

RECEIVED

SEP 11 2017

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 81899MINIMUM 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 www.idwr.idaho.gov.

Name of Applicant(s) BRUNDAGE WATER USERS ASSOC.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 www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #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

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WATER RESOURCES
WESTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Brundage Water Users, Association Phone (208) 347-2445
Mailing address P.O. Box 333, New Meadows, ID 83654 Email ddryden@frontiernet.net

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

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

☐ No Representative

Name of Representative Dana Purdy, President Phone (208)347-3345, cell 573-1136
Mailing address P.O. Box 333, New Meadows, ID 83654 Email xpmeadows@reagan.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.

Dana Purdy
Signature of Applicant or Authorized Representative

Dana Purdy, President
Print Name and Title if applicable

8/30/17
Date

Micki Eby
Signature of Applicant or Authorized Representative

Micki Eby, Vice President
Print Name and Title if applicable

8/30/17
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. 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.2**.

see attached

Brundage Water Users Association

Application for Transfer of Water Right

Purpose of Transfer, Part 1 A. 2

This application of Transfer of Water Right is for the purpose of updating the service area of Brundage Reservoir, Adams County, Idaho. The proposed boundary of the service area is to include share owners in the reservoir previously omitted in error and to accommodate for changes in Brundage Water Users Association Inc. share ownership.

The intention is not to increase the number of irrigated acres but rather to accommodate delivery to the Meadows Valley lands owned by the shareholders in the reservoir.

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 ☒ ☐	78-2085	3538.0	Irr Stor & Irr from storage	4/1 to 10/31	Brundage Creek
☒ ☐	78-7263A	2992.0	Irr Stor & Irr from storage	4/1 to 10/31	Brundage Creek
☒ ☐	78-7263C	300.0	~~Irr Stor~~ Irrigation from stor.	4/1 to 10/31	Brundage Creek
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights _____ cfs and/or 6830.0 acre-feet.

2. Total amount of water proposed to be transferred or changed _____ cubic feet per second and/or 6830.0 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 #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Total Acres (for irrigation use)																			

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:

NO CHANGE. MEASURING DEVICES ARE IN PLACE ALREADY.

- b. Who owns the property at the point(s) of diversion? USFS. SPECIAL USE PERMIT.

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? NO

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? NO

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:

NONE

- 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:

MUCH OF BRUNDAGE RESERVOIR SERVICE AREA OVERLAPS GOOSE LAKE, GOOSE CREEK, GRANITE/TWIN LAKE SERVICE AREAS. CORRECTING BRUNDAGE BOUNDARIES ALLOWS WATER USERS AND WATER MASTER FLEXIBILITY IN DELIVERY OF WATER RIGHTS.

- 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

Water Right Report

3/22/2016

WATER RIGHT NO. 78-2085

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BRUNDAGE WATER USERS ASSN INC PO BOX 333 NEW MEADOWS, ID 83654
Original Owner	BRUNDAGE DITCH CO MEADOWS, ID 83640
Original Owner	BRUNDAGE MEADOWS RESERVOIR CO NEW MEADOWS, ID 83654

Priority Date: 05/25/1936

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BRUNDAGE CREEK	GOOSE CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION STORAGE	01/01	12/31		3538 AFA
IRRIGATION FROM STORAGE	04/01	10/31		3538 AFA
Total Diversion			3583 AFA	

Location of Point(s) of Diversion:

BRUNDAGE CREEK|NESE|Sec. 30|Township 20N|Range 03E|ADAMS County

Place(s) of use: [Large POU Info](#)

Conditions of Approval:

1. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
2. 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.

Dates:

Licensed Date:

Decreed Date: 09/10/2008

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: Or

Water District Number: 78C

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Water Right Report

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

3/22/2016

WATER RIGHT NO. 78-7263A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BRUNDAGE WATER USERS ASSN INC PO BOX 333 NEW MEADOWS, ID 83654

Priority Date: 03/22/1985

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
BRUNDAGE CREEK	GOOSE CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION STORAGE	01/01	12/31		2992 AFA
IRRIGATION FROM STORAGE	05/01	10/01		2992 AFA
Total Diversion			2992 AFA	

81899

Location of Point(s) of Diversion:

BRUNDAGE CREEK NESESec. 30Township 20NRange 03EADAMS County

IRRIGATION FROM STORAGE Use:

Acre Limit: 4520

Place(s) of use: [Large POU Info](#)

Conditions of Approval:

1.R05Use 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. 78C.2.X27This right is limited to the irrigation of 4520 acres within the authorized place of use in a single irrigation season.3.172The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.4.Combined storage for all rights associated with Brundage Reservoir is 7330 AF.5.18AThe right holder shall install/maintain permanent measuring devices in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.6.R40The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.7.004The issuance of this right does not grant any right-of-way or easement across the land of another.8.F06The following rights are diverted through point of diversion described above: 78-2085, 78-7263B and 78-7263A.

Dates:

Licensed Date: 02/13/2014

Decreed Date:

Permit Proof Due Date: 1/1/1992

Permit Proof Made Date: 12/23/1991

Permit Approved Date: 11/13/1985

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 78C

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

11/16/2016

WATER RIGHT NO. 78-7263C

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BRUNDAGE WATER USERS ASSN INC PO BOX 333 NEW MEADOWS, ID 83654

Priority Date: 03/22/1985

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
BRUNDAGE CREEK	GOOSE CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION STORAGE	01/01	12/31		300 AFA
IRRIGATION FROM STORAGE	05/01	10/01		300 AFA
Total Diversion			300 AFA	

Location of Point(s) of Diversion:

BRUNDAGE CREEK Injection	SESE	Sec. 23	Township 19N	Range 01E	ADAMS County
BRUNDAGE CREEK Rediversion	NWNE	Sec. 35	Township 19N	Range 01E	ADAMS County
BRUNDAGE CREEK	NWSE	Sec. 30	Township 20N	Range 03E	ADAMS County

Place(s) of use:

Place of Use Legal Description: IRRIGATION STORAGE ADAMS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
20N	03E	17		SWSE										
		20		NWNE			SWNE							

		NENW	SENW				
		NESW	NWSW		SWSW		SESW
		NWSE					
29		NENW	NWNW		SWNW		
30		NENE	SWNE		SENE		
		NESE	NWSE				

Place of Use Legal Description: IRRIGATION FROM STORAGE ADAMS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
19N	01E	26		SENE	33									
				NESE	38		NWSE	5		SWSE	16		SESE	36

Total Acres: 128

Conditions of Approval:

1. This right is for the exchange of water released from Brundage Reservoir for water diverted from Little Salmon River.
2. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. R40 The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
4. R70 This right when combined with all other rights shall provide no more than 5.0 afa per acre for irrigation storage and irrigation from storage for the place of use.
5. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 78C.

Dates:

Licensed Date: 11/03/2016

Decreed Date:

Permit Proof Due Date: 1/1/1992

Permit Proof Made Date: 12/12/1991

Permit Approved Date: 11/13/1985

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 78C

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 5

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 78-07263C

PRIORITY: March 22, 1985

Maximum Diversion Volume: 300.0 AF

It is hereby certified that:

BRUNDAGE WATER USERS ASSN INC PO BOX 333 NEW MEADOWS ID 83654

has complied with the terms and conditions of the permit, issued pursuant to Application for Exchange of Water dated September 30 1991, and has submitted Proof of Beneficial Use on December 12, 1991. An examination confirms water is diverted from:

SOURCE:
BRUNDAGE CREEK

TRIBUTARY:
GOOSE CREEK

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION FROM STORAGE	05/01 to 10/01	300.0 AF
IRRIGATION STORAGE	01/01 to 12/31	300.0 AF

LOCATION OF POINT(S) OF DIVERSION:

BRUNDAGE CREEK NW¼NE¼ Sec. 35, Twp 19N, Rge 01E, B.M. ADAMS County(Rediversion)
BRUNDAGE CREEK SE¼SE¼ Sec. 23, Twp 19N, Rge 01E, B.M. ADAMS County(Injection)
BRUNDAGE CREEK NW¼SE¼ Sec. 30, Twp 20N, Rge 03E, B.M. ADAMS County

PLACE OF USE: IRRIGATION FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19N	01E	26				33.0									38.0	5.0	16.0	36.0	128.0

Total Acres: 128

PLACE OF USE: IRRIGATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
20N	03E	17																	
20N	03E	20		X	X		X			X	X	X	X	X		X			
20N	03E	29					X	X	X										
20N	03E	30	X		X	X									X	X			

CONDITIONS OF APPROVAL

1. This right is for the exchange of water released from Brundage Reservoir for water diverted from Little Salmon River.
2. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 78-07263C

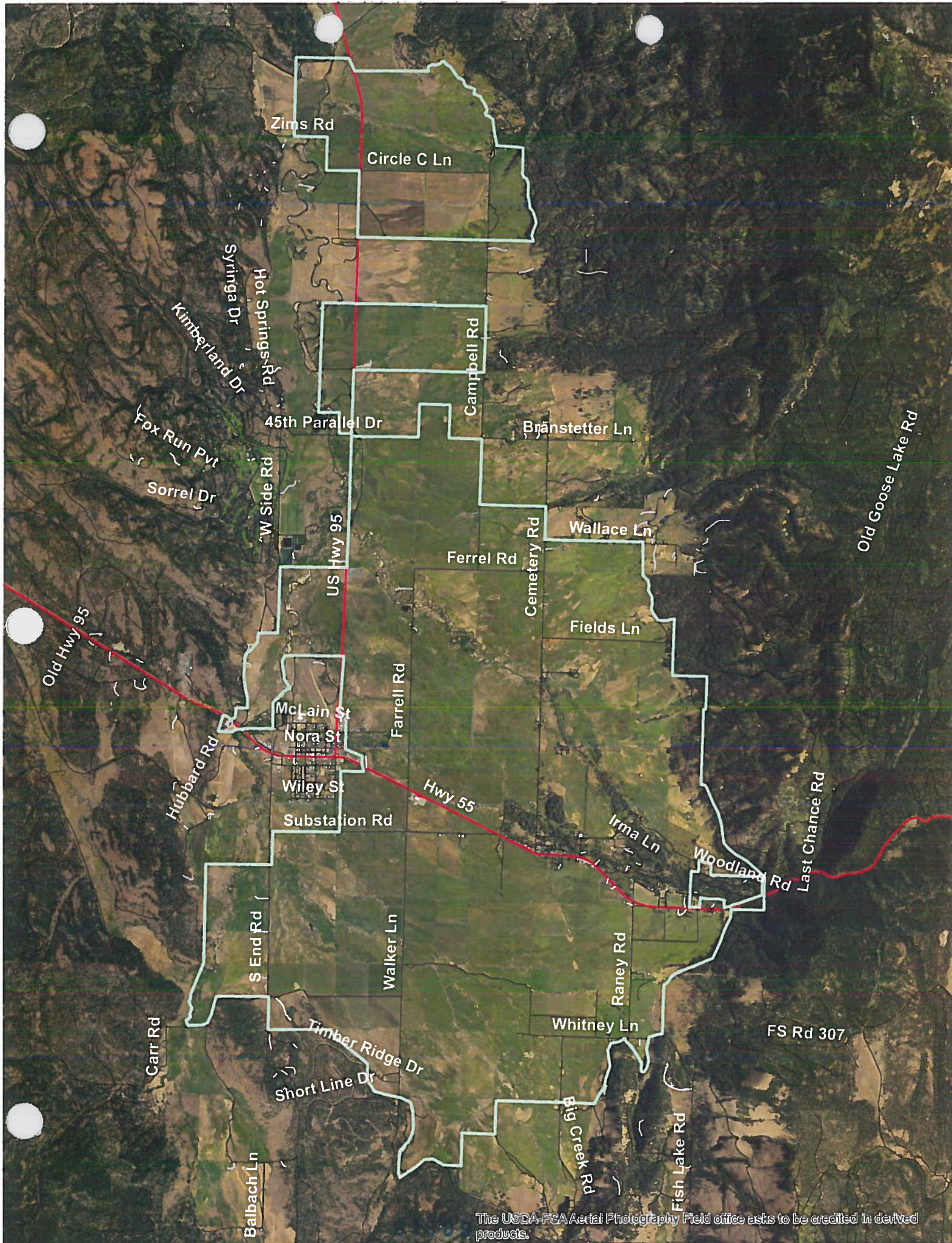
3. The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
4. This right when combined with all other rights shall provide no more than 5.0 afa per acre for irrigation storage and irrigation from storage for the place of use.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 78C.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 3rd day of November, 2016.



Nick Miller
Manager, IDWR Western Region



DITCH COMPANY

Example: Current rights for 6875 af includes 229 QQs in total service area. 62 new QQs to be added in transfer.

Expected fee if based on entire 6875 af in water right = \$3980.00.

Pro-rated fee based on:

- a) # new QQs to add to service area; and
- b) total af in transfer

(a) for new QQs to add:

$$\frac{\text{\# new QQs to add}}{\text{Current QQs (pre-transfer)}} \times \text{total rate} = \text{_____ cfs affected by change}$$

Ex: $\frac{62}{229} \times 6875 \text{ af} = \underline{1861.4} \text{ af affected by change}$

(b) for new diversion to add: N/A

maximum af of 6875 af to divert at new point = _____ af affected by change

PRO-RATA FEE BASED ON GREATER CFS IN (a) OR CFS IN (b):

= 1861.4 af affected by change

= \$1,940.00 fee (1801-1900 af)

Pre-transfer service area has 229 QQ's. Post-transfer service area will contain 291 QQ's (adding 62 QQ's to service area).



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 29, 2017

BRUNDAGE WATER USERS ASSN INC
PO BOX 333
NEW MEADOWS, ID 83654

RE: Transfer No. 81899
Water Right No(s). 78-2085, 78-7263A, 78-7263C

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 **Statewide** legal notice of the application has been prepared and is scheduled for publication in THE RECORD, on 10/4/2017 and 10/11/2017; as well as the IDAHO STATESMAN, POST REGISTER, LEWISTON MORN TRIBUNE, and TIMES NEWS, on 10/5/2017 and 10/12/2017. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rachel Neely'.

Rachel Neely
Administrative Assistant

CC:
DANA PURDY
PO BOX 333
NEW MEADOWS, ID 83654

Neely, Rachel

From: Neely, Rachel
Sent: Friday, September 29, 2017 11:28 AM
To: 'Gamaliel Masters'
Subject: Adams Legal Ad
Attachments: Adam Cover Letter.docx; Adam Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ad for publication on 10/4/2017 & 10/11/2017.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

September 29, 2017

LEGAL NOTICE DEPARTMENT
THE RECORD
PO BOX R
COUNCIL, ID 83612

RE: Transfer No. 81899

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 10/23/2017. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosure(s)

The following application has been filed to appropriate the public waters of the State of Idaho:

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81899**

BRUNDAGE WATER USERS ASSN INC, PO BOX 333, NEW MEADOWS, ID 83654; has filed **Application No. 81899** for changes to the following water rights within ADAMS County(s): Right No(s). 78-2085, 78-7263A, 78-7263C. The purpose of the transfer is to increase the applicant's service boundary from 7,644 acres to 10,519 acres. A change to the number of irrigated acres within this boundary or an increase to storage water are not proposed. Water will be used at the current place of use across Meadows Valley, 8 miles west of Payette Lake.

For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right(s) or proposed transfer(s), please see www.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code § 42-222. Any protest against the proposed change(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 10/23/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 10/4/2017 and 10/11/2017

Neely, Rachel

From: Neely, Rachel
Sent: Friday, September 29, 2017 11:27 AM
To: 'BOI Legals'
Subject: Ada Legal Ads
Attachments: Ada Cover Letter.docx; Ada Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ads for publication on 10/5/2017 & 10/12/2017.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

September 29, 2017

LEGAL NOTICE DEPARTMENT
IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

RE: Transfer No. 81888
 Transfer No. 81899
 Application for Permit No. 63-34370

Dear Legal Notice Department:

Please publish the enclosed legal notices on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notices 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 10/23/2017. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosure(s)

The following application has been filed to appropriate the public waters of the State of Idaho:

63-34370

CITY OF MIDDLETON

PO BOX 487

MIDDLETON, ID 83644

Point of Diversion L1(NESE) S12 T04N R03W CANYON County Source MILL SLOUGH Tributary BOISE RIVER

Use: WATER QUALITY IMPROVEMENT 01/01 to 12/31 150 CFS

Use: WATER QUALITY IMPROVEMENT STORAGE 01/01 to 12/31 78.8 AF

Total Diversion: 150 CFS, 78.8 AF

Date Filed: 4/27/2017

Place of Use: WATER QUALITY IMPROVEMENT

T04N R02W S7 L4(NWSW) L4(SWSW) L7(SWSW) L3(SESW) L8(SESW)

T04N R03W S12 L1(NESE) SESE

Place of Use: WATER QUALITY IMPROVEMENT STORAGE

T04N R02W S7 L4(NWSW) L7(SWSW) L3(SESW) L8(SESW)

T04N R03W S12 L1(NESE) SESE

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 81888

INDEPENDENT SCHOOL DISTRICT OF BOISE CITY, 8169 W VICTORY RD, BOISE, ID 83709; has filed Application No. 81888 for changes to the following water rights within ADA County(s): Right No(s). 63-9287. The purpose of the transfer is to change the nature of use for the domestic component of right no. 63-9287 to irrigation. The diversion rate for the domestic component will be added to the existing irrigation rate allowing the owner to irrigate at a higher rate over a shorter period of time; the overall diversion volume limit of the right is not being changed. Water will be used at the current place of use approximately 6 miles southwest of downtown Boise, directly north of Amity Road between S. Fivemile Rd. and S Maple Grove Rd.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 81899

BRUNDAGE WATER USERS ASSN INC, PO BOX 333, NEW MEADOWS, ID 83654; has filed Application No. 81899 for changes to the following water rights within ADAMS County(s): Right No(s). 78-2085, 78-7263A, 78-7263C. The purpose of the transfer is to increase the applicant's service boundary from 7,644 acres to 10,519 acres. A change to the number of irrigated acres within this boundary or an increase to storage water are not proposed. Water will be used at the current place of use across Meadows Valley, 8 miles west of Payette Lake.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at 208-334-2190; or for a full description of the right(s) or proposed transfer (s) please see www.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code §§ 42-203A and 42-222. Any protest against the approval of the application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 10/23/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 10/5/2017 and 10/12/2017

Neely, Rachel

From: Neely, Rachel
Sent: Friday, September 29, 2017 11:32 AM
To: 'legalnotices@postregister.com'; 'LEGALS@LMTRIBUNE.COM'; 'TWF Legals'
Subject: Bonneville Legal Ad - Nez Perce Legal Ad - Twin Falls Legal Ad
Attachments: Statewide Cover Letter.docx; Statewide Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ads for publication on 10/5/2017 & 10/12/2017.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

September 29, 2017

POST REGISTER
PO BOX 1800
IDAHO FALLS, ID 83402

LEWISTON TRIBUNE
505 C ST PO BOX 957
LEWISTON, ID 83501

TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Application for Permit No. 63-34370
Application for Transfer No. 81899

Dear Legal Notice Departments:

Please publish the enclosed legal notices on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notices 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 10/23/2017. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosures

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63-34370

CITY OF MIDDLETON

PO BOX 487

MIDDLETON, ID 83644

Point of Diversion L1(NESE) S12 T04N R03W CANYON County Source MILL SLOUGH Tributary BOISE RIVER

Use: WATER QUALITY IMPROVEMENT 01/01 to 12/31 150 CFS

Use: WATER QUALITY IMPROVEMENT STORAGE 01/01 to 12/31 78.8 AF

Total Diversion: 150 CFS, 78.8 AF

Date Filed: 4/27/2017

Place of Use: WATER QUALITY IMPROVEMENT

T04N R02W S7 L4(NWSW) L4(SWSW) L7(SWSW) L3(ESW) L8(ESW)

T04N R03W S12 L1(NESE) SESE

Place of Use: WATER QUALITY IMPROVEMENT STORAGE

T04N R02W S7 L4(NWSW) L7(SWSW) L3(ESW) L8(ESW)

T04N R03W S12 L1(NESE) SESE

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

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Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at 208-334-2190; or for a full description of the right(s) or proposed transfer (s) please see www.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code §§ 42-203A and 42-222. Any protest against the approval of the application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 10/23/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 10/5/2017 and 10/12/2017



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 29, 2017

TIM FARRELL
PO BOX 142
NEW MEADOWS ID 83654

RE: Application for Transfer No. 81899

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. A copy of the application is enclosed with this letter for your reference. Please review the application, complete the attached recommendation form, and submit your reply, if any, to this office by **October 23, 2017**.

IDWR will assume you do not object to this application if a timely response is not received. Please contact me if you have any questions in this matter. Thank you for your help.

Sincerely,

Rachel Neely
Administrative Assistant