

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. 36-16982
RECEIVED
MAY 01 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

1. Name of applicant(s) Michael Sirucek Phone _____
Name connector (check one): ☐ and ☐ or ☐ and/or
Mailing address: 472 South 1000 East City Jerome
State ID Zip 83383 33 Email: _____

2. Source of water supply Wastewater which is a tributary of None

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
9S	18E	14			NE	NW	JEROME	WASTEWATER	DAM
					NW	NE	JEROME	WASTEWATER	
					SE	NW	JEROME	WASTEWATER	

4. Water will be used for the following purposes:

Amount 1132.6 acft/year for Recreation Storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)

Amount 1132.6 acft/year for Aesthetic Storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)

Amount 1292 acft/year for Irrigation Storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)

Amount 1292 acft/year for Irrigation from Storage purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per year)

5. Total quantity to be appropriated is (a) _____ cubic feet per second (cfs) and/or (b) 2424.6 acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. Existing reservoir storage, dam, outlet control, and spillway

b. Height of storage dam 17.4 feet; active reservoir capacity 143 acre-feet; total reservoir capacity 143 acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11.

For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☒ Yes ☐ No

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No

e. If well is already drilled, when? _____; drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Description of proposed uses (if irrigation only, go to item 8):

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. _____

d. Domestic; show number of households _____

e. Other; describe fully. Recreation and Aesthetic storage. Reservoir will store water for recreational and aesthetic purposes.

Amended

RECEIVED

JUL 15 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

8. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols. X = STORAGE USES

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9S	18E	14		X	X		X			X									
9S	18E	11															22	1	23
		14		27			17	25	40	24	40	40							213
		15	40	40	40	40									40	40			240

Total number of acres to be irrigated: 323 * 323 acres of authorized irrigation in 476 acre PPU

9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? 36-16956, 36-16957, 36-16958, 36-16959, 36-16960 & 36-16961 are used to irrigate 323 acres within the place of use. See Application for Transfer of Water Rights, filed concurrently with this application
10. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____
11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Mitigation for this new diversion will be provided by transferring a portion of the water right identified in paragraph 9 to Recreational and Aesthetic storage uses. The pond fills up in the spring when the North Side Canal Company begins running water through its system and stops flowing into the ponds when North Side turns off its water at the end of the irrigation season. Levels of the pond may fluctuate during the season due to water supplies. The pond will be refilled following these fluctuations. Excess volume over 143 acre/ft will allow these refills. Mitigation is not required for seepage or for irrigation components (since no new acres are being irrigated). See Narrative attached.
12. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

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

Signature of Applicant

Print Name (and title, if applicable)

Print Name (and title, if applicable)

For Department Use:

Received by see original Date _____ Time _____ Preliminary check by _____

Fee \$ _____ Received by _____ Receipt No. _____ Date _____

8. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols. X = STORAGE USES

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9S	18E	14		X	X		X			X									
9S	18E	11											2				24	1	27
		14		27			22	25	40	24	40	40							218
		15	40	40	40	40									40	40			240

Total number of acres to be irrigated: 323 *323 acres of authorized irrigation in 485 acre PPU

9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? 36-16956, 36-16957, 36-16958, 36-16959, 36-16960 & 36-16961 are used to irrigate 291 acres within the place of use. See Applcaiton for Transfer of Water Rights, filed concurrently with this application
10. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____
11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Mitigation for this new diversion will be provided by transferring a portion of the water right identified in paragraph 9 to Recreational and Aesthetic storage uses. The pond fills up in the spring when the North Side Canal Company begins running water through its system and stops flowing into the ponds when North Side turns off its water at the end of the irrigation season. Levels of the pond may fluctuate during the season due to water supplies. The pond will be refilled following these fluctuations. Excess volume over 143 acre/ft will allow these refills. Mitigation is not required for seepage or for irrigation components (since no new acres are being irrigated). See Narrative attached.
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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

Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

Received by P. SKINNER Date 5/1/13 Time NOONISH Preliminary check by P. SKINNER
 Fee \$ 1110.00 Received by P. SKINNER Receipt No. 5033230 Date 5/6/13 *

*CHECK RECEIVED 5/1/13 BUT RECEIPTED AT LATER DATE

**Application for Permit
In the Name of Michael Sirucek**

NARRATIVE

Michael Sirucek has filed an Application for Permit seeking to divert water to fill an existing Reservoir located on property owned by Mr. Sirucek and his father, James Sirucek (the "Sirucek Property"). Michael Sirucek has entered into an agreement with James Sirucek to authorize this application.

Existing Irrigation Rights:

The following water rights were decreed in the SRBA: 36-16956, 36-16957, 36-16958, 36-16959, 36-16960 and 36-16961. These water rights authorized a total irrigation of 395 acres. The place of use for these water rights has historically been used for pasture lands, as has been observed by IDWR personnel during the SRBA process and other site visits.

Recreational & Aesthetic Storage:

The Applications seek storage in the pond for Recreation and Aesthetic Storage. The volume of water sought relative to these purposes was determined as follows:

	Current Reservoir
Reservoir Volume	143 a/f
Reservoir Surface Area	18.9 acres
Open Water Evaporation (Jerome, ET Idaho)	2.36 ft/season
Estimated Seepage ¹	945 a/f
Total Volume Required (including evaporation and seepage losses) (a/f)	1132.6 a/f

Mitigation will be required for any new consumptive uses of the water. In this case, mitigation will be required for (i) the volume of the reservoir; and (ii) evaporation. Although the application seeks a volume for seepage loss, mitigation is not required for seepage since it is not a new consumptive use. This water naturally seeps – it does not return to any surface water source.

Total mitigation, therefore, is equivalent to 72 acres, as follows:

	Current Reservoir
Reservoir Volume	143 a/f
Reservoir Surface Area	18.9 acres
Open Water Evaporation (Jerome, ET Idaho)	2.36 ft/season

¹ See Attached Memorandum from Erick Powell, Brockway Engineering, PLLC.

Total Mitigation Required (a/f)	(143+18.9*2.36) = 187.6 a/f
Low Management Pasture ET (Jerome, ET Idaho)	2.60 ft/season
Total Acres to dry up	72 acres

The existing irrigation water rights, identified above, authorize the irrigation of up to 395 acres. In association with these Applications for Permit, the Applicant is also filing an Application for Transfer. That application seeks to transfer 72 acres of irrigation into the pond to cover the consumptive uses (reservoir volume and evaporation). This will limit irrigation under the above irrigation water rights to 323 total acres within the Permissible Place of Use.

Irrigation Storage/Irrigation From Storage

The total irrigation storage and irrigation from storage amounts of 1292 acre-feet is based on the 323 acres of irrigation allowed by the water rights involved with the transfer, multiplied by the standard irrigation diversion volume allowance of 4.0 acre-feet per acre for the area.

Since no new acres will be irrigated, and since irrigation would be limited to volume under existing water rights, mitigation is not required for the irrigation storage and irrigation from storage elements.



Memo

To: Paul Arrington
From: Erick Powell
Cc:
Date: April 8, 2013
Re: Estimate of Seepage from Sirucek Reservoir

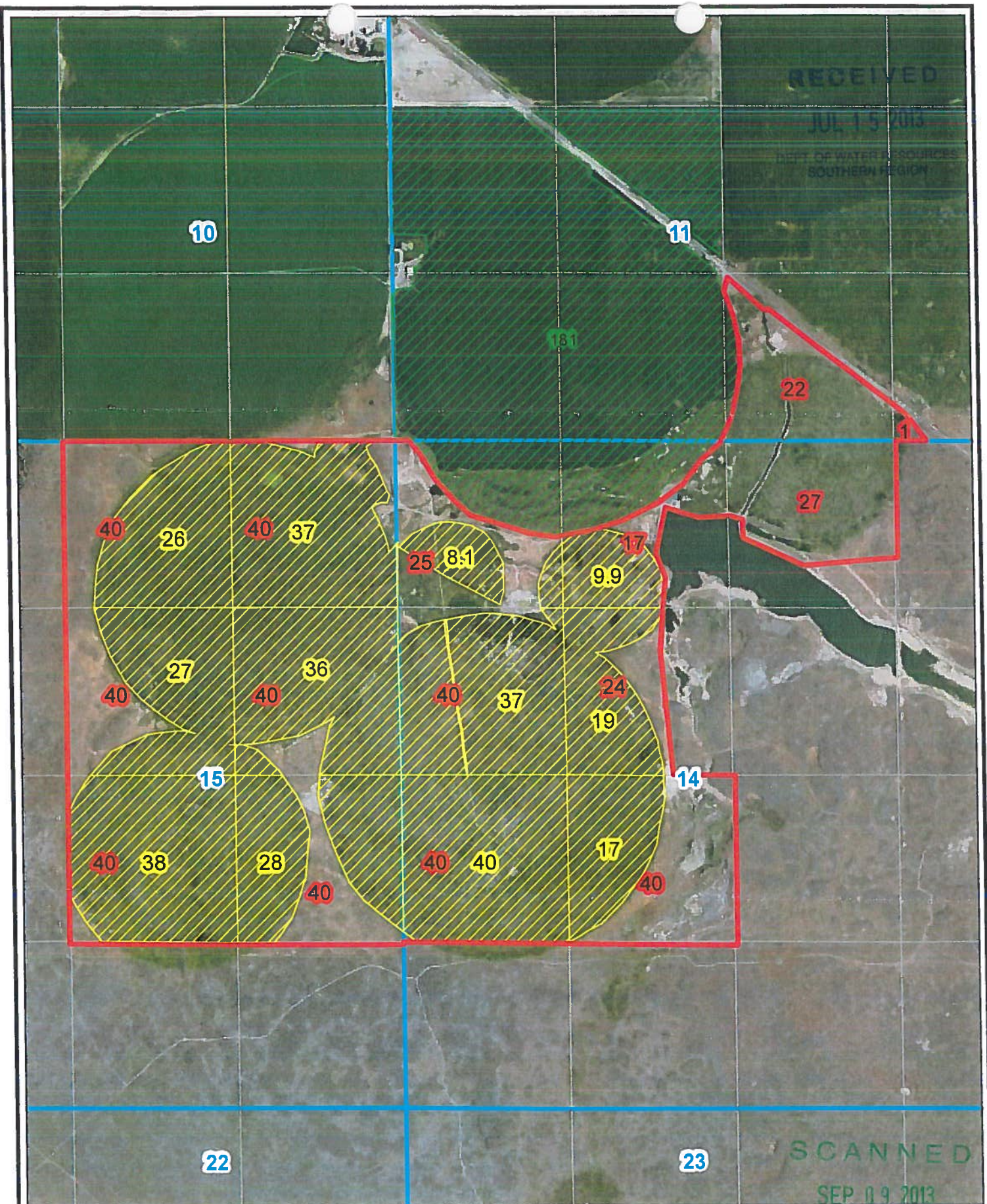
Reservoir seepage is difficult to quantify without doing field measurements. As a result, this estimate of seepage is an estimate, but should be sufficient to satisfy IDWR's requirement for including the seepage volume in the water right storage volume.

According to Charles E. Brockway, a conservative estimate for seepage in this area is 1 ft/acre/day. This is based on Chuck's experience of measuring seepage in the A&B Irrigation District canals and ponds. The approximate reservoir area for Mr. Sirucek is 18.9 acres and 8.3 acres for the BLM. The conservative estimate of seepage at 1 ft/acre/day results in seepage estimates of 18.9 acft/day (9.5 cfs) and 8.3 acft/day (4.2 cfs). Over the irrigation season of 200 days (April 15 – October 31), the seepage volume would be 3,780 acft/year and 1,660 acft/year, for Mr. Sirucek and BLM respectively. This estimate is high, but would cover all potential seepage.

A more realistic estimate of seepage would be 0.25 ft/day. This would reduce all seepage volumes. The more realistic estimate for seepage would be 945 acft/year and 415 acft/year, for Mr. Sirucek and BLM respectively.

Aerial Photo

**Application for Permit
Michael Sirucek**



0 400 800 1,600 Feet

BROCKWAY ENGINEERING, PLLC
GEP - JULY 8, 2013

MIKE SIRUCEK
PPU TRANSFER
JEROME COUNTY, IDAHO
2011 NAIP AERIAL PHOTO

Legend

- PPU Boundary = 476 ac
- Waste Water Acres = 323 ac
- North Side Irr Acres





0 365 730 Feet
|-----|-----|

MIKE SIRUCEK
APPLICATION FOR WATER RIGHT PERMIT
JEROME COUNTY, IDAHO
2011 NAIP AERIAL PHOTO

BROCKWAY ENGINEERING, PLLC
GEP - MARCH 18, 2013

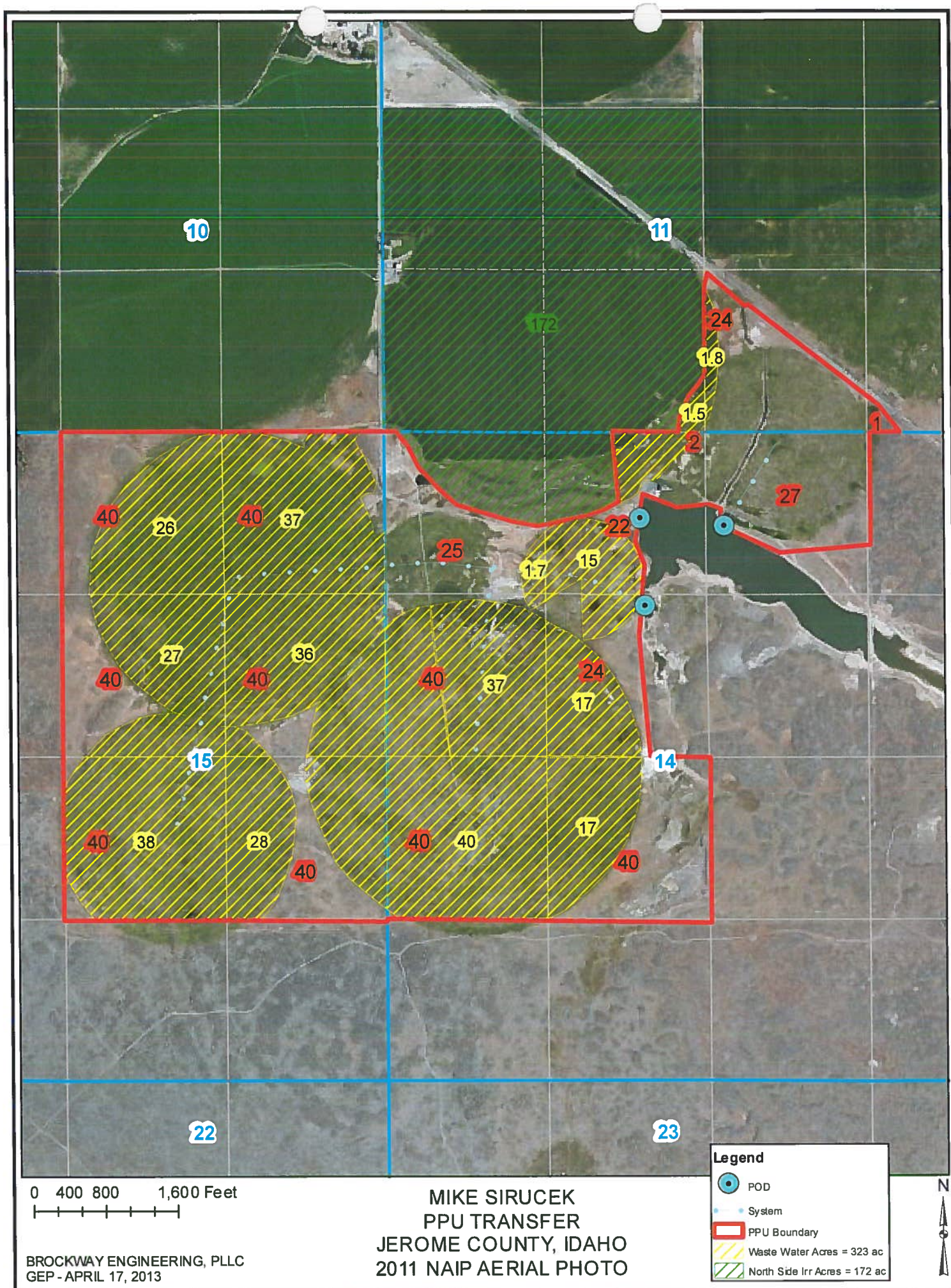
Legend

 pod

Owner

 Sirucek





Agreement with James Sirucek

**Application for Permit
Michael Sirucek**

AGREEMENT

This AGREEMENT is made this 18 day of March, 2013 by and between MICHAEL SIRUCEK, of 472 South 1000 East, Jerome, Idaho 83338 ("MICHAEL"); and JAMES and KAREN SIRUCEK, of 1254 State Highway 25, Jerome, Idaho 83338 ("JAMES").

WHEREAS, MICHAEL owns approximately 240 acres certain real property located in Jerome County, Idaho, in Township 9 South and Range 18 East (the "MICHAEL PROPERTY"); and

WHEREAS, MICHAEL owns water rights 36-16956, 36-16958 and 36-16960, which are appurtenant to the MICHAEL PROPERTY (the "MICHAEL WATER RIGHTS"); and

WHEREAS, MICHAEL and JAMES are joint owners of approximately 500 additional acres located in Jerome County, Idaho, in Township 9 South and Range 18 East, that is adjacent to the MICHAEL PROPERTY (the "JOINT PROPERTY"); and

WHEREAS, MICHAEL and JAMES own water rights 36-16957, 36-16959 and 36-16961, which are appurtenant to the JOINT PROPERTY (the "JOINT WATER RIGHTS"); and

WHEREAS, as part of the resolution of the claims for the above water rights in the Snake River Basin Adjudication ("SRBA"), MICHAEL is required to file an Application for Transfer of Water Rights (the "TRANSFER APPLICATION") with the Idaho Department of Water Resources ("IDWR");

WHEREAS, MICHAEL is in the process of preparing an Application for Permit to be filed with IDWR to obtain a water right for a POND located on the JOINT PROPERTY (the "POND PERMIT"); and

WHEREAS, IDWR requires authorization for the filing of the TRANSFER APPLICATION and POND PERMIT where the applicant, MICHAEL, does not have sole ownership of the water and/or underlying land;

NOW THEREFORE, in consideration of the mutual promises and performances set forth below, the sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Authorization to File TRANSFER APPLICATION:

1.1. JAMES hereby authorizes MICHAEL to file a TRANSFER APPLICATION with IDWR as required by the resolution of the SRBA process.

1.2. The TRANSFER APPLICATION will seek to create a Permissible Place of Use which will include the MICHAEL PROPERTY, MICHAEL WATER RIGHTS, JOINT PROPERTY and JOINT WATER RIGHTS.

1.3. MICHAEL shall have authority to sign all necessary documents and to make all decisions required to correct the elements of the above water rights so that they are consistent with current practices on the MICHAEL PROPERTY and JOINT PROPERTY.

1.4. MICHAEL shall be responsible for all application fees and engineering costs associated with the anticipated Transfer Application and any future changes made to the water rights.

2. Authorization to file POND PERMIT:

2.1. JAMES authorizes MICHAEL to seek a POND PERMIT for the pond located on the JOINT PROPERTY.

2.2. JAMES agrees that the POND PERMIT may be acquired listing MICHAEL as the sole owner.

2.3. JAMES agrees that the POND PERMIT may be used on the JOINT PROPERTY.

2.4. MICHAEL shall be responsible for all application fees, attorneys' fees, engineering costs and mitigation costs associated with the anticipated POND PERMIT and POND.

3. Indemnification: MICHAEL agreed to indemnify and hold JAMES harmless from all claims, causes of action, damages, attorneys' fees and judgments arising out of, or relating to, the operation, repair and maintenance of the POND.

4. Ownership of Water Rights: Nothing in this AGREEMENT, including any final order or decision regarding the TRANSFER APPLICATION and POND PERMIT shall be construed as affecting the ownership of the MICHAEL PROPERTY, MICHAEL WATER RIGHTS, JOINT PROPERTY and JOINT WATER RIGHTS.

5. Binding Nature of Agreement: This AGREEMENT shall be binding on the Parties hereto, their successors and assigns.

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DATED this 18 day of MARCH 2013

JAMES SIRUCEK

James Sirucek

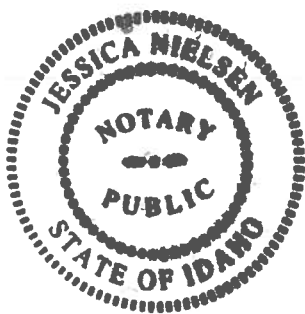
KAREN SIRUCEK

Karen Sirucek

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

On this 18 day of March, ²⁰¹³2012, before me, a Notary Public for said County and State, personally appeared JAMES and KAREN SIRUCEK, known or identified to me, to be the persons that executed the foregoing instrument and acknowledged to me that they executed the same.

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



Jessica Nielsen
NOTARY PUBLIC FOR IDAHO
Residing at: Twin Falls
My commission expires: 4/3/18



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

May 29, 2013

MIKE SIRUCEK
472 S 1000 E
JEROME, ID 83338

RE: Transfer No. 78578
Water Right No(s). 36-16956, 36-16957, 36-16958, 36-16959, 36-16960,
36-16961

RE: Application For Permit No. 36-16982

Dear Applicant(s):

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

Further review of your Application for Permit which proposes diversion of 500 acre feet or more reveals that additional information is required to be made part of the application file pursuant to Idaho Code provisions and the department's Rules and Regulations for Water Appropriation. The attached sheets give details regarding the information which is requested.

Failure to supply the requested information within 30 days from the date of this letter could result in a regional recommendation that the application be declared void, null, and of no further consideration by the Department.

A legal notice of application for transfer no. 78578 has been prepared and is scheduled for publication in the **TIMES NEWS on 6/6/2013 and 6/13/2013**. A legal notice of application for permit no. 36-16982 has been prepared and is scheduled for publication in the **TIMES NEWS, IDAHO STATESMAN, POST REGISTER and LEWISTON TRIBUNE on 6/6/2013 and 6/13/2013**. Protests to these applications may be submitted for a period ending ten (10) days after the second publication (**June 24, 2013**).

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,

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

Denise Maline
Administrative Assistant

cc:

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

GUIDELINE FOR SUBMITTING ADDITIONAL INFORMATION

This outline is intended to assist you with providing the additional information required under Rule 40 of the Department of Water Resources and Idaho Code, Section 42-203A(5)(a) which may help answer questions as to the type of information you should submit. The outline below follows the same order as the attached rules. Please take the time to review the outline. Much of the information requested under Rule 40 may already be available to you. Gathering the necessary information may be of benefit to you in planning the proposed development.

Rule 040.05.c and Idaho Code, Section 42-203A(5)(a) Information relative to effects on existing rights:

i. If diverting from a surface water source with 5 or fewer existing users, submit the water right numbers held by those users if available.

If not available, submit the names and addresses of those users and describe the location of their diversions and types of use associated with those diversions.

ii. If you are diverting from a groundwater source, submit a map locating your proposed well and all other wells within a 1/2 mile radius of your well. It would be helpful to describe the use from those wells (i.e.; domestic, irrigation etc.). You are not required to submit a map if there are no wells within the 1/2 mile radius, but you should indicate if there are no existing wells within that radius, if that indeed is the case.

iii. This rule seeks general information about the type of irrigation system you intend to install and how the project may affect other users. If you feel your proposed project will not affect other users, then explain why. You may describe any techniques or equipment you intend to employ which may reduce impacts on other water rights or promote water conservation.

Rule 040.05.d and Idaho Code, Section 42-203A(5)(b) Information relative to sufficiency of water supply:

i. Provide projections for your peak and average water demands. While your well or diversion may not yet be completed, you should be able to estimate project demand based on size of project (or number of acres irrigated), type or texture of local soils, type of crops grown, and type of irrigation system used. Demand projections should be given in terms of flow rate (cfs or gpm) and annual volume diverted (acre-feet).

Example: A 40 acre tract with 6 handlines and 20 heads/line discharging 3 gpm/head would produce a total flow rate of about 360 gpm or 0.8 cfs (1 in/acre). This flow rate multiplied by average number of hours per set, sets per irrigation and irrigations per year provides number of acre-feet per year or annual volume.

ii. You should be able to provide some basic information about the nature of the water supply. If the diversion is from a surface water source for example, you should provide stream flow data or estimate the amount of stream flow available for diversion and describe generally the seasonal availability of water. If you are diverting from a groundwater source, you should be able to generally describe the aquifer which you plan to divert from, i.e.; deep confined or shallow unconfined aquifer, depth to water level or depth to aquifer, known yields from wells within the same aquifer etc.

Rule 040.05.e and Idaho Code, Section 42-203A(5)(c) Information relative to good faith, delay, or speculative purposes of the applicant:

i. If you do not own the land to be irrigated and/or where the point of diversion is located, you must submit copies of lease agreements, easements or rights-of-way etc. If you are the owner of the place of use and point of diversion, documentation of ownership is not required.

ii. If applicable, submit copies of applications for permits or approvals which are needed from other government agencies or individuals in order to complete the water development project.

Rule 040.05.f and Idaho Code, Section 43-203A(5)(d) Information relative to financial resources:

i and ii. Submit a current financial statement or other statement describing how you will finance the project. You must also submit plans and specifications along with basic estimates of construction and equipment costs of the proposed project.

Rule 040.05.g and Idaho Code, Section 42-203A(5)(e) Information relative to conflict with the local public interest:

i. You, as the applicant, bear the initial burden of coming forward with evidence as to whether your proposed project may have any affect concerning local public interest. If you have any reason to believe that the proposed project under your application may be of concern to any local individuals, governments, tribal reservations, irrigation districts, the State Fish and Game Department, or Health and Welfare Department, then you are responsible for seeking comments from those individuals or groups. This requirement is mandatory for projects located within irrigation districts, canal companies or tribal reservations (failure to obtain comments from the irrigation district, canal company or reservation will delay approval of the application.). All comments must be submitted to the Department of Water Resources.

Maline, Denise

From: Maline, Denise
Sent: Wednesday, May 29, 2013 12:58 PM
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 June 6th & 13th, 2013. Please contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Department of Water Resources
1341 Fillmore St, Ste 200
Twin Falls, Idaho 83301
(208) 736-3033
denise.maline@idwr.idaho.gov

May 29, 2013

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

RE: Transfer No. 78578
Water Right No(s): 36-16956, 36-16957, 36-16958, 36-16959, 36-16960, 36-16961

RE: Transfer No. 78555
Water Right No(s): 36-16416, 36-16418, 36-16420, 36-16422, 36-16424, 36-16550, 36-16556,
36-16924

RE: Application For Permit No.(s): 36-16982, 43-13712, 43-13713

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 June 24, 2013. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**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 NESENE 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 NWSWNE 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

Published on June 6th & 13th, 2013

Maline, Denise

From: Maline, Denise
Sent: Wednesday, May 29, 2013 1:01 PM
To: Idaho Statesman
Subject: LEGAL NOTICE
Attachments: Idaho Statesman Cover Letter.docx; 36-16982, 43-13712, 43-13713 Statewide Ad.docx

Attached please find (1) legal notice being submitted for publication on June 6th & 13th, 2013. Please contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Department of Water Resources
1341 Fillmore St, Ste 200
Twin Falls, Idaho 83301
(208) 736-3033
denise.maline@idwr.idaho.gov

May 29, 2013

LEGAL NOTICE DEPARTMENT
IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

RE: Application For Permit No.(s): 36-16982, 43-13712, 43-13713

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 June 24, 2013. 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:

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

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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

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Place Of Use: IRRIGATION FROM STORAGE

T09S R18E S11 SESW SWSE SESE

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T09S R18E S15 NE(ALL) NESE NWSE

Total Acres: 485

Irrigation is for 323 acres within a 485 acre PPU.

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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

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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

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43-13713

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PO BOX 122

ALMO, ID 83312

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Total Diversion: 25 CFS

Date Filed: 2/14/2013

Place Of Use: RECHARGE FOR IRRIGATION

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GARY SPACKMAN, Director

Published on June 6th & 13th, 2013

Maline, Denise

From: Maline, Denise
Sent: Wednesday, May 29, 2013 1:03 PM
To: Post Register
Subject: LEGAL NOTICE
Attachments: Post Register Cover Letter.docx; 36-16982, 43-13712, 43-13713 Statewide Ad.docx

Attached please find (1) legal notice being submitted for publication on June 6th & 13th, 2013. Please contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Department of Water Resources
1341 Fillmore St, Ste 200
Twin Falls, Idaho 83301
(208) 736-3033
denise.maline@idwr.idaho.gov

May 29, 2013

LEGAL NOTICE DEPARTMENT
POST REGISTER
PO BOX 1800
IDAHO FALLS, ID 83402

RE: Application For Permit No.(s): 36-16982, 43-13712, 43-13713

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 June 24, 2013. 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:

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472 S 1000 E

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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

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T09S R18E S11 SESW SWSE SESE

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Total Acres: 485

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PO BOX 122

ALMO, ID 83312

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Date Filed: 2/14/2013

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43-13713

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GARY SPACKMAN, Director

Published on June 6th & 13th, 2013

Maline, Denise

From: Maline, Denise
Sent: Wednesday, May 29, 2013 1:02 PM
To: Lewiston Tribune (legals@lmtribune.com)
Subject: LEGAL NOTICE
Attachments: Lewiston Tribune Cover Letter.docx; 36-16982, 43-13712, 43-13713 Statewide Ad.docx

Attached please find (1) legal notice being submitted for publication on June 6th & 13th, 2013. Please contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Department of Water Resources
1341 Fillmore St, Ste 200
Twin Falls, Idaho 83301
(208) 736-3033
denise.maline@idwr.idaho.gov

May 29, 2013

LEGAL NOTICE DEPARTMENT
LEWISTON TRIBUNE
505 C ST PO BOX 957
LEWISTON, ID 83501

RE: Application For Permit No.(s): 36-16982, 43-13712, 43-13713

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 June 24, 2013. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

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472 S 1000 E

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PO BOX 122

ALMO, ID 83312

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GARY SPACKMAN, Director

Published on June 6th & 13th, 2013



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

May 29, 2013

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

Hand Delivered

RE: Transfer No. 78578

Water Right No(s): 36-16956, 36-16957, 36-16958, 36-16959, 36-16960, 36-16961

RE: Transfer No. 78555

Water Right No(s): 36-16416, 36-16418, 36-16420, 36-16422, 36-16424, 36-16550,
36-16556, 36-16924

RE: Application for Permit No. 36-16982

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)

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

May 1, 2013

RECEIVED

MAY 01 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

HAND DELIVERED to IDWR

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

RE: *Various Applications -- Michael Sirucek*

Corey:

Thank you for working with me on the various applications regarding water use by Michael Sirucek. Attached are the following:

1. *Application for Transfer of Water Rights:* As part of the settlement of Mr. Sirucek's water right claims in the SRBA, a Transfer Application is required in order to correct the Places of Use and Points of Diversion for various water rights. The attached Transfer Application seeks to create a PPU. In addition, a portion of the irrigation rights will be transferred into a pond located on the Sirucek property for use as Recreational and Aesthetic Storage. Attached to the Transfer Application is a map identifying the PPU as well as the acres currently being irrigated. **The application fee for this transfer is \$980.**

2. *Application for Permit:* On the Sirucek Property is an existing reservoir. The attached Application for Permit (Sirucek) seeks a water right for that reservoir. Attached to the Application is a Narrative that discusses the water right and the pond. **The application fee for this Application is \$1,110.**

3. *Notice of Change in Water Rights Ownership:* Mike Sirucek also owns a few ground water rights that are currently in the name of Mike Sirucek and Becky Sirucek. The attached Ownership Change Application seeks to change ownership into Mike's name only. Since these rights have been decreed, **the application fee for this Notice is \$50.**

In a previous submittal to the Department, Mr. Sirucek filed a *Revised Application for Construction or Enlargement of a New or Existing Dam*. Since that time, Mr. Sirucek has decided not to expand the existing reservoir onto land owned by the BLM. As such, the revised application is no longer necessary. As such, the application fee has not been submitted.

Corey Skinner
May 1, 2013
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In addition to the above documents, we have included a check for \$2,140 to cover all application fees.

Again, I appreciate you assisting me in this process to ensure that these applications are right. If there are any questions or if any additional information is needed, please call.

Yours truly,


Paul L. Arrington

PLA/jn

cc: Mike Sirucek
Erick Powell (without attachments)