

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 83648**

This is to certify that: MC COLLUM ENTERPRISES LTD
PO BOX 5492
TWIN FALLS, ID 83303-5492

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
2-7472	WR/LICENSE	6/16/1997	4.250 cfs	3080.0 af	N/A	N/A	SNAKE RIVER
36-7239	WR/DECREED	4/24/1972	6.000 cfs	N/A	80.0	112.0	SPRINGS
47-7758	WR/LICENSE	9/25/1981	6.250 cfs	4510.0 af	N/A	112.0	GROUND WATER
47-8356	WR/LICENSE	3/4/1994	2.300 cfs	1670.0 af	N/A	N/A	PERRINE COULEE
47-8357	WR/LICENSE	3/4/1994	0.690 cfs	500.0 af	N/A	N/A	SPRING

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
2-7472	NO	NO	YES	NO	NO	NO
36-7239	NO	NO	YES	NO	NO	NO
47-7758	NO	NO	YES	NO	NO	NO
47-8356	NO	NO	YES	NO	NO	NO
47-8357	NO	NO	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
2-7472	2-7472	4.250 cfs	3080.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-7239	36-7239	6.000 cfs	N/A	80.0	112.0	N/A	N/A	N/A	N/A	N/A
47-7758	47-7758	6.250 cfs	4510.0 af	N/A	112.0	N/A	N/A	N/A	N/A	N/A
47-8356	47-8356	2.300 cfs	1670.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
47-8357	47-8357	0.690 cfs	500.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		12.250 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # 2-7472

Transfer No. 83648

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 83648

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 26th day of November, 2019.



Southern Region Manager



WATER RIGHT NO. 36-7239**As Modified by Transfer No. 83648**

In accordance with the approval of Transfer No. 83648, Water Right No. 36-7239 is now described as follows:

Right Holder: MC COLLUM ENTERPRISES LTD
PO BOX 5492
TWIN FALLS, ID 83303-5492

Priority Date: 4/24/1972

Source: SPRINGS

Tributary: ALPHEUS CREEK

BENEFICIAL USE

	From	To	Diversion Rate	Diversion Volume
AESTHETIC	1/01	to 12/31	6.000 cfs	
FISH PROPAGATION	1/01	to 12/31	6.000 cfs	
IRRIGATION	3/01	to 11/01	1.600 cfs	320.0 af
RECREATION	1/01	to 12/31	6.000 cfs	
			6.000 cfs	

LOCATION OF POINT(S) OF DIVERSION

SPRINGS L11 (SWSE) Sec 28 Twp 09S Rge 17E JEROME County

PLACE OF USE: AESTHETIC

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	17E	28											X						
09S	17E	29																X	
09S	17E	32	X			X													
09S	17E	33					X	X	X	X	X								
							L 1			L 2									

PLACE OF USE: FISH PROPAGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	17E	28											X						
09S	17E	29																X	
09S	17E	32	X			X													
09S	17E	33					X	X	X										
							L 1												0

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	17E	28											2.0						2.0
09S	17E	29																16.0	16.0
09S	17E	32	25.0			2.0													27.0
09S	17E	33					9.0	19.0	21.0	15.0	3.0								67.0
							L 1			L 2									

Transfer No. 83648

WATER RIGHT NO. 36-7239
As Modified by Transfer No. 83648

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
Right Acre Limit:			80.0																
POU Total Acres:			112.0																

PLACE OF USE: RECREATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	17E	28											X						
09S	17E	29																X	
09S	17E	32	X			X													
09S	17E	33					X	X	X	X	X								
							L 1			L 2									

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 80.0 acres within the authorized place of use in a single irrigation season.
2. Rights 36-7239 and 36-15455 when combined for irrigation purposes shall not exceed a total diversion rate of 1.60 cfs, a total annual maximum diversion volume of 448.0 af at the field headgate, and the irrigation of 112 acres.
3. Rights 36-7239, 36-15455 and 47-7758 when combined for irrigation purposes shall not exceed a total diversion rate of 2.24 cfs, a total annual maximum diversion volume of 448.0 acre feet at the field headgate, and the irrigation of 112 acres.
4. Rights 36-7239, 47-7758, 2-7472, 47-8356, and 47-8357 when combined shall not exceed a total diversion rate of 12.00 cfs or a total annual maximum diversion volume of 8,690 for the fish propagation and aesthetic uses.
5. Rights 36-7239, 36-15455, 47-7758, 2-7472, 47-7813, 47-8356, and 47-8357 when combined shall not exceed a total diversion rate of 12.25 cfs.
6. 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. 130.
7. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
8. The period of use for the irrigation described in this approval may be extended to an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 9/26/2001.

Transfer No. 83648

WATER RIGHT NO. 36-7239
As Modified by Transfer No. 83648

CONDITIONS OF APPROVAL

9. Recreation and aesthetic uses are for a golf course facility.
10. 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.
11. This right does not grant any right-of-way or easement across the land of another.
12. Right No. 36-15455 is an enlargement of this right pursuant to Idaho Code § 42-1426.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. 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.

WATER RIGHT NO. 47-8357**As Modified by Transfer No. 83648**

In accordance with the approval of Transfer No. 83648, Water Right No. 47-8357 is now described as follows:

Right Holder: MC COLLUM ENTERPRISES LTD
PO BOX 5492
TWIN FALLS, ID 83303-5492

Priority Date: 3/4/1994

Source: SPRING

Tributary: SNAKE RIVER

BENEFICIAL USE

AESTHETIC
FISH PROPAGATION

From

01/01
01/01

to 12/31
to 12/31

To**Diversion Rate**

0.690 cfs
0.690 cfs
0.690 cfs

Diversion Volume

500.0 af
500.0 af
500.0 af

LOCATION OF POINT(S) OF DIVERSION

SPRING L5 (SWNWSE) Sec 33 Twp 09S Rge 17E TWIN FALLS County

PLACE OF USE: AESTHETIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	17E	29																X	
09S	17E	32	X																
09S	17E	33						X											

PLACE OF USE: FISH PROPAGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	17E	28											X						
09S	17E	29																X	
09S	17E	32	X			X													
09S	17E	33					X	X	X										
							L 1												0

CONDITIONS OF APPROVAL

1. Rights 2-7472, 47-8356, and 47-8357 when combined shall not exceed a total annual maximum diversion volume of 3,910 acre-feet for the fish propagation and aesthetic uses.
2. Rights 36-7239, 47-7758, 2-7472, 47-8356, and 47-8357 when combined shall not exceed a total diversion rate of 12.00 cfs or a total annual maximum diversion volume of 8,690 af for the fish propagation and aesthetic uses.

Transfer No. 83648

WATER RIGHT NO. 47-8357
As Modified by Transfer No. 83648

CONDITIONS OF APPROVAL

3. Rights 36-7239, 36-15455, 47-7758, 2-7472, 47-7813, 47-8356, and 47-8357 when combined shall not exceed a total diversion rate of 12.25 cfs.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. This right may be used in conjunction with water rights administered by multiple water districts. The right holder shall cooperate with each jurisdictional water district to ensure proper administration of water rights.
6. The right holder shall not divert water at a rate exceeding what is reasonably necessary for the beneficial use authorized by this right.
7. Use of water under this right shall be non-consumptive.
8. This right is for the use of trust water, and it is subject to review 5 years after its initial approval of this license to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
9. Administration of this right to satisfy the minimum stream flow water rights in the Snake River at Murphy Gage shall not be required because use of water pursuant to this right is either non-consumptive or the right holder is required to provide ongoing mitigation to offset the depletion of water resulting from the use of this right.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 47-8356**As Modified by Transfer No. 83648**

In accordance with the approval of Transfer No. 83648, Water Right No. 47-8356 is now described as follows:

Right Holder: MC COLLUM ENTERPRISES LTD
PO BOX 5492
TWIN FALLS, ID 83303-5492

Priority Date: 3/4/1994

Source: PERRINE COULEE

Tributary: SNAKE RIVER

BENEFICIAL USE

AESTHETIC
FISH PROPAGATION

From

01/01
01/01

to 12/31
to 12/31

To**Diversion Rate**

2.300 cfs
2.300 cfs
2.300 cfs

Diversion Volume

1670.0 af
1670.0 af
1670.0 af

LOCATION OF POINT(S) OF DIVERSION

PERRINE COULEE

NESW

Sec 33 Twp 09S Rge 17E TWIN FALLS County

PLACE OF USE: AESTHETIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	17E	29																X	
09S	17E	32	X																
09S	17E	33						X	X	X									
										L 2									

PLACE OF USE: FISH PROPAGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	17E	28											X						
09S	17E	29																X	
09S	17E	32	X			X													
09S	17E	33					X	X	X										
							L 1												0

CONDITIONS OF APPROVAL

1. Rights 2-7472, 47-8356, and 47-8357 when combined shall not exceed a total annual maximum diversion volume of 3,910 acre-feet for the fish propagation and aesthetic uses.
2. Rights 36-7239, 47-7758, 2-7472, 47-8356, and 47-8357 when combined shall not exceed a total diversion rate of 12.00 cfs or a total annual maximum diversion volume of 8,690 af for the fish propagation and aesthetic uses.

Transfer No. 83648

WATER RIGHT NO. 47-8356
As Modified by Transfer No. 83648

CONDITIONS OF APPROVAL

3. Rights 36-7239, 36-15455, 47-7758, 2-7472, 47-7813, 47-8356, and 47-8357 when combined shall not exceed a total diversion rate of 12.25 cfs.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. This right may be used in conjunction with water rights administered by multiple water districts. The right holder shall cooperate with each jurisdictional water district to ensure proper administration of water rights.
6. The right holder shall not divert water at a rate exceeding what is reasonably necessary for the beneficial use authorized by this right.
7. Use of water under this right shall be non-consumptive.
8. This right is for the use of trust water, and it is subject to review 5 years after its initial approval this license to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
9. Administration of this right to satisfy the minimum stream flow water rights in the Snake River at Murphy Gage shall not be required because use of water pursuant to this right is either non-consumptive or the right holder is required to provide ongoing mitigation to offset the depletion of water resulting from the use of this right.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 2-7472**As Modified by Transfer No. 83648**

In accordance with the approval of Transfer No. 83648, Water Right No. 2-7472 is now described as follows:

Right Holder: MC COLLUM ENTERPRISES LTD
PO BOX 5492
TWIN FALLS, ID 83303-5492

Priority Date: 6/16/1997

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
FISH PROPAGATION	01/01	to 12/31	4.250 cfs	3080.0 af
			4.250 cfs	3080.0 af

LOCATION OF POINT(S) OF DIVERSION

SNAKE RIVER SESE Sec 29 Twp 09S Rge 17E TWIN FALLS County

PLACE OF USE: FISH PROPAGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	17E	28											X						
09S	17E	29																X	
09S	17E	32	X			X													
09S	17E	33					X	X	X										
							L 1												0

CONDITIONS OF APPROVAL

1. 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. 02.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. This right may be used in conjunction with water rights administered by multiple water districts. The right holder shall cooperate with each jurisdictional water district to ensure proper administration of water rights.
4. Rights 36-7239, 47-7758, 2-7472, 47-8356, and 47-8357 when combined shall not exceed a total diversion rate of 12.00 cfs or a total annual maximum diversion volume of 8,690 af for the fish propagation and aesthetic uses.

Transfer No. 83648

WATER RIGHT NO. 2-7472
As Modified by Transfer No. 83648

CONDITIONS OF APPROVAL

5. Rights 2-7472, 47-8356, and 47-8357 when combined shall not exceed a total annual maximum diversion volume of 3,910 acre-feet for the fish propagation and aesthetic uses.
6. Rights 36-7239, 36-15455, 47-7758, 2-7472, 47-7813, 47-8356, and 47-8357 when combined shall not exceed a total diversion rate of 12.25 cfs.
7. The right holder shall not divert water at a rate exceeding what is reasonably necessary for the beneficial use authorized by this right.
8. Use of water under this right shall be non-consumptive.
9. This right is for the use of trust water, and it is subject to review 5 years after its initial approval of this license to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
10. Administration of this right to satisfy the minimum stream flow water rights in the Snake River at Murphy Gage shall not be required because use of water pursuant to this right is either non-consumptive or the right holder is required to provide ongoing mitigation to offset the depletion of water resulting from the use of this right.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 47-7758**As Modified by Transfer No. 83648**

In accordance with the approval of Transfer No. 83648, Water Right No. 47-7758 is now described as follows:

Right Holder: MC COLLUM ENTERPRISES LTD
PO BOX 5492
TWIN FALLS, ID 83303-5492

Priority Date: 9/25/1981

Source: GROUND WATER

BENEFICIAL USE

FISH PROPAGATION
HEATING
IRRIGATION

From

01/01 to 12/31
01/01 to 12/31
03/15 to 11/15

To**Diversion Rate**

6.250 cfs
0.360 cfs
2.010 cfs
6.250 cfs

Diversion Volume

4510.0 af
142.0 af
4510.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENWNW Sec 33 Twp 09S Rge 17E TWIN FALLS County

PLACE OF USE: FISH PROPAGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	17E	28											X						
09S	17E	29																X	
09S	17E	32	X			X													
09S	17E	33					X	X	X										
							L 1												

PLACE OF USE: HEATING

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	17E	33						X											

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	17E	28											2.0						2.0
09S	17E	29																16.0	16.0
09S	17E	32	25.0			2.0													27.0
09S	17E	33					9.0	19.0	21.0	15.0	3.0								67.0
							L 1			L 2									

POU Total Acres: 112.0

Transfer No. 83648

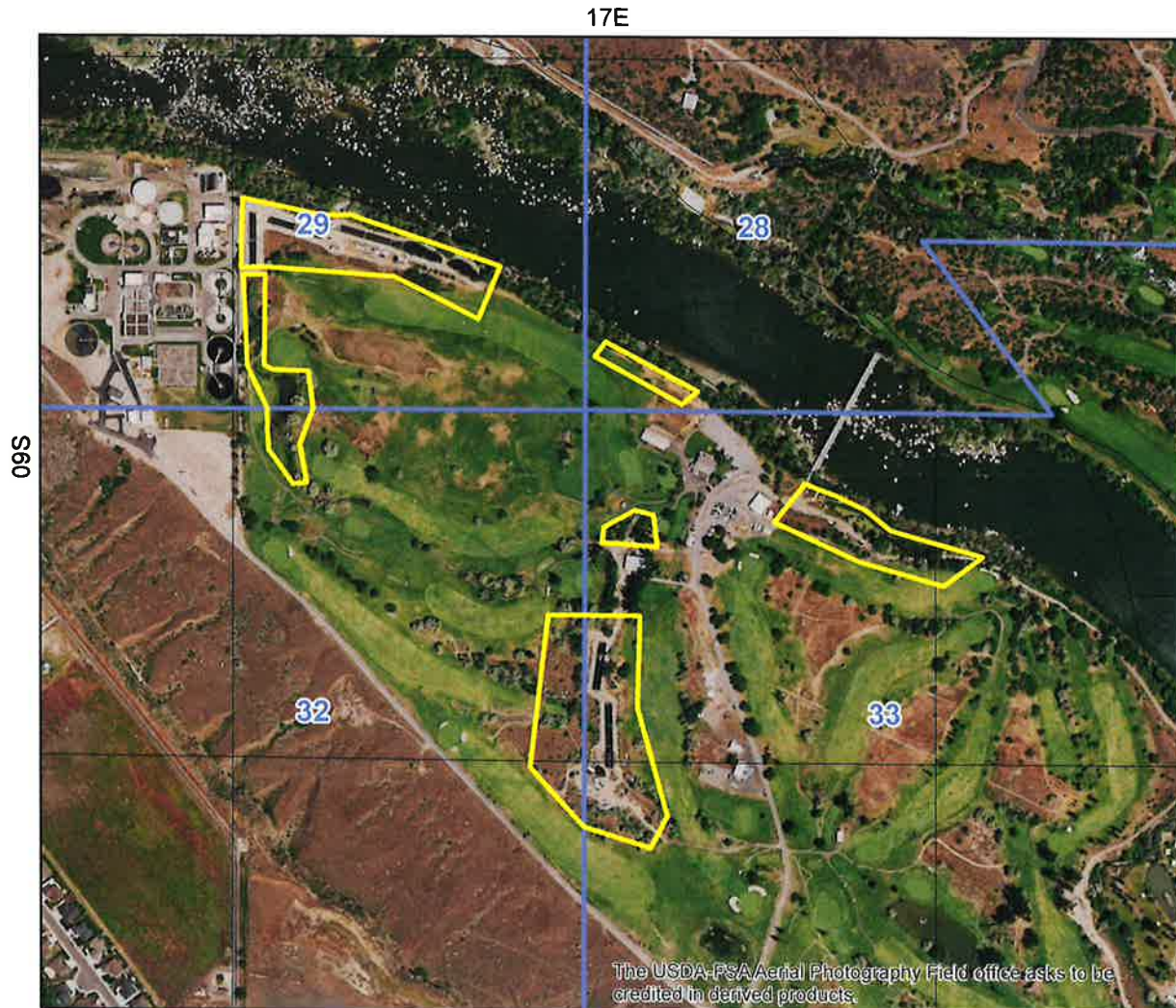
WATER RIGHT NO. 47-7758
As Modified by Transfer No. 83648

CONDITIONS OF APPROVAL

1. Rights 47-7813 and 47-7758 when combined shall not exceed a total diversion rate of 6.25 cfs and a total annual maximum diversion volume of 4510.0 af at the field headgate.
2. Rights 36-7239, 36-15455 and 47-7758 when combined for irrigation purposes shall not exceed a total diversion rate of 2.24 cfs, a total annual maximum diversion volume of 448.0 acre feet at the field headgate, and the irrigation of 112.0 acres.
3. Rights 36-7239, 47-7758, 2-7472, 47-8356, and 47-8357 when combined shall not exceed a total diversion rate of 12.00 cfs or a total annual maximum diversion volume of 8,690 for the fish propagation and aesthetic uses.
4. Rights 36-7239, 36-15455, 47-7758, 2-7472, 47-7813, 47-8356, and 47-8357 when combined shall not exceed a total diversion rate of 12.25 cfs.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 448.0 af at the field headgate for the lands above.
6. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. Heating use is for a house, shops and clubhouse.
8. The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.
9. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

State of Idaho
Department of Water Resources
Attachment to Transfer # 83648
02-7472, 36-7239, 47-7758, 47-8356, and 47-8357

This map depicts the FISH PROPAGATION place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.075 0.15 0.3 Miles



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 83648**RECEIVED****SEP 23 2019**

MINIMUM 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 accepted 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) MCCOLLUM ENTERPRISES LTD

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 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

RECEIVED

SEP 23 2019

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) MCCOLLUM ENTERPRISES LTD Phone PO BOX 5492 TWIN FALLS,
Mailing address PO BOX 5492 TWIN FALLS, ID 83303-5492 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**.

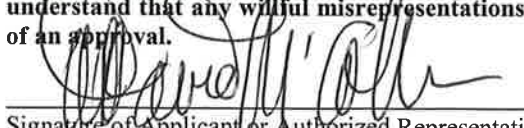
Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ 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.


Signature of Applicant or Authorized Representative

David McCollum
Print Name and Title if applicable

9/18/19
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 is proposing to change the place of use location for Fish Propagation for water rights 47-8357, 47-8356, 47-7472, 47-7758 and 36-7239.

OCT 02 2019

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEPT OF WATER RESOURCES
SOUTHERN REGION

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 ☐ ☒	47-8356	2.3/	Fish Propagation	1/01 to 12/31	Perrine Coule
☐ ☒	47-8357	0.69/	Fish Propagation	1/01 to 12/31	Seep Springs
☐ ☒	2-7472	4.25/	Fish Propagation	1/01 to 12/31	Snake River
☐ ☒	47-7758	6.25/4510	Fish Propagation	1/01 to 12/31	Ground Water
☐ ☒	36-7239	6.0/	Fish Propagation	1/01 to 12/31	Springs
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 12.0 cfs and/or 8690 acre-feet.

2. Total amount of water proposed to be transferred or changed 12.0 cubic feet per second and/or 8690 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	
09S	17E	28											H						
09S	17E	29																H	
09S	17E	32	H			H													
09S	17E	33					H	H	H										
Total Acres (for irrigation use)																			

AMENDED

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 ☐ ☒	47-8356	4.0/	Fish Propagation	1/01 to 12/31	Perrine Coule
☐ ☒	47-8357	2.0/	Fish Propagation	1/01 to 12/31	Seep Springs
☐ ☒	47-7472	4.25/	Fish Propagation	1/01 to 12/31	Snake River
☐ ☒	47-7758	6.25/4510	Fish Propagation	1/01 to 12/31	Ground Water
☐ ☒	47-7239	6.0/	Fish Propagation	1/01 to 12/31	Springs
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 12.0 cfs and/or 8690 acre-feet.

2. Total amount of water proposed to be transferred or changed 12.0 cubic feet per second and/or 8690 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	
09S	17E	28											H						
09S	17E	29																H	
09S	17E	32	H			H													
09S	17E	33					H	H	H										
Total Acres (for irrigation 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 PODs and delivery system.

- b. Who owns the property at the point(s) of diversion? The 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: No

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:

No change to land now 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:

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:

OCT 02 2019

DEPT OF WATER RESOURCES
SOUTHERN REGIONPage 6 of _____IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

Current Water Right No.: 47-8356

Current Owner: MC COLLUM ENTERPRISES LTD

Priority Date: 3/4/1994

Origin: Water Right

Status: Active

Basis: License

Source

PERRINE COULEE

Tributary

SNAKE RIVER

Beneficial UseFrom ToDiversion RateAnnual Volume

AESTHETIC 01/01 to 12/31

2.3 CFS

1670 AF

FISH PROPAGATION 01/01 to 12/31

2.3 CFS

1670 AF

Total Diversion

2.3 CFS

1670 AF

Location of Point(s) of Diversion

PERRINE COULEE

NE1/4SW1/4

Sec. 33, Twp 09S, Rge 17E B.M.

TWIN FALLS County

Place of UseFISH PROPAGATION Within TWIN FALLS County

T09S R17E S29

SESE

T09S R17E S32

NENE

T09S R17E S33

NWNW

T09S R17E S33

SWNW

AESTHETIC Within TWIN FALLS County

T09S R17E S29

SESE

T09S R17E S32

NENE

T09S R17E S33

NWNW

T09S R17E S33

SWNW

T09S R17E S33

Lot 2 SENW

OCT 02 2019

DEPT OF WATER RESOURCES
SOUTHERN REGIONPage 7 of _____Conditions of Approval:

1. This right may be used in conjunction with water rights administered by multiple water districts. The right holder shall cooperate with each jurisdictional water district to ensure proper administration of water rights.
2. 933 This right is for the use of trust water, and it is subject to review 5 years after its initial approval this license to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
3. 122 The right holder shall not divert water at a rate exceeding what is reasonably necessary for the beneficial use authorized by this right.
4. 935 Use of water pursuant to this right is either non-consumptive or the right holder is required to provide ongoing mitigation to offset the depletion of water resulting from the use of this right. Regulation of this right to satisfy the minimum stream flow water rights in the Snake River at Murphy Gage shall not be required.
5. 027 Use of water under this right shall be non-consumptive.
6. X35 Rights 2-7472, 47-8356, and 47-8357 when combined shall not exceed a total annual maximum diversion volume of 3,910 acre-feet for the fish propagation and aesthetic uses.
7. X35 Rights 36-7239, 36-15455, 47-7758, 2-7472, 47-7813, 47-8356, and 47-8357 when combined shall not exceed a total diversion rate of 12.25 cfs.
8. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
9. X35 Rights 36-7239, 47-7758, 2-7472, 47-8356, and 47-8357 when combined shall not exceed a total diversion rate of 12.00 cfs or a total annual maximum diversion volume of 8,690 af for the fish propagation and aesthetic uses.

Licensed Date: 6/13/2018

RECEIVED

OCT 02 2019

DEPT OF WATER RESOURCES
SOUTHERN REGION

Page 8 of _____

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

Current Water Right No.: 47-8357

Current Owner: MC COLLUM ENTERPRISES LTD

Priority Date: 3/4/1994

Origin: Water Right

Status: Active

Basis: License

Source

SPRING

Tributary

SNAKE RIVER

Beneficial Use

From To

Diversion Rate

Annual Volume

FISH PROPAGATION 01/01 to 12/31

0.69 CFS

500 AF

AESTHETIC 01/01 to 12/31

0.69 CFS

500 AF

Total Diversion

0.69 CFS

500 AF

Location of Point(s) of Diversion

SPRING

L5(SW1/4NW1/4SE1/4)

Sec. 33, Twp 09S, Rge 17E B.M.

TWIN FALLS County

Place of Use

FISH PROPAGATION Within TWIN FALLS County

T09S R17E S29

SESE

T09S R17E S32

NENE

T09S R17E S33

NWNW

T09S R17E S33

SWNW

AESTHETIC Within TWIN FALLS County

T09S R17E S29

SESE

T09S R17E S32

NENE

T09S R17E S33

NWNW

Conditions of Approval:

1. X35 Rights 36-7239, 36-15455, 47-7758, 2-7472, 47-7813, 47-8356, and 47-8357 when combined shall not exceed a total diversion rate of 12.25 cfs.
2. 027 Use of water under this right shall be non-consumptive.
3. This right may be used in conjunction with water rights administered by multiple water districts. The right holder shall cooperate with each jurisdictional water district to ensure proper administration of water rights.
4. 933 This right is for the use of trust water, and it is subject to review 5 years after its initial approval of this license to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
5. 935 Use of water pursuant to this right is either non-consumptive or the right holder is required to provide ongoing mitigation to offset the depletion of water resulting from the use of this right. Regulation of this right to satisfy the minimum stream flow water rights in the Snake River at Murphy Gage shall not be required.
6. X35 Rights 2-7472, 47-8356, and 47-8357 when combined shall not exceed a total annual maximum diversion volume of 3,910 acre-feet for the fish propagation and aesthetic uses.
7. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
8. X35 Rights 36-7239, 47-7758, 2-7472, 47-8356, and 47-8357 when combined shall not exceed a total diversion rate of 12.00 cfs or a total annual maximum diversion volume of 8,690 af for the fish propagation and aesthetic uses.
9. 122 The right holder shall not divert water at a rate exceeding what is reasonably necessary for the beneficial use authorized by this right.

Licensed Date: 6/13/2018

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

Current Water Right No.: 2-7472

Current Owner: MC COLLUM ENTERPRISES LTD
Priority Date: 6/16/1997
Origin: Water Right
Status: Active
Basis: License

Source

SNAKE RIVER

Tributary

COLUMBIA RIVER

Beneficial Use

FISH PROPAGATION

From To

01/01 to 12/31

Total Diversion

Diversion Rate

4.25 CFS

4.25 CFS

Annual Volume

3080 AF

3080 AF

Location of Point(s) of Diversion

SNAKE RIVER

TWIN FALLS County

SE1/4SE1/4

Sec. 29, Twp 09S, Rge 17E B.M.

Place of Use

FISH PROPAGATION Within TWIN FALLS County

T09S R17E S29

SESE

Conditions of Approval:

1. 122 The right holder shall not divert water at a rate exceeding what is reasonably necessary for the beneficial use authorized by this right.
2. 935 Use of water pursuant to this right is either non-consumptive or the right holder is required to provide ongoing mitigation to offset the depletion of water resulting from the use of this right. Regulation of this right to satisfy the minimum stream flow water rights in the Snake River at Murphy Gage shall not be required.
3. This right may be used in conjunction with water rights administered by multiple water districts. The right holder shall cooperate with each jurisdictional water district to ensure proper administration of water rights.
4. X35 Rights 36-7239, 47-7758, 2-7472, 47-8356, and 47-8357 when combined shall not exceed a total diversion rate of 12.00 cfs or a total annual maximum diversion volume of 8,690 for the fish propagation and aesthetic uses.
5. X35 Rights 2-7472, 47-8356, and 47-8357 when combined shall not exceed a total annual maximum diversion volume of 3,910 acre-feet for the fish propagation and aesthetic uses.
6. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
7. 933 This right is for the use of trust water, and it is subject to review 5 years after its initial approval of this license to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
8. 027 Use of water under this right shall be non-consumptive.
9. X35 Rights 36-7239, 36-15455, 47-7758, 2-7472, 47-7813, 47-8356, and 47-8357 when combined shall not exceed a total diversion rate of 12.25 cfs.
10. 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. 02.

Licensed Date: 6/13/2018

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

Current Water Right No.: 47-7758

Current Owner: MC COLLUM ENTERPRISES LTD
Priority Date: 9/25/1981
Origin: Water Right
Status: Active
Basis: License

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
HEATING	01/01 to 12/31	0.36 CFS	142 AF
IRRIGATION	03/15 to 11/15	2.01 CFS	
FISH PROPAGATION	01/01 to 12/31	6.25 CFS	4510 AF
	<u>Total Diversion</u>	6.25 CFS	4510 AF

Location of Point(s) of Diversion

GROUND WATER
TWIN FALLS County
NE1/4NW1/4NW1/4 Sec. 33, Twp 09S, Rge 17E B.M.

Place of Use

IRRIGATION Within TWIN FALLS County

T09S R17E S28	SWSW	2.00	T09S R17E S29	SESE	16.00
T09S R17E S32	NENE	25.00	T09S R17E S32	SENE	2.00
T09S R17E S33	NENW	9.00	T09S R17E S33	NWNW	19.00
T09S R17E S33	SWNW	21.00	T09S R17E S33	SENE	15.00
T09S R17E S33	NESW	3.00			

Total Acres: 112

FISH PROPAGATION Within TWIN FALLS County

T09S R17E S29	SESE	T09S R17E S32	NENE
T09S R17E S33	NENW	T09S R17E S33	NWNW

HEATING Within TWIN FALLS County

T09S R17E S33	NWNW
---------------	------

Conditions of Approval:

1. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
2. X35 Rights 47-7813 and 47-7758 when combined shall not exceed a total diversion rate of 6.25 cfs and a total annual maximum diversion volume of 4510.0 af at the field headgate.
3. Rights 36-7239, 36-15455 and 47-7758 when combined for irrigation purposes shall not exceed a total diversion rate of 2.24 cfs, a total annual maximum diversion volume of 448.0 acre feet at the field headgate, and the irrigation of 112 acres.
4. 105 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
5. R60 This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. WB7 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 448.0 af at the field headgate for the lands above.
7. R19 The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.
8. X36 Right 47-7813 is also diverted through the point of diversion described above.
9. Heating use is for a house, shops and clubhouse.

Licensed Date: 2/21/2006

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

Current Water Right No.: 36-7239

Current Owner: MC COLLUM ENTERPRISES LTD

Priority Date: 4/24/1972

Origin: Water Right

Status: Active

Basis: Decreed

Source

SPRINGS

Tributary

ALPHEUS CREEK

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION 3/01 to 11/01

1.6 CFS

320 AF

FISH PROPAGATION 1/01 to 12/31

6 CFS

AESTHETIC 1/01 to 12/31

6 CFS

RECREATION 1/01 to 12/31

6 CFS

Total Diversion

6 CFS

Location of Point(s) of Diversion

SPRINGS

L11(SW1/4SE1/4)

Sec. 28, Twp 09S, Rge 17E B.M.

JEROME County

Place of Use

IRRIGATION Within TWIN FALLS County

T09S R17E S28		SWSW	2.00	T09S R17E S29		SESE	16.00
T09S R17E S32		NENE	25.00	T09S R17E S32		SENE	2.00
T09S R17E S33	Lot 1	NENW	9.00	T09S R17E S33		NWNW	19.00
T09S R17E S33		SWNW	21.00	T09S R17E S33	Lot 2	SENE	15.00
T09S R17E S33		NESW	3.00				

Total Acres: 112

FISH PROPAGATION Within TWIN FALLS County

T09S R17E S29		SESE		T09S R17E S32		NENE	
T09S R17E S33		NWNW					

Total Acres: 112

RECREATION Within TWIN FALLS County

T09S R17E S28		SWSW		T09S R17E S29		SESE	
T09S R17E S32		NENE		T09S R17E S32		SENE	
T09S R17E S33	Lot 1	NENW		T09S R17E S33		NWNW	
T09S R17E S33		SWNW		T09S R17E S33	Lot 2	SENE	
T09S R17E S33		NESW					

Total Acres: 112

AESTHETIC Within TWIN FALLS County

T09S R17E S28		SWSW		T09S R17E S29		SESE	
T09S R17E S32		NENE		T09S R17E S32		SENE	
T09S R17E S33	Lot 1	NENW		T09S R17E S33		NWNW	
T09S R17E S33		SWNW		T09S R17E S33	Lot 2	SENE	
T09S R17E S33		NESW					

Total Acres: 112

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NO. 36-15455 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.60 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 448 AF FOR IRRIGATION PURPOSES.
2. RECREATION AND AESTHETIC USES ARE FOR GOLF COURSE FACILITY.
THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
3. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. RIGHT NO. 36-15455 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO IDAHO CODE 42-1426.
RIGHT NO. 36-15455 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
FISH PROPAGATION IS IN 118 RACE WAYS WITH A FACILITY VOLUME OF 3.26 AF.
5. USE OF THIS RIGHT WITH RIGHT NO. 36-15455 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 112 ACRES IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Decreed Date: 9/26/2001

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

fees transferred from T# 83472 & refund request submitted 10.10.2019

**STATEMENT OF CONVERSION
OF
MCCOLLUM ENTERPRISES, LIMITED PARTNERSHIP**

THIS STATEMENT OF CONVERSION ("Statement") is made and entered into this 30th day of April, 2019 by **MCCOLLUM ENTERPRISES, LIMITED PARTNERSHIP**, an Idaho limited partnership ("Partnership"). All defined terms are designated, unless the context requires otherwise.

RECITALS

WHEREAS, the Partnership was duly established on September 21, 1994 by way of its Certificate of Limited Partnership being filed with the Idaho Office of the Secretary of State ("Secretary") as of that date;

WHEREAS, the Partnership is a validly existing Idaho limited partnership;

WHEREAS, pursuant to Idaho law, without limitation, I.C. §§ 30-22-401 through 30-22-406, for business purposes, including, without limitation, enhanced management of operations, the Partnership desires to convert into an Idaho limited liability company known and referred to as "McCollum Enterprises, LLC" ("Company");

WHEREAS, pursuant to I.C. § 30-22-402, the Partnership has made and entered into a Plan of Conversion setting forth, adopting and implementing such conversion ("Plan"); and

WHEREAS, the Partnership makes and enters into this Statement and causes it to be filed with the Secretary to effectuate such conversion.

NOW, THEREFORE, based on the foregoing and pursuant to Idaho law, without limitation, I.C. § 30-22-405, the Partnership agrees:

1. The initial paragraph, the recitals and the Exhibits attached to this Statement are incorporated into this Statement.
2. The Plan was approved pursuant to I.C. § 30-22-403 as evidenced by the Unanimous Written Consent in Lieu of a Meeting of the General Partners and Limited Partners of McCollum Enterprises, Limited Partnership dated April 30, 2019 ("Consent"). The Consent is attached to this Statement as Exhibit "A".
3. The Company's public organic record, its Certificate of Organization dated April 30, 2019, which was made and entered into by the Company's Organizers, is attached to this Statement as Exhibit "B".
4. This Statement is to be effective as of the date it is filed with the Secretary.

5. Pursuant to I.C. § 30-21-301 (d), without limitation, the Company is authorized to use an indistinguishable name from the Partnership.

6. The invalidity or unenforceability of any provision of this Statement shall not impact the validity or enforceability of any other provision of this Statement. If a court of competent jurisdiction determines that any provision of this Statement is invalid, then the remaining provisions of this Statement shall be interpreted and construed as if the invalid provision had never been included in this Statement.

7. This Statement shall in all respects be governed by, and construed pursuant to, the laws of the State of Idaho, including, without limitation, as to all matters of validity and performance, but without giving effect to the conflict of laws provisions thereof.

8. Unless the context requires otherwise, words denoting the singular may be construed as plural, and words denoting the plural may be construed as singular. Words of gender may be construed as denoting another gender (including, without limitation, nongender such as "it") as is appropriate within the context.

9. This Statement shall be binding upon, and inure to the benefit of, the Partnership and its partners and their permitted successors, executors, heirs, representatives, agents, administrators and assigns.

[signatures on following page]

IN WITNESS WHEREOF, the Partnership makes and enters into this Statement as of the date provided above.

PARTNERSHIP:

MCCOLLUM ENTERPRISES, LIMITED PARTNERSHIP,
an Idaho limited partnership

By: _____

JOSEPH D. MCCOLLUM, JR.,
General Partner and Limited Partner

By: _____

W. DAVID MCCOLLUM,
General Partner and Limited Partner

EXHIBIT "A"
TO THE
STATEMENT OF CONVERSION
OF
MCCOLLUM ENTERPRISES, LIMITED PARTNERSHIP

[Refer to the Unanimous Written Consent in Lieu of a Meeting of the General Partners and Limited Partners of McCollum Enterprises, Limited Partnership dated April 30, 2019 attached hereto and incorporated herein by reference]

B0243-0325 05/03/2019 2:30 PM Received by ID Secretary of State Lawrence Denney

**UNANIMOUS WRITTEN CONSENT
IN LIEU OF A MEETING OF THE GENERAL PARTNERS AND LIMITED PARTNERS
OF
MCCOLLUM ENTERPRISES, LIMITED PARTNERSHIP**

The undersigned, constituting the general partners ("General Partners") and the limited partners ("Limited Partners") of McCollum Enterprises, Limited Partnership, an Idaho limited partnership ("Partnership"), in lieu of a meeting of the General Partners and the Limited Partners, after presentation to the General Partners and the Limited Partners of the proposed Plan of Conversion, whereby, inter alia, the Partnership will convert into an Idaho limited liability company known and referred to as "McCollum Enterprises, LLC" pursuant to Idaho law, without limitation, I.C. §§ 30-22-401 through 30-22-406 ("Plan of Conversion"), for their review, consideration and discussion, pursuant to I.C. § 30-22-403, the General Partners and the Limited Partners approve the following resolutions by unanimous written consent:

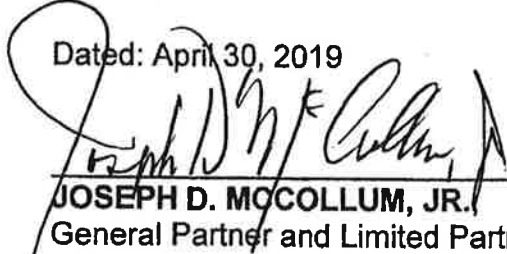
RESOLVED, that the Plan of Conversion is approved substantially in the form presented, including, without limitation, its supplemental documentation, including the Statement of Conversion to be filed with the Idaho Office of the Secretary of State as well as the Operating Agreement of McCollum Enterprises, LLC to be adopted and implemented in conjunction therewith.

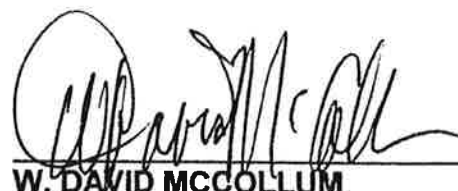
FURTHER RESOLVED, that the General Partners and the Limited Partners be, and the same hereby are, authorized and directed to make and enter into the Plan of Conversion and all of the documents supplemental, incidental and related thereto substantially in the form presented.

FURTHER RESOLVED, that the General Partners and the Limited Partners be, and the same hereby are, authorized and directed to undertake and complete all acts and affairs deemed advisable by them, in their sole and absolute discretion, to fully effectuate the foregoing resolutions.

The undersigned have hereto signed their names as the General Partners and the Limited Partners to the same extent and for all purposes as if an actual meeting of the General Partners and the Limited Partners had been held.

Dated: April 30, 2019


JOSEPH D. MCCOLLUM, JR.
General Partner and Limited Partner


W. DAVID MCCOLLUM,
General Partner and Limited Partner

B0243-0326 05/03/2019 2:30 PM Received by ID Secretary of State Lawrence Denney

EXHIBIT "B"
TO THE
STATEMENT OF CONVERSION
OF
MCCOLLUM ENTERPRISES, LIMITED PARTNERSHIP

[Refer to the Certificate of Organization of McCollum Enterprises, LLC dated April 30, 2019 attached hereto and incorporated herein by reference]

B0243-0327 05/03/2019 2:30 PM Received by ID Secretary of State Lawrence Denney

**CERTIFICATE OF ORGANIZATION
OF
MCCOLLUM ENTERPRISES, LLC**

The undersigned, for the purpose of organizing a limited liability company pursuant to the Idaho Uniform Limited Liability Company Act ("Act"), do hereby state and adopt the following Certificate of Organization, and do hereby certify:

**SECTION I
NAME**

The name of the limited liability company ("Company") is: McCollum Enterprises, LLC.

**SECTION II
PRINCIPAL OFFICE**

The street address of the Company's principal office is: 199 Canyon Springs Rd., Twin Falls, ID, 83301. The mailing address of the Company's principal office is: P.O. Box 5492, Twin Falls, ID 83303.

**SECTION III
REGISTERED AGENT**

The name of the Company's initial registered agent is: Joseph D. McCollum, Jr. The street address of the Company's initial registered agent is: 1110 Warm Springs Ave., Boise, ID 83712.

**SECTION IV
GOVERNORS**

The names and addresses of the Company's initial governors are:

Joseph D. McCollum, Jr.
1110 Warm Springs Ave.
Boise, ID 83712

W. David McCollum
P.O. Box 5492
Twin Falls, ID 83303

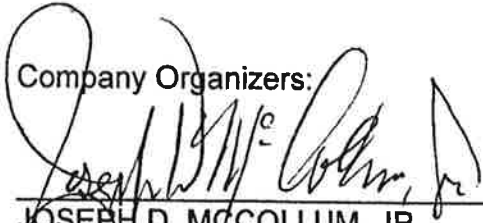
**SECTION V
CORRESPONDENCE**

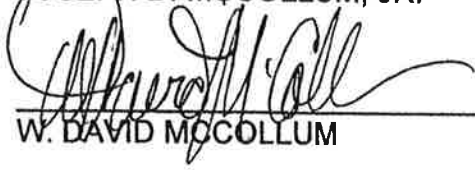
The mailing address for future correspondence is: 1110 Warm Springs Ave., Boise, ID 83712.

B0243-0328 05/03/2019 2:30 PM Received by ID Secretary of State Lawrence Denney

EXECUTED this 30th day of April, 2019.

Company Organizers:


JOSEPH D. MCCOLLUM, JR.


W. DAVID MCCOLLUM



0 250 500 1,000 Feet

MCCOLLUM ENTERPRISES LTD

WATER RIGHTS TRANSFERS
2017 NAIP AERIAL

Legend

 Fish_Propagation



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037

Website: www.idwr.idaho.gov • Email: southerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

November 26, 2019

MC COLLUM ENTERPRISES LTD
PO BOX 5492
TWIN FALLS ID 83303-5492

Re: Transfer No: 83648

Water Right No(s): 2-7472, 36-7239, 47-7758, 47-8356, 47-8357

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

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

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

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

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

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

If you have any questions, please contact me at (208) 736-3033.

Sincerely,



Corey Skinner
Southern Regional Manager

Enclosure

C:

BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

THOMAS M ROBERTSON
COLEMAN RITCHIE & JACOBSON
PO BOX 525
TWIN FALLS ID 83303-0525

ROB WHITNEY
WATER DISTRICT 02
PO BOX 83720
BOISE ID 83720-0098

NATHAN ERICKSON
WATER DISTRICT 130
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301-5858

CERTIFICATE OF SERVICE

I hereby certify that on November 26, 2019 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 83648

Water Right No(s): 2-7472, 36-7239, 47-7758, 47-8356, 47-8357

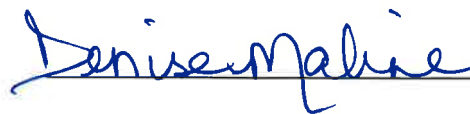
MC COLLUM ENTERPRISES LTD
PO BOX 5492
TWIN FALLS ID 83303-5492

BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

THOMAS M ROBERTSON
COLEMAN RITCHIE & JACOBSON
PO BOX 525
TWIN FALLS ID 83303-0525

ROB WHITNEY
WATER DISTRICT 02
PO BOX 83720
BOISE ID 83720-0098

NATHAN ERICKSON
WATER DISTRICT 130
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301-5858



Denise Maline
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

Date: November 6, 2019
To: Transfer #83648, McCollum Enterprises, Ltd. file
From: Jim Bitzenburg
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes to modify the Fish Propagation place of use (POU) portion of one ground water and four surface water rights with a combined flow rate of 12.0 cfs, which are appurtenant to a series of raceways located approximately 0.9 mile north and 1.0 mile west of the intersection of Pole Line Road and Blue Lakes Boulevard in Twin Falls.

The proposed transfer has multiple sources, including Alpheus Creek in Water District 130 and the Snake River (Water District 2), so Watermaster comments were solicited. The WD-130 Watermaster had no objections to the application. The WD-02 Watermaster did not submit comments. The sources in basin 47 are not in, or administered by, a water district.

Since the transfer is only changing the POU, advertising is not necessary.

- **Authority to File:**
The application was filed in the name of McCollum Enterprises, Ltd. David McCollum signed the transfer, and documentation included with the transfer application confirms that he has authority to sign.
- **Water Right Validity:**
Rights 2-7472, 47-8356, and 47-8357 were licensed in 2018 and right 47-7758 was licensed in 2006. Right 36-7239 was decreed in 2001. Forfeiture does not appear to be an issue.
- **Injury to Other Water Rights:**
None anticipated or foreseen. Fish Propagation POU is changing. Volumes and flow rates will not increase.
- **Enlargement of Use:**
None anticipated. Flow rates and volumes will not change.
- **Local Public Interest:**
No issues anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**
None Anticipated
- **Effect of the Agricultural Base of the Area:**
None Anticipated

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Transfer No: 83648
Water Right No: 36-7239
Applicant Name: MCCOLLUM ENTERPRISES LTD

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application
- b) ☐ I do not oppose approval of this application under the following terms:
- c) ☐ I oppose approval of this application(s) for the following reasons:
- d) ☐ Additional comment:

Dated: October 25, 2019

Water District 130



Nathan Erickson, Watermaster



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

October 15, 2019

WATER DISTRICT #02 *via e-mail*
ROB WHITNEY
322 E FRONT ST
PO BOX 83720
BOISE ID 83720-0098

RE: Transfer No. 83648
Water Right No(s): 2-7472, etc. (Mc Collum Enterprises LTD)

Dear Rob:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the water master, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

October 15, 2019

WATER DISTRICT #130 *via hand delivery*
NATHAN ERICKSON
650 ADDISON AVE W, STE 500
TWIN FALLS, ID 83301

RE: Transfer No. 83648
Water Right No(s): 2-7472, etc. (Mc Collum Enterprises LTD)

Dear Nathan:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the water master, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

Bitzenburg, James

From: Bitzenburg, James
Sent: Thursday, October 10, 2019 8:33 AM
To: Marston, Sascha
Subject: Refund of overpayment of fees

Sascha-

I am processing a Water Right Transfer (#83648) for McCollum Enterprises, Ltd., which was submitted by Brockway Engineering. McCollum Enterprises submitted a transfer back in July (#83472, receipt #S037410) that was later withdrawn. The payer, Brockway Engineering, requested that the fees paid for the July transfer (\$2140.00) be applied to the current transfer (\$1380.00), resulting in an overpayment of \$760.00. Could you issue a \$760.00 refund to Brockway Engineering for the overpayment? The address for Brockway Engineering is:

BROCKWAY ENGINEERING PLLC
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

Let me know if you need anything more and thank you for your help.

Jim

Jim Bitzenburg
Water Resource Agent
Idaho Department of Water Resources
Southern Regional Office
Phone (208)-736-3033
Fax (208)-736-3037
james.bitzenburg@idwr.idaho.gov

TRANSFER SYNOPSIS

Date: October 9, 2019
To: Transfer #83648, McCollum Enterprises, LTD Transfer file
From: Jim Bitzenburg
Re: Summary of transfer

Application for transfer proposes to modify the Fish Propagation place of use (POU) portion of one ground water and four surface water rights with a combined flow rate of 12.0 cfs, which are appurtenant to a series of raceways located approximately 0.9 mile north and 1.0 mile west of the intersection of Pole Line Road and Blue Lakes Boulevard in Twin Falls.

Since the transfer is only changing the POU, advertising is not necessary.

The proposed transfer has multiple sources, including Alpheus Creek in Water District 130 and the Snake River (Water District 2), so Watermaster comments will be solicited. The sources in basin 47 are not in, or administered by, a water district.

The water rights in the transfer are 47-8356 (Perrine Coulee, 2.3 cfs, Fish Propagation & Aesthetic); 47-8357 (Spring, 0.69 cfs, Fish Propagation & Aesthetic); 47-7758 (Ground Water, 6.25 cfs; Irrigation - 2.01 cfs, Fish Propagation - 6.25 cfs, Heating - 0.36 cfs); 36-7239 (Springs, 6.00 cfs; Irrigation - 1.6 cfs, Fish Propagation - 6.0 cfs, Recreation - 6.0 cfs, Aesthetic - 6.0 cfs); 2-7472 (Snake River, 4.25 cfs, Fish Propagation).

MEMORANDUM

Date: October 9, 2019
To: Transfer 83648
From: James Bitzenburg
Re: Legal Notice Not Required

Legal Notice Not Required
10/9/2019

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.

Transfer is only changing the place of use.

Bitzenburg, James

From: Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent: Wednesday, October 02, 2019 8:35 AM
To: Bitzenburg, James
Subject: RE: McCollum Enterprises, LTD transfer
Attachments: Scan100241465.pdf

Jim,

See the attached scanned documents.

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

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

From: Bitzenburg, James [mailto:James.Bitzenburg@idwr.idaho.gov]
Sent: Tuesday, October 01, 2019 10:05 AM
To: Greg Sullivan <greg.sullivan@brockwayeng.com>
Subject: McCollum Enterprises, LTD transfer

Greg-

I have been staffed the newly submitted McCollum Enterprises, Ltd. transfer, and in my initial review, it appears that there are a few issues we need to have clarified. First off, on page 3, under Part B. 1., it looks like you have the wrong basin number on two of the rights. In your cover letter you reference the rights involved in the transfer, and the rights listed in the transfer do not match those in the letter. Right 47-7472 should be 2-7472, and right 47-7239 should be 36-7239. It looks like you have the wrong flow rates for rights 47-8356 and 47-8357. They should be 2.3 cfs and 0.69 cfs respectively. Also, on page 2, A. 3., 47-7472 should read 2-7472.

Additionally, you did not include any Part 2A Water Right Reports for any of the rights. If you would like, I can print off the reports and insert them into the transfer application.

Other than those issues, at this point, everything else seems to be okay. Thanks for your help.

Jim

Jim Bitzenburg
Water Resource Agent
Idaho Department of Water Resources
Southern Regional Office
Phone (208)-736-3033
Fax (208)-736-3037
james.bitzenburg@idwr.idaho.gov

FEE MEMORANDUM

Date: October 2, 2019
To: McCollum Enterprises, LTD Transfer #83648 File
From: Jim Bitzenburg
Re: Receipting/disposition of fees paid

This transfer was filed on September 23, 2019 with the intent to change the Fish Propagation place of use for five water rights. Since the entire flow rate could flow through any of the POU areas, the fee is based on the combined diversion rate limit for the five rights, 12.0 cfs. From the fee schedule, the fee for 12.0 cfs is \$1380.00. A transfer (#83472) for these same five rights was filed on July 1 of this year, but was withdrawn, with no refund, so the representative has requested that the fees from the first transfer be applied to this transfer. The fees from the first transfer were \$2140.00, which was paid with check #15399 from Brockway Engineering (receipt #S037410). Subtracting \$1380.00 from \$2140.00 yields an overpayment of \$760.00, so a refund of the excess payment will be requested from the State office.



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

September 19, 2019

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

RECEIVED

SEP 23 2019

DEPT OF WATER RESOURCES
SOUTHERN REGION

Re: McCollum Enterprises, Ltd.

Dear Mr. Skinner:

McCollum Enterprises, Ltd. is submitting a transfer application that will update the place of use of water rights 47-8357, 47-8356, 2-7472, 47-7758 and 36-7239 for fish propagation. The water right ownership, PODs and beneficial uses will not be changing.

A previous transfer of water rights was submitted to IDWR by McCollum Enterprises, Ltd with an associated fee. Please apply the fee that was submitted with the previous transfer to this transfer application.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

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

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

Cc: Dave McCollum
Enc: Transfer Application, Aerial Maps, Annual Report

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506