

JAN 30 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 81465

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be 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) Brandsma Family Trust

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

RECEIVED

JAN 30 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

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

Name of Applicant(s) Brandsma Family Trust Phone _____

Mailing address 3424 Sage Springs Road Kimberly, Idaho 83341 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 North 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. 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**.
Create a PPU for water right 36-7032. The irrigation POU will remain unchanged at this time.

Pg. 2

Rev. 01/15

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

RECEIVED

JAN 30 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

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Mailing address 3424 Sage Springs Road Kimberly, Idaho 83341 Email _____

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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]
Signature of Applicant or Authorized Representative

HILL A. BRANDSMA
Print Name and Title if applicable

1-18-17
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

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 ☒ ☐	36-7032	2.56/932	Irrigation	4/01 to 11/01	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.56 cfs and/or 932 acre-feet.

2. Total amount of water proposed to be transferred or changed 2.56 cubic feet per second and/or 9.32 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	
08S	18E	19	40			40									40	40	40	34	234
		20						33.3	33.6			40							106.9
Total Acres (for irrigation use)																			340.9

**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 well, mainlines and delivery system.

- b. Who owns the property at the point(s) of diversion? Brandsma Family Trust

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: None

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:

Land irrigated in the NWSW of Sec 20 will no longer be irrigated.

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

None

- 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.: 36-7032

Current Owner: BRANDSMA FAMILY TRUST
Priority Date: 9/14/1968
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

04/01 to 11/01

2.56 CFS

932 AF

Total Diversion

2.56 CFS

932 AF

Location of Point(s) of Diversion

GROUND WATER

SE1/4NE1/4SE1/4

Sec. 19, Twp 08S, Rge 18E B.M.

JEROME County

Place of Use

IRRIGATION Within JEROME County

T08S R18E S19	NENE	40.00	T08S R18E S19	SENE	38.50
T08S R18E S19	NESE	38.50	T08S R18E S19	NWSE	34.00
T08S R18E S19	SWSE	34.00	T08S R18E S19	SESE	34.00
T08S R18E S20	NWSW	14.00			

Total Acres: 233

Conditions of Approval:

1. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 8/27/2001.
2. 131 Prior to the diversion and use of water under Transfer approval 74503 the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
3. 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.
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. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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. 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.
8. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Decreed Date: 8/27/2001



TRANSFER 81465

0 375 750 1,500 Feet

BROCKWAY ENGINEERING, PLLC
GWS - Date: 12/28/2016

BRANDSMA FAMILY TRUST
PPU TRANSFER 36-7032
2015 NAIP AERIAL PHOTOGRAPH

Legend

- 36-7032_POD
- PPU

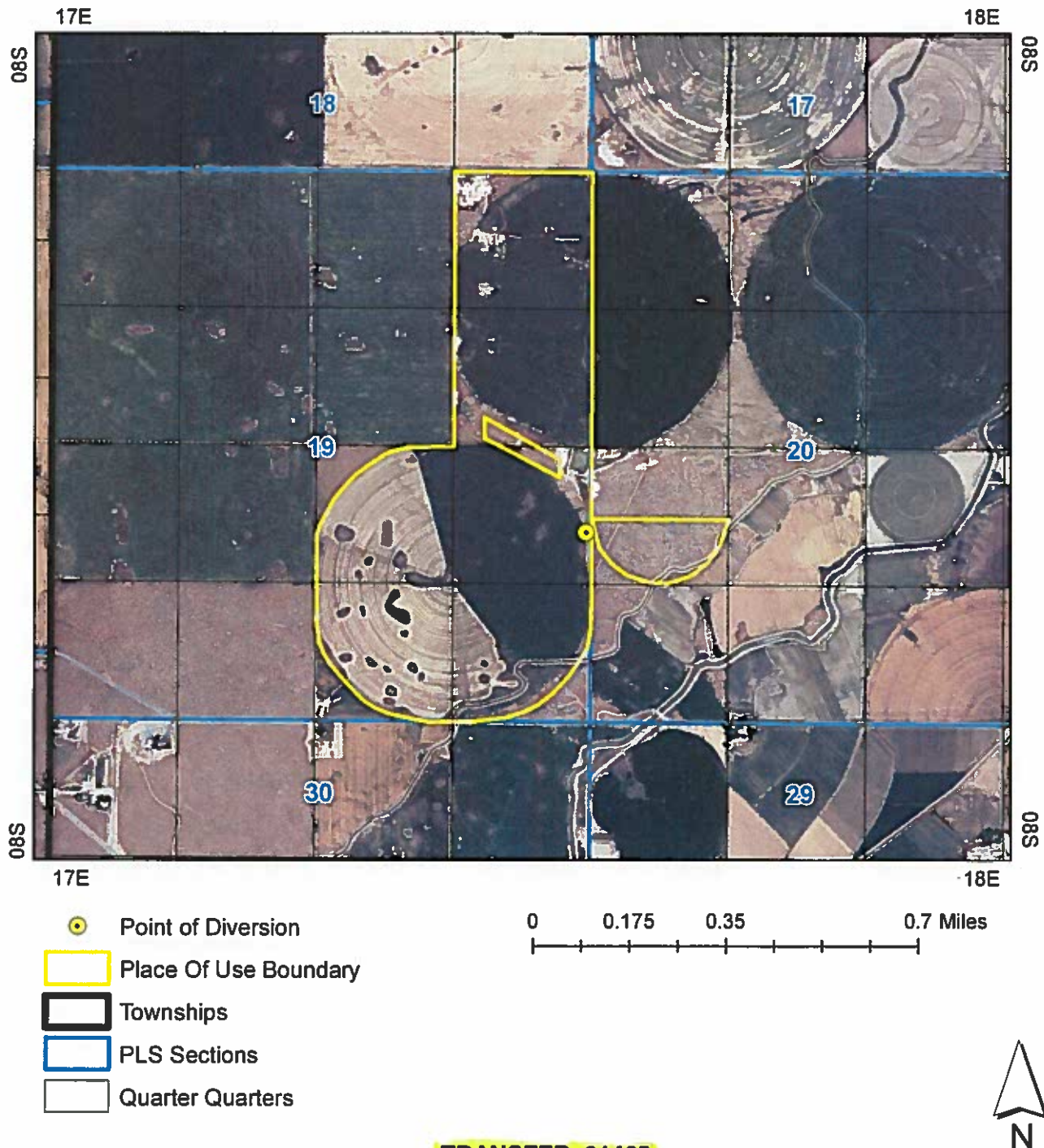


State of Idaho
Department of Water Resources

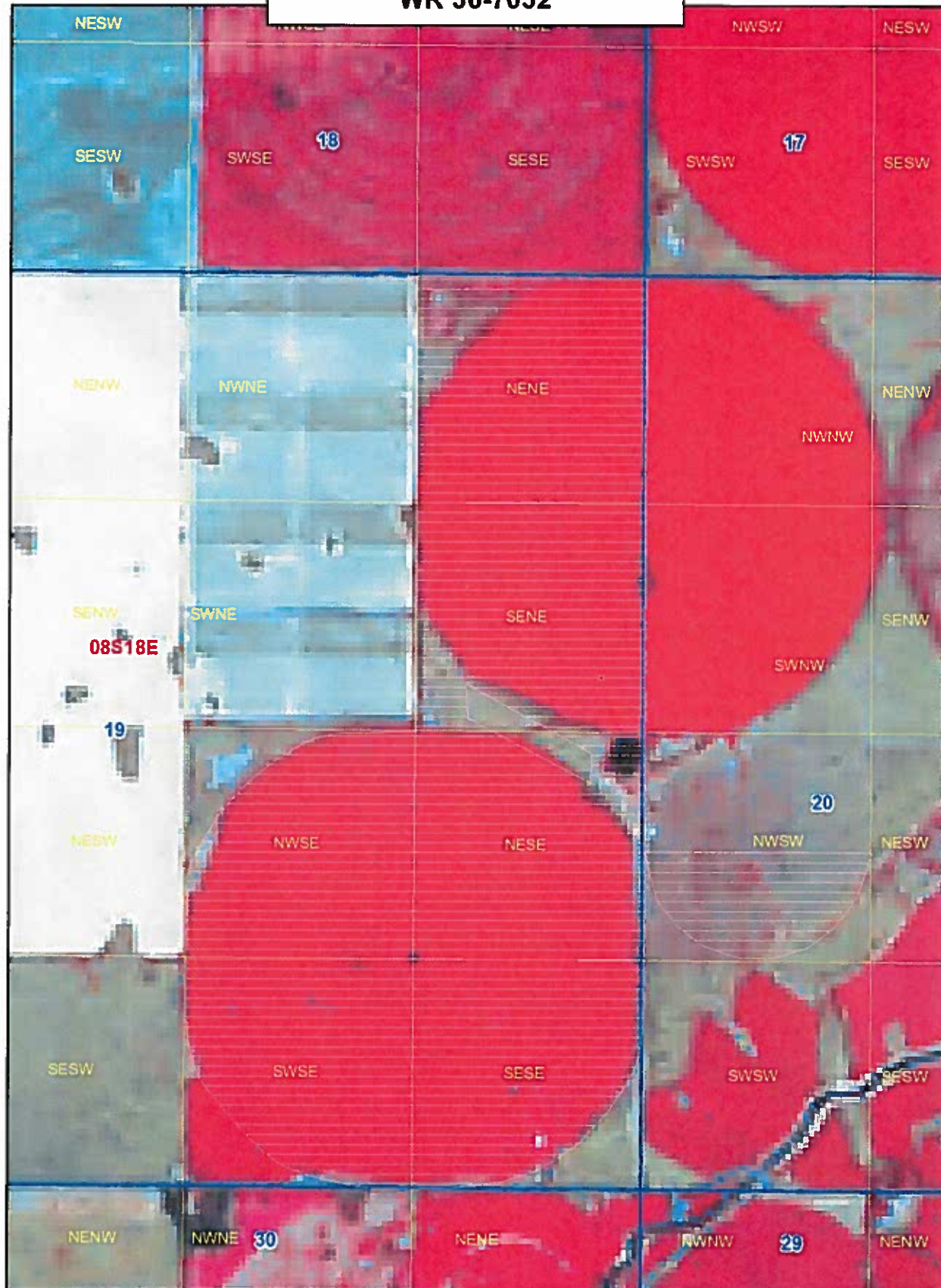
Water Right 36-7032

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



WR 36-7032



2016 Satellite imagery

TRANSFER 81465

Flailing Off Sagebrush



Drilling Seed



Seed Bed after Drilling



Emerging Crested Wheat



Irrigation System



Pump, Well, and Flow Meter



Watering the Crop



Harvesting the Crop



12-5-16

For Greg Sullivan (Brockways)
re: 14.0 acres

1. copy of Paul Arrington letter
dated 4-3-2012
2. copy of No Snake Ground Water District
dated 5-12-2015
3. copy of Crested wheat seed pd invoice
dated 8-5-15
drilled 12 pds per acre
x \$2.80 per pound
x 14 acres = \$470.40
4. Flailing Sagebrush - 11-7-2015
\$20.00 / acre x 14 acres = \$280.00
No till drill seed 11-9-2015
\$18.00 / acre x 14 acres = \$252.00
Irrigation includes
main lines
handlines and labor \$
\$50.00 / acre x 14 acres = 700.00
(all performed by Meeks Ranch)

Juni Meeks Diane Meeks Meeks

INVOICE

Td farm

TRAILER/CAR NUMBER: _____
BILL DATE: 08/05/2015

TO

FROM

Consignee Meeks Ranch
Street # 06 South 800East
Destination .
City/State/Zip Gerome,Id.83338
Route:

Shipper Clearwater Seed
Street 1265 Port Way
Origin
City/State/Zip Clarkston, WA 99403
Special Instructions:

FOR PAYMENT, SEND BILL TO

SHIPPER'S INSTRUCTIONS

Name
Company
Street
City/State/Zip

NO. SHIPPING UNITS	CLASS	DESCRIPTION OF ARTICLES SPECIAL MARKS & EXCEPTIONS	WEIGHT	RATE	CHARGES
40 @ 50 LB	70	KIRK CRESTED WTG. LOT # 1664-7-039971	2,000	\$2.80	\$5,600 -pd LLC farm TAS register 3033
		PAID CHECK 3033			

REMIT C.O.D.	C.O.D. AMOUNT: \$	C.O.D. FEE PREPAID ☐ COLLECT ☒
TO: ADDRESS:	If this shipment is to be delivered to the consignee without recourse on the consignor, the consignor shall sign the following statement: The carrier shall not make delivery of this shipment without payment of freight and all other lawful charges. _____ (Signature of Consignor)	TOTAL CHARGES \$
NOTE: Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property. The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding \$ _____ per _____		Freight Charges are collect unless market prepaid CHECK BOX IF PREPAID ☐

RECEIVED subject to the classifications and tariffs in effect on the date of the issue of this Bill of Lading, the property described above in apparent good order, except as noted (contents and condition of packages unknown), marked consigned and destined as indicated above which said carrier (the word carrier being understood through this contract as meaning any person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery as said destination. If on its route, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed as to each carrier of all or any of said property, over all or any portion of said route to destination and as to each party at any time interested in all or any said property, that every service to be performed hereunder shall be subject to all the Bill of Lading terms and conditions in the governing classification on the date of shipment. Shipper hereby certifies that he is familiar with all the Bill of Lading terms and conditions in the governing classification and the said terms and conditions.

Shipper CLEARWATER SEED	Carrier
Per <i>Td farm</i>	Per _____ Date: _____

Mark with "X" or "RQ" if appropriate to designate Hazardous Materials Substances as defined in the Department of Transportation Regulations governing the transportation of hazardous materials. The use of this column is an optional method for identifying hazardous materials on Bills of Lading 172.201(a)(1) (iii) of Title 49. Code of Federal Regulations. Also when shipping hazardous materials, the shipper's certification statement prescribed in section 172.204(a) of the Federal Regulations, as indicated on the Bill of Lading does apply, unless a specific exception from the requirement is provided in the Regulation for a particular material.

INVOICE

Handwritten notes and scribbles in the top left area, including "5/10/15" and "5/10/15".

☒ Track your expenses...

☐ Clothing ☐ Food ☐ Transportation ☐ Credit Card ☐ Utilities ☐ Mortgage ☐ Entertainment ☐ Insurance ☐ Other:

☐ TAX-DEDUCTIBLE ITEM

3033

Aug 5 2015

BALANCE FORWARD

THIS ITEM

BALANCE

DEPOSIT

OTHER

BALANCE FORWARD

Fifty Six Hundred & ^{no}/₁₀₀

Clear water Seed

Kirk Crested Wheat Seed

For added security, your name and account number do not appear on this copy.

NOT NEGOTIABLE

State of Idaho Department of Water Resources, South Region

650 Addison Avenue West, Suite 500

Twin Falls, Idaho 83301

Meeks Ranch LLC, Jim and Diane Meeks

800 East 06 South

Jerome, Idaho 83338

208-280-2263

November 29, 2016

Attention: Allen Merrit

Regarding Water Right No. 36-7032

Dear Mr. Merrit:

On October 1, 2015, a meeting convened at the Twin Falls IDWR. Present were: Allen Merrit, Benny Walker, Cindy Yenter, Clay Nannini, Greg Sullivan and Jim/Diane Meeks.

At IDWR's recommendation, the Meeks opted to and have completed the planting, irrigation and harvest of a crop on the 14.0 acres in Section 20, the corner area in the NE NE of Section 19, resulting in a beneficial use in year 2016.

This demonstrates to IDWR that a full 233.0 acres was irrigated by WR No. 36-7032 in the 2016 season under the currently authorized place of use.

This irrigation has been documented with photographs and pumping records from the flow meter on the well, as well as receipts for planted seed, labor, irrigation expenses and fuel.

With the completion of this action, as recommended by IDWR, we are formally requesting that the 14.0 acres be transferred back to place all of the 233.0 acres underneath the two existing pivots.

Thank you, Sincerely

Jim and Diane Meeks



Enclosure: letter dated 10-7-2015

Brockway Engineering P.L.L.C.

Greg Sullivan, M.S. Engineer

TRANSFER 81465



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 12, 2017

BRANDSMA FAMILY TRUST
3424 SAGE SPRINGS ROAD
KIMBERLY, ID 83341

RE: Transfer No. 81461
Water Right No(s). 36-7336

RE: Transfer No. 81465
Water Right No(s): 36-7032

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 **5/18/2017** and **5/25/2017**. 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 **June 5, 2017**.

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

cc: BROCKWAY ENGINEERING PLLC



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 12, 2017

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

via hand delivery

RE: Transfer No. 81461
Water Right No(s): 36-7336

RE: Transfer No. 81465
Water Right No(s): 36-7032

RE: Transfer No. 81615
Water Right No(s): 36-16810

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: Friday, May 12, 2017 8:19 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 18th & ^{25th}24th, 2017. 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
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

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 12, 2017

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 81461
Water Right No(s): 36-7336

RE: Transfer No. 81465
Water Right No(s): 36-7032

RE: Transfer No. 81558
Water Right No(s): 45-14007

RE: Transfer No. 81615
Water Right No(s): 36-16810

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 June 5, 2017. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81461**

BRANDSMA FAMILY TRUST, 3424 SAGE SPRINGS RD, KIMBERLY, ID 83341; has filed Application No. 81461 for changes to the following water rights within JEROME County(s): Right No(s). 36-7336. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) and the place of use (POU) of a 0.88 cfs and 87 acre ground water right from a farm located approximately 8.0 to 8.5 miles east and 1.25 to 1.5 miles south of the center of Jerome. This transfer will allow the irrigation of 87 acres within a 340.9 acre permissible place of use (PPU) and will move the POD to an existing well. The 340.9 acre PPU and new proposed POD is located on a farm approximately 6.5 to 7.25 miles east and 0.5 to 1.0 miles south of the center of Jerome. A companion transfer (81465) proposes to irrigate a separate 233 acres within the same proposed PPU from the same POD.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81465**

BRANDSMA FAMILY TRUST, 3424 SAGE SPRINGS RD, KIMBERLY, ID 83341; has filed Application No. 81465 for changes to the following water rights within JEROME County(s): Right No(s). 36-7032. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to create a 340.9 acre permissible place of use (PPU) and keep the existing point of diversion (POD) and place of use (POU) of a 2.56 cfs and 233 acre ground water right on a farm located approximately 6.5 to 7.25 miles east and 0.5 to 1.0 miles south of the center of Jerome. A companion transfer (81461) proposes to irrigate a separate 87 acres within the same proposed PPU from the same POD.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81558**

IDAHO AGRI INVESTMENTS LLC, PO BOX 609, TURNER, ME 04282; has filed Application No. 81558 for changes to the following water rights within CASSIA County(s): Right No(s). 45-14007. The purpose of the transfer is to change a portion of the above rights as follows: The application proposes to add a point of diversion (POD) consisting of a new well to be drilled for a 4.96 cfs ground water right. The new well will be located on a farm located approximately 2.8 to 3.0 miles west and 5.0 to 5.2 miles south of Murtaugh.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81615**

W 4 DAIRY, 116 N RIVER ISLAND DR, RUPERT, ID 83350; has filed Application No. 81615 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-16810. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to convert a 33.6 acre portion 0.33 cfs of a ground water irrigation right located on a farm approximately 13.5 to 14.0 miles due north of the City of Rupert to stockwater and commercial use for a proposed new dairy facility, located on the same farm. The diversion of the 0.33 cfs will be from a new well to be drilled at the dairy site.

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 www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx . 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 together with a protest fee of \$25.00 for each application on or before **June 5, 2017**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on May 18th & 25th, 2017

MEMORANDUM

Date: May 8, 2017
To: Transfer 81465
From: Kent Aasa
Re: Review & Evaluation of Sufficiency of Information

Application for transfer proposes to create a 340.9 acre permissible place of use (PPU) and keep the existing point of diversion (POD) and place of use (POU) of a 2.56 cfs and 233 acre ground water right on a farm located approximately 6.5 to 7.25 miles east and 0.5 to 1.0 miles south of the center of Jerome. A companion transfer (81461) proposes to irrigate a separate 87 acres within the same proposed PPU from the same POD. The proposed transfer is in Water District 130 so Watermaster comments will be solicited.

- **Authority to File:**

The Department's database indicates that the water rights involved are owned by the Brandsma Family Trust and the application was signed by the applicants.

- **Water Right Validity:**

The two water rights were decreed in the SRBA in 2001. Review of aerial photos, and additional information provided in the application, indicates that the lands involved with the transfer have recently been irrigated.

- **Injury to Other Water Rights:**

None anticipated or foreseen. The transfer involves creating a PPU for 36-7032 while keeping the existing POU for 36-7032. This transfer, when combined with transfer 81461, will result in each water right having its own POU which includes a new POU for 36-7336. The combined water rights will irrigate 320 acres within a newly created 340.9 acre PPU.

- **Enlargement of Use:**

None anticipated.

- **Local Public Interest:**

No issues anticipated.

- **Beneficial Use/Conservation of Water Resources:**

Proposed use is recognized as a beneficial use of water.

- **Effect on the Economy of the Local Area:**

None anticipated

- **Effect of the Agricultural Base of the Area:**

None anticipated

MEMORANDUM

Date: March 30, 2017

To: Transfer 81465

From: Kent Aasa

Re: Legal Notice Remarks

Application for transfer proposes to create a 340.9 acre permissible place of use (PPU) and keep the existing point of diversion (POD) and place of use (POU) of a 2.56 cfs and 233 acre ground water right on a farm located approximately 6.5 to 7.25 miles east and 0.5 to 1.0 miles south of the center of Jerome. A companion transfer (81461) proposes to irrigate a separate 87 acres within the same proposed PPU from the same POD.

Aasa, Kent

From: Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent: Friday, March 24, 2017 3:07 PM
To: Aasa, Kent
Subject: RE: Brandsma Family Trust Transfers at IDWR

Kent,

The answer is yes I would like a separate place of use within the PPU for each water right and yes I want one place of use for each water right.

The irrigation place of use for 36-7032 will not be changing at this time.

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

From: Aasa, Kent [mailto:Kent.Aasa@idwr.idaho.gov]
Sent: Friday, March 24, 2017 8:33 AM
To: greg.sullivan@brockwayeng.com
Subject: Brandsma Family Trust Transfers at IDWR

Hi Greg,

It was a pleasure meeting you the other day. I have heard lots of good things about you from everyone in the office (really!) and it was nice to put a face to a name.

As you know I am new at IDWR so Bill is helping me with the Brandsma transfers and we need some additional information.

- Do you want a separate place of use within the ppu for each water right or do you want one place of use for each water right?
- You supplied a pou in the new ppu for 36-7336 but not for 36-7032...

It looks like everything else is good and once we hear back from you we anticipate being able to get them to advertising next week.

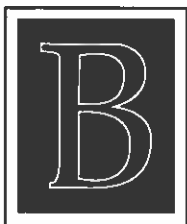
Respectfully,

Kent Aasa (208) 316-1428

MEMORANDUM

Date: February 17, 2017
To: Transfer 81461 & 81465 File
From: Kent Aasa
Re: Fee Evaluation

Filing fee of \$1,160.00 for transfer applications 81461 & 81465 is based on the amount of water (3.44 cfs) proposed to be transferred or changed. The water rights associated with the place of use are limited to a combined total of 320 acres within a 340.9 acre PPU. The filing fee is based on the current transfer fee schedule and include \$500.00 for 0.88 cfs (36-7336) and \$660.00 for 2.56 cfs (36-7032). Receipt No.S035906 reflects the fee of \$1,160.00 paid on 01/30/2017.



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

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

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

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

RECEIVED

JAN 30 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

January 21, 2017

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

Re: Brandsma Family Trust 36-7032

Dear Mr. Skinner:

Brandsma Family Trust has purchased water right 36-7032 and desires to update the irrigation place of use. The point of diversion will not be changing at this time. A permissible place of use will be created on the property owned by Brandsma Family Trust.

The 14.0 acres located in the NWSW of Section 20 was irrigated during the 2016 irrigation season. Documentation of the work done on the 14.0 acres has been documented with photographs. The photographs provides evidence of flailing of the sagebrush, drilling seed, the crested wheat growing, the irrigation system in place, the irrigation system operating and the crested wheat be utilized as cattle forage.

The full 233.0 acres of irrigation allowed under 36-7032 was utilized in 2016. The transfer proposes to update the POU of the 233.0 acres onto property owned by the Brandsma Family Trust.

It is requested that this transfer not be advertised because the POD and ownership of water right 36-7032 is not changing.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Hill Brandsma

Enc: Transfer Application, Aerial Maps, Photographic Evidence of Beneficial, Crested Wheat Seed Invoice, Timeline Summary, Diane Meeks Letter, Brockway Engineering Check #13807 for \$660.00.