

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

SEP 15 2023

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☒ Change diversion point(s) ☐ Add diversion point(s) ☒ Ownership change ☐ Ownership split
☐ Transfer is for changes pursuant to [Idaho Code § 42-221.O.8](#). Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** Ty & Shandra Blacker Phone 208-313-1584
2. **MAILING ADDRESS** 3809 Judy Circle City Ammon
State ID Zip 83406 Email tysbrews@gmail.com

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 21-13129, 21-13131

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

4. **TOTAL AMOUNT OF WATER** transferred is 0.11 cubic feet per second and/or _____ acre-feet per annum.

(diversion rate)
(storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at [idwr.idaho.gov](#), *Water Rights, Water Right Transfers, Modeling Resources*.

New?	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
Y			SW	SE	33	6N	38E	Jefferson	Ground water	

88523

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

3 HP pump in domestic well to sprinkler irrigation. Will install measuring device and lockable controlling works if required.

- b. Who owns the property at the point(s) of diversion? Applicants

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

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

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

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

- ☐ If yes and there are multiple owners, attach a [Lessor Designation](#) form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an [IRS Form W-9](#).

(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and $\frac{1}{4}$ of section information. You may create a map at idwr.idaho.gov, *Water Rights*, *Water Right Transfers*, *File a Transfer Application*, *Step 2C*.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.


Signature of applicant or authorized agent

Ty Blacker
Print name and title if applicable

9/13/2023
Date


Signature of applicant or authorized agent

Shandra Blacker
Print name and title if applicable

9/15/2023
Date

9. **FEE** – ☒ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The [Fee Schedule](#) is available at www.idwr.idaho.gov, *Water Right Transfers*, *Step 4* and in the [Application for Transfer Instructions](#).

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by _____ Date _____

Fee paid \$250.- Date 9/15/2023 Received by JB Receipt # E049490

Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/13/2023

Water Right 21-13129

Owner Type

Current Owner

Name

CLAIR S HAWKINS TRUST

Priority Date: 4/24/1962

Basis: Decreed

Status: Active

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From

04/01

To

10/31

Diversion Rate

0.050 CFS

Volume

17.5 AF

Total Diversion

0.050 CFS

17.5 AF

Source and Point(s) of Diversion:

GROUND WATER

NWSESE

Sec. 33, Twp 06N, Rge 38E, JEFFERSON County

Place Of Use:

IRRIGATION within JEFFERSON County

T06N R38E S33

SWSE

3.0

T06N R38E S33

SESE

2.0

POU Total Acres

5.00

Conditions of Approval:

1. X35 Rights 21-13129 and 21-13131 when combined shall not exceed a total annual maximum diversion volume of 17.5 af at the field headgate and the irrigation of 5.0 acres.
2. 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.

Dates and Other Information:

Decreed Date: 12/10/2007

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Water District Number: 100

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 3.5

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/13/2023

Water Right 21-13131

Owner Type
Current Owner

Name
CLAIR S HAWKINS TRUST

Priority Date: 4/24/1956
Basis: Decreed
Status: Active

Source
GROUND WATER

Tributary

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.060 CFS	11.6 AF
	Total Diversion		0.060 CFS	11.6 AF

Source and Point(s) of Diversion:

GROUND WATER NWSESE Sec. 33, Twp 06N, Rge 38E, JEFFERSON County

Place Of Use:

IRRIGATION within JEFFERSON County

T06N R38E S33	SWSE	3.0
T06N R38E S33	SESE	2.0
	Right Acre Limit	3.30
	POU Total Acres	5.00

Conditions of Approval:

1. X27 This right is limited to the irrigation of 3.3 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 21-13129 and 21-13131 when combined shall not exceed a total annual maximum diversion volume of 17.5 af at the field headgate and the irrigation of 5.0 acres.
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.

Dates and Other Information:

Decreed Date: 12/10/2007
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
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Ty & Shandra Blacker Transfer



Legend

- Current POD
- Proposed POD
- Current POU
- Township/Range
- Sections
- QQ

0 500 1,000 2,000 Feet



MH



Order Number: 23480848

Warranty Deed

For value received,

Steve R Hansen and Raschel Hansen, husband and wife

the grantor, does hereby grant, bargain, sell, and convey unto

Ty Blacker and Shandra Blacker, husband and wife

whose current address is 3809 Judy Circle, Ammon, ID 83406

the grantee, the following described premises, in Jefferson County, Idaho, to wit:

See Exhibit A, attached hereto and incorporated herein.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.



Order Number: 23480848

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.

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To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.

Order Number: 23480848

Warranty Deed - Page 1 of 3

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Dated: July 28, 2023

Steve R Hansen
Steve R Hansen

Raschel Hansen
Raschel Hansen

State of Idaho, County of Bonneville, ss.

On this 28 day of July in the year of 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared Steve R Hansen and Raschel Hansen, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Madeline Gallup
Notary Public

Residing In: Pine, ID

My Commission Expires: 7/30/2025
(seal)



EXHIBIT A
LEGAL DESCRIPTION OF THE PREMISES

Lot 6, Block 1, Horsemens Park Division No. 1, Jefferson County, Idaho, as per the plat recorded July 20, 2004, as Instrument No. 332740.



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 Mathew Weaver

September 27, 2023

TY BLACKER
SHANDRA BLACKER
3809 JUDY CIRCLE
AMMON, ID 83406

RE: Transfer No. 88523
Water Right No(s). 21-13129, 21-13131

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 JEFFERSON STAR on 10/4/2023 and 10/11/2023. 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

Henman, Christina

From: Henman, Christina
Sent: Wednesday, September 27, 2023 11:29 AM
To: info@jeffersonstarnews.com
Subject: Legal Notice for Jefferson Star
Attachments: 88523 Jefferson Star.docx

LEGAL NOTICE DEPARTMENT
JEFFERSON STAR
PO BOX 37
RIGBY, ID 83442

RE: Transfer No. 88523
Water Right No(s). 21-13129, 21-13131

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 10/23/2023. 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. 88523**

TY BLACKER and SHANDRA BLACKER, 3809 JUDY CIRCLE, AMMON, ID 83406 has filed Application No. 88523 for changes to the following water rights within JEFFERSON County(s): Right No(s). 21-13129, 21-13131; 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. Proposed point of diversion is in SWSE Sec 33 T06N R38E for 0.11 cfs from ground water.

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 10/23/2023. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 10/4/2023 and 10/11/2023