STATE OF IDAHO
# DEPARTMENT OF WATER RESOURCES

## TRANSFER OF WATER RIGHT
## TRANSFER NO. 82197

This is to certify that: EVARD LLC
872 E PEBBLE DR
BURLEY, ID 83318

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

| Water Right | Origin/Basis | Priority Date | Diversion Rate | Diversion Volume | Acre Limit | Total Acres | Source |
|---|---|---|---|---|---|---|---|
| 47-12242 | WR/DECREED | 3/15/1968 | N/A | 21.4 af | 339.0 | 2091.0 | GOAT SPRINGS CREEK |
| 47-12257 | WR/DECREED | 3/15/1968 | 4.500 cfs | N/A | 734.9 | 2091.0 | GOAT SPRINGS CREEK |
| 47-12269 | WR/DECREED | 3/15/1952 | 1.300 cfs | 633.2 af | 580.0 | 2091.0 | GROUND WATER |
| 47-12277 | WR/DECREED | 3/15/1968 | 3.660 cfs | 1782.7 af | 540.9 | 2091.0 | GROUND WATER |
| 47-2047 | WR/DECREED | 11/20/1909 | 3.800 cfs | 760.0 af | 190.0 | 2091.0 | GROUND WATER |
| 47-2153 | WR/DECREED | 5/31/1921 | 0.960 cfs | 192.0 af | 48.0 | 2091.0 | GOAT SPRINGS CREEK |
| 47-2285 | WR/DECREED | 3/10/1955 | 3.660 cfs | 648.0 af | 185.0 | 2091.0 | GROUND WATER |

### Purpose of Transfer (Changes Proposed)

| Current Number | Split | POD | POU | Add POD | Period of Use | Nature of Use |
|---|---|---|---|---|---|---|
| 47-12242 | NO | NO | YES | NO | NO | NO |
| 47-12257 | NO | NO | YES | NO | NO | NO |
| 47-12269 | NO | NO | YES | NO | NO | NO |
| 47-12277 | NO | NO | YES | NO | NO | NO |
| 47-2047 | NO | NO | YES | NO | NO | NO |
| 47-2153 | NO | NO | YES | NO | NO | NO |
| 47-2285 | NO | NO | YES | NO | NO | NO |

### Summary Of Water Rights After the Approved Change

| Existing Right | New No. (Changed Portion) | Transfer Rate | Transfer Volume | Acre Limit | Total Acres | New No. (remaining portion) | Remaining Rate | Remaining Volume | Remaining Acre Limit | Remaining Total Acres |
|---|---|---|---|---|---|---|---|---|---|---|
| 47-12242 | 47-12242 | 0.000 cfs | 21.4 af | 339.0 | 2131.0 | N/A | N/A | N/A | N/A | N/A |
| 47-12257 | 47-12257 | 4.500 cfs | N/A | 734.9 | 2131.0 | N/A | N/A | N/A | N/A | N/A |
| 47-12269 | 47-12269 | 1.300 cfs | 633.2 af | 580.0 | 2131.0 | N/A | N/A | N/A | N/A | N/A |
| 47-12277 | 47-12277 | 3.660 cfs | 1782.7 af | 540.9 | 2131.0 | N/A | N/A | N/A | N/A | N/A |
| 47-2047 | 47-2047 | 3.800 cfs | 760.0 af | 190.0 | 2131.0 | N/A | N/A | N/A | N/A | N/A |
| 47-2153 | 47-2153 | 0.960 cfs | 192.0 af | 48.0 | 2131.0 | N/A | N/A | N/A | N/A | N/A |
| 47-2285 | 47-2285 | 3.660 cfs | 648.0 af | 185.0 | 2131.0 | N/A | N/A | N/A | N/A | N/A |
| **COMBINED TOTALS** | | **14.220 cfs** | **3685.0 af** | **915.9** | **2131.0** | | **N/A** | **N/A** | **N/A** | **N/A** |

SUPPORT DATA
IN FILE # 47-2047

Transfer No. 82197

STATE OF IDAHO
# DEPARTMENT OF WATER RESOURCES

## TRANSFER OF WATER RIGHT
## TRANSFER NO. 82197

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 1ST day of June, 2018.

Southern Region Manager

# WATER RIGHT NO. 47-12269

## As Modified by Transfer No. 82197

In accordance with the approval of Transfer No. 82197, Water Right No. 47-12269 is now described as follows:

**Right Holder:** EVARD LLC
872 E PEBBLE DR
BURLEY, ID 83318

**Priority Date:** 3/15/1952

**Source:** GROUND WATER

| BENEFICIAL USE | From | | To | Diversion Rate | Diversion Volume |
|---|---|---|---|---|---|
| IRRIGATION | 03/15 | to | 11/15 | 1.300 cfs | 633.2 af |
| | | | | 1.300 cfs | 633.2 af |

**LOCATION OF POINT(S) OF DIVERSION**

| | | |
|---|---|---|
| GROUND WATER | NWNWNE | Sec 12 Twp 13S Rge 16E TWIN FALLS County |
| GROUND WATER | NWNWNE | Sec 12 Twp 13S Rge 16E TWIN FALLS County |
| GROUND WATER | NWNWNE | Sec 12 Twp 13S Rge 16E TWIN FALLS County |

**PLACE OF USE: IRRIGATION**

| | | | NE | | | | NW | | | | SW | | | | SE | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 12S | 16E | 35 | | | | | | | | | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 160.0 |
| 13S | 16E | 1 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 39.0 | 40.0 | 40.0 | | 40.0 | 40.0 | | | | | | 399.0 |
| | | | L 1 | L 2 | | | L 3 | L 4 | | | | | | | | | | | |
| 13S | 16E | 2 | 39.0 | 39.0 | 40.0 | 40.0 | 39.0 | | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 597.0 |
| | | | L 1 | L 2 | | | L 3 | | | | | | | | | | | | |
| 13S | 16E | 11 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | | 40.0 | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 400.0 |
| 13S | 16E | 12 | 40.0 | 30.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | 40.0 | 40.0 | | 40.0 | 550.0 |
| 13S | 17E | 6 | | | | | | | | | 8.0 | 17.0 | | | | | | | 25.0 |
| | | | | | | | | | | | | L 6 | | | | | | | |

Right Acre Limit: 580.0
POU Total Acres: 2131.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 580.0 acres within the authorized place of use in a single irrigation season.

2. Rights 47-2153, 47-2285, 47-12257, 47-12277, 47-2047, and 47-12269 when combined shall not exceed total annual maximum diversion volume of 3663.6 af at the field headgate.

3. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 when combined shall not exceed the irrigation of 915.9 acres.

Transfer No. 82197

# WATER RIGHT NO. 47-12269

## As Modified by Transfer No. 82197

**CONDITIONS OF APPROVAL**

4. Rights 47-2153, 47-12257, 47-12242, and 47-12269 when combined shall not exceed the irrigation of 782.9 acres.

5. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 are limited to the irrigation of a specific 915.9 acres within the 2131.0 acre place of use authorized by this right in a single irrigation season. The specific 915.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 915.9 acres to be irrigated within the 2131.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

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 Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

# WATER RIGHT NO. 47-2153

## As Modified by Transfer No. 82197

In accordance with the approval of Transfer No. 82197, Water Right No. 47-2153 is now described as follows:

**Right Holder:** EVARD LLC
872 E PEBBLE DR
BURLEY, ID 83318

**Priority Date:** 5/31/1921

**Source:** GOAT SPRINGS CREEK **Tributary:** SINKS

| BENEFICIAL USE | From | | To | Diversion Rate |
|---|---|---|---|---|
| IRRIGATION | 03/15 | to | 07/15 | 0.960 cfs |
| STOCKWATER | 03/15 | to | 07/15 | 0.090 cfs |
| | | | | 0.960 cfs |

**LOCATION OF POINT(S) OF DIVERSION**

GOAT SPRINGS CREEK NWSESE Sec 12 Twp 13S Rge 16E TWIN FALLS County

**PLACE OF USE: IRRIGATION**

| | | | NE | | | | NW | | | | SW | | | | SE | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 12S | 16E | 35 | | | | | | | | | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 160.0 |
| 13S | 16E | 1 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 39.0 | 40.0 | 40.0 | | 40.0 | 40.0 | | | | | | 399.0 |
| | | | L 1 | L 2 | | | L 3 | L 4 | | | | | | | | | | | |
| 13S | 16E | 2 | 39.0 | 39.0 | 40.0 | 40.0 | 39.0 | | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 597.0 |
| | | | L 1 | L 2 | | | L 3 | | | | | | | | | | | | |
| 13S | 16E | 11 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | | 40.0 | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 400.0 |
| 13S | 16E | 12 | 40.0 | 30.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | 40.0 | 40.0 | | 40.0 | 550.0 |
| 13S | 17E | 6 | | | | | | | | | 8.0 | 17.0 | | | | | | | 25.0 |
| | | | | | | | | | | | | L 6 | | | | | | | |

Right Acre Limit: 48.0
POU Total Acres: 2131.0

**PLACE OF USE: STOCKWATER**

| | | | NE | | | | NW | | | | SW | | | | SE | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 12S | 16E | 35 | | | | | | | | | | | | | X | | X | X | |
| 13S | 16E | 1 | | | | | | | | | | X | X | | | | | | |
| 13S | 16E | 2 | X | X | X | X | X | | X | X | X | X | X | X | X | X | X | X | |
| | | | L 1 | L 2 | | | L 3 | | | | | | | | | | | | |
| 13S | 16E | 11 | X | X | X | X | X | | | X | | | | | X | X | | | |
| 13S | 16E | 12 | | | | | | X | | | | | | | | | | | |

Transfer No. 82197

# WATER RIGHT NO. 47-2153

## As Modified by Transfer No. 82197

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 48.0 acres within the authorized place of use in a single irrigation season.

2. Rights 47-2153, 47-2285, 47-12257, 47-12277, 47-2047, and 47-12269 when combined shall not exceed total annual maximum diversion volume of 3663.6 af at the field headgate.

3. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 when combined shall not exceed the irrigation of 915.9 acres.

4. Rights 47-2153, 47-12257, 47-12242, and 47-12269 when combined shall not exceed the irrigation of 782.9 acres.

5. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 are limited to the irrigation of a specific 915.9 acres within the 2131.0 acre place of use authorized by this right in a single irrigation season. The specific 915.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 915.9 acres to be irrigated within the 2131.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

8. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

9. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

# WATER RIGHT NO. 47-2285

## As Modified by Transfer No. 82197

In accordance with the approval of Transfer No. 82197, Water Right No. 47-2285 is now described as follows:

**Right Holder:** EVARD LLC
872 E PEBBLE DR
BURLEY, ID 83318

**Priority Date:** 3/10/1955

**Source:** GROUND WATER

| BENEFICIAL USE | From | | To | Diversion Rate | Diversion Volume |
|---|---|---|---|---|---|
| IRRIGATION | 04/01 | to | 10/31 | 3.660 cfs | 648.0 af |
| | | | | 3.660 cfs | 648.0 af |

**LOCATION OF POINT(S) OF DIVERSION**

| | | | | |
|---|---|---|---|---|
| GROUND WATER | L6 (NENWSW) | Sec 6 | Twp 13S Rge 17E | TWIN FALLS County |
| GROUND WATER | L6 (SENWSW) | Sec 6 | Twp 13S Rge 17E | TWIN FALLS County |
| GROUND WATER | L6 (SENWSW) | Sec 6 | Twp 13S Rge 17E | TWIN FALLS County |

**PLACE OF USE: IRRIGATION**

| | | | NE | | | | NW | | | | SW | | | | SE | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 12S | 16E | 35 | | | | | | | | | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 160.0 |
| 13S | 16E | 1 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 39.0 | 40.0 | 40.0 | | 40.0 | 40.0 | | | | | | 399.0 |
| | | | L 1 | L 2 | | | L 3 | L 4 | | | | | | | | | | | |
| 13S | 16E | 2 | 39.0 | 39.0 | 40.0 | 40.0 | 39.0 | | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 597.0 |
| | | | L 1 | L 2 | | | L 3 | | | | | | | | | | | | |
| 13S | 16E | 11 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | | 40.0 | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 400.0 |
| 13S | 16E | 12 | 40.0 | 30.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | 40.0 | 40.0 | | 40.0 | 550.0 |
| 13S | 17E | 6 | | | | | | | | | 8.0 | 17.0 | | | | | | | 25.0 |
| | | | | | | | | | | | | L 6 | | | | | | | |

Right Acre Limit: 185.0
POU Total Acres: 2131.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 185.0 acres within the authorized place of use in a single irrigation season.

2. Rights 47-2153, 47-2285, 47-12257, 47-12277, 47-2047, and 47-12269 when combined shall not exceed total annual maximum diversion volume of 3663.6 af at the field headgate.

3. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 when combined shall not exceed the irrigation of 915.9 acres.

Transfer No. 82197

# WATER RIGHT NO. 47-2285

## As Modified by Transfer No. 82197

**CONDITIONS OF APPROVAL**

4. Rights 47-2047, 47-2285 and 47-12277 when combined shall not exceed a total diversion rate of 7.46 cfs and a total annual maximum diversion volume of 3190.7 af at the field headgate.

5. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 are limited to the irrigation of a specific 915.9 acres within the 2131.0 acre place of use authorized by this right in a single irrigation season. The specific 915.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 915.9 acres to be irrigated within the 2131.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

8. Right No. 47-12277 is an enlargement of 47-2047 and 47-2285 pursuant to Section 42-1426, Idaho Code.

9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than June 19, 2009.

10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

# WATER RIGHT NO. 47-12257

## As Modified by Transfer No. 82197

In accordance with the approval of Transfer No. 82197, Water Right No. 47-12257 is now described as follows:

**Right Holder:** EVARD LLC
872 E PEBBLE DR
BURLEY, ID 83318

**Priority Date:** 3/15/1968

**Source:** GOAT SPRINGS CREEK **Tributary:** SINKS

| BENEFICIAL USE | From | | To | Diversion Rate |
|---|---|---|---|---|
| IRRIGATION | 03/15 | to | 07/15 | 4.500 cfs |
| | | | | 4.500 cfs |

**LOCATION OF POINT(S) OF DIVERSION**

GOAT SPRINGS CREEK NWSESE Sec 12 Twp 13S Rge 16E TWIN FALLS County

**PLACE OF USE: IRRIGATION**

| | | | NE | | | | NW | | | | SW | | | | SE | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 12S | 16E | 35 | | | | | | | | | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 160.0 |
| 13S | 16E | 1 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 39.0 | 40.0 | 40.0 | | 40.0 | 40.0 | | | | | | 399.0 |
| | | | L 1 | L 2 | | | L 3 | L 4 | | | | | | | | | | | |
| 13S | 16E | 2 | 39.0 | 39.0 | 40.0 | 40.0 | 39.0 | | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 597.0 |
| | | | L 1 | L 2 | | | L 3 | | | | | | | | | | | | |
| 13S | 16E | 11 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | | 40.0 | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 400.0 |
| 13S | 16E | 12 | 40.0 | 30.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | 40.0 | 40.0 | | 40.0 | 550.0 |
| 13S | 17E | 6 | | | | | | | | | 8.0 | 17.0 | | | | | | | 25.0 |
| | | | | | | | | | | | | L 6 | | | | | | | |

Right Acre Limit: 734.9
POU Total Acres: 2131.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 734.9 acres within the authorized place of use in a single irrigation season.

2. Rights 47-2153, 47-2285, 47-12257, 47-12277, 47-2047, and 47-12269 when combined shall not exceed total annual maximum diversion volume of 3663.6 af at the field headgate.

3. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 when combined shall not exceed the irrigation of 915.9 acres.

4. Rights 47-2153, 47-12257, 47-12242, and 47-12269 when combined shall not exceed the irrigation of 782.9 acres.

Transfer No. 82197

# WATER RIGHT NO. 47-12257

## As Modified by Transfer No. 82197

**CONDITIONS OF APPROVAL**

5. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 are limited to the irrigation of a specific 915.9 acres within the 2131.0 acre place of use authorized by this right in a single irrigation season. The specific 915.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 915.9 acres to be irrigated within the 2131.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the place of use.

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 Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

# WATER RIGHT NO. 47-12242

## As Modified by Transfer No. 82197

In accordance with the approval of Transfer No. 82197, Water Right No. 47-12242 is now described as follows:

**Right Holder:** EVARD LLC
872 E PEBBLE DR
BURLEY, ID 83318

**Priority Date:** 3/15/1968

**Source:** GOAT SPRINGS CREEK **Tributary:** SINKS

| BENEFICIAL USE | From | | To | Diversion Rate | Diversion Volume |
|---|---|---|---|---|---|
| IRRIGATION FROM STORAGE | 03/15 | to | 06/01 | | 21.4 af |
| IRRIGATION STORAGE | 01/15 | to | 03/14 | | 21.4 af |
| | | | | | 21.4 af |

### LOCATION OF POINT(S) OF DIVERSION

| | | | |
|---|---|---|---|
| GOAT SPRINGS CREEK | SENWSW | Sec 1 Twp 13S Rge 16E TWIN FALLS County | (R) |
| GOAT SPRINGS CREEK | NWSESE | Sec 12 Twp 13S Rge 16E TWIN FALLS County | |

### PLACE OF USE: IRRIGATION FROM STORAGE

| | | | NE | | | | NW | | | | SW | | | | SE | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 12S | 16E | 35 | | | | | | | | | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 160.0 |
| 13S | 16E | 1 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 39.0 | 40.0 | 40.0 | | 40.0 | 40.0 | | | | | | 399.0 |
| | | | L 1 | L 2 | | | L 3 | L 4 | | | | | | | | | | | |
| 13S | 16E | 2 | 39.0 | 39.0 | 40.0 | 40.0 | 39.0 | | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 597.0 |
| | | | L 1 | L 2 | | | L 3 | | | | | | | | | | | | |
| 13S | 16E | 11 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | | 40.0 | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 400.0 |
| 13S | 16E | 12 | 40.0 | 30.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | 40.0 | 40.0 | | 40.0 | 550.0 |
| 13S | 17E | 6 | | | | | | | | | 8.0 | 17.0 | | | | | | | 25.0 |
| | | | | | | | | | | | | L 6 | | | | | | | |

Right Acre Limit: 339.0
POU Total Acres: 2131.0

### PLACE OF USE: IRRIGATION STORAGE

| | | | NE | | | | NW | | | | SW | | | | SE | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 13S | 16E | 1 | | | | | | | | | | X | X | | | | | | |

### CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 339.0 acres within the authorized place of use in a single irrigation season.

Transfer No. 82197

# WATER RIGHT NO. 47-12242

## As Modified by Transfer No. 82197

**CONDITIONS OF APPROVAL**

2. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 when combined shall not exceed the irrigation of 915.9 acres.

3. Rights 47-2153, 47-12257, 47-12242, and 47-12269 when combined shall not exceed the irrigation of 782.9 acres.

4. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 are limited to the irrigation of a specific 915.9 acres within the 2131.0 acre place of use authorized by this right in a single irrigation season. The specific 915.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 915.9 acres to be irrigated within the 2131.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

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 Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

# WATER RIGHT NO. 47-12277

## As Modified by Transfer No. 82197

In accordance with the approval of Transfer No. 82197, Water Right No. 47-12277 is now described as follows:

**Right Holder:** EVARD LLC
872 E PEBBLE DR
BURLEY, ID 83318

**Priority Date:** 3/15/1968

**Source:** GROUND WATER

| BENEFICIAL USE | From | | To | Diversion Rate | Diversion Volume |
|---|---|---|---|---|---|
| IRRIGATION | 03/15 | to | 11/15 | 3.660 cfs | 1782.7 af |
| | | | | 3.660 cfs | 1782.7 af |

**LOCATION OF POINT(S) OF DIVERSION**

| | | | | |
|---|---|---|---|---|
| GROUND WATER | L6 (NENWSW) | Sec 6 | Twp 13S Rge 17E | TWIN FALLS County |
| GROUND WATER | L6 (SENWSW) | Sec 6 | Twp 13S Rge 17E | TWIN FALLS County |
| GROUND WATER | L6 (SENWSW) | Sec 6 | Twp 13S Rge 17E | TWIN FALLS County |

**PLACE OF USE: IRRIGATION**

| | | | NE | | | | NW | | | | SW | | | | SE | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 12S | 16E | 35 | | | | | | | | | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 160.0 |
| 13S | 16E | 1 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 39.0 | 40.0 | 40.0 | | 40.0 | 40.0 | | | | | | 399.0 |
| | | | L 1 | L 2 | | | L 3 | L 4 | | | | | | | | | | | |
| 13S | 16E | 2 | 39.0 | 39.0 | 40.0 | 40.0 | 39.0 | | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 597.0 |
| | | | L 1 | L 2 | | | L 3 | | | | | | | | | | | | |
| 13S | 16E | 11 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | | 40.0 | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 400.0 |
| 13S | 16E | 12 | 40.0 | 30.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | 40.0 | 40.0 | | 40.0 | 550.0 |
| 13S | 17E | 6 | | | | | | | | | 8.0 | 17.0 | | | | | | | 25.0 |
| | | | | | | | | | | | | L 6 | | | | | | | |

Right Acre Limit: 540.9
POU Total Acres: 2131.0

**CONDITIONS OF APPROVAL**

1. This right is based upon an enlargement of Right Nos. 47-2047 and 47-2285 pursuant to Section 42-1426, Idaho Code.
2. This right is for an enlargement of 540.9 acres within the place of use described for this right.
3. Rights 47-2153, 47-2285, 47-12257, 47-12277, 47-2047, and 47-12269 when combined shall not exceed total annual maximum diversion volume of 3663.6 af at the field headgate.

Transfer No. 82197

# WATER RIGHT NO. 47-12277

## As Modified by Transfer No. 82197

**CONDITIONS OF APPROVAL**

4. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 when combined shall not exceed the irrigation of 915.9 acres.

5. Rights 47-2047, 47-2285 and 47-12277 when combined shall not exceed a total diversion rate of 7.46 cfs and a total annual maximum diversion volume of 3190.7 af at the field headgate.

6. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 are limited to the irrigation of a specific 915.9 acres within the 2131.0 acre place of use authorized by this right in a single irrigation season. The specific 915.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 915.9 acres to be irrigated within the 2131.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

7. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

10. 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. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

# WATER RIGHT NO. 47-2047

## As Modified by Transfer No. 82197

In accordance with the approval of Transfer No. 82197, Water Right No. 47-2047 is now described as follows:

**Right Holder:** EVARD LLC
872 E PEBBLE DR
BURLEY, ID 83318

**Priority Date:** 11/20/1909

**Source:** GROUND WATER

| BENEFICIAL USE | From | | To | Diversion Rate | Diversion Volume |
|---|---|---|---|---|---|
| IRRIGATION | 03/15 | to | 11/15 | 3.800 cfs | 760.0 af |
| | | | | 3.800 cfs | 760.0 af |

**LOCATION OF POINT(S) OF DIVERSION**

| | | | | |
|---|---|---|---|---|
| GROUND WATER | L6 (NENWSW) | Sec 6 | Twp 13S Rge 17E | TWIN FALLS County |
| GROUND WATER | L6 (SENWSW) | Sec 6 | Twp 13S Rge 17E | TWIN FALLS County |
| GROUND WATER | L6 (SENWSW) | Sec 6 | Twp 13S Rge 17E | TWIN FALLS County |

**PLACE OF USE: IRRIGATION**

| | | | NE | | | | NW | | | | SW | | | | SE | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 12S | 16E | 35 | | | | | | | | | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 160.0 |
| 13S | 16E | 1 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 39.0 | 40.0 | 40.0 | | 40.0 | 40.0 | | | | | | 399.0 |
| | | | L 1 | L 2 | | | L 3 | L 4 | | | | | | | | | | | |
| 13S | 16E | 2 | 39.0 | 39.0 | 40.0 | 40.0 | 39.0 | | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 597.0 |
| | | | L 1 | L 2 | | | L 3 | | | | | | | | | | | | |
| 13S | 16E | 11 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | | 40.0 | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 400.0 |
| 13S | 16E | 12 | 40.0 | 30.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | 40.0 | 40.0 | | 40.0 | 550.0 |
| 13S | 17E | 6 | | | | | | | | | 8.0 | 17.0 | | | | | | | 25.0 |
| | | | | | | | | | | | | L 6 | | | | | | | |

Right Acre Limit: 190.0
POU Total Acres: 2131.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 190.0 acres within the authorized place of use in a single irrigation season.

2. Rights 47-2153, 47-2285, 47-12257, 47-12277, 47-2047, and 47-12269 when combined shall not exceed total annual maximum diversion volume of 3663.6 af at the field headgate.

3. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 when combined shall not exceed the irrigation of 915.9 acres.

Transfer No. 82197

# WATER RIGHT NO. 47-2047

## As Modified by Transfer No. 82197

**CONDITIONS OF APPROVAL**

4. Rights 47-2047, 47-2285 and 47-12277 when combined shall not exceed a total diversion rate of 7.46 cfs and a total annual maximum diversion volume of 3190.7 af at the field headgate.

5. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 are limited to the irrigation of a specific 915.9 acres within the 2131.0 acre place of use authorized by this right in a single irrigation season. The specific 915.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 915.9 acres to be irrigated within the 2131.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

7. Right No. 47-12277 is an enlargement of 47-2047 and 47-2285 pursuant to Section 42-1426, Idaho Code.

8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

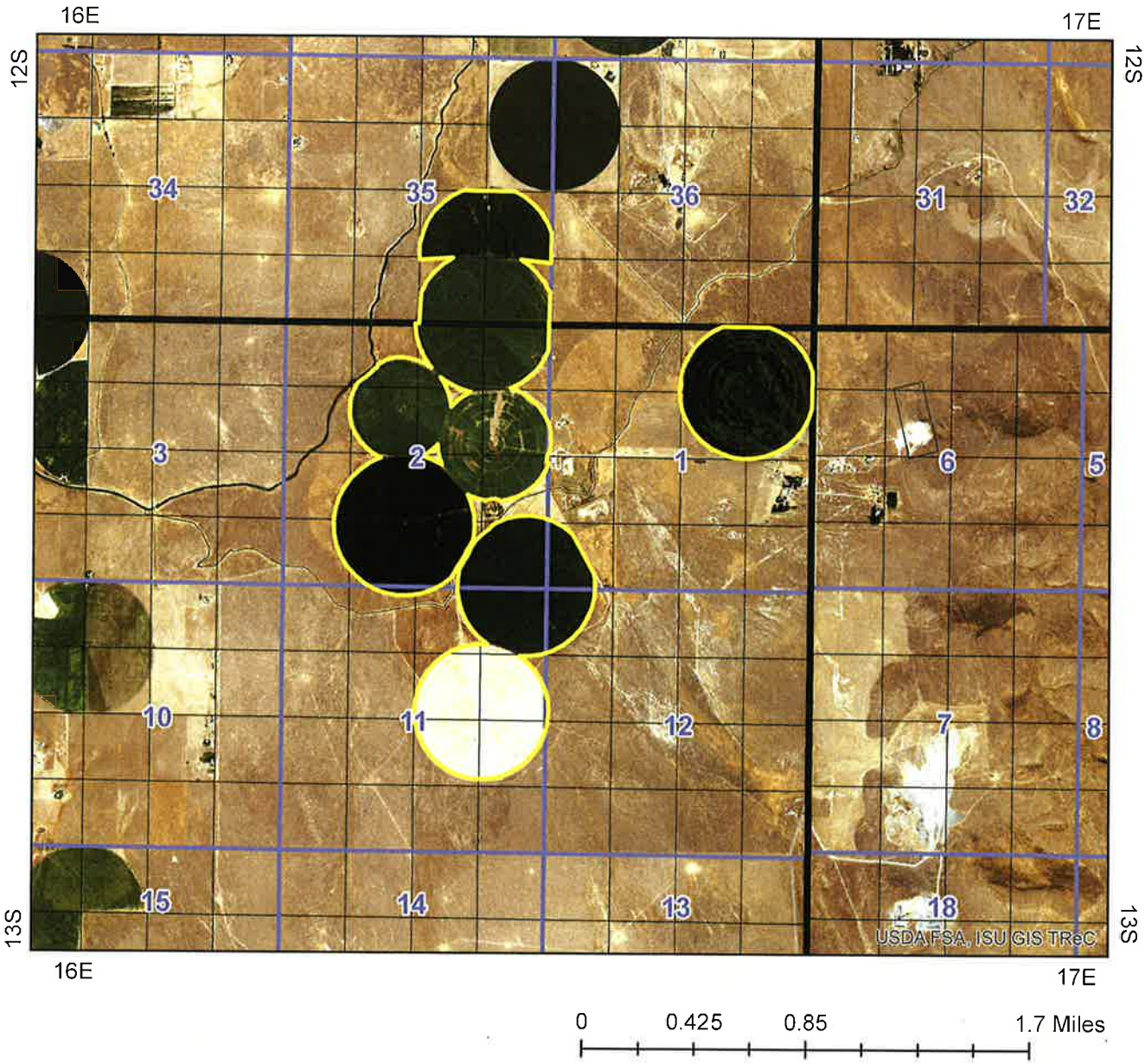
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho
Department of Water Resources

# Attachment to Transfer # 82197

47-12242

This map depicts the IRRIGATION FROM STORAGE 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.

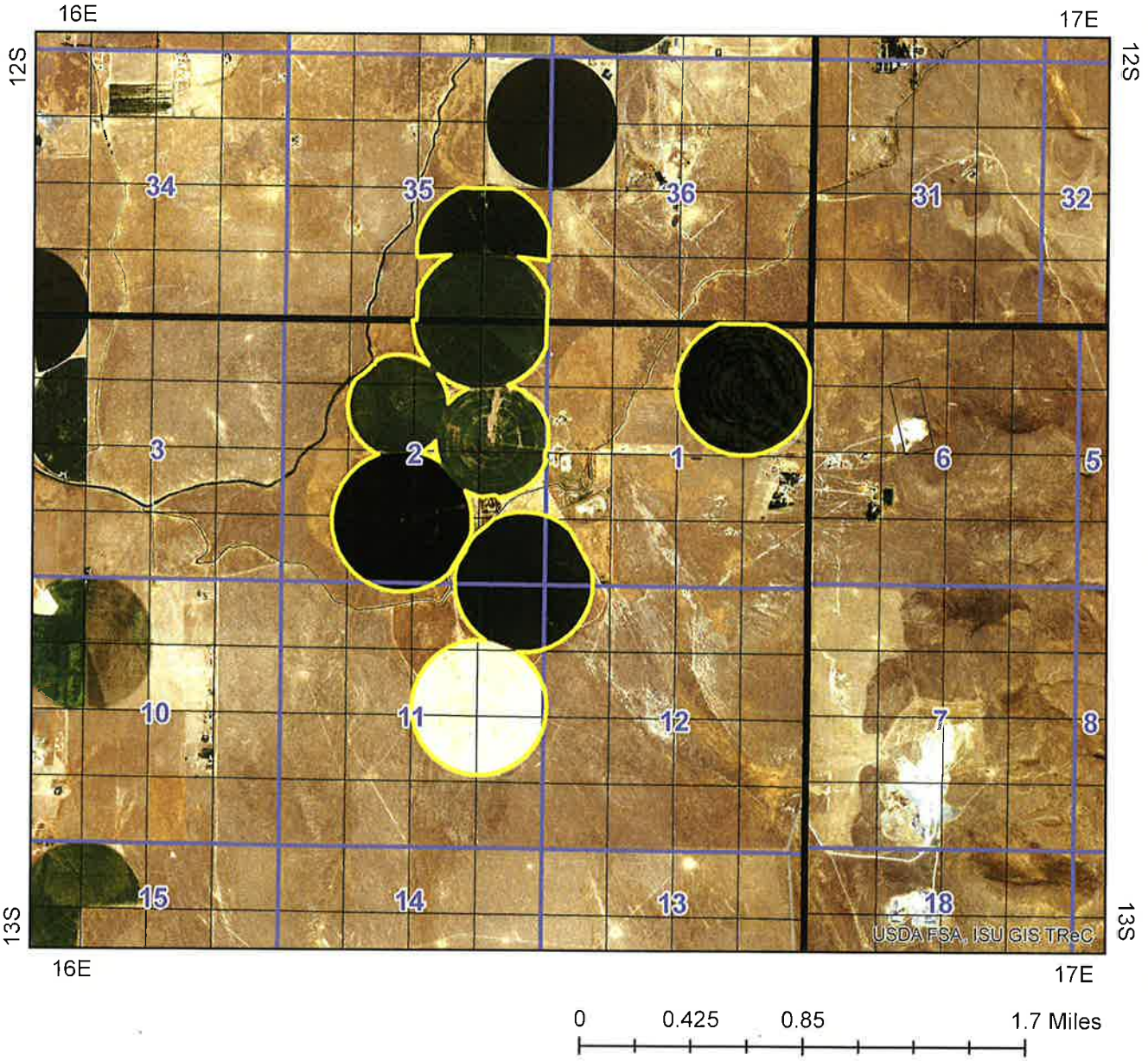


State of Idaho
Department of Water Resources

# Attachment to Transfer # 82197

**Rights 47-2153, 47-2285, 47-12257, 47-12277, 47-2047, and 47-12269**

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




Place Of Use Boundary

Townships

PLS Sections

N

STATE OF IDAHO
# DEPARTMENT OF WATER RESOURCES

## TRANSFER OF WATER RIGHT
## TRANSFER NO. 82197

This is to certify that: EVARD LLC
872 E PEBBLE DR
BURLEY, ID 83318

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

| Water Right | Origin/Basis | Priority Date | Diversion Rate | Diversion Volume | Acre Limit | Total Acres | Source |
|---|---|---|---|---|---|---|---|
| 47-12242 | WR/DECREED | 3/15/1968 | N/A | 21.4 af | 339.0 | 2091.0 | GOAT SPRINGS CREEK |
| 47-12257 | WR/DECREED | 3/15/1968 | 4.500 cfs | N/A | 734.9 | 2091.0 | GOAT SPRINGS CREEK |
| 47-12269 | WR/DECREED | 3/15/1952 | 1.300 cfs | 633.2 af | 580.0 | 2091.0 | GROUND WATER |
| 47-12277 | WR/DECREED | 3/15/1968 | 3.660 cfs | 1782.7 af | 540.9 | 2091.0 | GROUND WATER |
| 47-2047 | WR/DECREED | 11/20/1909 | 3.800 cfs | 760.0 af | 190.0 | 2091.0 | GROUND WATER |
| 47-2153 | WR/DECREED | 5/31/1921 | 0.960 cfs | 192.0 af | 48.0 | 2091.0 | GOAT SPRINGS CREEK |
| 47-2285 | WR/DECREED | 3/10/1955 | 3.660 cfs | 648.0 af | 185.0 | 2091.0 | GROUND WATER |

### Purpose of Transfer (Changes Proposed)

| Current Number | Split | POD | POU | Add POD | Period of Use | Nature of Use |
|---|---|---|---|---|---|---|
| 47-12242 | NO | NO | YES | NO | NO | NO |
| 47-12257 | NO | NO | YES | NO | NO | NO |
| 47-12269 | NO | NO | YES | NO | NO | NO |
| 47-12277 | NO | NO | YES | NO | NO | NO |
| 47-2047 | NO | NO | YES | NO | NO | NO |
| 47-2153 | NO | NO | YES | NO | NO | NO |
| 47-2285 | NO | NO | YES | NO | NO | NO |

### Summary Of Water Rights After the Approved Change

| Existing Right | New No. (Changed Portion) | Transfer Rate | Transfer Volume | Acre Limit | Total Acres | New No. (remaining portion) | Remaining Rate | Remaining Volume | Remaining Acre Limit | Remaining Total Acres |
|---|---|---|---|---|---|---|---|---|---|---|
| 47-12242 | 47-12242 | 0.000 cfs | 21.4 af | 339.0 | 2131.0 | N/A | N/A | N/A | N/A | N/A |
| 47-12257 | 47-12257 | 4.500 cfs | N/A | 734.9 | 2131.0 | N/A | N/A | N/A | N/A | N/A |
| 47-12269 | 47-12269 | 1.300 cfs | 633.2 af | 580.0 | 2131.0 | N/A | N/A | N/A | N/A | N/A |
| 47-12277 | 47-12277 | 3.660 cfs | 1782.7 af | 540.9 | 2131.0 | N/A | N/A | N/A | N/A | N/A |
| 47-2047 | 47-2047 | 3.800 cfs | 760.0 af | 190.0 | 2131.0 | N/A | N/A | N/A | N/A | N/A |
| 47-2153 | 47-2153 | 0.960 cfs | 192.0 af | 48.0 | 2131.0 | N/A | N/A | N/A | N/A | N/A |
| 47-2285 | 47-2285 | 3.660 cfs | 648.0 af | 185.0 | 2131.0 | N/A | N/A | N/A | N/A | N/A |
| **COMBINED TOTALS** | | **14.220 cfs** | **3685.0 af** | **915.9** | **2131.0** | | **N/A** | **N/A** | **N/A** | **N/A** |

Transfer No. 82197

SUPPORT DATA
IN FILE # 47-2047

Supplemental Approval

**STATE OF IDAHO**
# DEPARTMENT OF WATER RESOURCES

**TRANSFER OF WATER RIGHT**
**TRANSFER NO. 82197**

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 25th day of May, 2018.

Southern Region Manager

# WATER RIGHT NO. 47-12269

## As Modified by Transfer No. 82197

In accordance with the approval of Transfer No. 82197, Water Right No. 47-12269 is now described as follows:

**Right Holder:** EVARD LLC
872 E PEBBLE DR
BURLEY, ID 83318

**Priority Date:** 3/15/1952

**Source:** GROUND WATER

| BENEFICIAL USE | From | | To | Diversion Rate | Diversion Volume |
|---|---|---|---|---|---|
| IRRIGATION | 03/15 | to | 11/15 | 1.300 cfs | 633.2 af |
| | | | | 1.300 cfs | 633.2 af |

**LOCATION OF POINT(S) OF DIVERSION**

| | | |
|---|---|---|
| GROUND WATER | NWNWNE | Sec 12 Twp 13S Rge 16E TWIN FALLS County |
| GROUND WATER | NWNWNE | Sec 12 Twp 13S Rge 16E TWIN FALLS County |
| GROUND WATER | NWNWNE | Sec 12 Twp 13S Rge 16E TWIN FALLS County |

**PLACE OF USE: IRRIGATION**

| | | | NE | | | | NW | | | | SW | | | | SE | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 12S | 16E | 35 | | | | | | | | | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 160.0 |
| 13S | 16E | 1 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 39.0 | 40.0 | 40.0 | | 40.0 | 40.0 | | | | | | 399.0 |
| | | | L 1 | L 2 | | | L 3 | L 4 | | | | | | | | | | | |
| 13S | 16E | 2 | 39.0 | 39.0 | 40.0 | 40.0 | 39.0 | | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 597.0 |
| | | | L 1 | L 2 | | | L 3 | | | | | | | | | | | | |
| 13S | 16E | 11 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | | 40.0 | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 400.0 |
| 13S | 16E | 12 | 40.0 | 30.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | 40.0 | 40.0 | | 40.0 | 550.0 |
| 13S | 17E | 6 | | | | | | | | | 7.0 | 18.0 | | | | | | | 25.0 |
| | | | | | | | | | | | | L 6 | | | | | | | |

Right Acre Limit: 580.0
POU Total Acres: 2131.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 580.0 acres within the authorized place of use in a single irrigation season.

2. Rights 47-2153, 47-2285, 47-12257, 47-12277, 47-2047, and 47-12269 when combined shall not exceed total annual maximum diversion volume of 3663.6 af at the field headgate.

3. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 when combined shall not exceed the irrigation of 915.9 acres.

Transfer No. 82197

# WATER RIGHT NO. 47-12269

## As Modified by Transfer No. 82197

**CONDITIONS OF APPROVAL**

4. Rights 47-2153, 47-12257, 47-12242, and 47-12269 when combined shall not exceed the irrigation of 782.9 acres.

5. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 are limited to the irrigation of a specific 915.9 acres within the 2131.0 acre place of use authorized by this right in a single irrigation season. The specific 915.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 915.9 acres to be irrigated within the 2131.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

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 Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

# WATER RIGHT NO. 47-2153

## As Modified by Transfer No. 82197

In accordance with the approval of Transfer No. 82197, Water Right No. 47-2153 is now described as follows:

**Right Holder:** EVARD LLC
872 E PEBBLE DR
BURLEY, ID 83318

**Priority Date:** 5/31/1921

**Source:** GOAT SPRINGS CREEK **Tributary:** SINKS

| BENEFICIAL USE | From | | To | Diversion Rate |
|---|---|---|---|---|
| IRRIGATION | 03/15 | to | 07/15 | 0.960 cfs |
| STOCKWATER | 03/15 | to | 07/15 | 0.090 cfs |
| | | | | 0.960 cfs |

**LOCATION OF POINT(S) OF DIVERSION**

GOAT SPRINGS CREEK NWSESE Sec 12 Twp 13S Rge 16E TWIN FALLS County

**PLACE OF USE: IRRIGATION**

| | | | NE | | | | NW | | | | SW | | | | SE | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 12S | 16E | 35 | | | | | | | | | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 160.0 |
| 13S | 16E | 1 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 39.0 | 40.0 | 40.0 | | 40.0 | 40.0 | | | | | | 399.0 |
| | | | L 1 | L 2 | | | L 3 | L 4 | | | | | | | | | | | |
| 13S | 16E | 2 | 39.0 | 39.0 | 40.0 | 40.0 | 39.0 | | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 597.0 |
| | | | L 1 | L 2 | | | L 3 | | | | | | | | | | | | |
| 13S | 16E | 11 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | | 40.0 | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 400.0 |
| 13S | 16E | 12 | 40.0 | 30.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | 40.0 | 40.0 | | 40.0 | 550.0 |
| 13S | 17E | 6 | | | | | | | | | 7.0 | 18.0 | | | | | | | 25.0 |
| | | | | | | | | | | | | L 6 | | | | | | | |

Right Acre Limit: 48.0
POU Total Acres: 2131.0

**PLACE OF USE: STOCKWATER**

| | | | NE | | | | NW | | | | SW | | | | SE | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 12S | 16E | 35 | | | | | | | | | | | | | X | | X | X | |
| 13S | 16E | 1 | | | | | | | | | | X | X | | | | | | |
| 13S | 16E | 2 | X | X | X | X | X | | X | X | X | X | X | X | X | X | X | X | |
| | | | L 1 | L 2 | | | L 3 | | | | | | | | | | | | |
| 13S | 16E | 11 | X | X | X | X | X | | | X | | | | | X | X | | | |
| 13S | 16E | 12 | | | | | | X | | | | | | | | | | | |

Transfer No. 82197

# WATER RIGHT NO. 47-2153

## As Modified by Transfer No. 82197

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 48.0 acres within the authorized place of use in a single irrigation season.

2. Rights 47-2153, 47-2285, 47-12257, 47-12277, 47-2047, and 47-12269 when combined shall not exceed total annual maximum diversion volume of 3663.6 af at the field headgate.

3. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 when combined shall not exceed the irrigation of 915.9 acres.

4. Rights 47-2153, 47-12257, 47-12242, and 47-12269 when combined shall not exceed the irrigation of 782.9 acres.

5. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 are limited to the irrigation of a specific 915.9 acres within the 2131.0 acre place of use authorized by this right in a single irrigation season. The specific 915.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 915.9 acres to be irrigated within the 2131.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

8. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

9. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

# WATER RIGHT NO. 47-2285

## As Modified by Transfer No. 82197

In accordance with the approval of Transfer No. 82197, Water Right No. 47-2285 is now described as follows:

**Right Holder:** EVARD LLC
872 E PEBBLE DR
BURLEY, ID 83318

**Priority Date:** 3/10/1955

**Source:** GROUND WATER

| BENEFICIAL USE | From | | To | Diversion Rate | Diversion Volume |
|---|---|---|---|---|---|
| IRRIGATION | 04/01 | to | 10/31 | 3.660 cfs | 648.0 af |
| | | | | 3.660 cfs | 648.0 af |

**LOCATION OF POINT(S) OF DIVERSION**

| | | | | | |
|---|---|---|---|---|---|
| GROUND WATER | L6 (NENWSW) | Sec 6 | Twp 13S | Rge 17E | TWIN FALLS County |
| GROUND WATER | L6 (SENWSW) | Sec 6 | Twp 13S | Rge 17E | TWIN FALLS County |
| GROUND WATER | L6 (SENWSW) | Sec 6 | Twp 13S | Rge 17E | TWIN FALLS County |

**PLACE OF USE: IRRIGATION**

| | | | NE | | | | NW | | | | SW | | | | SE | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 12S | 16E | 35 | | | | | | | | | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 160.0 |
| 13S | 16E | 1 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 39.0 | 40.0 | 40.0 | | 40.0 | 40.0 | | | | | | 399.0 |
| | | | L 1 | L 2 | | | L 3 | L 4 | | | | | | | | | | | |
| 13S | 16E | 2 | 39.0 | 39.0 | 40.0 | 40.0 | 39.0 | | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 597.0 |
| | | | L 1 | L 2 | | | L 3 | | | | | | | | | | | | |
| 13S | 16E | 11 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | | 40.0 | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 400.0 |
| 13S | 16E | 12 | 40.0 | 30.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | 40.0 | 40.0 | | 40.0 | 550.0 |
| 13S | 17E | 6 | | | | | | | | | 7.0 | 18.0 | | | | | | | 25.0 |
| | | | | | | | | | | | | L 6 | | | | | | | |

Right Acre Limit: 185.0
POU Total Acres: 2131.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 185.0 acres within the authorized place of use in a single irrigation season.

2. Rights 47-2153, 47-2285, 47-12257, 47-12277, 47-2047, and 47-12269 when combined shall not exceed total annual maximum diversion volume of 3663.6 af at the field headgate.

3. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 when combined shall not exceed the irrigation of 915.9 acres.

Transfer No. 82197

# WATER RIGHT NO. 47-2285

## As Modified by Transfer No. 82197

**CONDITIONS OF APPROVAL**

4. Rights 47-2047, 47-2285 and 47-12277 when combined shall not exceed a total diversion rate of 7.46 cfs and a total annual maximum diversion volume of 3190.7 af at the field headgate.

5. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 are limited to the irrigation of a specific 915.9 acres within the 2131.0 acre place of use authorized by this right in a single irrigation season. The specific 915.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 915.9 acres to be irrigated within the 2131.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

8. Right No. 47-12277 is an enlargement of 47-2047 and 47-2285 pursuant to Section 42-1426, Idaho Code.

9. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than June 19, 2009.

10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

# WATER RIGHT NO. 47-12257

## As Modified by Transfer No. 82197

In accordance with the approval of Transfer No. 82197, Water Right No. 47-12257 is now described as follows:

**Right Holder:** EVARD LLC
872 E PEBBLE DR
BURLEY, ID 83318

**Priority Date:** 3/15/1968

**Source:** GOAT SPRINGS CREEK **Tributary:** SINKS

| BENEFICIAL USE | From | | To | Diversion Rate |
|---|---|---|---|---|
| IRRIGATION | 03/15 | to | 07/15 | 4.500 cfs |
| | | | | 4.500 cfs |

**LOCATION OF POINT(S) OF DIVERSION**

GOAT SPRINGS CREEK NWSESE Sec 12 Twp 13S Rge 16E TWIN FALLS County

**PLACE OF USE: IRRIGATION**

| | | | NE | | | | NW | | | | SW | | | | SE | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 12S | 16E | 35 | | | | | | | | | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 160.0 |
| 13S | 16E | 1 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 39.0 | 40.0 | 40.0 | | 40.0 | 40.0 | | | | | | 399.0 |
| | | | L 1 | L 2 | | | L 3 | L 4 | | | | | | | | | | | |
| 13S | 16E | 2 | 39.0 | 39.0 | 40.0 | 40.0 | 39.0 | | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 597.0 |
| | | | L 1 | L 2 | | | L 3 | | | | | | | | | | | | |
| 13S | 16E | 11 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | | 40.0 | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 400.0 |
| 13S | 16E | 12 | 40.0 | 30.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | 40.0 | 40.0 | | 40.0 | 550.0 |
| 13S | 17E | 6 | | | | | | | | | 7.0 | 18.0 | | | | | | | 25.0 |
| | | | | | | | | | | | | L 6 | | | | | | | |

Right Acre Limit: 734.9
POU Total Acres: 2131.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 734.9 acres within the authorized place of use in a single irrigation season.

2. Rights 47-2153, 47-2285, 47-12257, 47-12277, 47-2047, and 47-12269 when combined shall not exceed total annual maximum diversion volume of 3663.6 af at the field headgate.

3. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 when combined shall not exceed the irrigation of 915.9 acres.

4. Rights 47-2153, 47-12257, 47-12242, and 47-12269 when combined shall not exceed the irrigation of 782.9 acres.

Transfer No. 82197

# WATER RIGHT NO. 47-12257

## As Modified by Transfer No. 82197

**CONDITIONS OF APPROVAL**

5. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 are limited to the irrigation of a specific 915.9 acres within the 2131.0 acre place of use authorized by this right in a single irrigation season. The specific 915.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 915.9 acres to be irrigated within the 2131.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the place of use.

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 Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

# WATER RIGHT NO. 47-12242

## As Modified by Transfer No. 82197

In accordance with the approval of Transfer No. 82197, Water Right No. 47-12242 is now described as follows:

**Right Holder:** EVARD LLC
872 E PEBBLE DR
BURLEY, ID 83318

**Priority Date:** 3/15/1968

**Source:** GOAT SPRINGS CREEK **Tributary:** SINKS

| BENEFICIAL USE | From | | To | Diversion Rate | Diversion Volume |
|---|---|---|---|---|---|
| IRRIGATION FROM STORAGE | 03/15 | to | 06/01 | | 21.4 af |
| IRRIGATION STORAGE | 01/15 | to | 03/14 | | 21.4 af |
| | | | | | 21.4 af |

**LOCATION OF POINT(S) OF DIVERSION**

| | | | |
|---|---|---|---|
| GOAT SPRINGS CREEK | SENWSW | Sec 1 Twp 13S Rge 16E TWIN FALLS County | (R) |
| GOAT SPRINGS CREEK | NWSESE | Sec 12 Twp 13S Rge 16E TWIN FALLS County | |

**PLACE OF USE: IRRIGATION FROM STORAGE**

| | | | NE | | | | NW | | | | SW | | | | SE | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 12S | 16E | 35 | | | | | | | | | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 160.0 |
| 13S | 16E | 1 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 39.0 | 40.0 | 40.0 | | 40.0 | 40.0 | | | | | | 399.0 |
| | | | L 1 | L 2 | | | L 3 | L 4 | | | | | | | | | | | |
| 13S | 16E | 2 | 39.0 | 39.0 | 40.0 | 40.0 | 39.0 | | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 597.0 |
| | | | L 1 | L 2 | | | L 3 | | | | | | | | | | | | |
| 13S | 16E | 11 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | | 40.0 | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 400.0 |
| 13S | 16E | 12 | 40.0 | 30.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | 40.0 | 40.0 | | 40.0 | 550.0 |
| 13S | 17E | 6 | | | | | | | | | 8.0 | 17.0 | | | | | | | 25.0 |
| | | | | | | | | | | | | L 6 | | | | | | | |

Right Acre Limit: 339.0
POU Total Acres: 2131.0

**PLACE OF USE: IRRIGATION STORAGE**

| | | | NE | | | | NW | | | | SW | | | | SE | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 13S | 16E | 1 | | | | | | | | | | X | X | | | | | | |

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 339.0 acres within the authorized place of use in a single irrigation season.

Transfer No. 82197

# WATER RIGHT NO. 47-12242

## As Modified by Transfer No. 82197

**CONDITIONS OF APPROVAL**

2. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 when combined shall not exceed the irrigation of 915.9 acres.

3. Rights 47-2153, 47-12257, 47-12242, and 47-12269 when combined shall not exceed the irrigation of 782.9 acres.

4. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 are limited to the irrigation of a specific 915.9 acres within the 2131.0 acre place of use authorized by this right in a single irrigation season. The specific 915.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 915.9 acres to be irrigated within the 2131.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

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 Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

# WATER RIGHT NO. 47-12277

## As Modified by Transfer No. 82197

In accordance with the approval of Transfer No. 82197, Water Right No. 47-12277 is now described as follows:

**Right Holder:** EVARD LLC
872 E PEBBLE DR
BURLEY, ID 83318

**Priority Date:** 3/15/1968

**Source:** GROUND WATER

| BENEFICIAL USE | From | | To | Diversion Rate | Diversion Volume |
|---|---|---|---|---|---|
| IRRIGATION | 03/15 | to | 11/15 | 3.660 cfs | 1782.7 af |
| | | | | 3.660 cfs | 1782.7 af |

**LOCATION OF POINT(S) OF DIVERSION**

| | | | | |
|---|---|---|---|---|
| GROUND WATER | L6 (NENWSW) | Sec 6 | Twp 13S Rge 17E | TWIN FALLS County |
| GROUND WATER | L6 (SENWSW) | Sec 6 | Twp 13S Rge 17E | TWIN FALLS County |
| GROUND WATER | L6 (SENWSW) | Sec 6 | Twp 13S Rge 17E | TWIN FALLS County |

**PLACE OF USE: IRRIGATION**

| | | | NE | | | | NW | | | | SW | | | | SE | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 12S | 16E | 35 | | | | | | | | | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 160.0 |
| 13S | 16E | 1 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 39.0 | 40.0 | 40.0 | | 40.0 | 40.0 | | | | | | 399.0 |
| | | | L 1 | L 2 | | | L 3 | L 4 | | | | | | | | | | | |
| 13S | 16E | 2 | 39.0 | 39.0 | 40.0 | 40.0 | 39.0 | | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 597.0 |
| | | | L 1 | L 2 | | | L 3 | | | | | | | | | | | | |
| 13S | 16E | 11 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | | 40.0 | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 400.0 |
| 13S | 16E | 12 | 40.0 | 30.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | 40.0 | 40.0 | | 40.0 | 550.0 |
| 13S | 17E | 6 | | | | | | | | | 7.0 | 18.0 | | | | | | | 25.0 |
| | | | | | | | | | | | | L 6 | | | | | | | |

Right Acre Limit: 540.9
POU Total Acres: 2131.0

**CONDITIONS OF APPROVAL**

1. This right is based upon an enlargement of Right Nos. 47-2047 and 47-2285 pursuant to Section 42-1426, Idaho Code.

2. This right is for an enlargement of 540.9 acres within the place of use described for this right.

3. Rights 47-2153, 47-2285, 47-12257, 47-12277, 47-2047, and 47-12269 when combined shall not exceed total annual maximum diversion volume of 3663.6 af at the field headgate.

# WATER RIGHT NO. 47-12277

## As Modified by Transfer No. 82197

**CONDITIONS OF APPROVAL**

4. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 when combined shall not exceed the irrigation of 915.9 acres.

5. Rights 47-2047, 47-2285 and 47-12277 when combined shall not exceed a total diversion rate of 7.46 cfs and a total annual maximum diversion volume of 3190.7 af at the field headgate.

6. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 are limited to the irrigation of a specific 915.9 acres within the 2131.0 acre place of use authorized by this right in a single irrigation season. The specific 915.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 915.9 acres to be irrigated within the 2131.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

7. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

10. 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. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

# WATER RIGHT NO. 47-2047

## As Modified by Transfer No. 82197

In accordance with the approval of Transfer No. 82197, Water Right No. 47-2047 is now described as follows:

**Right Holder:** EVARD LLC
872 E PEBBLE DR
BURLEY, ID 83318

**Priority Date:** 11/20/1909

**Source:** GROUND WATER

| BENEFICIAL USE | From | | To | Diversion Rate | Diversion Volume |
|---|---|---|---|---|---|
| IRRIGATION | 03/15 | to | 11/15 | 3.800 cfs | 760.0 af |
| | | | | 3.800 cfs | 760.0 af |

**LOCATION OF POINT(S) OF DIVERSION**

| | | | | |
|---|---|---|---|---|
| GROUND WATER | L6 (NENWSW) | Sec 6 | Twp 13S Rge 17E | TWIN FALLS County |
| GROUND WATER | L6 (SENWSW) | Sec 6 | Twp 13S Rge 17E | TWIN FALLS County |
| GROUND WATER | L6 (SENWSW) | Sec 6 | Twp 13S Rge 17E | TWIN FALLS County |

**PLACE OF USE: IRRIGATION**

| | | | NE | | | | NW | | | | SW | | | | SE | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Twp | Rng | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 12S | 16E | 35 | | | | | | | | | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 160.0 |
| 13S | 16E | 1 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 39.0 | 40.0 | 40.0 | | 40.0 | 40.0 | | | | | | 399.0 |
| | | | L 1 | L 2 | | | L 3 | L 4 | | | | | | | | | | | |
| 13S | 16E | 2 | 39.0 | 39.0 | 40.0 | 40.0 | 39.0 | | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 597.0 |
| | | | L 1 | L 2 | | | L 3 | | | | | | | | | | | | |
| 13S | 16E | 11 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | | 40.0 | | | | | 40.0 | 40.0 | 40.0 | 40.0 | 400.0 |
| 13S | 16E | 12 | 40.0 | 30.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | | 40.0 | 40.0 | | 40.0 | 550.0 |
| 13S | 17E | 6 | | | | | | | | | 7.0 | 18.0 | | | | | | | 25.0 |
| | | | | | | | | | | | | L 6 | | | | | | | |

Right Acre Limit: 190.0
POU Total Acres: 2131.0

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 190.0 acres within the authorized place of use in a single irrigation season.

2. Rights 47-2153, 47-2285, 47-12257, 47-12277, 47-2047, and 47-12269 when combined shall not exceed total annual maximum diversion volume of 3663.6 af at the field headgate.

3. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 when combined shall not exceed the irrigation of 915.9 acres.

Transfer No. 82197

# WATER RIGHT NO. 47-2047

## As Modified by Transfer No. 82197

**CONDITIONS OF APPROVAL**

4. Rights 47-2047, 47-2285 and 47-12277 when combined shall not exceed a total diversion rate of 7.46 cfs and a total annual maximum diversion volume of 3190.7 af at the field headgate.

5. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 are limited to the irrigation of a specific 915.9 acres within the 2131.0 acre place of use authorized by this right in a single irrigation season. The specific 915.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 915.9 acres to be irrigated within the 2131.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

7. Right No. 47-12277 is an enlargement of 47-2047 and 47-2285 pursuant to Section 42-1426, Idaho Code.

8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

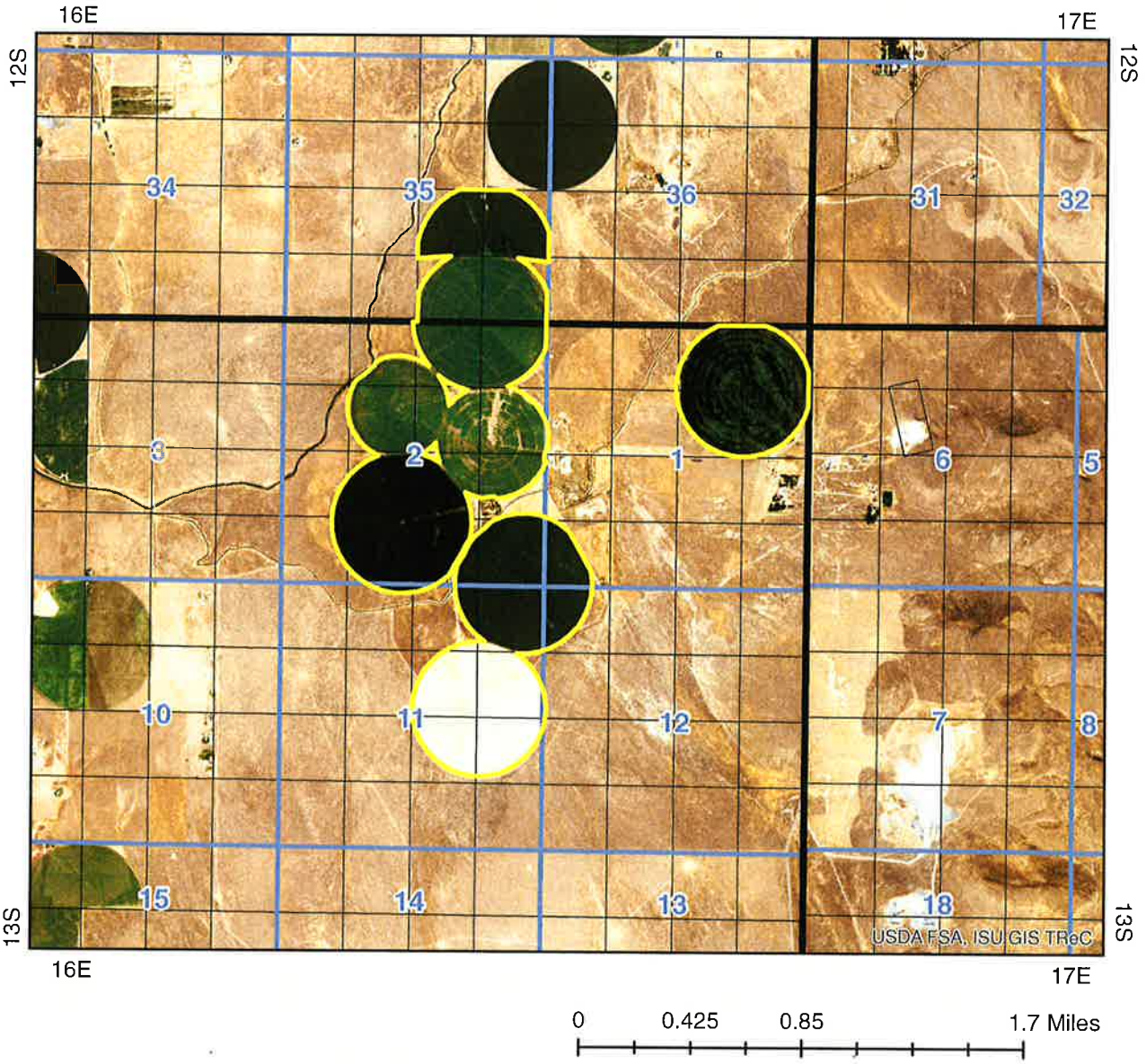
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho
Department of Water Resources

# Attachment to Tranfer # 82197

**Rights 47-2153, 47-2285, 47-12257, 47-12277, 47-2047, and 47-12269**

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

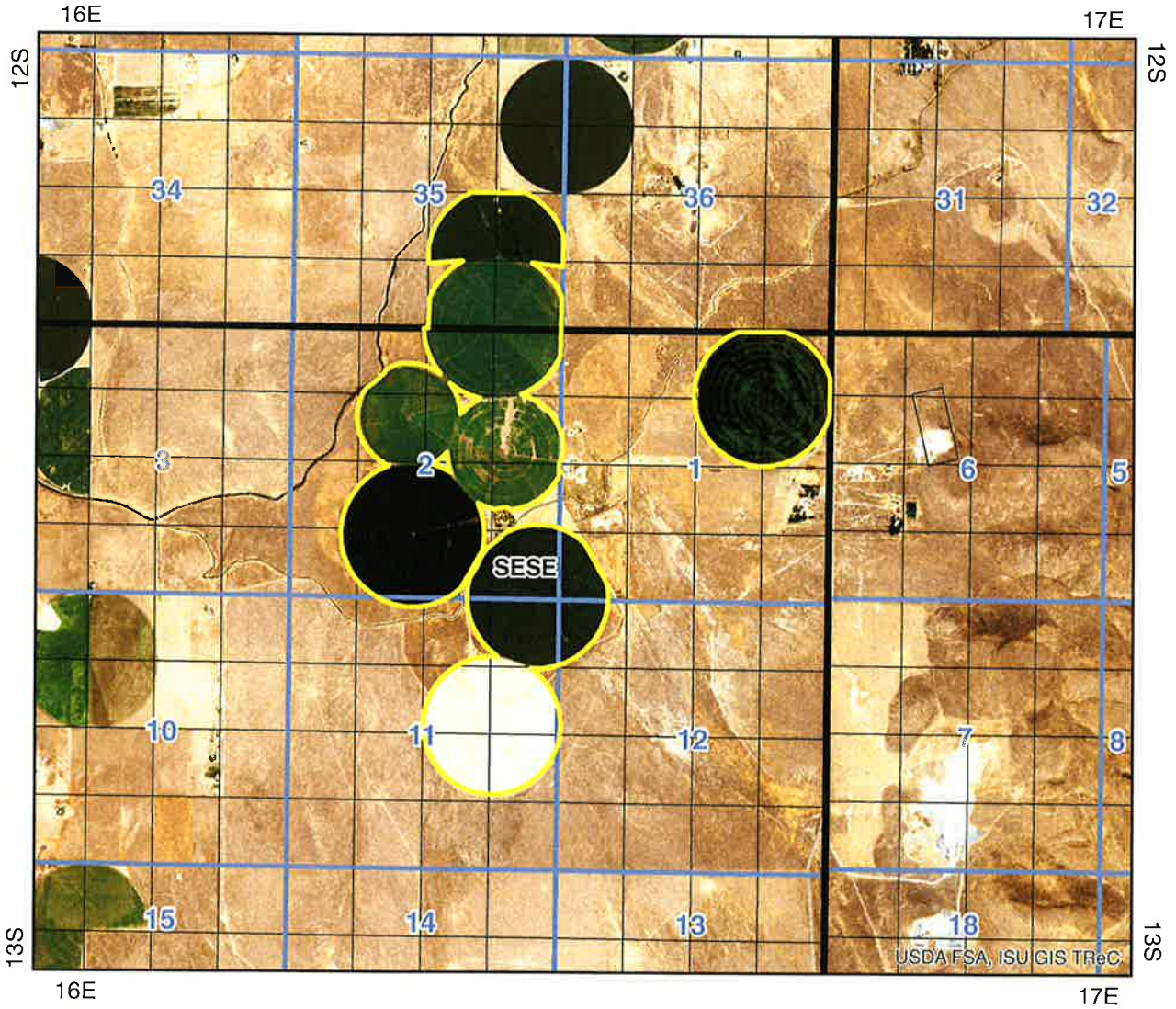


State of Idaho
Department of Water Resources

# Attachment to Tranfer # 82197

47-12242

This map depicts the IRRIGATION FROM STORAGE 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.




0 0.425 0.85 1.7 Miles

Place Of Use Boundary

Townships

PLS Sections

N

Rev. 01/15

RECEIVED
MAR 06 2018
DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 82197

# 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 www.idwr.idaho.gov.

Name of Applicant(s) Evard 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 www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm. |
| ☑ | ☐ | #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: |

Rev. 01/15

RECEIVED
MAR 06 2018
DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

# APPLICATION FOR TRANSFER OF WATER RIGHT
## PART 1

Name of Applicant(s) Evard LLC Phone 208-654-2733

Mailing address 872 E Pebble Dr Burley, Idaho 83318 Email reed@gibbygroup.com

☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1.**

☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a.**

☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b.**

☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3.**

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

☐ No Representative

Name of Representative Greg Sullivan Phone 208-736-8543

Mailing address 2016 N Washington St Ste 4 Twin Falls, Idaho 83301 Email greg.sullivan@brockwayeng.com

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

**OR**

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

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

**OR**

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

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

| Signature of Applicant or Authorized Representative | Print Name and Title if applicable | Date |
|---|---|---|
| | Reed Gibby, Manager | 3/6/18 |
| Signature of Applicant or Authorized Representative | Print Name and Title if applicable | Date |
| | | |

## A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☑ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other _____

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.**

   This transfer proposes to only change the irrigation place of use of the water rights involved in this transfer application. The POD, ownership, beneficial use and period of use of these water rights will not be changing.

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.

| All | Part | Right Number | Amount (cfs/ac-ft) | Nature of Use | Period of Use | | | Source & Tributary |
|---|---|---|---|---|---|---|---|---|
| ☑ | ☐ | 47-2153 | 0.09 | Stockwater | 3/15 | to | 7/15 | Goat Springs Creek |
| ☐ | ☐ | | 0.96 | Irrigation | 3/15 | to | 7/15 | Goat Springs Creek |
| ☑ | ☐ | 47-2047 | 3.8/760 | Irrigation | 3/15 | to | 11/15 | Ground Water |
| ☑ | ☐ | 47-12277 | 3.66/1782.7 | Irrigation | 3/15 | to | 11/15 | Ground Water |
| ☑ | ☐ | 47-2285 | 3.66/648 | Irrigation | 4/01 | to | 10/31 | Ground Water |
| ☑ | ☐ | 47-12257 | 4.5/734.9 | Irrigation | 3/15 | to | 7/15 | Goat Springs Creek |
| ☑ | ☐ | 47-12269 | 1.3/580 | Irrigation | 3/15 | to | 11/15 | Ground Water |
| ☑ | ☐ | 47-12242 | /21.4 | Irr From Storage | 1/15 | to | 3/14 | Goat Springs Creek |
| ☐ | ☐ | | /21.4 | Irr Storage | 3/15 | to | 6/01 | Goat Springs Creek |

Total authorized under rights 14.22 cfs and/or 3663.6 acre-feet.

2. Total amount of water proposed to be transferred or changed 3.0 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

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

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

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

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

| Twp | Rge | Sec | NE ¼ | | | | NW ¼ | | | | SW ¼ | | | | SE ¼ | | | | Acre Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| 12S | 16E | 35 | | | | | | | | | | | | | 40 | 40 | 40 | 40 | 160 |
| 13S | 16E | 1 | 40 | 40 | 40 | 40 | 40 | 39 | 40 | 40 | | 40 | 40 | | | | | | 399 |
| 13S | 16E | 2 | 39 | 39 | 40 | 40 | 39 | | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 597 |
| 13S | 16E | 11 | 40 | 40 | 40 | 40 | 40 | | | 40 | | | | | 40 | 40 | 40 | 40 | 400 |
| 13S | 16E | 12 | 40 | 30 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | | 40 | 40 | | 40 | 550 |
| 13S | 17E | 6 | | | | | | | | | 8 | 17 | | | | | | | 25 |
| | | | | | | | | | | | | | | | | | | | |

**Total Acres** (for irrigation use) 2131.0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

5. General Information:

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

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

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

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:
No change on the land now irrigated.

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

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

**Yes No**

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

**If yes,** describe:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

# APPLICATION FOR TRANSFER OF WATER RIGHT
## PART 2

### A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 1.
Insert Part 2A reports into the application following Part 1.

### B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☐ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ www.idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: ________________

1. amount __________________ (cfs/ac-ft) for ____________________________ purposes from ____________ to ____________
   amount __________________ (cfs/ac-ft) for ____________________________ purposes from ____________ to ____________
   amount __________________ (cfs/ac-ft) for ____________________________ purposes from ____________ to ____________
   amount __________________ (cfs/ac-ft) for ____________________________ purposes from ____________ to ____________
   amount __________________ (cfs/ac-ft) for ____________________________ purposes from ____________ to ____________
   amount __________________ (cfs/ac-ft) for ____________________________ purposes from ____________ to ____________
   amount __________________ (cfs/ac-ft) for ____________________________ purposes from ____________ to ____________
   amount __________________ (cfs/ac-ft) for ____________________________ purposes from ____________ to ____________
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

| Twp | Rge | Sec | NE ¼ | | | | NW ¼ | | | | SW ¼ | | | | SE ¼ | | | | Acre Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

**Total Acres (for irrigation use)** ☐

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

**Current Water Right No.: 47-2153**

Current Owner: EVARD LLC

Priority Date: 5/31/1921

Origin: Water Right

Status: Active

Basis: Decreed

| Source | Tributary |
|---|---|
| GOAT SPRINGS CREEK | SINKS |

| Beneficial Use | From To | Diversion Rate | Annual Volume |
|---|---|---|---|
| IRRIGATION | 03/15 to 07/15 | 0.96 CFS | |
| STOCKWATER | 03/15 to 07/15 | 0.09 CFS | |
| | Total Diversion | 0.96 CFS | 192 AF |

**Location of Point(s) of Diversion**

GOAT SPRINGS CREEK NW1/4SE1/4SE1/4 Sec. 12, Twp 13S, Rge 16E B.M.

TWIN FALLS County

**Place of Use**

IRRIGATION Within TWIN FALLS County

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| T12S R16E S35 | | NESE | 40.00 | T12S R16E S35 | | NWSE | 40.00 |
| T12S R16E S35 | | SWSE | 40.00 | T12S R16E S35 | | SESE | 40.00 |
| T13S R16E S1 | Lot 1 | NENE | 40.00 | T13S R16E S1 | Lot 2 | NWNE | 40.00 |
| T13S R16E S1 | | SWNE | 40.00 | T13S R16E S1 | | SENE | 40.00 |
| T13S R16E S1 | Lot 3 | NENW | 40.00 | T13S R16E S1 | Lot 4 | NWNW | 39.00 |
| T13S R16E S1 | | SWNW | 40.00 | T13S R16E S1 | | SENW | 40.00 |
| T13S R16E S1 | | NWSW | 40.00 | T13S R16E S1 | | SWSW | 40.00 |
| T13S R16E S2 | Lot 1 | NENE | 39.00 | T13S R16E S2 | Lot 2 | NWNE | 39.00 |
| T13S R16E S2 | | SWNE | 40.00 | T13S R16E S2 | | SENE | 40.00 |
| T13S R16E S2 | Lot 3 | NENW | 39.00 | T13S R16E S2 | | SWNW | 40.00 |
| T13S R16E S2 | | SENW | 40.00 | T13S R16E S2 | | NESW | 40.00 |
| T13S R16E S2 | | NWSW | 40.00 | T13S R16E S2 | | SWSW | 40.00 |
| T13S R16E S2 | | SESW | 40.00 | T13S R16E S2 | | NESE | 40.00 |
| T13S R16E S2 | | NWSE | 40.00 | T13S R16E S2 | | SWSE | 40.00 |
| T13S R16E S2 | | SESE | 40.00 | T13S R16E S11 | | NENE | 40.00 |
| T13S R16E S11 | | NWNE | 40.00 | T13S R16E S11 | | SWNE | 40.00 |
| T13S R16E S11 | | SENE | 40.00 | T13S R16E S11 | | NENW | 40.00 |
| T13S R16E S11 | | SENW | 40.00 | T13S R16E S11 | | NESE | 40.00 |
| T13S R16E S11 | | NWSE | 40.00 | T13S R16E S11 | | SWSE | 40.00 |
| T13S R16E S11 | | SESE | 40.00 | T13S R16E S12 | | NENE | 40.00 |
| T13S R16E S12 | | NWNE | 30.00 | T13S R16E S12 | | SWNE | 40.00 |
| T13S R16E S12 | | SENE | 40.00 | T13S R16E S12 | | NENW | 40.00 |
| T13S R16E S12 | | NWNW | 40.00 | T13S R16E S12 | | SWNW | 40.00 |
| T13S R16E S12 | | SENW | 40.00 | T13S R16E S12 | | NESW | 40.00 |
| T13S R16E S12 | | NWSW | 40.00 | T13S R16E S12 | | SWSW | 40.00 |
| T13S R16E S12 | | NESE | 40.00 | T13S R16E S12 | | NWSE | 40.00 |
| T13S R16E S12 | | SESE | 40.00 | T13S R17E S6 | | NESW | 8.00 |
| T13S R17E S6 | Lot 6 | NWSW | 17.00 | | | | |

Total Acres: 2131

STOCKWATER Within TWIN FALLS County

| | | | | | |
|---|---|---|---|---|---|
| T12S R16E S35 | | NESE | T12S R16E S35 | | SWSE |
| T12S R16E S35 | | SESE | T13S R16E S1 | | NWSW |
| T13S R16E S1 | | SWSW | T13S R16E S2 | Lot 1 | NENE |
| T13S R16E S2 | Lot 2 | NWNE | T13S R16E S2 | | SWNE |
| T13S R16E S2 | | SENE | T13S R16E S2 | Lot 3 | NENW |
| T13S R16E S2 | | SWNW | T13S R16E S2 | | SENW |
| T13S R16E S2 | | NESW | T13S R16E S2 | | NWSW |
| T13S R16E S2 | | SWSW | T13S R16E S2 | | SESW |
| T13S R16E S2 | | NESE | T13S R16E S2 | | NWSE |
| T13S R16E S2 | | SWSE | T13S R16E S2 | | SESE |
| T13S R16E S11 | | NENE | T13S R16E S11 | | NWNE |
| T13S R16E S11 | | SWNE | T13S R16E S11 | | SENE |
| T13S R16E S11 | | NENW | T13S R16E S11 | | SENW |
| T13S R16E S11 | | NESE | T13S R16E S11 | | NWSE |
| T13S R16E S12 | | NWNW | | | |

**Conditions of Approval:**

| | | |
|---|---|---|
| 1. | 01M | After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department. |
| 2. | X35 | Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 when combined shall not exceed the irrigation of 915.9 acres. |
| 3. | R64 | This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use. |
| 4. | X35 | Rights 47-2153, 47-2285, 47-12257, 47-12277, 47-2047, and 47-12269 when combined shall not exceed total annual maximum diversion volume of 3663.6 af at the field headgate. |
| 5. | T19 | Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014. |
| 6. | 206 | Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 are limited to the irrigation of a specific 915.9 acres within the 2131.0 acre place of use authorized by this right in a single irrigation season. The specific 915.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 915.9 acres to be irrigated within the 2131.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur. |
| 7. | X27 | This right is limited to the irrigation of 48.0 acres within the authorized place of use in a single irrigation season. |
| 8. | T07 | The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval. |
| 9. | N05 | The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day. |
| 10. | N08 | The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use. |
| 11. | 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. |
| 12. | X35 | Rights 47-2153, 47-12257, 47-12242, and 47-12269 when combined shall not exceed the irrigation of 782.9 acres. |

Decreed Date: 6/19/2009

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

**Current Water Right No.: 47-2047**

Current Owner: EVARD LLC

Priority Date: 11/20/1909

Origin: Water Right

Status: Active

Basis: Decreed

| Source | Tributary |
|---|---|
| GROUND WATER | |

| Beneficial Use | From To | Diversion Rate | Annual Volume |
|---|---|---|---|
| IRRIGATION | 03/15 to 11/15 | 3.8 CFS | 760 AF |
| | Total Diversion | 3.8 CFS | 760 AF |

**Location of Point(s) of Diversion**

| | | | | |
|---|---|---|---|---|
| GROUND WATER<br>TWIN FALLS County | L6(SE1/4NW1/4SW1/4) | Sec. 6, | Twp 13S, | Rge 17E B.M. |
| GROUND WATER<br>TWIN FALLS County | L6(SE1/4NW1/4SW1/4) | Sec. 6, | Twp 13S, | Rge 17E B.M. |
| GROUND WATER<br>TWIN FALLS County | L6(NE1/4NW1/4SW1/4) | Sec. 6, | Twp 13S, | Rge 17E B.M. |

**Place of Use**

IRRIGATION Within TWIN FALLS County

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| T12S R16E S35 | | NESE | 40.00 | T12S R16E S35 | | NWSE | 40.00 |
| T12S R16E S35 | | SWSE | 40.00 | T12S R16E S35 | | SESE | 40.00 |
| T13S R16E S1 | Lot 1 | NENE | 40.00 | T13S R16E S1 | Lot 2 | NWNE | 40.00 |
| T13S R16E S1 | | SWNE | 40.00 | T13S R16E S1 | | SENE | 40.00 |
| T13S R16E S1 | Lot 3 | NENW | 40.00 | T13S R16E S1 | Lot 4 | NWNW | 39.00 |
| T13S R16E S1 | | SWNW | 40.00 | T13S R16E S1 | | SENW | 40.00 |
| T13S R16E S1 | | NWSW | 40.00 | T13S R16E S1 | | SWSW | 40.00 |
| T13S R16E S2 | Lot 1 | NENE | 39.00 | T13S R16E S2 | Lot 2 | NWNE | 39.00 |
| T13S R16E S2 | | SWNE | 40.00 | T13S R16E S2 | | SENE | 40.00 |
| T13S R16E S2 | Lot 3 | NENW | 39.00 | T13S R16E S2 | | SWNW | 40.00 |
| T13S R16E S2 | | SENW | 40.00 | T13S R16E S2 | | NESW | 40.00 |
| T13S R16E S2 | | NWSW | 40.00 | T13S R16E S2 | | SWSW | 40.00 |
| T13S R16E S2 | | SESW | 40.00 | T13S R16E S2 | | NESE | 40.00 |
| T13S R16E S2 | | NWSE | 40.00 | T13S R16E S2 | | SWSE | 40.00 |
| T13S R16E S2 | | SESE | 40.00 | T13S R16E S11 | | NENE | 40.00 |
| T13S R16E S11 | | NWNE | 40.00 | T13S R16E S11 | | SWNE | 40.00 |
| T13S R16E S11 | | SENE | 40.00 | T13S R16E S11 | | NENW | 40.00 |
| T13S R16E S11 | | SENW | 40.00 | T13S R16E S11 | | NESE | 40.00 |
| T13S R16E S11 | | NWSE | 40.00 | T13S R16E S11 | | SWSE | 40.00 |
| T13S R16E S11 | | SESE | 40.00 | T13S R16E S12 | | NENE | 40.00 |
| T13S R16E S12 | | NWNE | 30.00 | T13S R16E S12 | | SWNE | 40.00 |
| T13S R16E S12 | | SENE | 40.00 | T13S R16E S12 | | NENW | 40.00 |
| T13S R16E S12 | | NWNW | 40.00 | T13S R16E S12 | | SWNW | 40.00 |
| T13S R16E S12 | | SENW | 40.00 | T13S R16E S12 | | NESW | 40.00 |
| T13S R16E S12 | | NWSW | 40.00 | T13S R16E S12 | | SWSW | 40.00 |
| T13S R16E S12 | | NESE | 40.00 | T13S R16E S12 | | NWSE | 40.00 |
| T13S R16E S12 | | SESE | 40.00 | T13S R17E S6 | | NESW | 8.00 |
| T13S R17E S6 | Lot 6 | NWSW | 17.00 | | | | |

Total Acres: 2131

**Conditions of Approval:**

| | | |
|---|---|---|
| 1. | 01M | After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department. |
| 2. | T19 | Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014. |
| 3. | X27 | This right is limited to the irrigation of 190.0 acres within the authorized place of use in a single irrigation season. |
| 4. | K01 | Right No. 47-12277 is an enlargement of 47-2047 and 47-2285 pursuant to Section 42-1426, Idaho Code. |
| 5. | X35 | Rights 47-2047, 47-2285 and 47-12277 when combined shall not exceed a total diversion rate of 7.46 cfs and a total annual maximum diversion volume of 3190.7 af at the field headgate. |
| 6. | 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. |
| 7. | R64 | This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use. |
| 8. | X35 | Rights 47-2153, 47-2285, 47-12257, 47-12277, 47-2047, and 47-12269 when combined shall not exceed total annual maximum diversion volume of 3663.6 af at the field headgate. |
| 9. | X35 | Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 when combined shall not exceed the irrigation of 915.9 acres. |
| 10. | T07 | The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval. |
| 11. | 206 | Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 are limited to the irrigation of a specific 915.9 acres within the 2131.0 acre place of use authorized by this right in a single irrigation season. The specific 915.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 915.9 acres to be irrigated within the 2131.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur. |

Decreed Date: 6/19/2009

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

**Current Water Right No.: 47-12277**

| | |
|---|---|
| Current Owner: | EVARD LLC |
| Priority Date: | 3/15/1968 |
| Origin: | Water Right |
| Status: | Active |
| Basis: | Decreed |

| Source | Tributary |
|---|---|
| GROUND WATER | |

| Beneficial Use | From To | Diversion Rate | Annual Volume |
|---|---|---|---|
| IRRIGATION | 03/15 to 11/15 | 3.66 CFS | 1782.7 AF |
| | Total Diversion | 3.66 CFS | 1782.7 AF |

**Location of Point(s) of Diversion**

| | | | | |
|---|---|---|---|---|
| GROUND WATER<br>TWIN FALLS County | L6(SE1/4NW1/4SW1/4) | Sec. 6, | Twp 13S, | Rge 17E B.M. |
| GROUND WATER<br>TWIN FALLS County | L6(SE1/4NW1/4SW1/4) | Sec. 6, | Twp 13S, | Rge 17E B.M. |
| GROUND WATER<br>TWIN FALLS County | L6(NE1/4NW1/4SW1/4) | Sec. 6, | Twp 13S, | Rge 17E B.M. |

**Place of Use**

IRRIGATION Within TWIN FALLS County

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| T12S R16E S35 | | NESE | 40.00 | T12S R16E S35 | | SWSE | 40.00 |
| T12S R16E S35 | | SESE | 40.00 | T13S R16E S1 | Lot 1 | NENE | 40.00 |
| T13S R16E S1 | Lot 2 | NWNE | 40.00 | T13S R16E S1 | | SWNE | 40.00 |
| T13S R16E S1 | | SENE | 40.00 | T13S R16E S1 | Lot 3 | NENW | 40.00 |
| T13S R16E S1 | Lot 4 | NWNW | 39.00 | T13S R16E S1 | | SWNW | 40.00 |
| T13S R16E S1 | | SENW | 40.00 | T13S R16E S1 | | NWSW | 40.00 |
| T13S R16E S1 | | SWSW | 40.00 | T13S R16E S2 | Lot 1 | NENE | 39.00 |
| T13S R16E S2 | Lot 2 | NWNE | 39.00 | T13S R16E S2 | | SWNE | 40.00 |
| T13S R16E S2 | | SENE | 40.00 | T13S R16E S2 | Lot 3 | NENW | 39.00 |
| T13S R16E S2 | | SWNW | 40.00 | T13S R16E S2 | | SENW | 40.00 |
| T13S R16E S2 | | NESW | 40.00 | T13S R16E S2 | | NWSW | 40.00 |
| T13S R16E S2 | | SWSW | 40.00 | T13S R16E S2 | | SESW | 40.00 |
| T13S R16E S2 | | NESE | 40.00 | T13S R16E S2 | | NWSE | 40.00 |
| T13S R16E S2 | | SWSE | 40.00 | T13S R16E S2 | | SESE | 40.00 |
| T13S R16E S11 | | NENE | 40.00 | T13S R16E S11 | | NWNE | 40.00 |
| T13S R16E S11 | | SWNE | 40.00 | T13S R16E S11 | | SENE | 40.00 |
| T13S R16E S11 | | NENW | 40.00 | T13S R16E S11 | | SENW | 40.00 |
| T13S R16E S11 | | NESE | 40.00 | T13S R16E S11 | | NWSE | 40.00 |
| T13S R16E S11 | | SWSE | 40.00 | T13S R16E S11 | | SESE | 40.00 |
| T13S R16E S12 | | NENE | 40.00 | T13S R16E S12 | | NWNE | 30.00 |
| T13S R16E S12 | | SWNE | 40.00 | T13S R16E S12 | | SENE | 40.00 |
| T13S R16E S12 | | NENW | 40.00 | T13S R16E S12 | | NWNW | 40.00 |
| T13S R16E S12 | | SWNW | 40.00 | T13S R16E S12 | | SENW | 40.00 |
| T13S R16E S12 | | NESW | 40.00 | T13S R16E S12 | | NWSW | 40.00 |
| T13S R16E S12 | | SWSW | 40.00 | T13S R16E S12 | | NESE | 40.00 |
| T13S R16E S12 | | NWSE | 40.00 | T13S R16E S12 | | SESE | 40.00 |
| T13S R17E S6 | | NESW | 8.00 | T13S R17E S6 | Lot 6 | NWSW | 17.00 |

Total Acres: 2091

**Conditions of Approval:**

| | | |
|---|---|---|
| 1. | K09 | This right is for an enlargement of 540.9 acres within the place of use described for this right. |
| 2. | X35 | Rights 47-2047, 47-2285 and 47-12277 when combined shall not exceed a total diversion rate of 7.46 cfs and a total annual maximum diversion volume of 3190.7 af at the field headgate. |
| 3. | T07 | The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval. |
| 4. | T08 | Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer. |
| 5. | X35 | Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 when combined shall not exceed the irrigation of 915.9 acres. |
| 6. | K02 | This right is based upon an enlargement of Right Nos. 47-2047 and 47-2285 pursuant to Section 42-1426, Idaho Code. |
| 7. | 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. |
| 8. | X35 | Rights 47-2153, 47-2285, 47-12257, 47-12277, 47-2047, and 47-12269 when combined shall not exceed total annual maximum diversion volume of 3663.6 af at the field headgate. |
| 9. | 206 | Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 are limited to the irrigation of a specific 915.9 acres within the 2091 acre place of use authorized by this right in a single irrigation season. The specific 915.9 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 915.9 acres to be irrigated within the 2091 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur. |
| 10. | R64 | This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use. |

Decreed Date: 6/19/2009

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

**Current Water Right No.: 47-2285**

Current Owner: EVARD LLC

Priority Date: 3/10/1955

Origin: Water Right

Status: Active

Basis: Decreed

**Source** **Tributary**

GROUND WATER

| Beneficial Use | From To | Diversion Rate | Annual Volume |
|---|---|---|---|
| IRRIGATION | 04/01 to 10/31 | 3.66 CFS | 648 AF |
| | Total Diversion | 3.66 CFS | 648 AF |

**Location of Point(s) of Diversion**

| | | | | |
|---|---|---|---|---|
| GROUND WATER<br>TWIN FALLS County | L6(SE1/4NW1/4SW1/4) | Sec. 6, | Twp 13S, | Rge 17E B.M. |
| GROUND WATER<br>TWIN FALLS County | L6(SE1/4NW1/4SW1/4) | Sec. 6, | Twp 13S, | Rge 17E B.M. |
| GROUND WATER<br>TWIN FALLS County | L6(NE1/4NW1/4SW1/4) | Sec. 6, | Twp 13S, | Rge 17E B.M. |

**Place of Use**

IRRIGATION Within TWIN FALLS County

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| T12S R16E S35 | | NESE | 40.00 | T12S R16E S35 | | SWSE | 40.00 |
| T12S R16E S35 | | SESE | 40.00 | T13S R16E S1 | Lot 1 | NENE | 40.00 |
| T13S R16E S1 | Lot 2 | NWNE | 40.00 | T13S R16E S1 | | SWNE | 40.00 |
| T13S R16E S1 | | SENE | 40.00 | T13S R16E S1 | Lot 3 | NENW | 40.00 |
| T13S R16E S1 | Lot 4 | NWNW | 39.00 | T13S R16E S1 | | SWNW | 40.00 |
| T13S R16E S1 | | SENW | 40.00 | T13S R16E S1 | | NWSW | 40.00 |
| T13S R16E S1 | | SWSW | 40.00 | T13S R16E S2 | Lot 1 | NENE | 39.00 |
| T13S R16E S2 | Lot 2 | NWNE | 39.00 | T13S R16E S2 | | SWNE | 40.00 |
| T13S R16E S2 | | SENE | 40.00 | T13S R16E S2 | Lot 3 | NENW | 39.00 |
| T13S R16E S2 | | SWNW | 40.00 | T13S R16E S2 | | SENW | 40.00 |
| T13S R16E S2 | | NESW | 40.00 | T13S R16E S2 | | NWSW | 40.00 |
| T13S R16E S2 | | SWSW | 40.00 | T13S R16E S2 | | SESW | 40.00 |
| T13S R16E S2 | | NESE | 40.00 | T13S R16E S2 | | NWSE | 40.00 |
| T13S R16E S2 | | SWSE | 40.00 | T13S R16E S2 | | SESE | 40.00 |
| T13S R16E S11 | | NENE | 40.00 | T13S R16E S11 | | NWNE | 40.00 |
| T13S R16E S11 | | SWNE | 40.00 | T13S R16E S11 | | SENE | 40.00 |
| T13S R16E S11 | | NENW | 40.00 | T13S R16E S11 | | SENW | 40.00 |
| T13S R16E S11 | | NESE | 40.00 | T13S R16E S11 | | NWSE | 40.00 |
| T13S R16E S11 | | SWSE | 40.00 | T13S R16E S11 | | SESE | 40.00 |
| T13S R16E S12 | | NENE | 40.00 | T13S R16E S12 | | NWNE | 30.00 |
| T13S R16E S12 | | SWNE | 40.00 | T13S R16E S12 | | SENE | 40.00 |
| T13S R16E S12 | | NENW | 40.00 | T13S R16E S12 | | NWNW | 40.00 |
| T13S R16E S12 | | SWNW | 40.00 | T13S R16E S12 | | SENW | 40.00 |
| T13S R16E S12 | | NESW | 40.00 | T13S R16E S12 | | NWSW | 40.00 |
| T13S R16E S12 | | SWSW | 40.00 | T13S R16E S12 | | NESE | 40.00 |
| T13S R16E S12 | | NWSE | 40.00 | T13S R16E S12 | | SESE | 40.00 |
| T13S R17E S6 | | NESW | 8.00 | T13S R17E S6 | Lot 6 | NWSW | 17.00 |

Total Acres: 2091

**Conditions of Approval:**

| | | |
|---|---|---|
| 1. | X35 | Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 when combined shall not exceed the irrigation of 915.9 acres. |
| 2. | T07 | The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval. |
| 3. | X27 | This right is limited to the irrigation of 185 acres within the authorized place of use in a single irrigation season. |
| 4. | 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. |
| 5. | 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. |
| 6. | R64 | This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use. |
| 7. | X61 | The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than June 19, 2009. |
| 8. | K01 | Right No. 47-12277 is an enlargement of 47-2047 and 47-2285 pursuant to Section 42-1426, Idaho Code. |
| 9. | X35 | Rights 47-2153, 47-2285, 47-12257, 47-12277, 47-2047, and 47-12269 when combined shall not exceed total annual maximum diversion volume of 3663.6 af at the field headgate. |
| 10. | 206 | Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 are limited to the irrigation of a specific 915.9 acres within the 2091 acre place of use authorized by this right in a single irrigation season. The specific 915.9 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 915.9 acres to be irrigated within the 2091 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur. |
| 11. | X35 | Rights 47-2047, 47-2285 and 47-12277 when combined shall not exceed a total diversion rate of 7.46 cfs and a total annual maximum diversion volume of 3190.7 af at the field headgate. |

Decreed Date: 6/19/2009

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

**Current Water Right No.: 47-12257**

Current Owner: EVARD LLC

Priority Date: 3/15/1968

Origin: Water Right

Status: Active

Basis: Decreed

| Source | Tributary |
|---|---|
| GOAT SPRINGS CREEK | SINKS |

| Beneficial Use | From To | Diversion Rate | Annual Volume |
|---|---|---|---|
| IRRIGATION | 03/15 to 07/15 | 4.5 CFS | |
| | Total Diversion | 4.5 CFS | |

**Location of Point(s) of Diversion**

GOAT SPRINGS CREEK NW1/4SE1/4SE1/4 Sec. 12, Twp 13S, Rge 16E B.M.
TWIN FALLS County

**Place of Use**

IRRIGATION Within TWIN FALLS County

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| T12S R16E S35 | | NESE | 40.00 | T12S R16E S35 | | SWSE | 40.00 |
| T12S R16E S35 | | SESE | 40.00 | T13S R16E S1 | Lot 1 | NENE | 40.00 |
| T13S R16E S1 | Lot 2 | NWNE | 40.00 | T13S R16E S1 | | SWNE | 40.00 |
| T13S R16E S1 | | SENE | 40.00 | T13S R16E S1 | Lot 3 | NENW | 40.00 |
| T13S R16E S1 | Lot 4 | NWNW | 39.00 | T13S R16E S1 | | SWNW | 40.00 |
| T13S R16E S1 | | SENW | 40.00 | T13S R16E S1 | | NWSW | 40.00 |
| T13S R16E S1 | | SWSW | 40.00 | T13S R16E S2 | Lot 1 | NENE | 39.00 |
| T13S R16E S2 | Lot 2 | NWNE | 39.00 | T13S R16E S2 | | SWNE | 40.00 |
| T13S R16E S2 | | SENE | 40.00 | T13S R16E S2 | Lot 3 | NENW | 39.00 |
| T13S R16E S2 | | SWNW | 40.00 | T13S R16E S2 | | SENW | 40.00 |
| T13S R16E S2 | | NESW | 40.00 | T13S R16E S2 | | NWSW | 40.00 |
| T13S R16E S2 | | SWSW | 40.00 | T13S R16E S2 | | SESW | 40.00 |
| T13S R16E S2 | | NESE | 40.00 | T13S R16E S2 | | NWSE | 40.00 |
| T13S R16E S2 | | SWSE | 40.00 | T13S R16E S2 | | SESE | 40.00 |
| T13S R16E S11 | | NENE | 40.00 | T13S R16E S11 | | NWNE | 40.00 |
| T13S R16E S11 | | SWNE | 40.00 | T13S R16E S11 | | SENE | 40.00 |
| T13S R16E S11 | | NENW | 40.00 | T13S R16E S11 | | SENW | 40.00 |
| T13S R16E S11 | | NESE | 40.00 | T13S R16E S11 | | NWSE | 40.00 |
| T13S R16E S11 | | SWSE | 40.00 | T13S R16E S11 | | SESE | 40.00 |
| T13S R16E S12 | | NENE | 40.00 | T13S R16E S12 | | NWNE | 30.00 |
| T13S R16E S12 | | SWNE | 40.00 | T13S R16E S12 | | SENE | 40.00 |
| T13S R16E S12 | | NENW | 40.00 | T13S R16E S12 | | NWNW | 40.00 |
| T13S R16E S12 | | SWNW | 40.00 | T13S R16E S12 | | SENW | 40.00 |
| T13S R16E S12 | | NESW | 40.00 | T13S R16E S12 | | NWSW | 40.00 |
| T13S R16E S12 | | SWSW | 40.00 | T13S R16E S12 | | NESE | 40.00 |
| T13S R16E S12 | | NWSE | 40.00 | T13S R16E S12 | | SESE | 40.00 |
| T13S R17E S6 | | NESW | 8.00 | T13S R17E S6 | Lot 6 | NWSW | 17.00 |

Total Acres: 2091

**Conditions of Approval:**

| | | |
|---|---|---|
| 1. | T07 | The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval. |
| 2. | T08 | Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer. |
| 3. | X35 | Rights 47-2153, 47-12257, 47-12242, and 47-12269 when combined shall not exceed the irrigation of 782.9 acres. |
| 4. | 206 | Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 are limited to the irrigation of a specific 915.9 acres within the 2091 acre place of use authorized by this right in a single irrigation season. The specific 915.9 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 915.9 acres to be irrigated within the 2091 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur. |
| 5. | X35 | Rights 47-2153, 47-2285, 47-12257, 47-12277, 47-2047, and 47-12269 when combined shall not exceed total annual maximum diversion volume of 3663.6 af at the field headgate. |
| 6. | R64 | This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the place of use. |
| 7. | 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. |
| 8. | X35 | Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 when combined shall not exceed the irrigation of 915.9 acres. |
| 9. | X27 | This right is limited to the irrigation of 734.9 acres within the authorized place of use in a single irrigation season. |

Decreed Date: 6/19/2009

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

**Current Water Right No.: 47-12269**

Current Owner: EVARD LLC

Priority Date: 3/15/1952

Origin: Water Right

Status: Active

Basis: Decreed

| Source | Tributary |
|---|---|
| GROUND WATER | |

| Beneficial Use | From To | Diversion Rate | Annual Volume |
|---|---|---|---|
| IRRIGATION | 03/15 to 11/15 | 1.3 CFS | 633.2 AF |
| | Total Diversion | 1.3 CFS | 633.2 AF |

**Location of Point(s) of Diversion**

| | | | | |
|---|---|---|---|---|
| GROUND WATER<br>TWIN FALLS County | NW1/4NW1/4NE1/4 | Sec. 12, | Twp 13S, | Rge 16E B.M. |
| GROUND WATER<br>TWIN FALLS County | NW1/4NW1/4NE1/4 | Sec. 12, | Twp 13S, | Rge 16E B.M. |
| GROUND WATER<br>TWIN FALLS County | NW1/4NW1/4NE1/4 | Sec. 12, | Twp 13S, | Rge 16E B.M. |

**Place of Use**

IRRIGATION Within TWIN FALLS County

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| T12S R16E S35 | | NESE | 40.00 | T12S R16E S35 | | SWSE | 40.00 |
| T12S R16E S35 | | SESE | 40.00 | T13S R16E S1 | Lot 1 | NENE | 40.00 |
| T13S R16E S1 | Lot 2 | NWNE | 40.00 | T13S R16E S1 | | SWNE | 40.00 |
| T13S R16E S1 | | SENE | 40.00 | T13S R16E S1 | Lot 3 | NENW | 40.00 |
| T13S R16E S1 | Lot 4 | NWNW | 39.00 | T13S R16E S1 | | SWNW | 40.00 |
| T13S R16E S1 | | SENW | 40.00 | T13S R16E S1 | | NWSW | 40.00 |
| T13S R16E S1 | | SWSW | 40.00 | T13S R16E S2 | Lot 1 | NENE | 39.00 |
| T13S R16E S2 | Lot 2 | NWNE | 39.00 | T13S R16E S2 | | SWNE | 40.00 |
| T13S R16E S2 | | SENE | 40.00 | T13S R16E S2 | Lot 3 | NENW | 39.00 |
| T13S R16E S2 | | SWNW | 40.00 | T13S R16E S2 | | SENW | 40.00 |
| T13S R16E S2 | | NESW | 40.00 | T13S R16E S2 | | NWSW | 40.00 |
| T13S R16E S2 | | SWSW | 40.00 | T13S R16E S2 | | SESW | 40.00 |
| T13S R16E S2 | | NESE | 40.00 | T13S R16E S2 | | NWSE | 40.00 |
| T13S R16E S2 | | SWSE | 40.00 | T13S R16E S2 | | SESE | 40.00 |
| T13S R16E S11 | | NENE | 40.00 | T13S R16E S11 | | NWNE | 40.00 |
| T13S R16E S11 | | SWNE | 40.00 | T13S R16E S11 | | SENE | 40.00 |
| T13S R16E S11 | | NENW | 40.00 | T13S R16E S11 | | SENW | 40.00 |
| T13S R16E S11 | | NESE | 40.00 | T13S R16E S11 | | NWSE | 40.00 |
| T13S R16E S11 | | SWSE | 40.00 | T13S R16E S11 | | SESE | 40.00 |
| T13S R16E S12 | | NENE | 40.00 | T13S R16E S12 | | NWNE | 30.00 |
| T13S R16E S12 | | SWNE | 40.00 | T13S R16E S12 | | SENE | 40.00 |
| T13S R16E S12 | | NENW | 40.00 | T13S R16E S12 | | NWNW | 40.00 |
| T13S R16E S12 | | SWNW | 40.00 | T13S R16E S12 | | SENW | 40.00 |
| T13S R16E S12 | | NESW | 40.00 | T13S R16E S12 | | NWSW | 40.00 |
| T13S R16E S12 | | SWSW | 40.00 | T13S R16E S12 | | NESE | 40.00 |
| T13S R16E S12 | | NWSE | 40.00 | T13S R16E S12 | | SESE | 40.00 |
| T13S R17E S6 | | NESW | 8.00 | T13S R17E S6 | Lot 6 | NWSW | 17.00 |

Total Acres: 2091

**Conditions of Approval:**

| | | |
|---|---|---|
| 1. | X35 | Rights 47-2153, 47-12257, 47-12242, and 47-12269 when combined shall not exceed the irrigation of 782.9 acres. |
| 2. | X27 | This right is limited to the irrigation of 580 acres within the authorized place of use in a single irrigation season. |
| 3. | 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. |
| 4. | X35 | Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 when combined shall not exceed the irrigation of 915.9 acres. |
| 5. | T07 | The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval. |
| 6. | 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. |
| 7. | R64 | This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use. |
| 8. | X35 | Rights 47-2153, 47-2285, 47-12257, 47-12277, 47-2047, and 47-12269 when combined shall not exceed total annual maximum diversion volume of 3663.6 af at the field headgate. |
| 9. | 206 | Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 are limited to the irrigation of a specific 915.9 acres within the 2091 acre place of use authorized by this right in a single irrigation season. The specific 915.9 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 915.9 acres to be irrigated within the 2091 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur. |

Decreed Date: 6/19/2009

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

**Current Water Right No.: 47-12242**

Current Owner: EVARD LLC

Priority Date: 3/15/1968

Origin: Water Right

Status: Active

Basis: Decreed

| Source | Tributary |
|---|---|
| GOAT SPRINGS CREEK | SINKS |

| Beneficial Use | From To | Diversion Rate | Annual Volume |
|---|---|---|---|
| IRRIGATION FROM STORAGE | 03/15 to 06/01 | | 21.4 AF |
| IRRIGATION STORAGE | 01/15 to 03/14 | | 21.4 AF |
| | Total Diversion | | 21.4 AF |

**Location of Point(s) of Diversion**

| | | | | |
|---|---|---|---|---|
| GOAT SPRINGS CREEK<br>TWIN FALLS County | NW1/4SE1/4SE1/4 | Sec. 12, | Twp 13S, | Rge 16E B.M. |
| GOAT SPRINGS CREEK<br>TWIN FALLS County | SE1/4NW1/4SW1/4<br>(Rediversion) | Sec. 1, | Twp 13S, | Rge 16E B.M. |

**Place of Use**

IRRIGATION FROM STORAGE Within TWIN FALLS County

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| T12S R16E S35 | | NESE | 40.00 | T12S R16E S35 | | NWSE | 40.00 |
| T12S R16E S35 | | SWSE | 40.00 | T12S R16E S35 | | SESE | 40.00 |
| T13S R16E S1 | Lot 1 | NENE | 40.00 | T13S R16E S1 | Lot 2 | NWNE | 40.00 |
| T13S R16E S1 | | SWNE | 40.00 | T13S R16E S1 | | SENE | 40.00 |
| T13S R16E S1 | Lot 3 | NENW | 40.00 | T13S R16E S1 | Lot 4 | NWNW | 39.00 |
| T13S R16E S1 | | SWNW | 40.00 | T13S R16E S1 | | SENW | 40.00 |
| T13S R16E S1 | | NWSW | 40.00 | T13S R16E S1 | | SWSW | 40.00 |
| T13S R16E S2 | Lot 1 | NENE | 39.00 | T13S R16E S2 | Lot 2 | NWNE | 39.00 |
| T13S R16E S2 | | SWNE | 40.00 | T13S R16E S2 | | SENE | 40.00 |
| T13S R16E S2 | Lot 3 | NENW | 39.00 | T13S R16E S2 | | SWNW | 40.00 |
| T13S R16E S2 | | SENW | 40.00 | T13S R16E S2 | | NESW | 40.00 |
| T13S R16E S2 | | NWSW | 40.00 | T13S R16E S2 | | SWSW | 40.00 |
| T13S R16E S2 | | SESW | 40.00 | T13S R16E S2 | | NESE | 40.00 |
| T13S R16E S2 | | NWSE | 40.00 | T13S R16E S2 | | SWSE | 40.00 |
| T13S R16E S2 | | SESE | 40.00 | T13S R16E S11 | | NENE | 40.00 |
| T13S R16E S11 | | NWNE | 40.00 | T13S R16E S11 | | SWNE | 40.00 |
| T13S R16E S11 | | SENE | 40.00 | T13S R16E S11 | | NENW | 40.00 |
| T13S R16E S11 | | SENW | 40.00 | T13S R16E S11 | | NESE | 40.00 |
| T13S R16E S11 | | NWSE | 40.00 | T13S R16E S11 | | SWSE | 40.00 |
| T13S R16E S11 | | SESE | 40.00 | T13S R16E S12 | | NENE | 40.00 |
| T13S R16E S12 | | NWNE | 30.00 | T13S R16E S12 | | SWNE | 40.00 |
| T13S R16E S12 | | SENE | 40.00 | T13S R16E S12 | | NENW | 40.00 |
| T13S R16E S12 | | NWNW | 40.00 | T13S R16E S12 | | SWNW | 40.00 |
| T13S R16E S12 | | SENW | 40.00 | T13S R16E S12 | | NESW | 40.00 |
| T13S R16E S12 | | NWSW | 40.00 | T13S R16E S12 | | SWSW | 40.00 |
| T13S R16E S12 | | NESE | 40.00 | T13S R16E S12 | | NWSE | 40.00 |
| T13S R16E S12 | | SESE | 40.00 | T13S R17E S6 | | NESW | 8.00 |
| T13S R17E S6 | Lot 6 | NWSW | 17.00 | | | | |

Total Acres: 2131

IRRIGATION STORAGE Within TWIN FALLS County

| | | | |
|---|---|---|---|
| T13S R16E S1 | NWSW | T13S R16E S1 | SWSW |

**Conditions of Approval:**

| | | |
|---|---|---|
| 1. | X27 | This right is limited to the irrigation of 339.0 acres within the authorized place of use in a single irrigation season. |
| 2. | 206 | Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 are limited to the irrigation of a specific 915.9 acres within the 2131.0 acre place of use authorized by this right in a single irrigation season. The specific 915.9 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 915.9 acres to be irrigated within the 2131.0 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur. |
| 3. | X35 | Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 when combined shall not exceed the irrigation of 915.9 acres. |
| 4. | T07 | The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval. |
| 5. | R64 | This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use. |
| 6. | X35 | Rights 47-2153, 47-12257, 47-12242, and 47-12269 when combined shall not exceed the irrigation of 782.9 acres. |
| 7. | 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. |
| 8. | 01M | After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department. |
| 9. | T19 | Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014. |

Decreed Date: 6/19/2009

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:

---

**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments.

Received by DM Date 2/26/18 Preliminary check by _____ Date _____

Fee paid $1,780- Date _____ Receipted by DM Receipt # S036605

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

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

TWIN FALLS COUNTY
RECORDED FOR:
COLEMAN, RITCHIE & CLUFF
09:18:23 AM 09-11-2014
2014015377
NO. PAGES 2 FEE: $13.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: BH
Electronically Recorded by Simplifile

# WARRANTY DEED

For Value Received JOHN L. PETERS and TERI LYN PETERS, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto the Grantee, EVARD, L.L.C., an Idaho limited liability company, whose current address is 873 East Pebble Drive, Burley, Idaho 83318, the following described premises, in Twin Falls County, Idaho, to-wit:

Township 12 South, Range 16 E.B.M., Section 35, NW¼SE¼

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by the parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that the Grantors are the owners in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

DATED this 10th day of September, 2014.

John L. Peters
JOHN L. PETERS

Teri Lyn Peters
TERI LYN PETERS

ORIGINAL



TRANSFER 82197

**WARRANTY DEED**

For Value Received JOHN L. PETERS and TERI LYN PETERS, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto the Grantee, EVARD, L.L.C., an Idaho limited liability company, whose current address is 873 East Pebble Drive, Burley, Idaho 83318, the following described premises, in Twin Falls County, Idaho, to-wit:

Township 12 South, Range 16 E.B.M., Section 35, NW¼SE¼

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by the parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that the Grantors are the owners in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

DATED this 10th day of September, 2014.

John L Peters
JOHN L. PETERS

Teri Lyn Peters
TERI LYN PETERS



**TRANSFER 82197**

STATE OF IDAHO )
) ss.
County of Twin Falls )

On this 10th day of September, 2014, before me, the undersigned, a Notary Public in and for said County and State, personally appeared JOHN L. PETERS and TERI LYN PETERS, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

DAVID A. COLEMAN NOTARY PUBLIC STATE OF IDAHO

David A. Coleman
NOTARY PUBLIC
Residing at Twin Falls, Idaho
My Commission Expires 4-17-2016

Re-Recorded to correct legal

#3923

# CORPORATE WARRANTY DEED

FOR VALUE RECEIVED,

**Jones Corporation,** a corporation duly organized and existing under the laws of the State of Idaho, GRANTOR, does hereby grant, bargain, sell and convey unto

**EVARD, L.L.C., an Idaho limited liability company**
**Address:** 872 E. Pebble Drive, **Burley, ID 83318**

TWIN FALLS COUNTY
RECORDED FOR:
LAND TITLE AND ESCROW - TWIN
02:00:31 PM 12-27-2012
2012025219
NO. PAGES 4 FEE: $19.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: DJW
Electronically Recorded by Simplifile

GRANTEE, the following described real estate, to-wit:

Parcel No. 1

Township 12 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho
Section 35: E½SE¼; SW¼SE¼

Parcel No. 2

Township 13 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho
Section 1: Lots 1,2,3,4; S½N½; W½SW¼

TWIN FALLS COUNTY
Recorded for:
LAND TITLE AND ESCROW.
9:32:26 AM 01-08-2013
2013-000440
No. Pages: Fee: $ 22.00
KRISTINA GLASCOCK
County Clerk
Deputy: DWRIGHT

Parcel No. 3

Township 13 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho
Section 2: Lots 1,2 and 3; S½N½; S½

Parcel No. 4

Township 13 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho
Section 11: E½NW¼; E½

TWIN FALLS COUNTY
Recorded for:
LAND TITLE AND ESCROW.
3:58:44 PM 02-05-2013
2013-002792
No. Pages:5 Fee: $ 22.00
KRISTINA GLASCOCK
County Clerk
Deputy: DWRIGHT

Parcel No. 5

Township 13 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho
Section 12: N½S½;SW¼SW¼;SE¼SE¼;N½ except NE¼NW¼NE¼

Parcel No. 6

Township 13 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho
~~Section 6: N½S½ except the North 330 feet and except the West 675.00 feet~~
Section 6:N½SW¼ except the North 330 feet
**And Except**

Township 13 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho
Section 6: a parcel of land located in Government Lot 6 more particularly described as follows:

Commencing at the West One Quarter (W¼) corner of said section from which the Southwest corner of Section 6 bears South 00°00'35" East - 2639.11 feet, Thence South 00°00'35" East along the West boundary of Government Lot 6 for a distance of 330.00 feet to the TRUE POINT OF BEGINNING;

Thence South 89°54'18" East for a distance of 675.00 feet;
Thence South 00°00'35" East parallel with the West boundary of Government Lot 6 for a distance of 989.32 feet to a point on the South boundary of Government Lot 6;
Thence North 89°55'30" West along the South boundary of Government Lot 6 for a distance of 675.00 feet to the Southwest

**TRANSFER 82197**

Re-Recorded to correct the legal

#3923

# CORPORATE WARRANTY DEED

FOR VALUE RECEIVED,

**Jones Corporation,** a corporation duly organized and existing under the laws of the State of Idaho, GRANTOR, does hereby grant, bargain, sell and convey unto

**EVARD, L.L.C., an Idaho limited liability company**
**Address:** 872 E. Pebble Drive, **Burley, ID 83318**

Recorded Electronically
ID 2010 005319
County Twin Falls
Date 10-27-2010 Time 2:00:31pm
Simplifile.com 800.460.5657

GRANTEE, the following described real estate, to-wit:

Parcel No. 1

Township 12 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho
Section 35: E½SE¼; SW¼SE¼

Parcel No. 2

Township 13 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho
Section 1: Lots 1,2,3,4; S½N½; W½SW¼

Parcel No. 3

Township 13 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho
Section 2: Lots 1,2 and 3; S½N½; S½

Parcel No. 4

Township 13 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho
Section 11: E½NW¼; E½

Parcel No. 5

Township 13 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho
Section 12: N½S½;SW¼SW¼;SE¼SE¼;N½ except NE¼NW¼NE¼

Parcel No. 6

Township 13 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho
~~Section 6: N½S½ except the North 330 feet and except the West 675.00 feet~~
Section 6:N½[redacted]SW¼ except the North 330 feet
**And Except**

Township 13 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho
Section 6: a parcel of land located in Government Lot 6 more particularly described as follows:

Commencing at the West One Quarter (W¼) corner of said section from which the Southwest corner of Section 6 bears South 00°00'35" East - 2639.11 feet, Thence South 00°00'35" East along the West boundary of Government Lot 6 for a distance of 330.00 feet to the TRUE POINT OF BEGINNING;

Thence South 89°54'18" East for a distance of 675.00 feet;
Thence South 00°00'35" East parallel with the West boundary of Government Lot 6 for a distance of 989.32 feet to a point on the South boundary of Government Lot 6;
Thence North 89°55'30" West along the South boundary of Government Lot 6 for a distance of 675.00 feet to the Southwest

**TRANSFER 82197**

corner of Government Lot 6;

Thence North 00°00'35" West along the West boundary of Government Lot 6 for a distance of 989.56 feet to the TRUE POINT OF BEGINNING.

Parcel No. 7

A 30.0 foot wide access and utility easement for the purpose of ingress, egress and utilities, said 30.0 foot wide easement being on, over, under and across a 30.0 foot wide strip of land that is centered on the following described line:

Commencing at the Southwest corner of the before described parcel, Thence North 00°00'35" West along the West boundary of the before described parcel for a distance of 565.67 feet to the TRUE POINT OF BEGINNING:

Thence South 84°00'33" East for a distance of 92.02 feet;

Thence South 84°27' 14" East for a distance of 70.25 feet to the point of curvature of a curve left;

Thence Southeasterly along the arc of the curve left for a distance of 95.91 feet, said arc having a radius of 8314.44 feet and a chord bearing and distance of South 85°27' 16" East 95.91 feet;

Thence South 87°04'03" East for a distance of 80.82 feet to the point of curvature of a curve right;

Thence Southeasterly along the arc of the curve right for a distance of 148.15 feet to a point on the East boundary of the before described parcel and being the terminus of said easement, said arc having a radius of 2 173.73 feet and a chord bearing and distance of South 85°48'42" East-148.12 feet.

The side line boundaries of the before described easement shall be lengthened or shortened as necessary to intersect the East and West boundaries of the before described parcel.

**SUBJECT TO:**

**TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.**

**All reservations in patents or deeds in the chain of title.**

Taxes for 2012 are an lien, the first one-half of which is not delinquent until after December 20 of the current year.

Rights-of-way for ditches, tunnels and telephone and transmission lines constructed by authority of the United States, as granted to the United States under provisions of Section 58-604, Idaho Code.

Easement for pipeline granted to Village of Hollister, recorded April 17, 1911 as Instrument No. 26738.

Easement for right of way for a pipe line from well granted to Hollister Water Works Company, recorded April 9, 1914 as Instrument No. 50421.

Easement for right of way for a pipeline for water granted to Village of Hollister, Idaho, a municipal corporation, recorded September 19, 1958 as Instrument No. 475863.

Easement for right of way for a pipe line for water granted to Village of Hollister, Idaho, a municipal corporation, recorded September 19, 1958 as Instrument No. 475864. Correction recorded July 15, 1961 as Instrument No. 505033.

Easement granted to Idaho Power Company, recorded August 5, 1966 as Instrument No. 567218.

Reservations in United States Patent recorded June 1, 1967 as Instrument No. 577111.

Easement granted to Idaho Power Company, recorded July 3, 1975 as Instrument No. 682372.

Easement granted to Idaho Power Company, recorded July 3, 1975 as Instrument No. 682373.

Easement granted to Idaho Power Company, recorded January 31, 1978 as Instrument No. 729900.

Easement granted to Idaho Power Company, recorded November 3, 1978 as Instrument No. 747238.
Easement granted to Idaho Power Company, recorded September 22, 1987 as Instrument No. 928078.

Easement granted to Idaho Power Company, recorded June 28, 1987 as Instrument No. 956778.

Easement granted to Idaho Power Company, recorded September 19, 1991 as Instrument No. 91008202.

Property Use Agreement upon the terms, conditions and provisions contained therein:

Parties: Jones Corporation and the State of Idaho

Recorded: January 4, 2011 as Instrument No. 2011-000173 and re-recorded June 16, 2011 as Instrument No. 2011-011438

Easement for the purpose of constructing or installing thereon an Access Road for ingress and egress granted to State of Idaho, Idaho Transportation Board, recorded April 2, 2012 as Instrument No. 2012-006027.

All matters, covenants, conditions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by Record of Survey recorded April 18, 2012 as Instrument Number 2012-007134, records of Twin Falls County, Idaho.

Levies and assessments of the Salmon River Canal Company, LTD and the rights, powers and easements of said District as by law provided.

Right-of-ways or easements of County Highways.

Four 20.0 foot wide easements for the use and maintenance of buried pipelines and appurtenances, said easements being on, over, under and across 20.0-foot wide strips of land that is centered on the following described lines:

**Easement "A"**

Commencing at the Southeast corner of the before described parcel, Thence North 00°00'35" West along the East boundary of the before parcel for a distance of 559.39 feet to the TRUE POINT OF BEGINNING:
Thence South 89°48'09" East for a distance of 444.08 feet;
Thence South 48°06'33" East for a distance of 236.45 feet;
Thence South 86°18'37" East for a distance of 152.27 feet to a point on the West boundary of the before described parcel and being the terminus of said easement.

The easement shall include the right of ingress and egress through the described parcel to access the head gate and appurtenances.

**Easement "B"**

Commencing at the Southwest corner of the before described parcel, Thence North 00°00'35" West along the West boundary of the before described parcel for a distance of 702.22 feet to the TRUE POINT OF BEGINNING:
Thence South 78°37'31" East for a distance of 280.02 feet;
Thence South 85°07'48" East for a distance of 401.94 feet to a point on the East boundary of the before described parcel and being the terminus of said easement.

**Easement "C"**

Commencing at the Southwest corner of the before described parcel, Thence North 00°00'35" West along the West boundary of the before described parcel for a distance of 202.35 feet to the TRUE POINT OF BEGINNING:
Thence North 82°32'42" East for a distance of 84.36 feet;
Thence North 81°59'13" East for a distance of 597.16 feet to a point on the East boundary of the before described parcel and being the terminus of said easement.

**Easement "D"**

Commencing at the Southwest corner of the before described parcel, Thence South 89°55'30" East along the South boundary of the before described parcel for a distance of 232.81 feet to the TRUE POINT OF BEGINNING:
Thence North 57°35'21" East for a distance of 523.72 feet to a point on the East boundary of the before described parcel and being the terminus of said easement.

**Note:** The sideline boundaries of the described pipeline easements (A, B, C & D) shall be lengthened or shortened as necessary to intersect the boundaries of the described parcel.

All buried pipeline easements that are for the benefit of the above-described properties and are burdening other subject property shall include the following restriction:

If any pipeline outside the boundaries of the above-described properties is dug up for repair and/or maintenance, the disturbed ground shall be restored to its original condition. The cost to restore the ground to its original condition shall be borne by the owner of the above described properties.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said GRANTEE, and the successors and assigns of the GRANTEE forever, except as aforesaid.

IN WITNESS WHEREOF, The GRANTOR, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President this **27th** day of **December, 2012.**

**Jones Corporation**

BY: Roger O. Jones
Roger O. Jones, President

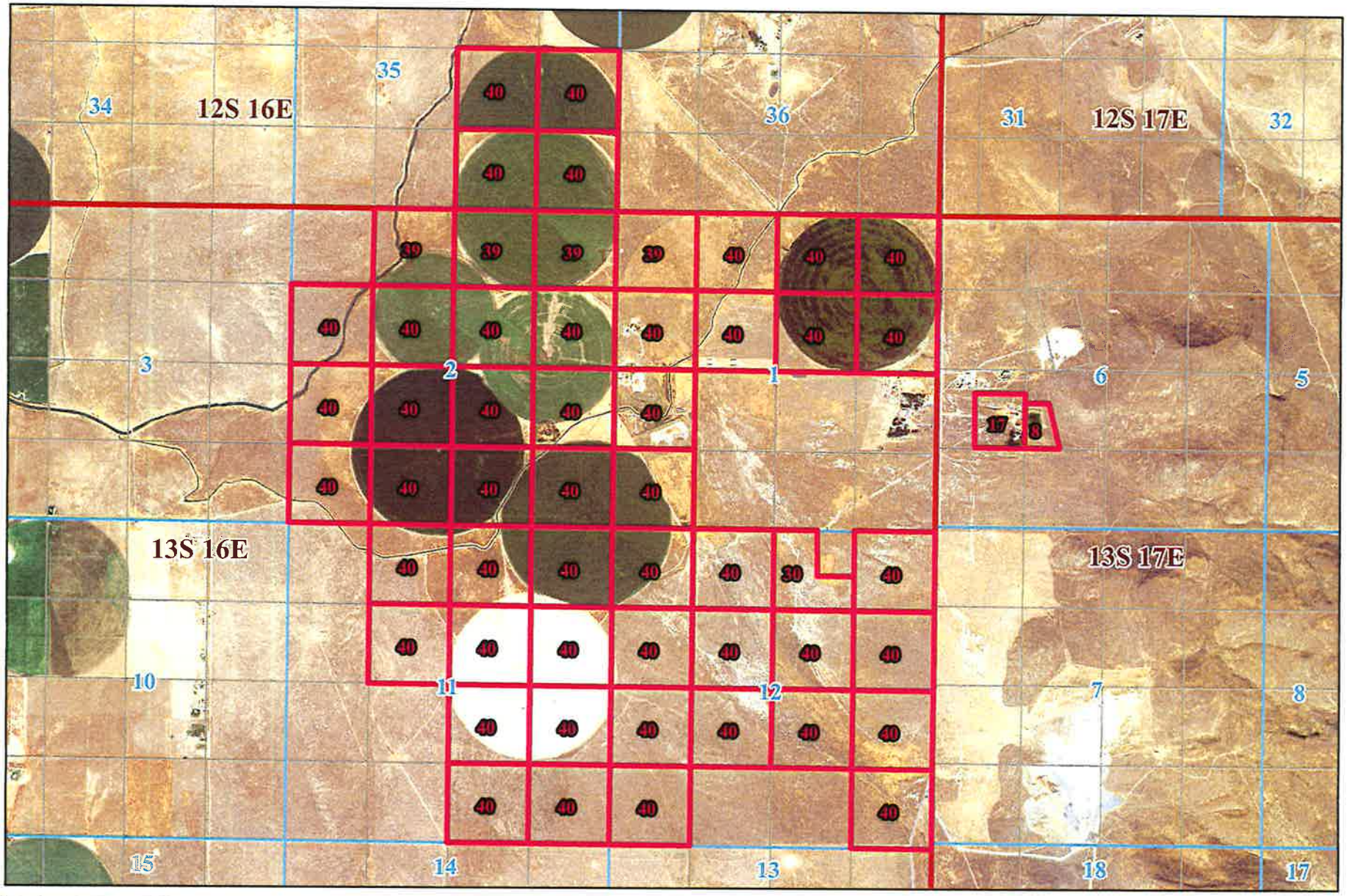
STATE OF IDAHO )
) ss.
COUNTY OF TWIN FALLS )

On this 27th day of December, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Roger O. Jones, known or identified to me to be the President of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Notary Public
Residing at: Twin Falls, ID
My Commission expires: 8-15-2017

ZACH BAY
NOTARY PUBLIC
STATE OF IDAHO

Path: F:\Projects\Gibby - Hollister\Acrview\Gibby Hollister 2017.mxd




0 625 1,250 2,500 Feet

**EVARD LLC**

PPU TRANSFER
2017 NAIP Aerial

**Legend**

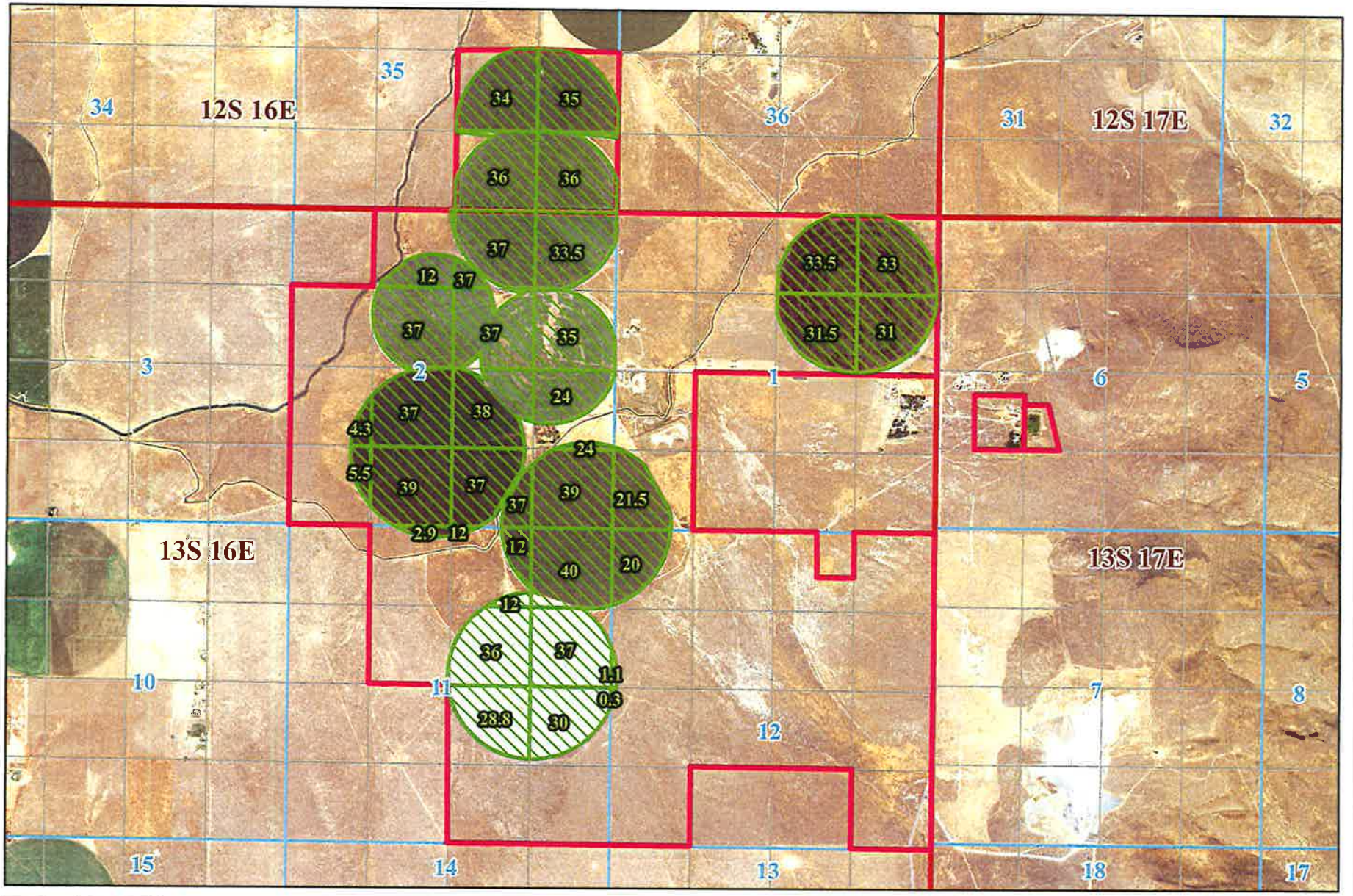
PPU QQ

N

BROCKWAY ENGINEERING, PLLC.
GWS -Date: 2/14/2018

**TRANSFER 82197**

Path: F:\Projects\Gibby - Hollister\Acrview\Gibby Hollister 2017.mxd




0 625 1,250 2,500 Feet

**EVARD LLC**

PPU TRANSFER
POU DISCRIPTION
2017 NAIP AERIAL

**Legend**

2018_Irrigation_POU

Irrigation PPU

N

BROCKWAY ENGINEERING, PLLC.
GWS -Date: 2/14/2018

**TRANSFER 82197**

Northwest
FARM CREDIT SERVICES

1408 Pomerelle Ave, Ste B
Burley, ID 83318-2068
*Voice:* 208.678.6650 *Fax:* 208.678.6653

March 2, 2018

To Whom It May Concern:

Northwest Farm Credit Services is aware of the application, by Evard LLC, to add a place of use of the water currently mortgaged and secured by Northwest Farm Credit Services. Farm Credit is aware that the water will be used in the NW1/4 SE1/4 of Section 35, Township 12 South, Range 16 East. We have reviewed the application and see no issue with the proposal and our position. Northwest Farm Credit Services is in support of the approval of the proposed application.

Sincerely,

Travis R. Lammers
Branch Manager / Relationship Manager
Northwest Farm Credit Services
208-678-6650
travis.lammers@northwestfcs.com

STATE OF Idaho }
}ss.
County of Cassia }

On this 2nd day of March, 2018, before me personally appeared Travis R. Lammers, known to me to be an authorized agent of the corporation that executed the within instrument, and acknowledge to me that such corporation executed the same as its free act and deed; and on oath stated that he/she was authorized to execute said instrument.

STACEY L. KRIEGH
Notary Public
State of Idaho

Stacey L. Kriegh
Printed name Stacey L Kriegh
Notary Public for the State of Idaho
Residing at Burley
My commission expires 06/06/2018

**TRANSFER 82197**

This institution is an equal opportunity provider and employer.

| No. **W 2104** | **Due no later than Feb 28, 2018**<br>**Annual Report Form** | 2. Registered Agent and Address **(NO PO BOX)** |
|---|---|---|
| Return to:<br>SECRETARY OF STATE<br>700 WEST JEFFERSON<br>PO BOX 83720<br>BOISE, ID 83720-0080<br><br>**NO FILING FEE IF RECEIVED BY DUE DATE** | **1. Mailing Address: Correct in this box if needed.**<br>EVARD, L.L.C.<br>REED GIBBY<br>872 E PEBBLE DR<br>BURLEY ID 83318 | REED GIBBY<br>872 E PEBBLE DR<br>BURLEY ID 83318<br><br>3. New Registered Agent Signature:* |

4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.

| Office Held | Name | Street or PO Address | City | State | Country | Postal Code |
|---|---|---|---|---|---|---|
| MANAGER | REED GIBBY | 872 E PEBBLE DR | BURLEY | ID | | 83318 |

| 5. Organized Under the Laws of: | 6. Annual Report must be signed.* | |
|---|---|---|
| **ID**<br>**W 2104** | Signature: Tyson Nelson<br>Name (type or print): Tyson Nelson | Date: 01/02/2018<br>Title: Legal Counsel |
| Processed 01/02/2018 | * Electronically provided signatures are accepted as original signatures. | |

**TRANSFER 82197**

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 1, 2018

EVARD LLC
872 E PEBBLE DR
BURLEY ID 83318

Re: Transfer No: 82197
Water Right No(s).: 47-2047, 47-2153, 47-2285, 47-12242, 47-12257, 47-12269, 47-12277

**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). This transfer approval is being reissued to correct the portion of the place of use identified in Section 6 (T13S, R17E) for rights 47-2153, 47-2285, 47-12257, 47-12277, 47-2047, and 47-12269 and supersedes the previously issued transfer approval (signed May 25, 2018). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

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

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

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

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

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

Sincerely,

Corey Skinner
Southern Regional Manager

Enclosure

cc:

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

## CERTIFICATE OF SERVICE

I hereby certify that on June 1, 2018 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.: 82197**
**Water Right No(s).: 47-2047, 47-2153, 47-2285, 47-12242, 47-12257, 47-12269, 47-12277**

**EVARD LLC**
**872 E PEBBLE DR**
**BURLEY ID 83318**

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

Denise Maline

**Denise Maline**
**Administrative Assistant**

# EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

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

(Required by Rule of Procedure 730.02)

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

## PETITION FOR RECONSIDERATION

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

## EXCEPTIONS AND BRIEFS

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

## REQUEST FOR HEARING

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

## ORAL ARGUMENT

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

## CERTIFICATE OF SERVICE

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

## FINAL ORDER

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

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

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) The petition for reconsideration is disposed of; or
> (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

## APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

## Skinner, Corey

**From:** Skinner, Corey
**Sent:** Friday, June 01, 2018 2:12 PM
**To:** 'Greg Sullivan'
**Cc:** Bitzenburg, James
**Subject:** RE: Transfer 82197 Approval

Greg,

I took a look at this transfer. It looks like we approved the transfer with an incorrect place of use in Section 6 for all of the rights except right 47-12242. The incorrectly identified place of use in Section 6 is...

7 acres in the NESW and 18 acres in Lot 6 (NWSW)

When it should have been...

8 acres in the NESW and 17 acres in Lot 6 (NWSW)
(As listed on Part 1 of the application).

I have signed a new transfer approval that has the correct place of use for Section 6 on all of the rights. We will be mailing it out to you and the applicant.

With regards to the possible point of diversion change, a new transfer can be filed to address this item if desired. Note that it would only involve the right(s) needing changed.

Corey

**From:** Greg Sullivan [mailto:greg.sullivan@brockwayeng.com]
**Sent:** Thursday, May 31, 2018 4:50 PM
**To:** Bitzenburg, James <James.Bitzenburg@idwr.idaho.gov>; Skinner, Corey <Corey.Skinner@idwr.idaho.gov>
**Subject:** Transfer 82197 Approval

Jim and Corey,

Regarding Transfer 82197 approval .

Can you please take a look at the PPU acre amounts in Sec 6 NESW and NWSW? I am not sure why but the acre amounts listed in the PPU for WR 47-12269 are different than all of the other water rights. We would be fine with having 7 acres in the NESW and 18 acres in the NWSW listed out in all of the water rights.

Would it be possible to also correct the 3 POD descriptions under 47-12269 to identify the 3 wells in Section 6 instead of Section 12? I know that we did not ask to change the PODs in the transfer application but I think this needs to be updated if we can.

Greg Sullivan
Brockway Engineering
2016 North Washington Street, Suite 4

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 25, 2018

EVARD LLC
872 E PEBBLE DR
BURLEY ID 83318

Re: Transfer No: 82197
Water Right No(s).: 47-2047, 47-2153, 47-2285, 47-12242, 47-12257, 47-12269, 47-12277

**Transfer Approval Notice**

Dear Water Right Holder and other Interested Persons:

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

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

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

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

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

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

Sincerely,

Corey Skinner
Southern Regional Manager

Enclosure

cc:

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

## CERTIFICATE OF SERVICE

I hereby certify that on May 25, 2018 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.: 82197**
**Water Right No(s).: 47-2047, 47-2153, 47-2285, 47-12242, 47-12257, 47-12269, 47-12277**

**EVARD LLC**
**872 E PEBBLE DR**
**BURLEY ID 83318**

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

Denise Maline

**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:** March 15, 2018

**To:** Transfer 82197

**From:** James Bitzenburg

**Re:** Legal Notice Not Required

Legal Notice Not Required
3/15/2018

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

Transfer proposes to modify the POU of contiguous land, so advertising is not required.

# MEMORANDUM

**Date:** March 15, 2018

**To:** Evard, LLC transfer #82197 file

**From:** Jim Bitzenburg

**Re:** Evaluation of Sufficiency of Information Submitted

---

Application for transfer proposes to modify the place of use (POU) for three Goat Springs Creek and four ground water irrigation rights which currently irrigate 915.9 acres within a 2091.0 acre Permissible Place of Use (PPU) located approximately 1.1 to 3.0 miles east and 1.0 to 3.2 miles south of Hollister. The transfer will add 40.0 contiguous acres to the PPU, and as a result, 915.9 acres will be irrigated within a 2131.0 acre PPU.

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

- **Authority to File:**
  The Department's database indicates that the water rights involved are owned by the applicant, Evard, LLC. The application was signed by Reed Gibby, the manager of Evard, LLC. See attachment from the Idaho Secretary of State office, *Annual Report Form.*

- **Water Right Validity:**
  Based on aerial imagery, forfeiture of the irrigation right does not appear to be an issue.

- **Injury to Other Water Rights:**
  None anticipated or foreseen. There are no acre limit, flow rate, or volume increases involved with this transfer.

- **Enlargement of Use:**
  None anticipated.

- **Local Public Interest:**
  No issues anticipated.

- **Beneficial Use/Conservation of Water Resources:**
  Proposed use is recognized as a beneficial use of water.

- **Effect on the Economy of the Local Area:**
  None Anticipated

- **Effect of the Agricultural Base of the Area:**
  None Anticipated

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

# TRANSFER SYNOPSIS

**Date:** March 14, 2018

**To:** Transfer 82197, Evard, LLC Transfer file

**From:** Jim Bitzenburg

**Re:** Summary of transfer

---

Application for transfer proposes to modify the place of use (POU) for three Goat Springs Creek and four ground water irrigation rights which currently irrigate 915.9 acres within a 2091.0 acre Permissible Place of Use (PPU) located approximately 1.1 to 3.0 miles east and 1.0 to 3.2 miles south of Hollister. The transfer will add 40.0 contiguous acres to the PPU, and as a result, 915.9 acres will be irrigated within a 2131.0 acre PPU.

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

The proposed transfer is not located within a Water District, so no Watermaster comments will not need to be solicited.

The rights involved in the transfer are:

| | | | | | |
|---|---|---|---|---|---|
| 47-2047 | Irrigation | Ground Water | 3.8 cfs | 760.0 AF | 190.0 acres |
| 47-2285 | Irrigation | Ground Water | 3.66 cfs | 648.0 AF | 185.0 acres |
| 47-12269 | Irrigation | Ground Water | 1.3 cfs | 633.2 AF | 580.0 acres |
| 47-12277 | Irrigation | Ground Water | 3.66 cfs | 1782.7 AF | 540.9 acres |
| 47-2153 | Irrigation | Goat Springs Creek | 0.96 cfs | | 48.8 acres |
| | Stockwater | Goat Springs Creek | 0.09 cfs | | |
| 47-12242 | Irrigation Storage | Goat Springs Creek | | 21.4 AF | |
| | Irrigation from Storage | | | 21.4 AF | |
| 47-12257 | Irrigation | Goat Springs Creek | 4.5 cfs | | 734.9 acres |

**Totals authorized under these rights:** 14.22 cfs, 3663.6 AF, 915.9 acre limit within a 2131.0 acre PPU

# FEE MEMORANDUM

**Date:** March 14, 2018

**To:** Evard, LLC Transfer #82197 File

**From:** Jim Bitzenburg

**Re:** Receipting/disposition of fees paid

---

This transfer was filed on 2/26/2018 by Brockway Engineering with a fee of $1780.00 submitted (check #14534, receipt #S036605). From the Transfer Processing Memo #23 regarding fees, the fee was calculated in the following manner. Since 40 acres are being added to the PPU, we calculate the amount of each right that could be irrigated within the additional 40 acres. The following chart summarizes the calculation:

| | |
|---|---|
| **47-12269** | **40/580.0 x 1.30 cfs = 0.09 cfs** |
| **47-12257** | **40/734.9 x 4.50 = 0.25 cfs** |
| **47-2153** | **40/48.0 x 0.96 = 0.80 cfs** |
| **47-12277** | **40/540.9 x 3.66 = 0.27 cfs** |
| **47-2047** | **40/190.0 x 3.8 = 0.80 cfs** |
| **47-2285** | **40/185.0 x 3.66 = 0.79 cfs** |

The total flow rate being changed, therefore, is 3.00 cfs, and from the transfer fee schedule, the fee should actually be $660.00. I emailed the State office today to initiate a refund of the $1120.00 overpayment.

## Bitzenburg, James

**From:** Bitzenburg, James
**Sent:** Wednesday, March 14, 2018 10:29 AM
**To:** Marston, Sascha
**Subject:** Refund of overpayment of fees

Sascha-

I am processing a transfer (#82197) for Evard, LLC, which was submitted by their representative, Brockway Engineering. Brockway Engineering paid $1780.00, when the actual fee was only $660.00. Could you issue a $1120.00 refund to Brockway Engineering for the overpayment? The receipt number is S036605 dated 2/26/2018, check #14534. The address for Brockway Engineering is:

**Brockway Engineering, PLLC**
**2016 Washington St. N. Ste. 4**
**Twin Falls, ID 83301**

Let me know if you need anything more and thank you for your help.

Jim

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 28, 2018

EVARD LLC
872 E PEBBLE DR
BURLEY ID 83318

Dear Applicant:

A transfer in the name of Evard, LLC was received in our office on February 26, 2018. The transfer proposes modifying the place of use for irrigation rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269. After a review of the application, several items need to be addressed that currently prevent its processing, so we are returning the application to you. If the application is not resubmitted, with the issues addressed, within 30 days of the date of this letter, the application fee will be refunded.

- The letter of consent to the transfer from the lienholder (Northwest Farm Credit Services) was not included with the transfer application. Responses to the questions on the form are one of the Requirements for an Acceptable Application for Transfer, listed in Transfer Processing Memo #24, available on the Idaho Department of Water Resources website. Without the consent letter, processing of the application cannot commence.

- On page 3, Part 1, B. 1, the total authorized under the rights shows 16.92 cfs, and I calculate the total at 14.22 cfs, based on the total of the combined flow rate of the ground water rights (7.46 cfs), surface right 47-2153 (0.96 cfs), surface right 47-12257 (4.5 cfs), and surface right 47-12269 (1.3 cfs). Please review your figures and let me know if you agree.

- In addition, you paid the fee based upon the entire flow rate, and it seems more appropriate to calculate the fee based upon the flow rate of the amount of each water right being changed. By doing this, the fee will be much lower, $660.00, instead of the $1780.00 submitted. Since 40 acres are being added to the PPU, we calculate the amount of each right that could be irrigated within the additional 40 acres. The following chart summarizes the calculation:

| | |
|---|---|
| 47-12269 | 40/580.0 x 1.30 cfs = 0.09 cfs |
| 47-12257 | 40/734.9 x 4.50 = 0.25 cfs |
| 47-2153 | 40/48.0 x 0.96 = 0.80 cfs |
| 47-12277 | 40/540.9 x 3.66 = 0.27 cfs |
| 47-2047 | 40/190.0 x 3.8 = 0.80 cfs |
| 47-2285 | 40/185.0 x 3.66 = 0.79 cfs |

The total flow rate being changed is 3.00 cfs, and from the Transfer Fee Schedule on the IDWR website, the fee should be $660.00. When you re-submit the application, I will initiate a refund of the extra $1120.00 from the State office.

Because the "Send original correspondence to the applicant and copies to the representative" box was checked on page 2, I am requesting the email address of the applicant so that I may include you in email correspondence.

If you and/or you representative would like to set up a time to discuss these issues in our office, feel free to give me a call or email, and we would be happy to arrange a meeting. As mentioned earlier, if you do not resubmit the application with the requested information within 30 days of the date of this letter, I will contact the State IDWR office and initiate a refund of your filing fees.

Sincerely,

Jim Bitzenburg
Water Resource Agent

Cc: Greg Sullivan, Brockway Engineering

Enclosures

RECEIVED
FEB 26 2018
DEPT OF WATER RESOURCES
SOUTHERN REGION

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics
Hydrology
Water Resources

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

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

2016 NORTH WASHINGTON STREET • SUITE 4

TWIN FALLS, IDAHO 83301

208•736•8543

FAX: 736•8506

February 23, 2018

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

Re: Evard LLC

Dear Mr. Skinner:

Evard LLC desires to update the irrigation place of use for water rights 47-2153, 47-2047, 47-12277, 47-2285, 47-12257, 47-12269 and 47-12242. Only the location of the irrigation place of use will be changing with this transfer. All other beneficial use locations will remain unchanged. The authorized PODs, beneficial uses, period of use and ownership of these water rights will not be changing.

Warranty Deeds for the additional property to be included into the permissible place of use has been attached to this letter. Only 915.9 acres will be irrigated annually on this farm.

A letter of consent has been requested from Northwest Farm Credit. As soon as the consent letter is received it will be forwarded to the Idaho Department of Water Resources.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Reed Gibby, Tyson Nelson
Enc: Aerial Map, Warranty Deeds, Brockway Engineering Check # 14534 for $1,780.00