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OCT 23 2013
DEPT. OF WATER RESOURCES
SOUTHERN REGION**MINIMUM REQUIREMENTS CHECKLIST****TO BE SUBMITTED WITH APPLICATION FOR TRANSFER**

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

Name of Applicant(s) CROSS E LAND LLC**Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.****Yes N/A** *Means the item is always required and must be included with the application.

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

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant CROSS E LAND LLC

Phone (801) 558-4342

Mailing Address 358 S 2750 E, DECLO ID 83323

Email _____

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

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

☐ No Representative

Name of Representative _____

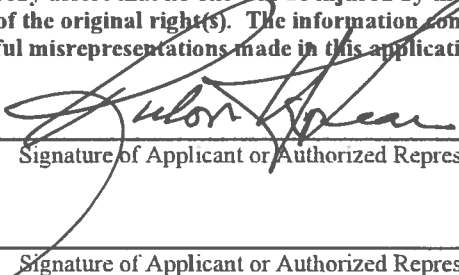
Phone _____

Mailing Address _____

Email _____

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

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


Signature of Applicant or Authorized Representative

Rulon Spear
Print Name and Title if applicable

10/23/13
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	43-2574D	No	No	No	Yes	No	No
	43-2576D	No	No	No	Yes	No	No
	43-10597A	No	No	No	Yes	No	No

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SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**

Purpose of transfer is to add a new well to the existing system. The existing 4 wells are not providing the full amount of water allowed by the water rights. The new well will not exceed a flow rate of 6cfs.

Transfer also updates the ownership of the property to Cross E Land LLC.

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

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
43-2574D	16.260 cfs	6072.0 af	1518.0	1706.5		N/A	N/A	N/A	N/A
43-2576D	10.560 cfs	6072.0 af	1518.0	1706.5		N/A	N/A	N/A	N/A
43-10597A	2.960 cfs	N/A	188.5	1706.5		N/A	N/A	N/A	N/A

**COMBINED
TOTALS**

26.820 cfs 6,072.0 af 1,706.5 1,706.5 N/A N/A N/A N/A

2. Total amount of water proposed to be transferred or changed 26.82 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:

☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)

☒ As shown in Part 1.

☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

4. Place of Use:

☐ No changes to place of use are proposed. (Proceed to #5.)

☒ As shown in Part 1.

☐ See Attachment.

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

Proposed Water Right No. 43-2574D

Current Water Right Owner CROSS E LAND LLC
3500 N 2200 W
SALT LAKE CITY, UT
84116

Priority Date: 7/19/1963

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	16.260 CFS	6072.0 AFA	
STOCKWATER	01/01	12/31	2 000 CFS		
Total Diversion			16.260 CFS	6072.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	~~SE~~ SENE	Sec. 11 Twp 11S Rge 27E	CASSIA County
GROUND WATER	~~SE~~ SESE	Sec. 11 Twp 11S Rge 27E	CASSIA County
GROUND WATER	NESE	Sec. 14 Twp 11S Rge 27E	CASSIA County
GROUND WATER	~~SE~~ ENENE	Sec. 23 Twp 11S Rge 27E	CASSIA County
GROUND WATER	NESESE	Sec. 23 Twp 11S Rge 27E	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	
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:			1,518.0																
POU Total Acres:			1,706.5																

Place of Use: STOCKWATER

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

Proposed Water Right No. 43-2576D

Current Water Right Owner
CROSS E LAND LLC
358 S 2750 E
DECLO, ID 83323

Priority Date: 3/24/1964

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	10.563 CFS	6072.0 AFA	
Total Diversion			10.560 CFS	6072.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	~~X~~ SENE	Sec. 11 Twp 11S Rge 27E	CASSIA County
GROUND WATER	~~S~~ ESESE	Sec. 11 Twp 11S Rge 27E	CASSIA County
GROUND WATER	NESE	Sec. 14 Twp 11S Rge 27E	CASSIA County
GROUND WATER	~~S~~ ENEENE	Sec. 23 Twp 11S Rge 27E	CASSIA County
GROUND WATER	~~N~~ ESESE	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: 1,518.0
POU Total Acres: 1,706.5

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

Proposed Water Right No. 43-10597A

Current Water Right Owner
CROSS E LAND LLC
358 S 2750 E
DECLO, ID 83323

Priority Date: 6/30/1985

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	2.960 CFS	
Total Diversion			2.960 CFS	

Source and Point(s) of Diversion:

GROUND WATER	~~SE~~ SENE	Sec. 11 Twp 11S Rge 27E CASSIA County
GROUND WATER	~~SE~~ SESE	Sec. 11 Twp 11S Rge 27E CASSIA County
GROUND WATER	NESE	Sec. 14 Twp 11S Rge 27E CASSIA County
GROUND WATER	~~SE~~ NENE	Sec. 23 Twp 11S Rge 27E CASSIA County
GROUND WATER	~~NE~~ SESE	Sec. 23 Twp 11S Rge 27E 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	
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: 1,706.5

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

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

~~OWNER~~ APPLICANT

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No, ☐ If Yes, ☒

Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: The rights are subject to a security interest which is included in the correspondence for the rights. The transfer will not negatively affect the property so no letter from the security interest is required.

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

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

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

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

Yes	No	
☐	☒	undergone a period of five or more consecutive years of non-use,
☒	☐	currently leased to the Water Supply Bank,
☐	☒	currently used in a mitigation plan limiting the use of water under the right, or
☐	☒	currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe: Currently there is a small portion of the water rights in the water supply bank. Of the 1,706.5 acres there are 31.4 acres in the water supply bank. The transfer seeks to add a point of diversion which will not impact the current water supply bank agreement.

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

Current Water Right No. 43-2574D

Current Water Right Owner
DAVID O HINCKLEY
3500 N 2200 W
SALT LAKE CITY, UT
84116

Priority Date: 7/19/1963

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	16.260 CFS	6072.0 AFA	
STOCKWATER	01/01	12/31	2.000 CFS		
Total Diversion			16.260 CFS	6072.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESENE	Sec. 11 Twp 11S Rge 27E CASSIA County
GROUND WATER	SESESE	Sec. 11 Twp 11S Rge 27E CASSIA County
GROUND WATER	SENESE	Sec. 23 Twp 11S Rge 27E CASSIA County
GROUND WATER	NESESE	Sec. 23 Twp 11S Rge 27E 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	
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: 1,518.0

POU Total Acres: 1,706.5

Place of Use: STOCKWATER

Conditions/Remarks:

- USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 26.82 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 6072 AF. COMBINED RIGHT NOS.: 43-02574D, 43-02576D, & 43-10597A.
- RIGHT NO. 43-10597A IS AN EXPANSION OF RIGHT NOS. 43-02574D & 43-02576D PURSUANT TO SECTION 42-1416B, IDAHO CODE.
- USE OF THIS RIGHT WITH RIGHT NO. 43-02576D IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1518 ACRES IN A SINGLE IRRIGATION SEASON.
- 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.

Conditions/Remarks:

5. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1706.5 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-02574D, 43-02576D, & 43-10597A.
6. 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.

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

Current Water Right No. 43-2576D

Current Water Right Owner
DAVID O HINCKLEY
3500 N 2200 W
SALT LAKE CITY, UT
84116

Priority Date: 3/24/1964

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	10.563 CFS	6072.0 AFA	
Total Diversion			10.560 CFS	6072.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESESE	Sec. 11 Twp 11S Rge 27E	CASSIA County
GROUND WATER	SENENE	Sec. 23 Twp 11S Rge 27E	CASSIA County
GROUND WATER	NESESE	Sec. 23 Twp 11S Rge 27E	CASSIA County
GROUND WATER	SESENE	Sec. 11 Twp 11S Rge 27E	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	
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: 1,518.0
POU Total Acres: 1,706.5

Conditions/Remarks:

- USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1706.5 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-02574D, 43-02576D, & 43-10597A.
- RIGHT NO. 43-10597A IS AN EXPANSION OF RIGHT NOS. 43-02574D & 43-02576D PURSUANT TO SECTION 42-1416B, IDAHO CODE.
- USE OF THIS RIGHT WITH RIGHT NO. 43-02574D IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1518 ACRES IN A SINGLE IRRIGATION SEASON.
- 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.
- 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.

Conditions/Remarks:

6. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 26.82 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 6072 AF. COMBINED RIGHT NOS.: 43-02574D, 43-02576D, & 43-10597A.

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

Current Water Right No. 43-10597A

Current Water Right Owner
DAVID O HINCKLEY
3500 N 2200 W
SALT LAKE CITY, UT
84116

Priority Date: 6/30/1985

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	2.960 CFS	
Total Diversion			2.960 CFS	

Source and Point(s) of Diversion:

GROUND WATER	NESESE	Sec. 23 Twp 11S Rge 27E CASSIA County
GROUND WATER	SESESE	Sec. 11 Twp 11S Rge 27E CASSIA County
GROUND WATER	SESENE	Sec. 11 Twp 11S Rge 27E CASSIA County
GROUND WATER	SENESE	Sec. 23 Twp 11S Rge 27E 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	
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: 1,706.5

Conditions/Remarks:

- USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1706.5 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-02574D, 43-02576D, & 43-10597A.
- 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.
- THIS RIGHT IS AN EXPANSION OF RIGHT NOS. 43-02574D & 43-02576D PURSUANT TO SECTION 42-1416B, IDAHO CODE.
- THIS RIGHT IS LIMITED TO THE IRRIGATION OF 188.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
- USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 26.82 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 6072 AF. COMBINED RIGHT NOS.: 43-02574D, 43-02576D, & 43-10597A.

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

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

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

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

[illegible]

FOR DEPARTMENT USE ONLY

Transfer Contains 13 pages and attachments.

Received By N. ERICKSON Date 10/23/13 Prelim. Check By N. ERICKSON Date 10/23/13

Fee Paid 10/23/13 \$975.00 Date 10/23/13 Received By N. Erickson Receipt # 5033592

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

43-2574d, 43-2576D, and 43-10597A



Place Of Use Boundary

Townships

PLS Sections

Quarter Quarters



0.425

0.85

1.7 Miles



TRANSFER 78846

CASSIA COUNTY

RECORDED FOR:

BEARD ST. CLAIR

2:06:32 pm 08-22-2007

2007-317754

NO. PAGES: 2

FEE: \$6.00

LARRY A. NICKELSEN
COUNTY CLERK

DEPUTY: WLMARR

WARRANTY DEED**1. Date**

August 21, 2007

2. Parties**Grantor:**

David O. Hinckley, a single man, individually, and as general partner of Spear and Hinckley an undocumented general partnership consisting of David O. Hinckley and Rulon H. Spear. This land, although titled, in individual names has been used in the business of Spear and Hinckley.

3500 North 2200 West
Salt Lake City, UT, 834116

Rulon H. Spear, a married man, dealing with his sole and separate property, individually, and as general partner of Spear and Hinckley an undocumented general partnership consisting of David O. Hinckley and Rulon H. Spear. This land, although titled in individual names has been used in the business of Spear and Hinckley.

358 South 2750 East
Declo, ID 83323

Grantee:

Cross E Land LLC, an Idaho Limited Liability Company
358 South 2750 East
Declo, ID 83323

3. Property**Transferred Interest:** All grantors' undivided Interest.**Idaho County:** Cassia**Description:**

Township 11 South, Range 27 East of the Boise Meridian

Section 11: ALL

EXCEPTING: A portion thereof beginning on the North boundary line of said Section 11, North 89°30' West 98 feet from the Northeast Corner of said Section 11, thence North 89°30' West 209 feet, thence South 0°30' West 104 feet, thence South 89°30' East 208 feet, thence North 0°30' East 104 feet to the point of beginning. AND EXCEPTING: A tract of land in the N ½ of Section 11, T 11S, R 27E, B.M. more particularly described as follows: Beginning at a point on the North line of Section 11, T11S, R27E, B.M., said point being 1760.7 ft West of the Northeast Corner of said Section 11; thence at

Right Angles South 489.7 ft. thence N. 88°40' W 671.9 ft; thence S 9°34'E 160.7 ft; thence N 85°59'W 1253.6 ft; thence S 6°47'W 953.6 ft; thence S 4°37'W 1661.7 ft; thence S 89°37'W 1307.8 ft more or less to the West line of Section 11; thence N 0°21'E along the West line of Section 11 3156.8 ft, more or less to the Northwest Corner of Section 11; thence East along said North line 3430.4 ft more or less to the Point of Beginning. AND containing 127.7 Acres more or less.

ALSO EXCEPTING from Section 11 the following:

Beginning at a point that is 2204.13 feet South 00°02'48" from the Northeast Corner of Section 11 along the east section Line;
Then South 00°02'48" E 442.66 feet;
Then S00°05'28"E 781.27 feet;
Then N44°47'08"W 1000.82 feet ;
Then N02°07'07" E 46.47 feet;
Then N42°49'38" E 636.67 feet;
Then N89°57'12" E 268.90 feet to the Point of Beginning.

Section 14: ALL EXCEPTING: A tract of land in the W ½ of Section 14 T11S, R27E, B.M. more particularly described as follows:

Beginning at the Southwest Corner of Section 14, T11S, R27E, B.M.; thence S 89°26'E along the South line of Section 14 1535.1 feet; thence N19°49'W 4452.0 ft more or less to the West line of Section 14; thence S 0°21'W 4173.0 ft more or less to the Point of Beginning. AND containing 73.5 Acres more or less.

Section 23: ALL**Together with:**

All improvements, water, water rights, ditches, ditch rights, easements, tenements, hereditaments, appurtenances, reversions, remainders, rents, issues, and profits.

Subject to:

Rights of way for roads and ditches now existing on the property plus all easements and rights-of-way of record, if any, covenants, restrictions, reservations, applicable building and zoning ordinances, use regulations and restrictions, and accruing taxes.

Taxes and assessments for 2006 and all subsequent years.

All facts, rights, claims and interest ascertainable by inspection of the property or by inquiry of persons in possession.

Unpatented mining claims, reservations and exceptions and patents or in acts authorizing their issuance.

4. Consideration

Ten Dollars and other good and valuable consideration, receipt of which is acknowledged.

5. Grant

Grantors, for the consideration listed above hereby grant, bargain, sell, convey and confirm to grantee, its successors and assigns, the transferred interest in the property described in this deed.

6. Warranties

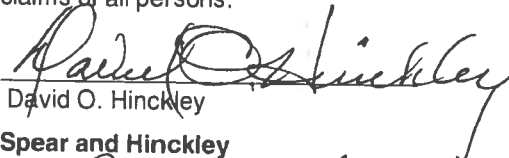
Grantors, for themselves, their heirs, successors and assigns, covenant with grantee's successors and assigns as follows:

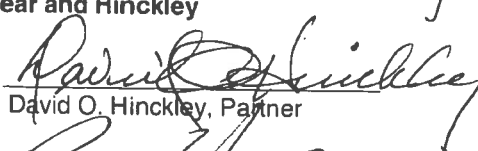
Grantors are currently the owner of the property as described in this deed.

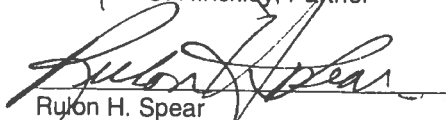
Grantors have good right to convey the property described in this deed to grantee.

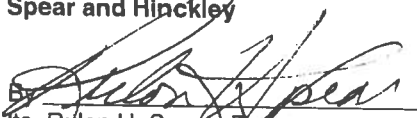
The property described in this deed is free from all encumbrances, except as otherwise shown in this deed.

Grantors warrant and will defend the quiet and peaceful possession of the property granted by this deed to grantee, its successors and assigns against the lawful claims of all persons.


David O. Hinckley
Spear and Hinckley

By 
Its David O. Hinckley, Partner


Rulon H. Spear
Spear and Hinckley

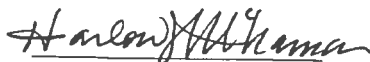
By 
Its Rulon H. Spear, Partner

STATE OF IDAHO

County of Bonneville

ss.

On August 21, 2007 before me Harlow J. McNamara
notary public, personally appeared David O. Hinckley,
known or identified to me to be the person whose name
is subscribed to the within instrument and acknowledged
to me that he executed the same.


Notary Public

Residing At: Idaho Falls

Commission Expires: 3/26/2010

(SEAL)

STATE OF IDAHO

County of Bonneville

On August 21, 2007 before me Harlow J. McNamara
notary public, personally appeared David O. Hinckley,
known or identified to me, to be one of the partners in
the partnership of Spear and Hinckley, and the partner
or one of the partners who subscribed said partnership
name to the foregoing instrument, and acknowledged to
me that he executed the same in said partnership name.


Notary Public

Residing At: Idaho Falls

Commission Expires: 3/26/2010

(SEAL)

STATE OF IDAHO

County of Bonneville

ss.

On August 21, 2007 before me Harlow J. McNamara
notary public, personally appeared Rulon H. Spear,
known or identified to me to be the person whose name
is subscribed to the within instrument and acknowledged
to me that he executed the same.


Notary Public

Residing At: Idaho Falls

Commission Expires: 3/26/2010

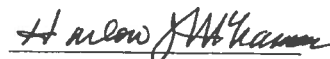
(SEAL)

STATE OF IDAHO

County of Bonneville

ss.

On August 21, 2007 before me Harlow J. McNamara
notary public, personally appeared Rulon H. Spear,
known or identified to me, to be one of the partners in
the partnership of Spear and Hinckley, and the partner
or one of the partners who subscribed said partnership
name to the foregoing instrument, and acknowledged to
me that he executed the same in said partnership name.


Notary Public

Residing At: Idaho Falls

Commission Expires: 3/26/2010

(SEAL)

No. W 44900	Due no later than Nov 30, 2010 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. CROSS E LAND LLC DAVID O HINCKLEY 3500 N 2200 W SALT LAKE CITY UT 84116 USA		GREGORY C CALDER 2105 CORONADO ST IDAHO FALLS ID 83404			
			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	DALON H HINCKLEY	3500 N 2200 W	SALT LAKE CITY	UT	USA	84116
MANAGER	RULON H SPEAR	358 S 2750 E	DELCO	ID	USA	83323
5. Organized Under the Laws of: ID W 44900		6. Annual Report must be signed.* Signature: David O. Hinckley Name (type or print): David O. Hinckley Date: 12/16/2010 Title: Owner				
Processed 12/16/2010		* Electronically provided signatures are accepted as original signatures.				

TRANSFER 78846



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 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 21, 2013

JOHN SPRATLING
550 TERRACE DR
BURLEY ID 83318

COPY

**RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NO(S). 43-2574D, 43-2576D AND 43-10597A**

Dear Renter:

Please find enclosed a receipt in the amount of \$ 1,897.20 and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 111.6 acre-feet of water for irrigation of 31.4 acres during 2013. Upon receipt of this fully executed agreement, you are authorized to divert water in compliance with the conditions of water use described in the agreement.

Pursuant to the Water Supply Bank Rules, 90% or \$1,707.48 of the rental fee will be paid to the lessor(s) and 10% or \$189.72 will be retained by the Department to offset administrative costs.

If you have any questions, please contact this office.

Sincerely,

Christine Field
Water Supply Bank Support

Enclosure(s): Receipt No. C096708
Rental Agreement (copy)

c: Sascha Marston – Fiscal
Allen Merritt – IDWR Southern Regional Office
Tim Luke – IDWR Compliance Bureau

TRANSFER 78846

MEMORANDUM

To: File(s) 43-2574D, 43-2576D, and 43-10597A

From: Cherie Palmer

Date: March 5, 2013

Re: Review/Analysis for Application to Rent Water from the State Water Supply Bank

PURPOSE/NARRATIVE: The applicant stated that they need 91.9 to cover a large pivot at 10S, 28E of Section 31. Currently, right 43-13317 covers 40 acres under the pivot that is 131.9 acres total. On March 19, 2012, the department issued a pending NOV regarding the uncovered acres. Currently, the only water that is available in this area are the above referenced water rights from Hinckley who has 31.4 acres of the water rights leased to the department.

Note that the applicant did not specify the number of years he would like to rent water from the bank. I will set up the rental acceptance documents for the duration that the rights are leased to the bank, until 2016.

AUTHORITY TO FILE: Spratling owns the POU and is authorized to divert from 4 PDs that are owned by IDA Gold Farms (note that he didn't attach the authorization but existing water right 43-13317 diverts from those 4 wells).

WATER RIGHT VALIDITY: The water rights that are leased to the bank are valid and are ready for rental.

INJURY TO OTHER WATER RIGHTS: Both the leased water rights and the applicant's POU are outside the ESPA model grid boundary. No modeling is necessary in order to process the rental. No other injury is expected.

ENLARGEMENT OF USE: Combined use conditions will added to the rental acceptance documents to prevent enlargement.

LOCAL PUBLIC INTEREST:
Review staff has no information to suggest this application is inconsistent with the local public interest.

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES:
The rental appears consistent with conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS:
None.

RECEIVED

MAR 13 2013

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER SUPPLY BANK RENTAL AGREEMENT

This is to certify that: JOHN SPRATLING
550 TERRACE DR
BURLEY ID 83318
(208) 651-2016

filed an application to rent water from the Water Supply Bank ("Bank"). The Idaho Water Resource Board ("Board") being authorized to operate a Bank and to contract by and through the Director of the Idaho Department of Water Resources ("Director, Department") for rental of water from the Bank agrees to rent water as follows:

Summary of Water Rights or Portions Rented from the Bank

Water Right	Rented Rate	Annual Rented Volume	Total Rented Acres
43-2574D	0.30 CFS	111.6 AF	31.4 AC
43-2576D	0.19 CFS	116.6 AF	31.4 AC
43-10597A	0.06 CFS	NA	31.4 AC

COMBINED

RENTAL TOTALS:

0.49 CFS

111.6 AF

31.4 AC

TERM OF RENTAL:

January 1, 2013, to December 1, 2016

RENTAL FEE:

\$1,897.20

Detailed water right specific limitations and conditions attached.

The undersigned renter agrees to use the water rented under this agreement in accordance with the Water Supply Bank rules and in compliance with the limitations and conditions of use described in this agreement:

Dated this 11 day of MARCH, 2013.By: John Spratling
(Print Name)

John Spratling
(Signature)
Manager
(Title if on behalf of company or organization)

Having determined that this agreement satisfies the provisions of Idaho Code § 42-1763 and IDAPA 37.02.03.030 (Water Supply Bank Rule 30), for the rental and use of water under the terms and conditions herein provided, and none other, I hereby execute this Rental Agreement on behalf of the Idaho Water Resource Board this 14th day of March, 2013.

Brian Patton
BRIAN PATTON, Acting Administrator
Idaho Water Resource Board

WATER RIGHT NO. 43-2574D
WATER SUPPLY BANK RENTAL AGREEMENT

The renter agrees to use the water rented under this agreement in accordance with the Water Supply Bank rules and in compliance with the limitations and conditions of use described below:

Renter: JOHN SPRATLING
 550 TERRACE DR
 BURLEY ID 83318
 (208) 651-2016

Priority Date: 7/19/1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	11/01	0.19 CFS	111.6 AF
	Total:		0.19 CFS	111.6 AF

LOCATION OF RENTER'S POINT(S) OF DIVERSION:

GROUND WATER	NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19 Twp 10S Rge 28E	CASSIA County
GROUND WATER	SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19 Twp 10S Rge 28E	CASSIA County
GROUND WATER	SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 30 Twp 10S Rge 28E	CASSIA County
GROUND WATER	NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 30 Twp 10S Rge 28E	CASSIA County

RENTER'S PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10S	28E	31			0.3					3.4	39.7	10.5	7.2	34.6		21.1	15.1		131.9
												L3	L4						

Total Acres: 131.9

Acre Limit within Place of Use described: 27.9 AC

Acre Combined Limit within Place of Use described with Water Rights 43-2574D, 43-2576D, and 43-10597A: 31.4 AC

CONDITIONS OF WATER USE

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. The water rented under this agreement is appurtenant to irrigation of 27.9 acres.
3. Rights 43-2574D, 43-2576D, and 43-10597A when combined shall not exceed a total diversion rate of 0.49 cfs, a total annual maximum diversion volume of 111.6 af at the field headgate, and the irrigation of 31.4 acres.
4. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
5. Use of water under this agreement does not constitute a dedication of the water to renter's place of use and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.

**WATER RIGHT NO. 43-2574D
WATER SUPPLY BANK RENTAL AGREEMENT
CONDITIONS OF WATER USE**

6. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
7. This rental agreement does not authorize the construction of a well.
8. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
9. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
10. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
11. Renter acknowledges and agrees that the Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
12. 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.
13. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.

WATER RIGHT NO. 43-2576D
WATER SUPPLY BANK RENTAL AGREEMENT

The renter agrees to use the water rented under this agreement in accordance with the Water Supply Bank rules and in compliance with the limitations and conditions of use described below:

Renter: JOHN SPRATLING
 550 TERRACE DR
 BURLEY ID 83318
 (208) 651-2016

Priority Date: 3/24/1964

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.30 CFS	111.6 AF
	Total:		0.30 CFS	111.6 AF

LOCATION OF RENTER'S POINT(S) OF DIVERSION:

GROUND WATER	NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 19	Twp 10S	Rge 28E	CASSIA County
GROUND WATER	SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 19	Twp 10S	Rge 28E	CASSIA County
GROUND WATER	SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 30	Twp 10S	Rge 28E	CASSIA County
GROUND WATER	NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 30	Twp 10S	Rge 28E	CASSIA County

RENTER'S PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10S	28E	31			0.3					3.4	39.7	10.5	7.2	34.6		21.1	15.1		131.9
											L3	L4							

Total Acres: 131.9

Acre Limit within Place of Use described: 27.9 AC

Acre Combined Limit within Place of Use described with Water Rights 43-2574D, 43-2576D, and 43-10597A: 31.4 AC

CONDITIONS OF WATER USE

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. The water rented under this agreement is appurtenant to irrigation of 27.9 acres.
3. Rights 43-2574D, 43-2576D, and 43-10597A when combined shall not exceed a total diversion rate of 0.49 cfs, a total annual maximum diversion volume of 111.6 af at the field headgate, and the irrigation of 31.4 acres.
4. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
5. Use of water under this agreement does not constitute a dedication of the water to renter's place of use and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.

**WATER RIGHT NO. 43-2576D
WATER SUPPLY BANK RENTAL AGREEMENT
CONDITIONS OF WATER USE**

6. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
7. This rental agreement does not authorize the construction of a well.
8. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
9. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
10. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
11. Renter acknowledges and agrees that the Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
12. 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.
13. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.

WATER RIGHT NO. 43-10597A
WATER SUPPLY BANK RENTAL AGREEMENT

The renter agrees to use the water rented under this agreement in accordance with the Water Supply Bank rules and in compliance with the limitations and conditions of use described below:

Renter: JOHN SPRATLING
 550 TERRACE DR
 BURLEY ID 83318
 (208) 651-2016

Priority Date: 6/30/1985

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	0.06 CFS	NA
	Total:		0.06 CFS	NA

LOCATION OF RENTER'S POINT(S) OF DIVERSION:

GROUND WATER	NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 19	Twp 10S	Rge 28E	CASSIA County
GROUND WATER	SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 19	Twp 10S	Rge 28E	CASSIA County
GROUND WATER	SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 30	Twp 10S	Rge 28E	CASSIA County
GROUND WATER	NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 30	Twp 10S	Rge 28E	CASSIA County

RENTER'S PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10S	28E	31			0.3					3.4	39.7	10.5	7.2	34.6		21.1	15.1		131.9
												L3	L4						

Total Acres: 131.9

Acre Limit within Place of Use described: 3.5 AC

Acre Combined Limit within Place of Use described with Water Rights 43-2574D, 43-2576D, and 43-10597A: 31.4 AC

CONDITIONS OF WATER USE

1. The use of water under this agreement shall be subject to the provisions of Idaho Code § 42-1766.
2. The water rented under this agreement is appurtenant to irrigation of 3.5 acres.
3. Rights 43-2574D, 43-2576D, and 43-10597A when combined shall not exceed a total diversion rate of 0.49 cfs, a total annual maximum diversion volume of 111.6 af at the field headgate, and the irrigation of 31.4 acres.
4. Rental of the specified right from the bank does not, in itself, confirm the validity of the right or any elements of the water right, or improve the status of the right including the notion of resumption of use. It does not preclude the opportunity for review of the validity of this water right in any other department application process.
5. Use of water under this agreement does not constitute a dedication of the water to renter's place of use and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to those authorized under the water right and/or again be available to rent from the bank.

**WATER RIGHT NO. 43-10597A
WATER SUPPLY BANK RENTAL AGREEMENT
CONDITIONS OF WATER USE**

6. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
7. This rental agreement does not authorize the construction of a well.
8. Use of water under this agreement shall not prejudice any action of the Department in its consideration of an application for transfer or permit filed by the applicant for this same use.
9. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
10. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
11. Renter acknowledges and agrees that the Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
12. Failure of the renter to comply with the conditions of this agreement is cause for the Director to rescind approval of the rental agreement.



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

December 12, 2014

CROSS E LAND LLC
358 S 2750 E
DECLO, ID 83323

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

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 **IDAHO STATESMAN, LEWISTON TRIBUNE, POST REGISTER, and TIMES NEWS on 12/18/2014 and 12/25/2014**. Please note that due to the Christmas holiday; the second publication for the *Post Register only* will run on **12/26/2014**, rather than 12/25/2014. All other publication dates will remain as scheduled. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**January 5, 2015**).

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

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

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

Sincerely,

Denise Maline
Administrative Assistant

Maline, Denise

From: Maline, Denise
Sent: Thursday, December 11, 2014 2:50 PM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News Cover Letter.docx; Times News Ad.doc

Attached please find (1) legal notice being submitted for publication on December 18th & 25th, 2014. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 11, 2014

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

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

RE: Transfer No. 79579
Water Right No(s): 47-2521

RE: Transfer No. 79580
Water Right No(s): 45-10107, 45-2176, 45-2220, 45-2408

RE: Transfer No. 79679
Water Right No(s): 36-7377F, 36-7547F

RE: Transfer No. 79680
Water Right No(s): 36-7377F, 36-7547F

RE: Transfer No. 79686
Water Right No(s): 43-13286, 43-13288, 43-13290

RE: Transfer No. 79687
Water Right No(s): 37-20799

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before January 5, 2015. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

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

Maline, Denise

From: Maline, Denise
Sent: Thursday, December 11, 2014 2:51 PM
To: Idaho Statesman
Subject: LEGAL NOTICE
Attachments: Idaho Statesman Cover Letter.docx; 78846 Ad.doc

Attached please find (1) legal notice being submitted for publication on December 18th & 25th, 2014. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 11, 2014

LEGAL NOTICE DEPARTMENT
IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

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

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before January 5, 2015. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**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 & 25th, 2014

*Note – Post Register will run the second publication on December 26th, due to the Christmas holiday.

Maline, Denise

From: Maline, Denise
Sent: Thursday, December 11, 2014 2:52 PM
To: Post Register
Subject: LEGAL NOTICE
Attachments: Post Register Cover Letter.docx; 78846 Ad.doc

Attached please find (1) legal notice being submitted for publication on December 18th & 25th, 2014. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 11, 2014

LEGAL NOTICE DEPARTMENT
POST REGISTER
PO BOX 1800
IDAHO FALLS, ID 83402

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

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before January 5, 2015. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

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 & 25th, 2014

*Note – Post Register will run the second publication on December 26th, due to the Christmas holiday.

Maline, Denise

From: Maline, Denise
Sent: Thursday, December 11, 2014 2:53 PM
To: Lewiston Tribune (legals@lmtribune.com)
Subject: LEGAL NOTICE
Attachments: Lewiston Tribune Cover Letter.docx; 78846 Ad.doc

Attached please find (1) legal notice being submitted for publication on December 18th & 25th, 2014. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 11, 2014

LEGAL NOTICE DEPARTMENT

LEWISTON TRIBUNE

505 C ST

PO BOX 957

LEWISTON, ID 83501

RE: Transfer No. 78846

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

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before January 5, 2015. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**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 & 25th, 2014

*Note – Post Register will run the second publication on December 26th, due to the Christmas holiday.

MEMORANDUM

Date: October 31, 2013
To: Transfer 78846 File
From: Nathan Erickson
Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes to add a point of diversion to water rights 43-2574D, 43-2576D and 43-10597A. The ownership for the water rights will be updated to Cross E Land LLC. The new well will be located approximately 5.5 miles east and 11 miles north of the City of Malta. The new well is located within the place of use and between the four existing wells. The water rights have a total flow rate of 26.82 cfs, the new well is going to have a limit of 6 cfs that will be identified in a condition on the water rights. Water rights are located within the Raft River Critical Ground Water Management Area; it is recommended that this transfer be processed with a public notice and protest period.

- **Authority to File:**
Applicant has provided documentation for ownership to be changed for water rights 43-2574D, 43-2576D and 43-10597A.
- **Water Right Validity:**
Water rights 43-2574D, 43-2576D and 43-10597A were decreed in the SRBA on 6/28/2002. Recent aerial and satellite imagery indicate the property involved with this transfer appears irrigated.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated. Located in the Raft River Critical Ground Water Management Area, transfer should be advertised.
- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**
None Anticipated.
- **Effect on Agricultural Base of the Local Economy:**
None Anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

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.