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APR 02 2020

DEPT OF WATER RESOURCES SOUTHERN REGION

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

Transfer No. 83959

MINIMUM REQUIREMENTS CHECKLIST TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

Name of Applicant(s) RBA 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.
Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application
Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

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

- #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder.
#2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
#2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use.
#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.
#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.
#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.
#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.
#7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
#8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided.
#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.
#9 Other. Please describe:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APR 02 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant RBA LLC

Phone (208) 423-4320

Mailing Address PO BOX 370, KIMBERLY ID 83341-0370

Email redbaronag@cableone.net

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

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

- No Representative

Name of Representative _____ Phone _____

Mailing Address _____ Email _____

- Send all correspondence for this application to the representative and not to the applicant.

OR


- Send original correspondence to the applicant and copies to the representative.

- The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

- The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

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



Signature of Applicant or Authorized Representative

Milton Jucak - Member

Print Name and Title if applicable

3-23-2020

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	36-17143	No	Yes	No	No	No	No
	36-17144	No	Yes	No	No	No	No
	36-17145	No	Yes	No	No	No	No
	36-17146	No	Yes	No	No	No	No

Associated Right(s): 36-2600 , 36-7046 , 36-7435 , 36-11412

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**

Transfer proposes to change the points of diversion (POD) currently authorized for each right (which reflect the PODs authorized on the farm the rights were purchased from) to a single existing well on the adjacent property owned by the applicant and already used for irrigation and commercial uses.

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

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

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
36-17143	0.010 cfs	N/A	1.0	2.5		N/A	N/A	N/A	N/A
36-17144	0.010 cfs	N/A	0.5	2.5		N/A	N/A	N/A	N/A
36-17145	0.010 cfs	N/A	0.8	2.5		N/A	N/A	N/A	N/A
36-17146	0.010 cfs	N/A	0.2	2.5		N/A	N/A	N/A	N/A
COMBINED TOTALS	0.030 cfs	10.0 af	N/A	2.5		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 0.03 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

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

4. Place of Use:

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

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

Proposed Water Right No. 36-17143

Current Water Right Owner
 RBA LLC
 PO BOX 370
 KIMBERLY, ID
 83341-0370

Priority Date: 1/20/1965

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.010 CFS	
Total Diversion			0.010 CFS	

Source and Point(s) of Diversion:
 GROUND WATER

NWNE

Sec. 14 Twp 08S Rge 22E MINIDOKA 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	22E	13						2.5												2.5

Right Acre Limit: 1.0
 POU Total Acres: 2.5

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
The point of diversion system has a measuring device and lockable control device in the pump house.

b. Who owns the property at the point(s) of diversion
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
RBA, LLC

c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No, If Yes,
Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: Columbia Bank - Business
It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
None

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

f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:
Yes No
 undergone a period of five or more consecutive years of non-use,
 currently leased to the Water Supply Bank,
 currently used in a mitigation plan limiting the use of water under the right, or
 currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

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

Current Water Right No. 36-17143

Current Water Right Owner
RBA LLC
PO BOX 370
KIMBERLY, ID
83341-0370

Priority Date: 1/20/1965

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.010 CFS	
Total Diversion			0.010 CFS	

Source and Point(s) of Diversion:

GROUND WATER	SENE SW	Sec. 13 Twp 08S Rge 22E MINIDOKA County
GROUND WATER	NENWNW	Sec. 13 Twp 08S Rge 22E MINIDOKA County
GROUND WATER	SWSWSE	Sec. 12 Twp 08S Rge 22E MINIDOKA County

Describe the proposed diversion system

THREE WELLS AND PUMPS, PIVOTS AND SPRINKLERS
THREE WELLS AND PUMPS, PIVOTS AND SPRINKLERS
THREE WELLS AND PUMPS, PIVOTS AND SPRINKLERS

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	22E	13					2.5												2.5

Right Acre Limit: 1.0
POU Total Acres: 2.5

Conditions/Remarks:

- RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
- USE OF THIS RIGHT WITH RIGHT NO. 36-17146 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.01 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4.8 AF.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A COMBINED DIVERSION RATE OF 0.03 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 10 AF. COMBINED RIGHT NOS.: 36-17144, 36-17145 & 36-17146.
- THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 36-11412, 36-02600, 36-07435, 36-07046, 36-17144, 36-17145 & 36-17146
RIGHT NO. 36-17146 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
- THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1 ACRE WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON AND WHEN COMBINED WITH RIGHT 36-17146 IS LIMITED TO 1.2 ACRES.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2.5 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 36-17144, 36-17145 AND 36-17146.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

5. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
6. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
7. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

Current Water Right No. 36-17144

Current Water Right Owner
RBA LLC
PO BOX 370
KIMBERLY, ID
83341-0370

Priority Date: 12/9/1968

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/15	0.010 CFS	
Total Diversion			0.010 CFS	

Source and Point(s) of Diversion:

GROUND WATER	NENWNW	Sec. 13 Twp 08S Rge 22E MINIDOKA County
GROUND WATER	SENESEW	Sec. 13 Twp 08S Rge 22E MINIDOKA County
GROUND WATER	SWSWSE	Sec. 12 Twp 08S Rge 22E MINIDOKA County

Describe the proposed diversion system

THREE WELLS & PUMPS, SPRINKLERS
THREE WELLS & PUMPS, SPRINKLERS
THREE WELLS & PUMPS, SPRINKLERS

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
08S	22E	13						2.5												2.5

Right Acre Limit: 0.5
POU Total Acres: 2.5

Conditions/Remarks:

- RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 36-11412, 36-02600, 36-07046, 36-07435, 36-17143, 36-17145 & 36-17146.
- THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
- USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.03 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 10 AF. COMBINED RIGHT NOS.: 36-17143, 36-17145 AND 36-17146.
- RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

IL ID DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

6. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 0.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON AND WHEN COMBINED WITH RIGHTS 36-17143, 36-17145 AND 36-17146 TO A TOTAL OF 2.5 ACRES.
7. 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.

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

Current Water Right No. 36-17145

Current Water Right Owner
RBA LLC
PO BOX 370
KIMBERLY, ID
83341-0370

Priority Date: 1/25/1974

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.010 CFS	
Total Diversion			0.010 CFS	

Source and Point(s) of Diversion:

GROUND WATER	SWSWSE	Sec. 12 Twp 08S Rge 22E MINIDOKA County
GROUND WATER	NENWNW	Sec. 13 Twp 08S Rge 22E MINIDOKA County
GROUND WATER	SENESEW	Sec. 13 Twp 08S Rge 22E MINIDOKA County

Describe the proposed diversion system

THREE WELLS AND PUMPS, SPRINKLERS
THREE WELLS AND PUMPS, SPRINKLERS
THREE WELLS AND PUMPS, SPRINKLERS

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
08S	22E	13						2.5												2.5

Right Acre Limit: 0.8
POU Total Acres: 2.5

Conditions/Remarks:

1. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 36-11412, 36-02600, 36-07046, 36-07435, 36-17143, 36-17144 & 36-17146.
2. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.03 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 10 AF. COMBINED RIGHT NOS.: 36-17143, 36-17144 AND 36-17146.
3. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. 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.

IL DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

6. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

7. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 0.8 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON AND TO 2.5 ACRES WHEN COMBINED WITH THE RIGHTS LISTED BELOW.
COMBINED RIGHTS 36-17143, 36-17144 & 36-17146.

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

Current Water Right No. 36-17146

Current Water Right Owner
RBA LLC
PO BOX 370
KIMBERLY, ID
83341-0370

Priority Date: 4/1/1984
Origin: Water Right
Basis: Decreed
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.010 CFS	
Total Diversion			0.010 CFS	

Source and Point(s) of Diversion:

GROUND WATER	SWSWSE	Sec. 12 Twp 08S Rge 22E MINIDOKA County
GROUND WATER	SENESEW	Sec. 13 Twp 08S Rge 22E MINIDOKA County
GROUND WATER	NENWNW	Sec. 13 Twp 08S Rge 22E MINIDOKA County

Describe the proposed diversion system

THREE WELLS AND PUMPS, SPRINKLERS
THREE WELLS AND PUMPS, SPRINKLERS
THREE WELLS AND PUMPS, SPRINKLERS

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
08S	22E	13																		2.5

Right Acre Limit: 0.2
POU Total Acres: 2.5

Conditions/Remarks:

- RIGHT NOS. 36-02600, 36-07435, 36-07046 36-11412, 36-17143, 36-17144 AND 36-17145 ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.
- USE OF THIS RIGHT WITH RIGHT NO.: 36-17143 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.01 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4.8 AF.
USE OF THIS RIGHT WITH RIGHT NOS. 36-17143, 36-17144 AND 36-17145 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.03 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 10 AF.
- USE OF THIS RIGHT WITH RIGHT NO.: 36-17143 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1.2 ACRES IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NOS.: 36-14143, 36-17144 AND 36-17145 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 2.5 ACRES IN A SINGLE IRRIGATION SEASON.
- THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NOS. 36-17143, 36-17144 AND 36-17145 PURSUANT TO SECTION 42-1426, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

5. 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.
6. 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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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

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

B. CHANGES IN NATURE OF USE (Water Balance)

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

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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

FOR DEPARTMENT USE ONLY

Transfer Contains 17 pages and 1 attachments.
Received By DM Date 4-2-2020 Prelim. Check By _____ Date _____
Fee Paid \$200- Date 4-2-2020 Received By DM Receipt # 5037852
Add'l Fee Paid _____ Date _____ Received By _____ Receipt # _____

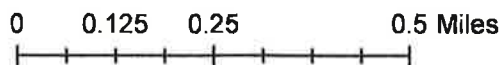
RBA, LLC - Point of Diversion Transfer #83959



The USDA-ERS Aerial Photography Field office asks to be credited in derived products.

Legend

- Township/Range
- Sections
- QQ



TRANSFER 83959



Attachment #6

March 27, 2020

RE: RBA LLC
PO Box 370
Kimberly ID 83341
Deed of Trust: Instrument #548958 recorded in Rupert, Minidoka County, Idaho

To Whom It May Concern:

This letter is in reference to the Application for Transfer of Water Right that proposes changing the points of diversion currently authorized for each right (which reflect the PODs authorized on the farm the rights were purchased from) to a single existing well on the adjacent property owned by the application and already used for irrigation and commercial uses. Below please find a description of the source and Point of Diversion:

Priority Date: 1/20/1965
Origin: Water Right
Basis: Decreed
Status Active
Source: GROUND WATER

Table with 4 columns: Beneficial Use, From, To, Diversion Rate, Subuse Code. Row 1: IRRIGATION, 04/01, 10/31, 0.010 CFS, IRRIGATION. Row 2: Total Diversion, , , 0.010 CFS, .

Source and Point(s) of Diversion:
GROUND WATER NWNE Sec. 14 Twp 08S Rge 22E MINIDOKA County

Place of Use: IRRIGATION

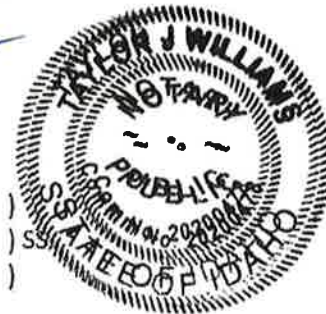
Table with 17 columns: Twp, Rng, Sec, NE, NW, SW, SE, NE, NW, SW, SE, NE, NW, SW, SE, NE, NW, SW, SE, Totals. Row 1: 08S, 22E, 13, , , , , , , , , , , , , , , , 2.5

Right Acrc Limit: 1.0
POU Total Acres: 2.5

I, Richard Craddock, on behalf of Columbia Bank, approve the application for transfer.

Columbia State Bank

X [Signature]
Authorized Signer



State of Idaho
County of Twin Falls

This record was acknowledged before me on 3/30/2020 by Richard Craddock as Vice President of Columbia State Bank.

[Signature]
Notary Public in the State of Idaho
My commission expires 2/7/2020

Treasury Valley Commercial Banking
225 N 9th St, Suite 510 • Boise, ID 83705

TRANSFER 83959



0003700700



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 #: 0003700700
 Date Filed: 12/5/2019 2:05:17 PM

B0425-4732 12/05/2019 2:05 PM Received by ID Secretary of State Lawrence Denney

Entity Name and Mailing Address:
RBA, LLC
 The file number of this entity on the records of the Idaho Secretary of State is: 0003382023
 Address: PO BOX 370
 KIMBERLY, ID 83341-0370

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:

The registered agent on record is:
 Registered Agent: Mike Jurak
 Registered Agent
 Physical Address
 3261 E 3600 N
 KIMBERLY, ID 83341
 Mailing Address
 PO BOX 370
 KIMBERLY, ID 83341

Limited Liability Company Managers and Members

Name	Title	Business Address
MIKE JURAK	Member	PO BOX 370 KIMBERLY, ID 83341
DEENA JURAK	Member	PO BOX 370 KIMBERLY, ID 83341

The annual report must be signed by an authorized signer of the entity.
Deena Jurak 12/05/2019
 Sign Here Date
 Signer's Title: Member



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 9, 2020

RBA LLC
PO BOX 370
KIMBERLY, ID 83341-0370

RE: Transfer No. 83959
Water Right No(s). 36-17143, 36-17144, 36-17145, 36-17146

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 4/16/2020 and 4/23/2020**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **May 4, 2020**.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in blue ink that reads "Denise Maline".

Denise Maline
Administrative Assistant



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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Brad Little
Governor

Gary Spackman
Director

April 9, 2020

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

RE: Application for Permit No. 37-23224

RE: Application for Transfer No. 83959

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,

A handwritten signature in blue ink that reads "Denise Maline". The signature is written in a cursive style.

Denise Maline
Administrative Assistant 1

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, April 09, 2020 9:49 AM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News cover letter.docx; Times News ad.docx

Attached please find **(1)** legal notice being submitted for publication on April 16th & 23rd, 2020. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

Brad Little
Governor

Gary Spackman
Director

April 9, 2020

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Application for Permit No. 37-23224

RE: Transfer No. 83959

Water Right No(s). 36-17143, 36-17144, 36-17145, 36-17146

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before May 4, 2020. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
37-23224

JOHN N INFANGER
DEBRA A INFANGER

1241 MAIN ST
GOODING, ID 83330-1813

Point of Diversion SESE S36 T05S R14E GOODING County Source GROUND WATER Tributary
Use: DOMESTIC 01/01 to 12/31 0.15 CFS

Total Diversion: 0.15 CFS

Date Filed: 03-17-2020

Place Of Use: DOMESTIC
T05S R14E S36 SESE

Application for permit proposes to divert up to 0.15 cfs from an existing well for domestic purposes associated with 14 homes (9 of these 14 homes currently have an authorized in-house domestic use only authorized under water right 37-20800). Place of use and point of diversion are located approximately 1.2 miles west and 0.2 miles north of the intersection of 7th Ave and Hwy 46 in Gooding. This application proposes to appropriate trust water and will be evaluated in compliance with Section 42-203C, Idaho Code, and IDWR's Water Appropriation Rules, IDAPA 37.03.08.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 83959**

RBA LLC, PO BOX 370, KIMBERLY, ID 83341-0370 has filed Application No. 83959 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-17143, 36-17144, 36-17145, 36-17146. 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 (POD) for four ground water irrigation rights with a combined flow rate of 0.03 cfs. The rights are currently authorized to divert from three wells located approximately 9.0 miles north and 2.0 miles west of Paul. After the transfer, the authorized POD will be a single existing well located approximately 1.0 mile west of the current PODs.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see <https://research.idwr.idaho.gov>. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **May 4, 2020**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on April 16th & 23rd, 2020

TRANSFER SYNOPSIS

Date: April 7, 2020
To: Transfer 83959, RBA, LLC Transfer file
From: Jim Bitzenburg
Re: Summary of transfer

Application for transfer proposes to change the point of diversion (POD) for four ground water irrigation rights with a combined flow rate of 0.03 cfs. The rights are currently authorized to divert from three wells located approximately 9.0 miles north and 2.0 miles west of Paul. After the transfer, the authorized POD will be a single existing well located approximately 1.0 mile west of the current PODs.

The proposed transfer is in Water District 130 and Watermaster comments will be solicited. Because the transfer involves a change of POD in the ESPA, it will be advertised and public comment will be sought. No ESPA ground water modeling will be required, as the POD is moving to the same or adjacent cells.

Water rights involved in the transfer are:

36-17143	0.01 cfs	1.0 acre	2.5 total acres
36-17144	0.01 cfs	0.5 acre	2.5 total acres
36-17145	0.01 cfs	0.8 acre	2.5 total acres
36-17146	0.01 cfs	0.2 acre	2.5 total acres

Combined limits: 0.03 cfs, 10.0 AF, 2.5 acres

FEE MEMORANDUM

Date: April 7, 2020
To: RBA LLC Transfer #83959 File
From: Jim Bitzenburg
Re: Receipting/disposition of fees paid

This transfer was filed on April 2, 2020 and the purpose of the transfer is to change the point of diversion from three existing wells to a single well. Because the entire combined flow rate of the four rights involved (0.03 cfs) is the basis for the fee, the fee is the minimum amount, or \$200.00. The fee was paid when the application was filed with check #1004 from RBA LLC. The IDWR receipt number is S037852.

RBA, LLC

**PO Box 370
Kimberly, Idaho 83341**

**Phone: 208-731-5233
redbaronag@cableone.net**

RECEIVED

APR 02 2020

**DEPT OF WATER RESOURCES
SOUTHERN REGION**

March 31, 2020

To Whom It May Concern:

RBA, LLC gives permission to Jim Bitzenburg or Bill Mills to fill out page #1 on Transfer #82959.

Thank You,



Mike Jurak