

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) Wayne Properties 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

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

JUN 11 2021

Name of Applicant(s) Wayne Properties LLCDepartment of Water Resources
Phone 208-569-8194 Eastern RegionMailing address PO Box 2906, Idaho Falls, ID 83403-2906

Email _____

- ☐ 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 RepresentativeName of Representative Robert L. HarrisPhone 208-523-0620Mailing address PO Box 50130, Idaho Falls, IDEmail rharris@holdenlegal.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.


 Signature of Applicant or Authorized Representative

Robert L. Harris, Attorney
 Print Name and Title if applicable

June 10, 2021
 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 _____
2. 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**.
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**.
- Applicant proposes to move 6 acres of WR 35-14746 for use within a permissible place of use of t. We will email the shapefile for the initial 2 acre place of use upon request.

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.

I.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	35-14746	.07/24	Irrigation	4/1 to 10/31	Ground water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights .07 cfs and/or 24 acre-feet.

2. Total amount of water proposed to be transferred or changed .07 cubic feet per second and/or 24 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 #
Y			NE	SW	14	1N	38E	Bonneville	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	
1N	38E	14									40		34	40	40	40	40	39.6	273.6
1N	38E	13										5.4	6.4						11.8
Total Acres (for irrigation use)																			285.4

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:
Well and pump into pipeline. System will be configured to accommodate a measuring device and lockable controlling works.
- b. Who owns the property at the point(s) of diversion? Applicant.
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
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:
- 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:
6 acres identified on the attached map will be dried up and no longer irrigated.
- 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:
None
- 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:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a **Geographic Information System (GIS)** shape file, or an **aerial photo** or other image clearly delineating the **location** and extent of **existing acres** and changes to the place of use. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

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

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page.

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid \$200.00 Date 6/11/21 Received by CS SH Receipt # E047016

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

IDAHO Department of Water Resources



IDWR offices are open to the public and following the CDC guidelines for wearing masks and observing social distancing. For in-person visits, we encourage you to call ahead for an appointment.

WATER RIGHT REPORT

6/10/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 35-14746

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WAYNE PROPERTIES LLC PO BOX 2906 IDAHO FALLS, ID 83403-2906 2085698194
Original Owner	KETTLE BUTTE FARMS LTD C/O WILLIAM PUGH 6062 ADAMS RD TALENT, OR 97540

Priority Date: 01/14/1983

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>
IRRIGATION	04/01	10/31	3.85 CFS	1400 AFA
Total Diversion			3.85 CFS	1400 AFA

Location of Point(s) of Diversion:

GROUND WATER | NESW | Sec. 13 | Township 03N | Range 34E | BONNEVILLE County

Licensed Diversion Capacity: 7.58

IRRIGATION Use:

85082

Acre Limit: 350

Place(s) of use:

Place of Use Legal Description: IRRIGATION BONNEVILLE 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>
03N	34E	13		NENE	33.3		NWNE	34.8		SWNE	39.7		SENE	34
				NENW	33.4		NWNW	34.2		SWNW	39.5		SENE	39.7
				NESW	39.7		NWSW	39.5		SWSW	39.6		SENE	39.7
				NESE	33.8		NWSE	39.7		SWSE	39.8		SESE	33.2
		14		NENE	1.6		SENE	0.8						
				NESE	1.3		NWSE	0.6		SWSE	30.3		SESE	36.6
		23		NENE	37.1		NWNE	28.7		SWNE	0.4		SENE	0.7
		24		NWNE	34.2									
				NENW	39.9		NWNW	39.9		SWNW	33.4		SENE	33.4

Total Acres: 912.5

Conditions of Approval:

- 206 This right is limited to the irrigation of a specific 350.0 acres within the 912.5 acre place of use authorized by this right in a single irrigation season. The specific 350.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 350.0 acres to be irrigated within the 912.5 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
- R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
- R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
- 131 Prior to the diversion and use of water under Transfer approval 74838, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
- R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
- 205 The approval of transfer 77958 redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
- R55 This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

85082

8. SF2 This water right enjoys the benefit of subordination of hydropower water right nos. 02-00100, 02-4000A, 02-4001A, 02-02032A, 02-4000B, 02-4001B, 02-02032B, 02-02036, 02-02056, 02-02065, 02-02064, 02-10135, 02-02060, 02-02059, 02-02001B, 02-02001A, 02-02057, 37-02128, 37-02472, 37-02471, 37-20710, 37-20709, 36-02013, 36-02018 and 36-02026 only so long as the average daily flows as measured at the Murphy Gage station meet or exceed the minimum stream flows established by state action.
9. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
10. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Dates:

Licensed Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 120

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

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Attachment No. 4

Power of Attorney

Attachment No. 5

ESPA Analysis and Mitigation Plan

ATTACHMENT 5.1

Water Modeling – Data Entry

ENHANCED GROUND-WATER RIGHTS TRANSFER

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

IDAHO DEPARTMENT OF AGRICULTURE

Cells this color are set up for user entries

1

2

3

4

ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON

TRANSFER NO:

YEAR 1983
SEASON WINTER

TRANSFER NAME:

Taylor to BH

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	79	58		
COLUMN	161	148		

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL		FROM2 WELL		FROM3 WELL	
		With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
WIN 1983	0	8	8	0	0	0	0
SPR 1984	0	8	8	0	0	0	0
SUM 1984	0	8	8	0	0	0	0
WIN 1984	0	8	8	0	0	0	0
SPR 1985	0	8	8	0	0	0	0
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SPR 1986	0	8	8	0	0	0	0
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WIN 1986	0	8	8	0	0	0	0
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WIN 1987	0	8	8	0	0	0	0
SPR 1988	0	8	8	0	0	0	0
SUM 1988	0	8	8	0	0	0	0
WIN 1988	0	8	8	0	0	0	0
SPR 1989	0	8	8	0	0	0	0
SUM 1989	0	8	8	0	0	0	0
WIN 1989	0	8	8	0	0	0	0
SPR 1990	0	8	8	0	0	0	0
SUM 1990	0	8	8	0	0	0	0
WIN 1990	0	8	8	0	0	0	0
SPR 1991	0	8	8	0	0	0	0
SUM 1991	0	8	8	0	0	0	0
WIN 1991	0	8	8	0	0	0	0
SPR 1992	0	8	8	0	0	0	0
SUM 1992	0	8	8	0	0	0	0
WIN 1992	0	8	8	0	0	0	0
SPR 1993	0	8	8	0	0	0	0
SUM 1993	0	8	8	0	0	0	0
WIN 1993	0	8	8	0	0	0	0
SPR 1994	0	8	8	0	0	0	0
SUM 1994	0	8	8	0	0	0	0
WIN 1994	0	8	8	0	0	0	0
SPR 1995	0	8	8	0	0	0	0
SUM 1995	0	8	8	0	0	0	0
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SPR 1996	0	8	8	0	0	0	0
SUM 1996	0	8	8	0	0	0	0

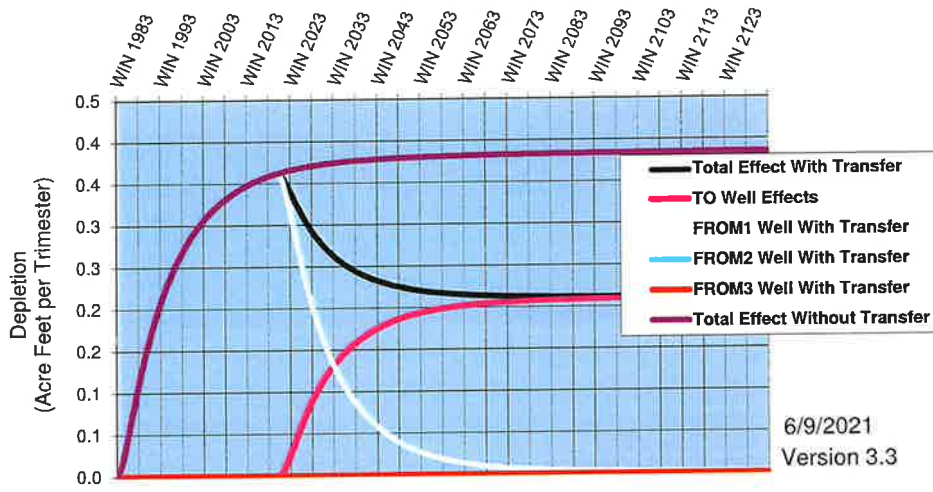
WIN 1996	0	8	8	0	0	0	0
SPR 1997	0	8	8	0	0	0	0
SUM 1997	0	8	8	0	0	0	0
WIN 1997	0	8	8	0	0	0	0
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SUM 1998	0	8	8	0	0	0	0
WIN 1998	0	8	8	0	0	0	0
SPR 1999	0	8	8	0	0	0	0
SUM 1999	0	8	8	0	0	0	0
WIN 1999	0	8	8	0	0	0	0
SPR 2000	0	8	8	0	0	0	0
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WIN 2000	0	8	8	0	0	0	0
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WIN 2009	0	8	8	0	0	0	0
SPR 2010	0	8	8	0	0	0	0
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WIN 2010	0	8	8	0	0	0	0
SPR 2011	0	8	8	0	0	0	0
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SPR 2016	0	8	8	0	0	0	0
SUM 2016	0	8	8	0	0	0	0
WIN 2016	0	8	8	0	0	0	0
SPR 2017	0	8	8	0	0	0	0
SUM 2017	0	8	8	0	0	0	0
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WIN 2018	0	8	8	0	0	0	0
SPR 2019	0	8	8	0	0	0	0
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WIN 2019	0	8	8	0	0	0	0
SPR 2020	0	8	8	0	0	0	0

SUM 2020	0	8	8	0	0	0	0
WIN 2020	0	8	8	0	0	0	0
SPR 2021	8	0	8	0	0	0	0
SUM 2021	8	0	8	0	0	0	0
WIN 2021	8	0	8	0	0	0	0
SPR 2022	8	0	8	0	0	0	0
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SPR 2023	8	0	8	0	0	0	0
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SPR 2024	8	0	8	0	0	0	0
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WIN 2024	8	0	8	0	0	0	0
SPR 2025	8	0	8	0	0	0	0
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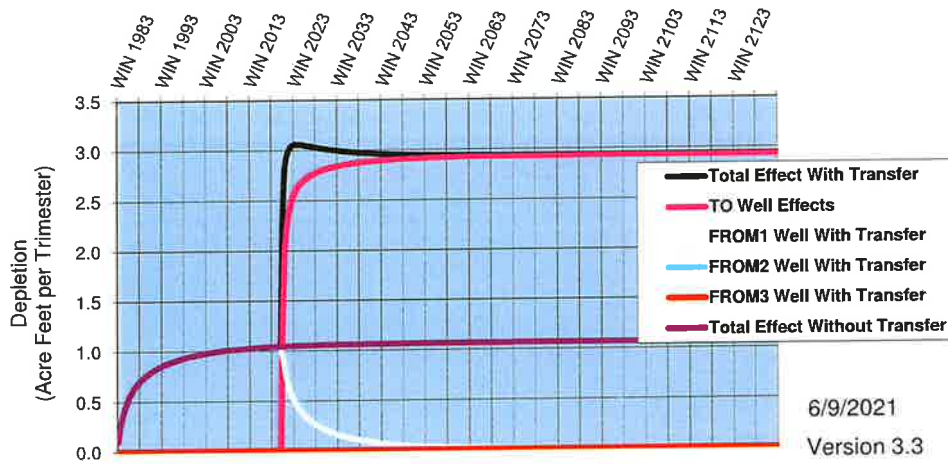
ATTACHMENT 5.2

Water Modeling – Graphs above Milner

Hydrologic Response--Ashton to Rexburg
Customer Name: Taylor to BH Transfer No:



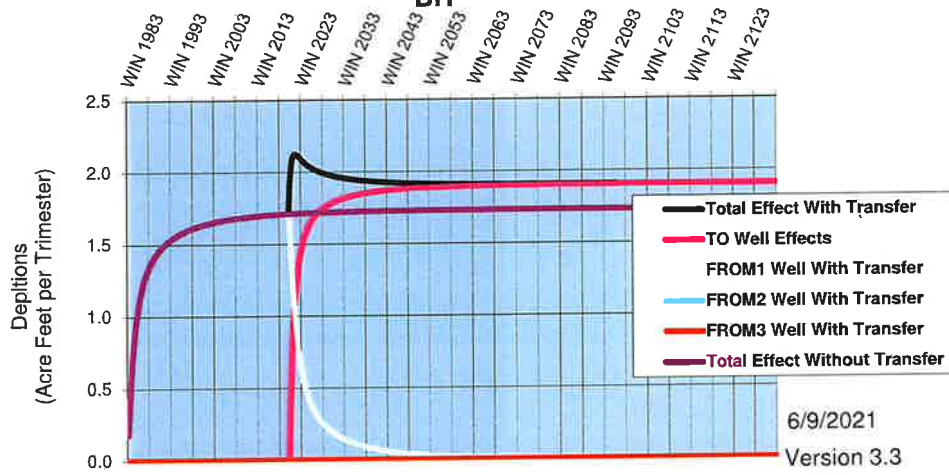
Hydrologic Response--Heise to Shelley
Customer Name: Taylor to BH Transfer No:



Hydrologic Response--Shelley to Near Blackfoot

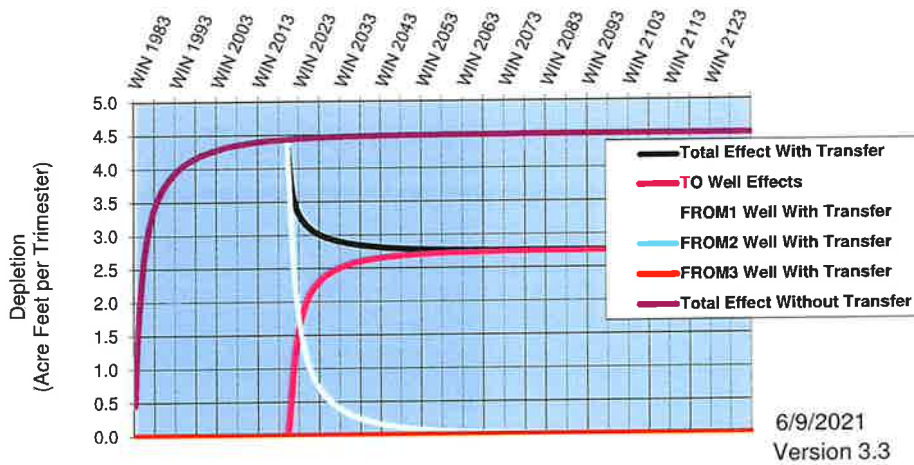
Customer Name: Taylor to Transfer No:

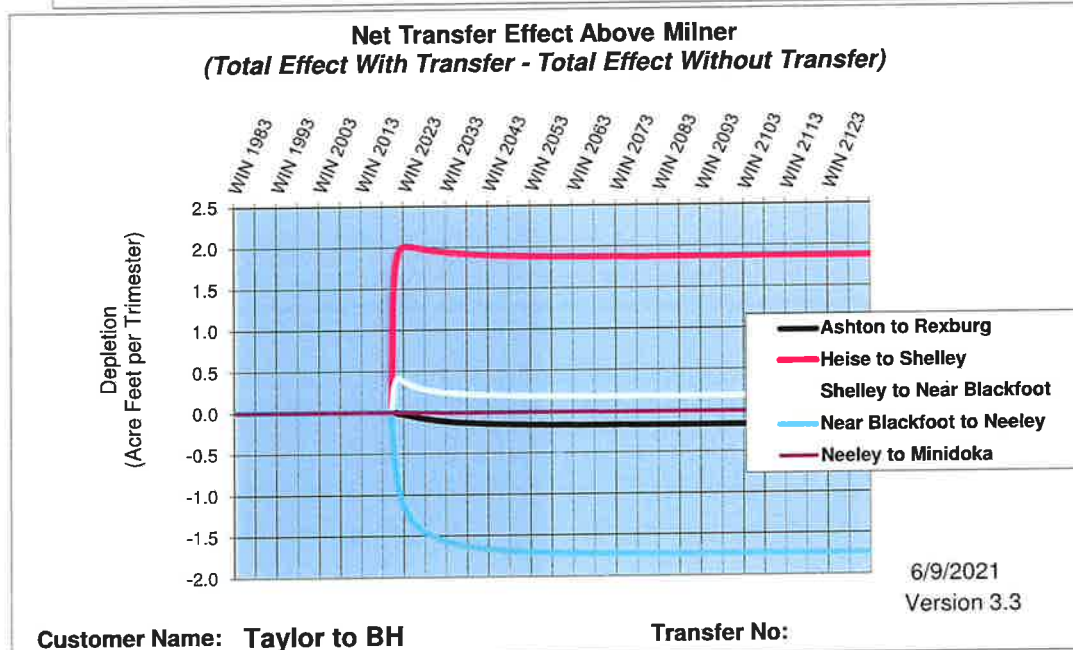
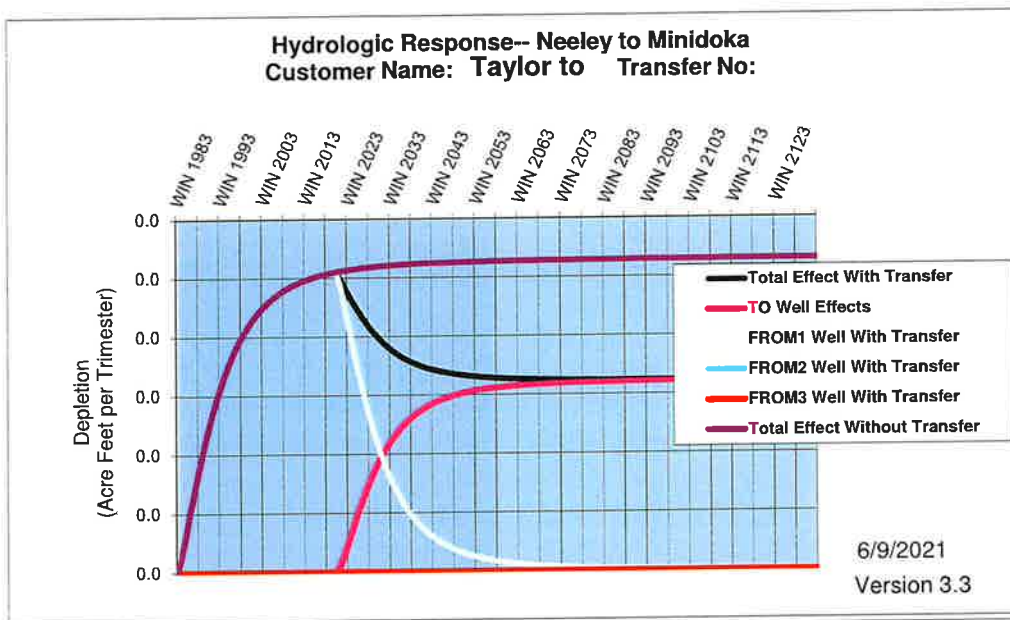
BH



Hydrologic Response-- Near Blackfoot to Neeley

Customer Name: Taylor to Transfer No:

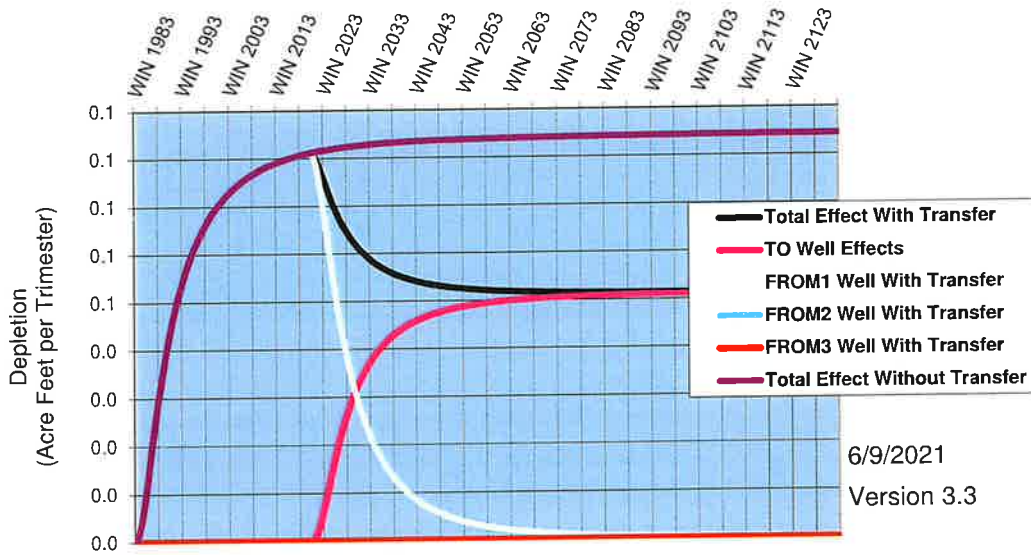




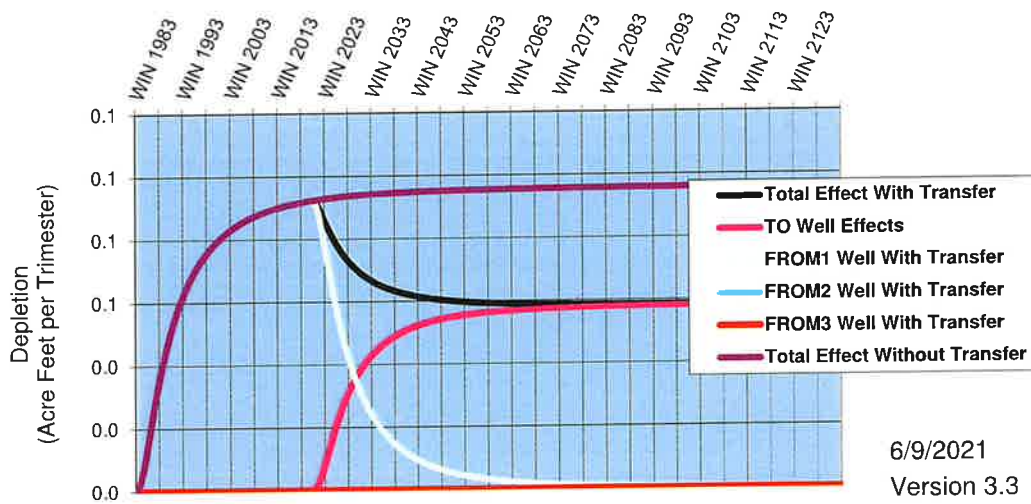
ATTACHMENT 5.3

Water Modeling – Graphs below Milner

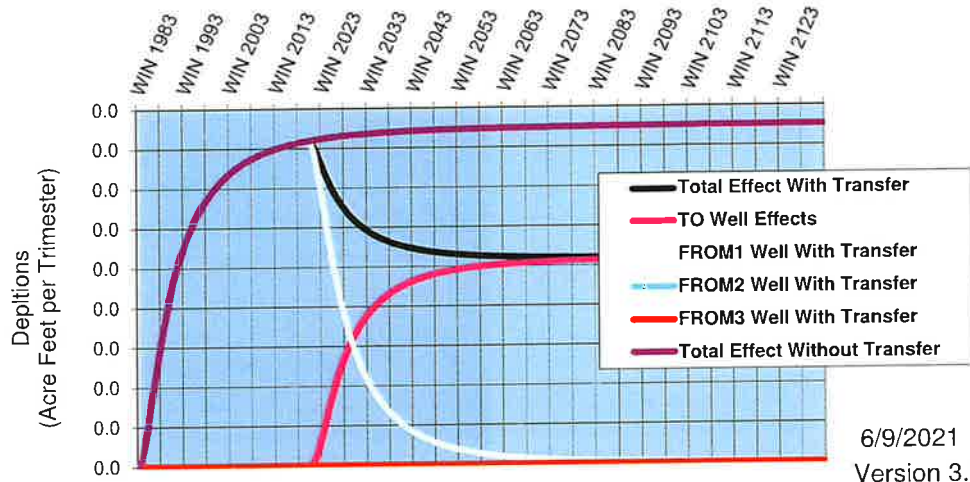
Hydrologic Response--Devil's Washbowl to Buhl Customer Name: Taylor to BH Transfer No:



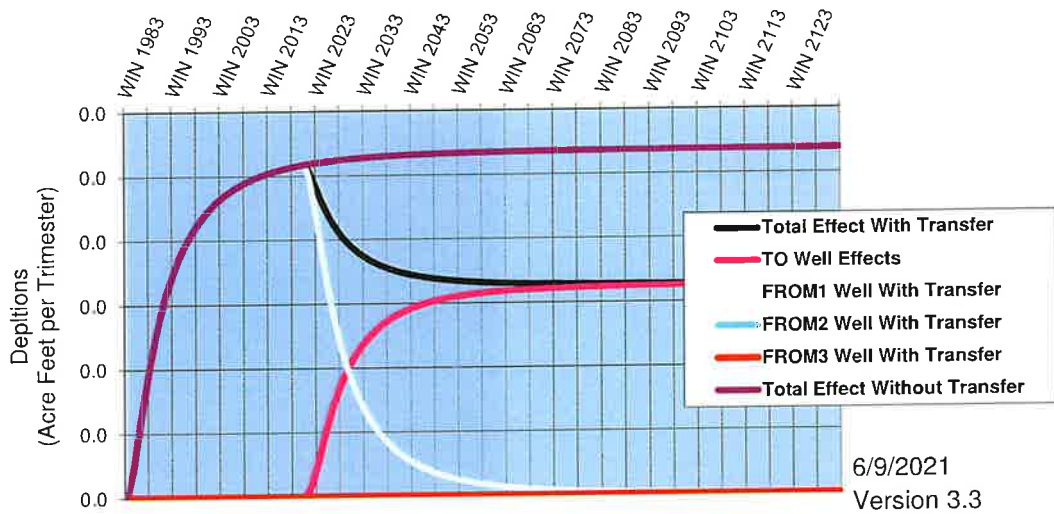
Hydrologic Response--Buhl to Thousand Springs Customer Name: Taylor to BH Transfer No:



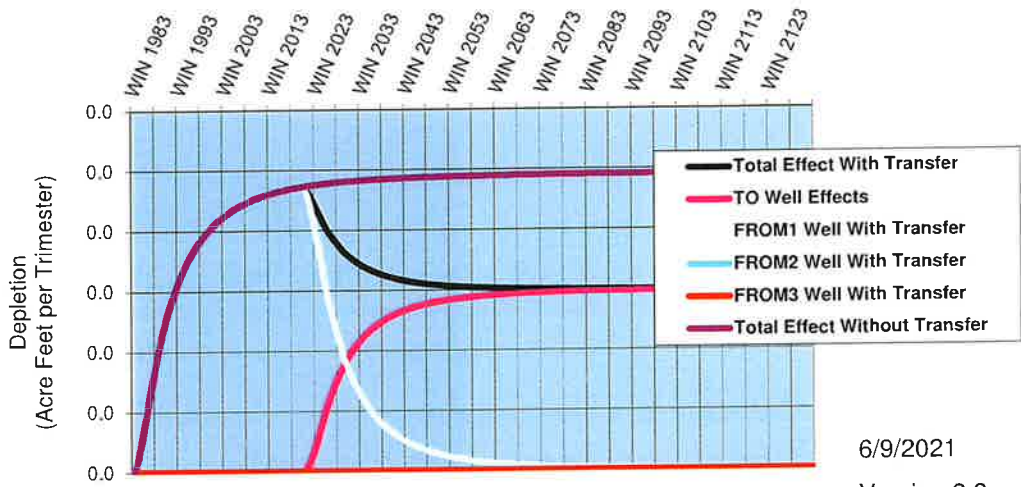
Hydrologic Response--Thousand Springs
Customer Name: Taylor to Transfer No:



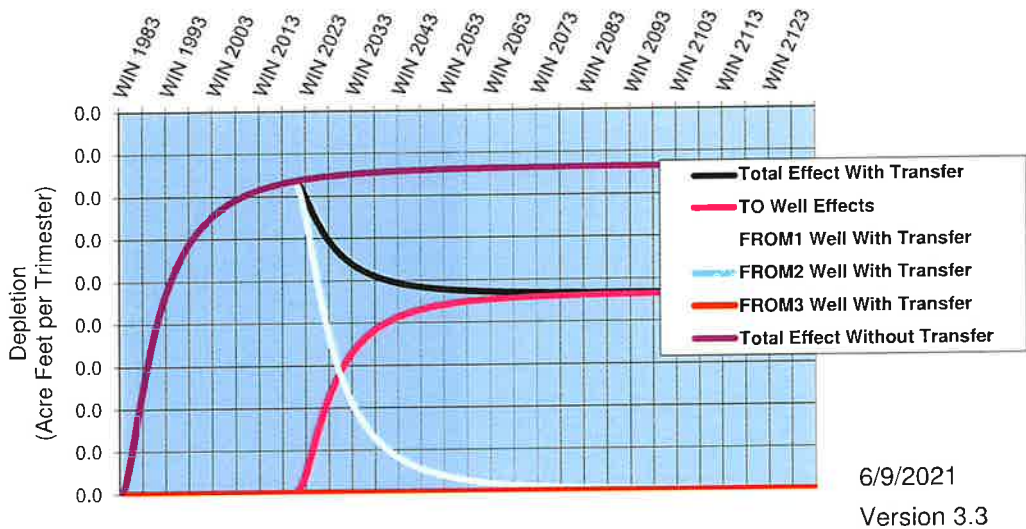
Hydrologic Response--Thousand Springs to Malad
Customer Name: Taylor to Transfer No:



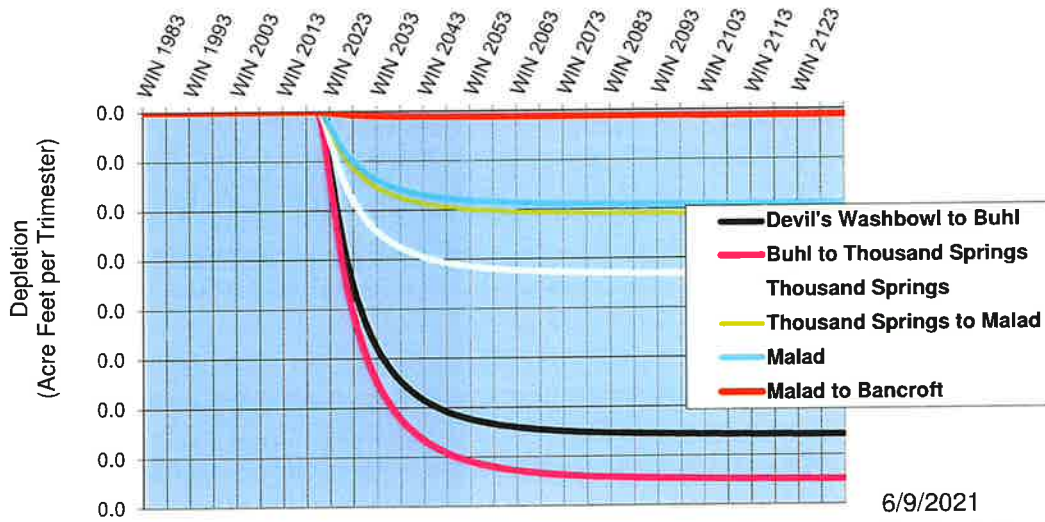
Hydrologic Response-- Malad
Customer Name: Taylor to Transfer No:



Hydrologic Response-- Malad to Bancroft
Customer Name: Taylor to Transfer No:



Net Transfer Effect Below Milner
(Total Effect With Transfer - Total Effect Without Transfer)



Customer Name: Taylor to BH

Transfer No:

ATTACHMENT 5.4

Water Modeling – Mitigation Analysis

WR No.	Div. Rate (CFS)	Con. Vol. (AFA)	No. of Irr. Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT	Model Node
Transfer: Proposed Steady State Impacts following Transfer							
Transfer 1: Worst Case Transient State Impacts following Transfer							
0	0	0	0	10/1900	0	0.0	0
0	0	0	0	10/1900	0	0.0	0

Steady State Analysis

Mitigation Check 1 - > 10% of Historical:	-45.0%	175.3%	10.1%	-38.7%	-39.0%	-39.1%	-39.1%	-39.1%	-39.1%
Mitigation Check 2: > 2 AFT/:	-0.2	1.9	0.2	-1.7	0.0	0.0	0.0	0.0	0.0
Mitigation Check 3 - > 10% of Total:	2.6%	36.7%	23.8%	34.5%	0.2%	0.6%	0.3%	0.2%	0.0%
Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft):	-0.2	1.9	0.2	-1.7	0.0	0.0	0.0	0.0	0.0

Transient State Analysis

Mitigation Check 1 - > 10% of Historical:	-6.0%	186.9%	22.8%	-7.6%	-3.9%	-3.9%	-4.0%	-4.0%	-4.2%
Mitigation Check 2: > 2.01 AFT/:	0.0	2.0	0.4	-0.3	0.0	0.0	0.0	0.0	0.0
Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO
Mitigation Vol. Req'd (ac-ft):	0.0	2.0	0.4	-0.3	0.0	0.0	0.0	0.0	0.0

Impact by Reach (AFT/Trimester)

Ashton to Rexburg	Heise to Shelley	Shelley to Nr Bickit	Nr Bickit to Neeley	Neeley to Minidoka	Dew. Wbl. To Buhl	Buhl to Ksپر	Ksپر to Malad	Malad to Bancroft
0.4	1.1	1.7	4.5	0.0	0.1	0.1	0.0	0.0
0.2	2.9	1.9	2.8	0.0	0.1	0.1	0.0	0.0
0.4	1.1	1.7	4.5	0.0	0.1	0.1	0.0	0.0
0.4	3.1	2.1	4.2	0.0	0.1	0.1	0.0	0.0

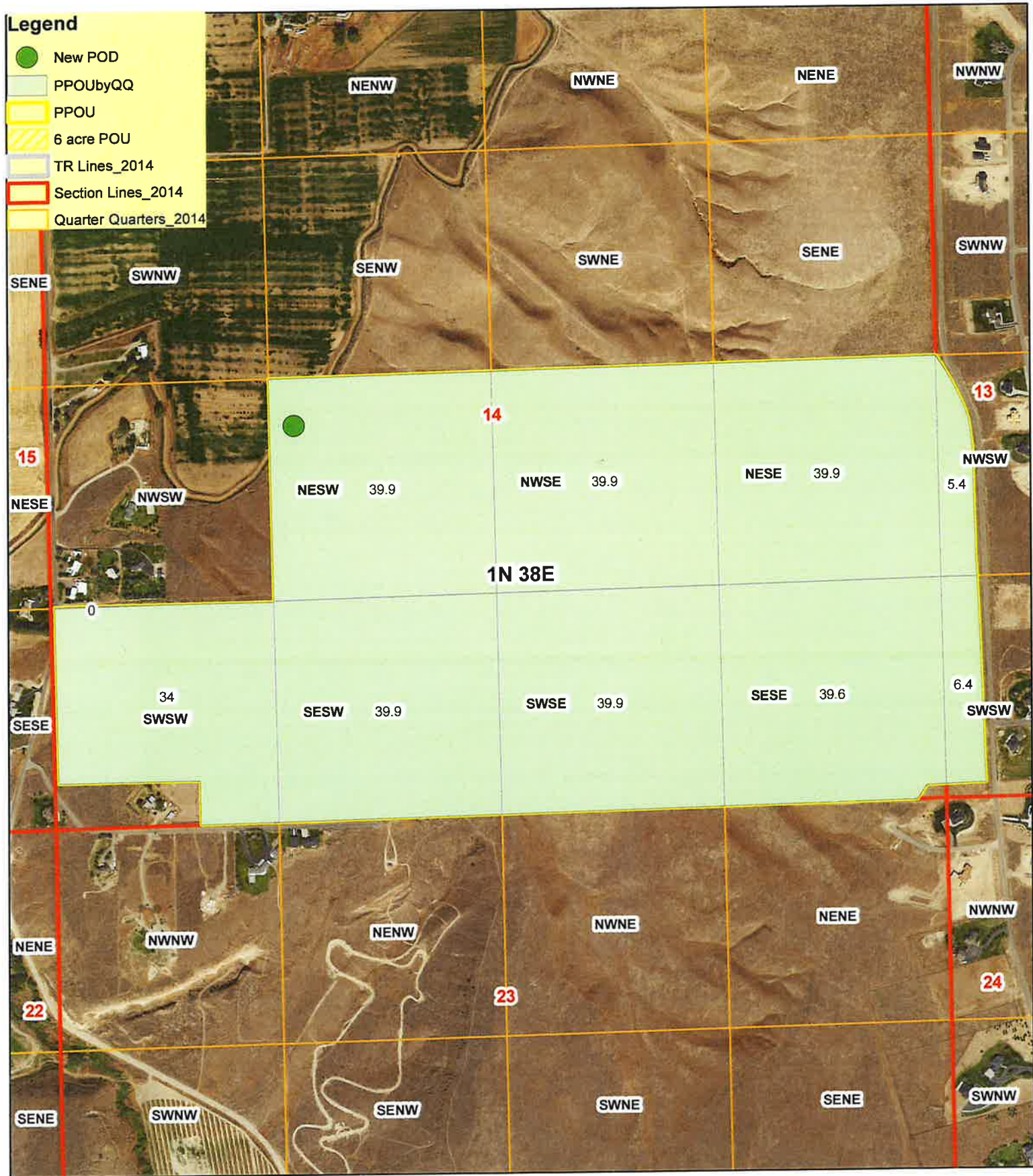
Attachment No. 7a

Map

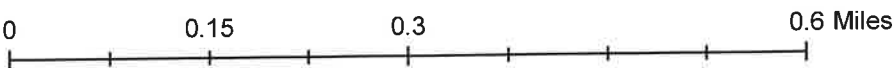
TRANSFER MA.



- Legend**
- New POD
 - PPOUbyQQ
 - PPOU
 - 6 acre POU
 - TR Lines_2014
 - Section Lines_2014
 - Quarter Quarters_2014



Prepared by:
Robert L. Harris
2019 Aerial Photo

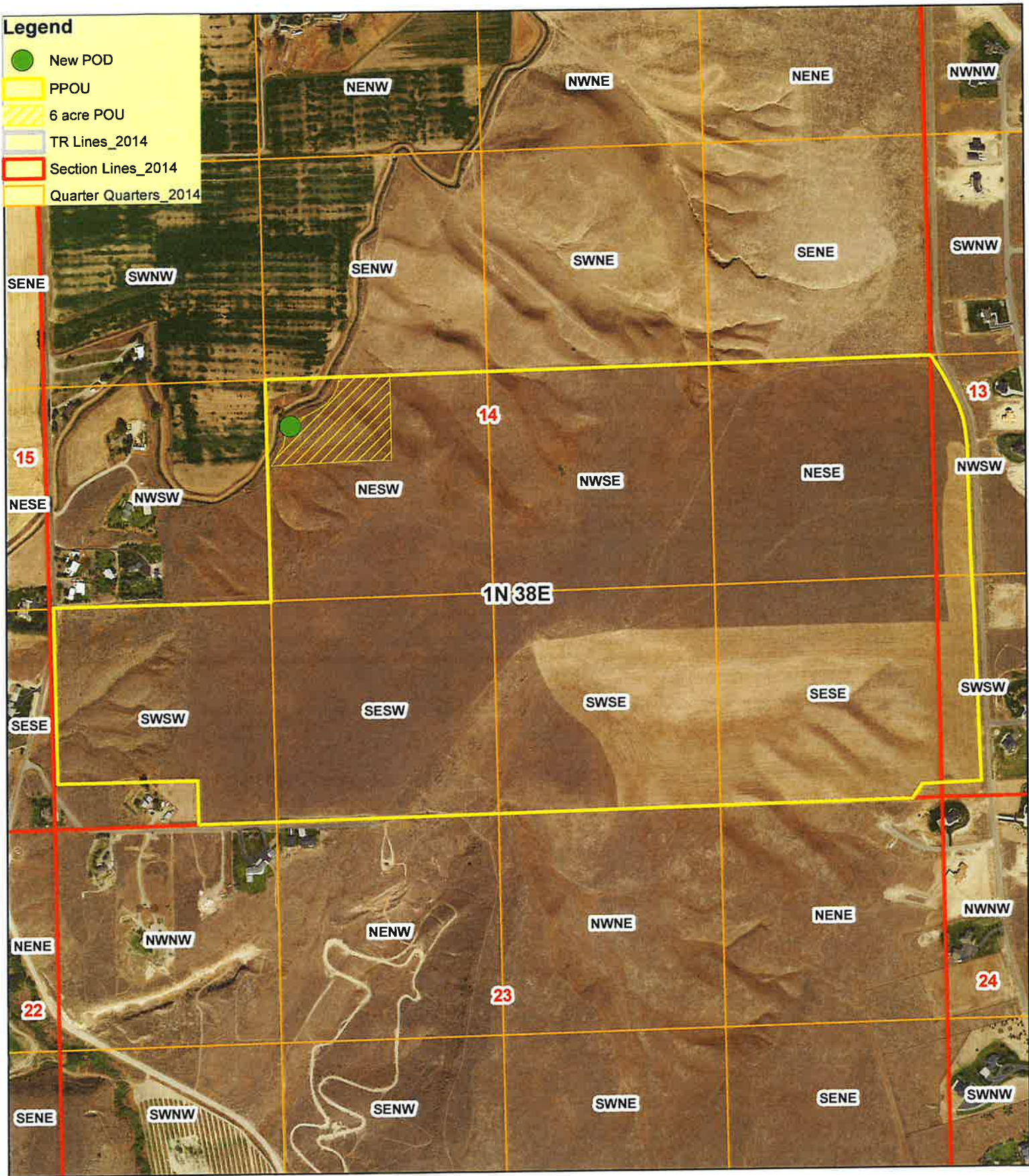


85082

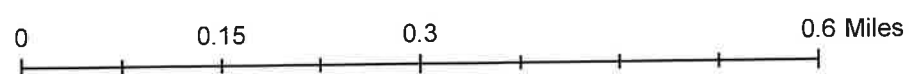
TRANSFER MAP



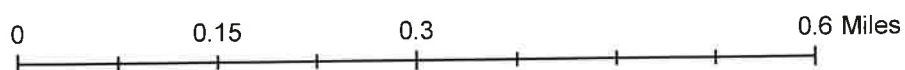
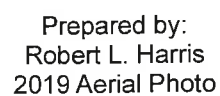
- Legend**
- New POD
 - PPOU
 - 6 acre POU
 - TR Lines_2014
 - Section Lines_2014
 - Quarter Quarters_2014



Prepared by:
Robert L. Harris
2019 Aerial Photo

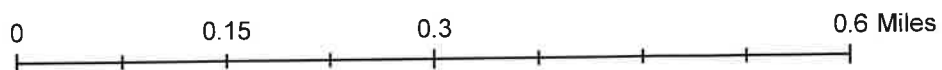
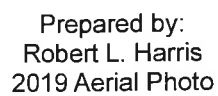


85082



85082

Attachment No. 7b
Map (GIS shapefile)



85082



State of Idaho

DEPARTMENT OF WATER RESOURCES

EASTERN Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718
Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

July 14, 2021

WAYNE PROPERTIES LLC
PO BOX 2906
IDAHO FALLS, ID 83403-2906

RE: Transfer No. 85082
Water Right No. 35-14746

Dear Applicant:

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 POST REGISTER on 7/21/2021 and 7/28/2021. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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,

Christina Henman
Administrative Assistant

CC:
ROBERT L HARRIS
PO BOX 50130
IDAHO FALLS, ID 83405-0130

Henman, Christina

From: Henman, Christina
Sent: Wednesday, July 14, 2021 4:28 PM
To: 'legalnotices@postregister.com'
Subject: Legal Notice for Post Register
Attachments: 85082 Post Register.docx

LEGAL NOTICE DEPARTMENT
POST REGISTER
PO BOX 1800
IDAHO FALLS, ID 83403-1800

RE: Transfer No. 85082
Water Right No(s). 35-14746

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 8/9/2021. Your cooperation is appreciated.

Sincerely,

Thank You,

Christina Henman
Administrative Assistant
Idaho Dept. of Water Resources, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 497-3793

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 85082**

WAYNE PROPERTIES LLC, PO BOX 2906, IDAHO FALLS, ID 83403-2906 has filed Application No. 85082 for changes to the following water rights within BONNEVILLE County(s): Right No(s). 35-14746; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion and place of use. The proposed point of diversion is in NESW Sec 14 T01N R38E for 0.07 cfs from Ground Water. The proposed place of use is in Sec 13 and 14, T01N R38E for 6 acres within a 285.4-acre permissible place of use.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. 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, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 8/9/2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 7/21/2021 and 7/28/2021