

FEB 27 2014

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 79109

DEPT. OF WATER RESOURCES
SOUTHERN REGIONMINIMUM 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) EVARD 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

RECEIVED

FEB 24 2014

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant EVARD LLC Phone (208)654-2733
Mailing Address 872 EAST PEBBLE DR, BURLEY ID 83318 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**.

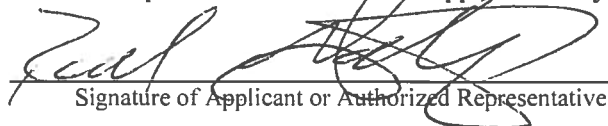
Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☒ 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

Reed Gibby
Print Name and Title if applicable

Feb 19, 2014
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
	47-2047	No	No	Yes	No	No	No
	47-2153	No	No	Yes	No	No	No
	47-2285	No	No	Yes	No	No	No
	47-12242	No	No	Yes	No	No	No
	47-12257	No	No	Yes	No	No	No
	47-12269	No	No	Yes	No	No	No
	47-12277	No	No	Yes	No	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**

Application proposes to add 25 acres to the existing permissible place of use (PPU) to accommodate for irrigation of field on that piece of property.

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
47-12269	1.300 cfs	633.2 af	580.0	2091.0		N/A	N/A	N/A	N/A
47-2153	0.960 cfs	192.0 af	48.0	2091.0		N/A	N/A	N/A	N/A
47-2285	3.660 cfs	648.0 af	185.0	2091.0		N/A	N/A	N/A	N/A
47-12257	4.500 cfs	N/A	734.9	2091.0		N/A	N/A	N/A	N/A
47-12242	N/A	21.4 af	339.0	2091.0		N/A	N/A	N/A	N/A
47-12277	3.660 cfs	1782.7 af	540.9	2091.0		N/A	N/A	N/A	N/A
47-2047	3.800 cfs	760.0 af	190.0	2091.0		N/A	N/A	N/A	N/A

**COMBINED
TOTALS**

14.220 cfs 3,663.6 af 915.9 2,091.0 N/A N/A N/A N/A

2. Total amount of water proposed to be transferred or changed 14.22 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. 47-12269

Current Water Right Owner
EVARD LLC
872 EAST PEBBLE DR
BURLEY, ID 83318

Priority Date: 3/15/1952

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	03/15	11/15	1.300 CFS	633.2 AFA	
Total Diversion			1.300 CFS	633.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWNWNE	Sec. 12 Twp 13S Rge 16E TWIN FALLS County
GROUND WATER	NWNWNE	Sec. 12 Twp 13S Rge 16E TWIN FALLS County
GROUND WATER	NWNWNE	Sec. 12 Twp 13S Rge 16E TWIN FALLS County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	16E	35													40.0		40.0	40.0	120.0
13S	16E	1	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0		40.0	40.0						399.0
			L 1	L 2			L 3	L 4											
13S	16E	2	39.0	39.0	40.0	40.0	39.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	597.0
			L 1	L 2			L 3												
13S	16E	11	40.0	40.0	40.0	40.0	40.0			40.0					40.0	40.0	40.0	40.0	400.0
13S	16E	12	40.0	30.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0		40.0	40.0		40.0	550.0
13S	17E	6									8.0	17.0							25.0
												L 6							

Right Acre Limit: 580.0
POU Total Acres: 2,091.0

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

Proposed Water Right No. 47-2153

Current Water Right Owner
 EVARD LLC
 872 EAST PEBBLE DR
 BURLEY, ID 83318

Priority Date: 5/31/1921

Origin: Water Right

Basis: Decreed

Status Active

Source: GOAT SPRINGS CREEK **Tributary:** SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	07/15	0.960 CFS	
STOCKWATER	03/15	07/15	0.090 CFS	
Total Diversion			0.960 CFS	192.0 AFA

Source and Point(s) of Diversion:
 GOAT SPRINGS CREEK NWSESE Sec. 12 Twp 13S Rge 16E TWIN FALLS County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	16E	35													40.0		40.0	40.0	120.0
13S	16E	1	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0		40.0	40.0						399.0
			L 1	L 2			L 3	L 4											
13S	16E	2	39.0	39.0	40.0	40.0	39.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	597.0
			L 1	L 2			L 3												
13S	16E	11	40.0	40.0	40.0	40.0	40.0			40.0					40.0	40.0	40.0	40.0	400.0
13S	16E	12	40.0	30.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0		40.0	40.0		40.0	550.0
13S	17E	6									7.0	18.0							25.0
												L 6							

Right Acre Limit: 48.0
 POU Total Acres: 2,091.0

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	
12S	16E	35													X		X	X	
13S	16E	1										X	X						
13S	16E	2	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	
			L 1	L 2			L 3												
13S	16E	11	X	X	X	X	X			X					X	X			
13S	16E	12						X											

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

Proposed Water Right No. 47-2285

Current Water Right Owner
EVARD LLC
872 EAST PEBBLE DR
BURLEY, ID 83318

Priority Date: 3/10/1955

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	10/31	3.660 CFS	648.0 AFA	
Total Diversion			3.660 CFS	648.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	L6(NENWSW)	Sec. 6 Twp 13S Rge 17E TWIN FALLS County
GROUND WATER	L6(SENWSW)	Sec. 6 Twp 13S Rge 17E TWIN FALLS County
GROUND WATER	L6(SENWSW)	Sec. 6 Twp 13S Rge 17E TWIN FALLS County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	16E	35													40.0		40.0	40.0	120.0
13S	16E	1	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0		40.0	40.0						399.0
			L 1	L 2			L 3	L 4											
13S	16E	2	39.0	39.0	40.0	40.0	39.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	597.0
			L 1	L 2			L 3												
13S	16E	11	40.0	40.0	40.0	40.0	40.0			40.0					40.0	40.0	40.0	40.0	400.0
13S	16E	12	40.0	30.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0		40.0	40.0		40.0	550.0
13S	17E	6									8.0	17.0							25.0
												L 6							

Right Acre Limit: 185.0

POU Total Acres: 2,091.0

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

Proposed Water Right No. 47-12257

Current Water Right Owner
EVARD LLC
872 EAST PEBBLE DR
BURLEY, ID 83318

Priority Date: 3/15/1968

Origin: Water Right

Basis: Decreed

Status Active

Source: GOAT SPRINGS CREEK **Tributary:** SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	07/15	4.500 CFS	
Total Diversion			4.500 CFS	

Source and Point(s) of Diversion:
GOAT SPRINGS CREEK NWSESE Sec. 12 Twp 13S Rge 16E TWIN FALLS County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	16E	35													40.0		40.0	40.0	120.0
13S	16E	1	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0		40.0	40.0						399.0
			L 1	L 2			L 3	L 4											
13S	16E	2	39.0	39.0	40.0	40.0	39.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	597.0
			L 1	L 2			L 3												
13S	16E	11	40.0	40.0	40.0	40.0	40.0			40.0					40.0	40.0	40.0	40.0	400.0
13S	16E	12	40.0	30.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0		40.0	40.0		40.0	550.0
13S	17E	6									8.0	17.0							25.0
												L 6							

Right Acre Limit: 734.9
POU Total Acres: 2,091.0

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

Proposed Water Right No. 47-12242

Current Water Right Owner
EVARD LLC
872 EAST PEBBLE DR
BURLEY, ID 83318

Priority Date: 3/15/1968

Origin: Water Right

Basis: Decreed

Status Active

Source: GOAT SPRINGS CREEK Tributary: SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION FROM STORAGE	03/15	06/01	21.4 AFA	
IRRIGATION STORAGE	01/15	03/14	21.4 AFA	
Total Diversion			21.4 AFA	

Source and Point(s) of Diversion:

GOAT SPRINGS CREEK	SENWSW	Sec. 1 Twp 13S Rge 16E TWIN FALLS County (R)
GOAT SPRINGS CREEK	NWSESE	Sec. 12 Twp 13S Rge 16E TWIN FALLS County

Place of Use: IRRIGATION FROM STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	16E	35													40.0		40.0	40.0	120.0
13S	16E	1	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0		40.0	40.0						399.0
			L 1	L 2			L 3	L 4											
13S	16E	2	39.0	39.0	40.0	40.0	39.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	597.0
			L 1	L 2			L 3												
13S	16E	11	40.0	40.0	40.0	40.0	40.0			40.0					40.0	40.0	40.0	40.0	400.0
13S	16E	12	40.0	30.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0		40.0	40.0		40.0	550.0
13S	17E	6									8.0	17.0							25.0
												L 6							

Right Acre Limit: 339.0

POU Total Acres: 2,091.0

Place of Use: IRRIGATION STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	16E	1										X	X						

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

Proposed Water Right No. 47-12277

Current Water Right Owner
EVARD LLC
872 EAST PEBBLE DR
BURLEY, ID 83318

Priority Date: 3/15/1968

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	03/15	11/15	3.660 CFS	1782.7 AFA	
Total Diversion			3.660 CFS	1782.7 AFA	

Source and Point(s) of Diversion:

GROUND WATER	L6(NENWSW)	Sec. 6 Twp 13S Rge 17E TWIN FALLS County
GROUND WATER	L6(SENWSW)	Sec. 6 Twp 13S Rge 17E TWIN FALLS County
GROUND WATER	L6(SENWSW)	Sec. 6 Twp 13S Rge 17E TWIN FALLS County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	16E	35													40.0		40.0	40.0	120.0
13S	16E	1	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0		40.0	40.0						399.0
			L 1	L 2			L 3	L 4											
13S	16E	2	39.0	39.0	40.0	40.0	39.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	597.0
			L 1	L 2			L 3												
13S	16E	11	40.0	40.0	40.0	40.0	40.0			40.0					40.0	40.0	40.0	40.0	400.0
13S	16E	12	40.0	30.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0		40.0	40.0		40.0	550.0
13S	17E	6									8.0	17.0							25.0
												L 6							

Right Acre Limit: 540.9

POU Total Acres: 2,091.0

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

Proposed Water Right No. 47-2047

Current Water Right Owner
EVARD LLC
872 EAST PEBBLE DR
BURLEY, ID 83318

Priority Date: 11/20/1909

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	03/15	11/15	3.800 CFS	760.0 AFA	
Total Diversion			3.800 CFS	760.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	L6(NENWSW)	Sec. 6 Twp 13S Rge 17E TWIN FALLS County
GROUND WATER	L6(SENWSW)	Sec. 6 Twp 13S Rge 17E TWIN FALLS County
GROUND WATER	L6(SENWSW)	Sec. 6 Twp 13S Rge 17E TWIN FALLS County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	16E	35													40.0		40.0	40.0	120.0
13S	16E	1	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0		40.0	40.0						399.0
			L 1	L 2			L 3	L 4											
13S	16E	2	39.0	39.0	40.0	40.0	39.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	597.0
			L 1	L 2			L 3												
13S	16E	11	40.0	40.0	40.0	40.0	40.0			40.0					40.0	40.0	40.0	40.0	400.0
13S	16E	12	40.0	30.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0		40.0	40.0		40.0	550.0
13S	17E	6									8.0	17.0							25.0
												L 6							

Right Acre Limit: 190.0

POU Total Acres: 2,091.0

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

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

EVARD LLC

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: _____

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:

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

Current Water Right No. 47-12269

Current Water Right Owner
EVARD LLC
872 EAST PEBBLE DR
BURLEY, ID 83318

Priority Date: 3/15/1952

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	03/15	11/15	1.300 CFS	633.2 AFA	
Total Diversion			1.300 CFS	633.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWNWNE	Sec. 12 Twp 13S Rge 16E TWIN FALLS County
GROUND WATER	NWNWNE	Sec. 12 Twp 13S Rge 16E TWIN FALLS County
GROUND WATER	NWNWNE	Sec. 12 Twp 13S Rge 16E TWIN FALLS County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	16E	35													40.0		40.0	40.0	120.0
13S	16E	1	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0		40.0	40.0						399.0
			L 1	L 2			L 3	L 4											
13S	16E	2	39.0	39.0	40.0	40.0	39.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	597.0
			L 1	L 2			L 3												
13S	16E	11	40.0	40.0	40.0	40.0	40.0			40.0					40.0	40.0	40.0	40.0	400.0
13S	16E	12	40.0	30.0	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	550.0

Right Acre Limit: 580.0

POU Total Acres: 2,066.0

Conditions/Remarks:

1. This right is limited to the irrigation of 580 acres within the authorized place of use in a single irrigation season.
2. Rights 47-2153, 47-2285, 47-12257, 47-12277, 47-2047, and 47-12269 when combined shall not exceed total annual maximum diversion volume of 3663.6 af at the field headgate.
3. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 when combined shall not exceed the irrigation of 915.9 acres.
4. Rights 47-2153, 47-12257, 47-12242, and 47-12269 when combined shall not exceed the irrigation of 782.9 acres.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

5. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 are limited to the irrigation of a specific 915.9 acres within the 2066 acre place of use authorized by this right in a single irrigation season. The specific 915.9 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 915.9 acres to be irrigated within the 2066 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
7. 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. 47-2153

Current Water Right Owner EVARD LLC
 872 EAST PEBBLE DR
 BURLEY, ID 83318

Priority Date: 5/31/1921

Origin: Water Right

Basis: Decreed

Status: Active

Source: GOAT SPRINGS CREEK **Tributary:** SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	07/15	0.960 CFS	
STOCKWATER	03/15	07/15	0.090 CFS	
Total Diversion			0.960 CFS	192.0 AFA

Source and Point(s) of Diversion:
 GOAT SPRINGS CREEK NWSESE Sec. 12 Twp 13S Rge 16E TWIN FALLS County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	16E	35													40.0		40.0	40.0	120.0
13S	16E	1	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0		40.0	40.0						399.0
			L 1	L 2			L 3	L 4											
13S	16E	2	39.0	39.0	40.0	40.0	39.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	597.0
			L 1	L 2			L 3												
13S	16E	11	40.0	40.0	40.0	40.0	40.0			40.0					40.0	40.0	40.0	40.0	400.0
13S	16E	12	40.0	30.0	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	550.0

Right Acre Limit: 48.0

POU Total Acres: 2,066.0

Place of Use: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	16E	35													X		X	X	0.0
13S	16E	1										X	X						0.0
13S	16E	2	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	0.0
			L 1	L 2			L 3												
13S	16E	11	X	X	X	X	X			X					X	X			0.0
13S	16E	12						X											0.0

Conditions/Remarks:

1. This right is limited to the irrigation of 48 acres within the authorized place of use in a single irrigation season.
2. Rights 47-2153, 47-2285, 47-12257, 47-12277, 47-2047, and 47-12269 when combined shall not exceed total annual maximum diversion volume of 3663.6 af at the field headgate.
3. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 when combined shall not exceed the irrigation of 915.9 acres.
4. Rights 47-2153, 47-12257, 47-12242, and 47-12269 when combined shall not exceed the irrigation of 782.9 acres.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

5. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 are limited to the irrigation of a specific 915.9 acres within the 2066 acre place of use authorized by this right in a single irrigation season. The specific 915.9 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 915.9 acres to be irrigated within the 2066 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
7. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
8. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Current Water Right No. 47-2285

Current Water Right Owner
 EVARD LLC
 872 EAST PEBBLE DR
 BURLEY, ID 83318

Priority Date: 3/10/1955

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	10/31	3.660 CFS	648.0 AFA	
Total Diversion			3.660 CFS	648.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	L6(SENWSW)	Sec. 6 Twp 13S Rge 17E TWIN FALLS County
GROUND WATER	L6(SENWSW)	Sec. 6 Twp 13S Rge 17E TWIN FALLS County
GROUND WATER	L6(NENWSW)	Sec. 6 Twp 13S Rge 17E TWIN FALLS County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	16E	35													40.0		40.0	40.0	120.0
13S	16E	1	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0		40.0	40.0						399.0
			L 1	L 2			L 3	L 4											
13S	16E	2	39.0	39.0	40.0	40.0	39.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	597.0
			L 1	L 2			L 3												
13S	16E	11	40.0	40.0	40.0	40.0	40.0			40.0					40.0	40.0	40.0	40.0	400.0
13S	16E	12	40.0	30.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0		40.0	40.0		40.0	550.0

Right Acre Limit: 185.0

POU Total Acres: 2,066.0

Conditions/Remarks:

1. This right is limited to the irrigation of 185 acres within the authorized place of use in a single irrigation season.
2. Rights 47-2153, 47-2285, 47-12257, 47-12277, 47-2047, and 47-12269 when combined shall not exceed total annual maximum diversion volume of 3663.6 af at the field headgate.
3. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 when combined shall not exceed the irrigation of 915.9 acres.
4. Rights 47-2047, 47-2285 and 47-12277 when combined shall not exceed a total diversion rate of 7.46 cfs and a total annual maximum diversion volume of 3190.7 af at the field headgate.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

5. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 are limited to the irrigation of a specific 915.9 acres within the 2066 acre place of use authorized by this right in a single irrigation season. The specific 915.9 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 915.9 acres to be irrigated within the 2066 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 cfs per acre at the field headgate for irrigation of the place of use.
7. Right No. 47-12277 is an enlargement of 47-2047 and 47-2285 pursuant to Section 42-1426, Idaho Code.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than June 19, 2009.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Current Water Right No. 47-12257

Current Water Right Owner
EVARD LLC
872 EAST PEBBLE DR
BURLEY, ID 83318

Priority Date: 3/15/1968

Origin: Water Right

Basis: Decreed

Status: Active

Source: GOAT SPRINGS CREEK Tributary: SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Subuse Code</u>
IRRIGATION	03/15	07/15	4.500 CFS	
Total Diversion			4.500 CFS	

Source and Point(s) of Diversion:
GOAT SPRINGS CREEK NWSESE Sec. 12 Twp 13S Rge 16E TWIN FALLS County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	16E	35													40.0		40.0	40.0	120.0
13S	16E	1	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0		40.0	40.0						399.0
			L 1	L 2			L 3	L 4											
13S	16E	2	39.0	39.0	40.0	40.0	39.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	597.0
			L 1	L 2			L 3												
13S	16E	11	40.0	40.0	40.0	40.0	40.0			40.0					40.0	40.0	40.0	40.0	400.0
13S	16E	12	40.0	30.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0		40.0	40.0		40.0	550.0

Right Acre Limit: 734.9
POU Total Acres: 2,066.0

Conditions/Remarks:

1. This right is limited to the irrigation of 734.9 acres within the authorized place of use in a single irrigation season.
2. Rights 47-2153, 47-2285, 47-12257, 47-12277, 47-2047, and 47-12269 when combined shall not exceed total annual maximum diversion volume of 3663.6 af at the field headgate.
3. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 when combined shall not exceed the irrigation of 915.9 acres.
4. Rights 47-2153, 47-12257, 47-12242, and 47-12269 when combined shall not exceed the irrigation of 782.9 acres.
5. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 are limited to the irrigation of a specific 915.9 acres within the 2066 acre place of use authorized by this right in a single irrigation season. The specific 915.9 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 915.9 acres to be irrigated within the 2066 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the place of use.
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. 47-12242

Current Water Right Owner EVARD LLC
872 EAST PEBBLE DR
BURLEY, ID 83318

Priority Date: 3/15/1968

Origin: Water Right

Basis: Decreed

Status: Active

Source: GOAT SPRINGS CREEK **Tributary:** SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION FROM STORAGE	03/15	06/01	21.4 AFA	
IRRIGATION STORAGE	01/15	03/14	21.4 AFA	
Total Diversion			21.4 AFA	

Source and Point(s) of Diversion:

GOAT SPRINGS CREEK	NWSESE	Sec. 12 Twp 13S Rge 16E TWIN FALLS County
GOAT SPRINGS CREEK	SENWSW	Sec. 1 Twp 13S Rge 16E TWIN FALLS County (R)

Place of Use: IRRIGATION FROM STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	16E	35													40.0		40.0	40.0	120.0
13S	16E	1	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0		40.0	40.0						399.0
			L 1	L 2			L 3	L 4											
13S	16E	2	39.0	39.0	40.0	40.0	39.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	597.0
			L 1	L 2			L 3												
13S	16E	11	40.0	40.0	40.0	40.0	40.0			40.0					40.0	40.0	40.0	40.0	400.0
13S	16E	12	40.0	30.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0		40.0	40.0		40.0	550.0

Right Acre Limit: 339.0

POU Total Acres: 2,066.0

Place of Use: IRRIGATION STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	16E	1										X	X						0.0

Conditions/Remarks:

1. This right is limited to the irrigation of 339 acres within the authorized place of use in a single irrigation season.
2. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 when combined shall not exceed the irrigation of 915.9 acres.
3. Rights 47-2153, 47-12257, 47-12242, and 47-12269 when combined shall not exceed the irrigation of 782.9 acres.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

4. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 are limited to the irrigation of a specific 915.9 acres within the 2066 acre place of use authorized by this right in a single irrigation season. The specific 915.9 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 915.9 acres to be irrigated within the 2066 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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. 47-12277

Current Water Right Owner
EVARD LLC
872 EAST PEBBLE DR
BURLEY, ID 83318

Priority Date: 3/15/1968

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	03/15	11/15	3.660 CFS	1782.7 AFA	
Total Diversion			3.660 CFS	1782.7 AFA	

Source and Point(s) of Diversion:

GROUND WATER	L6(SENWSW)	Sec. 6 Twp 13S Rge 17E TWIN FALLS County
GROUND WATER	L6(SENWSW)	Sec. 6 Twp 13S Rge 17E TWIN FALLS County
GROUND WATER	L6(NENWSW)	Sec. 6 Twp 13S Rge 17E TWIN FALLS County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	16E	35													40.0		40.0	40.0	120.0
13S	16E	1	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0		40.0	40.0						399.0
			L 1	L 2			L 3	L 4											
13S	16E	2	39.0	39.0	40.0	40.0	39.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	597.0
			L 1	L 2			L 3												
13S	16E	11	40.0	40.0	40.0	40.0	40.0			40.0					40.0	40.0	40.0	40.0	400.0
13S	16E	12	40.0	30.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0		40.0	40.0		40.0	550.0

Right Acre Limit: 540.9

POU Total Acres: 2,066.0

Conditions/Remarks:

1. This right is based upon an enlargement of Right Nos. 47-2047 and 47-2285 pursuant to Section 42-1426, Idaho Code.
2. This right is for an enlargement of 540.9 acres within the place of use described for this right.
3. Rights 47-2153, 47-2285, 47-12257, 47-12277, 47-2047, and 47-12269 when combined shall not exceed total annual maximum diversion volume of 3663.6 af at the field headgate.
4. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 when combined shall not exceed the irrigation of 915.9 acres.
5. Rights 47-2047, 47-2285 and 47-12277 when combined shall not exceed a total diversion rate of 7.46 cfs and a total annual maximum diversion volume of 3190.7 af at the field headgate.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

6. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 are limited to the irrigation of a specific 915.9 acres within the 2066 acre place of use authorized by this right in a single irrigation season. The specific 915.9 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 915.9 acres to be irrigated within the 2066 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Current Water Right No. 47-2047

Current Water Right Owner
EVARD LLC
872 EAST PEBBLE DR
BURLEY, ID 83318

Priority Date: 11/20/1909

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	03/15	11/15	3.800 CFS	760.0 AFA	
Total Diversion			3.800 CFS	760.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	L6(SENWSW)	Sec. 6 Twp 13S Rge 17E	TWIN FALLS County
GROUND WATER	L6(SENWSW)	Sec. 6 Twp 13S Rge 17E	TWIN FALLS County
GROUND WATER	L6(NENWSW)	Sec. 6 Twp 13S Rge 17E	TWIN FALLS County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	16E	35													40.0		40.0	40.0	120.0
13S	16E	1	40.0	40.0	40.0	40.0	40.0	39.0	40.0	40.0		40.0	40.0						399.0
			L 1	L 2			L 3	L 4											
13S	16E	2	39.0	39.0	40.0	40.0	39.0		40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	597.0
			L 1	L 2			L 3												
13S	16E	11	40.0	40.0	40.0	40.0	40.0			40.0					40.0	40.0	40.0	40.0	400.0
13S	16E	12	40.0	30.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0		40.0	40.0		40.0	550.0

Right Acre Limit: 190.0

POU Total Acres: 2,066.0

Conditions/Remarks:

1. This right is limited to the irrigation of 190 acres within the authorized place of use in a single irrigation season.
2. Rights 47-2153, 47-2285, 47-12257, 47-12277, 47-2047, and 47-12269 when combined shall not exceed total annual maximum diversion volume of 3663.6 af at the field headgate.
3. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 when combined shall not exceed the irrigation of 915.9 acres.
4. Rights 47-2047, 47-2285 and 47-12277 when combined shall not exceed a total diversion rate of 7.46 cfs and a total annual maximum diversion volume of 3190.7 af at the field headgate.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

Conditions/Remarks:

5. Rights 47-2153, 47-2285, 47-12257, 47-12242, 47-12277, 47-2047, and 47-12269 are limited to the irrigation of a specific 915.9 acres within the 2066 acre place of use authorized by this right in a single irrigation season. The specific 915.9 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right and are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 915.9 acres to be irrigated within the 2066 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
6. Right No. 47-12277 is an enlargement of 47-2047 and 47-2285 pursuant to Section 42-1426, Idaho Code.
7. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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]

Transfer Contains 26 pages and attachments.
 Received By J. Cooper Date 02/28/2014 Prelim. Check By J. Cooper Date 02/28/2014
 Fee Paid \$200.00 Date 02/27/2014 Received By J. Cooper Receipt # 503839
 Add'l Fee Paid Date Received By Receipt #



RECEIVED

FEB 24 2014

DEPT. OF WATER RESOURCES
SOUTHERN REGION

February 20, 2014

Idaho Dept. of Water Resources
650 Addison Avenue West, Suite 500
Twin Falls, Idaho 83301

Attention: Jeff Cooper
RE: Evard LLC

Dear Department of Water Resources:

Evard, LLC, through Member Reed Gibby, has submitted to Northwest Farm Credit Services, a signed copy of an amended application for transfer of water rights under Idaho Department of Water Resources Transfer #79109. The application is an amendment or replacement for Transfer Application #78504 completed in 2013. It appears that 25 acres of water right is to be added to the existing permissible place of use to accommodate the irrigation of that property. It is our understanding that the transfer application needs consent from all mortgage holders who have liens on the ground associated with the points of diversion and use. Upon review, the requested diversion will not reduce the allowed CFS under the stated water rights. The application as presented does not hinder Farm Credit's lien position. Northwest Farm Credit Services, who holds the underlying land Mortgage under Transfer #79109 and #78504, does not object and gives full consent to pursue the completion of the application for transfer.

Should there be any additional questions or concerns, please give me a call.

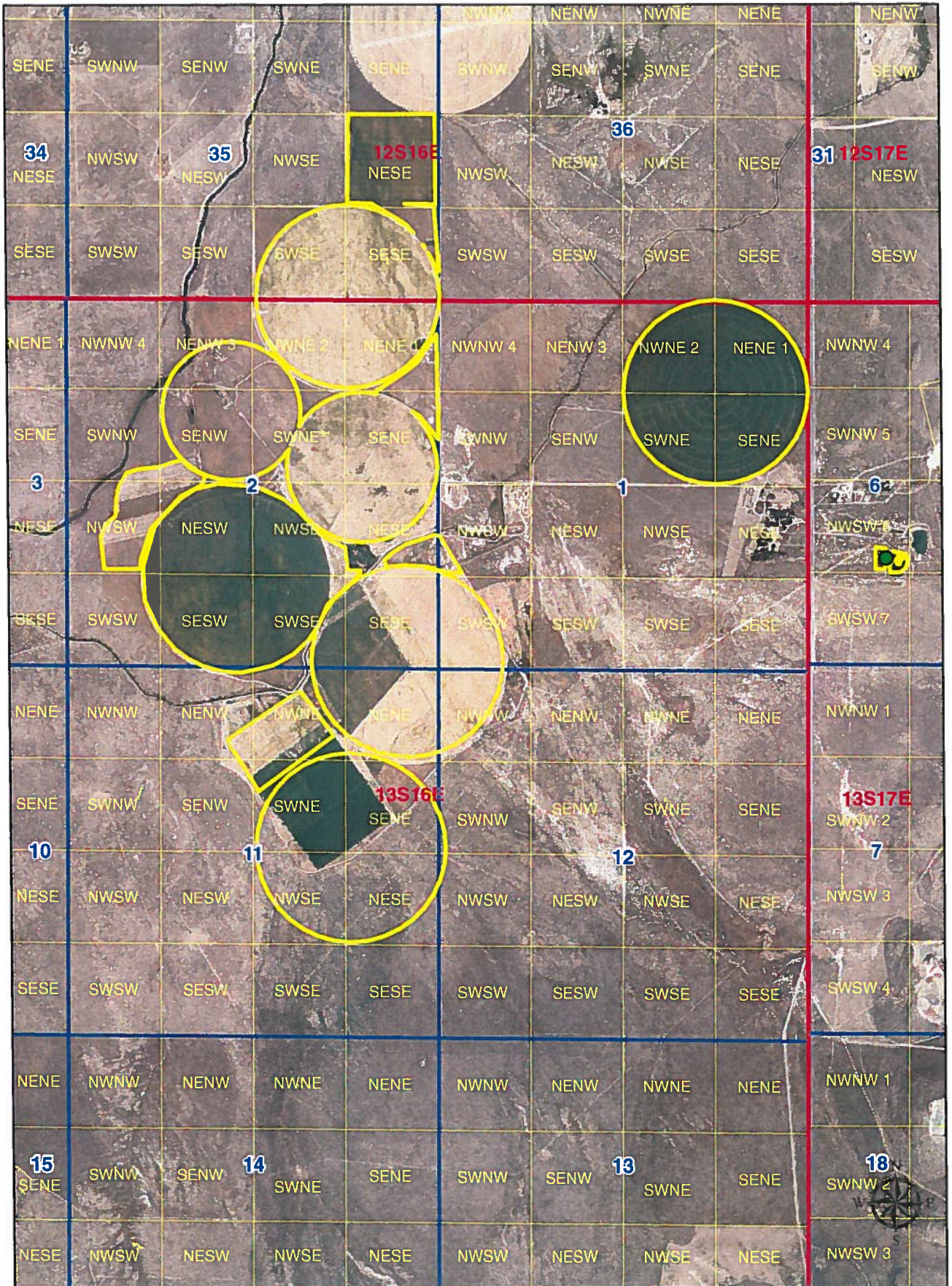
Sincerely,

A handwritten signature in black ink, reading "Robert E. Blakeslee".

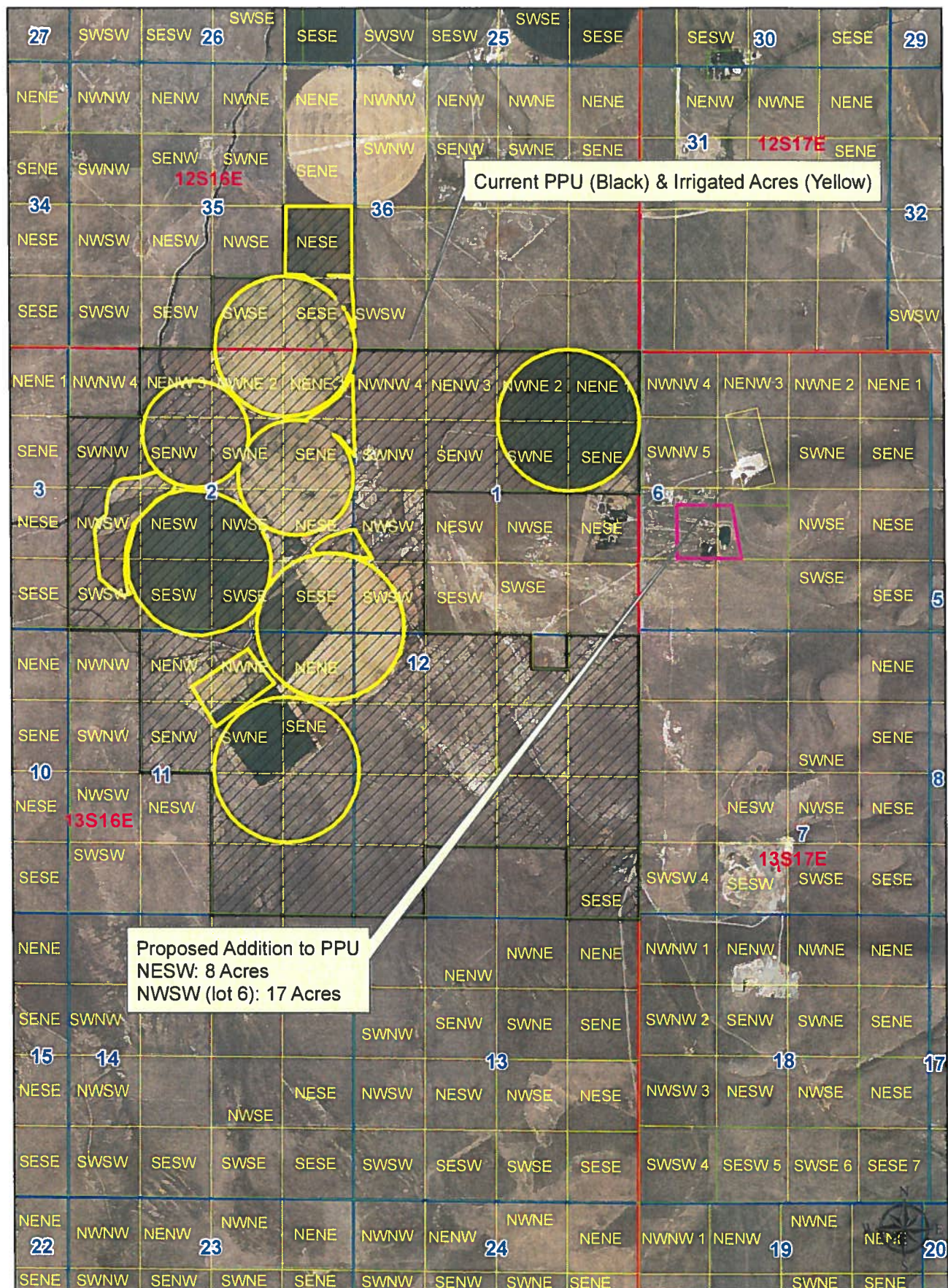
Robert E. Blakeslee
Relationship Manager
NW Farm Credit Services, Burley

cc: Evard, LLC
Reed Gibby

915.9 Irrigated Acres within the PPU.
206 Condition Map.



Proposed P.U. & Irrigated Acres - Evard LLC



CORPORATE WARRANTY DEED

FOR VALUE RECEIVED,

Jones Corporation, a corporation duly organized and existing under the laws of the State of Idaho, GRANTOR, does hereby grant, bargain, sell and convey unto

EVARD, L.L.C., an Idaho limited liability company
Address: 872 E. Pebble Drive, Burley, ID 83318

GRANTEE, the following described real estate, to-wit:

Parcel No. 1

Township 12 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho
Section 35: E $\frac{1}{2}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$

Parcel No. 2

Township 13 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho
Section 1: Lots 1,2,3,4; S $\frac{1}{2}$ N $\frac{1}{2}$; W $\frac{1}{2}$ SW $\frac{1}{4}$

Parcel No. 3

Township 13 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho
Section 2: Lots 1,2 and 3; S $\frac{1}{2}$ N $\frac{1}{2}$; S $\frac{1}{2}$

Parcel No. 4

Township 13 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho
Section 11: E $\frac{1}{2}$ NW $\frac{1}{4}$; E $\frac{1}{2}$

Parcel No. 5

Township 13 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho
Section 12: N $\frac{1}{2}$ S $\frac{1}{2}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$; N $\frac{1}{2}$ except NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$

Parcel No. 6

Township 13 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho
Section 6: N $\frac{1}{2}$ S $\frac{1}{2}$ except the North 330 feet and except the West 675.00 feet

And Except

Township 13 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho
Section 6: a parcel of land located in Government Lot 6 more particularly described as follows:

Commencing at the West One Quarter (W $\frac{1}{4}$) corner of said section from which the Southwest corner of Section 6 bears South 00°00'35" East - 2639.11 feet, Thence South 00°00'35" East along the West boundary of Government Lot 6 for a distance of 330.00 feet to the TRUE POINT OF BEGINNING;

Thence South 89°54'18" East for a distance of 675.00 feet;

Thence South 00°00'35" East parallel with the West boundary of Government Lot 6 for a distance of 989.32 feet to a point on the South boundary of Government Lot 6;

Thence North 89°55'30" West along the South boundary of Government Lot 6 for a distance of 675.00 feet to the Southwest

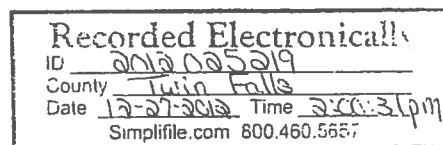
TWIN FALLS COUNTY
RECORDED FOR:
LAND TITLE AND ESCROW - TWIN
02:00:31 PM 12-27-2012
2012025219
NO. PAGES 4 FEE: \$19.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: DJW
Electronically Recorded by Simplifile

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED,

Jones Corporation, a corporation duly organized and existing under the laws of the State of Idaho, GRANTOR, does hereby grant, bargain, sell and convey unto

EVARD, L.L.C., an Idaho limited liability company
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GRANTEE, the following described real estate, to-wit:

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Parcel No. 2

Township 13 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho
 Section 1: Lots 1,2,3,4; S $\frac{1}{2}$ N $\frac{1}{2}$; W $\frac{1}{2}$ SW $\frac{1}{4}$

Parcel No. 3

Township 13 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho
 Section 2: Lots 1,2 and 3; S $\frac{1}{2}$ N $\frac{1}{2}$; S $\frac{1}{2}$

Parcel No. 4

Township 13 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho
 Section 11: E $\frac{1}{2}$ NW $\frac{1}{4}$; E $\frac{1}{2}$

Parcel No. 5

Township 13 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho
 Section 12: N $\frac{1}{2}$ S $\frac{1}{2}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$; N $\frac{1}{2}$ except NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$

Parcel No. 6

Township 13 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho
 Section 6: N $\frac{1}{2}$ S $\frac{1}{2}$ except the North 330 feet and except the West 675.00 feet

And Except

Township 13 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho
 Section 6: a parcel of land located in Government Lot 6 more particularly described as follows:

Commencing at the West One Quarter (W $\frac{1}{4}$) corner of said section from which the Southwest corner of Section 6 bears South 00°00'35" East - 2639.11 feet, Thence South 00°00'35" East along the West boundary of Government Lot 6 for a distance of 330.00 feet to the TRUE POINT OF BEGINNING;

Thence South 89°54'18" East for a distance of 675.00 feet;

Thence South 00°00'35" East parallel with the West boundary of Government Lot 6 for a distance of 989.32 feet to a point on the South boundary of Government Lot 6;

Thence North 89°55'30" West along the South boundary of Government Lot 6 for a distance of 675.00 feet to the Southwest

corner of Government Lot 6;

Thence North 00°00'35" West along the West boundary of Government Lot 6 for a distance of 989.56 feet to the TRUE POINT OF BEGINNING.

Parcel No. 7

A 30.0 foot wide access and utility easement for the purpose of ingress, egress and utilities, said 30.0 foot wide easement being on, over, under and across a 30.0 foot wide strip of land that is centered on the following described line:

Commencing at the Southwest corner of the before described parcel, Thence North 00°00'35" West along the West boundary of the before described parcel for a distance of 565.67 feet to the TRUE POINT OF BEGINNING:

Thence South 84°00'33" East for a distance of 92.02 feet;

Thence South 84°27' 14" East for a distance of 70.25 feet to the point of curvature of a curve left;

Thence Southeasterly along the arc of the curve left for a distance of 95.91 feet, said arc having a radius of 8314.44 feet and a chord bearing and distance of South 85°27' 16" East 95.91 feet;

Thence South 87°04'03" East for a distance of 80.82 feet to the point of curvature of a curve right;

Thence Southeasterly along the arc of the curve right for a distance of 148.15 feet to a point on the East boundary of the before described parcel and being the terminus of said easement, said arc having a radius of 2173.73 feet and a chord bearing and distance of South 85°48'42" East-148.12 feet.

The side line boundaries of the before described easement shall be lengthened or shortened as necessary to intersect the East and West boundaries of the before described parcel.

SUBJECT TO:

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

All reservations in patents or deeds in the chain of title.

Taxes for 2012 are an lien, the first one-half of which is not delinquent until after December 20 of the current year.

Rights-of-way for ditches, tunnels and telephone and transmission lines constructed by authority of the United States. as granted to the United States under provisions of Section 58-604, Idaho Code.

Easement for pipeline granted to Village of Hollister, recorded April 17, 1911 as Instrument No. 26738.

Easement for right of way for a pipe line from well granted to Hollister Water Works Company, recorded April 9, 1914 as Instrument No. 50421.

Easement for right of way for a pipeline for water granted to Village of Hollister, Idaho, a municipal corporation, recorded September 19, 1958 as Instrument No. 475863.

Easement for right of way for a pipe line for water granted to Village of Hollister, Idaho, a municipal corporation, recorded September 19, 1958 as Instrument No. 475864. Correction recorded July 15, 1961 as Instrument No. 505033.

Easement granted to Idaho Power Company, recorded August 5, 1966 as Instrument No. 567218.

Reservations in United States Patent recorded June 1, 1967 as Instrument No. 577111.

Easement granted to Idaho Power Company, recorded July 3, 1975 as Instrument No. 682372.

Easement granted to Idaho Power Company. recorded July 3, 1975 as Instrument No. 682373.

Easement granted to Idaho Power Company, recorded January 31, 1978 as Instrument No. 729900.

Easement granted to Idaho Power Company, recorded November 3, 1978 as Instrument No. 747238.

Easement granted to Idaho Power Company, recorded September 22, 1987 as Instrument No. 928078.

Easement granted to Idaho Power Company, recorded June 28, 1987 as Instrument No. 956778.

Easement granted to Idaho Power Company, recorded September 19, 1991 as Instrument No. 91008202.

Property Use Agreement upon the terms, conditions and provisions contained therein:

Parties: Jones Corporation and the State of Idaho

Recorded: January 4, 2011 as Instrument No. 2011-000173 and re-recorded June 16, 2011 as Instrument No. 2011-011438

Easement for the purpose of constructing or installing thereon an Access Road for ingress and egress granted to State of Idaho. Idaho Transportation Board, recorded April 2, 2012 as Instrument No. 2012-006027.

All matters, covenants, conditions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by Record of Survey recorded April 18, 2012 as Instrument Number 2012-007134, records of Twin Falls County, Idaho.

Levies and assessments of the Salmon River Canal Company, LTD and the rights, powers and easements of said District as by law provided.

Right-of-ways or easements of County Highways.

Four 20.0 foot wide easements for the use and maintenance of buried pipelines and appurtenances, said easements being on, over, under and across 20.0-foot wide strips of land that is centered on the following described lines:

Easement "A"

Commencing at the Southeast corner of the before described parcel, Thence North 00°00'35" West along the East boundary of the before parcel for a distance of 559.39 feet to the TRUE POINT OF BEGINNING:
Thence South 89°48'09" East for a distance of 444.08 feet;
Thence South 48°06'33" East for a distance of 236.45 feet;
Thence South 86°18'37" East for a distance of 152.27 feet to a point on the West boundary of the before described parcel and being the terminus of said easement.

The easement shall include the right of ingress and egress through the described parcel to access the head gate and appurtenances.

Easement "B"

Commencing at the Southwest corner of the before described parcel, Thence North 00°00'35" West along the West boundary of the before described parcel for a distance of 702.22 feet to the TRUE POINT OF BEGINNING:
Thence South 78°37'31" East for a distance of 280.02 feet;
Thence South 85°07'48" East for a distance of 401.94 feet to a point on the East boundary of the before described parcel and being the terminus of said easement.

Easement "C"

Commencing at the Southwest corner of the before described parcel, Thence North 00°00'35" West along the West boundary of the before described parcel for a distance of 202.35 feet to the TRUE POINT OF BEGINNING:
Thence North 82°32'42" East for a distance of 84.36 feet;
Thence North 81°59'13" East for a distance of 597.16 feet to a point on the East boundary of the before described parcel and being the terminus of said easement.

Easement "D"

Commencing at the Southwest corner of the before described parcel, Thence South 89°55'30" East along the South boundary of the before described parcel for a distance of 232.81 feet to the TRUE POINT OF BEGINNING:
Thence North 57°35'21" East for a distance of 523.72 feet to a point on the East boundary of the before described parcel and being the terminus of said easement.

Note: The sideline boundaries of the described pipeline easements (A, B, C & D) shall be lengthened or shortened as necessary to intersect the boundaries of the described parcel.

All buried pipeline easements that are for the benefit of the above-described properties and are burdening other subject property shall include the following restriction:

ZACH BAY
NOTARY PUBLIC
STATE OF IDAHO

MEMORANDUM

Date: May 12, 2014
To: Transfer 79109 File
From: Jeff Cooper
Re: Evaluation of Sufficiency of Information Submitted

Application proposes to add 25 adjacent acres, owned by the applicant, to an existing 2066-acre permissible place of use (PPU) for rights 47-2047, 47-2153, 47-2153, 47-2285, 47-12242, 47-12257, 47-12269, and 47-12277 to create a new 2091-acre PPU. Rights will continue to be limited to 915.9 acres within the proposed PPU. Proposed changes will not have any hydrologic impact, there for it proposed this application be processed without a public notice and protest period.

- **Authority to File:**
Application was signed by Reed Gibby, whom, according to the Idaho Secretary of State, is an authorized member of EVARD LLC. EVARD, LLC is listed as the current owner of the rights involved in this transfer. A letter was provided by the applicant from the lienholder (Northwest Farm Credit), authorizing the proposed changes. Applicant also provided a warranty deed indicating the entity owns the proposed additions to the PPU.
- **Water Right Validity:**
Rights 47-12269, 47-12277, 47-2285, 47-2047, 47-2153, 47-12257, & 47-12242 were partially decreed in the SRBA in June, 2009, so forfeiture is not an issue.
- **Injury to Other Water Rights:**
None anticipated. Rights will remain limited as decreed. Applicant included a map of ground to be irrigated within the PPU to satisfy the 206 condition.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No negative impact anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Decreed uses are recognized as a beneficial use 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.