

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 88961**

This is to certify that: DOUGLAS J BRADSHAW
TRUSTEE UNDER WILL OF ELEANOR REINHEIMER
PO BOX 7112
RANCHO SANTA FE, CA 92067-7112

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>
37-457A	WR/DECREED	5/1/1883	0.420 cfs	N/A	N/A	5.0	TRAIL CREEK
37-457B	WR/DECREED	5/1/1883	4.380 cfs	N/A	N/A	52.0	TRAIL CREEK
37-891A	WR/DECREED	7/24/1924	10.500 cfs	N/A	7366.0	7366.0	BIG WOOD RIVER, EAST FORK WOOD RIVER, TRAIL CREEK, WARM SPRINGS CREEK
37-892	WR/DECREED	9/1/1920	11.232 cfs	N/A	7366.0	7366.0	BIG WOOD RIVER, EAST FORK WOOD RIVER, TRAIL CREEK, WARM SPRINGS CREEK

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>
37-457A	NO	YES	NO	NO	NO	NO
37-457B	NO	YES	NO	NO	NO	NO
37-891A	NO	NO	NO	YES	NO	NO
37-892	NO	NO	NO	YES	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>
37-457A	37-457A	0.420 cfs	N/A	N/A	5.0	N/A	N/A	N/A	N/A	N/A
37-457B	37-457B	4.380 cfs	N/A	N/A	52.0	N/A	N/A	N/A	N/A	N/A
37-891A	37-891A	10.500 cfs	N/A	7366.0	N/A	N/A	N/A	N/A	N/A	N/A
37-892	37-892	11.232 cfs	N/A	7366.0	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		26.532 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

SUPPORT DATA

Transfer No. 88961

IN FILE # 37-457A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 88961

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 12th day of August, 2024.



Southern Region Manager

WATER RIGHT NO. 37-457B
As Modified by Transfer No. 88961

In accordance with the approval of Transfer No. 88961, Water Right No. 37-457B is now described as follows:

Right Holder: DOUGLAS J BRADSHAW
 TRUSTEE UNDER WILL OF ELEANOR REINHEIMER
 PO BOX 7112
 RANCHO SANTA FE, CA 92067-7112

Priority Date: 5/1/1883

Source: TRAIL CREEK

Tributary: BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 10/31	4.380 cfs 4.380 cfs

LOCATION OF POINT(S) OF DIVERSION

TRAIL CREEK L1 (NWNW) Sec 19 Twp 04N Rge 18E BLAINE 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	
04N	18E	19					25.0			27.0									52.0

POU Total Acres: 52.0

CONDITIONS OF APPROVAL

1. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. Diversion of water under this right is limited to those times and amounts water is available for diversion under this right and priority from Trail Creek at the diversion located within the SWSE of Sec 7, T04N, R18E.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 88961

WATER RIGHT NO. 37-457B
As Modified by Transfer No. 88961

CONDITIONS OF APPROVAL

6. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 37-457A
As Modified by Transfer No. 88961

In accordance with the approval of Transfer No. 88961, Water Right No. 37-457A is now described as follows:

Right Holder: DOUGLAS J BRADSHAW
 TRUSTEE UNDER WILL OF ELEANOR REINHEIMER
 PO BOX 7112
 RANCHO SANTA FE, CA 92067-7112

Priority Date: 5/1/1883

Source: TRAIL CREEK

Tributary: BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 10/31	0.420 cfs
STOCKWATER	01/01	to 12/31	0.020 cfs
			0.420 cfs

LOCATION OF POINT(S) OF DIVERSION

TRAIL CREEK L1 (NWNW) Sec 19 Twp 04N Rge 18E BLAINE 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	
04N	18E	19					5.0												5.0

POU Total Acres: 5.0

CONDITIONS OF APPROVAL

1. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. Diversion of water under this right is limited to those times and amounts water is available for diversion under this right and priority from Trail Creek at the diversion located within the SWSE of Sec 7, T04N, R18E.
4. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
5. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

Transfer No. 88961

WATER RIGHT NO. 37-457A
As Modified by Transfer No. 88961

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 37-892

As Modified by Transfer No. 88961

In accordance with the approval of Transfer No. 88961, Water Right No. 37-892 is now described as follows:

Right Holder: UPPER WOOD RIVER WATER USERS ASSN INC
153 BASELINE RD
BELLEVUE, ID 83313

Priority Date: 9/1/1920

Source:	BIG WOOD RIVER	Tributary:	MALAD RIVER
Source:	WARM SPRINGS CREEK	Tributary:	BIG WOOD RIVER
Source:	TRAIL CREEK	Tributary:	BIG WOOD RIVER
Source:	EAST FORK WOOD RIVER	Tributary:	BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 10/31	11.232 cfs
			11.232 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG WOOD RIVER	NENWSW	Sec 1 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER	NENWSW	Sec 12 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER	NWSESW	Sec 12 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER	NWSESW	Sec 12 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER	L1 (SWNENE)	Sec 2 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER	NWSENW	Sec 25 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER	NESWSW	Sec 25 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER	SESE	Sec 35 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER	NWNENE	Sec 19 Twp 01S Rge 18E	BLAINE County
BIG WOOD RIVER	L2 (SWNE)	Sec 2 Twp 01S Rge 18E	BLAINE County
BIG WOOD RIVER	NESESE	Sec 2 Twp 01S Rge 18E	BLAINE County
BIG WOOD RIVER	SWSE	Sec 26 Twp 02N Rge 18E	BLAINE County
BIG WOOD RIVER	NWSW	Sec 26 Twp 02N Rge 18E	BLAINE County
BIG WOOD RIVER	L1 (NESWSW)	Sec 26 Twp 02N Rge 18E	BLAINE County
BIG WOOD RIVER	L3 (NESWNW)	Sec 36 Twp 02N Rge 18E	BLAINE County
BIG WOOD RIVER	SWNW	Sec 20 Twp 03N Rge 18E	BLAINE County
WARM SPRINGS CREEK	SESE	Sec 30 Twp 04N Rge 17E	BLAINE County
WARM SPRINGS CREEK	NWNE	Sec 31 Twp 04N Rge 17E	BLAINE County
TRAIL CREEK	L1 (NWNW)	Sec 19 Twp 04N Rge 18E	BLAINE County
TRAIL CREEK	L3 (NENW)	Sec 5 Twp 04N Rge 18E	BLAINE County
TRAIL CREEK	SWSE	Sec 7 Twp 04N Rge 18E	BLAINE County
EAST FORK WOOD RIVER	NWSW	Sec 28 Twp 04N Rge 19E	BLAINE County
EAST FORK WOOD RIVER	NESE	Sec 29 Twp 04N Rge 19E	BLAINE County
EAST FORK WOOD RIVER	SWSE	Sec 29 Twp 04N Rge 19E	BLAINE County
EAST FORK WOOD RIVER	SESW	Sec 29 Twp 04N Rge 19E	BLAINE County
TRAIL CREEK	NESE	Sec 32 Twp 05N Rge 18E	BLAINE County

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 7366 acres within the boundary of the Upper Wood River Water Users Association.

Transfer No. 88961

WATER RIGHT NO. 37-892
As Modified by Transfer No. 88961

CONDITIONS OF APPROVAL

2. The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
3. Rights 37-891A and 37-892 when combined are limited to the irrigation of 7366.0 acres.
4. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. Diversion of water under this right from Trail Creek at the diversion located within L1 (NWNW) Sec. 19, T04N, R18E is limited to those times and amounts water is available for diversion under this right and priority from Trail Creek at the diversion located within the SWSE of Sec 7, T04N, R18E.
7. Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from developed/saved water in the Big Wood River, as established by and subject to the provisions included within In Re Upper Big Wood River Water Users Assn, et. al., plaintiff vs. S. H. Chapman, Watermaster, Defendant in the District Court of Lincoln County dated 8/28/1922.
8. Water under this right is deliverable or may be initiated at the time when the Big Wood River near the Glendale Bridge is dammed and all flow of the river can be conveyed into the Bypass canal heading within the NW1/4SE1/4SW1/4 Section 12, T1N, R18E. The amount of water deliverable under this right is proportionate to the prorata share of senior priority water (prior to 6/15/1883) deliverable in the Baseline Bypass and Extension Bypass system. This right is curtailed when all priority rights through the Baseline Bypass and Extension Bypass system are futile or not called for during the irrigation season.
9. This water right is used to replace other surface water source rights held by shareholders and curtailed by priority. This right is limited to the terms and conditions related to the places of use described on the share holders water rights.
10. The points of diversion and place of use of this right overlap points of diversion and places of use of other water rights held by the member shareholders of the corporation that owns this right. Transfers of either this right or the underlying shareholder rights are subject to the provisions and limitations of Idaho Code Secs. 42-108 and 42-222.
11. Place of use does not include federal public lands.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

WATER RIGHT NO. 37-892
As Modified by Transfer No. 88961

CONDITIONS OF APPROVAL

13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 37-891A

As Modified by Transfer No. 88961

In accordance with the approval of Transfer No. 88961, Water Right No. 37-891A is now described as follows:

Right Holder: UPPER WOOD RIVER WATER USERS ASSN INC
153 BASELINE RD
BELLEVUE, ID 83313

Priority Date: 7/24/1924

Source:	BIG WOOD RIVER	Tributary:	MALAD RIVER
Source:	WARM SPRINGS CREEK	Tributary:	BIG WOOD RIVER
Source:	TRAIL CREEK	Tributary:	BIG WOOD RIVER
Source:	EAST FORK WOOD RIVER	Tributary:	BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 10/31	10.500 cfs
			10.500 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG WOOD RIVER	NENWSW	Sec 1 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER	NENWSW	Sec 12 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER	NWSESW	Sec 12 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER	NWSESW	Sec 12 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER	L1 (SWNENE)	Sec 2 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER	NWSENW	Sec 25 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER	NESWSW	Sec 25 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER	SESE	Sec 35 Twp 01N Rge 18E	BLAINE County
BIG WOOD RIVER	NWVNE	Sec 19 Twp 01S Rge 18E	BLAINE County
BIG WOOD RIVER	L2 (SWNE)	Sec 2 Twp 01S Rge 18E	BLAINE County
BIG WOOD RIVER	NESESE	Sec 2 Twp 01S Rge 18E	BLAINE County
BIG WOOD RIVER	SWSE	Sec 26 Twp 02N Rge 18E	BLAINE County
BIG WOOD RIVER	NWSW	Sec 26 Twp 02N Rge 18E	BLAINE County
BIG WOOD RIVER	L1 (NESWSW)	Sec 26 Twp 02N Rge 18E	BLAINE County
BIG WOOD RIVER	L3 (NESWNW)	Sec 36 Twp 02N Rge 18E	BLAINE County
BIG WOOD RIVER	SWNW	Sec 20 Twp 03N Rge 18E	BLAINE County
WARM SPRINGS CREEK	SESE	Sec 30 Twp 04N Rge 17E	BLAINE County
WARM SPRINGS CREEK	NWNE	Sec 31 Twp 04N Rge 17E	BLAINE County
TRAIL CREEK	L1 (NWNW)	Sec 19 Twp 04N Rge 18E	BLAINE County
TRAIL CREEK	L3 (NENW)	Sec 5 Twp 04N Rge 18E	BLAINE County
TRAIL CREEK	SWSE	Sec 7 Twp 04N Rge 18E	BLAINE County
EAST FORK WOOD RIVER	NWSW	Sec 28 Twp 04N Rge 19E	BLAINE County
EAST FORK WOOD RIVER	NESE	Sec 29 Twp 04N Rge 19E	BLAINE County
EAST FORK WOOD RIVER	SWSE	Sec 29 Twp 04N Rge 19E	BLAINE County
EAST FORK WOOD RIVER	SESW	Sec 29 Twp 04N Rge 19E	BLAINE County
TRAIL CREEK	NESE	Sec 32 Twp 05N Rge 18E	BLAINE County

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 7366 acres within the boundary of the Upper Wood River Water Users Assn.

Transfer No. 88961

WATER RIGHT NO. 37-891A
As Modified by Transfer No. 88961

CONDITIONS OF APPROVAL

2. The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2) (h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
3. Rights 37-891A and 37-892 when combined are limited to the irrigation of 7366.0 acres.
4. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. Diversion of water under this right from Trail Creek at the diversion located within L1 (NWNW) Sec. 19, T04N, R18E is limited to those times and amounts water is available for diversion under this right and priority from Trail Creek at the diversion located within the SWSE of Sec 7, T04N, R18E.
7. Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from developed/saved water in the Big Wood River, as established by and subject to the provisions included within In Re Tom Hughes, et. al., plaintiff vs. Mans H. Coffin, Watermaster, Defendant in the Fourth Judicial District of the State of Idaho in and for the County of Blaine dated 7/18/1941.
8. Water under this right is deliverable or may be initiated at the time when the Big Wood River near the Glendale Bridge is dammed and all flow of the river can be conveyed into the Bypass canal heading within the NW1/4SE1/4SW1/4 Section 12, T1N, R18E and when water is delivered into the Extension Bypass canal heading from the Bypass canal within the NW1/4NW1/4NW1/4 Section 36, T1N, R18E and when rights of 6/15/1883 priority are curtailed. This right is curtailed when all priority rights deliverable through the Extension Bypass system are futile or not called for during the irrigation season.
9. This water right is used to replace other surface water source rights held by shareholders and curtailed by priority. This right is limited to the terms and conditions related to the places of use described on the share holders water rights.
10. The points of diversion and place of use of this right overlap points of diversion and places of use of other water rights held by the member shareholders of the corporation that owns this right. Transfers of either this right or the underlying shareholder rights are subject to the provisions and limitations of Idaho Code Secs. 42-108 and 42-222.
11. Place of use does not include federal public lands.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

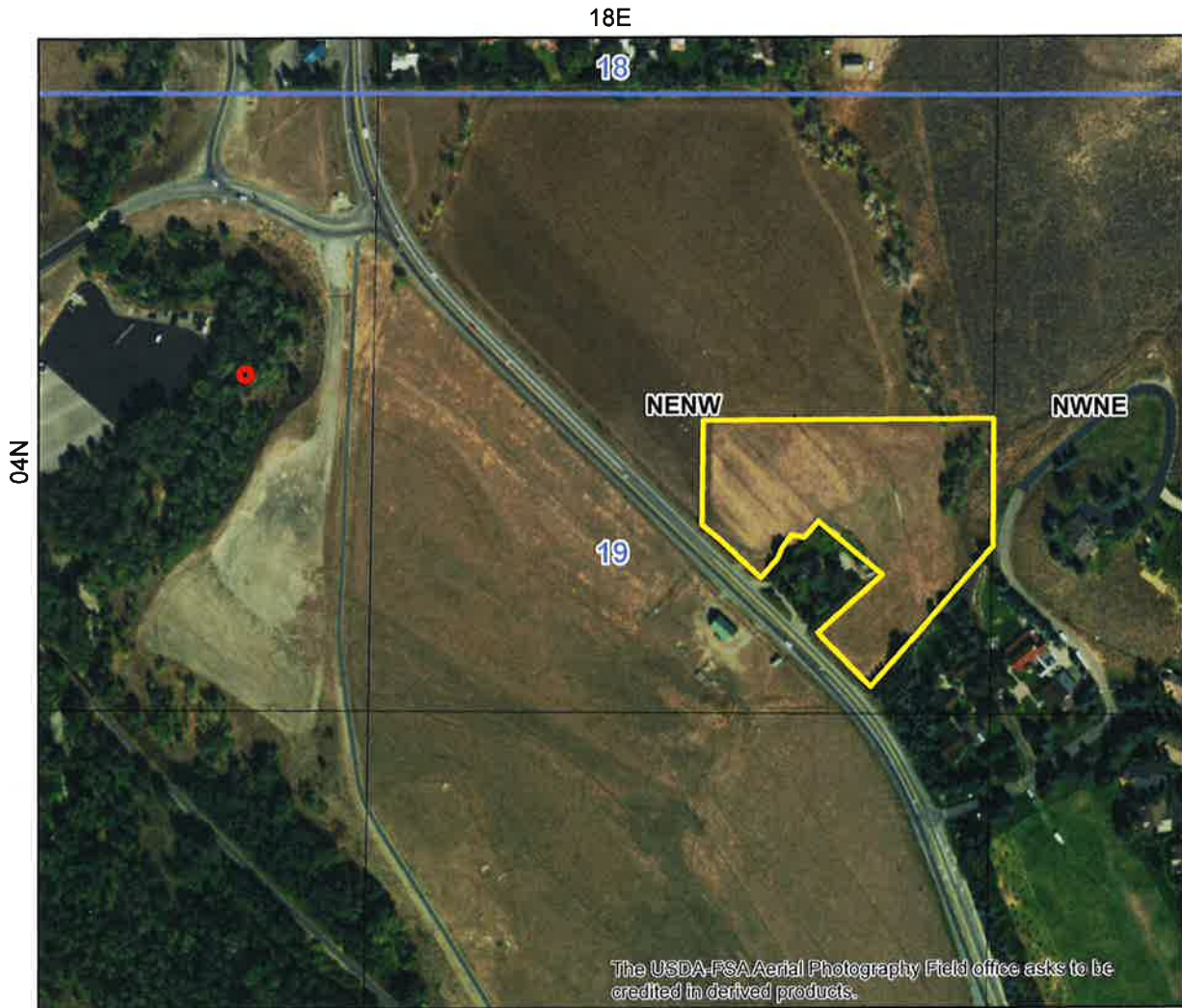
WATER RIGHT NO. 37-891A
As Modified by Transfer No. 88961

CONDITIONS OF APPROVAL

13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho
Department of Water Resources
Attachment to Transfer # 88961
37-457A

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



0 0.045 0.09 0.18 Miles

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



State of Idaho
Department of Water Resources
Attachment to Transfer # 88961
37-457B

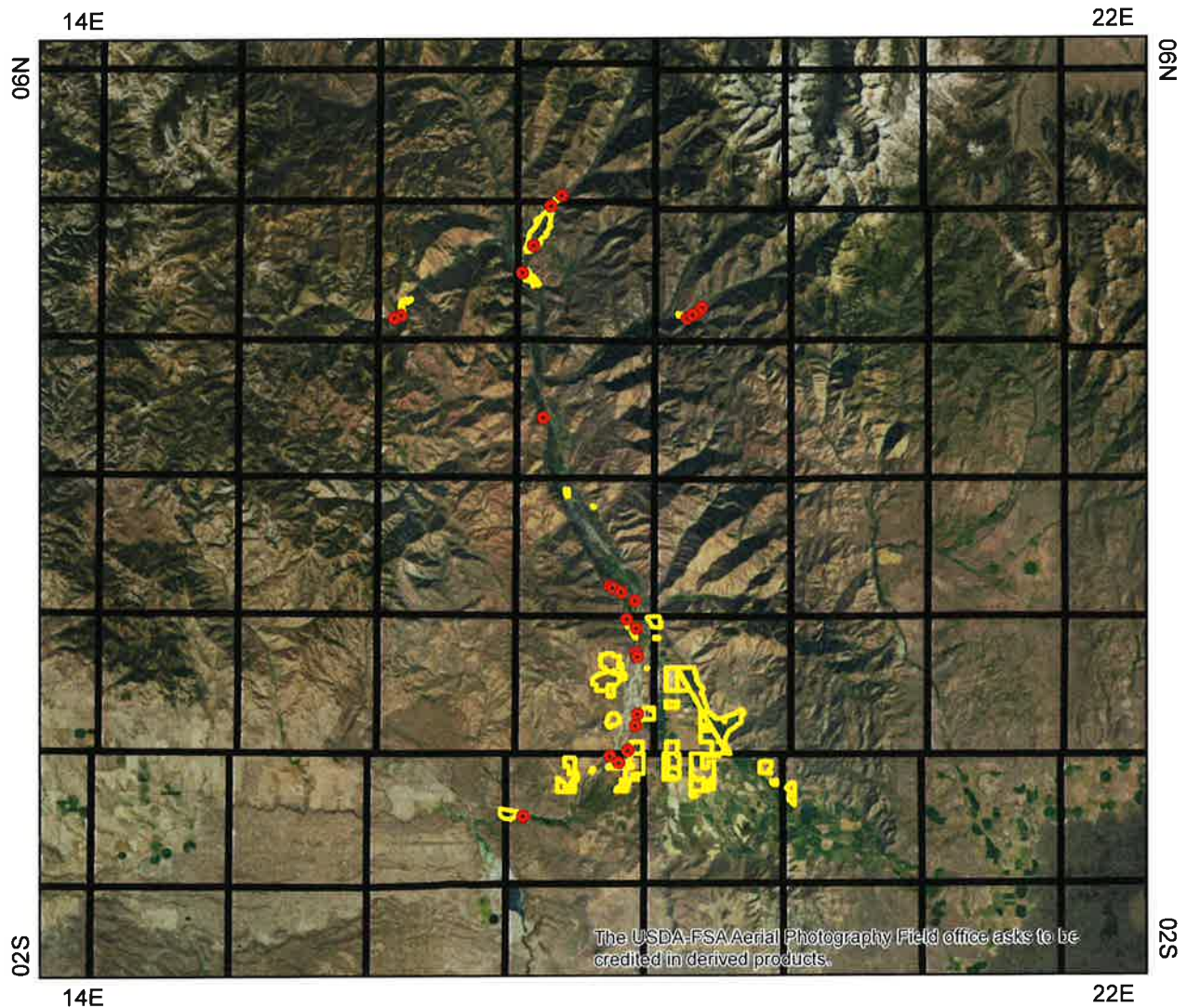
This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



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

State of Idaho
Department of Water Resources
Attachment to Transfer # 88961
37-891A & 37-892

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.



0 5 10 20 Miles

- Point of Diversion
- Place Of Use Boundary
- Townships





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

August 13, 2024

DOUGLAS J BRADSHAW
TRUSTEE UNDER WILL OF ELEANOR REINHEIMER
PO BOX 7112
RANCHO SANTA FE CA 92067-7112

Re: Transfer No: 88961
Water Right No(s): 37-457A, 37-457B, 37-891A, 37-892

Transfer Approval Notice

Dear Water Right Holder 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.

You will notice that Thomas Robertson is copied on this correspondence because he is listed as attorney of record on water right no. 37-457A. In addition, Josephine Beeman is copied on this correspondence because she is listed as attorney of record on water right no. 37-891A. If this information is no longer current, the Department can remove attorney(s) from the water right records with written authorization from either the water right holder(s) or the attorney(s).

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:

BROCKWAY ENGINEERING PLLC
C/O CHARLES G BROCKWAY
2016 WASHINGTON ST N STE 4
TWIN FALLS ID 83301-3082

THOMAS M ROBERTSON
COLEMAN RITCHIE & JACOBSON
PO BOX 525
TWIN FALLS ID 83303-0525

BEEMAN & ASSOC PC
ATTN JOSEPHINE BEEMAN
1019 N 17TH ST
BOISE ID 83702-3304

UPPER WOOD RIVER WATER USERS ASSN INC
153 BASELINE RD
BELLEVUE ID 83313

WATER DISTRICT 37
SUNNY HEALEY
107 W 1ST ST
SHOSHONE ID 83352-5425

CERTIFICATE OF SERVICE

I hereby certify that on August 13, 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.: 88961

Water Right No(s): 37-457A, 37-457B, 37-891A, 37-892

DOUGLAS J BRADSHAW
TRUSTEE UNDER WILL OF ELEANOR REINHEIMER
PO BOX 7112
RANCHO SANTA FE CA 92067-7112

BROCKWAY ENGINEERING PLLC
C/O CHARLES G BROCKWAY
2016 WASHINGTON ST N STE 4
TWIN FALLS ID 83301-3082

THOMAS M ROBERTSON
COLEMAN RITCHIE & JACOBSON
PO BOX 525
TWIN FALLS ID 83303-0525

BEEMAN & ASSOC PC
ATTN JOSEPHINE BEEMAN
1019 N 17TH ST
BOISE ID 83702-3304

UPPER WOOD RIVER WATER USERS ASSN INC
153 BASELINE RD
BELLEVUE ID 83313

WATER DISTRICT 37
SUNNY HEALEY
107 W 1ST ST
SHOSHONE ID 83352-5425



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.

MEMORANDUM

Date: July 29, 2024

To: Douglas J. Bradshaw Under Will of Eleanor Reinheimer, Transfer #88961 File

From: Jim Bitzenburg

Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes to change a point of diversion (POD) of two irrigation water rights which are currently authorized to divert 4.8 cfs from Trail Creek. The transfer also proposes to add the same POD to two other irrigation water rights with a total flow rate of 21.732 cfs. The new POD will be located on Trail Creek approximately 0.6 mile south and 0.1 mile east of the intersection of Main Street and Sun Valley Road in Ketchum.

The transfer was advertised and subject to protest. No protests were filed. Watermaster comments were solicited from Water District 37, and the Watermaster did not comment upon the transfer.

The Idaho Water Resource Board Planning and Projects Bureau provided comment on the transfer, suggesting that moving the POD downstream could harm IWRB minimum stream flow rights in the Big Wood River by allowing for diversion later in the season than was historically available.

- **Authority to File:**

The Department's database indicates that two of the rights are owned by Douglas J. Bradshaw Under Will of Eleanor Reinheimer, the applicant. The application was signed by Douglas J. Bradshaw. Documents provided by the representative demonstrate Mr. Bradshaw's authority to sign for the trust. The other two rights are owned by the Upper Wood River Water User's Association Inc., and the Association provided a signed document consenting to the transfer.

- **Water Right Validity:**

The water rights was decreed in the SRBA in 2010 and 2013, and ample irrigation appears evident from aerial imagery, so forfeiture does not appear to be an issue.

- **Injury to Other Water Rights:**

None anticipated or foreseen. Neither flow rates nor volumes will increase with this transfer.

- **Enlargement of Use:**

None anticipated.

- **Local Public Interest:**

No issues anticipated. The transfer was advertised.

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

Proposed use is recognized as a beneficial use of water.

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

None Anticipated

- **Effect of the Agricultural Base of the 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.



The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer

Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald

The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
37634	569325	Print Legal Ad-IPL01815060 - IPL0181506		\$70.76	2	25 L

Attention: Denise Malin

ID Dept Water Res-South

650 ADDISON AVE W, STE 500
TWIN FALLS, ID 83301

idwrpayable@idwr.idaho.gov

RECEIVED

JUL 23 2024

DEPT OF WATER RESOURCES
SOUTHERN REGION

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 88961

DOUGLAS J BRADSHAW, TRUSTEE UNDER WILL OF ELEANOR REINHEIMER, PO BOX 7112, RANCHO SANTA FE, CA 92067-7112 has filed Application No. 88961 for changes to the following water rights within BLAINE County(s): Right No(s). 37-457A, 37-457B, 37-891A, 37-892; 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 change a point of diversion (POD) of two irrigation water rights which are currently authorized to divert 4.8 cfs from Trail Creek. The transfer also proposes to add the same POD to two other irrigation water rights with a total flow rate of 21.732 cfs. The new POD will be located on Trail Creek approximately 0.6 mile south and 0.1 mile east of the intersection of Main Street and Sun Valley Road in Ketchum.

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 22, 2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director
IPL0181506
Jul 3, 10 2024

Mary Castro, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada 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 Idaho Statesman, in conformity with Section 60-108, Idaho Code, as amended, for:

2 insertion(s) published on:

07/03/24, 07/10/24

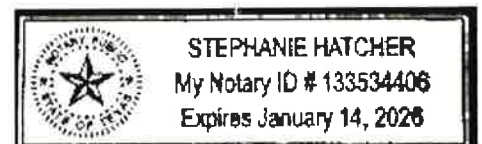
Mary Castro

(Legals Clerk)

On this 23rd day of July in the year of 2024 before me, a Notary Public, personally appeared before me Mary Castro 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.

Stephanie Hatcher

Notary Public in and for the state of Texas, residing in
Dallas County



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

✓ DM 7/23/2024

TRIBUNE PUBLISHING COMPANY, INC
The Lewiston Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

LEGAL ADVERTISING
INVOICE

Date:	07/11/2024	INVOICE NO.	179056
Account No.	446620		
Description	179056 NOTICE O		
Times	2	Lines	37
		Tab. lines	

RECEIVED

\$ 118.23

Sold To: IDAHO DEPT OF WATER RESOURCES
650 ADDISON AVE W, STE 500
TWIN FALLS ID 83301

DEPT. OF WATER RESOURCES
SOUTHERN REGION

PO# 88961 Maline, Deni

NOTICE: This is a invoice of Purchase made by you. Statement will be rendered the first of the month
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 88961

DOUGLAS J BRADSHAW, TRUSTEE UNDER WILL OF ELEANOR REINHEIMER, PO BOX 7112, RANCHO SANTA FE, CA 92067-7112 has filed Application No. 88961 for changes to the following water rights within BLAINE County(s): Right No(s). 37-457A, 37-457B, 37-891A, 37-892; 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 change a point of diversion (POD) of two irrigation water rights which are currently authorized to divert 4.8 cfs from Trail Creek. The transfer also proposes to add the same POD to two other irrigation water rights with a total flow rate of 21.732 cfs. The new POD will be located on Trail Creek approximately 0.6 mile south and 0.1 mile east of the intersection of Main Street and Sun Valley Road in Ketchum.

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 22, 2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published in the Idaho Mountain Express, Idaho Statesman & Post Register on July 3rd & 10th, 2024; Times News on July 3rd & 11th, 2024; and Lewiston Tribune July 4th & 11th, 2024.

AFFIDAVIT OF PUBLICATION

S KELLAM, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho and under and by virtue of the laws of the State of Washington, publishers of the Lewiston Tribune, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 105 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 179056 NOTICE O attached hereto and which is made a part of this affidavit was published in the said Lewiston Tribune,

2 time(s). Publication being on 07/04, or once a Week for 2 consecutive Weeks the first publication thereof being on the 07/04/2024, and the last publication thereof being on the 07/11/2024, and said 179056 NOTICE O was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Skellam

State of Idaho

S.S.

County of Nez Perce

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

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 7/23/28



✓ dm 7/18/2024

**** Proof of Publication ****

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

✓
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 152114

Sherris Davis
(Legals Clerk)

STATE OF IDAHO)
 SS
COUNTY OF TWIN FALLS)

On this 12 day of July 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: 07/03/2024, 07/11/2024

TOTAL AD COST: 232.52

FILED ON: 7/11/2024

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 88961**

DOUGLAS J BRADSHAW, TRUSTEE UNDER WILL OF ELEANOR REINHEIMER, PO BOX 7112, RANCHO SANTA FE, CA 92067-7112 has filed Application No. 88961 for changes to the following water rights within BLAINE County(s): Right No(s). 37-457A, 37-457B, 37-891A, 37-892. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change a point of diversion (POD) of two irrigation water rights which are currently authorized to divert 4.8 cfs from Trail Creek. The transfer also proposes to add the same POD to two other irrigation water rights with a total flow rate of 21.732 cfs. The new POD will be located on Trail Creek approximately 0.6 mile south and 0.1 mile east of the intersection of Main Street and Sun Valley Road in Ketchum. Published in the Idaho Mountain Express, Idaho Statesman & Post Register on July 3rd & 10th, 2024; Times News on July 3rd & 11th, 2024; and Lewiston Tribune July 4th & 11th, 2024.

TRANSFER NO. 89026

V & R FARMS LLC, 715 S 750 E, BURLEY, ID 83318-5744; LEON R WALKER FAMILY TRUST, 3934 W GRAYMALKIN CIR, SOUTH JORDAN, UT 84009-9516 has filed Application No. 89026 for changes to the following water rights within CASSIA County(s): Right No(s). 43-2359, 43-2460, 43-4010, 43-7054. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes rearranging acres for a 546 acre place of use for 4 ground water irrigation rights. The four rights when combined are limited to a combined diversion rate of up to 10.00 cfs. There will be no changes to the points of diversion for the water rights. The proposed place of use is located approximately 13.5 to 14.7 miles north and 2.0 miles to 3.8 miles west of Malta.

TRANSFER NO. 89081

NATURE FARM LLC, 134 E HIGHWAY 81, BURLEY, ID 83318-5427 has filed Application No. 89081 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13384, 43-13386, 43-13388, 43-13390, 43-13392, 43-13394, 43-13396, 43-13398, 43-13400, 43-13402, 43-13404, 43-13406, 43-13466, 43-13468, 43-13797, 43-7015. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes rearranging acres within a 3276.9 acre permissible place of use for 16 ground water irrigation rights. All sixteen rights when combined are limited to the irrigation of 708.2 acres and a combined diversion rate of up to 10.02 cfs. There will be no changes to the points of diversion for the water rights. The proposed place of use is located approximately 14.5 to 15.6 miles north and 1.3 miles to 3.7 miles west of Malta.

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/or 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 **July 22, 2024**. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director
Publish: July 3, 11, 2024

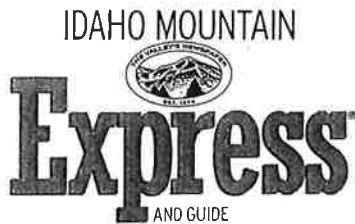


✓ DM 7/18/2024

RECEIVED

JUL 15 2024

DEPT OF WATER RESOURCES
SOUTHERN REGION



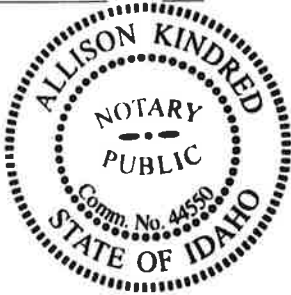
AFFIDAVIT of PUBLICATION

State of Idaho
County of Blaine

Pam Morris, being first duly sworn, deposes and says that she is the publisher of the Idaho Mountain Express, a newspaper published every week in Ketchum, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of more than seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by the laws of the State of Idaho, and that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 3 day of July, 2024, and the date of the last publication was on the 10 day of July, 2024, and, in addition thereto, the annexed advertisement was published beginning on the 1 day of July, 2024, digitally on the website "idnewspaper.idahopublicnotices.com" as provided by Idaho Code 60-160A.

Pam Morris
PUBLISHER

Subscribed and sworn to before me this 10 day of July, 2024.



Allison Kindred
NOTARY PUBLIC
Residing at Hailey, Idaho.
My commission expires on 5/26/29

COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 52
Number of Insertions 2

52 Lines tabular at 47.84 9.0 cents/pica
52 Lines straight at 41.86 8.0 cents/pica
Subsequent lines at 41.86 7.0 cents/pica

RECEIVED \$ 89.70

JUL 15 2024

TOTAL COST

DEPT OF WATER RESOURCES
SOUTHERN REGION

COPY OF NOTICE

Legal Notice

TITLE OF NOTICE

IDWR

BILL TO

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 88961

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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 22, 2024**. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

PUBLISH
IDAHO MOUNTAIN EXPRESS
JULY 3 & 10, 2024

✓ DM 7/18/2024



PROOF OF PUBLICATION Post Register

RECEIVED
JUL 12 2024
DEPT. OF WATER RESOURCES
SOUTHERN REGION

State of Idaho
County of Bonneville

I, Collins Crapo first being duly sworn, depose and say: That I am the Processing Clerk employed by Adams Publishing Group of the Rockies LLC, publishers of The Post Register, a newspaper of general circulation, published 4 days, Tuesday, Wednesday, Friday and Saturday, at Idaho Falls, Idaho.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register and on IdahoPublicNotices.com for 2 day(s), first publication having been made on 07/03/2024 last publication having been made on 07/10/2024, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, on this 10th day of July, 2024

Collins Crapo
Beth Crossley

Notary Public
My commission expires:

_____ attached jurat _____

STATE OF IDAHO

ss,

COUNTY OF BONNEVILLE

On this 10th day of July, 2024 before me, the undersigned, a Notary public for said state, personally appeared Collins Crapo, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she/they executed the same,

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Beth Crossley
Notary Public for APG of the Rockies
Residing: Idaho Falls, Idaho
Commission expires: 7/28/28

✓ dm 7-12-2024

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 88961**

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MATHEW WEAVER
Director

Published: July 3, 10, 2024 (PR12622-531642)

✓ OK DM 7-12-2024





Memorandum

To: IDWR, Southern Regional Office
From: Blake Burkard
Engineer Intern, Planning & Projects Bureau
Date: July 2, 2024
Re: Transfer Application 88961

The Idaho Water Resource Board (Board), would like to submit the following comments for consideration when processing Transfer No. 88961 in the name of Douglas J Bradshaw Trustee Under Will of Eleanor Reinheimer. The applicant is requesting to change a point of diversion for irrigation rights 37-457A and 37-457B and to add a point of diversion for irrigation rights 37-891A and 37-892, transferring a total diversion rate of 26.532 cfs from the source Trail Creek, tributary to Big Wood River.

The applicant should be aware that the Board holds minimum stream flow (MSF) Water Right Nos. 37-7919 and 37-8307 on the Big Wood River, approximately 1500 ft downstream of the applicant's proposed POD. USGS Gage 13139510 (Big Wood River at Hailey, Idaho) is located along the Board's MSF reach. Gage data analysis of mean daily values from 2006-10-01 to 2023-11-28 indicates that the Board's MSF is not always met from mid-August to mid-September during that period of record.

Trail Creek is a gaining reach between the existing POD and the proposed, downstream POD. Moving the POD downstream on a gaining reach may cause injury to the minimum streamflow if the new POD allows the applicant to use water later in the irrigation season than historically been available. The Department should apply Idaho Code § 42-222 by limiting diversions to times water is available from the original POD within the SWSE Sec. 7, Twp 04N, Rge 18E.

Maline, Denise

From: Burkard, Blake
Sent: Wednesday, July 3, 2024 4:24 PM
To: Bitzenburg, James; IWRB Water Use Reviews; IDWR File
Subject: RE: Comment request for a water right transfer on Trail Creek near Ketchum
Attachments: IWRB MSF Review Transfer No 88961.pdf; 88961 Transfer Application through Legal Notice & Request for Comments.pdf

Hey Jim,

Please see the attached comment letter for Transfer Application No. 88961. The Idaho Water Resource Board appreciates the opportunity to comment.

Thanks,

Blake Burkard
Planning & Projects Engineer Intern
(208) 287-4870
blake.burkard@idwr.idaho.gov



From: Bitzenburg, James <James.Bitzenburg@idwr.idaho.gov>
Sent: Tuesday, June 25, 2024 11:34 AM
To: IWRB Water Use Reviews <WaterUseApprovalReviews@idahogov.onmicrosoft.com>
Subject: Comment request for a water right transfer on Trail Creek near Ketchum

Good Morning-

Today I will submit to advertising a transfer which proposes to change a POD on Trail Creek near Ketchum for two water rights and add the same POD on Trail Creek for two other water rights. The new POD will be located downstream from the current POD and the water will be pumped directly from the creek instead of flowing for a long distance in a ditch. This application should be scanned into the Laserfiche Temporary location on the N drive in a few days. Let me know if you have any questions.

Jim

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

Maline, Denise

From: Dawson,Bradley
Sent: Monday, July 1, 2024 10:15 AM
To: Maline, Denise
Cc: Peterson,Mike
Subject: RE: Comment Letter for Transfer 88961

Thanks Denise. We do not have any comments.

From: Maline, Denise <Denise.Maline@idwr.idaho.gov>
Sent: Friday, June 28, 2024 11:27 AM
To: Dawson,Bradley <bradley.dawson@idfg.idaho.gov>
Subject: Comment Letter for Transfer 88961

Hi Bradley,

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 & have a good weekend,

Denise @ IDWR Twin Falls



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