

RECEIVED

AUG 19 2019

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 83551MINIMUM 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) SWAGER FARMS LLLPCheck 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: _____

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEPT OF WATER RESOURCES
SOUTHERN REGION

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

Name of Applicant(s) SWAGER FARMS LLLP Phone 2082801108
Mailing address 1749 East 3800 N Buhl, Idaho 83316 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

Print Name and Title if applicable

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other _____
2. Is this a transfer for changes pursuant to Idaho Code § 42-221.0.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
3. 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 will add 1 additional POD, allow for better management of the facility utilizing commercial water and update the stock and commercial water POU. No additional water is being transferred into the facility.

STATE OF IDAHO
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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 ☒ ☐	47-16831	0.4/72.0	Stockwater	1/01 to 12/31	Ground Water
☐ ☐		0.4/72.0	Commercial	1/01 to 12/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.4 cfs and/or 72.0 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.4 cubic feet per second and/or 72.0 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 #
			SE	SW	4	12S	17E	Twin Falls	Ground Water	
			SE	SW	4	12S	17E	Twin Falls	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	
12S	17E	4									S,C			S,C	S,C	S,C	S,C	S,C	
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 ☒ ☐	47-16831	0.4/72.0	Stockwater	1/01 to 12/31	Ground Water
☐ ☐		0.4/72.0	Commercial	1/01 to 12/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.4 cfs and/or 72.0 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.4 cubic feet per second and/or 72.0 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 #
			SE	SW	4	12S	17E	Twin Falls	Ground Water	
			SE	SW	4	12S	17E	Twin Falls	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	
12S	17E	4									S			S	S	S	S	S	
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 mainlines and delivery system.

- b. Who owns the property at the point(s) of diversion? Swager Farms LLLP

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: N/A

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

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

N/A

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

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

Current Water Right No.: 47-16831

Current Owner: SWAGER FARMS LLLP

Priority Date: 9/26/1967

Origin: Water Right

Status: Active

Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use

From To

Diversion Rate

Annual Volume

STOCKWATER

01/01 to 12/31

0.4 CFS

72 AF

Total Diversion

0.4 CFS

72 AF

Location of Point(s) of Diversion

GROUND WATER

SE1/4SW1/4

Sec. 4, Twp 12S, Rge 17E B.M.

TWIN FALLS County

Place of Use

STOCKWATER Within TWIN FALLS County

T12S R17E S4

NESW

T12S R17E S4

SESW

T12S R17E S4

NWSE

T12S R17E S4

SWSE

Conditions of Approval:

1. The priority of the use of water under this approval is subordinated to existing water rights of the protestants and to other existing water rights from ground water upgradient from the Twin Falls South Side Canal Company Highline Canal to the extent it can be shown in accordance with the Rules for Conjunctive Management of Surface and Ground Water Resources (IDAPA 37.03.11) that the existing water rights are injured by transferred water right no. 47-16831.
2. This approval does not authorize the use of low temperature geothermal water. If water with a temperature greater than 85 degrees Fahrenheit is encountered by the driller, drilling must immediately cease, and the Department must be notified. Drilling shall not resume until the Department has reviewed the drilling conditions and established standards for construction with the driller.
3. 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.
4. 082 The use of water authorized under this approval is contingent upon the right holder obtaining any necessary county land use approval and remaining in compliance with applicable county zoning and land use ordinances.
5. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. The acres no longer authorized for irrigation under this transfer are 24 acres located in NESE, Section 35, T10S, R12E, B.M.
8. 106 Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
9. R19 Upon notice by the Department, the right holder shall install and maintain a totalizing measuring device together with a data logger of a type approved by the Department as a part of the diverting works.
10. 01Q The right holder shall annually report the amount of water diverted to the Department.

Decreed Date: 10/15/2009

Page 8



0 250 500 1,000 Feet

SWAGER FARMS LLLP

Legend

NAIP 2017 AERIAL
TRANSFER 83551

- 47-16831 POD
- 47-16831



No. L 6158		Due no later than Sep 30, 2018 Annual Report Form		2. ~~P~~ Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		1. Mailing Address: Correct in this box if needed. SWAGER FARMS, LLP DEAN SWAGER 1749 E 3800 N BUHL ID 83316		L. N. SWAGER 1749 E 3800 N BUHL ID 83316			
				3. <u>New</u> Registered Agent Signature:*			
Office Held	Name	Street or PO Address	City	State	Country	Postal Code	
GENERAL PARTNER	DEAN SWAGER SWAGER FAMILY TRUST	1749 E 3800 N	BUHL	ID	USA	83316	
GENERAL PARTNER	DEAN SWAGER	3772 N 1700 E	BUHL	ID	USA	83316	
5. Organized Under the Laws of: ID L 6158		6. Annual Report must be signed.* Signature: Dean Swager Name (type or print): Dean Swager Date: 08/29/2018 Title: Partner					
Processed 08/29/2018		* Electronically provided signatures are accepted as original signatures.					

TRANSFER 83551



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

August 29, 2019

SWAGER FARMS LLLP
1749 E 3800 N
BUHL, ID 83316

RE: Transfer No. 83551
Water Right No(s). 47-16831

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 **TIMES NEWS on 9/5/2019 and 9/12/2019**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **September 23, 2019**.

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,

A handwritten signature in blue ink that reads "Denise Maline". The signature is fluid and cursive, with the first name "Denise" and last name "Maline" clearly distinguishable.

Denise Maline
Administrative Assistant

c: Brockway Engineering PLLC

Maline, Denise

From: Maline, Denise
Sent: Thursday, August 29, 2019 9:50 AM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News cover letter.docx; Times News ad.doc

Attached please find **(1)** legal notice being submitted for publication on September 5th & 12th, 2019. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline
Administrative Assistant I
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 293-9908
denise.maline@idwr.idaho.gov



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

August 29, 2019

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 82976

Water Right No(s): 36-14878, 36-17090, 36-17091, 36-17092

RE: Transfer No. 83551

Water Right No(s): 47-16831

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before September 23, 2019. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 82976**

WAYNE BROWN and HEATHER BROWN, 3528 E 300 N, RIGBY, ID 83442; KATHY J MORGAN and CODY G MORGAN, PO BOX 95, PAUL, ID 83347-0095; have filed Application No. 82976 for changes to the following water rights within JEROME County(s): Right No(s). 36-14878, 36-17090, 36-17091, 36-17092. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the place of use (POU) and point of diversion (POD) for a domestic & stockwater right, and add a new POD (well) to that right and three commercial & stockwater rights appurtenant to a CAFO located approximately 9.2 miles west of the intersection of Main Street and Overland Avenue in Burley. The new well will be located approximately 9.0 miles west and 0.3 mile north of Burley. After the transfer, the four ground water rights will divert up to 0.14 cfs from two wells.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 83551**

SWAGER FARMS LLLP, 1749 E 3800 N, BUHL, ID 83316; has filed Application No. 83551 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-16831. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the place of use (POU), nature of use, and add a point of diversion (POD) to a ground water stockwater right, with a flow rate of 0.40 cfs, which is appurtenant to a CAFO and associated stockwater use located approximately 5.4 miles east and 3.8 miles north of Hollister. The additional POD will be a new well located approximately 5.3 miles east and 3.6 miles north of Hollister. The transfer proposes to modify the POU to include adjacent property and to add commercial use as an additional use.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see research.idwr.idaho.gov/apps/waterrights/QueryNewTransfers. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **September 23, 2019**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on September 5 & 12, 2019

TRANSFER SYNOPSIS

Date: August 26, 2019
To: Transfer #83551, Swager Farms, LLLP file
From: Jim Bitzenburg
Re: Summary of transfer

Application for transfer proposes to change the place of use (POU), nature of use, and add a point of diversion (POD) to a ground water stockwater right, with a flow rate of 0.40 cfs, which is appurtenant to a CAFO and associated stockwater use located approximately 5.4 miles east and 3.8 miles north of Hollister. The additional POD will be a new well located approximately 5.3 miles east and 3.6 miles north of Hollister. The transfer proposes to modify the POU to include adjacent property and to add commercial use as an additional use.

The transfer will be advertised because it proposes to change the nature of use of the right.

The water right in the transfer is 47-16831 (stockwater, 0.40 cfs).

Bitzenburg, James

From: Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent: Thursday, August 22, 2019 4:20 PM
To: Bitzenburg, James
Subject: RE: Swager Farms, LLLP transfer
Attachments: Scan082240623.pdf

Jim,

See the attached document.

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: Wednesday, August 21, 2019 10:31 AM
To: Greg Sullivan <greg.sullivan@brockwayeng.com>
Subject: Swager Farms, LLLP transfer

Greg-

The Swager Farms transfer now has a transfer number- 83551, and I had a question on page 3 of the application. Under #4, Place of Use, you only have stockwater marked in the boxes and you mentioned in other portions of the application that you intended to add commercial as an additional use. Could you email over a new page 3 with the POU boxes marked as you intend them to be? My assumption is that you intend commercial to be on the same QQs as the stockwater, but one never knows. Also, I had the question yesterday about whether or not the additional POD was a new, or existing well.

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

Bitzenburg, James

From: Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent: Thursday, August 22, 2019 4:21 PM
To: Bitzenburg, James
Subject: RE: Swager Farms, LLLP transfer

Jim,

They will be drilling a new well.

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, August 20, 2019 4:43 PM
To: Greg Sullivan <greg.sullivan@brockwayeng.com>
Subject: Swager Farms, LLLP transfer

Greg-

I am working on the Swager Farms, LLLP transfer, and I was wondering if the second POD they are adding is an existing well, or a new well to be drilled? I wasn't sure on that, so I wanted to get your confirmation.

Thanks,

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: August 21, 2019
To: Swager Farms, LLLP Transfer #83551 File
From: Jim Bitzenburg
Re: Receipting/disposition of fees paid

This transfer was filed on August 19, 2019 with the intention of changing the place of use, adding a point of diversion, and changing the nature of use for a single ground water stockwater right with a flow rate of 0.40 cfs. The basic fee for the 0.4 cfs flow rate is \$500.00, the fee to change the nature of use is \$250.00, so the total fee for the application is \$750.00, which was paid by Brockway Engineering with check #15468 at the time of filing. The receipt number is S037502.



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

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AUG 19 2019

DEPT OF WATER RESOURCES
SOUTHERN REGION

August 15, 2019

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

Re: Swager Farms LLLP

Dear Mr. Skinner:

Swager Farms LLLP desires to add a second POD for water right 47-16831, update the described place of use and to add commercial water use as a beneficial use of the water right. These changes will allow for better management of the water and the facility.

The ownership, period of use and source of water will not be changing. No additional water is proposed to be transferred into the existing facility with this transfer.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

CHARLES E.
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Cc: Dean Swager

Enc: Transfer Application, Aerial Map, Annual Report, Brockway Engineering Check
#15468 for \$750.00