

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APR 19 2021

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Department of Water Resources
Eastern Region

Name of Applicant(s) Jayson Giesbrecht and Jana Giesbrecht Phone (208) 358-4102
Mailing address 4266 N 4100 W Mackay, Idaho 83251 Email jaysonandjana@gmail.com

- ☐ 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.

Jayson Kent Giesbrecht
Signature of Applicant or Authorized Representative

Jayson Kent Giesbrecht
Print Name and Title if applicable

01-08-2021
Date

Jana Grace Giesbrecht
Signature of Applicant or Authorized Representative

Jana Grace Giesbrecht
Print Name and Title if applicable

1/8/21
Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use

☐ Change nature of use ☐ Change period of use ☐ Other _____
- Is this a transfer for changes pursuant to Idaho Code § 42-221.0.8?
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**.
The purpose of this transfer is to create a permissible place of use and add a 2nd irrigation well for the existing water rights on this farm. No additional water rights are being transferred to this farm. It is requested that 2 years are allowed for the new irrigation well to be drilled. Total allowed irrigation within PPU will be 306.2 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 ☒ ☐	34-2281A	1.62/945	Irrigation	4/15 to 10/15	Ground Water
☒ ☐	34-2361A	3.2/945	Irrigation	4/15 to 10/15	Ground Water
☒ ☐	34-708B	2.8/	Irrigation	5/1 to 10/15	Big Lost River
☒ ☐	34-709B	2.62/	Irrigation	5/1 to 10/15	Big Lost River
☒ ☐	34-14755	1.65/	Irrigation	5/1 to 10/15	Congdon Springs
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 8.68 cfs and/or 945 acre-feet.

2. Total amount of water proposed to be transferred or changed 8.68 cubic feet per second and/or 945 acre-feet per year.

3. Point(s) of Diversion:

8.07

- ☐ 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 #
			SW	NW	32	07N	25E	Custer	Ground Water	Old Well
			SW	NW	32	07N	25E	Custer	Ground Water	New Well
		SE	NW	NW	34	07N	24E	Custer	Big Lost River	
		NE	NW	NE	31	07N	25E	Custer	Congdon Springs	

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	
07N	25E	32		2.5	40	40	40	30	37	40		40	40	40					349.5
Total Acres (for irrigation use)																			349.5

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 Old Well, New Well will be constructed in 1 to 2 years, new pivots will be installed spring 2021 and wheel line irrigation will be moved in spring of 2021.

- b. Who owns the property at the point(s) of diversion? Jayson and Jana Giesbrecht

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: Idaho Ag Credit and USDA

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:

270.0 Acres will continue to be irrigated by water rights 34-2281A, 34-2361A, 34-708B and 34-709B.

66.0 Acre can be irrigated by 34-14755. This transfer will partially stack the these 5 water rights. The total combined acres that can be irrigate after this transfer approval will be 306.2 acres.

- 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:

N/A

- 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:

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 34-2281A

Current Owner: JANA GIESBRECHT
JAYSON GIESBRECHT

Priority Date: 6/18/1948

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	1.62 CFS	
	<u>Total Diversion</u>	1.62 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4NW1/4	Sec. 32,	Twp 07N,	Rge 25E B.M.
CUSTER County				

Place of Use

IRRIGATION Within CUSTER County

T07N R25E S32	NWSW	8.00	T07N R25E S32	SWSW	38.00
T07N R25E S32	SESW	35.00			

Total Acres: 81

Conditions of Approval:

1. X35 Rights 34-2281A and 34-2361A when combined shall not exceed a total annual maximum diversion volume of 945 af at the field headgate.
2. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 7/10/2002.
3. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. X35 Rights 34-2281A, 34-2361A, 34-708B, and 34-709B when combined shall not exceed a total diversion rate of 7.03 cfs and the irrigation of 270 acres.
5. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. 214 Prior to the diversion and use of water under Transfer approval 82887, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) 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.
7. 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.
8. 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.
9. 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. 34.
10. 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 accordance with Department specifications.
11. 046 Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.

Decreed Date: 7/10/2002

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 34-2361A

Current Owner: JANA GIESBRECHT
JAYSON GIESBRECHT
Priority Date: 4/19/1960
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	3.2 CFS	
	<u>Total Diversion</u>	3.2 CFS	

Location of Point(s) of Diversion

GROUND WATER NW1/4SW1/4NW1/4 Sec. 32, Twp 07N, Rge 25E B.M.,
CUSTER County

Place of Use

IRRIGATION Within CUSTER County

T07N R25E S32	SWNE	40.00	T07N R25E S32	SENE	40.00
T07N R25E S32	SWNW	35.00	T07N R25E S32	SENW	40.00
T07N R25E S32	NWSW	34.00	T07N R25E S32	SESW	5.00

Total Acres: 194

Conditions of Approval:

1. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 270 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00708B, 34-00709B AND 34-002281A.
2. 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.
3. USE OF THIS RIGHT WITH RIGHT NO. 34-02281A IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION OF 945 AF.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.03 CFS.
COMBINED RIGHT NOS.: 34-00708B, 34-00709B AND 34-002281A.

Page _____ of _____

Decreed Date: 12/14/2001

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 34-708B

Current Owner: JAYSON GIESBRECHT
JANA GIESBRECHT

Priority Date: 3/10/1894

Origin: Water Right

Status: Active

Basis: Decreed

Source

BIG LOST RIVER

Tributary

SINKS

Beneficial Use

IRRIGATION

From To

5/01 to 10/15

Diversion Rate

2.8 CFS

Annual Volume

Total Diversion

2.8 CFS

Location of Point(s) of Diversion

BIG LOST RIVER

CUSTER County

SE1/4NW1/4NW1/4

Sec. 34, Twp 07N, Rge 24E B.M.

Place of Use

IRRIGATION Within CUSTER County

T07N R25E S32	SWNE	40.00	T07N R25E S32	SENE	40.00
T07N R25E S32	SWNW	35.00	T07N R25E S32	SENW	40.00
T07N R25E S32	NWSW	38.00	T07N R25E S32	SWSW	38.00
T07N R25E S32	SESW	39.00			

Total Acres: 270

Conditions of Approval:

1. 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.
2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.03 CFS.
COMBINED RIGHT NOS.: 34-00709B, 34-02281A AND 34-02361A.
3. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 270 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00709B, 34-02281A AND 34-02361A.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 140 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. WATER IS DELIVERED THROUGH HARRIS VAUGHT DITCH.
5. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.

Decreed Date: 12/14/2001

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 34-709B

Current Owner: JANA GIESBRECHT
JAYSON GIESBRECHT

Priority Date: 6/30/1895

Origin: Water Right

Status: Active

Basis: Decreed

Source

BIG LOST RIVER

Tributary

SINKS

Beneficial Use

IRRIGATION

From To

5/01 to 10/15

Diversion Rate

2.62 CFS

Annual Volume

Total Diversion

2.62 CFS

Location of Point(s) of Diversion

BIG LOST RIVER

CUSTER County

SE1/4NW1/4NW1/4

Sec. 34, Twp 07N, Rge 24E B.M.

Place of Use

IRRIGATION Within CUSTER County

T07N R25E S32	SWNE	40.00	T07N R25E S32	SENE	40.00
T07N R25E S32	SWNW	35.00	T07N R25E S32	SENE	40.00
T07N R25E S32	NWSW	38.00	T07N R25E S32	SENE	40.00
T07N R25E S32	SESW	39.00	T07N R25E S32	SENE	40.00

Total Acres: 270

Page _____ of _____

Conditions of Approval:

1. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
2. WATER IS DELIVERED THROUGH HARRIS VAUGHT DITCH
3. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.03 CFS.
COMBINED RIGHT NOS.: 34-00708B, 34-02281A AND 34-02361A.
4. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 270 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 34-00708B, 34-02281A AND 34-02361A.
5. 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.

Decreed Date: 12/14/2001

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 34-14755

Current Owner: JAYSON GIESBRECHT
JANA GIESBRECHT

Priority Date: 7/21/1910

Origin: Water Right

Status: Active

Basis: Decreed

Source

CONGDON SPRINGS CREEK

Tributary

BIG LOST RIVER

Beneficial Use

IRRIGATION

From To

05/01 to 10/15

Diversion Rate

1.65 CFS

Annual Volume

Total Diversion

1.65 CFS

Location of Point(s) of Diversion

CONGDON SPRINGS CREEK

NE1/4NW1/4NE1/4

Sec. 31, Twp 07N, Rge 25E B.M.

CUSTER County

Place of Use

IRRIGATION Within CUSTER County

T07N R25E S32

NWNE

2.00

T07N R25E S32

NENW

37.00

T07N R25E S32

NWNW

27.00

Total Acres: 66

Conditions of Approval:

1. 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.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
4. WATER IS CARRIED IN THE BURNETT DITCH.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☐ 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. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☒ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

Ground water rights 34-2281A and 34-2361A have been utilized after the Big Lost River water rights 34-708B and 34-709B are no longer able to provide sufficient water for irrigation purposes. Congdon Springs water right 34-14755 is only available in early spring and then is cut based on priority.

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid \$1,140.00 Date 4/19/21 Receipted by ox hr Receipt # E046860

Add'l fee paid _____ Date _____ Receipted by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

Idaho Department of Water Resources

WMIS

Water Management Information System

Quick Search:

[For assistance, email WMIS info](#)

Search Method:

WMIS Number[Login](#)

WMIS Number

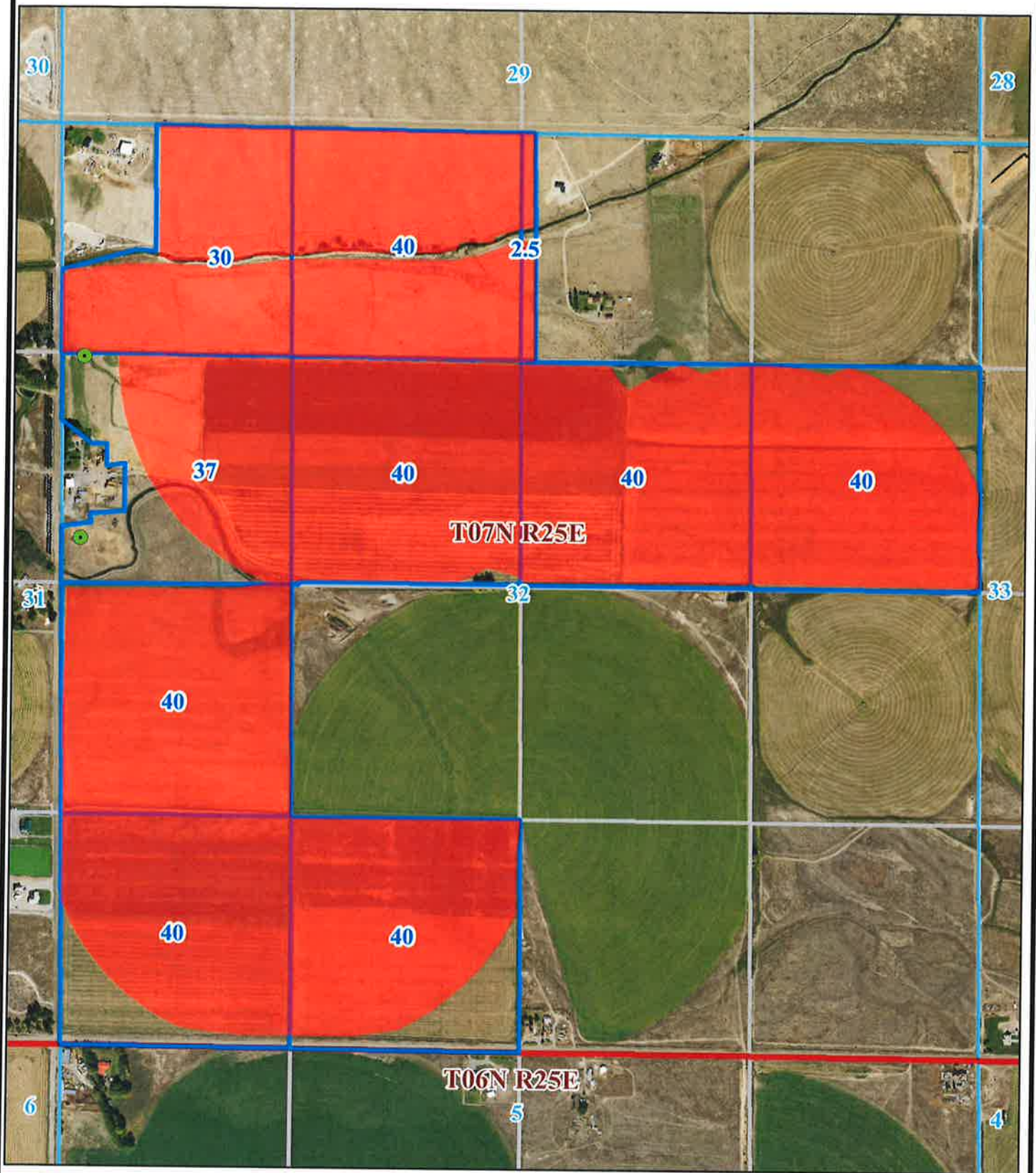
308

Search

[Point Of Diversion](#) [PCC](#) [Flow Meter](#) [Time Clock](#) [Alternate](#) [Contacts](#) [Data Summary](#) [Other](#) [Logout](#)**Data Summary**

You are viewing 308; A0008083

Report Year	Alternate	FM	PCC	Time Clock
2020		583.46		
2019		118.42		
2018		365.50		
2017		0.00		
2016		656.76		
2015		671.19		
2014		642.34		
2013		793.90		
2012		565.84		
2011		517.00		
2010		393.00		
2009		278.00		
2008		770.63		
2007		872.23		
2006		0.00		
2005		437.10		
2004		696.40		
2003		426.25		
2002		510.80		
2001		580.00		
2000		398.50		



0 750 1,500 Feet

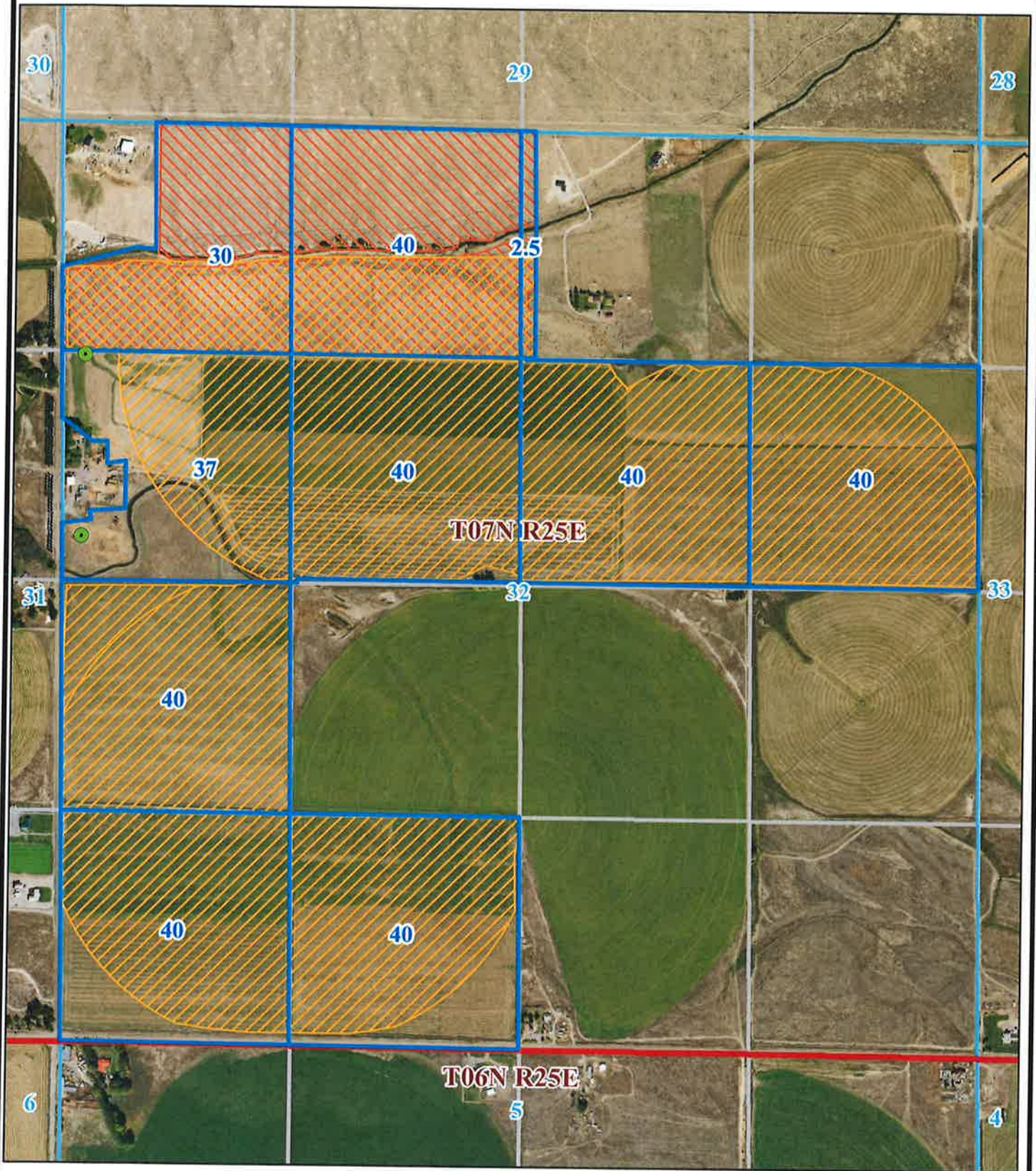
JAYSON GIESBRECHT

NAIP 2019 AERIAL

Legend

- GW POD
- 2021 POU (306.2 Acres)
- PPU QQ





0 750 1,500 Feet

JAYSON GIESBRECHT

NAIP 2019 AERIAL

Legend

- GW POD
- PPU QQ
- GW & Big Lost
- 34-14755



Letter of Consent Attachment #6

February 11, 2021

Idaho Department of Water Resources
Attention: Michael Holliday
900 N Skyline Dr., Suite A
Idaho Falls ID 83402-1718

Re: Jayson and Jana Giesbrecht Water Transfer
IDWR water right # 34-2281A, 34-2361A, 34-708 B, 34-709B & 34-14755

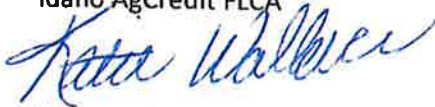
Dear Mr. Holliday,

Idaho AgCredit FLCA understands that Jayson and Jana Giesbrecht have requested a change in the water rights listed above for the following reasons; 1) To create a permissible place of use 2) To add a second irrigation well for the existing water rights on their farm. We consent to the proposed transfer. Furthermore, Idaho AgCredit, FLCA will continue to hold a lien on IDWR water right # 34-2281A, 34-2361A, 34-708 B and 34-709B.

Thank you for your assistance. If you have any questions please call our office at (208) 785-1510.

Sincerely,

Idaho AgCredit FLCA



Katie Wallace
Vice President

State of Idaho, County of Bingham, ss.

This record was acknowledged before me on Feb 11, 2021 by Katie Wallace, Vice President
Idaho AgCredit FLCA



Notary Public for the State of Idaho

My commission expires: Oct 10, 2023



April 12, 2021

Jayson and Jana Giesbrecht
4266 N 4100 W
Mackay, ID 83251-4520

Dear Jayson

At your request the Farm Service Agency, USDA has reviewed the proposed request for the transfer of the Place of Use for Idaho Department of Water Resources rights #34-2281A, 34-2361A, 34-708B & 34-14755 to a parcel of land you currently own just North of your Home Place (near 4266 N 4100 W, Mackay, ID). Which is currently where these water rights have listed as the Place of Use.

The rights to be transferred are for roughly 33 acres that are in the outlying corners after you installed three different pivot systems. The property where the rights will be transferred is going to be better for irrigating because of the rectangular field pattern and since you will irrigate it with a wheel line system. FSA and Idaho AgCredit, FLCA will continue to hold a lien on these water rights after the change in the Place of Use. Idaho AgCredit, FLCA will continue to have the prior lien.

We consent to this transfer since you agreed to the conditions as proposed and these conditions have been met, provided the IDWR agrees to the final Place of Use transfer. If you have any questions or concerns please contact me at the Blackfoot USDA Service Center at 725 Jensen Grove Dr. Ste. 2, Blackfoot, ID 83221 or call me at 208-785-2090 ext. 3529.

Sincerely,



Kory Murdock,
Farm Loan Officer

cc: Greg Sullivan, Brockway Engineering
cc: Idaho Department of Water Resource, Southern Regional Office



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

April 13, 2021

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

Re: Giesbrecht Water Right Transfer

Dear Mr. Cefalo:

Jayson and Jana Giesbrecht desire to create a permissible place of use (PPU) and add a 2nd irrigation well for their existing water rights on property they own near Mackay, Idaho. The proposed PPU will be 349.5 acres with an irrigation place of use of 270.0 acres for water rights 34-2281A, 34-2361A, 34-708B and 34-709B and there will also be a 66.0 acre irrigation place of use for 34-14755. These two POUs will be partially overlap resulting in a partial stacking of these water rights. The total allowed irrigation allowed after the transfer will be 306.2 acres. Water right 34-14755 from Congdon Springs is a very unreadable water right and has not been delivered to the farm for many years.

The ownership, irrigation acre amounts, nature of use and period of use will not be changing with this transfer. The surface water points of diversions (POD) from the Big Lost River and Congdon Springs will not be changing.

No ESPA Model analysis was performed because no ground water rights are being transferred onto this property from another location.

It is requested that 2 years are allowed to complete this transfer to enable the owner to drill the 2nd proposed irrigation well.

Please copy our office on all correspondence regarding this application.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Jayson Giesbrecht

Enc: Transfer Application, Aerial Maps, Consent Letters, WMIS Data Summary #308, Brockway Engineering Check # 16372 for \$1,140.00

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

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

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506



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 19, 2021

JAYSON GIESBRECHT
JANA GIESBRECHT
4266 N 4100 W
MACKAY, ID 83251-4520

RE: Transfer No. 84959
Water Right No(s). 34-14755, 34-2281A, 34-2361A, 34-708B, 34-709B

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 ARCO ADVERTISER and CHALLIS MESSENGER on 5/27/2021 and 6/3/2021. 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:
GREG SULLIVAN
2016 N WASHINGTON ST STE 4
TWIN FALLS, ID 83301

Henman, Christina

From: Henman, Christina
Sent: Wednesday, May 19, 2021 11:05 AM
To: 'legalnotices@postregister.com'
Subject: Legal Notice for Challis Messenger
Attachments: 84959 Arco Advertiser, Challis Messenger.docx

LEGAL NOTICE DEPARTMENT
CHALLIS MESSENGER
PO BOX 405
CHALLIS, ID 83226-0405

RE: Transfer No. 84959
Water Right No(s). 34-14755, 34-2281A, 34-2361A, 34-708B, 34-709B

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 6/14/2021. Your cooperation is appreciated

Christina Henman
Administrative Assistant
Idaho Dept. of Water Resources, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 497-3793

Henman, Christina

From: Henman, Christina
Sent: Wednesday, May 19, 2021 11:05 AM
To: 'arcoadv@aol.com'
Subject: Legal Notice for Arco Advertiser
Attachments: 84959 Arco Advertiser, Challis Messenger.docx

**LEGAL NOTICE DEPARTMENT
ARCO ADVERTISER**

RE: Transfer No. 84959
Water Right No(s). 34-14755, 34-2281A, 34-2361A, 34-708B, 34-709B

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 6/14/2021. Your cooperation is appreciated

Christina Henman
Administrative Assistant
Idaho Dept. of Water Resources, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 497-3793

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84959**

JAYSON GIESBRECHT and JANA GIESBRECHT, 4266 N 4100 W, MACKAY, ID 83251-4520 has filed Application No. 84959 for changes to the following water rights within CUSTER County(s): Right No(s). 34-14755, 34-2281A, 34-2361A, 34-708B, 34-709B; 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, add point of diversion, and change place of use. The proposed points of diversion from Ground water are 2 wells located in SWNW Sec 32 T07N R25E for 4.82 cfs. The points of diversion from Big Lost River and Congdon Springs Creek will not change. The proposed place of use is in Sec 32 T07N R25E for 306.2 acres within a 349.5-acre permissible place of use.

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 6/14/2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/27/2021 and 6/3/2021