

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

85284
RECEIVED

NOV 12 2021

DEPT. OF WATER RESOURCES
SOUTHERN REGION**AMENDED**

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) IDAHO AGRI INVESTMENTS LLC

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a [Part 2A](#) report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer [Part 2B](#) for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. ([Fee schedule](#) is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).**
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at idwr.idaho.gov/water-rights/transfers/resources.html.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System ([GIS](#)) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☒ ☐ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see [fee schedule](#).
- ☒ ☐ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☐ ☒ #10 Other. Please describe: _____

AMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 12 2021

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

Name of Applicant(s) IDAHO AGRI INVESTMENTS LLC Phone 410-778-4583
Mailing address 127 Conley Dr. Chestertown, MD 21620 Email markrachel4milk@gmail.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☒ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative DONELL FLUCKIGER Phone 208-421-0403
Mailing address 182 Homestead Loop JEROME, ID 83338 Email donell@fluckigerconsulting.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Wayne E. Cummings
Signature of Applicant or Authorized Representative

WAYNE E. CUMMINGS, Manager
Print Name and Title if applicable

11/12/21
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
☒ Change nature of use
 ☒ Add diversion point(s)
☒ Change period of use
 ☒ Change place of use
☐ Other _____
- Is this a transfer for changes pursuant to Idaho Code § 42-221.0.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.

The proposal is transfer a portion of water right 47-17487 to an existing dairy which is proposing to increase the number of cows being milked to 4,193 (animal units are remaining the same) for commercial, stockwater use. The volume to transfer is 13.2 AFA.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	47-17487	0.13/13.2	commercial/stockwater	1/1 to 12/31	ground water
☒ ☐	47-2666	0.25/105.9	commercial/stockwater	1/1 to 12/31	ground water
☒ ☐	47-2667	0.09/6.1	commercial/stockwater	1/1 to 12/31	ground water
☒ ☐	47-8236	0.15/47.9	commercial/stockwater	1/1 to 12/31	ground water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.59 cfs and/or 173.1 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.59 cubic feet per second and/or 173.1 acre-feet per year.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
no		NE	NE	NE	34	10S	18E	Twin Falls	Ground water	D0002498
no		SE	NE	NE	34	10S	18E	Twin Falls	Ground water	
no		NE	NE	NE	34	10S	18E	Twin Falls	Ground water	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	18E	34	X	X		X													
Total Acres (for irrigation use)																			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

If required, a flowmeter approved by IDWR will be installed in line on the pipe supplying the commercial/stockwater to measure the water flow.

- b. Who owns the property at the point(s) of diversion? Idaho Agri Investments LLC

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

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

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

Part 1A.3

*Water Rights 47-2666, 47-2667, and 47-8236 are existing commercial/stock water rights at the POD for the dairy. The POU for these water rights will be expanded to include T 10S 18E sec 34 SWNE and NWNE.

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

11/9/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 47-8236

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IDAHO AGRI INVESTMENTS LLC 127 CONLEY DR CHESTERTOWN, MD 21620-1005 4107784583
Original Owner	LARRY B HEIDEMANN 3577 E 4000 N KIMBERLY, ID 83341 2084234269
Security Interest	J R SIMPLOT CO DBA SIMPLOT GROWER SOLUTIONS 1099 W FRONT ST PO BOX 27 BOISE, ID 83707-0027 2087807316

Priority Date: 10/19/1993

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>
STOCKWATER	01/01	12/31	0.15 CFS	47.9 AFA
COMMERCIAL	01/01	12/31	0.15 CFS	47.9 AFA
Total Diversion			0.15 CFS	47.9 AFA

Location of Point(s) of Diversion:

GROUND WATER | NENE | Sec. 34 | Township 10S | Range 18E | TWIN FALLS County
 GROUND WATER | NENE | Sec. 34 | Township 10S | Range 18E | TWIN FALLS County
 Place(s) of use:

Place of Use Legal Description: STOCKWATER TWIN FALLS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
10S	18E	34		NENE										

Place of Use Legal Description: COMMERCIAL TWIN FALLS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
10S	18E	34		NENE										

Conditions of Approval:

1. Commercial use is for a dairy barn.
2. X36 Rights 47-02666 and 47-02667 are also diverted through the points of diversion described above.
3. X35 Rights 47-02666, 47-02667 and 47-08236 when combined shall not exceed a total diversion rate of 0.46 cfs.

Dates:

Licensed Date: 09/20/2002

Decreed Date:

Permit Proof Due Date: 8/1/1993

Permit Proof Made Date: 10/19/1993

Permit Approved Date: 7/27/1990

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: 03/05/1990

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector: And

Water District Number: NWD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit:

Combined Volume Limit:

Combined Rate Limit: 0.46

Civil Case Number:

85284

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

11/9/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 47-17487

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IDAHO AGRI INVESTMENTS LLC 127 CONLEY DR CHESTERTOWN, MD 21620-1005 4107784583
Original Owner	LUIS M BETTENCOURT
Original Owner	SHARON L BETTENCOURT 2930 S 2300 E WENDELL, ID 83355 2085366182

Priority Date: 11/03/1950

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>
IRRIGATION	03/15	11/15	1.49 CFS	308 AFA
Total Diversion			1.49 CFS	308 AFA

Location of Point(s) of Diversion:

GROUND WATER|SESESE|Sec. 33|Township 11S|Range 19E|TWIN FALLS County

IRRIGATION Use:

Acre Limit: 77

Place(s) of use:

Place of Use Legal Description: IRRIGATION TWIN FALLS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
-----------------	--------------	----------------	------------	--------------	--------------	------------	--------------	--------------	------------	--------------	--------------	------------	--------------	--------------

11S | 19E | 33 | | NESE | 40 | | SESE | 37 | | | | | |

Total Acres: 77

Conditions of Approval:

1. T19 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 06/16/2010

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: AND

Water District Number: EXC

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

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

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

11/9/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 47-2666

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IDAHO AGRI INVESTMENTS LLC 127 CONLEY DR CHESTERTOWN, MD 21620-1005 4107784583
Directors Report Owner	LARRY B HEIDEMANN 3577 E 4000 N KIMBERLY, ID 83341 2084234269
Original Owner	H H FISHER
Security Interest	J R SIMPLOT CO DBA SIMPLOT GROWER SOLUTIONS 1099 W FRONT ST PO BOX 27 BOISE, ID 83707-0027 2087807316

Priority Date: 07/07/1950

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>
STOCKWATER	1/01	12/31	0.25 CFS	82.5 AFA
COMMERCIAL	1/01	12/31	0.25 CFS	23.4 AFA
Total Diversion			0.25 CFS	105.9 AFA

Location of Point(s) of Diversion:

GROUND WATER|NENENE|Sec. 34|Township 10S|Range 18E|TWIN FALLS County
 GROUND WATER|SENENE|Sec. 34|Township 10S|Range 18E|TWIN FALLS County

Place(s) of use:

Place of Use Legal Description: STOCKWATER TWIN FALLS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
10S	18E	34		NENE			NWNE							

Place of Use Legal Description: COMMERCIAL TWIN FALLS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
10S	18E	34		NENE										

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. X01 COMMERCIAL USE IS FOR A DAIRY
3. X02 STOCKWATER USE IS FOR A COMBINED TOTAL OF 3,870 HEAD OF STOCK CONSISTING OF 1,600 MILKING COWS, 270 DRY COWS AND 2,000 HEAD OF REPLACEMENT CALVES AND HEIFERS.
4. E52 The rights listed below are limited to a total combined diversion rate of 0.34 cfs.
Combined Right Nos.: 47-2666, 47-2667
5. E53 Right Nos. 47-2666, 47-2667 are limited to a total combined annual diversion volume of 112.0 AF.

Dates:

Licensed Date:

Decreed Date: 06/01/2010

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

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: 07/07/1950

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: NWD
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Combined Acres Limit:
Combined Volume Limit: 112
Combined Rate Limit: 0.34
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

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

11/9/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 47-2667

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IDAHO AGRI INVESTMENTS LLC 127 CONLEY DR CHESTERTOWN, MD 21620-1005 4107784583
Directors Report Owner	LARRY B HEIDEMANN 3577 E 4000 N KIMBERLY, ID 83341 2084234269
Original Owner	H H FISHER
Security Interest	J R SIMPLOT CO DBA SIMPLOT GROWER SOLUTIONS 1099 W FRONT ST PO BOX 27 BOISE, ID 83707-0027 2087807316

Priority Date: 03/02/1956

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>
STOCKWATER	1/01	12/31	0.09 CFS	4.7 AFA
COMMERCIAL	1/01	12/31	0.09 CFS	1.4 AFA
Total Diversion			0.09 CFS	6.1 AFA

Location of Point(s) of Diversion:

GROUND WATER	NENENE	Sec. 34	Township 10S	Range 18E	TWIN FALLS County
GROUND WATER	SENENE	Sec. 34	Township 10S	Range 18E	TWIN FALLS County

COMMERCIAL Use:

Number of other uses: 1 dairy

Place(s) of use:

Place of Use Legal Description: STOCKWATER TWIN FALLS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
10S	18E	34		NENE			NWNE							

Place of Use Legal Description: COMMERCIAL TWIN FALLS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
10S	18E	34		NENE										

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. X01 COMMERCIAL USE IS FOR A DAIRY
3. X02 STOCKWATER USE IS FOR A COMBINED TOTAL OF 3,870 HEAD OF STOCK CONSISTING OF 1,600 MILKING COWS, 270 DRY COWS AND 2,000 HEAD OF REPLACEMENT CALVES AND HEIFERS.
4. E52 The rights listed below are limited to a total combined diversion rate of 0.34 cfs. Combined Right Nos.: 47-2666, 47-2667
5. E53 Right Nos. 47-2666, 47-2667 are limited to a total combined annual diversion volume of 112.0 AF.

Dates:

Licensed Date:

Decreed Date: 06/01/2010

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

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: 03/02/1956

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: NWD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit:

Combined Volume Limit: 112

Combined Rate Limit: 0.34

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

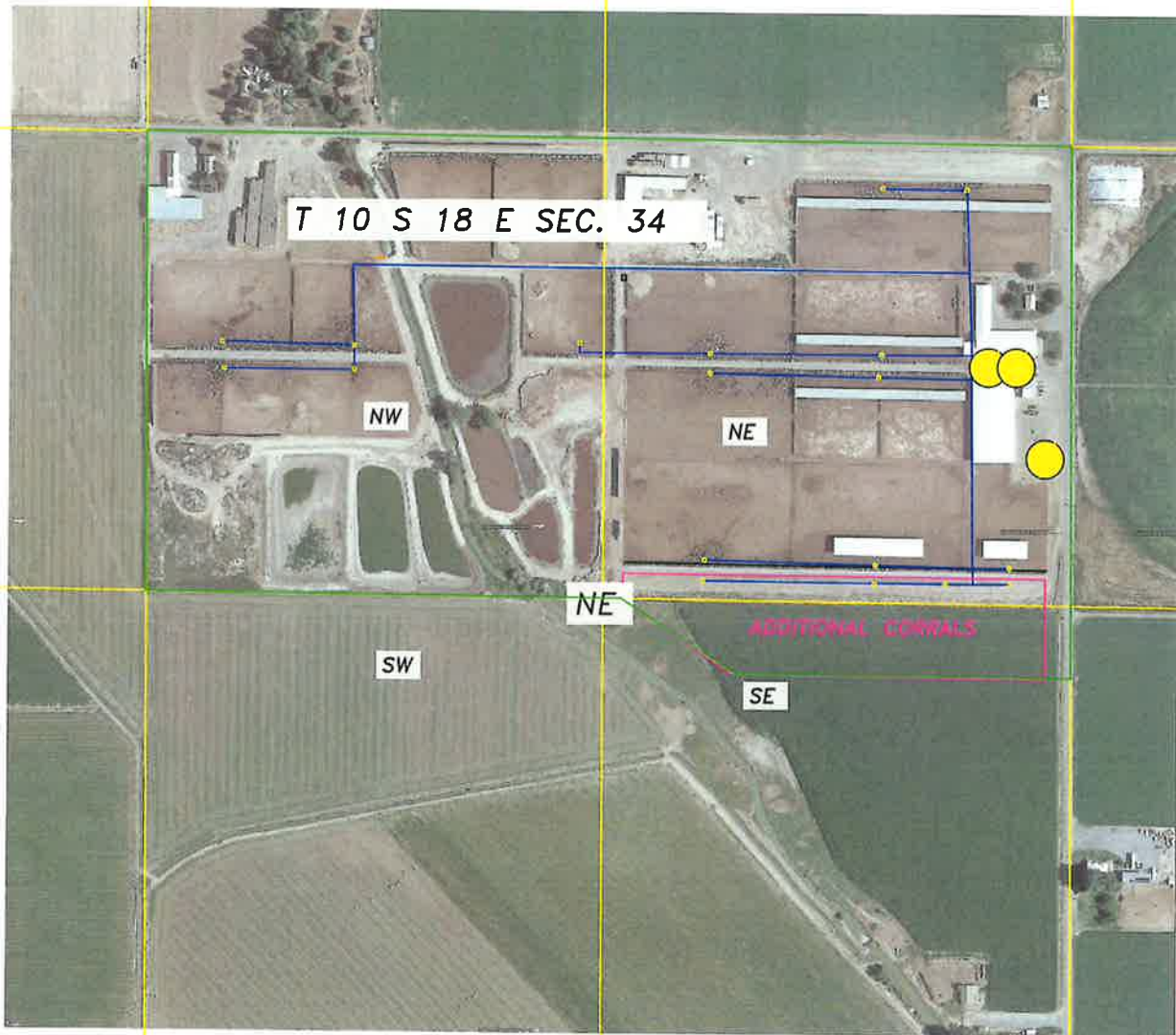
Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

ATTACHMENT 7A



DISTRIBUTION SYSTEM PIPELINE



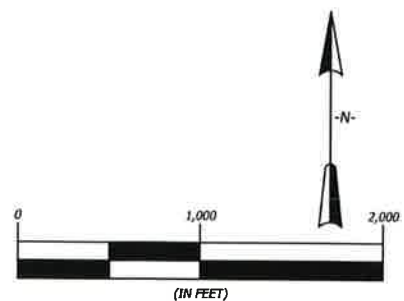
PLACE OF USE



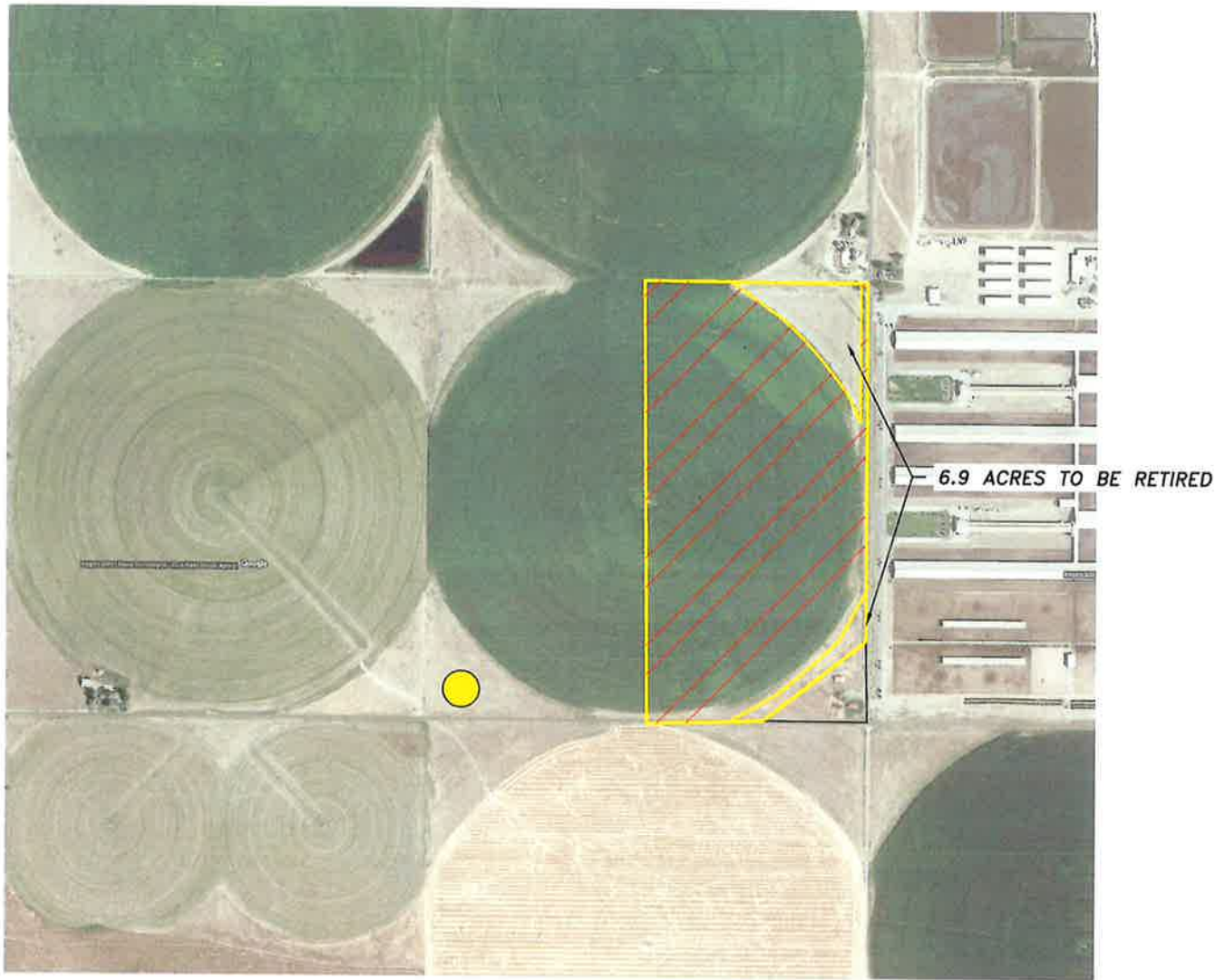
EXISTING
COMMERCIAL/STOCKWATER POD,
CONTROL AND
LOCATION FOR MEASURING DEVICE



85284



ATTACHMENT 7B



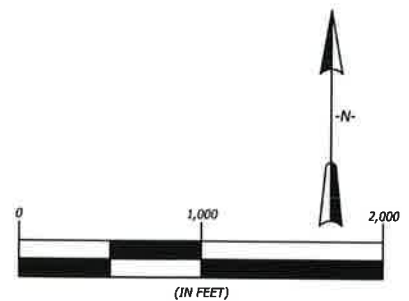
EXISTING
IRRIGATION POU
WATER RIGHT 47-17487



EXISTING
IRRIGATION POD
WATER RIGHTS 47-17487



85284



Attachment 8A.1

DAIRIES: WATER USE WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE	4193
NUMBER OF DRY CATTLE	0
NUMBER OF REPLACEMENT CATTLE: 0-2 MONTHS	0
3-4 MONTHS	0
5-8 MONTHS	0
9-12 MONTHS	0
13-15 MONTHS	0
16-24 MONTHS	0
ENTER 1 FOR MANUAL COW WASHING, 2 FOR AUTOMATIC COW WASHING, OR 3 IF SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS	1
IF SPRINKLERS ARE USED: NUMBER OF SPRINKLERS IN HOLDING PEN	0
NOZZLE DISCHARGE (USE 5.0 GPM IF UNKNOWN)	0.00
TOTAL OPERATION TIME OF SPRINKLERS (MIN/DAY)	0
NUMBER OF MILKINGS PER DAY	3
AVG. LBS. OF MILK PRODUCED PER DAY PER ANIMAL (IDAHO AVG IS 70 LBS.)	80
ARE THERE SEPARATE PUMPS FOR COMMERCIAL AND STOCKWATER USES?	N
IF SO: HOW MANY HOURS PER DAY DOES THE STOCKWATER PUMP RUN?	18.0
HOW MANY HOURS PER DAY DOES THE COMMERCIAL PUMP RUN?	18.0
IF ONLY ONE PUMP, HOW MANY TOTAL HOURS PER DAY DOES IT RUN?	
IS A PLATE COOLER USED?	Y
IS PLATE COOLER WATER LATER RECYCLED FOR OTHER USES? (IF NO PLATE COOLER, LEAVE BLANK)	Y
ARE CORRAL MISTERS USED IN HOLDING PEN?	N
IF USING CORRAL MISTERS: NUMBER OF MISTERS (IF UNKNOWN, ASSUME 1 MISTER FOR EVERY 5 COWS)	400
NOZZLE DISCHARGE (USE 5 GPH IF UNKNOWN)	5.00
SPRAY INTERVAL (EX - 2 MIN ON EVERY 5 MIN = 2/5)	2/5
OPERATION TIME OF MISTERS (HRS/DAY)	10
DAYS PER YEAR MISTERS ARE USED	45
ENTER A TOTAL VOLUME IN GPD FOR MISCELLANEOUS WATER USES NOT INDIVIDUALLY CALCULATED BELOW (EX. - RESTROOMS, WASHING MACHINES)	500

CALCULATIONS

DIVERSION RATE (CFS):

STOCKWATER	
MILKING CATTLE (BASED ON MILK PRODUCTION)	****
DRY CATTLE @17.0 GPD/HD	****
REPLACEMENT CATTLE	****
TOTAL	####
COMMERCIAL	
TOTAL	####
TOTAL DIVERSION RATE	####

DIVERSION VOLUME (AFA):

STOCKWATER	
MILKING CATTLE	154.8
DRY CATTLE	0.0
REPLACEMENT CATTLE	0.0
TOTAL	154.8
COMMERCIAL	
WASHING OF BULK TANK AND RELATED EQUIPMENT	0.6
BACKFLUSH	7.0
PARLOR/MILKHOUSE/HOLDING PEN CLEANUP	3.0
CATTLE WASHING BASED UPON METHOD OF WASHING	7.0
PLATE COOLER	0.0
CORRAL MISTERS	0.0
MISCELLANEOUS USES	0.6
TOTAL	18.3
TOTAL DIVERSION VOLUME	173.1

CONSUMPTIVE USE VOLUME (AFA)(assuming 100% consumptive):

STOCKWATER	154.8
COMMERCIAL	18.3
TOTAL CONSUMPTIVE USE	173.1

Current water rights are 159.9 AFA
Need to transfer an additional 13.2 AFA

ATTACHMENT 8A.2

The historical beneficial use for water right 47-17487, has been for irrigation with the existing place of use.

Crop	Corn	
Mean Monthly Consumptive Use	584	mm
Mean Monthly Consumptive Use (during growing season)	1.92	ft
Proposed Storage Transfer	13.2	afa
Retired Land Required	6.9	acres
Total Current Irrigated	77	acres
Total Irrigated after Transfer	70.1	acres
Annual Volume before Transfer	308	afa
Remain Volume	294.8	afa
Transferred Volume	13.2	afa

Attachment 8A.3

Existing Listed Water Rights

Water Right Number	Priority Date	Diversion (cfs)	Volume (AFA)	POU Limit (acres)
47-17487	11/3/1950	1.49	308	77

Water Rights Split

Transfer 13.2 AFA Retire 6.9 acres

Water Right Number	Priority Date	Diversion (cfs)	Volume (AFA)	POU Limit (acres)
47-17487	11/3/1950	0.13	27.6	6.9

Water Rights Split Adjustments

Transfer 13.2 AFA Retire 6.9 acres

Water Right Number	Priority Date	Diversion (cfs)	Volume (AFA)	POU Limit (acres)
47-17487	11/3/1950	0.13	13.2	6.9

* includes adjustments for consumptive volume

**includes reduction adjustments for diversion rate

Water Rights Split Adjustments

Transfer 13.2 AFA Retire 6.9 acres

Water Right Number	Priority Date	Diversion (cfs)	Volume (AFA)	POU Limit (acres)
47-17487	11/3/1950	1.36	280.4	70.1



University of Idaho

Kimberly Research
and Extension Center

[Water Resources Program](#)

ETIdaho 2017

[Evapotranspiration and Consumptive
Irrigation Water Requirements
for Idaho](#)

Please send suggestions for
improving this site to robison at
uidaho dot edu

2021-07-15 09:10

Copyright 2018, University of
Idaho.

[Twin Falls \(PN-AM -- TWFI\)](#)

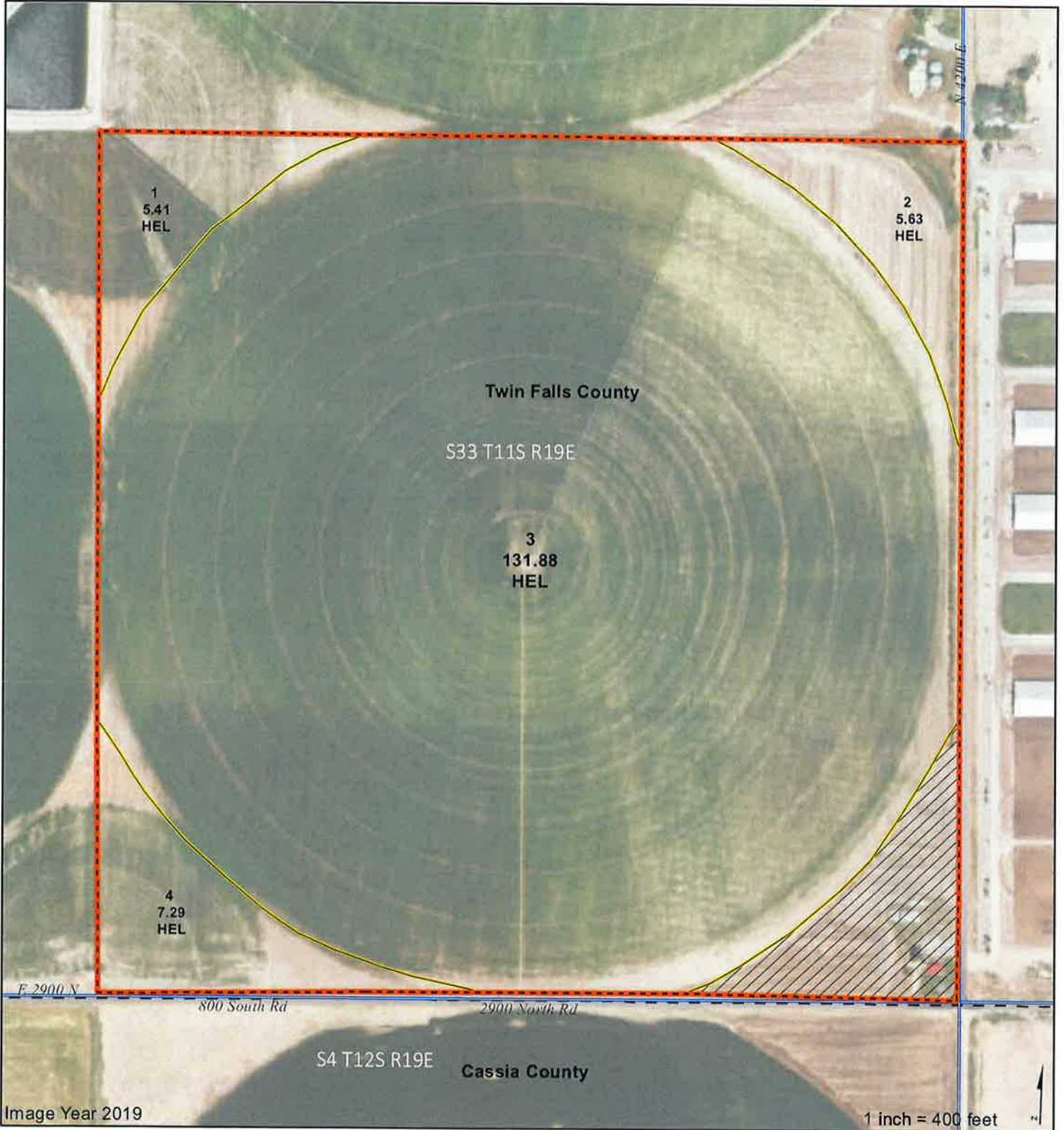
Statistics based on thirty year normal spans 1991 to 2016 years

For a different land cover or crop click on the above link.

You can highlight this table and copy via the clipboard to a Microsoft Excel or OpenOffice spreadsheet to plot or otherwise work with this data.

Silage Corn - truncated season Precipitation Deficit (Click here for a graph)															
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Growing Season ^a	Non Growing Season ^b	Annual
Mean ^j	mm/day												mm		
Monthly ^c	-0.20	0.15	-0.02	-0.03	0.31	2.34	6.86	6.41	2.79	0.22	-0.24	-0.47	584	-27	557
15-Day Moving Average ^d	-0.29	0.12	-0.04	-0.08	0.27	2.25	7.01	6.47	2.67	0.21	-0.25	-0.40			
7-Day Moving Average ^e	-0.23	0.14	-0.03	-0.05	0.27	2.29	6.94	6.41	2.73	0.22	-0.23	-0.44			
3-Day Moving Average ^f	-0.20	0.15	-0.03	-0.03	0.29	2.31	6.87	6.40	2.77	0.21	-0.22	-0.46			

Twin Falls County, Idaho



Common Land Unit

- Tract Boundary
- PLSS
- County Boundary
- Non-Cropland
- Cropland

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

Tract Cropland Total: 150.21 acres

2020 Program Year

Map Created December 10, 2019

Farm 7329
Tract 2905

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

85284

REPORT OF COMMODITIES

FARM AND TRACT DETAIL LISTING

Tract Number	CLU/Field	Crop/Commodity	Var/Type	Int Use	Act Use	Irr. Pr.	Org Stat	Nat. Sod	C/C Stat	Rpt Unit	Rpt Qty	Det Qty	Crop Land	Field ID	Official/Measured	Planting Date	Planting Period	End Date
2896	3	CORN	YEL	SG		I	C	N	I	A	126.43		Yes		N	5/8/2019	01	
		Producer IDAHO AGRI INVESTMENTS LLC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 3755	Signature Date 07/26/2019		
	4	IDLE				N	C	N	I N	A	7.45		Yes		N		01	
		Producer IDAHO AGRI INVESTMENTS LLC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 3755	Signature Date 07/26/2019		

Tract 2896 Summary

PP	Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty	PP	Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty	PP	Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty
01	CORN	YEL	SG	I	A	126.43	01	IDLE			N	A	20.17							

Photo Number/Legal Description: 32-11-19

Cropland: 146.60

Reported on Cropland: 146.60

Difference: 0.00

Reported on Non-Cropland: 0.00

2905	1	IDLE				N	C	N	I	N	A	5.41		Yes		N		01
		Producer IDAHO AGRI INVESTMENTS LLC				Share 100.00	FSA Physical Location Twin Falls, Idaho									NAP Unit 3755	Signature Date 07/26/2019	
	2	CORN	YEL	SG		I	C	N	I		A	5.63		Yes		N	6/5/2019	01
		Producer IDAHO AGRI INVESTMENTS LLC				Share 100.00	FSA Physical Location Twin Falls, Idaho									NAP Unit 3755	Signature Date 07/26/2019	
	3	CORN	YEL	SG		I	C	N	I		A	131.88		Yes		N	6/5/2019	01
		Producer IDAHO AGRI INVESTMENTS LLC				Share 100.00	FSA Physical Location Twin Falls, Idaho									NAP Unit 3755	Signature Date 07/26/2019	
	4	CORN	YEL	SG		I	C	N	I		A	7.29		Yes		N	6/5/2019	01
		Producer IDAHO AGRI INVESTMENTS LLC				Share 100.00	FSA Physical Location Twin Falls, Idaho									NAP Unit 3755	Signature Date 07/26/2019	

Tract 2905 Summary

PP	Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty	PP	Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty	PP	Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty
01	CORN	YEL	SG	I	A	144.80	01	IDLE			N	A	5.41							

Photo Number/Legal Description: 33-11-19

Cropland: 150.21

Reported on Cropland: 150.21

Difference: 0.00

Reported on Non-Cropland: 0.00

Reported on New England 0100																	
2906	1	IDLE		N	C	N	I N	A	19.20		Yes		N		01		
Producer IDAHO AGRI INVESTMENTS LLC			Share 100.00	FSA Physical Location Twin Falls, Idaho									NAP Unit 3755	Signature Date 07/26/2019			

Tract 2906 Summary

PP	Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty	PP	Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty	PP	Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty
01	IDLE			N	A	19.20														

Photo Number/Legal Description: 34-11-19

Cropland: 19.20

Reported on Cropland: 19.20

Difference: 0.00

Reported on Non-Cropland: 0.00

2911	1	IDLE				N	C	N	I N	A	6.63		Yes		N		01
		Producer IDAHO AGRI INVESTMENTS LLC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 3755	Signature Date 07/26/2019	
	2	IDLE				N	C	N	I N	A	6.76		Yes		N		01
		Producer IDAHO AGRI INVESTMENTS LLC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 3755	Signature Date 07/26/2019	
	3	CORN	YEL	SG		I	C	N	I	A	127.30		Yes		N	6/12/2019	01
		Producer IDAHO AGRI INVESTMENTS LLC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 3755	Signature Date 07/26/2019	



0003962588

**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 #: 0003962588

Date Filed: 8/7/2020 9:02:58 AM

Entity Name and Mailing Address:

Entity Name: IDAHO AGRI INVESTMENTS LLC
The file number of this entity on the records of the Idaho Secretary of State is: 0000393718
Address: 127 CONLEY DR
CHESTERTOWN, MD 21620-1005

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: W128676

The registered agent on record is:

Registered Agent: SHELLEY M DAVIS
Registered Agent
Physical Address
1010 W JEFFERSON ST STE 102
BOISE, ID 83702
Mailing Address

Limited Liability Company Managers and Members

Name	Title	Business Address
 Wayne E Cummings	Manager	127 CONLEY DR. Apo (Us)

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

Wayne E. Cummings

Sign Here

08/07/2020

Date

Job Title: Manager

B0529-4454 08/07/2020 9:03 AM Received by ID Secretary of State Lawrence Denney

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. **85284**
RECEIVED

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

SEP 02 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) IDAHO AGRI INVESTMENTS LLC

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at idwr.idaho.gov/water-rights/transfers/resources.html.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☒ ☐ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☒ ☐ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 02 2021

DEPT. OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) IDAHO AGRI INVESTMENTS LLC

Phone 801-389-2628

Mailing address 2952 N 4200 E HANSEN, ID 83344

Email markrachel4milk@gmail.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☒ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative DONELL FLUCKIGER

Phone 208-421-0403

Mailing address PO BOX 463 JEROME, ID 83338

Email donell@fluckigerconsulting.com

☐ Send all correspondence for this application to the representative and not to the applicant.
OR

☒ Send original correspondence to the applicant and copies to the representative.

☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR

☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Wayne E. Cummings
Signature of Applicant or Authorized Representative

WAYNE E. CUMMINGS, Mgr
Print Name and Title if applicable

9/1/21
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☐ Other _____
2. Is this a transfer for changes pursuant to Idaho Code § 42-221, O 87?
 If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.

The proposal is transfer a portion of water right 47-17487 to an existing dairy which is proposing to increase the number of cows being milked to 4,193 (animal units are remaining the same) for commercial, stockwater use. The volume to transfer is 13.2 AFA.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	47-17487	0.06/13.2	commercial/stockwater	1/1 to 12/31	ground water
☒ ☐	47-2666	0.25/105.9	commercial/stockwater	1/1 to 12/31	ground water
☒ ☐	47-2667	0.09/6.1	commercial/stockwater	1/1 to 12/31	ground water
☒ ☐	47-8236	0.15/47.9	commercial/stockwater	1/1 to 12/31	ground water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.52 cfs and/or 173.1 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.52 cubic feet per second and/or 173.1 acre-feet per year.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
no		NE	NE	NE	34	10S	18E	Twin Falls	Ground water	D0002498
no		SE	NE	NE	34	10S	18E	Twin Falls	Ground water	
no		NE	NE	NE	34	10S	18E	Twin Falls	Ground water	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	18E	34	X	X		X													
Total Acres (for irrigation use)																			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

If required, a flowmeter approved by IDWR will be installed in line on the pipe supplying the commercial/stockwater to measure the water flow.

- b. Who owns the property at the point(s) of diversion? Idaho Agri Investments LLC

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? **If yes**, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: N/A

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete [Attachment WSB](#).

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

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

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

Part 1A.3

*Water Rights 47-2666, 47-2667, and 47-8236 are existing commercial/stock water rights at the POD for the dairy. The POU for these water rights will be expanded to include T 10S 18E sec 34 SWNE and NWNE.

*The transfer of ownership for water right 47-17487 to Idaho Agri Investments from ISE 555 Broadway has previously been filed. See attachment.

Page 6

From: Ashley Martinkus <Ashley.Martinkus@TitleOneCorp.com>
Sent: Thursday, August 26, 2021 9:13 AM
To: donell@fluckigerconsulting.com
Subject: RE: [External] Idaho Agri Investments water rights ownership transfer

Good morning Donell,

Right No. 47-17487 is included as well. The ownership transfer is in progress, I have not received a receipt from IDWR showing that the transfer is complete yet. I sure hope that helps, let me know if you need anything else.

Thanks!

Ashley Martinkus

Ag Escrow Assistant
TitleOne
211 W. 13th St.
Burley, Idaho 83318
TitleOneCorp.com

P: 208-878-3524
F: 866-582-7546

From: donell@fluckigerconsulting.com <donell@fluckigerconsulting.com>
Sent: Thursday, August 26, 2021 8:59 AM
To: Ashley Martinkus <Ashley.Martinkus@TitleOneCorp.com>
Subject: [External] Idaho Agri Investments water rights ownership transfer

A couple of weeks ago you responded to an email about water rights ownership transfer to Idaho Agri Investments. I asked specifically about right # 47-17486. Is 47-17487 also included? I am doing a transfer and need something to show the ownership transfer is already in progress. An email would do. I attached a copy of your response below.
Thanks

"The water rights have been submitted to be changed, including right # 47-17486. The executed IDWR form was not sent initially with our buyer docs so it took us longer than usual to get everything sent to IDWR. I will let you know when we have received the receipt from IDWR showing that they have been transferred. Please let me know if you need anything else."

Donell Fluckiger, P.E.
Fluckiger Consulting
Jerome, ID
(208)421-0403

This email originated from outside the organization. Do not click links or open any attachments unless you recognize the source of the email.

BEWARE OF CYBER-FRAUD! Before wiring any funds, call the intended recipient at a number you know is valid to confirm the instructions and be wary of any request to change wire instructions you already received.

This email may be confidential. If you are not the intended recipient, please notify us immediately and delete this copy from your system.

In our ongoing focus on your security, we have changed our encryption provider to Proofpoint encryption. This may require you to create a new account.



[Home](#) / [Water Rights](#) / [Research](#) / [Search Water Rights](#)

WATER RIGHT REPORT

5/13/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 47-8236

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROSALIE D YOUNG
Current Owner	SHERMAN YOUNG JR 3134 S 1900 E WENDELL, ID 83355-3326 2085366185
Original Owner	LARRY B HEIDEMANN 3577 E 4000 N KIMBERLY, ID 83341 2084234269
Security Interest	J R SIMPLOT CO DBA SIMPLOT GROWER SOLUTIONS 1099 W FRONT ST PO BOX 27 BOISE, ID 83707-0027 2087807316

Priority Date: 10/19/1993

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>
STOCKWATER	01/01	12/31	0.15 CFS	47.9 AFA
COMMERCIAL	01/01	12/31	0.15 CFS	47.9 AFA
Total Diversion			0.15 CFS	47.9 AFA

Location of Point(s) of Diversion:

GROUND WATER|NENE|Sec. 34|Township 10S|Range 18E|TWIN FALLS County

GROUND WATER|NENE|Sec. 34|Township 10S|Range 18E|TWIN FALLS County

Place(s) of use:

Place of Use Legal Description: STOCKWATER TWIN FALLS County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10S	18E	34		NENE										

Place of Use Legal Description: COMMERCIAL TWIN FALLS County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10S	18E	34		NENE										

Conditions of Approval:

1. Commercial use is for a dairy barn.
2. X36 Rights 47-02666 and 47-02667 are also diverted through the points of diversion described above.
3. X35 Rights 47-02666, 47-02667 and 47-08236 when combined shall not exceed a total diversion rate of 0.46 cfs.

Dates:

Licensed Date: 09/20/2002

Decreed Date:

Permit Proof Due Date: 8/1/1993

Permit Proof Made Date: 10/19/1993

Permit Approved Date: 7/27/1990

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: 03/05/1990

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

8/23/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 47-17487

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ISE 555 BROADWAY LLC PO BOX 267 GALENA, MD 21635-0267 4107556373
Original Owner	LUIS M BETTENCOURT
Original Owner	SHARON L BETTENCOURT 2930 S 2300 E WENDELL, ID 83355 2085366182

Priority Date: 11/03/1950

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>
IRRIGATION	03/15	11/15	1.49 CFS	308 AFA
Total Diversion			1.49 CFS	308 AFA

Location of Point(s) of Diversion:

GROUND WATER|SESESE|Sec. 33|Township 11S|Range 19E|TWIN FALLS County
IRRIGATION Use:

Acre Limit: 77

Place(s) of use:

Place of Use Legal Description: IRRIGATION TWIN FALLS County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
-----------------	--------------	----------------	------------	--------------	--------------	------------	--------------	--------------	------------	--------------	--------------	------------	--------------	--------------

11S	19E	33		NESE	40		SESE	37						
-----	-----	----	--	------	----	--	------	----	--	--	--	--	--	--

Total Acres: 77

Conditions of Approval:

1. T19 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 06/16/2010

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: AND

Water District Number: EXC

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

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



[Home](#) / [Water Rights](#) / [Research](#) / [Search Water Rights](#)

WATER RIGHT REPORT

5/13/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 47-2666

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROSALIE D YOUNG
Current Owner	SHERMAN YOUNG JR 3134 S 1900 E WENDELL, ID 83355-3326 2085366185
Directors Report Owner	LARRY B HEIDEMANN 3577 E 4000 N KIMBERLY, ID 83341 2084234269
Original Owner	H H FISHER
Security Interest	J R SIMPLOT CO DBA SIMPLOT GROWER SOLUTIONS 1099 W FRONT ST PO BOX 27 BOISE, ID 83707-0027 2087807316

Priority Date: 07/07/1950

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>
STOCKWATER	1/01	12/31	0.25 CFS	82.5 AFA
COMMERCIAL	1/01	12/31	0.25 CFS	23.4 AFA
Total Diversion			0.25 CFS	105.9 AFA

Location of Point(s) of Diversion:

GROUND WATER|NENENE|Sec. 34|Township 10S|Range 18E|TWIN FALLS County

GROUND WATER|SENESE|Sec. 34|Township 10S|Range 18E|TWIN FALLS County

Place(s) of use:

Place of Use Legal Description: STOCKWATER TWIN FALLS County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10S	18E	34		NENE			NWNE							

Place of Use Legal Description: COMMERCIAL TWIN FALLS County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10S	18E	34		NENE										

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. X01 COMMERCIAL USE IS FOR A DAIRY
3. X02 STOCKWATER USE IS FOR A COMBINED TOTAL OF 3,870 HEAD OF STOCK CONSISTING OF 1,600 MILKING COWS, 270 DRY COWS AND 2,000 HEAD OF REPLACEMENT CALVES AND HEIFERS.
4. E52 The rights listed below are limited to a total combined diversion rate of 0.34 cfs. Combined Right Nos.: 47-2666, 47-2667
5. E53 Right Nos. 47-2666, 47-2667 are limited to a total combined annual diversion volume of 112.0 AF.

Dates:

Licensed Date:

Decreed Date: 06/01/2010

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

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: 07/07/1950

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: NWD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit:

Combined Volume Limit: 112

Combined Rate Limit: 0.34

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



[Home](#) / [Water Rights](#) / [Research](#) / [Search Water Rights](#)

WATER RIGHT REPORT

5/13/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 47-2667

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROSALIE D YOUNG
Current Owner	SHERMAN YOUNG JR 3134 S 1900 E WENDELL, ID 83355-3326 2085366185
Directors Report Owner	LARRY B HEIDEMANN 3577 E 4000 N KIMBERLY, ID 83341 2084234269
Original Owner	H H FISHER
Security Interest	J R SIMPLOT CO DBA SIMPLOT GROWER SOLUTIONS 1099 W FRONT ST PO BOX 27 BOISE, ID 83707-0027 2087807316

Priority Date: 03/02/1956

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>
STOCKWATER	1/01	12/31	0.09 CFS	4.7 AFA
COMMERCIAL	1/01	12/31	0.09 CFS	1.4 AFA
Total Diversion			0.09 CFS	6.1 AFA

Location of Point(s) of Diversion:

GROUND WATER|NENENE|Sec. 34|Township 10S|Range 18E|TWIN FALLS County

GROUND WATER|SENENE|Sec. 34|Township 10S|Range 18E|TWIN FALLS County

COMMERCIAL Use:

Number of other uses: 1 dairy

Place(s) of use:

Place of Use Legal Description: STOCKWATER TWIN FALLS County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10S	18E	34		NENE			NWNE							

Place of Use Legal Description: COMMERCIAL TWIN FALLS County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10S	18E	34		NENE										

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. X01 COMMERCIAL USE IS FOR A DAIRY
3. X02 STOCKWATER USE IS FOR A COMBINED TOTAL OF 3,870 HEAD OF STOCK CONSISTING OF 1,600 MILKING COWS, 270 DRY COWS AND 2,000 HEAD OF REPLACEMENT CALVES AND HEIFERS.
4. E52 The rights listed below are limited to a total combined diversion rate of 0.34 cfs. Combined Right Nos.: 47-2666, 47-2667
5. E53 Right Nos. 47-2666, 47-2667 are limited to a total combined annual diversion volume of 112.0 AF.

Dates:

Licensed Date:

Decreed Date: 06/01/2010

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

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: 03/02/1956

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: NWD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit:

Combined Volume Limit: 112

Combined Rate Limit: 0.34

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

9. **Required comment/approval letters from the following agencies:**

- A. **Irrigation Water:** Provide letter from the applicable Canal Company or District. Provide information on availability of water shares, number of shares, potential impact, etc.
- B. **Water Source:** Is there a private well, shared well, or public water supply and what impact the division will have. **Provide a letter from the Idaho Department of Water Resources if there is a non-domestic well and/or shared well.**
- C. **South Central District Health Department:** Provide a letter from the Health Department advising of septic system requirements and potential impacts.
- D. **Highway District:** Provide a letter from the applicable Highway District advising of the potential impact, what approach will be used to access the property, etc.
- E. **Fire Department:** Provide a letter from the applicable Fire District advising of access and driveway requirements, potential impact, etc.
- F. **Weed Control:** Provide a weed control plan to Twin Falls County Bureau of Weed Control and provide comment letter from them.

10. **Written statement regarding:**

- A. **Utilities:** Is service available? and who will provide service? (power, gas, phone, etc.)
- B. **Solid Waste:** How will solid wastes be disposed of? (PSI, county dump, etc.)
- C. **Easements:** Provide information on road, utility, canal, and other easements.
- D. **Geological Impact:** Applies to conditions that may require evaluation by an Engineer.

11. **Detailed explanation must address the following to be considered eligible for a variance:**

Chapter 14 Section 8-14-4 Requirements of Variance:

- A. The granting of the variance will not be in conflict with the spirit and intent of the comprehensive text and general planning map of Twin Falls County, and will not effect a change in zoning.
- B. There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or the intended use thereof, which do not apply generally to the property or class of use in the zone or district and imposing a definite hardship, so that a denial of the relief sought will result in:
 - 1. Undue loss in the value of the property due to topographic factor setback, building coverage or other technical provisions of the Zoning Ordinance in conjunction with physical limitations beyond the control of the applicant.
 - 2. Inability to preserve the property rights of the owners.
 - 3. The prevention of reasonable enjoyment of any property right of the owner.
- C. The granting of such relief will not be materially detrimental to the public health, safety or welfare, or injurious to the property or improvement.

A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon a showing of undue hardship because of characteristics of the site, and that the *variance* is not in conflict with the public interest.

I hereby apply for the above permit and acknowledge that I have read this application and hereby certify that the information I have provided is correct.

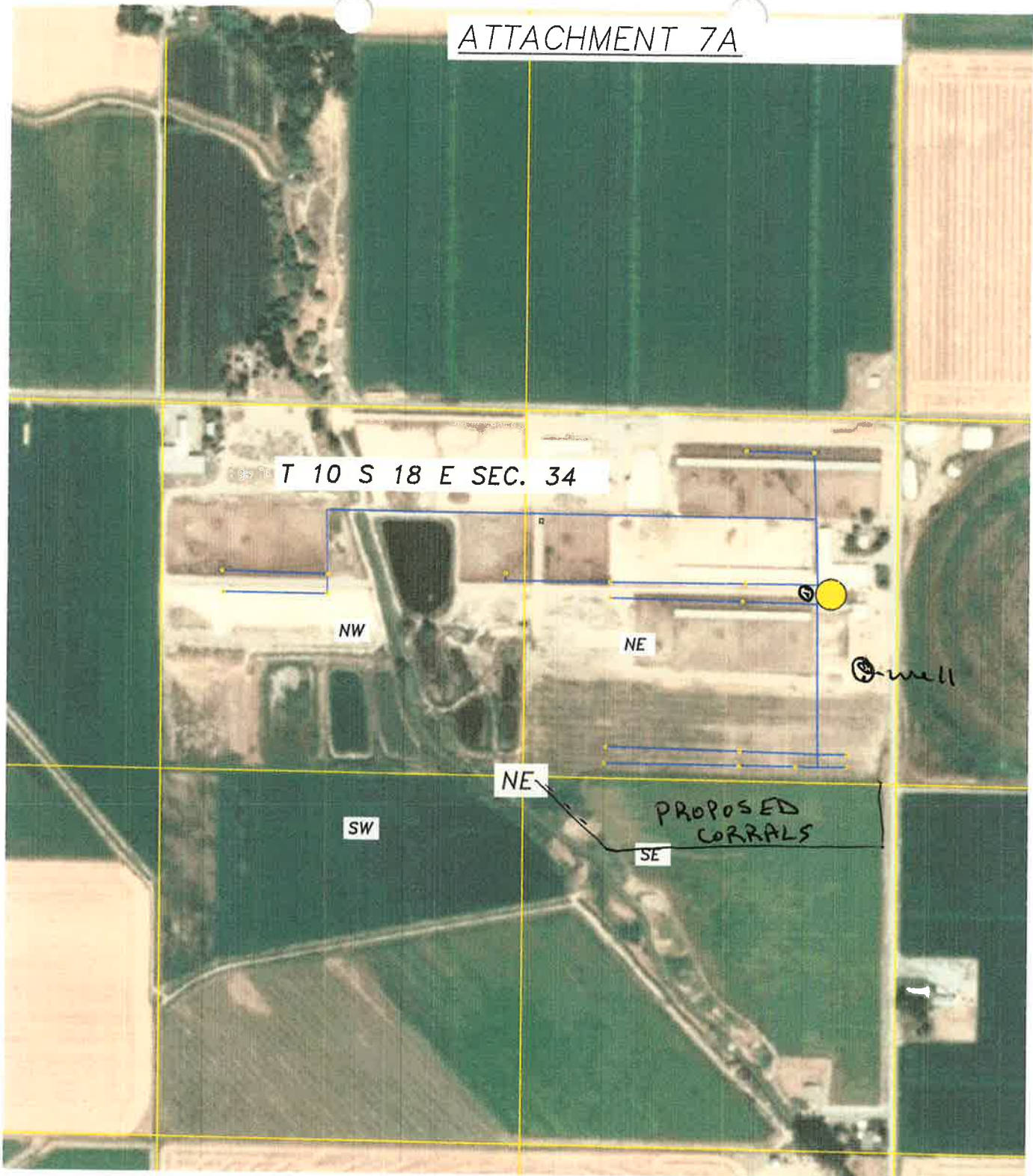
Signature of Owner

Date

Signature of Applicant / Representative

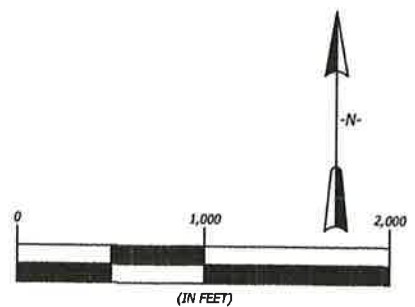
Date

ATTACHMENT 7A

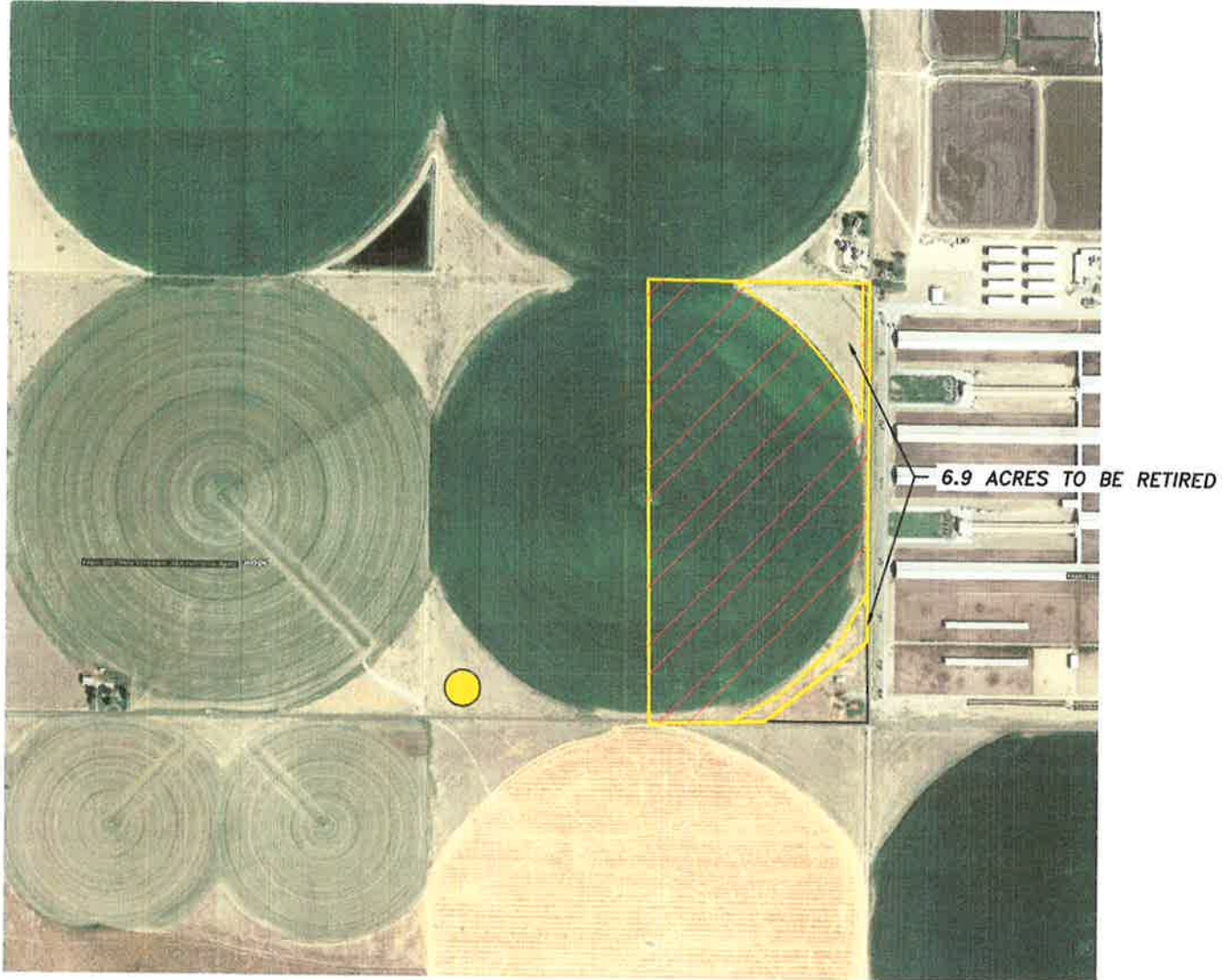


DISTRIBUTION SYSTEM PIPELINE 

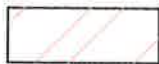
EXISTING
COMMERCIAL/STOCKWATER POD,
CONTROL AND
LOCATION FOR MEASURING DEVICE



ATTACHMENT 7B



EXISTING
IRRIGATION POU
WATER RIGHT ~~47-2505~~

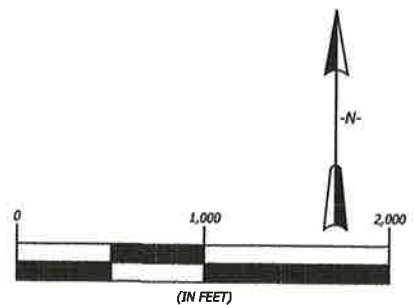


47-17487 P.S.

EXISTING
IRRIGATION POD
WATER RIGHTS ~~47-2505~~



47-17487 P.S.



Attachment 8A.1

DAIRIES: WATER USE WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE	4193
NUMBER OF DRY CATTLE	0
NUMBER OF REPLACEMENT CATTLE: 0-2 MONTHS	0
3-4 MONTHS	0
5-8 MONTHS	0
9-12 MONTHS	0
13-15 MONTHS	0
16-24 MONTHS	0
ENTER 1 FOR MANUAL COW WASHING, 2 FOR AUTOMATIC COW WASHING, OR 3 IF SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS	1
IF SPRINKLERS ARE USED: NUMBER OF SPRINKLERS IN HOLDING PEN	0
NOZZLE DISCHARGE (USE 5.0 GPM IF UNKNOWN)	0.00
TOTAL OPERATION TIME OF SPRINKLERS (MIN/DAY)	0
NUMBER OF MILKINGS PER DAY	3
AVG. LBS. OF MILK PRODUCED PER DAY PER ANIMAL (IDAHO AVG IS 70 LBS.)	80
ARE THERE SEPARATE PUMPS FOR COMMERCIAL AND STOCKWATER USES?	N
IF SO: HOW MANY HOURS PER DAY DOES THE STOCKWATER PUMP RUN?	18.0
HOW MANY HOURS PER DAY DOES THE COMMERCIAL PUMP RUN?	18.0
IF ONLY ONE PUMP, HOW MANY TOTAL HOURS PER DAY DOES IT RUN?	
IS A PLATE COOLER USED?	Y
IS PLATE COOLER WATER LATER RECYCLED FOR OTHER USES? (IF NO PLATE COOLER, LEAVE BLANK)	Y
ARE CORRAL MISTERS USED IN HOLDING PEN?	N
IF USING CORRAL MISTERS: NUMBER OF MISTERS (IF UNKNOWN, ASSUME 1 MISTER FOR EVERY 6 COWS)	400
NOZZLE DISCHARGE (USE 5 GPM IF UNKNOWN)	5.00
SPRAY INTERVAL (EX - 2 MIN ON EVERY 5 MIN = 2/5)	2/5
OPERATION TIME OF MISTERS (HRS/DAY)	10
DAYS PER YEAR MISTERS ARE USED	45
ENTER A TOTAL VOLUME IN GPD FOR MISCELLANEOUS WATER USES NOT INDIVIDUALLY CALCULATED BELOW (EX. - RESTROOMS, WASHING MACHINES)	500

CALCULATIONS

DIVERSION RATE (CFS):

STOCKWATER	
MILKING CATTLE (BASED ON MILK PRODUCTION)	####
DRY CATTLE @17.0 GPD/HD	####
REPLACEMENT CATTLE	####
TOTAL	####
COMMERCIAL	
TOTAL	####
TOTAL DIVERSION RATE	####

DIVERSION VOLUME (AFA):

STOCKWATER	
MILKING CATTLE	154.8
DRY CATTLE	0.0
REPLACEMENT CATTLE	0.0
TOTAL	154.8
COMMERCIAL	
WASHING OF BULK TANK AND RELATED EQUIPMENT	0.6
BACKFLUSH	7.0
PARLOR/MILKHOUSE/HOLDING PEN CLEANUP	3.0
CATTLE WASHING BASED UPON METHOD OF WASHING	7.0
PLATE COOLER	0.0
CORRAL MISTERS	0.0
MISCELLANEOUS USES	0.6
TOTAL	18.3
TOTAL DIVERSION VOLUME	173.1
CONSUMPTIVE USE VOLUME (AFA)(assuming 100% consumptive):	
STOCKWATER	154.8
COMMERCIAL	18.3
TOTAL CONSUMPTIVE USE	173.1

Current water rights are 159.9 AFA
Need to transfer an additional 13.2 AFA

ATTACHMENT 8A.2

The historical beneficial use for water right 47-17487, has been for irrigation with the existing place of use.

Crop	Corn	
Mean Monthly Consumptive Use	584	mm
Mean Monthly Consumptive Use (during growing season)	1.92	ft
Proposed Storage Transfer	13.2	afa
Retired Land Required	6.9	acres
Total Current Irrigated	77	acres
Total Irrigated after Transfer	70.1	acres
Annual Volume before Transfer	308	afa
Remain Volume	294.8	afa
Transferred Volume	13.2	afa

Attachment 8A.3

Existing Listed Water Rights

Water Right Number	Priority Date	Diversion (cfs)	Volume (AFA)	POU Limit (acres)
47-17487	11/3/1950	1.49	308	77

Water Rights Split

Transfer 13.2 AFA Retire 6.9 acres

Water Right Number	Priority Date	Diversion (cfs)	Volume (AFA)	POU Limit (acres)
47-17487	11/3/1950	0.13	27.6	6.9

Water Rights Split Adjustments

Transfer 13.2 AFA Retire 6.9 acres

Water Right Number	Priority Date	Diversion (cfs)	Volume (AFA)	POU Limit (acres)
47-17487	11/3/1950	0.06	13.2	6.9

* includes adjustments for consumptive volume

**includes reduction adjustments for diversion rate

Water Rights Split Adjustments

Transfer 13.2 AFA Retire 6.9 acres

Water Right Number	Priority Date	Diversion (cfs)	Volume (AFA)	POU Limit (acres)
47-17487	11/3/1950	1.43	280.4	70.1



University of Idaho

Kimberly Research and Extension Center

[Water Resources Program](#)

ETIdaho 2017

Evapotranspiration and Consumptive
Irrigation Water Requirements
for Idaho

Please send suggestions for
improving this site to robison at
uidaho dot edu

2021-07-15 09:10

Copyright 2018, University of
Idaho.

Twin Falls (PN-AM -- TWFI)

Statistics based on thirty year normal spans 1991 to 2016 years

For a different land cover or crop click on the above link.

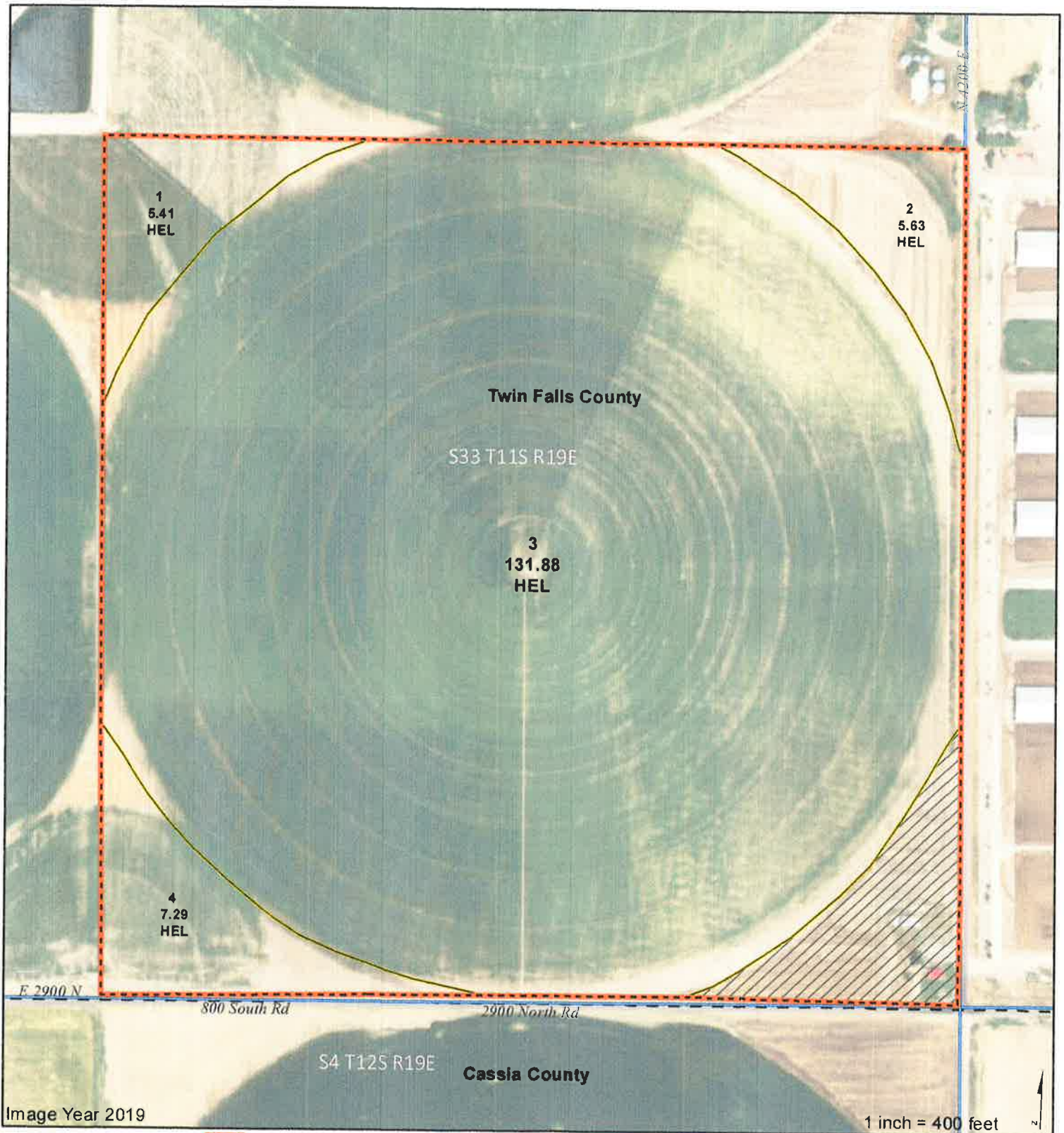
You can highlight this table and copy via the clipboard to a Microsoft Excel or OpenOffice spreadsheet to plot or otherwise work with this data.

Silage Corn - truncated season Precipitation Deficit (Click here for a graph)															
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Growing Season ^a	Non Growing Season ^b	Annual
Mean ^j	mm/day												mm		
Monthly ^c	-0.20	0.15	-0.02	-0.03	0.31	2.34	6.86	6.41	2.79	0.22	-0.24	-0.47	584	-27	557
15-Day Moving Average ^d	-0.29	0.12	-0.04	-0.08	0.27	2.25	7.01	6.47	2.67	0.21	-0.25	-0.40			
7-Day Moving Average ^e	-0.23	0.14	-0.03	-0.05	0.27	2.29	6.94	6.41	2.73	0.22	-0.23	-0.44			
3-Day Moving Average ^f	-0.20	0.15	-0.03	-0.03	0.29	2.31	6.87	6.40	2.77	0.21	-0.22	-0.46			



United States
Department of
Agriculture

Twin Falls County, Idaho



Common Land Unit

	Non-Cropland
	Cropland
	Tract Boundary
	PLSS
	County Boundary

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

Tract Cropland Total: 150.21 acres

2020 Program Year
Map Created December 10, 2019

Farm 7329
Tract 2905

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

FSA - 578 (09-13-16)

REPORT OF COMMODITIES

Farm Number: 7329

FARM AND TRACT DETAIL LISTING

DATE: 05/04/2020

PAGE: 9

Tract Number	CLU/Field	Crop/Commodity	Var/Type	Int Use	Act Use	Irr. Pr.	Org Stat	Nat. Sod	C/C Stat	Rpt Unit	Rpt Qty	Det Qty	Crop Land	Field ID	Official/Measured	Planting Date	Planting Period	End Date
2896	3	CORN	YEL	SG		I	C	N	I	A	126.43		Yes		N	5/8/2019	01	
		Producer IDAHO AGRI INVESTMENTS LLC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 3755	Signature Date 07/26/2019		
	4	IDLE				N	C	N	I N	A	7.45		Yes		N		01	
		Producer IDAHO AGRI INVESTMENTS LLC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 3755	Signature Date 07/26/2019		

Tract 2896 Summary

PP Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty	PP Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty	PP Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty
01 CORN	YEL	SG	I	A	126.43	01 IDLE			N	A	20.17						

Photo Number/Legal Description: 32-11-19

Cropland: 146.60

Reported on Cropland: 146.60

Difference: 0.00

Reported on Non-Cropland: 0.00

2905	1	IDLE				N	C	N	I N	A	5.41		Yes		N		01	
		Producer IDAHO AGRI INVESTMENTS LLC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 3755	Signature Date 07/26/2019		
	2	CORN	YEL	SG		I	C	N	I	A	5.63		Yes		N	6/5/2019	01	
		Producer IDAHO AGRI INVESTMENTS LLC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 3755	Signature Date 07/26/2019		
	3	CORN	YEL	SG		I	C	N	I	A	131.88		Yes		N	6/5/2019	01	
		Producer IDAHO AGRI INVESTMENTS LLC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 3755	Signature Date 07/26/2019		
	4	CORN	YEL	SG		I	C	N	I	A	7.29		Yes		N	6/5/2019	01	
		Producer IDAHO AGRI INVESTMENTS LLC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 3755	Signature Date 07/26/2019		

Tract 2905 Summary

PP Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty	PP Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty	PP Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty
01 CORN	YEL	SG	I	A	144.80	01 IDLE			N	A	5.41						

Photo Number/Legal Description: 33-11-19

Cropland: 150.21

Reported on Cropland: 150.21

Difference: 0.00

Reported on Non-Cropland: 0.00

2906	1	IDLE				N	C	N	I N	A	19.20		Yes		N		01	
		Producer IDAHO AGRI INVESTMENTS LLC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 3755	Signature Date 07/26/2019		

Tract 2906 Summary

PP Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty	PP Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty	PP Cr/Co	Var/Type	Int Use	Irr Pr	Rpt Unit	Rpt Qty
01 IDLE			N	A	19.20												

Photo Number/Legal Description: 34-11-19

Cropland: 19.20

Reported on Cropland: 19.20

Difference: 0.00

Reported on Non-Cropland: 0.00

2911	1	IDLE				N	C	N	I N	A	6.63		Yes		N		01	
		Producer IDAHO AGRI INVESTMENTS LLC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 3755	Signature Date 07/26/2019		
	2	IDLE				N	C	N	I N	A	6.76		Yes		N		01	
		Producer IDAHO AGRI INVESTMENTS LLC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 3755	Signature Date 07/26/2019		
	3	CORN	YEL	SG		I	C	N	I	A	127.30		Yes		N	6/12/2019	01	
		Producer IDAHO AGRI INVESTMENTS LLC				Share 100.00	FSA Physical Location Twin Falls, Idaho								NAP Unit 3755	Signature Date 07/26/2019		

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 121937

Publication	Times News		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	185.06
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	185.06
Fax			
Section	Legals	Start/End Dates	12/02/2021 - 12/09/2021
SubSection		Insertions	2
Category	50 Legal	Size	121
Ad Key	121937-1	Salesperson(s)	Legal Notices
Keywords	NTC/IDAHO AGRI INVESTMENTS	Taken By	Seana Chapman
Notes			

Ad Proof

*Proof of legal notice received
from Times News 11/24/2021*

✓ dm 11-24-2021

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 121937

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 85284

IDAHO AGRI INVESTMENTS LLC, 127 CONLEY DR, CHESTER-TOWN, MD 21620-1005 has filed Application No. 85284 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-17487, 47-2666, 47-2667, 47-8236. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 6.9 acre (0.13 cfs) portion of a groundwater irrigation right from a farm located approximately 7.5 to 7.9 miles south and 2.7 miles east of the Rock Creek Road and Highway 30 intersection in Hansen, to stockwater and commercial use at an existing dairy located approximately 1.1 miles south and 1.1 miles west of the Rock Creek Road and Highway 30 intersection in Hansen. The application also proposes changing the place of use and adding an existing point of diversion to the water rights associated with the existing dairy to reflect changes in the operation. The application proposes diverting up to 0.59 cfs and 173.1 acre-feet per year from three existing wells at the dairy site.

TRANSFER NO. 85491

CITY OF HAGERMAN, PO BOX 158, HAGERMAN, ID 83332 has filed Application No. 85491 for changes to the following water rights within GOODING County(s): Right No(s). 36-15538, 36-49. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the nature of use, period of use, and place of use of a 38.5 acre portion of a Florence Livestock Spring irrigation water right. Florence Livestock Spring is located approximately 1.2 miles north and 0.9 miles east of the intersection of Main St. and State St. in Hagerman. The proposed change in nature of use and period of use is from irrigation use (on property located approximately 0.5 to 0.8 miles north and 0.2 to 0.7 miles east of the intersection of Main St. and State St. in Hagerman) to year-round municipal use (187 acre-feet per year) within the City of Hagerman service area. Due to a limiting condition on the water right being transferred, the right being transferred will be reduced from 1.42 cfs to 1.0 cfs. The application also proposes reducing a partially overlapping Florence Livestock Spring irrigation right by 14 acres and 0.14 cfs to prevent enlargement through the transfer process.

TRANSFER NO. 85418

NATURE RIDGE HOLDINGS LLC, 134 E HIGHWAY 81, BURLEY, ID 83318-5427 has filed Application No. 85418 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13741. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the place of use and add points of diversion to an irrigation, stockwater, commercial ground water right, with an overall flow rate of 14.34 cfs. The 1161.4 acre irrigation place of use will be modified to match the current irrigation system on the farm located approximately 17.8 to 19.5 miles north and 7.9 to 9.9 miles east of Malta. The transfer will also add two new wells and an existing well as authorized points of diversion which will result in nine authorized points of diversion located in the general area of the place of use.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department 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 December 20, 2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on December 2nd & 9th, 2021

✓ *bm*



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

November 24, 2021

IDAHO AGRI INVESTMENTS LLC
127 CONLEY DR
CHESTERTOWN, MD 21620-1005

RE: Transfer No. 85284
Water Right No(s). 47-17487, 47-2666, 47-2667, 47-8236

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 12/2/2021 and 12/9/2021**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **December 20, 2021**.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

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

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

c: Fluckiger Consulting
J.R. Simplot Company, dba Simplot Grower Solutions

Maline, Denise

From: Maline, Denise
Sent: Wednesday, November 24, 2021 10:14 AM
To: Times News
Subject: LEGAL NOTICE for 12/2 & 12/9
Attachments: Times News cover letter.docx; Times News ad.docx

Attached please find **(1)** legal notice being submitted for publication on December 2nd & 9th, 2021. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Please reference the information below when publishing this ad:

Idaho Dept of Water Resources	Account #60002276
Denise Maline	
650 Addison Ave W, Ste 500	
Twin Falls ID 83301-5858	

Thank you in advance & Happy Thanksgiving,

Denise Maline @ IDWR Twin Falls

Denise Maline, Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov



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

November 24, 2021

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 85284

Water Right No(s). 47-17487, 47-2666, 47-2667, 47-8236

RE: Transfer No. 85491

Water Right No(s). 36-15538, 36-49

RE: Transfer No. 85418

Water Right No(s). 43-13741

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before December 20, 2021. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline

Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 85284**

IDAHO AGRI INVESTMENTS LLC, 127 CONLEY DR, CHESTERTOWN, MD 21620-1005 has filed Application No. 85284 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-17487, 47-2666, 47-2667, 47-8236. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 6.9 acre (0.13 cfs) portion of a groundwater irrigation right from a farm located approximately 7.5 to 7.9 miles south and 2.7 miles east of the Rock Creek Road and Highway 30 intersection in Hansen, to stockwater and commercial use at an existing dairy located approximately 1.1 miles south and 1.1 miles west of the Rock Creek Road and Highway 30 intersection in Hansen. The application also proposes changing the place of use and adding an existing point of diversion to the water rights associated with the existing dairy to reflect changes in the operation. The application proposes diverting up to 0.59 cfs and 173.1 acre-feet per year from three existing wells at the dairy site.

TRANSFER NO. 85491

CITY OF HAGERMAN, PO BOX 158, HAGERMAN, ID 83332 has filed Application No. 85491 for changes to the following water rights within GOODING County(s): Right No(s). 36-15538, 36-49. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the nature of use, period of use, and place of use of a 38.5 acre portion of a Florence Livestock Spring irrigation water right. Florence Livestock Spring is located approximately 1.2 miles north and 0.9 miles east of the intersection of Main St. and State St. in Hagerman. The proposed change in nature of use and period of use is from irrigation use (on property located approximately 0.5 to 0.8 miles north and 0.2 to 0.7 miles east of the intersection of Main St. and State St. in Hagerman) to year-round municipal use (187 acre-feet per year) within the City of Hagerman service area. Due to a limiting condition on the water right being transferred, the right being transferred will be reduced from 1.42 cfs to 1.0 cfs. The application also proposes reducing a partially overlapping Florence Livestock Spring irrigation right by 14 acres and 0.14 cfs to prevent enlargement through the transfer process.

TRANSFER NO. 85418

NATURE RIDGE HOLDINGS LLC, 134 E HIGHWAY 81, BURLEY, ID 83318-5427 has filed Application No. 85418 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13741. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the place of use and add points of diversion to an irrigation, stockwater, commercial ground water right, with an overall flow rate of 14.34 cfs. The 1161.4 acre irrigation place of use will be modified to match the current irrigation system on the farm located approximately 17.8 to 19.5 miles north and 7.9 to 9.9 miles east of Malta. The transfer will also add two new wells and an existing well as authorized points of diversion which will result in nine authorized points of diversion located in the general area of the place of use.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department 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 **December 20, 2021**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on December 2nd & 9th, 2021

Aasa, Kent

From: donell@fluckigerconsulting.com
Sent: Tuesday, November 23, 2021 7:44 AM
To: Aasa, Kent
Subject: RE: Idaho Agri water rights transfer application

Kent,
Please make the necessary changes listed below in your recent email on the Idaho Agri Investments email.
Thanks

Donell Fluckiger, P.E.
Fluckiger Consulting
Jerome, ID
(208)421-0403

From: Aasa, Kent <Kent.Aasa@idwr.idaho.gov>
Sent: Monday, November 22, 2021 4:57 PM
To: donell@fluckigerconsulting.com
Subject: RE: Idaho Agri water rights transfer application

Hi Donell,

When reviewing your recently resubmitted transfer application for Idaho Agri Investments LLC it looks like there are a couple of items that need to be clarified/corrected...
(it basically is the changes you made by hand in Corey's office—I have attached copies of those changes).

On Part 1, item A (purpose of transfer), the most recent submittal does not have the following boxes checked...

- Add point of diversion (adding a third well to rights at the dairy)
- Change nature of use (irrigation to stock/commercial)
- Change period of use (irrigation season to year-round)

On Part 1, Section B, item # 3 (points of diversion), the most recent submittal only lists one well, but the map shows three wells. It looks like point of diversion descriptions need to be added in the SENENE NENENE of Section 34.

With your e-mail confirmation, I can edit the most recently submitted application to reflect these items that need to be clarified/corrected.

Please let me know ASAP if correcting/clarifying these items is acceptable to prevent further delays in advertising.

Thanks,

Kent

From: donell@fluckigerconsulting.com <donell@fluckigerconsulting.com>

Sent: Friday, November 12, 2021 3:14 PM

To: Aasa, Kent <Kent.Aasa@idwr.idaho.gov>

Subject: Idaho Agri water rights transfer application

Kent,

Attached is the revised and signed copy of the Idaho Agri Investments water rights application. I can bring in a hard copy if needed.

Thanks

Donell Fluckiger, P.E.

Fluckiger Consulting

Jerome, ID

(208)421-0403

MEMORANDUM

Date: October 27, 2021

To: Transfer 85284

From: Kent Aasa

Re: Synopsis Memo

Synopsis Memo
10/27/2021

Application proposes transferring a 6.9-acre (0.13 cfs) portion of a groundwater irrigation right from a farm located approximately 7.5 to 7.9 miles south and 2.7 miles east of the Rock Creek Road and Highway 30 intersection in Hansen to stock water and commercial use at an existing dairy located approximately 1.1 miles south and 1.1 miles west of the Rock Creek Road and Highway 30 intersection in Hansen. The application also proposes changing the place of use and adding an existing point of diversion to the water rights associated with the existing dairy to reflect changes in the operation. The application proposes diverting up to 0.59 cfs and 173.1 acre-feet per year from three existing wells at the dairy site. The dairy is not geographically located within a Water District.

MEMORANDUM

Date: October 25, 2021
To: Transfer 85284 File
From: Kent Aasa
Re: Fee Evaluation

Filing fees charged for transfer application # 85284 were based on the current transfer fee schedule and include \$500.00 for the 0.59 cfs being transferred and \$250.00 for a change in nature of use (Receipt No. S038805).

Aasa, Kent

From: Aasa, Kent
Sent: Friday, September 10, 2021 9:12 AM
To: 'donell@fluckigerconsulting.com'
Subject: RE: Idaho Agri Investment letter
Attachments: County_Variance_Letter.docx

Hi Donell,

I have attached a copy of the county variance letter you requested.

I have also mailed a paper copy with USPS.

Please let me know if you want any changes made to the letter.

Respectfully,

Kent Aasa
Water Resource Agent
Southern Region

From: donell@fluckigerconsulting.com [mailto:donell@fluckigerconsulting.com]
Sent: Wednesday, September 8, 2021 3:17 PM
To: Aasa, Kent
Subject: RE: Idaho Agri Investment letter

Kent,

I got the letter for the water rights transfer. I also need a letter for a (county variance) providing comment on the impact the additional corrals, to the south of the existing dairy, will have (if any) on the existing wells at the facility. I attached a map for reference. The corrals are labeled "proposed corrals".

Thanks

Donell Fluckiger, P.E.
Fluckiger Consulting
Jerome, ID
(208)421-0403

From: Aasa, Kent <Kent.Aasa@idwr.idaho.gov>
Sent: Wednesday, September 8, 2021 1:18 PM
To: donell@fluckigerconsulting.com
Subject: RE: Idaho Agri Investment letter

Hi Donell,

I will try attaching a copy of the letter to this email. If it doesn't work there is a paper copy that went out in today's USPS.

Kentr

From: donell@fluckigerconsulting.com [<mailto:donell@fluckigerconsulting.com>]

Sent: Wednesday, September 8, 2021 12:12 PM

To: Aasa, Kent

Subject: Idaho Agri Investment letter

Kent,

I got your message about the Idaho Agri Investments letter. Thanks for mailing the letter. I have had issues with my email. If you get this please respond.

Thanks

Donell Fluckiger, P.E.

Fluckiger Consulting

Jerome, ID

(208)421-0403



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

September 08, 2021

DONELL FLUCKIGER
PO BOX 463
JEROME ID 83338

Dear Mr. Fluckiger,

You recently contacted the Idaho Dept. of Water Resources (IDWR) to file a transfer (transfer number 85284) that proposes to move a portion (.06 cfs/13.2 AF) of ground water irrigation right 47-17487 to an existing dairy located within the North ½ of the Northeast ¼ of Section 34, Township 10 South, Range 18 East, southwest of Hansen.

Department records indicate that water rights 47-2666, 47-2667, and 47-8236 are currently associated with the dairy. The combined use limit of the three water rights allow a maximum diversion of 0.46 cfs and 159.9 AF at the dairy. The three water rights are diverted from two existing wells on the dairy property. You mentioned that the dairy owners wish to increase the number of stock at the facility and that you wish to transfer a portion of water right 47-17487 to provide enough water at the dairy for the extra stock. If the transfer is approved, and accomplished, the extra portion of water (.06 cfs/13.2 AF) will also be diverted from the two existing wells at the dairy. The extra portion, when combined with water rights 47-2666, 47-2667, and 47-8236, would bring the total amount of water authorized to be diverted at the dairy to 0.52 cfs and 173.1 acre feet

Please note that transfer number 85284 will be subject to public notice and protest.

If you have any questions, feel free to contact me at your convenience.

Sincerely,

Kent Aasa

Water Resource Agent

Southern Region