

RECEIVED

FEB 20 2015

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 79849

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) ALPHABET SOUP LLC

Check whether each item below is *attached (Yes)* or *not applicable (N/A)* for the proposed transfer.Yes N/A * Means the item is always required and must be included with the application.

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

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) ALPHABET SOUP LLC Phone (208) 735-8812

Mailing address PO BOX 145 TWIN FALLS IDAHO 833013 Email _____

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

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

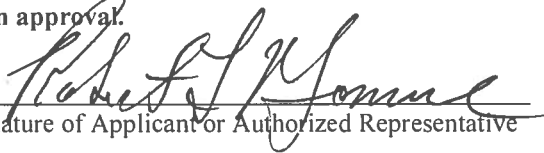
☐ No Representative

Name of Representative Greg Sullivan w/Brockway Engineering, PLLC Phone (208) 736-8543

Mailing address 2016 North Washington St. Suite 4 Twin Falls, Id. 83301 Email greg.sullivan@brockwayeng.com

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

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


Signature of Applicant or Authorized Representative

Print Name and Title if applicable

2-17-15
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**.
 Transfer seeks to revise place of use to reflect the parcel boundary and move point of diversion down to the actual diversion site.

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 ☒ ☐	47-2470B	0.4/-	Irrigation	3/15 to 11/15	Unnamed Stream
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.4 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.4 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 #
			NE	NW	29	11S	18E	TWIN FALLS	UNNAMED STREAM	

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	
11S	18E	29					16.42												16.42
Total Acres (for irrigation use)																			16.42

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:
Pump & pipeline to irrigation system.

- b. Who owns the property at the point(s) of diversion? DONALD WOODHALL
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
There is a 15' wide irrigation pipeline easement recorded on Woodhall's deed.

- 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: N/A

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 change will occur.

- 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:
No other water rights.

- 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.: 47-2470B

Current Owner: ALPHABET SOUP LLC
 Priority Date: 1/6/1954
 Origin: Water Right
 Status: Active
 Basis: Decreed

Source

UNNAMED STREAM

Tributary

MC MULLEN CREEK

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Total Diversion

Diversion Rate

0.4 CFS

0.4 CFS

Annual Volume

80 AF

Location of Point(s) of Diversion

UNNAMED STREAM

TWIN FALLS County

SE1/4NW1/4SW1/4

Sec. 29, Twp 11S, Rge 18E B.M.

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S29

NENW

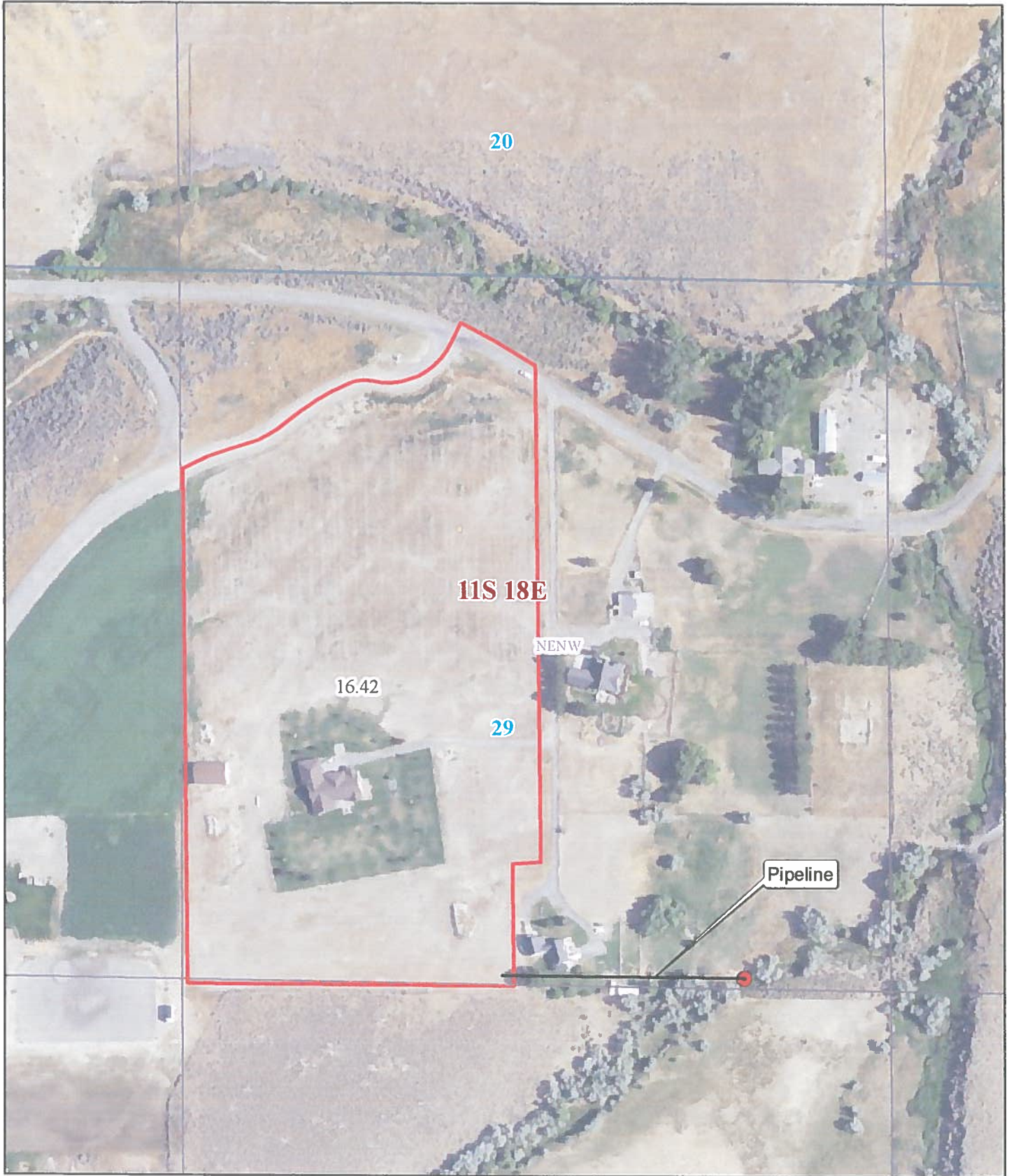
20.00

Total Acres: 20

Conditions of Approval:

1. P21 This right is a split from former right 47-2470.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 6/2/2009



0 75 150 300 Feet

BROCKWAY ENGINEERING, PLLC.
ALR - Date: 2/10/2015

ALPHABET SOUP LLC
TRANSFER MAP 47-2470B
NAIP 2013 AERIAL
ATTACHMENT #7A & 7B

Legend

-  New POD 47-2470B
-  ladesc
-  New POU 47-2470B
-  twnshp
-  Sections



TRANSFER 79849

EXHIBIT A

MONROE TO MONROE

A Parcel of land located in a portion of the $W^2NE^4NW^4$ of Section 29, Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho; being more particularly described as follows:

Commencing at the Northwest corner of Section 29. Said point lies North $89^{\circ}38'23''$ West 2630.98 feet from the North quarter corner of Section 29. Thence South $89^{\circ}38'23''$ East 1315.58 feet along the North boundary of Section 29 to the Northeast corner of "Cottonwood Heights Subdivision" recorded as instrument # 2002-003591. Thence South $00^{\circ}28'55''$ East 359.77 feet along the East boundary of said subdivision and being depicted as being the West boundary of the $W^2NE^4NW^4$ of Section 29 as shown on survey Instrument #1996004599 and being the REAL POINT OF BEGINNING.

Thence North $63^{\circ}51'58''$ East 52.58 feet along the boundary of "Cottonwood Heights Subdivision #2" recorded as Instrument # 2008-023776.

Thence along a curve Right along the boundary of said subdivision:

$\Delta - 15^{\circ}07'15''$
R - 170.00'
A - 44.86'
C - 44.73'
LCB - North $71^{\circ}25'36''$ East

Thence along a curve Left along the boundary of said subdivision:

$\Delta - 29^{\circ}20'12''$
R - 230.00'
A - 117.76'
C - 116.48'
LCB - North $64^{\circ}19'07''$ East

Thence along a curve Right along the boundary of said subdivision:

$\Delta - 16^{\circ}44'03''$
R - 470.00'
A - 137.27'
C - 136.78'
LCB - North $58^{\circ}01'03''$ East

Thence along a curve Right along the boundary of said subdivision:

$\Delta - 36^{\circ}07'26''$

R - 70.00'

A - 44.13'

C - 43.41'

LCB - North $84^{\circ}26'47''$ East

Thence along a curve Left along the boundary of said subdivision:

$\Delta - 76^{\circ}40'36''$

R - 130.00'

A - 173.97'

C - 161.28'

LCB - North $64^{\circ}10'12''$ East

Thence North $25^{\circ}49'54''$ East 41.69 feet along the boundary of said subdivision to the most Easterly corner thereof.

Thence North $25^{\circ}49'54''$ East 1.60 feet to the center line of the county road as shown on survey Instrument # 1996004599.

Thence along a curve Right along said road center line:

$\Delta - 07^{\circ}12'18''$

R - 550.00'

A - 69.16'

C - 69.12'

LCB - South $62^{\circ}30'08''$ East

Thence South $58^{\circ}53'59''$ East 90.06 feet along said road center line to a point on the East boundary of the $W^2NE^4NW^4$ of Section 29.

Thence South $00^{\circ}35'15''$ East 927.26 feet along the East boundary of said $W^2NE^4NW^4$.

Thence South $86^{\circ}37'18''$ West 52.90 feet.

Thence South $00^{\circ}43'26''$ East 227.55 feet to a point on the South boundary of the $W^2NE^4NW^4$ of Section 29.

Thence North 89°45'36" West 607.77 feet along the South boundary of said W²NE⁴NW⁴ to a point on the East boundary of "Cottonwood Heights Subdivision" and being depicted as being on the West boundary of the W²NE⁴NW⁴ of Section 29 as shown on survey Instrument # 1996004599.

Thence North 00°28'55" West 960.00 feet along the East boundary of "Cottonwood Heights Subdivision," to the REAL POINT OF BEGINNING.

Containing approximately 16.416 acres.



No. W 60850	Due no later than Mar 31, 2012 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			PENELOPE PARKER 2034 ADDISON AVE EAST TWIN FALLS ID 83301			
		1. Mailing Address: Correct in this box if needed. ALPHABET SOUP L.L.C. PENELOPE PARKER 2034 ADDISON AVE EAST TWIN FALLS ID 83301		3. <u>New</u> Registered Agent Signature:*		
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
MANAGER	RUTH S PIERCE	PO BOX 145	TWIN FALLS	ID	USA	83303
5. Organized Under the Laws of:		6. Annual Report must be signed.*				
ID		Signature: P. Parker		Date: 01/09/2012		
W 60850		Name (type or print): P. Parker		Title: Attorney		
Processed 01/09/2012		* Electronically provided signatures are accepted as original signatures.				

TRANSFER 79849

LIMITED POWER OF ATTORNEY

I, Ruth S. Pierce, managing member of Alphabet Soup LLC of Twin Falls County, State of Idaho, designate and appoint Robert Monroe of Twin Falls Idaho, as my attorney in fact and agent (subsequently called "agent") to act in my name and for my benefit. I grant to my agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as I might or could do if personally present and fully competent, hereby ratifying and confirming all that my agent shall lawfully do or cause to be done by virtue of this power of attorney and the powers herein granted.

1. Limited Grant of Power. My agent shall have power to exercise or perform those acts, powers, duties, rights or obligations set forth herein below, relating to those water rights in the name of Alphabet Soup LLC. Generally, my agent shall have power to do and perform all matters, transact all business, and make, execute and acknowledge all deeds, leases, and instruments of every kind which may be requisite or proper to effectuate the purposes of this limited power of attorney.

2. Specific Powers. My agent shall have and may exercise each of the following specific powers:

(a) Power to Transfer Water Rights

3. Revocability. This power of attorney is revocable, provided, that insofar as any governmental agency, bank, trust company, insurance company, transfer agent, or other person shall rely upon this power, this power may be revoked only by a notice in writing executed by me or my agent and delivered to such person or institution.

4. Interpretation. This instrument is to be construed and interpreted as a limited power of attorney. The enumeration of specific powers herein is intended to limit or restrict the powers herein granted to my agent.

5. Third-Party Reliance. Third parties may rely upon the representations of my agent as to all matters relating to any power granted to my agent, and no person who may act in reliance upon the representations of my agent or the authority granted to my agent shall incur any liability to me or my estate as a result of permitting my agent to exercise any power.

17th IN WITNESS WHEREOF, I have executed this Limited Power of Attorney this day of February 2015.

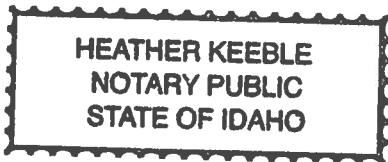

RUTH S. PIERCE, Principal

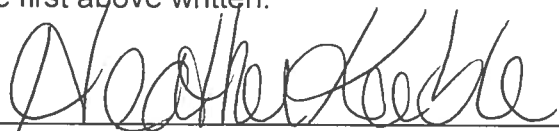
TRANSFER 79849

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 17th day of February 2015 before me, the undersigned, a notary public in and for said county and state, personally appeared RUTH S. PIERCE, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.





NOTARY PUBLIC FOR IDAHO
Residing at Twin Falls therein.
My Commission Expires 11/2020



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

March 12, 2015

ALPHABET SOUP LLC
PO BOX 145
TWIN FALLS, ID 83303

RE: Transfer No. 79849
Water Right No(s). 47-2470B

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 **3/19/2015** and **3/26/2015**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**April 6, 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:

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

Maline, Denise

From: Maline, Denise
Sent: Thursday, March 12, 2015 3:14 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 March 19th & 26th, 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

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 12, 2015

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

RE: Application For Permit No.(s): 43-13742 & 43-13743

RE: Transfer No. 79753
Water Right No(s): 45-13661, 45-497

RE: Transfer No. 79849
Water Right No(s): 47-2470B

RE: Transfer No. 79877
Water Right No(s): 43-7042

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 April 6, 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:

43-13742

LARRY HENSON

JACKIE HENSON

PO BOX 183

ALMO, ID 83312

Point of Diversion SENE S22 T15S R24E CASSIA County Source GROUND WATER Tributary

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 3/2/2015

Place Of Use: DOMESTIC

T15S R24E S22 NESE

Application for permit proposes to divert 0.04 cfs from an existing well located approximately 0.53 mile north and 0.04 mile east of the intersection of 3000 South and the Elba-Almo Road in Almo. Domestic use is for one home located approximately 0.49 mile north and 0.14 mile east of Almo.

43-13743

LARRY HENSON

JACKIE HENSON

PO BOX 183

ALMO, ID 83312

Point of Diversion SENE S22 T15S R24E CASSIA County Source GROUND WATER Tributary

Use: RECREATION 01/01 to 12/31 0.23 CFS

Total Diversion: 0.23 CFS

Date Filed: 3/2/2015

Place Of Use: RECREATION

T15S R24E S22 NESE

Application for permit proposes to divert 0.23 cfs for recreation use from an existing well located approximately 0.53 mile north and 0.04 mile east of the intersection of 3000 South and the Elba-Almo Road in Almo. Place of use is located approximately 0.51 mile north and 0.16 mile east of Almo.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 79753

LACY J MASON and KURT MASON, 3981 N 3600 E, KIMBERLY, ID 83341; BRANDON MASON and DAWNYL MASON, C/O KURT MASON, 3981 N 3600 E, KIMBERLY, ID 83341; have filed Application No. 79753 for changes to the following water rights within CASSIA County(s): Right No(s). 45-13661, 45-497. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes moving the point of diversion of two Dry Creek water rights downstream approximately 2.5 miles to an existing headgate located approximately 5.8 mi. south and 0.8 mi. west of the city of Murtaugh. Up to 1.18 cfs will be diverted through the headgate for the irrigation of 59 acres on an existing farm located approximately 5.0 to 5.25 mi. south and 1.0 to 1.5 mi. west of the city of Murtaugh.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 79849

ALPHABET SOUP LLC, PO BOX 145, TWIN FALLS, ID 83303; has filed Application No. 79849 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-2470B. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer intends to change the point of diversion (POD) for irrigation water right 47-2470B (0.40 cfs, 20.0 acres), which is currently diverted from an unnamed stream tributary to McMullen Creek at a point approximately 6.73 miles south and 0.82 miles west of the intersection of Center and Main Streets in Kimberly. The new POD will be located approximately 6.24 miles south and 0.62 miles west of Kimberly, about 0.6 miles downstream from the current POD on the unnamed stream.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79877**

CONDIE BROTHERS, 4625 W 4100 S, WEST VALLEY CITY, UT 84120; has filed Application No. 79877 for changes to the following water rights within CASSIA County(s): Right No(s). 43-7042. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes adding a new well to be drilled as an authorized point of diversion for an irrigation groundwater right appurtenant to a farm located approximately 17.75 to 19.5 miles north and 7.9 to 9.9 miles east of Malta. Three existing irrigation wells and the new well to be drilled (all located on the farm) will be utilized to divert up to 17.02 cfs for the irrigation of 1437.0 acres on the farm. Published in the Times News, Idaho Statesman, Post Register & Lewiston Tribune on March 19th & 26th, 2015.

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 visit our website at www.idwr.idaho.gov and search under New Water Right Applications. 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 April 6, 2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on March 19th & 26th, 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

March 12, 2015

IDAHO DEPT OF FISH & GAME
324 S 417 E, STE 1
JEROME, ID 83338

RE: Transfer No. 79849
Water Right No(s). 47-2470B

Dear Fish & Game:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed for your reference. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days.

The Department can publish notice of the application as soon as the initial review is completed. Therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application, or you may visit our website at www.idwr.idaho.gov.

Sincerely,

Denise Maline
Southern Region

Enclosure(s)

MEMORANDUM

Date: February 27, 2015
To: Transfer 79849 File
From: Jim Bitzenburg
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer intends to change the point of diversion (POD) for irrigation water right 47-2470B (0.40 cfs, 20.0 acres), which is currently diverted from an unnamed stream tributary to McMullen Creek at a point approximately 6.73 miles south and 0.82 miles west of the intersection of Center and Main Streets in Kimberly. The new POD will be located approximately 6.24 miles south and 0.62 miles west of Kimberly, about 0.6 miles downstream from the current POD on the unnamed stream.

Transfer is technically within the WD-47O boundary, but it is in the unregulated portion.

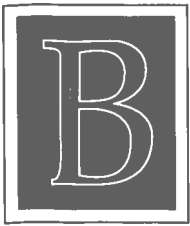
- **Authority to File:**
The Department's database indicates that water right 47-2470B is owned by the applicant, Alphabet Soup, LLC. Application was signed by Robert Monroe, who was designated as a power of attorney to transfer water rights for Alphabet Soup, LLC by Ruth Pierce, the manager of the LLC. These documents were supplied with the transfer.
- **Water Right Validity:**
Right 47-2470B was decreed in June in 2009, so forfeiture does not appear to be an issue.
- **Injury to Other Water Rights:**
None anticipated or foreseen. POD is moving downstream, and no diversions appear to be located between the two points.
- **Enlargement of Use:**
None anticipated. The application is reducing the water right acreage down to reflect the actual parcel size. A proportional decrease in flow rate and volume will occur as a result.
- **Local Public Interest:**
No issues anticipated. The transfer will be advertised.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**
None Anticipated
- **Effect of the Agricultural Base of the Area:**
None Anticipated

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

MEMORANDUM

Date: February 26, 2015
To: Alphabet Soup, LLC transfer file
From: Jim Bitzenburg
Re: Receipting of fees paid

This transfer is a simple change of POD, and the full flow of the right (47-2470B, 0.40 cfs, 20.0 acres) is being moved from one POD to another location downstream, so the fee should be based on the rate falling in the 0.21 – 1.00 cfs range which equates to \$500.00, the amount remitted and deposited.



BROCKWAY
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Hydrology

Water Resources

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DEPT OF WATER RESOURCES
SOUTHERN REGION

February 18, 2015

Allan Merritt
Idaho Department of Water Resources
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301

Re: Alphabet Soup LLC

Dear Mr. Merritt:

Alphabet Soup LLC desires to update the POD and POU of water right 47-2470B. The POD is proposed to be moved to a location closer to the POU. The POU needs to be adjusted to reflect property owned by Robert Monroe.

An easement with the neighbor has been granted to allow the POD and pipelines to be installed.

The beneficial use, period of use and ownership of 47-2470B will not be changing.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

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

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

Cc: Robert Monroe

Enc: Aerial Map, Warranty Deed, Annual Report, Brockway Engineering Check # 12494
for \$500.00

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506