

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 89268**

This is to certify that: **G+ RANCHES INC**
2564 S SWALLOWTAIL LN
BOISE, ID 83706-6131

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

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
47-195	WR/DECREED	5/1/1938	1.440 cfs	N/A	241.7	383.7	UNNAMED STREAM
47-197	WR/DECREED	5/1/1953	1.000 cfs	N/A	241.7	383.7	UNNAMED STREAM
47-2191	WR/DECREED	6/8/1930	2.560 cfs	N/A	142.0	383.7	UNNAMED STREAM

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
47-195	NO	NO	NO	YES	NO	NO
47-197	NO	NO	NO	YES	NO	NO
47-2191	NO	NO	NO	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
47-195	47-195	1.440 cfs	N/A	241.7	383.7	N/A	N/A	N/A	N/A	N/A
47-197	47-197	1.000 cfs	N/A	241.7	383.7	N/A	N/A	N/A	N/A	N/A
47-2191	47-2191	2.560 cfs	N/A	142.0	383.7	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		5.000 cfs	N/A	383.7	383.7		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 30th day of November, 2024.


Southern Region Manager

SUPPORT DATA

IN FILE # 47-195

Transfer No. 89268

WATER RIGHT NO. 47-2191**As Modified by Transfer No. 89268**

In accordance with the approval of Transfer No. 89268, Water Right No. 47-2191 is now described as follows:

Right Holder: G+ RANCHES INC
2564 S SWALLOWTAIL LN
BOISE, ID 83706-6131

Priority Date: 6/8/1930

Source: UNNAMED STREAM

Tributary: MUD CREEK

BENEFICIAL USE

	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	2.560 cfs
STOCKWATER	01/01	to 12/31	0.070 cfs
			2.560 cfs

LOCATION OF POINT(S) OF DIVERSION

UNNAMED STREAM	SWSW	Sec 13 Twp 09S Rge 14E	TWIN FALLS County
UNNAMED STREAM	SESE	Sec 14 Twp 09S Rge 14E	TWIN FALLS County
UNNAMED STREAM	NENW	Sec 24 Twp 09S Rge 14E	TWIN FALLS County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	14E	12											13.0	22.0					35.0
09S	14E	13					28.0	38.0	40.0	13.0	17.0	40.0	39.0						215.0
09S	14E	14	21.0	3.1	15.0	32.0									39.0	13.0	0.7	9.9	133.7

Right Acre Limit: 142.0

POU Total Acres: 383.7

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	14E	12											X	X					
09S	14E	13					X	X	X	X	X	X	X						
09S	14E	14	X	X	X	X									X	X	X	X	

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 142.0 acres within the authorized place of use in a single irrigation season.
2. Rights 47-2191, 47-195, and 47-197 when combined shall not exceed the irrigation of 383.7 acres.

Transfer No. 89268

WATER RIGHT NO. 47-2191
As Modified by Transfer No. 89268

CONDITIONS OF APPROVAL

3. 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.
4. The source of this water right is waste water. The wasting of water may be discontinued at any time.
5. Use of this right is combined with water from Twin Falls Canal Co.
6. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
7. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
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 Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 47-195

As Modified by Transfer No. 89268

In accordance with the approval of Transfer No. 89268, Water Right No. 47-195 is now described as follows:

Right Holder: G+ RANCHES INC
2564 S SWALLOWTAIL LN
BOISE, ID 83706-6131

Priority Date: 5/1/1938

Source: UNNAMED STREAM **Tributary:** MUD CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	3/15	to 11/15	1.440 cfs 1.440 cfs

LOCATION OF POINT(S) OF DIVERSION

UNNAMED STREAM	SWSW	Sec 13 Twp 09S Rge 14E TWIN FALLS County
UNNAMED STREAM	SESE	Sec 14 Twp 09S Rge 14E TWIN FALLS County
UNNAMED STREAM	NWNE	Sec 24 Twp 09S Rge 14E TWIN FALLS 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	
09S	14E	12											13.0	22.0					35.0
09S	14E	13					28.0	38.0	40.0	13.0	17.0	40.0	39.0						215.0
09S	14E	14	21.0	3.1	15.0	32.0									39.0	13.0	0.7	9.9	133.7
Right Acre Limit:			241.7																
POU Total Acres:			383.7																

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 241.7 acres within the authorized place of use in a single irrigation season.
2. Rights 47-195, 47-197 and 47-2191 when combined shall not exceed the irrigation of 383.7 acres.
3. 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.
4. Use of this right is combined with water from Twin Falls Canal Co.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 89268

WATER RIGHT NO. 47-195

As Modified by Transfer No. 89268

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 47-197**As Modified by Transfer No. 89268**

In accordance with the approval of Transfer No. 89268, Water Right No. 47-197 is now described as follows:

Right Holder: G+ RANCHES INC
2564 S SWALLOWTAIL LN
BOISE, ID 83706-6131

Priority Date: 5/1/1953

Source: UNNAMED STREAM **Tributary:** MUD CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	3/15	to 11/15	1.000 cfs 1.000 cfs

LOCATION OF POINT(S) OF DIVERSION

UNNAMED STREAM	SWSW	Sec 13 Twp 09S Rge 14E	TWIN FALLS County
UNNAMED STREAM	SESE	Sec 14 Twp 09S Rge 14E	TWIN FALLS County
UNNAMED STREAM	NWNE	Sec 24 Twp 09S Rge 14E	TWIN FALLS County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	14E	12											13.0	22.0					35.0
09S	14E	13					28.0	38.0	40.0	13.0	17.0	40.0	39.0						215.0
09S	14E	14	21.0	3.1	15.0	32.0									39.0	13.0	0.7	9.9	133.7

Right Acre Limit: 241.7

POU Total Acres: 383.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 241.7 acres within the authorized place of use in a single irrigation season.
2. Rights 47-195, 47-197 and 47-2191 when combined shall not exceed the irrigation of 383.7 acres.
3. 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.
4. Use of this right is combined with water from Twin Falls Canal Co.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 89268

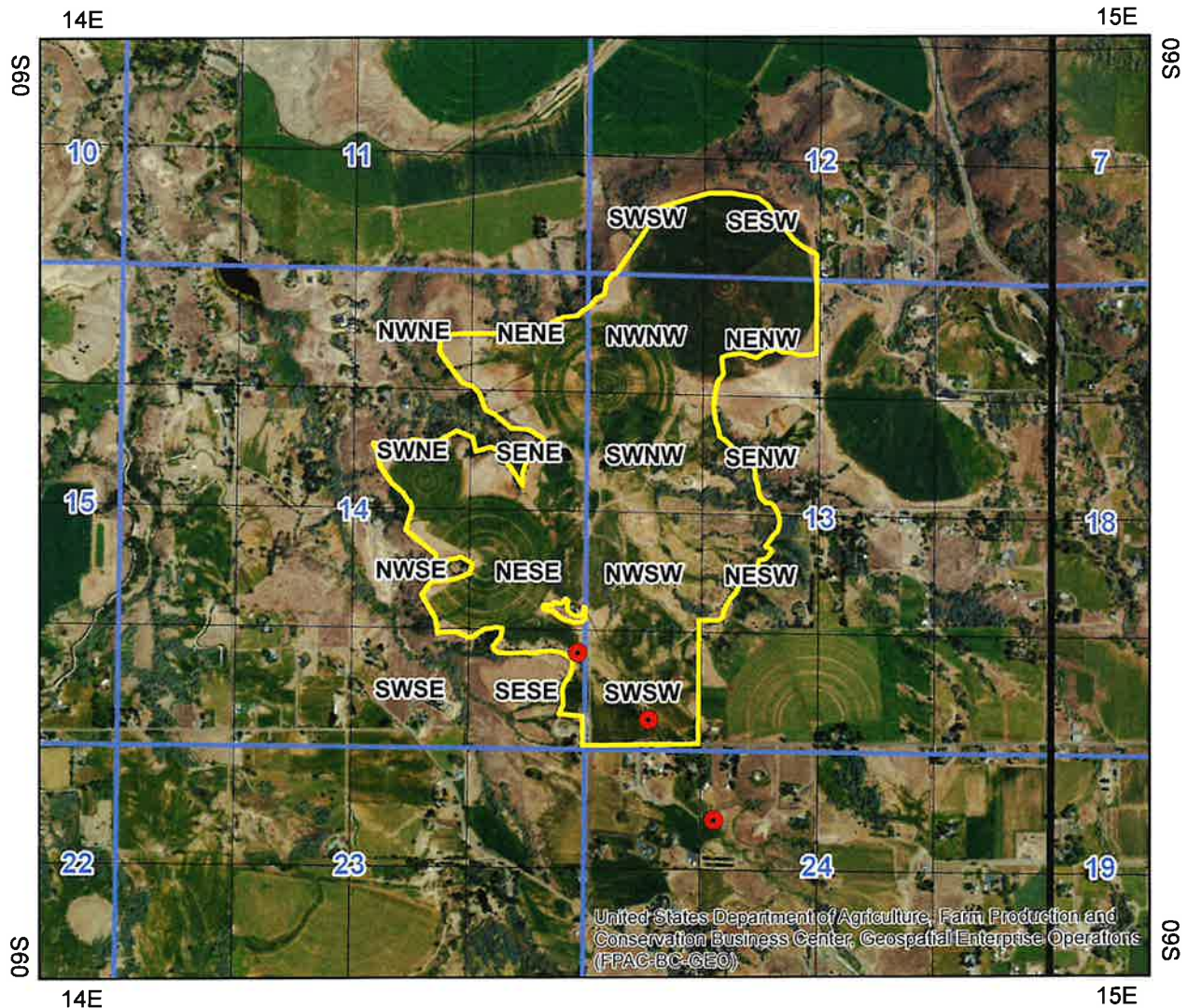
WATER RIGHT NO. 47-197
As Modified by Transfer No. 89268

CONDITIONS OF APPROVAL

6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho
Department of Water Resources
Attachment to Transfer # 89268
47-2191

This map depicts the IRRIGATION & STOCKWATER place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.225 0.45 0.9 Miles

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



State of Idaho
Department of Water Resources
Attachment to Transfer # 89268
47-195 & 47-197

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



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





IDAHO DEPARTMENT OF
WATER RESOURCES

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

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

Governor Brad Little

Director Mathew Weaver

December 3, 2024

G+ RANCHES INC
2564 S SWALLOWTAIL LN
BOISE ID 83706-6131

Re: Transfer No: 89268
Water Right No(s): 47-195, 47-197, 47-2191

Transfer Approval Notice

Dear Water Right Holder(s):

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

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

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

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

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

If you have any questions, please contact me at (208) 736-3033.

Sincerely,

A handwritten signature in blue ink, appearing to read "Corey Skinner". The signature is fluid and cursive, with the first name "Corey" written in a larger, more prominent script than the last name "Skinner".

Corey Skinner
Southern Regional Manager

Enclosure

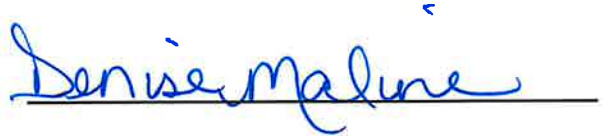
CERTIFICATE OF SERVICE

I hereby certify that on December 3, 2024 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 89268

Water Right No(s): 47-195, 47-197, 47-2191

G+ RANCHES INC
2564 S SWALLOWTAIL LN
BOISE ID 83706-6131



Denise Maline
Administrative Assistant

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

Date: November 15, 2024
To: Transfer 89268 File
From: William Mills
Re: Evaluation of Sufficiency of Information Submitted

Application for transfer proposes adding a new point of diversion (POD) to three unnamed stream irrigation water rights (5.0 cfs and ~~393.7~~ ^{383.7} acres when combined) to serve as a third point of diversion for the water rights. The unnamed stream is tributary to Mud Creek. Proposed POD will be located approximately 2.8 miles north and 0.6 miles west of the intersection of Broadway Ave N. and Main St in Buhl.

The proposed POD and place of use are not located within an active water district.

- **Authority to File:**
IDWR records indicate the applicant currently owns the water rights and properties associated with this application.
- **Water Right Validity:**
Water rights were decreed in the SRBA on 9/14/2007. Recent aerial imagery indicates grounds associated with this application appear to be irrigated.
- **Injury to Other Water Rights:**
None anticipated.
- **Enlargement of Use:**
None anticipated.
- **Local Public Interest:**
No issues anticipated. Application was subject to public notice and protest.

- **Beneficial Use/Conservation of Water Resources:**
Proposed use is recognized as a beneficial use of water.
- **Effect on the Economy of the Local Area:**
None Anticipated.
- **Effect on Agricultural Base of the Local Economy:**
None Anticipated.

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

AFFIDAVIT OF PUBLICATION

Magic Valley Times-News
132 Fairfield ST W, Twin Falls, ID 83301
(208) 735-3253

State of Texas, County of Bexar, ss:

I, Kevin Richman, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of Magic Valley Times-News, a newspaper printed and published at Twin Falls on Tuesday, Thursday and Saturday, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

Publication Dates:

- Oct 17, 2024
- Oct 24, 2024

Notice ID: P87yvQLhFJequfn3QsSg

Notice Name: Legal Notice for Transfer(s) 89268 & 89351

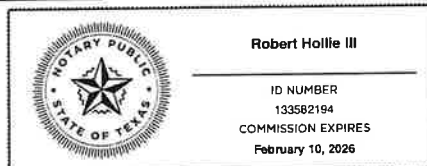
Publication Fee: \$137.04

Kevin Richman

Agent

VERIFICATION

State of Texas
County of Bexar



Signed or attested before me on this: 10/25/2024

[Signature]

Notary Public

Electronically signed and notarized online using the Proof platform.

✓ OK BM 10/29/2024

RECEIVED**OCT 25 2024**

DEPT. OF WATER RESOURCES
SOUTHERN REGION

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 89268**

G+ RANCHES INC, 2564 S SWALLOWTAIL LN, BOISE, ID 83706 has filed Application No. 89268 for changes to the following water rights within TWIN FALLS County(s): Right No(s). 47-195, 47-197, 47-2191. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding a new point of diversion (POD) to three unnamed stream (tributary to Mud Creek) irrigation water rights (5.0 cfs and 383.7 acres when combined) to serve as a third point of diversion for the water rights. Proposed POD will be located approximately 2.8 miles north and 0.6 miles west of the intersection of Broadway Ave N. and Main St in Buhl.

TRANSFER NO. 89351

THE DECKER SPRINGS WEST DIVERSION WATER COMPANY, 525 RIVER RD, BLISS, ID 83314 has filed Application No. 89351 for changes to the following water rights within GOODING County(s): Right No(s). 37-20490, 37-791A, 37-791B. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes adding an injection point (POI) and a rediversion (POR) to three Upper Decker Spring water rights (0.94 cfs combined), so that water can be diverted from an unnamed stream (locally known as Decker Creek). Application also proposes combining the three water rights to create a 40.7 acre permissible place of use (PPU). POI, POR and PPU will be located approximately 4.5 to 4.9 miles north and 0.8 to 1.2 miles west of the intersection of Main St. & Hwy 30 in Hagerman.

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 **November 4, 2024**. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director
Publish: October 17, 24, 2024
COL-NV-0670

✓ OK DM 10/29/2024