

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 17 2021

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

Department of Water Resources
Eastern Region

Name of Applicant(s) Joanne Toevs and William Toevs Phone 2086042599
Mailing address 2841 W 1800 S ABERDEEN, ID 83210-1832 Email _____

- ☐ 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 Greg Sullivan Phone 208-736-8543
Mailing address 2016 N Washington St Ste 4 Twin Falls, Idaho 83301 Email greg.sullivan@brockwayeng.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.

William Toevs
Signature of Applicant or Authorized Representative

Joanne L Toevs
Signature of Applicant or Authorized Representative

Ritchy Toevs
Print Name and Title if applicable

Joanne Toevs
Print Name and Title if applicable

06/02/2021
Date

06/02/2021
Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
☐ Change nature of use
 ☐ Add diversion point(s)
☐ Change period of use
 ☒ Change place of use
☐ Other _____
- 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**.
- 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**.
This transfer proposes to create a permissible place of use of the existing water rights on the farm. The permissible place of use will allow for better management of the water rights on these two pivots.

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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 ☒ ☐	35-13609	0.37/116.8	Irrigation	4/01 to 10/31	Ground Water
☒ ☐	35-7246M	1.04/411.2	Irrigation	4/01 to 10/31	Ground Water
☒ ☐	35-14040	0.08/34	Irrigation	4/01 to 11/01	Ground Water
☒ ☐	35-13991	0.18/62.4	Irrigation	4/01 to 10/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 1.67 cfs and/or 624.2 acre-feet.

2. Total amount of water proposed to be transferred or changed 1.67 cubic feet per second and/or 624.2 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 #

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	
04S	31E	16									40	40	40	40	40	40	40	40	320
Total Acres (for irrigation use)																			320*

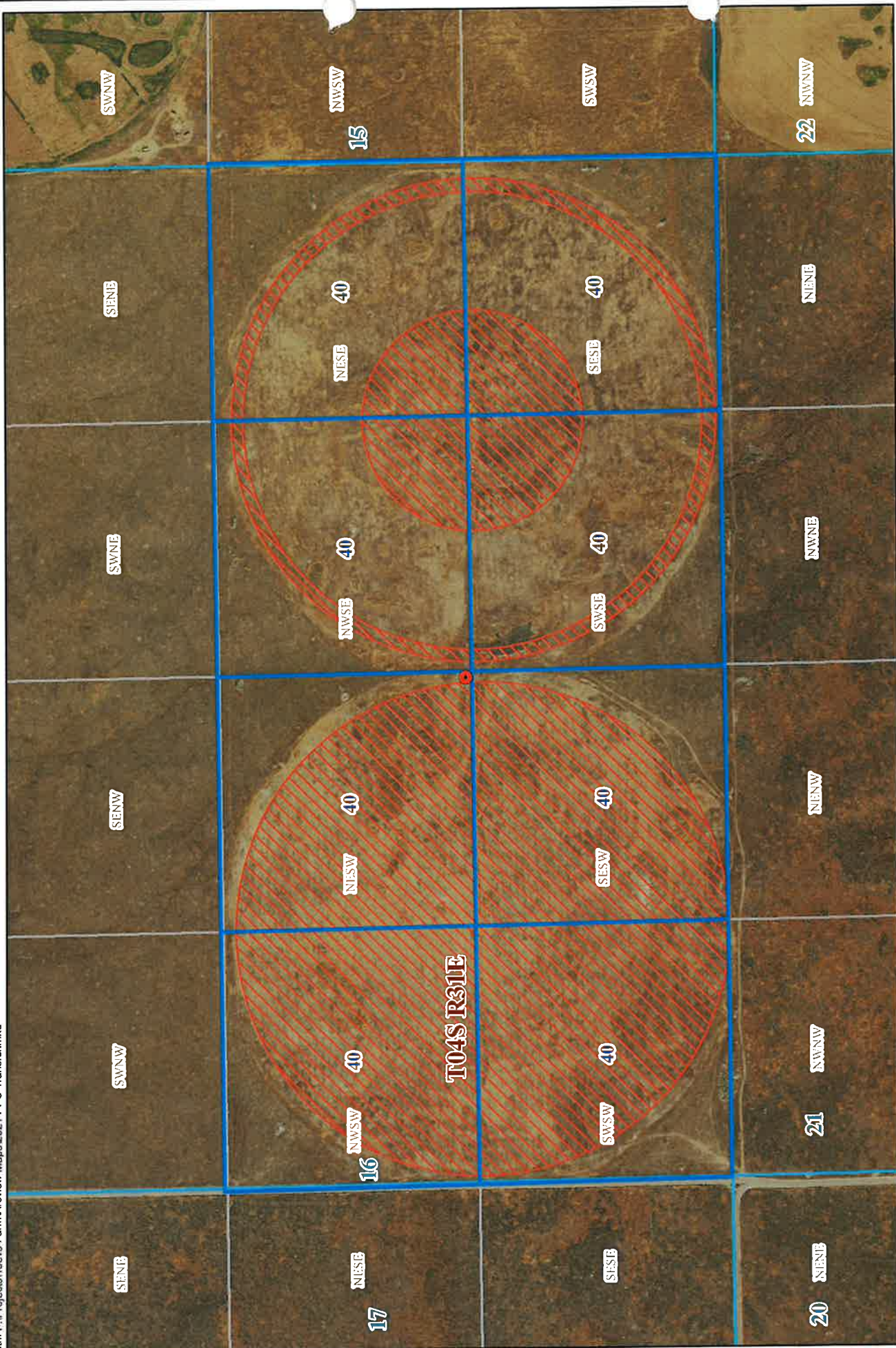
* Irrigation will be limited to 156.1 acres within the 320.0 acre permissible place of use.

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 well, mainline and delivery system.
-
-
-
- b. Who owns the property at the point(s) of diversion? The applicants
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
-
-
-
- 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: None
-
- 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:
156.1 acres will continue to be irrigated.
-
-
-
- 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:
There is an acre Water Supply Bank rental on the east pivot for 2021.
-
-
-
- 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:**
-
-
-



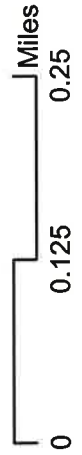
Legend

- Toeys PODs
- Proposed PPU area
- Toeys Acres

TOEYS IRRIGATION TRANSFER
35-13609, 35-7246M, 35-14040, 35-13991

156.1 ACRES

NAIP 2019 AERIAL



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

7/8/2021

Water Right 35-7246M

Owner Type **Name and Address**
Current Owner WILLIAM R TOEVS
2841 W 1800 S
ABERDEEN, ID 83210-1832
(208) 604-2599

Current Owner JOANNE TOEVS
2841 W 1800 S
ABERDEEN, ID 83210-1832
(208) 604-2599

Priority Date: 9/5/1972

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.040 CFS	411.2 AF
	<u>Total Diversion</u>		1.040 CFS	411.2 AF

Source and Point(s) of Diversion

GROUND WATER SENESW Sec. 16, Twp 04S, Rge 31E, BINGHAM County

Place Of Use

IRRIGATION within BINGHAM County

T04S R31E S16	NESW	25.7
T04S R31E S16	NWSW	25.7
T04S R31E S16	SWSW	25.7
T04S R31E S16	SESW	25.7
POU Total Acres:		102.8

Conditions of Approval:

1. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
2. X63 All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
3. 067 The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. T19 Pursuant to Section 42-1412(6), Idaho Code, 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

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unified decree entered 08/26/2014.

Dates and Other Information

Decreed Date: 6/2/2003

State or Federal: S

Water District Number: 120

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 4.0

Mitigation Plan: False

Combined Use Limits

Rate

Volume

Acres

264.0

35-7246M ,35-7632A ,35-13609

SubCase:

SubCaseNumber: 35-7246M

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent:

Basis of Claim: License

Date Filed:

Objection Status:

Water Supply Bank:

N/A

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Water Right 35-13609

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WILLIAM R TOEVS 2841 W 1800 S ABERDEEN, ID 83210-1832 (208) 604-2599
Current Owner	JOANNE TOEVS 2841 W 1800 S ABERDEEN, ID 83210-1832 (208) 604-2599

Priority Date: 9/5/1972

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.370 CFS	116.8 AF
	<u>Total Diversion</u>		0.370 CFS	116.8 AF

<u>Source and Point(s) of Diversion</u>		
GROUND WATER	NESW	Sec. 16, Twp 04S, Rge 31E, BINGHAM County

Place Of Use

IRRIGATION within BINGHAM County

T04S R31E S16	NESW	33.0
T04S R31E S16	NWSW	33.0
T04S R31E S16	SWSW	33.0
T04S R31E S16	SESW	33.0
	Right Acre Limit:	29.2
	POU Total Acres:	132.0

Conditions of Approval:

1. X27 This right is limited to the irrigation of 29.2 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 35-13609 and 35-7246M when combined shall not exceed the irrigation of 132.0 acres.
3. R05 Use of water under this right will 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. 120.
4. R02 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.
5. 131 Prior to the diversion and use of water under Transfer approval 73345, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at

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- the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
8. T08 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. T19 Pursuant to Section 42-1412(6), Idaho Code, 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.

Dates and Other Information

Decreed Date: 2/19/2002

State or Federal: S

Water District Number: 120

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 4.0

Mitigation Plan: False

Combined Use Limits

Rate

Volume

Acres

264.0

35-7246M ,35-7632A ,35-13609

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

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Water Right 35-13991

Owner Type **Name and Address**
Current Owner KBC FARMS LLC
3010 MC KINLEY ST
AMERICAN FALLS, ID 83211
(208) 226-2773

Priority Date: 6/21/1955

Basis: Decreed

Status: Active

Source **Tributary**
GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.180 CFS	62.4 AF
	Total Diversion		0.180 CFS	62.4 AF

Source and Point(s) of Diversion
GROUND WATER NESW Sec. 16, Twp 04S, Rge 31E, BINGHAM County

Place Of Use
IRRIGATION within BINGHAM County

T04S R31E S16	NESE	5.3
T04S R31E S16	NWSE	6.0
T04S R31E S16	SWSE	6.7
T04S R31E S16	SESE	6.1
	Right Acre Limit:	15.6
	POU Total Acres:	24.1

Conditions of Approval:

1. X27 This right is limited to the irrigation of 15.6 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 35-14040 and 35-13991 when combined shall not exceed the irrigation of 24.1 acres.
3. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
4. R05 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. 120.
5. 214 Prior to the diversion and use of water under Transfer approval 84705, the right holder shall install and maintain acceptable measuring device(s) at the authorized point of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in

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- accordance with Department specifications.
7. 004 This right does not grant any right-of-way or easement across the land of another.
 8. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
 9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 10. T19 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.

Dates and Other Information

Decreed Date: 1/31/2002

State or Federal: S

Water District Number: 120

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 4.0

Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

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7/8/2021

Water Right 35-14040

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KBC FARMS LLC 3010 MC KINLEY ST AMERICAN FALLS, ID 83211 (208) 226-2773

Priority Date: 10/16/1974

Basis: Decreed

Status: Active

Water Supply Bank Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.080 CFS	34.0 AF
	<u>Total Diversion</u>		0.080 CFS	34.0 AF

Source and Point(s) of Diversion

GROUND WATER	NESW	Sec. 16, Twp 04S, Rge 31E, BINGHAM County
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Place Of Use

IRRIGATION within BINGHAM County

T04S R31E S16	NESE	5.3
T04S R31E S16	NWSE	6.0
T04S R31E S16	SWSE	6.7
T04S R31E S16	SESE	6.1
	Right Acre Limit:	8.5
	POU Total Acres:	24.1

Conditions of Approval:

1. X27 This right is limited to the irrigation of 8.5 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 35-14040 and 35-13991 when combined shall not exceed the irrigation of 24.1 acres.
3. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
4. R05 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. 120.
5. 214 Prior to the diversion and use of water under Transfer approval 84705, the right holder shall install and maintain acceptable measuring device(s) at the authorized point of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. 213 Upon specific notification of the Department, the right holder shall install and maintain

IDAHO DEPARTMENT OF WATER RESOURCES
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- data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. 004 This right does not grant any right-of-way or easement across the land of another.
 8. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
 9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 10. T19 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.

Dates and Other Information

Decreed Date: 1/31/2002

State or Federal: S

Water District Number: 120

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 4.0

Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

Lessor Name: KBC FARMS LLC

Lease Status: Active

Lease Amount: .47cfs

Rental Availability: None

Date Received: 2/14/2017

Lease Begin Date: 1/1/2017

Expiration Date: 12/31/2018

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 17 2021

Department of Water Resources
Eastern Region

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, [see #6](#) of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
35-14736	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-13991	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-14040	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: KBC Farms LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): William Toevs and Joanne Toevs
New owner(s) as listed on the conveyance document
- Name connector ☒ and ☐ or ☐ and/or
- 2841 W 1800 S Aberdeen Idaho 83210
Mailing address City State ZIP
- (208) 604-2599
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: _____

6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed [IRS Form W-9](#) for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed [Lessor Designation](#) form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

7. This form must be signed and submitted with the following **REQUIRED** items:

- ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- ☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- ☒ Filing fee (see instructions for further explanation):
- ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ No fee is required for pending adjudication claims.
- ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
- ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: William R Toevs Title, if applicable _____ Date 05/14/2021
Signature of new owner/claimant
- Signature: Joanne L. Toevs Title, if applicable _____ Date 05/14/2021
Signature of new owner/claimant

For IDWR Office Use Only:

Received by [Signature] Date 5/17/2021 Receipt No. E047052 Receipt Amt. \$50.-
Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
Name on W-9 _____ Approved by _____ Processed by _____ Date _____

85103

State of Idaho
Department of Water Resources

Water Right

35-14040

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 4/12/2021



Legend

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



State of Idaho
Department of Water Resources

Water Right

35-13991

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of **diversion** of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 4/12/2021



Legend

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

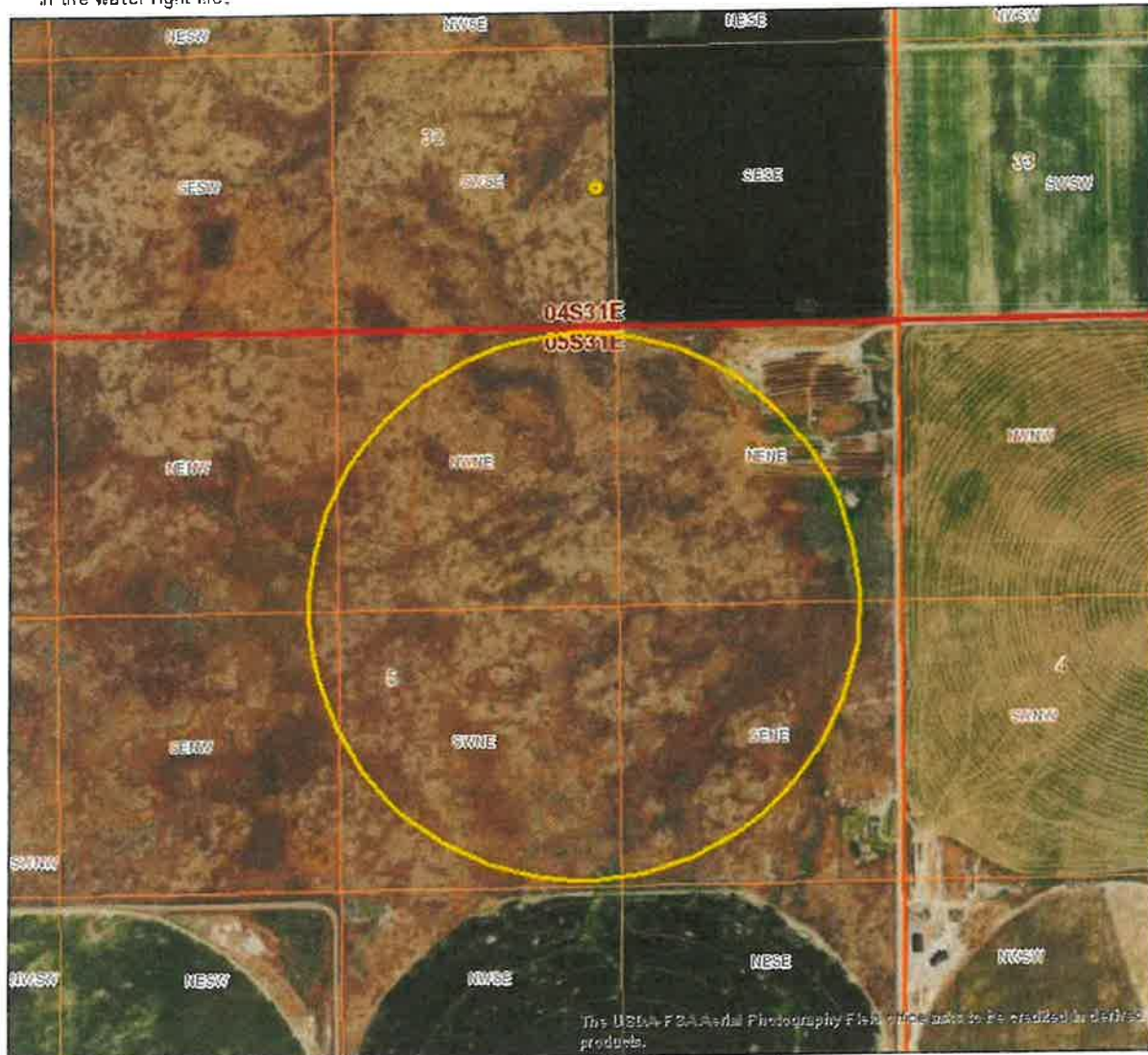


State of Idaho
Department of Water Resources**Water Right**

35-14736

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 4/12/2021



Legend

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



QUITCLAIM DEED

For value received, KBC Farms LLC, as grantor hereby quitclaims unto William and Joanne Toevs the grantee whose current mailing address is 2841 W 1800 S Aberdeen Idaho 83210, all of the grantor's right, title, and interest in and to the following described water rights situated in Bingham County, Idaho.

All of water right 35-14736 priority date 10/16/1974 and 0.39 cfs, 156.0 acre feet for 39.0 acres of irrigation water.

All of water right 35-13991 priority date 6/21/1955 and 0.18 cfs, 62.4 acre feet for 15.6 acres of irrigation water.

All of water right 35-14040 priority date 10/16/1974 and 0.08 cfs, 34.0 acre feet for 8.5 acres of irrigation water.

Grantor has caused this quitclaim deed to be executed this 11 day of May, 2021.

By:

[Signature]
<GRANTOR>

Managing partner
<TITLE>

By:

[Signature]
<GRANTOR>

[Signature]
<TITLE>

State of Idaho)

) S.S.

County of Power)

On this 11 day of May, in the year of 2021, before me, a Notary Public, personally appeared Karen Kuompin & Kenneth Kuompin, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

S
E
A
L



Amanda Givens

Notary Public

In and for said State and County

Sept 3, 2021

My Commission Expires on



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

May 28, 2021

William Toevs
Joanne Toevs
2841 W 1800 S
Aberdeen ID 83210

E047052 \$50.-RECEIVED

JUN 07 2021

Department of Water Resources
Eastern Region

RE: Notice of Change in Water Right Ownership: 35-14736, 35-13991, 35-14040

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

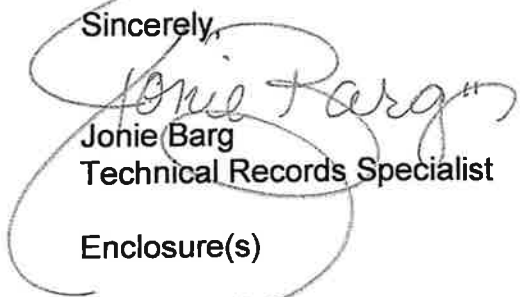
**** **Filing Fee:** The filing fee for a non split ownership change is \$25.00 per water right. The department received \$25.00 with your application, however there are 3 water rights therefore the fee is \$75.00 (3 X \$25.00 = \$75.00). Please supply an additional \$50.00.

Because the Department cannot process the ownership change without proper documentation/fees, we will hold any action on your notice pending receipt of the necessary information/fees. If we do not receive the necessary information/fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions at 208-525-7161.

Sincerely,


Jonie Barg
Technical Records Specialist

Enclosure(s)

85103



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

June 11, 2021

James Cefalo
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

Re: William and Joanne Toevs Transfer

Dear Mr. Cefalo:

William and Joanne Toevs are submitting a transfer application that will create an irrigation permissible place of use of 320.0 acres. The PPU will allow better management of the 156.1 acres of allowed water rights under 35-13609, 35-7246M, 35-14040 and 35-13991.

There are two 120.0 acre pivots at this location. Permanent irrigation water is being searched for to completely cover these two pivots. A water supply bank rental is being used to cover a portion of the east pivot for the 2021 irrigation season.

The ownership, POD, acre amounts, nature of use and period of use will not be changing with this transfer.

No ESPA model analysis for this transfer is required because POD location will not be changing.

Please copy our office on all correspondence regarding this application.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: William Toevs

Enc: PPU Transfer Application, Aerial Maps, Brockway Engineering Check # 1646
for \$580.00

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

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

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