

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 84383**

This is to certify that: TRUE WEST BEEF LLC
1555 W SHORELINE DR STE 320
BOISE, ID 83702-9109

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

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
36-14617	WR/DECREED	5/1/1982	0.900 cfs	N/A	68.0	378.0	GROUND WATER
36-2283	WR/DECREED	5/10/1955	5.000 cfs	N/A	310.0	378.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
36-14617	YES	YES	YES	NO	YES	YES
36-2283	YES	YES	YES	NO	YES	YES

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
36-14617	36-17172	0.630 cfs	119.0 af	N/A	N/A	36-14617	0.270 cfs	N/A	20.4	113.4
36-2283	36-17173	3.500 cfs	542.5 af	N/A	N/A	36-2283	1.500 cfs	N/A	93.0	113.4
COMBINED TOTALS		3.500 cfs	661.5 af	N/A	N/A		N/A	N/A	N/A	N/A

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

Dated this 10th day of November, 2020.



Southern Region Manager

SUPPORT DATA
IN FILE # 36-2283

Transfer No. 84383

WATER RIGHT NO. 36-14617

As Modified by Transfer No. 84383

In accordance with the approval of Transfer No. 84383, Water Right No. 36-14617 is now described as follows:

Right Holder: TRUE WEST BEEF LLC
1555 W SHORELINE DR STE 320
BOISE, ID 83702-9109

Priority Date: 5/1/1982

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

3/15

To

to 11/15

Diversion Rate

0.270 cfs

0.270 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER

NESWSW

Sec 12 Twp 08S Rge 17E 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	
08S	17E	12									35.0	31.0	14.0	33.4					113.4

Right Acre Limit: 20.4

POU Total Acres: 113.4

CONDITIONS OF APPROVAL

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 20.4 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3. USE OF THIS RIGHT WITH RIGHT NO. 36-02283 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.5 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 453.6 AF.
4. 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.

Transfer No. 84383

WATER RIGHT NO. 36-14617
As Modified by Transfer No. 84383

CONDITIONS OF APPROVAL

5. USE OF THIS RIGHT WITH RIGHT NO. 36-02283 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 113.4 ACRES IN A SINGLE IRRIGATION SEASON.
6. THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 36-02283 PURSUANT TO SECTION 42-1426, IDAHO CODE.
7. RIGHT NO. 36-02283 IS ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.



WATER RIGHT NO. 36-17172**As Modified by Transfer No. 84383**

In accordance with the approval of Transfer No. 84383, Water Right No. 36-17172 is now described as follows:

Right Holder: TRUE WEST BEEF LLC
1555 W SHORELINE DR STE 320
BOISE, ID 83702-9109

Priority Date: 5/1/1982

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
INDUSTRIAL	1 /1	to 12/31	0.630 cfs	119.0 af
			0.630 cfs	119.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESE	Sec 11 Twp 08S Rge 17E JEROME County
GROUND WATER	SESE	Sec 11 Twp 08S Rge 17E JEROME County

PLACE OF USE: INDUSTRIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	17E	11									X			X	X	X	X	X	0.0
08S	17E	12				X					X	X	X	X	X				0.0
08S	18E	6															X		0.0
08S	18E	7		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0.0

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
2. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.130.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
4. Rights 36-17172 and 36-17173 when combined shall not exceed a total diversion rate of 3.5 cfs and a total annual maximum diversion volume of 661.5 af.

Transfer No. 84383

WATER RIGHT NO. 36-17172

As Modified by Transfer No. 84383

CONDITIONS OF APPROVAL

5. The place of industrial use authorized by this approval includes land upon which industrial wastewater may be applied for irrigation purposes. If the application of industrial wastewater occurs on lands not having a full existing (active) water right for irrigation, then the wastewater must be delivered and applied via a separate system containing only water diverted pursuant to industrial water rights 36-17172 and 36-17173. This separate system shall be independent and not shared with any other irrigation water rights or canal shares.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 36-2283
As Modified by Transfer No. 84383

In accordance with the approval of Transfer No. 84383, Water Right No. 36-2283 is now described as follows:

Right Holder: TRUE WEST BEEF LLC
1555 W SHORELINE DR STE 320
BOISE, ID 83702-9109

Priority Date: 5/10/1955

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 3/15 **To** 11/15

Diversion Rate
1.500 cfs
1.500 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESWSW Sec 12 Twp 08S Rge 17E 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	
08S	17E	12									35.0	31.0	14.0	33.4					113.4

Right Acre Limit: 93.0

POU Total Acres: 113.4

CONDITIONS OF APPROVAL

1. USE OF THIS RIGHT WITH RIGHT NO. 36-14617 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.5 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 453.6 AF.
2. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 93 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 36-14617 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 113.4 ACRES IN A SINGLE IRRIGATION SEASON.
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. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Transfer No. 84383

WATER RIGHT NO. 36-2283
As Modified by Transfer No. 84383

CONDITIONS OF APPROVAL

5. RIGHT NO. 36-14617 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
RIGHT NO. 36-14617 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.



WATER RIGHT NO. 36-17173**As Modified by Transfer No. 84383**

In accordance with the approval of Transfer No. 84383, Water Right No. 36-17173 is now described as follows:

Right Holder: TRUE WEST BEEF LLC
1555 W SHORELINE DR STE 320
BOISE, ID 83702-9109

Priority Date: 5/10/1955

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
INDUSTRIAL	1 /1	to 12/31	3.500 cfs	542.5 af
			3.500 cfs	542.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SESE	Sec 11 Twp 08S Rge 17E JEROME County
GROUND WATER	SESE	Sec 11 Twp 08S Rge 17E JEROME County

PLACE OF USE: INDUSTRIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	17E	11									X			X	X	X	X	X	0.0
08S	17E	12				X					X	X	X	X	X				0.0
08S	18E	6															X		0.0
08S	18E	7		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0.0

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
2. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
4. Rights 36-17172 and 36-17173 when combined shall not exceed a total diversion rate of 3.5 cfs and a total annual maximum diversion volume of 661.5 af.

WATER RIGHT NO. 36-17173

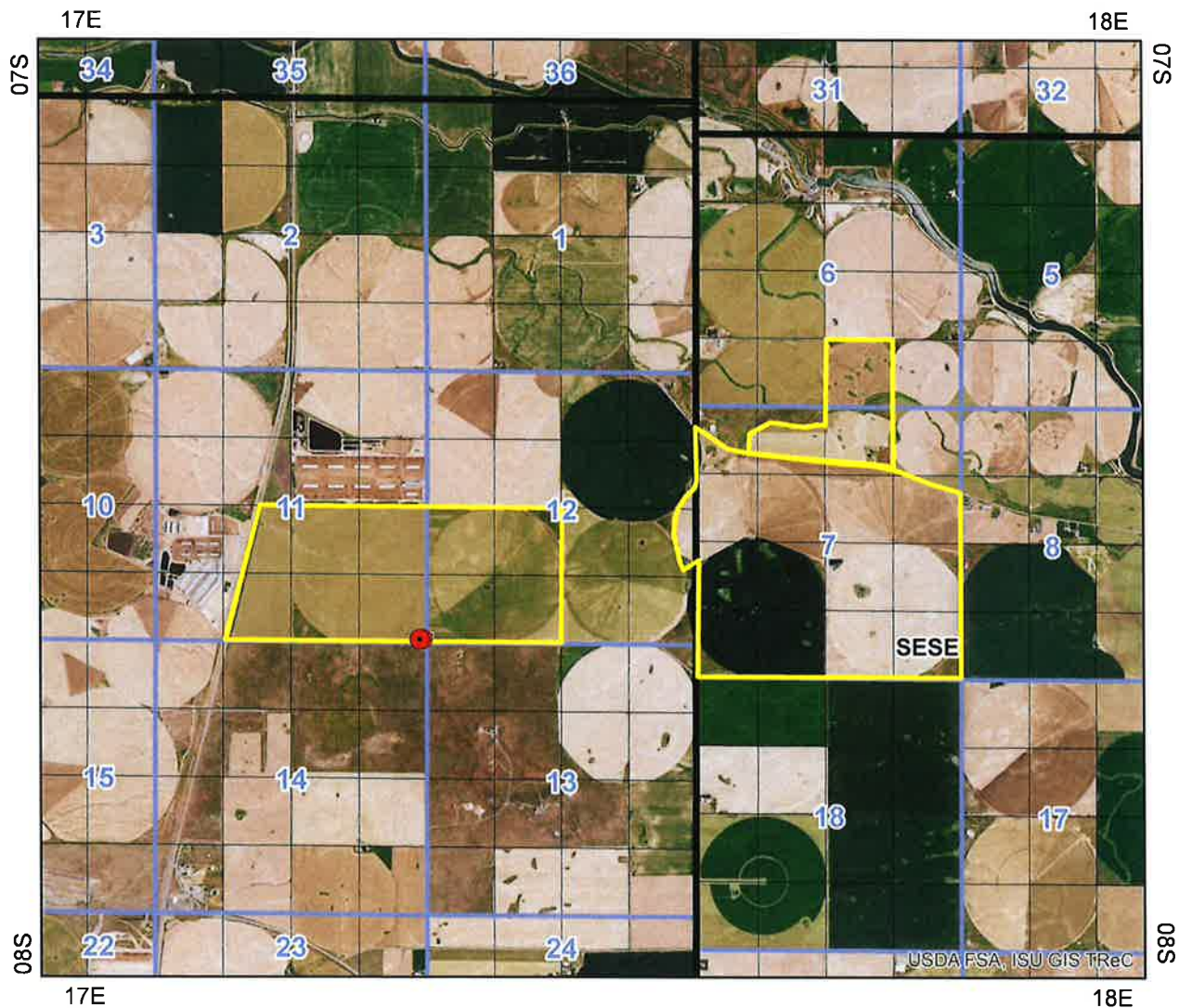
As Modified by Transfer No. 84383

CONDITIONS OF APPROVAL

5. The place of industrial use authorized by this approval includes land upon which industrial wastewater may be applied for irrigation purposes. If the application of industrial wastewater occurs on lands not having a full existing (active) water right for irrigation, then the wastewater must be delivered and applied via a separate system containing only water diverted pursuant to industrial water rights 36-17172 and 36-17173. This separate system shall be independent and not shared with any other irrigation water rights or canal shares.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho
Department of Water Resources
Attachment to Transfer # 84383
36-17172 & 36-17173

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



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

0 0.425 0.85 1.7 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 736-3033 • Fax: (208) 736-3037

Website: www.idwr.idaho.gov • Email: southerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

November 27, 2020

TRUE WEST BEEF LLC
1555 W SHORELINE DR STE 320
BOISE ID 83702-9109

Re: Transfer No: 84383
Water Right No(s): 36-2283, 36-14617

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

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

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

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

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

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

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

Sincerely,



Corey Skinner
Southern Regional Manager

Enclosure

C:

SPF WATER ENGINEERING LLC
C/O LORI GRAVES
300 E MALLARD DR STE 350
BOISE ID 83706-6660

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

CERTIFICATE OF SERVICE

I hereby certify that on November 27, 2020 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 84383
Water Right No(s): 36-2283, 36-14617

TRUE WEST BEEF LLC
1555 W SHORELINE DR STE 320
BOISE ID 83702-9109

SPF WATER ENGINEERING LLC
C/O LORI GRAVES
300 E MALLARD DR STE 350
BOISE ID 83706-6660

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



Denise Maline
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

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

(Required by Rule of Procedure 730.02)

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

Skinner, Corey

From: Terry Scanlan <TScanlan@spfwater.com>
Sent: Friday, November 20, 2020 2:01 PM
To: Skinner, Corey
Cc: Dave Stiner; Lori Graves
Subject: True West Beef Reuse Water Systems Schematic
Attachments: T84383 Schematic Submittal 2020-11-20.pdf

Corey –

As a follow-up to our conference call yesterday, attached is a water system schematic. Let me know if you have any questions or need additional information. Thanks.

Terry M. Scanlan, P.E., P.G. | Principal Engineer/Hydrogeologist

SPF Water Engineering, LLC

300 E Mallard Drive, Suite 350 | Boise, ID 83706

p. 208.383.4140 | f. 208.383.4156 | d. 208.489.2121

e. tscanlan@spfwater.com | w. www.spfwater.com



RECEIVED

NOV 20 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

November 20, 2020

Corey Skinner, Southern Region Manager
Idaho Department of Water Resources
650 Addison Avenue West, Suite 500
Twin Falls, ID 83301-5858
Sent by email to Corey.Skinner@idwr.idaho.gov

Subject: Application for Transfer 84383 – True West Beef LLC

Dear Corey:

As a follow up to our telephone discussion on November 19, 2020 with Watermaster Nathan Erickson, enclosed is a schematic showing the proposed water systems that will be used for land application of industrial wastewater effluent from the proposed True West Beef facility near Jerome.

Two hydraulically separate systems, designated as irrigation and industrial, are proposed.

- The irrigation system will be sourced with groundwater diverted from irrigation wells as authorized by irrigation water rights nos. 36-2283, 36-2386, 36-2608, 36-14617, and 36-16951. The irrigation water will be supplemented with industrial wastewater effluent within a portion of the authorized place of use. This system will irrigate a maximum of 688.6 acres. The irrigated area will be accurately depicted with a "206 map" that will be updated if changes are made to the irrigation system.
- The industrial system will be supplied with industrial wastewater effluent and dilution water diverted from industrial wells as authorized by industrial water rights nos. 36-17172 and 36-17173. The land application area supplied from the industrial system can be identified on a map if requested.

Please contact me with any questions.

Sincerely,

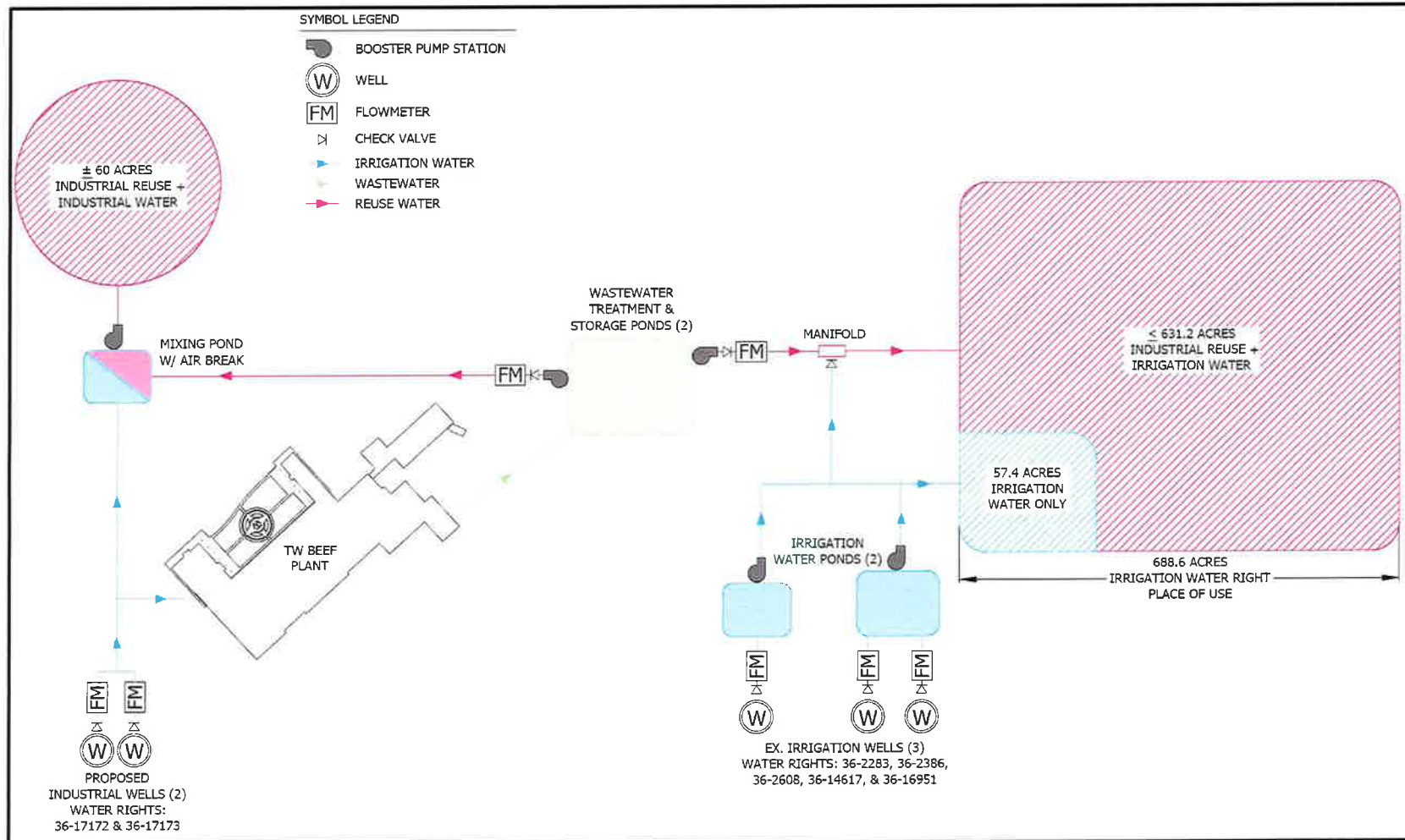
Terry M. Scanlan

Terry M. Scanlan, P.E., P.G.

Enclosure: True West Beef Reuse Water Systems Schematic

Cc: Dave Stiner – True West Beef

RECEIVED
NOV 20 2020
DEPT OF WATER RESOURCES
SOUTHERN REGION



True West Beef Reuse Water Systems Schematic

MEMORANDUM

Date: October 28, 2020
To: Transfer 84383
From: Bill Mills
Re: Evaluation of Sufficiency Memorandum

Application proposes changing the points of diversion, place of use, nature of use and period of use for a 264.6 acre portion (3.5 cfs) of two combined irrigation ground water rights that are both currently diverted from the same well. Current place of use and point of diversion are located approximately 4.0 to 4.8 miles east and 1.0 to 1.6 miles north of the city center of Jerome. The proposed change of nature of use will be from irrigation to industrial use for a new beef processing facility to be located at the current irrigation place of use. The application proposes diverting from two proposed wells to be drilled adjacent to the facility. Application also proposes reuse of the industrial water by land applying in a permissible place of use (PPU) proposed in companion transfer #84385. Proposed PPU will be located approximately 4.0 to 6.8 miles east and 0.9 to 2.2 miles north of the city center of Jerome.

The change in nature of use analysis from irrigation to industrial use examined acre to volume conversion utilizing the precipitation deficit (Pdef) values for crops grown on the farm's 347.06 acre tract (alfalfa, spring grain and sugar beets) utilizing data from the Jerome weather station as calculated on the University of Idaho's ETIdaho website. FSA crop records were also provided. The provided analysis indicated the initial calculated Pdef (2.72 af/ac) and the diversion volume reported in IDWR's WMIS database (3.12 af/ac) resulted in an unlikely irrigation efficiency of 87%. The irrigation efficiency was then assumed to be at 80% and analysis estimated an acceptable consumptive use of 2.50 af/ac to be used as the conversion rate. For additional information see Attachment 8A in the transfer application.

The farm is located within the ESPA model boundary, but modeling was not required as the wells are all located in the same or adjacent cells. All wells and POUs in the transfer are located within water District 130. Watermaster comments were solicited and the Watermaster did not oppose approval of the application provided the transfer is conditioned to limit the application of industrial water to land covered by active irrigation rights.

- **Authority to File:** Applicant is listed as the current owner of all water rights and properties associated with this transfer application.

- **Water Right Validity:** Water right 36-2283 was decreed in the SRBA on 8/27/2001 and water right 36-14617 was decreed in the SRBA on 1/2/2002. Recent aerial imagery indicates the associated grounds appear to be irrigated.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
There is a decrease in volume as a result of the change in nature of use process which precludes potential enlargement of the changed portion of the water right.
- **Local Public Interest:**
No issues anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**
This facility will create new jobs in the local area and provide local cattle ranchers a convenient option for processing their product.
- **Effect on Agricultural Base of the Local Economy:**
None Anticipated.

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

** Proof of Publication **

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

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

2 Insertions

ID DEPARTMENT OF WATER RESOURCES

650 ADDISON AVE W, STE 500
TWIN FALLS ID 83301

ORDER NUMBER 106601

Jenny Green
(Legals Clerk)

STATE OF IDAHO)
 SS
COUNTY OF TWIN FALLS)

On this 8 day of October in the year of 2020 before me, a Notary Public, personally appeared before me Jenny Green known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

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

Section: Legals

Category: 50 Legal

PUBLISHED ON: 10/01/2020, 10/08/2020

TOTAL AD COST: 224.34

FILED ON: 10/8/2020

RECEIVED

OCT 15 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

✓ NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84223

SANDRA L LOVE, 2392 E 3600 S, JEROME, ID 83338-4010 has filed Application No. 84223 for changes to the following water rights within GOODING County(s): Right No(s). 36-16186, 36-16188. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the point of diversion for a portion of two ground water rights with a combined total diversion of 0.09 cfs and the irrigation of 5.0 acres to an existing well on the applicants' property. The current authorized point of diversion is located approximately 2.2 miles south and 5.0 miles west of the center of the city of Jerome. The location of the existing well and the 5.0 acres of irrigation is located approximately 2.9 miles south and 5.1 miles west of the center of the city of Jerome. The application also proposes to change the ownership of the two water rights to the applicant.

✓ NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84383

TRUE WEST BEEF LLC, 1555 W SHORELINE DR STE 320, BOISE, ID 83702-9109 has filed Application No. 84383 for changes to the following water rights within JEROME County(s): Right No(s). 36-14617, 36-2283. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the points of diversion, place of use, nature of use and period of use for a 264.6 acre portion (3.5 cfs) of two combined irrigation ground water rights that are both currently diverted from the same well. Current place of use and point of diversion are located approximately 4.0 to 4.8 miles east and 1.0 to 1.6 miles north of the city center of Jerome. The proposed change of nature of use will be from irrigation to industrial use for a new beef processing facility to be located at the current irrigation place of use. The application proposes diverting from two proposed wells to be drilled adjacent to the facility. Application also proposes reuse of the industrial water by land applying in a permissible place of use (PPU) proposed in companion transfer #84385. Proposed PPU will be located approximately 4.0 to 6.8 miles east and 0.9 to 2.2 miles north of the city center of Jerome.

✓ NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84385

TRUE WEST BEEF LLC, 1555 W SHORELINE DR STE 320, BOISE, ID 83702-9109 has filed Application No. 84385 for changes to the following water rights within JEROME County(s): Right No(s). 36-14617, 36-16951, 36-2283, 36-2386, 36-2608. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes modifying a 1.5 cfs and 113.4 acre portion of two irrigation ground water rights diverted from an existing well on a farm located approximately 4.0 to 4.8 miles east and 1.0 to 1.6 miles north of the city center of Jerome and three irrigation ground water rights (11.68 cfs and 575.2 acres total) diverted from two existing wells on a second farm located approximately 5.7 miles to 6.8 miles east and 0.9 to 2.2 miles north of the city center of Jerome. The application proposes utilizing the five rights for the total irrigation of 688.6 acres within a proposed 946 acre permissible place of use (PPU) to be located approximately 4.0 to 6.8 miles east and 0.9 to 2.2 miles north of the city center of Jerome. The application also proposes to allow for the diversion of any of the five rights from any of the three existing irrigation wells located within the proposed PPU.

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 October 19, 2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on October 1st & 8th, 2020

AMY WIESMORE
COMMISSION NO. 20203230
NOTARY PUBLIC
STATE OF IDAHO

✓ DM
10-23-2020

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Transfer No: 84383
Water Right No: 36-2283, etc.
Applicant Name: TRUE WEST BEEF LLC

Watermaster's Recommendation:

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

Transfer should be conditioned to limit the application of industrial wastewater to land covered by active irrigation water rights.

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

Dated: October 8, 2020

Water District 130



Nathan Erickson, Watermaster