

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 85245**

This is to certify that: TROOST FAMILY LIVING TRUST
C/O GREG TROOST
30540 SABIN RD
PARMA, ID 83660

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>
63-33987	WR/LICENSE	7/14/1988	1.800 cfs	708.3 af	N/A	157.4	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-33987	NO	YES	YES	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>
63-33987	63-33987	1.800 cfs	708.0 af	157	234	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		1.800 cfs	708.0 af	157	234		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 24th day of September, 2021.


NICK MILLER, Western Regional Manager

WATER RIGHT NO. 63-33987**As Modified by Transfer No. 85245**

In accordance with the approval of Transfer No. 85245, Water Right No. 63-33987 is now described as follows:

Right Holder: THE TROOST FAMILY LIVING TRUST
30540 SABIN RD
PARMA, ID 83660-6787

Priority Date: 7/14/1988

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	1.800 cfs 1.800 cfs	708 af 708 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESW Sec 18 Twp 04N Rge 04W CANYON 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	
04N	04W	7														39	38		77
04N	04W	18	40	37	40	40													157

Right Acre Limit: 157

POU Total Acres: 234

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 157 acres within the authorized place of use in a single irrigation season.
2. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company or irrigation district deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 708 af at the field headgate for the place of use.

Transfer No. 85245

WATER RIGHT NO. 63-33987
As Modified by Transfer No. 85245

CONDITIONS OF APPROVAL

4. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of the water right (s) in the ongoing Snake River Basin Adjudication.

State of Idaho
Department of Water Resources

Attachment to Transfer No. 85245

63-35101

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.



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

0 0.175 0.35 0.7 Miles





Governor Brad Little

Director Gary Spackman

September 24, 2021

TROOST FAMILY LIVING TRUST
C/O GREG TROOST
30540 SABIN RD
PARMA ID 83660

RE: Transfer No: 85245
Water Right No.: 63-33987

Transfer Approval Notice

Dear Water Right Holders and other Interested Persons:

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

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

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

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

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

If you have any questions concerning the enclosed information, please contact me at (208) 334-2190.

Sincerely,


DENISE LAERMAN

for Nick Miller
Western Regional Manager

Enclosures

CC:

SPF WATER ENGINEERING LLC
C/O LORI GRAVES
300 E MALLARD DR STE 350
BOISE ID 83706-6660

THE TROOST FAMILY LIVING TRUST
30540 SABIN RD
PARMA ID 83660-6787

CERTIFICATE OF SERVICE

I hereby certify that on September 24, 2021, I served a true and correct copy of the foregoing PRELIMINARY ORDER (Approved Transfer) by U.S. Mail, postage prepaid, to the following:

Re: Transfer No.: 85245
Water Right No.: 63-33987

TROOST FAMILY LIVING TRUST
C/O GREG TROOST
30540 SABIN RD
PARMA ID 83660

SPF WATER ENGINEERING LLC
C/O LORI GRAVES
300 E MALLARD DR STE 350
BOISE ID 83706-6660

THE TROOST FAMILY LIVING TRUST
30540 SABIN RD
PARMA ID 83660-6787


Denise Lauerman
Administrative Assistant

MEMORANDUM

TO: Transfer No. 85245

FROM: Anna Kaiser

DATE: September 22, 2021

RE: Evaluation of Application

The transfer proposes changes the point of diversion (POD) from the two current wells to a single well on the applicant's property. The transfer also proposes changing the place of use (POU), establishing a permissible place of use (ppu).

The site is approximately a half of a mile east of the corner of Allendale and Red Top Rd.

Contact person for the applicant is SPF Water Engineering. 300 E Mallard Dr., Ste, 350, Boise, ID 83606. (208)-383-4140. lgraves@spfwater.com.

Summary of Information Submitted

Authority to File:

Water right 63-33987 is currently in the name of Troost Family Trust. Greg Troost, trustee of the Troost Family Trust, has signing authority.

Water Right Validity:

Water right 63-33987 was split from water right 63-32989 in 2014. 63-32989 was split from 63-10622 in 2008. So, water right validity will be partially determined based on the historical validity of right 63-10622. Water right 63-10622 was licensed in June of 1994. The child rights (including right 63-33987) are presumed to be valid since beneficial use has occurred within the last five years. Beneficial use confirmed by department aerial imagery, Landsat images, google earth images, or other evidence. Evidence of beneficial use does not need to be added to the file it is an IDWR product available to other staff.

Injury to Other Water Rights:

The approval of this transfer is not anticipated to injure other groundwater rights. The proposed POD is less than a mile north of the original POD site, so will likely not have a notable effect on the local groundwater levels. 63-33987 historically shared a POD with two other rights. Upon advertisement of this transfer application, notice was sent to the holders of those two other water rights. Neither expressed concerns about the changes sought by this transfer.

Enlargement of Use:

The approval of this transfer is not anticipated to enlarge water right 63-33987. Though the applicant is establishing a ppu, the right will be conditioned to limit use to 157.4 acres within a single irrigation season. The right will remain supplemental to the irrigation water supplied through Wilder Irrigation District shares.

Local Public Interest:

No evidence suggests this application proposes a change in conflict with the local public interest.

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho.

Water Right Overlap

This transfer was submitted alongside a new water right application No.63-35101. The new transfer application proposes the same POD proposed in this transfer, and a POU matching the ppu proposed in this transfer. Upon approval, this transfer and permit no. 63-35101 will be limited to a total combined 2.89 cfs, 1053 af, and 234 irrigated acres per irrigation season.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

LEGAL NOTICE

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

63-35048

WILLIAM SNETHEN
27984 OLD HIGHWAY 30 CALDWELL, ID 83607-8620
Point of Diversion NWNE S17 T05N R03W CANYON County
Source GROUND WATER
Use: IRRIGATION 03/01 to 11/15 0.3 CFS
Total Diversion: 0.3 CFS
Date Filed: 04-14-2021
Place Of Use: IRRIGATION T05N R03W S17 NWNE
Total Acres: 15
Water bearing zone to be appropriated is from 100 to 150 feet.

63-35091

MATHEW LINDERMAN
933 N GOLDEN CROWN WAY EAGLE, ID 83616
Point of Diversion SWSE S35 T05N R02W CANYON County
Source GROUND WATER
Use: DOMESTIC 1/1 to 12/31 0.04 CFS
Use: IRRIGATION 3/1 to 11/15 0.14 CFS
Total Diversion: 0.18 CFS
Date Filed: 08-11-2021
Place Of Use: DOMESTIC, IRRIGATION
T05N R02W S35 SWSE Total Acres: 7
Water bearing zone to be appropriated is from 150'-305'.

63-35096

THE TROOST FAMILY LIVING TRUST
30540 SABIN RD PARMA, ID 83660-6787
Point of Diversion NENE S19 T04N R04W CANYON County
Source GROUND WATER
Use: IRRIGATION 03/01 to 11/15 1.5 CFS
Total Diversion: 1.5 CFS
Date Filed: 08-05-2021
Place Of Use: IRRIGATION
T04N R04W S19 NENE, SENE Total Acres: 75
Water bearing zone to be appropriated is from 20' to 300'.

63-35098

BLUE TERRA DEVELOPMENT LLC
2541 E GALA ST STE 310 MERIDIAN, ID 83642-5330
Point of Diversion NESE S4 T04N R03W CANYON County
Source GROUND WATER
Point of Diversion NESE S4 T04N R03W CANYON County
Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.23 CFS
Use: DIVERSION TO STORAGE 01/01 to 12/31 0.23 CFS
Use: AESTHETIC STORAGE 01/01 to 12/31 4.3 AF
Use: FIRE PROTECTION STORAGE 01/01 to 12/31 3 AF
Use: FIRE PROTECTION FROM STORAGE 01/01 to 12/31 3 AF
Total Diversion: 2.3 CFS
Date Filed: 08-09-2021
Place Of Use: AESTHETIC STORAGE, DOMESTIC, FIRE PROTECTION FROM STORAGE, FIRE PROTECTION STORAGE
T04N R03W S4 NESE
Place Of Use: DOMESTIC, FIRE PROTECTION FROM STORAGE
T04N R03W S4 NWSE, SESE
Water bearing zone to be appropriated is from 60 to 350 feet.

63-35099

MAXWELL FARMS LLC
24630 PECKHAM RD WILDER, ID 83676-5221
Point of Diversion SENE S24 T04N R05W CANYON County
Source GROUND WATER
Use: IRRIGATION 03/01 to 11/15 1.72 CFS
Total Diversion: 1.72 CFS
Date Filed: 08-11-2021
Place Of Use: IRRIGATION T04N R05W S24 NENE, SENE, NWNW
Total Acres: 86
Water bearing zone to be appropriated is from 20 to 600 feet.

63-35101

THE TROOST FAMILY LIVING TRUST
30540 SABIN RD PARMA, ID 83660-6787
Point of Diversion NWNE S18 T04N R04W CANYON County
Source GROUND WATER
Use: IRRIGATION 03/01 to 11/15 2.89 CFS
Total Diversion: 2.89 CFS
Date Filed: 08-19-2021
Place Of Use: IRRIGATION T04N R04W S18 NENE, NWNE, SWNE, SENE
Place Of Use: IRRIGATION T04N R04W S7 NWSE, SWSE
Total Acres: 234
Water bearing zone to be appropriated is from 20 to 300 feet.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 85245

TROOST FAMILY LIVING TRUST, C/O GREG TROOST
30540 SABIN RD, PARMA, ID 83660 has filed Application No. 85245 for changes to the following water rights within CANYON County(s): Right No(s), 63-33987; 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:

Transfer proposes changing the POD to a well on the applicant's property, and changing the POU to establish a permissible place of use for irrigation right no. 63-33987. The transfer is located around the original POU of water right no. 63-33987 on the Troost Family Living Trust property. Water will be used approximately a half of a mile east of the corner of Allendale and Red Top Rd.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western office at (208)334-2190; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A and Idaho Code Sec. § 42-222. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 9/20/2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

September 2, 9, 2021

140644

RECEIVED
SEP 15 2021
WATER RESOURCES
WESTERN REGION

✓ OK
DL
09.15.2021

✓ OK
DL
09.15.2021

✓ OK
DL
09.15.2021

✓ OK
DL
09.15.2021

✓ OK
DL
09.15.2021

✓ OK
DL
09.15.2021

✓ OK
DL
09.15.2021

RECEIVED

SEP 15 2021

WATER RESOURCES
WESTERN REGION

**AFFIDAVIT OF PUBLICATION
STATE OF IDAHO**

County of Canyon and Ada

23100 140644

1 IDWR - WESTERN REGION

2735 AIRPORT WAY

BOISE, ID 83705

SHARON JESSEN

**of the State of Idaho, being of first duly sworn, deposes
and says:**

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principle Clerk of the Idaho Press-Tribune, a daily newspaper published in the Counties of Canyon and Ada, State of Idaho; that the said newspaper is in general circulation in the said counties of Canyon and Ada, and in the vicinity of Nampa, Caldwell, and Boise, and has been uninterruptedly published in said Counties during a period of seventy -eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in said newspaper 2 times(s) in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement

That said notice was published the following: 09/02/2021,
09/09/2021



SHARON JESSEN

STATE OF IDAHO

County of Canyon and Ada

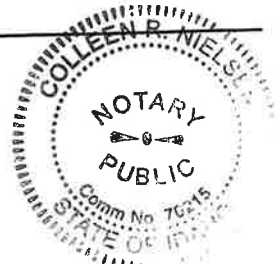
On this 9th day of September, in the year of 2021 before me a Notary Public, personally appeared. SHARON JESSEN, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that he/she executed the same.



Notary Public of Idaho

My commission expires

4/28/23

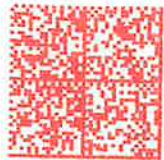


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
2735 Airport Way
Boise, Idaho 83705-5082

Return Service Requested

Not to his house

PRESORTED
FIRST CLASS



U.S. POSTAGE >> PITNEY BOWES
ZIP 83702 \$ 000.42⁶
02 4W
0000359173 SEP 01 2021

ALLENDALE FARMS INC
PO BOX 428
WILDER, ID 83676-0428

RECEIVED

SEP 14 2021

WATER RESOURCES
WESTERN REGION

TR85245

NIXIE 841 EE 1305 0005/11/21
RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD
EC: 8370550625 2309-03739-11-22
ANR
H4533333 5000

State of Idaho
Department of Water Resources
RECOMMENDATION FORM

RECEIVED

SEP 08 2021

WATER RESOURCES
WESTERN REGION

RE: Transfer No. 85245
Water Right No. 63-33987
Application for Permit No. 63-35096, 63-35101

New Appropriation Applicant's
Name:

THE TROOST FAMILY LIVING TRUST
30540 SABIN RD
PARMA, ID 83660-6787

Recommendation:

- a) ☒ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows:
- c) ☐ I oppose approval of this application for the following reasons:
- d) ☐ Additional comments:

Dated this 8 day of September, 2021

Diane Paulsen
Signature
Wilder Irrigation



Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

September 7, 2021

PAUL CALVERLEY TRUST
HARRIET CALVERLEY TRUST
1396 W PANDION CT
BOISE, ID 83714

RE: Transfer No. 85245
Water Right No. 63-33987

Dear Interested Party:

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

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days of the final publication.

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

Sincerely,

A handwritten signature in blue ink that reads "Denise Lauerman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Denise Lauerman
Administrative Assistant

Enclosure