STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 85049

This is to certify that: VERBREE LAND HOLDINGS LLC
PO BOX 30
WENDELL, ID 83355-0030

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
36-10147	WR/DECREED	1/1/1975	0.040 cfs	N/A	N/A	N/A	GROUND WATER
36-10668	WR/DECREED	1/1/1918	0.200 cfs	N/A	N/A	N/A	GROUND WATER
36-7318A	WR/DECREED	3/21/1973	0.240 cfs	80.8 af	N/A	N/A	GROUND WATER
36-7318B	WR/DECREED	3/21/1973	0.100 cfs	8.8 af	N/A	N/A	GROUND WATER
36-7318C	WR/DECREED	3/21/1973	0.090 cfs	43.2 af	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-10147	NO	NO	YES	YES	NO	NO
36-10668	NO	NO	YES	YES	NO	NO
36-7318A	NO	NO	YES	YES	NO	NO
36-7318B	NO	NO	YES	YES	NO	NO
36-7318C	NO	NO	YES	YES	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
36-10147	36-10147	0.040 cfs	14.6 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-10668	36-10668	0.200 cfs	14.6 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-7318A	36-7318A	0.240 cfs	80.8 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-7318B	36-7318B	0.100 cfs	8.8 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-7318C	36-7318C	0.090 cfs	43.2 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**0.670 cfs**	**147.4 af**	**N/A**	**N/A**		**N/A**	**N/A**	**N/A**	**N/A**

SUPPORT DATA
IN FILE # 36-7318A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 85049

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 18th day of August, 2022.

Southern Region Manager

WATER RIGHT NO. 36-10147

As Modified by Transfer No. 85049

In accordance with the approval of Transfer No. 85049, Water Right No. 36-10147 is now described as follows:

Right Holder: VERBREE LAND HOLDINGS LLC
PO BOX 30
WENDELL, ID 83355-0030

Priority Date: 1/2/1975

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
DOMESTIC	1/01	to	12/31	0.040 cfs	14.6 af
STOCKWATER	1/01	to	12/31	0.040 cfs	14.6 af
				0.040 cfs	14.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 26 Twp 07S Rge 14E	GOODING County
GROUND WATER	SESE	Sec 26 Twp 07S Rge 14E	GOODING County
GROUND WATER	SWSE	Sec 26 Twp 07S Rge 14E	GOODING County
GROUND WATER	SWSE	Sec 26 Twp 07S Rge 14E	GOODING County

PLACE OF USE: DOMESTIC

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S	14E	26													X		X	X	

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S	14E	26													X	X	X	X	

CONDITIONS OF APPROVAL

1. The quantity of water under this right shall not exceed 13,000 gallons per day.
2. Rights 36-10147 and 36-10668 when combined shall not exceed a total annual maximum diversion volume of 14.6 af.
3. Use of water under this right may 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.

Transfer No. 85049

WATER RIGHT NO. 36-10147

As Modified by Transfer No. 85049

CONDITIONS OF APPROVAL

4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

6. 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. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 36-10668

As Modified by Transfer No. 85049

In accordance with the approval of Transfer No. 85049, Water Right No. 36-10668 is now described as follows:

Right Holder: VERBREE LAND HOLDINGS LLC
PO BOX 30
WENDELL, ID 83355-0030

Priority Date: 1/1/1918

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
DOMESTIC	1/01	to	12/31	0.040 cfs	14.6 af
STOCKWATER	1/01	to	12/31	0.200 cfs	14.6 af
				0.200 cfs	14.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 26 Twp 07S Rge 14E	GOODING County
GROUND WATER	SESE	Sec 26 Twp 07S Rge 14E	GOODING County
GROUND WATER	SWSE	Sec 26 Twp 07S Rge 14E	GOODING County
GROUND WATER	SWSE	Sec 26 Twp 07S Rge 14E	GOODING County

PLACE OF USE: DOMESTIC

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S	14E	26													X		X	X	

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S	14E	26													X	X	X	X	

CONDITIONS OF APPROVAL

1. The quantity of water under this right shall not exceed 13,000 gallons per day.
2. Rights 36-10147 and 36-10668 when combined shall not exceed a total annual maximum diversion volume of 14.6 af.
3. Use of water under this right may 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.

Transfer No. 85049

WATER RIGHT NO. 36-10668

As Modified by Transfer No. 85049

CONDITIONS OF APPROVAL

4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

6. 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. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 36-7318A

As Modified by Transfer No. 85049

In accordance with the approval of Transfer No. 85049, Water Right No. 36-7318A is now described as follows:

Right Holder: VERBREE LAND HOLDINGS LLC
PO BOX 30
WENDELL, ID 83355-0030

Priority Date: 3/21/1973

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
COMMERCIAL	1/01	to	12/31	0.240 cfs	80.8 af
				0.240 cfs	80.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 26 Twp 07S Rge 14E	GOODING County
GROUND WATER	SESE	Sec 26 Twp 07S Rge 14E	GOODING County
GROUND WATER	SWSE	Sec 26 Twp 07S Rge 14E	GOODING County
GROUND WATER	SWSE	Sec 26 Twp 07S Rge 14E	GOODING County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S	14E	26													X	X	X	X	

CONDITIONS OF APPROVAL

1. Commercial use is for a dairy.
2. Use of water under this right may 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.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 36-7318A

As Modified by Transfer No. 85049

CONDITIONS OF APPROVAL

6. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 36-7318B

As Modified by Transfer No. 85049

In accordance with the approval of Transfer No. 85049, Water Right No. 36-7318B is now described as follows:

Right Holder: VERBREE LAND HOLDINGS LLC
PO BOX 30
WENDELL, ID 83355-0030

Priority Date: 3/21/1973

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
DOMESTIC	1/01	to	12/31	0.030 cfs	2.4 af
STOCKWATER	1/01	to	12/31	0.100 cfs	6.4 af
				0.100 cfs	8.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 26 Twp 07S Rge 14E	GOODING County
GROUND WATER	SESE	Sec 26 Twp 07S Rge 14E	GOODING County
GROUND WATER	SWSE	Sec 26 Twp 07S Rge 14E	GOODING County
GROUND WATER	SWSE	Sec 26 Twp 07S Rge 14E	GOODING County

PLACE OF USE: DOMESTIC

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S	14E	26													X		X	X	

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S	14E	26													X	X	X	X	

CONDITIONS OF APPROVAL

1. Use of water under this right may 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.

2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

Transfer No. 85049

WATER RIGHT NO. 36-7318B

As Modified by Transfer No. 85049

CONDITIONS OF APPROVAL

3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

5. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 36-7318C

As Modified by Transfer No. 85049

In accordance with the approval of Transfer No. 85049, Water Right No. 36-7318C is now described as follows:

Right Holder: VERBREE LAND HOLDINGS LLC
PO BOX 30
WENDELL, ID 83355-0030

Priority Date: 3/21/1973

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
STOCKWATER	1/01	to	12/31	0.090 cfs	43.2 af
				0.090 cfs	43.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 26 Twp 07S Rge 14E	GOODING County
GROUND WATER	SESE	Sec 26 Twp 07S Rge 14E	GOODING County
GROUND WATER	SWSE	Sec 26 Twp 07S Rge 14E	GOODING County
GROUND WATER	SWSE	Sec 26 Twp 07S Rge 14E	GOODING County

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S	14E	26													X	X	X	X	

CONDITIONS OF APPROVAL

1. Use of water under this right may 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.

2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 36-7318C

As Modified by Transfer No. 85049

CONDITIONS OF APPROVAL

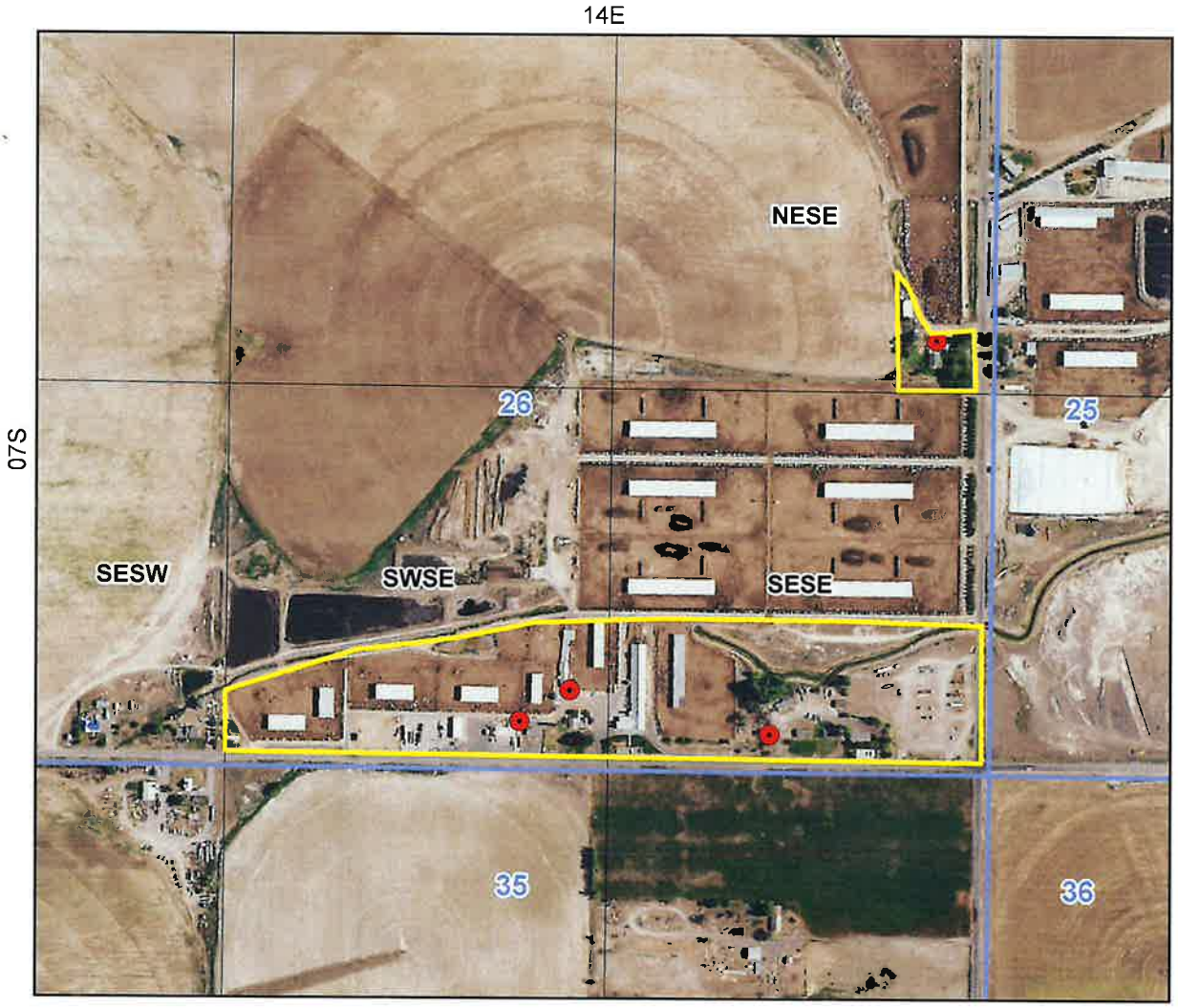
5. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho
Department of Water Resources

Attachment to Transfer # 85049

36-7318B, 10147, and 36-10668

This map depicts the DOMESTIC place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.



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

0 0.075 0.15 0.3 Miles

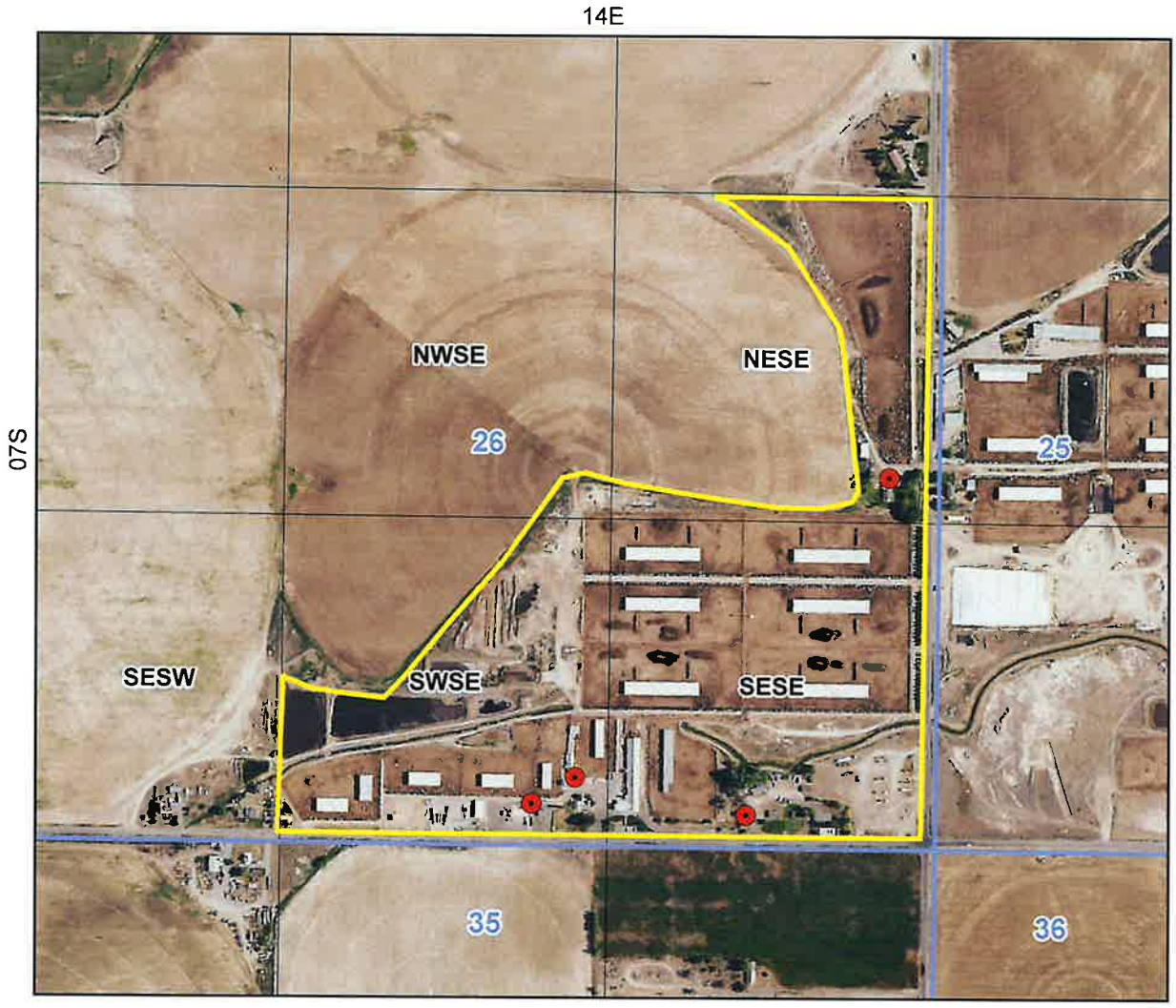
N

State of Idaho
Department of Water Resources

Attachment to Transfer # 85049

36-7318B, 36-7318C, 36-10147, and 36-10668

This map depicts the STOCKWATER place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.



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

0 0.075 0.15 0.3 Miles

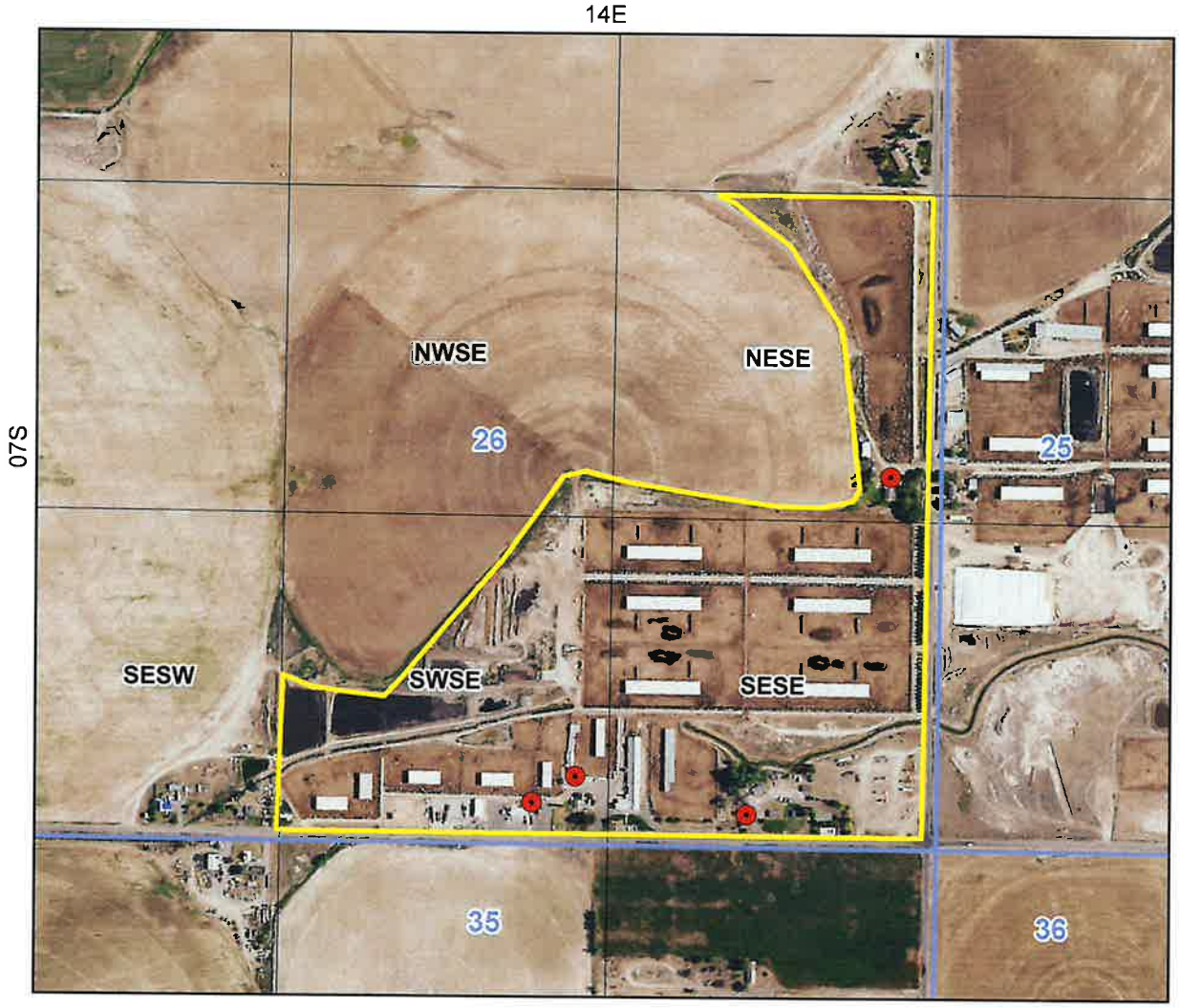
N

State of Idaho
Department of Water Resources

Attachment to Transfer # 85049

36-7318A

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



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

0 0.075 0.15 0.3 Miles

N

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 Gary Spackman**

August 23, 2022

VERBREE LAND HOLDINGS LLC
PO BOX 30
WENDELL ID 83355-0030

Re: Transfer No: 85049
Water Right No(s).: 36-7318A, 36-7318B, 36-7318C, 36-10147, 36-10668

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

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

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

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

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

Sincerely,

Corey Skinner
Southern Regional Manager

Enclosure

c:

METLIFE REAL ESTATE LENDING LLC
C/O METLIFE INVESTMENT MANAGEMENT LLC
10801 MASTIN ST STE 700
OVERLAND PARK KS 66210-1673

WATER DISTRICT 130
BRIAN RAGAN
PO BOX 83720
BOISE ID 83720-0098

CERTIFICATE OF SERVICE

I hereby certify that on August 23, 2022 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 85049
Water Right No(s).: 36-7318A, 36-7318B, 36-7318C, 36-10147, 36-10668

VERBREE LAND HOLDINGS LLC
PO BOX 30
WENDELL ID 83355-0030

METLIFE REAL ESTATE LENDING LLC
C/O METLIFE INVESTMENT MANAGEMENT LLC
10801 MASTIN ST STE 700
OVERLAND PARK KS 66210-1673

WATER DISTRICT 130
BRIAN RAGAN
PO BOX 83720
BOISE ID 83720-0098

Denise Maline

Denise Maline
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

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

(Required by Rule of Procedure 730.02)

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

Sufficiency Memorandum

Date: February 24, 2022

To: Transfer 85049

From: Benny Walker

Re: Evaluation of Sufficiency of Information Submitted

This transfer application proposes to change the place of use (POU) for 5 ground water rights with a total diversion rate of 0.67cfs, for domestic, stockwater, and commercial uses, at an existing dairy. The transfer also proposes to identify 4 existing wells as authorized points of diversion (PODs) for all 5 water rights. The POU and PODs are located approximately 0.5 to 1.0 miles north and 3.4 to 4.0 miles west of the City of Wendell. The wells involved with this transfer are all within or adjacent to other model cells thus no model analysis was required.

The rights involved with this application are located within Water District 130. Therefore, watermaster comments were solicited and the watermaster is not opposed to approval of this transfer. The application was subject to notice and protest. No protest were received

- **Authority to File:**
  The applicant is listed as the current owner of the water rights involved in the transfer according to department records.

- **Water Right Validity:**
  The water rights involved in the transfer were decreed in the SRBA. Recent aerial photography indicates that the land has been used in recent years.

- **Injury to Other Water Rights:**
  None anticipated.

- **Enlargement of Use:**
  None anticipated.

- **Local Public Interest:**
  No negative impacts anticipated. No protests were received

- **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.

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Transfer No: 85049
Water Right No: 36-7318A, etc.
Applicant Name: VERBREE LAND HOLDINGS LLC

Watermaster's Recommendation:

a) __X__ I do not oppose approval of this application

b) ____ I do not oppose approval of this application under the following terms:

c) ____ I oppose approval of this application(s) for the following reasons:

d) ____ Additional comment:

Dated: February 15, 2022

Water District 130

Nathan Erickson

Nathan Erickson, Watermaster

* Proof of Publication *

Twin Falls Times-News
132 Fairfield St W, Twin Falls, Idaho 83301

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

2 Insertions

ID DEPARTMENT OF WATER RESOURCES

650 ADDISON AVE W, STE 500
TWIN FALLS ID 83301

ORDER NUMBER 123474

Sherri Davis

(Legals Clerk)

STATE OF IDAHO)
.SS
COUNTY OF TWIN FALLS)

On this 27th day of January in the year of 2022 before me, a Notary Public, personally appeared before me Sherri Davis known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Reba M Davis

Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 5/8/2026

REBA M. DAVIS NOTARY PUBLIC MY COMMISSION EXPIRES 5-8-2026 STATE OF IDAHO COMMISSION NUMBER 65586

Section: Legals

Category: 50 Legal

PUBLISHED ON: 01/20/2022, 01/27/2022

TOTAL AD COST: 148.68

FILED ON: 1/27/2022

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
2-10633
THERESA POLLARD
4732 RIVER RD
BUHL, ID 83316-5103
Point of Diversion L4(SENW) S4 T09S R14E TWIN FALLS County
Source SNAKE RIVER Tributary COLUMBIA RIVER
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 12-08-2021
Place Of Use: DOMESTIC
T09S R14E S4 L4(SENW)
Application proposes to divert up to 0.04 cfs from the Snake River for domestic use. Place of use and Point of diversion are located approximately 5.4 miles north and 3.2 miles west of the intersection of Main St and Broadway Ave in Buhl. This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 85049

VERBREE LAND HOLDINGS LLC, PO BOX 30, WENDELL, ID 83355-0030 has filed Application No. 85049 for changes to the following water rights within GOODING County(s): Right No(s). 36-10147, 36-10668, 36-7318A, 36-7318B, 36-7318C. The purpose of the transfer is to change a portion of the above rights as follows: This transfer application proposes to change the place of use (POU) for 5 ground water rights with a total diversion rate of 0.67cfs, for domestic, stockwater, and commercial uses, at an existing dairy. The transfer also proposes to identify 4 existing wells as authorized points of diversion (PODs) for all 5 water rights. The POU and PODs are located approximately 0.5 to 1.0 miles north and 3.4 to 4.0 miles west of the City of Wendell.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see https://research.idwr.idaho.gov. 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, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of $25.00 for each application on or before **February 7, 2022.** The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on January 20th & 27th, 2022

✓ bm 2/8/2022

RECEIVED
FEB 02 2022
DEPT OF WATER RESOURCES
SOUTHERN REGION