

RECEIVEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 79202

MAR 14 2014

DEPT. OF WATER RESOURCES
SOUTHERN REGION**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) TSK Enterprises, LLCCheck 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: ET-Idaho precipitation deficit for turf irrigation related to change in nature of use (3 pg).

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAR 14 2014

DEPT. OF WATER RESOURCES
SOUTHERN REGIONAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant(s) TSK Enterprises, LLC Phone (208) 320-0897Mailing address PMB 617 255 Blue Lakes Blvd. N. Twin Falls ID 83301 Email tskenterprise@cableone.net

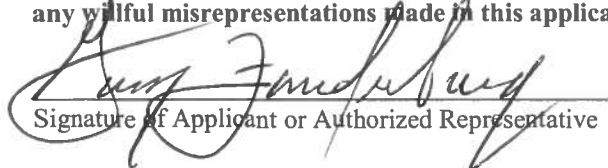
- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the 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 RepresentativeName of Representative Jason C. Helms, P.E. Phone (208) 308-2109Mailing address 6755 N. Albert Lane Idaho Falls, ID 83401 Email jasoncivil@alumni.nd.edu

- ☐ 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

GARY Funderburg Owner
Print Name and Title if applicable

2/26/2014
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**.

This transfer seeks to transfer the consumptive use of existing water right 36-8478 from stockwater and commercial use for residential garden and turf irrigation on another property located approximately 1.5 miles to the southeast. Total consumptive use will not be changed.

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 ☐ ☒	36-8478	0.06 / 6.4	Irrigation	03/15 to 11/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.06 cfs and/or 6.4 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.06 cubic feet per second and/or 6.4 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 #
n		NE	NW	NE	11	09S	16E	Jerome	Ground Water	Extg. Well 36-10132

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	
09S	16E	11		2.0															2.0
Total Acres (for irrigation use)																			2.0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

5. General Information:

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

Existing well, new pump and distribution piping for lawn and garden within Lot 4, Block 1 of Sonnichsen Subdivision.

Flow measurement will be installed as required by the water master.

- b. Who owns the property at the point(s) of diversion? William De Jong and Renee De Jong

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

TSK Enterprises is facilitating the transfer of this water right portion. Ownership change will be filed following

transfer approval. See attached agreements between TSK Enterprises and the water right and property owners.

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

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

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

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

Existing water right is fully consumptive and total water use will be reduced to provide for the new consumptive use.

Weather station data (see attachment 8a-1, 9) indicates turf irrigation requires a consumptive use (C.U) of 972 mm or 3.19 acre-ft per acre.

- 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 water right 36-8478 is combined with water rights 36-10845, 36-16196, 36-16198 providing stockwater and

commercial uses. Only a portion of 36-8478 is sought to be changed by this transfer. Proposed point of diversion

and place of use currently associated with existing domestic water right 36-10132 which will continue to provide in-

house use and 1/2 acre of irrigation on the same property.

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

Yes No

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

If yes, describe:

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

Current Water Right No.: 36-8478

Current Owner: THEODORE BAAR
ANNA E BAAR
NORTHWEST FARM CREDIT SERVICES FLCA

Priority Date: 11/7/1989

Origin: Water Right

Status: Active

Basis: License

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.47 CFS	41.9 AF
COMMERCIAL	01/01 to 12/31	0.47 CFS	41.9 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
	<u>Total Diversion</u>	0.47 CFS	43.1 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NW1/4	Sec. 3,	Twp 09S,	Rge 16E B.M.
JEROME County				
GROUND WATER	SW1/4NW1/4	Sec. 3,	Twp 09S,	Rge 16E B.M.
JEROME County				

Place of Use

STOCKWATER Within JEROME County

T09S R16E S3	SWNW	T09S R16E S3	SENW
--------------	------	--------------	------

COMMERCIAL Within JEROME County

T09S R16E S3	Lot 3	NENW	T09S R16E S3	SWNW
T09S R16E S3		SENW	T09S R16E S3	NESW

DOMESTIC Within JEROME County

T09S R16E S3	SWNW
--------------	------

Conditions of Approval:

1. 106 Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
2. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
3. T18 Prior to diversion of water under this approval, the right holder shall provide a lockable controlling works for all authorized points of diversion. The controlling works must be suitable for control of the diversions and acceptable to the watermaster.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. X01 Domestic use is for 1 home within the SWNW, S3, T9S, R16E.
6. 082 Prior to the diversion of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
7. WD8 The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
8. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. X35 Rights 36-10845 and 36-8478 when combined shall not exceed a total diversion rate of 0.47 cfs and a total annual maximum diversion volume of 43.1 af.
10. Rights 36-10845, 36-16196, 36-16198, and 36-8478 when combined shall not exceed a total diversion rate of 0.76 cfs and a total diversion volume of 96.1 afa except as modified below.
11. 115 Prior to the diversion and use of water under Transfer approval 71004, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
12. WB4 The total instantaneous diversion of water from all points of diversion under Rights 36-10845, 36-16196, 36-16198 and 36-8478 shall not exceed 0.76 cfs, nor a total combined annual volume of 96.1 afa except as modified below.
13. Commercial use is for a dairy with barn located in SWNW, S3, T9S, R16E.
14. Beginning on the date of approval of Transfer 71004, Rights 36-16196, 36-16198, 36-10845 and 36-8478 when combined are limited to the following schedule of allowed diversion volume. The diversion of water shall be evenly distributed throughout the authorized season of use, except that minor variations are allowed for seasonal fluctuations in water requirements. The right holder shall file a notice of intent with the Department prior to increasing the annual diversion volume each time an increase according to the schedule is sought.

Year 2004 the rights are limited to 64.2 afa.
Year 2005 the rights are limited to 78.6 afa.
Year 2006 through 2007 the rights are limited to 82.2 afa.
Year 2008 through 2012 the rights are limited to 88.3 afa.
Year 2013 through 2017 the rights are limited to 90.1 afa.
Year 2018 through 2022 the rights are limited to 91.9 afa.
Year 2023 through 2031 the rights are limited to 93.1 afa.
Year 2032 through 2042 the rights are limited to 94.3 afa.
Year 2043 and beyond the rights are limited to 96.1 afa.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (**GIS**) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☒ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by Jim B. Date 3-20-2014 Preliminary check by Jim Date 3-20-2014

Fee paid 450.00 Date 3-20-2014 Received by Jim B Receipt # 5033815

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

ESPA Ground Water Rights Transfer Spreadsheet Data Summary

TRANSFER NO:
TRANSFER NAME: TSK Enterprises: Baar-De Jong

PREPARED BY: Jason C. Helms, P.E.
DATE: 2/25/2014
Transfer Tool Version: Version 3.1

WATER RIGHTS INVOLVED:

Group 1 Transfer Rights	
Right No.	Priority Date
36-8478	11/7/1989

HISTORIC BENEFICIAL USE:

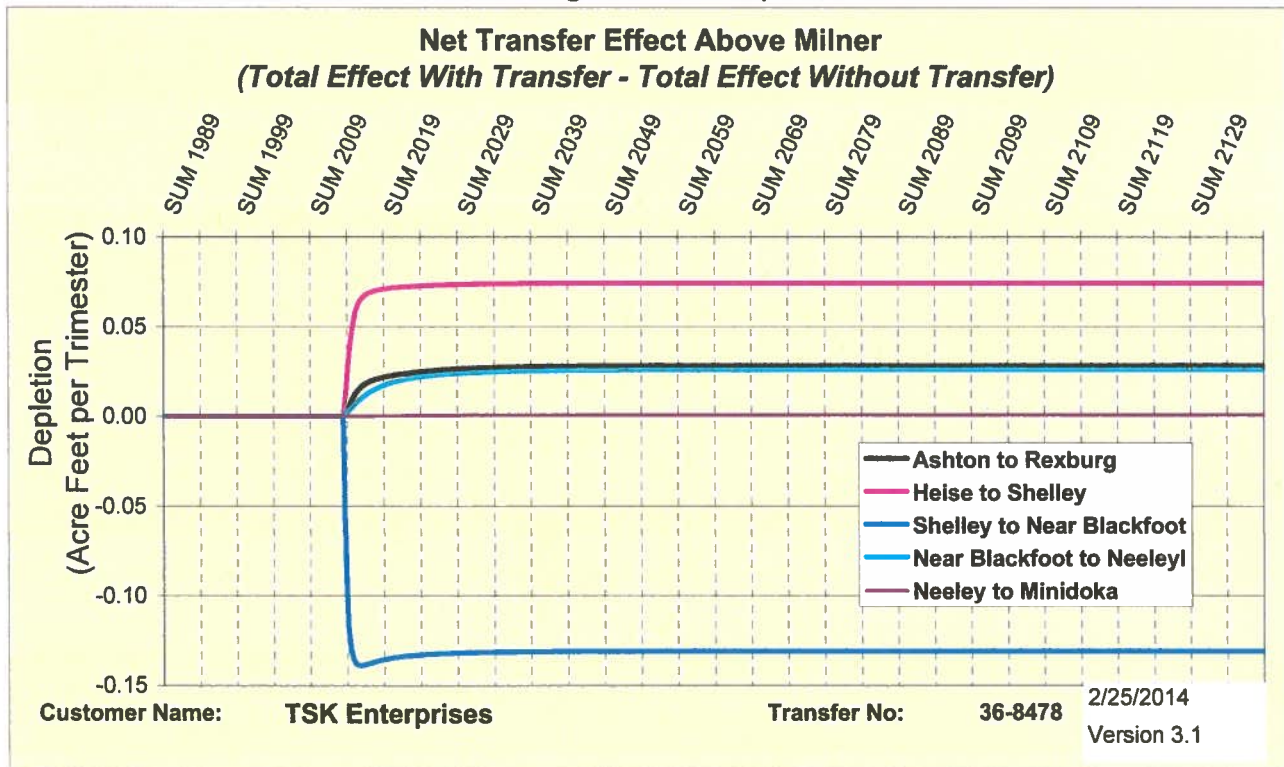
Trans/Mit. Rights (group no.)	Acres to Dry Up (ac)	Beneficial Use (af/yr)	Total (af/yr)
36-8478	2.0	6.38	6.38
TOTAL:	2	6.4	

MODEL CELL LOCATIONS:

	TO WELL	FROM1 WELL	FROM2 WELL	FROM3 WELL
ROW	57	55	0	0
COLUMN	22	21	0	0

	De Jong		Baar		0		Water Use		Acres Authorized (acres)	Notes
	Season	Year	Season	Year	Season	Year	Annual (af/yr)	Trimester (af/trimester)		
TO Well (Projected Use)	Summer	1989	Winter	2013			0.0	0.0	0.0	No use prior to transfer New use begins spring, 2014
	Spring	2014	Winter	2139			6.4	2.1	2.0	
FROM1 Well (With Transfer)	Spring	1989	Spring	1989			0	0.0	0.0	No use before priority of right 6.4 acre C.U. Use ceases with transfer.
	Winter	1989	Winter	2013			6.38	2.1	2.0	
	Spring	2014	Winter	2139			0	0.0	0.0	
FROM1 Well (Without Transfer)	Spring	1989	Spring	1989			0	0.0	0.0	No use before priority of right 6.4 acre C.U. Use continues without transfer
	Winter	1989	Winter	2013			6.38	2.1	2.0	
	Spring	2014	Winter	2139			6.38	2.1	2.0	
FROM2 Well (With Transfer)										Not used

ESPA Ground Water Rights Transfer Spreadsheet Results



Attachment #5-1

TRANSFER 79202

ENHANCED GROUND-WATER RIGHTS TRANS

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

IDAHO DEP.

Cells this color are set up for user entries

ENTER STARTING DATE FOR

SIMULATION. THEN PUSH

"UPDATE DATES" BUTTO

36-8478

YEAR

1989

TRANSFER NAME:

SEASON

SUMMER

TSK Enterprises

ENTER CELL LOCATIONS:

36-8478

TO' CELL

'FROM1' CELL

'FROM2' CELL

'FROM3' CELL

36-8478

11/7/1989

ROW

57

55

COLUMN

22

21

Total

6.4

De Jong

Baar

TRIMESTER OF

TO WELL

FROM1 WELL

FROM2 WELL

FROM3 WELL

ACTIVITY

Projected Use

With Transfer

Without Transfer

With Transfer

Without Transfer

With Transfer

Without Transfer

AF/TRIMESTER

AF/TRIMESTER

AF/TRIMESTER

AF/TRIMESTER

AF/TRIMESTER

AF/TRIMESTER

AF/TRIMESTER

AF/TRIMESTER

SUM 1989

0.0

0.0

0.0

0.0

0.0

0.0

0.0

WIN 1989

0.0

2.1

2.1

0.0

0.0

0.0

0.0

SPR 1990

0.0

2.1

2.1

0.0

0.0

0.0

0.0

SUM 1990

0.0

2.1

2.1

0.0

0.0

0.0

0.0

WIN 1990

0.0

2.1

2.1

0.0

0.0

0.0

0.0

SPR 1991

0.0

2.1

2.1

0.0

0.0

0.0

0.0

SUM 1991

0.0

2.1

2.1

0.0

0.0

0.0

0.0

WIN 1991

0.0

2.1

2.1

0.0

0.0

0.0

0.0

SPR 1992

0.0

2.1

2.1

0.0

0.0

0.0

0.0

SUM 1992

0.0

2.1

2.1

0.0

0.0

0.0

0.0

WIN 1992

0.0

2.1

2.1

0.0

0.0

0.0

0.0

SPR 1993

0.0

2.1

2.1

0.0

0.0

0.0

0.0

SUM 1993

0.0

2.1

2.1

0.0

0.0

0.0

0.0

WIN 1993

0.0

2.1

2.1

0.0

0.0

0.0

0.0

SPR 1994

0.0

2.1

2.1

0.0

0.0

0.0

0.0

WIN 2011

0.0

2.1

2.1

0.0

0.0

0.0

0.0

SPR 2012

0.0

2.1

2.1

0.0

0.0

0.0

0.0

SUM 2012

0.0

2.1

2.1

0.0

0.0

0.0

0.0

WIN 2012

0.0

2.1

2.1

0.0

0.0

0.0

0.0

SPR 2013

0.0

2.1

2.1

0.0

0.0

0.0

0.0

SUM 2013

0.0

2.1

2.1

0.0

0.0

0.0

0.0

WIN 2013

0.0

2.1

2.1

0.0

0.0

0.0

0.0

SPR 2014

2.1

0.0

2.1

0.0

0.0

0.0

0.0

SUM 2014

2.1

0.0

2.1

0.0

0.0

0.0

0.0

WIN 2014

2.1

0.0

2.1

0.0

0.0

0.0

0.0

SPR 2015

2.1

0.0

2.1

0.0

0.0

0.0

0.0

SUM 2015

2.1

0.0

2.1

0.0

0.0

0.0

0.0

WIN 2015

2.1

0.0

2.1

0.0

0.0

0.0

0.0

SPR 2016

2.1

0.0

2.1

0.0

0.0

0.0

0.0

SUM 2016

2.1

0.0

2.1

0.0

0.0

0.0

0.0

WIN 2016

2.1

0.0

2.1

0.0

0.0

0.0

0.0

SPR 2017

2.1

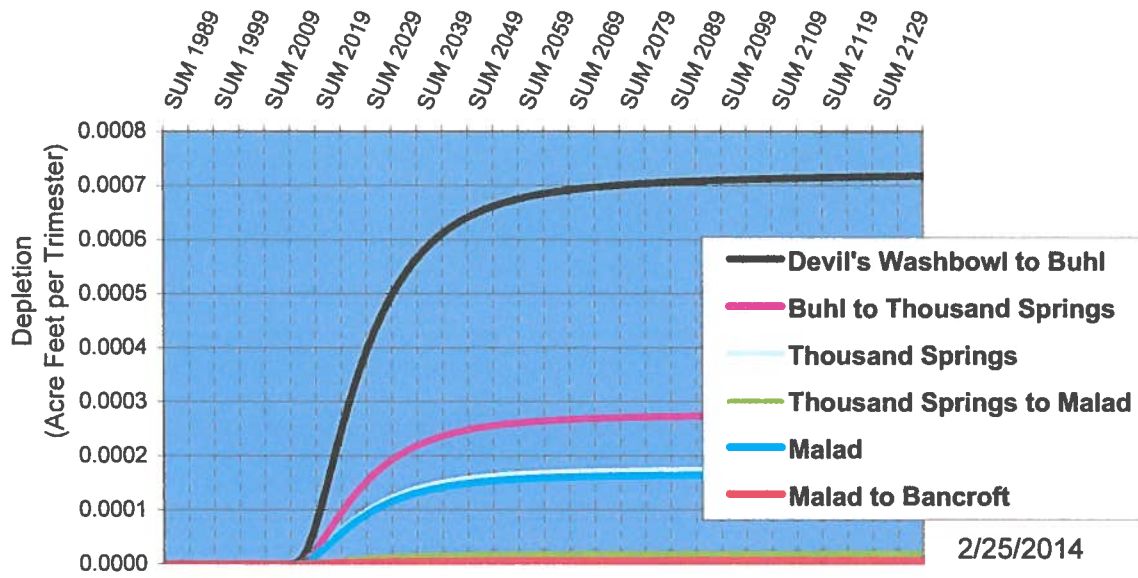
0.0

2.1

0.0

0.0

Net Transfer Effect Below Milner
(Total Effect With Transfer - Total Effect Without Transfer)

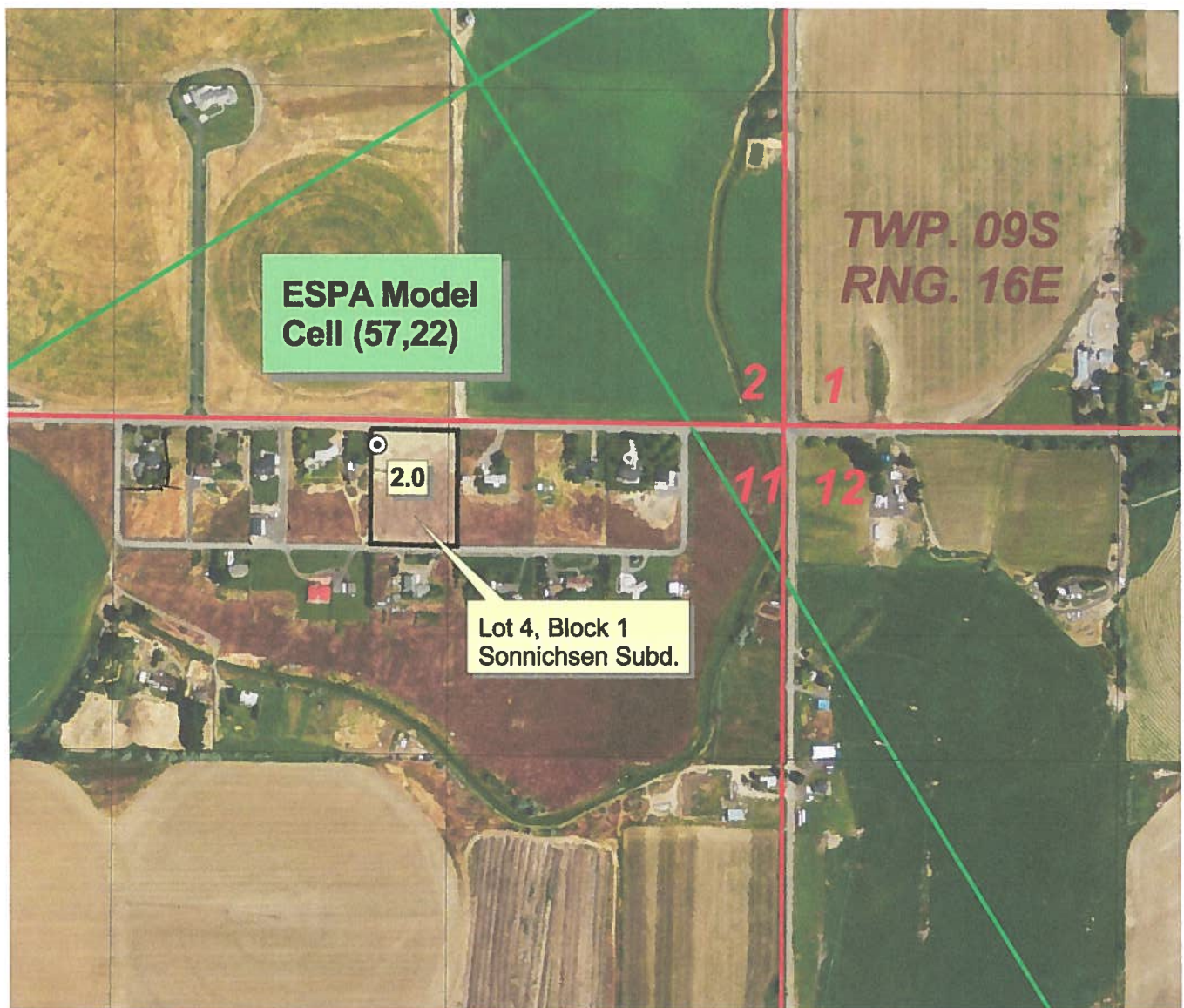


2/25/2014

Version 3.1

Customer Name: **TSK Enterprises**

Transfer No: **36-8478**

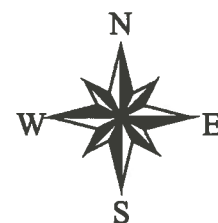


JCH - 2/14/2014

2011 NAIP Aerial Photo

0.25 0 0.25 Miles

- ⊙ Proposed Point of Diversion (Extg. 36-10132)
- ▭ Proposed Permissible Place of Use
- ▭ Township & Range
- ▭ Sections
- ▭ Jerome 40's
- ▭ ESPA Model Grid



Application for Water Right Transfer Attachment #7a

TRANSFER 79202

N 1/2 NE 1/4 SEC 11 T. 9S, R. 16E, B. 1M.
JEROME COUNTY, IDAHO



This is to certify that the foregoing part and computations for making the same have been checked and that they comply with the laws of the County of Monroe and the State of Idaho relating thereto.

Dated this 10th day of June, 1972

The foregoing plot was duly accepted and approved by the Prime Planning Commission this 31st day of March 1972

Paolo M. Clavin

[illegible]STATE OF IDAHO
County of Jerome
ss:

On this 30 day of March 11, 1972, before, the undersigned, a NOTARY PUBLIC in and for said State, personally appeared Soniah and Marilyn Sonachson and Elsie Sonachson, known to me to be the persons whose names are subscribed to the foregoing declaration and acknowledgment to me executed the same.

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

This is to certify that I Richard S. Mickelson a Registered Land Surveyor in the State of Idaho made the survey of the land described in the Declaration and designated therein as Spanishdon, Siskiyou and that the plat is a true and correct representation of said survey as made by me. Said Land and all boundary corners set are shown

STATE OF IDAHO
County of _____

On this 10 day of March, 1872 before me a Notary Public in and for the State of Ohio, personally appeared EDWARD S. WICKLISS, known to me to be the person whose name is subscribed to the foregoing Certificate of Survivor, and acknowledged to me that he executed the same.

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

20



The foregoing plat was duly accepted and approved by the Board of Commissioners of Jerome County, Idaho, this 1st day of March 1872.

Winnipeg Tribune John A. Lee Omeron

This is to certify that the foregoing plan was filed for record in the office of the Recorder of Deeds on April, 1922 at 8:04 a.m. at the request of Emma Lundman and duly recorded in Plot Book No. 7, page 4.

Seventy Muffling
Cottons

Ex-Ohio Records

WARRANTY DEED

Instrument # 2133191

JEROME COUNTY, JEROME, IDAHO

7-11-2013

03:58:14 No. of Pages: 2

Recorded for : LAND TITLE & ESCROW

MICHELLE EMERSON

Fee: 13.00

Ex-Officio Recorder Deputy

C. Bench

COPY

For Value Received

Sid F. Lezamiz, aka Sid Leazmiz, Jr., a single person

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

William De Jong and Renee De Jong, husband and wife as community property with right of survivorship

Address: 3550 South 1950 East, Wendell, ID 83355

Hereinafter called the Grantee, the following described premises situated in Jerome County, Idaho, to-wit:

Lot 4 in Block 1 of SONNICHSEN SUBDIVISION, Jerome County, Idaho according to the plat thereof, recorded April 28, 1972, in the Office of the County Recorder in Book 7 of Plats, page 4, as amended by Amended Dedication recorded May 3, 1972, in Book 7 of Plats, page 4, as Instrument No. 194137, records of said County.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

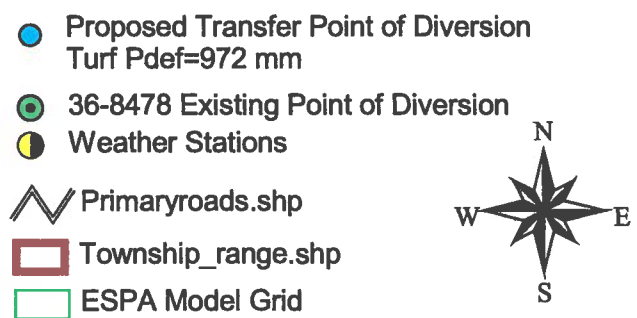
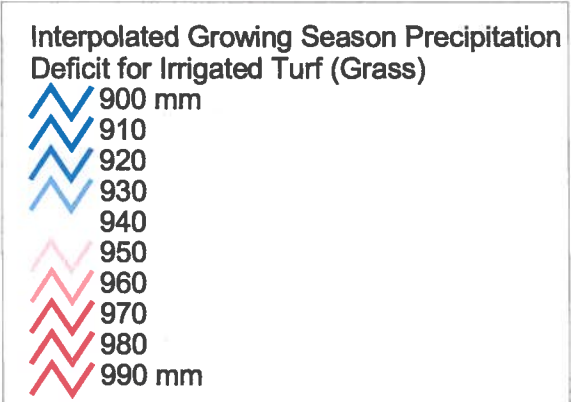
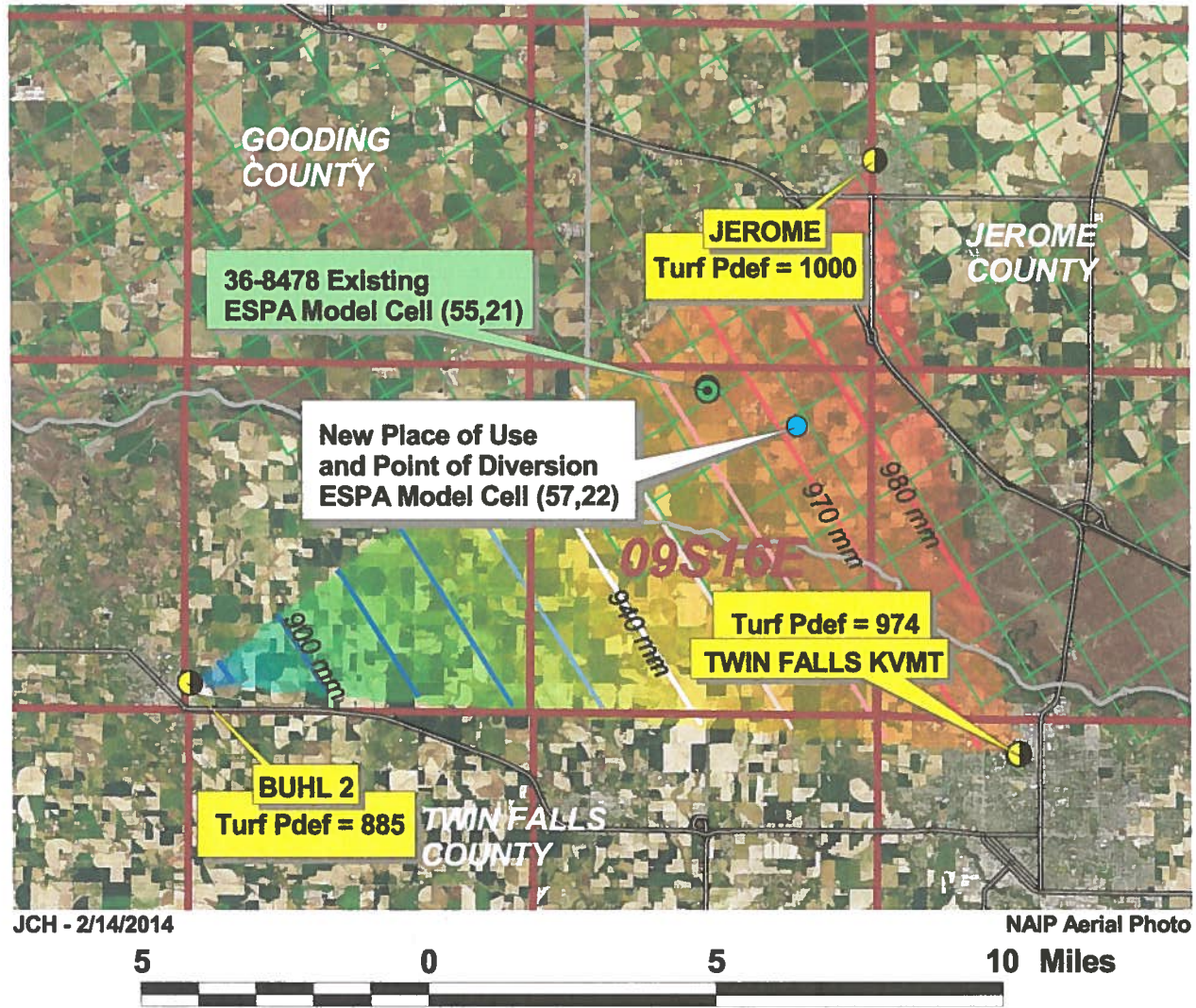
Taxes for 2013 and subsequent years, a lien, but not yet due or payable.

Right of way for roads, canals, laterals and waste ditches as contained in an Agreement by and between the State of Idaho, and the Twin Falls North Side Land and Water Company, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County records.

Provisions of Declaration of Protective Restrictions and Covenants of Sonnichsen Subdivision recorded April 24, 1972 in Book 184 Page 574, Jerome County records, as amended by Amended Declaration recorded May 17, 1972 in Book 184 Page 578, Jerome County records. AMENDED Declaration of Protective Restrictions and Covenants dated January 27, 1976, recorded April 21, 1976 in Book 184 Page 1245 as Instrument Number 218035, Jerome County records.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Application for Water Right Transfer



Estimated Annual Consumptive Irrigation Requirement
and ESPA Model Cell Locations

Attachment #8a-1

ET Idaho 2012 -- Evapotranspiration and Consumptive Irrigation Water Requirements for Idaho

Please send suggestions for improving this site to robison@kimberly.uidaho.edu Copyright 2012, University of Idaho.

Twin Falls 2 NNE (NWS -- 109294)

Statistics based on thirty year normal spans 1943 to 1973 years

For a different land cover or crop click on the above link.

You can highlight this table and copy via the clipboard to a Microsoft Excel or OpenOffice spreadsheet to plot or otherwise work with this data.

Grass - Turf (lawns) - Irrigated															
Precipitation Deficit (Click here for a graph)															
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Growing Season ^a	Non Growing Season ^b	Annual
Mean ^j	mm/day												mm		
Monthly ^c	-0.07	0.02	0.23	1.79	4.45	5.47	6.81	5.82	4.27	2.39	-0.28	-0.25	974	-15	960
15-Day Moving Average ^d	-0.05	0.00	0.21	1.75	4.42	5.48	6.85	5.81	4.24	2.43	-0.39	-0.24			
7-Day Moving Average ^e	-0.06	0.02	0.23	1.76	4.42	5.46	6.84	5.82	4.28	2.41	-0.34	-0.25			
3-Day Moving Average ^f	-0.07	0.03	0.23	1.79	4.45	5.46	6.82	5.82	4.29	2.40	-0.30	-0.25			
Standard Deviation ^k	mm/day												mm		
Monthly ^c	0.21	0.19	0.69	1.22	1.35	1.14	0.72	1.55	1.22	1.70	0.45	0.34	103	18	103
15-Day Moving Average ^d	0.18	0.24	0.53	1.43	1.33	1.47	0.59	1.40	1.38	1.43	0.65	0.32			
7-Day Moving Average ^e	0.30	0.43	0.66	1.69	1.76	1.95	0.75	1.52	1.70	1.72	0.93	0.48			
3-Day Moving Average ^f	0.48	0.60	0.90	2.12	2.35	2.52	1.22	1.84	2.10	2.11	1.31	0.72			
20% Exceedance ^l	mm/day												mm		
Monthly ^c	0.00	0.15	0.30	2.82	5.12	6.31	7.22	6.45	5.03	3.26	0.03	-0.04	1060	-1	1036
15-Day Moving Average ^d	0.18	0.32	0.69	3.90	6.21	7.10	7.72	6.85	5.84	4.28	0.45	0.11			
7-Day Moving Average ^e	0.29	0.53	0.95	4.86	7.26	8.03	8.18	7.07	6.61	5.21	0.96	0.28			
3-Day Moving Average ^f	0.47	0.82	1.52	6.69	8.36	9.39	9.34	8.57	7.72	6.38	1.65	0.41			
80% Exceedance ^m	mm/day												mm		
Monthly ^c	-0.16	-0.09	-0.05	0.52	3.47	4.49	6.43	5.51	3.64	1.15	-0.69	-0.51	888	-32	876
15-Day Moving Average ^d	-0.40	-0.32	-0.47	-0.24	2.07	2.77	5.85	5.01	2.93	0.04	-1.27	-0.85			
7-Day Moving Average ^e	-0.79	-0.79	-0.90	-0.85	0.37	1.03	5.08	4.14	1.35	-0.60	-2.42	-1.47			
3-Day Moving Average ^f	-2.14	-1.78	-2.23	-4.52	-2.45	-1.55	3.44	2.30	-1.33	-2.56	-4.42	-2.67			
Ave Highest P _{def}	mm/day												--		
15-Day Moving Average ^g	0.10	0.20	0.53	2.71	5.47	6.53	7.25	6.42	5.10	3.24	0.31	0.07			
7-Day Moving Average ^h	0.23	0.43	0.85	3.61	6.49	7.47	7.73	6.85	5.90	4.13	0.70	0.17			
3-Day Moving Average ⁱ	0.36	0.64	1.19	4.71	7.78	8.64	8.86	8.03	6.92	5.19	1.07	0.33			
Ave Lowest P _{def}	mm/day												--		
15-Day Moving Average ^g	-0.21	-0.19	-0.10	0.83	3.35	4.40	6.42	5.26	3.42	1.58	-0.84	-0.47			
7-Day Moving Average ^h	-0.49	-0.56	-0.45	0.00	2.08	2.88	5.80	4.51	2.49	0.53	-1.64	-0.94			
3-Day Moving Average ⁱ	-1.15	-1.29	-1.43	-1.54	-0.35	0.69	4.44	3.20	0.78	-1.14	-3.43	-1.75			
Special normal distribution parameters for monthly, seasonal, and annual intervals															
Skew ^m	-0.47	-1.23	1.05	0.32	-0.16	-0.87	-0.52	-1.03	-2.14	-0.22	0.50	-0.22	-0.79	-0.79	-0.73
Kurtosis ^o	1.10	4.99	3.14	2.25	0.58	3.40	1.80	2.89	8.31	0.74	3.83	0.53	4.38	4.55	4.40

^a Growing Season: This is usually the time from green up or planting in the spring to a killing frost or harvest in the fall. It is not applicable for entries without a growing season and will be blank.

^b Nongrowing Season: This is usually the time from a killing frost or harvest in the fall to the of green up in the spring. It is not applicable for entries without a growing season.

^c Mean of the average daily value for month

^d Mean of the fourteen 15-day period averages contained in the month

^e Mean of the twenty three 7-day period averages contained in the month

^f Mean of the twenty seven 3-day period averages contained in the month

^g Mean of the highest/lowest 15-day period average in month

^h Mean of the highest/lowest 7-day period average in month

ⁱ Mean of the highest/lowest 3-day period average in month

^j This value represents the mean value for the parameter for the month over the 'normal' period of record. Generally, the 'normal' period is the last thirty years with data.

ET Idaho 2012 -- Evapotranspiration and Consumptive Irrigation Water Requirements for Idaho

Please send suggestions for improving this site to robison@kimberly.uidaho.edu Copyright 2012, University of Idaho.

Jerome (NWS -- 104670)

Statistics based on thirty year normal spans 1974 to 2009 years

For a different land cover or crop click on the above link.

You can highlight this table and copy via the clipboard to a Microsoft Excel or OpenOffice spreadsheet to plot or otherwise work with this data.

Grass - Turf (lawns) - Irrigated															
Precipitation Deficit (Click here for a graph)															
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Growing Season ^a	Non Growing Season ^b	Annual
Mean ^j	mm/day												mm		
Monthly ^c	-0.09	0.00	0.24	2.14	4.35	5.93	8.93	6.08	4.52	2.45	-0.26	-0.17	1000	-17	985
15-Day Moving Average ^d	-0.08	-0.02	0.21	2.14	4.38	5.98	7.01	6.03	4.46	2.47	-0.39	-0.14			
7-Day Moving Average ^e	-0.09	-0.01	0.22	2.12	4.35	5.95	6.98	6.07	4.49	2.48	-0.33	-0.15			
3-Day Moving Average ^f	-0.10	0.01	0.23	2.14	4.34	5.93	6.94	6.09	4.51	2.45	-0.28	-0.15			
Standard Deviation ^k	mm/day												mm		
Monthly ^c	0.29	0.17	0.62	1.08	1.62	1.01	0.79	0.67	0.68	1.49	0.43	0.38	96	17	95
15-Day Moving Average ^d	0.32	0.26	0.51	1.28	1.57	1.22	0.64	0.74	0.94	1.37	0.76	0.34			
7-Day Moving Average ^e	0.46	0.40	0.71	1.69	2.07	1.65	0.81	0.99	1.30	1.78	1.18	0.51			
3-Day Moving Average ^f	0.62	0.60	1.06	2.31	2.71	2.21	1.32	1.38	1.85	2.20	1.69	0.77			
20% Exceedance ^l	mm/day												mm		
Monthly ^c	0.03	0.08	0.32	2.66	5.28	6.79	7.36	6.43	5.04	3.33	0.04	-0.01	1072	-5	1055
15-Day Moving Average ^d	0.22	0.28	0.78	3.97	6.67	7.38	7.83	6.99	5.68	4.48	0.50	0.21			
7-Day Moving Average ^e	0.39	0.51	1.51	5.31	7.25	7.98	8.26	7.46	6.35	5.13	1.12	0.34			
3-Day Moving Average ^f	0.50	0.78	2.25	6.90	8.48	9.44	9.27	8.52	7.45	6.03	1.75	0.45			
80% Exceedance ^m	mm/day												mm		
Monthly ^c	-0.27	-0.07	-0.03	1.25	3.34	4.97	6.41	5.88	4.21	1.60	-0.65	-0.43	912	-33	885
15-Day Moving Average ^d	-0.54	-0.24	-0.33	0.29	1.70	4.18	5.86	4.61	3.06	-0.15	-1.73	-1.00			
7-Day Moving Average ^e	-1.34	-0.59	-1.31	-0.73	-0.12	2.78	5.14	4.04	1.21	-0.99	-3.24	-1.63			
3-Day Moving Average ^f	-2.33	-1.54	-2.71	-3.33	-4.67	0.27	2.90	2.55	-1.86	-4.49	-5.99	-3.32			
Ave Highest P _{def}	mm/day												--		
15-Day Moving Average ^g	0.15	0.17	0.62	3.10	5.56	6.80	7.49	6.65	5.22	3.50	0.37	0.12			
7-Day Moving Average ^h	0.28	0.39	1.09	4.11	6.57	7.59	7.92	7.15	5.93	4.37	0.82	0.25			
3-Day Moving Average ⁱ	0.40	0.62	1.71	5.14	7.94	8.89	9.01	8.08	7.05	5.36	1.36	0.38			
Ave Lowest P _{def}	mm/day												--		
15-Day Moving Average ^g	-0.31	-0.19	-0.15	1.26	3.21	5.05	6.49	5.51	3.65	1.43	-0.99	-0.42			
7-Day Moving Average ^h	-0.71	-0.51	-0.69	0.16	1.53	3.79	5.87	4.83	2.63	0.36	-1.99	-0.90			
3-Day Moving Average ⁱ	-1.41	-1.22	-1.75	-2.03	-1.08	1.95	4.39	3.48	0.57	-1.51	-4.04	-1.93			
Special normal distribution parameters for monthly, seasonal, and annual intervals															
Skew ^m	-0.66	-2.91	1.10	-0.14	-0.08	-0.98	-0.50	-0.26	-1.21	-0.16	0.25	-0.48	0.12	0.42	-0.04
Kurtosis ^o	1.53	14.45	3.60	3.02	0.72	3.04	1.30	0.71	4.51	0.67	3.54	1.05	3.26	2.97	3.05

^a Growing Season: This is usually the time from green up or planting in the spring to a killing frost or harvest in the fall. It is not applicable for entries without a growing season and will be blank.

^b Nongrowing Season: This is usually the time from a killing frost or harvest in the fall to the of green up in the spring. It is not applicable for entries without a growing season.

^c Mean of the average daily value for month

^d Mean of the fourteen 15-day period averages contained in the month

^e Mean of the twenty three 7-day period averages contained in the month

^f Mean of the twenty seven 3-day period averages contained in the month

^g Mean of the highest/lowest 15-day period average in month

^h Mean of the highest/lowest 7-day period average in month

ⁱ Mean of the highest/lowest 3-day period average in month

^j This value represents the *mean value* for the parameter for the month over the 'normal' period of record. Generally, the 'normal' period is the last thirty years with data.

ET Idaho 2012 -- Evapotranspiration and Consumptive Irrigation Water Requirements for Idaho

Please send suggestions for improving this site to robison@kimberly.uidaho.edu Copyright 2012, University of Idaho.

Buhl (NWS -- 101217)

Statistics based on thirty year normal spans 1955 to 2010 years

For a different land cover or crop click on the above link.

You can highlight this table and copy via the clipboard to a Microsoft Excel or OpenOffice spreadsheet to plot or otherwise work with this data.

Grass - Turf (lawns) - Irrigated															
Precipitation Deficit (Click here for a graph)															
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Growing Season ^a	Non Growing Season ^b	Annual
Mean ^j	mm/day												mm		
Monthly ^c	-0.10	0.01	0.21	1.98	3.99	5.17	6.11	5.28	3.94	2.23	-0.01	-0.15	885	-8	890
15-Day Moving Average ^d	-0.11	-0.01	0.18	2.02	4.08	5.25	6.15	5.24	3.93	2.25	-0.14	-0.18			
7-Day Moving Average ^e	-0.11	-0.01	0.19	2.00	4.03	5.19	6.13	5.27	3.92	2.26	-0.12	-0.17			
3-Day Moving Average ^f	-0.10	0.01	0.20	2.00	4.00	5.18	6.12	5.29	3.94	2.23	-0.04	-0.16			
Standard Deviation ^k	mm/day												mm		
Monthly ^c	0.32	0.15	0.50	1.00	1.43	1.09	0.79	0.75	0.71	1.18	0.43	0.34	102	15	100
15-Day Moving Average ^d	0.31	0.21	0.41	1.13	1.28	1.36	0.86	0.70	0.98	1.04	0.70	0.32			
7-Day Moving Average ^e	0.42	0.37	0.57	1.48	1.74	1.82	0.79	0.86	1.29	1.48	1.04	0.47			
3-Day Moving Average ^f	0.57	0.57	0.91	1.99	2.40	2.36	1.18	1.26	1.81	2.07	1.85	0.67			
20% Exceedance ^l	mm/day												mm		
Monthly ^c	0.02	0.12	0.33	2.86	4.84	6.05	6.56	5.86	4.43	2.75	0.28	0.00	973	1	968
15-Day Moving Average ^d	0.13	0.27	0.71	3.70	6.03	6.71	6.88	6.12	4.99	3.60	1.02	0.10			
7-Day Moving Average ^e	0.31	0.46	1.16	5.00	6.62	7.49	7.47	6.46	5.54	4.49	1.91	0.31			
3-Day Moving Average ^f	0.44	0.65	1.77	6.12	8.11	8.42	8.22	7.50	6.60	5.60	2.58	0.41			
80% Exceedance ^m	mm/day												mm		
Monthly ^c	-0.26	-0.18	0.01	1.17	2.71	4.74	5.65	4.98	3.65	1.27	-0.43	-0.41	774	-18	775
15-Day Moving Average ^d	-0.45	-0.32	-0.34	0.34	1.81	3.48	5.01	4.37	2.62	0.48	-1.25	-0.76			
7-Day Moving Average ^e	-0.81	-0.92	-1.21	-0.70	0.19	1.60	4.44	3.40	1.42	-1.01	-2.19	-1.40			
3-Day Moving Average ^f	-1.89	-1.86	-2.54	-2.83	-3.24	-1.87	3.22	2.42	-0.63	-4.49	-5.05	-3.08			
Ave Highest P _{def}	mm/day												--		
15-Day Moving Average ^g	0.10	0.16	0.54	2.77	5.09	6.17	6.57	5.76	4.59	3.10	0.50	0.07			
7-Day Moving Average ^h	0.22	0.37	0.86	3.71	5.99	6.90	7.01	6.24	5.17	3.87	1.07	0.19			
3-Day Moving Average ⁱ	0.34	0.55	1.43	4.81	7.19	7.89	7.84	7.21	6.17	4.80	1.90	0.30			
Ave Lowest P _{def}	mm/day												--		
15-Day Moving Average ^g	-0.29	-0.16	-0.14	1.24	2.91	4.20	5.66	4.79	3.20	1.47	-0.64	-0.35			
7-Day Moving Average ^h	-0.57	-0.49	-0.59	0.29	1.64	2.83	5.18	4.27	2.26	0.30	-1.42	-0.77			
3-Day Moving Average ⁱ	-1.19	-1.23	-1.63	-1.54	-0.66	0.85	3.88	2.98	0.49	-1.88	-3.13	-1.59			
Special normal distribution parameters for monthly, seasonal, and annual intervals															
Skew ^m	-0.78	-1.40	0.84	0.16	-0.15	-0.86	-0.44	-0.38	-1.27	-0.21	0.58	-0.49	0.14	-0.91	-0.07
Kurtosis ^o	1.91	5.22	2.25	2.35	0.56	3.34	1.30	1.11	3.88	0.73	3.09	1.07	2.02	3.74	1.95

^a Growing Season: This is usually the time from green up or planting in the spring to a killing frost or harvest in the fall. It is not applicable for entries without a growing season and will be blank.

^b Nongrowing Season: This is usually the time from a killing frost or harvest in the fall to the of green up in the spring. It is not applicable for entries without a growing season.

^c Mean of the average daily value for month

^d Mean of the fourteen 15-day period averages contained in the month

^e Mean of the twenty three 7-day period averages contained in the month

^f Mean of the twenty seven 3-day period averages contained in the month

^g Mean of the highest/lowest 15-day period average in month

^h Mean of the highest/lowest 7-day period average in month

ⁱ Mean of the highest/lowest 3-day period average in month

^j This value represents the *mean value* for the parameter for the month over the 'normal' period of record. Generally, the 'normal' period is the last thirty years with data.

^k This value represents the *standard deviation* for the parameter for the month over the 'normal' period.

^l This value represents the *value* for the parameter that has a 20% chance of being exceeded that month during any particular year. Conversely, there is an 80% chance that the parameter value will be less than the *value* shown.

^m This value represents the *value* for the parameter that has a 80% chance of being exceeded that month during any particular year. Conversely, there is an 20% chance that the parameter value will be less than the *value* shown.

ⁿ This value represents the *skewness (asymmetry) of the distribution of the parameter values* for the month (year) over the 'normal' period. A value near zero indicates that the distribution approximates a normal (Gaussian) and symmetrical distribution. A negative skew indicates that the parameter distribution has relatively few low values compared to high values. A positive skew indicates that the distribution has relatively few high values compared to the number of low values. A skew value near 1 indicates that the underlying distribution approximates a lognormal distribution.

^o This value represents the *kurtosis* of the parameter value distribution for the month (year) over the 'normal' period. Kurtosis is a measurement of the height to width ratio of the probability distribution, or the *peakedness (slenderness)*. A normal (Gaussian) distribution has a kurtosis of 3. A high kurtosis distribution has a sharper peak and longer tails, while a low kurtosis distribution has a more rounded peak and shorter tails.

This work and report were prepared by the University of Idaho Research and Extension Center at Kimberly, Idaho under contract with the Idaho Department of Water Resources. Work was supported by funding from IDWR and the Idaho Agricultural Experiment Station and Idaho Engineering Experiment Station. The authors gratefully acknowledge the long-term evapotranspiration data collection and long-standing advice provided by Dr. James L. Wright, USDA-ARS Kimberly (ret.), the more than two decades of high quality agricultural weather data collection by the U.S. Bureau of Reclamation AgriMet system, and the very long-standing, routine data collection by the hundreds of cooperative weather station volunteers across the state who, for more than one-hundred years, have faithfully observed daily air temperature and precipitation.

The citation for the evapotranspiration data used from this site should be: Allen, Richard G. and Clarence W. Robison, 2012. *Evapotranspiration and Consumptive Irrigation Water Requirements for Idaho: Supplement updating the Time Series through December 2008*, Research Technical Completion Report, Kimberly Research and Extension Center, University of Idaho, Moscow ID.

Questions regarding the data should be addressed to [Clarence W. Robison](#) or [Richard G. Allen](#), University of Idaho, Kimberly Research and Extension Center, 3793 North 3600 East, Kimberly, ID 83341. Telephone (208)-423-6610

University of Idaho
A LEGACY OF LEADING
Copyright 2012, University of Idaho.

ETIdaho web site powered by [Debian](#), [Apache](#), [Firebird DBMS](#), [Python](#), with [matplotlib](#), and [kinterbesdb](#).

RECEIVED

MAR 14 2014

DEPT. OF WATER RESOURCES
SOUTHERN REGION

TSK ENTERPRISES LLC
255 BLUE LAKES BLVD NTH
PMB 617
TWINFALLS, IDAHO 83301
Cell 208 320-0897

AGREEMENT FOR PURCHASE AND SALE OF WATER RIGHT

This agreement is made and entered into this 3/12/14 2014 by and between Ted Baar of 350 S. 300 W., Jerome, Idaho (hereinafter "SELLER") and TSK ENTERPRISES LLC of 255 Blue Lakes Blvd Nth, PMB 617, Twin Falls, Idaho 83301, hereinafter ("BUYER"), The Seller Gary L. Funderburg a private consultant acting herein as principal for his own account.

TERMS AND CONDITIONS

1. The sellers, in consideration of the terms contained herein, do hereby Contract and agree to sell and convey to the Buyer does hereby agree to buy from seller the sellers Idaho Water Rights #36-8478 and appurtenant thereto, for 11/07/1989 0.06 cfs, 6.4 acre-ft (consumptive) = 6.4 acre-ft (headgate). Enough to water 2.0 Acres.

NO LAND IS INCLUDED IN THIS AGREEMENT.

2. The entire purchase price shall be paid on the closing dates described in paragraph (4) below.
3. This Agreement for Purchase and Sale of said license is contingent upon and subject to IDWR findings that the Water Right is valid and transferable, this Agreement shall become null and void. If the Water Right is invalid or non-transferable the down payment shall be refunded. Seller shall have a 30 day period to find another water right acceptable to buyer.

4. The Buyers shall be given possession and use of the portion of the water right and the water appurtenant thereto upon closing which means paid for. The remaining Water Rights shall remain the property of the Seller.

5. In the event of any suit or proceeding by either party against the other party, In any way arising out of this agreement the prevailing party shall be awarded their reasonable attorney fees and cost.

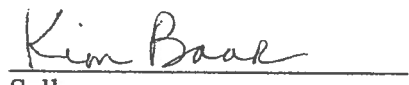
6. Seller understands Buyer is transferring the water to another property.

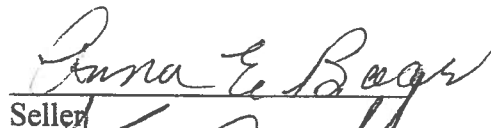
7. This agreement shall be binding upon and shall inure to the benefit of the heirs, personal representatives, administrators, successors and assigns to the parties hereto.

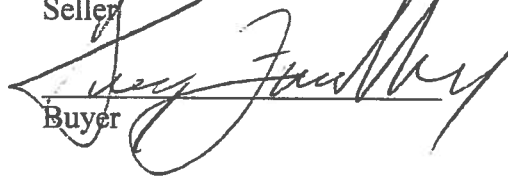
8. By signing this contract Seller gives permission for a portion of Sellers water right to be transferred to Buyers point of diversion.

IN WITNESS WHEREOF have caused their names to be subscribed on the dates set forth above.


Seller


Seller


Seller


Buyer



March 3, 2014

State of Idaho
Department of Water Resources
650 Addison Ave W., Suite 500
Twin Falls, ID 83301-5851

To Whom it May Concern:

It is my understanding that Ted Baar has requested the transfer of 8.0 acre feet out of his water right #36-8478 to TSK Enterprises, LLC. Northwest Farm Credit Services, FLCA does hold a security interest in said water right and land to which it is appurtenant. Please let this letter serve as documentation of our consent for the transfer of the 8.0 acre feet. This does not alter our security interest in the remaining water right, either under this license or any other.

If I can answer any questions or concerns, feel free to give me a call at (208)732-1000.

Sincerely,

A handwritten signature in cursive script that reads "Bill Lickley".

Bill Lickley
Relationship Manager/VP

RECEIVED

MAR 14 2014

DEPT. OF WATER RESOURCES
SOUTHERN REGION

TSK ENTERPRISES LLC
255 BLUE LAKES BLVD NTH
PMB 617
TWINFALLS, IDAHO 83301
Cell 208 320-0897

AGREEMENT FOR PURCHASE AND SALE OF WATER RIGHT

THIS AGREEMENT is made and entered into this 11 day of Feb 2014 by and between TSK ENTERPRISES LLC of 255 Blue Lakes Blvd Nth, PMB 617, Twin Falls, Idaho 83301 (hereinafter "Seller") and William J. & Renee E. DeJong of P.O. Bx 200, Wendell, Idaho 83355. ("hereinafter Buyer") The seller, TSK ENTERPRISES LLC discloses that he is acting as principal for his own account and not representing or acting as an agent for the buyer.

TERMS AND CONDITIONS

1. The sellers, in consideration of the terms contained herein, do here by contract and agree to sell and convey to the Buyers and the Buyer does hereby agree to buy from the Seller 11/07/1989 0.06 cfs, 6.4 acre-ft (consumptive) = 6.4 acre-ft (headgate) of Idaho Water Right # 36-8478. No land is included in this agreement.
2. The entire purchase price shall be paid on the closing dates described in paragraph (4) below.
3. This Agreement for Purchase and Sale of said Water Right in contingent upon and subject to approval of the application for transfer by the Department of Water Resources. Buyer will be responsible for Fee required for the cost of the preparation and filing of the Transfer if the application is approved or not.

4. The closing of this transaction and delivery of the executed Assignment to Buyer and the entire purchase price for the contract to Seller shall take place at agreed location suitable by both the Buyer and Seller within thirty days of buyers receipt of approval from the Department of Water Res. of the application for transfer. The Buyer shall be given possession and use of the water right and the water appurtenant thereto, upon closing.

5. This transfer and Water Right will remain in the name of seller until the contract is closed and paid for by the buyer. The buyer's place of use and point of diversion will be used for the transfer.

6. In the event of any suit or proceeding by either party against the other party, In any way arising out of this agreement the prevailing party shall be awarded their reasonable attorney fees and cost.

7. This agreement shall be binding upon and shall inure to the benefit of the heirs, personal representatives, administrators, successors and assigns to the parties hereto.

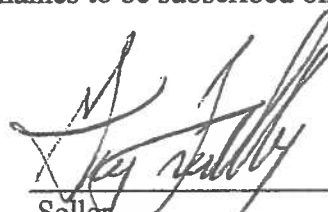
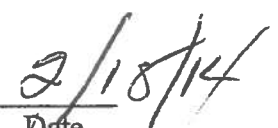
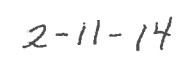
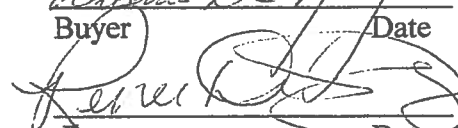
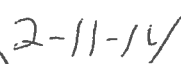
8. Buyer understands consultant fees for preparation of transfer, calculation of mitigation, and attorney fees in the case of protests and hearings on their water transfer are to be paid by the Buyer.

9. Gary L. Funderburg has my permission to make needed changes to the Water transfer application that is the result of this contract to facilitate the process of transferring the water. The changes made will not materially change the amount of money buyer has to pay, or the amount of water buyer receives.

10. Gary L. Funderburg (TSK ENTERPRISES LLC) has no control over the amount of mitigation or writedown IDWR will require of Buyers particular transfer therefore the amount Buyer pays is based on the amount of water transferred out of the original Water Right. Buyer understands that all mitigation rights provided by TSK ENTERPRISES LLC and all Reach credits accrued by this transfer shall remain the property of TSK ENTERPRISES LLC.

11. By signing this contract Buyer gives permission for a portion of Sellers water right to be transferred to Buyers point of diversion.

IN WITNESS WHEREOF have caused their names to be subscribed on the dates set forth above.

	
Seller	Date
	
Buyer	Date
	
Buyer	Date



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

April 24, 2014

TSK ENTERPRISES LLC
C/O GARY FUNDERBERG
255 BLUE LAKES BLVD PMB 617
TWIN FALLS, ID 83301

RE: Transfer No. 79202
Water Right No(s). 36-8478

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 5/1/2014 and 5/8/2014**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**May 19, 2014**).

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: JASON C. HELMS, P.E.
6755 N ALBERT LANE
IDAHO FALLS, ID 83401

Maline, Denise

From: Maline, Denise
Sent: Thursday, April 24, 2014 9:59 AM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News Cover Letter.docx; Times News Ad.docx

Attached please find (1) legal notice being submitted for publication on May 1st & 8th, 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
Idaho Dept of Water Resources
Administrative Assistant, 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

April 24, 2014

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Application For Permit No.(s): 45-14456

RE: Transfer No. 79202

Water Right No(s): 36-8478

RE: Transfer No. 79270

Water Right No(s): 45-14376, 45-2625, 45-7021

RE: Transfer No. 79190

Water Right No(s): 37-415, 37-416

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 May 19, 2014. 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:

45-14456

ALBION 12 INVESTMENTS LLC

7595 EAST MCDONALD DR #130

SCOTTSDALE, AZ 85250

Point of Diversion SWSNW S21 T12S R25E CASSIA County Source HOWELL CREEK Tributary MARSH CREEK

Use: GROUND WATER RECHARGE

01/01 to 12/31 2 CFS

Total Diversion: 2 CFS

Date Filed: 4/7/2014

Place Of Use: GROUND WATER RECHARGE

T12S R25E S21 SWNW SENW

Application intends to divert 2.00 cfs from Howell Creek for the purpose of groundwater recharge from a point of diversion located approximately 1.7 miles east and 3.27 miles south of Albion, Idaho. The water will be diverted into constructed recharge basins located approximately 1.4 to 1.83 miles east, and 3.2 to 3.28 miles south of Albion.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 79202

TSK ENTERPRISES LLC, C/O GARY FUNDERBERG, 255 BLUE LAKES BLVD PMB 617, TWIN FALLS, ID 83301; has filed Application No. 79202 for changes to the following water rights within JEROME County(s): Right No(s). 36-8478. The purpose of the transfer is to change a portion of the above rights as follows: This application intends to change the place of use, period of use, point of diversion, and nature of use for a 0.06 cfs portion of water right 36-8478. The right is currently used for year round stockwater and commercial use at a dairy, located approximately 3.0 to 3.5 miles south and 2.5 to 3.0 miles west of the center of Jerome. The application proposes changing the use to irrigation (period of use from 3/15 to 11/15) with a proposed place of use and new point of diversion (an existing well) located approximately 4.0 miles south and 1.3 miles west of the center of Jerome.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 79270

SIX S RANCH LLC, 1354 E SIX S RANCH RD, DECLO, ID 83323; has filed Application No. 79270 for changes to the following water rights within CASSIA County(s): Right No(s). 45-14376, 45-2625, 45-7021. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes adding two new points of diversion to three groundwater rights used to irrigate up to 770.8 acres on the main Six S Ranch property located east of Declo. The new points of diversion will consist of two new wells to be drilled with both of the wells being located approximately 5.1 miles east of the 100 South and Highway 77 intersection in Declo. The application indicates that no more than 2.23 cfs will be diverted from the two new wells.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 79190

SUN VALLEY CO, A WYOMING CORP, PO BOX 10, SUN VALLEY, ID 83353; has filed Application No. 79190 for changes to the following water rights within BLAINE County(s): Right No(s). 37-415, 37-416. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to change the place of use for irrigation use of water rights 37-415 and 37-416 from subdivided and developed lands of the original farm and resort to new irrigation of recent golf course development on the ridge west of Trail Creek. The rights were decreed for 22.2 cfs and 516.3 acres of irrigation along with 9.3 cfs of water for aesthetic and wildlife use within a 628.6 acre area that included Sun Valley Resort lands and some or all of approximately 17 subdivisions, including but not limited to the various Fairway, Prospector, Trail Creek, East Lake Subdivisions and New Villager, Dollar Meadows and Cottonwood Condominiums. The proposed 516.3 acre irrigation place of use are part of Sun Valley Resort, northeast of Ketchum along Trail Creek, but also include some of the above subdivisions and additional other lots, condominium areas and subdivisions. Published in the Idaho Mountain Express on April 30th & May 7th, and the Times News, Idaho Statesman, Post Register and Lewiston Tribune on May 1st & 8th, 2014.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, 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 May 19, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on May 1st & 8th, 2014



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

April 24, 2014

CINDY YENTER
WATER DISTRICT #130
650 ADDISON AVE W, STE 500
TWIN FALLS, ID 83301

Hand Delivered

RE: Transfer No. 79202
Water Right No(s): 36-8478

Dear Ms. Yenter:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

RECEIVED

APR 18 2014

DEPT. OF WATER RESOURCES
SOUTHERN REGION

TSK ENTERPRISES LLC
255 BLUE LAKES BLVD NTH
PMB 617
TWIN FALLS, IDAHO 83301
CEL-208 320-0897
GARY L. FUNDERBURG

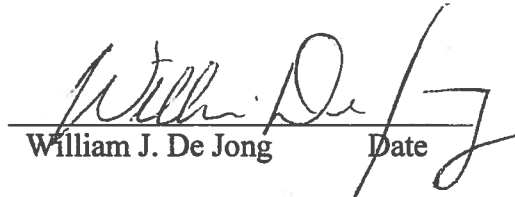
April 15, 2014

TO: Idaho Dept. of Water Res.
650 Addison Ave. West
Suite 500
Twin Falls, Idaho 83301-5851

Att: ALLEN MERRIT

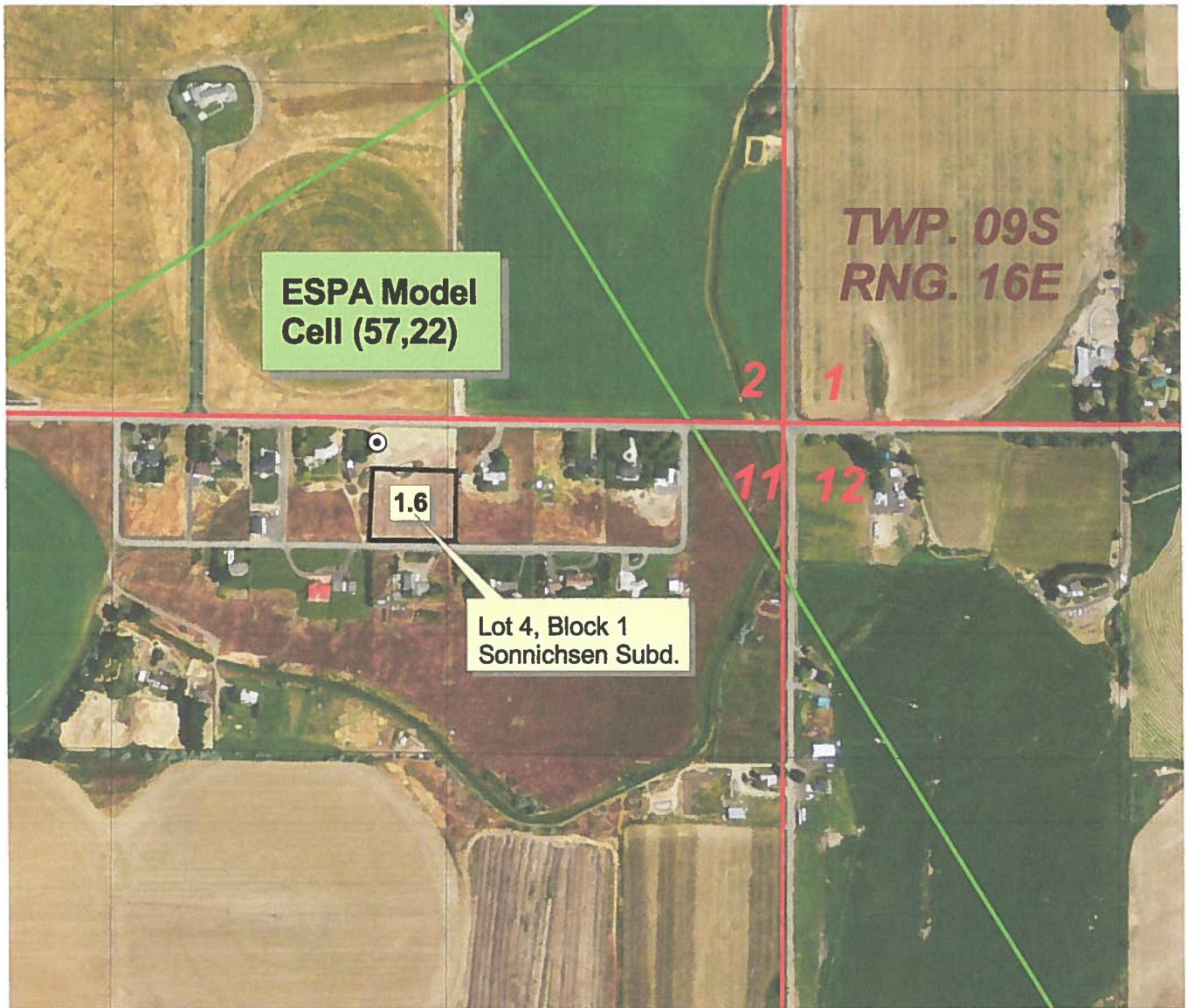
Attachment: Arial Photo

This letter is in request for William J. De Jong to agree with the amount of land to be irrigated with Water Right # 36-8478 to his property. He agrees to irrigate with his water right 1.6 Acres. Also, he will use his Domestic Water Right # 36-10132 which allows him to irrigate (0.5 Acres) of land. Therefore with both Water Rights he will be allowed to irrigate a total of (2.1 Acres)



William J. De Jong Date 4-15-2014

Thank you,
TSK ENTERPRISES LLC
GARY FUNDERBURG

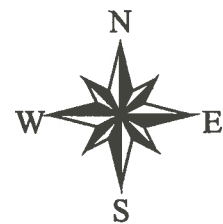


JCH - 4/16/2014

2011 NAIP Aerial Photo



- ⊙ Proposed Point of Diversion (Extg. 36-10132)
- ▭ Proposed Irrigation
- ▭ Township & Range
- ▭ Sections
- ▭ Jerome 40's
- ▭ ESPA Model Grid



Application for Water Right Transfer Attachment #7a



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

April 14, 2014

Gary Funderburg
TSK Enterprises, LLC
PMB 617 255 Blue Lakes Blvd. North
Twin Falls, ID 83301

RE: Water Right Transfer 79202 (DeJong)

Dear Gary:

Thank you for the letter from Mr. DeJong confirming the amount of land to be irrigated with the transferred portion of water right 36-8478. The one correction I would make in the letter is the amount of irrigation allowed with a domestic water right and that is 0.5 acre, not 0.6. The total amount you have in the letter, 2.1 acres, is correct.

The next item we need to get is the map showing the placement of the transferred acres to the DeJong property. The map you enclosed with the letter showed the property, but not where the 1.6 acres will be used. If you have any questions, feel free to give me a call.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Bitzenburg', written over a horizontal line.

Jim Bitzenburg
Sr. Water Resource Agent

MEMORANDUM

Date: April 15, 2014
To: Transfer 79202 File
From: Jim Bitzenburg
Re: Evaluation of Sufficiency of Information Submitted

This application intends to change the place of use, period of use, point of diversion, and nature of use for a 0.06 cfs portion of water right 36-8478. The right is currently used for year round stockwater and commercial use at a dairy, located approximately 3.0 to 3.5 miles south and 2.5 to 3.0 miles west of the center of Jerome. The application proposes changing the use to irrigation (period of use from 3/15 to 11/15) with a proposed place of use and new point of diversion (an existing well) located approximately 4.0 miles south and 1.3 miles west of the center of Jerome.

- **Authority to File:**
Signed agreements for the purchase and sale of the split portion of water right 36-8478 are included in the transfer application package. Farm Credit Services has given its written approval to the transfer.
- **Water Right Validity:**
The water right was licensed in April of 2002, and IDWR water use records show yearly water use dating back to 1997, so forfeiture is not an issue.
- **Injury to Other Water Rights:**
ESPA model analysis shows negligible effects on the Snake River.
- **Enlargement of Use:**
Consumptive use volume will be less on the new place of use than on the dairy.
- **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 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.

RECEIVED

APR 01 2014

DEPT. OF WATER RESOURCES
SOUTHERN REGION

TSK ENTERPRISES LLC
255 BLUE LAKES BLVD NTH
PMB 617
TWIN FALLS, IDAHO 83301
CEL-208 320-0897
GARY L. FUNDERBURG

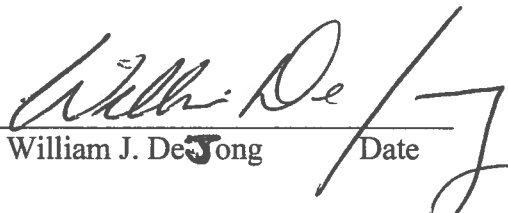
March 24, 2014

TO: Idaho Dept. of Water Res.
650 Addison Ave. West
Suite 500
Twin Falls, Idaho 83301-5851

Att: ALLEN MERRIT

Attachment: Arial Photo

This letter is in request for William J. De Yong to agree with the amount of land to be irrigated with Water Right # 36-8478 to his property. He agrees to irrigate with his water right 1.6 Acres. Also, he will use his Domestic Water Right # 36-10132 which allows him to irrigate (0.6 Acres) of land. Therefore with both Water Rights he will be allowed to irrigate a total of (2.1 Acres)



William J. De Yong Date

Thank you,
TSK ENTERPRISES LLC
GARY FUNDERBURG



Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

RECEIVED

MAR 14 2014

DEPT. OF WATER RESOURCES
SOUTHERN REGION

TSK ENTERPRISES LLC
255 BLUE LAKES BLVD NTH
PMB 617
TWIN FALLS, IDAHO 83301

208 320-0897

February 25, 2014

Idaho Dept. of Water Res.
650 w. Addison Ave West
Suite 500
Twin Falls, Idaho 83301-5851

Enclosed: Application of Transfer
Agreements
Check # 2624 for \$450.00

Att; Jim Bitzenburg

Please find enclosed the application for transfer of Ted Baar Dairy water right # 36-8478.

We have corrected all the items you mentioned at the time you returned the original transfer. If you have any question on the application, please contact Jason Helms engineer, since he completed the application. You may contact me if there are any other question.

Gary Funderburg
TSK ENTERPRISES LLC



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5851
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 20, 2014

TSK Enterprises, LLC
PMB 617, 255 Blue Lakes Blvd N.
Twin Falls, ID 83301

Dear Mr. Funderburg:

Please find enclosed a water right transfer application that was recently filed with our office. The filing fee (Gary Funderburg, DBA: TSK Enterprises check #2624 for \$450.00) that was submitted with the application is also enclosed. The application is being returned because it is considered incomplete and cannot be accepted for processing. The following items need to be addressed before the application can be accepted for processing.

The "Agreement for Purchase and Sale of Water Right" between Ted Baar and TSK Enterprises, LLC appears to incorrectly identify Ted Baar as the "Buyer" and TSK Enterprises, LLC as the "Seller". Those descriptions are apparently reversed. Additionally, water right 36-8478 shows Theodore Baar, Anna E. Baar, and Northwest Farm Credit Services as the current owners of record. Any agreement involving water right 36-8478 would have to be signed by all of the owners as they appear on the water right. If our records do not accurately reflect the current ownership of the water right, a change of ownership would need to be accomplished before the transfer can be processed.

Both the application and the Water Right sale agreements seem to transfer a volume of 6.38 acre-feet from Stockwater/Commercial use and end up with a volume of 8.0 acre-feet for the Irrigation use. This increase in volume is an apparent enlargement of the water right. If the end result is to irrigate 2.0 acres, then a volume of 8.0 acre-feet (4.0 acre-feet/acre) would be required. If the application only intends to transfer 6.38 acre-feet, then the irrigated acreage would be reduced to 1.6 acres.

If you have any questions, or if I can assist you in any way, feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Bitzenburg'.

Jim Bitzenburg
Water Resource Agent

Enclosure

Cc: Theodore and Anna Baar, w/o enclosures
Northwest Farm Credit Services FLCA, w/o enclosures