STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 84855

This is to certify that: DANIEL L WILLIE
1017 S 1150 E
EDEN, ID 83325-5037

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
36-15637	WR/DECREED	10/18/1968	0.070 cfs	12.9 af	N/A	N/A	GROUND WATER
36-15639	WR/DECREED	12/3/1966	0.050 cfs	7.4 af	N/A	N/A	GROUND WATER
36-15641	WR/DECREED	2/18/1971	0.030 cfs	3.4 af	N/A	N/A	GROUND WATER
36-7045	WR/DECREED	11/15/1968	0.140 cfs	1.8 af	N/A	N/A	GROUND WATER
36-8766	WR/LICENSE	6/8/1997	0.100 cfs	8.0 af	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-15637	NO	NO	NO	YES	NO	NO
36-15639	NO	NO	NO	YES	NO	NO
36-15641	NO	NO	NO	YES	NO	NO
36-7045	NO	NO	NO	YES	NO	NO
36-8766	NO	NO	NO	YES	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
36-15637	36-15637	0.070 cfs	12.9 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-15639	36-15639	0.050 cfs	7.4 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-15641	36-15641	0.030 cfs	3.4 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-7045	36-7045	0.140 cfs	1.8 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-8766	36-8766	0.100 cfs	8.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**0.200 cfs**	**33.5 af**	**N/A**	**N/A**		**N/A**	**N/A**	**N/A**	**N/A**

SUPPORT DATA
IN FILE # 36-7045

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 84855

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 23rd day of June, 2021.

Southern Region Manager

WATER RIGHT NO. 36-7045

As Modified by Transfer No. 84855

In accordance with the approval of Transfer No. 84855, Water Right No. 36-7045 is now described as follows:

Right Holder: DANSO, LLC
1017 S 1150 E
EDEN, ID 83325-5037

Priority Date: 11/15/1968

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
COMMERCIAL	1/01	to	12/31	0.040 cfs	1.8 af
FIRE PROTECTION	1/01	to	12/31	0.100 cfs	
				0.140 cfs	1.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENENW	Sec 12 Twp 10S Rge 18E JEROME County
GROUND WATER	SENENW	Sec 12 Twp 10S Rge 18E JEROME County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10S	18E	12					X												

PLACE OF USE: FIRE PROTECTION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10S	18E	12					X												

CONDITIONS OF APPROVAL

1. Rights 36-7045 & 36-8766 when combined shall not exceed a total diversion rate of 0.10 cfs and a total annual maximum diversion volume of 9.8 af.
2. 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. 130.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

Transfer No. 84855

WATER RIGHT NO. 36-7045

As Modified by Transfer No. 84855

CONDITIONS OF APPROVAL

4. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.

5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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

WATER RIGHT NO. 36-15637

As Modified by Transfer No. 84855

In accordance with the approval of Transfer No. 84855, Water Right No. 36-15637 is now described as follows:

Right Holder: DANSO, LLC
1017 S 1150 E
EDEN, ID 83325-5037

Priority Date: 10/18/1968

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to	12/31	0.070 cfs	12.9 af
				0.070 cfs	12.9 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENENW	Sec 12 Twp 10S Rge 18E	JEROME County
GROUND WATER	SENENW	Sec 12 Twp 10S Rge 18E	JEROME County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10S	18E	12					X												

CONDITIONS OF APPROVAL

1. Rights 36-15637 and 36-15639 when combined shall not exceed a total diversion rate of 0.07 cfs.
2. Rights 36-15637, 36-15639, and 36-15641 when combined shall not exceed a total diversion rate of 0.10 cfs, a total annual maximum diversion volume of 23.7 af.
3. 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. 130.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

WATER RIGHT NO. 36-15637

As Modified by Transfer No. 84855

CONDITIONS OF APPROVAL

5. The water right holder shall maintain control of the necessary portion of Rights 36-16113, 36-16114, 36-16116 and 36-16124 for mitigation purposes under Transfer 69053. The mitigation rights when combined are limited to the following schedule of allowed use which begins on the date of approval of the transfer. Water shall not be diverted under this right if the necessary portion of the mitigation rights are sold, transferred, leased or used on any place of use.

   Years 1 through 2 the diversion and use of water under the rights are limited to 0.00 cfs, 0.0 afa and 0.0 acres (30.2 acres left unirrigated).

   Years 3 through 6 the diversion and use of water under the rights are limited to 0.11 cfs, 36.0 afa and 9.0 acres (21.2 acres left unirrigated).

   Years 7 through 12 the diversion and use of water under the rights are limited to 0.26 cfs, 86.4 afa and 21.6 acres (8.6 acres left unirrigated).

   Years 13 and beyond the diversion and use of water under the rights are limited to 0.27 cfs, 89.6 afa and 22.4 acres (7.8 acres left unirrigated).

6. Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.

7. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.

8. The diversion and use of water described in Transfer 69053 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.

9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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

WATER RIGHT NO. 36-15639

As Modified by Transfer No. 84855

In accordance with the approval of Transfer No. 84855, Water Right No. 36-15639 is now described as follows:

Right Holder: DANSO, LLC
1017 S 1150 E
EDEN, ID 83325-5037

Priority Date: 12/3/1966

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to	12/31	0.050 cfs	7.4 af
				0.050 cfs	7.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENENW	Sec 12 Twp 10S Rge 18E	JEROME County
GROUND WATER	SENENW	Sec 12 Twp 10S Rge 18E	JEROME County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10S	18E	12					X												

CONDITIONS OF APPROVAL

1. Rights 36-15637 and 36-15639 when combined shall not exceed a total diversion rate of 0.07 cfs.
2. Rights 36-15637, 36-15639, and 36-15641 when combined shall not exceed a total diversion rate of 0.10 cfs, a total annual maximum diversion volume of 23.7 af.
3. 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. 130.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

WATER RIGHT NO. 36-15639

As Modified by Transfer No. 84855

CONDITIONS OF APPROVAL

5. The water right holder shall maintain control of the necessary portion of Rights 36-16113, 36-16114, 36-16116 and 36-16124 for mitigation purposes under Transfer 69053. The mitigation rights when combined are limited to the following schedule of allowed use which begins on the date of approval of the transfer. Water shall not be diverted under this right if the necessary portion of the mitigation rights are sold, transferred, leased or used on any place of use.

   Years 1 through 2 the diversion and use of water under the rights are limited to 0.00 cfs, 0.0 afa and 0.0 acres (30.2 acres left unirrigated).

   Years 3 through 6 the diversion and use of water under the rights are limited to 0.11 cfs, 36.0 afa and 9.0 acres (21.2 acres left unirrigated).

   Years 7 through 12 the diversion and use of water under the rights are limited to 0.26 cfs, 86.4 afa and 21.6 acres (8.6 acres left unirrigated).

   Years 13 and beyond the diversion and use of water under the rights are limited to 0.27 cfs, 89.6 afa and 22.4 acres (7.8 acres left unirrigated).

6. Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.

7. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.

8. The diversion and use of water described in Transfer 69053 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.

9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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

WATER RIGHT NO. 36-15641

As Modified by Transfer No. 84855

In accordance with the approval of Transfer No. 84855, Water Right No. 36-15641 is now described as follows:

Right Holder: DANSO, LLC
1017 S 1150 E
EDEN, ID 83325-5037

Priority Date: 2/18/1971

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to	12/31	0.030 cfs	3.4 af
				0.030 cfs	3.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENENW	Sec 12 Twp 10S Rge 18E	JEROME County
GROUND WATER	SENENW	Sec 12 Twp 10S Rge 18E	JEROME County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10S	18E	12					X												

CONDITIONS OF APPROVAL

1. Rights 36-15637, 36-15639, and 36-15641 when combined shall not exceed a total diversion rate of 0.10 cfs, a total annual maximum diversion volume of 23.7 af.

2. 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. 130.

3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

WATER RIGHT NO. 36-15641

As Modified by Transfer No. 84855

CONDITIONS OF APPROVAL

4. The water right holder shall maintain control of the necessary portion of Rights 36-16113, 36-16114, 36-16116 and 36-16124 for mitigation purposes under Transfer 69053. The mitigation rights when combined are limited to the following schedule of allowed use which begins on the date of approval of the transfer. Water shall not be diverted under this right if the necessary portion of the mitigation rights are sold, transferred, leased or used on any place of use.

   Years 1 through 2 the diversion and use of water under the rights are limited to 0.00 cfs, 0.0 afa and 0.0 acres (30.2 acres left unirrigated).

   Years 3 through 6 the diversion and use of water under the rights are limited to 0.11 cfs, 36.0 afa and 9.0 acres (21.2 acres left unirrigated).

   Years 7 through 12 the diversion and use of water under the rights are limited to 0.26 cfs, 86.4 afa and 21.6 acres (8.6 acres left unirrigated).

   Years 13 and beyond the diversion and use of water under the rights are limited to 0.27 cfs, 89.6 afa and 22.4 acres (7.8 acres left unirrigated).

5. Prior to the diversion of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.

6. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.

7. The diversion and use of water described in Transfer 69053 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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

WATER RIGHT NO. 36-8766

As Modified by Transfer No. 84855

In accordance with the approval of Transfer No. 84855, Water Right No. 36-8766 is now described as follows:

Right Holder: DANSO, LLC
1017 S 1150 E
EDEN, ID 83325-5037

Priority Date: 6/8/1997

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to	12/31	0.100 cfs	8.0 af
				0.100 cfs	8.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENENW	Sec 12 Twp 10S Rge 18E JEROME County
GROUND WATER	SENENW	Sec 12 Twp 10S Rge 18E JEROME County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10S	18E	12					X												

CONDITIONS OF APPROVAL

1. Rights 36-7045 & 36-8766 when combined shall not exceed a total diversion rate of 0.10 cfs and a total annual maximum diversion volume of 9.8 af.
2. 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. 130.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
5. There is no authorized irrigation component of this right.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.

Transfer No. 84855

WATER RIGHT NO. 36-8766

As Modified by Transfer No. 84855

CONDITIONS OF APPROVAL

7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

State of Idaho
Department of Water Resources

Attachment to Transfer # 84855

36-7045, 36-8766, 36-15637, 36-15639, and 36-15641

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

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

0 0.0425 0.085 0.17 Miles

N

State of Idaho
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION • 650 ADDISON AVE W STE 500 • TWIN FALLS ID 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037
Website: www.idwr.idaho.gov • Email: southerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

June 25, 2021

DANIEL L WILLIE
1017 S 1150 E
EDEN ID 83325-5037

Re: Transfer No: 84855
Water Right No(s).: 36-7045, 36-8766, 36-15637, 36-15639, 36-15641

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a $100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,

Corey Skinner
Southern Regional Manager

Enclosure

c:

DANSO LLC
1017 S 1150 E
EDEN ID 83325-5037

BROCKWAY ENGINEERING PLLC
CHARLES G BROCKWAY
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

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

CERTIFICATE OF SERVICE

I hereby certify that on June 25, 2021 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 84855
Water Right No(s).: 36-7045, 36-8766, 36-15637, 36-15639, 36-15641

DANIEL L WILLIE
1017 S 1150 E
EDEN ID 83325-5037

DANSO LLC
1017 S 1150 E
EDEN ID 83325-5037

BROCKWAY ENGINEERING PLLC
CHARLES G BROCKWAY
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

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

Denise Maline

Denise Maline
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) The petition for reconsideration is disposed of; or
> (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

Date: June 2, 2021

To: Transfer 84855 File

From: Benny Walker

Re: Evaluation of Sufficiency of Information Submitted Sufficiency

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Application proposes adding a new well to be drilled as an authorized point of diversion for five water rights associated with a commercial development (Travelers Oasis Truck Plaza) located approximately 0.2 mile south and 0.1 mile west of the Interstate 84 and Hwy 50 junction. The new well and an existing well will divert up to 0.20 cfs for commercial use. The application also proposes to change the ownership of the water rights.

The rights involved with the application are located within Water District #130. Therefore watermaster comments were solicited and the watermaster did not oppose approval of this application. Application was subject to notice and protest and no protest were received.

- **Authority to File:**
  The applicant provided the necessary deeds to demonstrate authority to file and change the ownership of the water rights involved with the transfer.

- **Water Right Validity:**
  The water rights involved in the transfer have been decreed in the SRBA. Recent aerial photography indicates that the water rights have been used in recent years.

- **Injury to Other Water Rights:**
  None anticipated.

- **Enlargement of Use:**
  None anticipated.

- **Local Public Interest:**
  No negative impacts anticipated. This transfer application was subject to notice and protest, no protests were received.

- **Beneficial Use/Conservation of Water Resources:**
  Proposed use is recognized as a beneficial use of water

- **Effect on Economy of the Local Area:**
  None anticipated.

- **Effect of the Agricultural Base of the Local Area:**
  None anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

* Proof of Publication **

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

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

2 Insertions

ID DEPARTMENT OF WATER RESOURCES

650 ADDISON AVE W, STE 500
TWIN FALLS ID 83301

RECEIVED
MAY 17 2021
DEPT OF WATER RESOURCES
SOUTHERN REGION

ORDER NUMBER 114090

Jenny Green
(Legals Clerk)

STATE OF IDAHO)
.SS
COUNTY OF TWIN FALLS)

On this 14 day of May in the year of 2021 before me, a Notary Public, personally appeared before me Jenny Green known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Amy Wiesmore
Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 9-4-2026

Section: Legals

Category: 50 Legal

PUBLISHED ON: 05/06/2021, 05/13/2021

TOTAL AD COST: 227.25

FILED ON: 5/13/2021

AMY WIESMORE
COMMISSION NO. 20203230
NOTARY PUBLIC
STATE OF IDAHO

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

43-13896
RAFT RIVER LAND & LIVESTOCK LLC
PO BOX 584
RUPERT, ID 83350-0584
Point of Diversion NWNE S9 T14S R25E CASSIA County Source GROUND WATER Tributary
Use: STOCKWATER 01/01 to 12/31 0.1 CFS
Total Diversion: 0.1 CFS
Date Filed: 03-17-2021
Place Of Use: STOCKWATER
T14S R25E S8 SENE
Place Of Use: STOCKWATER
T14S R25E S9 NWNE, SWNE, NESW, NWSW
Application proposes to divert 0.1 cfs from a proposed well for stock water use on property located approximately 1.75 miles south and 0.9 miles east of Elba. This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 84855

DANIEL L WILLIE, 1017 S 1150 E, EDEN, ID 83325-5037 has filed Application No. 84855 for changes to the following water rights within JEROME County(s): Right No(s). 36-15637, 36-15639, 36-15641, 36-7045, 36-8766. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes adding a new well to be drilled as an authorized point of diversion for five water rights associated with a commercial development (Travelers Oasis Truck Plaza) located approximately 0.2 mile south and 0.1 mile west of the Interstate 84 and Hwy 50 junction. The new well and an existing well will divert up to 0.20 cfs for commercial use.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 84848

JOSHUA BAKER and KRISTA BAKER, 3356 N 3300 E, KIMBERLY, ID 83341-5266 has filed Application No. 84848 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-17159. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion (POD) for a 0.10 cfs ground water irrigation right from a shared well to a new well, to be drilled approximately 600 feet south within the authorized place of use (POU). The authorized POU and proposed POD is a 5 acre farm located approximately 3.0 miles east and 4.4 miles south of the Kimberly Road & Blue Lakes Blvd intersection in Twin Falls.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 84915

RBA LLC, PO BOX 370, KIMBERLY, ID 83341-0370 has filed Application No. 84915 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-17140. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change the existing Commercial period of use (April 01 to October 31) for a ground water right (.04 cfs & 7.0 AF), to year round use that is needed for aircraft runway maintenance and aerial agriculture spraying. There are no proposed changes to the Point of Diversion (POD) or Place of Use (POU). The POD and POU are located approximately 8.9 miles north and 2.9 miles west of Rupert.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see https://research.idwr.idaho.gov. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of $25.00 for each application on or before **May 24, 2021.** The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on May 6th & 13th, 2021

✓ OK DM 5-21-2021

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Transfer No: 84855
Water Right No: 36-7045, etc.
Applicant Name: Daniel L Willie

Watermaster's Recommendation:

a) __X__ I do not oppose approval of this application

b) ____ I do not oppose approval of this application under the following terms:

c) ____ I oppose approval of this application(s) for the following reasons:

d) ____ Additional comment:

Dated: **May 10, 2021**

Water District 130

Nathan Erickson

Nathan Erickson, Watermaster

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES **Order Nbr 114090**

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	227.25
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	227.25
Fax			
Section	Legals	Start/End Dates	05/06/2021 - 05/13/2021
SubSection		Insertions	2
Category	50 Legal	Size	150
Ad Key	114090-1	Salesperson(s)	Jenny Green - Legals
Keywords	TN 84855,TN 84848, TN 84915	Taken By	Jenny Green
Notes			

Ad Proof

Proof of legal notice received from Times News 4/30/2021 (2 pgs)

✓ DM 5.3.2021

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✓ bm 5/3/2021