STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 87323

This is to certify that: EVARD LLC
134 E HIGHWAY 81
BURLEY, ID 83318-5427

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
43-10145	WR/DECREED	11/30/1957	0.130 cfs	N/A	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
43-10145	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
43-10145	43-10145	0.130 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**0.130 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 2nd day of February, 2023.

Southern Region Manager

Transfer No. 87323

SCANNED
FEB 08 2023

WATER RIGHT NO. 43-10145

As Modified by Transfer No. 87323

In accordance with the approval of Transfer No. 87323, Water Right No. 43-10145 is now described as follows:

Right Holder: EVARD LLC
134 E HIGHWAY 81
BURLEY, ID 83318-5427

Priority Date: 11/30/1957

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate
DOMESTIC	1/01	to	12/31	0.040 cfs
STOCKWATER	1/01	to	12/31	0.090 cfs
				0.130 cfs

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWNW	Sec 10 Twp 11S Rge 26E	CASSIA County
GROUND WATER	SENE	Sec 9 Twp 11S Rge 26E	CASSIA 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
11S	26E	9				X													
11S	26E	10						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
11S	26E	9				X													
11S	26E	10						X											

CONDITIONS OF APPROVAL

1. The quantity of water under this right shall not exceed 13,000 gallons per day.
2. The quantity of water decreed for this water right is not a determination of historical beneficial use.
3. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 87323

SCANNED
FEB 08 2023

WATER RIGHT NO. 43-10145

As Modified by Transfer No. 87323

CONDITIONS OF APPROVAL

5. 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.

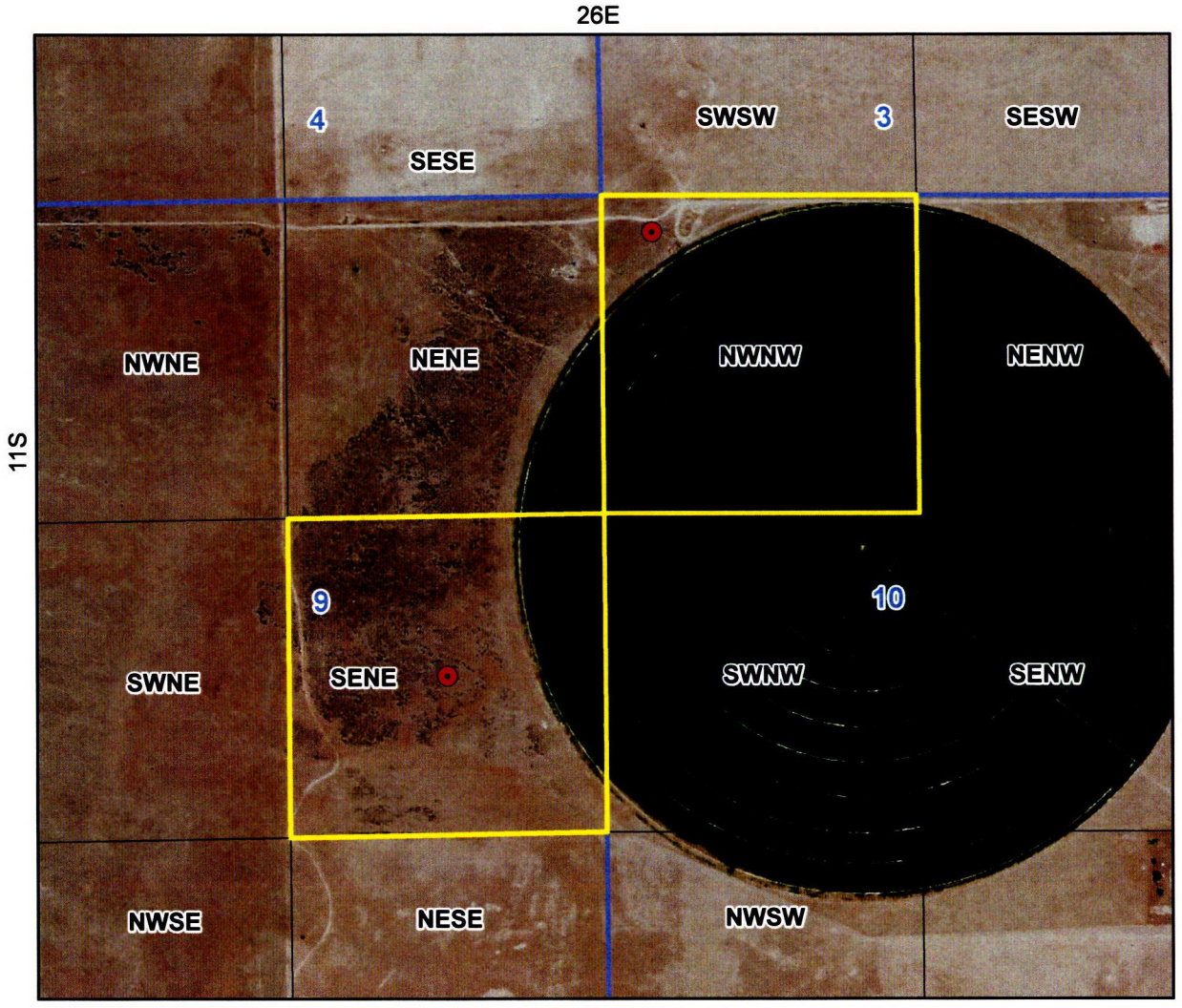
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FEB 08 2023

State of Idaho
Department of Water Resources

Attachment to Transfer # 87323

43-10145

This map depicts the DOMESTIC & STOCKWATER 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.



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FEB 08 2023

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 87323

RECEIVED
DEC 09 2022
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) Evard 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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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) EVARD LLC Phone 2086542733

Mailing address 134 E HIGHWAY 81 BURLEY, ID 83318-5427 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, ID 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.

Monte Quast — Signature of Applicant or Authorized Representative

Monte Quast, Manager — Print Name and Title if applicable

12/2/2022 — Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

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

2. Is this a transfer for changes pursuant to Idaho Code §42-221.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 proposes to add one additional well and update the stock place of use.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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

1.

All	Part	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use		Source & Tributary
☑	☐	43-10145	0.09	Stockwater	1/01	to 12/31	Ground Water
☐	☐		0.04	Domestic	1/01	to 12/31	Ground Water
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	
☐	☐					to	

Total authorized under rights 0.13 cfs and/or ______ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.13 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 #
			SE	NE	9	11S	26E	Cassia	Groundwater	
			NW	NW	10	11S	26E	Cassia	Groundwater	

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	
11S	26E	9				S/D													
11S	26E	10						S/D											

Total Acres (for irrigation use) ______

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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:
The two existing well will only be used for stock and domestic water uses after the transfer is approved.

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 of lien: N/A

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 at the proposed place of use will only be used for stock and domestic use.

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

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

Yes No

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

If yes, describe:

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

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

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

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

Right Number: ________________

1. amount__________________(cfs/ac-ft) for____________________________purposes from____________to____________
   amount__________________(cfs/ac-ft) for____________________________purposes from____________to____________
   amount__________________(cfs/ac-ft) for____________________________purposes from____________to____________
   amount__________________(cfs/ac-ft) for____________________________purposes from____________to____________
   amount__________________(cfs/ac-ft) for____________________________purposes from____________to____________
   amount__________________(cfs/ac-ft) for____________________________purposes from____________to____________
   amount__________________(cfs/ac-ft) for____________________________purposes from____________to____________
   amount__________________(cfs/ac-ft) for____________________________purposes from____________to____________
2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres (for irrigation use) ________

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DEC 30 2022

Page _____ of _____

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

Current Water Right No.: 43-10145

Current Owner: EVARD LLC

Priority Date: 11/30/1957

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	0.09 CFS	
	Total Diversion	0.13 CFS	

Location of Point(s) of Diversion

GROUND WATER SE1/4NE1/4 Sec. 9, Twp 11S, Rge 26E B.M.
CASSIA County

Place of Use

STOCKWATER Within CASSIA County

T11S R26E S9 SENE

DOMESTIC Within CASSIA County

T11S R26E S9 SENE

Conditions of Approval:

1. STOCKWATER, 300 RANGE CATTLE AND 10 HORSES PARCEL NO. RP11S26E090000A
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: 7/24/1998

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DEC 30 2022

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 12/9/2022 Preliminary check by _____ Date _____

Fee paid $200.00 Date 12/9/2022 Receipted by SG Receipt # 5039549

Add'l fee paid _____ Date _____ Receipted by _____ Receipt # _____

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

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DEC 30 2022

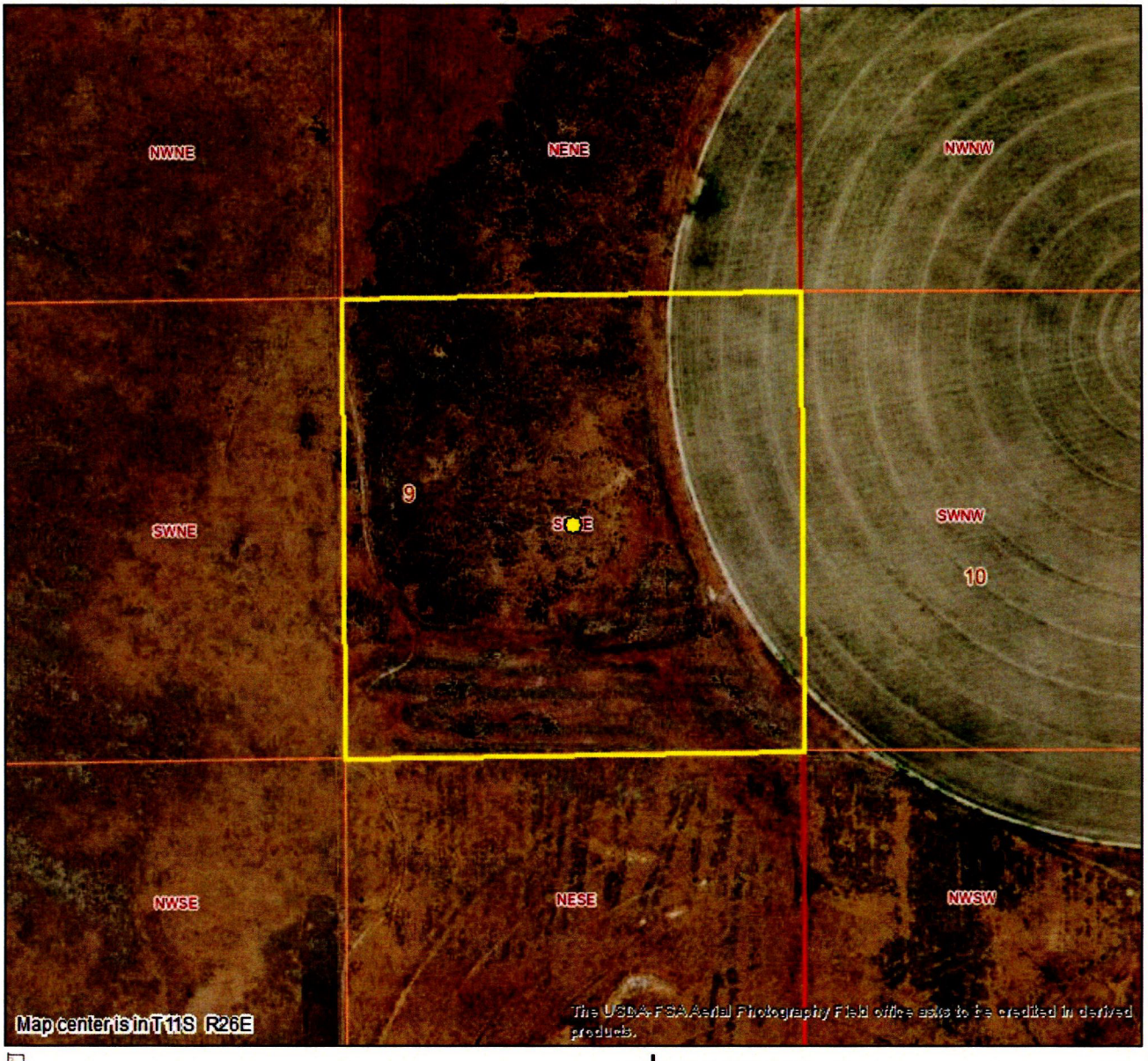
State of Idaho
Department of Water Resources

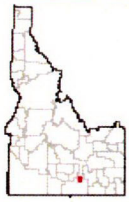
Water Right

43-10145

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.





0 0.0275 0.055 0.11 0.165 0.22
Miles

Legend
- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

N

Date created: 12/2/2022

87323

SCANNED
DEC 30 2022

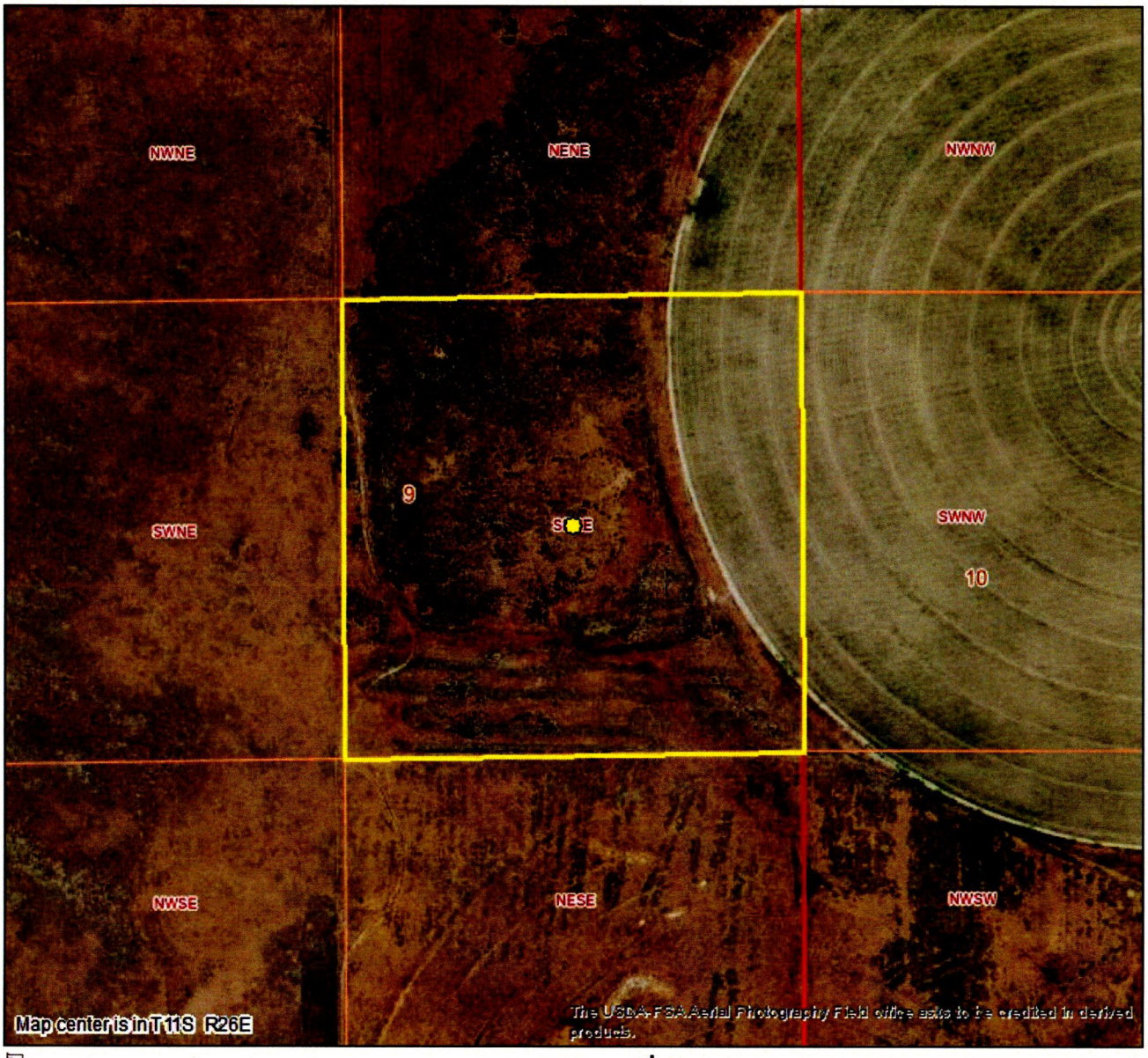
State of Idaho
Department of Water Resources

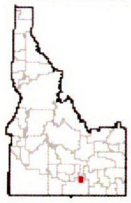
Water Right

43-10145

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.





0 0.0275 0.055 0.11 0.165 0.22
Miles

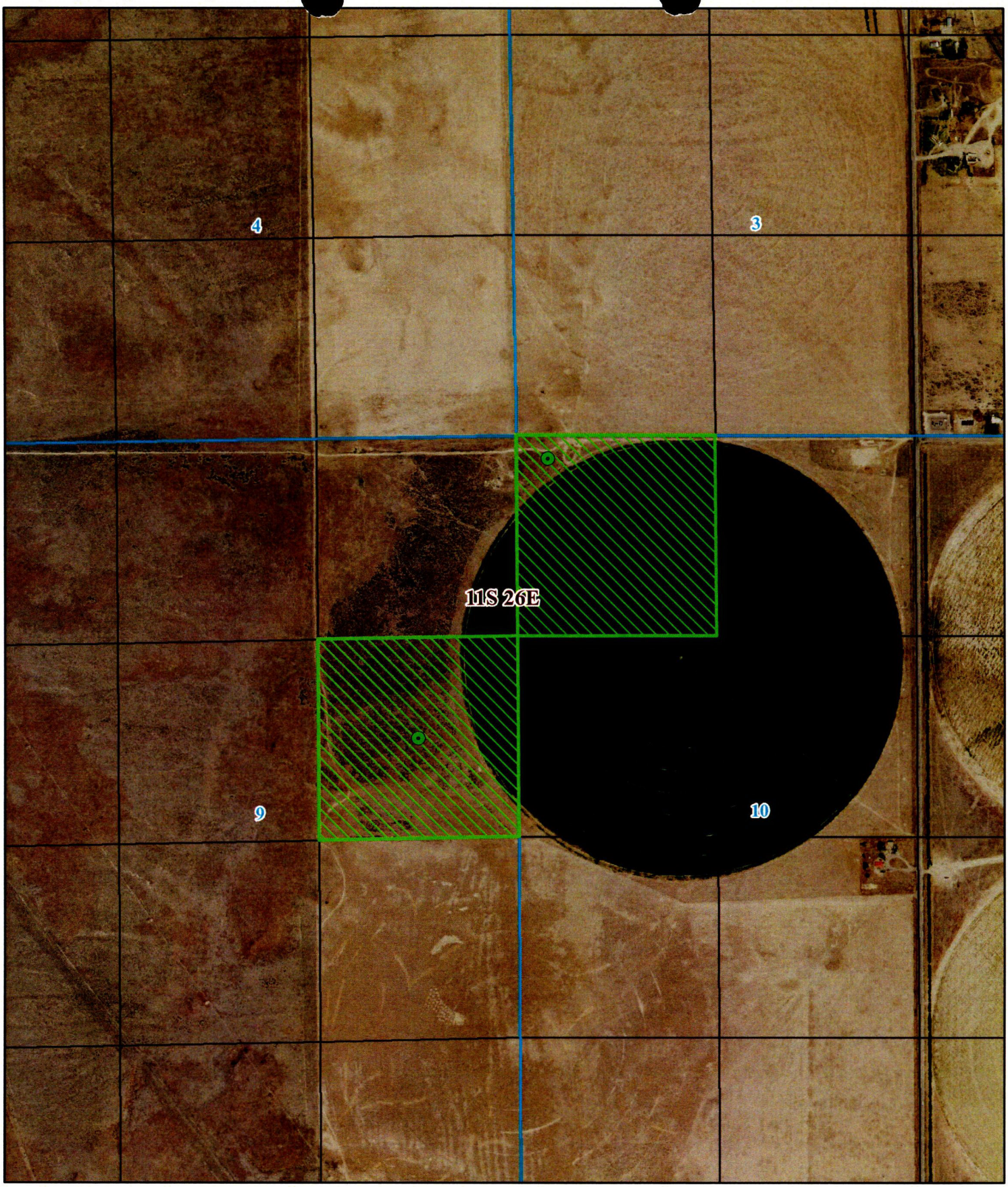
Legend
- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

N

Date created: 12/2/2022

87323

SCANNED
DEC 30 2022



N

0 750 1,500 Feet

87323

BROCKWAY ENGINEERING, PLLC.
GWS - Date: 12/2/2022

EVARD LLC
SKAGGS FARM

43-10145 WATER RIGHT MAP
NAIP 2021 AERIAL

Legend
- Stock PODs
- Stock_Domestic
- PPU

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DEC 30 2022

0004603735

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 #: 0004603735
Date Filed: 2/10/2022 4:53:51 PM

Entity Name and Mailing Address:

Entity Name:	EVARD, L.L.C.
The file number of this entity on the records of the Idaho Secretary of State is:	0000014301
Address	134 E HIGHWAY 81 BURLEY, ID 83318-5427

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:	W2104

The registered agent on record is:

Registered Agent	MONTE QUAST Registered Agent Physical Address 134 E HIGHWAY 81 BURLEY, ID 83318 Mailing Address 134 E HIGHWAY 81 BURLEY, ID 83318

Limited Liability Company Managers and Members

Name	Title	Business Address
Monte Quast	Manager	134 E HIGHWAY 81 BURLEY, ID 83318
Square Glass Holdings, LLC	Member	134 E HIGHWAY 81 BURLEY, ID 83318

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

Tyson Nelson — Sign Here
02/10/2022 — Date

B0682-2810 02/10/2022 4:53 PM Received by ID Secretary of State Lawerence Denney

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DEC 30 2022

IDAHO DEPARTMENT OF
WATER RESOURCES

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

Governor Brad Little **Director Gary Spackman**

February 6, 2023

EVARD LLC
134 E HIGHWAY 81
BURLEY ID 83318-5427

Re: Transfer No: 87322
Water Right No(s).: 43-13270, 43-13271, 43-13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278, 43-13279

Re: Transfer No: 87323
Water Right No(s).: 43-10145

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

SCANNED
FEB 08 2023

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a $100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 736-3033.

Sincerely,

Corey Skinner
Southern Regional Manager

Enclosure

c:

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

WATER DISTRICT 143
BRIAN RAGAN
PO BOX 83720
BOISE ID 83720-0098

SCANNED
FEB 08 2023

CERTIFICATE OF SERVICE

I hereby certify that on February 6, 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.: 87322
Water Right No(s).: 43-13270, 43-13271, 43-13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278, 43-13279

Re: Transfer No: 87323
Water Right No(s).: 43-10145

EVARD LLC
134 E HIGHWAY 81
BURLEY ID 83318-5427

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

WATER DISTRICT 143
BRIAN RAGAN
PO BOX 83720
BOISE ID 83720-0098

Denise Maline

Denise Maline
Administrative Assistant

SCANNED
FEB 08 2023

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

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

(Required by Rule of Procedure 730.02)

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

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FEB 08 2023

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

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FEB 08 2023

MEMORANDUM

Date: January 31, 2023

To: Transfer 87323

From: William Mills

Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes adding an existing well to a 0.13 cfs domestic/stockwater ground water right to serve as a second point of diversion (POD). Transfer also proposes adding an additional 40 acre tract to the water right's place of use (POU). PODs and POU are located approximately 3.4 to 3.9 miles south and 19.1 to 19.6 miles east of the intersection of Overland Ave and Main St in Burley.

Place of use and points of diversion are located in Water District 143 and Watermaster comments were solicited. Watermaster had no comments or concerns regarding this application.

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

- **Water Right Validity:**
  Water right 43-10145 was decreed in the SRBA on 7/24/1998. Water right appears to be utilized for stockwater purposes.

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

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

- **Local Public Interest:**
  No issues anticipated. Application was subject to public notice and protest.

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FEB 08 2023

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

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

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

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

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FEB 08 2023

*● Proof of Publication *●

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

REBA 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 133893

Reba Davis

(Legals Clerk)

STATE OF IDAHO)
.SS
COUNTY OF TWIN FALLS)

On this 12 day of Jan in the year of 2023 before me, a Notary Public, personally appeared before me Reba 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

Section: Legals
Category: 50 Legal
PUBLISHED ON: 01/05/2023, 01/12/2023

TOTAL AD COST: 204.78
FILED ON: 1/12/2023

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 87034

TUMBLEWEED VILLA LLC, 255 BLUE LAKES BLVD N PMB 679, TWIN FALLS, ID 83301-5238 has filed Application No. 87034 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) 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.

TRANSFER NO. 87322

EVARD LLC, 134 E HIGHWAY 81, BURLEY, ID 83318-5427 has filed Application No. 87322 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13270, 43-13271, 43-13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278, 43-13279. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring five ground water irrigation rights (combined: 2.89 cfs & 158 acres) from a farm located approximately 3.5 to 4.0 miles south and 19.1 to 19.6 miles east of the intersection of Overland Ave and Main St in Burley. The transferred rights will be combined with existing rights at an adjacent farm to create a 1760 acre permissible place of use (PPU) limited to the irrigation of 1064 acres and the diversion of 19.45 cfs, to be diverted from 4 existing wells and two new proposed wells. Proposed PPU, the four existing wells and the two proposed wells are/will be located approximately 5.4 to 7.4 miles south and 18.4 to 19.9 miles east of Overland Ave and Main St in Burley.

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TRANSFER NO. 87333

CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS, 50 E NORTH TEMPLE, SALT LAKE CITY, UT 84150-9001 has filed Application No. 87333 for changes to the following water rights within CASSIA County(s): Right No(s). 45-10789, 45-2538. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding a new well to two irrigation ground water rights (3.9 cfs and 636 acres when combined) to serve as a second point of diversion for the two water rights. Proposed well will be located approximately 6.4 miles south and 4.0 miles west of the intersection of Hwy 30 & Overland Ave in Burley. Water rights and existing well are part of a 7,502 acre permissible place of use generally located 5.4 to 9.9 miles south and 0.0 to 5.4 miles west of the intersection of Hwy 30 & Overland Ave in Burley.

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 **January 23, 2023**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on January 5th & 12th, 2023

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

RECEIVED
JAN 17 2023
DEPT OF WATER RESOURCES
SOUTHERN REGION

✓ OK DM 1-24-2023

SCANNED
FEB 08 2023

Maline, Denise

From: Ragan, Brian
Sent: Tuesday, January 3, 2023 1:07 PM
To: Maline, Denise
Cc: King, Corey
Subject: FW: Comment Letters for Transfer No. 87322 & 87323 Evard LLC
Attachments: Comment letter to WD143 for 87322 & 87323.docx; Transfer No. 87322 Evard LLC.pdf; Transfer No. 87323 Evard LLC.pdf

I don't have comments or concerns with these applications for transfer.

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

From: Maline, Denise <Denise.Maline@idwr.idaho.gov>
Sent: Thursday, December 29, 2022 2:35 PM
To: Ragan, Brian <Brian.Ragan@idwr.idaho.gov>
Subject: Comment Letters for Transfer No. 87322 & 87323 Evard LLC

Hi Brian,

Attached are (2) applications that are currently being processed by the department, located within WD143. Please review the applications and provide any necessary comments within 21 days.

If you have any questions regarding these applications, please feel free to contact Water Right Agent Bill Mills.

Thank you in advance,

Denise @ Southern Region

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

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FEB 08 2023

Customer Ad Proof

164-60002276 ID DEPARTMENT OF WATER RESOURCES
Southern Region

Order Nbr 133893

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	204.78
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	204.78
Fax			
Section	Legals	Start/End Dates	01/05/2023 - 01/12/2023
SubSection		Insertions	2
Category	50 Legal	Size	127
Ad Key	133893-1	Salesperson(s)	Legal Notices
Keywords	NOTICE/PROPOSED WATER RIGHT TRANSFER	Taken By	Reba Davis
Notes			

Ad Proof

Proof of legal notice received from Times News 12-29-2022

SCANNED
DEC 30 2022

Customer Ad Proof

164-60002276 ID DEPARTMENT OF WATER RESOURCES **Order Nbr 133893**

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 87034

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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 **January 23, 2023**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on January 5th & 12th, 2023

✓ DM

SCANNED
DEC 30 2022

IDAHO DEPARTMENT OF
WATER RESOURCES

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

Governor Brad Little **Director Gary Spackman**

December 29, 2022

EVARD LLC
134 E HIGHWAY 81
BURLEY, ID 83318-5427

RE: Transfer No. 87322
Water Right No(s). 43-13270, 43-13271, 43-13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278, 43-13279

RE: Transfer No. 87323
Water Right No(s). 43-10145

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 1/5/2023 and 1/12/2023**. 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 **January 23, 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

SCANNED
DEC 30 2022

IDAHO DEPARTMENT OF
WATER RESOURCES

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

Governor Brad Little **Director Gary Spackman**

December 29, 2022

WATER DISTRICT 143
BRIAN RAGAN
PO BOX 83720
BOISE ID 83720-0098

RE: Application for Transfer No(s).: 87322 (Evard LLC)
RE: Application for Transfer No(s).: 87323 (Evard LLC)

Dear Brian:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at: https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

SCANNED
DEC 30 2022

Maline, Denise

From: Maline, Denise
Sent: Thursday, December 29, 2022 12:35 PM
To: Times News
Subject: LEGAL NOTICE
Attachments: Times News cover letter.docx; Times News ad.docx

Attached please find **(1)** legal notice being submitted for publication on January 5th & 12th, 2023. 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

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

SCANNED
DEC 30 2022

IDAHO DEPARTMENT OF
WATER RESOURCES

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

Governor Brad Little **Director Gary Spackman**

December 29, 2022

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

RE: Transfer No. 87034
Water Right No(s). 47-17555, 47-17560, 47-17565

RE: Transfer No. 87322
Water Right No(s). 43-13270, 43-13271, 43-13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278, 43-13279

RE: Transfer No. 87323
Water Right No(s). 43-10145

RE: Transfer No. 87333
Water Right No(s). 45-10789, 45-2538

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 January 23, 2023. Your cooperation is appreciated.

Sincerely,
Denise Maline
Denise Maline
Administrative Assistant

Enclosure(s)

SCANNED
DEC 30 2022

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 87034

TUMBLEWEED VILLA LLC, 255 BLUE LAKES BLVD N PMB 679, TWIN FALLS, ID 83301-5238 has filed Application No. 87034 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) 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.

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EVARD LLC, 134 E HIGHWAY 81, BURLEY, ID 83318-5427 has filed Application No. 87323 for changes to the following water rights within CASSIA County(s): Right No(s). 43-10145. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding an existing well to a 0.13 cfs domestic & stockwater ground water right to serve as a second point of diversion (POD). Transfer also proposes adding an additional 40 acre tract to the water right's place of use (POU). PODs and POU are located approximately 3.4 to 3.9 miles south and 19.1 to 19.6 miles east of the intersection of Overland Ave and Main St in Burley.

TRANSFER NO. 87333

CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS, 50 E NORTH TEMPLE, SALT LAKE CITY, UT 84150-9001 has filed Application No. 87333 for changes to the following water rights within CASSIA County(s): Right No(s). 45-10789, 45-2538. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding a new well to two irrigation ground water rights (3.9 cfs and 636 acres when combined) to serve as a second point of diversion for the two water rights. Proposed well will be located approximately 6.4 miles south and 4.0 miles west of the intersection of Hwy 30 & Overland Ave in Burley. Water rights and existing well are part of a 7,502 acre permissible place of use generally located 5.4 to 9.9 miles south and 0.0 to 5.4 miles west of the intersection of Hwy 30 & Overland Ave in Burley.

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 **January 23, 2023**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on January 5th & 12th, 2023

SCANNED
DEC 30 2022

MEMORANDUM

Date: December 27, 2022

To: Transfer 87323 File

From: William Mills

Re: Transfer Proposal

Application for transfer proposes adding an existing well to a 0.13 cfs domestic/stockwater ground water right to serve as a second point of diversion (POD). Transfer also proposes adding an additional 40 acre tract to the water right's place of use (POU). PODs and POU are located approximately 3.4 to 3.9 miles south and 19.1 to 19.6 miles east of the intersection of Overland Ave and Main St in Burley.

Place of use and points of diversion are located in Water District 143 and Watermaster comments will be solicited.

SCANNED
DEC 30 2022

MEMORANDUM

Date: December 27, 2022

To: Transfer 87323 File

From: Bill Mills

Re: Fee Evaluation

Filing fees charged for transfer application #87323 are based on the current transfer fee schedule. $200.00 was paid for the 0.13 cfs requested to be transferred (Receipt No.S039549).

SCANNED
DEC 30 2022

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics
Hydrology
Water Resources

RECEIVED
DEC 09 2022
DEPT OF WATER RESOURCES
SOUTHERN REGION

December 6, 2022

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

Re: Evard LLC

Dear Mr. Skinner:

Evard LLC desires to add a POD and update the POU of water right 43-10145. The POD to be included as an additional authorized POD is currently an irrigation well. A transfer for Evard LLC has been submitted to IDWR to remove the irrigation water rights out of this well. The well can provide sufficient water for stockwater needs under 43-10145. This will provide 43-10145 with two PODs.

The ownership, beneficial use and period of use of 43-10145 will not be changing with this transfer.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Reed Gibby
Enc: Transfer Application, Aerial Map, Annual Report, Brockway Engineering Check #17001 for $200.00.

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

SCANNED
DEC 30 2022