

JUL 23 2024

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 13 2024

APPLICATION FOR TRANSFER OF WATER RIGHT - POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☒ Change diversion point(s) ☐ Add diversion point(s) ☐ Ownership change ☐ Ownership split
☐ Transfer is for changes pursuant to _____ . Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** Coslovich Family Trust Phone 208-865-2165
2. **MAILING ADDRESS** Po Box 202 City North Fork
State ID Zip 83466 Email coslovich@sbcglobal.net

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
- ☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
- ☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 75-14362

- ☒ Attach a copy of the water right(s) as recorded, available at Department office.

4. TOTAL AMOUNT OF WATER transferred is 0.15 cubic feet per second and/or 5.00 acre-feet per annum.
(diversion rate) (storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at _____, *Water Rights, Water Right Transfers, Modeling Resources*.

[illegible]

Transfer No. 89215

JUL 23 2024

DEPT. OF WATER RESOURCES
EASTERN REGION

6. 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:

The diversion currently exists and is the actual POD for my water right. POD includes a IDFG fish screen and head gate. Waiting for IDFG decision concerning using the fish screen structure as a measuring device.

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

This is the actual POD for my water right. I will access as I always have.

- c. 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 used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

NOTE: NO PHYSICAL CHANGE IS REQUIRED.

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a _____ form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an _____
(Disregard if these items are on file and ownership has not changed.)

7. MAP - ☐ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. You may create a map at _____, *Water Rights, Water Right Transfers, File a Transfer Application, Step 2C.*
8. SIGNATURE - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Tony Coslovich
Signature of applicant or authorized agent

Tony Coslovich
Print name and title if applicable

5/9/24
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. FEE - ☒ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The _____ is available at www.idwr.idaho.gov, *Water Right Transfers, Step 4* and in the _____

FOR DEPARTMENT USE ONLY E050270 \$10.-

Transfer includes _____ pages of attachments.

Received by _____

Date _____

Fee paid 40.00 Date 5-13-24

Received by M. Jettin

Receipt # E050066

Preliminary review by _____

Date _____

Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐

Name on W-9 _____

W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 - confidential information is held by fiscal only)

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/31/2024

Water Right 75-14362

Owner Type

Current Owner
Current Owner

Name

COSLOVICH FAMILY TRUST
COSLOVICH DISCLAIMER TRUST

Priority Date: 6/1/1967

Basis: Decreed

Status: Active

Source

NORTH FORK SALMON RIVER

Tributary

SALMON RIVER

Beneficial Use

RECREATION STORAGE
FIRE PROTECTION
DIVERSION TO STORAGE

From

01/01

To

12/31

Diversion Rate

0.150 CFS

Total Diversion

0.150 CFS

Volume

5.0 AF

5.0 AF

5.0 AF

Source and Point(s) of Diversion:

NORTH FORK SALMON RIVER NWSW

Sec. 33, Twp 25N, Rge 21E, LEMHI County

Place Of Use:

FIRE PROTECTION within LEMHI County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
25N	21E	33											X						

RECREATION STORAGE within LEMHI County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
25N	21E	33											X						

Conditions of Approval:

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 and Other Information:

Decreed Date: 11/17/2008
Civil Case Number: 39576
Judicial District: FIFTH
Water District Number: 75F
Mitigation Plan: False

75-14362

POD transfer Tony Coslovich

State of Idaho
Department of Water Resources
Water Right

75-14362

RECREATION STORAGE

RECEIVED

JUL 23 2024

DEPT. OF WATER RESOURCES
EASTERN REGION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Legend

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



Date created: 3/12/2024

89215

75-14362 Coslovich Pond

RECEIVED

Water Right

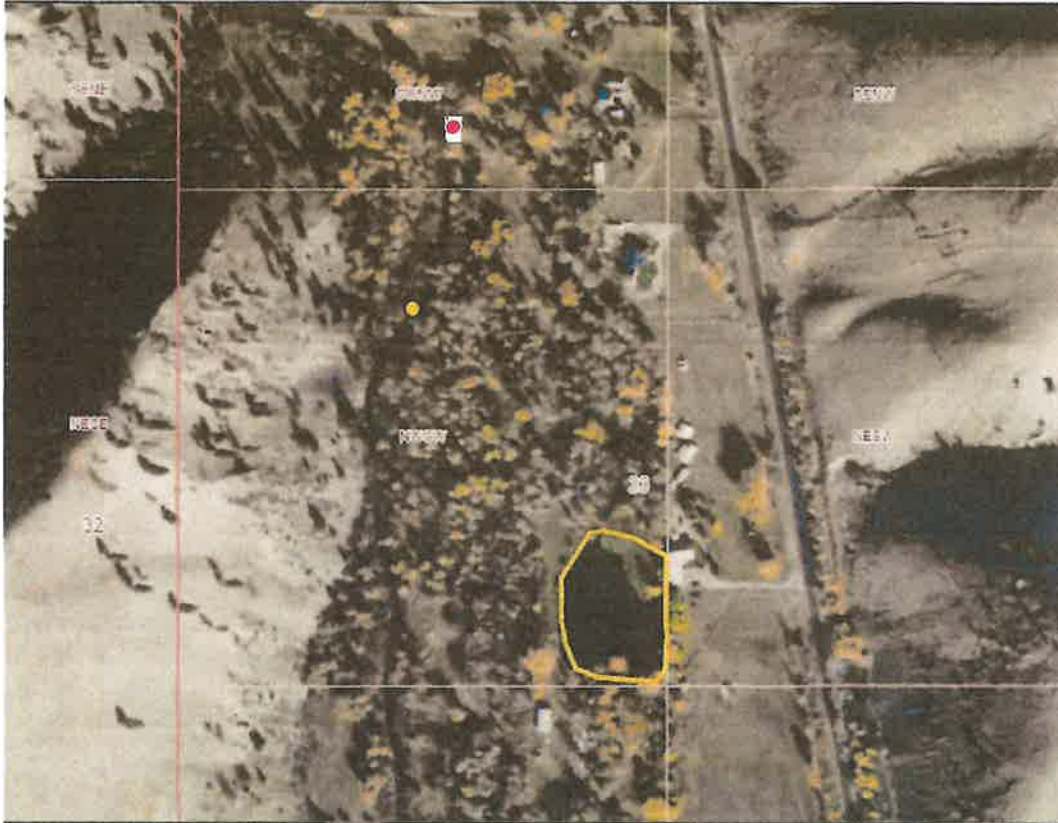
JUL 23 2024

75-14362

RECREATION STORAGE

DEPT. OF WATER RESOURCES
EASTERN REGION

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I. YELLOW DOT IS WHERE IDWR SAYS YOUR POND POD IS LOCATED.

II. RED DOT IS WHERE THE POD WITH FISH SCREEN NF3A IS LOCATED.

A. THIS POD PROVIDES THE WATER TO THE FOLLOWING PEOPLE:

1. ARSON

2. J. CUMMINGS

3. DENTE

4. S. AVEN

5. WALKER

6. C. CUMMINGS

7. M. CUMMINGS

8. GOODARD

9. JEFFREY

10. TWO OF YOUR IRRIGATION WATER RIGHTS ALSO
HAVE THIS POD

NOTE! RED DOT IS WHERE THE POD ACTUALLY EXISTS. UNSURE
HOW THE IDWR MAP LOCATION WAS IN ERROR.

89215

Idaho Department of Water Resources Receipt
Receipt ID: E050270

Payment Amount	\$10.00	Date Received	7/31/2024	Region	EASTERN
Payment Type	Check	Check Number	2008		
Payer	100 Acre Wood Lodge LLC				
Comments	Application for Transfer 75-14362 Additional Filing Fee				

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$10.00	TRANSFERS	63105	0229	21		1155

Signature Line (Department Representative)

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- ☒ Attach a copy of the water right(s) as recorded, available at Department office. , *Water Right Transfers, Step 1*, or by contacting any

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(diversion rate) (storage volume)

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[illegible]

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☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

SUPERCEDED

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

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8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Tony Costlovich
Signature of applicant or authorized agent

Tony Costlovich
Print name and title if applicable

5/9/24
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

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FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by _____ Date _____

Fee paid 40.00 Date 5-13-24 Received by M. Jettis Receipt # E050066

Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 75-14362

NAME AND ADDRESS: JON CUMMINGS
NANCY CUMMINGS
PO BOX 202
NORTH FORK, ID 83466

SOURCE: NORTH FORK SALMON RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 0.15 CFS
5.00 APY

PRIORITY DATE: 06/01/1967

POINT OF DIVERSION: T25N R21E S33 NWSW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Recreation Storage	01-01 TO 12-31	5.00 APY
	Fire Protection	01-01 TO 12-31	5.00 APY
	Diversion to Storage	01-01 TO 12-31	0.15 CFS

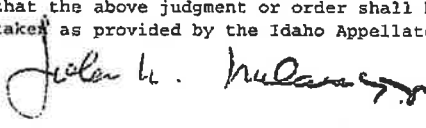
PLACE OF USE:	Recreation Storage		Within Lemhi County
	T25N R21E S33	NWSW	
	Fire Protection		Within Lemhi County
	T25N R21E S33	NWSW	
	Diversion to Storage		Within Lemhi County
	T25N R21E S33	NWSW	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

August 1, 2024

COSLOVICH FAMILY TRUST
PO BOX 202
NORTH FORK, ID 83466-0202

RE: Transfer No. 89215
Water Right No(s). 75-14362

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 RECORDER HERALD on 8/8/2024 and 8/15/2024. 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: Thursday, August 1, 2024 1:32 PM
To: rhlegals@custertel.net
Subject: Legal Notice for Recorder Herald
Attachments: 74-16282, 89215 Recorder Herald.docx

LEGAL NOTICE DEPARTMENT
RECORDER HERALD
PO BOX 310
SALMON, ID 83467

RE: Application for Permit No. 74-16682, Transfer 89215

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 8/26/2024. 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

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

74-16682

BRIER ROSE RANCH LLC, SCOTT H HARTVIGSON, 1110 LEMHI RD

SALMON, ID 83467-5149

Point of Diversion NWSE S3 T20N R23E LEMHI County

Source SPRING Tributary SANDY CREEK

Use: STOCKWATER

01/01 to 12/31

0.04 CFS

Total Diversion:

0.04 CFS

Date Filed: 07-22-2024

Place Of Use: STOCKWATER

T20N R23E S3

NWSE

This application proposes the diversion and use of water from a spring tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Eastern office at (208)525-7161; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. 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 8/26/2024. The protestant must also send a copy of the protest to the applicant.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 89215

COSLOVICH FAMILY TRUST, PO BOX 202, NORTH FORK, ID 83466-0202 has filed Application No. 89215 for changes to the following water rights within LEMHI County(s): Right No(s). 75-14362; 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. Proposed point of diversion is in SWNW Sec 33 T25N R21E for 0.15 cfs from North Fork Salmon River.

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 8/26/2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 8/8/2024 and 8/15/2024