

RECEIVEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 78518

APR 23 2013

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

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

Name of Applicant(s) MANNING RANCHES INC**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 I.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part I. 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 I.)
- ☐ ☒ #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 I.)
- ☐ ☒ #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 I.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: _____

APR 23 2013

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEPT. OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant MANNING RANCHES INC Phone (208)862-3884
Mailing Address 2233 BIRCH CREEK RD. OAKLEY ID 83346 Email smanning@pmt.org

- ☐ 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.

Steve Manning Steve Manning 4-11-13
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 |
|----|----------|-------|-----|-----|---------|---------------|---------------|
| | 45-4191A | No | Yes | Yes | Yes | No | No |
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 change the point of diversion, add a point of diversion, and change the place
of use to property the applicant owns. Application proposes to dry up 16 acres at the authorized place
of use to facilitate the irrigation of 16 acres the proposed place of use. Applicant may ultimately
choose to use only one of the proposed wells.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

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
45-4191A	0.320 cfs	64.0 af	16.0	38.4		N/A	N/A	N/A	N/A
COMBINED TOTALS									
	0.320 cfs	64.0 af	16.0	38.4		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 0.32 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. 45-4191A

Current Water Right Owner

MANNING RANCHES INC
2233 BIRCH CREEK RD
OAKLEY, ID 83346

Priority Date: 7/1/1959

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	0.320 CFS	64.0 AFA	
Total Diversion			0.320 CFS	64.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SENE	Sec. 14 Twp 14S Rge 22E CASSIA County
GROUND WATER	SESE	Sec. 14 Twp 14S Rge 22E CASSIA County

Place of Use: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	22E	14			8.6										16.0	11.0		2.8	38.4

Right Acre Limit: 16.0

POU Total Acres: 38.4

**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

Applicant

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

N/A

- 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:

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**.

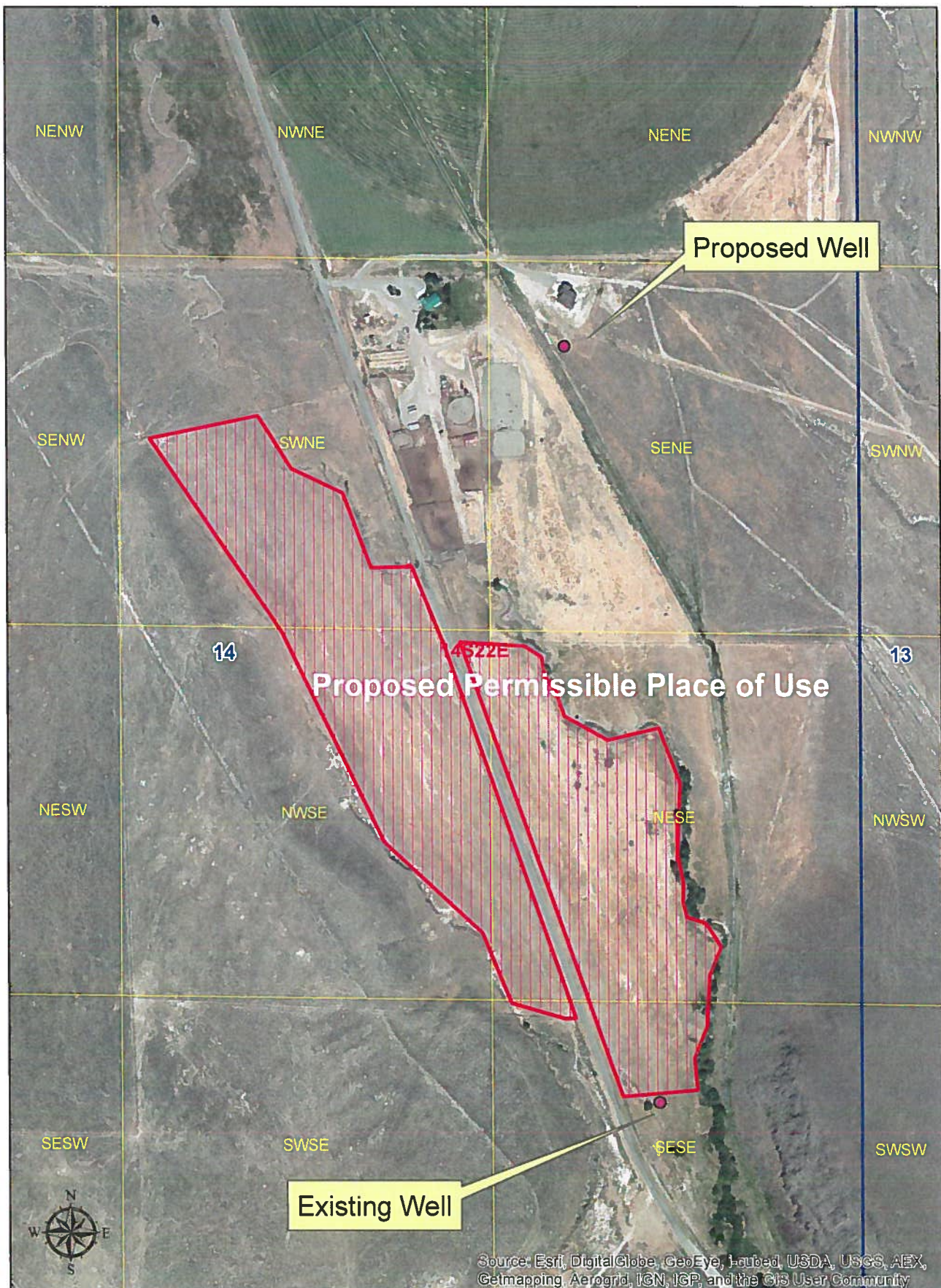
☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation.
Label it **Attachment #8b**

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 _____ Date 4.23.2013 Prelim. Check By _____ Date _____
 Fee Paid \$500- Date 4.23.2013 Received By JC Receipt # 5033201
 Add'l Fee Paid _____ Date _____ Received By _____ Receipt # _____

Proposed Permissible Place of Use 45-4191A



TRANSFER 78518

CASSIA COUNTY ASSESSOR
203 EAST 15TH STREET
BURLEY, ID 83318

ASSESSMENT NOTICE

PARCEL DESCRIPTION:
T 1893 (W1/2SW)
S 34 T 13 R 22

For any questions, please notify
the Assessor's office immediately.
Assessor's telephone#: (208) 878-3540

PARCEL ADDRESS:

MANNING DEANNE MATTHEWS
2233 BIRCH CREEK RD
OAKLEY ID 83346

Appeals of your property value must
be filed in writing on a form provided
by the County, by:
JUNE 25, 2012

Tax Code Area: 2-0000

Parcel Number: RP13S22E346150 A

ASSESSED VALUE OF YOUR PROPERTY

CATEGORY AND DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
2 IRRGTD PASTURE	15.620 AC	5,858	5,858
19 WASTE	.520 AC		
SUBTOTAL:	16.140	5,858	5,858
LESS HOMEOWNERS EXEMPTION:		5,858	5,858
NET TAXABLE PROPERTY VALUE:			

TAXING DISTRICT INFORMATION

TAXING DISTRICTS	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
COUNTY	208-878-5231	08/27/2012
CITY OAKLEY	208-862-3313	08/09/2012
SCH DIST 151	208-878-6600	06/26/2012
#151 BOND #1		No Response
#151 PLANT FAC		No Response
#151 SUPP		No Response
OAKLEY HWY	208-862-3456	08/09/2012
OAKLEY CEM	208-862-3848	08/23/2012
OAKLEY FIRE	208-862-4911	08/30/2012
FLOOD DIST 16	208-878-0146	08/13/2012
OAKLEY LIBRARY	208-862-3434	09/03/2012
OAKLEY REC	208-300-3635	08/22/2012

THIS IS NOT A BILL. DO NOT PAY.

TRANSFER 78518



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 10, 2013

MANNING RANCHES INC
2233 BIRCH CREEK RD
OAKLEY, ID 83346

RE: Transfer No. 78518
Water Right No(s). 45-4191A

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 5/16/2013 and 5/23/2013**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**June 3, 2013**).

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, May 09, 2013 3:47 PM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News Cover Letter.docx; Times News Ad.docx

Attached please find (1) legal notice being submitted for publication on May 16th & 23rd, 2013. Please 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, Southern Region
Idaho Dept of Water Resources
1341 Fillmore St, Ste 200
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov

May 9, 2013

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Application For Permit No.(s): 36-16965

RE: Transfer No. 78518
Water Right No(s): 45-4191A

RE: Transfer No. 78563
Water Right No(s): 43-13599, 43-13600, 43-13651, 43-13721, 43-13722

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 June 3, 2013. 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:

36-16965

LARRY STONE

NAN ALLISON-STONE

PO BOX 1331

SUN VALLEY, ID 83353

Point of Diversion NWSESE S36 T07S R13E GOODING County Source UPPER TUCKER SPRING Tributary RILEY CREEK
Point of Diversion SENWSE S36 T07S R13E GOODING County Source LOWER TUCKER SPRING Tributary RILEY CREEK
Point of Diversion SWNW S23 T07S R13E GOODING County Source WASTE WATER Tributary SNAKE RIVER

Use: DIVERSION TO STORAGE 02/15 to 11/30 0.2 CFS

Use: RECREATION STORAGE 01/01 to 12/31 1.9 AF

Use: STOCKWATER STORAGE 01/01 to 12/31 1.9 AF

Total Diversion: 0.2 CFS

Date Filed: 2/21/2013

Place Of Use: RECREATION STORAGE & STOCKWATER STORAGE

T07S R13E S23 SWNW

Application for permit, 36-16965, seeks to divert 0.20 CFS of wastewater for recreation storage and stockwater storage to an existing pond with a total volume of 1.9 acre-feet. The pond and proposed point of diversion (POD) are located approximately 0.4 mi. S and 0.4 miles W of Hagerman, Idaho. Application also proposes two additional PODs at Upper and Lower Tucker Springs, located approximately 2.8 miles south and 1.3 miles east of Hagerman.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 78518

MANNING RANCHES INC, 2233 BIRCH CREEK RD, OAKLEY, ID 83346; has filed Application No. 78518 for changes to the following water rights within CASSIA County(s): Right No(s). 45-4191A. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the place of use (POU), point of diversion (POD), and add a POD to a groundwater irrigation right that is currently authorized to divert 0.32 CFS from a well located approximately 0.6 mi. E of the intersection of MAIN ST & STATE HWY 27, in Oakley, Idaho. Currently this right is authorized to irrigate 16 acres, located on the NE side of the intersection of MAIN ST. & WILSON AVE in Oakley, ID, approximately 0.5 to 0.6 mi. E of the intersection of MAIN ST & STATE HWY 27. Application proposes to create a 38.4-acre permissible place of use (PPU), on property owned by the applicant, located approximately 2.0 to 2.4 mi. E & 2.4 to 2.8 mi. S of Oakley, Idaho. Up to two authorized wells, located approximately 2.3 mi. E & 2.3 mi. S and 2.4 mi. E & 2.8 mi. S of Oakley, ID, will be used to irrigate 16 acres within the 38.4-acre PPU.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 78563

NATHANIEL S and DESIREE C CARSON and GWEN SQUIRES, 1174 S HWY 81, DECLO, ID 83323; have filed Application No. 78563 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13599, 43-13600, 43-13651, 43-13721, 43-13722. 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 additional authorized point of diversion to a group of groundwater rights used on a farm located approximately 3.25 – 3.75 miles north of Malta. The new well and two existing wells will be used to divert up to 1.38 cfs and 267.7 afa for irrigation use and stockwater and commercial use associated with a mink farm on the property. The new well will be drilled at a site approximately 3.3 miles north of Malta, on the west side of Highway 81.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) must be filed with the Director, Dept. of Water Resources, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before June 3, 2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on May 16th & 23rd, 2013

Maline, Denise

From: Maline, Denise
Sent: Thursday, May 09, 2013 4:44 PM
To: 'Brian Higgs'
Subject: Comment Letter for 78518
Attachments: Comment letter to Brian Higgs.pdf; 78518 App.pdf

Brian --

Attached please find an Application for Transfer, along with a cover letter and recommendation form. Please review the information and provide any comments you may have, within the next 21 days. If you have any questions regarding this information, please feel free to contact our office.

Sincerely,

Denise Maline
Administrative Assistant, Southern Region
Idaho Dept of Water Resources
1341 Fillmore St, Ste 200
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 9, 2013

BRIAN HIGGS
WATER DISTRICT #140
355 W 500 S
BURLEY, ID 83318

Via e-mail

RE: Transfer No. 78518
Water Right No(s): 45-4191A

Dear Mr. Higgs:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

MEMORANDUM

Date: April 29, 2013

To: Transfer
78518

From: Jeff Cooper

Re: Review & Evaluation of Sufficiency of Information

Application for transfer proposes to change the place of use (POU), point of diversion (POD), and add a POD to a groundwater irrigation right that is currently authorized to divert 0.32 CFS from a well located approximately 0.6 mi. E of the intersection of MAIN ST & STATE HWY 27, in Oakley, Idaho. Currently this right is authorized to irrigate 16 acres, located on the NE side of the intersection of MAIN ST. & WILSON AVE in Oakley, ID, approximately 0.5 to 0.6 mi. E of the intersection of MAIN ST & STATE HWY 27. Application proposes to create a 38.4-acre permissible place of use (PPU), on property owned by the applicant, located approximately 2.0 to 2.4 mi. E & 2.4 to 2.8 mi. S of Oakley, Idaho. Up to two authorized wells, located approximately 2.3 mi. E & 2.3 mi. S and 2.4 mi. E & 2.8 mi. S of Oakley, ID, will be used to irrigate 16 acres within the 38.4-acre PPU. Application occurs within the Oakley Valley Water District (WD140), so watermaster comments were solicited. The current authorized POD is located within, but on the edge of the ESPA smooth model boundary. The proposed POD is outside of the ESPA smooth model boundary, so an adjacent cell was used to determine if any mitigation would be required, which based on the Transfer Processing Memo (#24), is an acceptable approach. The results from this model analysis do not indicate the applicant is required to provide mitigation for the proposed changes. PODs are within the Oakley-Kenyon CGWA. Due to the nature of the proposed changes, it is recommended this application be processed with a public notice and protest period.

- **Authority to File:**

Application was signed by Steve Manning, whom according to the Idaho Secretary of State is an authorized member of Manning Ranches, Inc. Applicant provided Tax Assessment Notices for the parcels included in the proposed PPU.

- **Water Right Validity:**

Right 45-4191A was partially decreed in the SRBA in May, 2007, and was also the subject of a 2012 approved transfer. It does not appear that forfeiture is an issue.

- **Injury to Other Water Rights:**

None anticipated. Rights will continue to be limited as conditioned.

- **Enlargement of Use:**

None anticipated.

- **Local Public Interest:**

No negative impact anticipated.

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

Proposed use is 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.