

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 89026

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

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

Name of Applicant(s) V & R Farms LLC & Leon R Walker Family Trust

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

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

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

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

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

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) V & R Farms @ Lynn R. Walker Family Trust Phone 209-312-2650
Mailing address 715 South 750 East Burley 83318 Email debragibby@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**.

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SOUTHERN REGION

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.

[Signature]
Signature of Applicant or Authorized Representative

[Signature]
Signature of Applicant or Authorized Representative

Von Gibby
Print Name and Title if applicable

X Lynn Walker
Print Name and Title if applicable

5-8-24
Date

5/14/24
Date

A. PURPOSE OF TRANSFER

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

2. Is this a transfer for changes pursuant to Idaho Code §42-221.0.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.

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

Purpose of transfer is to change place of use by moving V&R Farms WR acres from lands owned by Nature Farms, and moving those acres to lands owned or leased by V & R Farms (see attached spreadsheet).

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) V & R Farms LLC Phone (208) 312-2650
Mailing address 715 S 750 E, Burley ID 83318-5744 Email debragibby@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.

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Name of Representative _____ Phone _____
Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
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- ☐ Send original correspondence to the applicant and copies to the representative.
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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.

SEE ATTACHED

Signature of Applicant or Authorized Representative _____	Print Name and Title if applicable _____	Date _____
Signature of Applicant or Authorized Representative _____	Print Name and Title if applicable _____	Date _____

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Is this a transfer for changes pursuant to [Idaho Code § 42-221.O.8?](#)
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.

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DEPT OF WATER RESOURCES
SOUTHERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) Leon R Walker Family Trust Phone (801) 842-8880
Mailing address 3934 W Graymalkin Cir, South Jordan, UT 84009-9516 Email walkerlr@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.
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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.

SEE ATTACHED

Signature of Applicant or Authorized Representative _____	Print Name and Title if applicable _____	Date _____
Signature of Applicant or Authorized Representative _____	Print Name and Title if applicable _____	Date _____

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Is this a transfer for changes pursuant to [Idaho Code § 42-221.O.8?](#)
 If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.
3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

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

I.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
☒ All or ☐ Part	43-2359	2.9 cfs	Irrigation	3/15 to 11/15	Ground Water
☒ ☐	43-2460	2.76 cfs	Irrigation	3/15 to 11/15	Ground Water
☒ ☐	43-4010	2.34 cfs	Irrigation	3/15 to 11/15	Ground Water
☒ ☐	43-7054	2.00 cfs	Irrigation	3/15 to 11/15	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 10.0 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed 10.0 cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

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

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

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

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

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	26E	27										31	39						70
10S	26E	28			5.5	5.3					29		35	25	38	38	36	37	248.8
10S	26E	29												1.7			21	37	59.7
10S	26E	33	39	11		21	2.5	20											93.5
10S	26E	34						23	39			12							74
Total Acres (for irrigation use)																			546

**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:

Deep wells with electromagnetic flow meters connected by main lines to pivots

- b. Who owns the property at the point(s) of diversion? V & R Farms LLC

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
V & R Farms LLC and LEON R WALKER FAMILY TRUST co-own these water rights and have an
lease agreement in place where V&R Farms has been farming the ground.

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☒ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: See attached signed documentation from D.L. Evans Bank titled "Attachment #6"

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

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

If yes, ☐ complete [Attachment WSB](#).

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

This transfer is being filed together with a transfer from NATURE FARM LLC to move off the 54.6 Acres
from Nature Farms ground onto ground owned and/or leased by V & R Farms. Nature Farms transfer
will move their own water to replace the water being transferred off.

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

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

Yes No

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

If yes, describe:

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

Current Water Right No.: 43-2359

Current Owner: LEON R WALKER FAMILY TRUST
V & R FARMS LLC

Priority Date: 12/1/1950

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	2.9 CFS	628 AF
	<u>Total Diversion</u>	2.9 CFS	628 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4	Sec. 28,	Twp 10S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	SW1/4SE1/4SW1/4	Sec. 28,	Twp 10S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	SW1/4SE1/4SE1/4	Sec. 28,	Twp 10S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	NW1/4NW1/4NE1/4	Sec. 28,	Twp 10S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	NW1/4NW1/4	Sec. 28,	Twp 10S,	Rge 26E B.M.
CASSIA County				

Place of Use

IRRIGATION Within CASSIA County

T10S R26E S21	SESE	29.00	T10S R26E S22	SWSW	29.00
T10S R26E S27	NWSW	32.00	T10S R26E S27	SWSW	34.00
T10S R26E S28	SWNE	1.50	T10S R26E S28	NESW	27.00
T10S R26E S28	SWSW	35.00	T10S R26E S28	SESW	22.00
T10S R26E S28	NESE	35.00	T10S R26E S28	NWSE	39.00
T10S R26E S28	SWSE	28.00	T10S R26E S28	SESE	33.00
T10S R26E S29	SESE	25.00	T10S R26E S33	NENE	39.00
T10S R26E S33	NWNE	11.50	T10S R26E S33	SENE	23.00
T10S R26E S33	NENW	2.00	T10S R26E S33	NWNW	21.00
T10S R26E S34	NWNW	23.00	T10S R26E S34	SWNW	40.00
T10S R26E S34	NWSW	17.00			

Total Acres: 546

Page _____ of _____

Conditions of Approval:

1. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. X35 Rights 43-2359, 43-2460, 43-4010 and 43-7054 when combined shall not exceed a total diversion rate of 10.00 cfs, a total annual maximum diversion volume of 2184.0 af at the field headgate, and the irrigation of 546.0 acres.
4. 004 This right does not grant any right-of-way or easement across the land of another.
5. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. 01M 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
7. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
8. X27 This right is limited to the irrigation of 157 acres within the place of use described above in a single irrigation season.
9. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Decreed Date: 6/28/2002

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

Current Water Right No.: 43-2460

Current Owner: LEON R WALKER FAMILY TRUST
V & R FARMS LLC

Priority Date: 7/31/1957

Origin: Water Right

Status: Active

Basis: Decreed

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	2.76 CFS	552 AF
	<u>Total Diversion</u>	2.76 CFS	552 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4	Sec. 28,	Twp 10S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	SW1/4SE1/4SW1/4	Sec. 28,	Twp 10S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	SW1/4SE1/4SE1/4	Sec. 28,	Twp 10S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	NW1/4NW1/4NE1/4	Sec. 28,	Twp 10S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	NW1/4NW1/4	Sec. 28,	Twp 10S,	Rge 26E B.M.
CASSIA County				

Place of Use

IRRIGATION Within CASSIA County

T10S R26E S21	SESE	29.00	T10S R26E S22	SWSW	29.00
T10S R26E S27	NWSW	32.00	T10S R26E S27	SWSW	34.00
T10S R26E S28	SWNE	1.50	T10S R26E S28	NESW	27.00
T10S R26E S28	SWSW	35.00	T10S R26E S28	SESW	22.00
T10S R26E S28	NESE	35.00	T10S R26E S28	NWSE	39.00
T10S R26E S28	SWSE	28.00	T10S R26E S28	SESE	33.00
T10S R26E S29	SESE	25.00	T10S R26E S33	NENE	39.00
T10S R26E S33	NWNE	11.50	T10S R26E S33	SENE	23.00
T10S R26E S33	NENW	2.00	T10S R26E S33	NWNW	21.00
T10S R26E S34	NWNW	23.00	T10S R26E S34	SWNW	40.00
T10S R26E S34	NWSW	17.00			

Total Acres: 546

Conditions of Approval:

1. X35 Rights 43-2359, 43-2460, 43-4010 and 43-7054 when combined shall not exceed a total diversion rate of 10.00 cfs, a total annual maximum diversion volume of 2184.0 af at the field headgate, and the irrigation of 546.0 acres.
2. X35 Rights 43-2460, 43-4010 and 43-7054 when combined shall not exceed a total annual maximum diversion volume of 1556 af at the field headgate, and the irrigation of 389 acres.
3. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. X27 This right is limited to the irrigation of 138 acres within the place of use described above in a single irrigation season.
7. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. 01M 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
9. 004 This right does not grant any right-of-way or easement across the land of another.
10. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Decreed Date: 6/28/2002

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

Current Water Right No.: 43-4010

Current Owner: LEON R WALKER FAMILY TRUST
V & R FARMS LLC

Priority Date: 7/11/1962

Origin: Water Right

Status: Active

Basis: Decreed

Source**Tributary**

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	2.34 CFS	916 AF
	<u>Total Diversion</u>	2.34 CFS	916 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4	Sec. 28,	Twp 10S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	SW1/4SE1/4SW1/4	Sec. 28,	Twp 10S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	SW1/4SE1/4SE1/4	Sec. 28,	Twp 10S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	NW1/4NW1/4NE1/4	Sec. 28,	Twp 10S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	NW1/4NW1/4	Sec. 28,	Twp 10S,	Rge 26E B.M.
CASSIA County				

Place of Use**IRRIGATION Within CASSIA County**

T10S R26E S21	SESE	29.00	T10S R26E S22	SWSW	29.00
T10S R26E S27	NWSW	32.00	T10S R26E S27	SWSW	34.00
T10S R26E S28	SWNE	1.50	T10S R26E S28	NESW	27.00
T10S R26E S28	SWSW	35.00	T10S R26E S28	SESW	22.00
T10S R26E S28	NESE	35.00	T10S R26E S28	NWSE	39.00
T10S R26E S28	SWSE	28.00	T10S R26E S28	SESE	33.00
T10S R26E S29	SESE	25.00	T10S R26E S33	NENE	39.00
T10S R26E S33	NWNE	11.50	T10S R26E S33	SENE	23.00
T10S R26E S33	NENW	2.00	T10S R26E S33	NWNW	21.00
T10S R26E S34	NWNW	23.00	T10S R26E S34	SWNW	40.00
T10S R26E S34	NWSW	17.00			

Total Acres: 546

Conditions of Approval:

1. X35 Rights 43-2460, 43-4010 and 43-7054 when combined shall not exceed a total annual maximum diversion volume of 1556 af at the field headgate, and the irrigation of 389 acres.
2. X27 This right is limited to the irrigation of 229 acres within the place of use described above in a single irrigation season.
3. X35 Rights 43-2359, 43-2460, 43-4010 and 43-7054 when combined shall not exceed a total diversion rate of 10.00 cfs, a total annual maximum diversion volume of 2184.0 af at the field headgate, and the irrigation of 546.0 acres.
4. 004 This right does not grant any right-of-way or easement across the land of another.
5. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. 01M 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
10. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Decreed Date: 6/28/2002

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

Current Water Right No.: 43-7054

Current Owner: LEON R WALKER FAMILY TRUST
V & R FARMS LLC

Priority Date: 1/27/1975

Origin: Water Right

Status: Active

Basis: Decreed

Source**Tributary**

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	2 CFS	971.9 AF
	<u>Total Diversion</u>	2 CFS	971.9 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4	Sec. 28,	Twp 10S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	SW1/4SE1/4SW1/4	Sec. 28,	Twp 10S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	SW1/4SE1/4SE1/4	Sec. 28,	Twp 10S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	NW1/4NW1/4NE1/4	Sec. 28,	Twp 10S,	Rge 26E B.M.
CASSIA County				
GROUND WATER	NW1/4NW1/4	Sec. 28,	Twp 10S,	Rge 26E B.M.
CASSIA County				

Place of Use**IRRIGATION Within CASSIA County**

T10S R26E S21	SESE	29.00	T10S R26E S22	SWSW	29.00
T10S R26E S27	NWSW	32.00	T10S R26E S27	SWSW	34.00
T10S R26E S28	SWNE	1.50	T10S R26E S28	NESW	27.00
T10S R26E S28	SWSW	35.00	T10S R26E S28	SESW	22.00
T10S R26E S28	NESE	35.00	T10S R26E S28	NWSE	39.00
T10S R26E S28	SWSE	28.00	T10S R26E S28	SESE	33.00
T10S R26E S29	SESE	25.00	T10S R26E S33	NENE	39.00
T10S R26E S33	NWNE	11.50	T10S R26E S33	SENE	23.00
T10S R26E S33	NENW	2.00	T10S R26E S33	NWNW	21.00
T10S R26E S34	NWNW	23.00	T10S R26E S34	SWNW	40.00
T10S R26E S34	NWSW	17.00			

Total Acres: 546

Conditions of Approval:

1. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
2. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
3. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. 004 This right does not grant any right-of-way or easement across the land of another.
5. 01M 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 determine the amount of water diverted from power records and shall annually report the information to the Department.
6. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. X35 Rights 43-2359, 43-2460, 43-4010 and 43-7054 when combined shall not exceed a total diversion rate of 10.00 cfs, a total annual maximum diversion volume of 2184.0 af at the field headgate, and the irrigation of 546.0 acres.
9. X35 Rights 43-2460, 43-4010 and 43-7054 when combined shall not exceed a total annual maximum diversion volume of 1556 af at the field headgate, and the irrigation of 389 acres.
10. X27 This right is limited to the irrigation of 251 acres within the place of use described above in a single irrigation season.

Decreed Date: 6/28/2002

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

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

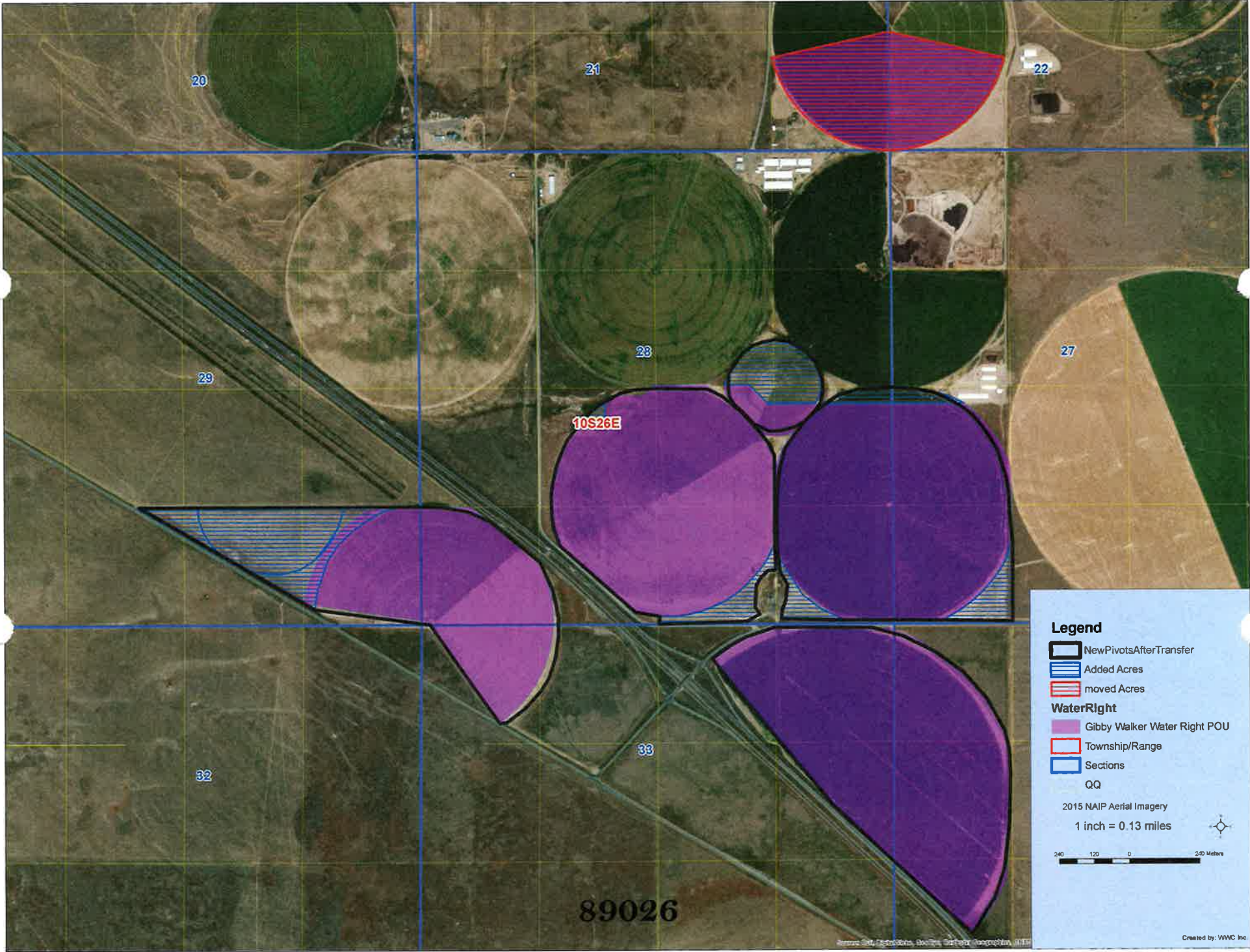
☐ If you propose to change the nature of use or period of use of all or part of the right(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the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

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

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

89026

V & R Farms Water Right Transfer





0005540445



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 #: 0005540445

Date Filed: 1/4/2024 7:32:33 AM

Entity Name and Mailing Address:

Entity Name: V & R FARMS, L.L.C.
The file number of this entity on the records of the Idaho Secretary of State is: 0000014314
Address: 715 S 750 E
BURLEY, ID 83318-5744

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: W2106

The registered agent on record is:

Registered Agent: VON GIBBY
Registered Agent
Physical Address
715 S 750 E
BURLEY, ID 83318
Mailing Address

Limited Liability Company Managers and Members

Name	Title	Business Address
VON GIBBY	Manager	715 S 750 E BURLEY, ID 83318

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

Job Title: Owner

Von Gibby

Sign Here

01/04/2024

Date

B0811-3906 01/04/2024 1:32 AM RECEIVED BY OFFICE OF THE IDAHO SECRETARY OF STATE



10980 South Jordan Gateway
P.O. Box 95850
South Jordan, UT 84095
(801)571-9200
1-800-824-9198
Fax (801)576-0600

5/14/2024

Bill Mills

State of Idaho Water Resource Department – Twin Falls

Bill,

Pertaining to the following Water Rights owned by V&R Farms, L.L.C.:

43-4010

43-7054

43-2359

It is my understanding that water from the above listed water rights is being moved onto collateral held by Western AgCredit – Servicing Agent for Bank of Commerce.

Western AgCredit does not object to the transfer if water is coming onto the legal description identified in the Notice of Security Interest in a Water Right sent to, and received by, the State of Idaho Department of Water Resources stamped Jun 29, 2021.

Thanks

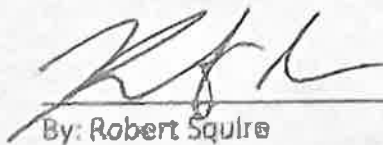
Garn A Lovell for Western AgCredit as servicing agent for the Bank of Commerce



WATER RIGHT RELEASE AND ACKNOWLEDGMENT

D L Evans Bank releases all claims of ownership it may have if any to Water Right Numbers 43-4010 and 43-2460 located in Cassia County, Idaho and authorizes Idaho Department of Water Resources to transfer these water rights to a different place of use without further authorization from D L Evans Bank. D.L. Evans Bank acknowledges that the foregoing water rights were transferred to property owned by D.L. Evans Bank solely for use by a tenant for farming purposes and D.L. Evans Bank acknowledges that it holds no ownership interest in the above referenced water rights.

D. L. Evans Bank


By: Robert Squire
Its: Vice President General Counsel

2/28/2023

D.L. Evans | **BANK**

Von Gibby
715 S. 750 E.
Burley, ID 83318

Dear Von,

D.L. Evans Bank holds no interest water rights 43-7054 and 43-2359. D.L. Evans Bank authorizes Von Gibby to file paperwork with Idaho Department of Water Resources to transfer Water Right Numbers 43-7054 and 43-2359 off of bank owned properties

Sincerely,



Robert Squire
VP General Counsel

WATER USE AGREEMENT

This Water Use Agreement ("Agreement") is entered into on 5/20/24, 2024, by and among Nature Farm, L.L.C., an Idaho limited liability company ("NF"), V & R Farms, L.L.C., an Idaho limited liability company ("V&R"), and the Leon R. Walker Family Trust ("Walker").

A. The predecessors of NF and Walker entered into that Agreement for Common Use of Irrigation Systems and Water Rights, dated August 15, 2002 (the "Initial Agreement"), regarding irrigation of certain property in Cotterel, Idaho.

B. The real property and water rights referenced in the Initial Agreement have been updated through changes in ownership and water right transfers.

C. NF, V&R, and Walker, as the current owners of their respective properties, now desire to enter into a new agreement regarding use of irrigation water that will supersede the Initial Agreement.

Now Therefore, in consideration of the mutual promises set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows.

1. Irrigation Systems and Water Use. NF, V&R, and Walker agree to allow their respective irrigation systems to be hydraulically connected. There is a valve on the mainline pipeline between their respective properties.

2. Water Right Points of Diversion

a. NF owns three (3) wells that are authorized points of diversion located at the following locations: Township 10 South, Range 26 East, Sec. 28, NE $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ NE $\frac{1}{4}$; and NW $\frac{1}{4}$ NW $\frac{1}{4}$ (collectively "NF PODs").

b. NF hereby allows the NF PODs to be added as points of diversion on the following water rights owned by V&R and Walker: water right nos. 43-2359, 43-2460, 43-4010, and 43-7054 (collectively "V&R-Walker Water Rights").

c. V&R owns two (2) wells that are authorized points of diversion located at the following locations: Township 10 South, Range 26 East, Sec. 28, SE $\frac{1}{4}$ SW $\frac{1}{4}$; and SE $\frac{1}{4}$ SE $\frac{1}{4}$ (collectively "V&R PODs").

d. V&R hereby allows the V&R PODs to be added as points of diversion on the following water rights owned by NF: water right nos. 43-7015, 43-13384, 43-13386, 43-13388, 43-13390, 43-13392, 43-13394, 43-13396, 43-13398, 43-13400, 43-13402, 43-13404, 43-13406, 43-13466, 43-13468, and 43-13797.

3. Water Right Place of Use

a. NF owns certain irrigated farmland in the following locations ("NF Land"):

Township 10 South, Range 26 East	Section 27	NW ¼ SW ¼
	Section 28	SE ¼ NE ¼
		SW ¼ NE ¼
		NE ¼ SE ¼
		NW ¼ SE ¼
		NE ¼ SW ¼

b. NF hereby allows V&R and Walker to include the NF's Land described in Section 3(a) within the place of use on the V&R-Walker Water Rights.

4. Further Assurances. Each party shall do and perform, or cause to be done and performed, all such further acts and things, and shall execute and deliver all such other documents, as the other party may reasonably request, to carry out the intent and accomplish the purposes of this Agreement.

5. Modification. The parties may modify this Agreement only by a written amendment signed by all parties.

6. Termination. This Agreement may be terminated by the parties in writing. In the event this Agreement is terminated, the irrigation system will be hydraulically separated, and the parties will submit transfer applications to the Idaho Department of Water Resources to modify the respective water rights consistent with the termination of this Agreement.

7. Notices. Any notice or demand given under the terms of this Agreement shall be deemed delivered upon receipt or refusal of receipt when mailed through the United States Postal Service, postage prepaid, addressed to the other parties at the following addresses:

If to NF: Nature Farm, L.L.C.
Attn: Ben Gibby
134 E. Highway 81
Burley, ID 83318

If to V&R: V & R Farms, L.L.C.
Attn: Von Gibby
715 S. 750 E.
Burley, ID 83318

If to Walker: Leon R. Walker Family Trust
Attn: Lynn Walker
3934 W. Graymalkin Cir.

South Jordan, UT 84009-9516

Such addresses may be changed from time-to-time by a party through written notice to the other parties.

8. Assignment. No party may assign its rights or delegate its duties, in whole or in part, without the prior written consent of the other parties, which consent shall not be unreasonably withheld.

9. Binding Effect. This Agreement shall be binding upon and inure to the benefit of the parties and their respective permitted assigns.

10. Governing Law; Venue. This Agreement shall be governed by the laws of the State of Idaho. The parties consent to the jurisdiction of the state courts of Cassia County, Idaho, in the event of any dispute with respect to this Agreement.

11. Entire Agreement. The parties agree that this Agreement contains their entire agreement with respect to the subject matter described herein, and that any previous agreement, whether written or oral, between the parties is superseded by this Agreement.

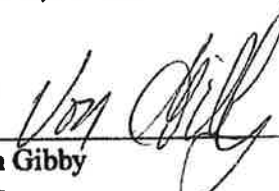
[Signature page follows]

The parties have caused this Agreement to be executed and delivered by their duly authorized representatives as of the date written above.

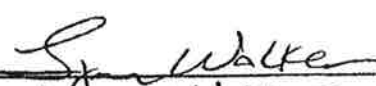
Nature Farm, L.L.C.

By: 
Name: Monte Quast
Its: Manager

V & R Farms, L.L.C.

By: 
Name: Von Gibby
Its: Manger

Leon R. Walker Family Trust

By: 
Name: Leon R. Walker
Its: Trustee



Order Number: 21403835

Warranty Deed

For Value Received,

Terry L. Walker as Co-Trustee and Lynn R Walker as Co-Trustee of the Leon R. Walker Family Trust, the Grantor, does hereby grant, bargain sell and convey unto, V & R Farms, L.L.C., an Idaho limited liability company, whose current address is 715 S 750 E, Burley, ID 83318, the Grantee, the following described premises, in Cassia County, Idaho, To Wit:

See Exhibit A, attached hereto and incorporated herein.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: May 7, 2021

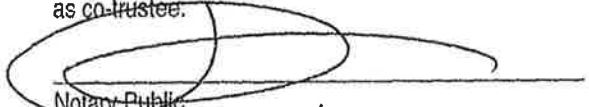
Leon R. Walker Family Trust

BY: Terry L. Walker Co-trustee
Terry L. Walker, Co-Trustee

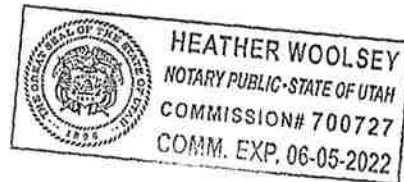
BY: Lynn R. Walker Co-Trustee
Lynn R. Walker, Co-Trustee

State of Utah County of Salt Lake, ss.

On this 7 day of May in the year of 2021, before me, the undersigned, a notary public in and for said state personally appeared Terry L. Walker, known or identified to me to be the person whose name is subscribed to the within instrument, as co-trustee of Leon R. Walker Family Trust and acknowledged to me that he executed the same as co-trustee.

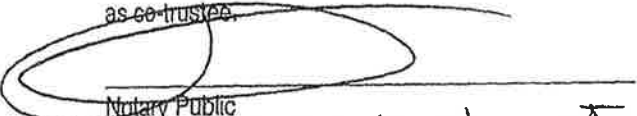

Notary Public

Residing in: Salt Lake City, UT
My Commission Expires: 06-05-22
(seal)



State of Utah County of Salt Lake, ss.

On this 7 day of May in the year of 2021, before me, the undersigned, a notary public in and for said state personally appeared Lynn R. Walker, known or identified to me to be the person whose name is subscribed to the within instrument, as co-trustee of Leon R. Walker Family Trust and acknowledged to me that he executed the same as co-trustee.


Notary Public

Residing in: Salt Lake City, UT
My Commission Expires: 06-05-22
(seal)



EXHIBIT A
LEGAL DESCRIPTION OF THE PREMISES

TRACT A

PARCEL NO. 1:
TOWNSHIP 10 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 27: $W\frac{1}{2}W\frac{1}{2}$

Section 28: $E\frac{1}{2}$, $E\frac{1}{2}W\frac{1}{2}$, $SW\frac{1}{4}SW\frac{1}{4}$

EXCEPTING THEREFROM the following described tracts:

Tract No. 1:

Beginning at a point 25.0 feet North of the Southwest corner of the $SE\frac{1}{4}SE\frac{1}{4}$ of said Section 28, which point shall be the True Point of Beginning;
Thence East 48.0 feet to a point which point is also a U.S. Coast and Geodetic Survey Marker number B 122 dated 1958;
Thence North 75.0 feet to a point;
Thence West 48.0 feet to a point on the mid section line;
Thence South 75.0 feet along said mid section line to the True Point of Beginning.

Tract No. 2:

That part of the following described property lying in the $E\frac{1}{2}$ and the $E\frac{1}{2}W\frac{1}{2}$ of said Section 28, and in the $W\frac{1}{2}W\frac{1}{2}$ of said Section 27;

Beginning at the Northwest corner of said Section 27;
Thence South $89^{\circ}36'$ East along the North Section line of Section 27 for 1319.34 feet to the Northeast corner of the $NW\frac{1}{4}NW\frac{1}{4}$ of said Section 27;
Thence South $0^{\circ}03'$ East along the $1/16$ Section line for 2810.73 feet to a point;
Thence North $89^{\circ}35'$ West for 2758.78 feet to a point;
Thence North $33^{\circ}45'$ West for 247.0 feet to a point;
Thence North $89^{\circ}40'$ West for 1080.59 feet to a point;
Thence South $44^{\circ}55'$ West for 286.78 feet to a point;
Thence North $89^{\circ}35'$ West for 1109.28 feet to a point on the $1/16$ line in the West half of said Section 28;
Thence North $0^{\circ}11'$ West for 2807.46 feet along the said $1/16$ line to a point which is the Northeast corner of $NW\frac{1}{4}NW\frac{1}{4}$ of said Section 28;
Thence South $89^{\circ}39'$ East along the North section line of said Section 28 for 3975.35 feet to The True Point of Beginning.

Tract No. 3:

All that part deeded to the State of Idaho for Highway purposes.

TOWNSHIP 10 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 29: That part of the $S\frac{1}{2}S\frac{1}{2}$ lying North and East of Highway 30 South

Customer Ad Proof

164-60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 152114

Publication

Times News

Contact ID DEPARTMENT OF WATER RESOURCES
Address 1 650 ADDISON AVE W, STE 500
Address 2
City St Zip TWIN FALLS ID 83301
Phone 2087363033
Fax

PO Number

Rate

Legal Notice

Order Price

232.52

Amount Paid

0.00

Amount Due

232.52

Section

Legals

SubSection

Start/End Dates

07/03/2024 - 07/11/2024

Category

50 Legal

Insertions

2

Size

133

Ad Key

152114-1

Keywords

TRANSFER NO. 89026, 89081, 88961

Salesperson(s)

Legal Notices

Taken By

Shawn Killinger

Notes

Ad Proof

Proof of legal notice received from Times News 6/28/2024 (2 pgs)

✓ DM 6/28/2024

Customer Ad Proof

164-60002276 ID DEPARTMENT OF WATER RESOURCES

Order Nbr 152114

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 88961

DOUGLAS J BRADSHAW, TRUSTEE UNDER WILL OF ELEANOR REINHEIMER, PO BOX 7112, RANCHO SANTA FE, CA 92067-7112 has filed Application No. 88961 for changes to the following water rights within BLAINE County(s): Right No(s). 37-457A, 37-457B, 37-891A, 37-892. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change a point of diversion (POD) of two irrigation water rights which are currently authorized to divert 4.8 cfs from Trail Creek. The transfer also proposes to add the same POD to two other irrigation water rights with a total flow rate of 21.732 cfs. The new POD will be located on Trail Creek approximately 0.6 mile south and 0.1 mile east of the intersection of Main Street and Sun Valley Road in Ketchum. Published in the Idaho Mountain Express, Idaho Statesman & Post Register on July 3rd & 10th, 2024; Times News on July 3rd & 11th, 2024; and Lewiston Tribune July 4th & 11th, 2024.

TRANSFER NO. 89026

V & R FARMS LLC, 715 S 750 E, BURLEY, ID 83318-5744; LEON R WALKER FAMILY TRUST, 3934 W GRAYMALKIN CIR, SOUTH JORDAN, UT 84009-9516 has filed Application No. 89026 for changes to the following water rights within CASSIA County(s): Right No(s). 43-2359, 43-2460, 43-4010, 43-7054. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes rearranging acres for a 546 acre place of use for 4 ground water irrigation rights. The four rights when combined are limited to a combined diversion rate of up to 10.00 cfs. There will be no changes to the points of diversion for the water rights. The proposed place of use is located approximately 13.5 to 14.7 miles north and 2.0 miles to 3.8 miles west of Malta.

TRANSFER NO. 89081

NATURE FARM LLC, 134 E HIGHWAY 81, BURLEY, ID 83318-5427 has filed Application No. 89081 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13384, 43-13386, 43-13388, 43-13390, 43-13392, 43-13394, 43-13396, 43-13398, 43-13400, 43-13402, 43-13404, 43-13406, 43-13466, 43-13468, 43-13797, 43-7015. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes rearranging acres within a 3276.9 acre permissible place of use for 16 ground water irrigation rights. All sixteen rights when combined are limited to the irrigation of 708.2 acres and a combined diversion rate of up to 10.02 cfs. There will be no changes to the points of diversion for the water rights. The proposed place of use is located approximately 14.5 to 15.6 miles north and 1.3 miles to 3.7 miles west of Malta.

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 July 22, 2024. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director
Publish: July 3, 11, 2024

✓ DM

Maline, Denise

From: Maline, Denise
Sent: Friday, June 28, 2024 10:58 AM
To: Ragan, Brian
Subject: Comment Letter for Transfer Nos. 89026 & 89081
Attachments: Comment letter to WD143 for 89026 & 89081.docx; Transfer 89081 Nature Farm LLC.pdf; Transfer 89026 V&R Farms & Walker.pdf

Good morning Brian,

Attached are 2 applications for transfer currently being processed by the department within WD143. Please review the applications and provide any necessary comments within 21 days.

If you have any questions regarding this information, 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



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

June 28, 2024

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

RE: Transfer No. 89026 (V & R Farms LLC; Leon R Walker Family Trust)
Water Right No(s). 43-2359, etc.

RE: Transfer No. 89081 (Nature Farm LLC)
Water Right No(s). 43-7015, etc.

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)



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June 27, 2024

V & R FARMS LLC
715 S 750 E
BURLEY, ID 83318-5744

LEON R WALKER FAMILY TRUST
3934 W GRAYMALKIN CIR
SOUTH JORDAN, UT 84009-9516

RE: Transfer No. 89026
Water Right No(s). 43-2359, 43-2460, 43-4010, 43-7054

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 7/3/2024 and 7/11/2024**. Protests to this application may be submitted for a period ending ten (10) days after the second publication. Any protest against this application must be filed with the Department of Water Resources, together with a protest fee of \$25.00 for each application, on or before **July 22, 2024**.

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

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

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

Sincerely,

Denise Maline
Administrative Assistant

c: The Bank of Commerce, c/o Western AgCredit, South Jordan UT

Maline, Denise

From: Maline, Denise
Sent: Thursday, June 27, 2024 2:26 PM
To: Times News
Subject: LEGAL NOTICE - Account No. 164-60002276
Attachments: Times News cover letter.docx; Times News ad.docx

Good afternoon,

Attached please find **(1)** legal notice being submitted for publication on July 3rd (*due to the holiday on July 4th*), & 11th, 2024. This publication is for Idaho Dept of Water Resources in Twin Falls, Idaho, under Account No. 164-60002276. Please let me know if there are any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise @ IDWR Twin Falls, Idaho



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



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Governor Brad Little

Director Mathew Weaver

June 27, 2024

LEGAL NOTICE DEPARTMENT

TIMES NEWS

PO BOX 548

TWIN FALLS, ID 83303-0548

RE: Transfer No. 89026

Water Right No(s). 43-2359, 43-2460, 43-4010, 43-7054

RE: Transfer No. 89081

Water Right No(s). 43-13384, 43-13386, 43-13388, 43-13390, 43-13392, 43-13394,
43-13396, 43-13398, 43-13400, 43-13402, 43-13404, 43-13406, 43-13466, 43-13468,
43-13797, 43-7015

RE: Transfer No. 88961

Water Right No(s). 37-457A, 37-457B, 37-891A, 37-892

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 July 22, 2024. Your cooperation is appreciated.

Sincerely,

Denise Maline

Denise Maline

Administrative Assistant 1

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 88961**

DOUGLAS J BRADSHAW, TRUSTEE UNDER WILL OF ELEANOR REINHEIMER, PO BOX 7112, RANCHO SANTA FE, CA 92067-7112 has filed Application No. 88961 for changes to the following water rights within BLAINE County(s): Right No(s). 37-457A, 37-457B, 37-891A, 37-892. The purpose of the transfer is to change a portion of the above rights as follows: Application for transfer proposes to change a point of diversion (POD) of two irrigation water rights which are currently authorized to divert 4.8 cfs from Trail Creek. The transfer also proposes to add the same POD to two other irrigation water rights with a total flow rate of 21.732 cfs. The new POD will be located on Trail Creek approximately 0.6 mile south and 0.1 mile east of the intersection of Main Street and Sun Valley Road in Ketchum. Published in the Idaho Mountain Express, Idaho Statesman & Post Register on July 3rd & 10th, 2024; Times News on July 3rd & 11th, 2024; and Lewiston Tribune July 4th & 11th, 2024.

TRANSFER NO. 89026

V & R FARMS LLC, 715 S 750 E, BURLEY, ID 83318-5744; LEON R WALKER FAMILY TRUST, 3934 W GRAYMALKIN CIR, SOUTH JORDAN, UT 84009-9516 has filed Application No. 89026 for changes to the following water rights within CASSIA County(s): Right No(s). 43-2359, 43-2460, 43-4010, 43-7054. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes rearranging acres for a 546 acre place of use for 4 ground water irrigation rights. The four rights when combined are limited to a combined diversion rate of up to 10.00 cfs. There will be no changes to the points of diversion for the water rights. The proposed place of use is located approximately 13.5 to 14.7 miles north and 2.0 miles to 3.8 miles west of Malta.

TRANSFER NO. 89081

NATURE FARM LLC, 134 E HIGHWAY 81, BURLEY, ID 83318-5427 has filed Application No. 89081 for changes to the following water rights within CASSIA County(s): Right No(s). 43-13384, 43-13386, 43-13388, 43-13390, 43-13392, 43-13394, 43-13396, 43-13398, 43-13400, 43-13402, 43-13404, 43-13406, 43-13466, 43-13468, 43-13797, 43-7015. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes rearranging acres within a 3276.9 acre permissible place of use for 16 ground water irrigation rights. All sixteen rights when combined are limited to the irrigation of 708.2 acres and a combined diversion rate of up to 10.02 cfs. There will be no changes to the points of diversion for the water rights. The proposed place of use is located approximately 14.5 to 15.6 miles north and 1.3 miles to 3.7 miles west of Malta.

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 **July 22, 2024**. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director
Published on July 3rd & 11th, 2024

***Note: Times News is publishing on Weds July 3rd, as they will be closed for the 4th of July holiday.*

M E M O R A N D U M

Date: June 21, 2024

To: Transfer 89026

From: Bill Mills

Re: Fee Evaluation

Filing fees charged for transfer application #89026 were based on the percentage of acres from each of the sixteen water rights in the transfer that could be utilized within the proposed 101.7 acres that are being rearranged in the transfer application. Analysis of each water right indicates a total of 5.71 cfs could be moved to the new ground. The current transfer fee schedule for 5.71 cfs is \$900.00. Applicant paid \$900.00 under Receipt #S040231.

MEMORANDUM

Date: June 20, 2024
To: Transfer 89026
From: Bill Mills
Re: Transfer Proposal

Application proposes rearranging acres for a 546 acre place of use for 4 ground water irrigation rights. The four rights when combined are limited to a combined diversion rate of up to 10.00 cfs. There will be no changes to the points of diversion for the water rights. The proposed place of use is located approximately 13.5 to 14.7 miles north and 2.0 miles to 3.8 miles west of Malta.

The four ground water rights are administered by Water District 143. Watermaster comments will be solicited.

Mills, Bill

From: Condon, Mary
Sent: Thursday, June 20, 2024 12:15 PM
To: Mills, Bill
Subject: RE: WSB Lease and Rental of WR 43-13797

Bill,

Thank you for letting me know.

Best,
Mary

Mary Condon
Water Supply Bank Program Coordinator



From: Mills, Bill <Bill.Mills@idwr.idaho.gov>
Sent: Thursday, June 20, 2024 11:22 AM
To: Condon, Mary <Mary.Condon@idwr.idaho.gov>
Subject: WSB Lease and Rental of WR 43-13797

Mary,
I'm currently processing two companion transfer applications where there is both a WSB lease (Nature Farms LLC Transfer# 89081) and a WSB rental (V & R Farms LLC, Transfer #89026, formerly Valley View Farms LLC). The lease is Contract No. 1839 and the rental is Agreement No. 845, for a portion of water right 43-13797.
I will be forwarding both transfer applications for advertising next week. I will also contact both applicants and let them know that the Department will wait to approve the applications until the rental and lease contracts expire.
Sincerely,



Bill Mills
Sr Water Resource Agent
Idaho Dept. of Water Resources, Southern Region
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 736-3033
bill.mills@idwr.idaho.gov