

RECEIVED

SEP 04 2015

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 80378MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

Name of Applicant(s) Gingerich Brothers FarmsCheck 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

Name of Applicant(s) Gingerich Brothers Farms Phone (208) 845-2868

Mailing address 47589 State Hwy. 78, Mountain Home, ID 83647 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 Roxanne Brown, SPF Water Engineering LLC Phone (208) 383-4140

Mailing address 300 Mallard Dr., Suite 350, Boise, ID 83706 Email rbrown@spfwater.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.

Verlin Gingerich
Signature of Applicant or Authorized Representative

Verlin Gingerich, Partner
Print Name and Title if applicable

4-30-15
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

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

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

Applicant seeks a change in the legal description of the place of use to more accurately describe the current irrigation practice using to pivots.

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 ☒ ☐	2-2356	5.06/1280	irrigation	3/1 to 12/1	Snake R./Columbia R.
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 5.06 cfs and/or 1280 acre-feet.

2. Total amount of water proposed to be transferred or changed 5.06 cubic feet per second and/or 1280 acre-feet per year.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

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

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5S	5E	34	40	2	40	31									35	40	36	32	256
Total Acres (for irrigation use)																			256

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Existing diversion works includes a measuring device and lockable controlling works as required by Water District 2.

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

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Existing point of diversion for pump station serving several decreed water rights.

- 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:
Land will be irrigated as described by this transfer application.

- 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:

The following water rights share the existing point of diversion: 2-10317, 2-10318, 2-10426, 2-10427, 2-10432, 2-2156, 2-2245A, 2-2245B, 2-2298, 2-2356, 2-2376, 2-7055, 2-7071, 2-7112A, 2-7112B, 2-7222

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

Yes No

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

If yes, describe:

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

Current Water Right No.: 2-2356

Current Owner: GINGERICH BROTHERS FARMS
Priority Date: 9/3/1964
Origin: Water Right
Status: Active
Basis: Decreed

Source

SNAKE RIVER

Tributary

COLUMBIA RIVER

Beneficial Use

IRRIGATION

From To

03/01 to 12/01

Total Diversion

Diversion Rate

5.06 CFS

5.06 CFS

Annual Volume

1280 AF

1280 AF

Location of Point(s) of Diversion

SNAKE RIVER

OWYHEE County

L6(NW1/4SW1/4)

Sec. 31, Twp 05S, Rge 06E B.M.

Place of Use

IRRIGATION Within OWYHEE County

T05S R05E S34	NENE	35.00	T05S R05E S34	SWNE	31.00
T05S R05E S34	SENE	40.00	T05S R05E S34	NESE	40.00
T05S R05E S34	NWSE	40.00	T05S R05E S34	SWSE	35.00
T05S R05E S34	SESE	35.00			

Total Acres: 256

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.
2. Rights 2-2156, 2-2245A, 2-2245B, 2-2298, 2-2355, 2-2376, 2-7055, 2-7071, 2-7112A, 2-7112B, 2-7182 and 2-7222 are also diverted through the point of diversion described above.

Decreed Date: 9/12/2012

Page 5

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.

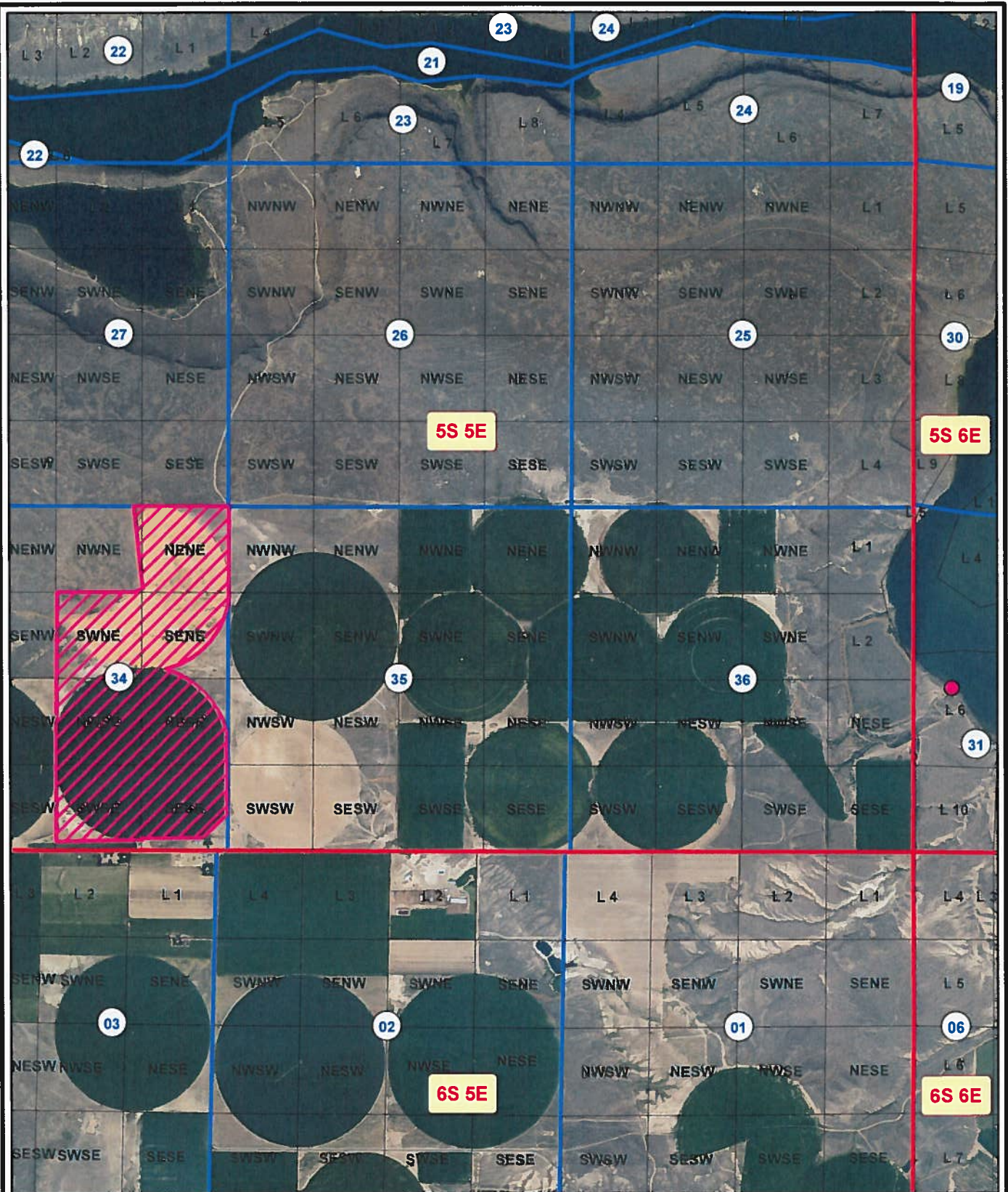
Received by J. Strange Date 9-4-2015 Preliminary check by _____ Date _____

Fee paid * 960.00 \$500.00 Date 9-4-2015 Received by J. Strange Receipt # C100967

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

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

* Fee is prorated to reflect change to a portion of right.
Refund has been requested. 08-9-15-2015



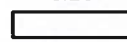
● Existing Point of Diversion

 Proposed Place of Use

**Attachment 7a/7b
2-2356 - Transfer Application**



0.25

 Miles



**SPF WATER
ENGINEERING**

Visosky, Steven

From: Visosky, Steven
Sent: Wednesday, September 23, 2015 2:42 PM
To: Van Dyke, Nick
Subject: RE: Transfer 80378 Gingerich Brothers Farm request for comment

Nick,

Thank you for your feedback and concern about the associated transfer. Per our phone conversation addressing your concern regarding the WSB lease app and a double dip, we will be moving forward with processing the transfer.

Steve

From: Van Dyke, Nick
Sent: Wednesday, September 23, 2015 1:32 PM
To: Visosky, Steven
Subject: RE: Transfer 80378 Gingerich Brothers Farm request for comment

Steven,

No concerns from Western, looks pretty straight fwd to me. If there was a change in pod location or amount of water diverted from said pod, that might be different. We are seeing a lot of activity down in the C.J. Strike /Grand View area due to WD 02 creation.

I guess only other thing I would watch for is a double dip with an associated WSB app. If the transfer is pulling water off those six corners to cover the ground in the NWNE Sec 34, is the WSB app touching those same corners?

Nick

From: Grimm, Angie
Sent: Monday, September 21, 2015 12:07 PM
To: Van Dyke, Nick
Subject: FW: Transfer 80378 Gingerich Brothers Farm request for comment

Nick,

Good morning! State Office staff is processing a transfer application proposing to change the POU for right 2-2356. Pam called me and said this transfer application does not require advertisement and is associated with a WSB application so they would like to process this transfer application (good training opportunity, etc.). Based on what Pam told me of the transfer, it seemed reasonable. It looks like Steven is processing and would like any comments/concerns we may have related to the transfer. Would you mind taking a look at this and giving Steven some feedback from the regional standpoint? These comments would be similar to criteria the region provides feedback on for WSB applications. Let's discuss anything alarming that comes up as you look this over. Thanks for your help with this!

Thanks,
Angie

From: Visosky, Steven
Sent: Monday, September 21, 2015 12:01 PM
To: Grimm, Angie
Subject: Transfer 80378 Gingerich Brothers Farm request for comment

Angie,

Application for Transfer 80378 for Right 2-2356 proposes to shift 17 acres of irrigation to reflect the current system. No other changes are proposed. The proposed POU is shown on the attached application map. The POU shape and tabular data do not include adjacent federal or other private lands.

Attached is the memo along with the application with a map for your reference. Please provide any comments or concerns within 14 days to allow continued processing of the application. This is the transfer application that was discussed with you that the State office would process as it has a lease application associated with it.

Thank you for your time.

Steven Visosky

Water Resource Agent
Idaho Department of Water Resources
322 E Front St
PO Box 83720
Boise ID 83720-0098
Phone (208) 287-4933
Fax (208) 287-6700
steven.visosky@idwr.idaho.gov

MEMORANDUM

Date: September 17, 2015
To: Transfer 80378
From: Steven Visosky
Re: Review & Evaluation of Sufficiency of Information

The proposed change in place of use shifts 17 acres within 6 of 7 QQs in Section 34, T05S, R05E. 2 of the 17 acres will be shifted to adjacent NWNE, S34 as to more accurately describe the irrigation pivot coverage. The new location of all 17 acres shifted is owned by the applicant per Owyhee County tax lot information.

The application was submitted by Roxanne Brown of SPF Engineering LLC along with other water right applications. The fee for this application is based on the prorated amount of water associated with the 17 transferred acres. The application fee of \$960 was adjusted to \$500. A refund was requested for this application.

Authority to File: The application was signed by Verlin Gingerich who was confirmed with the Idaho Secretary of State as a partner for Gingerich Brothers Farms.

Water Right Validity: This active water right was decreed on 9/12/12 so there are no concerns of forfeiture.

Injury to Other Water Rights: This transfer proposes the shifting of acres on land owned by the applicant to more accurately describe the current irrigation practices using pivots. No injury concerns were identified and the transfer does not require advertisement.

Enlargement of Use: The same number of acres will be authorized for irrigation as before the transfer. No enlargement concern identified.

Local Public Interest: Comments will be requested from Water District #2 and IDWR Western Regional office to address any concerns. A courtesy/comment email was sent to Fred Price at the BLM as the property borders BLM and the transfer is not being advertised.

Beneficial Use/Conservation of Water Resources: Irrigation is a recognized beneficial use and no concerns about conservation were found through the review.

Effect on Economy the Local Area: No change to local economy through this transfer.

Effect on Agricultural Base of the Local Area: No change proposed that would affect the local agricultural base.

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.

Receipt Details for ID C100967

Status	Adjustment Type	Version
		1

General Information:				
Date Received	Date Deposited	Region	Total Amount	Payment Type
9/4/2015 3:32:15 PM	9/4/2015 3:45:25 PM	STATE	\$3,090.00	Check
Payee: GINGERICH BROS FARMS				

Account Information	
Check Number	9434

Comment OWNERSHIP CHANGE SPLIT FOR 2-2091, 2-7018, & 2-2245A
 TRANSFER FOR 2-7018 AND 2-2356
 WSB LEASE FOR 2-7071, 2-2356, 2-2245B, 2-2245A, & 2-2092A
 FOR GINGERICH BROTHERS FARMS

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$300.00	OWNERSHIP CHANGES/SECURITY INTERESTS	56140	0229	21		1155
\$1,250.00	WATER BANK LEASE APPLICATIONS	55111	0229	21		1205
\$580.00	TRANSFERS	56105	0229	21		1155
\$960.00	TRANSFERS	56105	0229	21		1155

Refund(s) Amount	Payee	Date	Document Number
\$540.00	GINGERICH BROS FARMS	9/18/2015 10:36:57 AM	REF0607

Transfer 80378 originally receipted as \$ 940.00
 17 acres — prorated amount = \$ 500.00
 \$ 460.00 refund this transfer

Balance of refund from other applications for transfer.

CS 9-21-2015

Transfer #80378

Skaggs, Pam

From: Skaggs, Pam
Sent: Tuesday, September 22, 2015 8:11 AM
To: 'Price, Fredric'
Subject: RE: Comment Request - Transfer 80378 Gingerich Brothers Farms

Fred,

Thank you for your quick response and thoughtful comments on proposed Transfer 80378.

Idaho Code 42-222(1) says in part:

For applications proposing to change only the point of diversion or place of use of a water right in a manner that will not change the effect on the source for the right and any other hydraulically-connected sources from the effect resulting under the right as previously approved, and that will not affect the rights of other water users, the director of the department of water resources shall give only such notice to other users as he deems appropriate.

Through review of the application possible concerns are identified such as Water Districts etc., and comment letters sent to the appropriate parties. The comment request was sent to your office since the transferred acres are adjacent to BLM land and past concerns voiced about non-use on federal lands.

Out of an abundance of caution if we have any notion of possible public concerns, the transfer will be advertised. Non-advertised applications are not posted on the website since the posting is a reflection of the legal notices in papers. If the transfer is not advertised it will not appear on the website.

I hope that this explanation addresses your concerns. If you have any other questions, please call me to discuss.

Pam

Pam Skaggs
Water Rights Supervisor
(208) 287-4951

From: Price, Fredric [mailto:fwprice@blm.gov]
Sent: Monday, September 21, 2015 5:41 PM
To: Skaggs, Pam
Cc: Visosky, Steven; Gary Madenford
Subject: Re: Comment Request - Transfer 80378 Gingerich Brothers Farms

Pam,

RE: Transfer #80378, 02-02356 (Gingerich Brothers Farms)

Thank you for the opportunity to review the transfer.

I looked for the transfer under the new transfer query on your website and didn't find it, so thank you for the scanned copy. Does not being advertised mean also mean that it won't show up in the new transfer query?

I can't read the map attached to the transfer so I evaluated the acreage differences between the Partial Decree, the actual acres irrigated from aerial photography, and acres requested in the transfer. All of the legal land descriptions listed in the transfer application describe privately held land. The transfer seeks to redistribute acres

Skaggs, Pam

From: Price, Fredric <fwprice@blm.gov>
Sent: Monday, September 21, 2015 5:41 PM
To: Skaggs, Pam
Cc: Visosky, Steven; Gary Madenford
Subject: Re: Comment Request - Transfer 80378 Gingerich Brothers Farms
Attachments: 02-02356_Trans-80378_Presentation.pdf; Entity-Info_Gingerich-Brothers-Farms.pdf

Pam,

RE: Transfer #80378, 02-02356 (Gingerich Brothers Farms)

Thank you for the opportunity to review the transfer.

I looked for the transfer under the new transfer query on your website and didn't find it, so thank you for the scanned copy. Does not being advertised mean also mean that it won't show up in the new transfer query?

I can't read the map attached to the transfer so I evaluated the acreage differences between the Partial Decree, the actual acres irrigated from aerial photography, and acres requested in the transfer. All of the legal land descriptions listed in the transfer application describe privately held land. The transfer seeks to redistribute acres within Places of Use (POU) decreed in the SRBA, with the exception of 1 additional POU on private land being added within T05S, R05E, S34, NWNE.

The acreage distribution requested in the transfer appears to more than cover the discernible irrigable acres from aerial photography (although the 35 acres requested in the transfer is cutting it close for the ~35.04473 acres actually irrigated in NESE). See attached.

The Point of Diversion (POD) and part of the conveyance system resides on BLM land, however the transfer does not cause any changes to existing infrastructure on BLM land (nor does the transfer seek a change in purpose), therefore the transfer does not raise any right-of-way issues.

Application for Transfer #80378 (as provided in your email) does not raise any issues or concerns for BLM.

Thanks again for the opportunity to review,

Fredric W. Price
Water Rights Specialist
BLM, Idaho State Office, ID-933b
1387 S. Vinnell Way, Boise, ID 83709
(208) 373-3831
fwprice@blm.gov

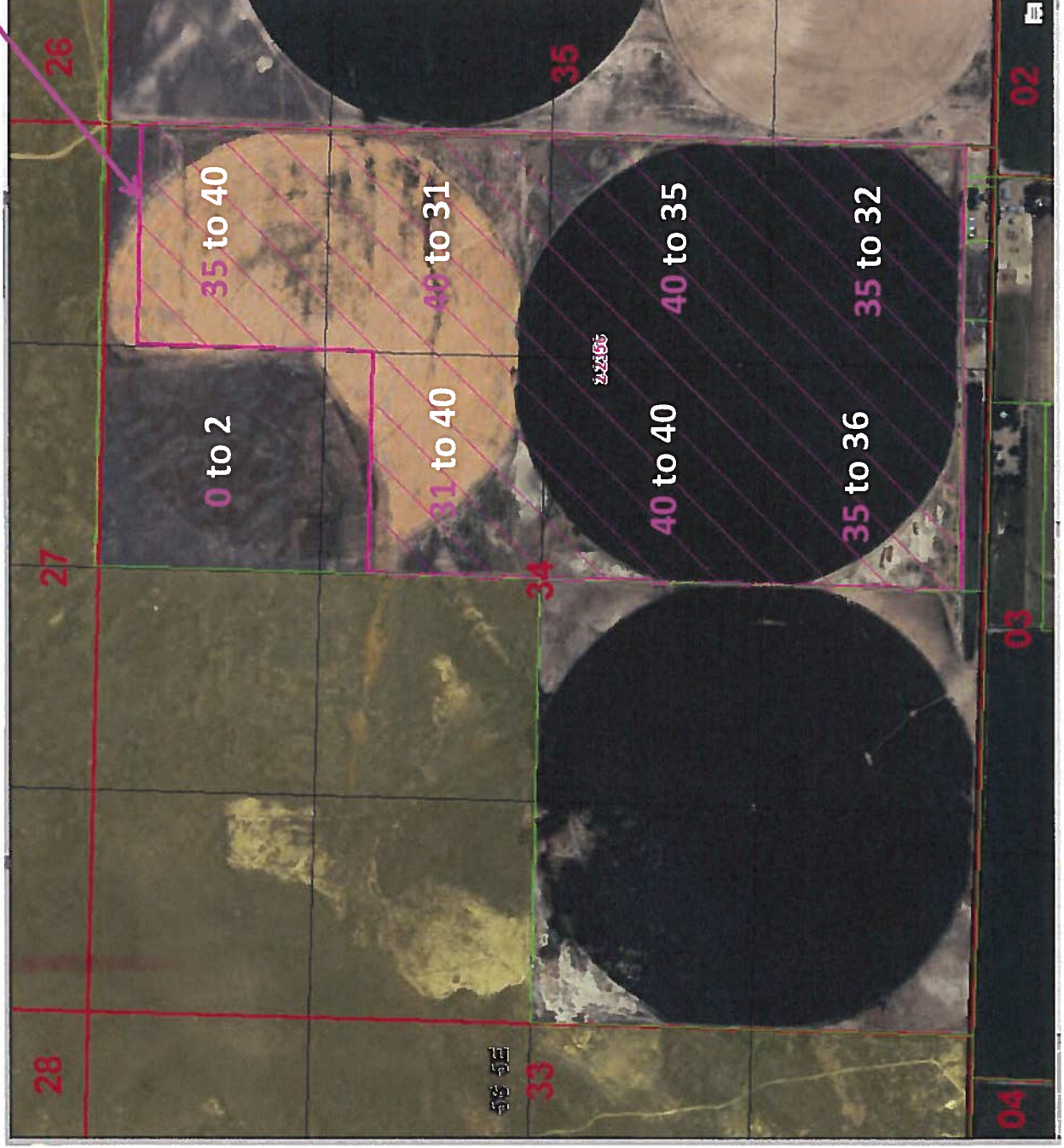
On Mon, Sep 21, 2015 at 10:15 AM, Skaggs, Pam <Pam.Skaggs@idwr.idaho.gov> wrote:

USDI Bureau of Land Management

Idaho State Office

Transfer #80378 involving 02-02356: transfer seeks to re-describe acres to match pivots.
-change in partial decree acres verses transfer acres (in white) shown below.

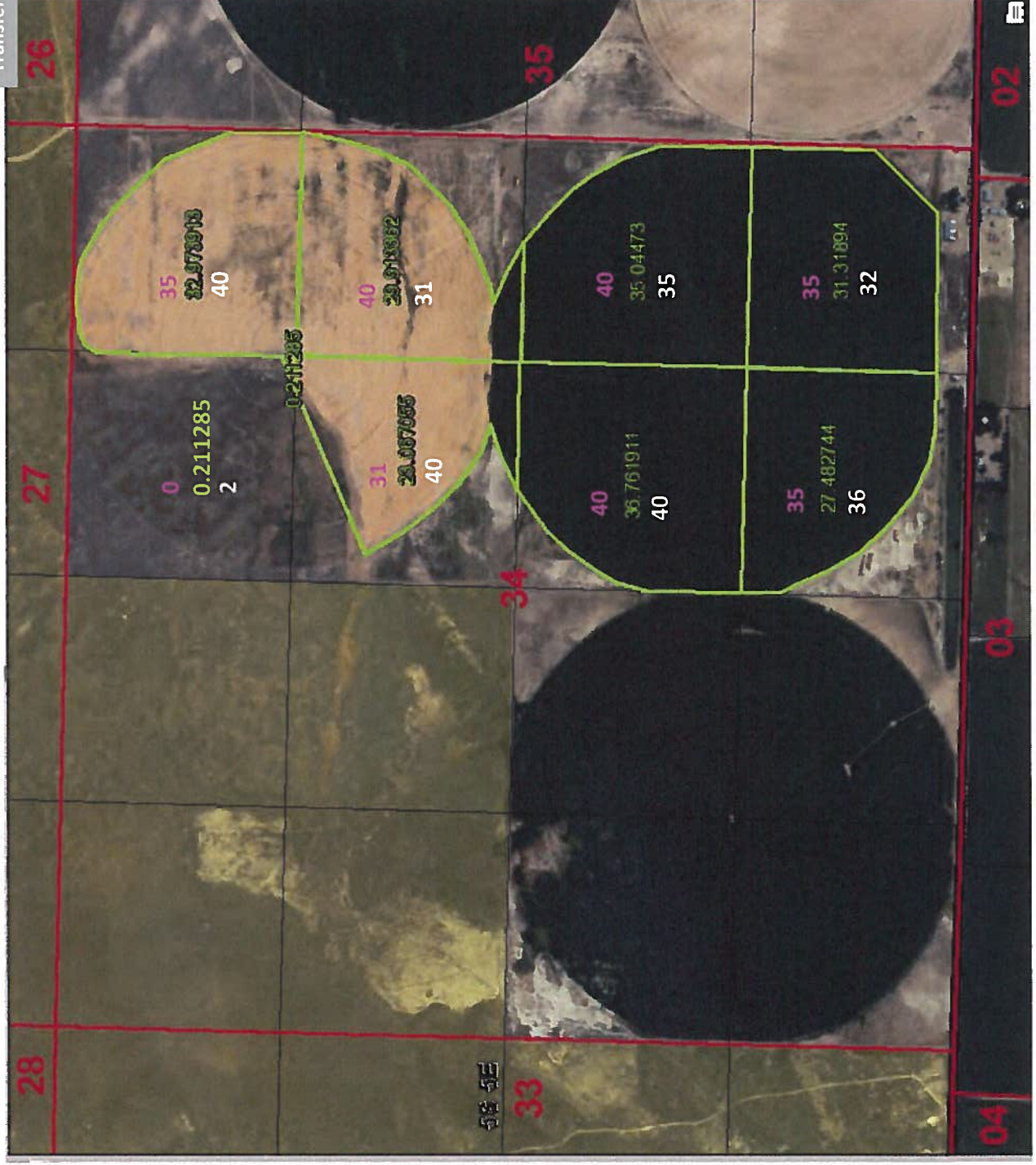
Original Partial Decree



Transfer #80378 involving 02-02356:

-green polygon depicts actual irrigated acres discernable in imagery.

ACREAGE VALUES BELOW:
Partial Decree
Actual
Transfer



Skaggs, Pam

From: Skaggs, Pam
Sent: Monday, September 21, 2015 10:16 AM
To: 'fred_price@blm.gov'
Cc: Visosky, Steven
Subject: Comment Request - Transfer 80378 Gingerich Brothers Farms
Attachments: Transfer 80378 Gingerich Brothers Farms.pdf

USDI Bureau of Land Management
Idaho State Office

Fred Price:

Application for Transfer 80378 for Right 2-2356 proposes to shift 17 acres of irrigation to reflect the current system. No other changes are proposed. The Gingerich Brothers Farm land is adjacent to BLM land. The proposed POU is shown on the attached application map. The POU shape and tabular data do not include adjacent federal or other private lands.

We wanted to give you an opportunity to comment on this transfer because it is adjacent to BLM land and will not be advertised. Please provide any comments or concerns within 14 days to allow continued processing of the application.

Thank you for your time.

Pam

Pamela S. Skaggs
Water Rights Supervisor
Idaho Department of Water Resources
322 E Front St
PO Box 83720
Boise ID 83720-0098
Phone (208) 287-4951
Fax (208) 287-6700

Visosky, Steven

From: Knowles, Corbin
Sent: Friday, September 18, 2015 2:55 PM
To: Visosky, Steven
Subject: RE: Transfer 80378 for Water Right 2-2356 Gingerich Brothers Farms

Steve

Based on the overview you provided in our discussion today I am good with moving forward with the proposed change under the water rights listed above.

Thanks

Corbin

From: Visosky, Steven
Sent: Friday, September 18, 2015 1:27 PM
To: Knowles, Corbin
Subject: Transfer 80378 for Water Right 2-2356 Gingerich Brothers Farms

Corbin,

Thank for your time this afternoon to discuss Transfer 80378. I just wanted to verify that you have no further comments or questions with moving forward with the Transfer.

Thanks,

Steven Visosky
Water Resource Agent
Phone (208) 287-4933
steven.visosky@idwr.idaho.gov

MEMORANDUM

Date: September 15, 2015
To: Transfer 80378
From: Pam Skaggs *PS*
Re: Legal Notice Not Required

Transfer proposes to shift 17 acres on same parcel of land to match configuration of existing system. Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. 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. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.