

MAR 12 2025

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT. OF WATER RESOURCES
EASTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT

GENERAL INFORMATION AND INSTRUCTIONS

Pursuant to Section 42-222(1), *Idaho Code*, a transfer application may be filed to change the point of diversion, place of use, period of use, or nature of use of all or part of an established water right. Any person proposing to make such a change is required to file a transfer application with the Department. "Such application shall be upon forms furnished by the department and shall describe the [water right] to be changed and the changes which are proposed and shall be accompanied by the statutory filing fee." *Idaho Code* § 42-222(1).

The Department has developed this application form to assist applicants in satisfying the requirements of Section 42-222(1). This application form requests information about the applicant's authority to file (Part 1), information about the current elements of the water right(s) to be changed (Part 2), information about the proposed changes (Part 3), information about the validity of the water right(s) and the effects of the proposed changes (Part 4), and confirmation that the information provided is truthful (Part 5).

The applicant or their representative must provide a response for all applicable questions, any additional information required, and the proper filing fee before this application will be considered complete. If an application is incomplete or more information is required, the Department will notify the applicant or representative and allow time for the application to be completed. An application that remains incomplete will be returned to the applicant and the filing fee will be refunded.

An application for transfer is limited to the changes proposed for a single water distribution system. A proposal to change two or more separate water distribution systems, that will remain separate after the transfer, must be filed as separate applications. Applicants may provide additional pages to supplement their responses to the questions posed on this application form. Supplemental forms for listing additional water rights, points of diversion, or places of use can be found on the Department's website (idwr.idaho.gov). If you need assistance understanding the questions on this form, generating current water right reports, determining legal descriptions, or accessing water measurement records feel free to contact the nearest regional office of the Department.

PART 1 – CONTACT INFORMATION, OWNERSHIP RECORDS, AUTHORITY TO FILE

Name(s) of Applicant(s) Shiflett Family Management LLCMailing Address 10502 W Thimbleberry Dr.Email* Bshiflett1@gmail.com Phone _____Name of Representative (if any) Rocky Mountain Environmental Associates, Inc.Mailing Address 482 Constitution Way Suite 303, Idaho Falls, ID 83402Email* thane.rmea@gmail.com Phone (208) 524-2353

*If an email address is provided, Department staff will use email as the primary method for corresponding with the applicant and representative about the application.

A. Representative. If the representative is authorized to sign or amend the application on behalf of the applicant, attach documents confirming that authority. Label documents as Attachment 1A.

89648

B. Current Owner. If the applicant is not the current owner of record for all water rights included in this application, attach documents showing that the applicant has the authority to make the proposed changes. Label documents as Attachment 1B.

C. Updating Ownership Records. Applicants needing to update the ownership records for any of the water rights included in this application must attach documents supporting the ownership change. Such documents must trace ownership of the subject water rights or the current place of use for the subject water rights from the current owner of record for the water rights to the applicant. Label documents as Attachment 1C.

D. Business Entities. If the applicant is a business entity (corporation, LLC, partnership, trust, etc.), is the entity currently registered with the Idaho Secretary of State?

☒ Yes. If this application is signed by someone other than a person listed on the most recent annual report filed with the Idaho Secretary of State, attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

☐ No. Attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

E. Approval of Irrigation Delivery Entity. Section 42-108, *Idaho Code*, states that a transfer application proposing to change water rights held by an irrigation company or district requires the consent of the irrigation entity. If this application proposes to change water rights held by an irrigation entity, attach a letter of consent from the entity (labeled as Attachment 1E) or have an authorized representative of the entity co-sign the application.

F. Encumbered Properties. If the current place of use for the water rights included in this application is subject to a lien, deed of trust, mortgage, or contract and the application proposes to change the nature of use of the water rights or to move water rights off the current place of use, attach a statement of consent for the change signed by the lien holder, trustee, mortgagor or contract holder. Label documents as Attachment 1F.

G. Legal Access. If the applicant is not the current owner of the proposed point(s) of diversion, conveyance system, or place(s) of use, provide evidence of legal access to the land or infrastructure not owned by the applicant. Label documents as Attachment 1G. For example, an applicant may provide a letter of consent from the owner of the land or conveyance system or may have the owner co-sign the application. For applications proposing to divert water on or convey water across federal land, an applicant is not required to demonstrate legal access to the federal land prior to approval. Instead, if the transfer application is approved, the applicant must obtain access authorization from the relevant federal agency prior to diverting water under the subject water rights.

PART 2 – WATER RIGHTS BEFORE PROPOSED CHANGES

A. Current Water Rights. For each water right proposed to be changed, attach a current water right report obtained from any Department office or from the Department's website (idwr.idaho.gov). Label water right reports as Attachment 2A.

B. Map of Current System. Attach a map of the current point(s) of diversion and place(s) of use for the water rights to be changed. The map should clearly depict the elements of the water rights to be changed. For example, if the application proposes to change the point of diversion for a water right, the map should display the current location of the point of diversion. For irrigation water rights, the map should also identify the location of the irrigated acres to be changed. Label map as Attachment 2B.

C. Current Location of Irrigated Acres. If this application proposes to change the place of use or nature of use for only a portion of an irrigation water right, use the following table to identify the current location of the irrigated acres to be changed. If additional pages are required, label additional pages as Attachment 2C. If this application proposes to change or rearrange the entire place of use for irrigation water right(s), skip to Part 3.

☐ **N/A.** This application does not propose to change the place of use or nature of use of an irrigation water right or this application proposes to change the place of use or nature of use for an entire irrigation right.

Current Location of Irrigated Acres to be Changed

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	
09N	21E	30																3.3	3.3
		31		0.1			1												1.1

Total Irrigated Acres to be Changed: 4.4

PART 3 – DESCRIPTION OF PROPOSED CHANGES

A. Purpose of Transfer. Section 42-222(1), *Idaho Code*, states that transfer applications may only be filed to change the point of diversion, place of use, period of use, or nature of use of an established water right. Section 42-248(3), *Idaho Code*, authorizes water right ownership changes to be described on a transfer application. Identify the changes proposed in this application:

- | | |
|--|--|
| ☐ Change point(s) of diversion | ☒ Change place of use |
| ☐ Add point(s) of diversion | ☒ Change period of use |
| ☒ Change nature of use | ☒ Update water right ownership records |

B. Proposed Changes. Describe the proposed changes in narrative form:

Applicant proposes multiple changes. First, the owner name is misspelled on the water rights. Please correct from "Shiftlett" to "Shiflett" (Attachment 1C). Second, the POU shapefile for 34-337 omitted portions of the fields that have always been there. A reconfigured POU is shown in Attach2C and is used for evaluation of the next change. Third, Applicant also intends to construct a pond. The pond will initially be filled by non-use of the water right for one year. Annual pond maintenance will be mitigated by drying up irrigated pasture. The PODs and Stockwater use for these water rights will not change as a result of this transfer.

All	Part	Right Number	Amount	cfs/af	Nature of Use	Period of Use	Source
X		34-335	3.13	cfs	Irrigation	05/01-10/15	Sage Creek
			0.07	cfs	Diversion to Storage	05/01-10/15	
			1.0	afa	Wildlife Storage	01/01-12/31	
			0.02	cfs	Stockwater	01/01-12/31	
X		34-336	1.57	cfs	Irrigation	05/01-10/15	Sage Creek
			0.03	cfs	Diversion to Storage	05/01-10/15	
			1.0	afa	Wildlife Storage	01/01-12/31	
X		34-337	3.13	cfs	Irrigation	05/01-10/15	Springs
			0.07	cfs	Diversion to Storage	05/01-10/15	
			1.3	afa	Wildlife Storage	01/01-12/31	
			0.02	cfs	Stockwater	01/01-12/31	

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C. Summary of Proposed Changes.

1. Water Rights. Use the following table to list all water rights, or portions thereof, that are proposed to be changed as they would appear after the proposed changes. In the Amount column, list the volume in acre-feet (af) for storage uses or the rate in cubic feet per second (cfs) for all other uses.

All or Part	Right Number	Amount (cfs/af)	Nature of Use	Period of Use	Source
☒ ☐	34-335	3.13 cfs	Irrigation	05/01 to 10/15	Sage Creek
☐ ☐		0.07 cfs	Diversion to Storage	05/01 to 10/15	
☐ ☐		1.0 afa	Wildlife Storage	01/01 to 12/31	
☒ ☐	34-336	1.57 cfs	Irrigation	05/01 to 10/15	Sage Creek
☐ ☐		0.03 cfs	Diversion to Storage	05/01 to 10/15	
☐ ☐		1.0 afa	Wildlife Storage	01/01 to 12/31	
☒ ☐	34-337	3.13 cfs	Irrigation	05/01 to 10/31	Springs
☐ ☐		0.07 cfs	Diversion to Storage	05/01 to 10/31	
☐ ☐		1.3 afa	Wildlife Storage	01/01 to 12/31	
☐ ☐				to	

2. Total Amounts. Calculate the total quantity, in cfs or af, of water rights that are proposed to be changed through this application. For an application proposing to only change the place of use for irrigation rights, the total quantity of water is calculated by comparing the current place of use to the proposed place of use, summing the number of acres increased in each legal subdivision, and quantifying the proportional amount of diversion rate for the increased acres. For an application proposing to change or add points of diversion for irrigation or any other beneficial use, the total amount is the total diversion rate for the changed portion of the right.

Total Amount of Water Rights Proposed to be Changed: 0.12 cfs and/or 1.3 af.

3. Point(s) of Diversion. Use the following table to list all the proposed points of diversion for the water rights to be changed, including any current points of diversion that will continue to be used as part of the proposed water distribution system.

The legal description for the proposed point(s) of diversion must be to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System (PLSS). PLSS information is typically available from USGS topo maps, property deeds, tax bills or various mapping tools on the Department's website.

For points of diversion within platted subdivisions, list the lot and block number in the "Diversion Name/Number" column. An application proposing an injection into a stream and a re-diversion from that stream must list the source for the original diversion as the source for the injection and re-diversion points. If this application proposes construction of a new diversion structure (for example, a new ground water well or a new pump station on a creek), please indicate the status in the appropriate column.

34-335																			
			NE 1/4				NW 1/4				SW 1/4				SE 1/4				
T	R	S	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
09N	21E	29											35						35
		30																33.6	33.6
		31	40	22															62
		32					19	40											59
																			189.6

34-336																			
			NE 1/4				NW 1/4					SW 1/4				SE 1/4			
T	R	S	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
09N	21E	29											35						35
		30																33.6	33.6
		31	40	22															62
		32					19	40											59
																			189.6

34-337																			
			NE 1/4				NW 1/4				SW 1/4				SE 1/4				
T	R	S	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
09N	21E	29											35						35
		30																33.6	33.6
		31	40	22			16			3									81
		32					19	40											59
																			208.6

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34-335

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	21E	29											35.0						35.0
		30																33.5	33.5
																		Lot 1	
		31	40.0	21.5															61.5
				W			W												
		32					19	40											59.0
Note: Stockwater POU matches Irrigation POU outlined above.																			189.0

34-336

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	21E	29											35.0						35.0
		30																33.5	33.5
																		Lot 1	
		31	40.0	21.5															61.5
				W			W												
		32					19	40											59.0
																			189.0

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EASTERN REGION

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34-337

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	21E	29											35.0						35.0
		30																33.5	33.5
																		Lot 1	
		31	40.0	22.5			16.3			2.3									81.1
				W			W												
										Lot 1									
		32					19	40											59.0
Note: Stockwater POU matches Irrigation POU outlined above.																			208.6

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☒ N/A. This application does not propose to add or change any points of diversion.

Proposed Points of Diversion

New?	Twp	Rge	Sec	Lot	1/4	1/4	1/4	County	Source	Diversion Name/Number

4. Place of Use. The proposed place of use must be described to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System. Government lot numbers can be noted in parenthesis below the approximate quarter-quarter location of the government lot. For water rights held by irrigation districts, municipal providers or irrigation companies, the proposed place of use may be generally described as authorized by Sections 42-202B, 42-219 and 42-222B, *Idaho Code*.

☐ N/A. This application does not propose to change the place of use.

Proposed Place of Use

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	
09N	21E	29											28.0						28.0
		30																33.7	33.7
		31	40.0	22.9			15.0	4.0											81.9
				W			W												W
		32					25.0	40.0											65.0

Total Irrigated Acres: 208.6

5. Map of Proposed System. Attach a map showing the location of the points of diversion, reservoirs, dams, canals, ditches, pipelines and other works proposed to divert and convey water. Also show the location of the place of use, including any lands to be irrigated. The map should delineate the legal subdivisions including townships, ranges, sections, quarter-quarters and government lots. Label map as Attachment 3C.

PART 4 – ADDITIONAL INFORMATION

Section 42-222(1), *Idaho Code*, establishes the criteria used to evaluate transfer applications. An applicant bears the burden of demonstrating that the water right to be changed is a valid right, that the proposed use is a beneficial use, and that the proposed changes will not injure other water rights, will not enlarge the use of the original rights, are in the local public interest, and are consistent with the conservation of water resources within the state of Idaho. To satisfy this burden, an applicant must provide sufficient data and information for the

Department to evaluate the effects of the proposed change. The Department may deny an application if the applicant fails to provide sufficient data and information to determine whether the criteria from Section 42-222(1) are satisfied. In addition to the information requested in Parts 1-3 of this application, the following information must be provided for an application to be considered complete. Department staff may request additional information or clarification as the application is processed.

A. Validity of Water Rights

1. If one or more of the water rights proposed to be changed is a statutory claim, established pursuant to Section 42-248, *Idaho Code*, attach evidence supporting the priority date claimed. Label documents as Attachment 4A-1. For statutory claims, the Department may conduct a field inspection as part of the application review process to evaluate the water right elements listed on the statutory claim.

2. Has any portion of the water right(s) proposed to be changed undergone a period of five or more consecutive years of non-use?

☐ Yes. Attach a statement describing the portion of the right(s) that were not used and the length of time of the non-use. In addition, identify any exception or defense to forfeiture and provide a detailed description as to why the water rights have not been lost and forfeited for non-use. Label documents as Attachment 4A-2. Statutory exceptions or defenses to forfeiture are set forth in Section 42-223, *Idaho Code*.

☒ No.

B. Injury to Other Water Rights

1. Identify any other water right(s) diverted at the current point(s) of diversion.

NA

2. Identify any other water right(s) diverted at the proposed point(s) of diversion.

NA

3. Is the proposed point of diversion within a state water district? ☒ Yes. Water District # 34. ☐ No.

4. If already constructed and in use, are the proposed points of diversion equipped with Department-approved measuring devices? ☐ Yes. ☒ No.

5. If this application proposes to divert a surface water right from a ground water well, attach a technical analysis evaluating the hydraulic connection between the proposed ground water point of diversion and the source of water listed on the right to be changed. Label technical analysis as Attachment 4B-5.

6. If this application proposes changing the point of diversion for a ground water right in the Eastern Snake Plain Aquifer (ESPA), attach a technical analysis of the anticipated depletions to reaches of the Snake River that are hydraulically connected to the ESPA using the Department's current ground water model for the ESPA. The technical analysis must evaluate depletion impacts in a time-series format at transient and steady state time steps. To assist applicants in preparing the required technical analysis, the Department has developed a transfer tool interface for the ESPA model. The transfer tool and user instructions can be downloaded from the Department's website (idwr.idaho.gov). If the proposed and current points of diversion are in the same or adjacent model cells, no technical analysis is required, unless specifically requested by the Department. Label technical analysis as Attachment 4B-6.

C. Enlargement in Use

1. Identify any other water rights used at the current place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

Water rights 34-10232 are owned by the Applicant and authorize 0.09 cfs for domestic and stockwater use.

2. Identify any other water rights used at the proposed place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

Water rights 34-10232 are owned by the Applicant and authorize 0.09 cfs for domestic and stockwater use.

3. If this application proposes changing the place of use or nature of use for irrigation water rights, will the current place of use, for the portion of the right to be changed, continue to be irrigated?

☐ Yes. Identify the water right(s) to be used for the continued irrigation.

☒ No. The place of use for the portion to be changed will no longer be irrigated.

☐ N/A. The application does not propose to change the place of use for irrigation rights.

4. Unstacking Water Rights for Irrigation. If this application proposes to change the place of use for an irrigation water right that is combined with other irrigation rights at the current place of use but does not propose to change the place of use for all the stacked irrigation rights, attach evidence of the historical consumptive use occurring under all water rights at the current place of use. For irrigation rights, this should include at least five years of diversion data and/or crop data and estimates of evapotranspiration. Label the information as Attachment 4C-4. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

5. If the application proposes to change the nature of use for a water right, attach evidence of the historical consumptive use occurring under the portion of the water right to be changed. For irrigation rights, this should include diversion data, crop data and estimates of evapotranspiration. Label the information as Attachment 4C-5. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

6. If the application proposes to change the nature of use of a water right to municipal use for reasonably anticipated future needs, complete the form titled "Municipal Water Right Application Checklist" found on the Department's website (idwr.idaho.gov). Label the form as Attachment 4C-6.

7. To your knowledge, are any portions of the water rights proposed to be changed:

Yes	No
☐	☒

currently leased to the Water Supply Bank?

If yes, complete the form titled "Application for Transfer of Water Right Attachment WSB" found on the Department's website (idwr.idaho.gov). Label the Form as Attachment 4C-7.

☐	☒
☐	☒
☐	☒

currently used in a mitigation plan limiting the use of water under the right?

subject to an agreement not to divert (CREP)?

currently enrolled in a federal set-aside program (CRP)?



0006105146

**STATE OF IDAHO***Office of the secretary of state, Phil McGrane***ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

For Office Use Only

-FILED-

File #: 0006105146

Date Filed: 2/11/2025 9:43:24 AM

Entity Name and Mailing Address:

Entity Name:

Shiflett Family Management LLCThe file number of this entity on the records of the Idaho
Secretary of State is:

0003449086

Address

208 12TH AVE RD
NAMPA, ID 83686-5013

Entity Details:

Entity Status

Active-Existing

This entity is organized under the laws of:

IDAHO

If applicable, the old file number of this entity on the records of
the Idaho Secretary of State was:

The registered agent on record is:

Registered Agent

STEPHEN TELFORD
Registered Agent

Physical Address

208 12TH AVE RD
NAMPA, ID 83686

Mailing Address

Agent or Address Change

☐ Select if you are appointing a new agent.

Limited Liability Company Managers and Members

Name	Title	Business Address
Bryan Shiflett	Manager	5823 N DUXBURY PIER LANE BOISE, ID 83714
Natalie Shiflett	Manager	5823 N DUXBURY PIER LANE BOISE, ID 83714

The annual report must be signed by an authorized signer of the entity.

Job Title: Manager

Natalie Shiflett

Sign Here

02/11/2025

Date

Close

Water Right Report : 34-335(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	SHIFTLETT FAMILY MANAGEMENT LLC	10502 W THIMBLEBERRY DR	STAR	ID	83669-6279
Original Owner	COATES, LOLA L	STAR RT	MACKAY	ID	83251
Previous Owner	LOST PEAKS RANCH INC	C/O DANIEL P MULICK PRESIDENT 5536 OLD CHILLY RD HC 86 BOX 4115	MACKAY	ID	83251

Water Right Status

Priority Date : 6/1/1886

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
SAGE CREEK		SINKS	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
SAGE CREEK	09N	20E	25	0	NE	SW	NE	CUSTER	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	5/01	10/15	3.20 CFS	
STOCKWATER	1/01	12/31	0.02 CFS	
TOTAL			3.20 CFS	

Places of Use

Printable View

Paged View

Place of Use Legal Description : IRRIGATION (CUSTER county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
09N	21E	29			SW	SW	28.0
09N	21E	30	1		SE	SE	37.0
09N	21E	31			NE	NE	40.0
09N	21E	31			NW	NE	23.0
09N	21E	32			NE	NW	25.0
09N	21E	32			NW	NW	40.0

Irrigation Totals

Total Acres Acre Limit

193.00 160.00

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Conditions**Code Conditions**

- S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.09 CFS. COMBINED RIGHT NOS.: 34-00336 AND 34-00337.
- N15 THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED FOR STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED.
- N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 213 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-00336 AND 34-00337. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
- N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- 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.
- C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- RIGHT NO. 34-00336 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. STOCKWATER, 400 CATTLE

Dates

Licensed Date :
 Decreed Date : 12/14/2001
 Permit Proof Due Date :
 Permit Proof Made Date :
 Permit Approved Date :
 Permit Moratorium Expiration Date :
 Enlargement Use Priority Date :
 Enlargement Statute Priority Date :
 Application Received Date:
 Protest Deadline Date:

Other Information

State or Federal : S
 Water District Number : 34
 Generic Max Rate Per Acre : 0
 Generic Max Volume Per Acre : 0
 Combined Acre Limit : 213.00
 Combined Volume Limit:
 Combined Rate Limit: 6.09
 Civil Case Number :
 Decree Plaintiff :
 Decree Defendant :
 Swan Falls Trust or Nontrust :
 Swan Falls Dismissed :
 DLE Act Number :
 Cary Act Number :
 Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

10/17/2024

Close

Water Right Report : 34-336(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	SHIFTLETT FAMILY MANAGEMENT LLC	10502 W THIMBLEBERRY DR	STAR	ID	83669-6279
Original Owner	COATES, LOLA L	STAR RT	MACKAY	ID	83251
Previous Owner	LOST PEAKS RANCH INC	C/O DANIEL P MULICK PRESIDENT 5536 OLD CHILLY RD HC 86 BOX 4115	MACKAY	ID	83251

Water Right Status

Priority Date : 10/26/1918

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
SAGE CREEK		SINKS	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
SAGE CREEK	09N	20E	25	0	NE	SW	NE	CUSTER	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	5/01	10/15	1.60 CFS	
TOTAL			1.60 CFS	

Places of Use

Printable View

Paged View

Place of Use Legal Description : IRRIGATION (CUSTER county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
09N	21E	29			SW	SW	28.0
09N	21E	30	1		SE	SE	37.0
09N	21E	31			NE	NE	40.0
09N	21E	31			NW	NE	23.0
09N	21E	32			NE	NW	25.0
09N	21E	32			NW	NW	40.0

Irrigation Totals

Total Acres Acre Limit

193.00

Conditions

89648

Code Conditions

- S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.09 CFS. COMBINED RIGHT NOS.: 34-00335 AND 34-00337.
- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 213 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-00335 AND 34-00337.
- 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.
- C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- RIGHT NO. 34-00335 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Dates

Licensed Date :
 Decreed Date : 12/14/2001
 Permit Proof Due Date :
 Permit Proof Made Date :
 Permit Approved Date :
 Permit Moratorium Expiration Date :
 Enlargement Use Priority Date :
 Enlargement Statute Priority Date :
 Application Received Date:
 Protest Deadline Date:

Other Information

State or Federal : S
 Water District Number : 34
 Generic Max Rate Per Acre : 0
 Generic Max Volume Per Acre : 0
 Combined Acre Limit : 213.00
 Combined Volume Limit:
 Combined Rate Limit: 6.09
 Civil Case Number :
 Decree Plaintiff :
 Decree Defendant :
 Swan Falls Trust or Nontrust :
 Swan Falls Dismissed :
 DLE Act Number :
 Cary Act Number :
 Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

10/17/2024

Close

Water Right Report : 34-337(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	SHIFTLETT FAMILY MANAGEMENT LLC	10502 W THIMBLEBERRY DR	STAR	ID	83669-6279
Original Owner	COATES, LOLA L	STAR RT	MACKAY	ID	83251
Previous Owner	LOST PEAKS RANCH INC	C/O DANIEL P MULICK PRESIDENT 5536 OLD CHILLY RD HC 86 BOX 4115	MACKAY	ID	83251

Water Right Status

Priority Date : 6/1/1917
 Basis : Decreed
 Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
HOWELL SPRING		SINKS	
SPRING		SINKS	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
SPRING	09N	21E	31	0	NW	NE	NW	CUSTER	
HOWELL SPRING	09N	21E	31	1	SW	NW	NW	CUSTER	
SPRING	09N	21E	31	2	NE	SW	NW	CUSTER	
SPRING	09N	21E	31	2	SW	SW	NW	CUSTER	
SPRING	09N	21E	31	0	NW	SE	NW	CUSTER	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	5/01	10/15	3.20 CFS	
STOCKWATER	1/01	12/31	0.02 CFS	
TOTAL			3.20 CFS	

Places of Use

Printable View

Paged View

Place of Use Legal Description : IRRIGATION (CUSTER county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
09N	21E	29			SW	SW	28.0
09N	21E	30	1		SE	SE	37.0
09N	21E	31			NE	NE	40.0
09N	21E	31			NW	NE	23.0
09N	21E	31			NE	NW	16.0

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
09N	21E	31	1		NW	NW	4.0
09N	21E	32			NE	NW	25.0
09N	21E	32			NW	NW	40.0

Irrigation Totals

Total Acres Acre Limit

213.00

Conditions

Code Conditions

- S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.09 CFS. COMBINED RIGHT NOS.: 34-00335 AND 34-00336.
- N15 THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED FOR STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED.
- N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 213 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-00335 AND 34-00336.
- 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.
- N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- STOCKWATER, 400 CATTLE

Dates

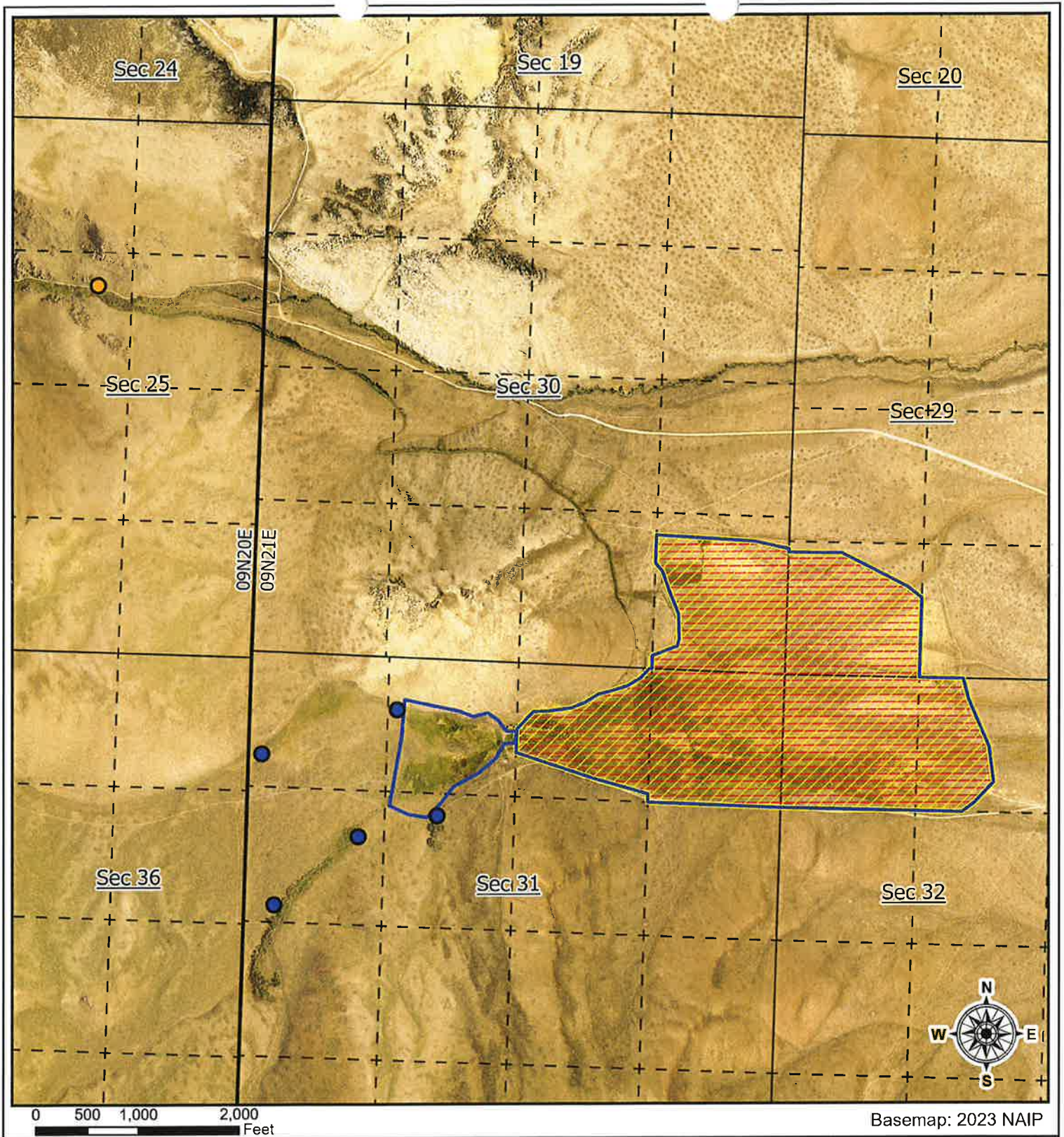
Licensed Date :
 Decreed Date : 12/14/2001
 Permit Proof Due Date :
 Permit Proof Made Date :
 Permit Approved Date :
 Permit Moratorium Expiration Date :
 Enlargment Use Priority Date :
 Enlargement Statute Priority Date :
 Application Received Date:
 Protest Deadline Date:

Other Information

State or Federal : S
 Water District Number : 34
 Generic Max Rate Per Acre : 0
 Generic Max Volume Per Acre : 0
 Combined Acre Limit : 213.00
 Combined Volume Limit:
 Combined Rate Limit: 6.09
 Civil Case Number :
 Decree Plaintiff :
 Decree Defendant :
 Swan Falls Trust or Nontrust :
 Swan Falls Dismissed :
 DLE Act Number :
 Cary Act Number :
 Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

10/17/2024



Attachment 2B: Current Water Right Configuration

Legend

- 34-337
- 34-335 & 34-336
- POU 34-337
- POU 34-336
- ▨ POU 34-335
- QQ
- TRS
- TR

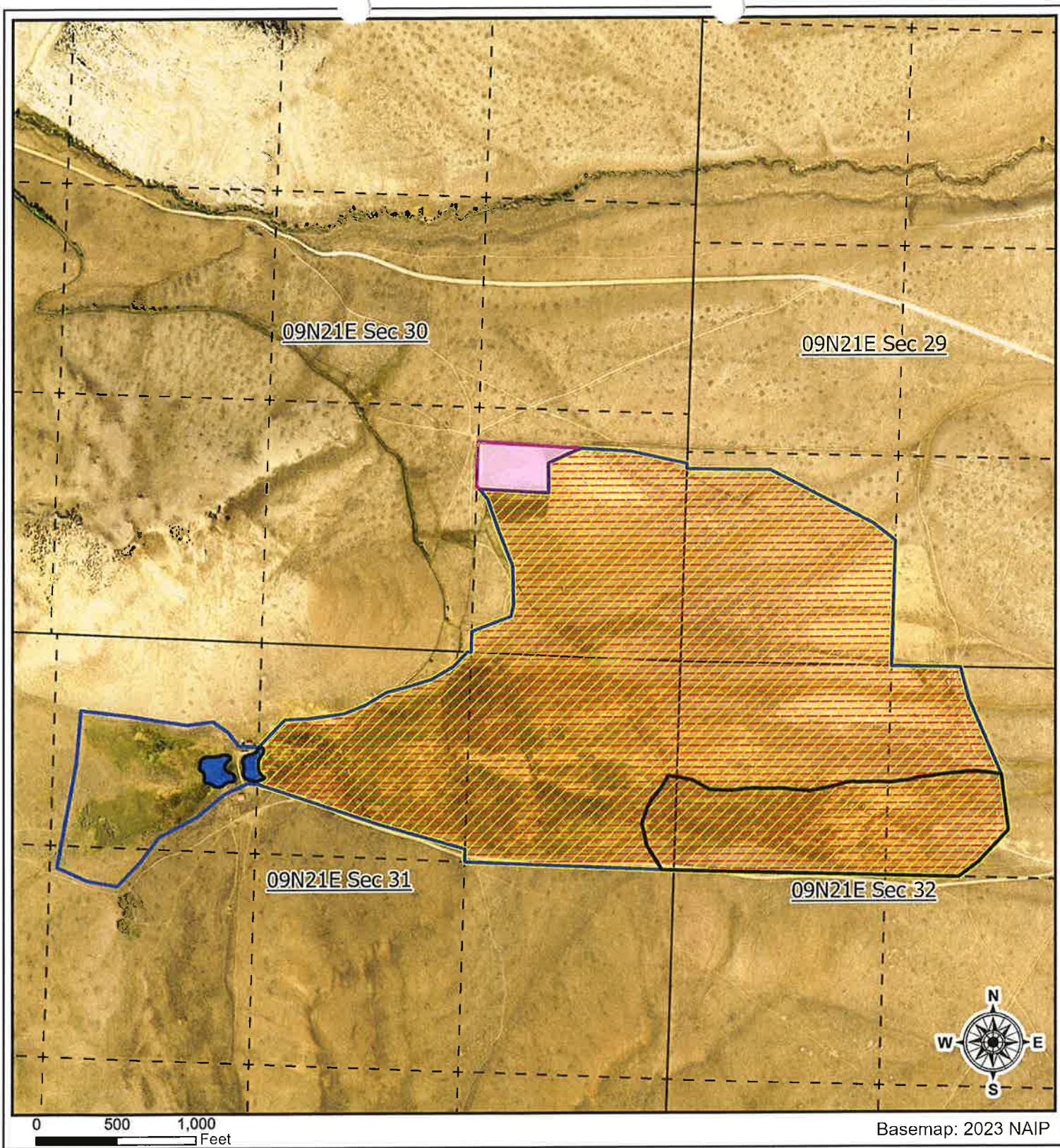
**Lost River Peaks
Shiflett Family Management LLC
Transfer Application**

Date: 2/28/2025

RMEA #: 24-0149

Drafted by: TK





Attachment 2C: Corrected Water Right Configuration

Legend

- Proposed Ponds
- Other Acres to Retire
- Temporary Acres to Retire
- POU 34-337
- POU 34-336
- POU 34-335
- QQ
- TRS

Lost River Peaks
Shiflett Family Management LLC
Transfer Application

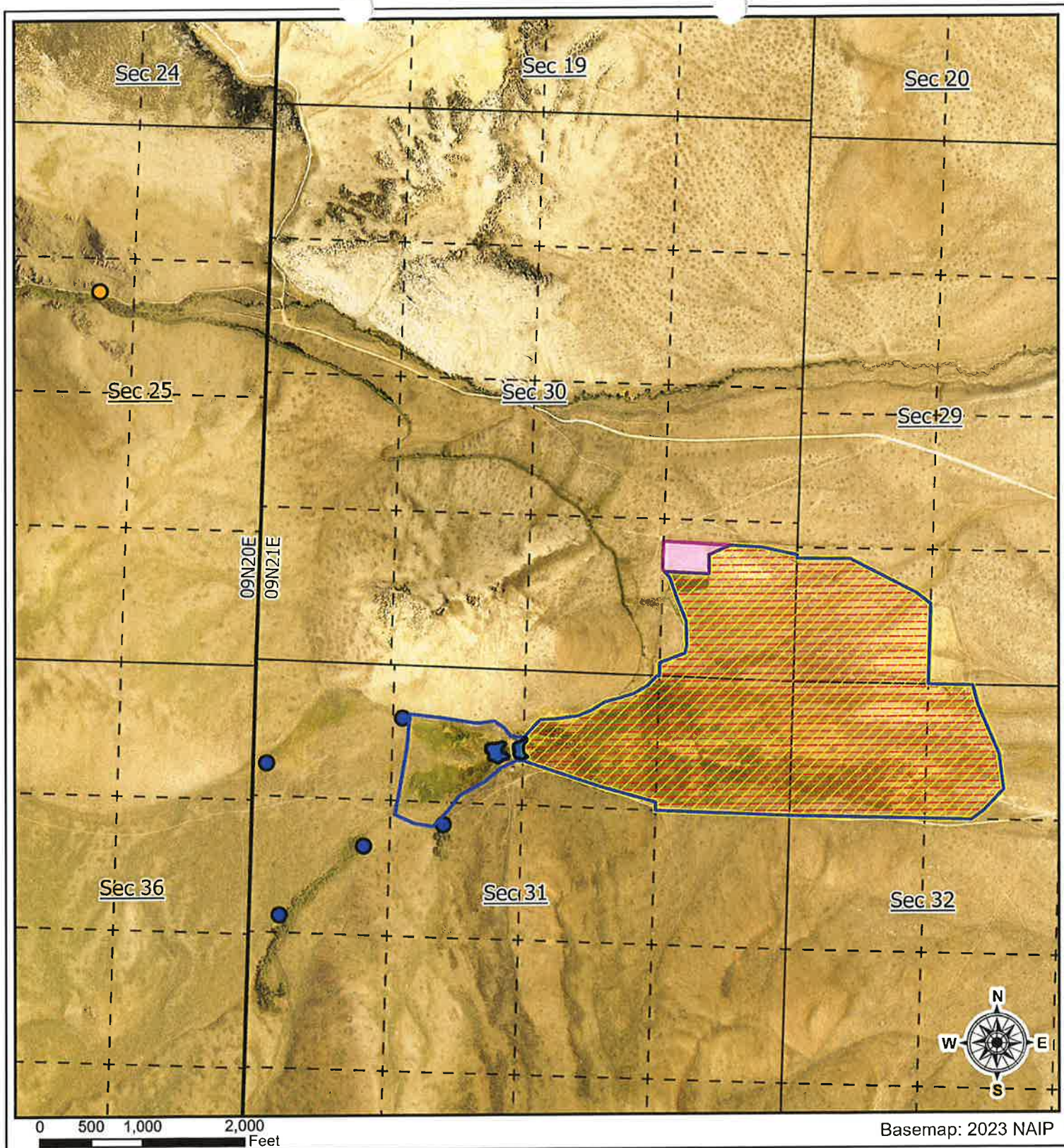
Date: 3/4/2025

RMEA #: 24-0149

Drafted by: TK



89648



Attachment 3C: Proposed Water Right Changes

Legend

- | | |
|-----------------------|------------|
| Proposed Ponds | POU 34-336 |
| Other Acres to Retire | POU 34-335 |
| 34-335 & 34-336 | QQ |
| 34-337 | TRS |
| POU 34-337 | TR |

**Lost River Peaks
Shiflett Family Management LLC
Transfer Application**

Date: 2/28/2025

RMEA #: 24-0149

Drafted by: TK



Conversion of Nature of Use

Shiflett Family Management LLC

Applicant proposes to construct two ponds on their property. Table 1 shows the expected surface area, maximum depth, volume, and annual evaporative loss for each pond. Volume was calculated by multiplying the surface area of the pond by the maximum depth and by a factor of 0.4. Evaporative water loss from each pond was calculated using IDWR's Pond Loss Calculation Spreadsheet. Experts from Pond Loss Spreadsheet are included in Figures 1 and 2 below.

Table 1: Pond Specifications and Water Needs

Pond	Surface Area (ac)	Maximum Depth (ft)	Volume (af)	Evaporative Loss (afa)
Western	0.7	14	3.9	0.8
Eastern	0.42	14	2.4	0.5
Total	1.12	NA	6.3	1.3

To mitigate both the initial fill and on-going maintenance to replace the evaporative losses of the ponds, the Applicant proposes to convert a portion of existing water rights 34-335, 34-336, and 34-337 from irrigation to be used for storage purposes. Water rights 34-335 and 34-336 are intended for use on the same POU and are considered stacked. Water Right 34-337 covers the same POU as the other rights, but also includes an additional 18.7 acres (See Attachments 2B and 2C). Acres that are retired from the overlapping or stacked POU will be retired from all three water rights.

Historically, the above listed water rights have most recently been used to irrigate Grass Pasture – low management. Using ET-IDWR 2021, and based upon information gathered at the Galena station (NWS – USC00103417), Grass Pasture – low management has a precipitation deficit of 91 mm/year, or 0.30 af/year, for the growing season. **Therefore, 21.0 acres of irrigation water would convert to a total of 6.3 af to cover the initial fill of the ponds (21.0 ac x 0.30 af/ac).** These acres would be dried temporarily for a single season in the year of construction and fill of the ponds. **An additional 4.4 acres of irrigation water right are proposed to be converted in the amount of 1.3 afa to cover the annual evaporative losses (4.4 ac x 0.30 afa/ac).** These acres would be permanently retired to maintain the ponds. Attachment 2C shows the recommended acres to be retired, both temporarily for a single season and for a more permanent duration.

Excerpts of the ET IDWR 2021 precipitation deficits are included in Figure 3 below.

Figure 1. excerpt from the Pond Loss Calculation Spreadsheet for the Eastern Pond

Station:		Galena Stn. (USC00103417)		
Month	mm/day ¹	Days per month	mm/Month	
Jan	-3.31	31	0.00	
Feb	-1.34	28	0.00	
March	-0.47	31	0.00	
April	0.57	30	17.10	
May	1.90	31	58.90	
June	1.64	30	49.20	
July	3.28	31	101.68	
August	2.78	31	86.18	
September	1.39	30	41.70	
October	0.36	31	11.16	
November	-1.63	30	0.00	
December	-2.01	31	0.00	
Total mm/year =			365.92	

often exceeds evaporation during wetter months of the year. If the pond is kept full, excess precipitation during wetter months does not serve to refill the pond during drier months.

For example, see Sandpoint KSPT (NWS -- 108137), the annual precipitation deficit is -106 mm. However, April through September have positive precipitation deficit. To properly estimate the annual volume of water needed to refill a pond due to evaporation losses, the table automatically enters a zero (0) for each month that the precipitation value is reported as a negative value.

As described above, precipitation offsets evaporation during winter months, so the net effect is that wintertime precipitation deficit is usually zero.

$$[(365.92 \text{ mm/yr}) \div (\text{convert to feet})] \times (\text{Surface area of pond, in acres}) = \text{Evaporation Loss in Acre Feet}$$

$$(365.92 \div 304.8) \times 0.42 = 0.5 \text{ AFA}$$

Figure 2. Excerpt from the Pond Loss Calculation Spreadsheet for the Western Pond

Precipitation Deficit		Galena Stn. (USC00103417)		
Month	mm/day ¹	Days per month	mm/Month	
Jan	-3.31	31	0.00	
Feb	-1.34	28	0.00	
March	-0.47	31	0.00	
April	0.57	30	17.10	
May	1.90	31	58.90	
June	1.64	30	49.20	
July	3.28	31	101.68	
August	2.78	31	86.18	
September	1.39	30	41.70	
October	0.36	31	11.16	
November	-1.63	30	0.00	
December	-2.01	31	0.00	
Total mm/year =			365.92	

PLEASE NOTE: The seasonal average for precipitation should not be used for calculations because precipitation often exceeds evaporation during wetter months of the year. If the pond is kept full, excess precipitation during wetter months does not serve to refill the pond during drier months.

For example, see Sandpoint KSPT (NWS -- 108137), the annual precipitation deficit is -106 mm. However, April through September have positive precipitation deficit. To properly estimate the annual volume of water needed to refill a pond due to evaporation losses, the table automatically enters a zero (0) for each month that the precipitation value is reported as a negative value.

As described above, precipitation offsets evaporation during winter months, so the net effect is that wintertime precipitation deficit is usually zero.

$$[(365.92 \text{ mm/yr}) \div (\text{convert to feet})] \times (\text{Surface area of pond, in acres}) = \text{Evaporation Loss in Acre Feet}$$

$$(365.92 \div 304.8) \times 0.70 = 0.8 \text{ AFA}$$

Figure 3. ET Values for Grass Pasture – low management at the Galena station (NWS – USC00103417).



**Evapotranspiration and Consumptive
Irrigation Water Requirements
for Idaho**

[Galena \(NWS -- USC00103417\)](#)

Statistics based on thirty year normal spans 1965 to 1992 years

For a different land cover or crop click on the above link.

You can highlight this table and copy via the clipboard to a Microsoft Excel or OpenOffice spreadsheet to plot or otherwise work with this data.

Grass Pasture - low management Precipitation Deficit (Click here for a graph)															
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Growing Season ^a	Non Growing Season ^b	Annual
Mean ^j	mm/day												mm		
Monthly ^c	-0.46	-0.07	0.00	0.01	0.37	1.40	1.47	0.03	-0.55	-0.81	-1.41	-0.62	91	-110	-18



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

March 26, 2025

SHIFLETT FAMILY MANAGEMENT LLC
10502 W THIMBLEBERRY DR
STAR, ID 83669-6279

RE: Transfer No. 89648
Water Right No(s). 34-335, 34-336, 34-337

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 CHALLIS MESSENGER on 4/3/2025 and 4/10/2025. 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:
ROCKY MOUNTAIN ENVIRONMENTAL ASSOCIATES INC
482 CONSTITUTION WAY STE 303
IDAHO FALLS, ID 83402-3552

Henman, Christina

From: Henman, Christina
Sent: Wednesday, March 26, 2025 11:54 AM
To: legalnotices@postregister.com
Subject: Legal Notice for Challis Messenger
Attachments: 89648 Challis Messenger.docx

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

RE: Transfer No. 89648
Water Right No(s). 34-335, 34-336, 34-337

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 4/21/2025. 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. 89648**

SHIFLETT FAMILY MANAGEMENT LLC, 10502 W THIMBLEBERRY DR, STAR, ID 83669-6279 has filed Application No. 89648 for changes to the following water rights within CUSTER County(s): Right No(s). 34-335, 34-336, 34-337; 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 nature of use, period of use, and place of use. Proposed uses are 7.83 cfs for irrigation of 208.6 acres and 0.17 cfs for diversion to storage from 5/1 to 10/15; and 0.04 cfs for stockwater and 7.6 AF for wildlife storage from 1/1 to 12/31. Sources are Sage Creek, Howell Spring, and Springs. Proposed places of use are within SWSW Sec 29, Lot 1 (SESE) Sec 30, NENW, SENW, NWNE and NENE Sec 31, NWNW and NENW Sec 32, T09N R21E. 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 4/21/2025. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 4/3/2025 and 4/10/2025