

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79491

This is to certify that: SALMON FALLS LAND & LIVESTOCK CO INC
MICHAEL J HENSLEE, V.P.
95-A BELL RAPIDS RD
HAGERMAN, ID 83332

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>
71-10882	WR/DECREED	5/1/1918	22.000 cfs	N/A	N/A	1018.9	POLE CREEK

Purpose of Transfer (Changes Proposed)

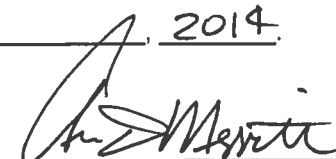
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
71-10882	NO	NO	YES	YES	NO	NO

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>
71-10882	71-10882	22.000 cfs	N/A	N/A	1018.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		22.000 cfs	N/A	N/A	1018.0		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 25th day of November, 2014.



Southern Region Manager

WATER RIGHT NO. 71-10882**As Modified by Transfer No. 79491**

In accordance with the approval of Transfer No. 79491, Water Right No. 71-10882 is now described as follows:

Right Holder: SALMON FALLS LAND & LIVESTOCK CO INC
MICHAEL J HENSLEE, V.P.
95-A BELL RAPIDS RD
HAGERMAN, ID 83332

Priority Date: 5/3/1918

Source: POLE CREEK

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	05/01	to 10/31	22.000 cfs
STOCKWATER	05/01	to 10/31	0.400 cfs
			22.000 cfs

LOCATION OF POINT(S) OF DIVERSION

POLE CREEK	NENE	Sec 22 Twp 07N Rge 14E	BLAINE County
POLE CREEK	NWNE	Sec 22 Twp 07N Rge 14E	BLAINE County
POLE CREEK	NWNE	Sec 22 Twp 07N Rge 14E	BLAINE County
POLE CREEK	SENE	Sec 22 Twp 07N Rge 14E	BLAINE County
POLE CREEK	NENW	Sec 22 Twp 07N Rge 14E	BLAINE County
POLE CREEK	SENW	Sec 23 Twp 07N Rge 14E	BLAINE County
POLE CREEK	SWNW	Sec 23 Twp 07N Rge 14E	BLAINE County
POLE CREEK	SESE	Sec 23 Twp 07N Rge 14E	BLAINE County
POLE CREEK	SENE	Sec 25 Twp 07N Rge 14E	BLAINE County
POLE CREEK	SENW	Sec 25 Twp 07N Rge 14E	BLAINE 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	
07N	14E	10															2.1		2.1
07N	14E	14					31.2	32.2	39.5	29.6	37.9	39.5	40.0	38.9			0.1		288.9
07N	14E	15	38.1	32.0	39.5	38.1	7.7			34.7	29.6	1.0	12.8	40.0	38.6	39.5	39.0	40.0	428.6
07N	14E	22	30.0	23.6	39.6	34.9	27.8	1.9		16.3					3.7	1.3			179.1
07N	14E	23		1.1			31.4	39.2	25.9	18.8		2.9							119.3

POU Total Acres: 1018.0

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	14E	10															X		
07N	14E	14					X	X	X	X	X	X	X	X					
07N	14E	15	X	X	X	X	X			X	X	X	X	X	X	X	X	X	
07N	14E	22	X	X	X	X	X	X		X					X	X			
07N	14E	23		X			X	X	X	X		X							

Transfer No. 79491

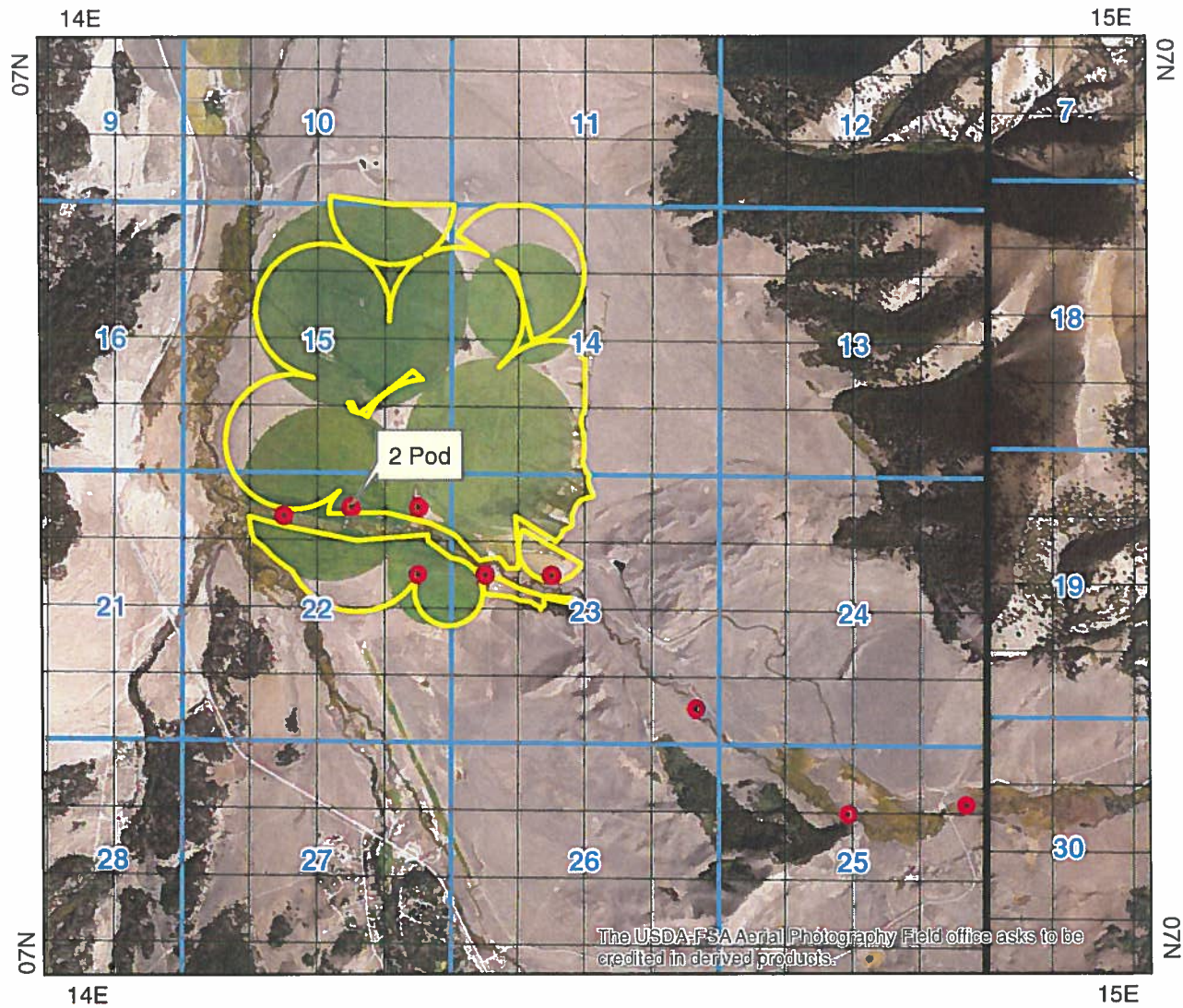
WATER RIGHT NO. 71-10882
As Modified by Transfer No. 79491

CONDITIONS OF APPROVAL

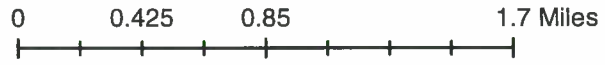
1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.71.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. This right does not grant any right-of-way or easement across the land of another.
4. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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. 79491
71-10882

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.

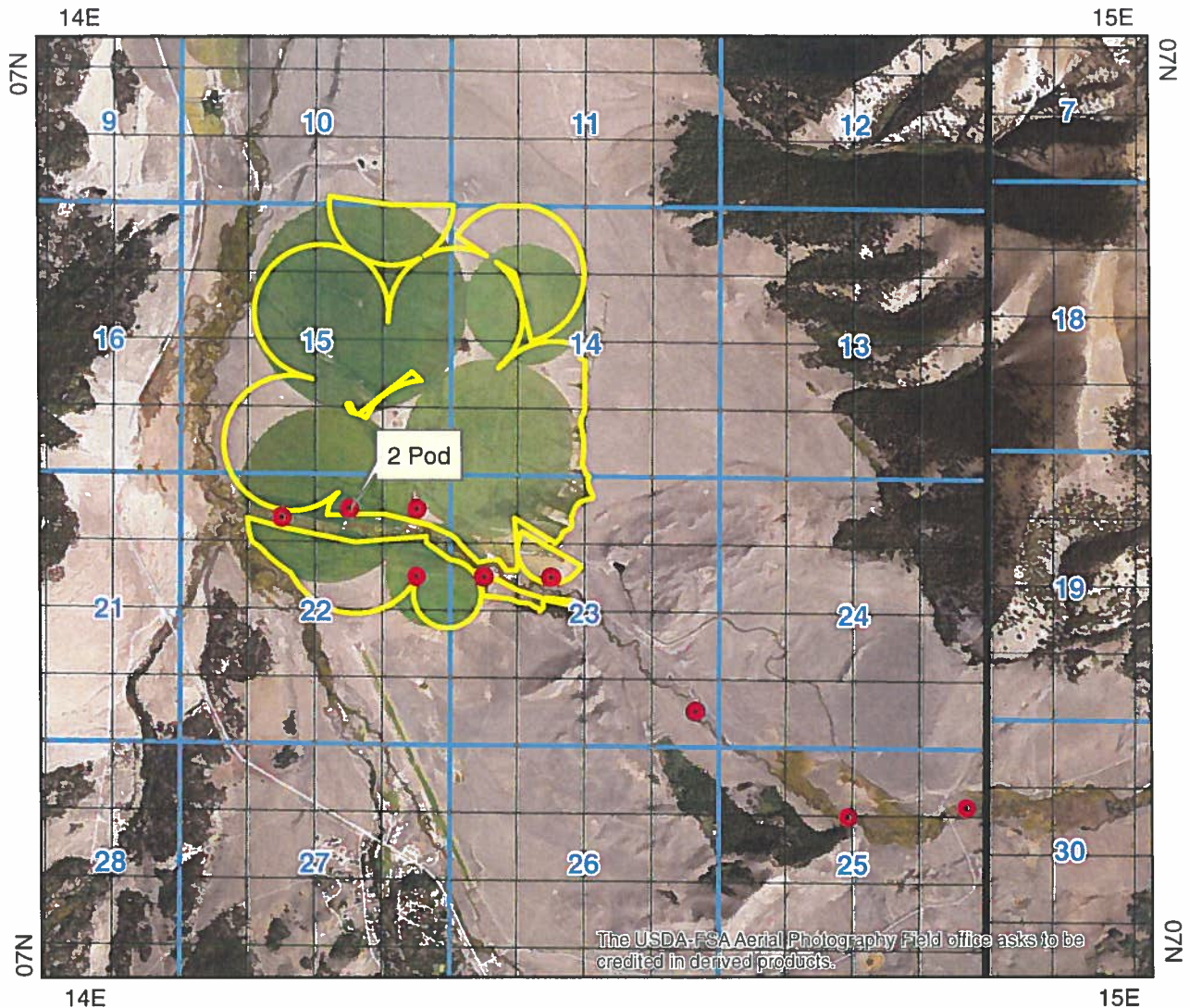


-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters



State of Idaho
Department of Water Resources
Attachment To Transfer No. 79491
71-10882

This map depicts the STOCKWATER 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 0.425 0.85 1.7 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

December 8, 2014

JAN SKRUKRUD WATERMASTER
WATER DISTRICT # 71
PO BOX 203
STANLEY, ID 83278

Re: **APPROVED** Transfer No. 79491 (Salmon Falls Land & Livestock Co. Inc.)
Re: **APPROVED** Permit No. 71-10949 (Salmon Falls Land & Livestock Co. Inc.)
Re: **APPROVED** Transfer No. 79569 (Rolf Engh)

Dear Ms. Skrukud:

For your information and records, we have enclosed a copy of an Approved Application for Transfer(s) and Approved Permit within your District.

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

Sincerely,

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

Denise Maline
Administrative Assistant

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 4, 2014

SALMON FALLS LAND & LIVESTOCK CO INC
MICHAEL J HENSLEE V.P.
95-A BELL RAPIDS RD
HAGERMAN ID 83332

Re: Transfer No: 79491
Water Right No(s): 71-10882

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

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

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

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

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

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Allen Merritt". The signature is written in a cursive style with a large, stylized initial "A".

Allen Merritt
Southern Regional Manager

Enclosure

CERTIFICATE OF SERVICE

I hereby certify that on December 4, 2014 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

Re: Transfer No.: 79491
Water Right No(s): 71-10882

SALMON FALLS LAND & LIVESTOCK CO INC
MICHAEL J HENSLEE V.P.
95-A BELL RAPIDS RD
HAGERMAN ID 83332

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.

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Susan Callahan, representing the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated 9/4 2014 and ending with the issue dated 9/11 2014

Susan Callahan

STATE OF IDAHO

COUNTY OF CUSTER

On this 15th day of Sept. in the year of 2014, before me, a Notary Public,

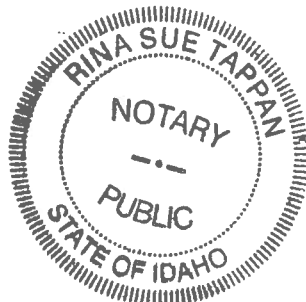
personally appeared Susan Callahan known or identified to me to be the person whose name, subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Rina Sue Tappan

Notary Public for Idaho

Residing at Challis, ID

My commission expires: 12-8-14



NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 79491

SALMON FALLS LAND & LIVESTOCK CO INC, MICHAEL J HENSLEE, V.P., 95-A BELL RAPIDS RD, HAGERMAN, ID 83332; has filed Application No. 79491 for changes to the following water rights within BLAINE, CUSTER County(s): Right No(s). 71-10882; to see a full description of these rights and the proposed transfer, please visit our website at www.idwr.idaho.gov and search under New Water Right Applications. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change a point of diversion (POD) for the stockwater and irrigation portions of water right 71-10882 (Pole Creek, 22.0 cfs), and change the place of use (POU) for the irrigation portion. The current POD is located approximately 8.6 miles east and 21.2 miles south of the intersection of state highways 21 and 75 in Stanley. The proposed POD is located approximately 800 feet upstream and will more easily facilitate the passage of native fish. The POU is located approximately 5.6 to 6.8 miles east and 18.9 to 20.6 miles south of Stanley and is being modified to reduce irrigation impacts on native fish populations.

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 September 22, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published: September 4 and 11, 2014

✓ OK DM 10/6/2014

LEGAL PROOF OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
263982	0001246567	LEGAL NOTICE NOTICE OF PROPOSED C	Salmon Falls Land & Livestock	\$109.78	1	63

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. 79491**

SALMON FALLS LAND & LIVESTOCK CO INC, MICHAEL J HENSLEE, V.P., 95-A BELL RAPIDS RD, HAGERMAN, ID 83332; has filed Application No. 79491 for changes to the following water rights within BLAINE, CUSTER County(s): Right No(s): 71-10882; to see a full description of these rights and the proposed transfer, please visit our website at www.idwr.idaho.gov and search under New Water Right Applications. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change a point of diversion (POD) for the stockwater and irrigation portions of water right 71-10882 (Pole Creek, 22.0 cfs), and change the place of use (POU) for the irrigation portion. The current POD is located approximately 8.6 miles east and 21.2 miles south of the intersection of state highways 21 and 75 in Stanley. The proposed POD is located approximately 800 feet upstream and will more easily facilitate the passage of native fish. The POU is located approximately 5.6 to 6.8 miles east and 18.9 to 20.6 miles south of Stanley and is being modified to reduce irrigation impacts on native fish populations.

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 September 22, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Pub. Sept. 4, 11, 2014

0001246567-01

RECEIVED**SEP 16 2014**DEPT OF WATER RESOURCES
SOUTHERN REGION

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printer 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 InsertionsBeginning issue of: 09/04/2014Ending issue of: 09/11/2014

Janice Hildreth
(Legals Clerk)

STATE OF IDAHO)
SS

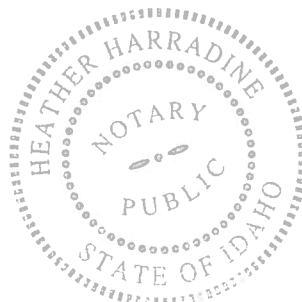
COUNTY OF ADA)

On this 12th day of September in the year of 2014 before me, a Notary Public, personally appeared before me Janice Hildreth 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, IdahoMy Commission expires: 2/11/2021

✓ OK DM 9-22-2014



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: 09/11/2014 INVOICE NO. 100431
Account No. 446620
Description 100431 NOTICE O
Times 2 Lines 79
Tab. lines
\$ 112.57
PO# NO. 79491

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.

AFFIDAVIT OF PUBLICATION

100431
NOTICE OF PROPOSED
CHANGE OF WATER
RIGHT
TRANSFER NO. 79491

SALMON FALLS LAND & LIVESTOCK CO INC, MICHAEL J HENSLEE, VP., 95-A BELL RAPIDS RD, HAGERMAN, ID 83332; has filed Application No. 79491 for changes to the following water rights within BLAINE, CUSTER County(s): Right No(s). 71-10882; to see a full description of these rights and the proposed transfer, please visit our website at www.idwr.idaho.gov and search under New Water Right Applications. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change a point of diversion (POD) for the stockwater and irrigation portions of water right 71-10882 (Pole Creek, 22.0 cfs), and change the place of use (POU) for the irrigation portion. The current POD is located approximately 8.6 miles east and 21.2 miles south of the intersection of state highways 21 and 75 in Stanley. The proposed POD is located approximately 800 feet upstream and will more easily facilitate the passage of native fish. The POU is located approximately 5.6 to 6.8 miles east and 18.9 to 20.6 miles south of Stanley and is being modified to reduce irrigation impacts on native fish populations.

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 newspaper 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 100431 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 09/04, or once a Week Week for 2 consecutive Week, the first publication thereof being on the 09/04/2014, and the last publication thereof being on the 09/11/2014, and said 100431 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

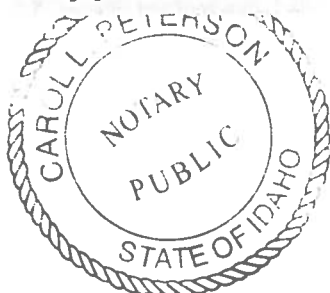
State of Idaho

S.S.

County of Nez Perce

On this 12th day of September 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 9-22-2014

RECEIVED
SEP 15 2014
DEPT OF WATER RESOURCES
SOUTHERN REGION

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 September 22, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN,
Director

Published in Idaho Mountain Express on September 3rd & 10th, 2014 and Challis Messenger, Times News, Idaho Statesman, Post Register, Lewiston Tribune on September 4th & 11th, 2014

✓ OK DM 9-22-2014

Proof of Publication
The Post Register

State of Idaho
Bonneville County:

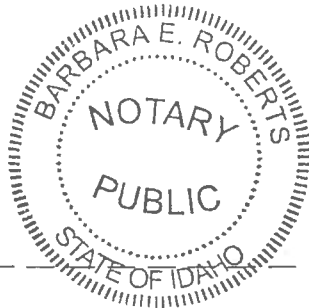
RECEIVED
SEP 15 2014
DEPT OF WATER RESOURCES
SOUTHERN REGION

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: 677199, for 2 consecutive (days) weeks, between 09/04/2014 and 09/11/2014,

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.

Subscribed and sworn to before me, this 11 day of September 2014



Barbara E. Roberts
Notary Public

My Commission expires: 5/9/2019

attached jurat

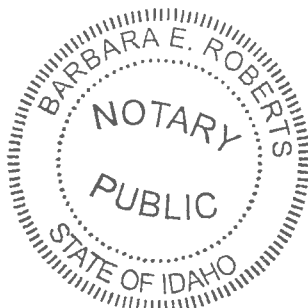
STATE OF IDAHO

ss.

COUNTY OF BONNEVILLE

Subscribed and sworn to before me, this 11 day of September 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 SM
9-22-2014

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 79491**

SALMON FALLS LAND & LIVESTOCK CO INC, MICHAEL J HENSLEE, V.P., 95-A BELL RAPIDS RD, HAGERMAN, ID 83332; has filed Application No. 79491 for changes to the following water rights within BLAINE, CUSTER County(s): Right No(s). 71-10882; to see a full description of these rights and the proposed transfer, please visit our website at www.idwr.idaho.gov and search under New Water Right Applications. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change a point of diversion (POD) for the stockwater and irrigation portions of water right 71-10882 (Pole Creek, 22.0 cfs), and change the place of use (POU) for the irrigation portion. The current POD is located approximately 8.6 miles east and 21.2 miles south of the intersection of state highways 21 and 75 in Stanley. The proposed POD is located approximately 800 feet upstream and will more easily facilitate the passage of native fish. The POU is located approximately 5.6 to 6.8 miles east and 18.9 to 20.6 miles south of Stanley and is being modified to reduce irrigation impacts on native fish populations.

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 September 22, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published in Idaho Mountain Express on September 3rd & 10th, 2014 and Challis Messenger, Times News, Idaho Statesman, Post Register, Lewiston Tribune on September 4th & 11th, 2014

Published: September 4, and 11, 2014 (677199)

✓ OK PM 9-22-2014

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

RECEIVED
SEP 15 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, Twin 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 4th day of September, 2014 and ending with the issue dated 11th day of September, 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 uninterruptedly.

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

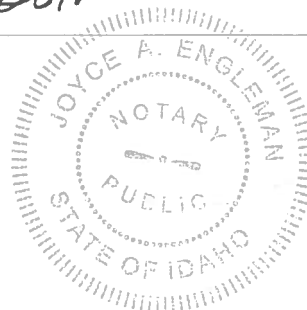
STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 12th day of September, 2014, before me,

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: 6/28/15



✓ OK DM
9-22-2014

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

47-17628

BANBURY HOT SPRINGS LLC

1158A BANBURY RD

BUHL, ID 83316

Point of Diversion L6(NENWSW) S33 T08S R14E TWIN FALLS

County Source SPRING Tributary SNAKE RIVER

Use: HEATING 01/01 to 12/31 2 CFS

Total Diversion: 2 CFS

Date Filed: 7/24/2014

Place Of Use: HEATING

T08S R14E S33 L3(SWNW)

Application seeks to appropriate 2.0 cfs of water from a spring for heating use on property owned by Banbury Hot Springs LLC, located approximately 6.0 miles north and 3.3 miles west of the center of Buhl.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 79458

ROGER L CRANE and MARCIA L CRANE, 2046 E 600 S, DECLO, ID 83323; has filed Application No. 79458 for changes to the following water rights within CASSIA County(s): Right No (s). 43-2328, 43-2369, 43-2427, 43-2544, 43-4207, 43-4229. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to add an existing well and a new well to be drilled as authorized points of diversion to a group of groundwater rights that allow for the total diversion of 11.22 cfs for the irrigation of 698 acres on a farm located along the west side of Interstate 84 approximately 9.5 to 11.0 miles north of Malta. The new well to be drilled will be located approximately 10.5 miles north and 1 mile west of the City of Malta. The place of use will be adjusted to reflect the current location of irrigated acres on the farm.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 79491

SALMON FALLS LAND & LIVESTOCK CO INC, MICHAEL J HENSLEE, V.P., 95-A BELL RAPIDS RD, HAGERMAN, ID 83332; has filed Application No. 79491 for changes to the following water rights within BLAINE, CUSTER County(s): Right No(s). 71-10882. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change a point of diversion (POD) for the stockwater and irrigation portions of water right 71-10882 (Pole Creek, 22.0 cfs), and change the place of use (POU) for the irrigation portion. The current POD is located approximately 8.6 miles east and 21.2 miles south of the intersection of state highways 21 and 75 in Stanley. The proposed POD is located approximately 800 feet upstream and will more easily facilitate the passage of native fish. The POU is located approximately 5.6 to 6.8 miles east and 18.9 to 20.6 miles south of Stanley and is being modified to reduce irrigation impacts on native fish populations.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please visit our website at www.idwr.idaho.gov and search under New Water Right Applications. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before September 22, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on September 4th & 11th, 2014

✓ OK DM 9-22-2014

AFFIDAVIT of PUBLICATION

State of Idaho
County of Blaine

Pam Morris

, being the first publisher of the Idaho Mountain Express, a newspaper published every week in Ketchum, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

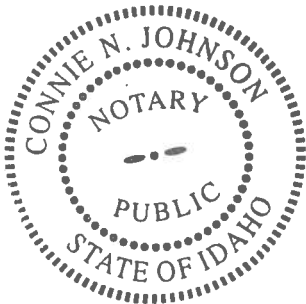
each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 3 day of

Sept., 20 14, and the date of the last publication was on the 10 day of Sept., 20 14

Subscribed and sworn to before me this 10 day of Sept., 20 14.

Connie N. Johnson
NOTARY PUBLIC



RESIDING AT HAILEY, IDAHO
MY COMMISSION EXPIRES ON 7/10/2018

IDAHO MOUNTAIN EXPRESS
P.O. Box 1013
Ketchum, Idaho 83340
COST OF PUBLICATION

Number of Picas per Line 11.5
Number of Lines in Notice 60
Number of Insertions 2

60 Lines tabular at 9.0 cents/pica
60 Lines straight at 55.20 8.0 cents/pica
60 Subsequent lines at 48.30 7.0 cents/pica
TOTAL COST \$103.50

RECEIVED COPY OF NOTICE
SEP 12 2014
DEPT OF WATER RESOURCES
SOUTHERN REGION
Legal Notice
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 79491

SALMON FALLS LAND & LIVESTOCK CO INC, MICHAEL J HENSLEE, V.P., 95-A BELL RAPIDS RD, HAGERMAN, ID 83332; has filed Application No. 79491 for changes to the following water rights within BLAINE, CUSTER County(s): Right No(s). 71-10882; to see a full description of these rights and the proposed transfer, please visit our website at www.idwr.idaho.gov and search under New Water Right Applications. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change a point of diversion (POD) for the stockwater and irrigation portions of water right 71-10882 (Pole Creek, 22.0 cfs), and change the place of use (POU) for the irrigation portion. The current POD is located approximately 8.6 miles east and 21.2 miles south of the intersection of state highways 21 and 75 in Stanley. The proposed POD is located approximately 800 feet upstream and will more easily facilitate the passage of native fish. The POU is located approximately 5.6 to 6.8 miles east and 18.9 to 20.6 miles south of Stanley and is being modified to reduce irrigation impacts on native fish populations.

✓ OK Am
9/22/2014

over →

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 September 22, 2014. The protestant must also send a copy of the protest to the applicant.

Gary Spackman, Director

PUBLISH
IDAHO MOUNTAIN EXPRESS
Sept. 3 & 10, 2014

✓ OK DM 9/22/2014

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
650 ADDISON AVE W, STE 500
TWIN FALLS, ID 83301

RETURN SERVICE REQUESTED



RECEIVED
SEP 11 2014
DEPT OF WATER RESOURCES
SOUTHERN REGION

IDAHO336 834673010-1613
FORWARD TIME EXP RTN TO SEND 09/04/14
IDAHO DEPT OF FISH AND GAME
99 HIGHWAY 93 N
SALMON ID 83467-5292

RETURN TO SENDER

IDAHO DEPT OF FISH & GAME
PO BOX 1336
SALMON, ID 83467

X-fer #
79491

No need to send again.
Idaho Falls office submitted
comments 9/4/2014.



Maline, Denise

From: Bassista, Tom [thomas.bassista@idfg.idaho.gov]
Sent: Thursday, September 04, 2014 2:44 PM
To: Maline, Denise
Subject: Transfer No 79491 & Water Right No. 71-10882

Dear Denise:

The Idaho Department of Fish and Game has reviewed Transfer No. 79491 and we have no comments concerning this proposed change in water right.

Thank you for the opportunity to review.

Tom Bassista
Environmental Staff Biologist

Idaho Department of Fish and Game
Upper Snake and Salmon Regions
4279 Commerce Circle
Idaho Falls, ID 83401
208.525.7290

**Proof of legal notice
received from Post Register 9/3/2014**

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
TRANSFER NO. 79491**

SALMON FALLS LAND & LIVESTOCK CO INC, MICHAEL J HENSLEE, V.P., 95-A BELL RAPIDS RD, HAGERMAN, ID 83332; has filed Application No. 79491 for changes to the following water rights within BLAINE, CUSTER County(s): Right No(s). 71-10882; to see a full description of these rights and the proposed transfer, please visit our website at www.idwr.idaho.gov and search under New Water Right Applications. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change a point of diversion (POD) for the stockwater and irrigation portions of water right 71-10882 (Pole Creek, 22.0 cfs), and change the place of use (POU) for the irrigation portion. The current POD is located approximately 8.6 miles east and 21.2 miles south of the intersection of state highways 21 and 75 in Stanley. The proposed POD is located approximately 800 feet upstream and will more easily facilitate the passage of native fish. The POU is located approximately 5.6 to 6.8 miles east and 18.9 to 20.6 miles south of Stanley and is being modified to reduce irrigation impacts on native fish populations.

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 September 22, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published in Idaho Mountain Express on September 3rd & 10th, 2014 and Challis Messenger, Times News, Idaho Statesman, Post Register, Lewiston Tribune on September 4th & 11th, 2014

Published: September 4, and 11, 2014 (677199)

✓ OK DM 9/3/2014

E-mail sent to newspaper