

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 83466**

This is to certify that: **DOUBLE EAGLE PROPERTIES LLLP**
3173 N 4900 E
MURTAUGH, ID 83344-5359

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>
45-10228	WR/DECREED	5/31/1966	0.060 cfs	14.6 af	N/A	N/A	GROUND WATER
45-13657	WR/DECREED	1/1/1983	0.060 cfs	14.6 af	N/A	N/A	GROUND WATER
45-13911	WR/DECREED	8/19/1976	0.640 cfs	85.8 af	N/A	N/A	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>
45-10228	NO	NO	YES	YES	NO	NO
45-13657	NO	NO	YES	YES	NO	NO
45-13911	NO	NO	YES	YES	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>
45-10228	45-10228	0.060 cfs	14.6 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
45-13657	45-13657	0.060 cfs	14.6 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
45-13911	45-13911	0.640 cfs	85.8 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.700 cfs	100.4 af	N/A	N/A		N/A	N/A	N/A	N/A

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

Dated this 20th day of September, 2019.


Southern Region Manager

SUPPORT DATA

IN FILE # 45-10228

Transfer No. 83466

WATER RIGHT NO. 45-13911**As Modified by Transfer No. 83466**

In accordance with the approval of Transfer No. 83466, Water Right No. 45-13911 is now described as follows:

Right Holder: DOUBLE EAGLE PROPERTIES LLLP
3173 N 4900 E
MURTAUGH, ID 83344-5359

Priority Date: 8/19/1976

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to 12/31	0.040 cfs	5.0 af
STOCKWATER	01/01	to 12/31	0.640 cfs	85.8 af
			0.640 cfs	85.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENENE	Sec 24 Twp 11S Rge 20E	CASSIA County
GROUND WATER	SESESE	Sec 24 Twp 11S Rge 20E	CASSIA County
GROUND WATER	NWNWNE	Sec 30 Twp 11S Rge 21E	CASSIA County

PLACE OF USE: COMMERCIAL

			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	21E	19	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
								L 1	L 2				L 3	L 4					0

PLACE OF USE: STOCKWATER

			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	21E	19	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
								L 1	L 2				L 3	L 4					0
11S	21E	30						X	X						X				
								L 1	L 2										
11S	21E	31						X	X										
								L 1	L 2										

CONDITIONS OF APPROVAL

1. Rights 45-10228, 45-13657, and 45-13911 when combined shall not exceed a total diversion rate of 0.70 cfs and a total annual maximum diversion volume of 100.4 af.
2. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 140.

Transfer No. 83466

WATER RIGHT NO. 45-13911

As Modified by Transfer No. 83466

CONDITIONS OF APPROVAL

3. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. The water right holder shall maintain control of the necessary portion of right 45-13910 for mitigation purposes under Transfer approval No. 71968. If the necessary portion of the mitigation right is sold, transferred, leased, used on any place of use, or is not deliverable due to a priority call, then the amount of water authorized for diversion under this transfer approval shall be reduced by the same proportion of the amount reduced under the mitigation right.
5. Prior to diversion and use of water under Transfer approval 83466, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. Commercial use is for a feedlot operation.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 45-10228**As Modified by Transfer No. 83466**

In accordance with the approval of Transfer No. 83466, Water Right No. 45-10228 is now described as follows:

Right Holder: DOUBLE EAGLE PROPERTIES LLLP
3173 N 4900 E
MURTAUGH, ID 83344-5359

Priority Date: 5/31/1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
STOCKWATER	01/01	to 12/31	0.060 cfs	14.6 af
			0.060 cfs	14.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENENE	Sec 24 Twp 11S Rge 20E	CASSIA County
GROUND WATER	SESESE	Sec 24 Twp 11S Rge 20E	CASSIA County
GROUND WATER	NWNWNE	Sec 30 Twp 11S Rge 21E	CASSIA County

PLACE OF USE: STOCKWATER

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	21E	19	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
								L 1	L 2			L 3	L 4						0
11S	21E	30						X	X						X				
								L 1	L 2										
11S	21E	31						X	X										
								L 1	L 2										

CONDITIONS OF APPROVAL

1. Rights 45-10228 and 45-13657 when combined shall not exceed a total diversion rate of 0.06 cfs, nor a daily diversion of 13,000 gallons per day.
2. Rights 45-10228, 45-13657, and 45-13911 when combined shall not exceed a total diversion rate of 0.70 cfs and a total annual maximum diversion volume of 100.4 af.
3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 140.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 83466

WATER RIGHT NO. 45-10228
As Modified by Transfer No. 83466

CONDITIONS OF APPROVAL

5. Prior to diversion and use of water under Transfer approval 83466, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 45-13657**As Modified by Transfer No. 83466**

In accordance with the approval of Transfer No. 83466, Water Right No. 45-13657 is now described as follows:

Right Holder: DOUBLE EAGLE PROPERTIES LLLP
3173 N 4900 E
MURTAUGH, ID 83344-5359

Priority Date: 1/1/1983

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
STOCKWATER	01/01	to 12/31	0.060 cfs	14.6 af
			0.060 cfs	14.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENENE	Sec 24 Twp 11S Rge 20E	CASSIA County
GROUND WATER	SESESE	Sec 24 Twp 11S Rge 20E	CASSIA County
GROUND WATER	NWNWNE	Sec 30 Twp 11S Rge 21E	CASSIA County

PLACE OF USE: STOCKWATER

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	21E	19	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
								L 1	L 2			L 3	L 4						0
11S	21E	30						X	X						X				
								L 1	L 2										
11S	21E	31						X	X										
								L 1	L 2										

CONDITIONS OF APPROVAL

1. Rights 45-10228 and 45-13657 when combined shall not exceed a total diversion rate of 0.06 cfs, nor a daily diversion of 13,000 gallons per day.
2. Rights 45-10228, 45-13657, and 45-13911 when combined shall not exceed a total diversion rate of 0.70 cfs and a total annual maximum diversion volume of 100.4 af.
3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 140.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 83466

WATER RIGHT NO. 45-13657

As Modified by Transfer No. 83466

CONDITIONS OF APPROVAL

5. Prior to diversion and use of water under Transfer approval 83466, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion, in accordance with Department specifications.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho
Department of Water Resources
Attachment to Transfer # 83466
45-10228, 45-13657, and 45-13911

This map depicts the STOCKWATER 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 0.45 0.9 1.8 Miles

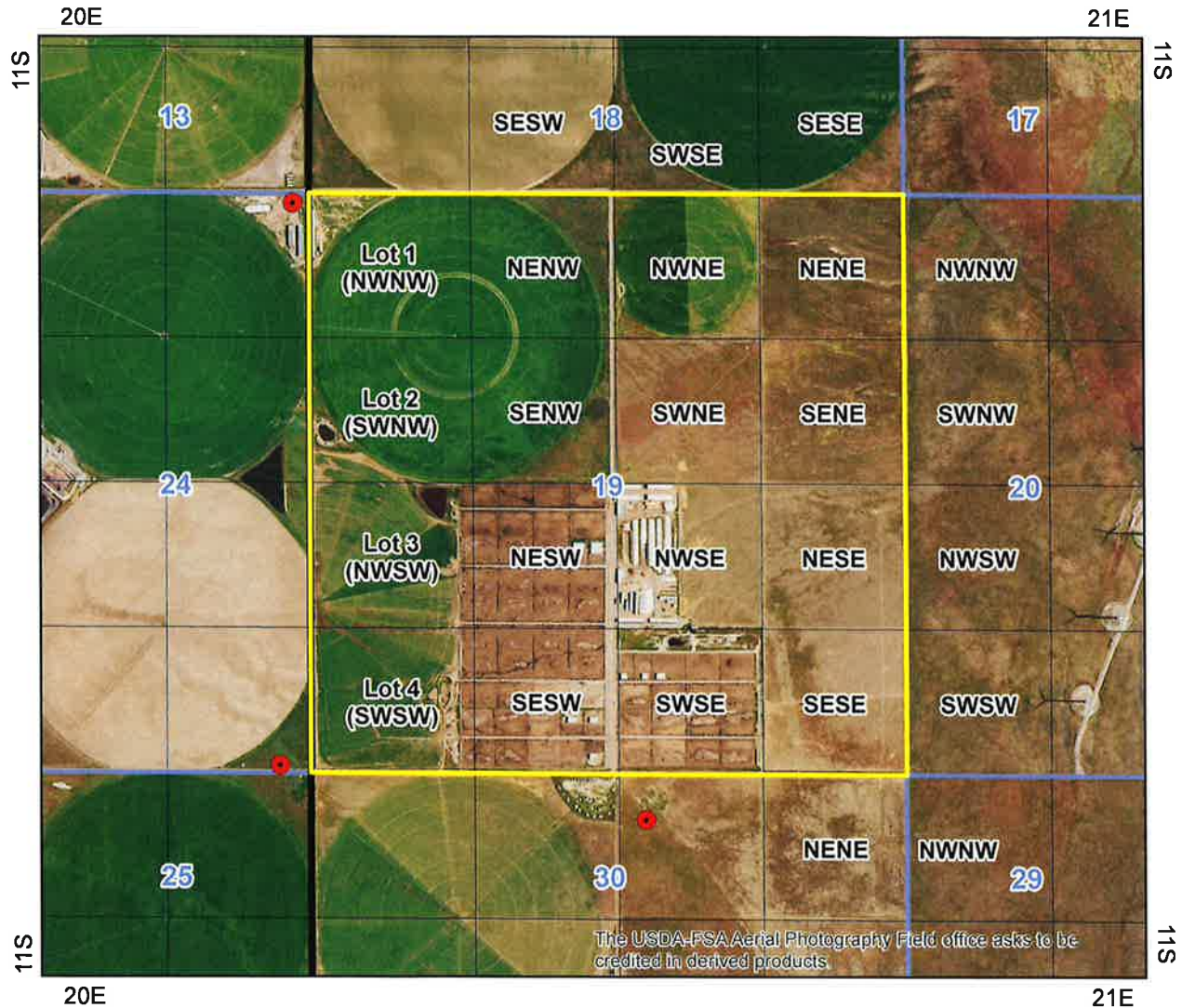


State of Idaho
Department of Water Resources

Attachment to Transfer # 83466

45-13911

This map depicts the COMMERCIAL place of use boundary for this water right 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 0.175 0.35 0.7 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

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

BRAD LITTLE
Governor

GARY SPACKMAN
Director

September 23, 2019

DOUBLE EAGLE PROPERTIES LLLP
3173 N 4900 E
MURTAUGH ID 83344-5359

Re: Transfer No: 83466

Water Right No(s): 45-10228, 45-13657, 45-13911

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,

A handwritten signature in blue ink, appearing to read "Corey Skinner".

Corey Skinner
Southern Regional Manager

Enclosure

c:

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

BRIAN HIGGS
WATER DISTRICT 140
355 W 500 S
BURLEY ID 83318

CERTIFICATE OF SERVICE

I hereby certify that on September 23, 2019 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.: 83466

Water Right No(s): 45-10228, 45-13657, 45-13911

DOUBLE EAGLE PROPERTIES LLLP
3173 N 4900 E
MURTAUGH ID 83344-5359

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

BRIAN HIGGS
WATER DISTRICT 140
355 W 500 S
BURLEY ID 83318



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: September 17, 2019
To: Transfer #83466, Double Eagle Properties LLLP File
From: Jim Bitzenburg
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes to change the place of use (POU) and add a point of diversion (POD) to three ground water rights, with a combined flow rate of 0.70 cfs, which are appurtenant to a CAFO and associated stockwater use located approximately 5.8 to 6.8 miles east and 2.2 to 4.7 miles south of Murtaugh. The new POD will be an existing well located approximately 3.2 miles south and 6.3 miles east of Murtaugh. The transfer also proposes to modify the POU to include adjacent property.

The transfer was advertised because it adds a POD in the West Oakley Fan Critical Ground Water Management Area. No protests were received.

The proposed transfer is in Water District 140 and Watermaster comments were solicited. The Watermaster did not provide comment on the transfer.

- **Authority to File:**
The Department's database indicates that water rights 45-10228, 45-13657, and 45-13911 are owned by the applicant, Double Eagle Properties, LLLP. The application was signed by Darrell Funk, who is the registered agent of Double Eagle Properties, LLLP, according to Secretary of State documents supplied with the application.
- **Water Right Validity:**
The water rights were all decreed in the SRBA, and the facility appears to have been occupied by cattle recently, according to aerial imagery.
- **Injury to Other Water Rights:**
None anticipated or foreseen. The additional POD is not near other wells and rates and volumes will not be increasing.
- **Enlargement of Use:**
None anticipated. Volumes and rates will not increase.
- **Local Public Interest:**
No issues anticipated. The transfer was advertised. No protests were received.
- **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.

OK dm 9-13-2019

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 90789

Publication	Times News		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	201.06
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	201.06
Fax			
Section	Legals	Start/End Dates	08/15/2019 - 08/22/2019
SubSection		Insertions	2
Category	50 Legal	Size	132
Ad Key	90789-1	Salesperson(s)	Ruby Aufderheide
Keywords	Transfer Nos 83450, 83505, 83466	Taken By	Ruby Aufderheide
Notes			

Ad Proof

✓ DM 8-9-2019

Proof of legal notice received
from Times News 8/9/2019 (2 pgs)

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 90789

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 83450

WILLIAM BOKMA DAIRY LLC, 3374 N 3100 E, TWIN FALLS, ID 83301-0336; has filed Application No. 83450 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-12349, 47-17284, 47-17555, 47-17560, 47-17565, 47-7103. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 3.3 acre portion (0.06 cfs) of three groundwater irrigation rights from a farm located approximately 7.2 to 8.0 miles south and 0.75 to 1.5 miles west of Kimberly to commercial and stockwater use at an existing dairy located 2.7 to 2.9 miles west and 3.2 to 3.4 miles south of Kimberly. The application also proposes adding existing wells as authorized diversion points for the domestic and stockwater rights currently utilized at the dairy site. The transferred portion (0.06 cfs) and the existing domestic and stockwater rights (0.12 cfs) for a total of 0.18 cfs, will be diverted from three existing wells at the dairy site.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 83505

3 STRING CATTLE OF IDAHO LLC, PO BOX 675, HEYBURN, ID 83336-0675; has filed Application No. 83505 for changes to the following water rights within LINCOLN, MINIDOKA County(s): Right No(s). 36-7356C, 37-10425. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 19.7 acre portion, 0.16 cfs and 65.1 af, of a groundwater irrigation right from a farm located approximately 0.6 to 1.0 miles north and 0.5 to 0.9 miles east of Minidoka for commercial and stockwater use at an existing CAFO located 1.0 to 2.2 miles west and 6.5 to 7.0 miles north of Shoshone. The application also proposes adding new well as an authorized diversion point for the domestic and stockwater right currently utilized at the CAFO site. The transferred portion (0.16 cfs) and the existing domestic and stockwater right (0.17 cfs) for a total of 0.33 cfs, will be diverted from two wells, one existing and one to be drilled, at the CAFO site.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 83466

DOUBLE EAGLE PROPERTIES LLLP, 3173 N 4900 E, MURTAUGH, ID 83344-5359; has filed Application No. 83466 for changes to the following water rights within CASSIA County(s): Right No(s). 45-10228, 45-13657, 45-13911. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the place of use (POU) and add a point of diversion (POD) to three ground water rights, with a combined flow rate of 0.70 cfs, which are appurtenant to a CAFO and associated stockwater use located approximately 5.8 to 6.8 miles east and 2.2 to 4.7 miles south of Murtaugh. The new POD will be an existing well located approximately 3.2 miles south and 6.3 miles east of Murtaugh. The transfer also proposes to modify the POU to include adjacent property.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see research.idwr.idaho.gov/apps/waterrights/Query-NewTransfers. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before September 3, 2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on August 15th & 22nd, 2019

✓ DM
8-9-2019