

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 78578

RECEIVED

MAY 01 2013

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

DEPT. OF WATER RESOURCES
SOUTHERN REGION

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov/>.

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

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

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

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner. Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Additional fee(s) required for water right ownership changes; see fee schedule.
- ☒ ☐ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Other. Please describe: _____

Amended
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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JUL 15 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued**

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
	SEE ATTACHED				
☐ All or Part	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	

Total authorized under rights 6.47 cfs and/or 187.6 ac-ft

2. Total amount of water proposed to be transferred or changed 7.9 cubic feet per second and/or _____ acre-feet per annum.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			NW	NE	14	9S	18E	JEROME	WASTEWATER	
			SE	NW	14	9S	18E	JEROME	WASTEWATER	
			NE	NW	14	9S	18E	JEROME	WASTEWATER	DAM

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9S	18E	11															22	1	23
		14		27			17	25	40	24	40	40							213
		15	40	40	40	40									40	40			240
9S	18E	14		X	X		X			X									

X = STORAGE USES

Total Acres (for irrigation use) 476 *

STOCKWATER POU SAME AS IRRIGATION POU

* Limited to 323 irrigated Acres within PPU

1 of 17
RECEIVEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

78578

MAY 01 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**Name of Applicant(s) MICHAEL SIRUCEKPhone 208-731-5463Mailing address 472 S. 1000 E., JEROME, ID 83338

Email _____

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

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

☐ No RepresentativeName of Representative PAUL ARRINGTONPhone 208-733-0700Mailing address 195 RIVER VISTA PLACE, SUITE 204, TWIN FALLS, ID 83301Email PLA@IDAHOWATERS.COM☐ Send all correspondence for this application to the representative and not to the applicant.

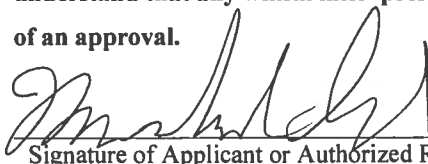
OR

☒ Send original correspondence to the applicant and copies to the representative.☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

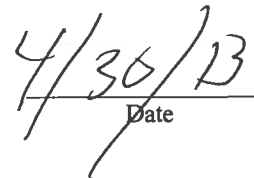
I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made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



Signature of Applicant or Authorized Representative

MICHAEL SIRUCEK

Print Name and Title if applicable



Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
☒ Change nature of use
 ☐ Add diversion point(s)
☐ Change period of use
 ☒ Change place of use
☐ Other _____
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**. APPLICANT SEEKS TO CREATE A PPU FOR IRRIGATION WATER RIGHTS AS PART OF SETTLEMENT OF SRBA CLAIMS. APPLICANT ALSO SEEKS TO CORRECT THE POINTS OF DIVERION FOR THE WATER RIGHTS AND CONVERT A PORTION TO STORAGE USE.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part	SEE ATTACHED				
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	

Total authorized under rights 6.47 cfs and/or 187.6 ac-ft

2. Total amount of water proposed to be transferred or changed 7.9 cubic feet per second and/or _____ acre-feet per annum.

3. Point(s) of Diversion:

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

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

4. Place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

- ☐ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9S	18E	11												2			24	1	27
		14		27			22	25	40	24	40	40							218
		15	40	40	40	40									40	40			240
9S	18E	14		X	X		X			X									

X = STORAGE USES

STOCKWATER POU SAME AS IRRIGATION POU

Total Acres (for irrigation use) 485 *

* Limited to 323 irrigated Acres within PPU

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☐	SEE ATTACHED				
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 7.9 cfs and/or ac-ft

2. Total amount of water proposed to be transferred or changed 6.47 cubic feet per second and/or 187.46 acre-feet per annum.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
		NW	NE	14	9S	18E	JEROME	WASTEWATER		
		SE	NW	14	9S	18E	JEROME	WASTEWATER		
		NE	NW	14	9S	18E	JEROME	WASTEWATER		DAM

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
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 Acres (for irrigation use) 485 *

* Limited to 323 irrigated Acres within PPU

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

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

DAMS SERVES AS STORAGE POD. WATER IS DIVERTED THROUGH A PUMP AND GRAVITY LINE EACH ON
STORAGE POND. WATER IS THEN PIPED THROUGH APPLICANT'S PROPERTY TO PIVOTS FOR IRRIGATION

- b. Who owns the property at the point(s) of diversion? APPLICANT AND JAMES SIRUCEK

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

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

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

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

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

THIS TRANSFER WILL AMEND THE WATER RIGHTS TO BE CONSISTENT WITH CURRENT IRRIGATION
PRACTICES ON THE APPLICANT'S PROPERTY. THIS TRANSFER WILL ALSO MOVE WATER TO A POND
LOCATED ON APPLICANT'S PROPERTY.

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

36-4193 & 36-8569 ARE SUPPLEMENTAL GROUNDWATER RIGHTS LOCATED ON CERTAIN GROUND SOLY
OWNED BY APPLICANT. THEY WILL NOT BE AFFECTED BY THIS TRANSFER.

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

Yes No

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

If yes, describe: _____

Total Acres (for irrigation use) _____

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

Current Water Right No.: 36-16956

Current Owner: MIKE SIRUCEK
Priority Date: 5/13/1926
Origin: Adjudication Recommendation
Status: Active
Basis: Beneficial Use

Source

Tributary

WASTE WATER

SINKS

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

03/15 to 11/15

0.62 CFS

Total Diversion

0.62 CFS

Location of Point(s) of Diversion

WASTE WATER

NE1/4NW1/4NE1/4

Sec. 15, Twp 09S, Rge 18E B.M.

JEROME County

WASTE WATER

NW1/4SW1/4SE1/4

Sec. 11, Twp 09S, Rge 18E B.M.

JEROME County

WASTE WATER

NE1/4NE1/4SW1/4

Sec. 11, Twp 09S, Rge 18E B.M.

JEROME County

Place of Use

IRRIGATION Within JEROME County

T09S R18E S15	NENE	37.00	T09S R18E S15	NWNE	34.00
T09S R18E S15	SWNE	35.00	T09S R18E S15	SENE	40.00
T09S R18E S15	NESE	24.00	T09S R18E S15	NWSE	34.00

Total Acres: 204

Conditions of Approval:

1. E55 Right Nos. 36-16960 and 36-16956 are limited to the irrigation of a combined total of 51.5 acres in a single irrigation season.
2. K06 This right is limited to the irrigation of 31 acres within the place of use described above in a single irrigation season.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. E56 The rights listed below are limited to the irrigation of a combined total of 204 acres in a single irrigation season. Combined Right Nos.: 36-16960, 36-4193, 36-8569, 36-16956 & 36-16958.
5. G22 The source of this water right includes waste water. The right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.
6. This right is a split from former right 36-16899 .

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

Current Water Right No.: 36-16957

Current Owner: MIKE SIRUCEK
JAMES SIRUCEK

Priority Date: 5/13/1926

Origin: Adjudication Recommendation

Status: Active

Basis: Beneficial Use

<u>Source</u>		<u>Tributary</u>		
WASTE WATER		SINKS		
<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>		<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.58 CFS		
	<u>Total Diversion</u>	0.58 CFS		

Location of Point(s) of Diversion

WASTE WATER	NE1/4NW1/4NE1/4	Sec. 15,	Twp 09S,	Rge 18E B.M.
JEROME County				
WASTE WATER	NW1/4SW1/4SE1/4	Sec. 11,	Twp 09S,	Rge 18E B.M.
JEROME County				
WASTE WATER	NE1/4NE1/4SW1/4	Sec. 11,	Twp 09S,	Rge 18E B.M.
JEROME County				

Place of Use

IRRIGATION Within JEROME County

T09S R18E S11	SWSE	22.00	T09S R18E S14	NWNE	18.00
T09S R18E S14	NENW	26.00	T09S R18E S14	NWNW	37.00
T09S R18E S14	SWNW	33.00	T09S R18E S14	SENE	3.00
T09S R18E S14	NESW	18.00	T09S R18E S14	NWSW	34.00

Total Acres: 191

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 191 acres in a single irrigation season. Combined Right Nos.: 36-16961, 36-16957 & 36-16959.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. This right is a split from former right 36-16899 .
4. K06 This right is limited to the irrigation of 29 acres within the place of use described above in a single irrigation season.
5. E55 Right Nos. 36-16957 and 36-16961 are limited to the irrigation of a combined total of 48.5 acres in a single irrigation season.
6. G22 The source of this water right includes waste water. The right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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

Current Water Right No.: 36-16958

Current Owner: MIKE SIRUCEK

Priority Date: 6/15/1962

Origin: Adjudication Recommendation

Status: Active

Basis: Beneficial Use

Source

Tributary

WASTE WATER

SINKS

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

03/15 to 11/15

3.04 CFS

Total Diversion

3.04 CFS

Location of Point(s) of Diversion

WASTE WATER

NE1/4NW1/4NE1/4

Sec. 15, Twp 09S, Rge 18E B.M.

JEROME County

WASTE WATER

NW1/4SW1/4SE1/4

Sec. 11, Twp 09S, Rge 18E B.M.

JEROME County

WASTE WATER

NE1/4NE1/4SW1/4

Sec. 11, Twp 09S, Rge 18E B.M.

JEROME County

Place of Use

IRRIGATION Within JEROME County

T09S R18E S15	NENE	37.00	T09S R18E S15	NWNE	34.00
T09S R18E S15	SWNE	35.00	T09S R18E S15	SENE	40.00
T09S R18E S15	NESE	24.00	T09S R18E S15	NWSE	34.00

Total Acres: 204

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 204 acres in a single irrigation season. Combined Right Nos.: 36-16960, 36-4193, 36-8569, 36-16956 & 36-16958.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. G22 The source of this water right includes waste water. The right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.
4. This right is a split from former right 36-16900 .
5. K06 This right is limited to the irrigation of 152.5 acres within the place of use described above in a single irrigation season.
6. E55 Right Nos. 36-16960, 36-16956 and 36-16958 are limited to the irrigation of a combined total of 204 acres in a single irrigation season.

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

Current Water Right No.: 36-16959

Current Owner: MIKE SIRUCEK
JAMES SIRUCEK

Priority Date: 6/15/1962

Origin: Adjudication Recommendation

Status: Active

Basis: Beneficial Use

<u>Source</u>		<u>Tributary</u>	
WASTE WATER		SINKS	
<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	2.86 CFS	
	<u>Total Diversion</u>	2.86 CFS	

Location of Point(s) of Diversion

WASTE WATER	NE1/4NW1/4NE1/4	Sec. 15,	Twp 09S,	Rge 18E B.M.
JEROME County				
WASTE WATER	NW1/4SW1/4SE1/4	Sec. 11,	Twp 09S,	Rge 18E B.M.
JEROME County				
WASTE WATER	NE1/4NE1/4SW1/4	Sec. 11,	Twp 09S,	Rge 18E B.M.
JEROME County				

Place of Use

IRRIGATION Within JEROME County

T09S R18E S11	SWSE	22.00	T09S R18E S14	NWNE	18.00
T09S R18E S14	NENW	26.00	T09S R18E S14	NWNW	37.00
T09S R18E S14	SWNW	33.00	T09S R18E S14	SENE	3.00
T09S R18E S14	NESW	18.00	T09S R18E S14	NWSW	34.00

Total Acres: 191

Conditions of Approval:

1. This right is a split from former right 36-16900 .
2. G22 The source of this water right includes waste water. The right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.
3. K06 This right is limited to the irrigation of 143 acres within the place of use described above in a single irrigation season.
4. E55 Right Nos. 36-16961, 36-16957 and 36-16959 are limited to the irrigation of a combined total of 191 acres in a single irrigation season.
5. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

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

Current Water Right No.: 36-16960

Current Owner: MIKE SIRUCEK

Priority Date: 5/19/1918

Origin: Adjudication Recommendation

Status: Active

Basis: License

Source

Tributary

WASTE WATER

SINKS

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

03/15 to 11/15

0.41 CFS

STOCKWATER

01/01 to 12/31

0.02 CFS

Total Diversion

0.41 CFS

Location of Point(s) of Diversion

WASTE WATER

NE1/4NE1/4SW1/4

Sec. 11, Twp 09S, Rge 18E B.M.

JEROME County

WASTE WATER

NW1/4SW1/4SE1/4

Sec. 11, Twp 09S, Rge 18E B.M.

JEROME County

WASTE WATER

NE1/4NW1/4NE1/4

Sec. 15, Twp 09S, Rge 18E B.M.

JEROME County

Place of Use

IRRIGATION Within JEROME County

T09S R18E S15	NENE	37.00	T09S R18E S15	NWNE	34.00
T09S R18E S15	SWNE	35.00	T09S R18E S15	SENE	40.00
T09S R18E S15	NESE	24.00	T09S R18E S15	NWSE	34.00

Total Acres: 204

Place of Use: STOCKWATER same as IRRIGATION

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 204 acres in a single irrigation season. Combined Right Nos.: 36-16960, 36-4193, 36-8569, 36-16956 & 36-16958.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. G22 The source of this water right includes waste water. The right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.
4. E55 Right Nos. 36-16956 and 36-16960 are limited to the irrigation of a combined total of 51.5 acres in a single irrigation season.
5. K06 This right is limited to the irrigation of 20.5 acres within the place of use described above in a single irrigation season.
6. This right is a split from former right 36-2034 .

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

Current Water Right No.: 36-16961

Current Owner: MIKE SIRUCEK
JAMES SIRUCEK

Priority Date: 5/19/1918

Origin: Adjudication Recommendation

Status: Active

Basis: License

<u>Source</u>	<u>Tributary</u>		
WASTE WATER	SINKS		
<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.39 CFS	
STOCKWATER	01/01 to 12/31	0.02 CFS	
	<u>Total Diversion</u>	0.39 CFS	

Location of Point(s) of Diversion

WASTE WATER	NW1/4SW1/4SE1/4	Sec. 11,	Twp 09S,	Rge 18E B.M.
JEROME County				
WASTE WATER	NE1/4NE1/4SW1/4	Sec. 11,	Twp 09S,	Rge 18E B.M.
JEROME County				
WASTE WATER	NE1/4NW1/4NE1/4	Sec. 15,	Twp 09S,	Rge 18E B.M.
JEROME County				

Place of Use

IRRIGATION Within JEROME County

T09S R18E S11	SWSE	22.00	T09S R18E S14	NWNE	18.00
T09S R18E S14	NENW	26.00	T09S R18E S14	NWNW	37.00
T09S R18E S14	SWNW	33.00	T09S R18E S14	SENE	3.00
T09S R18E S14	NESW	18.00	T09S R18E S14	NWSW	34.00

Total Acres: 191

Place of Use: STOCKWATER same as IRRIGATION

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. E55 Right Nos. 36-16957 and 36-16961 are limited to the irrigation of a combined total of 48.5 acres in a single irrigation season.
3. This right is a split from former right 36-2034 .
4. G22 The source of this water right includes waste water. The right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.
5. K06 This right is limited to the irrigation of 19.5 acres within the place of use described above in a single irrigation season.
6. E56 The rights listed below are limited to the irrigation of a combined total of 191 acres in a single irrigation season. Combined Right Nos.: 36-16961, 36-16959 & 36-16957.

Transfer contains 17 pages and _____ attachments.

Received by P. SKINNER Date 5/1/13 Prelim. Check by P. SKINNER Date 5/1/13

Fee Paid \$ 980.00 Date 5/6/13 Received by P. SKINNER Receipt # 5033230

Add'l Fee Paid \$ 80.00 Date 5/6/13 Received by P. SKINNER Receipt # 5033231

WATER RIGHT ATTACHMENT
APPLICATION FOR TRANSFER OF WATER RIGHT
MICHAEL SIRUCEK

Right Number	Amount	Nature of Use	Period of Use	Source & Tributary
36-16956	0.51 cfs	Irrigation	3/15 to 11/15	Waste Water
	14.8 af	Rec. & Aes. Storage	1/1 to 12/31	
36-16957	0.47 cfs	Irrigation	3/15 to 11/15	Waste Water
	13.75 af	Rec. & Aes. Storage	1/1 to 12/31	
36-16958	2.49 cfs	Irrigation	3/15 to 11/15	Waste Water
	72.28 af	Rec. & Aes. Storage	1/1 to 12/31	
36-16959	2.34 cfs	Irrigation	3/15 to 11/15	Waste Water
	67.78 af	Rec. & Aes. Storage	1/1 to 12/31	
36-16960	0.34 cfs	Irrigation	3/15 to 11/15	Waste Water
	0.02 cfs	Stockwater	1/1 to 12/31	
	9.72 af	Rec. & Aes. Storage	1/1 to 12/31	
36-16961	0.32 cfs	Irrigation	3/15 to 11/15	Waste Water
	0.02 cfs	Stockwater	1/1 to 12/31	
	9.24 af	Rec. & Aes. Storage	1/1 to 12/31	

NOTE: The above diversion rates and volumes represent the following division of water: 81.77% of the original right will remain an irrigation right. The remaining 18.23% will be transferred into a reservoir located on adjacent property.

RECEIVED
MAY 06 2013
DEPT. OF WATER RESOURCES
SOUTHERN REGION

WATER RIGHT ATTACHMENT
APPLICATION FOR TRANSFER OF WATER RIGHT
MICHAEL SIRUCEK

Right Number	Amount	Nature of Use	Period of Use	Source & Tributary
36-16956	0.51 cfs	Irrigation	3/15 to 11/15	Waste Water
	14.69 af	Rec. & Aes. Storage	1/1 to 12/31	
36-16957	0.47 cfs	Irrigation	3/15 to 11/15	Waste Water
	13.75 af	Rec. & Aes. Storage	1/1 to 12/31	
36-16958	2.49 cfs	Irrigation	3/15 to 11/15	Waste Water
	72.28 af	Rec. & Aes. Storage	1/1 to 12/31	
36-16959	2.34 cfs	Irrigation	3/15 to 11/15	Waste Water
	67.78 af	Rec. & Aes. Storage	1/1 to 12/31	
36-16960	0.34 cfs	Irrigation	3/15 to 11/15	Waste Water
	0.02 cfs	Stockwater	1/1 to 12/31	
	9.72 af	Rec. & Aes. Storage	1/1 to 12/31	
36-16961	0.32 cfs	Irrigation	3/15 to 11/15	Waste Water
	0.02 cfs	Stockwater	1/1 to 12/31	
	9.24 af	Rec. & Aes. Storage	1/1 to 12/31	

NOTE: The above diversion rates and volumes represent the following division of water: 81.77% of the original right will remain an irrigation right. The remaining 18.23% will be transferred into a reservoir located on adjacent property.

SEE PAGE
SUBMITTED
5/6/13

Attachment #3

**Application for Transfer of Water Rights
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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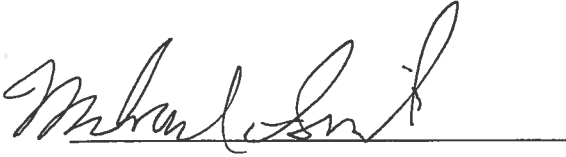
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IN WITNESS WHEREOF, the undersigned have duly executed this Agreement.

DATED this 26 day of Feb, 2013

MICHAEL SIRUCEK



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

On this 20 day of February, ²⁰¹³~~2012~~, before me, a Notary Public for said County and State, personally appeared MICHAEL 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

DATED this 18 day of MARCH 2013

JAMES SIRUCEK

James Sirucek

KAREN SIRUCEK

Karen Sirucek

STATE OF IDAHO)

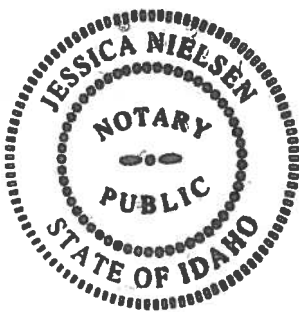
County of Twin Falls)

) ss.

2013

On this 18 day of March, 2012, 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

WARRANTY DEED

For Value Received

ROGER S. BURDICK, Conservator of the Estate of
ROY H. SIRUCEK, an Incapacitated Person,

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

MICHAEL SIRUCEK, a single man, Jerome, Idaho

Hereinafter called the Grantee, the following described premises situated in Jerome County, Idaho,
to-wit:The E $\frac{1}{2}$ NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section
15, Township 9 South, Range 18
East, Boise Meridian, Jerome County,
Idaho.

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

Dated: August 7, 1981

*Roger S. Burdick*ROGER S. BURDICK, Conservator of
the Estate of ROY H. SIRUCEK,
an Incapacitated Person

STATE OF IDAHO, COUNTY OF JEROME

On this 7th day of August, 1981,
before me, a notary public in and for said State, personally appeared

ROGER S. BURDICK

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged
to me that he executed the same.*Branice Hatter*
Notary Public
Residing at Jerome, Idaho.JEROME COUNTY, IDAHO
GLENDA MOGENSEN BELK
FEESE & DEPT

SEP 1 11 37 AM '81

of *Subscribed*

RECORDED AT THE REQUEST

260005

Instrument No.

QUITCLAIM DEED

FOR VALUE RECEIVED, JAMES SIRUCEK and TONY I. SIRUCEK, as co-trustees of the HENRY SIRUCEK TRUST, hereinafter called the "Grantors", hereby remise, release, and forever quitclaim unto JAMES SIRUCEK, whose address is 1272 Hwy 25, Eden, Idaho, 83325, hereinafter called the "Grantee", the following described premises, in Jerome County, Idaho, to wit:

Real property located in Jerome County, Idaho, more particularly described as the NW⁴, N²SW⁴, W²NE⁴ and NW⁴SE⁴, all in Section 14, Township 9 South, Range 18 East of the Boise Meridian;

and

SW⁴, and that portion of the SW⁴SE⁴ lying south and west of the Union Pacific Railroad mainline, all in Section 11, Township 9 South, Range 18 East of the Boise Meridian, Jerome County, State of Idaho,

Together with all water and water rights appurtenant thereto including 150.37 shares of the capital stock of the North Side Canal Company, Ltd.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the Grantee's heirs and assigns forever.

DATED this 14th day of May, 1990.

"GRANTORS"

HENRY SIRUCEK TRUST

BY: James Sirucek
JAMES SIRUCEK
Co-Trustee

BY: Tony I. Sirucek
TONY I. SIRUCEK
Co-Trustee

320880

RECORDED

OF James Sirucek

MAY 14 12 02 PM '90

JEROME COUNTY, IDAHO

FEES 6.00 DED

QUITCLAIM DEED

No #

For Value Received

Instrument # 2003947
JEROME COUNTY JEROME, IDAHO
2000-09-01 16:16:24 No. of Pages: 1
Recorded for : LAND TITLE & ESCROW
CHERYL WATTS Fee: 3.00
Ex-Officio Recorder Deputy *L McMillan*

BECKY L. SIRUCEK, spouse of MICHAEL JAMES SIRUCEK

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

MICHAEL JAMES SIRUCEK, a married man, contracting with his separate property
Whose address is: 472 South 1000 East Jerome, Idaho 83338

Hereinafter called the grantee, the following described premises, in JEROME County, Idaho to-wit:

TOWNSHIP 9 SOUTH, RANGE 18, EAST OF THE BOISE MERIDIAN, JEROME COUNTY,
IDAHO

SECTION 14: NW1/4; N1/2SW1/4; W1/2NE1/4; NW1/4SE1/4;

SECTION 11: SW1/4, EXCEPTING THEREFROM that portion deceded to the
Oregon Short Line Railroad Company by Deed recorded August 11, 1913 in
Book 21 Page 244 as Instrument No. 32253, Jerome County records.

That part of the SW1/4SE1/4 lying South of the Oregon Short Line Railroad
right of way.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and
assigns forever.

Dated: SEPTEMBER 1, 2000

Becky L. Sirucek
BECKY L. SIRUCEK

STATE OF IDAHO)

COUNTY OF JEROME) ss.

On this 1ST day of SEPTEMBER, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared
BECKY L. SIRUCEK, known or identified to me to be the person whose name IS subscribed to the within instrument, and
acknowledged to me that SHE executed the same.

Rick Bernsen
Notary Public

RICK BERNSEN
★ NOTARY PUBLIC ★
STATE OF IDAHO

RESIDING AT JEROME, ID
MY COMMISSION EXPIRES 7/31/03

QUITCLAIM DEED

No #

Instrument # 2003948

JEROME COUNTY JEROME, IDAHO

2000-09-01 16:17:12 No. of Pages: 1

Recorded for LAND TITLE & ESCROW

CHERYL WATTS

Fee: 3.00

Ex-Officio Recorder

Deputy

L. McMullen

For Value Received

BECKY L. SIRUCEK, spouse of MICHAEL JAMES SIRUCEK

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

MICHAEL JAMES SIRUCEK, a married man, contracting with his separate property
Whose address is: 472 South 1000 East Jerome, Idaho 83338

Hereinafter called the grantee, the following described premises, in JEROME County, Idaho to-wit:

TOWNSHIP 9 SOUTH, RANGE 18, EAST OF THE BOISE MERIDIAN, JEROME COUNTY,
IDAHO
SECTION 15: W1/2NE1/4, NW1/4SE1/4

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Dated: SEPTEMBER 1, 2000

Becky L. Sirucek
BECKY L. SIRUCEK

STATE OF IDAHO)

COUNTY OF JEROME) ss.)

On this 1ST day of SEPTEMBER, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared BECKY L. SIRUCEK, known or identified to me to be the person whose name IS subscribed to the within instrument, and acknowledged to me that SHE executed the same.

Rick Bernsen
Notary Public

Residing at:

My Commission expires:

RICK BERNSSEN
★ NOTARY PUBLIC ★
STATE OF IDAHO

RESIDING AT JEROME, ID
MY COMMISSION EXPIRES 2-20-02

QUITCLAIM DEED

No #

Instrument # 2003947

JEROME COUNTY JEROME, IDAHO
2000-09-01 16:16:24 No. of Pages: 1
Recorded for: LAND TITLE & ESCROW
CHERYL WATTS Fee: 3.00
Ex-Officio Recorder Deputy

For Value Received

BECKY L. SIRUCEK, spouse of MICHAEL JAMES SIRUCEK

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

MICHAEL JAMES SIRUCEK, a married man, contracting with his separate property
Whose address is: 472 South 1000 East Jerome, Idaho 83338

Hereinafter called the grantee, the following described premises, in JEROME County, Idaho to-wit:

TOWNSHIP 9 SOUTH, RANGE 18, EAST OF THE BOISE MERIDIAN, JEROME COUNTY,
IDAHO

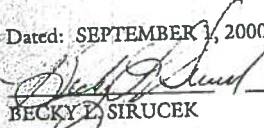
SECTION 14: NW1/4; N1/2SW1/4; W1/2NE1/4; NW1/4SE1/4;

SECTION 11: SW1/4, EXCEPTING THEREFROM that portion deeded to the
Oregon Short Line Railroad Company by Deed recorded August 11, 1913 in
Book 21 Page 244 as Instrument No. 32253, Jerome County records.

That part of the SW1/4SE1/4 lying South of the Oregon Short Line Railroad
right of way.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and
assigns forever.

Dated: SEPTEMBER 1, 2000


BECKY L. SIRUCEK

STATE OF IDAHO)

) ss.

COUNTY OF JEROME)

On this 1ST day of SEPTEMBER, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared
BECKY L. SIRUCEK, known or identified to me to be the person whose name IS subscribed to the within instrument, and
acknowledged to me that SHE executed the same.


Notary Public

RICK BERNSEN
★ NOTARY PUBLIC ★
STATE OF IDAHO

RESIDING AT JEROME, ID
MY COMMISSION EXPIRES 7-30-03

WARRANTY DEED

For Value Received

JAMES SIRUCEK and KAREN SIRUCEK, Husband and Wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
 MICHAEL SIRUCEK and BECKY SIRUCEK, Husband and Wife, an undivided
 One Fourth Interest

Whose address is: 472A South 1000 East, Jerome, Idaho 83338

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

An undivided One-Fourth interest in the following described
 property:

SEE ATTACHED EXHIBIT "A"

RECEIVED
 Land Title & Escrow, Inc.
 JAN 8 3 46 PM '91
 JEROME COUNTY, IDAHO
 FEES & CLOSING COSTS

910078

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

Dated: January 4, 1991

James Sirucek
 JAMES SIRUCEK

Karen Sirucek
 KAREN SIRUCEK

STATE OF IDAHO, COUNTY OF Jerome

On this 4th day of January, 1991
 before me, a notary public in and for said State, per-
 sonally appeared

James Sirucek and
 Karen Sirucek

known to me to be the persons whose names are
 subscribed to the within instrument, and acknowledged
 to me that they executed the same.

Jayne F. Burns
 Notary Public
 Residing at Jerome, Idaho.



Jerome County Recorder

Jerome County Recorder

EXHIBIT "A"

TOWNSHIP 9 SOUTH, RANGE 18, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 14: NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$;

Section 11: SW $\frac{1}{4}$, EXCEPTING THEREFROM that portion deeded to the Oregon Short Line Railroad Company by Deed recorded August 11, 1913 in Book 21 Page 244 as Instrument Number 32253, Jerome County records.

That part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying South of the Oregon Short Line Railroad right of way.

SUBJECT TO THE FOLLOWING:

Taxes for 1991 and subsequent years, which are not yet due and payable.

Assessments of the American Falls Reservoir District and the rights and powers of said District as by law provided.

Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.

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

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QUITCLAIM DEED

FOR VALUE RECEIVED, JAMES SIRUCEK and TONY I. SIRUCEK, as co-trustees of the HENRY SIRUCEK TRUST, hereinafter called the "Grantors", hereby remise, release, and forever quitclaim unto JAMES SIRUCEK, whose address is 1272 Hwy 25, Eden, Idaho, 83325, hereinafter called the "Grantee", the following described premises, in Jerome County, Idaho, to wit:

Real property located in Jerome County, Idaho, more particularly described as the NW⁴, N²SW⁴, W²NE⁴ and NW⁴SE⁴, all in Section 14, Township 9 South, Range 18 East of the Boise Meridian;

and

SW⁴, and that portion of the SW⁴SE⁴ lying south and west of the Union Pacific Railroad mainline, all in Section 11, Township 9 South, Range 18 East of the Boise Meridian, Jerome County, State of Idaho,

Together with all water and water rights appurtenant thereto including 150.37 shares of the capital stock of the North Side Canal Company, Ltd.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the Grantee's heirs and assigns forever.

DATED this 14th day of May, 1990.

"GRANTORS"

HENRY SIRUCEK TRUST

BY: James Sirucek
JAMES SIRUCEK
Co-Trustee

BY: Tony I. Sirucek
TONY I. SIRUCEK
Co-Trustee

320860

RECORDED

OF

MAY 14 12 02 PM '90

JEROME COUNTY, IDAHO

FEES CODED

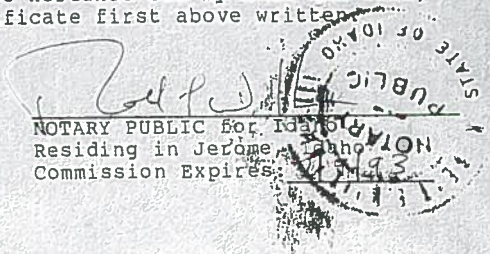
STATE OF IDAHO)

County of Jerome)

ss.

On this 14th day of May, 1990, before me, the undersigned, a Notary Public in and for said County and State, personally appeared JAMES SIRUCEK and TONY I. SIRUCEK, known to me to be the persons whose names are subscribed to the within and foregoing instrument as the Co-Trustees of the HENRY SIRUCEK TRUST, and who acknowledged to me that they executed the same in such capacity.

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


NOTARY PUBLIC for Idaho
Residing in Jerome, Idaho
Commission Expires: 12/31/93

Attachment ##7a & 7b

**Application for Transfer of Water Rights
Michael Sirucek**



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

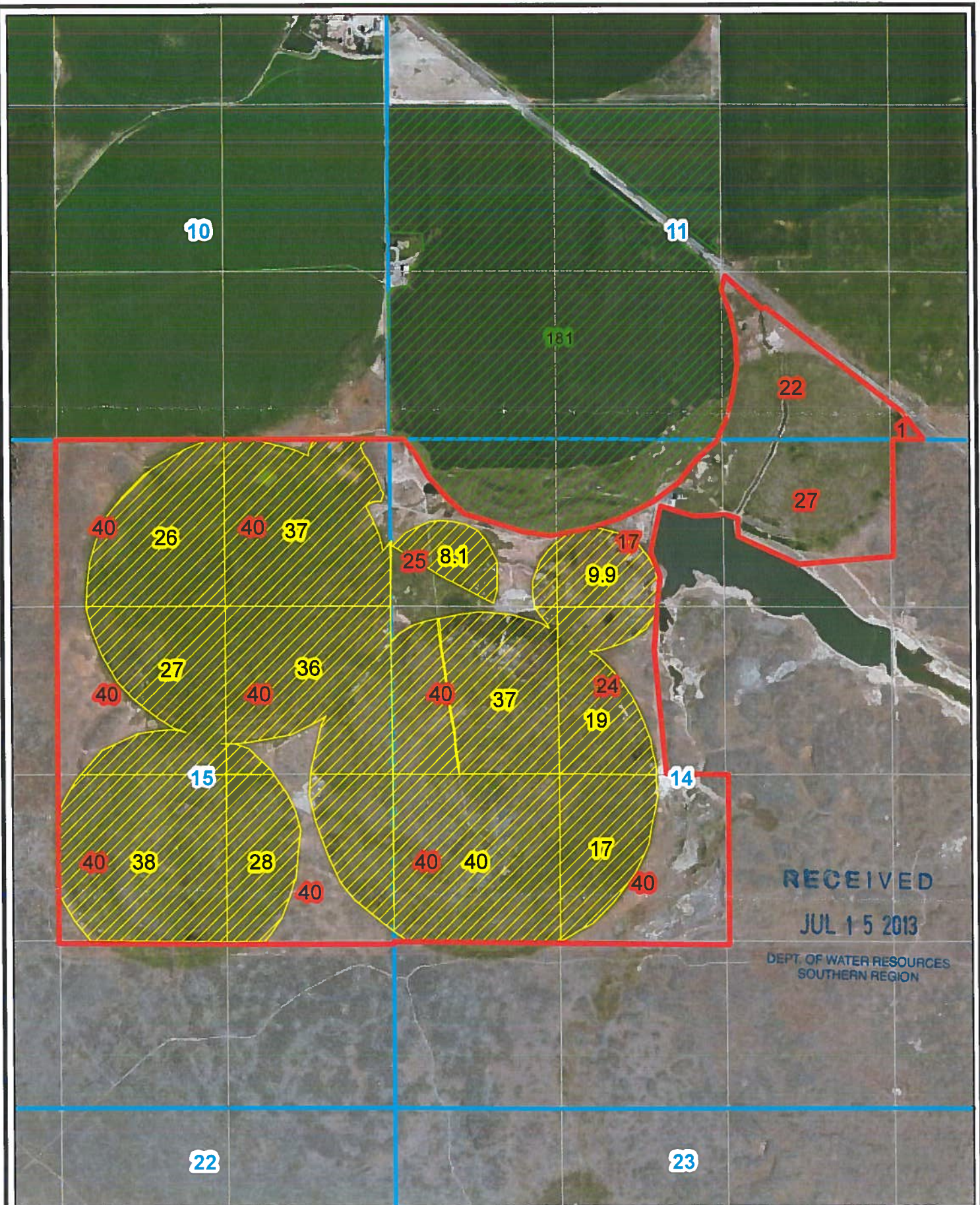
Legend

 pod

Owner

 Sirucek





RECEIVED

JUL 15 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

0 400 800 1,600 Feet

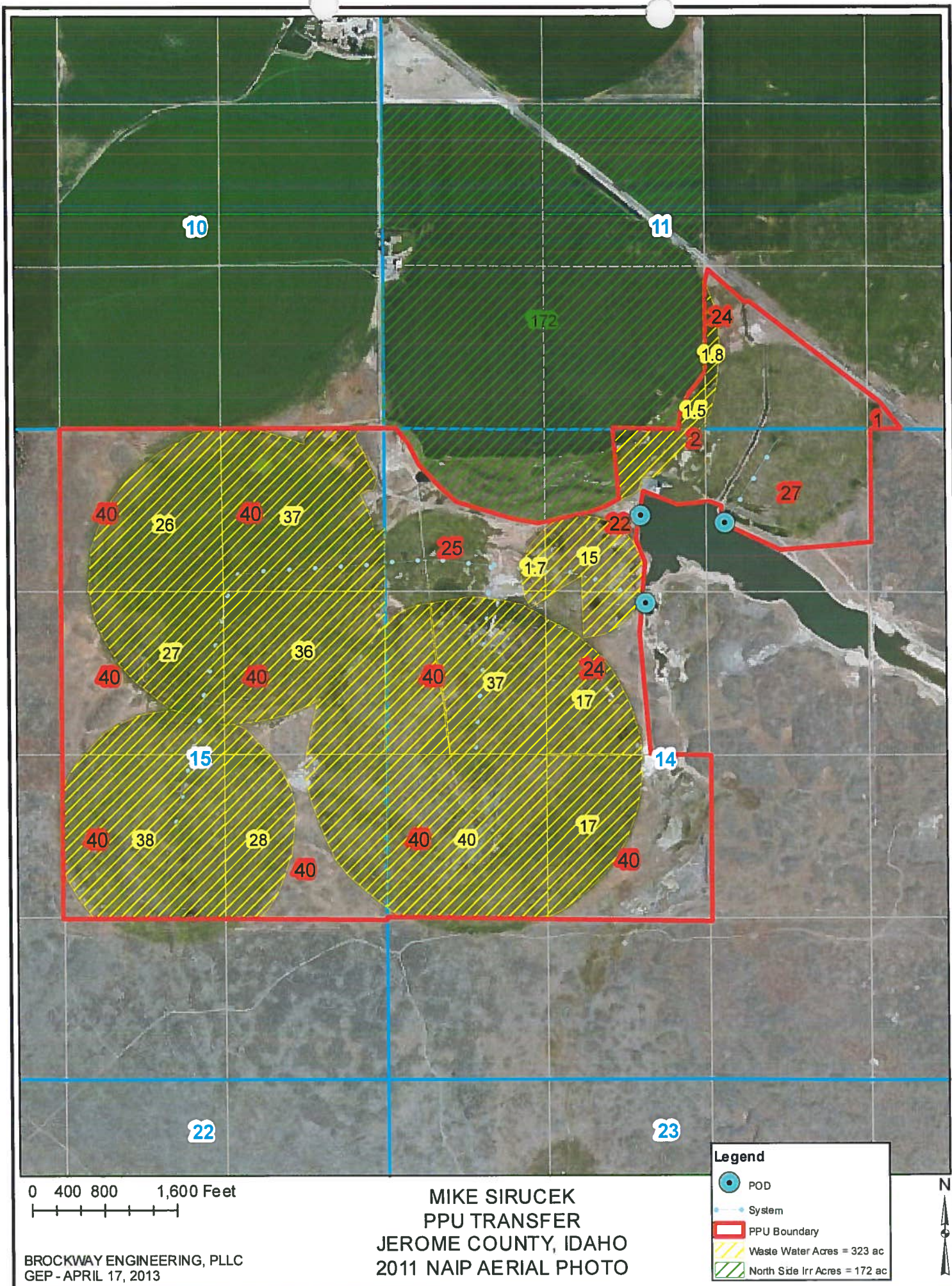
BROCKWAY ENGINEERING, PLLC
GEP - JULY 8, 2013

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





Attachment #8

**Application for Transfer of Water Rights
Michael Sirucek**

**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 ere 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.



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 black ink that reads "Denise Maline". The signature is fluid and cursive, with the first name "Denise" and last name "Maline" clearly distinguishable.

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 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 NWSNW 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



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)

MEMORANDUM

Date: May 14, 2013
To: Transfer 78578 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

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 ac-ft of water annually to cover water storage and evaporative losses associated with a reservoir on the farm. The reservoir has a total volume of 143 ac-ft and the estimated annual evaporative losses total 44.6 ac-ft. The irrigation to storage conversion was based on a precipitation deficit irrigation requirement of 2.6 ac-ft for low management pasture in the Jerome area. Note that companion application for permit 36-16982 also covers additional uses associated with this same reservoir. 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.

- **Authority to File:**
The applicant, Mike Sirucek, is listed as the sole owner of rights 36-16956, 36-16958, and 36-16960. Mike Sirucek and James Sirucek are listed as co-owners on rights 36-16957, 36-16959, and 36-1696. A copy of an agreement, signed by James Sirucek, has been included with the application allowing for Mike Sirucek to pursue the transfer application and companion application for permit. Note that the agreement indicates that the ownership of the rights will not change as a result of the applications.
- **Water Right Validity:**
Water rights involved with this transfer were decreed in the SRBA in January of 2013.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No negative impact anticipated. Application will be subject to public notice.

Page 2
Transfer # 78578 Memo
May 14, 2013

- **Beneficial Use/Conservation of Water Resources:**
Proposed uses are recognized as beneficial uses of water.
- **Effect on Economy of the Local Area:**
None anticipated.
- **Effect of the Agricultural Base of the Local Area:**
None anticipated.

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

Skinner, Corey

From: Paul Arrington [pla@idahowaters.com]
Sent: Monday, May 06, 2013 9:14 AM
To: Skinner, Corey
Cc: Paul Arrington; Jessica Forbis
Subject: Sirucek - Revised Pages
Attachments: DOC050613.pdf

Corey:

As discussing on the phone, attached are the revised pages for the Sirucek transfer. The pages are: (i) Revised Part I, page 1 and (ii) revised water right list attachment.

Jessica will run a check for \$80 over to cover the rest of the filing fees.

Paul L. Arrington
Barker Rosholt & Simpson LLP
195 River Vista Place, Suite 204
Twin Falls, Idaho 83301
(208) 733-0700 - telephone
(208) 404-9436 - mobile
(208) 735-2444 - facsimile

CONFIDENTIALITY NOTICE: This e-mail and its attachments are confidential and may be privileged. If you believe this e-mail has been sent to you in error, please notify the sender immediately and delete this email. Do not deliver, distribute or copy this transmission.

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
Page 2

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)