

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 80037**

This is to certify that: **DOUBLE EAGLE PROPERTIES LLLP**
3173 N 4900 E
MURTAUGH, ID 83344

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

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
45-10107	WR/DECREED	6/30/1985	1.050 cfs	N/A	52.6	302.2	GROUND WATER
45-2075	WR/DECREED	2/2/1910	0.800 cfs	N/A	40.0	302.2	DRY CREEK
45-2176	WR/DECREED	10/11/1929	1.430 cfs	285.0 af	71.3	302.2	GROUND WATER
45-2220	WR/DECREED	5/10/1946	1.660 cfs	570.0 af	142.6	302.2	GROUND WATER
45-2408	WR/DECREED	2/20/1952	1.180 cfs	574.1 af	214.0	302.2	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>PQU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
45-10107	NO	NO	YES	NO	NO	NO
45-2075	NO	NO	YES	NO	NO	NO
45-2176	NO	NO	YES	NO	NO	NO
45-2220	NO	NO	YES	NO	NO	NO
45-2408	NO	NO	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
45-10107	45-10107	1.050 cfs	N/A	52.6	302.0	N/A	N/A	N/A	N/A	N/A
45-2075	45-2075	0.800 cfs	N/A	40.0	302.0	N/A	N/A	N/A	N/A	N/A
45-2176	45-2176	1.430 cfs	285.0 af	71.3	302.0	N/A	N/A	N/A	N/A	N/A
45-2220	45-2220	1.660 cfs	570.0 af	142.6	302.0	N/A	N/A	N/A	N/A	N/A
45-2408	45-2408	1.180 cfs	574.1 af	214.0	302.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		5.060 cfs	998.0 af	302.0	302.0		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # 45-2075

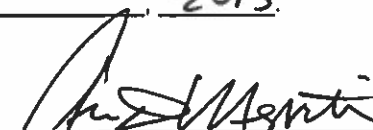
Transfer No. 80037

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80037

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

Dated this 9th day of July, 2015.


Southern Region Manager



WATER RIGHT NO. 45-2176**As Modified by Transfer No. 80037**

In accordance with the approval of Transfer No. 80037, Water Right No. 45-2176 is now described as follows:

Right Holder: DOUBLE EAGLE PROPERTIES LLLP
3173 N 4900 E
MURTAUGH, ID 83344

Priority Date: 10/11/1929

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
1.430 cfs
1.430 cfs

Diversion Volume
285.0 af
285.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENWSE	Sec 5	Twp 12S Rge 20E	CASSIA County
GROUND WATER	SWNWSE	Sec 6	Twp 12S Rge 20E	CASSIA County
GROUND WATER	SESESE	Sec 6	Twp 12S Rge 20E	CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	6	38.0	39.0	39.0	39.0				30.0	11.0				39.0	39.0		28.0	302.0
			L 1	L 2															

Right Acre Limit: 71.3

POU Total Acres: 302.0

CONDITIONS OF APPROVAL

1. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
2. Right No. 45-10107 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 140.
4. This right is limited to the irrigation of 71.3 acres within the authorized place of use in a single irrigation season.
5. Rights 45-2176, 45-2220, 45-2408 and 45-10107 when combined shall not exceed a total diversion rate of 4.26 cfs, a total annual maximum diversion volume of 998 af at the field headgate, and the irrigation of 302.0 acres.

Transfer No. 80037

WATER RIGHT NO. 45-2176
As Modified by Transfer No. 80037

CONDITIONS OF APPROVAL

6. Rights 45-2075, 45-2176, 45-2220, 45-2408 and 45-10107 when combined shall not exceed a total diversion rate of 5.06 cfs and the irrigation of 302.0 acres.
7. 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 diversions.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 45-2220**As Modified by Transfer No. 80037**

In accordance with the approval of Transfer No. 80037, Water Right No. 45-2220 is now described as follows:

Right Holder: DOUBLE EAGLE PROPERTIES LLLP
3173 N 4900 E
MURTAUGH, ID 83344

Priority Date: 5/10/1946

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
1.660 cfs
1.660 cfs

Diversion Volume
570.0 af
570.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENWSE Sec 5 Twp 12S Rge 20E CASSIA County
GROUND WATER SWNWSE Sec 6 Twp 12S Rge 20E CASSIA County
GROUND WATER SESESE Sec 6 Twp 12S Rge 20E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	6	38.0	39.0	39.0	39.0				30.0	11.0				39.0	39.0		28.0	302.0
			L1	L2															

Right Acre Limit: 142.6

POU Total Acres: 302.0

CONDITIONS OF APPROVAL

1. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
2. Right No. 45-10107 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 140.
4. This right is limited to the irrigation of 142.6 acres within the authorized place of use in a single irrigation season.
5. Rights 45-2176, 45-2220, 45-2408 and 45-10107 when combined shall not exceed a total diversion rate of 4.26 cfs, a total annual maximum diversion volume of 998af at the field headgate, and the irrigation of 302.0 acres.

Transfer No. 80037

WATER RIGHT NO. 45-2220
As Modified by Transfer No. 80037

CONDITIONS OF APPROVAL

6. Rights 45-2075, 45-2176, 45-2220, 45-2408 and 45-10107 when combined shall not exceed a total diversion rate of 5.06 cfs and the irrigation of 302.0 acres.
7. 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 diversions.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 45-2408**As Modified by Transfer No. 80037**

In accordance with the approval of Transfer No. 80037, Water Right No. 45-2408 is now described as follows:

Right Holder: DOUBLE EAGLE PROPERTIES LLLP
3173 N 4900 E
MURTAUGH, ID 83344

Priority Date: 2/20/1952

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
1.180 cfs
1.180 cfs

Diversion Volume
574.1 af
574.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENWSE Sec 5 Twp 12S Rge 20E CASSIA County
GROUND WATER SWNWSE Sec 6 Twp 12S Rge 20E CASSIA County
GROUND WATER SESESE Sec 6 Twp 12S Rge 20E CASSIA County

PLACE OF USE: IRRIGATION

				NE				NW				SW				SE				Totals
Twp	Rng	Sec		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	6		38.0	39.0	39.0	39.0				30.0	11.0				39.0	39.0		28.0	302.0
				L 1	L 2															

Right Acre Limit: 214.0

POU Total Acres: 302.0

CONDITIONS OF APPROVAL

1. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
2. Right No. 45-10107 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 140.
4. This right is limited to the irrigation of 214 acres within the authorized place of use in a single irrigation season.
5. Rights 45-2176, 45-2220, 45-2408 and 45-10107 when combined shall not exceed a total diversion rate of 4.26 cfs, a total annual maximum diversion volume of 998 af at the field headgate, and the irrigation of 302.0 acres.

Transfer No. 80037

WATER RIGHT NO. 45-2408
As Modified by Transfer No. 80037

CONDITIONS OF APPROVAL

6. Rights 45-2075, 45-2176, 45-2220, 45-2408 and 45-10107 when combined shall not exceed a total diversion rate of 5.06 cfs and the irrigation of 302.0 acres.
7. 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 diversions.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 45-10107
As Modified by Transfer No. 80037

In accordance with the approval of Transfer No. 80037, Water Right No. 45-10107 is now described as follows:

Right Holder: DOUBLE EAGLE PROPERTIES LLLP
 3173 N 4900 E
 MURTAUGH, ID 83344

Priority Date: 6/30/1985

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

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

Diversion Rate
 1.050 cfs
 1.050 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENVSE	Sec 5	Twp 12S	Rge 20E	CASSIA County
GROUND WATER	SWNVSE	Sec 6	Twp 12S	Rge 20E	CASSIA County
GROUND WATER	SESESE	Sec 6	Twp 12S	Rge 20E	CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	6	38.0	39.0	39.0	39.0				30.0	11.0				39.0	39.0		28.0	302.0
			L 1	L 2															

Right Acre Limit: 52.6

POU Total Acres: 302.0

CONDITIONS OF APPROVAL

1. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
2. This right is an expansion of Right Nos. 45-2176, 45-2220 and 45-2408 pursuant to Section 42-1416B, Idaho Code.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 140.
4. This right is limited to the irrigation of 52.6 acres within the authorized place of use in a single irrigation season.

WATER RIGHT NO. 45-10107
As Modified by Transfer No. 80037

CONDITIONS OF APPROVAL

5. Rights 45-2176, 45-2220, 45-2408 and 45-10107 when combined shall not exceed a total diversion rate of 4.26 cfs, a total annual maximum diversion volume of 998 af at the field headgate, and the irrigation of 302.0 acres.
6. Rights 45-2075, 45-2176, 45-2220, 45-2408 and 45-10107 when combined shall not exceed a total diversion rate of 5.06 cfs and the irrigation of 302.0 acres.
7. 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 diversions.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 45-2075**As Modified by Transfer No. 80037**

In accordance with the approval of Transfer No. 80037, Water Right No. 45-2075 is now described as follows:

Right Holder: DOUBLE EAGLE PROPERTIES LLLP
3173 N 4900 E
MURTAUGH, ID 83344

Priority Date: 2/2/1910

Source: DRY CREEK

Tributary: SNAKE RIVER

BENEFICIAL USE
IRRIGATION

From 3/15 to **To** 11/15

Diversion Rate
0.800 cfs
0.800 cfs

LOCATION OF POINT(S) OF DIVERSION

DRY CREEK NWNWNE Sec 12 Twp 12S Rge 19E CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	20E	6	38.0	39.0	39.0	39.0				30.0	11.0				39.0	39.0		28.0	302.0
			L 1	L 2															

Right Acre Limit: 40.0

POU Total Acres: 302.0

CONDITIONS OF APPROVAL

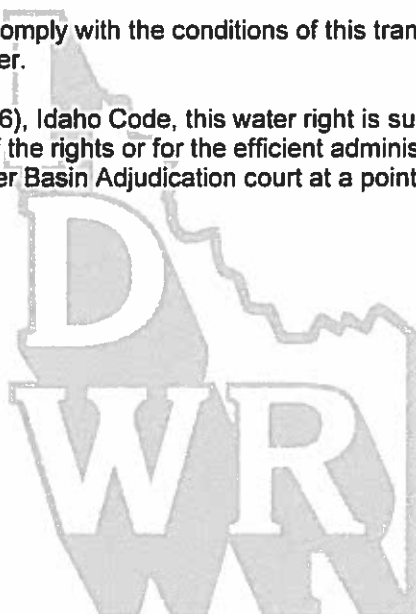
1. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 45N.
3. 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. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
5. This right is limited to the irrigation of 40 acres within the authorized place of use in a single irrigation season.

Transfer No. 80037

WATER RIGHT NO. 45-2075
As Modified by Transfer No. 80037

CONDITIONS OF APPROVAL

6. Rights 45-2075, 45-2176, 45-2220, 45-2408 and 45-10107 when combined shall not exceed a total diversion rate of 5.06 cfs and the irrigation of 302.0 acres.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.



State of Idaho
Department of Water Resources
Attachment To Transfer No. 80037
Right: 45-2075

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



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

0 0.275 0.55 1.1 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 14, 2015

DOUBLE EAGLE PROPERTIES LLLP
3173 N 4900 E
MURTAUGH ID 83344

Re: Transfer No: 80037
Water Right No(s): 45-2075, 45-2176, 45-2220, 45-2408, 45-10107

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

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

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

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

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

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Allen Merritt", with a stylized flourish at the end.

Allen Merritt
Southern Regional Manager

Enclosure

cc:

BROCKWAY ENGINEERING PLLC
C/O ERICK POWELL
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

CERTIFICATE OF SERVICE

I hereby certify that on July 14, 2015 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

Re: Transfer No.: 80037

Water Right No(s): 45-2075, 45-2176, 45-2220, 45-2408, 45-10107

DOUBLE EAGLE PROPERTIES LLLP
3173 N 4900 E
MURTAUGH ID 83344

BROCKWAY ENGINEERING PLLC
C/O ERICK POWELL
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

A handwritten signature in cursive script, reading "Denise Maline", is written over a solid horizontal line.

Denise Maline
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

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

(Required by Rule of Procedure 730.02)

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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



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

July 14, 2015

BRIAN HIGGS WATERMASTER
WATER DISTRICT # 140
355 W 500 S
BURLEY, ID 83318

Via e-mail

Re: **APPROVED Transfer No. 80037 (Double Eagle Properties LLLP)**

Dear Mr. Higgs:

For your information and records, we have enclosed a copy of an APPROVED Application for Transfer within your District.

If you have any questions, please contact this office, or the applicant.

Sincerely,

A handwritten signature in cursive script that reads "Denise Maline". The signature is written in dark ink and is positioned above the printed name and title.

Denise Maline
Administrative Assistant

Enclosure



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

July 14, 2015

DONALD CRANER WATERMASTER
WATER DISTRICT # 45-N
3052 HILLCREST RD
TWIN FALLS, ID 83301

Re: **APPROVED Transfer No. 80037 (Double Eagle Properties LLLP)**

Dear Mr. Craner:

For your information and records, we have enclosed a copy of an APPROVED Application for Transfer within your District.

If you have any questions, please contact this office, or the applicant.

Sincerely,

A handwritten signature in black ink that reads "Denise Maline". The signature is written in a cursive, flowing style.

Denise Maline
Administrative Assistant

Enclosure

*** Proof of Publication ***

RECEIVED

JUN 15 2015

Twin Falls Times-News
132 Fairfield St W, Twin Falls, Idaho 83301
Twin Falls County

DEPT OF WATER RESOURCES
SOUTHERN REGION

RUBY AUFDERHEIDE, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

ORDER NUMBER 1167

Ruby Aufderheide
(Legal's Clerk)

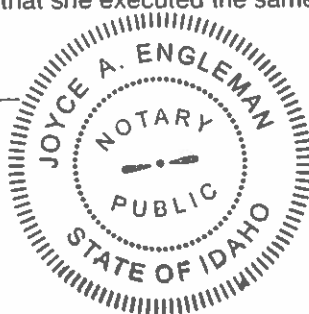
STATE OF IDAHO)
 SS

COUNTY OF TWIN FALLS)

On this 11th day of June in the year of 2015 before me, a Notary Public, personally appeared before me Ruby Aufderheide known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Joyce A. Engleman
Notary Public FOR Idaho
Residing at: Twin Falls, Idaho

My Commission expires: 6/28/19



PUBLISHED ON:

6/4/15 6/11/15

✓ OK DM 6/22/2015

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80037

DOUBLE EAGLE PROPERTIES LLLP, 3173 N 4900 E, MURTAUGH, ID 83344; has filed Application No. 80037 for changes to the following water rights within CASSIA County(s): Right No(s). 45-10107, 45-2075, 45-2176, 45-2220, 45-2408. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes rearranging the authorized place of use for approximately 8.4 acres from four irrigation ground water rights and one Dry Creek water right that when combined authorize a total diversion of 5.06 cfs and 302 acres of irrigation. All acres will remain within currently authorized tracts for the water rights. Place of use is located 5.2 to 6.2 miles south and 0.1 mile to 0.8 miles east of Murtaugh.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80038

DARRELL M FUNK and PATRICIA M FUNK, 3173 N 4900 E, MURTAUGH, ID 83344; has filed Application No. 80038 for changes to the following water rights within CASSIA, TWIN FALLS County(s): Right No(s). 45-14464. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the nature of use, point of diversion; place of use and period of use for a 0.29 cfs and 97.3 acre foot portion of an irrigation ground water right. Irrigation use will be changed to commercial stockwater use at a proposed dairy facility. The application indicates that the primary point of diversion is an existing well that isn't currently in use and the secondary well is a proposed well to be drilled. PODs and POU are located approximately 4.8 to 5.9 miles south and 0.8 miles west to 0.9 miles east of Murtaugh.

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 the proposed transfers, please see www.idwr.idaho.gov/ppsr/veryNewTransfers/veryNewTransfers.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 June 22, 2015. The protestant must also send a copy of the protest to the applicant. GARY SPACKMAN, Director
Published on June 4th & 11th, 2015