STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 86766

This is to certify that: VERBREE LAND HOLDINGS LLC
PO BOX 30
WENDELL, ID 83355-0030

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
36-15999	WR/DECREED	4/8/1975	0.300 cfs	45.0 af	N/A	N/A	GROUND WATER
36-8666	WR/LICENSE	7/10/1992	0.270 cfs	47.5 af	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-15999	NO	NO	NO	YES	NO	NO
36-8666	NO	NO	NO	YES	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
36-15999	36-15999	0.300 cfs	45.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-8666	36-8666	0.270 cfs	47.5 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**0.570 cfs**	**92.5 af**	**N/A**	**N/A**		**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 30th day of December, 2022.

Southern Region Manager

SUPPORT DATA
IN FILE # 36-8666

Transfer No. 86766

SCANNED
JAN 04 2023

WATER RIGHT NO. 36-15999

As Modified by Transfer No. 86766

In accordance with the approval of Transfer No. 86766, Water Right No. 36-15999 is now described as follows:

Right Holder: VERBREE LAND HOLDINGS LLC
PO BOX 30
WENDELL, ID 83355-0030

Priority Date: 4/8/1975

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
COMMERCIAL	1/01	to 12/31	0.300 cfs	45.0 af
STOCKWATER	1/01	to 12/31	0.300 cfs	45.0 af
			0.300 cfs	45.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSW	Sec 25 Twp 07S Rge 14E	GOODING County
GROUND WATER	NWSW	Sec 25 Twp 07S Rge 14E	GOODING County

PLACE OF USE: COMMERCIAL

			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	14E	25										X							

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	14E	25										X							

CONDITIONS OF APPROVAL

1. 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.130.
2. 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).
3. Commercial use is for a Dairy.

SCANNED
JAN 04 2023

WATER RIGHT NO. 36-15999

As Modified by Transfer No. 86766

CONDITIONS OF APPROVAL

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

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

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

SCANNED
JAN 04 2023

WATER RIGHT NO. 36-8666

As Modified by Transfer No. 86766

In accordance with the approval of Transfer No. 86766, Water Right No. 36-8666 is now described as follows:

Right Holder: VERBREE LAND HOLDINGS LLC
PO BOX 30
WENDELL, ID 83355-0030

Priority Date: 7/10/1992

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to	12/31	0.270 cfs	26.9 af
DOMESTIC	01/01	to	12/31	0.060 cfs	2.4 af
STOCKWATER	01/01	to	12/31	0.270 cfs	18.2 af
				0.270 cfs	47.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSW	Sec 25 Twp 07S Rge 14E GOODING County
GROUND WATER	NWSW	Sec 25 Twp 07S Rge 14E GOODING County

PLACE OF USE: COMMERCIAL

			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	14E	25										X							

PLACE OF USE: DOMESTIC

			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	14E	25										X							

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	14E	25										X							

CONDITIONS OF APPROVAL

1. 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. 130.

Transfer No. 86766

SCANNED
JAN 04 2023

WATER RIGHT NO. 36-8666

As Modified by Transfer No. 86766

CONDITIONS OF APPROVAL

2. 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 diversions.

3. Domestic use is for a home and mobile home.

4. The domestic use authorized under this right shall not exceed 13,000 gallons per day and the irrigation of 1/2 acre per home.

5. Commercial use is for a Dairy.

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

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

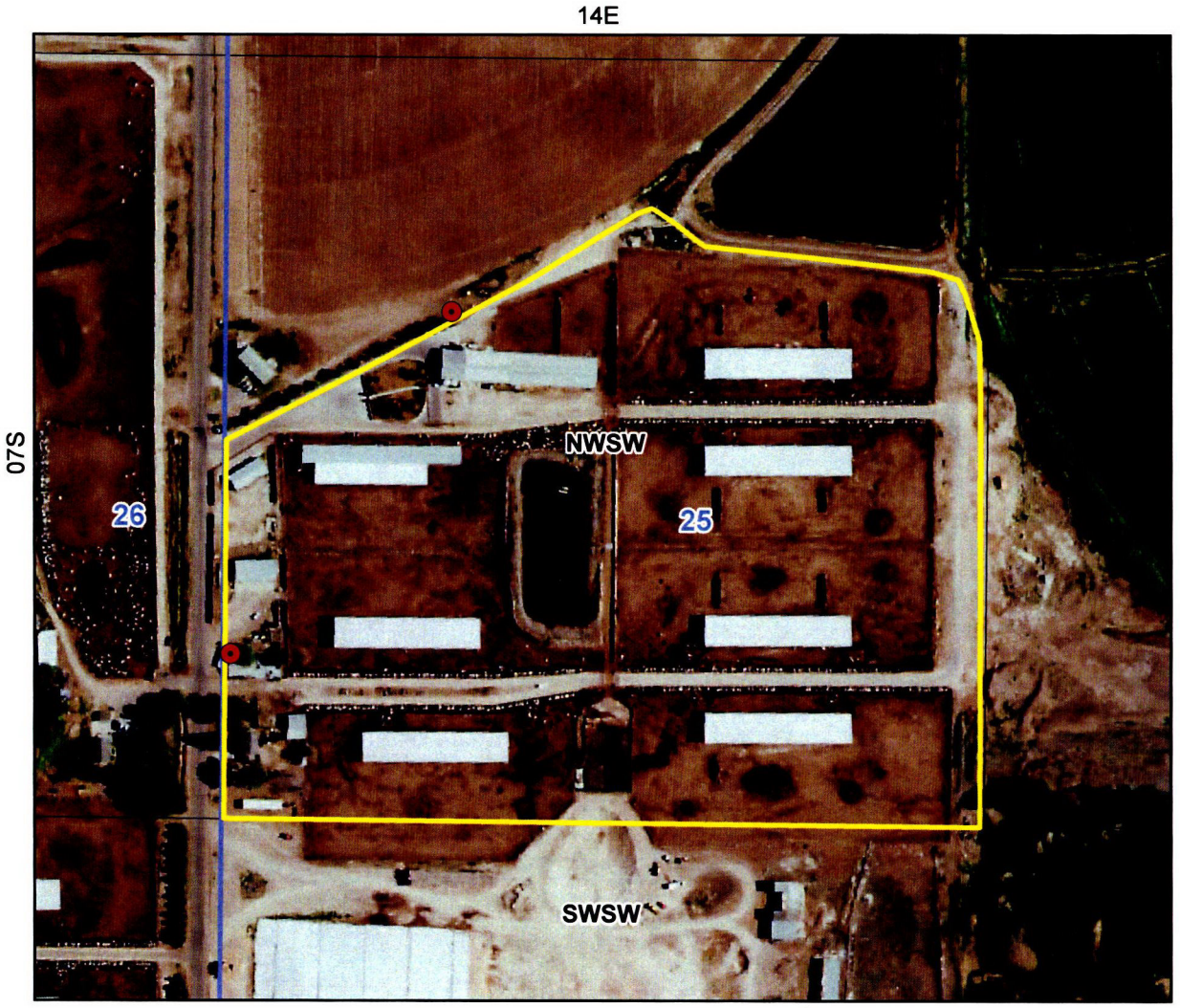
SCANNED
JAN 04 2023

State of Idaho
Department of Water Resources

Attachment to Transfer # 86766

36-8666 & 36-15999

This map depicts the STOCKWATER & COMMERCIAL 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.



Point of Diversion
Place Of Use Boundary
Townships
PLS Sections
Quarter Quarters

0 0.0375 0.075 0.15 Miles

N

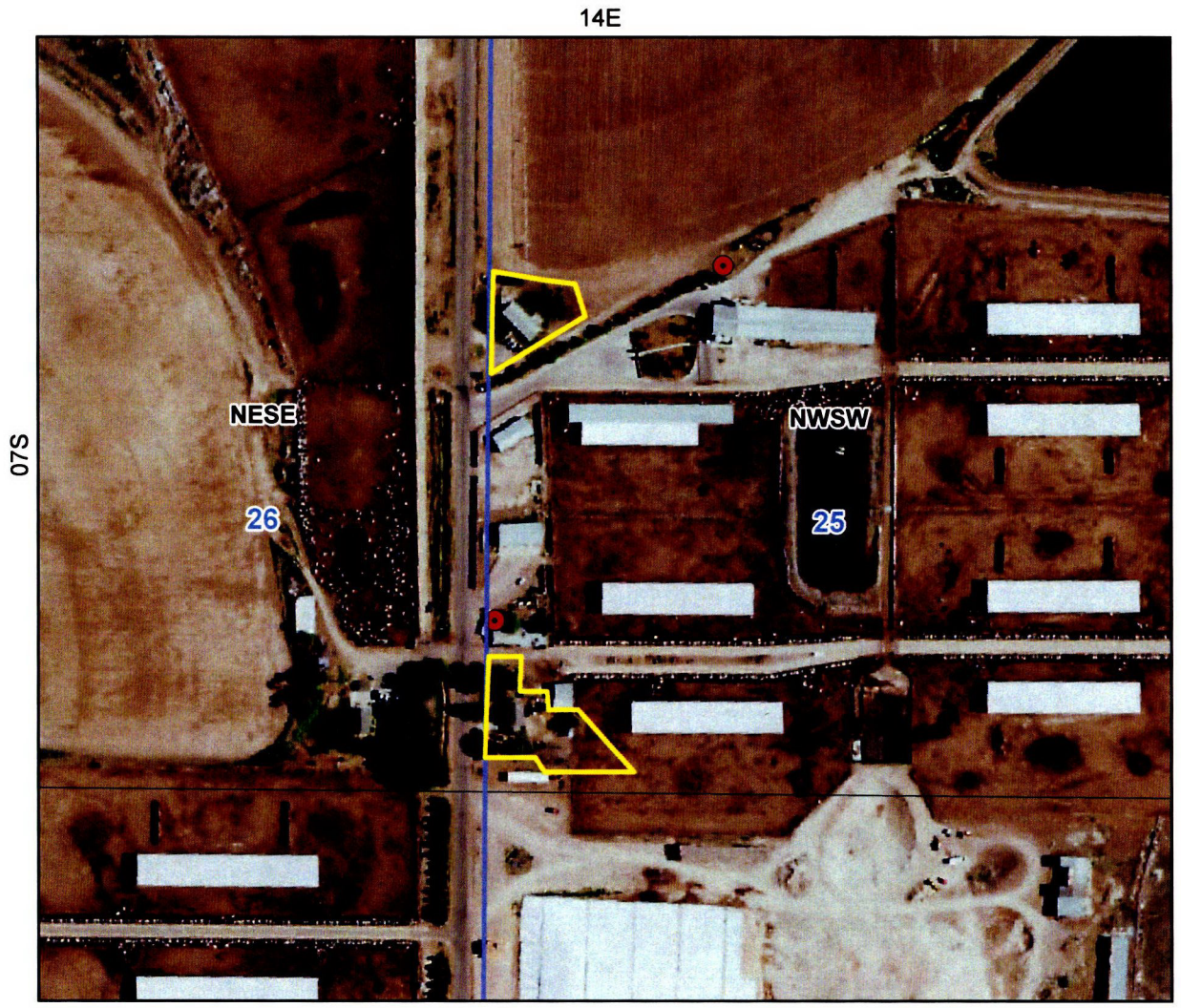
SCANNED
JAN 04 2023

State of Idaho
Department of Water Resources

Attachment to Transfer # 86766

36-8666

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



Place Of Use Boundary
Townships
PLS Sections
Quarter Quarters
Point of Diversion

0 0.035 0.07 0.14 Miles

N

SCANNED
JAN 04 2023

Rev. 07/11

RECEIVED
SEP 23 2022
DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 86766

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 http://www.idwr.idaho.gov/ .

Name of Applicant(s) VERBREE LAND HOLDINGS LLC

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.

- [x] * Completed Application for Transfer of Water Right form, Part 1.
- [x] * 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.
- [x] * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- [ ] [x] 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
- [x] * 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).
- [x] * 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 #1-9.

- [x] [ ] #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.)
- [ ] [x] #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
- [ ] [x] #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).
- [ ] [x] #3 Documentation of authority to make the change if the applicant is not the water right owner.
- [ ] [x] #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- [ ] [x] #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 http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm .
- [x] [ ] #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.)
- [x] * #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.)
- [ ] [x] #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.
- [ ] [x] #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.)
- [ ] [x] #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.)
- [ ] [x] #9 Other. Please describe: _____

SCANNED
JAN 04 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
SEP 23 2022
DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant VERBREE LAND HOLDINGS LLC Phone (208) 536-5608

Mailing Address PO BOX 30, WENDELL ID 83355-0030 Email verbreedairies@msn.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 _____ Phone _____

Mailing Address _____ Email _____

- ☐ 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.

Jack Verbree — Signature of Applicant or Authorized Representative
Jack Verbree Jr. — Print Name and Title if applicable
9-21-22 — Date

Margaret Verbree — Signature of Applicant or Authorized Representative
Margaret Verbree — Print Name and Title if applicable
9-21-22 — Date

A. PURPOSE OF TRANSFER

1.

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-8666	No	No	No	Yes	No	No
36-15999	No	No	No	Yes	No	No

Transfer No. 86766

SCANNED
JAN 04 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**

The transfer application proposes to add the existing points of diversion to both water rights.

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

1. Detailed Water Right Description(s) Attached labeled Part 1.

Summary of Water Rights After the Approved Change

Transferred Right (All or Part)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	Original Right (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
36-15999	0.300 cfs	45.0 af	N/A	N/A		N/A	N/A	N/A	N/A
36-8666	0.270 cfs	47.5 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED TOTALS	0.570 cfs	92.5 af	N/A	N/A		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 0.57 cubic feet per second and/or _____ acre-feet per annum

3. Points(s) of Diversion:
   - ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
   - ☑ As shown in Part 1.
   - ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

4. Place of Use:
   - ☐ No changes to place of use are proposed. (Proceed to #5.)
   - ☑ As shown in Part 1.
   - ☐ See Attachment.

SCANNED
JAN 04 2023

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 36-15999

Current Water Right Owner

VERBREE LAND
HOLDINGS LLC
PO BOX 30
WENDELL, ID 83355-0030

Priority Date: 4/8/1975

Origin: Water Right

Basis: Decreed

Status Active

Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
COMMERCIAL	1/01	12/31	0.300 CFS	45.0 AFA	Dairy
STOCKWATER	1/01	12/31	0.300 CFS	45.0 AFA	Dairy
Total Diversion			0.300 CFS	45.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWSW	Sec. 25 Twp 07S Rge 14E GOODING County
GROUND WATER	NWSW	Sec. 25 Twp 07S Rge 14E GOODING County

Place of Use: COMMERCIAL

			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	14E	25										X							

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	14E	25										X							

Transfer No. 86766

SCANNED
JAN 04 2023

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Transfer Right After Requested Changes

Proposed Water Right No. 36-8666

Current Water Right Owner

VERBREE LAND
HOLDINGS LLC
PO BOX 30
WENDELL, ID 83355-0030

Priority Date: 7/10/1992

Origin: Water Right

Basis: License

Status Active

Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
COMMERCIAL	01/01	12/31	0.270 CFS	26.9 AFA	Dairy
DOMESTIC	01/01	12/31	0.060 CFS	2.4 AFA	
STOCKWATER	01/01	12/31	0.270 CFS	18.2 AFA	
Total Diversion			0.270 CFS	47.5 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWSW	Sec. 25 Twp 07S Rge 14E GOODING County
GROUND WATER	NWSW	Sec. 25 Twp 07S Rge 14E GOODING County

Place of Use: COMMERCIAL

			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	14E	25										X							

Place of Use: DOMESTIC

			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	14E	25										X							

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	14E	25										X							

Transfer No. 86766

SCANNED
JAN 04 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
Two existing wells with measuring devices installed

b. Who owns the property at the point(s) of diversion
Applicant
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
N A

c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
No, ☐ **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: Northwest Farm Credit Services FLCA, - (No impact to property value).
It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

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

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

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

Yes	No	
☐	☑	undergone a period of five or more consecutive years of non-use,
☐	☑	currently leased to the Water Supply Bank,
☐	☑	currently used in a mitigation plan limiting the use of water under the right, or
☐	☑	currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

Transfer No. 86766

SCANNED
JAN 04 2023

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

Current Water Right No. 36-15999

Current Water Right Owner

VERBREE LAND
HOLDINGS LLC
PO BOX 30
WENDELL, ID 83355-0030

Priority Date: 4/8/1975

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
COMMERCIAL	1/01	12/31	0.300 CFS	45.0 AFA	Dairy
STOCKWATER	1/01	12/31	0.300 CFS	45.0 AFA	Dairy
Total Diversion			0.300 CFS	45.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER NWSW Sec. 25 Twp 07S Rge 14E GOODING County

Place of Use: COMMERCIAL

			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	14E	25						X	X			X							0.0

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	14E	25										X							0.0

Conditions/Remarks:

1. THE RIGHT HOLDER SHALL MEASURE AND ANNUALLY REPORT TO THE DEPARTMENT THE AMOUNT (CFS AND AF) OF WATER DIVERTED UNDER THIS TRANSFER.

2. THE PLACE OF COMMERCIAL USE AUTHORIZED BY THIS TRANSFER INCLUDES LAND UPON WHICH WASTEWATER MAY BE APPLIED FOR IRRIGATION PURPOSES TO SATISFY WATER QUALITY REQUIREMENTS. WATER DIVERTED UNDER THIS APPROVAL SHALL NOT BE USED FOR IRRIGATION UNLESS THE WATER IS FIRST BENEFICIALLY USED IN THE DAIRY AS AUTHORIZED BY TRANSFER.

3. FIFTEEN ACRES LOCATED IN THE SWSE, S23, T7S, R14E B.M. ARE NO LONGER AUTHORIZED FOR IRRIGATION WITH GROUND WATER UNDER THE RIGHT BEING TRANSFERRED.

4. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

5. THE DAIRY FACILITY IS LOCATED IN THE NWSW, S25, T7S, R14E.

Transfer No. 86766

SCANNED
JAN 04 2023

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

Current Water Right No. 36-8666

Current Water Right Owner

VERBREE LAND
HOLDINGS LLC
PO BOX 30
WENDELL, ID 83355-0030

Priority Date: 7/10/1992
Origin: Water Right
Basis: License
Status: Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
COMMERCIAL	01/01	12/31	0.270 CFS	26.9 AFA	Dairy
DOMESTIC	01/01	12/31	0.060 CFS	2.4 AFA	
STOCKWATER	01/01	12/31	0.270 CFS	18.2 AFA	
Total Diversion			0.270 CFS	47.5 AFA	

Source and Point(s) of Diversion:
GROUND WATER NWSW Sec. 25 Twp 07S Rge 14E GOODING County

Place of Use: COMMERCIAL

			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	14E	25										X							0.0

Place of Use: DOMESTIC

			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	14E	25										X							0.0

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	14E	25										X							0.0

Conditions/Remarks:

1. 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. 130.

2. 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 diversions.

3. Domestic use is for 2 homes.

4. The domestic use authorized under this right shall not exceed 13,000 gallons per day and the irrigation of 1/2 acre per home.

5. Commercial use is for a Dairy.

Transfer No. 86766

SCANNED
JAN 04 2023

SCANNED
JAN 04 2023

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)

- [x] 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.

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**

1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above.:

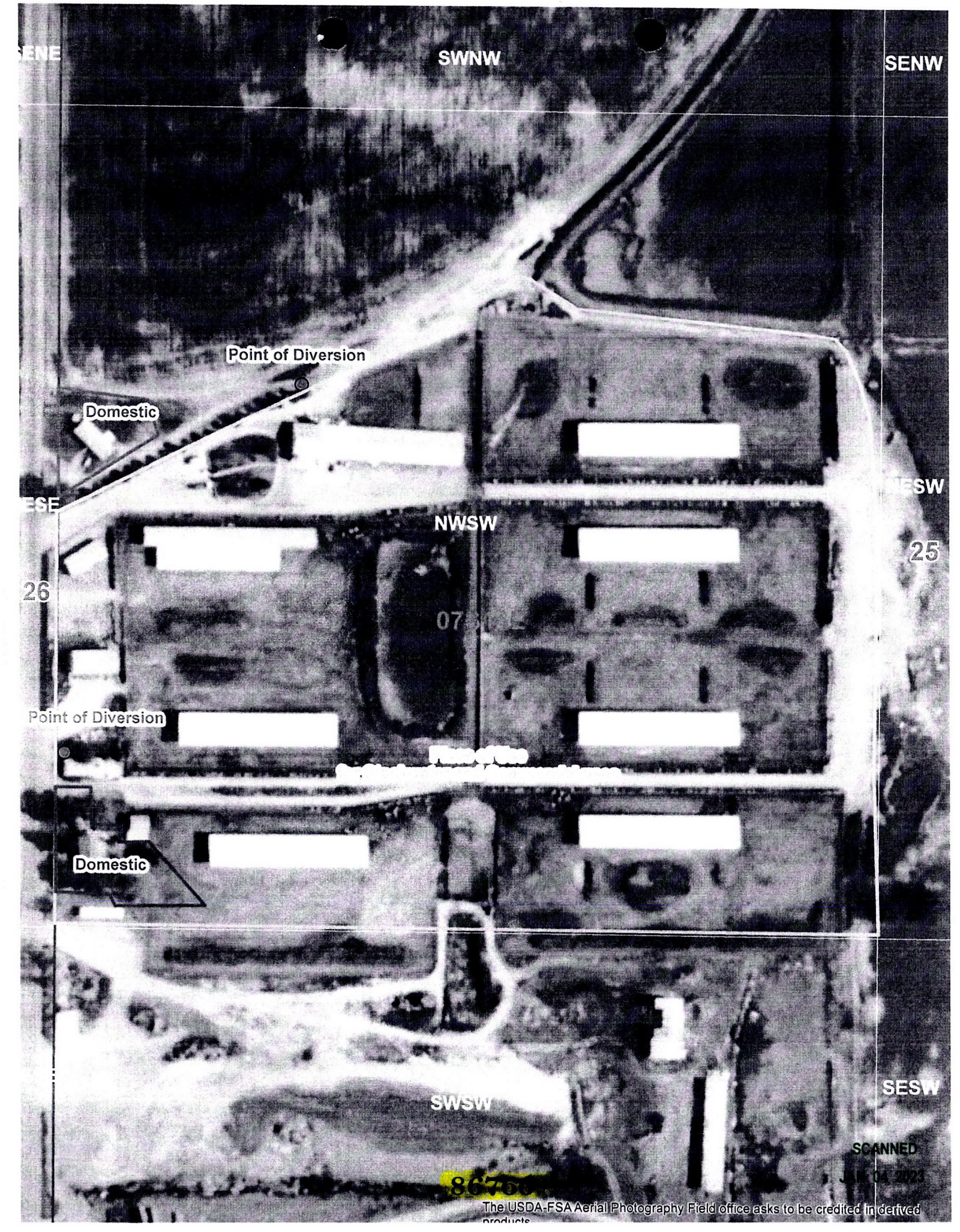
N A

FOR DEPARTMENT USE ONLY

Transfer Contains 10 pages and _____ attachments.
Received By SG Date 9/23/2022 Prelim. Check By _____ Date _____
Fee Paid $500.00 Date 9/23/2022 Receipted By SG Receipt # 5039457
Add'l Fee Paid _____ Date _____ Receipted By _____ Receipt # _____

Transfer No. 86766

SCANNED
JAN 04 2023


SENE
SWNW
SENW
Point of Diversion
Domestic
ESE
NESW
NWSW
25
26
07
Point of Diversion
Domestic
SWSW
SESW
SCANNED
JAN 04 2023
The USDA-FSA Aerial Photography Field office asks to be credited in derived products

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**

January 04, 2023

VERBREE LAND HOLDINGS LLC
PO BOX 30
WENDELL ID 83355-0030

Re: Transfer No: 86766
Water Right No(s).: 36-8666, 36-15999

Transfer Approval Notice

Dear Water Right Holder(s):

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 04 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:

WATER DISTRICT 130
BRIAN RAGAN
PO BOX 83720
BOISE ID 83720-0098

SCANNED
JAN 04 2023

CERTIFICATE OF SERVICE

I hereby certify that on January 04, 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.: 86766
Water Right No(s).: 36-8666, 36-15999

VERBREE LAND HOLDINGS LLC
PO BOX 30
WENDELL ID 83355-0030

WATER DISTRICT 130
BRIAN RAGAN
PO BOX 83720
BOISE ID 83720-0098

Denise Maline

Denise Maline
Administrative Assistant

SCANNED
JAN 04 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
JAN 04 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
JAN 04 2023

Sufficiency Memorandum

Date: December 2, 2022

To: Transfer 86766

From: Benny Walker

Re: Evaluation of Sufficiency of Information Submitted

Application proposes to add a point of diversion (POD) to two ground water rights (0.57 cfs/92.5 af) for stockwater, commercial, and domestic at an existing dairy so that both water rights can be diverted from the two existing wells located on the dairy owned by the applicant.
The two PODs are located approximately 3.0 miles to 3.5 miles west and 0.8 to 1.0 miles north of Main Street and Hwy 46 intersection in Wendell.
The right involved with this application is located within Water District 36. Therefore, watermaster comments were solicited and the water master had no concerns or comments.
The application is not subject to notice and protest since there is no hydrological impact anticipated.

- **Authority to File:**
  The applicant is listed as the current owner of the water rights involved in the transfer according to department records.

- **Water Right Validity:**
  One water right involved in the transfer was decreed in the SRBA and one was licensed by the Department. Recent aerial photography indicates that theses water rights has been used in recent years.

- **Injury to Other Water Rights:**
  None anticipated. No hydrological impact anticipated

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

- **Local Public Interest:**
  No negative impacts anticipated.

- **Beneficial Use/Conservation of Water Resources:**
  Proposed uses are recognized as beneficial uses of water

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

- **Effect of the Agricultural Base of the Local Area:**
  None anticipated.

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

SCANNED
JAN 04 2023

Maline, Denise

From: Ragan, Brian
Sent: Thursday, December 1, 2022 1:39 PM
To: Maline, Denise
Cc: King, Corey
Subject: RE: Comment Letter for Transfer 86766 - Verbree Land Holdings

I have no concerns or comments regarding this transfer.

Brian Ragan
IDWR Water Distribution Section
(208) 287-4934

From: Maline, Denise <Denise.Maline@idwr.idaho.gov>
Sent: Thursday, December 1, 2022 9:06 AM
To: Ragan, Brian <Brian.Ragan@idwr.idaho.gov>
Subject: Comment Letter for Transfer 86766 - Verbree Land Holdings

Hi Brian,

Attached is an application for transfer that is currently being processed by the department, located within WD130. Please review the application and provide any necessary comments within 21 days.

If you have any questions, please feel free to contact our office and we'll connect you with the agent processing the application.

Thank you in advance,

Denise @ Southern Region

Denise Maline, Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov

SCANNED
JAN 04 2023

Maline, Denise

From:	Maline, Denise
Sent:	Thursday, December 1, 2022 9:06 AM
To:	Ragan, Brian
Subject:	Comment Letter for Transfer 86766 - Verbree Land Holdings
Attachments:	Application for Transfer 86766 (Verbree).pdf; Comment letter to WD130 for 86766.docx

Hi Brian,

Attached is an application for transfer that is currently being processed by the department, located within WD130. Please review the application and provide any necessary comments within 21 days.

If you have any questions, please feel free to contact our office and we'll connect you with the agent processing the application.

Thank you in advance,

Denise @ Southern Region

Denise Maline, Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov

SCANNED
JAN 04 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 130
BRIAN RAGAN
PO BOX 83720
BOISE ID 83720-0098

RE: Application for Transfer No(s).: 86766 (Verbree Land Holdings LLC)

Dear Brian:

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
JAN 04 2023

Date: November 30, 2022

To: Transfer 86766

From: Benny Walker

Re: Synopsis

Application proposes to add a point of diversion (POD) to two ground water rights (0.57 cfs/92.5 af) for stockwater, commercial, and domestic at an existing dairy so that both water rights can be diverted from the two existing wells located on the dairy owned by the applicant.

The two PODs are located approximately 3.0 miles to 3.5 miles west and 0.8 to 1.0 miles north of Main Street and Hwy 46 intersection in Wendell.

The right involved with this application is located within Water District 36. Therefore, watermaster comments will be solicited. The application is not subject to notice and protest since there is no hydrological impact anticipated.

SCANNED
JAN 04 2023

MEMORANDUM

Date: November 30, 2022

To: Transfer 86766

From: Benny Walker

Re: Legal Notice Not Required

Legal Notice Not Required
11/30/2022

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.

SCANNED
JAN 04 2023

MEMORANDUM

TO: Transfer 86766 File

FROM: Benny Walker

DATE: November 30, 2022

SUBJECT: Filing Fee

The filing fee of, $500.00, for this transfer is based on the amount of water proposed to be transferred or changed, 0.57 cfs. The transfer fee schedule for a transfer involving 0.21-1.00 cfs indicates that the filing fee is $500.00. The applicants have submitted a fee of $500.00 check number 54425 with this transfer, (Receipt S039457).

SCANNED
JAN 04 2023

Northwest FARM CREDIT SERVICES
406 Park View Loop
Twin Falls, ID 83301-3393
Voice: 208.732.1000 *Toll-Free:* 800.733.9412 *Fax:* 208.732.1005

September 13, 2022

RECEIVED
SEP 13 2022
DEPT OF WATER RESOURCES
SOUTHERN REGION

Idaho Department of Water Resources
Attn: Benny Walker

Re: Water Permit 36-8666 – Verbree Land Holdings

Dear Mr. Walker,

Northwest Farm Credit Services, FLCA no longer has interest in water permit 36-8666, concerning Mr. Jack Verbree or Verbree Land Holdings, LLC. If you have further questions, please feel free to contact me.

Thank you

Lance Thompson
Relationship Manager

Database updated by DM 9/13/2022
DM

This institution is an equal opportunity provider and employer.

SCANNED
NOV 18 2022

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**

September 15, 2022

NORTHWEST FARM CREDIT SERVICES
406 PARK VIEW LOOP
TWIN FALLS ID 83301-3393

RE: Release of Security Interest for Water Right No(s): 36-8666 (Verbree Land Holdings LLC)

Dear Northwest Farm Credit Services:

The Department of Water Resources (Department) acknowledges receipt of your correspondence requesting to be removed as a security interest holder on the above referenced water right(s). The Department has modified its records, and has enclosed a computer-generated report for you.

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: Verbree Land Holdings LLC

SCANNED
NOV 18 2022