STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 87819

This is to certify that: ROBERT DANIEL WADDOUPS
2775 N 3520 W
MOORE, ID 83255-8720

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
34-7226D	WR/DECREED	2/24/1980	0.680 cfs	119.0 af	N/A	34.0	GROUND WATER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
34-503E	WR/DECREED	6/1/1898	0.490 cfs	N/A	24.7	76.0	BIG LOST RIVER
34-446D	WR/DECREED	9/1/1899	0.330 cfs	N/A	16.5	76.0	BIG LOST RIVER
34-172G	WR/DECREED	8/1/1898	0.190 cfs	N/A	9.7	76.0	BIG LOST RIVER
34-673A	WR/DECREED	5/1/1885	2.000 cfs	N/A		110.0	BIG LOST RIVER
34-313B	WR/DECREED	5/1/1899	1.330 cfs	N/A	66.7	76.0	BIG LOST RIVER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
34-7226D	NO	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
34-7226D	34-7226D	0.680 cfs	119.0 af	N/A	34.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**0.680 cfs**	**119.0 af**	**N/A**	**34.0**		**N/A**	**N/A**	**N/A**	**N/A**

SUPPORT DATA
IN FILE # 34-7226D

SCANNED
JUN 02 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 87819

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 1st day of June, 2023.

Regional Manager

SCANNED
JUN 02 2023

WATER RIGHT NO. 34-7226D

As Modified by Transfer No. 87819

In accordance with the approval of Transfer No. 87819, Water Right No. 34-7226D is now described as follows:

Right Holder: ROBERT DANIEL WADDOUPS
2775 N 3520 W
MOORE, ID 83255-8720

Priority Date: 2/24/1980

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	04/01	to	11/01	0.680 cfs	119.0 af
				0.680 cfs	119.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NWSE Sec 10 Twp 04N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	26E	10													15			19	34

POU Total Acres: 34

CONDITIONS OF APPROVAL

1. Rights 34-673A and 34-7226D when combined shall not exceed a total diversion rate of 2.20 cfs and the irrigation of 110 acres.

2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.

3. This water right enjoys the benefit of subordination of hydropower water right nos. 02-00100, 02-4000A, 02-4001A, 02-02032A, 02-4000B, 02-4001B, 02-02032B, 02-02036, 02-02056, 02-02065, 02-02064, 02-10135, 02-02060, 02-02059, 02-02001B, 02-02001A, 02-02057, 37-02128, 37-02472, 37-02471, 37-20710, 37-20709, 36-02013, 36-02018 and 36-02026 only so long as the average daily flows as measured at the Murphy Gaging station meet or exceed the minimum stream flows established by state action.

4. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.

Transfer No. 87819

SCANNED
JUN 0 2 2023

WATER RIGHT NO. 34-7226D

As Modified by Transfer No. 87819

CONDITIONS OF APPROVAL

5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

6. Prior to the diversion and use of water under Transfer approval 87819, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

7. This right does not grant any right-of-way or easement across the land of another.

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

SCANNED
JUN 02 2023

WATER RIGHT NO. 34-503E

As Modified by Transfer No. 87819

In accordance with the approval of Transfer No. 87819, Water Right No. 34-503E is now described as follows:

Right Holder: ROBERT DANIEL WADDOUPS
2775 N 3520 W
MOORE, ID 83255-8720

Priority Date: 6/1/1898

Source: BIG LOST RIVER **Tributary:** SINKS

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	05/01	to	10/15	0.490 cfs
				0.490 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWNWNW Sec 26 Twp 04N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	27E	32									38.0			38.0					76.0

Right Acre Limit: 24.7
POU Total Acres: 76.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 24.7 acres within the authorized place of use in a single irrigation season.
2. Rights 34-172G, 34-313B, 34-446D, and 34-503E when combined shall not exceed a total diversion rate of 2.22 cfs and the irrigation of 76 acres.
3. The period of use for the irrigation described in this approval may be extended to a beginning date of 04/20 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 05/01 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 02/05/1998.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. Water is delivered through Arco Canal.

Transfer No. 87819

SCANNED
JUN 02 2023

WATER RIGHT NO. 34-503E

As Modified by Transfer No. 87819

CONDITIONS OF APPROVAL

6. This right does not grant any right-of-way or easement across the land of another.

7. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.

8. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

SCANNED
JUN 02 2023

WATER RIGHT NO. 34-446D

As Modified by Transfer No. 87819

In accordance with the approval of Transfer No. 87819, Water Right No. 34-446D is now described as follows:

Right Holder: ROBERT DANIEL WADDOUPS
2775 N 3520 W
MOORE, ID 83255-8720

Priority Date: 9/1/1899

Source: BIG LOST RIVER **Tributary:** SINKS

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	05/01	to	10/15	0.330 cfs
				0.330 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWNWNW Sec 26 Twp 04N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	27E	32									38.0			38.0					76.0

Right Acre Limit: 16.5
POU Total Acres: 76.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 16.5 acres within the authorized place of use in a single irrigation season.
2. Rights 34-172G, 34-313B, 34-446D, and 34-503E when combined shall not exceed a total diversion rate of 2.22 cfs and the irrigation of 76 acres.
3. The period of use for the irrigation described in this approval may be extended to a beginning date of 04/20 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 05/01 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 02/05/1998.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. Water is delivered through Arco Canal.

Transfer No. 87819

SCANNED
JUN 02 2023

WATER RIGHT NO. 34-446D

As Modified by Transfer No. 87819

CONDITIONS OF APPROVAL

6. This right does not grant any right-of-way or easement across the land of another.

7. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.

8. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

SCANNED
JUN 02 2023

WATER RIGHT NO. 34-172G

As Modified by Transfer No. 87819

In accordance with the approval of Transfer No. 87819, Water Right No. 34-172G is now described as follows:

Right Holder: ROBERT DANIEL WADDOUPS
2775 N 3520 W
MOORE, ID 83255-8720

Priority Date: 8/1/1898

Source: BIG LOST RIVER **Tributary:** SINKS

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	05/01	to	10/15	0.190 cfs
				0.190 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWNWNW Sec 26 Twp 04N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	27E	32									38.0			38.0					76.0

Right Acre Limit: 9.7
POU Total Acres: 76.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 9.7 acres within the authorized place of use in a single irrigation season.
2. Rights 34-172G, 34-313B, 34-446D, and 34-503E when combined shall not exceed a total diversion rate of 2.22 cfs and the irrigation of 76 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. Water is delivered through Arco Canal.
5. The period of use for the irrigation described in this approval may be extended to a beginning date of 04/20 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 05/10 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 02/05/1998.

Transfer No. 87819

SCANNED
JUN 02 2023

WATER RIGHT NO. 34-172G

As Modified by Transfer No. 87819

CONDITIONS OF APPROVAL

6. This right does not grant any right-of-way or easement across the land of another.

7. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.

8. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

SCANNED
JUN 02 2023

WATER RIGHT NO. 34-673A

As Modified by Transfer No. 87819

In accordance with the approval of Transfer No. 87819, Water Right No. 34-673A is now described as follows:

Right Holder: MIMI L G ROSENKRANCE
5532 BARTON FLAT RD
MACKAY, ID 83251-4429

Priority Date: 5/1/1885

Source: BIG LOST RIVER **Tributary:** SINKS

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	5/01	to	10/15	2.000 cfs
				2.000 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWSESE Sec 4 Twp 05N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	26E	10													35.0			35.0	70.0
04N	26E	11										36.0	4.0						40.0

POU Total Acres: 110.0

CONDITIONS OF APPROVAL

1. Rights 34-673A and 34-7226D when combined shall not exceed a total diversion rate of 2.20 cfs and the irrigation of 110 acres.
2. Rights 34-542 and 34-673A when combined shall not exceed the irrigation of 128 acres.
3. Water is delivered through Island Canal.
4. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

SCANNED
JUN 02 2023

WATER RIGHT NO. 34-313B

As Modified by Transfer No. 87819

In accordance with the approval of Transfer No. 87819, Water Right No. 34-313B is now described as follows:

Right Holder: ROBERT DANIEL WADDOUPS
2775 N 3520 W
MOORE, ID 83255-8720

Priority Date: 5/1/1899

Source: BIG LOST RIVER **Tributary:** SINKS

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	05/01	to	10/15	1.330 cfs
				1.330 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWNWNW Sec 26 Twp 04N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	27E	32									38.0			38.0					76.0

Right Acre Limit: 66.7
POU Total Acres: 76.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 66.7 acres within the authorized place of use in a single irrigation season.
2. Rights 34-172G, 34-313B, 34-446D, and 34-503E when combined shall not exceed a total diversion rate of 2.22 cfs and the irrigation of 76 acres.
3. The period of use for the irrigation described in this approval may be extended to a beginning date of 04/20 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 05/01 and after 10/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 02/05/1998.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. Water is delivered through Arco Canal.

Transfer No. 87819

SCANNED
JUN 02 2023

WATER RIGHT NO. 34-313B

As Modified by Transfer No. 87819

CONDITIONS OF APPROVAL

6. This right does not grant any right-of-way or easement across the land of another.

7. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.

8. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

9. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

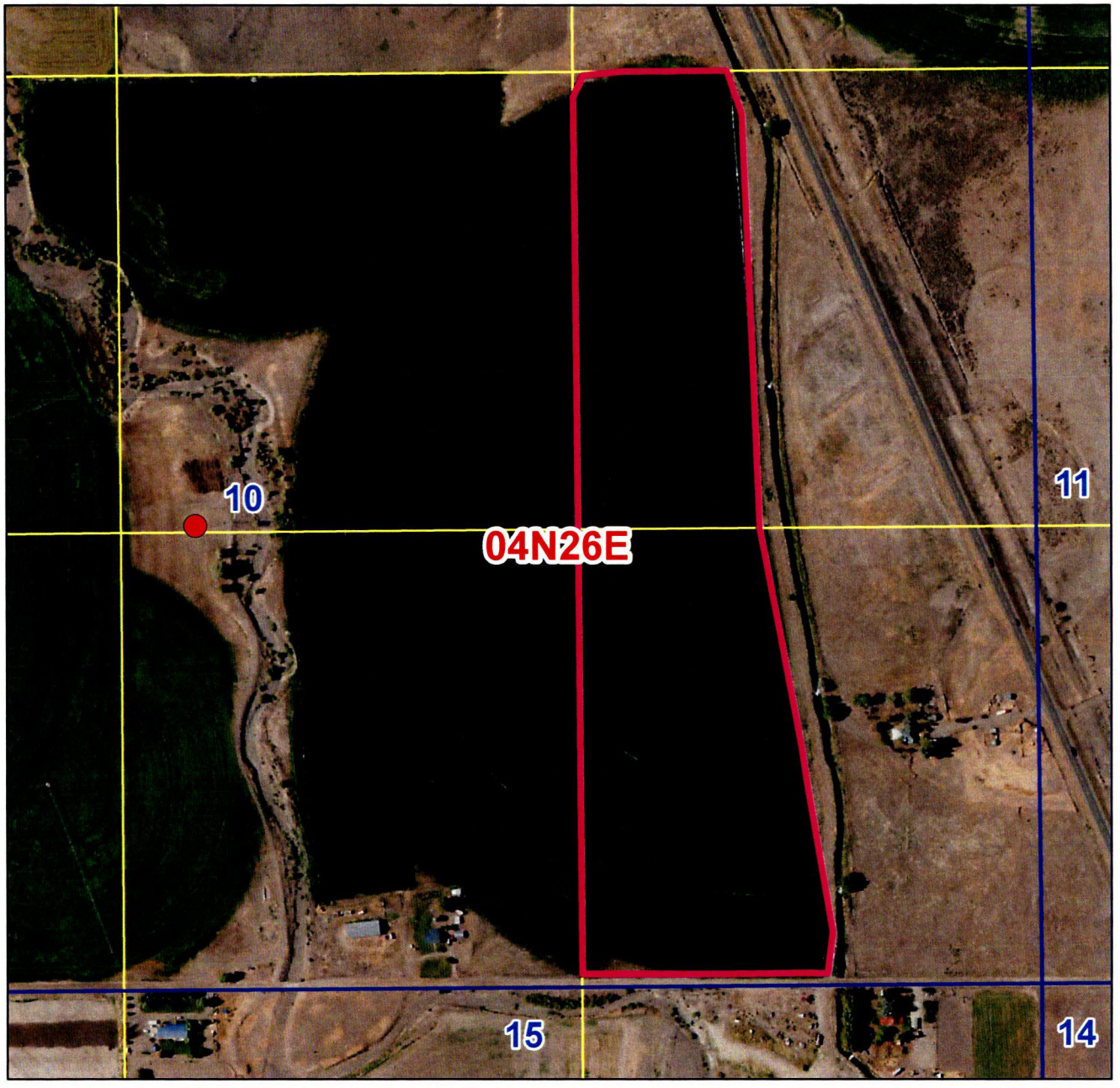
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

SCANNED
JUN 02 2023

Attachment to Transfer Approval 87819

This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- WR POD
- WR POU
- Township/Range
- Sections
- QQ

0 250 500 1,000 Feet

N
W E
S

Date: 6/1/2023

SCANNED
JUN 02 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 87813

This is to certify that: ROBERT DANIEL WADDOUPS
2775 N 3520 W
MOORE, ID 83255-8720

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
34-7226D	WR/DECREED	2/24/1980	1.480 cfs	259.0 af	74.0	76.0	GROUND WATER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
34-496B	WR/DECREED	6/1/1896	0.400 cfs	N/A		80.0	BIG LOST RIVER
34-692E	WR/DECREED	7/15/1884	1.200 cfs	N/A	60.0	80.0	BIG LOST RIVER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
34-7226D	YES	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
34-7226D	34-14904	0.800 cfs	140.0 af	N/A	40.0	34-7226D	0.680 cfs	119.0 af	34.0	36.0
COMBINED TOTALS		**0.800 cfs**	**140.0 af**	**N/A**	**40.0**		**N/A**	**N/A**	**N/A**	**N/A**

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 1st day of June, 2023.

Regional Manager

SUPPORT DATA
IN FILE # 34-7226D

SCANNED
JUN 02 2023

Transfer No. 87813

WATER RIGHT NO. 34-7226D

As Modified by Transfer No. 87813

In accordance with the approval of Transfer No. 87813, Water Right No. 34-7226D is now described as follows:

Right Holder: ROBERT DANIEL WADDOUPS
2775 N 3520 W
MOORE, ID 83255-8720

Priority Date: 2/24/1980

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
IRRIGATION	04/01	to 11/01	0.680 cfs	119.0 af
			0.680 cfs	119.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSWSE Sec 23 Twp 04N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	27E	32												36.0					36.0

Right Acre Limit: 34.0
POU Total Acres: 36.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 34 acres within the authorized place of use in a single irrigation season.
2. Rights 34-172G, 34-313B, 34-446D, 34-503E and 34-7226D when combined shall not exceed a total diversion rate of 2.90 cfs and the irrigation of 76 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4. Water is injected into the Arco Canal at a point above the measuring gauge used by the watermaster in delivery of water to the Arco Canal.
5. Water is delivered through Arco Canal.

Transfer No. 87813

SCANNED
JUN 02 2023

WATER RIGHT NO. 34-7226D

As Modified by Transfer No. 87813

CONDITIONS OF APPROVAL

6. This water right enjoys the benefit of subordination of hydropower water right nos. 02-00100, 02-4000A, 02-4001A, 02-02032A, 02-4000B, 02-4001B, 02-02032B, 02-02036, 02-02056, 02-02065, 02-02064, 02-10135, 02-02060, 02-02059, 02-02001B, 02-02001A, 02-02057, 37-02128, 37-02472, 37-02471, 37-20710, 37-20709, 36-02013, 36-02018 and 36-02026 only so long as the average daily flows as measured at the Murphy Gaging station meet or exceed the minimum stream flows established by state action.

7. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.

8. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

9. Prior to the diversion and use of water under Transfer approval 81066, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.

10. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.

11. This right does not grant any right-of-way or easement across the land of another.

12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

14. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

SCANNED
JUN 02 2023

WATER RIGHT NO. 34-14904

As Modified by Transfer No. 87813

In accordance with the approval of Transfer No. 87813, Water Right No. 34-14904 is now described as follows:

Right Holder: ROBERT DANIEL WADDOUPS
2775 N 3520 W
MOORE, ID 83255-8720

Priority Date: 2/24/1980

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	04/01	to	11/01	0.800 cfs	140.0 af
				0.800 cfs	140.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SESW Sec 5 Twp 04N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	26E	8	32.5	7.5															40.0

POU Total Acres: 40.0

CONDITIONS OF APPROVAL

1. Rights 34-496B, 34-692E, and 34-14904 when combined shall not exceed a total diversion rate of 1.60 cfs and the irrigation of 80 acres.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
4. Prior to the diversion and use of water under Transfer approval 87813, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
5. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.

Transfer No. 87813

SCANNED
JUN 02 2023

WATER RIGHT NO. 34-14904

As Modified by Transfer No. 87813

CONDITIONS OF APPROVAL

6. This water right enjoys the benefit of subordination of hydropower water right nos. 02-00100, 02-4000A, 02-4001A, 02-02032A, 02-4000B, 02-4001B, 02-02032B, 02-02036, 02-02056, 02-02065, 02-02064, 02-10135, 02-02060, 02-02059, 02-02001B, 02-02001A, 02-02057, 37-02128, 37-02472, 37-02471, 37-20710, 37-20709, 36-02013, 36-02018 and 36-02026 only so long as the average daily flows as measured at the Murphy Gaging station meet or exceed the minimum stream flows established by state action.

7. This right does not grant any right-of-way or easement across the land of another.

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-496B

As Modified by Transfer No. 87813

In accordance with the approval of Transfer No. 87813, Water Right No. 34-496B is now described as follows:

Right Holder: D KEITH WADDOUPS
DEBORA J WADDOUPS
2778 N 3520 W
MOORE, ID 83255-8720

Priority Date: 6/1/1896

Source: BIG LOST RIVER **Tributary:** SINKS

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	5/01	to	10/15	0.400 cfs
				0.400 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWSESE Sec 4 Twp 05N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	26E	8	40.0	40.0															80.0

POU Total Acres: 80.0

CONDITIONS OF APPROVAL

1. Rights 34-496B, 34-692E, and 34-14904 when combined shall not exceed a total diversion rate of 1.60 cfs and the irrigation of 80 acres.
2. Water is delivered through Moore Canal.
3. Right includes accomplished change in place of use pursuant to Idaho Code § 42-1425.
4. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

SCANNED
JUN 02 2023

WATER RIGHT NO. 34-692E

As Modified by Transfer No. 87813

In accordance with the approval of Transfer No. 87813, Water Right No. 34-692E is now described as follows:

Right Holder: D KEITH WADDOUPS
DEBORA J WADDOUPS
2778 N 3520 W
MOORE, ID 83255-8720

Priority Date: 7/15/1884

Source: BIG LOST RIVER **Tributary:** SINKS

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	5/01	to	10/15	1.200 cfs
				1.200 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWSESE Sec 4 Twp 05N Rge 26E BUTTE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	26E	8	40.0	40.0															80.0

Right Acre Limit: 60.0
POU Total Acres: 80.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 60 acres within the authorized place of use in a single irrigation season.
2. Rights 34-496B, 34-692E, and 34-14904 when combined shall not exceed a total diversion rate of 1.60 cfs and the irrigation of 80 acres.
3. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
4. Water is delivered through Moore Canal.
5. Right includes accomplished change in place of use pursuant to Idaho Code § 42-1425.

Transfer No. 87813

SCANNED
JUN 02 2023

WATER RIGHT NO. 34-692E

As Modified by Transfer No. 87813

CONDITIONS OF APPROVAL

6. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

SCANNED
JUN 02 2023

Attachment to Transfer Approval 87813

This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- WR POD
- WR POU
- Township/Range
- Sections
- QQ

0 250 500 1,000 Feet

N
W E
S

Date: 6/1/2023

SCANNED
JUN 02 2023

RECEIVED
APR 20 2023
Department of Water Resources
Eastern Region

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 87819

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) Robert Daniel "Danny" Waddoups

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, Part1.
- ☑ * 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 https://idwr.idaho.gov/water-rights/transfers/resources/.
- ☐ ☑ #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: Consent from landowner at proposed place of use.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Robert Daniel "Danny" Waddoups Phone _____

Mailing address 2775 N 3520 W, Moore, ID 83255-8720 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 Luke H. Marchant Phone (208) 523-0620

Mailing address PO Box 50130, Idaho Falls, ID 83405 Email lmarchant@holdenlegal.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.

Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date
[signature]	Luke H. Marchant, Attorney	3/27/2023

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 **Part1A.3**.

   This application proposes to change the place of use and point of diversion for a portion of Water Right No. 34-7226D.

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Department of Water Resources
Eastern Region

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
☐ ☑	34-7226D	0.68/119	Irrigation	04/01 to 11/01	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.68 cfs and/or 119 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.68 cubic feet per second and/or 119 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 #
			NW	SE	10	04N	26E	Butte	Ground Water	

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	
04N	26E	10													15			19	34

Total Acres (for irrigation use) 34

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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:
Water will be diverted from an existing well that serves as the current point of diversion for Water Right No. 34-14791.

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:

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:
The current authorized place of use will no longer be irrigated with this water right.

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:
Water Right Nos. 34-172G, 34-313B, 34-446D, and 34-503E are surface water rights at the current authorized place of use. Water Right No. 34-673A is a surface water right at the proposed place of use. This surface water right is senior in priority to the water rights at the current authorized place of use. The proposed POD is also the current POD for Water Right No. 34-14791.

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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Part 2A
Water Right Reports

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IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

3/24/2023

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-7226D

Owner Type	Name and Address
Current Owner	ROBERT DANIEL WADDOUPS 2775 N 3520 W MOORE, ID 83255-8720 2085896453
Original Owner	KENNETH L MC AFFEE
Original Owner	SHARLENE MC AFFEE PO BOX 815 ARCO, ID 83213 2085278545

Priority Date: 02/24/1980

Basis: Decreed

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	11/01	1.48 CFS	259 AFA
Total Diversion			1.48 CFS	259 AFA

Location of Point(s) of Diversion:

GROUND WATER	SWSWSE	Sec. 23	Township 04N	Range 26E	BUTTE County

IRRIGATION Use:

Acre Limit: 74

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

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APR 26 2023

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	27E	32		NESW	38		SESW	38						

Total Acres: 76

Conditions of Approval:

1.	X27	This right is limited to the irrigation of 74 acres within the authorized place of use in a single irrigation season.
2.	X35	Rights 34-172G, 34-313B, 34-446D, 34-503E and 34-7226D when combined shall not exceed a total diversion rate of 3.70 cfs and the irrigation of 76 acres.
3.	R63	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4.		Water is injected into the Arco Canal at a point above the measuring gauge used by the watermaster in delivery of water to the Arco Canal.
5.	F01	Water is delivered through Arco Canal.
6.	SF2	This water right enjoys the benefit of subordination of hydropower water right nos. 02-00100, 02-4000A, 02-4001A, 02-02032A, 02-4000B, 02-4001B, 02-02032B, 02-02036, 02-02056, 02-02065, 02-02064, 02-10135, 02-02060, 02-02059, 02-02001B, 02-02001A, 02-02057, 37-02128, 37-02472, 37-02471, 37-20710, 37-20709, 36-02013, 36-02018 and 36-02026 only so long as the average daily flows as measured at the Murphy Gaging station meet or exceed the minimum stream flows established by state action.
7.	R05	Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
8.	213	Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9.	214	Prior to the diversion and use of water under Transfer approval 81066, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
10.	205	The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
11.	004	This right does not grant any right-of-way or easement across the land of another.
12.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14.	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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates:

Licensed Date:

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Decreed Date: 07/10/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 34

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 150

Combined Volume Limit:

Combined Rate Limit: 3.7

Civil Case Number:

Old Case Number:

Decree Plantiff:

Decree Defendant:

Swan Falls Trust or Nontrust: T

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

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APR 26 2023

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: 34-7226D

1. amount 0.68/119 (cfs/ac-ft) for Irrigation purposes from 04/01 to 11/01
   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	
04N	27E	32												34					34

Total Acres (for irrigation use) 34

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APR 26 2023

Rev. 07/18

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:

FOR DEPARTMENT USE ONLY

Transfer contains_____ pages and_____ attachments.

Received by_____ Date_____ Preliminary check by_____ Date_____

Fee paid $500.00 ($100 Petition) Date 4/20/23 Receipted by CH Receipt # E049116

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)

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Attachment No. 4
Power of Attorney

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Attorney Roster Search

Type the last name or the beginning of the last name of the attorney you are trying to find. Use more letters to narrow your search. If you cannot find the attorney you are looking for, contact the Licensing Department at (208) 334-4500.

Current Status Definitions (https://isb.idaho.gov/licensing-mcle/membership-count-statuses/)

Search again

Results (as of 8/26/22)

Luke Hyrum Marchant

Status	Active
Admittance Date	09/30/2008
Firm	Holden, Kidwell, Hahn & Crapo, PLLC
Mailing Address	PO Box 50130 Idaho Falls, ID 83405
Phone	(208) 523-0620
Phone Ext	
Fax	(208) 523-9518
Bar Email Address	lmarchant@holdenlegal.com
Website Address	www.holdenlegal.com
Court eService Email	efiling@holdenlegal.com

Need a correction?

Is something not correct? Please use the Address Change Form

The information above is based on the Idaho State Bar records as of the date listed above. To send us an update on your own listing, please use the online Address Change Form or send an email to the Licensing Department. Please notify the Licensing Department if you find that another attorney's information is incorrect. Questions on attorney status and good standing should also be directed to the Licensing Department at (208) 334-4500.

Current Status Definitions

Disciplinary History

Contact the Bar Counsel's Office at (208) 334-4500 to request a disciplinary history on an attorney.

Former Members

Information on former members of the Idaho State Bar is limited to name, admission date and status. The online records include former members going back to approximately 1994. Records on former members from before 1994 are not available online. Please contact the Licensing Department for more information on former members.

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Attachment No. 5
ESPA Analysis and Mitigation Plan

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ATTACHMENT 5.1
Water Modeling – Data Entry

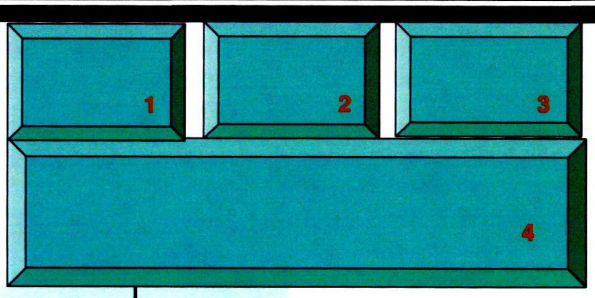
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ENHANCED GROUND-WATER RIGHTS TRANS

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEP

Cells this color are set up for user entries



ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON

YEAR: 1980

SEASON: WINTER

TRANSFER NO: 0

TRANSFER NAME: 34-7226D

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	28	31	0	0
COLUMN	111	110	0	0

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1 WELL With Transfer AF/TRIMESTER	FROM1 WELL Without Transfer AF/TRIMESTER	FROM2 WELL With Transfer AF/TRIMESTER	FROM2 WELL Without Transfer AF/TRIMESTER	FROM3 WELL With Transfer AF/TRIMESTER	FROM3 WELL Without Transfer AF/TRIMESTER
WIN 1980	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 1981	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 1981	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 1981	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 1982	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 1982	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 1982	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 1983	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 1983	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 1983	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 1984	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 1984	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 1984	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 1985	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 1985	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 1985	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 1986	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 1986	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 1986	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 1987	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 1987	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 1987	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 1988	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 1988	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 1988	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 1989	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 1989	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 1989	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 1990	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 1990	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 1990	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 1991	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 1991	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 1991	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 1992	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 1992	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 1992	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 1993	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 1993	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 1993	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 1994	0.00	28.30	28.30	0.00	0.00	0.00	0.00

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SUM 1994	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 1994	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 1995	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 1995	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 1995	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 1996	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 1996	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 1996	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 1997	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 1997	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 1997	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 1998	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 1998	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 1998	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 1999	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 1999	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 1999	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 2000	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 2000	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 2000	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 2001	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 2001	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 2001	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 2002	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 2002	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 2002	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 2003	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 2003	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 2003	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 2004	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 2004	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 2004	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 2005	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 2005	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 2005	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 2006	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 2006	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 2006	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 2007	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 2007	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 2007	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 2008	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 2008	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 2008	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 2009	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 2009	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 2009	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 2010	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 2010	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 2010	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 2011	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 2011	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 2011	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 2012	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 2012	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 2012	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 2013	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 2013	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 2013	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 2014	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 2014	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 2014	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 2015	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 2015	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 2015	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 2016	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 2016	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 2016	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 2017	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 2017	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 2017	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 2018	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 2018	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 2018	0.00	28.30	28.30	0.00	0.00	0.00	0.00

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SPR 2019	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 2019	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 2019	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 2020	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 2020	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 2020	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 2021	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 2021	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 2021	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 2022	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SUM 2022	0.00	28.30	28.30	0.00	0.00	0.00	0.00
WIN 2022	0.00	28.30	28.30	0.00	0.00	0.00	0.00
SPR 2023	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SUM 2023	28.30	0.00	28.30	0.00	0.00	0.00	0.00
WIN 2023	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SPR 2024	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SUM 2024	28.30	0.00	28.30	0.00	0.00	0.00	0.00
WIN 2024	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SPR 2025	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SUM 2025	28.30	0.00	28.30	0.00	0.00	0.00	0.00
WIN 2025	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SPR 2026	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SUM 2026	28.30	0.00	28.30	0.00	0.00	0.00	0.00
WIN 2026	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SPR 2027	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SUM 2027	28.30	0.00	28.30	0.00	0.00	0.00	0.00
WIN 2027	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SPR 2028	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SUM 2028	28.30	0.00	28.30	0.00	0.00	0.00	0.00
WIN 2028	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SPR 2029	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SUM 2029	28.30	0.00	28.30	0.00	0.00	0.00	0.00
WIN 2029	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SPR 2030	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SUM 2030	28.30	0.00	28.30	0.00	0.00	0.00	0.00
WIN 2030	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SPR 2031	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SUM 2031	28.30	0.00	28.30	0.00	0.00	0.00	0.00
WIN 2031	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SPR 2032	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SUM 2032	28.30	0.00	28.30	0.00	0.00	0.00	0.00
WIN 2032	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SPR 2033	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SUM 2033	28.30	0.00	28.30	0.00	0.00	0.00	0.00
WIN 2033	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SPR 2034	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SUM 2034	28.30	0.00	28.30	0.00	0.00	0.00	0.00
WIN 2034	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SPR 2035	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SUM 2035	28.30	0.00	28.30	0.00	0.00	0.00	0.00
WIN 2035	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SPR 2036	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SUM 2036	28.30	0.00	28.30	0.00	0.00	0.00	0.00
WIN 2036	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SPR 2037	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SUM 2037	28.30	0.00	28.30	0.00	0.00	0.00	0.00
WIN 2037	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SPR 2038	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SUM 2038	28.30	0.00	28.30	0.00	0.00	0.00	0.00
WIN 2038	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SPR 2039	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SUM 2039	28.30	0.00	28.30	0.00	0.00	0.00	0.00
WIN 2039	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SPR 2040	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SUM 2040	28.30	0.00	28.30	0.00	0.00	0.00	0.00
WIN 2040	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SPR 2041	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SUM 2041	28.30	0.00	28.30	0.00	0.00	0.00	0.00
WIN 2041	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SPR 2042	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SUM 2042	28.30	0.00	28.30	0.00	0.00	0.00	0.00
WIN 2042	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SPR 2043	28.30	0.00	28.30	0.00	0.00	0.00	0.00
SUM 2043	28.30	0.00	28.30	0.00	0.00	0.00	0.00

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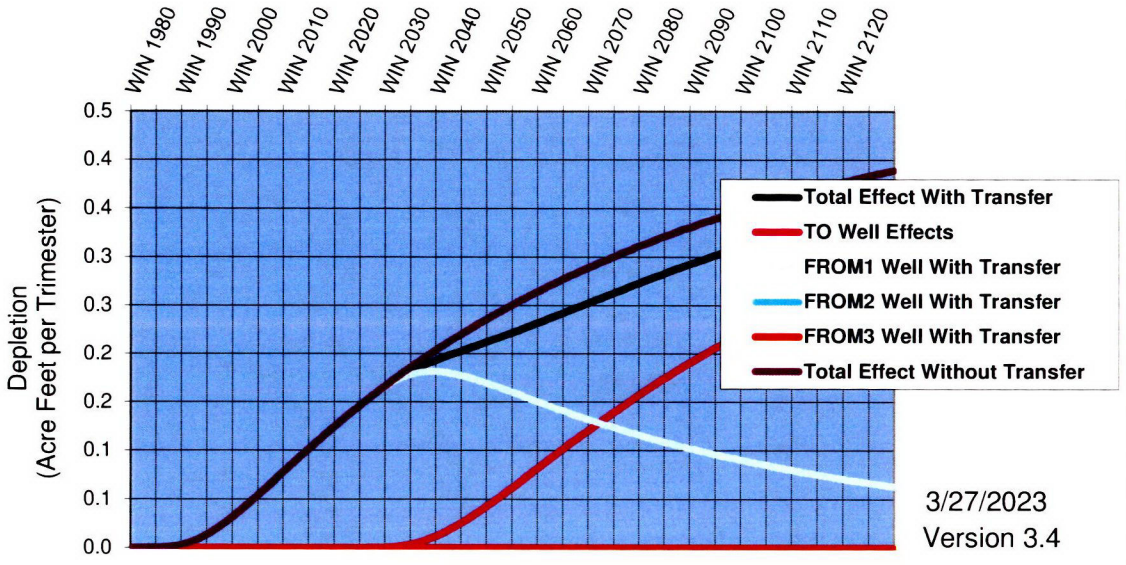
ATTACHMENT 5.2
Water Modeling – Graphs above Milner

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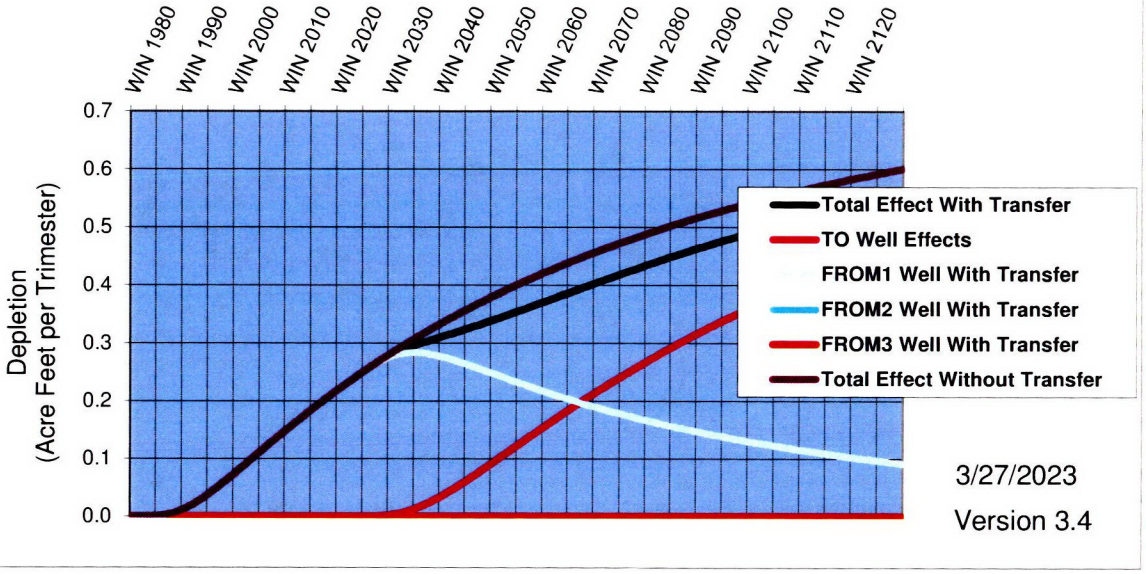
Hydrologic Response--Ashton to Rexburg

Customer Name: 34-7226D **Transfer No:** 0

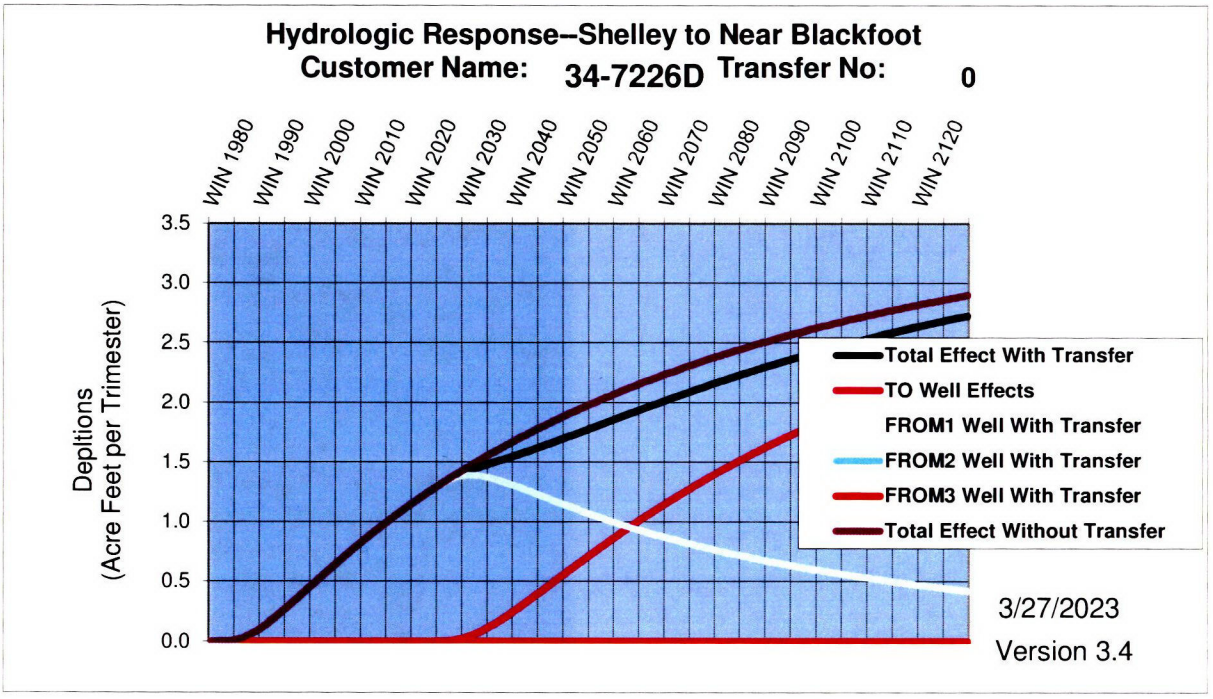


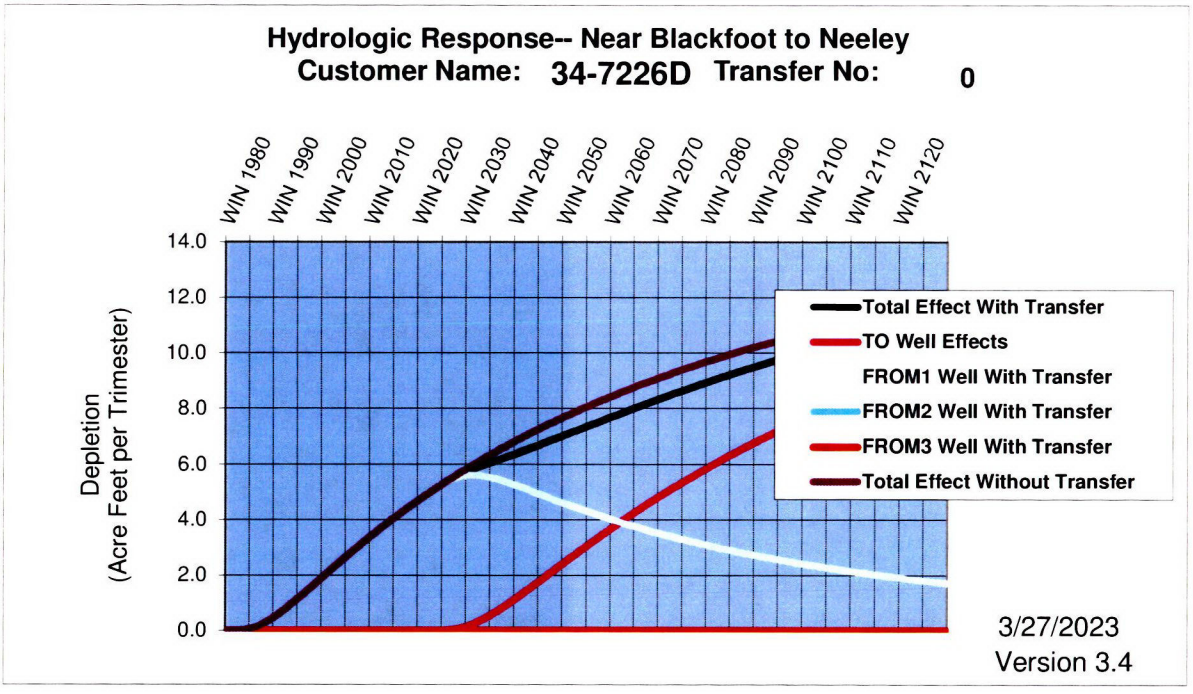
Hydrologic Response--Heise to Shelley

Customer Name: 34-7226D **Transfer No:** 0



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APR 26 2023



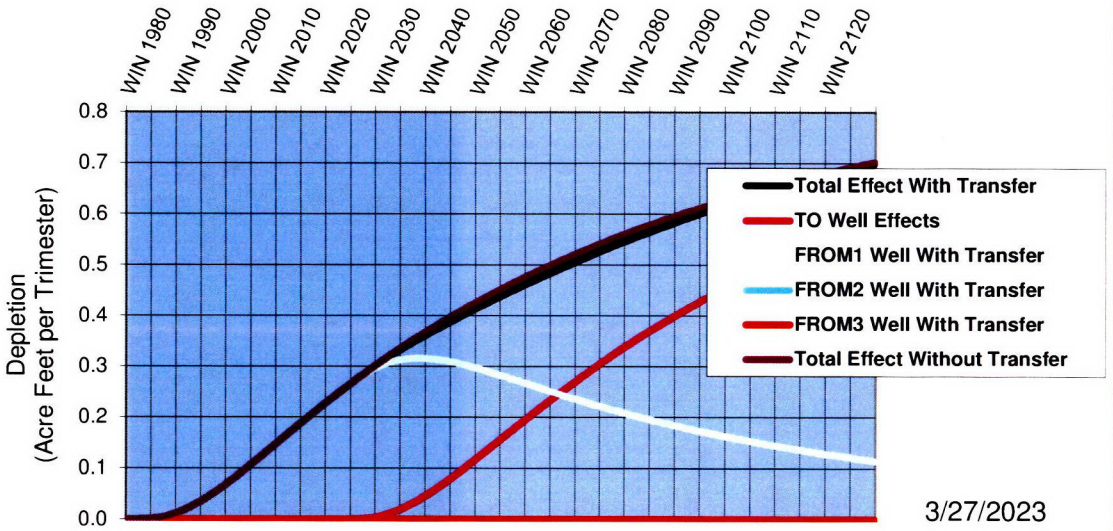


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Hydrologic Response-- Neeley to Minidoka

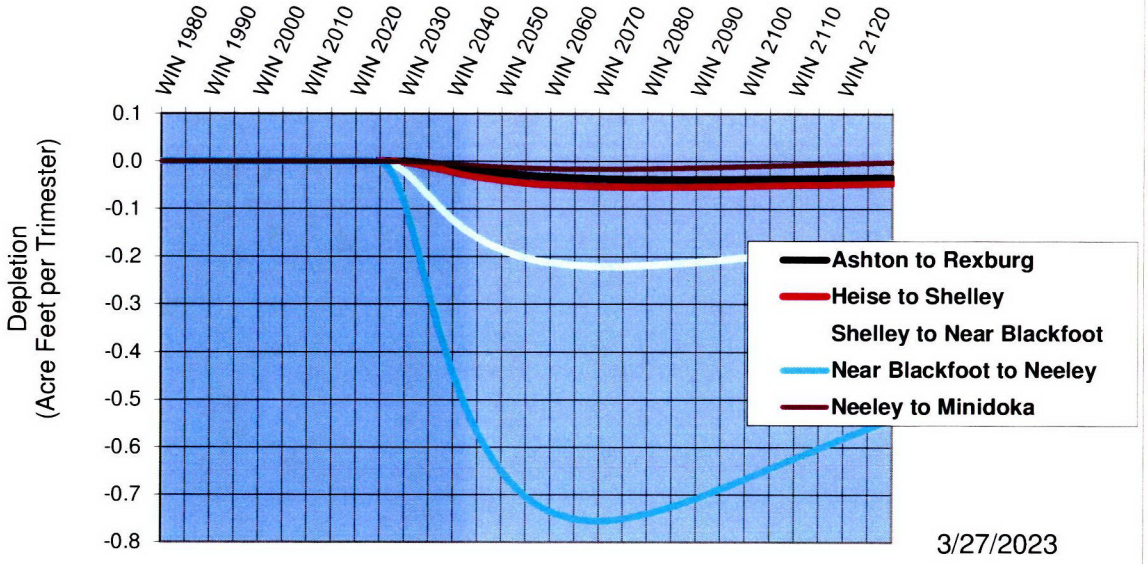
Customer Name: 34-7226D Transfer No: 0



3/27/2023
Version 3.4

Net Transfer Effect Above Milner

(Total Effect With Transfer - Total Effect Without Transfer)



3/27/2023
Version 3.4

Customer Name: 34-7226D Transfer No: 0

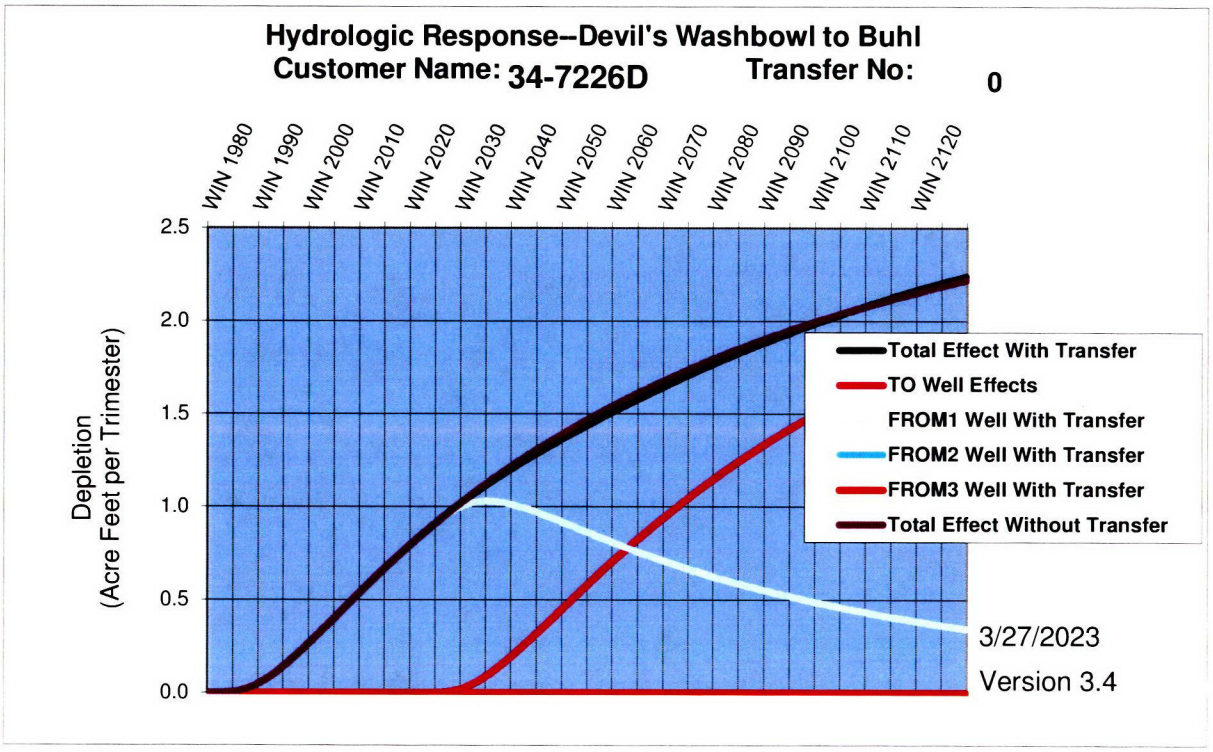
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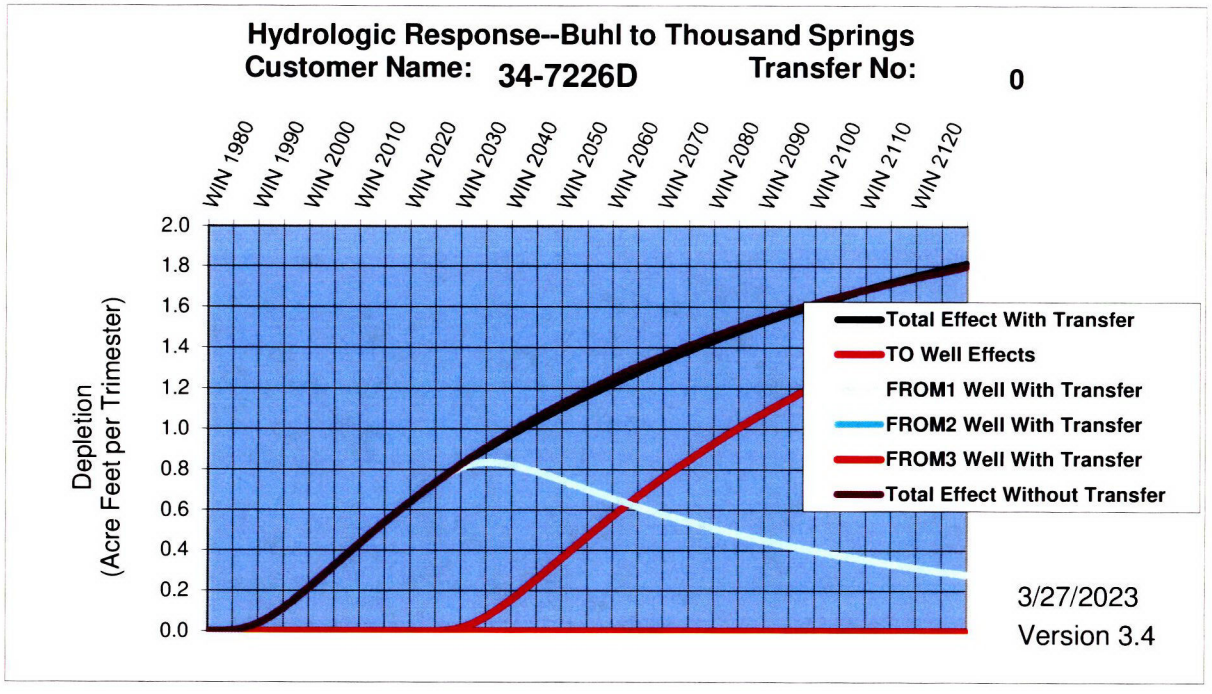
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ATTACHMENT 5.3
Water Modeling – Graphs below Milner

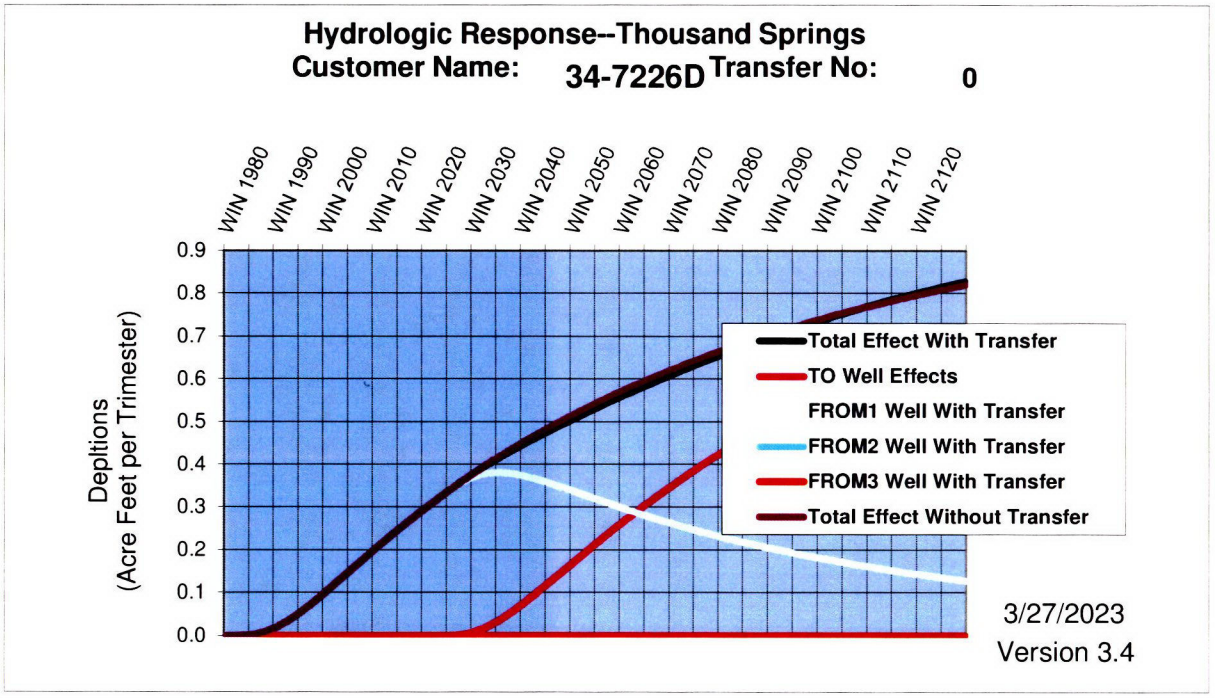
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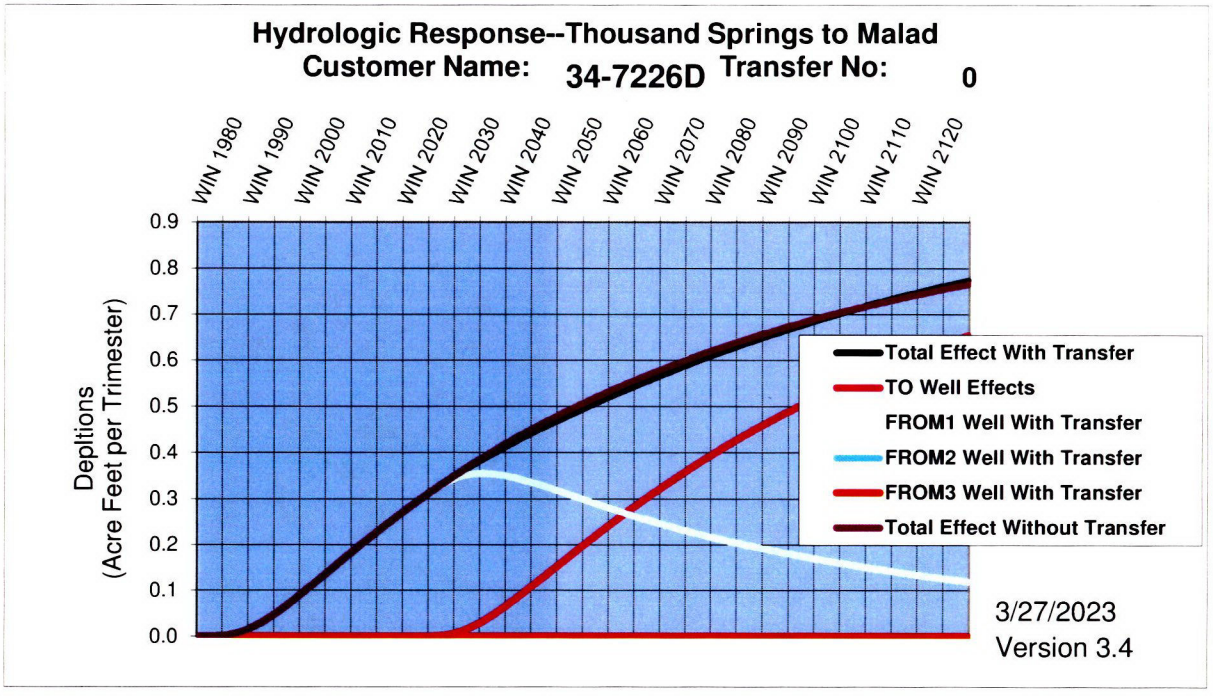
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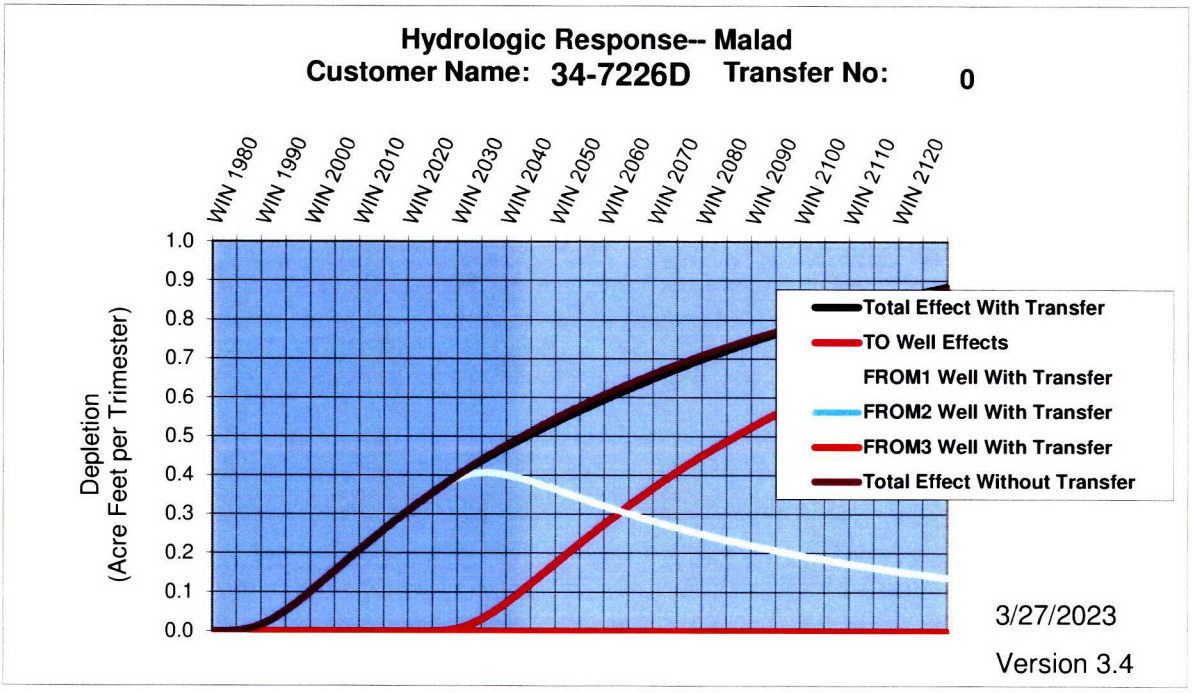


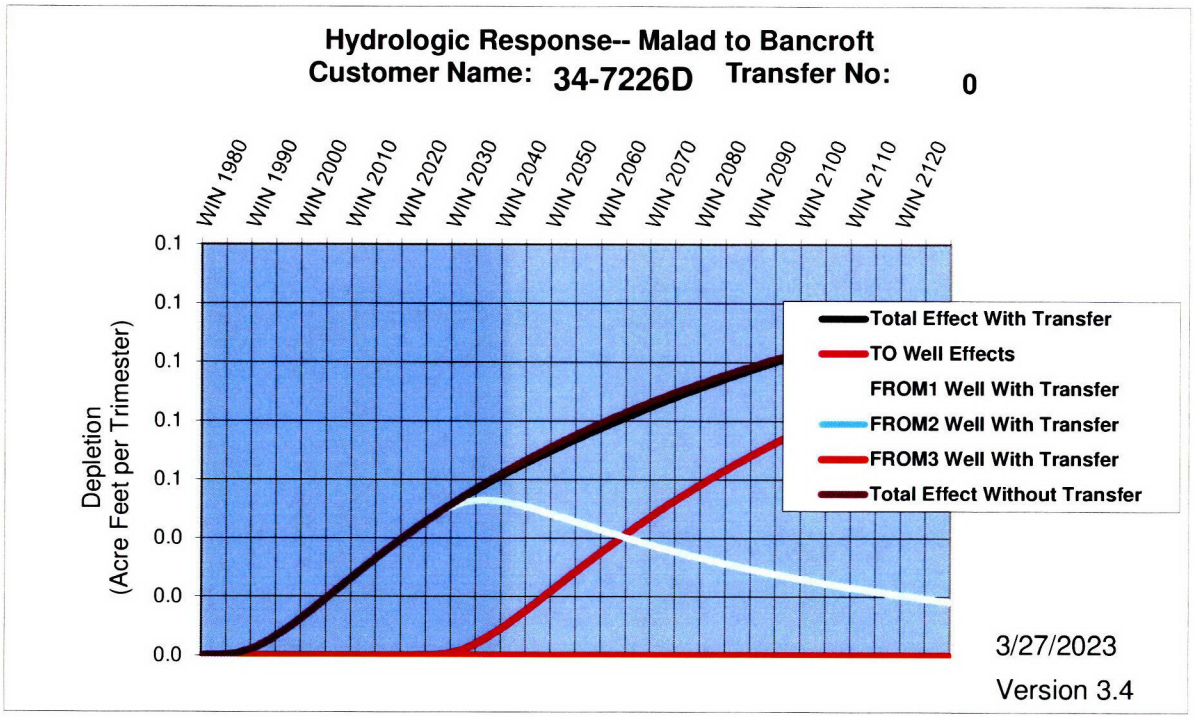
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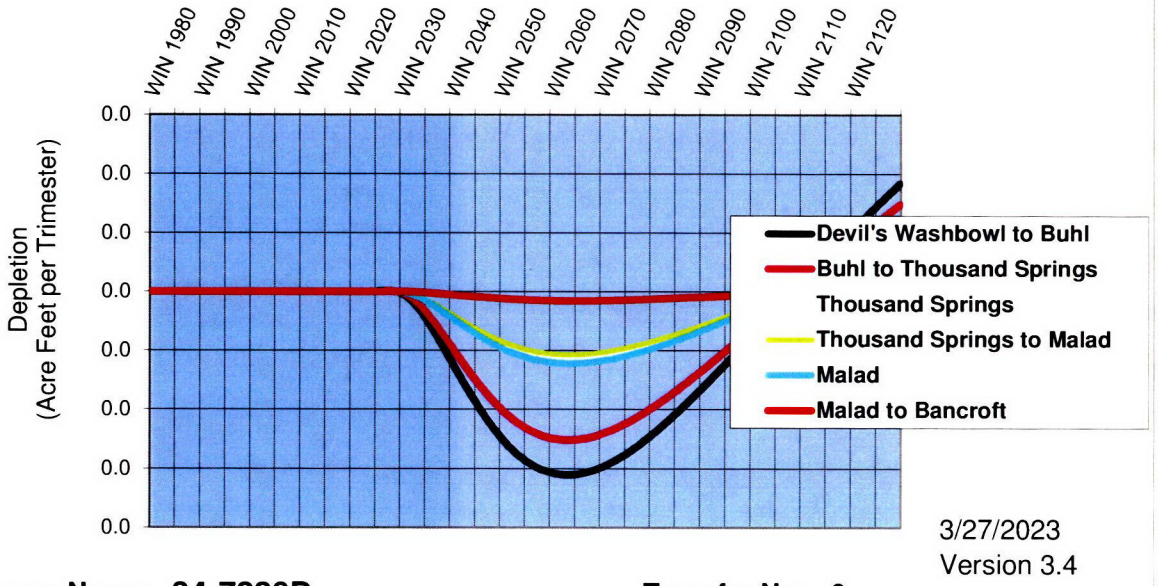




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Net Transfer Effect Below Milner

(Total Effect With Transfer - Total Effect Without Transfer)



3/27/2023
Version 3.4

Customer Name: 34-7226D **Transfer No: 0**

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ATTACHMENT 5.4
Water Modeling – Mitigation Analysis

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WR No.	Div. Rate (CFS)	Con. Vol. (AFA)	No. of Irr. Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT	Model Node
Transfer 1: Proposed Steady State Impacts following Transfer							
Transfer 1: Worst Case Transient State Impacts following Transfer							

Impact by Reach (AF/Trimester)

Ashton to Rexburg	Heise to Shelley	Shelley to Nr Blckft	Nr Blckft To Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
0.39	0.60	2.90	11.77	0.70	2.22	1.80	0.82	0.77	0.88	0.12
0.36	0.55	2.72	11.23	0.70	2.24	1.81	0.83	0.77	0.88	0.12
0.39	0.60	2.90	11.77	0.70	2.22	1.80	0.82	0.77	0.88	0.12
0.36	0.55	2.72	11.23	0.70	2.24	1.81	0.83	0.77	0.88	0.12

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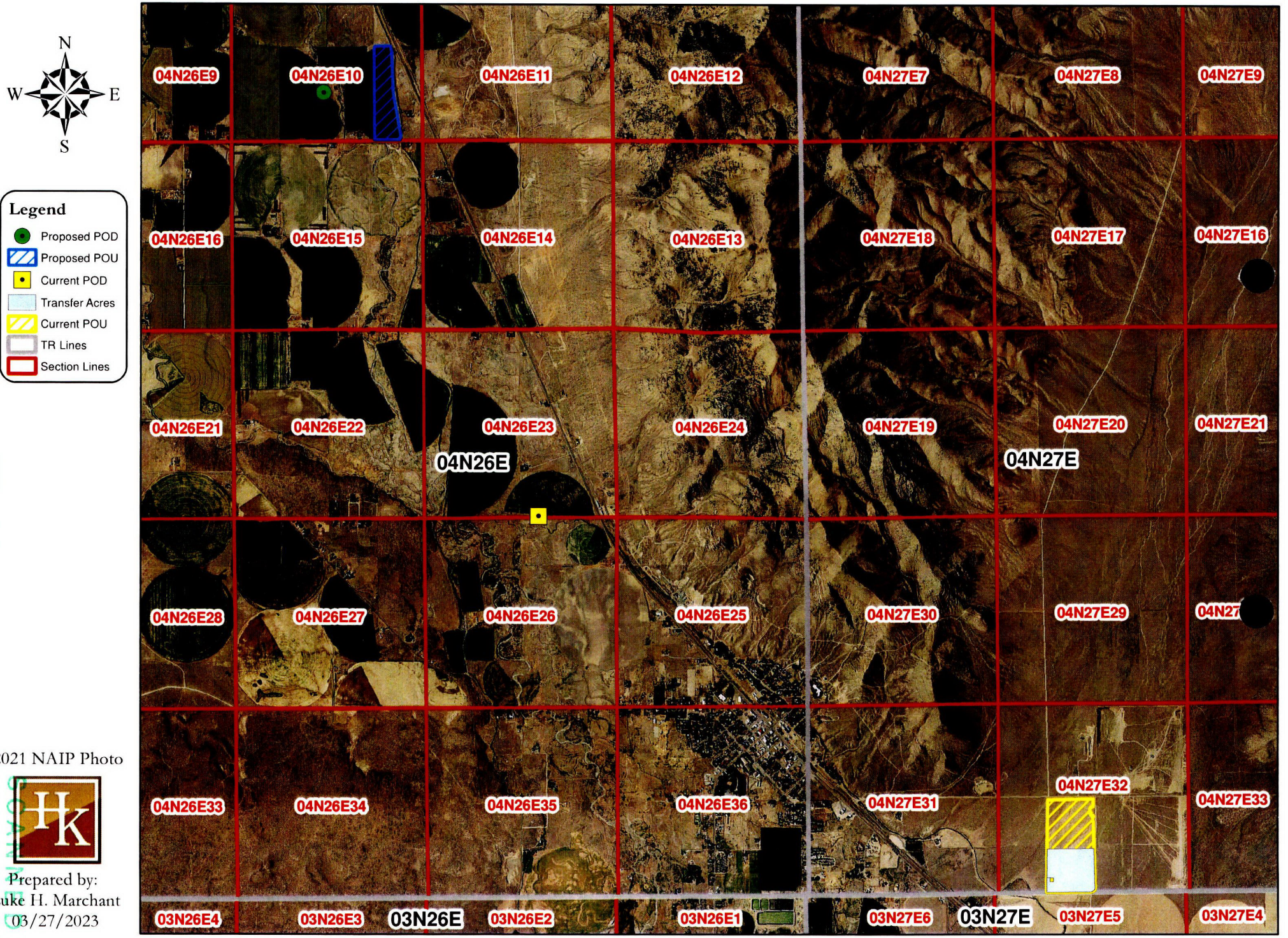
Steady State Analysis	Mitigation Check 1 - >10% of Historical:	-8.7%	-7.6%	-5.9%	-4.6%	-0.2%	0.8%	0.8%	0.8%	0.8%	0.8%	0.8%
	Mitigation Check 2: > 2 AF/T:	0.0	0.0	-0.2	-0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	Mitigation Check 3 - >10% of Total:	1.6%	2.5%	12.3%	50.5%	3.2%	10.1%	8.2%	3.7%	3.5%	4.0%	0.5%
	Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft):	0.0	0.0	-0.2	-0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Transient State Analysis	Mitigation Check 1 - >10% of Historical:	-8.7%	-7.6%	-5.9%	-4.6%	-0.2%	0.8%	0.8%	0.8%	0.8%	0.8%	0.8%
	Mitigation Check 2: > 2.01 AF/T:	0.0	0.0	-0.2	-0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft):	0.0	0.0	-0.2	-0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Attachment No. 7a
GIS Maps

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WATER RIGHT NO. 34-7226D APPLICATION FOR TRANSFER



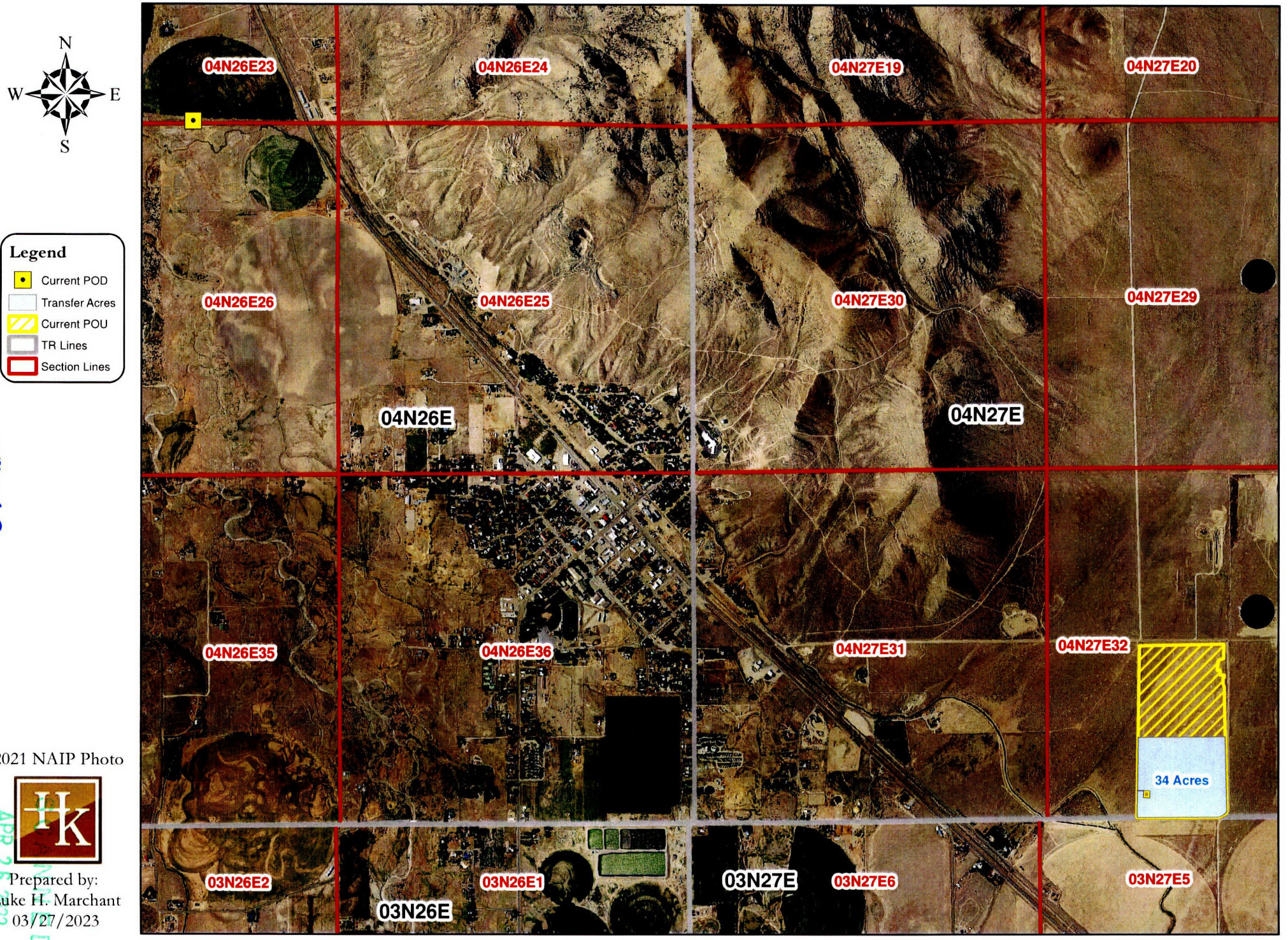
2021 NAIP Photo

Prepared by:
Luke H. Marchant
03/27/2023

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WATER RIGHT NO. 34-7226D APPLICATION FOR TRANSFER



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2021 NAIP Photo

Prepared by:
Luke H. Marchant
03/27/2023

APR 26 2023

WATER RIGHT NO. 34-7226D APPLICATION FOR TRANSFER



2021 NAIP Photo

Prepared by:
Luke H. Marchant
04/25/2023

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Department of Water Resources
Eastern Region

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Attachment No. 7b
GIS Shapefile

(Will be sent via email upon request from IDWR)

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Attachment No. 10
Other

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CONSENT TO APPLICATION FOR TRANSFER

I, the undersigned have discussed the proposed Application for Transfer of Water Right Nos. 34-172G, 34-313B, 34-446D, 34-503E, and 34-7226D (hereafter the "Water Rights") which will be submitted to the Idaho Department of Water Resources. I own the property at the proposed place of use as shown on the map attached as Exhibit A, and I consent to this Application for Transfer. Furthermore, I agree that the Water Rights are owned by Robert Daniel Waddoups (hereafter "Waddoups"). I agree that Waddoups will retain ownership of the Water Rights and that he may transfer the Water Rights off my property at any time.

DATED: This 26 day of March, 2021

Mimi Rosenkrance
MIMI ROSENKRANCE

STATE OF IDAHO)
)ss.
County of Butte)

This record was acknowledged before me on the 26 day of March, 2021, by **Mimi Rosenkrance**.

(stamp)

TERRY L. WILLIAMS
Exp. 01/26/2022
NOTARY PUBLIC
Comm. No. 41519
STATE OF IDAHO

Terry L Williams
Signature of Notary Public
My Commission Expires: 1-26-22

G:\WPDATA\LHM\17938 DANNY WADDOUPS\01 WATER BANK\CONSENT_PERMANENT TRANSFER_ROSENKRANCE DOCX lhm

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Holden Kidwell
Hahn & Crapo P.L.L.C.
LAW OFFICES

Established in 1896

1000 Riverwalk Drive, Suite 200
PO Box 50130
Idaho Falls, Idaho 83405
Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com
lmarchant@holdenlegal.com

April 20, 2023

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APR 20 2023

Department of Water Resources
Eastern Region

Idaho Department of Water Resources
Eastern Region Office
900 N. Skyline Dr., Ste A
Idaho Falls, ID 83402-1718

Re: Applications for Transfer for WR 34-7226D.

Dear Processing Agent:

Enclosed for processing are two companion Applications for Transfer for WR 34-7226D. These applications propose to split this water right and change the place of use and point of diversion for each of the split portions.

This water right has not been used at its current authorized place of use for several years. However, it has been used over the last several years at the proposed places of use through temporary emergency transfers.

If you have any questions or need any additional information, do not hesitate to contact me.

Best regards,

Luke H. Marchant
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures

g:\wpdata\lhm\17938 danny waddoups\03 mcaffee water rights\2023.04.20 ltr to idwr.docx

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Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 87813

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) Robert Daniel "Danny" Waddoups

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, Part1.
- ☑ * 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 https://idwr.idaho.gov/water-rights/transfers/resources/.
- ☐ ☑ #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: Consent from landowner at proposed place of use.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Robert Daniel "Danny" Waddoups Phone _____

Mailing address 2775 N 3520 W, Moore, ID 83255-8720 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 Luke H. Marchant Phone (208) 523-0620

Mailing address PO Box 50130, Idaho Falls, ID 83405 Email lmarchant@holdenlegal.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.

Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date
Robert Marchant	Luke H. Marchant, Attorney	3/27/2023

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 **Part1A.3**.
   This application proposes to change the place of use and point of diversion for a portion of Water Right No. 34-7226D.

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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
☐	☑	34-7226D	0.8/140	Irrigation	04/01 to 11/01	Ground Water
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	

Total authorized under rights 0.8 cfs and/or 140 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.8 cubic feet per second and/or 140 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 #
			SE	SW	05	04N	26E	Butte	Ground Water	

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	
04N	26E	8	32.5	7.5															40

Total Acres (for irrigation use) 40

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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:
Water will be diverted from an existing well that serves as the current point of diversion for Water Right No. 34-2416D.

b. Who owns the property at the point(s) of diversion? Jean Andersen
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Applicant has a verbal agreement to access the well.

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: _____

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:
The current authorized place of use will no longer be irrigated with this water right.

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:
Water Right Nos. 34-172G, 34-313B, 34-446D, and 34-503E are surface water rights at the current authorized place of use. Water Right Nos. 34-496B and 34-692E are surface water rights at the proposed place of use. These two surface water rights are senior in priority to the water rights and the current place of use. The proposed POD is also the current POD for Water Right No. 34-2416D.

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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Part 2A
Water Right Reports

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APR 26 2023

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IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

3/24/2023

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 34-7226D

Owner Type	Name and Address
Current Owner	ROBERT DANIEL WADDOUPS 2775 N 3520 W MOORE, ID 83255-8720 2085896453
Original Owner	KENNETH L MC AFFEE
Original Owner	SHARLENE MC AFFEE PO BOX 815 ARCO, ID 83213 2085278545

Priority Date: 02/24/1980

Basis: Decreed

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	11/01	1.48 CFS	259 AFA
Total Diversion			1.48 CFS	259 AFA

Location of Point(s) of Diversion:

GROUND WATER | SWSWSE | Sec. 23 | Township 04N | Range 26E | BUTTE County

IRRIGATION Use:

Acre Limit: 74

Place(s) of use:

Place of Use Legal Description: IRRIGATION BUTTE County

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Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	27E	32		NESW	38		SESW	38						

Total Acres: 76

Conditions of Approval:

1.	X27	This right is limited to the irrigation of 74 acres within the authorized place of use in a single irrigation season.
2.	X35	Rights 34-172G, 34-313B, 34-446D, 34-503E and 34-7226D when combined shall not exceed a total diversion rate of 3.70 cfs and the irrigation of 76 acres.
3.	R63	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
4.		Water is injected into the Arco Canal at a point above the measuring gauge used by the watermaster in delivery of water to the Arco Canal.
5.	F01	Water is delivered through Arco Canal.
6.	SF2	This water right enjoys the benefit of subordination of hydropower water right nos. 02-00100, 02-4000A, 02-4001A, 02-02032A, 02-4000B, 02-4001B, 02-02032B, 02-02036, 02-02056, 02-02065, 02-02064, 02-10135, 02-02060, 02-02059, 02-02001B, 02-02001A, 02-02057, 37-02128, 37-02472, 37-02471, 37-20710, 37-20709, 36-02013, 36-02018 and 36-02026 only so long as the average daily flows as measured at the Murphy Gaging station meet or exceed the minimum stream flows established by state action.
7.	R05	Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 34.
8.	213	Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
9.	214	Prior to the diversion and use of water under Transfer approval 81066, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
10.	205	The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
11.	004	This right does not grant any right-of-way or easement across the land of another.
12.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14.	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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates:

Licensed Date:

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26 2023

Decreed Date: 07/10/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 34

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 3.5

Combined Acres Limit: 150

Combined Volume Limit:

Combined Rate Limit: 3.7

Civil Case Number:

Old Case Number:

Decree Plantiff:

Decree Defendant:

Swan Falls Trust or Nontrust: T

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

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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: 34-7226D

1. amount 0.8/140 (cfs/ac-ft) for Irrigation purposes from 04/01 to 11/01
   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	
04N	27E	32									38			2					40

Total Acres (for irrigation use) 40

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Rev. 07/18

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:

FOR DEPARTMENT USE ONLY

Transfer contains_____ pages and_____ attachments.

Received by_____ Date_____ Preliminary check by_____ Date_____

Fee paid $500.00 (1000 check) Date 4/20/23 Receipted by [illegible] Receipt # E049116

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)

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Attachment No. 4
Power of Attorney

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Attorney Roster Search

Type the last name or the beginning of the last name of the attorney you are trying to find. Use more letters to narrow your search. If you cannot find the attorney you are looking for, contact the Licensing Department at (208) 334-4500.

Current Status Definitions (https://isb.idaho.gov/licensing-mcle/membership-count-statuses/)

Search again

Results (as of 8/26/22)

Luke Hyrum Marchant

Status	Active
Admittance Date	09/30/2008
Firm	Holden, Kidwell, Hahn & Crapo, PLLC
Mailing Address	PO Box 50130 Idaho Falls, ID 83405
Phone	(208) 523-0620
Phone Ext	
Fax	(208) 523-9518
Bar Email Address	lmarchant@holdenlegal.com
Website Address	www.holdenlegal.com
Court eService Email	efiling@holdenlegal.com

Need a correction?

Is something not correct? Please use the Address Change Form

The information above is based on the Idaho State Bar records as of the date listed above. To send us an update on your own listing, please use the online Address Change Form or send an email to the Licensing Department. Please notify the Licensing Department if you find that another attorney's information is incorrect. Questions on attorney status and good standing should also be directed to the Licensing Department at (208) 334-4500.

Current Status Definitions

Disciplinary History

Contact the Bar Counsel's Office at (208) 334-4500 to request a disciplinary history on an attorney.

Former Members

Information on former members of the Idaho State Bar is limited to name, admission date and status. The online records include former members going back to approximately 1994. Records on former members from before 1994 are not available online. Please contact the Licensing Department for more information on former members.

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Attachment No. 5
ESPA Analysis and Mitigation Plan

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ATTACHMENT 5.1
Water Modeling – Data Entry

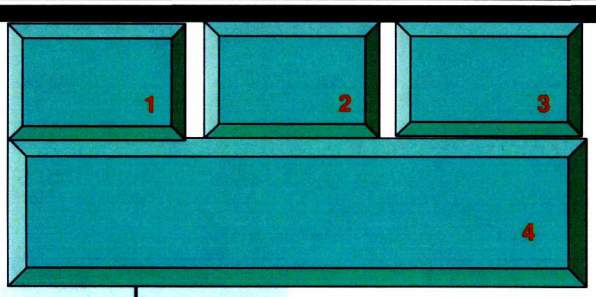
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ENHANCED GROUND-WATER RIGHTS TRANS

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEP

Cells this color are set up for user entries



ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON		TRANSFER NO:	0
YEAR	1980	TRANSFER NAME:	
SEASON	WINTER		34-7226D

ENTER CELL LOCATIONS:	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	29	31	0	0
COLUMN	109	110	0	0

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
	Projected Use	With Transfer	Without Transfer	With Transfer	Without Transfer	With Transfer	Without Transfer
	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER	AF/TRIMESTER
WIN 1980	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 1981	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 1981	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 1981	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 1982	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 1982	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 1982	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 1983	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 1983	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 1983	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 1984	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 1984	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 1984	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 1985	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 1985	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 1985	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 1986	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 1986	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 1986	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 1987	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 1987	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 1987	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 1988	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 1988	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 1988	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 1989	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 1989	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 1989	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 1990	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 1990	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 1990	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 1991	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 1991	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 1991	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 1992	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 1992	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 1992	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 1993	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 1993	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 1993	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 1994	0.00	33.30	33.30	0.00	0.00	0.00	0.00

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SUM 1994	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 1994	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 1995	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 1995	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 1995	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 1996	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 1996	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 1996	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 1997	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 1997	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 1997	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 1998	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 1998	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 1998	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 1999	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 1999	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 1999	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 2000	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 2000	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 2000	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 2001	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 2001	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 2001	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 2002	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 2002	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 2002	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 2003	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 2003	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 2003	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 2004	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 2004	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 2004	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 2005	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 2005	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 2005	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 2006	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 2006	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 2006	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 2007	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 2007	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 2007	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 2008	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 2008	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 2008	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 2009	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 2009	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 2009	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 2010	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 2010	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 2010	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 2011	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 2011	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 2011	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 2012	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 2012	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 2012	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 2013	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 2013	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 2013	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 2014	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 2014	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 2014	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 2015	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 2015	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 2015	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 2016	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 2016	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 2016	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 2017	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 2017	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 2017	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 2018	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 2018	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 2018	0.00	33.30	33.30	0.00	0.00	0.00	0.00

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SPR 2019	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 2019	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 2019	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 2020	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 2020	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 2020	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 2021	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 2021	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 2021	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 2022	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SUM 2022	0.00	33.30	33.30	0.00	0.00	0.00	0.00
WIN 2022	0.00	33.30	33.30	0.00	0.00	0.00	0.00
SPR 2023	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SUM 2023	33.30	0.00	33.30	0.00	0.00	0.00	0.00
WIN 2023	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SPR 2024	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SUM 2024	33.30	0.00	33.30	0.00	0.00	0.00	0.00
WIN 2024	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SPR 2025	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SUM 2025	33.30	0.00	33.30	0.00	0.00	0.00	0.00
WIN 2025	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SPR 2026	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SUM 2026	33.30	0.00	33.30	0.00	0.00	0.00	0.00
WIN 2026	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SPR 2027	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SUM 2027	33.30	0.00	33.30	0.00	0.00	0.00	0.00
WIN 2027	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SPR 2028	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SUM 2028	33.30	0.00	33.30	0.00	0.00	0.00	0.00
WIN 2028	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SPR 2029	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SUM 2029	33.30	0.00	33.30	0.00	0.00	0.00	0.00
WIN 2029	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SPR 2030	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SUM 2030	33.30	0.00	33.30	0.00	0.00	0.00	0.00
WIN 2030	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SPR 2031	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SUM 2031	33.30	0.00	33.30	0.00	0.00	0.00	0.00
WIN 2031	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SPR 2032	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SUM 2032	33.30	0.00	33.30	0.00	0.00	0.00	0.00
WIN 2032	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SPR 2033	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SUM 2033	33.30	0.00	33.30	0.00	0.00	0.00	0.00
WIN 2033	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SPR 2034	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SUM 2034	33.30	0.00	33.30	0.00	0.00	0.00	0.00
WIN 2034	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SPR 2035	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SUM 2035	33.30	0.00	33.30	0.00	0.00	0.00	0.00
WIN 2035	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SPR 2036	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SUM 2036	33.30	0.00	33.30	0.00	0.00	0.00	0.00
WIN 2036	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SPR 2037	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SUM 2037	33.30	0.00	33.30	0.00	0.00	0.00	0.00
WIN 2037	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SPR 2038	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SUM 2038	33.30	0.00	33.30	0.00	0.00	0.00	0.00
WIN 2038	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SPR 2039	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SUM 2039	33.30	0.00	33.30	0.00	0.00	0.00	0.00
WIN 2039	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SPR 2040	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SUM 2040	33.30	0.00	33.30	0.00	0.00	0.00	0.00
WIN 2040	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SPR 2041	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SUM 2041	33.30	0.00	33.30	0.00	0.00	0.00	0.00
WIN 2041	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SPR 2042	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SUM 2042	33.30	0.00	33.30	0.00	0.00	0.00	0.00
WIN 2042	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SPR 2043	33.30	0.00	33.30	0.00	0.00	0.00	0.00
SUM 2043	33.30	0.00	33.30	0.00	0.00	0.00	0.00

SCANNED
APR 26 2023

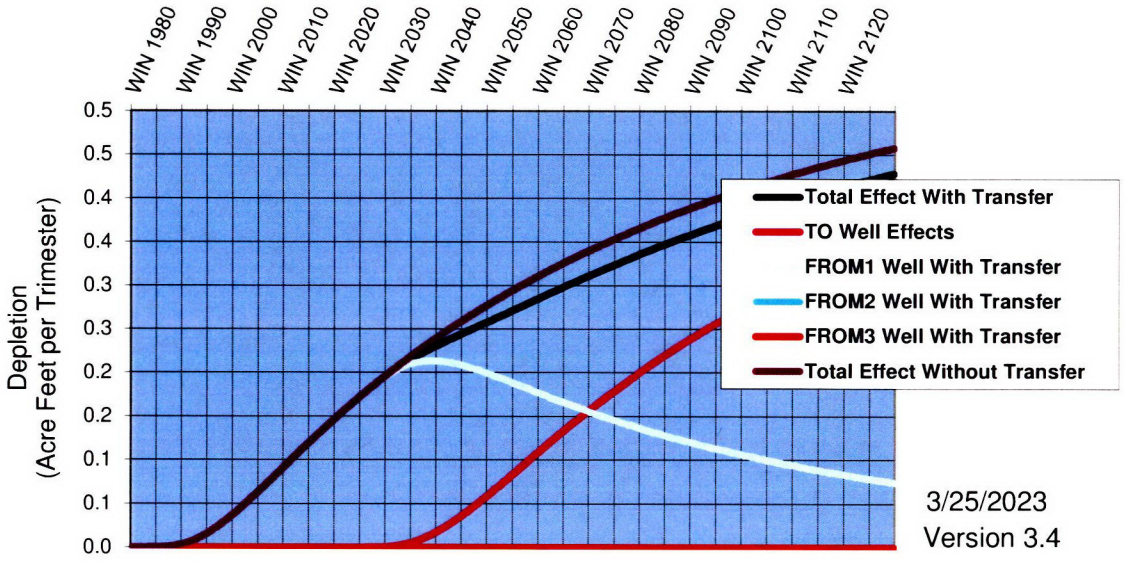
ATTACHMENT 5.2
Water Modeling – Graphs above Milner

87813

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APR 26 2023

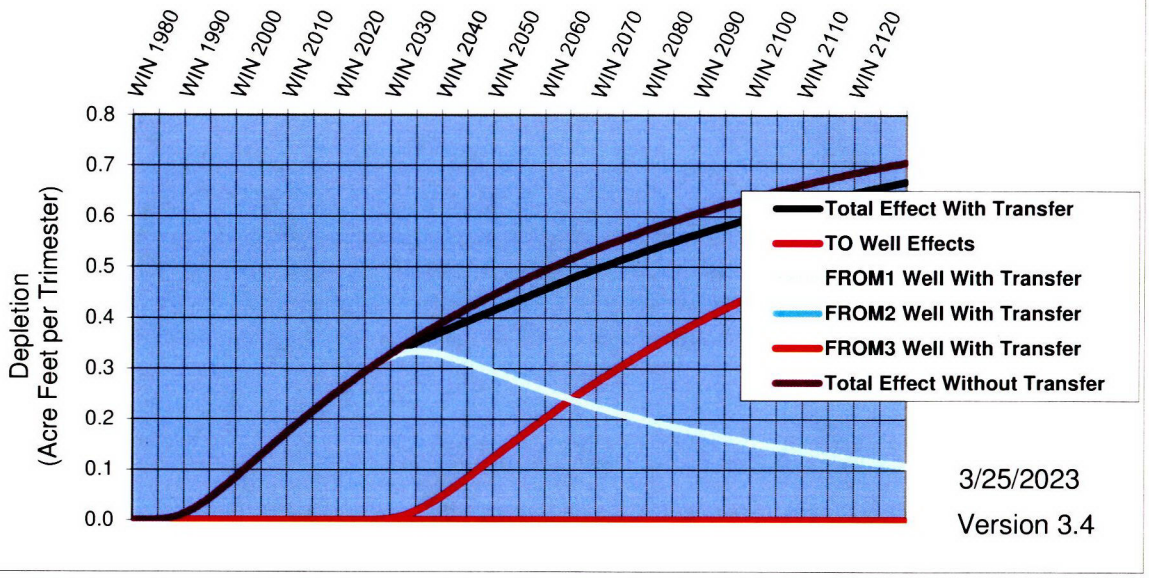
Hydrologic Response--Ashton to Rexburg

Customer Name: 34-7226D **Transfer No:** 0



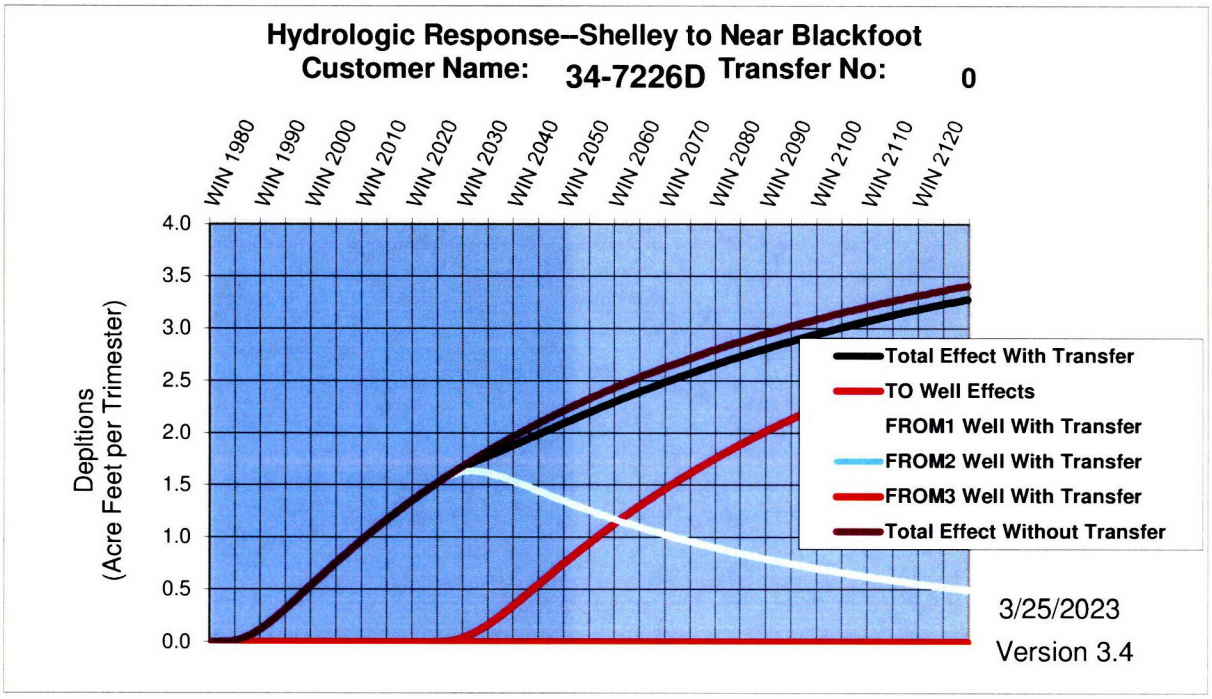
Hydrologic Response--Heise to Shelley

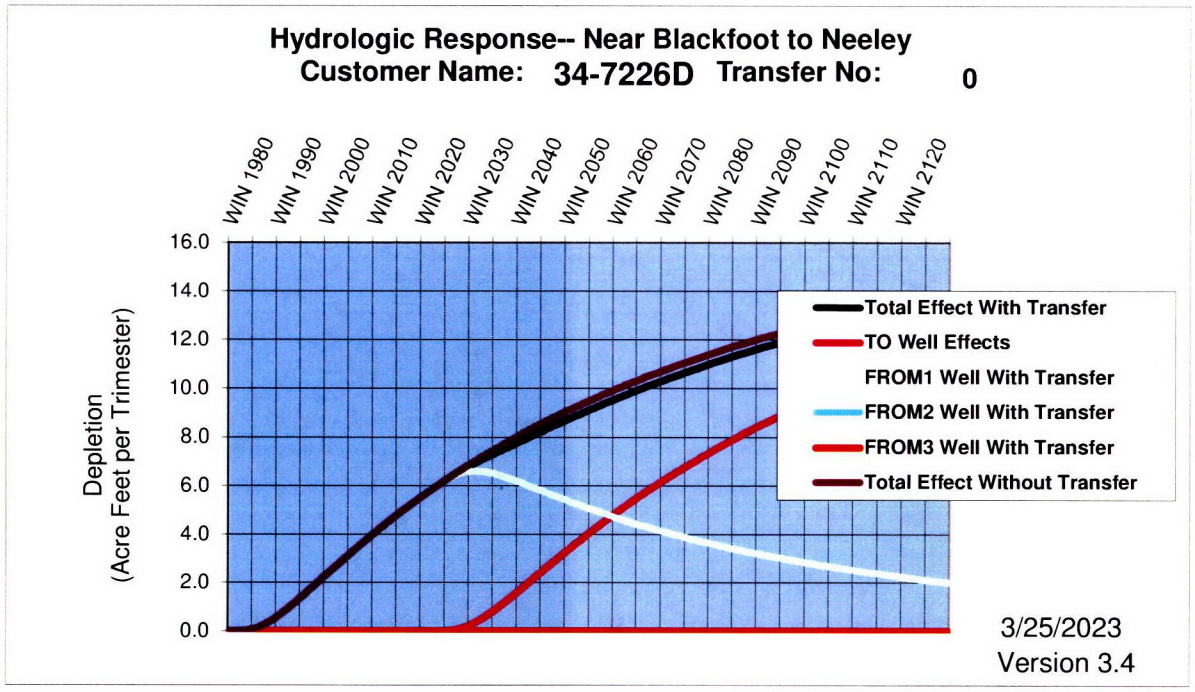
Customer Name: 34-7226D **Transfer No:** 0



87813

SCANNED
APR 26 2023



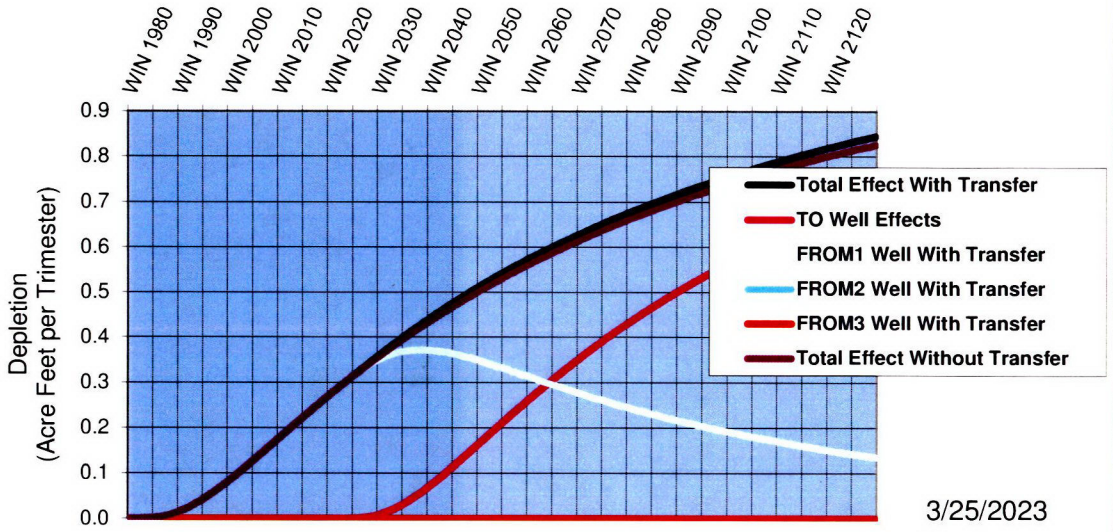


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SCANNED
APR 26 2023

Hydrologic Response-- Neeley to Minidoka

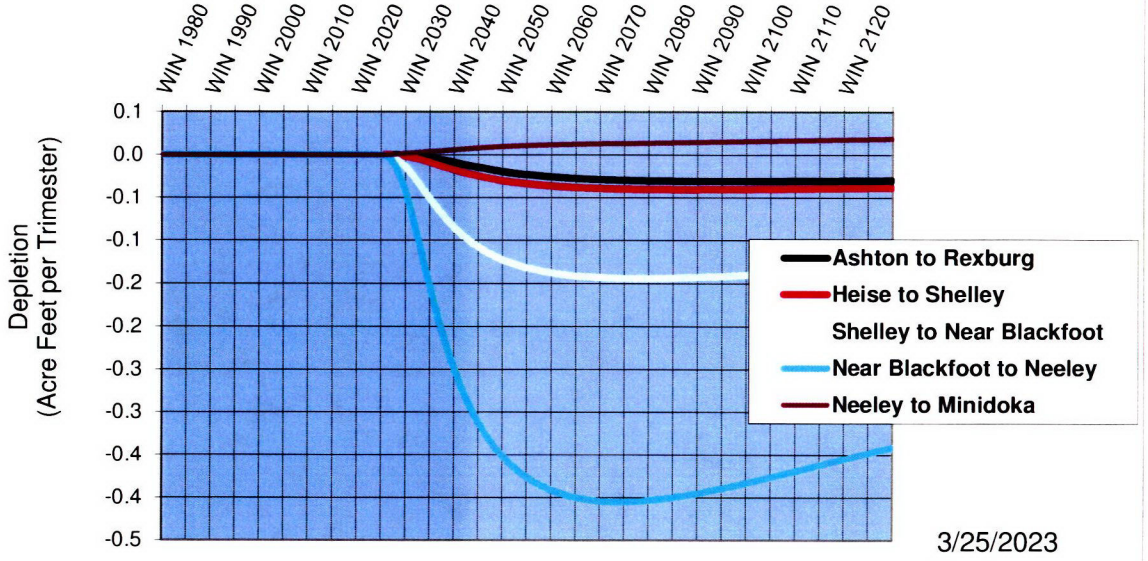
Customer Name: 34-7226D Transfer No: 0



3/25/2023
Version 3.4

Net Transfer Effect Above Milner

(Total Effect With Transfer - Total Effect Without Transfer)



3/25/2023
Version 3.4

Customer Name: 34-7226D **Transfer No: 0**

SCANNED
APR 26 2023

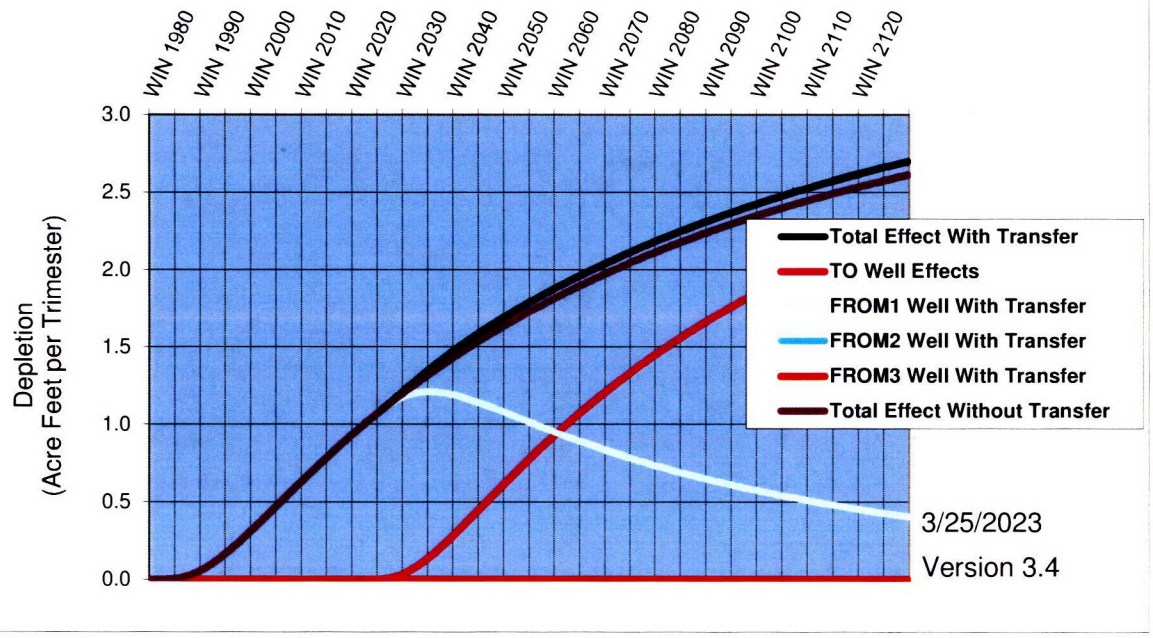
ATTACHMENT 5.3
Water Modeling – Graphs below Milner

SCANNED
APR 26 2023

87813

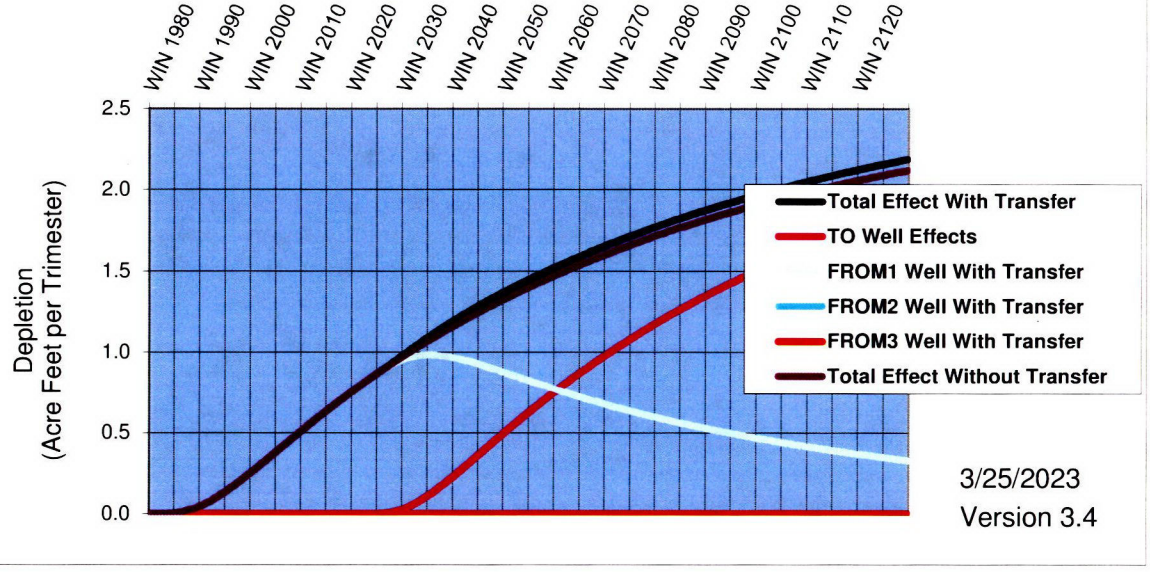
Hydrologic Response--Devil's Washbowl to Buhl

Customer Name: 34-7226D **Transfer No: 0**



Hydrologic Response--Buhl to Thousand Springs

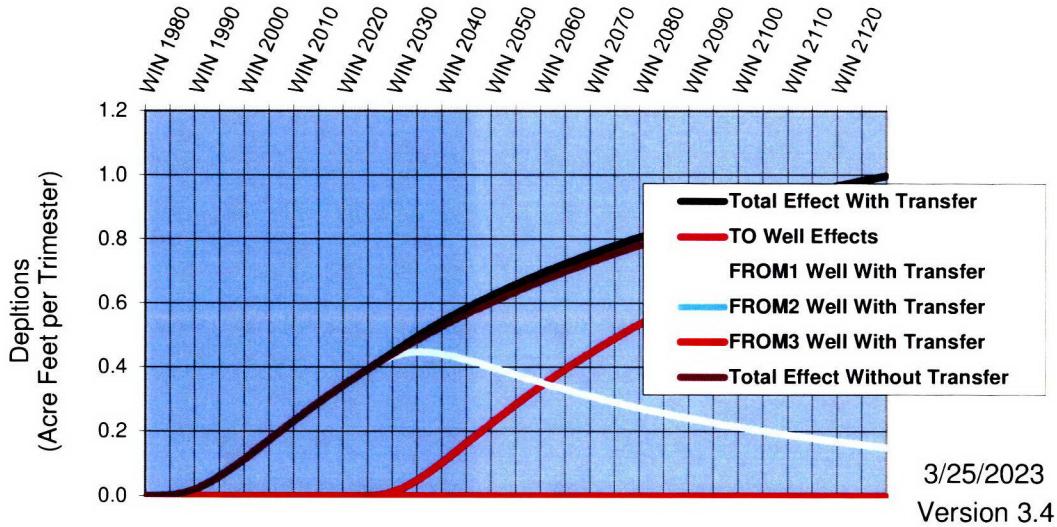
Customer Name: 34-7226D **Transfer No: 0**



SCANNED
APR 26 2023

Hydrologic Response--Thousand Springs

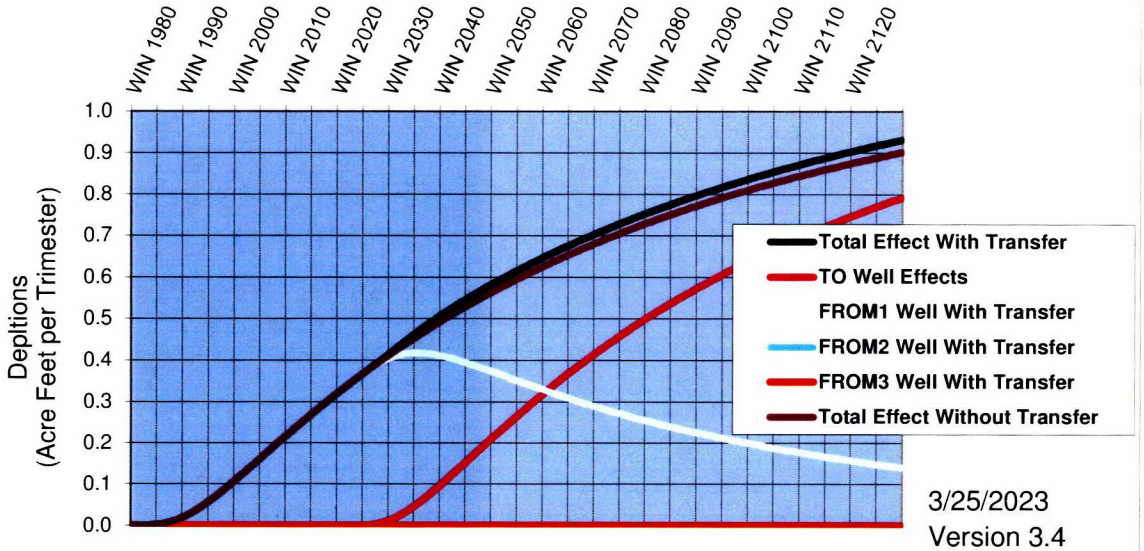
Customer Name: 34-7226D Transfer No: 0



3/25/2023
Version 3.4

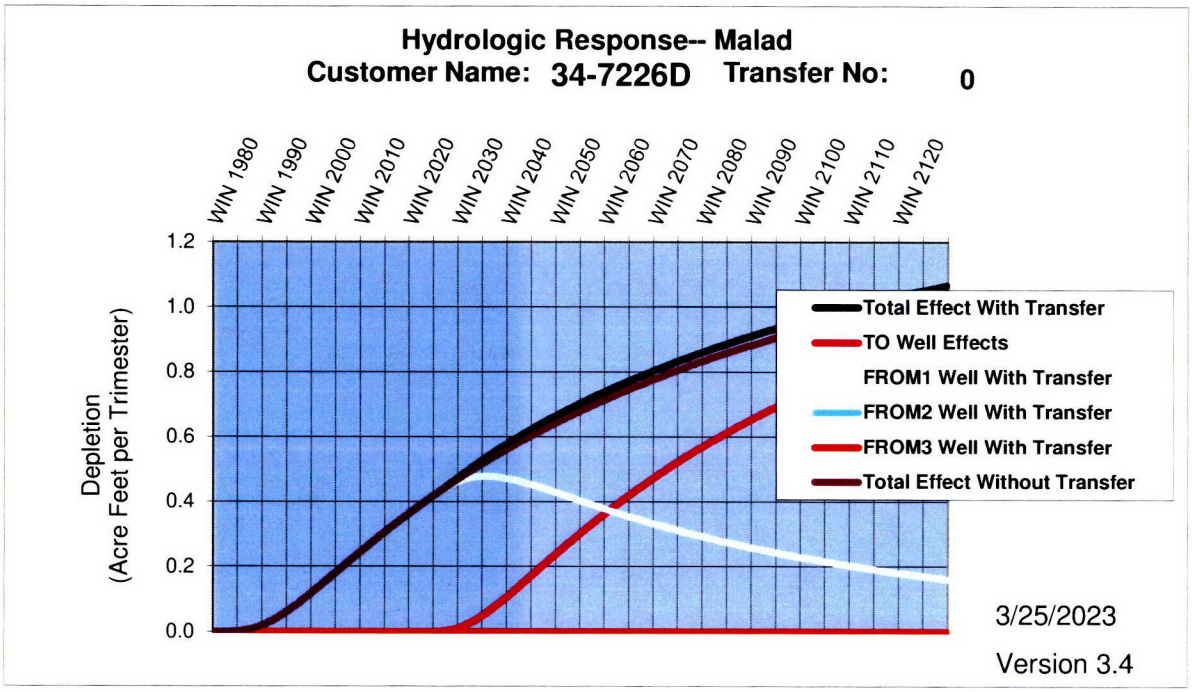
Hydrologic Response--Thousand Springs to Malad

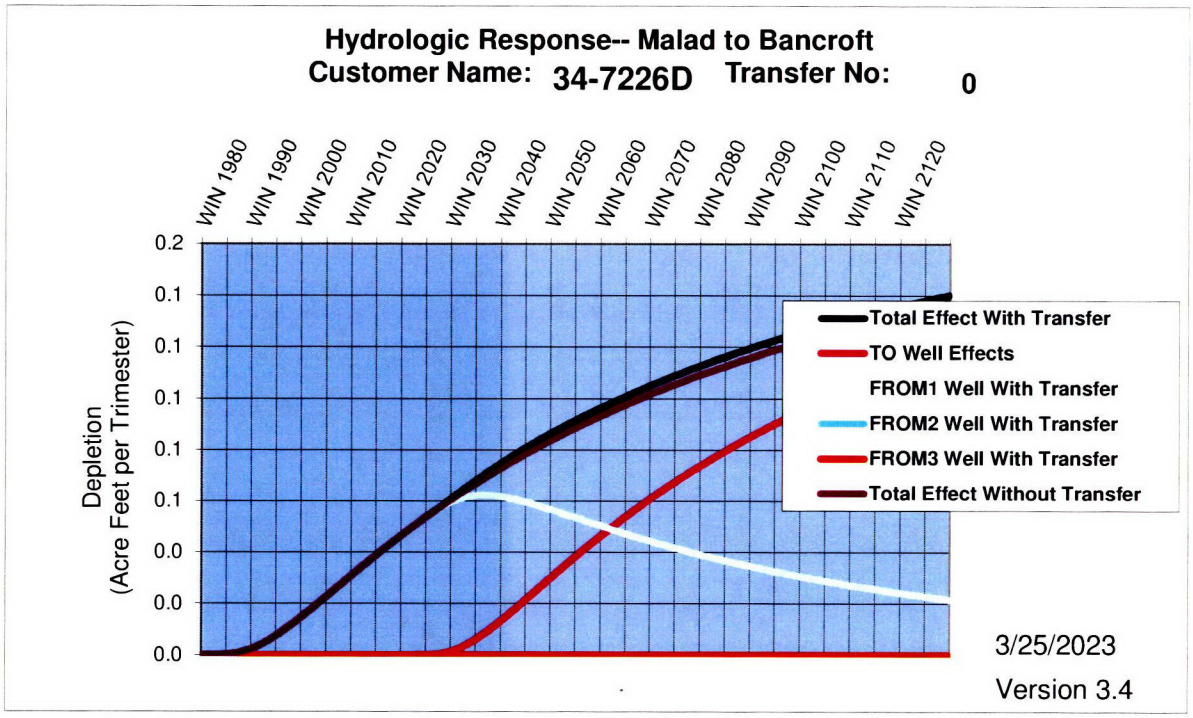
Customer Name: 34-7226D Transfer No: 0



3/25/2023
Version 3.4

SCANNED
APR 26 2023

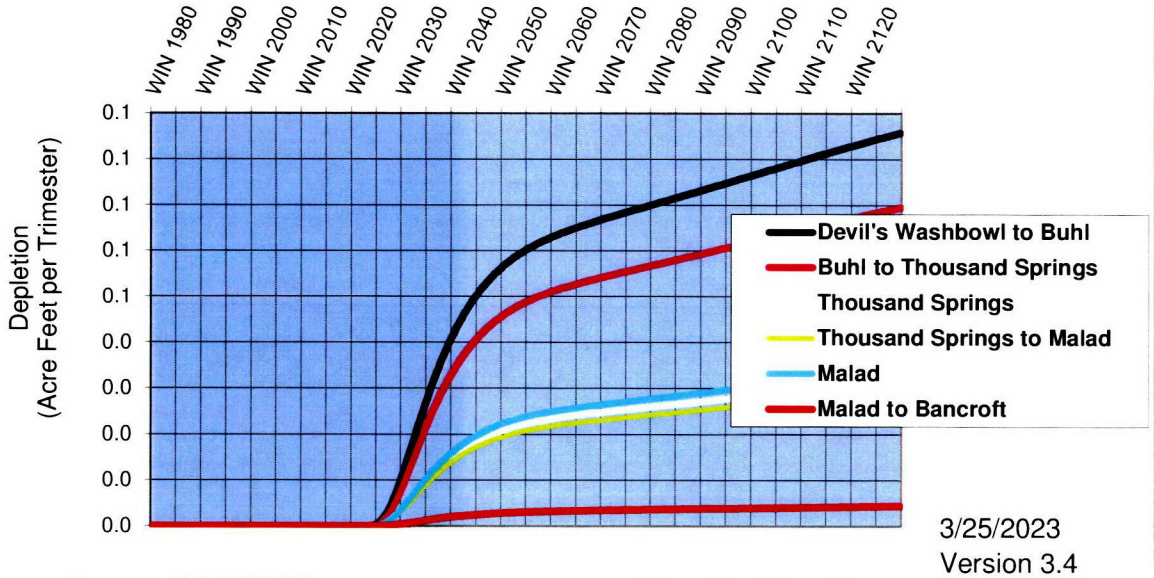




SCANNED
APR 26 2023

Net Transfer Effect Below Milner

(Total Effect With Transfer - Total Effect Without Transfer)



3/25/2023
Version 3.4

Customer Name: 34-7226D **Transfer No: 0**

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APR 26 2023

ATTACHMENT 5.4
Water Modeling – Mitigation Analysis

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APR 26 2023

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APR 26 2023

WR No.	Div. Rate (CFS)	Con. Vol. (AFA)	No. of Irr. Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT	Model Node
Transfer 1: Proposed Steady State Impacts following Transfer							
Transfer 1: Worst Case Transient State Impacts following Transfer							

Impact by Reach (AF/Trimester)

	Ashton to Rexburg	Heise to Shelley	Shelley to Nr Blckft	Nr Blckft To Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
	0.46	0.71	3.41	13.85	0.83	2.61	2.12	0.96	0.90	1.03	0.14
	0.43	0.67	3.28	13.51	0.84	2.70	2.19	1.00	0.93	1.07	0.14
	0.46	0.71	3.41	13.85	0.83	2.61	2.12	0.96	0.90	1.03	0.14
	0.43	0.67	3.28	13.51	0.84	2.70	2.19	1.00	0.93	1.07	0.14

		Ashton to Rexburg	Heise to Shelley	Shelley to Nr Blckft	Nr Blckft To Neeley	Neeley to Minidoka	Dev. Wbl. To Buhl	Buhl to Kspr	Kspr	Kspr to Malad	Malad	Malad to Bancroft
Steady State Analysis	Mitigation Check 1 - >10% of Historical:	-6.5%	-5.4%	-3.8%	-2.5%	2.3%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
	Mitigation Check 2: > 2 AF/T:	0.0	0.0	-0.1	-0.3	0.0	0.1	0.1	0.0	0.0	0.0	0.0
	Mitigation Check 3 - >10% of Total:	1.6%	2.5%	12.3%	50.5%	3.2%	10.1%	8.2%	3.7%	3.5%	4.0%	0.5%
	Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft):	0.0	0.0	-0.1	-0.3	0.0	0.1	0.1	0.0	0.0	0.0	0.0
Transient State Analysis	Mitigation Check 1 - >10% of Historical:	-6.5%	-5.4%	-3.8%	-2.5%	2.3%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
	Mitigation Check 2: > 2.01 AF/T:	0.0	0.0	-0.1	-0.3	0.0	0.1	0.1	0.0	0.0	0.0	0.0
	Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft):	0.0	0.0	-0.1	-0.3	0.0	0.1	0.1	0.0	0.0	0.0	0.0

67813

Attachment No. 7a
GIS Maps

87813

SCANNED
APR 26 2023

WATER RIGHT NO. 34-7226D APPLICATION FOR TRANSFER

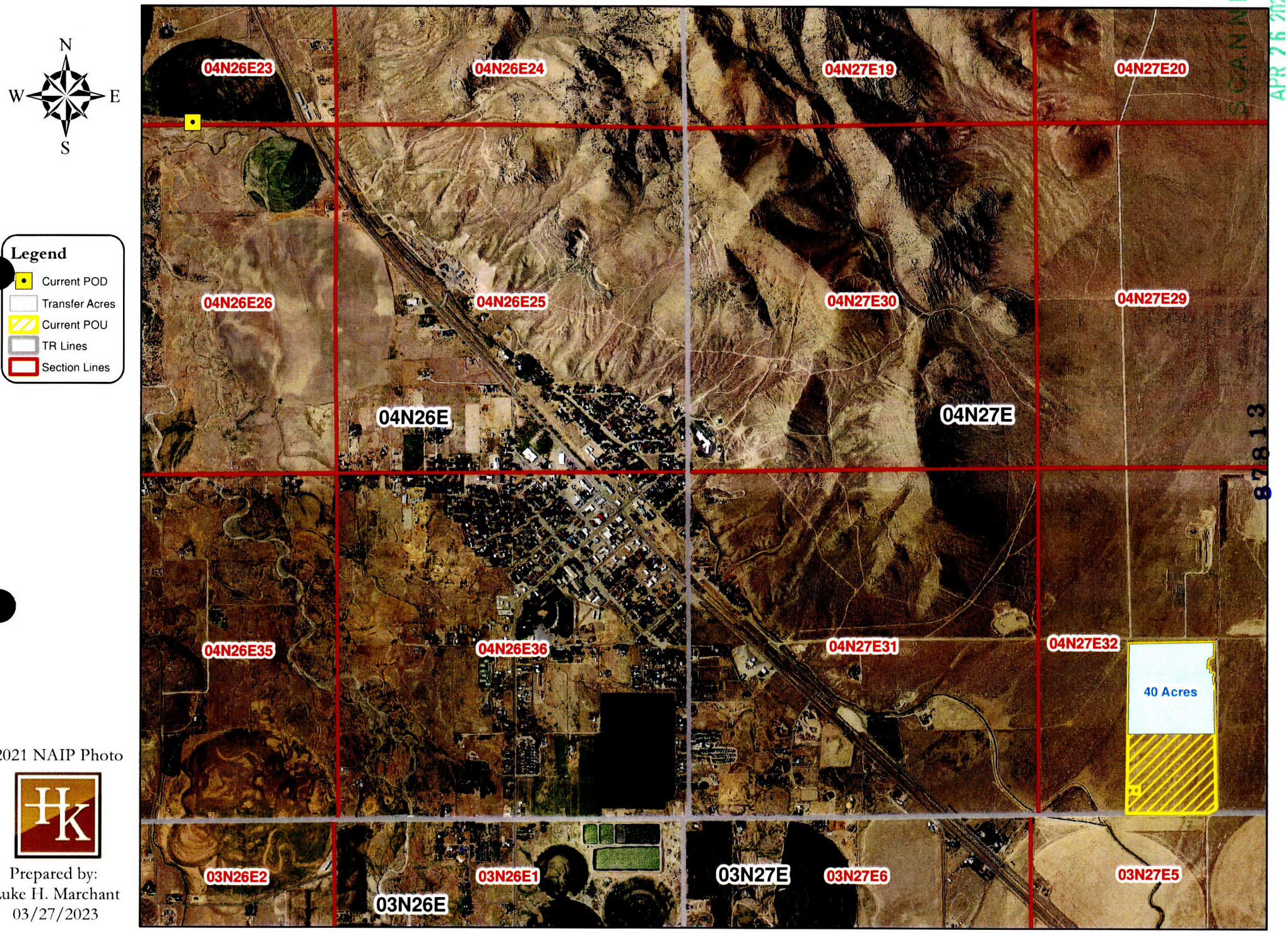


2021 NAIP Photo

Prepared by:
Luke H. Marchant
03/25/2023

WATER RIGHT NO. 34-7226D APPLICATION FOR TRANSFER

SCANNED
APR 26 2023



87813

2021 NAIP Photo

Prepared by:
Luke H. Marchant
03/27/2023

WATER RIGHT NO. 34-7226D APPLICATION FOR TRANSFER



2021 NAIP Photo

Prepared by:
Luke H. Marchant
03/25/2023

Attachment No. 7b
GIS Shapefile

(Will be sent via email upon request from IDWR)

87813

SCANNED
APR 26 2023

Attachment No. 10
Other

87813

SCANNED
APR 26 2023

CONSENT TO APPLICATION FOR TRANSFER

I, the undersigned have discussed the proposed Application for Transfer of Water Right No. 34-7226D (hereafter the "Water Right") which will be submitted to the Idaho Department of Water Resources. I own the property at the proposed place of use as shown on the map attached as Exhibit A, and I consent to this Application for Transfer. Furthermore, I agree that the Water Right is owned by Robert Daniel Waddoups (hereafter "Waddoups"). I agree that Waddoups will retain ownership of the Water Right and that he may transfer the Water Right off my property at any time.

DATED: This 19th day of April, 2023

D KEITH WADDOUPS

STATE OF IDAHO)
)ss.
County of Butte)

This record was acknowledged before me on the 19th day of April, 2023 by **D. Keith Waddoups.**

Kristyn Perkes
Signature of Notary Public
My Commission Expires: 5/26/28

(stamp)

KRISTYN PERKES
COMMISSION #67805
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES 5/26/28

G:\WPDATA\LHM\17938 DANNY WADDOUPS\03 MCAFEE WATER RIGHTS\CONSENT_PERMANENT TRANSFER_KEITH.DOCX:lhm

SCANNED
APR 26 2023

RIGHT TO INGRESS AND EGRESS 1410' FROM CENTER OF COUNTY PAVED ROAD, LOCATED ON 2900 BUTTE COUNTY, TO DEEPWELL OWNED BY D. KEITH WADDOUPS JUST WEST OF HOUSE OWNED BY DEAN ANDERSEN. AND 50'x50'x50'x50' EASEMENT AROUND DEEPWELL.

RECEIVED
APR 25 2023
Department of Water Resources
Eastern Region

D. Keith Waddoups 4-24-23

Dean Andersen 4-24-2023

87813

SCANNED
APR 26 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

June 01, 2023

ROBERT DANIEL WADDOUPS
2775 N 3520 W
MOORE ID 83255-8720

Re: Transfer No: 87819
Water Right No(s).: 34-172G , 34-313B , 34-446D , 34-503E , 34-673A , 34-7226D

Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

SCANNED
JUN 02 2023

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a $100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 525-7161.

Sincerely,

Christina Henman
Administrative Assistant

Enclosure
CC:

LUKE H MARCHANT
PO BOX 50130
IDAHO FALLS ID 83405-0130

MIMI L G ROSENKRANCE
5532 BARTON FLAT RD
MACKAY ID 83251-4429

SCANNED
JUN 02 2023

CERTIFICATE OF SERVICE

I hereby certify that on June 01, 2023 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 87819
Water Right No(s).: 34-172G , 34-313B , 34-446D , 34-503E , 34-673A , 34-7226D

ROBERT DANIEL WADDOUPS
2775 N 3520 W
MOORE ID 83255-8720

LUKE H MARCHANT
PO BOX 50130
IDAHO FALLS ID 83405-0130

MIMI L G ROSENKRANCE
5532 BARTON FLAT RD
MACKAY ID 83251-4429

Christina Henman
Administrative Assistant

SCANNED
JUN 02 2023

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

SCANNED
JUN 02 2023

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) The petition for reconsideration is disposed of; or
> (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

SCANNED
JUN 02 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

June 01, 2023

ROBERT DANIEL WADDOUPS
2775 N 3520 W
MOORE ID 83255-8720

Re: Transfer No: 87813
Water Right No(s).: 34-496B , 34-692E , 34-7226D

Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

SCANNED
JUN 02 2023

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a $100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 525-7161.

Sincerely,

Christina Henman
Administrative Assistant

Enclosure
CC:

LUKE H MARCHANT
PO BOX 50130
IDAHO FALLS ID 83405-0130

D KEITH WADDOUPS
DEBORA J WADDOUPS
2778 N 3520 W
MOORE ID 83255-8720

SCANNED
JUN 0 2 2023

CERTIFICATE OF SERVICE

I hereby certify that on June 01, 2023 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 87813
Water Right No(s).: 34-496B , 34-692E , 34-7226D

ROBERT DANIEL WADDOUPS
2775 N 3520 W
MOORE ID 83255-8720

LUKE H MARCHANT
PO BOX 50130
IDAHO FALLS ID 83405-0130

D KEITH WADDOUPS
DEBORA J WADDOUPS
2778 N 3520 W
MOORE ID 83255-8720

Christina Henman
Administrative Assistant

SCANNED
JUN 0 2 2023

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

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PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

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SCANNED
JUN 02 2023

CERTIFICATE OF SERVICE

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FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) The petition for reconsideration is disposed of; or
> (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

SCANNED
JUN 02 2023

MEMORANDUM

Date: May 31, 2023

To: Transfer 87819

From: Michael Holliday

Re: Review & Evaluation of Sufficiency of Information

This is the second of two companion transfers. Both seek to change the point of diversion and place of use of a portion of right no. 34-7226D in order to cover portions of existing pivots with ground water.

Authority to File:
The applicant is the current water right owner of record. He owns the proposed point of diversion but does not own the proposed place of use. However, he provided a letter from the parcel owner giving consent to the transfer.

Water Right Validity:
Right no. 34-7226D was decreed in the SRBA in 2012 and was included in transfer 81066, which was approved in 2018. Review of recent aerial photography shows little evidence of irrigation, but right 34-7226D was included in temporary transfers that were approved in 2014, 2015, 2020, and 2022. Forfeiture is not an issue.

Injury to Other Water Rights:
Other rights should not be injured by the proposed changes. The ESPA transfer tool was used to determine potential impacts on the Snake River. The results showed that mitigation is not required because impacts were less than two acre-feet per trimester on each Snake River reach. The transfer application was advertised and no protests were filed. The watermaster was notified of the application but did not provide comment.

Enlargement of Use:
The proposed change will not result in enlargement because neither rate, nor volume, nor irrigated acreage will increase as a result of the transfer. Right no. 34-7226D is currently used together with four Big Lost River rights within a combined place of use. However, the transferred portion of right 34-7226D will be fully stacked at the proposed place of use with right 34-673A, a Big Lost River right with a better priority date.

Local Public Interest:
No issues identified.

Beneficial Use / Conservation of Water Resources:
No issues identified.

Effect on Economy the Local Area:
No issues identified.

Effect on Agricultural Base of the Local Area:
No issues identified.

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.

SCANNED
JUN 02 2023

MEMORANDUM

Date: May 31, 2023

To: Transfer 87813

From: Michael Holliday

Re: Review & Evaluation of Sufficiency of Information

This is the first of two companion transfers. Both seek to change the point of diversion and place of use of a portion of right no. 34-7226D in order to cover portions of existing pivots with ground water.

Authority to File:
The applicant is the current water right owner of record. He owns neither the proposed point of diversion nor the proposed place of use, but he did provide sufficient evidence of legal access to both.

Water Right Validity:
Right no. 34-7226D was decreed in the SRBA in 2012 and was included in transfer 81066, which was approved in 2018. Review of recent aerial photography shows little evidence of irrigation, but right 34-7226D was included in temporary transfers that were approved in 2014, 2015, 2020, and 2022. Forfeiture is not an issue.

Injury to Other Water Rights:
Other rights should not be injured by the proposed changes. The ESPA transfer tool was used to determine potential impacts on the Snake River. The applicant used an incorrect model cell for the proposed well location. However, I ran the model again using the correct location and the results still showed that mitigation is not required because impacts were less than two acre-feet per trimester on each Snake River reach. The transfer application was advertised and no protests were filed. The watermaster was notified of the application but did not provide comment.

Enlargement of Use:
The proposed change will not result in enlargement because neither rate, nor volume, nor irrigated acreage will increase as a result of the transfer. Right no. 34-7226D is currently used together with four Big Lost River rights within a combined place of use. However, the transferred portion of right 34-7226D will be fully stacked with better priority Big Lost River rights at the proposed place of use. The number of stacked acres will not change.

Local Public Interest:
No issues identified.

Beneficial Use / Conservation of Water Resources:
No issues identified.

Effect on Economy the Local Area:
No issues identified.

Effect on Agricultural Base of the Local Area:
No issues identified.

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.

SCANNED
JUN 02 2023

RECEIVED

MAY 15 2023

Department of Water Resources
Eastern Region

AFFIDAVIT OF PUBLICATION

I, Betsy Van Etten of The Arco Advertiser, a weekly newspaper of general circulation, published weekly at Arco, Idaho, since March, 1909, do solemnly swear that a copy of this notice, per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for 2 consecutive weeks, commencing with the issue dated May 4 2023 and ending with the issue dated May 11 2023

STATE OF IDAHO }
COUNTY OF BUTTE }

On this 11th day of May in the year of 2023, before me, a Notary Public, personally appeared Betsy Van Etten known or identified to me to be the person, whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Notary Public for Idaho

Residing at Arco, ID

My commission expires: January 28 2028

LEGAL NOTICE LEGAL NOTICE
See Legal Notices Online at idahopublicnotices.com

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 87789

PANCHERI INC, 1494 HWY 33, HOWE, ID 83244 has filed Application No. 87789 for changes to the following water rights within BUTTE County(s): Right No(s). 33-2056, 33-2093, 33-2094, 33-2113, 33-2126A, 33-2126B, 33-7038; to see a full description of these rights and the proposed transfer, please see https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. The purpose of the transfer is to change a portion of the above rights as follows: change and add points of diversion. Proposed points of diversion are in NWNE and NWSE Sec 19, NWSW Sec 20, NWNW and SWSW Sec 29, and NWNW Sec 32 T06N R29E for 20.84 cfs from ground water.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 87813

ROBERT DANIEL WADDOUPS, 2775 N 3520 W, MOORE, ID 83255-8720 has filed Application No. 87813 for changes to the following water rights within BUTTE County(s): Right No(s). 34-7226D; to see a full description of these rights and the proposed transfer, please see https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion and place of use. Proposed point of diversion is in SESW Sec 5 T04N R26E for 0.80 cfs from ground water. Proposed place of use is in NENE and NWNE Sec 8 T04N R26E for 40 acres.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 87819

ROBERT DANIEL WADDOUPS, 2775 N 3520 W, MOORE, ID 83255-8720 has filed Application No. 87819 for changes to the following water rights within BUTTE County(s): Right No(s). 34-7226D; to see a full description of these rights and the proposed transfer, please see https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion and place of use. Proposed point of diversion is in NWSE Sec 10 T04N R26E for 0.68 cfs from ground water. Proposed place of use is in NESE and SESE Sec 10 T04N R26E for 34 acres.
For additional information concerning the property location, contact Eastern Region office at (208)525-7161. 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, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of $25.00 for each application on or before 5/22/2023. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published in The Arco Advertiser on May 4 & 11, 2023

SCANNED
MAY 26 2023

Henman, Christina

From: Henman, Christina
Sent: Wednesday, April 26, 2023 4:16 PM
To: watermaster34@atcnet.net
Subject: Application for Transfer No. 87819, 87813
Attachments: tmpD367.docx; tmpA3F7.docx

Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at: https://research.idwr.idaho.gov/apps/waterrights/wrajsearch/wradjsearch.aspx. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

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

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

Please contact this office if you have any questions regarding the application.

SCANNED
MAY 26 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718
Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

April 26, 2023

ROBERT DANIEL WADDOUPS
2775 N 3520 W
MOORE, ID 83255-8720

RE: Transfer No. 87813 & 87819
Water Right No(s). 34-7226D

Dear Applicant:

The Department of Water Resources has received your water right transfer applications. Please refer to the transfer numbers referenced above in all future correspondence regarding these transfers.

A legal notice of the application has been prepared and is scheduled for publication in the ARCO ADVERTISER on 5/4/2023 and 5/11/2023. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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,

Christina Henman
Administrative Assistant

CC:
LUKE H MARCHANT
PO BOX 50130
IDAHO FALLS, ID 83405-0130

SCANNED
APR 26 2023

Henman, Christina

From: Henman, Christina
Sent: Wednesday, April 26, 2023 12:41 PM
To: arcoadv@aol.com
Subject: Legal Notice for Arco Advertiser
Attachments: 87789, 87813, 87819 Arco Advertiser.docx

LEGAL NOTICE DEPARTMENT
ARCO ADVERTISER
PO BOX C
ARCO, ID 83213

RE: Transfer No. 87789, 87813, 87819
Water Right No(s). 33-2056, 33-2093, 33-2094, 33-2113, 33-2126A, 33-2126B, 33-7038, 34-7226D, 34-7226D

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 5/22/2023. Your cooperation is appreciated.

Thank You,

IDAHO DEPARTMENT OF WATER RESOURCES

Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

SCANNED
APR 26 2023

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 87789

PANCHERI INC, 1494 HWY 33, HOWE, ID 83244 has filed Application No. 87789 for changes to the following water rights within BUTTE County(s): Right No(s). 33-2056, 33-2093, 33-2094, 33-2113, 33-2126A, 33-2126B, 33-7038; to see a full description of these rights and the proposed transfer, please see https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. The purpose of the transfer is to change a portion of the above rights as follows: change and add points of diversion. Proposed points of diversion are in NWNE and NWSE Sec 19, NWSW Sec 20, NWNW and SWSW Sec 29, and NWNW Sec 32 T06N R29E for 20.84 cfs from ground water.

TRANSFER NO. 87813

ROBERT DANIEL WADDOUPS, 2775 N 3520 W, MOORE, ID 83255-8720 has filed Application No. 87813 for changes to the following water rights within BUTTE County(s): Right No(s). 34-7226D; to see a full description of these rights and the proposed transfer, please see https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion and place of use. Proposed point of diversion is in SESW Sec 5 T04N R26E for 0.80 cfs from ground water. Proposed place of use is in NENE and NWNE Sec 8 T04N R26E for 40 acres.

TRANSFER NO. 87819

ROBERT DANIEL WADDOUPS, 2775 N 3520 W, MOORE, ID 83255-8720 has filed Application No. 87819 for changes to the following water rights within BUTTE County(s): Right No(s). 34-7226D; to see a full description of these rights and the proposed transfer, please see https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers. The purpose of the transfer is to change a portion of the above rights as follows:
change point of diversion and place of use. Proposed point of diversion is in NWSE Sec 10 T04N R26E for 0.68 cfs from ground water. Proposed place of use is in NESE and SESE Sec 10 T04N R26E for 34 acres.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. 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, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of $25.00 for each application on or before 5/22/2023. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/4/2023 and 5/11/2023

SCANNED
APR 26 2023

Holliday, Michael

From: Holliday, Michael
Sent: Tuesday, April 25, 2023 3:03 PM
To: Luke Marchant
Subject: RE: Waddoups transfers

Thanks, Luke. These should start advertising next week.

Michael

From: Luke Marchant <lmarchant@holdenlegal.com>
Sent: Tuesday, April 25, 2023 12:23 PM
To: Holliday, Michael <Michael.Holliday@idwr.idaho.gov>
Subject: RE: Waddoups transfers

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.

Michael,

I've amended page 3 to show the correct location of the well. I've attached that amended page as well as a new map. Let me know if you need anything else.

Thanks.

Luke H. Marchant
Holden, Kidwell, Hahn & Crapo, P.L.L.C.
1000 Riverwalk Drive, Suite 200
P.O. Box 50130
Idaho Falls, Idaho 83405
Phone: (208) 523-0620
Fax: (208) 523-9518
Email: lmarchant@holdenlegal.com

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From: Holliday, Michael <Michael.Holliday@idwr.idaho.gov>
Sent: Monday, April 24, 2023 5:23 PM
To: Luke Marchant <lmarchant@holdenlegal.com>
Subject: RE: Waddoups transfers

We would also need an amended map (just the one that's zoomed in close).

SCANNED
JUN 02 2023

From: Holliday, Michael
Sent: Monday, April 24, 2023 5:16 PM
To: Luke Marchant <lmarchant@holdenlegal.com>
Subject: RE: Waddoups transfers

Luke,

Thanks for the shapes. I just noticed that we have a gps point gathered by water district 34 on what they are calling the Haralson Well. That gps point is likely the correct well location (about 300 feet east of the data point that water right 34-14791 is currently linked to). It's located in NWSE section 10. Do you want to amend page 3 of the 34-acre transfer to update the point of diversion to NWSE section 10? Sorry I didn't catch that earlier.

Michael

From: Luke Marchant <lmarchant@holdenlegal.com>
Sent: Monday, April 24, 2023 3:13 PM
To: Holliday, Michael <Michael.Holliday@idwr.idaho.gov>
Subject: RE: Waddoups transfers

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.

Michael,

Attached are the two place of use shapefiles. Let me know if you need anything else.

Thank you.

Luke H. Marchant
Holden, Kidwell, Hahn & Crapo, P.L.L.C.
1000 Riverwalk Drive, Suite 200
P.O. Box 50130
Idaho Falls, Idaho 83405
Phone: (208) 523-0620
Fax: (208) 523-9518
Email: lmarchant@holdenlegal.com

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From: Holliday, Michael <Michael.Holliday@idwr.idaho.gov>
Sent: Monday, April 24, 2023 9:44 AM
To: Luke Marchant <lmarchant@holdenlegal.com>
Subject: RE: Waddoups transfers

Luke,

Could you send me the shape files for these transfers? Thanks.

SCANNED
JUN 02 2023

Michael

From: Holliday, Michael
Sent: Monday, April 24, 2023 8:24 AM
To: Luke Marchant <lmarchant@holdenlegal.com>
Subject: RE: Waddoups transfers

Sounds good. Thanks, Luke.

From: Luke Marchant <lmarchant@holdenlegal.com>
Sent: Friday, April 21, 2023 5:18 PM
To: Holliday, Michael <Michael.Holliday@idwr.idaho.gov>
Subject: RE: Waddoups transfers

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.

Michael,

I've attached an amended page three. I will see what I can get regarding access to the well. It is Waddoups' well. I'll find out if they have any kind of written evidence of access, and if not get something taken care of.

Thanks.

Luke H. Marchant
Holden, Kidwell, Hahn & Crapo, P.L.L.C.
1000 Riverwalk Drive, Suite 200
P.O. Box 50130
Idaho Falls, Idaho 83405
Phone: (208) 523-0620
Fax: (208) 523-9518
Email: lmarchant@holdenlegal.com

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From: Holliday, Michael <Michael.Holliday@idwr.idaho.gov>
Sent: Friday, April 21, 2023 5:09 PM
To: Luke Marchant <lmarchant@holdenlegal.com>
Subject: Waddoups transfers

Luke,

Just took a quick look at these. On the 40 acre transfer, I just need written evidence of legal access to the proposed point of diversion from Dean Andersen.

SCANNED
JUN 02 2023

On the 34 acre transfer, the section number is missing on the POU legal description. Looks like it should be section 10. If you could email me an amended page three, I can just switch it out with the original page 3.

Let me know if you have any questions. Thanks.

Michael Holliday
Water Rights Supervisor
Phone: 208-525-7161
Fax: 208-525-7177

SCANNED
JUN 0 2 2023

Holden Kidwell
Hahn & Crapo P.L.L.C.
LAW OFFICES

Established in 1896

1000 Riverwalk Drive, Suite 200
PO Box 50130
Idaho Falls, Idaho 83405
Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com
lmarchant@holdenlegal.com

April 20, 2023

RECEIVED

APR 20 2023

Department of Water Resources
Eastern Region

Idaho Department of Water Resources
Eastern Region Office
900 N. Skyline Dr., Ste A
Idaho Falls, ID 83402-1718

Re: Applications for Transfer for WR 34-7226D.

Dear Processing Agent:

Enclosed for processing are two companion Applications for Transfer for WR 34-7226D. These applications propose to split this water right and change the place of use and point of diversion for each of the split portions.

This water right has not been used at its current authorized place of use for several years. However, it has been used over the last several years at the proposed places of use through temporary emergency transfers.

If you have any questions or need any additional information, do not hesitate to contact me.

Best regards,

Luke H. Marchant
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures

g:\wpdata\lhm\17938 danny waddoups\03 mcaffee water rights\2023.04.20 ltr to idwr.docx

87813

SCANNED
APR 26 2023