Docusign Envelope ID: 0FD118DD-811C-491A-A660-4151EA7027FC

RECEIVED
Jan 09, 2025
DEPARTMENT OF
WATER RESOURCES

WITHDRAWAL

OF

APPLICATION FOR TRANSFER OF WATER RIGHT(S)

I/We, JMAC Resources Inc. (Applicant's Printed Name) and _____ (Applicant's Printed Name),

_____ (Applicant's Printed Name) and _____ (Applicant's Printed Name),

hereby withdraw our Application for Transfer No. 89470 of Water Right No(s). 95-7804.

Signed this 8th day of January, 2025.

DocuSigned by:
Jon McCreary
E4E71718AA0742D... / Owner
(Signature/Title of Applicant)

_____
(Signature/Title of Applicant)

_____
(Signature/Title of Applicant)

_____
(Signature/Title of Applicant)

Docusign Envelope ID: 2F6EEC89-0D67-4DE6-AE2F-5C7E9C7171F7

RECEIVED
Dec 16, 2024
DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 89470

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 idwr.idaho.gov.

Name of Applicant(s) JMAC Resources 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 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 #1-10.

☐	☑	#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 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).** ** Additional fee(s) required for water right ownership changes; see fee schedule.
☐	☑	#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 idwr.idaho.gov/water-rights/transfers/resources.html.
☐	☑	#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. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
☐	☑	#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.) Additional fee required for proposed changes to nature of use; see fee schedule.
☐	☑	#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	Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
☐	☑	#10	Other. Please describe: _____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) JMAC Resources Inc. Phone (509) 423-7494

Mailing address 1505 North Miller STE 260, Wenatchee, WS 98801 Email jon@jmacresources.com

☐ 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 Terry Gadbaw Phone (208) 916-7122

Mailing address 3151 North Beck Road, Post Falls, Idaho 83854 Email terryg@jmacresources.com

☐ 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.

DocuSigned by: Jon McCreary E4E7171BAA5742D... — Signature of Applicant or Authorized Representative

Jon McCreary, Owner — Print Name and Title if applicable

12/12/2024 — Date

DocuSigned by: Terry Gadbaw D16D8DDEEDA9401... — Signature of Applicant or Authorized Representative

Terry Gadbaw,GM-PNW Division — Print Name and Title if applicable

12/12/2024 — 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. Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
   If yes, ☐ attach an explanation and any supporting documentation labeled as **Part1A.2**.

3. 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.3**.
   See attached additional pages.

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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. All	Part	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☑	☐	95-7804	5.0/896.5	Irrigation	3/15 to 11/15	Ground Water
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	

Total authorized under rights 5.0 cfs and/or 896.5 acre-feet.

2. Total amount of water proposed to be transferred or changed 1.27 cubic feet per second and/or 227.1 acre-feet per year.

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	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
No	1		NW	NW	36	51N	6W	Kootenai	Groundwater	
Yes			SE	NE	25	51N	6W	Kootenai	Groundwater	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
51N	6W	25	3.3		15.6	35.2					30.5	5	18.8	40	19.3	36			203.7
51N	6W	36					29	18.8	4.5	0.2									52.5

Total Acres (for irrigation use) 256.2

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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:

Each diversion system will have dedicated fixed metering for both flow totals and rates at the points of diversion. Both systems would have buried pipeline/closed conduit delivery systems with controlled access.

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

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

c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

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. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

Approximately 64.9 acres of the irrigated lands are temporarily utilized for the concrete ready mix facility. There is a reclamation plan in place to return the lands back to agricultural/irrigation once the facility is no longer in service.

f. 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:

The existing rights would be utilized to irrigate an equivalent amount of acres located in Sec 25 T51N R6W (64.9 AC), replacing those lands once irrigated (Ready-Mix Facility; 64.9 AC) and located in Sec 36 T51N R6W. A additional groundwater well (POD), under the existing water right, is installed in SENE Sec 25 T51N R6W.

g. 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:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 1.
Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☑ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: 95-7804

1. amount 896.5 (cfs/ac-ft) for Irrigation purposes from 3/15 to 11/15
   amount ____ (cfs/ac-ft) for ____ purposes from ____ to ____
   amount ____ (cfs/ac-ft) for ____ purposes from ____ to ____
   amount ____ (cfs/ac-ft) for ____ purposes from ____ to ____
   amount ____ (cfs/ac-ft) for ____ purposes from ____ to ____
   amount ____ (cfs/ac-ft) for ____ purposes from ____ to ____
   amount ____ (cfs/ac-ft) for ____ purposes from ____ to ____
   amount ____ (cfs/ac-ft) for ____ purposes from ____ to ____
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
51	6	25			10						35	5	18.8	40		30			138.8
51	6	36					40	18.8	18.6	40									117.4

Total Acres (for irrigation use) 256.2

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

☑ 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 any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

☐ If you propose to change the nature of use or period of use of all or part of the rights(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**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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:

N/A

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid _____ Date _____ Receipted by _____ Receipt # _____

Add'l fee paid _____ Date _____ Receipted by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

IDAHO DEPARTMENT OF WATER RESOURCES

Water Rights

RECEIVED
Dec 16, 2024
DEPARTMENT OF
WATER RESOURCES

Return to STEP 1

TRANSFER PART 2A REPORT

1. Type the water right number in the Basin, Sequence, and Suffix fields.
2. Click **View Report** to generate the report.
3. To save the report, click **Export** on the tool bar, and then choose **PDF** (or another format) from the drop-down list.
4. To print the report, open the saved file and print.

ALERT: This report displays best on wider screens.

Water Right Number Format

Water Right numbers can contain three components: Basin number, Sequence number, and sometimes a Suffix.

Example: **95-1234A**

95 = Basin
1234 = Sequence
A = Suffix

Basin 95 Sequence 7804 View Report

Suffix

1 of 1 Find | Next

Page _____ of _____

IDAHO DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2A

Current Water Right No.: 95-7804

Current Owner: JMAC RESOURCES INC

Priority Date: 12/22/1977

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
GROUND WATER	

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	3/15 to 11/15	5 CFS	896.5 AF
	Total Diversion	5 CFS	896.5 AF

Location of Point(s) of Diversion

GROUND WATER L1(NW1/4NW1/4) Sec. 36, Twp 51N, Rge 06W B.M.

KOOTENAI County

Place of Use

IRRIGATION Within KOOTENAI County

T51N R06W S25		SWNE	10.00	T51N R06W S25		NESW	35.00
T51N R06W S25	Lot 3	NWSW	5.00	T51N R06W S25	Lot 4	SWSW	18.80
T51N R06W S25		SESW	40.00	T51N R06W S25		NWSE	30.00
T51N R06W S36		NENW	40.00	T51N R06W S36	Lot 1	NWNW	18.80
T51N R06W S36	Lot 2	SWNW	18.60	T51N R06W S36		SENW	40.00

Total Acres: 256.2

Conditions of Approval:

1. PIN Parcel Nos. 51N06W258000, 51N06W255000, 51N06W256000, 51N06W256600, 51N06W257000 and 51N06W362600
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 11/8/2019

Water Right Report : 95-7804(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	JMAC RESOURCES INC	1505 N MILLER ST STE 260	WENATCHEE	WA	98801-1597
Original Owner	BECK FAMILY TRUST	C/O JAMES FALLON 3405 N BECK RD	POST FALLS	ID	83854-6577

Water Right Status

Priority Date : 12/22/1977
Basis : Decreed
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	51N	06W	36	1		NW	NW	KOOTENAI	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/15	11/15	5.00 CFS	896.50 AFA
TOTAL			5.00 CFS	896.50 CFS

Places of Use

Place of Use Legal Description : IRRIGATION (KOOTENAI county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
51N	06W	25			SW	NE	10
51N	06W	25			NE	SW	35
51N	06W	25	3		NW	SW	5
51N	06W	25	4		SW	SW	19
51N	06W	25			SE	SW	40
51N	06W	25			NW	SE	30
51N	06W	36			NE	NW	40
51N	06W	36	1		NW	NW	19
51N	06W	36	2		SW	NW	19
51N	06W	36			SE	NW	40

Irrigation Totals

Total Acres Acre Limit

256.20

Conditions

Code	Condtions

C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

PIN Parcel Nos. 51N06W258000, 51N06W255000, 51N06W256000, 51N06W256600, 51N06W257000 and 51N06W362600

Dates

Licensed Date :
Decreed Date : 11/8/2019
Permit Proof Due Date : 4/1/1983
Permit Proof Made Date : 3/18/1983
Permit Approved Date : 4/24/1978
Permit Moratorium Expiration Date :
Enlargment Use Priority Date :
Enlargement Statute Priority Date :
Application Recevied Date: 12/22/1977
Protest Deadline Date:

Other Information

State or Federal :
Water District Number : NWD
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Civil Case Number :
Decree Plantiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES 2/14/2023

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STATE OF IDAHO

Phil McGrane | Secretary of State
Business Office
450 North 4th Street
PO Box 83720
Boise, ID 83720

November 12, 2024

Request Type:	Certificate of Existence/Filing	Issuance Date:	11/12/2024
Request #:	0005978327	Copies Requested:	0
Receipt #:	001061359		

Regarding:	JMAC RESOURCES, INC.		
Filing Type:	Foreign Business Corporation	File # :	625564
Formation/Qualification Date:	01/29/2016		
Status:	Active-Good Standing	Formation Locale:	NORTH DAKOTA
Duration Term:	Perpetual	Inactive Date:	

Certificate of Existence

I, Phil McGrane, Secretary of State of the State of Idaho, do hereby certify that effective as of the issuance date noted above

JMAC RESOURCES, INC.

a Corporation formed in the jurisdiction set forth above, is authorized to transact business in this State.

Phil McGrane
Idaho Secretary of State

Processed By: Business Division

Verification #: 031454937

State of Idaho – Department of Water Resources
Application for Transfer of Water Right
JMAC Resources, Inc.
Water Right No. 95-7804

Additional Pages

PART 1

Part1A.3. *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.*

This requested change in place of use and the addition of a point of diversion (POD) is for an existing irrigation operation. Currently the existing irrigation water right appropriates an annual volume of 896.5 ac-ft at a diversion rate of 5 cfs (2,240 gpm) during the timeframe from 3/15 to 11/15. JMAC Resources is requesting a change the place of use, removing 64.9 acres from the southern portion and adding 64.9 acres adjacent to the northeast portion of the irrigated lands. Also JMAC Resources would like to add an additional point of diversion in SENE Section 25 T51N R06W. This new POD will provide irrigation water to the lands identified for the change in place of use. The requested change in place of use and the additional POD will not alter the water right amount or rate of diversion previously appropriated. The water right boundary will change slightly removing acreage from the NW ¼ of Section 36 T51N R06W; and adding lands in NENE, SENE, NESW of Section 25 T51N R06W. There is a correction in the acreage identified in SWNE of Section 25 T51N R06W from 10 acres to 15.6 acres; also a correction in the acreage identified in NWSE of Section 25 T51N R06W from 30 acres to 36 acres; and a correction in the acreage identified in NESW of Section 25 T51N R06W from 35 acres to 30.5 acres. No part of the irrigation water right is leased to the Water Supply Bank. There are no non-irrigation uses of this water right.

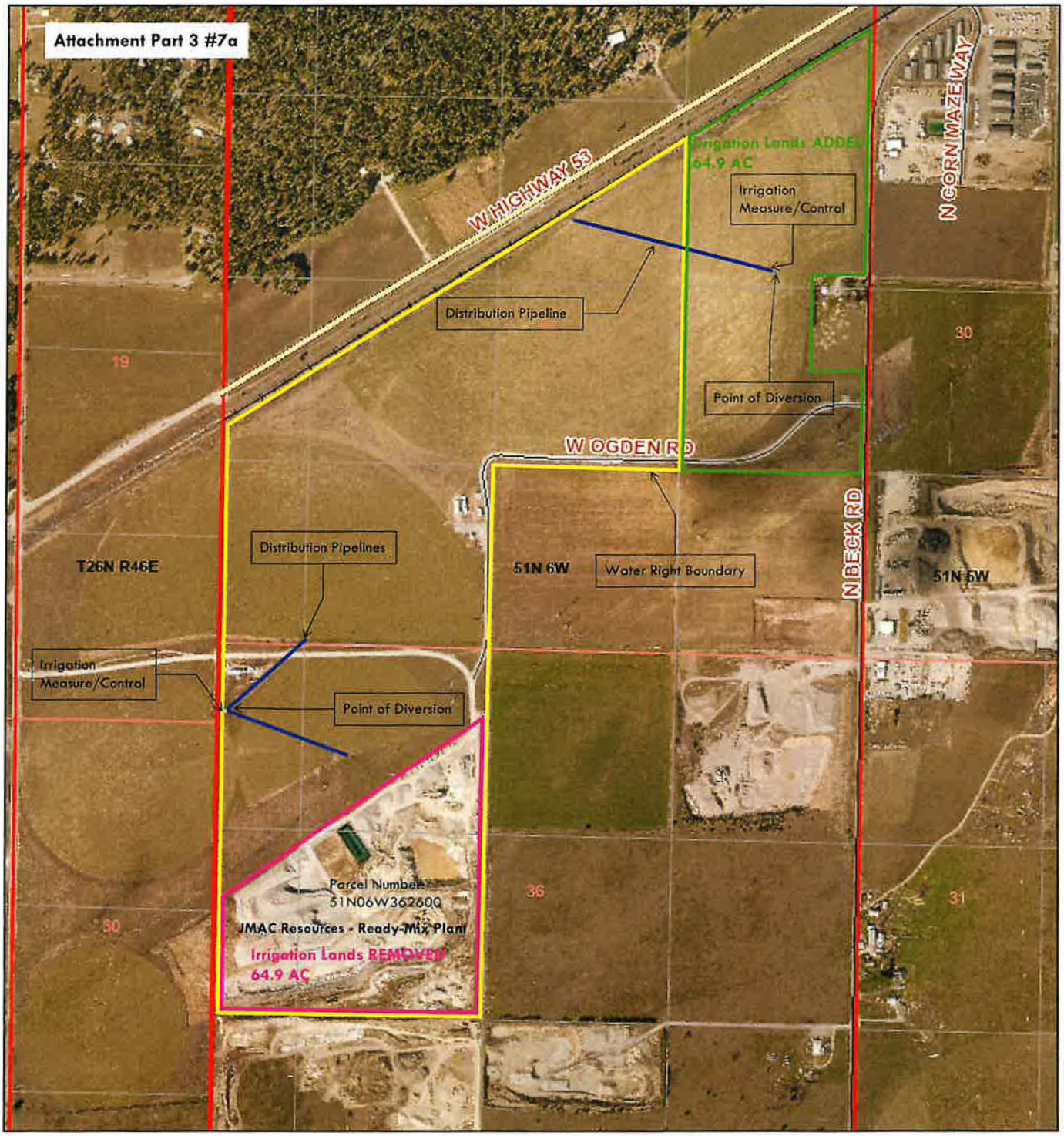
Pre-Development (2016)



Post-Development (2024)



JMAC Resources Inc. - Transfer of Water Right



11/12/2024, 2:52:03 PM

1:12,000

0 0.1 0.2 0.4 mi

0 0.15 0.3 0.6 km

Railroads

Roads 24000

INTERSTATE

LOCAL ROAD

SEASONAL ROAD

STATE HIGHWAY

U.S. HIGHWAY

PLSS Intersected

PLSS Section

PLSS Township

Compiled by the Bureau of Land Management (BLM), Headquarters (HQ)

Compiled by the Bureau of Land Management (BLM), Headquarters (HQ) |

Water Right No. 95-7804



12/12/2024, 3:20:23 PM

1:18,056

0 0.1 0.2 0.4 mi

0 0.15 0.3 0.6 km

Public Land Survey System - PLSS_Township

Public Land Survey System - PLSS_Section

Public Land Survey System - PLSS_Subsection

PlsSections

PlsTownshipAndRange

Spokane Image Consortium, Maxar, BLM, IDL, IDWR, Esri, HERE, Garmin, iPC

West Dakota Water

Spokane Image Consortium, Maxar | The data were made possible by a public/private partnership including the U.S. Bureau of Land Management, several state agencies, local governments, The

Application for Transfer or Exchange Fee Schedule

Applications for changes pursuant to Idaho Code § 42-221.O.8 require a filing fee of $50 per water right. **All other application fees** are based on the storage volume (acre-feet per year or AFY) or on the diversion rate (cubic feet per second or CFS) being transferred, not necessarily on the amount of the entire right. For applications proposing a change in the diversion rate and storage volume, determine each fee separately and pay the greater of the two. See Transfer Processing Memo No. 23.

(CFS = cubic feet per second; AF = acre-feet per year)

Flow Rate (CFS)	Storage Volume (AF)	Fee	Flow Rate (CFS)	Storage Volume (AF)	Fee
0.00 – 0.20	0.0 – 20.0	**$200**	11.01 – 12.00	1,100.1 – 1,200.0	**$1,380**
0.21 – 1.00	20.1 – 100.0	**$500**	12.01 – 13.00	1,200.1 – 1,300.0	**$1,460**
1.01 – 2.00	100.1 – 200.0	**$580**	13.01 – 14.00	1,300.1 – 1,400.0	**$1,540**
2.01 – 3.00	200.1 – 300.0	**$660**	14.01 – 15.00	1,400.1 – 1,500.0	**$1,620**
3.01 – 4.00	300.1 – 400.0	**$740**	15.01 – 16.00	1,500.1 – 1,600.0	**$1,700**
4.01 – 5.00	400.1 – 500.0	**$820**	16.01 – 17.00	1,600.1 – 1,700.0	**$1,780**
5.01 – 6.00	500.1 – 600.0	**$900**	17.01 – 18.00	1,700.1 – 1,800.0	**$1,860**
6.01 – 7.00	600.1 – 700.0	**$980**	18.01 – 19.00	1,800.1 – 1,900.0	**$1,940**
7.01 – 8.00	700.1 – 800.0	**$1,060**	19.01 – 20.00	1,900.1 – 2,000.0	**$2,020**
8.01 – 9.00	800.1 – 900.0	**$1,140**	20.01 – 100.00	2,000.1 – 10,000.0	*
9.01 – 10.00	900.1 – 1,000.0	**$1,220**	100.01 – 500.00	10,000.1 – 50,000.0	**
10.01 – 11.00	1,000.1 – 1,100.0	**$1,300**	500.01 & over	50,000.1 & over	***

For an application including a **change in nature of use** of water under one (1) or more right(s):
Additional fee of $250 per application.

For any application including a **change in ownership** of water right(s) as required per Idaho Code § 42-248:
Additional fee of $25 per undivided right requiring an ownership change and/or
Additional fee of $100 per divided right requiring an ownership change.

* **$2,020 plus $40** for each additional 1.0 cfs or part thereof or 100 acre-feet or part thereof over the first 20.0 cfs or 2,000 acre-feet.

** **$5,220 plus $20** for each additional 1.0 cfs or part thereof or 100 acre-feet or part thereof over the first 100.0 cfs or 10,000 acre-feet.

*** **$13,220 plus $4** for each additional 1.0 cfs or part thereof or 100 acre-feet or part thereof over the first 500.0 cfs or 50,000 acre-feet.

Base Fee Application for Change: $50.00
Flow Rate (0.00 CFS): $200.00

Total Fee: $250.00

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 89470

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 idwr.idaho.gov.

Name of Applicant(s) JMAC Resources 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 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 #1-10.

☐	☑	#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 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).** ** Additional fee(s) required for water right ownership changes; see fee schedule.
☐	☑	#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 idwr.idaho.gov/water-rights/transfers/resources.html.
☐	☑	#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. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
☑	☐	#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.) Additional fee required for proposed changes to nature of use; see fee schedule.
☐	☑	#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	Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
☐	☑	#10	Other. Please describe: _____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) JMAC Resources Inc. Phone (509) 423-7494

Mailing address 1505 North Miller STE 260, Wenatchee, WS 98801 Email jon@jmacresources.com

☐ 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 Terry Gadbaw Phone (208) 916-7122

Mailing address 3151 North Beck Road, Post Falls, Idaho 83854 Email terryg@jmacresources.com

☐ 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.

DocuSigned by: Jon McCreary E4E7171BAA6742D...
Signature of Applicant or Authorized Representative — Jon McCreary, Owner (Print Name and Title if applicable) — 11/12/2024 (Date)

DocuSigned by: Terry Gadbaw D16B6DDEEDA9401...
Signature of Applicant or Authorized Representative — Terry Gadbaw,GM-PNW Division (Print Name and Title if applicable) — 11/12/2024 (Date)

A. PURPOSE OF TRANSFER

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

2. Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part1A.2**.

3. 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.3**.
See attached additional pages.

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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. All or Part	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☐ ☑	95-7804	4.33/881.5	Irrigation	3/15 to 11/15	Ground Water
☐ ☑	95-7804	0.67/15	Industrial	1/1 to 12/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 5 cfs and/or 896.5 acre-feet.

2. Total amount of water proposed to be transferred or changed 1 cubic feet per second and/or 15 acre-feet per year.

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	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
	1		NW	NW	36	51N	6W	Kootenai	Groundwater	
			SE	NE	25	51N	6W	Kootenai	Groundwater	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
51N	6W	25			10						35	5	18.8	40		30			138.8
51N	6W	36					40	18.8	18.6	40									117.4

SUPERSEDED

Total Acres (for irrigation use) 256.2

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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:

Each use will have dedicated metering for both flow totals and rates at the point of diversion. Both uses would have buried pipeline/closed conduit delivery systems with controlled access.

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

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

c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

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. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

Approximately 65 acres of irrigated lands are temporarily utilized for the concrete ready mix facility. There is a reclamation plan in place to return the lands back to agricultural/irrigation once the facility is no longer in service.

f. 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:

There are no other water rights for the referenced lands associated with this application.

g. 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:

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

For each water right listed in Part 1B.1 of the application, attach a **Part 2A** report obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 1.
Insert Part 2A reports into the application following Part 1.

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

☑ Complete and attach one copy of Part 2B for each right for which only a portion is proposed to be changed. If the entire right is proposed to be changed, Part 2B is not applicable. Additional copies of the **Part 2B** form can be obtained from any Department office or from the Department's website @ idwr.idaho.gov, Water Right Transfers, Step 3, or Water Right Forms, Changes in Use. Insert completed Part 2B forms into the application following Part 2A of the same water right.

Right Number: 95-7804

1. amount 896.5 (cfs/ac-ft) for Irrigation purposes from 3/15 to 11/15
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
51N	6W	25			10						35	5	18.8	40		30			138.8
51N	6W	36					40	18.8	18.6	40									117.4

SUPERSEDED

Total Acres (for irrigation use) 256.2

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

☑ 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 any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

☑ If you propose to change the nature of use or period of use of all or part of the rights(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**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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:

N/A

SUPERSEDED

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid $750.00 Date 11/21/24 Receipted by MB Receipt # N045099

Add'l fee paid $50.00 Date 11/26/24 Receipted by MB Receipt # N045105

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

IDAHO DEPARTMENT OF WATER RESOURCES

Water Rights

Return to STEP 1

TRANSFER PART 2A REPORT

1. Type the water right number in the Basin, Sequence, and Suffix fields.
2. Click **View Report** to generate the report.
3. To save the report, click **Export** on the tool bar, and then choose **PDF** (or another format) from the drop-down list.
4. To print the report, open the saved file and print.

ALERT: This report displays best on wider screens.

Water Right Number Format

Water Right numbers can contain three components: Basin number, Sequence number, and sometimes a Suffix.

Example: **95-1234A**

95	= Basin
1234	= Sequence
A	= Suffix

Basin 95 Sequence 7804 View Report

Suffix

1 of 1 Find | Next

SUPERSEDED

Page _____ of _____

IDAHO DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2A

Current Water Right No.: 95-7804

Current Owner: JMAC RESOURCES INC

Priority Date: 12/22/1977

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
GROUND WATER	

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	3/15 to 11/15	5 CFS	896.5 AF
	Total Diversion	5 CFS	896.5 AF

Location of Point(s) of Diversion

GROUND WATER L1(NW1/4NW1/4) Sec. 36, Twp 51N, Rge 06W B.M.

KOOTENAI County

Place of Use

IRRIGATION Within KOOTENAI County

T51N R06W S25		SWNE	10.00	T51N R06W S25		NESW	35.00
T51N R06W S25	Lot 3	NWSW	5.00	T51N R06W S25	Lot 4	SWSW	18.80
T51N R06W S25		SESW	40.00	T51N R06W S25		NWSE	30.00
T51N R06W S36		NENW	40.00	T51N R06W S36	Lot 1	NWNW	18.80
T51N R06W S36	Lot 2	SWNW	18.60	T51N R06W S36		SENW	40.00

Total Acres: 256.2

Conditions of Approval:

1. PIN Parcel Nos. 51N06W258000, 51N06W255000, 51N06W256000, 51N06W256600, 51N06W257000 and 51N06W362600
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 11/8/2019

SUPERSEDED

Water Right Report : 95-7804(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	JMAC RESOURCES INC	1505 N MILLER ST STE 260	WENATCHEE	WA	98801-1597
Original Owner	BECK FAMILY TRUST	C/O JAMES FALLON 3405 N BECK RD	POST FALLS	ID	83854-6577

Water Right Status

Priority Date : 12/22/1977
Basis : Decreed
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	51N	06W	36	1		NW	NW	KOOTENAI	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/15	11/15	5.00 CFS	896.50 AFA
TOTAL			5.00 CFS	896.50 CFS

Places of Use

Place of Use Legal Description : IRRIGATION (KOOTENAI county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
51N	06W	25			SW	NE	10
51N	06W	25			NE	SW	35
51N	06W	25	3		NW	SW	5
51N	06W	25	4		SW	SW	19
51N	06W	25			SE	SW	40
51N	06W	25			NW	SE	30
51N	06W	36			NE	NW	40
51N	06W	36	1		NW	NW	19
51N	06W	36	2		SW	NW	19
51N	06W	36			SE	NW	40

Irrigation Totals

Total Acres Acre Limit

256.20

SUPERSEDED

Conditions

Code	Condtions

C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

PIN Parcel Nos. 51N06W258000, 51N06W255000, 51N06W256000, 51N06W256600, 51N06W257000 and 51N06W362600

Dates

Licensed Date :
Decreed Date : 11/8/2019
Permit Proof Due Date : 4/1/1983
Permit Proof Made Date : 3/18/1983
Permit Approved Date : 4/24/1978
Permit Moratorium Expiration Date :
Enlargment Use Priority Date :
Enlargement Statute Priority Date :
Application Recevied Date: 12/22/1977
Protest Deadline Date:

Other Information

State or Federal :
Water District Number : NWD
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0
Civil Case Number :
Decree Plantiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

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SUPERSEDED

STATE OF IDAHO

Phil McGrane | Secretary of State
Business Office
450 North 4th Street
PO Box 83720
Boise, ID 83720

November 12, 2024

Request Type: Certificate of Existence/Filing
Request #: 0005978327
Receipt #: 001061359

Issuance Date: 11/12/2024
Copies Requested: 0

Regarding: **JMAC RESOURCES, INC.**
Filing Type: Foreign Business Corporation
Formation/Qualification Date: 01/29/2016
Status: Active-Good Standing
Duration Term: Perpetual

File # : 625564
Formation Locale: NORTH DAKOTA
Inactive Date:

Certificate of Existence

I, Phil McGrane, Secretary of State of the State of Idaho, do hereby certify that effective as of the issuance date noted above

JMAC RESOURCES, INC.

a Corporation formed in the jurisdiction set forth above, is authorized to transact business in this State.

Phil McGrane
Idaho Secretary of State

SUPERSEDED

Processed By: Business Division

Verification #: 031454937

State of Idaho – Department of Water Resources
Application for Transfer of Water Right
JMAC Resources, Inc.
Water Right No. 95-7804

Additional Pages

PART 1

Part1A.3. *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.*

This requested change in nature of use and period of use is to convert a small portion of the existing water right from irrigation to industrial use. Currently the existing irrigation water right appropriates an annual volume of 896.5 ac-ft at a diversion rate of 5 cfs (2,240 gpm) during the timeframe from 3/15 to 11/15. JMAC Resources is requesting a transfer of 15 ac-ft annually of its existing irrigation allocation to industrial use at a diversion rate of 0.67 cfs (300 gpm) for the time period of 1/1 through 12/3. The proposed industrial use (non-irrigation) is to provide water for a concrete ready-mix facility (owned by JMAC Resources Inc.). The place of use for the ready-mix plant (industrial use) would be the NENW, SENW, SWSW of Section 36 T51N R06W (Parcel Number: 51N06W362600). The plant uses approximately 4.4 million gallons of freshwater annually. There is a reclamation plan in place to return the land use back to irrigation once the ready-mix plant is no longer in service. The water right boundary of the current place of use will be unchanged. No part of the irrigation water right is leased to the Water Supply Bank.

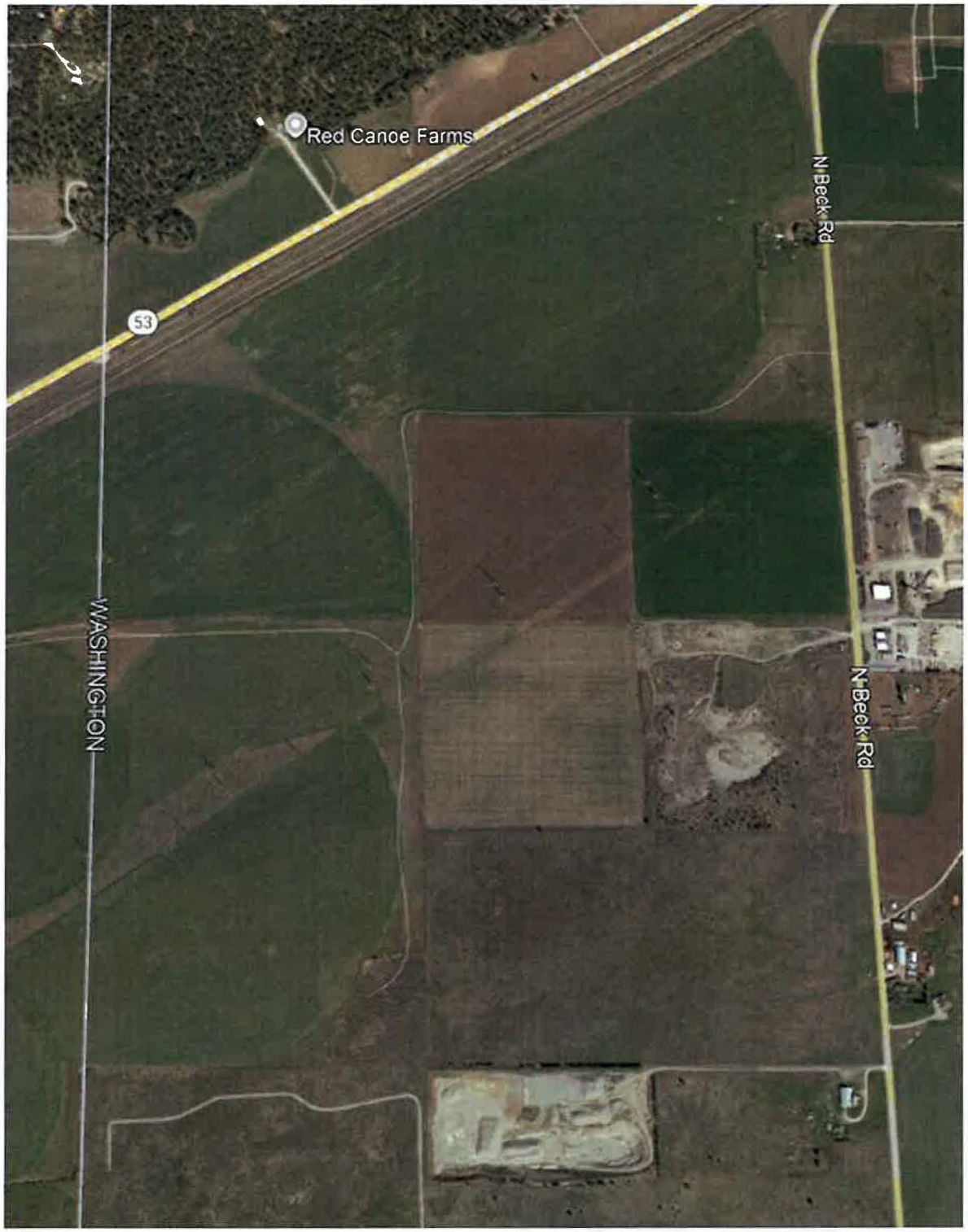
PART 2

Attachment #8a

This water right (95-7804) was approved for irrigation use in 1978. To the best of our knowledge (JMAC Resources Inc. purchased the property in 2017), the associated lands with this permit were flood irrigated up until 2016. In 2016, the Beck Family Trust converted from flood to center pivot irrigation. These lands have been farmed and will continue to be irrigated. The portion of the lands where the period of use and nature of use would change to industrial was irrigated previously and the associated water usage for irrigation is significantly higher than the proposed transfer use. Approximately 65 acres of these lands have been repurposed from farm ground to the Ready-Mix plant. This proposed change will not enlarge the rate, volume, or consumptive use.

SUPERSEDED

Pre-Development Ready-Mix Plant (2016)



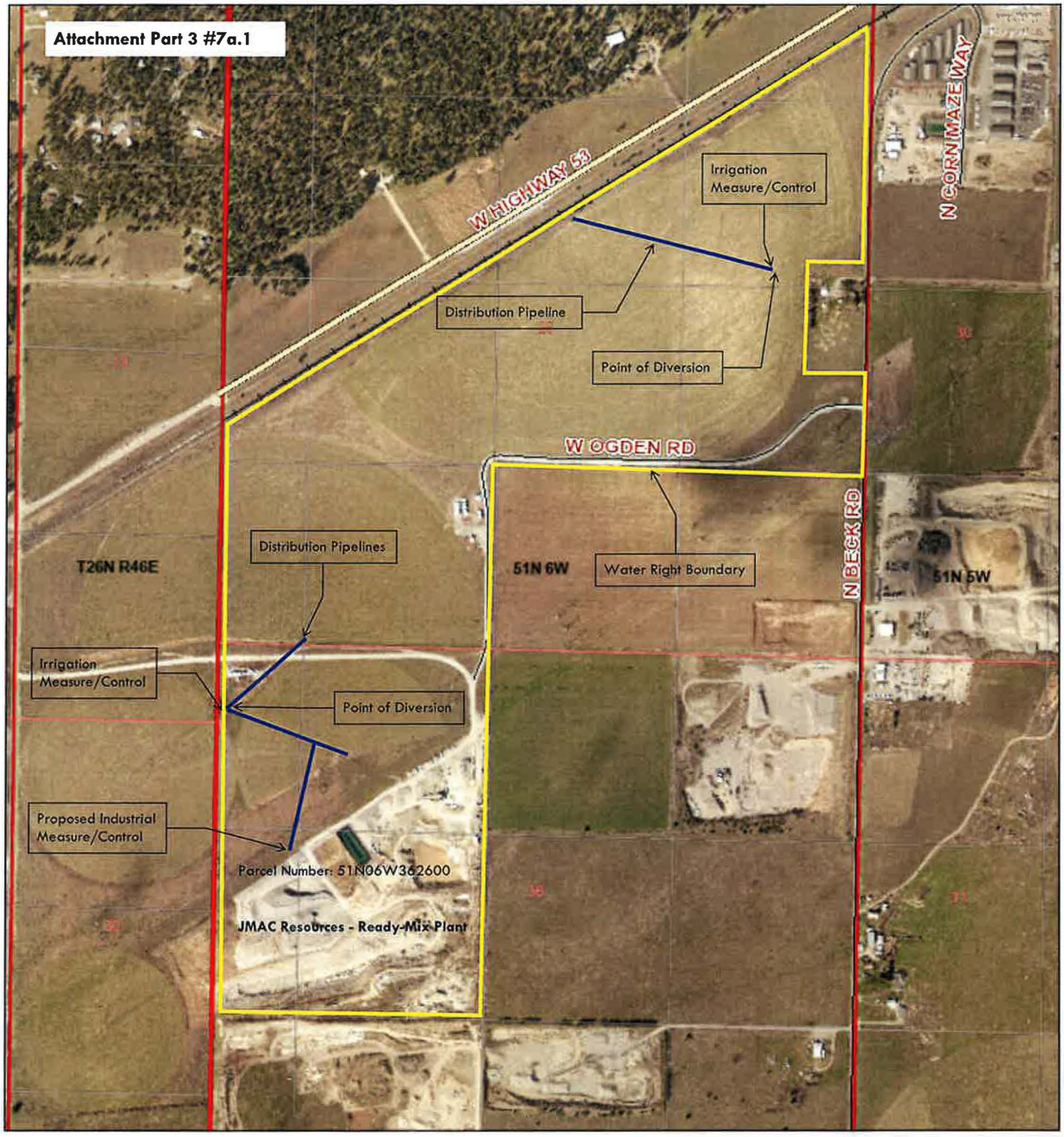
SUPERSEDED

Post-Development Ready-Mix (2024)



SUPERSEDED

JMAC Resources Inc. - Transfer of Water Right



11/12/2024, 2:52:03 PM

1:12,000

0 0.1 0.2 0.4 mi

0 0.15 0.3 0.6 km

Railroads

Roads 24000

INTERSTATE

LOCAL ROAD

SEASONAL ROAD

STATE HIGHWAY

U.S. HIGHWAY

PLSS Intersected

PLSS Section

PLSS Township

SUPERSEDED

Compiled by the Bureau of Land Management (BLM), Headquarters (HQ)

Compiled by the Bureau of Land Management (BLM), Headquarters (HQ)

JMAC Resources Inc. - Transfer of Water Right



11/12/2024, 9:45:40 AM

1:8,000

0 0.05 0.1 0.2 mi

0 0.1 0.2 0.4 km

Railroads

Roads 24000

INTERSTATE

LOCAL ROAD

SEASONAL ROAD

STATE HIGHWAY

U.S. HIGHWAY

kootenaicounty.SDE.KC_Legal_Areas

Parcel Polygon

PLSS Intersected

PLSS Section

PLSS Township

SUPERSEDED

Compiled by the Bureau of Land Management (BLM), Headquarters (HQ)

Compiled by the Bureau of Land Management (BLM), Headquarters (HQ) |

Application for Transfer or Exchange Fee Schedule

Applications for changes pursuant to Idaho Code § 42-221.O.8 require a filing fee of $50 per water right. **All other application fees** are based on the storage volume (acre-feet per year or AFY) or on the diversion rate (cubic feet per second or CFS) being transferred, not necessarily on the amount of the entire right. For applications proposing a change in the diversion rate and storage volume, determine each fee separately and pay the greater of the two. See Transfer Processing Memo No. 23.

(CFS = cubic feet per second; AF = acre-feet per year)

Flow Rate (CFS)	Storage Volume (AF)	Fee	Flow Rate (CFS)	Storage Volume (AF)	Fee
0.00 – 0.20	0.0 – 20.0	**$200**	11.01 – 12.00	1,100.1 – 1,200.0	**$1,380**
0.21 – 1.00	20.1 – 100.0	**$500**	12.01 – 13.00	1,200.1 – 1,300.0	**$1,460**
1.01 – 2.00	100.1 – 200.0	**$580**	13.01 – 14.00	1,300.1 – 1,400.0	**$1,540**
2.01 – 3.00	200.1 – 300.0	**$660**	14.01 – 15.00	1,400.1 – 1,500.0	**$1,620**
3.01 – 4.00	300.1 – 400.0	**$740**	15.01 – 16.00	1,500.1 – 1,600.0	**$1,700**
4.01 – 5.00	400.1 – 500.0	**$820**	16.01 – 17.00	1,600.1 – 1,700.0	**$1,780**
5.01 – 6.00	500.1 – 600.0	**$900**	17.01 – 18.00	1,700.1 – 1,800.0	**$1,860**
6.01 – 7.00	600.1 – 700.0	**$980**	18.01 – 19.00	1,800.1 – 1,900.0	**$1,940**
7.01 – 8.00	700.1 – 800.0	**$1,060**	19.01 – 20.00	1,900.1 – 2,000.0	**$2,020**
8.01 – 9.00	800.1 – 900.0	**$1,140**	20.01 – 100.00	2,000.1 – 10,000.0	*
9.01 – 10.00	900.1 – 1,000.0	**$1,220**	100.01 – 500.00	10,000.1 – 50,000.0	**
10.01 – 11.00	1,000.1 – 1,100.0	**$1,300**	500.01 & over	50,000.1 & over	***

For an application including a **change in nature of use** of water under one (1) or more right(s):
Additional fee of $250 per application.

For any application including a **change in ownership** of water right(s) as required per Idaho Code § 42-248:
Additional fee of $25 per undivided right requiring an ownership change and/or
Additional fee of $100 per divided right requiring an ownership change.

* **$2,020 plus $40** for each additional 1.0 cfs or part thereof or 100 acre-feet or part thereof over the first 20.0 cfs or 2,000 acre-feet.

** **$5,220 plus $20** for each additional 1.0 cfs or part thereof or 100 acre-feet or part thereof over the first 100.0 cfs or 10,000 acre-feet.

*** **$13,220 plus $4** for each additional 1.0 cfs or part thereof or 100 acre-feet or part thereof over the first 500.0 cfs or 50,000 acre-feet.

Flow Rate (0.67 CFS): $500.00
Change in Nature of Use: $250.00

Total Fee: $750.00

SUPERSEDED

From: Ryan Waters
Sent: Monday, December 16, 2024 8:54 AM
To: Alleman, Tammy; IDWR File
Subject: State Of Idaho - Application to Transfer a Water Right - Water Right Permit No. 95-7804

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Attached please find the completed application and attachments to transfer the Place of Use and adding an additional Point of Diversion for existing irrigation Water Right Permit No. 95-7804. If you have any question or need additional information, please feel free to call. Thank you.

Best Regards, Ryan

Ryan M. Waters, PE
West Dakota Water
River Water, GM
ryanw@jmacresources.com
Cell 701.609.4582

WDW
west dakota water
RIVER WATER

Bowman, Micki

From: Bowman, Micki
Sent: Monday, January 13, 2025 3:11 PM
To: IdwrPayable
Subject: Partial Refund

Receipt #N045099 ($750.00) & Receipt #N045105 ($50.00)

Please refund $220.00 (#N045099) to:

JMAC RESOURCES INC.
1505 N MILLER STE 260
WENATCHEE WA 98801

$250.00 (#N045099) should be applied to 95-18627.

$280.00 (#N045099) & $50.00 (#N045105) should be applied to 95-18628.

Thank you.

Micki Bowman | Administrative Assistant 1
Idaho Department of Water Resources
Northern Regional Office
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone (208) 762-2807

IDAHO DEPARTMENT OF
WATER RESOURCES

INDUSTRIAL PERMIT APPLICATION
Total Fee: $250

IRRIGATION PERMIT APPLICATION
Total Fee: $330

Total Fee: $580.00
Previously Paid: $800.00
Estimated Refund: $220.00

APPLICATION FEE SCHEDULE (PER IDAHO CODE § 42-221)

The application fee is based on the proposed storage volume (acre-feet per year or AFY) or on the proposed diversion rate (cubic feet per second or CFS). For applications proposing both a diversion rate and a storage volume, determine each fee separately and pay the greater of the two.

Application fees (CFS = cubic feet per second; AF = acre-feet)

Flow Rate (CFS)	Storage Volume (AF)	Fee	Flow Rate (CFS)	Storage Volume (AF)	Fee
0.00 – 0.20	0.0 – 20.0	$100.00	11.01 – 12.00	1,100.1 – 1,200.0	$690.00
0.21 – 1.00	20.1 – 100.0	$250.00	12.01 – 13.00	1,200.1 – 1,300.0	$730.00
1.01 – 2.00	100.1 – 200.0	$290.00	13.01 – 14.00	1,300.1 – 1,400.0	$770.00
2.01 – 3.00	200.1 – 300.0	$330.00	14.01 – 15.00	1,400.1 – 1,500.0	$810.00
3.01 – 4.00	300.1 – 400.0	$370.00	15.01 – 16.00	1,500.1 – 1,600.0	$850.00
4.01 – 5.00	400.1 – 500.0	$410.00	16.01 – 17.00	1,600.1 – 1,700.0	$890.00
5.01 – 6.00	500.1 – 600.0	$450.00	17.01 – 18.00	1,700.1 – 1,800.0	$930.00
6.01 – 7.00	600.1 – 700.0	$490.00	18.01 – 19.00	1,800.1 – 1,900.0	$970.00
7.01 – 8.00	700.1 – 800.0	$530.00	19.01 – 20.00	1,900.1 – 2,000.0	$1,010.00
8.01 – 9.00	800.1 – 900.0	$570.00	20.01 – 100.00	2,000.1 – 10,000.0	*
9.01 – 10.00	900.1 – 1,000.0	$610.00	101.01 – 500.00	10,000.1 – 50,000.0	**
10.01 – 11.00	1,000.1 – 1,100.0	$650.00	500.01 & over	50,000.1 & over	***

* $1,010.00 plus $20.00 for each additional 1.0 cfs or part thereof or 100 acre-feet or part thereof over the first 20 cfs or 2,000 acre-feet.

** $2,610.00 plus $10.00 for each additional 1.0 cfs or part thereof or 100 acre-feet or part thereof over the first 100 cfs or 10,000 acre-feet.

*** $6,610.00 plus $2.00 for each additional 1.0 cfs or part thereof or 100 acre-feet or part thereof over the first 500.0 cfs or 50,000 acre-feet.

Your application and fee may be submitted to one of the following offices:

Northern Region
Idaho Dept. of Water Resources
7600 N Mineral Dr, Suite 100
Coeur d'Alene, ID 83815-7763 Tel. – 762-2800
FAX – 762-2819

Eastern Region
Idaho Dept.of Water Resources
900 N Skyline Dr, Suite A
Idaho Falls, ID 83402-1718 Tel. – 525-7161
FAX – 525-7177

Southern Region
Idaho Dept. of Water Resources
650 Addison Ave W, Suite 500
Twin Falls, ID 83301-5858 Tel. – 736-3033
FAX – 736-3037

Western Region
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082 Tel. – 334-2190
FAX – 334-2348

Alleman, Tammy

From: Ryan Waters <ryanw@jmacresources.com>
Sent: Monday, December 2, 2024 9:37 AM
To: Jon McCreary; Terry Gadbaw; Alleman, Tammy
Subject: RE: Application for Transfer of Water Right
Attachments: Page #3 REVISED 12-2-24.pdf

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

From: Ryan Waters <ryanw@jmacresources.com>
Sent: Monday, December 2, 2024 11:04 AM
To: 'Jon McCreary' <jon@jmacresources.com>; 'Terry Gadbaw' <terryg@jmacresources.com>; 'Tammy.Alleman@idwr.idaho.gov' <Tammy.Alleman@idwr.idaho.gov>
Subject: RE: Application for Transfer of Water Right

Good morning Tammy, the identified POD in SENE Section 25 T51N R6W, is located within Parcel No. 51N06W258000. Please correct if I am mistaken, it appears to me the additional POD is located within the water right place of use. This groundwater well (POD) provides water to a singular pivot that irrigates both Parcel No. 51N06W25800 and 51N06W255000 and are identified as "place of use" on the existing water right. Prior to purchasing the property, the previous owner had converted the irrigation method from Flood to Center Pivot and constructed/developed this groundwater well. I was unsure if the State was aware of this additional POD; I have unchecked box number 3 to indicate the additional POD. Our intent is to include this additional POD located in Parcel No. 51N06W258000 to reflect actual field conditions. Please let us know if any additional fees need to be to be paid with the change in POD.

Bowman, Micki

From: Alleman, Tammy
Sent: Monday, December 16, 2024 3:50 PM
To: Bowman, Micki
Subject: FW: Application for Transfer of Water Right

Micki,

Can you print this out one-sided for me please?

Thank you,
Tammy

Sent from Mail for Windows

From: Ryan Waters <ryanw@jmacresources.com>
Sent: Tuesday, December 3, 2024 9:18:09 AM
To: Alleman, Tammy <Tammy.Alleman@idwr.idaho.gov>; Jon Mccreary <jon@jmacresources.com>; Terry Gadbaw <terryg@jmacresources.com>
Subject: RE: Application for Transfer of Water Right

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Thank you Tammy. I will call this afternoon.

Ryan

From: Alleman, Tammy <Tammy.Alleman@idwr.idaho.gov>
Sent: Tuesday, December 3, 2024 10:34 AM
To: Ryan Waters <ryanw@jmacresources.com>; Jon McCreary <jon@jmacresources.com>; Terry Gadbaw <terryg@jmacresources.com>
Subject: RE: Application for Transfer of Water Right

Hi Ryan,

After our discussion, I did some calculations and research on the water rights for your parcels. The water right 95-7804 place of use is in the light blue outline. I came across **a Lapsed Permit #95-17150** from 2022 for irrigation on the part of the parcel you thought had a water right. The acreage is very close to the amount you want to segment off as industrial (approx. 65 acres). I spoke with my supervisor because you need to get irrigation for the purple outlined area on the map. You also need to add the point of diversion on that parcel. You can apply for a new water right for the industrial use (Orange outlined area). Technically, you haven't been irrigating this portion for the past 5 years which would invalidate this portion anyway. The fees would be reduced for the Transfer, which could be applied to the new water right for Industrial use. The rest would be refunded to you. I am happy to help you through this process.

I spoke to my boss, Chace Bell, regarding the Washington irrigation uses. We will address this separately.

I have a meeting this morning, but you can reach out to me with any questions this afternoon.

Thank you,

Tammy
(208) 762-2809

From: Ryan Waters <ryanw@jmacresources.com>
Sent: Monday, December 2, 2024 9:37 AM
To: Jon McCreary <jon@jmacresources.com>; Terry Gadbaw <terryg@jmacresources.com>; Alleman, Tammy <Tammy.Alleman@idwr.idaho.gov>
Subject: RE: Application for Transfer of Water Right

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

From: Ryan Waters <ryanw@jmacresources.com>
Sent: Monday, December 2, 2024 11:04 AM
To: 'Jon McCreary' <jon@jmacresources.com>; 'Terry Gadbaw' <terryg@jmacresources.com>; 'Tammy.Alleman@idwr.idaho.gov' <Tammy.Alleman@idwr.idaho.gov>
Subject: RE: Application for Transfer of Water Right

Good morning Tammy, the identified POD in SENE Section 25 T51N R6W, is located within Parcel No. 51N06W258000. Please correct if I am mistaken, it appears to me the additional POD is located within the water right place of use. This groundwater well (POD) provides water to a singular pivot that irrigates both Parcel No. 51N06W25800 and 51N06W255000 and are identified as "place of use" on the existing water right. Prior to purchasing the property, the previous owner had converted the irrigation method from Flood to Center Pivot and constructed/developed this groundwater well. I was unsure if the State was aware of this additional POD; I have unchecked box number 3 to indicate the additional POD. Our intent is to include this additional POD located in Parcel No. 51N06W258000 to reflect actual field conditions. Please let us know if any additional fees need to be to be paid with the change in POD.

Place of Use

IRRIGATION Within KOOTENAI County

T51N R06W S25		SWNE	10.00	T51N R06W S25		NESW	35.00
T51N R06W S25	Lot 3	NWSW	5.00	T51N R06W S25	Lot 4	SWSW	18.80
T51N R06W S25		SESW	40.00	T51N R06W S25		NWSE	30.00
T51N R06W S36		NENW	40.00	T51N R06W S36	Lot 1	NWNW	18.80
T51N R06W S36	Lot 2	SWNW	18.60	T51N R06W S36		SENW	40.00

Total Acres: 256.2

Conditions of Approval:

1. PIN Parcel Nos. 51N06W258000, 51N06W255000, 51N06W256000, 51N06W256600, 51N06W257000 and 51N06W362600

2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Decreed Date: 11/8/2019

Best Regards, Ryan

Ryan M. Waters, PE
West Dakota Water
River Water, GM
ryanw@jmacresources.com
Cell 701.609.4582

From: Jon McCreary <jon@jmacresources.com>
Sent: Friday, November 29, 2024 3:39 PM
To: Ryan Waters <ryanw@jmacresources.com>
Subject: Fwd: Application for Transfer of Water Right

Fyi

---------- Forwarded message ---------
From: **Alleman, Tammy** <Tammy.Alleman@idwr.idaho.gov>
Date: Fri, Nov 29, 2024, 1:38 PM
Subject: RE: Application for Transfer of Water Right
To: Terry Gadbaw <terryg@jmacresources.com>, Jon Mccreary <jon@jmacresources.com>

Good afternoon gentlemen,

I am inputting the transfer information and there is an added Point of Diversion (POD) on the transfer application. It is not located within the place of use on this water right. It is located in the SENE ¼ ¼ of Section 25. Is this a well you want added and because in box #3 it clearly states there is no change in POD. I have scanned the page in for your review. Please let me know what the intention is.

Thank you,
Tammy

From: Terry Gadbaw <terryg@jmacresources.com>
Sent: Tuesday, November 26, 2024 10:37 AM
To: Alleman, Tammy <Tammy.Alleman@idwr.idaho.gov>; Jon Mccreary <jon@jmacresources.com>
Subject: RE: Application for Transfer of Water Right

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Hello Tammy

Please see the updates to the items that you highlighted in your email

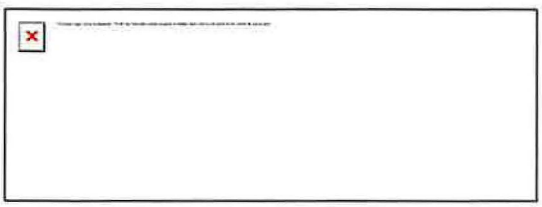
Can I pay the $50.00 Application Fee with my credit card or do I need to process a check

Thanks

Terry Gadbaw
General Manager-PNW Division

Phone 1-208-415-1866

Cell 1-208-916-7122



From: Alleman, Tammy <Tammy.Alleman@idwr.idaho.gov>
Sent: Tuesday, November 26, 2024 10:08 AM
To: jon@jmacresources.com; terryg@jmacresources.com
Subject: Application for Transfer of Water Right

Good morning Jon & Terry,

Upon review of the application for transfer, I noticed that on Page 3 & 5 the TWP & RGE does not have the direction. On Page 3 #3 & #4 and Page 5 #2, the tables should reflect Twp 51N and Rge 6W.

The fees you sent covers the application fees but not the filing fee. I highlighted it on the top of the Fee Schedule. Before we can proceed, you need to pay $50.00.

If you have any question or concerns, please contact me at (28) 762-2809.

Thank you,

Tammy Alleman
Water Resources Agent
Idaho Department of Water Resources, Northern Region
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone (208) 762-2809 / 2800
https://idwr.idaho.gov