STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 87481

This is to certify that: RIVERBEND DAIRY
3308 S 1600 E
WENDELL, ID 83355-3227

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
36-2698	WR/DECREED	2/25/1960	0.360 cfs	72.0 af	N/A	N/A	GROUND WATER
36-7304B	WR/DECREED	2/23/1973	0.240 cfs	59.0 af	N/A	N/A	GROUND WATER
36-7304C	WR/DECREED	2/23/1973	0.800 cfs	201.0 af	N/A	N/A	GROUND WATER
36-8608	WR/LICENSE	9/3/1991	0.860 cfs	172.0 af	N/A	2.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-2698	NO	YES	YES	YES	NO	NO
36-7304B	NO	NO	YES	YES	NO	NO
36-7304C	NO	YES	YES	YES	NO	NO
36-8608	NO	NO	YES	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
36-2698	36-2698	0.360 cfs	72.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-7304B	36-7304B	0.240 cfs	59.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-7304C	36-7304C	0.800 cfs	201.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-8608	36-8608	0.860 cfs	172.0 af	N/A	2.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**2.020 cfs**	**504.0 af**	**N/A**	**2.0**		**N/A**	**N/A**	**N/A**	**N/A**

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

Dated this 15th day of June, 2023.

Southern Region Manager

SUPPORT DATA

Transfer No. 87481

IN FILE # 36-2698

SCANNED
JUN 26 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 87481

This is to certify that: RIVERBEND DAIRY
3308 S 1600 E
WENDELL, ID 83355-3227

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
36-2698	WR/DECREED	2/25/1960	0.360 cfs	72.0 af	N/A	N/A	GROUND WATER
36-7304B	WR/DECREED	2/23/1973	0.240 cfs	59.0 af	N/A	N/A	GROUND WATER
36-7304C	WR/DECREED	2/23/1973	0.800 cfs	201.0 af	N/A	N/A	GROUND WATER
36-8608	WR/LICENSE	9/3/1991	0.860 cfs	172.0 af	N/A	2.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-2698	NO	YES	YES	YES	NO	NO
36-7304B	NO	NO	YES	YES	NO	NO
36-7304C	NO	YES	YES	YES	NO	NO
36-8608	NO	NO	YES	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
36-2698	36-2698	0.360 cfs	72.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-7304B	36-7304B	0.240 cfs	59.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-7304C	36-7304C	0.800 cfs	201.0 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
36-8608	36-8608	0.860 cfs	172.0 af	N/A	2.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**2.020 cfs**	**504.0 af**	**N/A**	**2.0**		**N/A**	**N/A**	**N/A**	**N/A**

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

Dated this 15th day of June, 2023.

Southern Region Manager

SUPPORT DATA

IN FILE # 36-2698

Transfer No. 87481

SCANNED
JUN 26 2023

WATER RIGHT NO. 36-7304B

As Modified by Transfer No. 87481

In accordance with the approval of Transfer No. 87481, Water Right No. 36-7304B is now described as follows:

Right Holder: RIVERBEND DAIRY
3308 S 1600 E
WENDELL, ID 83355-3227

Priority Date: 2/23/1973

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
COMMERCIAL	1/01	to	12/31	0.110 cfs	28.1 af
STOCKWATER	1/01	to	12/31	0.130 cfs	30.9 af
				0.240 cfs	59.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSE	Sec 13	Twp 08S Rge 14E	GOODING County
GROUND WATER	SWSE	Sec 13	Twp 08S Rge 14E	GOODING County
GROUND WATER	SESW	Sec 13	Twp 08S Rge 14E	GOODING County
GROUND WATER	SESW	Sec 13	Twp 08S Rge 14E	GOODING County
GROUND WATER	NWNW	Sec 24	Twp 08S Rge 14E	GOODING County
GROUND WATER	NWNW	Sec 24	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	13			X	X							X	X	X	X	X	X	
08S	14E	24		X			X	X	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	13			X	X							X	X	X	X	X	X	
08S	14E	24		X			X	X	X	X									

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.

Transfer No. 87481

SCANNED
JUN 26 2023

WATER RIGHT NO. 36-7304B

As Modified by Transfer No. 87481

CONDITIONS OF APPROVAL

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

4. Rights 36-7304B and 36-8608 when combined shall not exceed a total diversion rate of 0.86 cfs.

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 (1) 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
JUN 26 2023

WATER RIGHT NO. 36-7304C

As Modified by Transfer No. 87481

In accordance with the approval of Transfer No. 87481, Water Right No. 36-7304C is now described as follows:

Right Holder: RIVERBEND DAIRY
3308 S 1600 E
WENDELL, ID 83355-3227

Priority Date: 2/23/1973

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
COMMERCIAL	1/01	to 12/31	0.370 cfs	92.3 af
STOCKWATER	1/01	to 12/31	0.430 cfs	108.7 af
			0.800 cfs	201.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSE	Sec 13 Twp 08S Rge 14E	GOODING County
GROUND WATER	SWSE	Sec 13 Twp 08S Rge 14E	GOODING County
GROUND WATER	SESW	Sec 13 Twp 08S Rge 14E	GOODING County
GROUND WATER	SESW	Sec 13 Twp 08S Rge 14E	GOODING County
GROUND WATER	NWNW	Sec 24 Twp 08S Rge 14E	GOODING County
GROUND WATER	NWNW	Sec 24 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	13			X	X							X	X	X	X	X	X	
08S	14E	24		X			X	X	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	13			X	X							X	X	X	X	X	X	
08S	14E	24		X			X	X	X	X									

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.

Transfer No. 87481

SCANNED
JUN 26 2023

WATER RIGHT NO. 36-7304C

As Modified by Transfer No. 87481

CONDITIONS OF APPROVAL

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

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

5. 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.

6. The right holder shall accomplish the change authorized by this transfer within one (1) 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.

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

SCANNED
JUN 26 2023

WATER RIGHT NO. 36-8608

As Modified by Transfer No. 87481

In accordance with the approval of Transfer No. 87481, Water Right No. 36-8608 is now described as follows:

Right Holder: RIVERBEND DAIRY
3308 S 1600 E
WENDELL, ID 83355-3227

Priority Date: 9/3/1991

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to	12/31	0.430 cfs	162.0 af
DOMESTIC	01/01	to	12/31	0.100 cfs	2.4 af
IRRIGATION	03/15	to	11/15	0.060 cfs	8.0 af
STOCKWATER	01/01	to	12/31	0.430 cfs	162.0 af
				0.860 cfs	172.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSE	Sec 13 Twp 08S Rge 14E GOODING County
GROUND WATER	SWSE	Sec 13 Twp 08S Rge 14E GOODING County
GROUND WATER	SESW	Sec 13 Twp 08S Rge 14E GOODING County
GROUND WATER	SESW	Sec 13 Twp 08S Rge 14E GOODING County
GROUND WATER	NWNW	Sec 24 Twp 08S Rge 14E GOODING County
GROUND WATER	NWNW	Sec 24 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	13			X	X							X	X	X	X	X	X	
08S	14E	24		X			X	X	X	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
08S	14E	13											X						
08S	14E	24						X											

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S	14E	13											0.5						0.5
08S	14E	24						1.5											1.5

POU Total Acres: 2.0

Transfer No. 87481

SCANNED
JUN 26 2023

WATER RIGHT NO. 36-8608

As Modified by Transfer No. 87481

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	13			X	X							X	X	X	X	X	X	
08S	14E	24		X			X	X	X	X									

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
2. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. Domestic use is for 4 homes and does not include lawn, garden, landscape, or other types of irrigation.
5. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
6. The dairy operation authorized under this approval 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 make full beneficial use of all surface water available to the right holder for irrigation of lands within the authorized place of use for this right. The right holder may divert ground water under this right to irrigate land with appurtenant surface water rights when the surface water supply is not reasonably sufficient to irrigate the place of use for this water right or is not available due to drought, curtailment by priority, or the seasonal startup and shutoff or maintenance schedule for canal company or irrigation district deliveries. The right holder shall not divert ground water for irrigation purposes under this right if use of the surface water supply is intentionally discontinued or reduced (for example abandoned, forfeited, sold, disallowed by court decree, or leased to the Water Supply Bank), or is not deliverable due to non-payment of annual assessments, without an approved transfer pursuant to Idaho Code § 42-222 or other Department approval.
9. Rights 36-07304B and 36-08608 when combined shall not exceed a total diversion rate of 0.86 cfs.
10. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

SCANNED
JUN 26 2023

WATER RIGHT NO. 36-8608

As Modified by Transfer No. 87481

CONDITIONS OF APPROVAL

12. 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
JUN 26 2023

WATER RIGHT NO. 36-2698

As Modified by Transfer No. 87481

In accordance with the approval of Transfer No. 87481, Water Right No. 36-2698 is now described as follows:

Right Holder: RIVERBEND DAIRY
3308 S 1600 E
WENDELL, ID 83355-3227

Priority Date: 2/25/1960

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
STOCKWATER	1/01	to 12/31	0.360 cfs	72.0 af
			0.360 cfs	72.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SWSE	Sec 13 Twp 08S Rge 14E	GOODING County
GROUND WATER	SWSE	Sec 13 Twp 08S Rge 14E	GOODING County
GROUND WATER	SESW	Sec 13 Twp 08S Rge 14E	GOODING County
GROUND WATER	SESW	Sec 13 Twp 08S Rge 14E	GOODING County
GROUND WATER	NWNW	Sec 24 Twp 08S Rge 14E	GOODING County
GROUND WATER	NWNW	Sec 24 Twp 08S Rge 14E	GOODING County

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	13			X	X							X	X	X	X	X	X	
08S	14E	24		X			X	X	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. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
4. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

SCANNED
JUN 26 2023

WATER RIGHT NO. 36-2698

As Modified by Transfer No. 87481

CONDITIONS OF APPROVAL

5. 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.

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.

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

SCANNED
JUN 26 2023

State of Idaho
Department of Water Resources

Attachment to Transfer # 87481

36-2698, 36-7304B, 36-7304C, and 36-8608

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

N

SCANNED
JUN 26 2023

State of Idaho
Department of Water Resources

Attachment to Transfer # 87481

36-8608

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.



SCANNED
JUN 26 2023

State of Idaho
Department of Water Resources

Attachment to Transfer # 87481

36-8608

This map depicts the IRRIGATION 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.



SCANNED
JUN 26 2023

Rev. 07/11

RECEIVED
MAY 02 2023
DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 87481

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) RIVERBEND DAIRY

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 portionis 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 #1-9.

- ☑ ☐ #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 transfer 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).
- ☐ ☑ #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 http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm .
- ☑ ☐ #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.
- ☐ ☑ #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.)
- ☐ ☑ #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 Other. Please describe: _____

SCANNED
MAY 15 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAY 02 2023
DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant RIVERBEND DAIRY Phone (208) 539-6617

Mailing Address 3308 S 1600 E, WENDELL ID 83355-3227 Email arieroeloffs@gmail.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.

Arie Roeloffs — Arie Roeloffs Partner Riverbend Dairy — 5-2-23

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

_____ _____ _____

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

A. PURPOSE OF TRANSFER

1.

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-2698	No	Yes	Yes	Yes	No	No
36-7304B	No	No	Yes	Yes	No	No
36-7304C	No	Yes	Yes	Yes	No	No
36-8608	No	No	Yes	Yes	No	No

Transfer No. 87481

SCANNED
MAY 15 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 primary purpose of this transfer is to connect two adjacent dairy facilities and create a place of use boundary for the stockwater and commercial use of four water rights. New points of diversion will be added to each water right so that all the water rights will have the same points of diversion. This will include the four existing PODs as well as a new fifth and sixth well to be drilled. Minor corrections will be made through this transfer to correctly describe two of the PODs to match existing site conditions.

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
36-7304B	0.240 cfs	59.0 af	N/A	N/A		N/A	N/A	N/A	N/A
36-7304C	0.800 cfs	201.0 af	N/A	N/A		N/A	N/A	N/A	N/A
36-8608	0.860 cfs	172.0 af	N/A	2.0		N/A	N/A	N/A	N/A
36-2698	0.360 cfs	72.0 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED TOTALS	2.020 cfs	504.0 af	N/A	2.0		N/A	N/A	N/A	N/A

2. Total amount of water proposed to be transferred or changed 2.02 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
MAY 15 2023

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

Proposed Water Right No. 36-7304B

Current Water Right Owner

RIVERBEND DAIRY
3308 S 1600 E
WENDELL, ID 83355-3227

Priority Date: 2/23/1973
Origin: Water Right
Basis: Decreed
Status Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
COMMERCIAL	1/01	12/31	0.110 CFS	28.1 AFA	Dairy
STOCKWATER	1/01	12/31	0.130 CFS	30.9 AFA	Dairy
Total Diversion			0.240 CFS	59.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSE	Sec. 13 Twp 08S Rge 14E GOODING County
GROUND WATER	SWSE	Sec. 13 Twp 08S Rge 14E GOODING County
GROUND WATER	SESW	Sec. 13 Twp 08S Rge 14E GOODING County
GROUND WATER	SESW	Sec. 13 Twp 08S Rge 14E GOODING County
GROUND WATER	NWNW	Sec. 24 Twp 08S Rge 14E GOODING County
GROUND WATER	NWNW	Sec. 24 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	13			X	X							X	X	X	X	X	X	
08S	14E	24		X			X	X	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	13			X	X							X	X	X	X	X	X	
08S	14E	24		X			X	X	X	X									

Transfer No. 87481

SCANNED
MAY 15 2023

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

Proposed Water Right No. 36-7304C

Current Water Right Owner

RIVERBEND DAIRY
3308 S 1600 E
WENDELL, ID 83355-3227

Priority Date: 2/23/1973
Origin: Water Right
Basis: Decreed
Status Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
COMMERCIAL	1/01	12/31	0.370 CFS	92.3 AFA	Dairy
STOCKWATER	1/01	12/31	0.430 CFS	108.7 AFA	Dairy
Total Diversion			0.800 CFS	201.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSE	Sec. 13 Twp 08S Rge 14E GOODING County
GROUND WATER	SWSE	Sec. 13 Twp 08S Rge 14E GOODING County
GROUND WATER	SESW	Sec. 13 Twp 08S Rge 14E GOODING County
GROUND WATER	NWNW	Sec. 24 Twp 08S Rge 14E GOODING County
GROUND WATER	NWNW	Sec. 24 Twp 08S Rge 14E GOODING County
GROUND WATER	SESW	Sec. 13 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	13			X	X							X	X	X	X	X	X	
08S	14E	24		X			X	X	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	13			X	X							X	X	X	X	X	X	
08S	14E	24		X			X	X	X	X									

Transfer No. 87481

SCANNED
MAY 15 2023

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

Proposed Water Right No. 36-8608

Current Water Right Owner
RIVERBEND DAIRY
3308 S 1600 E
WENDELL, ID 83355-3227

Priority Date: 9/3/1991
Origin: Water Right
Basis: License
Status Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
COMMERCIAL	01/01	12/31	0.430 CFS	162.0 AFA	Dairy
DOMESTIC	01/01	12/31	0.100 CFS	2.4 AFA	
IRRIGATION	03/15	11/15	0.060 CFS	8.0 AFA	
STOCKWATER	01/01	12/31	0.430 CFS	162.0 AFA	Dairy
Total Diversion			0.860 CFS	172.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSE	Sec. 13 Twp 08S Rge 14E GOODING County
GROUND WATER	SWSE	Sec. 13 Twp 08S Rge 14E GOODING County
GROUND WATER	SESW	Sec. 13 Twp 08S Rge 14E GOODING County
GROUND WATER	NWNW	Sec. 24 Twp 08S Rge 14E GOODING County
GROUND WATER	NWNW	Sec. 24 Twp 08S Rge 14E GOODING County
GROUND WATER	SESW	Sec. 13 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	13			X	X							X	X	X	X	X	X	
08S	14E	24		X			X	X	X	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
08S	14E	13											X						
08S	14E	24						X											

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S	14E	13											0.5						0.5
08S	14E	24						1.5											1.5

POU Total Acres: 2.0

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
08S	14E	13			X	X							X	X	X	X	X	X	
08S	14E	24		X			X	X	X	X									

Transfer No. 87481

SCANNED
MAY 15 2023

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

Proposed Water Right No. 36-2698

Current Water Right Owner

RIVERBEND DAIRY
3308 S 1600 E
WENDELL, ID 83355-3227

Priority Date: 2/25/1960
Origin: Water Right
Basis: Decreed
Status Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
STOCKWATER	1/01	12/31	0.360 CFS	72.0 AFA	
Total Diversion			0.360 CFS	72.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSE	Sec. 13 Twp 08S Rge 14E GOODING County
GROUND WATER	SWSE	Sec. 13 Twp 08S Rge 14E GOODING County
GROUND WATER	SESW	Sec. 13 Twp 08S Rge 14E GOODING County
GROUND WATER	NWNW	Sec. 24 Twp 08S Rge 14E GOODING County
GROUND WATER	NWNW	Sec. 24 Twp 08S Rge 14E GOODING County
GROUND WATER	SESW	Sec. 13 Twp 08S Rge 14E GOODING County

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	13			X	X							X	X	X	X	X	X	
08S	14E	24		X			X	X	X	X									

Transfer No. 87481

SCANNED
MAY 15 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
Six interconnected wells with Approved Measuring Devices

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

c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
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: Brighthouse Life Insurance Co C/O Met Life
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:
NA

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:
Just Rights in This 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. 87481

SCANNED
MAY 15 2023

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

Current Water Right No. 36-7304B

Current Water Right Owner

RIVERBEND DAIRY
3308 S 1600 E
WENDELL, ID 83355-3227

Priority Date: 2/23/1973
Origin: Water Right
Basis: Decreed
Status: Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
COMMERCIAL	1/01	12/31	0.110 CFS	28.1 AFA	Dairy
STOCKWATER	1/01	12/31	0.130 CFS	30.9 AFA	Dairy
Total Diversion			0.240 CFS	59.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWNW	Sec. 24 Twp 08S Rge 14E GOODING County
GROUND WATER	NWNW	Sec. 24 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	24						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
08S	14E	13											X	X					0.0
08S	14E	24					X	X	X	X									0.0

Conditions/Remarks:

1. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

2. The total instantaneous diversion of water from all points of diversion under Right No. 36-07304B shall not exceed 0.24 cfs, nor a total combined annual volume of 59.0 af.
   The total instantaneous diversion of water from all points of diversion under Transfer No. 4276 shall not exceed 1.04 cfs, nor total combined annual volume of 260.0 af.
   Commercial use is for dairy operation.
   Stockwater use under Right No. 36-07304B is for 750 dairy cattle. Two points of diversion are located within NWNW, S24, T08S, R14E.

3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Transfer No. 87481

SCANNED
MAY 15 2023

Conditions/Remarks:

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

7. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

SCANNED
MAY 15 2023

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

Current Water Right No. 36-7304C

Current Water Right Owner

RIVERBEND DAIRY
3308 S 1600 E
WENDELL, ID 83355-3227

Priority Date: 2/23/1973
Origin: Water Right
Basis: Decreed
Status: Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
COMMERCIAL	1/01	12/31	0.370 CFS	92.3 AFA	Dairy
STOCKWATER	1/01	12/31	0.430 CFS	108.7 AFA	Dairy
Total Diversion			0.800 CFS	201.0 AFA	

Source and Point(s) of Diversion:
GROUND WATER NESE Sec. 13 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	13													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
08S	14E	13												X	X	X	X		0.0

Conditions/Remarks:

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
3. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Transfer No. 87481

SCANNED
MAY 15 2023

Conditions/Remarks:

6. The total instantaneous diversion of water from all points of diversion under Right No. 36-07304C shall not exceed 0.80 cfs, nor a total combined annual volume of 201.0 af.
   The total instantaneous diversion of water from all points of diversion under Transfer No. 4276 shall not exceed 1.04 cfs, nor total combined annual volume of 260.0 af.
   Commercial use is for dairy operation.
   Stockwater use under Right No. 36-07304C is for 500 range and 2,600 dairy cattle.
   Two points of diversion are located within NESE, S13, T08S, R14E.

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
MAY 15 2023

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

Current Water Right No. 36-8608

Current Water Right Owner

RIVERBEND DAIRY
3308 S 1600 E
WENDELL, ID 83355-3227

Priority Date: 9/3/1991
Origin: Water Right
Basis: License
Status: Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
COMMERCIAL	01/01	12/31	0.430 CFS	162.0 AFA	Dairy
DOMESTIC	01/01	12/31	0.100 CFS	2.4 AFA	
IRRIGATION	03/15	11/15	0.060 CFS	8.0 AFA	
STOCKWATER	01/01	12/31	0.430 CFS	162.0 AFA	Dairy
Total Diversion			0.860 CFS	172.0 AFA	

Source and Point(s) of Diversion:

GROUND WATER	NWNW	Sec. 24 Twp 08S Rge 14E GOODING County
GROUND WATER	NWNW	Sec. 24 Twp 08S Rge 14E GOODING County

Describe the proposed diversion system
Well, 15 HP pump and pipeline to storage tanks
Well, 15 hp pump and pipeline to storage tanks

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	24						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
08S	14E	13											X						0.0
08S	14E	24						X											0.0

Place of Use: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S	14E	13											0.5						0.5
08S	14E	24						1.5											1.5

POU Total Acres: 2.0

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
08S	14E	13										X	X						0.0
08S	14E	24					X	X											0.0

Transfer No. 87481

SCANNED
MAY 15 2023

Conditions/Remarks:

1. Domestic use is for 4 homes and does not include lawn, garden, landscape, or other types of irrigation.
2. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
3. Commercial use is for a dairy.
4. Right 36-07304B is also diverted through the points of diversion described above.
5. Rights 36-07304B and 36-08608 when combined shall not exceed a total diversion rate of 0.86 cfs.
6. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
7. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation purposes under this right and shall only divert groundwater under this right for irrigation purposes when water from the appurtenant surface water rights cannot be delivered to the right holder.
9. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

SCANNED
MAY 15 2023

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

Current Water Right No. 36-2698

Current Water Right Owner
RIVERBEND DAIRY
3308 S 1600 E
WENDELL, ID 83355-3227

Priority Date: 2/25/1960
Origin: Water Right
Basis: Decreed
Status: Active
Source: GROUND WATER

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
STOCKWATER	1/01	12/31	0.360 CFS	72.0 AFA	
Total Diversion			0.360 CFS	72.0 AFA	

Source and Point(s) of Diversion:
GROUND WATER NESE Sec. 13 Twp 08S Rge 14E GOODING County

Describe the proposed diversion system
WELL, FLOOD IRRIGATION
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	13				X									X	X			0.0

Conditions/Remarks:

1. 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.

Transfer No. 87481

SCANNED
MAY 15 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)

☑ 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**

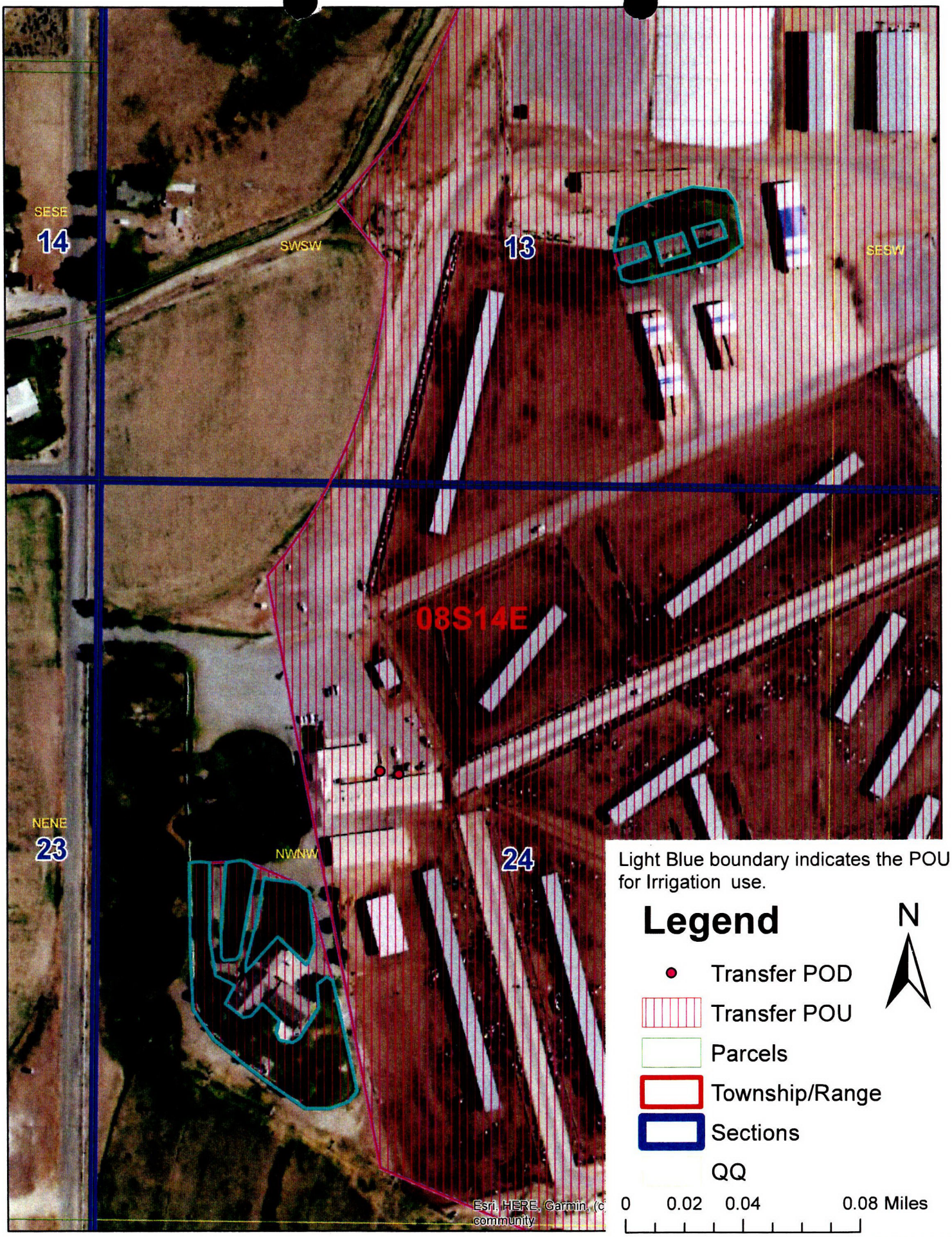
1. Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary 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.:

FOR DEPARTMENT USE ONLY

Transfer Contains 16 pages and _____ attachments.
Received By DM / CS Date 5-2-2023 Prelim. Check By _____ Date _____
Fee Paid $1600 - Date 5-2-2023 Receipted By DM Receipt # 5039751
Add'l Fee Paid _____ Date _____ Receipted By _____ Receipt # _____

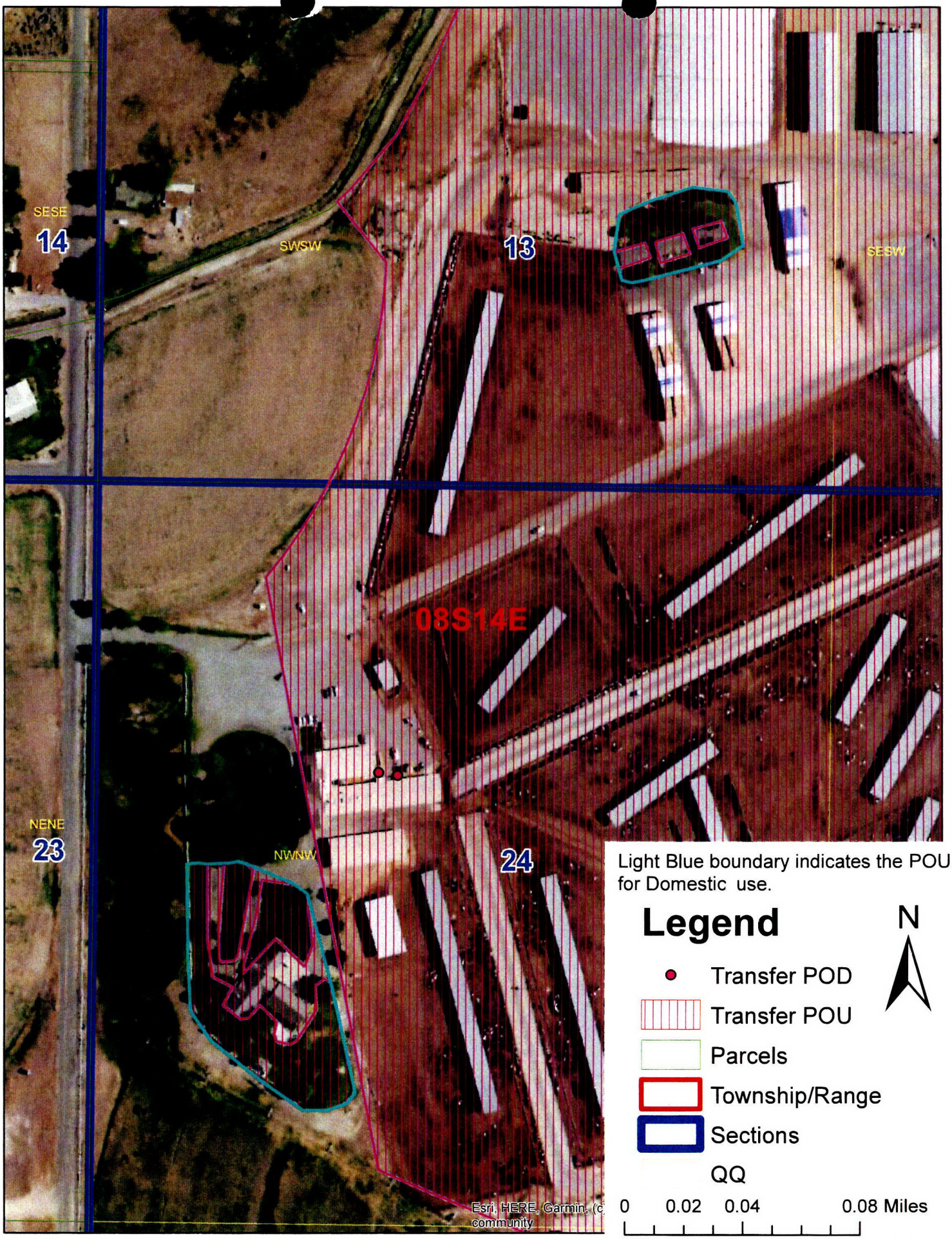
Transfer No. 87481

SCANNED
MAY 15 2023



87481

SCANNED
MAY 15 2023



Light Blue boundary indicates the POU for Domestic use.

Legend

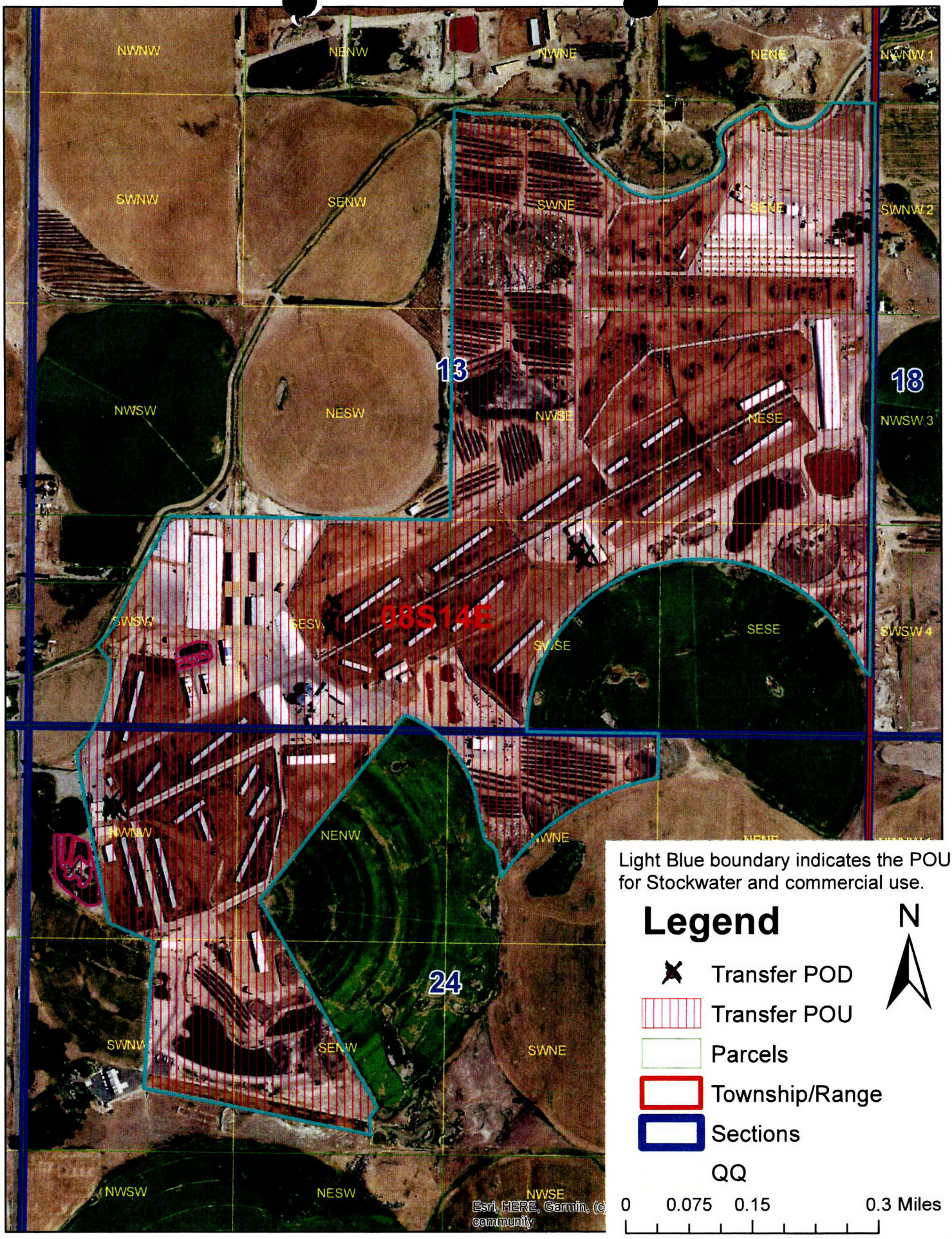
- Transfer POD
- Transfer POU
- Parcels
- Township/Range
- Sections
- QQ

N

0 0.02 0.04 0.08 Miles

87481

SCANNED
MAY 15 2023



Light Blue boundary indicates the POU for Stockwater and commercial use.

Legend

- Transfer POD
- Transfer POU
- Parcels
- Township/Range
- Sections
- QQ

N

0 0.075 0.15 0.3 Miles

87481

SCANNED

MAY 15 2023

0003638000

STATE OF IDAHO
Office of the secretary of state, Lawerence Denney
AMENDMENT TO STATEMENT OF PARTNERSHIP AUTHORITY
Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: $30.00 - Make Checks Payable to Secretary of State

For Office Use Only
-FILED-
File #: 0003638000
Date Filed: 10/4/2019 12:03:58 PM

Amendment to Statement of Partnership Authority

Select one: Standard, Expedited or Same Day Service (see descriptions below)	Standard (filing fee $30)
The current name of the general partnership is:	RIVERBEND DAIRY
Change General Partnership Name?	I do not want to change the name of the general partnership
The file number of this entity on the records of the Idaho Secretary of State is:	0000004639
The date the statement of partnership authority was originally filed:	2009-03-24 12:00:00.000

The complete street address of the principal office is:

Principal Office Address	3308 S 1600 E WENDELL, ID 83355

Names and street addresses of each partner:

Name	Business Address
JORDAN JARVIS LLC	3308 S 1600 E WENDELL, ID 83355
ARIE ROELOFFS LLC	3308 S 1600 E WENDELL, ID 83355

The names of the partners authorized to execute an instrument transferring real property held in the name of the partnership:

☒ I want to update the list of partners authorized to execute an instrument transferring real property held in the name of the partnership.

Partners with real estate authority:
Arie Roeloffs
Jordan Jarvis

Signature of individual authorized by partners to sign:

Laura Edwards — Sign Here
10/03/2019 — Date

Signer's Title: Controller

DOCUMENT TO BE RECORDED AT 12:03 PM 10/04/2019 TO SECURITY TITLE COMPANY

SCANNED
MAY 15 2023

Brighthouse Life Insurance Company,
a Delaware corporation

By: MetLife Investment Management, LLC,
its investment manager

By: _____
Rainer Telles
Authorized Signatory and Director

cc: Kassie Van Reit
Clear Creek Land and Mortgage

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF Fresno

On March 28, 2023, before me, Amber Hernandez Ramirez, a Notary Public, personally appeared Rainer Telles, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____
Signature

AMBER HERNANDEZ RAMIREZ
Notary Public - California
Fresno County
Commission # 2430151
My Comm. Expires Dec 11, 2026

This area for official notarial seal.

SCANNED
MAY 15 2023

RECEIVED
MAY 02 2023
DEPT OF WATER RESOURCES
SOUTHERN REGION

MetLife Investment Management

Western Regional Office
Agricultural Finance
MetLife Investment Management
205 E. River Park Circle, Ste. 430
Fresno, CA 93720

Leonides A. Moreno
Managing Director
Phone: (559) 470-6450
Email: lmoreno@metlife.com

Robert Frudden
Director
Phone: (559)-470-6448
Email: robert.frudden@metlife.com

Rainer Telles
Director
Phone: (559)-470-6457
Email: rainer.telles@metlife.com

March 28, 2023

Riverbend Dairy
Roeloffs Land Holdings, LLC
Southfield Dairy
Southfiled Properties LLC
Arie Roeloffs, LLC
Desert View Land Holdings LLC
Desert View Dairy
Arie and Coralee Roeloffs
3308 S. 1600 East
Wendel, ID 83355

Re Brighthouse Life Insurance Company ("Lender") Loan No. 198780– Riverbend Dairy, Roeloffs Land Holdings, LLC, Southfield Dairy, Southfield Properties LLC, Arie Roeloffs, LLC and Arie and Coralee Roeloffs (collectively, the "Borrower")

Brighthouse Life Insurance Company ("Lender") Loan Number 200334 – Arie and Coralee Roeloffs, Desert Viw Land Holdings, LLC, Roeloffs Land Holdings, LLC, Arie Roeloffs, LLC and Desert View Dairy (collectively, the "Borrower")

Arie and Coralee,

Lender holds a security interest in certain water right numbers (the "Water Rights") in Gooding County, Idaho in connection with the above referenced loans. You have requested that Lender consent to the transfer and/or change of use of certain Water Rights as described in the State of Idaho Department of Water Resources Application for Transfer of Water Rights ("Application").

This letter serves as written acknowledgement and consent to the transfer and/or combined use of Water Rights as identified in the Application to be filed by the Borrower for each of the Water Rights listed therein and as follows:

Water Rights: 36-8608, 36-7304C, 36-7304B, 36-2698

(remainder of page intentionally left blank)

SCANNED
MAY 15 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**

June 16, 2023

RIVERBEND DAIRY
3308 S 1600 E
WENDELL ID 83355-3227

Correspondence

Re: Transfer No: 87481
Water Right No(s).: 36-2698, 36-7304B, 36-7304C, 36-8608

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
JUN 26 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:

BRIGHTHOUSE LIFE INSURANCE CO
C/O METROPOLITAN LIFE INSURANCE COMPANY
10801 MASTIN ST STE 930
OVERLAND PARK KS 66210-1677

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

SCANNED
JUN 26 2023

CERTIFICATE OF SERVICE

I hereby certify that on June 16, 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.: 87481
Water Right No(s).: 36-2698, 36-7304B, 36-7304C, 36-8608

RIVERBEND DAIRY
3308 S 1600 E
WENDELL ID 83355-3227

BRIGHTHOUSE LIFE INSURANCE CO
C/O METROPOLITAN LIFE INSURANCE COMPANY
10801 MASTIN ST 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
JUN 26 2023

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

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

(Required by Rule of Procedure 730.02)

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

SCANNED
JUN 26 2023

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

(a) The petition for reconsideration is disposed of; or
(b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

SCANNED
JUN 26 2023

MEMORANDUM

Date: June 8, 2023
To: Transfer #87481, Riverbend Dairy
From: Tyler Wallace
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes to create a place of use boundary for four water rights with stockwater and commercial use with a combined flow rate of 2.02 cfs. Two new wells will be drilled and added to each of the four what rights so that all water rights will have the same PODs. Additionally, there will be a few corrections made so that the water right records match existing site conditions.
The location of the dairy is approximately 3.0 miles west and 3.4 miles South of Wendell. The proposed place of use will modify the existing place of use to reflect changes made in the operation of the dairy. The transfer is in Water District 130 so Watermaster comments were solicited. The watermaster had no opposition to the transfer.
Advertising was necessary because of the addition of the two wells and because of the change in the place of use to a large place of use boundary. The application was not protested.

- **Authority to File:**
  The Department's database indicates that water rights 36-8608, 36-7304B, 36-2698, and 36-7304C are owned by Riverbend Dairy. The application was signed by Arie Roeloffs, Riverbend Dairy Partner.

- **Water Right Validity:**
  All four water rights were either decreed or licensed and are currently listed as active. Validation of recent use for said water rights was confirmed using available aerial photography of the place of use.

- **Injury to Other Water Rights:**
  None anticipated or foreseen. Transfer proposes to change POU to match the current irrigation system.

- **Enlargement of Use:**
  None anticipated. Transfer proposes no increase in the volume of water used.

- **Local Public Interest:**
  No issues anticipated. The transfer was advertised but had no protests.

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

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

- **Effect of the Agricultural Base of the 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
JUN 26 2023

** Proof of Publication **

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

RECEIVED
MAY 30 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 137176

Sherri Davis

(Legals Clerk)

STATE OF IDAHO)
.SS
COUNTY OF TWIN FALLS)

On this 25 day of May 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: 05/18/2023, 05/25/2023

✓ OK DM 6/1/2023

TOTAL AD COST:	266.17
FILED ON:	5/25/2023

SCANNED
JUN 26 2023

Proof of Publication

RECEIVED
MAY 30 2023
DEPT OF WATER RESOURCES
SOUTHERN REGION

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 87481

RIVERBEND DAIRY, 3308 S 1600 E, WENDELL, ID 83355-3227 has filed Application No. 87481 for changes to the following water rights within GOODING County(s): Right No(s). 36-2698, 36-7304B, 36-7304C, 36-8608. 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) and point of diversion (POD) for four stockwater, commercial, irrigation, and domestic water rights with a combined flow rate of 2.02 cfs. The proposed change to the POU is to create a place of use boundary for the stockwater and commercial use of the four water rights on an existing dairy facility located approximately 2.8 to 4.0 miles South and 2.4 to 3.4 miles West of the main intersection in Wendell. The change to the PODs will be identifying four existing wells and two new wells to be drilled as authorized PODs for all four water rights. All six wells are located on the existing dairy facility.

TRANSFER NO. 87808

RODNEY A JENTZSCH, 20511 F ST, RUPERT, ID 83350 has filed Application No. 87808 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-16554. 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) and points of diversion (POD) of a 12.0 acre, 0.24 cfs portion of irrigation ground water right 36-16554. The current POU is located approximately 5.6 to 7.5 miles north and 3.8 to 6.1 miles west of Minidoka. The proposed POU is located adjacent to the current POU. The PODs will be changing from five wells located within the current POU to six existing wells located within the proposed POU. This is a companion transfer to transfer 87825, which will move a 12.0 acre portion of two rights from the adjacent farm back to this farm.

TRANSFER NO. 87825

SSJ FARMS LLC, 453 E SOUTHFORK DR, DRAPER, UT 84020-8755 has filed Application No. 87825 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-2123, 36-7193. 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) and points of diversion (POD) of a 12.0 acre, 0.22 cfs portion of irrigation ground water rights 36-2123 and 36-7193. The current POU is located approximately 6.4 to 8.5 miles north and 3.2 to 4.5 miles west of Minidoka. The proposed POU is located adjacent to the current POU. The PODs will be changing from six wells located within the current POU to five existing wells located within the proposed POU. This is a companion transfer to transfer 87808, which will move a 12.0 acre portion of one right from the adjacent farm back to this farm.

TRANSFER NO. 87694

WILLIAM BRADY DEVEY and WHITNEY DEVEY, 4824B RIVER RD, BUHL, ID 83316-5137 has filed Application No. 87694 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-17555, 47-17560, 47-17565. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 1.0 acre portion, 0.02 cfs and 4 af, of three ground water rights for Irrigation use from a farm located approximately 7.3 to 8.0 miles south and 0.8 to 1.5 miles west of the city of Kimberly to a parcel located approximately 2.2 miles east and 8.1 miles south of the city of Hagerman. The application proposes to drill a well located on the proposed place of use.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights andr 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 5, 2023. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on May 18th & 25th, 2023

✓ OK DM 6/1/2023

SCANNED
JUN 26 2023

Maline, Denise

From: King, Corey
Sent: Tuesday, May 30, 2023 10:29 AM
To: Maline, Denise
Subject: RE: Comment Letter for Transfer No(s). 87481, 87808 & 87825

Denise,

I have no comments on these transfers.

Cheers,
Corey King
IDWR Southern Region
208.293.9919 office
208.999.1623 cell

"Nothing is softer or more flexible than water,
Yet nothing can resist it."
-Lao Tzu

From: Maline, Denise <Denise.Maline@idwr.idaho.gov>
Sent: Friday, May 12, 2023 10:38 AM
To: King, Corey <Corey.King@idwr.idaho.gov>
Subject: Comment Letter for Transfer No(s). 87481, 87808 & 87825

Good morning Corey,

Attached are (3) applications for transfer currently being processed by the department, within WD130. Please review the applications and provide any necessary comments within 21 days.

If you have any questions, please feel free to contact Tyler Wallace (for Transfer 87481); or Jim Bitzenburg (for Transfers 87808 & 87825).

Thank you in advance,

Denise @ IDWR Twin Falls

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
JUN 26 2023

Customer Ad Proof

164-60002276 ID DEPARTMENT OF WATER RESOURCES **Order Nbr 137176**

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	266.17
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	266.17
Fax			
Section	Legals	Start/End Dates	05/18/2023 - 05/25/2023
SubSection		Insertions	2
Category	50 Legal	Size	163
Ad Key	137176-1	Salesperson(s)	Legal Notices
Keywords	NOTICE OF PROPOSED CHANGE OF WATER	Taken By	Amy Packham
Notes			

Ad Proof

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 87481

RIVERBEND DAIRY, 3308 S 1600 E, WENDELL, ID 83355-3227 has filed Application No. 87481 for changes to the following water rights within GOODING County(s): Right No(s). 36-2698, 36-7304B, 36-7304C, 36-8608. 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) and point of diversion (POD) for four stockwater, commercial, irrigation, and domestic water rights with a combined flow rate of 2.02 cfs. The proposed change to the POU is to create a place of use boundary for the stockwater and commercial use of the four water rights on an existing dairy facility located approximately 2.8 to 4.0 miles South and 2.4 to 3.4 miles West of the main intersection in Wendell. The change to the PODs will be identifying four existing wells and two new wells to be drilled as authorized PODs for all four water rights. All six wells are located on the existing dairy facility.

TRANSFER NO. 87808

RODNEY A JENTZSCH, 20511 F ST, RUPERT, ID 83350 has filed Application No. 87808 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-16554. 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) and points of diversion (POD) of a 12.0 acre, 0.24 cfs portion of irrigation ground water right 36-16554. The current POU is located approximately 5.6 to 7.5 miles north and 3.8 to 6.1 miles west of Minidoka. The proposed POU is located adjacent to the current POU. The PODs will be changing from five wells located within the current POU to six existing wells located within the proposed POU. This is a companion transfer to transfer 87825, which will move a 12.0 acre portion of two rights from the adjacent farm back to this farm.

TRANSFER NO. 87825

SSJ FARMS LLC, 453 E SOUTHFORK DR, DRAPER, UT 84020-8755 has filed Application No. 87825 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-2123, 36-7193. 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) and points of diversion (POD) of a 12.0 acre, 0.22 cfs portion of irrigation ground water rights 36-2123 and 36-7193. The current POU is located approximately 6.4 to 8.5 miles north and 3.2 to 4.5 miles west of Minidoka. The proposed POU is located adjacent to the current POU. The PODs will be changing from six wells located within the current POU to five existing wells located within the proposed POU. This is a companion transfer to transfer 87808, which will move a 12.0 acre portion of one right from the adjacent farm back to this farm.

Proof of legal notice received from Times News 5/11/2023 (2 pages)

✓ DM 5/12/2023

SCANNED
MAY 15 2023

Southern Region

from the adjacent farm back to this farm.

TRANSFER NO. 87694

WILLIAM BRADY DEVEY and WHITNEY DEVEY, 4824B RIVER RD, BUHL, ID 83316-5137 has filed Application No. 87694 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-17555, 47-17560, 47-17565. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 1.0 acre portion, 0.02 cfs and 4 af, of three ground water rights for Irrigation use from a farm located approximately 7.3 to 8.0 miles south and 0.8 to 1.5 miles west of the city of Kimberly to a parcel located approximately 2.2 miles east and 8.1 miles south of the city of Hagerman. The application proposes to drill a well located on the proposed place of use.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights andr 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 5, 2023. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on May 18th & 25th, 2023

✓ DM

SCANNED
MAY 15 2023

Maline, Denise

From: Maline, Denise
Sent: Friday, May 12, 2023 10:38 AM
To: King, Corey
Subject: Comment Letter for Transfer No(s). 87481, 87808 & 87825
Attachments: Comment letter to WD130 for 87481, 87808 & 87825.docx; Transfer No. 87481 - Riverbend Dairy.pdf; Transfer No. 87808 - Jentzsch.pdf; Transfer No. 87825 - SSJ Farms.pdf

Good morning Corey,

Attached are (3) applications for transfer currently being processed by the department, within WD130. Please review the applications and provide any necessary comments within 21 days.

If you have any questions, please feel free to contact Tyler Wallace (for Transfer 87481); or Jim Bitzenburg (for Transfers 87808 & 87825).

Thank you in advance,

Denise @ IDWR Twin Falls

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 15 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 12, 2023

COREY KING
WATER DISTRICT 130
650 ADDISON AVE W STE 500
TWIN FALLS ID 53301-5858

RE: Transfer No. 87481 (Riverbend Dairy LLC)

RE: Transfer No. 87808 (Rodney Jentzsch)

RE: Transfer No. 87825 (SSJ Farms LLC)

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 15 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 11, 2023

RIVERBEND DAIRY
3308 S 1600 E
WENDELL, ID 83355-3227

RE: Transfer No. 87481
Water Right No(s). 36-2698, 36-7304B, 36-7304C, 36-8608

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 5/18/2023 and 5/25/2023**. 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 5, 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 1

c: Brighthouse Life Insurance Co, c/o Metropolitan Life Insurance Company, Overland Park KS

SCANNED
MAY 15 2023

Maline, Denise

From: Maline, Denise
Sent: Thursday, May 11, 2023 10:23 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 May 18th & 25th, 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 15 2023

IDAHO DEPARTMENT
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 11, 2023

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

RE: Transfer No. 87481
Water Right No(s). 36-2698, 36-7304B, 36-7304C, 36-8608

RE: Transfer No. 87808
Water Right No(s). 36-16554

RE: Transfer No. 87825
Water Right No(s). 36-2123, 36-7193

RE: Transfer No. 87694
Water Right No(s). 47-17555, 47-17560, 47-17565

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 5, 2023. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

Enclosure(s)

SCANNED
MAY 15 2023

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 87481

RIVERBEND DAIRY, 3308 S 1600 E, WENDELL, ID 83355-3227 has filed Application No. 87481 for changes to the following water rights within GOODING County(s): Right No(s). 36-2698, 36-7304B, 36-7304C, 36-8608. 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) and point of diversion (POD) for four stockwater, commercial, irrigation, and domestic water rights with a combined flow rate of 2.02 cfs. The proposed change to the POU is to create a place of use boundary for the stockwater and commercial use of the four water rights on an existing dairy facility located approximately 2.8 to 4.0 miles South and 2.4 to 3.4 miles West of the main intersection in Wendell. The change to the PODs will be identifying four existing wells and two new wells to be drilled as authorized PODs for all four water rights. All six wells are located on the existing dairy facility.

TRANSFER NO. 87808

RODNEY A JENTZSCH, 20511 F ST, RUPERT, ID 83350 has filed Application No. 87808 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-16554. 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) and points of diversion (POD) of a 12.0 acre, 0.24 cfs portion of irrigation ground water right 36-16554. The current POU is located approximately 5.6 to 7.5 miles north and 3.8 to 6.1 miles west of Minidoka. The proposed POU is located adjacent to the current POU. The PODs will be changing from five wells located within the current POU to six existing wells located within the proposed POU. This is a companion transfer to transfer 87825, which will move a 12.0 acre portion of two rights from the adjacent farm back to this farm.

TRANSFER NO. 87825

SSJ FARMS LLC, 453 E SOUTHFORK DR, DRAPER, UT 84020-8755 has filed Application No. 87825 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-2123, 36-7193. 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) and points of diversion (POD) of a 12.0 acre, 0.22 cfs portion of irrigation ground water rights 36-2123 and 36-7193. The current POU is located approximately 6.4 to 8.5 miles north and 3.2 to 4.5 miles west of Minidoka. The proposed POU is located adjacent to the current POU. The PODs will be changing from six wells located within the current POU to five existing wells located within the proposed POU. This is a companion transfer to transfer 87808, which will move a 12.0 acre portion of one right from the adjacent farm back to this farm.

TRANSFER NO. 87694

WILLIAM BRADY DEVEY and WHITNEY DEVEY, 4824B RIVER RD, BUHL, ID 83316-5137 has filed Application No. 87694 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-17555, 47-17560, 47-17565. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 1.0 acre portion, 0.02 cfs and 4 af, of three ground water rights for Irrigation use from a farm located approximately 7.3 to 8.0 miles south and 0.8 to 1.5 miles west of the city of Kimberly to a parcel located approximately 2.2 miles east and 8.1 miles south of the city of Hagerman. The application proposes to drill a well located on the proposed place of use.

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 5, 2023**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on May 18th & 25th, 2023

SCANNED
MAY 15 2023

TRANSFER Summary

Date: May 3, 2023

To: Transfer #87481, Riverbend Dairy

From: Tyler Wallace

Re: Summary of Transfer

Application for transfer proposes to change the place of use (POU) and point of diversion (POD) for four stockwater, commercial, irrigation, and domestic water rights with a combined flow rate of 2.02 cfs. The proposed change to the POU is to create a place of use boundary for the stockwater and commercial use of the four water rights. Two new wells will be drilled and added to each of the four what rights so that all water rights will have the same PODs. All PODs will be located on the existing dairy facility. Additionally, there will be a few corrections made so that the water right records match existing site conditions.

The location of the dairy is approximately 2.8 to 4.0 miles South and 2.4 to 3.4 miles West of the main intersection in Wendell. The proposed place of use will modify the existing place of use to reflect changes made in the operation of the dairy.

The transfer is in Water District 130 so Watermaster comment will be solicited. Advertising will be necessary because of the addition of the two wells and because of the change in the place of use to a large place of use boundary.

SCANNED
MAY 15 2023

FEE MEMORANDUM

Date: May 3, 2023
To: Transfer #87481, Riverbend Dairy
From: Tyler Wallace
Re: Receipting of fees paid

This transfer was filed on May 2, 2023. The intent of this transfer is to create a place of use for the use of commercial and stockwater use for four rights with a combined flow rate of 2.02 cfs. Two new wells will be drilled and added as PODs for each of the four water rights. Therefore, the fee paid was $660.00 based on the combined flow rate. The fee was paid by Riverbend Dairy with check #70216 at the time of filing. The IDWR receipt number is S039751.

SCANNED
MAY 15 2023