

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 81001

AUG 10 2016

MINIMUM REQUIREMENTS CHECKLIST

DEPT OF WATER RESOURCES
SOUTHERN REGION

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 <http://www.idwr.idaho.gov/>.

Name of Applicant(s) NOLAN K BRANCH AND LUANN S BRANCHCheck 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 #1-9.

- ☐ ☒ #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 transfer 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).
- ☐ ☒ #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 <http://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.
- ☐ ☒ #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.)
- ☐ ☒ #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 Other. Please describe: _____

AUG 10 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant NOLAN K BRANCH Phone (208) 260-1020
Mailing Address PO BOX 24, MALTA ID 83342-0024 Email _____
Name of Applicant LUANN S BRANCH Phone (208) 260-1020
Mailing Address PO BOX 24, MALTA ID 83342-0024 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 _____ Phone _____
Mailing Address _____ Email _____

☐ 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.

Nolan K Branch Nolan K Branch 8-8-16
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date
LuAnn S Branch LuAnn S Branch 8-8-16
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
43-2455A	Yes	Yes	Yes	Yes	Yes	No	No
43-2455B	Yes	Yes	Yes	Yes	Yes	No	No
43-4238A	No	Yes	Yes	Yes	Yes	No	No
43-4238B	No	Yes	Yes	Yes	Yes	No	No

Associated Right(s): 43-171C , 43-178G , 43-254A , 43-287 , 43-12926 , 43-12927 , 43-13075 , 43-12928

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

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**

Slitting stockwater off of four groundwater rights and correcting the points of diversion and the place of use for an existing feedlot.

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT TO A SEPARATE SYSTEM, DESCRIBE PORTIONS TO BE CHANGED TO A SEPARATE SYSTEM AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
43-13764	0.010 cfs	2.2 af	N/A	N/A	43-2455B	0.350 cfs	124.0 af	N/A	31.0
43-13767	0.060 cfs	38.0 af	N/A	N/A	43-2455A	4,700 cfs	1616.0 af	404.0	964.0
43-4238A	0.275 cfs	199.0 af	N/A	N/A		N/A	N/A	N/A	N/A
43-4238B	0.055 cfs	39.8 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED TOTALS	0.400 cfs	279.0 af	N/A	N/A		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 0.4 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☒ As shown in Part 1.
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

4. Place of Use:

- ☐ No changes to place of use are proposed. (Proceed to #5.)
- ☒ As shown in Part 1.
- ☐ See Attachment.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Part 1 Unchanged Portion After Requested Changes

Original Water Right No. 43-2455B

Current Water Right Owner

NOLAN K BRANCH
PO BOX 24
MALTA, ID 83342-0024

AND

LUANN S BRANCH
PO BOX 24
MALTA, ID 83342-0024

Priority Date: 2/8/1957

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.350 CFS	124.0 AFA	
Total Diversion			0.350 CFS	124.0 AFA	

Source and Point(s) of Diversion:
GROUND WATER

SENW

Sec. 30 Twp 13S Rgc 27E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	30			12.0					19.0									31.0

POU Total Acres: 31.0

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Split Portion After Requested Changes

Proposed Water Right No. 43-13764

(Original Water Right No. 43-2455B)

Current Water Right Owner

LUANN S BRANCH
PO BOX 24
MALTA, ID 83342-0024

AND

NOLAN K BRANCH
PO BOX 24
MALTA, ID 83342-0024

Priority Date: 2/8/1957

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	01/01	12/31	0.010 CFS	2.2 AFA	
Total Diversion			0.010 CFS	2.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNE	Sec. 30 Twp 13S Rge 27E CASSIA County
GROUND WATER	SENE	Sec. 30 Twp 13S Rge 27E CASSIA County

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	19																X	0.0
13S	27E	30		X	X		X			X									0.0

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART I Unchanged Portion After Requested Changes

Original Water Right No. 43-2455A

Current Water Right Owner

NOLAN K BRANCH
PO BOX 24
MALTA, ID 83342-0024

AND

LUANN S BRANCH
PO BOX 24
MALTA, ID 83342-0024

Priority Date: 2/8/1957

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	4.700 CFS	1616.0 AFA	
Total Diversion			4.700 CFS	1616.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESE	Sec. 19 Twp 13S Rge 27E CASSIA County
GROUND WATER	L2(SWNW)	Sec. 30 Twp 13S Rge 27E CASSIA County
GROUND WATER	SESE	Sec. 30 Twp 13S Rge 27E CASSIA County
GROUND WATER	SWSE	Sec. 30 Twp 13S Rge 27E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	24													35.0			35.0	70.0
13S	26E	25	38.0			36.0												18.0	92.0
13S	27E	19									36.0	47.0	49.0	40.0		8.0	9.0	40.0	229.0
												L 3	L 4						
13S	27E	20									39.0		40.0	40.0					119.0
13S	27E	30		33.0	17.0		33.0	49.0	46.0	10.0	40.0		46.0	40.0	20.0	40.0	40.0	40.0	454.0
								L 1	L 2										

Right Acre Limit: 404.0

POU Total Acres: 964.0

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Split Portion After Requested Changes

Proposed Water Right No. 43-13767

(Original Water Right No. 43-2455A)

Current Water Right Owner

NOLAN K BRANCH
 PO BOX 24
 MALTA, ID 83342-0024

AND

LUANN S BRANCH
 PO BOX 24
 MALTA, ID 83342-0024

Priority Date: 2/8/1957

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	01/01	12/31	0.060 CFS	38.0 AFA	
Total Diversion			0.060 CFS	38.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNE	Sec. 30 Twp 13S Rge 27E CASSIA County
GROUND WATER	SENE	Sec. 30 Twp 13S Rge 27E CASSIA County

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	19																X	0.0
13S	27E	30		X	X		X			X									0.0

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Part 1 Transfer Right After Requested Changes

Proposed Water Right No. 43-4238A

Current Water Right Owner

NOLAN K BRANCH
 PO BOX 24
 MALTA, ID 83342-0024

AND

LUANN S BRANCH
 PO BOX 24
 MALTA, ID 83342-0024

Priority Date: 1/22/1960

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
DOMESTIC	01/01	12/31	0.040 CFS		
STOCKWATER	01/01	12/31	0.275 CFS	199.0 AFA	
Total Diversion			0.275 CFS	199.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNE	Sec. 30 Twp 13S Rge 27E CASSIA County
GROUND WATER	SENE	Sec. 30 Twp 13S Rge 27E CASSIA County

Place of Use: DOMESTIC

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	19																X	

Place of Use: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	19																X	
13S	27E	30		X	X		X			X									

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Part 1 Transfer Right After Requested Changes

Proposed Water Right No. 43-4238B

Current Water Right Owner

NOLAN K BRANCH
PO BOX 24
MALTA, ID 83342-0024

AND

LUANN S BRANCH
PO BOX 24
MALTA, ID 83342-0024

Priority Date: 1/22/1960

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
DOMESTIC	01/01	12/31	0.040 CFS		
STOCKWATER	01/01	12/31	0.055 CFS	39.8 AFA	
Total Diversion			0.055 CFS	39.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNE	Sec. 30 Twp 13S Rge 27E CASSIA County
GROUND WATER	SENE	Sec. 30 Twp 13S Rge 27E CASSIA County

Place of Use: DOMESTIC

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	30			X					X									

Place of Use: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	19			X					X									
13S	27E	30		X	X		X			X									

**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
Two existing wells, existing delivery system and troughs.

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

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:

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. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

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

- f. 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. 43-2455B

Current Water Right Owner
 NOLAN K BRANCH
 PO BOX 24
 MALTA, ID 83342-0024

Priority Date: 2/8/1957

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.360 CFS	124.0 AFA	
STOCKWATER	01/01	12/31	0.010 CFS	7.2 AFA	
Total Diversion			0.360 CFS	126.4 AFA	

Source and Point(s) of Diversion:
 GROUND WATER NESENW Sec. 30 Twp 13S Rge 27E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	30			12.0					19.0									31.0

POU Total Acres: 31.0

Place of Use: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	30			X					X									0.0

Conditions/Remarks:

- RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
- USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .62 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 126.4 AF. COMBINED RIGHT NOS.: 43-2284B, 43-2304B, 43-2394B, 43-2455B.
- 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.
- STOCKWATER 60 HEAD
- USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 31 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-254B, 43-2284B, 43-2304B, 43-2394B, 43-2455B, 43-12929, 43-12930, 43-12931.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

6. THIS RIGHT WHEN COMBINED WITH RIGHT NO. 43-254B, 43-2284B, 43-2304B, 43-2394B, 43-12929, 43-12930, 43-12931 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

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

Current Water Right No. 43-2455A

Current Water Right Owner

NOLAN K BRANCH
PO BOX 24
MALTA, ID 83342-0024

AND/OR

LUANN S BRANCH
PO BOX 24
MALTA, ID 83342-0024

Priority Date: 2/8/1957

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	4.760 CFS	1616.0 AFA	
STOCKWATER	01/01	12/31	0.170 CFS	115.8 AFA	
Total Diversion			4.760 CFS	1654.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	L2(SWSWNW)	Sec. 30 Twp 13S Rge 27E	CASSIA County
GROUND WATER	SWSESE	Sec. 19 Twp 13S Rge 27E	CASSIA County
GROUND WATER	SWSWSE	Sec. 30 Twp 13S Rge 27E	CASSIA County
GROUND WATER	SWSESE	Sec. 30 Twp 13S Rge 27E	CASSIA County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	24													35.0			35.0	70.0
13S	26E	25	38.0			36.0												18.0	92.0
13S	27E	19									36.0	47.0	49.0	40.0		8.0	9.0	40.0	229.0
												L 3	L 4						
13S	27E	20									39.0		40.0	40.0					119.0
13S	27E	30		33.0	17.0		33.0	49.0	46.0	10.0	40.0		46.0	40.0	20.0	40.0	40.0	40.0	454.0
								L 1	L 2										

Right Acre Limit: 404.0

POU Total Acres: 964.0

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	19									X	X	X	X	X		X	X	0.0
												L 3	L 4						
13S	27E	20									X	X	X	X					0.0
13S	27E	30	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X	0.0
								L 1	L 2				L 4						

Conditions/Remarks:

1. This right is limited to the irrigation of 404 acres within the place of use described above in a single irrigation season.
2. Rights 43-171C, 43-178G, 43-254A, 43-287, 43-2284A, 43-2304A, 43-2305, 43-2393A, 43-2455A, 43-4237, 43-12926, 43-12927, 43-12928, 43-13074 and 43-13075 when combined shall not exceed a total diversion rate of 17.94 cfs, a total annual maximum diversion volume of 3588.0 af at the field headgate, and the irrigation of 897 acres within the place of use described above in a single irrigation season.

Conditions/Remarks:

3. The total instantaneous diversion of water from all points of diversion under Rights 43-4237, 43-2284A, 43-2304A, 43-2305, 43-2394A, 43-2455A and 43-13074 when combined shall not exceed a total diversion rate of 14.96 cfs nor a total annual maximum diversion volume of 2992 af at the field headgate.
4. 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.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
6. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

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

Current Water Right No. 43-4238A

Current Water Right Owner

NOLAN K BRANCH
 PO BOX 24
 MALTA, ID 83342-0024

AND/OR

LUANN S BRANCH
 PO BOX 24
 MALTA, ID 83342-0024

Priority Date: 1/22/1960

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
DOMESTIC	01/01	12/31	0.040 CFS		
STOCKWATER	01/01	12/31	0.275 CFS	199.0 AFA	
Total Diversion			0.275 CFS	199.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSESE	Sec. 30 Twp 13S Rge 27E CASSIA County
GROUND WATER	SWSESE	Sec. 19 Twp 13S Rge 27E CASSIA County
GROUND WATER	L2(SWSWNW)	Sec. 30 Twp 13S Rge 27E CASSIA County
GROUND WATER	SWSWSE	Sec. 30 Twp 13S Rge 27E CASSIA County

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	19																X	0.0

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	24																X	0.0
13S	27E	19									X	X	X	X	X		X	X	0.0
												L 3	L 4						
13S	27E	20									X	X	X	X					0.0
13S	27E	29										X							0.0
13S	27E	30	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X	0.0
								L 1	L 2				L 4						

Conditions/Remarks:

1. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43B.
4. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
5. STOCKWATER 1245 HEAD

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

6. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
7. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

F

Current Water Right Owner

AND/OR

PO BOX 24

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2B**

☒ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

[illegible][illegible]

Page 18 of 20

Transfer No. 81001

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2B

IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☒ Complete and attach one copy of **Part 2B** for each right for which only a portion is proposed to be changed.

Right Number: 43-2455A

1. amount	(cfs/ac-ft)	for		purposes from		to	
amount		for		purposes from		to	
amount		for		purposes from		to	
amount		for		purposes from		to	
amount		for		purposes from		to	
amount		for		purposes from		to	
amount		for		purposes from		to	
amount		for		purposes from		to	
amount		for		purposes from		to	

2. Lands irrigated or place of use: (If irrigation, identify with number of acrea irrigated per 1/4 1/4 tract.)

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres (for irrigation use) _____

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

☐ 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 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**.

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

1. 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]

Transfer Contains 20 pages and attachments.
Received By TF/DM Date 8-10-2016 Prelim. Check By Date
Fee Paid \$500- Date 8-10-2016 Received By DM Receipt # S0351660
Add'l Fee Paid Date Received By Receipt #



NWSW 3

NESW

NWSE

NESE

NWSW

19

20

SWSW 4

SESW

SWSE

SESE

SWSW

New POU

NWNW 1

NENW

NWNE

13S27E

NENE

SNNW

SWNW 2

SENW

30

SWNE

29

Wells

NWSW 3

NESW

NWSE

NESE

NWSW

TRANSFER 81001

The USDA, PSA Aerial Photography Field Office asks to be credited in derived products.

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 31352

Publication	Times News		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	410.58
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	410.58
Fax			
Section	Legals	Start/End Dates	09/01/2016 - 09/08/2016
SubSection		Insertions	2
Category	50 Legal	Size	276
Ad Key	31352-1	Salesperson(s)	Ruby Aufderheide
Keywords	Sand Springs-Branch-Southfield-Knudsen	Taken By	Janet Cranney
Notes			

Ad Proof The following application(s) have been filed to appropriate the public waters of the State of Idaho:

36-17052
SAND SPRINGS LP
PO BOX 9
DUNDEE, IL 60118
 Point of Diversion NENWNE S21 T08S R14E GOODING County
 Source GROUND WATER Tributary
 Point of Diversion (Injection) NWNE S21 T08S R14E GOODING
 County Source GROUND WATER Tributary
 Point of Diversion (Rediversion) NWNW S21 T08S R14E
 GOODING County Source GROUND WATER Tributary
 Use: WILDLIFE 10/15 to 11/15 1.62 CFS
 Use: WILDLIFE 11/15 to 02/15 2.43 CFS
 Total Diversion: 2.43 CFS
 Date Filed: 7/15/2015
 Place Of Use: WILDLIFE
 T08S R14E S17 NWSE SWSE
 T08S R14E S20 NWNE SWNE SENW NESW NESE NWSE
 SESE
 T08S R14E S21 SWNE SENE NWNW SWNW NESW NWSE
 SWSE SESE
 T08S R14E S22 NWSW
 Application proposes to divert up to 2.43 cfs of groundwater from
 an existing irrigation well, then inject the diverted groundwater
 into Sand Springs Creek, and then redirect the groundwater
 from Sand Springs Creek. This will provide for seepage water
 associated with 19 existing &/or proposed ponds on a farm
 located approximately 3.0 to 4.6 miles south and 5.0 to 7.5
 miles west of the center of Wendell.

36-17053
SAND SPRINGS LP
PO BOX 9
DUNDEE, IL 60118
 Point of Diversion SWNWNW S21 T08S R14E GOODING
 County Source SAND SPRINGS CREEK Tributary SNAKE
 RIVER
 Use: WILDLIFE 10/15 to 11/15 2.87 CFS
 Use: WILDLIFE 11/15 to 02/15 6.4 CFS
 Total Diversion: 6.4 CFS
 Date Filed: 12/21/2015
 Place Of Use: WILDLIFE
 T08S R14E S17 NWSE SWSE
 T08S R14E S20 NWNE SWNE SENW NESW NESE NWSE
 SESE
 T08S R14E S21 SWNE SENE NWNW SWNW NESW NWSE
 SWSE SESE
 T08S R14E S22 NWSW
 Application proposes to divert up to 6.4 cfs of water from Sand
 Springs Creek to provide for flow through water associated with
 19 existing &/or proposed wildlife ponds on a farm located
 approximately 3.0 to 4.6 miles south and 5.0 to 7.5 miles west

**Proof of legal notice
 received from
 Times News 8/26/2016
 (6 total pages)**

✓ OK DM 8/29/2016
 E-mail sent.

of the center of Wendell.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80482**

SAND SPRINGS LP, PO BOX 9, DUNDEE, IL 60118; has filed Application No. 80482 for changes to the following water rights within GOODING County(s): Right No(s). 36-16858. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes converting a 0.30 cfs and 15 acre portion of a Sand Springs Creek irrigation right to uses associated with 19 existing &/or proposed wildlife ponds on a farm located approximately 3.0 to 4.6 miles south and 5.0 to 7.5 miles west of the center of Wendell. Water will be diverted to account for pond evaporation &/or initial fill volumes associated with the 19 ponds.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81001**

NOLAN K BRANCH and LUANN S BRANCH, PO BOX 24, MALTA, ID 83342-0024; has filed Application No. 81001 for changes to the following water rights within CASSIA County(s): Right No(s). 43-2455A, 43-2455B, 43-4238A, 43-4238B. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes splitting the stockwater portions off of two ground water rights. The transfer will change the points of diversion and place of use to reflect the actual locations of an existing feedlot operation located approximately 3.0 miles south and 1.0 mile east of the City of Malta. Two existing wells will divert up to 0.40 cfs and 279 AF for domestic and stockwater uses associated with the feedlot.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81110**

SOUTHFIELD PROPERTIES LLC, 3308 S 1600 E, WENDELL, ID 83355; has filed Application No. 81110 for changes to the following water rights within GOODING County(s): Right No(s). 37-22803. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the nature of use; points of diversion (PODs) and period of use for a 0.38 cfs and 23.6 acre portion of an irrigation ground water right. Irrigation use will be changed to commercial/stockwater use for a proposed cattle feeding operation to be located within the currently authorized places of use (POU). The changed portion of the water right will be diverted from two proposed wells to be drilled. PODs and POU are located approximately 5.9 to 6.9 miles west and 1.0 to 2.8 miles south of the city center of Wendell.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81111**

SOUTHFIELD PROPERTIES LLC, 3308 S 1600 E, WENDELL, ID 83355; has filed Application No. 81111 for changes to the following water rights within GOODING County(s): Right No(s). 36-17035, 36-17037, 36-7377D, 36-7547D. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes moving a 0.21 cfs; 39 acre foot portion from four commercial/stock water rights to a new cattle facility adjacent to the current place of use (POU). Point of diversion (POD) will be from an existing well. POD and POU are located approximately 4.9 to 5.9 miles west and 1.5 to 2.0 miles south of the city center of Wendell.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81144**

PAT KNUDSEN and SCOTT KNUDSEN, 1424 S 2350 E, MALTA, ID 83342-8629; has filed Application No. 81144 for changes to the following water rights within CASSIA County(s): Right No(s). 43-189. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes changing the point of diversion of a 1.4 cfs Raft River water right. The current point of diversion is located approximately 0.7 miles north and 1.4 miles east of the center of Malta. The proposed new point of diversion will be located approximately a third of a mile downstream of the currently authorized diversion point.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. For additional information on new permits, please see www.idwr.idaho.gov/WaterManagement/WaterRights/#New_Listings. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls, ID 83301 together with a protest fee of \$25.00 for

✓ OK DM
8-29-2016

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 31352

TWFF Fairs, ID 60001 together with a protest fee of \$25.00 for each application on or before September 19, 2016. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
PUBLISH: September 1 and 8, 2016

✓ OK DM
8-29-2016

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 31352

Publication	Online		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	410.58
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	410.58
Fax			
Section	Legals	Start/End Dates	09/01/2016 - 09/08/2016
SubSection		Insertions	2
Category	50 Legal	Size	276
Ad Key	31352-1	Salesperson(s)	Ruby Aufderheide
Keywords	Sand Springs-Branch-Southfield-Knudsen	Taken By	Janet Cranney
Notes			

Ad Proof

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 Point of Diversion (Rediversion) NWNW S21 T08S R14E
 GOODING County Source GROUND WATER Tributary
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DUNDEE, IL 60118
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 SWSE SESE
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 Application proposes to divert up to 6.4 cfs of water from Sand
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 19 existing &/or proposed wildlife ponds on a farm located
 approximately 3.0 to 4.6 miles south and 5.0 to 7.5 miles west
 of the center of Wendell.

✓ OK DM
8-29-2016

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 31352

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

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NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 81001

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NOTICE OF PROPOSED CHANGE OF WATER RIGHT

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NOTICE OF PROPOSED CHANGE OF WATER RIGHT

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PAT KNUDSEN and SCOTT KNUDSEN, 1424 S 2350 E, MALTA, ID 83342-8629; has filed Application No. 81144 for changes to the following water rights within CASSIA County(s): Right No(s). 43-189. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes changing the point of diversion of a 1.4 cfs Raft River water right. The current point of diversion is located approximately 0.7 miles north and 1.4 miles east of the center of Malta. The proposed new point of diversion will be located approximately a third of a mile downstream of the currently authorized diversion point.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/wri/QueryNewTransfers/QueryNewTransfers.aspx. For additional information on new permits, please see www.idwr.idaho.gov/WaterManagement/WaterRights/#NewListings. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. 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 September 19, 2016. The

✓ DK DM
8-29-2016

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 31352

Each application on or before September 15, 2016. The
protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
PUBLISH: September 1 and 8, 2016

✓ OK DM
8-29-2016



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

August 25, 2016

NOLAN K BRANCH
LUANN S BRANCH
PO BOX 24
MALTA, ID 83342-0024

RE: Transfer No. 81001
Water Right No(s). 43-2455A, 43-2455B, 43-4238A, 43-4238B

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 9/1/2016 and 9/8/2016**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**September 19, 2016**).

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 cursive script that reads "Denise Maline".

Denise Maline
Administrative Assistant



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

August 25, 2016

NATHAN ERICKSON
WATER DISTRICT #143
650 ADDISON AVE W, STE 500
TWIN FALLS, ID 83301

Via hand delivery

RE: Transfer No. 81001
Water Right No(s). 43-2455A, 43-2455B, 43-4238A, 43-4238B

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 watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,


Denise Maline
Administrative Assistant

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, August 25, 2016 12:41 PM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News Cover Letter.docx; Times News Ad.docx

Attached please find (1) legal notice being submitted for publication on September 1st & 8th, 2016. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

*Denise Maline
Administrative Assistant I
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov*



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

August 25, 2016

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Application For Permit No.(s): 36-17052, 36-17053

RE: Transfer No. 80482
Water Right No(s): 36-16858

RE: Transfer No. 81001
Water Right No(s): 43-2455A, 43-2455B, 43-4238A, 43-4238B

RE: Transfer No. 81110
Water Right No(s): 37-22803

RE: Transfer No. 81111
Water Right No(s): 36-17035, 36-17037, 36-7377D, 36-7547D

RE: Transfer No. 81144
Water Right No(s): 43-189

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 September 19, 2016. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

36-17052

SAND SPRINGS LP

PO BOX 9

DUNDEE, IL 60118

Point of Diversion NENWNE S21 T08S R14E GOODING County Source GROUND WATER Tributary

Point of Diversion (Injection) NWNE S21 T08S R14E GOODING County Source GROUND WATER Tributary

Point of Diversion (Rediversion) NWNW S21 T08S R14E GOODING County Source GROUND WATER Tributary

Use: WILDLIFE 10/15 to 11/15 1.62 CFS

Use: WILDLIFE 11/15 to 02/15 2.43 CFS

Total Diversion: 2.43 CFS

Date Filed: 7/15/2015

Place Of Use: WILDLIFE

T08S R14E S17 NWSE SWSE

T08S R14E S20 NWNE SWNE SENW NESW NESE NWSE SESE

T08S R14E S21 SWNE SENE NWNW SWNW NESW NWSE SWSE SESE

T08S R14E S22 NWSW

Application proposes to divert up to 2.43 cfs of groundwater from an existing irrigation well, then inject the diverted groundwater into Sand Springs Creek, and then redirect the groundwater from Sand Springs Creek. This will provide for seepage water associated with 19 existing &/or proposed ponds on a farm located approximately 3.0 to 4.6 miles south and 5.0 to 7.5 miles west of the center of Wendell.

36-17053

SAND SPRINGS LP

PO BOX 9

DUNDEE, IL 60118

Point of Diversion SWNWNW S21 T08S R14E GOODING County Source SAND SPRINGS CREEK Tributary
SNAKE RIVER

Use: WILDLIFE 10/15 to 11/15 2.87 CFS

Use: WILDLIFE 11/15 to 02/15 6.4 CFS

Total Diversion: 6.4 CFS

Date Filed: 12/21/2015

Place Of Use: WILDLIFE

T08S R14E S17 NWSE SWSE

T08S R14E S20 NWNE SWNE SENW NESW NESE NWSE SESE

T08S R14E S21 SWNE SENE NWNW SWNW NESW NWSE SWSE SESE

T08S R14E S22 NWSW

Application proposes to divert up to 6.4 cfs of water from Sand Springs Creek to provide for flow through water associated with 19 existing &/or proposed wildlife ponds on a farm located approximately 3.0 to 4.6 miles south and 5.0 to 7.5 miles west of the center of Wendell.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 80482

SAND SPRINGS LP, PO BOX 9, DUNDEE, IL 60118; has filed Application No. 80482 for changes to the following water rights within GOODING County(s): Right No(s). 36-16858. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes converting a 0.30 cfs and 15 acre portion of a Sand Springs Creek irrigation right to uses associated with 19 existing &/or proposed wildlife ponds on a farm located approximately 3.0 to 4.6 miles south and 5.0 to 7.5 miles west of the center of Wendell. Water will be diverted to account for pond evaporation &/or initial fill volumes associated with the 19 ponds.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 81001

NOLAN K BRANCH and LUANN S BRANCH, PO BOX 24, MALTA, ID 83342-0024; has filed Application No. 81001 for changes to the following water rights within CASSIA County(s): Right No(s). 43-2455A, 43-2455B, 43-4238A, 43-4238B. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes splitting the stockwater portions off of two ground water rights. The transfer will change the points of diversion and place of use to reflect the actual locations of an existing feedlot operation located approximately 3.0 miles south and 1.0 mile east of the City of Malta. Two existing wells will divert up to 0.40 cfs and 279 AF for domestic and stockwater uses associated with the feedlot.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81110**

SOUTHFIELD PROPERTIES LLC, 3308 S 1600 E, WENDELL, ID 83355; has filed Application No. 81110 for changes to the following water rights within GOODING County(s): Right No(s). 37-22803. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the nature of use; points of diversion (PODs) and period of use for a 0.38 cfs and 23.6 acre portion of an irrigation ground water right. Irrigation use will be changed to commercial/stockwater use for a proposed cattle feeding operation to be located within the currently authorized places of use (POU). The changed portion of the water right will be diverted from two proposed wells to be drilled. PODs and POU are located approximately 5.9 to 6.9 miles west and 1.0 to 2.8 miles south of the city center of Wendell.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81111**

SOUTHFIELD PROPERTIES LLC, 3308 S 1600 E, WENDELL, ID 83355; has filed Application No. 81111 for changes to the following water rights within GOODING County(s): Right No(s). 36-17035, 36-17037, 36-7377D, 36-7547D. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes moving a 0.21 cfs; 39 acre foot portion from four commercial/stock water rights to a new cattle facility adjacent to the current place of use (POU). Point of diversion (POD) will be from an existing well. POD and POU are located approximately 4.9 to 5.9 miles west and 1.5 to 2.0 miles south of the city center of Wendell.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81144**

PAT KNUDSEN and SCOTT KNUDSEN, 1424 S 2350 E, MALTA, ID 83342-8629; has filed Application No. 81144 for changes to the following water rights within CASSIA County(s): Right No(s). 43-189. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes changing the point of diversion of a 1.4 cfs Raft River water right. The current point of diversion is located approximately 0.7 miles north and 1.4 miles east of the center of Malta. The proposed new point of diversion will be located approximately a third of a mile downstream of the currently authorized diversion point.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. For additional information on new permits, please see www.idwr.idaho.gov/WaterManagement/WaterRights/#NewListings. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. 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 September 19, 2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on September 1st & 8th, 2016

MEMORANDUM

Date: August 17, 2016
To: Transfer 81001 File
From: Jana Reeder
Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes splitting the stockwater portions off of two ground water rights 43-2455A and 43-2455B and combining the new stockwater rights 43-13764 and 43-13767 with domestic and stockwater rights 43-4238A and 43-4238B. The transfer will change the points of diversion and place of use to reflect the actual locations of an existing feedlot operation located approximately 3.0 miles south and 1.0 mile east of the City of Malta. Two existing wells will divert up to 0.40 cfs and 279 AF for domestic and stockwater uses associated with the feedlot.

The property and points of diversion are located within the Raft River CGWA and Water District 143. The watermaster of Water District 143 has recommended this transfer in preparation of two companion irrigation transfers that will involve two large farms in the area so watermaster comments will not be necessary.

Note, associated water rights 43-2284A, 43-2284B, 43-2304A, 43-2305, 43-2394A, 43-2394B, 43-4237, 43-13074, 43-12930 and 43-12931 were added to the transfer to update conditions.

- **Authority to File:**
The Department's database indicates that water rights 43-2455A, 43-2455B, 43-4238A and 43-4238B are owned by Nolan K. and Lu Ann S. Branch.
- **Water Right Validity:**
Water rights 43-2455A, 43-2455B, 43-4238A and 43-4238B were partially decreed in the SRBA on June 28, 2002.
- **Injury to Other Water Rights:**
None anticipated or foreseen.
- **Enlargement of Use:**
 - None anticipated or foreseen.
- **Local Public Interest:**
Application will be subject to public notice and protest.
- **Beneficial Use/Conservation of Water Resources:**
Domestic and stockwater are 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.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

MEMORANDUM

Date: August 18, 2016

To: Transfer 81001

From: Jana Reeder

Re: Fee Memo

The \$500.00 fee is based on the current fee schedule for 0.4 cfs.