

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:

WMIS # 900284 is directly connected to 900070. Both wells are currently metered according to WD140 measurement requirements.

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

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 $\frac{1}{4}$ $\frac{1}{4}$ of section information. The *Map Tool*, available at maps.idwr.idaho.gov/TransferApplicationLayouts/ provides a satisfactory template for creating the required map.

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.

Bret Robins
Signature of applicant or authorized agent

Bret Robins
Print name and title if applicable

2-5-2018
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** – ☐ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is 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 CH / dm

Date 2-23-2018

Fee paid \$740- Date 2-23-2018

Received by dm

Receipt # 5036602

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)

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

Current Water Right No.: 45-2604

Current Owner: BRET ROBINS FARMS INC
Priority Date: 2/23/1960
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	3.12 CFS	1092 AF
	<u>Total Diversion</u>	3.12 CFS	1092 AF

Location of Point(s) of Diversion

GROUND WATER SE1/4NE1/4SW1/4 Sec. 22, Twp 11S, Rge 22E B.M.
CASSIA County

Place of Use

IRRIGATION Within CASSIA County

T11S R22E S22	SWNE	40.00	T11S R22E S22	SWNW	40.00
T11S R22E S22	SENE	40.00	T11S R22E S22	NESW	40.00
T11S R22E S22	NWSW	40.00	T11S R22E S22	SWSW	39.00
T11S R22E S22	SESW	39.00	T11S R22E S22	NESE	40.00
T11S R22E S22	NWSE	40.00	T11S R22E S22	SWSE	38.00
T11S R22E S22	SESE	37.00	T11S R22E S23	NWSW	13.00

Total Acres: 446

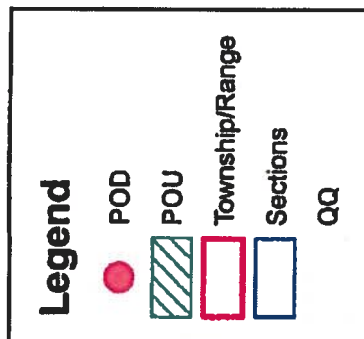
Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 273 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. P31 THE REMAINDER OF THIS RIGHT, AMOUNTING TO 207 ACRES, WAS FORFEITED FOR NON-USE FROM 1976 TO 1989.

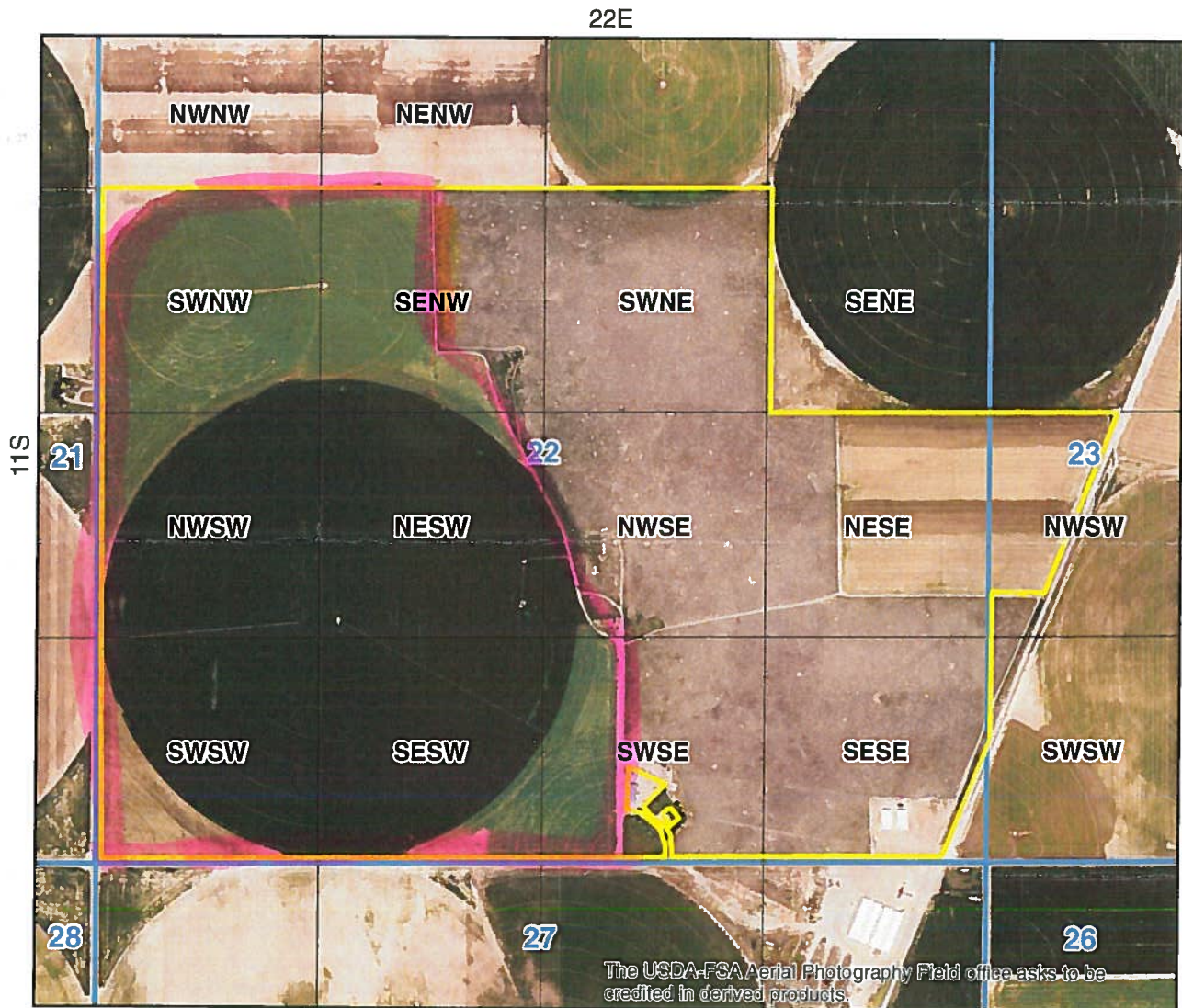
Decreed Date: 5/6/2005

Bret Robins Transfer

TRANSFER 82195



State of Idaho
Department of Water Resources
Water Right 45-2604
206 Map



- Place Of Use Boundary
- Township/Range
- Sections
- Quarter Quarters

0 0.125 0.25 0.5 Miles

- Boundary



No. C 118522	Due no later than Mar 31, 2018 Annual Report Form		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. BRET ROBINS FARMS, INC. BRET ROBINS 273 W 400 S BURLEY ID 83318	BRET ROBINS 273 W 400 S BURLEY ID 83318		
		3. <u>New</u> Registered Agent Signature:*		
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).				
Office Held	Name	Street or PO Address	City	State Country Postal Code
PRESIDENT	BRET ROBINS	273 W 400 S	BURLEY	ID USA 83318
SECRETARY	KATHY ROBINS	273 WEST 400 SOUTH	BURLEY	ID USA 83318
5. Organized Under the Laws of: ID C 118522		6. Annual Report must be signed.* Signature: Bret Robins Name (type or print): Bret Robins Date: 01/22/2018 Title: owner		
Processed 01/22/2018		* Electronically provided signatures are accepted as original signatures.		



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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 8, 2018

BRET ROBINS FARMS INC
273 W 400 S
BURLEY, ID 83318

RE: Transfer No. 82195
Water Right No(s). 45-2604

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 3/15/2018 and 3/22/2018**. 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 **April 2, 2018**.

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,

Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Thursday, March 08, 2018 4:29 PM
To: Brian Higgs (WD 140)
Subject: Comment Letter for Transfer 82195 - Bret Robins Farms
Attachments: Comment letter to WD140 for 82195.docx; Transfer 82195 - Bret Robins.pdf

Hi Brian,

Attached is an application for transfer currently being processed within your district. Please review the information and provide any necessary comments within 21 days.

Thank you in advance,

Denise @ IDWR

Denise Maline

Administrative Assistant I

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



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Governor

GARY SPACKMAN
Director

March 8, 2018

WATER DISTRICT #140
BRIAN HIGGS
355 W 500 S
BURLEY ID 83318

via e-mail

RE: Transfer No. 82195
Water Right No(s). 45-2604

Dear Brian:

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, March 08, 2018 3:38 PM
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 March 15th & 22nd, 2018. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline

Administrative Assistant I

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

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 8, 2018

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 82195
Water Right No(s): 45-2604

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 April 2, 2018. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 82195**

BRET ROBINS FARMS INC, 273 W 400 S, BURLEY, ID 83318; has filed Application No. 82195 for changes to the following water rights within CASSIA County(s): Right No(s). 45-2604; 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 to add an existing well as an authorized point of diversion (POD) to a ground water right which allows the diversion of 3.12 cfs for irrigation of 273 acres. The PODs and place of use are located approximately 2.9 to 4 miles west and 5.6 to 6.4 miles south of the center of Burley.

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 **April 2, 2018**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on March 15th & 22nd, 2018

MEMORANDUM

Date: March 7, 2018
To: Transfer 82195
From: Allison Inouye
Re: Transfer Synopsis

Application for transfer proposes to add an existing well as an authorized point of diversion (POD) to water right 45-2604 which allows the diversion of 3.12 cfs for irrigation of 273 acres. The proposed POD is located in the same $\frac{1}{4}$ $\frac{1}{4}$ section as the currently authorized POD. The proposed POD lies within the ESPA; however it is within the same model grid cell as the current POD so no model analysis is required. The PODs and place of use (POU) are located approximately 2.9 - 4 miles west and 5.6 – 6.4 miles south of the center of Burley. The PODs and POU are located within Water District 140 and watermaster comments will be solicited.

MEMORANDUM

Date: March 7, 2018

To: Transfer 82195

From: Allison Inouye

Re: Filing Fee

The filing fee for this transfer is based on the total amount of water being transferred, 3.12 cfs. The transfer fee schedule indicates that the filing fee is \$740 for a transfer involving 3.01-4.00 cfs. (Receipt No. S036602)