

APR 10 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Eastern RegionAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant(s) GRANDVIEW RANCH LLCPhone 2087852310Mailing address 266 W BRIDGE BLACKFOOT, ID 83221Email debaker@bakerharrislaw.com

- ☐ 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 Greg SullivanPhone 208-736-8543Mailing address 2016 N Washington St Ste 4 Twin Falls, Idaho 83301Email 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.

Dustin E. Baker
Signature of Applicant or Authorized Representative

DWIGHT E. BAKER, Managing Attorney 4-6-23
Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

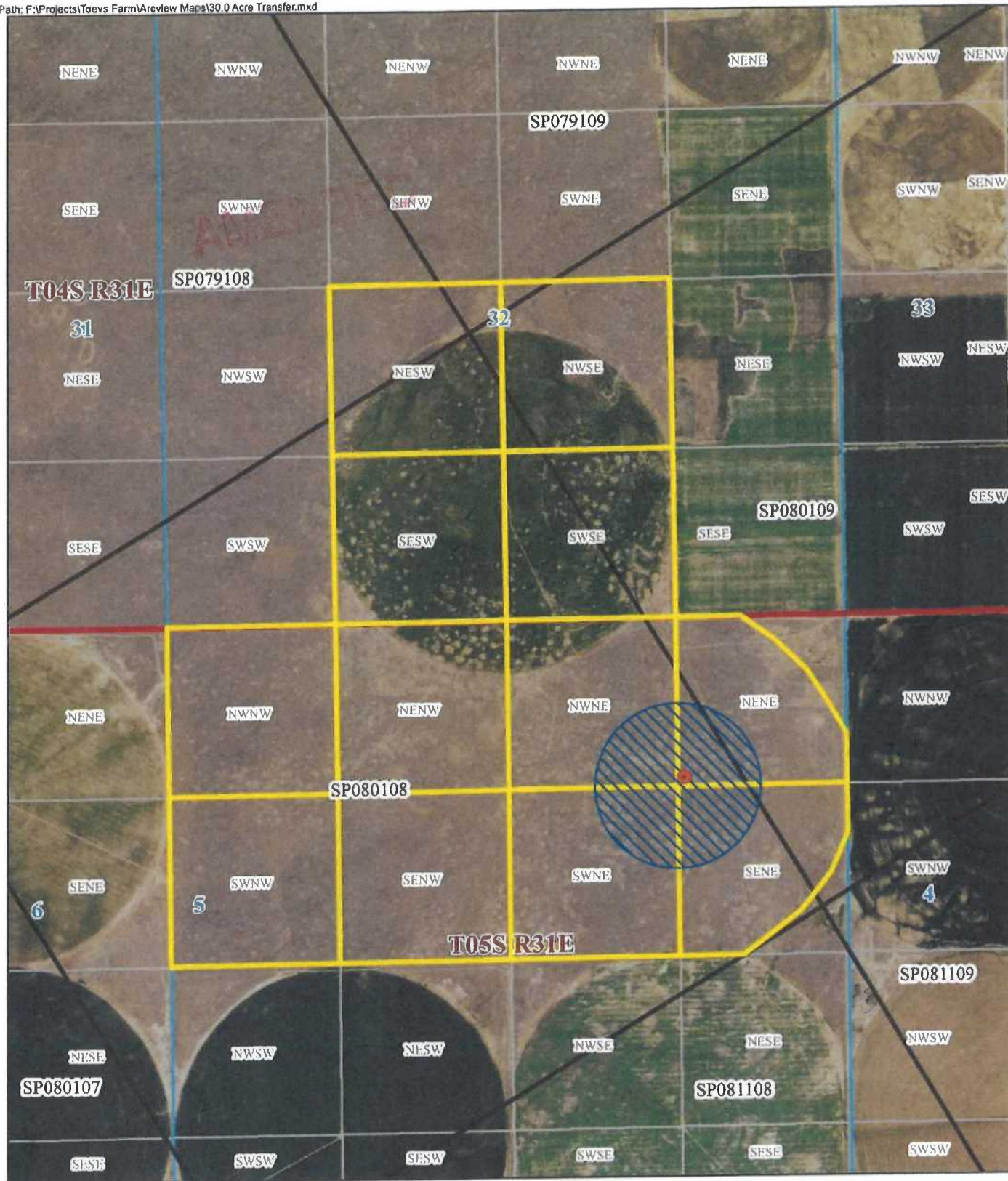
- ☒ Change point of diversion
☐ Change nature of use
 ☐ Add diversion point(s)
☐ Change period of use
 ☒ Change place of use
☐ Other _____
- Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- 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 will move 30.0 acre of irrigation water right 35-14181 to an existing POD, a new POD and a new pivot will be installed. A 57.9 acre portion of 35-14181 will be purchased by Lance and Lisa Funk in early 2023. The 30.0 acres for this transfer are a portion of the 57.9 acres purchased from Grandview Ranch LLC.

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:
There is one existing well, mainline and pivot on this farm. This transfer will require new well to be drilled, new mainline and a new pivot to be installed.
- b. Who owns the property at the point(s) of diversion? William and Joanne Toews
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
See the 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: NA
- AMENDED
- 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:
The land will no longer be able to be irrigated or enrolled in a federal set aside program.
- 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:
35-14736, 35-14453, and 35-14454
- 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:
See CREP contracts.



0 750 1,500 Feet

**TOEVS FARM
IRRIGATION TRANSFER**

NAIP 2021 AERIAL

Legend

- New_Well
- 30.0_Acre_Irr_2023
- PPU QQ



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

APR 10 2023

Department of Water Resources
Eastern Region

April 6, 2023

James Cefalo
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

Re: Transfer #87513

Dear Mr. Cefalo:

Grandview Ranch LLC and William and Joanne Toevs have agreed to transfer 30.0 acres of water right 35-14181 to property owned by William and Joanne Toevs.

Transfer #87513 was submitted to IDWR and advertised. It was discovered that the original transfer application omitted identifying a proposed 2nd point of diversion at the transfer TO location. Attached to this letter are amended pages to the original transfer application that identifies where the 2nd point of diversion will be located. All other descriptions, characteristics and agreements will remain unchanged with the amended transfer.

A check for \$50.00 is also attached to this letter for a re-advertising fee.

Please copy our office on all correspondence regarding these applications.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: William Toevs, Dwight Baker via Email

Enc: Amended Transfer Application Pages, Aerial Map, Brockway Engineering Check # 17398
for \$50.00

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



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

April 19, 2023

GRANDVIEW RANCH LLC
266 W BRIDGE
BLACKFOOT, ID 83221

RE: Transfer No. 87513
Water Right No(s). 35-14181

Dear Applicant:

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

A legal notice of the application has been prepared and is scheduled for publication in the BINGHAM NEWS CHRONICLE on 4/26/2023 and 5/3/2023. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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,

Christina Henman
Administrative Assistant

CC:
BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 WASHINGTON ST N STE 4
TWIN FALLS, ID 83301-3082

Henman, Christina

From: Henman, Christina
Sent: Wednesday, April 19, 2023 4:50 PM
To: legalnotices@postregister.com
Subject: Legal Notice for News Chronicle
Attachments: 87513 Bingham News Chronicle.docx

LEGAL NOTICE DEPARTMENT
BINGHAM NEWS CHRONICLE
PO BOX 70
BLACKFOOT, ID 83221-0070

RE: Transfer No. 87513
Water Right No(s). 35-14181

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 5/15/2023. Your cooperation is appreciated.

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 87513

GRANDVIEW RANCH LLC, 266 W BRIDGE, BLACKFOOT, ID 83221 has filed Application No. 87513 for changes to the following water rights within BINGHAM County(s): Right No(s). 35-14181; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion and place of use. Proposed point of diversion is in NENE Sec 5 T05S R31E for 0.53 cfs from ground water. Proposed place of use is in NE 1/4 Sec 5 T05S R31E for irrigation of 30 acres within a 461.4-acre permissible place of use.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 5/15/2023. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 4/26/2023 and 5/3/2023