

RECEIVED**JUL 14 2014****DEPT OF WATER RESOURCES
SOUTHERN REGION****STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**Transfer No. 79434**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) WEBB BROTHERS LAND & LIVESTOCK 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

RECEIVED

JUL 14 2014

DEPT OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant WEBB BROTHERS LAND & LIVESTOCK LLC Phone (208) 349-5740
Mailing Address 22 N YALE RD, 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.

Todd B Webb Todd B Webb/owner 7/14/14
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1.	Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
	43-10089	No	Yes	No	Yes	No	No
	43-13118	No	Yes	No	Yes	No	No
	43-13412	No	Yes	Yes	Yes	No	No
	43-13414	No	Yes	Yes	Yes	No	No

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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**

Add point of diversion to existing water rights and correct the legal description on an existing well
that is listed as a point of diversion on the rights. Application will also change the commercial place
of use for two of these rights to reflect the entire facility footprint.

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
43-10089	0.230 cfs	14.6 af	N/A	N/A		N/A	N/A	N/A	N/A
43-13118	0.080 cfs	3.0 af	N/A	N/A		N/A	N/A	N/A	N/A
43-13412	0.060 cfs	10.2 af	N/A	N/A		N/A	N/A	N/A	N/A
43-13414	0.060 cfs	9.6 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED TOTALS	0.420 cfs	29.3 af	N/A	N/A		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 0.42 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. 43-10089

Current Water Right Owner
WEBB BROTHERS LAND
& LIVESTOCK LLC
22 N YALE RD
DECLO, ID 83323

Priority Date: 12/31/1983

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>
DOMESTIC	01/01	12/31	0.040 CFS	3.0 AFA	
STOCKWATER	01/01	12/31	0.230 CFS	11.6 AFA	
Total Diversion			0.230 CFS	14.6 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NESE	Sec. 35 Twp 10S Rge 27E CASSIA County
GROUND WATER	SESE	Sec. 35 Twp 10S Rge 27E CASSIA County
GROUND WATER	SESE	Sec. 35 Twp 10S Rge 27E CASSIA County

Describe the proposed diversion system

Existing well

existing well

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	27E	35				X												X	

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	
10S	27E	35				X									X			X	
11S	27E	2	X																
			L 1																

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

Proposed Water Right No. 43-13118

Current Water Right Owner
WEBB BROTHERS LAND
& LIVESTOCK LLC
22 N YALE RD
DECLO, ID 83323

Priority Date: 5/1/2001

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>
DOMESTIC	01/01	12/31	0.080 CFS	3.0 AFA	
Total Diversion			0.080 CFS	3.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESE	Sec. 35 Twp 10S Rge 27E CASSIA County
GROUND WATER	NESE	Sec. 35 Twp 10S Rge 27E CASSIA County
GROUND WATER	SESE	Sec. 35 Twp 10S Rge 27E CASSIA County

Describe the proposed diversion system

existing well

Existing well

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	27E	35				X												X	0.0

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

Proposed Water Right No. 43-13412

Current Water Right Owner
 WEBB BROTHERS LAND
 & LIVESTOCK LLC
 22 N YALE RD
 DECLO, ID 83323

Priority Date: 3/10/1961

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>
COMMERCIAL	01/01	12/31	0.060 CFS	10.2 AFA	
STOCKWATER	01/01	12/31	0.060 CFS	10.2 AFA	
Total Diversion			0.060 CFS	10.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NESE	Sec. 35 Twp 10S Rge 27E CASSIA County
GROUND WATER	SESE	Sec. 35 Twp 10S Rge 27E CASSIA County
GROUND WATER	SESE	Sec. 35 Twp 10S Rge 27E CASSIA County

Describe the proposed diversion system

Existing well

existing well

Place of Use: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	27E	35				X									X			X	0
11S	27E	2	X																
			L 1																

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	
10S	27E	35				X									X			X	
11S	27E	2	X																
			L 1																

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

Proposed Water Right No. 43-13414

Current Water Right Owner
WEBB BROTHERS LAND
& LIVESTOCK LLC
22 N YALE RD
DECLO, ID 83323

Priority Date: 4/1/1961

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>
COMMERCIAL	01/01	12/31	0.060 CFS	9.6 AFA	
STOCK WATER	01/01	12/31	0.060 CFS	9.6 AFA	
Total Diversion			0.060 CFS	9.6 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SESE	Sec. 35 Twp 10S Rge 27E CASSIA County
GROUND WATER	NESE	Sec. 35 Twp 10S Rge 27E CASSIA County
GROUND WATER	SESE	Sec. 35 Twp 10S Rge 27E CASSIA County

Describe the proposed diversion system

existing well

Existing well

Place of Use: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	27E	35				X									X			X	
11S	27E	2	X																
			L 1																

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	
10S	27E	35				X									X			X	
11S	27E	2	X																
			L 1																

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued**

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future

Two existing wells and a third well to be drilled. Measuring device and lockable controlling works will be installed when required.

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

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: Farm Credit, but transfer will add value to the property.

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:

N/A

- 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:

Rights involved with this transfer. Irrigation rights described in transfer # 78964 provide irrigation water to the home sites.

- 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:

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

Current Water Right No. 43-10089

Current Water Right Owner
WEBB BROTHERS LAND
& LIVESTOCK LLC
22 N YALE RD
DECLO, ID 83323

Priority Date: 12/31/1983

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>
DOMESTIC	01/01	12/31	0.040 CFS	3.0 AFA	
STOCK WATER	01/01	12/31	0.230 CFS	11.6 AFA	
Total Diversion			0.230 CFS	14.6 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNESE	Sec. 35 Twp 10S Rge 27E CASSIA County
GROUND WATER	SENESE	Sec. 35 Twp 10S Rge 27E CASSIA County

Describe the proposed diversion system

Existing well

existing well

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	27E	35				X												X	0.0

Place of Use: STOCK WATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	27E	35				X									X			X	0.0
11S	27E	2	X																0.0
			L 1																

Conditions/Remarks:

1. The domestic use authorized under Rights 43-10089 and 43-13118 is for a total of five (5) homes.
2. Rights 43-10089 and 43-13118 when combined shall not exceed a diversion of 13,000 gallons per day, nor a total annual maximum diversion volume of 14.6 acre-feet.
3. The total instantaneous diversion of water from all points of diversion under Rights 43-10089, 43-13118, 43-13412, and 43-13414 shall not exceed 0.42 cfs, nor a total combined annual volume of 29.3 af.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Current Water Right No. 43-13118

Current Water Right Owner
WEBB BROTHERS LAND
& LIVESTOCK LLC
22 N YALE RD
DECLO, ID 83323

Priority Date: 5/1/2001

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>
DOMESTIC	01/01	12/31	0.080 CFS	3.0 AFA	
Total Diversion			0.080 CFS	3.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNESE	Sec. 35 Twp 10S Rge 27E CASSIA County
GROUND WATER	SENESE	Sec. 35 Twp 10S Rge 27E CASSIA County

Describe the proposed diversion system

Existing well

existing well

Place of Use: DOMESTIC

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	27E	35				X												X	0.0

Conditions/Remarks:

1. The domestic use authorized under Rights 43-10089 and 43-13118 is for a total of five (5) homes.
2. Rights 43-10089 and 43-13118 when combined shall not exceed a diversion of 13,000 gallons per day, nor a total annual maximum diversion volume of 14.6 acre-feet.
3. The total instantaneous diversion of water from all points of diversion under Rights 43-10089, 43-13118, 43-13412, and 43-13414 shall not exceed 0.42 cfs, nor a total combined annual volume of 29.3 af.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Current Water Right No. 43-13412

Current Water Right Owner
WEBB BROTHERS LAND
& LIVESTOCK LLC
22 N YALE RD
DECLO, ID 83323

Priority Date: 3/10/1961

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>
COMMERCIAL	01/01	12/31	0.060 CFS	10.2 AFA	
STOCK WATER	01/01	12/31	0.060 CFS	10.2 AFA	
Total Diversion			0.060 CFS	10.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNESE	Sec. 35 Twp 10S Rge 27E CASSIA County
GROUND WATER	SENESE	Sec. 35 Twp 10S Rge 27E CASSIA County

Describe the proposed diversion system

Existing well

existing well

Place of Use: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	27E	35				X									X				0.0

Place of Use: STOCK WATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	27E	35				X									X			X	0.0
11S	27E	2	X																0.0
			L1																

Conditions/Remarks:

1. Rights 43-13412 and 43-13414 when combined shall not exceed a total diversion rate of 0.11 cfs, nor a total annual maximum diversion volume of 14.7 af.
2. The total instantaneous diversion of water from all points of diversion under Rights 43-10089, 43-13118, 43-13412, and 43-13414 shall not exceed 0.42 cfs, nor a total combined annual volume of 29.3 af.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

6. Commercial use is for a calf raising operation
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Current Water Right No. 43-13414

Current Water Right Owner
WEBB BROTHERS LAND
& LIVESTOCK LLC
22 N YALE RD
DECLO, ID 83323

Priority Date: 4/1/1961

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>
COMMERCIAL	01/01	12/31	0.060 CFS	9.6 AFA	
STOCKWATER	01/01	12/31	0.060 CFS	9.6 AFA	
Total Diversion			0.060 CFS	9.6 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNESE	Sec. 35 Twp 10S Rge 27E CASSIA County
GROUND WATER	SENESE	Sec. 35 Twp 10S Rge 27E CASSIA County

Describe the proposed diversion system

Existing well

existing well

Place of Use: COMMERCIAL

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	27E	35				X									X				0.0

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	
10S	27E	35				X									X			X	0.0
11S	27E	2	X																0.0
			L1																

Conditions/Remarks:

1. Rights 43-13412 and 43-13414 when combined shall not exceed a total diversion rate of 0.11 cfs, nor a total annual maximum diversion volume of 14.7 af.
2. The total instantaneous diversion of water from all points of diversion under Rights 43-10089, 43-13118, 43-13412, and 43-13414 shall not exceed 0.42 cfs, nor a total combined annual volume of 29.3 af.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. After specific notification by the Department, the right holder shall record the quantity of water diverted or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

6. Commercial use is for a calf raising operation
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

☒ 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.

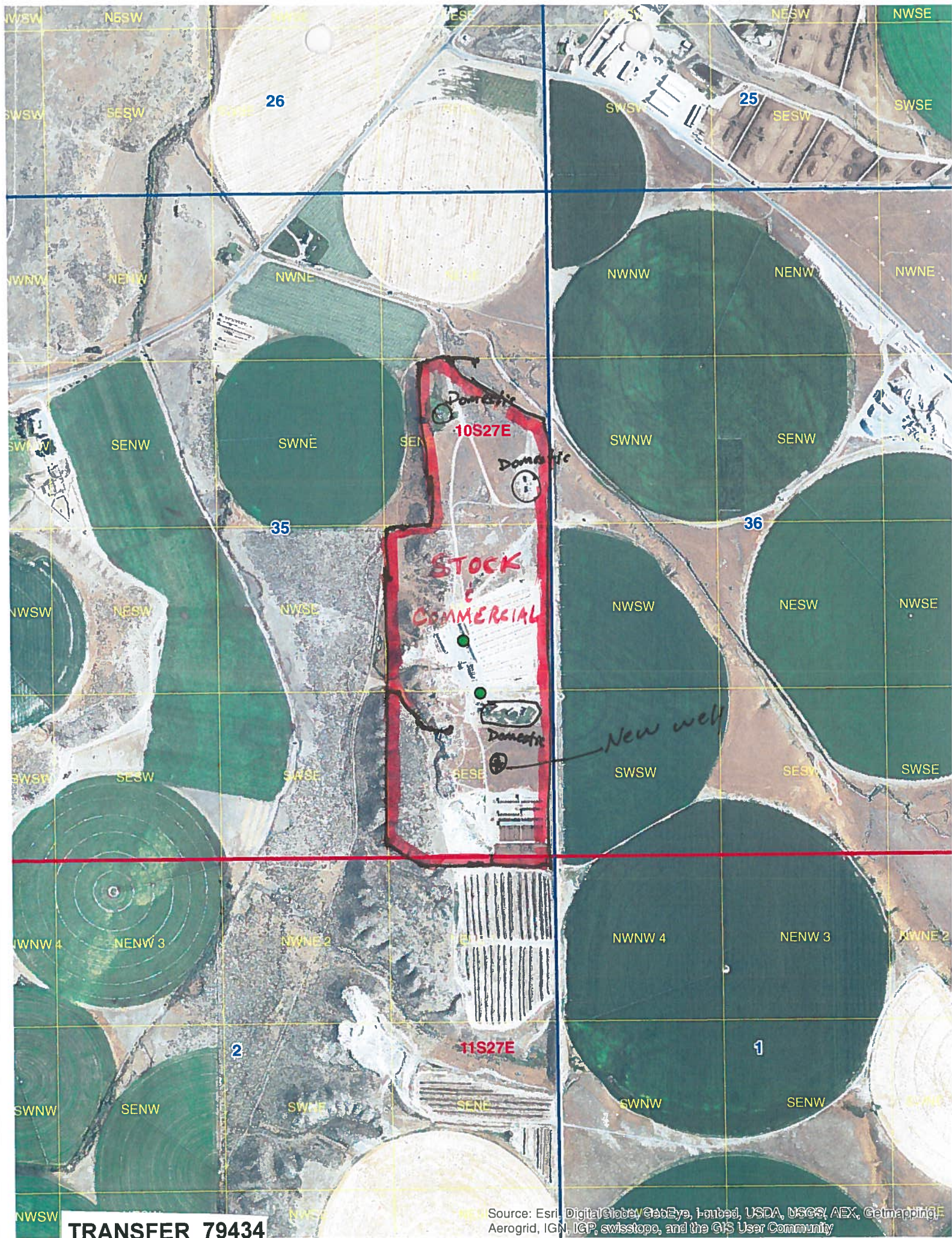
☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the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

☐ 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]

Received By A. SKINNER Date 7/14/14 Prelim. Check By _____ Date _____
 Fee Paid \$500.00 Date 7/14/14 Received By A. SKINNER Receipt # 5034154
 Add'l Fee Paid _____ Date _____ Received By _____ Receipt # _____



Source: Esri, DigitalGlobe, GeoEye, IGN, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

TRANSFER 79434



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 31, 2014

WEBB BROTHERS LAND & LIVESTOCK LLC
22 N YALE RD
DECLO, ID 83323

RE: Transfer No. 79434
Water Right No(s). 43-10089, 43-13118, 43-13412, 43-13414

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 **TIMES NEWS on 8/7/2014 and 8/14/2014**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**August 25, 2014**).

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, July 31, 2014 11:18 AM
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 August 7th & 14th, 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

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Governor

GARY SPACKMAN
Director

July 31, 2014

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 79000

Water Right No(s): 45-2636, 45-2754, 45-7252, 45-7268B

RE: Transfer No. 79382

Water Right No(s): 45-10158, 45-10164, 45-12757, 45-2338, 45-2374, 45-2380, 45-2381, 45-2384,
45-2589, 45-2596, 45-2626, 45-2715, 45-4239, 45-7156, 45-7201, 45-7456

RE: Transfer No. 79434

Water Right No(s): 43-10089, 43-13118, 43-13412, 43-13414

RE: Transfer No. 79466

Water Right No(s): 47-2306B

RE: Application For Permit No.(s): 47-17620

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 August 25, 2014. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

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

47-17620

LARRY HOLLAND

5085 CECILE AVE

LAS VEGAS, NV 89115

Point of Diversion SWNW S17 T10S R17E TWIN FALLS County Source SLAUGHTERHOUSE GULCH

Tributary ROCK CREEK

Use: FISH PROPAGATION 01/01 to 12/31 10 CFS

Total Diversion: 10 CFS

Date Filed: 7/11/2014

Place Of Use: FISH PROPAGATION

T10S R17E S17 NWNW SWNW

Application for permit proposes to divert 10.0 cfs from Slaughterhouse Gulch for non-consumptive fish propagation use at an existing fish facility. The proposed place of use and point of diversion is located approximately 0.75 mi. west of the intersection of West Five Points (Washington St. and Addison Ave.) in Twin Falls on the south side of HWY 30 in Rock Creek Canyon.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 79000

MARK T NEWCOMB, 251 E 200 S, RUPERT, ID 83350; has filed Application No. 79000 for changes to the following water rights within CASSIA County(s): Right No(s). 45-2636, 45-2754, 45-7252, 45-7268B. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes to add one new point of diversion to four existing groundwater rights. The new well will be drilled on an existing farm located approximately 2 mi. north and 4. mi. east of the City of Declo. Five wells (four existing and one new) will be used to divert up to 9.9 cfs and 3248 af for the irrigation of 812 acres on the farm.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 79382

FED AGRIBUSINESS LLC, 568 W 1650 S, OAKLEY, ID 83346; has filed Application No. 79382 for changes to the following water rights within CASSIA, TWIN FALLS County(s): Right No(s). 45-10158, 45-10164, 45-12757, 45-2338, 45-2374, 45-2380, 45-2381, 45-2384, 45-2589, 45-2596, 45-2626, 45-2715, 45-4239, 45-7156, 45-7201, 45-7456. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to combine the place of use for 16 water rights and change or add a point of diversion to several of the water rights including one new well. The new well will be a low temperature geothermal well and will be located approximately 4.5 miles south and 3.5 miles east of Murtaugh. The combine system will irrigate 2,330 acres with a total flow of 30.68 cfs.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 79434

WEBB BROTHERS LAND & LIVESTOCK LLC, 22 N YALE RD, DECLO, ID 83323; has filed Application No. 79434 for changes to the following water rights within CASSIA County(s): Right No(s). 43-10089, 43-13118, 43-13412, 43-13414. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes adding a new well to be drilled as an authorized point of diversion to a group of groundwater rights used to provide water for a CAFO facility and nearby domestic residences on property located approximately 3.8 – 4.7 miles south and 13.0 -13.3 miles east of the Interstate 84 and Interstate 86 interchange. The application also proposes modifying the existing point of diversion and/or the place of use descriptions for the group of rights to more accurately reflect actual locations. In total, up to 0.42 cfs and 29.3 afa will be diverted from the new well and two existing wells on the property to provide water for the domestic residences and the CAFO facility.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 79466**

FOUR SISTERS DAIRY LLC, PO BOX 105, TWIN FALLS, ID 83303-0105; has filed Application No. 79466 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-2306B. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes adding a point of diversion and changing the place of use of a water right associated with an existing dairy facility located approximately 4.0 to 4.5 miles south and 2.0 to 2.5 miles west of the Highway 30 and Highway 93 intersection. The application proposes adding a new well to be drilled at the dairy site as an authorized point of diversion for the existing water right associated with the facility. This new well, along with the two currently authorized wells, will divert up to 0.59 cfs and 250 AF per year as allowed by the existing water right associated with the facility. The application also proposes to change the commercial place of use of the water right to more accurately reflect the actual dairy site.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and the proposed transfers, please visit our website at www.idwr.idaho.gov and search under New Water Right Applications. 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 August 25, 2014. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on August 7th & 14th, 2014

MEMORANDUM

Date: July 29, 2014
To: Transfer 79434 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Application proposes adding a new well to be drilled as an authorized point of diversion to a group of groundwater rights (43-10089, 43-13118, 43-13412, and 43-13414) used to provide water for a CAFO facility and nearby domestic residences on property located approximately 3.8 – 4.7 miles south and 13.0 -13.3 miles east of the Interstate 84 and Interstate 86 interchange. The application also proposes modifying the existing point of diversion and/or the place of use descriptions for the group of rights to more accurately reflect actual locations. In total, up to 0.42 cfs and 29.3 afa will be diverted from the new well and two existing wells on the property to provide water for the domestic residences and the CAFO facility.

- **Authority to File:**

The application is filed in the name of Webb Brothers Land & Livestock, LLC, the current recorded owner of the rights involved with the transfer.

- **Water Right Validity:**

Right 43-10089 was decreed in the SRBA in July of 1998 while the other rights involved in this transfer were decreed in the SRBA in June of 2002. All of the rights involved with this transfer were involved with transfer # 71838 (approved in September of 2005). Aerial photography supports use of the rights in recent years.

- **Injury to Other Water Rights:**

None anticipated. The rights involved with the transfer will have the same rate & volume limitations after the transfer. The new proposed well is located within a ¼ mile of the two existing wells.

- **Enlargement of Use:**

None anticipated. Rights involved with the transfer will have the same rate & volume limitations after the transfer.

- **Local Public Interest:**

No issues anticipated. The application will be subject to public notice and protest.

- **Beneficial Use/Conservation of Water Resources:**

Proposed uses are recognized as beneficial uses of water.

- **Effect on Economy of the Local Area:**

None anticipated.

- **Effect of the Agricultural Base of the Local Area:**

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.