

RECEIVED

MAR 15 2021

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCE

Transfer No.

89818

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) Roth Investments LLCCheck 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: _____

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DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Roth Investments, LLC Phone 2083240488
 Mailing address 539 S 800 E JEROME, ID 83338-6847 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 Representative

Name of Representative Greg Sullivan Phone 208-736-8543
 Mailing address 2016 N Washington St Suite 4 Twin Falls, Idaho 83301 Email greg.sullivan@brockwayeng.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.

J.M. Roth
 Signature of Applicant or Authorized Representative

J.M. Roth
 Print Name and Title if applicable

3/8/21
 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**.
This transfer proposes to convert 145 acres of irrigation water right 36-16861 to stock and commercial water. No
ESPA Model analysis has been performed because the FROM POD cell and the TO POD cell are in adjacent model
cells.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCE

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 ☒ ☐	36-16861	2.07/343.7	Stock/Commercial	1/01 to 12/31	Ground Water
☒ ☐	36-2264D	0.38/81	Stock/Commercial	1/01 to 12/31	Ground Water
☒ ☐	36-2264F	0.66/209.5	Stock/Commercial	1/01 to 12/31	Ground Water
☒ ☐	36-2539B	0.85/218	Stock/Commercial	1/01 to 12/31	Ground Water
☒ ☐	36-16859	0.18/28.3	Stock/Commercial	1/01 to 12/31	Ground Water
☒ ☐	36-13968	0.05/	Stock/Domestic	1/01 to 12/31	Ground Water
☒ ☐	36-16862	0.31/76	Stock/Commercial	1/01 to 12/31	Ground Water
☒ ☐	36-16887	0.03/6.3	Stock/Commercial	1/01 to 12/31	Ground Water
☐ ☐				to	

Total authorized under rights 4.5 cfs and/or 962.8 acre-feet.

2. Total amount of water proposed to be transferred or changed 4.5 cubic feet per second and/or 962.8 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 #
			SE	NE	17	09S	18E	Jerome	Ground Water	
			SE	NE	17	09S	18E	Jerome	Ground Water	
			SE	NE	17	09S	18E	Jerome	Ground Water	
			SE	NE	17	09S	18E	Jerome	Ground Water	
			SW	SE	17	09S	18E	Jerome	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	
09S	18E	16					S/C	S/C	S/C	S/C	S/C	S/C	S/C	S/C					
09S	18E	17	S/C		S/C	S/C			S/C	S/C	S/C	S/C		S/C	S/C	S/C	S/C	S/C	
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:

Existing points of diversions, wells, mainlines and delivery systems.

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

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: Northwest Farm Credit Services

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:

Water right 36-16861 will no longer irrigate the land.

- 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:

36-2539B, 36-2264D, 36-2264F, 36-13968, 36-16859, 36-16862, and 36-16887

- 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:

A. DESCRIPTION OF RIGHT(S) AS RECORDED

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- Right Number: _____

- [illegible]

- [illegible]

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 36-16861

Current Owner: ROTH INVESTMENTS LLC
Priority Date: 3/12/1954
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

04/01 to 10/31

2.07 CFS

580 AF

Total Diversion

2.07 CFS

580 AF

Location of Point(s) of Diversion

GROUND WATER

NW1/4SE1/4

Sec. 9, Twp 09S, Rge 18E B.M.

JEROME County

Place of Use

IRRIGATION Within JEROME County

T09S R18E S9	SWNE	25.90	T09S R18E S9	SENE	9.90
T09S R18E S9	NESW	0.20	T09S R18E S9	NESE	30.50
T09S R18E S9	NWSE	25.00	T09S R18E S9	SWSE	23.80
T09S R18E S9	SESE	29.70			

Total Acres: 145

Conditions of Approval:

1. The use of water for irrigation under this right may begin as early as march 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
2. 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.

Decreed Date: 1/10/2002

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 36-2264D

Current Owner: ROTH INVESTMENTS LLC

Priority Date: 3/12/1954

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.19 CFS	40 AF
COMMERCIAL	01/01 to 12/31	0.19 CFS	41 AF
	<u>Total Diversion</u>	0.38 CFS	81 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 17, Twp 09S, Rge 18E B.M.
JEROME County		
GROUND WATER	SE1/4NE1/4	Sec. 17, Twp 09S, Rge 18E B.M.
JEROME County		
GROUND WATER	SE1/4NE1/4	Sec. 17, Twp 09S, Rge 18E B.M.
JEROME County		
GROUND WATER	SE1/4NE1/4	Sec. 17, Twp 09S, Rge 18E B.M.
JEROME County		
GROUND WATER	NE1/4SW1/4SE1/4	Sec. 17, Twp 09S, Rge 18E B.M.
JEROME County		

Place of Use

STOCKWATER Within JEROME County

T09S R18E S16	SWNW	T09S R18E S16	NWSW
T09S R18E S16	SWSW	T09S R18E S17	SENE
T09S R18E S17	NESW	T09S R18E S17	SESW
T09S R18E S17	NESE	T09S R18E S17	NWSE
T09S R18E S17	SWSE	T09S R18E S17	SESE

COMMERCIAL Within JEROME County

T09S R18E S16	SWNW	T09S R18E S16	NWSW
T09S R18E S16	SWSW	T09S R18E S17	SENE
T09S R18E S17	NESW	T09S R18E S17	NWSW
T09S R18E S17	SWSW	T09S R18E S17	SESW
T09S R18E S17	NESE	T09S R18E S17	NWSE
T09S R18E S17	SWSE	T09S R18E S17	SESE

Conditions of Approval:

1. 214 Prior to the diversion and use of water under Transfer approval 76184, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
2. 106 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.
3. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. 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.
5. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
6. 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.
7. 082 The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
8. T07 The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
9. 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. 130.
10. X35 Rights 36-2539B, 36-2264D, 36-2264F, 36-13968, 36-16859, 36-16862, and 36-16887 when combined shall not exceed a total diversion rate of 2.43 cfs and a total annual maximum diversion volume of 619.1 af.

Decreed Date: 1/10/2002

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 36-2264F

Current Owner: ROTH INVESTMENTS LLC
 Priority Date: 3/12/1954
 Origin: Water Right
 Status: Active
 Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.33 CFS	106.1 AF
COMMERCIAL	01/01 to 12/31	0.33 CFS	103.4 AF
	<u>Total Diversion</u>	0.66 CFS	209.5 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 17, Twp 09S, Rge 18E B.M.
JEROME County		
GROUND WATER	SE1/4NE1/4	Sec. 17, Twp 09S, Rge 18E B.M.
JEROME County		
GROUND WATER	SE1/4NE1/4	Sec. 17, Twp 09S, Rge 18E B.M.
JEROME County		
GROUND WATER	SE1/4NE1/4	Sec. 17, Twp 09S, Rge 18E B.M.
JEROME County		
GROUND WATER	NE1/4SW1/4SE1/4	Sec. 17, Twp 09S, Rge 18E B.M.
JEROME County		

Place of Use

STOCKWATER Within JEROME County

T09S R18E S16	SWNW	T09S R18E S16	NWSW
T09S R18E S16	SWSW	T09S R18E S17	SENE
T09S R18E S17	NESW	T09S R18E S17	SESW
T09S R18E S17	NESE	T09S R18E S17	NWSE
T09S R18E S17	SWSE	T09S R18E S17	SESE

COMMERCIAL Within JEROME County

T09S R18E S16	SWNW	T09S R18E S16	NWSW
T09S R18E S16	SWSW	T09S R18E S17	SENE
T09S R18E S17	NESW	T09S R18E S17	NWSW
T09S R18E S17	SWSW	T09S R18E S17	SESW
T09S R18E S17	NESE	T09S R18E S17	NWSE
T09S R18E S17	SWSE	T09S R18E S17	SESE

Conditions of Approval:

1. 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. 130.
2. 214 Prior to the diversion and use of water under Transfer approval 76184, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
3. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
4. X35 Rights 36-2539B, 36-2264D, 36-2264F, 36-13968, 36-16859, 36-16862, and 36-16887 when combined shall not exceed a total diversion rate of 2.43 cfs and a total annual maximum diversion volume of 619.1 af.
5. 082 The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
6. T07 The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
7. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
8. 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.
9. 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.
10. 106 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.

Decreed Date: 11/16/1998

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 36-2539B

Current Owner: ROTH INVESTMENTS LLC
Priority Date: 4/26/1962
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.43 CFS	110 AF
COMMERCIAL	01/01 to 12/31	0.42 CFS	108 AF
	<u>Total Diversion</u>	0.85 CFS	218 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 17, Twp 09S, Rge 18E B.M.
JEROME County		
GROUND WATER	SE1/4NE1/4	Sec. 17, Twp 09S, Rge 18E B.M.
JEROME County		
GROUND WATER	NE1/4SW1/4SE1/4	Sec. 17, Twp 09S, Rge 18E B.M.
JEROME County		
GROUND WATER	SE1/4NE1/4	Sec. 17, Twp 09S, Rge 18E B.M.
JEROME County		
GROUND WATER	SE1/4NE1/4	Sec. 17, Twp 09S, Rge 18E B.M.
JEROME County		

Place of Use

STOCKWATER Within JEROME County

T09S R18E S16	SWNW	T09S R18E S16	NWSW
T09S R18E S16	SWSW	T09S R18E S17	SENE
T09S R18E S17	NESW	T09S R18E S17	SESW
T09S R18E S17	NESE	T09S R18E S17	NWSE
T09S R18E S17	SWSE	T09S R18E S17	SESE

COMMERCIAL Within JEROME County

T09S R18E S16	SWNW	T09S R18E S16	NWSW
T09S R18E S16	SWSW	T09S R18E S17	SENE
T09S R18E S17	NESW	T09S R18E S17	NWSW
T09S R18E S17	SWSW	T09S R18E S17	SESW
T09S R18E S17	NESE	T09S R18E S17	NWSE
T09S R18E S17	SWSE	T09S R18E S17	SESE

Conditions of Approval:

1. 214 Prior to the diversion and use of water under Transfer approval 76184, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
2. T07 The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
3. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
4. 082 The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
5. 106 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. 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. 130.
7. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
8. 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.
9. X35 Rights 36-2539B, 36-2264D, 36-2264F, 36-13968, 36-16859, 36-16862, and 36-16887 when combined shall not exceed a total diversion rate of 2.43 cfs and a total annual maximum diversion volume of 619.1 af.
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.

Decreed Date: 3/19/2001

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 36-16859

Current Owner: ROTH INVESTMENTS LLC

Priority Date: 7/5/1973

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	01/01 to 12/31	0.09 CFS	14.1 AF
STOCKWATER	01/01 to 12/31	0.09 CFS	14.2 AF
	<u>Total Diversion</u>	0.18 CFS	28.3 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 17, Twp 09S, Rge 18E B.M.
JEROME County		
GROUND WATER	SE1/4NE1/4	Sec. 17, Twp 09S, Rge 18E B.M.
JEROME County		
GROUND WATER	SE1/4NE1/4	Sec. 17, Twp 09S, Rge 18E B.M.
JEROME County		
GROUND WATER	SE1/4NE1/4	Sec. 17, Twp 09S, Rge 18E B.M.
JEROME County		
GROUND WATER	NE1/4SW1/4SE1/4	Sec. 17, Twp 09S, Rge 18E B.M.
JEROME County		

Place of Use

STOCKWATER Within JEROME County

T09S R18E S16	SWNW	T09S R18E S16	NWSW
T09S R18E S16	SWSW	T09S R18E S17	SENE
T09S R18E S17	NESW	T09S R18E S17	SESW
T09S R18E S17	NESE	T09S R18E S17	NWSE
T09S R18E S17	SWSE	T09S R18E S17	SESE

COMMERCIAL Within JEROME County

T09S R18E S16	SWNW	T09S R18E S16	NWSW
T09S R18E S16	SWSW	T09S R18E S17	SENE
T09S R18E S17	NESW	T09S R18E S17	NWSW
T09S R18E S17	SWSW	T09S R18E S17	SESW
T09S R18E S17	NESE	T09S R18E S17	NWSE
T09S R18E S17	SWSE	T09S R18E S17	SESE

Conditions of Approval:

1. 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. 130.
2. 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.
3. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
4. 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.
5. 106 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. K01 Right No. 36-16887 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
7. 082 The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
8. 214 Prior to the diversion and use of water under Transfer approval 76184, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
9. X35 Rights 36-16859 and 36-16887 when combined shall not exceed a total diversion rate of 0.18 cfs.
10. T07 The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
11. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
12. X35 Rights 36-2539B, 36-2264D, 36-2264F, 36-13968, 36-16859, 36-16862, and 36-16887 when combined shall not exceed a total diversion rate of 2.43 cfs and a total annual maximum diversion volume of 619.1 af.

Page 15 of

Decreed Date: 8/27/2001

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 36-13968

Current Owner: ROTH INVESTMENTS LLC

Priority Date: 12/31/1900

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.05 CFS	
DOMESTIC	01/01 to 12/31	0.05 CFS	
	<u>Total Diversion</u>	0.05 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4NE1/4	Sec. 17,	Twp 09S,	Rge 18E B.M.
JEROME County				
GROUND WATER	SE1/4NE1/4	Sec. 17,	Twp 09S,	Rge 18E B.M.
JEROME County				
GROUND WATER	SE1/4NE1/4	Sec. 17,	Twp 09S,	Rge 18E B.M.
JEROME County				
GROUND WATER	SE1/4NE1/4	Sec. 17,	Twp 09S,	Rge 18E B.M.
JEROME County				
GROUND WATER	NE1/4SW1/4SE1/4	Sec. 17,	Twp 09S,	Rge 18E B.M.
JEROME County				

Place of Use

STOCKWATER Within JEROME County

T09S R18E S16	SWNW	T09S R18E S16	NWSW
T09S R18E S16	SWSW	T09S R18E S17	SENE
T09S R18E S17	NESW	T09S R18E S17	SESW
T09S R18E S17	NESE	T09S R18E S17	NWSE
T09S R18E S17	SWSE	T09S R18E S17	SESE

DOMESTIC Within JEROME County

T09S R18E S17	SENE
---------------	------

Conditions of Approval:

1. 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.
2. X01 Domestic use is for 2 homes.
3. T07 The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
4. 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. 130.
5. N14 The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.
6. N09 The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.
7. 187 The irrigation occurring under this domestic use shall not exceed 1/2 acre.
8. 082 The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
9. 106 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.
10. 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.
11. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
12. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
13. 214 Prior to the diversion and use of water under Transfer approval 76184, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
14. X35 Rights 36-2539B, 36-2264D, 36-2264F, 36-13968, 36-16859, 36-16862, and 36-16887 when combined shall not exceed a total diversion rate of 2.43 cfs and a total annual maximum diversion volume of 619.1 af.

Decreed Date: 12/10/1996

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 36-16862

Current Owner: ROTH INVESTMENTS LLC
Priority Date: 3/12/1954
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	01/01 to 12/31	0.15 CFS	38 AF
STOCKWATER	01/01 to 12/31	0.16 CFS	38 AF
	<u>Total Diversion</u>	0.31 CFS	76 AF

Location of Point(s) of Diversion

GROUND WATER JEROME County	SE1/4NE1/4	Sec. 17, Twp 09S, Rge 18E B.M.
GROUND WATER JEROME County	SE1/4NE1/4	Sec. 17, Twp 09S, Rge 18E B.M.
GROUND WATER JEROME County	SE1/4NE1/4	Sec. 17, Twp 09S, Rge 18E B.M.
GROUND WATER JEROME County	SE1/4NE1/4	Sec. 17, Twp 09S, Rge 18E B.M.
GROUND WATER JEROME County	NE1/4SW1/4SE1/4	Sec. 17, Twp 09S, Rge 18E B.M.

Place of Use

STOCKWATER Within JEROME County

T09S R18E S16	SWNW	T09S R18E S16	NWSW
T09S R18E S16	SWSW	T09S R18E S17	SENE
T09S R18E S17	NESW	T09S R18E S17	SESW
T09S R18E S17	NESE	T09S R18E S17	NWSE
T09S R18E S17	SWSE	T09S R18E S17	SESE

COMMERCIAL Within JEROME County

T09S R18E S16	SWNW	T09S R18E S16	NWSW
T09S R18E S16	SWSW	T09S R18E S17	SENE
T09S R18E S17	NESW	T09S R18E S17	NWSW
T09S R18E S17	SWSW	T09S R18E S17	SESW
T09S R18E S17	NESE	T09S R18E S17	NWSE
T09S R18E S17	SWSE	T09S R18E S17	SESE

Conditions of Approval:

1. 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. 130.
2. 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.
3. 106 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.
4. 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.
5. T07 The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
6. 082 The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
7. X35 Rights 36-2539B, 36-2264D, 36-2264F, 36-13968, 36-16859, 36-16862, and 36-16887 when combined shall not exceed a total diversion rate of 2.43 cfs and a total annual maximum diversion volume of 619.1 af.
8. 214 Prior to the diversion and use of water under Transfer approval 76184, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
9. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
10. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Decreed Date: 1/10/2002

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 36-16887

Current Owner: ROTH INVESTMENTS LLC

Priority Date: 7/5/1985

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	4.2 AF
COMMERCIAL	01/01 to 12/31	0.01 CFS	2.1 AF
	<u>Total Diversion</u>	0.03 CFS	6.3 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 17, Twp 09S, Rge 18E B.M.
JEROME County		
GROUND WATER	SE1/4NE1/4	Sec. 17, Twp 09S, Rge 18E B.M.
JEROME County		
GROUND WATER	SE1/4NE1/4	Sec. 17, Twp 09S, Rge 18E B.M.
JEROME County		
GROUND WATER	SE1/4NE1/4	Sec. 17, Twp 09S, Rge 18E B.M.
JEROME County		
GROUND WATER	NE1/4SW1/4SE1/4	Sec. 17, Twp 09S, Rge 18E B.M.
JEROME County		

Place of Use

STOCKWATER Within JEROME County

T09S R18E S16	SWNW
T09S R18E S16	SWSW
T09S R18E S17	NESW
T09S R18E S17	NESE
T09S R18E S17	SWSE

T09S R18E S16	NWSW
T09S R18E S17	SENE
T09S R18E S17	SESW
T09S R18E S17	NWSE
T09S R18E S17	SESE

COMMERCIAL Within JEROME County

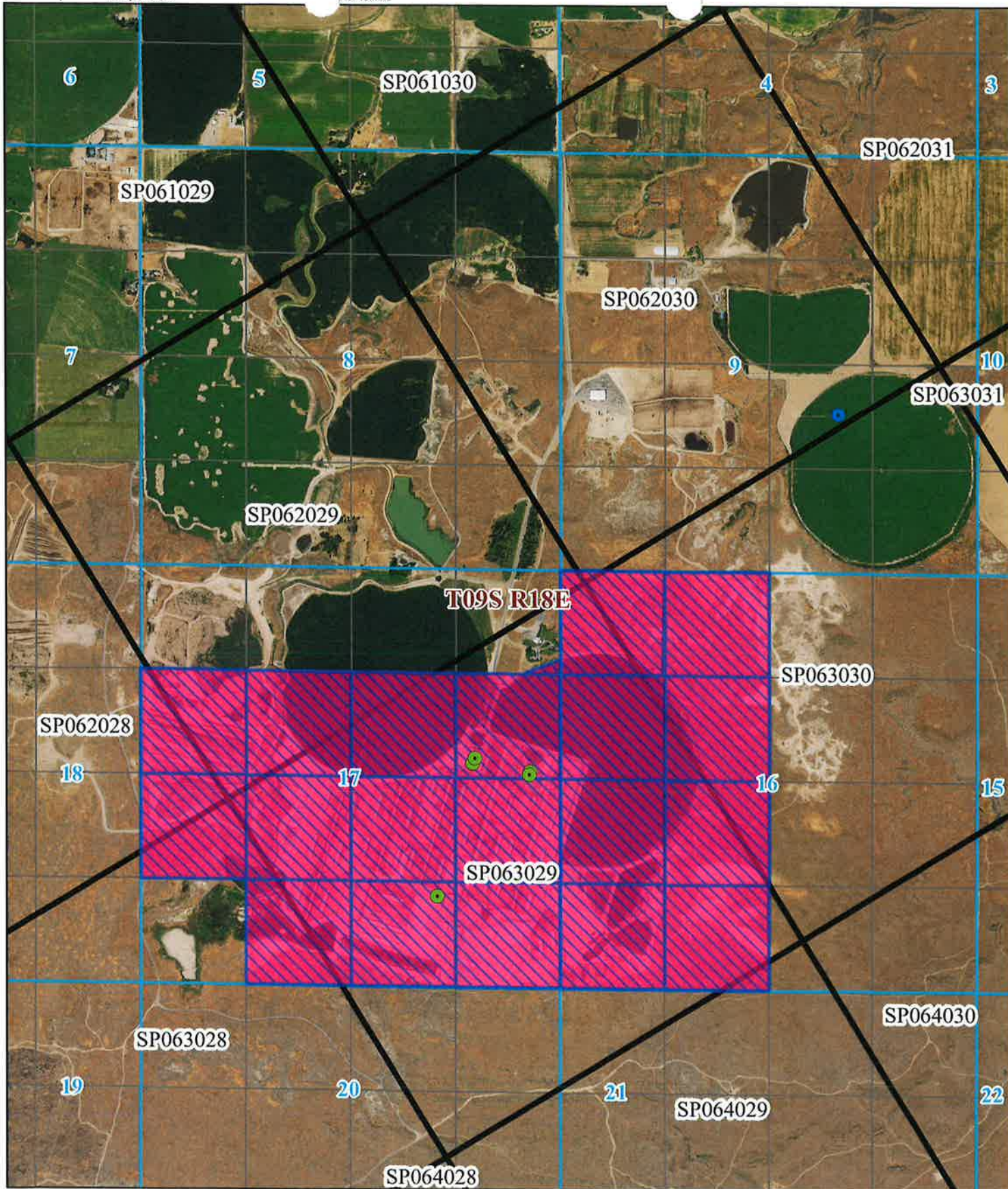
T09S R18E S16	SWNW
T09S R18E S16	SWSW
T09S R18E S17	NESW
T09S R18E S17	SWSW
T09S R18E S17	NESE
T09S R18E S17	SWSE

T09S R18E S16	NWSW
T09S R18E S17	SENE
T09S R18E S17	NWSW
T09S R18E S17	SESW
T09S R18E S17	NWSE
T09S R18E S17	SESE

Conditions of Approval:

1. 214 Prior to the diversion and use of water under Transfer approval 76184, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
2. K02 This right is based upon an enlargement of Right No. 36-16859 pursuant to Section 42-1426, Idaho Code.
3. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
4. 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. 130.
5. 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.
6. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. X35 Rights 36-2539B, 36-2264D, 36-2264F, 36-13968, 36-16859, 36-16862, and 36-16887 when combined shall not exceed a total diversion rate of 2.43 cfs and a total annual maximum diversion volume of 619.1 af.
8. 106 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.
9. T07 The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
10. 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.
11. X35 Rights 36-16859 and 36-16887 when combined shall not exceed a total diversion rate of 0.18 cfs.
12. 082 The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
13. C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

Decreed Date: 8/27/2001



0 0.25 0.5 Miles

ROTH INVESTMENTS LLC

2019 NAIP AERIAL PHOTOGRAPH

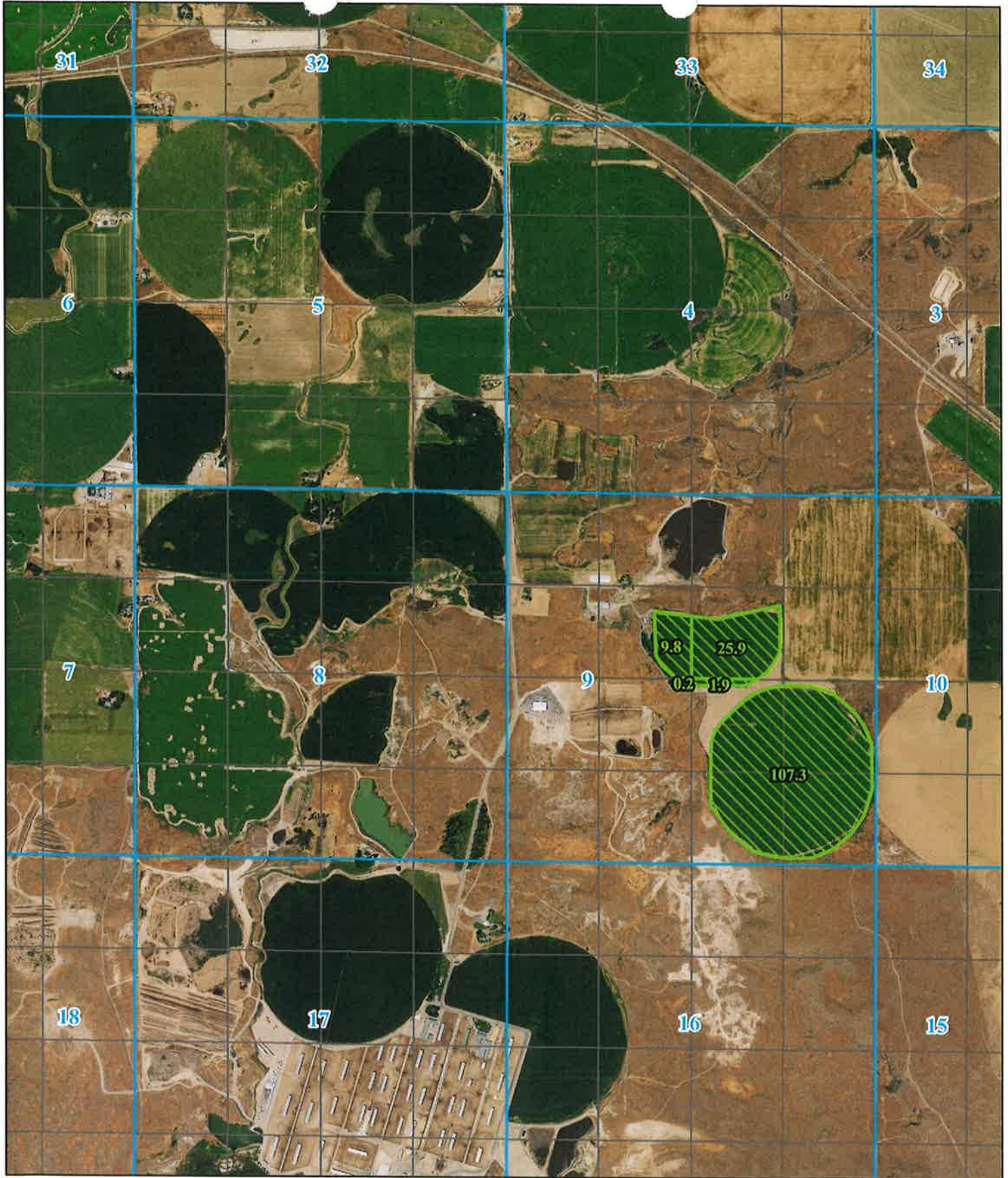
TRANSFER 84818

BROCKWAY ENGINEERING PLLC
GWS - Date: 3/11/2021

Legend

- 36-16861_POD
- Si-Ellen PODs
- Si-Ellen Stock
- Si-Ellen Comm





0 0.25 0.5 Miles

ROTH INVESTMENT LLC

2019 NAIP AERIAL PHOTOGRAPH
TRANSFER 84818

BROCKWAY ENGINEERING PLLC
GWS - Date: 3/11/2021

Legend

2020_Transfer_Acres



Roth Investments
Si-Ellen Dairy
Stock and Commercial Transfer Calculations
Brockway Engineering

Historical Stock and Commercial Water Use

	2016	2017	2018	2019	2020	2021
Yearly Volume	810.6 AFA	813.4 AFA	822.2 AFA	873.8 AFA	825.5 AFA	963.0 AFA
Monthly Volume	67.5 AFA	67.8 AFA	68.5 AFA	72.8 AFA	68.8 AFA	80.3 AFA

AFA/Animal Unit	0.050	0.052	0.049	0.051	0.053	0.051
GPY/Animal Unit	16436	16974	16101	16571	17201	16657
GPD/Animal Unit	45.0	46.5	44.1	45.4	51.3	45.6

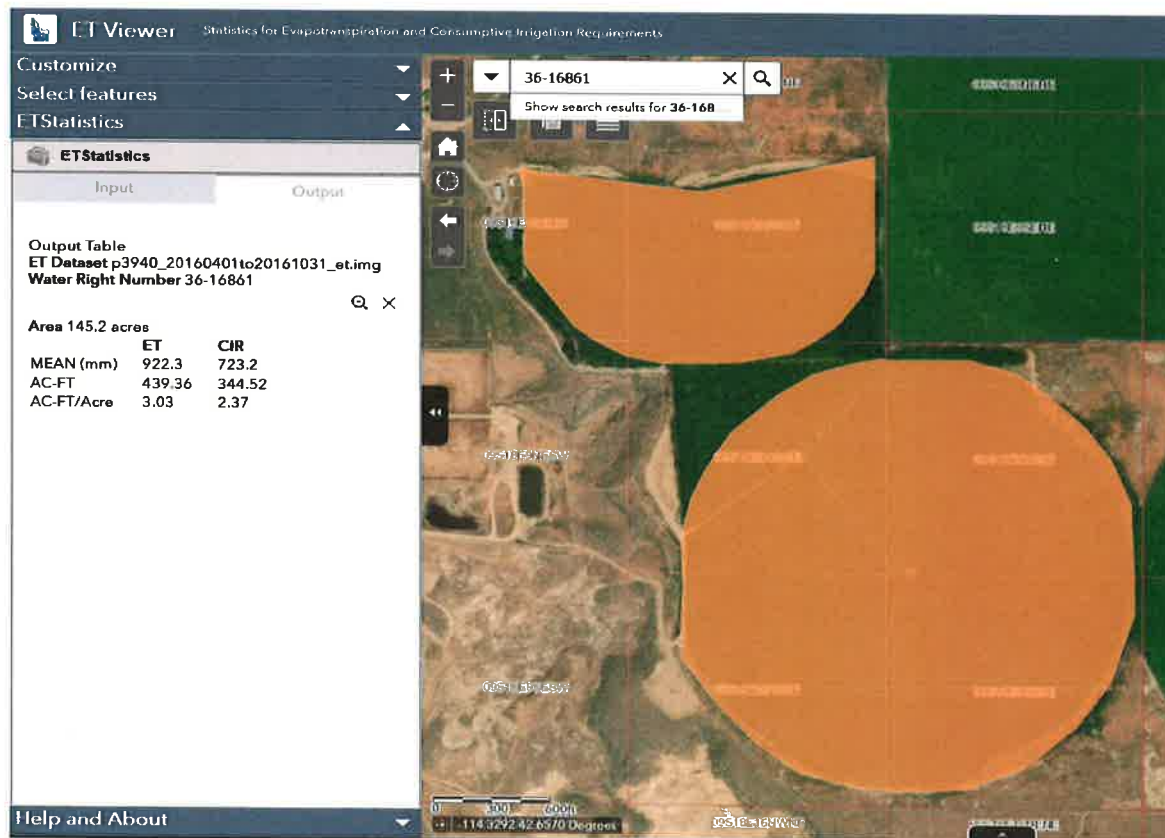
Proposed Stock and Commercial Transfer Water

	Consumptive Acre-Ft	Acres	S/C Water Acre-Ft
Pivot 8 & 9	2.37	145.0	343.7
Total Transfer Acre-Ft Amount			343.7 AFA

Existing Stock and Commercial Water Rights 619.1 AFA

**Total Stock and Commercial Water
After Transfer**

962.8 AFA





0003959951

**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 #: 0003959951

Date Filed: 8/5/2020 9:24:54 AM

Entity Name and Mailing Address:

Entity Name: ROTH INVESTMENTS, L.L.C.
The file number of this entity on the records of the Idaho Secretary of State is: 0000044344
Address: 539 S 800 E
JEROME, ID 83338-6847

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: W9832

The registered agent on record is:

Registered Agent: DONNA ROTH HABERSETZER
Registered Agent
Physical Address
840 SIMONS WAY
JEROME, ID 83338
Mailing Address

Limited Liability Company Managers and Members

Name	Title	Business Address
+ Donna Roth Habersetzer	Manager	840 SIMONS WAY JEROME, ID 83338
+ John Michael Roth	Manager	539 S 800 E JEROME, ID 83338
+ Jim Roth	Manager	3869 N 3400 E KIMBERLY, ID 83341

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

*Heather Hilarides**08/05/2020*

Sign Here

Date

Job Title: Office Manager

B0529-0741 08/05/2020 9:24 AM Received by ID Secretary of State Lawrence Denney



406 Park View Loop
Twin Falls, ID 83301
Voice: 208.732.1000 Toll-Free: 800.733.9412 Fax: 208.732.1005

January 27, 2021

RECEIVED

FEB 01 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

Idaho Department of Water Resources
650 Addison Ave W, Suite 500
Twin Falls, ID 83301

To Whom it May Concern:

Northwest Farm Credit Services, FLCA is the current lien holder of the real estate and the following appurtenant water rights:

36-16861
36-2264D
36-2264F
36-2539B
36-16859
36-13968
36-16862
36-16887

Roth Investments, LLC has applied for a transfer of use for said water rights. Northwest Farm Credit Services, FLCA as Lien Holder gives consent to the transfer.

If you have any questions, you can reach me at 208-340-0208.

Sincerely,

A handwritten signature in black ink that reads "Becky Harshbarger". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Becky Harshbarger
Relationship Manager/AVP

TRANSFER 84818

Here to Help You Grow

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 113300

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	107.94
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	107.94
Fax			
Section	Legals	Start/End Dates	04/15/2021 - 04/22/2021
SubSection		Insertions	2
Category	50 Legal	Size	68
Ad Key	113300-1	Salesperson(s)	Jenny Green - Legals
Keywords	TRANSFER NO. 84818	Taken By	Jenny Green
Notes			

Ad Proof

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 84818

ROTH INVESTMENTS LLC, 539 S 800 E, JEROME, ID 83338-6847 has filed Application No. 84818 for changes to the following water rights within JEROME County(s): Right No(s). 36-13968, 36-16859, 36-16861, 36-16862, 36-16887, 36-2264D, 36-2264F, 36-2539B; 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: Application proposes changing the point of diversion, place of use, nature of use and period of use for a 145 acre (2.07 cfs) irrigation ground water right that is diverted from a well within the place of use located approximately 8.1 to 8.8 miles east and 4.4 to 5.1 miles south of Jerome. The proposed change of nature of use will be from irrigation to commercial/stockwater use at an existing dairy facility. The application also proposes changing the place of use for seven existing commercial/stockwater ground water rights (totaling 2.43 cfs) and diverting the seven water rights and the converted irrigation water right (4.5 cfs total) from four existing wells at the dairy facility located approximately 6.7 to 8.2 miles east and 5.0 to 6.1 miles south of Jerome.

For additional information concerning the property location, contact Southern Region office at (208)736-3033. 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 **May 3, 2021**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on April 15th & 22nd, 2021

Proof of legal notice received
from Times News 4/8/2021

✓ dm 4.8.2021



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

Brad Little
Governor

Gary Spackman
Director

April 8, 2021

ROTH INVESTMENTS LLC
539 S 800 E
JEROME, ID 83338-6847

RE: Transfer No. 84818

Water Right No(s). 36-13968, 36-16859, 36-16861, 36-16862, 36-16887, 36-2264D,
36-2264F, 36-2539B

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 **4/15/2021** and **4/22/2021**. 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 **May 3, 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: Brockway Engineering PLLC



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

Brad Little
Governor

Gary Spackman
Director

April 8, 2021

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

RE: Application for Transfer No. 84818 (Roth Investments LLC)

Dear Nathan:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at:

<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, April 08, 2021 1:52 PM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News cover letter.docx; Times News ad.docx

Attached please find **(1)** legal notice being submitted for publication on April 15th & 22nd, 2021. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls



Brad Little
Governor

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

Gary Spackman
Director

April 8, 2021

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 84818

Water Right No(s). 36-13968, 36-16859, 36-16861, 36-16862, 36-16887,
36-2264D, 36-2264F, 36-2539B

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 May 3, 2021. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

Enclosure(s)

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84818

ROTH INVESTMENTS LLC, 539 S 800 E, JEROME, ID 83338-6847 has filed Application No. 84818 for changes to the following water rights within JEROME County(s): Right No(s). 36-13968, 36-16859, 36-16861, 36-16862, 36-16887, 36-2264D, 36-2264F, 36-2539B; 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: Application proposes changing the point of diversion, place of use, nature of use and period of use for a 145 acre (2.07 cfs) irrigation ground water right that is diverted from a well within the place of use located approximately 8.1 to 8.8 miles east and 4.4 to 5.1 miles south of Jerome. The proposed change of nature of use will be from irrigation to commercial/stockwater use at an existing dairy facility. The application also proposes changing the place of use for seven existing commercial/stockwater ground water rights (totaling 2.43 cfs) and diverting the seven water rights and the converted irrigation water right (4.5 cfs total) from four existing wells at the dairy facility located approximately 6.7 to 8.2 miles east and 5.0 to 6.1 miles south of Jerome.

For additional information concerning the property location, contact Southern Region office at (208)736-3033. 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 **May 3, 2021**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on April 15th & 22nd, 2021

MEMORANDUM

Date: April 1, 2021
To: Transfer 84818 File
From: Bill Mills
Re: Transfer Proposal

Application proposes changing the point of diversion, place of use, nature of use and period of use for a 145 acre (2.07 cfs) irrigation ground water right that is diverted from a well within the place of use located approximately 8.1 to 8.8 miles east and 4.4 to 5.1 miles south of Jerome. The proposed change of nature of use will be from irrigation to commercial/stockwater use at an existing dairy facility. The application also proposes changing the place of use for seven existing commercial/stockwater ground water rights (totaling 2.43 cfs) and diverting the seven water rights and the converted irrigation water right (4.5 cfs total) from four existing wells at the dairy facility located approximately 6.7 to 8.2 miles east and 5.0 to 6.1 miles south of Jerome.

MEMORANDUM

Date: April 1, 2021
To: Transfer 84818 File
From: Bill Mills
Re: Fee Evaluation

Filing fees charged for transfer application #84818 are based on the current transfer fee schedule and are set at \$820.00 for the 4.5 cfs being transferred in the application and an additional \$250.00 fee for the change in nature of use, for a total \$1070.00 (Receipt Nos. S038465).



BROCKWAY
ENGINEERING
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Hydraulics

Hydrology

Water Resources

RECEIVED
MAR 15 2021
DEPT OF WATER RESOURCES
SOUTHERN REGION

March 11, 2021

Corey Skinner
Idaho Department of Water Resources
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301

Re: Roth Investments LLC

Dear Mr. Skinner:

Roth Investments LLC desires to transfer 145.0 acres of water right 36-16861 into stock and commercial water use for an existing dairy facility.

The ownership of the water right will remain unchanged. The beneficial use, period of use, points of diversion and place of use will be changing with this transfer.

No ESPA Model analysis has been performed for this transfer because the FROM POD is located in an adjacent cell to the TO POD.

A consumptive use of 2.37 feet per acre was used to calculate the 343.7 acre feet of water that will be changing from irrigation to stock and commercial water.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Roth Investments LLC

Enc: Transfer Application, Aerial Maps, Northwest Farm Credit Letter, Consumptive Use Spreadsheet, Brockway Engineering Check # 16331 for \$1,070.00.

CHARLES E.
BROCKWAY,
PH.D., P.E.

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