

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

GENERAL INFORMATION AND INSTRUCTIONS

RECEIVED
JUL 10 2025
DEPT. OF WATER RESOURCES
SOUTHERN REGION

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) CITY OF RUPERTMailing Address PO BOX 426 Rupert Idaho 83350Email* _____ Phone 2084364900Name of Representative (if any) Greg SullivanMailing Address 2016 N Washington St Ste 4 Twin Falls, Idaho 83301Email* greg.sullivan@brockwayeng.com Phone 208-736-8543

*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.

Transfer No. 89908 Page 1

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.

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

Current Water Right No.: 36-7115

Current Owner: CITY OF RUPERT
Priority Date: 3/15/1970
Origin: Water Right
Status: Active
Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use **From To**
MUNICIPAL 1/01 to 12/31
 Total Diversion

Diversion Rate **Annual Volume**
2.4 CFS
2.4 CFS

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4	Sec. 20,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	SW1/4NW1/4	Sec. 21,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	NE1/4NE1/4	Sec. 29,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	NW1/4NE1/4	Sec. 20,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	NE1/4SE1/4	Sec. 21,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	NW1/4NE1/4	Sec. 29,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	SW1/4NW1/4	Sec. 29,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	NW1/4NE1/4	Sec. 32,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				

Place of Use

MUNICIPAL Within MINIDOKA County

T09S R23E S25	NESW	T09S R23E S25	NESE
T09S R23E S25	NWSE	T09S R24E S17	SESW
T09S R24E S17	SWSE	T09S R24E S19	NESE
T09S R24E S19	SESE	T09S R24E S20	NENE
T09S R24E S20	NWNE	T09S R24E S20	SWNE
T09S R24E S20	SENE	T09S R24E S20	NENW
T09S R24E S20	NWNW	T09S R24E S20	SWNW
T09S R24E S20	SENE	T09S R24E S20	NESW
T09S R24E S20	NWSW	T09S R24E S20	SWSW
T09S R24E S20	SESW	T09S R24E S20	NESE
T09S R24E S20	NWSE	T09S R24E S20	SWSE
T09S R24E S20	SESE	T09S R24E S21	NENW
T09S R24E S21	NWNW	T09S R24E S21	SWNW
T09S R24E S21	SENE	T09S R24E S21	NWSW
T09S R24E S21	SWSW	T09S R24E S28	NWNW
T09S R24E S28	SWNW	T09S R24E S28	NWSW
T09S R24E S28	SWSW	T09S R24E S29	NENE
T09S R24E S29	NWNE	T09S R24E S29	SWNE
T09S R24E S29	SENE	T09S R24E S29	NENW
T09S R24E S29	NWNW	T09S R24E S29	SWNW
T09S R24E S29	SENE	T09S R24E S29	NESW
T09S R24E S29	NWSW	T09S R24E S29	SWSW
T09S R24E S29	SESW	T09S R24E S29	NESE
T09S R24E S29	NWSE	T09S R24E S29	SWSE
T09S R24E S29	SESE	T09S R24E S30	NENE
T09S R24E S30	SESE	T09S R24E S31	NENE
T09S R24E S32	NENE	T09S R24E S32	NWNE
T09S R24E S32	NWNW		

Lot 5

Conditions of Approval:

1. 226 To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in Transfer 5277 dated 08-16-1999.
2. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
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(s).
5. 180 A map generally depicting the service area for this water right at the time of this approval is attached to this document for illustrative purposes.
6. 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.
7. 046 Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
8. 004 This right does not grant any right-of-way or easement across the land of another.
9. 124 Place of use is within the service area of the City of Rupert municipal water supply system as provided for under Idaho Law.
10. T19 Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Decreed Date: 1/2/1998

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

Current Water Right No.: 36-7656

Current Owner: CITY OF RUPERT
Priority Date: 9/18/1962
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>
MUNICIPAL	1/01 to 12/31
	<u>Total Diversion</u>

<u>Diversion Rate</u>	<u>Annual Volume</u>
3.44 CFS	
3.44 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 20,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	SW1/4SE1/4	Sec. 20,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	SW1/4NW1/4	Sec. 21,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	NE1/4SE1/4	Sec. 21,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	NE1/4NE1/4	Sec. 29,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	NW1/4NE1/4	Sec. 29,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	SW1/4NW1/4	Sec. 29,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	NW1/4NE1/4	Sec. 32,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				

Place of Use

MUNICIPAL Within MINIDOKA County

T09S R23E S25	NESW	T09S R23E S25	NESE
T09S R23E S25	NWSE	T09S R24E S17	SESW
T09S R24E S17	SWSE	T09S R24E S19	NESE
T09S R24E S19	SESE	T09S R24E S20	NENE
T09S R24E S20	NWNE	T09S R24E S20	SWNE
T09S R24E S20	SENE	T09S R24E S20	NENW
T09S R24E S20	NWNW	T09S R24E S20	SWNW
T09S R24E S20	SENE	T09S R24E S20	NESW
T09S R24E S20	NWSW	T09S R24E S20	SWSW
T09S R24E S20	SESW	T09S R24E S20	NESE
T09S R24E S20	NWSE	T09S R24E S20	SWSE
T09S R24E S20	SESE	T09S R24E S21	NENW
T09S R24E S21	NWNW	T09S R24E S21	SWNW
T09S R24E S21	SENE	T09S R24E S21	NWSW
T09S R24E S21	SWSW	T09S R24E S28	NWNW
T09S R24E S28	SWNW	T09S R24E S28	NWSW
T09S R24E S28	SWSW	T09S R24E S29	NENE
T09S R24E S29	NWNE	T09S R24E S29	SWNE
T09S R24E S29	SENE	T09S R24E S29	NENW
T09S R24E S29	NWNW	T09S R24E S29	SWNW
T09S R24E S29	SENE	T09S R24E S29	NESW
T09S R24E S29	NWSW	T09S R24E S29	SWSW
T09S R24E S29	SESW	T09S R24E S29	NESE
T09S R24E S29	NWSE	T09S R24E S29	SWSE
T09S R24E S29	SESE	T09S R24E S30	NENE
T09S R24E S30	SESE	T09S R24E S31	NENE
T09S R24E S32	NENE	T09S R24E S32	NWNE
T09S R24E S32	NWNW		

Lot 5

Conditions of Approval:

1. 180 A map generally depicting the service area for this water right at the time of this approval is attached to this document for illustrative purposes.
2. 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(s).
3. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
4. T19 Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
5. 046 Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
6. 004 This right does not grant any right-of-way or easement across the land of another.
7. 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.
8. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. 124 Place of use is within the service area of the City of Rupert municipal water supply system as provided for under Idaho Law.
10. 226 To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in Transfer 5277 dated 08-16-1999.

Decreed Date: 1/2/1998

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

Current Water Right No.: 36-7862

Current Owner: CITY OF RUPERT
Priority Date: 10/11/1985
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

Beneficial Use **From To**
MUNICIPAL 1/01 to 12/31
 Total Diversion

Diversion Rate **Annual Volume**
1.15 CFS
1.15 CFS

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4	Sec. 20,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	SW1/4NW1/4	Sec. 21,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	NE1/4NE1/4	Sec. 29,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	NW1/4NE1/4	Sec. 20,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	NE1/4SE1/4	Sec. 21,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	NW1/4NE1/4	Sec. 29,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	SW1/4NW1/4	Sec. 29,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	NW1/4NE1/4	Sec. 32,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				

Place of Use

Page _____ of _____

MUNICIPAL Within MINIDOKA County

T09S R23E S25	NESW	T09S R23E S25	NESE
T09S R23E S25	NWSE	T09S R24E S17	SESW
T09S R24E S17	SWSE	T09S R24E S19	NESE
T09S R24E S19	SESE	T09S R24E S20	NENE
T09S R24E S20	NWNE	T09S R24E S20	SWNE
T09S R24E S20	SENE	T09S R24E S20	NENW
T09S R24E S20	NWNW	T09S R24E S20	SWNW
T09S R24E S20	SENE	T09S R24E S20	NESW
T09S R24E S20	NWSW	T09S R24E S20	SWSW
T09S R24E S20	SESW	T09S R24E S20	NESE
T09S R24E S20	NWSE	T09S R24E S20	SWSE
T09S R24E S20	SESE	T09S R24E S21	NENW
T09S R24E S21	NWNW	T09S R24E S21	SWNW
T09S R24E S21	SENE	T09S R24E S21	NWSW
T09S R24E S21	SWSW	T09S R24E S28	NWNW
T09S R24E S28	SWNW	T09S R24E S28	NWSW
T09S R24E S28	SWSW	T09S R24E S29	NENE
T09S R24E S29	NWNE	T09S R24E S29	SWNE
T09S R24E S29	SENE	T09S R24E S29	NENW
T09S R24E S29	NWNW	T09S R24E S29	SWNW
T09S R24E S29	SENE	T09S R24E S29	NESW
T09S R24E S29	NWSW	T09S R24E S29	SWSW
T09S R24E S29	SESW	T09S R24E S29	NESE
T09S R24E S29	NWSE	T09S R24E S29	SWSE
T09S R24E S29	SESE	T09S R24E S30	NENE
T09S R24E S30	SESE	T09S R24E S31	NENE
T09S R24E S32	NENE	T09S R24E S32	NWNE
T09S R24E S32	NWNW		

Lot 5

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. 180 A map generally depicting the service area for this water right at the time of this approval is attached to this document for illustrative purposes.
3. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
4. T19 Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
5. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. 046 Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
7. 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(s).
8. 004 This right does not grant any right-of-way or easement across the land of another.
9. 124 Place of use is within the service area of the City of Rupert municipal water supply system as provided for under Idaho Law.
10. 226 To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in Transfer 5277 dated 08-16-1999.

Decreed Date: 1/2/1998

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

Current Water Right No.: 36-15488

Current Owner: CITY OF RUPERT
Priority Date: 4/10/1913
Origin: Water Right
Status: Active
Basis: Decreed

Source

GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From To</u>
MUNICIPAL	1/01 to 12/31
	<u>Total Diversion</u>

<u>Diversion Rate</u>	<u>Annual Volume</u>
0.67 CFS	
0.67 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4	Sec. 20,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	SW1/4NW1/4	Sec. 21,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	NE1/4NE1/4	Sec. 29,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	NW1/4NE1/4	Sec. 20,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	NE1/4SE1/4	Sec. 21,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	NW1/4NE1/4	Sec. 29,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	SW1/4NW1/4	Sec. 29,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	NW1/4NE1/4	Sec. 32,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				

Place of Use

Page _____ of _____

MUNICIPAL Within MINIDOKA County

T09S R23E S25	NESW	T09S R23E S25	NESE
T09S R23E S25	NWSE	T09S R24E S17	SESW
T09S R24E S17	SWSE	T09S R24E S19	NESE
T09S R24E S19	SESE	T09S R24E S20	NENE
T09S R24E S20	NWNE	T09S R24E S20	SWNE
T09S R24E S20	SENE	T09S R24E S20	NENW
T09S R24E S20	NWNW	T09S R24E S20	SWNW
T09S R24E S20	SENE	T09S R24E S20	NESW
T09S R24E S20	NWSW	T09S R24E S20	SWSW
T09S R24E S20	SESW	T09S R24E S20	NESE
T09S R24E S20	NWSE	T09S R24E S20	SWSE
T09S R24E S20	SESE	T09S R24E S21	NENW
T09S R24E S21	NWNW	T09S R24E S21	SWNW
T09S R24E S21	SENE	T09S R24E S21	NWSW
T09S R24E S21	SWSW	T09S R24E S28	NWNW
T09S R24E S28	SWNW	T09S R24E S28	NWSW
T09S R24E S28	SWSW	T09S R24E S29	NENE
T09S R24E S29	NWNE	T09S R24E S29	SWNE
T09S R24E S29	SENE	T09S R24E S29	NENW
T09S R24E S29	NWNW	T09S R24E S29	SWNW
T09S R24E S29	SENE	T09S R24E S29	NESW
T09S R24E S29	NWSW	T09S R24E S29	SWSW
T09S R24E S29	SESW	T09S R24E S29	NESE
T09S R24E S29	NWSE	T09S R24E S29	SWSE
T09S R24E S29	SESE	T09S R24E S30	NENE
T09S R24E S30	SESE	T09S R24E S31	NENE
T09S R24E S32	NENE	T09S R24E S32	NWNE
T09S R24E S32	NWNW		

Lot 5

Conditions of Approval:

1. 004 This right does not grant any right-of-way or easement across the land of another.
2. 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(s).
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Decreed Date: 1/2/1998

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

Current Water Right No.: 36-15489

Current Owner: CITY OF RUPERT
Priority Date: 11/29/1917
Origin: Water Right
Status: Active
Basis: Decreed

Source

GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From To</u>
MUNICIPAL	1/01 to 12/31
	<u>Total Diversion</u>

<u>Diversion Rate</u>	<u>Annual Volume</u>
2.95 CFS	
2.95 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 20,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	SW1/4SE1/4	Sec. 20,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	SW1/4NW1/4	Sec. 21,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	NE1/4SE1/4	Sec. 21,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	NE1/4NE1/4	Sec. 29,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	NW1/4NE1/4	Sec. 29,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	SW1/4NW1/4	Sec. 29,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				
GROUND WATER	NW1/4NE1/4	Sec. 32,	Twp 09S,	Rge 24E B.M.
MINIDOKA County				

Place of Use

MUNICIPAL Within MINIDOKA County

T09S R23E S25	NESW	T09S R23E S25	NESE
T09S R23E S25	NWSE	T09S R24E S17	SESW
T09S R24E S17	SWSE	T09S R24E S19	NESE
T09S R24E S19	SESE	T09S R24E S20	NENE
T09S R24E S20	NWNE	T09S R24E S20	SWNE
T09S R24E S20	SENE	T09S R24E S20	NENW
T09S R24E S20	NWNW	T09S R24E S20	SWNW
T09S R24E S20	SENW	T09S R24E S20	NESW
T09S R24E S20	NWSW	T09S R24E S20	SWSW
T09S R24E S20	SESW	T09S R24E S20	NESE
T09S R24E S20	NWSE	T09S R24E S20	SWSE
T09S R24E S20	SESE	T09S R24E S21	NENW
T09S R24E S21	NWNW	T09S R24E S21	SWNW
T09S R24E S21	SENW	T09S R24E S21	NWSW
T09S R24E S21	SWSW	T09S R24E S28	NWNW
T09S R24E S28	SWNW	T09S R24E S28	NWSW
T09S R24E S28	SWSW	T09S R24E S29	NENE
T09S R24E S29	NWNE	T09S R24E S29	SWNE
T09S R24E S29	SENE	T09S R24E S29	NENW
T09S R24E S29	NWNW	T09S R24E S29	SWNW
T09S R24E S29	SENW	T09S R24E S29	NESW
T09S R24E S29	NWSW	T09S R24E S29	SWSW
T09S R24E S29	SESW	T09S R24E S29	NESE
T09S R24E S29	NWSE	T09S R24E S29	SWSE
T09S R24E S29	SESE	T09S R24E S30	NENE
T09S R24E S30	SESE	T09S R24E S31	NENE
T09S R24E S32	NENE	T09S R24E S32	NWNE
T09S R24E S32	NWNW		

Lot 5

Conditions of Approval:

1. 046 Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
2. 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(s).
3. 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.
4. 124 Place of use is within the service area of the City of Rupert municipal water supply system as provided for under Idaho Law.
5. 226 To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, this right retains its original priority for well locations authorized under this right as identified in Transfer 5277 dated 08-16-1999.
6. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
7. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. T19 Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
9. 180 A map generally depicting the service area for this water right at the time of this approval is attached to this document for illustrative purposes.
10. 004 This right does not grant any right-of-way or easement across the land of another.

Decreed Date: 1/2/1998

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 or 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	

Total Irrigated Acres to be Changed: _____

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:

The transfer will change the POD located in Section 32 from the NWNE to the SWNE.

No other changes are proposed with this transfer.

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
☒ ☐	36-7115	2.4/	Municipal	1/01 to 12/31	Ground Water
☒ ☐	36-7656	3.44/	Municipal	1/01 to 12/31	Ground Water
☒ ☐	36-7862	1.15/	Municipal	1/01 to 12/31	Ground Water
☒ ☐	36-15488	0.67/	Municipal	1/01 to 12/31	Ground Water
☒ ☐	36-15489	2.95/	Municipal	1/01 to 12/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				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: 10.61 cfs and/or _____ 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.

☐ 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
See Exhibit A										

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	

Total Irrigated Acres: _____

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

Exhibit A
Points of Diversion

	Township	Range	Sec.	QQQ	QQ	Q	County	Local Name
1	09S	24E	29		NW	NE	Minidoka	Well #1
2	09S	24E	29		NE	NE	Minidoka	Well #2
3	09S	24E	20		SW	SE	Minidoka	Well #3
4	09S	24E	20		NW	NE	Minidoka	Well #4
5	09S	24E	21		SW	NW	Minidoka	Well #5
6	09S	24E	29		SW	NW	Minidoka	Well #6
7	09S	24E	32		SW	NE	Minidoka	Well #7
8	09S	24E	21		NE	SE	Minidoka	Well #8
9								
10								

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.

36-7115, 36-7656, 36-7862, 36-15488 and 36-15489

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

36-7115, 36-7656, 36-7862, 36-15488 and 36-15489

3. Is the proposed point of diversion within a state water district? ☒ Yes. Water District # 130. ☐ 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.

36-7115, 36-7656, 36-7862, 36-15488 and 36-15489

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.

36-7115, 36-7656, 36-7862, 36-15488 and 36-15489

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)?

RECEIVED
JUL 10 2025
DEPT. OF WATER RESOURCES
SOUTHERN REGION

D. Local Public Interest

The department must consider whether the proposed changes are in the local public interest as defined in Section 42-202B(3), *Idaho Code*. Some of the local public interest factors that may be considered in conjunction with a transfer application are (1) Recreation, fish, and wildlife impacts, (2) Water quality or contamination concerns, (3) Local and state ordinances, regulations, or policies related to water use, (4) Goals, requirements and limits set forth in the State Water Plan. If you choose to provide information about local public interest factors, label the information as Attachment 4D.

E. Conservation of Water Resources

Describe the diversion works and water delivery system. This may include sizes and dimensions of pumps, pipelines, headgates, ditches, dams, impoundments and irrigation equipment.

The new well will be drilled and hydraulically connected to the existing delivery system.

PART 5 – FILING FEE AND SIGNATURE

A. Filing Fee. Filing fees for transfer applications are set forth in Section 42-221.O, *Idaho Code*. A table summarizing the filing fees for transfer applications is also found on the Department's website (idwr.idaho.gov). Any application proposing to change the nature of use for one or more rights requires an additional filing fee of \$250. Applications proposing to update the ownership records for water rights must also include the appropriate filing fee to update the ownership records. For any application relying on the filing fee set forth in Section 42-221.O.8, *Idaho Code*, attach a statement describing how the application qualifies under Section 42-221.O.8. Label documents as Attachment 5A.

B. Affidavit of Applicant or Representative:

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.

Matthew Etherington
Signature of Applicant or Representative*

Matthew Etherington, Water Superintendent 07/10/25
Print Name and Title, if applicable Date

Signature of Applicant or Representative*

Print Name and Title, if applicable

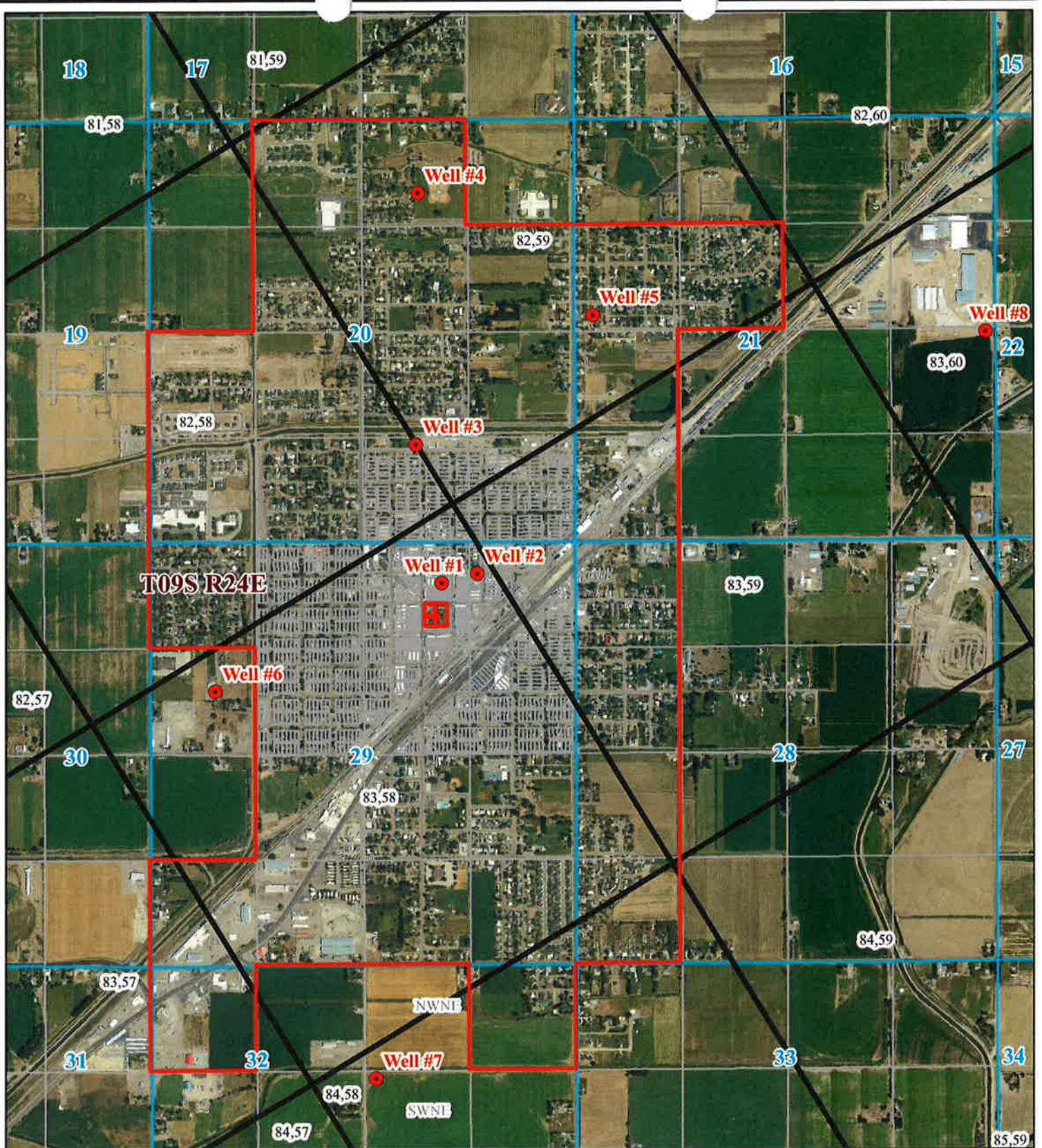
Date

*If water rights included in this application are owned by multiple people or entities, each owner must sign the application form.

FOR DEPARTMENT USE ONLY

Fee Paid: \$ 1,300- Receipt #: 5040800 Date: 7-10-2025 Received by: SG
Add'l Paid: \$ _____ Receipt #: _____ Date: _____ Received by: _____

Transfer No. 89908 Page 8



0 0.25 0.5 Miles



BROCKWAY ENGINEERING, PLLC.
GWS - Date: 7/7/2025

CITY OF RUPERT POD TRANSFER

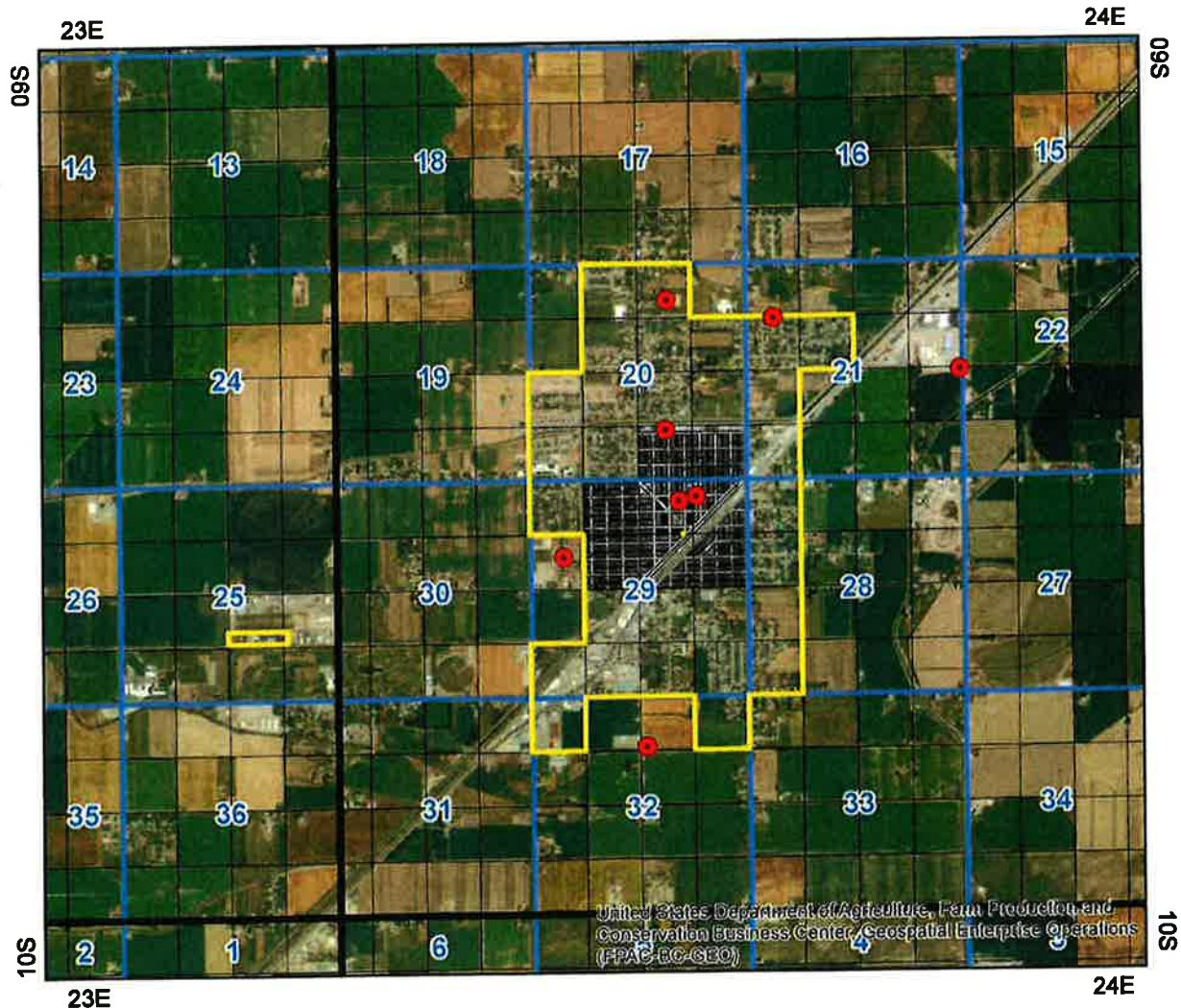
NAIP 2023 AERIAL
89908

Legend

- Rupert PODs
- Rupert_WRs

State of Idaho
Department of Water Resources
Attachment to Transfer # 89295
36-7115, 36-7656, 36-7862, 36-15488, and 36-15489

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



0 0.5 1 2 Miles

- Point of Diversion
- Water Service Area Boundary
- Townships
- PLS Sections
- Quarter Quarters





OFFICIAL AD PROOF

This is the proof of your ad scheduled to run in **Magic Valley Times-News** on the dates indicated below. If changes are needed, please contact us prior to deadline at help@column.us

Notice ID: S5T4y2xGhnvmJG6GEW6B | **Proof Updated: Jul. 31, 2025 at 10:32am MDT**
Notice Name: LEGAL NOTICE - Transfers 89821 & 89908 | Publisher ID: COL-NV-2538

See Proof on Next Page

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER

ID DEPARTMENT OF WATER
RESOURCES Southern Region
denise.maline@idwr.idaho.gov
(208) 736-3033

FILING FOR

Magic Valley
Times-News

Columns Wide: 2

Ad Legals
Class:

08/07/2025: General Legal Notice	79.15
08/14/2025: General Legal Notice	69.26
Affidavit Fee	9.00

Total \$157.41

Confirmation of legal notice received July 31, 2025

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 89821**

L & S LAND HOLDINGS LLC, 2930 S 2300 E, WENDELL, ID 83355-3150 has filed Application No. 89821 for changes to the following water rights within GOODING County(s): Right No(s). 36-16256, 36-16258, 36-16260, 36-16262, 36-16264, 36-16266, 36-16268, 36-16270, 36-16272, 36-16274, 36-16276, 36-16278, 36-16280, 36-16282, 36-16284, 36-7450A. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the point of diversion, place of use, nature of use and period of use for a 43-acre portion (0.89 cfs) of 15 irrigation ground water rights and a 10-acre portion (0.2 cfs) of an irrigation ground water right for a total of 1.09 cfs for all 16 rights. Current place of use (POU) and points of diversion (POD) for the 15 ground water rights are on a farm located approximately 5.6 to 6.5 miles south and 2.0 to 3.0 miles west of the center of Wendell. The current POU and PODs for the 50-acre portion proposed to be moved are located approximately 3.5 to 6.5 south and 1.5 to 2.0 miles west of the center of Wendell. The proposed POU for the portions of the water rights being transferred to is an existing dairy facility located approximately 4.5 to 4.8 miles south and 2.4 to 2.9 miles west of the center of Wendell. The transferred water is proposed to be diverted from two existing wells at the dairy facility. Change in nature of use is from irrigation to commercial and stockwater.

TRANSFER NO. 89908

CITY OF RUPERT, PO BOX 426, RUPERT, ID 83350 has filed Application No. 89908 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-15488, 36-15489, 36-7115, 36-7656, 36-7862. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes changing a currently authorized point of diversion (POD) from the NWNE to the SWNE of Sec. 32, Twp 09S, Rge 24E. A new well is proposed to be drilled as the eighth POD for five municipal ground water rights (10.61 cfs total).

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **August 25, 2025**. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director
Publish: August 7, 14, 2025
COL-NV-2538

✓ DM



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

July 31, 2025

CITY OF RUPERT
PO BOX 426
RUPERT, ID 83350-0426

RE: Transfer No. 89908
Water Right No(s). 36-15488, 36-15489, 36-7115, 36-7656, 36-7862

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 8/7/2025 and 8/14/2025**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **August 25, 2025**.

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,

Denise Maline
Administrative Assistant

c: Brockway Engineering PLLC



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

July 31, 2025

COREY KING
WATER DISTRICT 130
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301-5858

RE: Transfer No. 89821 (L & S Land Holdings LLC)
Water Right No(s). 36-7450A, etc.

RE: Transfer No. 89908 (City of Rupert)
Water Right No(s). 36-7115, etc.

Dear Corey:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has passed. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant 1

Enclosure(s)



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

July 31, 2025

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

Submitted online via Column.us

RE: Transfer No. 89821

Water Right No(s). 36-16256, 36-16258, 36-16260, 36-16262, 36-16264,
36-16266, 36-16268, 36-16270, 36-16272, 36-16274, 36-16276, 36-16278,
36-16280, 36-16282, 36-16284, 36-7450A

RE: Transfer No. 89908

Water Right No(s). 36-15488, 36-15489, 36-7115, 36-7656, 36-7862

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 **August 25, 2025**. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline

Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 89821**

L & S LAND HOLDINGS LLC, 2930 S 2300 E, WENDELL, ID 83355-3150 has filed Application No. 89821 for changes to the following water rights within GOODING County(s): Right No(s). 36-16256, 36-16258, 36-16260, 36-16262, 36-16264, 36-16266, 36-16268, 36-16270, 36-16272, 36-16274, 36-16276, 36-16278, 36-16280, 36-16282, 36-16284, 36-7450A. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the point of diversion, place of use, nature of use and period of use for a 43-acre portion (0.89 cfs) of 15 irrigation ground water rights and a 10-acre portion (0.2 cfs) of an irrigation ground water right for a total of 1.09 cfs for all 16 rights. Current place of use (POU) and points of diversion (POD) for the 15 ground water rights are on a farm located approximately 5.6 to 6.5 miles south and 2.0 to 3.0 miles west of the center of Wendell. The current POU and PODs for the 50-acre portion proposed to be moved are located approximately 3.5 to 6.5 south and 1.5 to 2.0 miles west of the center of Wendell. The proposed POU for the portions of the water rights being transferred to is an existing dairy facility located approximately 4.5 to 4.8 miles south and 2.4 to 2.9 miles west of the center of Wendell. The transferred water is proposed to be diverted from two existing wells at the dairy facility. Change in nature of use is from irrigation to commercial and stockwater.

TRANSFER NO. 89908

CITY OF RUPERT, PO BOX 426, RUPERT, ID 83350 has filed Application No. 89908 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-15488, 36-15489, 36-7115, 36-7656, 36-7862. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes changing a currently authorized point of diversion (POD) from the NWNE to the SWNE of Sec. 32, Twp 09S, Rge 24E. A new well is proposed to be drilled as the eighth POD for five municipal ground water rights (10.61 cfs total).

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **August 25, 2025**. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director
Published on August 7th & 14th, 2025

M E M O R A N D U M

Date: July 21, 2025
To: Transfer 89908
From: Bill Mills
Re: Transfer Proposal

Application for transfer proposes changing a currently authorized point of diversion (POD) from the NWNE to the SWNE of Sec. 32, Twp 09S, Rge 24E. A new well is proposed to be drilled as the eighth POD for five municipal ground water rights (10.61 cfs total).

Place of use and PODs are located in Water District 130 and Watermaster comments will be solicited. PODs are also located in the Eastern Snake Plain Aquifer (ESPA), but no modeling is required as the from and to cells are located in the same model cell.

M E M O R A N D U M

Date: July 21, 2025
To: Transfer 89908
From: Bill Mills
Re: Fee Evaluation

Filing fees charged for transfer application #89908 were based on the current transfer fee schedule and included \$1300.00 for the 10.61 cfs being transferred in the application (Receipt No. S040700).



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED
JUL 10 2025

DEPT. OF WATER RESOURCES
SOUTHERN REGION

July 10, 2025

Corey Skinner
Idaho Department of Water Resources
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301

Re: City of Rupert

Dear Mr. Skinner:

The City of Rupert desires to update the location of the point of diversion for their municipal water right identified as Well #7. The transfer will move the well approximately 500 feet south into the SWNE of Section 32 Township 09 South Range 24 East. No other changes are proposed with this transfer.

No ESPA Model analysis was performed for this transfer because the "FROM" well location and the "TO" well locations are in the same ESPA Model cell.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: City of Rupert

Enc: Aerial Map, POD Transfer Application, Water Right Reports, Exhibit A, Brockway Engineering Check # 18625 for \$1,300.00

CHARLES E.
BROCKWAY,
PH.D., P.E.

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