

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 78253

RECEIVED

OCT 26 2012

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

DEPT. OF WATER RESOURCES

SOUTHERN REGION

Name of Applicant(s) Wayne & Joanne Wright

Phone 208-308-2823

Mailing address 3700N 2658E Twin Falls Idaho 83301

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 Stan Hays Snake River Management

Phone 208-731-9930

Mailing address 3539 East 3000 North Kimberly, Idaho 83341

Email stan@sbardranch.net

☐ Send all correspondence for this application to the representative and not to the applicant.

OR

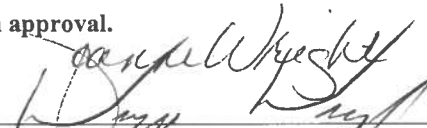
☒ Send original correspondence to the applicant and copies to the representative.

☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.

OR

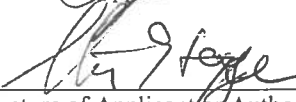
☒ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

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

JOANNE WRIGHT
WAYNE WRIGHT
Print Name and Title if applicable

9/12/12
Date


Signature of Applicant or Authorized Representative

President
Print Name and Title if applicable

9/7/12
Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

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**.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

OCT 26 2012

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant(s) Wayne & Joanne Wright Phone 208-308-2823

Mailing address 3700N 2658E Twin Falls Idaho 83301 Email _____

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☐ No Representative

Name of Representative Stan Hays Snake River Management Phone 208-731-9930

Mailing address 3539 East 3000 North Kimberly, Idaho 83341 Email stan@sbardranch.net

- ☐ 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]
Signature of Applicant or Authorized Representative

JOANNE WRIGHT
WAYNE WRIGHT
Print Name and Title if applicable

9/12/12
Date

[Signature] SRM
Signature of Applicant or Authorized Representative

President
Print Name and Title if applicable

9/7/12
Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
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**.

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, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part					
☐	☒ 47-17555	~~0.01583/3.5~~ <u>0.03/7.2</u>	Irrigation	3-15 to 11-15	Ground water
☐	☒ 47-17565	~~0.00108/5.25~~ <u>0.01/7.2</u>	Irrigation	3-15 to 11-15	Ground water
☐	☒ 47-17560	~~0.007083/2.6~~ <u>0.01/7.2</u>	Irrigation	3-15 to 11-15	Ground water
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
☐	☐			to	
Total authorized under rights		~~0.02~~ <u>0.03</u>	cfs and/or	~~7~~ <u>7.2</u>	ac-ft

2. Total amount of water proposed to be transferred or changed 0.02 cubic feet per second and/or 7.2 acre-feet per annum.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it Attachment #5.

New ?	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Source	Local name or tag #
			SW	SE	24	10S	16E	Twin Falls	Ground Water	Existing Well

4. Place of use: (If irrigation, identify with number of acres irrigated per 1/4 1/4 tract.)

- ☐ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	16E	24														0.8	1.0		1.8

Total Acres (for irrigation use) 1.8
~~1.75~~ 1.8
 1/24/13

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:

This is an existing well head used as a domestic home and landscape water supply. Currently the yard is Kentucky bluegrass using a underground sprinkler system. With drip irrigation on trees and landscape for ^{2.5}~~2~~ acres. The proposed transfer is to irrigate this with ^{1.8}~~1.75~~ acres from transfer and 1/2 acre from existing domestic right

- b. Who owns the property at the point(s) of diversion? Applicant is the owner

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?

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: NO

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:

The land is being dried up because of a gravel pit. A contractor has taken over this land under contract to sell gravel off of it and will be reestablishing top soil, and planting a cover crop that does not require irrigation water

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

Applicant has a domestic well at this location for his household, and can water up to a half acre of lawn.

- 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:

Total Acres (for irrigation use) 182.9 Acres

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

Current Water Right No.: 47-17555

Current Owner: MATHERS RANCH INC

Priority Date: 11/6/1961

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	3.34 CFS	728.8 AF
	<u>Total Diversion</u>	3.34 CFS	728.8 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 31,	Twp 11S,	Rge 18E B.M.
TWIN FALLS County				
GROUND WATER	SW1/4NW1/4	Sec. 32,	Twp 11S,	Rge 18E B.M.
TWIN FALLS County				
GROUND WATER	SW1/4SW1/4	Sec. 32,	Twp 11S,	Rge 18E B.M.
TWIN FALLS County				

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S31	NENE	1.60	T11S R18E S31	SWNE	8.50
T11S R18E S31	SENE	27.20	T11S R18E S31	SESW	2.60
T11S R18E S31	NESE	40.00	T11S R18E S31	NWSE	26.00
T11S R18E S31	SWSE	38.00	T11S R18E S31	SESE	34.00
T11S R18E S32	SWNW	5.00			

Total Acres: 182.9

Conditions of Approval:

1. T19 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.
2. E54 The rights listed below are limited to a total combined annual diversion volume of 731.6 af. Combined Right Nos.: 47-17555, 47-17560, 47-17565
3. S20 Use of this right is combined with water from Twin Falls Canal Co.
4. E52 The rights listed below are limited to a total combined diversion rate 3.34 cfs. Combined Right Nos.: 47-17555, 47-17560, 47-17565
5. E55 Right Nos. 47-17555, 47-17560, and 47-17565 are limited to the irrigation of a combined total of 182.9 acres in a single irrigation season.
6. T17 The right holder shall maintain a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. k06 Right 47-17555 is limited to the irrigation of 182.2 acres within the place of use described above in a single irrigation season.
8. R64 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 lands above.

Decreed Date: 7/14/2009

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

Current Water Right No.: 47-17560

Current Owner: MATHERS RANCH INC

Priority Date: 8/8/1954

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.52 CFS	665.2 AF
	<u>Total Diversion</u>	1.52 CFS	665.2 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NW1/4	Sec. 32, Twp 11S, Rge 18E B.M.
TWIN FALLS County		
GROUND WATER	SW1/4NE1/4	Sec. 31, Twp 11S, Rge 18E B.M.
TWIN FALLS County		
GROUND WATER	SW1/4SW1/4	Sec. 32, Twp 11S, Rge 18E B.M.
TWIN FALLS County		

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S31	NENE	1.60	T11S R18E S31	SWNE	8.50
T11S R18E S31	SENE	27.20	T11S R18E S31	SESW	2.60
T11S R18E S31	NESE	40.00	T11S R18E S31	NWSE	26.00
T11S R18E S31	SWSE	38.00	T11S R18E S31	SESE	34.00
T11S R18E S32	SWNW	5.00			

Total Acres: 182.9

Conditions of Approval:

1. E54 The rights listed below are limited to a total combined annual diversion volume of 731.6 af. Combined Right Nos.: 47-17555, 47-17560, 47-17565
2. E52 The rights listed below are limited to a total combined diversion rate 3.34 cfs. Combined Right Nos.: 47-17555, 47-17560, 47-17565
3. T19 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.
4. R31 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 lands above.
5. E55 Right Nos. 47-17555, 47-17560, 47-17565 are limited to the irrigation of a combined total of 182.9 acres in a single irrigation season.
6. k06 Right 47-17560 is limited to the irrigation of 166.3 acres within the place of use described above in a single irrigation season.
7. S20 Use of this right is combined with water from Twin Falls Canal Co.
8. T17 The right holder shall maintain a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Decreed Date: 7/14/2009

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

Current Water Right No.: 47-17565

Current Owner: MATHERS RANCH INC

Priority Date: 4/3/1961

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.23 CFS	110.8 AF
	<u>Total Diversion</u>	0.23 CFS	110.8 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 31, Twp 11S, Rge 18E B.M.
TWIN FALLS County		
GROUND WATER	SW1/4NW1/4	Sec. 32, Twp 11S, Rge 18E B.M.
TWIN FALLS County		
GROUND WATER	SW1/4SW1/4	Sec. 32, Twp 11S, Rge 18E B.M.
TWIN FALLS County		

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S31	NENE	1.60	T11S R18E S31	SWNE	8.50
T11S R18E S31	SENE	27.20	T11S R18E S31	SESW	2.60
T11S R18E S31	NESE	40.00	T11S R18E S31	NWSE	26.00
T11S R18E S31	SWSE	38.00	T11S R18E S31	SESE	34.00
T11S R18E S32	SWNW	5.00			

Total Acres: 182.9

Conditions of Approval:

1. T17 The right holder shall maintain a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
2. E55 Right Nos. 47-17555, 47-17560, 47-17565 are limited to the irrigation of a combined total of 182.9 acres in a single irrigation season.
3. E54 The rights listed below are limited to a total combined annual diversion volume of 731.6 af. Combined Right Nos.: 47-17555, 47-17560, 47-17565
4. S20 Use of this right is combined with water from Twin Falls Canal Co.
5. E52 The rights listed below are limited to a total combined diversion rate of 3.34 cfs. Combined Right Nos.: 47-17555, 47-17560, 47-17565
6. R64 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 lands above.
7. k06 Right 47-17565 is limited to the irrigation of 84.2 acres within the place of use described above in a single irrigation season.
8. T19 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.

Decreed Date: 7/14/2009

Transfer contains 12 pages and _____ attachments.
 Received by DM Date 10-26-2012 Prelim. Check by _____ Date _____
 Fee Paid \$200-- Date 10-26-2012 Received by DM Receipt # 5032873
 Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____

Mathew Inc

Wright

Sec 31 NE NE
T 11 S R 16 E 11 NW

SW NW
Sec 32 T 11 S R 16 E

70
Acres

Another Road

29000 N 1st

TRANSFER 78253

NE NW & NW 1/2 of the SW
of the SE 1/4 Sec 24
Township 10 South Range 16 East

Point of
Division

Tract
of 1.80 ac



TWIN FALLS CANAL COMPANY

357 6TH AVE WEST
POST OFFICE BOX 326
TWIN FALLS, IDAHO 83303-0326



September 24, 2009

RE: Mathers Ranch, Inc. Water Shares

To whom it concern,

There are no Twin Falls Canal Company Water Shares on the following property that Mather's Ranch, Inc. owns.

SE1/4 SE1/4
E1/2 SW1/4 NE1/4 that land lying South of High Line Canal
NW1/4 SE1/4
SW1/4 SE1/4
SE1/4 SW1/4
SE1/4 NE1/4
All in Section 31, Township 11, Range 18

And

SW1/4 NW1/4
NW1/4 SW1/4
Section 32, Township 11, Range 18

All 100.00 shares are appurtenant to the NE1/4 SE1/4, W1/2 SE1/4 SE1/4 & SW1/4 SE1/4

Sincerely

Kay Puschel
Water Records

TRANSFER 78253

RECEIVED

OCT 26 2012

DEPT. OF WATER RESOURCES
SOUTHERN REGION

GENERAL POWER OF ATTORNEY

NOTICE: THIS IS AN IMPORTANT DOCUMENT. BEFORE SIGNING THIS DOCUMENT, YOU SHOULD KNOW THESE IMPORTANT FACTS. THE PURPOSE OF THIS POWER OF ATTORNEY IS TO GIVE THE PERSON WHOM YOU DESIGNATE (YOUR "AGENT") BROAD POWERS TO HANDLE YOUR PROPERTY, WHICH MAY INCLUDE POWERS TO PLEDGE, SELL OR OTHERWISE DISPOSE OF ANY REAL OR PERSONAL PROPERTY WITHOUT ADVANCE NOTICE TO YOU OR APPROVAL BY YOU. THIS DOCUMENT DOES NOT AUTHORIZE ANYONE TO MAKE MEDICAL OR OTHER HEALTH CARE DECISIONS FOR YOU. IF THERE IS ANYTHING ABOUT THIS FORM THAT YOU DO NOT UNDERSTAND, YOU SHOULD ASK A LAWYER TO EXPLAIN IT TO YOU. YOU MAY REVOKE THIS POWER OF ATTORNEY IF YOU LATER WISH TO DO SO.

TO ALL PERSONS, be it known that I,

of _____, the undersigned Grantor,
do hereby make and grant a general power of attorney to STAN HAYE
of Snake River Management, and do thereupon consti-

tute and appoint said individual as my ~~attorney-in-fact~~ consultant for the transfer of
Ground Water Rights with IDWR
My attorney-in-fact shall act in my name, place and stead in any way which I myself could do, if I were personally present, with respect to the following matters, to the extent that I am permitted by law to act through an agent:

(NOTICE: The grantor must write his or her initials in the corresponding blank space of a box below with respect to each of the subdivisions (A) through (I) below for which the Grantor wants to give the agent authority. If the blank space within a box for any particular subdivision is NOT initialed, NO AUTHORITY WILL BE GRANTED for matters that are included in that subdivision. Cross out each power withheld.)

- | | |
|---------|---|
| [] | (A) Real estate transactions |
| [] | (B) Tangible personal property transactions |
| [] | (C) Bond, share and commodity transactions |
| [] | (D) Banking transactions |
| [] | (E) Business operating transactions |
| [] | (F) Insurance transactions |
| [] | (G) Gifts to charities and individuals other than Attorney-in-Fact
(If trust distributions are involved or tax consequences are anticipated, consult an attorney.) |
| [] | (H) Claims and litigation |
| [] | (I) Personal relationships and affairs |

TRANSFER 78253

- [] (J) Benefits from military service
- [] (K) Records, reports and statements
- [] (L) Full and unqualified authority to my attorney-in-fact to delegate any or all of the foregoing powers to any person or persons whom my attorney-in-fact shall select
- [] (M) Access to safe deposit box(es)
- [] (N) All other matters

Other Terms: *For the changes that may need to be made on my application of transfer of water rights with the Idaho Department of Water Resources*

My attorney-in-fact hereby accepts this appointment subject to its terms and agrees to act and perform in said fiduciary capacity consistent with my best interests as he/she in his/her best discretion deems advisable, and I affirm and ratify all acts so undertaken.

TO INDUCE ANY THIRD PARTY TO ACT HEREUNDER, I HEREBY AGREE THAT ANY THIRD PARTY RECEIVING A DULY EXECUTED COPY OR FACSIMILE OF THIS INSTRUMENT MAY ACT HEREUNDER, AND THAT REVOCATION OR TERMINATION HEREOF SHALL BE INEFFECTIVE AS TO SUCH THIRD PARTY UNLESS AND UNTIL ACTUAL NOTICE OR KNOWLEDGE OF SUCH REVOCATION OR TERMINATION SHALL HAVE BEEN RECEIVED BY SUCH THIRD PARTY, AND I FOR MYSELF AND FOR MY HEIRS, EXECUTORS, LEGAL REPRESENTATIVES AND ASSIGNS, HEREBY AGREE TO INDEMNIFY AND HOLD HARMLESS ANY SUCH THIRD PARTY FROM AND AGAINST ANY AND ALL CLAIMS THAT MAY ARISE AGAINST SUCH THIRD PARTY BY REASON OF SUCH THIRD PARTY HAVING RELIED ON THE PROVISIONS OF THIS INSTRUMENT.

Signed under seal this *15th* day of *September*, *2012* (year).

Signed in the presence of:

Witness

Grantor

Witness

Attorney-in-Fact

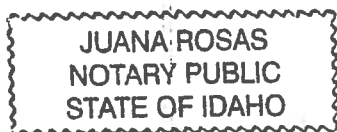
State of *Idaho*
County of *Twin Falls*

On *September 12, 2012* before me, *the undersigned*, appeared *Wayne Wright + Joanne Wright*, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

(Seal)



Affiant ☐ Known ☒ Produced ID

Type of ID *DRIVERS LICENCE*

CORRECTED
PROPERTY DESCRIPTION
FOR
WAYNE AND JOANNE WRIGHT
PARCEL 1

A PORTION OF THE S1/2SE1/4
SECTION 24
T. 10 S., R. 16 E B.M.
TWIN FALLS, COUNTY, IDAHO

A PARCEL OF LAND IN THE S1/2SE1/4 OF SECTION 24, TOWNSHIP 10 SOUTH, RANGE 16 EAST, BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO AND GENERALLY DESCRIBED AS THE WEST 300.00 FEET OF THE NORTH 435.63 FEET OF SAID S1/2SE1/4 AND BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 24, T.10 S., R. 16 E., B.M. WHICH BEARS SOUTH 89° 53' 25" EAST A DISTANCE OF 2631.61 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 24; THENCE ALONG THE NORTH-SOUTH CENTER QUARTER LINE SAID SECTION 24 AND THE WESTERLY BOUNDARY OF THE SAID S1/2SE1/4 ON A BEARING OF NORTH 0° 31' 20" EAST A DISTANCE OF 886.77 FEET TO THE SOUTHWEST CORNER OF PARCEL 1 AND THE REAL POINT OF BEGINNING:

THENCE FROM THIS REAL POINT OF BEGINNING AND CONTINUING ALONG THE SAID WESTERLY BOUNDARY OF THE S1/2SE1/4 ON BEARING OF NORTH 0° 31' 20" EAST A DISTANCE OF 435.63 FEET TO THE NORTHWEST CORNER OF THE S1/2SE1/4 SAID SECTION 24;

THENCE ON A BEARING OF SOUTH 89° 53' 08" EAST A DISTANCE OF 300.00 FEET ALONG THE NORTH BOUNDARY OF THE S1/2SE1/4, SECTION 24:

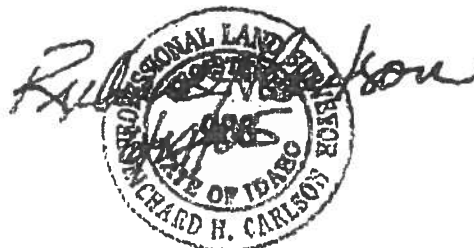
THENCE ON A BEARING OF SOUTH 0° 31' 20" WEST A DISTANCE OF 435.63 FEET PARALLEL WITH THE WEST BOUNDARY OF SAID S1/2SE1/4;

THENCE ON A BEARING OF NORTH 89° 53' 08" WEST PARALLEL WITH THE NORTH BOUNDARY OF SAID S1/2SE1/4 A DISTANCE OF 300.00 FEET TO THE REAL POINT OF BEGINNING.

THE AREA CONTAINED IN THE ABOVE DESCRIBED PARCEL 1 IS 3.00 ACRES. SAID PARCEL 1 IS SUBJECT TO A TWIN FALLS CANAL COMPANY IRRIGATION EASEMENT ADJACENT TO AND ALONG THE WEST BOUNDARY AND AN ACCESS AND UTILITY EASEMENT THIRTY (30) FEET IN WIDTH BEING PARALLEL WITH AND ADJACENT TO THE SOUTH BOUNDARY OF SAID PARCEL. SAID EASEMENT IS APPURTENANT TO THE S1/2SE1/4, EXCEPTING PROPERTIES IN THE EAST 325.00 FEET.

(BASIS OF BEARINGS: SECTION LINE FROM THE SOUTHWEST CORNER OF SECTION 24, T.10 S., R. 16 E., B.M. TO THE SOUTH QUARTER CORNER OF SECTION 24, T.10 S., R. 16 E., B.M., ALL IN TWIN FALLS COUNTY, IDAHO. SAID SECTION LINE BEING SOUTH 89° 53' 25" EAST.)

APRIL 16, 2005
Revised April 25, 2005
Corrected June 14, 2005



TRANSFER 78253

RECEIVED

OCT 26 2012

DEPT. OF WATER RESOURCES
SOUTHERN REGION

GENERAL POWER OF ATTORNEY

NOTICE: THIS IS AN IMPORTANT DOCUMENT. BEFORE SIGNING THIS DOCUMENT, YOU SHOULD KNOW THESE IMPORTANT FACTS. THE PURPOSE OF THIS POWER OF ATTORNEY IS TO GIVE THE PERSON WHOM YOU DESIGNATE (YOUR "AGENT") BROAD POWERS TO HANDLE YOUR PROPERTY, WHICH MAY INCLUDE POWERS TO PLEDGE, SELL OR OTHERWISE DISPOSE OF ANY REAL OR PERSONAL PROPERTY WITHOUT ADVANCE NOTICE TO YOU OR APPROVAL BY YOU. THIS DOCUMENT DOES NOT AUTHORIZE ANYONE TO MAKE MEDICAL OR OTHER HEALTH CARE DECISIONS FOR YOU. IF THERE IS ANYTHING ABOUT THIS FORM THAT YOU DO NOT UNDERSTAND, YOU SHOULD ASK A LAWYER TO EXPLAIN IT TO YOU. YOU MAY REVOKE THIS POWER OF ATTORNEY IF YOU LATER WISH TO DO SO.

TO ALL PERSONS, be it known that I,

of _____, the undersigned Grantor,
do hereby make and grant a general power of attorney to STAN HAYE
of Snake River Management, and do thereupon constitute and appoint said individual as my ~~attorney-in-fact~~ consultant for the transfer of
Ground Water Rights with I DWR.

My attorney-in-fact shall act in my name, place and stead in any way which I myself could do, if I were personally present, with respect to the following matters, to the extent that I am permitted by law to act through an agent:

(NOTICE: The grantor must write his or her initials in the corresponding blank space of a box below with respect to each of the subdivisions (A) through (I) below for which the Grantor wants to give the agent authority. If the blank space within a box for any particular subdivision is NOT initialed, NO AUTHORITY WILL BE GRANTED for matters that are included in that subdivision. Cross out each power withheld.)

- [] (A) Real estate transactions
- [] (B) Tangible personal property transactions
- [] (C) Bond, share and commodity transactions
- [] (D) Banking transactions
- [] (E) Business operating transactions
- [] (F) Insurance transactions
- [] (G) Gifts to charities and individuals other than Attorney-in-Fact
(If trust distributions are involved or tax consequences are anticipated, consult an attorney.)
- [] (H) Claims and litigation
- [] (I) Personal relationships and affairs

TRANSFER 78253

- [] (J) Benefits from military service
- [] (K) Records, reports and statements
- [] (L) Full and unqualified authority to my attorney-in-fact to delegate any or all of the foregoing powers to any person or persons whom my attorney-in-fact shall select
- [] (M) Access to safe deposit box(es)
- [] (N) All other matters

Other Terms: *For the changes that may need to be made on my application of transfer of water rights with the Idaho Department of Water Resources*

My attorney-in-fact hereby accepts this appointment subject to its terms and agrees to act and perform in said fiduciary capacity consistent with my best interests as he/she in his/her best discretion deems advisable, and I affirm and ratify all acts so undertaken.

TO INDUCE ANY THIRD PARTY TO ACT HEREUNDER, I HEREBY AGREE THAT ANY THIRD PARTY RECEIVING A DULY EXECUTED COPY OR FACSIMILE OF THIS INSTRUMENT MAY ACT HEREUNDER, AND THAT REVOCATION OR TERMINATION HEREOF SHALL BE INEFFECTIVE AS TO SUCH THIRD PARTY UNLESS AND UNTIL ACTUAL NOTICE OR KNOWLEDGE OF SUCH REVOCATION OR TERMINATION SHALL HAVE BEEN RECEIVED BY SUCH THIRD PARTY, AND I FOR MYSELF AND FOR MY HEIRS, EXECUTORS, LEGAL REPRESENTATIVES AND ASSIGNS, HEREBY AGREE TO INDEMNIFY AND HOLD HARMLESS ANY SUCH THIRD PARTY FROM AND AGAINST ANY AND ALL CLAIMS THAT MAY ARISE AGAINST SUCH THIRD PARTY BY REASON OF SUCH THIRD PARTY HAVING RELIED ON THE PROVISIONS OF THIS INSTRUMENT.

Signed under seal this *10th* day of *September*, *2012* (year).
Signed in the presence of:

Witness

Grantor

Witness

Attorney-in-Fact

State of *Idaho*
County of *Twin Falls*

On *September 12, 2012* before me, the undersigned, appeared *Wayne Wright & Joanne Wright*, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

(Seal)

JUANA ROSAS
NOTARY PUBLIC
STATE OF IDAHO

Affiant Known ☒ Produced ID

Type of ID DRIVERS LICENCE

RECEIVED

OCT 26 2012

DEPT. OF WATER RESOURCES
SOUTHERN REGION

CONTRACT FOR SALE OF WATER RIGHTS

THIS AGREEMENT is made and entered into this 6th day of September, 2012

By and between MATHERS RANCHES INC., herein after referred as seller, Stan Haye of SNAKE RIVER MANAGEMENT, INC., hereinafter referred to as their Brokerage Agent," and Wayne & Joanne Wright herein after referred as Buyers

RECITALS

A. Seller owns water rights appurtenant to one and seventy-five tenths (1.75) of an acre of land or describe as follows

47-17555, 47-17560 and 47-17565 and desires to split this one and seventy-five tenths (1.75) of an acre of the water right from degreed water rights to sell

The water rights are presently appurtenant to one and seventy-five tenths (1.75) of an acre of land located

In Twin Falls County, Idaho more particularly described as follows:

SW1/4 of NW 1/4 Section 32 Township 11 South, Range 18 East. & SE 1/4 of the NE 1/4 Section 31 Township 11 South, Range 18 East Of the Boise Meridian

B. Buyer own real property located in Twin Falls County, Idaho more particularly described as:

The NE NW & NWNE of the SW of the SE1/4 of Section 24 Township 10 South, Range 16 East of the Boise Meridian.

C. The parties wish to agree upon terms and conditions whereby Sellers will sell to Buyers, and buyers will purchase from Seller that portion of the Seller's water rights and make them Appurtenant to real property of the Buyer more particularly described above.

Nature of use of the water is for Irrigation, such water rights are described as in (see exhibit A)

IT IS THEREFORE AGREED, in consideration of these recitals and promises and

Covenants hereafter contained as follows

1. Seller agrees to sell the water rights described in recital Exhibit A above for the total purchase price of
TEN THOUSAND FIVE HUNDRED DOLLARS (\$10,500.00)

2. The parties acknowledge that this agreement is contingent upon the approval of the Transfer of the water rights to the Buyers in accordance with this agreement.

The transfer will be deemed complete upon the full approval of the transfer by the Idaho Department of Water Resources and the lapse of any protest or appeal period

Allowed by law or if any protest or appeal of the final approval is timely filed upon, the final resolution of the appeal or protest upholding the validity of the transfer.

3. Within thirty (30) days of this execution of this agreement the parties shall execute an application, with the department of water Resources and all other necessary documents.

To initiate transfer of the water rights from Seller to Buyers in accordance with this agreement.

The parties shall fully cooperate to perform all actions and matters necessary to insure the

approval of the application, including making appearances at any hearing or conference that may be required.

All costs fees and expenses incurred in the filing and processing of the application for Transfer shall be borne exclusively by the Brokerage Agent. However any unforeseen legal

Or hydrology costs that are incurred do to appeal or demands by The Idaho department of Water Resource to the transfer source property is the responsibility of the Buyer.

If final approval of the transfer by the Idaho department of water Resources has not been provided by the

1st Day of November 2015 all protests and appeals resolved or barred by lapse of time

This Agreement shall be null and void.

4. Seller warrants to Buyers that:

(a) Seller has good title to the water rights and has the lawful authority to enter into this Agreement.

(b) The real property to which the water rights are now appurtenant is not encumbered by any mortgage, deed of trust or other lien, or that any mortgagee deed of

Trust beneficiary or other lien holder has consented in writing to the transfer of the Water rights free of their liens.

5. Buyer shall diligently pursue the application for the transfer of water rights in Order that the application will receive consideration in the quickest possible time.

6. Should either party be in default under this Agreement, the other party shall give Notice by certified mail to the other of the nature of every claimed event of default at The address provided bellow.

If the default is not timely cured within (10) days of the receipt of the notice,

The party giving the notice may:

- (a) Pursue any other remedy to which that party may be entitled under the laws of the state of Idaho.

7. The day of closing shall be a regular business day not more than ten (10) days after the

Final approval of the water rights transfer applied for pursuant to this agreement by the

Idaho Department of Water Resource and the lapse of any time to file by lawful protest

Or appeal, closing shall occur at the office of the Twin Falls Title and Escrow

company, Twin Falls Idaho. Any costs at closing shall be paid by Snake River Management.

8. The parties acknowledge that the terms, conditions and covenants of this agreement shall

Supersede any prior negotiations and agreements of the parties, that there is no other

Agreements not contained in this agreement and that this Agreement shall be the final

Expression of the agreement of the parties and shall control. No modifications of this

Agreement shall be valid unless in writing and executed by all parties hereto. No amendment

Or modification of this Agreement shall be effective unless it is made in writing

Executed by all parties.

9. Seller has agreed to pay a commission to the Brokerage agent Stan Haye of Snake

River Management, based on the sale price of the water rights. Due and payable upon the closing of this Agreement

Buyers are not obligated for the payment of any commission to Stan Haye, Snake River Management, Inc. without a separate written agreement to that effect.

10. The parties advised that they should seek the advise of legal counsel of their own choosing, prior to entering this agreement.

11. Buyer cannot assign their interest in this agreement to any third party

12. If default be made by either party hereto in keeping or performing any of the Convents, conditions or agreements conditions or agreements herin agreed to be kept by them, and the other party is required to employ an attorney to enforce any of the Convents, conditions or agreements herin contained, then and in such event, the party in Default agrees to pay, in addition to all other sumes herrin agreed to be paid by them a Reasonable attorneys fee together with any costs and disbursements that may be in cured in forcing this agreement.

13. The parties hereto acknowledge and agree that time is and shall be, the essence of each and every term and condition contained herein.

14. This agreement shall be binding upon and shall insure to the benifitof and be binding upon heirs, succsessors and assigns of the parties

IN WITNESS WHEREOF, the parties hereto have subscribed their names the day and year in this Agreement first above written.

SELLER
MATHERS RANCHES INC.

Doug Mathers Pres.
Doug Mathers President

Lottie Mathers, Sec.
Lottie Mathers Secretary

BUYERS

Wayne Wright
Wayne Wright

Joanne Wright
Joanne Wright

BROKERAGE AGENT
STAN HAYE
SNAKE RIVER MANAGEMENT, INC.

Stan Haye
Stan Haye President

STATE OF IDAHO)

)SS.

County of Twin Falls)

On this 12 day of September, 2012,, before me, a Notary Public, in and for said County and State, personally appeared DOUG AND LOTTIE MATHERS, known or identified to me to be the PRESIDENT AND SECRETARY of the corporation that executed the instrument. On behalf of said corporation and acknowledge to me that such corporation executed the same

IN WITNESS WHEREOF, I have hereto set my hand and affixed my official seal the day and year in this certificate first above written.



Stan Haye
NOTARY PUBLIC FOR IDAHO
Residing at: 77 - Cedar
My Commission expires: Aug 25 2018

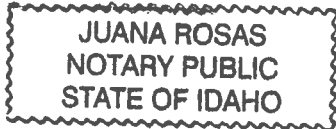
STATE OF IDAHO)

) SS.

County of Twin Falls)

On this 15th day of September, 2012, before me, a Notary Public, in and for said County and State, personally appeared Wayne & Joanne Wright that known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledge to me that executed the same

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Juana Rosas
NOTARY PUBLIC FOR IDAHO
Residing at: Twin Falls, ID
My Commission expires: 8.04.2015

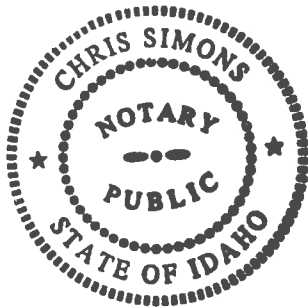
STATE OF IDAHO)

) SS.

County of Twin Falls)

On this 12 day of Sept, 2012, before me, a Notary Public, in and for said County and State, personally appeared STAN HAYE, known or identified to me to be the PRESIDENT of that corporation that executed the instrument. On behalf of said corporation and acknowledge to me that such corporation executed the same

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Chris Simons
NOTARY PUBLIC FOR IDAHO
Residing at: Twin Falls
My Commission expires: 9/28/2018

EXHIBIT A

Legal Description: For Water right owned by Mather's Ranches Inc.

See Water Right # 47-17555, 47-17560 and 47-17565 portions of land contained within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 31 and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 32 Township 11 south range 18 east of the Boise Meridian, Twin Falls county Idaho



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

January 31, 2013

WAYNE WRIGHT
JOANNE WRIGHT
3700 N 2658 E
TWIN FALLS, ID 83301

RE: Transfer No. 78253
Water Right No(s). 47-17555, 47-17560, 47-17565, 47-17591, 47-17592, 47-17593

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 2/7/2013 and 2/14/2013**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**February 25, 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

cc:

SNAKE RIVER MANAGEMENT
STAN HAYE
3539 E 3000 N
KIMBERLY, ID 83341

Maline, Denise

From: Maline, Denise
Sent: Thursday, January 31, 2013 1:24 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 February 7th & 14th, 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
Idaho Department of Water Resources
1341 Fillmore St, Ste 200
Twin Falls, Idaho 83301
(208) 736-3033
denise.maline@idwr.idaho.gov

January 31, 2013

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

RE: Transfer No. 78359
Water Right No(s): 37-13043, 37-13112, 37-13113, 37-13114, 37-21401, 37-21402, 37-21403,
37-21404, 37-21405

RE: Transfer No. 78370
Water Right No(s): 43-13384, 43-13386, 43-13388, 43-13390, 43-13392, 43-13394, 43-13396,
43-13398, 43-13400, 43-13402, 43-13404, 43-13406, 43-13466, 43-13468, 43-2359, 43-2460,
43-4010, 43-7015, 43-7054

RE: Transfer No. 78376
Water Right No(s): 47-10693, 47-122, 47-124B, 47-138, 47-158, 47-162A, 47-16640D,
47-17599, 47-17600, 47-17601, 47-17602, 47-17603, 47-17604, 47-177D, 47-2551

RE: Transfer No. 78253
Water Right No(s): 47-17555, 47-17560, 47-17565, 47-17591, 47-17592, 47-17593

RE: Transfer No. 78254
Water Right No(s): 47-17555, 47-17560, 47-17565, 47-17594, 47-17595, 47-17596

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 February 25, 2013. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78359**

ALONZO B LEAVELL, PO BOX 54, GOODING, ID 83330 has filed Application No. 78359 for changes to the following water rights within GOODING & LINCOLN County(s): Right No(s). 37-13043, 37-13112, 37-13113, 37-13114, 37-21401, 37-21402, 37-21403, 37-21404, 37-21405. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to add diversion points to nine Little Wood River rights owned by the Big Wood Canal Company to allow for the diversion of Big Wood Canal Company shares from the Big Wood River rather than the Little Wood River. The application describes a point of diversion where water from the Little Wood River enters the X Canal along the west side of Gooding, a point of injection where the X Canal discharges into the Big Wood River northwest of Gooding, and two new proposed points of rediversion from the Big Wood River northwest of Gooding. The rediversion points from the Big Wood River will be located approximately 0.6 miles west and 1.7 miles north, and 0.65 miles west and 1.65 miles north of the Highway 26 and 46 intersection. The application proposes limiting the diversion of water from the two new rediversion points to no more than a combined total of 0.41 cfs.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78370**

WILLOW CREEK ENTERPRISES LLC, C/O REED GIBBY, 872 E PEBBLE DR, BURLEY, ID 83318; and LEON R WALKER FAMILY TRUST, C/O ZEONA M WALKER TRUSTEE, 87 S 800 E, LINDON, UT 84042 have filed Application No. 78370 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13384, 43-13386, 43-13388, 43-13390, 43-13392, 43-13394, 43-13396, 43-13398, 43-13400, 43-13402, 43-13404, 43-13406, 43-13466, 43-13468, 43-2359, 43-2460, 43-4010, 43-7015, 43-7054. 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) and add points of diversion (PODs) for fifteen groundwater irrigation rights. Two rights 5.12 CFS (310.6 Acres), currently appurtenant to a farm located approximately 10.2 mi to 11.2 mi E of Declo, are diverted from three wells located the following approximate distances from Declo: 10.4 mi. E & 1.0 mi N, 10.3 mi. E, and 10.7 mi. E. An additional thirteen rights allow for the irrigation of 171 acres on adjacent ground, from a well located approximately 11.2 mi. E & 1.3 mi. N (132 acres, 1.74 CFS) of Declo and a well located approximately 10.0 mi E. & 1.0 mi. N (39 acres, 0.48 CFS) of Declo. Application proposes to create a 3469.7-acre permissible place of use (PPU) located approximately 7.9 to 11.9 mi. E & 0.3 to 2.0 mi. N of Declo by combining all fifteen rights. The well located approximately 11.2 mi. E & 1.3 mi. N of Declo will be relocated to a new location approximately 10.8 mi. E & 1.0 mi. N of Declo. These five wells will allow for the diversion of up to 7.34 CFS (481.6 acres) for use within the PPU. Rights (10 CFS, 546 acres) on an adjacent farm, located approximately 9.7 to 11.2 mi E & 1.3 mi. N to 0.7 mi. S of Declo, also utilizes the three wells located the following approximate distances from Declo: 10.4 mi. E & 1.0 mi N, 10.3 mi. E, and 10.7 mi. E and will be modified to reflect the ability to divert water from the additional two wells.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78376**

BRENT and CHALET FUNK, 2786 ROCK CREEK RD, HANSEN, ID 83334 has filed Application No. 78376 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-10693, 47-122, 47-124B, 47-138, 47-158, 47-162A, 47-16640D, 47-17599, 47-17600, 47-17601, 47-17602, 47-17603, 47-17604, 47-177D, 47-2551. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the place of use (POU) of 0.34 CFS (12.5 acres) of Rock Creek water rights by creating a 21.6-acre permissible place of use (PPU), by incorporating adjacent ground, on a farm located approximately 8.7 to 8.9 mi. S of Hansen. Application also proposes to change the POU for a 0.2 CFS (9.1 acre) portion of rights 47-10693, 47-122, 47-124B, 47-138, 47-158, & 47-162A to be combined with the rights in the proposed PPU to allow for the irrigation of the entire 21.6-acre PPU. The 0.2 CFS (9.1 acre) portion of rights 47-10693, 47-122, 47-124B, 47-138, 47-158, and 47-162A will result in an overall reduction of 9.1 acres of irrigation at their original 292.5-acre PPU, located approximately 6.5 to 7.8 mi. S of Hansen. The application also proposes changing the points of diversion (PODs) for the 0.2 CFS portion of rights 47-10693, 47-122, 47-124B, 47-138, 47-158, and 47-162A, by moving them upstream from three PODs along Rock Creek located the following approximate distances from Hansen: 7.2 mi S, 7.6 mi S, & 7.8 mi. S to four PODs, currently authorized under rights 47-16640D & 47-177D, located the approximate following distances from Hansen: 9.0 mi. S, 9.7 mi. S, 9.8 mi. S, & 10.7 mi. S.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78253**

WAYNE and JOANNE WRIGHT, 3700 N 2658 E, TWIN FALLS, ID 83301 has filed Application No. 78253 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-17555, 47-17560, 47-17565, 47-17591, 47-17592, 47-17593. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 1.8 acre portion (0.03 cfs) of three groundwater rights from a farm located approximately 7.2-8.0 miles south and 0.75-1.5 miles west of the center of Kimberly to irrigation use associated with a home located approximately 1.75 miles south and 3.2 miles west of the center Twin Falls. The transferred portion of the rights (0.03 cfs) will be diverted from an existing domestic well associated with the home.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 78254**

PAUL MONAHAN, 18972 HWY 30, HAGERMAN, ID 83332 has filed Application No. 78254 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-17555, 47-17560, 47-17565, 47-17594, 47-17595, 47-17596. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 4.3 acre portion (0.08 cfs) of three groundwater rights from a farm located approximately 7.2-8.0 miles south and 0.75-1.5 miles west of the center of Kimberly to irrigation use associated with an orchard and winery located approximately 8.6 miles north and 4.5 miles west of the center Buhl. The transferred portion of the rights (0.08 cfs) will be diverted from an existing domestic well associated with a home and the property.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and the proposed transfers, please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St, Suite 200, Twin Falls ID 83301 together with a protest fee of \$25.00 for each application on or before February 25, 2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on February 7th & 14th, 2013

MEMORANDUM

Date: January 28, 2013
To: Transfer 78253 File
From: Benny Walker
Re: Evaluation of Sufficiency of Information Submitted

Application proposes transferring a 1.8 acre portion (0.03 cfs) of three groundwater rights from a farm located approximately 7.2-8.0 miles south and 0.75-1.5 miles west of the center of Kimberly to irrigation use associated with a home located approximately 1.75 miles south and 3.2 miles west of the center Twin Falls. The transferred portion of the rights (0.03 cfs) will be diverted from an existing domestic well associated with the home. The wells involved with the transfer are located outside the ESPA smooth model boundary area so a ground water model analysis is not required. The three groundwater rights, 47-17555, 47-17560, and 47-17565 involved with the transfer all include a condition indicating that they are combined with Twin Falls Canal Company water. However, the application includes a letter from the Twin Falls Canal Company indicating the limited number, and specific location of shares on the original place of use. Note that the three groundwater rights, involved with the transfer allow for the total irrigation of 1.8 acres and that the letter from the canal company indicates that there are only 100 shares of water on 182.9 acres total of the parent rights. Further more, the canal company letter also identifies the specific lands that these 100 shares are appurtenant to. Note that the 1.8 acre portion of the three groundwater rights proposed to be transferred does not overlap the specific lands that the 100 canal company shares are appurtenant to. It should also be noted that the Department has previously approved similar types of transfers in the past involving portions of these same three groundwater rights.

- **Authority to File:**
Applicant has submitted a warranty deed for the proposed place of use. The application includes a copy of a purchase and sales agreement for the rights being transferred from the current owner to the applicant. After transfer approval the current owner of the rights involved in the transfer will provide a Quit Claim Deed to the new owner. The new owner will then file a notice of change in water right ownership to the department.
- **Water Right Validity:**
The rights involved 47-17555, 47-17560, and 47-17565 with the transfer were decreed in 2009.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated. No enlargement of use through the transfer
- **Local Public Interest:**
Application will be subject to public notice and protest.
- **Beneficial Use/Conservation of Water Resources:**
Proposed uses are recognized as beneficial uses of water.
- **Effect on Economy of the Local Area:**
No issues 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.