

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 81110**

This is to certify that: **SOUTHFIELD PROPERTIES LLC**
3308 S 1600 E
WENDELL, ID 83355

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

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-22803	WR/DECREED	7/14/1967	0.740 cfs	147.6 af	36.9	686.0	GROUND WATER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-8732	WR/LICENSE	4/13/1991	3.000 cfs	1273.4 af	587.0	686.0	GROUND WATER
37-2549	WR/DECREED	3/11/1954	1.860 cfs	400.0 af	100.0	686.0	GROUND WATER
37-7370	WR/DECREED	7/22/1974	3.260 cfs	652.0 af	163.0	686.0	GROUND WATER
37-2550	WR/DECREED	3/11/1954	2.670 cfs	568.0 af	142.0	686.0	GROUND WATER
37-7572	WR/DECREED	3/21/1977	2.530 cfs	492.0 af	123.0	686.0	GROUND WATER
37-7634	WR/DECREED	5/23/1977	1.310 cfs	558.6 af	576.0	686.0	GROUND WATER
37-22802	WR/LICENSE	1/6/1988	0.120 cfs	24.0 af	6.0	686.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-22803	YES	YES	YES	NO	YES	YES

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-22803	37-23009	0.380 cfs	76.0 af	N/A	N/A	37-22803	0.270 cfs	53.2 af	13.3	686.0
COMBINED TOTALS		0.380 cfs	76.0 af	N/A	N/A		N/A	N/A	N/A	N/A

SUPPORT DATA

Transfer No. 81110

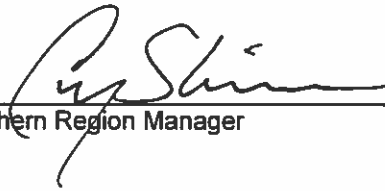
IN FILE # 37-22803

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 81110

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 21ST day of March, 2017.


Southern Region Manager



WATER RIGHT NO. 37-22803**As Modified by Transfer No. 81110**

In accordance with the approval of Transfer No. 81110, Water Right No. 37-22803 is now described as follows:

Right Holder: SOUTHFIELD PROPERTIES LLC
3308 S 1600 E
WENDELL, ID 83355

Priority Date: 7/14/1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	0.270 cfs	53.2 af
			0.270 cfs	53.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENENE	Sec 18 Twp 06S Rge 14E	GOODING County
GROUND WATER	NENENE	Sec 18 Twp 06S Rge 14E	GOODING County
GROUND WATER	NENENW	Sec 18 Twp 06S Rge 14E	GOODING County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	14E	7	38.0	2.0	8.0	39.0					4.0			20.0	39.0	40.0	40.0	39.0	269.0
06S	14E	18	39.0	40.0	40.0	39.0	40.0		15.0	40.0	40.0	42.0	14.0	12.0	22.0	34.0			417.0

Right Acre Limit: 13.3

POU Total Acres: 686.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 13.3 acres within the authorized place of use in a single irrigation season.
2. Rights 37-2549, 37-2550, 37-7370, 37-7572, 37-7634, 37-8732, 37-22802 and 37-22803 when combined shall not exceed a total diversion rate of 11.19 cfs, a total annual maximum diversion volume of 2425.2 af at the field headgate, and the irrigation of 606.3 acres.
3. Rights 37-2549, 37-2550, 37-7370, 37-7572, 37-7634, 37-8732, 37-22802 and 37-22803 when combined are limited to the irrigation of a specific 606.3 acres within the 686.0 acre place of use authorized by these rights in a single irrigation season. The specific 606.3 acres to be irrigated by the right holder are shown in the electronic shape file associated with the rights in the geographic information system component of the water rights database maintained by the department. Before changing the 606.3 acres to be irrigated within the 686.0 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.

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WATER RIGHT NO. 37-22803

As Modified by Transfer No. 81110

CONDITIONS OF APPROVAL

4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
6. Pursuant to Transfer approval 78300, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
8. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 37-23009**As Modified by Transfer No. 81110**

In accordance with the approval of Transfer No. 81110, Water Right No. 37-23009 is now described as follows:

Right Holder: SOUTHFIELD PROPERTIES LLC
3308 S 1600 E
WENDELL, ID 83355

Priority Date: 7/14/1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
COMMERCIAL	1 / 1	to 12/31	0.380 cfs	76.0 af
STOCKWATER	1 / 1	to 12/31	0.380 cfs	76.0 af
			0.380 cfs	76.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWNWNE Sec 18 Twp 06S Rge 14E GOODING County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	14E	18		X	X														0.0

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	14E	18		X	X														0.0

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
3. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.

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WATER RIGHT NO. 37-23009
As Modified by Transfer No. 81110

CONDITIONS OF APPROVAL

4. Prior to diversion and use of water under Transfer approval 81110, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion, in accordance with Department specifications.
5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. 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. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 37-8732**As Modified by Transfer No. 81110**

In accordance with the approval of Transfer No. 81110, Water Right No. 37-8732 is now described as follows:

Right Holder: SOUTHFIELD PROPERTIES LLC
3308 S 1600 E
WENDELL, ID 83355

Priority Date: 4/13/1991

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 4/01 **To** 10/31

Diversion Rate
3.000 cfs
3.000 cfs

Diversion Volume
1273.4 af
1273.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENENE	Sec 18 Twp 06S Rge 14E	GOODING County
GROUND WATER	NENENE	Sec 18 Twp 06S Rge 14E	GOODING County
GROUND WATER	NENENW	Sec 18 Twp 06S Rge 14E	GOODING County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	14E	7	38.0	2.0	8.0	39.0					4.0			20.0	39.0	40.0	40.0	39.0	269.0
06S	14E	18	39.0	40.0	40.0	39.0	40.0		15.0	40.0	40.0	42.0	14.0	12.0	22.0	34.0			417.0

Right Acre Limit: 587.0

POU Total Acres: 686.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 587 acres within the authorized place of use in a single irrigation season.
2. Rights 37-8732, 37-2549, 37-2550, 37-7370, 37-7572 and 37-7634 when combined shall not exceed a total diversion rate of 10.8 cfs and a total annual maximum diversion volume of 2348 a.f at the field headgate, and the irrigation of 587 acres..
3. Rights 37-2549, 37-2550, 37-7370, 37-7572, 37-7634, 37-8732, 37-22802 and 37-22803 when combined shall not exceed a total diversion rate of 11.19 cfs, a total annual maximum diversion volume of 2425.2 af at the field headgate, and the irrigation of 606.3 acres.

WATER RIGHT NO. 37-8732

As Modified by Transfer No. 81110

CONDITIONS OF APPROVAL

4. Rights 37-2549, 37-2550, 37-7370, 37-7572, 37-7634, 37-8732, 37-22802 and 37-22803 when combined are limited to the irrigation of a specific 606.3 acres within the 686.0 acre place of use authorized by these rights in a single irrigation season. The specific 606.3 acres to be irrigated by the right holder are shown in the electronic shape file associated with the rights in the geographic information system component of the water rights database maintained by the department. Before changing the 606.3 acres to be irrigated within the 686.0 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.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
7. Pursuant to Transfer approval 78300, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
9. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
10. This right is for the use of trust water, and it is subject to review 20 years after 1/27/1992 (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
11. When the minimum stream flow water rights in the Snake River at Murphy Gage are not being satisfied, the right holder shall cease diverting water for the consumptive uses authorized by this right.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 37-2549**As Modified by Transfer No. 81110**

In accordance with the approval of Transfer No. 81110, Water Right No. 37-2549 is now described as follows:

Right Holder: SOUTHFIELD PROPERTIES LLC
3308 S 1600 E
WENDELL, ID 83355

Priority Date: 3/11/1954

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 03/15 **To** 11/15

Diversion Rate
1.860 cfs
1.860 cfs

Diversion Volume
400.0 af
400.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENENE	Sec 18 Twp 06S Rge 14E	GOODING County
GROUND WATER	NENENE	Sec 18 Twp 06S Rge 14E	GOODING County
GROUND WATER	NENENW	Sec 18 Twp 06S Rge 14E	GOODING County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	14E	7	38.0	2.0	8.0	39.0					4.0			20.0	39.0	40.0	40.0	39.0	269.0
06S	14E	18	39.0	40.0	40.0	39.0	40.0		15.0	40.0	40.0	42.0	14.0	12.0	22.0	34.0			417.0

Right Acre Limit: 100.0

POU Total Acres: 686.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 100 acres within the authorized place of use in a single irrigation season.
2. Rights 37-2549, 37-2550, 37-7370, 37-7572 and 37-7634 when combined shall not exceed a total diversion rate of 7.8 cfs, a total annual maximum diversion volume of 2304 af at the field headgate, and the irrigation of 576 acres.
3. Rights 37-8732, 37-2549, 37-2550, 37-7370, 37-7572 and 37-7634 when combined shall not exceed a total diversion rate of 10.8 cfs and a total annual maximum diversion volume of 2348 a.f at the field headgate, and the irrigation of 587 acres.
4. Rights 37-2549, 37-2550, 37-7370, 37-7572, 37-7634, 37-8732, 37-22802 and 37-22803 when combined shall not exceed a total diversion rate of 11.19 cfs, a total annual maximum diversion volume of 2425.2 af at the field headgate, and the irrigation of 606.3 acres.

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WATER RIGHT NO. 37-2549
As Modified by Transfer No. 81110

CONDITIONS OF APPROVAL

5. Rights 37-2549, 37-2550, 37-7370, 37-7572, 37-7634, 37-8732, 37-22802 and 37-22803 when combined are limited to the irrigation of a specific 606.3 acres within the 686.0 acre place of use authorized by these rights in a single irrigation season. The specific 606.3 acres to be irrigated by the right holder are shown in the electronic shape file associated with the rights in the geographic information system component of the water rights database maintained by the department. Before changing the 606.3 acres to be irrigated within the 686.0 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.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
7. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
8. Pursuant to Transfer approval 78300, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
9. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
10. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 37-7370**As Modified by Transfer No. 81110**

In accordance with the approval of Transfer No. 81110, Water Right No. 37-7370 is now described as follows:

Right Holder: SOUTHFIELD PROPERTIES LLC
3308 S 1600 E
WENDELL, ID 83355

Priority Date: 7/22/1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	3.260 cfs	652.0 af
			3.260 cfs	652.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENENE	Sec 18 Twp 06S Rge 14E	GOODING County
GROUND WATER	NENENE	Sec 18 Twp 06S Rge 14E	GOODING County
GROUND WATER	NENENW	Sec 18 Twp 06S Rge 14E	GOODING County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	14E	7	38.0	2.0	8.0	39.0					4.0			20.0	39.0	40.0	40.0	39.0	269.0
06S	14E	18	39.0	40.0	40.0	39.0	40.0		15.0	40.0	40.0	42.0	14.0	12.0	22.0	34.0			417.0

Right Acre Limit: 163.0

POU Total Acres: 686.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 163 acres within the authorized place of use in a single irrigation season.
2. Rights 37-2549, 37-2550, 37-7370, 37-7572 and 37-7634 when combined shall not exceed a total diversion rate of 7.8 cfs, a total annual maximum diversion volume of 2304 af at the field headgate, and the irrigation of 576 acres.
3. Rights 37-8732, 37-2549, 37-2550, 37-7370, 37-7572 and 37-7634 when combined shall not exceed a total diversion rate of 10.8 cfs and a total annual maximum diversion volume of 2348 a.f at the field headgate, and the irrigation of 587 acres.
4. Rights 37-2549, 37-2550, 37-7370, 37-7572, 37-7634, 37-8732, 37-22802 and 37-22803 when combined shall not exceed a total diversion rate of 11.19 cfs, a total annual maximum diversion volume of 2425.2 af at the field headgate, and the irrigation of 606.3 acres.

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WATER RIGHT NO. 37-7370
As Modified by Transfer No. 81110

CONDITIONS OF APPROVAL

5. Rights 37-2549, 37-2550, 37-7370, 37-7572, 37-7634, 37-8732, 37-22802 and 37-22803 when combined are limited to the irrigation of a specific 606.3 acres within the 686.0 acre place of use authorized by these rights in a single irrigation season. The specific 606.3 acres to be irrigated by the right holder are shown in the electronic shape file associated with the rights in the geographic information system component of the water rights database maintained by the department. Before changing the 606.3 acres to be irrigated within the 686.0 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.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
7. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
8. Pursuant to Transfer approval 78300, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
9. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
10. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
11. 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 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 12/11/2002 SRBA decree date.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 37-2550**As Modified by Transfer No. 81110**

In accordance with the approval of Transfer No. 81110, Water Right No. 37-2550 is now described as follows:

Right Holder: SOUTHFIELD PROPERTIES LLC
3308 S 1600 E
WENDELL, ID 83355

Priority Date: 3/11/1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	2.670 cfs	568.0 af
			2.670 cfs	568.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENENE	Sec 18 Twp 06S Rge 14E	GOODING County
GROUND WATER	NENENE	Sec 18 Twp 06S Rge 14E	GOODING County
GROUND WATER	NENENW	Sec 18 Twp 06S Rge 14E	GOODING County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	14E	7	38.0	2.0	8.0	39.0					4.0			20.0	39.0	40.0	40.0	39.0	269.0
06S	14E	18	39.0	40.0	40.0	39.0	40.0		15.0	40.0	40.0	42.0	14.0	12.0	22.0	34.0			417.0

Right Acre Limit: 142.0

POU Total Acres: 686.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 142 acres within the authorized place of use in a single irrigation season.
2. Rights 37-2549, 37-2550, 37-7370, 37-7572 and 37-7634 when combined shall not exceed a total diversion rate of 7.8 cfs, a total annual maximum diversion volume of 2304 af at the field headgate, and the irrigation of 576 acres.
3. Rights 37-8732, 37-2549, 37-2550, 37-7370, 37-7572 and 37-7634 when combined shall not exceed a total diversion rate of 10.8 cfs and a total annual maximum diversion volume of 2348 a.f at the field headgate, and the irrigation of 587 acres.
4. Rights 37-2549, 37-2550, 37-7370, 37-7572, 37-7634, 37-8732, 37-22802 and 37-22803 when combined shall not exceed a total diversion rate of 11.19 cfs, a total annual maximum diversion volume of 2425.2 af at the field headgate, and the irrigation of 606.3 acres.

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WATER RIGHT NO. 37-2550

As Modified by Transfer No. 81110

CONDITIONS OF APPROVAL

5. Rights 37-2549, 37-2550, 37-7370, 37-7572, 37-7634, 37-8732, 37-22802 and 37-22803 when combined are limited to the irrigation of a specific 606.3 acres within the 686.0 acre place of use authorized by these rights in a single irrigation season. The specific 606.3 acres to be irrigated by the right holder are shown in the electronic shape file associated with the rights in the geographic information system component of the water rights database maintained by the department. Before changing the 606.3 acres to be irrigated within the 686.0 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.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
7. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
8. Pursuant to Transfer approval 78300, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
9. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
10. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 37-7572

As Modified by Transfer No. 81110

In accordance with the approval of Transfer No. 81110, Water Right No. 37-7572 is now described as follows:

Right Holder: SOUTHFIELD PROPERTIES LLC
3308 S 1600 E
WENDELL, ID 83355

Priority Date: 3/21/1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	2.530 cfs	492.0 af
			2.530 cfs	492.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENENE	Sec 18 Twp 06S Rge 14E	GOODING County
GROUND WATER	NENENE	Sec 18 Twp 06S Rge 14E	GOODING County
GROUND WATER	NENENW	Sec 18 Twp 06S Rge 14E	GOODING County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	14E	7	38.0	2.0	8.0	39.0					4.0			20.0	39.0	40.0	40.0	39.0	269.0
06S	14E	18	39.0	40.0	40.0	39.0	40.0		15.0	40.0	40.0	42.0	14.0	12.0	22.0	34.0			417.0

Right Acre Limit: 123.0

POU Total Acres: 686.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 123 acres within the authorized place of use in a single irrigation season.
2. Rights 37-2549, 37-2550, 37-7370, 37-7572 and 37-7634 when combined shall not exceed a total diversion rate of 7.8 cfs, a total annual maximum diversion volume of 2304 af at the field headgate, and the irrigation of 576 acres.
3. Rights 37-8732, 37-2549, 37-2550, 37-7370, 37-7572 and 37-7634 when combined shall not exceed a total diversion rate of 10.8 cfs and a total annual maximum diversion volume of 2348 a.f at the field headgate, and the irrigation of 587 acres.
4. Rights 37-2549, 37-2550, 37-7370, 37-7572, 37-7634, 37-8732, 37-22802 and 37-22803 when combined shall not exceed a total diversion rate of 11.19 cfs, a total annual maximum diversion volume of 2425.2 af at the field headgate, and the irrigation of 606.3 acres.

Transfer No. 81110

WATER RIGHT NO. 37-7572

As Modified by Transfer No. 81110

CONDITIONS OF APPROVAL

5. Rights 37-2549, 37-2550, 37-7370, 37-7572, 37-7634, 37-8732, 37-22802 and 37-22803 when combined are limited to the irrigation of a specific 606.3 acres within the 686.0 acre place of use authorized by these rights in a single irrigation season. The specific 606.3 acres to be irrigated by the right holder are shown in the electronic shape file associated with the rights in the geographic information system component of the water rights database maintained by the department. Before changing the 606.3 acres to be irrigated within the 686.0 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.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
7. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
8. Pursuant to Transfer approval 78300, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
9. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
10. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
11. 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 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 12/11/2002 SRBA decree date.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 37-7634**As Modified by Transfer No. 81110**

In accordance with the approval of Transfer No. 81110, Water Right No. 37-7634 is now described as follows:

Right Holder: SOUTHFIELD PROPERTIES LLC
3308 S 1600 E
WENDELL, ID 83355

Priority Date: 5/23/1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	1.310 cfs	558.6 af
			1.310 cfs	558.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENENE	Sec 18 Twp 06S Rge 14E	GOODING County
GROUND WATER	NENENE	Sec 18 Twp 06S Rge 14E	GOODING County
GROUND WATER	NENENW	Sec 18 Twp 06S Rge 14E	GOODING County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	14E	7	38.0	2.0	8.0	39.0					4.0			20.0	39.0	40.0	40.0	39.0	269.0
06S	14E	18	39.0	40.0	40.0	39.0	40.0		15.0	40.0	40.0	42.0	14.0	12.0	22.0	34.0			417.0

Right Acre Limit: 576.0

POU Total Acres: 686.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 576 acres within the authorized place of use in a single irrigation season.
2. Rights 37-2549, 37-2550, 37-7370, 37-7572 and 37-7634 when combined shall not exceed a total diversion rate of 7.8 cfs, a total annual maximum diversion volume of 2304 af at the field headgate, and the irrigation of 576 acres.
3. Rights 37-8732, 37-2549, 37-2550, 37-7370, 37-7572 and 37-7634 when combined shall not exceed a total diversion rate of 10.8 cfs and a total annual maximum diversion volume of 2348 a.f at the field headgate, and the irrigation of 587 acres.
4. Rights 37-2549, 37-2550, 37-7370, 37-7572, 37-7634, 37-8732, 37-22802 and 37-22803 when combined shall not exceed a total diversion rate of 11.19 cfs, a total annual maximum diversion volume of 2425.2 af at the field headgate, and the irrigation of 606.3 acres.

Transfer No. 81110

WATER RIGHT NO. 37-7634
As Modified by Transfer No. 81110

CONDITIONS OF APPROVAL

5. Rights 37-2549, 37-2550, 37-7370, 37-7572, 37-7634, 37-8732, 37-22802 and 37-22803 when combined are limited to the irrigation of a specific 606.3 acres within the 686.0 acre place of use authorized by these rights in a single irrigation season. The specific 606.3 acres to be irrigated by the right holder are shown in the electronic shape file associated with the rights in the geographic information system component of the water rights database maintained by the department. Before changing the 606.3 acres to be irrigated within the 686.0 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.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
7. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
8. Pursuant to Transfer approval 78300, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
9. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
10. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
11. 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 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 12/11/2002 SRBA decree date.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 37-22802**As Modified by Transfer No. 81110**

In accordance with the approval of Transfer No. 81110, Water Right No. 37-22802 is now described as follows:

Right Holder: SOUTHFIELD PROPERTIES LLC
3308 S 1600 E
WENDELL, ID 83355

Priority Date: 1/6/1988

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/31	0.120 cfs	24.0 af
			0.120 cfs	24.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENENE	Sec 18 Twp 06S Rge 14E	GOODING County
GROUND WATER	NENENE	Sec 18 Twp 06S Rge 14E	GOODING County
GROUND WATER	NENENW	Sec 18 Twp 06S Rge 14E	GOODING County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	14E	7	38.0	2.0	8.0	39.0					4.0			20.0	39.0	40.0	40.0	39.0	269.0
06S	14E	18	39.0	40.0	40.0	39.0	40.0		15.0	40.0	40.0	42.0	14.0	12.0	22.0	34.0			417.0

Right Acre Limit: 6.0

POU Total Acres: 686.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 6 acres within the authorized place of use in a single irrigation season.
2. Rights 37-2549, 37-2550, 37-7370, 37-7572, 37-7634, 37-8732, 37-22802 and 37-22803 when combined shall not exceed a total diversion rate of 11.19 cfs, a total annual maximum diversion volume of 2425.2 af at the field headgate, and the irrigation of 606.3 acres.
3. Rights 37-2549, 37-2550, 37-7370, 37-7572, 37-7634, 37-8732, 37-22802 and 37-22803 when combined are limited to the irrigation of a specific 606.3 acres within the 686.0 acre place of use authorized by these rights in a single irrigation season. The specific 606.3 acres to be irrigated by the right holder are shown in the electronic shape file associated with the rights in the geographic information system component of the water rights database maintained by the department. Before changing the 606.3 acres to be irrigated within the 686.0 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.

Transfer No. 81110

WATER RIGHT NO. 37-22802

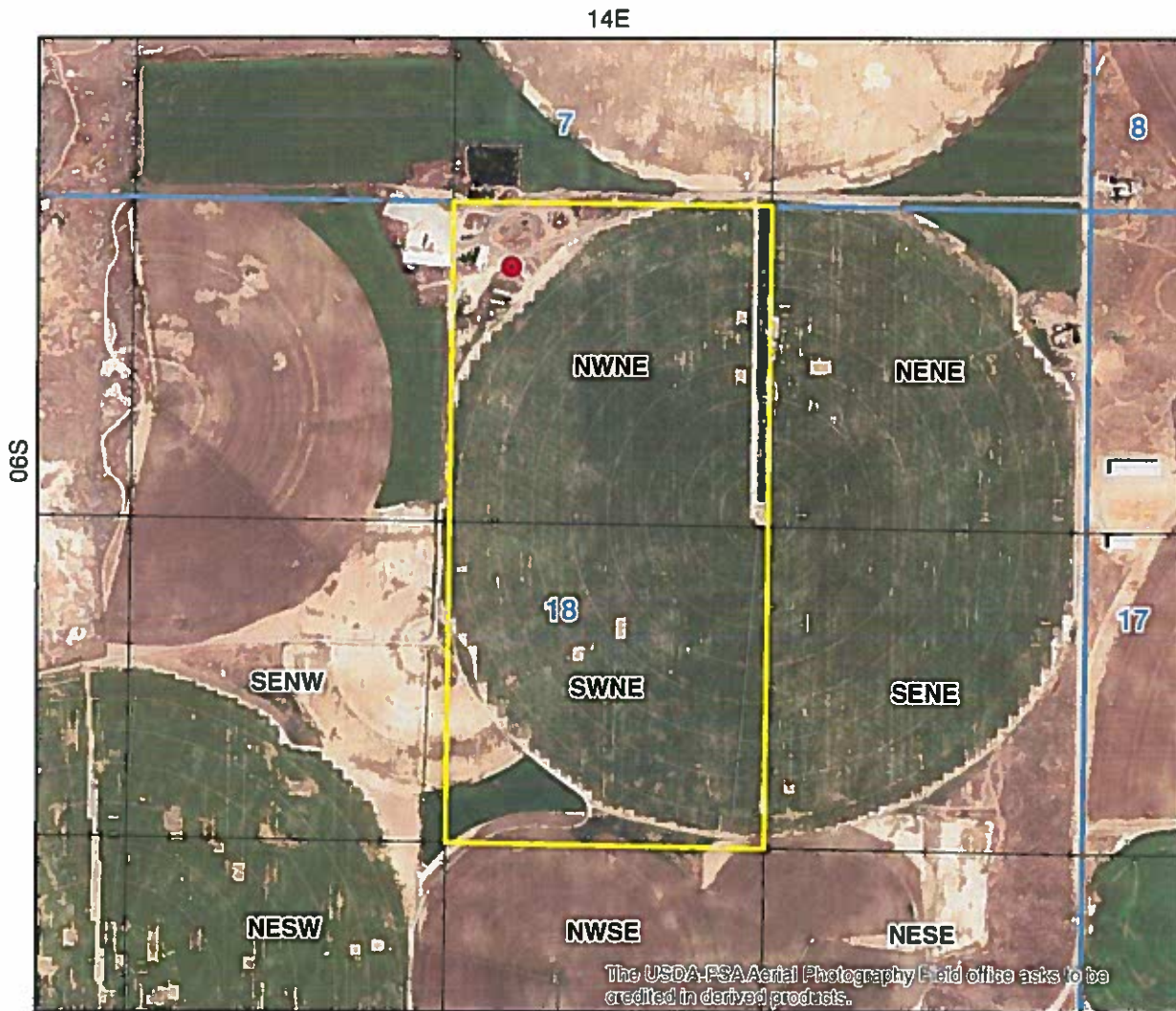
As Modified by Transfer No. 81110

CONDITIONS OF APPROVAL

4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
6. Pursuant to Transfer approval 78300, the right holder shall install and maintain acceptable measuring devices at the authorized points of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized points of diversion in accordance with Department specifications.
8. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions.
9. This right is for the use of trust water, and it is subject to review 20 years after 3/12/1991 (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
10. When the minimum stream flow water rights in the Snake River at Murphy Gage are not being satisfied, the right holder shall cease diverting water for the consumptive uses authorized by this right.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

State of Idaho
Department of Water Resources
Attachment to Transfer # 81110
37-23009

This map depicts the STOCKWATER & COMMERCIAL place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



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

0 0.075 0.15 0.3 Miles

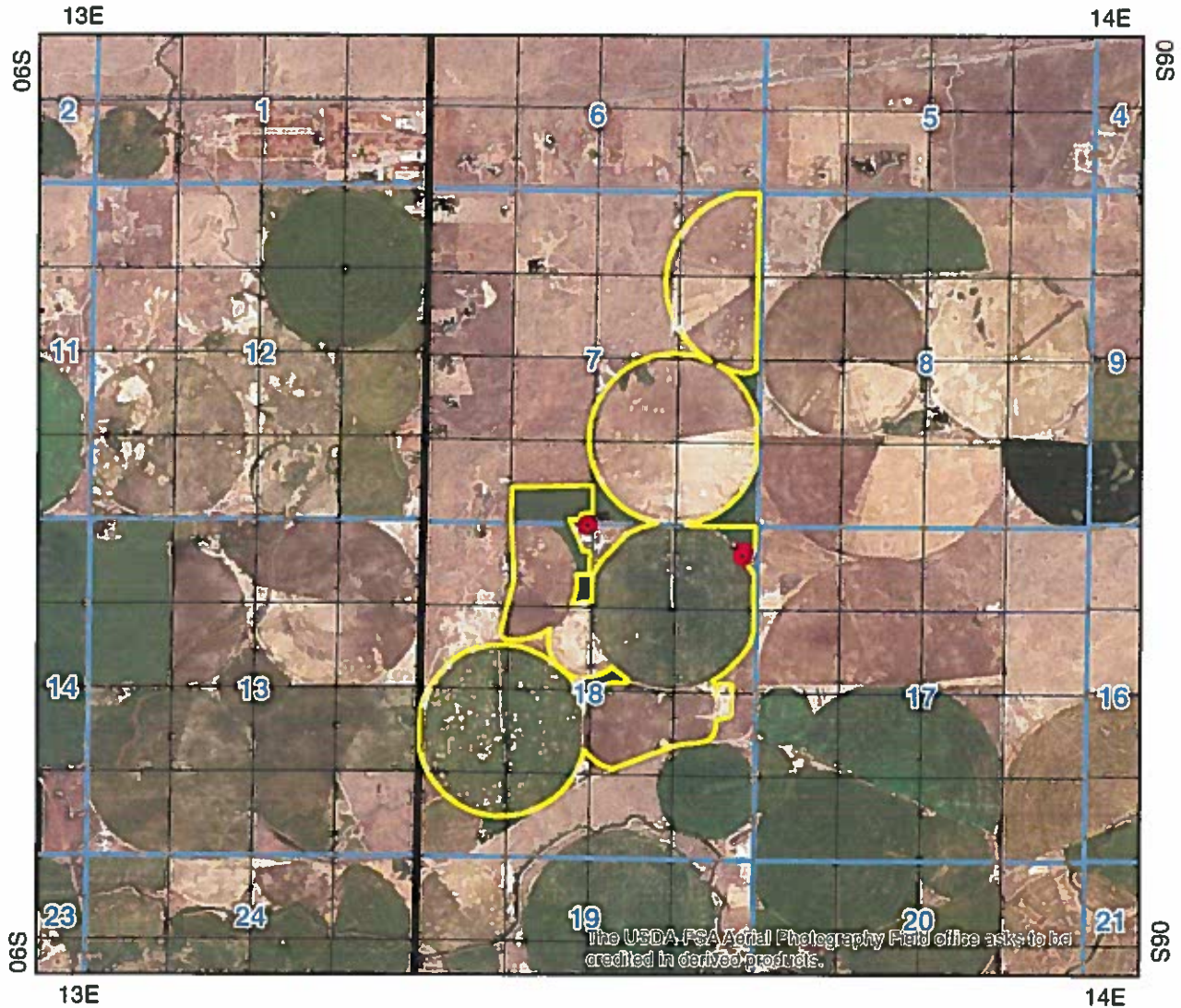


State of Idaho
Department of Water Resources

Attachment to Transfer # 81110

Rights 37-2549, 37-2550, 37-7370, 37-7572, 37-7634, 37-8732, 37-22802 and 37-22803

This map depicts the IRRIGATION place of use boundary for these water rights at the time of this approval and is attached to the approval document solely for illustrative purposes.



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

0 0.325 0.65 1.3 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 22, 2017

SOUTHFIELD PROPERTIES LLC
3308 S 1600 E
WENDELL ID 83355

Re: Transfer No: 81110
Water Right No(s): 37-2549, 37-2550, 37-7370, 37-7572, 37-7634, 37-8732,
37-22802, 37-22803

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 736-3033.

Sincerely,

A handwritten signature in black ink, appearing to read "Corey Skinner". The signature is fluid and cursive, with the first name "Corey" being more prominent than the last name "Skinner".

Corey Skinner
Southern Regional Manager

Enclosure

cc:

FLUCKIGER CONSULTING
C/O DONELL FLUCKIGER
182 HOMESTEAD LOOP
JEROME ID 83338

METROPOLITAN LIFE INSURANCE COMPANY
10801 MASTIN BLVD STE 930
OVERLAND PARK KS 66210

WATER DISTRICT 130
NATHAN ERICKSON
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301

CERTIFICATE OF SERVICE

I hereby certify that on March 22, 2017 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

Re: Transfer No.: 81110

**Water Right No(s): 37-2549, 37-2550, 37-7370, 37-7572, 37-7634, 37-8732,
37-22802, 37-22803**

SOUTHFIELD PROPERTIES LLC

3308 S 1600 E

WENDELL ID 83355

FLUCKIGER CONSULTING

C/O DONELL FLUCKIGER

182 HOMESTEAD LOOP

JEROME ID 83338

METROPOLITAN LIFE INSURANCE COMPANY

10801 MASTIN BLVD STE 930

OVERLAND PARK KS 66210

WATER DISTRICT 130

via e-mail

NATHAN ERICKSON

650 ADDISON AVE W STE 500

TWIN FALLS ID 83301

A handwritten signature in cursive script that reads "Denise Maline". The signature is written in dark ink and is positioned above a solid horizontal line.

**Denise Maline
Administrative Assistant**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.