

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 83748**RECEIVED**

NOV 12 2019

Department of Water Resources
Eastern Region**MINIMUM REQUIREMENTS CHECKLIST**

TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

RECEIVED

NOV 12 2019

Department of Water Resources
Eastern Region

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) Egan Land and 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 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

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Egan Land and Cattle LLC Phone 208-374-5460
Mailing address 84 Roland RD, Dubois, ID 83423 Email _____

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

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

☐ No Representative

Name of Representative _____ Phone _____
Mailing address _____ Email _____

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

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

by Brian D. Egan member 11-11-2019
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

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

A. PURPOSE OF TRANSFER

- ☒ 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.O.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**.
Change point of diversion and place of use to supplemental water right 32-7081C. Currently this right is supplemental to 32-1A, 32-2A, 32-3A, 32-4A and 32-5A. This application proposes to move this water right to supplement water rights 32-29, 32-30 and 32-31. These surface water rights have similar priority dates.

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 ☒ ☐	32-7081C	1.89/542.5	Irrigation	4/15 to 10/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 1.89 cfs and/or 542.5 acre-feet.

2. Total amount of water proposed to be transferred or changed 1.89 cubic feet per second and/or 542.5 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	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
			SE	NW	17	10N	35E	Clark	Ground Water	1001887

4. Place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

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

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	35E	17					39	30	25	40	40	4		39		39	38		294
Total Acres (for irrigation use)																			294

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:

Ground water well to pivot irrigation system. Diversion is equipped with a magnetic flowmeter. power panel can be locked

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

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

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

- d. 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:

Land will continue to be irrigated with water rights 32-1A, 32-2A, 32-3A, 32-4A and 32-5A. Water right 32-7081C is a supplemental water right.

- 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:

Water right 32-7081C will share the same 294 acre place of use with 32-29, 32-30, 32-31 and 32-7081D.

32-7081D is a 160 acre supplemental ground water right. 32-7081D is supplemental to 32-29, 32-30, 32-31.

32-7081D is also diverted out of proposed point of diversion.

- 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:

[Home](#) / [Water Rights](#) / [Research](#) / [Search Water Rights](#)

WATER RIGHT REPORT

10/2/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 32-7081C

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CAROLYN RHODES SHENTON
Current Owner	H TOD SHENTON
	573 MEDICINE LODGE RD
	DUBOIS, ID 83423
	2083745813
Original Owner	ELMA HOLMES
Original Owner	GERALD D HOLMES
	HC 61 BOX 1310
	DUBOIS, ID 83423
	2083475441

Priority Date: 06/20/1977

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/15	10/15	1.89 CFS	542.5 AFA
Total Diversion			1.89 CFS	542.5 AFA

Location of Point(s) of Diversion:

GROUND WATER|NWNE Lt 2|Sec. 06|Township 10N|Range 35E|CLARK County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CLARK County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
11N	35E	31		NESE	40		NWSE	37		SWSE	38		SESE	40

Total Acres: 155

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.50 CFS. COMBINED RIGHT NOS.: 32-00002A, 32-00003A, 32-00004A, 32-00005A, 32-00001A
2. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 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.
3. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 155 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00001A 32-00002A, 32-00003A, 32-00004A, 32-00005A.
4. THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT SURFACE WATER RIGHTS IN CONJUNCTION WITH GROUNDWATER DIVERTED UNDER RIGHT 32-07081D AND SHALL ONLY DIVERT GROUNDWATER UNDER THIS RIGHT WHEN WATER FROM THE APPURTENANT SURFACE WATER RIGHTS CANNOT BE DELIVERED TO THE RIGHT HOLDER. THIS RIGHT SHALL NOT BE USED IF THE SURFACE WATER RIGHTS APPURTENANT TO THE PLACE OF USE ARE SOLD, TRANSFERED, LEASED OR USED ON ANY OTHER PLACE OF USE.
5. C18 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. RIGHT NO. 32-07081B IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Dates:

Licensed Date:

Decreed Date: 10/27/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: And/Or

Water District Number: 110

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 155

Combined Volume Limit:

Combined Rate Limit: 3.5

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

WATER RIGHT REPORT

10/2/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 32-7081D

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DEANNA EGAN 84 ROLAND RD DUBOIS, ID 83423-5005 2083515460
Current Owner	BRION D EGAN 84 ROWLAND RD DUBOIS, ID 83423 2083745460
Original Owner	S & H IRRIGATION ASSN
Security Interest	BANK OF IDAHO 399 N CAPITOL AVE IDAHO FALLS, ID 83402 2085283013
Security Interest	RABO AGRIFINANCE LLC 14767 N OUTER 40 RD STE 400 CHESTERFIELD, MO 63017-2003 3143178000

Priority Date: 06/20/1977

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>			
GROUND WATER				
<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/15	1.95 CFS	560 AFA
Total Diversion			1.95 CFS	560 AFA

Location of Point(s) of Diversion:

GROUND WATER|SENW|Sec. 17|Township 10N|Range 35E|CLARK County

IRRIGATION Use:

Acre Limit: 160

Place(s) of use:

Place of Use Legal Description: IRRIGATION CLARK County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10N	35E	17		NENW	39		NWNW	30		SWNW	25		SENW	40
				NESW	40		NWSW	4		SESW	39			
				NWSE	39		SWSE	38						

Total Acres: 294

Conditions of Approval:

1. X27 Right 32-7081D is limited to the irrigation of 160.0 acres within the place of use described above in a single irrigation season.
2. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
4. 01Q After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
6. 104 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 4/1 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/15 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
9. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. 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.

11. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 10/27/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector: And/Or

Water District Number: 110

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

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.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

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**.

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:

supplemental water right was used to supplement surface water right when it failed or became insufficient. Supplemental Right has typically been used between July - September when the primary right from Medicine Lodge creek becomes low.

We are not proposing supplemental Right to become primary. The only thing we are asking is a change in POD and Place of use. All Acreage and rights will match existing.

FOR DEPARTMENT USE ONLY

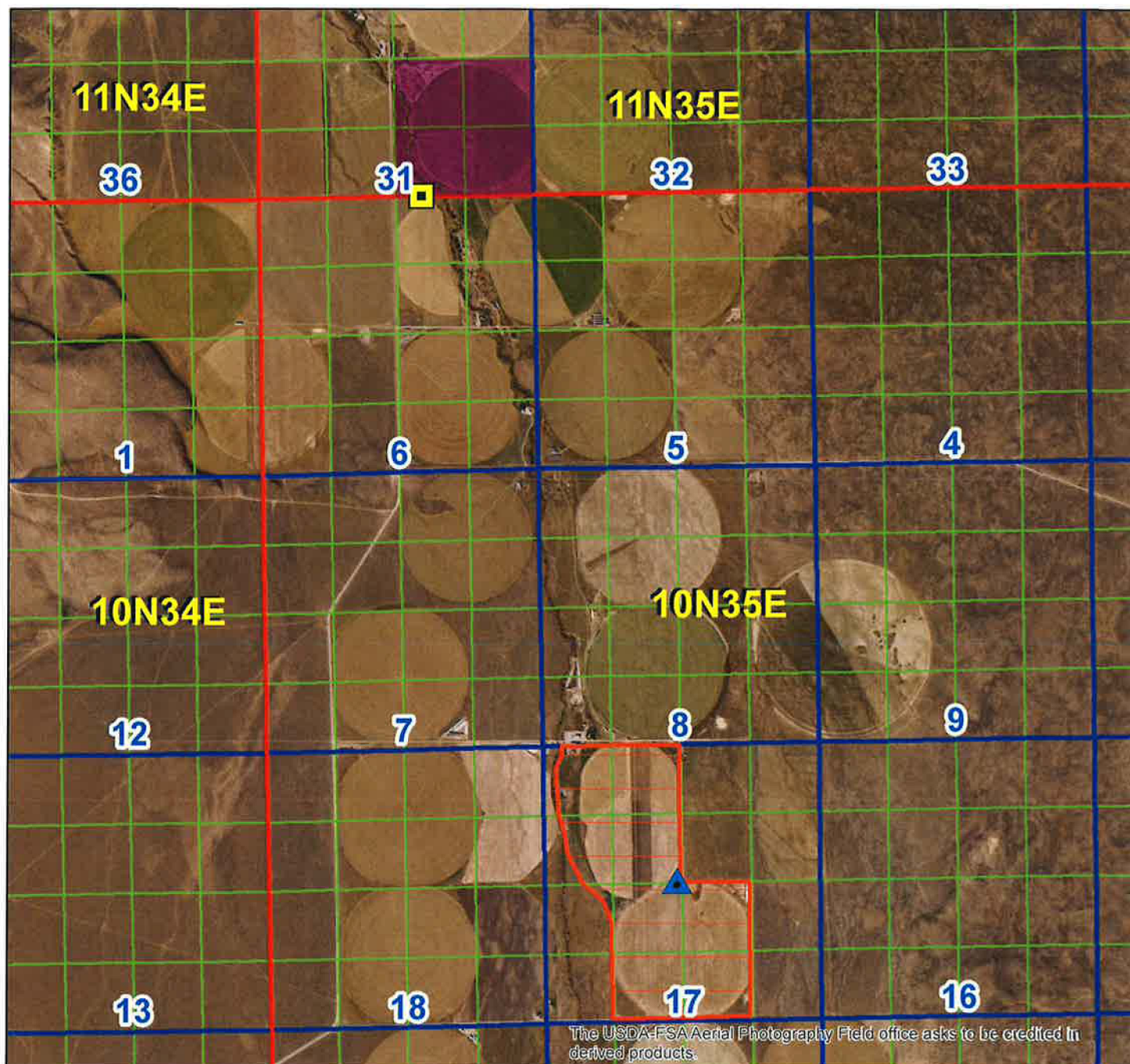
Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid \$580.00 Date 11/21/19 Received by CH Receipt # 8045443

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)



-  Current_Point_of_Diversion_32-7081C
-  Proposed_Point_of_Diversion_32-7081C
-  Current_Place_of_Use_32-7081C
-  Proposed_Place_of_Use_32-7081C
-  Township/Range
-  Sections
-  QQ

0 1,625 3,250 6,500 Feet
1 inch = 2,884 feet



PURCHASE AGREEMENT

This purchase agreement dated 11-15-2016, between Egan Land and Cattle LLC, here after known as the purchaser, and Tod and Carolyn Shenton, here after known as the sellers, agree to the following sale of Ground Water Right # 3207081C 300746, as per the terms below.

Purchaser's agree to buy from the Seller's the above ground water right, well, pump, motor, and all apertures pertaining to and including water right listed, for the sum of

This sale only becomes final and binding after approval for transfer of ownership, POD, and place of use, have been approved by The Idaho Department of Water Resources, and appropriate documents have been signed by all parties, at which time above referenced funds will be available to sellers and disbursed by North West Farm Credit Services, 1036 Erikson DR., Rexburg, Idaho 83440.

SELLERS

Tod Shenton

Date 11-15-16

Tod Shenton

Carol Shenton

Date 11-15-16

Carolyn Shenton

PURCHASER

BY Brett Egan

Title MEMBER

DATE 11-15-16

Egan Land and Cattle LLC

83748

ENHANCED GROUND-WATER RIGHTS

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

Cells this color are
set up for user entries

ENTER STARTING DATE FOR
SIMULATION. THEN PUSH
"UPDATE DATES" BUTTON

YEAR

1977

SEASON

SUMMER ▼

TRANSFER NO:

TRANSFER NAME:

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	23	20		
COLUMN	171	171		

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 W
	Projected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER
SUM 1977	0	129	129	0	0	0
WIN 1977	0	129	129	0	0	0
SPR 1978	0	129	129	0	0	0
SUM 1978	0	129	129	0	0	0
WIN 1978	0	129	129	0	0	0
SPR 1979	0	129	129	0	0	0
SUM 1979	0	129	129	0	0	0

83748

WIN 1979	0	129	129	0	0	0
SPR 1980	0	129	129	0	0	0
SUM 1980	0	129	129	0	0	0
WIN 1980	0	129	129	0	0	0
SPR 1981	0	129	129	0	0	0
SUM 1981	0	129	129	0	0	0
WIN 1981	0	129	129	0	0	0
SPR 1982	0	129	129	0	0	0
SUM 1982	0	129	129	0	0	0
WIN 1982	0	129	129	0	0	0
SPR 1983	0	129	129	0	0	0
SUM 1983	0	129	129	0	0	0
WIN 1983	0	129	129	0	0	0
SPR 1984	0	129	129	0	0	0
SUM 1984	0	129	129	0	0	0
WIN 1984	0	129	129	0	0	0
SPR 1985	0	129	129	0	0	0
SUM 1985	0	129	129	0	0	0
WIN 1985	0	129	129	0	0	0
SPR 1986	0	129	129	0	0	0
SUM 1986	0	129	129	0	0	0
WIN 1986	0	129	129	0	0	0
SPR 1987	0	129	129	0	0	0
SUM 1987	0	129	129	0	0	0
WIN 1987	0	129	129	0	0	0
SPR 1988	0	129	129	0	0	0
SUM 1988	0	129	129	0	0	0
WIN 1988	0	129	129	0	0	0
SPR 1989	0	129	129	0	0	0
SUM 1989	0	129	129	0	0	0

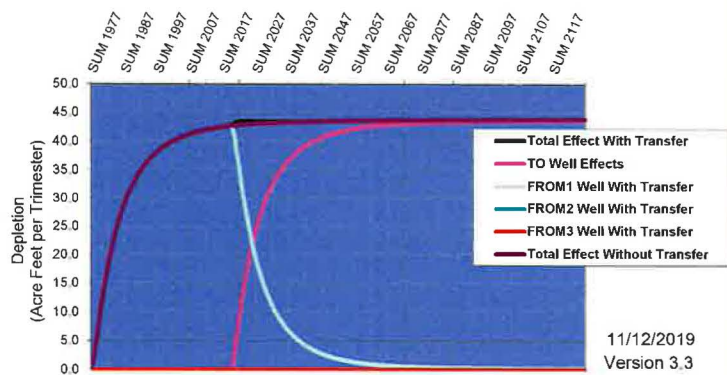
WIN 1989	0	129	129	0	0	0
SPR 1990	0	129	129	0	0	0
SUM 1990	0	129	129	0	0	0
WIN 1990	0	129	129	0	0	0
SPR 1991	0	129	129	0	0	0
SUM 1991	0	129	129	0	0	0
WIN 1991	0	129	129	0	0	0
SPR 1992	0	129	129	0	0	0
SUM 1992	0	129	129	0	0	0
WIN 1992	0	129	129	0	0	0
SPR 1993	0	129	129	0	0	0
SUM 1993	0	129	129	0	0	0
WIN 1993	0	129	129	0	0	0
SPR 1994	0	129	129	0	0	0
SUM 1994	0	129	129	0	0	0
WIN 1994	0	129	129	0	0	0
SPR 1995	0	129	129	0	0	0
SUM 1995	0	129	129	0	0	0
WIN 1995	0	129	129	0	0	0
SPR 1996	0	129	129	0	0	0
SUM 1996	0	129	129	0	0	0
WIN 1996	0	129	129	0	0	0
SPR 1997	0	129	129	0	0	0
SUM 1997	0	129	129	0	0	0
WIN 1997	0	129	129	0	0	0
SPR 1998	0	129	129	0	0	0
SUM 1998	0	129	129	0	0	0
WIN 1998	0	129	129	0	0	0
SPR 1999	0	129	129	0	0	0
SUM 1999	0	129	129	0	0	0
WIN 1999	0	129	129	0	0	0
SPR 2000	0	129	129	0	0	0
SUM 2000	0	129	129	0	0	0
WIN 2000	0	129	129	0	0	0

SPR 2001	0	129	129	0	0	0
SUM 2001	0	129	129	0	0	0
WIN 2001	0	129	129	0	0	0
SPR 2002	0	129	129	0	0	0
SUM 2002	0	129	129	0	0	0
WIN 2002	0	129	129	0	0	0
SPR 2003	0	129	129	0	0	0
SUM 2003	0	129	129	0	0	0
WIN 2003	0	129	129	0	0	0
SPR 2004	0	129	129	0	0	0
SUM 2004	0	129	129	0	0	0
WIN 2004	0	129	129	0	0	0
SPR 2005	0	129	129	0	0	0
SUM 2005	0	129	129	0	0	0
WIN 2005	0	129	129	0	0	0
SPR 2006	0	129	129	0	0	0
SUM 2006	0	129	129	0	0	0
WIN 2006	0	129	129	0	0	0
SPR 2007	0	129	129	0	0	0
SUM 2007	0	129	129	0	0	0
WIN 2007	0	129	129	0	0	0
SPR 2008	0	129	129	0	0	0
SUM 2008	0	129	129	0	0	0
WIN 2008	0	129	129	0	0	0
SPR 2009	0	129	129	0	0	0
SUM 2009	0	129	129	0	0	0
WIN 2009	0	129	129	0	0	0
SPR 2010	0	129	129	0	0	0
SUM 2010	0	129	129	0	0	0
WIN 2010	0	129	129	0	0	0
SPR 2011	0	129	129	0	0	0
SUM 2011	0	129	129	0	0	0
WIN 2011	0	129	129	0	0	0
SPR 2012	0	129	129	0	0	0
SUM 2012	0	129	129	0	0	0

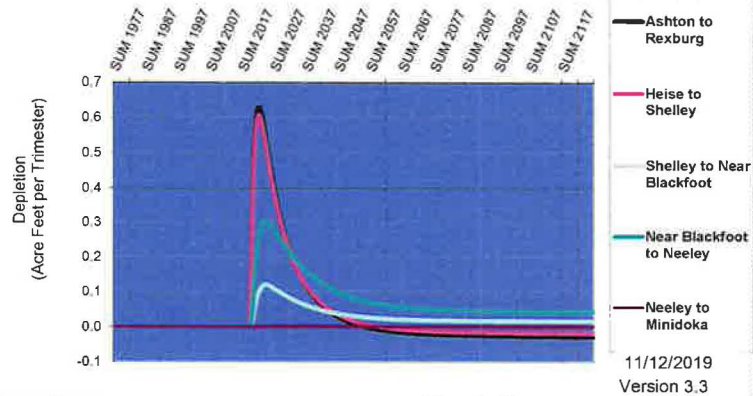
WIN 2012	0	129	129	0	0	0
SPR 2013	0	129	129	0	0	0
SUM 2013	0	129	129	0	0	0
WIN 2013	0	129	129	0	0	0
SPR 2014	0	129	129	0	0	0
SUM 2014	0	129	129	0	0	0
WIN 2014	0	129	129	0	0	0
SPR 2015	0	129	129	0	0	0
SUM 2015	0	129	129	0	0	0
WIN 2015	0	129	129	0	0	0
SPR 2016	0	129	129	0	0	0
SUM 2016	0	129	129	0	0	0
WIN 2016	0	129	129	0	0	0
SPR 2017	0	129	129	0	0	0
SUM 2017	0	129	129	0	0	0
WIN 2017	0	129	129	0	0	0
SPR 2018	0	129	129	0	0	0
SUM 2018	0	129	129	0	0	0
WIN 2018	0	129	129	0	0	0
SPR 2019	0	129	129	0	0	0
SUM 2019	0	129	129	0	0	0
WIN 2019	0	129	129	0	0	0
SPR 2020	129	0	129	0	0	0
SUM 2020	129	0	129	0	0	0
WIN 2020	129	0	129	0	0	0
SPR 2021	129	0	129	0	0	0
SUM 2021	129	0	129	0	0	0
WIN 2021	129	0	129	0	0	0
SPR 2022	129	0	129	0	0	0
SUM 2022	129	0	129	0	0	0
WIN 2022	129	0	129	0	0	0
SPR 2023	129	0	129	0	0	0
SUM 2023	129	0	129	0	0	0
WIN 2023	129	0	129	0	0	0
SPR 2024	129	0	129	0	0	0

SUM 2024	129	0	129	0	0	0
WIN 2024	129	0	129	0	0	0
SPR 2025	129	0	129	0	0	0
SUM 2025	129	0	129	0	0	0
WIN 2025	129	0	129	0	0	0
SPR 2026	129	0	129	0	0	0
SUM 2026	129	0	129	0	0	0
WIN 2026	129	0	129	0	0	0
SPR 2027	129	0	129	0	0	0
SUM 2027	129	0	129	0	0	0
WIN 2027	129	0	129	0	0	0
SPR 2028	129	0	129	0	0	0
SUM 2028	129	0	129	0	0	0
WIN 2028	129	0	129	0	0	0
SPR 2029	129	0	129	0	0	0
SUM 2029	129	0	129	0	0	0
WIN 2029	129	0	129	0	0	0
SPR 2030	129	0	129	0	0	0
SUM 2030	129	0	129	0	0	0
WIN 2030	129	0	129	0	0	0
SPR 2031	129	0	129	0	0	0
SUM 2031	129	0	129	0	0	0
WIN 2031	129	0	129	0	0	0
SPR 2032	129	0	129	0	0	0
SUM 2032	129	0	129	0	0	0
WIN 2032	129	0	129	0	0	0
SPR 2033	129	0	129	0	0	0
SUM 2033	129	0	129	0	0	0
WIN 2033	129	0	129	0	0	0
SPR 2034	129	0	129	0	0	0
SUM 2034	129	0	129	0	0	0
WIN 2034	129	0	129	0	0	0
SPR 2035	129	0	129	0	0	0
SUM 2035	129	0	129	0	0	0
WIN 2035	129	0	129	0	0	0

Hydrologic Response--Ashton to Rexburg
Customer Name: Transfer No:



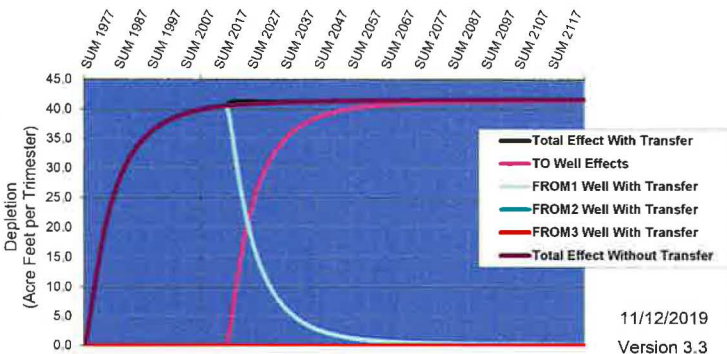
Net Transfer Effect Above Milner
(Total Effect With Transfer - Total Effect Without Transfer)



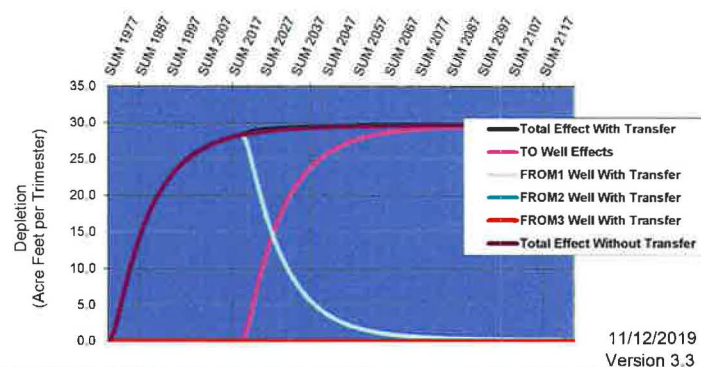
Customer Name:

Transfer No:

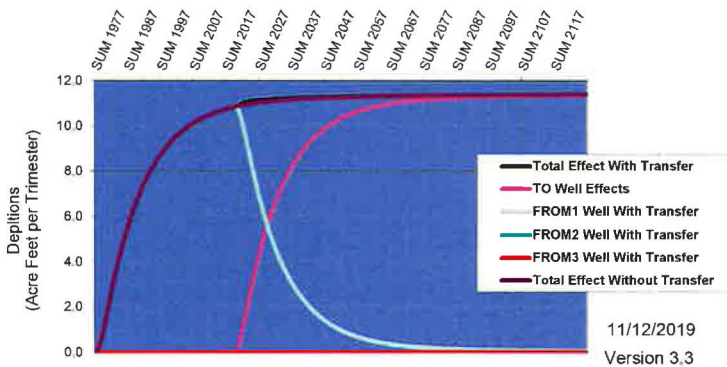
Hydrologic Response--Heise to Shelley
Customer Name: Transfer No:



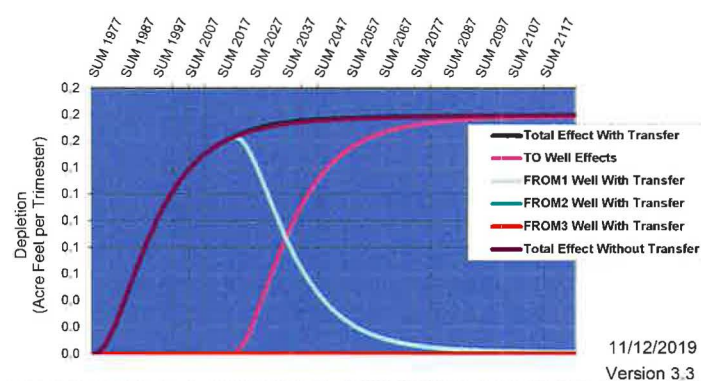
Hydrologic Response-- Near Blackfoot to Neeley
Customer Name: Transfer No:



Hydrologic Response--Shelley to Near Blackfoot
Customer Name: Transfer No:



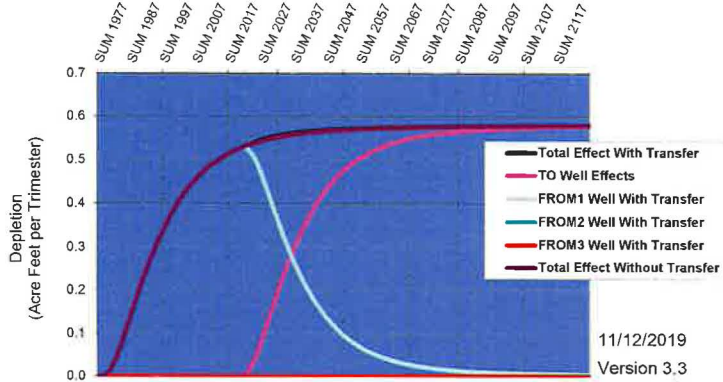
Hydrologic Response-- Neeley to Minidoka
Customer Name: Transfer No:





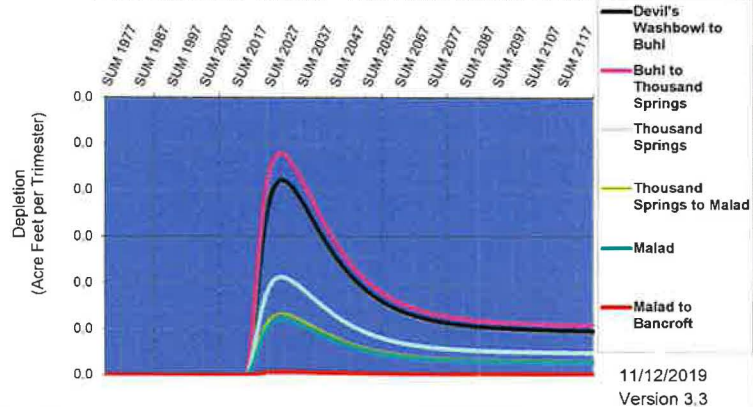
Hydrologic Response--Devil's Washbowl to Buhl

Customer Name: Transfer No:



11/12/2019
Version 3.3

Net Transfer Effect Below Milner (Total Effect With Transfer - Total Effect Without Transfer)



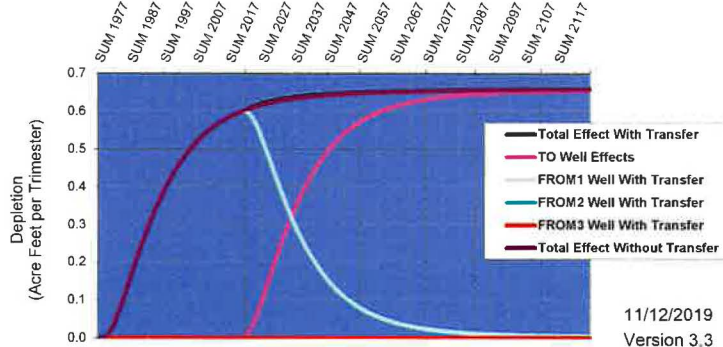
11/12/2019
Version 3.3

Customer Name:

Transfer No:

Hydrologic Response--Buhl to Thousand Springs

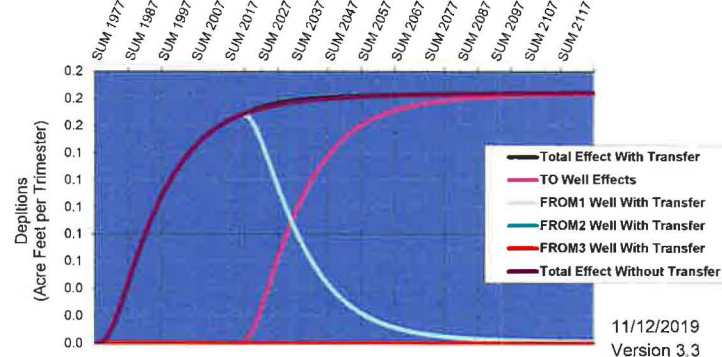
Customer Name: Transfer No:



11/12/2019
Version 3.3

Hydrologic Response--Thousand Springs to Malad

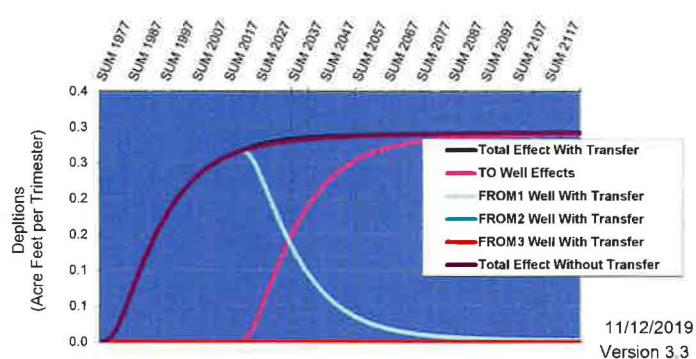
Customer Name: Transfer No:



11/12/2019
Version 3.3

Hydrologic Response--Thousand Springs

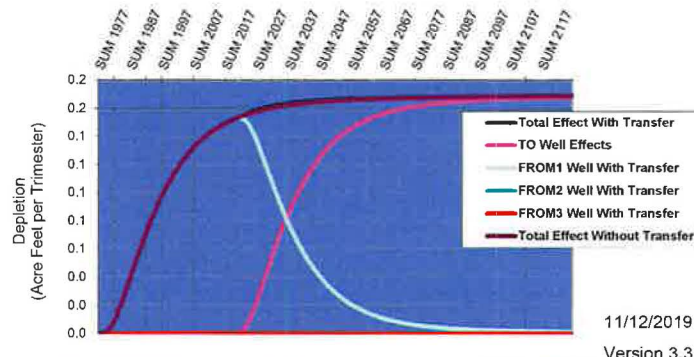
Customer Name: Transfer No:



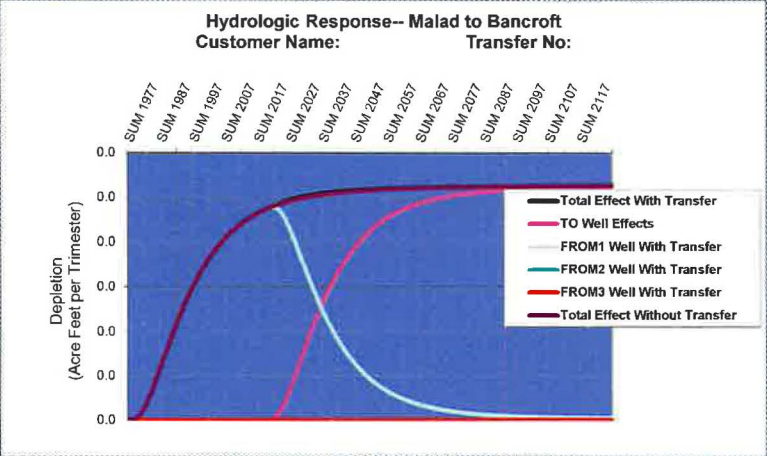
11/12/2019
Version 3.3

Hydrologic Response-- Malad

Customer Name: Transfer No:



11/12/2019
Version 3.3



11/12/2019
Version 3.3



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls ID 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177

Website: idwr.idaho.gov • Email: easterninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

November 27, 2019

BRION D EGAN
84 ROLAND RD
DUBOIS, ID 83423-5005

RE: Transfer No. 83748
Water Right No(s). 32-7081C

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 POST REGISTER on 12/5/2019 and 12/12/2019. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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, appearing to read 'Christina Henman', is written over a horizontal line.

Christina Henman
Administrative Assistant

Henman, Christina

From: Henman, Christina
Sent: Wednesday, November 27, 2019 10:00 AM
To: POST REGISTER (legalnotices@postregister.com)
Subject: Legal Ads for Post Register
Attachments: 83748, 83767 Post Register.doc

Good Morning,

Please see attached document regarding legal ads for your paper.

Thank You,

Christina Henman
Administrative Assistant
Idaho Dept. of Water Resources, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 497-3793

November 27, 2019

Contains more than 1 page.

Legal Notice Department

Post Register

PO Box 1800

Idaho Falls ID 83403

RE: Transfer No. 83748, 83767

Dear Taylor Winger:

Enclosed you will find a legal notice which we wish to have published in your newspaper 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 12/23/2019. Your cooperation is appreciated.

Sincerely,

Christina Henman
Administrative Assistant
Dept of Water Resources
900 N Skyline Dr Ste A
Idaho Falls ID 83402
208-525-7161
208-525-7177 – fax

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 83748

BRION D EGAN, 84 ROLAND RD, DUBOIS, ID 83423-5005; has filed Application No. 83748 for changes to the following water rights within CLARK County(s): Right No(s). 32-7081C. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion and change place of use. The point of diversion will be in SENW Sec 17 T10N R35E for 1.89 cfs from ground water. The place of use will be in Sec 17 T10N R35E for 155 acres within a 294-acre combined place of use.

TRANSFER NO. 83767

FISH HAVEN WATER USERS CO, C/O DAVID COTTLE, 2629 HWY 89, FISH HAVEN, ID 83287; has filed Application No. 83767 for changes to the following water rights within BEAR LAKE County(s): Right No(s). 11-4022; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: change nature of use and season of use for a 4.26 cfs portion of the right; create digital service boundary for irrigation and municipal uses. Irrigation service boundary includes portions of Sec 35 T15S R43E, and Sec 2, 10, 11, 14, 15, 22, 23 and 27, T16S R43E. Municipal service boundary includes portions of Sec 14, 15, 22, 23 and 27, T16S R43E. Proposed uses are irrigation (27.65 cfs), mitigation (4.51 cfs for Sam's Hollow project), mitigation (2.31 cfs for future connections in Fish Haven Pipeline Co. (FHPC)), municipal use (1.95 cfs for existing connections in FHPC), and municipal use (2.31 cfs for future connections in FHPC). Total diversion rate is 29.6 cfs. Proposed season of use for municipal use and FHPC mitigation use is 1/1 - 12/31.

For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. To see a full description of these rights and the proposed transfers, please see

<https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 12/23/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director Published on 12/5/2019 and 12/12/2019