

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 89908**

This is to certify that: **CITY OF RUPERT**
PO BOX 426
RUPERT, ID 83350-0426

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
36-15488	WR/DECREED	4/10/1913	0.670 cfs	N/A	N/A	N/A	GROUND WATER
36-15489	WR/DECREED	11/29/1917	2.950 cfs	N/A	N/A	N/A	GROUND WATER
36-7115	WR/DECREED	3/15/1970	2.400 cfs	N/A	N/A	N/A	GROUND WATER
36-7656	WR/DECREED	9/18/1962	3.440 cfs	N/A	N/A	N/A	GROUND WATER
36-7862	WR/DECREED	10/11/1985	1.150 cfs	N/A	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
36-15488	NO	YES	NO	NO	NO	NO
36-15489	NO	YES	NO	NO	NO	NO
36-7115	NO	YES	NO	NO	NO	NO
36-7656	NO	YES	NO	NO	NO	NO
36-7862	NO	YES	NO	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
36-15488	36-15488	0.670 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-15489	36-15489	2.950 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-7115	36-7115	2.400 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-7656	36-7656	3.440 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-7862	36-7862	1.150 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		10.610 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

SUPPORT DATA

Transfer No. 89908

IN FILE # 36-7115

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 89908

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 31st day of August, 2025.



Southern Region Manager



WATER RIGHT NO. 36-7115

As Modified by Transfer No. 89908

In accordance with the approval of Transfer No. 89908, Water Right No. 36-7115 is now described as follows:

Right Holder: CITY OF RUPERT
PO BOX 426
RUPERT, ID 83350-0426

Priority Date: 3/15/1970

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	1/01	to 12/31	2.400 cfs 2.400 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNE	Sec 20 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	SWSE	Sec 20 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	SWNW	Sec 21 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	NESE	Sec 21 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	NENE	Sec 29 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	NWNE	Sec 29 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	SWNW	Sec 29 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	SWNE	Sec 32 Twp 09S Rge 24E	MINIDOKA County

CONDITIONS OF APPROVAL

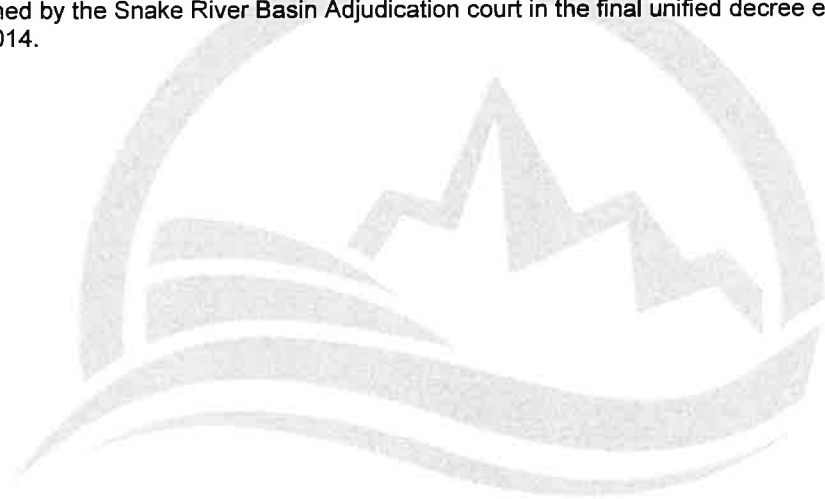
1. Place of use is within the service area of the City of Rupert municipal water supply system as provided for under Idaho Law.
2. A map generally depicting the service area for this water right at the time of this approval is attached to this document for illustrative purposes.
3. Use of water under 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. 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. 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. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.

Transfer No. 89908

WATER RIGHT NO. 36-7115
As Modified by Transfer No. 89908

CONDITIONS OF APPROVAL

7. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.



WATER RIGHT NO. 36-7656

As Modified by Transfer No. 89908

In accordance with the approval of Transfer No. 89908, Water Right No. 36-7656 is now described as follows:

Right Holder: CITY OF RUPERT
PO BOX 426
RUPERT, ID 83350-0426

Priority Date: 9/18/1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	1/01	to 12/31	3.440 cfs 3.440 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNE	Sec 20 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	SWSE	Sec 20 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	SWNW	Sec 21 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	NESE	Sec 21 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	NENE	Sec 29 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	NWNE	Sec 29 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	SWNW	Sec 29 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	SWNE	Sec 32 Twp 09S Rge 24E	MINIDOKA County

CONDITIONS OF APPROVAL

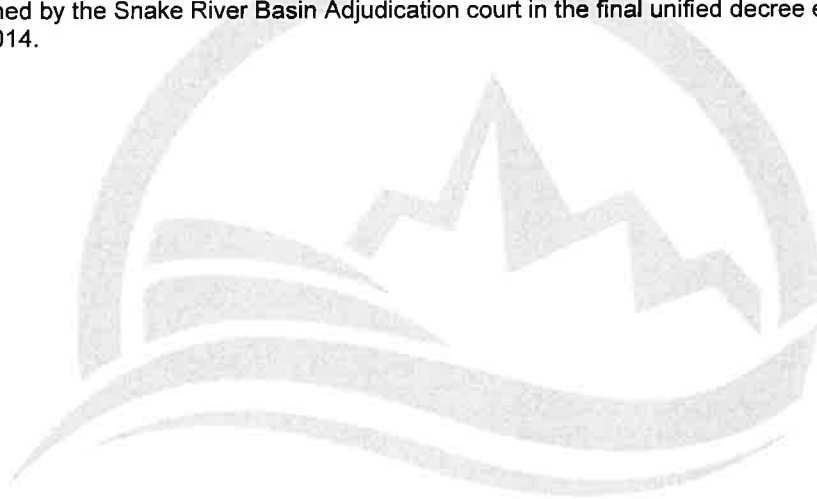
1. Place of use is within the service area of the City of Rupert municipal water supply system as provided for under Idaho Law.
2. A map generally depicting the service area for this water right at the time of this approval is attached to this document for illustrative purposes.
3. Use of water under 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. 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. 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. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.

Transfer No. 89908

WATER RIGHT NO. 36-7656
As Modified by Transfer No. 89908

CONDITIONS OF APPROVAL

7. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.



WATER RIGHT NO. 36-7862

As Modified by Transfer No. 89908

In accordance with the approval of Transfer No. 89908, Water Right No. 36-7862 is now described as follows:

Right Holder: CITY OF RUPERT
PO BOX 426
RUPERT, ID 83350-0426

Priority Date: 10/11/1985

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	1/01	to 12/31	1.150 cfs
			1.150 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNE	Sec 20 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	SWSE	Sec 20 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	SWNW	Sec 21 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	NESE	Sec 21 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	NENE	Sec 29 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	NWNE	Sec 29 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	SWNW	Sec 29 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	SWNE	Sec 32 Twp 09S Rge 24E	MINIDOKA County

CONDITIONS OF APPROVAL

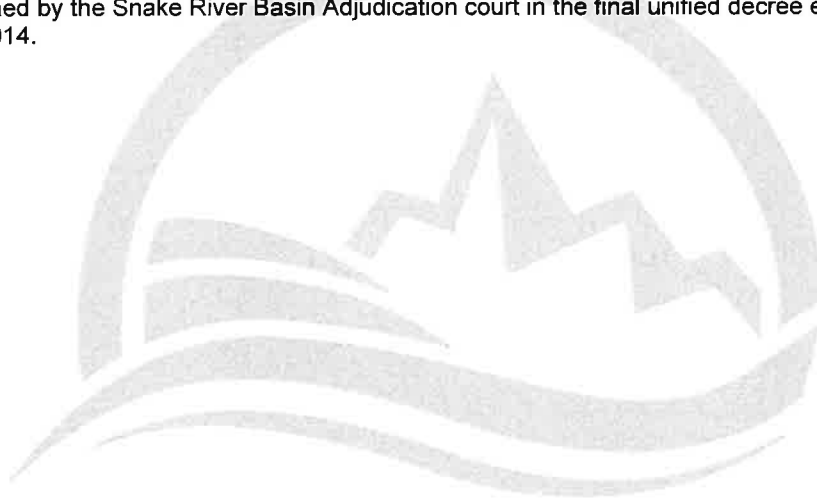
1. Place of use is within the service area of the City of Rupert municipal water supply system as provided for under Idaho Law.
2. A map generally depicting the service area for this water right at the time of this approval is attached to this document for illustrative purposes.
3. Use of water under 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. 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. 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. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.

Transfer No. 89908

WATER RIGHT NO. 36-7862
As Modified by Transfer No. 89908

CONDITIONS OF APPROVAL

7. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.



WATER RIGHT NO. 36-15488
As Modified by Transfer No. 89908

In accordance with the approval of Transfer No. 89908, Water Right No. 36-15488 is now described as follows:

Right Holder: CITY OF RUPERT
PO BOX 426
RUPERT, ID 83350-0426

Priority Date: 4/10/1913

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	1/01	to 12/31	0.670 cfs 0.670 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNE	Sec 20 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	SWSE	Sec 20 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	SWNW	Sec 21 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	NESE	Sec 21 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	NENE	Sec 29 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	NWNE	Sec 29 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	SWNW	Sec 29 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	SWNE	Sec 32 Twp 09S Rge 24E	MINIDOKA County

CONDITIONS OF APPROVAL

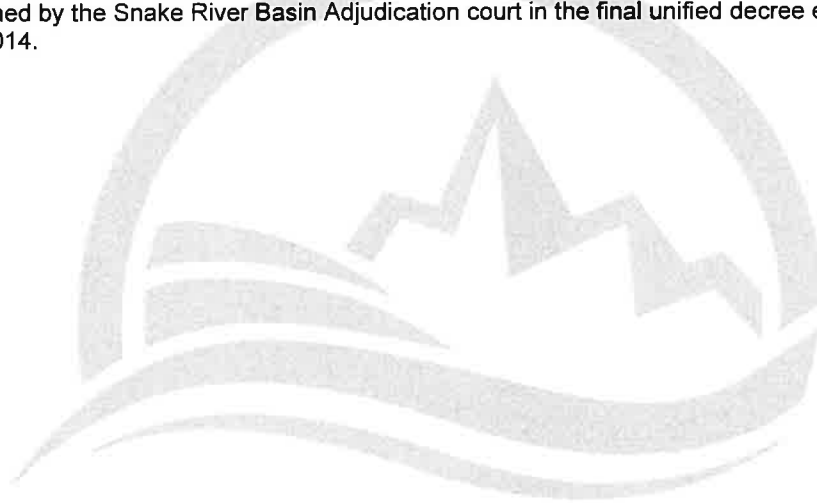
1. Place of use is within the service area of the City of Rupert municipal water supply system as provided for under Idaho Law.
2. A map generally depicting the service area for this water right at the time of this approval is attached to this document for illustrative purposes.
3. Use of water under 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. 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. 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. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.

Transfer No. 89908

WATER RIGHT NO. 36-15488
As Modified by Transfer No. 89908

CONDITIONS OF APPROVAL

7. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.



WATER RIGHT NO. 36-15489
As Modified by Transfer No. 89908

In accordance with the approval of Transfer No. 89908, Water Right No. 36-15489 is now described as follows:

Right Holder: CITY OF RUPERT
PO BOX 426
RUPERT, ID 83350-0426

Priority Date: 11/29/1917

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
MUNICIPAL	1/01	to 12/31	2.950 cfs
			2.950 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNE	Sec 20 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	SWSE	Sec 20 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	SWNW	Sec 21 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	NESE	Sec 21 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	NENE	Sec 29 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	NWNE	Sec 29 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	SWNW	Sec 29 Twp 09S Rge 24E	MINIDOKA County
GROUND WATER	SWNE	Sec 32 Twp 09S Rge 24E	MINIDOKA County

CONDITIONS OF APPROVAL

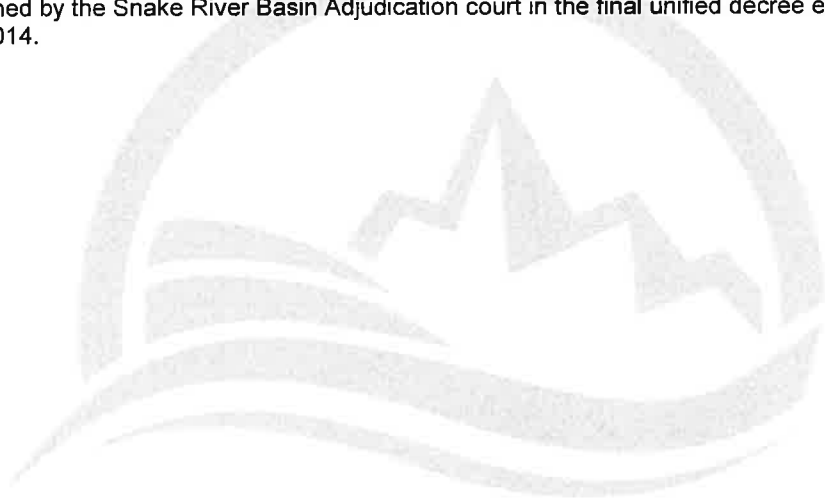
1. Place of use is within the service area of the City of Rupert municipal water supply system as provided for under Idaho Law.
2. A map generally depicting the service area for this water right at the time of this approval is attached to this document for illustrative purposes.
3. Use of water under 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. 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. 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. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.

Transfer No. 89908

WATER RIGHT NO. 36-15489
As Modified by Transfer No. 89908

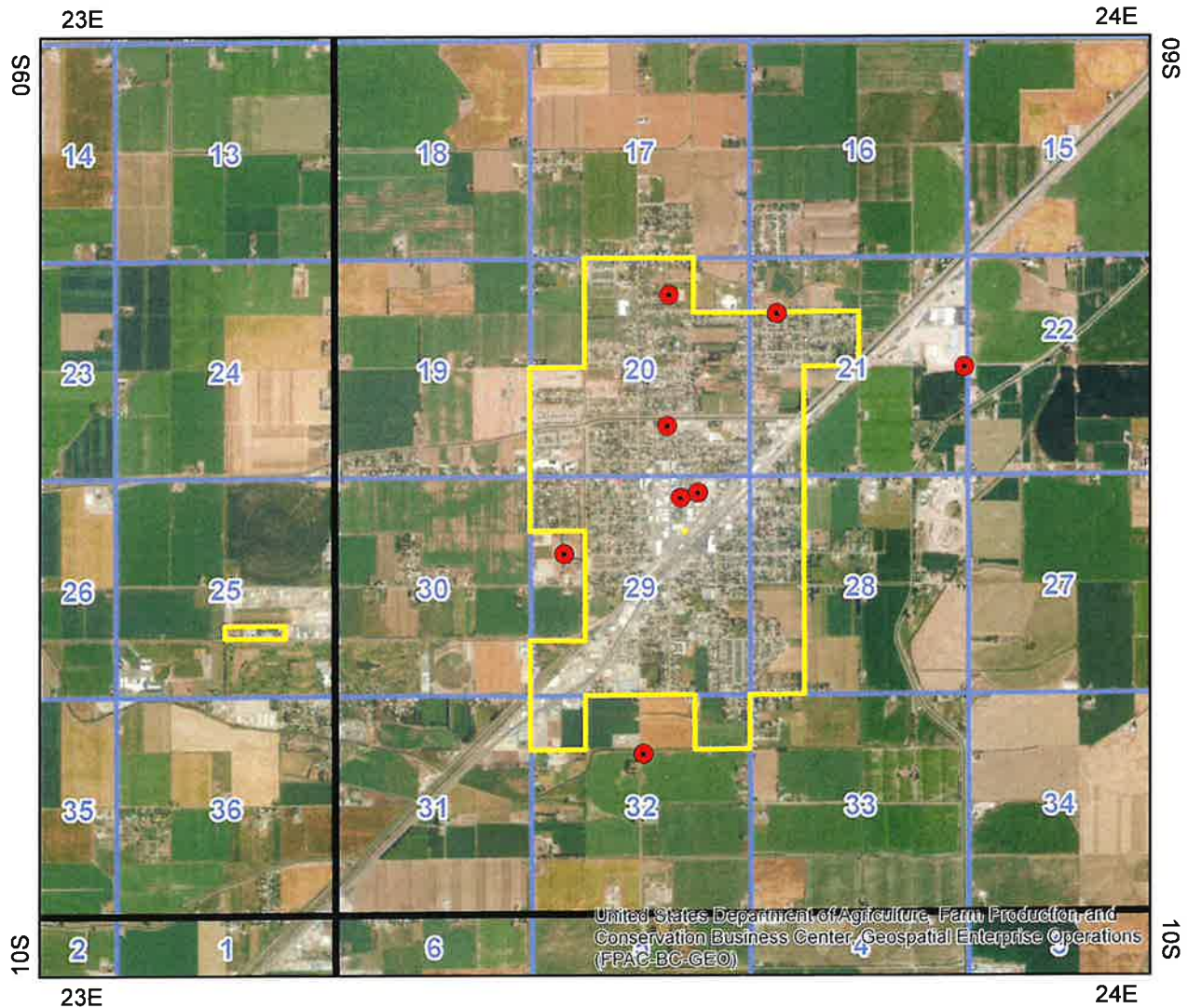
CONDITIONS OF APPROVAL

7. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.



State of Idaho
Department of Water Resources
Attachment to Transfer # 89908
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





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

September 2, 2025

CITY OF RUPERT
PO BOX 426
RUPERT ID 83350-0426

Re: Transfer No: 89908

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

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 736-3033.

Sincerely,



Corey Skinner
Southern Regional Manager

Enclosure

c:

BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 WASHINGTON ST N STE 4
TWIN FALLS ID 83301-3082

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

CERTIFICATE OF SERVICE

I hereby certify that on September 2, 2025 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 89908

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

CITY OF RUPERT
PO BOX 426
RUPERT ID 83350-0426

BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 WASHINGTON ST N STE 4
TWIN FALLS ID 83301-3082

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



Denise Maline
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

Date: August 28, 2025
To: Transfer 89908
From: Bill Mills
Re: Evaluation of Sufficiency Memorandum

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 the Watermaster did not oppose approval of the application. PODs are also located in the Eastern Snake Plain Aquifer (ESPA), but no modeling was required as the from and to cells are located in the same model cell.

- **Authority to File:** Applicant is listed as the current owner of the water rights and provides municipal water to residents of the city of Rupert through the city water system.
- **Water Right Validity:** Water rights were decreed in the SRBA on 1/2/1998. Municipal water is currently provided to the residents of the city of Rupert under the water rights associated with this transfer application.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated.

- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**
None Anticipated.
- **Effect on Agricultural Base of the Local Economy:**
None Anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Transfer No: 89908
Water Right No: 36-7115, etc
Applicant Name: CITY OF RUPERT

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application
- b) ☐ I do not oppose approval of this application under the following terms:
- c) ☐ I oppose approval of this application(s) for the following reasons:
- d) ☐ Additional comment:

Dated: August 28, 2025

Water District 130



Corey King, Watermaster

AFFIDAVIT OF PUBLICATION

Magic Valley Times-News
132 Fairfield ST W, Twin Falls, ID 83301
(208) 735-3253

State of Florida, County of Orange, ss:

I, Edmar Corachia, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of Magic Valley Times-News, a newspaper printed and published at Twin Falls on Tuesday, Thursday and Saturday, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

Publication Dates:

- Aug 7, 2025
- Aug 14, 2025

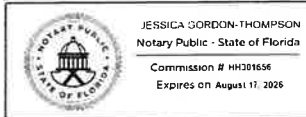
Notice ID: S5T4y2xGhnvmJG6GEW6B

Notice Name: LEGAL NOTICE - Transfers 89821 & 89908

Publication Fee: \$157.41

Edmar Corachia

Agent

**VERIFICATION**

State of Florida
County of Orange

Signed or attested before me on this: 08/15/2025

J. Thompson

Notary Public

Notarized remotely online using communication technology via Proof.

✓ OK DM 8/20/2025

RECEIVED**AUG 15 2025**

DEPT. OF WATER RESOURCES
SOUTHERN REGION

**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