

RECEIVED

SEP 03 2014

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

79579

DEPT OF WATER RESOURCES
SOUTHERN 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) Bruce L & Kathy J BulcherCheck 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

RECEIVED

SEP 03 2014

APPLICATION FOR TRANSFER OF WATER RIGHT DEPT. OF WATER RESOURCES
PART 1 SOUTHERN REGION

Name of Applicant(s) Bruce L & Kathy J Bulcher Phone (208) 423-6229

Mailing address 3627 E 3300 N. Hansen, Id. 83334 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 Erick Powell; Brockway Engineering, PLLC. Phone (208) 736-8543

Mailing address 2016 North Washington St. Suite 4 Twin Falls, Idaho 83301 Email erick.powell@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.

Bruce L Bulcher
Signature of Applicant or Authorized Representative

Bruce L Bulcher
Print Name and Title if applicable

8/21/14
Date

Kathy J. Bulcher
Signature of Applicant or Authorized Representative

Kathy J. Bulcher
Print Name and Title if applicable

8/21/14
Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
☐ Change nature of use

☐ Add diversion point(s)
☐ Change period of use

☒ Change place of use
☒ Other Split Right 47-2521; Change Ownership
- 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**.
Groundwater rights to be sold. Ownership of rights will change after transfer is finalized. The new POD and PPU are outlined in transfer documents with identified POU within PPU.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 25 2014

APPLICATION FOR TRANSFER OF WATER RIGHTS
PART 1 Continued

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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 ☒ ☐	47-2521	2.00 / NA	Irrigation	03/15 to 11/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.00 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 2.00 cubic feet per second and/or _____ acre-feet per annum.

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 #
		SW	SW	SE	36	11S	19E	Twin Falls	Groundwater	
	3	SW	NW	SW	31	11S	20E	Twin Falls	Groundwater	
	4	SE	NW	NW	6	12S	20E	Cassia	Groundwater	
	5	SW	SW	NW	6	12S	20E	Cassia	Groundwater	

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	19E	36														10	9.4		19.4
12S	19E	1				1													1
12S	20E	6						8	0.7	9.7	20	77				6.3		4.4	126.1
Total Acres (for irrigation use)																			146.5

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.

I.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	47-2521	2.00 / NA	Irrigation	03/15 to 11/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 2.00 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 2.00 cubic feet per second and/or _____ acre-feet per annum.

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 #
		SW	SW	SE	36	11S	19E	Twin Falls	Groundwater	
	3	SW	NW	SW	31	11S	20E	Twin Falls	Groundwater	
	4	SE	NW	NW	6	12S	20E	Cassia	Groundwater	
	5	SW	SW	NW	6	12S	20E	Cassia	Groundwater	

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	19E	36	40	40	40	40									40	40	30	40	310
11S	20E	31		76	77							77	72	14			38		354
12S	19E	1	40			40													80
12S	20E	6	38	40	40	40	40	73	78	40	40	78			40	40	40		627
Total Acres (for irrigation use)																			1371*

*Right 47-2521 limited to 146.5 acres within PPU. Irrigation area identified on attached map.

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:

Well, pump & pipe system feed pivots & risers.

- b. Who owns the property at the point(s) of diversion? Darrell M. Funk

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Agreement to purchase water rights by Darrell Funk. Lease agreement from Canes to authorize Funks to put water on the proposed Permissible Place of Use.

- 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: Northwest Farm Credit

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:

No change. Share of TFCC were purchased to replace groundwater use.

- 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:

Existing PPU boundary includes irrigation water rights owned by Darrell Funk and Shaunna and Danford Crane.

Use of this groundwater right is as a primary right, and will not be stacked with any existing rights, except for 19.8 acres of ground in T11S R19E Section 36 that only has a Dry Creek Water Right. Those 19.8 acres will be supplemental to Dry Creek Water. Crane WR in Section 6 will be moved in accompanying transfer.

- 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:

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 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 groundwater right is not supplemental. Original licensing documents, SRBA documents, and Power records provided from 2009 through 2013 show water use that is not supplemental. Condition S20 was placed on these water rights following the SRBA partial decree because rights were located within the service area of the Twin Falls Canal Company. No analysis was performed to illustrate that the rights were stacked with TFCC water.

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 4 attachments.

Received by DM Date 9-3-2014 Preliminary check by _____ Date _____

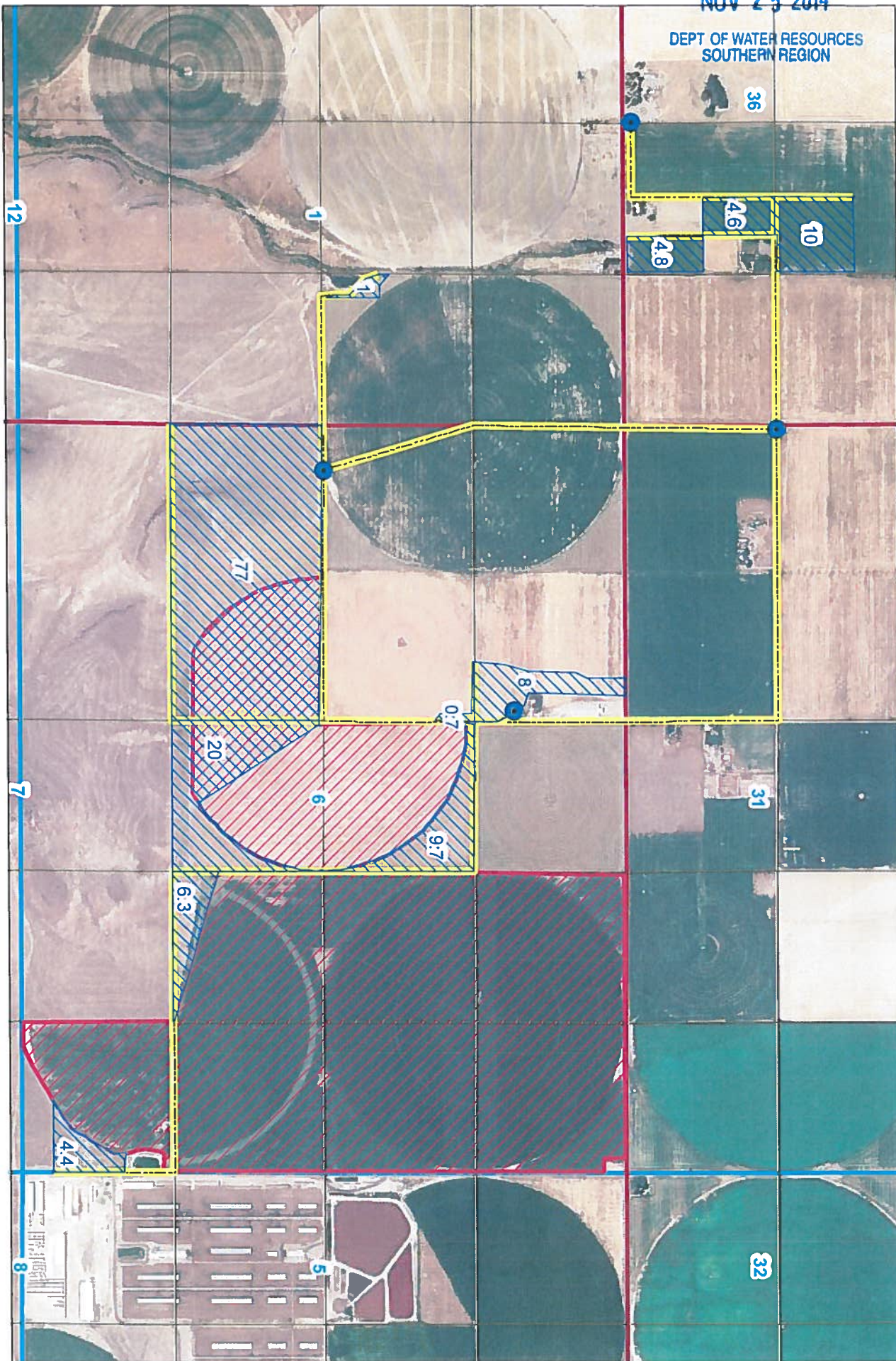
Fee paid \$580- Date 9-3-2014 Received by DM Receipt # 5034277

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

NOV 25 2014

DEPT OF WATER RESOURCES
SOUTHERN REGION

Plan F (Proposed Bulcher, Bruce & Kathy NAIP 2013 Transfer map to Funks.mxd



**BULCHER, BRUCE & KATHY
WATER RIGHT TRANSFER
NAIP 2013 AERIAL PHOTO.**

Legend

Proposed POD

POU_by_AQ

Distribution System

Current Crane Water Rights

BROCKWAY ENGINEERING, PLLC
GEP-Date: 11/25/2014

RECEIVED

SEP 03 2014

DEPT OF WATER RESOURCES
SOUTHERN REGION

August 14, 2014

Re: Bruce L. Bulcher
Water Right No. 47-2531
Water Right No. 47-2521

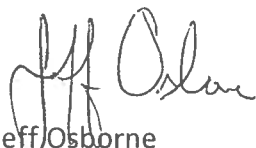
To Whom It May Concern:

Northwest Farm Credit Services, FLCA, as mortgagee of the following described real property; T11S R19E, Boise Meridian, Twin Falls County, ID, Section 18: E½, SE¼SW¼, does hereby release and waive any lien, claim, encumbrance or interest in the appurtenant Water Right No. 47-2531 and Water Right No. 47-2521.

Northwest Farm Credit Services, FLCA further consents to the following:

1. Severance of the Water Right No. 47-2531 and Water Right No. 47-2521 from the land to which the Water Right is appurtenant.
2. Transfer of the point of diversion and place of use of Water Right No. 47-2531 and Water Right No. 47-2521.

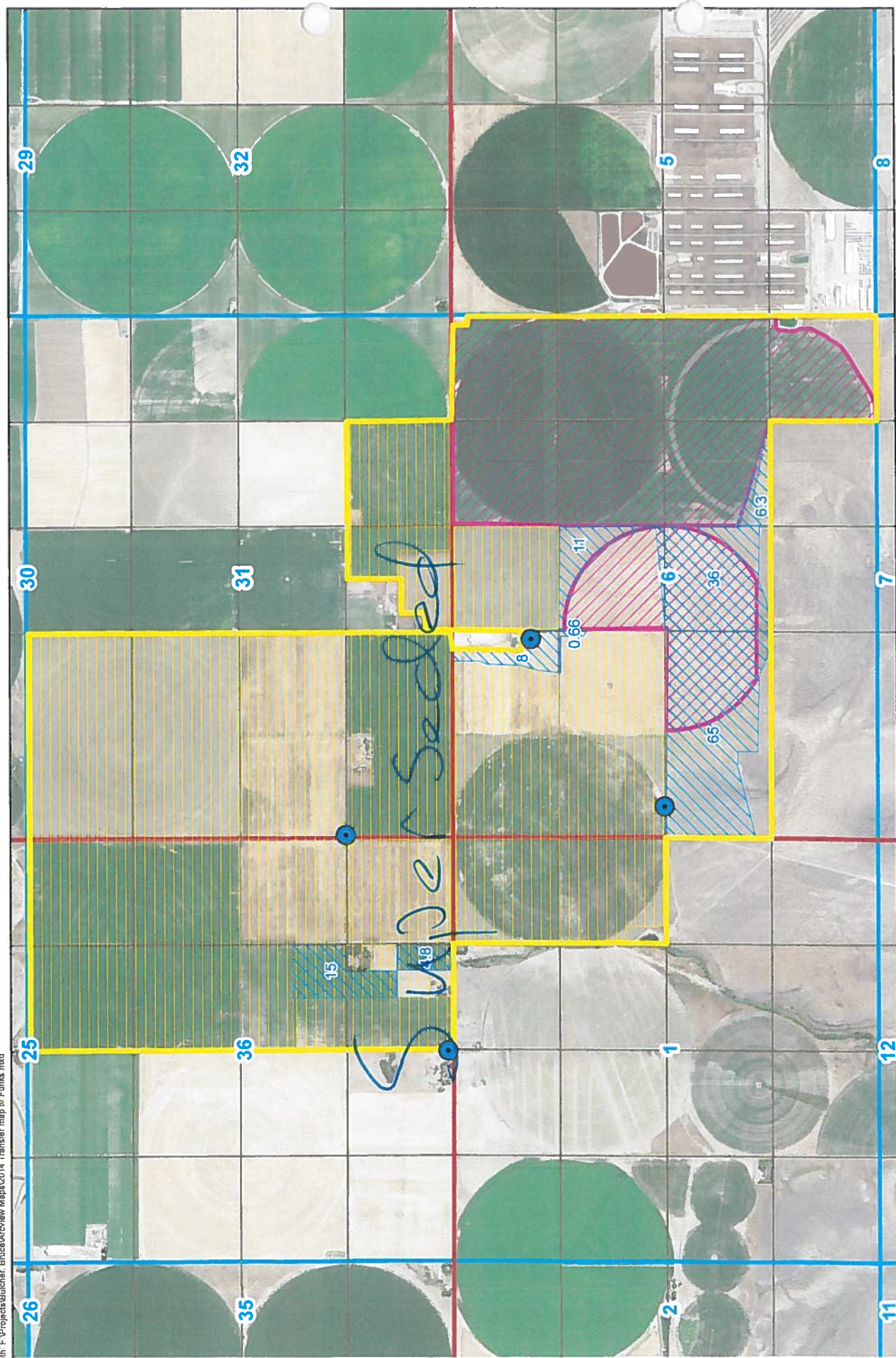
Sincerely,



Jeff Osborne
Relationship Manager/VP

cc

TRANSFER 79579



Legend

- Proposed POD
PPU Boundary
Proposed POU within PPU
Current Funk Water Rights
Current Crane Water Rights

**BULCHER, BRUCE & KATHY
WATER RIGHT TRANSFER
NAIP 2013 AERIAL PHOTO.**



BROCKWAY ENGINEERING, PLLC.
GEP - Date: 8/29/2014

State of Idaho

License and Certificate of Water Right

Water License No. 80718

Amount Two second feet

Water District No.

Priority October 25, 1948

THIS IS TO CERTIFY that H. O. FORTNER of Twin Falls, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 25, 1948; that Permit No. 80718 was issued under said application; that Certificate of Completion of works, with a carrying capacity of Two second feet, was issued thereunder on September 6, 1951, showing that said works were completed on the 7th day of August, 1951; and that on the 26th day of December, 1951,

H. O. FORTNER

of Twin Falls, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of ten wells, ~~and~~ (subterranean flow) for the purpose of irrigation and domestic use, under Use Permit No. 80718 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 8 of Licenses at page 4908 on the 14th day of August, 1953.

The right hereby confirmed dates from October 25, 1948;

The Point of Diversion located NE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$

in the 14th Sec. 18, Tp. 11 S., R. 19 E., R. M. Twin Falls County to Harold L. Bulmer, of Kimberly, Idaho, Assignee.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed Two (2) cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S.	19 E.	18	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	35
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	37.5
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	39
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	35
			Number of acres actually irrigated -	-	146.5

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

14th day of August, 1952.

MARK R. KULP

State Reclamation Engineer

(SEAL)

AGREEMENT FOR PURCHASE OF IRRIGATION WATER RIGHTS

This Agreement is made effective this 22nd day of August, 2014 by and between Bruce & Kathy Bulcher and Funk Farms.

1. This agreement is drafted in order to define the sale of water right 47-2521. Water right no. 47-2521 is a groundwater irrigation right currently owned by Bruce & Kathy Bulcher with a priority date of October 25, 1948 for 2 cfs.
2. Water right no. 47-2521 was partially decreed in the SRBA court on June 1, 2010.
3. Funk Farms agrees to purchase the water right no. 47-2521 for the sum of [REDACTED] contingent that the right transfers fully to a new place of use, as described by Funk Farms.
4. This Agreement shall be binding until changed or nullified by the parties in writing
5. This Agreement shall be governed by the laws of the State of Idaho
6. This Agreement may be modified or amended if the amendment is made in writing and is signed by both parties.

Bruce & Kathy Bulcher:

Bruce L Bulcher 8/21/14
Signature Date

BRUCE L Bulcher
Name

Title

Kathy J Bulcher 8/21/14
Signature Date

Kathy J. Bulcher
Name

Title

Funk Farms:

Darrell Funk 8-22-14
Signature Date

Darrell Funk
Name

Title

Signature Date

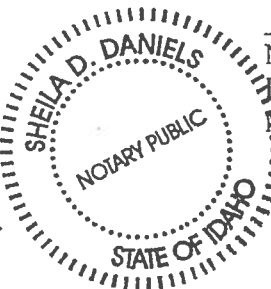
Name

Title

STATE OF IDAHO)
County of Twin Falls)
ss.

On this 21st day of August, 2014, before me, a Notary Public for said County and State, personally appeared Bruce & Kathy Bulcher known or identified to me, to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.

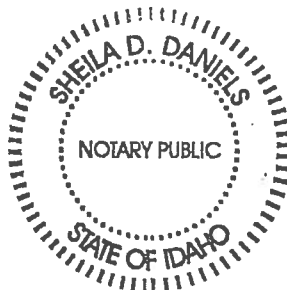


Sheila D. Daniels
NOTARY PUBLIC FOR IDAHO
Residing at Kimberly, Idaho
My commission expires 8/16/19

STATE OF IDAHO)
County of Twin Falls)
ss.

On this day of 22nd August, 2014, before me, a Notary Public for said County and State, personally appeared Darrell Funk, known or identified to me, to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.



Sheila D. Daniels
NOTARY PUBLIC FOR IDAHO
Residing at Kimberly, Idaho
My commission expires 8/16/19

RECEIVED

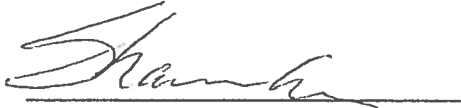
SEP 24 2014

DEPT OF WATER RESOURCES
SOUTHERN REGION

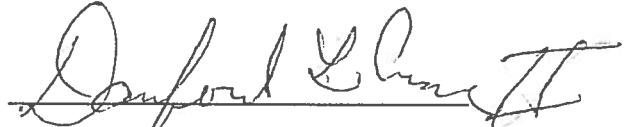
To Whom It May Concern:

We, Shaunna and Danford Crane, are aware of the proposed transfer to move water from Bruce Bulcher (Water Right No. 45-2521) to portions of our property (Cassia County Parcel No. RP12S20E065400 and RP12S20E060000) located in T12S R20E Section 6. We have given our consent to this transfer and agree to allow this water, purchased by the Funks, to irrigate our property.

Sincerely,



Shaunna Crane



Danford L. Crane II

9-18-14

Date

RECEIVED

SEP 03 2014

DEPT OF WATER RESOURCES
SOUTHERN REGION

TWIN FALLS CANAL COMPANY

P.O. BOX 326
Twin Falls, Idaho 83303-0326
Telephone: 208-733-6731
Fax: 208-733-1958

FACSIMILE COVER SHEET

DATE: 2-4-14 Recipient's Fax: 736-8506RE: BulcherTO: AMYFROM: KAYNumber of pages including this cover sheet: 4MESSAGE: AMY,

BACK in 1985 & 86 is when these
shares were attached to the NE $\frac{1}{4}$
& N $\frac{1}{2}$ SE $\frac{1}{4}$. We show no water
shares in the SW $\frac{1}{4}$ SE $\frac{1}{4}$.

The current Cert # is 41781.

Hope this helps.

KAY

If you have received this communication in error, please immediately call (208) 733-6731 and return this facsimile to us at the above address. We appreciate your cooperation.

TRANSFER 79579

6147 ✓

1010

Bulcher, Harold with an undivided 1/2 interest
 Bulcher, Bruce and Kathy O. with an undivided 1/2 interest

Bill: Bulcher, Harold

Bulcher, Bruce and Kathy O. Rt. 1, 3627 E 3300 N, Hansen, ID 83334

C

9330

9391

9437

9500

9591

9836

9837

6 13 90 NE 1/4 159.97 shares 239.97

N 1/2 SE 80.00 shares

SE SW No shares

SW SE No shares

~~SE SW No shares~~

1HL Tap- 08.5 1

18-11-19

#26

Delete 6147

Bill #4005 Bruce L. & Kathy O. Bulcher
 3627 E 3300 N
 HANSEN, 83334

Combined with Cert # 31801

CANCELLED

TO CERTIFICATE

NO. 41781

TWIN FALLS PRINTING

29500 Bulcher, Harold & Louis, Owner

B. 71 # 25176

OC

Bill: Louis & Lavon Bulcher

17632

27854

28390

24722

24214

25564

18021

4 18 86 N 1/2 SE 1/4 18-11-19

49.78

Harold Bulcher With an undivided
1/2 interest.

AND

Bruce & Kathy O. Bulcher (H&O) " " " "

1 HL - T.F.S. 1

T.F.S.

CANCELLED

Transferred to New Certificate

31010

Revised 11-12-85 (27632)
 By Board + 27854, 12-11-85 (28390)
 2-10-86 (24722) 1-15-86 (24214)
 2-10-86 (25564 + 18021)

N^o 41781For 279 ⁹⁷ SharesIssued To Bruce L. Bulcher &
Kathy Jo BulcherNE $\frac{1}{4}$ 159.97 shsN $\frac{1}{2}$ SE 80.00 shsSE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.00 shs18-11-19Dated Dec. 30, 20 13

NO. ORIGINAL CERTIFICATE	NO. ORIGINAL SHARES	NO. OF SHARES TRANSFERRED
31010	239.97	279.97
31801	40.00	

Received Certificate No.

For Shares

this day of 20

mailed: TitleFACTAttn: Susie\$
25 846388

010

97
 239 Shares
 Issued To

Ed Bullock
an individual
not a

Bullock and
Ed. Bullock with
limited interest
159.97 1/2 SE 1/4 - 80.00
18-11-19
SW 1/4 SE 1/4 SE 1/4 Section

Date *June 13, 1970*

NO. ORIGINAL CERTIFICATE	NO. ORIGINAL SHARES	NO. OF SHARES TRANSFERRED
2380	2.00	
2391	5.12	
2437	10.06	
2450	48.78	
2459	6.45	
2476	159.97	
2477	0.39	
		239.97

Received Certificate No.

For Shares

this day of 19.....

Mailed: T. L. L. L. L.
15 of 180
T. L.

4 5

31 99



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

December 12, 2014

BRUCE L BULCHER
KATHY J BULCHER
3627 E 3300 N
HANSEN, ID 83334

RE: Transfer No. 79579
Water Right No(s). 47-2521

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 12/18/2014 and 12/25/2014**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**January 5, 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 ERICK POWELL
2016 N WASHINGTON ST STE 4
TWIN FALLS, ID 83301

Maline, Denise

From: Maline, Denise
Sent: Thursday, December 11, 2014 2:50 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 December 18th & 25th, 2014. 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

December 11, 2014

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 78846
Water Right No(s): 43-10597A, 43-2574D, 43-2576D

RE: Transfer No. 79579
Water Right No(s): 47-2521

RE: Transfer No. 79580
Water Right No(s): 45-10107, 45-2176, 45-2220, 45-2408

RE: Transfer No. 79679
Water Right No(s): 36-7377F, 36-7547F

RE: Transfer No. 79680
Water Right No(s): 36-7377F, 36-7547F

RE: Transfer No. 79686
Water Right No(s): 43-13286, 43-13288, 43-13290

RE: Transfer No. 79687
Water Right No(s): 37-20799

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 January 5, 2015. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78846**

CROSS E LAND LLC, 358 S 2750 E, DECLO, ID 83323; has filed Application No. 78846 for changes to the following water rights within CASSIA County(s): Right No(s). 43-10597A, 43-2574D, 43-2576D. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to add a point of diversion to water rights 43-2574D, 43-2576D and 43-10597A, total allowance for the water rights is 26.82 cfs and 6,072 af. No change will occur to the place of use. The new well will have a maximum capacity of 6 cfs and be located approximately 5.5 miles east and 11 miles north of the City of Malta. Published in Times News, Idaho Statesman, Post Register & Lewiston Tribune on December 18th & 25th, 2014.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79579**

BRUCE L BULCHER and KATHY J BULCHER, 3627 E 3300 N, HANSEN, ID 83334; has filed Application No. 79579 for changes to the following water rights within CASSIA, TWIN FALLS County(s): Right No(s). 47-2521. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes moving a 2.0 cfs ground water right for the irrigation of 146.5 acres at a proposed place of use (POU) on an existing farm, with water diverted from four existing wells. The proposed POU and the four wells are located approximately 4.7 to 6.0 miles south and 0.7 miles east to 0.9 miles west of Murtaugh. Current place of use is located approximately 1.1 to 1.6 miles south and 5.4 to 5.9 miles west of Murtaugh.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79580**

SHAUNNA CRANE and DANFORD L CRANE II, 3772 N 3600 E, KIMBERLY, ID 83341; has filed Application No. 79580 for changes to the following water rights within CASSIA, TWIN FALLS County(s): Right No(s). 45-10107, 45-2176, 45-2220, 45-2408. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes moving portions of four irrigation ground water rights for use in a new place of use on an existing farm located approximately 4.5 to 5.2 miles south and 2.0 to 2.6 miles east of Murtaugh. The portions to be moved are as follows: 8.7 acres (0.17 cfs) from water right 45-2176; 17.4 acres (0.20 cfs) from right 45-2220; 26.1 acres (0.14 cfs) from right 45-2408 and 6.4 acres (0.13 cfs) from right 45-10107. Total allowed diversion for the moved portions will be 0.52 cfs and 122 Af for the irrigation of 36.8 acres. Current place of use is located approximately 5.2 to 6.2 miles south and 0.0 to 0.9 miles east of Murtaugh.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79679**

SOUTHFIELD DAIRY, 3308 S 1600 E, WENDELL, ID 83355; has filed Application No. 79679 for changes to the following water rights within GOODING County(s): Right No(s). 36-7377F, 36-7547F. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes moving a 5.9 acre portion of two irrigation rights from a farm located approximately 5.5 to 6.0 mi. west and 1.5 to 2.0 mi. south of the center of Wendell to an existing CAFO located approximately 3.5 to 4.0 mi. west and 5.25 to 5.5 mi. south of the center of Wendell (intersection of Main St. and HWY 46). Transfer will allow for the diversion of up to 0.11 cfs and 23.6 AFA from an existing well for uses associated with the CAFO facility.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79680**

SOUTHFIELD DAIRY, 3308 S 1600 E, WENDELL, ID 83355; has filed Application No. 79680 for changes to the following water rights within GOODING County(s): Right No(s). 36-7377F, 36-7547F. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes converting a 17.1 acre portion of two irrigation rights from a farm located approximately 5.5 to 6.0 mi. west and 1.5 to 2.0 mi. south of the center of Wendell to an existing dairy operation located approximately 5.0 to 5.5 mi. west and 1.5 to 2.0 mi. south of the center of Wendell (intersection of Main and HWY 46). Transfer will allow for the diversion of up to 0.32 cfs and 68.4 AFA from three existing wells for uses associated with the dairy facility.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79686**

JCK FARMS LLC, 695 S 320 W, PROVO, UT 84601; has filed Application No. 79686 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13286, 43-13288, 43-13290. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to add a point of diversion (POD) to ground water irrigation rights 43-13286 (2.75 cfs), 43-13288 (3.68 cfs), and 43-13290 (1.04 cfs) which are currently diverted from 4 wells. The new well will be located 1.75 miles north and 0.25 miles east of the intersection of State Highways 77 and 81 in Malta.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79687**

MICKEY R LEGUINECHE and LOUIS J LEGUINECHE, 1450 S 1750 E, GOODING, ID 83330; has filed Application No. 79687 for changes to the following water rights within GOODING County(s): Right No(s). 37-20799. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change a groundwater point of diversion located approximately 4.8 miles north and 1.7 miles west of the center of the city of Gooding (7th and Main) to a new well to be drilled located approximately 4.5 miles north and 2.25 miles west of the center of the city of Gooding. The proposed new well will allow for the diversion of 2.04 cfs, 408.0 afa, for the irrigation of 102.0 acres.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. To see a full description of these rights and the proposed transfers, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, 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 January 5, 2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on December 18th & 25th, 2014

MEMORANDUM

Date: December 9, 2014
To: Transfer 79579 File
From: Bill Mills
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes moving a 2.0 cfs ground water right for the irrigation of 146.5 acres at a proposed place of use (POU) on an existing farm, with water diverted from four existing wells. The proposed POU and the four wells are located approximately 4.7 to 6.0 miles south and 0.7 miles east to 0.9 miles west of Murtaugh. Current place of use is located approximately 1.1 to 1.6 miles south and 5.4 to 5.9 miles west of Murtaugh.

This transfer will move water right 47-2521 into basin 45 and the right will be renumbered to 45-14464 in the transfer process.

This right was claimed in the SRBA, and due to evidence that canal water was used on the POU, a supplemental condition was placed on the recommendation and subsequent decreed right. The applicant has maintained that this right was not used in conjunction with canal shares and that the wells were abandoned when canal shares were used at the place of use. An affidavit was provided by the applicant that explains the timeline and how the ground water use was phased out while canal shares were acquired. After reviewing this proposed transfer with administrative staff, it was decided that the affidavit, a communication documentation (dated 4/14/1995) from the claim file and documentation provided by Twin Falls Canal Company, appear to provide sufficient evidence to support the applicants claim of the intent to not use canal shares and ground water together. The transfer also seeks to move this water right to property without canal shares. As such, I have removed supplemental condition S20 from the water right.

Two separate parties, the Cranes and Mr. Funk, separately own portions of the land where the new POU will be established. Mr. Funk has provided a contract of agreement, indicating he will purchase the water right after the transfer is approved. The Cranes have provided a letter of consent to allow part of the transferred right to be used on their property. The Cranes have also filed a companion transfer, #79580, that is seeking to split four water rights and move the split portions to a separate property also owned by Mr. Funk. Transfer #79580 will reduce the current place of use at the Crane property and Transfer #79579 will place part of water right 45-14464 on grounds vacated after approval of transfer #79580. Those actions will prevent any overlap between water right 45-14464 and other water rights owned by the Cranes.

Overlap analysis indicates there will be no ground water rights appurtenant to the proposed POU (after approval of transfer #79580). There is a potential 19.4 acre overlap in the proposed POU with two Dry Creek surface water rights, 45-487C (3.2 cfs; 662 acre limit; 683 acre PPU) and 45-488A (0.59 cfs; 662

acre limit; 683 acre PPU) in the NWSE and SWSE of Sec. 36, Twp 11S, Rge 19E. A combined limit condition was placed on this water right limiting the combined acres of all three rights to 789.1, and a condition stating that if surface water and ground water are combined in the area of potential overlap, ground water use will be supplemental to surface water use. The POU is in both The Twin Falls Canal Company and Southwest Irrigation District service areas. Proposed PODs also provide irrigation ground water under water rights 45-2317; 45-2318; 45-2319; 45-2290; 45-2292; 45-4142 and 45-10100, which are used to irrigate in an adjacent 898 acre permissible place of use (PPU). All points of diversion (POD) are within the Artesian City Critical Ground Water Area and Water District 140. Watermaster comments will be solicited.

- **Authority to File:** Applicant is listed as the current owner of the water right being transferred. The ownership of the water right will be changed after transfer approval and all parties involved with the establishment of the new POU have provided documentation indicating they consent to the changes proposed in the transfer.
- **Water Right Validity:** Water right 47-2521 was decreed in the SRBA on 6/1/2010. Recent aerial and satellite imagery indicate the properties associated with these rights appear to be irrigated.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated.
- **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 on Agricultural Base of the Local Economy:**
None Anticipated.

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

Mills, William

From: Erick Powell [erick.powell@brockwayeng.com]
Sent: Tuesday, November 25, 2014 3:10 PM
To: Mills, William
Subject: RE: Bulcher and Crane Transfers
Attachments: 2014 Transfer map Bulcher to Funks.pdf; APPLICATION_FOR_TRANSFER_FUNKS_PAGE_3.pdf

Hi Bill,

I believe that these two files will provide you with the information necessary to process and advertise these transfers. Here is a revised POU description (page 3) for the Bulcher transfer to the Funks. Also, I've provided an updated map with my understanding of the delivery system or the proposed delivery system.

Are these electronic copies sufficient, or do I need to send you hard copies as well?

Regards,
Erick

From: Mills, William [<mailto:William.Mills@idwr.idaho.gov>]
Sent: Thursday, November 20, 2014 2:46 PM
To: Erick Powell
Subject: RE: Bulcher and Crane Transfers

Eric,

After chatting with the powers that be about the Bulcher transfer, it was decided that we need a corrected page 3 that lists the proposed POU for 47-2521 and not the PPU, and an updated map that reflects the changes. Additionally, there are concerns about delivery of the water since this POU is spread apart and not centralized, so we are requesting an irrigation system diagram that demonstrates the proposed wells can, or will be able to, deliver water to the various locations that make up the POU. Once those items are addressed, I believe we'll be able to move forward to advertising. Call me if you have questions.

Thanks,
Bill

From: Erick Powell [<mailto:erick.powell@brockwayeng.com>]
Sent: Monday, November 17, 2014 12:21 PM
To: Mills, William
Subject: Bulcher and Crane Transfers

Hi Bill,

Here are the items that we discussed last week:

1. The transfer of the Bulcher water right to the Funk property originally outlined a PPU boundary. If IDWR must combine all of the water rights in the PPU boundary, then we do not want to create stacked water rights. Please reduce the PPU boundary to the Place of Use boundary, already submitted.
2. The Crane transfer should remove water rights from the Place of Use area outlined in #1. It is not the intent of these transfers to create stacked water rights on any of the properties.

Thanks again for your help.
Erick

G. Erick Powell, Ph.D., P.E.
Brockway Engineering, PLLC
2016 Washington Street North, #4
Twin Falls, Idaho 83301

Office: 208-736-8543
erick.powell@brockwayeng.com

All information, calculations, maps, drawings, or other documents transmitted via email are preliminary unless explicitly stated in the email text or in the documents themselves.

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2015.0.5577 / Virus Database: 4213/8599 - Release Date: 11/20/14

RECEIVED

OCT 23 2014

DEPT OF WATER RESOURCES
SOUTHERN REGION

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF THE WATER RIGHT
NOS. 47-2521 AND 47-2531

) COMMENTS AND
) EVIDENCE OF
) BRUCE BULCHER

COMES NOW, Bruce Bulcher, and provides the following comments and evidence in this matter:

1. I have lived in the Kimberly, Idaho area for most of my life. I was born Twin Falls on 5/23/1944. With the exception of a few years in college, military service, and working in Boise, I have lived in the immediate area.
2. I have a complete working knowledge of the water delivery system and the associate water problems on the farm because I grew up working the system and have been around the facilities since 1944 through the present. I became a managing member of our family farm in the mid-1980s when my Uncle decided to retire.
3. My father, Louis Bulcher, and uncle, Harold Bulcher, originally purchased 160 acres with groundwater right 47-2521 in December 1951. This land was owned by a Mr. Fortner, who originally applied for and developed the water right. There were two wells that served this property, and the groundwater right was the only water source.
4. My family purchased the 80-acres appurtenant to water right 47-2531 from the Stanger Family in 1959. The groundwater right was the only water source that irrigated this ground. In 1959, we had a total of 240-acres with the the Fortner 160-acres combined with the Stanger 80-acres.
5. Water right nos. 47-2521 and 47-2531 were permitted and licensed in the 1940s and 1950s. Both rights were licensed as primary groundwater rights. TFCC was not used in combination with these rights. This is clearly outlined in the water right licenses for both rights.
6. In the 1980s, the main well for the Fortner 160-acres would surge and begin to pump air. To preserved the well equipment, it forced us to shut the well off for periods of time. The groundwater also was high in alkalinity and would cause stress and damage to the plants, especially the beans.
7. My father and uncle decided to acquire Twin Falls Canal Company shares to replace the groundwater and eliminate the water problems associated with the well. We first acquired shares of the canal company in 1986. We continued to acquire shares of TFCC when they were available in an effort to obtain sufficient shares to convert from groundwater to TFCC.
8. To convert the irrigation system from groundwater to canal water required a substantial capital investment, so we did not convert our irrigation system until we had sufficient TFCC shares to completely convert the 240-acres. In 1987, we had acquired 240-share of TFCC, and we converted our irrigation system from groundwater to surface water. We completely disconnected the wells from the irrigation system and delivered only TFCC water. The TFCC water then irrigated 240-acres that used to be irrigated by groundwater rights 47-2521 and 47-2531.

9. The Savage family had 120-acres of ground next to our farm that they wanted to sell. This ground was historically irrigated by TFCC, but the Savages wanted to sell it without water. We purchased 40-acres from the Savages in 1987 and the other 80-acres in 1988. That gave us a total of 360-acres of ground. Initially we did not irrigate the Savage ground when we purchased it.
10. We acquired another 40-shares of TFCC water in 1990, which gave us 280-shares. We began to irrigate 280-acres with TFCC. We also began to resume use of water right 47-2531 on the remaining 80-acres without water, which would allow us a full irrigation supply on 360-acres.
11. In 1995, I went to the Department of Water Resources to try to explain our efforts to convert from groundwater to surface water and to make the appropriate claims in the SRBA, considering several things had changed since my father first made the claim in 1988. We spoke to Jeanie Robertson about the TFCC and the groundwater rights. We explained to Ms. Robertson how and when the surface water was acquired and not used until it replaced the groundwater rights. And how we recently began to use water right 47-2531 to irrigate the 80-acres of the Savage property that we did not have TFCC share for. Ms. Robertson adjusted the claim on both water rights to reflect our conversation. We assumed that IDWR would make the appropriate changes to the claim, as we discussed.
12. The SRBA partial decree was issued in 2010. The partial decree did not include language that the groundwater rights were now stacked with the TFCC water. We assumed that the partial decree would reflect the water rights moving forward.
13. After the partial decree was issued, IDWR placed a condition on both of our groundwater rights that the groundwater rights were supplemental to the TFCC shares. This was done without our consent or knowledge.
14. We have never used the water rights 47-2521 and 47-2531 in combination with TFCC water. The farm has been irrigated with surface water on 280-acres and ground water on 80-acres since 1990.
15. Since we have not used the groundwater right 47-2521, we decided that we would sell the right to someone who could use the groundwater. Once we decided to sell the right, it came to our attention that IDWR placed a combination statement on this right that it can now only be used in combination with TFCC water. This is contrary to the water right license, contrary to our explanation to Ms. Robertson in 1995, and contrary to how the system has been operating since we converted from groundwater to surface water.

DATED this 17th day of October, 20 14.

Bruce Bulcher
Bruce Bulcher

State of Idaho)
) S.S.
County of Twin Falls)

On this 17th day of October, in the year of 2014, before me, a Notary

Public, personally appeared Bruce Louis Bulcher, proved to me on
The basis of satisfactory evidence to be the person(s) whose name(s) is (are)
subscribed to the within instrument, and acknowledged that he (she) (they)
executed the same.

Sheila D. Daniels

Notary Public
In and for said State and County

8/6/19
My Commission Expires on

S
E
A
L



6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A47-02521,

~~A47-02531~~

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE

April 14, 1995 3:35pm

CUSTOMER

Harold and Bruce Bulcher

SUBJECT: New Claim

Harold was in last week and wanted to amend A47-02521, changing the P/U from the original license, as he claimed, to show how the system was actually used. He and his nephew, Bruce, came back in today and explained their system. They own 360 acres and have 280 canal shares (appurtenant to the NE quarter, the north half of the SE quarter, and the SESE quarter.) They bought the property in April of 1987 and put in the current system, which co-mingles the water in ponds and ditches. The wells in the NE quarter have been abandoned and they only use the well in the SWNESE. They stated the well pumps approximately 50". They decided to leave A47-02521 as claimed and file on the unclaimed well for A47-02531, but claiming the P/U in the SESW and the SWSE (instead of the NESE and NWSE as originally licensed). It would appear to be an Accomplished Transfer based on the dates as stated. It also appears the sytem is a PPU.

I gave Bruce an O/C form for A47-02521 as he bought his father's (Louis) interest.

[Licenses 47-02504 and 47-02506 were originally appurtenant to these 80 acres (SESW, SWSE) but are no longer.]

NOV 28 1996

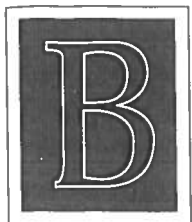
RECEIVED

SEP 03 2014

DEPT OF WATER RESOURCES
SOUTHERN REGION

Outline of Materials Submitted:

1. PPU Transfer 47-2531
 - a. Transfer application
 - b. Map of transfer, including POU within PPU
 - c. Signed letter from lienholder
 - d. TFCC documents
 - e. License of 47-2531, other IDWR and SRBA records are available in IDWR files
 - f. Power Records from 2009-2013 from Bulcher groundwater use
 - g. Fee submitted for transfer \$500
2. Transfer of 47-2521
 - a. Transfer application
 - b. Map of transfer, including POU within PPU
 - c. Signed letter from lienholder included in 47-2531 transfer
 - d. TFCC documents included in 47-2531 transfer
 - e. License of 47-2521, other IDWR and SRBA records are available in IDWR files
 - f. Power Records from 2009-2013 included in 47-2531 transfer
 - g. Purchase agreement between Bulcher and Funk Farms
 - h. Fee submitted for transfer \$580
3. Transfer of Crane Water rights
 - a. Transfer application
 - b. Map of transfer
 - c. ESPA Evaluation was not performed because IDWR indicated that no analysis was necessary for transfers to neighboring cells
 - d. Ownership of water rights will remain with Crane's with authorization of Funks to put Bulcher's water rights on Crane property.
 - e. Fee submitted for transfer \$500



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

COPY

RECEIVED

SEP 03 2014

DEPT OF WATER RESOURCES
SOUTHERN REGION

August 29, 2014

Allen Merritt
Idaho Department of Water Resources
650 Addison Ave. West, Suite 500
Twin Falls, Idaho 83301-5858

Re: Transfer Applications for Bruce Bulcher
Project No. 1248-01-2013

Dear Allen,

Enclosed with this letter are three applications for transfer of water rights. I will discuss each water right transfer and how these applications are interrelated.

Bruce Bulcher came into our office last winter to inquire about options regarding his groundwater right (47-2521) that he no longer uses or needs. This groundwater was licensed for irrigation of 146.5 acres with 2 cfs and has a priority date of 10/25/1948. The Bulcher's also have another groundwater right (47-2531) with a priority date of 8/19/1950 to irrigate 80 acres with 0.7 cfs. Combined, these rights authorized irrigation of 226.5 acres. These rights were originally licensed as primary water source and not combined with any other source.

The Bulcher family decided that pumping groundwater for irrigation was economically prohibitive and they secured 239.97 shares of Twin Falls Canal Company in 1985 and 1986 to replace the irrigation water source on the farm. The groundwater rights were used to irrigate the rest of the 360-acre farm, not as supplement water to the TFCC shares.

Both groundwater rights were partially decreed in the SRBA on 6/10/2010. The IDWR recommendation and SRBA partial decree followed the license and historical documents, which supported that these groundwater rights are primary water sources and are not supplementary to TFCC water. However, following the partial decree, IDWR added an explanatory comment that these rights were combined with TFCC water (Condition S20). It appears that this comment was incorrectly applied to these groundwater rights, as these groundwater rights were developed as primary rights and then replaced by TFCC water. According to Mr. Bulcher, these groundwater rights were never used in combination with TFCC.

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

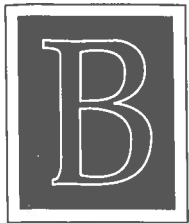
CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

COPY

Mr. Bulcher has provided power records from 2009 through 2013 to illustrate that these rights have not been used in combination with TFCC water. The average groundwater diversion volume was calculated at under 50 acre-feet per year. Therefore these groundwater rights were not used in combination with TFCC water and they should be treated as primary groundwater rights. We respectfully request that condition S20 be removed from water right 47-2521 and 47-2531 to reflect the original license, water right recommendation, and SRBA partial decree. Since that these rights were partially decreed on 6/10/2010, Mr. Bulcher has until 6/10/2015 before the State can consider these rights forfeited.

With the establishment that these groundwater rights are primary, Mr. Bulcher proposes the following transfers:

1. Transfer water right 47-2531 to create a PPU of the Bulcher property with the current irrigated POU within the PPU as the SESW and SWSE of Section 18 T11S R19E. This POU is 80-acres and this right will be limited to 80-acres within the PPU boundary. TFCC water will not be used on the same 80-acres of ground.
2. Transfer water right 47-2521 to the Funk Farms. The POU of the water right will be within a defined PPU boundary of 1451-acres, but this water right will be limited to 146.5-acres as identified.
 - a. Part of the new POU includes areas that have water rights owned by Shaunna and Danford Crane. Mr. and Mrs. Crane have also included a transfer to move 57.5-acres of groundwater rights from their current place of use to make room for the new Bulcher water rights.

Once these transfers are assigned to an agent, I would request the opportunity to walk through these transfers with the agent to clarify any points of confusion.

Sincerely,


G. Erick Powell, Ph.D., P.E.

enclosed

cc: Bruce Bulcher
Darrell Funk

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

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

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506