

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 88790**

This is to certify that: **DONNA L WALLER AND
MICHAEL C WALLER
4810 SALMON CREEK DR
BUHL, ID 83316-5151**

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
47-17555	WR/DECREED	11/6/1961	2.660 cfs	580.8 af	N/A	145.2	GROUND WATER
47-17560	WR/DECREED	8/9/1954	1.210 cfs	530.8 af	132.7	145.2	GROUND WATER
47-17565	WR/DECREED	4/3/1961	0.140 cfs	83.9 af	67.1	145.2	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
47-17555	YES	YES	YES	NO	NO	NO
47-17560	YES	YES	YES	NO	NO	NO
47-17565	YES	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
47-17555	47-17778	0.020 cfs	4.0 af	N/A	1.0	47-17555	2.640 cfs	576.8 af	N/A	144.2
47-17560	47-17779	0.010 cfs	3.6 af	0.9	1.0	47-17560	1.200 cfs	527.2 af	131.8	144.2
47-17565	47-17780	0.010 cfs	0.6 af	0.5	1.0	47-17565	0.130 cfs	83.3 af	66.6	144.2
COMBINED TOTALS		0.020 cfs	4.0 af	N/A	1.0		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 3rd day of May, 2024.


Southern Region Manager

SUPPORT DATA

Transfer No. 88790

IN FILE # 47-17555

WATER RIGHT NO. 47-17555**As Modified by Transfer No. 88790**

In accordance with the approval of Transfer No. 88790, Water Right No. 47-17555 is now described as follows:

Right Holder: MATHERS RANCH INC
3485 E 3100 N
KIMBERLY, ID 83341-5251

Priority Date: 11/6/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	2.640 cfs	576.8 af
			2.640 cfs	576.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNE	Sec 31 Twp 11S Rge 18E	TWIN FALLS County
GROUND WATER	SWNW	Sec 32 Twp 11S Rge 18E	TWIN FALLS County
GROUND WATER	SWSW	Sec 32 Twp 11S Rge 18E	TWIN FALLS County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	18E	31			3.0	30.7								1.9	37.6	20.0	37.0	14.0	144.2

POU Total Acres: 144.2

CONDITIONS OF APPROVAL

1. The rights listed below are limited to a total combined diversion rate of 2.64 cfs.
Combined Right Nos.: 47-17555, 47-17560, 47-17565
2. The rights listed below are limited to a total combined annual diversion volume of 576.8 AF.
Combined Right Nos.: 47-17555, 47-17560, 47-17565
3. Right Nos. 47-17555, 47-17560, and 47-17565 are limited to the irrigation of a combined total of 144.2 acres in a single irrigation season.
4. 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 lands above.
5. The right holder shall maintain a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Transfer No. 88790

WATER RIGHT NO. 47-17555
As Modified by Transfer No. 88790

CONDITIONS OF APPROVAL

6. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
7. Use of this right is combined with water from Twin Falls Canal Co.
8. Approval of this transfer does not confirm the validity of this water right.

WATER RIGHT NO. 47-17778**As Modified by Transfer No. 88790**

In accordance with the approval of Transfer No. 88790, Water Right No. 47-17778 is now described as follows:

Right Holder: MATHERS RANCH INC
3485 E 3100 N
KIMBERLY, ID 83341-5251

Priority Date: 11/6/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.020 cfs	4.0 af
			0.020 cfs	4.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESE Sec 30 Twp 08S Rge 14E TWIN FALLS County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	14E	30																1.0	1.0

POU Total Acres: 1.0

CONDITIONS OF APPROVAL

1. Rights 47-17778, 47-17779, and 47-17780 when combined shall not exceed a total diversion rate of 0.02 cfs, a total annual maximum diversion volume of 4 af at the field headgate, and the irrigation of 1 acre.
2. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Transfer No. 88790

WATER RIGHT NO. 47-17560**As Modified by Transfer No. 88790**

In accordance with the approval of Transfer No. 88790, Water Right No. 47-17560 is now described as follows:

Right Holder: MATHERS RANCH INC
3485 E 3100 N
KIMBERLY, ID 83341-5251

Priority Date: 8/9/1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	1.200 cfs	527.2 af
			1.200 cfs	527.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNE	Sec 31 Twp 11S Rge 18E	TWIN FALLS County
GROUND WATER	SWNW	Sec 32 Twp 11S Rge 18E	TWIN FALLS County
GROUND WATER	SWSW	Sec 32 Twp 11S Rge 18E	TWIN FALLS County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	18E	31			3.0	30.7								1.9	37.6	20.0	37.0	14.0	144.2

Right Acre Limit: 131.8

POU Total Acres: 144.2

CONDITIONS OF APPROVAL

1. The rights listed below are limited to a total combined diversion rate of 2.64 cfs.
Combined Right Nos.: 47-17555, 47-17560, 47-17565
2. The rights listed below are limited to a total combined annual diversion volume of 576.8 AF.
Combined Right Nos.: 47-17555, 47-17560, 47-17565
3. Right Nos. 47-17555, 47-17560, and 47-17565 are limited to the irrigation of a combined total of 144.2 acres in a single irrigation season.
4. Right 47-17560 is limited to the irrigation of 131.8 acres within the place of use described above in a single irrigation season.
5. 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 lands above.

Transfer No. 88790

WATER RIGHT NO. 47-17560

As Modified by Transfer No. 88790

CONDITIONS OF APPROVAL

6. The right holder shall maintain a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
8. Use of this right is combined with water from Twin Falls Canal Co.
9. Approval of this transfer does not confirm the validity of this water right.

WATER RIGHT NO. 47-17779

As Modified by Transfer No. 88790

In accordance with the approval of Transfer No. 88790, Water Right No. 47-17779 is now described as follows:

Right Holder: MATHERS RANCH INC
3485 E 3100 N
KIMBERLY, ID 83341-5251

Priority Date: 8/9/1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.010 cfs	3.6 af
			0.010 cfs	3.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESE Sec 30 Twp 08S Rge 14E TWIN FALLS County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	14E	30																1.0	1.0
Right Acre Limit:			0.9																
POU Total Acres:			1.0																

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 0.9 acres within the authorized place of use in a single irrigation season.
2. Rights 47-17778, 47-17779, and 47-17780 when combined shall not exceed a total diversion rate of 0.02 cfs, a total annual maximum diversion volume of 4 af at the field headgate, and the irrigation of 1 acre.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Transfer No. 88790

WATER RIGHT NO. 47-17565**As Modified by Transfer No. 88790**

In accordance with the approval of Transfer No. 88790, Water Right No. 47-17565 is now described as follows:

Right Holder: MATHERS RANCH INC
3485 E 3100 N
KIMBERLY, ID 83341-5251

Priority Date: 4/3/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.130 cfs	83.3 af
			0.130 cfs	83.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNE	Sec 31 Twp 11S Rge 18E	TWIN FALLS County
GROUND WATER	SWNW	Sec 32 Twp 11S Rge 18E	TWIN FALLS County
GROUND WATER	SWSW	Sec 32 Twp 11S Rge 18E	TWIN FALLS County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	18E	31			3.0	30.7								1.9	37.6	20.0	37.0	14.0	144.2

Right Acre Limit: 66.6

POU Total Acres: 144.2

CONDITIONS OF APPROVAL

1. The rights listed below are limited to a total combined diversion rate of 2.64 cfs.
Combined Right Nos.: 47-17555, 47-17560, 47-17565
2. The rights listed below are limited to a total combined annual diversion volume of 576.8 AF.
Combined Right Nos.: 47-17555, 47-17560, 47-17565
3. Right Nos. 47-17555, 47-17560, and 47-17565 are limited to the irrigation of a combined total of 144.2 acres in a single irrigation season.
4. Right 47-17560 is limited to the irrigation of 66.6 acres within the place of use described above in a single irrigation season.
5. 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.

Transfer No. 88790

WATER RIGHT NO. 47-17565
As Modified by Transfer No. 88790

CONDITIONS OF APPROVAL

6. The right holder shall maintain a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
8. Use of this right is combined with water from Twin Falls Canal Co.
9. Approval of this transfer does not confirm the validity of this water right.

WATER RIGHT NO. 47-17780**As Modified by Transfer No. 88790**

In accordance with the approval of Transfer No. 88790, Water Right No. 47-17780 is now described as follows:

Right Holder: MATHERS RANCH INC
3485 E 3100 N
KIMBERLY, ID 83341-5251

Priority Date: 4/3/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.010 cfs	0.6 af
			0.010 cfs	0.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESE Sec 30 Twp 08S Rge 14E TWIN FALLS County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	14E	30																	1.0

Right Acre Limit: 0.5

POU Total Acres: 1.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 0.5 acres within the authorized place of use in a single irrigation season.
2. Rights 47-17778, 47-17779, and 47-17780 when combined shall not exceed a total diversion rate of 0.02 cfs, a total annual maximum diversion volume of 4 af at the field headgate, and the irrigation of 1 acre.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Transfer No. 88790

State of Idaho
Department of Water Resources
Attachment to Transfer # 88790
47-17778, 47-17779, and 47-17780

This map depicts the IRRIGATION place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.

14E



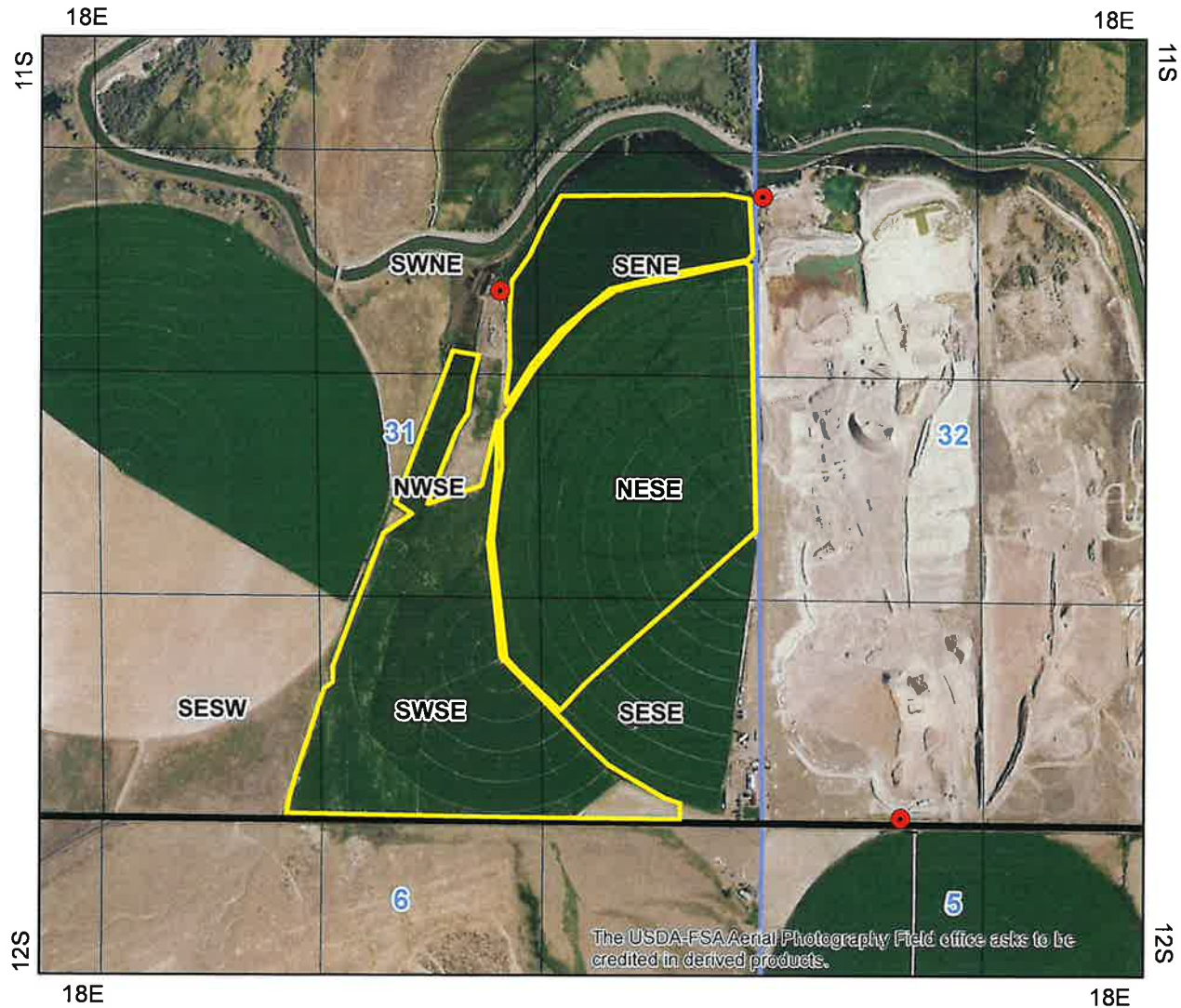
0 0.035 0.07 0.14 Miles

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



State of Idaho
Department of Water Resources
Attachment to Transfer # 88790
47-17555, 47-17560, and 47-17565

This map depicts the IRRIGATION place of use boundary for these water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.125 0.25 0.5 Miles

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





IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

May 3, 2024

MICHAEL C WALLER
DONNA L WALLER
4810 SALMON CREEK DR
BUHL ID 83316-5151

Re: Transfer No: 88790
Water Right No(s): 47-17555, 47-17560, 47-17565

Transfer Approval Notice

Dear Water Right Holder(s) and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 736-3033.

Sincerely,



Corey Skinner
Southern Regional Manager

Enclosure

c:

SNAKE RIVER MANAGEMENT INC
STAN HAYE III
403 CENTER ST E
KIMBERLY ID 83341-1809

MATHERS RANCH INC
3485 E 3100 N
KIMBERLY ID 83341-5251

CERTIFICATE OF SERVICE

I hereby certify that on May 3, 2024 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 88790

Water Right No(s): 47-17555, 47-17560, 47-17565

MICHAEL C WALLER
DONNA L WALLER
4810 SALMON CREEK DR
BUHL ID 83316-5151

SNAKE RIVER MANAGEMENT INC
STAN HAYE III
403 CENTER ST E
KIMBERLY ID 83341-1809

MATHERS RANCH INC
3485 E 3100 N
KIMBERLY ID 83341-5251



Denise Maline
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Sufficiency Memorandum

Date: April 22, 2024
To: Transfer 88790
From: Benny Walker
Re: Evaluation of Sufficiency of Information Submitted

Application proposes transferring a 1.0 acre portion (0.02 cfs) of three ground water rights for Irrigation use from a farm located approximately 7.3 to 8.0 miles south and 0.8 to 1.5 miles west of the city of Kimberly to a parcel located approximately 2.1 miles east and 8.2 miles south of the city of Hagerman. The application proposes to use the existing well located on the proposed place of use as the authorized point of diversion. This application was subject to notice and protest. No protests were received.

- **Authority to File:**

The application includes a copy of a contract for sale of water rights from the current listed owner of the rights being transferred, agreeing to sell and transfer the portion of the water rights being transferred to the applicant. This document was signed by the current owner of the rights and the owner of the new place of use. The application also includes a copy of a warranty deed showing that the applicant owns the proposed place of use.

- **Water Right Validity:**

- Rights 47-17555, 47-17560 and 47-17565 were decreed in 2009. Current aerial photography indicates that these rights appear to have been used in recent years. Therefore forfeiture does not appear to be an issue.

- **Injury to Other Water Rights:**

None anticipated. This application was subject to notice and protest. No protests were received.

- **Enlargement of Use:**

None anticipated.

- **Local Public Interest:**

No negative impacts anticipated.

- **Beneficial Use/Conservation of Water Resources:**

Proposed use is recognized as beneficial uses of water.

- **Effect on Economy of the Local Area:**

None anticipated.

- **Effect of the Agricultural Base of the Local Area:**

None anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

* **Proof of Publication** *

Twin Falls Times-News
132 Fairfield St W, Twin Falls, Idaho 83301

RECEIVED

APR 01 2024

DEPT. OF WATER RESOURCES
SOUTHERN REGION

SHERRI DAVIS, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

ID DEPARTMENT OF WATER RESOURCES Southern Region
Denise Maliine Administrative Assistant
650 ADDISON AVE W, STE 500
TWIN FALLS ID 83301

ORDER NUMBER 150100

Sherri Davis

(Legals Clerk)

STATE OF IDAHO)
 .SS
COUNTY OF TWIN FALLS)

On this 28th day of March in the year of 2024 before me, a Notary Public, personally appeared before me Sherri Davis known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Morgan Shindle
Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 11/20/2029



Section: Legals

Category: 50 Legal

PUBLISHED ON: 03/21/2024, 03/28/2024

TOTAL AD COST: 296.53

FILED ON: 3/28/2024

✓ OK DM 4/3/2024

RECEIVED

APR 01 2024

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

✓ 47-17777

KJW INC

1854 E 3700 N

FILER, ID 83328-5600

Point of Diversion SENE S23 T09S R14E TWIN FALLS County

Source UNNAMED STREAM Tributary MUD CREEK

Use: AESTHETIC STORAGE 0101 to 12% 17.1 AF

Use: RECREATION STORAGE 0101 to 12% 17.1 AF

Use: WILDLIFE STORAGE 0101 to 12% 17.1 AF

Total Diversion: 17.1 AF

Date Filed: 01-25-2024

Place Of Use: AESTHETIC STORAGE, RECREATION STORAGE, WILDLIFE STORAGE
T09S R14E S23 SENE

Application for permit proposes construction of an on-stream pond which will create 17.1 acre-feet of recreation, aesthetic, and wildlife storage on an unnamed stream located approximately 2.2 miles north and 0.7 mile west of the intersection of Main Street and Broadway Avenue in Buhl. A mitigation plan has been provided to cover the initial fill and evaporation losses. This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 88771

✓ GW FINANCE CO LLC, 22 N YALE RD, DECLO, ID 83323-6012 has filed Application No. 88771 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13551, 43-13563, 43-13565, 43-13573, 43-13776, 43-13777, 43-13778, 43-13779, 43-2335, 43-7122A, 43-7122B, 43-7311. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change one of six points of diversion (POD) authorized to divert 13.81 cfs of water in association with twelve ground water irrigation rights. The existing well, which will be removed from the rights as an authorized POD, is located approximately 15.3 miles east and 1.0 mile north of the I-84 & I-86 interchange east of Burley. A new well will be drilled approximately 0.2 mile southwest of the existing well. The new well will be limited to a maximum diversion rate of 5.0 cfs.

TRANSFER NO. 88790

✓ MICHAEL C WALLER and DONNA L WALLER, 4810 SALMON CREEK DR, BUHL, ID 83316-5151 has filed Application No. 88790 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-17555, 47-17560, 47-17565. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 1.0 acre portion (0.02 cfs) of three ground water rights for Irrigation use from a farm located approximately 7.3 to 8.0 miles south and 0.8 to 1.5 miles west of the city of Kimberly to a parcel located approximately 2.1 miles east and 8.2 miles south of the city of Hagerman. The application proposes to use the existing well located on the proposed place of use as the authorized point of diversion.

TRANSFER NO. 88793

✓ GRANT 4D PROPERTIES LLC, 707 E 600 N, RUPERT, ID 83350-9466 has filed Application No. 88793 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-2481B. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes moving a 0.29 cfs and 23.9 acre portion of an irrigation ground water right from its current location to a new place of use (POU) and diverting it from an existing well at the new POU. The current POU for the water right is approximately 5.3 to 5.6 miles north and 5.7 to 6.7 miles east of Rupert. The new POU and proposed point of diversion are located approximately 9.4 to 10.1 miles north and 9.8 to 10.3 miles east of Rupert.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and the proposed transfers, please see <https://research.idwr.idaho.gov>. 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, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before April 8, 2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director
Publish: March 21, 28, 2024

✓ OK sm 4/3/2024