Form 42-248/42-1409(6) Rev. 7/21

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
AUG 10 2023
DEPT OF WATER RESOURCES
SOUTHERN REGION

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "*Yes*" in the "*Split?*" column. If the water right is leased to the Water Supply Bank, check "*Yes*". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
36-3G	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-4142	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Cloveroatis, LLC, an Idaho limited liability company
   Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Lisa D. Boggs
   New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or

   880 E. 2700 S. (Mailing address) | Hagerman (City) | ID (State) | 83332 (Zip)

   208-358-1373 (Telephone) | (Email)

4. If the water rights and/or adjudication claims were split, how did the division occur?
   - ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
   - ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: August 1, 2023.

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
   - If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

7. This form must be signed and submitted with the following **REQUIRED** items:
   - ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
   - ☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
   - ☐ Filing fee (see instructions for further explanation):
     - $25 per *undivided* water right.
     - $100 per *split* water right.
     - No fee is required for pending adjudication claims.
   - ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
   - ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Lisa D. Boggs (Signature of new owner/claimant) | (Title, if applicable) | (Date)
   Lisa D. Boggs (Print name)

   SUPPORT DATA
   IN FILE # 36-3G

   Signature: (Signature of new owner/claimant) | (Title, if applicable) | (Date)
   (Print name)

SCANNED
SEP 18 2023

For IDWR Office Use Only:

Receipted by SG Date 8-10-2023 Receipt No. 5039892 Receipt Amt. $50-

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by DM Date 9-11-2023

RECORDING REQUESTED BY
Flying S Title and Escrow of Idaho, Inc.

AND WHEN RECORDED MAIL TO:
Flying S Title and Escrow of Idaho, Inc.
301 Main Street
Gooding, ID 83330

Instrument # 281641
GOODING COUNTY, GOODING, IDAHO
08-08-2023 11:13:01 No. of Pages: 2
Recorded for: FLYING S TITLE AND ESCROW - JEROME
DENISE GILL Fee: $15.00
Ex-Officio Recorder Deputy: JG
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **1102533GO (lr)** Date: **August 1, 2023**

For Value Received, **Cloveroatis, LLC, an Idaho limited liability company**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Lisa D. Boggs, an unmarried woman**, hereinafter called the Grantee, whose current address is **880 E. 2700 S., Hagerman, ID 83332**, the following described premises, situated in **Gooding** County, **Idaho,** to-wit:

Township 7 South, Range 13 East of the Boise Meridian, Gooding County, Idaho

Section 22: E½NE¼NE¼

EXCEPTING THEREFROM ALL OF THE LONGVIEW CREST SUBDIVISION AS THE SAME IS PLATTED IN THE OFFICIAL PLAT THEREOF, NOW OF RECORD IN THE OFFICE OF THE RECORDER OF SAID COUNTY.

TOGETHER with 8.0 Shares of Capital Stock from the Big Bend Irrigation Company and Water Right No(s). 36-3G and 36-4142 from the Idaho Department of Water Resources.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

SCANNED
SEP 18 2023

Cloveroatis, LLC, an Idaho limited liability company

By:_____
Name: Daniel F. Stasz
Title: Chief Executive Manager

STATE OF Massachusetts)
ss.
COUNTY OF Hampshire)

On this 2nd **day of August, 2023**, before me, a Notary Public in and for said State, personally appeared **Daniel F. Stasz**, known or identified to me to be the person whose name is subscribed to the within Instrument as the Chief Executive Manager of **Cloveroatis, LLC**, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me that **he** executed the same in said Limited Liability Company's name.

Aaliyah J Gregoire
Notary Public of Massachusetts
Residing at: Easthampton, ma
Commission Expires: March 01, 2030.



SCANNED
SEP 18 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858
Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Mathew Weaver**

September 11, 2023

LISA D BOGGS
880 E 2700 S
HAGERMAN ID 83332-5602

Re: Change in Ownership for Water Right No(s): 36-3G and 36-4142

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you. You will notice that attorney Patrick D Brown has been copied on this letter, as he is listed as attorney of record for one of the previous water right holders, Mr. & Mrs. Lloyd. The Department can remove Mr. Brown from the water right record with written authorization from either you or Mr. Brown.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 293-9908.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

c: First American Title Company, Gooding (File #1102533GO)
Patrick D Brown, attorney
Water District 36A

SCANNED
SEP 18 2023

RECEIVED
AUG 10 2023
DEPT OF WATER RESOURCES
SOUTHERN REGION

FLYING S
TITLE & ESCROW

Flying S Title and Escrow of Idaho, Inc.
301 Main Street, Gooding, ID 83330
Phone (208)934-4427 Fax (208)934-4741

Idaho Department of Water Resources
650 Addison Ave W., Ste. 500
Twin Falls, ID 83301

August 08, 2023
File No.: 1102533GO (lr)

Attn: Water Transfter
Phone: 208-736-3033 Fax: 208-736-3037

Property: **2715 South 900 East, Hagerman, ID 83332**

Parcel No.: **RP07S13E220001A**

Our Check No. **14436** in the amount of **$$50.00**, representing **Payment of the Water Right Transfer Fee**.

Legal Description of Property in question:

Township 7 South, Range 13 East of the Boise Meridian, Gooding County, Idaho

Section 22: E½NE¼NE¼

EXCEPTING THEREFROM ALL OF THE LONGVIEW CREST SUBDIVISION AS THE SAME IS PLATTED IN THE OFFICIAL PLAT THEREOF, NOW OF RECORD IN THE OFFICE OF THE RECORDER OF SAID COUNTY.

Prior vested owner of property: **Cloveroatis, LLC, an Idaho limited liability company**

TO WHOM IT MAY CONCERN:

Please be advised that the above referenced property has been sold and title is now vested as follows:

Lisa D. Boggs, an unmarried woman

as per copy of 281641 recorded Warranty Deed attached hereto. Please change your records accordingly and bill the new owners at:

Mailing Address: **880 E. 2700 S., Hagerman, ID 83332**

Sincerely,

Lisa Ritter, Escrow Officer

/lr

SCANNED
SEP 18 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 87236

This is to certify that: BUCKEYE FARMS INC
PO BOX 269
HAGERMAN, ID 83332-0269
AND
OLD CURRAN RANCH LLC
PO BOX 3398
HAILEY, ID 83333

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
36-15	WR/DECREED	3/8/1902	1.880 cfs	N/A	140.0	140.0	WEATHERBY SPRINGS
36-16831	WR/DECREED	9/10/1884	8.730 cfs	N/A	209.6	242.2	BILLINGSLEY CREEK
36-16857	WR/DECREED	2/15/1946	14.100 cfs	56.0 af	54.0	241.0	BILLINGSLEY CREEK
36-18	WR/DECREED	4/1/1917	5.800 cfs	N/A	140.0	140.0	BILLINGSLEY CREEK

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-15	NO	NO	YES	NO	NO	NO
36-16831	NO	NO	YES	NO	NO	NO
36-16857	NO	NO	YES	NO	NO	NO
36-18	NO	NO	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
36-15	36-15	1.880 cfs	N/A	140.0	430.2	N/A	N/A	N/A	N/A	N/A
36-16831	36-16831	8.730 cfs	N/A	209.6	430.2	N/A	N/A	N/A	N/A	N/A
36-16857	36-16857	14.100 cfs	N/A	54.0	430.2	N/A	N/A	N/A	N/A	N/A
36-18	36-18	5.800 cfs	N/A	140.0	430.2	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**30.510 cfs**	**N/A**	**242.2**	**430.2**		**N/A**	**N/A**	**N/A**	**N/A**

SUPPORT DATA
IN FILE # 36-15

SCANNED
FEB 08 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 87236

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 31ST day of January, 2023.

Southern Region Manager

SCANNED
FEB 08 2023

WATER RIGHT NO. 36-15

As Modified by Transfer No. 87236

In accordance with the approval of Transfer No. 87236, Water Right No. 36-15 is now described as follows:

Right Holder: BUCKEYE FARMS INC
PO BOX 269
HAGERMAN, ID 83332-0269

Priority Date: 3/8/1902

Source: WEATHERBY SPRINGS **Tributary:** BILLINGSLEY CREEK

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	2/15	to	11/30	1.880 cfs
				1.880 cfs

LOCATION OF POINT(S) OF DIVERSION

WEATHERBY SPRINGS SENESW Sec 30 Twp 07S Rge 14E GOODING 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
07S	13E	23			0.2				0.3	0.7	39.0	40.0	40.0	40.0		23.0	38.0	7.0	228.2
07S	13E	26		25.0	15.0		40.0	30.0		40.0	40.0					12.0			202.0

Right Acre Limit: 140.0
POU Total Acres: 430.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 140 acres within the authorized place of use in a single irrigation season.
2. 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. 36A.
3. 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).
4. Rights 36-15 and 36-18 when combined shall not exceed a total irrigation of 140 acres in any one season.
5. Rights 36-15, 36-18, 36-16857 and 36-16831 when combined shall not exceed a total irrigation of 242.2 acres in any one season.

SCANNED
FEB 08 2023

WATER RIGHT NO. 36-15

As Modified by Transfer No. 87236

CONDITIONS OF APPROVAL

6. Rights 36-15, 36-18, 36-16857, and 36-16831 are limited to the irrigation of a specific 242.2 acres within the 430.2 acre place of use authorized by this right in a single irrigation season. The specific 242.2 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 242.2 acres to be irrigated within the 430.2 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.

7. Rights 36-15, 36-18, 36-16857, 36-16831, 36-16856 and 36-16834 when combined shall not exceed a total irrigation of 251.2 acres in any one season.

8. Rights 36-16987, 36-00015, 36-08728 and 36-07740 when combined shall not exceed a total diversion rate of 6.5 cfs.

9. Water is delivered through the Bar S Ditch, Curren Ditch and North pipeline.

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

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

12. 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
FEB 08 2023

WATER RIGHT NO. 36-18

As Modified by Transfer No. 87236

In accordance with the approval of Transfer No. 87236, Water Right No. 36-18 is now described as follows:

Right Holder: BUCKEYE FARMS INC
PO BOX 269
HAGERMAN, ID 83332-0269

Priority Date: 4/1/1917

Source: BILLINGSLEY CREEK **Tributary:** SNAKE RIVER

BENEFICIAL USE	From	To	Diversion Rate
IRRIGATION	2/15	to 11/30	5.800 cfs
			5.800 cfs

LOCATION OF POINT(S) OF DIVERSION

BILLINGSLEY CREEK NESWNE Sec 31 Twp 07S Rge 14E GOODING 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
07S	13E	23			0.2				0.3	0.7	39.0	40.0	40.0	40.0		23.0	38.0	7.0	228.2
07S	13E	26		25.0	15.0		40.0	30.0		40.0	40.0					12.0			202.0

Right Acre Limit: 140.0
POU Total Acres: 430.2

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 140 acres within the authorized place of use in a single irrigation season.
2. 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. 36A.
3. 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).
4. Rights 36-15 and 36-18 when combined shall not exceed a total irrigation of 140 acres in any one season.
5. Rights 36-15, 36-18, 36-16857 and 36-16831 when combined shall not exceed a total irrigation of 242.2 acres in any one season.

SCANNED
FEB 08 2023

WATER RIGHT NO. 36-18

As Modified by Transfer No. 87236

CONDITIONS OF APPROVAL

6. Rights 36-15, 36-18, 36-16857 and 36-16831 are limited to the irrigation of a specific 242.2 acres within the 430.2 acre place of use authorized by this right in a single irrigation season. The specific 242.2 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 242.2 acres to be irrigated within the 430.2 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.

7. Rights 36-15, 36-18, 36-16857, 36-16831, 36-16856 and 36-16834 when combined shall not exceed a total irrigation of 251.2 acres in any one season.

8. Rights 36-16988, 36-00018, 36-08730 and 36-07742 when combined shall not exceed a total diversion rate of 20 cfs.

9. Water is delivered through the Curren Ditch and North Pipeline.

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

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

12. 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
FEB 08 2023

WATER RIGHT NO. 36-16831

As Modified by Transfer No. 87236

In accordance with the approval of Transfer No. 87236, Water Right No. 36-16831 is now described as follows:

Right Holder: OLD CURRAN RANCH LLC
PO BOX 3398
HAILEY, ID 83333

Priority Date: 9/10/1884

Source: BILLINGSLEY CREEK **Tributary:** SNAKE RIVER

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	02/15	to	11/30	8.730 cfs
STOCKWATER	01/01	to	12/31	0.030 cfs
				8.730 cfs

LOCATION OF POINT(S) OF DIVERSION

BILLINGSLEY CREEK NESWNE Sec 31 Twp 07S Rge 14E GOODING 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
07S	13E	23			0.2				0.3	0.7	39.0	40.0	40.0	40.0		23.0	38.0	7.0	228.2
07S	13E	26		25.0	15.0		40.0	30.0		40.0	40.0					12.0			202.0

Right Acre Limit: 209.6
POU Total Acres: 430.2

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S	13E	23														X			

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 209.6 acres within the authorized place of use in a single irrigation season.

2. 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. 36A.

Transfer No. 87236

SCANNED
FEB 08 2023

WATER RIGHT NO. 36-16831

As Modified by Transfer No. 87236

CONDITIONS OF APPROVAL

3. 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).

4. The operation and administration of this water right is also subject to the terms and conditions of the following contractual agreement: The water right agreement entered into on September 16, 1998, between Western Legends LC and The Magic Valley Ground Water District, North Snake Ground Water District, American Falls-Aberdeen Ground Water District, Bingham Ground Water District, The Idaho Ground Water Appropriators, Inc., and Cranney Bros., filed of record in the office of the Gooding County clerk and recorded on September 28, 1998, as instrument No. 177310; the provisions of such agreement (including, without limitation, paragraphs 4.A – 4.F, 5 and 7 thereof) to apply fully to this water right notwithstanding the fact that the agreement may contain references to source of water for this right, acres, priority dates, or other matters of that differ from those specified herein.

5. Rights 36-15, 36-18, 36-16857, 36-16831, 36-16856 and 36-16834 when combined shall not exceed a total irrigation of 251.2 acres in any one season.

6. Rights 36-16831 and 36-16857 when combined shall not exceed the irrigation of 242.2 acres.

7. Rights 36-15, 36-18, 36-16857 and 36-16831 when combined shall not exceed a total irrigation of 242.2 acres in any one season.

8. Rights 36-15, 36-18, 36-16857 and 36-16831 are limited to the irrigation of a specific 242.2 acres within the 430.2 acre place of use authorized by this right in a single irrigation season. The specific 242.2 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 242.2 acres to be irrigated within the 430.2 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.

9. Rights 36-16831, 36-16857, 36-16832, 36-16833, 36-16835, and 36-17109 when combined shall not exceed a total diversion rate of 14.58 cfs.

10. The appropriator is entitled to the quantity of water decribed for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described, so long as the quantity diverted at the point of diversion does not constitute unreasonable waste.

11. Water is delivered through the Curren Ditch.

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.

SCANNED
FEB 08 2023

WATER RIGHT NO. 36-16831

As Modified by Transfer No. 87236

CONDITIONS OF APPROVAL

14. 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
FEB 08 2023

WATER RIGHT NO. 36-16857

As Modified by Transfer No. 87236

In accordance with the approval of Transfer No. 87236, Water Right No. 36-16857 is now described as follows:

Right Holder: OLD CURRAN RANCH LLC
PO BOX 3398
HAILEY, ID 83333

Priority Date: 2/15/1946

Source: BILLINGSLEY CREEK **Tributary:** SNAKE RIVER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
DIVERSION TO STORAGE	01/01	to	12/31	14.100 cfs	
IRRIGATION	02/15	to	11/30	1.950 cfs	
WILDLIFE	01/01	to	12/31	14.100 cfs	
WILDLIFE STORAGE	01/01	to	12/31		56.0 af
				14.100 cfs	

LOCATION OF POINT(S) OF DIVERSION

BILLINGSLEY CREEK NESWNE Sec 31 Twp 07S Rge 14E GOODING 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
07S	13E	23			0.2				0.3	0.7	39.0	40.0	40.0	40.0		23.0	38.0	7.0	228.2
07S	13E	26		25.0	15.0		40.0	30.0		40.0	40.0					12.0			202.0

Right Acre Limit: 54.0
POU Total Acres: 430.2

PLACE OF USE: WILDLIFE

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S	13E	23															X		
07S	13E	26								X									

PLACE OF USE: WILDLIFE STORAGE

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S	13E	23															X		
07S	13E	26								X									

Transfer No. 87236

SCANNED
FEB 08 2023

WATER RIGHT NO. 36-16857

As Modified by Transfer No. 87236

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 54.0 acres within the authorized place of use in a single irrigation season.

2. 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. 36A.

3. 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).

4. Rights 36-16831 and 36-16857 when combined shall not exceed the irrigation of 242.2 acres.

5. Rights 36-15, 36-18, 36-16857 and 36-16831 when combined shall not exceed a total irrigation of 242.2 acres in any one season.

6. Rights 36-15, 36-18, 36-16857 and 36-16831 are limited to the irrigation of a specific 242.2 acres within the 430.2 acre place of use authorized by this right in a single irrigation season. The specific 242.2 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 242.2 acres to be irrigated within the 430.2 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.

7. Rights 36-15, 36-18, 36-16857, 36-16831, 36-16856 and 36-16834 when combined shall not exceed a total irrigation of 251.2 acres in any one season.

8. Rights 36-16831, 36-16857, 36-16832, 36-16833, 36-16835, and 36-17109 when combined shall not exceed a total diversion rate of 14.58 cfs.

9. The operation and administration of this water right is also subject to the terms and conditions of the following contractual agreement: The water right agreement entered into on September 16, 1998, between Western Legends LC and The Magic Valley Ground Water District, North Snake Ground Water District, American Falls-Aberdeen Ground Water District, Bingham Ground Water District, The Idaho Ground Water Appropriators, Inc., and Cranney Bros., filed of record in the office of the Gooding County clerk and recorded on September 28, 1998, as instrument No. 177310; the provisions of such agreement (including, without limitation, paragraphs 4.A – 4.F, 5 and 7 thereof) to apply fully to this water right notwithstanding the fact that the agreement may contain references to source of water for this right, acres, priority dates, or other matters of that differ from those specified herein.

10. Water is delivered through the Curren Ditch.

11. Storage capacity is 56.0 AF.

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

SCANNED
FEB 08 2023

WATER RIGHT NO. 36-16857

As Modified by Transfer No. 87236

CONDITIONS OF 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 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.

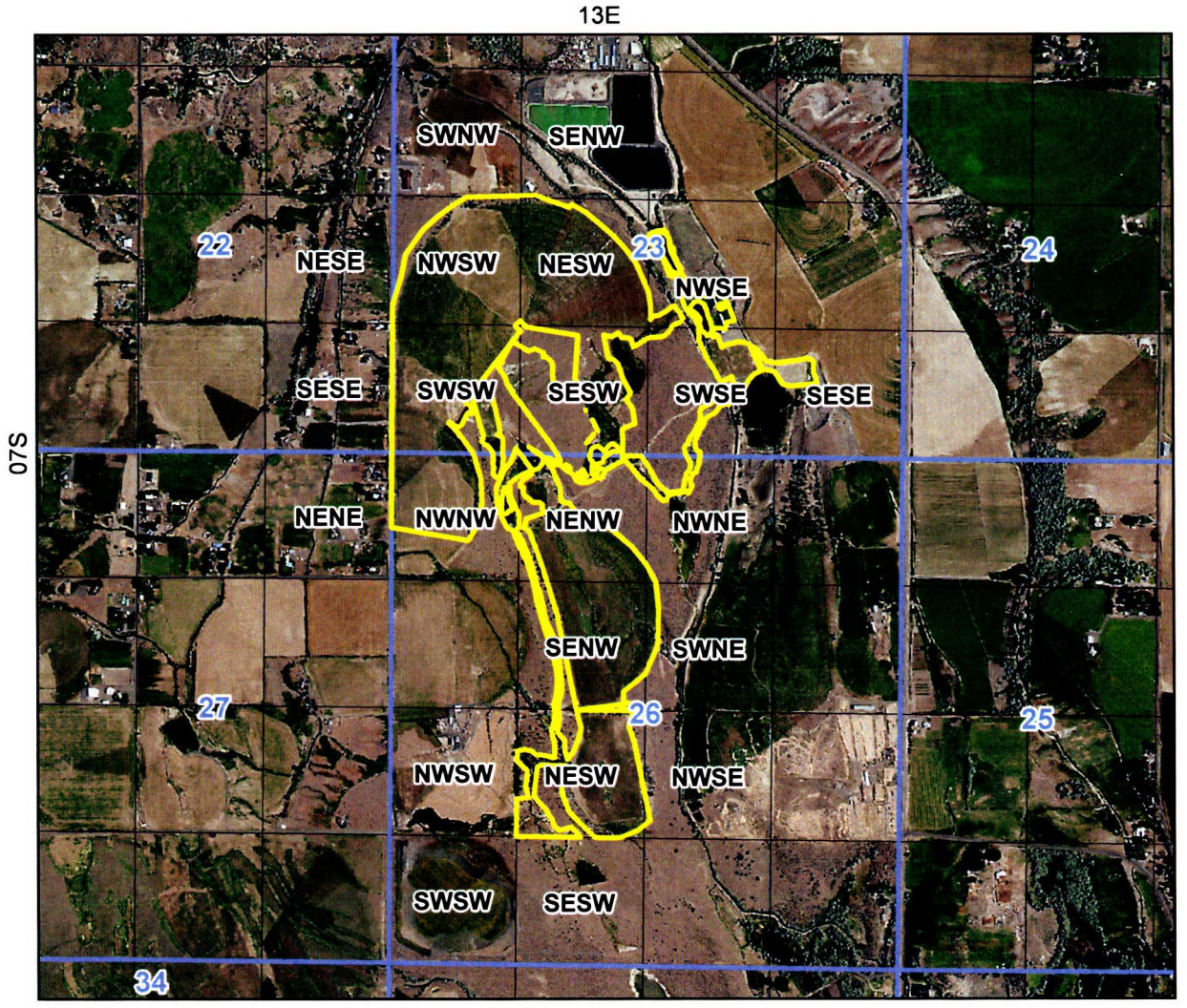
SCANNED
FEB 08 2023

State of Idaho
Department of Water Resources

Attachment to Transfer # 87236

36-15, 36-18, 36-16831, and 36-16857

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



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DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 87236

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) Old Curran Ranch, LLC and Buckeye Farms

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

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

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

☐	☑	#1	If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
☐	☑	#2a	Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
☐	☑	#2b	If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).** ** Additional fee(s) required for water right ownership changes; see fee schedule.
☐	☑	#3	Documentation of authority to make the change if the applicant is not the water right owner.
☐	☑	#4	Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
☐	☑	#5	If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at idwr.idaho.gov/water-rights/transfers/resources.html.
☐	☐	#6	Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
☑		#7a	Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
☑	☐	#7b	If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
☐	☑	#8a	If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
☐	☑	#8b	If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
☐	☑	#9	Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
☐	☐	#10	Other. Please describe: _____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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NOV 18 2022
DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Old Curran Ranch, LLC Phone 208-720-2987

Mailing address P.O. Box 3398; Hailey, ID 83333 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 Erick Powell Phone 208-736-8543

Mailing address 2016 Washington Street North, #4, Twin Falls, ID 83301 Email erick.powell@brockwayeng.co

☐ 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.

Dennis J. Saccone — DENNIS J. Saccone-See — June 15, 2022
Signature of Applicant or Authorized Representative — Print Name and Title if applicable — Date

Signature of Applicant or Authorized Representative — Print Name and Title if applicable — Date

A. PURPOSE OF TRANSFER

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

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

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
   Water rights were partially decreed in SRBA in 1999. Change in ownership and installation of pivots have changed the place of use. Creating a PPU will provide water use flexibility for irrigation.

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NOV 18 2022
DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Old Curran Ranch, LLC and Buckeye Farms Inc. Phone 208-720-2987

Mailing address P.O. Box 3398; Hailey, ID 83333 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 doeumentation 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 Erick Powell Phone 208-736-8543

Mailing address 2016 Washington Street North, #4, Twin Falls, ID 83301 Email erick.powell@brockwayeng.co

☐ 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
	Brian Barsotti, President Buckeye Farms	9/26/22
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 Create PPU

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

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3.**
   Water rights were partially decreed in SRBA in 1999. Change in ownership and installation of pivots have changed the place of use. Creating a PPU will provide water use flexibility for irrigation.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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

1. All	Part	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☑	☐	36-16831	8.73 / --	Irrigation	2/15 to 11/30	Billingsley Creek/Snake R
☐	☐				to	
☑	☐	36-16857	1.95 / --	Irrigation	2/15 to 11/30	Billingsley Creek/Snake R
☐	☐				to	
☑	☐	36-15	1.88 / --	Irrigation	2/15 to 11/30	Weatherby Springs/Billings
☐	☐				to	
☑	☐	36-18	5.8 / --	Irrigation	2/15 to 11/30	Billingsley Creek/Snake R
☐	☐				to	
☐	☐		(For irrigation use) 30.51 cfs for all uses		to	A.S. 1/31/2023

Total authorized under rights 18.36 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 18.36 cubic feet per second and/or _____ 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 #

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	
7S	13E	23			0.2				0.3	0.7	39	40	40	40		23	38	7	228.2
7S	13E	26		25	15		40	30		40	40					12			202

Total Acres (for irrigation use) 430.2*

*PPU limited to 242.2 acres

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FEB 08 2023

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:
Diversion from Billingsley Creek into the Curran Ditch is through a measuring device that is measured and recorded by the Basin 36 wastermaster.

b. Who owns the property at the point(s) of diversion? Howard Morris
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Existing Curran Ditch POD - no change

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:
Land now irrigated will continue to 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:
Water Right nos. 36-15 and 36-18 are owned by Buckeye Farms, Inc. A private water right agreement (Gooding County Instrument No. 177310) (see condition on water right) allows application on property.

g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

☐ ☑ undergone a period of five or more consecutive years of non-use,
☐ ☑ currently leased to the Water Supply Bank,
☐ ☑ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☑ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

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

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

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

Right Number: ______________

1. 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 __________
   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	
																		Total Acres (for irrigation use)	

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FEB 08 2023

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

Current Water Right No.: 36-16831

Current Owner: OLD CURRAN RANCH LLC

Priority Date: 9/10/1884

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
BILLINGSLEY CREEK	SNAKE RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	02/15 to 11/30	8.73 CFS	
STOCKWATER	01/01 to 12/31	0.03 CFS	
	Total Diversion	8.73 CFS	

Location of Point(s) of Diversion

BILLINGSLEY CREEK NE1/4SW1/4NE1/4 Sec. 31, Twp 07S, Rge 14E B.M.
GOODING County

Place of Use

IRRIGATION Within GOODING County

T07S R13E S23	NESW	5.00	T07S R13E S23	NWSW	32.00
T07S R13E S23	SWSW	34.00	T07S R13E S23	SESW	27.00
T07S R13E S23	NWSE	0.20	T07S R13E S23	SWSE	0.80
T07S R13E S23	SESE	0.20	T07S R13E S26	SWNE	6.00
T07S R13E S26	NENW	20.00	T07S R13E S26	NWNW	30.00
T07S R13E S26	SENW	38.00	T07S R13E S26	NESW	39.00
T07S R13E S26	NWSE	10.00			

Total Acres: 242.2

STOCKWATER Within GOODING County

T07S R13E S23 NWSE

SCANNED
FEB 08 2023

Conditions of Approval:

1.		The operation and administration of this water right is also subject to the terms and conditions of the following contractual agreement: The water right agreement entered into on September 16, 1998, between Western Legends LC and The Magic Valley Ground Water District, North Snake Ground Water District, American Falls-Aberdeen Ground Water District, Bingham Ground Water District, The Idaho Ground Water Appropriators, Inc., and Cranney Bros., filed of record in the office of the Gooding County clerk and recorded on September 28, 1998, as instrument No. 177310; the provisions of such agreement (including, without limitation, paragraphs 4.A – 4.F, 5 and 7 thereof) to apply fully to this water right notwithstanding the fact that the agreement may contain references to source of water for this right, acres, priority dates, or other matters of that differ from those specified herein.
2.		USE OF THIS RIGHT WITH RIGHT NOS 36-16857, 36-16832, 36-16833, 36 -16835, AND 36-17109 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 14.58 CFS.
3.		THIS RIGHT IS LIMITED TO THE IRRIGATION OF 209.6 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 36-16857 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 242.2 ACRES IN A SINGLE IRRIGATION SEASON.
4.	X35	Rights 36-15, 36-18, 36-16857, 36-16831, 36-16856 and 36-16834 when combined shall not exceed a total irrigation of 251.2 acres in any one season.
5.		Water is delivered through the Curren Ditch.
6.	N01	THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED FOR STOCK WATER PURPOSES AT A POINT OF MEASUREMENT WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED, SO LONG AS THE QUANTITY DIVERTED AT THE POINT OF DIVERSION DOES NOT CONSTITUTE UNREASONABLE WASTE.
7.	C05	RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Decreed Date: 11/27/2001

SCANNED

FEB 08 2023

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

Current Water Right No.: 36-16857

Current Owner: OLD CURRAN RANCH LLC

Priority Date: 2/15/1946

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
BILLINGSLEY CREEK	SNAKE RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
WILDLIFE	01/01 to 12/31	14.1 CFS	
DIVERSION TO STORAGE	01/01 to 12/31	14.1 CFS	
IRRIGATION	02/15 to 11/30	1.95 CFS	
WILDLIFE STORAGE	01/01 to 12/31		56 AF
	Total Diversion	14.1 CFS	56 AF

Location of Point(s) of Diversion

BILLINGSLEY CREEK NE1/4SW1/4NE1/4 Sec. 31, Twp 07S, Rge 14E B.M.

GOODING County

Place of Use

IRRIGATION Within GOODING County

T07S R13E S23	NESW	5.00	T07S R13E S23	NWSW	32.00
T07S R13E S23	SWSW	34.00	T07S R13E S23	SESW	27.00
T07S R13E S26	SWNE	6.00	T07S R13E S26	NENW	20.00
T07S R13E S26	NWNW	30.00	T07S R13E S26	SENW	38.00
T07S R13E S26	NESW	39.00	T07S R13E S26	NWSE	10.00

Total Acres: 241

WILDLIFE Within GOODING County

T07S R13E S23	SWSE	T07S R13E S26	SENW

WILDLIFE STORAGE Within GOODING County

T07S R13E S23	SWSE	T07S R13E S26	SENW

Place of Use: DIVERSION TO STORAGE same as IRRIGATION

SCANNED
FEB 08 2023

Conditions of Approval:

1.		Water is delivered through the Curren Ditch.
2.		STORAGE CAPACITY 56.0 AF. USE OF THIS RIGHT WITH RIGHT NOS 36-16831, 36-16832, 36-16833, 36 -16835, AND 36-17109 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 14.58 CFS.
3.		THIS RIGHT IS LIMITED TO THE IRRIGATION OF 54.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 36-16831 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 242.2 ACRES IN A SINGLE IRRIGATION SEASON.
4.	X35	Rights 36-15, 36-18, 36-16857, 36-16831, 36-16856 and 36-16834 when combined shall not exceed a total irrigation of 251.2 acres in any one season.
5.		The operation and administration of this water right is also subject to the terms and conditions of the following contractual agreement: The water right agreement entered into on September 16, 1998, between Western Legends LC and The Magic Valley Ground Water District, North Snake Ground Water District, American Falls-Aberdeen Ground Water District, Bingham Ground Water District, The Idaho Ground Water Appropriators, Inc., and Cranney Bros., filed of record in the office of the Gooding County clerk and recorded on September 28, 1998, as instrument No. 177310; the provisions of such agreement (including, without limitation, paragraphs 4.A – 4.F, 5 and 7 thereof) to apply fully to this water right notwithstanding the fact that the agreement may contain references to source of water for this right, acres, priority dates, or other matters of that differ from those specified herein.

Decreed Date: 7/22/1999

SCANNED
FEB 08 2023

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

Current Water Right No.: 36-15

Current Owner: BUCKEYE FARMS INC

Priority Date: 3/8/1902

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
WEATHERBY SPRINGS	BILLINGSLEY CREEK

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	2/15 to 11/30	1.88 CFS	
	Total Diversion	1.88 CFS	

Location of Point(s) of Diversion

WEATHERBY SPRINGS SE1/4NE1/4SW1/4 Sec. 30, Twp 07S, Rge 14E B.M.
GOODING County

Place of Use

IRRIGATION Within GOODING County

T07S R13E S23	NWSW	27.00	T07S R13E S23	SWSW	34.00
T07S R13E S23	SESW	21.00	T07S R13E S26	NWNW	21.00
T07S R13E S26	SENW	19.00	T07S R13E S26	NESW	18.00

Total Acres: 140

Conditions of Approval:

1.	X35	Rights 36-15, 36-18, 36-16857, 36-16831, 36-16856 and 36-16834 when combined shall not exceed a total irrigation of 251.2 acres in any one season.
2.	T19	Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
3.	X35	Rights 36-16987, 36-00015, 36-08728 and 36-07740 when combined shall not exceed a total diversion rate of 6.5 cfs.
4.		Water is delivered through the Bar S Ditch, Curren Ditch and North pipeline.
5.	X35	Rights 36-15 and 36-18 when combined shall not exceed a total irrigation of 140 acres in any one season.

Decreed Date: 8/27/2001

SCANNED
FEB 08 2023

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

Current Water Right No.: 36-18

Current Owner: BUCKEYE FARMS INC

Priority Date: 4/1/1917

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
BILLINGSLEY CREEK	SNAKE RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	2/15 to 11/30	5.8 CFS	
	Total Diversion	5.8 CFS	

Location of Point(s) of Diversion

BILLINGSLEY CREEK NE1/4SW1/4NE1/4 Sec. 31, Twp 07S, Rge 14E B.M.
GOODING County

Place of Use

IRRIGATION Within GOODING County

T07S R13E S23	NWSW	27.00	T07S R13E S23	SWSW	34.00
T07S R13E S23	SESW	21.00	T07S R13E S26	NWNW	21.00
T07S R13E S26	SENW	19.00	T07S R13E S26	NESW	18.00

Total Acres: 140

Conditions of Approval:

1.		Water is delivered through the Curren Ditch and North Pipeline.
2.	X35	Rights 36-15, 36-18, 36-16857, 36-16831, 36-16856 and 36-16834 when combined shall not exceed a total irrigation of 251.2 acres in any one season.
3.	T19	Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4.	X35	Rights 36-15 and 36-18 when combined shall not exceed a total irrigation of 140 acres in any one season.
5.	X35	Rights 36-16988, 36-00018, 36-08730 and 36-07742 when combined shall not exceed a total diversion rate of 20 cfs.

Decreed Date: 8/27/2001

SCANNED
FEB 08 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.

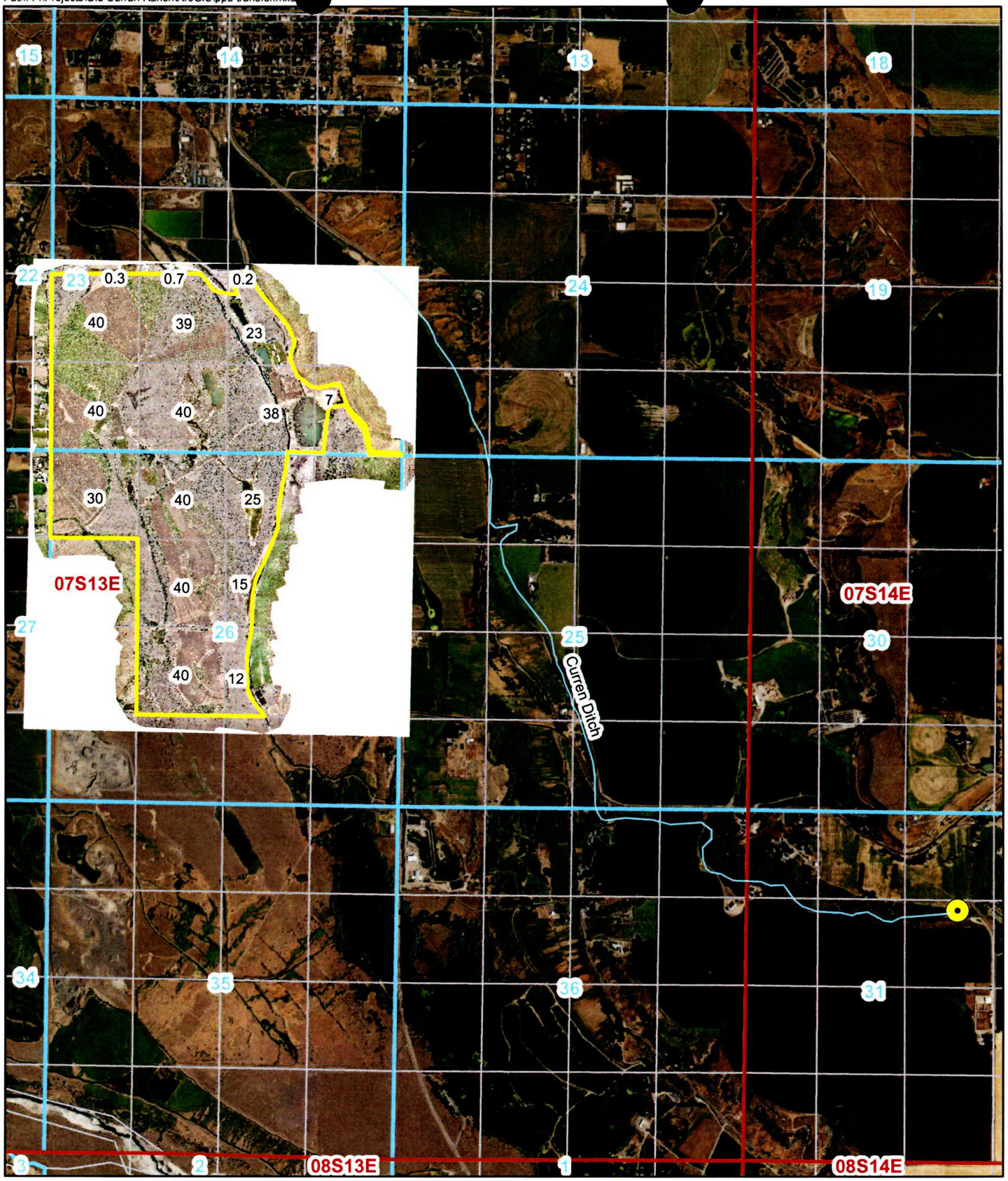
Received by SG Date 11/18/2022 Preliminary check by _____ Date _____

Fee paid $640.00 Date 11/18/2022 Receipted by SG Receipt # 5039523

Add'l fee paid 1300.00 Date 6/16/22 Receipted by SG Receipt # 5039297

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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OLD CURRAN RANCH

87236

PPU TRANSFER
2021 OCR DRONE IMAGE
2019 NAIP AERIAL PHOTOGRAPH

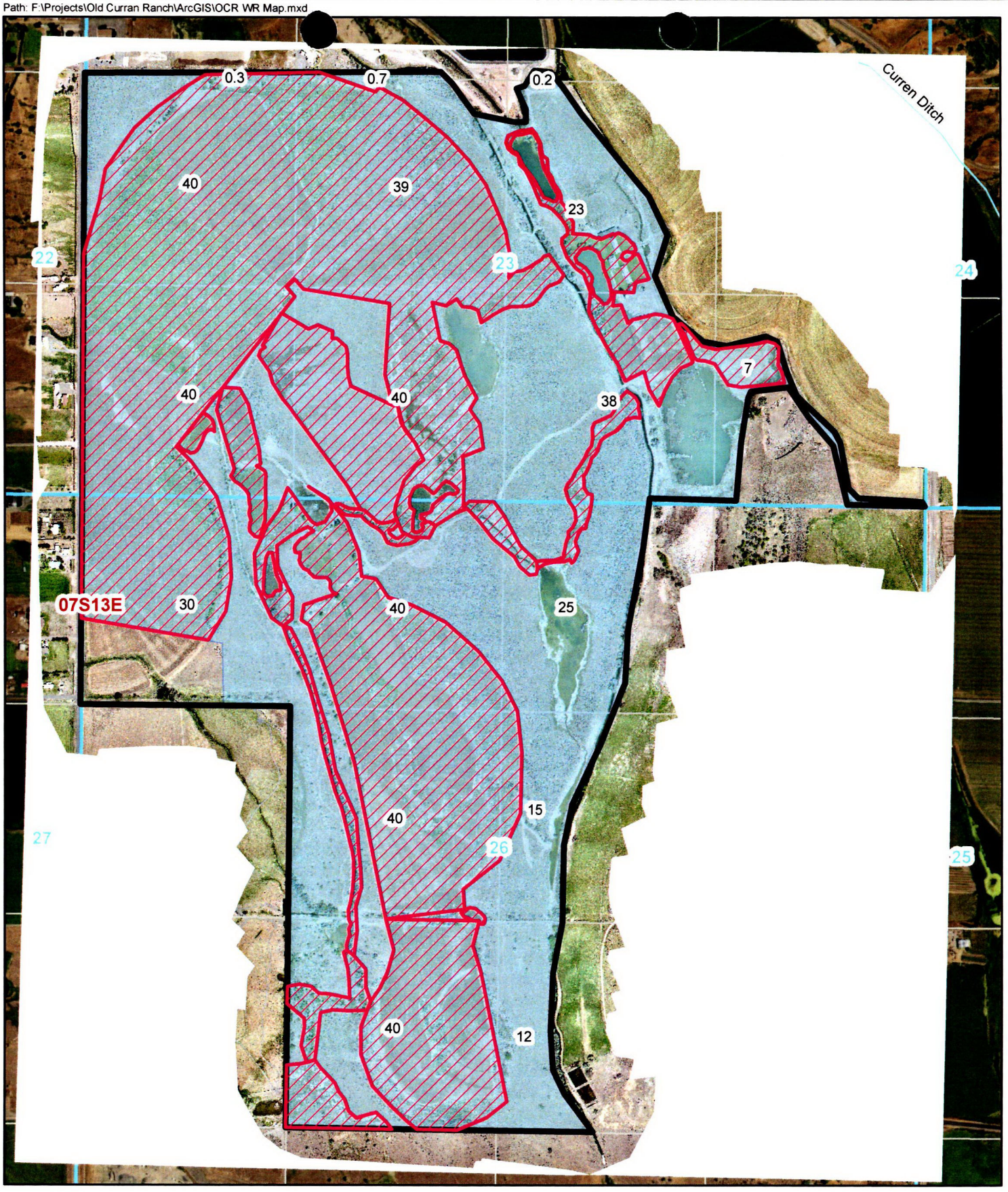
BROCKWAY ENGINEERING, PLLC.
JJJ - Date: 11/18/2022

Curran_Ditch_POD
OCR Property

N

SCANNED
FEB 08 2023

Path: F:\Projects\Old Curran Ranch\ArcGIS\OCR WR Map.mxd



0 315 630 Feet 1,260

OLD CURRAN RANCH

87236

BROCKWAY ENGINEERING, PLLC.
JJJ - Date: 9/13/2022

PPU TRANSFER
2021 OCR DRONE IMAGE
2019 NAIP AERIAL PHOTOGRAPH

OCR Property
PPU
206_Shape

N

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FEB 08 2023

Old Curran Ranch LLC
18253 Hwy 30
Hagerman, ID 83332

Emily Solly
VP Commercial/SBA Lender
Mountain West Bank
121 N 9th St. Suite 200
Boise, ID 83702

Mountain West Bank
Division of Glacier Bank
Commercial Lending Center
121 N. 9th St., Suite 200
Boise, ID 83702
208.855.9106
Fax 208.345.2232
www.mountainwestbank.com

Mountain West Bank is aware of the submitted transfer application for Old Curran Ranch, LLC and does not oppose the transfer to create a permissible place of use on Old Curran Ranch property located in Sections 23 and 26, Township 7 South, Range 13 East, Boise Meridian. The submitted transfer involves water right nos. 36-16831 and 36-16857.

Emily Solly
Mountain West Bank, Division of Glacier Bank

FDIC
SCANNED
FEB 08 2023

STATE OF IDAHO

0004649537

Office of the secretary of state, Lawerence Denney

ANNUAL REPORT

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: $0.00

For Office Use Only

-FILED-

File #: 0004649537

Date Filed: 3/8/2022 4:57:49 PM

Entity Name and Mailing Address:

Entity Name:	OLD CURRAN RANCH, LLC
The file number of this entity on the records of the Idaho Secretary of State is:	0000070616
Address	PO BOX 2040 SUN VALLEY, ID 83353-2040

Entity Details:

Entity Status	Active-Existing
This entity is organized under the laws of:	IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:	W18961

The registered agent on record is:

Registered Agent	Dennis J Saccone Registered Agent Physical Address 3144 S BROOKWATER LANE EAGLE, ID 83616 Mailing Address 3144 S BROOKWATER LN EAGLE, ID 83616-5667

Limited Liability Company Managers and Members

Name	TItle	Business Address
ALEX ORB	Manager	PO BOX 56 KETCHUM, ID 83340
Dennis J Saccone	Manager	3144 S BROOKWATER LN EAGLE, ID 83616
Bill Fruehling	Manager	PO BOX 4508 KETCHUM, ID 83340-4508
Scott Robinson	Manager	PO BOX 1551 KETCHUM, ID 83340-1551

The annual report must be signed by an authorized signer of the entity.

Job Title: Secretary

Dennis J Saccone — Sign Here

03/08/2022 — Date

B0688-6601 03/08/2022 4:57 PM Received by ID Secretary of State Lawerence Denney

SCANNED
FEB 08 2023

Page 1 of 1

0004803381

STATE OF IDAHO

Office of the secretary of state, Lawerence Denney

ANNUAL REPORT

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: $0.00

For Office Use Only

-FILED-

File #: 0004803381

Date Filed: 7/5/2022 11:17:34 AM

Entity Name and Mailing Address:

Entity Name:	BUCKEYE FARMS, INC.
The file number of this entity on the records of the Idaho Secretary of State is:	0000263686
Address	PO BOX 370 KETCHUM, ID 83340-0361

Entity Details:

Entity Status	Active-Good Standing
This entity is organized under the laws of:	IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:	C84609

The registered agent on record is:

Registered Agent	BRIAN BARSOTTI Registered Agent Physical Address 215 PICABO ST # 304 KETCHUM, ID 83340 Mailing Address

Corporate Officers and Directors:

Name	Title	Business Address
Peter Merlone	Secretary	2840 DIVISADERO ST SAN FRANCISCO, CA 94123
Robert Reiners	Treasurer	710 SILVERVALE DRIVE VISALIA, CA 93229
Robert Witt	Director	1200 UNION SUGAR ROAD LOMPOC, CA 93436
Brian Barsotti	President	PO BOX 370 KETCHUM, ID 83340
Tom Schriber	Director	3028 OCEAN BLVD CORONA DEL MAR, CA 92625
Billy Weidner	Director	5458 DAYNA COURT METARIE, LA 79124
- ~~Dan Janney~~	~~Director~~	~~ONE BRITTION AVENUE~~ ~~BELVEDERE, CA 94920~~
+ Colin Lind	Director	PO BOX 28/20 SUN VALLEY, ID 83353

The annual report must be signed by an authorized signer of the entity.

Job Title: President

Brian Barsotti
Sign Here

07/05/2022
Date

SCANNED
FEB 08 2023

Page 1 of 2

BU/22-2/88 U//05/2022 11:11 AM Received by ID Secretary of State Lawerence Denney

BU/22-2189 U//05/2022 11:11 AM Received by ID Secretary of State Lawerence Denney

SCANNED
FEB 08 2023

Page 2 of 2

IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858
Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

February 1, 2023

BUCKEYE FARMS INC
PO BOX 269
HAGERMAN ID 83332-0269

OLD CURRAN RANCH LLC
PO BOX 3398
HAILEY ID 83333

Re: Transfer No: 87236
Water Right No(s).: 36-15, 36-18, 36-16831, 36-16857

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

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
FEB 08 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) 736-3033.

Sincerely,

Corey Skinner
Southern Regional Manager

Enclosure

c:

BROCKWAY ENGINEERING PLLC
C/O ERICK POWELL
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

BARKER ROSHOLT & SIMPSON LLP
(JOHN A ROSHOLT)
PO BOX 63
TWIN FALLS ID 83303-0063

WATER DISTRICT 36A
MATT DOPERALSKI
PO BOX 295
HAGERMAN ID 83332-0295

SCANNED
FEB 08 2023

CERTIFICATE OF SERVICE

I hereby certify that on February 1, 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.: 87236
Water Right No(s).: 36-15, 36-18, 36-16831, 36-16857

BUCKEYE FARMS INC
PO BOX 269
HAGERMAN ID 83332-0269

OLD CURRAN RANCH LLC
PO BOX 3398
HAILEY ID 83333

BROCKWAY ENGINEERING PLLC
C/O ERICK POWELL
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

BARKER ROSHOLT & SIMPSON LLP
(JOHN A ROSHOLT)
PO BOX 63
TWIN FALLS ID 83303-0063

WATER DISTRICT 36A
MATT DOPERALSKI
PO BOX 295
HAGERMAN ID 83332-0295

Denise Maline

Denise Maline
Administrative Assistant

SCANNED
FEB 08 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
FEB 08 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
FEB 08 2023

MEMORANDUM

Date: January 30, 2023

To: Transfer 87236

From: Bill Mills

Re: Evaluation of Sufficiency Memorandum

Application proposes creating a 430.2 acre irrigation permissible place of use (PPU) for four overlapping rights. Three are diverted from Billingsley Creek (36-18, 36-16831 & 36-16857) and one is diverted from Weatherby Springs tributary to Billingsley Creek (36-15). When combined the rights are limited to a diversion rate of 18.36 cfs and the irrigation of 242.2 acres within the PPU. There are no changes proposed for the points of diversion (PODs). Current POUs and proposed PPU are located approximately 0.8 miles to 2.0 miles south and 0.5 miles west to 0.3 miles east of the intersection of Main St. and State St. in Hagerman.

Since the application is only combining overlapping POUs to create a PPU, there is no hydrologic change, and no advertising is required.

PODs, current POUs and proposed PPU are in Water District 36A. Watermaster comments were solicited and on 1/25/2023 he sent an email indicating he did not oppose approval of this application.

- **Authority to File:** Applicants are the current owners of the water rights and associated properties.

- **Water Right Validity:** Water rights 36-15 and 36-18 were decreed in the SRBA on 8/27/2001. Water right 36-16831 was decreed in the SRBA on 11/27/2001 and water right 36-16857 was decreed in the SRBA on 7/22/1999. Recent aerial imagery indicates the associated grounds appear to be irrigated.

- **Injury to Other Water Rights:**
  None anticipated.

- **Enlargement of Use:**
  None anticipated.

- **Local Public Interest:**
  No issues anticipated.

SCANNED
FEB 08 2023

- **Beneficial Use/Conservation of Water Resources:**
  Proposed use is recognized as a beneficial use of water.

- **Effect on the Economy of the Local Area:**
  None Anticipated.

- **Effect on Agricultural Base of the Local Economy:**
  None Anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

SCANNED
FEB 08 2023

Skinner, Corey

From: Matt Doperalski <mattwm36a@gmail.com>
Sent: Wednesday, January 25, 2023 2:20 PM
To: Skinner, Corey
Subject: Transfer #87236

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

Hello,

Per our discussion today and a review of the transfer request #87236

(a) I do not oppose the transfer.

Regards,
Matt Doperalski
Watermaster District 36A
308-949-0523

SCANNED
FEB 08 2023

Skinner, Corey

From: Matt Doperalski <mattwm36a@gmail.com>
Sent: Wednesday, January 25, 2023 9:03 AM
To: Skinner, Corey
Subject: Re: Old Curran Ranch/Buckeye transfer request

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.

Sounds good. Call me after your meeting concludes. 208-949-0523.

From: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>
Date: Wednesday, January 25, 2023 at 8:30 AM
To: Matt Doperalski <mattwm36a@gmail.com>
Subject: RE: Old Curran Ranch/Buckeye transfer request

I am available early this afternoon. I have someone coming in at 10:30 this morning, I am not sure how long they will be here, but I will be available after they leave. Do you want to call, or should I call you?

From: Matt Doperalski <mattwm36a@gmail.com>
Sent: Tuesday, January 24, 2023 9:59 AM
To: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>
Subject: Old Curran Ranch/Buckeye transfer request

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.

Hi Corey,

I'm finally getting caught up on things and have time to discuss with you the OCR/Buckeye transfer request. Are you available Wednesday afternoon for a phone conversation?

Matt Doperalski
Watermaster Dist. 36A
208-949-0523

SCANNED
FEB 08 2023

Skinner, Corey

From: Matt Doperalski <mattwm36a@gmail.com>
Sent: Friday, January 13, 2023 2:11 PM
To: Skinner, Corey
Subject: Phone Call

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.

Hi Corey,

I did get your VM on Wednesday. I'll do my best to touch base with you next week.

Matt Doperalski
Watermaster 36A

SCANNED
FEB 08 2023

Maline, Denise

From: Matt Doperalski <mattwm36a@gmail.com>
Sent: Monday, December 19, 2022 11:27 AM
To: Skinner, Corey
Cc: Maline, Denise
Subject: Transfer #87236

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

Hello Corey,

This communication is regarding transfer request # 87236 involving Buckeye Farms and Old Curran Ranch. There are several items that I need as Watermaster to make a judgement on the transfer request.

First of all, Old Curran Ranch water right #36-16831 and 36-16857 site a private agreement with instrument # 177310 filed in Gooding County. It appears that private agreement may play a significant role in the interpretation of the water right. A copy of the private agreement was not included in the submission of document. I ask the applicants provide me a copy for my review.

Secondly, after a review of the application, it appears there is some sort of sharing/rental/gifting/trading of water rights between two private parties, Buckeye Farms and Old Curran Ranch. Is this allowed under state statue? If so, please direct me to the documents so I can gain a full understanding of this practice.

Lastly, there appears to be a pattern of water users seeking a transfer when they have been applying water to land outside of the place of use as described on the water right. The transfer request "reason for transfer" may site something like "Bringing water right into alignment with current practice" or "providing water use flexibility". This seems to be the case with this transfer request. What is the IDWR approved process for application to land outside of the water right place of use? Should this be done prior to water being moved? Are there any negative consequences or penalties for such a practice?

Given the above items and the need for additional information from the Department and applicant, I request the Watermaster response deadline be delayed to February 1, 2023.

After review to this communication let me know if the additional information requested will be provided and if the time extension will be granted.

Regards,
Matt Doperalski
Watermaster 36A
208-949-0523

SCANNED
FEB 08 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858
Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little **Director Gary Spackman**

December 1, 2022

WATER DISTRICT 36A
MATT DOPERALSKI
PO BOX 295
HAGERMAN ID 83332-0295

RE: Application for Transfer No(s).: 87236 (Old Curran Ranch LLC & Buckeye Farms)

Dear Matt:

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://idwr.idaho.gov/apps/ExtSearch/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.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

SCANNED
FEB 08 2023

MEMORANDUM

Date: December 1, 2022

To: Transfer 87236

From: Bill Mills

Re: Legal Notice Not Required

This application proposes creating a 430.2 acre irrigation permissible place of use (PPU) for four overlapping surface water rights. There are no changes proposed for the points of diversion (PODs). As such, there is no actual hydrologic change. Therefore, pursuant to Section 42-222, Idaho Code, this transfer can be processed and approved without advertising.

Legal Notice Not Required
12/1/2022

Pursuant to Section 42-222, Idaho Code, the Department has discretion to provide public notice as deemed appropriate. The water right changes proposed through this transfer application do not appear to change the effect on the original or hydraulically connected water source or affect other water rights. Therefore, staff review of the transfer application found no cause to require public notice. This application will continue processing without advertisement and be forwarded for approval consideration.

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MEMORANDUM

Date: December 1, 2022

To: Transfer 87236

From: Bill Mills

Re: Evaluation of Sufficiency Memorandum

Application proposes creating a 430.2 acre irrigation permissible place of use (PPU) for four overlapping rights. Three are diverted from Billingsley Creek (36-18, 36-16831 & 36-16857) and one is diverted from Weatherby Springs tributary to Billingsley Creek (36-15). When combined the rights are limited to a diversion rate of 18.36 cfs and the irrigation of 242.2 acres within the PPU. There are no changes proposed for the points of diversion (PODs). Current POUs and proposed PPU are located approximately 0.8 miles to 2.0 miles south and 0.5 miles west to 0.3 miles east of the intersection of Main St. and State St. in Hagerman.

Since the application is only combining overlapping POUs to create a PPU, there is no hydrologic change, and no advertising is required.

PODs, current POUs and proposed PPU are in Water District 36A. Watermaster comments will be solicited.

- **Authority to File:** Applicants are the current owners of the water rights and associated properties.

- **Water Right Validity:** Water rights 36-15 and 36-18 were decreed in the SRBA on 8/27/2001. Water right 36-16831 was decreed in the SRBA on 11/27/2001 and water right 36-16857 was decreed in the SRBA on 7/22/1999. Recent aerial imagery indicates the associated grounds appear to be irrigated.

- **Injury to Other Water Rights:**
  None anticipated.

- **Enlargement of Use:**
  None anticipated.

- **Local Public Interest:**
  No issues anticipated.

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- **Beneficial Use/Conservation of Water Resources:**
  Proposed use is recognized as a beneficial use of water.

- **Effect on the Economy of the Local Area:**
  None Anticipated.

- **Effect on Agricultural Base of the Local Economy:**
  None Anticipated.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

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MEMORANDUM

Date: December 1, 2022

To: Transfer 87236

From: Bill Mills

Re: Fee Evaluation

Filing fees charged for transfer application #87236 were based on the on the current transfer fee schedule and included $1940.00 for the 18.36 cfs being transferred in the application. $1300.00 paid under receipt S039297 and $640.00 paid under receipt S039523.

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