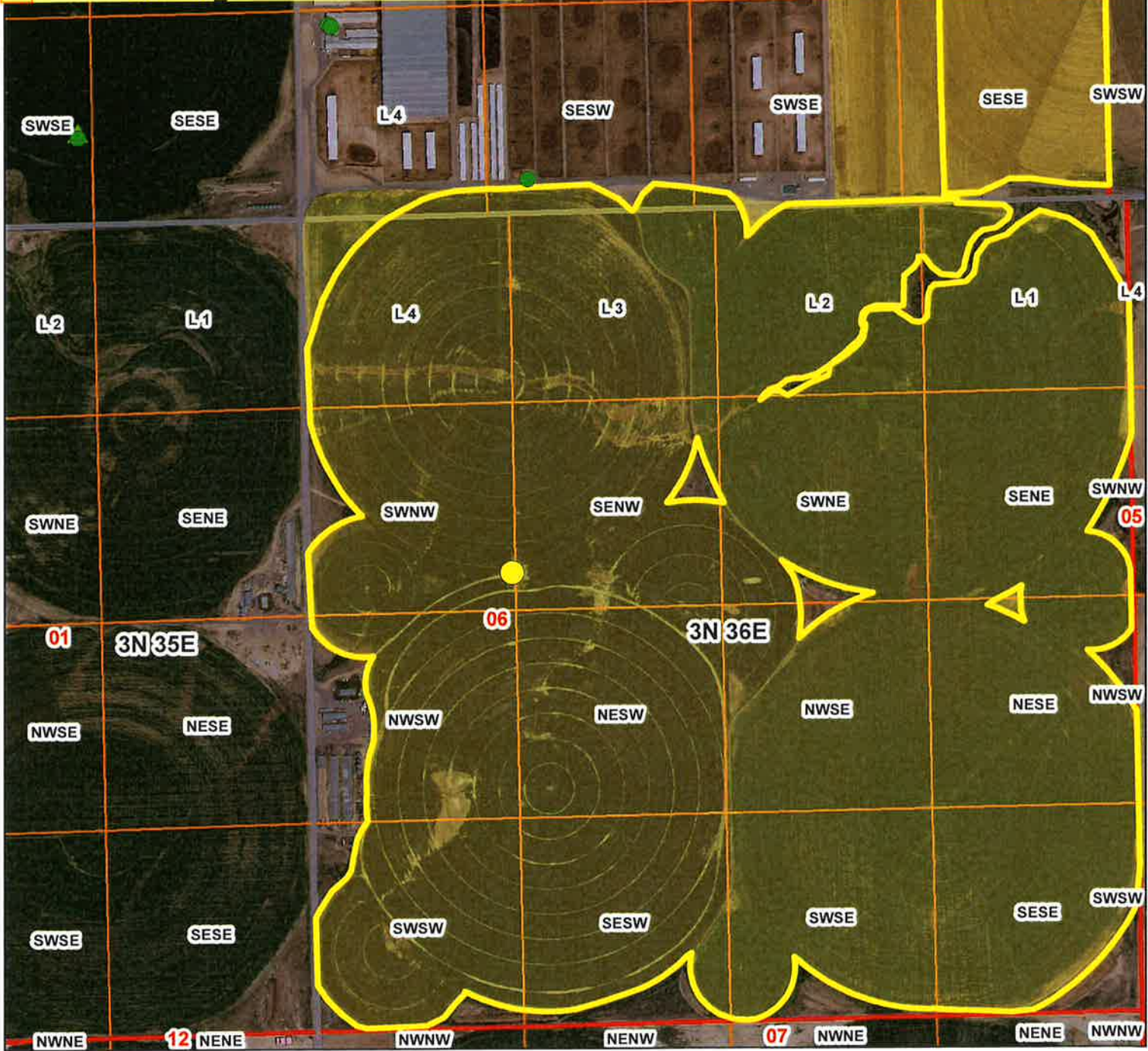
Map

SJC PROPERTIES, LLC TRANSFER

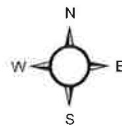


Legend

- 35-13523IrrPOD
- Existing & Auth Stockwater PODs (14391,13524)
- Future New Stockwater POD
- 35-13523_Reduced POU
- 35-13523_POU
- TR Lines_2014
- Section Lines_2014
- Quarter Quarters 2014

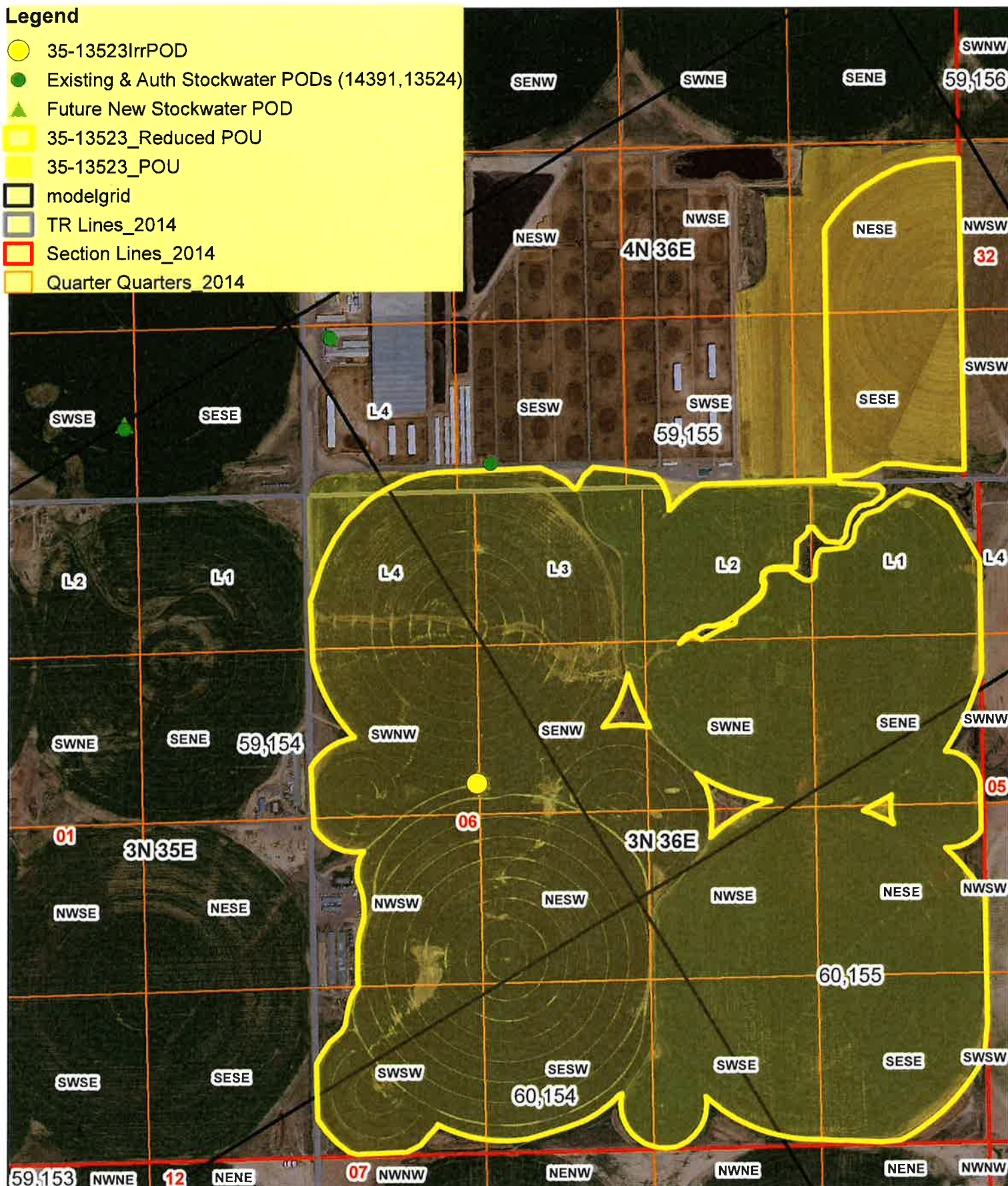


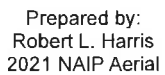
SJC PROPERTIES, LLC TRANSFER



Legend

- 35-13523IrrPOD
- Existing & Auth Stockwater PODs (14391,13524)
- ▲ Future New Stockwater POD
- 35-13523_Reduced POU
- 35-13523_POU
- modelgrid
- TR Lines_2014
- Section Lines_2014
- Quarter Quarters 2014





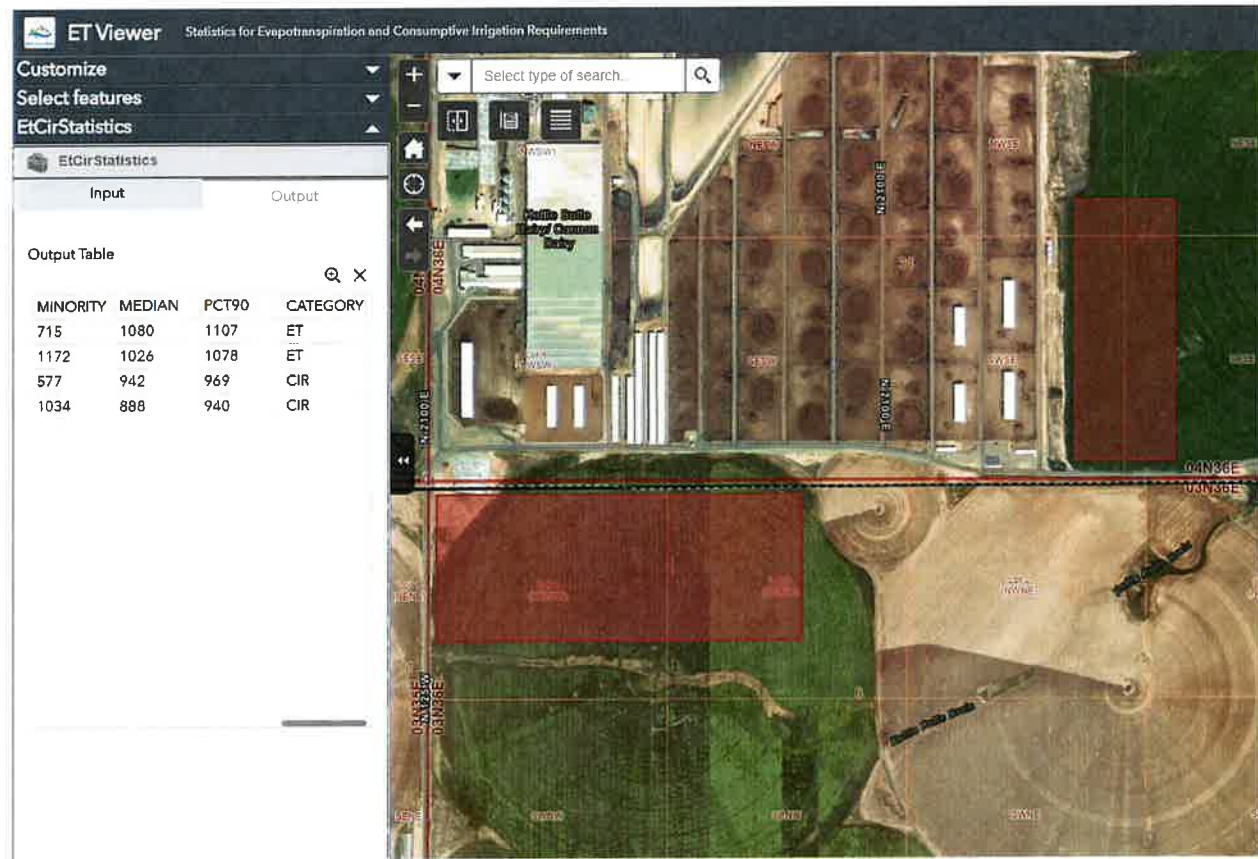
Attachment No. 7b
Map (GIS shapefile)

GIS shapefiles will be emailed upon request to the Applicant's representative.

**Attachment No. 8a
Documentation - Historic
Beneficial Use**

HISTORIC USE

The most consumptive crop grown at the place of use over the past five years is alfalfa (multiple cuttings). Based on IDWR's ET Viewer database at the location depicted below, the historic high ET value is 955 mm (or 3.13 AF per year per acre). This is calculated by taking an average of two areas where the greatest drying up of acres occurs. This results in a conversion to stockwater use of 152.6 acre-feet (with the retirement of 48.7 acres).



Output Table

OBJECTID_1	OBJECTID	COUNT	AREA	MIN	MAX	RANGE	MEAN	STD	SUM	VARIETY	MAJORITY	MINORITY	MEDIAN	PCT90	CATEGORY
1	1	73019	73019	715	1136	421	1069.481230	55.20309833	178092450	68	1107	715	1080	1107	ET
2	2	148286	148286	277	1172	895	978.6891479	169.5035376	145125899	129	1062	1172	1026	1078	ET
3	1	73019	73019	577	998	421	931.4812309	55.20309833	168015828	68	969	577	942	969	CIR
4	2	148286	148286	139	1034	895	840.6891479	169.5035376	124662431	129	924	1034	888	940	CIR

Google Earth also shows the work commencing at the dairy expansion area and the retirement irrigated ground:



89016

CANNON SHELLEY IRRIGATION WATER RIGHT BEFORE TRANSFER												
Type	Basin	Sequence	Basis	Priority Date	Div. Rate (cfs)	Div. Volume (AF)	Irrigated Acres	Place of Use	Point of Diversion	Source	Water Use	Owner
WR	35	13523	Decreed	8/8/1983	8.85	2730	682.3	GIS Shapefile	3N 36E 6 SESWNW	GROUND WATER	IRRIGATION	CANNON SHELLEY

CANNON SHELLEY IRRIGATION WATER RIGHT PORTION AFTER TRANSFER												
Type	Basin	Sequence	Basis	Priority Date	Div. Rate (cfs)	Div. Volume (AF)	Irrigated Acres	Place of Use	Point of Diversion	Source	Water Use	Owner
WR	35	13523	Decreed	8/8/1983	8.22	2534.4	633.6	GIS Shapefile	4N 40E 2 NWSWSW	GROUND WATER	IRRIGATION	CANNON SHELLEY

CANNON SHELLEY IRRIGATION WATER RIGHT PORTION THAT WILL BE CONVERTED TO STOCKWATER THROUGH TRANSFER												
Type	Basin	Sequence	Basis	Priority Date	Div. Rate (cfs)	Div. Volume (AF)	Irrigated Acres	Place of Use	Point of Diversion	Source	Water Use	Owner
WR	35	13523	Decreed	8/8/1983	0.63	195.6	48.7	GIS Shapefile	4N 40E 2 NWSWSW	GROUND WATER	IRRIGATION	CANNON SHELLEY

Most consumptive crop for POU for 35-13523 is Alfalfa.

ET VIEWER WEBSITE (CIR or precipitation deficit amount 90%)	Precipitation Deficit (mm/acre)	Conversion to AF per acre	Irrigated Acres	Nature of Use Conversion Amount
	955	3.13	48.7	152.6

CANNON SHELLEY IRRIGATION WATER RIGHT CONVERTED TO STOCKWATER AFTER TRANSFER												
Type	Basin	Sequence	Basis	Priority Date	Div. Rate (cfs)	Div. Volume (AF)	Irrigated Acres	Place of Use	Point of Diversion	Source	Water Use	Owner
WR	35	13523 (portion)	Decreed	8/8/1983	0.63	152.6	N/A	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 SWSE 4N 35E 36 SWSE	GROUND WATER	STOCKWATER	CANNON SHELLEY

IRRIGATION PLACE OF USE DESCRIPTION <u>AFTER</u> PROPOSED CHANGES	

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	36E	6	30.8	34.1	38.5	37.4	36.2	31.8	36.8	38.5	40	30.6	34.3	34.9	37.9	39.2	36.2	34.9	572.1
4N	36E	31											1.5	4.2	25	0	0.9	29.9	61.5
															TOTAL				633.6

IRRIGATION PLACE OF USE DESCRIPTION <u>BEFORE</u> PROPOSED CHANGES	
1	1
2	2
3	3
4	4
5	5
6	6
7	7
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9	9
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93	93
94	94
95	95
96	96
97	97
98	98
99	99
100	100

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	36E	6	31.5	34.6	38.3	37.4	36.2	35.8	36.9	38.5	40	30.5	33.8	34	38.2	39.4	35.3	33.9	574.3
4N	36E	31											5.1	5.1	39.2	5.8	15.2	37.6	108
															TOTAL				682.3

CHANGE IN ACRES (ACRES CHANGED TO STOCKWATER USE)	
1990-1991	1,000
1991-1992	1,000
1992-1993	1,000
1993-1994	1,000
1994-1995	1,000
1995-1996	1,000
1996-1997	1,000
1997-1998	1,000
1998-1999	1,000
1999-2000	1,000
2000-2001	1,000
2001-2002	1,000
2002-2003	1,000
2003-2004	1,000
2004-2005	1,000
2005-2006	1,000
2006-2007	1,000
2007-2008	1,000
2008-2009	1,000
2009-2010	1,000
2010-2011	1,000
2011-2012	1,000
2012-2013	1,000
2013-2014	1,000
2014-2015	1,000
2015-2016	1,000
2016-2017	1,000
2017-2018	1,000
2018-2019	1,000
2019-2020	1,000
2020-2021	1,000
2021-2022	1,000
2022-2023	1,000
2023-2024	1,000
2024-2025	1,000
2025-2026	1,000
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2027-2028	1,000
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2029-2030	1,000
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2097-2098	1,000
2098-2099	1,000
2099-2100	1,000
2100-2101	1,000
2101-2102	1,000
2102-2103	1,000
2103-2104	1,000
2104-2105	1,000
2105-2106	1,000
2106-2107	1,000
2107-2108	1,000
2108-2109	1,000
2109-2110	1,000
2110-2111	1,000
2111-2112	1,000
2112-2113	1,00

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	36E	6	-0.7	-0.5	0.2			-4	-0.1			0.1	0.5	0.9	-0.3	-0.2	0.9	1	-2.2
4N	36E	31											-3.6	-0.9	-14.2	-5.8	-14.3	-7.7	-46.5
															TOTAL				-48.7

89016



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

RECEIVED

APR 29 2024

DEPT. OF WATER RESOURCES
EASTERN REGION

Established in 1896

1000 Riverwalk Drive, Suite 200
PO Box 50130
Idaho Falls, Idaho 83405
Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com
rharris@holdenlegal.com

April 26, 2024

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

RE: Application for Transfer for WR 35-13523; 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 right. As described in the application, it proposes to change the nature of use, place of use, season of use, and point diversion for a portion of an irrigation water right to change it to a stock water nature of use to be diverted at the applicant's expanded dairy facility.

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

Enclosed is a check in the amount of \$1,140.00 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

g:\wpdata\rlh\23080-000 sjc feed lot wrs\transfer apps\2024.04.26 ltr to idwr (2).docx

89016

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

89016
2

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.

Name of Applicant(s) Cannon Shelley Property Ltd Partnership

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

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

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APR 29 2024

DEPT. OF WATER RESOURCES
EASTERN REGION

APPLICATION 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 Robert L. Harris April 26, 2024
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☒ Change period 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 proposes to convert a 135-acre portion of an irrigation water right to stockwater use to be diverted out of five stockwater wells at dairy facility year round. A full pivot will be dried up, which historically irrigated alfalfa.

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JUL 26 2024

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED TRANSFER NO. 89016

DEPT. 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.

I.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	35-7623	3.36/552	Irrigation	4/1 to 11/1	Groundwater
☐ ☒	35-7623	2.7/425.2	Stockwater	01/01 to 12/31	Groundwater
☒ ☐				to	
☒ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 6.06 cfs and/or 977.2 acre-feet.2. Total amount of water proposed to be transferred or changed 6.06 cubic feet per second and/or 977.2 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	
N			SE	SW	31	4N	36E	Jefferson	Ground water	
N		SW	SE	SE	36	4N	35E	Jefferson	Ground water	
Y		SW	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	
4N	35E	36									40	40	33	39	4	5	7		168
Total Acres (for irrigation use)																			168

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.

I.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☐ All or ☒ Part	35-7623	3.36/552	Irrigation	4/1 to 11/1	Groundwater
☐ ☒	35-7623	2.7/425.2	Stockwater	01/01 to 12/31	Groundwater
☒ ☐	(35-14873)			to	
☒ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 6.06 cfs and/or 977.2 acre-feet.

2. Total amount of water proposed to be transferred or changed 6.06 cubic feet per second and/or 977.2 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	
N			SE	SW	31	4N	36E	Jefferson	Ground water	
N			SW	SE	36	4N	35E	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	
4N	35E	36									40	40	33	39	4	5	7		168
Total Acres (for irrigation use)																			168

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? 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:
A full pivot, a pivot corner, and a portion of a pivot corner will be dried up entirely. The pivot to be dried up historically irrigated areas that were not covered by the WR shapefile, with the acreage from the pivot corners and unauthorized irrigated areas virtually equal.
-
- 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:
35-13524 and 35-14391 (both stockwater rights).
-
- 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:**
-
-
-

SJC IRRIGATION WATER RIGHT BEFORE TRANSFER												
Type	Basin	Sequence	Basis	Priority Date	Div. Rate (cfs)	Div. Volume (AF)	Irrigated Acres	Place of Use	Point of Diversion	Source	Water Use	Owner
WR	35	7623	Decreed	7/20/1976	6.06	1212	303	GIS Shapefile	4N 40E 2 NWSESW	GROUND WATER	IRRIGATION	SJC PROPERTIES LLC

SJC IRRIGATION WATER RIGHT PORTION AFTER TRANSFER												
Type	Basin	Sequence	Basis	Priority Date	Div. Rate (cfs)	Div. Volume (AF)	Irrigated Acres	Place of Use	Point of Diversion	Source	Water Use	Owner
WR	35	7623	Decreed	7/20/1976	3.36	552	168	GIS Shapefile	4N 40E 2 NWSESW	GROUND WATER	IRRIGATION	SJC PROPERTIES LLC

SJC IRRIGATION WATER RIGHT PORTION THAT WILL BE CONVERTED TO STOCKWATER THROUGH TRANSFER												
Type	Basin	Sequence	Basis	Priority Date	Div. Rate (cfs)	Div. Volume (AF)	Irrigated Acres	Place of Use	Point of Diversion	Source	Water Use	Owner
WR	35	7623	Decreed	7/20/1976	2.7	660	135	GIS Shapefile	4N 40E 2 NWSESW	GROUND WATER	IRRIGATION	SJC PROPERTIES LLC

Most consumptive crop for POU for 35-7623 is Alfalfa.												
---	--	--	--	--	--	--	--	--	--	--	--	--

ET VIEWER WEBSITE (CIR or precipitation deficit amount 90%)	Precipitation Deficit (mm/acre)	Conversion to AF per acre	Irrigated Acres	Nature of Use Conversion Amount
	960	3.15	135	425.2

SJC IRRIGATION WATER RIGHT CONVERTED TO STOCKWATER AFTER TRANSFER												
Type	Basin	Sequence	Basis	Priority Date	Div. Rate (cfs)	Div. Volume (AF)	Irrigated Acres	Place of Use	Point of Diversion	Source	Water Use	Owner
WR	35	7623 (portion)	Decreed	7/20/1976	2.7	425.2	N/A	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 SWSE 4N 35E 36 SWSE	GROUND WATER	STOCKWATER	SJC PROPERTIES LLC

**Attachment No. 2a
Water Right Ownership
Documentation**

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

4/25/2024

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 35-7623

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SJC PROPERTIES LLC 1470 N 750 E SHELLEY, ID 83274-5011
Original Owner	BLAIR M WALKER 1420 ANTARES IDAHO FALLS, ID 83402 2085245144

Priority Date: 07/20/1976

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	6.06 CFS	1212 AFA
Total Diversion			6.06 CFS	1212 AFA

Location of Point(s) of Diversion:

GROUND WATER|SWSE|Sec. 36|Township 04N|Range 35E|JEFFERSON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	35E	36		NESW	40		NWSW	40		SWSW	40		SESW	39
				NESE	36		NWSE	40		SWSE	32		SESE	36

Total Acres: 303

Conditions of Approval:

9016

1. 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.

Dates:

Licensed Date:

Decreed Date: 02/25/2002

Permit Proof Due Date: 9/1/1977

Permit Proof Made Date: 1/1/1900

Permit Approved Date: 8/16/1976

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

89016

Attachment No. 4

Power of Attorney

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

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

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

Attachment No. 5

ESPA Analysis and Mitigation Plan

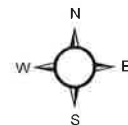
ESPA ANALYSIS

Per Transfer Memo No. 24, Part 12, it is not necessary to run an ESPA analysis because Water Right No. 35-13523 (which were originally developed within model cell no. 59,154) is being transferred to include points of diversion in model grid cells adjacent to or within the current points of diversion (model cell no. 59,154 and 59,155).

Attachment No. 7a

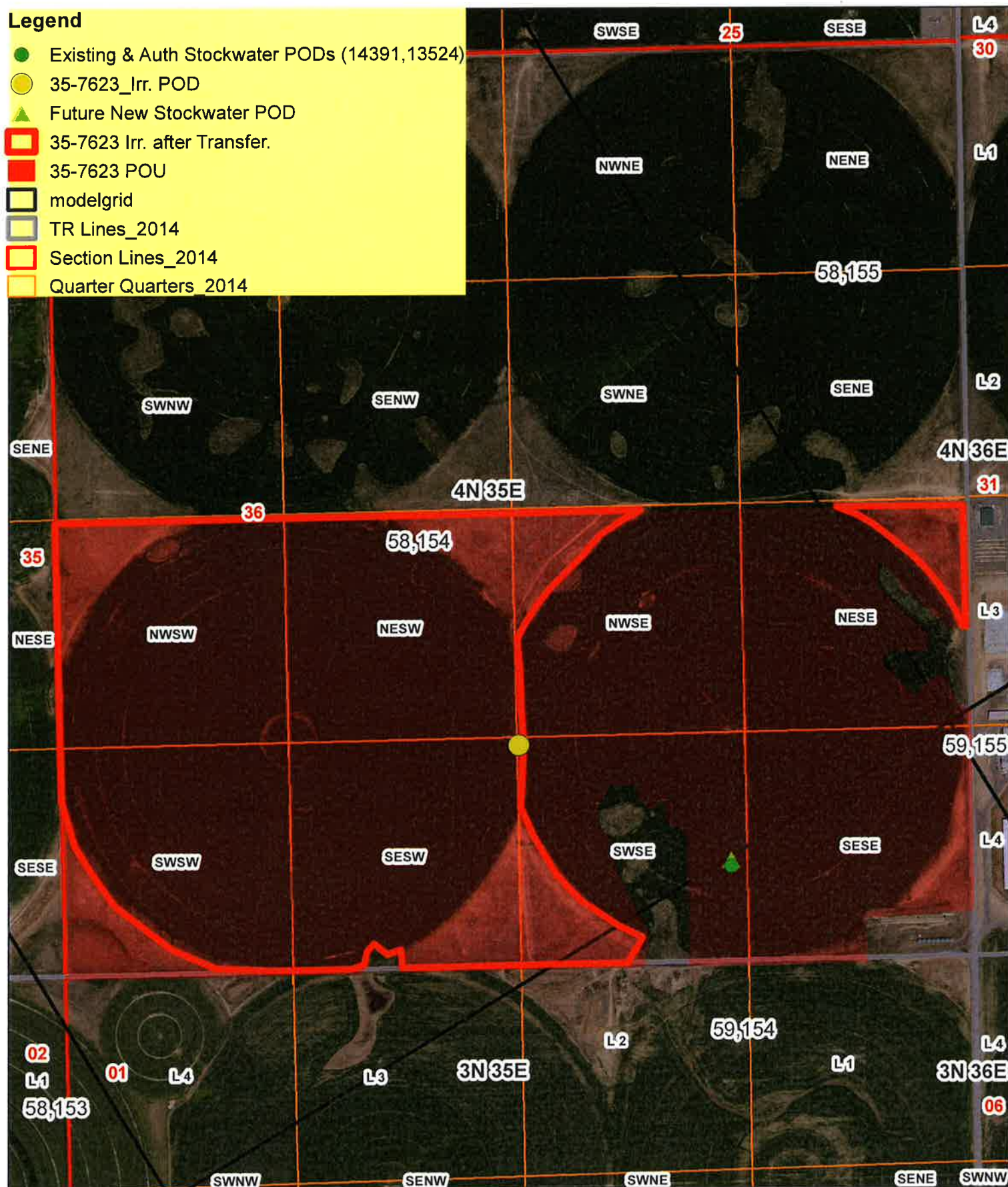
Map

SJC PROPERTIES, LLC TRANSFER

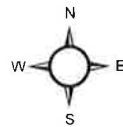


Legend

- Existing & Auth Stockwater PODs (14391,13524)
- 35-7623_Irr. POD
- ▲ Future New Stockwater POD
- 35-7623 Irr. after Transfer.
- 35-7623 POU
- modelgrid
- TR Lines_2014
- Section Lines_2014
- Quarter Quarters_2014

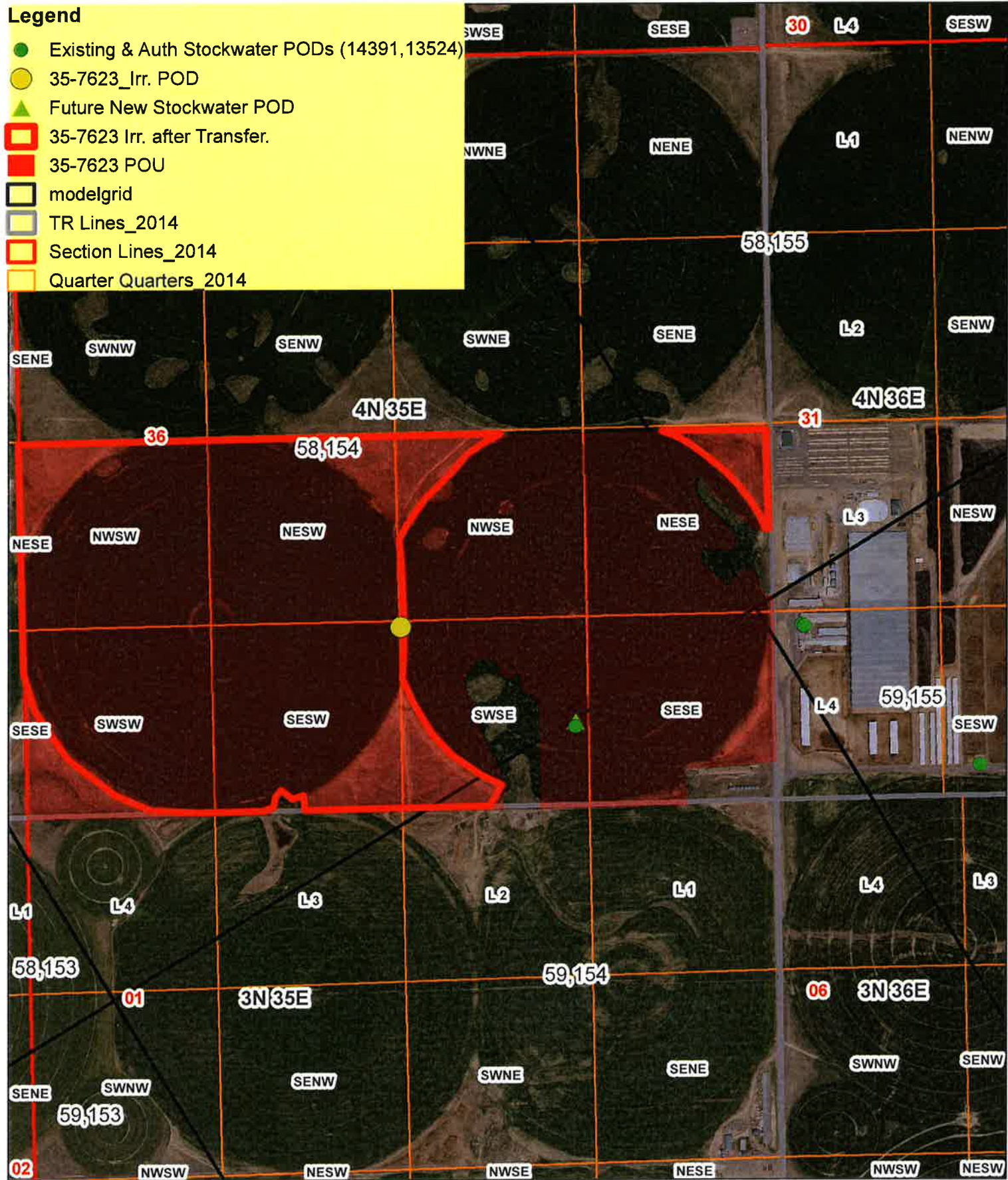


SJC PROPERTIES, LLC TRANSFER

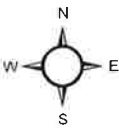


Legend

- Existing & Auth Stockwater PODs (14391,13524)
- 35-7623_Irr. POD
- Future New Stockwater POD
- 35-7623 Irr. after Transfer.
- 35-7623 POU
- modelgrid
- TR Lines_2014
- Section Lines_2014
- Quarter Quarters_2014



SJC PROPERTIES, LLC TRANSFER



Legend

AcresbyQQ

Existing & Auth Stockwater PODs (14391,13524)

35-7623_Irr. POD

Future New Stockwater POD

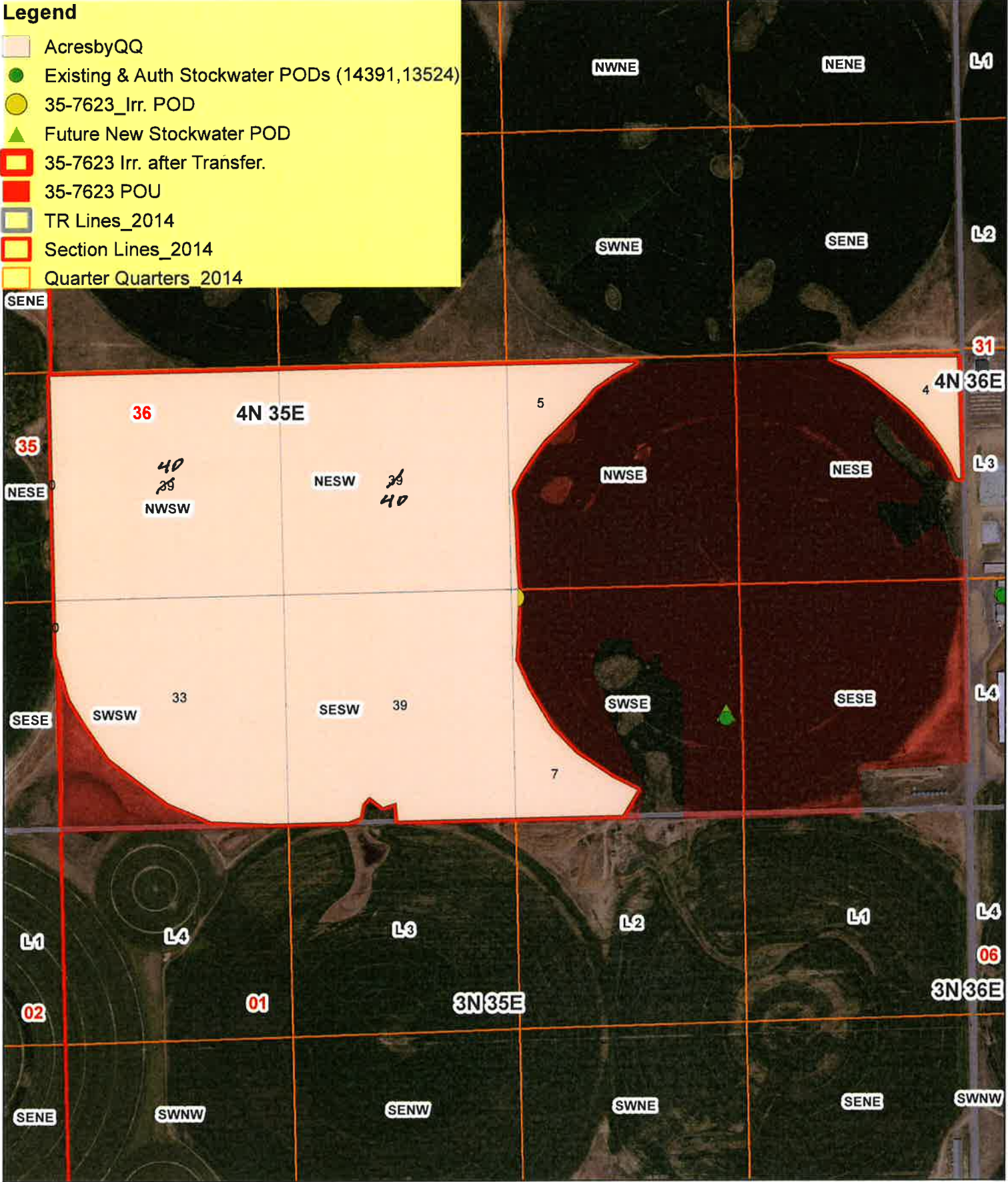
35-7623 Irr. after Transfer.

35-7623 POU

TR Lines_2014

Section Lines_2014

Quarter Quarters 2014



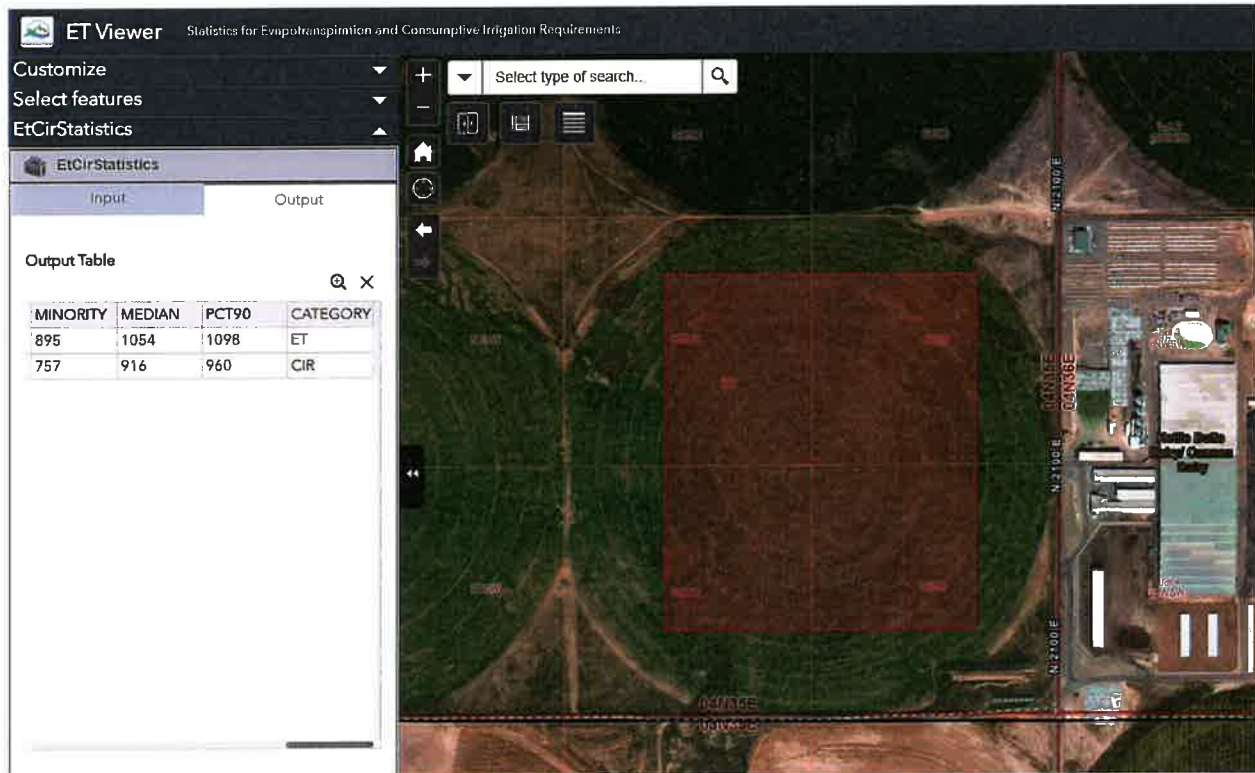
Attachment No. 7b
Map (GIS shapefile)

GIS shapefiles will be emailed upon request to the Applicant's representative.

**Attachment No. 8a
Documentation - Historic
Beneficial Use**

HISTORIC USE

The most consumptive crop grown at the place of use over the past five years is alfalfa (multiple cuttings). Based on IDWR's ET Viewer database at the location depicted below (the pivot that will be dried up), the historic ET value is 960 mm (or 3.15 AF per year per acre). This results in a conversion to stockwater of 425.2 acre-feet.



Output Table

OBJECTID_1	OBJECTID	COUNT	AREA	MIN	MAX	RANGE	MEAN	STD	SUM	VARIETY	MAJORITY	MINORITY	MEDIAN	PCT90	CATEGORY
1	1	292333	292333	707	1127	420	1043.739081153.617954801305119377	165	1080	895	1054	1098	ET		
2	1	292333	292333	569	989	420	905.7390818153.617954801264777423	165	942	757	916	960	CIR		

Google Earth also shows the work commencing at the dairy expansion area and the retirement of the pivot:



SJC IRRIGATION WATER RIGHT BEFORE TRANSFER

Type	Basin	Sequence	Basis	Priority Date	Div. Rate (cfs)	Div. Volume (AF)	Irrigated Acres	Place of Use	Point of Diversion	Source	Water Use	Owner
WR	35	7623	Decreed	7/20/1976	6.06	1212	303	GIS Shapefile	4N 40E 2 NWSESW	GROUND WATER	IRRIGATION	SJC PROPERTIES LLC

SJC IRRIGATION WATER RIGHT PORTION AFTER TRANSFER

Type	Basin	Sequence	Basis	Priority Date	Div. Rate (cfs)	Div. Volume (AF)	Irrigated Acres	Place of Use	Point of Diversion	Source	Water Use	Owner
WR	35	7623	Decreed	7/20/1976	3.36	552	168	GIS Shapefile	4N 40E 2 NWSESW	GROUND WATER	IRRIGATION	SJC PROPERTIES LLC

SJC IRRIGATION WATER RIGHT PORTION THAT WILL BE CONVERTED TO STOCKWATER THROUGH TRANSFER

Type	Basin	Sequence	Basis	Priority Date	Div. Rate (cfs)	Div. Volume (AF)	Irrigated Acres	Place of Use	Point of Diversion	Source	Water Use	Owner
WR	35	7623	Decreed	7/20/1976	2.7	660	135	GIS Shapefile	4N 40E 2 NWSESW	GROUND WATER	IRRIGATION	SJC PROPERTIES LLC

Most consumptive crop for POU for 35-7623 is Alfalfa.

ET VIEWER WEBSITE (CIR or precipitation deficit amount 90%)	Precipitation Deficit (mm/acre)	Conversion to AF per acre	Irrigated Acres	Nature of Use Conversion Amount
	960	3.15	135	425.2

SJC IRRIGATION WATER RIGHT CONVERTED TO STOCKWATER AFTER TRANSFER

Type	Basin	Sequence	Basis	Priority Date	Div. Rate (cfs)	Div. Volume (AF)	Irrigated Acres	Place of Use	Point of Diversion	Source	Water Use	Owner
WR	35	7623 (portion)	Decreed	7/20/1976	2.7	425.2	N/A	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 SWSE 4N 35E 36 SWSE	GROUND WATER	STOCKWATER	SJC PROPERTIES LLC



Holden Kidwell
Hahn & Crapo P.L.L.C.
LAW OFFICES

RECEIVED

APR 29 2024

DEPT. OF WATER RESOURCES
EASTERN REGION

Established in 1896

1000 Riverwalk Drive, Suite 200
PO Box 50130
Idaho Falls, Idaho 83405
Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com
rharris@holdenlegal.com

April 26, 2024

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

RE: Application for Transfer for WR 35-7623; 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 right. As described in the application, it proposes to change the nature of use, place of use, season of use, and point diversion for a portion of an irrigation water right to change it to a stock water nature of use to be diverted at the applicant's expanded dairy facility.

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

Enclosed is a check in the amount of \$980.00 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

g:\wpdata\rlh\23080-000 sjc feed lot wrs\transfer apps\2024.04.26 ltr to idwr.docx

89016

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 89016
#3

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.

Name of Applicant(s) Cannon Shelley Property Ltd Partnership

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

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

RECEIVED

APR 29 2024

DEPT. OF WATER RESOURCES
EASTERN REGION

APPLICATION 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 Robert L. Harris April 25, 2024
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative Print Name and Title if applicable 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 _____

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 **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**.

This transfer adds a new well location that was inadvertently not included in a recent transfer that was approved (T88739).

The applicant intends to drill 2 new wells in close proximity to one another, and to alternate operating the wells to ensure there is a redundant well available for the applicant's facility. This transfer adds the second new well location.

RECEIVED

JUL 26 2024

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED TRANSFER NO.

89016

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.

I.		<u>Right Number</u>	<u>Amount (cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>	<u>Source & Tributary</u>
☒	☐	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	

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	
N			SE	SW	31	4N	36E	Jefferson	Ground water	
N		SW	SE	SE	36	4N	35E	Jefferson	Ground water	
Y		SW	SE	SE	36	4N	35E	Jefferson	Ground water	

4. Place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

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

[illegible]

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	

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	
N			SE	SW	31	4N	36E	Jefferson	Ground water	
N			SW	SE	36	4N	35E	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? 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:

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	35E	36	0		SW	SE	JEFFERSON	
GROUND WATER	04N	36E	31	4	NW	SW	SW	JEFFERSON	
GROUND WATER	04N	36E	31	4	NW	SW	SW	JEFFERSON	
GROUND WATER	04N	36E	31	0		SE	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)

Show entries

Search:

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
04N	35E	36			NE	SE	
04N	35E	36			SW	SE	
04N	35E	36			SE	SE	
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			NE	SE	
04N	36E	31			NW	SE	
04N	36E	31			SW	SE	

Showing 1 to 10 of 11 entries

Previous

1

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Next

Place of Use Legal Description : COMMERCIAL (JEFFERSON county)

Show entries

Search:

vnship	Range	Section	Lot	QQQ	Q	Acres
04N	35E	36			NE SE	
04N	35E	36			SW SE	
04N	35E	36			SE SE	
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			NE SE	
04N	36E	31			NW SE	
04N	36E	31			SW SE	

Showing 1 to 10 of 11 entries

Previous

1

2

Next

Conditions

Code Conditions

- X35 Rights 35-13524 and 35-14391 when combined shall not exceed a total diversion rate of 2.14 cfs and a total annual maximum diversion volume of 395.6 af.
- R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
- 214 Prior to the diversion and use of water under Transfer approval 88739, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
- 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.
- 020 The diversion and use of water described in Transfer 71672 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
- Commercial and stockwater uses are for dairy.
- 046 Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
- 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
- 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
- 004 This right does not grant any right-of-way or easement across the land of another.
- T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T18 Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
- T19 Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates

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 :

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 :

89018

Application Received Date: _____
Protest Deadline Date: _____

Swan Falls Dismissed : _____
DLE Act Number : _____
Cary Act Number : _____
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

4/24/2024

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	35E	36	0		SW	SE	JEFFERSON	
GROUND WATER	04N	36E	31	4	NW	SW	SW	JEFFERSON	
GROUND WATER	04N	36E	31	4	NW	SW	SW	JEFFERSON	
GROUND WATER	04N	36E	31	0		SE	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](#)
[Paged View](#)

Place of Use Legal Description : STOCKWATER (JEFFERSON county)

Show entries

Search:

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
04N	35E	36			NE	SE	
04N	35E	36			SW	SE	
04N	35E	36			SE	SE	
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			NE	SE	
04N	36E	31			NW	SE	
04N	36E	31			SW	SE	

Showing 1 to 10 of 11 entries

Previous

1

2

Next

Place of Use Legal Description : COMMERCIAL (JEFFERSON county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
04N	35E	36			NE	SE	
04N	35E	36			SW	SE	
04N	35E	36			SE	SE	
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			NE	SE	
04N	36E	31			NW	SE	
04N	36E	31			SW	SE	

Showing 1 to 10 of 11 entries

Previous

1

2

Next

Conditions

Code Conditions

- X35 Rights 35-13524 and 35-14391 when combined shall not exceed a total diversion rate of 2.14 cfs and a total annual maximum diversion volume of 395.6 af.
- R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
- 214 Prior to the diversion and use of water under Transfer approval 88739, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
- 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.
- Commercial and stockwater uses are for dairy.
- 046 Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
- 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
- 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
- 004 This right does not grant any right-of-way or easement across the land of another.
- T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T18 Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
- T19 Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates

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 :

Attachment No. 4

Power of Attorney

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

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

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

Attachment No. 5

ESPA Analysis and Mitigation Plan

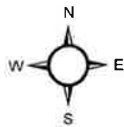
ESPA ANALYSIS

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 or within the current points of diversion (model cell no. 59,154).

Attachment No. 7a

Map

SJC PROPERTIES, LLC TRANSFER



Legend

Existing & Auth Stockwater PODs (14391,13524)

Future New Stockwater POD

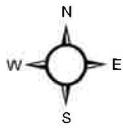
TR Lines_2014

Section Lines_2014

Quarter Quarters 2014



SJC PROPERTIES, LLC TRANSFER



Legend

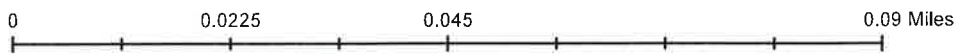
Existing & Auth Stockwater PODs (14391,13524)

Future New Stockwater POD

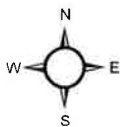
TR Lines_2014

Section Lines_2014

Quarter Quarters_2014



SJC PROPERTIES, LLC TRANSFER



Legend

Existing & Auth Stockwater PODs (14391,13524)

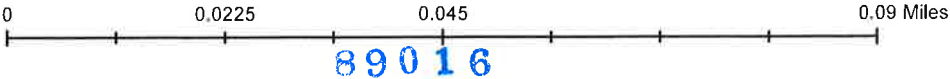
Future New Stockwater POD

modelgrid

TR Lines_2014

Section Lines_2014

Quarter Quarters_2014



Attachment No. 7b
Map (GIS shapefile)

GIS shapefiles will be emailed upon request to the Applicant's representative.



Holden Kidwell
Hahn & Crapo P.L.L.C.
LAW OFFICES

Established in 1896
1000 Riverwalk Drive, Suite 200
PO Box 50130
Idaho Falls, Idaho 83405
Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com
rharris@holdenlegal.com

April 25, 2024

RECEIVED

APR 29 2024

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

DEPT. OF WATER RESOURCES
EASTERN REGION

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 add a new well location for these rights. A transfer was recently approved for these rights to add a new well location, but the actual system planned for installation will have two wells near one another to ensure there is a backup well in case one of the wells fails. To ensure the wells are functional, the plan is to use only one well for a period of time (likely around a week to ten days), then utilize the other well for a similar time period, and so on. Where the second well location was not included in the prior transfer, it is necessary to file this transfer. 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

89016

Henman, Christina

From: Henman, Christina
Sent: Monday, May 20, 2024 12:49 PM
To: IdwrPayable
Cc: Cefalo, James
Subject: Refund Request: E050007 & E050008

Hello,

Please issue a refund for the following:

Amount: \$580.00
Receipt: E050008
&
Amount: \$970.00 (Leaves \$10.00 on receipt)
Receipt: E050007

Reason: Multiple applications were filed when only one was needed; consolidated into one and refunding excess fees.

Recipient:
HOLDEN KIDWELL HAHN & CRAPO LLC
PO BOX 50130
IDAHO FALLS, ID 83405

Thank You,



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



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

May 22, 2024

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

RE: Transfer No. 89016
Water Right No(s). 35-13524, 35-14391, 35-14872, 35-14873

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 5/29/2024 and 6/5/2024. 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

CC:
HOLDEN KIDWELL HAHN & CRAPO
C/O ROB HARRIS
PO BOX 50130
IDAHO FALLS, ID 83405

Henman, Christina

From: Henman, Christina
Sent: Wednesday, May 22, 2024 12:33 PM
To: legalnotices@jeffersonstarnews.com
Subject: Legal Notice for Jefferson Star
Attachments: 89014, 89016, 89017 Jefferson Star.docx

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

RE: Transfer No. 89014, 89016, 89017

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 6/17/2024. 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. 89014

JOE SLAGOWSKI and NICOLE SLAGOWSKI, 2325 E 2300 N, HAMER, ID 83425-5023 has filed Application No. 89014 for changes to the following water rights within JEFFERSON County(s): Right No(s). 31-12235; 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 the point of diversion and change the place of use. The point of diversion is in NWSW, Section 20, T08N, R36E for 0.12 cfs from ground water. The place of use is in SWSW, Section 20, T08N, R36E for 6.0 acres.

TRANSFER NO. 89016

CANNON SHELLEY PROPERTY LTD PARTNERSHIP, 1470 N 750 E, SHELLEY, ID 83274-5011 has filed Application No. 89016 for changes to the following water rights within JEFFERSON County(s): Right No(s). 35-13524, 35-14391, 35-14872, 35-14873; 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 points of diversion, place of use, period of use and nature of use for a 48.7-acre portion of right 35-13523 and a 135-acre portion of right 35-7623. Split portions were assigned right numbers 35-14872 and 35-14873 prior to the transfer. Also, add point of diversion to rights 35-13524 and 35-14391. Proposed points of diversion are in Lot 4 (NWSWSW) (2 wells) and SESW Sec 31 T04N R36E, and SWSE (2 wells) Sec 36 T04N R35E for 5.47 cfs from ground water. Proposed place of use is in SE1/4 Sec 36 T04N R35E and S1/2 Sec 31 T04N R36E for stockwater use. Existing uses for rights 35-13524 and 35-14391 (stockwater and commercial) will not change. Proposed period of use is 1/1 - 12/31.

TRANSFER NO. 89017

SID E BROWN and JAN A BROWN, 2251 E 2300 N, HAMER, ID 83425-5023; **SPENCER BROWN and KAMI BROWN**, 2273 E 2300 N, HAMER, ID 83425-5023 has filed Application No. 89017 for changes to the following water rights within JEFFERSON County(s): Right No(s). 31-12233, 31-12235, 31-12237, 31-12321; 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 SESW Sec 30 T08N R36E for 0.66 cfs from ground water. Proposed place of use is in SW 1/4 Sec 30 T08N R36E for 35 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 6/17/2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 5/29/2024 and 6/5/2024