

JUN 12 2015

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 80346**MINIMUM REQUIREMENTS CHECKLIST**
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

Name of Applicant(s) SAND SPRINGS, LPCheck whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.Yes N/A * Means the item is always required and must be included with the application.

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

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the 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.
- ☐ ☒ #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 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

RECEIVED
JUN 12 2015
DEPT OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant(s) SAND SPRINGS, LP Phone _____

Mailing address P.O. BOX 8, DUNDEE, IL 60118 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 PAUL ARRINGTON Phone 208-733-0700

Mailing address 195 RIVER VISTA PLACE, SUITE 204, TWIN FALLS, ID 83301 Email PLA@IDAHOWATERS.COM

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

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


Signature of Applicant or Authorized Representative

Charles Potter - Sand Springs LP
Print Name and Title if applicable

6/8/15
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 OWNS IRRIGATION WATER RIGHTS - FROM BOTH SURFACE AND GROUND WATER. APPLICANT
SEEKS TO CREATE A PPU AND ADD PODS FOR THE SURFACE RIGHTS 36-15159. *

RECEIVED

JUL 10 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part					
☒ ☐	36-15159	3.14	IRRIGATION	3/15 to 11/15	SPRINGS
☒ ☐		0.16 CFS	STOCKWATER	1/1 to 12/31	SPRINGS
☒ ☐	36-7136	4.2	IRRIGATION	3/15 to 11/15	GROUNDWATER
☒ ☐	36-7163	5.49 5.46 CFS *	IRRIGATION	3/15 to 11/15	GROUNDWATER
☒ ☐	36-7452	0.5 CFS	IRRIGATION	3/15 to 11/15	GROUNDWATER
☒ ☐	36-7453	1.34 CFS	IRRIGATION	3/15 to 11/15	GROUNDWATER
☒ ☐	36-2016	0.12 CFS	IRRIGATION	3/15 to 11/15	SAND SPRINGS CREEK
☒ ☐		0.01 CFS	STOCKWATER	1/1 to 12/31	SAND SPRINGS CREEK
☒ ☐	36-16858	2.56 CFS	IRRIGATION	3/15 to 11/15	SAND SPRINGS CREEK
☒ ☐		0.15 CFS	STOCKWATER	1/1 to 12/31	SAND SPRINGS CREEK
Total authorized under rights 16.77 cfs and/or acre-feet.					

2. Total amount of water proposed to be transferred or changed **16.77** cubic feet per second and/or _____ acre-feet per year.
3. Point(s) of Diversion: **Add as additional POD to water right 36-15159 only.**

- ☐ 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.) SEE ATTACHED FOR PLACE OF USE

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

[illegible]**Total Acres (for irrigation use)**

* PER 8/24/2015 E-MAIL FROM
PAUL ARRINGTON

TOTAL IRRIGATION LIMITED TO 1,013 ACES PER SEASON

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.

- | All or Part | | | | | | | |
|-------------------------------------|--------------------------|----------|----------|------------|------|----|--------------------------|
| ☒ | ☐ | 36-15159 | 3.14 CFS | IRRIGATION | 3/15 | to | 11/15 SPRINGS |
| ☒ | ☐ | | 0.16 CFS | STOCKWATER | 1/1 | to | 12/31 SPRINGS |
| ☐ | ☐ | | | | | to | |
| ☒ | ☐ | 36-7136 | 4.2 CFS | IRRIGATION | 3/15 | to | 11/15 GROUNDWATER |
| ☒ | ☐ | 36-7163 | 5.49 CFS | IRRIGATION | 3/15 | to | 11/15 GROUNDWATER |
| ☒ | ☐ | 36-7452 | 0.5 CFS | IRRIGATION | 3/15 | to | 11/15 GROUNDWATER |
| ☒ | ☐ | 36-7453 | 1.34 CFS | IRRIGATION | 3/15 | to | 11/15 GROUNDWATER |
| ☒ | ☐ | 36-16858 | 2.56 CFS | IRRIGATION | 3/15 | to | 1/15 SAND SPRINGS CREEK |
| ☒ | ☐ | | 0.15 CFS | STOCKWATER | 1/1 | to | 12/31 SAND SPRINGS CREEK |

Total authorized under rights 16.37 cfs and/or acre-feet

2. Total amount of water proposed to be transferred or changed 16.37 cubic feet per second and/or _____ acre-feet per annum.

3. Point(s) of Diversion: **POD CHANGE TO SURFACE RIGHTS ONLY**

- ☐ 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 ?	Lat	N	E	Sec	Twp	Rge	County	Source	Local name or tag #
Y		SW	NW	21	8S	14E	GOODING	SAND SPRINGS CREEK	
Y		SE	SE	NW	21	8S	14E	GOODING	SPRINGS
Y		NW	SW	NE	21	8S	14E	GOODING	SPRINGS
Y		NE	NW	NE	21	8S	14E	GOODING	SPRINGS

4. Place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.) SEE ATTACHED FOR PLACE OF USE

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

[illegible]

TOTAL IRRIGATION LIMITED TO 1,007.1 ACRES PER SEASON

TABLE 1.B.4

Sand Springs Ranch, LP

PPU Area

Brockway Engineering, PLLC

GEP - June 10, 2015

PPU Area

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acres Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8S	14E	16										11	40	31			9.8		91.8
8S	14E	17												1	40	38	40	40	158.9
8S	14E	20	40	22	40	40			13	34	40	19	1.8	26	40	40	40	40	435.8
8S	14E	21	40	40	40	40	40	40	40	40	40	40		40	40	40	40	40	600
8S	14E	22						40	40	40	40	40	40						240
8S	14E	29	19	11															30
Total Acres (for irrigation use)																			1556.5 ^a

159.0

1556.6

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:

GROUNDWATER RIGHTS ARE PUMPED FROM WELLS. SURFACE WATER IS DIVERTED OFF OF THE CREEK TO A POND WITH A PUMP STATION. WATER IS DIVERTED INTO PIPELINES AND CARRIED TO FIELDS WITH PRIMARLY PIVOTS AND/OR HANDLINES

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

LAND WILL CONTINUE TO BE IRRIGATED WITH WATER RIGHTS. THE PPU WILL ALLOW GREATER FLEXIBILITY IN IRRIGATING THE PROPERTY.

- e. 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:

APPLICANT ALSO HAS NORTH SIDE CANAL COMPANY SHARES THAT ARE USED ON THE APPLICANT'S PROPERTY BUT ARE NOT OVERLAPPING WATER RIGHTS.

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

Yes No

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

If yes, describe:

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

Current Water Right No.: 36-7136

Current Owner: SAND SPRINGS LP

Priority Date: 7/10/1970

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

4/01 to 11/01

4.2 CFS

Total Diversion

4.2 CFS

Location of Point(s) of Diversion

GROUND WATER

NE1/4NW1/4NE1/4

Sec. 21, Twp 08S, Rge 14E B.M.

GOODING County

GROUND WATER

NE1/4NW1/4NE1/4

Sec. 21, Twp 08S, Rge 14E B.M.

GOODING County

Place of Use

IRRIGATION Within GOODING County

T08S R14E S16	NWSW	12.00	T08S R14E S16	SWSW	38.00
T08S R14E S16	SESW	30.00	T08S R14E S16	SWSE	7.00
T08S R14E S17	NESE	36.00	T08S R14E S17	NWSE	12.00
T08S R14E S17	SESE	20.00	T08S R14E S21	NWNE	25.00
T08S R14E S21	NENW	36.00	T08S R14E S21	NWNW	19.00

Total Acres: 235

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NO. 36-07452 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.70 CFS, AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 940 AF.
THE FOLLOWING RIGHTS ARE LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION RATE OF 10.63 CFS COMBINED RIGHT NOS.: 36-07452, 36-07163 AND 36-07453.
2. RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. OTHER RIGHTS NOS: 36-07452, 36-07163 & 36-07453
3. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
4. USE OF THIS RIGHT WITH RIGHT NO. 36-07452 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 235 ACRES IN A SINGLE IRRIGATION SEASON.
5. TWO POINTS OF DIVERSION LOCATED IN NENWNE, S21, T08S, R14E.
6. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
7. 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.
8. M01 A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

Decreed Date: 8/27/2001

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

Current Water Right No.: 36-7163

Current Owner: SAND SPRINGS LP

Priority Date: 3/3/1971

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	5.49 CFS	1680 AF
	<u>Total Diversion</u>	5.49 CFS	1680 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4NE1/4	Sec. 21,	Twp 08S,	Rge 14E B.M.
GOODING County				
GROUND WATER	NE1/4NW1/4NE1/4	Sec. 21,	Twp 08S,	Rge 14E B.M.
GOODING County				

Place of Use

IRRIGATION Within GOODING County

T08S R14E S21	NENE	30.00	T08S R14E S21	SWNE	36.00
T08S R14E S21	SENE	10.00	T08S R14E S21	SENE	11.00
T08S R14E S21	NESW	25.00	T08S R14E S21	SESW	13.00
T08S R14E S21	NESE	40.00	T08S R14E S21	NWSE	40.00
T08S R14E S21	SWSE	37.00	T08S R14E S21	SESE	38.00
T08S R14E S22	SWNW	36.00	T08S R14E S22	SENE	33.00
T08S R14E S22	NESW	33.00	T08S R14E S22	NWSW	38.00

Total Acres: 420

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
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. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
4. RIGHTS LISTED BELOW ARE LIMITED TO THE TOTAL COMBINED RATE OF DIVERSION OF 10.63 CFS. OTHER RIGHT NOS: 36-07136, 36-07452 AND 36-07453.
5. RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. OTHER RIGHT NOS: 36-07136, 36-07452 AND 36-07453
6. M01 A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.
7. TWO POINTS OF DIVERSION LOCATED IN T08S, R14E, S21, NENWNE.

Decreed Date: 8/27/2001

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

Current Water Right No.: 36-7452

Current Owner: SAND SPRINGS LP

Priority Date: 3/11/1974

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

4/01 to 11/01

0.5 CFS

Total Diversion

0.5 CFS

Location of Point(s) of Diversion

GROUND WATER

NE1/4NW1/4NE1/4

Sec. 21, Twp 08S, Rge 14E B.M.

GOODING County

GROUND WATER

NE1/4NW1/4NE1/4

Sec. 21, Twp 08S, Rge 14E B.M.

GOODING County

Place of Use

IRRIGATION Within GOODING County

T08S R14E S16	NWSW	12.00	T08S R14E S16	SWSW	38.00
T08S R14E S16	SESW	30.00	T08S R14E S16	SWSE	7.00
T08S R14E S17	NESE	36.00	T08S R14E S17	NWSE	12.00
T08S R14E S17	SESE	20.00	T08S R14E S21	NWNE	25.00
T08S R14E S21	NENW	36.00	T08S R14E S21	NWNW	19.00

Total Acres: 235

Conditions of Approval:

1. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
2. TWO POINTS OF DIVERSION LOCATED IN NENWNE, S21, T08, R14E.
3. USE OF THIS RIGHT WITH RIGHT NO. 36-07136 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.70 CFS, AND A ANNUAL DIVERSION VOLUME OF 940 AF.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE TOTAL COMBINED RATE OF DIVERSION RATE OF 10.63 CFS. COMBINED RIGHT NOS. 36-07136, 36-07163, 36-07452, AND 36-07453.
4. USE OF THIS RIGHT WITH RIGHT NO. 36-07136 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 235 ACRES IN A SINGLE IRRIGATION SEASON.
5. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. OTHER RIGHT NOS: 36-07136, 36-07163 AND 36-07453
7. 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.
8. M01 A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

Decreed Date: 8/27/2001

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

Current Water Right No.: 36-7453

Current Owner: SAND SPRINGS LP

Priority Date: 3/11/1974

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	1.34 CFS	268 AF
	<u>Total Diversion</u>	1.34 CFS	268 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4NE1/4	Sec. 21,	Twp 08S,	Rge 14E B.M.
GOODING County				
GROUND WATER	NE1/4NW1/4NE1/4	Sec. 21,	Twp 08S,	Rge 14E B.M.
GOODING County				

Place of Use

IRRIGATION Within GOODING County

T08S R14E S21	SENE	27.00	T08S R14E S22	SWSW	40.00
Total Acres: 67					

Conditions of Approval:

1. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
2. RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. OTHER RIGHT NOS.: 36-07136, 36-07452 AND 36-07163
3. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 10.36 CFS. COMBINED RIGHT NOS.: 36-07136, 36-07452 AND 36-07163.
4. M01 A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.
5. 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: 8/27/2001

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

Current Water Right No.: 36-15159

Current Owner: SAND SPRINGS LP

Priority Date: 1/1/1942

Origin: Water Right

Status: Active

Basis: Decreed

Source

SPRINGS

Tributary

SAND SPRINGS CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	3.14 CFS	
STOCKWATER	1/01 to 12/31	0.16 CFS	
	<u>Total Diversion</u>	3.3 CFS	

Location of Point(s) of Diversion

SPRINGS	SE1/4SE1/4NW1/4	Sec. 21,	Twp 08S,	Rge 14E B.M.
GOODING County				
SPRINGS	NW1/4SW1/4NE1/4	Sec. 21,	Twp 08S,	Rge 14E B.M.
GOODING County				
SPRINGS	NE1/4NW1/4NE1/4	Sec. 21,	Twp 08S,	Rge 14E B.M.
GOODING County				

Place of Use

IRRIGATION Within GOODING County

T08S R14E S20	Lot 6	SESW	15.00	T08S R14E S20		NESE	28.00
T08S R14E S20		NWSE	10.00	T08S R14E S20	Lot 5	SWSE	15.00
T08S R14E S20		SESE	18.00	T08S R14E S21		NWNE	3.00
T08S R14E S21		SWNE	2.00	T08S R14E S21		NENW	3.00
T08S R14E S21		SWNW	26.00	T08S R14E S21		SENW	18.00
T08S R14E S21		NESW	3.00	T08S R14E S21		NWSW	13.00
T08S R14E S29	Lot 1	NWNE	3.00				

Total Acres: 157

Place of Use: STOCKWATER same as IRRIGATION

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. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. STOCKWATER/ 700 RANGE CATTLE
4. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Decreed Date: 8/27/2001

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

Current Water Right No.: 36-16858

Current Owner: SAND SPRINGS LP

Priority Date: 11/5/1915

Origin: Water Right

Status: Active

Basis: Decreed

Source

SAND SPRINGS CREEK

Tributary

SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	2.56 CFS	512.4 AF
STOCKWATER	01/01 to 12/31	0.15 CFS	
	<u>Total Diversion</u>	2.71 CFS	512.4 AF

Location of Point(s) of Diversion

SAND SPRINGS CREEK
GOODING County

SW1/4NW1/4NW1/4 Sec. 21, Twp 08S, Rge 14E B.M.

Place of Use

IRRIGATION Within GOODING County

T08S R14E S17	NWSE	4.00	T08S R14E S17	SWSE	26.00
T08S R14E S17	SESE	12.00	T08S R14E S20	NENE	12.00
T08S R14E S20	NWNE	22.00	T08S R14E S20	SWNE	1.60
T08S R14E S20 Lot 3	SWNW	6.00	T08S R14E S20	SENE	17.50
T08S R14E S20	NESW	11.00	T08S R14E S20 Lot 4	NWSW	16.00

Total Acres: 128.1

STOCKWATER Within GOODING County

T08S R14E S17	NWSE	T08S R14E S17	SWSE
T08S R14E S17	SESE	T08S R14E S20	NENE
T08S R14E S20	NWNE	T08S R14E S20	SWNE
T08S R14E S20 Lot 3	SWNW	T08S R14E S20	SENE
T08S R14E S20	NESW	T08S R14E S20	NWSW
T08S R14E S20 Lot 4	NWSW		

Conditions of Approval:

1. N05 THE QUANTITY OF WATER UNDER RIGHTS 36-2016 AND 36-16858 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. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. STOCKWATER/ 700 RANGE CATTLE
6. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Decreed Date: 8/27/2001

RECEIVED
JUL 08 2015
DEPT OF WATER RESOURCES
SOUTHERN REGION

Page 18 of _____

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

Current Water Right No.: 36-2016

Current Owner: SAND SPRINGS LP

Priority Date: 11/5/1915

Origin: Water Right

Status: Active

Basis: Decreed

Source

SAND SPRINGS CREEK

Tributary

SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.12 CFS	23.6 AF
STOCKWATER	01/01 to 12/31	0.01 CFS	
	<u>Total Diversion</u>	0.13 CFS	23.6 AF

Location of Point(s) of Diversion

SAND SPRINGS CREEK

SW1/4NW1/4NW1/4

Sec. 21, Twp 08S, Rge 14E B.M.

GOODING County

Place of Use

IRRIGATION Within GOODING County

T08S R14E S20	SWNE	2.40	T08S R14E S20	SENE	3.50
Total Acres: 5.9					

STOCKWATER Within GOODING County

T08S R14E S20	SWNE	T08S R14E S20	SENE
---------------	------	---------------	------

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. N05 THE QUANTITY OF WATER UNDER RIGHTS 36-2016 AND 36-16858 FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
4. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
5. 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.

Page 19 of _____

Decreed Date: 8/27/2001

RECEIVED
JUL 08 2015
DEPT OF WATER RESOURCES
SOUTHERN REGION

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.

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:

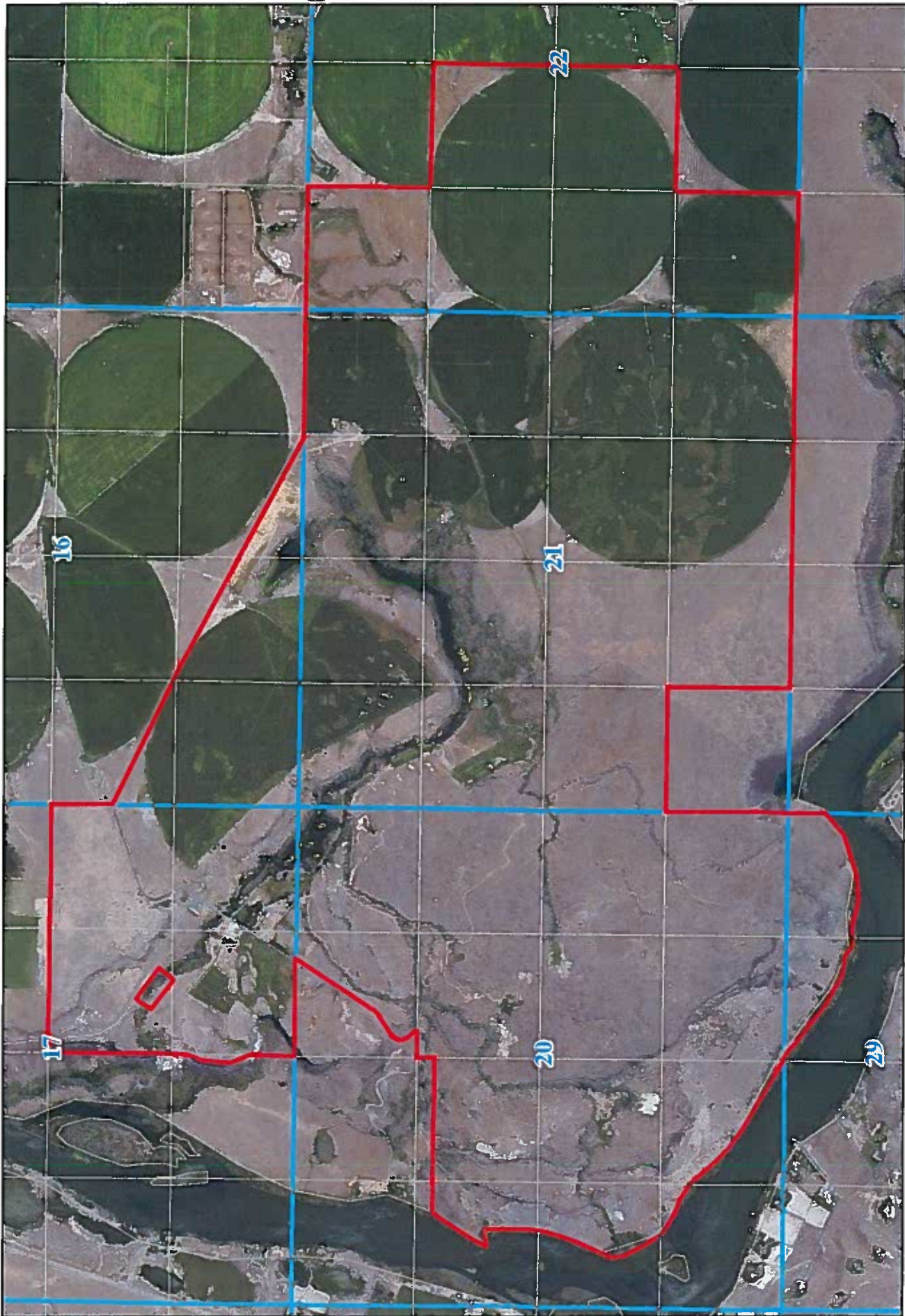
FOR DEPARTMENT USE ONLY

Transfer contains 20 pages and _____ attachments.

Received by C. SKINNER Date 6/12/15 Preliminary check by _____ Date _____

Fee paid \$1780.00 Date 6/12/15 Received by C. SKINNER Receipt # 5034842

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



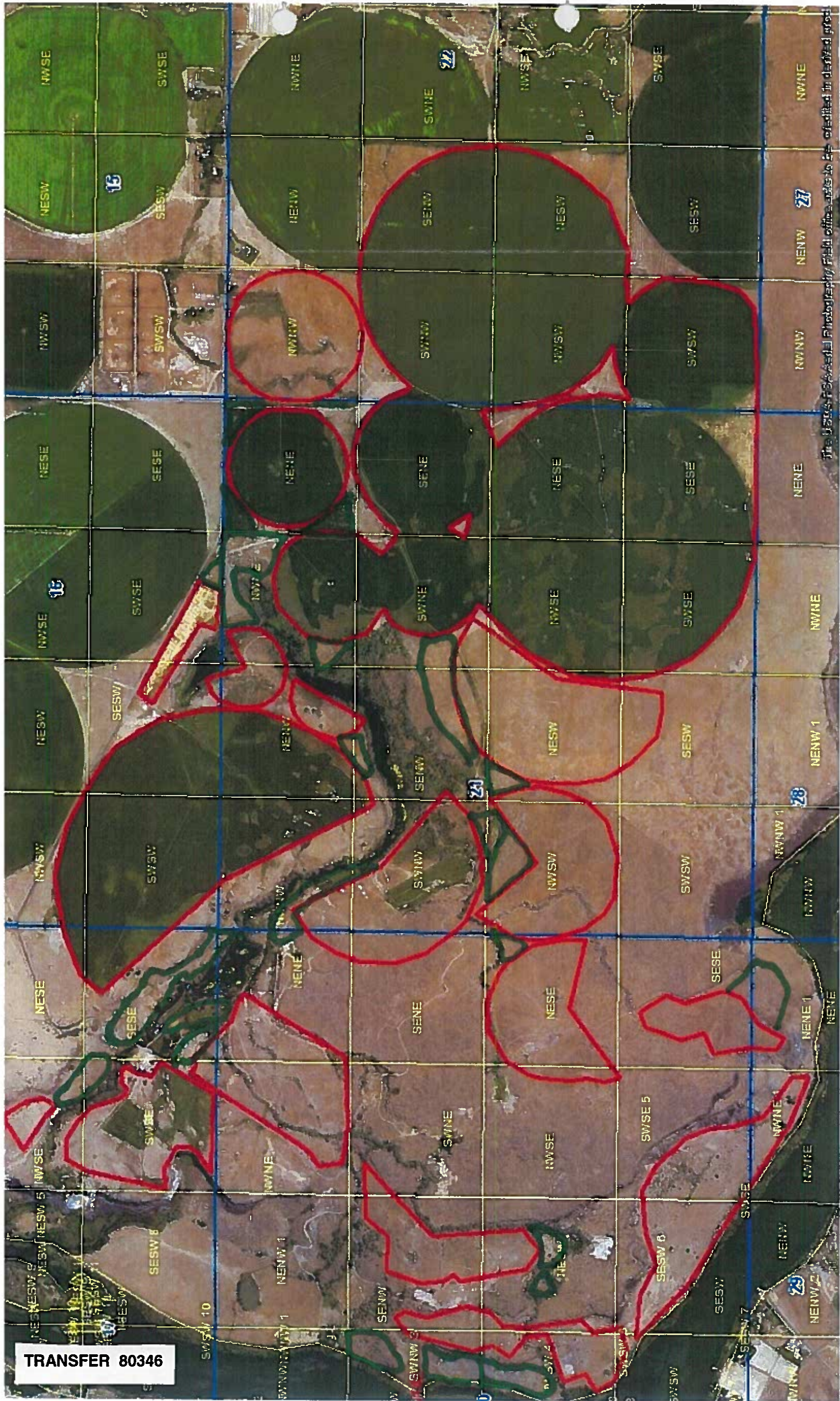
Legend
□ Sand Springs Ranch

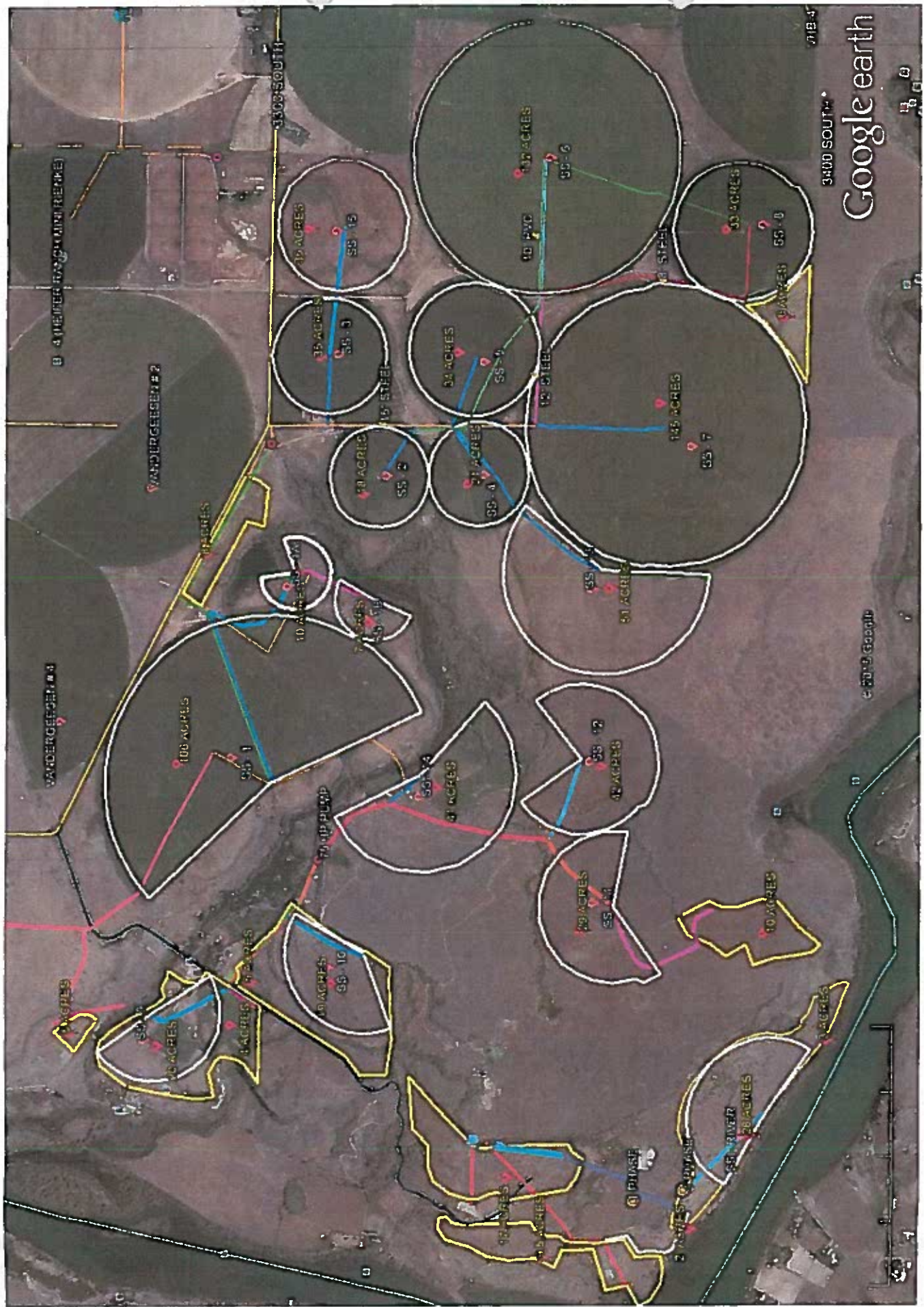
**SAND SPRING RANCH
PROPERTY BOUNDARY
NAIP 2013 AERIAL PHOTOGRAPH**

0 500 1,100 2,200 Feet

BROCKWAY ENGINEERING, PLLC.
GEP - Date: 6/10/2015

TRANSFER 80346





No. L 6713		Due no later than Aug 31, 2014 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		1. Mailing Address: Correct in this box if needed. SAND SPRINGS LP CHARLES POTTER P.O. BOX 9 DUNDEE IL 60118		BRIAN BARSOTTI 215 PICABO ST STE 304 KETCHUM ID 83340			
				3. <u>New</u> Registered Agent Signature:*			
Office Held	Name	Street or PO Address	City	State	Country	Postal Code	
GENERAL PARTNER	CHARLES POTTER ACRE INVESTMENTS LLC	P.O. BOX 9	DUNDEE	IL	USA	60118	
5. Organized Under the Laws of: IL L 6713		6. Annual Report must be signed.* Signature: Charles Potter Name (type or print): Charles Potter Date: 08/18/2014 Title: General Partner					
Processed 08/18/2014		* Electronically provided signatures are accepted as original signatures.					

TRANSFER 80346



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 27, 2015

SAND SPRINGS LP
PO BOX 8
DUNDEE, IL 60118

RE: Transfer No. 80346
Water Right No(s). 36-15159, 36-16858, 36-2016, 36-7136, 36-7163, 36-7452,
36-7453

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 9/3/2015 and 9/10/2015**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**September 21, 2015**).

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

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

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

Sincerely,

Denise Maline
Administrative Assistant

cc:

BARKER ROSHOLT & SIMPSON LLP
ATTN PAUL L ARRINGTON
195 RIVER VISTA PL STE 204
TWIN FALLS, ID 83301-3029

Maline, Denise

From: Maline, Denise
Sent: Thursday, August 27, 2015 1:54 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 September 3rd & 10th, 2015. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 27, 2015

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Application For Permit No.(s): 47-17639, 47-17645

RE: Transfer No. 80315

Water Right No(s): 45-14307, 45-14309, 45-14311

RE: Transfer No. 80339

Water Right No(s): 36-13320

RE: Transfer No. 80346

Water Right No(s): 36-15159, 36-16858, 36-2016, 36-7136, 36-7163, 36-7452, 36-7453

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before September 21, 2015. 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:

47-17639

TWIN FALLS SCHOOL DISTRICT #411

201 MAIN AVE W

TWIN FALLS, ID 83301-6103

Point of Diversion NESEW S28 T10S R17E TWIN FALLS County Source GROUND WATER Tributary

Use: COOLING 01/01 to 12/31 0.38 CFS

Use: HEATING 01/01 to 12/31 0.38 CFS

Total Diversion: 0.38 CFS

Date Filed: 7/2/2015

Place Of Use: HEATING, COOLING

T10S R17E S28 SESW

The application seeks to appropriate 0.379 cfs of groundwater for heating and cooling uses associated with the new South Hills Middle School to be built north of East 3600 North Rd. and 0.43 miles east of Washington St. South, on the south side of Twin Falls. A new well will be drilled at the site and water will be diverted, used, and reinjected at the site.

47-17645

CITY OF TWIN FALLS

TROY VITEK

324 HANSEN ST E

TWIN FALLS, ID 83301

Point of Diversion NESW S33 T09S R17E TWIN FALLS County Source GROUND WATER Tributary

Use: INDUSTRIAL 01/01 to 12/31 0.06 CFS

Total Diversion: 0.06 CFS

Date Filed: 8/13/2015

Place Of Use: INDUSTRIAL

T09S R17E S33 NESW

Application for permit seeks to divert 0.06 cfs for Industrial use from a new well in the Snake River Canyon located 0.6 mile west and 0.4 mile north of the intersection of Blue Lakes Boulevard and Pole Line Road in Twin Falls.

Water will be used for Industrial purposes in an odor control facility for the City of Twin Falls wastewater collection system and then discharged to the Snake River.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 80315

OAK VALLEY LAND CO LLC, 468 S 800 W, BURLEY, ID 83318; has filed Application No. 80315 for changes to the following water rights within CASSIA County(s): Right No(s). 45-14307, 45-14309, 45-14311. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes drilling a new well for commercial and stockwater uses at a new dairy facility located approximately 5.4 to 6.0 mi. south and 6.0 to 6.5 mi. west of the Overland and Main St. intersection in Burley. The new well and two existing wells will divert up to 1.61 cfs and 337.4 AF for uses associated with the new dairy.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 80339

WESTERN MORTGAGE & REALTY CO, PO BOX 3110, PASCO, WA 99302-3110; has filed Application No. 80339 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-13320. The purpose of the transfer is to change a portion of the above rights as follows: The application proposes adding commercial use as a beneficial use to an existing 0.11 cfs stock water right, moving the existing point of diversion to an existing well in an adjacent 40 acre tract (approximately 800 feet away), adding an existing well as a second point of diversion in the previously mentioned 40 acre tract, and changing the place of use to adjacent lands to reflect actual locations of use on property located approximately 13.5 miles north and 3.5 miles west of Rupert.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80346**

SAND SPRINGS LP, PO BOX 8, DUNDEE, IL 60118; has filed Application No. 80346 for changes to the following water rights within GOODING County(s): Right No(s). 36-15159, 36-16858, 36-2016, 36-7136, 36-7163, 36-7452, 36-7453. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes creating a 1556.6 acre permissible place of use for a water right that allows for the diversion of 3.30 cfs from springs tributary to Sand Springs Creek, two water rights that allow for the diversion of 2.84 cfs from Sand Springs Creek, and four water rights that allow for the diversion of 10.63 cfs of groundwater. The proposed permissible place of use is located on property approximately 3.2 to 4.7 miles south and 4.9 to 7.3 miles west of the center of Wendell. The application also proposes to add the existing point of diversion from Sand Springs Creek as an authorized point of diversion for the water right that currently allows for the diversion of water from springs tributary to Sand Springs Creek. This added point of diversion is located downstream of where the springs flow into Sand Springs Creek. The application proposes using up to 16.77 cfs from the various rights/sources to irrigate up to 1,013.0 acres within the proposed 1556.6 acre permissible place of use.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. For additional information on new permits, please see www.idwr.idaho.gov/WaterManagement/WaterRights/#NewListings. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before September 21, 2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on September 3rd & 10th, 2015



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 27, 2015

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

Via hand delivery

RE: Transfer No. 80339
Water Right No(s). 36-13320

RE: Transfer No. 80346
Water Right No(s). 36-15159, 36-16858, 36-2016, 36-7136, 36-7163, 36-7452,
36-7453

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)

MEMORANDUM

Date: August 26, 2015
To: Transfer 80346 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Application proposes creating a 1556.6 acre permissible place of use for a water right, 37-15159, that allows for the diversion of 3.30 cfs from springs tributary to Sand Springs Creek, two water rights, 37-2016 & 36-16858, that allow for the diversion of 2.84 cfs from Sand Springs Creek, and four water rights, 36-7136, 36-7163, 36-7452, & 36-7453, that allow for the diversion of 10.63 cfs of groundwater. The proposed permissible place of use is located on property approximately 3.2 – 4.7 miles south and 4.9 – 7.3 miles west of the center of Wendell. The application also proposes to add the existing point of diversion from Sand Springs Creek as an authorized point of diversion for the water right that currently allows for the diversion of water from springs tributary to Sand Springs Creek. This added point of diversion is located downstream of where the springs flow into Sand Springs Creek. The application proposes using up to 16.77 cfs from the various rights/sources to irrigate up to 1,013.0 acres within the proposed 1556.6 acre permissible place of use. The transfer moves water rights within Water District 130 so water master comments will be solicited.

- **Authority to File:**
The application is filed in the name of Sand Springs LP. IDWR records list Sand Springs, LP as the current owner of the rights involved with the transfer.
- **Water Right Validity:**
The rights involved with the transfer were decreed in the SRBA in August of 2001 and authorize a total of 1,013.0 acres of irrigation. Examination of aerial photography indicates that it appears that 1,013.0 acres may not have been irrigated in recent years. The applicant's attorney provided a map on 7/15/15 indicating what is irrigated on the property. Analysis of satellite images from the last couple of years and recently obtained 2015 aerial photography indicates that the areas identified on the 7/15/15 map appear to be irrigated. However, the total area identified on the 7/15/15 map is approximately 952 acres. It appears that if the transfer is approved, the rights should be limited to a combined total of 952 acres unless information indicating otherwise is submitted.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated if appropriate condition limits are implemented.
- **Local Public Interest:**
No issues anticipated. The application will be subject to public notice and protest.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on Economy of the Local Area:**
None anticipated.
- **Effect of the Agricultural Base of the Local 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

TO: Transfer # 80346 File

FROM: Corey Skinner

DATE: August 26, 2015

SUBJECT: Filing Fee

The filing fee, \$1780.00, for this transfer is based on the total amount of water being transferred. The transfer proposes modifying 16.77 cfs of water rights which equates to a \$1780.00 fee according to the transfer fee schedule.

Skinner, Corey

From: Paul Arrington [pla@idahowaters.com]
Sent: Monday, August 24, 2015 2:49 PM
To: Skinner, Corey
Subject: RE: Sand Springs Transfer

Corey:

To clarify, following our call this afternoon, the new POD will be added only to water right 36-15159. It is the existing POD used for the other Sand Springs Creek rights.

Thanks,

Paul L. Arrington
Barker Rosholt & Simpson, LLP
208-733-0700 – Office
208-404-9436 – Cell
208-735-2444 – Fax

From: Skinner, Corey [mailto:Corey.Skinner@idwr.idaho.gov]
Sent: Monday, August 24, 2015 2:38 PM
To: Paul Arrington <pla@idahowaters.com>
Subject: RE: Sand Springs Transfer

Thanks. If you get a chance, give me another call. I just remembered one more thing.

From: Paul Arrington [mailto:pla@idahowaters.com]
Sent: Monday, August 24, 2015 2:37 PM
To: Skinner, Corey
Cc: Paul Arrington
Subject: RE: Sand Springs Transfer

Corey:

Thanks for the call. As discussed, this email is to confirm a few points:

1. On the first page of the Amended Application, there is a clerical error. Water right 36-7163 is identified as having a diversion rate of 5.46. This is a clerical error. The correct diversion rate is 5.49 cfs.
2. As to the diversion system, I spoke with my client and received some clarification. The system is designed such that water, whether surface, spring or ground water, can be delivered to any point on the property.

Thanks,

Paul L. Arrington
Barker Rosholt & Simpson, LLP

208-733-0700 – Office

208-404-9436 – Cell

208-735-2444 – Fax

From: Skinner, Corey [mailto:Corey.Skinner@idwr.idaho.gov]

Sent: Monday, August 24, 2015 1:10 PM

To: Paul Arrington <pla@idahowaters.com>

Subject: RE: Sand Springs Transfer

Forgot the attachment...

From: Skinner, Corey

Sent: Monday, August 24, 2015 1:10 PM

To: 'Paul Arrington'

Subject: Sand Springs Transfer

Paul,

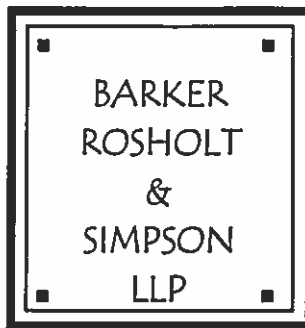
I have attached a new 206 map that I believe includes the changes you sent over. When you get a chance to review, and if you could pull your file on this, give me a call. I have something I want to talk to you about regarding the permissible place of use transfer.

Thanks,

Corey

*Albert P. Barker
John A. Rosholt
John K. Simpson
Travis L. Thompson
Shelley M. Davis
Paul L. Arrington*
Scott A. Magnuson*

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Paul L. Arrington
pla@idahowaters.com

July 15, 2015

RECEIVED

JUL 15 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

VIA HAND DELIVERY

Corey Skinner
Idaho Department of Water Resources
Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301-5858

*RE: PPU Map
Sand Springs, LP*

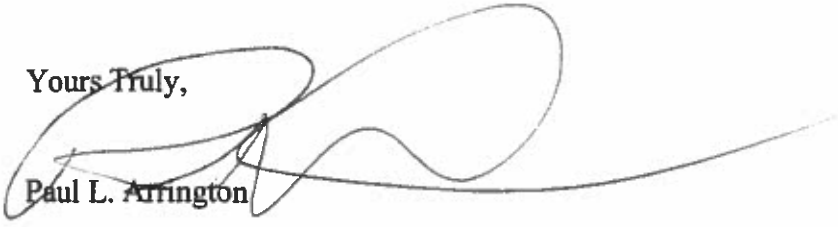
Corey:

As a follow up to your July 10, 2015 email regarding the 206 Map for Sand Springs, LP, I have attached a marked up map. This afternoon, my client was in the office and we reviewed the map. The prior map was prepared by the irrigation system contractor who was not aware of all of the hand line systems on the property.

The attached map is a color copy of the aerial photo you provided with the additional hand lines marked in green.

I am out of the office on July 16-17, but will be back in early next week if you would like to discuss further.

Yours Truly,


Paul L. Arrington

PLA/jn

Encs.

Skinner, Corey

From: Paul Arrington [pla@idahowaters.com]
Sent: Friday, July 10, 2015 12:15 PM
To: Skinner, Corey
Subject: Amended again
Attachments: Application for Transfer - Amended Pages.pdf

Here is the amended cover again. I am still working on the water rights, but am not sure they will go with the land. The irrigation right appears to have been mistakenly put on the property. I don't see the Sand Springs property on the deeds used to change ownership. The stockwater right is still being researched.

Skinner, Corey

From: Paul Arrington [pla@idahowaters.com]
Sent: Wednesday, July 08, 2015 3:18 PM
To: Skinner, Corey
Cc: Paul Arrington
Subject: Sand Springs Transfer
Attachments: Application for Transfer - Amended Pages.pdf

Corey:

Thanks for calling me about your questions on the Sand Springs Transfer. Attached are the following documents:

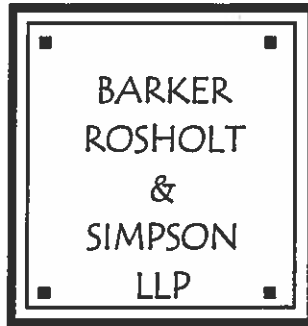
1. Amended Page 3 including water right 36-2016 to the transferred water rights and adding the additional acres to the acreage limitation on the bottom of the page. The additional diversion rate does not increase the filing fee.
2. Part 2A for water right 36-2016.

Thanks again, let me know if you need anything else.

Paul L. Arrington
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Twin Falls, ID 83301
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208-733-0700 – Office
208-404-9436 – Cell
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Paul L. Arrington
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June 12, 2015

Idaho Department of Water Resources
Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301-5858

RECEIVED
JUN 12 2015
DEPT OF WATER RESOURCES
SOUTHERN REGION

*RE: Application for Transfer of Water Rights
Sand Springs, LP*

To Whom it May Concern:

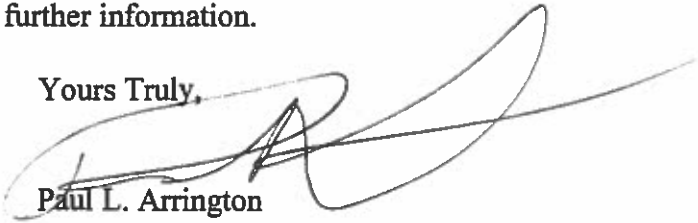
Attached please find an Application for Transfer of Water Rights, in the name of Sand Springs, LP, seeking to create a PPU and correct points of diversion on the Sand Springs Property.

Also included is a check for \$1,780 for the filing fee for this Application.

Finally, attached is an aerial photo showing the acreage being irrigated under the water rights within the PPU.

Please call if you need any further information.

Yours Truly,


Paul L. Arrington

PLA/jn

Encs.