Form 32-2838 Update Rev. 6-22

RECEIVED DE
DEC 05 2023
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "*Yes*" in the "*Split?*" column. If the water right is leased to the Water Supply Bank, check "*Yes*". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
65-2551	Yes ☒	Yes ☐		Yes ☐	Yes ☐
65-2947B	Yes ☒	Yes ☐		Yes ☐	Yes ☐
65-2947D	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Joseph E. Kennedy and Tracey L. Kennedy
   Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): James R. Lamon, Trustee of the James R. Lamon Family Living Trust dated November 8, 2016
   New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or

   7300 N. 70th Street (Mailing address) | Paradise Valley (City) | AZ (State) | 85253 (Zip)

   602-291-9267 (Telephone) | jl@jimlamon.com (Email)

4. If the water rights and/or adjudication claims were split, how did the division occur?
   - ☒ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
   - ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: April 27, 2023.

6. Do you own the land identified as the water right place of use? Yes ☐ No ☐
   - If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

7. This form must be signed and submitted with the following **REQUIRED** items:
   - ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
   - ☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
   - ☒ Filing fee (see instructions for further explanation):
     - $25 per *undivided* water right.
     - $100 per *split* water right.
     - No fee is required for pending adjudication claims.

     SUPPORT DATA IN FILE # 65-2551
   - ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
   - ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: _____ (Signature of new owner/claimant) | Trustee (Title, if applicable) | 12/1/2023 (Date)
   James R Lamon (Print name)

   Signature: _____ (Signature of new owner/claimant) | _____ (Title, if applicable) | _____ (Date)
   _____ (Print name)

For IDWR Office Use Only:

Receipted by CE Date 12/5/23 Receipt No W051677 Receipt Amt $300.00

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing. W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by DM Date 9-17-24

Instrument # 456731
VALLEY COUNTY, CASCADE, IDAHO
04-28-2023 11:24:12 No. of Pages: 2
Recorded for: AMERITITLE - WEISER
DOUGLAS A. MILLER Fee: $15.00
Ex-Officio Recorder Deputy: NA
Electronically Recorded by Simplifile

AmeriTitle

WARRANTY DEED

Order No.: 573833AM

FOR VALUE RECEIVED

Joseph E. Kennedy and Tracey L. Kennedy, husband and wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

James R. Lamon, Trustee of the James R. Lamon Family Living Trust dated November 8, 2016 whose current address is:
7300 N. 70th Street
Paradise Valley, AZ 85253

the grantee(s), the following described premises, in Valley County, Idaho, TO WIT:

Parcel I

The West 1/2 Section 14 Township 13 North Range 4 East Boise Meridian, Valley County, Idaho.

Parcel II

The Southwest 1/4 Section 15 Township 13 North Range 4 East Boise Meridian, Valley County, Idaho.

Parcel III

The East 1/2 Section 15 Township 13 North Range 4 East Boise Meridian, Valley County, Idaho.

Together with and subject to the easement for roadways, ingress, egress and public utilities, the centerline of which is described in that certain easement from Pearl Kennedy Family Trust to Boise Cascade Corporation.

Only a portion, as indicated, of the following water rights shall transfer with the property.

100 acres of irrigation, 2.33 cfs, and stock water of 0.04cfs of Water right #65-2551
78.9 AFA of irrigation storage and irrigation from storage of Water Right #65-2947-B
51.8 AFA of irrigation storage and irrigation form storage of Water Right #65-2947-D

The remaining of each water right shall stay with the seller.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record. And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Date: 4-27-2023

Joseph E. Kennedy

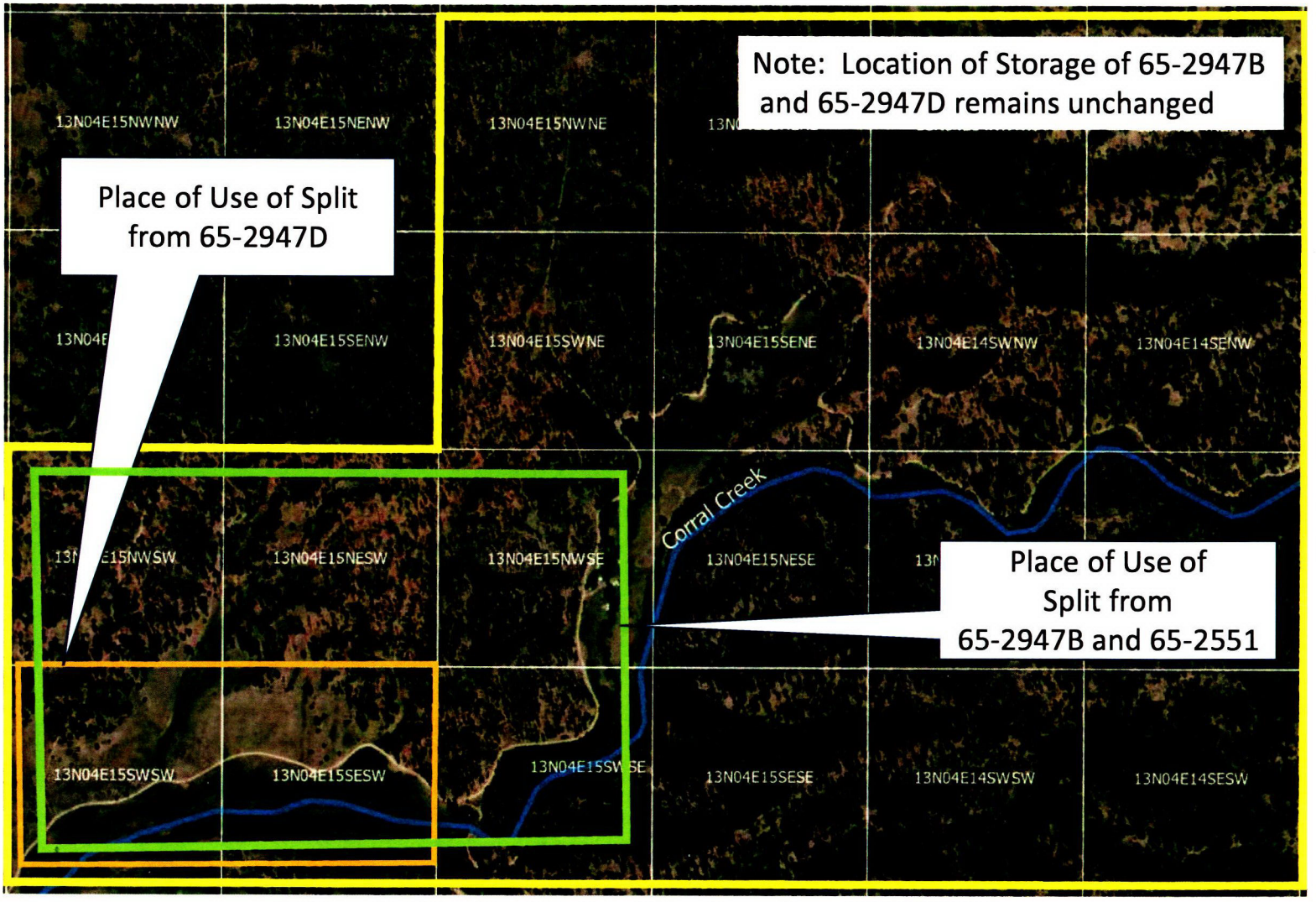
Tracey L. Kennedy

State of Idaho } ss
County of Gem }

On this 27 day of April, 2023, before me, the undersigned, a Notary Public in and for said state, personally appeared Joseph E. Kennedy and Tracy L. Kennedy, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed 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 the State of Idaho
Residing at: Emmett
Commission Expires: 4-4-~~2023~~ 2029

MARILYN KNIGHTON
COMMISSION #44165
NOTARY PUBLIC
STATE OF IDAHO



Yellow Outline Depicts Land Purchased on 4/27/2023 by
James R. Lamon, Trustee of the James R. Lamon Family Trust dated November 8, 2016

2000 OCT 31 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	PARTIAL DECREE PURSUANT TO
	)	I.R.C.P. 54(b) FOR
Case No. 39576	)	
	)	Water Right 65-02551

NAME AND ADDRESS: JOE KENNEDY
TRACY KENNEDY
11004 HWY 55
CASCADE, ID 83611

SOURCE: CORRAL CREEK TRIBUTARY: BIG CREEK

QUANTITY: 4.07 CFS
4.10 AFY

THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 65-29478, 65-02947D, & 65-08527 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE

PRIORITY DATE: 04/12/1951

POINT OF DIVERSION: T13N R04E S15 NESE Within Valley County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-15 TO 10-15	4.00 CFS
Stockwater	01-01 TO 12-31	0.07 CFS
		4.10 AFY

PLACE OF USE:

Irrigation — Within Valley County

T13N R04E S15	NESW 10.0	NWSW 15.0
	SWSW 40.0	SESW 40.0
	NWSE 17.0	SWSE 10.0
S21	NENE 10.0	NWNE 15.0
	NENW 15.0	

172.0 Acres Total

Stockwater — Within Valley County
Same as Irrigation

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

B Wood

Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED
APR 0 5 2001
Department of Water Resources

2001 APR -3 PM 2:07
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	**ORDER OF PARTIAL DECREE**
	)	
Case No. 39576	)	**For Water Right 65-02947B**
	)	

On February 28, 2001, a ***Special Master's Report and Recommendation*** was filed for the above water right. No Challenges were filed to the ***Special Master's Report and Recommendation*** and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and ***SRBA Administrative Order 1***, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the ***Special Master's Report*** and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 65-02947B is hereby **decreed** as set forth in the attached ***Partial Decree Pursuant to I.R.C.P. 54(b)***.

DATED APR - 3 2001.

R Burdick

ROGER BURDICK
Presiding Judge of the
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)
)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 65-02947B

2001 APR -3 PM 2:07
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

RECEIVED
APR 05 2001
Department of Water Resources

NAME AND ADDRESS: JOE KENNEDY
TRACY KENNEDY
11004 HWY 55
CASCADE, ID 83611

SOURCE: CORRAL CREEK TRIBUTARY: BIG CREEK

QUANTITY: 168.00 AFY

THIS RIGHT WHEN COMBINED WITH 65-02947D, 65-02551, 65-08527 & 65-08533 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE

PRIORITY DATE: 09/13/1951

POINT OF DIVERSION: T13N R04E S13 SENW Within Valley County
S15 NESE

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation from Storage	04-15 TO 10-15	168.00 AFY
Irrigation Storage	01-01 TO 12-31	168.00 AFY

PLACE OF USE: Irrigation from Storage

			Within Valley County
T13N R04E S15	NESW	10.0	NWSW 15.0
	SWSW	40.0	SESW 40.0
	NWSE	17.0	SWSE 10.0
S21	NENE	10.0	NWNE 15.0
	NENW	15.0	

172.0 Acres Total

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

R Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED
APR 05 2001
Department of Water Resources

2001 APR 03 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)	CERTIFICATE OF MAILING
)	
Case No. 39576)	
)	Water Right(s): 65-02947B

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 65-02947B was mailed on April 03, 2001, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

JOE KENNEDY
TRACY KENNEDY
11004 HWY 55
CASCADE, ID 83611
Phone: 208-382-4517

DIANA DELANEY
Chief Deputy Clerk

2000 OCT 31 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	PARTIAL DECREE PURSUANT TO
	)	I.R.C.P. 54(b) FOR
Case No. 39576	)	
	)	Water Right 65-02947D

NAME AND ADDRESS:
JOE KENNEDY
TRACY KENNEDY
11004 HWY 55
CASCADE, ID 83611

SOURCE: CORRAL CREEK TRIBUTARY: BIG CREEK

QUANTITY: 110.30 AFY

THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-02551, 65-02947B 65-08533, & 65-08527 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 09/13/1951

POINT OF DIVERSION: T13N R04E S13 SENW Within Valley County
S15 NESE

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation from Storage	04-15 TO 10-15	110.30 AFY
Irrigation Storage	01-01 TO 12-31	110.30 AFY

PLACE OF USE: Irrigation from Storage Within Valley County

T13N R04E S15	SWSW 32.0	SESW 31.0
S21	NENE 14.0	NWNE 8.0
	NENW 8.0	NWNW 10.0
	SWNW 23.0	SENW 2.0

128.0 Acres Total

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

B Wood

Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 87288

This is to certify that: JOE KENNEDY
TRACY KENNEDY
11004 HWY 55
CASCADE, ID 83611

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
65-2551	WR/DECREED	4/12/1951	4.070 cfs	4.1 af	N/A	172.0	CORRAL CREEK
65-2947B	WR/DECREED	9/13/1951	N/A	168.0 af	N/A	172.0	CORRAL CREEK
65-2947D	WR/DECREED	9/13/1951	N/A	110.3 af	N/A	128.0	CORRAL CREEK
65-8533	WR/DECREED	7/2/1921	0.580 cfs	N/A	N/A	29.0	CORRAL CREEK

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
65-2551	YES	NO	YES	NO	NO	NO
65-2947B	YES	NO	YES	NO	NO	NO
65-2947D	YES	NO	YES	NO	NO	NO
65-8533	NO	NO	YES	NO	NO	NO

SUPPORT DATA
IN FILE # 65-2551

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
65-2551	65-24223	1.700 cfs	N/A	72.0	320.0	65-2551	2.370 cfs	N/A	N/A	100.0
65-2947B	65-24221	N/A	89.1 af	91.0	320.0	65-2947B	N/A	78.9 af	N/A	81
65-2947D	65-24222	N/A	58.5 af	67.9	320.0	65-2947D	N/A	51.8 af	N/A	60.1
65-8533	65-8533	0.580 cfs	N/A	29.0	320.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**N/A**	**N/A**	**259.9**	**320.0**		**N/A**	**N/A**	**N/A**	**241.1**

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 12th day of May, 2023

SCOTT STORMS, Water Rights Supervisor

SCANNED
MAY 18 2023

Transfer No. 87288

WATER RIGHT NO. 65-8533

As Modified by Transfer No. 87288

In accordance with the approval of Transfer No. 87288, Water Right No. 65-8533 is now described as follows:

Right Holder: TRACY KENNEDY
JOE KENNEDY
11004 HWY 55
CASCADE, ID 83611

Priority Date: 7/2/1921

Source: CORRAL CREEK **Tributary:** BIG CREEK

BENEFICIAL USE	From		To	Diversion Rate
IRRIGATION	4/15	to	10/15	0.580 cfs
				0.580 cfs

LOCATION OF POINT(S) OF DIVERSION

CORRAL CREEK NENE Sec 21 Twp 13N Rge 04E VALLEY County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13N	04E	21	40	40	40	40	40	40	40	40									320

Right Acre Limit: 29.0
POU Total Acres: 320.0

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
2. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. This right is limited to the irrigation of 29 acres within the authorized place of use in a single irrigation season.

SCANNED
MAY 18 2023

WATER RIGHT NO. 65-8533

As Modified by Transfer No. 87288

CONDITIONS OF APPROVAL

5. This right is limited to the irrigation of a specific 29 acres within the 320 acre place of use authorized by this right in a single irrigation season. The specific 29 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 29 acres to be irrigated within the 320 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

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

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

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

SCANNED

MAY 18 2023

WATER RIGHT NO. 65-2947B

As Modified by Transfer No. 87288

In accordance with the approval of Transfer No. 87288, Water Right No. 65-2947B is now described as follows:

Right Holder: TRACY KENNEDY
JOE KENNEDY
11004 HWY 55
CASCADE, ID 83611

Priority Date: 9/13/1951

Source: CORRAL CREEK **Tributary:** BIG CREEK

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION FROM STORAGE	4/15	to	10/15		78.9 af
IRRIGATION STORAGE	1/01	to	12/31		78.9 af
					78.9 af

LOCATION OF POINT(S) OF DIVERSION

CORRAL CREEK	SENW	Sec 13 Twp 13N Rge 04E VALLEY County
CORRAL CREEK	NESE	Sec 15 Twp 13N Rge 04E VALLEY County

PLACE OF USE: IRRIGATION FROM STORAGE

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13N	04E	15											35.0	36.0		10.0			81.0

POU Total Acres: 81.0

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
2. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.
3. Prior to diversion of water under this right, the right holder shall provide a means acceptable to the department to measure the amount of water entering the reservoir and the amount of water released from the reservoir.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

SCANNED
MAY 18 2023

WATER RIGHT NO. 65-2947B

As Modified by Transfer No. 87288

CONDITIONS OF APPROVAL

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

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

SCANNED
MAY 18 2023

WATER RIGHT NO. 65-24221

As Modified by Transfer No. 87288

In accordance with the approval of Transfer No. 87288, Water Right No. 65-24221 is now described as follows:

Right Holder: TRACY KENNEDY
JOE KENNEDY
11004 HWY 55
CASCADE, ID 83611

Priority Date: 9/13/1951

Source: CORRAL CREEK **Tributary:** BIG CREEK

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION FROM STORAGE	4/15	to	10/15		89.1 af
IRRIGATION STORAGE	1/01	to	12/31		89.1 af
					89.1 af

LOCATION OF POINT(S) OF DIVERSION

CORRAL CREEK	SENW	Sec 13 Twp 13N Rge 04E VALLEY County
CORRAL CREEK	NESE	Sec 15 Twp 13N Rge 04E VALLEY County

PLACE OF USE: IRRIGATION FROM STORAGE

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13N	04E	21	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0									320.0

Right Acre Limit: 91.0
POU Total Acres: 320.0

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.

2. This right is limited to the irrigation of 91 acres within the authorized place of use in a single irrigation season.

3. This right is limited to the irrigation of a specific 91 acres within the 320 acre place of use authorized by this right in a single irrigation season. The specific 91 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 91 acres to be irrigated within the 320 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

SCANNED
MAY 18 2023

WATER RIGHT NO. 65-24221

As Modified by Transfer No. 87288

CONDITIONS OF APPROVAL

4. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.

5. Prior to diversion of water under this right, the right holder shall provide a means acceptable to the department to measure the amount of water entering the reservoir and the amount of water released from the reservoir.

6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

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

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

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

SCANNED
MAY 18 2023

WATER RIGHT NO. 65-2947D

As Modified by Transfer No. 87288

In accordance with the approval of Transfer No. 87288, Water Right No. 65-2947D is now described as follows:

Right Holder: JOE KENNEDY
TRACY KENNEDY
11004 HWY 55
CASCADE, ID 83611

Priority Date: 9/13/1951

Source: CORRAL CREEK **Tributary:** BIG CREEK

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION FROM STORAGE	4/15	to	10/15		51.8 af
IRRIGATION STORAGE	1/01	to	12/31		51.8 af
					51.8 af

LOCATION OF POINT(S) OF DIVERSION

CORRAL CREEK	SENW	Sec 13 Twp 13N Rge 04E VALLEY County
CORRAL CREEK	NESE	Sec 15 Twp 13N Rge 04E VALLEY County

PLACE OF USE: IRRIGATION FROM STORAGE

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13N	04E	15											29.1	31.0					60.1

POU Total Acres: 60.1

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
2. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.
3. Prior to diversion of water under this right, the right holder shall provide a means acceptable to the department to measure the amount of water entering the reservoir and the amount of water released from the reservoir.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

SCANNED
MAY 18 2023

Transfer No. 87288

WATER RIGHT NO. 65-2947D

As Modified by Transfer No. 87288

CONDITIONS OF APPROVAL

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

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

SCANNED

MAY 18 2023

WATER RIGHT NO. 65-24222

As Modified by Transfer No. 87288

In accordance with the approval of Transfer No. 87288, Water Right No. 65-24222 is now described as follows:

Right Holder: TRACY KENNEDY
JOE KENNEDY
11004 HWY 55
CASCADE, ID 83611

Priority Date: 9/13/1951

Source: CORRAL CREEK **Tributary:** BIG CREEK

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION FROM STORAGE	4/15	to	10/15		58.5 af
IRRIGATION STORAGE	1/01	to	12/31		58.5 af
					58.5 af

LOCATION OF POINT(S) OF DIVERSION

CORRAL CREEK	NESE	Sec 15 Twp 13N Rge 04E VALLEY County
CORRAL CREEK	SENW	Sec 13 Twp 13N Rge 04E VALLEY County

PLACE OF USE: IRRIGATION FROM STORAGE

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13N	04E	21	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0									320.0

Right Acre Limit: 67.9
POU Total Acres: 320.0

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.

2. This right is limited to the irrigation of 67.9 acres within the authorized place of use in a single irrigation season.

3. This right is limited to the irrigation of a specific 67.9 acres within the 320 acre place of use authorized by this right in a single irrigation season. The specific 67.9 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 67.9 acres to be irrigated within the 320 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

SCANNED
MAY 18 2023

WATER RIGHT NO. 65-24222

As Modified by Transfer No. 87288

CONDITIONS OF APPROVAL

4. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.

5. Prior to diversion of water under this right, the right holder shall provide a means acceptable to the department to measure the amount of water entering the reservoir and the amount of water released from the reservoir.

6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

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

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

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

SCANNED
MAY 18 2023

WATER RIGHT NO. 65-2551

As Modified by Transfer No. 87288

In accordance with the approval of Transfer No. 87288, Water Right No. 65-2551 is now described as follows:

Right Holder: JOE KENNEDY
TRACY KENNEDY
11004 HWY 55
CASCADE, ID 83611

Priority Date: 4/12/1951

Source: CORRAL CREEK **Tributary:** BIG CREEK

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	4/15	to	10/15	2.330 cfs	
STOCKWATER	1/01	to	12/31	0.040 cfs	2.3 af
				2.370 cfs	

LOCATION OF POINT(S) OF DIVERSION

CORRAL CREEK NESE Sec 15 Twp 13N Rge 04E VALLEY County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13N	04E	15											40.0	33.0		17.0	10.0		100.0

POU Total Acres: 100.0

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
2. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
5. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

SCANNED
MAY 18 2023

WATER RIGHT NO. 65-2551

As Modified by Transfer No. 87288

CONDITIONS OF APPROVAL

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

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

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

SCANNED

MAY 18 2023

WATER RIGHT NO. 65-24223

As Modified by Transfer No. 87288

In accordance with the approval of Transfer No. 87288, Water Right No. 65-24223 is now described as follows:

Right Holder: TRACY KENNEDY
JOE KENNEDY
11004 HWY 55
CASCADE, ID 83611

Priority Date: 4/12/1951

Source: CORRAL CREEK **Tributary:** BIG CREEK

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	4/15	to	10/15	1.670 cfs	
STOCKWATER	1/01	to	12/31	0.030 cfs	1.8 af
				1.700 cfs	

LOCATION OF POINT(S) OF DIVERSION

CORRAL CREEK NESE Sec 15 Twp 13N Rge 04E VALLEY County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13N	04E	21	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0									320.0

Right Acre Limit: 72.0
POU Total Acres: 320.0

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
2. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.
3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. This right is limited to the irrigation of 72 acres within the authorized place of use in a single irrigation season.

SCANNED
MAY 18 2023

WATER RIGHT NO. 65-24223

As Modified by Transfer No. 87288

CONDITIONS OF APPROVAL

5. This right is limited to the irrigation of a specific 72 acres within the 320 acre place of use authorized by this right in a single irrigation season. The specific 72 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or by submittal of a land list and a map sufficiently detailed to allow creation of an electronic shape file to be associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 72 acres to be irrigated within the 320 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

6. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

7. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

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

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

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.

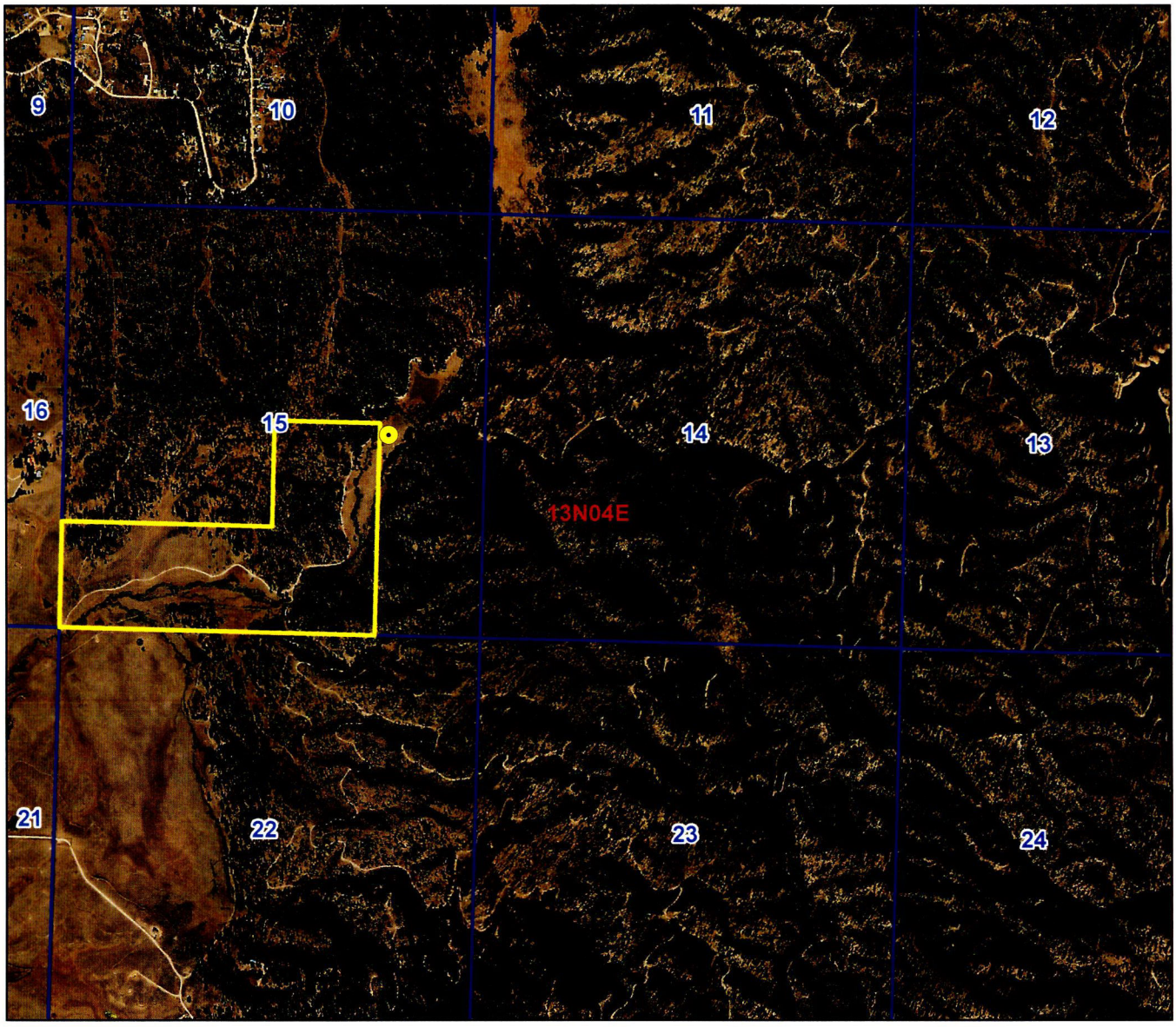
SCANNED
MAY 18 2023

State of Idaho
Department of Water Resources

Attachment to Transfer No. 87288

Water Right(s): 65-2551

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



Transfer POD
Transfer POU
Township/Range
Sections

N

0 3,250 6,500 Feet

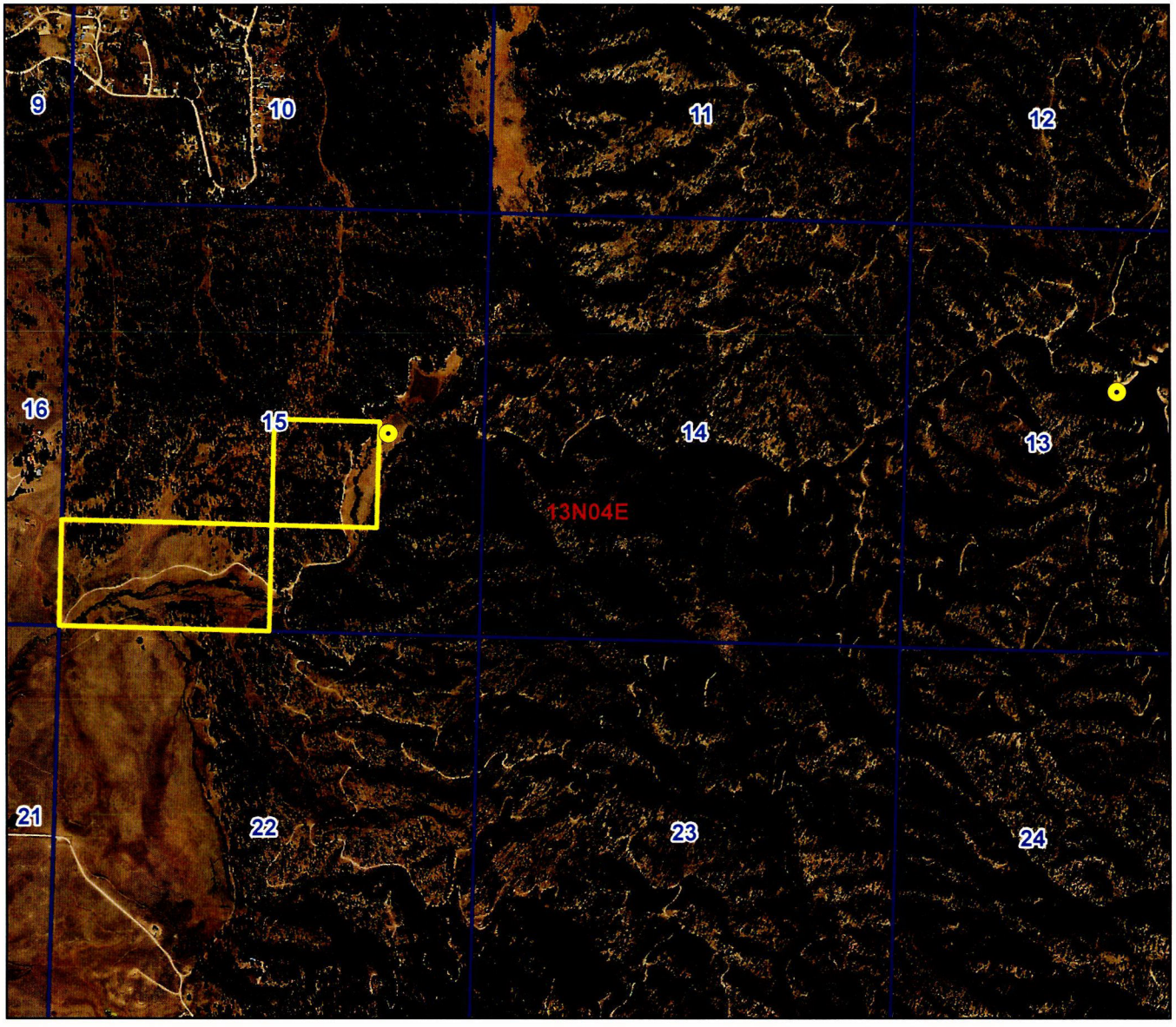
SCANNED
MAY 18 2023

State of Idaho
Department of Water Resources

Attachment to Transfer No. 87288

Water Right(s): 65-2947B

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



Transfer POD
Transfer POU
Township/Range
Sections

N

0 3,250 6,500 Feet

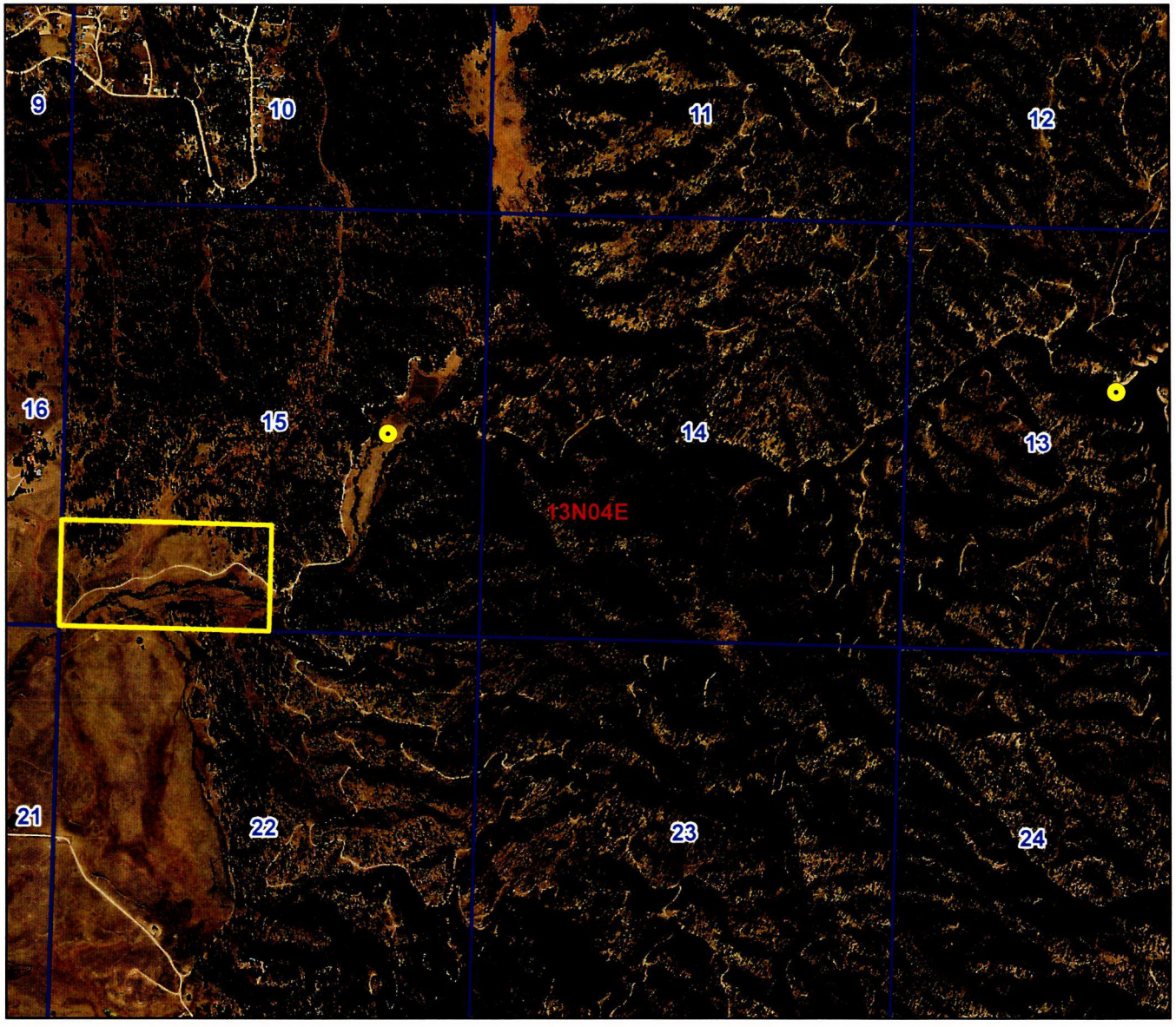
SCANNED
MAY 18 2023

State of Idaho
Department of Water Resources

Attachment to Transfer No. 87288

Water Right(s): 65-2947D

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



Transfer POD
Transfer POU
Township/Range
Sections

N

0 3,250 6,500 Feet

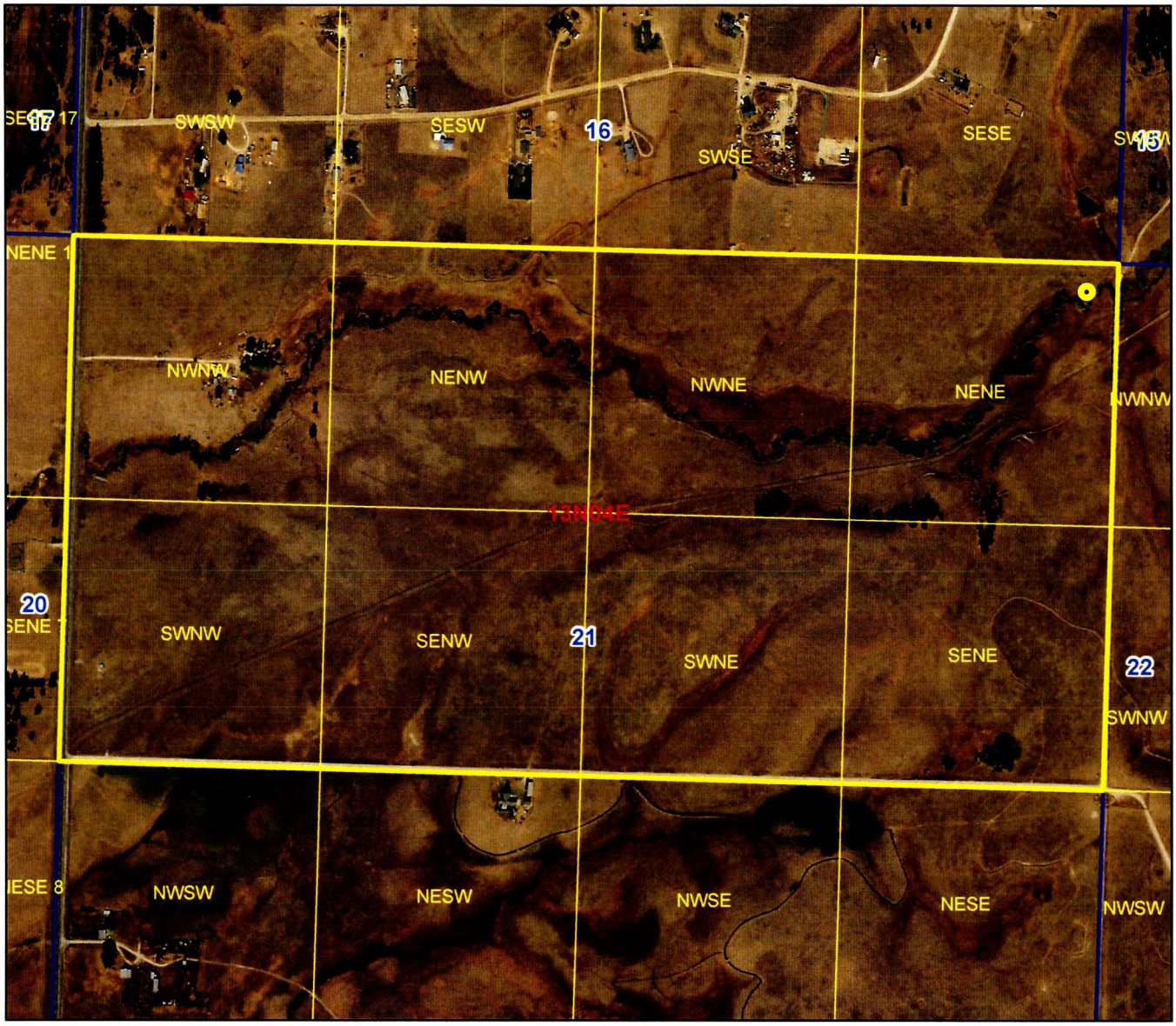
SCANNED
MAY 18 2023

State of Idaho
Department of Water Resources

Attachment to Transfer No. 87288

Water Right(s): 65-8533

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



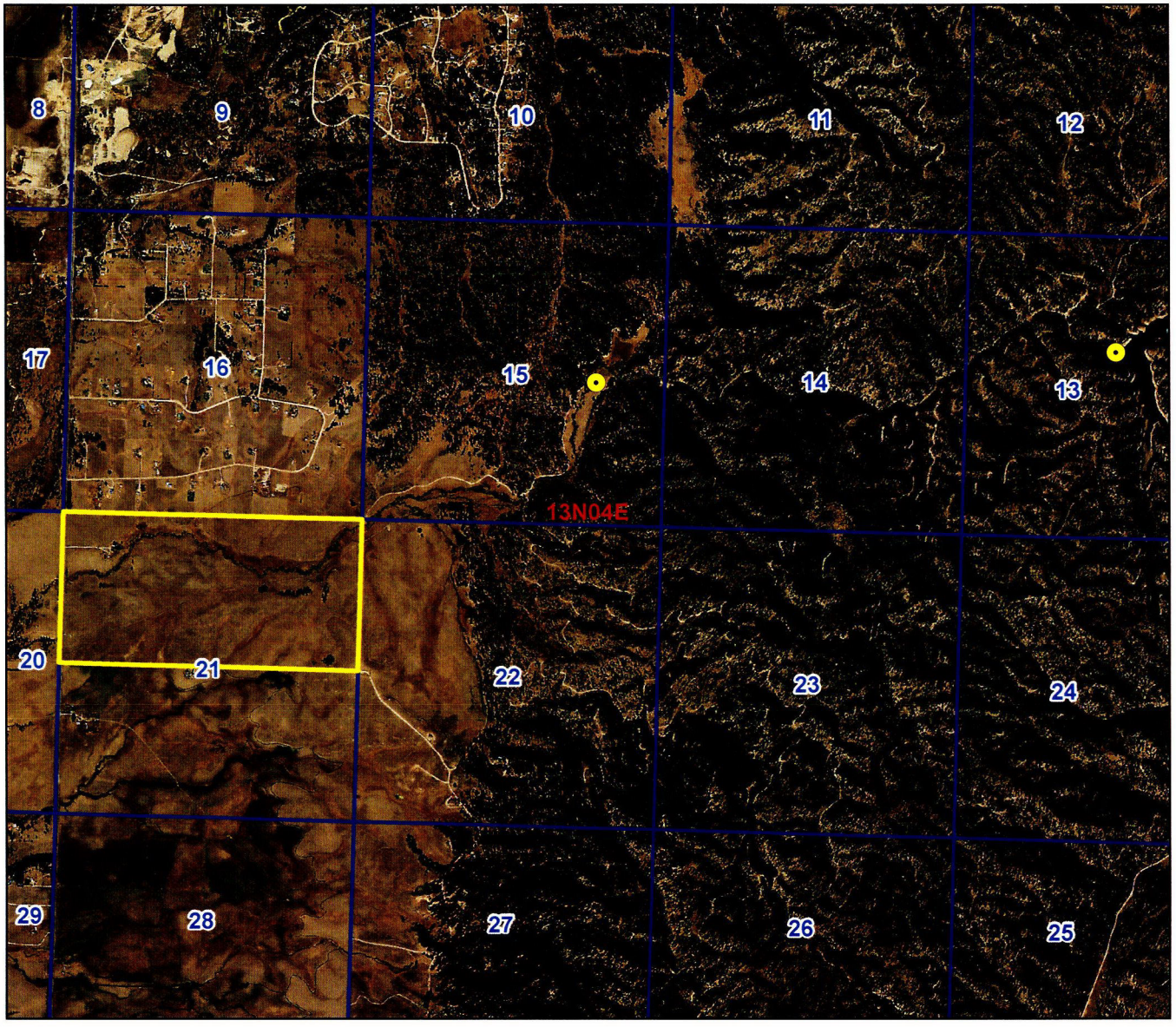
SCANNED
MAY 18 2023

State of Idaho
Department of Water Resources

Attachment to Transfer No. 87288

Water Right(s): 65-24221 & 65-24222

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



Transfer POD
Transfer POU
Township/Range
Sections

N

0 4,550 9,100 Feet

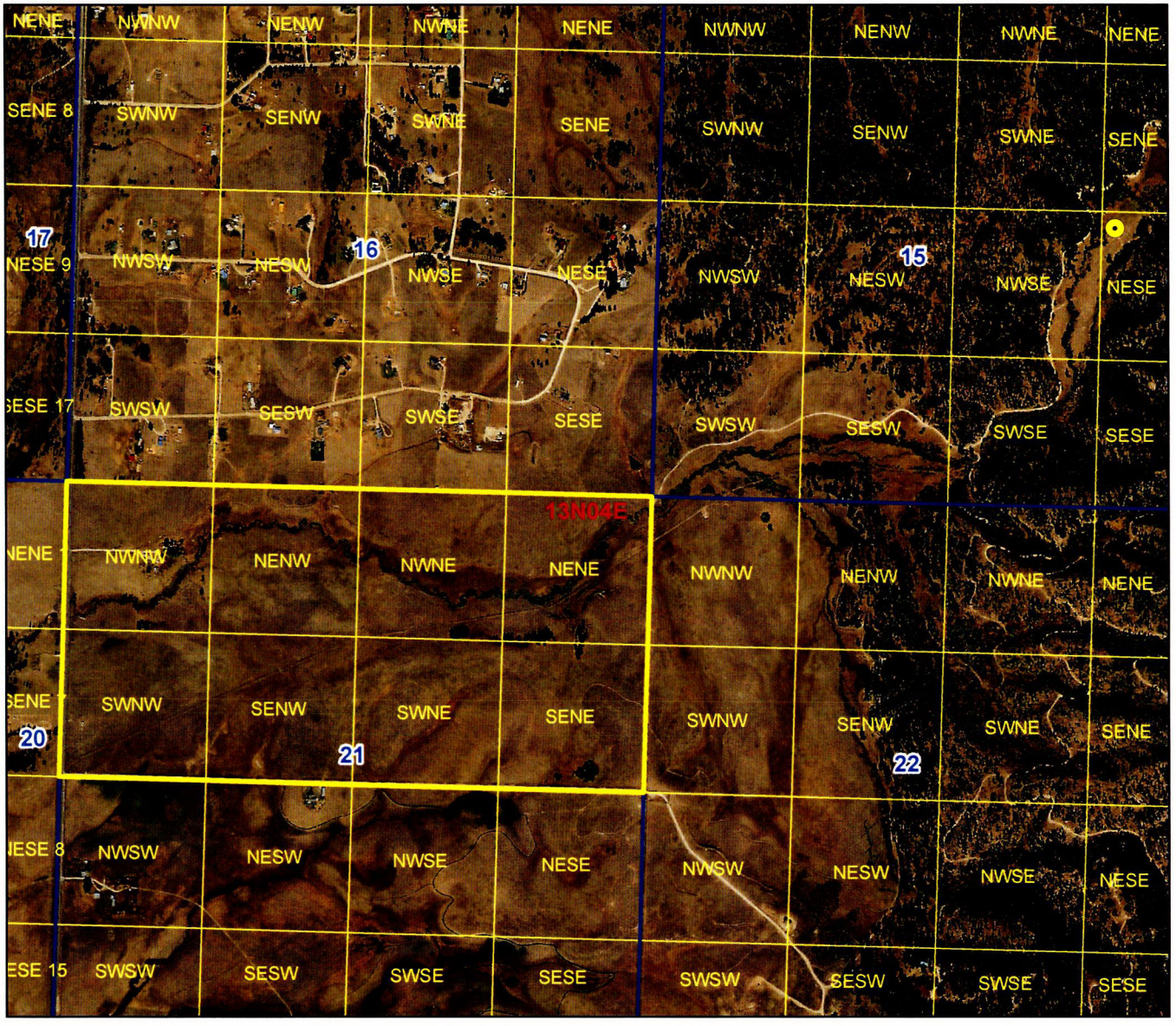
SCANNED
MAY 18 2023

State of Idaho
Department of Water Resources

Attachment to Transfer No. 87288

Water Right(s): 65-24223

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



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

N

0 2,300 4,600 Feet

SCANNED
MAY 18 2023

Authentisign ID: 6032EBE1-ABE3-ED11-8E8A-6045BDEF2690

RECEIVED
APR 25 2023
WATER RESOURCES
WESTERN REGION

DATE: April 25, 2023

TO: Scott Storms, Water Rights Supervisor,
scott.Storms@idwr.idaho.gov

FROM: Joe and Tracey Kennedy
k.tracey725@gmail.com

CC: John Knipe, Knipe Land Company
john@knipeland.com

SUBJECT: Application for Transfer No. 87288

The following is a breakdown of acres that need to be declared as moved to the PPU on the property not being sold.

WR #65-2947D - Moving a total of 2.9 acres from Section 15 to Section 21

Remove from Section 15	Move to Section 21
SWSW 2.9 acres	NWNE 2.9 acres

WR #65-2551 - Moving a total of 32 acres from Section 15 to Section 21

Remove from Section 15	Move to Section 21
NWSW 15 acres	NWNW 15 acres
NESW 10 acres	SWNW 10 acres
SWSE 7 acres	SENW 7 acres

WR #65-2947B - Moving a total of 51 acres from Section 15 to Section 21

Remove from Section 15	Move to Section 21
NWSW 15 acres	NWNW 17 acres
NESW 10 acres	SWNW 17 acres
SWSE 10 acres	SENW 17 acres
NWSE 7 acres	
SWSW 5 acres	
SESW 4 acres	

Thank you,

Authentisign
Tracey Kennedy 04/25/23

Tracey Kennedy

SCANNED
87288
MAY 18 2023

RECEIVED
MAR 14 2023
WATER RESOURCES
WESTERN REGION

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 87288

MINIMUM REQUIREMENTS CHECKLIST

TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Joseph Kennedy and/or Tracy Kennedy

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☑ * Completed Application for Transfer of Water Right form, Part 1.
- ☑ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☑ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☑ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☑ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☑ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☑ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☑ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☑ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).** ** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☑ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☑ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☑ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at https://idwr.idaho.gov/water-rights/transfers/resources/.
- ☐ ☑ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☑ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☑ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☑ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☑ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☑ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☑ #10 Other. Please describe: _____

SCANNED
MAY 18 2023

RECEIVED
MAR 14 2023
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Joseph and/or Tracey Kennedy Phone 208-271-6415

Mailing address 3701 Waterwheel Rd. Emmett Idaho 83617 Email k.tracey725@gmail.com

☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.

☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.

☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.

☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☑ No Representative

Name of Representative _____ Phone _____

Mailing address _____ Email _____

☐ Send all correspondence for this application to the representative and not to the applicant.
OR
☐ Send original correspondence to the applicant and copies to the representative.

☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Joe Kennedy — Print Name and Title if applicable — 3-14-2023 — Date
Signature of Applicant or Authorized Representative

Tracey L. Kennedy — Print Name and Title if applicable — 3/14/2023 — Date
Signature of Applicant or Authorized Representative

A. PURPOSE OF TRANSFER

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

2. Is this a transfer for changes pursuant to Idaho Code §42-221.O.8?
   If yes, ☐ attach an explanation and any supporting documentation labeled as **Part1A.2**.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part1A.3**.
   Move 72 acres of irrrigation and 0.03 cfs of stockwater on 65-2551, 67.9 acres & 58.5 AF of irrigation from storage of 65-2947D, and 91 acres and 89.1 AF of irrigation from storage of 65-2947B to a 320 acre PPU. Also change place of use for 65-8533 to be included in the 320 acre PPU

SCANNED

87885 MAY 18 2023

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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

1. All	Part	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☐	☑	65-2551	1.67	Irrigation	04/15 to 10/15	Corral Creek/Big Creek
☐	☑	65-2551	0.03	Stockwater	01/01 to 12/31	Corral Creek/Big Creek
☑	☐	65-8533	0.58	Irrigation	04/15 to 10/15	Corral Creek/Big Creek
☐	☑	65-2947B	89.1 af	Irrigation from Storage	04/15 to 10/15	Corral Creek/Big Creek
☐	☑	65-2947D	58.5 af	Irrigation from Storage	04/15 to 10/15	Corral Creek/Big Creek
☐	☐				to	
☐	☐				to	
☐	☐				to	
☐	☐				to	

Total authorized under rights 4.65 cfs and/or 278.3 acre-feet.

2. Total amount of water proposed to be transferred or changed 2.28 cubic feet per second and/or 147.6 acre-feet per year.

3. Point(s) of Diversion:

☑ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

☒ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	04E	21	40	40	40	40	40	40	40	40									
			S	S	S	S	S	S	S	S									

Total Acres (for irrigation use) 320

87088

MAY 18 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

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

b. Who owns the property at the point(s) of diversion? 2 are applicant, 1 is DF Development
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
ROW to access POD on DF Development land

c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.

e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
The transfer proposes to move a portion of the irrigation and irrigation from storage POU's and the entirty of the POU for 65-8533 to a 320 acre PPU.

f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
Portions of rights being moved are not stacked with any other rights.

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

Yes	No	
☐	☑	undergone a period of five or more consecutive years of non-use,
☐	☑	currently leased to the Water Supply Bank,
☐	☑	currently used in a mitigation plan limiting the use of water under the right, or
☐	☑	currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

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MAY 18 2023

Rev. 07/18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

A. DESCRIPTION OF RIGHT(S) AS RECORDED

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

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

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

Right Number: 65-2551

1. amount 1.67 (cfs/ac-ft) for Irrigation purposes from 04/15 to 10/15
   amount 0.03 (cfs/ac-ft) for Stockwater purposes from 01/01 to 12/31
   amount ______ (cfs/ac-ft) for ______ purposes from ______ to ______
   amount ______ (cfs/ac-ft) for ______ purposes from ______ to ______
   amount ______ (cfs/ac-ft) for ______ purposes from ______ to ______
   amount ______ (cfs/ac-ft) for ______ purposes from ______ to ______
   amount ______ (cfs/ac-ft) for ______ purposes from ______ to ______
   amount ______ (cfs/ac-ft) for ______ purposes from ______ to ______

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	04E	21	40	40	40	40	40	40	40	40									320
			S	S	S	S	S	S	S	S									

Total Acres (for irrigation use) 320

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87??? MAY 18 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b.**

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

FOR DEPARTMENT USE ONLY

Transfer contains_____ pages and_____ attachments.

Received by_____ Date_____ Preliminary check by_____ Date_____

Fee paid $580 Date 11-21-22 Receipted by S.O. Receipt # C114692

Add'l fee paid $80.00 Date 3-14-23 Receipted by DM Receipt # W0S1071

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

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MAY 18 2023

STATE OF IDAHO

DEPARTMENTOF 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: 65-2947B

1. amount 89.1 (cfs/ac-ft) for Irrigation from Storage purposes from 04/15 to 10/15
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	04E	21	40	40	40	40	40	40	40	40									320

Total Acres (for irrigation use) 320

SCANNED
87988
MAY 18 2023

STATE OF IDAHO

DEPARTMENTOF 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: 65-2947D

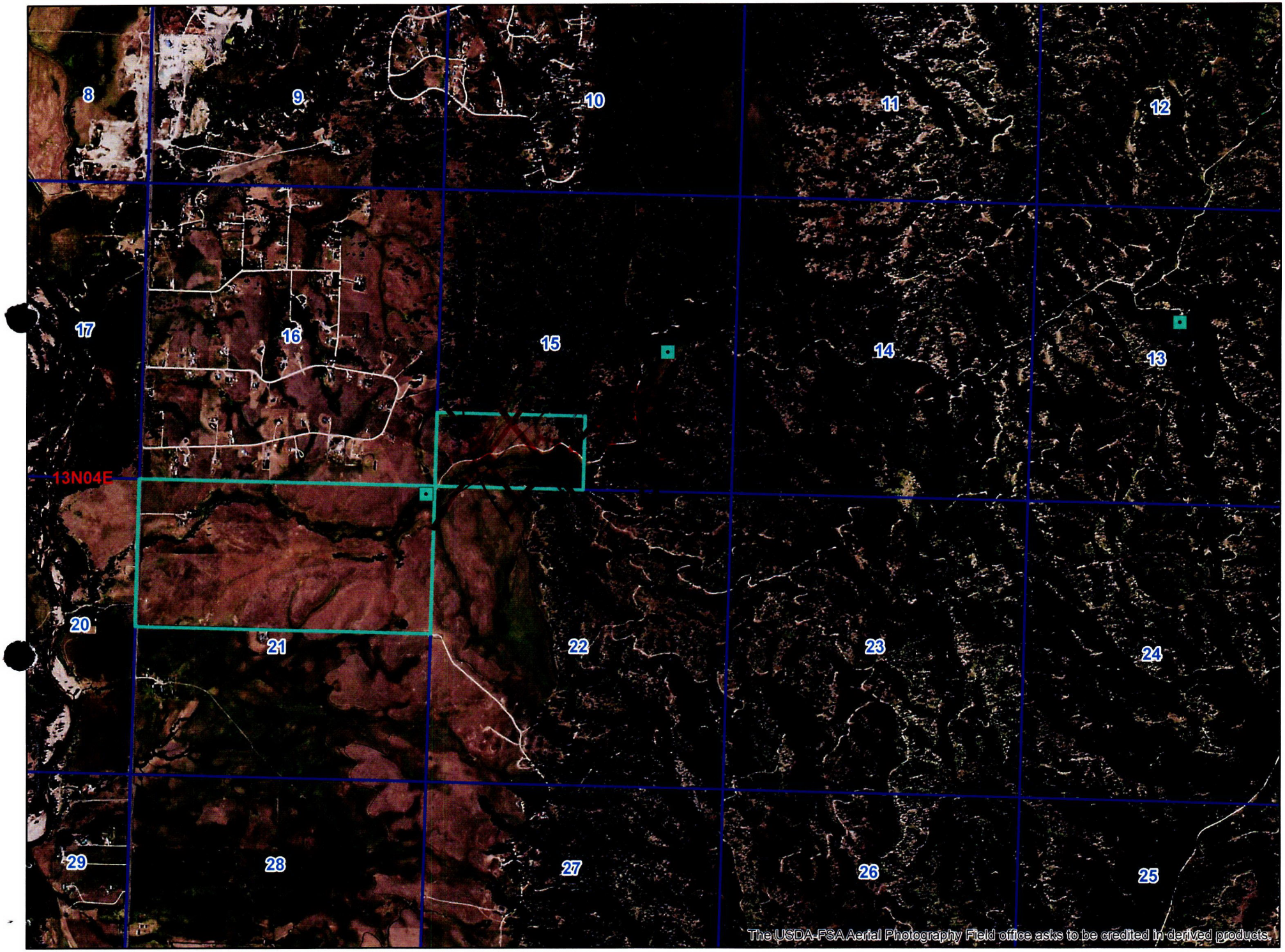
1. amount 58.5 (cfs/ac-ft) for Irrigation from Storage purposes from 04/15 to 10/15
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	04E	21	40	40	40	40	40	40	40	40									320

Total Acres (for irrigation use) 320

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87980
MAY 18 2023


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The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

IDAHO DEPARTMENT OF WATER RESOURCES **11/17/2022**
Proof Report

Water Right 65-2551

Owner Type	**Name and Address**
Current Owner	JOE KENNEDY 11004 HWY 55 CASCADE, ID 83611 (208) 382-4517
Current Owner	TRACY KENNEDY 11004 HWY 55 CASCADE, ID 83611 (208) 382-4517

720 ac + 1.67 cfs moved

Priority Date: 4/12/1951
Basis: Decreed
Status: Active

Source	**Tributary**
CORRAL CREEK	BIG CREEK

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
IRRIGATION	4/15	10/15	4.000 CFS	
STOCKWATER	1/01	12/31	0.070 CFS	4.1 AF
	Total Diversion		4.070 CFS	4.1 AF

Source and Point(s) of Diversion:

CORRAL CREEK	NESE	Sec. 15, Twp 13N, Rge 04E, VALLEY County

Place Of Use:
IRRIGATION within VALLEY County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13N	04E	15									10.0	15.0	40.0	40.0		17.0	10.0		132.0
13N	04E	21	10.0	15.0			15.0												40.0

POU Total Acres: 172.0

STOCKWATER Same as IRRIGATION

Conditions of Approval:

1.	N05	THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2.		THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 65-2947B, 65-02947D, & 65-08527 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE
3.	C18	THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS

SCANNED
JAN 18 2023

		NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
4.	N08	THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
5.		TRANSFER 2557

Comments:

1 SVANHOFF 7/6/1999 CHANGE OF OWNERSHIP
OWNERSHIP CHANGED 7/6/99 SVH

2 DSMITH 9/8/1999 ADDRESS CORRECTION
CHG'D HIGHWAY TO HWY TO MATCH CO-OWNERS MAILING ADDRESS

3 AJU10-JS 9/24/1999 AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates and Other Information:

Decreed Date: 10/31/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 65
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

SCANNED
MAY 18 2023

0.977 af/ac
9lac

IDAHO DEPARTMENT OF WATER RESOURCES 11/17/2022
Proof Report

Water Right 65-2947B

Owner Type	**Name and Address**
Current Owner	TRACY KENNEDY 11004 HWY 55 CASCADE, ID 83611 (208) 382-4517
Current Owner	JOE KENNEDY 11004 HWY 55 CASCADE, ID 83611 (208) 382-4517

Priority Date: 9/13/1951
Basis: Decreed
Status: Active

Source	**Tributary**
CORRAL CREEK	BIG CREEK

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
IRRIGATION STORAGE	1/01	12/31		168.0 AF
IRRIGATION FROM STORAGE	4/15	10/15		168.0 AF
	Total Diversion			168.0 AF

Source and Point(s) of Diversion:

CORRAL CREEK	SENW	Sec. 13, Twp 13N, Rge 04E, VALLEY County
CORRAL CREEK	NESE	Sec. 15, Twp 13N, Rge 04E, VALLEY County

Place Of Use:
IRRIGATION FROM STORAGE within VALLEY County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13N	04E	15									10.0	15.0	40.0	40.0		17.0	10.0		132.0
13N	04E	21	10.0	15.0			15.0												40.0

POU Total Acres: 172.0

Conditions of Approval:

1.		THIS RIGHT WHEN COMBINED WITH 65-02947D, 65-02551, 65-08527 & 65-08533 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE
2.	C18	THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO

SCANNED
65-2947B
MAY 18 2023

LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Comments:

1 SVANHOFF 7/6/1999 CHANGE OF OWNERSHIP
OWNERSHIP CHANGED 7/6/99 SVH

2 SVANHOFF 9/23/1999 STORAGE
YEAR-ROUND STORAGE FOR IRRIGATION WAS ADDED TO THIS RIGHT SINCE ITIS NO LONGER A GENERAL PROVISION IN THE SRBA.

3 AJU10-JS 9/24/1999 AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates and Other Information:

Decreed Date: 4/3/2001
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 65
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

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MAY 18 2023

0.8617 af/ac
67.9 ac

IDAHO DEPARTMENT OF WATER RESOURCES 11/17/2022
Proof Report

Water Right 65-2947D

Owner Type	**Name and Address**
Current Owner	JOE KENNEDY 11004 HWY 55 CASCADE, ID 83611 (208) 382-4517
Current Owner	TRACY KENNEDY 11004 HWY 55 CASCADE, ID 83611 (208) 382-4517

Priority Date: 9/13/1951
Basis: Decreed
Status: Active

Source	**Tributary**
CORRAL CREEK	BIG CREEK

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
IRRIGATION STORAGE	1/01	12/31		110.3 AF
IRRIGATION FROM STORAGE	4/15	10/15		110.3 AF
	Total Diversion			110.3 AF

Source and Point(s) of Diversion:

CORRAL CREEK	NESE	Sec. 15, Twp 13N, Rge 04E, VALLEY County
CORRAL CREEK	SENW	Sec. 13, Twp 13N, Rge 04E, VALLEY County

Place Of Use:
IRRIGATION FROM STORAGE within VALLEY County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13N	04E	15											32.0	31.0					63.0
13N	04E	21	14.0	8.0			8.0	10.0	23.0	2.0									65.0

POU Total Acres: 128.0

Conditions of Approval:

1.		THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-02551, 65-02947B 65-08533, & 65-08527 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.
2.	C18	THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO

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MAY 18 2023

LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Comments:

1 SVANHOFF 7/6/1999 OWNERSHIP CHANGE
CHANGE OF OWNERSHIP 7/6/99 SVH

2 SVANHOFF 7/7/1999 COPIED FROM REMARKS
THIS CLAIM IS FOR 128 OF THE 455 ACRES THAT HAD COMPRISED WATER RIGHT NO. 65-2947A. THE STORAGE VOLUME IS COMPUTED AS 128/455 X 392 = 110.3 AF. THIS CLAIM, WHEN COMBINED WITH THE CLAIM NUMBERED A65-02947C, FORM THE RIGHT THAT WAS ORIGINALLY DESIGNATED 65-2947A.

3 AJU10-JS 9/24/1999 AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates and Other Information:

Decreed Date: 10/31/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 65
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

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65-2947D
MAY 18 2023

Water Right 65-8533

Owner Type	Name and Address
Current Owner	TRACY KENNEDY 11004 HWY 55 CASCADE, ID 83611 (208) 382-4517
Current Owner	JOE KENNEDY 11004 HWY 55 CASCADE, ID 83611 (208) 382-4517

Priority Date: 7/2/1921
Basis: Decreed
Status: Active

Source	Tributary
CORRAL CREEK	BIG CREEK

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/15	10/15	0.580 CFS	
	Total Diversion		0.580 CFS	

Source and Point(s) of Diversion:

CORRAL CREEK NENE Sec. 21, Twp 13N, Rge 04E, VALLEY County

Place Of Use:

IRRIGATION within VALLEY County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13N	04E	21	3.0	8.0			8.0	10.0											29.0

POU Total Acres: 29.0

Conditions of Approval:

1. THIS RIGHT WHEN COMBINED WITH RIGHTS 65-2551, 65-08527, 65-2947D & 65-2947B SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Comments:

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MAY 18 2023

1 SVANHOFF 7/6/1999 CHANGE OF OWNERSHIP
OWNERSHIP CHANGED 7/6/99 SVH

2 DSMITH 9/8/1999 ADDRESS CORRECTION
HIGHWAY TO HWY TO MATCH OTHER CLAIM ADDRESSES

3 AJU10-JS 9/25/1999 AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates and Other Information:
Decreed Date: 10/31/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 65
Mitigation Plan: False

Combined Use Limits:
N/A

SubCase:
N/A

Water Supply Bank:

N/A

SCANNED
MAY 18 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little Director Mathew Weaver

September 18, 2024

JAMES R LAMON FAMILY LIVING TRUST
7300 N 70TH ST
PARADISE VLY AZ 85253-3552

Re: Change in Ownership for Water Right No(s): **65-2551, 65-2947B, 65-2947D**

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

The Department did not need to split these water rights to complete your ownership change. A refund of $225 has been requested and will be mailed to IDAHO WATER ENGINEERING LLC under separate cover from the Idaho State Controller's Office.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208)287-4921.

Sincerely,

Debra Mansfield
Technical Records Specialist 1

Enclosure(s)

Mansfield, Debra

From: Mansfield, Debra
Sent: Tuesday, September 17, 2024 3:05 PM
To: IdwrPayable
Subject: REFUND: Idaho Water Engineering LLC

TO: Sascha Marston, Susan Steed

FROM: Debra Mansfield

DATE: September 17, 2024

RE: Refund: Ownership Change

The James R Lamon Family Living Trust submitted a Split change in ownership for water rights 65-2551, 65-2947B, 65-2947D on 12/05/2023 but these water rights did not need to be split.

Please issue a refund of $225 to:

IDAHO WATER ENGINEERING LLC
2918 N EL RANCHO PL
BOISE ID 83704

RECEIPT #

W051677

Thank you,

Debra Mansfield | Technical Records Specialist 1
IDWR – State Office
322 E Front St, Boise ID 83702-7371
(208) 287-4921 | Debra.Mansfield@idwr.idaho.gov

TE OF IDAHO
PARTMENT OF WATER RESOURCES
STERN REGIONAL OFFICE
5 AIRPORT WAY
SE, IDAHO 83705
DRESS SERVICE
REQUESTED

US POSTAGE PITNEY BOWES
ZIP 83702 $ 002.22
02 4W
0000382634 MAY 17 20

RECEIVED
MAY 26 2023
WATER RESOURCES
WESTERN REGION

TRACY & JOE KENNEDY
11004 HIGHWAY 55
CASCADE ID 83611-5201

NMR
5-19

SUPPORT DATA
IN FILE #65-2551

Re: Transfer #87288

NIXIE 980 SE 1 0105/21/23
RETURN TO SENDER
NO MAIL RECEPTACLE
UNABLE TO FORWARD
BC: 83705508235 0127N142064-00331

SCANNED
JUN 22 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

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

Governor Brad Little Director Gary Spackman

May 17, 2023

TRACY & JOE KENNEDY
11004 HIGHWAY 55
CASCADE ID 83611-5201

Re: Transfer No: 87288
Water Right No(s).: 65-2551, 65-2947B, 65-2947D, 65-8533

Transfer Approval Notice

Dear Water Right Holder(s):

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

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

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

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

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a $100 late filing fee. Contact any office of

SCANNED
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the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 334-2190.

Sincerely,

Lynne Evans
Administrative Assistant I

Enclosure(s)

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MAY 18 2023

CERTIFICATE OF SERVICE

I hereby certify that on May 17, 2023 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 87288
Water Right No(s).: 65-2551, 65-2947B, 65-2947D, 65-8533

TRACY KENNEDY (Current Owner)
11004 HIGHWAY 55
CASCADE ID 83611-5201

JOE KENNEDY (Current Owner)
11004 HIGHWAY 55
CASCADE ID 83611-5201

NEIL SHIPPY (Watermaster)
WATER DISTRICT #65
102 N MAIN ST
PAYETTE ID 83661-2522

Lynne Evans
Administrative Assistant I

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EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

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

(Required by Rule of Procedure 730.02)

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

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CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) The petition for reconsideration is disposed of; or
> (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

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WATER RESOURCES
WESTERN REGION

State of Idaho

Department Of Water Resources

WATERMASTER RECOMMENDATION FORM

Water District # 65

Application # 87288

Applicant Name Joseph & Tracy Kennedy

Watermaster Recommendation:

a) ☑ I do not oppose approval of this application.

b) ☐ I do not oppose approval of this application if it is conditioned as follows:

c) ☐ I oppose approval of this application for the following reasons:

d) ☐ Additional comments:

Dated this 5 day of May 2023, 2022

Neil H Shippy

Watermaster Signature

Neil H Shippy

Printed Name

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MAY 18 2023

[redacted] [redacted]

Storms, Scott

From: Storms, Scott
Sent: Wednesday, May 10, 2023 1:42 PM
To: Neil Shippy (neil.waterdistrict65@gmail.com)
Subject: Watermaster Comment Transfer Application 87288
Attachments: Watermaster Recommendation Form_2022.pdf; Kennedy Transfer App 87288.pdf

Neil,

Please see the attached application for transfer for Joseph and Tracy Kennedy, application 87288 for water rights 65-2947B, 65-2947D, 65-2551, & 65-8533. Please provide any comment or response within the next 14 days.

Scott Storms
Water Rights Supervisor
IDWR Western Region
208-334-2190
Scott.storms@idwr.idaho.gov
2735 W Airport Way Boise, ID 83705

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MAY 18 2023

State of Idaho

Department Of Water Resources

WATERMASTER RECOMMENDATION FORM

Water District # 65

Application # 87288

Applicant Name Joseph & Tracy Kennedy

Watermaster Recommendation:

a) ☐ I do not oppose approval of this application.

b) ☐ I do not oppose approval of this application if it is conditioned as follows:

c) ☐ I oppose approval of this application for the following reasons:

d) ☐ Additional comments:

Dated this _____ day of _____ , 2022

_____

Watermaster Signature

_____

Printed Name

SCANNED

MAY 18 2023

Storms, Scott

From: Janey Knipe <janey@knipeland.com>
Sent: Tuesday, April 25, 2023 3:26 PM
To: Storms, Scott
Cc: Tracey Kennedy
Subject: Re: Amendment to Transfer Application (and Additional Fee)
Attachments: unnamed document.pdf

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Scott,

See attached. Does this work for a more official document for the file?

Thanks,

Janey Knipe
Knipe Land Company
janey@knipeland.com
208-830-2692

On Apr 25, 2023, at 1:22 PM, Storms, Scott <Scott.Storms@idwr.idaho.gov> wrote:

Janey and Tracey,

I just want to confirm I did receive the acre designations and they all look good. I will print this for the file but I think, in order to make it more official, it would be good to have the acre designation for each right written out in narrative/paragraph form and signed by either Tracey or Joseph or both. I will try and call back this afternoon if I can, however the day has quite suddenly filled up.

- Scott

From: Janey Knipe <janey@knipeland.com>
Sent: Monday, April 24, 2023 2:53 PM
To: Storms, Scott <Scott.Storms@idwr.idaho.gov>
Cc: Tracey Kennedy <k.tracey725@gmail.com>
Subject: Re: Amendment to Transfer Application (and Additional Fee)

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MAY 18 2023

Scott,

Attached are the notes on how to transfer the water right acreage to the new PPU (upper right hand corner of documents). Let me know if any of it is not understandable or if we need to do it differently.

Thanks,

Janey Knipe
Knipe Land Company
janey@knipeland.com
208-830-2692

On Apr 21, 2023, at 10:45 AM, Storms, Scott <Scott.Storms@idwr.idaho.gov> wrote:

Okay sounds good. I don't think there is any huge hurry at this point. Everything should be good for closing, just a couple things that can be addressed afterwards. But I guess if everyone is signing papers today it might be a good time to have either everyone fill out the assignment of application, or have the buyers provide a written statement providing permission for the Kennedys to file the application on their behalf.

- Scott

From: Tracey Kennedy <k.tracey725@gmail.com>
Sent: Friday, April 21, 2023 10:33 AM
To: Storms, Scott <Scott.Storms@idwr.idaho.gov>
Cc: janey@knipeland.com
Subject: Re: Amendment to Transfer Application (and Additional Fee)

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Thanks Scott, I just got this printed and will look it over and get back to you asap
TK

On Fri, Apr 21, 2023 at 10:01 AM Storms, Scott <Scott.Storms@idwr.idaho.gov> wrote:

Tracey and Janey,

I have attached 3 maps and water right reports that will hopefully help explain what I mean by how acres from the portion of the property being sold need to be designated to the portion not being sold. I went off of notes and what I remember from seeing the draft of the deed, so I hope this is correct. From my recollection, all the land in Section 15 are being sold. Also, I believe the deed lined out the split of the rights in cfs and/or acre feet. Those flow rates and/or volumes directly relate to the amount of acres irrigated, which is why we need to be sure the correct amount of acres are also designated to the correct legal descriptions described on the split portions of the rights. I went though these calculations with Tracey and Joe when they were here in my office and this is what I have for notes:

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MAY 18 2023

Water Right (WR) 65-2551: 1.67 cfs and 72 acres remain with the Kennedys. 2.33 cfs and 100 acres go to the buyer.

WR 65-2947B: 89 acre feet (af) stays with the Kennedys and 79 af goes to the buyer. The original right is for 168 af on 172 acres, which amounts to 0.977 af per acre. So in that sense, 89 af/0.977 = 91 acres remaining with the Kennedys. 79 af/0.977 = 81 acres goes to the buyer.

WR 65-2947D: 58.5 af stays with the Kennedys. 51.8 af goes to the buyers. Original right is for 110.3 af on 128 acres, which amounts to 0.8617 af per acre. Therefore 58.5 af/0.8617 = 67.9 acres remaining with the Kennedys. 51.8 af/0.8617 = 60.1 acres goes with the buyers.

So long as my notes on the portions set forth on the deed are correct, this means there is 100 acres of WR 65-2551, 79 acres of 65-2947B, and 60.1 acres of 65-2947D going to the buyer. From my recollection, all the land within section 15 is being sold. Water right 65-2551 currently describes 132 acres in sections 15, which means 32 acres need to be identified in section 15 that will be moved to the PPU on what will ultimately be the Kennedy's portion of the right. The acres are described by quarter-quarter (QQ) as in the table below. What need to happen is, we need a statement of how many acres from each QQ should be removed from the buyer's portion of the property and designated to the Kennedy's right, up to that total of 32 acres.

			NE				NW				SW				SE		
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW
13N	04E	15									10.0	15.0	40.0	40.0		17.0	10.0
13N	04E	21	10.0	15.0			15.0										

POU Total Acres: 172.0

The same goes for the other 2 rights. There are 132 acres in section 15 for WR 65-2947B but only 81 acres go to the buyer, so 51 acres need to be designated. And there are 63 acres of WR 65-2947D in sec. 15 but only 60.1 acres go to the buyer, so 2.9 acres need to be designated.

Again, this is all off of my notes about how the rights are to be split and my recollection of what portion of the property is being sold. If I am remembering any part of this incorrectly we can talk through it and sort out what and how many acres would need to be declared as moved to the PPU on the property not being sold.

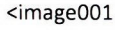
One last thing, as I discussed on the phone, once the sale has closed, the buyers will officially be part owner of the rights, as lined out in the deed, which also makes them part owner of the application for transfer. In order to facilitate moving forward we will need to add them as applications, or have a signed statement from them providing the Kennedy's authority to submit and move forward with the application on their behalf. This could really be as simple as a written and signed statement from the buyers providing that authority. Alternatively, the Kennedys and the buyers could complete the Assignment of Application for Transfer form (attached) and cross off the part that states "*All my right, title, and interest in Application for Transfer No. 87288*" and write in something along the lines of "*All portions of Application for Transfer No. 87288 appurtenant to the lads purchased by….*" This form does need to be notarized, and by completing this form, the buyers would become official applicants

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MAY 18 2023

on the application rather than them simply providing permission to the Kennedys to file on their behalf.

I know this is a lot and I am more than willing to sit down and meet with all of you to discuss any of this. As far as the language of the deed and how the transfer is written, I think we are good to go at this point so there should be no concerns regarding closing. The rest we can sort out over the next few days or so. I am leaving today at noon but will be in all week next week and have a pretty open week except for Wednesday.

Scott


Scott Storms
Water Rights Supervisor
IDWR Western Region
208-334-2190
Scott.storms@idwr.idaho.gov
2735 W Airport Way Boise, ID 83705

From: Storms, Scott
Sent: Thursday, April 20, 2023 2:25 PM
To: 'Tracey Kennedy' <k.tracey725@gmail.com>
Cc: 'janey@knipeland.com' <janey@knipeland.com>
Subject: FW: Amendment to Transfer Application (and Additional Fee)

- Scott

From: Storms, Scott
Sent: Wednesday, March 15, 2023 1:16 PM
To: 'k.tracy725@gmail.com' <k.tracy725@gmail.com>
Subject: Amendment to Transfer Application (and Additional Fee)

Tracy and Joe,

First I want to apologize for putting you through all this rigmarole, especially after you have already spent so much time with Cody and I working on your transfer, however I realized we actually need to revert back to the way the application originally looked, in order to keep in line with the language written up for the deed. As we were going through the processes of amending the application yesterday, I basically had it in my mind that we were moving portions of the rights and just keeping them all in your name until the sale was complete. We can still take that approach, but what I realized as I was data entering all the information was that, in order to keep a portion of the places of use (POU) in the original location, and move another portion to a permissible place of use (PPU), we would actually need to split the rights, which would create new water right numbers on the 3 rights that are being split. We can still take that approach, however that would conflict with the language written up for the deed, as the deed will not include the new "child" rights. This is likely why Cody originally took

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MAY 18 2023

the approach of placing the entirety of all the rights into a PPU, so that they would all be authorized for the entire area, and then when the water rights are split through the Notice in Change of Water Right Ownership, per the language in the deed, the PPU will also get split in accordance to the land ownership. Hopefully that all makes sense?

I think that is really the simpler way to, rather than creating "child" rights that aren't outlined in the deed and potentially having to amend the deed. Unfortunately this also puts us back in the situation where we are changing the full aspect of all the rights, and therefore the fee needs to be based on the total diversion rate of all the rights of 4.65 cfs, which is the $820 fee bracket (as outlined in the original letter). You've paid $660 up to this point, so to amend the application back to this approach and include the entirety of all the rights, you would owe another $160.

I did go ahead and complete an application for you that lines all this out (it should basically look the same as the one you completed with Cody) and attached it to this email. Please look it over, and if you want to go forward with this approach, print and sign it and send it to our office along with the $160. Again, we could move forward with the application you completed yesterday and you would not owe any more money, but you would likely need to amend the language of the deed so as to reference the split "child" rights.

Again, sorry for all this confusion. Feel free to call me if you have questions. Also, if you do not have a way to print the attached application please let me know and I can print a copy and mail it to you.

Thank you once again.

Scott

<image001.png> Scott Storms
Water Rights Supervisor
IDWR Western Region
<image002.png>208-334-2190
<image003.png>Scott.storms@idwr.idaho.gov
2735 W Airport Way Boise, ID 83705

--

Tracey Kennedy
Kennedy Inc.
3701 Waterwheel Rd Emmett, Id 83617
208-271-6415

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MAY 18 2023

IDAHO DEPARTMENT OF WATER RESOURCES **4/20/2023**
Proof Report

Water Right 65-2551

Owner Type	**Name and Address**
Current Owner	JOE KENNEDY 11004 HWY 55 CASCADE, ID 83611 (208) 382-4517
Current Owner	TRACY KENNEDY 11004 HWY 55 CASCADE, ID 83611 (208) 382-4517

Take from 15 — More to 21
NWSW 15 — NW NW 15
NESW 10 — SW NW 10
SWSE 7 — SE NW 7
32 — 32

Priority Date: 4/12/1951
Basis: Decreed
Status: Active

Source	**Tributary**
CORRAL CREEK	BIG CREEK

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
IRRIGATION	4/15	10/15	4.000 CFS	
STOCKWATER	1/01	12/31	0.070 CFS	4.1 AF
	Total Diversion		4.070 CFS	4.1 AF

Source and Point(s) of Diversion:
CORRAL CREEK NESE Sec. 15, Twp 13N, Rge 04E, VALLEY County

Place Of Use:
IRRIGATION within VALLEY County Total of 132 acres described in Section 15, but only 100 being sold, per the deed 32 acres need to be designated to the PPU

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13N	04E	15									10.0	15.0	40.0	40.0		17.0	10.0		132.0
13N	04E	21	10.0	15.0			15.0												40.0

POU Total Acres: 172.0

STOCKWATER Same as IRRIGATION

Conditions of Approval:

1. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 65-2947B, 65-02947D, & 65-08527 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE

SCANNED
65-2551
MAY 18 2023

IDAHO DEPARTMENT OF WATER RESOURCES **4/20/2023**
Proof Report

Water Right 65-2947B

Owner Type	**Name and Address**
Current Owner	TRACY KENNEDY 11004 HWY 55 CASCADE, ID 83611 (208) 382-4517
Current Owner	JOE KENNEDY 11004 HWY 55 CASCADE, ID 83611 (208) 382-4517

Take from 15
NWSW 15
NESW 10
SWSE 10
NWSE 7
SWSW 5
SESW 4
51

Move to 21
NWNW 17
SWNW 17
SENW 17

Priority Date: 9/13/1951
Basis: Decreed
Status: Active

Source
CORRAL CREEK

Tributary
BIG CREEK

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
IRRIGATION STORAGE	1/01	12/31		168.0 AF
IRRIGATION FROM STORAGE	4/15	10/15		168.0 AF
		Total Diversion		168.0 AF

Source and Point(s) of Diversion:

CORRAL CREEK	SENW	Sec. 13, Twp 13N, Rge 04E, VALLEY County
CORRAL CREEK	NESE	Sec. 15, Twp 13N, Rge 04E, VALLEY County

Place Of Use:
IRRIGATION FROM STORAGE within VALLEY County Total of 132 acres described in Section 15, but only 81 being sold, per the deed. 51 acres need to be designated to the PPU

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13N	04E	15									10.0	15.0	40.0	40.0		17.0	10.0		132.0
13N	04E	21	10.0	15.0			15.0												40.0

POU Total Acres: 172.0

Conditions of Approval:

1. THIS RIGHT WHEN COMBINED WITH 65-02947D, 65-02551, 65-08527 & 65-08533 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE

SCANNED
65-2947B
MAY 18 2023

IDAHO DEPARTMENT OF WATER RESOURCES **4/20/2023**
Proof Report

Water Right 65-2947D

Take From 15
SWSW 2.9

Move to 21
NWNE 2.9

Owner Type	**Name and Address**
Current Owner	JOE KENNEDY 11004 HWY 55 CASCADE, ID 83611 (208) 382-4517
Current Owner	TRACY KENNEDY 11004 HWY 55 CASCADE, ID 83611 (208) 382-4517

Priority Date: 9/13/1951
Basis: Decreed
Status: Active

Source	**Tributary**
CORRAL CREEK	BIG CREEK

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
IRRIGATION STORAGE	1/01	12/31		110.3 AF
IRRIGATION FROM STORAGE	4/15	10/15		110.3 AF
		Total Diversion		110.3 AF

Source and Point(s) of Diversion:

CORRAL CREEK	NESE	Sec. 15, Twp 13N, Rge 04E, VALLEY County
CORRAL CREEK	SENW	Sec. 13, Twp 13N, Rge 04E, VALLEY County

Place Of Use:
IRRIGATION FROM STORAGE within VALLEY County Total of 63 acres described in Section 15, but only 60.1 being sold, per the deed. 2.9 acres need to be designated to the PPU

			NE				NW				SW		SE						
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13N	04E	15											32.0	31.0					63.0
13N	04E	21	14.0	8.0			8.0	10.0	23.0	2.0									65.0

POU Total Acres: 128.0

Conditions of Approval:

1. THIS RIGHT WHEN COMBINED WITH RIGHT NO. 65-02551, 65-02947B 65-08533, & 65-08527 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE

SCANNED
MAY 18 2023

IDAHO DEPARTMENT OF
WATER RESOURCES

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

Governor Brad Little

Director Gary Spackman

April 18, 2023

TRACY AND JOSEPH KENNEDY
3701 WATERWHEEL RD
EMMETT, ID 83617

Re: Application for Transfer 87288

Dear Tracy and Joseph:

Upon initial review of your application for transfer of water rights 65-2551, 65-8533, 65-2947B, & 65-2947D, I recognized some issues in processing the application as was completed when we met on March 14, 2023. The primary issue lies in the fact that, in order to move portions of water rights 65-2551, 65-2947B, & 65-2947D to a permissible place of use (PPU), while leaving the remaining portion of those rights at the originally described place of use (POU), those water rights would all have to be split into two separate rights each, resulting in three new "child" water rights. Although this is a common occurrence, and the rights will ultimately be split once the sale is complete and the ownership change information is submitted, it does create an issue prior to the sale of the property and those portions of the rights.

The first issue I recognized was that the new child rights that would be created will have new water right numbers that were not included in the draft deed you presented at our meeting. One way around this would be to leave the original "parent" water right numbers associated with the portion that will remain at the original POU and ultimately go to the purchaser. The issue I still ran into with this is that the acres described on the rights in the portion of section 15 that will be sold do not correlate with the number of acres described on the draft deed. Therefore, in order to move forward with this approach, you would need to designate which additional acres described in Sec. 15 will be moved to the child rights and the newly established PPU.

The alternative would be to revert back to the original application format, where the entirety of all the rights are placed into a PPU described in both sections 21 and 15, essentially the same as it was when you worked with Cody. This would increase the amount owed by another $160, since the application fee is based upon the portion of the rights being changed, and you would now be changing the entirety of the rights rather than just a portion. If you choose this route, I have included an amended application to do so. You can sign the amended application and submit it with another $160 in order to move forward with this option.

So, to summarize, there are essentially two options to move forward:

1. Designate which additional acres from section 15 should be moved from the original POU of each right to the new PPU on the child rights.

SCANNED
MAY 18 2023

2. Submit the amended application along with another $160 in order to place the entirety of all the rights into a PPU. The rights will then subsequently be split once the new owners submit the notice in change of water right ownership after the sale.

I understand this can be quite confusing, if you would like to discuss this further, please feel free to give me a call or send me an email.

Sincerely,

Scott Storms
Water Rights Supervisor
208-334-2190
Scott.storms@idwr.idaho.gov

Enclosure: Draft Amended Application for Transfer

SCANNED
MAY 18 2023

Storms, Scott

From: Storms, Scott
Sent: Wednesday, March 15, 2023 1:16 PM
To: 'k.tracy725@gmail.com'
Subject: Amendment to Transfer Application (and Additional Fee)
Attachments: AMENDED_Application.pdf

Tracy and Joe,

First I want to apologize for putting you through all this rigmarole, especially after you have already spent so much time with Cody and I working on your transfer, however I realized we actually need to revert back to the way the application originally looked, in order to keep in line with the language written up for the deed. As we were going through the processes of amending the application yesterday, I basically had it in my mind that we were moving portions of the rights and just keeping them all in your name until the sale was complete. We can still take that approach, but what I realized as I was data entering all the information was that, in order to keep a portion of the places of use (POU) in the original location, and move another portion to a permissible place of use (PPU), we would actually need to split the rights, which would create new water right numbers on the 3 rights that are being split. We can still take that approach, however that would conflict with the language written up for the deed, as the deed will not include the new "child" rights. This is likely why Cody originally took the approach of placing the entirety of all the rights into a PPU, so that they would all be authorized for the entire area, and then when the water rights are split through the Notice in Change of Water Right Ownership, per the language in the deed, the PPU will also get split in accordance to the land ownership. Hopefully that all makes sense?

I think that is really the simpler way to, rather than creating "child" rights that aren't outlined in the deed and potentially having to amend the deed. Unfortunately this also puts us back in the situation where we are changing the full aspect of all the rights, and therefore the fee needs to be based on the total diversion rate of all the rights of 4.65 cfs, which is the $820 fee bracket (as outlined in the original letter). You've paid $660 up to this point, so to amend the application back to this approach and include the entirety of all the rights, you would owe another $160.

I did go ahead and complete an application for you that lines all this out (it should basically look the same as the one you completed with Cody) and attached it to this email. Please look it over, and if you want to go forward with this approach, print and sign it and send it to our office along with the $160. Again, we could move forward with the application you completed yesterday and you would not owe any more money, but you would likely need to amend the language of the deed so as to reference the split "child" rights.

Again, sorry for all this confusion. Feel free to call me if you have questions. Also, if you do not have a way to print the attached application please let me know and I can print a copy and mail it to you.

Thank you once again.

Scott

Scott Storms
Water Rights Supervisor
IDWR Western Region
208-334-2190
Scott.storms@idwr.idaho.gov
2735 W Airport Way Boise, ID 83705

SCANNED
MAY 18 2023

March 2017

REVIEW CHECKLIST TRANSFER -- OR -- EXCHANGE

(Workflow) (maybe Workflow)

Application # 87288 **Reviewer** [redacted] **Date** 4/18/23

Acceptable Filing (TP Memo #24 Sect. 3) X Y ___ N If "N" 30-day Deficiency Ltr Sent _____(date & initial)

Initial Review & Abbreviated Data Entry [redacted] (date & initial) Supervisor Notes X Y ____N

Right(s) in Water Bank _____ Y X N, Notify S.O. _____ (date) - WSB App Attachment _____

COMMENT LETTERS _____ Y _____ N

Water District # _____ (Required even if No Legal Notice Required)

Other(s): list here or see attached _____

ADVERTISING _____ Y _____ N If "N" Save Legal Notice Not Required DB Comment in Workflow & Memo ___

Legal Notice Required - Saved as Legal Notice Remarks in Workflow _____Y *uncheck "Currently in Data Entry" flag

Statewide ads _____ Y _____ N ("Y" only if any single right > 10 cfs, 1000 af storage)

COMPLETE TO HERE BEFORE FORWARD FOR ADVERTISING

ADVERTISER COMPLETES

LEGAL NOTICE & PROTEST

Protest Deadline _____

Y	N			
_____	_____	Protested	If Y: _____	Scan protest
_____	_____	Affidavit received/published correctly	If N:_____	Re-advertised & published correctly

REVIEW MEMO -- DRAFT APPROVAL -- APPROVAL COVER LETTER

Drilling fee upgrade _____ Paid _____WC & WR File Documented (Request, CAN NOT hold xFer if unpaid).

Review Memo Completed _____ (See Review Memo Template N:/WRProcessing/Transfers/Review Memo Template).

Data Entry, Conditions, & ArcMap Data Entry Completed _____

E'folder w/ Draft Approval _____
(applicant last name + application #)

NOTE FOR CLERICAL STAFF APPROVAL COVER LETTER

Add WSB paragraph to approval cover letter (see N:WRFormLetters/Water Bank Paragraph) _____ Y _____N

OPTIONAL PAGE -- CONDITIONS & NOTES

GROUNDWATER:

WD 161 (Non-de minimis uses) - R05
- ≤ 0.24 cfs/5 acres - No MD
- > 0.24 cfs/5 acres - 214

~~WD~~
- < 0.24 cfs/5 acres - No MD
- ≥ 0.24 cfs/5 acres - 01M or 01Q (ref. MD flowchart)

No water measurement districts in Western Region at this time.
DRILLING PERMIT - 046 (new well)

SURFACE WATER:

WD - R05
≤ 0.20 cfs - R02, 01P or No MD (ref. MD flowchart)
> 0.20 cfs - R43
~~WD~~, SPRINGS/SINK, INACTIVE WD & REST OF STATE
< 0.24 cfs/5 acres - No MD
≥ 0.24 cfs/5 acres - 01M or 01Q

STANDARD SEASON _____ to _____ (use X61 if extended season)
STANDARD VOLUME_____ af/ac
CONSUMPTIVE USE VOLUME _____ af/ac

USES:

STORAGE - 18C-18B/R40-123-220-219-221-222-259-937-938
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
Volume only - R58/R59/R60/R61
Supplemental - 943 & WB7
Storage - R70
STOCKWATER - R37 (all BLM/USFS)
MINING - 054-106
FISH PROP - 029 (70's basins only)-007-122-106
HEAT/COOL - R07 (injection well)
FIRE PROT. - 077-218
DAIRY - 082 (zoning if a concern)-106-WD8

POWER - 17H-17K (+uses)-025-106
MUNICIPAL
Restricted area - 022-075 RAFN – 007-109-X64
Irr., GW supp to SW - 102

DOMESTIC
Surface water - WB5 (Boise above Star Bridge)
>1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop
T08 - comply or rescind
WD8 - land application of waste water
01Q - used instead of 01M when there's another meas. condition outside a WD

Protested - 020-X19
Water Quality - 106-R07

X27 - Number of acres/season in ppu
X35 - Combined **limits** of multiple rts
X49 - measure p/'d's (source chg'd to orig trib)
X51 - 2+ yrs to develop
X53 - Use ltd to orig. source availability
X54 - forfeited ac/rate (used rarely)
205 - use when quantity reduced by xFer approval
X55 - (transfer shrinks total water to less ac)
004 - no right-of-way
X58 - pending claim (statutory or AJ b/u claim)
X61 - extended irr season
X63 - replaced C12 through C17 - ultimately C18 placed on rts to cover issue. If C18 on rts replace with T19 and remove X63.

Apply one to chg'd & unchg'd rts that are subject to SRBA:

T09 - on-going SRBA (no Dir Rpt yet)
T19 - replaces C18 (if at Directors Report or Partial Decree stage)
T20 – use only on unchg'd rts not subject to SRBA

NOTES: