

FEB 24 2014

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 79079

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 <http://www.idwr.idaho.gov/>.

Name of Applicant(s) JON THOMSEN AND KATHY THOMSEN

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

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

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

- ☐ ☒ #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 transfer 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).
- ☒ ☐ #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 <http://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.)
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

RECEIVED
FEB 24 2014
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant JON THOMSEN Phone (208) 539-3157
Mailing Address 4525 N 1800 E, BUHL ID 83316 Email _____

Name of Applicant KATHY THOMSEN Phone (208) 539-3157
Mailing Address 4525 N 1800 E, BUHL ID 83316 Email _____

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

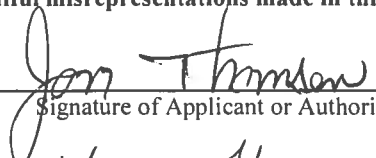
Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☒ No Representative

Name of Representative _____ Phone _____
Mailing Address _____ Email _____

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

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

 _____ Signature of Applicant or Authorized Representative	<u>Jon Thomsen</u> _____ Print Name and Title if applicable	<u>2-22-14</u> _____ Date
 _____ Signature of Applicant or Authorized Representative	<u>Kathy Thomsen</u> _____ Print Name and Title if applicable	<u>2-22-2014</u> _____ Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	47-7509	No	No	No	Yes	No	No

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

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**

Application proposes to add a point of diversion (POD) to a waste stream that runs through the applicants
property for use under right 47-7509.

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

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
47-7509	0.060 cfs	12.0 af	N/A	3.0		N/A	N/A	N/A	N/A
COMBINED TOTALS	0.060 cfs	12.0 af	N/A	3.0		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 0.06 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☒ As shown in Part 1.
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

4. Place of Use:

- ☐ No changes to place of use are proposed. (Proceed to #5.)
- ☒ As shown in Part 1.
- ☐ See Attachment.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 47-7509

Current Water Right Owner

JON THOMSEN
4525 N 1800 E
BUHL, ID 83316

AND

KATHY THOMSEN
4525 N 1800 E
BUHL, ID 83316

Priority Date: 3/12/1979

Origin: Water Right

Basis: Decreed

Status Active

Source: WASTE WATER Tributary: I COULEE

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.060 CFS	12.0 AFA	
Total Diversion			0.060 CFS	12.0 AFA	

Source and Point(s) of Diversion:

WASTE WATER	L5(NESE)	Sec. 9 Twp 09S Rge 15E TWIN FALLS County
WASTE WATER	L5(NESE)	Sec. 9 Twp 09S Rge 15E TWIN FALLS County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	15E	9													3.0				3.0
															L 5				

POU Total Acres: 3.0

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

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

Applicant

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

N/A

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

No, ☒ 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:

- e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

- 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

RECEIVED
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DEPT. OF WATER RESOURCES
SOUTHERN REGION

Current Water Right No. 47-7509

Current Water Right Owner

KEITH S OLSON
4525 N 1800 E
BUHL, ID 83316

AND

LINDA OLSON
4525 N 1800 E
BUHL, ID 83316

Priority Date: 3/12/1979

Origin: Water Right

Basis: Decreed

Status: Active

Source: WASTE WATER

Tributary: I COULEE

Beneficial Use

IRRIGATION

From

03/15

To

11/15

Diversion Rate

0.060 CFS

Volume

12.0 AFA

Subuse Code

Total Diversion

0.060 CFS

12.0 AFA

Source and Point(s) of Diversion:

WASTE WATER

L5(SENESE)

Sec. 9 Twp 09S Rge 15E TWIN FALLS County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	15E	9													3.0				3.0
															L 5				

POU Total Acres:

3.0

Conditions/Remarks:

1. This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.
2. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. Use of this right is combined with water from Twin Falls Canal Co.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.

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

☐ If 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**.

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

1. 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.:_____

Add'l Fee Paid	Date	Received By	Receipt #



TWIN FALLS CANAL COMPANY

357 6TH AVE WEST
POST OFFICE BOX 326
TWIN FALLS, IDAHO 83303-0326



March 11, 2013

Jeff Cooper
Idaho Department of Water Resources
650 Addison Ave W, Ste 500
Twin Falls, ID 83301-3380

RE: John Thompson Transfer of Water Right

RECEIVED
FEB 24 2014
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Jeff,

I have has reviewed the Application For Transfer of Water Right for John Thompson. (Water Right # 47-7509) This note is to inform you that the Twin Falls Canal Company has no issues with the addition of another Point of Diversion from the unnamed stream east of the I-Coulee. Be advised however that this stream is a waste water drain. It has always been the policy of the Twin Falls Canal Company that land owners have the right to use this system waste water on their property when it is available, but because these are waste water rights, there is no obligation upon the up-gradient farmers who paid for those water shares to continue to waste the water, or for the Twin Falls Canal Company to supply water to that location if the waste water is no longer there.

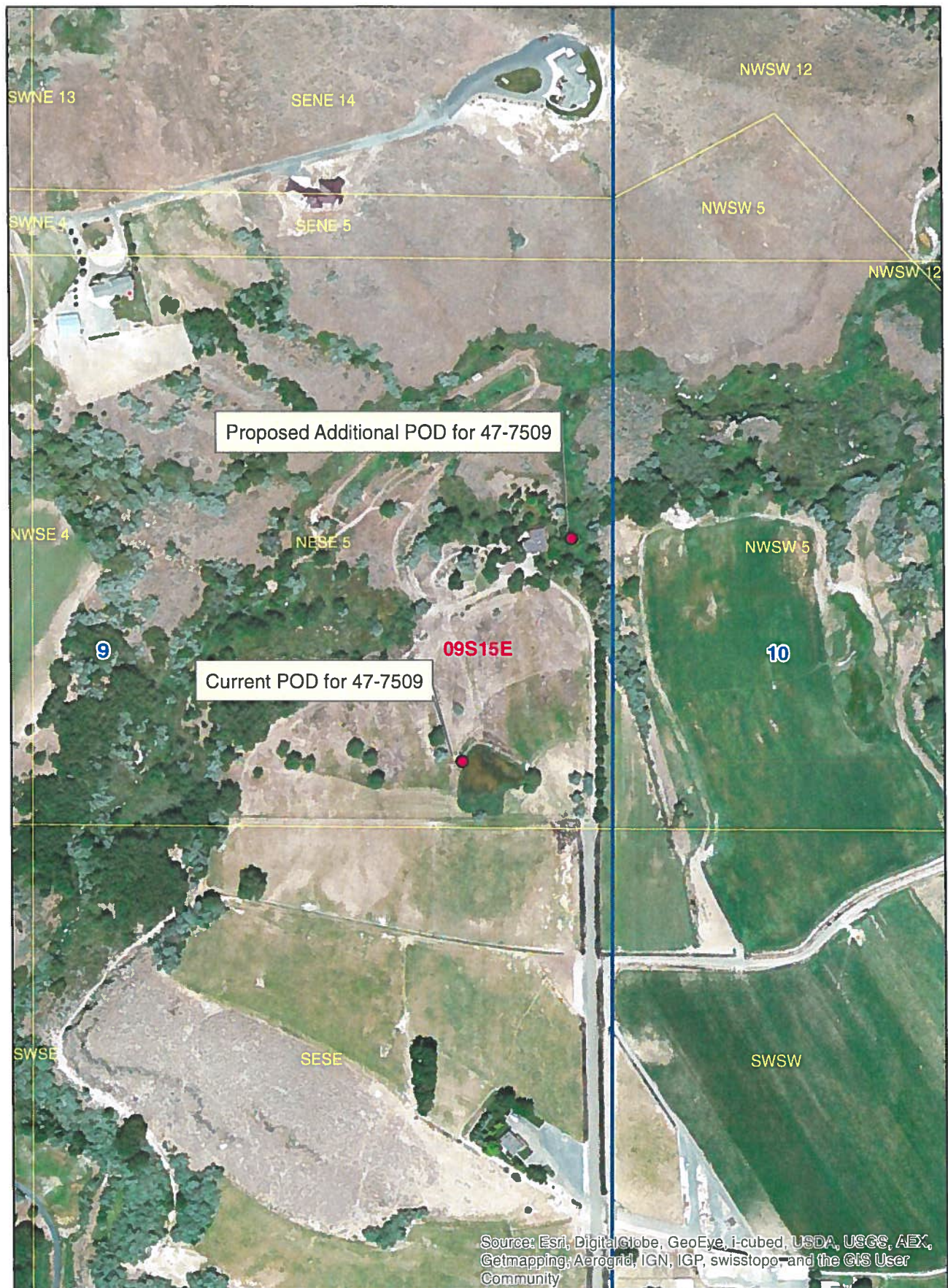
Additionally, The responsibility for ditch maintenance generally falls on whoever is receiving the benefit of the water, unless it is a natural drainage, where the maintenance responsibility lies with the land owner.. The maintenance of this waste water stream has previously been the responsibility of the either the up-gradient water users, or the landowner. If Mr. Thompson captures the water for reuse he will also be inheriting some responsibility for maintenance of the stream.

If you have any questions or need any additional information, please call me at 733-6731

Sincerely,

Jay Barlogi
Twin Falls Canal Company

Transfer 79079



Transfer 79079



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 12, 2014

JON THOMSEN
KATHY THOMSEN
4525 N 1800 E
BUHL, ID 83316

RE: Transfer No. 79079
Water Right No(s). 47-7509

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 3/20/2014 and 3/27/2014**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**April 7, 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

Maline, Denise

From: Maline, Denise
Sent: Tuesday, March 11, 2014 5:13 PM
To: Times News
Subject: LEGAL NOTICES
Attachments: Times News Cover Letter.docx; Times News Ad.docx; AB Mitigation Ad .docx; IGWA Mitigation Ad (2nd).docx

Attached please find **(3)** legal notices being submitted for publication on March 20th & 27th, 2014. Please feel free to contact me if you have any questions, or if you are not able to run the ads 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

March 11, 2014

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Application For Permit No.(s): 45-14455

RE: Transfer No. 79079
Water Right No(s): 47-7509

RE: Transfer No. 79126
Water Right No(s): 47-129, 47-130, 47-131, 47-132, 47-2257, 47-2468, 47-2478, 47-2548, 47-2550

RE: Transfer No. 79110
Water Right No(s): 36-7878

RE: Notice of Second Mitigation Plan submitted by Idaho Ground Water Appropriators Inc. (IGWA)

RE: Notice of Mitigation Plan submitted by the A&B Irrigation District

Dear Legal Notice Department:

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

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before April 7, 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:

45-14455

NORMAN E DAYLEY

PO BOX 165

ALBION, ID 83311

Point of Diversion SENW S16 T12S R25E CASSIA County Source HOWELL CREEK Tributary MARSH CREEK

Use: DIVERSION TO STORAGE 11/01 to 03/31 0.4 CFS

Use: GROUND WATER RECHARGE 11/01 to 03/31 0.4 CFS

Use: GROUND WATER RECHARGE FROM STORAGE 01/01 to 12/31 2.5 AF

Use: GROUND WATER RECHARGE STORAGE 01/01 to 12/31 2.5 AF

Total Diversion: 0.4 CFS

Date Filed: 2/25/2014

Place Of Use: GROUND WATER RECHARGE, GROUND WATER RECHARGE FROM STORAGE, GROUND WATER RECHARGE STORAGE, DIVERSION TO STORAGE

T12S R25E S9 SWSE

Application seeks to appropriate 0.4 cfs of water from Howell Creek for groundwater recharge purposes during the non-irrigation season. The location of the diversion from Howell Creek is approximately 2.1 mi. south & 2.0 mi. east of Albion, northeast of Highway 77. The proposed location for the recharge site is located approximately 1.6 mi. south & 2.0 mi. east of Albion, northeast of Highway 77. Permit will be subject to all prior water rights.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 79079

JON THOMSEN and KATHY THOMSEN, 4525 N 1800 E, BUHL, ID 83316; has filed Application No. 79079 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-7509. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to add a point of diversion (POD) to a waste water right, tributary to the I-Coulee, authorized under right 47-7509 for the irrigation of 3 acres (0.06 CFS) on property located approximately 3.9 mi N & 3.3 mi E of Buhl. The proposed POD is to be located adjacent to this authorized place of use, approximately 4.0 mi N & 3.4 mi E of Buhl.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 79110

RONALD L HRUZA, 798 E 400 N, RUPERT, ID 83350; has filed Application No. 79110 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-7878. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the point of diversion and place of use for a 1.43 cfs and 76 acre groundwater right currently authorized to be diverted from a well located approximately 4.9 miles north and 6.4 miles east of the center of Rupert. The application changes the authorized point of diversion to an existing well located approximately 4.2 miles north and 4.7 miles east of the center of Rupert. The transfer proposes diverting 0.80 cfs from the proposed point of diversion to irrigate 40 acres approximately 4.4 – 4.65 miles north and 5.0 – 5.25 miles east of the center of Rupert.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 79126

ROBERT J MEYERS and KATHI L MEYERS, 3921 N 3300 E, TWIN FALLS, ID 83301; has filed Application No. 79126 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-129, 47-130, 47-131, 47-132, 47-2257, 47-2468, 47-2478, 47-2548, 47-2550. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to add a new point of diversion (POD), located approximately 4.0 mi. S & 1.9 mi. E of Kimberly, to groundwater irrigations rights 47-2257, 47-2468, 47-2548, and 47-2550. Rights 47-2257 & 47-2468 are currently authorized to irrigate 573 acre (3.28 cfs) within 626 acres on ground located approximately 1.5 – 2.5 mi. E & 4.0 – 5.5 mi S of Kimberly. Rights 47-2548 & 47-2550 are currently authorized to irrigate 250 acres (3.2 cfs) on ground located approximately 1.5 – 2.0 mi. E & 4.0 – 5.0 mi. S of Kimberly. Diversion at the farm is currently occurring from two wells, located the following distances from Kimberly: 5.1 mi. S & 2.5 mi. E and 5.4 mi. S & 2.5 mi. E. Application proposes to list both wells on all four aforementioned rights. The proposed changes will create a combined system which reflects the current operations at the farm. Application also proposes to create a 789-acre permissible place of use (PPU), by including adjacent acres owned by the applicant, for these four rights and also the Rock Creek rights associated with the ground. Rights will continue to be limited to 626 acres within the proposed PPU.

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 April 7, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on March 20th & 27th, 2014

MEMORANDUM

Date: March 5, 2014
To: Transfer 79079 File
From: Jeff Cooper
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes to add a point of diversion (POD) to a waste water right, tributary to the I-Coulee, authorized under right 47-7509 for the irrigation of 3 acres (0.06 CFS) on property located approximately 3.9 mi N & 3.3 mi E of Buhl. The proposed POD is to be located adjacent to this authorized place of use, approximately 4.0 mi N & 3.4 mi E of Buhl.

Applicants submitted a letter, with the application, from the Twin Falls Canal Company (TFCC), consenting to the proposed changes with the understanding that the water from a drain and is still considered project water which could be recaptured for use on project land. It should be noted that TFCC shares are currently appurtenant to the property associated with the transfer.

- **Authority to File:**
The applicants, Jon & Kathy Thomsen, are currently listed as the current owners of water right 47-7509.
- **Water Right Validity:**
Right 47-7509 was partially decreed in the SRBA on June 1, 2010, therefore forfeiture is not an issue.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No negative impact anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Decreed use is recognized as a beneficial use of water.
- **Effect on Economy of the Local Area:**
None anticipated.
- **Effect of the Agricultural Base of the Local Area:**
None anticipated.

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