

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 84786

RECEIVED**MAR 23 2021**DEPT OF WATER RESOURCES
DIVISION OF WATER RIGHTS

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 <http://www.idwr.idaho.gov/>.

Name of Applicant(s) B BAR K LLC

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

- | Yes | N/A | |
|-------------------------------------|-------------------------------------|--|
| ☒ | ☐ | * Means the item is <u>always required</u> 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 <u>for each water right</u> for which <u>only a portion</u> 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 #1-9.

- | | | |
|-------------------------------------|-------------------------------------|--|
| ☒ | ☐ | #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 transfer 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). |
| ☐ | ☒ | #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 http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm . |
| ☐ | ☒ | #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. |
| ☐ | ☒ | #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.) |
| ☐ | ☒ | #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 Other. Please describe: _____ |

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 23 2021

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant B BAR K LLC Phone (208) 431-2409
Mailing Address 2809 E 550 S, PAUL ID 83347 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**.

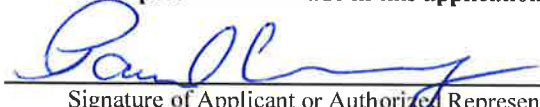
Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____ Phone _____
Mailing Address _____ Email _____

- ☐ 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.

X  Paul Carney member 3/16/21
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	36-7408	No	Yes	No	No	No	No
	36-7560	No	Yes	No	No	No	No
	36-7603	No	Yes	No	No	No	No

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

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.2**

Application filed to drill a new well on the portion of the farm that was retained after a recent sale
of the rest of the farm.

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

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
36-7408	1.030 cfs	205.2 af	51.3	434.0		N/A	N/A	N/A	N/A
36-7603	0.980 cfs	196.3 af	49.1	434.0		N/A	N/A	N/A	N/A
36-7560	3.040 cfs	738.4 af	184.6	434.0		N/A	N/A	N/A	N/A
COMBINED TOTALS	4.190 cfs	1,139.9 af	285.0	434.0		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 4.19 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☒ As shown in Part 1.
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

4. Place of Use:

- ☐ No changes to place of use are proposed. (Proceed to #5.)
- ☒ As shown in Part 1.
- ☐ See Attachment.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 36-7603

Current Water Right Owner
B BAR K LLC
2809 E 550 S
PAUL, ID 83347

Priority Date: 1/29/1976

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.980 CFS	196.3 AFA	
Total Diversion			0.980 CFS	196.3 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SWSE

Sec. 1 Twp 09S Rge 21E JEROME County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	21E	1		21.0	37.0	32.0	24.0	20.0	38.0	40.0	40.0	30.0	1.0	11.0	32.0	36.0	39.0	33.0	434.0
				L 2			L 3	L 4											

Right Acre Limit: 49.1

POU Total Acres: 434.0

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 36-7560

Current Water Right Owner
B BAR K LLC
2809 E 550 S
PAUL, ID 83347

Priority Date: 3/3/1976

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	3.040 CFS	738.4 AFA	
Total Diversion			3.040 CFS	738.4 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SWSE

Sec. 1 Twp 09S Rge 21E JEROME County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	21E	1		21.0	37.0	32.0	24.0	20.0	38.0	40.0	40.0	30.0	1.0	11.0	32.0	36.0	39.0	33.0	434.0
				L 2			L 3	L 4											

Right Acre Limit: 184.6

POU Total Acres: 434.0

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
new well to be drilled to irrigation system. Measuring device to be installed.

- b. Who owns the property at the point(s) of diversion
applicant

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

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

No, ☒ If Yes, ☐

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

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

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

N/A

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

Just rights involved in this transfer

- f. 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:

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

Current Water Right No. 36-7408

Current Water Right Owner
B BAR K LLC
2809 E 550 S
PAUL, ID 83347

Priority Date: 11/21/1973

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	1.030 CFS	205.2 AFA	
Total Diversion			1.030 CFS	205.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESENE	Sec. 2 Twp 09S Rge 21E JEROME County
GROUND WATER	SESWE	Sec. 2 Twp 09S Rge 21E JEROME County

Describe the proposed diversion system

Existing well, motor, pump, booster motor & pump, mainline to sprinklers

Existing well, motor, pump, mainline to sprinklers

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	21E	1		21.0	37.0	32.0	24.0	20.0	38.0	40.0	40.0	30.0	1.0	11.0	32.0	36.0	39.0	33.0	434.0
				L 2			L 3	L 4											

Right Acre Limit: 51.3

POU Total Acres: 434.0

Conditions/Remarks:

1. This right is limited to the irrigation of 51.3 acres within the place of use described above in a single irrigation season.
2. Rights 36-7408 and 36-7603 when combined shall not exceed a total diversion rate of 1.15 cfs, a total annual maximum diversion volume of 401.5 af at the field headgate, and the irrigation of 100.4 acres.
3. Rights 36-7408, 36-7560 and 36-7603 when combined shall not exceed a total diversion rate of 4.19 cfs, a total annual maximum diversion volume of 1139.9 af at the field headgate, and the irrigation of 285 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. This right is combined with shares in the A & B Irrigation District, which are also delivered from a ground water source.
6. 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.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

7. Prior to the diversion and use of water under Transfer approval 72054 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.
8. 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.
9. Place of use includes land in Tracts A, E, F, and G in Sec. 1 T. 9S R. 21E.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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.

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

Current Water Right No. 36-7603

Current Water Right Owner
B BAR K LLC
2809 E 550 S
PAUL, ID 83347

Priority Date: 1/29/1976

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.980 CFS	196.3 AFA	
Total Diversion			0.980 CFS	196.3 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESENE	Sec. 2 Twp 09S Rge 21E JEROME County
GROUND WATER	SESWSE	Sec. 2 Twp 09S Rge 21E JEROME County

Describe the proposed diversion system

Existing well, motor, pump, booster motor & pump, mainline to sprinklers

Existing well, motor, pump, mainline to sprinklers

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	21E	1		21.0	37.0	32.0	24.0	20.0	38.0	40.0	40.0	30.0	1.0	11.0	32.0	36.0	39.0	33.0	434.0
				L 2			L 3	L 4											

Right Acre Limit: 49.1

POU Total Acres: 434.0

Conditions/Remarks:

1. This right is limited to the irrigation of 49.1 acres within the place of use described above in a single irrigation season.
2. Rights 36-7408 and 36-7603 when combined shall not exceed a total diversion rate of 1.15 cfs, a total annual maximum diversion volume of 401.5 af at the field headgate, and the irrigation of 100.4 acres.
3. Rights 36-7408, 36-7560 and 36-7603 when combined shall not exceed a total diversion rate of 4.19 cfs, a total annual maximum diversion volume of 1139.9 af at the field headgate, and the irrigation of 285 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. Prior to the diversion and use of water under Transfer approval 72054 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.
6. 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.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT**

Conditions/Remarks:

7. This right is combined with shares in the A & B Irrigation District, which are also delivered from a ground water source.
8. 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.
9. Place of use includes land in Tracts A, E, F, and G in Sec. 1 T. 9S R. 21E.
10. 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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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

Current Water Right No. 36-7560

Current Water Right Owner
B BAR K LLC
2809 E 550 S
PAUL, ID 83347

Priority Date: 3/3/1976

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	3.040 CFS	738.4 AFA	
Total Diversion			3.040 CFS	738.4 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESENE	Sec. 2 Twp 09S Rge 21E JEROME County
GROUND WATER	SESWSE	Sec. 2 Twp 09S Rge 21E JEROME County

Describe the proposed diversion system

Existing well, motor, pump, booster motor & pump, mainline to sprinklers

Existing well, motor, pump, mainline to sprinklers

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	21E	1		21.0	37.0	32.0	24.0	20.0	38.0	40.0	40.0	30.0	1.0	11.0	32.0	36.0	39.0	33.0	434.0
				L 2			L 3	L 4											

Right Acre Limit: 184.6

POU Total Acres: 434.0

Conditions/Remarks:

1. This right is limited to the irrigation of 184.6 acres within the place of use described above in a single irrigation season.
2. Rights 36-7408, 36-7560 and 36-7603 when combined shall not exceed a total diversion rate of 4.19 cfs, a total annual maximum diversion volume of 1139.9 af at the field headgate, and the irrigation of 285 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. Prior to the diversion and use of water under Transfer approval 72054 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.
5. 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. This right is combined with shares in the A & B Irrigation District, which are also delivered from a ground water source.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

7. 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.
8. Place of use includes land in Tracts A, E, F, and G in Sec. 1 T. 9S R. 21E.
9. 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.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

☒ **Attach a map of the diversion, measurement, control, and distribution system. Label it Attachment #7a.**

☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

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

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

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

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slight shadow on its right side, suggesting it's resting on a surface.

Received By CS/KA Date 3.23.2021 Prelim. Check By _____ Date _____
 Fee Paid \$820- Date 3.23.2021 Received By sg Receipt # 5038480
 Add'l Fee Paid _____ Date _____ Received By _____ Receipt # _____



0004098921

**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 #: 0004098921

Date Filed: 12/12/2020 8:01:49 AM

Entity Name and Mailing Address:

Entity Name:

B BAR K, LLC

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

0000307242

Address

2809 E 550 S
PAUL, ID 83347-5069

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:

W99299

The registered agent on record is:

Registered Agent

GARY C CARNEY
Registered Agent

Physical Address

225 N 1250 W
PAUL, ID 83347

Mailing Address

Limited Liability Company Managers and Members

Name	Title	Business Address
+ DeAnn J Richins	Manager	2809 E. 550 S. PAUL, ID 83347
+ Gary C Carney	Member	225 N. 1250 W. PAUL, ID 83347
+ Paul C Carney	Member	384 S. 2900 E. PAUL, ID 83347
+ Susan M Williams	Member	622 S. 45 W. RUPERT, ID 83350
+ Barbara J Carney	Member	225 N. 1250 W. PAUL, ID 83347

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

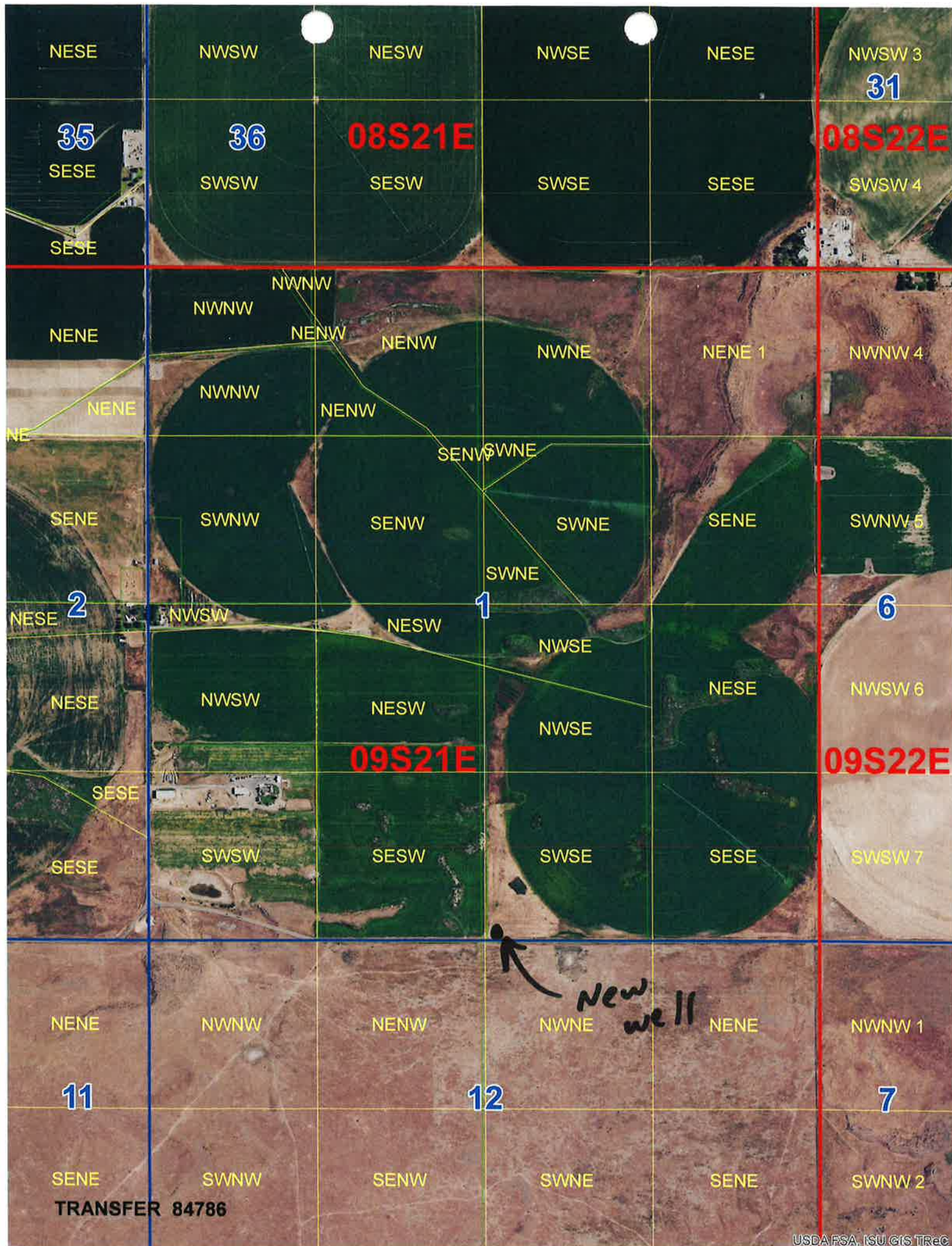
Job Title: Manager

DeAnn J Richins

Sign Here

12/12/2020

Date



Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 112857

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

151.59

City St Zip

TWIN FALLS ID 83301

Amount Paid

0.00

Phone

2087363033

Amount Due

151.59

Fax

Section

Legals

Start/End Dates

04/01/2021 - 04/08/2021

SubSection

Insertions

2

Category

50 Legal

Size

98

Ad Key

112857-1

Salesperson(s)

Jenny Green - Legals

Keywords

Transfer No 84783 & Transfer No 8478

Taken By

Jenny Green

Notes

Ad Proof

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 84783

BRENT FUNK and CHALET FUNK, 3202 N 3900 E, HANSEN, ID 83334-5204 has filed Application No. 84783 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-10693, 47-122, 47-124B, 47-138, 47-158, 47-162A, 47-17670, 47-17671, 47-17734, 47-17735, 47-17736, 47-1773-7, 47-17738, 47-17739, 47-17740, 47-17741, 47-17742, 47-17743, 47-2551. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to create a 366.0 acre Permissible Place of Use (PPU) for 19 irrigation water rights which currently divert 9.53 cfs from ground water and Rock Creek to irrigate 269.9 acres of farm ground. The transfer will also change/add existing points of diversion (POD) situated within the PPU so that after the transfer, each Rock Creek right will have the same two PODs from Rock Creek and each ground water right will have the same two PODs (wells). Post-transfer, the 19 rights will irrigate 269.9 acres within the 366.0 acre PPU located approximately 6.5 to 7.8 miles south and 0 to 0.8 miles east of Hansen.

TRANSFER NO. 84786

B BAR K LLC, 2809 E 550 S, PAUL, ID 83347-5018 has filed Application No. 84786 for changes to the following water rights within JEROME County(s): Right No(s). 36-7408, 36-7560, 36-7603. The purpose of the transfer is to change a portion of the above rights as follows: Application filed to change the point of diversion (POD) for three groundwater irrigation rights that allow for the diversion of 4.19 cfs and the irrigation of 285 acres within a 434 acre permissible place of use (PPU) on a farm located approximately 3.8 miles north and 8.1 miles west of Paul. The application proposes to change the authorized diversion location from two wells on a neighboring property just west of the farm to a new well to be drilled on the southern edge of the farm located approximately 3.8 miles north and 8.0 miles west of Paul.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see research.idwr.idaho.gov/apps/waterrights/Query-NewTransfers. 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 April 19, 2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on April 1st & 8th, 2021

Proof of legal notice received
from Times News 3/25/2021

✓ dm 3/25/2021



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

March 25, 2021

B BAR K LLC
2809 E 550 S
PAUL, ID 83347-5018

RE: Transfer No. 84786
Water Right No(s). 36-7408, 36-7560, 36-7603

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 4/1/2021 and 4/8/2021**. 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 **April 19, 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



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

March 25, 2021

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

RE: Application for Transfer No. 84786 (B Bar K 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, March 25, 2021 2:19 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 1st & 8th, 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

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

SOUTHERN Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

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Brad Little
Governor

Gary Spackman
Director

March 25, 2021

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 84783

Water Right No(s). 47-10693, 47-122, 47-124B, 47-138, 47-158, 47-162A,
47-17670, 47-17671, 47-17734, 47-17735, 47-17736, 47-17737, 47-17738,
47-17739, 47-17740, 47-17741, 47-17742, 47-17743, 47-2551

RE: Transfer No. 84786

Water Right No(s). 36-7408, 36-7560, 36-7603

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 **April 19, 2021**. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84783**

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GARY SPACKMAN, Director
Published on April 1st & 8th, 2021

MEMORANDUM

Date: March 23, 2021
To: Transfer 84786
From: Kent Aasa
Re: Review & Evaluation of Sufficiency of Information

Application filed to change the point of diversion (POD) for three groundwater irrigation rights that allow for the diversion of 4.19 cfs and the irrigation of 285 acres within a 434 acre permissible place of use (PPU) on a farm located approximately 3.8 miles north and 8.1 miles west of Paul. The application proposes to change the authorized diversion location from two wells on a neighboring property just west of the farm to a new well to be drilled on the southern edge of the farm located approximately 3.8 miles north and 8.0 miles west of Paul. The proposed transfer is in Water District 130 so Watermaster comments will be solicited.

Authority to File: B Bar K LLC is registered with the Idaho Secretary of State and the applicant has signing authority.

Water Right Validity: Water Rights 36-7408, 36-7560, and 36-7603 were decreed in the SRBA. Recent aerial and satellite imagery indicate the property involved with this transfer appears to be irrigated.

Injury to Other Water Rights: None anticipated.

Enlargement of Use: None anticipated

Local Public interest: No issues anticipated.

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

Effect on Economy the Local Area: None anticipated

Effect on 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.

MEMORANDUM

Date: March 23, 2021

To: Transfer 84786

From: Kent Aasa

Re: Fee Memo

The filing fee for this transfer is based on the current transfer fee schedule of \$820.00 for the 4.16 cfs associated a change in POD. The applicant, B Bar K LLC submitted a check (280) in the amount of \$820.00 (receipt number S038480).