

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 89026**

This is to certify that: LEON R WALKER FAMILY TRUST
3934 W GRAYMALKIN CIR
SOUTH JORDAN, UT 84009-9516
AND
V & R FARMS LLC
715 S 750 E
BURLEY, ID 83318-5744

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>
43-2359	WR/DECREED	12/1/1950	2.900 cfs	628.0 af	157.0	546.0	GROUND WATER
43-2460	WR/DECREED	7/31/1957	2.760 cfs	552.0 af	138.0	546.0	GROUND WATER
43-4010	WR/DECREED	7/11/1962	2.340 cfs	916.0 af	229.0	546.0	GROUND WATER
43-7054	WR/DECREED	1/27/1975	2.000 cfs	971.9 af	251.0	546.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
43-2359	NO	NO	YES	NO	NO	NO
43-2460	NO	NO	YES	NO	NO	NO
43-4010	NO	NO	YES	NO	NO	NO
43-7054	NO	NO	YES	NO	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>
43-2359	43-2359	2.900 cfs	628.0 af	157.0	546.0	N/A	N/A	N/A	N/A	N/A
43-2460	43-2460	2.760 cfs	552.0 af	138.0	546.0	N/A	N/A	N/A	N/A	N/A
43-4010	43-4010	2.340 cfs	916.0 af	229.0	546.0	N/A	N/A	N/A	N/A	N/A
43-7054	43-7054	2.000 cfs	971.9 af	251.0	546.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		10.000 cfs	2184.0 af	546.0	546.0		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # 43-2359

Transfer No. 89026

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 89026**

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 18th day of April, 2025.



Southern Region Manager



WATER RIGHT NO. 43-2359**As Modified by Transfer No. 89026**

In accordance with the approval of Transfer No. 89026, Water Right No. 43-2359 is now described as follows:

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

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

Priority Date: 12/1/1950

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	2,900 cfs 2,900 cfs	628.0 af 628.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENE	Sec 28 Twp 10S Rge 26E	CASSIA County
GROUND WATER	NWNNWNE	Sec 28 Twp 10S Rge 26E	CASSIA County
GROUND WATER	NWNNW	Sec 28 Twp 10S Rge 26E	CASSIA County
GROUND WATER	SWSESE	Sec 28 Twp 10S Rge 26E	CASSIA County
GROUND WATER	SWSESW	Sec 28 Twp 10S Rge 26E	CASSIA 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	
10S	26E	27										31.0	39.0						70.0
10S	26E	28			5.5	5.3					29.0		35.0	25.0	38.0	38.0	36.0	37.0	248.8
10S	26E	29												1.7			21.0	37.0	59.7
10S	26E	33	39.0	11.0		21.0	2.5	20.0											93.5
10S	26E	34						23.0	39.0			12.0							74.0

Right Acre Limit: 157.0

POU Total Acres: 546.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 157 acres within the place of use described above in a single irrigation season.
2. 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

Transfer No. 89026

WATER RIGHT NO. 43-2359
As Modified by Transfer No. 89026

CONDITIONS OF APPROVAL

3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. 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.
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. This right does not grant any right-of-way or easement across the land of another.
7. The right holder shall accomplish the change authorized by this transfer within one (1) 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.

WATER RIGHT NO. 43-2460**As Modified by Transfer No. 89026**

In accordance with the approval of Transfer No. 89026, Water Right No. 43-2460 is now described as follows:

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

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

Priority Date: 7/31/1957

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	2.760 cfs 2.760 cfs	552.0 af 552.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENE	Sec 28 Twp 10S Rge 26E	CASSIA County
GROUND WATER	NWNWNE	Sec 28 Twp 10S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 28 Twp 10S Rge 26E	CASSIA County
GROUND WATER	SWSESE	Sec 28 Twp 10S Rge 26E	CASSIA County
GROUND WATER	SWSESW	Sec 28 Twp 10S Rge 26E	CASSIA 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	
10S	26E	27										31.0	39.0						70.0
10S	26E	28			5.5	5.3					29.0		35.0	25.0	38.0	38.0	36.0	37.0	248.8
10S	26E	29												1.7			21.0	37.0	59.7
10S	26E	33	39.0	11.0		21.0	2.5	20.0											93.5
10S	26E	34						23.0	39.0			12.0							74.0

Right Acre Limit: 138.0

POU Total Acres: 546.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 138 acres within the place of use described above in a single irrigation season.
2. 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.

Transfer No. 89026

WATER RIGHT NO. 43-2460
As Modified by Transfer No. 89026

CONDITIONS OF APPROVAL

3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. 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.
5. 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.
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. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one (1) 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. 43-4010**As Modified by Transfer No. 89026**

In accordance with the approval of Transfer No. 89026, Water Right No. 43-4010 is now described as follows:

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

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

Priority Date: 7/11/1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	2.340 cfs	916.0 af
			2.340 cfs	916.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENE	Sec 28 Twp 10S Rge 26E	CASSIA County
GROUND WATER	NVNWNE	Sec 28 Twp 10S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 28 Twp 10S Rge 26E	CASSIA County
GROUND WATER	SWSESE	Sec 28 Twp 10S Rge 26E	CASSIA County
GROUND WATER	SWSESW	Sec 28 Twp 10S Rge 26E	CASSIA 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	
10S	26E	27										31.0	39.0						70.0
10S	26E	28			5.5	5.3					29.0		35.0	25.0	38.0	38.0	36.0	37.0	248.8
10S	26E	29												1.7			21.0	37.0	59.7
10S	26E	33	39.0	11.0		21.0	2.5	20.0											93.5
10S	26E	34						23.0	39.0			12.0							74.0

Right Acre Limit: 229.0

POU Total Acres: 546.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 229 acres within the place of use described above in a single irrigation season.
2. 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.

Transfer No. 89026

WATER RIGHT NO. 43-4010
As Modified by Transfer No. 89026

CONDITIONS OF APPROVAL

3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. 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.
5. 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.
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. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one (1) 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. 43-7054
As Modified by Transfer No. 89026

In accordance with the approval of Transfer No. 89026, Water Right No. 43-7054 is now described as follows:

Right Holder: 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

Priority Date: 1/27/1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/15	to 11/15	2.000 cfs	971.9 af
			2.000 cfs	971.9 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NENE	Sec 28 Twp 10S Rge 26E	CASSIA County
GROUND WATER	NWNWNE	Sec 28 Twp 10S Rge 26E	CASSIA County
GROUND WATER	NWNW	Sec 28 Twp 10S Rge 26E	CASSIA County
GROUND WATER	SWSESE	Sec 28 Twp 10S Rge 26E	CASSIA County
GROUND WATER	SWSESW	Sec 28 Twp 10S Rge 26E	CASSIA 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	
10S	26E	27										31.0	39.0						70.0
10S	26E	28			5.5	5.3					29.0		35.0	25.0	38.0	38.0	36.0	37.0	248.8
10S	26E	29												1.7			21.0	37.0	59.7
10S	26E	33	39.0	11.0		21.0	2.5	20.0											93.5
10S	26E	34						23.0	39.0			12.0							74.0

Right Acre Limit: 251.0

POU Total Acres: 546.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 251 acres within the place of use described above in a single irrigation season.
2. 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.

Transfer No. 89026

WATER RIGHT NO. 43-7054
As Modified by Transfer No. 89026

CONDITIONS OF APPROVAL

3. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
4. 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.
5. 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.
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. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one (1) 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.

43-2359, 43-2460, 43-4010, and 43-7054

United States Department of Agriculture, Farm Production and
Conservation Business Center, Geospatial Enterprise Operations
(FPAC-BC-GEO)

A horizontal number line representing distance in miles. The line starts at 0 and ends at 1.2. There are tick marks at intervals of 0.1 miles. The labels 0, 0.3, 0.6, and 1.2 Miles are placed above the corresponding tick marks.

-  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

April 21, 2025

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

Transfer Approval Notice

Dear Water Right Holder and other Interested Persons:

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

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

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

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

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

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

Sincerely,



Corey Skinner
Southern Regional Manager

Enclosure

c:

THE BANK OF COMMERCE
C/O WESTERN AGCREDIT
PO BOX 95850
SOUTH JORDAN UT 84095-0850

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

CERTIFICATE OF SERVICE

I hereby certify that on April 21, 2025 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.: 89026

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

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

THE BANK OF COMMERCE
C/O WESTERN AGCREDIT
PO BOX 95850
SOUTH JORDAN UT 84095-0850

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



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: June 18, 2024
To: Transfer 89026 File
From: William Mills
Re: Evaluation of Sufficiency of Information Submitted

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 (POD) for the water rights. The proposed place of use (POU) is located approximately 13.5 to 14.7 miles north and 2.0 miles to 3.8 miles west of Malta.

This transfer application was filed as a companion to transfer application #89081. This transfer rearranges the POU acres, and in doing so, adds irrigated acres to lands owned by Nature Farms LLC. The companion transfer moves water right acres off those same acres to prevent stacking water rights owned by the two separate entities. Applicants have provided a water sharing agreement that is included in both transfer applications.

The four ground water rights are administered by Water District 143. Watermaster comments were solicited and the Watermaster had no comments or concerns regarding this application.

- **Authority to File:**
IDWR records indicate the applicants currently own the water rights in this transfer.
- **Water Right Validity:**
Water rights in this transfer were decreed on 6/28/2002. Aerial imagery indicates that lands associated with these water rights 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.

**** Proof of Publication ****

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

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

2 Insertions

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

ORDER NUMBER 152114

Sherrie Davis
(Legals Clerk)

STATE OF IDAHO)
SS
COUNTY OF TWIN FALLS)

On this 12 day of July in the year of 2024 before me, a Notary Public, personally appeared before me Sherri Davis known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Morgan Shindle
Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 11/20/2029

Section: Legals

Category: 50 Legal

PUBLISHED ON: 07/03/2024, 07/11/2024

TOTAL AD COST: 232.52
FILED ON: 7/11/2024

**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 7/18/2024

RECEIVED

JUL 15 2024

DEPT OF WATER RESOURCES
SOUTHERN REGION

Maline, Denise

From: Ragan, Brian
Sent: Monday, July 1, 2024 1:53 PM
To: Maline, Denise
Subject: RE: Comment Letter for Transfer Nos. 89026 & 89081

I have no comments or concerns regarding these two transfer applications.

Brian Ragan
IDWR Water Distribution Section
208.287.4934

From: Maline, Denise <Denise.Maline@idwr.idaho.gov>
Sent: Friday, June 28, 2024 10:58 AM
To: Ragan, Brian <Brian.Ragan@idwr.idaho.gov>
Subject: Comment Letter for Transfer Nos. 89026 & 89081

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