

JAN 30 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 81461

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 <u>always required</u> 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 <u>Part 2A</u> report describing each water right in the transfer as currently recorded. |
| ☐ | ☒ | * Complete and attach an Application for Transfer <u>Part 2B</u> for each water right for which <u>only a portion</u> 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. (<u>Fee schedule</u> 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 <u>not</u> 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 <u>fee schedule</u> . |
| ☐ | ☒ | #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. (<u>Attachment WSB</u>) |
| ☐ | ☒ | #10 Other. Please describe: _____ |

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 30 2017

APPLICATION FOR TRANSFER OF WATER RIGHT DEPT OF WATER RESOURCES
PART 1 SOUTHERN REGION

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 RepresentativeName of Representative Greg Sullivan Phone 208-736-8543Mailing 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**.

Transfer 36-7336 to a new POD and POU within a PPU.

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

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]
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 ☒ ☐	36-7336	0.88/348	Irrigation	3/15 to 11/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.88 cfs and/or 348 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.88 cubic feet per second and/or 348 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 #
			NE	SE	19	08S	18E	Jerome	Ground Water	

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

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
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 will no longer be irrigated by ground water.

- 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:

36-7032 will share the same well and PPU.

- 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.: 36-7336

Current Owner: MEEKS RANCH LLC

Priority Date: 8/8/1986

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	3/15 to 11/15	0.88 CFS	348 AF
	<u>Total Diversion</u>	0.88 CFS	348 AF

Location of Point(s) of Diversion

GROUND WATER

SE1/4SW1/4SW1/4 Sec. 21, Twp 08S, Rge 18E B.M.

JEROME County

Place of Use

IRRIGATION Within JEROME County

T08S R18E S21	SWSW	32.00	T08S R18E S21	SESW	19.00
T08S R18E S28	NWNW	36.00			

Total Acres: 87

Conditions of Approval:

1. M01 A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.
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.

Decreed Date: 12/12/2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☐ 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. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

[illegible]**FOR DEPARTMENT USE ONLY**

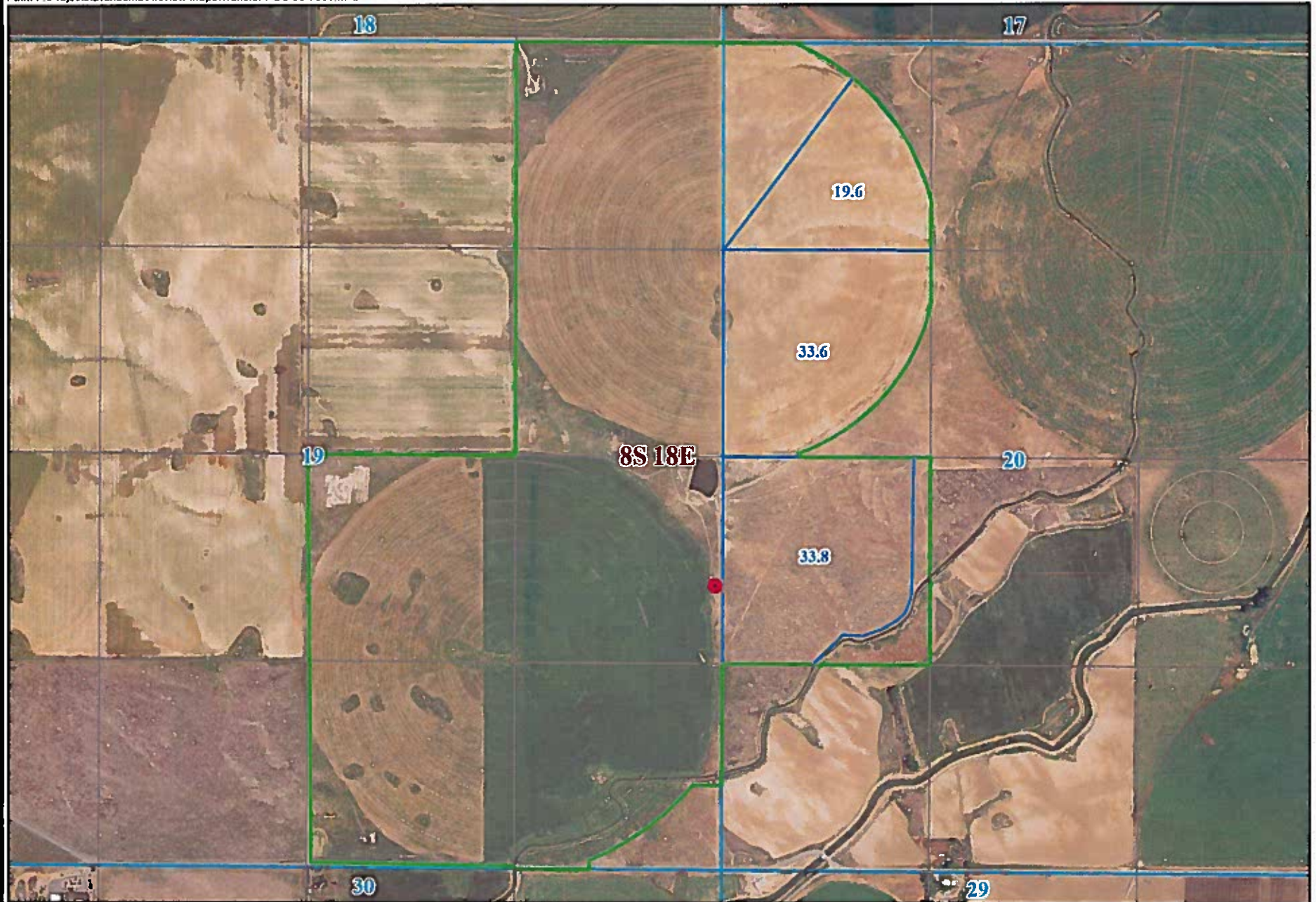
Transfer contains _____ pages and _____ attachments.

Received by _____ Date 1-30-2017 Preliminary check by _____ Date _____

Fee paid \$500- Date 1-30-2017 Received by dm Receipt # 5035906

Add'l fee paid \$25.00 Date 8/29/2017 Received by P. SKINNER Receipt # 5036323

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)



TRANSFER 81461

0 375 750 1,500 Feet

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

BRANDSMA FAMILY TRUST
36-7336 TRANSFER
2015 NAIP AERIAL PHOTOGRAPH

Legend

- PPU
- 36-7032_POD
- New POU 36-7336

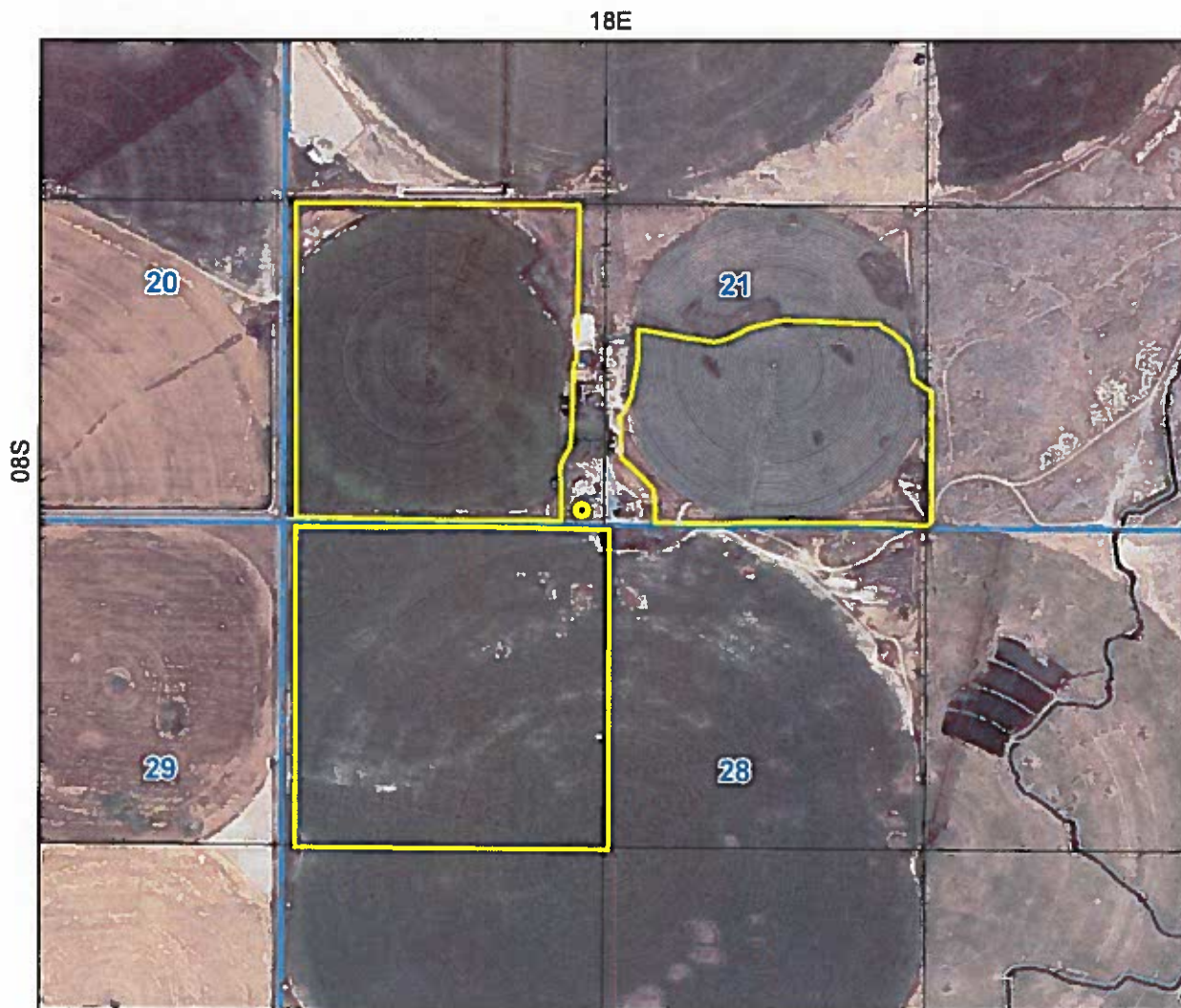
N

State of Idaho
Department of Water Resources

Water Right
36-7336

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.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.075 0.15 0.3 Miles



CONTRACT OF AGREEMENT

To Whom It May Concern,

Brandsma Family Trust and Jim Meeks and Diane Meeks or Meeks Ranch, LLC have entered into an agreement concerning the parcel of land located at Township 08 South Range 18 East Section 20 NW1/4 and SW1/4. The parcel is identified in Jerome County with Parcel Number: RP08S18E2006030.

Jim Meeks and Diane Meeks or Meeks Ranch, LLC gives permission to Brandsma Family Trust to incorporate Parcel RP08S18E2006030 within an irrigation PPU and irrigation POU of water rights owned by Brandsma Family Trust. Irrigation water will be applied to the parcel by water rights owned by Brandsma Family Trust. Jim Meeks and Diane Meeks or Meeks Ranch, LLC has no legal claim or right to the irrigation water rights that will be utilized to irrigate Parcel RP08S18E2006030.

Brandsma Family Trust:

Title: _____

Date: _____

Jim Meeks and Diane Meeks or Meeks Ranch, LLC:

Jim Meeks and Diane Meeks

Title: *Owner* _____

Date: *11/3/17* _____

CONTRACT OF AGREEMENT

To Whom It May Concern,

Brandsma Family Trust and Jim Meeks and Diane Meeks or Meeks Ranch, LLC have entered into an agreement concerning the parcel of land located at Township 08 South Range 18 East Section 20 NW1/4 and SW1/4. The parcel is identified in Jerome County with Parcel Number: RP08S18E2006030.

Jim Meeks and Diane Meeks or Meeks Ranch, LLC gives permission to Brandsma Family Trust to incorporate Parcel RP08S18E2006030 within an irrigation PPU and irrigation POU of water rights owned by Brandsma Family Trust. Irrigation water will be applied to the parcel by water rights owned by Brandsma Family Trust. Jim Meeks and Diane Meeks or Meeks Ranch, LLC has no legal claim or right to the irrigation water rights that will be utilized to irrigate Parcel RP08S18E2006030.

Brandsma Family Trust:

Phil A. Brandsma

Title: Owner

Date: 1-18-17

Jim Meeks and Diane Meeks or Meeks Ranch, LLC:

Jim Meeks and Diane Meeks Ranch, LLC

Title: Owner

Date: 1/3/17

TRANSFER 81461

QUITCLAIM DEED

For value received, Meeks Ranch LLC, as grantor hereby quitclaims unto Hill Brandsma and Ann Brandsma, Trustees of the Brandsma Family Trust, the grantee whose current address is 3424 Sage Springs Road Kimberly Idaho 83341, all of the grantor's right, title, and interest in and to the following described water rights situated in Jerome County, Idaho.

All of water right 36-7336, priority date 8/08/1986, for 0.88 cfs, 348.0 acre feet annually and irrigation of 87.0 acres.

See Exhibit A for details of the place of use of the 87.0 acres located in Township 08 South Range 18 East Section 21 and 28 in Jerome County, Idaho.

Grantor has caused this quitclaim deed to be executed this 3rd day of January, 2017.

By: [Signature]
<GRANTOR>
Owner
<TITLE>

By: [Signature]
<GRANTOR>
Owner
<TITLE>

State of Idaho)
County of Twin Falls) S.S.

On this 3rd day of January, in the year of 2017, before me, a Notary Public, personally appeared James David Meeks & Diane Sawyer Meeks, proved to me on The basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

S
E
A
L



[Signature]

Notary Public

In and for said State and County

8/6/19

My Commission Expires on

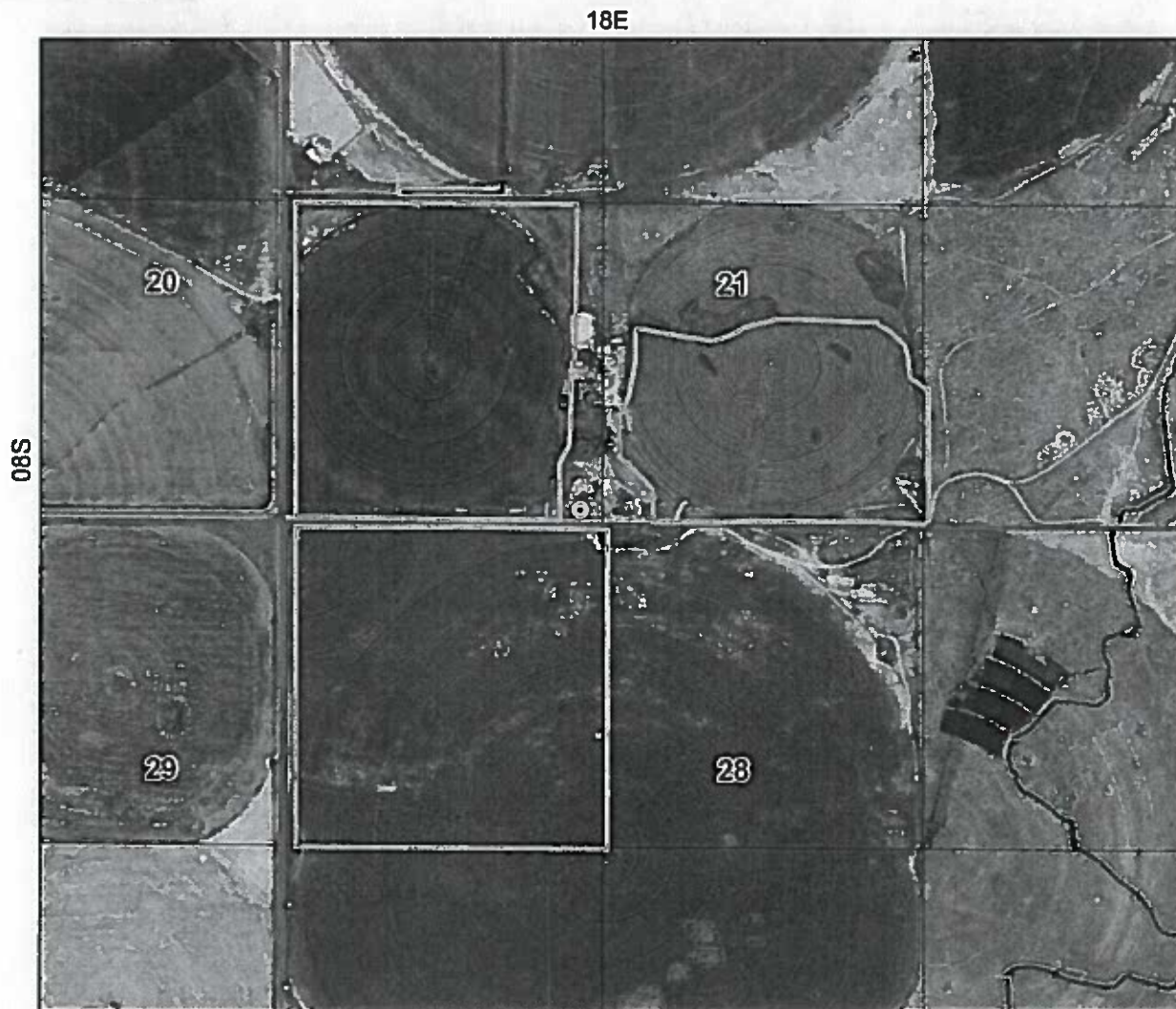
Exhibit A

State of Idaho
Department of Water Resources

**Water Right
36-7336**

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.



- ⊙ Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.075 0.15 0.3 Miles



No. W 140613	Due no later than Jul 31, 2016 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			DIANE MEEKS 6 S 800 E JEROME ID 83338-5718 3. ~~New~~ Registered Agent Signature:*
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.			
Office Held MANAGER	Name DIANE SAWYER MEEKS	Street or PO Address 6 S 800 E	City State Country Postal Code JEROME ID USA 83338-5718
5. Organized Under the Laws of: ID W 140613	6. Annual Report must be signed.* Signature: Diane Sawyer Meeks Date: 07/12/2016 Name (type or print): Diane Sawyer Meeks Title: Manager		
Processed 07/12/2016 * Electronically provided signatures are accepted as original signatures.			



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.

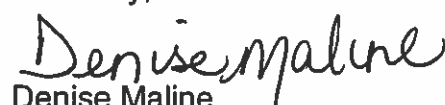
A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 5/18/2017 and 5/25/2017**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with 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: March 29, 2017
To: Transfer 81461
From: Kent Aasa
Re: Review & Evaluation of Sufficiency of Information

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. 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 water right was decreed in the SRBA in 2001. Review of aerial photos indicates that the lands involved with the transfer have recently been irrigated.
- **Injury to Other Water Rights:**
None anticipated or foreseen. The transfer involves adding 36-7336 to the same point of diversion used by 36-7032. This transfer establishes a POU that will irrigate 87 acres within a 340.9 acre PPU. No water rights associated with the transfer will be adversely affected.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated. The POU/POD is changing so this transfer will be sent to advertising.
- **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.

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 36-7336

Dear Mr. Skinner:

Brandsma Family Trust has purchased water right 36-7336 and desires to transfer the point of diversion to an existing well. The place of use and the ownership of 36-7336 will be updated.

It is proposed to move the entire 87.0 acres under 36-7336 to an existing well that currently provides water to 36-7032. A portion this water right is proposed to cover a portion of the NWSW of Section 20 that is owned by Jim and Diane Meeks.

The Meeks have given permission for Brandsma Family Trust to have a water right that covers this property. The ownership of the water right will be retained by Brandsma Family Trust.

No ESPA model analysis is required because the From Cell is an adjacent cell to the To Cell.

The canal shares that are currently located in the NWNW and SWNW of Section 20 will be moved to a location in Section 21.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Hill Brandsma

Enc: Transfer Application, Aerial Maps, Contract of Agreement, Quitclaim Deed for 36-7336, Brockway Engineering Check #13807 for \$500.00.