

MEMORANDUM

Date: April 1, 2021
To: Transfer 84663
From: Michael Holliday
Re: Review & Evaluation of Sufficiency of Information

This transfer changes the point of diversion, place of use, period of use, and nature of use of a 287-acre portion of right 35-2797 in order to provide water for a new beef processing plant.

Authority to File:

The applicant is the current owner of the water right being transferred. Bonneville County parcel data show the applicant as owner of the current and proposed points of diversion and places of use. The application was signed by the vice president of Riverbend Management, the company which manages Natural Guardian LLC. Signature authority was confirmed on the Idaho Secretary of State webpage.

Water Right Validity:

Water right 35-2797 was decreed in the SRBA in 2002. Aerial imagery shows regular irrigation of the place of use. Forfeiture is not an issue.

Injury to Other Water Rights:

The applicant provided an ESPA model analysis showing that mitigation was not required because impacts from the POD change were less than 2 AF per trimester. The applicant proposes to dry up 287 acres in order to provide for the new industrial use. The applicant demonstrated that the consumptive use volume associated with the 287 acres is adequate to meet the proposed industrial use. The application was advertised and no protests were filed. The watermaster of Water District 120 reviewed the application and did not oppose its approval.

Enlargement of Use:

The applicant proposes a change in nature of use and period of use. The proposed changes will not result in enlargement because enough acreage was removed from the original place of use to offset the water requirements at the beef processing plant. The new industrial right will be limited to the historic consumptive use at the current location of the water right. Neither rate, volume, nor consumptive use will increase as a result of the transfer.

Local Public interest:

No issues identified.

Beneficial Use/Conservation of Water Resources:

No issues identified.

Effect on Economy the Local Area:

No issues identified.

Effect on Agricultural Base of the Local Area:

No issues identified.

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.



0003945044

**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

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File #: 0003945044

Date Filed: 7/22/2020 10:47:51 AM

Entity Name and Mailing Address:

Entity Name:

NATURAL GUARDIAN, LLC

The file number of this entity on the records of the Idaho Secretary of State is:

0000326205

Address

PO BOX 50277
IDAHO FALLS, ID 83405-0277

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:

W105705

The registered agent on record is:

Registered Agent

DAVID DANCE
Registered Agent

Physical Address

4609 WEST 65TH SOUTH
IDAHO FALLS, ID 83402

Mailing Address

Limited Liability Company Managers and Members

Name	Title	Business Address
 Riverbend Management, Inc.	Manager	4609 W 65TH S IDAHO FALLS, ID 83402

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

David Dance

Sign Here

07/22/2020

Date

Job Title: Counsel

BVC20-2013 01/22/2020 10:47 AM RECEIVED BY ID SECRETARY OF STATE LAWRENCE DENNEY



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**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

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Filing Fee: \$0.00

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File #: 0004126978

Date Filed: 1/8/2021 1:18:09 PM

Entity Name and Mailing Address:

Entity Name:

RIVERBEND MANAGEMENT, INC.

The file number of this entity on the records of the Idaho Secretary of State is:

0000594176

Address

PO BOX 50277
IDAHO FALLS, ID 83405-0277

Entity Details:

Entity Status

Active-Good Standing

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:

C196930

The registered agent on record is:

Registered Agent

DAVID J DANCE
Registered Agent

Physical Address

4609 WEST 65TH SOUTH
IDAHO FALLS, ID 83402

Mailing Address

Corporate Officers and Directors:

Name	Title	Business Address
+ Frank L. VanderSloot	President	4609 W 65TH S IDAHO FALLS, ID 83402
+ Duston K Barton	Vice President	4609 W 65TH S IDAHO FALLS, ID 83402
+ David Dance	Secretary	4609 W 65TH S IDAHO FALLS, ID 83402

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

Job Title: General Counsel

David Dance01/08/2021

Sign Here

Date

B0001-0001 01/08/2021 1:18 PM RECEIVED BY ID SECRETARY OF STATE LAWRENCE DENNEY