RECEIVED
AUG 15 2024
DEPT. OF WATER RESOURCES

Form 42-1761-1 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT TO THE WATER SUPPLY BANK

Designated Applicant Evard LLC
(Select one owner – see item 1A on the application)

Water Right No. 43-13271
(One water right per application)

Is this application being submitted with a rental application as a lease/rental package? Yes ☑ No ☐

This application must be prepared in accordance with the minimum requirement checklist below. Use this checklist to ensure all necessary documentation has been provided. This checklist is part of the lease application and must be included with the lease application. **Applications that do not meet the minimum requirements will not be processed and may be returned or denied.**

MIMUMUM REQUIREMENT CHECKLIST

All items must be checked as either *Attached* (Yes) or *Not Applicable* (N/A)

		Yes	
		☑	Completed *Application to Sell or Lease a Water Right to the Water Supply Bank.*
		☑	Application filing fee of $250.00 per water right. If you are submitting more than one lease application and the water rights have an overlapping, common place of use, or a common diversion rate or volume, the total fee for all water rights is $500.00. For places of use, multiple water rights must be used to irrigate the same lands in order to qualify for the joint filing fee. Individual filing fees are required for water rights that share a common permissible place of use but which cover separate acres within the permissible place of use.
		☑	Confirmation this form has been printed **single sided**, per requirement of the Water Supply Bank.
Attachment	**N/A**	**Yes**	
1A	☐	☐	Signatures and contact information for ***all owners*** of the water right to be leased or sold on this application.
1B	☑	☐	An Internal Revenue Service (IRS) Form W-9 for the Designated Applicant.
1C	☑	☐	*Notice of Change in Water Right Ownership* form (accessible from www.idwr.idaho.gov).
1D	☐	☑	Contact information for an authorized representative and documentary proof they are authorized to represent the Designated Applicant on this application. If the Designated Applicant is a business, partnership, municipality, organization or association, include documents identifying officers authorized to sign or act on behalf of the entity.
2	☐	☑	Description of a water right portion offered to the Water Supply Bank.
3	☐	☑	A map that clearly outlines the specific location where irrigated acres will be dried up, or where a beneficial use of water will be suspended. You have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov.
4A	☑	☐	Written consent from irrigation district or water delivery company.
4G	☐	☑	Evidence demonstrating the water right has not been forfeited pursuant to Section 42-222(2), Idaho Code.

Department Use Only

Fee Amount $ 500 Received By: KM Date Received: 8/19/2024 Receipt # C118766

W-9 received? Yes ☑ No ☐ (Route W-9 to Fiscal) Name on W-9: Square Glass Holdings, LLC

3019

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

1. CONTACT INFORMATION

A. This application must be completed by a Designated Applicant who is a current owner of the water right being sold or leased to the Water Supply Bank. If there are additional current owners, those individuals must authorize the Designated Applicant to represent them on this application by completing and signing Attachment 1A of this application package.

Designated Applicant Evard LLC

Mailing Address 134 E Highway 81 BURLEY, ID 83318
Street City State Zip Code

Email Address _____ Phone Number 2086542733

☑ The Designated Applicant is the sole owner of the water right being sold or leased to the Water Supply Bank.

OR

☐ The Designated Applicant is representing additional water right holders who have completed Attachment 1A.

B. Has the Designated Applicant submitted an IRS Form W-9 to this Department within the last 2 years? Yes ☐ No ☑
If no, complete the form and attach to this application (Attachment 1B).

C. Are all applicants on this form listed in IDWR's records as the current owners of the water right? Yes ☑ No ☐
If no, attach a *Notice of Change in Water Right Ownership* form along with the required documentation and fee (Attachment 1C).

D. Is this application being completed by an authorized representative of the Designated Applicant? Yes ☑ No ☐
If yes, representatives (includes employees of Designated Applicant companies) must complete this section and submit documentary proof of their authority to represent the Designated Applicant (Attachment 1D).

Name of Representative Greg Sullivan Organization Brockway Engineering

Professional Title Engineer Email Address greg.sullivan@brockwayeng.com

Mailing Address 2016 N Washington St Ste 4 Twin Falls, Idaho 83301 Phone Number 208-736-8543

☐ Send all correspondence for this application to the representative and not to the Designated Applicant.

OR

☑ Send original correspondence to the Designated Applicant and copies to the representative.

2. DESCRIPTION OF WATER RIGHT OFFERED TO THE BANK

☐ The full water right is being offered to the Bank.

OR

☑ A part of the water right is being offered to the Bank.
If a portion of the water right is being offered, **complete Attachment 2.**

3. MAP

Attach a map of the point(s) of diversion and place(s) of use proposed to be idled by this lease application. Make sure the idled place of use is outlined and annotated with legal land descriptions (Township, Range, Section and Quarter-Quarters) or with GPS coordinates. For irrigation purposes, mark the number of acres you desire to idle. If the water right proposed for lease is located within a permissible place of use (PPU) and portions of the PPU will continue to receive water from non-leased water rights, clearly outline on a map the acres within the PPU that will continue to be irrigated, as well as acres that will be idled during the lease term. Label the map **Attachment 3.**

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

4. GENERAL INFORMATION

A. Is the diversion works or system owned or managed by an irrigation district or water delivery company? Yes ☐ No ☑
If yes, provide written consent from the company, corporation or irrigation district authorizing the proposed sale or lease (Attachment 4A).

If your water right is delivered through a canal, lateral or ditch operated by a canal company, irrigation district, or similar delivery entity, your lease request must include written consent from the company, district, or similar entity for your removal of water from its system pursuant to Section 42-108, Idaho Code and IDAPA WSB Rule 37.02.03.25.02e.

B. Please provide a description of the current water diversion and delivery system.
Existing wells, mainlines and delivery system.

C. Describe any other water rights used for the same purpose at the same place of use as the water right being offered to the Bank. 43-13271, 43-13273, 43-13275, 43-13277 and 43-13279

D. Are any of the water rights identified in Section 4C stacked with the water right proposed for lease? Yes ☑ No ☐
Stacked water rights are used together to achieve a common beneficial use, such as irrigation of the same lands. Stacked water rights cannot be separated and must be jointly leased to the Water Supply Bank. Stacked water rights qualify for the multiple fee payment of $500.

E. Will the present place of use continue to receive water from any other source? Yes ☐ No ☑
If yes, explain the relationship between the different water sources and how enlargement of the authorized use will not occur if this water right is leased.

F. Identify annual volumes and/or rates of water diverted in the last 5 years to accomplish the beneficial use authorized by this water right. Water rights 43-13271 et al. was recently involved in Transfer 87322.

G. Has any portion of this water right undergone a period of five or more consecutive years of non-use? Yes ☐ No ☑
If yes, describe the circumstances and attach evidence to demonstrate how the water right has not been lost through forfeiture (Attachment 4G). See Section 42-223, Idaho Code for exceptions to forfeiture. Your application may be denied if forfeiture concerns are not addressed.

H. Is this water right involved in any other IDWR process, such as an application for transfer or a mitigation plan? Yes ☐ No ☑
If yes, describe.

STATE OF IDAHO
WATER RESOURCE BOARD

APPLICATION TO SELL OR LEASE A WATER RIGHT
(Continued)

5. SALE/LEASE AGREEMENT

A. Is the water right, or portion thereof, offered to the Idaho Water Resource Board (IWRB) for sale ☐ or lease ☑?

If lease, specify the years when the use of water will be suspended: 2025 (Year) to 2029 (Year) (maximum lease period 5 calendar years).

B. Show the minimum payment acceptable to the seller/lessor. The minimum payment may be shown as the "current rental rate" as established by the IWRB. Include the method of determining the minimum payment if other than the current rental rate.

Current rental rate.

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this water right for sale or lease to the Idaho Water Resource Board.

The Designated Applicant acknowledges the following:

1. Payment to the Designated Applicant is contingent upon the sale or rental of the water right from the Bank.
2. While a water right is in the Bank, the seller/lessor of the water right may not use the water right, even if the water right is not rented from the Bank.
3. A water right accepted into the Bank stays in the Bank until the Designated Applicant receives written confirmation from the Board or Water Supply Bank that the water right has been released from the Bank.
4. While a water right is in the Bank, forfeiture is stayed.
5. Acceptance of a water right into the Bank does not, in itself, confirm the validity of the water right or any element of the water right.

Signature of Designated Applicant	Reed Gibby Printed Name	8/15/2024 Date
Signature of Authorized Representative	Printed Name	Date

Mail to:
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Form 42-1761-1 10/15

STATE OF IDAHO
WATER RESOURCE BOARD

Complete Attachment 2 if only a portion of the water right is offered to the Bank.

ATTACHMENT 2

DESCRIPTION OF A WATER RIGHT PORTION OFFERED TO THE WATER SUPPLY BANK

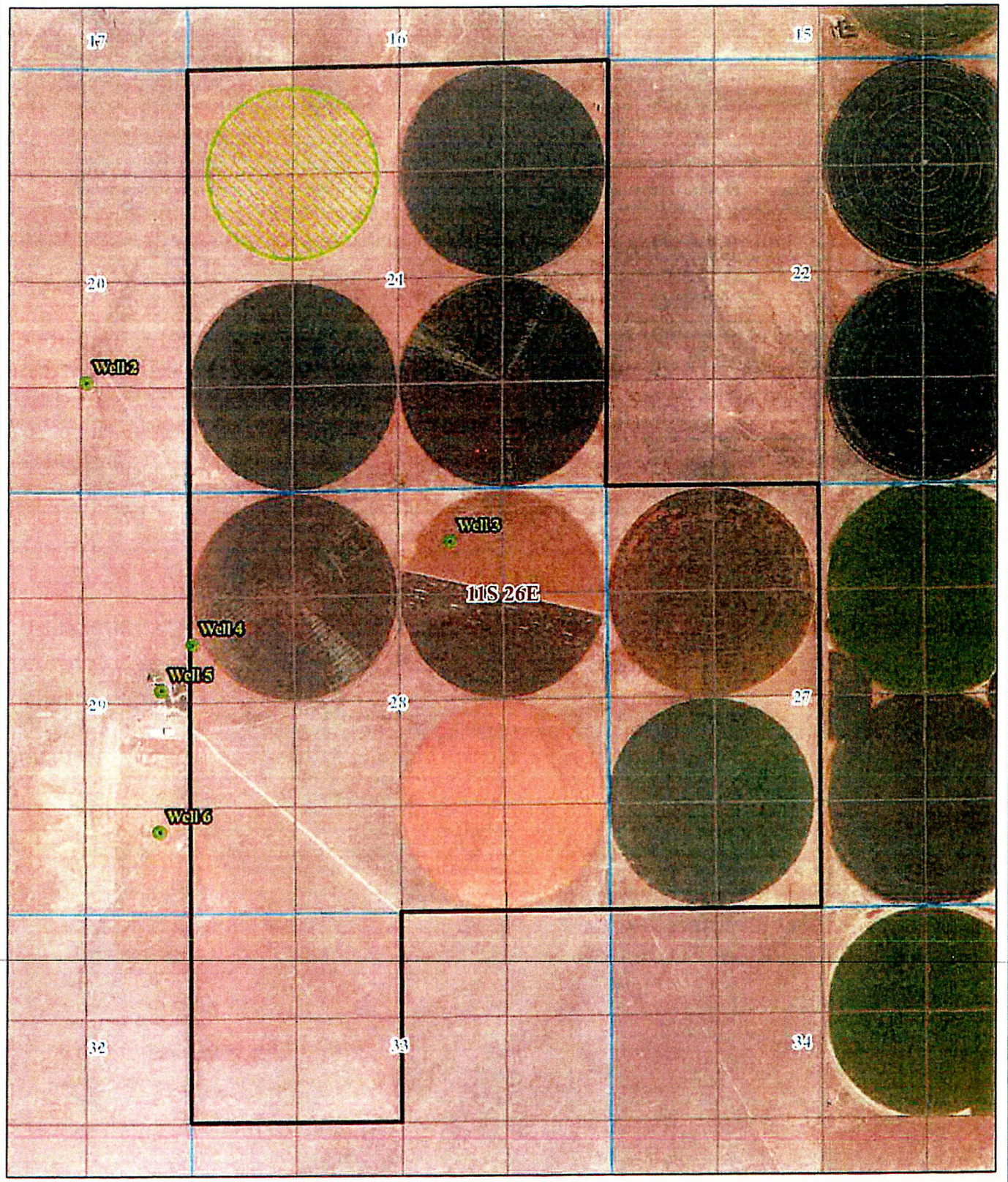
1. Water Right Number	Nature of Use	Leased Rate (cfs)	Leased Volume (af)	Leased Acres (ac)
43-13271	Irrigation	0.06	30.5	12.2
	Total Amounts:	0.06	30.5	12.2

2. Source of water Ground Water tributary to _____

3. Point(s) of diversion:

Twp	Rge	Sec	Lot	¼	¼	¼	County
11S	26E	20			NE	SE	Cassia
11S	26E	28			NW	NE	Cassia
11S	26E	28			SW	NW	Cassia
11S	26E	29			NE	NE	Cassia
11S	26E	29			SE	NE	Cassia
11S	26E	29			SE	SE	Cassia

Path: F:\Projects\Gibby\Gibby - Skaggs Farm\Arcview\Skaggs Farm Lease.mxd



N

0 0.25 0.5 Miles

EVARD LLC
SKAGGS FARM

WATER RIGHT MAP
NAIP 2023 AERIAL

Legend
- PODs
- Lease
- PPU

BROCKWAY ENGINEERING, PLLC.
GWS - Date: 8/12/2024

0005561877

STATE OF IDAHO

Office of the secretary of state, Phil McGrane

ANNUAL REPORT

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: $0.00

For Office Use Only

-FILED-

File #: 0005561877

Date Filed: 1/15/2024 9:26:06 AM

Entity Name and Mailing Address:

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

Entity Details:

Entity Status	Active-Existing
This entity is organized under the laws of:	IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:	W2104

The registered agent on record is:

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

Limited Liability Company Managers and Members

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

The annual report must be signed by an authorized signer of the entity.

Job Title: Legal Counsel

Tyson Nelson — Sign Here

01/15/2024 — Date

B0873-9666 01/15/2024 9:26 AM Received by Office of the Idaho Secretary of State

Page 1 of 1

0005448686

STATE OF IDAHO

Office of the secretary of state, Phil McGrane

ANNUAL REPORT

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: $0.00

For Office Use Only

-FILED-

File #: 0005448686

Date Filed: 10/25/2023 11:08:07 AM

Entity Name and Mailing Address:

Entity Name:	Square Glass Holdings, LLC
The file number of this entity on the records of the Idaho Secretary of State is:	0004501205
Address	134 E HIGHWAY 81 BURLEY, ID 83318-5427

Entity Details:

Entity Status	Active-Existing
This entity is organized under the laws of:	IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:	

The registered agent on record is:

Registered Agent	Monte Quast Registered Agent Physical Address 134 E HIGHWAY 81 BURLEY, ID 83318 Mailing Address 134 E HIGHWAY 81 BURLEY, ID 83318-5427

Limited Liability Company Managers and Members

Name	TItle	Business Address
Monte Quast	Manager	134 E HIGHWAY 81 BURLEY, ID 83318
Reed Gibby	Manager	134 E HIGHWAY 81 BURLEY, ID 83318-5427
Andrea Gibby	Manager	134 E HIGHWAY 81 BURLEY, ID 83318-5427
Benjamin Gibby	Manager	134 E HIGHWAY 81 BURLEY, ID 83318-5427
~~Tadashi Andrew Fujimoto~~	~~Manager~~	~~134 E HIGHWAY 81 BURLEY, ID 83318-5427~~
Kelly Anderson	Manager	134 E HIGHWAY 81 BURLEY, ID 83318-5427
Skye Root	Manager	134 E HIGHWAY 81 BURLEY, ID 83318-5427
Jeff Sayer	Manager	134 E HIGHWAY 81 BURLEY, ID 83318-5427
Joe Swenson	Manager	134 E HIGHWAY 81 BURLEY, ID 83318-5427

The annual report must be signed by an authorized signer of the entity.

Job Title: Legal Counsel

Page 1 of 2

B0850-8121 10/25/2023 11:08 AM Received by Office of the Idaho Secretary of State

Tyson Nelson	*10/25/2023*
Sign Here	Date

B0850-8122 10/25/2023 11:08 AM Received by Office of the Idaho Secretary of State

Page 2 of 2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 87322

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

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

Summary of Water Rights Before the Proposed Changes

Water Right	Origin/Basis	Priority Date	Diversion Rate	Diversion Volume	Acre Limit	Total Acres	Source
43-13270	WR/DECREED	6/8/1961	0.700 cfs	337.2 af	134.5	1024.0	GROUND WATER
43-13271	WR/DECREED	6/8/1961	0.120 cfs	58.8 af	23.5	158.0	GROUND WATER
43-13272	WR/DECREED	5/3/1963	4.040 cfs	1703.0 af	816.6	1024.0	GROUND WATER
43-13273	WR/DECREED	5/3/1963	0.700 cfs	297.0 af	142.4	158.0	GROUND WATER
43-13274	WR/DECREED	8/8/1960	7.660 cfs	2622.6 af	655.7	1024.0	GROUND WATER
43-13275	WR/DECREED	8/8/1960	1.340 cfs	457.4 af	114.3	158.0	GROUND WATER
43-13276	WR/DECREED	7/15/1948	4.630 cfs	1107.0 af	276.7	1024.0	GROUND WATER
43-13277	WR/DECREED	7/15/1948	0.810 cfs	193.0 af	48.3	158.0	GROUND WATER
43-13278	WR/DECREED	6/19/1948	1.580 cfs	534.7 af	133.7	1024.0	GROUND WATER
43-13279	WR/DECREED	6/19/1948	0.270 cfs	93.3 af	23.3	158.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
43-13270	NO	NO	YES	YES	NO	NO
43-13271	NO	YES	YES	YES	NO	NO
43-13272	NO	NO	YES	YES	NO	NO
43-13273	NO	YES	YES	YES	NO	NO
43-13274	NO	NO	YES	YES	NO	NO
43-13275	NO	YES	YES	YES	NO	NO
43-13276	NO	NO	YES	YES	NO	NO
43-13277	NO	YES	YES	YES	NO	NO
43-13278	NO	NO	YES	YES	NO	NO
43-13279	NO	YES	YES	YES	NO	NO

SUPPORT DATA
IN FILE #43-13270

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
43-13270	43-13270	0.700 cfs	337.2 af	134.5	1760.0	N/A	N/A	N/A	N/A	N/A
43-13271	43-13271	0.120 cfs	58.8 af	23.5	1760.0	N/A	N/A	N/A	N/A	N/A
43-13272	43-13272	4.040 cfs	1703.0 af	816.6	1760.0	N/A	N/A	N/A	N/A	N/A
43-13273	43-13273	0.700 cfs	297.0 af	142.4	1760.0	N/A	N/A	N/A	N/A	N/A
43-13274	43-13274	7.660 cfs	2622.6 af	655.7	1760.0	N/A	N/A	N/A	N/A	N/A

SCANNED
FEB 08 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 87322

Summary Of Water Rights After the Approved Change

Existing Right	New No. (Changed Portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
43-13275	43-13275	1.340 cfs	457.4 af	114.3	1760.0	N/A	N/A	N/A	N/A	N/A
43-13276	43-13276	4.630 cfs	1107.0 af	276.7	1760.0	N/A	N/A	N/A	N/A	N/A
43-13277	43-13277	0.810 cfs	193.0 af	48.3	1760.0	N/A	N/A	N/A	N/A	N/A
43-13278	43-13278	1.580 cfs	534.7 af	133.7	1760.0	N/A	N/A	N/A	N/A	N/A
43-13279	43-13279	0.270 cfs	93.3 af	23.3	1760.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		**19.450 cfs**	**4256.0 af**	**1064.0**	**1760.0**		**N/A**	**N/A**	**N/A**	**N/A**

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 1ST day of February, 2023.

Southern Region Manager

Transfer No. 87322

SCANNED
FEB 08 2023

WATER RIGHT NO. 43-13271

As Modified by Transfer No. 87322

In accordance with the approval of Transfer No. 87322, Water Right No. 43-13271 is now described as follows:

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

Priority Date: 6/8/1961

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
IRRIGATION	03/15	to 11/15	0.120 cfs	58.8 af
			0.120 cfs	58.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 20 Twp 11S Rge 26E CASSIA County
GROUND WATER	NWNE	Sec 28 Twp 11S Rge 26E CASSIA County
GROUND WATER	SWNW	Sec 28 Twp 11S Rge 26E CASSIA County
GROUND WATER	NENE	Sec 29 Twp 11S Rge 26E CASSIA County
GROUND WATER	SENE	Sec 29 Twp 11S Rge 26E CASSIA County
GROUND WATER	SESE	Sec 29 Twp 11S Rge 26E CASSIA 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
11S	26E	21	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
11S	26E	27					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
11S	26E	28	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
11S	26E	33					40.0	40.0	40.0	40.0									160.0

Right Acre Limit: 23.5
POU Total Acres: 1760.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 23.5 acres within the place of use described above in a single irrigation season.
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. 143.
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 diversions.

Transfer No. 87322

SCANNED
FEB 08 2023

WATER RIGHT NO. 43-13271

As Modified by Transfer No. 87322

CONDITIONS OF APPROVAL

4. Rights 43-13271, 43-13273, 43-13275, 43-13277, and 43-13279 when combined shall not exceed a total diversion rate of 2.89 cfs, a total annual maximum diversion volume of 632 af, and the irrigation of 158 acres.

5. Rights 43-13270, 43-13271, 43- 13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278 and 43-13279 when combined shall not exceed a total diversion rate of 19.45 cfs, a total annual maximum diversion volume of 4256 af, and the irrigation of 1064 acres.

6. Water rights 43-13270, 43-13271, 43- 13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278 and 43-13279 are limited to the irrigation of a specific 1064.0 acres within the 1760.0 acre place of use authorized by these rights in a single irrigation season. The specific 1064.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with these righst in the geographic information system component of the water rights database maintained by the department. Before changing the 1064.0 acres to be irrigated within the 1760.0 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.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

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

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

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

11. 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
FEB 08 2023

WATER RIGHT NO. 43-13278

As Modified by Transfer No. 87322

In accordance with the approval of Transfer No. 87322, Water Right No. 43-13278 is now described as follows:

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

Priority Date: 6/19/1948

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
IRRIGATION	03/15	to 11/15	1.580 cfs	534.7 af
			1.580 cfs	534.7 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 20 Twp 11S Rge 26E CASSIA County
GROUND WATER	NWNE	Sec 28 Twp 11S Rge 26E CASSIA County
GROUND WATER	SWNW	Sec 28 Twp 11S Rge 26E CASSIA County
GROUND WATER	NENE	Sec 29 Twp 11S Rge 26E CASSIA County
GROUND WATER	SENE	Sec 29 Twp 11S Rge 26E CASSIA County
GROUND WATER	SESE	Sec 29 Twp 11S Rge 26E CASSIA 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
11S	26E	21	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
11S	26E	27					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
11S	26E	28	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
11S	26E	33					40.0	40.0	40.0	40.0									160.0

Right Acre Limit: 133.7
POU Total Acres: 1760.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 133.7 acres within the place of use described above in a single irrigation season.
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. 143.
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 diversions.

SCANNED
FEB 08 2023

WATER RIGHT NO. 43-13278

As Modified by Transfer No. 87322

CONDITIONS OF APPROVAL

4. Rights 43-13270, 43-13272, 43-13274, 43-13276, and 43-13278 when combined shall not exceed a total diversion rate of 16.56 cfs, a total annual maximum diversion volume of 3,624 af, and the irrigation of 906 acres.

5. Rights 43-13270, 43-13271, 43- 13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278 and 43-13279 when combined shall not exceed a total diversion rate of 19.45 cfs, a total annual maximum diversion volume of 4256 af, and the irrigation of 1064 acres.

6. Water rights 43-13270, 43-13271, 43- 13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278 and 43-13279 are limited to the irrigation of a specific 1064.0 acres within the 1760.0 acre place of use authorized by these rights in a single irrigation season. The specific 1064.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 1064.0 acres to be irrigated within the 1760.0 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.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

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

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

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

11. 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
FEB 08 2023

WATER RIGHT NO. 43-13273

As Modified by Transfer No. 87322

In accordance with the approval of Transfer No. 87322, Water Right No. 43-13273 is now described as follows:

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

Priority Date: 5/3/1963

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
IRRIGATION	04/01	to 10/31	0.700 cfs	297.0 af
			0.700 cfs	297.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 20 Twp 11S Rge 26E CASSIA County
GROUND WATER	NWNE	Sec 28 Twp 11S Rge 26E CASSIA County
GROUND WATER	SWNW	Sec 28 Twp 11S Rge 26E CASSIA County
GROUND WATER	NENE	Sec 29 Twp 11S Rge 26E CASSIA County
GROUND WATER	SENE	Sec 29 Twp 11S Rge 26E CASSIA County
GROUND WATER	SESE	Sec 29 Twp 11S Rge 26E CASSIA 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
11S	26E	21	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
11S	26E	27					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
11S	26E	28	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
11S	26E	33					40.0	40.0	40.0	40.0									160.0

Right Acre Limit: 142.4
POU Total Acres: 1760.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 142.4 acres within the place of use described above in a single irrigation season.
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. 143.
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 diversions.

SCANNED
FEB 08 2023

WATER RIGHT NO. 43-13273

As Modified by Transfer No. 87322

CONDITIONS OF APPROVAL

4. Rights 43-13271, 43-13273, 43-13275, 43-13277, and 43-13279 when combined shall not exceed a total diversion rate of 2.89 cfs, a total annual maximum diversion volume of 632 af, and the irrigation of 158 acres.

5. Rights 43-13270, 43-13271, 43- 13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278 and 43-13279 when combined shall not exceed a total diversion rate of 19.45 cfs, a total annual maximum diversion volume of 4256 af, and the irrigation of 1064 acres.

6. Water rights 43-13270, 43-13271, 43- 13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278 and 43-13279 are limited to the irrigation of a specific 1064.0 acres within the 1760.0 acre place of use authorized by these rights in a single irrigation season. The specific 1064.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 1064.0 acres to be irrigated within the 1760.0 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.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than June 28, 2002.

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

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

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

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

SCANNED
FEB 08 2023

WATER RIGHT NO. 43-13275

As Modified by Transfer No. 87322

In accordance with the approval of Transfer No. 87322, Water Right No. 43-13275 is now described as follows:

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

Priority Date: 8/8/1960

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
IRRIGATION	04/01	to 10/31	1.340 cfs	457.4 af
			1.340 cfs	457.4 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 20 Twp 11S Rge 26E CASSIA County
GROUND WATER	NWNE	Sec 28 Twp 11S Rge 26E CASSIA County
GROUND WATER	SWNW	Sec 28 Twp 11S Rge 26E CASSIA County
GROUND WATER	NENE	Sec 29 Twp 11S Rge 26E CASSIA County
GROUND WATER	SENE	Sec 29 Twp 11S Rge 26E CASSIA County
GROUND WATER	SESE	Sec 29 Twp 11S Rge 26E CASSIA 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
11S	26E	21	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
11S	26E	27					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
11S	26E	28	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
11S	26E	33					40.0	40.0	40.0	40.0									160.0

Right Acre Limit: 114.3
POU Total Acres: 1760.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 114.3 acres within the place of use described above in a single irrigation season.

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. 143.

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 diversions.

Transfer No. 87322

SCANNED
FEB 08 2023

WATER RIGHT NO. 43-13275

As Modified by Transfer No. 87322

CONDITIONS OF APPROVAL

4. Rights 43-13271, 43-13273, 43-13275, 43-13277, and 43-13279 when combined shall not exceed a total diversion rate of 2.89 cfs, a total annual maximum diversion volume of 632 af, and the irrigation of 158 acres.

5. Rights 43-13270, 43-13271, 43- 13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278 and 43-13279 when combined shall not exceed a total diversion rate of 19.45 cfs, a total annual maximum diversion volume of 4256 af, and the irrigation of 1064 acres.

6. Water rights 43-13270, 43-13271, 43- 13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278 and 43-13279 are limited to the irrigation of a specific 1064.0 acres within the 1760.0 acre place of use authorized by these rights in a single irrigation season. The specific 1064.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 1064.0 acres to be irrigated within the 1760.0 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.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than June 28, 2002.

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

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

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

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

SCANNED
FEB 08 2023

WATER RIGHT NO. 43-13277

As Modified by Transfer No. 87322

In accordance with the approval of Transfer No. 87322, Water Right No. 43-13277 is now described as follows:

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

Priority Date: 7/15/1948

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	04/01	to	10/31	0.810 cfs	193.0 af
				0.810 cfs	193.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 20 Twp 11S Rge 26E CASSIA County
GROUND WATER	NWNE	Sec 28 Twp 11S Rge 26E CASSIA County
GROUND WATER	SWNW	Sec 28 Twp 11S Rge 26E CASSIA County
GROUND WATER	NENE	Sec 29 Twp 11S Rge 26E CASSIA County
GROUND WATER	SENE	Sec 29 Twp 11S Rge 26E CASSIA County
GROUND WATER	SESE	Sec 29 Twp 11S Rge 26E CASSIA 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
11S	26E	21	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
11S	26E	27					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
11S	26E	28	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
11S	26E	33					40.0	40.0	40.0	40.0									160.0

Right Acre Limit: 48.3
POU Total Acres: 1760.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 48.3 acres within the place of use described above in a single irrigation season.
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. 143.
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 diversions.

Transfer No. 87322

SCANNED
FEB 08 2023

WATER RIGHT NO. 43-13277

As Modified by Transfer No. 87322

CONDITIONS OF APPROVAL

4. Rights 43-13271, 43-13273, 43-13275, 43-13277, and 43-13279 when combined shall not exceed a total diversion rate of 2.89 cfs, a total annual maximum diversion volume of 632 af, and the irrigation of 158 acres.

5. Rights 43-13270, 43-13271, 43- 13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278 and 43-13279 when combined shall not exceed a total diversion rate of 19.45 cfs, a total annual maximum diversion volume of 4256 af, and the irrigation of 1064 acres.

6. Water rights 43-13270, 43-13271, 43- 13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278 and 43-13279 are limited to the irrigation of a specific 1064.0 acres within the 1760.0 acre place of use authorized by these rights in a single irrigation season. The specific 1064.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 1064.0 acres to be irrigated within the 1760.0 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.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than June 28, 2002.

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

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

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

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

SCANNED
FEB 08 2023

WATER RIGHT NO. 43-13279

As Modified by Transfer No. 87322

In accordance with the approval of Transfer No. 87322, Water Right No. 43-13279 is now described as follows:

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

Priority Date: 6/19/1948

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	03/15	to	11/15	0.270 cfs	93.3 af
				0.270 cfs	93.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 20 Twp 11S Rge 26E CASSIA County
GROUND WATER	NWNE	Sec 28 Twp 11S Rge 26E CASSIA County
GROUND WATER	SWNW	Sec 28 Twp 11S Rge 26E CASSIA County
GROUND WATER	NENE	Sec 29 Twp 11S Rge 26E CASSIA County
GROUND WATER	SENE	Sec 29 Twp 11S Rge 26E CASSIA County
GROUND WATER	SESE	Sec 29 Twp 11S Rge 26E CASSIA 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
11S	26E	21	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
11S	26E	27					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
11S	26E	28	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
11S	26E	33					40.0	40.0	40.0	40.0									160.0

Right Acre Limit: 23.3
POU Total Acres: 1760.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 23.3 acres within the place of use described above in a single irrigation season.
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. 143.
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 diversions.

Transfer No. 87322

SCANNED
FEB 08 2023

WATER RIGHT NO. 43-13279

As Modified by Transfer No. 87322

CONDITIONS OF APPROVAL

4. Rights 43-13271, 43-13273, 43-13275, 43-13277, and 43-13279 when combined shall not exceed a total diversion rate of 2.89 cfs, a total annual maximum diversion volume of 632 af, and the irrigation of 158 acres.

5. Rights 43-13270, 43-13271, 43- 13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278 and 43-13279 when combined shall not exceed a total diversion rate of 19.45 cfs, a total annual maximum diversion volume of 4256 af, and the irrigation of 1064 acres.

6. Water rights 43-13270, 43-13271, 43- 13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278 and 43-13279 are limited to the irrigation of a specific 1064.0 acres within the 1760.0 acre place of use authorized by these rights in a single irrigation season. The specific 1064.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 1064.0 acres to be irrigated within the 1760.0 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.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

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

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

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

11. 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
FEB 08 2023

WATER RIGHT NO. 43-13270

As Modified by Transfer No. 87322

In accordance with the approval of Transfer No. 87322, Water Right No. 43-13270 is now described as follows:

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

Priority Date: 6/8/1961

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	03/15	to	11/15	0.700 cfs	337.2 af
				0.700 cfs	337.2 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 20 Twp 11S Rge 26E CASSIA County
GROUND WATER	NWNE	Sec 28 Twp 11S Rge 26E CASSIA County
GROUND WATER	SWNW	Sec 28 Twp 11S Rge 26E CASSIA County
GROUND WATER	NENE	Sec 29 Twp 11S Rge 26E CASSIA County
GROUND WATER	SENE	Sec 29 Twp 11S Rge 26E CASSIA County
GROUND WATER	SESE	Sec 29 Twp 11S Rge 26E CASSIA 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
11S	26E	21	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
11S	26E	27					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
11S	26E	28	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
11S	26E	33					40.0	40.0	40.0	40.0									160.0

Right Acre Limit: 134.5
POU Total Acres: 1760.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 134.5 acres within the place of use described above in a single irrigation season.

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. 143.

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 diversions.

SCANNED
FEB 08 2023

WATER RIGHT NO. 43-13270

As Modified by Transfer No. 87322

CONDITIONS OF APPROVAL

4. Rights 43-13270, 43-13272, 43-13274, 43-13276, and 43-13278 when combined shall not exceed a total diversion rate of 16.56 cfs, a total annual maximum diversion volume of 3,624 af, and the irrigation of 906 acres.

5. Rights 43-13270, 43-13271, 43- 13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278 and 43-13279 when combined shall not exceed a total diversion rate of 19.45 cfs, a total annual maximum diversion volume of 4256 af, and the irrigation of 1064 acres.

6. Water rights 43-13270, 43-13271, 43- 13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278 and 43-13279 are limited to the irrigation of a specific 1064.0 acres within the 1760.0 acre place of use authorized by these rights in a single irrigation season. The specific 1064.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 1064.0 acres to be irrigated within the 1760.0 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.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

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

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

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

11. 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
FEB 08 2023

WATER RIGHT NO. 43-13272

As Modified by Transfer No. 87322

In accordance with the approval of Transfer No. 87322, Water Right No. 43-13272 is now described as follows:

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

Priority Date: 5/3/1963

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	04/01	to	10/31	4.040 cfs	1703.0 af
				4.040 cfs	1703.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 20 Twp 11S Rge 26E CASSIA County
GROUND WATER	NWNE	Sec 28 Twp 11S Rge 26E CASSIA County
GROUND WATER	SWNW	Sec 28 Twp 11S Rge 26E CASSIA County
GROUND WATER	NENE	Sec 29 Twp 11S Rge 26E CASSIA County
GROUND WATER	SENE	Sec 29 Twp 11S Rge 26E CASSIA County
GROUND WATER	SESE	Sec 29 Twp 11S Rge 26E CASSIA 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
11S	26E	21	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
11S	26E	27					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
11S	26E	28	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
11S	26E	33					40.0	40.0	40.0	40.0									160.0

Right Acre Limit: 816.6
POU Total Acres: 1760.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 816.6 acres within the place of use described above in a single irrigation season.

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.143.

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 diversions.

Transfer No. 87322

SCANNED
FEB 08 2023

WATER RIGHT NO. 43-13272

As Modified by Transfer No. 87322

CONDITIONS OF APPROVAL

4. Rights 43-13270, 43-13272, 43-13274, 43-13276, and 43-13278 when combined shall not exceed a total diversion rate of 16.56 cfs, a total annual maximum diversion volume of 3,624 af, and the irrigation of 906 acres.

5. Rights 43-13270, 43-13271, 43- 13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278 and 43-13279 when combined shall not exceed a total diversion rate of 19.45 cfs, a total annual maximum diversion volume of 4256 af, and the irrigation of 1064 acres.

6. Water rights 43-13270, 43-13271, 43- 13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278 and 43-13279 are limited to the irrigation of a specific 1064.0 acres within the 1760.0 acre place of use authorized by these rights in a single irrigation season. The specific 1064.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 1064.0 acres to be irrigated within the 1760.0 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.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than June 28, 2002.

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

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

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

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

SCANNED
FEB 08 2023

WATER RIGHT NO. 43-13274

As Modified by Transfer No. 87322

In accordance with the approval of Transfer No. 87322, Water Right No. 43-13274 is now described as follows:

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

Priority Date: 8/8/1960

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
IRRIGATION	04/01	to 10/31	7.660 cfs	2622.6 af
			7.660 cfs	2622.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 20 Twp 11S Rge 26E CASSIA County
GROUND WATER	NWNE	Sec 28 Twp 11S Rge 26E CASSIA County
GROUND WATER	SWNW	Sec 28 Twp 11S Rge 26E CASSIA County
GROUND WATER	NENE	Sec 29 Twp 11S Rge 26E CASSIA County
GROUND WATER	SENE	Sec 29 Twp 11S Rge 26E CASSIA County
GROUND WATER	SESE	Sec 29 Twp 11S Rge 26E CASSIA 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
11S	26E	21	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
11S	26E	27					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
11S	26E	28	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
11S	26E	33					40.0	40.0	40.0	40.0									160.0

Right Acre Limit: 655.7
POU Total Acres: 1760.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 655.7 acres within the place of use described above in a single irrigation season.
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.143.
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 diversions.

Transfer No. 87322

SCANNED
FEB 08 2023

WATER RIGHT NO. 43-13274

As Modified by Transfer No. 87322

CONDITIONS OF APPROVAL

4. Rights 43-13270, 43-13272, 43-13274, 43-13276, and 43-13278 when combined shall not exceed a total diversion rate of 16.56 cfs, a total annual maximum diversion volume of 3,624 af, and the irrigation of 906 acres.

5. Rights 43-13270, 43-13271, 43- 13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278 and 43-13279 when combined shall not exceed a total diversion rate of 19.45 cfs, a total annual maximum diversion volume of 4256 af, and the irrigation of 1064 acres.

6. Water rights 43-13270, 43-13271, 43- 13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278 and 43-13279 are limited to the irrigation of a specific 1064.0 acres within the 1760.0 acre place of use authorized by these rights in a single irrigation season. The specific 1064.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 1064.0 acres to be irrigated within the 1760.0 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.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than June 28, 2002.

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

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

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

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

SCANNED
FEB 08 2023

WATER RIGHT NO. 43-13276

As Modified by Transfer No. 87322

In accordance with the approval of Transfer No. 87322, Water Right No. 43-13276 is now described as follows:

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

Priority Date: 7/15/1948

Source: GROUND WATER

BENEFICIAL USE	From		To	Diversion Rate	Diversion Volume
IRRIGATION	04/01	to	10/31	4.630 cfs	1107.0 af
				4.630 cfs	1107.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESE	Sec 20 Twp 11S Rge 26E CASSIA County
GROUND WATER	NWNE	Sec 28 Twp 11S Rge 26E CASSIA County
GROUND WATER	SWNW	Sec 28 Twp 11S Rge 26E CASSIA County
GROUND WATER	NENE	Sec 29 Twp 11S Rge 26E CASSIA County
GROUND WATER	SENE	Sec 29 Twp 11S Rge 26E CASSIA County
GROUND WATER	SESE	Sec 29 Twp 11S Rge 26E CASSIA 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
11S	26E	21	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
11S	26E	27					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
11S	26E	28	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
11S	26E	33					40.0	40.0	40.0	40.0									160.0

Right Acre Limit: 276.7
POU Total Acres: 1760.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 276.7 acres within the place of use described above in a single irrigation season.
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. 143.
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 diversions.

Transfer No. 87322

SCANNED
FEB 08 2023

WATER RIGHT NO. 43-13276

As Modified by Transfer No. 87322

CONDITIONS OF APPROVAL

4. Rights 43-13270, 43-13272, 43-13274, 43-13276, and 43-13278 when combined shall not exceed a total diversion rate of 16.56 cfs, a total annual maximum diversion volume of 3,624 af, and the irrigation of 906 acres.

5. Rights 43-13270, 43-13271, 43- 13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278 and 43-13279 when combined shall not exceed a total diversion rate of 19.45 cfs, a total annual maximum diversion volume of 4256 af, and the irrigation of 1064 acres.

6. Water rights 43-13270, 43-13271, 43- 13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278 and 43-13279 are limited to the irrigation of a specific 1064.0 acres within the 1760.0 acre place of use authorized by these rights in a single irrigation season. The specific 1064.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 1064.0 acres to be irrigated within the 1760.0 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.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.

8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than June 28, 2002.

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

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

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

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

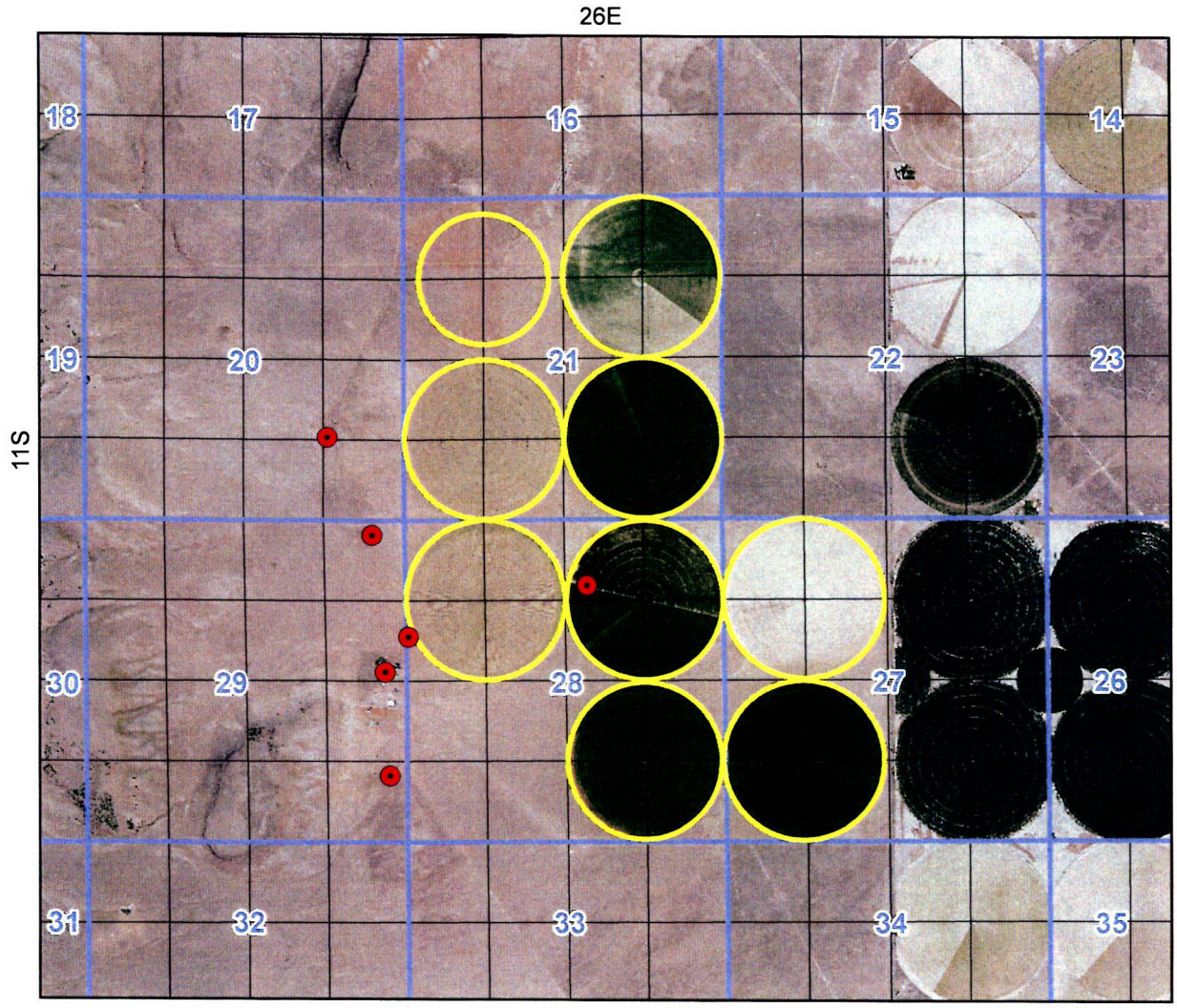
SCANNED
FEB 08 2023

State of Idaho
Department of Water Resources

Attachment to Transfer # 87322

43-13270, 43-13271, 43-13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278, and 43-13279

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



SCANNED
FEB 08 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

January 24, 2025

EVARD LLC
134 E. HIGHWAY 81
BURLEY, ID 83318

RE: UPDATED PAGE 4 FOR WATER SUPPLY BANK CONTRACT 1935 FOR WATER RIGHTS 43-13271, 43-13273, 43-13275, 43-13277, and 43-13279

******TIME SENSITIVE RESPONSE REQUIRED*****

Dear Applicant:

Attached to this cover letter are two copies page 4 for Lease Contract 1935. The legal description for one of the points of diversion was incorrect and updated to match the current water right (WR) records for the proposed WR's 43-13271, 43-13273, 43-13275, 43-13277, and 43-13279. Please disregard and discard the original page 4 for both copies of lease contract 1935 mailed to you on January 16th, 2024. **Please sign and return ALL Lease Contracts, including the updated page 4, within 14 days.**

If you have questions regarding this matter, please contact this office at bank@idwr.idaho.gov or
208-287-4800.

Sincerely,

Skyler Cheever
Water Resource Agent, Sr – State Office
Idaho Dept. of Water Resources

Enclosures: Two Proposed Lease Contract Page 4's

Cc: Representative (via email).

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

January 16, 2025

EVARD LLC
134 E. HIGHWAY 81
BURLEY, ID 83318

RE: APPLICATION TO LEASE WATER RIGHTS 43-13271, 43-13273, 43-13275, 43-13277, AND 43-13279 TO THE WATER SUPPLY BANK CONTRACT 1935

******TIME SENSITIVE RESPONSE REQUIRED*****

Dear Applicant:

The Department of Water Resources has completed its review of your application to lease the above-mentioned water right to the Water Supply Bank. **I have enclosed two original Water Supply Bank Lease Contracts for your review and signature**. **Please sign and return ALL Lease Contracts within 14 days**. Upon signature and return of the contracts, the Department will also sign the original contracts and return an executed copy to you. The Lease Contract is not considered final until you and the Department have both signed.

The right will automatically be released from the Bank on **December 31, 2029,** unless the right is released earlier by the Board, or upon your request. To release the right from the Bank prior to the release date, submit a written request on the Request to Release a Water Right from the Bank form. To propose a new lease period, submit a new Application to Sell or Lease a Water Right to the Water Supply Bank form along with applicable fees to the Department. These forms are available from any IDWR office or from our public website at http://www.idwr.idaho.gov. Please note your right may not be available for immediate release if it has been rented.

Please review the conditions of acceptance listed on the Lease Contract, including #3 which says:

> "While a right is in the bank, **the lessor may not use the right** without approval of the department even if the right is not rented from the bank. Any violation of the terms of this lease may result in enforcement procedures pursuant to Idaho Code § 42-351 for illegal diversion and use of water and may include civil penalties pursuant to Idaho Code § 42-1701B."

If you have questions regarding this matter, please contact this office at bank@idwr.idaho.gov or 208-287-4800.

Sincerely,

Skyler Cheever
Water Resource Agent, Sr – State Office
Idaho Dept. of Water Resources

Enclosures: Two Proposed Lease Contracts

cc: Representative (via email)

Cheever, Skyler

From: Cheever, Skyler
Sent: Friday, January 10, 2025 3:40 PM
To: Skinner, Corey; Ragan, Brian
Subject: Water Supply Bank Lease/Rental Package 3019/3020 Evard LLC
Attachments: Lease Contract 1935 Map.pdf; Lease Contract 1935.pdf; Lease Review Memo 3019.pdf; Rental 899 Map.pdf; Rental Agreement 899.pdf; Rental Review Memo 899.pdf

Hello Corey and Brian ,

I have completed my review of a Water Supply Bank Lease/Rental Application Package with the points of diversion within Administrative Basin 43 and Water District 143 . The applicant for both the lease and rental application is Evard LLC. The applicant proposes to lease portions of water rights 43-13271, 43-13273, 43-13275, and 13279 or 82 acres when combined into the water supply bank from 2025-2029. The applicant proposes to rent the entire lease contract to irrigate 82 acres at a different place of use and diverting from different points of diversion. Attached is a copy of a draft rental agreement, lease/rental review memo and maps of the place of use. If you have any comments on the applicant's proposal or my review, please let me know within 7 days. If you have any questions or concerns, please let me know.

Best,

Skyler

Skyler Cheever
Water Resource Agent, Sr - State Office
(208)-287-4913
Skyler.cheever@idwr.idaho.gov

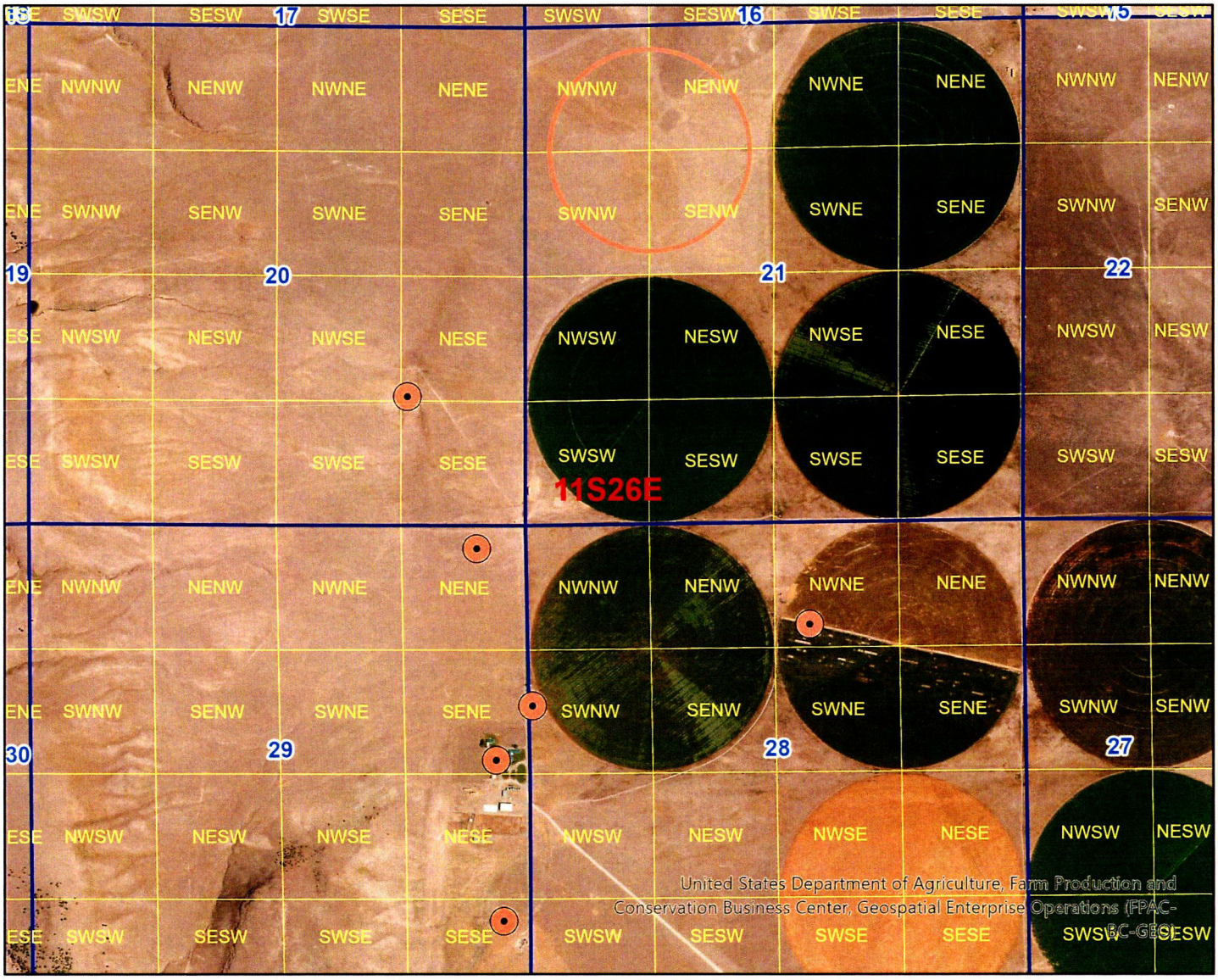
Idaho Dept. of Water Resources
322 E. Front St. PO Box 83720 Boise, ID 83720

Idaho Water Resource Board

Water Supply Bank Lease Contract No. 1935

43-13271, 43-13273, 43-13275, 43-13277, 43-13279
Effective until December 31, 2029

This map depicts the **place of use** to be idled pursuant to the lease contract and is attached to the contract solely for illustrative purposes.



Feet
0 1,000 2,000 3,000

Legend

- Water Supply Bank Lease Point of Diversion
- Water Supply Bank Lease Place of Use
- Township/Range
- Sections
- QQ

N

MEMORANDUM FOR WSB LEASE APPLICATION # 3019

To: Water Right No(s). 43-13271, 43-13273, 43-13275, 43-13277, 43-13279

From: Skyler Cheever, Water Resource Agent, Sr

Date: 12/12/2024

Re: Review & Analysis of Application to Lease Water to the State Water Supply Bank

---

PURPOSE/NARRATIVE:
Application 3019 was sent in by Evard LLC and received on August 15th, 2024, with the correct fee payment received on the same date. This lease application is part of a lease/rental package with rental application 3020. The rental applicant is the same as the lessor and water right (WR) owner. The applicant proposes to lease portions of WR's 43-13271, 43-13273, 43-13275, 43-13277, and 43-13279 (see table 1) into the Water Supply Bank (WSB) from 2025-2029. The proposed points of diversion (POD) are within the Snake River Basin Moratorium Area, Raft River Critical Groundwater Management Area, Raft River Groundwater District and Trust Water Area. The Raft River Groundwater District was notified of this application on January 10th, 2025. This is the first time these water rights have been leased into the WSB.

Table 1. List of Lease Portions of Proposed Water Rights

Water Right #	Rate (CFS)	Volume (AF)	Acres	PPU	Rate/Acre	Vol/Acre
43-13271	0.06	30.5	12.2	1760	0.01	2.50
43-13273	0.36	154.1	73.9	1760	0.01	2.09
43-13275	0.7	237.4	59.3	1760	0.01	4.00
43-13277	0.42	100.2	25.1	1760	0.02	3.99
43-13279	0.14	48.4	12.1	1760	0.01	4.00

AUTHORITY TO FILE:
Reed Gibby signed the application. Mr Gibby has the authority to file this agreement because he is a manager with Square Glass Holdings LLC which is a member of Evard LLC according to the Idaho Secretary of States Office Database. Evard LLC is the current owners of water rights 43-13271, 43-13273, 43-13275, 43-13277, and 43-13279 according to Department records.

WATER RIGHT VALIDITY:
The parent WR's 43-2312B, 43-2314, 43-2482, 43-2500, and 43-2565 were decreed through the SRBA in 2002. The proposed WR's were split and moved to a different place of use (POU) after a transfer in 2003. The remaining WR's 43-13270, 43-13272, 43-13274, 43-13276, and 43-13278 remained at the current POU. According to Google Earth Aerial Imagery the entire previous POU was irrigated from 2003-2022. Another transfer in 2023 moved the POU for the proposed WR's to the current POU. According to Google Earth Imagery the proposed 82 acres of the proposed WR's were likely not irrigated from 2023-2024 or two years of possible nonuse. WR's are likely subject to forfeiture if nonuse occurred beyond the end of the 6th year of nonuse. according to Multiple Programs Memo #3. Therefore, there is enough evidence available to the bank to conclude the proposed WR portions are likely not lost to forfeiture and can be leased into the WSB. There are no other validity concerns.

INJURY TO OTHER WATER RIGHTS:
There are no injury concerns with leasing portions of the proposed WR's. Any injury concerns will be addressed in the review of rental application 3020 which is packaged with this application.

ENLARGEMENT OF USE:
WR's 43-13271, 43-13273, 43-13275, 43-13277, and 43-13279 when combined are limited to 2.89 cfs, 632 af, and the irrigation of 158 acres. The WR's above are also limited when combined with 43-13270, 43-13272, 43-13274, 43-13276, and 43-13278 to 19.45 cfs, 4,256 af, and the irrigation of 1064 acres within a 1760-acre permissible place of use (PPU). The proposed WR's did not historically irrigate the current POU until a transfer moved the POU in 2023. The combined limit between the proposed WR's and other overlapping WR's is additive to the total authorized combined limit. Therefore, it's unlikely there would be any enlargement concerns unstacking the proposed WR portions from the other overlapping WR's. To prevent the enlargement of the unleased portions of the proposed WR's conditions will be added to the contract limiting the individual WR acre limits, combined limit between them, and the total combined limit to the unleased portion remaining. There are no other enlargement concerns.

LOCAL PUBLIC INTEREST:
Review staff has no information to suggest this application is inconsistent with the local public interest.

BENEFICIAL USE/CONSERVATION OF WATER RESOURCES:
The lease appears consistent with the conservation of water resources in Idaho.

DEPARTMENT STAFF OR WATERMASTER COMMENTS:
The proposed points of diversion are within Administrative Basin 43 and Water District 143. The Watermaster and Southern Regional Manager were contacted for comment on January 10th, 2025. No response was received, it's assumed there are no concerns with the applicant's proposal.

IDAHO DEPARTMENT OF WATER RESOURCES **8/22/2024**

Proof Report

Water Right 43-13271

Owner Type	**Name and Address**
Current Owner	EVARD LLC 134 E HIGHWAY 81 BURLEY, ID 83318-5427 (208) 654-2733

Priority Date: 6/8/1961
Basis: Decreed
Status: Active

Source	**Tributary**
GROUND WATER	

Beneficial Use	**From**	**To**	**Diversion Rate**	**Volume**
IRRIGATION	03/15	11/15	0.120 CFS	58.8 AF
	Total Diversion		0.120 CFS	58.8 AF

Source and Point(s) of Diversion:

GROUND WATER	NENE	Sec. 29, Twp 11S, Rge 26E, CASSIA County
GROUND WATER	SENE	Sec. 29, Twp 11S, Rge 26E, CASSIA County
GROUND WATER	SESE	Sec. 29, Twp 11S, Rge 26E, CASSIA County
GROUND WATER	NESE	Sec. 20, Twp 11S, Rge 26E, CASSIA County
GROUND WATER	NWNE	Sec. 28, Twp 11S, Rge 26E, CASSIA County
GROUND WATER	SWNW	Sec. 28, Twp 11S, Rge 26E, CASSIA County

Place Of Use:
IRRIGATION within CASSIA 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
11S	26E	21	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
11S	26E	27					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
11S	26E	28	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
11S	26E	33					40.0	40.0	40.0	40.0									160.0

Right Acre Limit: 23.50
POU Total Acres: 1,760.0

Conditions of Approval:

1.	X27	This right is limited to the irrigation of 23.5 acres within the place of use described above in a single irrigation season.
2.	R05	Use of water under this right may be regulated by a watermaster with

DO NOT SCAN

		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. 143.
3.	R43	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 diversions.
4.	X35	Rights 43-13271, 43-13273, 43-13275, 43-13277, and 43-13279 when combined shall not exceed a total diversion rate of 2.89 cfs, a total annual maximum diversion volume of 632 af, and the irrigation of 158 acres.
5.	X35	Rights 43-13270, 43-13271, 43- 13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278 and 43-13279 when combined shall not exceed a total diversion rate of 19.45 cfs, a total annual maximum diversion volume of 4256 af, and the irrigation of 1064 acres.
6.	206	Water rights 43-13270, 43-13271, 43- 13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278 and 43-13279 are limited to the irrigation of a specific 1064.0 acres within the 1760.0 acre place of use authorized by these rights in a single irrigation season. The specific 1064.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with these rights in the geographic information system component of the water rights database maintained by the department. Before changing the 1064.0 acres to be irrigated within the 1760.0 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.
7.	R64	This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
8.	046	Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
9.	T07	The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
10.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11.	T19	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.

Comments:

1 pskaggs 4/14/2003 Transferred Right
This is now an approved transfer, transfer number = 70382

2 dmaline 7/13/2022 Security interest release
Rabo AgriFinance LLC was removed as security interest holder per letter received June 13, 2022.

3 wmills 12/13/2022 POD
Updated Shape

4 cskinner 2/1/2023 Transferred Right
This is now an approved transfer. Transfer Number = 87322

Dates and Other Information:
Decreed Date: 6/28/2002
State or Federal: S
Water District Number: 143
Mitigation Plan: False

Combined Use Limits:

Rate	Volume	Acres	Water Rights
2.890	632.0	158.0	43-13271 ,43-13273 ,43-13275 ,43-13277 ,43-13279

SubCase:
N/A

Water Supply Bank:

Lease ID: 3019
Lease Type: Application
Lease Status: Received
Lease Start Date: 1/1/2025
Lease End Date: 12/31/2029

Beneficial Use	Div Rate Leased	Div Volume Leased	Acre Limit Leased	Total Acres Leased
Irrigation	0.12	58.80		1760.00

EVARD LLC
GIBBY GROUP AFFILIATE

134 E. Highway 81, Burley, Idaho 83318 ❖ Phone 208-654-2733 ❖ office@gibbygroup.com ❖ Fax 1-866-917-2553

RECEIVED
AUG 19 2024
DEPARTMENT OF
WATER RESOURCES

August 15, 2024

Mary Condon
Water Supply Bank
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Re: Evard LLC lease/rental package

Dear Ms. Condon,

Evard LLC submits the enclosed applications as a lease/rental package to the Water Supply Bank. There are five lease applications involving water right nos. 43-13271, 43-13273, 43-13275, 43-13277, and 43-13279. The lease applications involve overlapping water rights, so we enclosed payment of $500.00.

If you have any questions regarding the lease/rental package, please contact our representative Greg Sullivan at (208) 736-8543 or greg.sullivan@brockwayeng.com.

Sincerely,

Reed Gibby
Manager of Evard LLC

Enclosures

cc: Greg Sullivan