

JUN 17 2024

**Database updated by
JB 6-28-2024**

RECEIVED

JUN 06 2024

DEPT. OF WATER RESOURCES
SOUTHERN REGION

**WITHDRAWAL
OF
APPLICATION FOR TRANSFER OF WATER RIGHT(S)**

I/We, Joseph Kearl and Melynda Kearl,
(Applicant's Printed Name) (Applicant's Printed Name)

_____, and _____,
(Applicant's Printed Name) (Applicant's Printed Name)

hereby withdraw our Application for Transfer No. 87887 of Water Right

No(s). 36-16773

Signed this 1 day of June, 20 24.

Just Authorized Agent
(Signature/Title of Applicant)

(Signature/Title of Applicant)

(Signature/Title of Applicant)

(Signature/Title of Applicant)

SUPERSEDED BY FORM RECEIVED JUNE 17, 2024

RECEIVED

APR 10 2023

DEPT. OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 87887MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

WITHDRAWN

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 idwr.idaho.gov.

Name of Applicant(s) JOSEPH N KEARL and MELYNDA KEARL

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 #1-10.

- ☒ ☐ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).**
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☒ ☐ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <https://idwr.idaho.gov/water-rights/transfers/resources/>.
- ☐ ☐ #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. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #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 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☐ ☒ #10 Other. Please describe: _____

WITHDRAWN

RECEIVED

APR 10 2023

DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) JOSEPH N KEARL and MELYNDA KEARL Phone 2084314119
Mailing address 427 E 500 N RUPERT, ID 83350-9574 Email _____

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

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

☐ No Representative

Name of Representative Greg Sullivan Phone 208-736-8543
Mailing address 2016 N Washington St Ste 4 Twin Falls, Idaho 83301 Email greg.sullivan@brockwayeng.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]
Signature of Applicant or Authorized Representative
[Signature]
Signature of Applicant or Authorized Representative

Joseph Kearl owner
Print Name and Title if applicable
Melinda Kearl owner
Print Name and Title if applicable

3-31-23
Date
3-31-23
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 _____
- Is this a transfer for changes pursuant to Idaho Code § 42-221.0.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
This transfer proposes to move 22.0 acres of irrigation under 36-16773 to an existing farm.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

87887

RECEIVED
APR 24 2023
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
All or Part ☐ ☒	36-16773	0.39/88.0	Irrigation	3/15 to 11/15	Ground Water
☒ ☐				to	
☒ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 4.93 cfs and/or 1106.7 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.39 cubic feet per second and/or 88.0 acre-feet per year.

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 #
See Exhibit A										

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	
06S	24E	26		40	40		40	40	40	40	40	40	40	40	40	40	40	40	560
06S	24E	34																38	38
06S	24E	35	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
07S	25E	5					19												19

*22.0 acres will be irrigated within the 1257.0 acre PPU

Total Acres (for irrigation use) 1257*

Amended - see Greg Sullivan 4-21-23 email

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☐ All or ☒ Part	36-16773	0.39/88.0	Irrigation	3/15 to 11/15	Ground Water
☒				to	
☒				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	

Total authorized under rights 4.93 cfs and/or 1106.7 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.39 cubic feet per second and/or 88.0 acre-feet per year.

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 #
See Exhibit A										

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	
06S	24E	26		40	40		40	40	40	40	40	40	40	40	40	40	40	40	560
06S	24E	34																38	38
06S	24E	35	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
07S	25E	5		19															19

*22.0 acres will be irrigated within the 1257.0 acre PBU

Total Acres (for irrigation use)

1257*

*22.0 acres will be irrigated within the 1257.0 acre PPU

Total Acres (for irrigation use) 1257*

Exhibit A

Lot	QQQ	QQ	Q	Section	Township	Range	County	Source
	SW	SE	SW	26	06S	24E	Minidoka	Ground Water
	SW	NE	SW	35	06S	24E	Minidoka	Ground Water
	NE	SE	NW	26	06S	24E	Minidoka	Ground Water
	SE	NW	SE	26	06S	24E	Minidoka	Ground Water
	NW	SE	NE	35	06S	24E	Minidoka	Ground Water
	SW	NE	SE	35	06S	24E	Minidoka	Ground Water

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

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

Existing wells, delivery pipes and irrigation systems.

- b. Who owns the property at the point(s) of diversion? SSJ Farms LLC

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
See attached Transfer 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: AgWest Farm Credit

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. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete [Attachment WSB](#).

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

No change on the land now irrigated.

- f. 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:

36-16773 et al.

36-16826 et al.

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

Yes No

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

If yes, describe:

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

Current Water Right No.: 36-16773

Current Owner: JOSEPH N KEARL
MELYNDA KEARL

Priority Date: 3/13/1989

Origin: Water Right

Status: Active

Basis: License

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	4.93 CFS	1106.7 AF
	<u>Total Diversion</u>	4.93 CFS	1106.7 AF

Location of Point(s) of Diversion

GROUND WATER LINCOLN County	NW1/4SW1/4NE1/4	Sec. 36,	Twp 06S,	Rge 20E B.M.
GROUND WATER LINCOLN County	SE1/4SW1/4SE1/4	Sec. 31,	Twp 06S,	Rge 21E B.M.
GROUND WATER LINCOLN County	L3(SE1/4NE1/4NW1/4)	Sec. 4,	Twp 07S,	Rge 21E B.M.
GROUND WATER LINCOLN County	NE1/4SW1/4NE1/4	Sec. 5,	Twp 07S,	Rge 21E B.M.
GROUND WATER LINCOLN County	SE1/4NE1/4SE1/4	Sec. 5,	Twp 07S,	Rge 21E B.M.
GROUND WATER LINCOLN County	SW1/4NE1/4NE1/4	Sec. 9,	Twp 07S,	Rge 21E B.M.

Place of Use

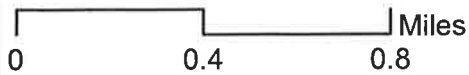
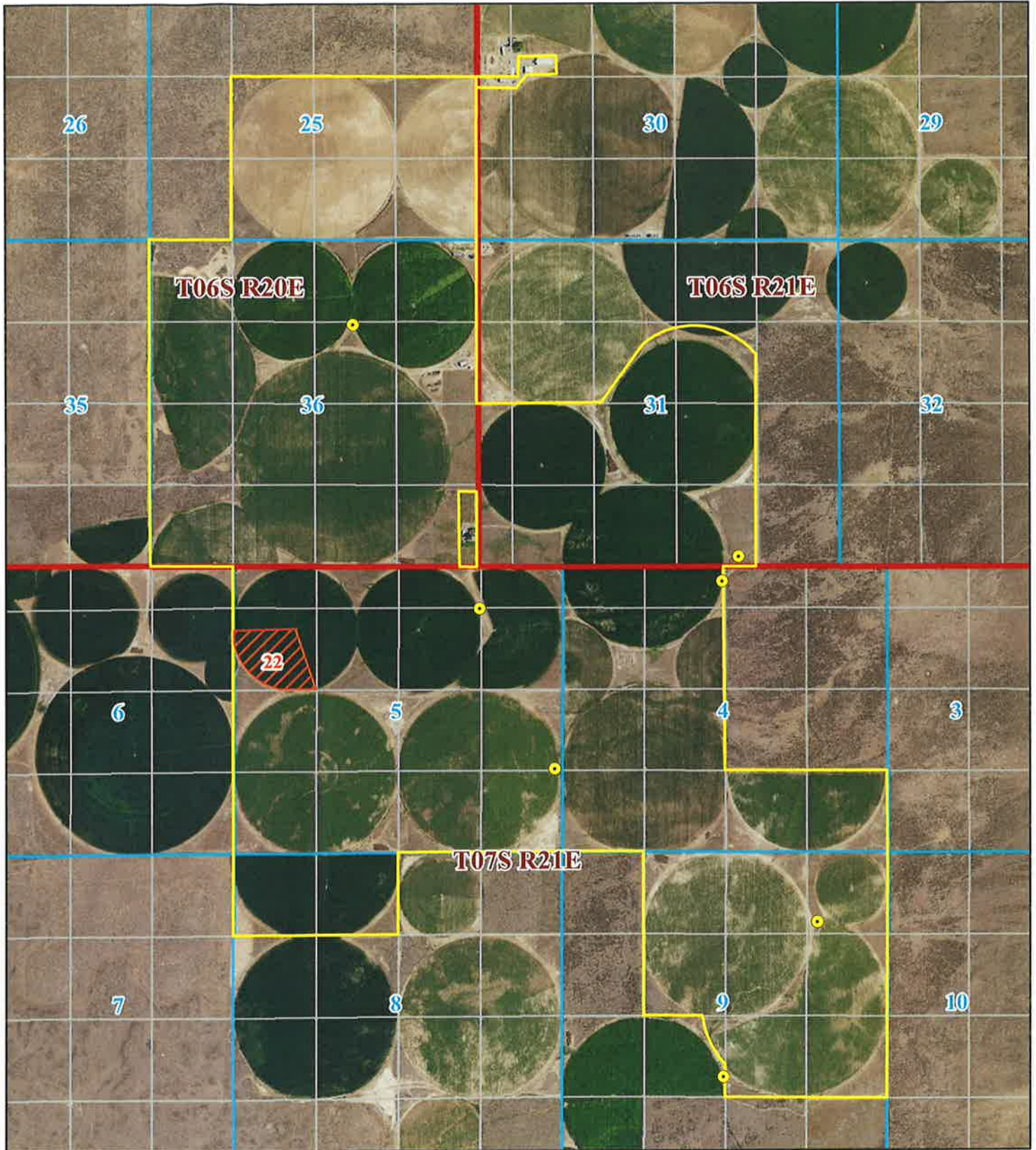
IRRIGATION Within LINCOLN County

T06S R20E S25		NESW	40.00	T06S R20E S25		SESW	40.00
T06S R20E S25		NESE	40.00	T06S R20E S25		NWSE	40.00
T06S R20E S25		SWSE	40.00	T06S R20E S25		SESE	40.00
T06S R20E S36		NENE	40.00	T06S R20E S36		NWNE	40.00
T06S R20E S36		SWNE	40.00	T06S R20E S36		SENE	40.00
T06S R20E S36		NENW	40.00	T06S R20E S36		NWNW	40.00
T06S R20E S36		SWNW	40.00	T06S R20E S36		SENW	40.00
T06S R20E S36		NESW	40.00	T06S R20E S36		NWSW	40.00
T06S R20E S36		SWSW	40.00	T06S R20E S36		SESW	40.00
T06S R20E S36		NESE	40.00	T06S R20E S36		NWSE	40.00
T06S R20E S36		SWSE	40.00	T06S R20E S36		SESE	32.20
T06S R21E S31		SWNE	26.50	T06S R21E S31	Lot 6	SENW	16.60
T06S R21E S31	Lot 7	NESW	40.00	T06S R21E S31	Lot 8	NWSW	40.00
T06S R21E S31	Lot 9	NWSW	16.60	T06S R21E S31	Lot 10	SWSW	16.60
T06S R21E S31	Lot 11	SWSW	40.00	T06S R21E S31	Lot 12	SESW	40.00
T06S R21E S31		NWSE	40.00	T06S R21E S31		SWSE	40.00
T07S R21E S4	Lot 3	NENW	20.00	T07S R21E S4	Lot 4	NWNW	20.00
T07S R21E S4		SWNW	40.00	T07S R21E S4		SENW	40.00
T07S R21E S4		NESW	40.00	T07S R21E S4		NWSW	40.00
T07S R21E S4		SWSW	40.00	T07S R21E S4		SESW	40.00
T07S R21E S4		SWSE	40.00	T07S R21E S4		SESE	40.00
T07S R21E S5	Lot 1	NENE	20.00	T07S R21E S5	Lot 2	NWNE	20.00
T07S R21E S5		SWNE	40.00	T07S R21E S5		SENE	40.00
T07S R21E S5	Lot 3	NENW	20.00	T07S R21E S5	Lot 4	NWNW	20.00
T07S R21E S5		SWNW	40.00	T07S R21E S5		SENW	40.00
T07S R21E S5		NESW	40.00	T07S R21E S5		NWSW	40.00
T07S R21E S5		SWSW	40.00	T07S R21E S5		SESW	40.00
T07S R21E S5		NESE	40.00	T07S R21E S5		NWSE	40.00
T07S R21E S5		SWSE	40.00	T07S R21E S5		SESE	40.00
T07S R21E S8		NENW	40.00	T07S R21E S8		NWNW	40.00
T07S R21E S9		NENE	40.00	T07S R21E S9		NWNE	40.00
T07S R21E S9		SWNE	40.00	T07S R21E S9		SENE	40.00
T07S R21E S9		NENW	40.00	T07S R21E S9		SENW	40.00
T07S R21E S9		NESE	40.00	T07S R21E S9		NWSE	40.00

Total Acres: 2508.5

Conditions of Approval:

1. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
2. 067 The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. X35 Rights 36-2593, 36-2693, 36-16773, 36-16775, 36-16777, 36-16779, 36-16781, 36-16783, 36-16785, and 36-16787 when combined shall not exceed a total diversion rate of 32.54 cfs, a total annual maximum diversion volume of 8583.2 af at the field headgate, and the irrigation of 2145.8 acres.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 214 Prior to the diversion and use of water under Transfer approval 75608, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. X35 Rights 36-16773, 36-16775, 36-16777, 36-16779, 36-16781, 36-16783, 36-16785, and 36-16787 when combined shall not exceed a total diversion rate of 28.24 cfs, a total annual maximum diversion volume of 7303.2 af at the field headgate, and the irrigation of 1825.8 acres.
9. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
10. X27 This right is limited to the irrigation of 276.7 acres within the authorized place of use in a single irrigation season.
11. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
12. 206 Rights 36-2593, 36-2693, 36-16773, 36-16775, 36-16777, 36-16779, 36-16781, 36-16783, 36-16785, and 36-16787 are limited to the irrigation of a specific 2145.8 acres within the 2508.5 acre place of use authorized by these rights in a single irrigation season. The specific 2145.8 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 2145.8 acres to be irrigated within the 2508.5 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
13. X35 Rights 36-16773 and 36-16775 when combined shall not exceed a total annual maximum diversion volume of 1959.2 af at the field headgate, and the irrigation of 489.8 acres.



BROCKWAY ENGINEERING, PLLC.
GWS - Date: 3/23/2023

JENTZSCH KEARL FARMS

NAIP 2021 AERIAL

Legend

- POD
- Transfer_9
- Transfer_10
- Hidden_Valley_Farm_Property



IDAHO DEPARTMENT OF
WATER RESOURCES

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

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

July 19, 2024

JOSEPH N KEARL
MELYNDA KEARL
427 E 500 N
RUPERT ID 83350-9574

Re: Withdrawal of Application for Transfer No(s). 87883, Water Right No. 36-7934;
87885, Water Right No. 36-8624; and 87887, Water Right No. 36-16773

Dear Applicant(s):

Thank you for your recent withdrawal of the above referenced application for transfer.
No further action is required at this time.

A refund request was previously submitted for processing and sent to Brockway
Engineering PLLC. A partial refund was due for the application(s) that were not
processed or advertised.

Please contact our office at 208-736-3033 if you have additional questions on this
matter. Also, more information about water rights and other matters administered by
this agency is available our website at www.idwr.idaho.gov.

Sincerely,

for: Denise Maline

Corey Skinner
Southern Regional Manager

c: Brockway Engineering PLLC

Bitzenburg, James

From: Bitzenburg, James
Sent: Friday, June 28, 2024 1:42 PM
To: IdwrPayable
Subject: Request for refund of fees

Good Afternoon-

On April 10, 2023, our office received a group of water right transfer applications for several farms in the Eastern Magic Valley area. We processed and advertised two of the transfers, and, at that point, the representative contacted our office and asked that all processing of the applications cease. On June 17 of this year, we received *Withdrawal of Application for Transfer of Water Right* forms for all the applications, and requests for refunds of the fees. We cannot refund the fees for the two applications that were advertised, but can for the others. The two that were advertised were: Transfer #87808 (right 36-16554), \$500.00 fee, and Transfer #87825 (rights 36-7193 and 36-2123), \$500.00 fee.

The total fee paid was \$6240.00 and the non-refundable portion was \$1000.00, so a refund of \$5240.00 is due to Brockway Engineering, PLLC of Twin Falls. They paid the fees with check #17397 and the IDWR receipt was S039735. Their address is:

**BROCKWAY ENGINEERING PLLC
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301**

Thank you and let me know if you need further information.

Jim

Jim Bitzenburg
Water Rights Supervisor
Idaho Department of Water Resources
Southern Regional Office
Phone (208)-293-9909
james.bitzenburg@idwr.idaho.gov

Bitzenburg, James

From: Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent: Monday, June 17, 2024 10:48 AM
To: Skinner, Corey; Bitzenburg, James
Cc: 'Bret Andersen'; 'Michael Stockburger'
Subject: Jentzsch Kearn Farms Transfer Withdrawals
Attachments: Signed Withdrawal Forms.pdf

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Corey and Jim,

See the attached signed transfer withdrawal forms.

Let me know if you have any additional questions.

Greg Sullivan
Brockway Engineering
2016 North Washington Street, Suite 4
Twin Falls, Idaho 83301
208-736-8543

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

JUN 06 2024

DEPT. OF WATER RESOURCES
SOUTHERN REGION

June 3, 2024

Corey Skinner
Idaho Department of Water Resources
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301

Re: Transfer Applications

Dear Mr. Skinner:

1. It is requested that transfer # 87808 be withdrawn from being processed by IDWR.
2. It is requested that transfer # 87825 be withdrawn from being processed by IDWR.
3. It is requested that transfer # 87881 be withdrawn from being processed by IDWR.
4. It is requested that transfer # 87882 be withdrawn from being processed by IDWR.
5. It is requested that transfer # 87883 be withdrawn from being processed by IDWR.
6. It is requested that transfer # 87884 be withdrawn from being processed by IDWR.
7. It is requested that transfer # 87885 be withdrawn from being processed by IDWR.
8. It is requested that transfer # 87886 be withdrawn from being processed by IDWR.
9. It is requested that transfer # 87887 be withdrawn from being processed by IDWR.
10. It is requested that transfer # 87888 be withdrawn from being processed by IDWR.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

Please send any repayments amounts to Brockway Engineering because processing fees were paid by Brockway Engineering.

Please contact me if you have any questions.

Sincerely,



Greg Sullivan, M.S., Engineer

Cc: Bryan Jentzsch

Bitzenburg, James

From: Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent: Friday, April 21, 2023 4:45 PM
To: Bitzenburg, James
Subject: RE: Jentzsch/SSJ/Kearl
Attachments: SKM_C300i23042103270.pdf

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

[Here you go.](#)

From: Bitzenburg, James [mailto:James.Bitzenburg@idwr.idaho.gov]
Sent: Friday, April 21, 2023 4:13 PM
To: Greg Sullivan <greg.sullivan@brockwayeng.com>
Subject: Jentzsch/SSJ/Kearl

Greg-

In the SSJ, etc transfers, it looks like the POU descriptions in the transfers involving the 1257.0 acre PPU shows 19 acres in 07S, 25E, Section 5, in the NWNW instead of the NENW (see attached). Let me know what you think and shoot me corrected pages if you concur. Thanks,

Jim

Jim Bitzenburg
Water Rights Supervisor
Idaho Department of Water Resources
Southern Regional Office
Phone (208)-293-9909
james.bitzenburg@idwr.idaho.gov



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

APR 10 2023

DEPT OF WATER RESOURCES
SOUTHERN REGION

April 7, 2023

Corey Skinner
Idaho Department of Water Resources
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301

Re: 36-16773 and 36-16826

Dear Mr. Skinner:

Joseph Kearn, Melynda Kearn and SSJ Farms LLC desire to transfer 22.0 acres of water rights 36-16773 and 22.0 acres of water right 36-16826. The two transfers will offset each other and the 22.0 acres of irrigation that is being moved will be back filled by the other 22.0 acres of irrigation water. The water right ownership of these water right portion will be updated after the transfers are approved.

The irrigation place of use and points of diversion will need to be updated with these transfers.

The water right ownership, beneficial use and period of use will not be changing. The ESPA Model analysis of these transfers indicate that no mitigation is required.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Bryan Jentzsch

Enc: Transfer 9 Application, Transfer 10 Application, Aerial Maps, AgWest Consent Letter, ESPA Model Analysis, Owner Consent Agreement, Annual Report, Brockway Engineering Check # 1997 for \$1,200.00.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506