

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEC 18 2023

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Department of Water Resources
Eastern RegionName of Applicant(s) STEELE LAND HOLDINGS LLCPhone 2083905717Mailing address 6130 1ST ST, IDAHO FALLS, ID 83401-5865

Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

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

☐ No RepresentativeName of Representative Rocky Mountain Environmental Associates, Inc.Phone 208-524-2353Mailing address 482 Constitution Way, Ste 303, Idaho Falls, ID 83402Email kristin.rmea@gmail.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

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

H. Scott Steele
Signature of Applicant or Authorized Representative

H. Scott Steele Manager
Print Name and Title if applicable

12/14/2023
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
☐ Change nature of use
☐ Add diversion point(s)
☐ Change period of use
☒ Change place of use
☐ Other _____
- Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.
Applicant proposes to transfer the stockwater right #25-4304 to the proposed POU, which was just purchased by applicant. The current feed lot at the existing POU will be relocated to the proposed POU in a gradual transition.

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APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

Department of Water Resources
Eastern Region

5. General Information:

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

Two wells deliver water for the stockwater operation and measurement systems can be installed at that time the system is set up. One well is already existing, and the other has yet to be drilled.

- b. Who owns the property at the point(s) of diversion? Applicant. Recently purchased.

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

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☒ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: Northwest Farm Credit - mortgage.

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

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

The existing POU will no longer function as a feed lot and this water right will no longer be required at this location.

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

WR #35-2721 overlaps the proposed POU but is an irrigation WR. It is understood that it will not be conveyed with the land upon purchase. Applicant will not own this water right.

At the existing POU/POD, right 25-7526 also delivers stockwater for the same feed lot.

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

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

9/20/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 25-4304

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STEELE LAND HOLDINGS LLC C/O H SCOTT STEELE 6130 1ST ST IDAHO FALLS, ID 83401-5865 2083905717
Original Owner	KEY BANK OF IDAHO 802 W BANNOCK ST PO BOX 2757 BOISE, ID 83701 2083347155
Original Owner	KEITH SKAAR 363 LARIAT LN IDAHO FALLS, ID 83404 2085235713

Priority Date: 01/01/1963

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	12/31	0.23 CFS	33.6 AFA
Total Diversion			0.23 CFS	33.6 AFA

Location of Point(s) of Diversion:

GROUND WATER|SWNENW Lt 3|Sec. 04|Township 02N|Range 38E|BONNEVILLE County

Place(s) of use:

Place of Use Legal Description: STOCKWATER BONNEVILLE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
02N	38E	4	3	NENW			SEnw							

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. X02 Stockwater use is for 2500 range cattle.

Dates:

Licensed Date:

Decreed Date: 09/30/2005

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

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

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

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

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

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

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

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

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page.

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

Received by _____
 Fee paid \$500.00 (930 check) Date 12/18/23 Received by Cdh Receipt # E049687

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

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

Eastern Snake Plain Aquifer Modeling Analysis

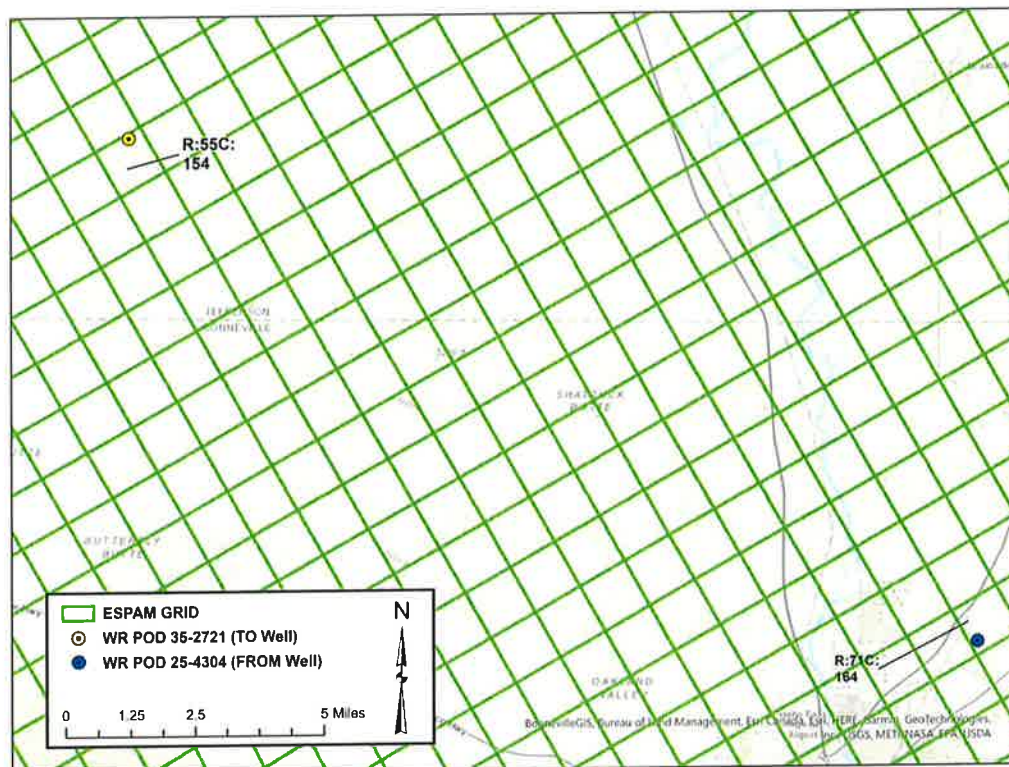
STEELE LAND HOLDINGS LLC

The Applicant proposes to transfer the stock water right (with a diversion rate of 0.23 cfs and a volume of 33.6AFA) to the proposed POU. The points of diversion included in this modeling analysis are identified to be located in the following grid cells:

TO Well	R55 C154
FROM Well 1	R71 C164

The TO Well location is two proposed well locations for the applicant's operation. These wells have not yet been drilled.

Figure 1



Using ESPAM 2.1 to simulate the depletions of transferring 33.6 AFA (11.2 AF/trimester) from the original point of diversion to the proposed point of diversion, the affects do not exceed the threshold of 2.0 af/trimester. **No mitigation is required.**

Figures 2-4 include excerpts from the ESPAM 2.1 simulation.

Figure 2. Data Entry

ENHANCED GROUND-WATER RIGHTS TRANSFER
UNIVERSITY OF IDAHO - IDAHO WATER RESOURCES RESEARCH INSTITUTE IDAHO DEPARTMENT OF AGRICULTURE

Cells this color are set up for user entries

ENTER STARTING DATE FOR SIMULATION. THEN PUSH "UPDATE DATES" BUTTON

TRANSFER NO: 25-4304

YEAR: 1963

SEASON: WINTER

TRANSFER NAME: Steele

UPDATE DATES RUN MODEL GET OUTPUT

CALCULATE EFFECTS

ENTER CELL LOCATIONS:

	'TO' CELL	'FROM1' CELL	'FROM2' CELL	'FROM3' CELL
ROW	55	71	0	0
COLUMN	154	164	0	0

TRIMESTER OF ACTIVITY	TO WELL	FROM1 WELL		FROM2 WELL		FROM3 WELL	
	Projected Use AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER	With Transfer AF/TRIMESTER	Without Transfer AF/TRIMESTER
WIN 1963	0.00	11.20	11.20	0.00	0.00	0.00	0.00
SPR 1964	0.00	11.20	11.20	0.00	0.00	0.00	0.00
SUM 1964	0.00	11.20	11.20	0.00	0.00	0.00	0.00
SUM 2021	0.00	11.20	11.20	0.00	0.00	0.00	0.00
WIN 2021	0.00	11.20	11.20	0.00	0.00	0.00	0.00
SPR 2022	0.00	11.20	11.20	0.00	0.00	0.00	0.00
SUM 2022	0.00	11.20	11.20	0.00	0.00	0.00	0.00
WIN 2022	0.00	11.20	11.20	0.00	0.00	0.00	0.00
SPR 2023	11.20	0.00	11.20	0.00	0.00	0.00	0.00
SUM 2023	11.20	0.00	11.20	0.00	0.00	0.00	0.00
WIN 2023	11.20	0.00	11.20	0.00	0.00	0.00	0.00
SPR 2024	11.20	0.00	11.20	0.00	0.00	0.00	0.00
SUM 2024	11.20	0.00	11.20	0.00	0.00	0.00	0.00
WIN 2024	11.20	0.00	11.20	0.00	0.00	0.00	0.00
SPR 2025	11.20	0.00	11.20	0.00	0.00	0.00	0.00
SUM 2025	11.20	0.00	11.20	0.00	0.00	0.00	0.00
WIN 2025	11.20	0.00	11.20	0.00	0.00	0.00	0.00
SPR 2026	11.20	0.00	11.20	0.00	0.00	0.00	0.00
SUM 2026	11.20	0.00	11.20	0.00	0.00	0.00	0.00
WIN 2026	11.20	0.00	11.20	0.00	0.00	0.00	0.00
SPR 2027	11.20	0.00	11.20	0.00	0.00	0.00	0.00
SUM 2027	11.20	0.00	11.20	0.00	0.00	0.00	0.00
WIN 2027	11.20	0.00	11.20	0.00	0.00	0.00	0.00
SPR 2028	11.20	0.00	11.20	0.00	0.00	0.00	0.00
SUM 2028	11.20	0.00	11.20	0.00	0.00	0.00	0.00
WIN 2028	11.20	0.00	11.20	0.00	0.00	0.00	0.00
SPR 2029	11.20	0.00	11.20	0.00	0.00	0.00	0.00
SUM 2029	11.20	0.00	11.20	0.00	0.00	0.00	0.00
WIN 2029	11.20	0.00	11.20	0.00	0.00	0.00	0.00
SPR 2030	11.20	0.00	11.20	0.00	0.00	0.00	0.00

Figure 3. Net Transfer Graphs

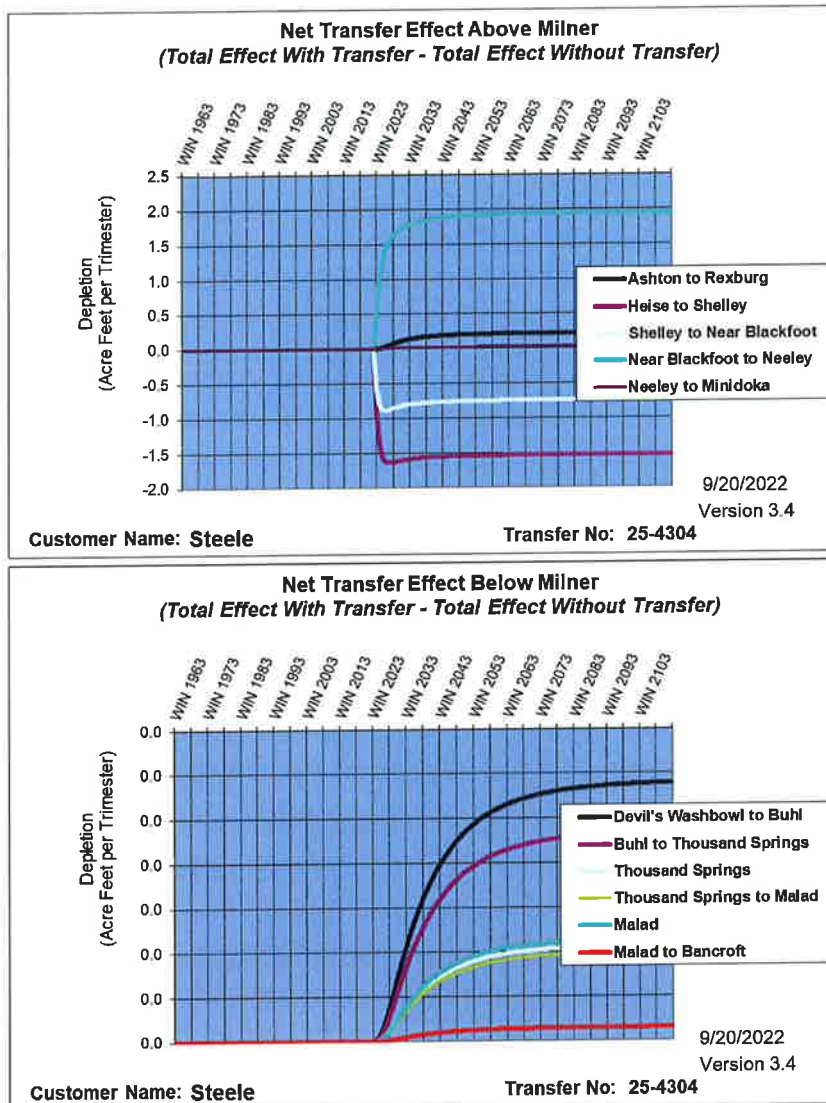


Figure 4. Calculated Effects.

	Net Transfer Effect (AF/four months)										
	Ashton to Rexburg	Heise to Shelley	Shelley to Nr Bickft	Neeley to Neeley	Dev. Wbl. Minidoka	Buhl to Buhl	Kspr Kspr	Kspr to Malad	Malad Malad	Malad to Bancroft	
WIN 1963	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 1964	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 1964	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2026	0.0	-1.6	-0.9	1.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2026	0.0	-1.6	-0.9	1.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2027	0.0	-1.6	-0.9	1.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2027	0.1	-1.6	-0.9	1.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2027	0.1	-1.6	-0.9	1.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2028	0.1	-1.6	-0.9	1.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2028	0.1	-1.6	-0.9	1.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2028	0.1	-1.6	-0.9	1.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2029	0.1	-1.6	-0.8	1.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2029	0.1	-1.6	-0.8	1.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2029	0.1	-1.6	-0.8	1.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2030	0.1	-1.6	-0.8	1.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2030	0.1	-1.6	-0.8	1.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2030	0.1	-1.6	-0.8	1.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2031	0.1	-1.6	-0.8	1.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2031	0.1	-1.6	-0.8	1.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2031	0.1	-1.6	-0.8	1.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2032	0.1	-1.6	-0.8	1.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2032	0.1	-1.6	-0.8	1.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2032	0.1	-1.6	-0.8	1.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2033	0.1	-1.6	-0.8	1.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2033	0.1	-1.6	-0.8	1.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2033	0.1	-1.6	-0.8	1.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2034	0.1	-1.6	-0.8	1.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2034	0.1	-1.6	-0.8	1.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2034	0.1	-1.6	-0.8	1.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2035	0.2	-1.6	-0.8	1.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2035	0.2	-1.6	-0.8	1.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2035	0.2	-1.6	-0.8	1.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2036	0.2	-1.6	-0.8	1.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2036	0.2	-1.6	-0.8	1.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2036	0.2	-1.6	-0.8	1.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2037	0.2	-1.6	-0.8	1.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2037	0.2	-1.6	-0.8	1.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2037	0.2	-1.6	-0.8	1.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2038	0.2	-1.6	-0.8	1.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2038	0.2	-1.6	-0.8	1.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2038	0.2	-1.6	-0.8	1.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2039	0.2	-1.6	-0.8	1.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2039	0.2	-1.6	-0.8	1.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2039	0.2	-1.6	-0.8	1.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2040	0.2	-1.6	-0.8	1.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2040	0.2	-1.6	-0.8	1.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2040	0.2	-1.6	-0.8	1.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2041	0.2	-1.6	-0.8	1.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2041	0.2	-1.6	-0.8	1.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2041	0.2	-1.6	-0.8	1.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2042	0.2	-1.6	-0.8	1.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2042	0.2	-1.6	-0.8	1.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2042	0.2	-1.6	-0.8	1.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2043	0.2	-1.5	-0.8	1.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2043	0.2	-1.5	-0.8	1.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0
WIN 2043	0.2	-1.5	-0.8	1.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SPR 2044	0.2	-1.5	-0.8	1.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SUM 2044	0.2	-1.5	-0.8	1.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Enter First Time Step of Transfer: SPR 2010													
Match:	140	Match:	456										
	AtR	HiS	StNB	NBN	NIM	DWIB	BTs	TS	TStM	M	MIB	Total	
Preexisting Effects @ SS (Last Time Step):	0.44	2.76	3.83	3.94	0.05	0.06	0.05	0.02	0.02	0.02	0.00	11.20	Total Effect
Steady State - Value of Dep. @ Last Time Step:	0.66	1.23	3.09	5.88	0.08	0.09	0.07	0.03	0.03	0.03	0.00	11.19	Total Effect
ts @ Transient State (Max Value Timestep):	0.44	2.76	3.83	3.94	0.05	0.06	0.05	0.02	0.02	0.02	0.00	11.20	Total Effect
nt State - Max. Value of Dep. After Transfer:	0.66	2.76	3.83	5.88	0.08	0.09	0.07	0.03	0.03	0.03	0.00	13.46	Total Effect
Steady State Change:	0.22	-1.53	-0.74	1.94	0.03	0.03	0.02	0.01	0.01	0.01	0.00		
Transient State Change:	0.22	0.00	0.00	1.94	0.03	0.03	0.02	0.01	0.01	0.01	0.00		



Northwest
FARM CREDIT SERVICES

1215 Pier View Dr
Idaho Falls, ID 83402-4966
Voice: 208.552.2300 Fax: 208.552.2305

October 5, 2022

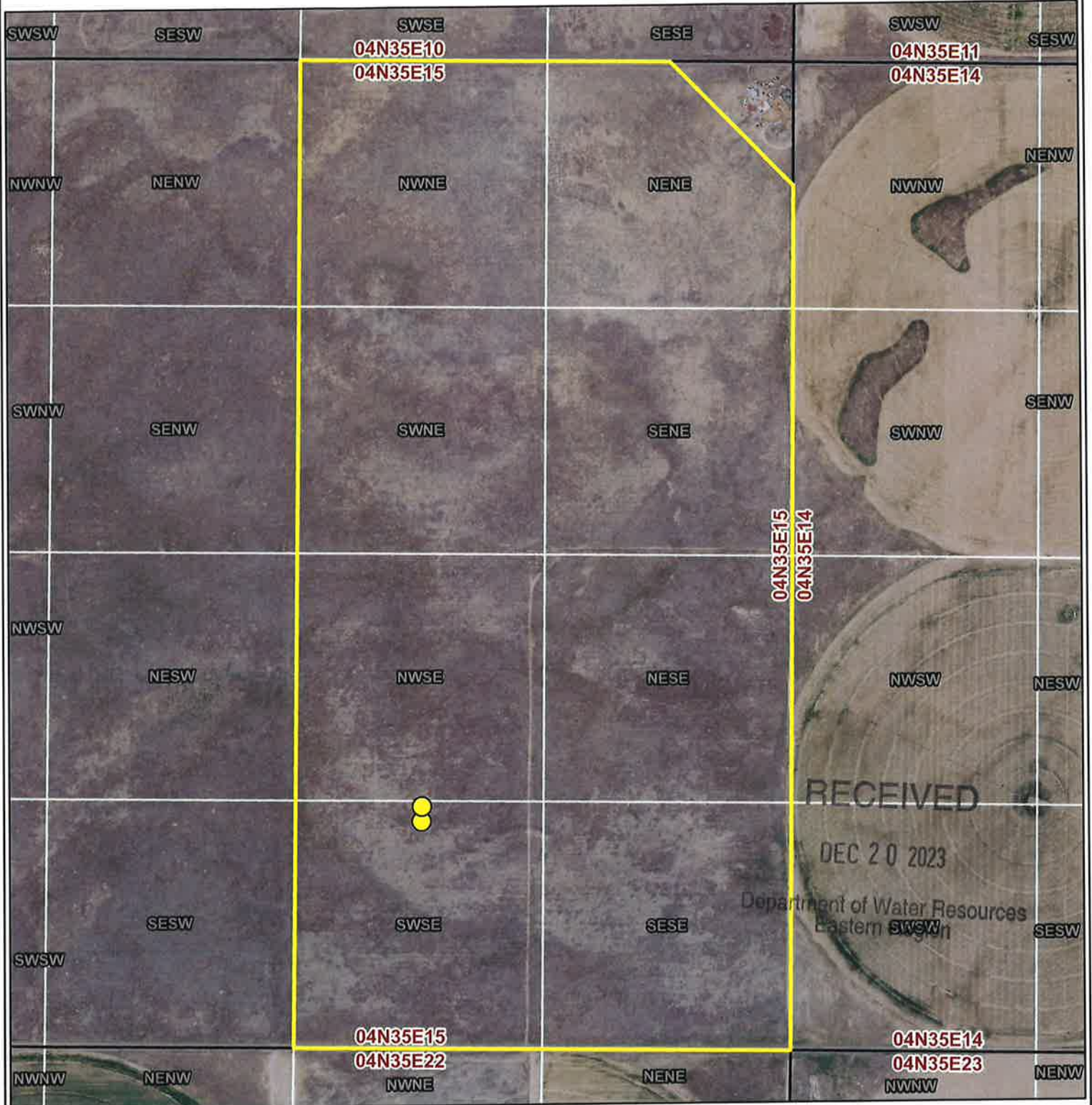
To Whom it may Concern:

Northwest Farm Credit Services hereby authorizes a transfer of water right number 25-4304 from land in Section 4 of Township 2 North, Range 38 East to be relocated to other lands being purchased by Steele Land Holdings LLC.

If you have any questions please reach out to me.

Sincerely,

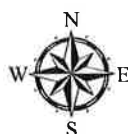
Cody Hendrix
Relationship Manager, VP
208.552.2300
Cody.Hendrix@northwestfcs.com



0 0.1 0.2 0.4 Miles

2021 NAIP

- Proposed POD
- Proposed POU
- Twn & Rng
- Section
- QQ



Proposed Water Right Steele Land Holdings LLC

Project #: 22-0013

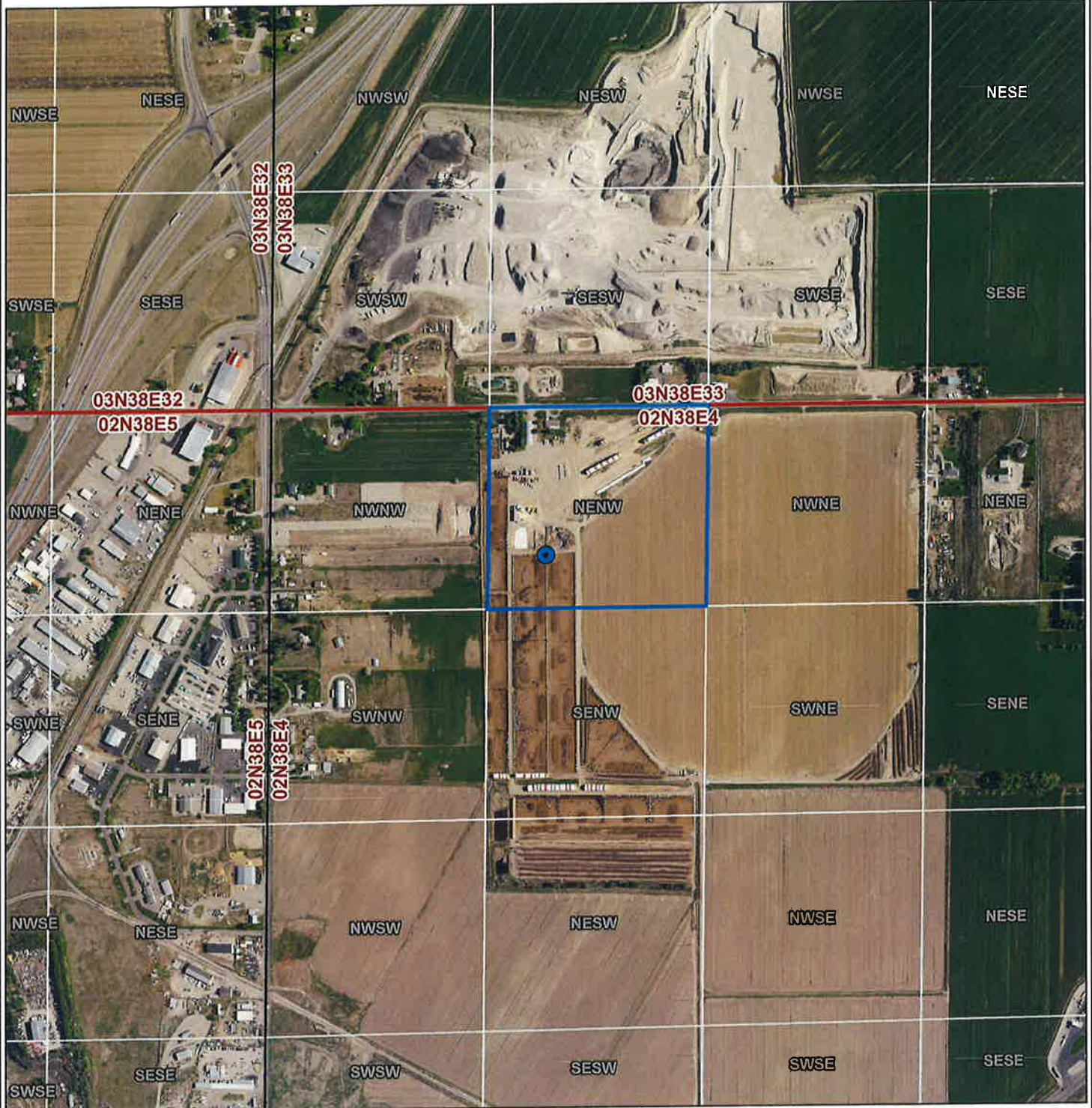
Drawn by: AD

Date: 12/14/2023



Rocky Mountain
ENVIRONMENTAL
ASSOCIATES, INC.

88742



0 0.1 0.2 0.4 Miles

2021 NAIP

- WR POD 25-4304 (FROM Well)
- WR POU 25-4304
- ▬ Twn & Rng
- ▬ Section
- ▬ QQ



Existing Water Right

Steele Land Holdings LLC

Project #: 22-0013

Drawn by: AD

Date: 10/4/2022



Rocky Mountain
ENVIRONMENTAL
ASSOCIATES, INC.

88742

Instrument # 479744

RIGBY, JEFFERSON, IDAHO

05-25-2023 11:16:02 AM

No. of Pages: 2

Recorded for: TITLE FINANCIAL SPECIALTY SERVICES

COLLEEN C POOLE

Fee: \$15.00

Ex-Officio Recorder Deputy: LK

Index To: WARRANTY DEED

Electronically Recorded by Simplifile

AFTER RECORDING MAIL TO:

Steele Land Holdings, LLC
6130 1st Street
Idaho Falls, ID 83401

SPECIAL WARRANTY DEED

File No.: **108622IDA (sr)**

Date: **May 25, 2023**

For Value Received, **TFES 1062, LLC**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Steele Land Holdings, LLC**

whose current address is **6130 1st Street, Idaho Falls, ID 83401**

hereinafter called the Grantee, the following described premises, situated in **Jefferson County, Idaho**, to-wit:

Township 4 North, Range 35 East, Boise Meridian, Jefferson County, Idaho.

Section 15: The East Half EXCEPTING THEREFROM: The South 30 feet.

ALSO EXCEPTING THEREFROM: Section 15, beginning at the Northeast corner of said Section 15 and running thence West 660 feet; thence in a

Southeasterly direction 950 feet, more or less, to a point on the East Section line of said Section 15, said point being 660 feet South Of the point of beginning; thence North 660 feet to the point of beginning.

Grantor does hereby covenant with Grantee(s), their heirs, successors and assigns, that Grantor will warrant and defend the said granted premises against the lawful claims and demands of all persons claiming by, through and under Grantor, but against no other claims and no other persons, including predecessors in title.

Date: 05/25/2023

Warranty Deed
- continued

File No.: 108622IDA (sr)

Dated: May 25, 2023

TFES 1062, LLC

Kourtney Okeke

Title Financial Specialty Services, Inc., Member

By: Kourtney Okeke

It's: Assistant Secretary

STATE OF IDAHO)

:ss

COUNTY OF BINGHAM)

On this Twenty-fifth day of May, 2023, before me, a Notary Public in and for said State, personally appeared Kourtney Okeke, known or identified to me to be the Assistant Secretary of the corporation, a corporation that executed the instrument on behalf of said corporation which is a member of TFES 1062, LLC, and on behalf of the member subscribed said Limited Liability Company name to the foregoing instrument, and acknowledged to me that such corporation executed the same in said Limited Liability Company name.

Rae Albert

Notary Public for Idaho
Residing in Blackfoot, ID

Commission Expires: _____



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

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

I.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	25-4304	0.23 cfs	Stockwater	1/01 to 12/31	Groundwater
☐ ☐		33.6 AFA		to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.23 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 0.23 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
N			NW	SE	15	4N	35E	Jefferson	Groundwater	
Y			NW	SE	15	4N	35E	Jefferson	Groundwater	

SUPERCEDED

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

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	35E	15	S	S	S	S									S	S	S	S	
Total Acres (for irrigation use)																			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

SUPERCEDED

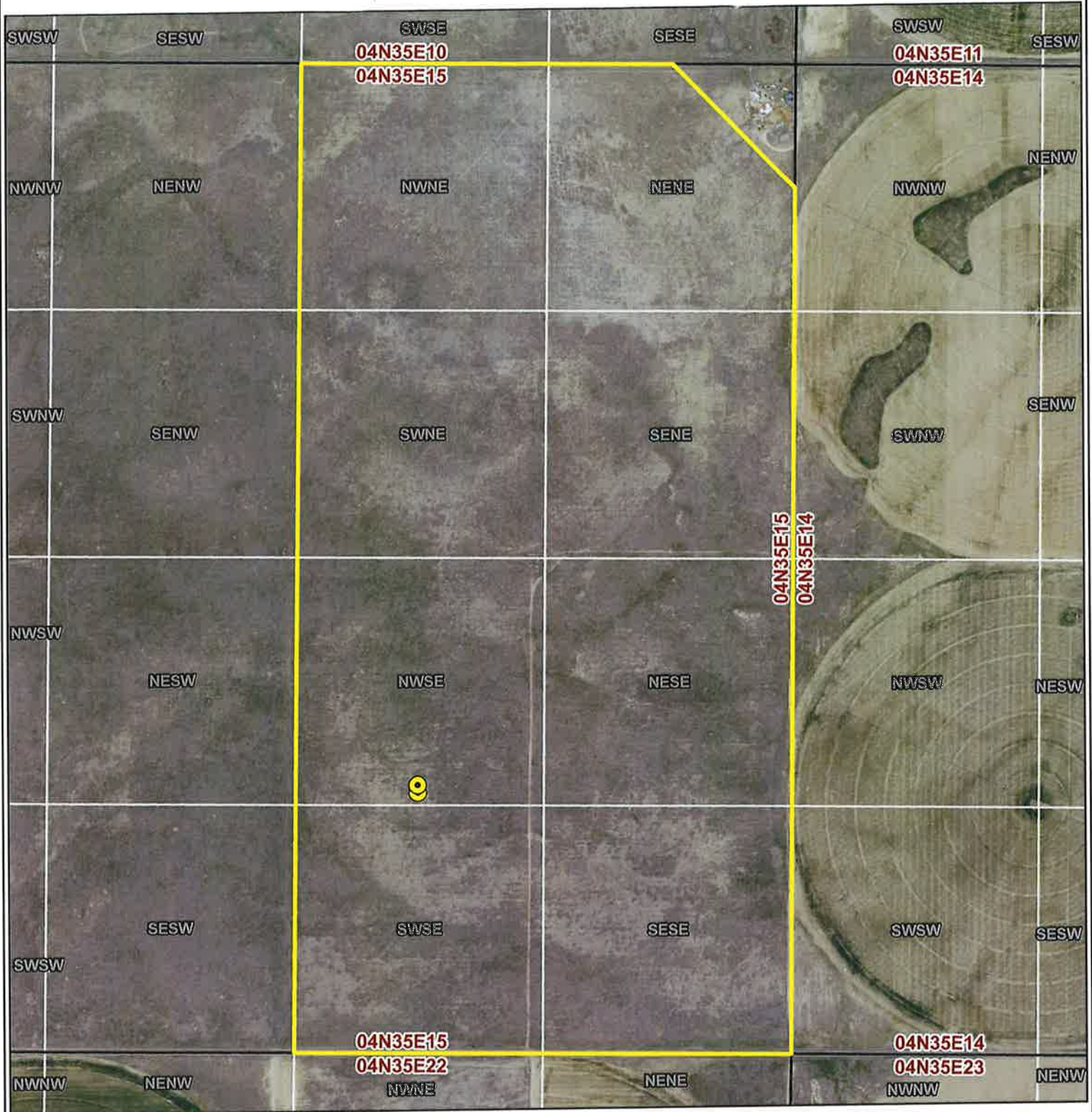
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:
Two wells will be drilled in the Southeast quarter and measurement systems can be installed at that time.
-
- b. Who owns the property at the point(s) of diversion? Applicant. Recently purchased.
 If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
-
- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☒ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: Northwest Farm Credit - mortgage.
-
- It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.
- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
The existing POU will no longer function as a feed lot and this water right will no longer be required at this location.
-
- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
WR #35-2721 overlaps the proposed POU but is an irrigation WR. It is understood that it will not be conveyed with the land upon purchase. Applicant will not own this water right.
At the existing POU/POD, right 25-7526 also delivers stockwater for the same feed lot.
-
- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:
- Yes No**
- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:



0 0.1 0.2 0.4 Miles

2021 NAIP

● Proposed Well Location (Approx.)

■ Proposed POU

■ Twn & Rng

■ Section

■ QQ

SUPERCEDED



Proposed Water Right

Steele Land Holdings LLC

Project #: 22-0013

Drawn by: AD

Date: 10/4/2022



Rocky Mountain
ENVIRONMENTAL
ASSOCIATES, INC.

88742



Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

January 24, 2024

STEELE LAND HOLDINGS LLC
6130 1ST ST
IDAHO FALLS, ID 83401-5865

RE: Transfer No. 88742
Water Right No(s). 35-14848

Dear Applicant:

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the JEFFERSON STAR on 1/31/2024 and 2/7/2024. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in blue ink, appearing to be "CH", is written over a faint, larger blue signature.

Christina Henman
Administrative Assistant

Henman, Christina

From: Henman, Christina
Sent: Wednesday, January 24, 2024 11:36 AM
To: legalnotices@jeffersonstarnews.com
Subject: Legal Notice for Jefferson Star
Attachments: 88742 Jefferson Star.docx

LEGAL NOTICE DEPARTMENT
JEFFERSON STAR
PO BOX 37
RIGBY, ID 83442

RE: Transfer No. 88742
Water Right No(s). 35-14848

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 2/20/2024. Your cooperation is appreciated.

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 88742

STEELE LAND HOLDINGS LLC, 6130 1ST ST, IDAHO FALLS, ID 83401-5865 has filed Application No. 88742 for changes to the following water rights within JEFFERSON County(s): Right No(s). 35-14848; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion, add point of diversion, and change place of use. Proposed points of diversion are 2 wells in SWSE Sec 15 T04N R35E for 0.23 cfs from ground water. Proposed place of use is in E1/2 Sec 15 T04N R35E for stockwater.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 2/20/2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 1/31/2024 and 2/7/2024