

RECEIVED
AUG 18 2022
Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 86951MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Rohn R. Nelson and Lori A. NelsonCheck whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a [Part 2A](#) report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer [Part 2B](#) for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. ([Fee schedule](#) is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☒ ☐ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <https://idwr.idaho.gov/water-rights/transfers/resources/>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System ([GIS](#)) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see [fee schedule](#).
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Name of Applicant(s) Rohn R. Nelson and Lori A. Nelson Phone 907-982-5551
Mailing address 3800 East Ruth Drive, Wasilla, AK 99654 Email fullcurl@mtaonline.net

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☒ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative Robert L. Harris, Holden, Kidwell, Hahn & Crapo, PLLC Phone 208-523-0620
Mailing address P.O. Box 50130, Idaho Falls, ID 83402 Email rharris@holdenlegal.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☒ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

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.

Robert L. Harris Robert L. Harris, Attorney August 18, 2022
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Is this a transfer for changes pursuant to [Idaho Code § 42-221.O.8?](#)
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.

In order to resolve a legal dispute, the water right owner is consenting to the transfer of certain water rights to property recently purchased by the applicants in two transfers. This transfer proposes to change the point of diversion and place of use of one water right and one water right portion to cover 1.5 acres.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	74-16256	0.01 cfs	Irrigation	03/15 to 11/15	Wimpey Ck./Lemhi River
☐ ☒	74-734A	0.02 cfs	Irrigation	03/15 to 11/15	Wimpey Ck./Lemhi River
☒ ☐				to	
☒ ☐				to	
☒ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.03 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.03 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
		NW	SE	SE	34	21N	23E	LEMHI	WIMPEY CREEK	LWMP1 OLD LOCATION

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

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	
21N	23E	34															1.0		1.0
20N	23E	3		0.2															0.2
Total Acres (for irrigation use)																			1.2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Existing ditch.

- b. Who owns the property at the point(s) of diversion? Pratt Creek Ranch Limited

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Long established ditch existing by virtue of a prescriptive easement.

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete [Attachment WSB](#).

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

Lands now irrigated will no longer be irrigated or irrigation shapefile will be reconfigured. Mr. Byers already owns a water right in this system, which will be transferred out under a separate transfer.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

LWMP5: 74-16067, 74-15873, 74-2183A, 74-2183C, 74-2183B, 74-15874, 74-16028, and

74-16031; LWMP1 (old): 74-201A,B,C,D, & E. LWMP2: 74-734A,B,C,D,E,F,G, and H, 74-10144, and

74-15841, and 74-703.

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

**Attachment No. 2a
Water Right Ownership
Documentation**

Water Right Report : 74-16256(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	NELSON, LORI A	3800 E RUTH DR	WASILLA	AK	99654-7537
Current Owner	NELSON, ROHN R	3800 E RUTH DR	WASILLA	AK	99654-7537
Original Owner	KORNELL, CHARLOTTE	PO BOX 521	SALMON	ID	83467
Original Owner	KORNELL, WILLIAM	PO BOX 521	SALMON	ID	83467
Original Owner	DEARDEN, KEN	RT 1 BOX 27-B	SALMON	ID	83467
Original Owner	DEARDEN, LAJEAN	RT 1 BOX 27-B	SALMON	ID	83467
Original Owner	SELPH, DENNIS P	RT 1 BOX 27B	SALMON	ID	83467
Original Owner	SELPH, SANDRA A	RT 1 BOX 27B	SALMON	ID	83467
Previous Owner	BORDEN, MARYANN C	PO BOX 309	PAUMA VALLEY	CA	92061
Previous Owner	BORDEN, STEVEN T	PO BOX 309	PAUMA VALLEY	CA	92061
Previous Owner	BYERS, RONALD E	1044 LEMHI RD	SALMON	ID	83467-5148

Water Right Status

Priority Date : 4/1/1912

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
WIMPEY CREEK		LEMHI RIVER	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
WIMPEY CREEK	21N	23E	34	0		SE	SE	LEMHI	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	0.01 CFS	
TOTAL			0.01 CFS	

Places of Use

[Printable View](#) [Paged View](#)

Place of Use Legal Description : IRRIGATION (LEMHI county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
20N	23E	3	2		NW	NE	0.2

Irrigation Totals

Total Acres Acre Limit

0.20

Conditions

Code Conditions

C18 This partial decree is subject to such general provisions necessary for the definitive settlement 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.

The actual diversion rate is 0.003 cfs.

Dates

Licensed Date :
Decreed Date : 7/9/2007
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date:
Protest Deadline Date:

Other Information

State or Federal : S
Water District Number : 74
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

8/17/2022

Water Right Report : 74-734-A (Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	BYERS, RONALD E	1044 LEMHI RD	SALMON	ID	83467-5148
Original Owner	BARTELL, DIANE DAVIS	1044 LEMHI RD	SALMON	ID	83467-5148
Original Owner	BARTELL JR, RICHARD W	1044 LEMHI RD	SALMON	ID	83467-5148
Original Owner	KORNELL, CHARLOTTE	PO BOX 521	SALMON	ID	83467
Original Owner	KORNELL, WILLIAM	PO BOX 521	SALMON	ID	83467
Previous Owner	BORDEN, MARYANN C	PO BOX 309	PAUMA VALLEY	CA	92061
Previous Owner	BORDEN, STEVEN T	PO BOX 309	PAUMA VALLEY	CA	92061

Water Right Status

Priority Date : 4/1/1912

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
WIMPEY CREEK		LEMHI RIVER	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
WIMPEY CREEK	21N	23E	34	0	SW	SE	SE	LEMHI	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	0.09 CFS	
TOTAL			0.09 CFS	

Places of Use

[Printable View](#)
[Paged View](#)

Place of Use Legal Description : IRRIGATION (LEMHI county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
20N	23E	3	2		NW	NE	4.5

Irrigation Totals

Total Acres Acre Limit

4.50

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.

Dates

Licensed Date :
Decreed Date : 7/9/2007
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargment Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date:
Protest Deadline Date:

Other Information

State or Federal : S
Water District Number : 74
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

8/17/2022

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Attachment No. 3
Documentation of Authority -
Applicant NOT Water Right
Owner

SIGNED CONSENT WILL BE PROVIDED.

Attachment No. 4

Power of Attorney

[Search again](#)

Results (as of 8/12/22)

Robert Lynn Harris

Status

Active

Admittance Date

09/30/2004

Firm

Holden, Kidwell, Hahn & Crapo, PLLC

Mailing Address

PO Box 50130

Idaho Falls, ID 83405

Phone

(208) 523-0620

Phone Ext**Fax**

(208) 523-9518

Bar Email Address

rharris@holdenlegal.com

Website Address

www.holdenlegal.com

Court eService Email

efiling@holdenlegal.com

Need a correction?

Is something not correct? Please use the [Address Change Form](#)

The information above is based on the Idaho State Bar records as of the date listed above. To send us an update on your own listing, please use the online [Address Change Form](#) or send an email to the Licensing Department. Please notify the Licensing Department if you find that another attorney's information is incorrect. Questions on attorney status and good standing should also be directed to the Licensing Department at (208) 334-4500.

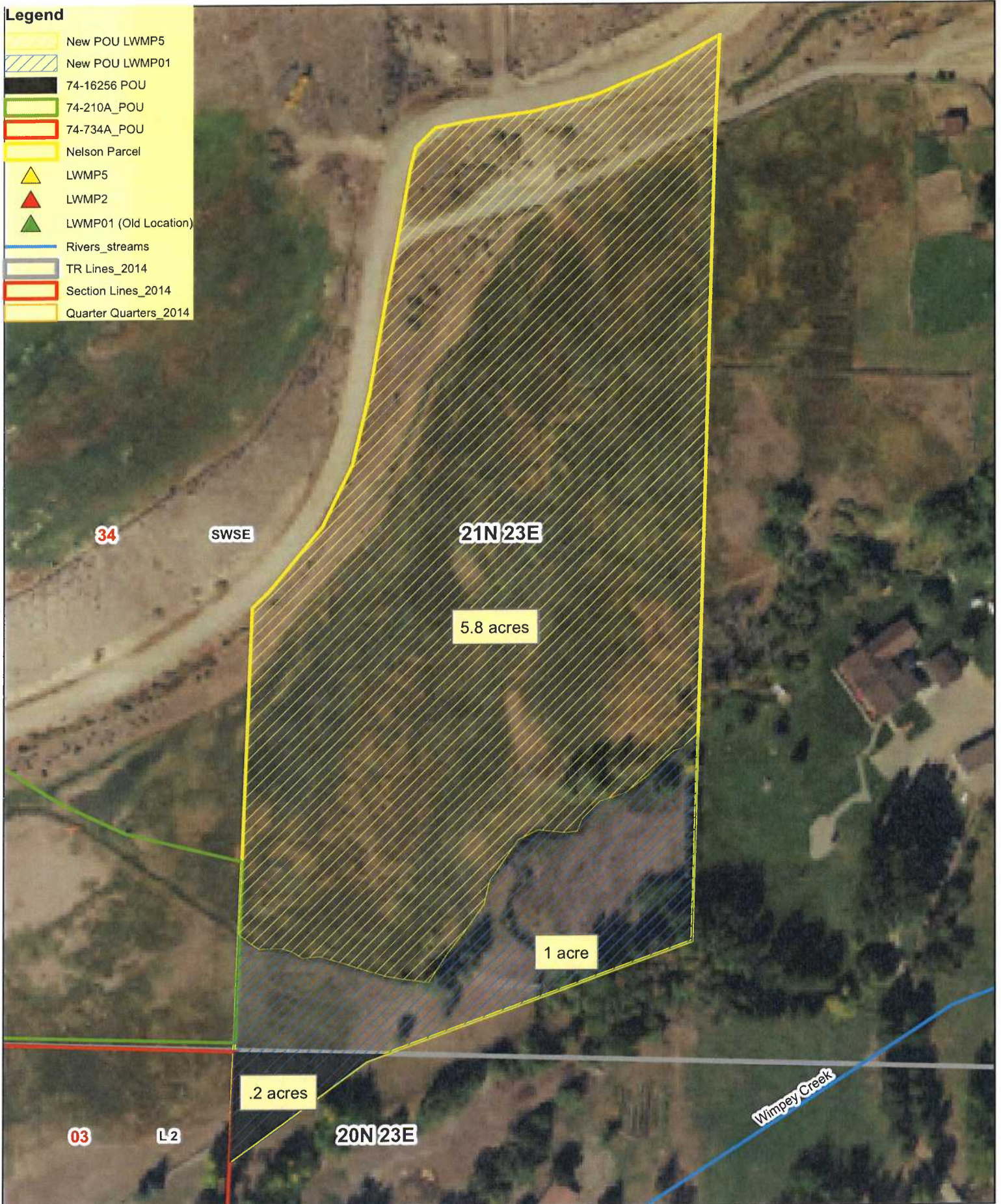
Attachment No. 7a

Map

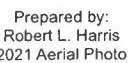
TRANSFER MAP



- Legend**
- New POU LWMP5
 - New POU LWMP01
 - 74-16256 POU
 - 74-210A_POU
 - 74-734A_POU
 - Nelson Parcel
 - LWMP5
 - LWMP2
 - LWMP01 (Old Location)
 - Rivers_streams
 - TR Lines_2014
 - Section Lines_2014
 - Quarter Quarters_2014



Attachment No. 7b
Map (GIS shapefile)



86951



Holden Kidwell
Hahn & Crapo P.L.L.C.
LAW OFFICES

RECEIVED

AUG 18 2022

Department of Water Resources
Eastern Region

August 18, 2022

Established in 1896

1000 Riverwalk Drive, Suite 200
PO Box 50130
Idaho Falls, Idaho 83405
Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com
rharris@holdenlegal.com

Michael Holliday
Eastern Region Office
Idaho Department of Water Resources
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402

RE: *Applications for Water Right Transfer for Water Rights on Wimpey Creek in the Lemhi River Basin.*

Dear Michael:

Enclosed for processing are two *Transfer Applications* proposing to amend three water rights authorized to divert out of Wimpey Creek in the Lemhi River Basin. The applicants and my clients, Rohn and Lori Nelson, recently purchased a parcel of property that is depicted on the survey enclosed with this letter. These transfers are being submitted with the intent to resolve a legal dispute between the Nelsons and the prior owner of the property (Ronald Byers) where it was represented that the property being purchased had appurtenant water rights. The water rights proposing to be amended through these transfers are owned Mr. Byers, and he will provide a written consent for these transfers soon. The intent is to cover the parcel with water rights, and if approved, to thereafter transfer title as part of an overall settlement of the dispute. The transfer is relatively straightforward and seeks changes the points of diversion and places of use of the identified water rights. It is also worth noting that the Nelsons' property has been historically irrigated, but a portion of a water right decreed in the Lemhi Adjudication that likely covered this property was not claimed for this property in the Snake River Basin Adjudication. Accordingly, there should not be any concern with delivery of water through the requested points of diversion.

One unique aspect of this transfer is that the Department originally depicted a water right shapefile owned by third parties on the property purchased by the Nelsons, which water rights are owned by Kirk and Tina Klemmer under WR 74-2183A and WR 74-210B. In correspondence from Debbie Judd of the Department dated March 31, 2022, the Department reversed an ownership change request submitted by the Nelsons. Accordingly, before these transfers are finally processed, it will be necessary to remove or amend the shapefile for the Klemmerers' water rights in order to move that shapefile off of the Nelsons' property. We specifically request that this be done to avoid any possibility of combining these separately owned water rights under the holding described in the Idaho Supreme Court's recent decision in *3G Ag LLC v. IDWR*.

86951

Michael Holliday
August 18, 2022
Page 2 of 2

Enclosed are two separate checks, each in the amount of \$200.00 for the filing fee for these transfers. We appreciate your attention to this matter. If you have any questions concerning these applications, please let me know.

Best regards,



Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures

g:\wpdata\rlb\22257-000 nelson rohn\2022.08.18 ltr to idwr.docx

86951

LOCATION OF THE SE 1/4 SECTION 34, T 21 N., R. 23 E., AND THE SE 1/4 SECTION 35, T 20 N., R. 23 E., 5085E MERIDIAN, CLARK COUNTY, IOWA

THE AUTHORS ARE DEEPLY SADDEN AT A RESULT OF THE RECENTLY RELEASED STUDY BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, WHICH CONCLUDED THAT THE USE OF ANY ONE OF THE 100 MOST COMMON PESTICIDES IN THE UNITED STATES MAY BE RESPONSIBLE FOR THE DEATH OF ONE PERSON EVERY YEAR. THE AUTHORS OF THIS PAPER WOULD LIKE TO CONGRATULATE THE ENVIRONMENTAL PROTECTION AGENCY FOR CONDUCTING THIS RESEARCH AND REQUEST THAT THE AGENCY CONTINUE TO CONDUCT RESEARCH ON THE EFFECTS OF PESTICIDES ON HUMAN HEALTH.

1. *Stellen Sie sich ein Bild vor.*
 2. *Bestimmen Sie die Größe der Fläche.*
 3. *Bestimmen Sie die Größe der Fläche.*
 4. *Bestimmen Sie die Größe der Fläche.*
 5. *Bestimmen Sie die Größe der Fläche.*
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 8. *Bestimmen Sie die Größe der Fläche.*
 9. *Bestimmen Sie die Größe der Fläche.*
 10. *Bestimmen Sie die Größe der Fläche.*

Curve Table				
Curve	Area	Spine	Curve Position	Curve Length
C1	155.43	10.13	20° 21'	12.34
C2	209.84	12.71	17° 31'	13.16
C3	225.93	14.03	20.5° 50'	13.39
C4	104.48	15.56	15° 55'	12.74
C5	210.32	13.90	19.2° 44'	12.94
C6	241.4	14.21	24° 28'	13.15
C7	185.6	13.64	18.9° 51'	12.16

Percent Line Totals	
Line #	Percentage
1	10.21
2	57.96
3	24.75
4	25.04
5	24.06
6	3.77
7	5.23

[illegible][illegible]

JUL 19 1961

Three plates.



LOT 5
SUNNY ACRES SUB

Book 13 pg 84

RECORD OF SURVEY/ BOUNDARY LINE ADJUSTMENT
LOCATED IN
THE SE $\frac{1}{4}$ OF SECTION 34, T. 21 N., R. 23 E. AND THE NE $\frac{1}{4}$, SECTION 03,
T. 20 N. R. 23 E. BOISE MERIDIAN LEMHI COUNTY, IDAHO.



376 FALLS AVENUE
TWIN FALLS, ID 83301
208.737.0337



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

October 5, 2022

ROHN R NELSON
LORI A NELSON
3800 E RUTH DR
WASILLA, AK 99654-7537

RE: Transfer No. 86942: Water Right No(s). 74-210A, 74-734A &
Transfer No. 86951: Water Right No(s). 74-16256, 74-734A

Dear Applicants:

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 RECORDER HERALD on 10/13/2022 and 10/20/2022. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Christina Henman
Administrative Assistant

CC:
ROBERT L HARRIS
HOLDEN KIDWELL HAHN & CRAPO PLLC
PO BOX 50130
IDAHO FALLS, ID 83405-0130

Henman, Christina

From: Henman, Christina
Sent: Wednesday, October 5, 2022 3:29 PM
To: rhlegals@custertel.net
Subject: Legal Notice for Recorder Herald
Attachments: 86942, 86951 Recorder Herald.docx

LEGAL NOTICE DEPARTMENT
RECORDER HERALD
PO BOX 310
SALMON, ID 83467

RE: Transfer No. 86942, 86951
Water Right No(s). 74-210A, 74-734A, 74-16256, 74-734A

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 10/31/2022. Your cooperation is appreciated.

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 86942

ROHN R NELSON and LORI A NELSON, 3800 E RUTH DR, WASILLA, AK 99654-7537 has filed Application No. 86942 for changes to the following water rights within LEMHI County(s): Right No(s). 74-210A, 74-734A; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion and place of use. The proposed point of diversion is in NENESW Sec 35 T21N R23E for 0.13 cfs from Wimpey Creek. The proposed place of use is in SWSE Sec 34 T21N R23E for 5.8 acres.

TRANSFER NO. 86951

ROHN R NELSON and LORI A NELSON, 3800 E RUTH DR, WASILLA, AK 99654-7537 has filed Application No. 86951 for changes to the following water rights within LEMHI County(s): Right No(s). 74-16256, 74-734A; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion and place of use. The proposed point of diversion is in NWSESE Sec 34 T21N R23E for 0.03 cfs from Wimpey Creek. The proposed place of use is in SWSE Sec 34 T21N R23E and Lot 2 (NWNE) Sec 3 T20N R23E for 1.2 acres.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 10/31/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

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