

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAY 31 2024
DEPT. OF WATER RESOURCES
SOUTHERN REGION

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 [Application for Transfer Instructions](#) 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 Idaho Code § 42-221.O.8. Attach an explanation and any supporting documentation.

1. APPLICANT(S) PETERSEN RANCH TRUST Phone 415. 596. 4131
2. MAILING ADDRESS 899 ISLAND DRIVE #104 City RANCHO MIRAGE
State CA Zip 92270 Email DADESIGNS@GMAIL.COM

- ☐ 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 [fee schedule](#).

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) 72-4076 per 6-3-24 Doug Anderson Email

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

4. TOTAL AMOUNT OF WATER transferred is 2.01 cubic feet per second and/or _____ 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 idwr.idaho.gov, *Water Rights, Water Right Transfers, Modeling Resources*.

[illegible]

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: BUILD A SMALL FLUME FROM RIVER TO RIVER EDGE. INSTALL 30" VERTICAL PIPE APPX. 10' LONG TO BE USED AS DUMP OPENING IN 30" WILL HAVE 1/4" SCREEN MESH INSTALLED ON OPENING SECTION LINE WILL BE INSIDE 30" PIPE A VALVE & FLOW METER
- b. Who owns the property at the point(s) of diversion? PETERSEN RANCH TRUST
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- 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:

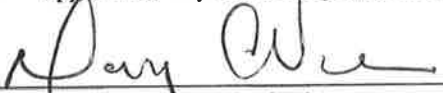
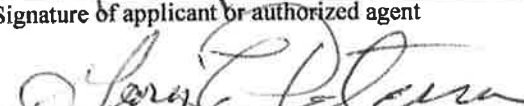
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- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a [Lessor Designation](#) form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an [IRS Form W-9](#).
(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 1/4 1/4 of section information. You may create a map at idwr.idaho.gov, [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.

	<u>DOUG ANDERSON - "TRUSTEE"</u>	<u>5-1-2024</u>
Signature of applicant or authorized agent	Print name and title if applicable	Date
	<u>GARY PETERSEN "TRUSTEE"</u>	<u>5-7-2024</u>
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 [Fee Schedule](#) is available at www.idwr.idaho.gov, [Water Right Transfers](#), [Step 4](#) and in the [Application for Transfer Instructions](#).

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by SG Date 8/16/2023
Fee paid \$660.00 Date 8/16/2023 Receipted by SG Receipt # 5039901
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)

TRUST PAGE 1

TRUST AGREEMENT

THIS AGREEMENT made this 6 day of April, 1988, by DON E. PETERSEN, CLARENCE E. PETERSEN, DONNA H. PETERSEN, (which three are hereinafter sometimes referred to as the "Parents"), and GARY L. PETERSEN, LINDA ERICKSON, DON EMIL PETERSEN, JAMES B. PETERSEN, MARY SENTER, and VALERIA ANDERSON (which six, together with the Parents, are hereinafter sometimes referred to as the "Grantors") and DON E. PETERSEN and CLARENCE S. PETERSEN (the "Trustees"), for the purpose of establishing a trust whereby such property as may be received by the Trustees, from time to time, will be held, managed, utilized and distributed as set forth herein.

1. Trust Property. The Grantors have transferred and delivered to the Trustees the parcel of real property described in Schedule "A" attached hereto, together with all improvements thereon (which parcel and improvements are hereinafter referred to as the "Petersen Ranch"), to have and to hold the same, and any cash, securities, or other property which the Trustees may, pursuant to any of the provisions hereof, at any time hereafter, hold or acquire, all of such property being hereinafter referred to collectively as the Trust Estate, for the uses and purposes and upon the terms and conditions herein set forth.

2. Dispositive Provisions. The Trustees shall hold, manage, invest, and reinvest the Trust Estate, and shall collect the income thereof and dispose of the net income and principal as follows:

a. During the lifetimes of the Parents, and the survivor of them, the Trustees shall allow the Parents and their descendants to use the Petersen Ranch at such times, and pursuant to such rules and policies as the Trustees may, from time to time determine, in their sole discretion. In addition, the Trustees shall pay, in not less frequent than annual installments, all of the net income of the Trust Estate, and so much of the principal, up to the whole thereof, as the Trustees may, from time to time, deem necessary or advisable for their use and benefit, to:

A. The Grantor, Don E. Petersen, and after his death and until the death of the survivor of Clarence and Donna, to his children in equal shares, an undivided 20.3% interest therein;

B. The Grantors, Clarence E. Petersen and Donna H. Petersen, or the survivor of them, and, after the death of the last of them to die and until the Don's death, to

All of Lot 2, Section 19, Township 12 North, Range 19,
East Boise Meridian, containing 47.87 acres.

WITNESS the hand of said grantors on this 6 day of April,
1988.

Clarence E. Petersen
Clarence E. Petersen

Don E. Petersen
Don E. Petersen

Donna H. Petersen
Donna H. Petersen

Gary L. Petersen
Gary L. Petersen

Linda Erickson
Linda Erickson

Don Emil Petersen
Don Emil Petersen

James B. Petersen
James B. Petersen

Mary Senter
Mary Senter

Valeria Anderson
Valeria Anderson

STATE OF UTAH

County of Salt Lake

)
) SS
)

On the 6 day of April, 1988, personally appeared
before me CLARENCE E. PETERSEN and DONNA H. PETERSEN, two of the sign-
ers of the foregoing instrument, who duly acknowledged to me that they
executed the same.

Christine Hughes
Notary Public
Residing at: SLE

My Commission Expires:
20 Feb 1990

STATE OF Calif.
County of San Clara) SS

On the 2 day of April, 1988, personally appeared
before me VALERIA ANDERSON, one of the signers of the foregoing
instrument, who duly acknowledged to me that she executed the same.

Christine Hughes
Notary Public
Residing at: SLE

My Commission Expires:
20 Feb. 1990

188749

CUSTER COUNTY
REQUEST OF August
Coke & Vincent

'88 MAY 10. PM 1 19
ETHEL M. PECK, CLERK
m. Thompson DEPUTY
FEES \$15.00

Nygaard, Coke & Vincent
Recorded at Request of 333 North 300 West, S.L.C., Utah 84103
at m. Fee Paid \$,
by Dep. Book Page Ref.:
Mail tax notice to Don E. Petersen Address 3376 South 500 West
S.L.C., Utah 84115

QUIT-CLAIM DEED

CLARENCE E. PETERSEN, as to an undivided 20.3%; DON E. PETERSEN, as to an undivided 20.3%; DONNA H. PETERSEN, as to an undivided 0.2%; GARY L. PETERSEN, as to an undivided 14.74%; LINDA ERICKSON, as to an undivided 14.74%; DON EMIL PETERSEN, as to an undivided 7.43%; JAMES B. PETERSEN, as to an undivided 7.43%; MARY SENTER, as to an undivided 7.43%; and VALERIA ANDERSON, as to an undivided 7.43%, Grantors, hereby QUIT-CLAIM to DON E. PETERSEN and CLARENCE S. PETERSEN, Trustees of the Trust Agreement dated April 6, 1988, Grantees, for the sum of TEN DOLLARS and other good and valuable consideration, the following property located in Custer County, State of Idaho:

The Southeast Quarter of the Northwest Quarter; the Southwest Quarter of the Northeast Quarter; the North half of the Southeast Quarter, being all in Section 12, Township 12 North, Range 18, East Boise Meridian, containing 160 acres.

The Northeast Quarter of the Northeast Quarter, Section 24, Township 12 North, Range 18, East Boise Meridian, containing 40 acres.

All of Lot 14, Section 6, Township 12 North, Range 19, East Boise Meridian, containing 5.35 acres.

All of T-207, Section 7, Township 12 North, Range 19, East Boise Meridian, containing 46.00 acres.

All of Lot 4, Section 7, Township 12 North, Range 19, East Boise Meridian, containing 23.17 acres.

The Northeast Quarter of the Southwest Quarter, Section 7, Township 12 North, Range 19, East Boise Meridian, containing 40.00 acres.

All of Lot 7, Section 7, Township 12 North, Range 19, East Boise Meridian, containing 43.44 acres.

All of Lot 10, Section 7, Township 12 North, Range 14, East Boise Meridian, containing 52.96 acres.

All of Lots 8 and 10, Section 18, Township 12 North, Range 19, East Boise Meridian, containing 81.64 acres.

Christine Hughes
Notary Public

Residing at: SLC

My Commission Expires:

20 Feb 1990

STATE OF Utah

County of SLC

} SS

On the 6 day of April, 1988, personally appeared before me DON EMIL PETERSEN, one of the signers of the foregoing instrument, who duly acknowledged to me that he executed the same.

Christine Hughes
Notary Public

Residing at: SLC

My Commission Expires:

20 Feb 1990

STATE OF Utah

County of SLC

} SS

On the 6 day of April, 1988, personally appeared before me JAMES B. PETERSEN, one of the signers of the foregoing instrument, who duly acknowledged to me that he executed the same.

Christine Hughes
Notary Public

Residing at: SLC

My Commission Expires:

20 Feb 1990

STATE OF Calif

County of Santa Clara

} SS

On the 2 day of April, 1988, personally appeared before me MARY SENTER, one of the signers of the foregoing instrument, who duly acknowledged to me that she executed the same.

APPOINTMENT OF SUCCESSOR TRUSTEE

Clarence E. Petersen and Donna H. Petersen hereby appoint Gary L. Petersen as their Successor Trustee under that certain Trust Agreement dated April 6, 1988, by and among Don Elias Petersen, Clarence E. Petersen and Donna H. Petersen (as "Parents"), Gary L. Petersen, Linda Erickson, Don Emil Petersen, James B. Petersen, Mary Senter and Valeria Anderson (together with the Parents as "Grantors") and Don Elias Petersen and Clarence S. Petersen (as "Trustees").

STATE OF UTAH)
) ss.
COUNTY OF Washington

DATED this ____ day of April, 2011.

Clarence E. Petersen
CLARENCE E. PETERSEN

SUBSCRIBED AND SWORN to before me this 12 day of April, 2011, by Clarence E. Petersen.

[Signature]
NOTARY PUBLIC

My Commission Expires:

3/25/13

STATE OF UTAH)
) ss.
COUNTY OF Washington

DATED this ____ day of April, 2011.

Donna H. Petersen
DONNA H. PETERSEN

SUBSCRIBED AND SWORN to before me this 12 day of April, 2011, by Donna H. Petersen.

[Signature]
NOTARY PUBLIC

My Commission Expires:

3/25/13

ACCEPTANCE OF APPOINTMENT AS SUCCESSOR TRUSTEE

Gary L. Petersen hereby accepts the appointment by Clarence E. Petersen and Donna H. Petersen as their Successor Trustee under that certain Trust Agreement dated April 6, 1988, by and among Don Elias Petersen, Clarence E. Petersen and Donna H. Petersen (as "Parents"), Gary L. Petersen, Linda Erickson, Don Emil Petersen, James B. Petersen, Mary Senter and Valeria Anderson (together with the Parents as "Grantors") and Don Elias Petersen and Clarence S. Petersen (as "Trustees").

STATE OF UTAH

COUNTY OF

Washington ss.

DATED this 13 day of April, 2011.

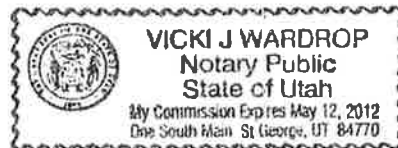

GARY L. PETERSEN

SUBSCRIBED AND SWORN to before me this 2 day of April, 2011, by Gary L. Petersen.


NOTARY PUBLIC

My Commission Expires:

May 12, 2012



Affidavit of Successor Trustee for Don E. Petersen Lineal Descendants under the PETERSEN TRUST AGREEMENT

Pursuant to the PETERSEN TRUST AGREEMENT, this Certification of Trust is signed by the Successor Trustee to DON E. PETERSEN of the PETERSEN TRUST AGREEMENT, dated April 6, 1988, who declares as follows:

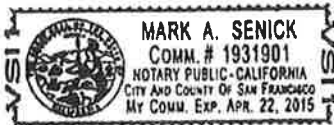
1. The Grantors of the PETERSEN TRUST AGREEMENT, dated April 6, 1988 are Don E. Petersen, Clarence E. Petersen and Donna H. Petersen ("as Parents"), Gary L. Petersen, Linda Erickson, Don Emil Petersen, James B. Petersen, Mary Senter and Valeria Anderson. The original Trustees were Don E. Petersen and Clarence E. Petersen.
2. The Grantors of the PETERSEN TRUST AGREEMENT, dated April 6, 1988, belong to two separate and distinct lineages belonging to Don E. Petersen, and Clarence E. Petersen and Donna H. Petersen.
3. Don E. Petersen passed away without appointing a successor Trustee. Pursuant to paragraph 8(d)(1) of the PETERSEN TRUST AGREEMENT, dated April 6, 1988, a majority of the income beneficiaries from among Don E. Petersen's issue have appointed DOUG ANDERSON as his successor Trustee.

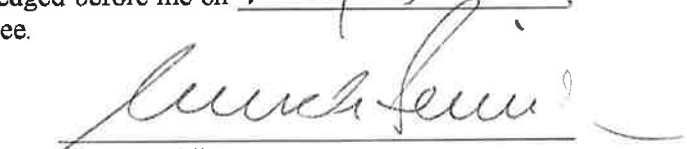
DATED this 23 day of MAY, 2011.


DOUG ANDERSON, Trustee
Successor Trustee of Don E. Petersen

STATE OF California)
COUNTY OF San Francisco) ss.

The foregoing instrument was acknowledged before me on May 23, 2011, by DOUG ANDERSON, as Trustee.




Notary Public
My commission expires:

Affidavit of Successor Trustee
PETERSEN TRUST AGREEMENT







United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Challis Field Office
721 East Main Avenue, Suite 8
(Mailing address: PO Box 817)
Challis, Idaho 83226



In Reply Refer To:
4120 (IDI030)

Doug Anderson
899 Island Drive #104
Rancho Mirage, California 92270

Dear Mr. Anderson:

This letter services as the Bureau of Land Management (BLM), Challis Field Office acknowledgement of your request to add a point of diversion on the existing ditch near Bayhorse Campground, Boise Meridian, T. 12, R. 19E, Section 7. The BLM recognizes that the addition of a new point of diversion will have no harm to the existing BLM water right. On April 21, 2020, the BLM and Gary Petersen, trustee of the Petersen Ranch Trust signed a Memorandum of Understanding for use of the ditch associated with water right #72-04076, which is attached. Should you require any further clarification or assistance, please do not hesitate to reach out to Mark Pepper at 208-879-6203, or myself at 208-879-6206.

Sincerely,

Joshua M. Travers
Field Manager



ADVERTISING INVOICE

APG West Payment
Processing
PO Box 1570
Pocatello, ID 83204
Ph. (208) 542-6712

BILLING DATE:	ACCOUNT NO:
06/13/24	12622

Denise Maline
IDWR SOUTHERN REGION TWIN FALLS
650 ADDISON AVE W STE 500
TWIN FALLS, ID 83301

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
525622	NOTICE OF PROPOSED C	06/20/24	06/27/24	4	\$84.80

Transfer No. 89060

Proof of legal notice received from Challis Messenger 6/13/2024 (2 pgs)

✓ OK DM 6/13/2024

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount
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Discount:	\$0.00
Surcharge:	\$0.00
Credits:	\$0.00

Gross: **\$84.80**
Paid Amount: **\$0.00**

Amount Due: **\$84.80**

We Appreciate Your Business!

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 89060**

PETERSEN RANCH TRUST, 899 ISLAND DR APT 104, RANCHO MIRAGE, CA 92270-3101 has filed Application No. 89060 for changes to the following water rights within CUSTER County(s): Right No(s). 72-4076; 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: Application for transfer proposes to add a new point of diversion (POD) to irrigation water right 72-4076 which is currently authorized to divert 2.61 cfs from the Salmon River. The new POD will be located approximately 5.9 miles south and 2.9 miles west of the intersection of U.S. Highway 93 and State Highway 75 south of Challis and will allow the applicant to divert directly from the Salmon River.

For additional information concerning the property location, contact Southern Region office at (208)736-3033. 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 July 8, 2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER
Director

Published: June 20, 27, 2024 (CM12622-525622)

A handwritten signature in blue ink, appearing to be 'DM', with a large checkmark above it.



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

June 13, 2024

PETERSEN RANCH TRUST
899 ISLAND DR APT104
RANCHO MIRAGE, CA 92270-3101

RE: Transfer No. 89060
Water Right No(s). 72-4076

Dear Applicant(s):

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 **CHALLIS MESSENGER** on **6/20/2024 and 6/27/2024**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **July 8, 2024**.

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,

Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Thursday, June 13, 2024 11:38 AM
To: Graybill, David
Subject: Comment Letter for Transfer 89060 Petersen Ranch Trust
Attachments: Comment letter to WD170 for 89060.docx; Transfer 89060 Petersen Ranch Trust.pdf

Hi David,

Attached is an application for transfer within WD170 / WD72D, currently being processed by the department. Please review the applications and provide any necessary comments within 21 days. I have also sent a copy to Brent in WD72D

If you have any questions regarding this information, please feel free to contact Jim Bitzenburg at our office.

Thank you,

Denise @ Southern



Denise Maline, Administrative Assistant I
Idaho Dept. of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov



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

June 13, 2024

DAVID GRAYBILL
WATER DISTRICT 170
1301 MAIN ST STE 10
SALMON ID 83467-4435

RE: Application for Transfer No. 89060 (Petersen Ranch Trust)
Water Right No. 72-4076

Dear David:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has passed. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)



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

June 13, 2024

WATER DISTRICT 72D
BRENT CUTLER
45 N BUCKBOARD LN
CHALLIS ID 83226-4998

Re: Application for Transfer No. 89060 (Petersen Ranch Trust)
Water Right No. 72-4076

Dear Brent:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has passed. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, June 13, 2024 11:41 AM
To: Richards,Jeff
Subject: Comment Letter for Transfer 89060 Petersen Ranch Trust
Attachments: Comment letter to F&G for 89060.docx; Transfer 89060 Petersen Ranch Trust.pdf

Hi Jeff,

Attached is an application for transfer currently being processed by the department. Please review the application and provide any necessary comments within 21 days.

If you have any questions regarding this information, please feel free to contact Jim Bitzenburg at our office.

Thank you in advance,

Denise @ IDWR Twin Falls



Denise Maline, Administrative Assistant I
Idaho Dept. of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov



IDAHO DEPARTMENT OF
WATER RESOURCES

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Governor Brad Little

Director Mathew Weaver

June 13, 2024

IDAHO DEPT OF FISH & GAME
JEFF RICHARDS
99 HWY 93 N
SALMON ID 83467

Re: Transfer No(s). 89060 (Petersen Ranch Trust)
Water right No. 72-4076

Dear Mr. Richards:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. *You can find a complete copy of the application(s) at:* <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days of the date of this letter.

IDWR can finish reviewing an unprotested application as soon as the protest period has passed. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication **(on or before July 8, 2024)**.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, June 13, 2024 10:27 AM
To: Challis Messenger
Subject: LEGAL NOTICE
Attachments: Challis Messenger cover letter.docx; Challis Messenger ad.docx

Good morning,

Attached please find **(1)** legal notice being submitted for publication in the *Challis Messenger* on June 20th & 27th, 2024. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls, Idaho



Denise Maline, Administrative Assistant I
Idaho Dept. of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov



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

June 13, 2024

LEGAL NOTICE DEPARTMENT
CHALLIS MESSENGER
PO BOX 405
CHALLIS, ID 83226-0405

RE: Transfer No. 89060
Water Right No(s). 72-4076

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 July 8, 2024. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 89060**

PETERSEN RANCH TRUST, 899 ISLAND DR APT 104, RANCHO MIRAGE, CA 92270-3101 has filed Application No. 89060 for changes to the following water rights within CUSTER County(s): Right No(s). 72-4076; 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: Application for transfer proposes to add a new point of diversion (POD) to irrigation water right 72-4076 which is currently authorized to divert 2.61 cfs from the Salmon River. The new POD will be located approximately 5.9 miles south and 2.9 miles west of the intersection of U.S. Highway 93 and State Highway 75 south of Challis, and will allow the applicant to divert directly from the Salmon River.

For additional information concerning the property location, contact Southern Region office at (208)736-3033. 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 **July 8, 2024**. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director
Published on June 20th & 27th, 2024

Bitzenburg, James

From: Bitzenburg, James
Sent: Monday, June 10, 2024 9:54 AM
To: IWRB Water Use Reviews
Subject: Seeking comments - water right transfer on Salmon River near Challis

Good Morning-

This morning, I will submit for advertising, a water right transfer (#89060) which proposes adding a point of diversion on the Salmon River to a single irrigation right (72-4076, 2.61 cfs, 29.0 acres). The additional POD will allow for the water to be pumped directly from the river and will be located a short distance downstream from the existing POD. Within a few days, the transfer documents will be scanned into the Southern Region transfer folder in the Laserfiche Temporary location on the N drive. Thank you and let me know if you have questions.

Jim

Jim Bitzenburg
Water Rights Supervisor
Idaho Department of Water Resources
Southern Regional Office
Phone (208)-293-9909
james.bitzenburg@idwr.idaho.gov

TRANSFER SYNOPSIS

Date: June 5, 2024
To: Petersen Ranch Trust, Transfer #89060 File
From: Jim Bitzenburg
Re: Summary of transfer

Application for transfer proposes to add a new point of diversion (POD) to irrigation water right 72-4076 which is currently authorized to divert 2.61 cfs from the Salmon River. The new POD will be located approximately 5.9 miles south and 2.9 miles west of the intersection of U.S. Highway 93 and State Highway 75 south of Challis, and will allow the applicant to divert directly from the Salmon River.

The transfer will be advertised and subject to protest. Watermaster comments will be solicited, as the transfer is located within Water Districts 170 and 72D.

FEE MEMORANDUM

Date: June 5, 2024
To: Petersen Ranch Trust, Transfer #89060 File
From: Jim Bitzenburg
Re: Receipting/disposition of fees paid

This transfer was first filed on August 16, 2023, returned on August 31, 2023, filed again on October 3, 2023, returned on October 4, 2023, and filed for the third time on May 31, 2024. Its purpose is to add a point of diversion (POD) to Salmon River irrigation right 72-4076, (2.61 cfs). Since the entire flow rate could be diverted from the proposed POD, from the transfer fee schedule, a \$660.00 fee will be applicable. The fee was paid with check #2556, from Mark and Jacquell Bruno, at the time of filing. The IDWR receipt number is S039901.

Bitzenburg, James

From: Doug Anderson <dadesignsf@gmail.com>
Sent: Monday, June 3, 2024 1:30 PM
To: Bitzenburg, James
Subject: Re: POD transfer application

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Hello Jim,
Sorry I forgot to add in the numbers, please go ahead and write in 72-4076
Thanks for your help
Doug

DOUG ANDERSON DESIGN
899 Island Drive #104
Rancho Mirage CA.
92270
1(415)596-4131
www.DAdesignSF.com

On Jun 3, 2024, at 12:21 PM, Bitzenburg, James <James.Bitzenburg@idwr.idaho.gov> wrote:

Doug-

In a review of the Petersen Ranch Trust transfer application (see attached page 1 scan), which was received in our office on May 31, it looks like the water right number involved in the transfer was omitted. The number should be 72-4076; do you want me to make that entry on the application?

Jim

Jim Bitzenburg
Water Rights Supervisor
Idaho Department of Water Resources
Southern Regional Office
Phone (208)-293-9909
james.bitzenburg@idwr.idaho.gov

<20240603121906.pdf>