

RECEIVED

APR 11 2018

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 82247**MINIMUM REQUIREMENTS CHECKLIST**
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

Name of Applicant(s) IDAHO AGRI INVESTMENTS 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 #1-9.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).
- ☐ ☒ #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 <http://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.
- ☐ ☒ #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.)
- ☒ ☐ #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 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant IDAHO AGRI INVESTMENTS LLC Phone _____
Mailing Address PO BOX 418, CHESTERTOWN MD 21620 Email _____

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

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

☐ No Representative

Name of Representative TSK ENTERPRISES LLC Phone (208) 320-0897
Mailing Address GARY L FUNDERBURG
255 BLUE LAKES BLVD N PMB 617, TWIN FALLS ID 83301 Email tskenterprise@cableone.net

- ☐ 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.

Wayne E. Cummings Wayne E. Cummings, Manager 3/31/18
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

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

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	47-7673	No	No	No	Yes	No	No

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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

Add a proposed new well and an existing well to water right 47-7673.

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

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

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
47-7673	8.020 cfs	3040.0 af	760.0	1505.0		N/A	N/A	N/A	N/A

**COMBINED
TOTALS**

8.020 cfs	3,040.0 af	760.0	1,505.0	N/A	N/A	N/A	N/A
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2. Total amount of water proposed to be transferred or changed 8.02 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

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

4. Place of Use:

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

**IDAHO DEPARTMENT OF WATER RESOURCE
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 47-7673

Current Water Right Owner
IDAHO AGRI
INVESTMENTS LLC
PO BOX 418
CHESTERTOWN, MD
21620

Priority Date: 10/10/1980

Origin: Water Right

Basis: License

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	8.020 CFS	3040.0 AFA	
Total Diversion			8.020 CFS	3040.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SENW	Sec. 1 Twp 12S Rge 18E TWIN FALLS County
GROUND WATER	SENW	Sec. 1 Twp 12S Rge 18E TWIN FALLS County
GROUND WATER	L3(NENW)	Sec. 1 Twp 12S Rge 18E TWIN FALLS County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	18E	36	33.0			20.0								19.0	30.0	20.0	40.0	40.0	202.0
11S	19E	32									40.0	39.0	37.0	34.0					150.0
12S	18E	1	40.0	40.0	21.0	28.0	38.0	5.0	25.0	24.0									221.0
			L1	L2			L3	L4											
12S	19E	5	38.0	29.0			23.0	39.0	32.0			38.0	19.0						218.0
			L1	L2			L3	L4											
12S	19E	8	40.0	39.0	39.0	40.0	39.0	18.0	19.0	39.0	26.0			18.0	40.0	39.0	39.0	40.0	475.0
			L1	L2			L3	L4	L5										
12S	19E	7	32.0	40.0	40.0		27.0			35.0	32.0					33.0			239.0

Right Acre Limit: 760.0

POU Total Acres: 1,505.0

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

Wells will be fitted with lockable valves and IDWR approved flow devices measuring total diversion from
ground water into re-diversion pond.

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

Gregg Clanton

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?
No, ☒ If Yes, ☐

Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it Attachment #6. List the name of the entity and type of lien:

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

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
No changes.

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

Water right 47-7673 is limited to the irrigation of 760.0 acres and overlaps multiple water rights wi

thin a 1,505.0 acre permissible place of use: 47-127A; 47-140; 47-141; 47-142; 47-143; 47-157A; 47-2491;
47-2511; 47-2526; 47-2536; 47-2546; 47-2552; 47-2554; 47-2556; 47-2557; 47-2566; 47-7673; 47-8379; and
47-16392.

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

Yes No

☐
☐
☐
☐

☒
☒
☒
☒

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

If yes, describe:

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

Current Water Right No. 47-7673

Current Water Right Owner

IDAHO AGRI
INVESTMENTS LLC
PO BOX 418
CHESTERTOWN, MD
21620

Priority Date: 10/10/1980

Origin: Water Right

Basis: License

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	8.020 CFS	3040.0 AFA	
Total Diversion			8.020 CFS	3040.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER

SENW

Sec. 1 Twp 12S Rge 18E TWIN FALLS County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	18E	36	33.0			20.0								19.0	30.0	20.0	40.0	40.0	202.0
11S	19E	32									40.0	39.0	37.0	34.0					150.0
12S	18E	1	40.0	40.0	21.0	28.0	38.0	5.0	25.0	24.0									221.0
			L 1	L 2			L 3	L 4											
12S	19E	5	38.0	29.0			23.0	39.0	32.0			38.0	19.0						218.0
			L 1	L 2			L 3	L 4											
12S	19E	6	40.0	39.0	39.0	40.0	39.0	18.0	19.0	39.0	26.0			18.0	40.0	39.0	39.0	40.0	475.0
			L 1	L 2			L 3	L 4	L 5										
12S	19E	7	32.0	40.0	40.0		27.0			35.0	32.0					33.0			239.0

Right Acre Limit: 760.0

POU Total Acres: 1,505.0

Conditions/Remarks:

1. This right is limited to the irrigation of 760 acres within the authorized place of use in a single irrigation season.
2. 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.
3. Rights 47-127A, 47-140, 47-141, 47-142, 47-143, 47-157A, 47-2491, 47-2511, 47-2526, 47-2536, 47-2546, 47-2552, 47-2554, 47-2556, 47-2557, 47-2566, 47-7673, 47- 8379 and 47-16392 when combined shall not exceed the irrigation of 1505 acres.
4. Rights 47-2491, 47-2566, 47-2511, 47-2546, 47-2526, 47-8379, 47-2536, 47-2552, 47-2556, 47-2554, 47-2557 and 47-7673 are limited to the diversion of 6020 acre feet per irrigation season.
5. The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water rights to those times when the surface water supply is not available or reasonably sufficient to irrigate the place of use authorized under this right.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

6. If the surface water rights appurtenant to the place of use for this right is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), the right holder shall not divert ground water for irrigation purposes on the land with appurtenant surface water rights without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
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. Use of this right is combined with water from Twin Falls Canal Co.

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

☒ 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.

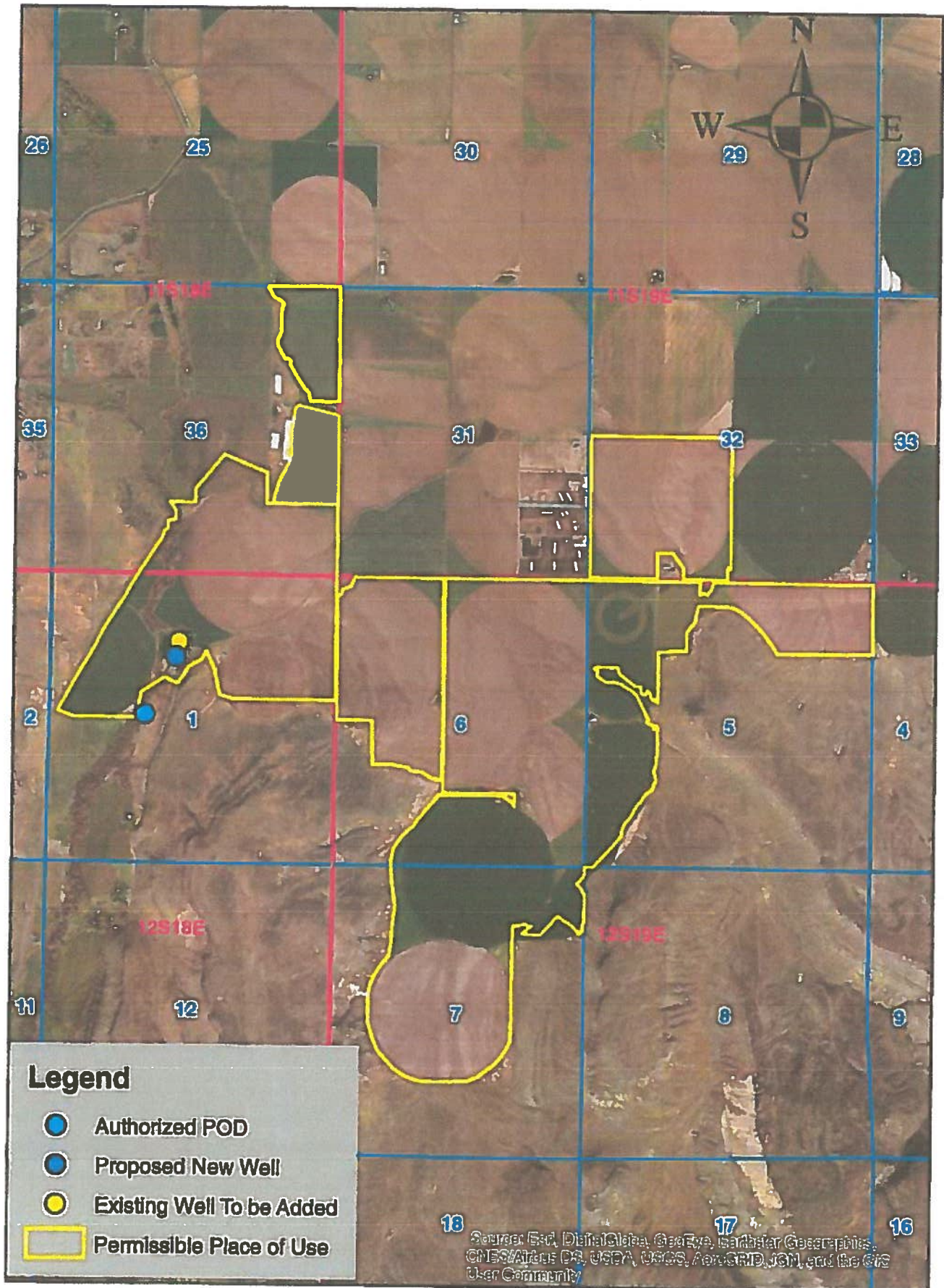
☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the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

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

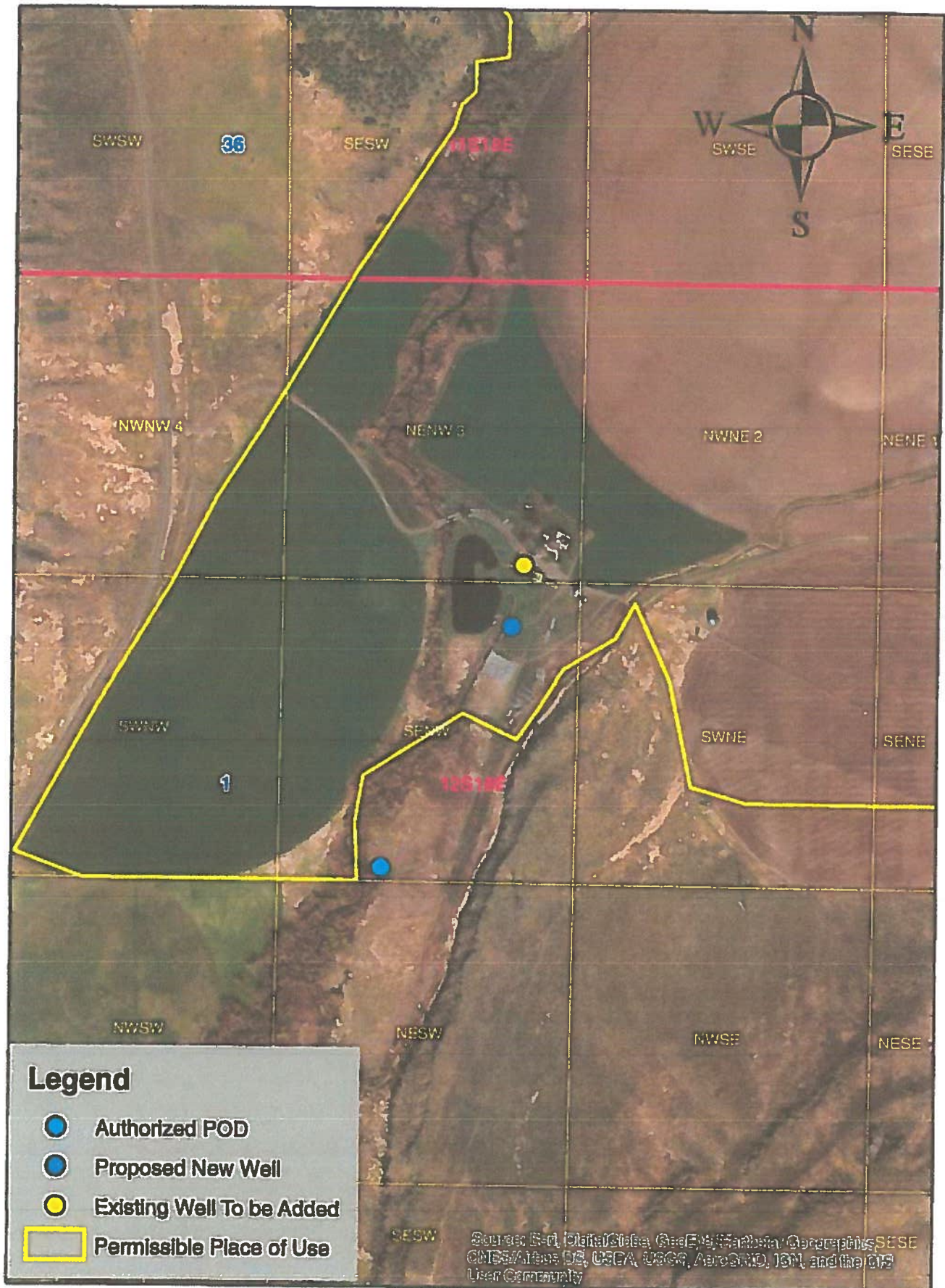
[illegible]

Transfer Contains 8 pages and _____ attachments.
 Received By _____ Date 3/22/2018 Prelim. Check By _____ Date _____
 Fee Paid \$1,140.00 Date 2/26/2018 Received By AM Receipt # S036604
 Add'l Fee Paid _____ Date _____ Received By _____ Receipt # _____

Attachment 7A(1)



Attachment 7A(2)



FILED EFFECTIVE



STATEMENT OF CHANGE OF
REGISTERED AGENT,
REGISTERED OFFICE,
OR BOTH
(See reverse for instructions)

2017 MAY 17 AM 11:03

SECRETARY OF STATE
STATE OF IDAHOFile #: W 128676

The undersigned entity submits the following statement for the purpose of changing its registered agent, its registered office, or both, in the State of Idaho.

1. The name of the entity is:
Idaho Agri Investments, LLC
2. The name and street address of the old registered agent and office is:
Paul Arrington
162 2nd Ave West
Twin Falls, ID 83301-5672
3. The name and street address of the new registered agent and office in Idaho is:
Shelley M. Davis
1010 W. Jefferson St., Ste. 102
(not a PO box or PMS)
Boise, ID 83702

I consent to serve as registered agent for the above-named entity.

(Signature of new registered agent)May 9, 2017(Date)Date: 5/11/17

Signature:

Printed: WAYNE E. CUMMINGSCapacity: MANAGER

NO FEE REQUIRED

No. W 128676	Due no later than Aug 31, 2017 Annual Report Form		2. Registered Agent and Address (NO PO BOX)		
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. IDAHO AGRI INVESTMENTS LLC P.O. BOX 418 CHESTERTOWN MD 21620 USA		SHELLEY M DAVIS 1010 W JEFFERSON ST STE 102 BOISE ID 83702		
			3. <u>New</u> 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	WAYNE E. CUMMINGS	PO BOX 418	CHESTERTOWN MD	USA	21620
5. Organized Under the Laws of: ID W 128676		6. Annual Report must be signed.* Signature: Wayne E. Cummings Name (type or print): Wayne E. Cummings Date: 09/29/2017 Title: Manager			
Processed 09/29/2017		* Electronically provided signatures are accepted as original signatures.			

TRANSFER 82247

RECEIVED

FEB 26 2018

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

Transfer No.

82247

RECEIVED

MAR 22 2018

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) Idaho Agri Investments, LLCCheck 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 Department 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 disruptions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled maps 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: Add point of diversion as shown on map: Attachment #7a

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 22 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Idaho Agri Investments, LLC Phone (208) 423-5253

Mailing address P.O. Box 418 Chestertown, MD 21620 Email _____

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

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

☐ No Representative

Name of Representative Gary Funderburg - T.S.K. Enterprises Phone (208) 320-0897

Mailing address 255 Blue Lakes Blvd. North (PMB 617) Twin Falls, ID 83301 Email tskenterprise@cableone.net

- ☐ 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.

Wayne E. Cummings
Signature of Applicant or Authorized Representative

Wayne E. Cummings, Mgr.
Print Name and Title if applicable

3/15/18
Date

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**.

Adjust existing place of use to authorize irrigation system efficiency improvements. Add new well with approved flow meter closer to primary distribution pond. Total diversion rate under 47-7673 will be maintained and total irrigation will remain unchanged.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	47-7673	8.02	Irrigation	03/15 to 11/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 8.02 cfs and/or 3040.0 acre-feet.

2. Total amount of water proposed to be transferred or changed 8.02 cubic feet per second and/or 3040.0 acre-feet per year.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
n		SW	SE	NW	1	12S	18E	Twin Falls	Ground Water	existing well
y		NE	SE	NW	1	12S	18E	Twin Falls	Ground Water	new well

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	
Total Acres (for irrigation use)																			

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:
Wells will be fitted with lockable valves and IDWR approved flow devices measuring total diversion from ground water into re-diversion pond.

- b. Who owns the property at the point(s) of diversion? Gregg Clanton
If other than the applicant, describe the arrangements enabling the applicant to access the property for the diversion system:

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

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

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete [Attachment WSB](#).
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed as a result of this transfer:
Total irrigation will remain unchanged. Minor changes resulting from retiring marginal land and irrigating more productive areas.

- 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:
Total irrigation under combined water rights 47-127A, 47-140, 47-141, 47-142, 47-143, 47-157A, 47-2491, 47-2511, 47-2526, 47-2536, 47-2546, 47-2552, 47-2554, 47-2556, 47-2557, 47-2566, 47-7673, 47-8379 and 47-16392 will remain limited to the irrigation of 1,505 acres.

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

Yes No

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

If yes, describe:

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

Current Water Right No.: 47-7673

Current Owner: IDAHO AGRI INVESTMENTS LLC

Priority Date: 10/10/1980

Origin: Water Right

Status: Active

Basis: License

Source

GROUND WATER

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Total Diversion

Diversion Rate

8.02 CFS

8.02 CFS

Annual Volume

3040 AF

3040 AF

Location of Point(s) of Diversion

GROUND WATER

TWIN FALLS County

SE 1/4 NW 1/4 Sec. 1, Twp 12S, Rge 18E B.M.

Place of Use

Handwritten: S
E
T
W
A
T
E
R
S
O
L
D

IRRIGATION Within TWIN FALLS County

T11S R18E S36		NENE	33.00	T11S R18E S36		SENE	20.00
T11S R18E S36		SESW	19.00	T11S R18E S36		NESE	30.00
T11S R18E S36		NWSE	20.00	T11S R18E S36		SWSE	40.00
T11S R18E S36		SESE	40.00	T11S R19E S32		NESW	40.00
T11S R19E S32		NWSW	39.00	T11S R19E S32		SWSW	37.00
T11S R19E S32		SESW	34.00	T12S R18E S1	Lot 1	NENE	40.00
T12S R18E S1	Lot 2	NWNE	40.00	T12S R18E S1		SWNE	21.00
T12S R18E S1		SENE	28.00	T12S R18E S1	Lot 3	NENW	38.00
T12S R18E S1	Lot 4	NWNW	5.00	T12S R18E S1		SWNW	25.00
T12S R18E S1		SENE	24.00	T12S R19E S5	Lot 1	NENE	38.00
T12S R19E S5	Lot 2	NWNE	29.00	T12S R19E S5	Lot 3	NENW	23.00
T12S R19E S5	Lot 4	NWNW	39.00	T12S R19E S5		SWNW	32.00
T12S R19E S5		NWSW	38.00	T12S R19E S5		SWSW	19.00
T12S R19E S6	Lot 1	NENE	40.00	T12S R19E S6	Lot 2	NWNE	39.00
T12S R19E S6		SWNE	39.00	T12S R19E S6		SENE	40.00
T12S R19E S6	Lot 3	NENW	39.00	T12S R19E S6	Lot 4	NWNW	18.00
T12S R19E S6	Lot 5	SWNW	19.00	T12S R19E S6		SENE	40.00
T12S R19E S6		NESW	26.00	T12S R19E S6		SENE	40.00
T12S R19E S6		NESE	40.00	T12S R19E S6		SENE	40.00
T12S R19E S6		SWSE	39.00	T12S R19E S6		SENE	40.00
T12S R19E S7		NENE	32.00	T12S R19E S7		NWNE	40.00
T12S R19E S7		SWNE	40.00	T12S R19E S7		NENW	27.00
T12S R19E S7		SENE	35.00	T12S R19E S7		NESW	32.00
T12S R19E S7		NWSE	33.00				

Total Acres: 1505

Handwritten: Surveyed

Conditions of Approval:

1. X27 This right is limited to the irrigation of 760 acres within the authorized place of use in a single irrigation season.
2. Rights 47-2491, 47-2566, 47-2511, 47-2546, 47-2526, 47-8379, 47-2536, 47-2552, 47-2556, 47-2554, 47-2557 and 47-7673 are limited to the diversion of 6020 acre feet per irrigation season.
3. 105 If the surface water rights appurtenant to the place of use for this right is unavailable for any reason other than drought or curtailment by priority (for example abandoned, forfeited, sold, transferred, leased, used on another place of use, or disallowed by court decree), the right holder shall not divert ground water for irrigation purposes on the land with appurtenant surface water rights without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
4. 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.
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 af per acre at the field headgate for irrigation of the place of use.
6. 065 The right holder shall make full beneficial use of all surface water available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right for land with an appurtenant surface water rights to those times when surface water supply is not available or reasonably sufficient to irrigate the place of use authorized under this right.
7. X35 Rights 47-127A, 47-140, 47-141, 47-142, 47-143, 47-157A, 47-2491, 47-2511, 47-2526, 47-2536, 47-2546, 47-2552, 47-2554, 47-2556, 47-2557, 2566, 47-7673, 47- 8379 and 47-16392 when combined shall not exceed the irrigation of 1505 acres.
8. S20 Use of this right is combined with water from Twin Falls Canal Co.

Licensed Date: 12/8/2015

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 right(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:

This right has historically provided supplemental water for irrigation of these lands in conjunction with available surface water and ground water rights and the same historical use is expected to continue within the same general place of use. Additional well will allow efficient diversion of authorized water right while also providing back-up water supply during periodic well repair operations.

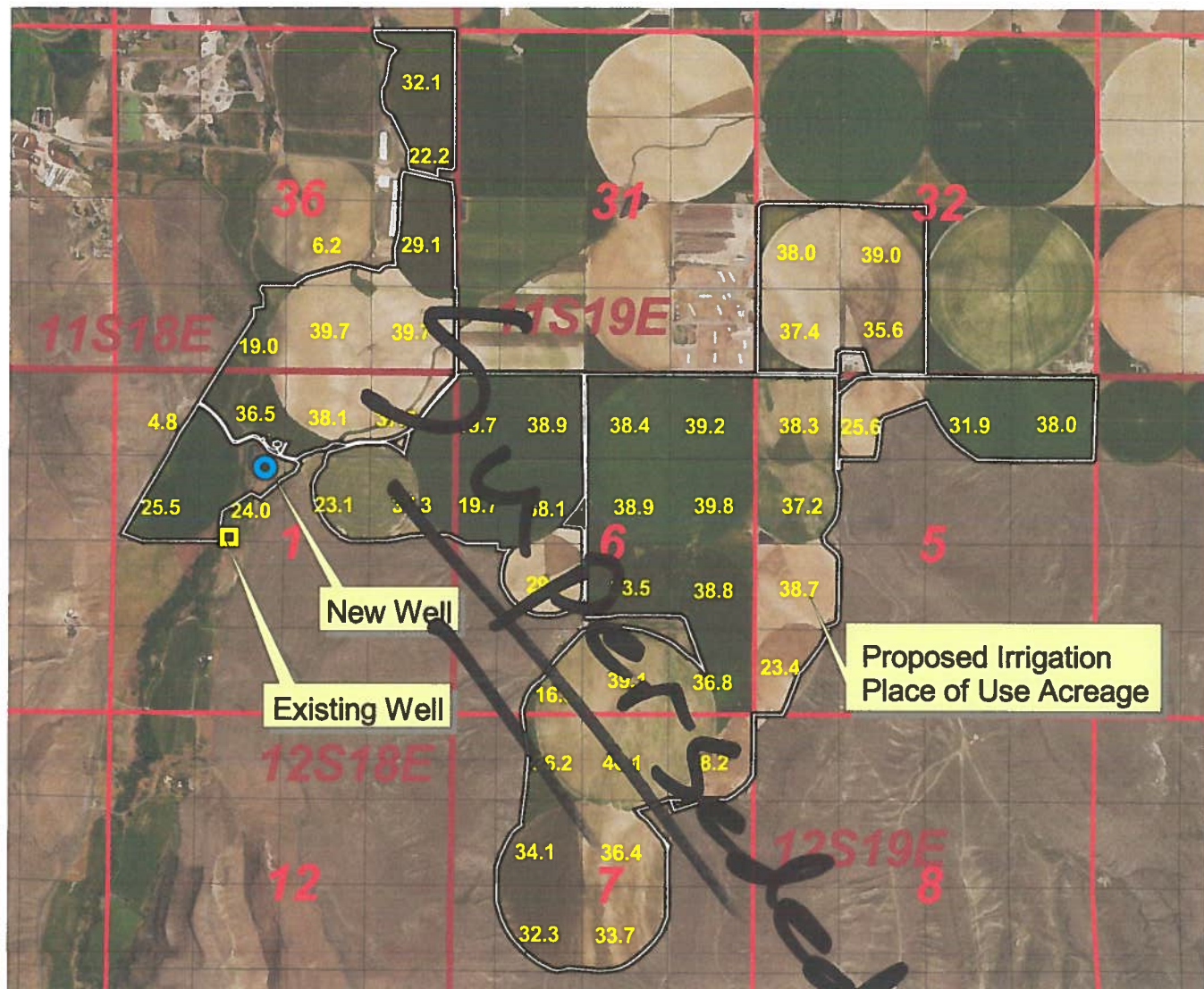
FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by DM Date 2/26/18 Preliminary check by _____ Date _____
 Fee paid \$1,140 - Date 2/26/18 Received by DM Receipt # 5036604
 Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

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

APPLICATION FOR TRANSFER OF WATER RIGHT

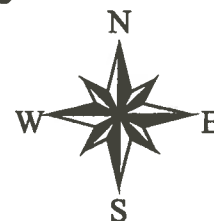


JCH - 1/27/2018

2015 NAIP Aerial Photo



- 47-673 Proposed POU (1,505 Ac)
- 47-673 Proposed New P.O.D. (Existing Well)
- 47-673 Existing P.O.D. (Existing Well)
- Townships
- Sections
- 40's



Idaho Agri Investments, LLC
Proposed Water Right Place Of Use & Points of Diversion

ATTACHMENT #7a



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

April 27, 2018

IDAHO AGRI INVESTMENTS LLC
PO BOX 418
CHESTERTOWN, MD 21620

RE: Transfer No. 82247
Water Right No(s). 47-7673

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 5/3/2018 and 5/10/2018**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **May 21, 2018**.

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

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

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

Sincerely,

Denise Maline
Administrative Assistant

cc: TSK ENTERPRISES LLC, C/O GARY L FUNDERBURG

Maline, Denise

From: Maline, Denise
Sent: Friday, April 27, 2018 11:29 AM
To: Times News
Subject: LEGAL NOTICES
Attachments: Times News cover letter.docx; Times News ad.doc; TFGWMA Legal Notice 2018.docx

Attached please find (2) legal notice being submitted for publication. **Please note:** the ad labeled "Times News ad" is for publication on the normal dates of May 3rd & 10th, 2018. The ad labeled "TFGWMA legal notice 2018" is for publication on May 3rd, 10th, and 17th, 2018.

Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you again for your flexibility,

Denise

Denise Maline

Administrative Assistant

Idaho Dept of Water Resources, Southern Region

650 Addison Ave W, Ste 500

Twin Falls, ID 83301

(208) 736-3033

denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 27, 2018

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 81943

Water Right No(s). 45-10107, 45-13611, 45-13661, 45-14464, 45-2075, 45-2176, 45-2220, 45-2236, 45-2270, 45-2290, 45-2291, 45-2292, 45-2317, 45-2318, 45-2319, 45-2408, 45-4032, 45-4074, 45-4120, 45-4142, 45-480, 45-481, 45-482, 45-483, 45-484, 45-487C, 45-488A, 45-489, 45-490, 45-494, 45-497, 45-505, 45-506, 45-533, 45-7565

RE: Transfer No. 82201

Water Right No(s): 47-4107A

RE: Transfer No. 82247

Water Right No(s): 47-7673

RE: Transfer No. 82289

Water Right No(s): 43-13005, 43-2540B

RE: Transfer No. 82302

Water Right No(s): 43-13031, 43-13041, 43-13691, 43-13693, 43-323B, 43-7048

RE: Notice of Moratorium Extension, Twin Falls Groundwater Management Area

Dear Legal Notice Department:

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

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before May 21, 2018. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81943**

DOUBLE EAGLE PROPERTIES LLLP, 3173 N 4900 E, MURTAUGH, ID 83344-5359; has filed Application No. 81943 for changes to the following water rights within CASSIA, TWIN FALLS County(s): Right No(s). 45-10107, 45-13611, 45-13661, 45-14464, 45-2075, 45-2176, 45-2220, 45-2236, 45-2270, 45-2290, 45-2291, 45-2292, 45-2317, 45-2318, 45-2319, 45-2408, 45-4032, 45-4074, 45-4120, 45-4142, 45-480, 45-481, 45-482, 45-483, 45-484, 45-487C, 45-488A, 45-489, 45-490, 45-494, 45-497, 45-505, 45-506, 45-533, 45-7565. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to create a 2277 acre permissible place of use (PPU) for 15 ground water rights, 17 Dry Creek water rights, one waste water right, one Unnamed Stream water right, and one Cold Springs Creek water right on a farm approximately 2.4 to 6.0 miles south and 1.4 miles west to 1.0 miles east of the City of Murtaugh. The application also proposes to add 10 existing wells plus 3 new wells to be drilled as authorized points of diversion for all of the ground water rights. Four ground water rights will retain an additional currently authorized point of diversion. Two of the proposed new wells to be drilled are within the proposed PPU and one new well to be drilled will be on neighboring land adjacent to the proposed PPU. In addition, the application proposes to add three existing Dry Creek points of diversion as authorized points of diversion for all 17 Dry Creek water rights. The application also proposes to add a new point of diversion located approximately 6.6 miles south and 0.3 miles west of the City of Murtaugh as an additional authorized point of diversion for the Cold Springs Creek water right. All water rights allow for the combined total diversion of 44.837 cfs to be used within the proposed 2277 acre PPU.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 82201**

ISE 555 BROADWAY LLC, PO BOX 267, GALENA, MD 21635; has filed Application No. 82201 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-4107A. The purpose of the transfer is to change a portion of the above rights as follows: Applicant proposes changing the point of diversion for 1.2 cfs of groundwater for irrigation from a well located approximately 6.2 miles south and 1.5 miles east of the city center of Hansen to a well to be drilled located approximately 5.9 miles south and 1.4 miles east of the city center of Hansen.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 82247**

IDAHO AGRI INVESTMENTS LLC, PO BOX 418, CHESTERTOWN, MD 21620; has filed Application No. 82247 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-7673. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding points of diversion to an 8.02 cfs ground water right used to irrigate 760 acres within a 1505 acre permissible place of use. The transfer proposes adding two additional points of diversion, an existing well and one new well to be drilled. Points of diversion are located approximately 8.3 miles south and 3.4 miles east of the intersection of Center St and Main St in Kimberly.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 82289**

IDA GOLD FARMS LLC, 246 E 300 S, BURLEY, ID 83318; has filed Application No. 82289 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13005, 43-2540B. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to add a new point of diversion for two stockwater and commercial ground water rights associated with a CAFO facility. The two ground water rights allow for the diversion of up to 0.47 cfs. The CAFO is located approximately 13.5 to 14.2 miles east and 3.0 to 3.5 miles south of the intersection of Interstate Highways 84 and 86 east of Burley. The proposed new well to be drilled is located within the CAFO facility.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 82302**

DAWN HIGLEY and HEATH HIGLEY, 1971 S 2350 E, MALTA, ID 83342; has filed Application No. 82302 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13031, 43-13041, 43-13691, 43-13693, 43-323B, 43-7048. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to modify the place of use (POU) for two ground water and three surface water irrigation rights (6.44 cfs total) which currently irrigate 149.0 acres located approximately 1.3 to 2.0 miles south and 0.3 mile west to 0.5 mile east of Malta. The new place of use will irrigate 149.0 acres in the same general area. The transfer also proposes to change the point of diversion (POD) and POU of a 0.19 cfs (19.0 acre) portion of Cassia Creek right 43-323B. The POU of the split portion of 43-323B will be the same as the modified POU noted above and the POD of the split right will be changed to that of the existing Cassia Creek rights in the transfer, which is located approximately 1.9 miles south and 0.7 mile west of Malta, or approximately 0.25 mile downstream of its present location.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx . Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **May 21, 2018**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on May 3rd & 10th, 2018

MEMORANDUM

Date: April 24, 2018
To: Transfer 82247 File
From: Bill Mills
Re: Transfer Proposal

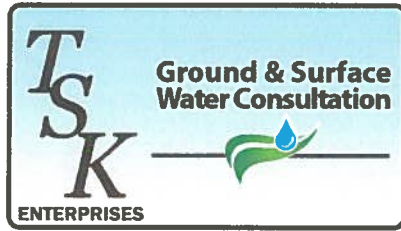
Application for transfer proposes adding points of diversion to water right 47-7673, an 8.02 cfs ground water right used to irrigate 760 acres within a 1505 acre permissible place of use (PPU). The transfer proposes adding two additional points of diversion, an existing well and one new well to be drilled. Points of diversion are located approximately 8.3 miles south and 3.4 miles east of the intersection of Center St and Main St in Kimberly.

This water right overlaps the following water rights within the 1505 acre PPU: 47-127A, 47-140, 47-141, 47-142, 47-143, 47-157A, 47-2491, 47-2511, 47-2526, 47-2536, 47-2546, 47-2552, 47-2554, 47-2556, 47-2557, 47-2566, 47-8379 and 47-16392. When combined, all rights in the PPU are limited to the diversion of 0.02 cfs per acre and no more than 4.0 acre feet per acre. This right and the following ground water rights in this PPU are also limited to the diversion of 6020 acre feet per irrigation season: 47-2491, 47-2566, 47-2511, 47-2546, 47-2526, 47-8379, 47-2536, 47-2552, 47-2556, 47-2554 and 47-2557. The portion of this PPU that is in Section 32, Twp 11S, Rge 19E is within the Oakley Canal Co. and Southwest Irrigation District service areas and Southwest Irrigation District water shares may also be used there.

MEMORANDUM

Date: April 24, 2018
To: Transfer 82247
From: Bill Mills
Re: Fee Evaluation

Filing fees charged for transfer application #82247 were based on the on the current transfer fee schedule and included \$1140.00 for the 8.02 cfs being transferred in the application (Receipt No.S036604).



**255 Blue Lakes Blvd N
PMB 617
Twin Falls, ID 83301
Cell: 208-320-0897**

RECEIVED
APR 11 2018
DEPT. OF WATER RESOURCES
SOUTHERN REGION

April 7, 2018

Gentlemen:

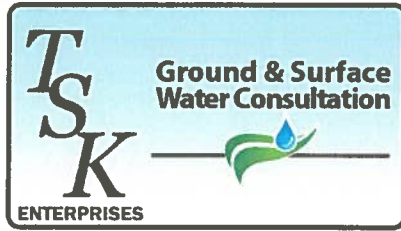
Please find enclosed the corrected application for a transfers to add a point of diversion as requested by Idaho Agri. Investments, LLC/Farming and ISE 555 BROADWAY LLC and the correct signature whom is registered with the State of Idaho.

If you need further assistance, feel free to contact me.

Once again, thank you for your support.

Sincerely,

Mr. Gary L. Funderburg
TSKENTERPRISES LLC



**255 Blue Lakes Blvd N
PMB 617
Twin Falls, ID 83301
Cell: 208-320-0897**

RECEIVED

MAR 22 2018

**DEPT OF WATER RESOURCES
SOUTHERN REGION**

March 20, 2018

Gentlemen:

Please find enclosed the corrected application for a transfers to add a point of diversion as requested by Idaho Agri. Investments, LLC/Farming.

If you need further assistance, feel free to contact me.

Once again, thank you for your support.

Sincerely,

Mr. Gary L. Funderburg
TSKENTERPRISES LLC