

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 78846**

This is to certify that: **CROSS E LAND LLC**
358 S 2750 E
DECLO, ID 83323

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>
43-10597A	WR/DECREED	6/30/1985	2.960 cfs	N/A	188.5	1706.5	GROUND WATER
43-2574D	WR/DECREED	7/19/1963	16.260 cfs	6072.0 af	1518.0	1706.5	GROUND WATER
43-2576D	WR/DECREED	3/24/1964	10.560 cfs	6072.0 af	1518.0	1706.5	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
43-10597A	NO	NO	NO	YES	NO	NO
43-2574D	NO	NO	NO	YES	NO	NO
43-2576D	NO	NO	NO	YES	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>
43-10597A	43-10597A	2.960 cfs	N/A	188.5	1706.5	N/A	N/A	N/A	N/A	N/A
43-2574D	43-2574D	16.260 cfs	6072.0 af	1518.0	1706.5	N/A	N/A	N/A	N/A	N/A
43-2576D	43-2576D	10.560 cfs	6072.0 af	1518.0	1706.5	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		26.820 cfs	6072.0 af	1706.5	1706.5		N/A	N/A	N/A	N/A

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 12th day of May, 2015.


Southern Region Manager

SUPPORT DATA

IN FILE # 43-2574D

Transfer No. 78846

WATER RIGHT NO. 43-2574D**As Modified by Transfer No. 78846**

In accordance with the approval of Transfer No. 78846, Water Right No. 43-2574D is now described as follows:

Right Holder: CROSS E LAND LLC
358 S 2750 E
DECLO, ID 83323

Priority Date: 7/20/1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	16.260 cfs	6072.0 af
STOCKWATER	01/01	to 12/31	2.000 cfs	
			16.260 cfs	6072.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENE	Sec 11 Twp 11S Rge 27E	CASSIA County
GROUND WATER	SESE	Sec 11 Twp 11S Rge 27E	CASSIA County
GROUND WATER	NESE	Sec 14 Twp 11S Rge 27E	CASSIA County
GROUND WATER	NENE	Sec 23 Twp 11S Rge 27E	CASSIA County
GROUND WATER	SESE	Sec 23 Twp 11S Rge 27E	CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	27E	11	37.0	35.0	40.0	34.0	20.0			35.0	38.0	35.0	40.0	40.0	30.0	40.0	40.0	39.0	503.0
11S	27E	14	39.0	40.0	40.0	40.0	40.0	40.0	31.0	40.0	40.0	15.0	2.5	38.0	39.0	40.0	40.0	39.0	563.5
11S	27E	23	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0

Right Acre Limit: 1518.0

POU Total Acres: 1706.5

CONDITIONS OF APPROVAL

1. Rights 43-2574D and 43-2576D when combined shall not exceed the irrigation of 1518 acres.
2. Rights 43-2574D, 43-2576D, and 43-10597A when combined shall not exceed a total diversion rate of 26.82 cfs, a total annual maximum diversion volume of 6072 af at the field headgate, and the irrigation of 1706.5 acres.
3. The point of diversion located in the NESE, S14, T11S, R27E, is limited to a maximum diversion rate of 6.00 cfs.
4. Right No. 43-10597A is an expansion of this right pursuant to Section 42-1416B, Idaho Code.

Transfer No. 78846

WATER RIGHT NO. 43-2574D
As Modified by Transfer No. 78846

CONDITIONS OF APPROVAL

5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. 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.
7. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
8. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
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. 43-2576D**As Modified by Transfer No. 78846**

In accordance with the approval of Transfer No. 78846, Water Right No. 43-2576D is now described as follows:

Right Holder: CROSS E LAND LLC
358 S 2750 E
DECLO, ID 83323

Priority Date: 3/24/1964

Source: GROUND WATER

BENEFICIAL USE
IRRIGATION

From 04/01 **To** 11/01

Diversion Rate
10.563 cfs
10.560 cfs

Diversion Volume
6072.0 af
6072.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENE	Sec 11 Twp 11S Rge 27E	CASSIA County
GROUND WATER	SESE	Sec 11 Twp 11S Rge 27E	CASSIA County
GROUND WATER	NESE	Sec 14 Twp 11S Rge 27E	CASSIA County
GROUND WATER	NENE	Sec 23 Twp 11S Rge 27E	CASSIA County
GROUND WATER	SESE	Sec 23 Twp 11S Rge 27E	CASSIA County

PLACE OF USE: IRRIGATION

				NE				NW				SW				SE				Totals
Twp	Rng	Sec		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	27E	11		37.0	35.0	40.0	34.0	20.0			35.0	38.0	35.0	40.0	40.0	30.0	40.0	40.0	39.0	503.0
11S	27E	14		39.0	40.0	40.0	40.0	40.0	40.0	31.0	40.0	40.0	15.0	2.5	38.0	39.0	40.0	40.0	39.0	563.5
11S	27E	23		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0

Right Acre Limit: 1518.0

POU Total Acres: 1706.5

CONDITIONS OF APPROVAL

1. Rights 43-2574D and 43-2576D when combined shall not exceed the irrigation of 1518 acres.
2. Rights 43-2574D, 43-2576D, and 43-10597A when combined shall not exceed a total diversion rate of 26.82 cfs, a total annual maximum diversion volume of 6072 af at the field headgate, and the irrigation of 1706.5 acres.
3. The point of diversion located in the NESE, S14, T11S, R27E, is limited to a maximum diversion rate of 6.00 cfs.
4. Right No. 43-10597A is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

Transfer No. 78846

WATER RIGHT NO. 43-2576D
As Modified by Transfer No. 78846

CONDITIONS OF APPROVAL

6. 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.
7. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
8. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
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. 43-10597A
As Modified by Transfer No. 78846

In accordance with the approval of Transfer No. 78846, Water Right No. 43-10597A is now described as follows:

Right Holder: CROSS E LAND LLC
 358 S 2750 E
 DECLO, ID 83323

Priority Date: 6/30/1985

Source: GROUND WATER

BENEFICIAL USE
 IRRIGATION

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

Diversion Rate
 2.960 cfs
 2.960 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENE	Sec 11 Twp 11S Rge 27E	CASSIA County
GROUND WATER	SESE	Sec 11 Twp 11S Rge 27E	CASSIA County
GROUND WATER	NESE	Sec 14 Twp 11S Rge 27E	CASSIA County
GROUND WATER	NENE	Sec 23 Twp 11S Rge 27E	CASSIA County
GROUND WATER	SESE	Sec 23 Twp 11S Rge 27E	CASSIA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	27E	11	37.0	35.0	40.0	34.0	20.0			35.0	38.0	35.0	40.0	40.0	30.0	40.0	40.0	39.0	503.0
11S	27E	14	39.0	40.0	40.0	40.0	40.0	40.0	31.0	40.0	40.0	15.0	2.5	38.0	39.0	40.0	40.0	39.0	563.5
11S	27E	23	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0

Right Acre Limit: 188.5

POU Total Acres: 1706.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 188.5 acres within the authorized place of use in a single irrigation season.
2. Rights 43-2574D, 43-2576D, and 43-10597A when combined shall not exceed a total diversion rate of 26.82 cfs, a total annual maximum diversion volume of 6072 af at the field headgate, and the irrigation of 1706.5 acres.
3. The point of diversion located in the NESE, S14, T11S, R27E, is limited to a maximum diversion rate of 6.00 cfs.
4. This right is an expansion of Right Nos. 43-2574D and 43-2576D pursuant to Section 42-1416B, Idaho Code.

Transfer No. 78846

WATER RIGHT NO. 43-10597A
As Modified by Transfer No. 78846

CONDITIONS OF APPROVAL

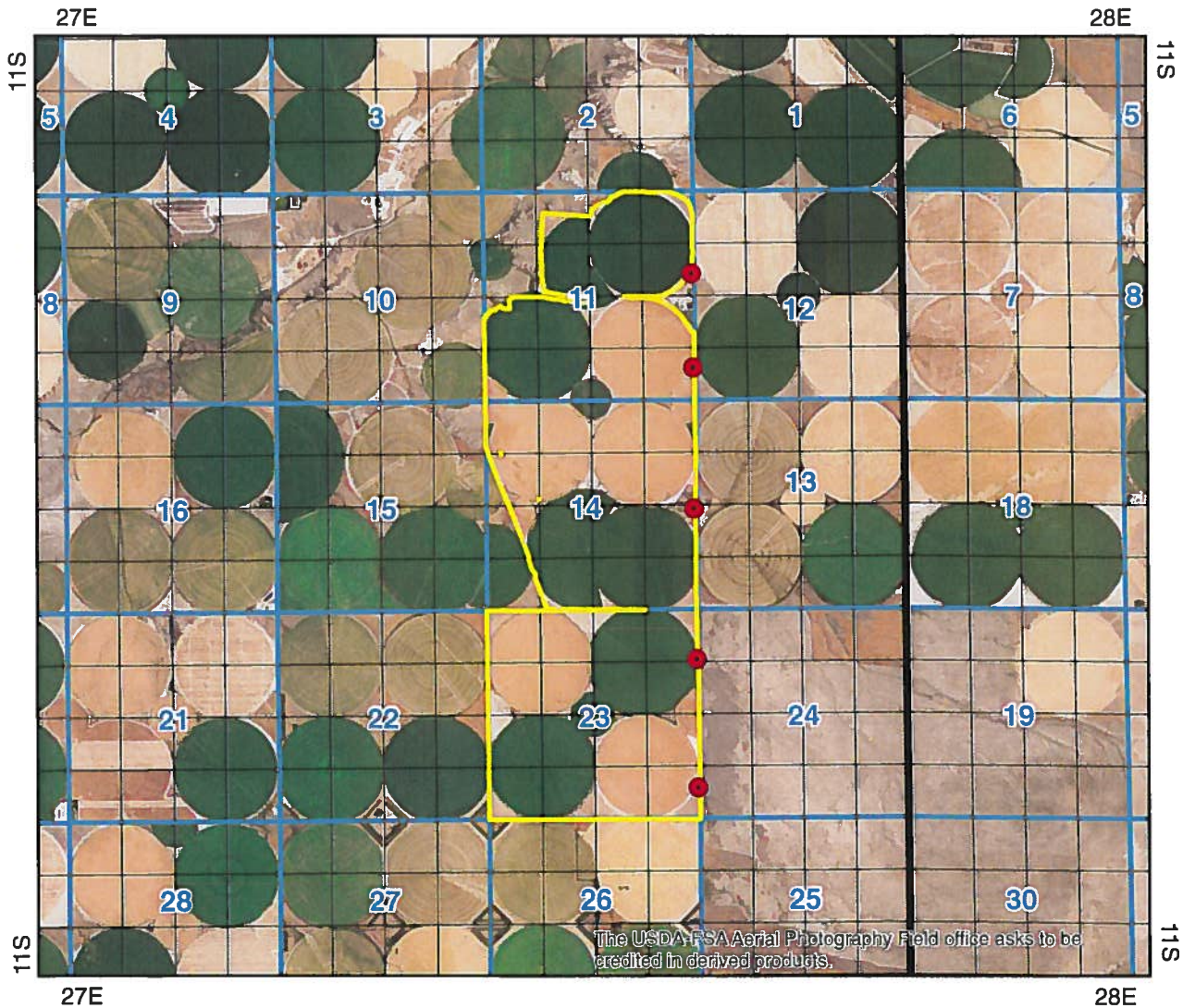
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
7. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

State of Idaho
Department of Water Resources

Attachment To Transfer No. 78846

Rights: 43-2574D, 43-2576D and 43-10597A

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 0.5 1 2 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

May 13, 2015

CROSS E LAND LLC
358 S 2750 E
DECLO ID 83323

Re: Transfer No: 78846
Water Right No(s): 43-2574D, 43-2576D, 43-10597A

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.

Water right(s) 43-2574D, 43-2576D, and 43-10597A were leased to the Water Supply Bank (bank) on April 18, 2012. The water rights will remain leased to the bank until December 31, 2016. The following portions of the water rights are leased:

Water Right No.	Lease Rate	Lease Volume	Acre Limit	Total Leased Acres
43-2574D	0.30 cfs	111.6 af	27.9 ac	31.4 ac
43-2576D	0.19 cfs	111.6 af	27.9 ac	31.4 ac
43-10597A	0.06 cfs	NA	3.5 ac	31.4 ac
Total:	0.49 cfs	111.6 af	31.4 ac	31.4 ac

The following grid describes the land to remain idled under the lease:

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	27E	11			0.3					0.9	2.2					2.3	0.8	0.8	7.3
11S	27E	14	1.9	2.2	1.8	6.0	0.2	1.5							4.3	0.8			18.7
11S	27E	23			0.8	1.0				1.2	0.6					1.8			5.4

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

Sincerely,



Allen Merritt
Southern Regional Manager

Enclosure

CERTIFICATE OF SERVICE

I hereby certify that on May 13, 2015 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

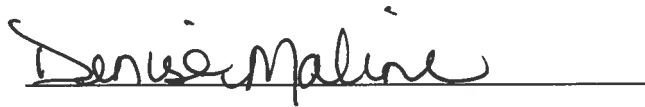
Re: Transfer No.: 78846

Water Right No(s): 43-2574D, 43-2576D, 43-10597A

CROSS E LAND LLC

358 S 2750 E

DECLO ID 83323

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

MEMORANDUM

Date: April 27, 2015
To: Transfer 78846 File
From: Nathan Erickson
Re: Receipt Memo

Transfer fee was calculated based on drilling one new well that will be limited to 6 cfs for a transfer fee of \$900.00 and an additional \$75 for the ownership change on three water rights. The total fee for this transfer was \$975.00

TRIBUNE PUBLISHING COMPANY, INC
The Lewiston Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

LEGAL ADVERTISING
INVOICE

Sold To: DEPT OF WATER RESOURCES
650 ADDISON AVE W, STE 500
TWIN FALLS ID 83301

Date: 12/25/2014 INVOICE NO. 104516
Account No. 446620
Description 104516 NOTICE O
Times 2 Lines 62
Tab. lines
\$ 88.35

RECEIVED

JAN 02 2015

PO# 78846

DEPT OF WATER RESOURCES
SOUTHERN REGION

NOTICE: This is a invoice of Purchase made by you. Statement will be rendered the first of the month
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

104516
NOTICE OF PROPOSED
CHANGE OF
WATER RIGHT
TRANSFER NO. 78846

CROSS E LAND LLC, 358 S
2750 E, DECLO, ID 83323;
has filed Application No.
78846 for changes to the fol-
lowing water rights within
CASSIA County(s): Right
No(s). 43-10597A, 43-2574D,
43-2576D; to see a full de-
scription of these rights and
the proposed transfer, please
see [www.idwr.idaho.gov/
apps/wr/QueryNewTransfers/QueryNewTransfers.aspx](http://www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx). The purpose of the
transfer is to change a por-
tion of the above rights as
follows: Transfer proposes
to add a point of diversion
to water rights 43-2574D,
43-2576D and 43-10597A,
total allowance for the water
rights is 26.82 cfs and 6,072
af. No change will occur to
the place of use. The new
well will have a maximum
capacity of 6 cfs and be locat-
ed approximately 5.5 miles
east and 11 miles north of the
City of Malta.

AFFIDAVIT OF PUBLICATION

Karen J. Lewis, being duly sworn, deposes and
says, I am the Legal Clerk of the Tribune
Publishing Company, a corporation organized and existing
under and by virtue of the laws of the State of Idaho
and under and by virtue of the laws of the State of Washington,
publishers of the Lewiston Tribune, a news-
paper of general circulation published at Lewiston, Nez Perce
County, Idaho; That the said Lewiston Tribune is
an established newspaper and has been published regularly
and issued regularly at least once a day for more than 105
consecutive years next immediately preceding the first
publication of this notice, and has been so published
uninterrupted for said period; that the 104516 NOTICE O
attached hereto and which is made a part of this affidavit
was published in the said Lewiston Tribune,
2 time(s). Publication being on
12/18, or once a Week
for 2 consecutive Week,
the first publication thereof being on the 12/18/2014,
and the last publication thereof being on the 12/25/2014,
and said 104516 NOTICE O was so published in the
regular and entire issue of said newspaper and was not in a
supplement thereof and was so published in every issue and
number of the said paper, during the period and times of
publication as set forth above.

Karen J. Lewis

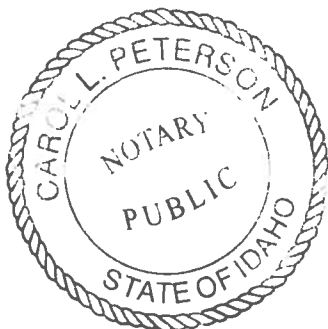
State of Idaho

S.S.

County of Nez Perce

On this 30th day of December in the year
of 2014, before me, a Notary Public, personally
appeared Karen J. Lewis, known or identified
to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn,
declared that the statements therein are true, and
acknowledged to me that he executed the same.

Carol Peterson
Notary Public in and for the State of Idaho,
residing at Lewiston therein
Commission Expires 9-1-2017



✓ OK DM 1/6/2015



For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 Addison Ave W Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before January 5, 2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN,
Director
Published in Times News,
Idaho Statesman, Post Register & Lewiston Tribune on
December 18th & 25th, 2014

✓ OK DM 1/6/2015

**Proof of Publication
The Post Register**

RECEIVED

DEC 31 2014

**State of Idaho
Bonneville County:**

**DEPT OF WATER RESOURCES
SOUTHERN REGION**

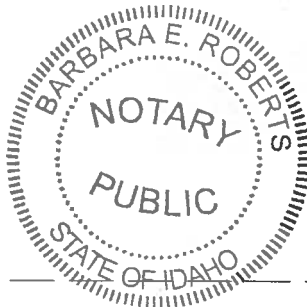
I, ~~Hilary Witt~~ or Staci Dockery, first being duly sworn, depose and say: That I am the ~~Classifieds Manager~~ or Legal Notice Representative of the Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published Tuesday through Sunday at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880, and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidations up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register under this ad number: **696126**, for **2** consecutive (days) weeks, between **12/18/2014** and **12/26/2014**,

and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Staci Dockery

Subscribed and sworn to before me, this 29 day of December 2014



Barbara E. Roberts
Notary Public

My Commission expires: 5/9/2019

_____ - attached jurat _____

STATE OF IDAHO

SS.

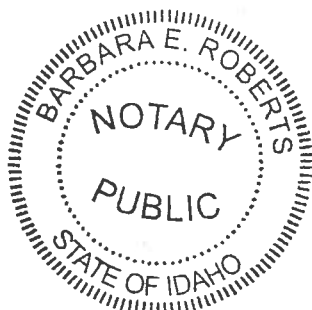
COUNTY OF BONNEVILLE

Subscribed and sworn to before me, this 29 day of December 2014, before me, the undersigned, a Notary public for said state, personally appeared ~~Hilary Witt~~ or Staci Dockery, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he/she/they executed the same,

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

Barbara E. Roberts

Notary Public for The Post Company
Residing at: Idaho Falls
My Commission expires: 5/9/2019



✓ OK
DM
1/6/2015

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 78846**

CROSS E LAND LLC, 358 S 2750 E, DECLO, ID 83323; has filed Application No. 78846 for changes to the following water rights within CASSIA County(s): Right No(s). 43-10597A, 43-2574D, 43-2576D; 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 add a point of diversion to water rights 43-2574D, 43-2576D and 43-10597A, total allowance for the water rights is 26.82 cfs and 6,072 af. No change will occur to the place of use. The new well will have a maximum capacity of 6 cfs and be located approximately 5.5 miles east and 11 miles north of the City of Malta.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 Addison Ave W Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before January 5, 2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published in Times News, Idaho Statesman,
Post Register & Lewiston Tribune on December
18th & 26th, 2014 (696126)

✓ OK DM 1/6/2015

LEGAL PROOF OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
263982	0001460049	LEGAL NOTICE NOTICE OF PROPOSED	CROSS E LAND LLC	\$94.10	1	52

Attention: DENISE MALINEIDAHO DEPT WATER RESOURCE / SOUTH
650 ADDISON AVE W STE 500
TWIN FALLS, ID 83301**LEGAL NOTICE
NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
TRANSFER NO. 78846**

CROSS E LAND LLC, 358 S 2750 E, DECLO, ID 83323, has filed Application No. 78846 for changes to the following water rights within CASSIA County(s): Right No(s), 43-10597A, 43-2574D, 43-2576D; 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 add a point of diversion to water rights 43-2574D, 43-2576D and 43-10597A, total allowance for the water rights is 26.82 cfs and 6,072 af. No change will occur to the place of use. The new well will have a maximum capacity of 6 cfs and be located approximately 5.5 miles east and 11 miles north of the City of Malta.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 Addison Ave W Ste 500, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before January 5, 2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Pub. Dec. 18, 25, 2014

0001460049-01

RECEIVED**DEC 29 2014****DEPT OF WATER RESOURCES
SOUTHERN REGION**

STEPHANIE LINDSTROM, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada 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 Idaho Statesman, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

Beginning issue of: 12/18/2014

Ending issue of: 12/25/2014

(Legals Clerk)

STATE OF IDAHO)

SS

COUNTY OF ADA)

On this 26th day of December in the year of 2014 before me, a Notary Public, personally appeared before me STEPHANIE LINDSTROM 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.

Heather Harradine
Notary Public FOR Idaho
Residing at: Boise, Idaho

My Commission expires: 2/11/2020

✓ OK DM 1/6/2015



Affidavit of Publication
STATE OF IDAHO)
COUNTY OF TWIN FALLS) SS.

RECEIVED
DEC 29 2014
DEPT OF WATER RESOURCES
SOUTHERN REGION

I, Ruby Aufderheide, being first duly sworn upon oath, depose and say that I am Legal Clerk of the TIMES-NEWS, published daily at, Twins Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated 18th day of December, 2014 and ending with the issue dated 25th day of December, 2014

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterrupted.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to be issued thereof Thursday is announced as the day on which said legal will be published.

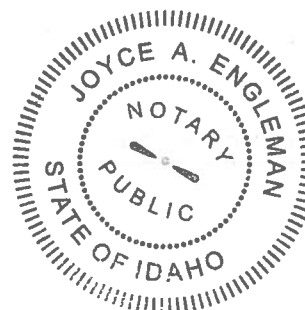
Ruby Aufderheide
Ruby Aufderheide, Legal Clerk

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 26th day of December, 2014, before me,
Joyce Engleman
a Notary Public, personally appeared Ruby Aufderheide,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

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

My commission expires: 6/28/19



✓ OK
SM 1/6/2015

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78846**

CROSS E LAND LLC, 358 S 2750 E, DECLO, ID 83323; has filed Application No. 78846 for changes to the following water rights within CASSIA County(s): Right No(s). 43-10597A, 43-2574D, 43-2576D. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to add a point of diversion to water rights 43-2574D, 43-2576D and 43-10597A, total allowance for the water rights is 26.82 cfs and 6,072 af. No change will occur to the place of use. The new well will have a maximum capacity of 6 cfs and be located approximately 5.5 miles east and 11 miles north of the City of Malta. Published in Times News, Idaho Statesman, Post Register & Lewiston Tribune on December 18th & 25th, 2014.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79579**

BRUCE L BULCHER and KATHY J BULCHER, 3627 E 3300 N, HANSEN, ID 83334; has filed Application No. 79579 for changes to the following water rights within CASSIA, TWIN FALLS County(s): Right No(s). 47-2521. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes moving a 2.0 cfs ground water right for the irrigation of 146.5 acres at a proposed place of use (POU) on an existing farm, with water diverted from four existing wells. The proposed POU and the four wells are located approximately 4.7 to 6.0 miles south and 0.7 miles east to 0.9 miles west of Murtaugh. Current place of use is located approximately 1.1 to 1.6 miles south and 5.4 to 5.9 miles west of Murtaugh.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79580**

SHAUNNA CRANE and DANFORD L CRANE II, 3772 N 3600 E, KIMBERLY, ID 83341; has filed Application No. 79580 for changes to the following water rights within CASSIA, TWIN FALLS County(s): Right No(s). 45-10107, 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 moving portions of four irrigation ground water rights for use in a new place of use on an existing farm located approximately 4.5 to 5.2 miles south and 2.0 to 2.6 miles east of Murtaugh. The portions to be moved are as follows: 8.7 acres (0.17 cfs) from water right 45-2176; 17.4 acres (0.20 cfs) from right 45-2220; 26.1 acres (0.14 cfs) from right 45-2408 and 6.4 acres (0.13 cfs) from right 45-10107. Total allowed diversion for the moved portions will be 0.52 cfs and 122 Af for the irrigation of 36.8 acres. Current place of use is located approximately 5.2 to 6.2 miles south and 0.0 to 0.9 miles east of Murtaugh.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79679**

SOUTHFIELD DAIRY, 3308 S 1600 E, WENDELL, ID 83355; has filed Application No. 79679 for changes to the following water rights within GOODING County(s): Right No(s). 36-7377F, 36-7547F. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes moving a 5.9 acre portion of two irrigation rights from a farm located approximately 5.5 to 6.0 mi. west and 1.5 to 2.0 mi. south of the center of Wendell to an existing CAFO located approximately 3.5 to 4.0 mi. west and 5.25 to 5.5 mi. south of the center of Wendell (intersection of Main St. and HWY 46). Transfer will allow for the diversion of up to 0.11 cfs and 23.6 AFA from an existing well for uses associated with the CAFO facility.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79680**

SOUTHFIELD DAIRY, 3308 S 1600 E, WENDELL, ID 83355; has filed Application No. 79680 for changes to the following water rights within GOODING County(s): Right No(s). 36-7377F, 36-7547F. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes converting a 17.1 acre portion of two irrigation rights from a farm located approximately 5.5 to 6.0 mi. west and 1.5 to 2.0 mi. south of the center of Wendell to an existing dairy operation located approximately 5.0 to 5.5 mi. west and 1.5 to 2.0 mi. south of the center of Wendell (intersection of Main and HWY 46). Transfer will allow for the diversion of up to 0.32 cfs and 68.4 AFA from three existing wells for uses associated with the dairy facility.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79686**

JCK FARMS LLC, 695 S 320 W, PROVO, UT 84601; has filed Application No. 79686 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13286, 43-13288, 43-13290. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to add a point of diversion (POD) to ground water irrigation rights 43-13286 (2.75 cfs), 43-13288 (3.68 cfs), and 43-13290 (1.04 cfs) which are currently diverted from 4 wells. The new well will be located 1.75 miles north and 0.25 miles east of the intersection of State Highways 77 and 81 in Malta.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79687**

MICKEY R LEGUINECHE and LOUIS J LEGUINECHE, 1450 S 1750 E, GOODING, ID 83330; has filed Application No. 79687 for changes to the following water rights within GOODING County(s): Right No(s). 37-20799. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change a groundwater point of diversion located approximately 4.8 miles north and 1.7 miles west of the center of the city of Gooding (7th and Main) to a new well to be drilled located approximately 4.5 miles north and 2.25 miles west of the center of the city of Gooding. The proposed new well will allow for the diversion of 2.04 cfs, 408.0 afa, for the irrigation of 102.0 acres.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. To see a full description of these rights and 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 January 5, 2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on December 18th & 25th, 2014

✓ OK DM
1/6/2015

**Proof of Legal Notice
received from Post Register 12/16/2014**

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 78846**

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GARY SPACKMAN, Director

Published in Times News, Idaho Statesman,
Post Register & Lewiston Tribune on December
18th & 26th, 2014 (696126)



✓ OK
DM
E-mail sent to
newspaper.

***Note:** Post Register is the only newspaper running the 2nd publication on Dec. 26th (due to Christmas holiday). All other newspapers will run the 2nd publication on the 25th (normal schedule).