STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 87935

This is to certify that: L & S LAND HOLDINGS LLC
2930 S 2300 E
WENDELL, ID 83355-3150

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
36-10098	WR/DECREED	1/1/1935	0.050 cfs	N/A	N/A	N/A	GROUND WATER
36-2312D	WR/DECREED	11/26/1956	0.120 cfs	36.1 af	N/A	N/A	GROUND WATER
36-7387D	WR/DECREED	10/27/1973	0.070 cfs	36.1 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
36-10098	NO	YES	YES	NO	NO	NO
36-2312D	NO	YES	YES	NO	NO	NO
36-7387D	NO	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
36-10098	36-10098	0.050 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-2312D	36-2312D	0.120 cfs	36.1 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-7387D	36-7387D	0.070 cfs	36.1 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**0.200 cfs**	**N/A**	**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 14th day of July, 2023.

Southern Region Manager

SUPPORT DATA
IN FILE # 36-2312D

Transfer No. 87935

SCANNED
SEP 06 2023

WATER RIGHT NO. 36-10098

As Modified by Transfer No. 87935

In accordance with the approval of Transfer No. 87935, Water Right No. 36-10098 is now described as follows:

Right Holder: L & S LAND HOLDINGS LLC
2930 S 2300 E
WENDELL, ID 83355-3150

Priority Date: 1/1/1935

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate
DOMESTIC	1/01	to	12/31	0.040 cfs
STOCKWATER	1/01	to	12/31	0.030 cfs
				0.050 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNENE	Sec 25 Twp 08S Rge 14E	GOODING County
GROUND WATER	NWNENE	Sec 25 Twp 08S Rge 14E	GOODING County

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
08S	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
08S	14E	25	X	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. The quantity of water under this right shall not exceed 13,000 gallons per day.
4. The quantity of water decreed for this water right is not a determination of historical beneficial use.

Transfer No. 87935

SCANNED
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WATER RIGHT NO. 36-10098

As Modified by Transfer No. 87935

CONDITIONS OF APPROVAL

5. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.

6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.

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

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

10. Pursuant to 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
SEP 06 2023

WATER RIGHT NO. 36-2312D

As Modified by Transfer No. 87935

In accordance with the approval of Transfer No. 87935, Water Right No. 36-2312D is now described as follows:

Right Holder: L & S LAND HOLDINGS LLC
2930 S 2300 E
WENDELL, ID 83355-3150

Priority Date: 11/26/1956

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
COMMERCIAL	1/01	to	12/31	0.120 cfs	36.1 af
STOCKWATER	1/01	to	12/31	0.120 cfs	36.1 af
				0.120 cfs	36.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNENE	Sec 25 Twp 08S Rge 14E GOODING County
GROUND WATER	NWNENE	Sec 25 Twp 08S 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
08S	14E	25	X	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
08S	14E	25	X	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. Rights 36-2312D and 36-7387D when combined shall not exceed a total diversion rate of 0.15 cfs and a total annual maximum diversion volume of 36.1 af.

Transfer No. 87935

SCANNED
SEP 06 2023

WATER RIGHT NO. 36-2312D

As Modified by Transfer No. 87935

CONDITIONS OF APPROVAL

4. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.

5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.

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

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

9. 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
SEP 06 2023

WATER RIGHT NO. 36-7387D

As Modified by Transfer No. 87935

In accordance with the approval of Transfer No. 87935, Water Right No. 36-7387D is now described as follows:

Right Holder: L & S LAND HOLDINGS LLC
2930 S 2300 E
WENDELL, ID 83355-3150

Priority Date: 10/27/1973

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
COMMERCIAL	1/01	to	12/31	0.070 cfs	36.1 af
STOCKWATER	1/01	to	12/31	0.070 cfs	36.1 af
				0.070 cfs	36.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNENE	Sec 25	Twp 08S Rge 14E	GOODING County
GROUND WATER	NWNENE	Sec 25	Twp 08S 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
08S	14E	25	X	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
08S	14E	25	X	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. Rights 36-2312D and 36-7387D when combined shall not exceed a total diversion rate of 0.15 cfs and a total annual maximum diversion volume of 36.1 af.

Transfer No. 87935

SCANNED
SEP 06 2023

WATER RIGHT NO. 36-7387D

As Modified by Transfer No. 87935

CONDITIONS OF APPROVAL

4. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.

5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.

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

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

9. 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.

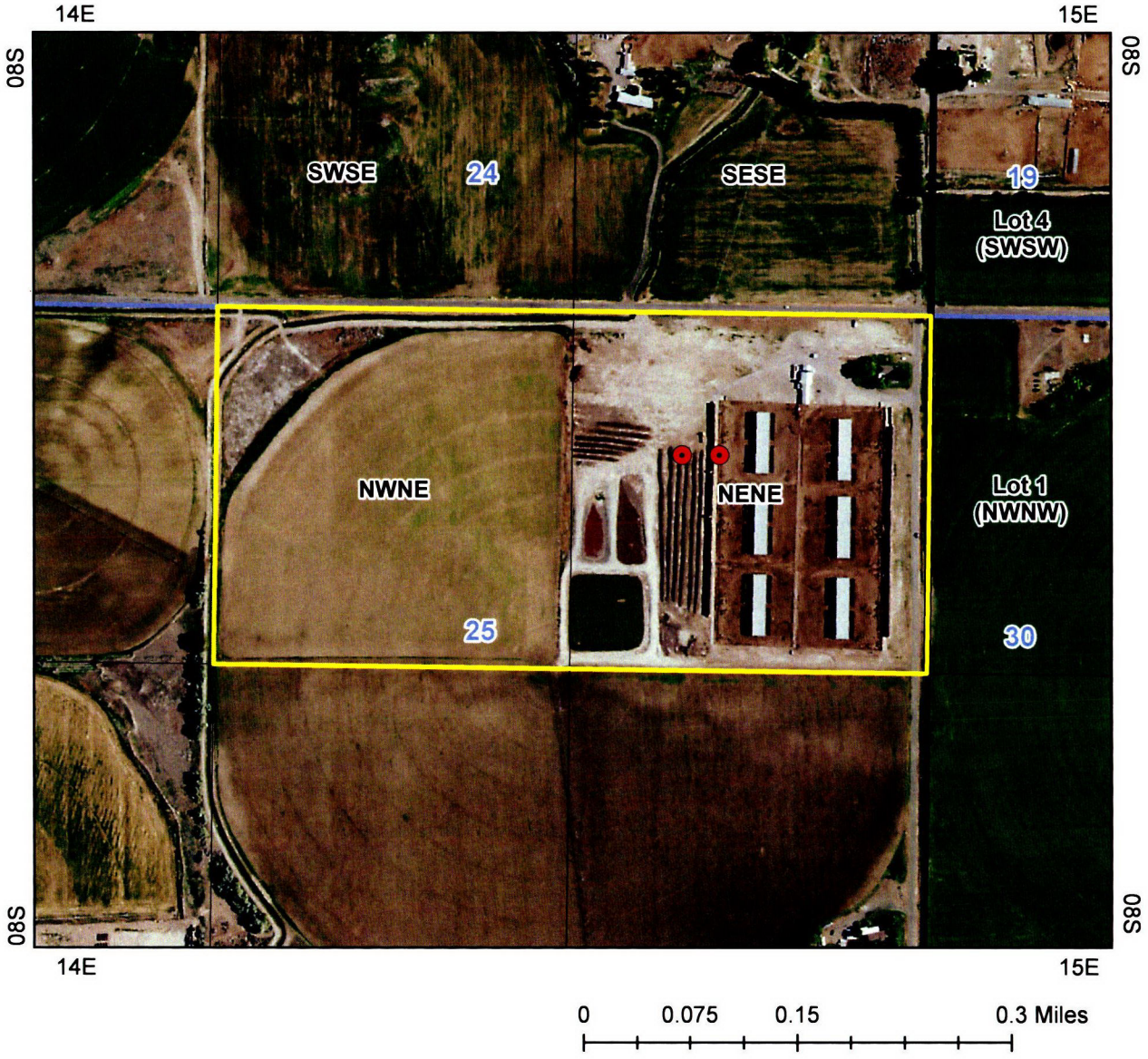
SCANNED
SEP 06 2023

State of Idaho
Department of Water Resources

Attachment to Transfer # 87935

36-2312D, 36-7387D, and 36-10098

This map depicts the COMMERCIAL &/or STOCKWATER 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.



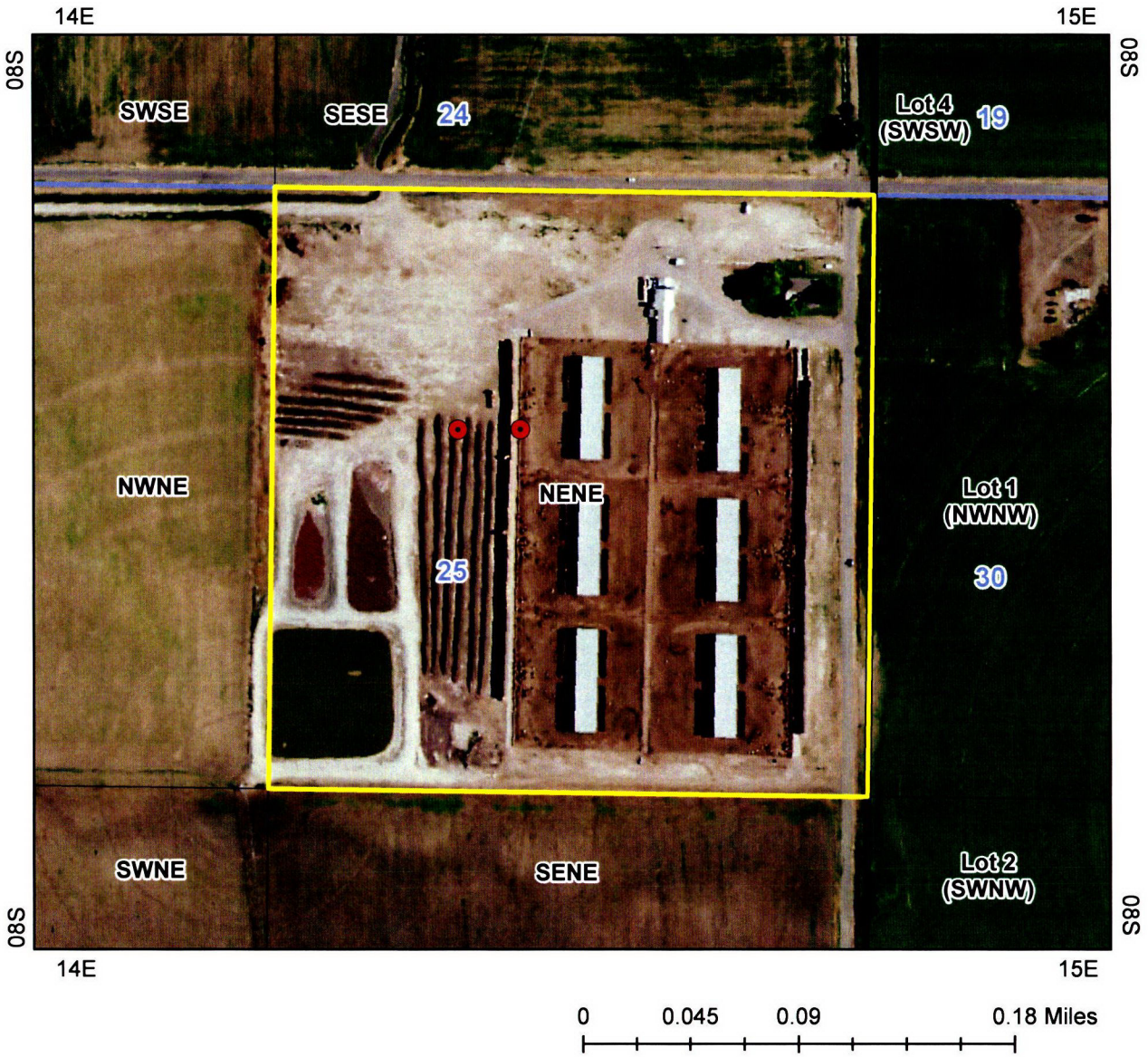
SCANNED
SEP 06 2023

State of Idaho
Department of Water Resources

Attachment to Transfer # 87935

36-10098

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.



0 0.045 0.09 0.18 Miles

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

N

SCANNED
SEP 06 2023

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 87935

RECEIVED
MAY 11 2023
DEPT OF WATER RESOURCES
SOUTHERN REGION

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) L & S 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.

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

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

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

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MAY 26 2023

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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) L & S LAND HOLDINGS LLC Phone 2085366148

Mailing address 2930 S 2300 E WENDELL, ID 83355 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 Greg Sullivan Phone 208-736-8543

Mailing address 2016 N Washington St Ste 4 Twin Falls, Idaho 83301 Email greg.sullivan@brockwayeng.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
  OR
- ☑ Send original correspondence to the applicant and copies to the representative.

- ☑ The representative may submit information for the applicant but is not authorized to sign for the applicant.
  OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4.**

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date
	LUIS BETANCOURT, OWNER	5-9-23
Signature of Applicant or Authorized Representative	Print Name and Title if applicable	Date

A. PURPOSE OF TRANSFER

1. ☑ Change point of diversion ☐ Add diversion point(s) ☑ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other
2. Is this a transfer for changes pursuant to Idaho Code §42-221.O.8?
   If yes, ☐ attach an explanation and any supporting documentation labeled as **Part1A.2.**
3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part1A.3.**
   This transfer will update the POU and PODs for water rights 362312D and 36-7387D.

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MAY 26 2023

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
☑	☐	36-7387D	0.07/36.1	Stockwater	1/01 to 12/31	Ground Water
☐	☐		0.07/36.1	Commercial	1/01 to 12/31	Ground Water
☑	☐	36-10098	0.04/	Domestic	1/01 to 12/31	Ground Water
☐	☐		0.03/	Stockwater	1/01 to 12/31	Ground Water
☑	☐	36-2312D	0.12/36.1	Stockwater	1/01 to 12/31	Ground Water
☐	☐		0.12/36.1	Commercial	1/01 to 12/31	Ground Water
☐	☐				to	
☐	☐				to	
☐	☐				to	

Total authorized under rights 0.20 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.20 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 #
		NW	NE	NE	25	08S	14E	Gooding	Ground Water	New Well 1
		NW	NE	NE	25	08S	14E	Gooding	Ground Water	New Well 2

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	
08S	14E	25	S/C	S/C															
08S	14E	25	D																
																			Total Acres (for irrigation use)

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MAY 26 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 thefuture:
The existing well will be abandoned and two new wells will be drilled. Mainlines and delivery system will be updated.

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

c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6.** List the name of the entity and type oflien: The two new PODs will add value to the property.

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.

e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
The land will have a reduced number of cattle on the property.

f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
None currently approved by IDWR

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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MAY 26 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

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

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

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

Right Number: ________________

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) ________

87935

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MAY 26 2023

Page _____ of _____

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

Current Water Right No.: 36-10098

Current Owner: L & S LAND HOLDINGS LLC

Priority Date: 1/1/1935

Origin: Water Right

Status: Active

Basis: Decreed

Source	Tributary
GROUND WATER	

Beneficial Use	From To	Diversion Rate	Annual Volume
DOMESTIC	1/01 to 12/31	0.04 CFS	
STOCKWATER	1/01 to 12/31	0.03 CFS	
	Total Diversion	0.05 CFS	

Location of Point(s) of Diversion

GROUND WATER NE1/4NE1/4NE1/4 Sec. 25, Twp 08S, Rge 14E B.M.
GOODING County

Place of Use

STOCKWATER Within GOODING County

T08S R14E S25 NENE

DOMESTIC Within GOODING County

T08S R14E S25 NENE

Conditions of Approval:

1. PARCEL NO. RP08S14E250000 STOCKWATER/100 RANGE CATTLE
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Decreed Date: 11/15/1996

87935

SCANNED
MAY 26 2023

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

Current Water Right No.: 36-2312D

Current Owner: L & S LAND HOLDINGS LLC

Priority Date: 11/26/1956

Origin: Water Right

Status: Active

Basis: Decreed

Source **Tributary**

GROUND WATER

Beneficial Use	From To	Diversion Rate	Annual Volume
STOCKWATER	1/01 to 12/31	0.12 CFS	36.1 AF
COMMERCIAL	1/01 to 12/31	0.12 CFS	36.1 AF
	Total Diversion	0.12 CFS	36.1 AF

Location of Point(s) of Diversion

GROUND WATER NE1/4NE1/4 Sec. 25, Twp 08S, Rge 14E B.M.
GOODING County

Place of Use

STOCKWATER Within GOODING County

T08S R14E S25 NENE

COMMERCIAL Within GOODING County

T08S R14E S25	NENE	T08S R14E S25	NWNE
T08S R14E S25	SWNE	T08S R14E S25	SENE

87935

SCANNED
MAY 26 2023

Conditions of Approval:

1.	E60	Right Nos. 36-2312D and 36-7387D are limited to a total combined diversion rate of 0.15 cfs and to a total combined annual diversion volume of 36.1 AF.
2.	T07	The right holder shall accomplish the change authorized by Transfer No. 5384 on or before October 7, 2006.
3.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4.	T19	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.
5.		Use of water under Transfer No. 5384 requires that the applicant dry up 22 acres of land located in the NENE Section 25, T08S, R14E, B.M. although 33 acres will actually be dried up.
6.		The right holder shall install measuring devices at the irrigation well located in the SENE Section 25, T08S, R14E, B.M. from which water is being transferred and at the dairy well(s) in the NENE of Section 25, T08S, R14E, B.M. The right holder shall measure and annually report to the Department the amount (cfs and acre-feet) of water diverted under Transfer No. 5384. The Director may require more frequent measuring and reporting.
7.	T20	Approval of this transfer does not confirm the validity of this water right.
8.		The number of milking cattle at Box Canyon Dairy No. 3 shall not exceed 896 animals.
9.		The place of commercial use authorized by Transfer No. 5384 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 No. 5384.
10.		The right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Decreed Date: 4/27/2007

SCANNED
MAY 26 2023

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

Current Water Right No.: 36-7387D

Current Owner: L & S LAND HOLDINGS LLC

Priority Date: 10/27/1973

Origin: Water Right

Status: Active

Basis: Decreed

Source **Tributary**

GROUND WATER

Beneficial Use	From To	Diversion Rate	Annual Volume
STOCKWATER	1/01 to 12/31	0.07 CFS	36.1 AF
COMMERCIAL	1/01 to 12/31	0.07 CFS	36.1 AF
	Total Diversion	0.07 CFS	36.1 AF

Location of Point(s) of Diversion

GROUND WATER NE1/4NE1/4 Sec. 25, Twp 08S, Rge 14E B.M.
GOODING County

Place of Use

STOCKWATER Within GOODING County

T08S R14E S25 NENE

COMMERCIAL Within GOODING County

T08S R14E S25	NENE	T08S R14E S25	NWNE
T08S R14E S25	SWNE	T08S R14E S25	SENE

87935

SCANNED
MAY 26 2023

Conditions of Approval:

1.		The right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2.	E60	Right Nos. 36-2312D and 36-7387D are limited to a total combined diversion rate of 0.15 cfs and to a total combined annual diversion volume of 36.1 AF.
3.		The right holder shall install measuring devices at the irrigation well located in the SENE Section 25, T08S, R14E, B.M. from which water is being transferred and at the dairy well(s) in the NENE of Section 25, T08S, R14E, B.M. The right holder shall measure and annually report to the Department the amount (cfs and acre-feet) of water diverted under Transfer No. 5384. The Director may require more frequent measuring and reporting.
4.	T19	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.
5.		The number of milking cattle at Box Canyon Dairy No. 3 shall not exceed 896 animals.
6.	T07	The right holder shall accomplish the change authorized by Transfer No. 5384 on or before October 7, 2006.
7.	T20	Approval of this transfer does not confirm the validity of this water right.
8.		Use of water under Transfer No. 5384 requires that the applicant dry up 22 acres of land located in the NENE Section 25, T08S, R14E, B.M. although 33 acres will actually be dried up.
9.		The place of commercial use authorized by Transfer No. 5384 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 No. 5384.
10.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Decreed Date: 4/27/2007

SCANNED
MAY 26 2023

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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

☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.

☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b.**

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

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

B. CHANGES IN NATURE OF USE (Water Balance)

☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

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

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

FOR DEPARTMENT USE ONLY

Transfer contains_____ pages and_____ attachments.

Received by SG Date 5/11/2023 Preliminary check by SG Date 5/11/2023

Fee paid $200.00 Date 5/11/2023 Receipted by SG Receipt # 5039771

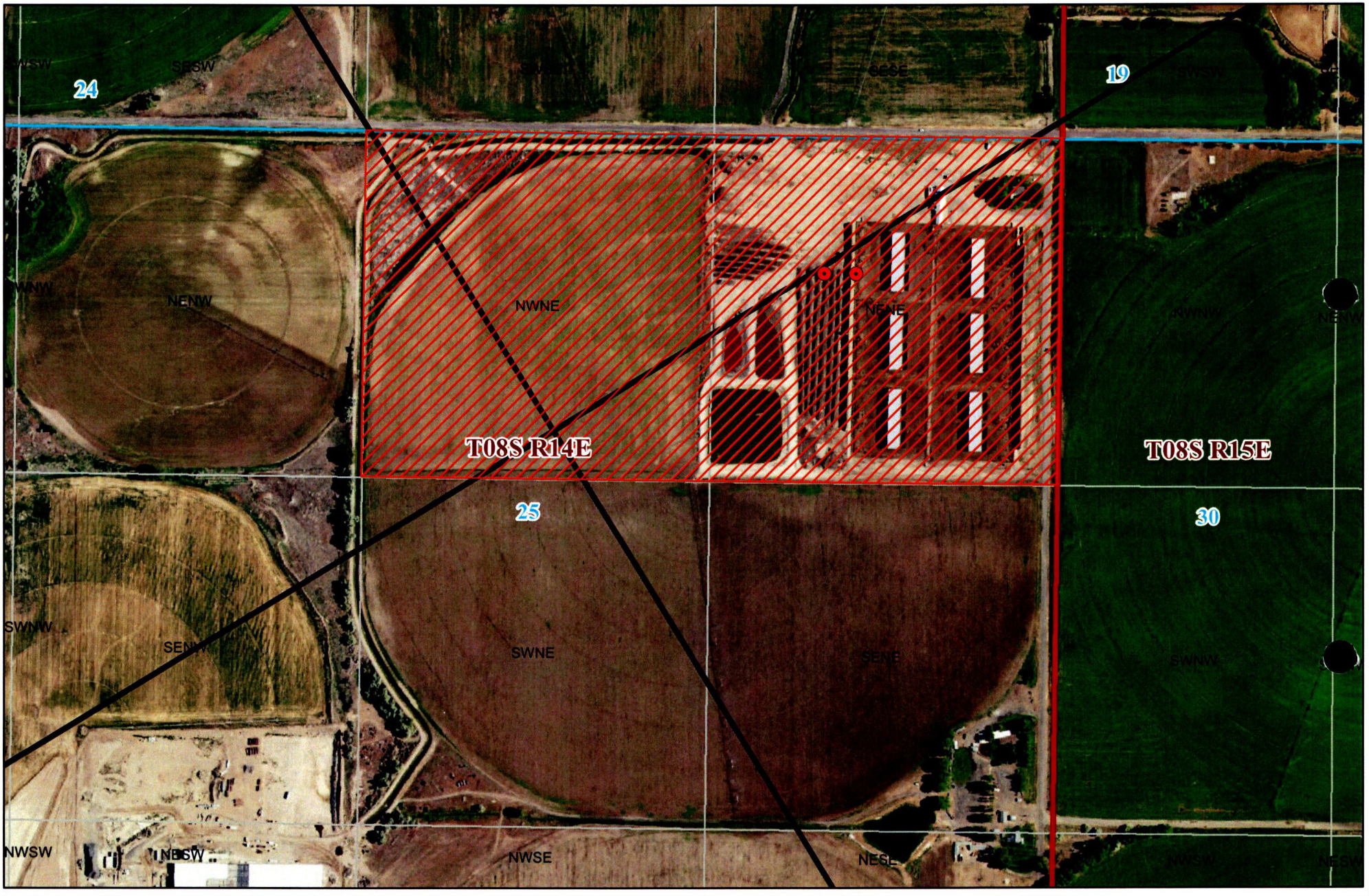
Add'l fee paid_____ Date_____ Receipted by_____ Receipt # _____

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

87935

SCANNED
MAY 26 2023

Path: F:\Projects\Bettencourt\Bettencourt 2023\Arcview\Dairy 7 Barn 3.mxd



0 500 1,000 Feet

BROCKWAY ENGINEERING, PLLC.
CWS - Date: 5/4/2023

DAIRY #7 Barn 3
L&S LAND HOLDINGS LLC
NAIP 2021 AERIAL PHOTO

87935

Legend

- Barn_3_PODs
- Dairy 7 Barn 3 POU
- modelgrid_trimmed

N

MAY 26 2023

SCANNED

0004838470

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 #: 0004838470
Date Filed: 8/3/2022 7:25:45 AM

Entity Name and Mailing Address:

Entity Name:	L & S LAND HOLDINGS, LLC
The file number of this entity on the records of the Idaho Secretary of State is:	0000243192
Address	2930 S 2300 E WENDELL, ID 83355-3150

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:	W77679

The registered agent on record is:

Registered Agent	ROBERT E WILLIAMS Registered Agent Physical Address 153 E MAIN ST JEROME, ID 83338 Mailing Address

Limited Liability Company Managers and Members

Name	Title	Business Address
The Luis & Sharon Bettencourt 2008 Trust	Member	2930 S 2300 E WENDELL, ID 83355

The annual report must be signed by an authorized signer of the entity.
Job Title: Controller

Brenda Hoxie — Sign Here
08/03/2022 — Date

B0728-5031 08/03/2022 7:25 AM Received by ID Secretary of State Lawerence Denney

SCANNED
MAY 26 2023

Page 1 of 1

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**

August 31, 2023

L & S LAND HOLDINGS LLC
2930 S 2300 E
WENDELL ID 83355-3150

Re: Transfer No: 87935
Water Right No(s).: 36-2312D, 36-7387D, 36-10098

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
SEP 06 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 GREG SULLIVAN
2016 WASHINGTON ST N STE 4
TWIN FALLS ID 83301-3082

KIMBERLY L WILLIAMS
WILLIAMS MESERVY & LARSEN LLP
PO BOX 168
JEROME ID 83338-0168

METLIFE REAL ESTATE LENDING LLC
C/O METLIFE INVESTMENT MANAGEMENT LLC
10801 MASTIN ST STE 700
OVERLAND PARK KS 66210-1673

METROPOLITAN LIFE INSURANCE COMPANY
C/O METLIFE INVESTMENT ADVISORS
10801 MASTIN BLVD STE 930
OVERLAND PARK KS 66210-1677

WATER DISTRICT 130
COREY KING
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301-5858

SCANNED
SEP 06 2023

CERTIFICATE OF SERVICE

I hereby certify that on August 31, 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.: 87935
Water Right No(s).: 36-2312D, 36-7387D, 36-10098

L & S LAND HOLDINGS LLC
2930 S 2300 E
WENDELL ID 83355-3150

BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 WASHINGTON ST N STE 4
TWIN FALLS ID 83301-3082

KIMBERLY L WILLIAMS
WILLIAMS MESERVY & LARSEN LLP
PO BOX 168
JEROME ID 83338-0168

METLIFE REAL ESTATE LENDING LLC
C/O METLIFE INVESTMENT MANAGEMENT LLC
10801 MASTIN ST STE 700
OVERLAND PARK KS 66210-1673

METROPOLITAN LIFE INSURANCE COMPANY
C/O METLIFE INVESTMENT ADVISORS
10801 MASTIN BLVD STE 930
OVERLAND PARK KS 66210-1677

WATER DISTRICT 130
COREY KING
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301-5858

Denise Maline

Denise Maline
Administrative Assistant

SCANNED
SEP 06 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
SEP 06 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
SEP 06 2023

MEMORANDUM

Date: June 28, 2023

To: Transfer 87935 File

From: William Mills

Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes updating the place of use for three ground water rights (commercial, stockwater and domestic uses, 0.20 cfs when combined) to match current place of use at an existing dairy facility. Transfer also proposes adding two new wells and abandoning an existing well at the facility. The current and proposed water right POU and points of diversion (PODs) are located 5.5 to 5.8 miles south and 3.4 to 3.7 miles west of Wendell.

All wells and places of use involved in the transfer are located within the ESPA model boundary, but modeling was not required as the wells are all located in the same cell. All wells and POUs in the transfer are also located within water District 130. Watermaster comments were solicited and the Watermaster did not oppose approval of the transfer application.

Transfer applications #87821, #87822 and #87823 are companion transfers. They are proposing moving stock and commercial water rights from different facilities to this dairy facility.

- **Authority to File:**
  IDWR records indicate the applicant currently owns the water rights and properties associated with this transfer.

- **Water Right Validity:** Water rights were decreed in the SRBA on 4/27/2007. Aerial imagery indicates the water rights appear to be in use.

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

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

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

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

SCANNED
SEP 06 2023

- **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
SEP 06 2023

Proof of Publication

Twin Falls Times-News
132 Fairfield St W, Twin Falls, Idaho 83301

RECEIVED
JUN 12 2023
DEPT OF WATER RESOURCES
SOUTHERN REGION

SHERRI DAVIS, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

ID DEPARTMENT OF WATER RESOURCES Southern Region
Denise Maliine Adminisrative Assistant
650 ADDISON AVE W, STE 500
TWIN FALLS ID 83301

ORDER NUMBER 137630

Sherri Davis

(Legals Clerk)

STATE OF IDAHO)
.SS
COUNTY OF TWIN FALLS)

On this 8 day of June in the year of 2023 before me, a Notary Public, personally appeared before me Sherri Davis known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Amy Wiesmore
Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 9-4-26

AMY WIESMORE
COMMISSION NO. 20203230
NOTARY PUBLIC
STATE OF IDAHO
MY COMM. EXPIRES 09/04/2026

Section: Legals
Category: 50 Legal
PUBLISHED ON: 06/01/2023, 06/08/2023

TOTAL AD COST:	295.27
FILED ON:	6/8/2023

✓ OK DM 6/20/2023

SCANNED
SEP 06 2023

*** Proof of Publication ***

RECEIVED

JUN 12 2023

DEPT OF WATER RESOURCES
SOUTHERN REGION

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 87821

L & S LAND HOLDINGS LLC, 2930 S 2300 E, WENDELL, ID 83355-3150 has filed Application No. 87821 for changes to the following water rights within GOODING County(s): Right No(s). 36-7713B. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes moving a stock and commercial water right from one dairy facility to a second existing dairy facility (0.13 cfs, 20.7 af). Transfer also proposes adding two new wells and abandoning an existing well at the second facility. The current water right place of use (POU) and points of diversion (PODs) are located 4.7 to 5.2 miles south and 1.5 to 2.0 miles west of Wendell. Proposed POU & PODs at the second facility are located approximately 0.4 to 0.7 miles west and 0.0 to 0.2 miles north of the currently authorized dairy facility.

TRANSFER NO. 87822

L & S LAND HOLDINGS LLC, 2930 S 2300 E, WENDELL, ID 83355-3150 has filed Application No. 87822 for changes to the following water rights within GOODING County(s): Right No(s). 36-8803. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes moving a stock and commercial water right from one dairy facility to a second existing dairy facility (0.13 cfs, 22.4 af). Transfer also proposes adding two new wells and abandoning an existing well at the second facility. The current water right place of use (POU) and point of diversion (POD) are located 4.3 to 4.5 miles south and 2.2 to 2.4 miles west of Wendell. Proposed POU & PODs at the second facility are located approximately 0.1 to 0.3 miles south and 0.0 to 0.5 miles west of the currently authorized dairy facility.

TRANSFER NO. 87823

L & S LAND HOLDINGS LLC, 2930 S 2300 E, WENDELL, ID 83355-3150 has filed Application No. 87823 for changes to the following water rights within GOODING County(s): Right No(s). 36-7291D. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes moving a 0.08 cfs, 16.9 af portion of a stock and commercial water right from one dairy facility to a second existing dairy facility. Transfer also proposes adding two new wells and abandoning an existing well at the second facility. The current water right place of use (POU) and points of diversion (PODs) are located 5.5 to 5.8 miles south and 3.4 to 3.7 miles west of Wendell. Proposed POU & PODs at the second facility are located approximately 0.7 to 1.0 miles north and 0.5 to 1.0 miles east of the currently authorized dairy facility.

TRANSFER NO. 87923

PELICAN POINT SUBDIVISION ASSN INC, 98 PELICAN DR, RUPERT, ID 83350-8714 has filed Application No. 87923 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-8772. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the place of use (POU) for domestic ground water right 36-8772 (0.73 cfs, 60.0 AF) which currently serves 50 lots in the Pelican Point Subdivision located approximately 7.3 miles east and 0.5 mile north of the intersection of Main Street and Overland Avenue in Burley. The proposed POU will consist of 48 lots within the subdivision.

TRANSFER NO. 87935

L & S LAND HOLDINGS LLC, 2930 S 2300 E, WENDELL, ID 83355-3150 has filed Application No. 87935 for changes to the following water rights within GOODING County(s): Right No(s). 36-10098, 36-2312D, 36-7387D. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes updating the place of use for three ground water rights (commercial, stockwater and domestic uses; 0.20 cfs when combined) to match the current place of use at an existing dairy facility. Transfer also proposes adding two new wells and abandoning an existing well at the facility. The current and proposed water right place of use (POU) and points of diversion (PODs) are located 5.5 to 5.8 miles south and 3.4 to 3.7 miles west of Wendell.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see https://research.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of $25.00 for each application on or before **June 20, 2023.** The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on June 1st & 8th, 2023

OK DM 6/20/2023

SCANNED

SEP 06 2023

RECEIVED
JUN 08 2023
DEPT OF WATER RESOURCES
SOUTHERN REGION

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Transfer No: 87821, 87822, 87935, 87823
Applicant Name: L&S LAND HOLDINGS

Watermaster's Recommendation:

a) __X__ I do not oppose approval of these applications

b) ____ I do not oppose approval of this application under the following terms:

c) ____ I oppose approval of this application(s) for the following reasons:

d) ____ Additional comment:

Dated: June 8, 2023

Water District 130

Corey King, Watermaster

SCANNED
SEP 06 2023

Customer Ad Proof

164-60002276 ID DEPARTMENT OF WATER RESOURCES **Order Nbr 137630**

Southern Region

Publication	**Times News**		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	295.27
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	295.27
Fax			
Section	Legals	Start/End Dates	06/01/2023 - 06/08/2023
SubSection		Insertions	2
Category	50 Legal	Size	183
Ad Key	137630-1	Salesperson(s)	Legal Notices
Keywords	NOTICE OF PROPOSED CHANGE OF W	Taken By	Amy Packham
Notes			

Ad Proof

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 87821

L & S LAND HOLDINGS LLC, 2930 S 2300 E, WENDELL, ID 83355-3150 has filed Application No. 87821 for changes to the following water rights within GOODING County(s): Right No(s). 36-7713B. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes moving a stock and commercial water right from one dairy facility to a second existing dairy facility (0.13 cfs, 20.7 af). Transfer also proposes adding two new wells and abandoning an existing well at the second facility. The current water right place of use (POU) and points of diversion (PODs) are located 4.7 to 5.2 miles south and 1.5 to 2.0 miles west of Wendell. Proposed POU & PODs at the second facility are located approximately 0.4 to 0.7 miles west and 0.0 to 0.2 miles north of the currently authorized dairy facility.

TRANSFER NO. 87822

L & S LAND HOLDINGS LLC, 2930 S 2300 E, WENDELL, ID 83355-3150 has filed Application No. 87822 for changes to the following water rights within GOODING County(s): Right No(s). 36-8803. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes moving a stock and commercial water right from one dairy facility to a second existing dairy facility (0.13 cfs, 22.4 af). Transfer also proposes adding two new wells and abandoning an existing well at the second facility. The current water right place of use (POU) and point of diversion (POD) are located 4.3 to 4.5 miles south and 2.2 to 2.4 miles west of Wendell. Proposed POU & PODs at the second facility are located approximately 0.1 to 0.3 miles south and 0.0 to 0.5 miles west of the currently authorized dairy facility.

TRANSFER NO. 87823

L & S LAND HOLDINGS LLC, 2930 S 2300 E, WENDELL, ID 83355-3150 has filed Application No. 87823 for changes to the following water rights within GOODING County(s): Right No(s). 36-7291D. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes moving a 0.08 cfs, 16.9 af portion of a stock and commercial water right from one dairy facility to a second existing dairy facility. Transfer also proposes adding two new wells and abandoning an existing well at the second facility. The current water right place of use (POU) and points of diversion (PODs) are located 5.5 to 5.8 miles south and 3.4 to 3.7 miles west of Wendell. Proposed POU & PODs at the second facility are located approximately 0.7 to 1.0 miles north and 0.5 to 1.0 miles east of the currently authorized dairy facility.

TRANSFER NO. 87923

PELICAN POINT SUBDIVISION ASSN INC, 98 PELICAN DR, RUPERT, ID 83350-8714 has filed Application No. 87923 for

Proof of legal notice received from Times News 5/25/2023 (2 pgs)

✓ Dm 5/26/2023

SCANNED
MAY 26 2023

changes to the following water rights within MINIDOKA County(s): Right No(s). 36-8772. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the place of use (POU) for domestic ground water right 36-8772 (0.73 cfs, 60.0 AF) which currently serves 50 lots in the Pelican Point Subdivision located approximately 7.3 miles east and 0.5 mile north of the intersection of Main Street and Overland Avenue in Burley. The proposed POU will consist of 48 lots within the subdivision.

TRANSFER NO. 87935

L & S LAND HOLDINGS LLC, 2930 S 2300 E, WENDELL, ID 83355-3150 has filed Application No. 87935 for changes to the following water rights within GOODING County(s): Right No(s). 36-10098, 36-2312D, 36-7387D. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes updating the place of use for three ground water rights (commercial, stockwater and domestic uses; 0.20 cfs when combined) to match the current place of use at an existing dairy facility. Transfer also proposes adding two new wells and abandoning an existing well at the facility. The current and proposed water right place of use (POU) and points of diversion (PODs) are located 5.5 to 5.8 miles south and 3.4 to 3.7 miles west of Wendell.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see https://research.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of $25.00 for each application on or before **June 20, 2023.** The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on June 1st & 8th, 2023

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MAY 26 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**

May 25, 2023

L & S LAND HOLDINGS LLC
2930 S 2300 E
WENDELL, ID 83355-3150

RE: Transfer No. 87821
Water Right No(s). 36-7713B

RE: Transfer No. 87822
Water Right No(s). 36-8803

RE: Transfer No. 87823
Water Right No(s). 36-7291D

RE: Transfer No. 87935
Water Right No(s). 36-10098, 36-2312D, 36-7387D

Dear Applicant(s):

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

A legal notice of the application has been prepared and is scheduled for publication in the **TIMES NEWS on 6/1/2023 and 6/8/2023.** Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of $25.00 for each application, on or before **June 20, 2023.**

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

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

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

c: Brockway Engineering PLLC
Kimberly L Williams, attorney
Metropolitan Life Insurance Company, Fresno, CA
Metropolitan Life Insurance Company, Overland Park, KS
MetLife Real Estate Lending LLC, Overland Park, KS

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MAY 26 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**

May 25, 2023

COREY KING
WATER DISTRICT 130
650 ADDISON AVE W STE 500
TWIN FALLS ID 83301-5858

RE: Transfer No. 87821, 87822, 87823 & 87935 (L & S Land Holdings LLC)

RE: Transfer No. 87923 (Pelican Point Subdivision Assn Inc.)

Dear Corey:

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
MAY 26 2023

Maline, Denise

From: Maline, Denise
Sent: Thursday, May 25, 2023 11:48 AM
To: Times News
Subject: LEGAL NOTICE - ACCOUNT #164-60002276
Attachments: Times News cover letter.docx; Times News ad.docx

Attached please find **(1)** legal notice being submitted for publication on June 1st & 8th, 2023. This publication is for Idaho Dept of Water Resources in Twin Falls, Idaho, under account number 164-60002276.

Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls, Idaho

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

SCANNED
MAY 26 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**

May 25, 2023

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Transfer No. 87821
Water Right No(s). 36-7713B

RE: Transfer No. 87823
Water Right No(s). 36-7291D

RE: Transfer No. 87822
Water Right No(s). 36-8803

RE: Transfer No. 87923
Water Right No(s). 36-8772

RE: Transfer No. 87935
Water Right No(s). 36-10098, 36-2312D, 36-7387D

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before June 20, 2023. Your cooperation is appreciated.

Sincerely,
Denise Maline
Denise Maline
Administrative Assistant 1

Enclosure(s)

SCANNED
MAY 26 2023

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 87821

L & S LAND HOLDINGS LLC, 2930 S 2300 E, WENDELL, ID 83355-3150 has filed Application No. 87821 for changes to the following water rights within GOODING County(s): Right No(s). 36-7713B. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes moving a stock and commercial water right from one dairy facility to a second existing dairy facility (0.13 cfs, 20.7 af). Transfer also proposes adding two new wells and abandoning an existing well at the second facility. The current water right place of use (POU) and points of diversion (PODs) are located 4.7 to 5.2 miles south and 1.5 to 2.0 miles west of Wendell. Proposed POU & PODs at the second facility are located approximately 0.4 to 0.7 miles west and 0.0 to 0.2 miles north of the currently authorized dairy facility.

TRANSFER NO. 87822

L & S LAND HOLDINGS LLC, 2930 S 2300 E, WENDELL, ID 83355-3150 has filed Application No. 87822 for changes to the following water rights within GOODING County(s): Right No(s). 36-8803. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes moving a stock and commercial water right from one dairy facility to a second existing dairy facility (0.13 cfs, 22.4 af). Transfer also proposes adding two new wells and abandoning an existing well at the second facility. The current water right place of use (POU) and point of diversion (POD) are located 4.3 to 4.5 miles south and 2.2 to 2.4 miles west of Wendell. Proposed POU & PODs at the second facility are located approximately 0.1 to 0.3 miles south and 0.0 to 0.5 miles west of the currently authorized dairy facility.

TRANSFER NO. 87823

L & S LAND HOLDINGS LLC, 2930 S 2300 E, WENDELL, ID 83355-3150 has filed Application No. 87823 for changes to the following water rights within GOODING County(s): Right No(s). 36-7291D. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes moving a 0.08 cfs, 16.9 af portion of a stock and commercial water right from one dairy facility to a second existing dairy facility. Transfer also proposes adding two new wells and abandoning an existing well at the second facility. The current water right place of use (POU) and points of diversion (PODs) are located 5.5 to 5.8 miles south and 3.4 to 3.7 miles west of Wendell. Proposed POU & PODs at the second facility are located approximately 0.7 to 1.0 miles north and 0.5 to 1.0 miles east of the currently authorized dairy facility.

TRANSFER NO. 87923

PELICAN POINT SUBDIVISION ASSN INC, 98 PELICAN DR, RUPERT, ID 83350-8714 has filed Application No. 87923 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-8772. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change the place of use (POU) for domestic ground water right 36-8772 (0.73 cfs, 60.0 AF) which currently serves 50 lots in the Pelican Point Subdivision located approximately 7.3 miles east and 0.5 mile north of the intersection of Main Street and Overland Avenue in Burley. The proposed POU will consist of 48 lots within the subdivision.

TRANSFER NO. 87935

L & S LAND HOLDINGS LLC, 2930 S 2300 E, WENDELL, ID 83355-3150 has filed Application No. 87935 for changes to the following water rights within GOODING County(s): Right No(s). 36-10098, 36-2312D, 36-7387D. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes updating the place of use for three ground water rights (commercial, stockwater and domestic uses; 0.20 cfs when combined) to match the current place of use at an existing dairy facility. Transfer also proposes adding two new wells and abandoning an existing well at the facility. The current and proposed water right place of use (POU) and points of diversion (PODs) are located 5.5 to 5.8 miles south and 3.4 to 3.7 miles west of Wendell.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see https://research.idwr.idaho.gov. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of $25.00 for each application on or before **June 20, 2023**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on June 1st & 8th, 2023

SCANNED
MAY 26 2023

MEMORANDUM

Date: May 22, 2023

To: Transfer 87935 File

From: Bill Mills

Re: Transfer Proposal

Transfer proposes updating the place of use for three ground water rights (commercial, stockwater and domestic uses, 0.20 cfs when combined) to match current place of use at an existing dairy facility. Transfer also proposes adding two new wells and abandoning an existing well at the facility. The current and proposed water right POU and points of diversion (PODs) are located 5.5 to 5.8 miles south and 3.4 to 3.7 miles west of Wendell.

All wells and places of use involved in the transfer are located within the ESPA model boundary, but modeling was not required as the wells are all located in the same cell. All wells and POUs in the transfer are also located within water District 130. Watermaster comments will be solicited.

Transfer applications #87821, #87822 and #87823 are companion transfers. They are proposing moving stock and commercial water rights from different facilities to this dairy facility.

SCANNED
MAY 26 2023

MEMORANDUM

Date: May 22, 2023

To: Transfer 87935

From: Bill Mills

Re: Fee Evaluation

Filing fees charged for transfer application #87935 were based on the current transfer fee schedule and included $200.00 for the 0.20 cfs being transferred in the application (Receipt No.S039771).

SCANNED
MAY 26 2023

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics
Hydrology
Water Resources

CHARLES E. BROCKWAY, PH.D., P.E.

CHARLES G. BROCKWAY, PH.D., P.E.

2016 NORTH WASHINGTON STREET • SUITE 4

TWIN FALLS, IDAHO 83301

208•736•8543

FAX: 736•8506

RECEIVED
MAY 11 2023
DEPT OF WATER RESOURCES
SOUTHERN REGION

May 9, 2023

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

Re: L&S Land Holdings LLC

Dear Mr. Skinner:

L&S Land Holdings LLC desires to update the place of use and points of diversion for water rights 36-7387D, 36-10098 and 36-2312D for a dairy milk facility in Gooding County, Idaho locally identified as Diary #7 Barn #3.

The ownership, beneficial use and period of use of these water rights will not be changing.

No ESPA model analysis was required for this transfer.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: L&S Land Holdings LLC
Enc: Transfer Application, Aerial Map, Annual Report, Brockway Engineering Check #17439 for $200.00.

SCANNED
MAY 26 2023