

RECEIVED

JUL 06 2015

WATER RESOURCES
WESTERN REGION

WITHDRAWAL
OF
APPLICATION FOR TRANSFER OF WATER RIGHT(S)

I/We, Darrel Agenbroad and _____,
(Applicant's Printed Name) (Applicant's Printed Name)

_____ and _____,
(Applicant's Printed Name) (Applicant's Printed Name)

hereby withdraw our Application for Transfer No. 79889 of Water Right

No(s). 02-7168A & 02-7168C

Signed this 2nd day of July, 20 15.

Darrel Agenbroad
(Signature/Title of Applicant)

(Signature/Title of Applicant)

(Signature/Title of Applicant)

(Signature/Title of Applicant)

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 79889

MAR 03 2015

WATER RESOURCES
WESTERN REGIONMINIMUM 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) Darrel AgenbroadCheck 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 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: _____

SUPPORT DATA

Page 1 of Transfer No. _____

IN FILE #

2-7168A

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAR 03 2015

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1WATER RESOURCES
WESTERN REGIONName of Applicant(s) Darrell Agnew Phone 208-834-3077Mailing address 27161 Dairy Rd Grandview Idaho 83624 Email _____

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

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

☐ No Representative

Name of Representative _____ Phone _____

Mailing address _____ Email _____

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

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

Darrell Agnew
Signature of Applicant or Authorized Representative

Print Name and Title if applicable

3-3-15
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**.

To make acres irrigated match water right

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					
☐	☒ 2-17168 A	.14	irrigation	3-15 to 11-15	Snake To Columbia
☐	☒ 2-7168 C	.03	irrigation	3-15 to 11-15	Snake To Columbia
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	

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

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

3. Point(s) of Diversion:

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

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	
6S	3E	5														7.1			7.1
6S	3E	5												1.5					1.5
Total Acres (for irrigation use)																			

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:

Water Supplied by Rybee Lateral Water Users Assoc

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

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

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

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

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

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

If yes, ☐ complete Attachment WSB.

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

No irrigation on pivot corners

- 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:

Water right Transferred To Land being irrigated

- 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:

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 rights(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:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook or a sheet of stationery designed for writing. The edges of the paper are slightly irregular, suggesting it might be a scan of a physical document. There is no handwriting or other markings on the page.

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by RS Date 3-3-15 Preliminary check by _____ Date _____

Fee paid 200-- Date 3-3-15 Received by RS Receipt # W042803

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)

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/13/2015

Water Right 2-7168A

Owner Type **Name and Address**
Current Owner DARREL L AGENBROAD
27161 DAIRY RD
GRAND VIEW, ID 83624-5044
(208)834-3077

Original Owner MUD FLAT CANAL CO
RT B BOX 341C
GRAND VIEW, ID 83624

Priority Date: 8/30/1974

Basis: Decreed

Status: Active

Source
SNAKE RIVER

Tributary
COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	3.080 CFS	770.0 AF
	<u>Total Diversion</u>		3.080 CFS	770.0 AF

Source and Point(s) of Diversion

SNAKE RIVER L9(SESW) Sec. 34, Twp 05S, Rge 04E, OWYHEE County

Place Of Use

IRRIGATION within OWYHEE 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	
06S	03E	4											38.0						38.0
06S	03E	5											40.0				38.0	38.0	116.0

POU Total Acres: 154.0

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. F06 The following rights are diverted through point(s) of diversion described above: 2-7059, 2-7060B, 2-7061, 2-7062, 2-7064, 2-7168A, 2-7168B, 2-7237A, 2-7275, 2-10181, 2-10315, 2-10316, 2-10435, and 2-10436.
3. X35 Rights 2-10436 and 2-7168A when combined shall not exceed the irrigation of 184 acres.
4. S47 The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/13/2015

Comments:

1. nvandyke 6/22/2009 POD
Updated Shape
2. nvandyke 6/22/2009 POU
Updated Shape
3. scurtis 10/7/2009 Transferred Right
This is now an approved transfer, transfer number = 73748

Dates and Other Information

Decreed Date: 6/15/2009
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 4.5
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
2-10436 ,2-7168A		184.0

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/13/2015

Water Right 2-7168C

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DARREL L AGENBROAD 27161 DAIRY RD GRAND VIEW, ID 83624-5044 (208)834-3077
Original Owner	ERNEST AGENBROAD HC 85 BOX 371 GRAND VIEW, ID 83624 (208)834-2469
Previous Owner	AGENBROAD GRAND VIEW FAMILY LTD PARTNERSHIP 27161 DAIRY RD GRAND VIEW, ID 83624

Priority Date: 8/30/1974

Basis: Decreed

Status: Active

Source
SNAKE RIVER

Tributary
COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	2.700 CFS	675.0 AF
	<u>Total Diversion</u>		2.700 CFS	675.0 AF

Source and Point(s) of Diversion

SNAKE RIVER L9(SESW) Sec. 34, Twp 05S, Rge 04E, OWYHEE County

Place Of Use

IRRIGATION within OWYHEE 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	
05S	03E	32				40.0									40.0			40.0	120.0
05S	03E	33											38.0						38.0

Right Acre Limit: 135.0

POU Total Acres: 158.0

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. S47 The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/13/2015

- and a priority date earlier than the date a partial decree is entered for this right.
3. E53 Use of this right with Right No. 2-10435 is limited to a total combined annual diversion volume of 202.5 AF.
 4. F06 The following rights are diverted through point(s) of diversion described above: 2-7059, 2-7060B, 2-7061, 2-7062, 2-7064, 2-7168A, 2-7168B, 2-7237A, 2-7275, 2-10181, 2-10315, 2-10316, 2-10435, and 2-10436..
 5. E64 This right authorizes the irrigation of 135 total acres.

Comments:

1. nvandyke 6/22/2009 POD
Updated Shape
2. nvandyke 6/22/2009 POU
Updated Shape
3. scurtis 10/7/2009 Transferred Right
This is now an approved transfer, transfer number = 73748

Dates and Other Information

Decreed Date: 6/15/2009
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 4.5
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
	202.5	
2-10435 ,2-7168C		

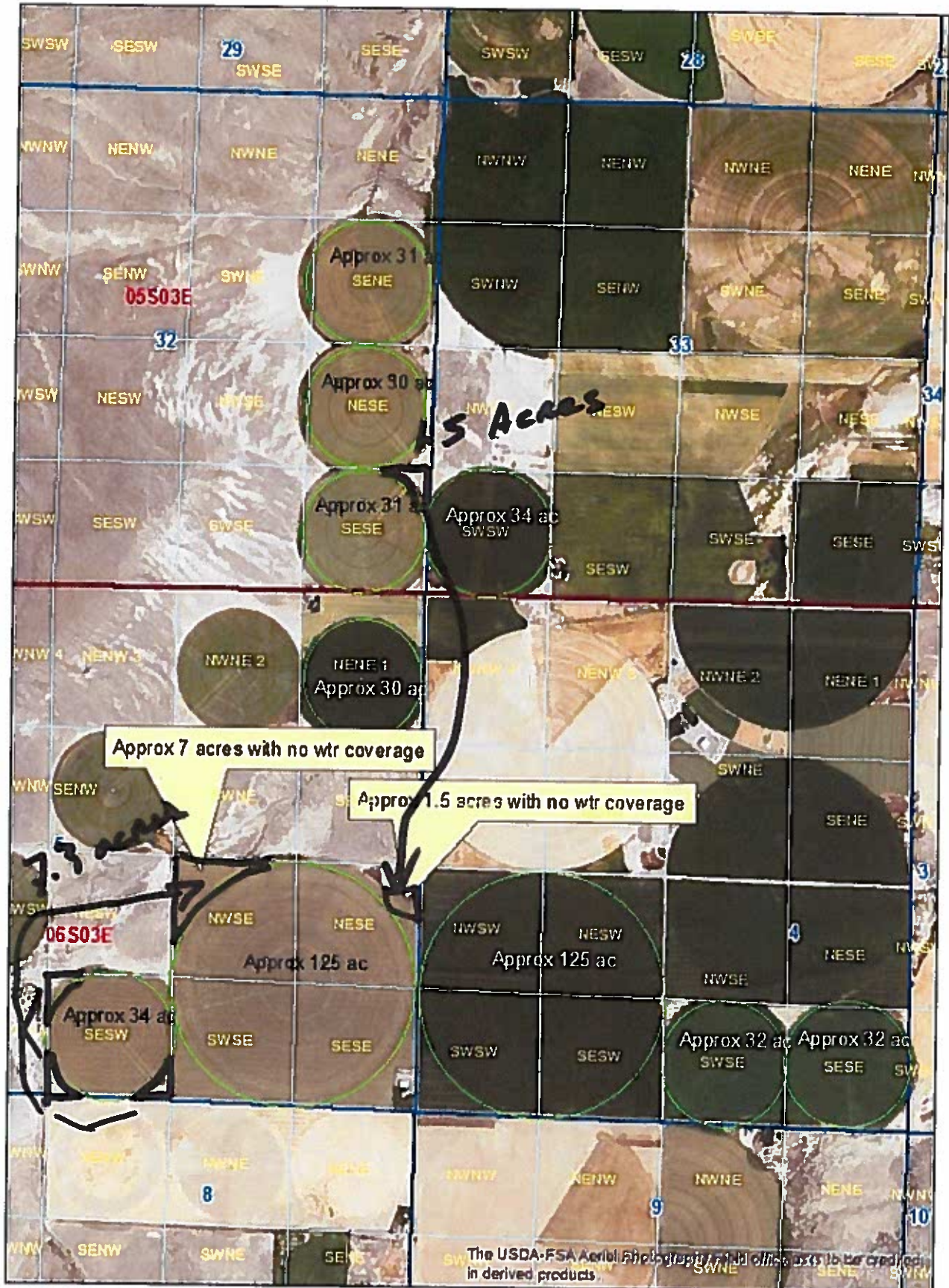
SubCase:

N/A

Water Supply Bank:

N/A

ATTACHMENT 7A





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 7, 2015

DARRELL L AGENBROAD
27161 DAIRY RD
GRAND VIEW ID 83624-5044

Re: Withdrawal of Application for Transfer No. 79889

Dear Applicants:

The Department has received your recent withdrawal of the above referenced application. For your convenience a copy of the application and the withdrawal are enclosed.

In addition, a refund request in the amount of \$200 has also been submitted for processing. Upon approval, it will be sent to you under separate cover.

Please feel free to contact our office at 208-334-2190 if you have additional questions in this matter. Also, more information about water rights and other matters administered by this agency is available on the Internet at www.idwr.idaho.gov.

Sincerely,

Rachel Neely
Administrative Assistant I
Western Regional Office

Enclosures

MEMORANDUM

TO: Sascha Marston

FROM: Kay Walker *Kay*

DATE: July 6, 2015

RE : Refund

Darrel Agenbroad paid \$200.00 for an Application for Transfer on March 3, 2015. The application was withdrawn on ~~June~~ *July* 6, 2015. A full refund should be issued.

Please issue a \$200.00 refund as follows:

TO

DARREL AGENBROAD
27161 DAIRY RD
GRAND VIEW ID 83624-5044

TEL. 208-834-3077

RECEIPT

W042863, copy attached

Copy: 02-7168A

Receipt Details for ID W042863

Status	Adjustment Type	Version
		1

General Information:				
Date Received	Date Deposited	Region	Total Amount	Payment Type
3/3/2015 10:45:36 AM	3/3/2015 4:48:35 PM	WESTERN	\$200.00	Check
Payee:	AGENBROAD, DARREL			

Account Information	
Check Number	3608

Comment TRANSFER FOR DARREL AGENBROAD
 2-7168A .14 CFS
 2-7168C .03 CFS

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$200.00	TRANSFERS	62105	0229	21		1155

Walker, Kay

From: Walker, Kay
Sent: Monday, July 06, 2015 2:18 PM
To: Knowles, Corbin
Cc: Walker, Kay
Subject: Agenbroad Transfer 79889

Hi, Corbin!

I have been working with Darrel Agenbroad on his transfer application. When reviewed we found his place of use has no corners to transfer to cover other irrigated lands. His water right 02-7168C is currently irrigating 143 acres (per arc map review of the pivots he is irrigating – 2013 aerial photography). The right is limited to 135 acres in any irrigation season. He had originally submitted the application for Rts. 02-7168A & 02-7168C but wanted to remove Rt. 02-7168A after discussion with Nick Van Dyke.

After all review & correspondence, Mr. Agenbroad decided to withdraw his application. We received the withdrawal today.

Kay



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 25, 2015

DARRELL L AGENBROAD
27161 DAIRY RD
GRAND VIEW ID 83624-5044

RE: Application for Transfer 79889

Dear Mr. Agenbroad:

Nick Van Dyke and I have reviewed your proposed application for transfer and what is shown on our 2013 aerial photography and find that you do not have any corners to transfer. The pivots you are irrigating under Rt. 02-7168C consist of roughly 143 acres which is more than the water right allows. The water right is limited to 135 acres within a 158 acre place of use at any time. In light of this, we request that you withdraw your application. If you withdraw the application, we will be able to offer you a refund of the filing fee. If you don't withdraw the application you are taking the chance that we may reject or void the application and if that happens there will be no refund offered.

If you believe we are not correct in our findings, you are welcome to hire a consultant to review your water use. I have enclosed a list of consultants for your convenience.

Please let us know within the next 30 days how you wish to proceed. You may seek additional time to provide the information by making a written request to delay processing. Your written response must be received within the next thirty (30) days.

If you have any questions, please feel free to contact either Nick or myself.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosure

6-29-15
sent withdrawal
form per request.
KW

copy



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 22, 2015

DARREL AGENBROAD
27161 DAIRY RD
GRANDVIEW, ID 83624

RE: Application for Transfer 79889

Dear Mr. Agenbroad:

We are in receipt of the transfer application you submitted to "make acres irrigated match water right". We are in the initial review of the application and find we need more information than what was included on the form.

On page 2 of the application, item 1 was not completed (Total authorized under rights _____ cfs and /or _____ acre feet). Also item 2 which specifies the total amount of water proposed to be transferred or changed in cubic feet per second and/or acre feet per year, was not completed. Under Item 4, the place of use of both water rights after the requested change should be included. On page 4 of the application form, a response is needed to item 5c which is required information. Please also complete the legal description under item B(2) on page 5.

When reviewing the location of the corners you intend to "move" under Rt. 02-7168A we could only find 3 acres when reviewing those areas. We need additional corners that can be used to cover 4 additional acres since you have only identified an area of 3 acres. The 1.5 acres identified under Rt. 02-7168C that are to be dried up are fine. That area does include 1.5 acres as described.

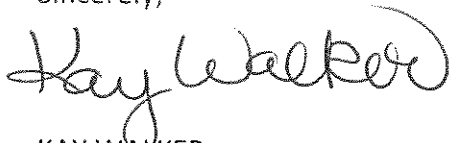
I realize that the transfer application can be difficult to prepare. I have included a list of consultants that would be able to assist you in completing this form if you need assistance. I have included a copy of the application that was submitted to our office along with a blank form for your convenience. Please complete the items identified above and return a completed form for processing within the next 30 days. You may seek additional time to provide the information by making a written request to delay processing. Your written response, including the requested information, or a request for more time to seek the information must be received within the next thirty (30) days.

COPY

Without a timely reply, IDWR will issue a preliminary order to reject the application. The application fee will not be refunded for a rejected application. A rejected application may be re-filed when adequate information can be provided.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact this office at 334-2190 if you have any questions. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Kay Walker". The signature is fluid and cursive, with the first name "Kay" written in a larger, more prominent script than the last name "Walker".

KAY WALKER

Sr. Water Resource Agent

Enclosures