

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 88143**

This is to certify that: **ANDERLAND LLC**
488 RIVERSIDE DR
BURLEY, ID 83318-5419

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>
45-13394	WR/DECREED	2/6/1979	0.050 cfs	11.1 af	N/A	N/A	GROUND WATER
45-13396	WR/DECREED	5/9/1952	0.520 cfs	94.9 af	N/A	N/A	GROUND WATER
45-14554	WR/DECREED	9/27/1972	0.430 cfs	130.3 af	32.5	33.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
45-13394	NO	NO	YES	NO	NO	NO
45-13396	NO	NO	YES	NO	NO	NO
45-14554	YES	YES	YES	NO	YES	YES

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>
45-13394	45-13394	0.050 cfs	11.1 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
45-13396	45-13396	0.520 cfs	94.9 af	N/A	N/A	N/A	N/A	N/A	N/A	N/A
45-14554	45-14555	0.240 cfs	58.3 af	N/A	N/A	45-14554	0.190 cfs	58.0 af	14.5	33.0
COMBINED TOTALS		0.760 cfs	164.3 af	N/A	N/A		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 17th day of November, 2023.


Southern Region Manager

SUPPORT DATA

IN FILE # 45-13394

Transfer No. 88143

WATER RIGHT NO. 45-13394**As Modified by Transfer No. 88143**

In accordance with the approval of Transfer No. 88143, Water Right No. 45-13394 is now described as follows:

Right Holder: ANDERLAND LLC
488 RIVERSIDE DR
BURLEY, ID 83318-5419

Priority Date: 2/6/1979

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to 12/31	0.050 cfs	11.1 af
STOCKWATER	01/01	to 12/31	0.050 cfs	11.1 af
			0.050 cfs	11.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSENW	Sec 16 Twp 10S Rge 25E	CASSIA County
GROUND WATER	SWSENW	Sec 16 Twp 10S Rge 25E	CASSIA County
GROUND WATER	SWSENW	Sec 16 Twp 10S Rge 25E	CASSIA County
GROUND WATER	SWSENW	Sec 16 Twp 10S Rge 25E	CASSIA County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	25E	16			X					X	X					X			

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	25E	16			X					X	X					X			

CONDITIONS OF APPROVAL

1. 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. 140.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

WATER RIGHT NO. 45-13394

As Modified by Transfer No. 88143

CONDITIONS OF APPROVAL

3. Rights 45-13394 and 45-13396 when combined shall not exceed a total diversion rate of 0.52 cfs, nor a total annual maximum diversion volume of 106 af at the field headgate.
4. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 45-13396**As Modified by Transfer No. 88143**

In accordance with the approval of Transfer No. 88143, Water Right No. 45-13396 is now described as follows:

Right Holder: ANDERLAND LLC
488 RIVERSIDE DR
BURLEY, ID 83318-5419

Priority Date: 5/9/1952

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
COMMERCIAL	01/01	to 12/31	0.520 cfs	94.9 af
STOCKWATER	01/01	to 12/31	0.520 cfs	94.9 af
			0.520 cfs	94.9 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSENW	Sec 16 Twp 10S Rge 25E	CASSIA County
GROUND WATER	SWSENW	Sec 16 Twp 10S Rge 25E	CASSIA County
GROUND WATER	SWSENW	Sec 16 Twp 10S Rge 25E	CASSIA County
GROUND WATER	SWSENW	Sec 16 Twp 10S Rge 25E	CASSIA County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	25E	16			X					X	X					X			

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	25E	16			X					X	X					X			

CONDITIONS OF APPROVAL

1. 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. 140.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

Transfer No. 88143

WATER RIGHT NO. 45-13396
As Modified by Transfer No. 88143

CONDITIONS OF APPROVAL

3. Rights 45-13394 and 45-13396 when combined shall not exceed a total diversion rate of 0.52 cfs, nor a total annual maximum diversion volume of 106 af at the field headgate.
4. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
5. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 45-14554**As Modified by Transfer No. 88143**

In accordance with the approval of Transfer No. 88143, Water Right No. 45-14554 is now described as follows:

Right Holder: ANDERLAND LLC
488 RIVERSIDE DR
BURLEY, ID 83318-5419

Priority Date: 9/27/1972

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4/01	to 10/15	0.190 cfs	58.0 af
			0.190 cfs	58.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENENE	Sec 24 Twp 10S Rge 24E	CASSIA County
GROUND WATER	SWNWNE	Sec 24 Twp 10S Rge 24E	CASSIA County
GROUND WATER	NESWSE	Sec 18 Twp 10S Rge 25E	CASSIA 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	
10S	25E	19					17.0	16.0											33.0
							L 1												

Right Acre Limit: 14.5

POU Total Acres: 33.0

CONDITIONS OF APPROVAL

1. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 14.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
3. 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.

Transfer No. 88143

WATER RIGHT NO. 45-14554
As Modified by Transfer No. 88143

CONDITIONS OF APPROVAL

4. Approval of this transfer does not confirm the validity of this water right.



WATER RIGHT NO. 45-14555**As Modified by Transfer No. 88143**

In accordance with the approval of Transfer No. 88143, Water Right No. 45-14555 is now described as follows:

Right Holder: ANDERLAND LLC
488 RIVERSIDE DR
BURLEY, ID 83318-5419

Priority Date: 9/27/1972

Source: GROUND WATER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
COMMERCIAL	1 /1	to 12/31	0.240 cfs	58.3 af
STOCKWATER	1 /1	to 12/31	0.240 cfs	58.3 af
			0.240 cfs	58.3 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSENW	Sec 16 Twp 10S Rge 25E	CASSIA County
GROUND WATER	SWSENW	Sec 16 Twp 10S Rge 25E	CASSIA County
GROUND WATER	SWSENW	Sec 16 Twp 10S Rge 25E	CASSIA County
GROUND WATER	SWSENW	Sec 16 Twp 10S Rge 25E	CASSIA County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	25E	16			X					X	X					X			0.0

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	25E	16			X					X	X					X			0.0

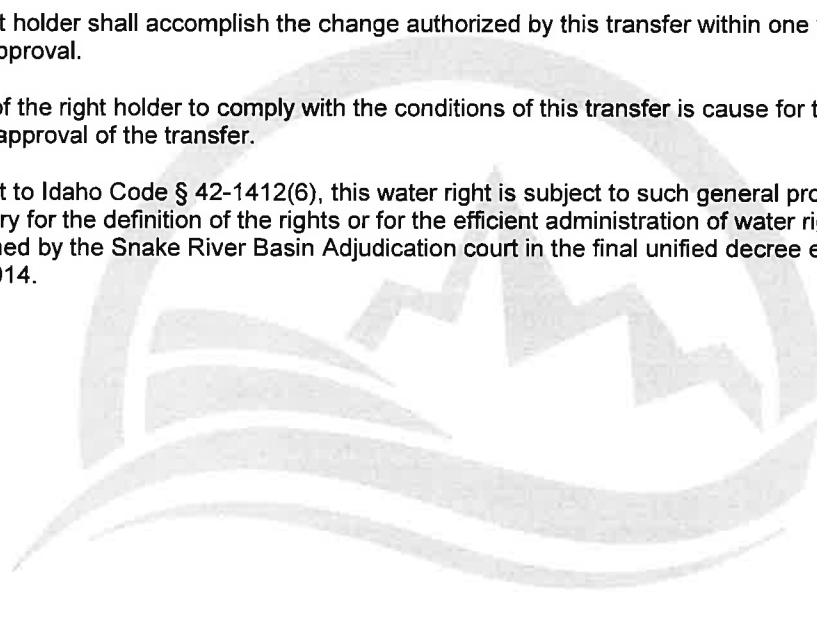
CONDITIONS OF APPROVAL

1. 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. 140.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

Transfer No. 88143

WATER RIGHT NO. 45-14555
As Modified by Transfer No. 88143

CONDITIONS OF APPROVAL

3. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
 4. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
 5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
 6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
 7. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.
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State of Idaho
Department of Water Resources
Attachment to Transfer # 88143
45-13394, 45-13396, and 45-14555

This map depicts the COMMERCIAL & STOCKWATER 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.



0 0.1 0.2 0.4 Miles

-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  State Outline





IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

November 22, 2023

ANDERLAND LLC
488 RIVERSIDE DR
BURLEY ID 83318-5419

Re: Transfer No: 88143
Water Right No(s): 45-13394, 45-13396, 45-14554

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

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) 736-3033.

Sincerely,



Corey Skinner
Southern Regional Manager

Enclosure

c:

BASIN WIDE WATER LLC
CORBIN KNOWLES
PO BOX 195
KUNA ID 83634-0195

WATER DISTRICT 140
JAXON HIGGS
355 W 500 S
BURLEY ID 83318-5229

CERTIFICATE OF SERVICE

I hereby certify that on November 22, 2023 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 88143

Water Right No(s): 45-13394, 45-13396, 45-14554

ANDERLAND LLC
488 RIVERSIDE DR
BURLEY ID 83318-5419

BASIN WIDE WATER LLC
CORBIN KNOWLES
PO BOX 195
KUNA ID 83634-0195

WATER DISTRICT 140
JAXON HIGGS
355 W 500 S
BURLEY ID 83318-5229



Denise Maline
Administrative Assistant

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.

MEMORANDUM

Date: August 21, 2023
To: Transfer #88143, Anderland LLC
From: Tyler Wallace
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes to change the place of use (POU), season of use, and point of diversion (POD) for one water right (water right 45-14554) from irrigation to year-round stockwater and commercial use. Application also proposes to change the POU and POD for two other water rights (45-13394 and 45-13396) with stockwater and commercial uses and a combined flow rate of 0.52 cfs.

The proposed change to the POU is to create a place of use boundary for the stockwater and commercial aspects for each of the three rights. There are four (4) existing wells on the dairy site and all four (4) wells will serve as the PODs for all three water rights. The ownership of two of the water rights (45-13394 and 45-13396) will also be updated in this transfer.

The location of the dairy is approximately 2.4 miles North and 4.4 miles East of the intersection of highway 77 and highway 81 in Declo. The location of the POU for the irrigation component of water right 45-14554 is approximately 1.8 miles North and 2.3 miles east of the intersection of highway 77 and highway 81 in Declo or approximately 2.2 miles from the dairy site.

The wells involved with the transfer are located within the ESPA smooth model boundary area. A ground water model analysis was submitted with the application showing that no mitigation was required. The Department also conducted a model analysis and came to the same conclusion that mitigation for this transfer is not required.

The transfer is in Water District 140 so watermaster comments were solicited. The watermaster had no objections to the proposed transfer. Advertising was necessary because of the change in nature of use, season of use, and place of use as well as with the transfer being within the ESPA. The application was not protested.

- **Authority to File:**

The Department's database indicates that water rights 45-14554 is owned by Anderland LLC. The deeds that accompanied the transfer convey the property pertinent to water rights 45-13394 and 45-13396 to Anderland LLC. The application was signed by Alan Anderson, Owner of Anderland LLC and is registered as an agent for Anderland LLC on the Idaho Office of the Secretary of State records.

- **Water Right Validity:**

All three water rights were decreed and are currently listed as active. Validation of recent use for said water rights was confirmed using available aerial photography of the place of use and with crop records submitted with the application.

- **Injury to Other Water Rights:**

None anticipated or foreseen. The wells involved with the transfer are located within the ESPA smooth model boundary area. A ground water model analysis was submitted with the application showing that no mitigation was required for moving irrigated acres to the dairy site. The Department also conducted a model analysis and came to the same conclusion that mitigation for this transfer is not required. Changes to the POU for the dairy will be to match the current system.

- **Enlargement of Use:**

None anticipated. Transfer proposes no increase in the volume of water used.

- **Local Public Interest:**

No issues anticipated. The transfer was advertised but had no protests.

- **Beneficial Use/Conservation of Water Resources:**

Proposed use is recognized as a beneficial use of water.

- **Effect on the Economy of the Local Area:**

None Anticipated

- **Effect of the Agricultural Base of the Area:**

None Anticipated

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

*: Proof of Publication *:

Twin Falls Times-News
132 Fairfield St W, Twin Falls, Idaho 83301

SHERRI DAVIS, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

ID DEPARTMENT OF WATER RESOURCES Southern Region
Denise Maliine Administrative Assistant
650 ADDISON AVE W, STE 500
TWIN FALLS ID 83301

ORDER NUMBER 139650

Sherri Davis

(Legals Clerk)

STATE OF IDAHO)
SS
COUNTY OF TWIN FALLS)

On this 27 day of July in the year of 2023 before me, a Notary Public, personally appeared before me Sherri Davis known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Amy Wiesmore

Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 9-4-26



Section: Legals

Category: 50 Legal

PUBLISHED ON: 07/20/2023, 07/27/2023

TOTAL AD COST: 261.62

FILED ON: 7/27/2023

✓ OK DM 8/2/2023

RECEIVED

JUL 31 2023

DEPT OF WATER RESOURCES
SOUTHERN REGION

RECEIVED

JUL 31 2023

DEPT OF WATER RESOURCES
SOUTHERN REGION

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 87575**

PICABO LIVESTOCK COMPANY INC, PO BOX 748, PICABO, ID 83348-0748 and PICABO BREWING COMPANY LLC, PO BOX 675, PICABO, ID 83348-0675 has filed Application No. 87575 for changes to the following water rights within BLAINE County(s): Right No(s). 37-11892, 37-11898, 37-11900, 37-11903, 37-11911, 37-11914, 37-186, 37-187, 37-189, 37-20609, 37-21, 37-213, 37-215D, 37-22, 37-23408, 37-23412, 37-23414, 37-23415, 37-23416, 37-23436, 37-23437, 37-23438, 37-23439, 37-23440, 37-23441, 37-23442, 37-23443, 37-23444, 37-23445, 37-23446, 37-23447, 37-23448, 37-23449, 37-23450, 37-23451, 37-23452, 37-23453, 37-2405, 37-2627A, 37-333, 37-351A, 37-352A, 37-376F, 37-377, 37-378, 37-695, 37-942. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes changes to two groups of irrigation water rights (23 parent rights & 23 split rights) which have separate places of use (POU) and separate ownership, but are irrigated with the same system, and share the same points of diversion (POD). The transfer proposes changing the POU of the parent group from a 3025.4 acre permissible place of use (PPU) to a 3088.6 PPU, and adding a 10.0 acre, 0.31 cfs Silver Creek irrigation right into the PPU. The transfer will add the POD of the 10.0 acre Silver Creek right to the 40 existing surface water (Silver Creek & Loving Creek) rights from both groups and add the six PODs of the 40 surface rights to the 10.0 acre Silver Creek right. Post transfer, the parent group of 23 rights, plus the 10.0 acre Silver Creek right, will irrigate 2709.3 acres within a 3088.6 acre PPU with a flow rate of 72.77 cfs. The split portion group of 23 rights will irrigate 12.0 acres with a flow rate of 0.32 cfs; combined, the 47 rights have a flow rate of 73.09 cfs. The transfer also proposes to add two points of injection and six points of redirection on Silver Creek to the three parent and three split portion ground water rights, which already share three authorized PODs (wells). The PODs and POUs of both groups are located generally within an area approximately 1.0 mile east to 4.2 miles west and 0.8 mile south to 1.7 miles north of Picabo. Published in Idaho Mountain Express & Post Register on July 19th & 26th, and Times News, Idaho Statesman & Lewiston Tribune on July 20th & 27th, 2023.

TRANSFER NO. 88143

ANDERLAND LLC, 488 RIVERSIDE DR, BURLEY, ID 83318-5419 has filed Application No. 88143 for changes to the following water rights within CASSIA County(s): Right No(s). 45-13394, 45-13396, 45-14554. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes converting an 0.24 cfs (18 acre) portion of an irrigation water right currently appurtenant to a farm located approximately 1.8 miles north and 2.3 miles east of the intersection of Highway 77 and Highway 81 in Declo to year-round stockwater and commercial use at an existing dairy site located approximately 2.4 miles north and 4.4 miles east of the intersection of Highway 77 and Highway 81 in Declo. The transfer will also modify the place of use of two stockwater and commercial water rights totaling 0.52 cfs at the dairy site to reflect actual locations of use. Four existing wells at the dairy site will be utilized to divert up to 0.76 cfs to provide water for the dairy.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or to see a full description of these rights and/or the proposed transfers, please see <https://research.idwr.idaho.gov>. 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, Southern Region, 650 ADDISON AVE W, STE 500, TWIN FALLS, ID 83301-5858 together with a protest fee of \$25.00 for each application on or before **August 7, 2023**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director
Published on July 20th & 27th, 2023.

✓ OK DM 8/2/2023

Maline, Denise

From: Jaxon Higgs <jaxon@waterwellconsultants.com>
Sent: Friday, July 14, 2023 1:09 PM
To: Maline, Denise
Subject: Re: Comment Letter for Transfer No. 88143 - Anderland LLC

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

Thank you Denise, that transfer looks fine to me. I'll keep an eye on the acres being dried up and make sure it happens.

Thanks!

Jaxon

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From: Maline, Denise <Denise.Maline@idwr.idaho.gov>
Sent: Thursday, July 13, 2023 11:16:15 AM
To: Jaxon Higgs <jaxon@waterwellconsultants.com>
Subject: Comment Letter for Transfer No. 88143 - Anderland LLC

Hi Jaxon,

Attached is an application for transfer currently being processed by the department. Please review the application and provide any necessary comments within 21 days.

If you have any questions regarding this application, please feel free to contact Tyler Wallace at our office.

Thank you in advance,

Denise @ IDWR Twin Falls



Denise Maline, Administrative Assistant I
Idaho Dept. of Water Resources
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov