

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 87316

This is to certify that: JESSICA LANDON AND
PAUL LANDON
PO BOX 2288
IDAHO FALLS, ID 83403

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

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
35-14746	WR/LICENSE	1/14/1983	3.640 cfs	1328.0 af	332.0	912.5	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
35-14746	YES	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
35-14746	25-14521	0.110 cfs	40.0 af	N/A	10.0	35-14746	3.530 cfs	1288.0 af	322.0	912.5
COMBINED TOTALS		0.110 cfs	40.0 af	N/A	10.0		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 27th day of January, 2023.



Regional Manager

Transfer No. 87316

SUPPORT DATA
IN FILE # 35-14746

SCANNED
JAN 27 2023

WATER RIGHT NO. 35-14746**As Modified by Transfer No. 87316**

In accordance with the approval of Transfer No. 87316, Water Right No. 35-14746 is now described as follows:

Right Holder: WAYNE PROPERTIES LLC
PO BOX 2906
IDAHO FALLS, ID 83403-2906

Priority Date: 1/14/1983

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	3.530 cfs	1288.0 af
			3.530 cfs	1288.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NESW Sec 13 Twp 03N Rge 34E BONNEVILLE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	34E	13	33.3	34.8	39.7	34.0	33.4	34.2	39.5	39.7	39.7	39.5	39.6	39.7	33.8	39.7	39.8	33.2	593.6
03N	34E	14	1.6			0.8									1.3	0.6	30.3	36.6	71.2
03N	34E	23	37.1	28.7	0.4	0.7													66.9
03N	34E	24		34.2			39.9	39.9	33.4	33.4									180.8

Right Acre Limit: 322.0

POU Total Acres: 912.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of a specific 322.0 acres within the 912.5 acre place of use authorized by this right in a single irrigation season. The specific 322.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 322.0 acres to be irrigated within the 912.5 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
2. Use of water under this right will 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. 120.
3. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Transfer No. 87316

SCANNED

JAN 27 2023

WATER RIGHT NO. 35-14746

As Modified by Transfer No. 87316

CONDITIONS OF APPROVAL

4. Prior to the diversion and use of water under Transfer approval 74838, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The approval of transfer 77958 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.
7. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
8. 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 Gage station meet or exceed the minimum stream flows established by state action.
9. The right holder shall accomplish the change authorized by this transfer within one year(s) 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.

WATER RIGHT NO. 25-14521
As Modified by Transfer No. 87316

In accordance with the approval of Transfer No. 87316, Water Right No. 25-14521 is now described as follows:

Right Holder: WAYNE PROPERTIES LLC
PO BOX 2906
IDAHO FALLS, ID 83403-2906

Priority Date: 1/14/1983

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.110 cfs	40.0 af
			0.110 cfs	40.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER L3 (NWSW) Sec 7 Twp 01N Rge 39E BONNEVILLE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	38E	12													2.2			0.1	2.3
01N	39E	7										7.7							7.7
												L 3							

POU Total Acres: 10.0

CONDITIONS OF APPROVAL

1. Prior to the diversion and use of water under Transfer approval 87316, 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.
2. 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.
3. This right is for the use of trust water, and it is subject to review 20 years after its initial approval (October 18, 1990) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.

Transfer No. 87316

SCANNED
JAN 27 2023

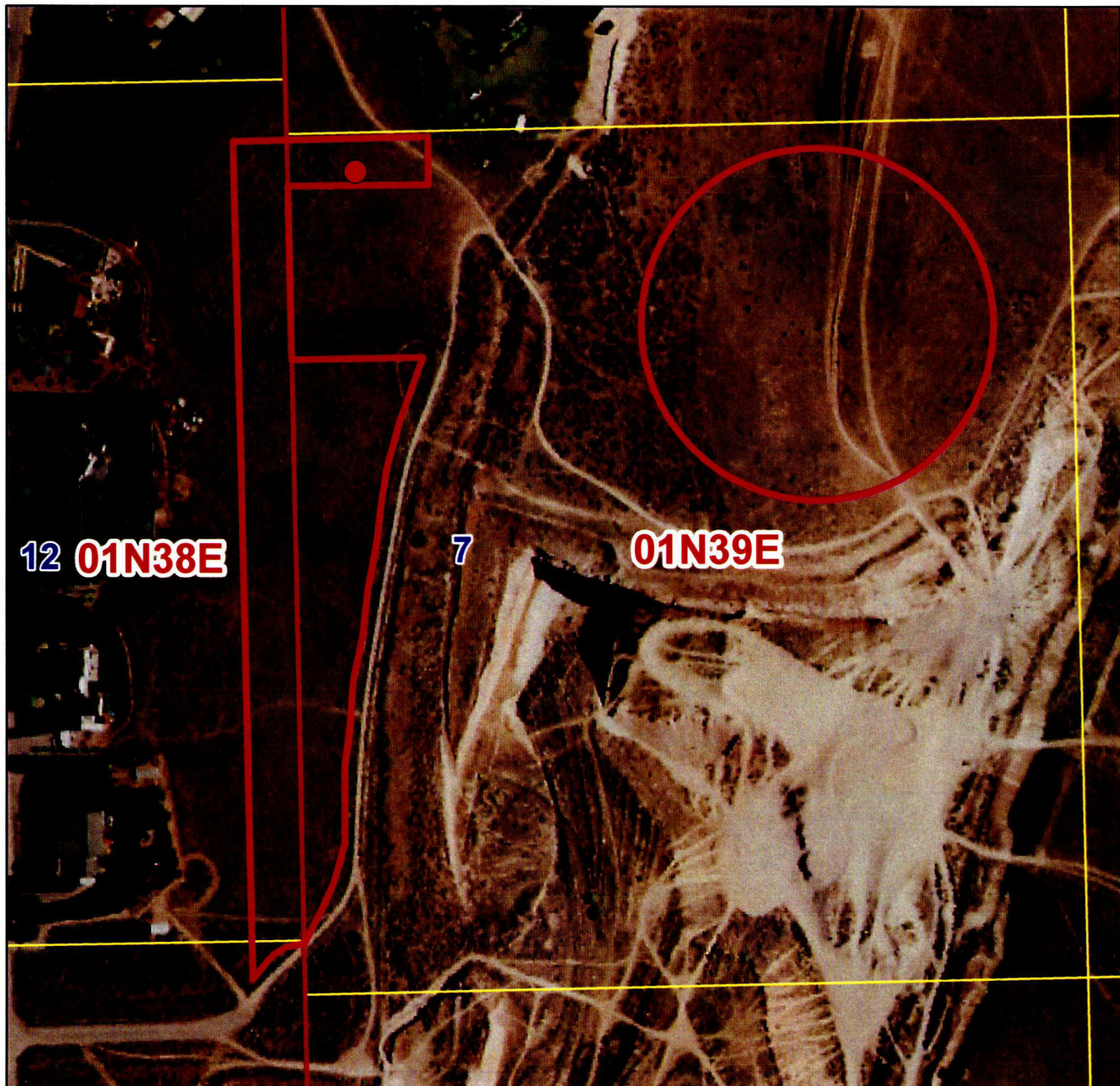
WATER RIGHT NO. 25-14521
As Modified by Transfer No. 87316

CONDITIONS OF APPROVAL

4. 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 Gage station meet or exceed the minimum stream flows established by state action.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Attachment to Transfer Approval 87316

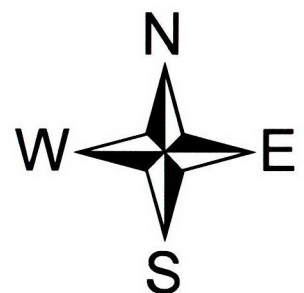
This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

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

0 125 250 500 Feet



SCANNED
Date: 1/27/2023
JAN 27 2023

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) Paul Landon and Jessica Landon

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a [Part 2A](#) report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer [Part 2B](#) for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. ([Fee schedule](#) is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☒ ☐ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).**
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☒ ☐ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☒ ☐ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☒ ☐ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at <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: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Paul Landon and Jessica Landon Phone 208-569-2683
Mailing address PO Box 2288, Idaho Falls, ID 83403 Email landon@ashleyif.com

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☒ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

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

☐ No Representative

Name of Representative Robert L. Harris Phone 208-523-0620
Mailing address PO Box 50130, Idaho Falls, Idaho 83402 Email rharris@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**.

RECEIVED
NOV 23 2022
Department of Water Resources
Eastern Region

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.

Robert L. Harris
Signature of Applicant or Authorized Representative

Robert L. Harris
Print Name and Title if applicable

Nov. 21, 2022
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Is this a transfer for changes pursuant to [Idaho Code § 42-221.0.8?](#)
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
- The applicants propose to move 10 acres of WR 35-14746 to a residential parcel. For ESPA Analysis, CIR values were used.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☐ All or ☒ Part	35-14746	0.11/40	Irrigation	04/01 to 10/31	Ground water
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	
☐				to	

Total authorized under rights 0.11 cfs and/or 40 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.11 cubic feet per second and/or 40 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 #
Yes	3		NW	SW	7	01N	39E	Bonneville	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	
01N	38E	12													2.2			0.1	2.3
01N	39E	7									7.7								7.7
Total Acres (for irrigation use)																			10

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:

Well and pump into sprinkler lines and proposed pivot for pasture ground.

- b. Who owns the property at the point(s) of diversion? Applicants (Parcel No. RPO4951001004O).

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:

It will no longer be irrigated.

- 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:

None.

- 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:

**Attachment No. 2a
Water Right Ownership
Documentation**

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

11/16/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 35-14746

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WAYNE PROPERTIES LLC PO BOX 2906 IDAHO FALLS, ID 83403-2906 2085698194
Original Owner	KETTLE BUTTE FARMS LTD C/O WILLIAM PUGH 6062 ADAMS RD TALENT, OR 97540

Priority Date: 01/14/1983

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	3.64 CFS	1328 AFA
Total Diversion			3.64 CFS	1328 AFA

Location of Point(s) of Diversion:

GROUND WATER | NESW | Sec. 13 | Township 03N | Range 34E | BONNEVILLE County

Licensed Diversion Capacity: 7.58

IRRIGATION Use:

Acre Limit: 332

Place(s) of use:

Place of Use Legal Description: IRRIGATION BONNEVILLE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
03N	34E	13		NENE	33.3		NWNE	34.8		SWNE	39.7		SENE	34
				NENW	33.4		NWNW	34.2		SWNW	39.5		SENW	39.7
				NESW	39.7		NWSW	39.5		SWSW	39.6		SESW	39.7
				NESE	33.8		NWSE	39.7		SWSE	39.8		SESE	33.2
		14		NENE	1.6		SENE	0.8						
				NESE	1.3		NWSE	0.6		SWSE	30.3		SESE	36.6
		23		NENE	37.1		NWNE	28.7		SWNE	0.4		SENE	0.7
		24		NWNE	34.2									
				NENW	39.9		NWNW	39.9		SWNW	33.4		SENW	33.4

Total Acres: 912.5

Conditions of Approval:

- 206 This right is limited to the irrigation of a specific 332.0 acres within the 912.5 acre place of use authorized by this right in a single irrigation season. The specific 332.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 332.0 acres to be irrigated within the 912.5 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
- R05 Use of water under this right will 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. 120.
- R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
- 131 Prior to the diversion and use of water under Transfer approval 74838, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and 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.
- R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
- 205 The approval of transfer 77958 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.
- R55 This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
- 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 Gage station meet or exceed the minimum stream flows established by state action.

9. T07 The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
10. 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.

Dates:

Licensed Date:

Decreed Date:

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:

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust: T

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

SCANNED
DEC 21 2022

Attachment No. 3
Documentation of Authority -
Applicant NOT Water Right
Owner

WATER RIGHT PURCHASE AND SALE AGREEMENT

"Seller": Wayne Properties LLC
PO Box 2906
Idaho Falls, ID 83403-2906

"Buyer": Paul and Jessica Landon
PO Box 2288
Idaho Falls, ID 83403

This Water Right Purchase and Sale Agreement ("Agreement") is entered into between the above-identified Seller and Buyer. Seller and Buyer are referred to herein individually as a "party" and collectively as the "parties." The parties agree as follows:

1. **Effective Date.** This Agreement shall take effect on the date that both Seller and Buyer have signed this Agreement (the "Effective Date"), as evidenced by the dates next to their signatures. A fully executed copy of this Agreement shall be delivered to both parties on the Effective Date.
2. **Sale of Water Rights.** Seller agrees to sell to Buyer, and Buyer agrees to purchase from Seller, upon the terms and conditions herein, the water right portion described on **Exhibit A** (such portion referred to in this Agreement simply as the "Water Right").¹
3. **Purchase Price.** The total purchase price to be paid by Buyer to Seller for the Water Right is [REDACTED] per acre of the Water Right, for a total of [REDACTED] (the "Purchase Price").
4. **Payment of Purchase Price.** The Purchase Price shall be paid as follows:
 - 4.1 **Down Payment.** A down payment of 10% of the Purchase Price in the amount of [REDACTED] (the "Down Payment") shall be paid to Seller contemporaneous with the execution of this Agreement.
 - 4.2 **Remaining Portion of Purchase Price.** The remaining portion of the Purchase Price in the amount of [REDACTED] shall be paid at Closing (defined below).
5. **Transfer Application Contingency.** Buyer desires to purchase the Water Right to use in connection with a residential home on property owned by Buyer in the foothills east of Idaho Falls. Within 30 days after both parties sign this Agreement, Buyer will file with the Idaho Department of Water Resources ("IDWR") an *Application for Transfer of Water Right* (the "Transfer") to amend and move the Water Right to Buyer's desired location(s). The parties will cooperate in obtaining IDWR approval of the Transfer and will provide and execute any necessary documents requested by IDWR. If the Transfer is protested (as allowed under Idaho law), Buyer shall have the right to terminate this Agreement within 30 days of the protest deadline designated by IDWR, and in the case of such termination, Seller shall return the Down Payment to Buyer and this Agreement shall be null and void and of no further effect.

¹ Any remaining portion of the water right not described on Exhibit A are expressly retained by Seller. Any other water rights or water entitlements not identified on Exhibit A are also reserved to the Seller. No land, easements, or other property interests, other than the Water Right, are included in this Agreement.

Should Buyer determine to proceed with the contested case on the protested Transfer, Buyer shall be responsible for all costs, consultant fees, attorney fees, etc., associated with the contested case. If the final order for the Transfer issued by IDWR indicates that the Transfer is (i) denied, (ii) approved by IDWR for less than 10 acres, or (iii) approved by IDWR with conditions that materially devalue the 10-acre portion of the Water Right for Buyer's intended use thereof, Buyer shall have the right to terminate this Agreement by providing written notice to the Seller within fourteen (14) days of the date of the IDWR denial, or unacceptable approval of, the Transfer. In the event this Agreement is terminated, Buyer shall at its sole expense take such action as may be required to void or reverse the Transfer in order to return the Water Right to the condition it existed as of the Effective Date, and Seller shall retain the Down Payment. If the approval for the Transfer is satisfactory to Buyer, and no objection or other filing is filed by Buyer with IDWR challenging the approval within fourteen (14) days, then the parties shall proceed to Closing twenty-eight (28) days from the date of the IDWR approval of the Transfer, or another Closing date agreed to by the parties.

6. **Closing.** The transaction contemplated under this Agreement shall close (the "Closing") at a time and place agreed to by the parties, but to the extent no such agreement on time and place can be reached, Closing shall occur twenty-eight (28) days from the date of the IDWR approval of the Transfer at 3:00 p.m. Closing shall occur at the law office of Holden, Kidwell, Hahn & Crapo, P.L.L.C., with execution of the following documents and delivery of the Purchase Price as follows:
 - 6.1 **Warranty Deed.** Seller will execute and deliver the *Special Warranty Deed for Water Right* in the form attached hereto as **Exhibit B**.
 - 6.2 **Payment.** Buyer will pay the remaining portion of the Purchase Price in cash or other immediately available funds.
 - 6.3 **Additional Documents.** Seller and Buyer will execute such other documents as may be required to complete the sale.
7. **Seller Warranties and Representations.** Seller represents and warrants to Buyer that the following are true now and will be at Closing.
 - 7.1 **Authority.** Seller has full power and authority to sell and transfer the Water Right to Buyer. Nothing restricts or precludes Seller from entering into this Agreement and transferring the Water Right to Buyer as contemplated herein.
 - 7.2 **Title.** Seller will at Closing hold good and marketable title to the Water Right in fee simple absolute, free and clear of liens, security interests, mortgages, taxes, assessments, charges, claims, or encumbrances of any kind.
 - 7.3 **Cooperation.** Seller will cooperate with Buyer before, during, and after Closing to effectuate the transaction contemplated in this Agreement.
 - 7.4 **Accurate and Complete Information.** All information contained in this Agreement, or any other instrument delivered by or on behalf of Seller in conjunction with this Agreement, is true and accurate in all material respects. Seller has not omitted any fact or condition necessary to make such information not misleading.
 - 7.5 **Survival.** All representations, warranties, indemnities, and agreements by Seller shall survive Closing.

- 7.6 **Legal Advice.** Seller has had the opportunity to consult with independent counsel to be advised on legal and tax matters concerning this Agreement.
8. **Buyer Representations.** Buyer makes the following representations:
- 8.1 **Water Right Condition.** Buyer purchases the Water Right as is, where is, with all faults.
- 8.2 **Authority.** Buyer has full power and authority to purchase the Water Right from Seller. Nothing restricts or precludes Buyer from entering into this Agreement and purchasing the Water Right as contemplated herein.
- 8.3 **Cooperation.** Buyer will cooperate with Seller before, during, and after Closing to effectuate the transaction contemplated in this Agreement.
- 8.4 **Accurate and Complete Information.** All information contained in this Agreement, or any other instrument delivered by or on behalf of Buyer in conjunction with this Agreement, is true and accurate in all material respects. Buyer has not omitted any fact or condition necessary to make such information not misleading.
- 8.5 **Survival.** All representations, warranties, indemnities, and agreements by Buyer shall survive Closing.
- 8.6 **Legal Advice.** Buyer has had the opportunity to consult with independent counsel to be advised on legal and tax matters concerning this Agreement.
9. **Broker.** No real estate agent represents either party in connection with this transaction and there are no commissions or fees payable in connection with this sale.
10. **Representation by Holden, Kidwell, Hahn & Crapo, P.L.L.C.** This Agreement was prepared by Robert L. Harris of the law firm of Holden, Kidwell, Hahn & Crapo, P.L.L.C. on behalf of the Buyer even though Holden, Kidwell, Hahn & Crapo, P.L.L.C. represents or has represented Seller on other matters. By signing below, the Parties hereby provide their informed consent to have Mr. Harris prepare this Agreement on behalf of the Buyer, which informed consent is required under Rule 1.7 of the Idaho Rules of Professional Conduct and hereby waive any conflicts concerning this representation under Idaho law.
11. **Attorney Fees.** Each party is responsible for paying their own attorney fees and other expenses incurred in connection with forming and completing this Agreement. If either party is required to retain an attorney in order to enforce the terms of this Agreement, the prevailing party in any litigation arising therefrom shall be entitled to recover reasonable attorney fees and costs incurred.
12. **Notices.** Any notices and communications between the parties for the purpose of complying with or enforcing the terms of this Agreement shall be in writing and delivered to the party either by personal delivery or certified mail at the party's address set forth above, with a copy to the party's representative at the address set forth below. A party may change their designated address for notices by providing notice in accordance with this paragraph.

Seller's Representative:

Wayne Ball
PO Box 2906
Idaho Falls, ID 83403-2906
wayneball529@gmail.com

Buyer's Attorney:

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.
1000 Riverwalk Dr, Ste 200; P.O. Box 50130
Idaho Falls, ID 83405-0130
rharris@holdenlegal.com

13. **Time of Essence.** Time is of the essence of this Agreement.
14. **Binding Effect.** This Agreement shall be binding upon the heirs, personal representatives, successors and assigns of the respective parties.
15. **Entire Agreement.** This Agreement shall constitute the entire agreement between the parties and supersedes all prior oral or written agreements between the parties concerning the subject matter of this Agreement.
16. **Amendment.** No alteration, modification, or amendment of this Agreement shall be valid except in writing and when signed by the parties.
17. **Severability.** The invalidity or unenforceability of any provision of this Agreement shall not affected the validity or enforceability of any other provision.
18. **Counterparts.** This Agreement may be executed in counterparts which, when taken together, shall constitute one and the same agreement.
19. **Electronic Signatures.** Signatures to this Agreement transmitted by facsimile or email shall be valid and effective to bind the party so signing.

SELLER:

WAYNE PROPERTIES LLC

By: Chantel Tew
for Wayne Ball, Member

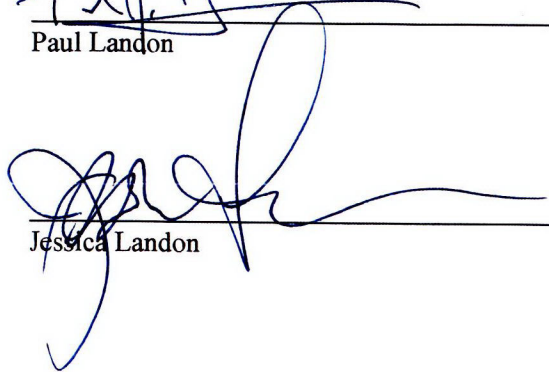
Date: 11-17-2022

BUYER:



Paul Landon

Date: 11-16-22



Jessica Landon

Date: 11/16/22

EXHIBIT A
Water Right

PORTION OF WATER RIGHT NO. 35-14746

Diversion Rate: 0.11 cfs
Diversion Volume: 40 acre-feet per year
Irrigated Acres: 10 acres

APPENDIX B
Warranty Deed

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHT

Wayne Properties LLC ("Grantor"), hereby sells and conveys unto Paul and Jessica Landon, whose address is P.O. Box 2288, Idaho Falls, Idaho 83403 (collectively "Grantee"), all of Grantor's right, title, and interest in the water right described in **Exhibit A** attached hereto (the "Water Right").

Grantor hereby covenants and warrants to Grantee that: (a) Grantor is the owner in fee simple of the Water Right; (b) Grantor has not conveyed any part of the Water Right to anyone other than Grantee; (c) the Water Right is free from all liens, claims, or encumbrances; (d) Grantor has authority to convey the Water Right to Grantee. Grantor makes no other covenants or warranties as to the Water Right.

WAYNE PROPERTIES LLC

By: _____
Wayne Ball, Member

Date: _____

STATE OF IDAHO)
 : ss.
County of Bonneville)

This record was acknowledged before me on this _____ day of _____, 2022, by Wayne Ball as a member of Wayne Properties LLC.

(SEAL)

NOTARY PUBLIC FOR IDAHO
My Commission Expires: _____

EXHIBIT A
Water Right Description
(IDWR will issue a new identification number for the portion of the water right purchased
under the Agreement)

Attachment No. 4 Power of Attorney

[Search again](#)

Results (as of 11/11/22)

Robert Lynn Harris

Status

Active

Admittance Date

09/30/2004

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

rharris@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.

Attachment No. 5

ESPA Analysis and Mitigation Plan

ENHANCED GROUND-WATER RIGHTS TRANSFER SPREADSHEET

UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE

IDAHO DEPARTMENT OF WATER RESOURCES

Cells this color are set up for user entries

ENTER STARTING DATE FOR SIMULATION. THEN PUSH

"UPDATE DATES" BUTTON

YEAR 1983

SEASON SPRING

TRANSFER NO: 1

TRANSFER NAME: London

UPDATE DATES

RUN MODEL

GET OUTPUT

CALCULATE EFFECTS

ENTER CELL LOCATIONS:

	TO' CELL	FROM1' CELL	FROM2' CELL	FROM3' CELL
ROW	79	58	0	0
COLUMN	163	148	0	0

TRIMESTER OF ACTIVITY	TO WELL Projected Use AF/TRIMESTER	FROM1' WELL		FROM2' WELL		FROM3' WELL	
		With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
SPR 1983	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SUM 1983	0.00	10.00	10.00	0.00	0.00	0.00	0.00
WIN 1983	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SPR 1984	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SUM 1984	0.00	10.00	10.00	0.00	0.00	0.00	0.00
WIN 1984	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SPR 1985	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SUM 1985	0.00	10.00	10.00	0.00	0.00	0.00	0.00
WIN 1985	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SPR 1986	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SUM 1986	0.00	10.00	10.00	0.00	0.00	0.00	0.00
WIN 1986	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SPR 1987	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SUM 1987	0.00	10.00	10.00	0.00	0.00	0.00	0.00
WIN 1987	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SPR 1988	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SUM 1988	0.00	10.00	10.00	0.00	0.00	0.00	0.00
WIN 1988	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SPR 1989	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SUM 1989	0.00	10.00	10.00	0.00	0.00	0.00	0.00
WIN 1989	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SPR 1990	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SUM 1990	0.00	10.00	10.00	0.00	0.00	0.00	0.00
WIN 1990	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SPR 1991	0.00	10.00	10.00	0.00	0.00	0.00	0.00

Entering Dates

Enter the starting year and season for your simulation. The starting date represents the beginning of the analysis period. (Spring is Mar, Apr, May and Jun. Summer is Jul, Aug, Sep and Oct. Winter is Nov, Dec, Jan and Feb.)

Once you have entered the starting date, push the "UPDATE DATE" Button.

The date only needs to be updated once, unless the desired timeframe of the simulation is changed.

Modifying the date does not automatically adjust the location of the rates entered in the table.

Entering Well Locations

Enter the row and column location for the "TO" well in spreadsheet cell B15 and B16, respectively.

Enter the row and column location for the "FROM1" well in spreadsheet cell C15 and C16, respectively.

Enter the row and column location for the "FROM2" well in spreadsheet cell D15 and D16, respectively.

Enter the row and column location for the "FROM3" well in spreadsheet cell E15 and E16, respectively.

If the "FROM2" well is not to be modeled, the entered row and column should be 0 or blank.

If the "FROM3" well is not to be modeled, the entered row and column should be 0 (zero).

The "FROM3" well cannot be used if the "FROM2" well is not being used.

Running the Model

Once the model cells have been specified for the "FROM" and "TO" wells, push the "RUN MODEL" button to generate the response functions. The model only needs to be re-run if the locations of the "FROM" and "TO" wells are changed.

Getting the Model Output

Once the model has been run, push the "GET OUTPUT" button to retrieve the model output. This prepares the model output for use for calculating effects.

Entering water use data

All water use should be entered in units of acre-feet per four month period. See the user's manual for instructions on multiple water rights with different priority dates and/or different wells.

Entering "TO" Well Projected Water Use

Enter the projected water use for the "TO" Well in Column B. "TO" Well water use should start in the trimester (4-month period) in which the transfer will be effective.

Entering "FROM" Well "With Transfer" Use

Enter the "With Transfer" water use for the first "FROM" Well in Column C, for the second "FROM" well in Column E, and for the third "FROM" Well in Column G.

"With Transfer" water use should reflect historical and projected after transfer use for this well and should cease or be reduced at the time of the water right transfer.

Entering "FROM" Well "Without Transfer" Use

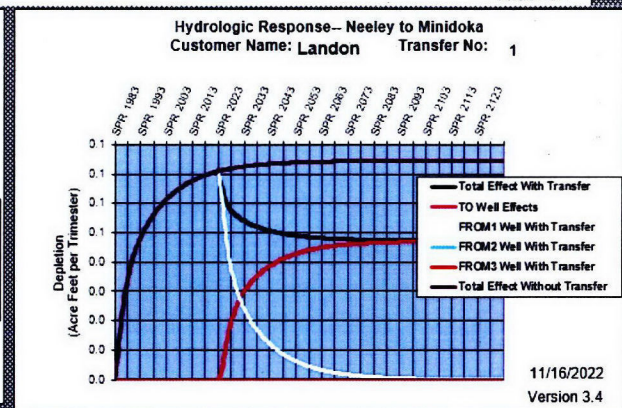
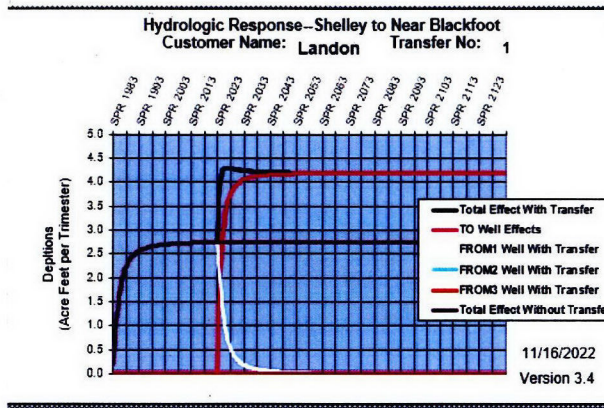
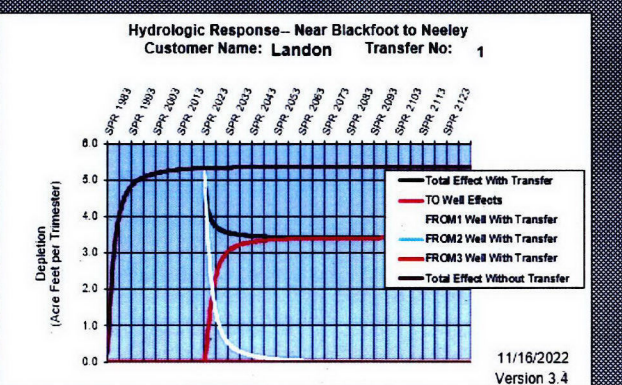
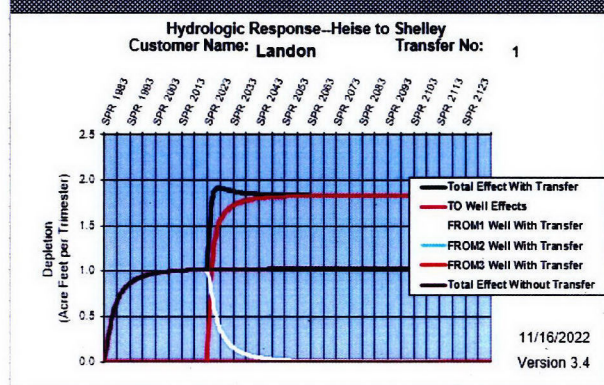
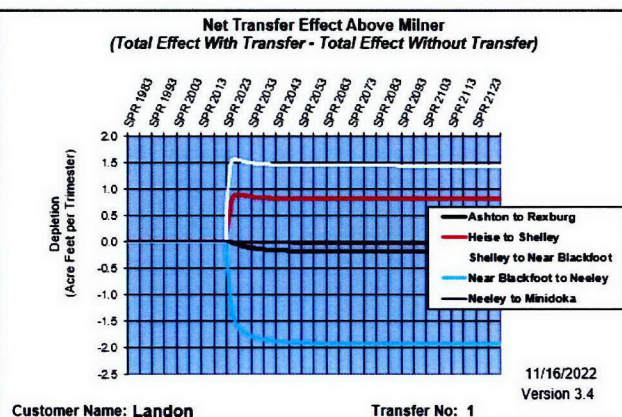
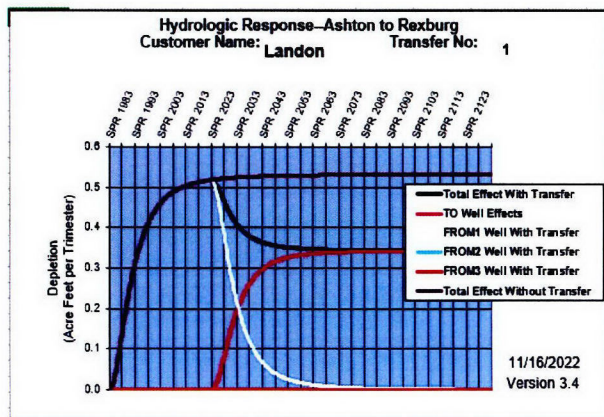
The "Without Transfer" Use for the "FROM" wells should include historical and projected use for each well.

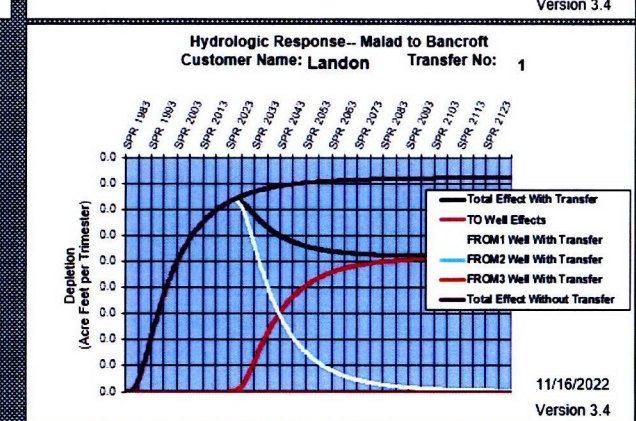
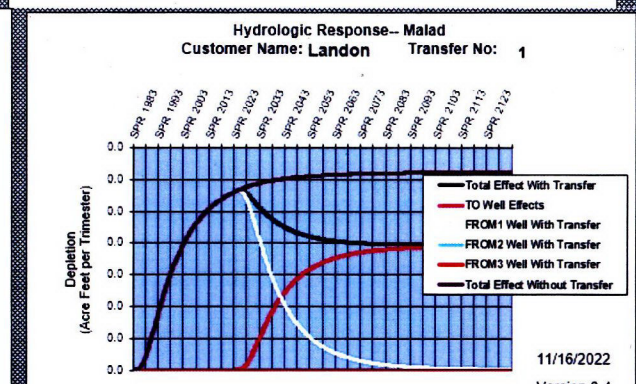
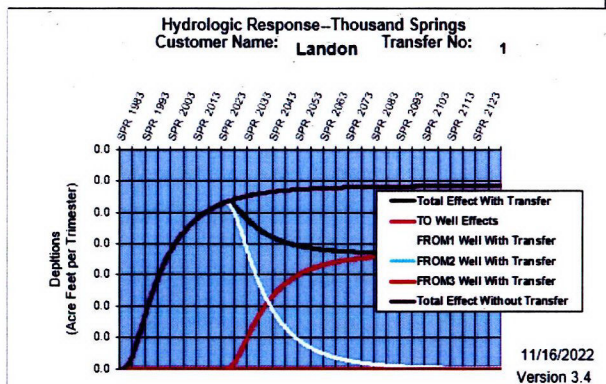
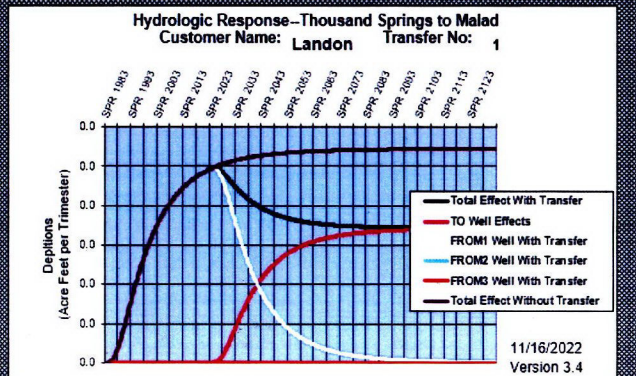
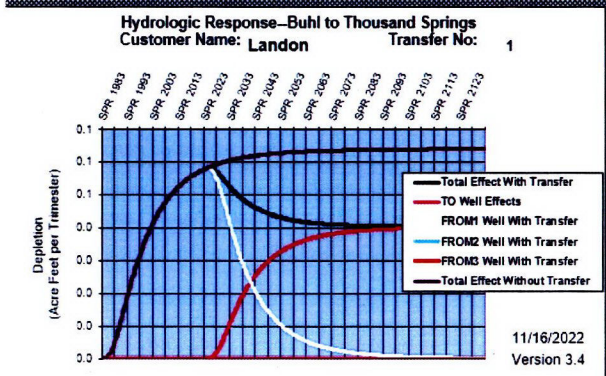
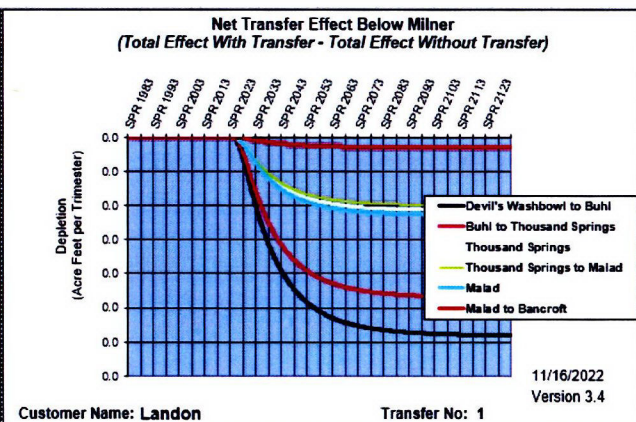
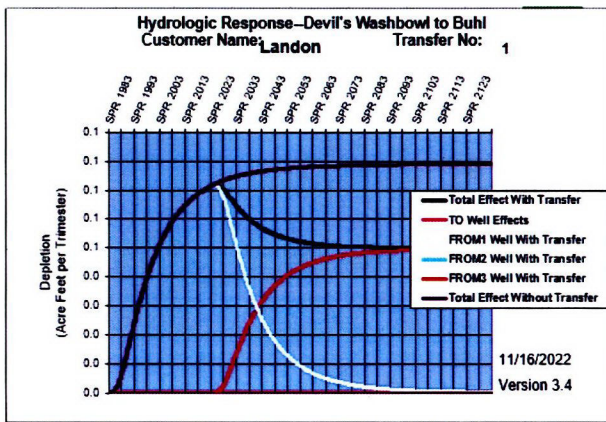
WIN 2016	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SPR 2016	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SUM 2016	0.00	10.00	10.00	0.00	0.00	0.00	0.00
WIN 2016	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SPR 2017	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SUM 2017	0.00	10.00	10.00	0.00	0.00	0.00	0.00
WIN 2017	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SPR 2018	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SUM 2018	0.00	10.00	10.00	0.00	0.00	0.00	0.00
WIN 2018	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SPR 2019	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SUM 2019	0.00	10.00	10.00	0.00	0.00	0.00	0.00
WIN 2019	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SPR 2020	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SUM 2020	0.00	10.00	10.00	0.00	0.00	0.00	0.00
WIN 2020	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SPR 2021	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SUM 2021	0.00	10.00	10.00	0.00	0.00	0.00	0.00
WIN 2021	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SPR 2022	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SUM 2022	0.00	10.00	10.00	0.00	0.00	0.00	0.00
WIN 2022	0.00	10.00	10.00	0.00	0.00	0.00	0.00
SPR 2023	10.00	0.00	10.00	0.00	0.00	0.00	0.00
SUM 2023	10.00	0.00	10.00	0.00	0.00	0.00	0.00
WIN 2023	10.00	0.00	10.00	0.00	0.00	0.00	0.00
SPR 2024	10.00	0.00	10.00	0.00	0.00	0.00	0.00
SUM 2024	10.00	0.00	10.00	0.00	0.00	0.00	0.00
WIN 2024	10.00	0.00	10.00	0.00	0.00	0.00	0.00
SPR 2025	10.00	0.00	10.00	0.00	0.00	0.00	0.00
SUM 2025	10.00	0.00	10.00	0.00	0.00	0.00	0.00
WIN 2025	10.00	0.00	10.00	0.00	0.00	0.00	0.00
SPR 2026	10.00	0.00	10.00	0.00	0.00	0.00	0.00
SUM 2026	10.00	0.00	10.00	0.00	0.00	0.00	0.00
WIN 2026	10.00	0.00	10.00	0.00	0.00	0.00	0.00
SPR 2027	10.00	0.00	10.00	0.00	0.00	0.00	0.00
SUM 2027	10.00	0.00	10.00	0.00	0.00	0.00	0.00
WIN 2027	10.00	0.00	10.00	0.00	0.00	0.00	0.00
SPR 2028	10.00	0.00	10.00	0.00	0.00	0.00	0.00
SUM 2028	10.00	0.00	10.00	0.00	0.00	0.00	0.00
WIN 2028	10.00	0.00	10.00	0.00	0.00	0.00	0.00
SPR 2029	10.00	0.00	10.00	0.00	0.00	0.00	0.00
SUM 2029	10.00	0.00	10.00	0.00	0.00	0.00	0.00
WIN 2029	10.00	0.00	10.00	0.00	0.00	0.00	0.00
SPR 2030	10.00	0.00	10.00	0.00	0.00	0.00	0.00
SUM 2030	10.00	0.00	10.00	0.00	0.00	0.00	0.00
WIN 2030	10.00	0.00	10.00	0.00	0.00	0.00	0.00
SPR 2031	10.00	0.00	10.00	0.00	0.00	0.00	0.00
SUM 2031	10.00	0.00	10.00	0.00	0.00	0.00	0.00
WIN 2031	10.00	0.00	10.00	0.00	0.00	0.00	0.00
SPR 2032	10.00	0.00	10.00	0.00	0.00	0.00	0.00
SUM 2032	10.00	0.00	10.00	0.00	0.00	0.00	0.00
WIN 2032	10.00	0.00	10.00	0.00	0.00	0.00	0.00
SPR 2033	10.00	0.00	10.00	0.00	0.00	0.00	0.00
SUM 2033	10.00	0.00	10.00	0.00	0.00	0.00	0.00
WIN 2033	10.00	0.00	10.00	0.00	0.00	0.00	0.00

SCANNED

87316

DEC 21 2022





WR No.	Div. Rate (CFS)	Con. Vol. (AFA)	No. of Irr. Acres	Priority Date	POD Location	Dedicated Vol. AFA/ AFT	Model Node
Transfer: Proposed Steady State Impacts following Transfer							
Transfer 1: Worst Case Transient State Impacts following Transfer							
0	0	0	0	10/1990	0	0.0	0
0	0	0	0	10/1990	0	0.0	0

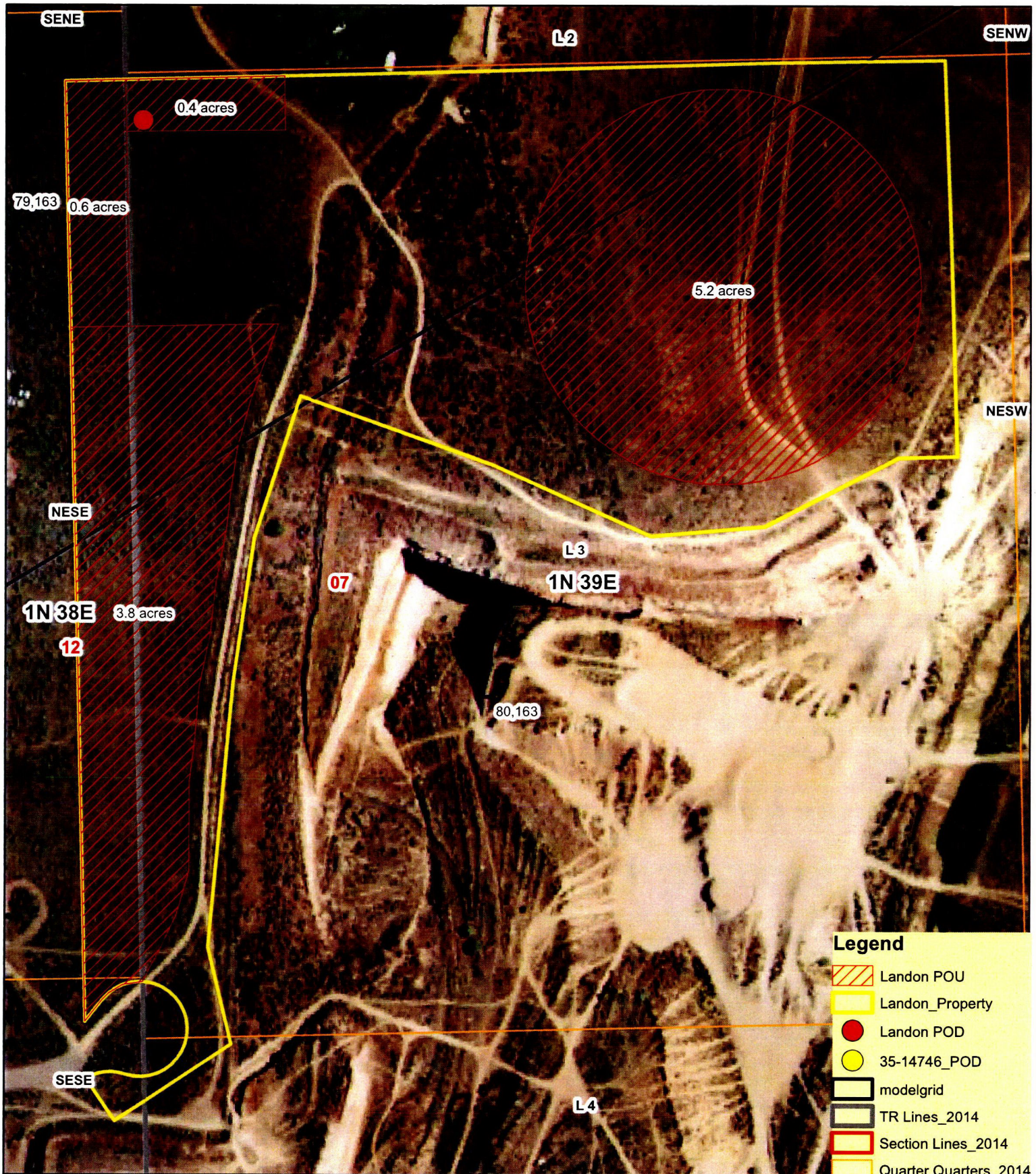
Impact by Reach (AF/Trimester)

Ashton to Rexburg	Hesse to Shelley	Shelley to Nr Bickft	Nr Bickft To Neeley	Neeley to Mindoka	Dev. Wbl. To Buhl	Buhl to Kspr	Kspr	Kspr to Maled	Maled	Maled to Bancroft
0.5	1.0	2.8	5.4	0.1	0.1	0.1	0.0	0.0	0.0	0.0
0.3	1.8	4.2	3.4	0.0	0.1	0.0	0.0	0.0	0.0	0.0
0.5	1.0	2.8	5.4	0.1	0.1	0.1	0.0	0.0	0.0	0.0
0.5	1.9	4.3	5.3	0.1	0.1	0.1	0.0	0.0	0.0	0.0

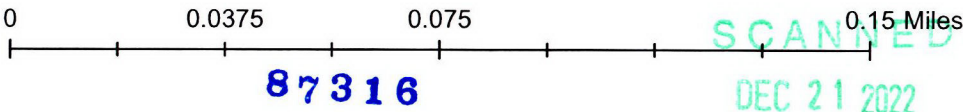
Steady State Analysis	Mitigation Check 1 - >10% of Historical:	-35.3%	78.6%	52.3%	-36.2%	-36.6%	-36.7%	-36.7%	-36.7%	-36.7%	-36.7%
	Mitigation Check 2 - > 2 AF/T:	-0.2	0.8	1.4	-1.9	0.0	0.0	0.0	0.0	0.0	0.0
	Mitigation Check 3 - >10% of Total:	3.4%	18.3%	42.0%	34.3%	0.5%	0.5%	0.4%	0.2%	0.2%	0.0%
	Mitigation Required?:	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Mitigation Vol. Req'd (ac-ft):	-0.2	0.8	1.4	-1.9	0.0	0.0	0.0	0.0	0.0	0.0
Transient State Analysis	Mitigation Check 1 - >10% of Historical:	-2.5%	86.6%	56.3%	-0.7%	-5.0%	-9.0%	-9.0%	-9.1%	-9.2%	-10.3%
	Mitigation Check 2 - > 2.01 AF/T:	0.0	0.9	1.6	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
	Mitigation Vol. Req'd (ac-ft):	0.0	0.9	1.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Attachment No. 7a Map

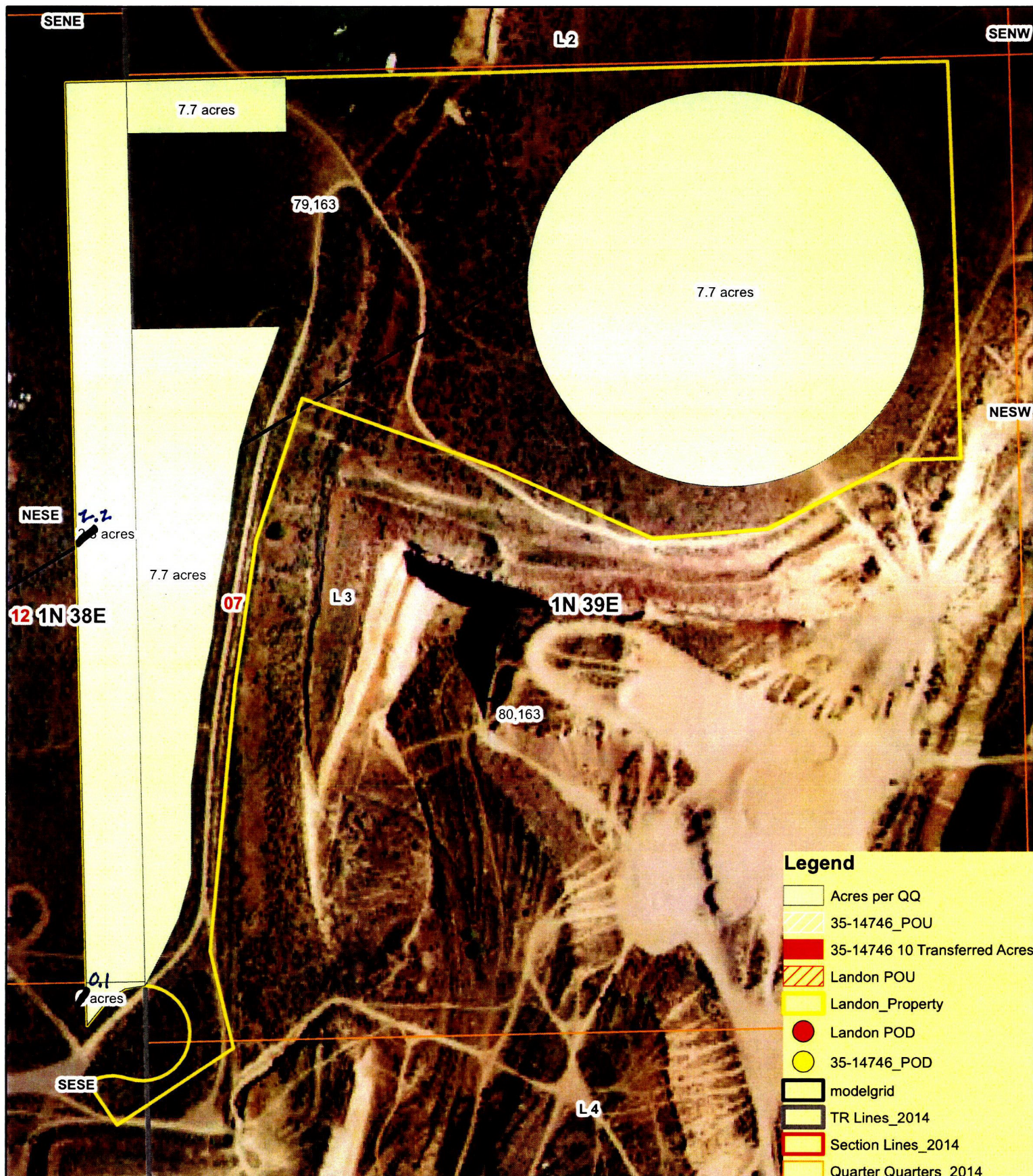
TRANSFER MAP



Prepared by:
Robert L. Harris
2021 Aerial Photo



TRANSFER MAP

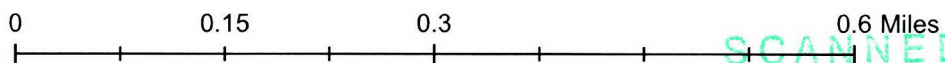
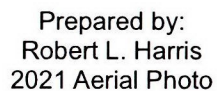


Prepared by:
Robert L. Harris
2021 Aerial Photo

0 0.0375 0.075 0.15 Miles

87316

SCANNED
DEC 21 2022



8 7 3 1 6

0.6 Miles
SCANNED
DEC 21 2022

Attachment No. 7b
Map (GIS shapefile)

GIS shapefile will be emailed to IDWR reviewing agent upon email request to
rharris@holdenlegal.com.



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
rharris@holdenlegal.com

November 21, 2022

RECEIVED

NOV 23 2022

Department of Water Resources
Eastern Region

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

RE: Application for Transfer of Ten Acres of WR 35-14746.

Dear Michael:

Enclosed for processing is an *Application for Transfer* for a portion of the above referenced water right. Also included is the required filing fee of \$200.00. As noted in the transfer application, upon email request from the IDWR reviewing agent, we can email the shapefiles depicted in the GIS maps included in the transfer attachments. If you have any questions or concerns regarding this application, please let me know.

Best regards,

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures

g:\wpdata\rlh\22459-000\london, paul and jessica\2022.11.21 ltr to idwr.docx

87316

SCANNED

DEC 21 2022



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

January 27, 2023

PAUL LANDON
JESSICA LANDON
PO BOX 2288
IDAHO FALLS ID 83403

Re: Transfer No: 87316
Water Right No(s): 35-14746

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

JAN 27 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:

ROBERT L HARRIS
HOLDEN KIDWELL HAHN & CRAPO PLLC
PO BOX 50130
IDAHO FALLS ID 83405-0130

WAYNE PROPERTIES LLC
PO BOX 2906
IDAHO FALLS ID 83403-2906

SCANNED
JAN 27 2023

CERTIFICATE OF SERVICE

I hereby certify that on January 27, 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.: 87316

Water Right No(s): 35-14746

**PAUL LANDON
JESSICA LANDON
PO BOX 2288
IDAHO FALLS ID 83403**

**ROBERT L HARRIS
HOLDEN KIDWELL HAHN & CRAPO PLLC
PO BOX 50130
IDAHO FALLS ID 83405-0130**

**WAYNE PROPERTIES LLC
PO BOX 2906
IDAHO FALLS ID 83403-2906**



**Christina Henman
Administrative Assistant**

**SCANNED
JAN 27 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.

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.

MEMORANDUM

Date: January 19, 2023
To: Transfer 87316
From: Cooper Fritz
Re: Review & Evaluation of Sufficiency of Information

This transfer changes the place of use and the point of diversion for a 10-acre portion of right 35-14746.

Authority to File:

The applicants, Paul and Jessica Landon, have the authority to file. At the time of transfer submittal, Wayne Properties, LLC was the owner of the right, according to Department records. Areva Enrichment Services, LLC, owned the land at the pre-transfer place of use, according to Bonneville County taxlot data. A deed dated 4/30/2008 withheld the water right from Areva, severing from the land and keeping it in the name of Gold Emblem Farm. A chain of deeds linking Wayne Properties, LLC, with Gold Emblem Farms is found in the backfiles of rights 35-14268 and 35-14746. A redacted copy of the Purchase and Sale Agreement was included with the application, along with a Special Warranty Deed for Water Right, which will be executed upon transfer approval. Together they outline the conveyance of ownership from Wayne Properties, LLC, to the applicants, which will occur after transfer approval.

The applicants own the land at the post-transfer place of use and point of diversion, according to Bonneville County taxlot data.

The application was signed by Rob Harris, attorney for the applicants.

Water Right Validity:

The water right is valid for transfer. It was licensed in 1997. It was the subject of Transfer 74838 (approved 2009), which moved it to its current place of use. Review of post-Transfer 74838 aerial photography demonstrates consistent irrigation.

Injury to Other Water Rights:

No other water rights will be injured as a result from the approval of this transfer.

The transfer was advertised and no protests were received.

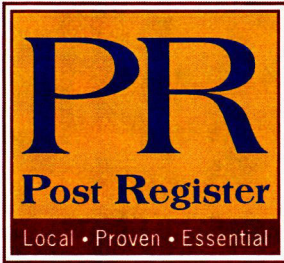
A simulation of the transfer was run through ESPAM 2.2 using the irrigation consumptive volume of the right (3.0 AF/acre annually). Impacts to all modeled reaches of the Snake River were below 2 AF/trimester and less than 10% of historical impacts. No mitigation is required.

Enlargement of Use:

No enlargement of use will result from the approval of this transfer. Rate, volume, nor irrigated acres are authorized to increase. The permissible place of use description for the remainder of 35-14746 remained unchanged but the authorized acres and associated electronic shapefile decreased by 10.

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
JAN 27 2023



PROOF OF PUBLICATION
Post Register

RECEIVED

JAN 05 2023

Department of Water Resources
Eastern Region

State of Idaho
County of Bonneville

I, ~~Dawn Giannini~~, or Collins Crapo first being duly sworn, depose and say: That I am the ~~Classified Manager~~, or Processing Clerk employed by Adams Publishing Group of the Rockies LLC, publishers of The Post Register, a newspaper of general circulation, published 4 days, Tuesday, Wednesday, Friday and Sunday, at Idaho Falls, Idaho.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for 2 day(s), first publication having been made on 12/28/2022 last publication having been made on 01/04/2023, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, on this 4th day of January, 2023



Notary Public
My commission expires:

attached jurat

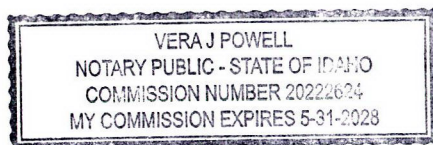
STATE OF IDAHO

ss.

COUNTY OF BONNEVILLE

On this 4th day of January, 2023 before me, the undersigned, a Notary public for said state, personally appeared ~~Dawn Giannini~~ or Collins Crapo, known or identified to me to be the person(s) whose name(s) is/are 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/she/they executed the same,

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



Notary Public for APG of the Rockies
Residing: Idaho Falls, Idaho
Commission expires:

SCANNED
JAN 10 2023

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 87316**

PAUL LANDON and JESSICA LANDON, PO BOX 2288, IDAHO FALLS, ID 83403 has filed Application No. 87316 for changes to the following water rights within BONNEVILLE County(s): Right No(s). 35-14746; 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 place of use and point of diversion. The proposed point of diversion is in Lot 3 (NWSW) Sec 7 T01N R39E for 0.11 cfs from Ground Water. The proposed place of use is in SESE and NESE Sec 12 T01N R38E and Lot 3 (NWSW) Sec 7 T01N R39E for 10 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 1/16/2023. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN
Director

Published: December 28, 2022 & Jan. 4, 2023 (PR10591-316536)

SCANNED
JAN 10 2023

AMENDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME
TO COMPLETE TRANSFER

35-14746

The holder of the water rights listed below requests an additional period of time in which to accomplish change(s) authorized by approval of

Application for Transfer of Water Right(s) No. 85082 ⁸⁵³⁶⁰ approved on August 20, 2021.

Water Right No(s). ~~25-345-14495~~ 25-345-14495 December 13, 2021

25-345-14503

Number of Year(s) Authorized in which to Accomplish Change(s) ☒ (1) ☐ (2) ☐ (3) ☐ (4) ☒ (5) 24

Number of Additional Year(s) Requested in which to Accomplish Change(s) ☐ (1) ☐ (2) ☐ (3) ☒ (4)
(Not to exceed 5 years total from date of the approval.)

Name(s) of Right Holder: Wayne Properties LLC

(If not the right holder of record, submit a Notice of Change of Water Right Ownership, appropriate fee and documentation.)

Mailing Address: P.O. Box 2906

City Idaho Falls

State ID

Zip 83403

Phone No.: _____ Email: _____

Explain why additional time to complete transfer is needed and show a reasonable cause for the delay:

Water right owner is still working through platting process. Further, owner has been unable to schedule a well driller to drill the well for the proposed subdivision. Well drillers are out over 12 months.

Costing \$ 25,000.00

Robert L. Francis, ATTORNEY
(Signature) If other than right holder, Power of Attorney must be supplied.

Dec. 23, 2022
(Date)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

The Department approved the above referenced Application for Transfer with a condition that it be completed within 1 year(s).

The right holder has notified the Department that the transfer has not yet been accomplished.

The right holder has requested an extension of time for completion of the transfer and has shown reasonable cause for the delay.

IT IS, THEREFORE, HEREBY ORDERED that the right holder of Transfer No. 85082 ⁸⁵³⁶⁰ is granted an extension to December 13, 2025 in which to accomplish the transfer. IT IS FURTHER HEREBY ORDERED that this extension does not stay the accumulation of the 5 year period associated with forfeiture of a water right for non-use.

OR ☐ Extension is not granted. (See correspondence in water right file.)

Signed this 3rd day of February, 2023.

[Signature]

SCANNED

MAR 03 2023

Henman, Christina

From: Henman, Christina
Sent: Friday, March 3, 2023 9:37 AM
To: rharris@holdenlegal.com
Subject: 85082, 85360 Amended Extension of Time
Attachments: Amended Extension of Time Granted.pdf

Rob,

Please see the attached document regarding the above-referenced transfers.

Thank You,



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

Cefalo, James

From: Rob Harris <rharris@holdenlegal.com>
Sent: Wednesday, February 22, 2023 10:36 PM
To: Cefalo, James
Subject: Transfer Extension Errors
Attachments: Corrected Transfer Extension.pdf

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

James:

In December of last year, I submitted the attached Request for Extension of Time to Complete Transfer for WRs 25-14495 and 25-14503. In following up on this, I realized I wrote the wrong basin number on the water right. It has been corrected on the attached document. I see you have signed this and it is in the water rights backfiles, but it was filed under my incorrect written water right numbers. I apologize for the errors. Let me know the best way to correct my mistakes—perhaps you can sign the attached document, or we initial a change on the original approval.

Thanks,



Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, PLLC
1000 Riverwalk Drive, Suite 200
P.O. Box 50130
Idaho Falls, ID 83405-0130
Phone: (208) 523-0620
Fax: (208) 523-9518
E-Mail: rharris@holdenlegal.com

Confidentiality Notice: The information contained in this electronic e-mail and any accompanying attachments, all of which may be confidential and/or privileged, is intended only for the intended recipient. If you are not the intended recipient, any unauthorized use, disclosure or copying of this e-mail and its contents is strictly prohibited and may be unlawful. If you are not the intended recipient, please delete the original message and all copies from your system. Thank you.

SCANNED
MAR 03 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
DEC 23 2022
Department of Water Resources
Eastern Region

REQUEST FOR EXTENSION OF TIME
TO COMPLETE TRANSFER

The holder of the water rights listed below requests an additional period of time in which to accomplish change(s) authorized by approval of

Application for Transfer of Water Right(s) No. 85082 & 85360 approved on August 20, 2021.

Water Right No(s). ~~35-14495~~ 35-14495 December 13, 2021
35-14503

Number of Year(s) Authorized in which to Accomplish Change(s) ☒ (1) ☐ (2) ☐ (3) ☐ (4) ☒ (5) Ref

Number of Additional Year(s) Requested in which to Accomplish Change(s) ☐ (1) ☐ (2) ☐ (3) ☒ (4)
(Not to exceed 5 years total from date of the approval.)

Name(s) of Right Holder: Wayne Properties LLC
(If not the right holder of record, submit a Notice of Change of Water Right Ownership, appropriate fee and documentation.)

Mailing Address: P.O. Box 2906

City Idaho Falls State ID Zip 83403

Phone No.: _____ Email: _____

Explain why additional time to complete transfer is needed and show a reasonable cause for the delay:

Water right owner is still working through platting process. Further, owner has been unable to schedule a well driller to drill the well for the proposed subdivision. Well drillers are out over 12 months.

Costing \$ 25,000.00

Robert L. Francis, ATTORNEY Dec. 23, 2022
(Signature) If other than right holder, Power of Attorney must be supplied. (Date)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

The Department approved the above referenced Application for Transfer with a condition that it be completed within 1 year(s).

The right holder has notified the Department that the transfer has not yet been accomplished.

The right holder has requested an extension of time for completion of the transfer and has shown reasonable cause for the delay.

85082 and
IT IS, THEREFORE, HEREBY ORDERED that the right holder of Transfer No. 85360 is granted an extension to December 13, 2026 in which to accomplish the transfer. IT IS FURTHER HEREBY ORDERED that this extension does not stay the accumulation of the 5 year period associated with forfeiture of a water right for non-use.

OR ☐ Extension is not granted. (See correspondence in water right file.)

Signed this 1st day of February, 2023. [Signature]

SCANNED
FEB 01 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

December 21, 2022

PAUL LANDON
JESSICA LANDON
PO BOX 2288
IDAHO FALLS, ID 83403

RE: Transfer No. 87316
Water Right No(s). 35-14746

Dear Applicants:

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the POST REGISTER on 12/28/2022 and 1/4/2023. 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:
ROBERT L HARRIS
HOLDEN KIDWELL HAHN & CRAPO PLLC
PO BOX 50130
IDAHO FALLS, ID 83405-0130

SCANNED
DEC 21 2022

Henman, Christina

From: Henman, Christina
Sent: Wednesday, December 21, 2022 11:43 AM
To: 'legalnotices@postregister.com'
Subject: Legal Notice for Post Register
Attachments: 87316 Post Register.docx

LEGAL NOTICE DEPARTMENT
POST REGISTER
PO BOX 1800
IDAHO FALLS, ID 83403-1800

RE: Transfer No. 87316
Water Right No(s). 35-14746

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 1/16/2023. Your cooperation is appreciated.

Thank You,



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

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 87316**

PAUL LANDON and JESSICA LANDON, PO BOX 2288, IDAHO FALLS, ID 83403 has filed Application No. 87316 for changes to the following water rights within BONNEVILLE County(s): Right No(s). 35-14746; 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 place of use and point of diversion. The proposed point of diversion is in Lot 3 (NWSW) Sec 7 T01N R39E for 0.11 cfs from Ground Water. The proposed place of use is in SESE and NESE Sec 12 T01N R38E and Lot 3 (NWSW) Sec 7 T01N R39E for 10 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 1/16/2023. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 12/28/2022 and 1/4/2023

SCANNED

DEC 21 2022