

NO. 36-16982

Maximum Diversion Volume: 2,237.0 AF

has applied for a permit to appropriate water from:

Tributary: SINKS

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL VOLUME</u>
RECREATION STORAGE	01/01 to 12/31	945.0 AF
IRRIGATION STORAGE	01/01 to 12/31	1,292.0 AF
IRRIGATION FROM STORAGE	03/15 to 11/15	1,292.0 AF
AESTHETIC STORAGE	01/01 to 12/31	945.0 AF

WASTE WATER	NE1/4NW1/4	Sec. 14, Twp 09S, Rge 18E, B.M.
JEROME County		
WASTE WATER	NW1/4NE1/4	Sec. 14, Twp 09S, Rge 18E, B.M.
JEROME County		
WASTE WATER	SE1/4NW1/4	Sec. 14, Twp 09S, Rge 18E, B.M.
JEROME County		

[illegible][illegible]

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 36-16982

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S 18E 11															22.0	1.0	23.0
09S 18E 14		27.0			17.0	25.0	40.0	24.0	40.0	40.0							213.0
09S 18E 15	40.0	40.0	40.0	40.0									40.0	40.0			240.0

Total Acres: 476

PLACE OF USE: AESTHETIC STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S 18E 14		X	X		X			X									

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **September 01, 2014**.
2. Subject to all prior water rights.
3. This right is limited to the irrigation of 323 acres within the authorized place of use in a single irrigation season.
4. This right (36-16982) and Rights 36-4193, 36-8569, 36-16956, 36-16957, 36-16958, 36-16959, 36-16960, 36-16961 when combined shall not exceed the irrigation of 323.0 acres.
5. This right (36-16982) and Rights 36-16956, 36-16957, 36-16958, 36-16959, 36-16960, and 36-16961 are limited to the irrigation of a specific 323.0 acres within the 476.0 acre place of use authorized by these rights in a single irrigation season. The specific 323.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 323.0 acres to be irrigated within the 476.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
6. The reservoir established by the storage of water under this right (36-16982) and Rights 36-16956, 36-16957, 36-16958, 36-16959, 36-16960, and 36-16961 shall not exceed a total capacity of 143.0 acre-feet or a total surface area of 18.9 acres.

State of Idaho
Department of Water Resources**Permit to Appropriate Water**

NO. 36-16982

7. Rights 36-16956, 36-16957, 36-16958, 36-16959, 36-16960, and 36-16961 authorize the diversion of an annual total of 187.6 acre-feet to be used for recreation and aesthetic storage for the initial (annual) filling of the reservoir and for the replacement of losses caused by evaporation from the reservoir authorized under this right (36-16982). The 945 acre-feet of recreation and aesthetic storage use described by this right (36-16982) accounts for the annual seepage losses associated with the reservoir. In combination, this right (36-16982) and Rights 36-16956, 36-16957, 36-16958, 36-16959, 36-16960, and 36-16961 allow for a combined annual total recreation and aesthetic storage volume of 1,132.6 acre-feet (enough to fill the reservoir once, and to keep the reservoir full by making up annual losses associated with seepage and evaporation). The 1,292.0 acre-feet of irrigation storage described by this right (36-16982) accounts for the volume of water that may be diverted into the reservoir and rediverted for irrigation use throughout the season as reservoir levels fluctuate. In combination, This right (36-16982) and Rights 36-16956, 36-16957, 36-16958, 36-16959, 36-16960, and 36-16961 allow for a combined annual total storage volume of 2,424.6 acre-feet for all uses.
8. The impoundment of water under this right is contingent upon the issuance of a certificate of approval per the dam safety provisions of Idaho Code and subsequent written authorization by the dam safety program administered by the Department.
9. The waste water diverted under this right is 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 of use or manner of wasting it, or to recapture it.
10. 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.
11. Prior to diversion of water under this right, the right holder shall install and maintain measuring devices and lockable controlling works of a type acceptable to the Department as part of the diverting works.
12. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 28th day of August, 2013.



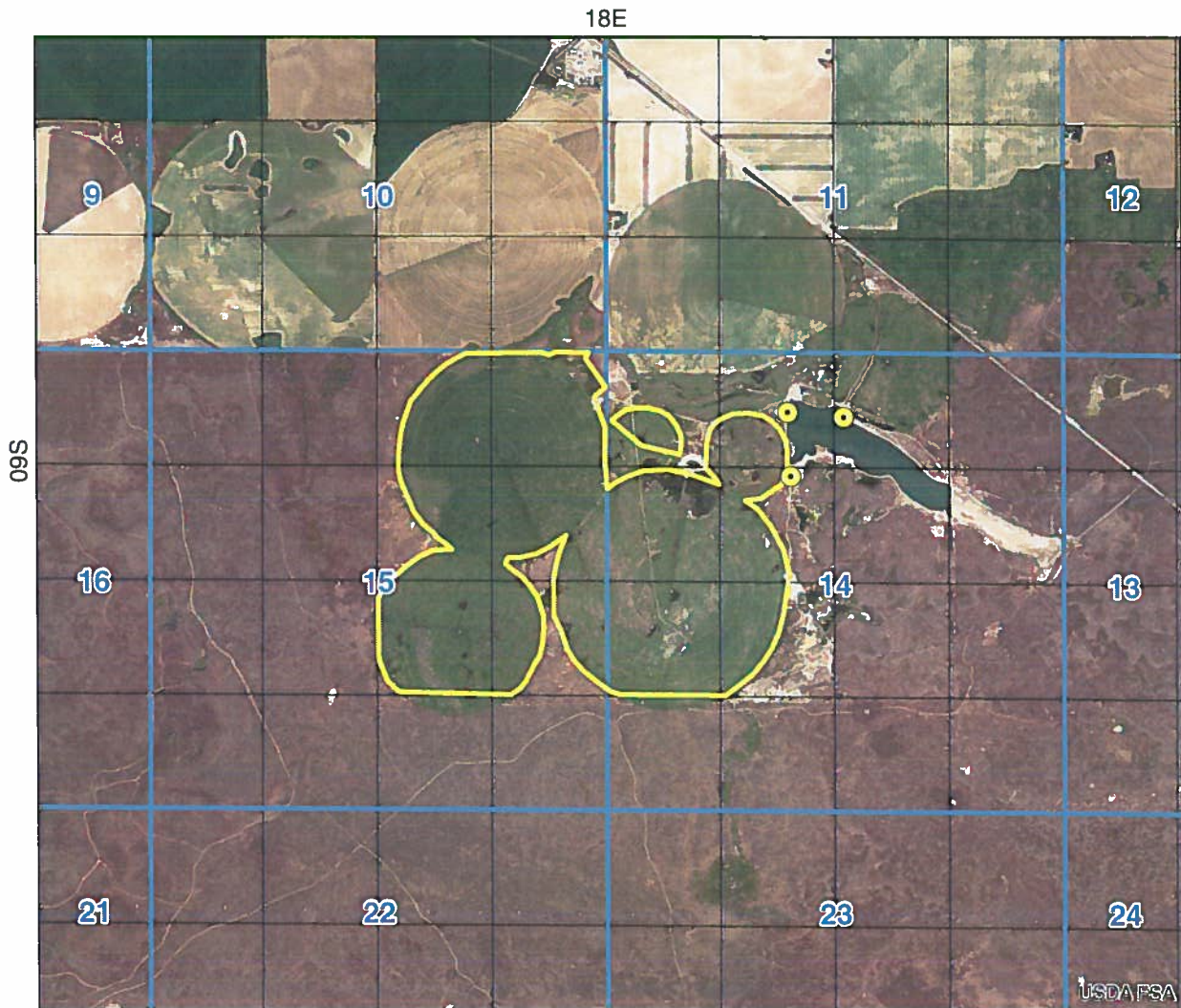
FOR GARY SPACKMAN, Director

State of Idaho
Department of Water Resources

Attachment To Permit to Appropriate Water

36-16982

This map depicts the IRRIGATION FROM STORAGE place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.25 0.5 1 Miles



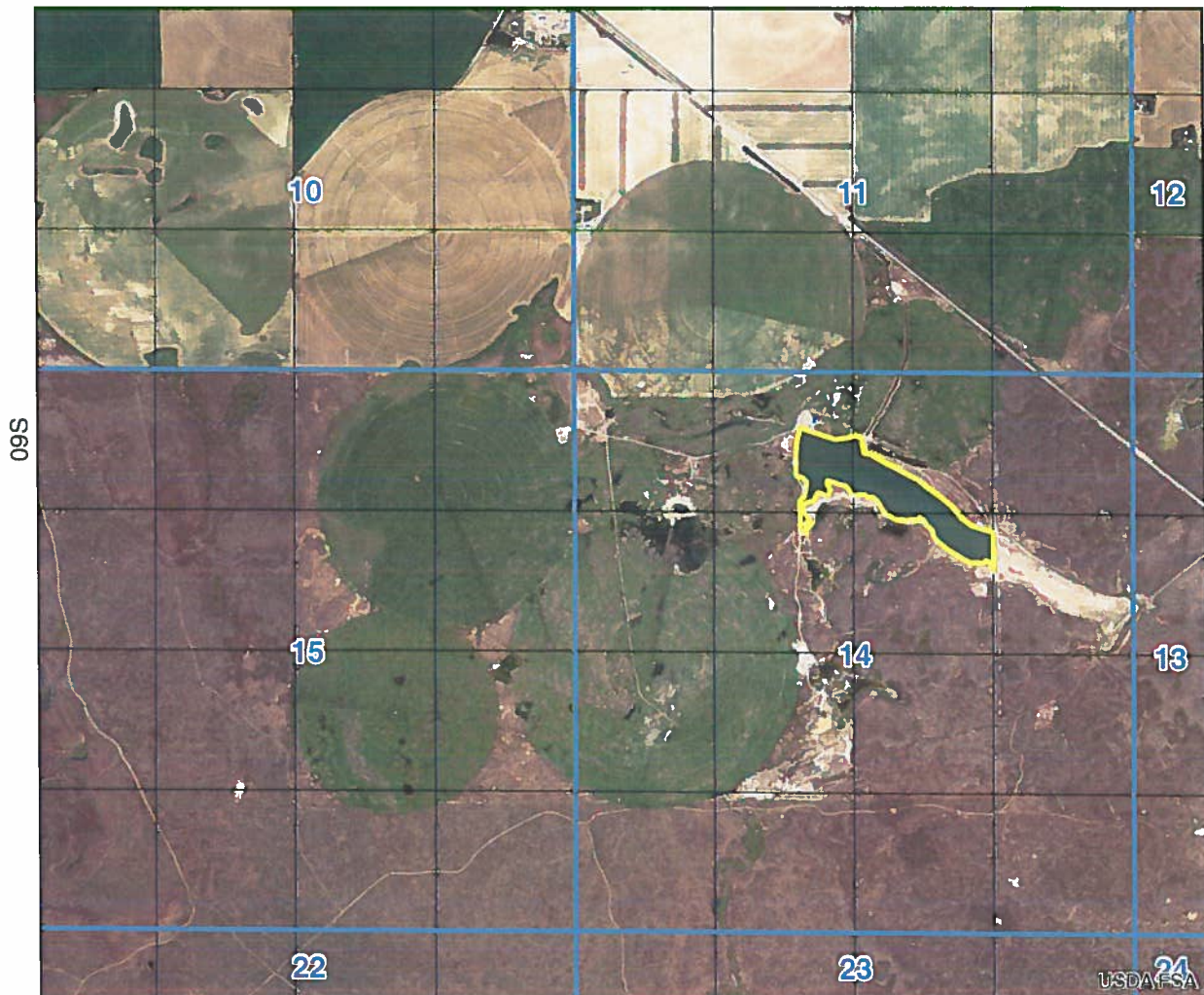
State of Idaho
Department of Water Resources

Attachment To Permit to Appropriate Water

36-16982

This map depicts the RECREATION STORAGE, IRRIGATION STORAGE, and AESTHETIC STORAGE place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

18E



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.2 0.4 0.8 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 3, 2013

MIKE SIRUCEK
472 S 1000 E
JEROME ID 83338

RE: Permit No. 36-16982

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-736-3033.

Sincerely,

A handwritten signature in black ink, appearing to read "Allen Merritt". The signature is stylized with a large initial "A" and a cursive "Merritt".

Allen Merritt
Southern Region Manager

Enclosure(s)

cc: BARKER ROSHOLT & SIMPSON LLP

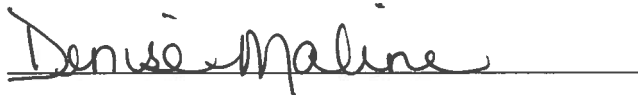
CERTIFICATE OF SERVICE

I hereby certify that on September 3, 2013 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 36-16982

**MIKE SIRUCEK
472 S 1000 E
JEROME ID 83338**

**BARKER ROSHOLT & SIMPSON LLP
ATTN: PAUL L ARRINGTON
195 RIVER VISTA PLACE, STE 204
TWIN FALLS ID 83301-3029**

A handwritten signature in cursive script, reading "Denise Maline", is written over a horizontal line.

**Denise Maline
Administrative Assistant**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

September 3, 2013

CINDY YENTER WATERMASTER
WATER DISTRICT # 130
1341 FILLMORE ST, STE 200
TWIN FALLS ID 83301

Hand-delivered

Re: **APPROVED Transfer No. 78578 (Mike Sirucek)**
Re: **APPROVED Permit No. 36-16982 (Mike Sirucek)**

Dear Ms. Yenter:

For your information and records, we have enclosed a copy of an APPROVED Application for Transfer and APPROVED Application for Permit within your District.

If you have any questions, please contact this office, or the applicant.

Sincerely,

A handwritten signature in cursive script that reads "Denise Maline".

Denise Maline
Administrative Assistant

Enclosure

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Application No: 36-16982
Water Right No:
Applicant Name: Sirucek, Mike

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application
b) ☐ I do not oppose approval of this application under the following terms:
c) ☐ I oppose approval of this application(s) for the following reasons:
d) ☒ Additional comment:

In accordance with permit conditions, right holder is coordinating with watermaster on measuring device requirements.

Dated: August 27, 2013

Water District 130



Cindy J. Yenter, Watermaster

RECEIVED

JUL 22 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

July 17, 2013

Cindy Yenter
Corey Skinner
Idaho Department of Water Resources, Southern Region
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

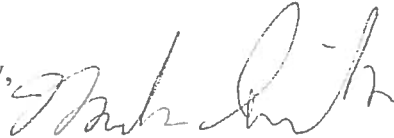
RE: Amendment to Applications

Dear Cindy and Corey:

In a letter dated July 11, 2013, my attorney, Paul Arrington, submitted revisions to the *Application for Permit* and *Application for Transfer* that are pending. Those revisions include amendments to the permissible place of use for irrigation and a revised map.

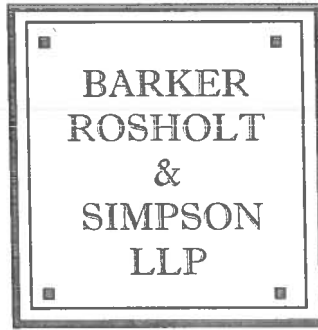
Please amend my existing application consistent with the information provided in Mr. Arrington's letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Sirucek", written over the word "Sincerely,".

Mike Sirucek

Albert P. Barker
John A. Rosholt
John K. Simpson
Travis L. Thompson
Shelley M. Davis
Paul L. Arrington
Sarah W. Higer
Scott A. Magnuson



Paul L. Arrington
pla@idahowaters.com

195 River Vista Place, Suite 204
Twin Falls, Idaho 83301-3029
(208) 733-0700 telephone
(208) 735-2444 facsimile
jar@idahowaters.com

1010 W. Jefferson St., Suite 120
Post Office Box 2139
Boise, Idaho 83701-2139
(208) 336-0700 telephone
(208) 344-6034 facsimile
brs@idahowaters.com

RECEIVED

JUL 15 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

July 11, 2013

Cindy Yenter
Idaho Dept. of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301

RE: *Transfer and Application for Permit – Mike Sirucek*

Dear Cindy:

As we discussed, I have attached an amendment to the PPU acreage for the Transfer and Application for Permit filed by Mike Sirucek. Essentially, we removed the acreage that was irrigated through the separate system. Also attached is a revised PPU map and irrigated acreage identification.

Please let me know if we need new signatures.

Thanks,


Paul Arrington

Cc: Corey Skinner (without attachments)
Mike Sirucek (without attachments)

RECEIVED

JUL 12 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Via E-mail



NORTH SIDE CANAL COMPANY, LTD.

921 NORTH LINCOLN * JEROME IDAHO 83338 * (208)324-2319 * FAX (208)324-8906

July 12, 2013

Paul Arrington
Barker, Rosholt, Simpson LLP.
195 River Vista Place, Suite 204
Twin Falls, ID 83301

RE: Mike Sirucek Water Right and Transfer Applications

Dear Mr. Arrington,

I have reviewed the Applications for Water Right and Transfer that Mike Sirucek is submitting to the Idaho Department of Water Resources. My understanding is that the point of diversion for the waste water is at his pond on his property. North Side Canal Company does not administer waste water after it leaves the Company's system. The Company's last delivery and the end of the Company's jurisdiction is located at a pond that is presently owned by Mike Gott. Waste water that leaves Mr. Gott's pond and flows to Mr. Sirucek's pond is not administered by North Side Canal Company.

Based on the information submitted, there appears to be no impact to the Company's facilities and therefore no comment with regards to these applications. If you have any questions, feel free to give me a call at (208) 324-2319.

Sincerely,

Alan W. Hansten
Manager

TRIBUNE PUBLISHING COMPANY, INC
The Lewiston Tribune
505 E. St., P.O. Box 957
Lewiston, Idaho 83501
(208) 743-9411

LEGAL ADVERTISING
INVOICE

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Account No.	446626		
Description	80323 The follo		
Times	2	Lines	93
		Tab. lines	
		\$	418.50

Sold To: DEPT OF WATER RESOURCES
1341 FILLMORE STREET, SUITE 200
TWIN FALLS ID 83301

PO#

NOTICE: This is a invoice of Purchase made by you. Statement will be rendered the first of the month
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

RECEIVED

JUN 20 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Karen J. Lewis, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho and under and by virtue of the laws of the State of Washington, publishers of the Lewiston Tribune, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 105 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 80323 The follo attached hereto and which is made a part of this affidavit was published in the said Lewiston Tribune, 2 time(s). Publication being on 06/06, or once a ~~Week~~ Week for 2 consecutive ~~Week~~ Week, the first publication thereof being on the 06/06/2013, and the last publication thereof being on the 06/13/2013, and said 80323 The follo was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Karen J. Lewis

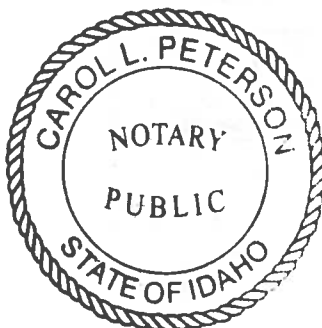
State of Idaho

S.S.

County of Nez Perce

On this 18th day of June in the year of 2013, before me, a Notary Public, personally appeared Karen J. Lewis, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Carol Peterson
Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 9-1-2012



The following application(s) have been filed to appropriate the public waters of the State of Idaho:

36-16982

MIKE SIRUCEK

472 S 1000 E

JEROME, ID 83338

Point of Diversion NENW S14 T09S R18E JEROME County

Source WASTE WATER Tributary SINKS

Point of Diversion NWNE S14 T09S R18E JEROME County

Source WASTE WATER Tributary SINKS

Point of Diversion SENW S14 T09S R18E JEROME County

Source WASTE WATER Tributary SINKS

Use: AESTHETIC STORAGE 01/01 to 12/31 1132.6 AF

Use: IRRIGATION FROM STORAGE 03/15 to 11/15 1292 AF

Use: IRRIGATION STORAGE 01/01 to 12/31 1292 AF

Use: RECREATION STORAGE 01/01 to 12/31 1132.6 AF

Total Diversion: 2424.6 AF

Date Filed: 5/1/2013

Place Of Use:

RECREATION STORAGE, IRRIGATION STORAGE, AESTHETIC STORAGE

T09S R18E S14 NWNE SWNE NENW SENW

Place Of Use: IRRIGATION FROM STORAGE

T09S R18E S11 SESW SWSE SESE

T09S R18E S14 NWNE NW(ALL) NESW NWSW

T09S R18E S15 NE(ALL) NESE NWSE

Total Acres: 485

Irrigation is for 323 acres within a 485 acre PPU.

Application proposes appropriating 2424.6 acre-feet per year of wastewater for recreation, aesthetic, and irrigation storage uses associated with a reservoir on a farm located approximately 9.3 - 10.6 miles east and 4.9 - 5.9 miles south of the center of Jerome. The application includes a mitigation plan to cover consumptive storage uses and limits irrigation from the reservoir to land covered by existing wastewater irrigation rights.

43-13712

RAFT RIVER GROUND WATER DISTRICT

PO BOX 122

ALMO, ID 83312

Point of Diversion NWNESE S21 T13S R26E CASSIA County

Source CASSIA CREEK Tributary RAFT RIVER

Point of Diversion NESENW S12 T13S R26E CASSIA County

Source CASSIA CREEK Tributary RAFT RIVER

Point of Diversion NENENE S14 T13S R26E CASSIA County

Source CASSIA CREEK Tributary RAFT RIVER

Use: RECHARGE FOR IRRIGATION 01/01 to 12/31 25 CFS 10000 AF

Total Diversion: 25 CFS

Date Filed: 2/14/2013

Place Of Use: RECHARGE FOR IRRIGATION

T12S R26E S36 NWNE NENW SENW

T13S R26E S1 NENE

T13S R26E S22 NWSW

Application for permit proposes diverting up to 25 cfs for recharge from three existing points of diversion along Cassia Creek located approximately 0.25 mi. east, 0.75 mi. south & 0.3 mi. west and 2.4 mi. south & 2.4 mi. west of Malta. The recharge will occur at recharge sites located approximately 2 mi. north, 1.0 mi. north & 0.5 mi. east and 2.2 mi. south & 2.0 mi. west of Malta.

43-13713

RAFT RIVER GROUND WATER DISTRICT

PO BOX 122

ALMO, ID 83312.

Point of Diversion NWNWSW S20 T14S R27E CASSIA County

Source RAFT RIVER Tributary SNAKE RIVER

Point of Diversion SWSESE S24 T13S R26E CASSIA County

Source RAFT RIVER Tributary SNAKE RIVER

Point of Diversion NWSSENW S31 T13S R27E CASSIA County

Source RAFT RIVER Tributary SNAKE RIVER

Point of Diversion NWSWNE S7 T14S R27E CASSIA County

Source RAFT RIVER Tributary SNAKE RIVER

Use: RECHARGE FOR IRRIGATION 01/01 to 12/31 25 CFS 10000 AF

Total Diversion: 25 CFS

Date Filed: 2/14/2013

Place Of Use: RECHARGE FOR IRRIGATION

T13S R26E S24 SESE

T13S R27E S31 SENW

T14S R27E S8 NWNW

T14S R27E S20 SWNW SENW NWSW

Application for permit proposes diverting up to 25 cfs for recharge from four existing points of diversion from Raft River located approximately 2.5 mi. south & 0.5 mi. east, 4.0 mi. south & 1.0 mi. east, 6.0 mi. south & 1.25 mi. east, and 8.4 mi. south & 1.8 mi. east of Malta. The recharge will occur at recharge sites located approximately 2.5 mi. south & 0.5 mi. east, 4.0 mi. south & 1.0 mi. east, 6.0 mi. south & 1.8 mi. east, and 8.4 mi. south & 1.8 mi. east of Malta.

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 right(s), please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before June 24, 2013. The protestant must also send a copy of the protest to the applicant. Published in the Times News, Idaho Statesman, Post Register & Lewiston Tribune on June 6th & 13th, 2013.

GARY SPACKMAN, Director

Published on June 6th & 13th, 2013

...

✓ OK AM
6-24-2013

Proof of Publication
The Post Register

RECEIVED

JUN 17 2013

State of Idaho
Bonneville County:

DEPT. OF WATER RESOURCES
SOUTHERN REGION

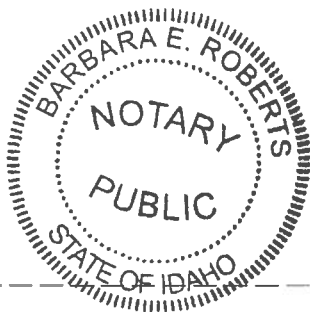
I, ~~Hilary Witt~~ or Staci Dockery, first being duly sworn, depose and say: That I am the ~~Classifieds Manager~~ or Legal Notice Representative of the Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published Tuesday through Sunday at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880, and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidations up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register under this ad number: **567972**, for **2** consecutive (days) weeks, between **06/06/2013** and **06/13/2013**,

and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Staci Dockery

Subscribed and sworn to before me, this 13 day of June 2013



Barbara E. Roberts
Notary Public

My Commission expires: 5/9/2019

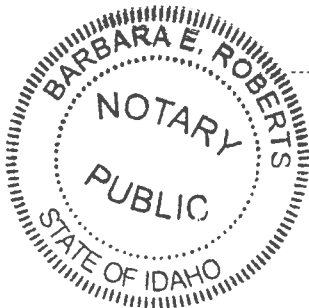
STATE OF IDAHO

ss.

COUNTY OF BONNEVILLE

Subscribed and sworn to before me, this 13 day of June 2013, before me, the undersigned, a Notary public for said state, personally appeared ~~Hilary Witt~~ or Staci Dockery, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he/she/they executed the same,

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



Barbara E. Roberts
Notary Public for The Post Company
Residing at: Idaho Falls
My Commission expires: 5/9/2019

✓ OK AM
6-17-2013

The following application(s) have been filed appropriate the public waters of the State Idaho:

✓
36-16982
MIKE SIRUCEK
472 S 1000 E
JEROME, ID 83338
Point of Diversion NENW S14 T09S R18E
JEROME County Source WASTE WATER
Tributary SINKS
Point of Diversion NENE S14 T09S R18E
JEROME County Source WASTE WATER
Tributary SINKS
Point of Diversion SENW S14 T09S R18E
JEROME County Source WASTE WATER
Tributary SINKS
Use: AESTHETIC STORAGE 01/01 to 12/31
1132.6 AF
Use: IRRIGATION FROM STORAGE 03/15 to
11/15 1292 AF
Use: IRRIGATION STORAGE 01/01 to 12/31
1292 AF
Use: RECREATION STORAGE 01/01 to 12/31
1132.6 AF
Total Diversion: 2424.6 AF
Date Filed: 5/1/2013
Place Of Use: RECREATION STORAGE,
IRRIGATION STORAGE, AESTHETIC STORAGE
T09S R18E S14 NWNE SWNE NENW SENW
Place Of Use: IRRIGATION FROM STORAGE
T09S R18E S11 SESW SWSE SESE
T09S R18E S14 NWNE NW(ALL) NESW
NWSW
T09S R18E S15 NE(ALL) NESE NWSE
Total Acres: 485
Irrigation is for 323 acres within a 485 acre PPU.

Application proposes appropriating 2424.6
acre-feet per year of wastewater for recreation,
aesthetic, and irrigation storage uses associated
with a reservoir on a farm located approximately
9.3 -10.6 miles east and 4.9 - 5.9 miles south of
the center of Jerome. The application includes a
mitigation plan to cover consumptive storage uses
and limits irrigation from the reservoir to land
covered by existing wastewater irrigation rights.

✓
43-13712
RAFT RIVER GROUND WATER DISTRICT
PO BOX 122
ALMO, ID 83312
Point of Diversion NWNESE S21 T13S R26E
CASSIA County Source CASSIA CREEK Tributary
RAFT RIVER
Point of Diversion NESENW S12 T13S R26E
CASSIA County Source CASSIA CREEK Tributary
RAFT RIVER
Point of Diversion NENENE S14 T13S R26E
CASSIA County Source CASSIA CREEK Tributary
RAFT RIVER
Use: RECHARGE FOR IRRIGATION 01/01 to
12/31 25 CFS 10000 AF
Total Diversion: 25 CFS
Date Filed: 2/14/2013
Place Of Use: RECHARGE FOR IRRIGATION
T12S R26E S36 NWNE NENW SENW
T13S R26E S1 NENE
T13S R26E S22 NWSW

Application for permit proposes diverting up to
25 cfs for recharge from three existing points of
diversion along Cassia Creek located
approximately 0.25 mi. east, 0.75 mi. south & 0.3
mi. west and 2.4 mi. south & 2.4 mi. west of Malta.
The recharge will occur at recharge sites located
approximately 2 mi. north, 1.0 mi. north & 0.5 mi.
east and 2.2 mi. south & 2.0 mi. west of Malta.

✓
43-13713
RAFT RIVER GROUND WATER DISTRICT
PO BOX 122
ALMO, ID 83312
Point of Diversion NWNWSW S20 T14S R27E
CASSIA County Source RAFT RIVER Tributary
SNAKE RIVER
Point of Diversion SWSESE S24 T13S R26E
CASSIA County Source RAFT RIVER Tributary
SNAKE RIVER
Point of Diversion NWSSENW S31 T13S R27E
CASSIA County Source RAFT RIVER Tributary
SNAKE RIVER
Point of Diversion NWSWNE S7 T14S R27E
CASSIA County Source RAFT RIVER Tributary
SNAKE RIVER

Use: RECHARGE FOR IRRIGATION 01/01 to
12/31 25 CFS 10000 AF
Total Diversion: 25 CFS
Date Filed: 2/14/2013
Place Of Use: RECHARGE FOR IRRIGATION
T13S R26E S24 SESE
T13S R27E S31 SENW
T14S R27E S8 NWNW
T14S R27E S20 SWNW SENW NWSW

Application for permit proposes diverting up to
25 cfs for recharge from four existing points of
diversion from Raft River located approximately
2.5 mi. south & 0.5 mi. east, 4.0 mi. south & 1.0
mi. east, 6.0 mi. south & 1.25 mi. east, and 8.4 mi.
south & 1.8 mi. east of Malta. The recharge will
occur at recharge sites located approximately 2.5
mi. south & 0.5 mi. east, 4.0 mi. south & 1.0 mi.
east, 6.0 mi. south & 1.8 mi. east, and 8.4 mi.
south & 1.8 mi. east of Malta.

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
right(s), please see
[www.idwr.idaho.gov/apps/ExtSearch/WRFiling.
asp](http://www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp). Protests may be submitted based on the
criteria of Idaho Code § 42-203A. Any protest
against the approval of this application must be
filed with the Director, Dept. of Water Resources,
Southern Region, 1341 Fillmore St, Suite 200,
Twin Falls, ID 83301 together with a protest fee of
\$25.00 for each application on or before June 24,
2013. The protestant must also send a copy of
the protest to the applicant. Published in the
Times News, Idaho Statesman, Post Register &
Lewiston Tribune on June 6th & 13th, 2013.

GARY SPACKMAN, Director
Published: June 6 and 13, 2013 (567972)

✓ OK AM
6-17-2013

Idaho Statesman

The Newspaper of the Treasure Valley
IDAHOSTATESMAN.COM

PO Box 40, Boise, ID 83707-0040

RECEIVED

JUN 17 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

LEGAL PROOF OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
100632	0000645462	LEGAL NOTICE	SIRUCEK	\$339.67	2	105

Attention: DENISE MALINE

IDAHO DEPT WATER RESOURCE / SOUTH
1341 FILLMORE ST STE 200
IDAHO FALLS ID 83301

LEGAL NOTICE

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

✓ 36-16882
MIKE SIRUCEK
472 S 1000 E
JEROME, ID 83338
Point of Diversion NENW S14 T09S R18E JEROME County Source
WASTE WATER Tributary SINKS
Point of Diversion NWNW S14 T09S R18E JEROME County Source
WASTE WATER Tributary SINKS
Point of Diversion SENW S14 T09S R18E JEROME County Source
WASTE WATER Tributary SINKS
Use: AESTHETIC STORAGE 01/01 to 12/31 1132.6 AF
Use: IRRIGATION FROM STORAGE 03/15 to 11/15 1292 AF
Use: RECREATION STORAGE 01/01 to 12/31 1292 AF
Use: RECREATION STORAGE 01/01 to 12/31 1132.6 AF
Total Diversion: 2424.6 AF
Date Filed: 5/1/2013
Place Of Use: RECREATION STORAGE, IRRIGATION STORAGE, AESTHETIC STORAGE
T09S R18E S14 NWNW SWNE SENW
Place Of Use: IRRIGATION FROM STORAGE
T09S R18E S11 SESE SWSE SESE
T09S R18E S14 NWNW NWALL NESW NWSW
T09S R18E S15 NEALL NESE NWSW
Total Acres: 485
Irrigation is for 323 acres within a 485 acre PPU.
Application proposes appropriating 2424.6 acre-feet per year of wastewater for recreation, aesthetic, and irrigation storage uses associated with a reservoir on a farm located approximately 9.3-10.6 miles east and 4.9-5.9 miles south of the center of Jerome. The application includes a mitigation plan to cover consumptive storage uses and limits irrigation from the reservoir to land covered by existing wastewater irrigation rights

✓ 43-13712
RAFT RIVER GROUND WATER DISTRICT
PO BOX 122
ALMO, ID 83312
Point of Diversion NWNE S21 T13S R26E CASSIA County Source
CASSIA CREEK Tributary RAFT RIVER
Point of Diversion NESE S21 T13S R26E CASSIA County Source
CASSIA CREEK Tributary RAFT RIVER
Point of Diversion NENE S14 T13S R26E CASSIA County Source
CASSIA CREEK Tributary RAFT RIVER
Use: RECHARGE FOR IRRIGATION 01/01 to 12/31 25 CFS
1000 AF
Total Diversion: 25 CFS
Date Filed: 2/14/2013
Place Of Use: RECHARGE FOR IRRIGATION
T13S R26E S26 NWNW NENW SENW
T13S R26E S1 NENE
T13S R26E S22 NWSW
Application for permit proposes diverting up to 25 cfs for recharge from three existing points of diversion along Cassia Creek located approximately 0.25 mi. east, 0.75 mi. south & 0.3 mi. west and 2.4 mi. south & 2.4 mi. west of Malta. The recharge will occur at recharge sites located approximately 2 mi. north, 1.0 mi. north & 0.5 mi. east and 2.2 mi. south & 2.0 mi. west of Malta.

✓ 43-13713
RAFT RIVER GROUND WATER DISTRICT
PO BOX 122
ALMO, ID 83312
Point of Diversion NWWSW S20 T14S R27E CASSIA County Source
RAFT RIVER Tributary SNAKE RIVER
Point of Diversion SWSE S24 T13S R26E CASSIA County Source
RAFT RIVER Tributary SNAKE RIVER
Point of Diversion NWSE S21 T13S R27E CASSIA County Source
RAFT RIVER Tributary SNAKE RIVER
Point of Diversion NWSE S21 T13S R27E CASSIA County Source
RAFT RIVER Tributary SNAKE RIVER
Use: RECHARGE FOR IRRIGATION 01/01 to 12/31 25 CFS
1000 AF
Total Diversion: 25 CFS
Date Filed: 2/14/2013
Place Of Use: RECHARGE FOR IRRIGATION
T13S R26E S24 SESE
T13S R27E S31 SENW
T14S R27E S8 NWNW
T14S R27E S20 SWNW SENW NWSW
Application for permit proposes diverting up to 25 cfs for recharge from four existing points of diversion from Raft River located approximately 2.5 mi. south & 0.5 mi. east, 4.0 mi. south & 1.0 mi. east, 6.0 mi. south & 1.25 mi. east, and 8.4 mi. south & 1.8 mi. east of Malta. The recharge will occur at recharge sites located approximately 2.5 mi. south & 0.5 mi. east, 4.0 mi. south & 1.0 mi. east, 6.0 mi. south & 1.8 mi. east, and 8.4 mi. south & 1.8 mi. east of Malta.

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, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Southern Region, 1341 Fillmore St. Suite 200, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before June 24, 2013. The protestant must also send a copy of the protest to the applicant. Published in the Times News, Idaho Statesman, Post Register & Lewiston Tribune on June 6th & 13th, 2013.
GARY SPACKMAN, Director

Pub. June 6,13, 2013

0000645462-01

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Idaho Statesman, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

Beginning issue of: 06/06/2013

Ending issue of: 06/13/2013

Janice Hildreth
(Legals Clerk)

STATE OF IDAHO)

.SS

COUNTY OF ADA)

On this 13 day of June in the year of 2013 before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Heather Harradine

Notary Public for Idaho
Residing at: Boise, Idaho

My Commission expires:

2/08/2014



RECEIVED

JUN 14 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Affidavit of Publication
STATE OF IDAHO)
COUNTY OF TWIN FALLS) SS.

I, Ruby Aufderheide, being first duly sworn upon oath, depose and say that I am Legal Clerk of the TIMES-NEWS, published daily at, Twins Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated 6th day of June, 2013 and ending with the issue dated 13th day of June, 2013

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to be issued thereof Thursday is announced as the day on which said legal will be published.

Ruby Aufderheide
Ruby Aufderheide, Legal Clerk

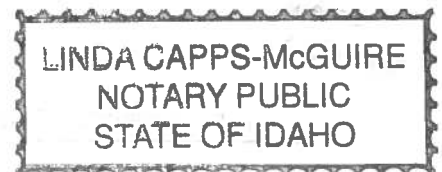
STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 13th day of June, 2013, before me,

a Notary Public, personally appeared Ruby Aufderheide, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Linda Capps McGuire
Notary Public for Idaho
Residing at Twin Falls, Idaho.

My commission expires: 5-19-15



✓ OK AM 6-17-2013

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78578**

MIKE SIRUCEK, 472 S 1000 E, JEROME, ID 83338; has filed Application No. 78578 for changes to the following water rights within JEROME County(s): Right No(s). 36-16956, 36-16957, 36-16958, 36-16959, 36-16960, 36-16961. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes modifying a portion of six irrigation wastewater rights that currently authorize the diversion of 7.90 cfs for the irrigation of 395 acres on a farm located approximately 9.3 -10.6 miles east and 4.9 - 5.9 miles south of the center of Jerome. A 72 acre portion of the wastewater rights will be converted to provide 187.6 acre feet of water annually to cover water storage and evaporative losses associated with a reservoir on the farm. The remaining portion of the rights, 6.46 cfs, will be used to irrigate 323 acres within a proposed 485 acre permissible place of use on the farm. The application also proposes to change the authorized point of diversion locations to reflect the actual current diversion locations on the farm.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78555**

JENTZSCH KEARL FARMS, 20511 F ST, RUPERT, ID 83350; has filed Application No. 78555 for changes to the following water rights within LINCOLN, MINIDOKA County(s): Right No (s). 36-16416, 36-16418, 36-16420, 36-16422, 36-16424, 36-16550, 36-16556, 36-16924. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to move a 3.7 acre portion (0.07 cfs) of two ground water rights from a farm located approximately 3.3-3.7 miles north and 3.6-4.0 miles east of the City of Rupert and a 21.0 acre portion (0.29 cfs) of a ground water right from a farm located approximately 16.0-18.0 miles north and 5.0-6.0 miles east of the City of Rupert, to the proposed new place of use located approximately 13.5-15.0 miles north and 16.5-18.5 miles west of the City of Rupert. The transferred portion of the ground water rights will be diverted from two existing wells located at the proposed new place of use.

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

36-16982

MIKE SIRUCEK

472 S 1000 E

JEROME, ID 83338

Point of Diversion NENW S14 T09S R18E JEROME County

Source WASTE WATER Tributary SINKS

Point of Diversion NWNE S14 T09S R18E JEROME County

Source WASTE WATER Tributary SINKS

Point of Diversion SENW S14 T09S R18E JEROME County

Source WASTE WATER Tributary SINKS

Use: AESTHETIC STORAGE 01/01 to 12/31 1132.6 AF

Use: IRRIGATION FROM STORAGE 03/15 to 11/15 1292 AF

Use: IRRIGATION STORAGE 01/01 to 12/31 1292 AF

Use: RECREATION STORAGE 01/01 to 12/31 1132.6 AF

Total Diversion: 2424.6 AF

Date Filed: 5/1/2013

Place Of Use: RECREATION STORAGE, IRRIGATION STORAGE, AESTHETIC STORAGE

T09S R18E S14 NWNE SWNE NENW SENW

Place Of Use: IRRIGATION FROM STORAGE

T09S R18E S11 SESW SWSE SESE

T09S R18E S14 NWNE NW(ALL) NESW NWSW

T09S R18E S15 NE(ALL) NESE NWSE

Total Acres: 485

Irrigation is for 323 acres within a 485 acre PPU.

Application proposes appropriating 2424.6 acre-feet per year of wastewater for recreation, aesthetic, and irrigation storage uses associated with a reservoir on a farm located approximately 9.3 -10.6 miles east and 4.9 - 5.9 miles south of the center of Jerome. The application includes a mitigation plan to cover consumptive storage uses and limits irrigation from the reservoir to land covered by existing wastewater irrigation rights.

43-13712

RAFT RIVER GROUND WATER DISTRICT

PO BOX 122

ALMO, ID 83312

Point of Diversion NWNESE S21 T13S R26E CASSIA County

Source CASSIA CREEK Tributary RAFT RIVER

Point of Diversion NESENW S12 T13S R26E CASSIA County

Source CASSIA CREEK Tributary RAFT RIVER

Point of Diversion NENENE S14 T13S R26E CASSIA County

Source CASSIA CREEK Tributary RAFT RIVER

Use: RECHARGE FOR IRRIGATION 01/01 to 12/31 25 CFS
10000 AF

Total Diversion: 25 CFS

Date Filed: 2/14/2013

Place Of Use: RECHARGE FOR IRRIGATION

T12S R26E S36 NWNE NENW SENW

T13S R26E S1 NENE

T13S R26E S22 NWSW

Application for permit proposes diverting up to 25 cfs for recharge from three existing points of diversion along Cassia Creek located approximately 0.25 mi. east, 0.75 mi. south & 0.3 mi. west and 2.4 mi. south & 2.4 mi. west of Malta. The recharge will occur at recharge sites located approximately 2 mi. north, 1.0 mi. north & 0.5 mi. east and 2.2 mi. south & 2.0 mi. west of Malta.

43-13713

RAFT RIVER GROUND WATER DISTRICT

PO BOX 122

ALMO, ID 83312

Point of Diversion NWNWSW S20 T14S R27E CASSIA County

Source RAFT RIVER Tributary SNAKE RIVER

Point of Diversion SWSESE S24 T13S R26E CASSIA County

Source RAFT RIVER Tributary SNAKE RIVER

Point of Diversion NWSSENW S31 T13S R27E CASSIA County

Source RAFT RIVER Tributary SNAKE RIVER

Point of Diversion NWSWNE S7 T14S R27E CASSIA County

Source RAFT RIVER Tributary SNAKE RIVER

Use: RECHARGE FOR IRRIGATION 01/01 to 12/31 25 CFS
10000 AF

Total Diversion: 25 CFS

Date Filed: 2/14/2013

Place Of Use: RECHARGE FOR IRRIGATION

T13S R26E S24 SESE

T13S R27E S31 SENW

T14S R27E S8 NWNW

T14S R27E S20 SWNW SENW NWSW

Application for permit proposes diverting up to 25 cfs for recharge from four existing points of diversion from Raft River located approximately 2.5 mi. south & 0.5 mi. east, 4.0 mi. south & 1.0 mi. east, 6.0 mi. south & 1.25 mi. east, and 8.4 mi. south & 1.8 mi. east of Malta. The recharge will occur at recharge sites located approximately 2.5 mi. south & 0.5 mi. east, 4.0 mi. south & 1.0 mi. east, 6.0 mi. south & 1.8 mi. east, and 8.4 mi. south & 1.8 mi. east of Malta.

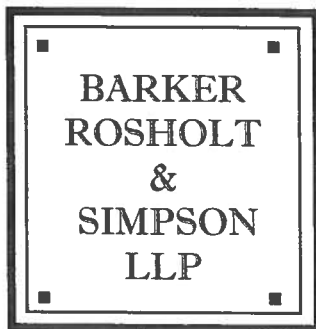
Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be 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, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before June 24, 2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

PUBLISH: June 6 and 13, 2013

✓ OK AM 6-17-2013

*Albert P. Barker
John A. Rosholt
John K. Simpson
Travis L. Thompson
Shelley M. Davis
Paul L. Arrington
Scott A. Magnuson
Sarah W. Higer*



195 River Vista Place, Suite 204
Twin Falls, Idaho 83301
(208) 733-0700 telephone
(208) 735-2444 facsimile

1010 West Jefferson, Suite 102
Post Office Box 2139
Boise, Idaho 83701-2139
(208) 336-0700 telephone
(208) 344-6034 facsimile
brs@idahowaters.com

Paul L. Arrington
pla@idahowaters.com

June 7, 2013

RECEIVED

JUN 11 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Denise Maline
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

*RE: Transfer No. 78578 & Application for Permit No. 36-16982
(Mike Sirucek)*

Dear Ms. Maline:

We received your letter, dated May 29, 2013, seeking additional information regarding the above applications. Below are Mr. Sirucek's responses to the request:

Rule 040.05.c/I.C. § 42-203A(5)(a):

The above applications involve a surface source of water. The applications each involve waste water diverted from the end of the North Side Canal Company ("NSCC") system. NSCC has a number of surface water rights that it delivers to the various shareholders – including: 01-5, 01-16, 01-210A, 01-210B, 01-212, 01-213, 01-215 and 01-220. In addition, NSCC has storage rights in Jackson Lake, American Falls Reservoir and Palisades Reservoir.

The proposed applications will have minimal impact other water users for at least the following reasons:

1. The Transferred water rights are existing partially decreed water rights. The only change being sought is to the place of use – to create a PPU that matches current irrigation practices.
2. Any impacts associated with the new water right (Permit No. 36-16982) will be mitigated by transferring a portion of the existing irrigation rights into the reservoir.
3. The water rights divert waste water. Under Idaho Law, diversions of waste water cannot interfere with diversions under the primary rights.
4. If left un-diverted, this waste water would simply flow into the desert and seep into the ground. There are no downstream users.

Rule 040.05.d/I.C. § 42-203A(5)(b):

As stated above, these water rights each divert waste water at the end of the NSCC system. As such, water availability depends on several factors. Water will be diverted as available – with any

Denise Maline
June 7, 2013
Page 2

excess water passing through the reservoir. Water is only available for diversion during the irrigation season, when NSCC has water running through its system. The quantity of water fluctuates during the season depending on the water demand in the NSCC system.

In addition, see the attached memo from Erick Powell.

Rule 040.05.e/I.C. § 42-203A(5)(c):

Information regarding the ownership of the land was submitted with the Applications – including an agreement with James Sirucek granting authority to file these applications.

The Applicant has filed a dam construction application with IDWR, and is currently working with IDWR in that process. No other authorizations or approvals are needed for this project.

Rule 040.05.f/I.C. § 42-203A(5)(d):

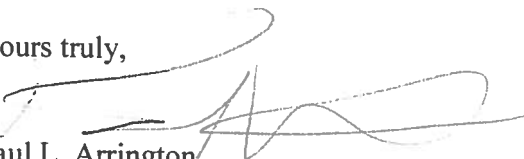
The reservoir and irrigation system are already completed. As such, there is no need for additional financial information.

Rule 040.05.g/I.C. § 42-203A(5)(e):

Since this project is within the boundaries of NSCC, Applicant will seek comments from NSCC (letter to NSCC attached). The Applicant has no reason to believe there are any additional concerns from any other state, local or tribal interests.

Should you have any more questions, please don't hesitate to give me a call.

Yours truly,


Paul L. Arrington

PLA/jn

cc: Client
Erick Powell



Memo

To: Paul Arrington
From: Erick Powell
Cc:
Date: June 7, 2013
Re: Additional Information for Sirucek Application for Permit

RECEIVED

JUN 11 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

IDWR has requested additional information regarding sufficiency of water for the Application for Permit filed on behalf of Mr. Sirucek. The application for permit includes irrigation storage and irrigation from storage for an annual volume of 1292 acft applied to 323 acres. The items requested by IDWR are as follows:

Peak Demand:

The peak demand for the water stored under this permit can be subdivided into three different categories: irrigation demand, evaporation demand, and seepage demand.

The peak irrigation demand was determined by selecting the highest ET_{act} 3-day moving average for low maintenance pasture at Jerome, which was 8.33 mm/day. It is proposed that irrigation storage can be applied on 323 acres. Therefore, the 323 acres at 75% efficiency would require 5.93 cfs for 24 hours. The peak evaporation demand was determined by selecting the highest ET_{act} 3-day moving average for open water evaporation at Jerome, which was 3.32 mm/day. Over 18.9 acres, the peak evaporation demand is 0.10 cfs. The peak seepage demand is estimated at 0.25 ft/acre/day. This seepage occurs throughout the pond area of 18.9 acres for an estimated peak seepage demand of 2.38 cfs.

The peak demand for the reservoir is anticipated to be 8.41 cfs.

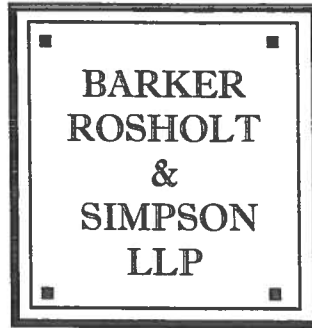
Seasonal Volume:

The seasonal volume demand is calculated with the same categories as the peak demand: Irrigation volume, evaporation volume, and seepage volume.

The seasonal irrigation volume was determined by selecting the seasonal P_{def} "20% Exceedance" value from ETIdaho for low maintenance pasture at Jerome, which is 847 mm (2.78 ft). Over 323 acres, the seasonal use for irrigation is estimated to be 898 acft. The seasonal evaporation volume was determined by selecting the seasonal P_{def} "20% Exceedance" value from ETIdaho for open water-deep systems at Jerome, which is 403 mm (1.32 ft). Over the reservoir surface of 18.9 acres, the seasonal volume for evaporation is estimated to be 24.9 acft. The seasonal seepage volume is estimated at the same rate of 0.25 ft/acre/day. The area of seepage is 18.9 acres and if the reservoir is full from 4/1 through 11/1, then the seasonal seepage would be 1011 acft.

The total seasonal volume for the permit is calculated to be 1934 acft.

*Albert P. Barker
John A. Rosholt
John K. Simpson
Travis L. Thompson
Shelley M. Davis
Paul L. Arrington
Scott A. Magnuson
Sarah W. Higer*



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Paul L. Arrington
pla@idahowaters.com

June 3, 2013

RECEIVED

JUN 11 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

SENT VIA EMAIL

Alan Hansten, Manager
North Side Canal Company

RE: Sirucek Applications

Alan:

We have spoken a few times about the applications filed by Mike Sirucek for waste water at the end of the NSCC system.

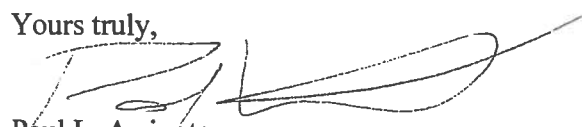
Recently, Mr. Sirucek filed an application for Transfer, seeking to correct the place of use for his irrigation water rights. In addition, he filed an Application for Permit, seeking a water right to authorize the fill of the reservoir on his property.

As we have discussed, since these rights are waste water rights, they will be subject to water availability. These water rights will not allow Mr. Sirucek to interfere, in any way, with the NSCC's water delivery practices.

Under IDWR regulations regarding these applications, Mr. Sirucek is required to seek comments from NSCC about the applications. I have attached the applications to this letter. Please review them and provide comments to IDWR. Notice of these applications will be published in the local news papers this month, with protests deadlines set for June 24, 2013.

Thank you for your prompt consideration to this matter. Feel free to give me a call if you would like to discuss further.

Yours truly,


Paul L. Arrington

PLA/jn

cc: Client (without attachments)

**Proof of Legal Notice
Received from Post Register
on 6/5/2013**

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

36-16982
MIKE SIRUCEK
472 S 1000 E
JEROME, ID 83338
Point of Diversion NENW S14 T09S R18E
JEROME County Source WASTE WATER
Tributary SINKS
Point of Diversion NWNE S14 T09S R18E
JEROME County Source WASTE WATER
Tributary SINKS
Point of Diversion SENW S14 T09S R18E
JEROME County Source WASTE WATER
Tributary SINKS
Use: AESTHETIC STORAGE 01/01 to 12/31
1132.6 AF
Use: IRRIGATION FROM STORAGE 03/15 to
11/15 1292 AF
Use: IRRIGATION STORAGE 01/01 to 12/31
1292 AF
Use: RECREATION STORAGE 01/01 to 12/31
1132.6 AF
Total Diversion: 2424.6 AF
Date Filed: 5/1/2013
Place Of Use: RECREATION STORAGE,
IRRIGATION STORAGE, AESTHETIC STORAGE,
T09S R18E S14 NWNE SWNE NENW SENW
Place Of Use: IRRIGATION FROM STORAGE
T09S R18E S11 SESW SWSE SESE
T09S R18E S14 NWNE NW(ALL) NESW
NWSW

T09S R18E S15 NE(ALL) NESE NWSE
Total Acres: 485
Irrigation is for 323 acres within a 485 acre PPU.
Application proposes appropriating 2424.6
acre-feet per year of wastewater for recreation,
aesthetic, and irrigation storage uses associated
with a reservoir on a farm located approximately
9.3 -10.6 miles east and 4.9 - 5.9 miles south of
the center of Jerome. The application includes a
mitigation plan to cover consumptive storage uses
and limits irrigation from the reservoir to land
covered by existing wastewater irrigation rights.

43-13712
RAFT RIVER GROUND WATER DISTRICT
PO BOX 122
ALMO, ID 83312
Point of Diversion NWNESE S21 T13S R26E
CASSIA County Source CASSIA CREEK Tributary
RAFT RIVER
Point of Diversion NESENW S12 T13S R26E
CASSIA County Source CASSIA CREEK Tributary
RAFT RIVER
Point of Diversion NENENE S14 T13S R26E
CASSIA County Source CASSIA CREEK Tributary
RAFT RIVER

Use: RECHARGE FOR IRRIGATION 01/01 to
12/31 25 CFS 10000 AF
Total Diversion: 25 CFS
Date Filed: 2/14/2013
Place Of Use: RECHARGE FOR IRRIGATION
T12S R26E S36 NWNE NENW SENW
T13S R26E S1 NENE
T13S R26E S22 NWSW

Application for permit proposes diverting up to
25 cfs for recharge from three existing points of
diversion along Cassia Creek located
approximately 0.25 mi. east, 0.75 mi. south & 0.3
mi. west and 2.4 mi. south & 2.4 mi. west of Malta.
The recharge will occur at recharge sites located
approximately 2 mi. north, 1.0 mi. north & 0.5 mi.
east and 2.2 mi. south & 2.0 mi. west of Malta.

43-13713
RAFT RIVER GROUND WATER DISTRICT
PO BOX 122
ALMO, ID 83312
Point of Diversion NWNWSW S20 T14S R27E
CASSIA County Source RAFT RIVER Tributary
SNAKE RIVER
Point of Diversion SWSESE S24 T13S R26E
CASSIA County Source RAFT RIVER Tributary
SNAKE RIVER
Point of Diversion NWSSENW S31 T13S R27E
CASSIA County Source RAFT RIVER Tributary
SNAKE RIVER

Point of Diversion NWSWNE S7 T14S R27E
CASSIA County Source RAFT RIVER Tributary
SNAKE RIVER
Use: RECHARGE FOR IRRIGATION 01/01 to
12/31 25 CFS 10000 AF
Total Diversion: 25 CFS
Date Filed: 2/14/2013

Place Of Use: RECHARGE FOR IRRIGATION
T13S R26E S24 SESE
T13S R27E S31 SENW
T14S R27E S8 NWNW
T14S R27E S20 SWNW SENW NWSW

Application for permit proposes diverting up to
25 cfs for recharge from four existing points of
diversion from Raft River located approximately
2.5 mi. south & 0.5 mi. east, 4.0 mi. south & 1.0
mi. east, 6.0 mi. south & 1.25 mi. east, and 8.4 mi.
south & 1.8 mi. east of Malta. The recharge will
occur at recharge sites located approximately 2.5
mi. south & 0.5 mi. east, 4.0 mi. south & 1.0 mi.
east, 6.0 mi. south & 1.8 mi. east, and 8.4 mi.
south & 1.8 mi. east of Malta.

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
right(s), please see
[www.idwr.idaho.gov/apps/ExtSearch/WRFiling.
asp](http://www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp). Protests may be submitted based on the
criteria of Idaho Code § 42-203A. Any protest
against the approval of this application must be
filed with the Director, Dept. of Water Resources,
Southern Region, 1341 Fillmore St, Suite 200,
Twin Falls, ID 83301 together with a protest fee of
\$25.00 for each application on or before June 24,
2013. The protestant must also send a copy of
the protest to the applicant. Published in the
Times News, Idaho Statesman, Post Register &
Lewiston Tribune on June 6th & 13th, 2013.

GARY SPACKMAN, Director
Published: June 6 and 13, 2013 (567972)

✓ OK DM

6-5-2013

E-mail sent
to Post Register