

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. 88637

RECEIVED

DEC 06 2023

**MINIMUM REQUIREMENTS CHECKLIST**  
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

DEPT OF WATER RESOURCES

SOUTHERN REGION

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 <http://www.idwr.idaho.gov/>.

Name of Applicant(s) GARNER LAND LLC; GARNER CAPITAL INVESTMENTS LLC

**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 #1-9.**

- ☐ ☒ #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 transfer 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).
- ☐ ☒ #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 <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm>.
- ☐ ☒ #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.
- ☐ ☒ #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.)
- ☐ ☒ #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 Other. Please describe: \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1

Name of Applicant GARNER LAND LLC <sup>114</sup> Phone (208) 349-5740 <sup>670-5521</sup>  
Mailing Address 22 N YALE RD, DECLO ID 83323 <sup>114</sup> Email Millman@atcnct.net <sup>114</sup>  
Name of Applicant GARNER CAPITAL INVESTMENTS LLC <sup>83323-6016</sup> Phone (208) 670-5521 <sup>1320@gmail.com</sup>  
Mailing Address 147 S 2550 E, DECLO ID 83323-6016 Email nathan.garner1320@gmail.com

- ☐ 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 \_\_\_\_\_ Phone \_\_\_\_\_  
Mailing Address \_\_\_\_\_ Email \_\_\_\_\_

- ☐ 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.

Nathan Garner for Garner Land LLC Nathan Garner - member 12/6/2023  
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date  
Nathan Garner Garner Capital Investments LLC Nathan Garner - member 12/6/2023  
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

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DEPT OF WATER RESOURCES  
SOUTHERN REGION

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

### A. PURPOSE OF TRANSFER

| 1. Right | Split | POD | POU | Add POD | Period of Use | Nature of Use |
|----------|-------|-----|-----|---------|---------------|---------------|
| 43-2511  | No    | No  | Yes | Yes     | No            | No            |
| 43-4146  | No    | No  | Yes | Yes     | No            | No            |
| 43-13175 | No    | No  | Yes | Yes     | No            | No            |
| 43-13177 | No    | No  | Yes | Yes     | No            | No            |
| 43-13179 | No    | No  | Yes | Yes     | No            | No            |
| 43-13599 | No    | Yes | Yes | Yes     | No            | No            |
| 43-13641 | No    | No  | Yes | Yes     | No            | No            |
| 43-13643 | No    | No  | Yes | Yes     | No            | No            |
| 43-13721 | No    | Yes | Yes | Yes     | No            | No            |
| 43-13827 | No    | No  | Yes | Yes     | No            | No            |
| 43-13828 | No    | No  | Yes | Yes     | No            | No            |
| 43-13829 | No    | No  | Yes | Yes     | No            | No            |
| 43-13895 | No    | Yes | Yes | Yes     | No            | No            |

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.2**

Application is seeking to transfer three water rights into an existing farm to provide for 39 additional acres of irrigation within the existing permissible place of use. Application also proposes to drill a new well in the ~~NWSW~~ of Section 3.

NE NW 14

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

1. Detailed Water Right Description(s) Attached labeled Part 1.

#### Summary of Water Rights After the Approved Change

| Transferred Right (All or Part) | Transfer Rate | Transfer Volume | Acre Limit | Total Acres | Original Right (Remaining Portion) | Remaining Rate | Remaining Volume | Remaining Acre Limit | Remaining Total Acres |
|---------------------------------|---------------|-----------------|------------|-------------|------------------------------------|----------------|------------------|----------------------|-----------------------|
| 43-13599                        | 0.350 cfs     | 68.3 af         | 19.5       | 895.9       |                                    | N/A            | N/A              | N/A                  | N/A                   |
| 43-2511                         | 6.390 cfs     | 1920.0 af       | 480.0      | 895.9       |                                    | N/A            | N/A              | N/A                  | N/A                   |
| 43-4146                         | 1.470 cfs     | N/A             | 143.7      | 895.9       |                                    | N/A            | N/A              | N/A                  | N/A                   |
| 43-13175                        | 0.460 cfs     | 108.0 af        | 27.0       | 895.9       |                                    | N/A            | N/A              | N/A                  | N/A                   |
| 43-13177                        | 0.350 cfs     | 170.8 af        | 59.0       | 895.9       |                                    | N/A            | N/A              | N/A                  | N/A                   |
| 43-13179                        | 0.610 cfs     | 236.0 af        | 59.0       | 895.9       |                                    | N/A            | N/A              | N/A                  | N/A                   |
| 43-13641                        | 0.030 cfs     | 25.2 af         | 6.3        | 895.9       |                                    | N/A            | N/A              | N/A                  | N/A                   |
| 43-13643                        | 0.680 cfs     | 144.0 af        | 36.0       | 895.9       |                                    | N/A            | N/A              | N/A                  | N/A                   |
| 43-13721                        | 0.010 cfs     | 1.8 af          | 0.5        | 895.9       |                                    | N/A            | N/A              | N/A                  | N/A                   |
| 43-13827                        | 0.230 cfs     | 108.0 af        | 27.0       | 895.9       |                                    | N/A            | N/A              | N/A                  | N/A                   |
| 43-13828                        | 0.050 cfs     | 26.0 af         | 27.0       | 895.9       |                                    | N/A            | N/A              | N/A                  | N/A                   |
| 43-13829                        | 0.260 cfs     | 108.0 af        | 27.0       | 895.9       |                                    | N/A            | N/A              | N/A                  | N/A                   |
| 43-13895                        | 0.340 cfs     | 66.5 af         | 19.0       | 895.9       |                                    | N/A            | N/A              | N/A                  | N/A                   |

#### COMBINED TOTALS

9.760 cfs    2,652.6 af    771.7    895.9    N/A    N/A    N/A    N/A

2. Total amount of water proposed to be transferred or changed 9.76 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Continued**

3. Points(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
- ☒ As shown in Part 1.
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5.**

4. Place of Use:

- ☐ No changes to place of use are proposed. (Proceed to #5.)
- ☒ As shown in Part 1.
- ☐ See Attachment.

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 1 Transfer Right After Requested Changes**

**Proposed Water Right No. 43-13599**

Current Water Right Owner

GARNER CAPITAL  
 INVESTMENTS LLC  
 147 S 2550 E  
 DECLO, ID 83323-6016

Priority Date: 8/13/1956

Origin: Water Right

Basis: Decreed

Status Active

**Source: GROUND WATER**

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 04/01       | 10/31     | 0.350 CFS             | 68.3 AFA      |                    |
| Total Diversion       |             |           | 0.350 CFS             | 68.3 AFA      |                    |

**Source and Point(s) of Diversion:**

|              |          |                        |               |
|--------------|----------|------------------------|---------------|
| GROUND WATER | NWNESW   | Sec. 3 Twp 11S Rge 27E | CASSIA County |
| GROUND WATER | SWNWSW   | Sec. 3 Twp 11S Rge 27E | CASSIA County |
| GROUND WATER | L3(NENW) | Sec. 3 Twp 11S Rge 27E | 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 | 27E | 34  |      | 9.9  | 40.0 | 15.0 | 20.0 | 12.0 | 27.0 | 40.0 | 40.0 | 31.0 | 33.0 | 40.0 | 39.0 | 40.0 | 40.0 | 26.0 | 452.9  |
| 11S | 27E | 3   | 39.0 | 40.0 | 39.0 | 18.0 | 40.0 | 34.0 | 35.0 | 40.0 | 40.0 | 34.0 | 32.0 | 35.0 |      | 17.0 |      |      | 443.0  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |      |      |        |

Right Acre Limit: 19.5

POU Total Acres: 895.9

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Transfer Right After Requested Changes**

**Proposed Water Right No. 43-2511**

Current Water Right Owner  
GARNER LAND LLC  
22 N YALE RD  
DECLO, ID 83323

Priority Date: 2/8/1961

Origin: Water Right

Basis: Decreed

Status Active

**Source: GROUND WATER**

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 04/01       | 10/31     | 6.390 CFS             | 1920.0 AFA    |                    |
| Total Diversion       |             |           | 6.390 CFS             | 1920.0 AFA    |                    |

**Source and Point(s) of Diversion:**

|              |          |                        |               |
|--------------|----------|------------------------|---------------|
| GROUND WATER | NWNESW   | Sec. 3 Twp 11S Rge 27E | CASSIA County |
| GROUND WATER | SWNWSW   | Sec. 3 Twp 11S Rge 27E | CASSIA County |
| GROUND WATER | L3(NENW) | Sec. 3 Twp 11S Rge 27E | 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 | 27E | 34  |      | 9.9  | 40.0 | 15.0 | 20.0 | 12.0 | 27.0 | 40.0 | 40.0 | 31.0 | 33.0 | 40.0 | 39.0 | 40.0 | 40.0 | 26.0 | 452.9  |
| 11S | 27E | 3   | 39.0 | 40.0 | 39.0 | 18.0 | 40.0 | 34.0 | 35.0 | 40.0 | 40.0 | 34.0 | 32.0 | 35.0 |      | 17.0 |      |      | 443.0  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |      |      |        |

Right Acre Limit: 480.0

POU Total Acres: 895.9

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Transfer Right After Requested Changes**

**Proposed Water Right No. 43-4146**

Current Water Right Owner  
GARNER LAND LLC  
22 N YALE RD  
DECLO, ID 83323

Priority Date: 6/30/1985

Origin: Water Right

Basis: Decreed

Status Active

**Source: GROUND WATER**

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|--------------------|
| IRRIGATION            | 04/01       | 10/31     | 1.470 CFS             |                    |
| Total Diversion       |             |           | 1.470 CFS             |                    |

**Source and Point(s) of Diversion:**

|              |          |                                      |
|--------------|----------|--------------------------------------|
| GROUND WATER | NWNESW   | Sec. 3 Twp 11S Rge 27E CASSIA County |
| GROUND WATER | SWNWSW   | Sec. 3 Twp 11S Rge 27E CASSIA County |
| GROUND WATER | L3(NENW) | Sec. 3 Twp 11S Rge 27E 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 | 27E | 34  |      | 9.9  | 40.0 | 15.0 | 20.0 | 12.0 | 27.0 | 40.0 | 40.0 | 31.0 | 33.0 | 40.0 | 39.0 | 40.0 | 40.0 | 26.0 | 452.9  |
| 11S | 27E | 3   | 39.0 | 40.0 | 39.0 | 18.0 | 40.0 | 34.0 | 35.0 | 40.0 | 40.0 | 34.0 | 32.0 | 35.0 |      | 17.0 |      |      | 443.0  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |      |      |        |

Right Acre Limit: 143.7

POU Total Acres: 895.9

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Transfer Right After Requested Changes**

**Proposed Water Right No. 43-13175**

Current Water Right Owner  
GARNER LAND LLC  
22 N YALE RD  
DECLO, ID 83323

Priority Date: 5/29/1950

Origin: Water Right

Basis: Decreed

Status Active

**Source: GROUND WATER**

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.460 CFS             | 108.0 AFA     |                    |
| Total Diversion       |             |           | 0.460 CFS             | 108.0 AFA     |                    |

**Source and Point(s) of Diversion:**

|              |          |                                      |
|--------------|----------|--------------------------------------|
| GROUND WATER | NWNESW   | Sec. 3 Twp 11S Rge 27E CASSIA County |
| GROUND WATER | SWNWSW   | Sec. 3 Twp 11S Rge 27E CASSIA County |
| GROUND WATER | L3(NENW) | Sec. 3 Twp 11S Rge 27E 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 | 27E | 34  |      | 9.9  | 40.0 | 15.0 | 20.0 | 12.0 | 27.0 | 40.0 | 40.0 | 31.0 | 33.0 | 40.0 | 39.0 | 40.0 | 40.0 | 26.0 | 452.9  |
| 11S | 27E | 3   | 39.0 | 40.0 | 39.0 | 18.0 | 40.0 | 34.0 | 35.0 | 40.0 | 40.0 | 34.0 | 32.0 | 35.0 |      | 17.0 |      |      | 443.0  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |      |      |        |

Right Acre Limit: 27.0

POU Total Acres: 895.9

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Transfer Right After Requested Changes**

**Proposed Water Right No.** 43-13177

Current Water Right Owner  
GARNER LAND LLC  
22 N YALE RD  
DECLO, ID 83323

Priority Date: 11/27/1957

Origin: Water Right

Basis: Decreed

Status Active

**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.350 CFS             | 170.8 AFA     |                    |
| Total Diversion       |             |           | 0.350 CFS             | 170.8 AFA     |                    |

**Source and Point(s) of Diversion:**

|              |          |                                      |
|--------------|----------|--------------------------------------|
| GROUND WATER | NWNESW   | Sec. 3 Twp 11S Rgc 27E CASSIA County |
| GROUND WATER | SWNWSW   | Sec. 3 Twp 11S Rgc 27E CASSIA County |
| GROUND WATER | L3(NENW) | Sec. 3 Twp 11S Rgc 27E 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 | 27E | 34  |      | 9.9  | 40.0 | 15.0 | 20.0 | 12.0 | 27.0 | 40.0 | 40.0 | 31.0 | 33.0 | 40.0 | 39.0 | 40.0 | 40.0 | 26.0 | 452.9  |
| 11S | 27E | 3   | 39.0 | 40.0 | 39.0 | 18.0 | 40.0 | 34.0 | 35.0 | 40.0 | 40.0 | 34.0 | 32.0 | 35.0 |      | 17.0 |      |      | 443.0  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |      |      |        |

Right Acre Limit: 59.0

POU Total Acres: 895.9

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 1 Transfer Right After Requested Changes**

**Proposed Water Right No. 43-13179**

Current Water Right Owner  
 GARNER LAND LLC  
 22 N YALE RD  
 DECLO, ID 83323

Priority Date: 11/30/1957

Origin: Water Right

Basis: Decreed

Status Active

**Source: GROUND WATER**

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.610 CFS             | 236.0 AFA     |                    |
| Total Diversion       |             |           | 0.610 CFS             | 236.0 AFA     |                    |

**Source and Point(s) of Diversion:**

|              |          |                                      |
|--------------|----------|--------------------------------------|
| GROUND WATER | NWNESW   | Sec. 3 Twp 11S Rge 27E CASSIA County |
| GROUND WATER | SWNWSW   | Sec. 3 Twp 11S Rge 27E CASSIA County |
| GROUND WATER | L3(NENW) | Sec. 3 Twp 11S Rge 27E 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 | 27E | 34  |      | 9.9  | 40.0 | 15.0 | 20.0 | 12.0 | 27.0 | 40.0 | 40.0 | 31.0 | 33.0 | 40.0 | 39.0 | 40.0 | 40.0 | 26.0 | 452.9  |
| 11S | 27E | 3   | 39.0 | 40.0 | 39.0 | 18.0 | 40.0 | 34.0 | 35.0 | 40.0 | 40.0 | 34.0 | 32.0 | 35.0 |      | 17.0 |      |      | 443.0  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |      |      |        |

Right Acre Limit: 59.0

POU Total Acres: 895.9

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Transfer Right After Requested Changes**

**Proposed Water Right No. 43-13641**

Current Water Right Owner  
GARNER LAND LLC  
22 N YALE RD  
DECLO, ID 83323

Priority Date: 3/18/1960

Origin: Water Right

Basis: Decreed

Status Active

**Source: GROUND WATER**

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.030 CFS             | 25.2 AFA      |                    |
| Total Diversion       |             |           | 0.030 CFS             | 25.2 AFA      |                    |

**Source and Point(s) of Diversion:**

|              |          |                                      |
|--------------|----------|--------------------------------------|
| GROUND WATER | NWNESW   | Sec. 3 Twp 11S Rge 27E CASSIA County |
| GROUND WATER | SWNWSW   | Sec. 3 Twp 11S Rge 27E CASSIA County |
| GROUND WATER | L3(NENW) | Sec. 3 Twp 11S Rge 27E 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 | 27E | 34  |      | 9.9  | 40.0 | 15.0 | 20.0 | 12.0 | 27.0 | 40.0 | 40.0 | 31.0 | 33.0 | 40.0 | 39.0 | 40.0 | 40.0 | 26.0 | 452.9  |
| 11S | 27E | 3   | 39.0 | 40.0 | 39.0 | 18.0 | 40.0 | 34.0 | 35.0 | 40.0 | 40.0 | 34.0 | 32.0 | 35.0 |      | 17.0 |      |      | 443.0  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |      |      |        |

Right Acre Limit: 6.3

POU Total Acres: 895.9

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Transfer Right After Requested Changes**

**Proposed Water Right No.** 43-13643

Current Water Right Owner  
GARNER LAND LLC  
22 N YALE RD  
DECLO, ID 83323

Priority Date: 6/30/1953

Origin: Water Right

Basis: Decreed

Status Active

**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.680 CFS             | 144.0 AFA     |                    |
| Total Diversion       |             |           | 0.680 CFS             | 144.0 AFA     |                    |

**Source and Point(s) of Diversion:**

|              |          |                                      |
|--------------|----------|--------------------------------------|
| GROUND WATER | NWNESW   | Sec. 3 Twp 11S Rge 27E CASSIA County |
| GROUND WATER | SWNWSW   | Sec. 3 Twp 11S Rge 27E CASSIA County |
| GROUND WATER | L3(NENW) | Sec. 3 Twp 11S Rge 27E 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 | 27E | 34  |      | 9.9  | 40.0 | 15.0 | 20.0 | 12.0 | 27.0 | 40.0 | 40.0 | 31.0 | 33.0 | 40.0 | 39.0 | 40.0 | 40.0 | 26.0 | 452.9  |
| 11S | 27E | 3   | 39.0 | 40.0 | 39.0 | 18.0 | 40.0 | 34.0 | 35.0 | 40.0 | 40.0 | 34.0 | 32.0 | 35.0 |      | 17.0 |      |      | 443.0  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |      |      |        |

Right Acre Limit: 36.0

POU Total Acres: 895.9

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Transfer Right After Requested Changes**

**Proposed Water Right No. 43-13721**

Current Water Right Owner

GARNER CAPITAL  
INVESTMENTS LLC  
147 S 2550 E  
DECLO, ID 83323-6016

Priority Date: 8/13/1956

Origin: Water Right

Basis: Decreed

Status Active

**Source: GROUND WATER**

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 04/01       | 10/31     | 0.010 CFS             | 1.8 AFA       |                    |
| Total Diversion       |             |           | 0.010 CFS             | 1.8 AFA       |                    |

**Source and Point(s) of Diversion:**

|              |          |                        |               |
|--------------|----------|------------------------|---------------|
| GROUND WATER | NWNESW   | Sec. 3 Twp 11S Rge 27E | CASSIA County |
| GROUND WATER | SWNWSW   | Sec. 3 Twp 11S Rge 27E | CASSIA County |
| GROUND WATER | L3(NENW) | Sec. 3 Twp 11S Rge 27E | 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 | 27E | 34  |      | 9.9  | 40.0 | 15.0 | 20.0 | 12.0 | 27.0 | 40.0 | 40.0 | 31.0 | 33.0 | 40.0 | 39.0 | 40.0 | 40.0 | 26.0 | 452.9  |
| 11S | 27E | 3   | 39.0 | 40.0 | 39.0 | 18.0 | 40.0 | 34.0 | 35.0 | 40.0 | 40.0 | 34.0 | 32.0 | 35.0 |      | 17.0 |      |      | 443.0  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |      |      |        |

Right Acre Limit: 0.5

POU Total Acres: 895.9

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Transfer Right After Requested Changes**

**Proposed Water Right No. 43-13827**

Current Water Right Owner

GARNER CAPITAL  
INVESTMENTS LLC  
147 S 2550 E  
DECLO, ID 83323-6016

Priority Date: 11/10/1951

Origin: Water Right

Basis: Decreed

Status Active

**Source: GROUND WATER**

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.230 CFS             | 108.0 AFA     |                    |
| Total Diversion       |             |           | 0.230 CFS             | 108.0 AFA     |                    |

**Source and Point(s) of Diversion:**

|              |          |                                      |
|--------------|----------|--------------------------------------|
| GROUND WATER | NWNESW   | Sec. 3 Twp 11S Rge 27E CASSIA County |
| GROUND WATER | SWNWSW   | Sec. 3 Twp 11S Rge 27E CASSIA County |
| GROUND WATER | L3(NENW) | Sec. 3 Twp 11S Rge 27E 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 | 27E | 34  |      | 9.9  | 40.0 | 15.0 | 20.0 | 12.0 | 27.0 | 40.0 | 40.0 | 31.0 | 33.0 | 40.0 | 39.0 | 40.0 | 40.0 | 26.0 | 452.9  |
| 11S | 27E | 3   | 39.0 | 40.0 | 39.0 | 18.0 | 40.0 | 34.0 | 35.0 | 40.0 | 40.0 | 34.0 | 32.0 | 35.0 |      | 17.0 |      |      | 443.0  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |      |      |        |

Right Acre Limit: 27.0

POU Total Acres: 895.9

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Transfer Right After Requested Changes**

**Proposed Water Right No. 43-13828**

Current Water Right Owner

GARNER CAPITAL  
INVESTMENTS LLC  
147 S 2550 E  
DECLO, ID 83323-6016

Priority Date: 3/10/1958

Origin: Water Right

Basis: Decreed

Status Active

**Source: GROUND WATER**

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.050 CFS             | 26.0 AFA      |                    |
| Total Diversion       |             |           | 0.050 CFS             | 26.0 AFA      |                    |

**Source and Point(s) of Diversion:**

|              |          |                                      |
|--------------|----------|--------------------------------------|
| GROUND WATER | NWNESW   | Sec. 3 Twp 11S Rge 27E CASSIA County |
| GROUND WATER | SWNWSW   | Sec. 3 Twp 11S Rge 27E CASSIA County |
| GROUND WATER | L3(NENW) | Sec. 3 Twp 11S Rge 27E 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 | 27E | 34  |      | 9.9  | 40.0 | 15.0 | 20.0 | 12.0 | 27.0 | 40.0 | 40.0 | 31.0 | 33.0 | 40.0 | 39.0 | 40.0 | 40.0 | 26.0 | 452.9  |
| 11S | 27E | 3   | 39.0 | 40.0 | 39.0 | 18.0 | 40.0 | 34.0 | 35.0 | 40.0 | 40.0 | 34.0 | 32.0 | 35.0 |      | 17.0 |      |      | 443.0  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |      |      |        |

Right Acre Limit: 27.0

POU Total Acres: 895.9

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Transfer Right After Requested Changes**

**Proposed Water Right No. 43-13829**

Current Water Right Owner

GARNER CAPITAL  
INVESTMENTS LLC  
147 S 2550 E  
DECLO, ID 83323-6016

Priority Date: 6/11/1960

Origin: Water Right

Basis: Decreed

Status Active

**Source: GROUND WATER**

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.260 CFS             | 108.0 AFA     |                    |
| Total Diversion       |             |           | 0.260 CFS             | 108.0 AFA     |                    |

**Source and Point(s) of Diversion:**

|              |          |                                      |
|--------------|----------|--------------------------------------|
| GROUND WATER | NWNESW   | Sec. 3 Twp 11S Rge 27E CASSIA County |
| GROUND WATER | SWNWSW   | Sec. 3 Twp 11S Rge 27E CASSIA County |
| GROUND WATER | L3(NENW) | Sec. 3 Twp 11S Rge 27E 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 | 27E | 34  |      | 9.9  | 40.0 | 15.0 | 20.0 | 12.0 | 27.0 | 40.0 | 40.0 | 31.0 | 33.0 | 40.0 | 39.0 | 40.0 | 40.0 | 26.0 | 452.9  |
| 11S | 27E | 3   | 39.0 | 40.0 | 39.0 | 18.0 | 40.0 | 34.0 | 35.0 | 40.0 | 40.0 | 34.0 | 32.0 | 35.0 |      | 17.0 |      |      | 443.0  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |      |      |        |

Right Acre Limit: 27.0

POU Total Acres: 895.9

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1 Transfer Right After Requested Changes**

**Proposed Water Right No.** 43-13895

Current Water Right Owner

GARNER CAPITAL  
INVESTMENTS LLC  
147 S 2550 E  
DECLO, ID 83323-6016

Priority Date: 8/13/1956

Origin: Water Right

Basis: Decreed

Status Active

**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 04/01       | 10/31     | 0.340 CFS             | 66.5 AFA      |                    |
| Total Diversion       |             |           | 0.340 CFS             | 66.5 AFA      |                    |

**Source and Point(s) of Diversion:**

|              |          |                        |               |
|--------------|----------|------------------------|---------------|
| GROUND WATER | NWNESW   | Sec. 3 Twp 11S Rge 27E | CASSIA County |
| GROUND WATER | SWNWSW   | Sec. 3 Twp 11S Rge 27E | CASSIA County |
| GROUND WATER | L3(NENW) | Sec. 3 Twp 11S Rge 27E | 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 | 27E | 34  |      | 9.9  | 40.0 | 15.0 | 20.0 | 12.0 | 27.0 | 40.0 | 40.0 | 31.0 | 33.0 | 40.0 | 39.0 | 40.0 | 40.0 | 26.0 | 452.9  |
| 11S | 27E | 3   | 39.0 | 40.0 | 39.0 | 18.0 | 40.0 | 34.0 | 35.0 | 40.0 | 40.0 | 34.0 | 32.0 | 35.0 |      | 17.0 |      |      | 443.0  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |      |      |        |

Right Acre Limit: 19.0

POU Total Acres: 895.9

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

three interconnected wells to sprinkler systems

- b. Who owns the property at the point(s) of diversion

Garner 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?  
No, ☒ 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:

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

Land in section 24 will no longer be irrigated.

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

N/A

- f. 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.** 43-13599

Current Water Right Owner

GARNER CAPITAL  
INVESTMENTS LLC  
147 S 2550 E  
DECLO, ID 83323-6016

Priority Date: 8/13/1956

Origin: Water Right

Basis: Decreed

Status: Active

**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 04/01       | 10/31     | 0.350 CFS             | 68.3 AFA      |                    |
| Total Diversion       |             |           | 0.350 CFS             | 68.3 AFA      |                    |

**Source and Point(s) of Diversion:**

|              |        |                                       |
|--------------|--------|---------------------------------------|
| GROUND WATER | SWSWSW | Sec. 24 Twp 12S Rge 26E CASSIA County |
| GROUND WATER | NESESW | Sec. 24 Twp 12S Rge 26E CASSIA County |
| GROUND WATER | SWSW   | Sec. 24 Twp 12S Rge 26E 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 |        |
| 12S | 26E | 24  |    |    |    |    |    |    |    |    |    |    |    | 19.5 |    |    |    |    | 19.5   |

Right Acre Limit: 19.5

POU Total Acres: 19.5

**Conditions/Remarks:**

- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
- 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.
- The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than June 28, 2002.
- After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
- The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

HO DEPARTMENT OF WATER RESOURC.  
APPLICATION FOR TRANSFER OF WATER RIGHT

**Conditions/Remarks:**

7. 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.

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

**Current Water Right No. 43-2511**

Current Water Right Owner  
GARNER LAND LLC  
22 N YALE RD  
DECLO, ID 83323

Priority Date: 2/8/1961

Origin: Water Right

Basis: Decreed

Status: Active

**Source: GROUND WATER**

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 04/01       | 10/31     | 6.390 CFS             | 1920.0 AFA    |                    |
| Total Diversion       |             |           | 6.390 CFS             | 1920.0 AFA    |                    |

**Source and Point(s) of Diversion:**

|              |        |                                      |
|--------------|--------|--------------------------------------|
| GROUND WATER | NWNESW | Sec. 3 Twp 11S Rge 27E CASSIA County |
| GROUND WATER | SWNWSW | Sec. 3 Twp 11S Rge 27E 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 | 27E | 34  |      | 9.9  | 40.0 | 15.0 | 20.0 | 12.0 | 27.0 | 40.0 | 40.0 | 31.0 | 33.0 | 40.0 | 39.0 | 40.0 | 40.0 | 26.0 | 452.9  |
| 11S | 27E | 3   | 39.0 | 40.0 | 39.0 | 18.0 | 40.0 | 34.0 | 35.0 | 40.0 | 40.0 | 34.0 | 32.0 | 35.0 |      | 17.0 |      |      | 443.0  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |      |      |        |

Right Acre Limit: 480.0

POU Total Acres: 895.9

**Conditions/Remarks:**

1. This right is limited to the irrigation of 480 acres within the authorized place of use in a single irrigation season.
2. Rights 42-2511, and 43-4146 when combined shall not exceed a total diversion rate of 6.39 cfs, a total annual maximum diversion volume of 1920 af at the field headgate, and the irrigation of 623.7 acres.
3. Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, and 43-13643 when combined shall not exceed a total diversion rate of 8.52 cfs, a total annual maximum diversion volume of 2408 af at the field headgate, and the irrigation of 705.7 acres.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6/28/2002
5. Right no. 43-4146 is an expansion of this right pursuant to section 42-1416b, Idaho Code.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

IDaho DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT

**Conditions/Remarks:**

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.
11. Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, 43-13643, 43-13827, 43-13828, and 43-13829 are limited to the irrigation of a specific 732.7 acres within the 895.9 acre place of use authorized by this right in a single irrigation season. The specific 732.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 732.7 acres to be irrigated within the 895.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

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

**Current Water Right No. 43-4146**

Current Water Right Owner  
GARNER LAND LLC  
22 N YALE RD  
DECLO, ID 83323

Priority Date: 6/30/1985

Origin: Water Right

Basis: Decreed

Status: Active

**Source: GROUND WATER**

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|--------------------|
| IRRIGATION            | 04/01       | 10/31     | 1.470 CFS             |                    |
| Total Diversion       |             |           | 1.470 CFS             |                    |

**Source and Point(s) of Diversion:**

|              |        |                                      |
|--------------|--------|--------------------------------------|
| GROUND WATER | SWNWSW | Sec. 3 Twp 11S Rge 27E CASSIA County |
| GROUND WATER | NWNESW | Sec. 3 Twp 11S Rge 27E 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 | 27E | 34  |      | 9.9  | 40.0 | 15.0 | 20.0 | 12.0 | 27.0 | 40.0 | 40.0 | 31.0 | 33.0 | 40.0 | 39.0 | 40.0 | 40.0 | 26.0 | 452.9  |
| 11S | 27E | 3   | 39.0 | 40.0 | 39.0 | 18.0 | 40.0 | 34.0 | 35.0 | 40.0 | 40.0 | 34.0 | 32.0 | 35.0 |      | 17.0 |      |      | 443.0  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |      |      |        |

Right Acre Limit: 143.7

POU Total Acres: 895.9

**Conditions/Remarks:**

1. This right is limited to the irrigation of 143.7 acres within the authorized place of use in a single irrigation season.
2. Rights 42-2511, and 43-4146 when combined shall not exceed a total diversion rate of 6.39 cfs, a total annual maximum diversion volume of 1920 af at the field headgate, and the irrigation of 623.7 acres.
3. Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, and 43-13643 when combined shall not exceed a total diversion rate of 8.52 cfs, a total annual maximum diversion volume of 2408 af at the field headgate, and the irrigation of 705.7 acres.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 6/28/2002
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
7. This right is an expansion of right no. 43-2511 pursuant to section 42-1416b, Idaho Code.

**Conditions/Remarks:**

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.
11. Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, 43-13643, 43-13827, 43-13828, and 43-13829 are limited to the irrigation of a specific 732.7 acres within the 895.9 acre place of use authorized by this right in a single irrigation season. The specific 732.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 732.7 acres to be irrigated within the 895.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

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

**Current Water Right No. 43-13175**

Current Water Right Owner  
GARNER LAND LLC  
22 N YALE RD  
DECLO, ID 83323

Priority Date: 5/29/1950

Origin: Water Right

Basis: Decreed

Status: Active

**Source: GROUND WATER**

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.460 CFS             | 108.0 AFA     |                    |
| Total Diversion       |             |           | 0.460 CFS             | 108.0 AFA     |                    |

**Source and Point(s) of Diversion:**

|              |        |                                      |
|--------------|--------|--------------------------------------|
| GROUND WATER | SWNWSW | Sec. 3 Twp 11S Rge 27E CASSIA County |
| GROUND WATER | NWNESW | Sec. 3 Twp 11S Rge 27E CASSIA County |

**Describe the proposed diversion system**

existing well

existing well

**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 | 27E | 34  |      | 9.9  | 40.0 | 15.0 | 20.0 | 12.0 | 27.0 | 40.0 | 40.0 | 31.0 | 33.0 | 40.0 | 39.0 | 40.0 | 40.0 | 26.0 | 452.9  |
| 11S | 27E | 3   | 39.0 | 40.0 | 39.0 | 18.0 | 40.0 | 34.0 | 35.0 | 40.0 | 40.0 | 34.0 | 32.0 | 35.0 |      | 17.0 |      |      | 443.0  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |      |      |        |

Right Acre Limit: 27.0

POU Total Acres: 895.9

**Conditions/Remarks:**

1. This right is limited to the irrigation of 27.0 acres within the place of use described above in a single irrigation season.
2. Rights 43-13175, 43-13177, and 43-13179 when combined shall not exceed a total diversion rate of 1.42 cfs, a total annual maximum diversion volume of 344.0 af at the field headgate, and the irrigation of 86 acres.
3. Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, and 43-13643 when combined shall not exceed a total diversion rate of 8.52 cfs, a total annual maximum diversion volume of 2408 af at the field headgate, and the irrigation of 705.7 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

IDaho DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT

**Conditions/Remarks:**

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 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.
9. Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, 43-13643, 43-13827, 43-13828, and 43-13829 are limited to the irrigation of a specific 732.7 acres within the 895.9 acre place of use authorized by this right in a single irrigation season. The specific 732.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 732.7 acres to be irrigated within the 895.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

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

**Current Water Right No.** 43-13177

Current Water Right Owner  
GARNER LAND LLC  
22 N YALE RD  
DECLO, ID 83323

Priority Date: 11/27/1957

Origin: Water Right

Basis: Decreed

Status: Active

**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.350 CFS             | 170.8 AFA     |                    |
| Total Diversion       |             |           | 0.350 CFS             | 170.8 AFA     |                    |

**Source and Point(s) of Diversion:**

|              |        |                                      |
|--------------|--------|--------------------------------------|
| GROUND WATER | SWNWSW | Sec. 3 Twp 11S Rge 27E CASSIA County |
| GROUND WATER | NWNESW | Sec. 3 Twp 11S Rge 27E CASSIA County |

**Describe the proposed diversion system**

existing well

existing well

**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 | 27E | 34  |      | 9.9  | 40.0 | 15.0 | 20.0 | 12.0 | 27.0 | 40.0 | 40.0 | 31.0 | 33.0 | 40.0 | 39.0 | 40.0 | 40.0 | 26.0 | 452.9  |
| 11S | 27E | 3   | 39.0 | 40.0 | 39.0 | 18.0 | 40.0 | 34.0 | 35.0 | 40.0 | 40.0 | 34.0 | 32.0 | 35.0 |      | 17.0 |      |      | 443.0  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |      |      |        |

Right Acre Limit: 59.0

POU Total Acres: 895.9

**Conditions/Remarks:**

1. Rights 43-13177 and 43-13179 when combined shall not exceed a total annual maximum diversion volume of 236.0 af at the field headgate, and the irrigation of 59.0 acres.
2. Rights 43-13175, 43-13177, and 43-13179 when combined shall not exceed a total diversion rate of 1.42 cfs, a total annual maximum diversion volume of 344.0 af at the field headgate, and the irrigation of 86 acres.
3. Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, and 43-13643 when combined shall not exceed a total diversion rate of 8.52 cfs, a total annual maximum diversion volume of 2408 af at the field headgate, and the irrigation of 705.7 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

IDaho DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT

**Conditions/Remarks:**

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 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.
9. Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, 43-13643, 43-13827, 43-13828, and 43-13829 are limited to the irrigation of a specific 732.7 acres within the 895.9 acre place of use authorized by this right in a single irrigation season. The specific 732.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 732.7 acres to be irrigated within the 895.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

**HO DEPARTMENT OF WATER RESOURC  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2A**

**Current Water Right No. 43-13179**

Current Water Right Owner  
GARNER LAND LLC  
22 N YALE RD  
DECLO, ID 83323

Priority Date: 11/30/1957

Origin: Water Right

Basis: Decreed

Status: Active

**Source: GROUND WATER**

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.610 CFS             | 236.0 AFA     |                    |
| Total Diversion       |             |           | 0.610 CFS             | 236.0 AFA     |                    |

**Source and Point(s) of Diversion:**

|              |        |                                      |
|--------------|--------|--------------------------------------|
| GROUND WATER | SWNWSW | Sec. 3 Twp 11S Rge 27E CASSIA County |
| GROUND WATER | NWNESW | Sec. 3 Twp 11S Rge 27E CASSIA County |

**Describe the proposed diversion system**

existing well

existing well

**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 | 27E | 34  |      | 9.9  | 40.0 | 15.0 | 20.0 | 12.0 | 27.0 | 40.0 | 40.0 | 31.0 | 33.0 | 40.0 | 39.0 | 40.0 | 40.0 | 26.0 | 452.9  |
| 11S | 27E | 3   | 39.0 | 40.0 | 39.0 | 18.0 | 40.0 | 34.0 | 35.0 | 40.0 | 40.0 | 34.0 | 32.0 | 35.0 |      | 17.0 |      |      | 443.0  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |      |      |        |

Right Acre Limit: 59.0

POU Total Acres: 895.9

**Conditions/Remarks:**

1. Rights 43-13177 and 43-13179 when combined shall not exceed a total annual maximum diversion volume of 236.0 af at the field headgate, and the irrigation of 59.0 acres.
2. Rights 43-13175, 43-13177, and 43-13179 when combined shall not exceed a total diversion rate of 1.42 cfs, a total annual maximum diversion volume of 344.0 af at the field headgate, and the irrigation of 86 acres.
3. Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, and 43-13643 when combined shall not exceed a total diversion rate of 8.52 cfs, a total annual maximum diversion volume of 2408 af at the field headgate, and the irrigation of 705.7 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

IDaho DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT

**Conditions/Remarks:**

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 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.
9. Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, 43-13643, 43-13827, 43-13828, and 43-13829 are limited to the irrigation of a specific 732.7 acres within the 895.9 acre place of use authorized by this right in a single irrigation season. The specific 732.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 732.7 acres to be irrigated within the 895.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

**HO DEPARTMENT OF WATER RESOURC  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2A**

**Current Water Right No. 43-13641**

Current Water Right Owner  
GARNER LAND LLC  
22 N YALE RD  
DECLO, ID 83323

Priority Date: 3/18/1960

Origin: Water Right

Basis: Decreed

Status: Active

**Source: GROUND WATER**

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.030 CFS             | 25.2 AFA      |                    |
| Total Diversion       |             |           | 0.030 CFS             | 25.2 AFA      |                    |

**Source and Point(s) of Diversion:**

|              |        |                                      |
|--------------|--------|--------------------------------------|
| GROUND WATER | SWNWSW | Sec. 3 Twp 11S Rge 27E CASSIA County |
| GROUND WATER | NWNESW | Sec. 3 Twp 11S Rge 27E CASSIA County |

**Describe the proposed diversion system**

Existing well #1

Existing well #2

**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 | 27E | 34  |      | 9.9  | 40.0 | 15.0 | 20.0 | 12.0 | 27.0 | 40.0 | 40.0 | 31.0 | 33.0 | 40.0 | 39.0 | 40.0 | 40.0 | 26.0 | 452.9  |
| 11S | 27E | 3   | 39.0 | 40.0 | 39.0 | 18.0 | 40.0 | 34.0 | 35.0 | 40.0 | 40.0 | 34.0 | 32.0 | 35.0 |      | 17.0 |      |      | 443.0  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |      |      |        |

Right Acre Limit: 6.3

POU Total Acres: 895.9

**Conditions/Remarks:**

1. This right is limited to the irrigation of 6.3 acres within the place of use described above in a single irrigation season.
2. Rights 43-13641 and 43-13643 when combined shall not exceed a total diversion rate of 0.71 cfs, a total annual maximum diversion volume of 144 af at the field headgate, and the irrigation of 36 acres.
3. Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, and 43-13643 when combined shall not exceed a total diversion rate of 8.52 cfs, a total annual maximum diversion volume of 2408 af at the field headgate, and the irrigation of 705.7 acres.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

 IDHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT

**Conditions/Remarks:**

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 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.
9. Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, 43-13643, 43-13827, 43-13828, and 43-13829 are limited to the irrigation of a specific 732.7 acres within the 895.9 acre place of use authorized by this right in a single irrigation season. The specific 732.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 732.7 acres to be irrigated within the 895.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

**IHO DEPARTMENT OF WATER RESOURC  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2A**

**Current Water Right No.** 43-13643

Current Water Right Owner  
GARNER LAND LLC  
22 N YALE RD  
DECLO, ID 83323

Priority Date: 6/30/1953

Origin: Water Right

Basis: Decreed

Status: Active

**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.680 CFS             | 144.0 AFA     |                    |
| Total Diversion       |             |           | 0.680 CFS             | 144.0 AFA     |                    |

**Source and Point(s) of Diversion:**

|              |        |                                      |
|--------------|--------|--------------------------------------|
| GROUND WATER | NWNESW | Sec. 3 Twp 11S Rge 27E CASSIA County |
| GROUND WATER | SWNWSW | Sec. 3 Twp 11S Rge 27E CASSIA County |

**Describe the proposed diversion system**

Existing well #2

Existing well #1

**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 | 27E | 34  |      | 9.9  | 40.0 | 15.0 | 20.0 | 12.0 | 27.0 | 40.0 | 40.0 | 31.0 | 33.0 | 40.0 | 39.0 | 40.0 | 40.0 | 26.0 | 452.9  |
| 11S | 27E | 3   | 39.0 | 40.0 | 39.0 | 18.0 | 40.0 | 34.0 | 35.0 | 40.0 | 40.0 | 34.0 | 32.0 | 35.0 |      | 17.0 |      |      | 443.0  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |      |      |        |

Right Acre Limit: 36.0

POU Total Acres: 895.9

**Conditions/Remarks:**

1. Rights 43-13641 and 43-13643 when combined shall not exceed a total diversion rate of 0.71 cfs, a total annual maximum diversion volume of 144 af at the field headgate, and the irrigation of 36 acres.
2. Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, and 43-13643 when combined shall not exceed a total diversion rate of 8.52 cfs, a total annual maximum diversion volume of 2408 af at the field headgate, and the irrigation of 705.7 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
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.

 IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT

**Conditions/Remarks:**

7. 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.
8. Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, 43-13643, 43-13827, 43-13828, and 43-13829 are limited to the irrigation of a specific 732.7 acres within the 895.9 acre place of use authorized by this right in a single irrigation season. The specific 732.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 732.7 acres to be irrigated within the 895.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

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

**Current Water Right No. 43-13721**

Current Water Right Owner  
GARNER CAPITAL  
INVESTMENTS LLC  
147 S 2550 E  
DECLO, ID 83323-6016

Priority Date: 8/13/1956

Origin: Water Right

Basis: Decreed

Status: Active

**Source: GROUND WATER**

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 04/01       | 10/31     | 0.010 CFS             | 1.8 AFA       |                    |
| Total Diversion       |             |           | 0.010 CFS             | 1.8 AFA       |                    |

**Source and Point(s) of Diversion:**

|              |        |                                       |
|--------------|--------|---------------------------------------|
| GROUND WATER | SWSWSW | Sec. 24 Twp 12S Rge 26E CASSIA County |
| GROUND WATER | NESESW | Sec. 24 Twp 12S Rge 26E CASSIA County |
| GROUND WATER | SWSW   | Sec. 24 Twp 12S Rge 26E 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 |        |
| 12S               | 26E | 24  |     |    |    |    |    |    |    |    |    |    |    | 0.5 |    |    |    |    | 0.5    |
| Right Acre Limit: |     |     | 0.5 |    |    |    |    |    |    |    |    |    |    |     |    |    |    |    |        |
| POU Total Acres:  |     |     | 0.5 |    |    |    |    |    |    |    |    |    |    |     |    |    |    |    |        |

**Conditions/Remarks:**

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
2. 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. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than June 28, 2002.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
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.

IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT

**Conditions/Remarks:**

7. 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.

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

**Current Water Right No. 43-13827**

Current Water Right Owner  
GARNER CAPITAL  
INVESTMENTS LLC  
147 S 2550 E  
DECLO, ID 83323-6016

Priority Date: 11/10/1951

Origin: Water Right

Basis: Decreed

Status: Active

**Source: GROUND WATER**

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.230 CFS             | 108.0 AFA     |                    |
| Total Diversion       |             |           | 0.230 CFS             | 108.0 AFA     |                    |

**Source and Point(s) of Diversion:**

|              |        |                                      |
|--------------|--------|--------------------------------------|
| GROUND WATER | SWNWSW | Sec. 3 Twp 11S Rge 27E CASSIA County |
| GROUND WATER | NWNESW | Sec. 3 Twp 11S Rge 27E 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 | 27E | 34  |      | 9.9  | 40.0 | 15.0 | 20.0 | 12.0 | 27.0 | 40.0 | 40.0 | 31.0 | 33.0 | 40.0 | 39.0 | 40.0 | 40.0 | 26.0 | 452.9  |
| 11S | 27E | 3   | 39.0 | 40.0 | 39.0 | 18.0 | 40.0 | 34.0 | 35.0 | 40.0 | 40.0 | 34.0 | 32.0 | 35.0 |      | 17.0 |      |      | 443.0  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |      |      |        |

Right Acre Limit: 27.0

POU Total Acres: 895.9

**Conditions/Remarks:**

1. This right is limited to the irrigation of 27.0 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13827, 43-13828, and 43-13829 when combined shall not exceed a total diversion rate of 0.54 cfs, a total annual maximum diversion volume of 108.0 af at the field headgate, and the irrigation of 27.0 acres.
3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 143.
4. 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).
5. Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, 43-13643, 43-13827, 43-13828, and 43-13829 are limited to the irrigation of a specific 732.7 acres within the 895.9 acre place of use authorized by this right in a single irrigation season. The specific 732.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 732.7 acres to be irrigated within the 895.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

IDaho DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT

**Conditions/Remarks:**

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. 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. 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.

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

**Current Water Right No. 43-13828**

Current Water Right Owner

GARNER CAPITAL  
INVESTMENTS LLC  
147 S 2550 E  
DECLO, ID 83323-6016

Priority Date: 3/10/1958

Origin: Water Right

Basis: Decreed

Status: Active

**Source: GROUND WATER**

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.050 CFS             | 26.0 AFA      |                    |
| Total Diversion       |             |           | 0.050 CFS             | 26.0 AFA      |                    |

**Source and Point(s) of Diversion:**

GROUND WATER

SWNWSW

Sec. 3 Twp 11S Rge 27E CASSIA County

GROUND WATER

NWNESW

Sec. 3 Twp 11S Rge 27E 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 | 27E | 34  |      | 9.9  | 40.0 | 15.0 | 20.0 | 12.0 | 27.0 | 40.0 | 40.0 | 31.0 | 33.0 | 40.0 | 39.0 | 40.0 | 40.0 | 26.0 | 452.9  |
| 11S | 27E | 3   | 39.0 | 40.0 | 39.0 | 18.0 | 40.0 | 34.0 | 35.0 | 40.0 | 40.0 | 34.0 | 32.0 | 35.0 |      |      | 17.0 |      | 443.0  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |      |      |        |

Right Acre Limit: 27.0

POU Total Acres: 895.9

**Conditions/Remarks:**

1. This right is limited to the irrigation of 27.0 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13827, 43-13828, and 43-13829 when combined shall not exceed a total diversion rate of 0.54 cfs, a total annual maximum diversion volume of 108.0 af at the field headgate, and the irrigation of 27.0 acres.
3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 143.
4. 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).
5. Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, 43-13643, 43-13827, 43-13828, and 43-13829 are limited to the irrigation of a specific 732.7 acres within the 895.9 acre place of use authorized by this right in a single irrigation season. The specific 732.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 732.7 acres to be irrigated within the 895.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT

**Conditions/Remarks:**

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. 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. 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.

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

**Current Water Right No. 43-13829**

Current Water Right Owner

GARNER CAPITAL  
INVESTMENTS LLC  
147 S 2550 E  
DECLO, ID 83323-6016

Priority Date: 6/11/1960

Origin: Water Right

Basis: Decreed

Status: Active

**Source: GROUND WATER**

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15       | 11/15     | 0.260 CFS             | 108.0 AFA     |                    |
| Total Diversion       |             |           | 0.260 CFS             | 108.0 AFA     |                    |

**Source and Point(s) of Diversion:**

|              |        |                                      |
|--------------|--------|--------------------------------------|
| GROUND WATER | SWNWSW | Sec. 3 Twp 11S Rge 27E CASSIA County |
| GROUND WATER | NWNESW | Sec. 3 Twp 11S Rge 27E 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 | 27E | 34  |      | 9.9  | 40.0 | 15.0 | 20.0 | 12.0 | 27.0 | 40.0 | 40.0 | 31.0 | 33.0 | 40.0 | 39.0 | 40.0 | 40.0 | 26.0 | 452.9  |
| 11S | 27E | 3   | 39.0 | 40.0 | 39.0 | 18.0 | 40.0 | 34.0 | 35.0 | 40.0 | 40.0 | 34.0 | 32.0 | 35.0 |      | 17.0 |      |      | 443.0  |
|     |     |     | L 1  | L 2  |      |      | L 3  | L 4  |      |      |      |      |      |      |      |      |      |      |        |

Right Acre Limit: 27.0

POU Total Acres: 895.9

**Conditions/Remarks:**

1. This right is limited to the irrigation of 27.0 acres within the authorized place of use in a single irrigation season.
2. Rights 43-13827, 43-13828, and 43-13829 when combined shall not exceed a total diversion rate of 0.54 cfs, a total annual maximum diversion volume of 108.0 af at the field headgate, and the irrigation of 27.0 acres.
3. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 143.
4. 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).
5. Rights 43-2511, 43-4146, 43-13175, 43-13177, 43-13179, 43-13641, 43-13643, 43-13827, 43-13828, and 43-13829 are limited to the irrigation of a specific 732.7 acres within the 895.9 acre place of use authorized by this right in a single irrigation season. The specific 732.7 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 732.7 acres to be irrigated within the 895.9 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

IDaho DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT

**Conditions/Remarks:**

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 cfs per acre at the field headgate for irrigation of the lands above.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. 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. 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.

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

**Current Water Right No.** 43-13895

Current Water Right Owner  
GARNER CAPITAL  
INVESTMENTS LLC  
147 S 2550 E  
DECLO, ID 83323-6016

Priority Date: 8/13/1956

Origin: Water Right

Basis: Decreed

Status: Active

**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| IRRIGATION            | 04/01       | 10/31     | 0.340 CFS             | 66.5 AFA      |                    |
| Total Diversion       |             |           | 0.340 CFS             | 66.5 AFA      |                    |

**Source and Point(s) of Diversion:**

|              |        |                         |               |
|--------------|--------|-------------------------|---------------|
| GROUND WATER | SWSWSW | Sec. 24 Twp 12S Rge 26E | CASSIA County |
| GROUND WATER | NESESW | Sec. 24 Twp 12S Rge 26E | CASSIA County |
| GROUND WATER | SWSW   | Sec. 24 Twp 12S Rge 26E | 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 |        |
| 12S               | 26E | 24  |      |    |    |    |    |    |    |    |    |    |    | 19.0 |    |    |    |    | 19.0   |
| Right Acre Limit: |     |     | 19.0 |    |    |    |    |    |    |    |    |    |    |      |    |    |    |    |        |
| POU Total Acres:  |     |     | 19.0 |    |    |    |    |    |    |    |    |    |    |      |    |    |    |    |        |

**Conditions/Remarks:**

- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
- 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.
- The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than June 28, 2002.
- After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
- The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT

**Conditions/Remarks:**

7. 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.

# APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

☒ 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 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**

1. 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 no margins, text, or other markings on the paper.

Transfer Contains 45 pages and                      attachments.  
 Received By SG Date 12-6-2023 Prelim. Check By SG Date 12-6-2023  
 Fee Paid \$1,220.00 Date 12-6-2023 Received By SG Receipt # 5040007  
 Add'l Fee Paid                      Date                      Received By                      Receipt #

WATER USE AGREEMENT

NG

43-13827

43-13828

43-13829

Garner Land LLC agrees to allow the use of water rights 45-13599, 45-13721 & 43-13895 owned by Garner Capital Investments LLC on their properties and agree that Garner Capital Investments LLC will retain full ownership of water rights 45-13599, 45-13721 & 43-13895, 43-13827, 43-13828, 43-13829 NG

This agreement is entered into on 12/6/2023.

Signature:

Nathan Garner

RECEIVED

MAR 08 2010

DEPT. OF WATER RESOURCES  
SOUTHERN REGION

280512

## QUITCLAIM DEED

FOR VALUE RECEIVED, Michael D. Garner and Toni L. Garner, husband and wife, 113 South 2550 East, Declo, Idaho 83323, hereinafter called the "Grantor" hereby remises, releases and forever quitclaim unto Gamer Land, L.L.C., an Idaho limited liability company whose address is 113 South 2550 East, Declo, Idaho 83323, hereinafter called the "Grantee", all interest now held or hereafter acquired by Grantor in the premises, in Cassia County, Idaho, described as follows, to wit:

PARCEL NO. 1:

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,  
CASSIA COUNTY, IDAHO

Section 34: SW $\frac{1}{4}$

PARCEL NO. 2:

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,  
CASSIA COUNTY, IDAHO

Section 34: SE $\frac{1}{4}$ , NW $\frac{1}{4}$ , and all of the NE $\frac{1}{4}$  except the NE $\frac{1}{4}$ NE $\frac{1}{4}$ .

TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,  
CASSIA COUNTY, IDAHO

Section 2: A part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ , described as follows: Beginning at the Northwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of said Section 2; Thence South 1599 feet; Thence North 59°02' East 324 feet; Thence North 28°10' East 1195 feet; Thence North 25°56' West 294 feet; Thence North 87°West 530 feet, more or less, to the Point of Beginning.

Section 3: W  $\frac{1}{2}$  and that part of the E  $\frac{1}{2}$  lying North of a line running as follows: Beginning at the South Quarter Section Corner of said Section 3; Thence North 1320 feet; Thence North 42°38' East 1056 feet; Thence North 69°26' East 1231.5 feet; Thence North 19°42' East 924 feet; Thence North 59°02' East 541 feet, more or less, to the East boundary of said Section 3.

Section 10: N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$  and N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ .

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCELS:

## QUITCLAIM DEED - 1

G:\Documents and Settings\Steve\My Documents\REALTY\Garner, Mike, LLC QCD.wpd

**PARCEL A:**

Part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$  and part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 34 of Township 10 South, Range 27 East of the Boise Meridian, Cassia County, State of Idaho.

Beginning at the West  $\frac{1}{4}$  section corner of Section 34 of Township 10 South, Range 27 East of the Boise Meridian, said corner marked by a 5/8" x 12" rebar on top of a U. S. General Land Office iron pipe with brass cap which shall be the Point of Beginning:

Thence North 00°03'00" East along section line for a distance of 317.20 feet to a  $\frac{1}{2}$ " rebar; Thence North 88°55'16" East for a distance of 149.66 feet to a  $\frac{1}{2}$ " rebar; Thence South 56°16'10" East for a distance of 111.91 feet to a  $\frac{1}{2}$ " rebar; Thence South 01°23'49" West for a distance of 295.44 feet to a  $\frac{1}{2}$ " rebar; Thence South 87°09'25" West for a distance of 236.08 feet to a  $\frac{1}{2}$ " rebar on the West line of Section 34; Thence North 00°00'47" East along the West line of Section 34 for a distance of 49.19 feet to the Point of Beginning.

**PARCEL B:**

TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO.

Section 10: Part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$  described as follows:

Beginning at the Northwest corner of said Section 10, said corner marked by a U. S. Government Brass Cap which shall be the Point of Beginning; Thence North 89°56'06" East along section line for 310.00 feet to a point; Thence South 0°09' East for 355.00 feet to a point; Thence South 89°56'06" West for 310.00 feet to a  $\frac{1}{2}$  inch rebar on section line; Thence North 0°09' West (Basis of Bearing) along said section line for 355.00 feet to the Point of Beginning.

**PARCEL C:**

TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 10: Part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$  described as follows:

Beginning at the Northwest corner of said Section 10, said corner marked by a U. S. Government Brass Cap; Thence North 89°56'06" East along section line for 310.00 feet to a point which shall be known as the Point of

**QUITCLAIM DEED - 2**

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Beginning; Thence North 89°56'06" East along section line for 400.00 feet to a P.K. Nail; Thence South 0°09' East for 355.00 feet to a ½ inch rebar; Thence South 89°56'06" West for 400.00 feet to a point; Thence North 0°09' West for 355.00 feet to the Point of Beginning.

PARCEL D:

Part of the N½NE¼NW¼ of Section 10 of Township 11 South, Range 27 East of the Boise Meridian, Cassia County, State of Idaho.

Beginning at the North ¼ section corner of Section 10 of Township 11 South, Range 27 East of the Boise Meridian, said corner marked by a U. S. GLO iron pipe with brass cap which shall be the Point of Beginning;

Thence South 00°07'39" East along the east line of the NW¼ for a distance of 660.78 feet to a ½" rebar at the Southeast corner of the N½NE¼NW¼; Thence South 89°55'40" West along the south line of the N½NE¼NW¼ for a distance of 418.04 feet to a ½" rebar; Thence North 00°07'39" West for a distance of 607.86 feet to a ½" rebar; Thence North 00°07'39" West for a distance of 52.97 feet to the North line of Section 10; Thence North 89°56'00" East along said line for a distance of 418.04 feet to the Point of Beginning.

PARCEL NO. 3:

TOWNSHIP 10 SOUTH, RANGE 27 EAST OF THE BOISE  
MERIDIAN, CASSIA COUNTY, IDAHO

Section 34: SW¼

PARCEL NO. 4:

The Northeast Quarter (NE¼) of Section Sixteen (16),  
Township Eleven (11) South, Range Twenty-Seven (27)  
East, Boise Meridian, together with all water rights  
appurtenant thereto, including, but not limited to, an amount  
of water not exceeding 1.85 cubic feet per second with  
priority date of August 5, 1955, confirmed by State of Idaho  
Water License Number G-25875.

TO HAVE AND TO HOLD the said premises, with their appurtenances  
unto said Grantee, and the Grantee's heirs and assigns forever, including all rents and  
profits.

**QUITCLAIM DEED - 3**

C:\Documents And Settings\Steve\My Documents\REAL ESTATE\Garter.Nike.LLC.OCD.wpd

DATED this 15th day of March, 2002.

Michael D. Garner  
Michael D. Garner

Toni L. Garner  
Toni L. Garner

STATE OF IDAHO )  
 ) ss.  
County of Cassia )

On this 15th day of March, 2002, before me the undersigned a Notary Public in and for said State, personally appeared Michael D. Garner and Toni L. Garner, husband and wife, known to me to be the persons whose names are subscribed to the above and foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

(SEAL)



Steven A. Tuft  
Notary Public for Idaho  
Residing at Burley, Idaho  
Commission Expires: 3-15-2006

RECORDED AT THE REQUEST OF  
Steven A. Tuft

'02 MAR 26 PM 3 25

FEE \$100.00

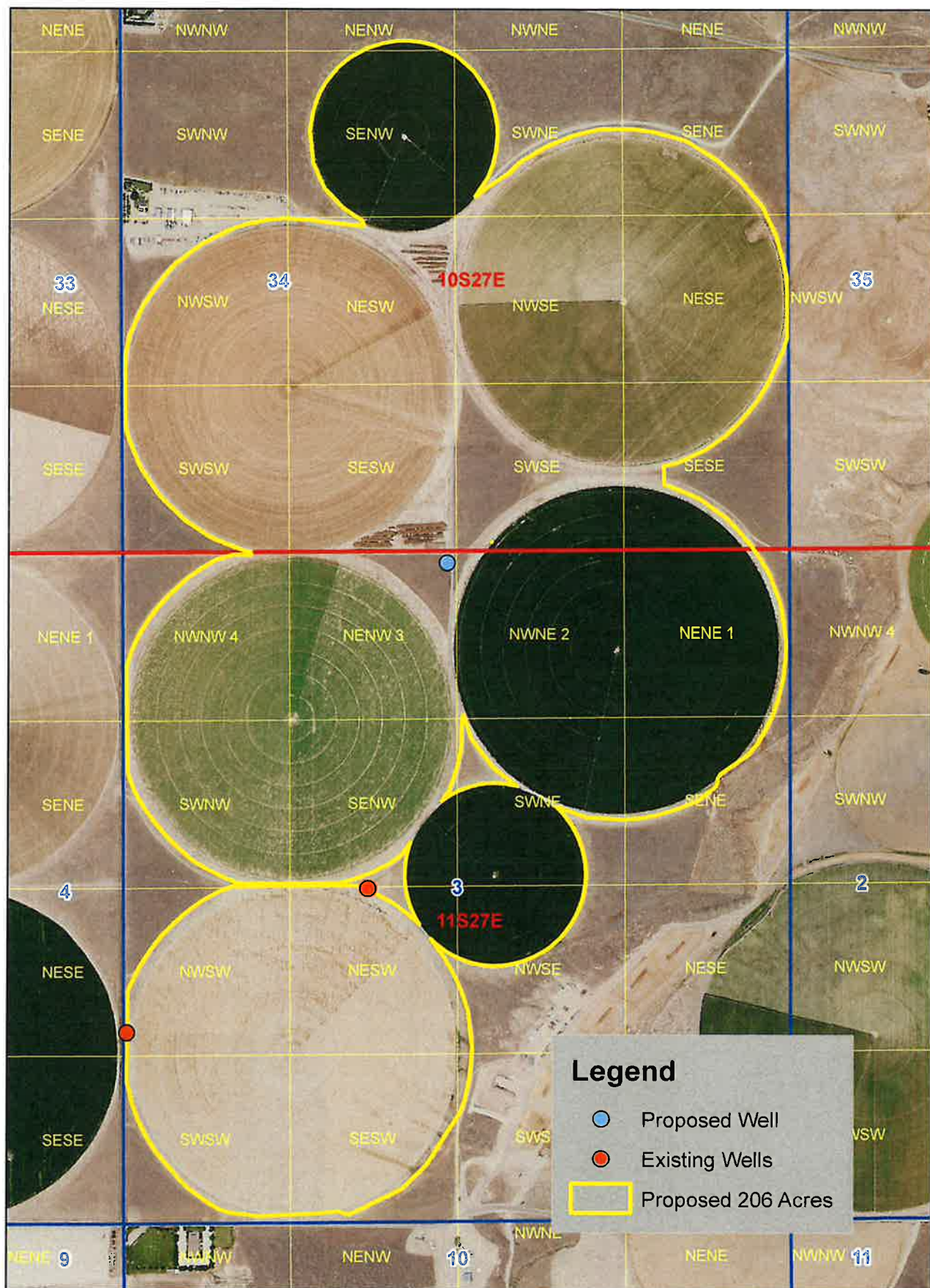
CASSIA COUNTY, IDAHO  
DARRELL H. ROSEKELLEY  
RECORDER

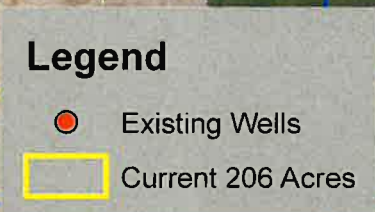
280512

QUITCLAIM DEED - 4

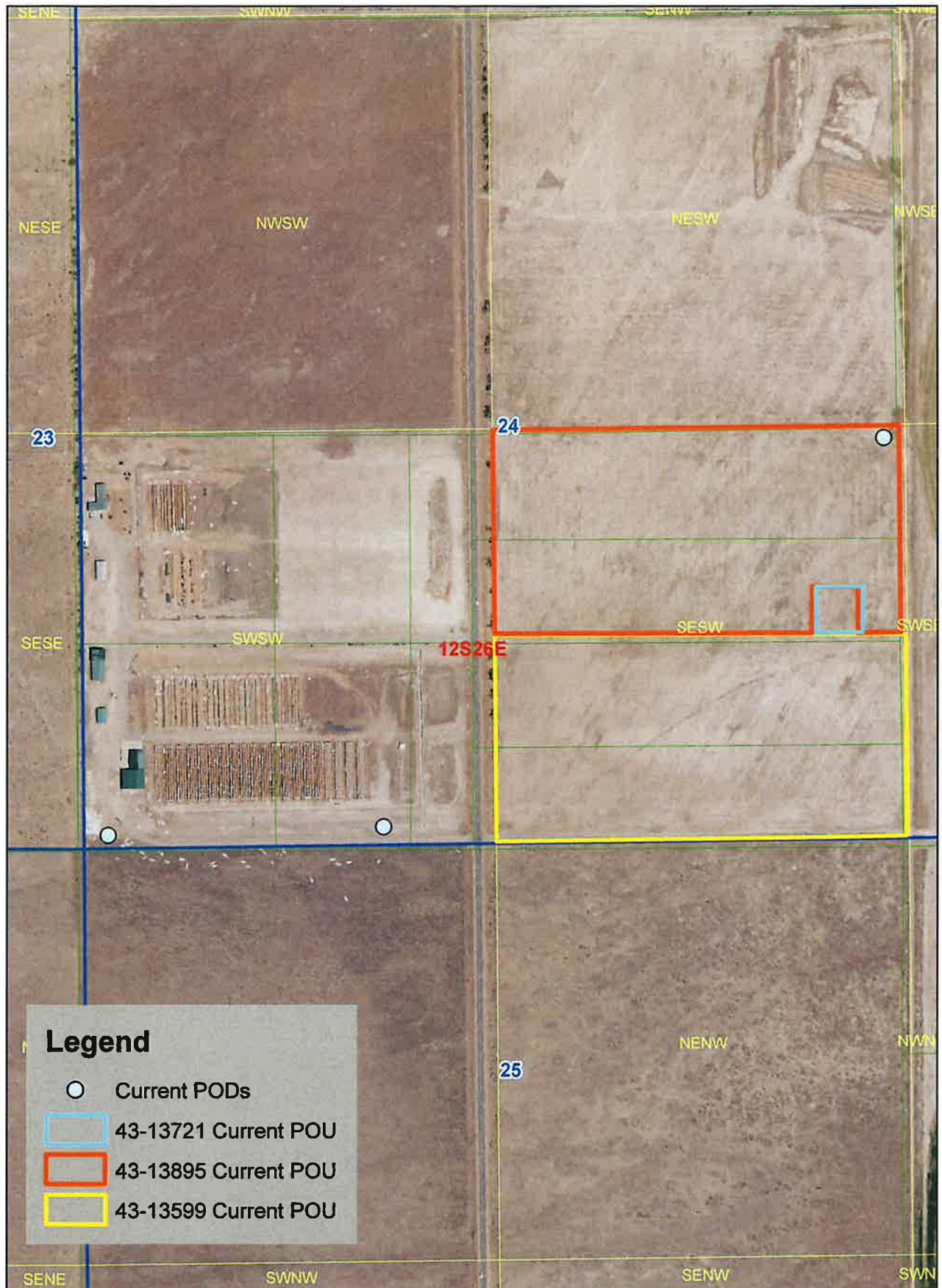
C:\Documents and Settings\Steve\My Documents\REAL ESTATE\Garner, Mike LLC.QCD.wpd

# Attachment 7A





## Attachment 7B (2)





0005114968

**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 #: 0005114968

Date Filed: 2/13/2023 7:00:30 PM

## Entity Name and Mailing Address:

Entity Name: GARNER LAND, L.L.C.  
The file number of this entity on the records of the Idaho Secretary of State is: 0000056459  
Address: NATHAN GARNER  
147 S 2550 E  
DECLO, ID 83323-6016

## Entity Details:

Entity Status: Active-Existing  
This entity is organized under the laws of: IDAHO  
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: W14086

## The registered agent on record is:

Registered Agent: MICHAEL D GARNER  
Registered Agent  
Physical Address  
147 S 2550 E  
NATHAN GARNER  
DECLO, ID 83323  
Mailing Address  
147 S 2550 E  
NATHAN GARNER  
DECLO, ID 83323-6016

## Limited Liability Company Managers and Members

| Name           | Title  | Business Address                   |
|----------------|--------|------------------------------------|
| Michael Garner | Member | 147 S 2550 EAST<br>DECLO, ID 83323 |

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

Job Title: Manager

*Nathan Garner**02/13/2023*

Sign Here

Date

BU118-0903 07/13/2023 1:00 PM RECEIVED BY OFFICE OF THE IDAHO SECRETARY OF STATE



0005476660

**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 #: 0005476660

Date Filed: 11/13/2023 9:59:51 AM

## Entity Name and Mailing Address:

Entity Name: Garner Capital Investments, LLC  
The file number of this entity on the records of the Idaho Secretary of State is: 0003711131  
Address: NATHAN GARNER  
147 S 2550 E  
DECLO, ID 83323-6016

## Entity Details:

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

## The registered agent on record is:

Registered Agent: Nathan Garner  
Registered Agent  
Physical Address  
147 S 2550 E  
DECLO, ID 83323  
Mailing Address  
147 S 2550 E  
NATHAN GARNER  
DECLO, ID 83323-6016

## Agent or Address Change

☐ Select if you are appointing a new agent.

## Limited Liability Company Managers and Members

| Name          | Title  | Business Address                   |
|---------------|--------|------------------------------------|
| Nathan Garner | Member | 147 S 2550 EAST<br>DECLO, ID 83323 |

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

Job Title: Manager

*Nathan Garner*

Sign Here

*11/13/2023*

Date

B0000-4400 11/13/2023 9:59 AM RECEIVED BY OFFICE OF THE IDAHO SECRETARY OF STATE



0005114968

**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 #: 0005114968

Date Filed: 2/13/2023 7:00:30 PM

## Entity Name and Mailing Address:

Entity Name: GARNER LAND, L.L.C.  
The file number of this entity on the records of the Idaho Secretary of State is: 0000056459  
Address: NATHAN GARNER  
147 S 2550 E  
DECLO, ID 83323-6016

## Entity Details:

Entity Status: Active-Existing  
This entity is organized under the laws of: IDAHO  
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: W14086

## The registered agent on record is:

Registered Agent: MICHAEL D GARNER  
Registered Agent  
Physical Address  
147 S 2550 E  
NATHAN GARNER  
DECLO, ID 83323  
Mailing Address  
147 S 2550 E  
NATHAN GARNER  
DECLO, ID 83323-6016

## Limited Liability Company Managers and Members

| Name           | Title  | Business Address                   |
|----------------|--------|------------------------------------|
| Michael Garner | Member | 147 S 2550 EAST<br>DECLO, ID 83323 |

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

Job Title: Manager

*Nathan Garner*

Sign Here

*02/13/2023*

Date

BU/18-0903 02/13/2023 1:00 PM RECEIVED BY OFFICE OF THE IDAHO SECRETARY OF STATE



0005476660

**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 #: 0005476660

Date Filed: 11/13/2023 9:59:51 AM

## Entity Name and Mailing Address:

Entity Name: Garner Capital Investments, LLC  
The file number of this entity on the records of the Idaho  
Secretary of State is: 0003711131  
Address: NATHAN GARNER  
147 S 2550 E  
DECLO, ID 83323-6016

## Entity Details:

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

## The registered agent on record is:

Registered Agent: Nathan Garner  
Registered Agent  
Physical Address  
147 S 2550 E  
DECLO, ID 83323  
Mailing Address  
147 S 2550 E  
NATHAN GARNER  
DECLO, ID 83323-6016

## Agent or Address Change

☐ Select if you are appointing a new agent.

## Limited Liability Company Managers and Members

| Name          | Title  | Business Address                   |
|---------------|--------|------------------------------------|
| Nathan Garner | Member | 147 S 2550 EAST<br>DECLO, ID 83323 |

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

Job Title: Manager

*Nathan Garner*

Sign Here

*11/13/2023*

Date

0005476660 11/13/2023 9:59 AM RECEIVED BY OFFICE OF THE IDAHO SECRETARY OF STATE

## Customer Ad Proof

164-60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 147260

|             |                                  |                 |                         |
|-------------|----------------------------------|-----------------|-------------------------|
| Publication | Times News                       |                 |                         |
| Contact     | ID DEPARTMENT OF WATER RESOURCES | PO Number       | AFFIDAVIT               |
| Address 1   | 650 ADDISON AVE W, STE 500       | Rate            | Legal Notice            |
| Address 2   |                                  | Order Price     | 226.69                  |
| City St Zip | TWIN FALLS ID 83301              | Amount Paid     | 0.00                    |
| Phone       | 2087363033                       | Amount Due      | 226.69                  |
| Fax         |                                  |                 |                         |
| Section     | Legals                           | Start/End Dates | 12/21/2023 - 12/28/2023 |
| SubSection  |                                  | Insertions      | 2                       |
| Category    | 50 Legal                         | Size            | 129                     |
| Ad Key      | 147260-1                         | Salesperson(s)  | Legal Notices           |
| Keywords    | Proposed Change of Water Right   | Taken By        | James Meadows - NWI     |
| Notes       |                                  |                 |                         |

Ad Proof

*Proof of legal notice received from Times News 12-18-2023 (2 pgs)*

✓ Sm 12/18/2023

## Customer Ad Proof

164-60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 147260

### NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 88637

GARNER LAND LLC and GARNER CAPITAL INVESTMENTS LLC, 147 S 2550 E, DECLO, ID 83323-6016 has filed Application No. 88637 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13175, 43-13177, 43-13179, 43-13599, 43-13641, 43-13643, 43-13721, 43-13827, 43-13828, 43-13829, 43-13895, 43-2511, 43-4146. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes moving three irrigation ground water rights (combined 0.7 cfs) used to irrigate 39 acres from their current location to the applicant's farm. The current location for the three water rights is approximately 3.0 to 3.3 miles north and 0 to 0.3 miles east of Malta. Applicant's farm is located approximately 12.0 to 13.8 miles north and 3.8 to 4.8 miles east of Malta. Application also proposes drilling a new well on the applicant's farm and adding it as an authorized point of diversion to ten irrigation ground water rights and the three rights proposed to be moved to the farm (total combined 9.76 cfs) that will be used to irrigate 771.7 acres.

### TRANSFER NO. 88663

TAMMARA D BECK, 5811 N DUXBURY PIER LN, GARDEN CITY, ID 83714 has filed Application No. 88663 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-4064. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to add a new point of diversion (POD) for a low-temperature geothermal water right with a combined flow rate of 0.05 cfs for domestic, heating, and recreational uses. The new well will be located approximately 6.9 miles north and 3.8 miles west of the intersection of Highway 30 and Clear Lakes Road in Buhl.

### TRANSFER NO. 88670

OKSTIN REA LLC, 21234 HIGHWAY 30, FILER, ID 83328-5510 has filed Application No. 88670 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-8278. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 12.0 acre foot portion (0.10 cfs) of a ground water right for commercial use from an existing dairy located approximately 4.1 to 4.4 miles west and 0.7 to 1.0 miles south of Twin Falls (Blue Lakes and Addison), to an RV Park facility for commercial use located approximately 5.6 to 5.8 miles west and 0.1 to 0.3 miles north of Twin Falls (Blue Lakes and Addison). The transferred portion of the right, 12.0 acre feet (0.10 cfs), will be diverted from an existing well located at the RV Park facility.

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 January 8, 2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director  
Published on December 21st & 28th, 2023

✓ DM 12/18/2023



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](mailto:southerninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

Governor Brad Little

Director Mathew Weaver

December 18, 2023

GARNER LAND LLC  
GARNER CAPITAL INVESTMENTS LLC  
147 S 2550 E  
DECLO, ID 83323-6016

RE: Transfer No. 88637

Water Right No(s). 43-13175, 43-13177, 43-13179, 43-13599, 43-13641, 43-13643,  
43-13721, 43-13827, 43-13828, 43-13829, 43-13895, 43-2511, 43-4146

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 12/21/2023 and 12/28/2023**. 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 8, 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

## Maline, Denise

---

**From:** Maline, Denise  
**Sent:** Monday, December 18, 2023 10:27 AM  
**To:** Ragan, Brian  
**Subject:** Comment Letter for Transfer 88637 - Garner Land LLC & Garner Capital Investments LLC  
**Attachments:** Comment letter to WD143 for 88637.docx; Transfer 88637 (Garner).pdf

Good morning Brian,

Attached is an application for transfer currently being processed by the department within WD143. 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 Bill Mills at our office.

Thank you in advance,

Denise @ Southern



**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](mailto: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](mailto:southerninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

**Governor Brad Little**

**Director Mathew Weaver**

December 18, 2023

BRIAN RAGAN  
WATER DISTRICT 143  
PO BOX 83720  
BOISE ID 83720-0098

Re: Transfer No(s). 88637 (Garner Land LLC; Garner Capital Investments LLC)

Dear Brian:

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:** Monday, December 18, 2023 8:58 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 December 21<sup>st</sup> & 28<sup>th</sup>, 2023. 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](mailto: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](mailto:southerninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

**Governor Brad Little**

**Director Mathew Weaver**

December 18, 2023

**LEGAL NOTICE DEPARTMENT**

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 88637

Water Right No(s). 43-13175, 43-13177, 43-13179, 43-13599, 43-13641,  
43-13643, 43-13721, 43-13827, 43-13828, 43-13829, 43-13895, 43-2511,  
43-4146

RE: Transfer No. 88663

Water Right No(s). 47-4064

RE: Transfer No. 88670

Water Right No(s). 47-8278

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 8, 2024. Your cooperation is appreciated.

Sincerely,

*Denise Maline*

Denise Maline

Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT  
TRANSFER NO. 88637**

GARNER LAND LLC and GARNER CAPITAL INVESTMENTS LLC, 147 S 2550 E, DECLO, ID 83323-6016 has filed Application No. 88637 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13175, 43-13177, 43-13179, 43-13599, 43-13641, 43-13643, 43-13721, 43-13827, 43-13828, 43-13829, 43-13895, 43-2511, 43-4146. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes moving three irrigation ground water rights (combined 0.7 cfs) used to irrigate 39 acres from their current location to the applicant's farm. The current location for the three water rights is approximately 3.0 to 3.3 miles north and 0 to 0.3 miles east of Malta. Applicant's farm is located approximately 12.0 to 13.8 miles north and 3.8 to 4.8 miles east of Malta. Application also proposes drilling a new well on the applicant's farm and adding it as an authorized point of diversion to ten irrigation ground water rights and the three rights proposed to be moved to the farm (total combined 9.76 cfs) that will be used to irrigate 771.7 acres.

**TRANSFER NO. 88663**

TAMMARA D BECK, 5811 N DUXBURY PIER LN, GARDEN CITY, ID 83714 has filed Application No. 88663 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-4064. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to add a new point of diversion (POD) for a low-temperature geothermal water right with a combined flow rate of 0.05 cfs for domestic, heating, and recreational uses. The new well will be located approximately 6.9 miles north and 3.8 miles west of the intersection of Highway 30 and Clear Lakes Road in Buhl.

**TRANSFER NO. 88670**

OKSTIN REA LLC, 21234 HIGHWAY 30, FILER, ID 83328-5510 has filed Application No. 88670 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-8278. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes transferring a 12.0 acre foot portion (0.10 cfs) of a ground water right for commercial use from an existing dairy located approximately 4.1 to 4.4 miles west and 0.7 to 1.0 miles south of Twin Falls (Blue Lakes and Addison), to an RV Park facility for commercial use located approximately 5.6 to 5.8 miles west and 0.1 to 0.3 miles north of Twin Falls (Blue Lakes and Addison). The transferred portion of the right, 12.0 acre feet (0.10 cfs), will be diverted from an existing well located at the RV Park facility.

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 **January 8, 2024**. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on December 21<sup>st</sup> & 28<sup>th</sup>, 2023

## **M E M O R A N D U M**

**Date:** December 7, 2023

**To:** Transfer 88637

**From:** Bill Mills

**Re:** Transfer Proposal

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Application proposes moving three irrigation ground water rights (combined 0.7 cfs) used to irrigate 39 acres from their current location to the applicant's farm. The current location for the three water rights is approximately 3.0 to 3.3 miles north and 0 to 0.3 miles east of Malta. Applicant's farm is located approximately 12.0 to 13.8 miles north and 3.8 to 4.8 miles east of Malta. Application also proposes drilling a new well on the applicant's farm and adding it as an authorized point of diversion to ten irrigation ground water rights and the three rights proposed to be moved to the farm (total combined 9.76 cfs) that will be used to irrigate 771.7 acres.

Proposed POD and both places of use involved in this transfer are located in Water District 143. Watermaster comments will be solicited.

## MEMORANDUM

**Date:** December 7, 2023  
**To:** Transfer 88637  
**From:** Bill Mills  
**Re:** Fee Evaluation

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Filing fees charged for transfer application #88637 were based on the current transfer fee schedule and included \$1220.00 for the 9.76 cfs being transferred in the application (Receipt No.S040007).