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JAN 25 2017

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 80953

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 <http://www.idwr.idaho.gov/>.

Name of Applicant(s) NOLAN K BRANCH, LUANN S BRANCHCheck 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 #1-9.

- ☐ ☐ #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 transfer 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).
- ☐ ☐ #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 <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☐ ☐ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☐ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☐ #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.)
- ☐ ☐ #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 Other. Please describe: _____

JAN 25 2017

DEPT OF WATER RESOURCES
SOUTHERN REGIONAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant NOLAN K BRANCH, LUANN S BRANCHPhone (208) 260-1020Mailing Address PO BOX 24, MALTA ID 83342-0024

Email _____

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

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

☐ No Representative

Name of Representative _____

Phone _____

Mailing Address _____

Email _____

☐ Send all correspondence for this application to the representative and not to the applicant.

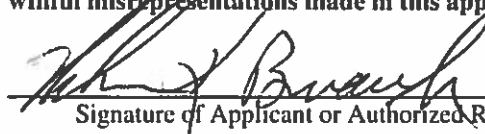
OR

☐ Send original correspondence to the applicant and copies to the representative.☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

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


Signature of Applicant or Authorized RepresentativeNolan K Branch
Print Name and Title if applicable1-18-17
Date
Signature of Applicant or Authorized RepresentativeLuAnn S Branch
Print Name and Title if applicable1-18-17
Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	43-193	No	No	Yes	No	No	No
	43-194	No	No	Yes	No	No	No
	43-195	No	No	Yes	No	No	No
	43-293A	No	No	Yes	No	No	No
	43-296A	No	No	Yes	No	No	No
	43-302	No	No	Yes	No	No	No
	43-2361	No	No	Yes	Yes	No	No
	43-2422	No	No	Yes	Yes	No	No
	43-10238	No	No	Yes	Yes	No	No
	43-12960	No	No	Yes	Yes	No	No
	43-12994	No	No	Yes	No	No	No
	43-12995	No	No	Yes	Yes	No	No

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

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

Transfer proposes moving a portion of water rights 43-293A, 43-296A, 43-302, 43-12994, 43-12995 and 43-2361 to an adjacent farm. Transfer also proposes combining 5 groundwater rights and 7 surface water rights and creating a new 839 acre permissible place of use. Transfer also proposes to create a full pivot on leased ground.

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT TO A SEPARATE SYSTEM, DESCRIBE PORTIONS TO BE CHANGED TO A SEPARATE SYSTEM AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
43-12960	1.440 cfs	N/A	134.0	826.0		N/A	N/A	N/A	N/A
43-2422	3.100 cfs	648.0 af	162.0	826.0		N/A	N/A	N/A	N/A
43-10238	3.200 cfs	1156.0 af	289.0	826.0		N/A	N/A	N/A	N/A
43-12995	0.880 cfs	N/A	63.0	826.0		N/A	N/A	N/A	N/A
43-2361	3.000 cfs	N/A	150.0	826.0		N/A	N/A	N/A	N/A
43-193	3.900 cfs	N/A	479.0	826.0		N/A	N/A	N/A	N/A
43-194	3.000 cfs	N/A	479.0	826.0		N/A	N/A	N/A	N/A
43-195	1.200 cfs	N/A	479.0	826.0		N/A	N/A	N/A	N/A
43-293A	1.400 cfs	N/A	69.0	826.0		N/A	N/A	N/A	N/A
43-12994	0.960 cfs	N/A	73.0	826.0		N/A	N/A	N/A	N/A
43-296A	1.070 cfs	N/A	140.0	826.0		N/A	N/A	N/A	N/A
43-302	1.200 cfs	N/A	71.0	826.0		N/A	N/A	N/A	N/A
COMBINED TOTALS	22.030 cfs	N/A	798.0	826.0		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 22.03 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☒ As shown in Part 1.
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

4. Place of Use:

- ☐ No changes to place of use are proposed. (Proceed to #5.)
- ☒ As shown in Part 1.
- ☐ See Attachment.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 43-12960

Current Water Right Owner BRANCH FARMS LLC
 2304 E 1580 S
 MALTA, ID 83342

Priority Date: 7/1/1985

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	1.440 CFS	
Total Diversion			1.440 CFS	

Source and Point(s) of Diversion:

GROUND WATER	SENE	Sec. 25 Twp 12S Rge 26E CASSIA County
GROUND WATER	SWNE	Sec. 25 Twp 12S Rge 26E CASSIA County
GROUND WATER	NESE	Sec. 25 Twp 12S Rge 26E CASSIA County
GROUND WATER	SWSE	Sec. 25 Twp 12S Rge 26E CASSIA County
GROUND WATER	SENW	Sec. 30 Twp 12S Rge 27E CASSIA County
GROUND WATER	L2(SWNW)	Sec. 30 Twp 12S Rge 27E CASSIA 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	
12S	26E	24													39	40	39	39	157
12S	26E	25	40	40	40	40									34	40	39	34	307
12S	27E	19									40	50	50	40					180
												L 3	L 4						
12S	27E	30					40.0	51.0	51.0	40.0									182.0
								L 1	L 2										

Right Acre Limit: 134.0

POU Total Acres: 826.0

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Part 1 Transfer Right After Requested Changes

Proposed Water Right No. 43-2422

Current Water Right Owner
 BRANCH FARMS LLC
 2304 E 1580 S
 MALTA, ID 83342

Priority Date: 2/15/1955

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	3.100 CFS	648.0 AFA	
Total Diversion			3.100 CFS	648.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SENE	Sec. 25 Twp 12S Rge 26E CASSIA County
GROUND WATER	SWNE	Sec. 25 Twp 12S Rge 26E CASSIA County
GROUND WATER	NESE	Sec. 25 Twp 12S Rge 26E CASSIA County
GROUND WATER	SWSE	Sec. 25 Twp 12S Rge 26E CASSIA County
GROUND WATER	SENW	Sec. 30 Twp 12S Rge 27E CASSIA County
GROUND WATER	L2(SWNW)	Sec. 30 Twp 12S Rge 27E CASSIA 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	
12S	26E	24													39	40	39	39	157
12S	26E	25	40	40	40	40									34	40	39	34	307
12S	27E	19									40	50	50	40					180
												L 3	L 4						
12S	27E	30					40.0	51.0	51.0	40.0									182.0
							L 1	L 2											

Right Acre Limit: 162.0

POU Total Acres: 826.0

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Part 1 Transfer Right After Requested Changes

Proposed Water Right No. 43-10238

Current Water Right Owner
 BRANCH FARMS LLC
 2304 E 1580 S
 MALTA, ID 83342

Priority Date: 9/1/1961

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	3.200 CFS	1156.0 AFA	
Total Diversion			3.200 CFS	1156.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SENE	Sec. 25 Twp 12S Rge 26E CASSIA County
GROUND WATER	SWNE	Sec. 25 Twp 12S Rge 26E CASSIA County
GROUND WATER	NESE	Sec. 25 Twp 12S Rge 26E CASSIA County
GROUND WATER	SWSE	Sec. 25 Twp 12S Rge 26E CASSIA County
GROUND WATER	SENW	Sec. 30 Twp 12S Rge 27E CASSIA County
GROUND WATER	L2(SWNW)	Sec. 30 Twp 12S Rge 27E CASSIA 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	
12S	26E	24													39	40	39	39	157
12S	26E	25	40	40	40	40									34	40	39	34	307
12S	27E	19									40	50	50	40					180
												L 3	L 4						
12S	27E	30					40.0	51.0	51.0	40.0									182.0
							L 1	L 2											

Right Acre Limit: 289.0

POU Total Acres: 826.0

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Part 1 Transfer Right After Requested Changes**

Proposed Water Right No. 43-12995

Current Water Right Owner

**NOLAN K BRANCH
PO BOX 24
MALTA, ID 83342-0024**

AND/OR

**LUANN S BRANCH
PO BOX 24
MALTA, ID 83342-0024**

Priority Date: 6/30/1985

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.880 CFS	
Total Diversion			0.880 CFS	

Source and Point(s) of Diversion:

GROUND WATER	SENE	Sec. 25 Twp 12S Rge 26E CASSIA County
GROUND WATER	SWNE	Sec. 25 Twp 12S Rge 26E CASSIA County
GROUND WATER	NESE	Sec. 25 Twp 12S Rge 26E CASSIA County
GROUND WATER	SWSE	Sec. 25 Twp 12S Rge 26E CASSIA County
GROUND WATER	SENW	Sec. 30 Twp 12S Rge 27E CASSIA County
GROUND WATER	L2(SWNW)	Sec. 30 Twp 12S Rge 27E CASSIA 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	
12S	26E	24													39	40	39	39	157
12S	26E	25	40	40	40	40									34	40	39	34	307
12S	27E	19									40	50	50	40					180
												L 3	L 4						
12S	27E	30					40.0	51.0	51.0	40.0									182.0
								L 1	L 2										

Right Acre Limit: 63.0

POU Total Acres: 826.0

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Part 1 Transfer Right After Requested Changes

Proposed Water Right No. 43-2361

Current Water Right Owner

LUANN S BRANCH
PO BOX 24
MALTA, ID 83342-0024

AND/OR

NOLAN K BRANCH
PO BOX 24
MALTA, ID 83342-0024

Priority Date: 2/24/1951

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	3.000 CFS	600.0 AFA	
STOCKWATER	03/15	11/15	0.090 CFS		
Total Diversion			3.000 CFS		

Source and Point(s) of Diversion:

GROUND WATER	SENE	Sec. 25 Twp 12S Rge 26E CASSIA County
GROUND WATER	SWNE	Sec. 25 Twp 12S Rge 26E CASSIA County
GROUND WATER	NESE	Sec. 25 Twp 12S Rge 26E CASSIA County
GROUND WATER	SWSE	Sec. 25 Twp 12S Rge 26E CASSIA County
GROUND WATER	SENW	Sec. 30 Twp 12S Rge 27E CASSIA County
GROUND WATER	L2(SWNW)	Sec. 30 Twp 12S Rge 27E CASSIA 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	
12S	26E	24													39	40	39	39	157
12S	26E	25	40	40	40	40									34	40	39	34	307
12S	27E	19									40	50	50	40					180
												L 3	L 4						
12S	27E	30					40.0	51.0	51.0	40.0									182.0
								L 1	L 2										

Right Acre Limit: 150.0

POU Total Acres: 826.0

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	
12S	26E	24													X	X	X	X	
12S	26E	25	X	X	X	X									X	X	X	X	
12S	27E	19									X	X	X	X					
												L 3	L 4						
12S	27E	30					X	X	X	X		X							
								L 1	L 2			L 3							

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Part 1 Transfer Right After Requested Changes

Proposed Water Right No. 43-193

Current Water Right Owner
 BRANCH FARMS LLC
 2304 E 1580 S
 MALTA, ID 83342

Priority Date: 4/1/1894

Origin: Water Right

Basis: Decreed

Status: Active

Source: CASSIA CREEK **Tributary:** RAFT RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	3.900 CFS	
Total Diversion			3.900 CFS	

Source and Point(s) of Diversion:
 CASSIA CREEK SWSWNW Sec. 30 Twp 12S Rge 27E CASSIA 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	
12S	26E	24													39	40	39	39	157
12S	26E	25	40	40	40	40									34	40	39	34	307
12S	27E	19									40	50	50	40					180
												L 3	L 4						
12S	27E	30					40.0	51.0	51.0	40.0									182.0
								L 1	L 2										

Right Acre Limit: 479.0
 POU Total Acres: 826.0

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Part 1 Transfer Right After Requested Changes

Proposed Water Right No. 43-194

Current Water Right Owner
 BRANCH FARMS LLC
 2304 E 1580 S
 MALTA, ID 83342

Priority Date: 4/30/1885

Origin: Water Right

Basis: Decreed

Status: Active

Source: CASSIA CREEK **Tributary:** RAFT RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	3.000 CFS	
Total Diversion			3.000 CFS	

Source and Point(s) of Diversion:
 CASSIA CREEK SWSWNW Sec. 30 Twp 12S Rge 27E CASSIA 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	
12S	26E	24													39	40	39	39	157
12S	26E	25	40	40	40	40									34	40	39	34	307
12S	27E	19									40	50	50	40					180
												L 3	L 4						
12S	27E	30					40.0	51.0	51.0	40.0									182.0
								L 1	L 2										

Right Acre Limit: 479.0
 POU Total Acres: 826.0

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Part 1 Transfer Right After Requested Changes

Proposed Water Right No. 43-195

Current Water Right Owner
 BRANCH FARMS LLC
 2304 E 1580 S
 MALTA, ID 83342

Priority Date: 4/30/1880

Origin: Water Right

Basis: Decreed

Status: Active

Source: CASSIA CREEK **Tributary:** RAFT RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	1.200 CFS	
Total Diversion			1.200 CFS	

Source and Point(s) of Diversion:
 CASSIA CREEK SWSWNW Sec. 30 Twp 12S Rge 27E CASSIA 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	
12S	26E	24													39	40	39	39	157
12S	26E	25	40	40	40	40									34	40	39	34	307
12S	27E	19									40	50	50	40					180
												L 3	L 4						
12S	27E	30					40.0	51.0	51.0	40.0									182.0
								L 1	L 2										

Right Acre Limit: 479.0
 POU Total Acres: 826.0

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 43-293A

Current Water Right Owner

**LUANN S BRANCH
PO BOX 24
MALTA, ID 83342-0024**

AND/OR

**NOLAN K BRANCH
PO BOX 24
MALTA, ID 83342-0024**

Priority Date: 4/30/1880

Origin: Water Right

Basis: Decreed

Status Active

Source: CASSIA CREEK

Tributary: RAFT RIVER

Beneficial Use

IRRIGATION

From

03/15

To

11/15

Diversion Rate

1.400 CFS

Subuse Code

Total Diversion

1.400 CFS

Source and Point(s) of Diversion:

CASSIA CREEK

NESE

Sec. 25 Twp 12S Rge 26E CASSIA County

CASSIA CREEK

NENENE

Sec. 14 Twp 13S Rge 26E CASSIA 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	
12S	26E	24													39	40	39	39	157
12S	26E	25	40	40	40	40									34	40	39	34	307
12S	27E	19									40	50	50	40					180
												L 3	L 4						
12S	27E	30					40.0	51.0	51.0	40.0									182.0
								L 1	L 2										

Right Acre Limit: 69.0

POU Total Acres: 826.0

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Part 1 Transfer Right After Requested Changes

Proposed Water Right No. 43-12994

Current Water Right Owner

NOLAN K BRANCH
PO BOX 24
MALTA, ID 83342-0024

AND/OR

LUANN S BRANCH
PO BOX 24
MALTA, ID 83342-0024

Priority Date: 11/15/1973

Origin: Water Right

Basis: Decreed

Status Active

Source: CASSIA CREEK

Tributary: RAFT RIVER

Beneficial Use

IRRIGATION

From

03/15

To

11/15

Diversion Rate

0.960 CFS

Subuse Code

Total Diversion

0.960 CFS

Source and Point(s) of Diversion:

CASSIA CREEK

NESE

Sec. 25 Twp 12S Rge 26E CASSIA County

CASSIA CREEK

NENENE

Sec. 14 Twp 13S Rge 26E CASSIA 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	
12S	26E	24													39	40	39	39	157
12S	26E	25	40	40	40	40									34	40	39	34	307
12S	27E	19									40	50	50	40					180
												L 3	L 4						
12S	27E	30					40.0	51.0	51.0	40.0									182.0
								L 1	L 2										

Right Acre Limit: 73.0

POU Total Acres: 826.0

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes**

Proposed Water Right No. 43-296A

Current Water Right Owner

**LUANN S BRANCH
PO BOX 24
MALTA, ID 83342-0024**

AND/OR

**NOLAN K BRANCH
PO BOX 24
MALTA, ID 83342-0024**

Priority Date: 4/1/1894

Origin: Water Right

Basis: Decreed

Status: Active

Source: CASSIA CREEK

Tributary: RAFT RIVER

Beneficial Use

IRRIGATION

From

03/15

To

11/15

Diversion Rate

1.070 CFS

Subuse Code

Total Diversion

1.070 CFS

Source and Point(s) of Diversion:

CASSIA CREEK

NESE

Sec. 25 Twp 12S Rge 26E CASSIA County

CASSIA CREEK

NENENE

Sec. 14 Twp 13S Rge 26E CASSIA 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	
12S	26E	24													39	40	39	39	157
12S	26E	25	40	40	40	40									34	40	39	34	307
12S	27E	19									40	50	50	40					180
												L 3	L 4						
12S	27E	30					40.0	51.0	51.0	40.0									182.0
								L 1	L 2										

Right Acre Limit: 140.0

POU Total Acres: 826.0

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
Part 1 Transfer Right After Requested Changes

Proposed Water Right No. 43-302

Current Water Right Owner

LUANN S BRANCH
PO BOX 24
MALTA, ID 83342-0024

AND/OR

NOLAN K BRANCH
PO BOX 24
MALTA, ID 83342-0024

Priority Date: 4/30/1885

Origin: Water Right

Basis: Decreed

Status Active

Source: CASSIA CREEK

Tributary: RAFT RIVER

Beneficial Use

IRRIGATION

From

03/15

To

11/15

Diversion Rate

1.200 CFS

Subuse Code

Total Diversion

1.200 CFS

Source and Point(s) of Diversion:

CASSIA CREEK

NESE

Sec. 25 Twp 12S Rge 26E CASSIA County

CASSIA CREEK

NENENE

Sec. 14 Twp 13S Rge 26E CASSIA 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	
12S	26E	24													39	40	39	39	157
12S	26E	25	40	40	40	40									34	40	39	34	307
12S	27E	19									40	50	50	40					180
												L 3	L 4						
12S	27E	30					40.0	51.0	51.0	40.0									182.0
								L 1	L 2										

Right Acre Limit: 71.0

POU Total Acres: 826.0

**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
The applicant will install measuring devices when required.

- b. Who owns the property at the point(s) of diversion

Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

N/A

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No, ☐ 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: Applicant submitted contract with Simplot Company.

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. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

Applicant is creating PPU.

- e. Describe the use of any other water right(s) for the same purpose or land, or same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

Existing water rights are in the transfer.

- f. 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:

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

Current Water Right No. 43-12960

Current Water Right Owner
 BRANCH FARMS LLC
 2304 E 1580 S
 MALTA, ID 83342

Priority Date: 6/30/1985

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	1.440 CFS	
Total Diversion			1.440 CFS	

Source and Point(s) of Diversion:

GROUND WATER	SESWNE	Sec. 25 Twp 12S Rge 26E CASSIA County
GROUND WATER	L2(SWSWNW)	Sec. 30 Twp 12S Rge 27E CASSIA County
GROUND WATER	SENW	Sec. 30 Twp 12S Rge 27E CASSIA County
GROUND WATER	SESENE	Sec. 25 Twp 12S Rge 26E CASSIA 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	
12S	26E	24													32.0	28.0	28.0	39.0	127.0
12S	26E	25	40.0	33.0	29.0	38.0													140.0
12S	27E	19										51.0	51.0	41.0					143.0
												L 3	L 4						
12S	27E	30					41.0	52.0	50.0	32.0									175.0
								L 1	L 2										

Right Acre Limit: 134.0

POU Total Acres: 585.0

Conditions/Remarks:

1. THIS RIGHT IS AN EXPANSION OF RIGHT NOS. 43-02422 & 43-10238 PURSUANT TO SECTION 42-1416B, IDAHO CODE.
2. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.3 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1804 AF. COMBINED RIGHT NOS.: 43-02422, 43-10238, & 43-12960.
3. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 134 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT SURFACE WATER RIGHTS IN CONJUNCTION WITH GROUNDWATER DIVERTED UNDER THIS RIGHT AND SHALL ONLY DIVERT GROUNDWATER UNDER THIS RIGHT WHEN WATER FROM THE APPURTENANT SURFACE WATER RIGHTS CANNOT BE DELIVERED TO THE RIGHT HOLDER.
5. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 585 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-00193, 43-00194, 43-00195, 43-02422, 43-10238, & 43-12960.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

6. 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.
7. IF THE SURFACE WATER RIGHT(S) APPURTENANT TO THE PLACE OF USE IS SOLD, TRANSFERRED, LEASED OR USED ON ANY OTHER PLACE OF USE, THIS RIGHT TO DIVERT GROUNDWATER SHALL NOT BE USED WITHOUT AN APPROVED TRANSFER PURSUANT TO SECTION 42-222, IDAHO CODE, OR APPROVAL OF THE DEPARTMENT IF A TRANSFER IS NOT REQUIRED.

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

Current Water Right No. 43-2422

Current Water Right Owner
 BRANCH FARMS LLC
 2304 E 1580 S
 MALTA, ID 83342

Priority Date: 2/15/1955

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	3.100 CFS	648.0 AFA	
Total Diversion			3.100 CFS	648.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESWNE	Sec. 25 Twp 12S Rge 26E	CASSIA County
GROUND WATER	L2(SWSWNW)	Sec. 30 Twp 12S Rge 27E	CASSIA County
GROUND WATER	SENW	Sec. 30 Twp 12S Rge 27E	CASSIA County
GROUND WATER	SESENE	Sec. 25 Twp 12S Rge 26E	CASSIA 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	
12S	26E	24													32.0	28.0	28.0	39.0	127.0
12S	26E	25	40.0	33.0	29.0	38.0													140.0
12S	27E	19										51.0	51.0	41.0					143.0
												L 3	L 4						
12S	27E	30					41.0	52.0	50.0	32.0									175.0
							L 1	L 2											

Right Acre Limit: 162.0
 POU Total Acres: 585.0

Conditions/Remarks:

- USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.3 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1804 AF. COMBINED RIGHT NOS.: 43-02422, 43-10238, & 43-12960.
- 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.
- RIGHT NO. 43-12960 IS AN EXPANSION OF RIGHT NOS. 43-02422 & 43-10238 PURSUANT TO SECTION 42-1416B, IDAHO CODE.
- USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 585 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-00193, 43-00194, 43-00195, 43-02422, 43-10238, & 43-12960.
- THIS RIGHT IS LIMITED TO THE IRRIGATION OF 162 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

6. IF THE SURFACE WATER RIGHT(S) APPURTENANT TO THE PLACE OF USE IS SOLD, TRANSFERRED, LEASED OR USED ON ANY OTHER PLACE OF USE, THIS RIGHT TO DIVERT GROUNDWATER SHALL NOT BE USED WITHOUT AN APPROVED TRANSFER PURSUANT TO SECTION 42-222, IDAHO CODE, OR APPROVAL OF THE DEPARTMENT IF A TRANSFER IS NOT REQUIRED.
7. THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT SURFACE WATER RIGHTS IN CONJUNCTION WITH GROUNDWATER DIVERTED UNDER THIS RIGHT AND SHALL ONLY DIVERT GROUNDWATER UNDER THIS RIGHT WHEN WATER FROM THE APPURTENANT SURFACE WATER CANNOT BE DELIVERED TO THE RIGHT HOLDER.

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

Current Water Right No. 43-10238

Current Water Right Owner
 BRANCH FARMS LLC
 2304 E 1580 S
 MALTA, ID 83342

Priority Date: 9/1/1961

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	3.200 CFS	1156.0 AFA	
Total Diversion			3.200 CFS	1156.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	L2(SWSWNW)	Sec. 30 Twp 12S Rge 27E	CASSIA County
GROUND WATER	SENW	Sec. 30 Twp 12S Rge 27E	CASSIA County
GROUND WATER	SESENE	Sec. 25 Twp 12S Rge 26E	CASSIA County
GROUND WATER	SESWNE	Sec. 25 Twp 12S Rge 26E	CASSIA 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	
12S	26E	24													32.0	28.0	28.0	39.0	127.0
12S	26E	25	40.0	33.0	29.0	38.0													140.0
12S	27E	19										51.0	51.0	41.0					143.0
												L 3	L 4						
12S	27E	30					41.0	52.0	50.0	32.0									175.0
								L 1	L 2										

Right Acre Limit: 289.0

POU Total Acres: 585.0

Conditions/Remarks:

- THIS RIGHT IS LIMITED TO THE IRRIGATION OF 289 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
- USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 585 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-00193, 43-00194, 43-00195, 43-02422, 43-10238, & 43-12960.
- THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT SURFACE WATER RIGHTS IN CONJUNCTION WITH GROUNDWATER DIVERTED UNDER THIS RIGHT AND SHALL ONLY DIVERT GROUNDWATER UNDER THIS RIGHT WHEN WATER FROM THE APPURTENANT SURFACE WATER RIGHTS CANNOT BE DELIVERED TO THE RIGHT HOLDER.
- RIGHT NO. 43-12960 IS AN EXPANSION OF RIGHT NOS. 43-02422 & 43-10238 PURSUANT TO SECTION 42-1416B, IDAHO CODE.
- 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.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

6. IF THE SURFACE WATER RIGHT(S) APPURTENANT TO THE PLACE OF USE IS SOLD, TRANSFERRED, LEASED OR USED ON ANY OTHER PLACE OF USE, THIS RIGHT TO DIVERT GROUNDWATER SHALL NOT BE USED WITHOUT AN APPROVED TRANSFER PURSUANT TO SECTION 42-222, IDAHO CODE, OR APPROVAL OF THE DEPARTMENT IF A TRANSFER IS NOT REQUIRED.
7. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.3 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1804 AF. COMBINED RIGHT NOS.: 43-02422, 43-10238, & 43-12960.

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

Current Water Right No. 43-12995

Current Water Right Owner

NOLAN K BRANCH
PO BOX 24
MALTA, ID 83342-0024

And

LUANN S BRANCH
PO BOX 24
MALTA, ID 83342-0024

Priority Date: 6/30/1985

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	0.880 CFS	
Total Diversion			0.880 CFS	

Source and Point(s) of Diversion:

GROUND WATER	SWSWSE	Sec. 25 Twp 12S Rge 26E CASSIA County
GROUND WATER	NESE	Sec. 25 Twp 12S Rge 26E CASSIA 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	
12S	26E	25													35.0	39.0	32.0	34.0	140.0
12S	26E	36						39.0	34.0										73.0

Right Acre Limit: 63.0

POU Total Acres: 213.0

Conditions/Remarks:

1. Rights 43-293A, 43-296A, 43-302, 43-2361, 43-12994 and 43-12995 when combined shall not exceed a the irrigation of 213 acres.
2. Rights 43-2361 and 43-12995 when combined shall not exceed a total diversion rate of 3.00 cfs and a total annual maximum diversion volume of 600 af at the field headgate.
3. This right is limited to the irrigation of 63 acres within the authorized place of use in a single irrigation season.
4. This right is an expansion of Right No. 43-2361 pursuant to Section 42-1416B, Idaho Code.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Current Water Right No. 43-2361

Current Water Right Owner

**LUANN S BRANCH
PO BOX 24
MALTA, ID 83342-0024**

And

**NOLAN K BRANCH
PO BOX 24
MALTA, ID 83342-0024**

Priority Date: 2/24/1951

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	3.000 CFS	600.0 AFA	
STOCKWATER	03/15	11/15	0.090 CFS		
Total Diversion			3.000 CFS		

Source and Point(s) of Diversion:

GROUND WATER	SWSWSE	Sec. 25 Twp 12S Rge 26E CASSIA County
GROUND WATER	NESE	Sec. 25 Twp 12S Rge 26E CASSIA 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	
12S	26E	25													35.0	39.0	32.0	34.0	140.0
12S	26E	36						39.0	34.0										73.0

Right Acre Limit: 150.0

POU Total Acres: 213.0

Place of Use: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	26E	25													X	X	X	X	0.0
12S	26E	36						X	X										0.0

Conditions/Remarks:

1. This right is limited to the irrigation of 150 acres within the authorized place of use in a single irrigation season.
2. Rights 43-293A, 43-296A, 43-302, 43-2361, 43-12994 and 43-12995 when combined shall not exceed a the irrigation of 213 acres.
3. Rights 43-2361 and 43-12995 when combined shall not exceed a total diversion rate of 3.00 cfs and a total annual maximum diversion volume of 600 af at the field headgate.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. Right No. 43-12995 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
6. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

7. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Current Water Right No. 43-193

Current Water Right Owner
 BRANCH FARMS LLC
 2304 E 1580 S
 MALTA, ID 83342

Priority Date: 4/1/1894

Origin: Water Right

Basis: Decreed

Status: Active

Source: CASSIA CREEK **Tributary:** RAFT RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	3.900 CFS	
Total Diversion			3.900 CFS	

Source and Point(s) of Diversion:
 CASSIA CREEK SWSWNW Sec. 30 Twp 12S Rge 27E CASSIA 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	
12S	26E	24													32.0	28.0	28.0	39.0	127.0
12S	26E	25	40.0	33.0	29.0	38.0													140.0
12S	27E	19										51.0	51.0	41.0					143.0
												L 3	L 4						
12S	27E	30					41.0	52.0	50.0	32.0									175.0
								L 1	L 2										

Right Acre Limit: 479.0
 POU Total Acres: 585.0

Conditions/Remarks:

1. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 467 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-00193, 43-00194, & 43-00195.
2. 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. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 585 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-00193, 43-00194, 43-00195, 43-02422, 43-10238, & 43-12960..

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

Current Water Right No. 43-194

Current Water Right Owner
 BRANCH FARMS LLC
 2304 E 1580 S
 MALTA, ID 83342

Priority Date: 4/30/1885

Origin: Water Right

Basis: Decreed

Status: Active

Source: CASSIA CREEK **Tributary:** RAFT RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	3.000 CFS	
Total Diversion			3.000 CFS	

Source and Point(s) of Diversion:
 CASSIA CREEK SWSWNW Sec. 30 Twp 12S Rge 27E CASSIA 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	
12S	26E	24													32.0	28.0	28.0	39.0	127.0
12S	26E	25	40.0	33.0	29.0	38.0													140.0
12S	27E	19										51.0	51.0	41.0					143.0
												L 3	L 4						
12S	27E	30					41.0	52.0	50.0	32.0									175.0
								L 1	L 2										

Right Acre Limit: 479.0
 POU Total Acres: 585.0

Conditions/Remarks:

1. 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. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 467 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-00193, 43-00194, & 43-00195.
3. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 585 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-00193, 43-00194, 43-00195, 43-02422, 43-10238, 43-12960.

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

Current Water Right No. 43-195

Current Water Right Owner
 BRANCH FARMS LLC
 2304 E 1580 S
 MALTA, ID 83342

Priority Date: 4/30/1880

Origin: Water Right

Basis: Decreed

Status: Active

Source: CASSIA CREEK **Tributary:** RAFT RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	1.200 CFS	
Total Diversion			1.200 CFS	

Source and Point(s) of Diversion:
 CASSIA CREEK SWSWNW Sec. 30 Twp 12S Rge 27E CASSIA 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	
12S	26E	24													32.0	28.0	28.0	39.0	127.0
12S	26E	25	40.0	33.0	29.0	38.0													140.0
12S	27E	19										51.0	51.0	41.0					143.0
												L 3	L 4						
12S	27E	30					41.0	52.0	50.0	32.0									175.0
								L 1	L 2										

Right Acre Limit: 479.0
 POU Total Acres: 585.0

Conditions/Remarks:

1. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 467 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-00193, 43-00194, & 43-00195.
2. 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. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 585 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-00193, 43-00194, 43-00195, 43-02422, 43-10238, & 43-12960.

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

Current Water Right No. 43-293A

Current Water Right Owner

**LUANN S BRANCH
PO BOX 24
MALTA, ID 83342-0024**

And

**NOLAN K BRANCH
PO BOX 24
MALTA, ID 83342-0024**

Priority Date: 4/30/1880

Origin: Water Right

Basis: Decreed

Status: Active

Source: CASSIA CREEK

Tributary: RAFT RIVER

Beneficial Use

IRRIGATION

From

03/15

To

11/15

Diversion Rate

1.400 CFS

Subuse Code

Total Diversion

1.400 CFS

Source and Point(s) of Diversion:

CASSIA CREEK

NENENE

Sec. 14 Twp 13S Rge 26E CASSIA County

CASSIA CREEK

NESE

Sec. 25 Twp 12S Rge 26E CASSIA 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	
12S	26E	25													35.0	39.0	32.0	34.0	140.0
12S	26E	36						39.0	34.0										73.0

Right Acre Limit: 69.0

POU Total Acres: 213.0

Conditions/Remarks:

1. This right is limited to the irrigation of 69 acres within the authorized place of use in a single irrigation season.
2. Rights 43-293A, 43-296A, 43-302, 43-2361, 43-12994 and 43-12994 when combined shall not exceed the irrigation of 213 acres.
3. When water is diverted under this right at the Point of Diversion, located in TWP 12S RNG 26E Sec. 25 NESE, the watermaster shall deliver 0.16 cfs from the following rights: 43-293A, 43-296A, 43-302, and 43-12994 into the Point of Diversion, located in TWP 13S RNG 26E Sec. 14 NENENE to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 13S RNG 26E Sec. 14 NENENE is curtailed the mitigation requirement ceases.
4. 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. 43C.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the place of use.
7. Right No. 43-12994 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
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.

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

Current Water Right No. 43-12994

Current Water Right Owner

NOLAN K BRANCH
PO BOX 24
MALTA, ID 83342-0024

And

LUANN S BRANCH
PO BOX 24
MALTA, ID 83342-0024

Priority Date: 11/15/1973

Origin: Water Right

Basis: Decreed

Status: Active

Source: CASSIA CREEK

Tributary: RAFT RIVER

Beneficial Use

IRRIGATION

From

03/15

To

11/15

Diversion Rate

0.960 CFS

Subuse Code

Total Diversion

0.960 CFS

Source and Point(s) of Diversion:

CASSIA CREEK

NENENE

Sec. 14 Twp 13S Rge 26E CASSIA County

CASSIA CREEK

NESE

Sec. 25 Twp 12S Rge 26E CASSIA 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	
12S	26E	25													35.0	39.0	32.0	34.0	140.0
12S	26E	36						39.0	34.0										73.0

Right Acre Limit: 73.0

POU Total Acres: 213.0

Conditions/Remarks:

1. This right is limited to the irrigation of 73 acres within the authorized place of use in a single irrigation season.
2. Rights 43-293A, 43-296A, 43-302, 43-2361, 43-12994 and 43-12994 when combined shall not exceed the irrigation of 213 acres.
3. 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. 43C.
4. When water is diverted under this right at the Point of Diversion, located in TWP 12S RNG 26E Sec. 25 NESE, the watermaster shall deliver 0.16 cfs from the following rights: 43-293A, 43-296A, 43-302, and 43-12994 into the Point of Diversion, located in TWP 13S RNG 26E Sec. 14 NENENE to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 13S RNG 26E Sec. 14 NENENE is curtailed the mitigation requirement ceases.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the place of use.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

7. This right is based upon an enlargement of Rights 43-293A, 43-296A, and 43-302 pursuant to Section 42-1426, Idaho Code.
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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Current Water Right No. 43-296A

Current Water Right Owner

LUANN S BRANCH
PO BOX 24
MALTA, ID 83342-0024

And

NOLAN K BRANCH
PO BOX 24
MALTA, ID 83342-0024

Priority Date: 4/1/1894

Origin: Water Right

Basis: Decreed

Status: Active

Source: CASSIA CREEK

Tributary: RAFT RIVER

Beneficial Use

IRRIGATION

From

03/15

To

11/15

Diversion Rate

1.070 CFS

Subuse Code

Total Diversion

1.070 CFS

Source and Point(s) of Diversion:

CASSIA CREEK

NENENE

Sec. 14 Twp 13S Rge 26E CASSIA County

CASSIA CREEK

NESE

Sec. 25 Twp 12S Rge 26E CASSIA 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	
12S	26E	25													35.0	39.0	32.0	34.0	140.0
12S	26E	36						39.0	34.0										73.0

Right Acre Limit: 140.0

POU Total Acres: 213.0

Conditions/Remarks:

1. This right is limited to the irrigation of 140 acres within the authorized place of use in a single irrigation season.
2. Rights 43-293A, 43-296A, 43-302, 43-2361, 43-12994 and 43-12994 when combined shall not exceed the irrigation of 213 acres.
3. When water is diverted under this right at the Point of Diversion, located in TWP 12S RNG 26E Sec. 25 NESE, the watermaster shall deliver 0.16 cfs from the following rights: 43-293A, 43-296A, 43-302, and 43-12994 into the Point of Diversion, located in TWP 13S RNG 26E Sec. 14 NENENE to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 13S RNG 26E Sec. 14 NENENE is curtailed the mitigation requirement ceases.
4. 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. 43C.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the place of use.
7. Right No. 43-12994 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
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.

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

Current Water Right No. 43-302

Current Water Right Owner

LUANN S BRANCH
PO BOX 24
MALTA, ID 83342-0024

And

NOLAN K BRANCH
PO BOX 24
MALTA, ID 83342-0024

Priority Date: 4/30/1885

Origin: Water Right

Basis: Decreed

Status: Active

Source: CASSIA CREEK

Tributary: RAFT RIVER

Beneficial Use
IRRIGATION

From **To** **Diversion Rate**
03/15 **11/15** **1.200 CFS**
Total Diversion **1.200 CFS**

Subuse Code

Source and Point(s) of Diversion:

CASSIA CREEK **NENENE** **Sec. 14 Twp 13S Rge 26E CASSIA County**
CASSIA CREEK **NESE** **Sec. 25 Twp 12S Rge 26E CASSIA 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	
12S	26E	25													35.0	39.0	32.0	34.0	140.0
12S	26E	36						39.0	34.0										73.0

Right Acre Limit: 71.0

POU Total Acres: 213.0

Conditions/Remarks:

1. This right is limited to the irrigation of 71 acres within the authorized place of use in a single irrigation season.
2. Rights 43-293A, 43-296A, 43-302, 43-2361, 43-12994 and 43-12994 when combined shall not exceed the irrigation of 213 acres.
3. When water is diverted under this right at the Point of Diversion, located in TWP 12S RNG 26E Sec. 25 NESE, the watermaster shall deliver 0.16 cfs from the following rights: 43-293A, 43-296A, 43-302, and 43-12994 into the Point of Diversion, located in TWP 13S RNG 26E Sec. 14 NENENE to mitigate for injury to other water users which have historically relied on sharing ditch loss with the right owner. Future adjustment to the amount needed for mitigation may be made by IDWR if improved conveyance loss analysis is developed. If water use from the headgate located in TWP 13S RNG 26E Sec. 14 NENENE is curtailed the mitigation requirement ceases.
4. 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. 43C.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the place of use.
7. Right No. 43-12994 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

☐ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.

☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

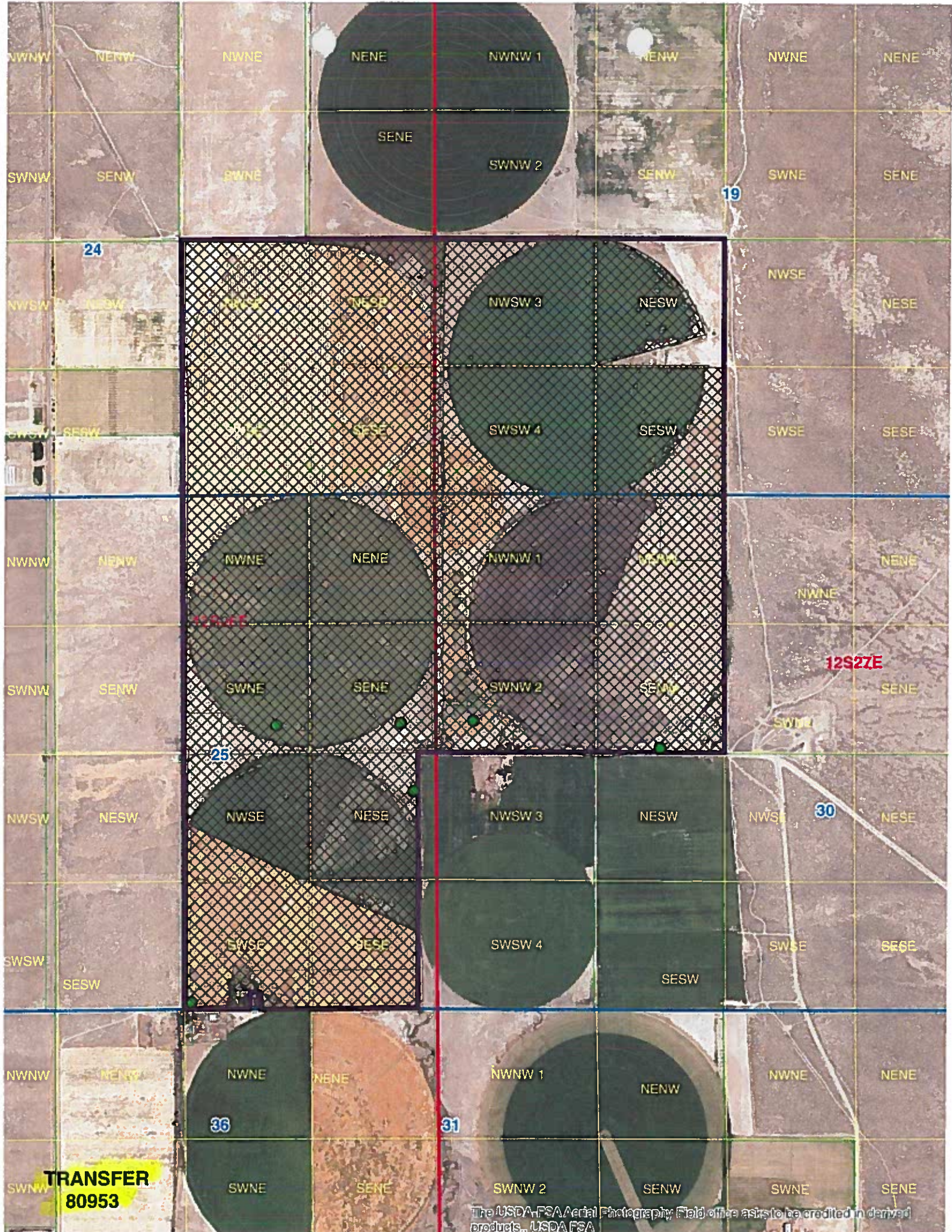
☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

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

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

[illegible]

Transfer Contains 38 pages and attachments.
Received By DM Date 1-25-2017 Prelim. Check By Date
Fee Paid \$2,140- Date 1-25-2017 Received By DM Receipt # S035900
Add'l Fee Paid Date Received By Receipt #



**TRANSFER
80953**

The USDA-FSA Aerial Photography Field office asks to be credited in derived products. USDA FSA

QUITCLAIM DEED

47541

For Value Received

RONALD HARPER and JAYLIN HARPER, husband and wife

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

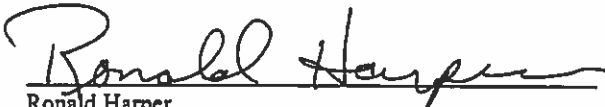
NOLAN K. BRANCH and LUANN S. BRANCH, husband and wife
ADDRESS: 2304 East 1850 South Malta, ID 83342

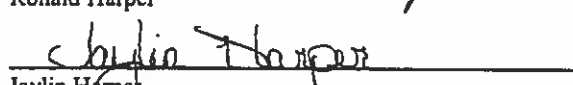
Hereinafter called the grantee, the following described water rights to-wit:

Idaho Department of Water Resources Water Right No's 43-10288, 43-293A, 43-296A, 43-302, 43-12994, 43-12995,
and 43-2361

TO HAVE AND TO HOLD the said water rights, with their appurtenances unto said Grantee, and the grantee's heirs and assigns
forever.

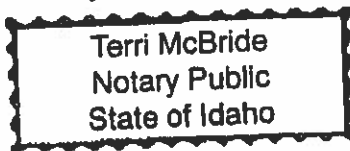
Dated: June 11, 2010

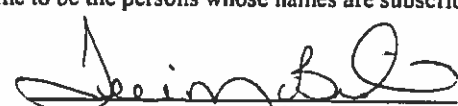

Ronald Harper


Jaylin Harper

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 11th day of June, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared ronald Harper
and Jaylin Harper, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged
to me that they executed the same.




Notary Public
Residing at: Rupert
My Commission expires: 2-5-14

CASSIA COUNTY
RECORDED FOR:
LAND TITLE AND ESCROW
2:47:27 pm 06-15-2010
2010-002858
NO. PAGES: 1 FEE: \$3.00
DEE YEAMAN
COUNTY CLERK
DEPUTY: VIKI

TRANSFER 80953

Exhibit "A"

PARCEL NO. 1:

TOWNSHIP 12 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 25: SE¼, EXCEPTING THEREFROM the East 10 acres and ALSO EXCEPTING
THEREFROM the following described tracts:

Tract No. 1:

Beginning at the survey peg of the Southeast corner of said Section 25; thence
running West on Section line for 1810 feet to the Point of Beginning;
Thence running North 200 feet;
Thence running West 105 feet;
Thence running South 200 feet;
Thence running East 105 feet to the Point of Beginning.

Tract No. 2:

Beginning at the survey peg of the Southeast corner of said Section 25; thence West
165 feet, more or less, to a point on the West boundary line of the East 10 acres
of the SE¼ of said Section 25, which shall be the Point of Beginning;
Thence West for a distance of 1645 feet;
Thence North for a distance of 200 feet;
Thence West for a distance of 105 feet;
Thence South for a distance of 200 feet;
Thence West for a distance of 105 feet;
Thence North for a distance of 420 feet;
Thence East for a distance of 1855 feet to a point on the West boundary line of
the East 10 acres of the SE¼ of said Section 25;
Thence South along said line for a distance of 420 feet to the Point of Beginning.

PARCEL NO. 2:

TOWNSHIP 12 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 25: Part of the S¼SE¼ more particularly described as follows:

Beginning at the survey peg of the Southeast corner of said Section 25; thence
West 165 feet, more or less, to a point on the West boundary line of the
East 10 acres of the SE¼ of said Section 25, which shall be the Point of
Beginning;
Thence West for a distance of 1645 feet;
Thence North for a distance of 200 feet;
Thence West for a distance of 105 feet;
Thence South for a distance of 200 feet;
Thence West for a distance of 105 feet;
Thence North for a distance of 420 feet;
Thence East for a distance of 1855 feet to a point on the West boundary line of
the East 10 acres of the SE¼ of said Section 25;
Thence South along said line for a distance of 420 feet to the Point of Beginning.

WARRANTY DEED

CASSIA COUNTY
RECORDED FOR: #47541
LAND TITLE AND ESCROW
2:47:28 pm 06-15-2010
2010-002859
NO. PAGES: 2 FEE: \$6.00
JEE YEAMAN
COUNTY CLERK
DEPUTY: VIKI

For Value Received

RONALD HARPER and JAYLIN HARPER, Husband and Wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

**NOLAN K. BRANCH and LUANN S. BRANCH, Husband and Wife as community property
with right of survivorship
Address: 2304 EAST 1850 SOUTH, MALTA, ID 83342**

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

See attached Exhibit "A"

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2010 and subsequent years, a lien, but not yet due or payable.

Assessments levied, or to be levied, by Raft River Ground Water District.

Agreement For Electric Service (Irrigation) between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller and Ron Harper, Consumer, dated April 1, 1984 and recorded May 4, 1989 as Instrument No. 201676 on Film No. 206, records of Cassia County, Idaho, covering the SE¼ of Section 25, Township 12 South, Range 26 East of the Boise Meridian.

Assumption of Agreement for Electric Service Consumer's Interest dated March 10, 2010 and recorded March 11, 2010 as Instrument No. 2010-002373, records of Cassia County, Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

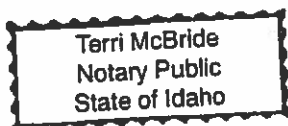
Dated: June 11, 2010


RONALD HARPER


JAYLIN HARPER

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 11th day of June, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared RONALD HARPER and JAYLIN HARPER, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.




Notary Public
Residing at: Rupert
My Commission expires: 2-5-14

LEASE

THIS AGREEMENT is by and between J. R. SIMPLOT COMPANY ("Simplot"), a Nevada corporation authorized to do business in Idaho, and Nolan Branch of PO Box 24, Malta, ID 83342, hereinafter referred to as "Lessee."

WITNESSETH:

SECTION ONE. Simplot hereby leases to Lessee, and Lessee hereby leases from Simplot, on the terms and conditions herein set forth, approximately 40 acres of real property located in Cassia County, Idaho, described on Exhibit "A". This Lease is for farming purposes only, and is subject to all easements, restrictions, rights of way, covenants, conditions, reservations, and exceptions of record.

SECTION TWO. The term of this Lease shall be from January 1, 2016 to December 31, 2016, unless terminated earlier in the manner described in this Lease.

SECTION THREE. Lessee agrees to pay to Simplot as cash rent a yearly rental of Three Thousand and No/100 (\$3,000.00) Dollars. The rent for the crop year 2016 (a total of \$3,000.00) shall be payable upon execution of this Agreement.

SECTION FOUR. The Lessee shall not assign or otherwise sell or transfer this Lease, or any interest therein, or let or sublet the premises or any part thereof without first obtaining the consent of Simplot in writing, which consent may be granted or withheld in Simplot's sole discretion. Any such assignment, sale, conveyance, letting or subletting made without such consent shall be void and without force or effect. Neither this Lease nor any interest of the Lessee shall be assignable or transferable in proceedings by or against the Lessee in execution, bankruptcy or insolvency, or any other manner by operation of law.

SECTION FIVE. There are no water rights, rights to irrigate through any ditch companies nor any rights to receive water through any irrigation districts that are appurtenant to the leased premises. Simplot is providing the leased premises to Lessee in a dry condition, without water or any means of delivering water to the leased premises. Should Lessee irrigate the property, Lessee shall be responsible for any water rights that will need to be moved to the leased premises to authorize the irrigation of the leased premises. Lessee shall indemnify, defend and hold Simplot harmless from any and all costs including, but not limited to, fines, penalties, hearings, or legal fees that arise from or are related to any water use curtailment imposed by the Idaho Department of Water Resources ("IDWR") should Lessee irrigate the leased premises without a water right. Simplot shall in no way be responsible for loss or damage from any cause to the property of any nature placed in or on the premises in conjunction with Lessee's use of the premises or otherwise.

SECTION SIX. Lessee shall take good care of the premises, keep the same in neat and orderly appearance, farm and graze and utilize the same in a good and farmerlike manner in accordance with standards of good husbandry, perform normal upkeep and maintenance, allow no waste or injury to be committed thereon, and shall, at his expense, make all repairs (structural or otherwise) necessary to keep the land and other improvements, including any buildings, fences, canals, ditches, drains, and equipment in good condition and repair. Lessee shall, at the end of the term or any earlier termination, quit and surrender the premises in as good order and condition as they were at the beginning of the term, reasonable wear and tear and loss from the elements of fire or act of God excepted.

The premises shall be used solely for farming and related ancillary activities. Lessee shall not maintain or use the premises for any unlawful purpose. All chemicals shall be stored and used in a manner that shall not constitute a hazard or danger. Lessee shall not use the

premises so as to create a nuisance to the surrounding area. Lessee shall keep the premises free of any and all mechanics' liens and other liens or encumbrances.

SECTION SEVEN. Lessee shall indemnify, defend, and hold Simplot harmless from any and all claims, demands, damages, injuries, rights and causes of action, whether validly asserted or not, arising by reason of any act, conduct, negligence, or omission to act of the Lessee, or any of his agents or employees, and whether or not the basis for such asserted claims arises on or off said premises.

Lessee shall carry throughout the term hereof adequate workmen's compensation insurance (if required by law), and comprehensive liability insurance naming Simplot as additional insured in amounts and with deductibles acceptable to Simplot, such insurance covering all Lessee's operations hereunder and their obligations to Simplot. Lessee shall furnish Simplot with certificates of insurance on such insurance coverage and such other proof of such insurance as Simplot may request. Said certificate of insurance shall include the statement on the certificate that the insurance company shall give Simplot at least fifteen (15) day's notice in the event of lapse or change in insurance coverage.

SECTION EIGHT. Simplot shall have the right to enter upon the premises at such times and places as is necessary for the purpose of inspecting said premises, and to insure compliance with this Lease.

SECTION NINE. Real property taxes levied upon the premises and taxes upon Simplot's personal property shall be paid by Simplot, but Lessee shall pay the amount of such property taxes as may be applicable to Lessee's personal property located or used upon the premises.

SECTION TEN. Lessee further agrees that he will perform, operate, furnish, or pay according to the following:

a. Operate and maintain farming operations within applicable law and regulations of federal, state, county, and other regulatory agencies.

b. Lessee assumes all risk of his operation, and shall be responsible for all costs associated therewith, including power and other utilities.

SECTION ELEVEN. No poison, herbicide, pesticide, fertilizer, or other foreign chemical or substance, other than those approved by the United States Department of Agriculture, shall be applied to the premises. Any and all of such materials and substances shall be applied in strict compliance with and only at the times set forth in the instructions contained on the label or furnished by the manufacturer thereof. No experimental poisons, herbicides, pesticides, fertilizers, or other foreign chemical or substance shall be applied to the premises without the prior written consent of Simplot. All poisons, herbicides, pesticides, fertilizers or other foreign chemicals or substances which Lessee may apply to the premises shall be used and applied at Lessee's sole cost, risk, and liability and Lessee does hereby agree to indemnify, hold, and save Simplot free and harmless of any from any and all claims, demands, damages, or liabilities of whatever kind or nature which in any manner arise out of or result from any use or application of any such substances.

SECTION TWELVE. In the event Simplot waives any right herein reserved, or waives the performance of any covenant to be kept and performed by Lessee, express or implied, or any breach hereof by Lessee, said waiver shall not be construed to be a waiver of any subsequent breach of such covenant or any other covenant.

SECTION THIRTEEN. Lessee has inspected the premises, is familiar with the property, and is satisfied with, and accepts the same in the present condition thereof.

SIMPLOT MAKES NO REPRESENTATIONS AS TO THE PRESENT CONDITION OF THE PREMISES, AS TO THE QUALITY, FERTILITY, OR PRODUCTIVITY OF THE SOILS, OR AS TO THE PRODUCTIVITY OF THE PREMISES,

AND MAKES NO WARRANTY AS TO THE AVAILABILITY OF WATER, WATER QUANTITY OR THE QUALITY OF THE WATER WHICH MAY BE AVAILABLE FOR USE ON THE PREMISES. LESSEE TAKES THE LEASED PREMISE DRY ON AN "AS-IS" BASIS.

It is understood and agreed that this written Lease constitutes the whole and entire agreement between the parties, and that there are no oral agreements, representations, or warranties collateral to or affecting this Lease other than herein expressly set forth in writing. Lessee declares that he has not entered into this Lease in reliance on any oral or verbal representations of Simplot, its agents or employees, other than the written agreements herein set forth.

Lessee also agrees to pay all charges for power, water and other utilities used on the premises, whether for obtaining irrigation water or for other purposes. No irrigation equipment is provided by Simplot in connection with the premises.

SECTION FOURTEEN. The prevailing party in any suit dispute or action arising under this agreement for the enforcement or interpretation hereof shall be entitled, in addition to all costs and damages that might be awarded, further sums for reasonable attorney's fees.

SECTION FIFTEEN. Simplot agrees that the Lessee, upon payment of rent and performance of the covenants and agreements in this Lease on the part of the Lessee to be performed at all times during said term, or any renewal, shall peaceably and quietly have, hold, and enjoy the premises, subject to easements, reservations, and restrictions of record or apparent upon inspection of the property.

SECTION SIXTEEN. In the event that Lessee shall hold over the term or any renewal, with consent, express or implied, of Simplot, such holding over shall be construed as a tenancy at will, and shall be terminable at the will of Simplot upon Simplot's giving notice in writing to Lessee to vacate said premises.

SECTION SEVENTEEN. In the event Lessee does not keep and perform each and every covenant and agreement set forth in this Lease (time being of the essence) or shall abandon the premises, Simplot may give written notice to Lessee specifying the same. If Lessee does not cure within three days of the notice, the Lessee shall forfeit to Simplot all rights to further occupancy of the premises or any part thereof. In such event, at its option Simplot may, in addition to such other remedies as it may have at law or equity, without any legal process or warrant, reenter upon the premises, and remove all persons and hold the premises without interference on the part of the Lessee. Lessee agrees that in such case this Lease shall be terminated and he shall not be entitled to have any rights hereunder. In the event of termination of this Lease for any breach by Lessee of any covenant or agreement, Lessee shall not be entitled to any refund of rental paid.

SECTION EIGHTEEN. Any Lessee participation in government farm programs which shall affect or involve the premises shall be discussed in advance with Simplot. Simplot shall have the final decision regarding participation. No ASCS grain base shall be transferred with or appurtenant to the premises.

SECTION NINETEEN. In the event that Simplot gives written notice to the Lessee that their Lease shall not be renewed, then Simplot shall have possession of the farmland from which crops are removed as soon as the crops are harvested therefrom, so that Simplot may prepare ground for the following year's farming operation. It is expressly understood and agreed that this Lease shall terminate at the end of the term hereof regardless of whether or not Simplot takes possession of the farmland as provided in this section.

SECTION TWENTY. All notices required to be given shall be in writing, personally delivered or sent by United States certified mail, postage prepaid, return receipt requested, addressed to the party to whom the notice is directed.

All notices to be given to Simplot shall be addressed to:

J. R. Simplot Company
P.O. Box 27
Boise, Idaho 83707
Attn: Corporate Secretary

All notices to be given to Lessee shall be addressed to:

Nolan Branch
PO Box 24
Malta, ID 83342

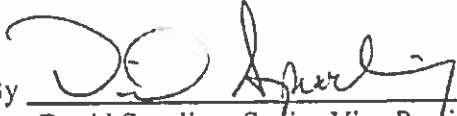
Either party may change such address by giving notice in writing to the other party as herein provided.

SECTION TWENTY-ONE. It is agreed that the terms, conditions, and stipulations of this Lease shall be binding upon the heirs, executors, administrators, successors, and assigns of the respective parties.

It is further agreed that this Lease may not be recorded without the written consent of Simplot.

DATED: 11 MAR 2016

J. R. SIMPLOT COMPANY

By 
David Spurling, Senior Vice President,
Secretary and General Counsel

LESSEE:

DATED: March 8 16

By 
Nolan Branch

EXHIBIT "A"

Approximately 40 acres located in the NE 1/4 SW 1/4, Section 19, Township 12 South, Range 27 East.

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 41141

Publication	Times News		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	96.30
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	96.30
Fax			
Section	Legals	Start/End Dates	02/16/2017 - 02/23/2017
SubSection		Insertions	2
Category	50 Legal	Size	60
Ad Key	41141-1	Salesperson(s)	Ruby Aufderheide
Keywords	Branch Water Transfer 80953	Taken By	Janet Cranney
Notes			

Ad Proof

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 80953

NOLAN K BRANCH and LUANN S BRANCH, PO BOX 24, MALTA, ID 83342-0024; has filed Application No. 80953 for changes to the following water rights within CASSIA County(s): Right No(s). 43-10238, 43-12960, 43-12994, 43-12995, 43-193, 43-194, 43-195, 43-2361, 43-2422, 43-293A, 43-296A, 43-302; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to create a new 826 permissible place of use for 5 ground water rights (9.3 cfs) and 7 Cassia Creek water rights (12.73 cfs) that allow for the total combined diversion of 22.03 cfs and the irrigation of 798 acres. The proposed PPU is located approximately 2.3 to 3.8 mi. north of the center of the City of Malta. The transfer also proposes moving 73 acres of ground water rights into the new 826 PPU from an adjacent farm to the south to reflect current irrigation practices.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 Addison Ave W Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before March 6, 2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

PUBLISH: February 16 and 23, 2017

**Proof of legal notice received
from Times News 2/10/2017 (2 total pages)**

✓ DM
2-10-2017
E-mail sent to
Newspaper.

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 41141

Publication	Online		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	96.30
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	96.30
Fax			
Section	Legals	Start/End Dates	02/16/2017 - 02/23/2017
SubSection		Insertions	2
Category	50 Legal	Size	60
Ad Key	41141-1	Salesperson(s)	Ruby Aufderheide
Keywords	NOTICE OF PROPOSED CHANGE OF W	Taken By	Janet Cranney
Notes			

Ad Proof

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80953
NOLAN K BRANCH and LUANN S BRANCH, PO BOX 24,
MALTA, ID 83342-0024; has filed Application No. 80953 for
changes to the following water rights within CASSIA County(s):
Right No(s). 43-10238, 43-12960, 43-12994, 43-12995, 43-193,
43-194, 43-195, 43-2361, 43-2422, 43-293A, 43-296A, 43-302;
to see a full description of these rights and the proposed
transfer, please see [www.idwr.idaho.gov/apps/wr/QueryNew-](http://www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx)
[Transfers/QueryNewTransfers.aspx](http://www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx). The purpose of the transfer
is to change a portion of the above rights as follows: Transfer
proposes to create a new 826 permissible place of use for 5
ground water rights (9.3 cfs) and 7 Cassia Creek water rights
(12.73 cfs) that allow for the total combined diversion of 22.03
cfs and the irrigation of 798 acres. The proposed PPU is
located approximately 2.3 to 3.8 mi. north of the center of the
City of Malta. The transfer also proposes moving 73 acres of
ground water rights into the new 826 PPU from an adjacent
farm to the south to reflect current irrigation practices.
For additional information concerning the property location,
contact Southern Region office at (208) 736-3033. Protests
may be submitted based on the criteria of Idaho Code Sec.
42-222. Any protest against the proposed change must be filed
with the Department of Water Resources, Southern Region,
650 Addison Ave W Ste 500, Twin Falls ID 83301 together with
a protest fee of \$25.00 for each application on or before March
6, 2017. The protestant must also send a copy of the protest to
the applicant.
GARY SPACKMAN, Director
PUBLISH: February 16 and 23, 2017

✓ DM



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

February 10, 2017

NOLAN K BRANCH
LUANN S BRANCH
PO BOX 24
MALTA, ID 83342-0024

RE: Transfer No. 80953
Water Right No(s). 43-10238, 43-12960, 43-12994, 43-12995, 43-193, 43-194,
43-195, 43-2361, 43-2422, 43-293A, 43-296A, 43-302

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 2/16/2017 and 2/23/2017**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **March 6, 2017**.

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,

Denise Maline
Administrative Assistant



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

February 10, 2017

WATER DISTRICT #143
NATHAN ERICKSON
650 ADDISON AVE W, STE 500
TWIN FALLS, ID 83301

via hand delivery

RE: Transfer No. 80953
Water Right No(s). 43-10238, 43-12960, 43-12994, 43-12995, 43-193, 43-194,
43-195, 43-2361, 43-2422, 43-293A, 43-296A, 43-302

Dear Nathan:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the water master, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,


Denise Maline
Administrative Assistant

Enclosure(s)



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

February 10, 2017

WATER DISTRICT #43C
ROGER MUSSER
917 PARK LN
POCATELLO, ID 83201

RE: Transfer No. 80953
Water Right No(s). 43-10238, 43-12960, 43-12994, 43-12995, 43-193, 43-194,
43-195, 43-2361, 43-2422, 43-293A, 43-296A, 43-302

Dear Roger:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, February 09, 2017 5:24 PM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News Cover Letter.docx; Times News Ad.doc

Attached please find (1) legal notice being submitted for publication on February 16th & 23rd, 2017. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

*Denise Maline
Administrative Assistant I
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov*



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

February 9, 2017

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 80953

Water Right No(s): 43-10238, 43-12960, 43-12994, 43-12995, 43-193, 43-194, 43-195,
43-2361, 43-2422, 43-293A, 43-296A, 43-302

Dear Legal Notice Department:

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

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

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80953**

NOLAN K BRANCH and LUANN S BRANCH, PO BOX 24, MALTA, ID 83342-0024; has filed Application No. 80953 for changes to the following water rights within CASSIA County(s): Right No(s). 43-10238, 43-12960, 43-12994, 43-12995, 43-193, 43-194, 43-195, 43-2361, 43-2422, 43-293A, 43-296A, 43-302; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to create a new 826 permissible place of use for 5 ground water rights (9.3 cfs) and 7 Cassia Creek water rights (12.73 cfs) that allow for the total combined diversion of 22.03 cfs and the irrigation of 798 acres. The proposed PPU is located approximately 2.3 to 3.8 mi. north of the center of the City of Malta. The transfer also proposes moving 73 acres of ground water rights into the new 826 PPU from an adjacent farm to the south to reflect current irrigation practices.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 Addison Ave W Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before **March 6, 2017**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on February 16th & 23rd, 2017

MEMORANDUM

Date: February 6, 2017
To: Transfer 89053 File
From: Jana Reeder
Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes to create a new 826 permissible place of use for 5 ground water rights (9.3 cfs) and 7 Cassia Creek water rights (12.73 cfs) that allow for the total combined diversion of 22.03 cfs and the irrigation of 798 acres. The proposed PPU is located approximately 2.3-3.8 mi. north of the center of the City of Malta. The transfer also proposes moving 73 acres of two ground water rights and 4 Cassia Creek water rights into the new 826 PPU from an adjacent farm to the south to reflect current irrigation practices. After transfer approval a total of 798 acres of irrigation on the farm within the new 826 permissible place of use.

The property and points of diversion are located within the Raft River CGWA, Water District 43C and Water District 143. Watermaster comments will be solicited.

- **Authority to File:**
The applicant is listed as the current owner of the water rights involved with the transfer according to IDWR records.
- **Water Right Validity:**
The water rights from Cassia Creek and the ground water rights were decreed in 2002. Aerial photography indicates that the lands involved with the transfer have been irrigated in recent years.
- **Injury to Other Water Rights:**
None anticipated or foreseen.
- **Enlargement of Use:**
None anticipated or foreseen.
- **Local Public Interest:**
Application will be subject to public notice and protest.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**
None Anticipated.
- **Effect of the Agricultural Base of the Area:**
None Anticipated.

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

MEMORANDUM

Date: February 6, 2017

To: Transfer 80953

From: Jana Reeder

Re: Fee Memo

Fee is based on the total flow rate of 22.03 cfs.
Transfer fee of \$2020.00 for the first 20.0 cfs
Each additional cfs or part thereof is \$40.00.
Fee for additional 2.03 cfs X 3 = \$120.00
 $\$2020.00 + \$120.00 = \$2140.00$