

RECEIVED

SEP 06 2016

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 81190**MINIMUM REQUIREMENTS CHECKLIST**
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

Name of Applicant(s) M & T Ranches, LLCCheck whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the 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: _____

81190

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) M&T Ranches, LLC Phone (208) 584-3948
Mailing address PO Box 30, Ola, ID 83657 Email mfandelin@gmail.com

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

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

☐ No Representative

Name of Representative David Shaw Phone (208) 365-7684
Mailing address 4001 E Main St, Emmett, ID 83617 Email dshaw@erresources.com

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

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


Signature of Applicant or Authorized Representative

Mark F Andelin, Manager
Print Name and Title if applicable

8/31/16
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
☐ Change nature of use

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

☒ Change place of use
☐ Other _____
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it Part 1A.2.
Applicant wishes to install pivots and other sprinkler irrigation methods to better utilize the available water supply for the ranch. Applicant owns natural flow and storage rights and seeks a permissible place of use to more efficiently use the available water supply on the property. The 220 acres of irrigation was taken from the existing shape files.

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.

I.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	65-2945	71 ac-ft	Irrigation from Storage	4/1 to 11/1	Little Squaw Creek
☒ ☐	65-3061	0.28 cfs	Irrigation	4/1 to 11/1	Little Squaw Creek
☒ ☐	65-3062	0.11 cfs	Irrigation	4/1 to 11/1	Little Squaw Creek
☒ ☐	65-3063	1.74 cfs	Irrigation	4/1 to 11/1	Little Squaw Creek
☒ ☐	65-3064	0.18 cfs	Irrigation	4/1 to 11/1	Little Squaw Creek
☒ ☐	65-3065	0.51 cfs	Irrigation	4/1 to 11/1	Little Squaw Creek
☒ ☐	65-3069	0.10 cfs	Irrigation	4/1 to 11/1	Little Squaw Creek
☒ ☐	65-9538	1.38 cfs	Irrigation	4/1 to 11/1	Little Squaw Creek
☒ ☐	65-9539	231 ac-ft	Irrigation from Storage	4/1 to 11/1	Little Squaw Creek

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

2. Total amount of water proposed to be transferred or changed 4.30 cubic feet per second and/or 372 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 #
			NE	NE	31	11N	3E	Valley	Little Squaw Creek	Holbrook Reservoir
			SW	SE	31	11N	3E	"	"	65-10473 Storage
	2		SW	NW	31	10N	2E	Gem	"	
			SE	NE	36	10N	1E	"	"	
			SE	SW	36	10N	1E	"	"	

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	
9N	1E	1					Lt 3 4												4
		2	Lt 1 7																7
10N	1E	35													5			32	37
		36	5	7	33	12	1		3	32	20	33	13	2		11			172
Total Acres (for irrigation use)																			220

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
Existing diversions from Little Squaw Creek and existing reservoirs, no changes proposed but all natural flow rights can divert from any point of diversion in Gem County and all storage can be rediverted from any point of diversion in Gem County.
- b. Who owns the property at the point(s) of diversion? Applicant & existing use ROW
 If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Existing use ROW
- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
 If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it Attachment #6. List the name of the entity and type of lien: _____
- It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.
- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
 If yes, ☐ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
Lands from which water is removed will return to dry range land.
- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
None
- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:
 Yes No
☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?
 If yes, describe:

Pg 6 of 37

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/17/2016

WATER RIGHT NO. 65-2945

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	M & T RANCHES LLC PO BOX 30 OLA, ID 83657
Original Owner	JERALD JENNARO
Original Owner	JOSEPH JENNARO 2385 GAMAY COMMON LIVERMORE, CA 94550 (925)371-2975
Original Owner	THOMAS R LINVILLE EBERLE BERLIN KADING TURNBOW & MC KLVEEN PO BOX 1368 BOISE, ID 83701

Priority Date: 12/26/1950

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE SQUAW CREEK	SQUAW CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION FROM STORAGE	4/01	11/01		71 AFA
Total Diversion			71 AFA	

Location of Point(s) of Diversion:

81190

Pg 7 of 37

LITTLE SQUAW CREEK Rediversion	SENE	Sec. 36	Township 10N	Range 01E	GEM County
LITTLE SQUAW CREEK Rediversion	SWNW Lt 2	Sec. 31	Township 10N	Range 02E	GEM County
LITTLE SQUAW CREEK	NENE	Sec. 31	Township 11N	Range 03E	VALLEY County

Place(s) of use:

Place of Use Legal Description: IRRIGATION FROM STORAGE GEM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10N	01E	36		SWNE	32		SENE	22						
				SENE	23									
				NESW	20		NWSW	30						
				NWSE	14									

Total Acres: 141

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 65-09539 & 65-10473 SHALL PROVIDE NO MORE THAN 3.5 AF PER ACRE.
3. E53 USE OF THIS RIGHT WITH RIGHT NO. 65-22401 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 71.0 AF.
Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right
4. C20 seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
5. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-09539 THE STORAGE FACILITY IS KNOWN AS HOLBROOK RESERVOIR. WATER IS DELIVERED THROUGH AND REDIVERTED FROM LITTLE SQUAW CREEK.

81190

Dates:**Licensed Date:****Decreed Date:** 06/03/2004**Permit Proof Due Date:****Permit Proof Made Date:****Permit Approved Date:****Permit Moratorium Expiration Date:****Enlargement Use Priority Date:****Enlargement Statute Priority Date:****Water Supply Bank Enrollment Date Accepted:****Water Supply Bank Enrollment Date Removed:****Application Received Date:****Protest Deadline Date:****Number of Protests:** 0**Other Information:****State or Federal:** S**Owner Name Connector:** And**Water District Number:** 65A**Generic Max Rate per Acre:****Generic Max Volume per Acre:****Combined Acres Limit:****Combined Volume Limit:** 71**Combined Rate Limit:****Civil Case Number:****Old Case Number:****Decree Plaintiff:****Decree Defendant:****Swan Falls Trust or Nontrust:****Swan Falls Dismissed:****DLE Act Number:****Cary Act Number:****Mitigation Plan:** False

81190

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/17/2016

WATER RIGHT NO. 65-3061

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	M & T RANCHES LLC PO BOX 30 OLA, ID 83657
Original Owner	JERALD JENNARO
Original Owner	JOSEPH JENNARO 2385 GAMAY COMMON LIVERMORE, CA 94550 (925)371-2975

Priority Date: 04/01/1893

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE SQUAW CREEK	SQUAW CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	0.28 CFS	
Total Diversion			0.28 CFS	

Location of Point(s) of Diversion:

LITTLE SQUAW CREEK|SENE|Sec. 36|Township 10N|Range 01E|GEM County

Place(s) of use:

81190

Place of Use Legal Description: IRRIGATION GEM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10N	01E	36		NWSE	14									

Total Acres: 14

Conditions of Approval:

1. E51 USE OF THIS RIGHT WITH RIGHT NO. 65-22404 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .28 CFS.
Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right
2. C20 seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
3. RIGHT NO. 65-03062 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION
4. C18 OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 06/03/2004

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number: 65A

Generic Max Rate per Acre:

81190

Generic Max Volume per Acre:

Combined Acres Limit:

Combined Volume Limit:

Combined Rate Limit: 0.28

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/17/2016

WATER RIGHT NO. 65-3062

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	M & T RANCHES LLC PO BOX 30 OLA, ID 83657
Original Owner	JERALD JENNARO
Original Owner	JOSEPH JENNARO 2385 GAMAY COMMON LIVERMORE, CA 94550 (925)371-2975
Original Owner	THOMAS R LINVILLE EBERLE BERLIN KADING TURNBOW & MC KLVEEN PO BOX 1368 BOISE, ID 83701

Priority Date: 04/01/1893

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE SQUAW CREEK	SQUAW CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	0.11 CFS	
Total Diversion			0.11 CFS	

Location of Point(s) of Diversion:

81190

LITTLE SQUAW CREEK|SENE|Sec. 36|Township 10N|Range 01E|GEM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION GEM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10N	01E	36		SWNE	4		SENE	2						

Total Acres: 6

Conditions of Approval:

1. RIGHT NO. 65-03061 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
2. THIS RIGHT WHEN COMBINED WITH THE RIGHTS BELOW SHALL PROVIDE NO MORE THAN 3.5 ACRE FEET PER ACRE; RIGHT NOS: 65-09539, 65-02945 & 65-10473. Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right
3. C20 seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
4. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
5. E51 USE OF THIS RIGHT WITH RIGHT NO. 65-22405 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .11 CFS.

Dates:

Licensed Date:

Decreed Date: 06/03/2004

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

81190

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: And

Water District Number: 65A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit:

Combined Volume Limit:

Combined Rate Limit: 0.11

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/17/2016

WATER RIGHT NO. 65-3063

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	M & T RANCHES LLC PO BOX 30 OLA, ID 83657
Original Owner	JERALD JENNARO
Original Owner	JOSEPH JENNARO 2385 GAMAY COMMON LIVERMORE, CA 94550 (925)371-2975
Original Owner	THOMAS R LINVILLE EBERLE BERLIN KADING TURNBOW & MC KLVEEN PO BOX 1368 BOISE, ID 83701

Priority Date: 06/01/1879

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE SQUAW CREEK	SQUAW CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	1.74 CFS	
Total Diversion			1.74 CFS	

Location of Point(s) of Diversion:

81190

LITTLE SQUAW CREEK|SWNW Lt 2|Sec. 31|Township 10N|Range 02E|GEM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION GEM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10N	01E	36		SWNE	20		SENE	20						
				SENE	20									
				SENE	20									
				SENE	20									

Total Acres: 83

Conditions of Approval:

1. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-03064, 65-03065 & 65-09538.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. C20 Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
4. THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-09538 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE AT THE FIELD HEADGATE. THIS RIGHT WHEN COMBINED WITH THE RIGHTS BELOW SHALL PROVIDE NO MORE THAN 3.5 ACRE FEET PER ACRE; RIGHT NOS: 65-09538, 65-09539, 65-02945 & 65-10473.
5. E51 USE OF THIS RIGHT WITH RIGHT NO. 65-22398 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.74 CFS.

Dates:

Licensed Date:

Decreed Date: 06/03/2004

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

81190

Water Supply Bank Enrollment Date Accepted:
Water Supply Bank Enrollment Date Removed:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:

State or Federal: S
Owner Name Connector: And
Water District Number: 65A
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Combined Acres Limit:
Combined Volume Limit:
Combined Rate Limit: 1.74
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

81190

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/17/2016

WATER RIGHT NO. 65-3064

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	M & T RANCHES LLC PO BOX 30 OLA, ID 83657
Original Owner	JERALD JENNARO
Original Owner	JOSEPH JENNARO 2385 GAMAY COMMON LIVERMORE, CA 94550 (925)371-2975
Original Owner	THOMAS R LINVILLE EBERLE BERLIN KADING TURNBOW & MC KLVEEN PO BOX 1368 BOISE, ID 83701

Priority Date: 06/01/1879

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE SQUAW CREEK	SQUAW CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	0.18 CFS	
Total Diversion			0.18 CFS	

Location of Point(s) of Diversion:

81190

LITTLE SQUAW CREEK|SWNW Lt 2|Sec. 31|Township 10N|Range 02E|GEM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION GEM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10N	01E	36		NESW	2		SESW	7						

Total Acres: 9

Conditions of Approval:

1. C20 Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
2. E51 USE OF THIS RIGHT WITH RIGHT NO. 65-22408 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .18 CFS.
3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
4. THIS RIGHT WHEN COMBINED WITH THE RIGHTS BELOW SHALL PROVIDE NO MORE THAN 3.5 ACRE FEET PER ACRE; RIGHT NOS: 65-09539 AND 65-10473.
5. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-03063, 65-03065 & 65-09538.

Dates:

Licensed Date:

Decreed Date: 06/03/2004

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

81190

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: And

Water District Number: 65A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit:

Combined Volume Limit:

Combined Rate Limit: 0.18

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

81190

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/17/2016

WATER RIGHT NO. 65-3065

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	M & T RANCHES LLC PO BOX 30 OLA, ID 83657
Original Owner	JERALD JENNARO
Original Owner	JOSEPH JENNARO 2385 GAMAY COMMON LIVERMORE, CA 94550 (925)371-2975
Original Owner	THOMAS R LINVILLE EBERLE BERLIN KADING TURNBOW & MC KLVEEN PO BOX 1368 BOISE, ID 83701

Priority Date: 06/01/1879

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE SQUAW CREEK	SQUAW CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	0.51 CFS	
Total Diversion			0.51 CFS	

Location of Point(s) of Diversion:

81190

LITTLE SQUAW CREEK|SWNW Lt 2|Sec. 31|Township 10N|Range 02E|GEM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION GEM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
09N	01E	1	4	NWNW	3									
		2	1	NENE	10									
10N		35		SESE	12									

Total Acres: 25

Conditions of Approval:

1. C20 Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
2. E51 USE OF THIS RIGHT WITH RIGHT NO. 65-22395 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .51 CFS.
3. THIS RIGHT WHEN COMBINED WITH THE RIGHTS BELOW SHALL PROVIDE NO MORE THAN 3.5 ACRE FEET PER ACRE; RIGHT NOS: 65-09539 AND 65-10473. THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-09538 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.
4. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-03063, 65-03064 & 65-09538.
5. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Dates:

Licensed Date:

Decreed Date: 06/03/2004

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

81190

Water Supply Bank Enrollment Date Accepted:
Water Supply Bank Enrollment Date Removed:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:
State or Federal: S
Owner Name Connector: And
Water District Number: 65A
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Combined Acres Limit:
Combined Volume Limit:
Combined Rate Limit: 0.51
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

81190

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/17/2016

WATER RIGHT NO. 65-3069

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	M & T RANCHES LLC PO BOX 30 OLA, ID 83657
Original Owner	JERALD JENNARO
Original Owner	JOSEPH JENNARO 2385 GAMAY COMMON LIVERMORE, CA 94550 (925)371-2975
Original Owner	THOMAS R LINVILLE EBERLE BERLIN KADING TURNBOW & MC KLVEEN PO BOX 1368 BOISE, ID 83701

Priority Date: 05/01/1896

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE SQUAW CREEK	SQUAW CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	0.1 CFS	
Total Diversion			0.1 CFS	

Location of Point(s) of Diversion:

81190

LITTLE SQUAW CREEK|SESW|Sec. 36|Township 10N|Range 01E|GEM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION GEM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
09N	01E	1	3	NENW	5									

Total Acres: 5

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 65-09539 & 65-10473 SHALL PROVIDE NO MORE THAN 3.5 ACRE FEET PER ACRE.
Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right
3. C20 seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
4. E51 USE OF THIS RIGHT WITH RIGHT NO. 65-22410 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .10 CFS.

Dates:

Licensed Date:

Decreed Date: 06/03/2004

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

81190

Other Information:

State or Federal: S

Owner Name Connector: And

Water District Number: 65A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit:

Combined Volume Limit:

Combined Rate Limit: 0.1

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/17/2016

WATER RIGHT NO. 65-9538

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	M & T RANCHES LLC PO BOX 30 OLA, ID 83657
Original Owner	JERALD JENNARO
Original Owner	JOSEPH JENNARO 2385 GAMAY COMMON LIVERMORE, CA 94550 (925)371-2975
Original Owner	THOMAS R LINVILLE EBERLE BERLIN KADING TURNBOW & MC KLVEEN PO BOX 1368 BOISE, ID 83701

Priority Date: 06/01/1927

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE SQUAW CREEK	SQUAW CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	11/01	1.38 CFS	
Total Diversion			1.38 CFS	

Location of Point(s) of Diversion:

81190

LITTLE SQUAW CREEK|SWNW|Sec. 31|Township 10N|Range 02E|GEM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION GEM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10N	01E	35		NESE	4		SESE	8						
		36		NENE	3		NWNE	2		SWNE	13			
				NWSW	30		SWSW	9						

Total Acres: 69

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right
2. C20 seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
3. THIS RIGHT WHEN COMBINED WITH THE RIGHTS BELOW SHALL PROVIDE NO MORE THAN 3.5 ACRE FEET PER ACRE; RIGHT NOS: 65-09539, 65-10473 AND 65-02945. THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 65-03065, 65-03062, & 65-03063 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.
4. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-03063, 65-03064 & 65-03065.
5. E51 USE OF THIS RIGHT WITH RIGHT NO. 65-22407 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.38 CFS.

Dates:

Licensed Date:

Decreed Date: 06/02/2004

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

81190

Water Supply Bank Enrollment Date Accepted:
Water Supply Bank Enrollment Date Removed:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:
State or Federal: S
Owner Name Connector: And
Water District Number: 65A
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Combined Acres Limit:
Combined Volume Limit:
Combined Rate Limit: 1.4
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/17/2016

WATER RIGHT NO. 65-9539

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	M & T RANCHES LLC PO BOX 30 OLA, ID 83657
Original Owner	JERALD JENNARO
Original Owner	JOSEPH JENNARO 2385 GAMAY COMMON LIVERMORE, CA 94550 (925)371-2975
Original Owner	THOMAS R LINVILLE EBERLE BERLIN KADING TURNBOW & MC KLVEEN PO BOX 1368 BOISE, ID 83701

Priority Date: 11/01/1953

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE SQUAW CREEK	SQUAW CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION FROM STORAGE	4/01	11/01		231 AFA
Total Diversion			231 AFA	

Location of Point(s) of Diversion:

81190

LITTLE SQUAW CREEK Rediversion	SENE	Sec. 36	Township 10N	Range 01E	GEM County
LITTLE SQUAW CREEK Rediversion	SWNW Lt 2	Sec. 31	Township 10N	Range 02E	GEM County
LITTLE SQUAW CREEK	NENE	Sec. 31	Township 11N	Range 03E	VALLEY County

Place(s) of use:

Place of Use Legal Description: IRRIGATION FROM STORAGE GEM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
09N	01E	1	3	NENW	5									
		2	1	NENE	4									
10N		35		NESE	4		SESE	29						
		36		NENE	3		NWNE	2		SWNE	37		SENE	22
				SENE	23									
				NESW	20		NWSW	30		SWSW	9		SESW	9
				NWSE	14									

Total Acres: 211

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. E53 USE OF THIS RIGHT WITH RIGHT NO. 65-22411 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 231 AF.
Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right
3. C20 seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
4. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-02945 THE STORAGE FACILITY IS KNOWN AS HOLBROOK RESERVOIR. WATER IS DELIVERED THROUGH AND REDIVERTED FROM LITTLE SQUAW CREEK.

81190

5. | THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 65-02945 & 65-10473 SHALL
PROVIDE NO MORE THAN 3.5 AF PER ACRE.

Dates:

Licensed Date:

Decreed Date: 06/02/2004

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: And

Water District Number: 65A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit:

Combined Volume Limit: 231

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

81190

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

8/17/2016

WATER RIGHT NO. 65-10473

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	M & T RANCHES LLC PO BOX 30 OLA, ID 83657
Original Owner	JERALD JENNARO
Original Owner	JOSEPH JENNARO 2385 GAMAY COMMON LIVERMORE, CA 94550 (925)371-2975
Original Owner	THOMAS R LINVILLE EBERLE BERLIN KADING TURNBOW & MC KLVEEN PO BOX 1368 BOISE, ID 83701

Priority Date: 04/01/1970

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE SQUAW CREEK	SQUAW CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION FROM STORAGE	4/01	11/01		70 AFA
Total Diversion			70 AFA	

Location of Point(s) of Diversion:

81190

LITTLE SQUAW CREEK Rediversion	SENE	Sec. 36	Township 10N	Range 01E	GEM County
LITTLE SQUAW CREEK Rediversion	SESW	Sec. 36	Township 10N	Range 01E	GEM County
LITTLE SQUAW CREEK Rediversion	SWNW Lt 2	Sec. 31	Township 10N	Range 02E	GEM County
LITTLE SQUAW CREEK	SWSE	Sec. 31	Township 11N	Range 03E	VALLEY County

Place(s) of use:

Place of Use Legal Description: IRRIGATION FROM STORAGE GEM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
09N	01E	1	3	NENW	8									
10N		35		NESE	4		SESE	29						
		36		NENE	3		NWNE	2		SWNE	37		SENE	9
				SENE	21									
				NESW	22		NWSW	10		SWSW	6		SESW	3
				NWSE	12									

Total Acres: 166

Conditions of Approval:

1. E53 USE OF THIS RIGHT WITH RIGHT NO. 65-22406 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 70.0 AF.
2. WATER IS DELIVERED THROUGH AND REDIVERTED FROM LITTLE SQUAW CREEK.
3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
4. THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 65-02945 & 65-09539 SHALL PROVIDE NO MORE THAN 3.5 AF PER ACRE.
5. C20 Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such

change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.

Dates:

Licensed Date:

Decreed Date: 06/03/2004

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: And

Water District Number: 65A

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit:

Combined Volume Limit: 70

Combined Rate Limit:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

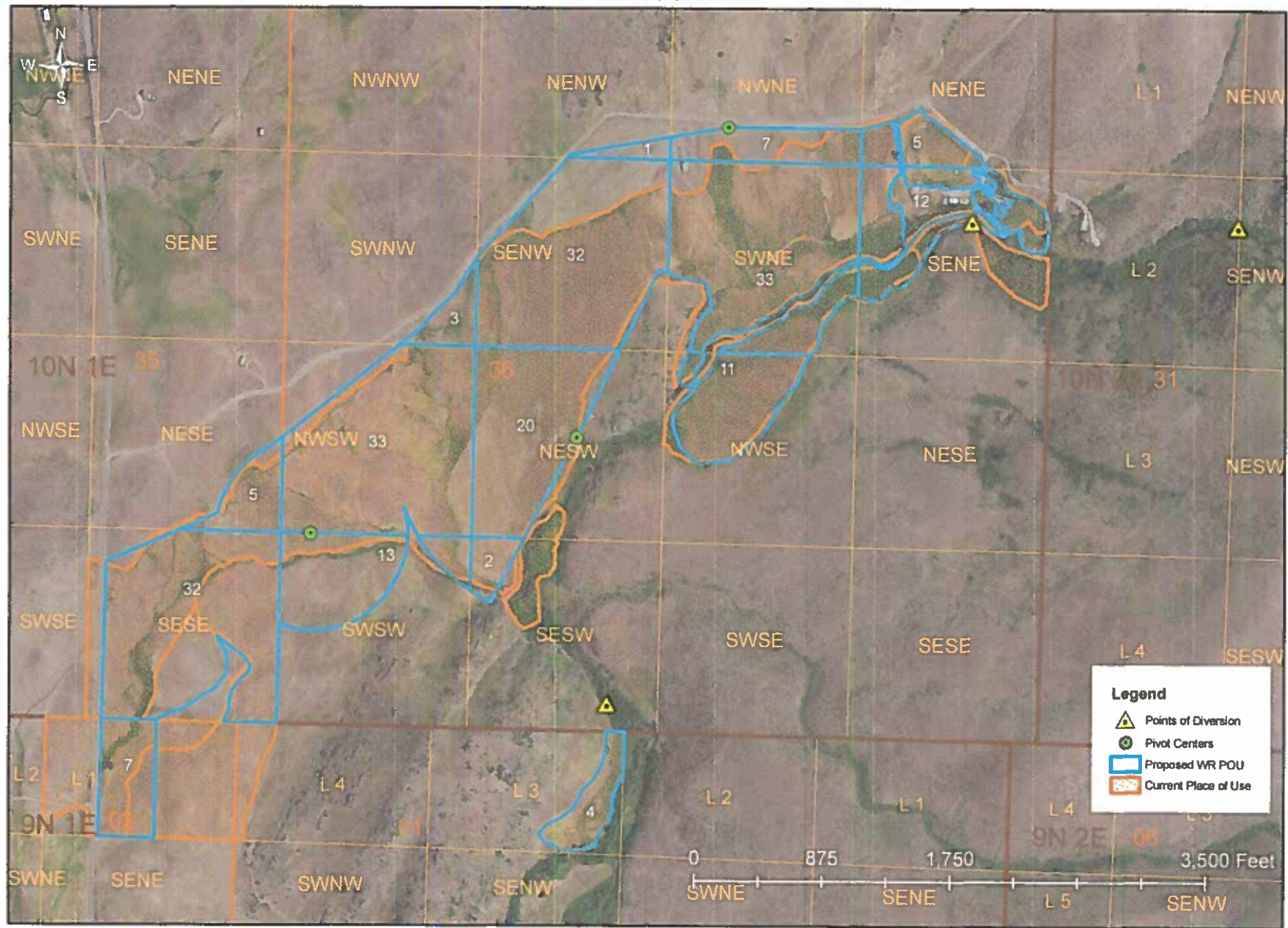
Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

M & T Ranches, LLC Application for Transfer

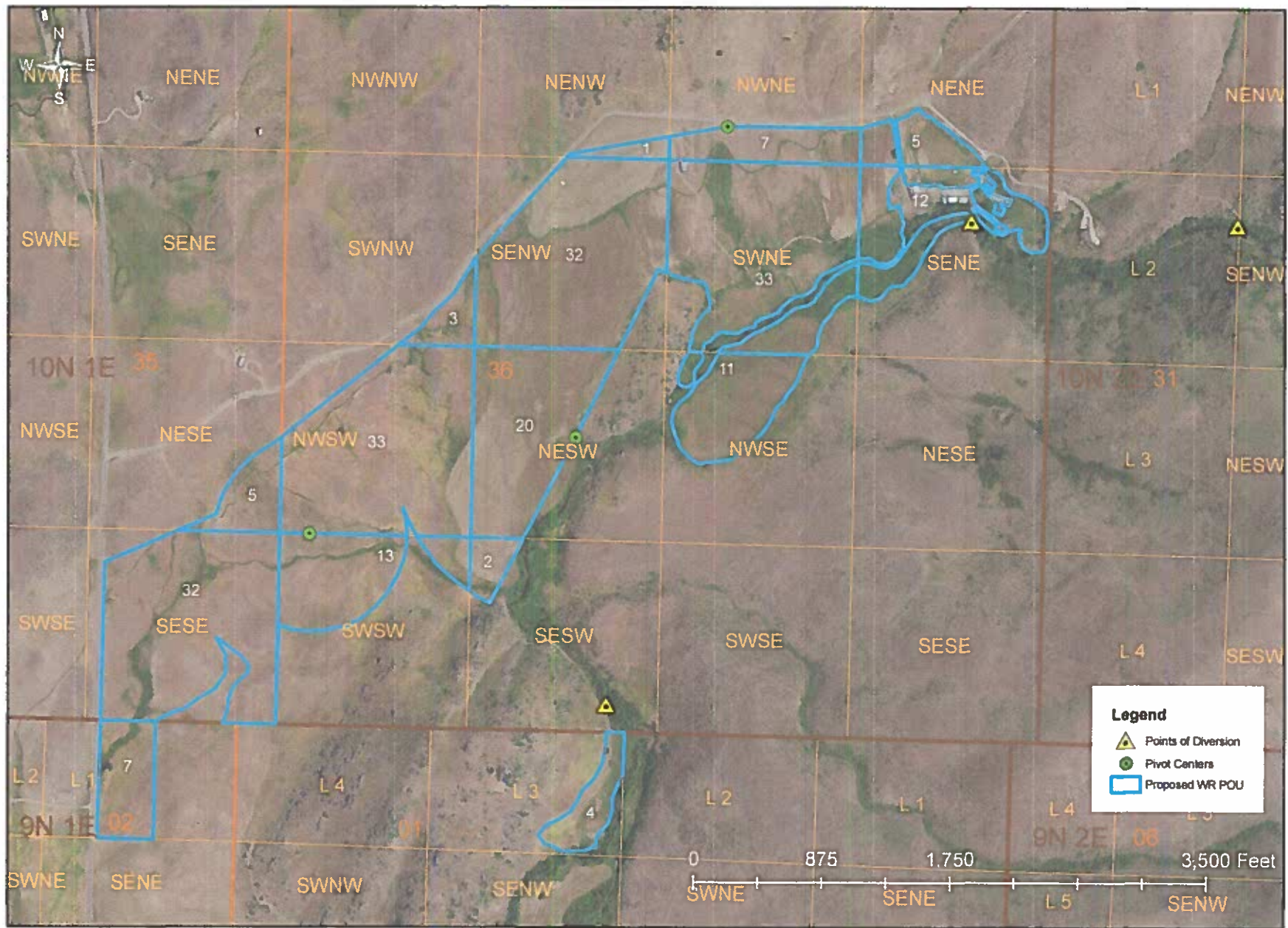


Based on 2015 NAIP Photography

Prepared for M & T Ranches, LLC by ERO 8-2016

M & T Ranches, LLC Application for Transfer

81190



Based on 2015 NAIP Photography

Prepared for M & T Ranches, LLC by ERO 8-2016



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 11, 2017

M & T RANCHES LLC
PO BOX 30
OLA, ID 83657

RE: Transfer No. 81190
Water Right No(s). 65-10473, 65-2945, 65-3061, 65-3062, 65-3063, 65-3064, 65-3065, 65-3069,
65-9538, 65-9539

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 MESSENGER INDEX on 5/17/2017 and 5/18/2017; STAR NEWS on 5/18/2017 and 5/25/2017. 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,

Rachel Neely
Administrative Assistant

CC:
ERO RESOURCES CORP
C/O DAVID SHAW
4001 E MAIN ST
EMMETT, ID 83617

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, May 11, 2017 9:56 AM
To: 'IDAHO PRESS TRIBUNE'
Subject: Gem Legal Ads
Attachments: Gem Cover Letter.docx; Gem Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ads for publication on 5/17/2017 & 5/24/2017.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

May 11, 2017

LEGAL NOTICE DEPARTMENT
MESSENGER INDEX
PO BOX 577
EMMETT, ID 83617

RE: Application for Permit No. 65-23689
Application for Transfer No. 81190

Dear Legal Notice Department:

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

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 6/5/2017. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosure(s)

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

65-23689

JAMES M BIER

ROSANNE LICHTE BIER

17400 SWEET OLA HWY

OLA, ID 83657

Points of Diversion NWSE NESW S14 T09N R01E GEM County Source SQUAW CREEK Tributary PAYETTE RIVER

Use: IRRIGATION 03/15 to 10/31 0.19 CFS

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Total Diversion: 0.21 CFS

Date Filed: 3/10/2017

Places of Use: IRRIGATION, STOCKWATER

T09N R01E S14 NESW NWSE

Total Acres: 9.5

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 81190

M & T RANCHES LLC, PO BOX 30, OLA, ID 83657; has filed Application No. 81190 for changes to the following water rights within GEM, VALLEY County(s): Right No(s). 65-10473, 65-2945, 65-3061, 65-3062, 65-3063, 65-3064, 65-3065, 65-3069, 65-9538, 65-9539. The purpose of this transfer is to define a permissible place of use for 10 water rights to use the available water supply on the property more efficiently. The applicant is installing pivots and other sprinkler irrigation methods to better utilize the available water supply for the ranch. Water will be used at the current place of use generally located south of Holbrook Lane, approximately 1.5 miles southeast of Ola, Idaho.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at 208-334-2190; or for a full description of the right(s) or proposed transfer (s) please see www.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code §§ 42-203A and 42-222. Any protest against the approval of the application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 6/5/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/17/2017 and 5/24/2017

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, May 11, 2017 1:39 PM
To: 'The Star-News'
Subject: Valley Legal Ads
Attachments: Valley Cover Letter.docx; Valley Legal Ad.docx

Good Afternoon Legal Clerk,

Please see the attached ads for publication on 5/18/2017 & 5/25/2017.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

May 11, 2017

LEGAL NOTICE DEPARTMENT
STAR NEWS
1000 1ST ST
MC CALL, ID 83638

RE: Application for Permit No. 65-23668
 Application for Permit No. 65-23669
 Application for Permit No. 65-23683
 Application for Permit No. 65-23688
 Application for Permit No. 65-23690
 Application for Transfer No. 81190

Dear Legal Notice Department:

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

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 6/5/2017. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosure(s)

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

65-23668

LARRY FITZGERALD
279 BACON CREEK RD
CASCADE, ID 83611
Point of Diversion NWSE S9 T11N R04E VALLEY County Source UNNAMED STREAM Tributary BACON CREEK
Use: AESTHETIC STORAGE 01/01 to 12/31 0.5 AF
Use: WILDLIFE STORAGE 01/01 to 12/31 0.5 AF
Total Diversion: 0.5 AF
Date Filed: 8/24/2016
Places of Use: WILDLIFE STORAGE, AESTHETIC STORAGE
T11N R04E S9 NWSE

65-23669

JUDY L GROOTHUIS
MARION D GROOTHUIS
3490 N SADDLEMAN PL
EAGLE, ID 83616
Point of Diversion NESE S20 T16N R03E VALLEY County Source GROUND WATER
Use: IRRIGATION 04/15 to 10/31 0.48 CFS
Total Diversion: 0.48 CFS
Date Filed: 8/31/2016
Place of Use: IRRIGATION
T16N R03E S20 SENE NESE SESE
Total Acres: 24

65-23683

ALZAR SCHOOL INC
PO BOX 1609
CASCADE, ID 83611
Point of Diversion L1(NWNW) S8 T13N R04E VALLEY County Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.16 CFS
Use: IRRIGATION 04/15 to 10/31 0.24 CFS
Total Diversion: 0.4 CFS
Date Filed: 12/27/2016
Places of Use: DOMESTIC, IRRIGATION
T13N R04E S8 L1(NWNW)
Total Acres: 4

65-23688

SCOTT ROBERT GRESSLEY
KYLIE VICTORIA GRESSLEY
1093 FOOTHILL DR
VALE, OR 97918
Point of Diversion SESE S5 T16N R03E VALLEY County Source GROUND WATER
Use: IRRIGATION 04/15 to 10/15 2 CFS
Total Diversion: 2 CFS
Date Filed: 3/16/2017
Place of Use: IRRIGATION
T16N R03E S4 L4(NWNW) SWNW NWSW SWSW
T16N R03E S5 L1(NENE) L2(NWNE) SWNE SENE L3(NENW) L4(NWNW) SWNW NESE NWSE SESE
T16N R03E S6 L1(NENE)
T16N R03E S9 NWNW SWNW
Total Acres: 456.8

65-23690

PATRICK HILL
PO BOX 4529
MCCALL, ID 83638
Point of Diversion L3(NWNE) S17 T18N R03E VALLEY County Source UNNAMED STREAM Tributary NORTH FORK PAYETTE RIVER
Point of Diversion L8(SWSE) S8 T18N R03E VALLEY County Source UNNAMED STREAM Tributary NORTH FORK PAYETTE RIVER
Use: IRRIGATION FROM STORAGE 04/15 to 10/31 2.5 AF
Use: IRRIGATION STORAGE 01/01 to 12/31 2.5 AF
Use: RECREATION STORAGE 01/01 to 12/31 8.9 AF
Use: WILDLIFE STORAGE 01/01 to 12/31 8.9 AF
Total Diversion: 11.4 AF
Date Filed: 2/21/2017
Place Of Use: RECREATION STORAGE, IRRIGATION FROM STORAGE, WILDLIFE STORAGE, IRRIGATION STORAGE
T18N R03E S8 L8(SWSE)
T18N R03E S17 L3(NWNE)
Total Acres: 1

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81190**

M & T RANCHES LLC, PO BOX 30, OLA, ID 83657; has filed Application No. 81190 for changes to the following water rights within GEM, VALLEY County(s): Right No(s). 65-10473, 65-2945, 65-3061, 65-3062, 65-3063, 65-3064, 65-3065, 65-3069, 65-9538, 65-9539. The purpose of this transfer is to define a permissible place of use for 10 water rights to use the available water supply on the property more efficiently. The applicant is installing pivots and other sprinkler irrigation methods to better utilize the available water supply for the ranch. Water will be used at the current place of use generally located south of Holbrook Lane, approximately 1.5 miles southeast of Ola, Idaho.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at 208-334-2190, or for a full description of the right(s) or proposed transfer (s) please see www.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code §§ 42-203A and 42-222. Any protest against the approval of the application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 6/5/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/18/2017 and 5/25/2017



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 11, 2017

ERIC HERR
8917 BUTTE RD
SWEET ID 83670

RE: Application for Permit No. 65-23689 and Application for Transfer No. 81190

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. A copy of the application is enclosed with this letter for your reference. Please review the application, complete the attached recommendation form, and submit your reply, if any, to this office by **June 5, 2017**.

IDWR will assume you do not object to this application if a timely response is not received. Please contact me if you have any questions in this matter. Thank you for your help.

Sincerely,

Rachel Neely
Administrative Assistant

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, May 11, 2017 1:59 PM
To: 'Ron Shurtleff'
Subject: Applications for Permit Nos. 65-23684, 65-23689, 65-23617, 65-23668, 65-23690 & Application for Transfer No. 81190
Attachments: Watermaster Recommendation Form_F.pdf; Application for Permit 65-23684.pdf; Application for Permit 65-23689.pdf; Application for Permit 65-23617.pdf; Application for Permit 65-23668.pdf; Application for Permit 65-23690.pdf; Application for Transfer 81190.pdf

May 11, 2017

RON SHURTLEFF
WATER DISTRICT #65
102 N MAIN
PAYETTE, ID 83661

RE: Applications for Permit Nos. 65-23684, 65-23689, 65-23617, 65-23668, 65-23690 & Application for Transfer No. 81190

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right applications. Copies of the applications are enclosed with this email for your reference. Please review the applications, complete a recommendation form, and submit your reply, if any, to this office by June 5, 2017.

IDWR will assume you do not object to these applications if a timely response is not received. Please contact me if you have any questions in this matter. Thank you for your help.

Sincerely,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

MEMORANDUM

Date: May 2, 2017

To: Transfer 81190

From: Cody Parker

Re: POD Description 65-9538

The POD for rights 65-3063, 65-3064, 65-3065, and 65-9538 is located in Gov Lot No. 02 of Section 31, Township 10 North, Range 02 East, Boise Meridian. The government lot number was listed for all of these rights except 65-9538. I added the lot number in data entry to correct the description.

POD Description 65-9538
5/2/2017



February 16, 2017

Cody Parker
Water Resource Agent
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

RECEIVED

FEB 21 2017

WATER RESOURCES
WESTERN REGION

RE: Application for Transfer no. 81190

Dear Mr. Parker:

This letter is in response to your letter of January 31, 2017 regarding Application for Transfer of a Water Right no. 81190 in the name of M & T Ranches, LLC. This letter will also confirm our phone conversation of February 14, 2017 regarding this application for transfer.

Your letter notes there are a total of 225 unique acres covered by the water rights included in this transfer application. The application seeks to irrigate a 220 acre PPU in the future. As we discussed on the phone, this area tends to be water short even with the storage water. The limited water supply is one of the primary reasons the applicant seeks to change the water rights to facilitate the use of pivots to more efficiently use the water that is available. Reducing the acreage was a conscious decision to better utilize the available water on the remaining 220 acres.

You noted 3 acres are proposed to be irrigated in the SW¼NW¼ Sec 36 Twp 10N Rge 1E, B.M. owned by the State of Idaho. Those 3 acres can be dropped from the application for transfer reducing the PPU acreage to 217 acres. There is an existing irrigation ditch crossing the parcel of state land indicating there is an existing irrigation right of way. The new pivot will be programmed to not irrigate the 3 acres of state land but a pivot tower may cross the land utilizing the existing irrigation right of way.

Your letter also describes IDWR's requirement to evaluate the validity of the water rights included in the transfer application. The owner has continuously used all the available water on the property and as mentioned above, the lack of water is one of the reasons for installing the pivots, to make better use of the available water supply. In the past 10 years, the precipitation has been normal or better in only 4 of those years and in at least one year precipitation was less than 70% of normal based on data from PRISM. The storage water must be conveyed more than 10 miles through

Denver
1842 Clarkson St.
Denver, CO 80218
303.830.1188

Durango
1015 ½ Main Avenue
Durango, CO 81301
970.422.2136

Hotchkiss
P.O. Box 932
161 South 2nd St.
Hotchkiss, CO 81419
970.872.3020

Idaho
4001 East Main Street
Emmett, ID 83617
208.365.7684

www.eroresources.com

Consultants in
Natural Resources
and the Environment

Little Squaw Creek past other water users and frequent beaver dams to the place of use. Adequate precipitation to support the base flow in Little Squaw Creek is critical to reducing storage water losses between the reservoirs and the place of use.

Hopefully your concerns have been adequately addressed but please feel free to contact me if I can provide you with any additional information. Thank you in advance for your consideration.

Yours truly,

A handwritten signature in black ink, appearing to read 'D. Shaw', written over a light blue horizontal line.

David Shaw

cc: M & T Ranches, LLC



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C.L. "BUTCH" OTTER
Governor

COPY

GARY SPACKMAN
Director

January 31, 2017

DAVID SHAW
4001 E MAIN ST
EMMETT ID 83617

RE: Application for transfer no. 81190

Dear Applicants,

I am writing to you today in regards to your Application for Transfer of a Water Right no. 81190. The Idaho Department of Water Resources (IDWR) received this application on September 6, 2016. I have started the initial review of this application and I require the following information to continue its processing:

- From my review of the water rights as they exist, I can identify 225 unique acres of irrigation. You have applied to establish a permissible place of use (PPU) for 220 acres. Changing the size of the PPU will require an amendment to your application, and the submission of a new map, which outlines an additional 5 acres. Please let me know if you would like to make this change to your application.
- You have listed irrigated acreage within the SW ¼ of the NW ¼ of Section 36, Township 10 North, Range 01 East, Boise Meridian. The taxlot spatial data I have available indicates that this land is owned by the State of Idaho. If this is incorrect please let me know. If you have purchased the land from the State of Idaho, or if you have an arrangement with them allowing you to farm the land, please provide documentation of the purchase or the agreement.
- For applications for transfer, IDWR must evaluate the validity of the water rights included in the transfer; that is, whether the rights included are subject to forfeiture. A water right is subject to forfeiture when water has not been applied to the beneficial use for which it was appropriated for a period of 5 consecutive years. I am not able to determine the extent of beneficial use for the rights included in your transfer application from historical aerial imagery, or any other records available to the IDWR. Therefore, I must request that you submit documentation showing that 220 acres (or 225 acres if you decide to amend your application) have been irrigated according to these water rights for the previous, consecutive, 5-year period. Alternatively, you may explain, in writing, any exceptions or defense to forfeiture including any of those set forth in Section 42-223, Idaho Code.

I look forward to your timely reply to this letter. I must receive this information to proceed with processing your application for transfer. Please contact me with any questions or concerns. I can be reached by phone at 208-334-2190, or by email at cody.parker@idwr.idaho.gov. Thank you for your time and for your attention to these matters.

Sincerely

Cody Parker



RECEIVED
SEP 06 2016
WATER RESOURCES
WESTERN REGION

August 31, 2016

Nick Miller
Western Region Manager
Idaho Department of Water Resources
2725 Airport Way
Boise, ID 83705-5082

RE: Application for Transfer for M&T Ranches, LLC

Dear Nick:

Attached is a completed Application for Transfer to change the place of use to accommodate the installation of pivots and sprinklers and to create a PPU for the 10 water rights that supply irrigation water to the property.

Please let me know if you have any questions or if I can provide you with any additional information. Thank you in advance.

Yours truly,

A handwritten signature in blue ink that reads "Dave".

David Shaw

Denver
1842 Clarkson St.
Denver, CO 80218
303.830.1188

Durango
1015 1/2 Main Avenue
Durango, CO 81301
970.422.2136

Hotchkiss
P.O. Box 932
161 South 2nd St.
Hotchkiss, CO 81419
970.872.3020

Idaho
4001 East Main Street
Emmett, ID 83617
208.365.7684

www.eroresources.com

Enc.

cc: M&T Ranches, LLC w/o Enc.

Consultants in
Natural Resources
and the Environment