

RECEIVED

DEC 08 2023

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 88694MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

Name of Applicant(s) Double Eagle Properties LLLP

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

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

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

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEC 08 2023

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

DEPT OF WATER RESOURCES
SOUTHERN REGION

Name of Applicant(s) Double Eagle Properties LLLP

Phone 208-436-9888

Mailing address 3173 N 4900 E Murtaugh, Idaho 83344

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 Representative

Name of Representative Greg Sullivan - Brockway Engineering

Phone 208-736-8543

Mailing address 2016 N Washington St Ste 4 Twin Falls, Idaho 83301

Email greg.sullivan@brockwayeng.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.

David Link
Signature of Applicant or Authorized Representative

Darrell Funk
Print Name and Title if applicable

12-1-23
Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

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

2. Is this a transfer for changes pursuant to Idaho Code §42-221.0.8?

If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.

This transfer will change 15.0 acres of irrigation water under 45-14459, 45-14460, 45-14461 and 45-14462 to commercial water. A frequent alfalfa cutting crop consumptive use of 981 mm or 3.2 ft/acre was used.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

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

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☐ All or ☒ Part	45-14459	0.07/11.4	Commercial	1/01 to 12/31	Ground Water
☐ ☒	45-14460	0.08/22.8	Commercial	1/01 to 12/31	Ground Water
☐ ☒	45-14461	0.06/34.1	Commercial	1/01 to 12/31	Ground Water
☐ ☒	45-14462	0.05/	Commercial	1/01 to 12/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.52 cfs and/or 122 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.21 cubic feet per second and/or 48.3 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 #
		SW	SE	SW	31	09S	17E	Twin Falls	Ground Water	

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	
09S	17E	31									C	C	C	C					
10S	17E	6					C												
Total Acres (for irrigation use)																			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

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

A new well will be drilled and delivery mainlines installed.

- b. Who owns the property at the point(s) of diversion? Magic Valley Land, LLC

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: N/A

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 land now irrigated will no receive irrigation water from 45-14459, 45-14460, 45-14461 and 45-14462.

- 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:

None

- 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
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 45-14459

Current Owner: SHAUNNA CRANE
DANFORD L CRANE II

Priority Date: 10/11/1929

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.17 CFS	35 AF
	<u>Total Diversion</u>	0.17 CFS	35 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4NE1/4	Sec. 33, Twp 11S, Rge 20E B.M.
TWIN FALLS County		
GROUND WATER	SW1/4SW1/4NE1/4	Sec. 33, Twp 11S, Rge 20E B.M.
TWIN FALLS County		
GROUND WATER	SW1/4SW1/4SW1/4	Sec. 33, Twp 11S, Rge 20E B.M.
TWIN FALLS County		

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R20E S33	SWNE	8.80	T11S R20E S33	SWSE	28.00
Total Acres: 36.8					

Conditions of Approval:

1. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
2. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. X27 This right is limited to the irrigation of 8.7 acres within the authorized place of use in a single irrigation season.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. X35 Rights 45-14459, 45-14460, 45-14461 and 45-14462 when combined shall not exceed a total diversion rate of 0.52 cfs, a total annual maximum diversion volume of 122 af at the field headgate, and the irrigation of 36.8 acres.
7. K03 Right No. 45-14462 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
8. R05 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. 140.
9. T19 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.

Decreed Date: 6/24/2005

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 45-14460

Current Owner: DANFORD L CRANE II
SHAUNNA CRANE

Priority Date: 5/10/1946

Origin: Water Right

Status: Active

Basis: Decreed

Source

GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.2 CFS	70 AF
	<u>Total Diversion</u>	0.2 CFS	70 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4NE1/4	Sec. 33, Twp 11S, Rge 20E B.M.
TWIN FALLS County		
GROUND WATER	SW1/4SW1/4NE1/4	Sec. 33, Twp 11S, Rge 20E B.M.
TWIN FALLS County		
GROUND WATER	SW1/4SW1/4SW1/4	Sec. 33, Twp 11S, Rge 20E B.M.
TWIN FALLS County		

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R20E S33	SWNE	8.80	T11S R20E S33	SWSE	28.00
Total Acres: 36.8					

Conditions of Approval:

1. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
3. T19 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.
4. R05 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. 140.
5. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. X27 This right is limited to the irrigation of 17.4 acres within the authorized place of use in a single irrigation season.
7. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. X35 Rights 45-14459, 45-14460, 45-14461 and 45-14462 when combined shall not exceed a total diversion rate of 0.52 cfs, a total annual maximum diversion volume of 122 af at the field headgate, and the irrigation of 36.8 acres.
9. K03 Right No. 45-14462 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.

Decreed Date: 6/24/2005

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 45-14461

Current Owner: SHAUNNA CRANE
DANFORD L CRANE II

Priority Date: 2/20/1952

Origin: Water Right

Status: Active

Basis: Decreed

Source

GROUND WATER

Tributary

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

03/15 to 11/15

0.14 CFS

70 AF

Total Diversion

0.14 CFS

70 AF

Location of Point(s) of Diversion

GROUND WATER

SW1/4SW1/4SW1/4

Sec. 33, Twp 11S, Rge 20E B.M.

TWIN FALLS County

GROUND WATER

SW1/4SW1/4NE1/4

Sec. 33, Twp 11S, Rge 20E B.M.

TWIN FALLS County

GROUND WATER

SW1/4SW1/4NE1/4

Sec. 33, Twp 11S, Rge 20E B.M.

TWIN FALLS County

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R20E S33

SWNE

8.80

T11S R20E S33

SWSE

28.00

Total Acres: 36.8

Conditions of Approval:

1. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
2. X35 Rights 45-14459, 45-14460, 45-14461 and 45-14462 when combined shall not exceed a total diversion rate of 0.52 cfs, a total annual maximum diversion volume of 122 af at the field headgate, and the irrigation of 36.8 acres.
3. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
4. K03 Right No. 45-14462 is an expansion of this right pursuant to Section 42-1416B, Idaho Code.
5. X27 This right is limited to the irrigation of 26 acres within the authorized place of use in a single irrigation season.
6. T19 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.
7. R05 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. 140.
8. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Decreed Date: 6/24/2005

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 45-14462

Current Owner: DANFORD L CRANE II
SHAUNNA CRANE

Priority Date: 6/30/1985

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.13 CFS	
	<u>Total Diversion</u>	0.13 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4NE1/4	Sec. 33,	Twp 11S,	Rge 20E B.M.
TWIN FALLS County				
GROUND WATER	SW1/4SW1/4SW1/4	Sec. 33,	Twp 11S,	Rge 20E B.M.
TWIN FALLS County				
GROUND WATER	SW1/4SW1/4NE1/4	Sec. 33,	Twp 11S,	Rge 20E B.M.
TWIN FALLS County				

Place of Use

IRRIGATION Within TWIN FALLS County

T11S R20E S33	SWNE	8.80	T11S R20E S33	SWSE	28.00
Total Acres: 36.8					

Conditions of Approval:

1. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
2. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. R05 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. 140.
4. X35 Rights 45-14459, 45-14460, 45-14461 and 45-14462 when combined shall not exceed a total diversion rate of 0.52 cfs, a total annual maximum diversion volume of 122 af at the field headgate, and the irrigation of 36.8 acres.
5. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. X35 Rights 45-2211A, 45-2403, 45-2337A, 45-2517A, 45-14459, 45-14460, 45-14461 and 45-14462 when combined shall not exceed the irrigation of 357.8 acres.
7. X27 This right is limited to the irrigation of 6.4 acres within the authorized place of use in a single irrigation season.
8. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. K04 This right is an expansion of Right Nos. 45-14459, 45-14460 and 45-14461 pursuant to Section 42-1416B, Idaho Code.
10. T19 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.

Decreed Date: 6/24/2005

QUITCLAIM DEED

For value received, Danford and Shaunna Crane, as grantor hereby quitclaims unto Double Eagle Properties LLLP the grantee whose current mailing address is 3173 N 4900 E Murtaugh, Idaho 83344, all of the grantor's right, title, and interest in and to the following described water rights situated in Twin Falls County, Idaho.

All of water right 45-14459 priority date 10/11/1929, a diversion rate of 0.17 cfs, an annual volume of 35 acre-feet and an acre limit of 8.7 acres for the beneficial use of irrigation.

All of water right 45-14460 priority date 5/10/1946, a diversion rate of 0.20 cfs, an annual volume of 70 acre-feet and an acre limit of 17.4 acres for the beneficial use of irrigation.

All of water right 45-14461 priority date 2/20/1952, a diversion rate of 0.14 cfs, an annual volume of 70 acre-feet and an acre limit of 26.0 acres for the beneficial use of irrigation.

All of water right 45-14462 priority date 6/30/1985, a diversion rate of 0.13 cfs and an acre limit of 6.4 acres for the beneficial use of irrigation.

See the attached IDWR water right report and aerial map for details of the place of use of irrigation water in Township 11 South Range 20 East Section 33 in Twin Falls County, Idaho.

Grantor has caused this quitclaim deed to be executed this 5 day of December, 20 23.

By:

Danford Crane II
<GRANTOR>

By:

Shaunna Crane
<GRANTOR>

<TITLE>

<TITLE>

State of Idaho)
County of Twin Falls) S.S.

On this 5th day of December, in the year of 20 23, before me, a Notary

Public, personally appeared Danford and Shaunna Crane, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.



Ashley Rehn

Notary Public
In and for said State and County

11/25/2029

My Commission Expires on

CONTRACT OF AGREEMENT

To Whom It May Concern,

Magic Valley Land LLC, give permission to Double Eagle Properties LLLP whose address is 3173 N 4900 E Murtaugh, Idaho 83344 to move 0.21 cfs and 48.3 acre feet annually of commercial water from water rights 45-14459, 45-14460, 45-14461 and 45-14462 to property we own located at Township 9 South Range 17 East Section 31.

I formally give my consent to this transfer.

Magic Valley Land LLC:



Title: Managing Member

Date: 12.7.23

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DEPT OF WATER RESOURCES
SOUTHERN REGION



TWIN FALLS RV PARK

NAIP 2021 AERIAL

Legend

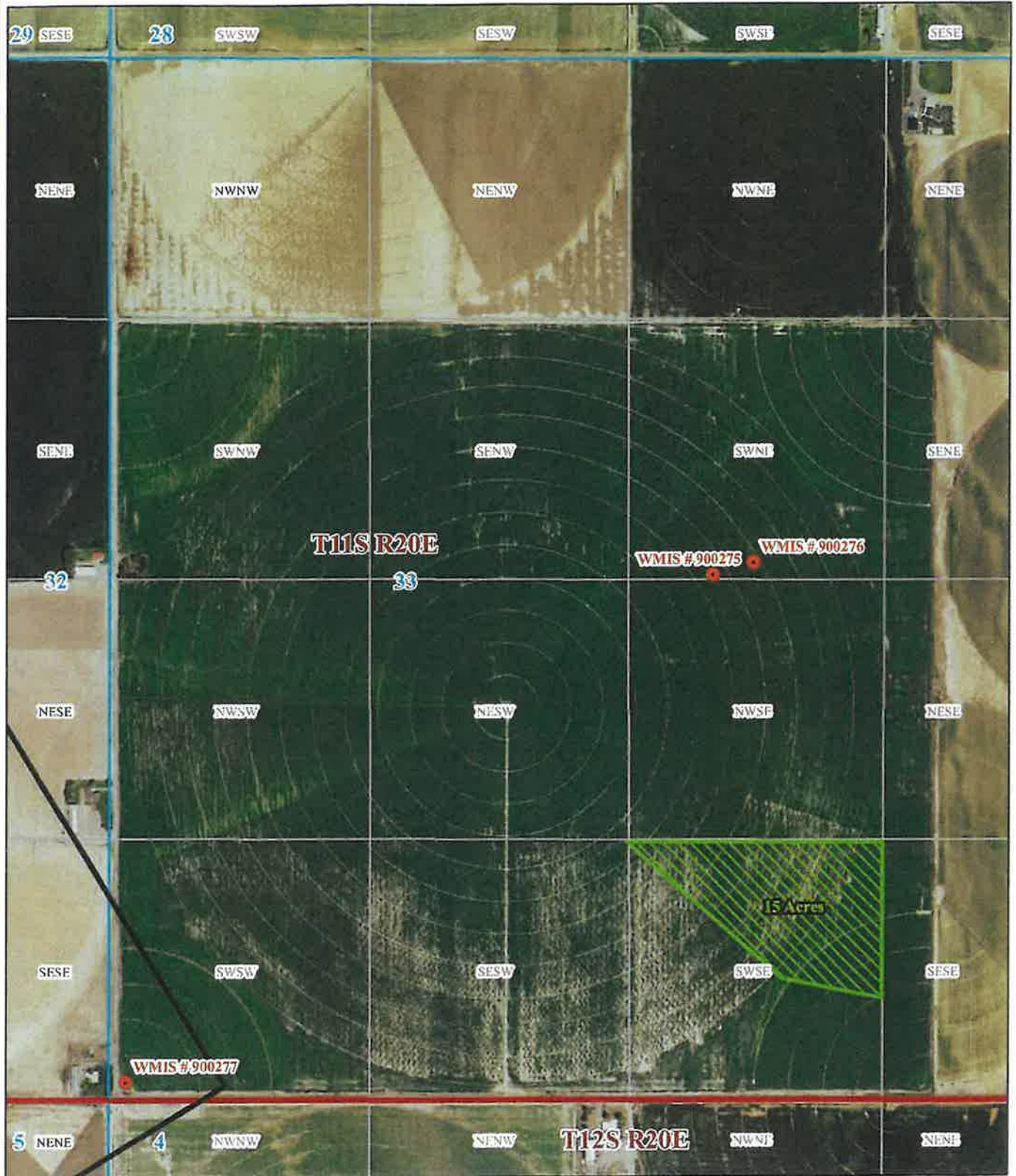
- New POD
- Project Area

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Path: F:\Projects\Summit Creek\Arcview\FROM Darrel Funk.mxd

DEPT OF WATER RESOURCES
SOUTHERN REGION



0 500 1,000 Feet

DOUBLE EAGLE PROPERTIES LLLP

IRRIGATION TO COMMERCIAL TRANSFER
NAIP 2021 AERIAL

Legend

● POD

▨ Transfer Acres

▭ EasternSnakeModelBnd



BROCKWAY ENGINEERING, PLLC.
GWS - Date: 12/14/2023

88694



0 500 1,000 Feet

DOUBLE EAGLE PROPERTIES LLLP

IRRIGATION TO COMMERCIAL TRANSFER
NAIP 2021 AERIAL

88694

Legend

● POD

Transfer Acres

EasternSnakeModelBnd





0005458932

**STATE OF IDAHO***Office of the secretary of state, Phil McGrane***ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

For Office Use Only

-FILED-

File #: 0005458932

Date Filed: 11/3/2023 12:19:41 PM

B0852-9292 11/03/2023 12:19 PM Received by Office of the Idaho Secretary of State

Entity Name and Mailing Address:

Entity Name: DOUBLE EAGLE PROPERTIES, LLLP
The file number of this entity on the records of the Idaho
Secretary of State is: 0000036879
Address: 3173 N 4900 E
MURTAUGH, ID 83344-5359

Entity Details:

Entity Status: Active-Current
This entity is organized under the laws of: IDAHO
If applicable, the old file number of this entity on the records of
the Idaho Secretary of State was: L7066

The registered agent on record is:

Registered Agent: DARRELL M FUNK
Registered Agent
Physical Address
3173 N 4900 E
MURTAUGH, ID 83344
Mailing Address

Limited Partnership General Partners

Name	Business Address
DARRELL M FUNK	3173 N 4900 E MURTAUGH, ID 83344-5359

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

Job Title: Member

Darrell M Funk

Sign Here

11/03/2023

Date

WMIS**Water Management Information System**

Quick Search:

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Search Method:

WMIS Number

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You are viewing 900277; A0006910

Report Year	Alternate	FM	PCC	Time Clock
2023				
2022		404.00		
2021		134.16	462.39	
2020			585.60	
2019		0.91	220.50	
2018		479.66	513.85	
2017		446.81		
2016		294.18		
2015		544.66		
2014			651.71	
2013			527.37	
2012			399.35	
2011		2023.30	285.00	
2010			476.00	
2009			466.00	
2008			184.24	
2007			253.87	
2006			286.30	
2005			196.10	
2004			188.40	
2003			174.50	
2002			209.50	

WMIS**Water Management Information System**

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Report Year	Alternate	FM	PCC	Time Clock
2023				
2022				
2021		35.80		
2020		5.14		
2019		0.00		
2018		0.02		
2017		0.00		
2016		0.00		
2015		33.30		
2014		35.11		
2013				
2012				
2011				
2006				

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Data Summary

You are viewing 900275; 40006924

Report Year	Alternate	FM	PCC	Time Clock
2019			0.00	
2018			0.00	
2017				
2016			0.00	
2015			0.00	
2014				
2013				
2012			0.00	
2011			0.00	
2010				
2009				
2008			0.00	
2007			0.00	
2006			0.00	
2003				
2002				



University of Idaho

Kimberly Research and Extension Center

[Water Resources Program](#)

ETIdaho 2017

Evapotranspiration and Consumptive Irrigation Water Requirements for Idaho

Please send suggestions for
improving this site to robison at
uidaho dot edu

2023-12-21 08:39

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Burley FAA AP (NWS -- USW00024133)

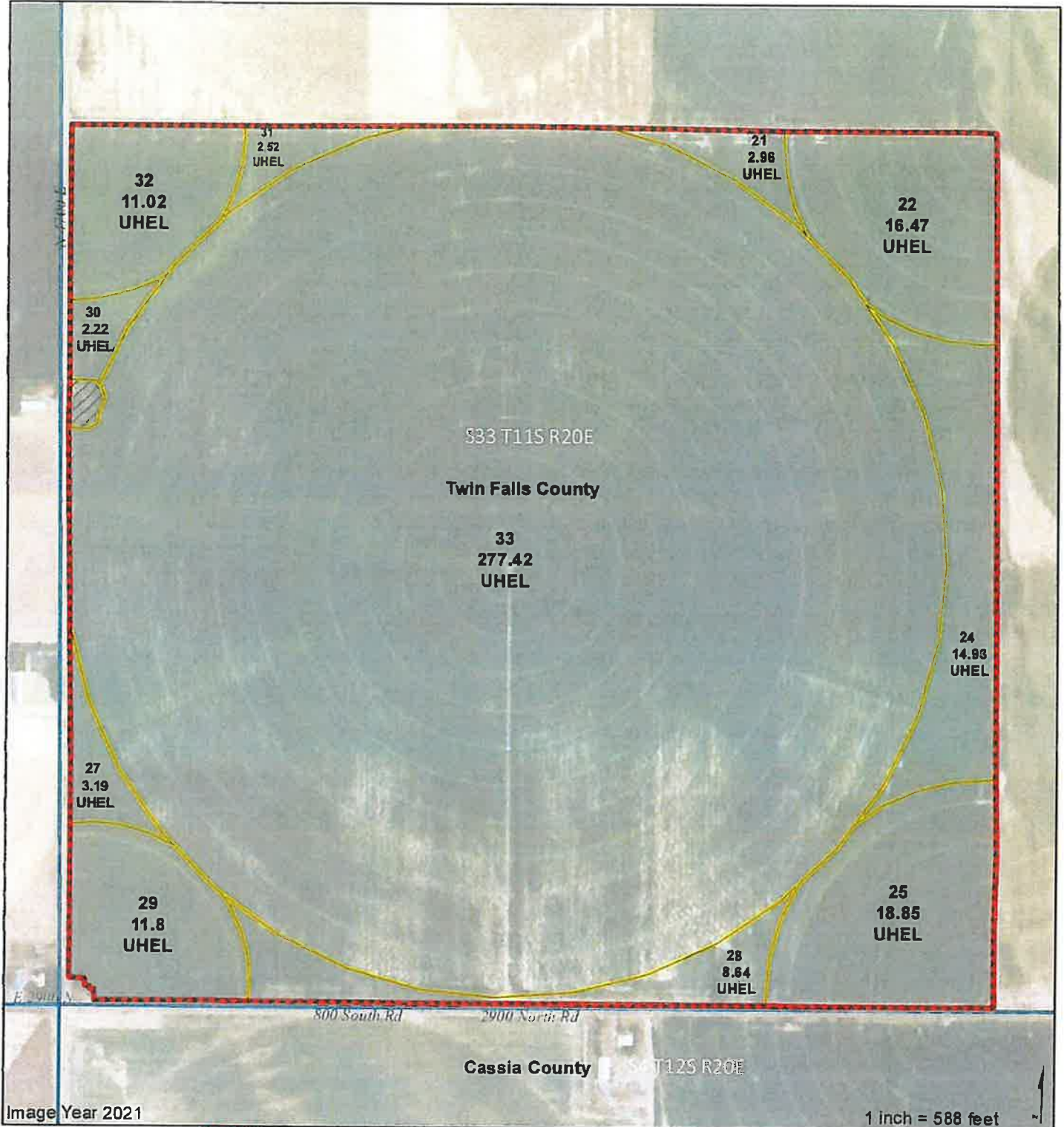
Statistics based on thirty year normal spans 1985 to 2016 years

For a different land cover or crop click on the above link.

You can highlight this table and copy via the clipboard to a Microsoft Excel or OpenOffice spreadsheet to plot or otherwise work with this data.

Alfalfa - frequent cuttings															
Precipitation Deficit (Click here for a graph)															
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Growing Season ^a	Non Growing Season ^b	Annual
Mean ^j	mm/day												mm		
Monthly ^c	-0.13	0.13	0.48	3.06	4.87	5.39	5.95	5.41	4.07	2.60	0.25	-0.28	981	-8	973
15-Day Moving Average ^d	-0.24	0.07	0.39	3.13	5.01	5.32	5.74	5.25	3.92	2.69	0.21	-0.21	3.22'		
7-Day Moving Average ^e	-0.18	0.09	0.44	3.08	4.94	5.30	5.85	5.34	4.00	2.67	0.24	-0.27			
3-Day Moving Average ^f	-0.14	0.13	0.46	3.08	4.88	5.33	5.92	5.40	4.05	2.61	0.26	-0.30			

Twin Falls County, Idaho



Common Land Unit

- Tract Boundary
- PLSS
- County Boundary
- Non-Cropland
- Cropland

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

Tract Cropland Total: 370.02 acres

2024 Program Year

Map Created October 13, 2023

Farm 7691

Tract 31870

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership, rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland Identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

FSA - 578 (09-13-16)

Farm Number: 7691

REPORT OF COMMODITIES

FARM AND TRACT DETAIL LISTING

DATE: 11/28/2023

PAGE: 8

Tract Number	CLU/Field	Crop/Commodity	Var/Type	Int Use	Act Use	Irr. Pr.	Org Stat	Nat. Sod	C/C Stat	Rpt Unit	Rpt Qty	Det Qty	Crop Land	Field ID	Official/Measured	Planting Date	Planting Period	End Date
31425	50	ALFAL		FG		I	C	N	I	A	54.91		Yes		N	05/09/2022	01	2030

Producer DARRELL M FUNK
PATRICIA FUNK

Share 48.00 FSA Physical Location Cassia, Idaho
52.00 Cassia, Idaho

NAP Unit 3386 Signature Date 06/28/2022

Tract 31425 Summary

PP Cr/Co	Var/Type	Int Use	Irr. Pr.	Rpt Unit	Rpt Qty	PP Cr/Co	Var/Type	Int Use	Irr. Pr.	Rpt Unit	Rpt Qty	PP Cr/Co	Var/Type	Int Use	Irr. Pr.	Rpt Unit	Rpt Qty
01 ALFAL		FG	I	A	192.06												

Photo Number/Legal Description: 31,36-10-20,21 Cassia Co

Cropland: 192.06

Reported on Cropland: 192.06

Difference: 0.00

Reported on Non-Cropland: 0.00

31870	21	ALFAL		FG		I	C	N	I	A	2.96		Yes		N	04/17/2021	01	2025
Producer DARRELL M FUNK PATRICIA FUNK					Share	52.00	FSA Physical Location Twin Falls, Idaho Twin Falls, Idaho							NAP Unit 60	Signature Date 12/29/2021			
	22	ALFAL		FG		I	C	N	I	A	16.47		Yes		N	04/17/2021	01	2025
Producer DARRELL M FUNK PATRICIA FUNK					Share	52.00	FSA Physical Location Twin Falls, Idaho Twin Falls, Idaho							NAP Unit 60	Signature Date 12/29/2021			
	24	ALFAL		FG		I	C	N	I	A	14.93		Yes		N	04/17/2021	01	2025
Producer DARRELL M FUNK PATRICIA FUNK					Share	52.00	FSA Physical Location Twin Falls, Idaho Twin Falls, Idaho							NAP Unit 60	Signature Date 12/29/2021			
	25	ALFAL		FG		I	C	N	I	A	18.85		Yes		N	04/17/2021	01	2025
Producer DARRELL M FUNK PATRICIA FUNK					Share	52.00	FSA Physical Location Twin Falls, Idaho Twin Falls, Idaho							NAP Unit 60	Signature Date 12/29/2021			
	27	ALFAL		FG		I	C	N	I	A	3.19		Yes		N	04/17/2021	01	2025
Producer DARRELL M FUNK PATRICIA FUNK					Share	52.00	FSA Physical Location Twin Falls, Idaho Twin Falls, Idaho							NAP Unit 60	Signature Date 12/29/2021			
	28	ALFAL		FG		I	C	N	I	A	8.64		Yes		N	04/17/2021	01	2025
Producer DARRELL M FUNK PATRICIA FUNK					Share	52.00	FSA Physical Location Twin Falls, Idaho Twin Falls, Idaho							NAP Unit 60	Signature Date 12/29/2021			
	29	ALFAL		FG		I	C	N	I	A	11.80		Yes		N	04/17/2021	01	2025
Producer DARRELL M FUNK PATRICIA FUNK					Share	52.00	FSA Physical Location Twin Falls, Idaho Twin Falls, Idaho							NAP Unit 60	Signature Date 12/29/2021			

FSA - 578 (09-13-16)

Farm Number: 7691

REPORT OF COMMODITIES

FARM AND TRACT DETAIL LISTING

PROGRAM YEAR: 2021

DATE: 11/28/2023
PAGE: 8

Tract Number	CLU/Field	Crop/Commodity	Var/Type	Int Use	Act Use	Irr. Pr.	Org Stat	Nat. Sod	C/C Stat	Rpt Unit	Rpt Qty	Det Qty	Crop Land	Field ID	Official/Measured	Planting Date	Planting Period	End Date
31870	21	ALFAL		FG		I	C	N	I	A	2.96		Yes		N	04/17/2021	01	2025
Producer DARRELL M FUNK PATRICIA FUNK					Share	52.00 48.00	FSA Physical Location Twin Falls, Idaho Twin Falls, Idaho					NAP Unit 60		Signature Date 06/22/2021				
	22	ALFAL		FG		I	C	N	I	A	16.47		Yes		N	04/17/2021	01	2025
Producer PATRICIA FUNK DARRELL M FUNK					Share	48.00 52.00	FSA Physical Location Twin Falls, Idaho Twin Falls, Idaho					NAP Unit 60		Signature Date 06/22/2021				
	24	ALFAL		FG		I	C	N	I	A	14.93		Yes		N	04/17/2021	01	2025
Producer DARRELL M FUNK PATRICIA FUNK					Share	52.00 48.00	FSA Physical Location Twin Falls, Idaho Twin Falls, Idaho					NAP Unit 60		Signature Date 06/22/2021				
	25	ALFAL		FG		I	C	N	I	A	18.85		Yes		N	04/17/2021	01	2025
Producer DARRELL M FUNK PATRICIA FUNK					Share	52.00 48.00	FSA Physical Location Twin Falls, Idaho Twin Falls, Idaho					NAP Unit 60		Signature Date 06/22/2021				
	27	ALFAL		FG		I	C	N	I	A	3.19		Yes		N	04/17/2021	01	2025
Producer DARRELL M FUNK PATRICIA FUNK					Share	52.00 48.00	FSA Physical Location Twin Falls, Idaho Twin Falls, Idaho					NAP Unit 60		Signature Date 06/22/2021				
	28	ALFAL		FG		I	C	N	I	A	8.64		Yes		N	04/17/2021	01	2025
Producer DARRELL M FUNK PATRICIA FUNK					Share	52.00 48.00	FSA Physical Location Twin Falls, Idaho Twin Falls, Idaho					NAP Unit 60		Signature Date 06/22/2021				
	29	ALFAL		FG		I	C	N	I	A	11.80		Yes		N	04/17/2021	01	2025
Producer DARRELL M FUNK PATRICIA FUNK					Share	52.00 48.00	FSA Physical Location Twin Falls, Idaho Twin Falls, Idaho					NAP Unit 60		Signature Date 06/22/2021				
	30	ALFAL		FG		I	C	N	I	A	2.22		Yes		N	04/17/2021	01	2025
Producer DARRELL M FUNK PATRICIA FUNK					Share	52.00 48.00	FSA Physical Location Twin Falls, Idaho Twin Falls, Idaho					NAP Unit 60		Signature Date 06/22/2021				
	31	ALFAL		FG		I	C	N	I	A	2.52		Yes		N	04/17/2021	01	2025
Producer DARRELL M FUNK PATRICIA FUNK					Share	52.00 48.00	FSA Physical Location Twin Falls, Idaho Twin Falls, Idaho					NAP Unit 60		Signature Date 06/22/2021				
	32	ALFAL		FG		I	C	N	I	A	11.02		Yes		N	04/17/2021	01	2025
Producer DARRELL M FUNK PATRICIA FUNK					Share	52.00 48.00	FSA Physical Location Twin Falls, Idaho Twin Falls, Idaho					NAP Unit 60		Signature Date 06/22/2021				

FSA - 578 (09-13-16)

REPORT OF COMMODITIES

FARM AND TRACT DETAIL LISTING

Farm Number: 7691

DATE: 11/28/2023

PAGE: 9

Tract Number	CLU/Field	Crop/Commodity	Var/Type	Int Use	Act Use	Irr. Pr.	Org Stat	Nat. Sod	C/C Stat	Rpt Unit	Rpt Qty	Det Qty	Crop Land	Field ID	Official/Measured	Planting Date	Planting Period	End Date
31870	33	ALFAL		FG		I	C	N	I	A	277.42		Yes		N	04/17/2021	01	2025

Producer DARRELL M FUNK
PATRICIA FUNK

Share 52.00 FSA Physical Location Twin Falls, Idaho
48.00 Twin Falls, Idaho

NAP Unit 60

Signature Date 06/22/2021

Tract 31870 Summary

PP Cr/Co	Var/Type	Int Use	Irr. Pr.	Rpt Unit	Rpt Qty	PP Cr/Co	Var/Type	Int Use	Irr. Pr.	Rpt Unit	Rpt Qty	PP Cr/Co	Var/Type	Int Use	Irr. Pr.	Rpt Unit	Rpt Qty
01 ALFAL		FG	I	A	370.02												

Photo Number/Legal Description: 33-11-20
Cropland: 370.02

Reported on Cropland: 370.02

Difference: 0.00

Reported on Non-Cropland: 0.00

31945	1	BARLY	SPR	GR		I	C	N	I	A	136.59		Yes		N	03/15/2021	01	
Producer PATRICIA FUNK DARRELL M FUNK					Share	48.00	FSA Physical Location Cassia, Idaho								NAP Unit 3386	Signature Date 06/22/2021		
						52.00	Cassia, Idaho											
	2	BARLY	WTR	GR		I	C	N	I	A	133.80		Yes		N	09/30/2020	01	
Producer DARRELL M FUNK PATRICIA FUNK					Share	52.00	FSA Physical Location Cassia, Idaho								NAP Unit 3386	Signature Date 12/28/2020		
						48.00	Cassia, Idaho											
	3	ALFAL		FG		I	C	N	I	A	133.22		Yes		N	04/21/2020	01	2025
Producer DARRELL M FUNK PATRICIA FUNK					Share	52.00	FSA Physical Location Cassia, Idaho								NAP Unit 3386	Signature Date 12/28/2020		
						48.00	Cassia, Idaho											
	4	CORN	YEL	SG		I	C	N	I	A	132.42		Yes		N	05/17/2021	01	
Producer PATRICIA FUNK DARRELL M FUNK					Share	48.00	FSA Physical Location Cassia, Idaho								NAP Unit 3386	Signature Date 06/22/2021		
						52.00	Cassia, Idaho											
	5	CRP	001			I	C	N	I	A	5.46		Yes		N		01	2023
Producer DARRELL M FUNK PATRICIA FUNK					Share	52.00	FSA Physical Location Cassia, Idaho								NAP Unit 3386	Signature Date 12/28/2020		
						48.00	Cassia, Idaho											
	6	CRP	001			I	C	N	I	A	5.92		Yes		N		01	2023
Producer DARRELL M FUNK PATRICIA FUNK					Share	52.00	FSA Physical Location Cassia, Idaho								NAP Unit 3386	Signature Date 12/28/2020		
						48.00	Cassia, Idaho											
	7	CRP	001			I	C	N	I	A	6.37		Yes		N		01	2023
Producer DARRELL M FUNK PATRICIA FUNK					Share	52.00	FSA Physical Location Cassia, Idaho								NAP Unit 3386	Signature Date 12/28/2020		
						48.00	Cassia, Idaho											

Customer Ad Proof

164-60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 147446

Publication	Times News		
Contact	ID DEPARTMENT OF WATER RESOURCES	PO Number	
Address 1	650 ADDISON AVE W, STE 500	Rate	Legal Notice
Address 2		Order Price	145.22
City St Zip	TWIN FALLS ID 83301	Amount Paid	0.00
Phone	2087363033	Amount Due	145.22
Fax			
Section	Legals	Start/End Dates	01/04/2024 - 01/11/2024
SubSection		Insertions	2
Category	50 Legal	Size	73
Ad Key	147446-1	Salesperson(s)	Legal Notices
Keywords	Transfer No. 88694	Taken By	James Meadows - NWI
Notes			

Ad Proof

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 88694**

DOUBLE EAGLE PROPERTIES LLLP, 3173 N 4900 E, MURTAUGH, ID 83344-5359 has filed Application No. 88694 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 45-14459, 45-14460, 45-14461, 45-14462; 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: Application for transfer proposes to change the nature of use, place of use (POU), points of diversion (POD), and period of use of a 0.21 cfs, 15.0 acre portion of four ground water irrigation rights which currently irrigate 36.8 acres of land located approximately 5.0 miles south and 2.7 miles east of Murtaugh. The application proposes to change a portion of the rights from irrigation during the irrigation season to year-round commercial use at a proposed RV park located approximately 2.7 miles west and 0.2 mile north of the intersection of Pole Line Road and Blue Lakes Boulevard in Twin Falls. The transfer proposes changing the PODs of the converted portion from the currently authorized irrigation wells to a new well located within the proposed RV park.

For additional information concerning the property location, contact Southern Region office at (208) 736-3033. 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 January 22, 2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director
Publish: January 4, 11, 2024

Proof of legal notice received from Times News 12-28-2023

✓ *DM 12/28/2023*



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

December 28, 2023

DOUBLE EAGLE PROPERTIES LLLP
3173 N 4900 E
MURTAUGH, ID 83344-5359

RE: Transfer No. 88694

Water Right No(s). 45-14459, 45-14460, 45-14461, 45-14462

Dear Applicant(s):

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 **TIMES NEWS on 1/4/2024 and 1/11/2024**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **January 22, 2024**.

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,

Denise Maline

Administrative Assistant

c: Brockway Engineering PLLC

Maline, Denise

From: Maline, Denise
Sent: Thursday, December 28, 2023 4:23 PM
To: Jaxon Higgs
Subject: Comment Letter for Transfer 88694 (Double Eagle Properties)
Attachments: Comment letter to WD140 for 88694.docx; Transfer 88694 (Double Eagle Properties).pdf

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 Jim Bitzenburg at our office.

Thank you in advance,

Denise @ IDWR Twin Falls



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



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Governor Brad Little

Director Mathew Weaver

December 28, 2023

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

Re: Transfer No(s). 88694 (Double Eagle Properties LLLP)

Dear Jaxon:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. You can find a copy of the application at:
<https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. Please review the application, then complete the enclosed recommendation form and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR can finish reviewing an unprotested application as soon as the protest period has passed. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

Maline, Denise

From: Maline, Denise
Sent: Thursday, December 28, 2023 10:47 AM
To: Times News
Subject: LEGAL NOTICE - Account No. 164-60002276
Attachments: Times News cover letter.docx; Times News ad.docx

Good morning,

Attached please find **(1)** legal notice being submitted for publication on January 4th & 11th, 2024. This publication is for Idaho Dept of Water Resources in Twin Falls, Idaho, under Account No. 164-60002276.

Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls, Idaho



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



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

December 28, 2023

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Transfer No. 88694

Water Right No(s). 45-14459, 45-14460, 45-14461, 45-14462

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 **January 22, 2024**. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 88694**

DOUBLE EAGLE PROPERTIES LLLP, 3173 N 4900 E, MURTAUGH, ID 83344-5359 has filed Application No. 88694 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 45-14459, 45-14460, 45-14461, 45-14462; 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: Application for transfer proposes to change the nature of use, place of use (POU), points of diversion (POD), and period of use of a 0.21 cfs, 15.0 acre portion of four ground water irrigation rights which currently irrigate 36.8 acres of land located approximately 5.0 miles south and 2.7 miles east of Murtaugh. The application proposes to change a portion of the rights from irrigation during the irrigation season to year-round commercial use at a proposed RV park located approximately 2.7 miles west and 0.2 mile north of the intersection of Pole Line Road and Blue Lakes Boulevard in Twin Falls. The transfer proposes changing the PODs of the converted portion from the currently authorized irrigation wells to a new well located within the proposed RV park.

For additional information concerning the property location, contact Southern Region office at (208)736-3033. 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 **January 22, 2024**. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director
Published on January 4th & 11th, 2024

TRANSFER SYNOPSIS

Date: December 21, 2023
To: Transfer 88694, Double Eagle Properties, LLLP file
From: Jim Bitzenburg
Re: Summary of transfer

Application for transfer proposes to change the nature of use, place of use (POU), points of diversion (POD), and period of use of a 0.21 cfs, 15.0 acre portion of four ground water irrigation rights which currently irrigate 36.8 acres of land located approximately 5.0 miles south and 2.7 miles east of Murtaugh. The application proposes to change a portion of the rights from irrigation during the irrigation season to year-round commercial use at a proposed RV park located approximately 2.7 miles west and 0.2 mile north of the intersection of Pole Line Road and Blue Lakes Boulevard in Twin Falls. The transfer proposes changing the PODs of the converted portion from the currently authorized irrigation wells to a new well located within the proposed RV park.

The change in nature of use and other changes require the transfer to be advertised. Since the water is moving from Water District 140, comments will be solicited from the WD-140 Watermaster.

In converting from irrigation to commercial use, a consumptive use value is used instead of the full volume of the water rights. In this case it is derived from the Burley NWS station for alfalfa, frequent cuttings, and that value is 3.22 feet. The transfer application contains Farm Service Agency documents verifying the production of alfalfa on the acres to be dried up. Dividing the acre-feet moving to the proposed RV park by the consumptive use value ($48.3/3.22$) indicates the transfer will dry up 15.0 acres of the four rights.

Two of the wells at the current place of use are located within the ESPA Model Grid Boundary and the third well is located outside the Model Grid Boundary. The applicant has submitted evidence that the third well (Well 1) is the primary well that provides irrigation water for the rights involved in the transfer, therefore, no ESPA modeling is required for the transfer.

The transfer involves moving water from Basin 45 to Basin 47, so the split portions of the rights moving will have Basin 47 prefixes.

The water rights involved in the transfer are:

Right #	Flow Rate	Volume	Use	Acre Limit	Total Acres
45-14459	0.17 cfs	35.0 AF	Irrigation	8.7 acres	36.8 acres
45-14460	0.20 cfs	70.0 AF	Irrigation	17.4 acres	36.8 acres
45-14461	0.14 cfs	70.0 AF	Irrigation	26.0 acres	36.8 acres
45-14462	0.13 cfs	Expansion	Irrigation	6.4 acres	36.8 acres

FEE MEMORANDUM

Date: December 21, 2023
To: Double Eagle Properties, LLLP Transfer Application #88694 File
From: Jim Bitzenburg
Re: Receipting/disposition of fees paid

This transfer was filed on December 8, 2023 and its purpose is to change the nature of use, place of use, period of use, and point of diversion of a 0.21 cfs, 15.0 acre portion of four ground water irrigation rights and convert it to commercial use at a proposed RV park. The 0.21 cfs rate equates to a fee of \$500.00 from the transfer fee schedule. A change in water right ownership (\$25.00/ right) on all four rights into the name of the applicant was submitted with, and processed before, the transfer application. The fee for a change in nature of use from irrigation to commercial use is \$250.00, so the total fee for the transfer is \$850.00. Brockway Engineering, PLLC submitted \$1150.00 with the application, so a refund of the \$300.00 overpayment will be initiated with the IDWR State office. Brockway Engineering paid with check #17712; the IDWR receipt number is S040016.

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DEC 15 2023

DEPT OF WATER RESOURCES
SOUTHERN REGION



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December 15, 2023

Jim Bitzenburg
Idaho Department of Water Resources
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301

Re: Double Eagle Properties

Dear Mr. Bitzenburg:

Attached to this letter is the Notice of Change in Water Right Ownership for water rights 45-14459, 45-14460, 45-14461 and 45-14462. The document is signed by Darrell Funk.

Water rights 45-14459, 45-14460, 45-14461 and 45-14462 currently identify three authorized points of diversion. The three points of diversion have been identified by IDWR in the Water Management Information System (WMIS) and have been assigned WMIS #'s.

Well 1 with a WMIS# of 900277 is located in T11S R20E Section 33 SWSW and is the primary well that supplies water to this farm.

Well 2 with a WMIS# of 900275 is located in T11S R20E Section 33 SWNE and is only used as a backup well to Well 1.

Well 3 with a WMIS# of 900276 is located in T11S R20E Section 33 SWNE and is only used as a backup well to Well 1.

Attached to this letter are the historical pumping records from Well 1, Well 2 and Well 3. Based on WMIS data collected since the year 2002, the WMIS records clearly identify Well 1 as being the primary water supply for the farm. There is no historical pumping identified from Well 2 from 2022 through 2023. Well 3 does show that some pumping has occurred in years past but the amount is relatively small compared to the volume pumped from Well 1. Well 1 should be considered the primary well that provides the irrigation water for water rights 45-14459, 45-14460, 45-14461 and 45-14462.

Well 1 is located outside of the IDWR Eastern Snake River Plan aquifer modeled boundary area. Because Well 1 is located outside of the modeled

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boundary area. Based on IDWR's Administrator's Memorandum No. 24, no modeling is required for the proposed transfer.

Water right 45-14462 is identified by IDWR as an expansion water right of 45-14459, 45-14460 and 45-14461. Water right 45-14462 as an irrigation water right that only allows the irrigation of an additional 3.8 acres. There is no additional diversion rate or volume added to the allowed pumped irrigation rates when 45-14462 is combined with 45-14459, 45-14460 and 45-14461 for irrigation purposes. The proposed transfer will convert 48.3 acre feet of water rights 45-14459, 45-14460 and 45-14461 to the beneficial use of commercial water. Water right 45-14462 cannot add any additional diversion rate or volume to the proposed commercial use. Therefore, 45-14462 will be relinquished back to the State of Idaho after the proposed transfer is approved.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Darrell Funk, Tyler Davis Jeffers

Enc: Change in Water Right Ownership, Aerial Map, WMIS Records

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Bitzenburg, James

From: Greg Sullivan <greg.sullivan@brockwayeng.com>
Sent: Thursday, December 14, 2023 9:54 AM
To: Bitzenburg, James
Subject: RE: Double Eagle Properties, LLLP irrigation to commercial transfer (RV park)
Attachments: Signed Contract of Agreement.pdf

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

Jim,

See the attached Contract of Agreement and yes I used the Burley weather station for the calculating Pdef.

I will email out the Water Right Change of Ownership form and will send it to you as soon as it is signed.

Greg Sullivan
Brockway Engineering
2016 North Washington Street, Suite 4
Twin Falls, Idaho 83301
208-736-8543

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: Bitzenburg, James [mailto:James.Bitzenburg@idwr.idaho.gov]
Sent: Wednesday, December 13, 2023 3:22 PM
To: Greg Sullivan <greg.sullivan@brockwayeng.com>
Subject: Double Eagle Properties, LLLP irrigation to commercial transfer (RV park)

Greg-

I have been staffed the Double Eagle Properties, LLLP transfer which proposes changing 15 acres of irrigation water to commercial use for the proposed RV park on Pole Line Road west of Twin Falls. In my review of the transfer application and in consultation with Corey , we believe there are a few items that need to be clarified, expanded upon, added, etc. to the transfer application.

It might be advantageous and less expensive for your client if you filed the ownership change for the rights involved before we do the transfer. That way, we can split the rights in the transfer and there won't be the \$100.00/right splitting fee. It reduces the ownership change fees from \$400.00 to \$100.00. Just send in the completed ownership change form (no splits) with an authorized signature and reference the Double Eagle Properties transfer that is staffed to Jim. There will be a refund sent out by the State office.

It looks like you used the Burley weather station for your consumptive use amount of 981 mm? Let me know on that, if you would.

Since two of the PODs at the current place of use are located with the ESPA model grid boundary and one is not, we'll need an explanation of why no ESPA modeling will be required (I believe you and Corey spoke about this previously, but it would be good to have it explained in the application).

Since the applicant does not own the new place of use, we'll need documentation that authorizes the change on behalf of the current owner of the proposed new place of use (Transfer Memo #24, page 20, #3).

Finally, we were thinking you could request to have the split portion of the expansion right go away in the transfer, as it would only provide additional acres (which don't count in commercial use) and no additional flow rate or volume. Once again, let me know which way you want to go on that.

If you have any questions, give us a call and thanks for your assistance.

Jim

Jim Bitzenburg
Water Rights Supervisor
Idaho Department of Water Resources
Southern Regional Office
Phone (208)-293-9909
james.bitzenburg@idwr.idaho.gov



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DEC 08 2023

DEPT. OF WATER RESOURCES
SOUTHERN REGION

December 6, 2023

Corey Skinner
Idaho Department of Water Resources
650 Addison Ave. W., Ste. 500
Twin Falls, ID 83301

Re: Double Eagle Properties

Dear Mr. Skinner:

Double Eagle Properties LLLP desires to transfer 15.0 acres of water rights 45-14459, 45-14460, 45-14461 and 45-14462 from a beneficial use of irrigation to commercial. The crop records for the 15.0 acres are attached to transfer application. It is proposed that 48.3 acre feet of water be transferred to a commercial facility located in T09S R17E Sec 31. A new well will be drilled at the new commercial property.

The period of use will be changed to 1/01 through 12/31 annually.

Water rights 45-14459, 45-14460, 45-14461 and 45-14462 were purchased by Double Eagle Properties LLLP several years ago but the records for IDWR have not yet been updated. The attached quitclaim deed provides IDWR with the ability to update the ownership of these water rights at this time.

Please contact me if you have any questions.

Sincerely,

Greg Sullivan, M.S., Engineer

Cc: Darrell Funk, Tyler Davis Jeffers

Enc: Transfer Application, Aerial Maps, Quit Claim Deed, Annual Report, FSA Records,
Brockway Engineering Check # 1772 for \$1,150.00.

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