

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT  
TRANSFER NO. 89416**

This is to certify that: **SNAKE RIVER DAIRIES LLC**  
15188 S CAN ADA RD  
MELBA, ID 83641-6023

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**

| <u>Water Right</u> | <u>Origin/Basis</u> | <u>Priority Date</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u> |
|--------------------|---------------------|----------------------|-----------------------|-------------------------|-------------------|--------------------|---------------|
| 63-33639           | WR/LICENSE          | 6/3/2012             | 1.730 cfs             | 67.2 af                 | N/A               | 156.2              | GROUND WATER  |
| 63-7270A           | WR/DECREED          | 10/7/1969            | 0.020 cfs             | 9.4 af                  | 2.1               | 168.0              | GROUND WATER  |
| 63-7270B           | WR/DECREED          | 10/7/1969            | 1.390 cfs             | 629.9 af                | 140.0             | 168.0              | GROUND WATER  |

**Purpose of Transfer (Changes Proposed)**

| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>POU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 63-33639              | NO           | YES        | NO         | NO             | NO                   | NO                   |
| 63-7270A              | NO           | YES        | NO         | NO             | NO                   | NO                   |
| 63-7270B              | NO           | YES        | NO         | NO             | NO                   | NO                   |

**Summary Of Water Rights After the Approved Change**

| <u>Existing Right</u>  | <u>New No. (Changed Portion)</u> | <u>Transfer Rate</u> | <u>Transfer Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>New No. (remaining portion)</u> | <u>Remaining Rate</u> | <u>Remaining Volume</u> | <u>Remaining Acre Limit</u> | <u>Remaining Total Acres</u> |
|------------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 63-33639               | 63-33639                         | 1.730 cfs            | 67.2 af                | N/A               | 157.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 63-7270A               | 63-7270A                         | 0.020 cfs            | 9.4 af                 | 2.1               | 168.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| 63-7270B               | 63-7270B                         | 1.390 cfs            | 629.9 af               | 140.0             | 168.0              | N/A                                | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED TOTALS</b> |                                  | <b>3.140 cfs</b>     | <b>706.5 af</b>        | <b>N/A</b>        | <b>157.0</b>       |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

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 10 day of February, 2025.

**SUPPORT DATA**

**IN FILE # 63-7270A**

*Cody Parker*  
Cody Parker, Water Rights Supervisor

Transfer No. 89416

**WATER RIGHT NO. 63-7270A**  
**As Modified by Transfer No. 89416**

In accordance with the approval of Transfer No. 89416, Water Right No. 63-7270A is now described as follows:

**Right Holder:** SNAKE RIVER DAIRIES LLC  
15188 S CAN ADA RD  
MELBA, ID 83641-6023

**Priority Date:** 10/7/1969

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 04/01       | to 11/15  | 0.020 cfs             | 9.4 af                  |
|                       |             |           | 0.020 cfs             | 9.4 af                  |

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                                   |
|--------------|------|-----------------------------------|
| GROUND WATER | NENW | Sec 29 Twp 01S Rge 01W ADA County |
| GROUND WATER | NWNW | Sec 29 Twp 01S Rge 01W ADA County |

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |     |    |    | NW |    |    |    | SW |    |    |    | SE   |      |      |      | Totals |
|-----|-----|-----|------|-----|----|----|----|----|----|----|----|----|----|----|------|------|------|------|--------|
|     |     |     | NE   | NW  | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE   | NW   | SW   | SE   |        |
| 01S | 01W | 20  |      |     |    |    |    |    |    |    |    |    |    |    | 40.0 | 25.0 | 26.0 | 40.0 | 131.0  |
| 01S | 01W | 29  | 33.0 | 4.0 |    |    |    |    |    |    |    |    |    |    |      |      |      |      | 37.0   |

Right Acre Limit: 2.1  
POU Total Acres: 168.0

**CONDITIONS OF APPROVAL**

1. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
2. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Transfer No. 89416

**WATER RIGHT NO. 63-7270A**  
**As Modified by Transfer No. 89416**

**CONDITIONS OF APPROVAL**

5. 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.
6. This right is limited to the irrigation of 2.1 acres within the authorized place of use in a single irrigation season.
7. 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 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 4/11/2007.
8. Rights 63-7270A and 63-7270B when combined shall not exceed the irrigation of 142.1 acres within the authorized place of use in a single irrigation season.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.

**WATER RIGHT NO. 63-7270B**  
**As Modified by Transfer No. 89416**

In accordance with the approval of Transfer No. 89416, Water Right No. 63-7270B is now described as follows:

**Right Holder:** SNAKE RIVER DAIRIES LLC  
 15188 S CAN ADA RD  
 MELBA, ID 83641-6023

**Priority Date:** 10/7/1969

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 04/01       | to 11/15  | 1.390 cfs             | 629.9 af                |
|                       |             |           | 1.390 cfs             | 629.9 af                |

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                                   |
|--------------|------|-----------------------------------|
| GROUND WATER | NENW | Sec 29 Twp 01S Rge 01W ADA County |
| GROUND WATER | NWNW | Sec 29 Twp 01S Rge 01W ADA County |

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |     |    |    | NW |    |    |    | SW |    |    |    | SE   |      |      |      | Totals |
|-----|-----|-----|------|-----|----|----|----|----|----|----|----|----|----|----|------|------|------|------|--------|
|     |     |     | NE   | NW  | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE   | NW   | SW   | SE   |        |
| 01S | 01W | 20  |      |     |    |    |    |    |    |    |    |    |    |    | 40.0 | 25.0 | 26.0 | 40.0 | 131.0  |
| 01S | 01W | 29  | 33.0 | 4.0 |    |    |    |    |    |    |    |    |    |    |      |      |      |      | 37.0   |

Right Acre Limit: 140.0  
 POU Total Acres: 168.0

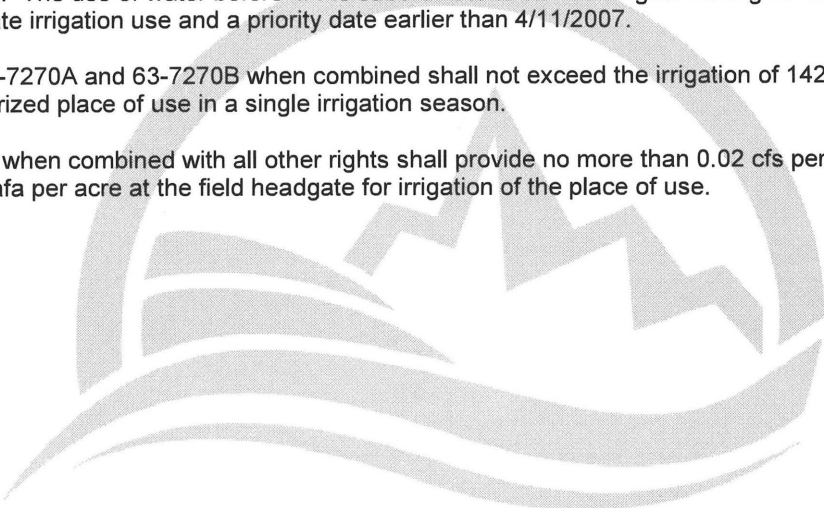
**CONDITIONS OF APPROVAL**

1. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
2. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Transfer No. 89416

**WATER RIGHT NO. 63-7270B**  
**As Modified by Transfer No. 89416**

**CONDITIONS OF APPROVAL**

5. 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.
  6. This right is limited to the irrigation of 140 acres within the authorized place of use in a single irrigation season.
  7. 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 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 4/11/2007.
  8. Rights 63-7270A and 63-7270B when combined shall not exceed the irrigation of 142.1 acres within the authorized place of use in a single irrigation season.
  9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
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**WATER RIGHT NO. 63-33639**  
**As Modified by Transfer No. 89416**

In accordance with the approval of Transfer No. 89416, Water Right No. 63-33639 is now described as follows:

**Right Holder:** SNAKE RIVER DAIRIES LLC  
 15188 S CAN ADA RD  
 MELBA, ID 83641-6023

**Priority Date:** 6/3/2012

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Diversion Volume</u> |
|-----------------------|-------------|-----------|-----------------------|-------------------------|
| IRRIGATION            | 03/01       | to 11/15  | 1.730 cfs             | 67.2 af                 |
|                       |             |           | 1.730 cfs             | 67.2 af                 |

**LOCATION OF POINT(S) OF DIVERSION**

|              |      |                                   |
|--------------|------|-----------------------------------|
| GROUND WATER | NENW | Sec 29 Twp 01S Rge 01W ADA County |
| GROUND WATER | NWNW | Sec 29 Twp 01S Rge 01W ADA County |

**PLACE OF USE: IRRIGATION**

| Twp | Rng | Sec | NE   |     |    |    | NW |    |    |    | SW |    |    |    | SE   |      |      |      | Totals |
|-----|-----|-----|------|-----|----|----|----|----|----|----|----|----|----|----|------|------|------|------|--------|
|     |     |     | NE   | NW  | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE   | NW   | SW   | SE   |        |
| 01S | 01W | 20  |      |     |    |    |    |    |    |    |    |    |    |    | 38.0 | 20.0 | 25.0 | 39.0 | 122.0  |
| 01S | 01W | 29  | 31.0 | 4.0 |    |    |    |    |    |    |    |    |    |    |      |      |      |      | 35.0   |

POU Total Acres: 157.0

**CONDITIONS OF APPROVAL**

1. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
2. Rights 63-7270A, 63-7270B and 63-33639 when combined shall not exceed the irrigation of 157 acres.
3. Rights 63-7270A, 63-7270B, 63-8604, 63-11777, and 63-33639 when combined shall not exceed a total diversion rate of 4.35 cfs and a total annual maximum diversion volume of 2,240 af at the field headgate.
4. The right holder shall maintain acceptable measuring devices at the authorized points of diversion, in accordance with Department specifications.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.

Transfer No. 89416

**WATER RIGHT NO. 63-33639**  
**As Modified by Transfer No. 89416**

**CONDITIONS OF APPROVAL**

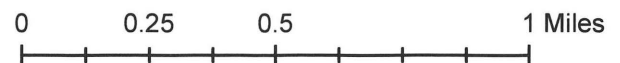
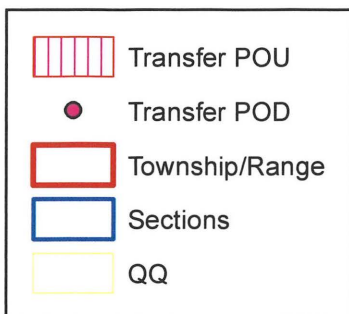
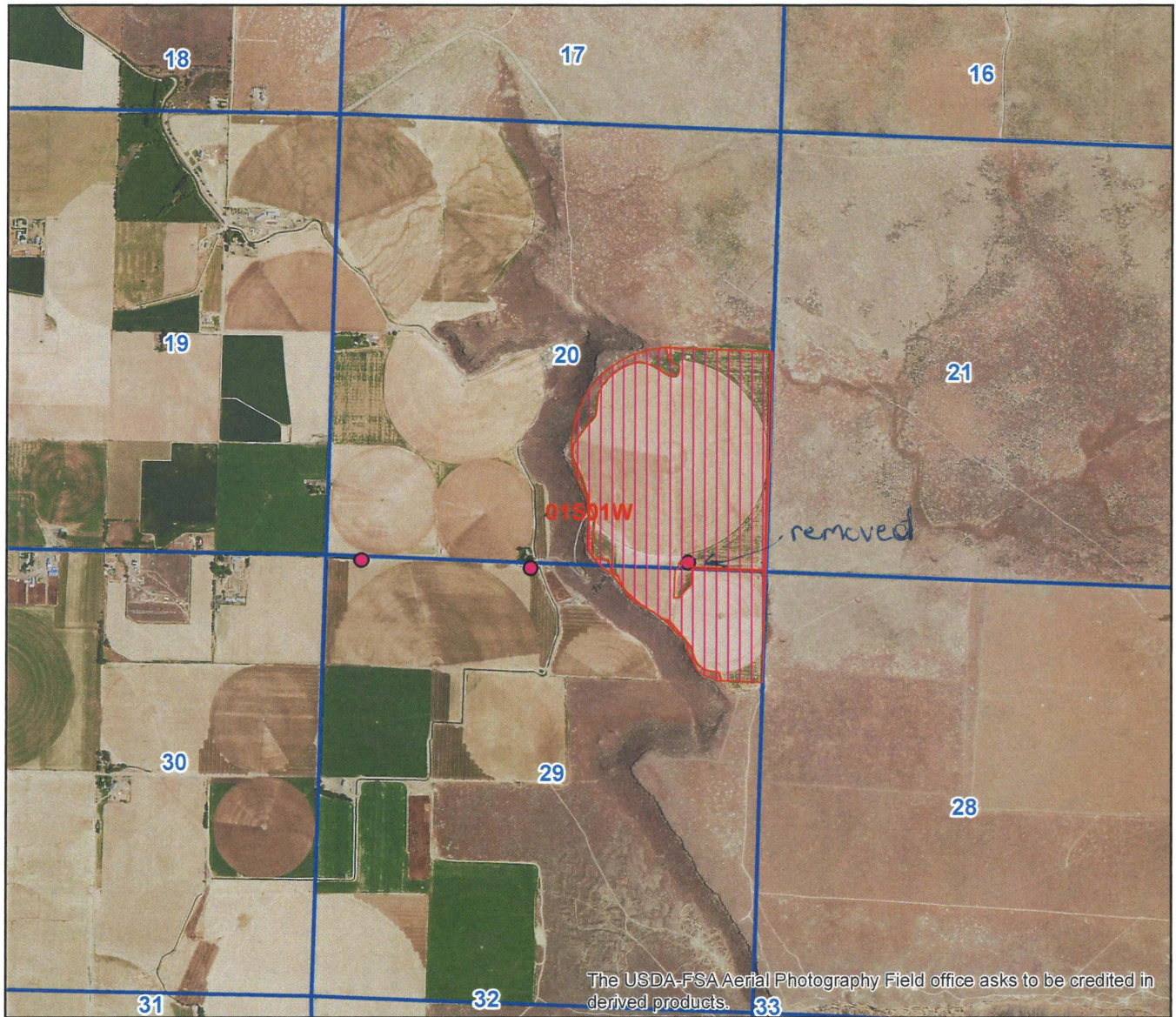
6. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.
7. This right does not grant any right-of-way or easement across the land of another.
8. After specific notification by the Department, the right holder shall annually report the amount of water diverted to the Department.
9. The diversion and use of water described in this right 63-33639 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.
10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
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. 89416

Water Right(s): 63-7270A, 63-7270B, & 63-33639

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



## ONLINE RESOURCES WESTERN REGION

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

New well to replace POD in SESE of S20 for existing system of two wells and pumps, booster station, two full-circle pivots, one partial-circle pivot, and handlines. Existing PODs equipped with McCrometer mag meters.

- b. Who owns the property at the point(s) of diversion? Jerry Lee Tlucek, Mary Louise Tlucek

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

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

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,  
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or  
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

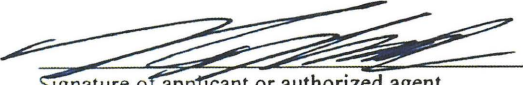
If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.  
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.  
(Disregard if these items are on file and ownership has not changed.)

7. **MAP** - ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and  $\frac{1}{4}$  of section information. You may create a map at [idwr.idaho.gov](http://idwr.idaho.gov), Water Rights, Water Right Transfers, File a Transfer Application, Step 2C.

8. **SIGNATURE** - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

  
Signature of applicant or authorized agent

Kevin Tlucek, Member  
Print name and title if applicable

10-8-24  
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. **FEE** - ☐ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at [www.idwr.idaho.gov](http://www.idwr.idaho.gov), Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes \_\_\_\_\_ pages of attachments. Received by MB Date 10/16/24

Fee paid \$1,085.00 Date 10/16/24 Received by MB Receipt # W052237

Preliminary review by \_\_\_\_\_ Date \_\_\_\_\_ Active in the Water Supply Bank? Yes ☐ No ☐

W-9 received? Yes ☐ No ☐ Name on W-9 \_\_\_\_\_ W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 - confidential information is held by fiscal only)

State of Idaho  
Department of Water Resources  
**Water Right Transfer Application**

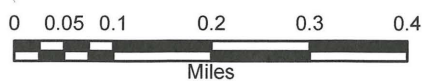
63-7270A, 63-7270B, 63-33639

IRRIGATION

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



Date created: 9/26/2024



Legend

- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary
- Point of Diversion (existing)
- Point of Diversion (new)



89416

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

**Current Water Right No.:** 63-7270A

Current Owner: JERRY L TLUCEK  
MARY LOUISE TLUCEK  
Priority Date: 10/7/1969  
Origin: Water Right  
Status: Active  
Basis: Decreed

**Source**

**Tributary**

GROUND WATER

| <b><u>Beneficial Use</u></b> | <b><u>From To</u></b>  | <b><u>Diversion Rate</u></b> | <b><u>Annual Volume</u></b> |
|------------------------------|------------------------|------------------------------|-----------------------------|
| IRRIGATION                   | 04/01 to 11/15         | 0.02 CFS                     | 9.4 AF                      |
|                              | <u>Total Diversion</u> | 0.02 CFS                     | 9.4 AF                      |

**Location of Point(s) of Diversion**

|              |            |          |          |              |
|--------------|------------|----------|----------|--------------|
| GROUND WATER | NW1/4NW1/4 | Sec. 29, | Twp 01S, | Rge 01W B.M. |
| ADA County   |            |          |          |              |
| GROUND WATER | SE1/4SE1/4 | Sec. 20, | Twp 01S, | Rge 01W B.M. |
| ADA County   |            |          |          |              |

**Place of Use**

**IRRIGATION Within ADA County**

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T01S R01W S20 | NESE | 40.00 | T01S R01W S20 | NWSE | 25.00 |
| T01S R01W S20 | SWSE | 26.00 | T01S R01W S20 | SESE | 40.00 |
| T01S R01W S29 | NENE | 33.00 | T01S R01W S29 | NWNE | 4.00  |

Total Acres: 168

89410

**Conditions of Approval:**

1. X61 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 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 4/11/2007.
2. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3. X35 Rights 63-7270A and 63-7270B when combined shall not exceed the irrigation of 142.1 acres within the authorized place of use in a single irrigation season.
4. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
5. 01M 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.
6. X27 This right is limited to the irrigation of 2.1 acres within the authorized place of use in a single irrigation season.
7. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
8. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Decreed Date: 4/11/2007

89416

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

**Current Water Right No.: 63-7270B**

Current Owner: SNAKE RIVER DAIRIES LLC  
Priority Date: 10/7/1969  
Origin: Water Right  
Status: Active  
Basis: Decreed

**Source**

**Tributary**

GROUND WATER

| <b><u>Beneficial Use</u></b> | <b><u>From To</u></b>  | <b><u>Diversion Rate</u></b> | <b><u>Annual Volume</u></b> |
|------------------------------|------------------------|------------------------------|-----------------------------|
| IRRIGATION                   | 04/01 to 11/15         | 1.39 CFS                     | 629.9 AF                    |
|                              | <u>Total Diversion</u> | 1.39 CFS                     | 629.9 AF                    |

**Location of Point(s) of Diversion**

|              |            |          |          |              |
|--------------|------------|----------|----------|--------------|
| GROUND WATER | SE1/4SE1/4 | Sec. 20, | Twp 01S, | Rge 01W B.M. |
| ADA County   |            |          |          |              |
| GROUND WATER | NW1/4NW1/4 | Sec. 29, | Twp 01S, | Rge 01W B.M. |
| ADA County   |            |          |          |              |

**Place of Use**

**IRRIGATION Within ADA County**

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T01S R01W S20 | NESE | 40.00 | T01S R01W S20 | NWSE | 25.00 |
| T01S R01W S20 | SWSE | 26.00 | T01S R01W S20 | SESE | 40.00 |
| T01S R01W S29 | NENE | 33.00 | T01S R01W S29 | NWNE | 4.00  |

Total Acres: 168

89416

**Conditions of Approval:**

1. 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 may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
2. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
4. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
5. X61 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 4/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 4/11/2007.
6. X35 Rights 63-7270A and 63-7270B when combined shall not exceed the irrigation of 142.1 acres within the authorized place of use in a single irrigation season.
7. 01M 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.
8. X27 This right is limited to the irrigation of 140 acres within the authorized place of use in a single irrigation season.

Decreed Date: 4/11/2007

89416

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

**Current Water Right No.:** 63-33639

Current Owner: SNAKE RIVER DAIRIES LLC  
Priority Date: 6/3/2012  
Origin: Water Right  
Status: Active  
Basis: License

**Source**

**Tributary**

GROUND WATER

| <b><u>Beneficial Use</u></b> | <b><u>From To</u></b>  | <b><u>Diversion Rate</u></b> | <b><u>Annual Volume</u></b> |
|------------------------------|------------------------|------------------------------|-----------------------------|
| IRRIGATION                   | 03/01 to 11/15         | 1.73 CFS                     | 67.2 AF                     |
|                              | <u>Total Diversion</u> | 1.73 CFS                     | 67.2 AF                     |

**Location of Point(s) of Diversion**

|              |            |          |          |              |
|--------------|------------|----------|----------|--------------|
| GROUND WATER | SE1/4SE1/4 | Sec. 20, | Twp 01S, | Rge 01W B.M. |
| ADA County   |            |          |          |              |
| GROUND WATER | NW1/4NW1/4 | Sec. 29, | Twp 01S, | Rge 01W B.M. |
| ADA County   |            |          |          |              |

**Place of Use**

**IRRIGATION Within ADA County**

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T01S R01W S20 | NESE | 38.00 | T01S R01W S20 | NWSE | 20.00 |
| T01S R01W S20 | SWSE | 25.00 | T01S R01W S20 | SESE | 39.00 |
| T01S R01W S29 | NENE | 31.00 | T01S R01W S29 | NWNE | 4.00  |

Total Acres: 156.2

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**Conditions of Approval:**

1. X35 Rights 63-7270A, 63-7270B and 63-33639 when combined shall not exceed the irrigation of 157 acres.
2. 115 The right holder shall maintain acceptable measuring devices at the authorized points of diversion, in accordance with Department specifications.
3. 103 When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.
4. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
5. 004 This right does not grant any right-of-way or easement across the land of another.
6. X35 Rights 63-7270A, 63-7270B, 63-8604, 63-11777, and 63-33639 when combined shall not exceed a total diversion rate of 4.35 cfs and a total annual maximum diversion volume of 2,240 af at the field headgate.
7. 01M After specific notification by the Department, the right holder shall annually report the amount of water diverted to the Department.
8. 020 The diversion and use of water described in this right 63-33639 may be subject to additional conditions and limitations agreed to by the protestant and the right holder under a separate agreement to which the Department is not a party. Because the Department is not a party, the Department is not responsible for enforcement of any aspect of the agreement not specifically addressed in other conditions herein. Enforcement of those portions of the agreement not specifically addressed in other conditions shall be the responsibility of the protestant and the water right holder.

Licensed Date: 7/30/2019

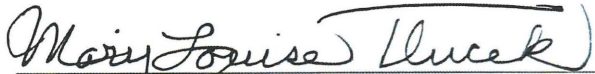
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### CONSENT TO WATER RIGHT TRANSFER

JERRY L. TLUCEK and MARY LOUISE TLUCEK, husband and wife, understand that Snake River Dairies, L.L.C. is filing a water right transfer application seeking to add a well located on property we own as a point of diversion for water rights 63-7270A, 63-7270B, and 63-33639. The property we own is Ada County parcel number S2320340000, and the well is located within the northeast quarter of the northwest quarter of Section 29, Township 1 South, Range 1 West, B.M., in Ada County. We hereby consent to the approval of this proposed transfer.

IN WITNESS WHEREOF, we have executed this instrument on this \_\_\_\_ day of October, 2024.

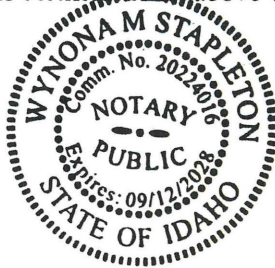
  
\_\_\_\_\_  
Jerry L. Tlucek

  
\_\_\_\_\_  
Mary Louise Tlucek

STATE OF IDAHO )  
 ) ss.  
County of Ada )

On this 3<sup>rd</sup> day of October, 2024, before me Wynona M Stapleton, personally appeared **JERRY L. TLUCEK**, known or identified to me (or proved to me on the oath of \_\_\_\_\_), to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.



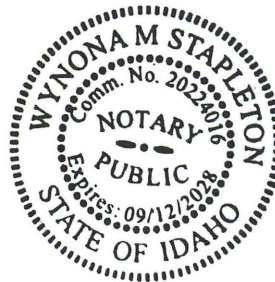
Wynona M Stapleton  
NOTARY PUBLIC FOR IDAHO  
Residing at Thelva Idaho  
My Commission Expires 9-12-2028

STATE OF IDAHO )  
 ) ss.  
County of Ada )

On this 3<sup>rd</sup> day of October, 2024, before me Wynona M Stapleton, personally appeared **MARY LOUISE TLUCEK**, known or identified to me (or proved to me on the oath of \_\_\_\_\_), to be the person whose name is subscribed to the within instrument, and acknowledged to me that she 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.

Wynona M Stapleton  
NOTARY PUBLIC FOR IDAHO  
Residing at Thelva Idaho  
My Commission Expires 9-12-2028





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](mailto:westerninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

**Governor Brad Little**

**Director Mathew Weaver**

February 10, 2025

SNAKE RIVER DAIRIES LLC  
15188 S CAN ADA RD  
MELBA ID 83641-6023

Re: Transfer No.: 89416  
Water Right Nos.: 63-7270A , 63-7270B , 63-33639

**Transfer Approval Notice**

Dear Water Right Holder:

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

The Transfer of Water Rights 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 our office at (208) 334-2190.

Sincerely,

A handwritten signature in blue ink that reads "Susan E. Hobson". The signature is written in a cursive, flowing style.

Susy Hobson  
Technical Records Specialist

Enclosures

cc: DYLAN LAWRENCE

## CERTIFICATE OF SERVICE

I hereby certify that on February 10, 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.: 89416

Water Right Nos: 63-7270A , 63-7270B , 63-33639

SNAKE RIVER DAIRIES LLC  
15188 S CAN ADA RD  
MELBA ID 83641-6023

DYLAN LAWRENCE  
VARIN THOMAS  
PO BOX 1676  
BOISE ID 83701-1676



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Susy Hobson  
Technical Records Specialist

## **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.