

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

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) Bastian Family Enterprises, LLC

Check 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 documentation 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: This transfer seeks to create a permissible place of use for the appurtenant surface water rights and bringing in to the system 29-7006 partially overlapping to allow flexibility in water management under curtailment conditions.

JUN 08 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Eastern RegionAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Bastian Family Enterprises, LLC Phone (208) 251-1992
 Mailing address 16580 S. Marsh Valley Rd. Arimo, ID 83214 Email lyttonbastian@gmail.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 Jason C. Helms, PE Phone (208) 308-2109
 Mailing address 3158 NE Follett St. Roseburg, OR 97470 Email jchcivil@outlook.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.


 Signature of Applicant or Authorized Representative

Lynn Bastian (Manager) 5/27/23
 Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative

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 Create Permissible Place of Use
- Is this a transfer for changes pursuant to Idaho Code § 42-221.O.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**.
This transfer seeks to create a permissible place of use bringing in primary ground water right 29-7006 to allow flexible water management within the property under varying curtailment conditions. Total irrigation will be limited to the sources and extents of the rights in priority.

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:

Existing measurement devices in place and annual diversions reported. This transfer seeks to authorize construction of a new well to bring primary ground water right 29-7006 for use on the property.

- 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:

Land associated with 29-7006 at the existing place of use will be dried up.

- 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:

This transfer involves irrigation portions of 29-4302, 29-7006, 29-7889A, 29-7889B, 29-11463 and 29-11465

- 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:

Existing right 29-7006 has been leased into the water supply bank for many years.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. _____

Point of Diversion/Place of Use Supplement

Attachment to: ☐ Application for Permit to Appropriate Water ☒ Application for Transfer** ☐ Adjudication Claim
☐ Application for Amendment of Permit ☐ Beneficial Use Field Report ☐ Statutory Claim

Location of points of diversion (POD):

New POD?	Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or well/diversion tag #
☒ Yes	10S	36E	36			NW	NE	Bannock	Ground Water	New Well
☐ Yes	10S	37E	30	5		NW	SW	Bannock	Marsh Cr.	extg 4302,7889B
☐ Yes	10S	37E	30	8		SW	SW	Bannock	Marsh Cr.	extg 4302,7889A
☐ Yes	10S	37E	31	1		NW	NW	Bannock	Marsh Cr.	extg 4302
☐ Yes										
☐ Yes	10S	36E	36			NW	SW	NE	Bannock	Hawkins Cr.
☐ Yes	10S	36E	36			NW	NW	SE	Bannock	Hawkins Cr.
☐ Yes	10S	37E	30	8		NE	SW	SW	Bannock	Unnamed Stream
☐ Yes	10S	37E	31	1		NE	NW	NW	Bannock	Unnamed Stream
☐ Yes										

Description of place of use (POU):

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	36E	25				10.1					39.6			29.7	36.4	39.3	35.7	35.1	225.9
10S	36E	36	30.1	21.2	35.3	40.9									40.5	32.1			200.1
10S	37E	19											37.7						37.7
													lot8						
10S	37E	30					24.3	39.6	14.9			14.4	14.3	36.3					143.8
								lot1	lot3			lot6	lot7	lot8					
								13.3	39.5										52.8
								lot2	lot4										
10S	37E	31					20.0	9.1			0.1	12.4	1.7						43.3
								lot1	lot3		lot5	lot6	lot7						
								15.1	0.1										15.2
								lot2	lot4										

Total irrigation will be limited to 695 acres within proposed permissible place of use when all rights are in priority following transfer approval.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. _____

Point of Diversion/Place of Use Supplement

Attachment to: ☐ Application for Permit to Appropriate Water ☒ Application for Transfer** ☐ Adjudication Claim
☐ Application for Amendment of Permit ☐ Beneficial Use Field Report ☐ Statutory Claim

Location of points of diversion (POD):

New POD?	Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or well/diversion tag #
☒ Yes	10S	36E	36			NW	NE	Bannock	Ground Water	New Well
☐ Yes	10S	37E	30	5		NW	SW	Bannock	Marsh Cr.	extg 4302,7889B
☐ Yes	10S	37E	30	8		SW	SW	Bannock	Marsh Cr.	extg 4302,7889A
☐ Yes	10S	37E	31	1		NW	NW	Bannock	Marsh Cr.	extg 4302
☐ Yes										
☐ Yes	10S	36E	36			NW	SW	Bannock	Hawkins Cr.	extg 11465
☐ Yes	10S	36E	36			NW	NW	Bannock	Hawkins Cr.	extg 11465
☐ Yes	10S	37E	30	8		NE	SW	Bannock	Unnamed Stream	extg 11463
☐ Yes	10S	37E	31	1		NE	NW	Bannock	Unnamed Stream	extg 11463
☐ Yes										

Description of place of use (POU):

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	36E	25				10.1					38.7			23.1	36.2	39.1	35.6	35.1	217.9
10S	36E	36	20.7	14.8	35.3	40.9									40.5	32.1			184.3
10S	37E	19											37.7						37.7
													lot8						
10S	37E	30					24.3	39.6	14.9			14.4	14.3	36.3					143.8
								lot1	lot3			lot6	lot7	lot8					
								13.3	39.5										52.8
								lot2	lot4										
10S	37E	31						20.0	9.1		0.1	12.4	1.7						43.3
								lot1	lot3		lot5	lot6	lot7						
								15.1	0.1										15.2
								lot2	lot4										

Superseded

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

Current Water Right No.: 29-4302

Current Owner: CHRISTINE BASTIAN
LYNN S BASTIAN

Priority Date: 6/1/1926

Origin: Water Right

Status: Active

Basis: Decreed

Source

MARSH CREEK

Tributary

PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From To</u>
IRRIGATION	04/01 to 10/31
STOCKWATER	01/01 to 12/31
	<u>Total Diversion</u>

<u>Diversion Rate</u>	<u>Annual Volume</u>
6.26 CFS	
0.02 CFS	
6.26 CFS	

Location of Point(s) of Diversion

MARSH CREEK
BANNOCK County
MARSH CREEK
BANNOCK County
MARSH CREEK
BANNOCK County

L1(NW1/4NW1/4)	Sec. 31, Twp 10S, Rge 37E B.M.
L8(SW1/4SW1/4)	Sec. 30, Twp 10S, Rge 37E B.M.
L5(NW1/4SW1/4)	Sec. 30, Twp 10S, Rge 37E B.M.

Place of Use

88054

IRRIGATION Within BANNOCK County

T10S R36E S25		SESE	5.60	T10S R36E S36		NENE	18.00
T10S R36E S36		NWNE	6.30	T10S R36E S36		SWNE	35.00
T10S R36E S36		SENE	40.00	T10S R36E S36		NESE	40.00
T10S R36E S36		NWSE	31.00	T10S R37E S30		NENW	24.00
T10S R37E S30	Lot 1	NWNW	0.60	T10S R37E S30	Lot 4	SWNW	5.70
T10S R37E S30	Lot 6	NWSW	1.00	T10S R37E S30	Lot 7	SWSW	15.00
T10S R37E S30	Lot 8	SWSW	37.00	T10S R37E S31	Lot 1	NWNW	18.00
T10S R37E S31	Lot 2	NWNW	15.00	T10S R37E S31	Lot 3	SWNW	8.30
T10S R37E S31	Lot 6	NWSW	11.00	T10S R37E S31	Lot 7	SWSW	1.50

Total Acres: 313

STOCKWATER Within BANNOCK County

T10S R36E S25	SESE	T10S R36E S36	NENE
T10S R36E S36	NWNE	T10S R36E S36	SWNE
T10S R36E S36	SENE	T10S R36E S36	NESE
T10S R36E S36	NWSE	T10S R37E S30	NENW
T10S R37E S30	Lot 1 NWNW	T10S R37E S30	Lot 4 SWNW
T10S R37E S30	Lot 6 NWSW	T10S R37E S30	Lot 7 SWSW
T10S R37E S30	Lot 8 SWSW	T10S R37E S31	Lot 1 NWNW
T10S R37E S31	Lot 2 NWNW	T10S R37E S31	Lot 3 SWNW
T10S R37E S31	Lot 6 NWSW	T10S R37E S31	Lot 7 SWSW

Conditions of Approval:

1. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
4. 004 This right does not grant any right-of-way or easement across the land of another.
5. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
6. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
7. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
8. X35 Rights 29-4302, 29-11463 and 29-11465 when combined shall not exceed the irrigation of 313.0 acres.
9. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Decreed Date: 3/22/2004

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

Current Water Right No.: 29-7006

Current Owner: LYNN S BASTIAN
CHRISTINE BASTIAN

Priority Date: 1/10/1968

Origin: Water Right

Status: Water Supply Bank Active

Basis: Decreed

Source**Tributary**

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/15	2.53 CFS	994 AF
	<u>Total Diversion</u>	2.53 CFS	994 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 14,	Twp 10S,	Rge 36E B.M.
BANNOCK County				
GROUND WATER	NE1/4SE1/4	Sec. 14,	Twp 10S,	Rge 36E B.M.
BANNOCK County				

Place of Use**IRRIGATION Within BANNOCK County**

T10S R36E S13	NWSW	15.00	T10S R36E S13	SWSW	10.00
T10S R36E S14	SWNE	40.00	T10S R36E S14	SENE	40.00
T10S R36E S14	NESW	40.00	T10S R36E S14	SESW	40.00
T10S R36E S14	NESE	40.00	T10S R36E S14	NWSE	40.00
T10S R36E S14	SWSE	40.00	T10S R36E S14	SESE	40.00

Total Acres: 345

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. S41 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER AFTER [OCTOBER 15] UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

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

Current Water Right No.: 29-7889a

Current Owner: LYNN S BASTIAN
MERLIN S BASTIAN
Priority Date: 1/16/1990
Origin: Water Right
Status: Active
Basis: License

Source

MARSH CREEK

Tributary

PORTNEUF RIVER

Beneficial Use

IRRIGATION

From To

4/15 to 10/15

Total Diversion

Diversion Rate

0.66 CFS

0.66 CFS

Annual Volume

115.5 AF

115.5 AF

Location of Point(s) of Diversion

MARSH CREEK

BANNOCK County

L8(SW1/4SW1/4)

Sec. 30, Twp 10S, Rge 37E B.M.

Place of Use

IRRIGATION Within BANNOCK County

T10S R36E S25

NESE

5.00

T10S R36E S25

SESE

28.00

Total Acres: 33

Conditions of Approval:

1. 048 The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
2. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 8DISTRICT.
3. R30 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.
4. R43 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.
5. 049 The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

Licensed Date: 4/15/1997

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

Current Water Right No.: 29-7889b

Current Owner: MERLIN S BASTIAN
LYNN S BASTIAN

Priority Date: 1/16/1990

Origin: Water Right

Status: Active

Basis: License

Source

MARSH CREEK

Tributary

PORTNEUF RIVER

Beneficial Use

IRRIGATION

From To

4/15 to 10/15

Diversion Rate

0.08 CFS

Annual Volume

14 AF

Total Diversion

0.08 CFS

14 AF

Location of Point(s) of Diversion

MARSH CREEK

L5(NW1/4SW1/4)

Sec. 30, Twp 10S, Rge 37E B.M.

BANNOCK County

Place of Use

IRRIGATION Within BANNOCK County

T10S R37E S30 Lot 4 SWNW 4.00

Total Acres: 4

Conditions of Approval:

1. 048 The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
2. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
3. 049 The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
4. R30 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.
5. R43 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.

Licensed Date: 4/14/1997

88054

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

Current Water Right No.: 29-11463

Current Owner: LYNN S BASTIAN
CHRISTINE BASTIAN

Priority Date: 6/1/1926

Origin: Water Right

Status: Active

Basis: Decreed

Source

UNNAMED STREAM

Tributary

HAWKINS CREEK

Beneficial Use

From To

Diversion Rate

Annual Volume

STOCKWATER 01/01 to 12/31

0.02 CFS

IRRIGATION 04/01 to 10/31

0.91 CFS

Total Diversion

0.91 CFS

Location of Point(s) of Diversion

UNNAMED STREAM

BANNOCK County

L8(NE1/4SW1/4SW1/4)

Sec. 30, Twp 10S, Rge 37E B.M.

UNNAMED STREAM

BANNOCK County

L1(NE1/4NW1/4NW1/4)

Sec. 31, Twp 10S, Rge 37E B.M.

Place of Use

88054

IRRIGATION Within BANNOCK County

T10S R36E S25		SESE	5.60	T10S R36E S36		NENE	18.00
T10S R36E S36		NWNE	6.30	T10S R36E S36		SWNE	35.00
T10S R36E S36		SENE	40.00	T10S R36E S36		NESE	40.00
T10S R36E S36		NWSE	31.00	T10S R37E S30		NENW	24.00
T10S R37E S30	Lot 1	NWNW	0.60	T10S R37E S30	Lot 4	SWNW	5.70
T10S R37E S30	Lot 6	NWSW	1.00	T10S R37E S30	Lot 7	SWSW	15.00
T10S R37E S30	Lot 8	SWSW	37.00	T10S R37E S31	Lot 1	NWNW	18.00
T10S R37E S31	Lot 2	NWNW	15.00	T10S R37E S31	Lot 3	SWNW	8.30
T10S R37E S31	Lot 6	NWSW	11.00	T10S R37E S31	Lot 7	SWSW	1.50

Total Acres: 313

STOCKWATER Within BANNOCK County

T10S R36E S25		SESE		T10S R36E S36		NENE
T10S R36E S36		NWNE		T10S R36E S36		SWNE
T10S R36E S36		SENE		T10S R36E S36		NESE
T10S R36E S36		NWSE		T10S R37E S30		NENW
T10S R37E S30	Lot 1	NWNW		T10S R37E S30	Lot 4	SWNW
T10S R37E S30	Lot 6	NWSW		T10S R37E S30	Lot 7	SWSW
T10S R37E S30	Lot 8	SWSW		T10S R37E S31	Lot 1	NWNW
T10S R37E S31	Lot 2	NWNW		T10S R37E S31	Lot 3	SWNW
T10S R37E S31	Lot 6	NWSW		T10S R37E S31	Lot 7	SWSW

Conditions of Approval:

1. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
2. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
3. X35 Rights 29-4302, 29-11463 and 29-11465 when combined shall not exceed the irrigation of 313.0 acres.
4. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
7. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
8. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
9. X27 This right is limited to the irrigation of 45.7 acres within the authorized place of use in a single irrigation season.

Decreed Date: 3/22/2004

88054

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

Current Water Right No.: 29-11465

Current Owner: LYNN S BASTIAN
CHRISTINE BASTIAN

Priority Date: 6/1/1955

Origin: Water Right

Status: Active

Basis: Decreed

Source

HAWKINS CREEK

Tributary

MARSH CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>
STOCKWATER	01/01	12/31
IRRIGATION	04/01	10/31
	<u>Total Diversion</u>	

<u>Diversion Rate</u>	<u>Annual Volume</u>
0.02 CFS	
0.5 CFS	
0.5 CFS	

Location of Point(s) of Diversion

HAWKINS CREEK
BANNOCK County
HAWKINS CREEK
BANNOCK County

NW1/4SW1/4NE1/4	Sec. 36,	Twp 10S,	Rge 36E B.M.
NW1/4NW1/4SE1/4	Sec. 36,	Twp 10S,	Rge 36E B.M.
(Rediversion)			

Place of Use

IRRIGATION Within BANNOCK County

T10S R36E S25		SESE	5.60	T10S R36E S36		NENE	18.00
T10S R36E S36		NWNE	6.30	T10S R36E S36		SWNE	35.00
T10S R36E S36		SENE	40.00	T10S R36E S36		NESE	40.00
T10S R36E S36		NWSE	31.00	T10S R37E S30		NENW	24.00
T10S R37E S30	Lot 1	NWNW	0.60	T10S R37E S30	Lot 4	SWNW	5.70
T10S R37E S30	Lot 6	NWSW	1.00	T10S R37E S30	Lot 7	SWSW	15.00
T10S R37E S30	Lot 8	SWSW	37.00	T10S R37E S31	Lot 1	NWNW	18.00
T10S R37E S31	Lot 2	NWNW	15.00	T10S R37E S31	Lot 3	SWNW	8.30
T10S R37E S31	Lot 6	NWSW	11.00	T10S R37E S31	Lot 7	SWSW	1.50

Total Acres: 313

STOCKWATER Within BANNOCK County

T10S R36E S25		SESE		T10S R36E S36		NENE	
T10S R36E S36		NWNE		T10S R36E S36		SWNE	
T10S R36E S36		SENE		T10S R36E S36		NESE	
T10S R36E S36		NWSE		T10S R37E S30		NENW	
T10S R37E S30	Lot 1	NWNW		T10S R37E S30	Lot 4	SWNW	
T10S R37E S30	Lot 6	NWSW		T10S R37E S30	Lot 7	SWSW	
T10S R37E S30	Lot 8	SWSW		T10S R37E S31	Lot 1	NWNW	
T10S R37E S31	Lot 2	NWNW		T10S R37E S31	Lot 3	SWNW	
T10S R37E S31	Lot 6	NWSW		T10S R37E S31	Lot 7	SWSW	

Conditions of Approval:

1. X27 This right is limited to the irrigation of 100.0 acres within the authorized place of use in a single irrigation season.
2. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
3. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 004 This right does not grant any right-of-way or easement across the land of another.
7. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
9. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
10. X35 Rights 29-4302, 29-11463 and 29-11465 when combined shall not exceed the irrigation of 313.0 acres.

Proposed New Permissible Place of Use

△ New Well

▣ 29-11463

⊠ 29-11465

▲ 29-4302

● 29-7889A

● 29-7889B

PPU Limits (Order by priority)

29-4302 (6/1/1926 313.0 Ac.)

29-11463(6/1/1926 45.7 Ac.)

29-11465(6/1/1955 100 Ac.)

Above combined 313.0 Ac. max.

29-7006 (1/10/1968 345 Ac.)

29-7889A (1/16/1990 33 Ac.)

29-7889B (1/16/1990 4 Ac.)

All Combined: 695 Ac. max.

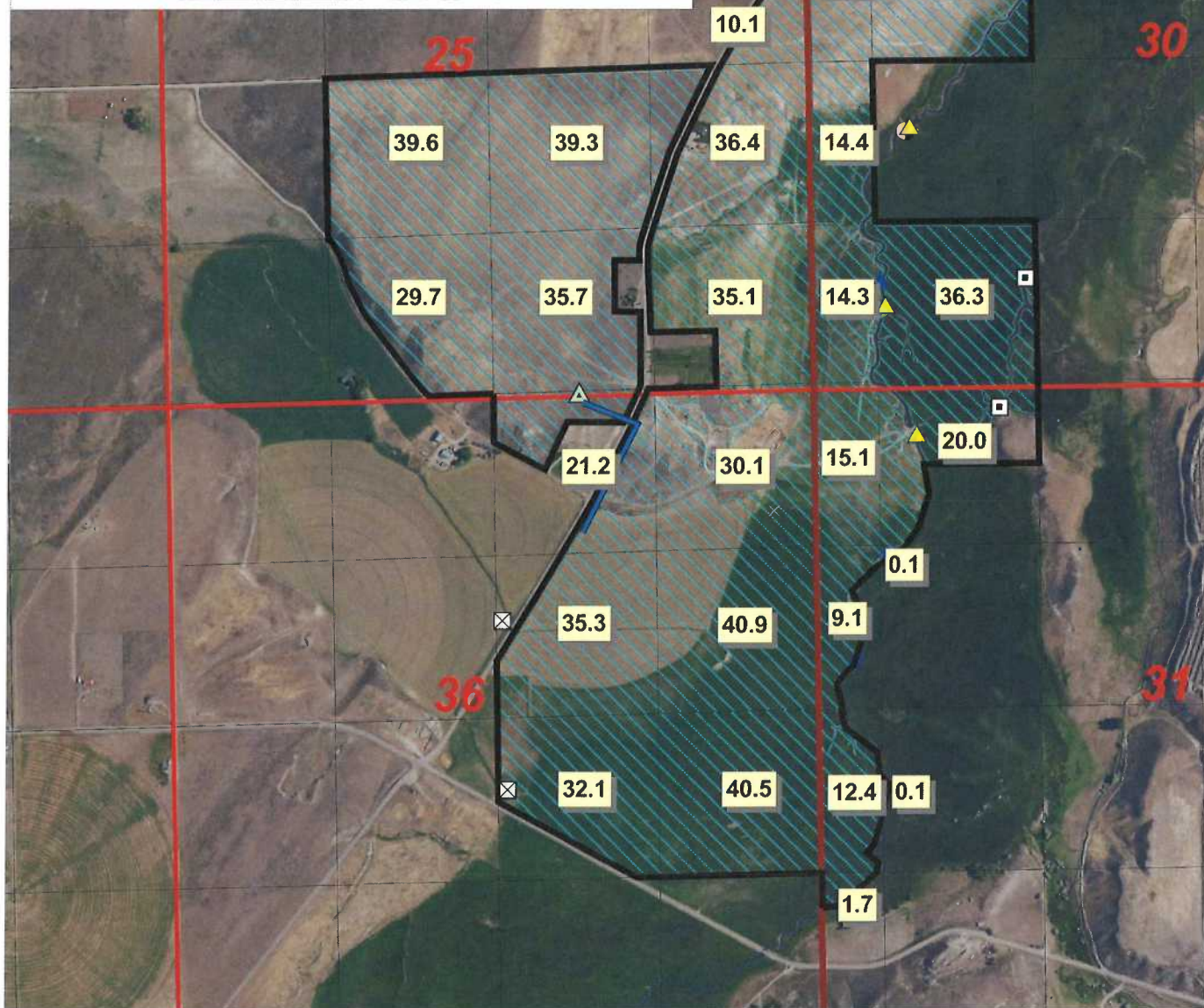
▭ Bastian Family Enterprises Parcels

▭ Township & Range ▭ Sections ▭ 40's

▬ New Pipeline ▬ Marsh Creek



0.25 0 0.25 Miles



JCH - 6/29/2023 (Amended)

Attachment #7a

NAIP 2021 Aerial Photo

AMENDED

Proposed Permissible Place of Use

POD

- ▲ New Well
- 29-11463
- ⊠ 29-11465
- ▲ 29-4302
- 29-7889A
- 29-7889B

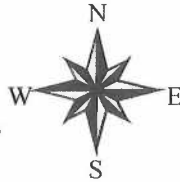
PPU Limits (Order by priority)

- 29-4302 (6/1/1926 313.0 Ac.)
- 29-11463(6/1/1926 45.7 Ac.)
- 29-11465(6/1/1955 100 Ac.)
- Above combined 313.0 Ac. max.
- 29-7006 (1/10/1968 345 Ac.)
- 29-7889A (1/16/1990 33 Ac.)
- 29-7889B (1/16/1990 4 Ac.)
- All Combined: 695 Ac. max.

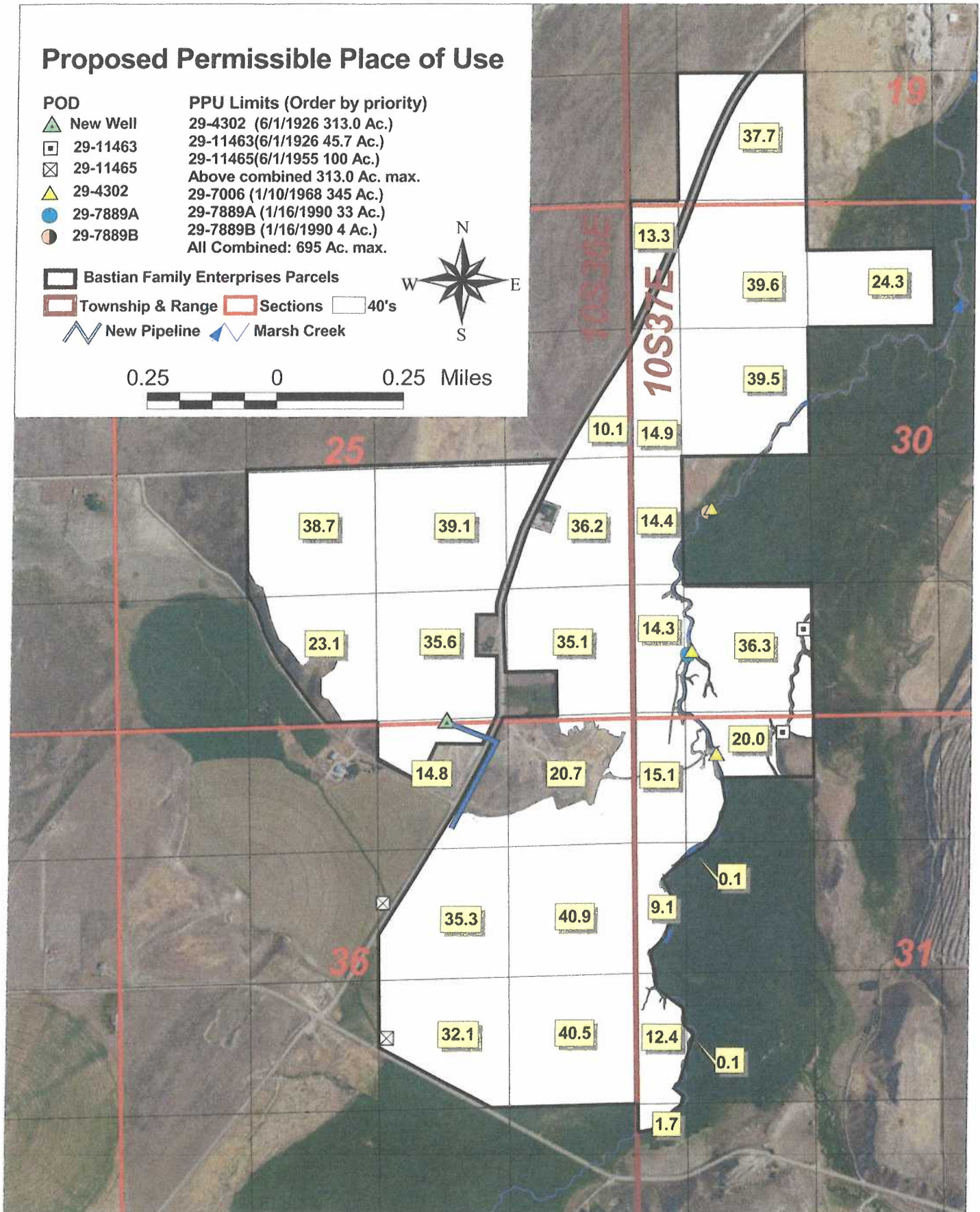
■ Bastian Family Enterprises Parcels

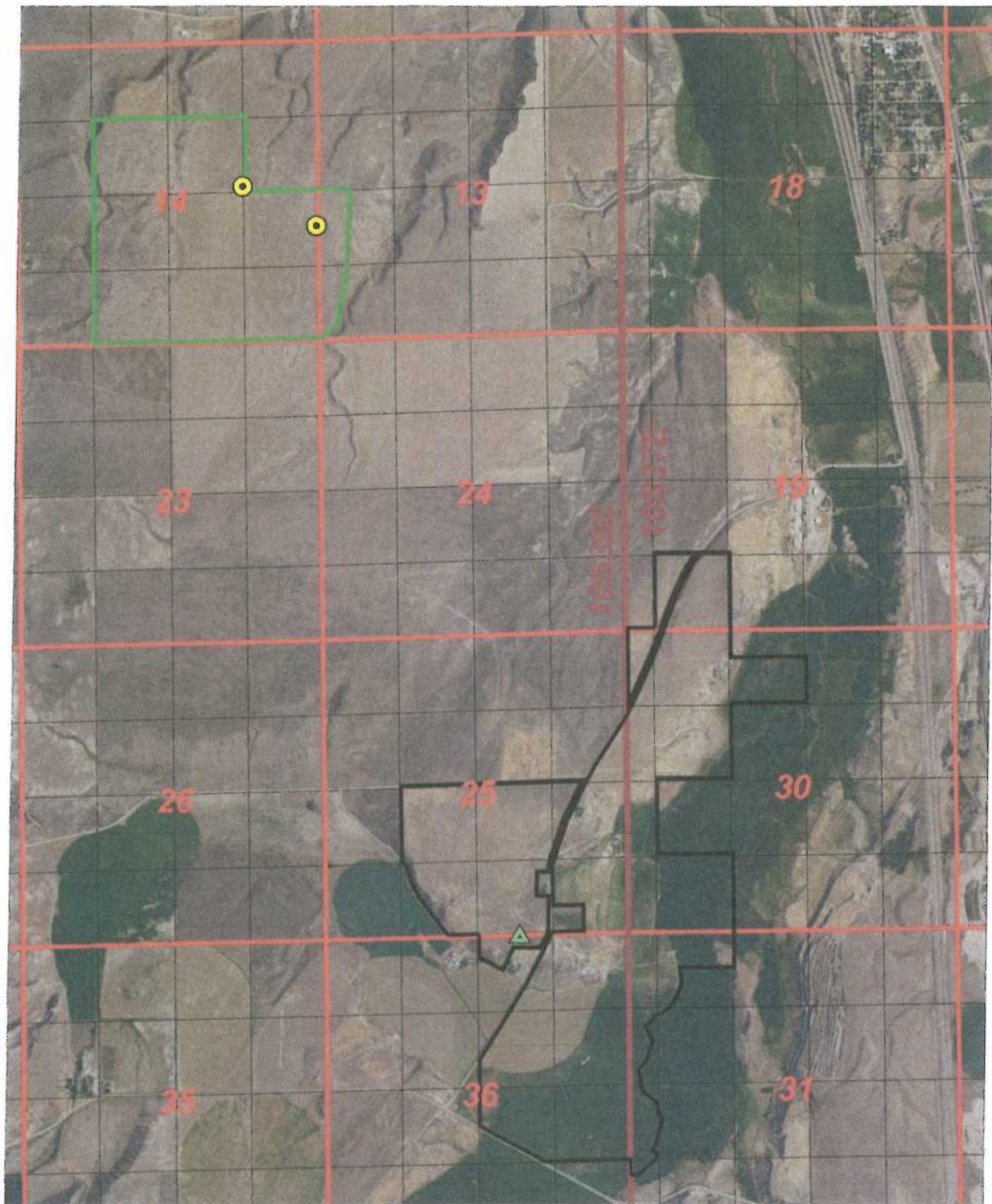
■ Township & Range ■ Sections ■ 40's

— New Pipeline — Marsh Creek



0.25 0 0.25 Miles



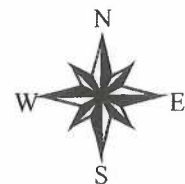


JCH - 5/8/2023

NAIP 2021 Aerial Photo

0.25 0 0.25 0.5 Miles

- | | | | |
|--|--|--|-----------------------|
| | Dry Up Existing Place of Use (29-7006) | | Township & Range |
| | Existing Points of Diversion (29-7006) | | Sections |
| | Proposed New Well | | 40's (Bannock County) |
| | Proposed New Permissible Place of Use | | |



Attachment #7b

88054

RECEIVED

JUN 08 2023

Department of Water Resources
Eastern Region

May 8, 2023

Idaho Department Of Water Resources
Eastern Region
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718

Jason C. Helms, P.E.

JCH Engineering & Consulting
6755 N. Albert Lane
Idaho Falls, ID 83401
(208) 308-2109
jasoncivil@alumni.nd.edu

Re: Application For Transfer 29-7006

To Whom It May Concern,

Please find attached an application for transfer primarily seeking a change in place of use and point of diversion for existing water right 29-7006 which currently lies unused and leased into the water bank approximately two and a half miles north of the proposed new point of diversion. The transfer seeks to create a permissible place of use for this primary ground water right which would allow irrigation of the entire property when all appurtenant water rights are in priority and allowing flexible crop management when priority curtailment is ordered under varying annual hydrologic conditions. It is anticipated that a significant portion of 29-7006 will remain leased into the water supply bank to allow for possible future mitigation. A table showing the optimized expected arrangement of water rights on the parcel is attached as Table 1.

The move lies within the same aquifer and in the same immediate area. Additionally, 29-7006 has not been used in many years so any residual impacts of prior diversions is expected to be almost fully attenuated and no analysis of overlapping ground water impacts appears necessary.

As always, if you have any questions or would find any GIS information shown helpful with processing please call me at your convenience. Thanks,

Jason C. Helms, P.E.

cc: Bastian Family Enterprises, LLC

Attachments

- Transfer PPU 29-7006: (2.53 cfs / 994.0 afa / 345.0 ac.)
- Check # _____ (\$660.00)

88054

Transfer Water Rights Place of Use Change Summary

Existing Surface Water Rights

Existing POU			NE				NW						SW				SE				
TWP	RNG	SEC	NE	NW	SW	SE	NE	NW	NW	SW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	36E	25															5			33.6	38.6
10S	36E	36	18	6.3	35	40											40	31			170.3
10S	37E	19																			0.0
10S	37E	30					24	0.6 lot 1			lot 3	9.7 lot 4		1 lot 6	15 lot 7	37 lot 8					87.3
10S	37E	31						18 lot 1	15 lot 2	8.3 lot 3				11 lot 6	1.5 lot 7						53.8
Total																					350.0

Adjust Surface Water Place-of-Use to accomodate addition of Ground Water System

Internal			NE				NW						SW				SE					
TWP	RNG	SEC	NE	NW	SW	SE	NE	NW	NW	SW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
10S	36E	25				1.8											30.7		0.5	35.1	68.1	
10S	36E	36	13.4	0	8.2	30.7											40.5	32.1			124.9	
10S	37E	19																			0.0	
10S	37E	30					23.1	0.8				13.8		10.2	14.3	36.3					98.5	
								lot 1			lot 3	lot 4			lot 6	lot 7	lot 8					
10S	37E	31						20	15.1	9.1	0.1			0.1	12.4	1.7					58.5	
								lot 1	lot 2	lot 3	lot 4			lot 5	lot 6	lot 7						
Total irrigation limited to 350 acres with 29-4302, 29-7889A & 29-7889B in priority																					Total	350.0

Total irrigation limited to 350 acres with 29-4302, 29-7889A & 29-7889B in priority

New Primary Ground Water Permissible Place-of-Use overlapping 29-7889A & 29-7889B

Internal			NE				NW						SW				SE					
TWP	RNG	SEC	NE	NW	SW	SE	NE	NW	NW	SW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
10S	36E	25				10.1							38.7			23.1	34.2	39.1	35.1	2.5	182.8	
10S	36E	36	7.3	14.8	27.1	10.2															59.4	
10S	37E	19													37.7 lot 8						37.7	
10S	37E	30					1.2	38.8 lot 1	13.3 lot 2	14.9 lot 3	29.7 lot 4			4.2 lot 6	lot 7	lot 8					102.1	
10S	37E	31						lot 1	lot 2	lot 3	lot 4			lot 5	lot 6	lot 7					0	
Total irrigation limited to 382 acres with 29-7006, 29-7889A & 29-7889B in priority																					Total	382.0

Total irrigation limited to 382 acres with 29-7006, 29-7889A & 29-7889B in priority

Create New Permissible Place-of-Use for Combined Surface and Ground Water

Transfer			NE				NW						SW				SE					
TWP	RNG	SEC	NE	NW	SW	SE	NE	NW	NW	SW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
10S	36E	25				10.1							38.7			23.1	36.2	39.1	35.6	35.1	217.9	
10S	36E	36	20.7	14.8	35.3	40.9											40.5	32.1			184.3	
10S	37E	19													37.7 lot 8						37.7	
10S	37E	30					24.3	39.6 lot 1	13.3 lot 2	14.9 lot 3	39.5 lot 4			14.4 lot 6	14.3 lot 7	36.3 lot 8					196.6	
10S	37E	31						20 lot 1	15.1 lot 2	9.1 lot 3	0.1 lot 4			0.1 lot 5	12.4 lot 6	1.7 lot 7					58.5	
Total irrigation limited to 695 acres within PPU with all rights (29-4302, 7006, 7889A, 7889B, 11463, 11465) in priority																					Total	695.0

Total irrigation limited to 695 acres within PPU with all rights (29-4302, 7006, 7889A, 7889B, 11463, 11465) in priority

29-7006 remains primary on 308 acres and becomes supplemental to 29-7889A & 29-7889B on 33 and 4 acres respectively

29-4302, 11463, 11465 (313 ac) ### 29-4302, 11463, 11465, 7889A ### 29-4302, 11463, 11465, 7889B
29-7889A (33 ac) ### 29-7889B (4 ac)



IDAHO DEPARTMENT OF
WATER RESOURCES

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

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

Governor Brad Little

Director Gary Spackman

June 28, 2023

BASTIAN FAMILY ENTERPRISES, LLC
16580 SOUTH MARSH VALLEY ROAD
ARIMO, ID 83214

RE: Transfer No. 88054

Water Right No(s). 29-11463, 29-11465, 29-4302, 29-7006, 29-7889A, 29-7889B

Dear Applicant:

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the IDAHO STATE JOURNAL and POST REGISTER on 7/5/2023 and 7/12/2023 as well as in the TIMES NEWS, IDAHO STATESMAN, and LEWISTON TRIBUNE on 7/6/2023 and 7/13/2023. 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,

Christina Henman
Administrative Assistant

CC:

JCH ENGINEERING & CONSULTING PLLC
JASON C HELMS PE
6755 N ALBERT LN
IDAHO FALLS, ID 83401

Henman, Christina

From: Henman, Christina
Sent: Wednesday, June 28, 2023 12:43 PM
To: legalnotices@postregister.com
Subject: Legal Notice for Idaho State Journal
Attachments: 88054 Idaho State Journal, Post Register.docx

LEGAL NOTICE DEPARTMENT
IDAHO STATE JOURNAL
PO BOX 431
POCATELLO, ID 83204-0431

RE: Transfer No. 88054
Water Right No(s). 29-11463, 29-11465, 29-4302, 29-7006, 29-7889A, 29-7889B

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 7/24/2023. Your cooperation is appreciated.

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

Henman, Christina

From: Henman, Christina
Sent: Wednesday, June 28, 2023 12:43 PM
To: legalnotices@postregister.com
Subject: Legal Notice for Post Register
Attachments: 88054 Idaho State Journal, Post Register.docx

LEGAL NOTICE DEPARTMENT
POST REGISTER
PO BOX 1800
IDAHO FALLS, ID 83403-1800

RE: Transfer No. 88054
Water Right No(s). 29-11463, 29-11465, 29-4302, 29-7006, 29-7889A, 29-7889B

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 7/24/2023. Your cooperation is appreciated.

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 88054**

BASTIAN FAMILY ENTERPRISES, LLC, 16580 SOUTH MARSH VALLEY ROAD, ARIMO, ID 83214 has filed Application No. 88054 for changes to the following water rights within BANNOCK County(s): Right No(s). 29-11463, 29-11465, 29-4302, 29-7006, 29-7889A, 29-7889B; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion and place of use. Proposed point of diversion for right 29-7006 is in NWNE Sec 36 T10S R36E for 2.53 cfs from ground water. Points of diversion for the other rights in the transfer will not change. Proposed combined place of use is in Sec 25 and 36 T10S R36E and Sec 19, 30, and 31 T10S R37E for 695 acres. For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 7/24/2023. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 7/5/2023 and 7/12/2023

Henman, Christina

From: Henman, Christina
Sent: Wednesday, June 28, 2023 12:43 PM
To: legals@magicvalley.com
Subject: Legal Notice for Times News
Attachments: 88054 Times News, Idaho Statesman, Lewiston Tribune.docx

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Transfer No. 88054
Water Right No(s). 29-11463, 29-11465, 29-4302, 29-7006, 29-7889A, 29-7889B

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 7/24/2023. Your cooperation is appreciated.

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

Henman, Christina

From: Henman, Christina
Sent: Wednesday, June 28, 2023 12:43 PM
To: legals@idahostatesman.com
Subject: Legal Notice for Idaho Statesman
Attachments: 88054 Times News, Idaho Statesman, Lewiston Tribune.docx

LEGAL NOTICE DEPARTMENT
IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

RE: Transfer No. 88054
Water Right No(s). 29-11463, 29-11465, 29-4302, 29-7006, 29-7889A, 29-7889B

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 7/24/2023. Your cooperation is appreciated.

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

Henman, Christina

From: Henman, Christina
Sent: Wednesday, June 28, 2023 12:43 PM
To: legals@lmtribune.com
Subject: Legal Notice for Lewiston Tribune
Attachments: 88054 Times News, Idaho Statesman, Lewiston Tribune.docx

LEGAL NOTICE DEPARTMENT
LEWISTON TRIBUNE
505 C ST
PO BOX 957
LEWISTON, ID 83501

RE: Transfer No. 88054
Water Right No(s). 29-11463, 29-11465, 29-4302, 29-7006, 29-7889A, 29-7889B

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 7/24/2023. Your cooperation is appreciated.

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 88054**

BASTIAN FAMILY ENTERPRISES, LLC, 16580 SOUTH MARSH VALLEY ROAD, ARIMO, ID 83214 has filed Application No. 88054 for changes to the following water rights within BANNOCK County(s): Right No(s). 29-11463, 29-11465, 29-4302, 29-7006, 29-7889A, 29-7889B; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion and place of use. Proposed point of diversion for right 29-7006 is in NWNE Sec 36 T10S R36E for 2.53 cfs from ground water. Points of diversion for the other rights in the transfer will not change. Proposed combined place of use is in Sec 25 and 36 T10S R36E and Sec 19, 30, and 31 T10S R37E for 695 acres. For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 7/24/2023. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 7/6/2023 and 7/13/2023