

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 81984**

This is to certify that: **MANN FARMS INC**
31801 MANN LN
PARMA, ID 83660

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-21364	WR/DECREED	1/1/1944	0.240 cfs	13.4 af	N/A	N/A	GROUND WATER
63-31292	WR/DECREED	6/21/1982	0.230 cfs	N/A	N/A	N/A	GROUND WATER
63-31293	WR/DECREED	1/1/1963	0.310 cfs	20.2 af	N/A	N/A	GROUND WATER
63-31294	WR/DECREED	5/12/1976	0.230 cfs	N/A	N/A	N/A	GROUND WATER
63-31295	WR/DECREED	1/1/1973	0.230 cfs	N/A	N/A	N/A	GROUND WATER
63-31298	WR/LICENSE	9/6/2001	0.550 cfs	33.6 af	N/A	N/A	GROUND WATER
63-31664	WR/LICENSE	4/22/2003	0.400 cfs	23.4 af	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-21364	NO	NO	NO	YES	NO	NO
63-31292	NO	NO	NO	YES	NO	NO
63-31293	NO	NO	NO	YES	NO	NO
63-31294	NO	NO	NO	YES	NO	NO
63-31295	NO	NO	NO	YES	NO	NO
63-31298	NO	NO	NO	YES	NO	NO
63-31664	NO	NO	NO	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-21364	63-21364	0.240 cfs	13.4 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-31292	63-31292	0.230 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-31293	63-31293	0.310 cfs	20.2 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-31294	63-31294	0.230 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-31295	63-31295	0.230 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-31298	63-31298	0.550 cfs	33.6 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
63-31664	63-31664	0.400 cfs	23.4 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		1.240 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

Transfer No. 81984

SUPPORT DATA

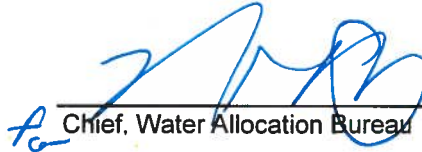
IN FILE # 63-21364

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 81984

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 13th day of February, 2018.



Chief, Water Allocation Bureau



WATER RIGHT NO. 63-21364**As Modified by Transfer No. 81984**

In accordance with the approval of Transfer No. 81984, Water Right No. 63-21364 is now described as follows:

Right Holder: MANN FARMS INC
31801 MANN LN
PARMA, ID 83660

Priority Date: 1/1/1944

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
STOCKWATER	01/01	to 12/31	0.240 cfs	13.4 af
			0.240 cfs	13.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	SWNE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	SWNE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	SENW	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	NWSE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	NWSE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	NWSE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	SWSE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	NESW	Sec 25 Twp 06N Rge 06W CANYON County

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	06W	25			X					X	X				X	X			

CONDITIONS OF APPROVAL

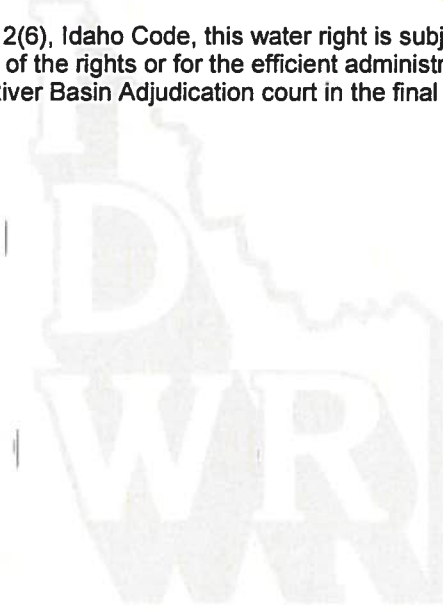
1. Rights 63-21364, 63-31292, 63-31293, 63-31294, 63-31295, 63-31298, and 63-31664 when combined shall not exceed a total diversion rate of 1.24 cfs.
2. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
3. After specific notification by the Department, 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.
4. The quantity of water decreed for this water right is not a determination of historical beneficial use.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Transfer No. 81984

WATER RIGHT NO. 63-21364
As Modified by Transfer No. 81984

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. 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. 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. 63-31292
As Modified by Transfer No. 81984

In accordance with the approval of Transfer No. 81984, Water Right No. 63-31292 is now described as follows:

Right Holder: MANN FARMS INC
 31801 MANN LN
 PARMA, ID 83660

Priority Date: 6/21/1982

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
STOCKWATER	01/01	to 12/31	0.230 cfs
			0.230 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	SWNE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	SWNE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	SENE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	NWSE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	NWSE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	NWSE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	SWSE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	NESW	Sec 25 Twp 06N Rge 06W CANYON County

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	06W	25			X											X			

CONDITIONS OF APPROVAL

1. Rights 63-21364, 63-31292, 63-31293, 63-31294, 63-31295, 63-31298, and 63-31664 when combined shall not exceed a total diversion rate of 1.24 cfs.
2. The quantity of water under this right shall not exceed 13,000 gallons per day.
3. The quantity of water decreed for this water right is not a determination of historical beneficial use.
4. 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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 81984

WATER RIGHT NO. 63-31292
As Modified by Transfer No. 81984

CONDITIONS OF APPROVAL

6. 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. 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. 63-31293**As Modified by Transfer No. 81984**

In accordance with the approval of Transfer No. 81984, Water Right No. 63-31293 is now described as follows:

Right Holder: MANN FARMS INC
31801 MANN LN
PARMA, ID 83660

Priority Date: 1/1/1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
STOCKWATER	01/01	to 12/31	0.310 cfs	20.2 af
			0.310 cfs	20.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	SWNE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	SWNE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	SENW	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	NWSE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	NWSE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	NWSE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	SWSE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	NESW	Sec 25 Twp 06N Rge 06W CANYON County

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	06W	25			X											X			

CONDITIONS OF APPROVAL

1. Rights 63-21364, 63-31292, 63-31293, 63-31294, 63-31295, 63-31298, and 63-31664 when combined shall not exceed a total diversion rate of 1.24 cfs.
2. 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.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 81984

WATER RIGHT NO. 63-31293
As Modified by Transfer No. 81984

CONDITIONS OF APPROVAL

5. 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. 63-31294**As Modified by Transfer No. 81984**

In accordance with the approval of Transfer No. 81984, Water Right No. 63-31294 is now described as follows:

Right Holder: MANN FARMS INC
31801 MANN LN
PARMA, ID 83660

Priority Date: 5/12/1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
STOCKWATER	01/01	to 12/31	0.230 cfs
			0.230 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	SWNE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	SWNE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	SENE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	NWSE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	NWSE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	NWSE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	SWSE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	NESW	Sec 25 Twp 06N Rge 06W CANYON County

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	06W	25			X											X			

CONDITIONS OF APPROVAL

1. Rights 63-21364, 63-31292, 63-31293, 63-31294, 63-31295, 63-31298, and 63-31664 when combined shall not exceed a total diversion rate of 1.24 cfs.
2. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
3. The quantity of water decreed for this water right is not a determination of historical beneficial use.
4. 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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 81984

WATER RIGHT NO. 63-31294
As Modified by Transfer No. 81984

CONDITIONS OF APPROVAL

6. 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. 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. 63-31295
As Modified by Transfer No. 81984

In accordance with the approval of Transfer No. 81984, Water Right No. 63-31295 is now described as follows:

Right Holder: MANN FARMS INC
 31801 MANN LN
 PARMA, ID 83660

Priority Date: 1/1/1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
STOCKWATER	01/01	to 12/31	0.230 cfs
			0.230 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	SWNE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	SWNE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	SENW	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	NWSE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	NWSE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	NWSE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	SWSE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	NESW	Sec 25 Twp 06N Rge 06W CANYON County

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	06W	25			X											X			

CONDITIONS OF APPROVAL

1. Rights 63-21364, 63-31292, 63-31293, 63-31294, 63-31295, 63-31298, and 63-31664 when combined shall not exceed a total diversion rate of 1.24 cfs.
2. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
3. The quantity of water decreed for this water right is not a determination of historical beneficial use.
4. 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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 81984

WATER RIGHT NO. 63-31295
As Modified by Transfer No. 81984

CONDITIONS OF APPROVAL

6. 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. 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. 63-31298
As Modified by Transfer No. 81984

In accordance with the approval of Transfer No. 81984, Water Right No. 63-31298 is now described as follows:

Right Holder: MANN FARMS INC
 31801 MANN LN
 PARMA, ID 83660

Priority Date: 9/6/2001

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
STOCKWATER	01/01	to 12/31	0.550 cfs	33.6 af
			0.550 cfs	33.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	SWNE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	SWNE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	SENW	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	NWSE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	NWSE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	NWSE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	SWSE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	NESW	Sec 25 Twp 06N Rge 06W CANYON County

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	06W	25			X	X				X	X	X		X	X	X	X		

CONDITIONS OF APPROVAL

1. Rights 63-21364, 63-31292, 63-31293, 63-31294, 63-31295, 63-31298, and 63-31664 when combined shall not exceed a total diversion rate of 1.24 cfs.
2. The right to irrigate 13.5 acres under water rights 63-2586 and 63-2587 has been abandoned to mitigate for consumptive losses under this right.
3. 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 81984

WATER RIGHT NO. 63-31298
As Modified by Transfer No. 81984

CONDITIONS OF APPROVAL

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



WATER RIGHT NO. 63-31664
As Modified by Transfer No. 81984

In accordance with the approval of Transfer No. 81984, Water Right No. 63-31664 is now described as follows:

Right Holder: MANN FARMS INC
 31801 MANN LN
 PARMA, ID 83660

Priority Date: 4/22/2003

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
STOCKWATER	01/01	to 12/31	0.400 cfs	23.4 af
			0.400 cfs	23.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWNE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	SWNE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	SWNE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	SENE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	NWSE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	NWSE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	NWSE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	SWSE	Sec 25 Twp 06N Rge 06W CANYON County
GROUND WATER	NESW	Sec 25 Twp 06N Rge 06W CANYON County

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	06W	25			X	X				X	X	X		X	X	X	X		

CONDITIONS OF APPROVAL

1. Rights 63-21364, 63-31292, 63-31293, 63-31294, 63-31295, 63-31298, and 63-31664 when combined shall not exceed a total diversion rate of 1.24 cfs.
2. The right to irrigate 9 acres under water right 63-2587B has been abandoned to mitigate for consumptive losses under this right.
3. 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 81984

WATER RIGHT NO. 63-31664
As Modified by Transfer No. 81984

CONDITIONS OF APPROVAL

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



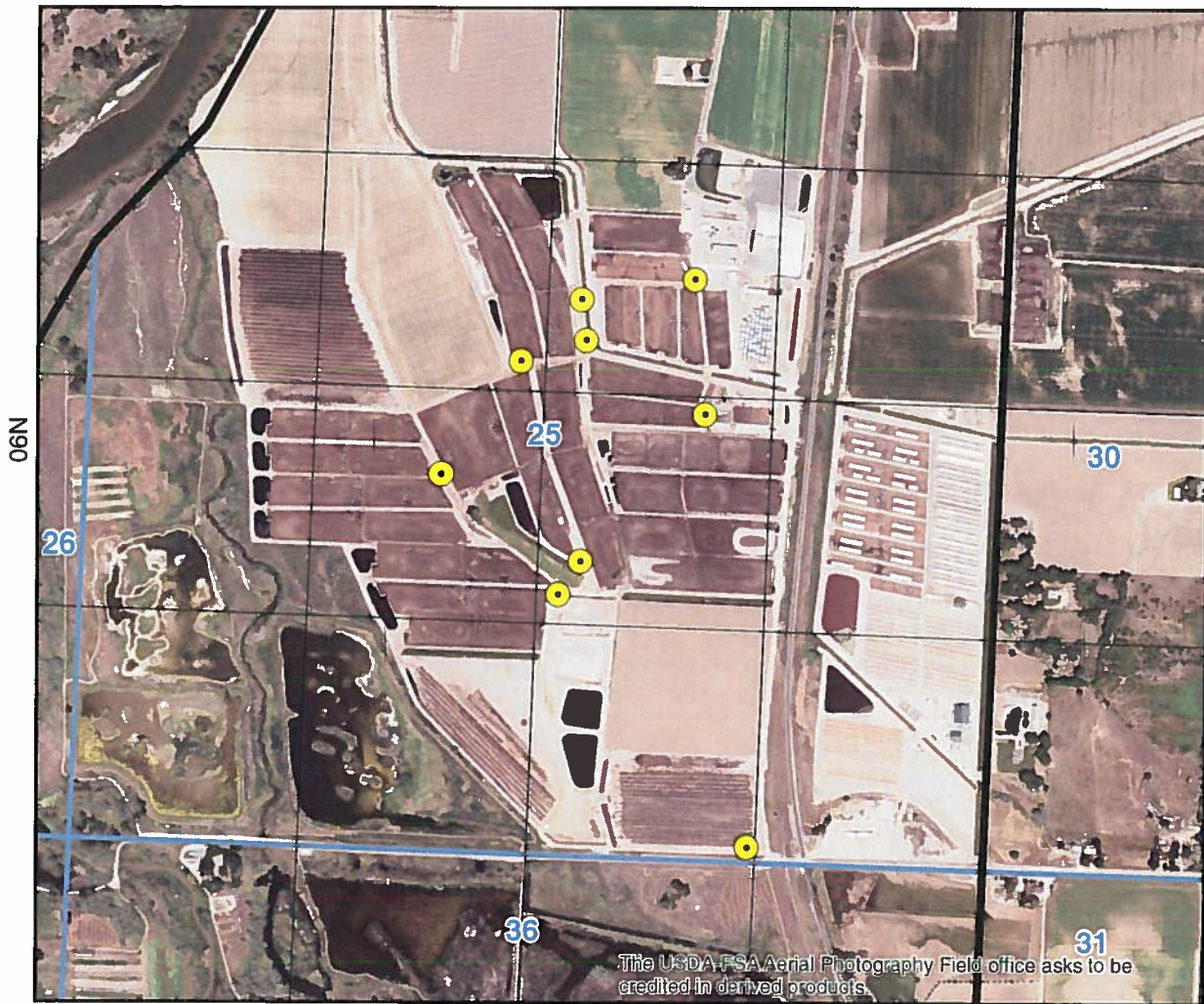
State of Idaho
Department of Water Resources

Attachment to Water Right Transfer 81984

63-21364, 63-31292, 63-31293, 63-31294, 63-31295, 63-31298 and 63-31664

This map depicts the STOCKWATER points of diversion for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.

06W



0 0.125 0.25 0.5 Miles

-  Transfer POD
-  Townships
-  PLS Sections





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 13, 2018

MANN FARMS INC
31801 MANN LN
PARMA ID 83660

Re: Transfer No: 81984
Water Right No(s): 63-21364, 63-31292, 63-31293, 63-31294, 63-31295, 63-31298, 63-31664

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.

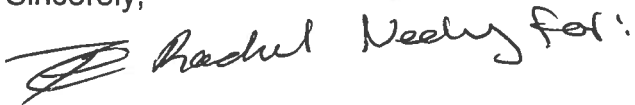
If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office 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) 334-2190.

Sincerely,

A handwritten signature in black ink that reads "Radul Neely for". The signature is written in a cursive, flowing style.

Nick Miller
Regional Manager

Enclosure

CC:

SPF WATER ENGINEERING LLC
C/O LORI GRAVES
300 E MALLARD DR STE 350
BOISE ID 83706

CERTIFICATE OF SERVICE

I hereby certify that on February 13, 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.: 81984

Water Right No(s): 63-21364, 63-31292, 63-31293, 63-31294, 63-31295, 63-31298, 63-31664

**MANN FARMS INC
31801 MANN LN
PARMA ID 83660**

**SPF WATER ENGINEERING LLC
C/O LORI GRAVES
300 E MALLARD DR STE 350
BOISE ID 83706**



**Rachel Neely
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

TO: Transfer No. 81984
FROM: Patrick Kelly
DATE: 12/13/2017
RE: Evaluation of Application

Summary of Information Submitted

The purpose of the transfer is to add a point of diversion for the seven water rights on the farm. A new well will be added to the ground water system that currently has eight wells tied together.

The transfer application was filed in the name of Mann Farms which matches current water right ownership of all of the rights. However, an ID SOS business search show the legal name of Mann Farms, Inc. A phone conversation with Mr. Mann confirmed that the legal name of the farm includes Incorporated. An ownership update can be completed through this transfer process since there is no company in the name of "Mann Farms" and the applicant supports the change.

There seemed to be multiple POD shapes for what seemed to be the same well location throughout the ground water rights. These points that looked like a small cluster of diversions were grouped into a single point for each well. The map that was submitted with the transfer application was used to determine the well locations of all proposed POD's.

Authority to File

The application was filed in the name of Mann Farms. Mann Farms is the current owner to all water rights relevant to the transfer. C Kent Mann signed the application. ID SOS records indicate Mr. Mann is President and Registered Agent with the company.

Water Right Validity

The rights were decreed and licensed between 2000 - 2015. Aerial imagery can be used to observe a cattle feedlot exists within the Places of Use. Stockwater use is clear, and concerns over validity are not present at this time.

Overlap Analysis

All of the stockwater rights on the farm with a ground water source are included in the transfer. No other rights with stockwater use are pertinent to the land.

Injury to Other Water Rights

None anticipated. The well proposal is part of an established stockwater system. The opportunity for protest was given during the announcement period. A protest to the transfer was not made.

Enlargement of Use

Pre-transfer combined use limits exist for a total diversion rate of 1.24 cfs. This rate is maintained and the condition is being added to all seven of the farms stockwater rights.

Local Public Interest

No information has been made available to suggest a conflict with public interest.

Beneficial Use/Conservation of Water Resources

The application proposes beneficial use consistent with conservation of water resources in Idaho.

Summary

Assuming any further information that may become presented does not contradict the above analysis, the application can be approved as reflected by the draft approval. **The application is consistent with criteria of I. C. § 42-222 and should be processed.**

29512 1694998

1 IDWR - WESTERN REGION

2735 AIRPORT WAY
BOISE ID 83705

**AFFIDAVIT OF PUBLICATION
STATE OF IDAHO**

County of Canyon

Sharon Jessen
of Nampa, Canyon County, Idaho, being
first duly sworn, deposes and says:

RECEIVED

NOV 29 2017

**WATER RESOURCES
WESTERN REGION**

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principle Clerk of the Idaho Press-Tribune, a daily newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in said newspaper 2 time(s) in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

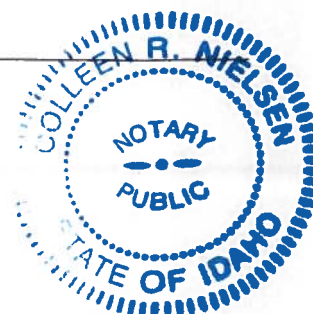
That said notice was published the following:
11/16/2017 11/23/2017

Sharon Jessen
STATE OF IDAHO

County of Canyon)

On this 27th day of November in the year of 2017 before me a Notary Public, personally appeared. Sharon Jessen, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that he/she executed the same.

Colleen R. Nielsen
Notary Public for Idaho
Residing at Canyon County
My Commission expires 06/28/2023



LEGAL NOTICE

The following applications have been filed to appropriate the public waters of the State of Idaho:

63-34412 *✓ OK RW 12/5/17*
ROBERT Q HEIM
SHAWN HEIM
23996 CAMADRIE LN
STAR, ID 83669
Point of Diversion L1
(NENE) S1 T04N R02W
CANYON County Source
GROUND WATER
Use: DOMESTIC 01/01 to
12/31 0.04 CFS
Use: IRRIGATION 03/01 to
11/15 0.03 CFS
Total Diversion: 0.07 CFS
Date Filed: 6/22/2017
Places of Use:
IRRIGATION, DOMESTIC
T04N R02W S1 L1(NENE)
Total Acres: 1
Water bearing zone to be
appropriated is from 220 to
386 feet.

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
TRANSFER NO. 81984**

✓ OK RW 12/5/17
MANN FARMS INC, 31801
MANN LN, PARMA, ID
83660; has filed Application
No. 81984 for changes to the
following water rights within
CANYON County(s): Right
No(s). 63-21364, 63-31292,
63-31293, 63-31294, 63-
31295, 63-31298, 63-31664.
The purpose of the transfer is
to add one (1) new point of di-
version to the existing stock-
water system. A new well will
be drilled, bringing the total
number of stockwater wells
on the farm to nine (9). Water
will be used at the current
place of use off the east bank
of the Snake River, 3 miles
south of Nyssa, OR.

Permits will be subject to all
prior water rights. For addi-
tional information concerning

the property location, contact
Western Region office at 208-
334-2190; or for a full de-
scription of the right(s) or pro-
posed transfer (s) please see
www.idwr.idaho.gov. Protests
may be submitted based on
the criteria of Idaho Code §§
42-203A and 42-222. Any
protest against the approval
of the application(s) must be
filed with the Director, Dept.
of Water Resources, Western
Region, 2735 Airport Way,
Boise, ID 83705 together with
a protest fee of \$25.00 for
each application on or before
12/4/2017. The protestant
must also send a copy of the
protest to the applicant.

GARY SPACKMAN,
Director

November 16, 23, 2017
1694998