

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 80764

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED
MAR 16 2016

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

Name of Applicant(s) William Toevo and Joanne Toevo

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

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

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

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) William Toevs and Joanne Toevs Phone 208-604-2599
Mailing address 2841 W 1800 S Aberdeen, Idaho 83210 Email _____

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

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

☐ No Representative

Name of Representative Greg Sullivan Phone 208-736-8543
Mailing address 2016 N Washington St Ste 4 Twin Falls, Id 83301 Email greg.sullivan@brockwayeng.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

William R Toevs
Signature of Applicant or Authorized Representative

William R Toevs
Print Name and Title if applicable

3/6/2016
Date

Joanne L Toevs
Signature of Applicant or Authorized Representative

Joanne L. Toevs
Print Name and Title if applicable

3/6/16
Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use

☐ Change nature of use ☐ Change period of use ☐ Other _____
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.

Transfer these acres to two new wells with new delivery system.

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.

[illegible]

Total authorized under rights 2.79 cfs and/or 1048 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.88 cubic feet per second and/or 328 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**.

[illegible]

4. Place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

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

[illegible]

***82.0 Acres will be irrigated within the 461.4 acre PPU.**

Total Acres (for irrigation use)	461.4*
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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:

Two new wells will be drilled and a new delivery system will be installed.

- b. Who owns the property at the point(s) of diversion? William Toevs and Joanne Toevs

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: None

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

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

Land will no longer be irrigated.

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

None

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/17/2016

Water Right 35-7246M

Owner Type **Name and Address**
Current Owner WILLIAM R TOEVS
 2841 W 1800 S
 ABERDEEN, ID 83210
 (208)604-2599

Current Owner JOANNE TOEVS
 2841 W 1800 S
 ABERDEEN, ID 83210
 (208)604-2599

Priority Date: 9/5/1972

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	1.680 CFS	664.0 AF
	Total Diversion		1.680 CFS	664.0 AF

Source and Point(s) of Diversion

GROUND WATER SENESW Sec. 16, Twp 04S, Rge 31E, BINGHAM County

Place Of Use

IRRIGATION within BINGHAM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	31E	16									25.7	25.7	25.7	25.7	25.6	25.6		12.0	166.0

POU Total Acres: 166.0

Conditions of Approval:

1. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
2. X63 All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
3. 067 The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/17/2016

unified decree entered 08/26/2014.

Dates and Other Information

Decreed Date: 6/2/2003
State or Federal: S
Owner Name Connector: AND
Water District Number: 120
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 4.0
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
35-7246M ,35-7632A ,35-13609		264.0

SubCase:

SubCaseNumber: 35-7246M
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date: 4/17/2003
Attorney Assigned:
Adjudication Agent:
Basis of Claim:
Date Filed:
Objection Status:

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/17/2016

Water Right 35-13609

Owner Type **Name and Address**
Current Owner WILLIAM R TOEVS
2841 W 1800 S
ABERDEEN, ID 83210
(208)604-2599

Current Owner JOANNE TOEVS
2841 W 1800 S
ABERDEEN, ID 83210
(208)604-2599

Priority Date: 9/5/1972

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.610 CFS	192.0 AF
	Total Diversion		0.610 CFS	192.0 AF

Source and Point(s) of Diversion

GROUND WATER NESW Sec. 16, Twp 04S, Rge 31E, BINGHAM County

Place Of Use

IRRIGATION within BINGHAM County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	31E	16									33.0	33.0	33.0	33.0	33.0	33.0		16.0	214.0

Right Acre Limit: 48.0

POU Total Acres: 214.0

Conditions of Approval:

1. X27 This right is limited to the irrigation of 48.0 acres within the authorized place of use in a single irrigation season.
2. X35 Rights 35-13609 and 35-7246M when combined shall not exceed the irrigation of 214.0 acres.
3. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
4. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. 131 Prior to the diversion and use of water under Transfer approval 73345, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

3/17/2016

- the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
 7. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
 8. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 9. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates and Other Information

Decreed Date: 2/19/2002

State or Federal: S

Owner Name Connector: AND

Water District Number: 120

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 4.0

Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		264.0
35-7246M ,35-7632A ,35-13609		

SubCase:

N/A

Water Supply Bank:

N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

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

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

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

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

B. CHANGES IN NATURE OF USE (Water Balance)

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

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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

[illegible]**FOR DEPARTMENT USE ONLY**

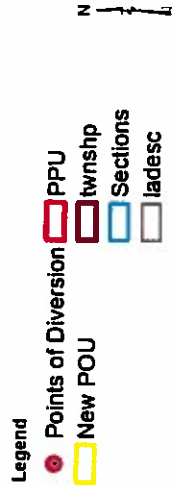
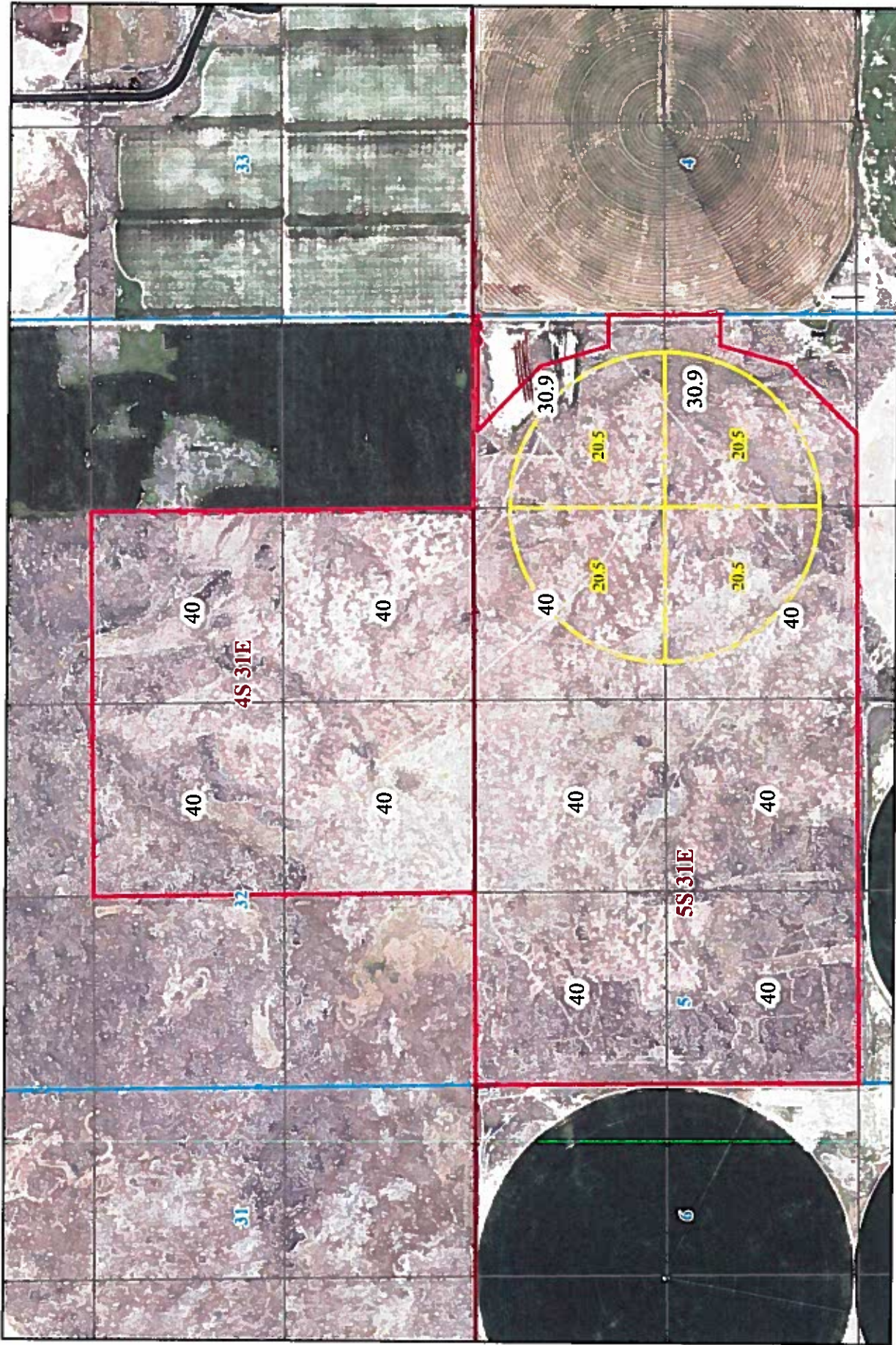
Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid 580.00 Date 3-16-16 Received by u Receipt # 2041915

Add'l fee paid _____ Date _____ Received by WJ Receipt # _____

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



TOEVS, WILLIAM & JOANNE
TRANSFER PPU 2016
NAIP 2015 AERIAL

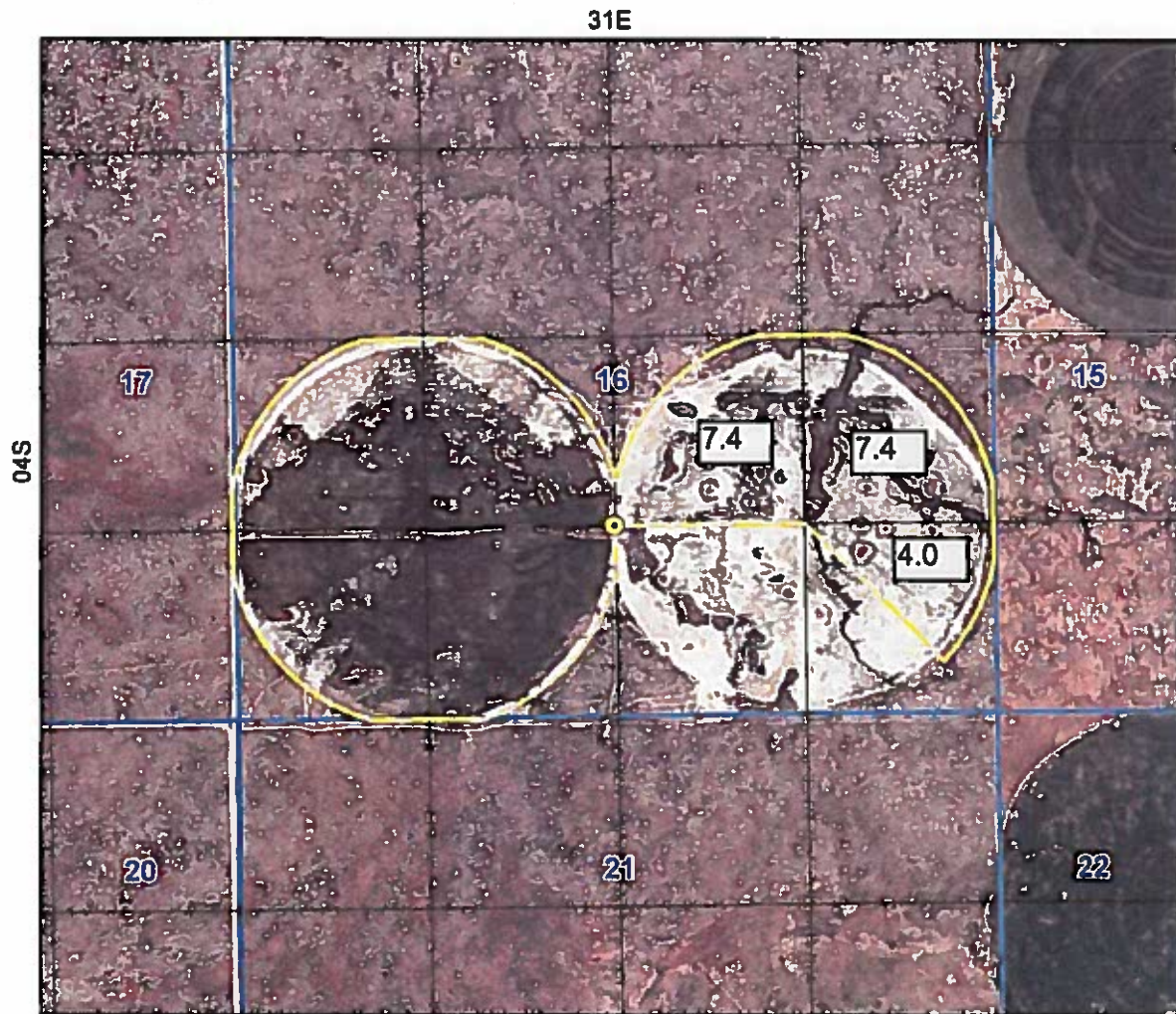


State of Idaho
Department of Water Resources

Water Right
35-13609

IRRIGATION

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



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

0 0.15 0.3 0.6 Miles



Map produced on March 22, 2016

80764

State of Idaho
Department of Water Resources

Water Right
35-7246M

IRRIGATION

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



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

0 0.15 0.3 0.6 Miles



Map produced on March 22, 2016

80764

Mitigation Analysis Period

Transfer 1 2 Transfer 2
Annual Aft:1

Total Reach Depletion Impacts

AFT:	-0.1	-0.2	-0.7	-1.45	0.2	0.6	0.7	0.3	0.2	0.2	0.0
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One-Way Analysis of Independent Transfers

Transfer 1:

Toews Transfer 2010

WR No.	Div Rate (CFB)	Con. Vol (AFA)	No. of Irr. Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT	Model Node
Transfer 1: Proposed Steady State Impacts following Transfer							
Transfer: Worst Case Transient State Impacts following Transfer							

100 0% Pre-88 328 0 AFA 82.0 Acres
100 0% Post-88 328 0 AFA 82.0 Acres

Impact by Reach (AFT/Transfer)

Ashton to Reuberg	Hesse to Shelby	Shelby to He Bickitt	He Bickitt to Neesley	Neesley to Minnesota	Dev. Wtd. To Buhl	Buhl to 1000 Spr	1000 Spr to Mated	Mated to Bancroft		
2.35	7.08	21.55	67.83	0.93	2.75	3.12	1.39	0.88	0.80	0.05
2.28	6.84	20.84	66.38	1.18	3.38	3.84	1.71	1.08	0.98	0.06
2.35	7.08	21.55	67.83	0.93	2.75	3.12	1.39	0.88	0.80	0.05
2.28	6.84	20.84	66.38	1.18	3.38	3.84	1.71	1.08	0.98	0.06

Steady State Analysis

Mitigation Check 1 - >10% of Historical	-3.2%	-3.2%	-3.3%	-3.1%	88.6%	23.6%	23.6%	23.6%	23.6%	23.6%	23.6%
Mitigation Check 2 - > 2 AFT	-0.1	-0.2	-0.7	-1.4	0.2	0.63	0.7	0.3	0.2	0.2	0.0
Mitigation Check 3 - >10% of Total	2.1%	6.3%	19.2%	61.1%	1.1%	3.1%	3.5%	1.5%	1.0%	0.9%	0.1%
Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft)	-0.1	-0.2	-0.7	-1.4	0.2	0.63	0.7	0.3	0.2	0.2	0.0

Transient State Analysis

Mitigation Check 1 - >10% of Historical	-3.2%	-3.2%	-3.3%	-3.1%	88.6%	23.6%	23.6%	23.6%	23.6%	23.6%	23.6%
Mitigation Check 2 - > 2 AFT	-0.1	-0.2	-0.7	-1.4	0.24	0.63	0.7	0.3	0.2	0.2	0.0
Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft)	-0.1	-0.2	-0.7	-1.4	0.24	0.63	0.7	0.3	0.2	0.2	0.0

Transfer 2:

WR No.	Div Rate (CFB)	Con. Vol (AFA)	No. of Irr. Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT	Model Node
Transfer: Proposed Steady State Impacts following Transfer							
Transfer 1: Worst Case Transient State Impacts following Transfer							

0 0% Pre-88 0 0 AFA 0 0 Acres
0 0% Post-88 0 0 AFA 0 0 Acres

Impact by Reach (AFT/Transfer)

Ashton to Reuberg	Hesse to Shelby	Shelby to He Bickitt	He Bickitt to Neesley	Neesley to Minnesota	Dev. Wtd. To Buhl	Buhl to 1000 Spr	1000 Spr to 1000 Spr to Mated	Mated to Mated to Bancroft
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Steady State Analysis

Mitigation Check 1 - >10% of Historical	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Mitigation Check 2 - > 2 AFT	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Mitigation Check 3 - >10% of Total	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Transient State Analysis

Mitigation Check 1 - >10% of Historical	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Mitigation Check 2 - > 2 AFT	0.0	0.0	0.0	0.0	0.00	0.00	0.0	0.0	0.0	0.0	0.0
Mitigation Required?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft)	0.0	0.0	0.0	0.00	0.00	0.00	0.0	0.0	0.0	0.0	0.0

Evaluation of overall mitigation requirements per reach, Steady State and Transient State, and Off-Setting Benefits (Sum of reach credits only where mitigation is required and credits)

Carry out one way analysis. If reach depletions go up, it is a debit, if they go down, it is a credit. Sum all debits, only where mitigation is required (dark yellow), and all credits (light yellow). Mitigation is required for the full amount of the summed values if greater than zero.

Steady state analysis represents permanent mitigation requirements at future steady state (or last timestep from the ESPAM Transfer Tool model run).

Transient state analysis represents mitigation requirements for the worst or maximum time step in the model run.

Steady State Summary of Modified Stream Depletions Following Transfer(s)

Impact by Reach (AFT/Transfer)

Reaching	From to	Shelley to	Ne Blackf to	Ne Blackf to	Ne Blackf to	Dev. Wtd. To	Built to	1000 Spr	1000 Spr to	Mixed	Mixed to
Reaching	Shelley	Ne Blackf	Ne Blackf	Ne Blackf	Ne Blackf	Built	1000 Spr	1000 Spr	Mixed	Mixed	Barcroft
1	-0.1	-0.2	-0.7	-1.4	0.2	0.6	0.7	0.3	0.2	0.2	0.0
2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
8	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
9	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
10	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
11	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
12	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
13	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
14	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
15	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
16	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
17	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
18	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
19	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Summary	-0.1	-0.2	-0.7	-1.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Evaluation of transient state mitigation requirement is not comprehensive across all time steps. Instead this evaluation finds the maximum stream depletion following the start of the transfer and looks at depletion amounts from that time step. In many instances this depletion is greater than the depletion associated with the steady state condition or final time step. This evaluation is merely an indicator of whether transient depletions must be considered, not an indicator of all transient impacts.

Transient State Summary of Modified Stream Depletions Following Transfer(s)

Impact by Reach (AFT/Transfer)

Reaching	From to	Shelley to	Ne Blackf to	Ne Blackf to	Ne Blackf to	Dev. Wtd. To	Built to	1000 Spr	1000 Spr to	Mixed	Mixed to
Reaching	Shelley	Ne Blackf	Ne Blackf	Ne Blackf	Ne Blackf	Built	1000 Spr	1000 Spr	Mixed	Mixed	Barcroft
1	-0.1	-0.2	-0.7	-1.4	0.2	0.6	0.7	0.3	0.2	0.2	0.0
2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
8	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
9	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
10	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
11	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
12	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
13	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
14	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
15	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
16	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
17	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
18	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
19	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Summary	-0.1	-0.2	-0.7	-1.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Evaluation of Permanent Mitigation Efforts (non-use, acreage consolidation) In Addition to Off-Setting Transfer Benefits - Steady State Evaluation Only

Set Aside 1 (Non-Use/Deactivation):

WR No.	Div Rate	Con. Vol.	No. of Irr.	Priority	POD	Dedicated Vol.	Model
(CFB)	(AFA)	Acres	Date	Location	AFA/ AFT	Node	

Non-Use: Proposed Steady State Impacts following Change

Non-Use 1: Worst Case Transient State Impacts following Change

Impact by Reach (AFT/Transfer)

Reaching	From to	Shelley to	Ne Blackf to	Ne Blackf to	Ne Blackf to	Dev. Wtd. To	Built to	1000 Spr	1000 Spr to	Mixed	Mixed to
Reaching	Shelley	Ne Blackf	Ne Blackf	Ne Blackf	Ne Blackf	Built	1000 Spr	1000 Spr	Mixed	Mixed	Barcroft

Steady State

SS Reach Impacts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TS Reach Impacts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

No evaluation of overall mitigation requirements per reach, Steady State Only (Sum of reach credits only where mitigation is required and credits)

Steady State Summary of Modified Stream Depletions Following Transfer(s)

Impact by Reach (AFT/Transfer)

Reaching	From to	Shelley to	Ne Blackf to	Ne Blackf to	Ne Blackf to	Dev. Wtd. To	Built to	1000 Spr	1000 Spr to	Mixed	Mixed to
Reaching	Shelley	Ne Blackf	Ne Blackf	Ne Blackf	Ne Blackf	Built	1000 Spr	1000 Spr	Mixed	Mixed	Barcroft
Total 1-Way Transfer Depletions	-0.1	-0.2	-0.7	-1.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Mitigation Effects	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	-0.1	-0.2	-0.7	-1.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Transient State Summary of Modified Stream Depletions Following Transfer(s)

Impact by Reach (AFT/Transfer)

Reaching	From to	Shelley to	Ne Blackf to	Ne Blackf to	Ne Blackf to	Dev. Wtd. To	Built to	1000 Spr	1000 Spr to	Mixed	Mixed to
Reaching	Shelley	Ne Blackf	Ne Blackf	Ne Blackf	Ne Blackf	Built	1000 Spr	1000 Spr	Mixed	Mixed	Barcroft
Total 1-Way Transfer Depletions	-0.1	-0.2	-0.7	-1.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Mitigation Effects	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	-0.1	-0.2	-0.7	-1.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0

ENHANCED GROUND-WATER RIGHTS TRANSFER

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

IDAHO DEPARTMENT OF WATER

Cells this color are set up for user entries

ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON

YEAR
SEASON

1950

SPRING

TRANSFER NO:

TRANSFER NAME:

ENTER CELL LOCATIONS:

	TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL		252.8
ROW	80	78				75.2
COLUMN	108	111				

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	FROM2 WELL With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	FROM3 WELL With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SPR 1950	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1950	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1950	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1951	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1951	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1951	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1952	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1952	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1952	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1953	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1953	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1953	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1954	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1954	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1954	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1955	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1955	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1955	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1956	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1956	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1956	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1957	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1957	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1957	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1958	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1958	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1958	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1959	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1959	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1959	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1960	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1960	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1960	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1961	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1962	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1962	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1962	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1963	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1963	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1963	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1964	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1964	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1964	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1965	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1965	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1965	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1966	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1966	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1966	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1967	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1967	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1967	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1968	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1968	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1968	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1969	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1969	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1969	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1970	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1970	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 1970	0.0	0.0	0.0	0.0	0.0	0.0	0.0

1/21/2016

[illegible]

RECORDING REQUESTED BY:

Baker & Harris
266 W Bridge
Blackfoot, ID 83221

449845

Instrument # 658000

BINGHAM COUNTY, IDAHO
2014-04-22 03:51:29 PM No. of Pages: 2
Recorded for: FIRST AMERICAN TITLE - BLACKFO
SARA J. STAUB Fee: \$13.00
Ex-Officio Recorder Deputy KSecrist
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

space above this line for Recording use only

WARRANTY DEED

For Value Received, BECK'S BOVINE BEAUTIES, INC., an Idaho Corporation, the Grantor, does hereby grant, bargain, sell, and convey unto WILLIAM R. TOEVS and JOANNE L. TOEVS, of 2841 W 1800 S, Aberdeen, Idaho 83210, the Grantees, the following-described premises, located in Bingham County, to-wit:

Parcel 1:

Township 5 South, Range 31 E.B.M., Bingham County, Idaho
Section 5: N1/2

EXCEPTING:

Beginning at the SE corner of the NE1/4 of Section 5, running thence West 825 feet; thence Northeasterly to a point that is 468 feet North and 348 feet West of the Southeast corner of the NE1/4; thence Northeasterly to a point that is 213 feet West and 936 feet North of the SE corner of the NE1/4; thence East 213 feet; thence South 936 feet to the point of beginning.

ALSO EXCEPTING:

Beginning at the NE corner of Section 5, which is also the point of beginning, and running thence South 936 feet; thence West 213 feet; thence Northwesterly to a point that is 468 feet South and 348 feet West of the Northeast corner of Section 5; thence Northwesterly to a point that is 825 feet West of the Northeast corner of Section 5, along the section line; thence East 825 feet to the point of beginning.

Parcel 2:

Township 4 South, Range 31 E.B.M., Bingham County, Idaho
Section 32: E1/2SW1/4 and W1/2SE1/4

Parcel 3:

Township 5 South, Range 31 E.B.M., Bingham County, Idaho
Together with an easement for ingress, egress, utilities and for the placement of

RECORDING REQUESTED BY:
Baker & Harris
266 W Bridge
Blackfoot, ID 83221

449845

space above this line for Recording use only

WARRANTY DEED

For Value Received, BECK'S BOVINE BEAUTIES, INC., an Idaho Corporation, the Grantor, does hereby grant, bargain, sell, and convey unto WILLIAM R. TOEVS and JOANNE L. TOEVS, of 2841 W 1800 S, Aberdeen, Idaho 83210, the Grantees, the following-described premises, located in Bingham County, to-wit:

Parcel 1:

Township 5 South, Range 31 E.B.M., Bingham County, Idaho
Section 5: N1/2

EXCEPTING:

Beginning at the SE corner of the NE1/4 of Section 5, running thence West 825 feet; thence Northeasterly to a point that is 468 feet North and 348 feet West of the Southeast corner of the NE1/4; thence Northeasterly to a point that is 213 feet West and 936 feet North of the SE corner of the NE1/4; thence East 213 feet; thence South 936 feet to the point of beginning.

ALSO EXCEPTING:

Beginning at the NE corner of Section 5, which is also the point of beginning, and running thence South 936 feet; thence West 213 feet; thence Northwesterly to a point that is 468 feet South and 348 feet West of the Northeast corner of Section 5; thence Northwesterly to a point that is 825 feet West of the Northeast corner of Section 5, along the section line; thence East 825 feet to the point of beginning.

Parcel 2:

Township 4 South, Range 31 E.B.M., Bingham County, Idaho
Section 32: E1/2SW1/4 and W1/2SE1/4

Parcel 3:

Township 5 South, Range 31 E.B.M., Bingham County, Idaho
Together with an easement for ingress, egress, utilities and for the placement of

irrigation equipment including pump, panel, buried mainline and related equipment for the benefit of the above described property across the property described as: The North 30 feet of the following described property: Beginning at the NE corner of Section 5, which is also the point of beginning, and running thence South 936 feet; thence West 213 feet; thence Northwesterly to a point that is 468 feet South and 348 feet West of the Northeast corner of Section 5; thence Northwesterly to a point that is 825 feet West of the Northeast corner of Section 5, along the section line; thence East 825 feet to the point of beginning. Said easement to run with the land.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

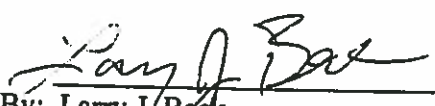
Subject to all existing rights-of-ways for public highways, protective covenants, utility lines, existing roadways, irrigation ditches and all building, zoning and other restrictions of use and all encumbrances of record.

No water rights are being transferred with this property.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said GRANTEES, their heirs and assigns forever. The said Grantor does hereby covenant to and with the said Grantees, that it is the owner in fee simple of said premises; that said premises are free from all encumbrances except as hereinabove set forth and that they will warrant and defend the same from all lawful claims whatsoever.

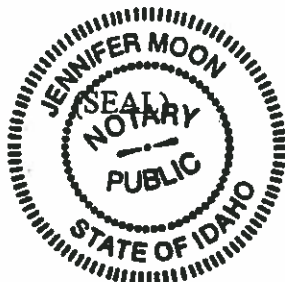
DATED this 22nd day of April, 2014.

BECK'S BOVINE BEAUTIES, INC.


By: Larry J. Beck
Its: President

STATE OF IDAHO }
COUNTY OF BINGHAM } ss

I, a notary public, do hereby certify that on this 22nd day of April, 2014, personally appeared before me LARRY J. BECK, who, being by me first duly sworn, declared that he is the President of BECK'S BOVINE BEAUTIES, INC., and the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.




Notary Public
Residing at Blackfoot
My Commission Expires: 1-10-20



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 30, 2016

WILLIAM R & JOANNE TOEVS
2841 W 1800 S
ABERDEEN, ID 83210

RE: Transfer No. 80764
Water Right No(s). 35-13609, 35-7246M

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 MORNING NEWS on 4/7/2016 and 4/14/2016. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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

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

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

Sincerely,

Judea Jones
Administrative Assistant

CC: BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 N WASHINGTON ST STE 4
TWIN FALLS, ID 83301

Cox, Sharla

From: Cox, Sharla
Sent: Wednesday, March 30, 2016 4:21 PM
To: 'Morning News (legals@am-news.com)'
Subject: Legal Notice for Your Newspaper
Attachments: Morning News E-Mail.doc

Contacts: Morning News

Sharla

Sharla Cox
Administrative Assistant
Idaho Dept of Water Resources
900 N Skyline Dr. Ste A.
Idaho Falls ID 83402
sharla.cox@idwr.idaho.gov
208-525-7161 phone
208-525-7177 fax

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 80779

VIOLA J WARD and DELOY Z WARD, 1305 S 2ND E, REXBURG, ID 83440; has filed Application No. 80779 for changes to the following water rights within BINGHAM County(s): Right No(s). 35-13257, 35-2099E; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows:

Change the point of diversion and change the place of use. The point of diversion is in SESENE Sec 35 T1S R34E for 0.47 cfs from ground water. The place of use is in Sec 35 T1S R34E for 40 acres.

TRANSFER NO. 80764

WILLIAM R TOEVS and JOANNE TOEVS, 2841 W 1800 S, ABERDEEN, ID 83210; has filed Application No. 80764 for changes to the following water rights within BINGHAM County(s): Right No(s). 35-13609, 35-7246M; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows:

Change the point of diversion, add a point of diversion, and change the place of use. Both points of diversion are in NENE Sec 5 T5S R31E for 0.88 cfs from ground water. The place of use is in S1/2 Sec 32 T4S R31E and N1/2 Sec 5 T5S R31E for 82 acres within a 461.4 acre permissible place of use.

For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before 4/25/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 4/7/2016 and 4/14/2016



BROCKWAY
ENGINEERING
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Hydraulics

Hydrology

Water Resources

RECEIVED

MAR 16 2016

Department of Water Resources
Eastern Region

March 11, 2016

James Cefalo
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

Re: William and Joanne Toevs Transfer

Dear Mr. Cefalo:

William and Joanne Toevs are submitting a transfer that will move 82.0 acres of water rights 35-7246M and 35-13609. It is proposed to transfer the water to two new wells that will be drilled after the transfer is approved in the ESPA model cell 80 108. The current POD for this water rights is located in the ESPA model cell 78 111.

The ownership, nature of use and period of use will not be changing with this transfer.

The ESPA model analysis for this transfer indicates that no mitigation is required.

Water rights 35-7246M and 35-13609 have been leased into the Idaho Water Supply Bank in previous year but is not currently under lease contract.

Please copy our office on all correspondence regarding this application.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: William Toevs

Enc: Transfer Application, Aerial Maps, ESPA Model Analysis, Warranty Deed, Brockway Engineering Check # 13234 for \$580.00

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

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

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

Jordan, Blake

From: Greg Sullivan [greg.sullivan@brockwayeng.com]
Sent: Tuesday, March 22, 2016 2:23 PM
To: Jordan, Blake
Subject: RE: William and Joanne Toevs Applicaton for Transfer 35-7246M and 35-13609
Attachments: Scan03227753.pdf

Blake,

See attached document for updated Part 1B.

Our draft personnel is out of the office this week so I have attempted some maps for you that show how many acres are being dried up from each water right.

The proposed PPU shape is based on the Warranty Deed that Deeded the property from Beck's Bovine Beauties, Inc. to William and Joan Toevs. So I am not sure where the error is. The Toev's have no intention of including any of Beck's Bovine Beauties, Inc. property into their PPU or POU.

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

From: Jordan, Blake [<mailto:Blake.Jordan@idwr.idaho.gov>]
Sent: Tuesday, March 22, 2016 8:41 AM
To: Greg Sullivan <greg.sullivan@brockwayeng.com>
Subject: William and Joanne Toevs Applicaton for Transfer 35-7246M and 35-13609

Hi Greg,

I have reviewed the Toevs transfer application and have found a few items that need your attention before I can move forward with processing the application. The items that need your attention are described below:

- The rate of diversion being changed for water right 35-13609 is in error (Part 1B). According to Part 2B for water right 35-13609, the rate of diversion and volume being changed should be 0.24 cfs and 75.2 acre-feet.
- The total authorized under the rights after the requested changed and the total amount of water proposed to be transferred is in error. The total authorized under the rights and total amount of water proposed to be transferred should be 0.88 cfs and 328.0 acre feet. The filing fee for 0.88 cfs is \$500.00. The amount that was paid for this application was \$580.00. We will refund the \$80.00.
- A map for the proposed acres to be removed was not provided. Please provide a map which outlines the 82.0 acres being changed under rights 35-7246M and 35-13609.
- The ownership of the property at the proposed permissible place of use is in question. According to the warranty deed and according to Bingham County Taxlot data. William and Joanne Toevs own approximately

30.7 acres in the NENE and 30.7 acres in the SENE of Section 5, 05S, 31E. According to the application, the proposed permissible place of use includes 33.0 acres in the NENE and 31.0 acres in the SENE of 05S, 31E, Section 5. It appears that the proposed PPU will include 2.3 acres in the NENE and 0.7 acres in the SENE owned by Becks Bovine Beauties, INC. Please provide a document authorizing the applicant to include Becks Bovine property as part of the proposed PPU.

Once the items discussed above have been addressed you are welcome to submit the changes by email. Let me know if you have any questions.

Thanks,
Blake

Receipt Details for ID E041915

Status	Adjustment Type	Version
		1

General Information:

Date Received 3/16/2016 9:49:14 AM	Date Deposited 3/16/2016 4:20:27 PM	Region EASTERN	Total Amount \$580.00	Payment Type Check
Payee: Brockway Engineering PLLC				

Account Information

Check Number 13234

Comment 35-7246M, 35-13609 - William and Joanne Toevs

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$580.00	TRANSFERS	63105	0229	21		1155

Partial Refund

\$ 80.00

