

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 87513**

This is to certify that: GRANDVIEW RANCH LLC
266 W BRIDGE
BLACKFOOT, ID 83221

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

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
35-14836	WR/DECREED	8/12/1976	1.030 cfs	231.5 af	57.9	330.7	GROUND WATER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
35-14828	WR/DECREED	7/26/1960	0.480 cfs	202.6 af	52.7	300.7	GROUND WATER
35-14832	WR/DECREED	8/14/1961	0.870 cfs	261.9 af	65.5	300.7	GROUND WATER
35-14833	WR/LICENSE	3/14/1975	1.010 cfs	277.1 af	69.3	300.7	GROUND WATER
35-14834	WR/LICENSE	3/14/1975	1.520 cfs	305.8 af	76.5	300.7	GROUND WATER
35-14835	WR/DECREED	5/1/1979	0.100 cfs	35.1 af	8.8	300.7	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
35-14836	YES	YES	YES	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
35-14836	35-14866	0.530 cfs	120.0 af	30.0	461.4	35-14836	0.500 cfs	111.5 af	27.9	300.7
COMBINED TOTALS		0.530 cfs	120.0 af	30.0	461.4		N/A	N/A	N/A	N/A

**Support Data
In File # 35-14181**

Transfer No. 87513

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 87513

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 26th day of March, 2024.



Regional Manager



Transfer No. 87513

Support Data
In File # 35-14181

WATER RIGHT NO. 35-14836
As Modified by Transfer No. 87513

In accordance with the approval of Transfer No. 87513, Water Right No. 35-14836 is now described as follows:

Right Holder: LANCE D FUNK AND
 LISA FUNK
 PO BOX 310
 AMERICAN FLS, ID 83211-0310

Priority Date: 8/12/1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.500 cfs	111.5 af
			0.500 cfs	111.5 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESESW	Sec 25 Twp 03S Rge 31E	BINGHAM County
GROUND WATER	NENWSE	Sec 36 Twp 03S Rge 31E	BINGHAM County
GROUND WATER	NENWSW	Sec 36 Twp 03S Rge 31E	BINGHAM County
GROUND WATER	NENENW	Sec 31 Twp 03S Rge 32E	BINGHAM County
GROUND WATER	SWSENW	Sec 31 Twp 03S Rge 32E	BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	31E	25									7.1						6.8		13.9
03S	31E	36			5.8	5.8		5.0	40.0	25.0					5.6	5.6			92.8
03S	32E	30									11.2	35.0	39.0	40.0		1.8	12.0		139.0
03S	32E	31		28.0			8.5	18.5											55.0

Right Acre Limit: 27.9
 POU Total Acres: 300.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 27.9 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14828, 35-14832, 35-14833, 35-14834, 35-14835 and 35-14836 when combined shall not exceed a total diversion rate of 4.38 cfs, a total annual maximum diversion volume of 1194 af at the field headgate, and the irrigation of 300.7 acres.
3. Use of water under this right will 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. 120.

Transfer No. 87513

WATER RIGHT NO. 35-14836
As Modified by Transfer No. 87513

CONDITIONS OF APPROVAL

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. Prior to the diversion and use of water under Transfer approval 77526, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
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 Section 42-235, Idaho Code 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 Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 35-14866

As Modified by Transfer No. 87513

In accordance with the approval of Transfer No. 87513, Water Right No. 35-14866 is now described as follows:

Right Holder: LANCE D FUNK AND
LISA FUNK
PO BOX 310
AMERICAN FLS, ID 83211-0310

Priority Date: 8/12/1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.530 cfs	120.0 af
			0.530 cfs	120.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER NENE Sec 5 Twp 05S Rge 31E BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
04S	31E	32									40.0				40.0								160.0
05S	31E	5	30.7	40.0	40.0	30.7	40.0	40.0	40.0	40.0													301.4

Right Acre Limit: 30.0
POU Total Acres: 461.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 30 acres within the authorized place of use in a single irrigation season.
2. This right is limited to the irrigation of a specific 30.0 acres within the 461.4 acre place of use authorized by this right in a single irrigation season. The specific 30.0 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 30.0 acres to be irrigated within the 461.4 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.
3. 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. 120.

Transfer No. 87513

WATER RIGHT NO. 35-14866
As Modified by Transfer No. 87513

CONDITIONS OF APPROVAL

4. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
5. Prior to the diversion and use of water under Transfer approval 87513, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. 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.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. This right does not grant any right-of-way or easement across the land of another.
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.

WATER RIGHT NO. 35-14828
As Modified by Transfer No. 87513

In accordance with the approval of Transfer No. 87513, Water Right No. 35-14828 is now described as follows:

Right Holder: LISA FUNK AND
 LANCE D FUNK
 PO BOX 310
 AMERICAN FLS, ID 83211-0310

Priority Date: 7/26/1960

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.480 cfs	202.6 af
			0.480 cfs	202.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESESW	Sec 25 Twp 03S Rge 31E	BINGHAM County
GROUND WATER	NENWSE	Sec 36 Twp 03S Rge 31E	BINGHAM County
GROUND WATER	NENWSW	Sec 36 Twp 03S Rge 31E	BINGHAM County
GROUND WATER	NENENW	Sec 31 Twp 03S Rge 32E	BINGHAM County
GROUND WATER	SWSENW	Sec 31 Twp 03S Rge 32E	BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
03S	31E	25																		13.9	
03S	31E	36			5.8	5.8			5.0	40.0	25.0							5.6	5.6		92.8
03S	32E	30												11.2	35.0	39.0	40.0		1.8	12.0	139.0
03S	32E	31		28.0					8.5	18.5											55.0

Right Acre Limit: 52.7
 POU Total Acres: 300.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 52.7 acres within the authorized place of use in a single irrigation season.
2. Rights 35-14828, 35-14832, 35-14833, 35-14834, 35-14835 and 14836 when combined shall not exceed a total diversion rate of 4.38 cfs, a total annual maximum diversion volume of 1194 af at the field headgate, and the irrigation of 300.7 acres.
3. Use of water under this right will 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. 120.

Transfer No. 87513

WATER RIGHT NO. 35-14828
As Modified by Transfer No. 87513

CONDITIONS OF APPROVAL

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. Prior to the diversion and use of water under Transfer approval 77526, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
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 Section 42-235, Idaho Code 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 Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 35-14832
As Modified by Transfer No. 87513

CONDITIONS OF APPROVAL

4. Use of water under this right will 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. 120.
5. 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.
6. Prior to the diversion and use of water under Transfer approval 77526, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. 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.
9. Right No. 35-14835 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 35-14833
As Modified by Transfer No. 87513

CONDITIONS OF APPROVAL

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. Prior to the diversion and use of water under Transfer approval 77526, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. This right is for water held in trust by the state and is subject to review to determine availability of water for the use and to reevaluate the public interest on or after February 5, 2010.
8. 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.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code 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. This water right enjoys the benefit of subordination of hydropower water right nos. 02-00100, 02-4000A, 02-4001A, 02-02032A, 02-4000B, 02-4001B, 02-02032B, 02-02036, 02-02056, 02-02065, 02-02064, 02-10135, 02-02060, 02-02059, 02-02001B, 02-02001A, 02-02057, 37-02128, 37-02472, 37-02471, 37-20710, 37-20709, 36-02013, 36-02018 and 36-02026 only so long as the average daily flows as measured at the Murphy Gage station meet or exceed the minimum stream flows established by state action.

WATER RIGHT NO. 35-14834
As Modified by Transfer No. 87513

CONDITIONS OF APPROVAL

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. Prior to the diversion and use of water under Transfer approval 77526, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
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 Section 42-235, Idaho Code 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.

WATER RIGHT NO. 35-14835
As Modified by Transfer No. 87513

In accordance with the approval of Transfer No. 87513, Water Right No. 35-14835 is now described as follows:

Right Holder: LANCE D FUNK AND
 LISA FUNK
 PO BOX 310
 AMERICAN FLS, ID 83211-0310

Priority Date: 5/1/1979

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	0.100 cfs	35.1 af
			0.100 cfs	35.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NESESW	Sec 25 Twp 03S Rge 31E	BINGHAM County
GROUND WATER	NENWSE	Sec 36 Twp 03S Rge 31E	BINGHAM County
GROUND WATER	NENWSW	Sec 36 Twp 03S Rge 31E	BINGHAM County
GROUND WATER	NENENW	Sec 31 Twp 03S Rge 32E	BINGHAM County
GROUND WATER	SWSENW	Sec 31 Twp 03S Rge 32E	BINGHAM County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
03S	31E	25																		13.9
03S	31E	36			5.8	5.8			5.0	40.0	25.0						5.6	5.6		92.8
03S	32E	30										11.2	35.0	39.0	40.0			1.8	12.0	139.0
03S	32E	31			28.0				8.5	18.5										55.0

Right Acre Limit: 8.8
 POU Total Acres: 300.7

CONDITIONS OF APPROVAL

1. This right is for an enlargement of 8.8 acres within the place of use described for this right.
2. Rights 35-14832 and 35-14835 when combined shall not exceed a total diversion rate of 0.87 cfs, a total annual maximum diversion volume of 297.0 af at the field headgate, and the irrigation of 74.3 acres.
3. Rights 35-14828, 35-14832, 35-14833, 35-14834, 35-14835 and 35-14836 when combined shall not exceed a total diversion rate of 4.38 cfs, a total annual maximum diversion volume of 1194 af at the field headgate, and the irrigation of 300.7 acres.

Transfer No. 87513

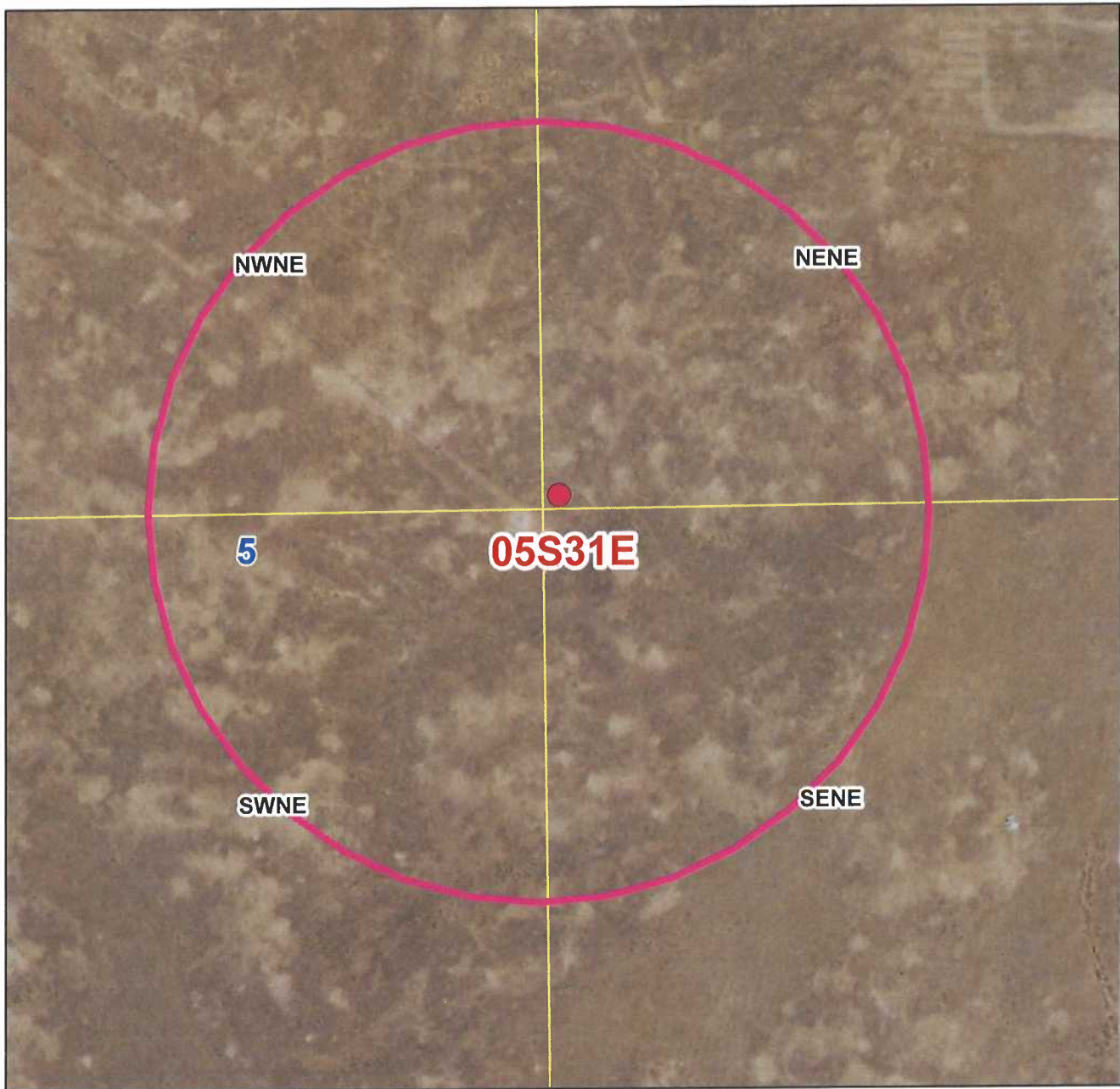
WATER RIGHT NO. 35-14835
As Modified by Transfer No. 87513

CONDITIONS OF APPROVAL

4. Use of water under this right will 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. 120.
5. 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.
6. Prior to the diversion and use of water under Transfer approval 77526, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
7. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
8. 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.
9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
10. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
11. This right is based upon an enlargement of Right No. 35-14832 pursuant to Section 42-1426, Idaho Code.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Attachment to Transfer Approval 87513

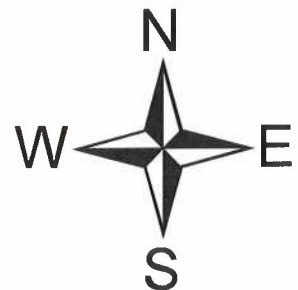

This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

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

0 150 300 600 Feet



Date: 3/26/2024



Governor Brad Little

Director Mathew Weaver

March 26, 2024

GRANDVIEW RANCH LLC
266 W BRIDGE
BLACKFOOT ID 83221

Re: Transfer No: 87513
Water Right No(s): 35-14828, 35-14832, 35-14833, 35-14834, 35-14835,
35-14836

Transfer Approval Notice

Dear Water Right Holder

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

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

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

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

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 525-7161.

Sincerely,



Christina Henman
Administrative Assistant

Enclosure
CC:

BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 WASHINGTON ST N STE 4
TWIN FALLS ID 83301-3082

LISA FUNK
LANCE D FUNK
PO BOX 310
AMERICAN FLS ID 83211-0310

EQUITABLE FINANCIAL LIFE INSURANCE CO
C/O EQUITABLE AGRIFINANCE LLC
6300 C ST SW STOP 3B-CR
CEDAR RAPIDS IA 52404-7470

IDAHO POWER COMPANY
C/O SCOTT N PUGRUD
1221 W IDAHO ST
PO BOX 70
BOISE ID 83707-0070

MARTEN LAW LLP
PO BOX 2139
BOISE ID 83701-2139

CERTIFICATE OF SERVICE

I hereby certify that on March 26, 2024 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.: 87513

**Water Right No(s): 35-14828, 35-14832, 35-14833, 35-14834, 35-14835,
35-14836**

**GRANDVIEW RANCH LLC
266 W BRIDGE
BLACKFOOT ID 83221**

**BROCKWAY ENGINEERING PLLC
C/O GREG SULLIVAN
2016 WASHINGTON ST N STE 4
TWIN FALLS ID 83301-3082**

**LISA FUNK
LANCE D FUNK
PO BOX 310
AMERICAN FLS ID 83211-0310**

**EQUITABLE FINANCIAL LIFE INSURANCE CO
C/O EQUITABLE AGRIFINANCE LLC
6300 C ST SW STOP 3B-CR
CEDAR RAPIDS IA 52404-7470**

**IDAHO POWER COMPANY
C/O SCOTT N PUGRUD
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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.

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.