

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 80861

RECEIVED

APR 25 2016

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

DEPARTMENT OF
WATER RESOURCES

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) Eagle Valley Ranch LLCCheck whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.Yes ☒ N/A ☐ * Means the item is always required and must be included with the application.

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

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of Applicant(s) Eagle Valley Ranch LLC Phone 208-756-1510 office
917-208-0516 cell
 Mailing address 446 Bohannon Creek Road, Salmon, ID, 83467 Email eaglevalley1@centurytel.com
brackettmonoyios@gmail.com

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

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

☒ No Representative

Name of Representative _____ 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 Representative

Print Name and Title if applicable

Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
☐ Change nature of use
 ☐ Add diversion point(s)
☐ Change period of use
 ☒ Change place of use
☐ Other _____
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.

APPLICATION FOR TRANSFER OF WATER RIGHT 74-745

EAGLE VALLEY RANCH LLC

April 1, 2016

Attachment Part 1A.2

Background.

Eagle Valley Ranch LLC (EVR) has donated a conservation easement to The Lemhi Regional Land Trust and is working with Idaho Department of Fish and Game (IDFG) on a series of projects to improve fish habitat along a two mile stretch of the Lemhi River. If all of these projects are implemented, part of the 112 acres irrigated with two center pivots under Irrigation Right 74-745 will be claimed by new river channels created to provide fish habitat and other acreage will be set aside as a buffer for the riparian zone.

Water transfer proposal.

EVR proposes to change the point of diversion (POD) and place of use (POU) of Water Right 74-745 as follows (more fully described in Part 1B of this application):

The new point of diversion will be a concrete diversion box with a metered pump located in irrigation ditch L8-A which already has a lockable head-gate and fish screen. EVR has contacted water master Rick Sager, the main users of L8-A and IDFG fish screen department and has been assured that there will be no objection to the new POD. Water will be pumped from the new POD in new pipe installed entirely on EVR deeded ground to supply two new center pivots to irrigate 112 acres currently irrigated with water rights 74-143, 74-215, 74778, 74-779, 74-2348 and 74-15740. No other changes are contemplated except for a new POD and new POU for Water Right 74-745.

74-173 Not 143

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 ☒ ☐	74-745	3.36	Irrigation	3/15 to 11/15	Lemhi River
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 3.36 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 3.36 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 #
Yes		SE	SE	SE	29	21N	23E	Lemhi	Lemhi River	LB-A

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	
21N	23E	28					0.2	0.1	21	26.7	7.4	34.8	9.5						99.7
21N	23E	29				0.1									12.2				12.3

Total Acres (for irrigation use) 112

**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:

Concrete Diversion box with metered pump located in
US A Ditch which already has a lockable headgate
and IRFG fish screen.

- b. Who owns the property at the point(s) of diversion? Eagle Valley Ranch LLC
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?

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: No liens or mortgages exist on EVR lands -
There are two conservation easements with LRLT.

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:

Part of the lands currently irrigated with WR 74-745
will be dedicated to a new Lemhi River restoration project.
The balance will be planted with dry land grasses and grazed.

- 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:

74-173, 74-215, 74-778, 74-779, 74-2348, 74-15740

- 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:

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

- 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)

- ### C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- 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 _____ pages and _____ attachments.

Received by Jack Date 4-25-16 Preliminary check by _____ Date _____

Fee paid 740.00 Date 4-25-16 Received by Jmk Receipt # C101912

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)

No. W 23808	Due no later than Apr 30, 2015 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.		STEPHEN E MARTIN 425 S HOLMES AVE IDAHO FALLS 83401
	EAGLE VALLEY RANCH, LLC SCOTT P ESKELSON 425 S HOLMES AVE IDAHO FALLS ID 83401		3. <u>New</u> Registered Agent Signature:*
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.			
Office Held	Name	Street or PO Address	City State Country Postal Code
MANAGER	NIKOLAOS D MONOYIOS	6 STEWART RD	SHORT HILLS NJ 07078-1922
MANAGER	VALERIE A BRACKETT	6 STEWART RD	SHORT HILLS NJ 07078-1922
5. Organized Under the Laws of: ID W 23808		6. Annual Report must be signed.* Signature: Scott P. Eskelson Date: 03/04/2015 Name (type or print): Scott P. Eskelson Title: Attorney	
Processed 03/04/2015		* Electronically provided signatures are accepted as original signatures.	

**OPERATING AGREEMENT
OF
EAGLE VALLEY RANCH, LLC**

This Operating Agreement of Eagle Valley Ranch, LLC, an Idaho limited liability company organized pursuant to the Idaho Limited Liability Company Act, ("the Company") is entered into and shall be effective as of the Effective Date (hereinafter defined), by and among the Company (hereinafter defined) and the persons executing this Agreement as Members (hereinafter defined).

ARTICLE 1 - DEFINITIONS

For purposes of this Operating Agreement (as defined below), unless the context clearly indicates otherwise, the following terms shall have the following meanings:

1-1 Act. The Idaho Limited Liability Company Act and all amendments to the Act.

1-2 Additional Member. A Member other than an Initial Member or a Substitute Member who has acquired a Membership Interest from the Company.

1-3 Affiliate. When used with reference to a specified Person, (i) any Person that directly or indirectly controls or is controlled by or is under common control with the specified Person or (ii) any Person that is an officer of, partner in or trustee of, or serves in a similar capacity with respect to, the specified Person or of which the specified Person is an officer, partner or trustee, or with respect to which the specified Person serves in a similar capacity.

1-4 Agreement Price. Shall have the meaning provided in Article 11.

1-5 Agreement Terms. Shall have the meaning provided in Article 11.

1-6 Articles. The Articles of Organization of the Company as properly adopted and amended from time to time by the Members and filed with the Secretary of State.

5-7 No Rights of Redemption or Return of Contribution. No Person has a right to have Units redeemed or a contribution returned prior to the termination of the Company, even if the Person dissociates prior to termination of the Company. Even at termination, the right to the return of a contribution or to redemption is subject to the terms of this Agreement.

ARTICLE 6 - MANAGEMENT; RIGHTS AND DUTIES OF MEMBERS

6-1 Manager. The ordinary and usual decisions concerning the business affairs of the Company shall be made by the Manager. The Manager shall be appointed by the Members and shall not have any contractual right to such position. The initial Managers shall be Nikolaos D. Monoyios and Valerie A. Brackett. Each shall act as Manager until the sooner of his or her resignation, removal, or the election of his or her successor.

6-2 Duties of Managers. The Managers shall be responsible for managing the day-to-day business and affairs of the Company. The Managers shall be authorized for and on behalf of and in the name of the Company to sign all documents and to make all expenditures and incur all obligations reasonably necessary for the management of the day-to-day business and affairs of the Company. The Manager(s) may designate one or more persons to act on behalf of the Company in certain specified, ministerial matters; provided that each specified matter alone, and all such matters together, shall not result in or be construed as vesting management of the Company in such person, which management responsibility and authority shall remain vested in the Managers. Rather, such designations shall be limited to ministerial matters or to ministerial aspects of specific transactions or functions, and shall be reflected in the records of the Company maintained as a writing prepared pursuant to a requirement of this Operating Agreement. Either Manager shall have authority to act on behalf of the Company and execute any agreement or instrument on behalf of the Company.

6-3 Indemnification of Managers. The Company shall indemnify and hold harmless the Managers from and against any loss, claim, expense, damage, or injury suffered or sustained by the Managers by reason of any actual or alleged act or omission arising out of the Managers' activities on behalf of the Company (including any judgment, award or settlement, and any related reasonable attorneys' fees and other costs or expenses) but only if the conduct of the Managers to be indemnified does not constitute gross negligence, fraud, intentional wrongdoing, criminal misconduct involving moral turpitude, and if the Managers acted in good faith and in a manner the Managers reasonably believed to be in, or not opposed to, the best interests of the Company and, in

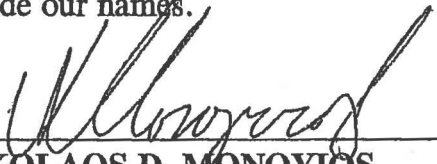
16-11 Rights and Remedies Cumulative. The rights and remedies provided by this Operating Agreement are cumulative and the use of any one right or remedy by any party shall not preclude or waive the right to use any or all other remedies. Said rights and remedies are given in addition to any other rights the parties may have by law, statute, ordinance or otherwise.

16-12 Severability. If any provision of this Operating Agreement or the application thereof to any person or circumstance shall be invalid, illegal or unenforceable to any extent, the remainder of this Operating Agreement and the application thereof shall not be affected and shall be enforceable to the fullest extent permitted by law.

16-13 Heirs, Successors and Assigns. Each and all of the covenants, terms, provisions and agreements herein contained shall be binding upon and inure to the benefit of the parties hereto and, to the extent permitted by this Operating Agreement, their respective heirs, legal representatives, successors and assigns.

16-14 Counterparts. This Operating Agreement may be executed in counterparts, each of which shall be deemed an original but all of which shall constitute one and the same instrument.

IN WITNESS WHEREOF, we have hereunto set our hands on the date set forth beside our names.



NIKOLAOS D. MONOYIOS

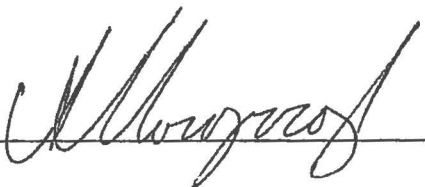
Dated: 4/11/03



VALERIE A. BRACKETT

Dated: 4/11/03

EAGLE VALLEY RANCH, LLC

By: 

Dated: 4/11/03

NIKOLAOS D. MONOYIOS,
Manager

By: 
VALERIE A. BRACKETT,
Manager

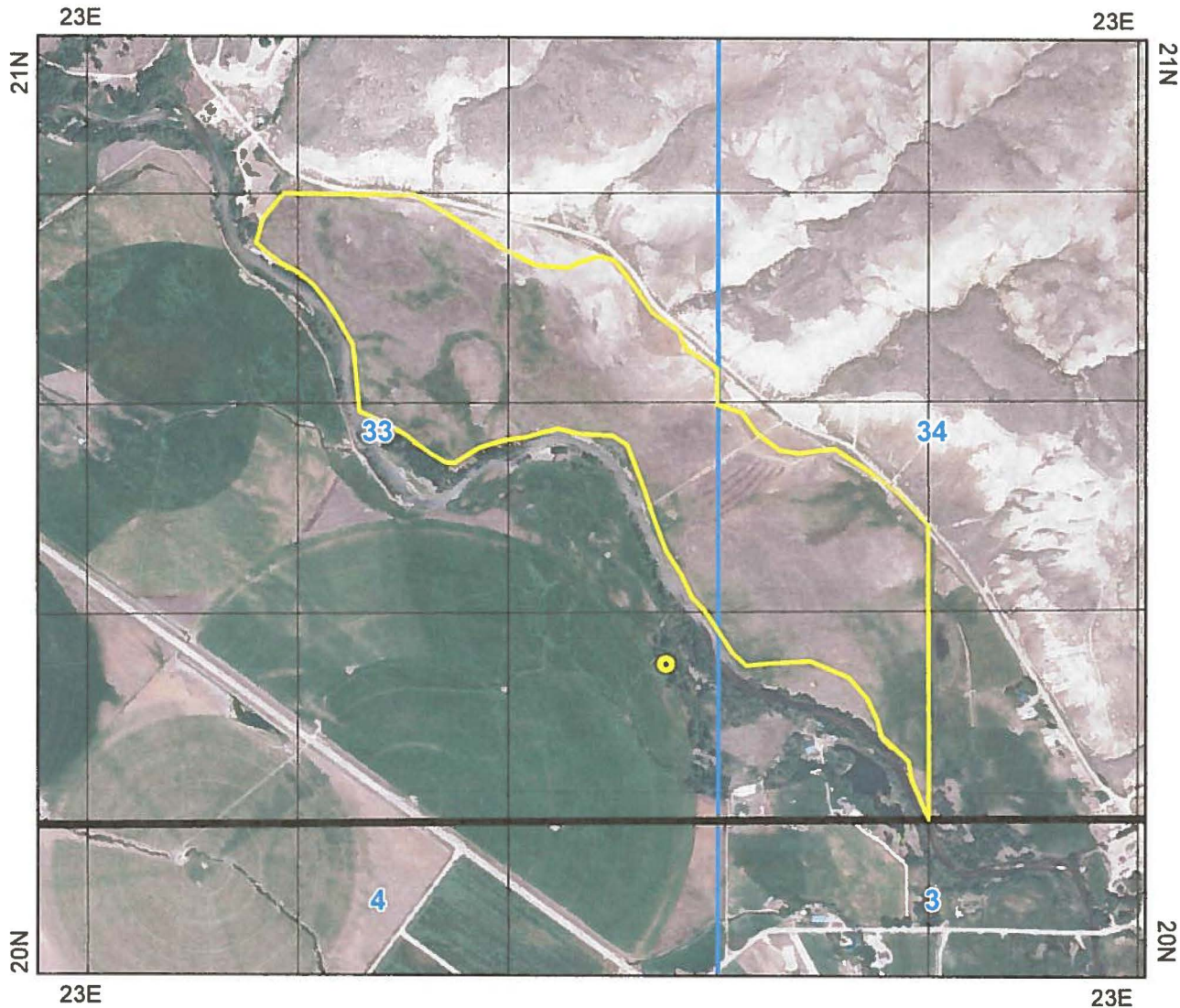
Dated: 4/11/03

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State of Idaho
Department of Water Resources**Water Right
74-745**

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



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

0 0.125 0.25 0.5 Miles



Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

3/31/2016

WATER RIGHT NO. 74-745

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EAGLE VALLEY RANCH LLC 446 BOHANNON CREEK RD SALMON, ID 83467 (208) 756-1510
Original Owner	E P REESE
Original Owner	ELEANOR REESE RT 1 SALMON, ID 83467

Priority Date: 06/01/1880
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
LEMHI RIVER	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	3.36 CFS	392 AFA
Total Diversion			3.36 CFS	

Location of Point(s) of Diversion:

LEMHI RIVER|NESESE|Sec. 33|Township 21N|Range 23E|LEMHI County

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI 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>
21N	23E	33		SWNE	30.5		SENE	20						
				SENE	0.7									
				NESE	15.7		NWSE	4.9						
		34		NWSW	23.1		SWSW	17.1						

Total Acres: 112

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 74, Lemhi River.
3. 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.
4. R59 This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Dates:

Licensed Date:

Decreed Date: 11/05/2007

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:

Water District Number:

Generic Max Rate per Acre: 0.03

Generic Max Volume per Acre: 3.5

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: True

Close

SITE PLAN (LEMHI WATER)

STA. 17+00
PIVOT POINT #1
ELEVATION 4407'
END Ø6" 100 PSI

STA. 0+00
PUMPING PLANT(half)
ELEVATION 4280'
BEGIN Ø6" 160 PSI
TDH = 230 FT
Q=326
25 HP @ 76% EFF.

STA. 0+00
PUMPING PLANT(full)
ELEVATION 4280'
BEGIN Ø8" 200 PSI
TDH = 310 FT
Q=400
40 HP @ 78% EFF.

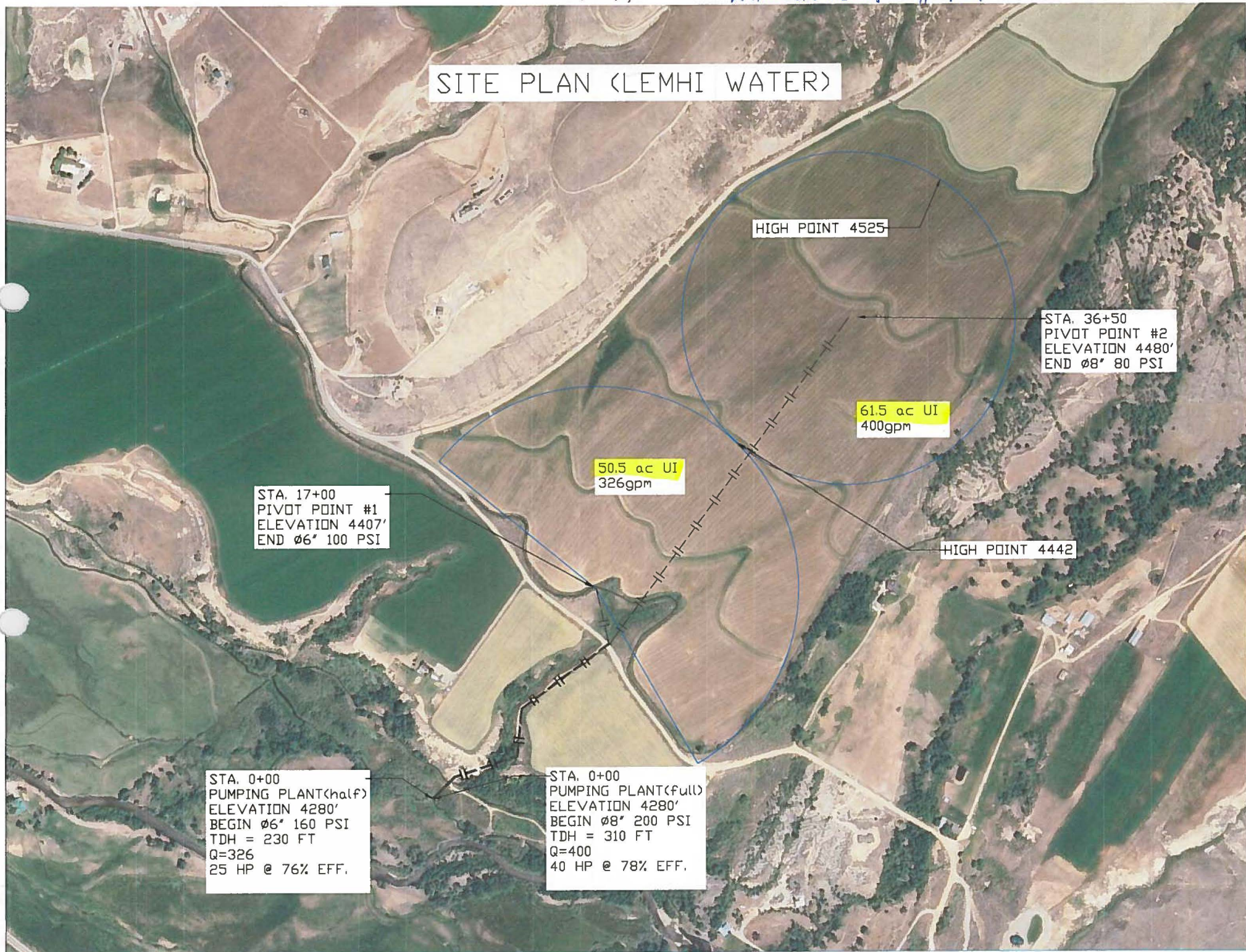
50.5 ac UI
326gpm

HIGH POINT 4525

61.5 ac UI
400gpm

STA. 36+50
PIVOT POINT #2
ELEVATION 4480'
END Ø8" 80 PSI

HIGH POINT 4442





105 South Center Street • P.O. Box 871 • Salmon, Idaho 83467
(208)756-8879
www.lemhilandtrust.org

March 30, 2016

To Whom It May Concern:

Lemhi Regional Land Trust (LRLT) holds two conservation easements on property owned by Eagle Valley Ranch LLC and has been notified of their application to transfer the point of diversion and change the place of use for water right 74-745. LRLT agrees with and supports the changes proposed within the application for transfer submitted by Eagle Valley Ranch.

Sincerely,

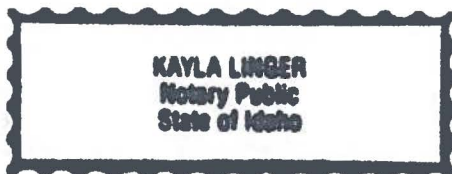

Kristin Troy
Executive Director
Lemhi Regional Land Trust

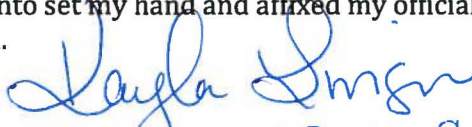
STATE OF Idaho)
) ss.
County of Lemhi)

On the 30th day of March, 2016, before me, the undersigned, a Notary Public, in and for the State of Idaho, personally appeared Kristin Troy, known or identified to me to be the Executive Director of the LEMHI REGIONAL LAND TRUST, INC., the corporation that executed the foregoing instrument, or the persons who executed the foregoing instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(seal)




Notary Public for US Bank - Salmon ID

Residing at: Salmon ID

My commission expires: January 21, 2020

Board of Directors:

Merrill Beyeler, Chairman – Katie Hoffman – Kyra Povirk – Tom McFarland – Mike Overacker
Shane Rosenkrance – Bob Russell – Ken Hill

Eagle Valley Ranch LLC

Water Right Number
74-745

Water usage for 2 wheel pivots that irrigate
112 acres for summer of 2015 irrigation seasons.
This ground raise spring triticals for hay as well
as pasture for cattle on & off this summer.

Dates on

Date off.

9 June

16 June.

22 June

26 June.

6 July

8 July

30 July

2 August

5 August.

9 August.

17 August

20 August.

Hersley, Jean

From: Hersley, Jean
Sent: Wednesday, May 11, 2016 8:54 AM
To: Yenter, Cindy; Clark, Cynthia (Bridge)
Subject: Applications for permit and Transfers

Applications for Permit 73-12256, 75-14819, 75-14820, 75-14838, 75-14839, 75-14840 and 75-14841 and Transfers 80850 and 80861 have been sent for advertising. The documents will be scanned and available for review by the end of the day. Please submit any comments or concerns you may have by June 6, 2016.

Cynthia, if the IWRB would like to protest any of these applications, the protest end date is also June 6, 2016.

Please let me know if you have any questions. Thank you.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*

Hersley, Jean

From: Hersley, Jean
Sent: Wednesday, May 11, 2016 8:38 AM
To: 'mike.edmondson@osc.idaho.gov'
Subject: Transfer No. 80861 in the name of Eagle Valley Ranch LLC

Dear Interested Party:

The Department of Water Resources is notifying you of an application for transfer that may be of interest to you. A full description concerning property location may be found at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

If you desire to file a formal protest against approval of the application, a written protest along with the \$25 protest fee for each application protested must be received by June 6, 2016.

Please contact this office at (208) 287-4800 if you have any questions regarding the application.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 11, 2016

JERRY ELZINGA
WATER DISTRICT #74C
700 MONROE
SALMON ID 83467

RE: Transfer No. 80861 in the name of Eagle Valley Ranch LLC

Dear Watermaster:

The Department of Water Resources is seeking written comment and/or recommendations from you regarding the above referenced water right application for permit. You can find copies of the application at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form 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 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,

Jean Hersley
Technical Records Specialist

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 11, 2016

RICK SAGER
WATER DISTRICT #74
985 HWY 28
SALMON ID 83467

RE: Transfer No. 80850 in the name of William and Michelle Young
Transfer No. 80861 in the name of Eagle Valley Ranch LLC

Dear Watermaster:

The Department of Water Resources is seeking written comment and/or recommendations from you regarding the above referenced water right application for permit. You can find copies of the application at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form 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 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,


Jean Hersley
Technical Records Specialist

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 11, 2016

IDAHO DEPARTMENT OF FISH & GAME
ATTN: TOM BASSISTA
4279 COMMERCE WAY
IDAHO FALLS ID 83401

RE: Application for Permit No.: 75-14819, 75-14820 and Transfer No. 80850 (74-7363) & 80861 (74-745)

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right applications for permit and transfers. You can find copies of the applications at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

This office can publish notice of the applications and transfers as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jean Hersley', written in a cursive style.

Jean Hersley
Technical Records Specialist II

Enclosure(s)

c: Dept of Fish & Game- Salmon office



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 11, 2016

IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY
900 NORTH SKYLINE SUITE B
IDAHO FALLS, ID 83402

RE: Application for Permit No.: 73-12256, 75-14819, 75-14820, 75-14838, 75-14839, 75-14840 and 75-14841
and Transfer No. 80850 (74-7363) & 80861 (74-745)

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right transfers and applications for permit. You can find copies of the applications at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

This office can publish notice of the applications and transfers as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of these applications, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 10, 2016

EAGLE VALLEY RANCH LLC
446 BOHANNON CREEK RD
SALMON, ID 83467

RE: Transfer No. 80861
Water Right No(s). 74-745

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 RECORDER HERALD on 5/19/2016 and 5/26/2016. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Jean Hersley
Technical Records Specialist

Hersley, Jean

From: Hersley, Jean
Sent: Wednesday, May 11, 2016 7:49 AM
To: rhlegals@custertel.net
Subject: Legal Notices

A COPY WILL BE FAXED TO YOU ALSO. Thank you. Jean
May 11, 2016

208-756-2222 Page 1

Legal Notice Department

Recorder Herald
PO Box 310
Salmon ID 83467

RE: Legal Ad for your paper

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper 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, PO Box 83720, Boise, Idaho, 83720-0098 before June 6, 2016. Your cooperation is appreciated.

Sincerely

Jean Hersley
Technical Records Specialist II
IDWR State Office
322 E Front St
Boise ID 83720
208-287-4942
jean.hersley@idwr.idaho.gov

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

73-12256
STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE, ID 83707
Point of Diversion NESW S35 T14N R22E LEMHI County
Source PAHSIMEROI RIVER Tributary SALMON RIVER
Use: FISH PROPAGATION
04/01 to 10/31
0.8 CFS
Total Diversion:
0.8 CFS
Date Filed: 3/28/2016
Place Of Use: FISH PROPAGATION
T14N R22E S35 NESW

This application proposes the diversion and use of water from a tributary of the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for non-consumptive fish propagation purposes.

75-14819
DAHLES RED E MIX INC
522 S RIVER ST

SALMON, ID 83467

Point of Diversion L4(SWSW) S7 T20N R22E LEMHI County

Source GROUND WATER

Point of Diversion L4(SWSW) S7 T20N R22E LEMHI County

Source GROUND WATER

Use: AESTHETIC STORAGE

01/01 to 12/31

80.8 AF

Use: INDUSTRIAL

01/01 to 12/31

1 CFS

Use: IRRIGATION

04/01 to 10/31

0.07 CFS

Total Diversion:

1.07 CFS

80.8 AF

Date Filed: 2/8/2016

Place Of Use: INDUSTRIAL, AESTHETIC STORAGE, IRRIGATION

T20N R22E S7 L4(SWSW)

T20N R22E S18 L4(NWNW)

Total Acres: 1.4

This application proposes the diversion and use of water from ground water tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate and acres will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

75-14820

DAHLES RED E MIX INC

522 S RIVER ST

SALMON, ID 83467

Point of Diversion L1(NWNE) L6(SWNE) L6(SENE) L1(NENE) S31 T23N R22E LEMHI County

Source GROUND WATER

Use: AESTHETIC STORAGE

01/01 to 12/31

607.1 AF

Use: INDUSTRIAL

01/01 to 12/31

1 CFS

Use: IRRIGATION

04/01 to 10/31

0.1 CFS

Total Diversion:

1.1 CFS

607.1 AF

Date Filed: 4/13/2016

Place Of Use: INDUSTRIAL, AESTHETIC STORAGE IRRIGATION

T23N R22E S31 L1(NENE) L1(NWNE) L6(SWNE) L6(SENE)

Total Acres: 2

This application proposes the diversion and use of water from ground water tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate and acres will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

75-14838

STATE OF IDAHO

DEPT OF FISH & GAME

PO BOX 25

BOISE, ID 83707

Point of Diversion L1(NWNW) S7 T18N R21E LEMHI County

Source IRON CREEK Tributary SALMON RIVER

Use: FISH PROPAGATION

03/15 to 10/31

0.8 CFS

Total Diversion:

0.8 CFS

Date Filed: 3/28/2016

Place Of Use: FISH PROPAGATION

T18N R21E S7 L1(NWNW)

This application proposes the diversion and use of water from a tributary of the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for non-consumptive fish propagation purposes.

75-14839

STATE OF IDAHO

DEPT OF FISH & GAME

PO BOX 25

BOISE, ID 83707

Point of Diversion SWSE S1 T18N R20E LEMHI County

Source IRON CREEK Tributary SALMON RIVER

Use: FISH PROPAGATION

04/01 to 10/31

0.8 CFS

Total Diversion:

0.8 CFS

Date Filed: 3/28/2016

Place Of Use: FISH PROPAGATION

T18N R20E S1 SWSE

This application proposes the diversion and use of water from a tributary of the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for non-consumptive fish propagation purposes.

75-14840

STATE OF IDAHO

DEPT OF FISH & GAME

PO BOX 25

BOISE, ID 83707

Point of Diversion NESW S1 T18N R20E LEMHI County

Source IRON CREEK Tributary SALMON RIVER

Use: FISH PROPAGATION

04/01 to 10/31

0.8 CFS

Total Diversion:

0.8 CFS

Date Filed: 3/28/2016

Place Of Use: FISH PROPAGATION

T18N R20E S1 NESW

This application proposes the diversion and use of water from a tributary of the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for non-consumptive fish propagation purposes.

75-14841

STATE OF IDAHO

DEPT OF FISH & GAME

PO BOX 25

BOISE, ID 83707

Point of Diversion NENW S23 T18N R21E LEMHI County

Source POISON CREEK Tributary SALMON RIVER

Use: FISH PROPAGATION

04/01 to 10/31

0.8 CFS

Total Diversion:

0.8 CFS

Date Filed: 3/28/2016

Place Of Use: FISH PROPAGATION

T18N R21E S23 NENW

This application proposes the diversion and use of water from a tributary of the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for non-consumptive fish propagation purposes.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the State office at (208) 287-4800; or for a full description of the right(s), please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, State Office, 322 E Front St, PO Box 83720, Boise, ID 83720 together with a protest fee of \$25.00 for each application on or before 6/6/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/19/2016 and 5/26/2016

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80850**

MICHELLE M YOUNG and WILLIAM YOUNG, PO BOX 98, HOPE, ID 83836-0098; has filed Application No. 80850 for changes to the following water rights within LEMHI County(s): Right No(s). 74-7363; 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 change the POD to a location 1/4 mile upstream on Meadow Creek.

TRANSFER NO. 80861

EAGLE VALLEY RANCH LLC, 446 BOHANNON CREEK RD, SALMON, ID 83467; has filed Application No. 80861 for changes to the following water rights within LEMHI County(s): Right No(s). 74-745; 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 on right 74-745 proposes to change the point of diversion to LA-8 and the place of use to another Eagle Valley Ranch field.

For additional information concerning the property location, contact IDWR State office at (208) 287-4800; or for a full description of the transfer, please see <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm> 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, 322 E Front St, PO Box 83720, Boise ID 83720-0098 together with a protest fee of \$25.00 for each application on or before 6/6/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/19/2016 and 5/26/2016

MEMORANDUM

Date: May 6, 2016
To: Transfer 80861
From: Michele Edl
Re: phone coversation-additional information

Earlier today Mr. Nikolaos Monoyios responded to my voice and email messages.

Eagle Valley Ranch does not have plans at this time to make changes to the existing rights which are currently on the proposed POU. I tried to explain that one consequence of this transfer may be that all of the rights would be stacked on each other. I don't think he understood the full ramification.

Mr. Monoyios explained that the activity proposed by this transfer is part of the second phase of a large Lemhi River restoration project.

Funding for the changes that Eagle Valey Ranch has proposed in this transfer are in flux and depend upon approval of this transfer. Eagle Valley Ranch is not making plans to dismantle the former POD either and for the same reason that they are not making plans to move the POU's existing rights. They'll want to use them all as they were before the transfer, if funding for the changes falls through.

I asked Mr. Monoyios if he could accomplish all of the proposed changes in one year or would he need additional time. He hadn't known that he could ask for more time. He was very grateful to be offered a longer timeline and asked for 3 years.

We briefly discussed the next step in the transfer process. When I explained that other agencies would be notified of this transfer, he requested that we also send notification to Mr. Mike Edmondson in the Idaho Governor's Office of Species Conservation. mike.edmondson@osc.idaho.gov

Edl, Michele

From: brackettmonoyios@gmail.com
Sent: Wednesday, May 04, 2016 7:28 PM
To: Edl, Michele
Cc: Mike Kossler; Nikolaos D Monoyios
Subject: Re: Transfer 80861

Michelle,

I got your message late in the day and will return your call tomorrow.

Thank you very much,

Nikos Monoyios

Sent from my iPhone

On May 4, 2016, at 3:54 PM, Edl, Michele <Michele.Edl@idwr.idaho.gov> wrote:

This is another attempt to contact you.

I must have typed your email address incorrectly because my message was returned to me.

From: Edl, Michele
Sent: Wednesday, May 04, 2016 3:45 PM
To: 'eaglevalley1@centurytel.com'
Subject: Transfer 80861

Mr. Monoyios,

I left a voice message on the Eagle Valley Ranch phone a few minutes ago. This email message is intended to be a back-up to that message.

I have been assigned to process a transfer proposal which is acting on one of EVR's water rights (74-745) which diverts from the Lemhi River.

If I understand the proposal correctly, the right will be moved and used on other property owned by Eagle Valley Ranch. That property appears to already have several water rights from several sources.

Does Eagle Valley Ranch intend to move any of those water rights off of that property, or will all of the rights, including 74-745 be used together on the 214-acre field?

Will the former point of diversion for 74-745 be abandoned?

Michele Edl
IDWR state office
Boise ID
208-287-4946

MEMORANDUM

Date: May 6, 2016
To: Transfer 80861
From: Michele Edl
Re: Review & Evaluation of Sufficiency of Information

Authority to File: According to available Lemhi County taxlot information, the proposed POU is land owned by Eagle Valley Ranch LLC. and is the authorized POU for other EVR WRs# 74-173, 74-215, 74-778, 74-779, 74-2348 and 74-15740.

Water right 74-745 is in the name of Eagle Valley Ranch LLC. ISOS lists Eagle Valley Ranch, LLC as #W 23808 with an Idaho Falls ID address.

The application package included a copy of the Operating Agreement of Eagle Valley Ranch, LLC which gives managers the authority to act on behalf of the company. Nikolaos D Monoyios is listed as a manager and he signed the application.

Both the current POD and the proposed POD (L8-A) are on lands which are owned by Eagle Valley Ranch LLC.

Water Right Validity: Amended SRBA decree for 74-745 was issued Nunc Pro Tunc on August 15, 2014. The original decree date was November 5, 2007.

A review of aerial photography from the period after the decree was inconclusive. The file contains: copies of 2011 and 2012 agreements with the IWRB not to divert for several days during each of those years and a summary of the pasture use from 2007-2014. But those documents do not confirm irrigation use.

Photos of the pivots in operation were submitted in September 2014 and diversion information from 2015 season was submitted as an attachment to the application. Therefore, forfeiture is not an issue.

Injury to Other Water Rights: No injury is apparent. The current POD is dedicated solely to water right 74-745. The proposed POD is an existing diversion from the Lemhi River known locally as L8-A. L8-A is approximately 1.5 miles downstream on the Lemhi River from the current POD. It is the authorized POD for 37 water rights. Only two of them are senior to 74-745.

Water right 74-745 is within the Wild & Scenic Watershed for the Salmon River and the watershed for the minimum streamflow right 74-14993. As a consequence, this application will be subject to scrutiny by other agencies.

Enlargement of Use: No enlargement is anticipated. The proposed POU is a pivot and half-pivot within the permissible-place-of-use for several of EVR's water rights. 74-745 will be stacked with the existing rights and the existing rights will be brought into the transfer as associated rights in order to update their combined use conditions.

The transfer approval will limit the rights to the standard diversion rate and volume for the area and the rights will be under watermaster control

Local Public interest: Review staff has no information to suggest that this application is inconsistent with the local public interest. To the contrary, IWRB Water Transactions programs are constructing a pipeline and pumping station to convey water right 74-745 from the proposed new POD to the proposed POU.

The former POU will no longer receive water from this right or any water right. Instead, Eagle Valley Ranch LLC will donate a portion of the former POU lands to a Lemhi River restoration project. EVR will

continue to own the remaining portion of the former POU but will plant it with dry-land grasses.

In addition, The Lemhi Regional Land Trust holds two conservation easements on the former POU land. They have submitted a letter of support for the transfer.

Beneficial Use/Conservation of Water Resources: The transfer appears consistent with the conservation of water resources in Idaho.

Effect on Economy the Local Area: No negative effect is anticipated.

Effect on Agricultural Base of the Local Area: No negative effect is 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.