

RECEIVED

DEC 12 2019

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 83810MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

Name of Applicant(s) Thompson Brothers LLC

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

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

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Thompson Brothers LLC Phone (208) 604-1542
Mailing address 493 S 1200 W PINGREE, ID 83262 Email dthompsontx@netscape.net

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

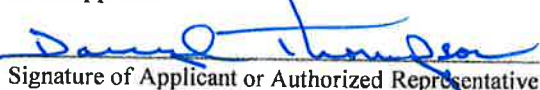
Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____ Phone _____
Mailing address _____ Email _____

- ☐ 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.


Signature of Applicant or Authorized Representative

Darryl Thompson Manager
Print Name and Title if applicable

11 Dec 2019
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

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.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 rearrange the place of use for 35-2837A, 35-2836, 35-2838, and change the place of use, the point of diversion, and add diversion points for a portion of 35-2837B and 35-7088 to cover 35.0 acres of land being irrigated with no water right. Period of use for 35-7088 will be reduced to standard season of use 04/01 - 10/31.

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.

I.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part <input checked="" type="checkbox"/> <input type="checkbox"/>	35-2836	2.5	IRRIGATION	04/01 to 10/31	GROUND WATER
<input checked="" type="checkbox"/> <input type="checkbox"/>	35-2837 A	2.68	IRRIGATION	04/01 to 10/31	GROUND WATER
<input checked="" type="checkbox"/> <input type="checkbox"/>	35-2838	3.82	IRRIGATION	04/01 to 10/31	GROUND WATER
<input type="checkbox"/> <input checked="" type="checkbox"/>	35-7088	0.29	IRRIGATION	04/01 to 10/31	GROUND WATER
<input type="checkbox"/> <input checked="" type="checkbox"/>	35-2837 B	0.05	IRRIGATION	04/01 to 10/31	GROUND WATER
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	

Total authorized under rights 9.34 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 1.05 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
	1	SW	NE	NE	22	04S	33E	BINGHAM	GROUND WATER	
	1	NW	NW	NE	14	04S	33E	BINGHAM	GROUND WATER	
		SE	NE	SE	15	04S	33E	BINGHAM	GROUND WATER	

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	
Total Acres (for irrigation use)																			

*See next page for Point of Diversion/Place of Use Supplement form.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. _____

Point of Diversion/Place of Use Supplement

Attachment to: ☐ Application for Permit to Appropriate Water ☒ Application for Transfer** ☐ Adjudication Claim
☐ Application for Amendment of Permit ☐ Beneficial Use Field Report ☐ Statutory Claim

Location of points of diversion (POD):

New POD?	Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or well/diversion tag #
<input type="checkbox"/> Yes										
<input type="checkbox"/> Yes										
<input type="checkbox"/> Yes										
<input type="checkbox"/> Yes										
<input type="checkbox"/> Yes										
<input type="checkbox"/> Yes										
<input type="checkbox"/> Yes										
<input type="checkbox"/> Yes										
<input type="checkbox"/> Yes										
<input type="checkbox"/> Yes										

Description of place of use (POU):

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	33E	11												14.0			9.0		23.0
04S	33E	14		16.5	2.0		40.0	10.0	40.0	30.0	4.0	32.5	18.2	19.0					212.2
				L1	L1					L2	L3	L3	L4	L12					
				19	14.0					2.0	10.6								45.6
				L9	L10					L11	L11								
04S	33E	15				4.0									1.0				5.0
04S	33E	22	35	38	40.0	15.0									3.2	13			144.2
			L1		L2	L2									L7	L3			
						2.8									0.5	0.6			3.9
						L6									L3	L7			
04S	33E	23					4.9	4.6	9.0	0.1									18.6
							L8	L1	L9	L9									
								16.0											16.0

L8

Total 468.5

**If this supplemental sheet is for an Application for Transfer, insert this page into Part 1B of the application.

Page _____

83810

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:

System has three diversion points with flow meters and a main power switch that are lockable. All three points of diversion are part of an interconnected system.

- b. Who owns the property at the point(s) of diversion? Applicant

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:

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:

Land will not 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:

- 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
Proof Report

11/27/2019

Water Right 35-2836

Owner Type **Name and Address**
Current Owner THOMPSON BROTHERS LLC
 493 S 1200 W
 PINGREE, ID 83262-1316
 (208) 684-4254

Priority Date: 7/18/1967

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From

4/01

To

10/31

Diversion Rate

2.500 CFS

Volume

Total Diversion

2.500 CFS

Source and Point(s) of Diversion

GROUND WATER

SWNENE

Sec. 22, Twp 04S, Rge 33E, BINGHAM County

GROUND WATER

L1(NWNWNE)

Sec. 14, Twp 04S, Rge 33E, BINGHAM County

GROUND WATER

SENESE

Sec. 15, Twp 04S, Rge 33E, BINGHAM County

Place Of Use

IRRIGATION within BINGHAM County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	33E	11												14.0			9.0		23.0
04S	33E	14					40.0	10.0	40.0										90.0
Lot #, Acre (No QQ)			L1 18.5; L2 30; L3 39; L4 20; L9 19; L10 14; L11 15; L12 19;																174.5
04S	33E	15				4.0									1.0				5.0
04S	33E	22	37.5	40.0											3.0	20.0			100.5
			L1												L7	L3			
Lot #, Acre (No QQ)			L2 56;																56.0
04S	33E	23																	0.0
Lot #, Acre (No QQ)			L1 1;																1.0

POU Total Acres: 450.0

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.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/27/2019

2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 9.00 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1800 AF.
COMBINED RIGHT NOS.: 35-02837A, 35-02838
3. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 450 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-02837A, 35-02838
4. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 35-02837A, 35-02838
6. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates and Other Information

Decreed Date: 2/25/2002
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 120
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
9.000	1,800.0	450.0
35-2837A ,35-2836 ,35-2838		

SubCase:

SubCaseNumber: 35-2836
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: License
Date Filed: 6/2/1999
Objection Status: Active

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/27/2019

Water Right 35-2837A

Owner Type **Name and Address**
Current Owner THOMPSON BROTHERS LLC
 493 S 1200 W
 PINGREE, ID 83262-1316
 (208) 684-4254

Priority Date: 6/16/1966

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	10/31	2.680 CFS	
	Total Diversion		2.680 CFS	

Source and Point(s) of Diversion

GROUND WATER	SWNE	Sec. 22, Twp 04S, Rge 33E, BINGHAM County
GROUND WATER	SENESE	Sec. 15, Twp 04S, Rge 33E, BINGHAM County
GROUND WATER	L1(NWNWNE)	Sec. 14, Twp 04S, Rge 33E, BINGHAM County

Place Of Use

IRRIGATION within BINGHAM County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	33E	11												14.0			9.0		23.0
04S	33E	14					40.0	10.0	40.0										90.0
Lot #, Acre (No QQ)			L1 18.5; L2 30; L3 39; L4 20; L9 19; L10 14; L11 15; L12 19;																174.5
04S	33E	15				4.0									1.0				5.0
04S	33E	22	37.5	40.0											3.0	20.0			100.5
			L1												L7	L3			
Lot #, Acre (No QQ)			L2 56;																56.0
04S	33E	23																	0.0
Lot #, Acre (No QQ)			L1 1;																1.0

Right Acre Limit: 396.0

POU Total Acres: 450.0

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

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/27/2019

2. OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 9.00 CFS, A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1800 AF.
3. COMBINED RIGHT NOS.: 35-02836, 35-02838
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 450 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 35-02836, 35-02838 THIS RIGHT IS LIMITED
TO THE IRRIGATION OF 396 ACRES WITHIN THE PLACE OF USE DESCRIBED
ABOVE IN A SINGLE IRRIGATION SEASON.
4. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED ABOVE: 35-02836, 35-02838
6. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

Dates and Other Information

Decreed Date: 7/15/2002
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 120
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
9.000	1,800.0	450.0
35-2837A ,35-2836 ,35-2838		

SubCase:

SubCaseNumber: 35-2837A
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: License
Date Filed: 6/2/1999
Objection Status: Active

Water Supply Bank:

N/A

11/27/2019

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	THOMPSON BROTHERS LLC 493 S 1200 W PINGREE, ID 83262-1316 (208) 684-4254

Status: Active

Tributary

Volume

Total Diversion

3.820 CFS

GROUND WATER
GROUND WATER
GROUND WATER

SWNENE
L1(NWNWNE)
SENESE

Sec. 22, Twp 04S, Rge 33E, BINGHAM County
 Sec. 14, Twp 04S, Rge 33E, BINGHAM County
 Sec. 15, Twp 04S, Rge 33E, BINGHAM County

IRRIGATION within BINGHAM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	33E	11												14.0			9.0		23.0
04S	33E	14					40.0	10.0	40.0										90.0
Lot #, Acre (No QQ)			L1 18.5; L3 39; L2 30; L4 20; L9 19; L10 14; L11 15; L12 19;																174.5
04S	33E	15				4.0									1.0				5.0
04S	33E	22	37.5	40.0											3.0	20.0			100.5
			L1												L7	L3			
Lot #, Acre (No QQ)			L2 56;																56.0
04S	33E	23																	0.0
Lot #, Acre (No QQ)			L1 1;																1.0

POU Total Acres: 450.0

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.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/27/2019

2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 9.00 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1800 AF.
COMBINED RIGHT NOS.: 35-02836, 35-02837A
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5. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 35-02836, 35-02837A
6. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates and Other Information

Decreed Date: 2/25/2002
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 120
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
9.000	1,800.0	450.0
35-2837A ,35-2836 ,35-2838		

SubCase:

SubCaseNumber: 35-2838
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: License
Date Filed: 6/2/1999
Objection Status: Active

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/27/2019

Water Right 35-7088

Owner Type **Name and Address**
Current Owner THOMPSON BROTHERS LLC
493 S 1200 W
PINGREE, ID 83262-1316
(208) 684-4254

Priority Date: 7/22/1969

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From

3/01

To

11/30

Diversion Rate

4.900 CFS

Volume

Total Diversion

4.900 CFS

Source and Point(s) of Diversion

GROUND WATER

NENWSE

Sec. 15, Twp 04S, Rge 33E, BINGHAM County

Place Of Use

IRRIGATION within BINGHAM County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	33E	14						1.0											1.0
04S	33E	15	40.0	40.0	40.0	36.0									39.0	40.0	40.0	40.0	315.0

POU Total Acres: 316.0

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 RIGHT NO. 35-02837B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.82 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1264 AF.
3. USE OF THIS RIGHT WITH RIGHT NO. 35-02837B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 316 ACRES IN A SINGLE IRRIGATION SEASON.
4. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. RIGHT NO. 35-02837B IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Dates and Other Information

Decreed Date: 2/25/2002

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/27/2019

Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 120
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
5.820	1,264.0	316.0
35-2837B ,35-7088		

SubCase:

SubCaseNumber: 35-7088
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: License
Date Filed: 6/2/1999
Objection Status: Active

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/27/2019

Water Right 35-2837B

Owner Type **Name and Address**
Current Owner THOMPSON BROTHERS LLC
493 S 1200 W
PINGREE, ID 83262-1316
(208) 684-4254

Priority Date: 6/16/1966

Basis: Decreed

Status: Active

Source **Tributary**
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/31	0.920 CFS	
	<u>Total Diversion</u>		0.920 CFS	

Source and Point(s) of Diversion

GROUND WATER NENWSE Sec. 15, Twp 04S, Rge 33E, BINGHAM County

Place Of Use

IRRIGATION within BINGHAM County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	33E	14						1.0											1.0
04S	33E	15	40.0	40.0	40.0	36.0									39.0	40.0	40.0	40.0	315.0

Right Acre Limit: 136.0

POU Total Acres: 316.0

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 RIGHT NO. 35-07088 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.82 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1264 AF.
3. USE OF THIS RIGHT WITH RIGHT NO. 35-07088 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 316 ACRES IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 136 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. RIGHT NO. 35-07088 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/27/2019

6. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

Dates and Other Information

Decreed Date: 2/25/2002
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 120
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
5.820	1,264.0	316.0
35-2837B ,35-7088		

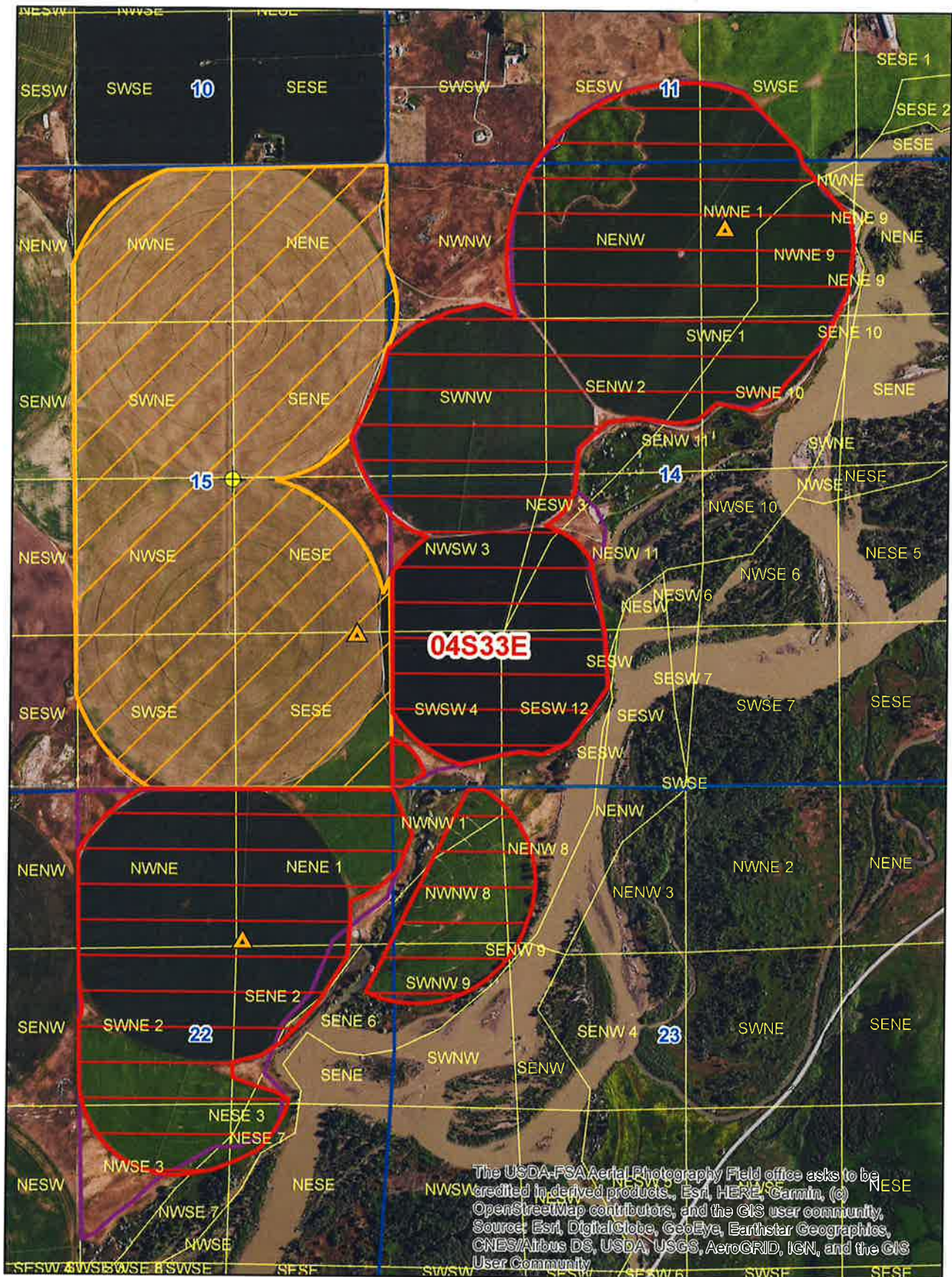
SubCase:

SubCaseNumber: 35-2837B
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: License
Date Filed: 6/2/1999
Objection Status: Active

Water Supply Bank:

N/A

Thomson Brothers LLC Transfer



The USDA-FSA Aerial Photography Field office asks to be credited in derived products, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

- Current POD
- Proposed POD
- Proposed POU
- POU After Split
- 35-2836 , 35-2837A , 35-2838
- Township/Range
- Sections
- QQ

0 0.125 0.25 0.5 Miles

83810





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 525-7161 • Fax: (208) 525-7177

Website: idwr.idaho.gov • Email: easterninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

February 12, 2020

THOMPSON BROTHERS LLC
493 S 1200 W
PINGREE, ID 83262-1316

RE: Transfer No. 83810
Water Right No(s). 35-2836, 35-2837A, 35-2837B, 35-2838, 35-7088

Dear Applicant(s):

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 MORNING NEWS on 2/20/2020 and 2/27/2020. 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

Henman, Christina

From: Henman, Christina
Sent: Wednesday, February 12, 2020 4:55 PM
To: MORNING NEWS (legals@am-news.com)
Subject: Legal Ads for Morning News
Attachments: 83873, 83810 Morning News.doc

Hello,

Please see attached document regarding legal ads for your paper.

Thank You,

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

February 13, 2020

MAY CONTAIN MORE THAN 1 PAGE

Legal Notice Department

Morning News

PO Box 70

Blackfoot ID 83221

RE: Transfer No. 83873, 83810

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper 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 **3/9/2020**. Your cooperation is appreciated.

Sincerely,

Christina Henman
Administrative Assistant
Department of Water Resources
900 N Skyline Dr Ste A
Idaho Falls ID 83402
208-525-7161
208-525-7177 – fax

PLEASE PUT IN NORMAL COLUMN AND NO BORDERS. THANK YOU.

.....
**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 83873**

BRETT MC DANIEL, 631 W 225 S, BLACKFOOT, ID 83221; has filed Application No. 83873 for changes to the following water rights within BINGHAM County(s): Right No(s). 27-37A. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion. The point of diversion will be in L6 (SWNE) Sec 18 T3S R35E for 1.76 cfs from Blackfoot River. The place of use remains the same.

TRANSFER NO. 83810

THOMPSON BROTHERS LLC, 493 S 1200 W, PINGREE, ID 83262-1316; has filed Application No. 83810 for changes to the following water rights within BINGHAM County(s): Right No(s). 35-2836, 35-2837A, 35-2837B, 35-2838, 35-7088. The purpose of the transfer is to change a portion of the above rights as follows: Add point of diversion, change point of diversion and place of use. The points of diversion are in Lot 1 (NWNWNE) Section 14, SENESE Section 15, and Lot 1 (SWNENE) Section 22, T4S, R33E for 9.34 cfs from groundwater. The place of use is in Sections 11, 14, 15, 22, and 23, T4S, R33E, for 468.5 acres.

For additional information concerning the property locations, contact Eastern Region office at (208) 525-7161. To see full descriptions of these rights and the proposed transfers, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed changes 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 3/9/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director Published on 2/20/2020 and 2/27/2020