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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESTransfer No. 81614

APR 13 2017

MINIMUM REQUIREMENTS CHECKLIST  
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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DEPT OF WATER RESOURCES  
SOUTHERN REGION

APR 17 2017

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](http://www.idwr.idaho.gov).

Name of Applicant(s) JONES & WIDERBURG FARMSCheck 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](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. If some or all of any right is leased to the Water Supply Bank, you must also show 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: \_\_\_\_\_

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DEPT OF WATER RESOURCES  
SOUTHERN REGION

## APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) JONES & WIDERBURG FARMS Phone (208)678-7333Mailing address 82 S 150 E BURLEY, ID 83318 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 RepresentativeName of Representative Greg Sullivan Phone 208-736-8543Mailing address 2016 N Washington St Ste 4 Twin Falls, Idaho 83301 Email greg.sullivan@brockwayeng.com

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

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

*Rendall D. Jones*  
Signature of Applicant or Authorized Representative

Rendall D. Jones Partner  
Print Name and Title if applicable

3-18-17  
Date

*Michael L. Jones*  
Signature of Applicant or Authorized Representative

Michael L. Jones  
Print Name and Title if applicable

3-25-17  
Date

**A. PURPOSE OF TRANSFER**

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use  
☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_

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

This transfer will correct the place of use of the irrigation water rights and add another point of diversion to the irrigation system.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

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JUN 30 2017

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<br>(cfs/ac-ft) | Nature of Use | Period of Use | Source & Tributary |
|-----------------------------------------------------------------------------|--------------|-----------------------|---------------|---------------|--------------------|
| All or Part<br><input checked="" type="checkbox"/> <input type="checkbox"/> | 43-7040      | 4.12/1196             | Irrigation    | 3/15 to 11/15 | Ground Water       |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 43-7062      | 5.51/2260             | Irrigation    | 3/15 to 11/15 | Ground Water       |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 43-13056     | 1.54/660              | Irrigation    | 3/15 to 11/15 | Ground Water       |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 43-13645     | 4.16/1518.3           | Irrigation    | 4/01 to 10/31 | Ground Water       |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 43-13647     | 0.49/98               | Irrigation    | 4/01 to 10/31 | Ground Water       |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 43-13649     | 5.59/2092.8           | Irrigation    | 1/01 to 12/31 | Ground Water       |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |

Total authorized under rights 19.87 cfs and/or 6260.0 acre-feet.

2. Total amount of water proposed to be transferred or changed 19.87 cubic feet per second and/or 6260.0 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 # |
|-------|-----|---|----|----|-----|-----|-----|--------|--------------|---------------------|
|       |     |   | SE | NW | 20  | 10S | 28E | Cassia | Ground Water |                     |
|       |     |   | NE | NW | 17  | 10S | 28E | Cassia | Ground Water |                     |
|       |     |   | NE | SW | 17  | 10S | 28E | Cassia | Ground Water |                     |
|       |     |   | NE | SW | 16  | 10S | 28E | Cassia | Ground Water |                     |
|       |     |   | NW | SW | 15  | 10S | 28E | Cassia | Ground Water |                     |

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 |             |
| See Exhibit A                    |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
| Total Acres (for irrigation use) |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |

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<br>(cfs/ac-ft) | Nature of Use | Period of Use | Source & Tributary |
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| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 43-13647     | 0.49/98               | Irrigation    | 4/01 to 10/31 | Ground Water       |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 43-13649     | 5.59/2092.8           | Irrigation    | 1/01 to 12/31 | Ground Water       |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |

Total authorized under rights 19.87 cfs and/or 6260.0 acre-feet.

2. Total amount of water proposed to be transferred or changed 19.87 cubic feet per second and/or 6260.0 acre-feet per year.

3. Point(s) of Diversion:

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|-------|-----|---|----|----|-----|-----|-----|--------|--------------|---------------------|
|       |     |   | SE | NW | 20  | 10S | 28E | Cassia | Ground Water |                     |
|       |     |   | NE | NW | 17  | 10S | 28E | Cassia | Ground Water |                     |
|       |     |   | NE | SW | 17  | 10S | 28E | Cassia | Ground Water |                     |
|       |     |   | NE | SW | 16  | 10S | 28E | Cassia | Ground Water |                     |
|       |     |   | NE | SE | 16  | 10S | 28E | Cassia | Ground Water |                     |

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 |             |
| See Exhibit A                    |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
| Total Acres (for irrigation use) |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |

# Exhibit A

## Permissible Place of Use

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        |     |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-----|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |     |
| 10S  | 28E  | 8    |        |        |        |        |        |        |        |        | 9      | 1      | 37     | 40     | 2      | 7      | 40     | 40     | 176 |
|      |      | 9    |        |        |        |        |        |        |        |        |        |        | 40     | 40     |        |        | 40     | 40     | 160 |
|      |      | 10   |        |        |        |        |        |        |        |        |        |        | 24     |        |        |        |        |        | 24  |
|      |      | 15   |        |        |        |        |        | 40     | 40     |        |        | 40     |        |        |        |        |        |        | 120 |
|      |      | 16   | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 640 |
|      |      | 17   | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 640 |
|      |      | 20   | 4      | 40     | 40     | 40     | 40     | 40     | 27     | 40     | 40     | 33     | 40     | 40     | 40     | 40     | 40     | 40     | 584 |
|      |      | 21   |        | 40     | 40     |        | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     |        |        |        |        | 400 |
|      |      | 28   |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 0   |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 0   |

Total 2744

## Place of Use

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        |       |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |       |
| 10S  | 28E  | 8    |        |        |        |        |        |        |        |        | 0.7    | 31.6   | 31.8   |        |        | 4.3    | 38.4   | 0.4    | 107.2 |
|      |      | 9    |        |        |        |        |        |        |        |        |        |        | 0.4    | 1.3    |        |        | 0.1    | 0.9    | 2.7   |
|      |      | 10   |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 0     |
|      |      | 15   |        |        |        |        | 3.1    | 2      |        |        |        |        |        |        |        |        |        |        | 5.1   |
|      |      | 16   | 37.5   | 27.7   | 22.6   | 32.2   | 37.3   | 28.9   | 24.8   | 32.6   | 12     | 34.8   | 39.8   | 14.8   | 25.4   | 34.4   | 35.7   | 25.9   | 466.4 |
|      |      | 17   | 4.4    | 35.3   | 39     | 8.9    | 21.9   | 27.5   | 28.4   | 31     | 26.9   | 33.2   | 30     | 36.7   | 22.4   | 37.5   | 38.6   | 26.1   | 447.8 |
|      |      | 20   | 0.8    | 36.2   | 33.7   | 10.1   | 34.4   | 34     | 17.4   | 32.7   | 32.1   | 17.4   |        | 28.3   | 27.6   | 34.8   | 17.2   | 5.6    | 362.3 |
|      |      | 21   |        |        |        |        | 23.9   | 26.1   | 31.6   | 29.9   | 2.2    | 20.3   | 34.2   | 5.3    |        |        |        |        | 173.5 |
|      |      | 28   |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 0     |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 0     |

Total 1565

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:

A new well will be drilled. The new well will be plumbed into the existing mainlines and delivery systems.

- b. Who owns the property at the point(s) of diversion? Jones & Widerburg Farms and Merlin Jones

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: None

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:

Lands now irrigated will continue to 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:

None

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

**Yes No**

- |                          |                                     |                                                                                               |
|--------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | undergone a period of five or more consecutive years of non-use,                              |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently leased to the Water Supply Bank,                                                    |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently used in a mitigation plan limiting the use of water under the right, or             |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

Page \_\_\_\_\_ of \_\_\_\_\_

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

**Current Water Right No.: 43-7040**

Current Owner: JONES & WIDERBURG FARMS

Priority Date: 12/29/1972

Origin: Water Right

Status: Active

Basis: Decreed

**Source**

**Tributary**

GROUND WATER

| <b><u>Beneficial Use</u></b> | <b><u>From To</u></b>  | <b><u>Diversion Rate</u></b> | <b><u>Annual Volume</u></b> |
|------------------------------|------------------------|------------------------------|-----------------------------|
| IRRIGATION                   | 03/15 to 11/15         | 4.12 CFS                     | 1196 AF                     |
|                              | <u>Total Diversion</u> | 4.12 CFS                     | 1196 AF                     |

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

|               |                 |                                |
|---------------|-----------------|--------------------------------|
| GROUND WATER  | SE1/4SE1/4NW1/4 | Sec. 20, Twp 10S, Rge 28E B.M. |
| CASSIA County |                 |                                |
| GROUND WATER  | SW1/4NE1/4NW1/4 | Sec. 17, Twp 10S, Rge 28E B.M. |
| CASSIA County |                 |                                |
| GROUND WATER  | NW1/4NE1/4SW1/4 | Sec. 17, Twp 10S, Rge 28E B.M. |
| CASSIA County |                 |                                |

**Place of Use**

IRRIGATION Within CASSIA County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T10S R28E S8  | SWSW | 21.00 | T10S R28E S8  | SESW | 38.00 |
| T10S R28E S8  | SWSE | 20.00 | T10S R28E S17 | NWNE | 38.00 |
| T10S R28E S17 | SWNE | 21.00 | T10S R28E S17 | NENW | 40.00 |
| T10S R28E S17 | NWNW | 39.00 | T10S R28E S17 | SWNW | 23.00 |
| T10S R28E S17 | SENW | 39.00 | T10S R28E S17 | NESW | 39.00 |
| T10S R28E S17 | NWSW | 23.00 | T10S R28E S17 | SWSW | 39.00 |
| T10S R28E S17 | SESW | 40.00 | T10S R28E S17 | NWSE | 23.00 |
| T10S R28E S17 | SWSE | 39.00 | T10S R28E S20 | NWNE | 22.00 |
| T10S R28E S20 | SWNE | 35.00 | T10S R28E S20 | SENE | 4.00  |
| T10S R28E S20 | NENW | 38.00 | T10S R28E S20 | NWNW | 23.00 |
| T10S R28E S20 | SWNW | 11.00 | T10S R28E S20 | SENW | 38.00 |
| T10S R28E S20 | NESW | 40.00 | T10S R28E S20 | NWSW | 26.00 |
| T10S R28E S20 | SWSW | 11.00 | T10S R28E S20 | SESW | 38.00 |
| T10S R28E S20 | NESE | 31.00 | T10S R28E S20 | NWSE | 40.00 |
| T10S R28E S20 | SWSE | 35.00 | T10S R28E S20 | SESE | 26.00 |
| T10S R28E S21 | NESW | 15.00 | T10S R28E S21 | NWSW | 38.00 |
| T10S R28E S21 | SWSW | 40.00 | T10S R28E S21 | SESW | 22.00 |
| T10S R28E S28 | NENW | 1.00  | T10S R28E S28 | NWNW | 11.00 |
| T10S R28E S29 | NENE | 1.00  | T10S R28E S29 | NWNE | 0.30  |
| T10S R28E S29 | NENW | 0.70  |               |      |       |

Total Acres: 1029

Conditions of Approval:

1. X27 This right is limited to the irrigation of 299 acres within the authorized place of use in a single irrigation season.
2. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. K01 Right no. 43-13056 is an enlargement of right nos. 43-7040 & 43-7062 pursuant to section 42-1426, Idaho Code.
6. X35 Rights 43-7040, 43-7062, and 43-13056 when combined shall not exceed a total diversion rate of 9.63 cfs, a total annual maximum diversion volume of 4116 af at the field headgate, and the irrigation of 1029 acres.
7. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
8. 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.

Decreed Date: 7/26/2002

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

**Current Water Right No.: 43-7062**

Current Owner: JONES & WIDERBURG FARMS

Priority Date: 4/9/1976

Origin: Water Right

Status: Active

Basis: Decreed

**Source**

**Tributary**

GROUND WATER

| <b><u>Beneficial Use</u></b> | <b><u>From To</u></b>         | <b><u>Diversion Rate</u></b> | <b><u>Annual Volume</u></b> |
|------------------------------|-------------------------------|------------------------------|-----------------------------|
| IRRIGATION                   | 03/15 to 11/15                | 5.51 CFS                     | 2260 AF                     |
|                              | <b><u>Total Diversion</u></b> | 5.51 CFS                     | 2260 AF                     |

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

|               |                 |                                |
|---------------|-----------------|--------------------------------|
| GROUND WATER  | NW1/4NE1/4SW1/4 | Sec. 17, Twp 10S, Rge 28E B.M. |
| CASSIA County |                 |                                |
| GROUND WATER  | SW1/4NE1/4NW1/4 | Sec. 17, Twp 10S, Rge 28E B.M. |
| CASSIA County |                 |                                |
| GROUND WATER  | SE1/4SE1/4NW1/4 | Sec. 20, Twp 10S, Rge 28E B.M. |
| CASSIA County |                 |                                |

**Place of Use**

IRRIGATION Within CASSIA County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T10S R28E S8  | SWSW | 21.00 | T10S R28E S8  | SESW | 38.00 |
| T10S R28E S8  | SWSE | 20.00 | T10S R28E S17 | NWNE | 38.00 |
| T10S R28E S17 | SWNE | 21.00 | T10S R28E S17 | NENW | 40.00 |
| T10S R28E S17 | NWNW | 39.00 | T10S R28E S17 | SWNW | 23.00 |
| T10S R28E S17 | SENW | 39.00 | T10S R28E S17 | NESW | 39.00 |
| T10S R28E S17 | NWSW | 23.00 | T10S R28E S17 | SWSW | 39.00 |
| T10S R28E S17 | SESW | 40.00 | T10S R28E S17 | NWSE | 23.00 |
| T10S R28E S17 | SWSE | 39.00 | T10S R28E S20 | NWNE | 22.00 |
| T10S R28E S20 | SWNE | 35.00 | T10S R28E S20 | SENE | 4.00  |
| T10S R28E S20 | NENW | 38.00 | T10S R28E S20 | NWNW | 23.00 |
| T10S R28E S20 | SWNW | 11.00 | T10S R28E S20 | SENW | 38.00 |
| T10S R28E S20 | NESW | 40.00 | T10S R28E S20 | NWSW | 26.00 |
| T10S R28E S20 | SWSW | 11.00 | T10S R28E S20 | SESW | 38.00 |
| T10S R28E S20 | NESE | 31.00 | T10S R28E S20 | NWSE | 40.00 |
| T10S R28E S20 | SWSE | 35.00 | T10S R28E S20 | SESE | 26.00 |
| T10S R28E S21 | NESW | 15.00 | T10S R28E S21 | NWSW | 38.00 |
| T10S R28E S21 | SWSW | 40.00 | T10S R28E S21 | SESW | 22.00 |
| T10S R28E S28 | NENW | 1.00  | T10S R28E S28 | NWNW | 11.00 |
| T10S R28E S29 | NENE | 1.00  | T10S R28E S29 | NWNE | 0.30  |
| T10S R28E S29 | NENW | 0.70  |               |      |       |

Total Acres: 1029

Conditions of Approval:

1. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. K01 Right no. 43-13056 is an enlargement of right nos. 43-7040 & 43-7062 pursuant to section 42-1426, Idaho Code.
5. 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.
6. X27 This right is limited to the irrigation of 565 acres within the authorized place of use in a single irrigation season.
7. X35 Rights 43-7040, 43-7062, and 43-13056 when combined shall not exceed a total diversion rate of 9.63 cfs, a total annual maximum diversion volume of 4116 af at the field headgate, and the irrigation of 1029 acres.
8. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Decreed Date: 7/26/2002

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

**Current Water Right No.: 43-13056**

Current Owner: JONES & WIDERBURG FARMS

Priority Date: 3/15/1987

Origin: Water Right

Status: Active

Basis: Decreed

**Source**

**Tributary**

GROUND WATER

| <b><u>Beneficial Use</u></b> | <b><u>From To</u></b>  | <b><u>Diversion Rate</u></b> | <b><u>Annual Volume</u></b> |
|------------------------------|------------------------|------------------------------|-----------------------------|
| IRRIGATION                   | 03/15 to 11/15         | 1.54 CFS                     | 660 AF                      |
|                              | <u>Total Diversion</u> | 1.54 CFS                     | 660 AF                      |

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

|               |                 |                                |
|---------------|-----------------|--------------------------------|
| GROUND WATER  | SW1/4NE1/4NW1/4 | Sec. 17, Twp 10S, Rge 28E B.M. |
| CASSIA County |                 |                                |
| GROUND WATER  | NW1/4NE1/4SW1/4 | Sec. 17, Twp 10S, Rge 28E B.M. |
| CASSIA County |                 |                                |
| GROUND WATER  | SE1/4SE1/4NW1/4 | Sec. 20, Twp 10S, Rge 28E B.M. |
| CASSIA County |                 |                                |

**Place of Use**

IRRIGATION Within CASSIA County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T10S R28E S8  | SWSW | 21.00 | T10S R28E S8  | SESW | 38.00 |
| T10S R28E S8  | SWSE | 20.00 | T10S R28E S17 | NWNE | 38.00 |
| T10S R28E S17 | SWNE | 21.00 | T10S R28E S17 | NENW | 40.00 |
| T10S R28E S17 | NWNW | 39.00 | T10S R28E S17 | SWNW | 23.00 |
| T10S R28E S17 | SENW | 39.00 | T10S R28E S17 | NESW | 39.00 |
| T10S R28E S17 | NWSW | 23.00 | T10S R28E S17 | SWSW | 39.00 |
| T10S R28E S17 | SESW | 40.00 | T10S R28E S17 | NWSE | 23.00 |
| T10S R28E S17 | SWSE | 39.00 | T10S R28E S20 | NWNE | 22.00 |
| T10S R28E S20 | SWNE | 35.00 | T10S R28E S20 | SENE | 4.00  |
| T10S R28E S20 | NENW | 38.00 | T10S R28E S20 | NWNW | 23.00 |
| T10S R28E S20 | SWNW | 11.00 | T10S R28E S20 | SENW | 38.00 |
| T10S R28E S20 | NESW | 40.00 | T10S R28E S20 | NWSW | 26.00 |
| T10S R28E S20 | SWSW | 11.00 | T10S R28E S20 | SESW | 38.00 |
| T10S R28E S20 | NESE | 31.00 | T10S R28E S20 | NWSE | 40.00 |
| T10S R28E S20 | SWSE | 35.00 | T10S R28E S20 | SESE | 26.00 |
| T10S R28E S21 | NESW | 15.00 | T10S R28E S21 | NWSW | 38.00 |
| T10S R28E S21 | SWSW | 40.00 | T10S R28E S21 | SESW | 22.00 |
| T10S R28E S28 | NENW | 1.00  | T10S R28E S28 | NWNW | 11.00 |
| T10S R28E S29 | NENE | 1.00  | T10S R28E S29 | NWNE | 0.30  |
| T10S R28E S29 | NENW | 0.70  |               |      |       |

Total Acres: 1029

Conditions of Approval:

1. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
2. C11 This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
3. X35 Rights 43-7040, 43-7062, and 43-13056 when combined shall not exceed a total diversion rate of 9.63 cfs, a total annual maximum diversion volume of 4116 af at the field headgate, and the irrigation of 1029 acres.
4. K02 This right is based upon an enlargement of right nos. 43-7040 & 43-7062 pursuant to section 42-1426, Idaho Code.
5. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. X27 This right is limited to the irrigation of 165 acres within the authorized place of use in a single irrigation season.
9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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Decreed Date: 7/26/2002

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

**Current Water Right No.: 43-13645**

Current Owner: JONES & WIDERBURG FARMS

Priority Date: 10/1/1964

Origin: Water Right

Status: Active

Basis: Decreed

**Source**

**Tributary**

GROUND WATER

| <b><u>Beneficial Use</u></b> | <b><u>From To</u></b>         | <b><u>Diversion Rate</u></b> | <b><u>Annual Volume</u></b> |
|------------------------------|-------------------------------|------------------------------|-----------------------------|
| IRRIGATION                   | 04/01 to 10/01                | 4.16 CFS                     | 1518.3 AF                   |
|                              | <b><u>Total Diversion</u></b> | 4.16 CFS                     | 1518.3 AF                   |

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

|               |                 |          |          |              |
|---------------|-----------------|----------|----------|--------------|
| GROUND WATER  | NW1/4NE1/4SW1/4 | Sec. 16, | Twp 10S, | Rge 28E B.M. |
| CASSIA County |                 |          |          |              |

**Place of Use**

**IRRIGATION Within CASSIA County**

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T10S R28E S9  | SWSW | 40.00 | T10S R28E S9  | SESW | 35.00 |
| T10S R28E S9  | SWSE | 34.00 | T10S R28E S9  | SESE | 32.00 |
| T10S R28E S16 | NENE | 40.00 | T10S R28E S16 | NWNE | 40.00 |
| T10S R28E S16 | SWNE | 40.00 | T10S R28E S16 | SENE | 40.00 |
| T10S R28E S16 | NENW | 40.00 | T10S R28E S16 | NWNW | 40.00 |
| T10S R28E S16 | SWNW | 39.00 | T10S R28E S16 | SENW | 40.00 |
| T10S R28E S16 | NESW | 40.00 | T10S R28E S16 | NWSW | 39.00 |
| T10S R28E S16 | SWSW | 40.00 | T10S R28E S16 | SESW | 40.00 |
| T10S R28E S16 | NESE | 40.00 | T10S R28E S16 | NWSE | 40.00 |
| T10S R28E S16 | SWSE | 40.00 | T10S R28E S16 | SESE | 40.00 |
| T10S R28E S17 | NENE | 11.00 | T10S R28E S17 | SENE | 34.00 |
| T10S R28E S17 | NESE | 38.00 | T10S R28E S17 | SESE | 39.00 |

Total Acres: 901

Conditions of Approval:

1. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
3. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. 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.
6. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. X27 This right is limited to the irrigation of 505.1 acres within the place of use described above in a single irrigation season.
8. 206 Rights 43-13645, 43-13647, and 43-13649 are limited to the irrigation of a specific 536 acres within the 901 acre place of use authorized by these rights in a single irrigation season. The specific 536 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 536 acres to be irrigated within the 901 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
9. X35 Rights 43-13645, 43-13647, and 43-13649 when combined shall not exceed a total diversion rate of 10.24 cfs, a total annual maximum diversion volume of 2144 af at the field headgate, and the irrigation of 536 acres.
10. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6/28/2002.

Decreed Date: 6/28/2002

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

**Current Water Right No.:** 43-13647

**Current Owner:** JONES & WIDERBURG FARMS

**Priority Date:** 9/17/1973

**Origin:** Water Right

**Status:** Active

**Basis:** Decreed

**Source**

**Tributary**

GROUND WATER

| <b><u>Beneficial Use</u></b> | <b><u>From To</u></b>         | <b><u>Diversion Rate</u></b> | <b><u>Annual Volume</u></b> |
|------------------------------|-------------------------------|------------------------------|-----------------------------|
| IRRIGATION                   | 04/01 to 10/31                | 0.49 CFS                     | 98 AF                       |
|                              | <b><u>Total Diversion</u></b> | 0.49 CFS                     | 98 AF                       |

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

GROUND WATER

NW1/4NE1/4SW1/4

Sec. 16, Twp 10S, Rge 28E B.M.

CASSIA County

**Place of Use**

**IRRIGATION Within CASSIA County**

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T10S R28E S9  | SWSW | 40.00 | T10S R28E S9  | SESW | 35.00 |
| T10S R28E S9  | SWSE | 34.00 | T10S R28E S9  | SESE | 32.00 |
| T10S R28E S16 | NENE | 40.00 | T10S R28E S16 | NWNE | 40.00 |
| T10S R28E S16 | SWNE | 40.00 | T10S R28E S16 | SENE | 40.00 |
| T10S R28E S16 | NENW | 40.00 | T10S R28E S16 | NWNW | 40.00 |
| T10S R28E S16 | SWNW | 39.00 | T10S R28E S16 | SENW | 40.00 |
| T10S R28E S16 | NESW | 40.00 | T10S R28E S16 | NWSW | 39.00 |
| T10S R28E S16 | SWSW | 40.00 | T10S R28E S16 | SESW | 40.00 |
| T10S R28E S16 | NESE | 40.00 | T10S R28E S16 | NWSE | 40.00 |
| T10S R28E S16 | SWSE | 40.00 | T10S R28E S16 | SESE | 40.00 |
| T10S R28E S17 | NENE | 11.00 | T10S R28E S17 | SENE | 34.00 |
| T10S R28E S17 | NESE | 38.00 | T10S R28E S17 | SESE | 39.00 |

Total Acres: 901

**Conditions of Approval:**

1. X35 Rights 43-13645, 43-13647, and 43-13649 when combined shall not exceed a total diversion rate of 10.24 cfs, a total annual maximum diversion volume of 2144 af at the field headgate, and the irrigation of 536 acres.
2. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6/28/2002.
5. 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.
6. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
8. X27 This right is limited to the irrigation of 24.5 acres within the place of use described above in a single irrigation season.
9. 206 Rights 43-13645, 43-13647, and 43-13649 are limited to the irrigation of a specific 536 acres within the 901 acre place of use authorized by these rights in a single irrigation season. The specific 536 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 536 acres to be irrigated within the 901 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
10. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Decreed Date: 6/28/2002

**Basis:** Decreed

### Tributary

2092.8 AF

## CASSIA County

### IRRIGATION Within CASSIA County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T10S R28E S9  | SWSW | 40.00 | T10S R28E S9  | SESW | 35.00 |
| T10S R28E S9  | SWSE | 34.00 | T10S R28E S9  | SESE | 32.00 |
| T10S R28E S16 | NENE | 40.00 | T10S R28E S16 | NWNE | 40.00 |
| T10S R28E S16 | SWNE | 40.00 | T10S R28E S16 | SENE | 40.00 |
| T10S R28E S16 | NENW | 40.00 | T10S R28E S16 | NWNW | 40.00 |
| T10S R28E S16 | SWNW | 39.00 | T10S R28E S16 | SENW | 40.00 |
| T10S R28E S16 | NESW | 40.00 | T10S R28E S16 | NWSW | 39.00 |
| T10S R28E S16 | SWSW | 40.00 | T10S R28E S16 | SESW | 40.00 |
| T10S R28E S16 | NESE | 40.00 | T10S R28E S16 | NWSE | 40.00 |
| T10S R28E S16 | SWSE | 40.00 | T10S R28E S16 | SESE | 40.00 |
| T10S R28E S17 | NENE | 11.00 | T10S R28E S17 | SENE | 34.00 |
| T10S R28E S17 | NESE | 38.00 | T10S R28E S17 | SESE | 39.00 |

Total Acres: 901

**Conditions of Approval:**

1. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. 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.
3. X35 Rights 43-13645, 43-13647, and 43-13649 when combined shall not exceed a total diversion rate of 10.24 cfs, a total annual maximum diversion volume of 2144 af at the field headgate, and the irrigation of 536 acres.
4. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6/28/2002.
5. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. 206 Rights 43-13645, 43-13647, and 43-13649 are limited to the irrigation of a specific 536 acres within the 901 acre place of use authorized by these rights in a single irrigation season. The specific 536 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 536 acres to be irrigated within the 901 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
7. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
8. X27 This right is limited to the irrigation of 523.2 acres within the place of use described above in a single irrigation season.
9. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Decreed Date: 6/28/2002

**A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)**

- 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.

☐ 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**.

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

[illegible]

Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments.

Received by \_\_\_\_\_ Date \_\_\_\_\_ Preliminary check by \_\_\_\_\_ Date \_\_\_\_\_

Fee paid \$10.10 Date 4.13.2017 Received by TF Receipt # 5036069

Add'l fee paid 53-11 <sup>\$1010</sup> Date 5-3-17 Received by VC Receipt # C103481

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

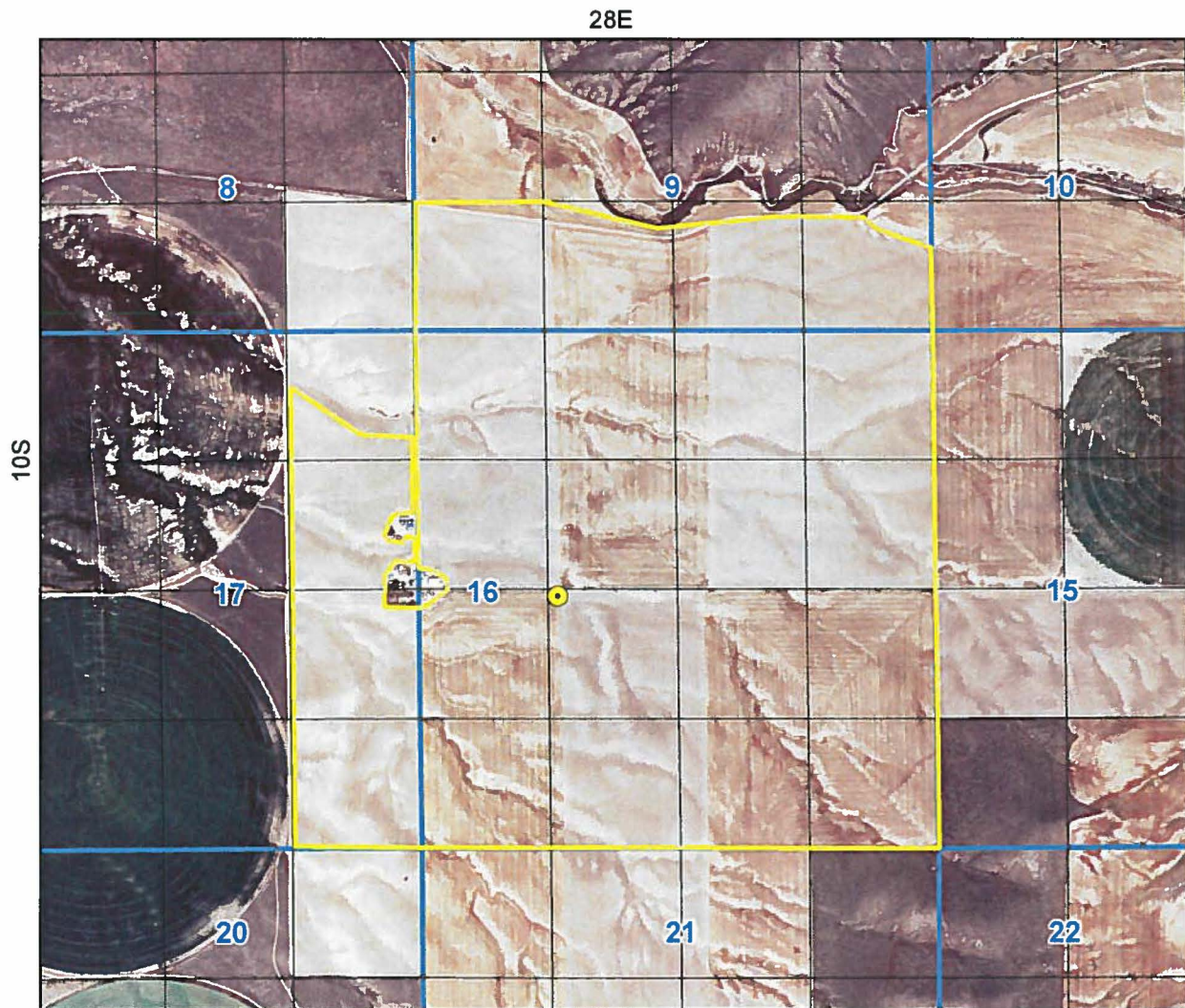
State of Idaho  
Department of Water Resources

## Water Right

43-13645, 43-13647,  
and 43-13649

### IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.225 0.45 0.9 Miles



227

# CERTIFICATE OF ASSUMED BUSINESS NAME/EF

(Please type or print legibly)

To the SECRETARY OF STATE, STATE OF IDAHO

Pursuant to Section 53-504, Idaho Code, the undersigned gives notice of adoption of an Assumed Business Name.

02 JAN -3



SECRETARY OF STATE  
STATE OF IDAHO

1. The assumed business name which the undersigned use(s) in the transaction of business is:

Jones & Widerburg Farms

2. The true name(s) and business address(es) of the entity or individual(s) doing business under the assumed business name is/are:

| Name                       | Complete Address                                        |
|----------------------------|---------------------------------------------------------|
| <u>Michael L. Jones</u>    | <u>579 Jene Drive, Sandy UT 84070</u>                   |
| <u>Marvin A. Widerburg</u> | <u>1387 West 10250 South<br/>South Jordan, UT 84095</u> |
| <u>Kendall D. Jones</u>    | <u>82 South 150 East<br/>Burley, ID 83318</u>           |

3. The general type of business transacted under the assumed business name is:  
(mark only those that apply)

|                                          |                                                 |                                                              |
|------------------------------------------|-------------------------------------------------|--------------------------------------------------------------|
| <input type="checkbox"/> Retail Trade    | <input type="checkbox"/> Manufacturing          | <input type="checkbox"/> Transportation and Public Utilities |
| <input type="checkbox"/> Wholesale Trade | <input checked="" type="checkbox"/> Agriculture | <input type="checkbox"/> Finance, Insurance, and Real Estate |
| <input type="checkbox"/> Services        | <input type="checkbox"/> Construction           | <input type="checkbox"/> Mining                              |

4. The name and address to which future correspondence should be addressed:

Kendall D. Jones  
82 South 150 East  
Burley, ID 83318

5. Name and address for this acknowledgment copy is (if other than # 4 above):

Land Title and Escrow, Inc.  
P. O. Box 177  
Burley, ID 83318

Submit Certificate of  
Assumed Business  
Name and \$20.00 fee to:

Secretary of State  
700 West Jefferson  
Basement West  
PO Box 83720  
Boise ID 83720-0080  
208 334-2301

Secretary of State use only

050823

IDAHO SECRETARY OF STATE  
01/03/2002 05:00  
CK: 3791 CT: 2521 BH: 437818  
1 @ 20.00 = 20.00 ASSUM NAME # 2

Signature: Kendall D. Jones

Printed Name: Kendall D. Jones

Capacity: General Partner

(see instruction # 8 on back of form)

Revision 287

© Copyright 1998 by the State of Idaho

## CONTRACT OF AGREEMENT

To Whom It May Concern,

Jones & Widerburg Farms have entered into an agreement with Merlin Jones concerning the following parcel of land located in Cassia County, Idaho.

| Parcel:        | Owner:                  |
|----------------|-------------------------|
| RP10S28E089000 | Merlin Jones            |
| RP10S28E100000 | Merlin Jones            |
| RP10S28E153000 | Merlin Jones            |
| RP10S28E153600 | Merlin Jones            |
| RP10S28E160000 | Merlin Jones            |
| RP10S28E210600 | Merlin Jones            |
| RP10S28E200000 | Merlin Jones            |
| RP10S28E170000 | Merlin Jones            |
| RP10S28E086000 | Merlin Jones            |
| RP10S28E214800 | Jones & Widerburg Farms |
| RP10S28E170600 | Jones & Widerburg Farms |
| RP10S28E200600 | Jones & Widerburg Farms |
| RP10S28E201200 | Jones & Widerburg Farms |

Merlin Jones gives permission to Jones & Widerburg Farms to incorporate the Parcels listed above into an irrigation permissible place of use for water rights owned by Jones & Widerburg Farms.

Merlin Jones recognize that he has does not own or has legal claim or right to water rights 43-7040, 43-7062, 43-13056, 43-13645, 43-13647 and 43-13649 that will be used for irrigation purposes on the above listed parcels of ground.

Merlin Jones:

Merlin H Jones  
Date: 3/8/17

Jones & Widerburg Farms:

Russell Jones  
Title: Partner  
Date: 3-8-17

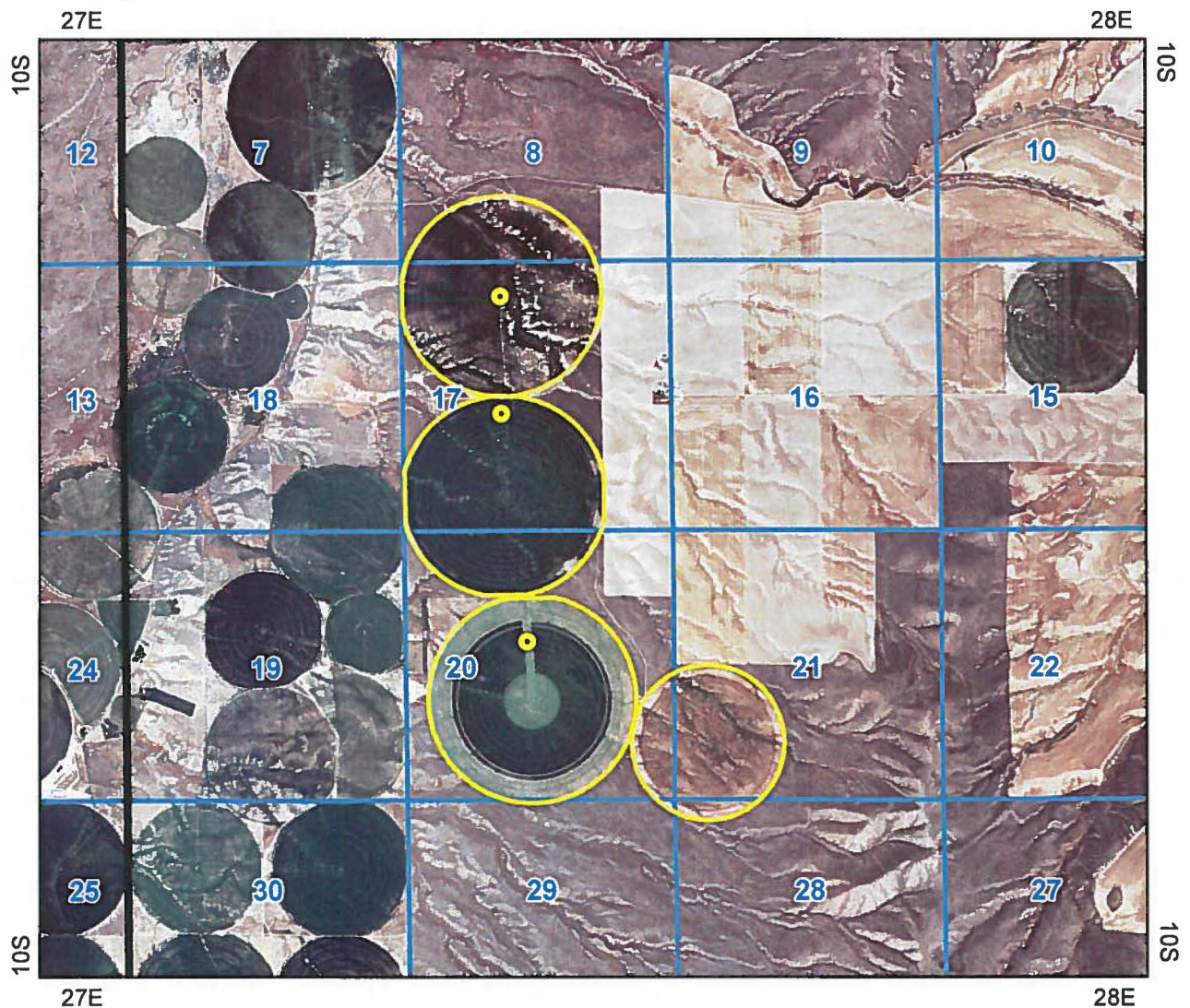
State of Idaho  
Department of Water Resources

## Water Right

43-7040, 43-7062,  
and 43-13056

### IRRIGATION

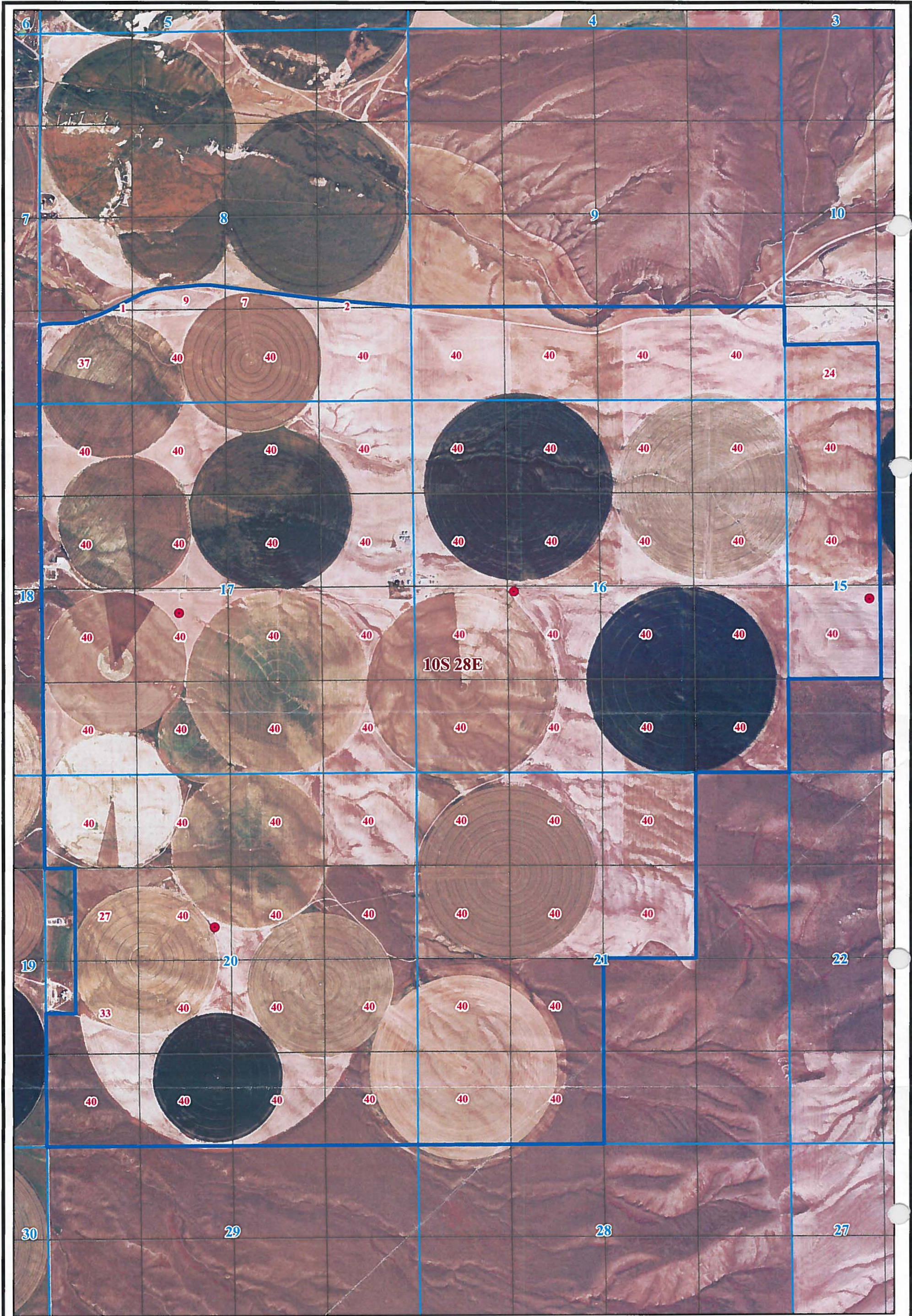
The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



0 0.425 0.85 1.7 Miles

- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections





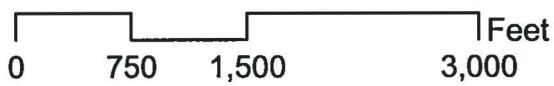
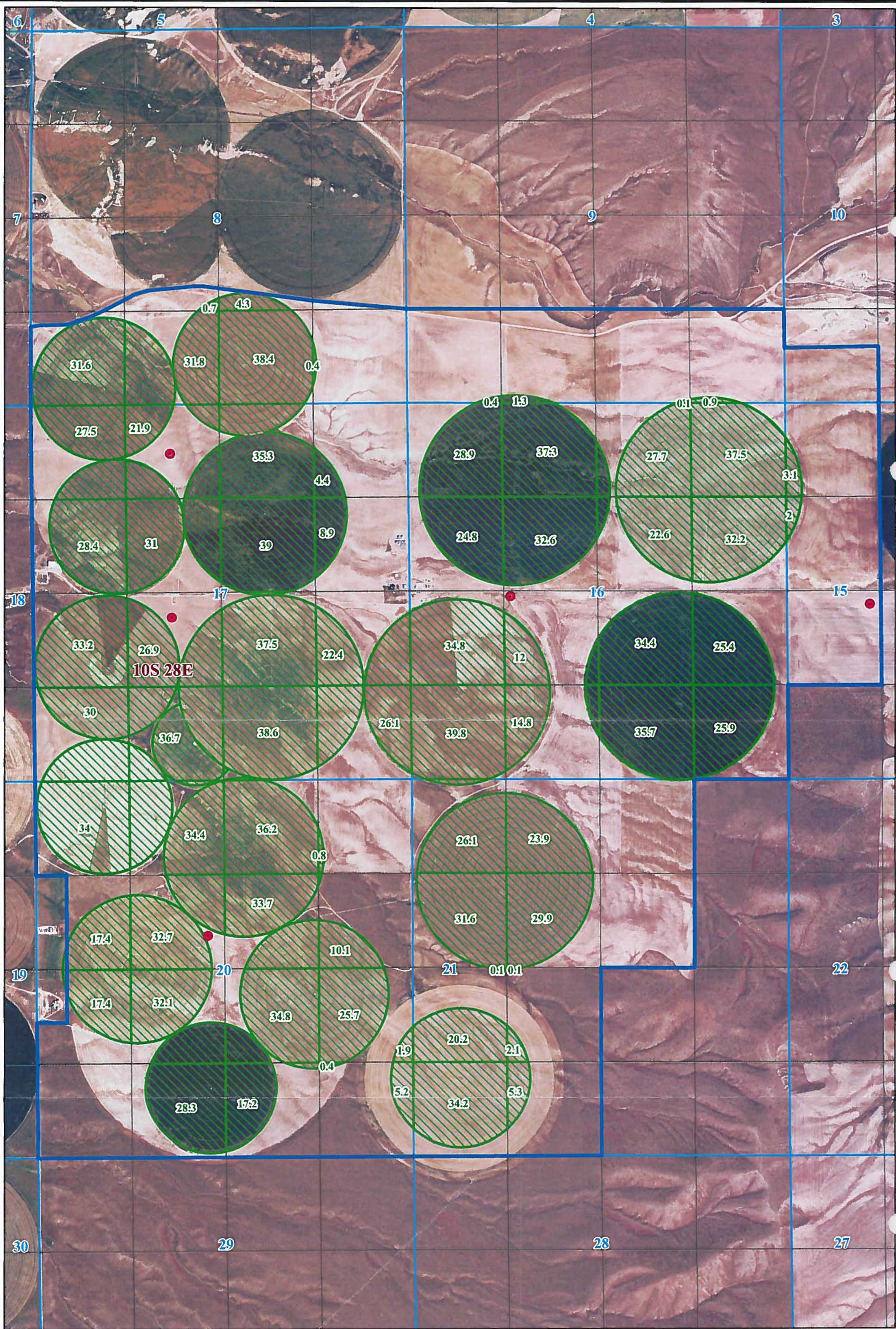
0 750 1,500 3,000 Feet

BROCKWAY ENGINEERING, PLLC.  
GWS - Date: 4/11/2017

**JONES & WIDERBURG FARMS**  
**2017 PPU**  
**NAIP 2015 AERIAL PHOTO**

- Legend**
- Irrigation PODs
  - PPU QQ
  - PPU





**JONES & WIDERBURG FARMS**  
**2017 PPU**  
**NAIP 2015 AERIAL PHOTO**

- Legend**
- Irrigation PODs
  - PPU
  - Irrigated Acres QQ



## Hersley, Jean

---

**From:** TWF Legals <legals@magicvalley.com>  
**Sent:** Thursday, June 29, 2017 10:11 AM  
**To:** Hersley, Jean  
**Subject:** RE: Legal Notice  
**Attachments:** Transfer No. 81614.pdf

Attached is the proof with charges and pub dates. Thank you

Ruby Aufderheide  
Legal Clerk for Times-News  
PO Box 548  
Twin Falls, ID 83303  
208-735-3324  
Fax 208-734-5538  
email [legals@magicvalley.com](mailto:legals@magicvalley.com)

---

**From:** Hersley, Jean [mailto:[Jean.Hersley@idwr.idaho.gov](mailto:Jean.Hersley@idwr.idaho.gov)]  
**Sent:** Thursday, June 29, 2017 9:50 AM  
**To:** TWF Legals <legals@magicvalley.com>  
**Subject:** Legal Notice

### Dear LEGAL NOTICE DEPARTMENT:

I have attached a legal notice which we wish to have published in your newspaper 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, PO Box 83720, Boise, Idaho, 83720-0098 before July 24, 2017. Your cooperation is appreciated.

Sincerely

Jean Hersley  
Technical Records Specialist II  
IDWR State Office  
322 E Front St  
Boise ID 83720  
208-287-4942  
[jean.hersley@idwr.idaho.gov](mailto:jean.hersley@idwr.idaho.gov)

# Customer Ad Proof

60005537 IDAHO DEPT OF WATER RESOURCES UIC

Order Nbr 49387

|             |                                   |                 |                         |
|-------------|-----------------------------------|-----------------|-------------------------|
| Publication | Times News                        |                 |                         |
| Contact     | IDAHO DEPT OF WATER RESOURCES UIC | PO Number       |                         |
| Address 1   | PO BOX 83720                      | Rate            | Legal Notice            |
| Address 2   |                                   | Order Price     | 78.84                   |
| City St Zip | BOISE ID 83720                    | Amount Paid     | 0.00                    |
| Phone       | 2082874991                        | Amount Due      | 78.84                   |
| Fax         |                                   |                 |                         |
| Section     | Legals                            | Start/End Dates | 07/06/2017 - 07/13/2017 |
| SubSection  |                                   | Insertions      | 2                       |
| Category    | 50 Legal                          | Size            | 48                      |
| Ad Key      | 49387-1                           | Salesperson(s)  | Ruby Aufderheide        |
| Keywords    | Jones & Widerburg Farms           | Taken By        | Ruby Aufderheide        |
| Notes       |                                   |                 |                         |

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ad Proof | <p><b>NOTICE OF PROPOSED CHANGE OF WATER RIGHT<br/>TRANSFER NO. 81614</b></p> <p><b>JONES &amp; WIDERBURG FARMS</b>, 82 S 150 E, BURLEY, ID 83318; has filed Application No. 81614 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13056, 43-13645, 43-13647, 43-13649, 43-7040, 43-7062; to see a full description of these rights and the proposed transfer, please see <a href="http://www.idwr.idaho.gov/water-rights/transfers/search.html">http://www.idwr.idaho.gov/water-rights/transfers/search.html</a>. The purpose of the transfer is to change a portion of the above rights as follows: create a 2,744 acre permissible place of use, add existing wells to all of the water rights and drill an additional well located at NWSW S15, T10S, R28E. This is located SE of the corner of Laynes Rd. and Yale Rd. in Cassia County.</p> <p>For additional information concerning the property location, contact IDWR State office at (208) 287-4800. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222.</p> <p>Any protest against the proposed change must be filed with the Department of Water Resources, 322 E Front St, PO Box 83720, Boise ID 83720-0098 together with a protest fee of \$25.00 for each application on or before 7/24/2017. The protestant must also send a copy of the protest to the applicant.</p> <p>GARY SPACKMAN, Director<br/><b>PUBLISH:</b> July 6 and 13, 2017</p> |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



State of Idaho

## DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

GARY SPACKMAN

Director

June 29, 2017

C.L. "BUTCH" OTTER

Governor

JONES & WIDERBURG FARMS  
82 S 150 E  
BURLEY, ID 83318

RE: Transfer No. 81614  
Water Right No(s). 43-13056, 43-13645, 43-13647, 43-13649, 43-7040, 43-7062

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 7/6/2017 and 7/13/2017. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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,

Jean Hersley

Technical Records Specialist

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

**Hersley, Jean**

---

**From:** Hersley, Jean  
**Sent:** Thursday, June 29, 2017 10:03 AM  
**To:** Erickson, Nathan  
**Subject:** Application for Transfer 81614- Jones & Widerburg Farms  
**Attachments:** Watermaster recommendation form.docx

Nathan,

The State Office is seeking written comment and/or recommendations from you regarding the above referenced water right application for transfer. The application and supporting documents will be scanned by the end of today. Please review the application, then complete the enclosed recommendation form and return it to me within 21 days of the date of this letter. If I do not hear from you within 21 days, I will assume you do have any comments or concerns with the application. Thank you.

*Jean Hersley  
Idaho Dept Water Resources  
Technical Records Specialist II  
208-287-4942*

## Hersley, Jean

---

**From:** TWF Legals <legals@magicvalley.com>  
**To:** Hersley, Jean  
**Sent:** Thursday, June 29, 2017 9:58 AM  
**Subject:** Read: Legal Notice

Your message

To:  
Subject: Legal Notice  
Sent: Thursday, June 29, 2017 9:58:20 AM (UTC-07:00) Mountain Time (US & Canada)

was read on Thursday, June 29, 2017 9:57:57 AM (UTC-07:00) Mountain Time (US & Canada).

**Hersley, Jean**

---

**From:** Hersley, Jean  
**Sent:** Thursday, June 29, 2017 9:50 AM  
**To:** 'legals@magicvalley.com'  
**Subject:** Legal Notice  
**Attachments:** NOTICE OF PROPOSED CHANGE OF WATER RIGHT.docx

**Dear LEGAL NOTICE DEPARTMENT:**

I have attached a legal notice which we wish to have published in your newspaper 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, PO Box 83720, Boise, Idaho, 83720-0098 before July 24, 2017. Your cooperation is appreciated.

Sincerely

Jean Hersley  
Technical Records Specialist II  
IDWR State Office  
322 E Front St  
Boise ID 83720  
208-287-4942  
jean.hersley@idwr.idaho.gov

NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
**TRANSFER NO. 81614**

JONES & WIDERBURG FARMS, 82 S 150 E, BURLEY, ID 83318; has filed Application No. 81614 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13056, 43-13645, 43-13647, 43-13649, 43-7040, 43-7062; to see a full description of these rights and the proposed transfer, please see <http://www.idwr.idaho.gov/water-rights/transfers/search.html>. The purpose of the transfer is to change a portion of the above rights as follows: create a 2,744 acre permissible place of use, add existing wells to all of the water rights and drill an additional well located at NWSW S15, T10S, R28E. This is located SE of the corner of Laynes Rd. and Yale Rd. in Cassia County. For additional information concerning the property location, contact IDWR State office at (208) 287-4800. 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, 322 E Front St, PO Box 83720, Boise ID 83720-0098 together with a protest fee of \$25.00 for each application on or before **7/24/2017**.

The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 7/6/2017 and 7/13/2017

## Webster, Clay

---

**From:** Webster, Clay  
**Sent:** Wednesday, June 28, 2017 1:12 PM  
**To:** 'Jones Commodities'  
**Cc:** greg.sullivan@brockwayeng.com  
**Subject:** RE: Application for transfer of Water Right from Jones & Widerberg Farms.

Mr. Jones,

Thank you for your quick response. I'll use this to keep processing moving forward. I will need the original prior to approval of the transfer. You can either mail it to:

Idaho Department of Water Resources  
Attn: Clay Webster  
PO Box 83720  
Boise Id 83720

Or you could deliver it to the Regional Office.

Sincerely,  
Clay Webster  
Water Resource Agent Sr.  
[clay.webster@idwr.idaho.gov](mailto:clay.webster@idwr.idaho.gov)  
208-287-4910  
Idaho Department of Water Resources (IDWR)

---

**From:** Jones Commodities [mailto:jonescommoditiesid@hotmail.com]  
**Sent:** Wednesday, June 28, 2017 11:01 AM  
**To:** Webster, Clay <Clay.Webster@idwr.idaho.gov>; greg.sullivan@brockwayeng.com  
**Subject:** Application for transfer of Water Right from Jones & Widerberg Farms.

Thanks you,  
Kendall Jones.

Jones Commodities  
Burley, Idaho  
208-678-5400

## Webster, Clay

---

**From:** Webster, Clay  
**Sent:** Tuesday, June 27, 2017 7:46 AM  
**To:** 'Greg Sullivan'  
**Subject:** RE: Discrepancy Letter for Transfer 81614 Jones & Widerburg Farms

Greg,

We will need the applicant to initial the change prior to proceeding. Thanks.

Clay

---

**From:** Greg Sullivan [mailto:[greg.sullivan@brockwayeng.com](mailto:greg.sullivan@brockwayeng.com)]  
**Sent:** Monday, June 26, 2017 9:47 AM  
**To:** Webster, Clay <[Clay.Webster@idwr.idaho.gov](mailto:Clay.Webster@idwr.idaho.gov)>  
**Cc:** [kdjonesfarms@gmail.com](mailto:kdjonesfarms@gmail.com)  
**Subject:** FW: Discrepancy Letter for Transfer 81614 Jones & Widerburg Farms

Clay,

See the attached amended page 3 for Transfer 81614. Please let me know if there are any other issues that need to be addressed.

Thank you,

Greg Sullivan  
Brockway Engineering  
2016 North Washington Street, Suite 4  
Twin Falls, Idaho 83301  
208-736-8543

---

**From:** Webster, Clay [mailto:[Clay.Webster@idwr.idaho.gov](mailto:Clay.Webster@idwr.idaho.gov)]  
**Sent:** Monday, June 26, 2017 9:38 AM  
**To:** Greg Sullivan <[greg.sullivan@brockwayeng.com](mailto:greg.sullivan@brockwayeng.com)>  
**Subject:** Discrepancy Letter for Transfer 81614 Jones & Widerburg Farms

Greg,

I hope your trip was a pleasant one. Here is the copy of the letter as requested.

Sincerely,  
Clay Webster  
Water Resource Agent Sr.  
[clay.webster@idwr.idaho.gov](mailto:clay.webster@idwr.idaho.gov)  
208-287-4910  
Idaho Department of Water Resources (IDWR)

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 26 2017

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<br>(cfs/ac-ft) | Nature of Use | Period of Use | Source & Tributary |
|-----------------------------------------------------------------------------|--------------|-----------------------|---------------|---------------|--------------------|
| All or Part<br><input checked="" type="checkbox"/> <input type="checkbox"/> | 43-7040      | 4.12/1196             | Irrigation    | 3/15 to 11/15 | Ground Water       |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 43-7062      | 5.51/2260             | Irrigation    | 3/15 to 11/15 | Ground Water       |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 43-13056     | 1.54/660              | Irrigation    | 3/15 to 11/15 | Ground Water       |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 43-13645     | 4.16/1518.3           | Irrigation    | 4/01 to 10/31 | Ground Water       |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 43-13647     | 0.49/98               | Irrigation    | 4/01 to 10/31 | Ground Water       |
| <input checked="" type="checkbox"/> <input type="checkbox"/>                | 43-13649     | 5.59/2092.8           | Irrigation    | 1/01 to 12/31 | Ground Water       |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |
| <input type="checkbox"/> <input type="checkbox"/>                           |              |                       |               | to            |                    |

Total authorized under rights 19.87 cfs and/or 6260.0 acre-feet.

2. Total amount of water proposed to be transferred or changed 19.87 cubic feet per second and/or 6260.0 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 # |
|-------|-----|---|----|----|-----|-----|-----|--------|--------------|---------------------|
|       |     |   | SE | NW | 20  | 10S | 28E | Casia  | Ground Water |                     |
|       |     |   | NE | NW | 17  | 10S | 28E | Cassia | Ground Water |                     |
|       |     |   | NE | SW | 17  | 10S | 28E | Cassia | Ground Water |                     |
|       |     |   | NE | SW | 16  | 10S | 28E | Cassia | Ground Water |                     |
|       |     |   | NW | SW | 15  | 10S | 28E | Cassia | Ground Water |                     |

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 |             |
| See Exhibit A                    |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
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|                                  |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |
| Total Acres (for irrigation use) |     |     |      |    |    |    |      |    |    |    |      |    |    |    |      |    |    |    |             |

## MEMORANDUM

**Date:** June 26, 2017

**To:** Transfer 81614

**From:** Clay Webster

**Re:** Review & Evaluation of Sufficiency of Information

The department received this application from Brockway Engineering on behalf of Jones & Winderburg Farms on April 17, 2017. This application proposes to combine two water systems into one 2744 acre PPU for water rights 43-7040, 43-7062, 43-13056, 43-13645, 43-13647 and 43-13649. Add all existing PODs to all of the water rights listed above. They also propose to drill an additional well in the NWSW, T10S, R28E, S15 and add it to the water rights listed above (verified through an amendment received 6/26/2017). This is located SE of the corner of Laynes Rd. and Yale Rd. in Cassia County.

### Authority to File:

Current Cassia county tax lot data lists ownership of the property for this permissible place of use as owned by either M.H. Jones Farms L.C. or by Jones & Winderburg Farms. This application was signed by both Kendall D. Jones and Michael L. Jones. They are both listed on the Idaho Secretary of State Website as members of both entities. They also included a contract of agreement with Merlin H. Jones giving them permission to place these water rights on his property. Since both applicants are listed as members of M. H. Jones Farms L.C., this did not seem necessary for this filing.

### Water Right Validity:

43-7040, 43-7062 and 43-13056 were decreed in the SRBA in 2002. They were subject to transfer 76442 in May 2010 to correct the points of diversion. 43-13645, 43-13647 and 43-13649 were split from WRs 43-2578, 43-7044C and 43-10802 (all decreed in 2002) in Transfer 75848 in February 2010. A review of the water rights shows that these rights are not subject to forfeiture at this time.

### Injury to Other Water Rights:

This transfer will not authorize any additional diversion of water nor any additional irrigable acres. It will change the permissible place of use of these two water systems into one large permissible place of use. The nearest well to the proposed well is over ½ mile away. This application will be advertised to address any concerns of owners of neighboring wells.

### Enlargement of Use:

Combined limit conditions will be carried over from both of these groups of water rights as well as an overall combined limit to eliminate an enlargement of use.

### Local Public interest:

This place of use and points of diversion fall within Water District 143 and the Raft River Ground Water District. However, it is located outside of the Raft River Critical Ground Water District to the East. There are no apparent issues identified and the application will be advertised for public comment.

### Beneficial Use/Conservation of Water Resources:

This proposed transfer will not change the authorized beneficial use under these rights. The transfer appears consistent with the conservation of water resources in Idaho.

### Effect on Economy the Local Area:

No effects are anticipated.

### Effect on Agricultural Base of the Local Area:

With no additional acres irrigated and no additional water diverted, this application will have no effect.

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



State of Idaho

## DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

GARY SPACKMAN  
Director

C.L. "BUTCH" OTTER  
Governor

June 19, 2017

JONES & WIDERBURG FARMS  
82 S 150 E  
BURLEY ID 83318

**RE: TRANSFER APPLICATION NO. 81614, WATER RIGHTS 43-7040, 73-7062, 43-13056, 43-13645, 43-13647 AND 43-14369.**

**\*\*\*\*TIME SENSITIVE RESPONSE REQUIRED\*\*\*\***

Dear Applicant:

The Department of Water Resources received an application to transfer water rights 43-7040, 73-7062, 43-13056, 43-13645, 43-13647 and 43-14369 from Brockway Engineering on April 17, 2017. Upon review of this application the department found that there is a discrepancy between the map depicting the proposed location (T10S, R28E, S15, NWSW) for the new well and the tabature provided on page three of the application providing the legal description of the same proposed well location (T10S, R28E, S16, NESE).

Since the department will be required to advertise this change, it is important to have the advertisement reflect the application as proposed. Please provide the department with either an amended map or an amended page three of the application to clear up this discrepancy within 30 days of this letter. We will hold any action on your application pending receipt of the necessary information. If we do not receive the necessary information within 30 days, this application will be denied without a refund of the application fees.

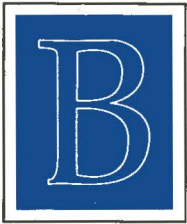
If you have any questions on this matter, please contact me at (208) 287-4910.

Sincerely,

A handwritten signature in black ink, appearing to read 'Clay Webster'.

Clay Webster  
Water Resource Agent Sr.

c: Greg Sullivan – Brockway Engineering (enclosures: receipts S036069 and C103481)  
IDWR Southern Regional Office



**BROCKWAY**  
ENGINEERING  
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

MAY 03 2017

DEPARTMENT OF  
WATER RESOURCES

May 1, 2017

Jean Hersley  
Idaho Department of Water Resources  
The Idaho Water Center  
322 East Front Street  
PO Box 83720  
Boise, Idaho 83720-0098

Re: Jones & Widerburg Farms Transfer

Dear Mr. Skinner:

Jones & Widerburg Farms desires to create a permissible place of use for water rights 43-7040, 43-7062, 43-13056, 43-13645, 43-13647 and 43-13649. The place of use of these water rights will be updated with the transfer. The ownership of the water rights will not be changing. The beneficial use of irrigation will not be changing. The period of use will not be changing.

The additional transfer fee requested by IDWR is attached to this letter.

Sincerely,

Greg Sullivan, M.S., Engineer

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

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

2016 NORTH  
WASHINGTON  
STREET • SUITE 4

TWIN FALLS,  
IDAHO 83301

208•736•8543

FAX: 736•8506

Enc: Brockway Engineering Check # 13992 for \$1010.00.

## Hersley, Jean

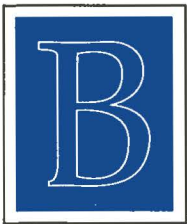
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**From:** Hersley, Jean  
**Sent:** Friday, April 28, 2017 11:12 AM  
**To:** 'Greg Sullivan'  
**Subject:** transfer for Jones & Widerburg Farms  
**Attachments:** application-fee-schedule.pdf; Page 3 Jones & Widerburg Farms Transfer application.pdf

The transfer you submitted on behalf of Jones & Widerburg Farms has been sent to the State Office for processing. During the initial review, it was determined that additional fees are needed before we can continue processing the request.

The total amount proposed to be transferred or changed in 19.87 cfs, see page 3 of the application, attached). The fee for this is \$2020. The Department received \$1010 with the application. Fee schedule is also attached. Please submit the additional \$1010 within 30 days. If the additional fees are not received within 30 days, the Department will return the application and refund the fees we did receive. If you have any questions, please contact me at the number below. Thank you.

*Jean Hersley  
Idaho Dept Water Resources  
Technical Records Specialist II  
208-287-4942*



**BROCKWAY**  
ENGINEERING  
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

APR 13 2017

DEPT OF WATER RESOURCES  
SOUTHERN REGION

April 11, 2017

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

Re: Jones & Widerburg Farms Transfer

Dear Mr. Skinner:

Jones & Widerburg Farms desires to create a permissible place of use for water rights 43-7040, 43-7062, 43-13056, 43-13645, 43-13647 and 43-13649. The place of use of these water rights will be updated with the transfer. The ownership of the water rights will not be changing. The beneficial use of irrigation will not be changing. The period of use will not be changing.

A new POD is proposed to be drilled in the NWSW of Section 15 T10S R28E.

The water rights place of use and points of diversion will be located on property owned by Merlin Jones and Jones & Widerburg Farms. A contract of agreement between the two entities is attached to this letter. The contract indicates that Jones & Widerburg Farms will retain ownership of the water rights and the Merlin Jones will retain ownership of the parcels of ground that he owns.

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

No water rights are being transfer into or away from this farm with this transfer.

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

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

2016 NORTH  
WASHINGTON  
STREET • SUITE 4

TWIN FALLS,  
IDAHO 83301

208•736•8543

FAX: 736•8506

Cc: Kendall Jones

Enc: Transfer Application, Aerial Maps, Contract of Agreement, Certificate of Assumed Business Name, Brockway Engineering Check # 13960 for \$1010.00.