

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 27 2025

DEPT. OF WATER RESOURCES
SOUTHERN 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) Derrick S. Scott & Jessica L. Scott
Mailing Address 435 Jiggs Hwy, Unit 3, Spring Creek, Nevada, 89815
Email* derrickrubicon67@yahoo.com Phone (775) 397-8843
Name of Representative (if any) Travis L. Thompson
Mailing Address PO Box 63, Twin Falls, Idaho 83303-0063
Email* tthompson@parsonsbehle.com Phone 208-733-0700

*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.

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.: 72-16993

Current Owner: DERRICK S SCOTT
JESSICA L SCOTT

Priority Date: 6/1/1963

Origin: Water Right

Status: Active

Basis: Decreed

Source

SALMON RIVER

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Diversion Rate

2.17 CFS

Annual Volume

Total Diversion

2.17 CFS

Location of Point(s) of Diversion

SALMON RIVER

L3(NE1/4NE1/4SW1/4)

Sec. 28, Twp 11N, Rge 17E B.M.

CUSTER County

Place of Use

IRRIGATION Within CUSTER County

T11N R17E S28	NESE	0.60	T11N R17E S28	Lot 4	NWSE	31.60
T11N R17E S28	Lot 7	SWSE	4.00			
Total Acres: 36.2						

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.81 CFS. COMBINED RIGHT NOS.: 72-16994 & 72-16995.
3. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 36.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-16994 & 72-16995.

Decreed Date: 12/1/2000

Attachment 2A - Current Water Right Report

Water Right Report : 72-16993(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	SCOTT, DERRICK S	435 JIGGS HWY UNIT 3	SPRING CREEK	NV	89815-9743
Current Owner	SCOTT, JESSICA L	435 JIGGS HWY UNIT 3	SPRING CREEK	NV	89815-9743
Original Owner	COMINOTTI, CESIRA	GENERAL DELIVERY	CLAYTON	ID	83227
Original Owner	COMINOTTI, FABIO	GENERAL DELIVERY	CLAYTON	ID	83227
Previous Owner	THIELGES, BRIAN L	4504 82ND ST	URBANDALE	IA	50322-1035
Previous Owner	THIELGES, MARY R	4504 82ND ST	URBANDALE	IA	50322-1035
Previous Owner	MC FADDEN, COLLEEN	2602 W HILL RD	BOISE	ID	83702-0631
Previous Owner	MC FADDEN, IRVIN	2602 W HILL RD	BOISE	ID	83702-0631
Previous Owner	HERRICK, GERALD D	C/O TRACEY KEHNE 2209 S CROSSCREEK LN	BOISE	ID	83706
Previous Owner	HERRICK, KATHRYN S	C/O TRACEY KEHNE 2209 S CROSSCREEK LN	BOISE	ID	83706
Previous Owner	MC GOWAN, BECKY J	PO BOX 1040	CHALLIS	ID	83226-1040
Previous Owner	MC GOWAN, THOMAS V	PO BOX 1040	CHALLIS	ID	83226-1040

Water Right Status

Priority Date : 6/1/1963

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
SALMON RIVER		SNAKE RIVER	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
SALMON RIVER	11N	17E	28	3	NE	NE	SW	CUSTER	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	2.17 CFS	
TOTAL			2.17 CFS	

Places of Use

Place of Use Legal Description : IRRIGATION (CUSTER county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
11N	17E	28			NE	SE	0.6
11N	17E	28	4		NW	SE	31.6
11N	17E	28	7		SW	SE	4.0

Irrigation Totals

Total Acres Acre Limit
36.20

Conditions

Code Conditions

- 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.

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	

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:

Applicant proposes to change the point of diversion (POD) of 72-16993 from L3 NESW to L4 NWSE (to south of the power line easement) with a new pump and sprinkler system.

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
☒	☐	72-16993	2.17	Irrigation	4/1 to 10/31	Salmon River
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				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: 2.17 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 * Corrected per email received 9/9/2025

New?	Twp	Rge	Sec	Lot	1/4	1/4	1/4	County	Source	Diversion Name/Number
Yes	11N	17E	28	4	NW	SE	SW	Custer	Salmon River	
Yes	11N	17E	28	4		NW	SE	Custer	Salmon River	

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

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.

72-16806, 72-10407, 72-17022, 72-16654, 72-16761, 72-16963, 72-17033
72-17037, 72-16760, 72-16824, 72-17028, 72-16825,

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

N/A

3. Is the proposed point of diversion within a state water district? ☒ Yes. Water District # 72D. ☐ 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.

72-16994 (1.63 cfs) and 72-16995 (0.95 cfs). Both are utilized for irrigation.

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.

N/A

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)?

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

Rev 11/24

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.

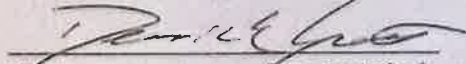
The new POD needs a new sump system adjacent to the Salmon River like the old POD. The new pump will be installed on the new sump system. An underground irrigation main will be installed to the new pump with risers to accommodate wheel lines. Size of pumps and mains has not yet been determined.

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.

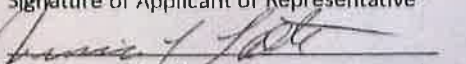
B. Affidavit of Applicant or Representative:

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.


Signature of Applicant or Representative*

Derrick Scott
Print Name and Title, if applicable

8/26/25
Date


Signature of Applicant or Representative*

Jessica L. Scott
Print Name and Title, if applicable

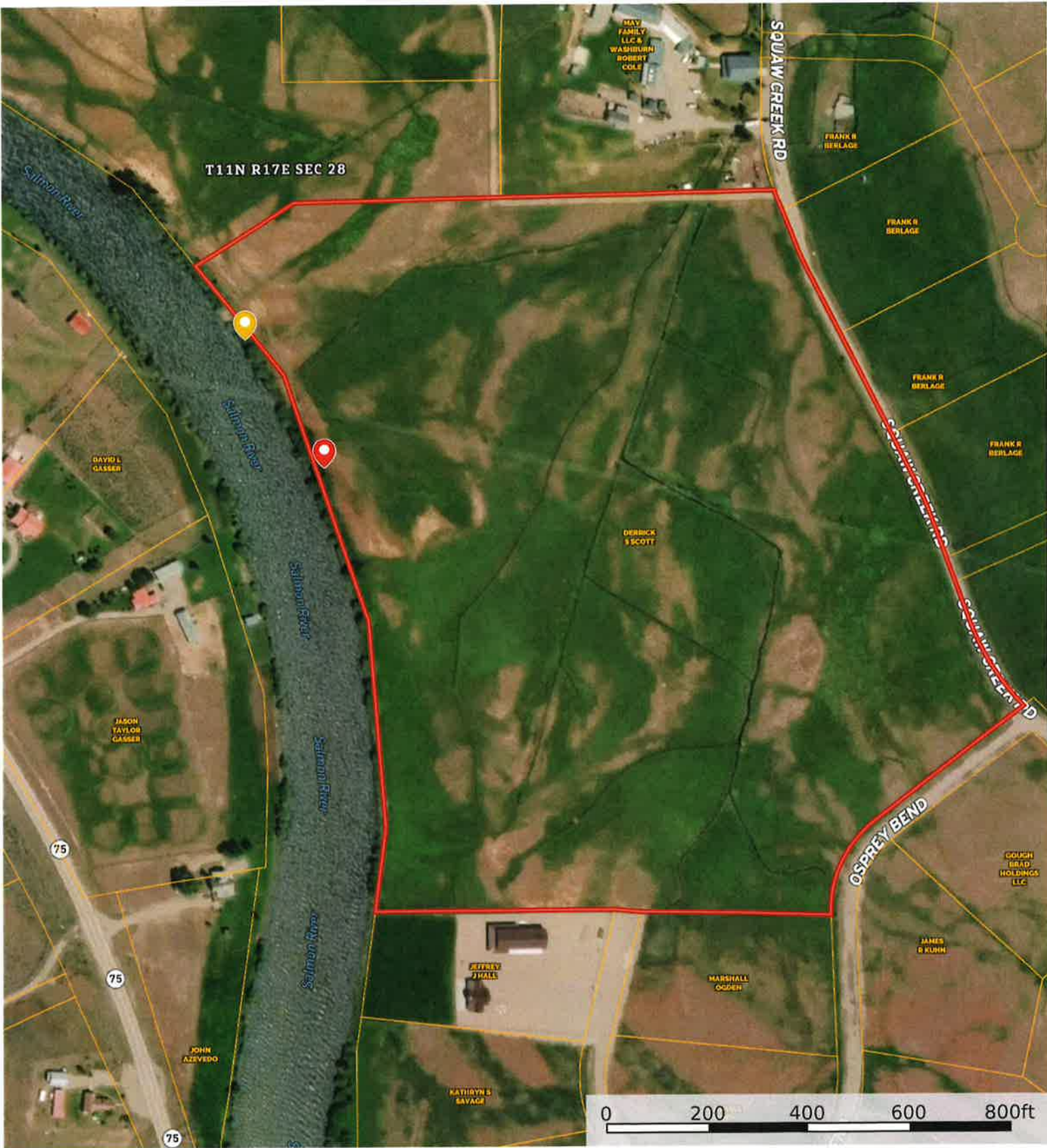
8-26-25
Date

*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: \$ 0000- Receipt #: 5040755 Date: 8-27-2025 Received by: SG
Add'l Paid: \$ _____ Receipt #: _____ Date: _____ Received by: _____

Transfer No. 90047 Page 8



Proposed New Pump (POD) Point of Diversion () Place of Use Boundary ()

Wallace, Tyler

From: Joe Lane <lanejoe10@gmail.com>
Sent: Monday, April 14, 2025 9:32 AM
To: Wallace, Tyler
Cc: djs_place67@hotmail.com
Subject: Derrick Scott water right #72-16993

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Hi Tyler -

We take no exception with the point of diversion moving for the above mentioned water right. Thanks,
Joe

Joe Lane
Long Shot Ranches
208-866-6276

Attachment 4D

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APR 10 2025

DEPT. OF WATER RESOURCES
SOUTHERN REGION

February 27, 2025

In regards to moving our point of diversion for our water right (#72-16993) from existing pump point of diversion to a separate location (for agricultural irrigation purpose only) located at 400 Squaw Creek Road. Idaho Department of Water Resources requests a response from all existing point of diversion water shareholders. Please send in your response via email at Tyler.Wallace@idwr.idaho.gov or mail response in with provided envelope.

Thank you,

Derrick and Jessica Scott

Jessica Scott
djs_place67@hotmail.com

No problem with change
Barbara Baures
3/30/25

RECEIVED

MAR 21 2025

DEPT. OF WATER RESOURCES
SOUTHERN REGION

February 27, 2025

In regards to moving our point of diversion for our water right (#72-16993) from existing pump point of diversion to a separate location (for agricultural irrigation purpose only) located at 400 Squaw Creek Road. Idaho Department of Water Resources requests a response from all existing point of diversion water shareholders. Please send in your response via email at Tyler.Wallace@idwr.idaho.gov or mail response in with provided envelope.

Thank you,

Derrick and Jessica Scott

djs_place67@hotmail.com

3-14-25

To whom it might concern
Brad Bough Holdings LLC has no
objections on the diversion for water right # 72-16993

Brad Bough

cell 208 358-1126

Email bbough5@gmail.com

Tried to email +
would not go.

February 27, 2025

In regards to moving our point of diversion for our water right (#72-16993) from existing pump point of diversion to a separate location (for agricultural irrigation purpose only) located at 400 Squaw Creek Road. Idaho Department of Water Resources requests a response from all existing point of diversion water shareholders. Please send in your response Via email at Tyler.Wallace@idwr.idaho.gov or mail response in with provided envelope.

*We have no Problem with the Request of
Derrick Scott & Jessica Scott*

Thank you,

Jessica Scott
Derrick and Jessica Scott

djs_place67@hotmail.com

Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com

Star ID 83226

Certified Mail Fee \$4.35

Extra Services & Fees (check box, add fee):

☐ Return Receipt (hardcopy)	\$2.80
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$40.72

Total Postage and Fees \$45.07

Sent To:

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

U.S. MAIL

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

mahlberg Family
555 N. Nightingale Place
STAR, ID 83669

Barcode: 9590 9402 8952 4064 6160 90

2. Article Number (Transfer from service label)

7020 0090 0000 2731 4049

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *N. Mahlberg*

B. Received by (Printed Name)

NORMAN MAHLBERG

C. Date of Delivery

3/17/25

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Adult Signature	☐ Priority Mail Express®
☐ Adult Signature Restricted Delivery	☐ Registered Mail™
☐ Certified Mail®	☐ Registered Mail Restricted Delivery
☐ Certified Mail Restricted Delivery	☐ Signature Confirmation™
☐ Collect on Delivery	☐ Signature Confirmation Restricted Delivery
☐ Collect on Delivery Restricted Delivery	

lected Delivery

Domestic Return Receipt

RECEIVED

SEP 12 2024

DEPT OF WATER RESOURCES
SOUTHERN REGION

June 16, 2024

In regards to moving our point of diversion for our water right (#72-16993) from existing pump point of diversion to a separate location (for agricultural irrigation purpose only) located at 400 Squaw Creek Road. Idaho Department of Water Resources requests a response from all existing point of diversion water shareholders. Please send in your response via email at Tyler.Wallace@idwr.idaho.gov or mail response in with provided envelope.

Thank you,

Derrick and Jessica Scott

djs_place67@hotmail.com

From our understanding we approve the Scotts moving their point of diversion described above.

Marshall Ogden
Joline Ogden

Sept. 7, 2024

RECEIVED

AUG 07 2024

June 16, 2024

DEPT. OF WATER RESOURCES
SOUTHERN REGION

In regards to moving our point of diversion for our water right (#72-16993) from existing pump point of diversion to a separate location (for agricultural irrigation purpose only) located at 400 Squaw Creek Road. Idaho Department of Water Resources requests a response from all existing point of diversion water shareholders. Please send in your response Via email at Tyler.Wallace@idwr.idaho.gov or mail response in with provided envelope.

Thank you,

Derrick and Jessica Scott

djs_place67@hotmail.com

I have no concerns with
the proposed change in
diversion point

Kathryn Sack
277 Whitetail Drive
Clayton ID
83227

RECEIVED

June 16, 2024

AUG 05 2024

DEPT. OF WATER RESOURCES
SOUTHERN REGION

In regards to moving our point of diversion for our water right (#72-16993) from existing pump point of diversion to a separate location (for agricultural irrigation purpose only) located at 400 Squaw Creek Road. Idaho Department of Water Resources requests a response from all existing point of diversion water shareholders. Please send in your response Via email at Tyler.Wallace@ldwr.idaho.gov or mail response in with provided envelope.

Thank you,

Derrick and Jessica Scott

djs_place67@hotmail.com

WE SUPPORT THIS REQUEST.

JEFFREY & TAMARA HALL
375 WHITE TAIL DR
CLAYTON, ID 83227
208-794-8020

RECEIVED

AUG 02 2024

June 16, 2024

DEPT. OF WATER RESOURCES
SOUTHERN REGION

In regards to moving our point of diversion for our water right (#72-16993) from existing pump point of diversion to a separate location (for agricultural irrigation purpose only) located at 400 Squaw Creek Road. Idaho Department of Water Resources requests a response from all existing point of diversion water shareholders. Please send in your response via email at Tyler.Wallace@idwr.idaho.gov or mail response in with provided envelope.

Thank you.

Derrick and Jessica Scott

djs_place67@hotmail.com

Yes we are in agreement if he wants to move his existing pump.

Anyll Waller
8-28-24

RECEIVED

AUG 01 2024

June 16, 2024

DEPT OF WATER RESOURCES
SOUTHERN REGION

In regards to moving our point of diversion for our water right (#72-16993) from existing pump point of diversion to a separate location (for agricultural irrigation purpose only) located at 400 Squaw Creek Road. Idaho Department of Water Resources requests a response from all existing point of diversion water shareholders. Please send in your response via email at Tyler.Wallace@idwr.idaho.gov or mail response in with provided envelope.

Thank you,

Derrick and Jessica Scott

djs_place67@hotmail.com

*We ok this point of diversion to a
separate location*

Becky and George Spencer.

*Becky Spencer
George Spencer*

Wallace, Tyler

From: George Martin <georgemartin1950@gmail.com>
Sent: Wednesday, July 31, 2024 1:30 PM
To: Wallace, Tyler
Cc: djs_places687@hotmail.com; Gay Miremont
Subject: Diversion of water right

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

We support the Scott's proposed diversion of water right (#72-16993).

George Martin
Gay Miremont
217 Whitetail Dr.
Clayton, ID

Wallace, Tyler

From: wendy gcmarketinggroup.com <wendy@gcmarketinggroup.com>
Sent: Monday, July 29, 2024 5:05 PM
To: Wallace, Tyler
Cc: djs_place67@hotmail.com
Subject: Water right #72-16993 diversion
Attachments: Scott water rights.pdf

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Mr. Wallace,

We own Lot #3 in the Osprey Bend Subdivision, parcel #RP001160010030A.

We approve Derrick and Jessica Scott's request to move their point of diversion from the existing pump point of diversion to a separate location for agricultural irrigation purpose only.

Please let me know if you need anything else from us.

Thank you,

James Kuhn
Wendy Kuhn

Wendy Kuhn, President
GC Marketing Group, Inc.
Absolute Tax & Financial Solutions
Flagstaff Business Advisors
5200 E Cortland Blvd #E110
Flagstaff, AZ 86004
(928) 821-6945

Wallace, Tyler

From: Charles P. Perry <cpperry@protonmail.com>
Sent: Friday, July 26, 2024 5:00 PM
To: Wallace, Tyler; djs_place67@hotmail.com
Subject: Diversion Point Relocation

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments **BEFORE** you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Tyler,

With regard to relocation of Derrick and Jessica Scott's diversion Point for water right #72-16983, we have no issues or concerns with the relocation.

Best regards,
C. P. Perry & K. A. Perry
37233 White Tail Drive
Clayton, ID 83227

Sent from Proton Mail Android



ADVERTISING INVOICE

APG West Payment
Processing
PO Box 1570
Pocatello, ID 83204
Ph. (208) 542-6712

BILLING DATE:	ACCOUNT NO:
09/11/25	12622

Denise Maline
IDWR SOUTHERN REGION TWIN FALLS
650 ADDISON AVE W STE 500
TWIN FALLS, ID 83301

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
673420	NOTICE OF PROPOSED C	09/18/25	09/25/25	4	\$87.65

Confirmation of legal notice received from Challis Messenger 9-11-2025

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount
------	--------	-----------	---------------	-------	--------

Discount:	\$0.00
Surcharge:	\$0.00
Credits:	\$0.00

Gross:\$87.65
Paid Amount:\$0.00

Amount Due:\$87.65

We Appreciate Your Business!

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 90047**

DERRICK S SCOTT and JESSICA L SCOTT, 435 JIGGS HWY UNIT 3, SPRING CREEK, NV 89815-9743 has filed Application No. 90047 for changes to the following water rights within CUSTER County(s): Right No(s). 72-16993; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/queue/newtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) for a single irrigation water right with a flow rate of 2.17 cfs from the Salmon River. The new POD will be located approximately 300 feet downstream from the current POD on the water right owner's property. The location of the irrigated place of use and new POD location is approximately 0.35 miles South and 3.0 miles West of the town of Clayton.

For additional information concerning the property location, contact Southern Region office at (208)736-3033. 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 October 6, 2025. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER
Director

Published: September 18, 25, 2025 (CM12622-673420)

A handwritten signature in blue ink, appearing to be 'DM', with a large checkmark to its left.



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 11, 2025

DERRICK S SCOTT
JESSICA L SCOTT
435 JIGGS HWY UNIT 3
SPRING CREEK, NV 89815-9743

RE: Transfer No. 90047
Water Right No(s). 72-16993

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 **CHALLIS MESSENGER on 9/18/2025 and 9/25/2025**. 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 **October 6, 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: Travis Thompson, attorney



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 11, 2025

KRISTEN HURLESS
WATER DISTRICT 72D
14199 EASTFORK RD
CLAYTON ID 83227-5607

Re: Transfer No. 90047 (Derrick & Jessica Scott)
Water Right No(s). 72-16933

Dear Kristen:

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)

Maline, Denise

From: Maline, Denise
Sent: Thursday, September 11, 2025 12:17 PM
To: Challis Messenger
Subject: LEGAL NOTICE - Transfer 90047 (Scott)
Attachments: Challis Messenger cover letter.docx; Challis Messenger ad.docx

Good afternoon,

Attached please find **(1)** legal notice being submitted for publication in the *Challis Messenger* on September 18th & 25th, 2025 under IDWR account number 12622. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Please send the affidavit of publication and invoice to IDWR's Twin Falls office at the address below.

Thank you in advance,

Denise Maline, IDWR Twin Falls



Denise Maline, Administrative Assistant I

Idaho Dept. of Water Resources, Southern Region

650 Addison Ave W Ste 500

Twin Falls ID 83301-5858

(208) 293-9908

denise.maline@idwr.idaho.gov



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 11, 2025

LEGAL NOTICE DEPARTMENT

CHALLIS MESSENGER

PO BOX 405

CHALLIS, ID 83226-0405

RE: Transfer No. 90047
Water Right No(s). 72-16993

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 **October 6, 2025**. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 90047**

DERRICK S SCOTT and JESSICA L SCOTT, 435 JIGGS HWY UNIT 3, SPRING CREEK, NV 89815-9743 has filed Application No. 90047 for changes to the following water rights within CUSTER County(s): Right No(s). 72-16993; 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: Application for transfer proposes to change the point of diversion (POD) for a single irrigation water right with a flow rate of 2.17 cfs from the Salmon River. The new POD will be located approximately 300 feet downstream from the current POD on the water right owner's property. The location of the irrigated place of use and new POD location is approximately 0.35 miles South and 3.0 miles West of the town of Clayton.

For additional information concerning the property location, contact Southern Region office at (208)736-3033. 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 **October 6, 2025**. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director
Published on September 18th & 25th, 2025

Wallace, Tyler

From: Wallace, Tyler
Sent: Tuesday, September 9, 2025 1:07 PM
To: Jessica Scott
Subject: RE: Derrick and Jessica Scott Water Right Transfer (T#90047)

I did need a written response of some kind so I could put it in the transfer file record. But your email response will work for that.

I should be good to go ahead and proceed with the application.

-Tyler

From: Jessica Scott <djs_place67@hotmail.com>
Sent: Tuesday, September 9, 2025 11:34 AM
To: Wallace, Tyler <Tyler.Wallace@idwr.idaho.gov>
Subject: Re: Derrick and Jessica Scott Water Right Transfer (T#90047)

SUSPICIOUS MESSAGE: This message may be impersonating a State of Idaho user. Proceed with caution and verify legitimacy of the sender before replying. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Hi Tyler,
Derrick left you a voicemail saying it's ok to change those two things.
Thank you so much for all the help with this
Jessica Scott
Sent from my iPhone

On Sep 8, 2025, at 4:11 PM, Wallace, Tyler <Tyler.Wallace@idwr.idaho.gov> wrote:

Jessica and Derrick,
I have been working on your transfer application and I noticed a few errors on the form that I am looking to have corrected.

The first error appears to be an incorrect description of the point of diversion (POD) on page 5. The form lists the pod as:

Twp	Rge	Sec	Lot	1/4	¼	1/4
11N	17E	28	4	NW	SE	SW

Based on the map submitted with the application, I believe the point of diversion should be described as follows:

Twp	Rge	Sec	Lot	1/4	¼	1/4
11N	17E	28	4		NW	SE

I have included a screenshot of your property with the legal description showing. The green dot in the screenshot represents the new POD,

Additionally, on page 6 where the other water rights diverted at the current point of diversion are listed, there was a water right (water right number 72-10407) that did not belong in that list. Water right 72-10407 is for domestic use from a groundwater source, therefore it does not need to be included in this list.

With your permission, I can make those corrections on the form and then I believe everything else should be good to go!

-Tyler

<image001.jpg>

Tyler Wallace, Engineer Associate

Idaho Dept. of Water Resources, Southern Region

650 Addison Ave W Ste 500

Twin Falls ID 83301-5858

(208) 736-3033

tyler.wallace@idwr.idaho.gov

<overview screenshot.png>

FEE MEMORANDUM

Date: September 5, 2025
To: Transfer #90047, Derrick and Jessica Scott
From: Tyler Wallace
Re: Summary of Transfer

This transfer was filed on August 27, 2025. The intent of this transfer is to change the point of diversion (POD) for a single irrigation water right with a flow rate of 2.17 cfs. Therefore, the fee paid was \$660.00 based on the flow rate. The fee was paid by Jess Nielsen; Parsons Behle Latimer with a charge card at the time of filing. The IDWR receipt number is S040755.

TRANSFER Summary

Date: September 5, 2025
To: Transfer #90047, Derrick and Jessica Scott
From: Tyler Wallace
Re: Summary of Transfer

Application for transfer proposes to change the point of diversion (POD) for a single irrigation water right with a flow rate of 2.17 cfs. The proposed change to the POD is to move the point of diversion out of a shared point of diversion to a new location approximately 300 feet downstream. The new POD will be a new pump located on the water right owner's property which will allow for easier irrigation. The location of the irrigated place of use is approximately 0.35 miles South and 3.0 miles West of the town of Clayton.

The transfer is in Water District 72D so Watermaster comment will be solicited. Advertising will be necessary because of the change in the POD.

RECEIVED

AUG 27 2025

DEPT. OF WATER RESOURCES
SOUTHERN REGION

PARSONS
BEHLE &
LATIMER

P.O. Box 63
Twin Falls, Idaho 83303
Main 208.733.0700
Fax 208.562.4901

A Professional
Law Corporation

Abby R. Bitzenburg
Attorney at Law
Direct 208.576.3289
ABitzenburg@parsonsbehle.com

August 27, 2025

Tyler Wallace
Idaho Department of Water Resources
650 Addison Ave. W. STE 500
Twin Falls, Idaho 83301
Tyler.Wallace@idwr.idaho.gov

Re: Derrick and Jessica Scott Transfer Application

Dear Tyler,

This firm represents Derrick and Jessica Scott in a variety of matters. At their request, we are submitting a transfer application to move the existing point of diversion ("POD") for water right no. 72-16993 to a new POD located downstream. Both PODs are located on the Scotts' property. The existing POD was a shared pump location, therefore letters and emails from other water right holders that utilize the existing POD providing permission for Derrick and Jessica to utilize a new POD are attached (Attachment 4D). Several other water right holders in the area have already discontinued use of the shared POD and created their own PODs downstream with no known issues.

The existing POD and pump have not been used during the time the Scotts have owned the property. The power for the pump had been disconnected prior to the Scotts' purchase of the property in 2022. There is mixed information from locals regarding when use of the pump was discontinued. Following their purchase of the property, the Scotts began gathering the attached letters from neighbors to request a transfer. The process has taken since 2023. Having now received all necessary letters, the Scotts would now like to resume the use of this water right.

A transfer fee in the amount of \$660.00 will be paid in-person via credit card.

Sincerely,

PARSONS BEHLE & LATIMER



Abby R. Bitzenburg
Attorney at Law

cc: Derrick & Jessica Scott