

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 37-23359

Priority: November 17, 2021

Maximum Diversion Rate: 4.00 CFS

This is to certify that

JK POTATOES LLC
20511 F ST
RUPERT ID 83350-9476

has applied for a permit to appropriate water from:

Source : UNNAMED STREAM

Tributary: SNAKE RIVER

and a permit is APPROVED for development of water as follows:

Beneficial Use

COOLING

Period of Use

07/05 to 10/30

Rate of Diversion

4.00 CFS

Location of Point(s) of Diversion

UNNAMED STREAM NW¼ NW¼, Sec. 17, Twp 06S, Rge 13E, B.M. GOODING County

Place of Use: COOLING

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	13E	17						X											

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **March 01, 2023**.
2. Subject to all prior water rights.
3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
4. Upon specific notification, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
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.
6. This right is for the use of trust water, and it is subject to review 5 years after its initial approval (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
7. Administration of this right to satisfy the minimum stream flow water rights in the Snake River at Murphy Gage shall not be required because use of water pursuant to this right is either non-consumptive or the right holder is required to provide ongoing mitigation to offset the depletion of water resulting from the use of this right.

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 37-23359

8. To mitigate for the depletion of water resulting from the use of water under this right and to prevent injury to senior water right holders, the right holder shall cease diverting and using water as authorized by the following water rights for the purposes and amounts specified below. Moreover, the official record for the following water rights will be changed to show that diversion and use of water is not authorized because the rights, or portion thereof, are being dedicated to mitigation by non-use. The mitigating rights may also include a condition stating that the mitigation by non-use is for the benefit of this right.

Right No.	Use Changed to Mitigation by Non-Use	Mitigation Rate (cfs)	Mitigation Volume (AF)	Mitigation Acres
37-7216	Irrigation	0.003	0.4	0.1
37-793	Irrigation	0.002	N/A	0.1
37-21721	Irrigation	0.003	N/A	0.1
Total		0.008	N/A	0.1

The land that will no longer be irrigated under these rights is located within the NWNW, Section 17, Township 06S, Range 13E, B.M.

If the specified mitigation right, or portion thereof, is sold, transferred, leased, used on any place of use, or is not deliverable due to a shortage of water or a priority call, then the amount of water authorized for diversion under this right approval shall be reduced by the same proportion as the reduction to the mitigation rights.

To reflect the mitigation by non-use amounts identified above, the following condition will be changed on rights 37-793, 37-7216, and 37-21721 as follows:

Right nos. 37-793, 37-7216 and 37-21721 are limited to the irrigation of a combined total of 72.6 acres in a single irrigation season.

In addition, to reflect the mitigation by non-use amounts identified above the following condition will be changed on rights 37-793, 37-7216, 37-21721, 37-23354, 37-23355, and 37-23356 as follows:

Right nos. 37-793, 37-7216, 37-21721, 37-23354, 37-23355 & 37-23356 are limited to a total combined diversion rate of 4.149 cfs for irrigation.

This permit is issued pursuant to the provisions of Idaho Code § 42-204.

Signed this 11th day of March, 2022.



COREY SKINNER
Southern Regional Manager

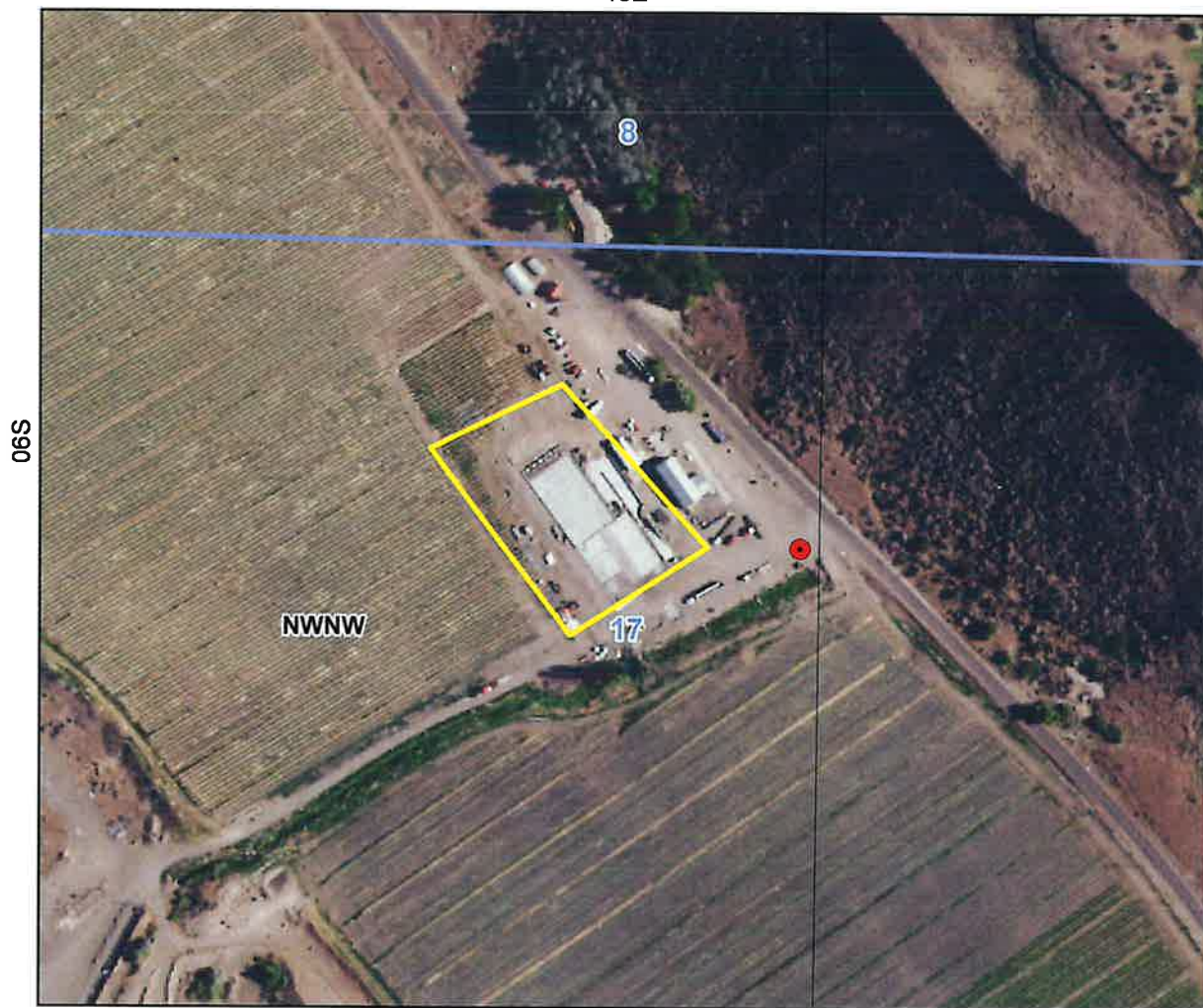
State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

37-23359

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

13E



Point of Diversion



Place Of Use Boundary



Townships



PLS Sections



Quarter Quarters

0 0.035 0.07 0.14 Miles





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

March 11, 2022

JK POTATOES LLC
20511 F ST
RUPERT ID 83350-9476

RE: Permit No. 37-23359

Permit Approval Notice

Dear Permit Holder(s):

The Department of Water Resources ("Department") has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review all the conditions of approval listed on your permit. The conditions include requirements that you must accomplish, such as timely submittal of proof of beneficial use or installation of a measuring device, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district. Failure to comply with the conditions of approval may result in your permit lapsing or being canceled.

The permit is a PRELIMINARY ORDER issued pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

The final step in the water right process is issuance of a water right license. To receive a water right license, you must divert and use water to the full extent intended and submit a *Statement of Completion for Submitting Proof of Beneficial Use* by the date shown in condition no. 1 of your permit. The Department will send you a *Proof Due Notice* approximately 60 days prior to the date listed in condition no. 1 of your permit.

You may also require approvals from other Department programs, such as Ground Water Protection, Safety of Dams, or Stream Channel Protection, to accomplish your proposed development. Please call or visit any Department office or see the Department's website at idwr.idaho.gov for more information about these programs.

Please note that pursuant to the approval of 37-23359, the official water right records for 37-793, 37-7216, 37-21721, 37-23354, 37-23355 and 37-23356 have been updated accordingly to reflect the mitigation components.

Please be advised that Idaho Code § 42-248, requires you or the owner of this water permit to maintain current ownership and address records on file with the Department. Forms to file an assignment of permit and/or a change in the address of the permit owner are available from any Department office or at the Department's website at www.idwr.idaho.gov.

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

Sincerely,



Corey Skinner
Southern Regional Manager

Enclosure(s)

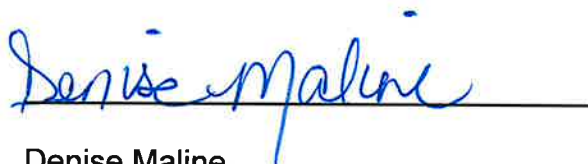
CERTIFICATE OF SERVICE

I hereby certify that on March 11, 2022, I served a true and correct copy of Permit to Appropriate Water No. 37-23359 by U.S. Mail, postage prepaid, to the following:

JK POTATOES LLC (Current Owner)
20511 F ST
RUPERT ID 83350-9476

DAVID JENTZSCH (Representative)
319 RIVER RD
BLISS ID 83314-5050

WATER DISTRICT #130
NATHAN ERICKSON (Watermaster)
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301



Denise Maline
Administrative Assistant 1

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.

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 37-7216

3/11/2022

Owner Type **Name and Address**
Current Owner JK POTATOES LLC
20511 F ST
RUPERT, ID 83350-9476
(208) 532-4119

Priority Date: 4/2/1973

Basis: Decreed

Status: Active

Source
SPRINGS

Tributary
SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	11/01	1.937 CFS	300.6 AF
FISH PROPAGATION	01/01	12/31	4.000 CFS	
MITIGATION BY NON-USE	04/01	11/01	0.003 CFS	0.4 AF
	Total Diversion		4.000 CFS	301.0 AF

Source and Point(s) of Diversion:

SPRINGS NENWNW
SPRINGS SESWSW

Sec. 17, Twp 06S, Rge 13E, GOODING County
Sec. 8, Twp 06S, Rge 13E, GOODING County

Place Of Use:

MITIGATION BY NON-USE within GOODING County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	13E	17						X											

FISH PROPAGATION within GOODING County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	13E	17					X	X											
06S	13E	18				X L7													

IRRIGATION within GOODING County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	13E	7																6.0	6.0
06S	13E	8											7.0						7.0
06S	13E	17					8.0	29.0	12.7 L1	5.0									54.7
06S	13E	18	4.0 L7			1.0 L7													5.0

POU Total Acres: 72.7

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 37-7216

3/11/2022

Conditions of Approval:

1. The facility volume for this right & Right 37-7712 shall not exceed 132,132 cubic feet.
2. R29 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for irrigation of the lands above.
3. E51 Right nos. 37-793, 37-7216, 37-21721, 37-23354, 37-23355 & 37-23356 are limited to a total combined diversion rate of 4.149 cfs for irrigation.
4. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and priority date earlier than the date a partial decree is entered for this right.
5. R03 Measuring devices of a type approved by this Department shall be maintained at the point of diversion and point of effluent discharge.
6. E55 Right nos. 37-793, 37-7216 and 37-21721 are limited to the irrigation of a combined total of 72.6 acres in a single irrigation season.
7. 044 Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 5G.
8. 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.
9. B01 Source in T06S, R13E, S17, NENWNW is also known as Montana Mining Company Ditch Spring No. 11.
10. F02 2 points of diversion located in the NWNW, S17, T6S, R13E.
11. Water Rights 37-7216, 37-23248 & 37-23355 when combined are limited to an overall diversion rate of 4.0 cfs.
12. Right Nos. 37-7216 & 37-23355 are limited to a total combined diversion rate of 4.0 cfs.

Dates and Other Information:

Decreed Date: 3/12/2007
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 130
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
4.000		72.6	37-7216 ,37-793 ,37-21721
9.300			37-7712 ,37-7216
4.157			37-7216 ,37-793 ,37-21721 ,37-23354 ,37-23355 ,37-23356
4.000			37-7216 ,37-23355

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 37-7216

3/11/2022

Water Supply Bank:

Lease ID: 1393

Lease Type: Contract

Lease Status: Active

Lease Start Date: 1/1/2021

Lease End Date: 12/31/2025

Beneficial Use	Div Rate Leased	Div Volume Leased	Acre Limit Leased	Total Acres Leased
Irrigation	0.37	55.50	13.40	13.40

3/11/2022

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 37-793

3/11/2022

3. E51 Right nos. 37-793, 37-7216, 37-21721, 37-23354, 37-23355 & 37-23356 are limited to a total combined diversion rate of 4.149 cfs for irrigation.
4. E55 Right nos. 37-793, 37-7216 and 37-21721 are limited to the irrigation of a combined total of 72.6 acres in a single irrigation season.
5. 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.
6. In the event of a call in times of scarcity, the diversion of water for this right from the point of diversion located in T06S, R13E, S17, NESESE(also known as Montana Mining Company Ditch Spring No. 9) is junior to the diversion of water from the same spring for Water Right Nos. 37-7218 and 37-21222.

Dates and Other Information:

Decreed Date: 3/12/2007
 Civil Case Number: 39576
 Judicial District: FIFTH
 Water District Number: 130
 Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
4.000		72.6	37-7216 ,37-793 ,37-21721
4.157			37-7216 ,37-793 ,37-21721 ,37-23354 ,37-23355 ,37-23356

Water Supply Bank:

Lease ID: 1393

Lease Type: Contract
 Lease Status: Active
 Lease Start Date: 1/1/2021
 Lease End Date: 12/31/2025

<u>Beneficial Use</u>	<u>Div Rate Leased</u>	<u>Div Volume Leased</u>	<u>Acre Limit Leased</u>	<u>Total Acres Leased</u>
Irrigation	0.29	0.00	13.40	13.40

3/11/2022

37-21721

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 37-21721

3/11/2022

4. C18 Montana Mining Company Ditch Spring No. 10 and Montana Mining Company Ditch Spring No. 11.
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.
5. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
6. This right is a split from former right 37-789 .
7. In the event of a call in times of scarcity, the diversion of water for this right from the point of diversion located in T06S, R13E, S17, NESESE(also known as Montana Mining Company Spring No. 9) is junior to the diversion of water from the same spring for Water Right Nos. 37-7218 and 37-21222.
8. The actual overall diversion rate is 2.257 cfs.

Dates and Other Information:

Decreed Date: 3/12/2007
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 130
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
4.000		72.6	37-7216 ,37-793 ,37-21721
4.157			37-7216 ,37-793 ,37-21721 ,37-23354 ,37-23355 ,37-23356

Water Supply Bank:

Lease ID: 1393

Lease Type: Contract
Lease Status: Active
Lease Start Date: 1/1/2021
Lease End Date: 12/31/2025

<u>Beneficial Use</u>	<u>Div Rate Leased</u>	<u>Div Volume Leased</u>	<u>Acre Limit Leased</u>	<u>Total Acres Leased</u>
Irrigation	0.42	0.00	13.40	13.40

3/11/2022

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 37-23354

3/11/2022

6. 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.
In the event of a call in times of scarcity, the diversion of water for this right from the point of diversion located in T06S, R13E, S17, NESESE(also known as Montana Mining Company Ditch Spring No. 9) is junior to the diversion of water from the same spring for Water Right Nos. 37-7218 and 37-21222.

Dates and Other Information:

Decreed Date: 3/12/2007
Civil Case Number: 39576
Judicial District: FIFTH
Water District Number: 130
Mitigation Plan: False

Combined Use Limits:

Rate
4.157

Volume

Acres

6.0

Water Rights

37-7216 ,37-793 ,37-
21721 ,37-23354 ,37-
23355 ,37-23356
37-23354 ,37-23355 ,37-
23356

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 37-23355

3/11/2022

Owner Type **Name and Address**
 Current Owner DAVID JENTZSCH
 314 RIVER RD
 BLISS, ID 83314-5050
 (208) 431-1227

Current Owner LACI JENTZSCH
 314 RIVER RD
 BLISS, ID 83314-5050
 (208) 431-1227

Priority Date: 4/2/1973

Basis: Decreed

Status: Active

Source
 SPRINGS

Tributary
 SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	0.200 CFS	25.0 AF
	<u>Total Diversion</u>			25.0 AF

Source and Point(s) of Diversion:

SPRINGS	NENWNW	Sec. 17, Twp 06S, Rge 13E, GOODING County
SPRINGS	SESWSW	Sec. 8, Twp 06S, Rge 13E, GOODING County

Place Of Use:

IRRIGATION within GOODING County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	13E	7																6.0	6.0

POU Total Acres: 6.0

Conditions of Approval:

1. R29 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for irrigation of the lands above.
2. E51 Right nos. 37-793, 37-7216, 37-21721, 37-23354, 37-23355 & 37-23356 are limited to a total combined diversion rate of 4.149 cfs for irrigation.
3. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and priority date earlier than the date a partial decree is entered for this right.
4. R03 Measuring devices of a type approved by this Department shall be maintained at the point of diversion and point of effluent discharge.
5. E55 Right nos. 37-23354, 37-23355 & 37-23356 are limited to the irrigation of a

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 37-23355

3/11/2022

- combined total of 6.0 acres in a single irrigation season.
6. 044 Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 5G.
7. 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.
8. B01 Source in T06S, R13E, S17, NENWNW is also known as Montana Mining Company Ditch Spring No. 11.
9. F02 2 points of diversion located in the NWNW, S17, T6S, R13E.
10. Water Rights 37-7216, 37-23248 & 37-23355 when combined are limited to an overall diversion rate of 4.0 cfs.
11. E51 Right Nos. 37-7216 & 37-23355 are limited to a total combined diversion rate of 4.0 cfs.

Dates and Other Information:

Decreed Date: 3/12/2007
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: 130
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Water Rights</u>
4.157			37-7216 ,37-793 ,37-21721 ,37-23354 ,37-23355 ,37-23356
		6.0	37-23354 ,37-23355 ,37-23356
4.000			37-7216 ,37-23355

SubCase:

N/A

Water Supply Bank:

N/A

3/11/2022

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 37-23356

3/11/2022

5. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
6. In the event of a call in times of scarcity, the diversion of water for this right from the point of diversion located in T06S, R13E, S17, NESESE(also known as Montana Mining Company Spring No. 9) is junior to the diversion of water from the same spring for Water Right Nos. 37-7218 and 37-21222.

Dates and Other Information:

Decreed Date: 3/12/2007
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: 130
Mitigation Plan: False

Combined Use Limits:

Rate
4.157

Volume

Acres

Water Rights

37-7216 ,37-793 ,37-
21721 ,37-23354 ,37-
23355 ,37-23356
37-23354 ,37-23355 ,37-
23356

6.0

SubCase:

N/A

Water Supply Bank:

N/A

**** Proof of Publication ****

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

RECEIVED

FEB 17 2022

DEPT OF WATER RESOURCES
SOUTHERN REGION

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

2 Insertions

ID DEPARTMENT OF WATER RESOURCES

650 ADDISON AVE W, STE 500
TWIN FALLS ID 83301

ORDER NUMBER 123944

Sherri Davis
(Legals Clerk)

STATE OF IDAHO)
 .SS
COUNTY OF TWIN FALLS)

On this 11th day of February in the year of 2022 before me, a Notary Public, personally appeared before me Sherri Davis known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

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



Section: Legals

Category: 50 Legal

PUBLISHED ON: 02/03/2022, 02/10/2022

TOTAL AD COST: 259.26

FILED ON: 2/10/2022

✓ DM
2-23-2022
→
OVER

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

✓ **37-23359**

JK POTATOES LLC

20511 F ST

RUPERT, ID 83350-9476

Point of Diversion NWNW S17 T06S R13E GOODING County Source

UNNAMED STREAM Tributary SNAKE RIVER

Use: COOLING 07/05 to 10/30 4 CFS

Total Diversion: 4 CFS

Date Filed: 11-17-2021

Place Of Use: COOLING

T06S R13E S17 NWNW

Application for permit proposes diversion of up to 4.0 cfs for cooling use from an unnamed stream at a point located approximately 1.1 mile south and 0.3 mile east of the intersection of U. S. Highway 30 and River Road in Bliss. The water will be piped from the stream to an adjacent concrete flume where it will be used to cool produce from July 5 through October 30. The water will be piped back to the unnamed stream after leaving the flume. A mitigation plan is included in the application to address evaporation from the flume. This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

✓ **37-23360**

DAVID JENTZSCH

LACI JENTZSCH

314 RIVER RD

BLISS, ID 83314-5050

Point of Diversion SESWSW S8 T06S R13E GOODING County Source

SPRINGS Tributary SNAKE RIVER

Use: DOMESTIC 1/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 11-17-2021

Place Of Use: DOMESTIC

T06S R13E S7 SESE

Application for permit proposes diversion of up to 0.04 cfs for year-round domestic in-house use from a spring located approximately 1.0 mile south and 0.2 mile east of the intersection of U. S. Highway 30 and River Road in Bliss. The proposed place of use will be a home located approximately 0.9 mile south and 0.1 west of Bliss. A mitigation plan is included in the application to address this new use of water from the spring. This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

✓ **37-23370**

JK POTATOES LLC

20511 F ST

RUPERT, ID 83350-9476

Point of Diversion SESWSW S8 T06S R13E GOODING County Source

SPRINGS Tributary SNAKE RIVER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 01-26-2022

Place Of Use: DOMESTIC

T06S R13E S8 SWSW

Application for permit proposes diversion of up to 0.04 cfs for year-round domestic in-house use from a spring located approximately 1.0 mile south and 0.2 mile east of the intersection of U. S. Highway 30 and River Road in Bliss. The proposed place of use is a home located adjacent to the spring. A mitigation plan is included in the application to address this use of water from the spring. This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

✓ **NOTICE OF PROPOSED CHANGE OF WATER RIGHT**

TRANSFER NO. 85679

DOUGLAS E WICKHAM and TERRI WICKHAM, 18047 HIGHWAY 30, HAGERMAN ID 83332-5625 has filed Application No. 85679 for changes to the following water rights within TWIN FALLS County(s): Right No(s) 47-17555, 47-17560, 47-17565. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 2.6 acre portion (0.05 cfs) of three ground water rights from a farm located approximately 7.3 to 8.0 miles south and 0.8 to 1.5 miles west of the City of Kimberly for irrigation use to a parcel located approximately 6.8 to 7.0 miles north and 4.6 to 4.7 miles west of the city of Buhl. The transferred portion of the rights (0.05 cfs) will be diverted from an existing well and a new well to be drilled located on the proposed place of use.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before February 22, 2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on February 3, 10, 2022

✓ DM
2.23.2022

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Water Right No: 37-23359
Applicant Name: JK POTATOES LLC

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: February 15, 2022

Water District 130



Nathan Erickson, Watermaster