

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 85469**

This is to certify that: FARMS LLC
C/O BRAD HALL
PO BOX 50620
IDAHO FALLS, ID 83405-0560

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>
35-12656A	WR/DECREED	6/1/1975	0.820 cfs	220.8 af	55.2	290.3	GROUND WATER
35-13716	WR/DECREED	3/11/1966	4.120 cfs	806.4 af	268.8	293.0	GROUND WATER
35-13718	WR/DECREED	10/1/1976	0.340 cfs	72.6 af	24.2	293.0	GROUND WATER
35-2153C	WR/DECREED	5/14/1954	2.220 cfs	514.8 af	128.7	290.3	GROUND WATER
35-2265	WR/DECREED	10/9/1952	6.000 cfs	1416.0 af	354.0	398.0	GROUND WATER
35-2329	WR/DECREED	5/1/1953	1.850 cfs	592.4 af	N/A	148.1	GROUND WATER
35-2330	WR/DECREED	5/1/1953	2.100 cfs	497.2 af	N/A	124.3	GROUND WATER
35-4214	WR/DECREED	6/1/1960	0.590 cfs	250.0 af	N/A	398.0	GROUND WATER
35-7082	WR/DECREED	6/4/1969	2.140 cfs	425.6 af	106.4	290.3	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>
35-12656A	YES	YES	YES	NO	NO	NO
35-13716	YES	YES	YES	NO	NO	NO
35-13718	YES	YES	YES	NO	NO	NO
35-2153C	YES	YES	YES	NO	NO	NO
35-2265	NO	NO	YES	NO	NO	NO
35-2329	YES	YES	YES	NO	NO	NO
35-2330	YES	YES	YES	NO	NO	NO
35-4214	NO	NO	YES	NO	NO	NO
35-7082	YES	YES	YES	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>
35-12656A	35-14760	0.010 cfs	1.6 af	0.4	428.0	35-12656A	0.810 cfs	219.2 af	54.8	288.3
35-13716	35-14764	0.100 cfs	18.6 af	6.2	428.0	35-13716	4.020 cfs	787.8 af	262.6	286.2
35-13718	35-14765	0.010 cfs	1.8 af	0.6	428.0	35-13718	0.330 cfs	70.8 af	23.6	286.2
35-2153C	35-14759	0.020 cfs	3.6 af	0.9	428.0	35-2153C	2.200 cfs	511.2 af	127.8	288.3
35-2265	35-2265	6.000 cfs	1416.0 af	354.0	428.0	N/A	N/A	N/A	N/A	N/A
35-2329	35-14762	0.160 cfs	51.6 af	12.9	428.0	35-2329	1.690 cfs	540.8 af	N/A	135.2

Transfer No. 85469

Support Data
In File # 35-2153C

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

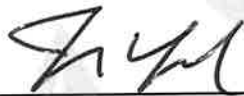
**TRANSFER OF WATER RIGHT
TRANSFER NO. 85469**

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>
35-2330	35-14763	0.140 cfs	33.2 af	8.3	428.0	35-2330	1.960 cfs	464.0 af	N/A	116.0
35-4214	35-4214	0.590 cfs	250.0 af	398.0	428.0	N/A	N/A	N/A	N/A	N/A
35-7082	35-14761	0.010 cfs	2.8 af	0.7	428.0	35-7082	2.130 cfs	422.8 af	105.7	288.3
COMBINED TOTALS		6.430 cfs	1705.2 af	428.0	428.0		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 21st day of January, 2022.



Regional Manager

Support Data
In File # 35-2153C

Transfer No. 85469

WATER RIGHT NO. 35-2153C
As Modified by Transfer No. 85469

In accordance with the approval of Transfer No. 85469, Water Right No. 35-2153C is now described as follows:

Right Holder: FARMS LLC
C/O BRAD HALL
PO BOX 50620
IDAHO FALLS, ID 83405--0620

Priority Date: 5/14/1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	2.200 cfs	511.2 af
			2.200 cfs	511.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSESE	Sec 6	Twp 03S Rge 33E BINGHAM County
GROUND WATER	NWSESW	Sec 6	Twp 03S Rge 33E BINGHAM County

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	
03S	33E	6									39.7	28.4	30.0	39.0	38.8	37.4	36.9	38.1	288.3
											L 6	L 7							

Right Acre Limit: 127.8

POU Total Acres: 288.3

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 127.8 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2153C, 35-7082 and 35-12656A when combined shall not exceed a total diversion rate of 4.32 cfs and the irrigation of 288.3 acres.
3. Right No. 35-12656A is an enlargement of this right pursuant to Idaho Code § 42-1426.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
5. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Transfer No. 85469

WATER RIGHT NO. 35-14759
As Modified by Transfer No. 85469

In accordance with the approval of Transfer No. 85469, Water Right No. 35-14759 is now described as follows:

Right Holder: FARMS LLC
C/O BRAD HALL
PO BOX 50620
IDAHO FALLS, ID 83405--0620

Priority Date: 5/14/1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	0.020 cfs	3.6 af
			0.020 cfs	3.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNWNE Sec 13 Twp 01S Rge 33E BINGHAM County

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	
01S	33E	13		26.0	18.0	2.0	39.0	31.0	37.0	40.0	40.0	19.0	18.0	39.0	23.0	40.0	39.0	17.0	428.0

Right Acre Limit: 0.9
POU Total Acres: 428.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 0.9 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14759, 35-14760 and 35-14761 when combined shall not exceed a total diversion rate of 0.03 cfs and the irrigation of 2 acres.
3. Rights 35-2265, 35-4214, 35-14759, 35-14760, 35-14761, 35-14762, 35-14763, 35-14764 and 35-14765 when combined shall not exceed a total diversion rate of 6.43 cfs, a total annual maximum diversion volume of 1705.2 af at the field headgate, and the irrigation of 428 acres.
4. 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. 120.

Transfer No. 85469

WATER RIGHT NO. 35-14759
As Modified by Transfer No. 85469

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 85469, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. Right No. 35-14760 is an enlargement of this right pursuant to Idaho Code § 42-1426.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 35-12656A
As Modified by Transfer No. 85469

In accordance with the approval of Transfer No. 85469, Water Right No. 35-12656A is now described as follows:

Right Holder: FARMS LLC
C/O BRAD HALL
PO BOX 50620
IDAHO FALLS, ID 83405--0620

Priority Date: 6/1/1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	0.810 cfs	219.2 af
			0.810 cfs	219.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSESE	Sec 6 Twp 03S Rge 33E BINGHAM County
GROUND WATER	NWSESW	Sec 6 Twp 03S Rge 33E BINGHAM County

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	
03S	33E	6									39.7	28.4	30.0	39.0	38.8	37.4	36.9	38.1	288.3
												L 6	L 7						

Right Acre Limit: 54.8
POU Total Acres: 288.3

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 54.8 acres within the place of use described for this right.
2. Rights 35-2153C, 35-7082 and 35-12656A when combined shall not exceed a total diversion rate of 4.32 cfs and the irrigation of 288.3 acres.
3. This right is based upon an enlargement of Rights No. 35-2153C & 35-7082 pursuant to Idaho Code § 42-1426.
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 Idaho Code § 42-1426. As between water rights decreed as enlargements pursuant to Idaho Code § 42-1426, the earlier priority right is the superior right.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

Transfer No. 85469

WATER RIGHT NO. 35-12656A
As Modified by Transfer No. 85469

CONDITIONS OF APPROVAL

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



WATER RIGHT NO. 35-14760
As Modified by Transfer No. 85469

In accordance with the approval of Transfer No. 85469, Water Right No. 35-14760 is now described as follows:

Right Holder: FARMS LLC
C/O BRAD HALL
PO BOX 50620
IDAHO FALLS, ID 83405--0620

Priority Date: 6/1/1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	0.010 cfs	1.6 af
			0.010 cfs	1.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNWNE Sec 13 Twp 01S Rge 33E BINGHAM County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	33E	13		26.0	18.0	2.0	39.0	31.0	37.0	40.0	40.0	19.0	18.0	39.0	23.0	40.0	39.0	17.0	428.0

Right Acre Limit: 0.4
POU Total Acres: 428.0

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 0.4 acres within the place of use described for this right.
2. Rights 35-14759, 35-14760 and 35-14761 when combined shall not exceed a total diversion rate of 0.03 cfs and the irrigation of 2 acres.
3. Rights 35-2265, 35-4214, 35-14759, 35-14760, 35-14761, 35-14762, 35-14763, 35-14764 and 35-14765 when combined shall not exceed a total diversion rate of 6.43 cfs, a total annual maximum diversion volume of 1705.2 af at the field headgate, and the irrigation of 428 acres.
4. 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. 120.

Transfer No. 85469

WATER RIGHT NO. 35-14760
As Modified by Transfer No. 85469

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 85469, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. This right is based upon an enlargement of Rights No. 35-14759 & 35-14761 pursuant to Idaho Code § 42-1426.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 35-7082
As Modified by Transfer No. 85469

In accordance with the approval of Transfer No. 85469, Water Right No. 35-7082 is now described as follows:

Right Holder: FARMS LLC
C/O BRAD HALL
PO BOX 50620
IDAHO FALLS, ID 83405--0620

Priority Date: 6/4/1969

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 11/01	2.130 cfs	422.8 af
			2.130 cfs	422.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSESE	Sec 6	Twp 03S Rge 33E	BINGHAM County
GROUND WATER	NWSESW	Sec 6	Twp 03S Rge 33E	BINGHAM County

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	
03S	33E	6									39.7	28.4	30.0	39.0	38.8	37.4	36.9	38.1	288.3
												L 6	L 7						
Right Acre Limit:			105.7																
POU Total Acres:			288.3																

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 105.7 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2153C, 35-7082 and 35-12656A when combined shall not exceed a total diversion rate of 4.32 cfs and the irrigation of 288.3 acres.
3. Right No. 35-12656A is an enlargement of this right pursuant to Idaho Code § 42-1426.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
5. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Transfer No. 85469

WATER RIGHT NO. 35-14761

As Modified by Transfer No. 85469

In accordance with the approval of Transfer No. 85469, Water Right No. 35-14761 is now described as follows:

Right Holder: FARMS LLC
C/O BRAD HALL
PO BOX 50620
IDAHO FALLS, ID 83405--0620

Priority Date: 6/4/1969

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 11/01	0.010 cfs	2.8 af
			0.010 cfs	2.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNWNE Sec 13 Twp 01S Rge 33E BINGHAM County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	33E	13		26.0	18.0	2.0	39.0	31.0	37.0	40.0	40.0	19.0	18.0	39.0	23.0	40.0	39.0	17.0	428.0

Right Acre Limit: 0.7
POU Total Acres: 428.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 0.7 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14759, 35-14760 and 35-14761 when combined shall not exceed a total diversion rate of 0.03 cfs and the irrigation of 2 acres.
3. Rights 35-2265, 35-4214, 35-14759, 35-14760, 35-14761, 35-14762, 35-14763, 35-14764 and 35-14765 when combined shall not exceed a total diversion rate of 6.43 cfs, a total annual maximum diversion volume of 1705.2 af at the field headgate, and the irrigation of 428 acres.
4. 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. 120.

Transfer No. 85469

WATER RIGHT NO. 35-14761
As Modified by Transfer No. 85469

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 85469, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. Right No. 35-14760 is an enlargement of this right pursuant to Idaho Code § 42-1426.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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. 35-2329
As Modified by Transfer No. 85469

In accordance with the approval of Transfer No. 85469, Water Right No. 35-2329 is now described as follows:

Right Holder: FARMS LLC
C/O BRAD HALL
PO BOX 50620
IDAHO FALLS, ID 83405-0560

Priority Date: 5/1/1953

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	1.690 cfs	540.8 af
			1.690 cfs	540.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESWNW Sec 8 Twp 03S Rge 32E BINGHAM County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	32E	8					34.2	33.9	33.1	34.0									135.2

POU Total Acres: 135.2

CONDITIONS OF APPROVAL

1. 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.

Transfer No. 85469

WATER RIGHT NO. 35-14762

As Modified by Transfer No. 85469

In accordance with the approval of Transfer No. 85469, Water Right No. 35-14762 is now described as follows:

Right Holder: FARMS LLC
C/O BRAD HALL
PO BOX 50620
IDAHO FALLS, ID 83405-0560

Priority Date: 5/1/1953

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	0.160 cfs	51.6 af
			0.160 cfs	51.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNWNE Sec 13 Twp 01S Rge 33E BINGHAM County

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	
01S	33E	13		26.0	18.0	2.0	39.0	31.0	37.0	40.0	40.0	19.0	18.0	39.0	23.0	40.0	39.0	17.0	428.0

Right Acre Limit: 12.9
POU Total Acres: 428.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 12.9 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2265, 35-4214, 35-14759, 35-14760, 35-14761, 35-14762, 35-14763, 35-14764 and 35-14765 when combined shall not exceed a total diversion rate of 6.43 cfs, a total annual maximum diversion volume of 1705.2 af at the field headgate, and the irrigation of 428 acres.
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. 120.
4. Prior to the diversion and use of water under Transfer approval 85469, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

Transfer No. 85469

WATER RIGHT NO. 35-14762
As Modified by Transfer No. 85469

CONDITIONS OF APPROVAL

5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
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.

WATER RIGHT NO. 35-2330

As Modified by Transfer No. 85469

In accordance with the approval of Transfer No. 85469, Water Right No. 35-2330 is now described as follows:

Right Holder: FARMS LLC
C/O BRAD HALL
PO BOX 50620
IDAHO FALLS, ID 83405-0560

Priority Date: 5/1/1953

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	1,960 cfs	464.0 af
			1,960 cfs	464.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENWSW Sec 8 Twp 03S Rge 32E BINGHAM County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	32E	8									33.7	39.0	21.0	22.3					116.0

POU Total Acres: 116.0

CONDITIONS OF APPROVAL

- 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. 35-14763
As Modified by Transfer No. 85469

In accordance with the approval of Transfer No. 85469, Water Right No. 35-14763 is now described as follows:

Right Holder: FARMS LLC
 C/O BRAD HALL
 PO BOX 50620
 IDAHO FALLS, ID 83405-0560

Priority Date: 5/1/1953

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	0.140 cfs	33.2 af
			0.140 cfs	33.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNWNE Sec 13 Twp 01S Rge 33E BINGHAM County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	33E	13		26.0	18.0	2.0	39.0	31.0	37.0	40.0	40.0	19.0	18.0	39.0	23.0	40.0	39.0	17.0	428.0

Right Acre Limit: 8.3

POU Total Acres: 428.0

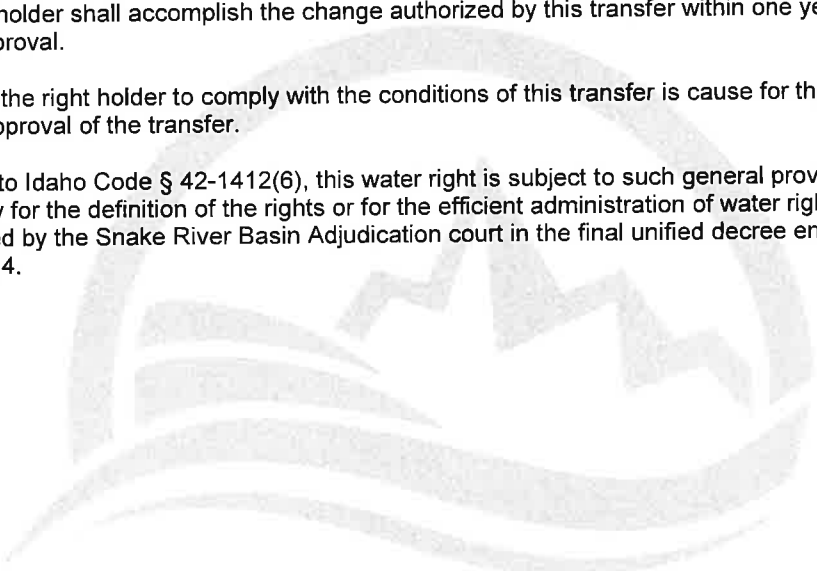
CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 8.3 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2265, 35-4214, 35-14759, 35-14760, 35-14761, 35-14762, 35-14763, 35-14764 and 35-14765 when combined shall not exceed a total diversion rate of 6.43 cfs, a total annual maximum diversion volume of 1705.2 af at the field headgate, and the irrigation of 428 acres.
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. 120.
4. Prior to the diversion and use of water under Transfer approval 85469, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

Transfer No. 85469

WATER RIGHT NO. 35-14763
As Modified by Transfer No. 85469

CONDITIONS OF APPROVAL

5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
 6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
 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.
- 

WATER RIGHT NO. 35-2265
As Modified by Transfer No. 85469

In accordance with the approval of Transfer No. 85469, Water Right No. 35-2265 is now described as follows:

Right Holder: FARMS LLC
C/O BRAD HALL
PO BOX 50620
IDAHO FALLS, ID 83405-0560

Priority Date: 10/9/1952

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	6.000 cfs	1416.0 af
			6.000 cfs	1416.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNWNE Sec 13 Twp 01S Rge 33E BINGHAM County

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	
01S	33E	13		26.0	18.0	2.0	39.0	31.0	37.0	40.0	40.0	19.0	18.0	39.0	23.0	40.0	39.0	17.0	428.0

Right Acre Limit: 354.0

POU Total Acres: 428.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 354.0 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2265 and 35-4214 when combined shall not exceed a total diversion rate of 6.0 cfs, a total annual maximum diversion volume of 1592.0 af at the field headgate, and the irrigation of 398.0 acres.
3. Rights 35-2265, 35-4214, 35-14759, 35-14760, 35-14761, 35-14762, 35-14763, 35-14764 and 35-14765 when combined shall not exceed a total diversion rate of 6.43 cfs, a total annual maximum diversion volume of 1705.2 af at the field headgate, and the irrigation of 428 acres.
4. Use of water under this right will 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. 120.

Transfer No. 85469

WATER RIGHT NO. 35-2265
As Modified by Transfer No. 85469

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 85469, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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. 35-4214
As Modified by Transfer No. 85469

In accordance with the approval of Transfer No. 85469, Water Right No. 35-4214 is now described as follows:

Right Holder: FARMS LLC
C/O BRAD HALL
PO BOX 50620
IDAHO FALLS, ID 83405-0560

Priority Date: 6/1/1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.590 cfs	250.0 af
			0.590 cfs	250.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNWNE Sec 13 Twp 01S Rge 33E BINGHAM County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	33E	13		26.0	18.0	2.0	39.0	31.0	37.0	40.0	40.0	19.0	18.0	39.0	23.0	40.0	39.0	17.0	428.0
Right Acre Limit:			398.0																
POU Total Acres:			428.0																

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 398.0 acres within the authorized place of use in a single irrigation season.
2. Rights 35-2265 and 35-4214 when combined shall not exceed a total diversion rate of 6.0 cfs, a total annual maximum diversion volume of 1592.0 af at the field headgate, and the irrigation of 398.0 acres.
3. Rights 35-2265, 35-4214, 35-14759, 35-14760, 35-14761, 35-14762, 35-14763, 35-14764 and 35-14765 when combined shall not exceed a total diversion rate of 6.43 cfs, a total annual maximum diversion volume of 1705.2 af at the field headgate, and the irrigation of 428 acres.
4. Use of water under this right will 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. 120.

Transfer No. 85469

WATER RIGHT NO. 35-4214
As Modified by Transfer No. 85469

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 85469, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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. 35-13716**As Modified by Transfer No. 85469**

In accordance with the approval of Transfer No. 85469, Water Right No. 35-13716 is now described as follows:

Right Holder: FARMS LLC
C/O BRAD HALL
PO BOX 50620
IDAHO FALLS, ID 83405-0620

Priority Date: 3/11/1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	4.020 cfs	787.8 af
			4.020 cfs	787.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENWSE Sec 14 Twp 02S Rge 32E BINGHAM County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	32E	14	33.7	40.0	34.2	39.0									39.0	33.3	34.0	33.0	286.2

Right Acre Limit: 262.6

POU Total Acres: 286.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 262.6 acres within the authorized place of use in a single irrigation season.
2. Rights 35-13716 and 35-13718 when combined shall not exceed a total diversion rate of 4.02 cfs.
3. Right No. 35-13718 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
4. Pursuant to Section 42-1412(6), Idaho Code, 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.

Transfer No. 85469

WATER RIGHT NO. 35-14764
As Modified by Transfer No. 85469

In accordance with the approval of Transfer No. 85469, Water Right No. 35-14764 is now described as follows:

Right Holder: FARMS LLC
C/O BRAD HALL
PO BOX 50620
IDAHO FALLS, ID 83405-0620

Priority Date: 3/11/1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	0.100 cfs	18.6 af
			0.100 cfs	18.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNWNE Sec 13 Twp 01S Rge 33E BINGHAM County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	33E	13		26.0	18.0	2.0	39.0	31.0	37.0	40.0	40.0	19.0	18.0	39.0	23.0	40.0	39.0	17.0	428.0

Right Acre Limit: 6.2
POU Total Acres: 428.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 6.2 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14764 and 35-14765 when combined shall not exceed a total diversion rate of 0.1 cfs.
3. Rights 35-2265, 35-4214, 35-14759, 35-14760, 35-14761, 35-14762, 35-14763, 35-14764 and 35-14765 when combined shall not exceed a total diversion rate of 6.43 cfs, a total annual maximum diversion volume of 1705.2 af at the field headgate, and the irrigation of 428 acres.
4. 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. 120.

Transfer No. 85469

WATER RIGHT NO. 35-14764
As Modified by Transfer No. 85469

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 85469, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. Right No. 35-14765 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, 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. 35-13718
As Modified by Transfer No. 85469

In accordance with the approval of Transfer No. 85469, Water Right No. 35-13718 is now described as follows:

Right Holder: FARMS LLC
C/O BRAD HALL
PO BOX 50620
IDAHO FALLS, ID 83405-0620

Priority Date: 10/1/1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.330 cfs	70.8 af
			0.330 cfs	70.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENWSE Sec 14 Twp 02S Rge 32E BINGHAM County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	32E	14	33.7	40.0	34.2	39.0									39.0	33.3	34.0	33.0	286.2

Right Acre Limit: 23.6

POU Total Acres: 286.2

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 23.6 acres within the place of use described for this right.
2. Rights 35-13716 and 35-13718 when combined shall not exceed a total diversion rate of 4.02 cfs.
3. This right is based upon an enlargement of Right No. 35-13716 pursuant to Section 42-1426, Idaho Code.
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. Pursuant to Section 42-1412(6), Idaho Code, 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.

Transfer No. 85469

WATER RIGHT NO. 35-14765**As Modified by Transfer No. 85469**

In accordance with the approval of Transfer No. 85469, Water Right No. 35-14765 is now described as follows:

Right Holder: FARMS LLC
C/O BRAD HALL
PO BOX 50620
IDAHO FALLS, ID 83405-0620

Priority Date: 10/1/1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.010 cfs	1.8 af
			0.010 cfs	1.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNWNE Sec 13 Twp 01S Rge 33E BINGHAM County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	33E	13		26.0	18.0	2.0	39.0	31.0	37.0	40.0	40.0	19.0	18.0	39.0	23.0	40.0	39.0	17.0	428.0
Right Acre Limit:			0.6																
POU Total Acres:			428.0																

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 0.6 acres within the place of use described for this right.
2. Rights 35-14764 and 35-14765 when combined shall not exceed a total diversion rate of 0.1 cfs.
3. Rights 35-2265, 35-4214, 35-14759, 35-14760, 35-14761, 35-14762, 35-14763, 35-14764 and 35-14765 when combined shall not exceed a total diversion rate of 6.43 cfs, a total annual maximum diversion volume of 1705.2 af at the field headgate, and the irrigation of 428 acres.
4. 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. 120.

WATER RIGHT NO. 35-14765

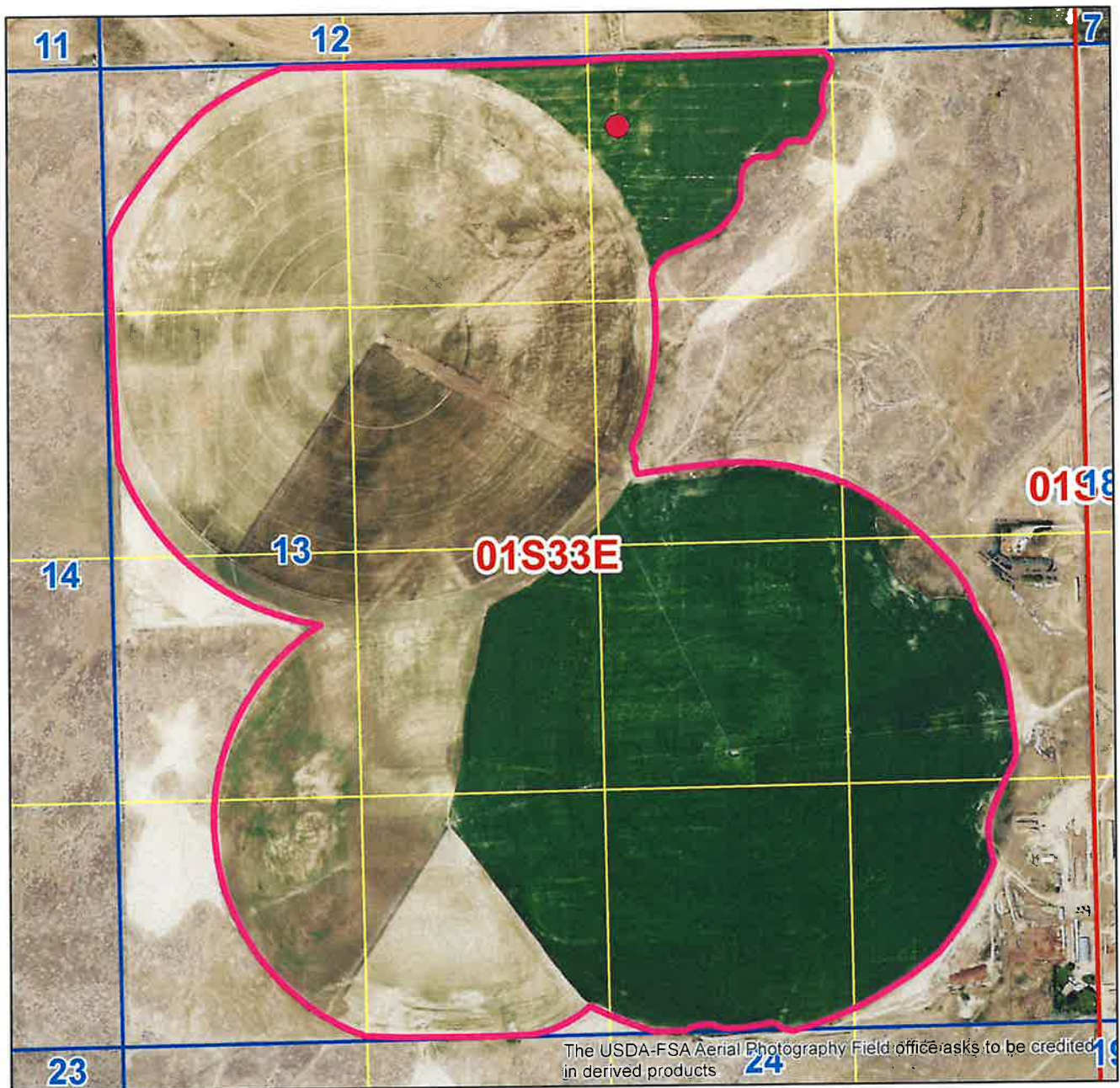
As Modified by Transfer No. 85469

CONDITIONS OF APPROVAL

5. Prior to the diversion and use of water under Transfer approval 85469, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. This right is based upon an enlargement of Right No. 35-14764 pursuant to Section 42-1426, Idaho Code.
8. 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.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Section 42-1412(6), Idaho Code, 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.

Attachment to Transfer Approval 85469

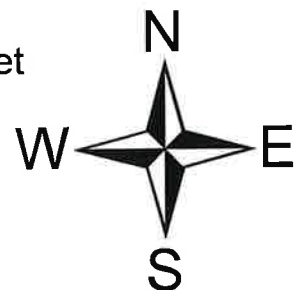
This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- WR POD
- WR POU
- Township/Range
- Sections
- QQ

0 500 1,000 2,000 Feet



Date: 1/21/2022



IDAHO DEPARTMENT OF
WATER RESOURCES

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

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

Governor Brad Little

Director Gary Spackman

January 21, 2022

FARMS LLC
C/O BRAD HALL
PO BOX 50620
IDAHO FALLS ID 83405-0560

Re: Transfer No: 85469
Water Right No(s): 35-2153C , 35-2265, 35-2329, 35-2330, 35-4214, 35-7082, 35-12656A , 35-13716, 35-13718

Transfer Approval Notice

Dear Water Right Holder:

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) 525-7161.

Sincerely,

A handwritten signature in blue ink, appearing to read 'CH' or 'CHenman', written in a cursive style.

Christina Henman
Administrative Assistant

Enclosure
CC:

ROCKY MOUNTAIN WATER EXCHANGE LLC
482 CONSTITUTION WAY STE 303
IDAHO FALLS ID 83402-3552

CERTIFICATE OF SERVICE

I hereby certify that on January 21, 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.: 85469

Water Right No(s): 35-2153C , 35-2265, 35-2329, 35-2330, 35-4214, 35-7082, 35-12656A , 35-13716, 35-13718

**FARMS LLC
C/O BRAD HALL
PO BOX 50620
IDAHO FALLS ID 83405-0560**

**ROCKY MOUNTAIN WATER EXCHANGE LLC
482 CONSTITUTION WAY STE 303
IDAHO FALLS ID 83402-3552**



**Christina Henman
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.