

T#: 89458

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT

GENERAL INFORMATION AND INSTRUCTIONS

Pursuant to Section 42-222(1), *Idaho Code*, a transfer application may be filed to change the point of diversion, place of use, period of use, or nature of use of all or part of an established water right. Any person proposing to make such a change is required to file a transfer application with the Department. "Such application shall be upon forms furnished by the department and shall describe the [water right] to be changed and the changes which are proposed and shall be accompanied by the statutory filing fee." *Idaho Code* § 42-222(1).

The Department has developed this application form to assist applicants in satisfying the requirements of Section 42-222(1). This application form requests information about the applicant's authority to file (Part 1), information about the current elements of the water right(s) to be changed (Part 2), information about the proposed changes (Part 3), information about the validity of the water right(s) and the effects of the proposed changes (Part 4), and confirmation that the information provided is truthful (Part 5).

The applicant or their representative must provide a response for all applicable questions, any additional information required, and the proper filing fee before this application will be considered complete. If an application is incomplete or more information is required, the Department will notify the applicant or representative and allow time for the application to be completed. An application that remains incomplete will be returned to the applicant and the filing fee will be refunded.

An application for transfer is limited to the changes proposed for a single water distribution system. A proposal to change two or more separate water distribution systems, that will remain separate after the transfer, must be filed as separate applications. Applicants may provide additional pages to supplement their responses to the questions posed on this application form. Supplemental forms for listing additional water rights, points of diversion, or places of use can be found on the Department's website (idwr.idaho.gov). If you need assistance understanding the questions on this form, generating current water right reports, determining legal descriptions, or accessing water measurement records feel free to contact the nearest regional office of the Department.

PART 1 – CONTACT INFORMATION, OWNERSHIP RECORDS, AUTHORITY TO FILE

Name(s) of Applicant(s) Brady and or Whitney Devey

Mailing Address 4820 Salmon Creek Drive Buhl, Idaho 83316

Email* _____ Phone 510-908-4247

Name of Representative (if any) Stan Haye Snake River Management

Mailing Address 403 Center Street East Kimberly Idaho 83341

Email* stan2sbardbranch.net or stan.haye@id.nacdn.net Phone 208-731-9930

*If an email address is provided, Department staff will use email as the primary method for corresponding with the applicant and representative about the application.

A. Representative. If the representative is authorized to sign or amend the application on behalf of the applicant, attach documents confirming that authority. Label documents as Attachment 1A.

B. Current Owner. If the applicant is not the current owner of record for all water rights included in this application, attach documents showing that the applicant has the authority to make the proposed changes. Label documents as Attachment 1B.

C. Updating Ownership Records. Applicants needing to update the ownership records for any of the water rights included in this application must attach documents supporting the ownership change. Such documents must trace ownership of the subject water rights or the current place of use for the subject water rights from the current owner of record for the water rights to the applicant. Label documents as Attachment 1C.

D. Business Entities. If the applicant is a business entity (corporation, LLC, partnership, trust, etc.), is the entity currently registered with the Idaho Secretary of State?

☐ Yes. If this application is signed by someone other than a person listed on the most recent annual report filed with the Idaho Secretary of State, attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

☒ No. Attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

E. Approval of Irrigation Delivery Entity. Section 42-108, *Idaho Code*, states that a transfer application proposing to change water rights held by an irrigation company or district requires the consent of the irrigation entity. If this application proposes to change water rights held by an irrigation entity, attach a letter of consent from the entity (labeled as Attachment 1E) or have an authorized representative of the entity co-sign the application.

F. Encumbered Properties. If the current place of use for the water rights included in this application is subject to a lien, deed of trust, mortgage, or contract and the application proposes to change the nature of use of the water rights or to move water rights off the current place of use, attach a statement of consent for the change signed by the lien holder, trustee, mortgagor or contract holder. Label documents as Attachment 1F.

G. Legal Access. If the applicant is not the current owner of the proposed point(s) of diversion, conveyance system, or place(s) of use, provide evidence of legal access to the land or infrastructure not owned by the applicant. Label documents as Attachment 1G. For example, an applicant may provide a letter of consent from the owner of the land or conveyance system or may have the owner co-sign the application. For applications proposing to divert water on or convey water across federal land, an applicant is not required to demonstrate legal access to the federal land prior to approval. Instead, if the transfer application is approved, the applicant must obtain access authorization from the relevant federal agency prior to diverting water under the subject water rights.

PART 2 – WATER RIGHTS BEFORE PROPOSED CHANGES

A. Current Water Rights. For each water right proposed to be changed, attach a current water right report obtained from any Department office or from the Department's website (idwr.idaho.gov). Label water right reports as Attachment 2A.

B. Map of Current System. Attach a map of the current point(s) of diversion and place(s) of use for the water rights to be changed. The map should clearly depict the elements of the water rights to be changed. For example, if the application proposes to change the point of diversion for a water right, the map should display the current location of the point of diversion. For irrigation water rights, the map should also identify the location of the irrigated acres to be changed. Label map as Attachment 2B.

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

Current Water Right No.: 47-17555

Current Owner: MATHERS RANCH INC
Priority Date: 11/6/1961
Origin: Water Right
Status: Active
Basis: Decreed

Source

GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	2.64 CFS	576.8 AF
	<u>Total Diversion</u>	2.64 CFS	576.8 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 31,	Twp 11S,	Rge 18E B.M.
TWIN FALLS County				
GROUND WATER	SW1/4NW1/4	Sec. 32,	Twp 11S,	Rge 18E B.M.
TWIN FALLS County				
GROUND WATER	SW1/4SW1/4	Sec. 32,	Twp 11S,	Rge 18E B.M.
TWIN FALLS County				

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S31	SWNE	3.00	T11S R18E S31	SENE	30.70
T11S R18E S31	SESW	1.90	T11S R18E S31	NESE	37.60
T11S R18E S31	NWSE	20.00	T11S R18E S31	SWSE	37.00
T11S R18E S31	SESE	14.00			

Total Acres: 144.2

Conditions of Approval:

1. T20 Approval of this transfer does not confirm the validity of this water right.
2. E54 The rights listed below are limited to a total combined annual diversion volume of 576.8 AF. Combined Right Nos.: 47-17555, 47-17560, 47-17565
3. E52 The rights listed below are limited to a total combined diversion rate of 2.64 cfs.
Combined Right Nos.: 47-17555, 47-17560, 47-17565
4. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. S20 Use of this right is combined with water from Twin Falls Canal Co.
6. T17 The right holder shall maintain a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. T19 Pursuant to Section 42-1412(6), Idaho Code, 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.
8. E55 Right Nos. 47-17555, 47-17560, and 47-17565 are limited to the irrigation of a combined total of 144.2 acres in a single irrigation season.

Decreed Date: 7/14/2009

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2B

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.

Right Number: 47-17555

[illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

Total Acres (for irrigation use)	144.2
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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 47-17560

Current Owner: MATHERS RANCH INC
Priority Date: 8/9/1954
Origin: Water Right
Status: Active
Basis: Decreed

Source

GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.2 CFS	527.2 AF
	<u>Total Diversion</u>	1.2 CFS	527.2 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NW1/4	Sec. 32,	Twp 11S,	Rge 18E B.M.
TWIN FALLS County				
GROUND WATER	SW1/4NE1/4	Sec. 31,	Twp 11S,	Rge 18E B.M.
TWIN FALLS County				
GROUND WATER	SW1/4SW1/4	Sec. 32,	Twp 11S,	Rge 18E B.M.
TWIN FALLS County				

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S31	SWNE	3.00	T11S R18E S31	SENE	30.70
T11S R18E S31	SESW	1.90	T11S R18E S31	NESE	37.60
T11S R18E S31	NWSE	20.00	T11S R18E S31	SWSE	37.00
T11S R18E S31	SESE	14.00			

Total Acres: 144.2

Conditions of Approval:

1. R31 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
2. T19 Pursuant to Section 42-1412(6), Idaho Code, 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.
3. T17 The right holder shall maintain a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. S20 Use of this right is combined with water from Twin Falls Canal Co.
5. E54 The rights listed below are limited to a total combined annual diversion volume of 576.8 AF. Combined Right Nos.: 47-17555, 47-17560, 47-17565
6. E55 Right Nos. 47-17555, 47-17560, and 47-17565 are limited to the irrigation of a combined total of 144.2 acres in a single irrigation season.
7. K06 Right 47-17560 is limited to the irrigation of 131.8 acres within the place of use described above in a single irrigation season.
8. E52 The rights listed below are limited to a total combined diversion rate of 2.64 cfs.
Combined Right Nos.: 47-17555, 47-17560, 47-17565
9. T20 Approval of this transfer does not confirm the validity of this water right.

Decreed Date: 7/14/2009

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2B

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.

Right Number: 47-17560

[illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

Total Acres (for irrigation use)	144.2
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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 47-17565

Current Owner: MATHERS RANCH INC
Priority Date: 4/3/1961
Origin: Water Right
Status: Active
Basis: Decreed

Source

GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.13 CFS	83.3 AF
	<u>Total Diversion</u>	0.13 CFS	83.3 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 31,	Twp 11S,	Rge 18E B.M.
TWIN FALLS County				
GROUND WATER	SW1/4NW1/4	Sec. 32,	Twp 11S,	Rge 18E B.M.
TWIN FALLS County				
GROUND WATER	SW1/4SW1/4	Sec. 32,	Twp 11S,	Rge 18E B.M.
TWIN FALLS County				

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R18E S31	SWNE	3.00	T11S R18E S31	SENE	30.70
T11S R18E S31	SESW	1.90	T11S R18E S31	NESE	37.60
T11S R18E S31	NWSE	20.00	T11S R18E S31	SWSE	37.00
T11S R18E S31	SESE	14.00			

Total Acres: 144.2

Conditions of Approval:

1. E52 The rights listed below are limited to a total combined diversion rate of 2.64 cfs.
Combined Right Nos.: 47-17555, 47-17560, 47-17565
2. T17 The right holder shall maintain a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. E54 The rights listed below are limited to a total combined annual diversion volume of 576.8 AF. Combined Right Nos.: 47-17555, 47-17560, 47-17565
4. T20 Approval of this transfer does not confirm the validity of this water right.
5. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. E55 Right Nos. 47-17555, 47-17560, and 47-17565 are limited to the irrigation of a combined total of 144.2 acres in a single irrigation season.
7. T19 Pursuant to Section 42-1412(6), Idaho Code, 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.
8. S20 Use of this right is combined with water from Twin Falls Canal Co.
9. K06 Right 47-17560 is limited to the irrigation of 66.6 acres within the place of use described above in a single irrigation season.

Decreed Date: 7/14/2009

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 2B

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.

Right Number: 47-17565

[illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

[illegible]

Total Acres (for irrigation use)	144.2
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C. Current Location of Irrigated Acres. If this application proposes to change the place of use or nature of use for only a portion of an irrigation water right, use the following table to identify the current location of the irrigated acres to be changed. If additional pages are required, label additional pages as Attachment 2C. If this application proposes to change or rearrange the entire place of use for irrigation water right(s), skip to Part 3.

☐ **N/A.** This application does not propose to change the place of use or nature or use of an irrigation water right or this application proposes to change the place of use or nature of use for an entire irrigation right.

Current Location of Irrigated Acres to be Changed

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	18E	31															1		1

Total Irrigated Acres to be Changed: 1

PART 3 – DESCRIPTION OF PROPOSED CHANGES

A. Purpose of Transfer. Section 42-222(1), *Idaho Code*, states that transfer applications may only be filed to change the point of diversion, place of use, period of use, or nature of use of an established water right. Section 42-248(3), *Idaho Code*, authorizes water right ownership changes to be described on a transfer application. Identify the changes proposed in this application:

- | | |
|--|---|
| ☒ Change point(s) of diversion | ☒ Change place of use |
| ☐ Add point(s) of diversion | ☐ Change period of use |
| ☐ Change nature of use | ☐ Update water right ownership records |

B. Proposed Changes. Describe the proposed changes in narrative form:

The current location is being dried up and taken out of crop production and used as a gravel pit

The new location on a 1 acre lot in the SESE Section 30 Township 8 south Range 14 East

Better Know as 4820 Salmon Creek Drive Buhl Id 83316

C. Summary of Proposed Changes.

1. Water Rights. Use the following table to list all water rights, or portions thereof, that are proposed to be changed as they would appear after the proposed changes. In the Amount column, list the volume in acre-feet (af) for storage uses or the rate in cubic feet per second (cfs) for all other uses.

All or Part	Right Number	Amount (cfs/af)	Nature of Use	Period of Use	Source
☐ ☒	47-17555	.02/4	Irrigation	3/15 to 11/15	Ground Water
☐ ☒	47-17560	.01/2	Irrigation	3/15 to 11/15	Ground Water
☐ ☒	47-17565	.01/.8	Irrigation	3/15 to 11/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

2. Total Amounts. Calculate the total quantity, in cfs or af, of water rights that are proposed to be changed through this application. For an application proposing to only change the place of use for irrigation rights, the total quantity of water is calculated by comparing the current place of use to the proposed place of use, summing the number of acres increased in each legal subdivision, and quantifying the proportional amount of diversion rate for the increased acres. For an application proposing to change or add points of diversion for irrigation or any other beneficial use, the total amount is the total diversion rate for the changed portion of the right.

Total Amount of Water Rights Proposed to be Changed: .02 cfs and/or 4 af.

3. Point(s) of Diversion. Use the following table to list all the proposed points of diversion for the water rights to be changed, including any current points of diversion that will continue to be used as part of the proposed water distribution system.

The legal description for the proposed point(s) of diversion must be to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System (PLSS). PLSS information is typically available from USGS topo maps, property deeds, tax bills or various mapping tools on the Department's website.

For points of diversion within platted subdivisions, list the lot and block number in the "Diversion Name/Number" column. An application proposing an injection into a stream and a re-diversion from that stream must list the source for the original diversion as the source for the injection and re-diversion points. If this application proposes construction of a new diversion structure (for example, a new ground water well or a new pump station on a creek), please indicate the status in the appropriate column.

☐ N/A. This application does not propose to add or change any points of diversion.

Proposed Points of Diversion

New?	Twp	Rge	Sec	Lot	1/4	1/4	1/4	County	Source	Diversion Name/Number
	8S	14E	30			SE	SE	Twin Falls	Ground Water	New Well

4. Place of Use. The proposed place of use must be described to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System. Government lot numbers can be noted in parenthesis below the approximate quarter-quarter location of the government lot. For water rights held by irrigation districts, municipal providers or irrigation companies, the proposed place of use may be generally described as authorized by Sections 42-202B, 42-219 and 42-222B, *Idaho Code*.

☐ N/A. This application does not propose to change the place of use.

Proposed Place of Use

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	
8S	14E	30																1	1

Total Irrigated Acres: 1

5. Map of Proposed System. Attach a map showing the location of the points of diversion, reservoirs, dams, canals, ditches, pipelines and other works proposed to divert and convey water. Also show the location of the place of use, including any lands to be irrigated. The map should delineate the legal subdivisions including townships, ranges, sections, quarter-quarters and government lots. Label map as Attachment 3C.

PART 4 – ADDITIONAL INFORMATION

Section 42-222(1), *Idaho Code*, establishes the criteria used to evaluate transfer applications. An applicant bears the burden of demonstrating that the water right to be changed is a valid right, that the proposed use is a beneficial use, and that the proposed changes will not injure other water rights, will not enlarge the use of the original rights, are in the local public interest, and are consistent with the conservation of water resources within the state of Idaho. To satisfy this burden, an applicant must provide sufficient data and information for the

Department to evaluate the effects of the proposed change. The Department may deny an application if the applicant fails to provide sufficient data and information to determine whether the criteria from Section 42-222(1) are satisfied. In addition to the information requested in Parts 1-3 of this application, the following information must be provided for an application to be considered complete. Department staff may request additional information or clarification as the application is processed.

A. Validity of Water Rights

1. If one or more of the water rights proposed to be changed is a statutory claim, established pursuant to Section 42-248, *Idaho Code*, attach evidence supporting the priority date claimed. Label documents as Attachment 4A-1. For statutory claims, the Department may conduct a field inspection as part of the application review process to evaluate the water right elements listed on the statutory claim.

2. Has any portion of the water right(s) proposed to be changed undergone a period of five or more consecutive years of non-use?

☐ Yes. Attach a statement describing the portion of the right(s) that were not used and the length of time of the non-use. In addition, identify any exception or defense to forfeiture and provide a detailed description as to why the water rights have not been lost and forfeited for non-use. Label documents as Attachment 4A-2. Statutory exceptions or defenses to forfeiture are set forth in Section 42-223, *Idaho Code*.

☒ No.

B. Injury to Other Water Rights

1. Identify any other water right(s) diverted at the current point(s) of diversion.

2. Identify any other water right(s) diverted at the proposed point(s) of diversion.

3. Is the proposed point of diversion within a state water district? ☒ Yes. Water District # 476. ☐ No.

4. If already constructed and in use, are the proposed points of diversion equipped with Department-approved measuring devices? ☐ Yes. ☐ No.

5. If this application proposes to divert a surface water right from a ground water well, attach a technical analysis evaluating the hydraulic connection between the proposed ground water point of diversion and the source of water listed on the right to be changed. Label technical analysis as Attachment 4B-5.

6. If this application proposes changing the point of diversion for a ground water right in the Eastern Snake Plain Aquifer (ESPA), attach a technical analysis of the anticipated depletions to reaches of the Snake River that are hydraulically connected to the ESPA using the Department's current ground water model for the ESPA. The technical analysis must evaluate depletion impacts in a time-series format at transient and steady state time steps. To assist applicants in preparing the required technical analysis, the Department has developed a transfer tool interface for the ESPA model. The transfer tool and user instructions can be downloaded from the Department's website (idwr.idaho.gov). If the proposed and current points of diversion are in the same or adjacent model cells, no technical analysis is required, unless specifically requested by the Department. Label technical analysis as Attachment 4B-6.

C. Enlargement in Use

1. Identify any other water rights used at the current place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

NA

2. Identify any other water rights used at the proposed place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

NA

3. If this application proposes changing the place of use or nature of use for irrigation water rights, will the current place of use, for the portion of the right to be changed, continue to be irrigated?

☐ Yes. Identify the water right(s) to be used for the continued irrigation.

☒ No. The place of use for the portion to be changed will no longer be irrigated.

☐ N/A. The application does not propose to change the place of use for irrigation rights.

4. Unstacking Water Rights for Irrigation. If this application proposes to change the place of use for an irrigation water right that is combined with other irrigation rights at the current place of use but does not propose to change the place of use for all the stacked irrigation rights, attach evidence of the historical consumptive use occurring under all water rights at the current place of use. For irrigation rights, this should include at least five years of diversion data and/or crop data and estimates of evapotranspiration. Label the information as Attachment 4C-4. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

5. If the application proposes to change the nature of use for a water right, attach evidence of the historical consumptive use occurring under the portion of the water right to be changed. For irrigation rights, this should include diversion data, crop data and estimates of evapotranspiration. Label the information as Attachment 4C-5. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

6. If the application proposes to change the nature of use of a water right to municipal use for reasonably anticipated future needs, complete the form titled "Municipal Water Right Application Checklist" found on the Department's website (idwr.idaho.gov). Label the form as Attachment 4C-6.

7. To your knowledge, are any portions of the water rights proposed to be changed:

Yes

No

☐

☒

currently leased to the Water Supply Bank?

If yes, complete the form titled "Application for Transfer of Water Right Attachment WSB" found on the Department's website (idwr.idaho.gov).

Label the Form as Attachment 4C-7.

☐

☒

currently used in a mitigation plan limiting the use of water under the right?

☐

☒

subject to an agreement not to divert (CREP)?

☐

☒

currently enrolled in a federal set-aside program (CRP)?

D. Local Public Interest

The department must consider whether the proposed changes are in the local public interest as defined in Section 42-202B(3), *Idaho Code*. Some of the local public interest factors that may be considered in conjunction with a transfer application are (1) Recreation, fish, and wildlife impacts, (2) Water quality or contamination concerns, (3) Local and state ordinances, regulations, or policies related to water use, (4) Goals, requirements and limits set forth in the State Water Plan. If you choose to provide information about local public interest factors, label the information as Attachment 4D.

E. Conservation of Water Resources

Describe the diversion works and water delivery system. This may include sizes and dimensions of pumps, pipelines, headgates, ditches, dams, impoundments and irrigation equipment.

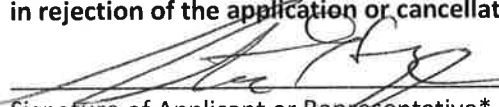
A new well will be dug for both domestic use and Irrigation of said land when this gets approval by IDWR

PART 5 – FILING FEE AND SIGNATURE

A. Filing Fee. Filing fees for transfer applications are set forth in Section 42-221.O, *Idaho Code*. A table summarizing the filing fees for transfer applications is also found on the Department's website (idwr.idaho.gov). Any application proposing to change the nature of use for one or more rights requires an additional filing fee of \$250. Applications proposing to update the ownership records for water rights must also include the appropriate filing fee to update the ownership records. For any application relying on the filing fee set forth in Section 42-221.O.8, *Idaho Code*, attach a statement describing how the application qualifies under Section 42-221.O.8. Label documents as Attachment 5A.

B. Affidavit of Applicant or Representative:

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.

	Stan Haye	11/7/24
Signature of Applicant or Representative*	Print Name and Title, if applicable	Date
Signature of Applicant or Representative*	Print Name and Title, if applicable	Date

*If water rights included in this application are owned by multiple people or entities, each owner must sign the application form.

FOR DEPARTMENT USE ONLY

Fee Paid: \$ <u>200⁰⁰</u>	Receipt #: <u>S040427</u>	Date: <u>11-12-2024</u>	Received by: <u>SG</u>
Add'l Paid: \$ <u> </u>	Receipt #: <u> </u>	Date: <u> </u>	Received by: <u> </u>

CONTRACT FOR SALE OF WATER RIGHTS

THIS AGREEMENT is made and entered into this 6th day of November 6, 2024

By and between MATHERS RANCHES INC., herein after referred as seller, Stan Haye of SNAKE RIVER MANAGEMENT, INC., hereinafter referred to as their Brokerage Agent," and Whitney Devey & Brady Devey Husband & Wife as Buyers

RECITALS

A. Seller owns water rights appurtenant to one (1) acre of land or describe as follows

47-17555, 47-17560 and 47-17565 and desires to split 4 Acre Feet or approximately 1 acre of the water right from degreed water rights to sell

The water rights are presently appurtenant to one (1) acre of land located

In Twin Falls County, Idaho more particularly described as follows:

1 acre in the SESE and NESE Section 31 Township 11 South, Range 18 East of the Boise Meridian

B. Buyers own real property located in Twin Falls County; Idaho more particularly described as:

The SESE ¼, Section 30, Township 8 South Range 14 East of the Boise Meridian, Twin Falls County Idaho

C. The parties wish to agree upon terms and conditions whereby Sellers will sell to buyers, and buyers will purchase from Seller that portion of the Seller's water rights and make them Appurtenant to real property of the Buyer more particularly described above.

Nature of use of the water is for Irrigation, such water rights are described as in (see exhibit A)

IT IS THEREFORE AGREED, in consideration of these recitals and promises and

Covenants hereafter contained as follows

1. Seller agrees to sell the water rights described in recital Exhibit A above for the total purchase price of *Twenty Four Thousand, 00/100* TWENTY THOUSAND DOLLARS (\$24,000.00)

2. The parties acknowledge that this agreement is contingent upon the approval of the Transfer of the water rights to the Buyers in accordance with this agreement.

The transfer will be deemed complete upon the full approval of the transfer by the Idaho Department of Water Resources and the lapse of any protest or appeal period

Allowed by law or if any protest or appeal of the final approval is timely filed upon, the final resolution of the appeal or protest upholding the validity of the transfer.

3. Following the execution of this agreement the parties shall execute an application, with the department of water Resources and all other necessary documents.

To initiate transfer of the water rights from Seller to Buyers in accordance with this agreement.(Stipulation of Time is dependent on the prior application)

The parties shall fully cooperate to perform all actions and matters necessary to insure the approval of the application, including making appearances at any hearing or conference that may be required.

All costs fees and expenses incurred in the filing and processing of the application for

Transfer shall be borne exclusively by Snake River Management. However, any unforeseen legal

Or hydrology costs that are incurred do to appeal or demands by The Idaho department of Water Resource to the transfer source property is the responsibility of the Buyer.

If final approval of the transfer by the Idaho department of water Resources has not been provided by the

1st Day of January 2026 all protests and appeals resolved or barred by lapse of time

This Agreement shall be null and void.

4. Seller warrants to Buyers that:

(a) Seller has good title to the water rights and has the lawful authority to enter into this Agreement.

(b) The real property to which the water rights are now appurtenant is not encumbered by any mortgage, deed of trust or other lien, or that any mortgagee deed of

Trust beneficiary or other lien holder has consented in writing to the transfer of the Water rights free of their liens.

5. Buyer shall diligently pursue the application for the transfer of water rights in Order that the application will receive consideration in the quickest possible time.

6. Should either party be in default under this Agreement, the other party shall give

Notice by certified mail to the other of the nature of every claimed event of default at The address provided bellow.

If the default is not timely cured within (10) days of the receipt of the notice,

The party giving the notice may:

- (a) Pursue any other remedy to which that party may be entitled under the laws of the state of Idaho.

7. The day of closing shall be a regular business day not more than ten (10) days after the

Final approval of the water rights transfer applied for pursuant to this agreement by the

Idaho Department of Water Resource and the lapse of any time to file by lawful protest

Or appeal, closing shall occur at the office of Title One Title Company Twin Falls office (Megan Clapp) Escrow officer.

Any costs at closing shall be paid by Snake River Management.

8. The parties acknowledge that the terms, conditions, and covenants of this agreement shall

Supersede any prior negotiations and agreements of the parties, that there is no other

Agreements not contained in this agreement and that this Agreement shall be the final

Expression of the agreement of the parties and shall control. No modifications of this

Agreement shall be valid unless writing and executed by all parties hereto. No amendment

Or modification of this Agreement shall be effective unless it is made in writing

Executed by all parties.

9. Seller has agreed to pay a commission to the Brokerage agent Stan Haye of Snake

River Management based on the sale price of the water rights. Due and payable upon the closing of this Agreement

Buyers are not obligated for the payment of any commission to Stan Haye, Snake River Management, Inc. without a separate written agreement to that effect.

10. The parties advised that they should seek the advice of legal counsel of their own choosing, prior to entering this agreement.

11. Buyer cannot assign their interest in this agreement to any third party

12. If default be made by either party hereto in keeping or performing any of the Convents, conditions or agreements conditions or agreements herin agreed to be kept by them, and the other party is required to employ an attorney to enforce any of the Convents, conditions, or agreements herein contained, then and in such event, the party in Default agrees to pay, in addition to all other sumes herrin agreed to be paid by them a Reasonable attorneys fee together with any costs and disbursements that may be in cured in forcing this agreement.

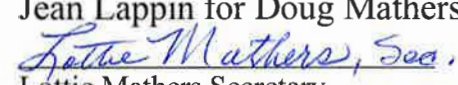
13. The parties hereto acknowledge and agree that time is and shall be, the essence of Each, and every term and condition contained herein.

14. This agreement shall be binding upon and shall insure to the benifitof and be binding upon heirs, successors and assigns of the parties

IN WITNESS WHEREOF, the parties hereto have subscribed their names the day and year in this Agreement first above written.

SELLER
MATHERS RANCHES INC.

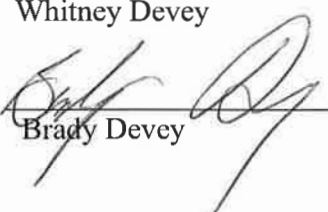


Doug Mathers President
Jean Lappin for Doug Mathers


Lottie Mathers Secretary

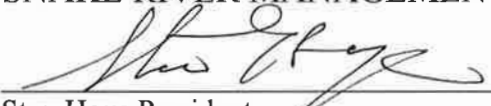
BUYERS
Whitney & or Brady Devey.

Whitney Devey



Brady Devey

BROKERAGE AGENT
STAN HAYE
SNAKE RIVER MANAGEMENT, INC.



Stan Haye President

STATE OF IDAHO)

)SS.

County of Twin Falls)

On this 6th day of November, 2024, before me, a Notary Public, in and for said County and State, personally appeared Whitney Devey & or Brady Devey Husband & Wife known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledge to me that executed the same

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



NOTARY PUBLIC FOR IDAHO

Residing at: JK County

My Commission expires: 9/3/2030

STATE OF IDAHO)

)SS.

County of Twin Falls)

On this 6th day of November, 2024, before me, a Notary Public, in and for said County and State, personally appeared Jean Lappin and Lottie Mathers, known or identified to me to be the PRESIDENT AND SECRETARY of the corporation that executed the instrument. On behalf of said corporation and acknowledge to me that such corporation executed the same

IN WITNESS WHEREOF, I have hereto set my hand and affixed my official seal the day and year in this certificate first above written.



NOTARY PUBLIC FOR IDAHO

Residing at: JK County

My Commission expires: 9/3/2030

STATE OF IDAHO)

) SS.

County of Twin Falls)

On this 6 day of November, 2024, before me, a Notary Public, in and for said County and State, personally appeared STAN HAYE, known or identified to me to be the PRESIDENT of that corporation that executed the instrument. On behalf of said corporation and acknowledge to me that such corporation executed the same

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Julissa Ambriz
NOTARY PUBLIC FOR IDAHO
Residing at: Twin Falls
My Commission expires: 06/26/2029

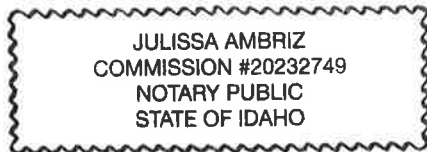


EXHIBIT A

Legal Description: For Water right owned by Mather's Ranches Inc.

See Water Right # 47-17555, 47-17560 and 47-17565 portions of land contained within the 1-acre SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31 and the Township 11 south range 18 east of the Boise Meridian, Twin Falls County Idaho

EXHIBIT B

Legal Description: For New place of diversion and use owned by Brady and Whitney
Devey

(See Map) New point of Diversion: portions of land contained within the SE, SE $\frac{1}{4}$, Section 30 , Township 8 South Range 14 East of the Boise Meridian, Twin Falls county Idaho

Case No. 77993 CM

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

TWIN FALLS COUNTY
RECORDED FOR:
TITLEFACT, INC.
02:06:26 PM 05-24-2023
2023006104
NO. PAGES 5 FEE: \$15.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: SB
Electronically Recorded by Simplifile

*** SPACE ABOVE FOR RECORDER ***

WARRANTY DEED

FOR VALUE RECEIVED **MARK WEITZ and ANGELA WEITZ, who acquired title as ANGELA STEFFENSEN, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **WILLIAM "BRADY" DEVEY and WHITNEY DEVEY, husband and wife**, hereinafter called Grantee, whose address is: 4820 Salmon Creek Drive, Buhl, ID 83316, the following described premises in Twin Falls County, Idaho; to-wit:

See Attached Exhibit "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: May 23 2023



MARK WEITZ

Signed in Counterpart

ANGELA WEITZ

Case No. 77993 CM

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

**** SPACE ABOVE FOR RECORDER ****

WARRANTY DEED

FOR VALUE RECEIVED MARK WEITZ and ANGELA WEITZ, who acquired title as ANGELA STEFFENSEN, husband and wife, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto WILLIAM "BRADY" DEVEY and WHITNEY DEVEY, husband and wife, hereinafter called Grantee, whose address is: 4820 Salmon Creek Drive, Buhl, ID 83316, the following described premises in Twin Falls County, Idaho; to-wit:

See Attached Exhibit "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: May 19, 2023

Signed in Counterpart
MARK WEITZ


ANGELA WEITZ

STATE OF IDAHO

County of Twin Falls

On this 23 day of May, 2023, before me, a Notary Public in and for said State, personally appeared **MARK WEITZ**, known or identified to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

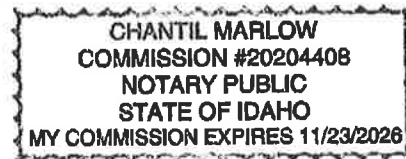
IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

Chantil Marlow

Notary Public for Idaho

Residing at Twin Falls

Commission expires: 11/23/2026

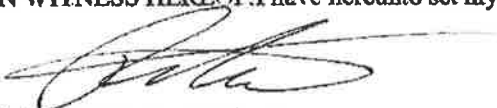


STATE OF CALIFORNIA

County of San Luis Obispo

On this 19 day of May, 2023, before me, a Notary Public in and for said State, personally appeared **ANGELA WEITZ**, known or identified to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.



Notary Public for California

Residing at _____

Commission expires: _____

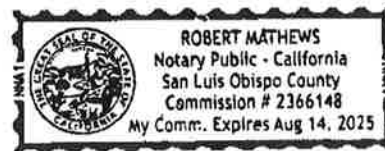


EXHIBIT "A"

Township 8 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho

Section 30: A parcel of land located in the E½, and being generally described as Lot 20-A on a record of survey titled "Property Division Survey for Bob Ring, a division of Lots 13, 16, 17, 20, and 21, Salmon River Ranches Filing 1", recorded as Instrument Number 880172, and being more specifically described as follows:

COMMENCING at the Southeast corner of Section 30, Township 8 South, Range 14 East, B.M.;

THENCE South 89°11'26" West 1320.00 feet along the Southerly boundary of the Southeast quarter, Southeast quarter of said Section 30 to the Southwest corner thereof;

THENCE North 0°02'59" West 1008.78 feet along the Westerly boundary of the Southeast quarter Southeast quarter of said Section 30;

THENCE South 88°31'59" East 170.62 feet to the REAL POINT OF BEGINNING;

THENCE continuing South 88°31'59" East 420.22 feet;

THENCE South 1°28'55" East 237.01 feet;

THENCE South 73°46'13" West 293.16 feet;

THENCE North 23°42'20" West 360.00 feet to the REAL POINT OF BEGINNING.

GENERAL POWER OF ATTORNEY:

Whitney & or Brady Devey: hereby give permission to Stan Haye of Snake River Management to Sign forms and make changes to said forms, for the application process during the duration of applying for a water right transfer.

This water right transfer is through the Idaho Department of Water Resources and may extend into the new year.



Signature Whitney & or Brady Devey

I 

A Witness to the signature of Whitney or
Brady Devey

Have witness the signature and this witness and signee are of sound mind.

Anissa Watson Printed Name Witness.

A copy to IDWR

POH
POH

1/11/24

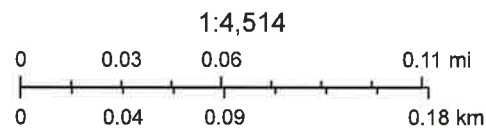
SLSE
Water Rights

احمد 30 T8S R16E



11/6/2024, 10:01:45 AM

-  Quarter Quarters
-  PLS Sections
-  Townships



Esri, HERE, IPC, Esri, HERE, Garmin, IPC, Maxar

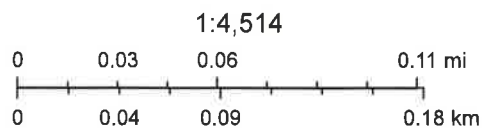
89458

4 AF
1 AF SW 1/4 See 31
Water Rights T11S R18E



11/6/2024, 9:32:18 AM

- POD - Water Rights
- POU - Water Rights
- All Other POU (non-provider)
- Irrigation Providers and Municipal Service Areas
- Quarter Quarters
- PLS Sections
- Townships



Esri, HERE, iPC, Esri, HERE, Garmin, iPC, Maxar

89458



OFFICIAL AD PROOF

This is the proof of your ad scheduled to run in **Magic Valley Times-News** on the dates indicated below. If changes are needed, please contact us prior to deadline at help@column.us

Notice ID: 2dleO5KzJUJo3K180aUE | **Proof Updated: Jan. 31, 2025 at 09:38am MST**

Notice Name: Transfers: T.W.B., L & S. K & K , Devey | Publisher ID: COL-NV-1322

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER

ID DEPARTMENT OF WATER
RESOURCES Southern Region
denise.maline@idwr.idaho.gov
(208) 736-3033

FILING FOR

Magic Valley
Times-News

Columns Wide: 2

Ad
Class: Legals

02/06/2025: General Legal Notice	178.48
02/13/2025: General Legal Notice	156.17
Affidavit Fee	9.00

Total \$343.65

See Proof on Next Page

*Proof of legal notice received
from Times News 1/31/2025*

✓ OK SM
1/31/2025

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 89444**

TRUE WEST BEEF LLC, 1555 W SHORELINE DR STE 320, BOISE, ID 83702-9109 has filed Application No. 89444 for changes to the following water rights within JEROME County(s): Right No(s). 36-14617, 36-16951, 36-16952, 36-17232, 36-2283, 36-2386, 36-2608. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes combining a 254.8-acre, 4.73 cfs portion of an irrigation ground water right currently diverted from one authorized point of diversion (POD) with a system of six irrigation ground water rights (12.32 cfs total) with three authorized PODs. This proposal will merge two adjacent, existing farms allowing for all rights (17.05 cfs total) to be diverted from four existing PODs and create a 1243.8-acre permissible place of use limited to the irrigation of 988.4 acres. Current and proposed POU's and PODs are located approximately 4.0 to 6.8 miles east and 1.0 to 2.0 miles north of the city center of Jerome.

TRANSFER NO. 89445

TRUE WEST BEEF LLC, 1555 W SHORELINE DR STE 320, BOISE, ID 83702-9109 has filed Application No. 89445 for changes to the following water rights within JEROME County(s): Right No(s). 36-16952, 36-2531, 36-2556. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes moving a 0.61 cfs, 33-acre portion of an irrigation ground water right from its current farm to another existing nearby farm. The 0.61 cfs portion will be diverted from an existing point of diversion (POD) that currently diverts two irrigation ground water rights (2.43 cfs & 320 acres). The transfer will allow a combined diversion of 3.04 cfs and the irrigation of 353 acres. The current farm and POD for the water right portion proposed to be moved is located approximately 5.3 to 5.8 miles east and 1.0 to 2.0 miles north of the city center of Jerome. The farm and POD the portion of the water right is proposed to be moved to is located approximately 6.8 to 7.3 miles east and 0.0 to 1.5 miles north of the city center of Jerome.

TRANSFER NO. 89446

TRUE WEST BEEF LLC, 1555 W SHORELINE DR STE 320, BOISE, ID 83702-9109 has filed Application No. 89446 for changes to the following water rights within JEROME County(s): Right No(s). 36-17172, 36-17173, 36-17230, 36-17231. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes updating the place of use (POU) for four industrial ground water rights (4.33 cfs combined) to include additional grounds proposed to be added by merging irrigation ground water rights from two farms in companion transfer #89444. No changes to points of diversion are proposed. The proposed POU is located approximately 4.0 to 6.8 miles east and 1.0 to 2.0 miles north of the city center of Jerome.

TRANSFER NO. 89451

K & K REAL ESTATE LLC, 3751 S 2400 E, JEROME, ID 83338-4029 has filed Application No. 89451 for changes to the following water rights within GOODING County(s): Right No(s). 36-10225D, 36-10225K, 36-15169D, 36-15169K, 36-2087D, 36-2087K, 36-2113D, 36-2113K, 36-2161D, 36-2161K, 36-2289M, 36-2311D, 36-2311K, 36-2500D, 36-2500K, 36-2614D, 36-2614K, 36-7307D, 36-7307K, 36-7362D, 36-7362K, 36-7477D, 36-7477K, 36-7606D, 36-7606K, 36-7779D, 36-7779K, 36-7832D, 36-7832K. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change a 0.88 cfs (45 acre) portion of 15 irrigation rights to Commercial and Stockwater use at an existing dairy. Application also proposes to change the Place of Use of 14 existing Commercial and Stockwater rights (1.92 cfs & 295.2 af) and add two new wells to be drilled. In total, 2.8 cfs & 445.3 af will be diverted from 4 wells (including the two new wells to be drilled) at the existing dairy site. The dairy site and the 45 acres to be changed are located approximately 5.5 to 6.25 miles directly south of the center of Wendell.

TRANSFER NO. 89458

WILLIAM BRADY DEVEY and WHITNEY DEVEY, 4820 SALM-

ON CREEK DR, BUHL, ID 83316-5151 has filed Application No. 89458 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 for transfer proposes to transfer a 1-acre portion (0.02 cfs) of three ground water irrigation rights from a farm located approximately 7.8 miles south and 1.3 miles west of Kimberly to property located approximately 8.1 miles south and 2.1 miles east of Hagerman. Application also proposes to drill a new well at the proposed place of use.

TRANSFER NO. 89544

L & S LAND HOLDINGS LLC, 2930 S 2300 E, WENDELL, ID 83355-3150 has filed Application No. 89544 for changes to the following water rights within JEROME County(s): Right No(s). 36-7345B, 36-8411. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the point of diversion and place of use (POU) locations for two stockwater and commercial water rights (total of 0.50 cfs and 149.5 af) associated with an existing dairy site located, on the south side of I-84, approximately 3.25 to 4.0 miles west and 0.5 to 0.8 miles north of the center of Jerome (intersection of Lincoln Ave & Main St). The application proposes drilling two new wells and abandoning the existing wells and modifying the authorized POU location for the dairy site.

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 **February 24, 2025**. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director
Publish: February 6, 13, 2025
COL-NV-1322





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 Mathew Weaver

January 31, 2025

WILLIAM BRADY DEVEY
WHITNEY DEVEY
4820 SALMON CREEK DR
BUHL, ID 83316-5151

RE: Transfer No. 89458
Water Right No(s). 47-17555, 47-17560, 47-17565

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 2/6/2025 and 2/13/2025**. 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 **February 24, 2025**.

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
Administrative Assistant

c: Stan Haye III, Snake River Management Inc.



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 Mathew Weaver

January 31, 2025

LEGAL NOTICE DEPARTMENT

Submitted online via column.us

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 89444
Water Right No(s). 36-2283, etc.

RE: Transfer No. 89445
Water Right No(s). 36-2531, etc.

RE: Transfer No. 89446
Water Right No(s). 36-17172, etc.

RE: Transfer No. 89451
Water Right No(s). 36-2087D, etc.

RE: Transfer No. 89458
Water Right No(s). 47-17555, etc.

RE: Transfer No. 89544
Water Right No(s). 36-7345B, etc.

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 February 24, 2025. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 89444**

TRUE WEST BEEF LLC, 1555 W SHORELINE DR STE 320, BOISE, ID 83702-9109 has filed Application No. 89444 for changes to the following water rights within JEROME County(s): Right No(s). 36-14617, 36-16951, 36-16952, 36-17232, 36-2283, 36-2386, 36-2608. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes combining a 254.8-acre, 4.73 cfs portion of an irrigation ground water right currently diverted from one authorized point of diversion (POD) with a system of six irrigation ground water rights (12.32 cfs total) with three authorized PODs. This proposal will merge two adjacent, existing farms allowing for all rights (17.05 cfs total) to be diverted from four existing PODs and create a 1243.8-acre permissible place of use limited to the irrigation of 988.4 acres. Current and proposed POUs and PODs are located approximately 4.0 to 6.8 miles east and 1.0 to 2.0 miles north of the city center of Jerome.

TRANSFER NO. 89445

TRUE WEST BEEF LLC, 1555 W SHORELINE DR STE 320, BOISE, ID 83702-9109 has filed Application No. 89445 for changes to the following water rights within JEROME County(s): Right No(s). 36-16952, 36-2531, 36-2556. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes moving a 0.61 cfs, 33-acre portion of an irrigation ground water right from its current farm to another existing nearby farm. The 0.61 cfs portion will be diverted from an existing point of diversion (POD) that currently diverts two irrigation ground water rights (2.43 cfs & 320 acres). The transfer will allow a combined diversion of 3.04 cfs and the irrigation of 353 acres. The current farm and POD for the water right portion proposed to be moved is located approximately 5.3 to 5.8 miles east and 1.0 to 2.0 miles north of the city center of Jerome. The farm and POD the portion of the water right is proposed to be moved to is located approximately 6.8 to 7.3 miles east and 0.0 to 1.5 miles north of the city center of Jerome.

TRANSFER NO. 89446

TRUE WEST BEEF LLC, 1555 W SHORELINE DR STE 320, BOISE, ID 83702-9109 has filed Application No. 89446 for changes to the following water rights within JEROME County(s): Right No(s). 36-17172, 36-17173, 36-17230, 36-17231. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes updating the place of use (POU) for four industrial ground water rights (4.33 cfs combined) to include additional grounds proposed to be added by merging irrigation ground water rights from two farms in companion transfer #89444. No changes to points of diversion are proposed. The proposed POU is located approximately 4.0 to 6.8 miles east and 1.0 to 2.0 miles north of the city center of Jerome.

TRANSFER NO. 89451

K & K REAL ESTATE LLC, 3751 S 2400 E, JEROME, ID 83338-4029 has filed Application No. 89451 for changes to the following water rights within GOODING County(s): Right No(s). 36-10225D, 36-10225K, 36-15169D, 36-15169K, 36-2087D, 36-2087K, 36-2113D, 36-2113K, 36-2161D, 36-2161K, 36-2289M, 36-2311D, 36-2311K, 36-2500D, 36-2500K, 36-2614D, 36-2614K, 36-7307D, 36-7307K, 36-7362D, 36-7362K, 36-7477D, 36-7477K, 36-7606D, 36-7606K, 36-7779D, 36-7779K, 36-7832D, 36-7832K. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes to change a 0.88 cfs (45 acre) portion of 15 irrigation rights to Commercial and Stockwater use at an existing dairy. Application also proposes to change the Place of Use of 14 existing Commercial and Stockwater rights (1.92 cfs & 295.2 af) and add two new wells to be drilled. In total, 2.8 cfs & 445.3 af will be diverted from 4 wells (including the two new wells to be drilled) at the existing dairy site. The dairy site and the 45 acres to be changed are located approximately 5.5 to 6.25 miles directly south of the center of Wendell.

TRANSFER NO. 89458

WILLIAM BRADY DEVEY and WHITNEY DEVEY, 4820 SALMON CREEK DR, BUHL, ID 83316-5151 has filed Application No. 89458 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 for transfer proposes to transfer a 1-acre portion (0.02 cfs) of three ground water irrigation rights from a farm located approximately 7.8 miles south and 1.3 miles west of Kimberly to property located approximately 8.1 miles south and 2.1 miles east of Hagerman. Application also proposes to drill a new well at the proposed place of use.

TRANSFER NO. 89544

L & S LAND HOLDINGS LLC, 2930 S 2300 E, WENDELL, ID 83355-3150 has filed Application No. 89544 for changes to the following water rights within JEROME County(s): Right No(s). 36-7345B, 36-8411. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes changing the point of diversion and place of use (POU) locations for two stockwater and commercial water rights (total of 0.50 cfs and 149.5 af) associated with an existing dairy site located, on the south side of I-84, approximately 3.25 to 4.0 miles west and 0.5 to 0.8 miles north of the center of Jerome (intersection of Lincoln Ave & Main St). The application proposes drilling two new wells and abandoning the existing wells and modifying the authorized POU location for the dairy site.

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 **February 24, 2025**. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director
Published on February 6th & 13th, 2025

MEMORANDUM

Date: December 30, 2024

To: Transfer 89458

From: Kent Aasa

Re: Synopsis Remarks

Synopsis

12/30/2024

Application for transfer proposes to transfer a 1.0-acre portion (0.02 cfs) of three ground water irrigation rights from a farm located approximately 7.8 miles south and 1.3 miles west of Kimberly to property located approximately 8.1 miles south and 2.1 miles east of Hagerman. Application also proposes to drill a new well at the proposed place of use.

MEMORANDUM

Date: November 21, 2024
To: Transfer 89458 File
From: Kent Aasa
Re: Fee Evaluation

Filing fees charged for transfer application 89458 were based on the on the current transfer fee schedule and included \$200.00 for the 0.02 cfs being transferred in the application (Receipt No.S040427).

Corey Skinner
Idaho Department of Water Resource
650 Addison Ave West
Twin Falls, Idaho 83301

RECEIVED

NOV 12 2024

DEPT. OF WATER RESOURCES
SOUTHERN REGION

RE: Whitney & Brady Devey Transfer

11/2/2024

Location: SE SE sec 30 T 8S R 14E
4820 Salmon Creek Dr. Buhl, Idaho 83316

Snake River Management
403 Center Street East
Kimberly Idaho 83341
208-731-9930

Dear Corey,

As per our conversation, I am submitting an application of transfer of water rights from Mathers Ranches to Whitney & Brady Devey. This Application is for 4 AF on 1 acre going from Irrigation to Irrigation.

Present water rights are not adequate and need to be brought up to use for irrigation at this location. See the location map attached to the transfer file.

At present the Wickham's purchased property thinking they had irrigation rights however the previous owner neglected to get Salmon Falls water shares to them. We propose to updated the current operation and use Ground Water Irrigation Rights to a Maximum of 1 acres to be irrigated from 3-15-11-15 .

In this transfer to a new domestic well proposed with measuring device.

Please feel free to contact me if you have further questions about the operation.

Thank you



Stan Hays