

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 84735

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) PATTCO LLLP

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

- Yes N/A** *Means the item is always required and must be included with the application.
- ☒ * Completed Application for Transfer of Water Right form, Part 1.
 - ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
 - ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
 - ☒ * Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application
 - ☐ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
 - ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #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

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant PATTCO LLLP Phone (208) 431-1111
Mailing Address 1800 Z ST, HEYBURN ID 83336 Email ACES@CABLEONE.NET

- ☐ 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.

Pattco LLLP by Russell Patterson Pattco LLLP by Russell Patterson 3-3-21
Signature of Applicant or Authorized Representative G.P. Print Name and Title if applicable Date

Pattco LLLP by Lisa Patterson Pattco LLLP by Lisa Patterson 3-3-21
Signature of Applicant or Authorized Representative G.P. Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	45-2621	No	No	Yes	Yes	No	No
	45-7164	No	No	Yes	Yes	No	No
	45-7261	No	No	Yes	Yes	No	No
	45-13398	No	No	Yes	Yes	No	No
	45-13399	No	No	Yes	Yes	No	No

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**

To create a permissible place of use by tying two groups of water rights together into a common system to reflect actual irrigation conditions.

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
45-7164	1.200 cfs	240.0 af	60.0	447.0		N/A	N/A	N/A	N/A
45-13398	0.660 cfs	292.0 af	73.0	447.0		N/A	N/A	N/A	N/A
45-13399	0.740 cfs	316.4 af	79.1	447.0		N/A	N/A	N/A	N/A
45-2621	2.870 cfs	767.2 af	191.8	447.0		N/A	N/A	N/A	N/A
45-7261	0.700 cfs	140.8 af	35.2	447.0		N/A	N/A	N/A	N/A

**COMBINED
TOTALS**

4.070 cfs	1,752.0 af	438.0	447.0	N/A	N/A	N/A	N/A
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2. Total amount of water proposed to be transferred or changed 4.07 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. 45-7164

Current Water Right Owner
PATTCO LLLP
1800 Z ST
HEYBURN, ID 83336

Priority Date: 1/17/1974

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	1.200 CFS	240.0 AFA	
Total Diversion			1.200 CFS	240.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESESW	Sec. 29 Twp 10S Rge 22E CASSIA County
GROUND WATER	SESENW	Sec. 31 Twp 10S Rge 22E CASSIA County

Describe the proposed diversion system

WELL, PUMP, DITCHES & 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	
10S	22E	29											32	40					72
10S	22E	30									37			40	40	40	40	36	233
10S	22E	31					40	38	30	34									142
								L 1	L 2										

Right Acre Limit: 60.0

POU Total Acres: 447.0

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

Proposed Water Right No. 45-13398

Current Water Right Owner
 PATTCO LLLP
 1800 Z ST
 HEYBURN, ID 83336

Priority Date: 3/15/1987

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	0.660 CFS	292.0 AFA	
Total Diversion			0.660 CFS	292.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESESW	Sec. 29 Twp 10S Rge 22E CASSIA County
GROUND WATER	SESENW	Sec. 31 Twp 10S Rge 22E CASSIA County

Describe the proposed diversion system

WELL, PUMP, DITCHES & 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	
10S	22E	29											32	40					72
10S	22E	30									37			40	40	40	40	36	233
10S	22E	31					40	38	30	34									142
								L 1	L 2										

Right Acre Limit: 73.0

POU Total Acres: 447.0

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

Proposed Water Right No. 45-13399

Current Water Right Owner
 PATTCO LLLP
 1800 Z ST
 HEYBURN, ID 83336

Priority Date: 3/15/1976

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	0.740 CFS	316.4 AFA	
Total Diversion			0.740 CFS	316.4 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESESW	Sec. 29 Twp 10S Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec. 31 Twp 10S Rge 22E	CASSIA County

Describe the proposed diversion system

WELL, PUMP, DITCHES & 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	
10S	22E	29											32	40					72
10S	22E	30									37			40	40	40	40	36	233
10S	22E	31					40	38	30	34									142
								L 1	L 2										

Right Acre Limit: 79.1

POU Total Acres: 447.0

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

Proposed Water Right No. 45-2621

Current Water Right Owner
 PATTCO LLLP
 1800 Z ST
 HEYBURN, ID 83336

Priority Date: 6/9/1960

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	2.870 CFS	767.2 AFA	
Total Diversion			2.870 CFS	767.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESESW	Sec. 29 Twp 10S Rge 22E	CASSIA County
GROUND WATER	SESENW	Sec. 31 Twp 10S Rge 22E	CASSIA County

Describe the proposed diversion system

WELL, PUMP, DITCHES & 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	
10S	22E	29											32	40					72
10S	22E	30									37			40	40	40	40	36	233
10S	22E	31					40	38	30	34									142
								L 1	L 2										

Right Acre Limit: 191.8

POU Total Acres: 447.0

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

Proposed Water Right No. 45-7261

Current Water Right Owner
 PATTCO LLLP
 1800 Z ST
 HEYBURN, ID 83336

Priority Date: 3/13/1976

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	04/01	11/01	0.700 CFS	140.8 AFA	
Total Diversion			0.700 CFS	140.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESESW	Sec. 29 Twp 10S Rge 22E CASSIA County
GROUND WATER	SESENW	Sec. 31 Twp 10S Rge 22E CASSIA County

Describe the proposed diversion system

WELL, PUMP, DITCHES & 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	
10S	22E	29											32	40					72
10S	22E	30									37			40	40	40	40	36	233
10S	22E	31					40	38	30	34									142
								L 1	L 2										

Right Acre Limit: 35.2

POU Total Acres: 447.0

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
Two interconnected wells to irrigation sprinkler systems. Measuring devices and lockable works are already 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:
N/A
- 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: _____
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:
place of use change is to reflect current irrigation practices
- 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:
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. 45-7164

Current Water Right Owner PATTCO LLLP
 1800 Z ST
 HEYBURN, ID 83336

Priority Date: 1/17/1974

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	1.200 CFS	240.0 AFA	
Total Diversion			1.200 CFS	240.0 AFA	

Source and Point(s) of Diversion:
 GROUND WATER SESESW Sec. 29 Twp 10S Rge 22E CASSIA County

Describe the proposed diversion system
 WELL, PUMP, DITCHES & 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	
10S	22E	29											35.0	36.0					71.0
10S	22E	30													39.0			23.0	62.0

Right Acre Limit: 60.0

POU Total Acres: 133.0

Conditions/Remarks:

1. PERMIT NO. 45-7603 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE AND OVERLAPS THIS RIGHT AND RIGHT NO. 45-13398.
2. USE OF THIS RIGHT WITH RIGHT NO. 45-13398 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.2 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 532 AF.
3. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 60 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
5. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. USE OF THIS RIGHT WITH RIGHT NO. 45-13398 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 133 ACRES IN A SINGLE IRRIGATION SEASON.
7. RIGHT NO. 45-13398 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

Conditions/Remarks:

8. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 73 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

Current Water Right No. 45-13399

Current Water Right Owner
 PATTCO LLLP
 1800 Z ST
 HEYBURN, ID 83336

Priority Date: 3/15/1976

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	0.740 CFS	316.4 AFA	
Total Diversion			0.740 CFS	316.4 AFA	

Source and Point(s) of Diversion:
 GROUND WATER SESWNW Sec. 31 Twp 10S Rge 22E CASSIA County

Describe the proposed diversion system

WELL WITH 350 H.P. TURBINE TO 75 H.P. BOOSTER 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	
10S	22E	30									34.0			40.0		40.0	40.0	9.0	163.0
10S	22E	31					41.0	38.0	30.0	33.0									142.0
								L 1	L 2										

Right Acre Limit: 79.1

POU Total Acres: 305.0

Conditions/Remarks:

1. 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.
2. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 305.0 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-2621, 45-7261 & 45-13399
4. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 79.1 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
5. THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NOS. 45-2621 & 45-7261 PURSUANT TO SECTION 42-1426, IDAHO CODE.
6. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Conditions/Remarks:

7. The rights listed below are limited to a total combined diversion rate of 2.87cfs and to a total combined annual diversion volume of 1220 AF. Combined Right Nos.: 45-2621, 45-7261 & 45-13399.

DECLARATION FOR TRANSFER OF WATER RIGHTS
PART 2A

Current Water Right No. 45-2621

Current Water Right Owner PATTCO LLLP
1800 Z ST
HEYBURN, ID 83336

Priority Date: 6/9/1960

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	2.870 CFS	767.2 AFA	
Total Diversion			2.870 CFS	767.2 AFA	

<u>Source and Point(s) of Diversion:</u>		
GROUND WATER	SESENW	Sec. 31 Twp 10S Rge 22E CASSIA County

Describe the proposed diversion system

WELL WITH 350 H.P. TURBINE TO 75 H.P. BOOSTER TO SPRINKLERS.

Place of Use: IRRIGATION

[illegible]

Right Acre Limit: 191.8

POU Total Acres: 305.0

Conditions/Remarks:

1. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 191.8 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 305.0 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-2621, 45-7261 & 45-13399.
4. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.87 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1220 AF. COMBINED RIGHT NOS.: 45-2621, 45-7261 & 45-13399.
5. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
6. RIGHT NO. 45-13399 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

Conditions/Remarks:

7. 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 NOVEMBER 1 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.

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

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

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

B. CHANGES IN NATURE OF USE (Water Balance)

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

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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.: _____

N/A

FOR DEPARTMENT USE ONLY

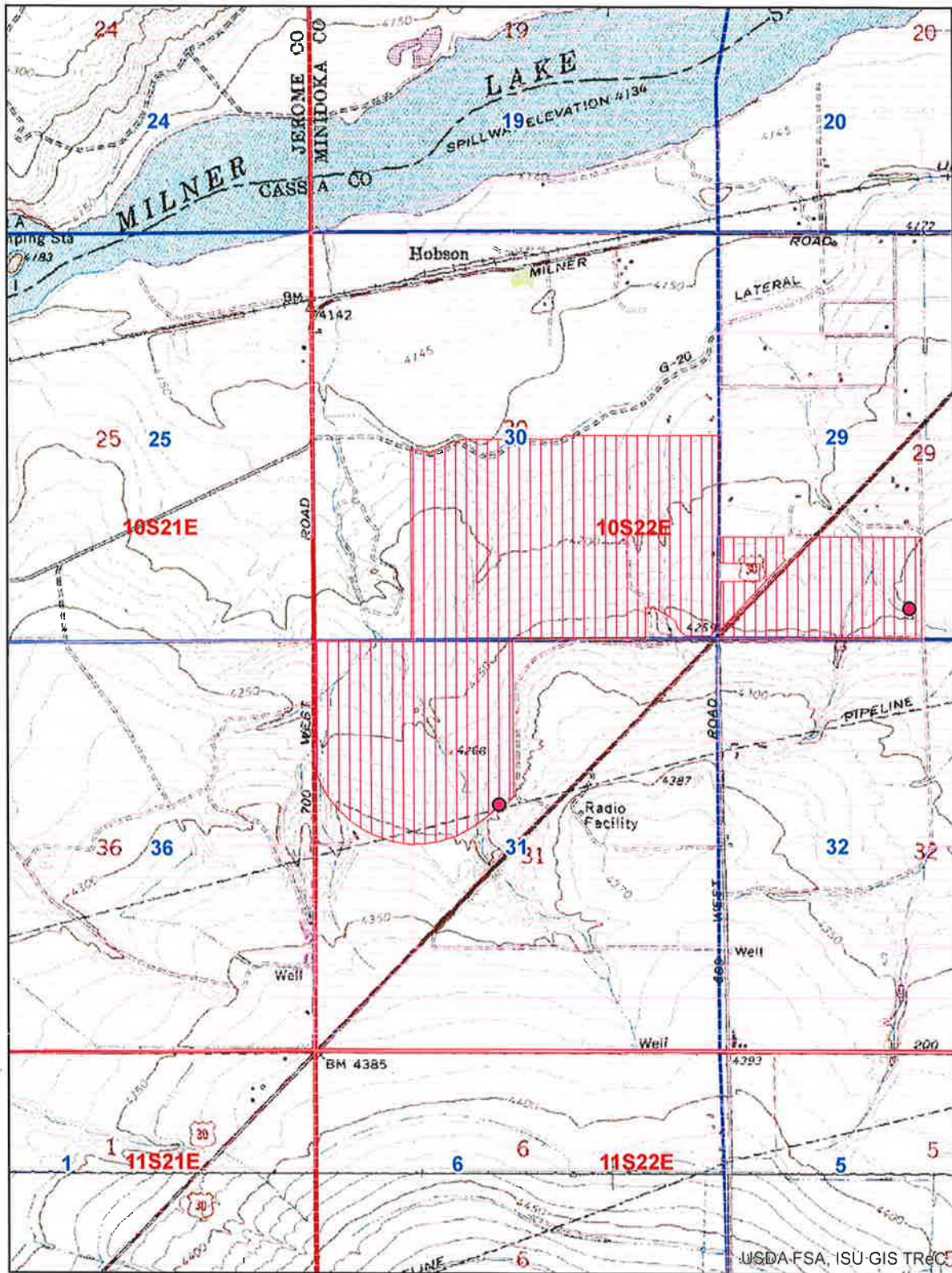
Transfer Contains 18 pages and _____ attachments.

Received By SG Date 3/3/21 Prelim. Check By _____ Date _____

Fee Paid SG Date 3/3/21 Received By SG Receipt # 5038444

Add'l Fee Paid _____ Date _____ Received By _____ Receipt # _____

PATTCO



Legend

- Transfer POD
- ▨ Transfer POU
- ▭ Township/Range
- ▭ Sections
- ▭ QQ
- ▭ Parcels



TRANSFER 84735

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 112407

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	241.80
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	241.80
Fax			
Section	Legals	Start/End Dates	03/18/2021 - 03/25/2021
SubSection		Insertions	2
Category	50 Legal	Size	160
Ad Key	112407-1	Salesperson(s)	Jenny Green - Legals
Keywords	CHANGE OF WATER RIGHT	Taken By	Jenny Green
Notes			

Ad Proof

✓ dm 3/12/2021

Proof of legal notice received
from Times News 3/12/2021

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 112407

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 84662

✓ HIGLEY LAND INVESTMENTS LLC, PO BOX 25, MALTA, ID 83342-0025 has filed Application No. 84662 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13773, 43-13889, 43-13890, 43-13891, 43-13892, 43-13893, 43-13894. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to move ground water irrigation right 43-13773 from its present place of use (POU), located approximately 0.3 mile east and 3.1 miles south of Malta, to a nearby farm owned by the applicants, located approximately 2.8 to 3.3 miles east and 4.3 to 6.5 miles south of Malta, and modify the POU of the destination farm. The transfer will also drop one authorized point of diversion (POD) from each of the six existing rights at that farm and add the four remaining PODs to the right moving in. After the transfer, seven ground water irrigation rights will irrigate 628.6 acres with a combined flow rate of 11.52 cfs.

TRANSFER NO. 84729

✓ BRIAN TUBBS and MICHELLE TUBBS, 2086 E 3400 N, FILER, ID 83328-5646 has filed Application No. 84729 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-17555, 47-17560, 47-17565. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 13.3 acre portion (0.24 cfs) of three ground water rights from a farm located approximately 7.25 to 8.0 miles south and 0.75 to 1.5 miles west of the center of Kimberly for stockwater and commercial use for expansion of an existing CAFO located approximately 4.5 to 5.0 miles south and 3.0 to 3.5 miles west of the US Hwy 93 & Hwy 30 interchange east of Filer. The transferred water will be diverted from a new well to be drilled and the existing well at the CAFO site.

TRANSFER NO. 84735

✓ PATTCO LLLP, 1800 Z ST, HEYBURN, ID 83336 has filed Application No. 84735 for changes to the following water rights within CASSIA County(s): Right No(s). 45-13398, 45-13399, 45-2621, 45-7164, 45-7261. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to combine two groups of ground water irrigation rights (a group of three rights for 2.87 cfs & 305 acres and a group of two rights for 1.2cfs & 133 acres) into a single 447 acre permissible place of use (PPU). Transfer will also add the point of diversion (POD) from each group to the other group so all five water rights will have the same two PODs, allowing for the total diversion of 4.07 cfs and the irrigation of 438 acres within the proposed PPU. The two PODs and PPU are on a farm located approximately 5.7 miles west and 1.9 miles south of the Highway 30 & Overland Avenue intersection in Burley.

TRANSFER NO. 84764

✓ VALLEY VIEW DAIRY LLC, 369 N 1250 W, PAUL, ID 83347 has filed Application No. 84764 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-17012, 36-17013, 36-2257. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes converting a 7.7 acre (0.13 cfs) portion of an irrigation groundwater right to stock water and commercial use for the expansion of an existing heifer and calf facility located approximately 6.4 miles west and 4.9 miles north of the center of Paul. The irrigation right to be converted is currently authorized to be diverted from two irrigation wells both located within 0.75 miles of the facility. The application also proposes changing the place of use of two stock water and commercial groundwater rights (totaling 0.14 cfs) used at the facility to reflect the expansion. The converted right and the two commercial and stock water rights will divert up to 0.27 cfs and 46 acre-feet per year from an existing well on the facility.

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 5, 2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on March 18th & 25th, 2021

✓ DM 3/12/2021



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 12, 2021

PATTCO LLLP
1800 Z ST
HEYBURN, ID 83336

RE: Transfer No. 84735

Water Right No(s). 45-13398, 45-13399, 45-2621, 45-7164, 45-7261

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 3/18/2021 and 3/25/2021**. 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 5, 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 1



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 12, 2021

WATER DISTRICT 140
ADAM MC COY
355 W 500 S
BURLEY ID 83318-5229

RE: Application for Transfer No. 84735 (PATTCO LLC)

Dear Adam:

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: Friday, March 12, 2021 4:40 PM
To: Maline, Denise
Subject: FW: LEGAL NOTICE
Attachments: Times News cover letter.docx; Times News ad.docx

Attached please find **(1)** legal notice being submitted for publication on March 18th & 25th, 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

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Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

March 12, 2021

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 84662

Water Right No(s). 43-13773, 43-13889, 43-13890, 43-13891, 43-13892, 43-13893,
43-13894

RE: Transfer No. 84729

Water Right No(s). 47-17555, 47-17560, 47-17565

RE: Transfer No. 84735

Water Right No(s). 45-13398, 45-13399, 45-2621, 45-7164, 45-7261

RE: Transfer No. 84764

Water Right No(s). 36-17012, 36-17013, 36-2257

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 5, 2021**. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84662**

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GARY SPACKMAN, Director
Published on March 18th & 25th, 2021

MEMORANDUM

Date: March 10, 2021

To: Transfer 84735

From: Kent Aasa

Re: Fee Memo

Fee Memo
3/10/2021

Filing fee of \$820.00 for transfer application 84735 is based on 4.07 cfs proposed to be transferred and is based on the current transfer fee schedule. The five water rights involved in the transfer are limited to the irrigation of 438 acres within a 447 acre PPU. Receipt No. S0 38444 reflects the fee of \$820.00 paid on 03/03/2021.

MEMORANDUM

Date: March 10, 2021

To: Transfer 84735

From: Kent Aasa

Re: Synopsis Memo

Synopsis Memo
3/10/2021

Transfer proposes to combine two groups of ground water irrigation rights (a group of three rights for 2.87 cfs/305 acres and a group of two rights for 1.2cfs/133 acres) into a single 447 acre permissible place of use (PPU). Transfer will also add the point of diversion (POD) from each group to the other group so all five water rights will have the same two PODs, allowing for the total diversion of 4.07 cfs and the irrigation of 438 acres within the proposed PPU. The two PODs and PPU are on a farm located approximately 5.7 miles west and 1.9 miles south of the Highway 30/Overland Avenue intersection in Burley. The proposed transfer is in Water District 140 so Water Master comments will be solicited.