

RECEIVED

JUL 18 2016

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 81078DEPT OF WATER RESOURCES
SOUTHERN REGIONMINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

Name of Applicant(s) Arlo P. LloydCheck whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

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

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

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☒ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☒ #10 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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JUL 18 2016

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

DEPT OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant(s) Arlo P. Lloyd Phone (208) 638-5550

Mailing address 2227 S. Elba-Almo Rd., Elba, ID 83342 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 Luke H. Marchant - Holden Kidwell Hahn Crapo Phone (208) 523-0620

Mailing address PO Box 50130, Idaho Falls, ID 83405 Email lmarchant@holdenlegal.com

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

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


Signature of Applicant or Authorized Representative

Luke H. Marchant, Attorney
Print Name and Title if applicable

July 1, 2016
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.
The purpose of this application is to move the current place of use for Water Right No. 43-4132 approximately 1/3 of a mile to the northwest.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	43-4132	0.77 cfs	Irrigation	04/01 to 10/31	Black Sand Hollow Creek
☒ ☐	43-4132	0.03	Stockwater	01/01 to 12/31	Black Sand Hollow Creek
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.77 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.77 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	25E	17									13.2/S								13.2
Total Acres (for irrigation use)																			13.2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

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

No changes to the diversion structure will be made. Water is diverted out of the natural channel into an open ditch that conveys the water to the place of use. Part of the ditch may be piped in the future.

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

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

The Applicant has an oral agreement with the State of Idaho to access the point of diversion.

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

If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

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

The current place of use will no longer be irrigated.

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

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

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

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

Current Water Right No.: 43-4132

Current Owner: BONITA T LLOYD
ARLO P LLOYD

Priority Date: 10/19/1928

Origin: Water Right

Status: Active

Basis: Decreed

Source

BLACK SAND HOLLOW CREEK

Tributary

SINKS

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION 04/01 to 10/31

0.77 CFS

STOCKWATER 01/01 to 12/31

0.03 CFS

Total Diversion

0.77 CFS

Location of Point(s) of Diversion

BLACK SAND HOLLOW CREEK

SE1/4SE1/4SW1/4

Sec. 16, Twp 14S, Rge 25E B.M.

CASSIA County

Place of Use

IRRIGATION Within CASSIA County

T14S R25E S17 SESE 13.20

Total Acres: 13.2

STOCKWATER Within CASSIA County

T14S R25E S17 SESE

Conditions of Approval:

1. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. R43 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.
3. The flow rate quantity above includes .51 cfs for conveyance loss between the point of diversion and the field headgate.
4. N05 The quantity of water under this right for stock water use shall not exceed 13,000 gallons per day.
5. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. N08 The quantity of water decreed for this water right for stock water use is not a determination of historical beneficial use.
7. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
9. R05 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.

Decreed Date: 7/31/2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

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 rights(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**.

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]

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by DM Date 7-18-2016 Preliminary check by _____ Date _____

Fee paid \$525- Date 7-18-2016 Received by DM Receipt # 5035605

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

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

Attachment No. 2a Water Right Ownership Documentation

TRANSFER 81078

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

7/14/2016

WATER RIGHT NO. 43-4132

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ARLO P LLOYD 2227 ELBA-ALMO RD ELBA, ID 83326 (208)638-5550
Current Owner	BONITA T LLOYD HC 61 BOX 1508 ELBA, ID 83326 (208)638-5550

Priority Date: 10/19/1928

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BLACK SAND HOLLOW CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.77 CFS	
STOCKWATER	01/01	12/31	0.03 CFS	
Total Diversion			0.77 CFS	

Location of Point(s) of Diversion:

BLACK SAND HOLLOW CREEK SESESW Sec. 16 Township 14S Range 25E CASSIA County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CASSIA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
14S	25E	17		SESE	13.2									

Place of Use Legal Description: STOCKWATER CASSIA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
14S	25E	17		SESE										

Total Acres: 13.2

Conditions of Approval:

1. N08 The quantity of water decreed for this water right for stock water use is not a determination of historical beneficial use.
2. N05 The quantity of water under this right for stock water use shall not exceed 13,000 gallons per day.
3. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. The flow rate quantity above includes .51 cfs for conveyance loss between the point of diversion and the field headgate.
5. R05 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.
6. R43 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.
7. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 07/31/2003

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: And
Water District Number: 43C
Generic Max Rate per Acre: 0.02
Generic Max Volume per Acre: 4
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

**Attachment No. 2b
Water Right Ownership
Documentation – Change of
Ownership**

TRANSFER 81078

CASSIA COUNTY

Recorded for:

ANTHON DARRINGTON PLLC

8:28:05 am 06-02-2016

2016-002235

No. Pages: 7

Fee: \$28.00

JOSEPH W. LARSEN

County Clerk

Deputy: CVELASQUEZ

Matthew C Darrington, Esq.
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Attorneys at Law
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Rupert, Idaho 83350-0396
Telephone: (208) 260-5280
Facsimile: (208) 260-5281
matt@minicassialaw.com
ISB No. 7939

Attorneys for ARLO PARISH LLOYD

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF CASSIA

MAGISTRATE DIVISION

IN THE MATTER OF THE ESTATE OF:

BONITA TRACY LLOYD,

Deceased.

Case No. CV 2016-405

**DECREE VESTING ESTATE IN
SURVIVING SPOUSE**

Upon consideration of the Petition for Summary Administration of Estate in Which Surviving Spouse is Sole Beneficiary filed by ARLO PARISH LLOYD on the 13th of May, 2016, the Court finds that:

1. The facts set forth in the petition are true and complete.
2. The required notice has been given or waived.
3. The decedent, BONITA TRACY LLOYD, died on February 3, 2015, domiciled in Cassia County.
4. Venue is proper.

DECREE VESTING ESTATE IN SURVIVING SPOUSE--1

CERTIFIED

5. The decedent and ARLO PARISH LLOYD were duly married at Almo, County of Cassia, on the 25th day of January, 1958, and remained married until the date of the decedent's death.

6. The surviving spouse, ARLO PARISH LLOYD, is the sole heir or devisee of the decedent.

7. The decedent died intestate.

8. The schedule of property attached to this Decree is a full and complete inventory of the property owned by the decedent and properly characterizes the property as community or separate property.

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED as follows:

1. ARLO PARISH LLOYD is the surviving spouse of the decedent and is the sole heir or devisee of the decedent.

2. The property of the decedent described on EXHIBIT A attached to this Decree is hereby vested in and distributed to ARLO PARISH LLOYD free and clear of all right, title, claim or demand of any person or persons claiming or attempting to claim under the estate of the decedent as heir, devisee, or otherwise, except as a proper creditor.

3. The surviving spouse shall assume and be liable for any or all indebtedness that might be a claim against the estate of the decedent.

4. There shall be no administration of the estate of the decedent.

DATED this 20th day of May, 2016.

/s/ Blaine P. Cannon
Honorable BLAINE CANNON
Magistrate Judge

State of Idaho }
County of Cassia } ss

I hereby certify that the foregoing instrument is a full, true
and correct copy of the original as
in this office.

Dated: 5-20-16

Joseph M. Cannon
Clerk of the District Court, Ex-officio Auditor
and Recorder, Cassia County, Idaho

By: AV

Deputy

EXHIBIT A

Parcel 1

TOWNSHIP 14 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO. Section 18: SE $\frac{1}{2}$ SW $\frac{1}{2}$.

SAVE AND EXCEPT:

E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$; and Lot 4 Section 19: Lots 1, 2, 3 and 4; E $\frac{1}{2}$ NW $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ NE $\frac{1}{4}$

ALSO SAVE AND EXCEPT:

Section 30: Lots 1 and 2; NE $\frac{1}{4}$ NW $\frac{1}{4}$.

Parcel 2

TOWNSHIP 14 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO. Section 17: N $\frac{1}{2}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$;
SE $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$.

SAVE AND EXCEPT:

TOWNSHIP 14 SOUTH, RANGE 25 EAST OF THE BOISE
MERIDIAN, CASSIA COUNTY, IDAHO. A portion of Section
17, beginning at the common quarter corner of Sections 17 and 20,
thence North 30°38' West for a distance of 1723.26 feet to the
POINT OF BEGINNING; Thence North 89°38' West for a
distance of 376 feet to a Highway Right-of-way; Thence North
0°22' East for a distance of 200 feet; Thence South 89°38' East for
a distance of 376 feet; thence South 0°22' West for a distance of
200 feet to the POINT OF BEGINNING.

ALSO SAVE AND EXCEPT:

TOWNSHIP 14 SOUTH, RANGE 25 EAST OF THE BOISE
MERIDIAN, CASSIA COUNTY, IDAHO, Section 17: That part
of the N $\frac{1}{2}$ SW $\frac{1}{4}$ lying West of the Almo-Elba Highway.

EXCEPTING:

TOWNSHIP 14 SOUTH, RANGE 25 EAST OF THE BOISE
MERIDIAN, CASSIA COUNTY, IDAHO, Section 17; Part of the
SW $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$, more particularly described as
follows;

A parcel of land being on the Westerly side of the centerline of Project No., PLH-2841(102) Highway Survey as shown on the plans thereof now on file in the office of the Idaho Transportation Department, Division of Highways;

Commencing at the Southwest corner of Section 17; Thence along the Southerly boundary of Section 17 North 89°16'59"East, 395.451 meters(1297.40 feet), to a point 10.373 meters(34.03 feet) left of Station 237+56.387; Thence North 00°15'35"West, 349.585 meters(1146.95 feet), to a point 10.275 meters(33.71 feet) left of Station 241+05.983, the POINT OF BEGINNING;

Thence North 01°49'17"West, 44.037 meters(144.48 feet), to a point 11.463 meters(37.61 feet) left of Station 241+50.003;

Thence North 00°15'35"West, 20.389 meters(66.89 feet), to a point 11.711 meters(38.42 feet) left of Station 241+70.000;

Thence North 06°26'20"East, 10.287 meters(33.75 feet), to a point 10.971 meters(35.99 feet) left of Station 241+80.000;

Thence South 00°15'35"East, 74.626 meters(244.83 feet) to the POINT OF BEGINNING.

ALSO SAVE AND EXCEPT:

TOWNSHIP 14 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO, Section 17: Part of the said Section, more particularly described as follows;

Beginning at the common quarter corner of Sections 17 and 20, thence North 30°38'00" West for a distance of 1723.26 feet to the true POINT OF BEGINNING.

Thence North 89°38'00" East for a distance of 60.00 feet;

Thence North 00°22'00" East for a distance of 200 feet;

Thence South 89°38'00" West for a distance of 60.00 feet;

Thence South 00°22'00" West for a distance of 200 feet to the true POINT OF BEGINNING.

ALSO SAVE AND EXCEPT:

TOWNSHIP 14 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO, Section 17; Part of the SE¼ NW¼, more particularly described as follows;

A parcel of land being on the Easterly side of the centerline of Project No., PLH-2841(102) Highway Survey as shown on the plans thereof now on file in the office of the Idaho Transportation Department, Division of Highways;

Commencing at the Southwest corner of the said Section 17;
Thence along the Southerly boundary of Section 17, North
89°16'59"East, 416.788 meters(1367.40 feet), to a point 10.963
meters(35.97 feet) right of Station 237+56.552; Thence North
00°15'35"West, 43.448 meters(142.55 feet), to a point 10.976
meters(36.01 feet) right of Station 238+00.000, the POINT OF
BEGINNING;

Thence North 00°15'35"West, 60.00 meters(196.85), to a
point 10.992 meters(36.06 feet) right of Station 238+60.000;

Thence South 07°07'00"East, 10.072 meters(33.04 feet), to
a point 12.192 meters(40.00 feet) right of Station 238+10.000;

Thence South 00°16'33"East, 40.000 meters(131.23 feet),
to a point 12.192 meters(40.00 feet) right of Station 238+10.000;

Thence South 06°39'35"West, 10.074 meters(33.05 feet) to
the POINT OF BEGINNING.

ALSO SAVE AND EXCEPT:

TOWNSHIP 14 SOUTH, RANGE 25 EAST OF THE BOISE
MERIDIAN, CASSIA COUNTY, IDAHO, Section 17; Part of the
SE¼ NW¼ and NE¼ SW¼, more particularly described as
follows;

A parcel of land being on the Easterly side of the centerline of
Project No., PLH-2841 (102) Highway Survey as shown on the
plans thereof now on file in the office of the Idaho Transportation
Department, Division of Highways;

Commencing at the Southwest corner of Section 17; Thence along
the Southerly boundary of Section 17 North 89°16'59"East,
416.788 meters(1367.40 feet), to a point 10.963 meters(35.97 feet)
right of Station 237+56.552; Thence North 00°15'35"West,
373.448 meters(1225.22 feet), to a point 11.068 meters(36.31 feet)
right of Station 241+30.000, the POINT OF BEGINNING;

Thence North 00°15'35"West, 77.514 meters(254.31 feet),
to a point 7.890 meters(25.89 feet) right of Station 242+08.611;

Thence North 89°18'02"East, 2.802 meters(9.19 feet), to a
point 10.668 meters(35.00 feet) right of Station 242+08.983;

Thence South 06°11'56"West, 8.762 meters(28.75 feet), to
a point 10.717 meters(35.16 feet) right of Station 242+00.000;

Thence South 02°20'01"East, 29.312 meters(96.17 feet), to
a point 13.716 meters(45.00 feet) right of Station 241+70.000;

Thence South 00°20'58"West, 14.272 meters(46.83 feet), to
a point 13.800 meters(45.27 feet) right of Station 241+55.263;

Thence South 05°53'45"West, 25.410 meters(83.37 feet) to
the POINT OF BEGINNING. Contains 0.04 Acre.

ALSO SAVE AND EXCEPT:

TOWNSHIP 14 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO, Section 17; Part of the NE¼ SW¼, more particularly described as follows;

A parcel of land being on the Easterly side of the centerline of Project No., PLH-2841(102) Highway Surey as shown on the plans thereof now on file in the office of the Idaho Transportation Department, Division of Highways;

Commencing at the Southwest corner of Section 17; Thence along the Southerly boundary of Section 17 North 89°16'59"East, 416.788 meters(1367.40 feet), to a point 10.963 meters(35.97 feet) right of Station 237+56.552; Thence North 00°15'35"West, 511.9318 meters(1679.56 feet), to a point 3.734 meters(12.25 feet) right of Station 242+68.801, the POINT OF BEGINNING;

Thence North 00°15'35"West, 3.939 meters(12.92 feet), to a point 4.766 meters(15.63 feet) right of Station 242+72.556;

Thence along a curve to the right 142.612 meters(467.89 feet), having a radius of 215.241 meters(706.17 feet), a delta angle of 37°57'44", and a long chord bearing of North 18°43'17"East, 140.018 meters(459.37 feet), to a point 18.167 meters(56.60 feet) left of Station 244+08.934;

Thence North 37°42'09"East 202.468 meters(664.26 feet), to a point 3.934 meters(12.91 feet) left of Station 246+10.885;

Thence North 89°24'23"East, 19.249 meters(63.15 feet), to a point 12.498 meters(41.00 feet) right of Station 246+20.815;

Thence along a curve to the right 31.608 meters(103.70 feet), having a radius of 447.498 meters(1468.17 feet), a delta angle of 04°02'49", and a long chord bearing of South 32°10'09"West, 31.601 meters(103.68 feet), to a point 12.486 meters(40.97 feet) left of Station 245+90.000;

Thence South 36°23'01"West, 40.041 meters(131.37 feet), to a point 10.668 meters(35.00 feet) right of Station 245+50.000;

Thence South 33°46'51"West, 136.101 meters(446.53 feet), to a point 10.668 meters(35.00 feet) right of Station 244+13.899;

Thence along a curve to the left 137.576 meters(451.36 feet), having a radius of 424.332 meters(1392.16 feet), a delta angle of 18°34'35", and a long chord bearing of South 24°29'33"West, 136.974 meters(449.39 feet), to a point 10.668 meters(35.00 feet) left of Station 242+72.864;

Thence South 89°18'14"West for a distance of 14.956 meters(49.07 feet) to the POINT OF BEGINNING.

Parcel 3

TOWNSHIP 14 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO. Section 17: N½ SW¼; NW¼ SE¼; SE¼ SE¼;
SE¼ SW¼; SW¼ NE¼.

SAVE AND EXCEPT:

TOWNSHIP 14 SOUTH, RANGE 25 EAST OF THE BOISE
MERIDIAN, CASSIA COUNTY, IDAHO, Section 20: Part of the NE¼
NW¼, more particularly described as follows:

Beginning at the Northwest corner of the SE¼ NW¼ of said
Section 20, said corner marked by a 5/8 inch rebar which shall be the
POINT OF BEGINNING:

Thence North 00°07'40" West along the West line of the NE¼
NW¼ for a distance of 24.89 feet to a ½ inch rebar;

Thence North 89°11'41" East for a distance of 839.05 feet to a
½ inch rebar;

Thence South 86°46'48" East for a distance of 484.77 feet to a
5/8 inch rebar at the Northeast corner of the SE¼ NW¼;

Thence South 89°35'25" West along the South line of the SE¼
NW¼ for a distance of 1322.94 feet to the POINT OF BEGINNING.

Vehicles

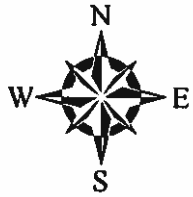
1. 2005 FORD F250
2. 1994 MARL TL
3. 1973 FORD
4. 2001 LINC TOW
5. 1973 BUIC
6. 1983 CHEV TK
7. 1986 LINC TOW
8. 1994 CHEV TK
9. 1989 SPTN TK
10. 1990 KITM TL
11. 2003 TITA TL

Attachment No. 7a

GIS Maps

TRANSFER 81078

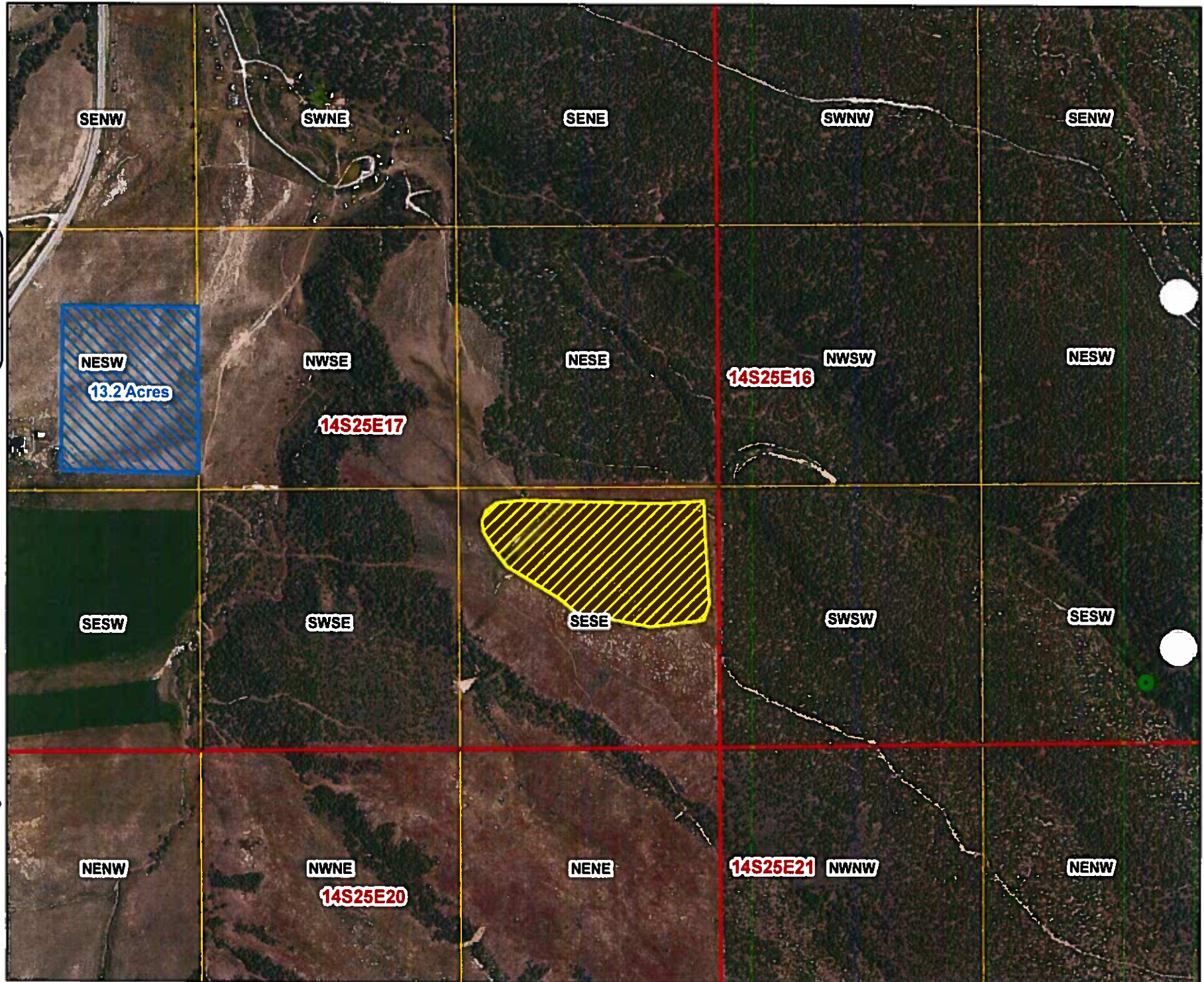
WATER RIGHT NO. 43-4132 TRANSFER



Legend

- POD
- Proposed POU
- Current POU
- Section Lines
- Quarter Quarters

TRANSFER
81078



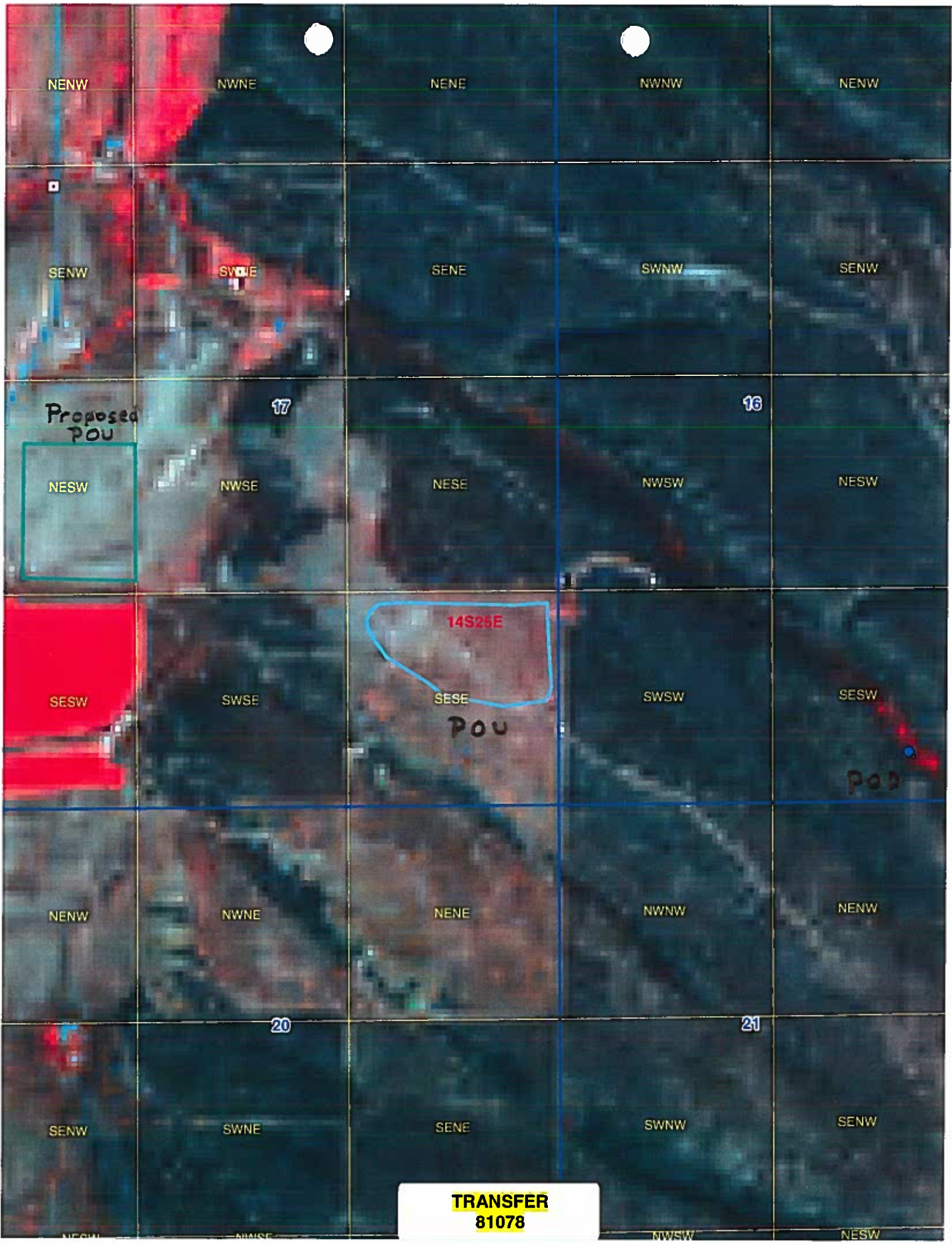
2015 NAIP Photo



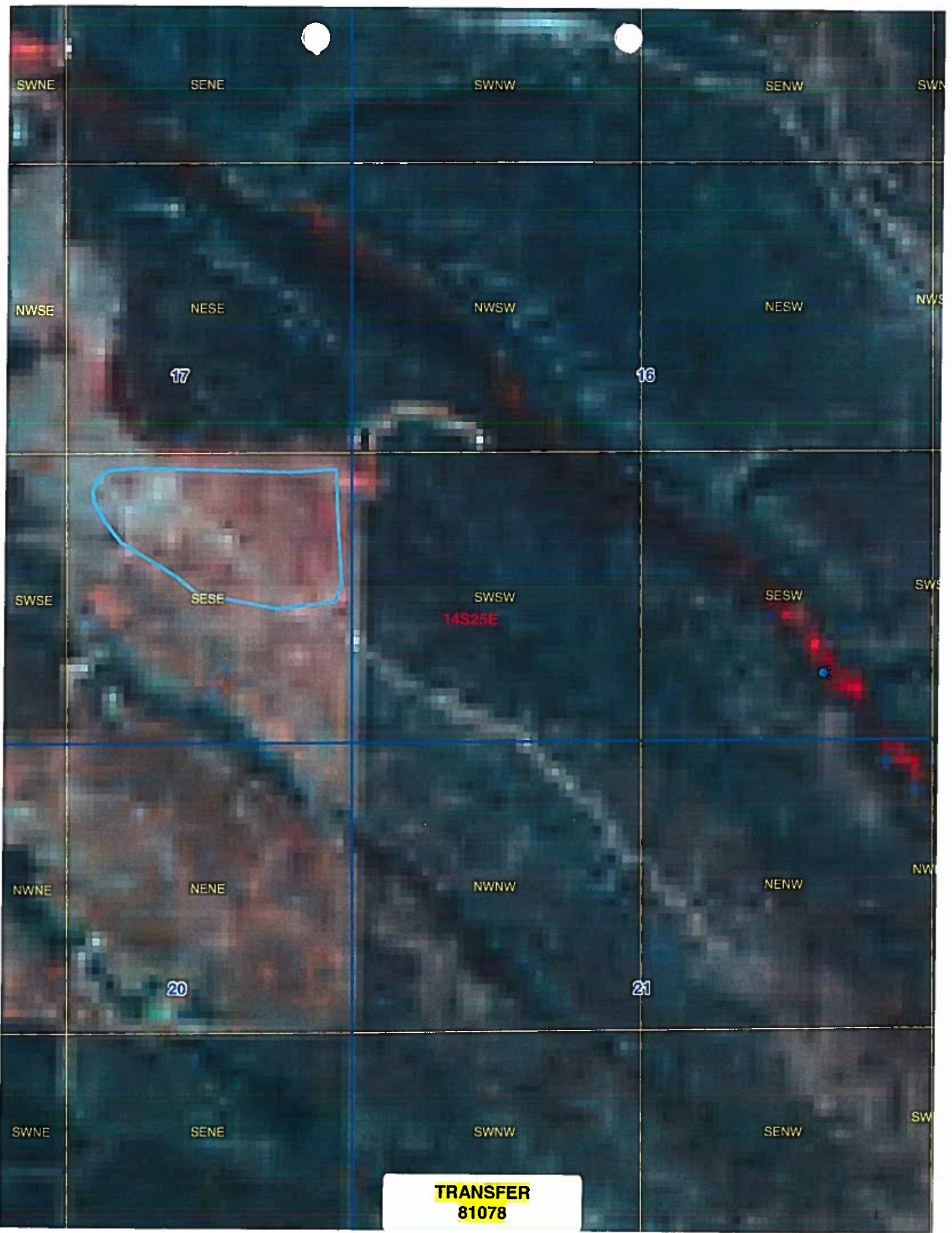
Prepared by:
Luke H. Marchant
06/08/2016

Attachment No. 7b
GIS Shapefile

**(Will be sent via email upon
request from IDWR)**



TRANSFER
81078



TRANSFER
81078

MEMORANDUM

TO: Sascha Marston
FROM: Benny Waller / Denise Maline 
DATE: August 15, 2016
RE : Refund (partial) of fees for Application for Transfer 81078

On July 18, 2016, Holden, Kidwell, Hahn & Crapo PLLC paid \$525.00 for an application for transfer (S035605). This included a \$25.00 change of ownership fee for removing the name of a deceased spouse from the water right. After further review, it was verified that the \$25.00 change of ownership fee is not required in this case. Please refer to the attached review memo dated August 8, 2016.

Please issue a refund in the amount of \$25.00 to:

HOLDEN KIDWELL HAHN & CRAPO PLLC
PO BOX 50130
IDAHO FALLS ID 83405-0130
(208) 523-0620

RECEIPT #

S035605, copy attached

Copy: transfer 81078

Receipt Details for ID S035605

Status	Adjustment Type	Version
		1

General Information:				
Date Received	Date Deposited	Region	Total Amount	Payment Type
7/18/2016 3:05:02 PM	7/18/2016 3:16:35 PM	SOUTHERN	\$525.00	Check
Payee:	HOLDEN KIDWELL HAHN & CRAPO PLLC			

Account Information	
Check Number	55032

Comment APPLICATION FOR TRANSFER FOR ARLO P LLOYD. 43-4132 (0.77 CFS)
INCLUDES CHANGE OF OWNERSHIP FEE

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$500.00	TRANSFERS	64106	0229	21		1155
\$25.00	OWNERSHIP CHANGES/SECURITY INTERESTS	64140	0229	21		1155

→ refund \$25- : No fee for removing spouse name due to death.

Refer to August 8, 2016 memo attached.



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 15, 2016

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

RE: Transfer No. 81078
Water Right No(s). 43-4132

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 untested 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

August 12, 2016

ARLO P LLOYD
2227 ELBA-ALMO RD
ELBA, ID 83342

RE: Transfer No. 81078
Water Right No(s). 43-4132

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 8/18/2016 and 8/25/2016**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**September 6, 2016**).

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

cc:

LUKE H MARCHANT
HOLDEN KIDWELL HAHN & CRAPO PLLC
PO BOX 50130
IDAHO FALLS, ID 83405-0130

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 30176

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	233.07
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	233.07
Fax			
Section	Legals	Start/End Dates	08/18/2016 - 08/25/2016
SubSection		Insertions	2
Category	50 Legal	Size	154
Ad Key	30176-1	Salesperson(s)	Ruby Aufderheide
Keywords	Transfer No. 80639-81053-81078	Taken By	Janet Cranney
Notes			

Ad Proof

**Proof of legal notice received
from Times News 8/11/2016.
(4 pages total)**



Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 30176

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 80639

EAST VALLEY CATTLE LLC, 471 N 300 W, JEROME, ID 83338; has filed Application No. 80639 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13449, 43-13451, 43-13452, 43-13453, 43-13455, 43-13457, 43-13459, 43-13461, 43-13463, 43-13491, 43-13493, 43-13495, 43-13497, 43-13499, 43-13501, 43-13503, 43-13505, 43-13507, 43-13509, 43-13511. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the nature of use, place of use (POU), points of diversion (POD), and period of use for a 1.75 cfs, 212.4 acre portion of irrigation water right 43-13452 which currently irrigates 329.4 acres within a 9204.0 acre permissible place of use located approximately 6.8 to 14.3 miles north and 2.5 to 8.4 miles east of Malta. The application proposes to change the nature of use and POU of these rights from irrigation during the irrigation season to year-round stockwater/commercial use at a CAFO located approximately 4.8 to 5.8 miles east and 7.5 to 8.5 miles north of Malta. The transfer proposes changing the POD for the converted portion from the currently authorized irrigation wells to eight wells to be associated with the CAFO facility. The transfer also proposes to add five existing points of diversion to the three currently authorized CAFO wells for the nineteen rights currently appurtenant to the CAFO. The twenty rights will allow for the total diversion of 4.61 cfs from eight authorized PODs for the CAFO facility.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 81053

D. JAY HARPER and JEANETTE W HARPER, 1926 S 2350 E, MALTA, ID 83342; has filed Application No. 81053 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13757, 43-13758, 43-13759, 43-13760, 43-13761, 43-13762. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing two ground water points of diversion located approximately 1.3 miles east and 5.0 miles south and 1.7 miles east and 5.4 miles south of Malta to two existing points of diversion located approximately 1.3 miles east and 4.0 miles south and 1.7 miles east and 4.5 miles south of Malta for three water rights used for the irrigation of 20 acres. In addition the application proposes to add an existing point of diversion for 11 rights from Raft River. The new authorized Raft River point of diversion is located approximately 1.2 miles east and 4.1 miles south of Malta. In total, the three ground water rights and 11 Raft River rights will allow for the diversion of up to 0.44 cfs for the irrigation of 20 acres.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 81078

ARLO P LLOYD, 2227 ELBA ALMO RD, ELBA, ID 83342; has filed Application No. 81078 for changes to the following water rights within CASSIA County(s): Right No(s). 43-4132. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change the place of use of a stockwater and irrigation right for 13.2 acres, from land located approximately 7.4 miles south and 9.3 miles west of Malta to land located approximately 7.1 miles south and 9.8 miles west of Malta. The existing point of diversion from Black Sand Hollow Creek, located approximately 7.95 miles south and 8.65 miles west of Malta will continue to divert 0.77 cfs of water for stockwater and the irrigation of 13.2 acres at the new place of use.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. 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 September 6, 2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

PUBLISH: August 18 and 25, 2016

"D" is the initial of Mr. Harper's first name. Not part of the transfer number

DM

✓ OK DM
B-12-2016
E-mail sent.

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 30176

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	233.07
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	233.07
Fax	.		
Section	Legals	Start/End Dates	08/18/2016 - 08/25/2016
SubSection		Insertions	2
Category	50 Legal	Size	154
Ad Key	30176-1	Salesperson(s)	Ruby Aufderheide
Keywords	Transfer No. 80639-81053-81078	Taken By	Janet Cranney
Notes			
Ad Proof			

✓ OK DM

Customer Ad Proof

60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 30176

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 80639

EAST VALLEY CATTLE LLC, 471 N 300 W, JEROME, ID 83338; has filed Application No. 80639 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13449, 43-13451, 43-13452, 43-13453, 43-13455, 43-13457, 43-13459, 43-13461, 43-13463, 43-13491, 43-13493, 43-13495, 43-13497, 43-13499, 43-13501, 43-13503, 43-13505, 43-13507, 43-13509, 43-13511. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the nature of use, place of use (POU), points of diversion (POD), and period of use for a 1.75 cfs, 212.4 acre portion of irrigation water right 43-13452 which currently irrigates 329.4 acres within a 9204.0 acre permissible place of use located approximately 6.8 to 14.3 miles north and 2.5 to 8.4 miles east of Malta. The application proposes to change the nature of use and POU of these rights from irrigation during the irrigation season to year-round stockwater/commercial use at a CAFO located approximately 4.8 to 5.8 miles east and 7.5 to 8.5 miles north of Malta. The transfer proposes changing the POD for the converted portion from the currently authorized irrigation wells to eight wells to be associated with the CAFO facility. The transfer also proposes to add five existing points of diversion to the three currently authorized CAFO wells for the nineteen rights currently appurtenant to the CAFO. The twenty rights will allow for the total diversion of 4.61 cfs from eight authorized PODs for the CAFO facility.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 81053

D. JAY HARPER and JEANETTE W HARPER, 1926 S 2350 E, MALTA, ID 83342; has filed Application No. 81053 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13757, 43-13758, 43-13759, 43-13760, 43-13761, 43-13762. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing two ground water points of diversion located approximately 1.3 miles east and 5.0 miles south and 1.7 miles east and 5.4 miles south of Malta to two existing points of diversion located approximately 1.3 miles east and 4.0 miles south and 1.7 miles east and 4.5 miles south of Malta for three water rights used for the irrigation of 20 acres. In addition the application proposes to add an existing point of diversion for 11 rights from Raft River. The new authorized Raft River point of diversion is located approximately 1.2 miles east and 4.1 miles south of Malta. In total, the three ground water rights and 11 Raft River rights will allow for the diversion of up to 0.44 cfs for the irrigation of 20 acres.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 81078

ARLO P LLOYD, 2227 ELBA ALMO RD, ELBA, ID 83342; has filed Application No. 81078 for changes to the following water rights within CASSIA County(s): Right No(s). 43-4132. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change the place of use of a stockwater and irrigation right for 13.2 acres, from land located approximately 7.4 miles south and 9.3 miles west of Malta to land located approximately 7.1 miles south and 9.8 miles west of Malta. The existing point of diversion from Black Sand Hollow Creek, located approximately 7.95 miles south and 8.65 miles west of Malta will continue to divert 0.77 cfs of water for stockwater and the irrigation of 13.2 acres at the new place of use.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. 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 September 6, 2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

PUBLISH: August 18 and 25, 2016

"D" is the initial of Mr. Harper's first name. Not part of the transfer number

DM

✓ OK DM

Maline, Denise

From: Maline, Denise
Sent: Thursday, August 11, 2016 3:21 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 August 18th & 25th, 2016. 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

August 11, 2016

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Transfer No. 80639

Water Right No(s): 43-13449, 43-13451, 43-13452, 43-13453, 43-13455, 43-13457, 43-13459,
43-13461, 43-13463, 43-13491, 43-13493, 43-13495, 43-13497, 43-13499, 43-13501, 43-13503,
43-13505, 43-13507, 43-13509, 43-13511

RE: Transfer No. 81053

Water Right No(s): 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755,
43-13756, 43-13757, 43-13758, 43-13759, 43-13760, 43-13761, 43-13762

RE: Transfer No. 81078

Water Right No(s): 43-4132

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 September 6, 2016. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80639**

EAST VALLEY CATTLE LLC, 471 N 300 W, JEROME, ID 83338; has filed Application No. 80639 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13449, 43-13451, 43-13452, 43-13453, 43-13455, 43-13457, 43-13459, 43-13461, 43-13463, 43-13491, 43-13493, 43-13495, 43-13497, 43-13499, 43-13501, 43-13503, 43-13505, 43-13507, 43-13509, 43-13511. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the nature of use, place of use (POU), points of diversion (POD), and period of use for a 1.75 cfs, 212.4 acre portion of irrigation water right 43-13452 which currently irrigates 329.4 acres within a 9204.0 acre permissible place of use located approximately 6.8 to 14.3 miles north and 2.5 to 8.4 miles east of Malta. The application proposes to change the nature of use and POU of these rights from irrigation during the irrigation season to year-round stockwater/commercial use at a CAFO located approximately 4.8 to 5.8 miles east and 7.5 to 8.5 miles north of Malta. The transfer proposes changing the POD for the converted portion from the currently authorized irrigation wells to eight wells to be associated with the CAFO facility. The transfer also proposes to add five existing points of diversion to the three currently authorized CAFO wells for the nineteen rights currently appurtenant to the CAFO. The twenty rights will allow for the total diversion of 4.61 cfs from eight authorized PODs for the CAFO facility.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81053**

D JAY HARPER and JEANETTE W HARPER, 1926 S 2350 E, MALTA, ID 83342; has filed Application No. 81053 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13749, 43-13750, 43-13751, 43-13752, 43-13753, 43-13754, 43-13755, 43-13756, 43-13757, 43-13758, 43-13759, 43-13760, 43-13761, 43-13762. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing two ground water points of diversion located approximately 1.3 miles east and 5.0 miles south and 1.7 miles east and 5.4 miles south of Malta to two existing points of diversion located approximately 1.3 miles east and 4.0 miles south and 1.7 miles east and 4.5 miles south of Malta for three water rights used for the irrigation of 20 acres. In addition the application proposes to add an existing point of diversion for 11 rights from Raft River. The new authorized Raft River point of diversion is located approximately 1.2 miles east and 4.1 miles south of Malta. In total, the three ground water rights and 11 Raft River rights will allow for the diversion of up to 0.44 cfs for the irrigation of 20 acres.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 81078**

ARLO P LLOYD, 2227 ELBA ALMO RD, ELBA, ID 83342; has filed Application No. 81078 for changes to the following water rights within CASSIA County(s): Right No(s). 43-4132. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change the place of use of a stockwater and irrigation right for 13.2 acres, from land located approximately 7.4 miles south and 9.3 miles west of Malta to land located approximately 7.1 miles south and 9.8 miles west of Malta. The existing point of diversion from Black Sand Hollow Creek, located approximately 7.95 miles south and 8.65 miles west of Malta will continue to divert 0.77 cfs of water for stockwater and the irrigation of 13.2 acres at the new place of use.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. 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 September 6, 2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on August 18th & 25th, 2016

M E M O R A N D U M

Date: August 8, 2016
To: Transfer # 81078 File
From: Benny Walker
Re: Evaluation of Sufficiency of Information Submitted

Application proposes to change the place of use of a stockwater and irrigation right for 13.2 acres, from land located approximately 7.4 miles south and 9.3 miles west of Malta to land located approximately 7.1 miles south and 9.8 miles west of Malta. The existing point of diversion from Black Sand Hollow Creek, located approximately 7.95 miles south and 8.65 miles west of Malta will continue to divert 0.77 cfs of water for stockwater and the irrigation of 13.2 acres at the new place of use. The ownership of water right 43-4132 will change to Arlo P. Lloyd, as a result of the death of Bonita T. Lloyd.

The point of diversion and the place of use are located within Water District 43C so watermaster comments will be requested.

- **Authority to File:**
The applicant is listed as the current owner of water rights involved with the transfer according to IDWR records. The application includes warranty deeds showing the applicant's ownership of the proposed place of use involved with the transfer. Arlo P. Lloyd is sole beneficiary of all properties by court Decree of Bonita T. Lloyd estate, copy included with the application.
- **Water Right Validity:**
Water right 43-14132 was decreed in 2003. 2016 satellite imagery indicates the 13.2 acres have been irrigated.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No negative impact anticipated. Application is subject to public notice and protest.
- **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

TO: Transfer # 81078 File

FROM: Benny Walker

DATE: August 8, 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, 0.77 cfs. The transfer fee schedule for a transfer involving 0.21-1.00 cfs indicates that the filing fee is \$500.00. The applicant's representative, Holden Kidwell Hahn & Crapo PLLC, submitted a fee of \$525.00 for this transfer which included \$25.00 for an ownership change (Receipt S035605). There is no charge for an ownership change due to the death of a co-owner. A refund of \$25.00 to the representative for overpayment for ownership change will be sought during the advertisement process.



Holden Kidwell
Hahn & Crapo P.L.L.C.
LAW OFFICES

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Idaho Falls, Idaho 83405

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Email: lmarchant@holdenlegal.com

July 15, 2016

RECEIVED

JUL 18 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

Idaho Department of Water Resources
Southern Regional Office
650 Addison Avenue West, Suite 500
Twin Falls, Idaho 83301-5858

RE: Application for Transfer for Water Right No. 43-4132

To Whom it May Concern:

Enclosed for processing is an *Application for Transfer* of Water Right No. 43-4132 in the name of Arlo P. Lloyd. This water right is currently in the name of Arlo P. Lloyd and Bonita T. Lloyd. Bonita is now deceased and along with the transfer we wish to change ownership from Arlo and Bonita to Arlo exclusively. We have attached a *Decree Vesting Estate in the Surviving Spouse* which should be adequate to change the ownership of the water right.

This is a straight forward transfer that seeks to change the place of use for Water Right No. 43-4132. The current place of use will no longer be irrigated. We have attached a GIS map showing the location of the point of diversion, as well as the current place of use and the proposed place of use. When you have begun processing this application, please contact us and we can send you the GIS shapefile for the proposed place of use via email.

If you have any questions regarding this application, do not hesitate contact me.

Best Regards,

Luke H. Marchant
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures