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SEP 05 2023

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

88483

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) David LahtinenCheck whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentat on if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <https://idwr.idaho.gov/water-rights/transfers/resources/>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) David Lahtinen Phone 208-250-5064
Mailing address 29516 Sugar Valley Rd, Bruneau, ID 83604 Email bwhitehyde@aol.com

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

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

☐ No Representative

Name of Representative Lori Graves Phone 208-387-7000
Mailing address 412 E Parkcenter Blvd, Ste 100, Boise, ID 83706 Email lori.graves@hdrinc.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

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

David Lahtinen
Signature of Applicant or Authorized Representative

DAVID LAHTINEN OWNER 8-26-23
Print Name and Title if applicable Date

Beverly L White
Signature of Applicant or Authorized Representative

Beverly L White POA 8-26-23
Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use

☐ Change nature of use ☐ Change period of use ☐ Other _____
- Is this a transfer for changes pursuant to Idaho Code § 42-221.0.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
Applicant proposes an integrated irrigation system consisting of five existing wells for irrigation use within a common place of use.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☒ All or Part	51-2129	2.5 cfs	Irrigation	3/1 to 11/15	Ground Water
☐ ☒	51-4093	0.8	Irrigation	3/1 to 11/15	Ground Water
☐ ☒		0.04	Domestic	1/1 to 12/31	Ground Water
☐ ☒		0.23	Stockwater	1/1 to 12/31	Ground Water
☐ ☒		0.8	Fish Propagation	1/1 to 12/31	Ground Water
☐ ☒	51-4095	1.07	Irrigation	3/1 to 11/15	Ground Water
☐ ☒		0.23	Stockwater	1/1 to 12/31	Ground Water
☐ ☒		1.07	Fish Propagation	1/1 to 12/31	Ground Water
☐ ☐				to	

Total authorized under rights 4.37 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 4.37 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
N			NE	SE	13	7S	4E	Owyhee	Ground Water	51-4095
N			SE	SE	13	7S	4E	Owyhee	Ground Water	51-2129
N	4		SW	SW	18	7S	5E	Owyhee	Ground Water	51-92-W-0007-000
N			SE	SW	18	7S	5E	Owyhee	Ground Water	51-4093
N			~~SW~~	~~SE~~	18	7S	5E	Owyhee	Ground Water	51-4093

SE SW Lori Graves 10/3/2023

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	4E	13	40		40	40									40	40	40	40	280
7S	5E	18									40	40	40	40					160
											FP/S	FP/S	FP	FP/D					
												L3	L4						
Total Acres (for irrigation use)																			440

Irrigation will not exceed 245 authorized acres within the proposed permissible place of use (ppu).

No changes to fish propagation (FP), stockwater (S) or domestic (D) uses proposed.

The 245 acres initially irrigated are designated on Transfer Map 7B. The Department will be notified if/when acres are rotated.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

I.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☒ All or ☐ Part					
☒	51-2129	2.5 cfs	Irrigation	3/1 to 11/15	Ground Water
☐	51-4093	0.8	Irrigation	3/1 to 11/15	Ground Water
☐		0.04	Domestic	1/1 to 12/31	Ground Water
☐		0.23	Stockwater	1/1 to 12/31	Ground Water
☐		0.8	Fish Propagation	1/1 to 12/31	Ground Water
☐	51-4095	1.07	Irrigation	3/1 to 11/15	Ground Water
☐		0.23	Stockwater	1/1 to 12/31	Ground Water
☐		1.07	Fish Propagation	1/1 to 12/31	Ground Water
☐				to	

Total authorized under rights 4.37 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 4.37 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
N			NE	SE	13	7S	4E	Owyhee	Ground Water	51-4095
N			SE	SE	13	7S	4E	Owyhee	Ground Water	51-2129
N	4		SW	SW	18	7S	5E	Owyhee	Ground Water	51-92-W-0007-000
N			SE	SW	18	7S	5E	Owyhee	Ground Water	51-4093
N			SW	SE	18	7S	5E	Owyhee	Ground Water	51-4093

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	4E	13	40		40	40									40	40	40	40	280
7S	5E	18									40	40	40	40					160
											FP/S	FP/S	FP	FP/D					
												L3	L4						
Total Acres (for irrigation use)																			440

Irrigation will not exceed 245 authorized acres within the proposed permissible place of use (ppu).

No changes to fish propagation (FP), stockwater (S) or domestic (D) uses proposed.

The 245 acres initially irrigated are designated on Transfer Map 7B. The Department will be notified if/when acres are rotated.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
Five existing wells. Measuring devices and lockable controlling works will be provided upon Department request in accordance with the Final Grand View - Bruneau Ground Water Management Area Management Plan dated 4/18/2023.

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6. List the name of the entity and type of lien:**

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
Irrigation from ground water will be limited to 245 acres as currently authorized. No changes to fish propagation, stockwater or domestic uses authorized under water rights 51-4093 and 51-4095 are proposed.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
Surface water rights 51-2024 (Big Jacks Creek) and 51-4094 (spring).

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 51-2129

Current Owner: BARBARA LAHTINEN
DAVID LAHTINEN

Priority Date: 11/27/1953

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/01 to 11/15	2.5 CFS	
	<u>Total Diversion</u>	2.5 CFS	

Location of Point(s) of Diversion

GROUND WATER
OWYHEE County

SW1/4SE1/4SE1/4 Sec. 13, Twp 07S, Rge 04E B.M.

Place of Use

IRRIGATION Within OWYHEE County

T07S R04E S13	NENE	17.00	T07S R04E S13	SENE	38.00
T07S R04E S13	NESE	28.00	T07S R04E S13	NWSE	2.10
T07S R04E S13	SWSE	11.00	T07S R04E S13	SESE	36.00
T07S R05E S18	NESW	19.70	T07S R05E S18	Lot 3 NWSW	38.10
T07S R05E S18	Lot 4 SWSW	32.70	T07S R05E S18	SESW	22.10

Total Acres: 244.7

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 245 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 51-04093, 51-04094 & 51-04095
3. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 980.0 AF. COMBINED RIGHT NOS.: 51-04093 & 51-04095

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 51-4093

Current Owner: BARBARA LAHTINEN
DAVID LAHTINEN

Priority Date: 6/1/1910

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/01 to 11/15	0.8 CFS	
DOMESTIC	1/01 to 12/31	0.04 CFS	
STOCKWATER	1/01 to 12/31	0.23 CFS	
FISH PROPAGATION	1/01 to 12/31	0.8 CFS	
	<u>Total Diversion</u>	0.8 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4	Sec. 18,	Twp 07S,	Rge 05E B.M.
OWYHEE County				
GROUND WATER	L4(SW1/4SW1/4)	Sec. 18,	Twp 07S,	Rge 05E B.M.
OWYHEE County				

Place of Use

IRRIGATION Within OWYHEE County

T07S R05E S18	Lot 4	SWSW	25.00	T07S R05E S18	SESW	22.00
Total Acres: 47						

DOMESTIC Within OWYHEE County

T07S R05E S18	SESW
---------------	------

Place of Use: STOCKWATER same as IRRIGATION

Place of Use: FISH PROPAGATION same as IRRIGATION

Page _____ of _____

Conditions of Approval:

1. N09 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE AND STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. THREE POINTS OF DIVERSION LOCATED IN T07S, R05E, S18, SWSW. TWO POINTS OF DIVERSION LOCATED IN T07S, R05E, S18, SESW. ONE POINT OF DIVERSION IS ON LINE DIVIDING T07S, R05E, S18, SWSW AND SESW.
3. FISH PROPAGATION IS A NON-COMMERCIAL USE.
4. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
5. STOCKWATER, 1000 RANGE CATTLE.
6. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 980 AF. COMBINED RIGHT NOS.: 51-02129 & 51-04095
7. N14 THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Decreed Date: 12/1/2000

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 51-4095

Current Owner: DAVID LAHTINEN
BARBARA LAHTINEN
Priority Date: 6/1/1910
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/01 to 11/15	1.07 CFS	
STOCKWATER	1/01 to 12/31	0.23 CFS	
FISH PROPAGATION	1/01 to 12/31	1.07 CFS	
	<u>Total Diversion</u>	1.07 CFS	

Location of Point(s) of Diversion

GROUND WATER NE1/4SE1/4 Sec. 13, Twp 07S, Rge 04E B.M.
OWYHEE County

Place of Use

IRRIGATION Within OWYHEE County

T07S R05E S18	NESW	16.00	T07S R05E S18	Lot 3	NWSW	37.70
Total Acres: 53.7						

Place of Use: STOCKWATER same as IRRIGATION

Place of Use: FISH PROPAGATION same as IRRIGATION

Page _____ of _____

Conditions of Approval:

1. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 980 AF. COMBINED RIGHT NOS.: 51-02129 & 51-04093
3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
4. STOCKWATER, 1000 RANGE CATTLE.
5. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
6. FISH PROPAGATION IS NON-COMMERCIAL USE.

Decreed Date: 12/1/2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☐ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (WaterBalance)

- ☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

This change allows the continued use the water as it exist today. it allows the existing water system to function as it has been + not use any more water then it did 70 yrs ago.

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid _____ Date _____ Receipted by _____ Receipt # _____

Add'l fee paid _____ Date _____ Receipted by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)



Legend

- Proposed PPU
- Proposed PODs (existing wells)
- Designated GW irrigation (245 acres)

2020 Google Imagery

7S 5E

7S 4E

Image © 2023 Google



0 Feet 1,000



TRANSFER APPLICATION MAP 7B

PROPOSED WATER RIGHTS

LAHTINEN LOWER RANCH

PROJECT #10377624

PATH: S:\PROJECTS\THRU L PROJECTS\LAHTINEN, DAVID\PROJECTS\WATER\PROJECTS\XFR MAP 7B.MXD - USER: LORAVES - DATE: 8/21/2023

88403



IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

October 26, 2023

DAVID LAHTINEN
29516 SUGAR VALLEY RD
BRUNEAU ID 83604-5069

RE: Transfer No. 88483
Water Right No(s). 51-2129, 51-4093, 51-4095

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 OWYHEE AVALANCHE on 11/1/2023 and 11/8/2023. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

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

Sincerely,

Lynne Evans
Administrative Assistant I

CC: LORI GRAVES, HDR INC

Evans, Lynne

From: Evans, Lynne
Sent: Thursday, October 26, 2023 9:22 AM
To: Jon Brown; office@owyhee.com
Subject: Legal Notice: Transfer No. 88483; Water Right No(s). 51-2129, 51-4093, 51-4095
Attachments: Legal Notice.docx

Please publish the enclosed legal notice in the Owyhee Avalanche on the dates indicated (11/1/23 & 11/8/23, 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 11/20/2023. Your cooperation is appreciated.

Thank you,

Lynne Evans | Administrative Assistant I
IDWR - Western Region
2735 W Airport Way, Boise ID 83705
(208) 334-2190 | lynne.evans@idwr.idaho.gov

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 88483

DAVID LAHTINEN, 29516 SUGAR VALLEY RD, BRUNEAU, ID 83604-5069 has filed Application No. 88483 for changes to the following water rights within Owyhee County(s): Right No(s). 51-2129, 51-4093, 51-4095; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows:

Add point of diversion, change point of diversion and place of use. The points of diversion are in NESE and SESE, Sec 13, T7S, R4E; and Lot 4 (SWSW), and two in SESW, Sec 18, T7S, R5E for 4.37 cfs from ground water. The place of use is in Sec 13, T7S, R4E and Sec 18, T7S, R5E, for 245 acres within a 440 acre permissible place of use.

For additional information concerning the property location, contact the Western Region office at (208)334-2190. Protests may be submitted based on the criteria of Idaho Code § 42-222. Any protest against the proposed change must be filed with the Director, Dept. of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 11/20/2023. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 11/1/2023 and 11/8/2023

MEMORANDUM

Date: October 11, 2023
To: Transfer 88483
From: Jared Adamson
Re: Review & Evaluation of Sufficiency of Information

This transfer proposes to change the place of use and point of diversion to create a 440.0 acre permissible place of use and a combined acre limit of 245.0 acres for rights 51-2129, 51-4093, 51-4095.

Water rights 51-4093 and 51-4095 both have a stock water and fish propagation component. No change to the domestic, stock water, and fish propagation uses were proposed in this application. These uses remain unchanged. The total irrigation occurring is approximately 283.5. The applicant is currently seeking a water supply bank rental for 38.5 acres. A shape file depicting the specific 245.0 acres to be irrigated has been submitted.

Authority to File:

The applicant is the current owner of the water rights per IDWR record and the owner of the property at the proposed point of diversion and proposed place of use per Owyhee County tax lot data (updated 10/25/2022).

Water Right Validity:

These rights were decreed in 2000. Review of aerial photography available to the department shows no clear and convincing evidence that forfeiture has occurred. Forfeiture is not an issue.

Injury to Other Water Rights:

No injury to other water users is anticipated. Public notice will be given.

Enlargement of Use:

No enlargement of water rights will result from the approval of this transfer.

Local Public interest:

No issues have been identified.

Beneficial Use/Conservation of Water Resources:

No issues have been identified.

Effect on Economy the Local Area:

No issues have been identified.

Effect on Agricultural Base of the Local Area:

No issues have been identified.

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.

Adamson, Jared

From: Graves, Lori <Lori.Graves@hdrinc.com>
Sent: Tuesday, October 3, 2023 9:29 AM
To: Adamson, Jared
Subject: RE: Lahtinen Transfer
Attachments: image003.emz; Amended Pg 3.pdf

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.

Well for heavens sake. Good catch. Attached is an amended page 3. Thanks Jared.

Lori Graves, Sr. Water Rights Specialist
D 208.872.9519 M 208.850.4601

hdrinc.com/follow-us

From: Adamson, Jared <Jared.Adamson@icwr.idaho.gov>
Sent: Tuesday, October 3, 2023 9:09 AM
To: Graves, Lori <lori.graves@hdrinc.com>
Subject: RE: Lahtinen Transfer

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Lori,

I just noticed a discrepancy between the proposed POD legal description and the map showing the proposed PODs. We have a legal description for one of the PODs in the SWSE, Sec. 18 but the map shows two PODs in the SESW, Sec. 18 and none in the SWSE, Sec.18. I've attached a copy of page 3 of the application with the specific POD description highlighted for your convenience. Can you verify for me which QQ this POD needs to be in? Thank you for your time.

Respectfully,



Jared Adamson | Water Resource Agent, Sr.

Idaho Department of Water Resources

2735 W Airport Way, Boise ID 83705 | jaredc.adamson@idwr.idaho.gov | (208) 605-4627

From: Graves, Lori <lori.graves@hdrinc.com>
Sent: Monday, October 2, 2023 9:50 AM
To: Adamson, Jared <Jared.Adamson@idwr.idaho.gov>
Subject: RE: Lahtinen Transfer

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.

MEMORANDUM

Date: September 8, 2023
To: Transfer 88483
From: Jared Adamson
Re: Legal Notice Remarks

Add point of diversion, change point of diversion and place of use. The points of diversion are in NESE and SESE, Sec 13, T7S, R4E, and Lot 4 (SWSW), and two in SESW, Sec 18, T7S, R5E for 4.37 cfs from ground water. The place of use is in Sec 13, T7S, R4E and Sec 18, T7S, R5E, for 245 acres within a 440 acre permissible place of use.



RECEIVED

SEP 05 2023

WATER RESOURCES
WESTERN REGION

August 31, 2023

Scott Storms
IDWR Western Region Office
2735 Airport Way
Boise, ID 83705

Subject: Application for Transfer

Dear Scott,

Enclosed on behalf of David Lahtinen is an *Application for Transfer* proposing an integrated ground water irrigation system within a common place of use. The application is being filed in response to a department investigation and follow-up compliance request. Applicant has also secured 38.5 acres of rental water pending department final processing that will be applied to the pivot areas. Check No. 260 is enclosed for the \$320 filing fee.

Thank you very much for your consideration and assistance in this matter. Please let me know if you have any questions.

Sincerely,

HDR Engineering, Inc.

Lori Graves

Lori Graves
Sr. Water Rights Specialist

Cc: Cherie Palmer, Bev White & David Lahtinen

Enclosers: application, check

Project: 10377624