

RECEIVED

JUL 30 2021

FORM 202 Rev. 09/16
DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of IdahoIdent. No. 45-14539

1. Name of applicant(s) Albion 12 Investments LLC Phone (602) 524-1805
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 7595 E MCDONALD DR STE 130 City SCOTTSDALE
 State AZ ZIP 85250 Email mike@americorig.com
2. Name of representative, if any Greg Sullivan Phone 208-736-8543
 Mailing address 2016 N Washington St Ste 4 City Twin Falls
 State Idaho ZIP 83301 Email greg.sullivan@brockwayeng.com
- a. ☐ 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.
- b. ☒ 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.
3. Source of water supply Spring Creek/Unnamed Stream which is a tributary of Howell Creek
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
12S	25E	16		SW	NW	SE	Cassia	Unnamed Stream	
12S	25E	21		SE	NE	NW	Cassia	Spring Creek	
12S	25E	21		SE	NE	NW	Cassia	Spring Creek	

5. Water will be used for the following purposes:
- Amount 2.2 for Aesthetic/Wildlife Storage purposes from 1/01 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount 1.4 for Aesthetic/Wildlife Storage purposes from 1/01 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount 3.9 for Aesthetic/Wildlife Storage purposes from 1/01 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) _____ cubic feet per second (cfs) and/or (b) 7.5 acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. Existing ponds are on stream. The stream naturally flows through the ponds.
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate [Application for Construction or Enlargement of a New or Existing Dam](#). Application required? ☐ Yes ☐ No
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
- e. If well is already drilled, when? _____; drilling firm _____;
 well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by CH/DM Date 7-27-2021 Time 4:45 PM Preliminary check by _____
 Fee \$ 100- Receipted by AM Receipt No. 5038730 Date 7-27-2021

RECEIVED

FORM 202 Rev. 09/16

JUL 27 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. _____

1. Name of applicant(s) Albion 12 Investments LLC Phone (602) 524-1805
Name connector (check one): ☐ and ☐ or ☐ and/or
Mailing address 7595 E MCDONALD DR STE 130 City SCOTTSDALE
State AZ ZIP 85250 Email mike@americorig.com

2. Name of representative, if any Greg Sullivan Phone 208-736-8543
Mailing address 2016 N Washington St Ste 4 City Twin Falls
State Idaho ZIP 83301 Email greg.sullivan@brockwayeng.com

- a. ☐ 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.
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☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.

3. Source of water supply Spring Creek which is a tributary of Howell Creek

4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
12S	25E	16		SW	NW	SE	Cassia	Spring Creek	
12S	25E	21		SE	NE	NW	Cassia	Spring Creek	
12S	25E	21		SE	NE	NW	Cassia	Spring Creek	

5. Water will be used for the following purposes:

Amount 2.2 for Aesthetic/Wildlife Storage purposes from 1/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
Amount 1.4 for Aesthetic/Wildlife Storage purposes from 1/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
Amount 3.9 for Aesthetic/Wildlife Storage purposes from 1/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

6. Total quantity to be appropriated is (a) _____ cubic feet per second (cfs) and/or (b) 7.5 acre-feet per year (af).

7. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source. Existing ponds are on stream. The stream naturally flows through the ponds.
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate [Application for Construction or Enlargement of a New or Existing Dam](#). Application required? ☐ Yes ☐ No
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
e. If well is already drilled, when? _____; drilling firm _____;
well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by CH/dm Date 7-27-2021 Time 4:45pm Preliminary check by _____
Fee \$ 100- Received by dm Receipt No. 5038730 Date 7-27-2021

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. _____
 - Stockwatering; list number and kind of livestock. _____
 - Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
 - Domestic; show number of households _____
 - Other; describe fully. aesthetic storage and wildlife storage
9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	25E	16														AS			
																WS			
12S	25E	21					AS												
							WS												

Total number of acres to be irrigated: _____

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? None
11. a. Who owns the property at the point of diversion? Albion 12 Investments LLC and Rose Creek Ranch LLC
- b. Who owns the land to be irrigated or place of use? Albion 12 Investments LLC and Rose Creek Ranch LLC
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. IDWR is requesting that this application for permit be submitted. Mitigation for these ponds will be provided through drying up existing irrigation acres under water right 45-517D.
13. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

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.

Michael Merdman
Signature of Applicant

MICHAEL MERDMAN
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

Albion 12
 Mitigation Calculations
 Brockway Engineering
 GWS 05/27/2021

Albion 12

Pond	Surface Area Acres	Depth (ft)	Volume (AF)	Pond Evap (AF)
				3.20 ft
1	0.43	5.00	2.2	1.4
2	0.27	5.00	1.4	0.9
3	0.79	5.00	3.9	2.5
4				
1.49 Acres			7.4 AF	4.8 AF
			1 Time Dry Up Acres	Permanently Dried Up Acres
			2.4 Acres	1.5 Acres

Evaporation data collected from ETIdaho 2012 Evapotranspiration and Consumptive Irrigation Water Requirements for Idaho.

<http://data.kimberly.uidaho.edu/ETIdaho/stcврstats.py?station=76&cover=2&stats=Deficit>

Malta 1NE (NWS -- USC00105563)

alfalfa 958 mm 3.14 ft

<http://data.kimberly.uidaho.edu/ETIdaho/stcврstats.py?station=76&cover=57&stats=Deficit>

Malta 1NE (NWS -- USC00105563)

pond 974 mm 3.20 ft



0 250 500 Feet

BROCKWAY ENGINEERING, PLLC.
GWS - Date: 6/2/2021

45-14539

ALBION 12 INVESTMENTS LLC
ROSE CREEK RANCH LLC
STORAGE POND PERMIT
NAIP 2019 AERIAL

Legend

- ★ Pond PODs
- Aesthetic Ponds





0 500 1,000 Feet

45-14539

ALBION 12 INVESTMENTS LLC
ROSE CREEK RANCH LLC
SPRING CREEK MITIGATION FOR PONDS
NAIP 2019 AERIAL

Legend

-  Permanent Pond Mitigation
-  1 Year Pond Mitigation
-  property
-  Albion Ranch





0004147608

**STATE OF IDAHO**

Office of the secretary of state, Lawrence Denney

ANNUAL REPORT

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

For Office Use Only

-FILED-

File #: 0004147608

Date Filed: 1/29/2021 12:51:02 PM

Entity Name and Mailing Address:

Entity Name: ROSE CREEK RANCH, L.L.C.
The file number of this entity on the records of the Idaho Secretary of State is: 0000447003
Address: 7595 E MCDONALD DR
STE 130
SCOTTSDALE, AZ 85250-6081

Entity Details:

Entity Status: Active-Existing
This entity is organized under the laws of: IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: W146831

The registered agent on record is:

Registered Agent: CORPORATION SERVICE COMPANY
Commercial Registered Agent
Physical Address: 12550 W EXPLORER DR STE 100
BOISE, ID 83713
Mailing Address: 12550 W EXPLORER DR STE 100
BOISE, ID 83713

Agent or Address Change

☐ Select if you are appointing a new agent.

Limited Liability Company Managers and Members

Name	Title	Business Address
+ PMTB Investments, LLC	Member	7595 E MCDONALD DRIVE STE 130 SCOTTSDALE, AZ 85250
+ MICHAEL L MERRIMAN	Manager	7595 E MCDONALD DRIVE STE 130 SCOTTSDALE, CA 85250

The annual report must be signed by an authorized signer of the entity.

Job Title: Manager

Michael L Merriman

Sign Here

01/29/2021

Date

B0576-8109 01/29/2021 12:51 PM Received by ID Secretary of State Lawrence Denney

Customer Ad Proof

60003161 IDAHO DEPT OF WATER RESOURCES

Order Nbr 117994

Publication Times News

Contact IDAHO DEPT OF WATER RESOURCES

Address 1 2735 AIRPORT WAY

Address 2

City St Zip BOISE ID 83705

Phone 2083342190

Fax

Section Legals

SubSection

Category 50 Legal

Ad Key 117994-1 85172

Keywords 3 TRANSFER NO. 85056, 58172, 85190

Notes

Ad Proof

PO Number

Rate Legal Notice

Order Price 235.98

Amount Paid 0.00

Amount Due 235.98

Start/End Dates 08/19/2021 - 08/26/2021

Insertions 2

Size 156

Salesperson(s) Jenny Green - Legals

Taken By Sherri Davis

*Proof of legal notice received
from Times News 8/12/2021 (2 pgs)*

✓ Dm 8-13-2021

Customer Ad Proof

60003161 IDAHO DEPT OF WATER RESOURCES

Order Nbr 117994

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

45-14539

ALBION 12 INVESTMENTS LLC
7595 E MCDONALD DR STE 130
SCOTTSDALE, AZ 85250-6081

Point of Diversion SWNWSE S16 T12S R25E CASSIA County
Source UNNAMED STREAM Tributary SUMMIT CREEK

Point of Diversion SENENW S21 T12S R25E CASSIA County
Source SPRING CREEK Tributary HOWELL CREEK

Point of Diversion SENENW S21 T12S R25E CASSIA County
Source SPRING CREEK Tributary HOWELL CREEK

Use: AESTHETIC STORAGE 0101 to 12% 1 7.5 AF

Use: WILDLIFE STORAGE 0101 to 12% 1 7.5 AF

Total Diversion: 7.5 AF

Date Filed: 07-27-2021

Place Of Use: AESTHETIC STORAGE, WILDLIFE STORAGE

T12S R25E S16 NWSE

T12S R25E S21 NENW

Application for permit proposes the appropriation of 3.6 af from Spring Creek and 3.9 af from an unnamed stream (total for both 7.5 af) for uses associated with 3 on-stream ponds. A mitigation plan was submitted with application to account for evaporative losses and initial fill of ponds. Two ponds on Spring Creek are located approximately 1.9 miles east and 2.7 miles to 2.8 miles south of Albion. The pond on unnamed stream is located approximately 2 miles east and 2.4 to 2.5 miles south of Albion.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 85056

GARY DE MOSS and HELEN DE MOSS, PO BOX 61, BLISS, ID 83314 has filed Application No. 85056 for changes to the following water rights within GOODING County(s): Right No(s). 37-22168. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the place of use (POU) and point of diversion (POD) for a 6.0 acre (0.12 cfs) portion of ground water irrigation right 37-22168 which is currently appurtenant to land located approximately 9.7 to 11.0 miles west and 4.5 to 7.0 miles north of the intersection of State Highway 46 and U.S. Highway 26 in Gooding. The proposed POU is located approximately 4.5 miles west and 2.2 miles north of Gooding. A new well and an existing well located within the proposed POU will be utilized as PODs for the transferred portion.

TRANSFER NO. 85172

ALBION 12 INVESTMENTS LLC, 7595 E MCDONALD DR STE 130, SCOTTSDALE, AZ 85250-6081 has filed Application No. 85172 for changes to the following water rights within CASSIA County(s): Right No(s). 45-517D. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding a new point of diversion to a 0.2 cfs Spring Creek irrigation water right that is located approximately 1.9 miles east and 2.8 miles south of Albion. Application also proposes removing a currently authorized point of diversion from the same water right.

TRANSFER NO. 85190

SCHENK LAND & CATTLE LP, 1380 S 50 W, OAKLEY, ID 83346-8715 has filed Application No. 85190 for changes to the following water rights within CASSIA County(s): Right No(s). 45-12444. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change the recorded place of use of an existing Land Ranch Spring water right (0.50 cfs) to reflect actual water use for stock water purposes at a feedlot facility located approximately 3.4 miles east and 7.2 miles north of Oakley.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights & proposed transfer, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. 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 **September 7, 2021**. The protestant must also send a copy of the protest to the applicant.

Published 19, 26 August, 2021

✓ DM B. 13. 2021



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 Gary Spackman

August 12, 2021

ALBION 12 INVESTMENTS LLC
7595 E MCDONALD DR STE 130
SCOTTSDALE, AZ 85250-6081

RE: Application for Permit No. 45-14539

RE: Transfer No. 85172
Water Right No(s). 45-517D

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 8/19/2021 and 8/26/2021**. 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 **September 7, 2021**.

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 permit.

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

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

c: Brockway Engineering PLLC
AXA Equitable Life Insurance Company



IDAHO DEPARTMENT OF
WATER RESOURCES

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Governor Brad Little

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August 12, 2021

WATER DISTRICT 45F
ALAN LLOYD
939 S 950 E
ALBION ID 83311-9705

RE: Transfer No. 85172 (Albion 12 Investments LLC)
Application for Permit No. 45-14539 (Albion 12 Investments LLC)

Dear Alan:

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 past. 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

Denise Maline
Administrative Assistant 1

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, August 12, 2021 4:37 PM
To: 'Dawson,Bradley'
Subject: Comment Letters for App. for Permit 45-14539 & Transfer 85172
Attachments: Comment letter to F&G for 45-14539 & 85172.docx; Permit application 45-14539 Albion 12 Investments.pdf; Transfer #85172 - Albion 12 Investments.pdf

Good afternoon,

Attached is an application for permit and an application for transfer currently being processed by the department. Please review the application and provide any necessary comments within 21 days.

If you have any questions regarding this application, please feel free to contact Water Resource Agent Bill Mills at (208) 736-3033.

Thank you in advance,

Denise @ IDWR

Denise Maline, Administrative Assistant
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
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Governor Brad Little

Director Gary Spackman

August 12, 2021

IDAHO DEPT OF FISH & GAME
BRADLEY DAWSON
324 S 417 E STE 1
JEROME ID 83338-6206

RE: Transfer No. 85172 (Albion 12 Investments LLC)
Application for Permit No. 45-14539 (Albion 12 Investments LLC)

Dear Mr. Dawson:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right application. *You can find a complete copy of the application(s) at:*

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days of the date of this letter.

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 after final publication (**on or before September 7, 2021**).

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

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, August 12, 2021 11:07 AM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News cover letter.docx; Times News ad.docx

Attached please find **(1)** legal notice being submitted for publication on August 19th & 26th, 2021. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline, Administrative Assistant
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
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Governor Brad Little

Director Gary Spackman

August 12, 2021

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Application for Permit No. 45-14539

RE: Transfer No. 85172
Water Right No(s). 45-517D

RE: Transfer No. 85056
Water Right No(s). 37-22168

RE: Transfer No. 85190
Water Right No(s). 45-12444

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 September 7, 2021. Your cooperation is appreciated.

Sincerely,
Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

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7595 E MCDONALD DR STE 130
SCOTTSDALE, AZ 85250-6081

Point of Diversion SWNWSE S16 T12S R25E CASSIA County Source UNNAMED STREAM Tributary SUMMIT CREEK

Point of Diversion SENENW S21 T12S R25E CASSIA County Source SPRING CREEK Tributary HOWELL CREEK

Point of Diversion SENENW S21 T12S R25E CASSIA County Source SPRING CREEK Tributary HOWELL CREEK

Use: AESTHETIC STORAGE 01/01 to 12/31 7.5 AF

Use: WILDLIFE STORAGE 01/01 to 12/31 7.5 AF

Total Diversion: 7.5 AF

Date Filed: 07-27-2021

Place Of Use: AESTHETIC STORAGE, WILDLIFE STORAGE

T12S R25E S16 NWSE

T12S R25E S21 NENW

Application for permit proposes the appropriation of 3.6 af from Spring Creek and 3.9 af from an unnamed stream (total for both 7.5 af) for uses associated with 3 on-stream ponds. A mitigation plan was submitted with application to account for evaporative losses and initial fill of ponds. Two ponds on Spring Creek are located approximately 1.9 miles east and 2.7 miles to 2.8 miles south of Albion. The pond on unnamed stream is located approximately 2 miles east and 2.4 to 2.5 miles south of Albion.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

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TRANSFER NO. 85172

ALBION 12 INVESTMENTS LLC, 7595 E MCDONALD DR STE 130, SCOTTSDALE, AZ 85250-6081 has filed Application No. 85172 for changes to the following water rights within CASSIA County(s): Right No(s). 45-517D. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding a new point of diversion to a 0.2 cfs Spring Creek irrigation water right that is located approximately 1.9 miles east and 2.8 miles south of Albion. Application also proposes removing a currently authorized point of diversion from the same water right.

TRANSFER NO. 85190

SCHENK LAND & CATTLE LP, 1380 S 50 W, OAKLEY, ID 83346-8715 has filed Application No. 85190 for changes to the following water rights within CASSIA County(s): Right No(s). 45-12444. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change the recorded place of use of an existing Land Ranch Spring water right (0.50 cfs) to reflect actual water use for stock water purposes at a feedlot facility located approximately 3.4 miles east and 7.2 miles north of Oakley.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. 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 **September 7, 2021**. The protestant must also send a copy of the protest to the applicant.

Erickson, Nathan

From: Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent: Friday, July 30, 2021 11:34 AM
To: Erickson, Nathan; Mills, Bill
Subject: Albion 12
Attachments: Albion 12 Permit Page 1.pdf

Nathan and Bill,

See the attached updated page 1 for the Albion 12 Permit Application.

Greg Sullivan
Brockway Engineering
2016 North Washington Street, Suite 4
Twin Falls, Idaho 83301
208-736-8543

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

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JUL 27 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

July 27, 2021

Corey Skinner
Idaho Department of Water Resources
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301

Re: Albion 12 Investments LLC

Dear Mr. Skinner:

Albion 12 Investments LLC at the request of IDWR is submitting an application for permit for the beneficial use of aesthetic and wildlife storage for three ponds located on their property near Albion, Idaho. The ponds receive water from Spring Creek.

It is requested that a volume of 7.5 acre feet be utilized to keep the ponds full from January 1st through December 31st of each year. Mitigation for this new permit will be provided by drying up a portion of water right 45-517D.

The three ponds have been constructed several years ago and are currently being utilized. A 2.4 acre portion of 45-517D (identified in blue on the attached map) was dried up in 2019 to satisfy the initial fill requirements of the three ponds. A 1.5 acre portion of 45-517D (identified in red hashed lines) will be dried up permanently. The allowed irrigation acres under 45-517D will need to be reduced by 1.5 acres.

The IDWR fee for this application is \$100.00.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Brian Merriman

Enc: Application for Permit, Mitigation Spreadsheet Analysis, Aerial Maps, Annual Report, Brockway Engineering Check # 16530 for \$300.00.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
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