

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 85906**

This is to certify that: IDAHO FRESH PAK LLC
C/O DENNIS LIEKAM
823 S ONEIDA ST
RUPERT, ID 83350-2069

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>
36-15553	WR/DECREED	3/15/1974	0.060 cfs	11.7 af	N/A	N/A	GROUND WATER
36-2250B	WR/DECREED	3/5/1954	0.260 cfs	43.5 af	N/A	N/A	GROUND WATER
36-8456	WR/LICENSE	9/21/1989	0.270 cfs	179.8 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>
36-15553	NO	YES	NO	NO	NO	NO
36-2250B	NO	YES	NO	NO	NO	NO
36-8456	NO	NO	NO	YES	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>
36-15553	36-15553	0.060 cfs	11.7 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-2250B	36-2250B	0.260 cfs	43.5 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-8456	36-8456	0.270 cfs	179.8 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.530 cfs	235.0 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 12th day of April, 2022.


Southern Region Manager

SUPPORT DATA

IN FILE # 36-2250B

Transfer No. 85906

WATER RIGHT NO. 36-8456
As Modified by Transfer No. 85906

In accordance with the approval of Transfer No. 85906, Water Right No. 36-8456 is now described as follows:

Right Holder: IDAHO FRESH PAK LLC
C/O DENNIS LIEKAM
823 S ONEIDA ST
RUPERT, ID 83350-2069

Priority Date: 9/21/1989

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
COMMERCIAL	1/01	to 12/31	0.270 cfs	179.8 af
			0.270 cfs	179.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESWSW	Sec 29 Twp 09S Rge 24E MINIDOKA County
GROUND WATER	SWSWSW	Sec 29 Twp 09S Rge 24E MINIDOKA 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	
09S	24E	29											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. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
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.

Transfer No. 85906

WATER RIGHT NO. 36-2250B
As Modified by Transfer No. 85906

In accordance with the approval of Transfer No. 85906, Water Right No. 36-2250B is now described as follows:

Right Holder: IDAHO FRESH PAK LLC
 C/O DENNIS LIEKAM
 823 S ONEIDA ST
 RUPERT, ID 83350-2069

Priority Date: 3/5/1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
COMMERCIAL	01/01	to 12/31	0.260 cfs	43.5 af
			0.260 cfs	43.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESWSW	Sec 29 Twp 09S Rge 24E MINIDOKA County
GROUND WATER	SWSWSW	Sec 29 Twp 09S Rge 24E MINIDOKA 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	
09S	24E	29											X						

CONDITIONS OF APPROVAL

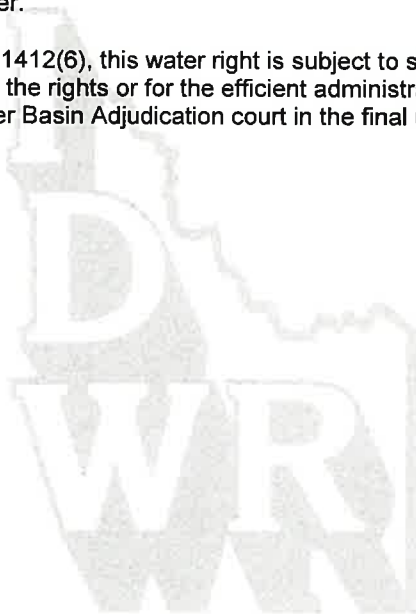
1. Rights 36-15553 and 36-2250B when combined shall not exceed a total diversion rate of 0.26 cfs and total annual maximum diversion volume of 55.2 af.
2. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water 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. Right no. 36-15553 is an enlargement of this right pursuant to section 42-1426, Idaho Code.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.

Transfer No. 85906

WATER RIGHT NO. 36-2250B
As Modified by Transfer No. 85906

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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. 36-15553**As Modified by Transfer No. 85906**

In accordance with the approval of Transfer No. 85906, Water Right No. 36-15553 is now described as follows:

Right Holder: IDAHO FRESH PAK LLC
C/O DENNIS LIEKAM
823 S ONEIDA ST
RUPERT, ID 83350-2069

Priority Date: 3/15/1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
COMMERCIAL	01/01	to 12/31	0.060 cfs	11.7 af
			0.060 cfs	11.7 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESWSW	Sec 29 Twp 09S Rge 24E MINIDOKA County
GROUND WATER	SWSWSW	Sec 29 Twp 09S Rge 24E MINIDOKA 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	
09S	24E	29											X						

CONDITIONS OF APPROVAL

1. Rights 36-15553 and 36-2250B when combined shall not exceed a total diversion rate of 0.26 cfs and total annual maximum diversion volume of 55.2 af.
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. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to section 42-1426, Idaho Code, the earlier priority right is the superior right.
5. This right is based upon an enlargement of right no. 36-02550B pursuant to section 42-1426, Idaho Code.

Transfer No. 85906

WATER RIGHT NO. 36-15553
As Modified by Transfer No. 85906

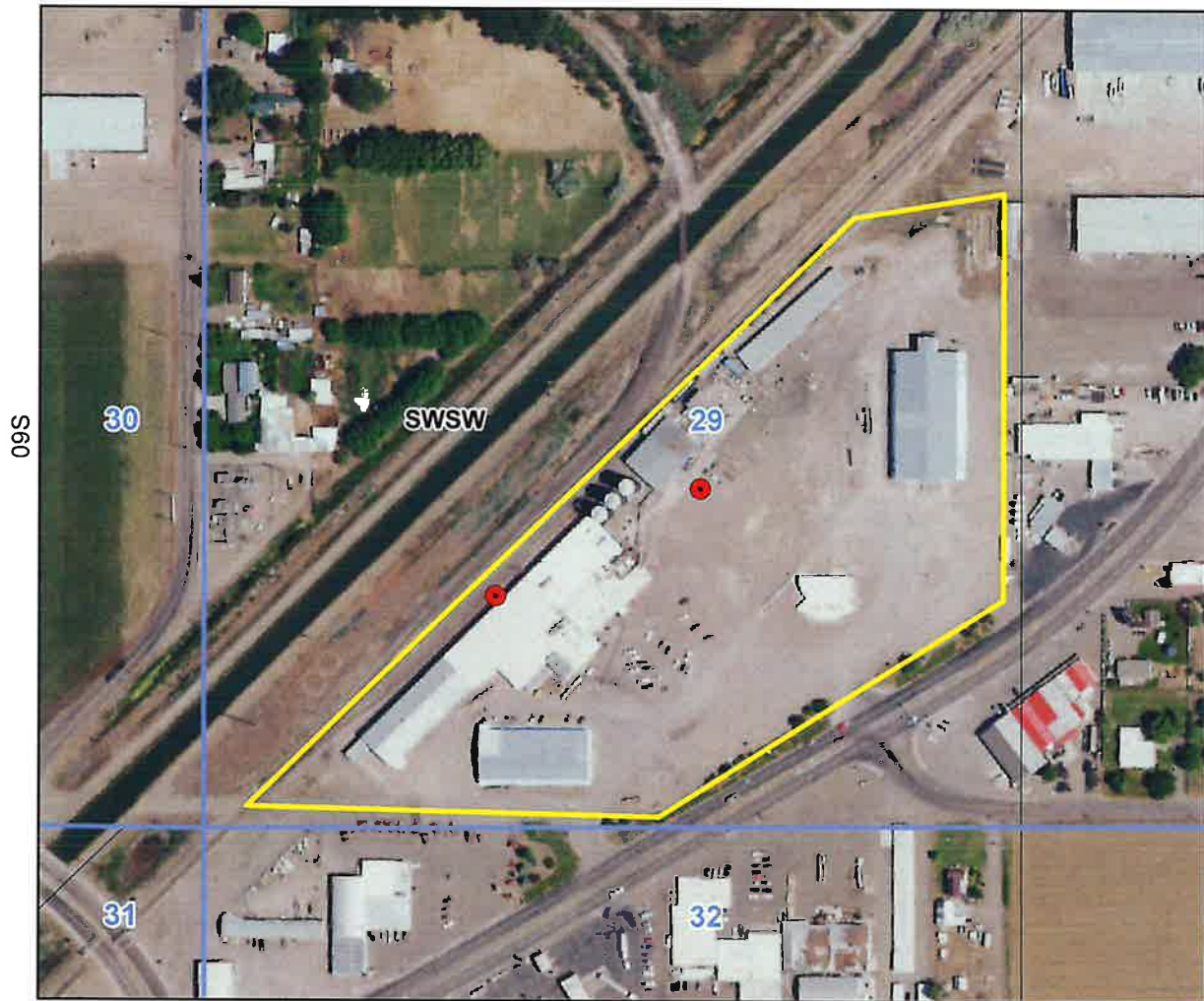
CONDITIONS OF APPROVAL

6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 # 85906
36-2250B, 36-8456, and 36-15553

This map depicts the COMMERCIAL 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.

24E



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

0 0.035 0.07 0.14 Miles



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT – POINT(S) OF DIVERSION

RECEIVED
FEB 18 2022
DEPT. OF WATER RESOURCES
CULTURAL RESOURCES

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change on a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the [Application for Transfer Instructions](#) for help completing this form and for mailing addresses of Department offices where your application can be submitted.

Check all that apply:

- ☒ Change diversion point(s)
 ☒ Add diversion point(s)
 ☒ Ownership change
 ☐ Ownership split
☐ Transfer is for changes pursuant to Idaho Code § 42-221.O.8. Attach an explanation and any supporting documentation.

1. **APPLICANT(S)** Idaho Fresh-Pak LLC, C/O Dennis Liekam Phone 208-525-2294

2. **MAILING ADDRESS** 823 Oneida St City Rupert

State ID Zip 83350 Email dleikam@idahoan.com

- ☐ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the fee schedule.

If the ownership change resulted in the water right(s) being split, how did the division occur? Mark one:

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

- ☒ If the application is not signed by the applicant, attach a Power of Attorney or other documentation providing authority to sign for the applicant.

3. **LIST WATER RIGHT NUMBER(S)** 36-8456; 36-2250B; 36-15553

- ☒ Attach a copy of the water right(s) as recorded, available at idwr.idaho.gov, *Water Right Transfers, Step 1*, or by contacting any Department office.

4. **TOTAL AMOUNT OF WATER** transferred is 0.53 cubic feet per second and/or 235 acre-feet per annum.
(diversion rate) (storage volume)

5. **POINT OF DIVERSION** – Describe all the point(s) of diversion to be included on the water right(s) after the proposed change.

- ☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at idwr.idaho.gov, *Water Rights, Water Right Transfers, Modeling Resources*.

New?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
X		SW	SW	SW	29	9S	24E	Minidoka	Ground Water	
		SE	SW	SW	29	9S	24E	Minidoka	Ground Water	

6. 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:

- b. Who owns the property at the point(s) of diversion? Appli cant

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

- c. 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 used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

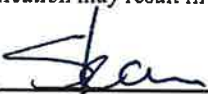
If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** – ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. You may create a map at idwr.idaho.gov, Water Rights, Water Right Transfers, File a Transfer Application, Step 2C.

8. **SIGNATURE** – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

 _____
Signature of applicant or authorized agent Print name and title if applicable Date 02/08/2022

Signature of applicant or authorized agent Print name and title if applicable Date

9. **FEE** – ☒ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments. Received by SG Date 2/18/22
Fee paid \$575.00 Date 2/18/22 Received by SG Receipt # 5039091
Preliminary review by _____ Date _____ Active in the Water Supply Bank? Yes ☐ No ☐
W-9 received? Yes ☐ No ☐ Name on W-9 _____ W-9 forwarded to fiscal? Yes ☐ No ☐
(Do NOT scan the W-9 – confidential information is held by fiscal only)

Part 3.

Water Right Reports

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/19/2016

WATER RIGHT NO. 36-8456

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IDAHO FRESH PAK INC PO BOX 130 LEWISVILLE, ID 83431-0130 (208)754-8100
Original Owner	MAGIC VALLEY FOODS INC PO BOX 475 RUPERT, ID 83350-0475 (208)436-9606

Priority Date: 09/21/1989

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	1/01	12/31	0.27 CFS	179.8 AFA
Total Diversion			0.27 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SESWSW|Sec. 29|Township 09S|Range 24E|MINIDOKA County

Licensed Diversion Capacity: 0.27

Place(s) of use:

Place of Use Legal Description: COMMERCIAL MINIDOKA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
09S	24E	29		SWSW										

Conditions of Approval:

1. Commercial use is for a potato processing plant.
2. 09E Water used under this right when discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.

Dates:

Licensed Date: 03/04/1994

Decreed Date:

Permit Proof Due Date: 2/1/1991

Permit Proof Made Date: 9/27/1990

Permit Approved Date: 1/8/1990

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 09/21/1989

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 130

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

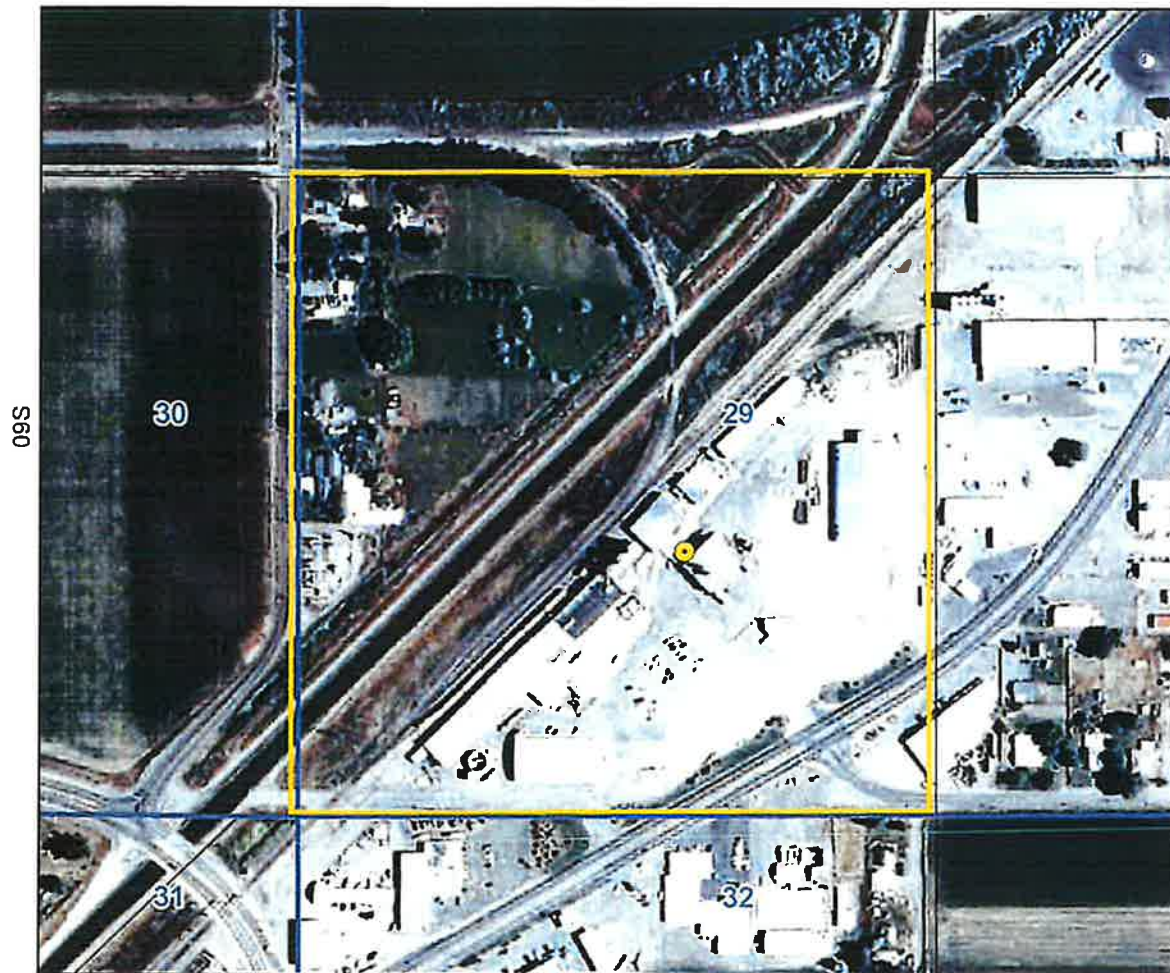
State of Idaho
Department of Water Resources

Water Right
36-8456

COMMERCIAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

24E



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

0 0.045 0.09 0.18 Miles



[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/19/2016

WATER RIGHT NO. 36-2250B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IDAHO FRESH PAK INC PO BOX 130 LEWISVILLE, ID 83431-0130 (208)754-8100
Original Owner	MAGIC VALLEY FOODS INC PO BOX 475 RUPERT, ID 83350-0475 (208)436-9606

Priority Date: 03/05/1954

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	12/31	0.26 CFS	43.5 AFA
Total Diversion			0.26 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SESWSW	Sec. 29	Township 09S	Range 24E	MINIDOKA County
GROUND WATER	SESWSW	Sec. 29	Township 09S	Range 24E	MINIDOKA County

Place(s) of use:

Place of Use Legal Description: COMMERCIAL MINIDOKA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
09S	24E	29		SWSW										

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. F02 2 POINTS OF DIVERSION LOCATED IN T09S, R24E, S29, SESWSW.
3. E60 USE OF THIS RIGHT WITH RIGHT NO. 36-15553 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.26 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 55.2 AF.
4. K01 RIGHT NO. 36-15553 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 01/27/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 130

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit:

Combined Volume Limit: 55.2

Combined Rate Limit: 0.26

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

[Close](#)

State of Idaho
Department of Water Resources

Water Right
36-2250B

COMMERCIAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

24E



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

0 0.045 0.09 0.18 Miles



[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/19/2016

WATER RIGHT NO. 36-15553

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IDAHO FRESH PAK INC PO BOX 130 LEWISVILLE, ID 83431-0130 (208)754-8100
Original Owner	MAGIC VALLEY FOODS INC PO BOX 475 RUPERT, ID 83350-0475 (208)436-9606

Priority Date: 03/15/1974

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	12/31	0.06 CFS	11.7 AFA
Total Diversion			0.06 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SESWSW	Sec. 29	Township 09S	Range 24E	MINIDOKA County
GROUND WATER	SESWSW	Sec. 29	Township 09S	Range 24E	MINIDOKA County

Place(s) of use:

Place of Use Legal Description: COMMERCIAL MINIDOKA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
09S	24E	29		SWSW										

Conditions of Approval:

1. C11 THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.
2. F02 2 POINTS OF DIVERSION LOCATED IN T09S, R24E, S29, SESWSW.
3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
4. K02 THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 36-02550B PURSUANT TO SECTION 42-1426, IDAHO CODE.
5. E60 USE OF THIS RIGHT WITH RIGHT NO. 36-02250B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.26 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 55.2 AF.

Dates:

Licensed Date:

Decreed Date: 01/16/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date: 4/12/1994

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 130

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit:

Combined Volume Limit: 55.2

Combined Rate Limit: 0.26

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

[Close](#)

State of Idaho
Department of Water Resources

Water Right
36-15553

COMMERCIAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

24E



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

0 0.045 0.09 0.18 Miles



GRANT DEED

FOR VALUE RECEIVED, **United II Potato Growers of Idaho, Inc.**, an Idaho agricultural cooperative with its principal place of business located at 3720 Crestwood Lane, Idaho Falls, ID 83404, hereinafter called "Grantor"; does hereby grant and convey, to **Idaho Fresh-Pak, LLC**, an Idaho limited liability company with its principal place of business located at 3720 Crestwood Lane, Idaho Falls, ID 83404, hereinafter called "Grantee".

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, and by these presents does grant and confirm unto the Grantees, and to Grantees' successors and assigns forever, in and to following described property located in Minidoka County, State of Idaho, to-wit:

See Attached Exhibit "A"

Together with all water and water rights appurtenant thereto.

TOGETHER WITH any improvements and appurtenances thereto; rents, issues and profits thereof; and reversions and remainders.

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any remainders, and rents, issues and profits therefrom; and all estate, right, title and interest in and to said property, as well in law as in equity, of the Grantors.

TO HAVE AND TO HOLD, the premises and the appurtenances unto the Grantee, and to Grantees' successors and assigns forever.

DATED This 30th day of March, 2012.

"United II Potato Growers of Idaho, Inc."

By: Jeffery D. Raybould
By: Jeffery D. Raybould, Chairman of the Board

By: Bryan Wada
By: Bryan Wada, Secretary

Grant Deed - Page - 1

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Instrument # 516456

MINIDOKA COUNTY, RUPERT, IDAHO

4-2-2012 11:40:35 No. of Pages: 4

Recorded for : RIGBY, ANDRUS & RIGBY

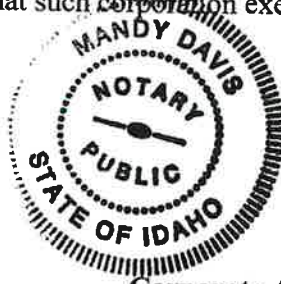
PATTY TEMPLE Fee: 19.00

Ex-Officio Recorder Deputy Kelley

Corporate Acknowledgment

STATE OF IDAHO)
 ss.
County of Madison.)

On this 30th day of March, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared **Jeffery D. Raybould**, known to me to be the President of United II Potato Growers of Idaho, the corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

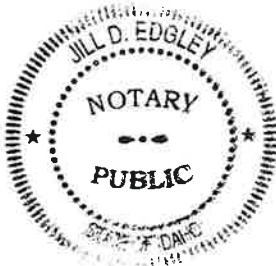


Mandy Davis
Notary Public for Idaho
Residing at: St. Anthony
My Commission expires: 6/24/17

Corporate Acknowledgment

STATE OF IDAHO)
 ss.
County of Bonneville

On this 30 day of March, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared **Bryan Wada**, known to me to be the Secretary of United II Potato Growers of Idaho, the corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.



Jill D. Edgley
Notary Public for Idaho
Residing at: _____
My Commission expires: _____
COMMISSION EXPIRES
MARCH 8th 2016

Exhibit A

Legal Description

PARCEL NO. 1:

TOWNSHIP 9 SOUTH, RANGE 24 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO.

SECTION 29: That part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southwest corner of Section 29 (Monumented by a $\frac{1}{2}$ inch rebar); thence South 89°56'00" East for 249.10 feet along the South section line to the Southeasterly right of way of the Eastern Idaho Railroad (Union Pacific Railroad); thence North 45°31'18" East for 50.07 feet along said railroad right of way to a $\frac{1}{2}$ inch rebar on the North right of way of State Highway 25, which shall be known as the TRUE POINT OF BEGINNING;

Thence North 45°31'18" East for 1311.17 feet along the Southeasterly right of way of said railroad to an existing $\frac{1}{2}$ inch rebar;

Thence North 76°04'36" East for 114.18 feet (recorded as North 76° East for 115 feet) to a $\frac{1}{2}$ inch rebar on the East line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$;

Thence South 0°11'27" West for 677.15 feet along the East line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ to an existing $\frac{1}{2}$ inch rebar on the North right of way of State Highway 24 and 25;

Thence along a curve to the right with a central angle of 5°24'08", a radius of 1392.40 feet, an arc length of 131.29 feet and a chord distance of 131.24 feet with a chord bearing of South 57°18'27" West along said highway right of way to a concrete highway monument with brass cap;

Thence South 60°00'31" West for 211.70 feet along said highway right of way to a $\frac{1}{2}$ inch rebar;

Thence along a curve to the right with a central angle of 30°27'00"; a radius of 676.30 feet; an arc length of 359.42 feet and a chord distance of 355.21 feet with a chord bearing of South 75°14'01" West along the North right of way of State Highway 25 to a $\frac{1}{2}$ inch rebar;

Thence South 0°27'31" West for 5.00 feet along said Highway 25 right of way to a $\frac{1}{2}$ inch rebar;

Thence North 89°32'29" West for 406.81 feet along the North right of way of State Highway 25 to the TRUE POINT OF BEGINNING.

SAVE AND EXCEPTING the following described tract:

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Thence North 44°28'42" West for 135.00 feet to a $\frac{1}{2}$ inch rebar;

Thence North 45°31'18" East for 322.67 feet to a $\frac{1}{2}$ inch rebar;

Thence South 44°28'42" East for 135.00 feet to the TRUE POINT OF BEGINNING.

FURTHER EXCEPTING THEREFROM that portion deeded to the State of Idaho, Idaho Transportation Department, by Corporation Warranty Deed dated April 12, 1999 and recorded May 11, 1999 as Document No. 441683, records of Minidoka County, Idaho.

(Continued)

PARCEL NO. 2:

**TOWNSHIP 9 SOUTH, RANGE 24 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO.**

SECTION 29: That part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, more particularly described as follows:

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Thence South 44°28'42" East for 135.00 feet to the TRUE POINT OF BEGINNING.

AFTER RECORDING, MAIL TO:

Randon W. Wilson, Esq.
JONES WALDO HOLBROOK &
McDONOUGH PC
170 South Main Street, Suite 1500
Salt Lake City, Utah 84101

Instrument # 508472

MINIDOKA COUNTY, RUPERT, IDAHO
7-12-2010 01:17:06 No. of Pages: 4
Recorded for : JONES WALDO HOLBROOK & McDONOUGH
DUANE SMITH Fee: 19.00
Ex-Officio Recorder Deputy *R. Wilson*

Space above for Recorder's Use

WARRANTY DEED

IDAHO FRESH-PAK, INC., a corporation organized and existing under the laws of the State of Idaho, with its principal office at 529 North 3500 East, Lewisville, Idaho 83431, Grantor, hereby CONVEYS, GRANTS and WARRANTS to UNITED II POTATO GROWERS OF IDAHO, INC., an Idaho agricultural cooperative, Grantee, whose current address is 3720 Crestwood Lane, Idaho Falls, ID 83404, the following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee and its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT: Subject to all existing leases, management agreements, deeds of trust and mortgages appearing of record, patent reservations, easements, rights of way, protective covenants, zoning ordinances, applicable building codes, laws and regulations, and general taxes and assessments for the current year, which are not due and payable; and that it will warrant and defend the same from all lawful claims whatsoever.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the Grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the Grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 8 day of June, 2010.

IDAHO FRESH-PAK, INC., an Idaho corporation

By: *William Schow*

Name: William Schow
Its Chief Executive Officer

STATE OF Idaho)
)
COUNTY OF Bannock) : ss

On this 7th day of June, 2010, before me, the undersigned, a Notary Public, in and for said State, personally appeared William Peterson, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person who subscribed to the within instrument, who duly acknowledged to me that, as of the Effective Date, he is the President of Idaho Fresh-Pak, Inc., and acknowledged to me that he executed the same in his capacity as President and on behalf of said corporation by authority.

WITNESS MY HAND AND OFFICIAL SEAL.

Mandy Chase
Notary Public

Residing at Boise, ID

Commission Expires: 8-2-2012

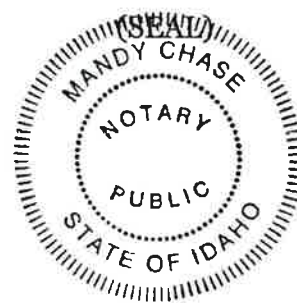


Exhibit A

Legal Description

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(Continued)

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Part 7. Maps

Idaho Fresh Pak POD Change Map





0004225318

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0004225318

Date Filed: 4/2/2021 9:05:43 AM

Entity Name and Mailing Address:

Entity Name: IDAHO FRESH-PAK, LLC
The file number of this entity on the records of the Idaho Secretary of State is: 0000344788
Address: 900 PIER VIEW DR
STE 100
IDAHO FALLS, ID 83402-4972

Entity Details:

Entity Status: Active-Existing
This entity is organized under the laws of: IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: W111980

The registered agent on record is:

Registered Agent: Stephane Jean
Registered Agent
Physical Address
900 PIER VIEW DR
STE 100
IDAHO FALLS, ID 83402
Mailing Address
900 PIER VIEW DR
STE 100
IDAHO FALLS, ID 83402-4972

Limited Liability Company Managers and Members

Name	Title	Business Address
DREW FACER	Manager	900 PIER VIEW DR STE 100 IDAHO FALLS, ID 83402-4972
Stephane Jean	Manager	900 PIER VIEW DR STE 100 IDAHO FALLS, ID 83402-4972

The annual report must be signed by an authorized signer of the entity.

Job Title: Treasurer

Aaron Bagley

Sign Here

04/02/2021

Date

DUPLICATE RECEIVED BY ID SECRETARIAL CLERK LAWRENCE DENNEY



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

April 13, 2022

IDAHO FRESH PAK LLC
C/O DENNIS LIEKAM
823 S ONEIDA ST
RUPERT ID 83350-2069

Re: Transfer No: 85906

Water Right No(s): 36-2250B, 36-8456, 36-15553

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:

TJ BUDGE
C/O RACINE OLSON
PO BOX 1391
POCATELLO ID 83204-1391

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

CERTIFICATE OF SERVICE

I hereby certify that on April 13, 2022 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

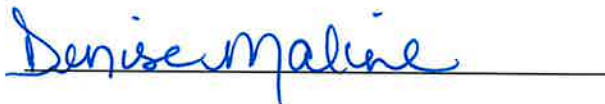
Re: Transfer No.: 85906

Water Right No(s): 36-2250B, 36-8456, 36-15553

IDAHO FRESH PAK LLC
C/O DENNIS LIEKAM
823 S ONEIDA ST
RUPERT ID 83350-2069

TJ BUDGE
C/O RACINE OLSON
PO BOX 1391
POCATELLO ID 83204-1391

WATER DISTRICT 130
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: March 14, 2022
To: Transfer #85906 – Idaho Fresh Pack LLC
From: Tyler Wallace
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes to move the point of diversion (POD) for water rights 36-15553 and 36-2250B across a QQQ line then add water right 36-8456 to the new POD. All three water rights are for commercial use with the source being ground water. The location of the new well is approximately 1 mile south of the Minidoka Memorial Hospital in Rupert.

Because the application proposes to only move the POD over a QQQ boundary, it is anticipated that the hydrologic impact should be minimal and therefore there is no need to advertise. Since the transfer is within Water District 130 comments were solicited from the WD-130 Watermaster. The watermaster had no objections to the approval of the application.

The ownership of all three water rights will also be updated during the transfer process.

- **Authority to File:**

The Department's database indicates that water rights 36-15553, 36-8456, and 36-2250B are owned by Idaho Fresh Pak INC. Deeds were submitted with the application to also update the ownership on all three water rights. The new owner will be Idaho Fresh-Pak, LLC. The application was signed by Stephane Jean, CFO of Idaho Fresh-Pak, LLC.

- **Water Right Validity:**

Water rights 36-15553 and 36-2250B were decreed in the SRBA in 2001 and water right 36-8456 was licensed in 1994. Because the right is for commercial use at an active facility it is unlikely that the water right has lapsed in use.

- **Injury to Other Water Rights:**

No injury to other water rights is anticipated or foreseen. Transfer is to move point of diversion across a QQQ boundary to match existing system.

- **Enlargement of Use:**

None anticipated. Transfer proposes no increase in volume of water used.

- **Local Public Interest:**

No issues anticipated. The transfer was not advertised.

- **Beneficial Use/Conservation of Water Resources:**

Proposed use is recognized as a beneficial use of water.

- **Effect on the Economy of the Local Area:**

None Anticipated

- **Effect of the Agricultural Base of the 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: 85906
Water Right No: 36-2250B, etc.
Applicant Name: ID FRESH-PAK LLC, C/O DENNIS LIEKAM

Watermaster's Recommendation:

- a) ☒ 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: March 11, 2022

Water District 130



Nathan Erickson, Watermaster



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

March 10, 2022

WATER DISTRICT 130
NATHAN ERICKSON
650 ADDISON AVE W STE 500
TWIN FALLS, ID 83301-5858

RE: Application for Transfer No(s): 85906 (Idaho Fresh-Pak LLC)

Dear Nathan:

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: March 9, 2022

To: Transfer #85906, Idaho Fresh Pak LLC

From: Tyler Wallace

Re: Legal Notice Not Required

Legal Notice Not Required
3/9/2022

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.

Transfer will only change POD across QQQ lines to match existing system.

FEE MEMORANDUM

Date: March 9, 2022
To: Transfer #85906, Idaho Fresh Pak LLC
From: Tyler Wallace
Re: Receipting of fees paid

This transfer was filed on February 18, 2022. The intent is to move a shared point of diversion for two commercial water rights across a QQQ line and add an additional commercial water right to the POD to match the current existing system.

A fee of \$575.00 was paid by Racine Olson, PLLP with check #7963 at the time of filing. The fee was based on the combined diversion rate of 0.53 for all three water rights resulting in a \$500.00 fee. A fee of \$75.00 was also paid at the time of filing to update the ownership on all three water rights (\$25 per water right).

TRANSFER Summary

Date: March 9, 2022
To: Transfer #85906, Idaho Fresh Pak LLC
From: Tyler Wallace
Re: Summary of Transfer

Application for transfer proposes to move the point of diversion (POD) for water rights 36-15553 and 36-2250B across a QQQ line then add water right 36-8456 to the new POD. All three water rights are for commercial use with the source being ground water. The location of the new well is approximately 1 mile south of the Minidoka Memorial Hospital in Rupert.

Because the application proposes to only move the POD over a QQQ boundary, it is anticipated that the hydrologic impact should be minimal and therefore there is no need to advertise. Since the transfer is within Water District 130 comments will be solicited from the WD-130 Watermaster.

The ownership of all three water rights will also be updated during the transfer process.



RECEIVED
FEB 18 2022
DEPT OF WATER RESOURCES
SOUTHERN REGION

February 15, 2022

Corey Skinner
Idaho Department of Water Resources
650 Addison Avenue West, Suite 500
Twin Falls, Idaho 8301-5858

Re: Application for Transfer of Water Right – Point(s) of Diversion

Dear Corey,

Enclosed please find the original and extra copy of an Application for Transfer of Water Right – Point(s) of Diversion, together with a check in the amount of \$575 covering the \$500 transfer fee and \$25 to update ownership of each of the three water rights from Idaho Fresh Pak, Inc. to Idaho Fresh-Pak LLC. Please file the original and conform stamp and return the copy to me in the enclosed envelope. If you have any questions regarding this matter, please contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'T.J. Budge', is written over the printed name.

T.J. BUDGE

c: Dennis Leikam