

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 80835

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED

MAR 11 2016

An application for transfer must be prepared in accordance with the minimum requirements listed below to be accepted for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional information are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) Jim D. Scarrow

Check whether each item below is attached (Yes) or not applicable (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☐ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

RECEIVED

MAR 11 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant(s) Jim D Scarrow

Phone

Mailing address 3184 S 1900 E Wendell, ID 83355

Email

(208) 316-1100

- ☐ 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 Hattie Zobott

Phone 208-733-8543

Mailing address 2016 N Washington ST, Suite 4, Twin Falls, ID 83301

Email hattie.zobott@brockwayeng.c

- ☐ 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.

Jim D. Scarrow
Signature of Applicant or Authorized Representative

Jim D. Scarrow
Print Name and Title if applicable

3/11/2016
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

**NO. PER 4/11/16 E-MAIL*

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Create PPU
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**.

The applicant desires to change the POU and create a PPU. See attached narrative.

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 ☒ ☐	37-795	0.70	Irrigation	03/15 to 11/15	Birch Creek/Snake River
☒ ☐	37-796	0.70	Irrigation	03/15 to 11/15	Birch Creek/Snake River
☒ ☐	37-798	0.64	Irrigation	03/15 to 11/15	Birch Creek/Snake River
☒ ☐	37-3155	0.50	Irrigation	03/15 to 11/15	South Fork BC/Birch Creek
☒ ☐	36-10446	0.09	Irrigation	02/15 to 11/30	Unnamed Stream/Snake R.
☒ ☐	36-15094	0.61	Irrigation	02/15 to 11/30	Waste Water/Snake R.
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 3.24 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 3.24 cubic feet per second and/or _____ 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**. See Attachment 1.B.3

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
									See attached	1 B.3 per email

4. Place of use: (If irrigation, identify with number of acres irrigated per 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		
06S	13E	34													2.9			39	41.9	
06S	13E	35											36						36	
07S	13E	02			6.8	28													34.8	
					L2	L1														
07S	13E	01							6.0										6.0	
*POU 48.6 acres																			PPU Total Acres (for irrigation use)	118.7

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:
The diversion system includes a pump, headboxes and pipes. The applicant can install measuring devices when required.

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

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:
The previous place of use was decreed based on flood irrigation. The applicant will correct the place of use to represent current irrigation practices with center pivot sprinklers and hand line sprinklers. The places of use of all the included rights overlap.
- 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:
37-7559 is for fish propagation the transfer will not change the components of the water right. 37-10993 is for domestic and stockwater use and will not change.

- 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:

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2

RECEIVED
MAR 11 2016
DEPT OF WATER RESOURCES
SOUTHERN REGION

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 1.

Insert Part 2A reports into the application following Part 1.

B. 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. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: _____

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
 amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

[illegible]

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

Current Water Right No.: 36-10446

Current Owner: JIM D SCARROW

Priority Date: 3/15/1961

Origin: Water Right

Status: Active

Basis: Decreed

Source

UNNAMED STREAM

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

2/15 to 11/30

Total Diversion

Diversion Rate

0.09 CFS

0.09 CFS

Annual Volume

Location of Point(s) of Diversion

UNNAMED STREAM

GOODING County

L1(SW1/4SE1/4NE1/4)

Sec. 2, Twp 07S, Rge 13E B.M.

Place of Use

IRRIGATION Within GOODING County

T07S R13E S2

Lot 2

SWNE

2.50

T07S R13E S2

Lot 1

SENE

0.50

Total Acres: 3

Decreed Date: 10/20/2000

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

Current Water Right No.: 36-15094

Current Owner: JIM D SCARROW

Priority Date: 3/15/1961

Origin: Water Right

Status: Active

Basis: Decreed

Source

WASTE WATER

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

2/15 to 11/30

Total Diversion

Diversion Rate

0.61 CFS

0.61 CFS

Annual Volume

Location of Point(s) of Diversion

WASTE WATER

GOODING County

L1(NE1/4SE1/4NE1/4)

Sec. 2, Twp 07S, Rge 13E B.M.

Place of Use

IRRIGATION Within GOODING County

T06S R12E S34

SESE

6.70

T07S R13E S2

Lot 2

SWNE

6.00

T07S R13E S2

Lot 1

SENE

7.70

Total Acres: 20.4

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Decreed Date: 10/20/2000

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

Current Water Right No.: 37-3155

Current Owner: JIM D SCARROW

Priority Date: 5/14/1934

Origin: Water Right

Status: Active

Basis: Decreed

Source

SOUTH FORK BIRCH CREEK

Tributary

BIRCH CREEK

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION 03/15 to 11/15
STOCKWATER 01/01 to 12/31
Total Diversion

0.5 CFS
0.05 CFS
0.5 CFS

Location of Point(s) of Diversion

SOUTH FORK BIRCH CREEK

NE1/4SW1/4SW1/4

Sec. 35, Twp 06S, Rge 13E B.M.

GOODING County

Place of Use

IRRIGATION Within GOODING County

T06S R13E S34	NESE	2.60	T06S R13E S34	SESE	32.00
T07S R13E S2	Lot 2 SWNE	6.10	T07S R13E S2	Lot 1 SENE	7.90

Total Acres: 48.6

Place of Use: STOCKWATER same as IRRIGATION

Conditions of Approval:

1. K06 This right is limited to the irrigation of 25 acres within the place of use described above in a single irrigation season.
2. E55 Right nos. 37-795, 37-796, 37-798 and 37-3155 are limited to the irrigation of a combined total of 48.6 acres in a single irrigation season.
3. 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: 3/3/2010

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

Current Water Right No.: 37-795

Current Owner: JIM D SCARROW

Priority Date: 6/30/1878

Origin: Water Right

Status: Active

Basis: Decreed

Source

BIRCH CREEK
SOUTH FORK BIRCH CREEK

Tributary

SNAKE RIVER
BIRCH CREEK

<u>Beneficial Use</u>	<u>From To</u>
STOCKWATER	01/01 to 12/31
IRRIGATION	03/15 to 11/15
	<u>Total Diversion</u>

<u>Diversion Rate</u>	<u>Annual Volume</u>
0.05 CFS	
0.7 CFS	
0.7 CFS	

Location of Point(s) of Diversion

BIRCH CREEK	NW1/4SE1/4SE1/4	Sec. 34,	Twp 06S,	Rge 13E B.M.
GOODING County				
SOUTH FORK BIRCH CREEK	NE1/4SW1/4SW1/4	Sec. 35,	Twp 06S,	Rge 13E B.M.
GOODING County				

Place of Use

STOCKWATER Within GOODING County

T06S R13E S34	SESE
---------------	------

IRRIGATION Within GOODING County

T06S R13E S34	NESE	2.60	T06S R13E S34	SESE	32.00
T07S R13E S2	Lot 2 SWNE	6.10	T07S R13E S2	Lot 1 SENE	7.90

Total Acres: 48.6

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Conditions of Approval:

1. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
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.
3. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
4. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
5. E55 Right nos. 37-795, 37-796 and 37-798 are limited to the irrigation of a combined total of 48.6 acres in a single irrigation season.

Decreed Date: 3/3/2010

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

Current Water Right No.: 37-796

Current Owner: JIM D SCARROW

Priority Date: 6/30/1880

Origin: Water Right

Status: Active

Basis: Decreed

Source

BIRCH CREEK
SOUTH FORK BIRCH CREEK

Tributary

SNAKE RIVER
BIRCH CREEK

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Total Diversion

Diversion Rate

0.7 CFS

0.7 CFS

Annual Volume

Location of Point(s) of Diversion

BIRCH CREEK
GOODING County
SOUTH FORK BIRCH CREEK
GOODING County

NW1/4SE1/4SE1/4 Sec. 34, Twp 06S, Rge 13E B.M.

NE1/4SW1/4SW1/4 Sec. 35, Twp 06S, Rge 13E B.M.

Place of Use

IRRIGATION Within GOODING County

T06S R13E S34	NESE	2.60	T06S R13E S34	SESE	32.00
T07S R13E S2	Lot 2 SWNE	6.10	T07S R13E S2	Lot 1 SENE	7.90
Total Acres: 48.6					

Conditions of Approval:

1. E55 Right nos. 37-795, 37-796 and 37-798 are limited to the irrigation of a combined total of 48.6 acres in a single irrigation season.
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: 3/3/2010

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

Current Water Right No.: 37-798

Current Owner: JIM D SCARROW

Priority Date: 6/30/1878

Origin: Water Right

Status: Active

Basis: Decreed

Source

BIRCH CREEK
SOUTH FORK BIRCH CREEK

Tributary

SNAKE RIVER
BIRCH CREEK

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Total Diversion

Diversion Rate

0.64 CFS

0.64 CFS

Annual Volume

Location of Point(s) of Diversion

SOUTH FORK BIRCH CREEK
GOODING County

NE1/4SW1/4SW1/4

Sec. 35, Twp 06S, Rge 13E B.M.

BIRCH CREEK
GOODING County

NW1/4SE1/4SE1/4

Sec. 34, Twp 06S, Rge 13E B.M.

Place of Use

IRRIGATION Within GOODING County

T06S R13E S34	NESE	2.60	T06S R13E S34	SESE	32.00
T07S R13E S2	Lot 2 SWNE	6.10	T07S R13E S2	Lot 1 SENE	7.90
Total Acres: 48.6					

Conditions of Approval:

1. E55 Right nos. 37-795, 37-796 and 37-798 are limited to the irrigation of a combined total of 48.6 acres in a single irrigation season.
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.
3. K06 This right is limited to the irrigation of 42 acres within the place of use described above in a single irrigation season.

Decreed Date: 3/3/2010

Attachment 1.B.3
Jim Scarrow Irrigation Transfer
Points of Diversion
Rev B: 04-11-16

NEW ?	Lot	¼	¼	¼	Sec.	Township	Range	County	Source	Description
N		NW	SE	SE	34	06S	13E	Gooding	Birch Creek, South Fork	
N		NE	SW	SW	35	06S	13E	Gooding	South Fork Birch Creek	
N	1	SW	SE	NE	2	07S	13E	Gooding	Unnamed Stream	
N	1	NE	SE	NE	2	07S	13E	Gooding	Waste Stream	
Y	4		SW	NW	1	07S	13E	Gooding	Waste Stream	
Y	4		SW	NW	1	07S	13E	Gooding	Waste Stream	

Irrigation Transfer Narrative

The applicant desires to update the Place of Use and diversions due to changes in the irrigation delivery method. The water rights were developed to deliver water to a flood irrigation system and sprinkler system that is no longer used. Historically, whichever source was closest to the desired place of use was used to divert water, and use was substitutive.

The current irrigation practices use mainlines and either a center pivot sprinkler or hand lines to irrigate the property. The irrigation transfer will update the Place of Use, create a Permissible Place of Use, correct GIS location of the Birch Creek and Unnamed Stream Points of Diversion, and add two Points of Diversion to the Waste Water right to reflect a new diversion system into a pond as proposed in the accompanying Application for Permit. The Stockwater Place of Use will not change.

The irrigation proof map and attached pictures demonstrate recent irrigation practices within the farm in areas not shown on the 2015 NAIP aerial (Exhibit A). In particular, the southern area of the farm is obscured by trees and a field that was cultivated with Triticale. The southern area was historically irrigated with Birch Creek water and Waste Water, Birch Creek water and the Unnamed Stream, or Waste Water and the Unnamed Stream. The end gun of the large pivot completely overlaps the Unnamed Stream and the Waste Water Stream for approximately 2 acres. Hand lines south of the Waste Water Stream irrigate the Waste Water Stream area for approximately 0.5 acres. The irrigated acreage within section 35 of Township 06S, Range 13E is not shown on the proof map, but is shown in the POU and PPU maps of the transfer application.

The Birch Creek combined rights allow for 48.6 acres of irrigation. Each source can be used for irrigation within the 48.6 acres of the farm at the following limits: Birch Creek 48.6 acres, Waste Water 20.4 acres out of 48.6, and Unnamed Stream 3.0 acres out of 48.6. The farm will be hydraulically connected by the new permit diversion structures for the Birch Creek and Waste Water sources. The Unnamed Stream will be used to supplement 3.0 acres within the southern portion of the POU, in Sections 1 and 2.

The PPU boundary was based on the property boundary of the property, land slope, if it was irrigable, and proximity to the Points of Diversion. Roads were excluded, as were buildings and the pond. The applicant requests the PPU as shown because of a CAFO permit for land beneath the North Pivot that would displace the historically irrigated area.

The transfer is necessary to correct the POU to reflect current irrigation practices and new diversions as proposed in the accompanying permit application for Waste Water. Please refer to the attached Waste Water Narrative for additional information.

Waste Water Permit Narrative

The applicant constructed a pond in partnership with the NRCS. The conservation goals of the pond are to reduce the sediment in the Waste Stream that runs through the applicant's farm, provide habitat for wildlife, and provide the option to substitute Waste Water for Birch Creek water on the farm to reduce sediment within the Snake River. The applicant will seek a new permit for Waste Water to cover the full potential use of the pond: Diversion to storage, Wildlife and Aesthetic storage, Irrigation storage, and Irrigation diversion.

The diversion to the pond for wildlife, aesthetic, and irrigation storage will allow the applicant to fill and store the Waste Water in a new pond on his property. The applicant built the pond last fall and used a clay liner. Mitigation for the pond will compensate for the initial fill, evaporation, and seepage of 9.24 afa. Irrigation use will be reduced by drying up acreage within the farm. Dry up acreage was calculated using the typical crop of pasture at a consumptive use rate of 3.68 afa (Allan and Robison 2012). The required mitigation acreage is therefore 2.5 acres (Exhibit A).

Aesthetic and wildlife use includes the initial fill volume and the diversion of the Waste Water stream through the pond and back to the source. The fill volume for the pond will be accounted for by the aesthetic or wildlife storage. Flows are not typically expected outside of the irrigation season except for flood or seasonal runoff, and flow will pass through the pond during the non-irrigation season without any additional consumptive use. The pond is expected to remain full outside of the irrigation season due to minimal seepage.

Irrigation fill volume includes the necessary fill to irrigate the farm, less the existing Waste Water right (36-15094). The new Waste Water permit will irrigate 28.2 acres that is typically irrigated by Birch Creek flow (See Exhibit A for calculations). Each acre will require 5.0 afa of storage to meet crop demands as allowed by Idaho Code 42-202(6). The total irrigation storage volume required is therefore 141 afa of irrigation storage.

The irrigation diversion component of the permit will allow the pond to remain full while water is diverted through the pond and back to the waste stream, less the irrigation diversion to irrigate the 28.2 acres. Using the 28.2 acres determined above, and a diversion limit of 0.02 cfs/acre, the irrigation diversion rate required is 0.56 cfs.

The mitigation for the initial fill of the pond and evaporation will be done by turning off the end gun for a portion of the larger pivot (Exhibit A). The water rights for the farm are stacked and include Birch Creek, Waste Water, and an Unnamed Stream as sources for irrigation. The mitigation will dry up 2.5 acres out of all three sources. Please see the attached mitigation spreadsheet, Exhibit A, for mitigation calculations. The mitigation for the irrigation storage, and irrigation diversion will be accomplished by direct substitution of Waste Water for Birch Creek during the period of use of 03/15-11/15. For the period of use from 02/15-03/15 and 11/15-11/30, the applicant will only irrigate using

the existing Waste Water right of 20.4 acres, less mitigation of 2.5 acres, or 17.9 acres of the farm.

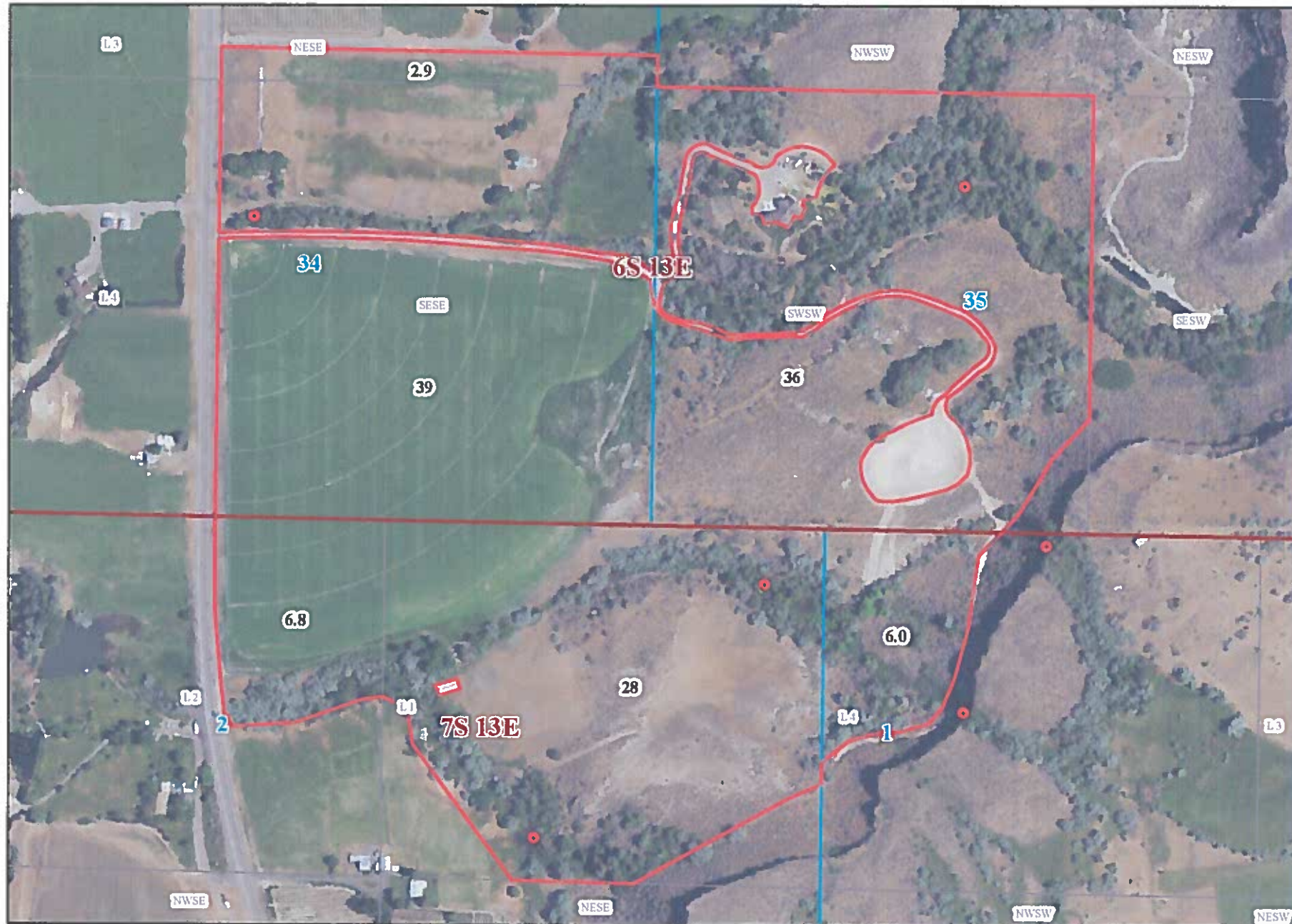
The Birch Creek water rights are the primary rights for the property, all other rights are supplemental as described by the accompanying transfer application. The Birch Creek source is the reliable source within the property and the applicant desires to offset the Birch Creek use for conservation reasons described above. Although unlikely, if the Birch Creek dried up, the applicant would only divert the Waste Water as allowed under the original right, less the mitigation. Mitigation will be done in the area historically irrigated by Birch Creek, Waste Water, and the Unnamed stream. Therefore, all three rights will be included as sources for the mitigation acreage as shown in Exhibit A.

There are no downstream water rights on the Waste Water stream, below the applicant's property, and the tributary, that could be injured by the substitution of Waste Water for Birch Creek water. The new pond will enable a centralized irrigation system for the property that will reduce the diversion to irrigate the farm. Birch Creek water will flow past the farm while the farm is irrigated with Waste Water and enter the Snake River within ¼ mile of the Waste Stream confluence. The pond fill volume and evaporation are mitigated for by reducing the acreage of the farm by 2.5 acres as shown in the mitigation map (Exhibit A). Therefore, the new permit will have no expected injury as a result of the substitution of Waste Water for Birch Creek water on the applicant's farm.

References

Allen, Richard G. and Clarence W. Robison. 2012. Evapotranspiration and Consumptive Irrigation Water Requirements for Idaho: Supplement updating the Time Series through December 2008, Research Technical Completion Report, Kimberly Research and Extension Center, University of Idaho, Moscow, ID.

TRANSFER 80835



0 150 300 600 Feet

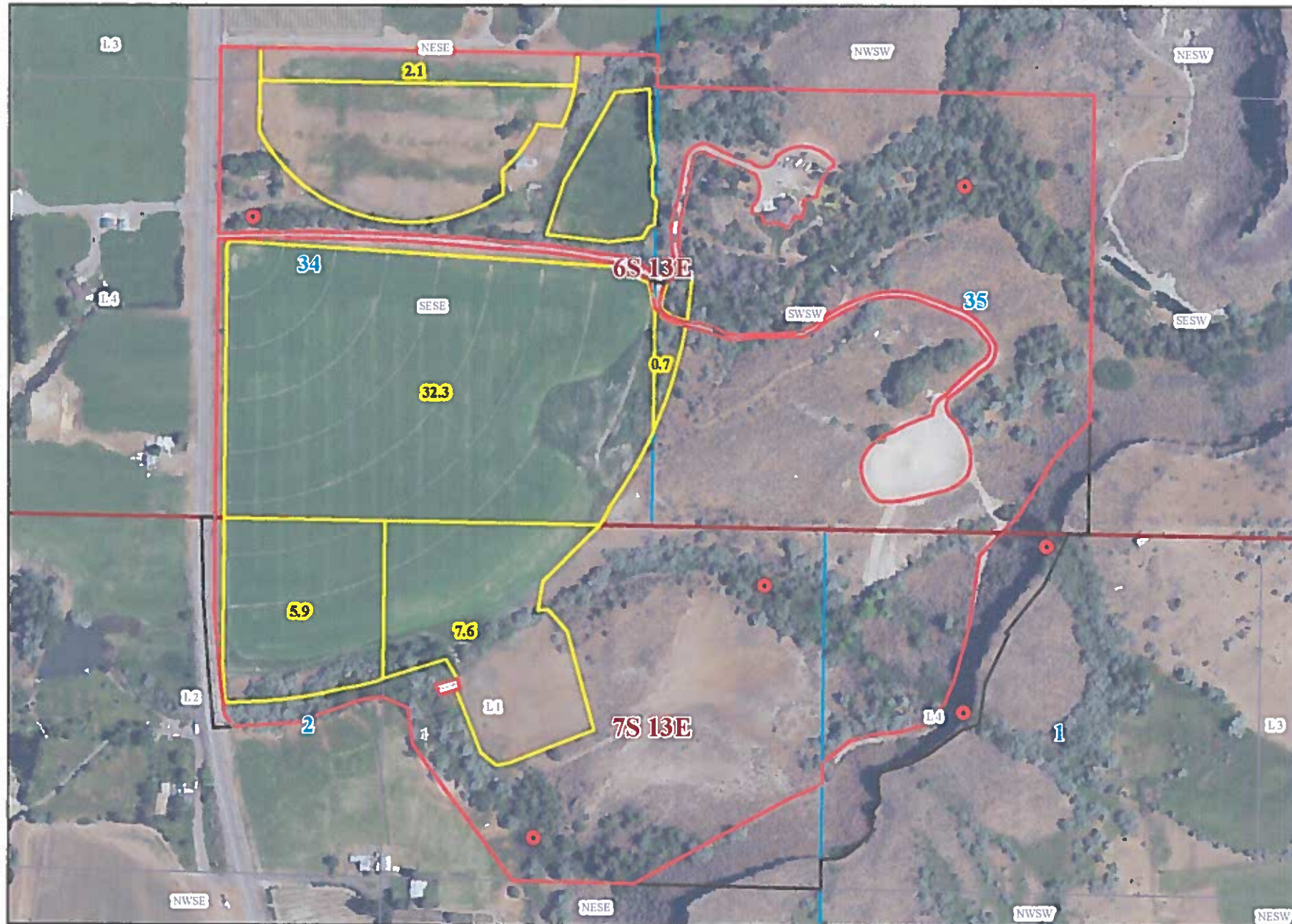
BROCKWAY ENGINEERING, PLLC.
ALR - Date: 3/10/2016

SCARROW, JIM
TRANSFER MAP PPU 2016
NAIP 2015 AERIAL

- Legend
- Points_of_Diversion
 - PPU
 - twshp
 - Sections
 - ladesec



TRANSFER 80835



SCARROW, JIM
PLACE OF USE MAP 2016
NAIP 2015 AERIAL

BROCKWAY ENGINEERING, PLLC.
ALR - Date: 3/10/2016

- Legend**
- Points_of_Diversion
 - PPU
 - POU 2016- 48.6 AC
 - Scarrow_Parcel
 - twnshp
 - Sections
 - lades





SCARROW, JIM
2015 IRRIGATION PROOF
NAIP 2015 AERIAL (6/12/2015)

Legend

- Picture Pts 2/9/16
- 2015_Irrigation=47.8ac
- twshp
- Sections
- ladesc



3/11/2016

Description	Volume		Notes
Pond Volume	6.10	afa	NRCS contract 6-7 afa, Scarrow Measured 02/03/16
Surface Area	1.02	afa	44361 ft^2
Evaporation	3.03	afa	
Seepage for pond	0.11	afa	99.55 gpd
Total Fill	9.24	afa	
Dry Up*	2.5	acres	
*Only evaporation and initial fill considered. See narrative for explanation			

Historic Consumptive Use	3.68	afa	Allan and Robison 2012
Max IDWR Irrigation Diversion Rate	0.02	cfs	per Idaho Code 42-202
Max IDWR Diversion Volume to Storage for Irrigation	5	afa	per Idaho Code 42-202
Headgate allowance for Hagerman	4	afa	
Seepage for High Plasticity Clay	0.0003	ft/day	
Seepage/acre of irrigation	0.32	afa	

Multiple Fill Volume Calculations		
Acreage for Additional Fill Volume Needed	28.2	acres
Irrigation Storage Needed	141.0	afa
Irrigation Diversion--Flow Through	0.56	cfs

Mitigation By Source									
Irrigation Diversion	Before Mitigation				Dry Up				Net Irrigation
Total Acreage Birch Creek	48.6	acres	2.54	cfs	2.5	acres	0.13	cfs	46.1 acres 2.41 cfs
Waste Water Acreage	20.4	acres	0.61	cfs	2.5	acres	0.075	cfs	17.9 acres 0.53 cfs
Unnamed Stream Acreage	3.0	acres	0.09	cfs	2.5	acres	0.075	cfs	0.5 acres 0.02 cfs
Net Irrigation**									46.1 acres

**While Pond Permit in Existence

TRANSFER 80835

ET values for Hagerman, ID

Site: Hagerman 2 SW, 103932

Allen, Richard G. and Clarence W. Robison, 2012. Evapotranspiration and Consumptive Irrigation Water Requirements for Idaho: Supplement updating the Time Series through Crop Consumptive Use

Grass Pasture - high management															
Precipitation Deficit (Click here for a graph)															
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Growing Season ^a	Non Growing Season ^b	Annual
Mean ^d	mm/day												mm		
Monthly ^e	-0.05	0.13	0.96	4.02	5.61	6.73	7.56	6.03	3.99	1.57	-0.35	-0.33	1121	-21	1112
Days	31	29	31	30	31	30	31	31	30	31	30	31			
monthly mm	-1.55	3.77	29.76	120.6	173.91	201.9	234.36	186.93	119.7	48.67	-10.5	-10.23			

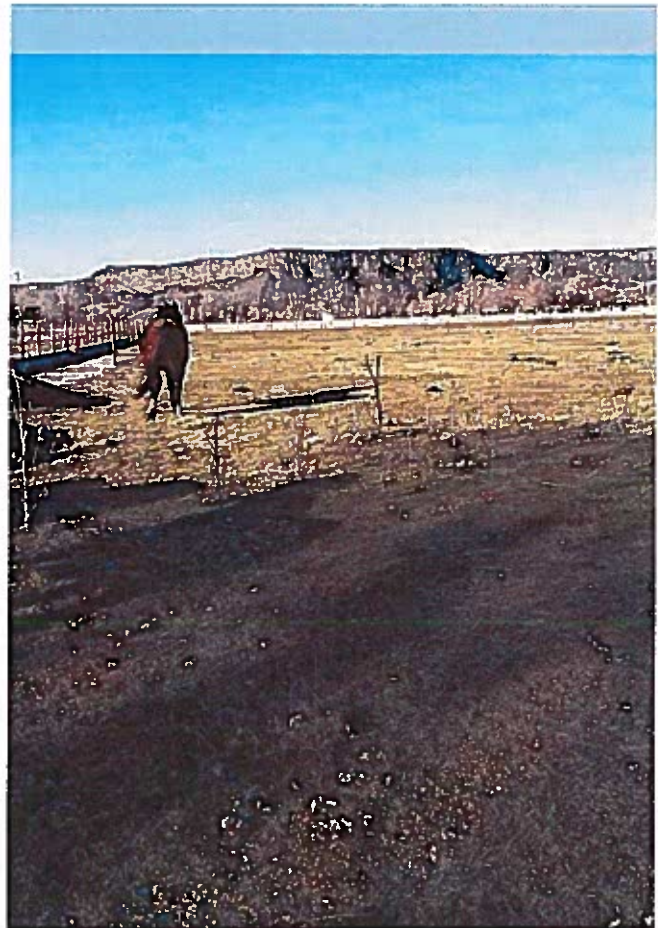
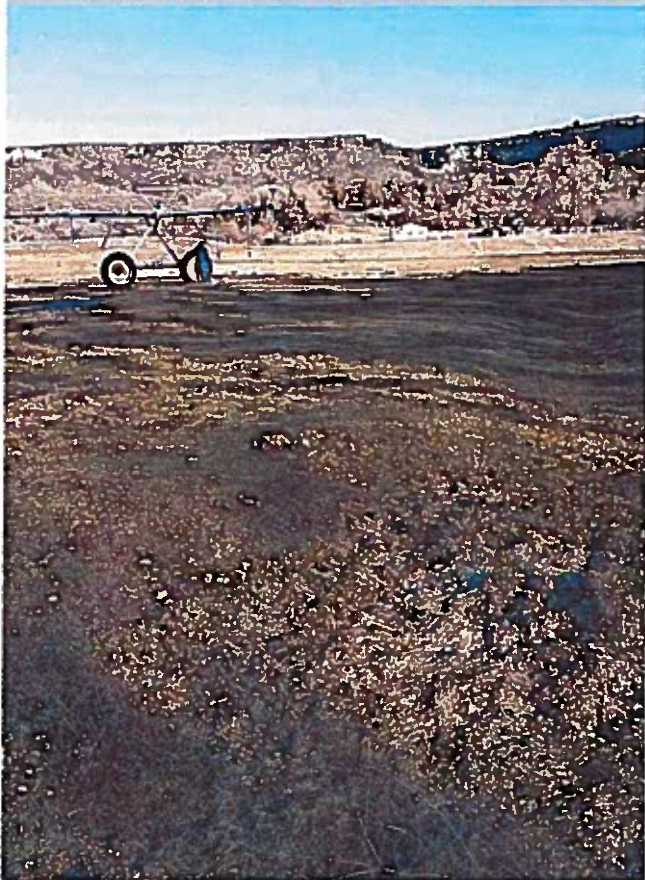
Yearly Volume 3.68 afa

Evaporation															
Open water - shallow systems (ponds, streams)															
Precipitation Deficit (Click here for a graph)															
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Growing Season ^a	Non Growing Season ^b	Annual
Mean ^d	mm/day												mm		
Monthly ^e	-0.17	0.27	1.54	2.74	3.71	4.74	5.42	4.75	3.93	2.29	0.21	-0.94	871	0	87
Days	31	29	31	30	31	30	31	31	30	31	30	31			
monthly mm		7.83	47.74	82.2	115.01	142.2	168.02	147.25	117.9	70.99	6.3		905.44		

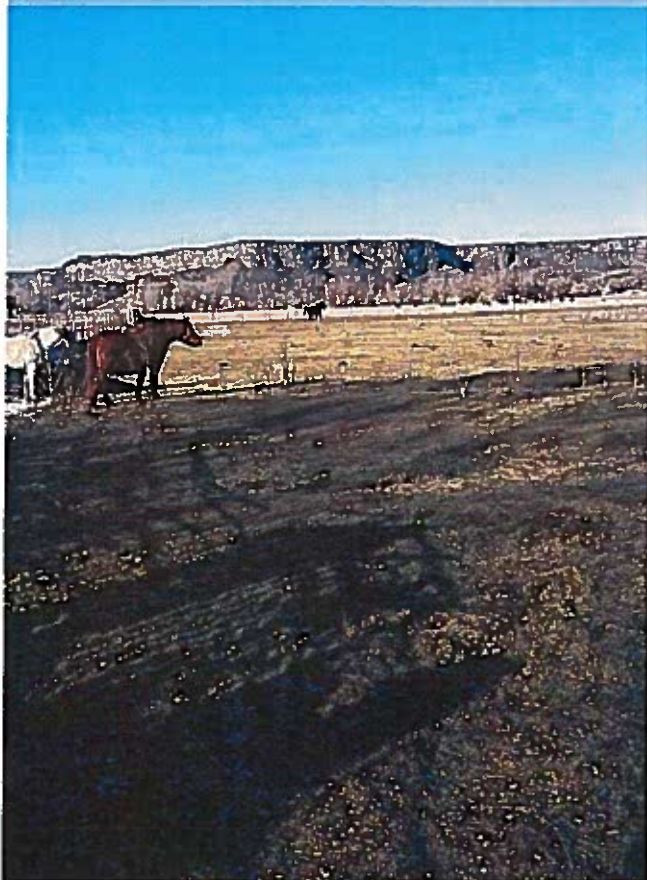
Yearly Volume 2.97 afa afa

TRANSFER 80835

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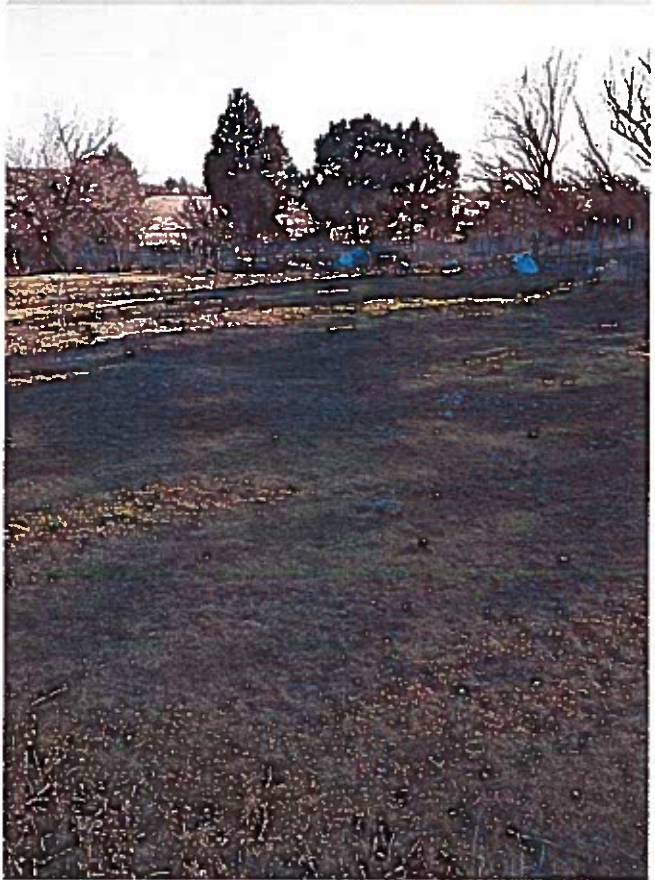
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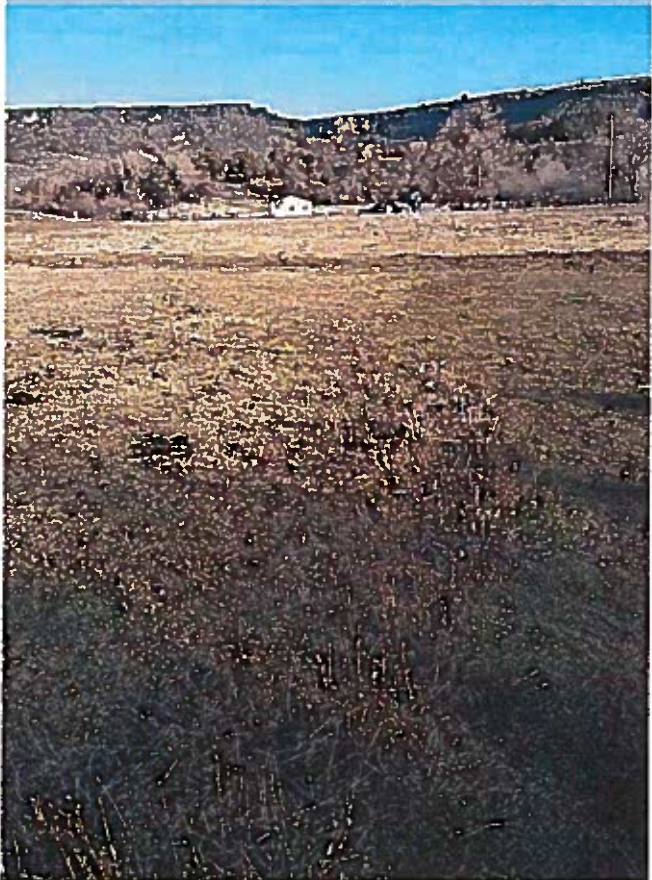
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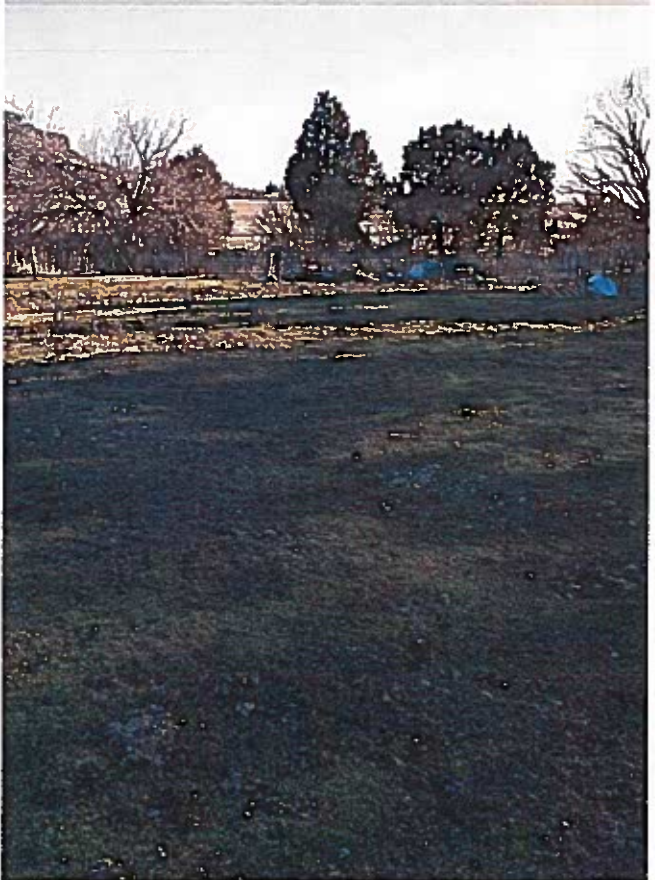
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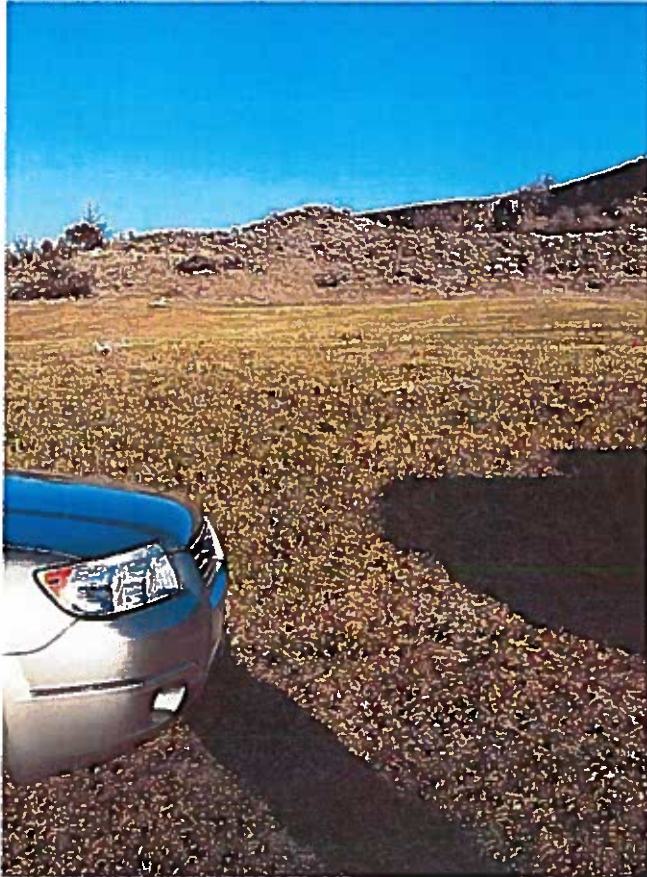
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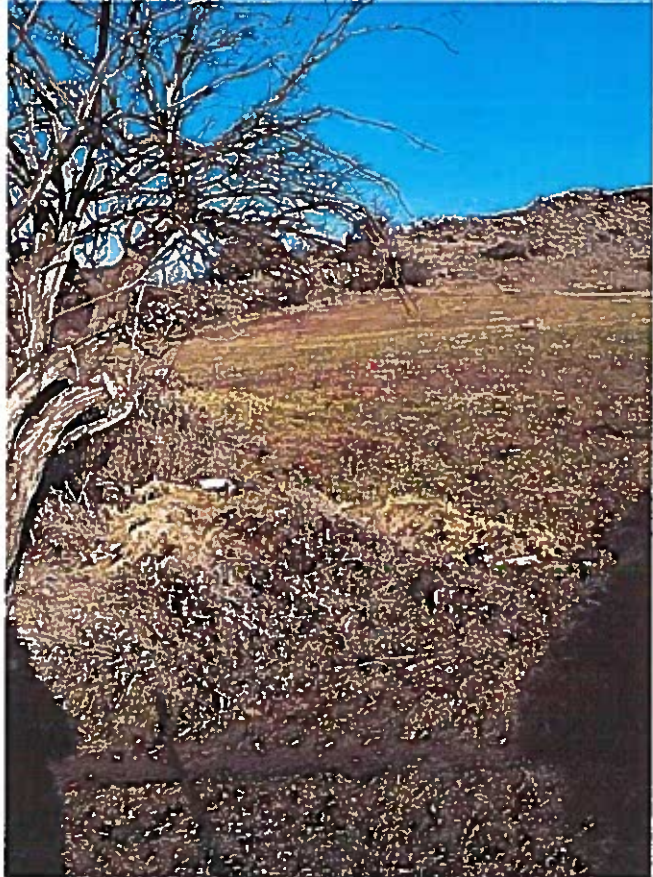
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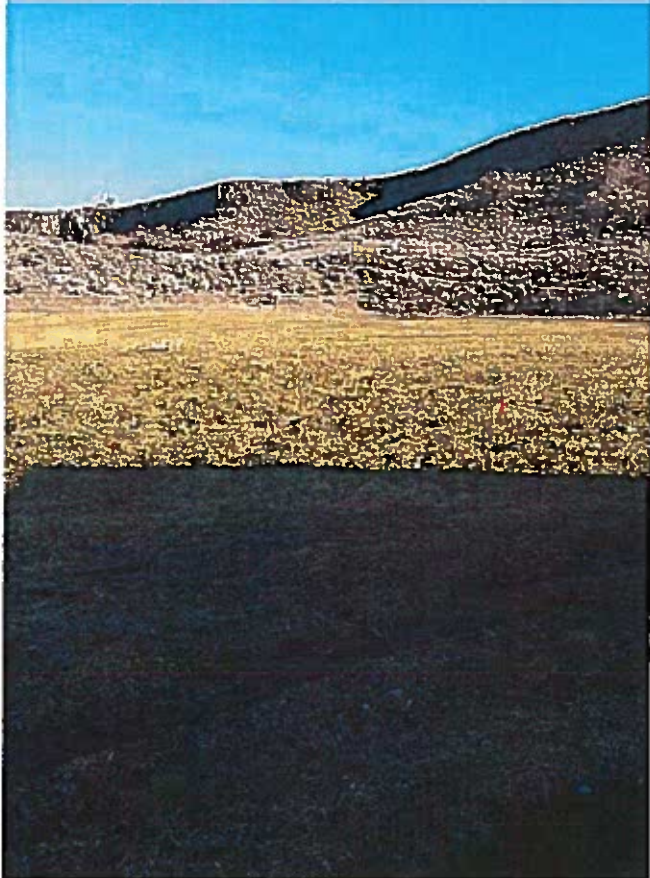
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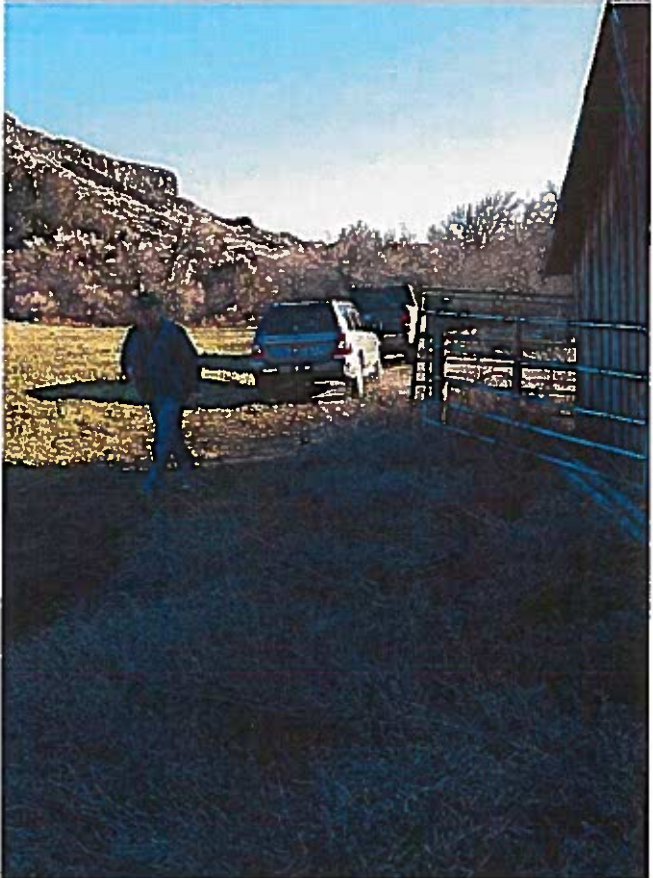
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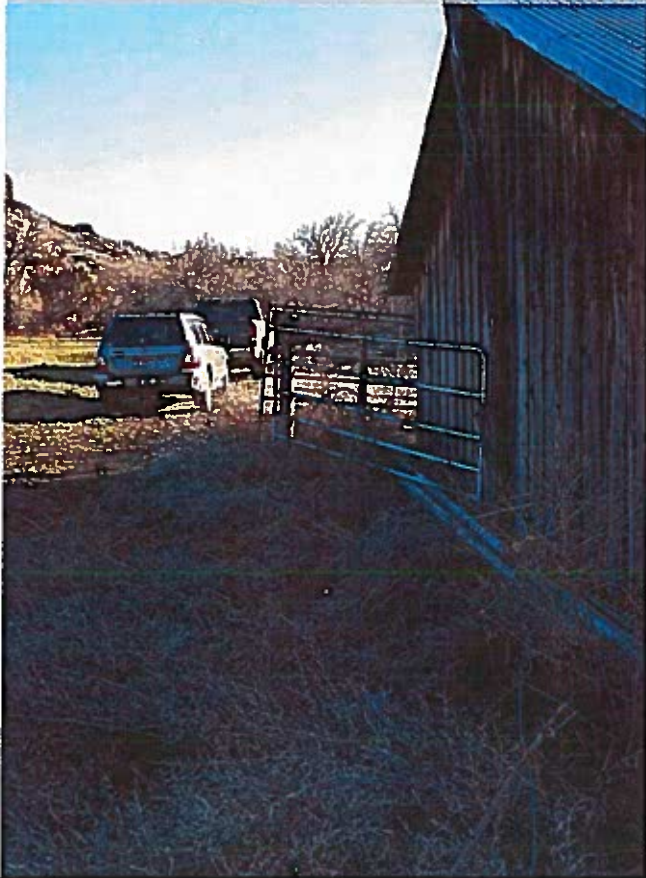
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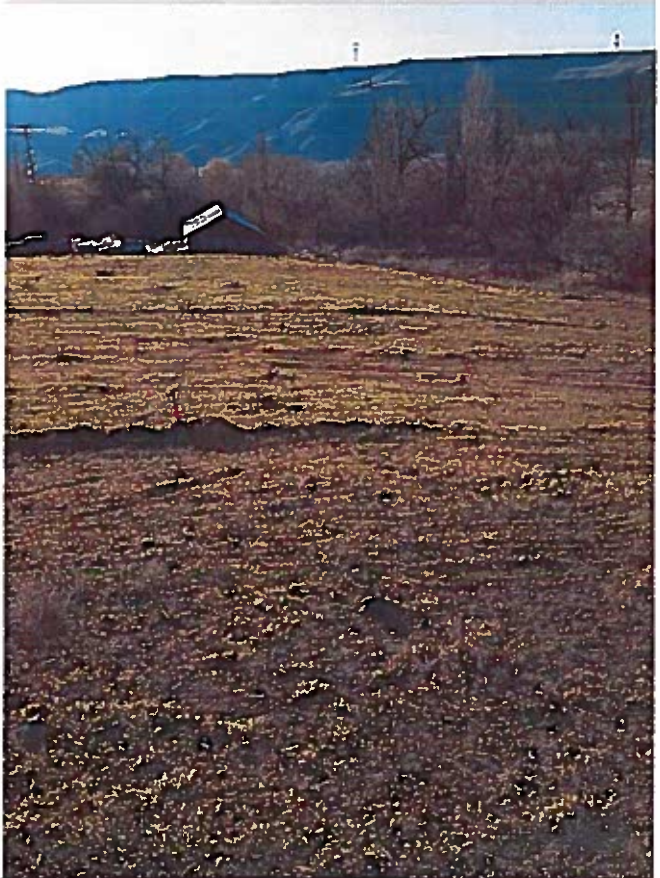
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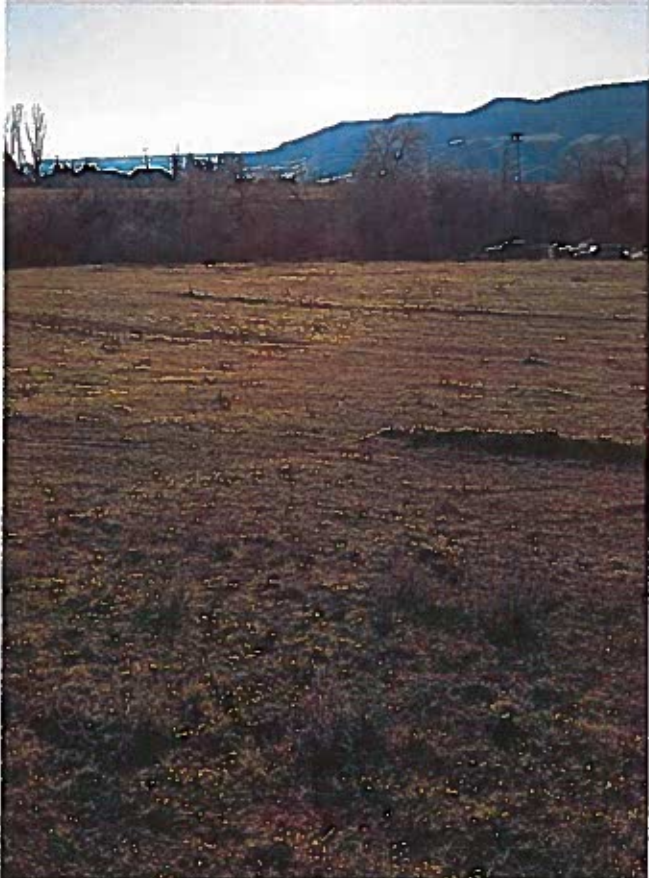
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BRG: 169.0° LAT: 42.849876 LON: -114.891479



BRG: 335.6° LAT: 42.849851 LON: -114.891505



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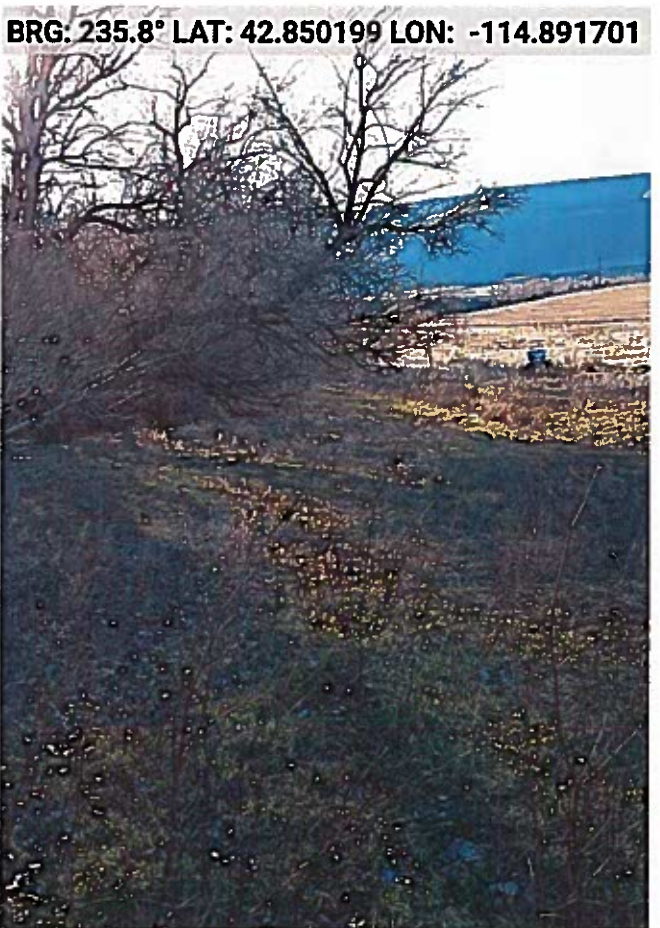
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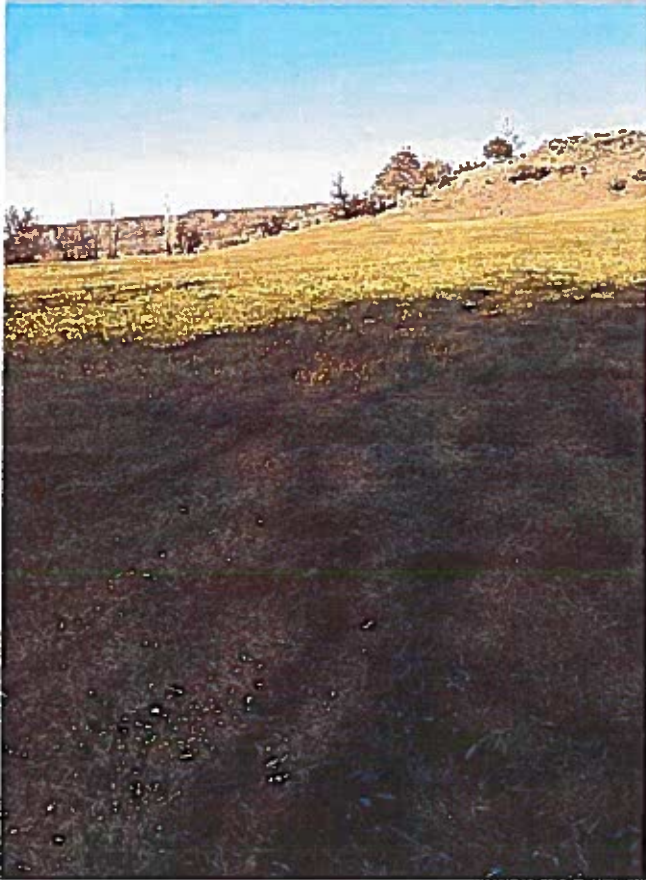
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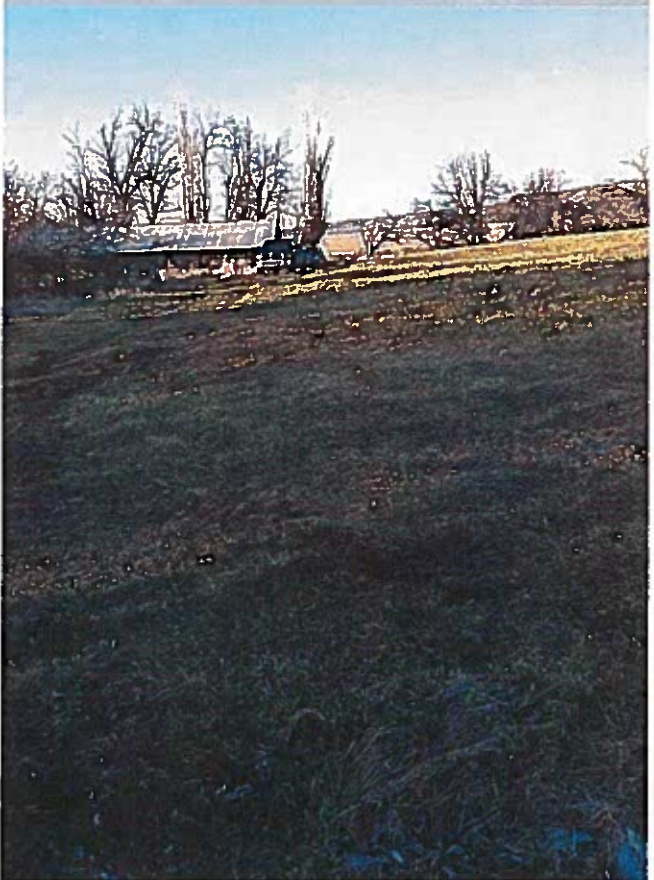
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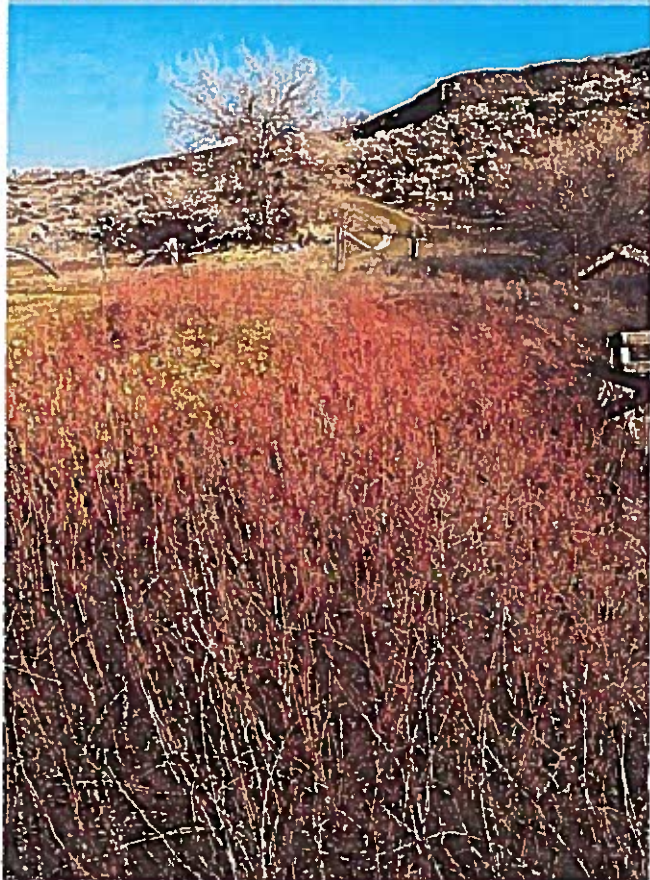
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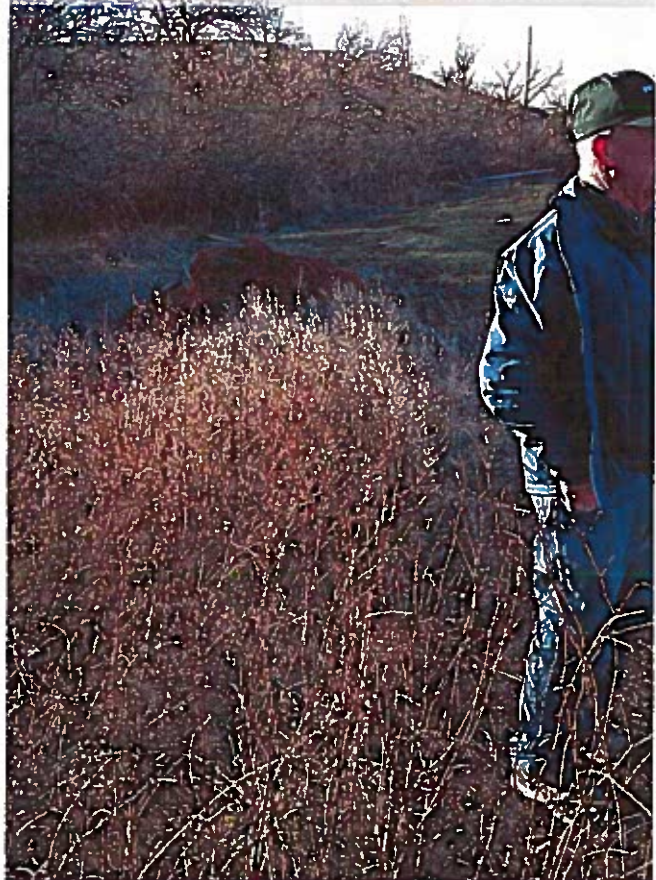
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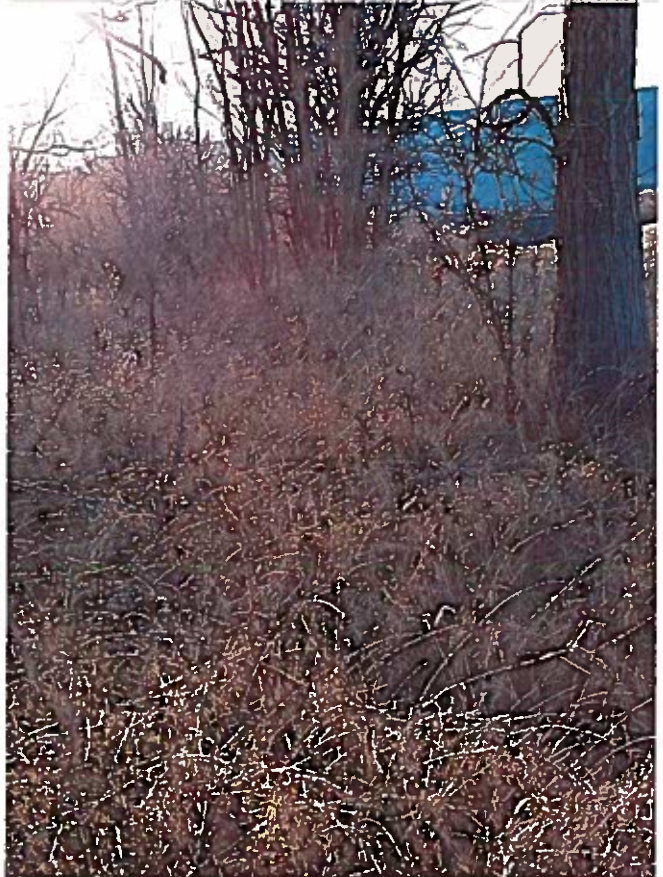
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BRG: 99.5° LAT: 42.849647 LON: -114.894974



BRG: 81.8° LAT: 42.849638 LON: -114.894971





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

April 29, 2016

JIM D SCARROW
3184 S 1900 E
WENDELL, ID 83355

RE: Application For Permit No. 36-17070

RE: Transfer No. 80835
Water Right No(s). 36-10446, 36-15094, 37-3155, 37-795, 37-796, 37-798

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS** on **5/5/2016 and 5/12/2016**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**May 23, 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 permit.

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

Sincerely,

Denise Maline
Administrative Assistant

cc:

BROCKWAY ENGINEERING PLLC
C/O HATTIE ZOBOTT
2016 N WASHINGTON ST STE 4
TWIN FALLS, ID 83301



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 29, 2016

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

Via hand delivery

RE: Application For Permit No. 36-17070

RE: Transfer No. 80835
Water Right No(s). 36-10446, 36-15094, 37-3155, 37-795, 37-796, 37-798

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, April 28, 2016 3:19 PM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News cover letter.docx; Times News ad.doc

Attached please find (1) legal notice being submitted for publication on May 5th & 12th, 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

April 28, 2016

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

RE: Application For Permit No.(s): 36-17070, 47-17656

RE: Transfer No. 80835
Water Right No(s): 36-10446, 36-15094, 37-3155, 37-795, 37-796, 37-798

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 May 23, 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:

36-17070

JIM D SCARROW

3184 S 1900 E

WENDELL, ID 83355

Point of Diversion L4(SWNW) S1 T07S R13E GOODING County Source WASTE WATER Tributary SNAKE RIVER

Point of Diversion L4(SWNW) S1 T07S R13E GOODING County Source WASTE WATER Tributary SNAKE RIVER

Use: AESTHETIC 01/01 to 12/31 3 CFS

Use: AESTHETIC STORAGE 01/01 to 12/31 9.1 AF

Use: DIVERSION TO STORAGE 03/15 to 11/15 3 CFS

Use: IRRIGATION 03/15 to 11/15 0.56 CFS

Use: IRRIGATION FROM STORAGE 03/15 to 11/15 141 AF

Use: IRRIGATION STORAGE 03/15 to 11/15 141 AF

Use: WILDLIFE 01/01 to 12/31 3 CFS

Use: WILDLIFE STORAGE 01/01 to 12/31 9.1 AF

Total Diversion: 3 CFS

Date Filed: 3/11/2016

Place Of Use: AESTHETIC, AESTHETIC STORAGE, WILDLIFE, WILDLIFE STORAGE, IRRIGATION STORAGE

T06S R13E S35 SWSW

Place Of Use: IRRIGATION, IRRIGATION FROM STORAGE

T06S R13E S34 NESE SESE

T06S R13E S35 SWSW

T07S R13E S1 L4(SWNW)

T07S R13E S2 L2(SWNE) L1(SENE)

Total Acres: 118.7

Application proposes to divert wastewater for uses associated with a pond located on a farm approximately 2.2 to 2.6 miles north of the City of Hagerman. A mitigation plan is attached to the application addressing consumptive use(s) associated with the project.

47-17656

CANYON SPRINGS LLC

C/O THOMAS ZIEGLER

113 ABBY RD

HAILEY, ID 83333

Point of Diversion L6(SWSWSE) S17 T09S R16E TWIN FALLS County Source SPRINGS Tributary SNAKE RIVER

Point of Diversion L6(SWSWSE) S17 T09S R16E TWIN FALLS County Source SPRINGS Tributary SNAKE RIVER

Point of Diversion L6(SWSWSE) S17 T09S R16E TWIN FALLS County Source SPRINGS Tributary SNAKE RIVER

Use: AESTHETIC 01/01 to 12/31 7 CFS

Use: AESTHETIC STORAGE 01/01 to 12/31 617 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 7 CFS

Use: RECREATION 01/01 to 12/31 7 CFS

Use: RECREATION STORAGE 01/01 to 12/31 617 AF

Use: WILDLIFE 01/01 to 12/31 7 CFS

Use: WILDLIFE STORAGE 01/01 to 12/31 617 AF

Total Diversion: 7 CFS

Date Filed: 3/11/2016

Place Of Use: AESTHETIC, AESTHETIC STORAGE, RECREATION, RECREATION STORAGE, WILDLIFE, WILDLIFE STORAGE

T09S R16E S17 L9(SWNW)

T09S R16E S18 L14(SENE)

Application proposes diverting up to 7.0 cfs from spring water for recreational, aesthetic and wildlife uses associated with existing ponds. Application also proposes to appropriate 617 AF for storage volume and evaporative and seepage losses associated with the same ponds. The springs and ponds are located approximately 5.0 miles north of Filer on the south side of the Snake River. A mitigation plan is included with the application.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80835**

JIM D SCARROW, 3184 S 1900 E, WENDELL, ID 83355; has filed Application No. 80835 for changes to the following water rights within GOODING County(s): Right No(s). 36-10446, 36-15094, 37-3155, 37-795, 37-796, 37-798. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes combining three Birch Creek rights (2.04 cfs), a South Fork of Birch Creek right (0.5 cfs), an unnamed stream right (0.09 cfs), and a wastewater right (0.61 cfs) to create a new 118.7 acre permissible place of use on a farm located approximately 2.2 to 2.6 miles north of the City of Hagerman. Existing diversions, plus two new proposed diversions for the wastewater right, will divert up to a total of 3.24 cfs for the irrigation of 48.6 acres within the new 118.7 acre permissible place of use to reflect current irrigation practices.

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 May 23, 2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on May 5th & 12th, 2016

MEMORANDUM

Date: April 26, 2016
To: Transfer 80835 File
From: Jana Reeder
Re: Evaluation of Sufficiency of Information Submitted

Application proposes combining three Birch Creek rights 37-795, 37-796 and 37-798 (2.04 cfs), a South Fork of Birch Creek right 37-3155 (0.5 cfs), an unnamed stream right 36-10446 (0.09 cfs), and a wastewater right 36-15094 (0.61 cfs) to create a new 118.7 acre permissible place of use on a farm located approximately 2.2 – 2.6 miles north of the City of Hagerman. Existing diversions, plus two new proposed diversions for the wastewater right, will divert up to a total of 3.24 cfs for the irrigation of 48.6 acres within the new 118.7 acre permissible place of use to reflect current irrigation practices.

The properties and points of diversion are located outside the ESPA but within Water District 130 so water master comments will be required. In addition, the administrative basin boundary for Basins 36 and 37 runs through the farm. The Birch Creek rights are located in Basin 37 with a season of use of 03/15-11/15 and the unnamed stream and the wastewater rights are located in Basin 36 with a season of use of 2/15-11/30.

Note, companion Application for Permit 36-17070 was filed with this transfer to permanently dry up 2.5 acres to mitigate for a pond on the farm. After approval of both applications the water rights involved with this transfer will be updated to reflect the 2.5 acres that will be dried up in the permit.

- **Authority to File:**
The applicant is listed as the current owner of water right 36-10446, 36-15094, 37-795, 37-796, 37-798 and 37-3155 according to IDWR records.
- **Water Right Validity:**
Water right Rights 36-10446, 36-15094, 37-795, 37-796, 37-798 and 37-3155 were partially decreed in the SRBA. Recent aerial photography and pictures filed with the application indicate the acres are being irrigated.
- **Injury to Other Water Rights:**
None anticipated. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**
None Anticipated
- **Effect of the Agricultural Base of the Area:**
None Anticipated

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: April 15, 2016

To: Transfer 80835

From: Jana Reeder

Re: Fee Memo

Fee of \$740.00 is based on the flow rate of 3.24 cfs from the current transfer fee schedule.

Reeder, Jana

From: Hattie Zobott [hattie.zobott@brockwayeng.com]
Sent: Monday, April 11, 2016 12:13 PM
To: Reeder, Jana
Subject: Scarrow Permit and Transfer Revisions
Attachments: Scarrow Application_for_Permit Rev 04-11-16.pdf; Purpose of Use 04-11-16.pdf; POD revision 04-11-16.pdf

Dear Jana,

The attached revisions are based on our conversation last week. Please let me know if I missed a purpose of use. I am still a little unclear about the requirements for irrigation from storage. Also, please disregard the check box that indicated a change in the point of diversion. My intent was to correct the GIS location of the Birch Creek diversions and not to actually change them.

Thank you,

Hattie Zobott, P.E.

Brockway Engineering, PLLC
2016 Washington St. North, Suite 4
Twin Falls, ID 83301
(208) 736-8543
hattie.zobott@brockwayeng.com

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

Reeder, Jana

From: Hattie Zobott [hattie.zobott@brockwayeng.com]
Sent: Wednesday, April 06, 2016 8:55 AM
To: Reeder, Jana
Cc: Skinner, Corey
Subject: RE: Scarrow apps

Jana,

Please correct the QQ as indicated. Thank you.

On the acreage and volume calculations:

The new permit will cover the entire farm less mitigation for Birch Creek. The base right of Birch Creek is 48.6 acres, less 2.5 acres is 46.1 acres. The waste water right overlaps the area that the mitigation is occurring. Therefore, the waste water of 20.4 acres, less 2.5 acres is 17.9 acres. The reduced total allowance of 46.1, less 17.9 is 28.2 acres that we need a permit to irrigate. The irrigation storage is $28.2 \times 5 = 141.0$ afa.

I originally planned on mitigating only with the Birch Creek Right (That is where the 25.7 acres came from). In our meeting in February, Corey recommended that we mitigate with the Birch Creek and the Waste Water. We ended up picking an area of the farm that was historically irrigated with all three sources: Birch Creek, Waste Water, and Unnamed Stream. My permit application uses all three sources for mitigation. I feel this is best based on the historical use. The breakdown of acreage, cfs, and source is in Appendix A.

What do you think?

--Hattie

Hattie Zobott, P.E.

Brockway Engineering, PLLC
2016 Washington St. North, Suite 4
Twin Falls, ID 83301
(208) 736-8543
hattie.zobott@brockwayeng.com

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: Reeder, Jana [<mailto:Jana.Reeder@idwr.idaho.gov>]
Sent: Tuesday, April 05, 2016 4:53 PM
To: Hattie Zobott <hattie.zobott@brockwayeng.com>
Cc: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>
Subject: Scarrow apps

Hey Hattie,

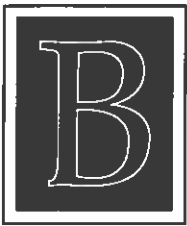
Sorry I have not responded back to you sooner but I was out of the office all last week.. I have attached the Scarrow Application for Permit, it still has some issues we need to discuss. Please look over the highlighted items on the application. I think your numbers were calculated without taking out the 2.5 acres of mitigation.



The transfer appears correct but I have attached the pod exhibit for your reference. Did Jim plan to change the Southfork pod to Birch Creek? I don't remember that in our discussion.

Call me at your convenience so we can move forward with processing.

Thanks,
Jana



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

MAR 11 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

March 11, 2016

Jana Reeder
650 Addison Avenue West,
Suite 500
Twin Falls, ID 83301-5858

Re: Jim Scarrow Irrigation Transfer and New Permit-Resubmittal

Dear Ms. Reeder:

The enclosed transfer application and new permit application are being re-submitted. Please use the fee submitted with the original application of \$1070.00 and do not return the fee as described in your letter dated February 26, 2016.

The transfer and the new permit will enable the applicant to fully utilize a new NRCS conservation pond on his property. The pond sizing requires the applicant to seek a water permit to divert Waste Water through the off stream structure. The applicant desires to use the pond to reduce the sediment in the Waste Water stream that flows through his property. The applicant would also like to substitute Waste Water for Birch Creek water to irrigate his farm when the Waste Water flow is sufficient. The applicant proposes to fully mitigate for the pond with irrigation acreage.

Thank you for consideration of these applications. Please feel free to contact me with any questions or concerns.

Sincerely,

Hattie Zobott, P.E.

Cc: Jim D. Scarrow

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

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

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State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5851
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN

February 26, 2016

Jim D Scarrow
3184 S 1900 E
Jerome, ID 83355

Dear Mr. Scarrow:

Upon review the Department is returning three applications for permit and one application for transfer that were submitted on your behalf by Hattie Zobott of Brockway Engineering. As we discussed in our conference on February 25, 2016, the applications do not comply with the Department's minimum requirements and are considered incomplete. In order to be processed several corrections will need to be completed on the transfer and the new application for permit.

As you recall the transfer has issues with both the points of diversion and the new permissible place of use. The application also needs to identify the 2.7 acres that are being dried up for mitigation purposes. We also discussed dropping water right 36-10446 from the transfer as it appears to be a separate system.

In addition, the three applications for permit will be combined into one application for diversion to storage, wildlife & aesthetic, irrigation and irrigation from storage uses and will be mitigated by the 2.7 acres that are being dried up in the transfer.

In closing, the fee you submitted was correct. As we also discussed if replacement applications are not returned within 30 days the Department will refund the check #13199 in the amount of \$1070.00.

If you have any questions, or if I can be of any assistance, feel free to contact me at your convenience at 208-736-3033.

Sincerely,

Jana Reeder
Sr. Water Resource Agent
IDWR

Cc Brockway Engineering, PLLC