

RECEIVED

MAY 10 2024

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

89017

DEPT. OF WATER RESOURCES
EASTERN REGION**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) Spencer Brown; Kami Brown; Sid Brown; Jan Brown

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: _____

MAY 10 2024

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT. OF WATER RESOURCES
EASTERN REGIONAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant(s) Spencer Brown and Kami Brown; Sid Brown and Jan Brown Phone 208-317-1021Mailing address 2273 E 2300 N Hamer, ID 83425; 2251 E 2300 N Hamer, ID 83425 Email _____

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

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

☐ No Representative

Name of Representative _____ Phone _____

Mailing address _____ Email _____

☐ Send all correspondence for this application to the representative and not to the applicant.

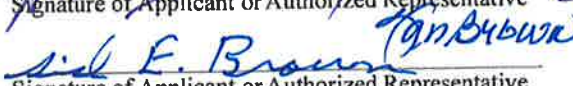
OR

☐ Send original correspondence to the applicant and copies to the representative.☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

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

	<u>Spencer Brown Kami Brown</u>	<u>5-8-24</u>
Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date
	<u>Sid E. Brown Jan Brown</u>	<u>5-10-24</u>
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 Water Right Ownership Change 31-12235 31-12233

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**.

6.0 acres from water right 31-12235 is being moved to property owned by Joe and Nicole Slagowski. This application will bring in 4.7 acres from water right 31-12321 and combine it with 30.6 acres (remaining after Slagowski transfer) to create a 35.0 acre place of use. The endgun on pivot 5 (proposed place of use) was recently removed. Only 35.0 acres will be irrigated. The place of use under 31-12233, 31-12235 and 31-12237 will also be rearranged.

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 ☐ or ☒	31-12321	0.07cfs/16.5af	Irrigation	04/01 to 10/31	Ground Water
☒ ☐	31-12237	0.09cfs/17.9af	Irrigation	04/01 to 11/01	Ground Water
☐ ☒	31-12235	0.44cfs/77.0af	Irrigation	04/01 to 10/31	Ground Water
☒ ☐	31-12233	0.06cfs/11.2af	Irrigation	04/01 to 10/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.66 cfs and/or 122.6 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.22 cubic feet per second and/or 43.1 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 #
			SE	SW	30	08N	36E	Jefferson	Ground Water	WMIS # 300487

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	
08N	36E	30									17.0	6.0	2.5	9.5					35
Total Acres (for irrigation use)																			35

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:
Ground water pump to pivot. This diversion is measured using PCC. Power panel can be locked.
- b. Who owns the property at the point(s) of diversion? Sid and Jan Brown.
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Sid and Jan Brown are applicants and signed application.
- 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: no
- 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:
4.7 acres of pasture will be dried up.
- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
31-4067 and 31-12356 divert from the same point of diversion described under 31-12321
- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:
Yes No
☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?
 If yes, describe:

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

4/16/2024

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 31-12321

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KAMI BROWN
Current Owner	SPENCER BROWN 2272 E 2300 N HAMER, ID 83425 2086625421
Original Owner	WILLIAM L SHUPE USSES DUBOIS, ID 83423
Security Interest	IDAHO AG CREDIT FLCA 1586 N 2ND E REXBURG, ID 83440-5548 8006328821

Priority Date: 06/01/1941

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	04/01	10/31	0.15 CFS	35 AFA
STOCKWATER	01/01	12/31	0.02 CFS	
Total Diversion			0.15 CFS	35 AFA

Location of Point(s) of Diversion:

GROUND WATER|SWSE|Sec. 05|Township 07N|Range 36E|JEFFERSON County
IRRIGATION Use:

Acre Limit: 10

Place(s) of use:

89017

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>
07N	36E	5		SWSE	10									

Total Acres: 10

Conditions of Approval:

1. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. 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.
3. N05 THE QUANTITY OF WATER UNDER RIGHTS 31-4067 AND 31-12321 FOR STOCKWATER USE SHALL NOT EXCEED .02 CFS AND 13,000 GALLONS PER DAY.

Dates:

Licensed Date:

Decreed Date: 02/22/2002

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: And

Water District Number: 110

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

89017

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

4/16/2024

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 31-12237

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KAMI BROWN
Current Owner	SPENCER BROWN
	2273 E 2300 N
	HAMER, ID 83425-5023
	2086625421
Original Owner	NICK R MICKELSEN
	1812 E 1500 N
	TERRETON, ID 83450
	2086634800

Priority Date: 03/28/1973

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	04/01	11/01	0.09 CFS	17.9 AFA
Total Diversion			0.09 CFS	17.9 AFA

Location of Point(s) of Diversion:

GROUND WATER|SESW|Sec. 30|Township 08N|Range 36E|JEFFERSON County

IRRIGATION Use:

Acre Limit: 5.1

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>
08N	36E	30		NESW	25.8		NWSW	6.1		SWSW	0.2		SESW	4.2

89017

Total Acres: 36.3

Conditions of Approval:

1. X27 This right is limited to the irrigation of 5.1 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 31-12233, 31-12235 and 31-12237 when combined shall not exceed the irrigation of 36.3 acres.
3. 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. 110.
4. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. 214 Prior to the diversion and use of water under Transfer approval 77160, 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.
6. 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.
7. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. 004 This right does not grant any right-of-way or easement across the land of another.
9. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
10. 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.
11. 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: 02/22/2002

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: And

Water District Number: 110

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 36.3

Combined Volume Limit:

Combined Rate Limit:

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

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

4/16/2024

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 31-12235

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	J NICOLE SLAGOWSKI 2259 E 2350 N HAMER, ID 83425 2086625731
Current Owner	JOE SLAGOWSKI 2325 E 2300 N HAMER, ID 83425-5023 2086625731
Original Owner	RAY SANDERS 112 E 20TH IDAHO FALLS, ID 83404 2085247242

Priority Date: 05/01/1956

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	04/01	10/31	0.56 CFS	98 AFA
Total Diversion			0.56 CFS	98 AFA

Location of Point(s) of Diversion:

GROUND WATER|SESW|Sec. 30|Township 08N|Range 36E|JEFFERSON County

IRRIGATION Use:

Acre Limit: 28

Place(s) of use:

<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>
08N	36E	30		NESW	25.8		NWSW	6.1		SWSW	0.2		SESW	4.2

Total Acres: 36.3

Conditions of Approval:

1. X27 This right is limited to the irrigation of 28.0 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 31-12233, 31-12235 and 31-12237 when combined shall not exceed the irrigation of 36.3 acres.
3. 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. 110.
4. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. 214 Prior to the diversion and use of water under Transfer approval 77160, 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.
6. 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.
7. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. 004 This right does not grant any right-of-way or easement across the land of another.
9. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
10. 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.
11. 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: 02/22/2002

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: And

Water District Number: 110

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 36.3

Combined Volume Limit:

Combined Rate Limit:

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

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

4/16/2024

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 31-12233

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KAMI BROWN
Current Owner	SPENCER BROWN
Current Owner	JOE SLAGOWSKI 2273 E 2300 N HAMER, ID 83425-5023 2086625421
Current Owner	NICOLE SLAGOWSKI 2325 E 2300 N HAMER, ID 83425-5023 2086625421
Original Owner	LOYD L GASSER 2303 E 2300 N HAMER, ID 83425 2086625429
Security Interest	IDAHO AG CREDIT FLCA 1586 N 2ND E REXBURG, ID 83440-5548 8006328821

Priority Date: 12/31/1943

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	04/01	10/31	0.06 CFS	11.2 AFA
Total Diversion			0.06 CFS	11.2 AFA

Location of Point(s) of Diversion:

GROUND WATER|SESW|Sec. 30|Township 08N|Range 36E|JEFFERSON County

IRRIGATION Use:

Acre Limit: 3.2

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
08N	36E	30		NESW	25.8		NWSW	6.1		SWSW	0.2		SESW	4.2

Total Acres: 36.3

Conditions of Approval:

1. X27 This right is limited to the irrigation of 3.2 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 31-12233, 31-12235 and 31-12237 when combined shall not exceed the irrigation of 36.3 acres.
3. 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. 110.
4. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. 214 Prior to the diversion and use of water under Transfer approval 77160, 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.
6. 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.
7. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
8. 004 This right does not grant any right-of-way or easement across the land of another.
9. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
10. 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.
11. 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: 02/22/2002

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: And

Water District Number: 110

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 36.3

Combined Volume Limit:

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

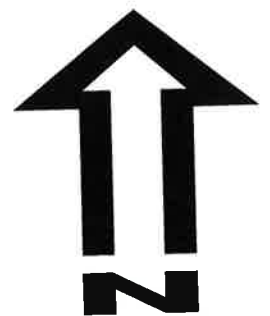
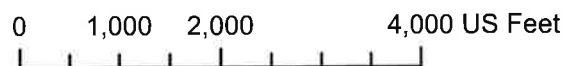
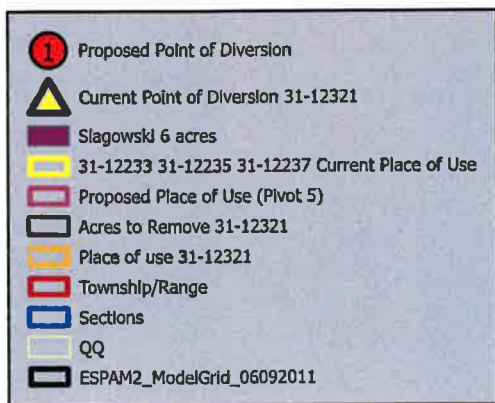
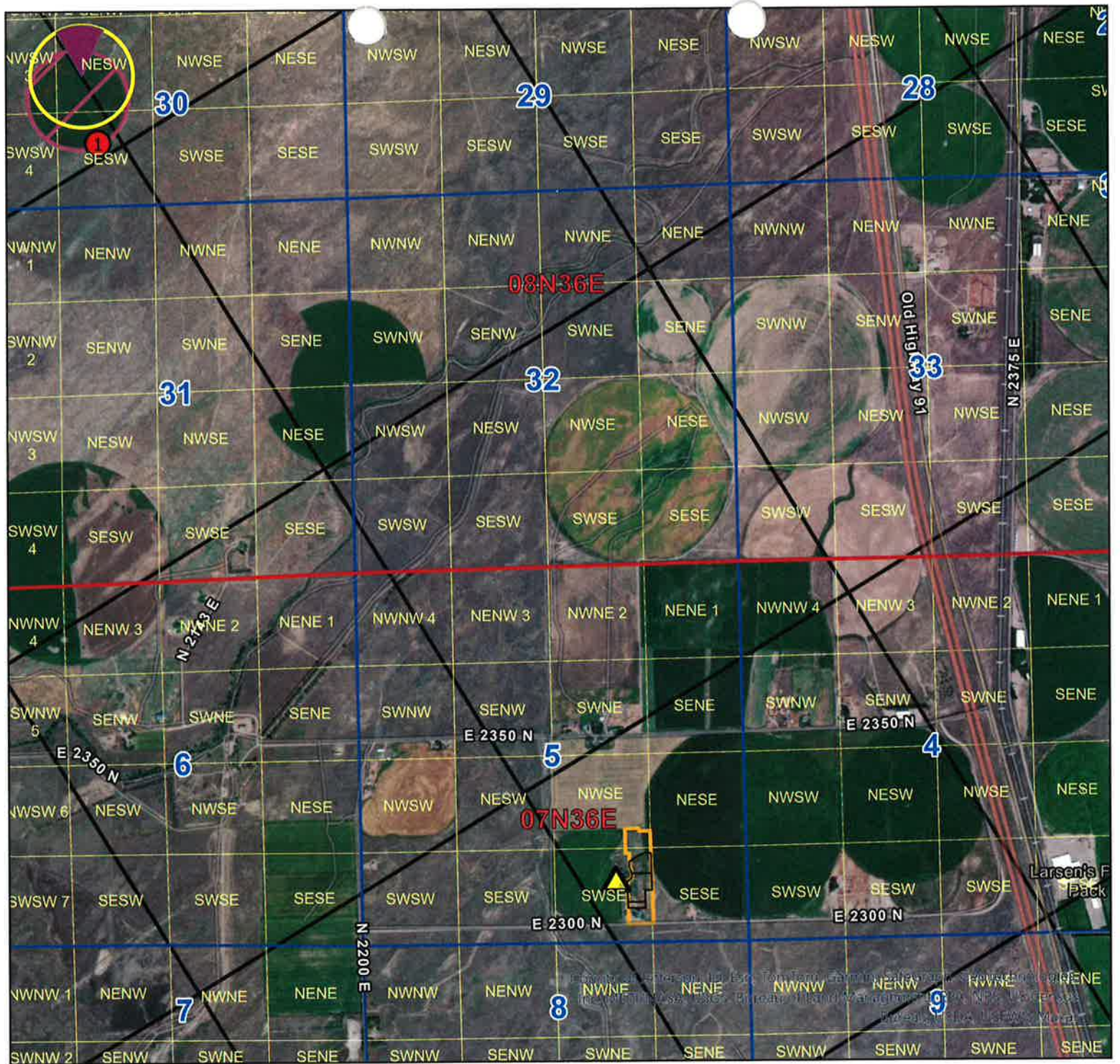
Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



89017

ENHANCED GROUND-WATER RIGHTS

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

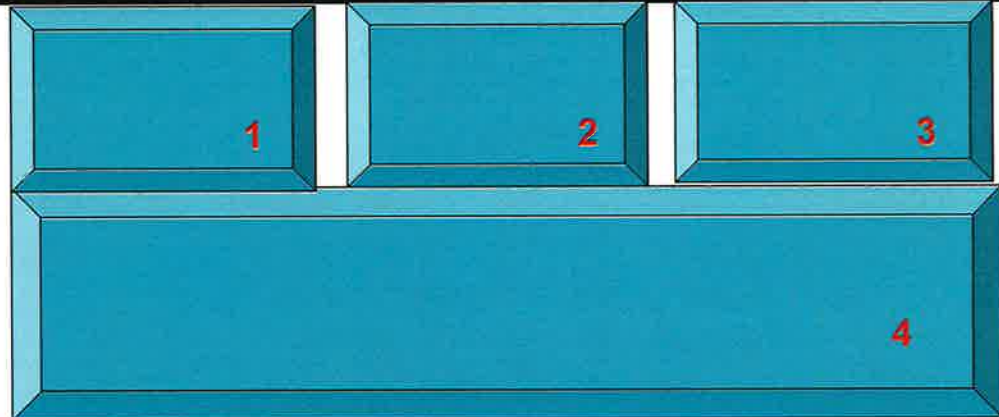
Cells this color are
set up for user entries

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

YEAR 1941
SEASON SUMMER ▼

TRANSFER NO:

TRANSFER NAME:



ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	37	40		
COLUMN	167	168		

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 W
	Projected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER
SUM 1941	0.00	4.00	4.00	0.00	0.00	0.00
WIN 1941	0.00	4.00	4.00	0.00	0.00	0.00
SPR 1942	0.00	4.00	4.00	0.00	0.00	0.00
SUM 1942	0.00	4.00	4.00	0.00	0.00	0.00
WIN 1942	0.00	4.00	4.00	0.00	0.00	0.00
SPR 1943	0.00	4.00	4.00	0.00	0.00	0.00
SUM 1943	0.00	4.00	4.00	0.00	0.00	0.00

89017

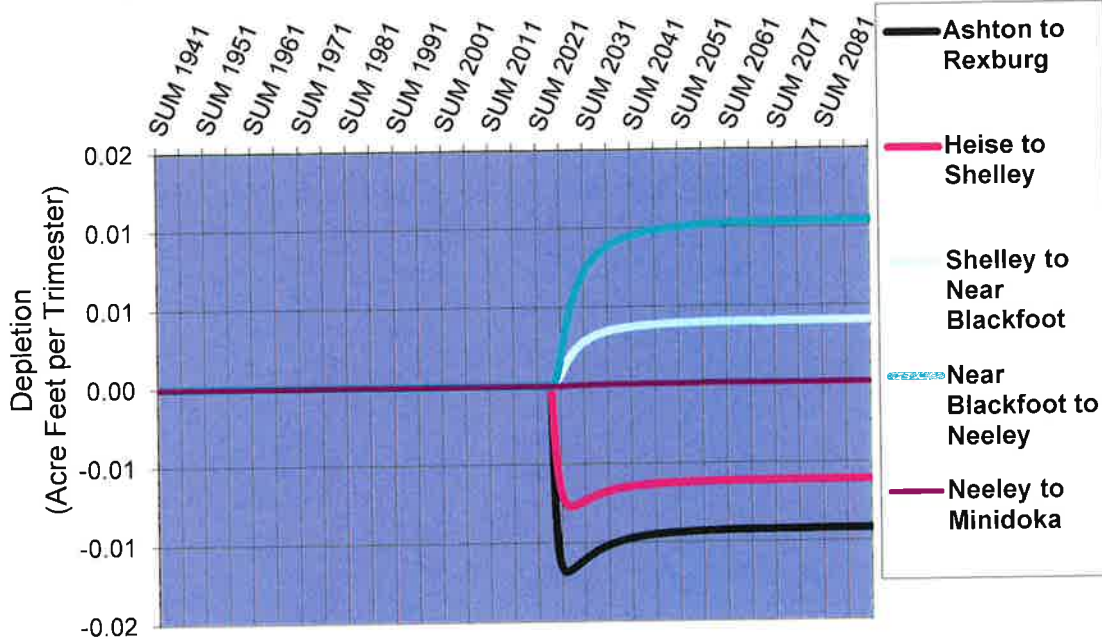
WIN 1953	0.00	4.00	4.00	0.00	0.00	0.00
SPR 1954	0.00	4.00	4.00	0.00	0.00	0.00
SUM 1954	0.00	4.00	4.00	0.00	0.00	0.00
WIN 1954	0.00	4.00	4.00	0.00	0.00	0.00
SPR 1955	0.00	4.00	4.00	0.00	0.00	0.00
SUM 1955	0.00	4.00	4.00	0.00	0.00	0.00
WIN 1955	0.00	4.00	4.00	0.00	0.00	0.00
SPR 1956	0.00	4.00	4.00	0.00	0.00	0.00
SUM 1956	0.00	4.00	4.00	0.00	0.00	0.00
WIN 1956	0.00	4.00	4.00	0.00	0.00	0.00
SPR 1957	0.00	4.00	4.00	0.00	0.00	0.00
SUM 1957	0.00	4.00	4.00	0.00	0.00	0.00
WIN 1957	0.00	4.00	4.00	0.00	0.00	0.00
SPR 1958	0.00	4.00	4.00	0.00	0.00	0.00
SUM 1958	0.00	4.00	4.00	0.00	0.00	0.00
WIN 1958	0.00	4.00	4.00	0.00	0.00	0.00
SPR 1959	0.00	4.00	4.00	0.00	0.00	0.00
SUM 1959	0.00	4.00	4.00	0.00	0.00	0.00
WIN 1959	0.00	4.00	4.00	0.00	0.00	0.00
SPR 1960	0.00	4.00	4.00	0.00	0.00	0.00
SUM 1960	0.00	4.00	4.00	0.00	0.00	0.00
WIN 1960	0.00	4.00	4.00	0.00	0.00	0.00
SPR 1961	0.00	4.00	4.00	0.00	0.00	0.00
SUM 1961	0.00	4.00	4.00	0.00	0.00	0.00
WIN 1961	0.00	4.00	4.00	0.00	0.00	0.00
SPR 1962	0.00	4.00	4.00	0.00	0.00	0.00
SUM 1962	0.00	4.00	4.00	0.00	0.00	0.00
WIN 1962	0.00	4.00	4.00	0.00	0.00	0.00
SPR 1963	0.00	4.00	4.00	0.00	0.00	0.00
SUM 1963	0.00	4.00	4.00	0.00	0.00	0.00
WIN 1963	0.00	4.00	4.00	0.00	0.00	0.00
SPR 1964	0.00	4.00	4.00	0.00	0.00	0.00
SUM 1964	0.00	4.00	4.00	0.00	0.00	0.00
WIN 1964	0.00	4.00	4.00	0.00	0.00	0.00

WIN 1976	0.00	4.00	4.00	0.00	0.00	0.00
SPR 1977	0.00	4.00	4.00	0.00	0.00	0.00
SUM 1977	0.00	4.00	4.00	0.00	0.00	0.00
WIN 1977	0.00	4.00	4.00	0.00	0.00	0.00
SPR 1978	0.00	4.00	4.00	0.00	0.00	0.00
SUM 1978	0.00	4.00	4.00	0.00	0.00	0.00
WIN 1978	0.00	4.00	4.00	0.00	0.00	0.00
SPR 1979	0.00	4.00	4.00	0.00	0.00	0.00
SUM 1979	0.00	4.00	4.00	0.00	0.00	0.00
WIN 1979	0.00	4.00	4.00	0.00	0.00	0.00
SPR 1980	0.00	4.00	4.00	0.00	0.00	0.00
SUM 1980	0.00	4.00	4.00	0.00	0.00	0.00
WIN 1980	0.00	4.00	4.00	0.00	0.00	0.00
SPR 1981	0.00	4.00	4.00	0.00	0.00	0.00
SUM 1981	0.00	4.00	4.00	0.00	0.00	0.00
WIN 1981	0.00	4.00	4.00	0.00	0.00	0.00
SPR 1982	0.00	4.00	4.00	0.00	0.00	0.00
SUM 1982	0.00	4.00	4.00	0.00	0.00	0.00
WIN 1982	0.00	4.00	4.00	0.00	0.00	0.00
SPR 1983	0.00	4.00	4.00	0.00	0.00	0.00
SUM 1983	0.00	4.00	4.00	0.00	0.00	0.00
WIN 1983	0.00	4.00	4.00	0.00	0.00	0.00
SPR 1984	0.00	4.00	4.00	0.00	0.00	0.00
SUM 1984	0.00	4.00	4.00	0.00	0.00	0.00
WIN 1984	0.00	4.00	4.00	0.00	0.00	0.00
SPR 1985	0.00	4.00	4.00	0.00	0.00	0.00
SUM 1985	0.00	4.00	4.00	0.00	0.00	0.00
WIN 1985	0.00	4.00	4.00	0.00	0.00	0.00
SPR 1986	0.00	4.00	4.00	0.00	0.00	0.00
SUM 1986	0.00	4.00	4.00	0.00	0.00	0.00
WIN 1986	0.00	4.00	4.00	0.00	0.00	0.00
SPR 1987	0.00	4.00	4.00	0.00	0.00	0.00
SUM 1987	0.00	4.00	4.00	0.00	0.00	0.00
WIN 1987	0.00	4.00	4.00	0.00	0.00	0.00
SPR 1988	0.00	4.00	4.00	0.00	0.00	0.00

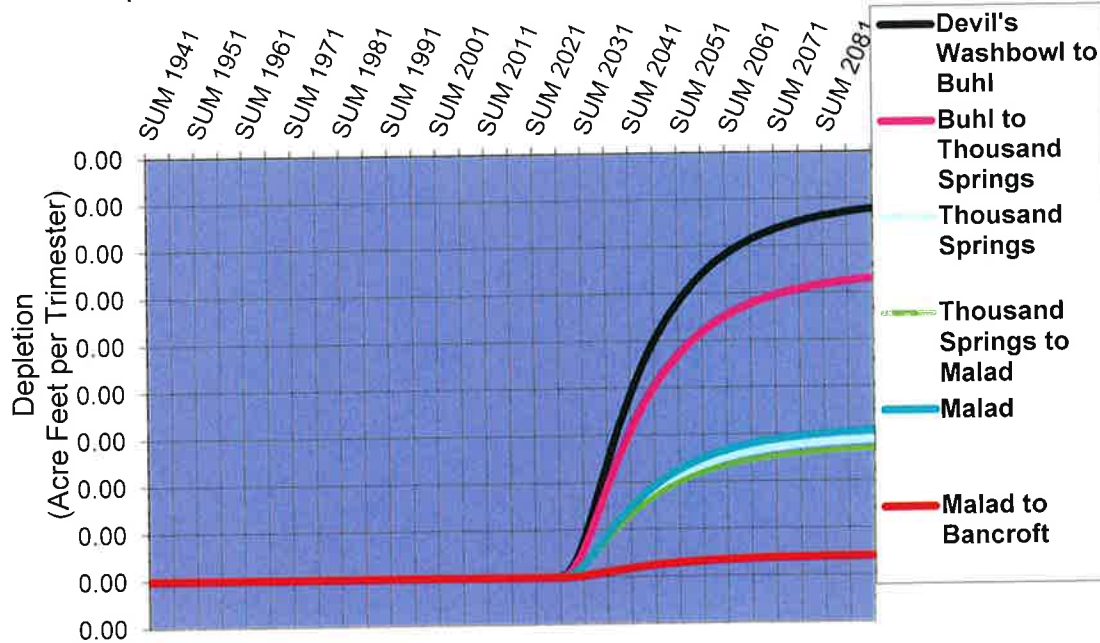
SPR 2000	0.00	4.00	4.00	0.00	0.00	0.00
SUM 2000	0.00	4.00	4.00	0.00	0.00	0.00
WIN 2000	0.00	4.00	4.00	0.00	0.00	0.00
SPR 2001	0.00	4.00	4.00	0.00	0.00	0.00
SUM 2001	0.00	4.00	4.00	0.00	0.00	0.00
WIN 2001	0.00	4.00	4.00	0.00	0.00	0.00
SPR 2002	0.00	4.00	4.00	0.00	0.00	0.00
SUM 2002	0.00	4.00	4.00	0.00	0.00	0.00
WIN 2002	0.00	4.00	4.00	0.00	0.00	0.00
SPR 2003	0.00	4.00	4.00	0.00	0.00	0.00
SUM 2003	0.00	4.00	4.00	0.00	0.00	0.00
WIN 2003	0.00	4.00	4.00	0.00	0.00	0.00
SPR 2004	0.00	4.00	4.00	0.00	0.00	0.00
SUM 2004	0.00	4.00	4.00	0.00	0.00	0.00
WIN 2004	0.00	4.00	4.00	0.00	0.00	0.00
SPR 2005	0.00	4.00	4.00	0.00	0.00	0.00
SUM 2005	0.00	4.00	4.00	0.00	0.00	0.00
WIN 2005	0.00	4.00	4.00	0.00	0.00	0.00
SPR 2006	0.00	4.00	4.00	0.00	0.00	0.00
SUM 2006	0.00	4.00	4.00	0.00	0.00	0.00
WIN 2006	0.00	4.00	4.00	0.00	0.00	0.00
SPR 2007	0.00	4.00	4.00	0.00	0.00	0.00
SUM 2007	0.00	4.00	4.00	0.00	0.00	0.00
WIN 2007	0.00	4.00	4.00	0.00	0.00	0.00
SPR 2008	0.00	4.00	4.00	0.00	0.00	0.00
SUM 2008	0.00	4.00	4.00	0.00	0.00	0.00
WIN 2008	0.00	4.00	4.00	0.00	0.00	0.00
SPR 2009	0.00	4.00	4.00	0.00	0.00	0.00
SUM 2009	0.00	4.00	4.00	0.00	0.00	0.00
WIN 2009	0.00	4.00	4.00	0.00	0.00	0.00
SPR 2010	0.00	4.00	4.00	0.00	0.00	0.00
SUM 2010	0.00	4.00	4.00	0.00	0.00	0.00
WIN 2010	0.00	4.00	4.00	0.00	0.00	0.00
SPR 2011	0.00	4.00	4.00	0.00	0.00	0.00
SUM 2011	0.00	4.00	4.00	0.00	0.00	0.00

SUM 2023	0.00	4.00	4.00	0.00	0.00	0.00
WIN 2023	0.00	4.00	4.00	0.00	0.00	0.00
SPR 2024	0.00	4.00	4.00	0.00	0.00	0.00
SUM 2024	4.00	0.00	4.00	0.00	0.00	0.00
WIN 2024	4.00	0.00	4.00	0.00	0.00	0.00
SPR 2025	4.00	0.00	4.00	0.00	0.00	0.00
SUM 2025	4.00	0.00	4.00	0.00	0.00	0.00
WIN 2025	4.00	0.00	4.00	0.00	0.00	0.00
SPR 2026	4.00	0.00	4.00	0.00	0.00	0.00
SUM 2026	4.00	0.00	4.00	0.00	0.00	0.00
WIN 2026	4.00	0.00	4.00	0.00	0.00	0.00
SPR 2027	4.00	0.00	4.00	0.00	0.00	0.00
SUM 2027	4.00	0.00	4.00	0.00	0.00	0.00
WIN 2027	4.00	0.00	4.00	0.00	0.00	0.00
SPR 2028	4.00	0.00	4.00	0.00	0.00	0.00
SUM 2028	4.00	0.00	4.00	0.00	0.00	0.00
WIN 2028	4.00	0.00	4.00	0.00	0.00	0.00
SPR 2029	4.00	0.00	4.00	0.00	0.00	0.00
SUM 2029	4.00	0.00	4.00	0.00	0.00	0.00
WIN 2029	4.00	0.00	4.00	0.00	0.00	0.00
SPR 2030	4.00	0.00	4.00	0.00	0.00	0.00
SUM 2030	4.00	0.00	4.00	0.00	0.00	0.00
WIN 2030	4.00	0.00	4.00	0.00	0.00	0.00
SPR 2031	4.00	0.00	4.00	0.00	0.00	0.00
SUM 2031	4.00	0.00	4.00	0.00	0.00	0.00
WIN 2031	4.00	0.00	4.00	0.00	0.00	0.00
SPR 2032	4.00	0.00	4.00	0.00	0.00	0.00
SUM 2032	4.00	0.00	4.00	0.00	0.00	0.00
WIN 2032	4.00	0.00	4.00	0.00	0.00	0.00
SPR 2033	4.00	0.00	4.00	0.00	0.00	0.00
SUM 2033	4.00	0.00	4.00	0.00	0.00	0.00
WIN 2033	4.00	0.00	4.00	0.00	0.00	0.00
SPR 2034	4.00	0.00	4.00	0.00	0.00	0.00
SUM 2034	4.00	0.00	4.00	0.00	0.00	0.00
WIN 2034	4.00	0.00	4.00	0.00	0.00	0.00

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



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



Conveyance of Water Right Ownership

JOE SLAGOWSKI AND NICOLE SLAGOWSKI, does hereby convey unto SPENCER BROWN AND KAMI BROWN, whose address is 2273 E 2300 N, Hamer, ID 83425 all of right, title, and interest in water rights 31-12233 and 31-12235 as described below:

Water Right 31-12233:

0.06 cfs
11.2 afa
3.2 acres

Water Right 31-12235:

0.44 cfs
77.0 afa
22.0 acres

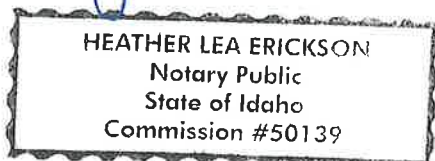
DATED this 14th day of May, 2024.
(month) (year)


JOE SLAGOWSKI


NICOLE SLAGOWSKI

STATE OF IDAHO)
County of Madison)SS.

This record was acknowledged before me on this 14th day of May, 2024, by
Joe Slagowski and Nicole Slagowski



Notary Public for State of Idaho
My Commission Expires Residing in Idaho Falls, ID
Commission Expires 06-11-2025

89017

GENERAL AFFIDAVIT

The within named person (Affiant), John M Spence who is a resident of Jefferson County, State of Idaho, personally came and appeared before me, the undersigned Notary Public, and makes this his/her statement, testimony and General Affidavit under oath or affirmation, in good faith, and under penalty of perjury, of sincere belief and personal knowledge that the following matters, facts, and things set forth are true and correct, to the best of his/her knowledge:

I have witnessed that the said water right #31-12321, Twp07N, Rge36E, Sec5 for 4.7 acres has been watered in the last five years. The particular years that I saw it being irrigated were 2021 & 2022.

Dated this 9th day of May, 2024.

John M. Spence
Signature of Affiant

State of Idaho

County of Jefferson

Subscribed and sworn to, or affirmed, before me on this 9th day of May, 2024

By Affiant John M Spence

Misty Neville

Signature of Notary Public

3/26/2030

My Commission Expires:





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

SID E BROWN
JAN A BROWN
2251 E 2300 N
HAMER, ID 83425-5023

SPENCER BROWN
KAMI BROWN
2273 E 2300 N
HAMER, ID 83425-5023

RE: Transfer No. 89017
Water Right No(s). 31-12233, 31-12235, 31-12237, 31-12321

Dear Applicants:

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

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