

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 89883**

This is to certify that: **BROCK GOFF**
PO BOX 216
ROCKLAND, ID 83271-0216

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>
41-27D	WR/DECREED	8/1/1879	0.060 cfs	N/A	N/A	3.0	EAST FORK ROCK CREEK

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>
41-27D	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>
41-27D	41-27D	0.060 cfs	N/A	N/A	3.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.060 cfs	N/A	N/A	3.0		N/A	N/A	N/A	N/A

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 2nd day of October, 2015.


Southern Region Manager

WATER RIGHT NO. 41-27D

As Modified by Transfer No. 89883

In accordance with the approval of Transfer No. 89883, Water Right No. 41-27D is now described as follows:

Right Holder: BROCK GOFF
PO BOX 216
ROCKLAND, ID 83271-0216

Priority Date: 8/1/1879

Source: EAST FORK ROCK CREEK **Tributary:** ROCK CREEK

BENEFICIAL USE **From** **To** **Diversion Rate**
IRRIGATION 4/01 to 10/31 0.060 cfs
0.060 cfs

LOCATION OF POINT(S) OF DIVERSION

EAST FORK ROCK CREEK L6 (NWSW) Sec 6 Twp 10S Rge 31E POWER County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	31E	6										3.0							3.0
											L 6								

POU Total Acres: 3.0

CONDITIONS OF APPROVAL

1. 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. 41.
2. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. The quantity listed above shall be measured at the point of diversion listed for this right by means of a measuring box of the type and dimensions decreed by In Re Houtz et al (Oneida County, Sixth Judicial District Court, June 6, 1903). Any change in the method of measurement shall constitute a change in the point of diversion requiring approval by the Idaho Department of Water Resources as a transfer pursuant to I.C. Section 42- 222.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 89883

WATER RIGHT NO. 41-27D
As Modified by Transfer No. 89883

CONDITIONS OF APPROVAL

6. 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 # 89883
41-27D

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



0 0.035 0.07 0.14 Miles

-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters





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

October 3, 2025

BROCK GOFF
PO BOX 216
ROCKLAND ID 83271-0216

Re: Transfer No: 89883
Water Right No(s): 41-27D

Transfer Approval Notice

Dear Water Right Holder:

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:

WATER DISTRICT 41
BRIAN WOODWORTH
PO BOX 121
ROCKLAND ID 83271-0121

CERTIFICATE OF SERVICE

I hereby certify that on October 3, 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.: 89883
Water Right No(s): 41-27D

BROCK GOFF
PO BOX 216
ROCKLAND ID 83271-0216

WATER DISTRICT 41
BRIAN WOODWORTH
PO BOX 121
ROCKLAND ID 83271-0121



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 8, 2025
To: Transfer #89883, Brock Goff
From: Tyler Wallace
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes to change the point of diversion (POD) for an irrigation water right with 3 acres of irrigation and a flow rate of 0.06 cfs. The purpose of the change in the POD is for ease of access.

The location of the place of use is approximately 0.5 miles north and 0.3 miles West of the intersection of Highway 37 and E Fork Road in Rockland. The proposed POD will be moved to a point on the north edge of the property located approximately 0.15 miles downstream in a straight-line distance from the old POD.

The transfer is in Water District 41. Watermaster had no objections to the transfer. Advertising was necessary because of the change in POD. The transfer was not protested.

- **Authority to File:**

The Department's database indicates that water rights 41-27D is owned by Brock Goff who also signed the .

- **Water Right Validity:**

Water right 41-27D is a decreed right and is currently listed as active. Validation of recent use for said water rights was confirmed using available aerial photography of the place of use.

- **Injury to Other Water Rights:**

None anticipated or foreseen. Transfer proposes to change POD to a nearby downstream location.

- **Enlargement of Use:**

None anticipated. Transfer proposes no increase in the volume of water used.

- **Local Public Interest:**

No issues anticipated. The transfer was advertised but had no protests.

- **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 of the Agricultural Base of the Area:**

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.

Affidavit of Publication

State of Idaho

County of Power

Brett Crompton being first duly sworn on oath, states:

That he is the Publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 16th day of July 2025 and the date of the last publication being the 23rd day of July 2025.

Signed

State of Idaho

County of Power

On this 23rd day of July in the year of 2025, before me, a Notary Public, personally appeared Brett Crompton, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



Debbie Crompton

Notary Public for Idaho
Residing at American Falls, Idaho
My commission expires: July 25, 2028

RECEIVED

AUG 06 2025

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Notice of change of water rights

Published in The Power County
Press July 16, 23, 2025.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 89820

BENSON RANCH TRUST,
1590 CALICO CIR, POCAATELLO,
ID 83201-7121 has filed Application
No. 89820 for changes to the fol-
lowing water rights within POWER
County(s): Right No(s): 41-7029A.
The purpose of the transfer is to
change a portion of the above rights
as follows: Application proposes
changing the nature of use on a 25.40
cfs Fall Creek water right from fish
propagation to wildlife and aesthetic
use. Place of use and point of diver-
sion are located approximately 11.0
miles south and 10.6 miles west of
the American Falls Dam.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 89883

BROCK GOFF, PO BOX
216, ROCKLAND, ID 83271-0216
has filed Application No. 89883 for
changes to the following water rights
within POWER County(s): Right
No(s): 41-27D. 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 0.06
cfs irrigation water right. The location
of the place of use is approximately
0.5 miles north and 0.3 miles west of
the intersection of Highway 37 and E
Fork Road in Rockland. The proposed
POD will be moved to a point on the
north edge of the property located ap-
proximately 0.15 miles downstream
in a straight-line distance from the old
POD.

For additional information con-
cerning the property location, con-
tact 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 appli-
cation on or before August 4, 2025.
The protestant must also send a copy
of the protest to the applicant.

MATHEW WEAVER, Director
Published on July 16 & 23, 2025

✓ SM
8/6/2025