

APR 22 2019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☒ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership change ☐ Ownership split
☐ Transfer is for changes pursuant to [Idaho Code § 42-221.O.8](#). Attach an explanation and any supporting documentation.

1. APPLICANT(S) Hansens Quality Jerseys LLC Phone 208-532 4366
 2. MAILING ADDRESS 277 E 700 N City Rupert
 State ID Zip 83350 Email _____

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the [fee schedule](#).

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

- ☐ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. LIST WATER RIGHT NUMBER(S) 36-16759, 36-16761

- ☒ Attach a copy of the water right(s) as recorded, available at [idwr.idaho.gov](#), *Water Right Transfers, Step 1*, or by contacting any Department office.

4. TOTAL AMOUNT OF WATER transferred is .30 cubic feet per second and/or _____ acre-feet per annum.
 (diversion rate) (storage volume)

5. POINT OF DIVERSION – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at [idwr.idaho.gov](#), *Water Rights, Water Right Transfers, Modeling Resources*.

New?	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
X			NE	NW	36	7S	24E	MINIDOKA	GROUND WATER	
			NE	NW	36	7S	24E	MINIDOKA	GROUND WATER	
			NE	NW	36	7S	24E	MINIDOKA	GROUND WATER	

6. 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:

3' PIPE TIED INTO WELL AND TIED INTO MANIFOLD CONNECTED TO EXISTING WELL

- b. Who owns the property at the point(s) of diversion? HANSENS QUALITY JERSEYS LLC
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. 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 used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a [Lessor Designation](#) form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an [IRS Form W-9](#).
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. You may create a map at idwr.idaho.gov, *Water Rights, Water Right Transfers, File a Transfer Application, Step 2C*.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Vickie Hansen
Signature of applicant or authorized agent

Vickie Hansen Co-Manager
Print name and title if applicable

4-18-19
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** – ☐ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The [Fee Schedule](#) is available at www.idwr.idaho.gov, *Water Right Transfers, Step 4* and in the [Application for Transfer Instructions](#).

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by _____ Date 4-22-2019

Fee paid \$500- Date 4-22-2019 Received by DM Receipt # 5037283

Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

4/25/2019

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/25/2019

4. 212 Prior to diversion and use of water under Transfer approval 75753, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion, in accordance with Department specifications. If the well located in the SE/NE/NW Sec. 36 T. 7S R. 24E is used for irrigation, separate flow meters shall be installed to record the amounts of water used for irrigation and for stockwater/commercial purposes.
5. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
6. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. 082 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
8. 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
9. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
10. T07 The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
11. 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.

Comments:

1. jstanton 9/9/2009 POD
Updated Shape
2. jstanton 9/9/2009 POU
Updated Shape
3. jstanton 9/10/2009 POU
Updated Shape
4. amerritt 10/19/2009 Transferred Right
This is now an approved transfer, transfer number = 75753
5. cyenter 11/23/2012 POD
PODID 757971 correlated from SpatialDataID 402005 to SpatialDataID 430517
6. dmaline 4/25/2019 Remove Representative
AgTec Engineering has been removed as a representative, from the water right record; per 4/23/2019 e-mail request from transfer applicant. See T# 83175.

Dates and Other Information

Decreed Date: 8/27/2001
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 130
Mitigation Plan: False

4/25/2019

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/25/2019

3. C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
4. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
5. 212 Prior to diversion and use of water under Transfer approval 75753, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion, in accordance with Department specifications. If the well located in the SE/NE/NW Sec. 36 T. 7S R. 24E is used for irrigation, separate flow meters shall be installed to record the amounts of water used for irrigation and for stockwater/commercial purposes.
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This is now an approved transfer, transfer number = 75753
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PODID 757982 correlated from SpatialDataID 402005 to SpatialDataID 430517
6. dmaline 4/25/2019 Remove Representative
AgTec Engineering has been removed as a representative, from the water right record; per 4/23/2019 e-mail request from transfer applicant. See T# 83175.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/25/2019

Dates and Other Information

Decreed Date: 8/27/2001

Enlargement Statute Priority Date: 4/12/1994

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Water District Number: 130

Mitigation Plan: False

Proposed Well Location for Transfer



TRANSFER 83175

No. W 11933		Due no later than May 31, 2018		2. 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. HANSEN'S QUALITY JERSEYS, LLC VICKIE HANSEN 277 EAST 700 NORTH RUPERT ID 83350		JOHN P HANSEN 277 EAST 700 NORTH RUPERT ID 83350	
				3. <u>New</u> Registered Agent Signature:*	
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.					
Office Held	Name	Street or PO Address	City	State	Country Postal Code
MANAGER	JOHN P HANSEN	277 EAST 700 NORHT	RUPERT	ID	83350
MANAGER	VICKIE P HANSEN	277 EAST 700 NORTH	RUPERT	ID	83350
5. Organized Under the Laws of: ID W 11933		6. Annual Report must be signed.* Signature: Vickie Hansen Name (type or print): Vickie Hansen Date: 04/03/2018 Title: Manager			
Processed 04/03/2018		* Electronically provided signatures are accepted as original signatures.			

TRANSFER 83175



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

April 25, 2019

HANSENS QUALITY JERSEYS LLC
277 E 700 N
RUPERT ID 83350-9580

RE: Transfer No. 83175
Water Right No(s). 36-16759, 36-16761

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 5/2/2019 and 5/9/2019**. 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 **May 20, 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: Rabo Agri-Finance, Chesterfield, MO



State of Idaho

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

April 25, 2019

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

RE: Transfer No. 83175
Water Right No(s): 36-16759, 36-16761

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)

Maline, Denise

From: Maline, Denise
Sent: Thursday, April 25, 2019 9:36 AM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News ad.doc; Times News cover letter.docx

Attached please find (1) legal notice being submitted for publication on May 2nd & 9th, 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
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov*



State of Idaho

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

April 25, 2019

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 83175

Water Right No(s): 36-16759, 36-16761

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 May 20, 2019. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 83175**

HANSENS QUALITY JERSEYS LLC, 277 E 700 N, RUPERT, ID 83350-9580; has filed Application No. 83175 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-16759, 36-16761; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding a new well to two commercial and stockwater ground water rights (combined total 0.30 cfs) that currently utilize two existing wells as authorized points of diversion at an existing dairy facility. The proposed well will be located at the dairy facility approximately 11.0 miles north and 3.7 miles east of the intersection of 8th St and N. Meridian in Rupert.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. 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 **May 20, 2019**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on May 2nd & 9th, 2019

Mills, William

From: Mills, William
Sent: Tuesday, April 23, 2019 4:37 PM
To: 'vicvon@pmt.org'
Subject: RE: Hansen's Quality Jerseys water rights

Thank you, I will remove him as Representative from any of your water rights he is listed on.

Sincerely,

Bill Mills

Sr Water Resource Agent

Southern Region

-----Original Message-----

From: vicvon@pmt.org [mailto:vicvon@pmt.org]
Sent: Tuesday, April 23, 2019 3:28 PM
To: Mills, William <William.Mills@idwr.idaho.gov>
Subject: Hansen's Quality Jerseys water rights

To Whom it May Concern,

Matthew Thompson does not represent Hansen's Quality Jersey's in their water rights or any other matter.

Thank you,
Vickie Hansen

MEMORANDUM

Date: April 23, 2019
To: Transfer 83175 File
From: Bill Mills
Re: Transfer Proposal

Application for transfer proposes adding a new well at a dairy facility to two commercial and stockwater ground water rights, 36-16759 and 36-16761 (combined limit of 0.30 cfs and 89.6 acre feet). These rights currently have two authorized points of diversion (PODs). The proposed well will be located at the dairy facility approximately 11.0 miles north and 3.7 miles east of the intersection of 8th St and N. Meridian in Rupert.

The proposed and existing PODs are located within the Eastern Snake Plain Aquifer (ESPA) model grid boundary. No modeling is required as the existing wells and the proposed well are in the same model grid cell. PODs and POU are within Water District 130 and Watermaster comments will be solicited.

MEMORANDUM

Date: April 23, 2019
To: Transfer 83175 File
From: Bill Mills
Re: Fee Evaluation

Filing fees charged for transfer application #83175 were based on the on the current transfer fee schedule and included \$500.00 for the full 0.30 cfs being transferred in the application (Receipt No.S037283).