STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 88872

This is to certify that: SEDDIE EAGLE 1 LLC
212 E CROSSROADS BLVD #143
SARATOGA SPRINGS UT 84045

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
63-11060	WR/LICENSE	12/1/1989	1.540 cfs	501.4 af	205.0	345.0	GROUND WATER
63-25982	WR/DECREED	10/1/1935	1.110 cfs	69.7 af	205.0	345.0	GROUND WATER
63-25981	WR/DECREED	9/8/1951	0.670 cfs	110.1 af	205.0	345.0	GROUND WATER
63-31725	WR/DECREED	10/8/1962	0.270 cfs	15.4 af	205.0	345.0	GROUND WATER
63-10536	WR/LICENSE	9/15/1987	1.600 cfs	360.0 af	205.0	345.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
63-11060	YES	NO	NO	YES	NO	NO
63-25982	YES	NO	NO	YES	NO	NO
63-25981	YES	NO	NO	YES	NO	NO
63-31725	YES	NO	NO	YES	NO	NO
63-10536	YES	NO	NO	YES	NO	NO

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (Remaining Portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
63-11060	63-35537	0.370 cfs	121.4 af	50.0	90.0	63-11060	1.170 cfs	380.0 af	155.0	255.0
63-25982	63-35538	0.270 cfs	16.9 af	50.0	90.0	63-25982	0.840 cfs	52.8 af	155.0	255.0
63-25981	63-35539	0.160 cfs	26.6 af	50.0	90.0	63-25981	0.510 cfs	83.5 af	155.0	255.0
63-31725	63-35540	0.070 cfs	3.7 af	50.0	90.0	63-31725	0.200 cfs	11.7 af	155.0	255.0
63-10536	63-35589	0.390 cfs	87.1 af	50.0	90.0	63-10536	1.210 cfs	272.9 af	155.0	255.0
COMBINED TOTALS		0.830 cfs	212.3 af	50.0	90.0		2.58 cfs	664.5 af	155.0	255.0

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 16th day of January, 2025.

SUPPORT DATA
IN FILE # 63-10536

SCOTT STORMS, Water Resources Supervisor

Transfer No. 88872

WATER RIGHT NO. 63-11060

As Modified by Transfer No. 88872

In accordance with the approval of Transfer No. 88872, Water Right No. 63-11060 is now described as follows:

Right Holder: NORTH EAGLE 413 LLC
3103 W SHERYL DR STE 100
MERIDIANID 83642

Priority Date: 12/1/1989

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Annual Volume
DIVERSION TO STORAGE	03/01	to 11/15	0.76 cfs	
IRRIGATION	03/01	to 11/15	1.17 cfs	380.0 afa
IRRIGATION FROM STORAGE	03/01	to 01/15		4.6 afa
IRRIGATION STORAGE	01/01	to 12/31		4.6 afa
			1.93 cfs	380.0 afa

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L1(NENE)	Sec 3 Twp 04N Rge ADA County
GROUND WATER	L1(NENE)	Sec 3 Twp 04N Rge ADA County
GROUND WATER	NESE	Sec 3 Twp 04N Rge ADA County

PLACE OF USE: IRRIGATION STORAGE

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01W	3													X				

PLACE OF USE: IRRIGATION FROM STORAGE

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01W	2							3										3
04N	01W	3	42	14	40	40									40	40	22	14	252
			L1	L2															

Right Acre Limit: 155.0
POU Total Acres: 255.0

PLACE OF USE: IRRIGATION

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
04N	01W	2							3										3
04N	01W	3	42	14	40	40									40	40	22	14	252
			L1	L2															

Right Acre Limit: 155.0
POU Total Acres: 255.0

Transfer No. 88872

WATER RIGHT NO. 63-11060

As Modified by Transfer No. 88872

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 155.4 acres within the authorized place of use in a single irrigation season.
2. Rights 63-11060, 63-25981 and 63-25982 when combined shall not exceed a total diversion rate of 1.17 cfs, a total annual maximum diversion volume of 380 af at the field headgate.
3. Rights 63-10536, 63-11060, 63-25981, 63-25982 and 63-31725 when combined shall not exceed a total irrigation of 155.4 acres.
4. The one irrigation pond established by the storage of water under 63-11060, 63-25981 and 63-25982 shall not exceed a total capacity of 6.0 acre-feet or a total surface area of 0.6 acre.
5. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 699 af at the field headgate for the place of use.
7. 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 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.
8. 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.
9. The approval of transfer 83159 redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
10. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
11. This right does not grant any right-of-way or easement across the land of another.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

WATER RIGHT NO. 63-25982

As Modified by Transfer No. 88872

In accordance with the approval of Transfer No. 88872, Water Right No. 63-25982 is now described as follows:

Right Holder: NORTH EAGLE 413 LLC
3103 W SHERYL DR STE 100
MERIDIANID 83642

Priority Date: 10/1/1935

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Annual Volume
DIVERSION TO STORAGE	03/01	to 11/15	0.63 cfs	
IRRIGATION	03/01	to 11/15	0.84 cfs	52.8 afa
IRRIGATION FROM STORAGE	03/01	to 11/15		4.6 afa
IRRIGATION STORAGE	01/01	to 12/31		4.6 afa
			1.47 cfs	52.8 afa

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L1(NENE)	Sec 3 Twp 04N Rge ADA County
GROUND WATER	L1(NENE)	Sec 3 Twp 04N Rge ADA County
GROUND WATER	NESE	Sec 3 Twp 04N Rge ADA County

PLACE OF USE: IRRIGATION STORAGE

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01W	3													X				

PLACE OF USE: IRRIGATION FROM STORAGE

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01W	2							3										3
04N	01W	3	42	14	40	40									40	40	22	14	252
			L1	L2															

Right Acre Limit: 155.0
POU Total Acres: 255.0

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
04N	01W	2							3										3
04N	01W	3	42	14	40	40									40	40	22	14	252
			L1	L2															

Right Acre Limit: 155.0
POU Total Acres: 255.0

WATER RIGHT NO. 63-25982

As Modified by Transfer No. 88872

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 155.4 acres within the authorized place of use in a single irrigation season.

2. Rights 63-11060, 63-25981 and 63-25982 when combined shall not exceed a total diversion rate of 1.17 cfs, a total annual maximum diversion volume of 380 af at the field headgate, and the irrigation of 155 acres.

3. Rights 63-10536, 63-11060, 63-25982 and 63-31725 when combined shall not exceed a total irrigation of 155.4 acres.

4. The one irrigation pond established by the storage of water under 63-11060, 63-25981 and 63-25982 shall not exceed a total capacity of 6.0 acre-feet or a total surface area of 0.6 acre.

5. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the place of use.

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 699 af at the field headgate for the place of use.

7. 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 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.

8. 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.

9. The approval of transfer 83159 redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.

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

11. This right does not grant any right-of-way or easement across the land of another.

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

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

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

WATER RIGHT NO. 63-25981

As Modified by Transfer No. 88872

In accordance with the approval of Transfer No. 88872, Water Right No. 63-25981 is now described as follows:

Right Holder: NORTH EAGLE 413 LLC
3103 W SHERYL DR STE 100
MERIDIAN ID 83642

Priority Date: 9/8/1951

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Annual Volume
DIVERSION TO STORAGE	03/01	to 11/15	0.38 cfs	
IRRIGATION	03/01	to 11/15	0.51 cfs	83.5 afa
IRRIGATION FROM STORAGE	03/01	to 11/15		4.6 afa
IRRIGATION STORAGE	01/01	to 12/31		4.6 afa
			0.89 cfs	83.5 afa

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L1(NENE)	Sec 3 Twp 04N Rge ADA County
GROUND WATER	L1(NENE)	Sec 3 Twp 04N Rge ADA County
GROUND WATER	NESE	Sec 3 Twp 04N Rge ADA County

PLACE OF USE: IRRIGATION STORAGE

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01W	3													X				

PLACE OF USE: IRRIGATION FROM STORAGE

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01W	2							3										3
04N	01W	3	42	14	40	40									40	40	22	14	252
			L1	L2															

Right Acre Limit: 155.0
POU Total Acres: 255.0

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
04N	01W	2							3										3
04N	01W	3	42	14	40	40									40	40	22	14	252
			L1	L2															

Right Acre Limit: 155.0
POU Total Acres: 255.0

Transfer No. 88872

WATER RIGHT NO. 63-25981
As Modified by Transfer No. 88872

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 155.4 acres within the authorized place of use in a single irrigation season.

2. Rights 63-11060, 63-25981 and 63-25982 when combined shall not exceed a total diversion rate of 1.17 cfs, a total annual maximum diversion volume of 380 af at the field headgate.

3. Rights 63-10536, 63-11060, 63-25981, 63-25982 and 63-31725 when combined shall not exceed a total irrigation of 155.4 acres.

4. The one irrigation pond established by the storage of water under 63-11060, 63-25981 and 63-25982 shall not exceed a total capacity of 6.0 acre-feet or a total surface area of 0.6 acre.

5. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the place of use.

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 699 af at the field headgate for the place of use.

7. 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 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.

8. 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.

9. The approval of transfer 82159 redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.

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

11. This right does not grant any right-of-way or easement across the land of another.

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

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

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

WATER RIGHT NO. 63-31725

As Modified by Transfer No. 88872

In accordance with the approval of Transfer No. 88872, Water Right No. 63-31725 is now described as follows:

Right Holder: NORTH EAGLE 413 LLC
3103 W SHERYL DR STE 100
MERIDIAN ID 83642

Priority Date: 10/8/1962

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Annual Volume
IRRIGATION	03/01	to 11/15	0.2 cfs	11.7 afa
			0.2 cfs	11.7 afa

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L1(NENE)	Sec 3 Twp 04N Rge ADA County
GROUND WATER	L1(NENE)	Sec 3 Twp 04N Rge ADA County
GROUND WATER	NESE	Sec 3 Twp 04N Rge ADA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01W	2							3										3
04N	01W	3	42	14	40	40									40	40	22	14	252
			L1	L2															

Right Acre Limit: 155.0
POU Total Acres: 255.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 155.4 acres within the authorized place of use in a single irrigation season.
2. Rights 63-10536, 63-11060, 63-25981, 63-25982 and 63-31725 when combined shall not exceed a total irrigation of 155.4 acres.
3. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 699 af at the field headgate for the place of use.
5. The right holder shall make full beneficial use of all surface water available to the right holder forirrigation 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 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.

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WATER RIGHT NO. 63-31725

As Modified by Transfer No. 88872

6. 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.

7. The approval of transfer 83159 redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.

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

9. This right does not grant any right-of-way or easement across the land of another.

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

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

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

WATER RIGHT NO. 63-10536

As Modified by Transfer No. 88872

In accordance with the approval of Transfer No. 88872, Water Right No. 63-10536 is now described as follows:

Right Holder: NORTH EAGLE 413 LLC
3103 W SHERYL DR STE 100
MERIDIAN ID 83642

Priority Date: 9/15/1987

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Annual Volume
IRRIGATION	03/01	to 11/15	1.21 cfs	272.9 afa
			1.21 cfs	272.9 afa

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	L1(NENE)	Sec 3 Twp 04N Rge ADA County
GROUND WATER	L1(NENE)	Sec 3 Twp 04N Rge ADA County
GROUND WATER	NESE	Sec 3 Twp 04N Rge ADA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01W	2							3										3
04N	01W	3	42	14	40	40									40	40	22	14	252
			L1	L2															

Right Acre Limit: 155.0
POU Total Acres: 255.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 155.4 acres within the authorized place of use in a single irrigation season.

2. Rights 63-10536, 63-11060, 63-25981, 63-25982 and 63-31725 when combined shall not exceed a total irrigation of 155.4 acres.

3. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the place of use.

4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 699 af at the field headgate for the place of use.

5. 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 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.

WATER RIGHT NO. 63-10536

As Modified by Transfer No. 88872

6. 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.

7. The approval of transfer 83159 redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.

8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date of this approval.

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

10. This right does not grant any right-of-way or easement across the land of another.

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

WATER RIGHT NO. 63-35537

As Modified by Transfer No. 88872

In accordance with the approval of Transfer No. 88872, Water Right No. 63-35537 is now described as follows:

Right Holder: SEDDIE EAGLE 1 LLC
212 E CROSSROADS BLVD #143
SARATOGA SPRINGS UT 84045

Priority Date: 12/1/1989

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Annual Volume
DIVERSION TO STORAGE	03/01	to 11/15	0.24 cfs	
IRRIGATION	03/01	to 11/15	0.37 cfs	121.4 afa
IRRIGATION FROM STORAGE	03/01	to 11/15		1.5 afa
IRRIGATION STORAGE	01/01	to 12/31		1.5 afa
			0.61 cfs	121.4 afa

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENW Sec 3 Twp 04N Rge ADA County

PLACE OF USE: IRRIGATION STORAGE

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01W	3													X				

PLACE OF USE: IRRIGATION FROM STORAGE

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01W	3					10			40	40								90
							L3												

Right Acre Limit: 50.0
POU Total Acres: 90.0

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
04N	01W	3					10			40	40								90
							L3												

Right Acre Limit: 50.0
POU Total Acres: 90.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 49.6 acres within the authorized place of use in a single irrigation season.

2. Rights 63-35537, 63-35539, and 63-35538 when combined shall not exceed a total diversion rate of 0.37 cfs, a total annual maximum diversion volume of 121.4 af at the field headgate.

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WATER RIGHT NO. 63-35537

As Modified by Transfer No. 88872

3. Rights 63-35589, 63-35537, 63-35539, 63-35538, and 63-35540 when combined shall not exceed a total irrigation of 49.6 acres.

4. The one irrigation pond established by the storage of water under 63-35537, 63-35539, and 63-35538 shall not exceed a total capacity of 6.0 acre-feet or a total surface area of 0.6 acre.

5. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the place of use.

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 223 af at the field headgate for the place of use.

7. 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 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.

8. 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.

9. The approval of transfer 83159 redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.

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

11. This right does not grant any right-of-way or easement across the land of another.

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

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

WATER RIGHT NO. 63-35538

As Modified by Transfer No. 88872

In accordance with the approval of Transfer No. 88872, Water Right No. 63-35538 is now described as follows:

Right Holder: SEDDIE EAGLE 1 LLC
212 E CROSSROADS BLVD #143
SARATOGA SPRINGS UT 84045

Priority Date: 10/1/1935

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Annual Volume
DIVERSION TO STORAGE	03/01	to 11/15	0.2 cfs	
IRRIGATION	03/01	to 11/15	0.27 cfs	16.9 afa
IRRIGATION FROM STORAGE	03/01	to 11/15		1.5 afa
IRRIGATION STORAGE	01/01	to 12/31		1.5 afa
			0.47 cfs	16.9 afa

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SENW Sec 3 Twp 04N Rge ADA County

PLACE OF USE: IRRIGATION STORAGE

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01W	3													X				

PLACE OF USE: IRRIGATION FROM STORAGE

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01W	3					10			40	40								90
							L3												

Right Acre Limit: 50.0
POU Total Acres: 90.0

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
04N	01W	3					10			40	40								90
							L3												

Right Acre Limit: 50.0
POU Total Acres: 90.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 49.6 acres within the authorized place of use in a single irrigation season.

2. Rights 63-35537, 63-35539, and 63-35538 when combined shall not exceed a total diversion rate of 0.37 cfs, a total annual maximum diversion volume of 121.4 af at the field headgate, and the irrigation of 49.6 acres.

Transfer No. 88872

WATER RIGHT NO. 63-35538

As Modified by Transfer No. 88872

3. Rights 63-35589, 63-35537, 63-35539, 63-35538, and 63-35540 when combined shall not exceed a total irrigation of 49.6 acres.

4. The one irrigation pond established by the storage of water under 63-35537, 63-35539, and 63-35538 shall not exceed a total capacity of 6.0 acre-feet or a total surface area of 0.6 acre.

5. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the place of use.

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 223 af at the field headgate for the place of use.

7. 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 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.

8. 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.

9. The approval of transfer 83159 redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.

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

11. This right does not grant any right-of-way or easement across the land of another.

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

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

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

WATER RIGHT NO. 63-35539

As Modified by Transfer No. 88872

In accordance with the approval of Transfer No. 88872, Water Right No. 63-35539 is now described as follows:

Right Holder: SEDDIE EAGLE 1 LLC
212 E CROSSROADS BLVD #143
SARATOGA SPRINGS UT 84045

Priority Date: 9/8/1951

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Annual Volume
DIVERSION TO STORAGE	03/01	to 11/15	0.12 cfs	
IRRIGATION	03/01	to 11/15	0.16 cfs	26.6afa
IRRIGATION FROM STORAGE	03/01	to 11/15		1.5 afa
IRRIGATION STORAGE	01/01	to 12/31		1.5 afa
			0.28 cfs	26.6 afa

LOCATION OF POINT(S) OF DIVERSION
GROUND WATER SENW Sec 3 Twp 04N Rge ADA County

PLACE OF USE: IRRIGATION STORAGE

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01W	3													X				

PLACE OF USE: IRRIGATION FROM STORAGE

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01W	3					10			40	40								90
							L3												

Right Acre Limit: 50.0
POU Total Acres: 90.0

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
04N	01W	3					10			40	40								90
							L3												

Right Acre Limit: 50.0
POU Total Acres: 90.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 49.6 acres within the authorized place of use in a single irrigation season.

2. Rights 63-35537, 63-35539, and 63-35538 when combined shall not exceed a total diversion rate of 0.37 cfs, a total annual maximum diversion volume of 121.4 af at the field headgate.

Transfer No. 88872

WATER RIGHT NO. 63-35539

As Modified by Transfer No. 88872

3. Rights 63-35589, 63-35537, 63-35539, 63-35538, and 63-35540 when combined shall not exceed a total irrigation of 49.6 acres.

4. The one irrigation pond established by the storage of water under 63-35537, 63-35539, and 63-35538 shall not exceed a total capacity of 6.0 acre-feet or a total surface area of 0.6 acre.

5. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the place of use.

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 223 af at the field headgate for the place of use.

7. 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 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.

8. 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.

9. The approval of transfer 83159 redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.

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

11. This right does not grant any right-of-way or easement across the land of another.

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

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

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

WATER RIGHT NO. 63-35540

As Modified by Transfer No. 88872

In accordance with the approval of Transfer No. 88872, Water Right No. 63-35540 is now described as follows:

Right Holder: SEDDIE EAGLE 1 LLC
212 E CROSSROADS BLVD #143
SARATOGA SPRINGS UT 84045

Priority Date: 10/8/1962

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Annual Volume
IRRIGATION	03/01	to 11/15	0.07 cfs	3.7 afa
			0.07 cfs	3.7 afa

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENW	Sec 3 Twp 04N Rge ADA County
GROUND WATER	SENW	Sec 3 Twp 04N Rge ADA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01W	3					10			40	40								90
							L3												

Right Acre Limit: 50.0
POU Total Acres: 90.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 49.6 acres within the authorized place of use in a single irrigation season.
2. Rights 63-35589, 63-35537, 63-35539, 63-35538, and 63-35540 when combined shall not exceed a total irrigation of 49.6 acres.
3. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 223 af at the field headgate for the place of use.
5. 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 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.
6. 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.

WATER RIGHT NO. 63-35540

As Modified by Transfer No. 88872

7. The approval of transfer 83159 redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.

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

9. This right does not grant any right-of-way or easement across the land of another.

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

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

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

WATER RIGHT NO. 63-35589

As Modified by Transfer No. 88872

In accordance with the approval of Transfer No. 88872, Water Right No. 63-35589 is now described as follows:

Right Holder: SEDDIE EAGLE 1 LLC
212 E CROSSROADS BLVD #143
SARATOGA SPRINGS UT 84045

Priority Date: 9/15/1987

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Annual Volume
IRRIGATION	03/01	to 11/15	0.39 cfs	87.2 afa
			0.39 cfs	87.2 afa

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENW	Sec 3 Twp 04N Rge ADA County
GROUND WATER	SENW	Sec 3 Twp 04N Rge ADA County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01W	3					10			40	40								90
							L3												

Right Acre Limit: 50.0
POU Total Acres: 90.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 49.6 acres within the authorized place of use in a single irrigation season.

2. Rights 63-35589, 63-35537, 63-35539, 63-35538, and 63-35540 when combined shall not exceed a total irrigation of 49.6 acres.

3. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the place of use.

4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 223 af at the field headgate for the place of use.

5. 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 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.

WATER RIGHT NO. 63-35589

As Modified by Transfer No. 88872

6. 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 use power records to determine the amount of water diverted and shall annually report the information to the Department.

7. The approval of transfer 83159 redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.

8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date of this approval.

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

10. This right does not grant any right-of-way or easement across the land of another.

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

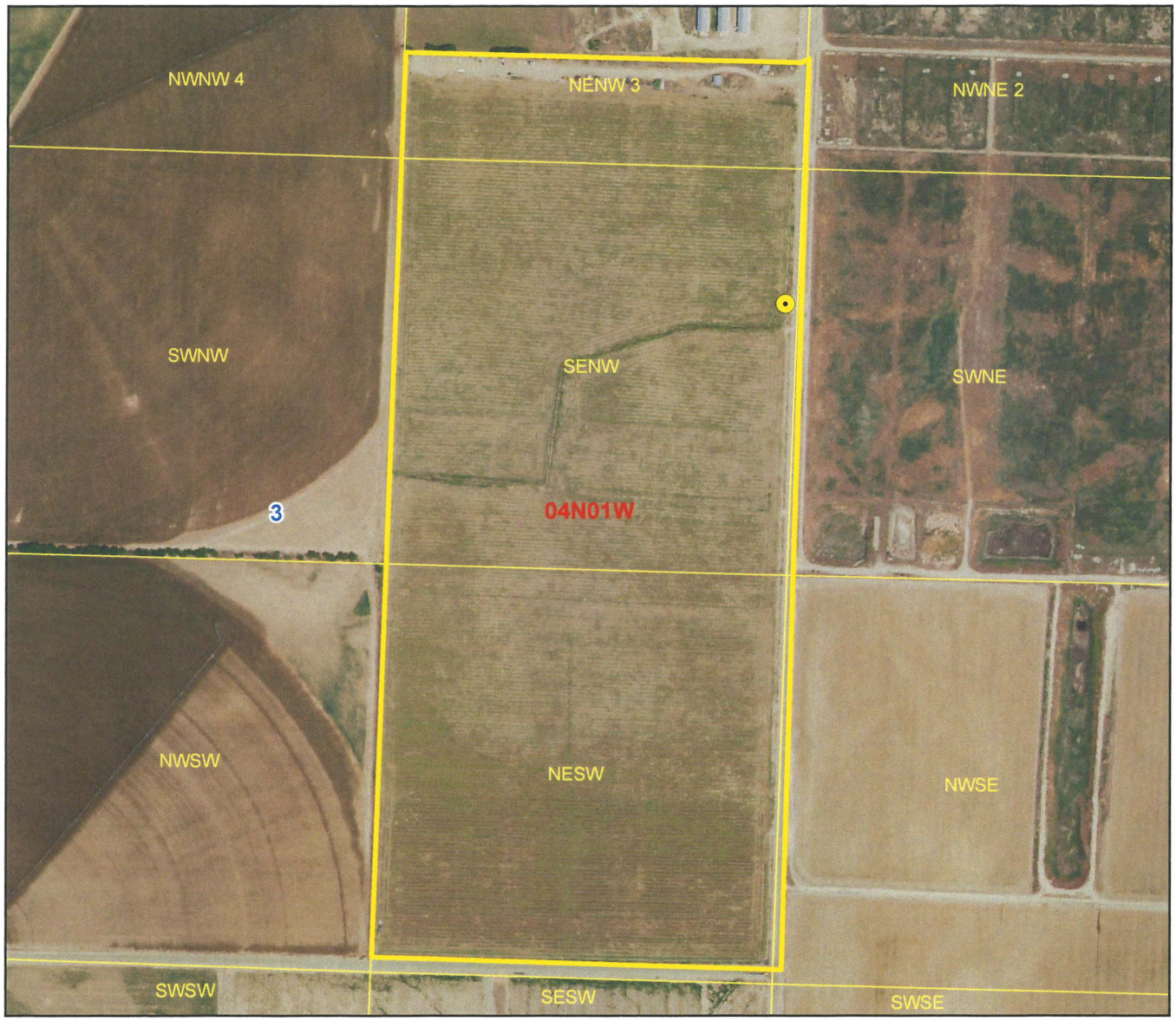
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

State of Idaho
Department of Water Resources

Attachment to Transfer No. 88872

Water Right(s):63-35537, 63-35538, 63-35539, 63-35540, & 63-35589

This map depicts the IRRIGATION and IRRIGATION FROM STORAGE 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.



State of Idaho
Department of Water Resources

Attachment to Transfer No. 88872

Water Right(s):63-35537, 63-35538, 63-35539, 63-35540, & 63-35589

This map depicts the IRRIGATION STORAGE 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.

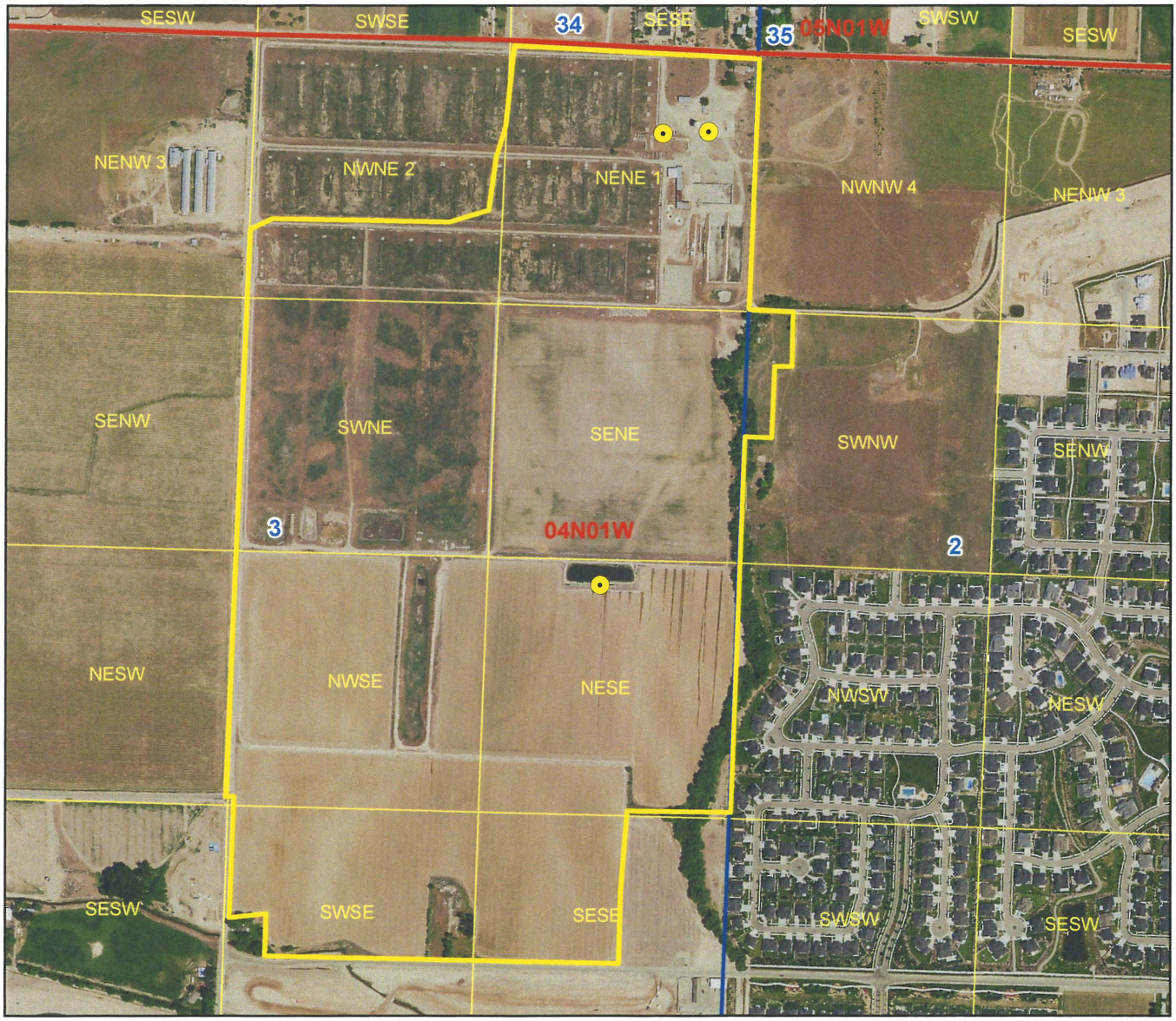


State of Idaho
Department of Water Resources

Attachment to Transfer No. 88872

Water Right(s): 63-11060, 63-25981, 63-25982, 63-31725, & 63-10536

This map depicts the IRRIGATION and IRRIGATION FROM STORAGE 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.



State of Idaho
Department of Water Resources

Attachment to Transfer No. 88872

Water Right(s): 63-11060, 63-25981, 63-25982, 63-31725, & 63-10536

This map depicts the IRRIGATION STORAGE 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.



Transfer POD

Transfer POU

N

0 1,300 2,600 Feet

IDAHO DEPARTMENT OF
WATER RESOURCES

Western Region • 2735 W Airport Way • Boise, ID 83705-5082
Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little Director Mathew Weaver

January 17, 2025

SEDDIE EAGLE I LLC
212 E CROSSROADS BLVD PMB 143
SARATOGA SPGS UT 84045-2966

Re: Transfer No: 88872
Water Right No(s).: 63-10536, 63-11060, 63-25981, 63-25982, 63-31725

Transfer Approval Notice

Dear Water Right Holder:

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.

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 the Western Region Front Desk at (208) 334-2190.

Sincerely,

Marina Bozdog

Marina Bozdog
Technical Records Specialist I

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on January 17, 2025 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.: 88872
Water Right No(s).: 63-10536, 63-11060, 63-25981, 63-25982, 63-31725

SEDDIE EAGLE I LLC
212 E CROSSROADS BLVD PMB 143
SARATOGA SPGS UT 84045-2966

HDR INC
ATTN LORI GRAVES
412 E PARKCENTER BLVD STE 100
BOISE ID 83706-6659

NORTH EAGLE 413 LLC
3103 W SHERYL DR STE 100
MERIDIAN ID 83642-5761

Marina Bozdog

Marina Bozdog
Technical Records Specialist I

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.

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.

MEMORANDUM

TO: Transfer No. 88872 Seddie Eagle I LLC

FROM: Allen Bradbury

DATE: 10/21/2024

RE: Evaluation of Application for Transfer of Water Right

The purpose of this transfer is to change the point of diversion for water right numbers 63-10536, 63-11060, 63-25981, 63-25982, 63-31725.

The transfer water rights currently allow irrigation within a 345-acre permissible place of use (PPU) that has recently been split between two separate owners. Applicants own 90 acres of the PPU on in the W ½ NW, Section 3 and North Eagle 413 LLC owns the balance in the east ½, Section 3.

The applicant's property is planned for the development of Millstone Farm Subdivision. The current locations of applicant's two wells are not ideal for the development's planned PI system resulting in this transfer proposing a new well south of the two existing wells. Upon transfer approval, the two existing wells will be abandoned according to Department procedure.

Water will be used at the current place of use near the intersection of N Palmer Ln and W Floating Feather Rd, Eagle, ID.

Summary of Information Submitted

Authority to File: The application was filed with the name Seddie Eagle I LLC. The limited liability company (LLC) is registered to Beck Accounting PSC Inc., 212 E Crossroads Blvd #143, Saratogo Springs Utah. Brent Thompson is listed as one of the principals for the LLC, Mr. Thompson is the sole signatory on the application. The applicant owns all property associated with the points of diversion and the places of use in this application. The applicant owns the right and has the authority to apply for the transfer.

Water Right Validity/Historical Beneficial Use: There are two licensed water rights no. 63-10536 was licensed on 7/18/1994 and no. 63-11060 was licensed on 10/18/2004. There are three decreed water rights, no. 63-25981 was decreed on 5/16/2007, no. 63-25982 was decreed on 5/17/2007, and no. 63-31725 was decreed on 3/23/2009. The rights are presumed to be valid since beneficial use is evident within the last five years as confirmed by Department aerial imagery and Climate Engine. Therefore, a defense of forfeiture is not needed.

Injury to Other Water Rights: This transfer changes the point of diversion on the split child rights. This transfer proposes a new well south of the two existing wells. Upon transfer approval, the two existing wells will be abandoned according to Department procedure. The place of use will be split, however there are no changes to the POU. The application does not proposes moving a ground water right within a Critical Ground Water Area (CGWA) or Ground Water Management Area (GWMA). There is no indication a separate aquifer will be accessed since the new well is under a quarter of a mile away from the existing POD. Other large irrigation wells are still within a half mile. No protests were received at advertisement. Based on this evidence there is not a concern with other users making a call or being injured.

Enlargement of Use: The transfer does not propose any change to the diversion rate or volume nor any unsubordinated change to the season of use or a change in the nature of use. The number of irrigated acres will remain at original decreed acres. For these reasons, an enlargement of use is not anticipated as a result of this transfer.

Local Public Interest: There are no anticipated negative impacts to recreation, fish, or wildlife as a result of this transfer. There is no indication that any applicable water or hazardous substance standards designed to protect water resources would be violated. This transfer is compatible with the objectives and policies of the State Water Plan. It is within the local public interest to allow private properties to develop their property and fully use their water rights, which in turn benefits the public at large. None of the available information suggests a conflict with the local public interest. Comments received from the watermaster did not offer any opposition to the transfer.

Beneficial Use/Conservation of Water Resources: No issues were identified. The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

Additional Information/Analysis

Overlap Analysis: Water rights 63-10700, 63-5094, 63-32958, 63-32960 in section 3 and section 1 are owned by Cloud Berry LLC however they do not overlap quarter-quarters with the water rights for Seddie Eagle 1 LLC or North Eagle 413 LLC water rights.

Discussion

Conditions: If approved, changes should be made to the conditions of the following water rights:

Water rights 63-11060 & 63-35537 modify conditions X27, X35, X35, 220, and WB7

Water rights 63-25981 & 63-35539 modify conditions X27, X35, X35, 220, and WB7

Water rights 63-25982 & 63-35538 modify conditions X27, X35, X35, 220, and WB7

Water rights 63-31725 & 63-35540 modify conditions X27, X35, and WB7

Water rights 63-10536 & 63-35589 modify conditions X27, X35, and WB7

Summary

Assuming no other information contradicts the above analysis, the application can be approved as reflected by the draft approval.