

RECEIVED

DEC 27 2017

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

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) RT Kandler 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 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: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) RT Kandler LLC Phone _____

Mailing address 7891 S Yellowstone Hwy, Idaho Falls, ID 83402 Email _____

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

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

☒ No Representative

Name of Representative _____ Phone _____

Mailing address _____ Email _____

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

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

Carl Taylor
Signature of Applicant or Authorized Representative

Carl Taylor
Print Name and Title if applicable

12-22-17
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
☐ Change nature of use

☐ Add diversion point(s)
☐ Change period of use

☒ Change place of use
☐ Other _____
- 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 will combine water right numbers 1-10457, 1-10460, 25-245, 25-11218, and 25-11219, to cover the same place of use. This transfer will also include approximately 6 acres being dried up and moved from the SENE Section 26 05N 37E, to cover approximately 6 acres being irrigated in the NENW Section 27 05N 37E

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 ☒ ☐	1-10457	2.7 cfs	Irrigation	04/01 to 10/31	Snake River/Columbia Riv
☒ ☐	1-10460	12.02 cfs	Irrigation	04/01 to 10/31	Snake River/Columbia Riv
☒ ☐	25-245	1.5 cfs	Irrigation	04/01 to 10/31	Emigrant Creek/Snake Riv
☒ ☐	25-11218	5.66 cfs	Irrigation	04/01 to 10/31	Emigrant Creek/Snake Riv
☒ ☐	25-11219	4.34 cfs	Irrigation	04/01 to 10/31	Emigrant Creek/Snake Riv
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 26.22 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.99 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	
05N	37E	22												3.2			2.3	10	15.5
																	18	Lot 6	18
																	Lot 5		
05N	37E	26			40	32		17	6.9	34.9									130.8
									Lot 1	Lot 2									
										0.2									0.2
										Lot 5									
Total Acres (for irrigation use)																			

Ident. No. _____

Attachment to: ☐ Application for Permit to Appropriate Water
☐ Application for Amendment of Permit

☒ Application for Transfer**☐ Beneficial Use Field Report☐ Adjudication Claim☐ Statutory Claim[illegible]

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below.

[illegible]

****If this supplemental sheet is for an Application for Transfer, insert this page into Part 1B of the application.**

Page _____

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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:

Water is Delivered via the Bear Trap Canal and IDWR current regulations
a measuring device at the Head.

- b. Who owns the property at the point(s) of diversion? Emmett Shippen & Robert Hunting

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: N/A

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:

Some acres from Section 26 will be dried up to cover the same amount of land in Section 27 that will be 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:

- 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 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 _____ Date _____ Preliminary check by _____ Date _____

Fee paid 500.00 Date 12-27-2017 Received by Ms Receipt # E0431036

Add'l fee paid _____ Date _____ Received by [Signature] Receipt # _____

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

82074

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

12/20/2017

WATER RIGHT NO. 1-10457

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RT KANDLER LLC 7891 S YELLOWSTONE HWY IDAHO FALLS, ID 83402
Original Owner	COREY POOLE 3028 E 776 N MENAN, ID 83434 2087548512
Original Owner	KATHY POOLE
Original Owner	ROGER POOLE 775 N 3200 E MENAN, ID 83434 2087544338
Security Interest	RABO AGRIFINANCE LLC 14767 N OUTER 40 RD STE 400 CHESTERFIELD, MO 63017 3143178000

Priority Date: 10/11/1901

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	2.7 CFS	
Total Diversion			2.7 CFS	

Location of Point(s) of Diversion:

SNAKE RIVER|SWNENW Lt 3|Sec. 20|Township 05N|Range 38E|JEFFERSON County

IRRIGATION Use:
Acre Limit: 135

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	37E	22		SESW	3.2									
				SWSE	2.4	5	SWSE	18	6	SESE	10			
		26		SWNE	40		SENE	34						
				NWNW	17	1	SWNW	6.9	2	SENW	35	5	SENW	0.2
		27	1	NWNE	38		SENE	5.2	7	SENE	16			
				NENW	2.9	2	NENW	26	3	NWNW	17		SWNW	3
			4	SWNW	38		SENW	40						
				NESW	11	5	NESW	27		NWSW	29	5	NWSW	2.1
				SESW	6.5									
				NESE	0.3									
		28		NENE	2		SENE	10						
				NESE	1.9									

Total Acres: 442.6

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412 (6), Idaho Code.
2. E01 Use of this right is combined with water from Long Island Irrigation Co.
3. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
4. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
5. P21 This right is a split from former right 25-230.

6. F01 Water is delivered through Bear Trap Canal.
Use of the rights listed below is limited to the irrigation of a combined total of 442.6 acres in a
7. E56 single irrigation season. Combined Right Nos.: 25-245, 25-11218, 25-11219, 1-10457, and
1-10460.
8. K06 This right is limited to the irrigation of 135 acres within the place of use described above in a
single irrigation season.
9. U42 Place of use does not include federal public lands.

Dates:

Licensed Date:

Decreed Date: 04/08/2008

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 01

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 425.3

Combined Volume Limit:

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

12/20/2017

WATER RIGHT NO. 1-10460

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RT KANDLER LLC 7891 S YELLOWSTONE HWY IDAHO FALLS, ID 83402
Original Owner	COREY POOLE 3028 E 776 N MENAN, ID 83434 2087548512
Original Owner	KATHY POOLE
Original Owner	ROGER POOLE 775 N 3200 E MENAN, ID 83434 2087544338
Security Interest	RABO AGRIFINANCE LLC 14767 N OUTER 40 RD STE 400 CHESTERFIELD, MO 63017 3143178000

Priority Date: 06/01/1892

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	12.02 CFS	
Total Diversion			12.02 CFS	

Location of Point(s) of Diversion:

SNAKE RIVER|SWNENW Lt 3|Sec. 20|Township 05N|Range 38E|JEFFERSON County

IRRIGATION Use:

Acre Limit: 269

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	37E	22		SESW	3.2									
				SWSE	2.4	5	SWSE	18	6	SESE	10			
		26		SWNE	40		SENE	34						
				NWNW	17	1	SWNW	6.9	2	SENE	35	5	SENE	0.2
		27	1	NWNE	38		SENE	5.2	7	SENE	16			
				NENW	2.9	2	NENW	26	3	NWNW	17		SWNW	3
			4	SWNW	38		SENE	40						
				NESW	11	5	NESW	27		NWSW	29	5	NWSW	2.1
				SESW	6.5									
				NESE	0.3									
		28		NENE	2		SENE	10						
				NESE	1.9									

Total Acres: 442.6

Conditions of Approval:

1. P21 This right is a split from former right 25-246.
2. E01 Use of this right is combined with water from Long Island Irrigation Co.
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412 (6), Idaho Code.
3. C18
4. F01 Water is delivered through Bear Trap Canal.
5. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

- 6.E56 Use of the rights listed below is limited to the irrigation of a combined total of 442.6 acres in a single irrigation season. Combined Right Nos.: 25-245, 25-11218, 25-11219, 1-10457, and 1-10460.
- 7.C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
- 8.K06 This right is limited to the irrigation of 269 acres within the place of use described above in a single irrigation season.
- 9.U42 Place of use does not include federal public lands.

Dates:

Licensed Date:

Decreed Date: 04/08/2008

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: 01

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 425.3

Combined Volume Limit:

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

12/20/2017

WATER RIGHT NO. 25-245

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RT KANDLER LLC 7891 S YELLOWSTONE HWY IDAHO FALLS, ID 83402
Original Owner	LESLIE W POOLE
Security Interest	RABO AGRIFINANCE LLC 14767 N OUTER 40 RD STE 400 CHESTERFIELD, MO 63017 3143178000

Priority Date: 01/22/1916

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
EMIGRANT CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.5 CFS	
Total Diversion			1.5 CFS	

Location of Point(s) of Diversion:

EMIGRANT CREEK|SWSWSW Lt 4|Sec. 19|Township 05N|Range 38E|JEFFERSON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	37E	22		SESW	3.2									
				SWSE	2.4	5	SWSE	18	6	SESE	10			
		26		SWNE	40		SENE	34						
			1	SWNW	6.9	2	SENE	35	5	SENE	0.2			
		27	1	NWNE	38		SENE	5.2	7	SENE	16			
				NENW	2.9	2	NENW	26	3	NWNW	17		SWNW	3
			4	SWNW	38		SENE	40						
				NESW	11	5	NESW	27		NWSW	29	5	NWSW	2.1
				SESW	6.5									
				NESE	0.3									
		28		NENE	2		SENE	10						
				NESE	1.9									

Total Acres: 425.6

Conditions of Approval:

1. E56 Use of the rights listed below is limited to the irrigation of a combined total of 425.6 acres in a single irrigation season. Combined Right Nos.: 25-245, 25-11218, and 25-11219.
2. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412 (6), Idaho Code.
4. F01 Water is delivered through Bear Trap Canal.
5. E08 Use of this right is combined with water from Long Island Irrigation Co.
6. F07 Rights have also been claimed to water from Basin 01 for the same purpose of use at the same place of use described above, which will be included in a Directors Report to be filed at a later date. Any water rights recommended in the Basin 01 report for the same purpose of use at the same place of use described above will contain combined use limitations for this right and the Basin 01 rights.
7. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
8. U42 Place of use does not include federal public lands
9. TRACT 39 IS WITHIN T05N R37E S27 NENW TRACT 40 IS WITHIN T05N R37E S28 NENE TRACT 40 IS WITHIN T05N R37E S28 SENE TRACT 40 IS WITHIN T05N R37E S28 NESE TRACT 41 IS WITHIN T05N R37E S27 SENE TRACT 42 IS WITHIN T05N R37E S27 SWNW TRACT 42 IS WITHIN T05N R37E S27 NESW TRACT 42 IS WITHIN T05N R37E S27 NWSW TRACT 42 IS WITHIN T05N R37E S27 SESW

Dates:**Licensed Date:****Decreed Date:** 04/03/2006**Enlargement Use Priority Date:****Enlargement Statute Priority Date:****Water Supply Bank Enrollment Date Accepted:****Water Supply Bank Enrollment Date Removed:****Application Received Date:****Protest Deadline Date:****Number of Protests:** 0**Other Information:****State or Federal:** S**Owner Name Connector:****Water District Number:****Generic Max Rate per Acre:****Generic Max Volume per Acre:****Combined Acres Limit:** 425.6**Combined Volume Limit:****Combined Rate Limit:****Civil Case Number:****Old Case Number:****Decree Plaintiff:****Decree Defendant:****Swan Falls Trust or Nontrust:****Swan Falls Dismissed:****DLE Act Number:****Cary Act Number:****Mitigation Plan:** False

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

12/20/2017

WATER RIGHT NO. 25-11218

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RT KANDLER LLC 7891 S YELLOWSTONE HWY IDAHO FALLS, ID 83402
Original Owner	HJALMAR ANDERSON
Original Owner	LESLIE W POOLE
Security Interest	RABO AGRIFINANCE LLC 14767 N OUTER 40 RD STE 400 CHESTERFIELD, MO 63017 3143178000

Priority Date: 06/01/1888

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
EMIGRANT CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	5.66 CFS	
Total Diversion			5.66 CFS	

Location of Point(s) of Diversion:

EMIGRANT CREEK|SWSWSW Lt 4|Sec. 19|Township 05N|Range 38E|JEFFERSON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	37E	22		SESW	3.2									
				SWSE	2.4	5	SWSE	18	6	SESE	10			
		26		SWNE	40		SENE	34						
			1	SWNW	6.9	2	SENE	35	5	SENE	0.2			
		27	1	NWNE	38		SENE	5.2	7	SENE	16			
				NENW	2.9	2	NENW	26	3	NWNW	17		SWNW	3
			4	SWNW	38		SENE	40						
				NESW	11	5	NESW	27		NWSW	29	5	NWSW	2.1
				SESW	6.5									
				NESE	0.3									
		28		NENE	2		SENE	10						
				NESE	1.9									

Total Acres: 425.6

Conditions of Approval:

1. In times of scarcity, this right shall be subordinate to all surface water rights diverted from the Snake River and its tributaries, with a priority date earlier than December 16, 1910, as adjudicated by the court in Rexburg Irrigation Company, et al. v. Teton Irrigation Canal Company, et al. (Sixth Judicial District, Fremont County, December 16, 1910), commonly known as the Rexburg Decree.
2. E08 Use of this right is combined with water from Long Island Irrigation Co.
3. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
4. E56 Use of the rights listed below is limited to the irrigation of a combined total of 425.6 acres in a single irrigation season. Combined Right Nos.: 25-245, 25-11218, and 25-11219.
5. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
6. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
7. F01 Water is delivered through Bear Trap Canal.
8. F07 Rights have also been claimed to water from Basin 01 for the same purpose of use at the same place of use described above, which will be included in a Directors Report to be filed at a later date. Any water rights recommended in the Basin 01 report for the same purpose of use at the same place of use described above will contain combined use limitations for this right and the Basin 01 rights.

9. **P29** This right is a combination of old right nos. 25-231 and 25-243.
10. **U42** Place of use does not include federal public lands

Dates:

Licensed Date:

Decreed Date: 04/03/2006

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 425.6

Combined Volume Limit:

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

12/20/2017

WATER RIGHT NO. 25-11219

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RT KANDLER LLC 7891 S YELLOWSTONE HWY IDAHO FALLS, ID 83402
Original Owner	HJALMAR ANDERSON
Original Owner	LESLIE W POOLE
Security Interest	RABO AGRIFINANCE LLC 14767 N OUTER 40 RD STE 400 CHESTERFIELD, MO 63017 3143178000

Priority Date: 06/01/1896

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
EMIGRANT CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	4.34 CFS	
Total Diversion			4.34 CFS	

Location of Point(s) of Diversion:

EMIGRANT CREEK|SWSWSW Lt 4|Sec. 19|Township 05N|Range 38E|JEFFERSON County

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
05N	37E	22		SESW	3.2									
				SWSE	2.4	5	SWSE	18	6	SESE	10			
		26		SWNE	40		SENE	34						
			1	SWNW	6.9	2	SENE	35	5	SENE	0.2			
		27	1	NWNE	38		SENE	5.2	7	SENE	16			
				NENW	2.9	2	NENW	26	3	NWNW	17		SWNW	3
			4	SWNW	38		SENE	40						
				NESW	11	5	NESW	27		NWSW	29	5	NWSW	2.1
				SESW	6.5									
				NESE	0.3									
		28		NENE	2		SENE	10						
				NESE	1.9									

Total Acres: 425.6

Conditions of Approval:

1. E08 Use of this right is combined with water from Long Island Irrigation Co.
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. C18
3. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
4. P29 This right is a combination of old right nos. 25-232 and 25-244.
In times of scarcity, this right shall be subordinate to all surface water rights diverted from the Snake River and its tributaries, with a priority date earlier than December 16, 1910, as adjudicated by the court in Rexburg Irrigation Company, et al. v. Teton Irrigation Canal Company, et al. (Sixth Judicial District, Fremont County, December 16, 1910), commonly known as the Rexburg Decree.
- 5.
6. F01 Water is delivered through Bear Trap Canal.
7. E56 Use of the rights listed below is limited to the irrigation of a combined total of 425.6 acres in a single irrigation season. Combined Right Nos.: 25-245, 25-11218, and 25-11219.
Rights have also been claimed to water from Basin 01 for the same purpose of use at the same place of use described above, which will be included in a Directors Report to be filed at a later date. Any water rights recommended in the Basin 01 report for the same purpose of use at the same place of use described above will contain combined use limitations for this right and the Basin 01 rights.
8. F07
9. C05

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

10. U42 Place of use does not include federal public lands

Dates:

Licensed Date:

Decreed Date: 04/03/2006

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit: 425.6

Combined Volume Limit:

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

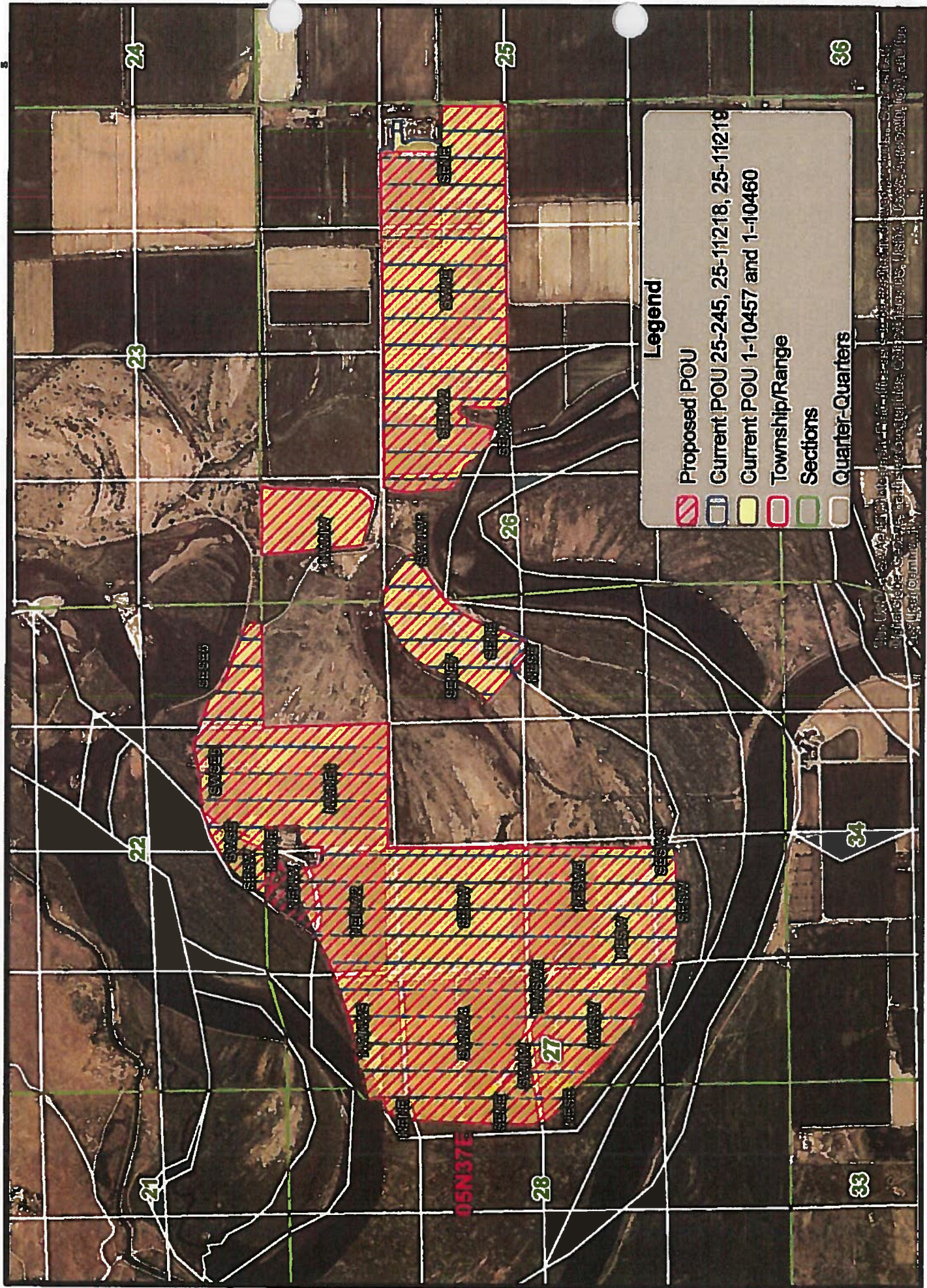
DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

RT Kandler LLC



Legend

- Proposed POU
- Current POU 25-245, 25-11218, 25-11219
- Current POU 1-10457 and 1-10460
- Township/Range
- Sections
- Quarter-Quarters

The County of Washington, D.C. is a political subdivision of the United States of America. It is a part of the District of Columbia, which is a federal district. The County of Washington, D.C. is a political subdivision of the United States of America. It is a part of the District of Columbia, which is a federal district.