

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 85986**

This is to certify that: **IDA GOLD FARMS GENERAL PARTNERSHIP**
2500 OVERLAND AVE
BURLEY, ID 83318-2941

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

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
43-2366B	WR/DECREED	8/15/1951	0.770 cfs	139.2 af	N/A	N/A	GROUND WATER
43-2375B	WR/DECREED	3/6/1952	1.350 cfs	403.7 af	N/A	2.0	GROUND WATER
43-2555B	WR/DECREED	10/30/1962	0.980 cfs	186.3 af	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
43-2366B	NO	YES	NO	NO	NO	NO
43-2375B	NO	YES	NO	NO	NO	NO
43-2555B	NO	YES	NO	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
43-2366B	43-2366B	0.770 cfs	139.2 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
43-2375B	43-2375B	1.350 cfs	403.7 af	N/A	2.0	N/A	N/A	N/A	N/A	N/A
43-2555B	43-2555B	0.980 cfs	186.3 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		3.100 cfs	590.0 af	N/A	N/A		N/A	N/A	N/A	N/A

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 4th day of May, 2022.


Southern Region Manager

SUPPORT DATA

IN FILE # 43-2366B

Transfer No. 85986

WATER RIGHT NO. 43-2366B**As Modified by Transfer No. 85986**

In accordance with the approval of Transfer No. 85986, Water Right No. 43-2366B is now described as follows:

Right Holder: IDA GOLD FARMS GENERAL PARTNERSHIP
2500 OVERLAND AVE
BURLEY, ID 83318-2941

Priority Date: 8/15/1951

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to 12/31	0.770 cfs	139.2 af
STOCKWATER	01/01	to 12/31	0.770 cfs	139.2 af
			0.770 cfs	139.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA County

PLACE OF USE: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	2	X	X	X	X					X	X	X	X	X	X	X	X	
11S	26E	11	X	X	X	X	X	X	X	X	X			X	X	X	X	X	
11S	26E	13		X	X	X	X	X	X	X									
11S	26E	14	X	X	X	X	X			X									
11S	27E	17											X						
11S	27E	18					X	X	X	X									
								L 1	L 2										
11S	27E	19													X			X	
11S	27E	20						X	X			X	X						
11S	27E	29						X											
11S	27E	30	X		X	X									X	X	X	X	

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	13	X	X			X	X											
11S	26E	14	X			X													
11S	27E	18						X											
								L 1											

WATER RIGHT NO. 43-2366B
As Modified by Transfer No. 85986

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. 143.
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 diversions.
3. Rights 43-2366B and 43-2375B when combined shall not exceed a total annual maximum diversion volume of 403.7 af.
4. Rights 43-2366B, 43-2375B and 43-2555B when combined shall not exceed a total diversion rate of 3.1 cfs, a total annual maximum diversion volume of 590 af.
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. 43-2375B**As Modified by Transfer No. 85986**

In accordance with the approval of Transfer No. 85986, Water Right No. 43-2375B is now described as follows:

Right Holder: IDA GOLD FARMS GENERAL PARTNERSHIP
2500 OVERLAND AVE
BURLEY, ID 83318-2941

Priority Date: 3/6/1952

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to 12/31	1.350 cfs	390.9 af
DOMESTIC	01/01	to 12/31	0.130 cfs	4.8 af
IRRIGATION	03/15	to 11/15	0.060 cfs	8.0 af
STOCKWATER	01/01	to 12/31	1.350 cfs	390.9 af
			1.350 cfs	403.7 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E CASSIA County
GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E CASSIA County
GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E CASSIA County

PLACE OF USE: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	2	X	X	X	X					X	X	X	X	X	X	X	X	
11S	26E	11	X	X	X	X	X	X	X	X	X				X	X	X	X	
11S	26E	13		X	X	X	X	X	X	X									
11S	26E	14	X	X	X	X	X			X									
11S	27E	17											X						
11S	27E	18					X	X	X	X									
								L 1	L 2										
11S	27E	19													X				
11S	27E	20						X	X			X	X						X
11S	27E	29						X											
11S	27E	30	X		X	X									X	X	X	X	

PLACE OF USE: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	14	X																

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	14	2.0																2.0

Transfer No. 85986

WATER RIGHT NO. 43-2375B**As Modified by Transfer No. 85986****PLACE OF USE: IRRIGATION**

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
POU Total Acres:			2.0																

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	13	X	X			X	X											
11S	26E	14	X			X													
11S	27E	18						X											
								L 1											

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. 143.
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 diversions.
3. Rights 43-2366B and 43-2375B when combined shall not exceed a total annual maximum diversion volume of 403.7 af.
4. Rights 43-2366B, 43-2375B and 43-2555B when combined shall not exceed a total diversion rate of 3.1 cfs, a total annual maximum diversion volume of 590 af.
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. 43-2555B**As Modified by Transfer No. 85986**

In accordance with the approval of Transfer No. 85986, Water Right No. 43-2555B is now described as follows:

Right Holder: IDA GOLD FARMS GENERAL PARTNERSHIP
2500 OVERLAND AVE
BURLEY, ID 83318-2941

Priority Date: 10/30/1962

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to 12/31	0.980 cfs	186.3 af
STOCKWATER	01/01	to 12/31	0.980 cfs	186.3 af
			0.980 cfs	186.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 13 Twp 11S Rge 26E	CASSIA County

PLACE OF USE: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	2	X	X	X	X					X	X	X	X	X	X	X	X	
11S	26E	11	X	X	X	X	X	X	X	X	X			X	X	X	X	X	
11S	26E	13		X	X	X	X	X	X	X									
11S	26E	14	X	X	X	X	X			X									
11S	27E	17											X						
11S	27E	18					X	X	X	X									
								L 1	L 2										
11S	27E	19													X				X
11S	27E	20						X	X			X	X						
11S	27E	29						X											
11S	27E	30	X		X	X									X	X	X	X	

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	13	X	X			X	X											
11S	26E	14	X			X													
11S	27E	18					X												
								L 1											

WATER RIGHT NO. 43-2555B

As Modified by Transfer No. 85986

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. 143.
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 diversions.
3. Rights 43-2366B, 43-2375B and 43-2555B when combined shall not exceed a total diversion rate of 3.1 cfs, a total annual maximum diversion volume of 590 af.
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.
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.

State of Idaho
Department of Water Resources
Attachment to Transfer # 85986
43-2366B, 43-2375B, and 43-2555B

This map depicts the point of diversion locations for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.

26E



● Point of Diversion

□ Townships

□ PLS Sections

□ Quarter Quarters

0 0.05 0.1 0.2 Miles



RECEIVED

MAR 31 2022

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 85986

MINIMUM REQUIREMENTS CHECKLIST

TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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/>.

Name of Applicant(s) IDA GOLD FARMS GENERAL PARTNERSHIP**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.
- ☐ ☒ #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).
- ☐ ☒ #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.)
- ☐ ☒ #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: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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MAR 31 2022

DEPT. OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant IDA GOLD FARMS GENERAL PARTNERSHIP

Phone (208) 678-4820

Mailing Address 2500 OVERLAND AVE, BURLEY ID 83318-2941

Email idagoldfarms@gmail.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 Representative

Name of Representative _____

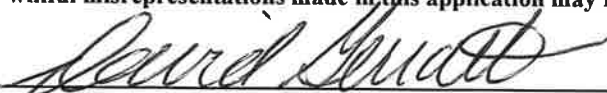
Phone _____

Mailing Address _____

Email _____

- ☐ 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

David Gerratt member
Print Name and Title if applicable

3-31-2022
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	43-2366B	No	Yes	No	No	No	No
	43-2375B	No	Yes	No	No	No	No
	43-2555B	No	Yes	No	No	No	No

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

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.2**

Change legal description of wells from the 10 acre tract designation (that appears to be a decree error) and incorrectly describes two well locations. The 40 acre tract description will be used to accurately reflect well locations as described on the water rights prior to issuance of the partial decree.

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

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
43-2366B	0.770 cfs	139.2 af	N/A	N/A		N/A	N/A	N/A	N/A
43-2375B	1.350 cfs	403.7 af	N/A	2.0		N/A	N/A	N/A	N/A
43-2555B	0.980 cfs	186.3 af	N/A	N/A		N/A	N/A	N/A	N/A

**COMBINED
TOTALS**

3.100 cfs	590.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
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2. Total amount of water proposed to be transferred or changed 3.1 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☒ As shown in Part 1.
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

4. Place of Use:

- ☐ No changes to place of use are proposed. (Proceed to #5.)
- ☒ As shown in Part 1.
- ☐ See Attachment.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 43-2366B

Current Water Right Owner

IDA GOLD FARMS
 GENERAL PARTNERSHIP
 2500 OVERLAND AVE
 BURLEY, ID 83318-2941

Priority Date: 8/15/1951

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	0.770 CFS	139.2 AFA	
STOCKWATER	01/01	12/31	0.770 CFS	139.2 AFA	
Total Diversion			0.770 CFS	139.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWNW	Sec. 13 Twp 11S Rge 26E CASSIA County
GROUND WATER	NWNW	Sec. 13 Twp 11S Rge 26E CASSIA County
GROUND WATER	NWNW	Sec. 13 Twp 11S Rge 26E CASSIA County

Place of Use: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	2	X	X	X	X					X	X	X	X	X	X	X	X	
11S	26E	13		X	X	X	X	X	X	X				X	X	X	X	X	
11S	26E	14	X	X	X	X	X			X									
11S	27E	17											X						
11S	27E	18					X	X	X	X									
								L 1	L 2										
11S	27E	19													X			X	
11S	27E	20						X	X			X	X						
11S	27E	29						X											
11S	27E	30	X		X	X									X	X	X	X	

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	13	X	X			X	X											
11S	26E	14	X			X													
11S	27E	18						X											
								L 1											

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 43-2375B

Current Water Right Owner

IDA GOLD FARMS
 GENERAL PARTNERSHIP
 2500 OVERLAND AVE
 BURLEY, ID 83318-2941

Priority Date: 3/6/1952

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	1.350 CFS	390.9 AFA	
DOMESTIC	01/01	12/31	0.130 CFS	4.8 AFA	
IRRIGATION	03/15	11/15	0.060 CFS	8.0 AFA	
STOCKWATER	01/01	12/31	1.350 CFS	390.9 AFA	
Total Diversion			1.350 CFS	403.7 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWNW	Sec. 13 Twp 11S Rge 26E CASSIA County
GROUND WATER	NWNW	Sec. 13 Twp 11S Rge 26E CASSIA County
GROUND WATER	NWNW	Sec. 13 Twp 11S Rge 26E CASSIA County

Place of Use: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	2	X	X	X	X					X	X	X	X	X	X	X	X	
11S	26E	11	X	X	X	X	X	X	X	X	X			X	X	X	X	X	
11S	26E	13		X	X	X	X	X	X	X									
11S	26E	14	X	X	X	X	X			X									
11S	27E	17											X						
11S	27E	18					X	X	X	X									
								L 1	L 2										
11S	27E	19													X			X	
11S	27E	20						X	X			X	X						
11S	27E	29						X											
11S	27E	30	X		X	X									X	X	X	X	

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	14	X																

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	14	2.0																2.0

POU Total Acres: 2.0

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	13	X	X			X	X											
11S	26E	14	X			X													
11S	27E	18						X											

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
								L 1											

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 43-2555B

Current Water Right Owner

IDA GOLD FARMS
 GENERAL PARTNERSHIP
 2500 OVERLAND AVE
 BURLEY, ID 83318-2941

Priority Date: 10/30/1962

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	0.980 CFS	186.3 AFA	
STOCKWATER	01/01	12/31	0.980 CFS	186.3 AFA	
Total Diversion			0.980 CFS	186.3 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWNW	Sec. 13 Twp 11S Rge 26E CASSIA County
GROUND WATER	NWNW	Sec. 13 Twp 11S Rge 26E CASSIA County
GROUND WATER	NWNW	Sec. 13 Twp 11S Rge 26E CASSIA County

Place of Use: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	2	X	X	X	X					X	X	X	X	X	X	X	X	
11S	26E	13		X	X	X	X	X	X	X				X	X	X	X	X	
11S	26E	14	X	X	X	X	X			X									
11S	27E	17											X						
11S	27E	18					X	X	X	X									
								L 1	L 2										
11S	27E	19													X			X	
11S	27E	20						X	X			X	X						
11S	27E	29						X											
11S	27E	30	X		X	X									X	X	X	X	

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	13	X	X			X	X											
11S	26E	14	X			X													
11S	27E	18						X											
								L 1											

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
Measuring device and lockable controlling works will be installed if not already present; three wells provide commercial and stockwater at the facility.

- b. Who owns the property at the point(s) of diversion
Applicant
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No, ☐ 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: Metropolitan Life Insurance
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:

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

- 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:

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

Current Water Right No. 43-2366B

Current Water Right Owner

IDA GOLD FARMS
 GENERAL PARTNERSHIP
 2500 OVERLAND AVE
 BURLEY, ID 83318-2941

Priority Date: 8/15/1951

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	0.770 CFS	139.2 AFA	
STOCKWATER	01/01	12/31	0.770 CFS	139.2 AFA	
Total Diversion			0.770 CFS	139.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNWNW	Sec. 13 Twp 11S Rge 26E CASSIA County
GROUND WATER	NWNWNW	Sec. 13 Twp 11S Rge 26E CASSIA County
GROUND WATER	NWNWNW	Sec. 13 Twp 11S Rge 26E CASSIA County

Place of Use: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	2	X	X	X	X					X	X	X	X	X	X	X	X	0.0
11S	26E	11	X	X	X	X	X	X	X	X	X			X	X	X	X	X	0.0
11S	26E	13		X	X	X	X	X	X	X						X	X		0.0
11S	26E	14	X	X	X	X	X												0.0
11S	27E	17											X						0.0
11S	27E	18					X	X	X	X									0.0
								L 1	L 2										
11S	27E	19													X			X	0.0
11S	27E	20						X	X			X	X						0.0
11S	27E	29						X											0.0
11S	27E	30	X		X	X									X	X	X	X	0.0

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	13	X	X			X	X											0.0
11S	26E	14	X			X													0.0
11S	27E	18						X											0.0
								L 1											

Conditions/Remarks:

- USE OF THIS RIGHT WITH RIGHT NO. 43-2375B IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 403.7 AF.
- 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.

UTAH DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.1 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 590 AF. COMBINED RIGHT NOS.: 43-2366B, 43-2375B, & 43-2555B.

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

Current Water Right No. 43-2375B

Current Water Right Owner
 IDA GOLD FARMS
 GENERAL PARTNERSHIP
 2500 OVERLAND AVE
 BURLEY, ID 83318-2941

Priority Date: 3/6/1952

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	1.350 CFS	390.9 AFA	
DOMESTIC	01/01	12/31	0.130 CFS	4.8 AFA	
IRRIGATION	03/15	11/15	0.060 CFS	8.0 AFA	
STOCKWATER	01/01	12/31	1.350 CFS	390.9 AFA	
Total Diversion			1.350 CFS	403.7 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNWNW	Sec. 13 Twp 11S Rge 26E CASSIA County
GROUND WATER	NWNWNW	Sec. 13 Twp 11S Rge 26E CASSIA County
GROUND WATER	NWNWNW	Sec. 13 Twp 11S Rge 26E CASSIA County

Place of Use: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	2	X	X	X	X					X	X	X	X	X	X	X	X	0.0
11S	26E	11	X	X	X	X	X	X	X	X	X			X	X	X	X	X	0.0
11S	26E	13		X	X	X	X	X	X	X									0.0
11S	26E	14	X	X	X	X	X			X									0.0
11S	27E	17											X						0.0
11S	27E	18					X	X	X	X									0.0
								L 1	L 2										
11S	27E	19													X			X	0.0
11S	27E	20						X	X			X	X						0.0
11S	27E	29						X											0.0
11S	27E	30	X		X	X									X	X	X	X	0.0

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	14	X																0.0

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	14	2.0																2.0

POU Total Acres: 2.0

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	13	X	X			X	X											0.0
11S	26E	14	X			X													0.0
11S	27E	18						X											0.0

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
								L 1											

Conditions/Remarks:

1. 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. USE OF THIS RIGHT WITH RIGHT NO. 43-2366B IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 403.7 AF.
3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.1 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 590 AF. COMBINED RIGHT NOS.: 43-2366B, 43-2375B, & 43-2555B.

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

Current Water Right No. 43-2555B

Current Water Right Owner

IDA GOLD FARMS
 GENERAL PARTNERSHIP
 2500 OVERLAND AVE
 BURLEY, ID 83318-2941

Priority Date: 10/30/1962

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01	12/31	0.980 CFS	186.3 AFA	
STOCKWATER	01/01	12/31	0.980 CFS	186.3 AFA	
Total Diversion			0.980 CFS	186.3 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNWNW	Sec. 13 Twp 11S Rge 26E CASSIA County
GROUND WATER	NWNWNW	Sec. 13 Twp 11S Rge 26E CASSIA County
GROUND WATER	NWNWNW	Sec. 13 Twp 11S Rge 26E CASSIA County

Place of Use: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	2	X	X	X	X					X	X	X	X	X	X	X	X	0.0
11S	26E	11	X	X	X	X	X	X	X	X	X			X	X	X	X	X	0.0
11S	26E	13		X	X	X	X	X	X	X				X		X	X	X	0.0
11S	26E	14	X	X	X	X	X			X									0.0
11S	27E	17											X						0.0
11S	27E	18					X	X	X	X									0.0
								L 1	L 2										
11S	27E	19													X			X	0.0
11S	27E	20						X	X			X	X						0.0
11S	27E	29						X											0.0
11S	27E	30	X		X	X									X	X	X	X	0.0

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	13	X	X			X	X											0.0
11S	26E	14	X			X													0.0
11S	27E	18						X											0.0
								L 1											

Conditions/Remarks:

- USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.1 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 590 AF. COMBINED RIGHT NOS.: 43-2366B, 43-2375B, & 43-2555B.
- 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
2
CAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
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. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation.
Label it **Attachment #8b**

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

Transfer Contains 15 pages and attachments.
Received By SG Date 3/31/22 Prelim. Check By Date
Fee Paid \$150.00 Date 3/31/22 Received By SG Receipt # 5039152
Add'l Fee Paid Date Received By Receipt #

Attachment 7A: Well Locations



Transfer No. 85986



CERTIFICATE OF ASSUMED BUSINESS NAME

Pursuant to Section 53-504, Idaho Code, the undersigned submits for filing a certificate of Assumed Business Name.

Please type or print legibly.

Instructions are included on back of application.

FILED EFFECTIVE
2012 SEP 28 AM 9:40
SECRETARY OF STATE
STATE OF IDAHO

1. The assumed business name which the undersigned use(s) in the transaction of business is:

IDA GOLD FARMS, GENERAL PARTNERSHIP

2. The true name(s) and business address(es) of the entity or individual(s) doing business under the assumed business name:

Name

Complete Address

See attached

246 E. 300 S., Burley, ID 83318

3. The general type of business transacted under the assumed business name is:

- | | |
|--|--|
| ☐ Retail Trade | ☐ Transportation and Public Utilities |
| ☐ Wholesale Trade | ☐ Construction |
| ☐ Services | ☒ Agriculture |
| ☐ Manufacturing | ☐ Mining |
| ☐ Finance, Insurance, and Real Estate | |

4. The name and address to which future correspondence should be addressed:

ALAN GERRATT

246 E. 300 S.

Burley, ID 83318

5. Name and address for this acknowledgment copy is (if other than # 4 above):

WILLIAM A PARSONS

BOX 910

BURLEY, IDAHO 83318

Submit Certificate of
Assumed Business
Name and \$25.00 fee to:

Secretary of State
450 North 4th Street
PO Box 83720
Boise ID 83720-0080
208 334-2301

Secretary of State use only

Signature: *Rex Gerratt*

Printed Name: REX GERRATT

Capacity/Title: Partner

Signature: *Larry Gerratt*

Printed Name: LARRY GERRATT

Capacity/Title: Partner

IDAHO SECRETARY OF STATE
09/28/2012 05:00
CK: 25491 CT: 3788 BH: 1341787
1 @ 25.00 = 25.00 ASSUM NAME # 3

D158403

CERTIFICATE OF
ASSUMED BUSINESS NAME, cont.
(IDA GOLD FARMS, GENERAL PARTNERSHIP)

Signature: Alan Gerratt
Printed Name: ALAN GERRATT
Capacity/Title: Partner

Signature: Todd Gerratt
Printed Name: TODD GERRATT
Capacity/Title: Partner

Signature: David Gerratt
Printed Name: DAVID GERRATT
Capacity/Title: Partner

Signature: Steve Gerratt
Printed Name: STEVE GERRATT
Capacity/Title: Partner

Signature: Dan H Clayton
Printed Name: DAN H. CLAYTON
Capacity/Title: Partner



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

May 6, 2022

IDA GOLD FARMS GENERAL PARTNERSHIP
2500 OVERLAND AVE
BURLEY ID 83318-2941

Re: Transfer No: 85986

Water Right No(s): 43-2366B, 43-2375B, 43-2555B

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,

A handwritten signature in blue ink, appearing to read "Corey Skinner".

Corey Skinner
Southern Regional Manager

Enclosure

c:

METROPOLITAN LIFE INSURANCE COMPANY
AGRICULTURAL INVESTMENTS
10801 MASTIN ST STE 930
OVERLAND PARK KS 66210-1677

WATER DISTRICT 143
BRIAN RAGAN
PO BOX 83720
BOISE ID 83720-0098

CERTIFICATE OF SERVICE

I hereby certify that on May 6, 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.: 85986

Water Right No(s): 43-2366B, 43-2375B, 43-2555B

IDA GOLD FARMS GENERAL PARTNERSHIP
2500 OVERLAND AVE
BURLEY ID 83318-2941

METROPOLITAN LIFE INSURANCE COMPANY
AGRICULTURAL INVESTMENTS
10801 MASTIN ST STE 930
OVERLAND PARK KS 66210-1677

WATER DISTRICT 143
BRIAN RAGAN
PO BOX 83720
BOISE ID 83720-0098



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.

MEMORANDUM

Date: April 12, 2022
To: Transfer 85986 File
From: William Mills
Re: Evaluation of Sufficiency of Information Submitted

Application proposes updating the legal description for points of diversion (PODs) for three ground water rights, 43-2366B, 43-2375B & 43-2555B (3.1cfs combined total). Two of the PODs were described as in the NWNWNW of Sec. 13, Twp 11S, Rge26E on the partial decree (decreed 6/28/2002), when they were actually located in the SWNWNW of Sec. 13, Twp 11S, Rge26E.

Transfer, #68532 which was approved on 8/9/2001, correctly describes the wells as located in the NWNW. It should be noted that the preliminary recommendation (8/31/2001) also described the PODs in the NWNW.

This transfer will drop the 10 acre tract designation from the PODs and describe them as in the NWNW of Sec. 13, Twp 11S, Rge26E. Since the application only seeks to correct the location where the water right has always been diverted and used, and there is no actual hydrologic change, the transfer was processed, and can be approved without advertising.

PODs and POU are located in Water District 143, Watermaster comments were solicited and watermaster did not oppose approval of this application.

- **Authority to File:**
IDWR records indicate the applicant currently owns the water rights and properties the rights are appurtenant to.
- **Water Right Validity:**
The water rights were decreed in the SRBA on 6/28/2002. Recent aerial and satellite imagery indicates the properties associated with the water rights appears to be an operating dairy facility.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.

- **Local Public Interest:**
No issues anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed uses are recognized as beneficial uses of water.
- **Effect on the Economy of the Local Area:**
None Anticipated.
- **Effect on Agricultural Base of the Local Economy:**
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 FORM

RECEIVED
APR 11 2022
DEPT OF WATER RESOURCES
SOUTHERN REGION

Re: Transfer No. 85986

Water Right No(s): 43-2366B, etc.

Transfer Applicant's Name: IDAHO GOLD FARMS GENERAL PARTNERSHIP
2500 OVERLAND AVE
BURLEY ID 83318

Watermaster's Recommendation:

- a) X I do not oppose approval of this application.
- b) _____ I do not oppose approval of this application if it is conditioned as follows:
- c) _____ I oppose approval of this application for the following reasons:
- d) _____ Additional comments:

Dated this 6th day of April, 2022

Water District 143

Brian Ragon

Watermaster's Signature

Brian Ragon

Printed Name



IDAHO DEPARTMENT
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

April 6, 2022

METROPOLITAN LIFE INSURANCE COMPANY
AGRICULTURAL INVESTMENTS
10801 MASTIN ST STE 930
OVERLAND PARK, KS 66210-1677

RE: Transfer No. 85986
Water Right No(s). 43-2366B, 43-2375B, 43-2555B (Ida Gold Farms G.P.)

Dear Security Interest Holder:

Attached is a copy of an Application for Transfer that may be of interest to you, as a Security Interest holder. This application is currently being processed by the Department and is nearing the final approval stage.

Please review the application and submit any necessary comments or concerns to this office within 21 days. If the department has not received any response from you within 14 days; we will presume that you do not oppose approval of the application and that you have no comments or concerns for the department to consider.

Please contact this office if you have any questions regarding the application.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Wednesday, April 6, 2022 11:15 AM
To: Ragan, Brian
Cc: Erickson, Nathan
Subject: WD143 Comment Letter for Transfer No. 85986 (Ida Gold Farms)
Attachments: Comment letter to WD143 for 85986.docx; Transfer No. 85986 (Ida Gold Farms).pdf

Hi Brian,

Attached is an application for transfer currently being processed by the department. Please review the application and provide any necessary comments within 21 days.

If you have any questions regarding these applications, please feel free to contact our office.

Thank you in advance,

Denise @ Southern

Denise Maline, Administrative Assistant I

Idaho Dept. of Water Resources

650 Addison Ave W Ste 500

Twin Falls ID 83301-5858

(208) 293-9908

denise.maline@idwr.idaho.gov



IDAHO DEPARTMENT
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

April 6, 2022

WATER DISTRICT 143
BRIAN RAGAN
PO BOX 83720
BOISE ID 83720-0098

RE: Transfer No. 85986 (Ida Gold Farms General Partnership)

Dear Brian:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form 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 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

Denise Maline
Administrative Assistant 1

Enclosure(s)

MEMORANDUM

Date: April 4, 2022
To: Transfer 85986
From: Bill Mills
Re: Legal Notice Not Required

This application only corrects the legal description of the points of diversion resulting from an apparent decree error. Since the application only seeks to correct the location where the water right has always been diverted and used, and there is no actual hydrologic change, the transfer was processed, and can be approved without advertising.

Legal Notice Not Required
4/4/2022

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.

MEMORANDUM

Date: April 4, 2022
To: Transfer 85986 File
From: Bill Mills
Re: Fee Evaluation

Filing fees charged for transfer application 85986 were based on Idaho Code § 42-221(8) which allows a \$50.00 filing fee per water right for transfer applications that only seek to change the legal description with no unauthorized physical change to the place of use or point of diversion. Filing fee of \$150.00 for three water rights in the application for transfer. (Receipt No. S039152).