

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 84002**

This is to certify that: **EAST VALLEY CATTLE LLC**
471 N 300 W
JEROME, ID 83338-5078

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>
43-13448	WR/DECREED	3/2/1950	3.930 cfs	905.5 af	226.4	967.1	GROUND WATER
43-13450	WR/DECREED	2/27/1957	3.660 cfs	731.9 af	183.0	967.1	GROUND WATER
43-13452	WR/DECREED	8/26/1957	0.970 cfs	459.2 af	117.0	967.1	GROUND WATER
43-13454	WR/DECREED	3/30/1959	1.110 cfs	480.0 af	120.0	967.1	GROUND WATER
43-13456	WR/DECREED	4/6/1961	4.140 cfs	534.5 af	133.6	967.1	GROUND WATER
43-13807	WR/DECREED	2/24/1956	3.620 cfs	748.5 af	187.1	967.1	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>
43-13448	NO	NO	YES	NO	NO	NO
43-13450	NO	NO	YES	NO	NO	NO
43-13452	NO	NO	YES	NO	NO	NO
43-13454	NO	NO	YES	NO	NO	NO
43-13456	NO	NO	YES	NO	NO	NO
43-13807	NO	NO	YES	NO	NO	NO

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>
43-13448	43-13448	3.930 cfs	905.5 af	226.4	967.1	N/A	N/A	N/A	N/A	N/A
43-13450	43-13450	3.660 cfs	731.9 af	183.0	967.1	N/A	N/A	N/A	N/A	N/A
43-13452	43-13452	0.970 cfs	459.2 af	117.0	967.1	N/A	N/A	N/A	N/A	N/A
43-13454	43-13454	1.110 cfs	480.0 af	120.0	967.1	N/A	N/A	N/A	N/A	N/A
43-13456	43-13456	4.140 cfs	534.5 af	133.6	967.1	N/A	N/A	N/A	N/A	N/A
43-13807	43-13807	3.620 cfs	748.5 af	187.1	967.1	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		17.430 cfs	3859.6 af	967.1	967.1		N/A	N/A	N/A	N/A

SUPPORT DATA

Transfer No. 84002

IN FILE # 43-13448

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 84002

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 19th day of May, 2020.



Southern Region Manager



WATER RIGHT NO. 43-13448**As Modified by Transfer No. 84002**

In accordance with the approval of Transfer No. 84002, Water Right No. 43-13448 is now described as follows:

Right Holder: EAST VALLEY CATTLE LLC
471 N 300 W
JEROME, ID 83338-5078

Priority Date: 3/2/1950

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

03/15

To

to 11/15

Diversion Rate

3.930 cfs

3.930 cfs

Diversion Volume

905.5 af

905.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENE	Sec 35 Twp 11S Rge 26E CASSIA County
GROUND WATER	L4 (NWNW)	Sec 1 Twp 12S Rge 26E CASSIA County
GROUND WATER	SWNW	Sec 1 Twp 12S Rge 26E CASSIA County
GROUND WATER	SWNE	Sec 2 Twp 12S Rge 26E CASSIA 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	
11S	26E	35	32.6	33.0	32.8	32.6									34.1	33.3	37.1	32.0	267.5
11S	26E	36					34.4	34.4	34.7	34.7									138.2
12S	26E	1	33.8	39.3	39.9	39.3	38.8	30.6	33.3	39.0	5.2				37.9	39.9	31.3		408.3
			L 1	L 2			L 3	L 4											
12S	26E	2	29.4	30.6	31.8	30.6													122.4
			L 1	L 2															
12S	26E	12		30.7															30.7

Right Acre Limit: 226.4

POU Total Acres: 967.1

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 226.4 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13448, 43-13450, 43-13452, 43-13454, 43-13456, and 43-13807 when combined shall not exceed a total diversion rate of 17.43 cfs, a total annual maximum diversion volume of 3,859.6 af at the field headgate, and the irrigation of 967.1 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.

Transfer No. 84002

WATER RIGHT NO. 43-13448

As Modified by Transfer No. 84002

CONDITIONS OF APPROVAL

4. 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.143.
5. 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 diversion(s).
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 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 43-13450**As Modified by Transfer No. 84002**

In accordance with the approval of Transfer No. 84002, Water Right No. 43-13450 is now described as follows:

Right Holder: EAST VALLEY CATTLE LLC
471 N 300 W
JEROME, ID 83338-5078

Priority Date: 2/27/1957

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	3.660 cfs	731.9 af
			3.660 cfs	731.9 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENE	Sec 35 Twp 11S Rge 26E	CASSIA County
GROUND WATER	L4 (NWNW)	Sec 1 Twp 12S Rge 26E	CASSIA County
GROUND WATER	SWNW	Sec 1 Twp 12S Rge 26E	CASSIA County
GROUND WATER	SWNE	Sec 2 Twp 12S Rge 26E	CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	35	32.6	33.0	32.8	32.6									34.1	33.3	37.1	32.0	267.5
11S	26E	36					34.4	34.4	34.7	34.7									138.2
12S	26E	1	33.8	39.3	39.9	39.3									37.9	39.9	31.3		408.3
			L 1	L 2			L 3	L 4											
12S	26E	2	29.4	30.6	31.8	30.6													122.4
			L 1	L 2															
12S	26E	12		30.7															30.7

Right Acre Limit: 183.0

POU Total Acres: 967.1

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 183.0 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13448, 43-13450, 43-13452, 43-13454, 43-13456, and 43-13807 when combined shall not exceed a total diversion rate of 17.43 cfs, a total annual maximum diversion volume of 3,859.6 af at the field headgate, and the irrigation of 967.1 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.

Transfer No. 84002

WATER RIGHT NO. 43-13450

As Modified by Transfer No. 84002

CONDITIONS OF APPROVAL

4. 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.143.
5. 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 diversion(s).
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 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 43-13452**As Modified by Transfer No. 84002**

In accordance with the approval of Transfer No. 84002, Water Right No. 43-13452 is now described as follows:

Right Holder: EAST VALLEY CATTLE LLC
471 N 300 W
JEROME, ID 83338-5078

Priority Date: 8/26/1957

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.970 cfs	459.2 af
			0.970 cfs	459.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENE	Sec 35 Twp 11S Rge 26E	CASSIA County
GROUND WATER	L4 (NWNW)	Sec 1 Twp 12S Rge 26E	CASSIA County
GROUND WATER	SWNW	Sec 1 Twp 12S Rge 26E	CASSIA County
GROUND WATER	SWNE	Sec 2 Twp 12S Rge 26E	CASSIA 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	
11S	26E	35	32.6	33.0	32.8	32.6									34.1	33.3	37.1	32.0	267.5
11S	26E	36					34.4	34.4	34.7	34.7									138.2
12S	26E	1	33.8	39.3	39.9	39.3	38.8	30.6	33.3	39.0	5.2				37.9	39.9	31.3		408.3
			L 1	L 2			L 3	L 4											
12S	26E	2	29.4	30.6	31.8	30.6													122.4
			L 1	L 2															
12S	26E	12		30.7															30.7

Right Acre Limit: 117.0

POU Total Acres: 967.1

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 117.0 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13448, 43-13450, 43-13452, 43-13454, 43-13456, and 43-13807 when combined shall not exceed a total diversion rate of 17.43 cfs, a total annual maximum diversion volume of 3,859.6 af at the field headgate, and the irrigation of 967.1 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.

Transfer No. 84002

WATER RIGHT NO. 43-13452

As Modified by Transfer No. 84002

CONDITIONS OF APPROVAL

4. 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.143.
5. 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 diversion(s).
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 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 43-13454**As Modified by Transfer No. 84002**

In accordance with the approval of Transfer No. 84002, Water Right No. 43-13454 is now described as follows:

Right Holder: EAST VALLEY CATTLE LLC
471 N 300 W
JEROME, ID 83338-5078

Priority Date: 3/30/1959

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	1.110 cfs	480.0 af
			1.110 cfs	480.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENE	Sec 35 Twp 11S Rge 26E	CASSIA County
GROUND WATER	L4 (NWNW)	Sec 1 Twp 12S Rge 26E	CASSIA County
GROUND WATER	SWNW	Sec 1 Twp 12S Rge 26E	CASSIA County
GROUND WATER	SWNE	Sec 2 Twp 12S Rge 26E	CASSIA 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	
11S	26E	35	32.6	33.0	32.8	32.6									34.1	33.3	37.1	32.0	267.5
11S	26E	36					34.4	34.4	34.7	34.7									138.2
12S	26E	1	33.8	39.3	39.9	39.3	38.8	30.6	33.3	39.0	5.2				37.9	39.9	31.3		408.3
			L 1	L 2			L 3	L 4											
12S	26E	2	29.4	30.6	31.8	30.6													122.4
			L 1	L 2															
12S	26E	12		30.7															30.7

Right Acre Limit: 120.0

POU Total Acres: 967.1

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 120.0 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13448, 43-13450, 43-13452, 43-13454, 43-13456, and 43-13807 when combined shall not exceed a total diversion rate of 17.43 cfs, a total annual maximum diversion volume of 3,859.6 af at the field headgate, and the irrigation of 967.1 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.

Transfer No. 84002

WATER RIGHT NO. 43-13454

As Modified by Transfer No. 84002

CONDITIONS OF APPROVAL

4. 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. 143.
5. 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 diversion(s).
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 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 43-13456**As Modified by Transfer No. 84002**

In accordance with the approval of Transfer No. 84002, Water Right No. 43-13456 is now described as follows:

Right Holder: EAST VALLEY CATTLE LLC
471 N 300 W
JEROME, ID 83338-5078

Priority Date: 4/6/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	4.140 cfs	534.5 af
			4.140 cfs	534.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENE	Sec 35 Twp 11S Rge 26E	CASSIA County
GROUND WATER	L4 (NWNW)	Sec 1 Twp 12S Rge 26E	CASSIA County
GROUND WATER	SWNW	Sec 1 Twp 12S Rge 26E	CASSIA County
GROUND WATER	SWNE	Sec 2 Twp 12S Rge 26E	CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	35	32.6	33.0	32.8	32.6									34.1	33.3	37.1	32.0	267.5
11S	26E	36					34.4	34.4	34.7	34.7									138.2
12S	26E	1	33.8	39.3	39.9	39.3	38.8	30.6	33.3	39.0	5.2				37.9	39.9	31.3		408.3
			L 1	L 2			L 3	L 4											
12S	26E	2	29.4	30.6	31.8	30.6													122.4
			L 1	L 2															
12S	26E	12		30.7															30.7

Right Acre Limit: 133.6

POU Total Acres: 967.1

CONDITIONS OF APPROVAL

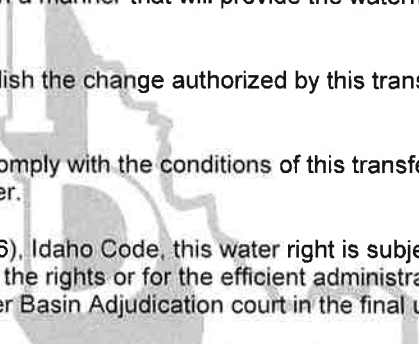
1. This right is limited to the irrigation of 133.6 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13448, 43-13450, 43-13452, 43-13454, 43-13456, and 43-13807 when combined shall not exceed a total diversion rate of 17.43 cfs, a total annual maximum diversion volume of 3,859.6 af at the field headgate, and the irrigation of 967.1 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.

Transfer No. 84002

WATER RIGHT NO. 43-13456

As Modified by Transfer No. 84002

CONDITIONS OF APPROVAL

4. 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.143.
 5. 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 diversion(s).
 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 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
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WATER RIGHT NO. 43-13807**As Modified by Transfer No. 84002**

In accordance with the approval of Transfer No. 84002, Water Right No. 43-13807 is now described as follows:

Right Holder: EAST VALLEY CATTLE LLC
471 N 300 W
JEROME, ID 83338-5078

Priority Date: 2/24/1956

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

From

03/15

To

to 11/15

Diversion Rate

3.620 cfs

3.620 cfs

Diversion Volume

748.5 af

748.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENE	Sec 35 Twp 11S Rge 26E	CASSIA County
GROUND WATER	L4 (NWNW)	Sec 1 Twp 12S Rge 26E	CASSIA County
GROUND WATER	SWNW	Sec 1 Twp 12S Rge 26E	CASSIA County
GROUND WATER	SWNE	Sec 2 Twp 12S Rge 26E	CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	35	32.6	33.0	32.8	32.6									34.1	33.3	37.1	32.0	267.5
11S	26E	36					34.4	34.4	34.7	34.7									138.2
12S	26E	1	33.8	39.3	39.9	39.3	38.8	30.6	33.3	39.0	5.2				37.9	39.9	31.3		408.3
			L 1	L 2			L 3	L 4											
12S	26E	2	29.4	30.6	31.8	30.6													122.4
			L 1	L 2															
12S	26E	12		30.7															30.7

Right Acre Limit: 187.1

POU Total Acres: 967.1

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 187.1 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13448, 43-13450, 43-13452, 43-13454, 43-13456, and 43-13807 when combined shall not exceed a total diversion rate of 17.43 cfs, a total annual maximum diversion volume of 3,859.6 af at the field headgate, and the irrigation of 967.1 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.

Transfer No. 84002

WATER RIGHT NO. 43-13807

As Modified by Transfer No. 84002

CONDITIONS OF APPROVAL

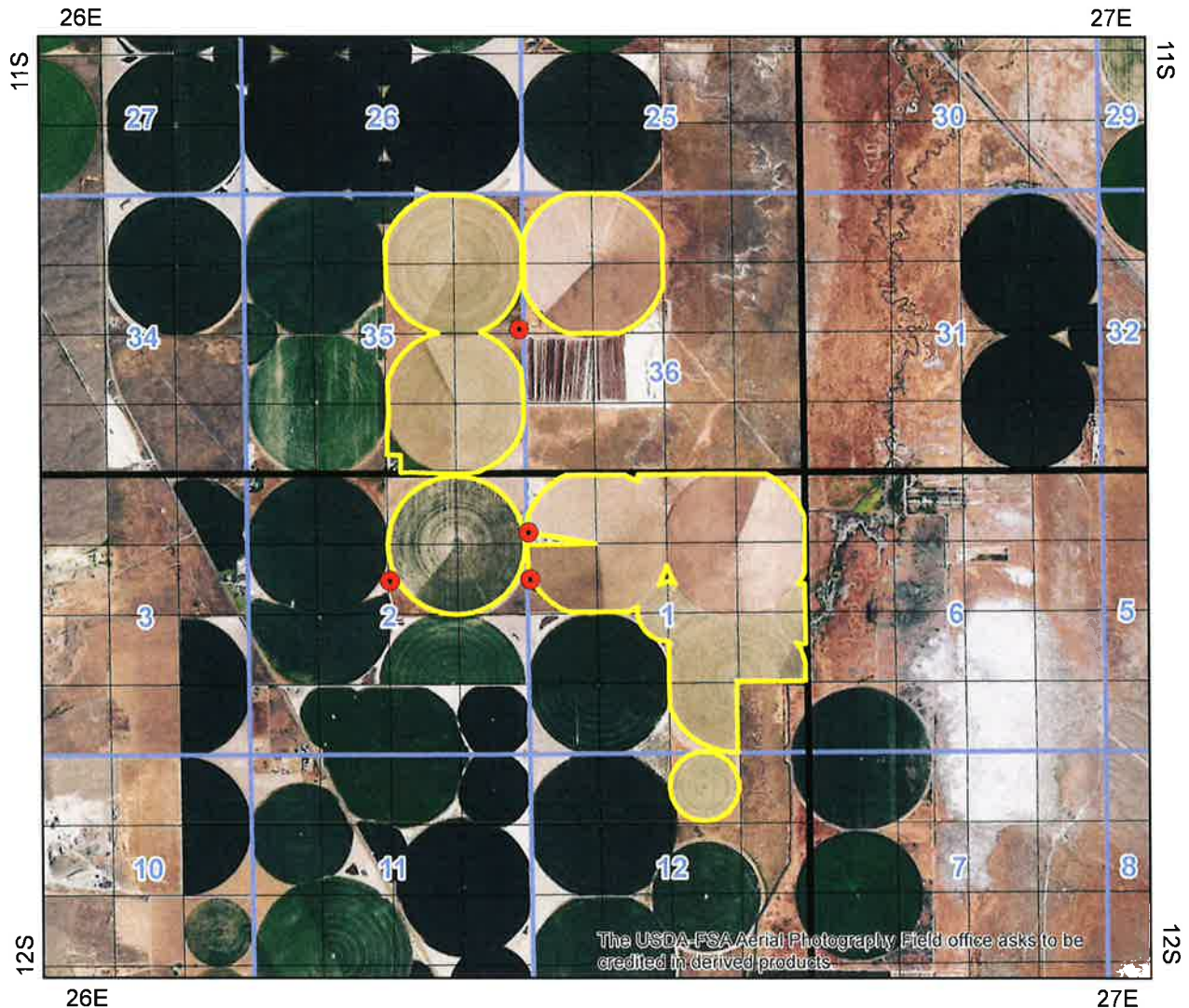
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 143.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
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 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 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 # 84002

43-13448, 43-13450, 43-13452, 43-13454, 43-13456, and 43-13807

This map depicts the IRRIGATION 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 0.4 0.8 1.6 Miles



RECEIVED
REV. 07/18

APR 03 2020

DEPT. OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 84002

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) EAST VALLEY CATTLE 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 always required and must be included with the application.

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

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☒ ☐ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at idwr.idaho.gov/water-rights/transfers/resources.html.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System ([GIS](#)) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see [fee schedule](#).
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☒ ☐ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. ([Attachment WSB](#))
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 03 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) EAST VALLEY CATTLE LLC Phone 2083242350
Mailing address 471 N 300 W JEROME, ID 83338 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

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

☐ No Representative

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

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

X William J. Millerkamp
Signature of Applicant or Authorized Representative

William J. Millerkamp, Manager
Print Name and Title if applicable

3-26-2020
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
- Is this a transfer for changes pursuant to [Idaho Code § 42-221.0.8](#)?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
This transfer proposes to update the 967.1 acre irrigation place of use for this farm. The PODs, beneficial use, period of use and ownership of these water rights will not be changing with this transfer.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part <input checked="" type="checkbox"/> <input type="checkbox"/>	43-13448	3.93/905.5	Irrigation	3/15 to 11/15	Ground Water
<input checked="" type="checkbox"/> <input type="checkbox"/>	43-13450	3.66/731.9	Irrigation	3/15 to 11/5	Ground Water
<input checked="" type="checkbox"/> <input type="checkbox"/>	43-13452	0.97/459.2	Irrigation	3/15 to 11/15	Ground Water
<input checked="" type="checkbox"/> <input type="checkbox"/>	43-13454	1.11/480.0	Irrigation	3/15 to 11/15	Ground Water
<input checked="" type="checkbox"/> <input type="checkbox"/>	43-13456	4.14/534.5	Irrigation	3/15 to 11/15	Ground Water
<input checked="" type="checkbox"/> <input type="checkbox"/>	43-13807	3.6/748.5	Irrigation	3/15 to 11/15	Ground Water
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	
<input type="checkbox"/> <input type="checkbox"/>				to	

Total authorized under rights 17.43 cfs and/or 3859.6 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.39 cubic feet per second and/or 87.0 acre-feet per year.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	26E	35	32.6	33	32.8	32.6									34.1	33.3	37.1	32.0	267.5
11S	26E	36					34.4	34.4	34.7	34.7									138.2
12S	26E	1	33.8	39.3	39.9	39.3	38.8	30.6	33.3	39	5.2				37.9	39.9	31.3		408.3
		2	29.4	30.6	31.8	30.6													122.4
		12		30.7															30.7
Total Acres (for irrigation use)																			967.1

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

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

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Existing wells, mainlines, delivery systems.

- b. Who owns the property at the point(s) of diversion? EAST VALLEY CATTLE LLC

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: 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. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank? If yes, ☒ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer: A total of 967.1 acres will be irrigated with these water rights before and after the transfer.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use: None

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

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

Current Water Right No.: 43-13448

Current Owner: EAST VALLEY CATTLE LLC
Priority Date: 3/2/1950
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	3.93 CFS	905.5 AF
	<u>Total Diversion</u>	3.93 CFS	905.5 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 35,	Twp 11S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	L4(NW1/4NW1/4)	Sec. 1,	Twp 12S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	SW1/4NW1/4	Sec. 1,	Twp 12S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	SW1/4NE1/4	Sec. 2,	Twp 12S,	Rge 26E B.M.
CASSIA County				

Place of Use

IRRIGATION Within CASSIA County

T11S R26E S35	NENE	33.00	T11S R26E S35	NWNE	33.00
T11S R26E S35	SWNE	33.00	T11S R26E S35	SENE	33.00
T11S R26E S35	NESE	34.00	T11S R26E S35	NWSE	33.00
T11S R26E S35	SWSE	36.00	T11S R26E S35	SESE	32.00
T11S R26E S36	NENW	35.00	T11S R26E S36	NWNW	34.00
T11S R26E S36	SWNW	34.00	T11S R26E S36	SENW	34.00
T11S R26E S36	NESW	0.60	T11S R26E S36	NWSW	0.50
T12S R26E S1	Lot 1 NENE	34.00	T12S R26E S1	Lot 2 NWNE	39.00
T12S R26E S1	SWNE	40.00	T12S R26E S1	SENE	40.00
T12S R26E S1	Lot 3 NENW	39.00	T12S R26E S1	Lot 4 NWNW	29.00
T12S R26E S1	SWNW	33.00	T12S R26E S1	SENW	39.00
T12S R26E S1	NESE	38.00	T12S R26E S1	NWSE	40.00
T12S R26E S1	SWSE	30.00	T12S R26E S2	Lot 1 NENE	32.00
T12S R26E S2	Lot 2 NWNE	33.00	T12S R26E S2	SWNE	32.00
T12S R26E S2	SENE	33.00	T12S R26E S12	NWNE	31.00

Total Acres: 967.1

Conditions of Approval:

1. R43 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 diversion(s).
2. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 af per acre at the field headgate for irrigation of the lands above.
4. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. X27 This right is limited to the irrigation of 226.4 acres within the authorized place of use in a single irrigation season.
6. X35 Rights 43-13448, 43-13450, 43-13452, 43-13454, 43-13456, and 43-13807 when combined shall not exceed a total diversion rate of 17.43 cfs, a total annual maximum diversion volume of 3,859.6 af at the field headgate, and the irrigation of 967.1 acres.
7. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.143.
8. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Decreed Date: 6/28/2002

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

Current Water Right No.: 43-13450

Current Owner: EAST VALLEY CATTLE LLC

Priority Date: 2/27/1957

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	3.66 CFS	731.9 AF
	<u>Total Diversion</u>	3.66 CFS	731.9 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 35,	Twp 11S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	L4(NW1/4NW1/4)	Sec. 1,	Twp 12S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	SW1/4NW1/4	Sec. 1,	Twp 12S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	SW1/4NE1/4	Sec. 2,	Twp 12S,	Rge 26E B.M.
CASSIA County				

Place of Use

IRRIGATION Within CASSIA County

T11S R26E S35	NENE	33.00	T11S R26E S35	NWNE	33.00
T11S R26E S35	SWNE	33.00	T11S R26E S35	SENE	33.00
T11S R26E S35	NESE	34.00	T11S R26E S35	NWSE	33.00
T11S R26E S35	SWSE	36.00	T11S R26E S35	SESE	32.00
T11S R26E S36	NENW	35.00	T11S R26E S36	NWNW	34.00
T11S R26E S36	SWNW	34.00	T11S R26E S36	SENW	34.00
T11S R26E S36	NESW	0.60	T11S R26E S36	NWSW	0.50
T12S R26E S1	Lot 1 NENE	34.00	T12S R26E S1	Lot 2 NWNE	39.00
T12S R26E S1	SWNE	40.00	T12S R26E S1	SENE	40.00
T12S R26E S1	Lot 3 NENW	39.00	T12S R26E S1	Lot 4 NWNW	29.00
T12S R26E S1	SWNW	33.00	T12S R26E S1	SENW	39.00
T12S R26E S1	NESE	38.00	T12S R26E S1	NWSE	40.00
T12S R26E S1	SWSE	30.00	T12S R26E S2	Lot 1 NENE	32.00
T12S R26E S2	Lot 2 NWNE	33.00	T12S R26E S2	SWNE	32.00
T12S R26E S2	SENE	33.00	T12S R26E S12	NWNE	31.00

Total Acres: 967.1

Conditions of Approval:

1. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
2. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 143.
3. X35 Rights 43-13448, 43-13450, 43-13452, 43-13454, 43-13456, and 43-13807 when combined shall not exceed a total diversion rate of 17.43 cfs, a total annual maximum diversion volume of 3,859.6 af at the field headgate, and the irrigation of 967.1 acres.
4. X27 This right is limited to the irrigation of 183.0 acres within the authorized place of use in a single irrigation season.
5. R64 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.
6. R43 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 diversion(s).
7. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Decreed Date: 6/28/2002

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

Current Water Right No.: 43-13452

Current Owner: EAST VALLEY CATTLE LLC

Priority Date: 8/26/1957

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.97 CFS	459.2 AF
	<u>Total Diversion</u>	0.97 CFS	459.2 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 35,	Twp 11S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	L4(NW1/4NW1/4)	Sec. 1,	Twp 12S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	SW1/4NW1/4	Sec. 1,	Twp 12S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	SW1/4NE1/4	Sec. 2,	Twp 12S,	Rge 26E B.M.
CASSIA County				

Place of Use

IRRIGATION Within CASSIA County

T11S R26E S35	NENE	33.00	T11S R26E S35	NWNE	33.00
T11S R26E S35	SWNE	33.00	T11S R26E S35	SENE	33.00
T11S R26E S35	NESE	34.00	T11S R26E S35	NWSE	33.00
T11S R26E S35	SWSE	36.00	T11S R26E S35	SESE	32.00
T11S R26E S36	NENW	35.00	T11S R26E S36	NWNW	34.00
T11S R26E S36	SWNW	34.00	T11S R26E S36	SENW	34.00
T11S R26E S36	NESW	0.80	T11S R26E S36	NWSW	0.50
T12S R26E S1	NENE	34.00	T12S R26E S1	Lot 2 NWNE	39.00
T12S R26E S1	SWNE	40.00	T12S R26E S1	SENE	40.00
T12S R26E S1	NENW	39.00	T12S R26E S1	Lot 4 NWNW	29.00
T12S R26E S1	SWNW	33.00	T12S R26E S1	SENW	39.00
T12S R26E S1	NESE	38.00	T12S R26E S1	NWSE	40.00
T12S R26E S1	SWSE	30.00	T12S R26E S2	Lot 1 NENE	32.00
T12S R26E S2	Lot 2 NWNE	33.00	T12S R26E S2	SWNE	32.00
T12S R26E S2	SENE	33.00	T12S R26E S12	NWNE	31.00

Total Acres: 967.1

Conditions of Approval:

1. R64 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.
2. R43 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 diversion(s).
3. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. X35 Rights 43-13448, 43-13450, 43-13452, 43-13454, 43-13456, and 43-13807 when combined shall not exceed a total diversion rate of 17.43 cfs, a total annual maximum diversion volume of 3,859.6 af at the field headgate, and the irrigation of 967.1 acres.
6. X27 This right is limited to the irrigation of 117.0 acres within the authorized place of use in a single irrigation season.
7. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.143.
8. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Decreed Date: 8/28/2002

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

Current Water Right No.: 43-13454

Current Owner: EAST VALLEY CATTLE LLC

Priority Date: 3/30/1959

Origin: Water Right

Status: Active

Basis: Decreed

Source

Trbutary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.11 CFS	480 AF
	<u>Total Diversion</u>	1.11 CFS	480 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 35,	Twp 11S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	L4(NW1/4NW1/4)	Sec. 1,	Twp 12S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	SW1/4NW1/4	Sec. 1,	Twp 12S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	SW1/4NE1/4	Sec. 2,	Twp 12S,	Rge 26E B.M.
CASSIA County				

Place of Use

IRRIGATION Within CASSIA County

T11S R26E S35	NENE	33.00	T11S R26E S35	NWNE	33.00
T11S R26E S35	SWNE	33.00	T11S R26E S35	SENE	33.00
T11S R26E S35	NESE	34.00	T11S R26E S35	NWSE	33.00
T11S R26E S35	SWSE	36.00	T11S R26E S35	SESE	32.00
T11S R26E S36	NENW	35.00	T11S R26E S36	NWNW	34.00
T11S R26E S36	SWNW	34.00	T11S R26E S36	SENW	34.00
T11S R26E S36	NESW	0.60	T11S R26E S36	NWSW	0.50
T12S R26E S1	Lot 1 NENE	34.00	T12S R26E S1	Lot 2 NWNE	39.00
T12S R26E S1	SWNE	40.00	T12S R26E S1	SENE	40.00
T12S R26E S1	Lot 3 NENW	39.00	T12S R26E S1	Lot 4 NWNW	29.00
T12S R26E S1	SWNW	33.00	T12S R26E S1	SENW	39.00
T12S R26E S1	NESE	38.00	T12S R26E S1	NWSE	40.00
T12S R26E S1	SWSE	30.00	T12S R26E S2	Lot 1 NENE	32.00
T12S R26E S2	Lot 2 NWNE	33.00	T12S R26E S2	SWNE	32.00
T12S R26E S2	SENE	33.00	T12S R26E S12	NWNE	31.00

Total Acres: 967.1

Conditions of Approval:

1. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. R64 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.
3. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. X35 Rights 43-13448, 43-13450, 43-13452, 43-13454, 43-13456, and 43-13807 when combined shall not exceed a total diversion rate of 17.43 cfs, a total annual maximum diversion volume of 3,859.6 af at the field headgate, and the irrigation of 967.1 acres.
5. X27 This right is limited to the irrigation of 120.0 acres within the authorized place of use in a single irrigation season.
6. R43 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 diversion(s).
7. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.143.
8. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Decreed Date: 6/28/2002

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

Current Water Right No.: 43-13456

Current Owner: EAST VALLEY CATTLE LLC
Priority Date: 4/6/1961
Origin: Water Right
Status: Active
Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	4.14 CFS	534.5 AF
	<u>Total Diversion</u>	4.14 CFS	534.5 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 35,	Twp 11S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	L4(NW1/4NW1/4)	Sec. 1,	Twp 12S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	SW1/4NW1/4	Sec. 1,	Twp 12S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	SW1/4NE1/4	Sec. 2,	Twp 12S,	Rge 26E B.M.
CASSIA County				

Place of Use

IRRIGATION Within CASSIA County

T11S R26E S35		NENE	33.00	T11S R26E S35		NWNE	33.00
T11S R26E S35		SWNE	33.00	T11S R26E S35		SENE	33.00
T11S R26E S35		NESE	34.00	T11S R26E S35		NWSE	33.00
T11S R26E S35		SWSE	36.00	T11S R26E S35		SESE	32.00
T11S R26E S36		NENW	35.00	T11S R26E S36		NWNW	34.00
T11S R26E S36		SWNW	34.00	T11S R26E S36		SENW	34.00
T11S R26E S36		NESW	0.60	T11S R26E S36		NWSW	0.50
T12S R26E S1	Lot 1	NENE	34.00	T12S R26E S1	Lot 2	NWNE	39.00
T12S R26E S1		SWNE	40.00	T12S R26E S1		SENE	40.00
T12S R26E S1	Lot 3	NENW	39.00	T12S R26E S1	Lot 4	NWNW	29.00
T12S R26E S1		SWNW	33.00	T12S R26E S1		SENW	39.00
T12S R26E S1		NESE	38.00	T12S R26E S1		NWSE	40.00
T12S R26E S1		SWSE	30.00	T12S R26E S2	Lot 1	NENE	32.00
T12S R26E S2	Lot 2	NWNE	33.00	T12S R26E S2		SWNE	32.00
T12S R26E S2		SENE	33.00	T12S R26E S12		NWNE	31.00

Total Acres: 967.1

Conditions of Approval:

1. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.143.
2. R64 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.
3. X27 This right is limited to the irrigation of 133.6 acres within the authorized place of use in a single irrigation season.
4. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. R43 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 diversion(s).
6. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
7. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. X35 Rights 43-13448, 43-13450, 43-13452, 43-13454, 43-13456, and 43-13807 when combined shall not exceed a total diversion rate of 17.43 cfs, a total annual maximum diversion volume of 3,859.6 af at the field headgate, and the irrigation of 997.1 acres.

Decreed Date: 6/28/2002

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

Current Water Right No.: 43-13807

Current Owner: EAST VALLEY CATTLE LLC

Priority Date: 2/24/1956

Origin: Water Right

Status: Active

Basis: Decreed

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	3.62 CFS	748.5 AF
	<u>Total Diversion</u>	3.62 CFS	748.5 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 35,	Twp 11S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	L4(NW1/4NW1/4)	Sec. 1,	Twp 12S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	SW1/4NW1/4	Sec. 1,	Twp 12S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	SW1/4NE1/4	Sec. 2,	Twp 12S,	Rge 26E B.M.
CASSIA County				

Place of UseIRRIGATION Within CASSIA County

T11S R26E S35	NENE	33.00	T11S R26E S35	NWNE	33.00
T11S R26E S35	SWNE	33.00	T11S R26E S35	SENE	33.00
T11S R26E S35	NESE	34.00	T11S R26E S35	NWSE	33.00
T11S R26E S35	SWSE	36.00	T11S R26E S35	SESE	32.00
T11S R26E S36	NENW	35.00	T11S R26E S36	NWNW	34.00
T11S R26E S36	SWNW	34.00	T11S R26E S36	SENW	34.00
T11S R26E S36	NESW	0.60	T11S R26E S36	NWSW	0.50
T12S R26E S1	Lot 1 NENE	34.00	T12S R26E S1	Lot 2 NWNE	39.00
T12S R26E S1	SWNE	40.00	T12S R26E S1	SENE	40.00
T12S R26E S1	Lot 3 NENW	39.00	T12S R26E S1	Lot 4 NWNW	29.00
T12S R26E S1	SWNW	33.00	T12S R26E S1	SENW	39.00
T12S R26E S1	NESE	38.00	T12S R26E S1	NWSE	40.00
T12S R26E S1	SWSE	30.00	T12S R26E S2	Lot 1 NENE	32.00
T12S R26E S2	Lot 2 NWNE	33.00	T12S R26E S2	SWNE	32.00
T12S R26E S2	SENE	33.00	T12S R26E S12	NWNE	31.00

Total Acres: 967.1

Conditions of Approval:

1. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. R64 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.
3. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. X35 Rights 43-13448, 43-13450, 43-13452, 43-13454, 43-13456, and 43-13807 when combined shall not exceed a total diversion rate of 17.43 cfs, a total annual maximum diversion volume of 3,859.6 af at the field headgate, and the irrigation of 967.1 acres.
5. R43 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 sullable control of the diversion(s).
6. X27 This right is limited to the irrigation of 187.1 acres within the authorized place of use in a single irrigation season.
7. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.143.
8. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Decreed Date: 6/28/2002

RECEIVED

APR 03 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

CONTRACT OF AGREEMENT

To Whom It May Concern,

I, Darin Harper representing Harper Valley Land LLC, understand that East Valley Cattle LLC will be submitting a transfer to the Idaho Department of Water Resource involving irrigation water rights 43-13448, 43-13450, 43-13452, 43-13454, 43-13456 and 43-13807. The transfer proposes to update the irrigation place of use of these water rights.

The proposed irrigation place of use will include a portion of my property located within the Cassia County, Idaho parcel identified as RP12S26E014801. The legal description of the property to be incorporated into the irrigation place of use is located in Township 12 South Range 26 East Section 1 NESW.


I formally give my consent to the transfer of water rights 43-13448, 43-13450, 43-13452, 43-13454, 43-13456 and 43-13807 to include a portion of my property described above. East Valley Cattle will retain ownership of irrigation water rights 43-13448, 43-13450, 43-13452, 43-13454, 43-13456 and 43-13807. Harper Valley Land LLC will retain ownership of the physical ground and at no time will have legal claim upon irrigation water rights 43-13448, 43-13450, 43-13452, 43-13454, 43-13456 and 43-13807.

Harper Valley Land LLC

Title: _____

Date: _____

East Valley Cattle LLC



Title: William J. Millenkamp, Manager

Date: March 26, 2020

TRANSFER 84002

RECEIVED

APR 03 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

CONTRACT OF AGREEMENT

To Whom It May Concern,

I, Darin Harper representing Harper Valley Land LLC, understand that East Valley Cattle LLC will be submitting a transfer to the Idaho Department of Water Resource involving irrigation water rights 43-13448, 43-13450, 43-13452, 43-13454, 43-13456 and 43-13807. The transfer proposes to update the irrigation place of use of these water rights.

The proposed irrigation place of use will include a portion of my property located within the Cassia County, Idaho parcel identified as RP12S26E014801. The legal description of the property to be incorporated into the irrigation place of use is located in Township 12 South Range 26 East Section 1 NESW.

I formally give my consent to the transfer of water rights 43-13448, 43-13450, 43-13452, 43-13454, 43-13456 and 43-13807 to include a portion of my property described above. East Valley Cattle will retain ownership of irrigation water rights 43-13448, 43-13450, 43-13452, 43-13454, 43-13456 and 43-13807. Harper Valley Land LLC will retain ownership of the physical ground and at no time will have legal claim upon irrigation water rights 43-13448, 43-13450, 43-13452, 43-13454, 43-13456 and 43-13807.

Harper Valley Land LLC

Darin Harper

Title: Owner

Date: 3/31/2020

East Valley Cattle LLC

Title: _____

Date: _____

TRANSFER 84002

RECEIVED

09/14

APR 03 2020

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 84002

APPLICATION FOR TRANSFER OF WATER RIGHT
ATTACHMENT WSB:
TRANSFERRING WATER RIGHTS LEASED TO THE WATER SUPPLY BANK

Approval of a transfer application will not impact the terms of a Water Supply Bank Lease Contract. Any transferred water right or portion of a water right that is leased to the Water Supply Bank (Bank) shall remain unused while the lease is active.

If the transfer proposes to relocate the place of use of an irrigation water right, and the relocated acres include land currently idled due to a Bank lease contract, the applicant is required to identify the areas that will be idled at the new place of use for the duration of the lease contract. The acres to be idled should be clearly identified on the map created for Attachment 7B of the transfer application. The applicant should confirm the map is attached when completing the table below. If the leased portion of the place of use is not proposed to be relocated, a map is not required.

A Bank lease contract shall remain in effect until it expires, a new lease proposal is processed to replace it, or the water right is released from the Bank through written confirmation issued by the Water Resource Board. If the proposed transfer is approved, the water right owner will be provided sufficient time to allow the lease contract to expire before beneficial use of water at the new place of use will be expected. Meanwhile, water rights leased to the Bank are protected from forfeiture for the duration of the lease contract.

Water right owners who would like to adjust the terms of their lease contracts can either submit a new lease proposal on an [Application to Lease a Water Right to the Water Supply Bank](#) form, or they can request early termination of their lease contracts by completing a [Request to Release a Water Right from the Water Supply Bank](#) form. If a water right is leased to the Bank, and it is currently being rented from the Bank, the lease cannot be reduced or terminated until the rental agreement concludes. A request to release a water right or to submit a new lease application should be sent to the Department's state office. To find out if there are any rentals associated with a leased water right, please call a Bank representative at the Department at 208-287-4800.

In the table below, please provide the requested information for any water right that is both proposed for transfer and leased to the Bank. The information needed to complete this table can be found in your Bank lease contract. A copy of your lease contract can be obtained using the 'Search Water Rights' option on the Department's internet page at www.idwr.idaho.gov or by contacting any Department office.

Water Right Number	Lease Contract Expiration Date	Water Right Quantities Leased to the Bank			Map Attachment 7B Clearly Identifies Idled Place of Use at New Location
		Rate (cfs)	Volume (AF)	Acres	
43-13448	12/31/2022	0.40	92.4	23.1	Attached? <input checked="" type="checkbox"/> or No Change <input type="checkbox"/>
					Attached? <input type="checkbox"/> or No Change <input type="checkbox"/>
					Attached? <input type="checkbox"/> or No Change <input type="checkbox"/>
					Attached? <input type="checkbox"/> or No Change <input type="checkbox"/>
					Attached? <input type="checkbox"/> or No Change <input type="checkbox"/>
					Attached? <input type="checkbox"/> or No Change <input type="checkbox"/>
					Attached? <input type="checkbox"/> or No Change <input type="checkbox"/>

Is the ownership of the water right(s) leased to the Bank being changed? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a [Lessor Designation](#) form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an [IRS Form W-9](#).

Additional Information:

Agency Use Only: Personnel processing transfer applications should forward a copy of this attachment, the original Lessor Designation form and/or IRS Form W-9, if received, to the State Office.

Attachment #9 (WSB)

TRANSFER 84002



0003585210

**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 #: 0003585210

Date Filed: 8/1/2019 9:33:34 AM

Entity Name and Mailing Address:

EAST VALLEY CATTLE, LLC

The file number of this entity on the records of the Idaho Secretary
of State is: 0000137125

Address 471 N 300 W
JEROME, ID 83338-5078

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: W41668

The registered agent on record is:

Registered Agent WILLIAM J MILLENKAMP
Registered Agent
Physical Address
471 N 300 W
JEROME, ID 83338
Mailing Address

Limited Liability Company Managers and Members

Name	Title	Address
WILLIAM J MILLENKAMP	Manager	471 NORTH 300 WEST JEROME, ID 83338

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

William John Millenkamp

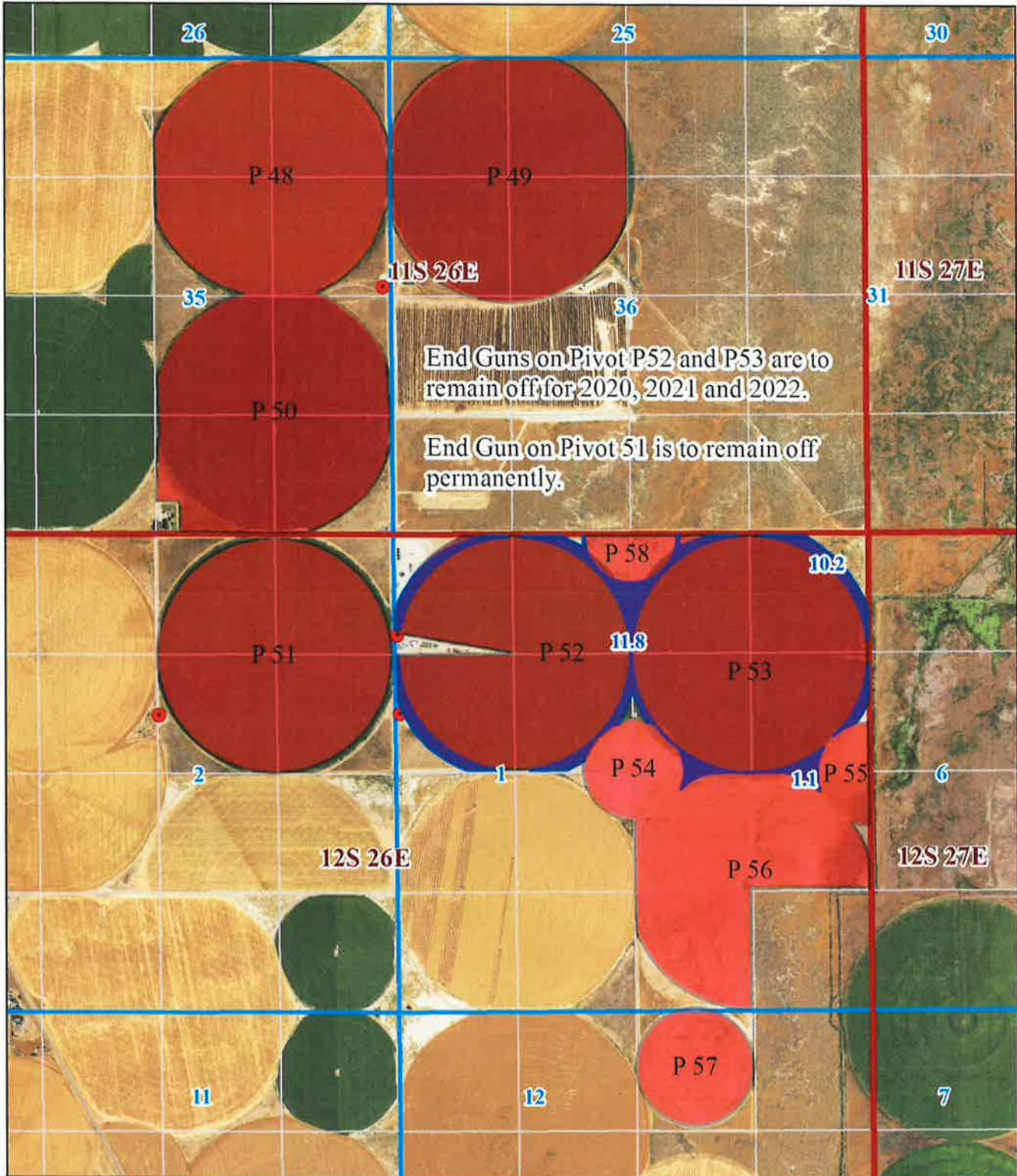
Sign Here

08/01/2019

Date

Signer's Title: Manager

B0311-4852 08/01/2019 9:33 AM Received by ID Secretary of State Lawrence Denney



**EAST VALLEY CATTLE
2020 BUCK FARM**

NAIP 2019 AERIAL

BROCKWAY ENGINEERING, PLLC
GWS - Date: 3/24/2020

Legend

- 2020_Buck_WRs
- Buck_Farm_Lease
- Points_of_Diversion

TRANSFER 84002



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

May 21, 2020

EAST VALLEY CATTLE LLC
471 N 300 W
JEROME ID 83338-5078

Re: Transfer No: 84002

Water Right No(s): 43-13448, 43-13450, 43-13452, 43-13454, 43-13456, 43-13807

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:

BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

METLIFE REAL ESTATE LENDING LLC
C/O METLIFE INVESTMENT ADVISORS
10801 MASTIN ST STE 930
OVERLAND PARK KS 66210-1677

WATER DISTRICT 143
NATHAN ERICKSON
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301-5858

CERTIFICATE OF SERVICE

I hereby certify that on May 21, 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.: 84002

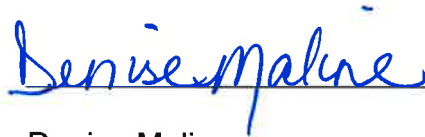
Water Right No(s): 43-13448, 43-13450, 43-13452, 43-13454, 43-13456, 43-13807

EAST VALLEY CATTLE LLC
471 N 300 W
JEROME ID 83338-5078

BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

METLIFE REAL ESTATE LENDING LLC
C/O METLIFE INVESTMENT ADVISORS
10801 MASTIN ST STE 930
OVERLAND PARK KS 66210-1677

WATER DISTRICT 143
NATHAN ERICKSON
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.

MEMORANDUM

Date: April 22, 2020
To: East Valley Cattle, LLC Transfer #84002 File
From: Jim Bitzenburg
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes to modify the place of use (POU) for a 12.0 acre portion of six ground water irrigation rights which irrigate 967.1 acres with a combined flow rate of 17.43 cfs. The current POU is located approximately 6.3 to 8.5 miles north and 0.7 mile west to 0.8 mile east of Malta, and the change will be made to land contiguous to the current POU.

A portion of the POU covers ground owned by a neighbor and a water sharing agreement has been included with the application to explain the water right ownership arrangement on that property.

The proposed transfer involves changing the POU of lands within Water District 143, so Watermaster comments were solicited. The Watermaster did not oppose the transfer. The proposed transfer involves modification of lands contiguous to the existing POU, so advertising is not necessary.

- **Authority to File:**
The Department's database indicates that the water rights involved are owned by the applicant, East Valley Cattle, LLC. The application was signed by Bill Millenkamp, the manager of East Valley Cattle, LLC. See attachment from the Idaho Secretary of State office, 'Annual Report Form', for East Valley Cattle, LLC.
- **Water Right Validity:**
Based on aerial imagery, forfeiture does not appear to be an issue. The POU will include the land of a neighbor, so a water sharing agreement has been signed by the applicant and the neighbor.
- **Injury to Other Water Rights:**
None anticipated or foreseen.
- **Enlargement of Use:**
None anticipated. Irrigated acreage will not increase.
- **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:**
None Anticipated
- **Effect of the Agricultural Base of the 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.

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Transfer No: 84002
Water Right No: 43-13448, etc.
Applicant Name: EAST VALLEY CATTLE LLC

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application
- b) ☐ I do not oppose approval of this application under the following terms:
- c) ☐ I oppose approval of this application(s) for the following reasons:
- d) ☐ Additional comment:

Dated: April 22, 2020

Water District 143



Nathan Erickson, Watermaster



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

Brad Little
Governor

Gary Spackman
Director

April 16, 2020

WATER DISTRICT 143
NATHAN ERICKSON
650 ADDISON AVE W STE 500
TWIN FALLS, ID 83301-5858

RE: Application for Transfer No. 84002 (East Valley Cattle)

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
Administrative Assistant 1

Enclosure(s)

TRANSFER SYNOPSIS

Date: April 15, 2020
To: Transfer #84002, East Valley Cattle, Inc. Transfer file
From: Jim Bitzenburg
Re: Summary of transfer

Application for transfer proposes to modify the place of use (POU) for a 12.0 acre portion of six ground water irrigation rights which irrigate 967.1 acres with a combined flow rate of 17.43 cfs. The current POU is located approximately 6.3 to 8.5 miles north and 0.7 mile west to 0.8 mile east of Malta, and the change will be made to land contiguous to the current POU.

A portion of the POU covers ground owned by a neighbor and a water sharing agreement has been included with the application to explain the water right ownership arrangement on that property.

The proposed transfer involves changing the POU of lands within Water District 143, so Watermaster comments will be solicited. The proposed transfer involves modification of lands contiguous to the existing POU, so advertising is not necessary.

The rights in the transfer are as follows:

• 43-13448	3.93 cfs	905.5 AF	226.4 acres
• 43-13450	3.66 cfs	731.9 AF	183.0 acres
• 43-13452	0.97 cfs	459.2 AF	117.0 acres
• 43-13454	1.11 cfs	480.0 AF	120.0 acres
• 43-13456	4.14 cfs	534.5 AF	133.6 acres
• 43-13807	3.62 cfs	748.5 AF	187.1 acres

The combined limits of the group of rights:

17.43 cfs 3859.6 AF 967.1 acres

MEMORANDUM

Date: April 15, 2020
To: Transfer 84002
From: James Bitzenburg
Re: Legal Notice Not Required

Legal Notice Not Required
4/15/2020

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.

The proposed transfer involves modification of lands contiguous to the existing POU, so advertising is not necessary.

FEE MEMORANDUM

Date: April 15, 2020
To: East Valley Cattle, LLC Transfer #84002 File
From: Jim Bitzenburg
Re: Receipting/disposition of fees paid

This application for transfer was filed on April 3, 2020 and proposes to modify the place of use for a 12.0 acre portion of six ground water irrigation rights in the Raft River area. The total combined flow rate for the six rights is 17.43 cfs and the portion of that rate changing is 0.22 cfs, so, from the transfer fee schedule, the fee is \$500.00. The fee was paid by Brockway Engineering with check #15821 at the time of filing and the IDWR receipt number is S037856.



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

APR 03 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

March 31, 2020

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

Re: East Valley Cattle LLC

Dear Mr. Skinner:

East Valley Cattle is submitting a water right transfer at this time that will update the irrigation place of use of the allowed 967.1 acres located on the Buck Farm.

A small portion of the irrigation waterer right will be located on property owned by Harper Valley Land LLC. An agreement between East Valley Cattle and Harper Valley Land LLC will be signed and provided to IDWR.

A portion of water right 43-13448 is currently under lease contract. A new lease contract has been submitted to the Idaho Water Supply Bank for a new lease contract for the 2020, 2021 and 2020 irrigation seasons.

The ownership of these water rights involved in the transfers will not be changing, no additional PODs are proposed, the beneficial use will not be changing and the period of use will not be changing for any of the water rights involved.

It is requested that this transfer not be advertised because no POD or ownership will be changing.

Please contact me if you have any questions.

Sincerely,

Shile Denis on behalf of

Greg Sullivan, M.S., Engineer

Cc: Bill Millenkamp

Enc: 967.1 Acre Transfer, Aerial Maps, Contract of Agreement, Annual Report, Brockway Engineering Check # 15821 for \$500.00

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

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

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506