

AUG 04 2016

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

Transfer No. 81080

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) MAVERIK LAND & CATTLE COCheck 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: _____

AUG 04 2016

DEPT OF WATER RESOURCES
SOUTHERN REGIONAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant MAVERIK LAND & CATTLE CO Phone (208) 324-2208
Mailing Address 433 S 700 E, JEROME ID 83338 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.

Todd S. Lickley

Signature of Applicant or Authorized Representative

Todd S. Lickley Vice president 8-4-16

Print Name and Title if applicable

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	36-8049	No	No	Yes	No	No	No

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**

Application purposes to change the place of use to contiguous lands for better farming practices

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

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 I.

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
36-8049	0.940 cfs	188.0 af	N/A	47.0		N/A	N/A	N/A	N/A
COMBINED TOTALS	0.940 cfs	188.0 af	N/A	47.0		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 0.94 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 I.
- ☐ 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 I.
- ☐ See Attachment.

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

Proposed Water Right No. 36-8049

Current Water Right Owner
 MAVERIK LAND &
 CATTLE CO
 433 S 700 E
 JEROME, ID 83338

Priority Date: 12/21/1981

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	4/01	11/01	0.940 CFS	188.0 AFA	
Total Diversion			0.940 CFS	188.0 AFA	

Source and Point(s) of Diversion:
 GROUND WATER NWSWSE Sec. 12 Twp 09S Rge 17E JEROME County

Describe the proposed diversion system
 WELL, PUMP, PIPELINES & SPRINKLERS

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	
09S	17E	13			8.4	6.6			3.3	19.6					1.0	8.1			47.0

POU Total Acres: 47.0

54

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued**

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future
A measuring device and lockable controlling works are currently installed.

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

The applicant

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

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: Northwest Farm Credit Services FLCA

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:

Approximately 29.4 acres are being dried up and moved to contiguous lands

- 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:

N/A

- 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. 36-8049

Current Water Right Owner MAVERIK LAND &
 CATTLE CO
 433 S 700 E
 JEROME, ID 83338

Priority Date: 12/21/1981

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	4/01	11/01	0.940 CFS	188.0 AFA	
Total Diversion			0.940 CFS	188.0 AFA	

Source and Point(s) of Diversion:
 GROUND WATER NWSWSE Sec. 12 Twp 09S Rge 17E JEROME County

Describe the proposed diversion system
 WELL, PUMP, PIPELINES & SPRINKLERS

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	
09S	17E	13			8.0	13.0									24.0	2.0			47.0

POU Total Acres: 47.0

Conditions/Remarks:

1. USE OF THIS RIGHT WITH RIGHT NO. 36-07745 IS LIMITED TO A TOTAL COMBINED RATE OF DIVERSION OF 4.74 CFS.
2. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
3. RIGHT NO. 36-07745 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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

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

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the 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**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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.: _____

N/A

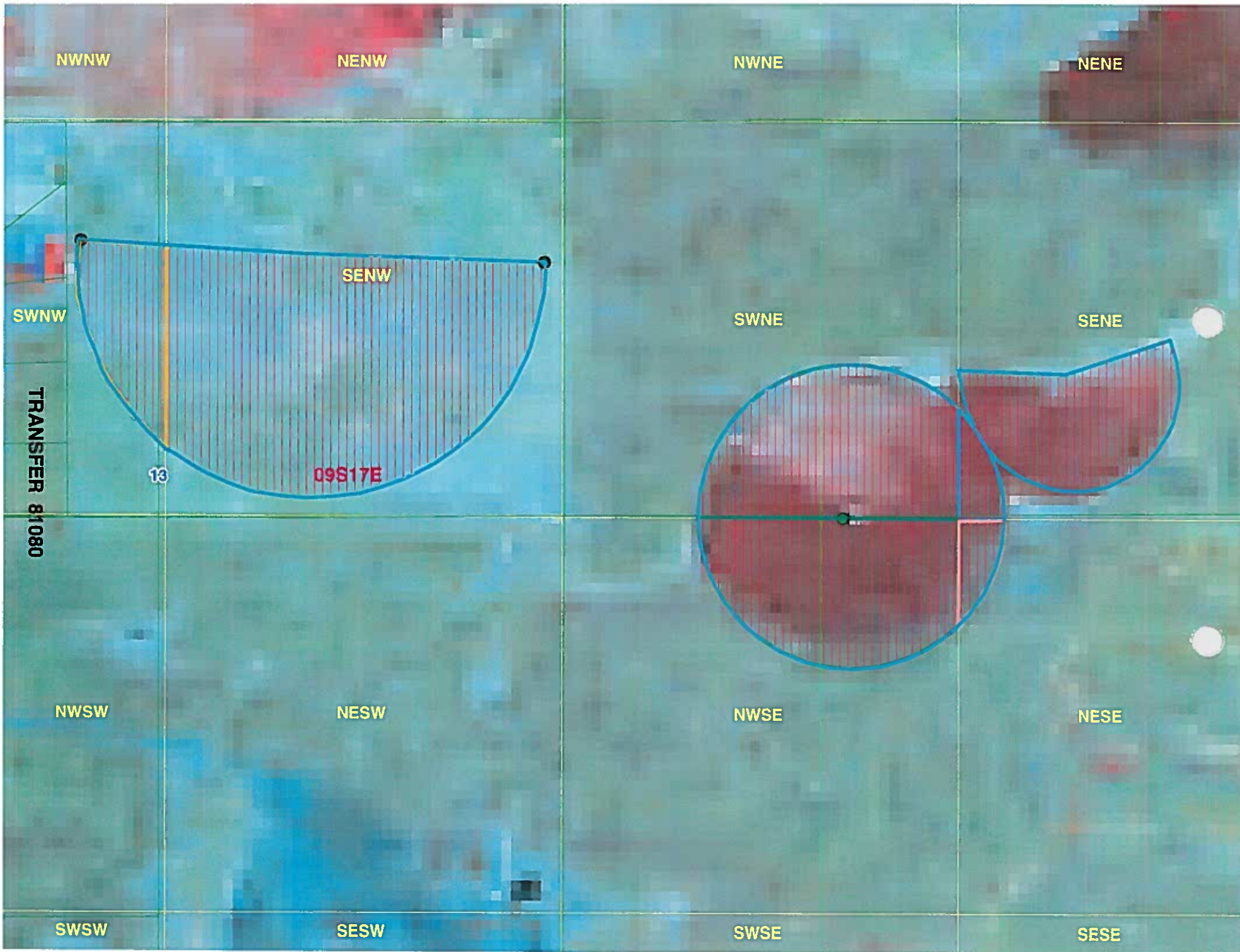
FOR DEPARTMENT USE ONLY

Transfer Contains 7 pages and _____ attachments.

Received By B. Walker Date 8/4/16 Prelim. Check By _____ Date _____

Fee Paid \$500.00 Date 8/4/16 Received By B. Walker Receipt # 5035641

Add'l Fee Paid _____ Date _____ Received By _____ Receipt # _____



No. C 61557	Due no later than Jul 31, 2016 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. MAVERIK LAND AND CATTLE COMPANY LONNIE D. LICKLEY 433 S 700 E JEROME ID 83338		LONNIE LICKLEY 433 SOUTH 700 EAST JEROME ID 83338			
			3. <u>New</u> Registered Agent Signature:*			
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
DIRECTOR	LOIS LICKLEY	10306 HILLSIDE DR.	TYLER	TX	USA	75709
VICE PRESIDENT	TODD S LICKLEY	2937 SUNDANCE DR	TWIN FALLS	ID	USA	83338
VICE PRESIDENT	RYAN D. LICKLEY	691 E. 400 S.	JEROME	ID	USA	83338
SECRETARY	STEFANIE R. LICKLEY	433 S. 700 E.	JEROME	ID	USA	83338
PRESIDENT	LONNIE D LICKLEY	433 S. 700 E.	JEROME	ID	USA	83338
5. Organized Under the Laws of: ID C 61557		6. Annual Report must be signed.* Signature: Lonnie Lickley Name (type or print): Lonnie Lickley Date: 05/24/2016 Title: President				
Processed 05/24/2016		* Electronically provided signatures are accepted as original signatures.				

TRANSFER 81080

DON'S IRRIGATION LLC

294 A SOUTH 300 EAST
JEROME, ID 83338
208-644-9206

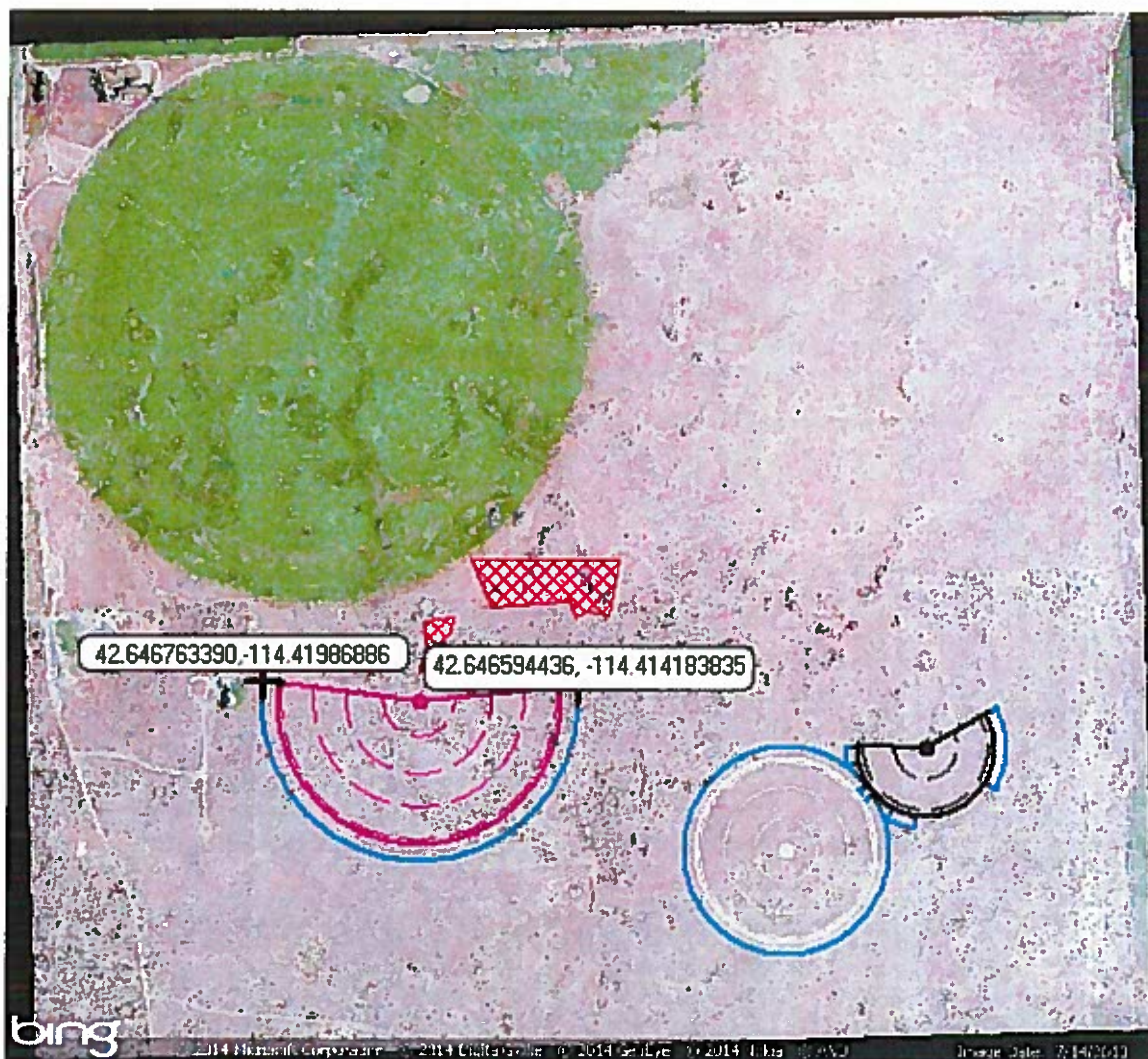


Farm: FRASIER

Grower: LONNIE LIKELY

7/28/2016

Systems:	Length	Spans	Total area including endgun
○ SOUTH 40 WEST	448.00 ft	3 spans + 20.0 ft o.h.	18.53 acres
● SOUTH 40 EAST	335.00 ft	2 spans + 20.0 ft o.h.	5.62 acres
● Pivot 2	690.25 ft	4 spans + 11 ft o.h.	22.90 acres



TRANSFER 81080

Pivot 2

Pivot Area: **18.39** acres
 Endgun Area: **4.51** acres
 Total Area: **22.90** acres

System Length: **690.25** ft
 # of Spans: **4 + overhang**
 Deg. of Sweep: **192.7°**
 Endgun Throw: **80.0** ft

Color on map:



Spans

# of Spans: 4	Span 1 (180.2)	Span 2 (359.1)	Span 3 (516.2)	Span 4 (673.3)	Overhang (690.3)
Length:	179	179	157	157	11 ft
Pipe Size:	6 - 5/8"	6 - 5/8"	6 - 5/8"	6 - 5/8"	5 - 9/16"

Endgun Areas

Endgun 1: (Throw = 80.0 ft)

# of Areas: 1	Start / Stop Angle (Deg. from North)	Start / Stop Angle (Deg. from Pivot Start)	Start / Stop Location (Lat/Long)		Area (acres)
Area 1	85.9° / 278.7°	0.0° / 192.7°	42.646578948° -114.414480389°	42.646730354° -114.419574976°	4.51

File Number: 14242296
Policy Number: 3882149

ALTA Owner's Policy (6/17/06)



Land Title and Escrow, Inc. dba TitleOne: Jerome
Authorized Agent for:
Westcor Land Title Insurance Company

TitleOne

a title & escrow co.

SCHEDULE A

Name and Address of Title Insurance Company: Westcor Land Title Insurance Company
2000 Colorado Blvd., Suite 1-3100
Denver, CO 80222

File Number: 14242296

Policy Number: 3882149

Date of Policy: December 23, 2014 at 3:57 PM

Amount of Insurance: \$1,100,000.00

Premium: \$2,980.00

Property Address Reference: 0 Bare Ground, Jerome, ID 83338
0 Bare Ground, Jerome, ID 83338

1. Name of Insured:
Maverik Land and Cattle Company
2. The estate or interest in the land that is insured by this policy is:
Fee Simple
3. Title is vested in:
Maverik Land and Cattle Company, an Idaho Corporation
4. The Land referred to in this policy is described as follows:
See Attached Schedule C

Land Title and Escrow, Inc. dba TitleOne: Jerome
By:

Patti Hurd

Patti Hurd, Authorized Signatory

TRANSFER 81080

File Number: 14242296
Policy Number: 3882149

ALTA Owner's Policy (6/17/06)

SCHEDULE B
Exceptions from Coverage

File Number: 14242296
Policy Number: 3882149

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

1. Rights or claims of parties in possession not shown by the public records.
2. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land, and that is not shown by the Public Records.
3. Easements, or claims of easements, not shown by the public records.
4. Any lien, or right to a lien, for services, labor, or materials heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims to title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
6. Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices to such proceedings whether or not shown by the records of such agency, or by the public records.
7. Taxes for the year 2014 are paid in full.
8. Right of way for ditches, tunnels, telephone, and distribution lines constructed by authority of the United States, as granted to the United States under the provisions of Section 58-604 Idaho Code.
9. Right-of-way for roads, canals, laterals and waste ditches and the rights of access thereto for maintenance of said ditches, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County records.
10. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
Granted to: Idaho Power Company, a corporation
Purpose: Public Utilities
Recorded: June 26, 1978
Book 184 of at Page(s) 1691, as Instrument Number 234550
11. Grant of Easement given by Virgil Ray Lickley, a single man, and Magic Lands Ltd., an Idaho Limited Partnership, Grantor, to Magic Lands, Ltd., an Idaho Limited Partnership, dated October 31, 1984, recorded October 31, 1984 as Instrument Number 285666, Jerome County records, granting an easement over the S½NW¼ of Section 13, Township 9 South, Range 17 East Boise Meridian, for the purpose of ingress and egress to and from the SE¼ and S½NE¼ of Section 13, Township 9 South, Range 17 East Boise Meridian.
12. A 50.00 feet in width easement for access and utilities along the Northerly 50 feet of the Westerly 286.97 feet of the SW¼SW¼ of Section 12 as shown in Warranty Deed by and between Magic Farms, Inc. and Jeanette R. Frazier, dated April 22, 2004, recorded April 26, 2004 as Instrument Number 2042267, Re-recorded July 6, 2004 as Instrument Number 2043685, Jerome County records.
13. A Mortgage and Fixture Filing to secure an indebtedness as shown below and any other obligations secured thereby:
Amount: \$610,000.00
Mortgagor: Maverik Land and Cattle Company, a Corporation
Mortgagee: Northwest Farm Credit Services, FLCA
Dated: December 03, 2014
Recorded: December 23, 2014
Instrument No.: 2144664

File Number: 14242296
Policy Number: 3882149

ALTA Owner's Policy (6/17/06)

SCHEDULE C
Legal Description

PARCEL NO. 1:

TOWNSHIP 9 SOUTH, RANGE 17 EAST OF THE BOISE MERIDIAN, JEROME COUNTY, IDAHO

Section 12: S½S½, EXCEPTING THEREFROM a parcel of land located in the SW¼SW¼, described as follows:

Beginning at the Southwest corner of Section 12 of Township 9 South, Range 17 East of the Boise Meridian; Thence North 1319.45 feet along the Westerly Boundary of Section 12 to the Northwest corner of SW¼SW¼;
Thence North 89°41'45" East 286.97 feet along the Northerly boundary of SW¼SW¼ to the TRUE POINT OF BEGINNING;
Thence North 89°41'45" East 295.88 feet along said the Northerly boundary;
Thence South 0°52'06" East 163.52 feet along an existing fence;
Thence South 49°18'56" West 393.45 feet along an existing fence;
Thence North 418.42 feet to the TRUE POINT OF BEGINNING.

TOWNSHIP 9 SOUTH, RANGE 17 EAST OF THE BOISE MERIDIAN, JEROME COUNTY, IDAHO

Section 13: N½N½;
SE¼NE¼; SE¼;
E½E½SW¼NW¼ (also shown as the East 10 acres of the SW¼NW¼)

PARCEL NO. 2:

TOWNSHIP 9 SOUTH, RANGE 17 EAST OF THE BOISE MERIDIAN, JEROME COUNTY, IDAHO

Section 13: SE¼NW¼; SW¼NE¼;



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

August 24, 2016

NORTHWEST FARM CREDIT SERVICES
PO BOX 5059
TWIN FALLS ID 83303-5059

RE: Transfer No. 81080
Water Right No(s). 36-8049

Dear Security Interest Holder:

Attached is a copy of an Application for Transfer that may be of interest to you, as a Security Interest holder. This application is currently being processed by the Department, and is nearing the final approval stage.

Please review the application, and provide any comments in writing, within 14 days. If the department does not receive a written response from you within 14 days; we will move forward with the approval of the application.

Thank you for your cooperation. Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in cursive script that reads "Denise Maline".

Denise Maline
Administrative Assistant

Enclosure(s)

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Transfer No: 81080
Water Right No: 36-8049
Applicant Name: Maverik Land & Cattle CO.

Watermaster's Recommendation:

- a) ☐ I do not oppose approval of this application
b) ☒ I do not oppose approval of this application under the following terms:

The irrigation well needs to have an approved meter installed. In the past this well has been measured using PCC, due to the 2016 measurement order PCC measurements will no longer be valid.

- c) ☐ I oppose approval of this application(s) for the following reasons:
d) ☐ Additional comment:

Dated: August 23, 2016

Water District 130



Nathan Erickson, Watermaster



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

August 11, 2016

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

Via hand delivery

RE: Transfer No. 81080
Water Right No(s). 36-8049

RE: Transfer No. 81114
Water Right No(s). 36-2494

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 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)

Walker, Benny

From: Walker, Benny
Sent: Wednesday, August 10, 2016 8:28 AM
To: 'willian.lickley@northwestfcs.com'
Subject: Maverik Land & Cattle Co. Transfer
Attachments: Maverik Land & Cattle Co..pdf

Mr. Lickley,

Please find the attached transfer application filed by Maverik Land & Cattle Co., for your review. The purpose of this transfer is to change the place of use to better ground and adding a half pivot.
If you have any question please feel free to contact me.

Sincerely,

Benny Walker
Water Resource Agent
Idaho Dept of Water Resources
Southern Regional Office
Phone (208) 736-3033
Fax (208) 736-3037
benny.walker@idwr.idaho.gov

MEMORANDUM

Date: August 9, 2016
To: Transfer #81080 File
From: Benny Walker
Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes to shift 29.4 acres of a ground water irrigation right located on a farm approximately 5.0 to 5.7 miles east and 5.3 to 5.6 miles south of the center of the City of Jerome, to contiguous lands within the farm for better farming practices. The ground water right allows for the diversion of 0.94 cfs from an existing well and the irrigation of 47 acres at the proposed place of use. There are no changes proposed to the point of diversion and no hydrological impact, therefore it is recommended to process without advertising. The place of use and point of diversion are within water district 130, therefore watermaster comments will be requested.

- **Authority to File:**
Applicant is listed as current owner on IDWR records. The applicant submitted a letter from the lien holder giving their consent for the transfer.
- **Water Right Validity:**
Right 36-8049 was decreed in 2001. Current satellite imagery indicates that the right appears to have been used in 2015. Therefore forfeiture does not appear to be an issue.
- **Injury to Other Water Rights:**
None anticipated. No hydrological changes.
- **Enlargement of Use:**
None anticipated. The proposed place of use is for the 47 acres allowed under this right.
- **Local Public Interest:**
No negative impacts anticipated. Recommend no advertising process.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on Economy of the Local Area:**
None anticipated.
- **Effect of the Agricultural Base of the Local 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: August 9, 2016
To: Transfer #81080 File
From: Benny Walker
Re: Legal Notice Not Required

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.

MEMORANDUM

TO: Transfer # 81080 File

FROM: Benny Walker

DATE: August 9, 2016

SUBJECT: Filing Fee

The filing fee of, \$500.00, for this transfer is based on the amount of water proposed to be transferred or changed, 0.94 cfs. The transfer fee schedule for a transfer involving 0.21-1.00 cfs indicates that the filing fee is \$500.00. The applicant submitted the fee of \$500.00 receipt S035641.